

City of Talent

Community Development Department - Planning



STAFF REPORT

Type-4 Land Use Application — Legislative Review — City Council

Meeting date: March 1, 2017
File no: REZ 2016-001, CPA 2016-003, SUB 2016-001, VAR 2016-001
Prepared by: Zac Moody, Community Development Director
Item: Comprehensive Plan and Zoning Map Amendment, Subdivision and Variance

GENERAL INFORMATION

PetitionerBradley Properties, LLC.

Requested ActionAmendments to the City of Talent’s Comprehensive Plan and Zoning Map and 35-Lot Subdivision with Setback Variance

Amended MapsComprehensive Plan and Zoning Map

PROPOSAL

The subject property is currently identified on the Comprehensive Plan Map as being within the Light Industrial (LI) designation and within the Light Industrial (IL) zoning district.

The approval of this application would amend the Comprehensive Plan Map designation for the subject property to the Residential High Density (RH) designation and the Zoning Map to the Multiple Family – High Density (RM-22) zoning district.

This Application seeks approval to create a two-phase, residential subdivision dividing the subject parcel into 35 residential lots with 22,019 sf of land reserved for future multi-family development.

BACKGROUND/PROCESS

This application was originally brought to the Planning Commission on January 26, 2017. During this meeting, the Planning Commission was presented all of the information provided to the City by the application and a staff report by Community Development (**EXHIBIT “A”**). Staff requested that the public hearing remain open until February 9, 2017 to revise the proposed final order and to determine if the applicant could reasonably meet the required variance standards. The Planning Commission accepted Staff’s request and continued the public hearing to February 9, 2017 and additional information was provided to the Planning Commission (**EXHIBIT “D”**). The hearing provided an opportunity for

the public to comment on Staff's recommendation, findings, and to consider additional public comment that has been received. Following the close of the public hearing, the Planning Commission deliberated and provided a recommendation of denial of the proposed applications to the Talent City Council. The motion of the Planning Commission is detailed in the draft minutes from February 9, 2017 (**EXHIBIT "G"**).

Through this very complicated process of consolidated applications and processes, Staff encountered a few procedural questions. The first question raised by the Commission was that each application type (legislative and quasi-judicial) should have had their own set of final orders, which would have provided the Commission an opportunity to make a recommendation on the legislative and quasi-judicial applications separately. Realizing the findings were not written in that manner, Staff recommended the Planning Commission approve the applications, but allow staff the opportunity to separate final orders into two separate orders. This would have allowed the Commission to make separate decisions. Staff advised the Commission of this option and provided the review standards outlined in Section 8-3M.180 (D)(2) of the Talent Zoning Code. The Planning Commission continued deliberations, resulting in a motion to recommended denial of the applications presented to them. During the course of deliberations, Staff cautioned the Commission about making a recommendation based on policies that had not been adopted and advised their decision should be based on not meeting standards or criteria. Commissioner Riley stated that she didn't feel the application could be approved because the variance criteria had not been met. However, the motion of the Commission did not reflect that statement and the recommendation was denial without any requested amendments to the final orders addressing the criteria which the denial was based.

Staff prepared a list of questions for the City Attorney to consider in regard to the process going forward to the City Council. The Attorney's written responses will be included in the record once they have been received and will address Council's decision making responsibilities in accordance with the Talent Zoning Code. In accordance with Section 8-3M.160(H)(4) the Council shall do the following:

4. *The City Council shall:*
 - a. *Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the Planning Commission for rehearing and reconsideration on all or part of the application;*
 - b. *Consider the recommendation of the Planning Commission; however, it is not bound by the Commission's recommendation; and*
 - c. *Act by ordinance, which shall be signed by the Mayor after the Council's adoption of the ordinance.*

COUNCIL OPTIONS

DENIAL

Should the Council choose to accept the Planning Commission's recommendation for denial, Staff has been advised by Legal Counsel to prepare a final order of denial addressing specific provisions of the Talent Zoning Code, Talent Subdivision Code or Comprehensive Plan policies that have not been met. Considering Planning Commission did not recommend denial based on any applicable standards, criteria or policies, Council will need to make a determination of which standards have not been met. To prepare Council properly, Staff has amended the proposed final order of approval presented to the Planning Commission into two separate final orders; one for the legislative amendments and one for the quasi-judicial action. Legal Counsel confirmed that findings are required regardless of the decision, therefore, if Council accepts the Planning Commission's recommendation, findings of denial shall be made by the City Council and shall be made defensible in the case of appeal to the Land Use Board of Appeals.

APPROVAL

If the Council chooses not to accept the Planning Commission's recommendation and approves both the legislative and quasi-judicial actions, Staff has prepared the Ordinances necessary for adopting the Comprehensive Plan and Zoning Map change. In addition to the required ordinance approving the map changes, Staff is also required by state statute and the Talent Zoning Code to provide a notice of decision on the quasi-judicial decision. As required in Section 8-3M.160(J):

“Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development within 5 business days after the City Council decision is filed with the City Planner. The City Planner shall also provide notice to all persons as required by other applicable laws.”

The Ordinances and the final orders of approval must be signed by the Mayor after approval by the City Council. To prepare Council properly, Staff has amended the proposed final order of approval presented to the Planning Commission into two separate final orders; one for the legislative amendments and one for the quasi-judicial action (**EXHIBIT “I”**).

APPROVAL OF LEGISLATIVE/DENIAL OF QUASI-JUDICIAL ACTION

If the Council chooses to approve the legislative applications and not the quasi-judicial, staff will be required to prepare an Ordinance approving the map changes along with a final order addressing the applicable approval criteria and prepare a final order of denial for the quasi-judicial action and a notice of decision. The Ordinances and the final orders must be signed by the Mayor after approval by the City Council.

Staff has provided motions for each of the Council options in the Potential Motions section below.

AGENCY AND PUBLIC COMMENTS

Agency Comment

No additional comments were received by affected agencies during the continued public hearing.

Public Comment

Public testimony was taken during the continued public hearing on February 9, 2017 and included concerns from residents specific to noticing, compatibility, density and affordable housing. Those comments are included in the draft Planning Commission minutes (**EXHIBIT “G”**).

DISCUSSION

Staff addressed all applicable criteria relating to the proposed requests and addressed all of the public comments related to specific criteria. It was Staff’s determination that the proposed requests met or could meet with conditions, the intent of Oregon’s Statewide Planning Goals, Comprehensive Plan and Talent Zoning Code and Subdivision Codes.

The information below was provided to the Planning Commission as a means of providing assurance that the concerns of the citizens that spoke at the initial public hearing were addressed. Staff’s unsigned proposed final order recommending approval is attached to this staff report for reference (**EXHIBIT “D”**).

Buffering

Section 8-3J.450 of the Talent Zoning Code states that the Planning Commission shall require a buffer when a development or use proposed in a commercially land industrially zoned area is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone. Section 8-3J.450(B) details the specific requirements for buffering when a residential use is proposed adjacent to a non-residential zone. As proposed, the buffer along the south and west side of the development meets the requirement of the zoning ordinance.

Section 8-3F.160 and 196 were also identified as a concern to the adjacent (pre-existing) industrial use. After review of this section, Staff has determined that these regulations do not apply to an existing industrial use and therefore the proposed residential use will not force a new buffering requirement on the existing industrial development.

Setback Variance

Staff has reviewed the supplemental findings submitted by the applicant on January 30, 2017 and agrees with the analysis provided by the applicant. The City’s zoning ordinance is an evolving document, but doesn’t always take into consideration the current development environment of the city. Because there is a need for flexibility as it pertains to development, cities have a variance process. The requested variance can be argued either way, but the subjective nature of the regulations provides the Planning Commission the authority to grant a variance if specific findings are made. These findings are outlined in the Proposed Final Order and in Staff’s opinion demonstrated the need for the variance.

Once the City moves forward after the new Housing Element is adopted, it is likely that requests such as this will become a common way to creatively develop an infill parcel. The current Housing and Economy Element both recommend the City provide flexibility with development and ensure that the City has a 20 year supply of residential land. Specifically, flexibility is addressed in the Housing Element policy below:

POLICY 5

“Encourage creative design for residential development that balances the need to optimize infill while protecting scenic and natural resources.”

IMPLEMENTATION STRATEGIES

5.1.1 Adopt a new Planned Unit Development ordinance, which establishes a new review process for PUD applications as similar as possible to subdivision review to remove constraints, such as time and money obstacles, to facilitate creative project design.

5.1.2 Continue to promote the Planned Unit Development process to maintain maximum allowable densities and site design on a gross area basis where protection of a natural, historical, or cultural resource can be accomplished.

5.1.3 Encourage the inclusion of dedicated public or managed private park areas, both passive and active, within new neighborhoods by allowing units to be clustered to maintain optimal densities. (Element B: Parks, Recreation, and Open Space)

Approval of the Comprehensive Plan and Zoning Map amendments and the Subdivision and Variance request is consistent with these policies providing the City with much needed housing and the developer with the flexibility necessary to facilitate a creative, high density project.

POTENTIAL MOTIONS

The motions below have been prepared in consultation with the City Attorney and provide the Council specific language to deny all of the applications, approve the legislative action but deny the quasi-judicial action and to approve all applications.

Motion to Deny All Applications

“I move to deny file CPA 2016-003, an application to amend the Talent Comprehensive Plan Map designation of the property located at 38-1W-26AD Tax Lot 500 from Light Industrial (LI) to High Density Residential (RH) and direct Staff to prepare a final order of denial based on the following criteria (Council to specify criteria that have not been met).”

“I move to deny file REZ 2016-001, an application to amend the Talent Zoning Map designation of the property located at 38-1W-26AD Tax Lot 500 from Light Industrial (LI) to Residential – High Density (RM-22) and direct Staff to prepare a final order of denial based on the following criteria (Council to specify criteria that have not been met).”

“I move to deny file SUB 2016-001 and VAR 2016-001, an application for a 35 lot subdivision and a variance allowing side yard setbacks of 6’ for two-story homes, 10’ front/porch setbacks and 20’ garage setbacks and direct Staff to prepare a final order of denial based on the following criteria (Council to specify criteria that have not been met).”

Motion to Approve Legislative Actions/Deny Quasi-Judicial Actions

“I move to approve Ordinance 933, an Ordinance adopting an amendment to the Comprehensive Plan Map designation of the property located at 38-1W-26AD Tax Lot 500 from Light Industrial (LI) to High Density Residential (RH), as shown in Exhibit B of Ordinance 906, contingent upon the approval of File SUB 2016-001 and VAR 2016-001.”

“I move to approve Ordinance 934, and ordinance adopting an amendment to the Zoning Map designation of property located at 38-1W-26AD Tax Lot 500 from Light Industrial (LI) to Residential – High Density (RM-22), as shown in Exhibit B of Ordinance 907 contingent upon the approval of File SUB 2016-001 and VAR 2016-001”.

“I move to deny file SUB 2016-001 and VAR 2016-001, an application for a 35 lot subdivision and a variance allowing side yard setbacks of 6’ for two-story homes, 10’ front/porch setbacks and 20’ garage setbacks and direct Staff to prepare a final order of denial based on the following criteria (Council to specify criteria that have not been met).”

Motion to Approve All Applications

“I move to approve Ordinance 933, an Ordinance adopting an amendment to the Comprehensive Plan Map designation of the property located at 38-1W-26AD Tax Lot 500 from Light Industrial (LI) to High Density Residential (RH), as shown in Exhibit B of Ordinance 933”.

“I move to approve Ordinance 934, and ordinance adopting an amendment to the Zoning Map designation of property located at 38-1W-26AD Tax Lot 500 from Light Industrial (LI) to Residential – High Density (RM-22), as shown in Exhibit B of Ordinance 934”.

“I move to approve files SUB 2016-001 and VAR 2016-001, an application for a 35 lot subdivision and a variance allowing side yard setbacks of 6’ for two-story homes, 10’ front/porch setbacks and 20’ garage setbacks with the conditions of approval set forth in the approved final orders of the Talent City Council”.

EXHIBITS

The following exhibits represents all of the documents in the official record:

- EXHIBIT “A” - Initial Planning Commission Hearing Packet – January 26, 2017
- EXHIBIT “B” – Initial Planning Commission Hearing PowerPoint Presentation
- EXHIBIT “C” – Approved Planning Commission Minutes – January 26, 2017
- EXHIBIT “D” - Continued Planning Commission Hearing Packet – February 9, 2017
- EXHIBIT “E” – Applicant’s Supplemental Information (received February 9, 2017)
- EXHIBIT “F” – Continued Planning Commission Hearing Written Comments
- EXHIBIT “G” – Draft Planning Commission Minutes – February 9, 2017
- EXHIBIT “H” – Public Hearing Notices
- EXHIBIT “I” – Revised Final Orders of Approval (if approved by Council)
- EXHIBIT “J” – Draft Ordinance 933 – Amendment to Comp Plan Map
- EXHIBIT “K” – Draft Ordinance 934 – Amendment to Zoning Map



Zac Moody, Community Development Director

February 22, 2017
Date

Planning Commission has recommended denial of the proposed legislative and quasi-judicial actions, but it will require at least one public hearing before the City Council for a decision. The Talent Zoning Code establishes procedures for legislative hearings in Section 8-3M.160. **A public hearing on the proposed action is scheduled before the Talent City Council on March 1, 2017 at 6:45 PM at Talent Town Hall.**

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at zmoody@cityoftalent.org.

EXHIBIT "A"

City of Talent

Community Development Department - Planning



STAFF REPORT and **ANALYSIS**

Type-4 Land Use Application — Legislative Review — Planning Commission

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PROPOSAL

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This Application seeks approval to create a two-phase, residential subdivision dividing the subject parcel into 35 residential lots with 22,019 sf of land reserved for future multi-family development.

PROCESS

Considering the complexity surrounding the review of this application staff is requesting that the Planning Commission use a review process similar to that of the Planned Unit Development Ordinance (recently repealed by the City Council) to conduct a preliminary review of the plan in two phases.

The recently repealed PUD ordinance encouraged innovative planning and site design that resulted in compatible, mixed use developments, improved open space and greater housing and transportation options. In addition, the PUD ordinance facilitated the efficient use of land and promoted an economical arrangement of land, which is important considering the

current status of Talent's housing market. The PUD ordinance added an additional level of review, key in providing the Planning Commission with a greater understanding of the proposal and gave the Planning Commission a critical opportunity to do a preliminary "conceptual" review of a proposal prior to making a decision that could have a lasting impact on the community.

Staff is not recommending that the Planning Commission allow all of the flexibility of the PUD ordinance, but rather use a review and approval process that not only benefits the Planning Commission, but the developer as well. The review process includes one public hearing to review the concept plan and on public hearing to review the final detailed development plan. The process provides the Planning Commission the opportunity to pose questions or concerns at the concept level and gives the applicant the opportunity to fine tune the development and avoid potential issues that could result in a denial of the application.

The recently adopted Economy Element and proposed Housing Element both suggest that the City move in a direction of greater flexibility and process when reviewing land use applications and building permits. Although not formally adopted in to the regulations section of the Talent Zoning Code, the proposed review process would be no different than the Planning Commission continuing a hearing.

Staff feels that this process is beneficial to both the applicant and the City to ensure that the proposed development meets the current and future development goals of the City and also introduces a review process that when in effect previously, was very effective.

With that said, staff is requesting that this review be used to conceptually approve the project and provide the applicant and staff with direction on proposed changes or concerns with the development. If approved at the conceptual level, staff would schedule a second public hearing once any necessary changes have been submitted to staff by the applicant. This second public hearing would provide the Planning Commission an opportunity to review Detailed Development Plan and make a final recommendation to the City Council for approval.

AGENCY AND PUBLIC COMMENTS

The applicant submitted the required pre-application conference forms and fees and attended the conference on December 15, 2016. During this conference multiple agencies, including Jackson County Fire District #5, Rogue Valley Sewer Services, Jackson County Building, City Engineer, Public Works Direct and the Talent Police Chief provided support for the proposed application. Rogue Valley Sewer Services provided additional comment detailing requirements for sewer connections and for stormwater management.

No public comment has been received as of the date of this staff report.

ANALYSIS

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

OREGON ADMINISTRATIVE RULES

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

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

FINDING: The subject tract is adjacent to Talent Avenue which is classified as a collector. The proposed change will not degrade the performance of the existing transportation facility and does not appear to impact the level of service below that required by the Transportation System Plan.

The proposed zoning map amendment would change the existing Comprehensive Plan and Zoning Map from Light Industrial zone to High Density Residential, decreasing the volumes and level of service for the highest and best uses in the Industrial Designation. Considering that the impacts would be unchanged or lessened, the proposed amendment would not significantly affect the transportation facility, the mitigating measures provided in section (2) of this rule are not applicable. **The provisions of this section have been met.**

TALENT COMPREHENSIVE PLAN POLICIES, GOALS AND OBJECTIVES

ELEMENT A – HISTORY OF TALENT

POLICY 1: A Sense of Place. It is the policy of the City of Talent to preserve the historic resources of the city as a way to maintain its unique character and to provide for the social and economic needs of the people who live here.

FINDING: The City has an established Historic District and the subject property is not within an area with the mapped Historic District. There are no features of the site with any historical significance. **The provisions of this Section have been met.**

ELEMENT B – PARKS AND RECREATION

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

FINDING: The Comprehensive Plan has recognized the value of parks and open space in urban settings. The subject property is abutting an existing City Park (Chuck Roberts), the Bark Park, and the proposed site plan was designed to complement the adjacent park with an open space area and additional pedestrian facilities.

Pedestrian facilities included in the proposed development plan will allow the residents to enjoy Chuck Roberts Park, which is within comfortable walking distance of the site. **The provisions of this section have been met.**

ELEMENT C – NATURAL HAZARDS

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

FINDING: The site is not within a map flood plain or flood hazard area or in an area typically known for coastal inundation tsunamis or coastal erosion. The site is not in an area of steep slopes and landslides are not a hazard.

Future development will be subject the prevailing building code at the time of submittal. The State Building Codes include reasonable measures to meet hazards associated with earthquakes. **The provisions of this section have been met.**

ELEMENT D – TRANSPORTATION

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

FINDING: The City has an adopted Transportation System Plan (TSP) in compliance with State requirements. The TSP is a component of the Comprehensive Plan. The TSP reviews all modes of transportation and classifies and provide a standard specification for all new streets. The TDO implements the goals and policies of the TSP.

The Oregon Transportation Planning Rule assures all land use decisions will consider review of multi modal forms of transportation in the decision process.

The site does not have access any water based transportation opportunities. The site is near the existing railroad, but not adjacent to any rail based transportation.

The Medford International Airport is approximately 12 miles from the subject property.

The subject property is approximately .25 miles from Oregon Highway 99 and 1.25 miles from Interstate 5.

The site plan and tentative plat propose public streets to provide access for the dwelling units and a connection to the existing transportation system. The public streets will include sidewalks to promote pedestrian connectivity and access to Talent Avenue.

The proposed streets are lower order streets and do not have provisions for bicycle lanes within the right of way. The low traffic volumes and narrow rights of way anticipate safe bicycle travel in the vehicular travel lanes. Talent Avenue is a collector street and provides bicycle travel lanes.

ELEMENT E – ECONOMY

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

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

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

FINDING: The Comprehensive Plan includes an Economic Opportunities Analysis (EOA) that was updated in October 2016. The EOA demonstrates the City of Talent has a demand of 20 acres of Industrial land for the 2016 – 2036 planning horizon. The EOA contains a Buildable Lands Inventory of industrial land currently within the UGB. The City currently has a 26.19 acres supply of Industrially zoned land.

The City meets the requirements of Policy 1 and has a 20-year supply of industrial land within the UGB. The City has a surplus of 6.19 acres within the UGB.

The City is in the process of reviewing the updated Housing Needs Analysis (HNA) to update the Housing Element of the Comprehensive Plan. While the HNA has not been adopted by the City Council at the time this application was submitted, the information represents the most current data specific to the City’s housing needs.

The proposed HNA indicates the City currently has a capacity of 630 dwelling units for the 20-year planning horizon. The projected growth in the planning horizon indicates a demand of 1,272 dwelling units. The proposed HNA concludes the City has a deficit of 642 dwelling units with a need for housing at all densities.

The subject property is currently within the IL zoning district and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is adjacent to existing High Density development within the RM-22 zoning district and adjacent to a city park.

The site is within ½ mile of the City downtown core and the west side of Talent Avenue is currently developed with sidewalks for pedestrian connectivity to the downtown core.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. The traffic associated with industrial uses, including truck traffic has an impact on the existing streets in the areas. Using the ITE Trip Generation methodology, the subject property has a highest and best use impact of 154 PM Peak Hour Trips, and 1,540 Average Daily Trips (ADT).

The Site Plan and Tentative Plat submitted with this application identifies 35 single family dwelling units and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a traffic impact of 1 PM Peak hour trip per dwelling units for a total of 35 PM Peak Hour Trips. The future Multifamily development with up to 12 dwelling units at .62 PM Peak hour trips is an additional 7.44 PM Peak hour trips for a total of 42.44 PM Peak hour trips.

The effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated subdivision is a reduction of 111.56 PM Peak hour trips from the current IL zoning at the highest and best use.

The subject property is an ideally suited for conversion from Industrial land to High Density residential land. The approval of this application and the conversion of industrial land to high density residential land will significantly reduce future traffic impact in the vicinity of the subject property.

The City has identified a surplus of industrial land and has a deficit of residential land for the 20-year planning horizon. Additionally, the City has an immediate need for additional residential land. Converting this industrial land to high density land with address short term residential demands without negative impacts to the industrial land needs.

The subject property is infill development with significant industrial, residential and municipal development on surrounding properties. All necessary public facilities are currently available to the site and have adequate capacity for the proposed development. **The provisions of this section have been met.**

Objective 2.3: The City will develop policies to identify industrial areas that are more appropriate for other uses (e.g., residential uses) based on their site characteristics (e.g., location, size, configuration, or transportation access.

FINDING: The proposal is for a Comprehensive Plan Map and Zoning Map Amendment to rezone the subject property from industrial land to high density residential land. The approval of this application will address the identified surplus of industrial land and the deficit of residential land.

The approval of the application will reduce the traffic impacts when compared to the highest and best uses allowed in the Industrial zone. All necessary public facilities are available with sufficient capacity to serve the proposed development.

The subject property is adjacent to existing residential development, city park facilities and comfortable walking distance to the downtown core of the city using existing pedestrian facilities. The subject property is an appropriate property for rezoning from IL zoning district to the RM-22 zoning district.

Implementation Strategy 2.3b: If industrial sites are re-zoned to residential uses, identify new industrial sites suitable to replenish the supply of industrial land to

meet Talent's identified industrial land need in the Economic Opportunities Analysis.

Implementation Steps: (1) This strategy will be implemented if industrial land is rezoned, such as through Implementation Strategy 2.3a. (2) Conduct analysis to identify suitable industrial sites to meet Talent's industrial land need identified in the Economic Opportunities Analysis, which may be found inside or outside of the city's Urban Growth Boundary.

The City has an adopted Economic Opportunities Analysis that has identified a 6.19-acre surplus of industrial land for the needs of the 20-year planning horizon. Approval of this application would convert 4.37 acres of industrial lands to residential lands, leaving a 1.82-acre surplus of industrial land within the current UGB.

The City is involved the Regional Problem Solving (RPS) process to identify growth areas with the intent of UGB expansion. The City has identified 5 suitable growth areas. TA-4 has been identified as suitable for industrial growth and makes available approximately 17 acres of land for future industrial needs. **The provisions of this section have been met.**

ELEMENT F – PUBLIC FACILITIES

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

The subject property fronts on Talent Avenue and is an infill development. The required public facilities are identified as:

- Streets
- Domestic Water
- Sanitary Service
- Storm Water Service

The subject property is currently vacant, however, abutting and adjacent properties are currently developed and served by all necessary public facilities. The development of the subject property is infill development and an efficient use of existing infrastructure.

Streets

The property has frontage on Talent Avenue. According the adopted Talent Transportation System Plan (TSP) Talent Avenue is classified as a collector street. The west half of Talent Avenue is currently improved with a paved section, a bicycle travel lane, curb and gutter and a 5-foot sidewalk.

The TSP provides Street Design Standards applicable to all streets in the City. The collector street classification includes 4 residential collector standards and 2 commercial collector standards. With the exception of a residential collector with parking permitted on both sides of the street, the required right of way for the standard is a total of 70 feet.

Domestic Water

The City of Talent Public Works Department has responsibility for the domestic water system. Domestic Water is provided from the water supply of the Medford Water Commission. The delivery system is the responsibility of Talent Public Works.

Water is currently available in Talent Avenue from a water main in the public right of way. The public ROW on the north-west side of the property was developed with a public water line. Future development on the site will be required to comply with the standards in effect at the time of development the extension of urban services.

Sanitary Sewer

Rogue Valley Sewer Service (RVS) provides sanitary sewer facilities in the City. According to RVS, Talent Avenue has an 8” sanitary sewer line in the public right of way and there is adequate capacity within the system for the purposes of the Comprehensive Plan Amendment and Zone Change. All Future development on the site will be required to comply with the standards in effect at the time of development.

Storm Water

RVS provided comments on the storm water issues of the Site. The City has responsibility for the storm water conveyance in the area and RVS has responsibility for onsite collection, treatment, and discharge to the public system.

Currently storm water facilities are available in the Talent Avenue right of way and the systems have adequate capacity for the purposes of the Comprehensive Plan Amendment and Zone Change. Future development on the site will be required to comply with the standards in effect at the time of development.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met.**

ELEMENT G – HOUSING NEEDS AND THE UGB

POLICY 1: PROVIDE FOR ALL OF TALENT’S HOUSING NEEDS FOR THE TWENTY YEAR PLANNING PERIOD WITHIN THE EXISTING URBAN GROWTH BOUNDARY.

FINDING: The City is in the process of updating the Housing Element of the Comprehensive Plan. At the time this application was submitted, the City was in the final review stage of revising the Housing Element, including a new Housing Needs Analysis (HNA). The Planning Commission is currently reviewing the proposed Element G and HNA will likely make a recommendation for approval to the City Council in the coming months.

While the updated element has not been adopted at the time of submitting this application, the data and analysis represents the most relevant data depicting the current needs for housing and housing types in the City.

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

The shortage of available land residential development negatively effects the affordability of housing of all housing types and all residential densities. Solutions for the housing deficit require intensification of existing residential land and the conversion of land currently designated with commercial or industrial uses to residential.

As proposed, this application would convert 4.3 acres of industrial land to high density residential land providing a mixture of housing types, small lot single family detached, small lot single family attached and multifamily.

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

The housing types proposed provide an efficient use of land on an infill property with adequate infrastructure. The proposed development includes a variety of housing types suitable for the RM-22 zoning district.

The proposed housing types include small lot single family detached, small lot single family attached and future attached multifamily dwellings. The proposed density of the development is between approximately 10 units per acre when including the multi-family component. As proposed, the density is greater than the target 6.6 units per acre required by the Regional Plan. The mixture of housing types at proposed density on an infill property represents an efficient use of the land and existing urban facilities. The additional density in this location is appropriate considering the adjacent high density developments and its proximity to public services such as transit and parks.

The approval of this application would result in relief in the need for housing needs within the next 12 months. The conversion of industrial land to high density residential land is an intensification of suitable property within the current UGB. The approval of this application expedites a solution of both the short-term housing needs and the conversion of the surplus of industrial lands within the City. **The provisions of this section have been met.**

ELEMENT H – REGIONAL PLAN

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

The most significant product of the Regional Plan is the establishment of requirements which affect the form and function of future urban-level development and the creation of an Urban Reserve (UR) for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

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

FINDING: The City has identified future growth areas for the expansion of the UGB. The Regional Plan has been adopted. The Comprehensive Plan Element E, Economy, has been updated and demonstrated the City has a surplus of commercial and industrial land.

The Comprehensive Plan Element G, Housing Needs, is in the process of being updated and demonstrates a deficit of residential land in the current UGB and the 20-year planning horizon.

The expansion of the UGB is a long-term process and the City has an immediate need for additional land suitable for residential use. With an identified surplus of industrial land and a deficit of available residential land in both the short term and long term, converting the subject property from industrial land to residential land has a significant beneficial impact to the City.

The approval of this application will maintain a 20-year supply of industrial land within the current UGB. The Regional Plan has identified TA-4 as areas suitable for expansion areas for industrial lands and both areas would be better suited for industrial development with better topography and improved access to higher order transportation facilities. **The provisions of this section have been met.**

TALENT SUBDIVISION CODE REQUIREMENTS

8-2. Article 2.

DEVELOPMENT AND DESIGN STANDARDS

8-2.210 OPEN SPACE

- A. *Purpose. To preserve the character of the City and to conserve natural resources by encouraging development that incorporates open space and the natural features of the land into neighborhood design, and by allowing density distribution within the development project so that there is no penalty for creative design.*
- B. *Open Space Standard. Designated Locally Significant Wetland and Riparian areas and a fifty-foot “safe harbor” setback from these areas shall be maintained as permanent open space, pursuant to 8-3H.2. Additional open space may also be required by the City or dedicated by the developer of a subdivision, in conformance with the Comprehensive Plan and the provisions of 8-2.220(D). The open space shall be shown on the preliminary plat, and recorded with the final plat or separate instrument in accordance with one of the following methods: [amended 15 October 2008; Ord. No. 847]*
2. *As private open space, by leasing or conveying title (including beneficial ownership) to a corporation, homeowners’ association or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City, and shall establish that the subject property may not be developed for any purpose other than that specified in the approved plan. (Note: This section is intended to ensure that open space is used for open space or recreational purposes only.)*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed open space will be owned and managed by the Homeowner’s Association. **The provisions of this section have been met.**

- C. *Uses of Required Open Space. Subject to review and approval by the City Council, an open space dedication may be used to comply with the City’s wetland and riparian protection codes and ordinances (8-3H.2 and 8-5) and/or mitigate parks and recreation impacts related to the subject development.*
- D. *Open Space for Public Park Use. If determined by the Planning Commis-*

sion to be in the public interest in accordance with the adopted Comprehensive Plan, the City may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed open space will be owned and managed by the Homeowner's Association. **The provisions of this section are not applicable.**

- E. Additional Open Space. If the developer is required to reserve additional land area in excess of conservation areas prescribed in Subsections B-D, above, for a park, playground, or other public use, the land shall be acquired by the appropriate public agency within 24 months following final plat approval, at a price agreed upon prior to approval of the plat, or the reservation shall be released to the property owner.*
- F. System Development Charge Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge for parks.*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. Considering the proximity to Chuck Robert's Park and the Bark Park, additional public open space is not necessary. **The provisions of this section are not applicable.**

8-2.220 PUBLIC FACILITIES STANDARDS AND IMPROVEMENTS

- A. Purpose. The purpose of this Section is to provide planning and design standards for public and private transportation facilities and utilities.*
- B. When Standards Apply. All development shall comply with the City's public facilities standards and construction specifications. When a new subdivision uses existing streets and other public facilities, those facilities shall be improved to current standards.*
- C. Standard Specifications. The Public Works Director and City Engineer shall establish written standard construction specifications and standard construction drawings consistent with the design standards of this Section and application of engineering principles. They are incorporated in this code by reference.*
- D. Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with*

the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the Applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

FINDING: The Application meets the public facilities standards set forth above. All public facilities contemplated herein comply with City Design & Engineering Standards, and these Findings along with confirmation from the City Engineer and Public Works Director affirm that the existing public facilities are sufficiently sized for the proposed subdivision. Through the pre-application conference process, the City engineer, RVSS, Pacific Power, and gas & phone utilities have all indicated that there are adequate public facilities to service this subdivision. **The provisions of this section have been met.**

8-2.230 PEDESTRIAN ACCESS AND CIRCULATION

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

1. *Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.*

FINDING: The pedestrian pathway between lots 29 and 30 provide a reasonable, direct route between the most distant lots and downtown Talent as well as for pedestrians walking to Chuck Roberts Park or Bark Park. **The provisions of this section have been met.**

2. *Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.*

FINDING: The pedestrian pathway between lots 29 and 30 provide a reasonable, direct and safe route between the most distant lots and downtown Talent as well as for pedestrians walking to Chuck Roberts Park or Bark Park. Additionally, the subdivision is designed with sidewalks on both sides of the proposed streets and an adequately sized paved street surface to accommodate bicycle traffic. **The provisions of this section have been met.**

4. *For residential buildings, the primary entrance is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the primary entrance may be a lobby, courtyard, or breezeway, which serves as a common entrance for more than one dwelling.*

FINDING: All primary, home entrances face the highest order street. Lots with street or

alley frontage have the primary entrance facing the street, and not the alley. **The provisions of this section have been met.**

B. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 250(J)(5). Pathways shall also be provided where cul-de-sacs or permanent dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other existing or future developments. Pathways used to comply with these standards shall conform to all of the following criteria:

- 1. All pathways shall be located within not less than 10 feet and not more than a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;*

FINDING: A pedestrian pathway is provided between lots 29 and 30 through the creation of a 10' wide pedestrian access easement. **The provisions of this section have been met.**

- 2. Pathways within subdivisions shall be lighted;*

FINDING: The pedestrian pathway provided between lots 29 and 30 will be lighted in accordance with City standards. **The provisions of this section have been met.**

- 3. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;*

FINDING: The proposed pedestrian pathway does not have any stairs or switchbacks and is proposed with grade of less than 5%. **The provisions of this section have been met.**

- 4. The City may require landscaping and/or fencing within the pathway easement/right-of-way for screening and the privacy of adjoining properties;*

FINDING: The pedestrian pathway provided between lots 29 and 30 will be landscaped upon the completion of the homes adjacent to the pathway. **The provisions of this section have been met.**

C. Design and Construction. Pathways shall conform to all of the standards in 1–5 below:

- 1. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped*

with curb ramps that comply with the federal Americans with Disabilities Act (ADA).

FINDING: The pedestrian pathway between lots 29 and 30 not parallel or directly adjacent to a driveway. **The provisions of this section are not applicable.**

2. *Housing/Pathway Separation. Pedestrian pathways for public use shall be separated a minimum of 5 feet from all residential living areas on the ground floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of 8-3J.4. No pathway/building separation is required for commercial, industrial, public, or institutional uses, except required for mixed uses when residential use is on the ground floor.*

FINDING: The required side-yard setbacks, if a variance is approved is 5 feet, therefore, all segments of the path will meet the minimum separation standard of 5 feet. **The provisions of this section have been met.**

3. *Crosswalks. Where pathways cross a parking area, driveway, or street (“crosswalk”), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application. Striping, because of on-going maintenance costs, is not the City’s preferred alternative.*

FINDING: The pedestrian pathway terminates at the intersection of William Way and does not cross a parking area, driveway or street. **The provisions of this section are not applicable.**

4. *Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other surface as approved by the City, at least 6 feet wide or as approved by the City, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 12 feet wide. (See also, Section 250—Transportation Standards for public, multi-use pathway standard.) Pathway right-of-way shall be no less than 15 feet to provide emergency vehicle access. Right-of-way of less than 15 feet may be used where a path could not otherwise be provided, but in no case may a right-of-way less than 12 feet be approved for a public path.*

FINDING: The proposed pedestrian pathway is not intended as a multi-use path, but rather as a pedestrian path. Both William Way and Stage Way have been designed in such a manner to provide a safe, convenient route for bicycles, eliminating the need for bicycle

traffic on the pathway. **The provisions of this section have been met.**

5. *Accessible routes. Pathways shall comply with the ADA, which requires accessible routes of travel.*

FINDING: The pedestrian pathway shall be constructed to comply with all ADA requirements and shall be included on the public improvement plans.

As proposed, the application meets the pedestrian access & circulation standards set forth above. The combination of ROW sidewalks and dedicated, pedestrian paths on the site plan provide safe, reasonably direct and convenient connections between building entrances and adjacent streets. Pathway, crosswalk, and pathway surface designs and specifications meet the foregoing criteria. **The provisions of this section have been met.**

8-2.240 STREET TREES

- B. *Plantings. Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to Land Division or Site Design Review, except that street trees may be planted in planter wells as provided in subsection 4 below. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in Section 8-3J.422. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.*

FINDING: As proposed, the Applicant shall install street trees in the planter strip in conformance with the approved plan. **The provisions of this section have been met.**

- C. *Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:*
 - a. *Provide a broad canopy where shade is desired.*
 - b. *Use low-growing trees for spaces under utility wires.*
 - c. *Select trees, which can be “limbed-up” where vision clearance is a concern.*
 - d. *Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.*
 - e. *Use species with similar growth characteristics on the same block for design continuity.*
 - f. *Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.*
 - g. *Select trees that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be*

used in areas with sandy or rocky soil.

- h. Select trees for their seasonal color, as desired.*
 - i. Use deciduous trees for summer shade and winter sun.*
- D. Caliper Size. The minimum caliper size at planting shall be 1½ inches diameter at breast height (dbh), based on the American Association of Nurserymen Standards.*
- E. Spacing and Location. If a planter strip is provided, street trees shall be planted within the planting strip. If a planter strip is not provided, trees shall be planted behind the sidewalk or in sidewalk tree wells (e.g., downtown area) when determined in the review process to be a reasonable accommodation. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with sight distance requirements, or existing trees, retaining walls, utilities and similar physical barriers.*
- F. Soil Preparations, Planting and Care. The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first year after planting and individual homeowners or established homeowner’s association will be responsible thereafter.*
- G. Street Tree List. Only trees included on the City of Talent’s approved tree list shall be planted as street trees. The Pacific Power approved tree list where overhead power lines are a factor, or other native tree lists acceptable to the Parks and Recreation Commission and Tree Subcommittee will be acceptable as well.*

FINDING: As proposed, the Application meets the street trees standards set forth above. The preliminary site plan emphasizes street tree and buffering tree plantings that provide important shade, color, and sound/ light attenuation. **The provisions of this section have been met.**

8-2.250 TRANSPORTATION FACILITY STANDARDS

- A. Purpose. The purpose of this chapter is to ensure that developments provide a safe and efficient public street system for pedestrians and vehicles, in conformance with the City’s Transportation System Plan and applicable ordinances.*

FINDING: The proposed plan utilizes two existing intersections: The ½ street improvement shared with OSF identified as “Stage Way” and the improvement of the existing exit

next to the Bark Park identified as “William Way” that aligns with Everett Way across Talent Avenue. **The provisions of this section have been met.**

B. Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Section 260—Access and Circulation, as well as Article 8-3J.6, and the following standards are met:

FINDING: The proposed subdivision shares approximately 300’ of frontage with Talent Avenue – a public street. **The provisions of this section have been met.**

1. Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan Standards;

FINDING: The proposed plan uses a narrow street exception within the Standards Section (section 6) of Transportation System Plan.—An exception to the local residential standard may be considered by the Planning Commission under the following conditions:

- *Average Daily Traffic is not reasonably expected to exceed 800 trips.*
- *Distance between cross streets is no more than 600 feet.*

As proposed, both streets are under 600 feet and the projected traffic trips at 9.7 trips per day per unit are expected to be less than 800 a day.

- *The street is a cul-de-sac not designed to provide future through-connection.*

Although a loop and not a cul-de-sac the effect is the same with no future connections to this road system, there will be no increase in capacity in the future

- *Expected parking demand can be met off street (considering the land uses/zoning in the vicinity).*

As proposed, the designed allows parking on one side of the street creating extra spaces near lots 20, 21, 22, and 29 through 35. All lots have off street parking and additional parking for back loaded alley lots have been designated adjacent to the alley. The proposed subdivision provides a 28’ wide pave section and could accommodate parking on one side of the street.

- *The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.*

The subject property is an infill parcel connecting completing an existing ½ street improvement on the north property line and tying into Talent Ave at the intersection of Everett Way and Talent Ave.

- *The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on-street parking).*

As proposed, the subdivision provides alley access on Stage Way, with each lot having two off street parking spaces and an additional parking off of the alley. Considering that each parcel provides off-street parking and that on-street parking will be minimized adjacent to the parkrow and stormwater facilities, the ROW width proposed is adequate and it is not necessary to increase the width of the ROW.

- *Although the City may agree that a wide street is not necessary now, it may become necessary in the future. For this reason, the Planning Commission may require dedication of a standard right-of-way—with reduced paving width when initially built—so the City may increase capacity when needed. The Commission may also consider requiring the provision of additional parking on a one-to-one basis to compensate for loss of on-street parking. Such parking may be located in mini-lots or some other alternative.*

There are not future connections to this local street system. The proposed street system only serves the properties within the subdivision, minimizing the need for future ROW dedication.

Based on the aforementioned evidence, the proposed streets in the subdivision meet the narrow street exception outlined in the Transportation System Plan and can, at the Planning Commission’s discretion, be approved. It should also be noted that during the pre-application conference, Public Works, City Engineer and Jackson County Fire District #5 agreed that the proposed street network provided adequate space to protect the public. **The provisions of this section have been met.**

2. *Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable City, county or state jurisdiction;*

FINDING: As proposed in the preliminary plat, the applicant shall complete the half-finished ROW along the Shakespeare frontage in accordance with the design & engineering plans established by the Planning Staff and Commission when Shakespeare obtained their Site Plan approval. William Way’s compliance with Talent’s narrow street exception is addressed in the findings below.

3. *The City may accept a future improvement guarantee [e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future] in lieu of street improvements if one or more of the following conditions exist:*

- a. *A partial improvement may create a potential safety hazard to motorists or pedestrians;*
- b. *Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;*
- c. *The improvement would be in conflict with an adopted capital improvement plan; or*
- d. *The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.*

FINDING: Other than the proposed improvements, there are no other future improvements necessary as a result of the subdivision request. **The provisions of this section have been met.**

- C. *Variances. A variance to the transportation design standards in this Section may be granted pursuant to Article 8-3L.4.*

FINDING: The proposed subdivision request proposes a narrow street exception which can only be approved through a variance pursuant to Section 8-3L.4 which is addressed below. **The provisions of this section have been met.**

- E. *Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Section 260—Vehicular Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.*

FINDING: No access easements are necessary for the proposed development. The proposed street meets the narrow street exception requirements from the TSP (addressed above) and provides adequate vehicular access and circulation. **The provisions of this section have been met.**

- F. *Street Location, Width, and Grade. Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, as applicable, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:*

- a. *Street grades shall be approved by the Public Works Director or designee in accordance with the design standards in Section 250(O), below; and*

FINDING: The subject site is gently sloping, and as proposed, road grades are anticipated to be less than 5%: Final road grades will be detailed on the final plat. **The provisions of this section have been met.**

- b. *Where the location of a street is not shown in an existing street plan (See Section 250(I)), the location of streets in a development shall either:*

- i. *Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Section, or*

FINDING: The proposed subdivision request proposes a road system that connects two existing intersections along Talent Avenue. One connection is to the existing ½ street south of Oregon Shakespeare Festival’s property which will be improved to full street standards and the other connects to Talent Avenue at Everett Way. **The provisions of this section have been met.**

G. *Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be within the range of appropriate widths adopted in the Transportation System Plan. A variance shall be required to vary the standards in the Transportation System Plan. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:*

- a. *Street classification in the Transportation System Plan;*
- b. *Anticipated traffic generation;*
- c. *On-street parking needs;*
- d. *Sidewalk and bikeway requirements based on anticipated level of use;*
- e. *Requirements for placement of utilities;*
- f. *Street lighting;*
- g. *Proposed traffic calming devices;*
- h. *Minimize drainage, slope, and sensitive lands impacts, as identified by the Comprehensive Plan;*
- i. *Street tree location, as provided for in Section 240—Street Trees;*
- j. *Protection of significant vegetation (i.e., trees with a caliper of 4 inches (dbh) or greater)*
- k. *Safety and comfort for motorists, bicyclists, and pedestrians;*
- l. *Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;*
- m. *Access needs for emergency vehicles; and*
- n. *Transition between different street widths (i.e., existing streets and*

new streets) where applicable.

FINDING: As proposed, the preliminary plat identifies William Way as a “narrow street” with a 28’ paved surface. As shown on the preliminary site plan, the proposed right of way is adequate to provide needed on street parking, street lighting, street trees and proper emergency vehicle access. **The provisions of this section have been met.**

J. Street Alignment and Connections.

- b. Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.*

FINDING: As proposed, the only local intersection on this plan is at the intersection of Stage Way at William Way which is more than 125’ from the intersection of Stage Way and Talent Ave. **The provisions of this section have been met.**

- d. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks and transit facilities wherever possible.*

FINDING: The subdivision roadways provide direct and easy access to Talent Avenue, which has RVTD service, is close to downtown Talent, and close to recreation at Chuck Roberts park. **The provisions of this section have been met.**

- e. In order to promote efficient vehicular and pedestrian circulation throughout the City, the design of subdivisions and alignment of new streets shall conform to the standards in 260—Vehicular Access and Circulation, and block length shall not exceed the dimensions in a-b below:*

- i. 400 foot maximum block length, and 1,200-foot maximum perimeter in the Residential zones;*
- ii. 400 foot maximum block length and 1,200-foot maximum perimeter in the Central Business District Zone;*
- iii. 800 foot maximum block length and 2,400-foot maximum perimeter in the Light Industrial District;*

Exceptions to the above standards may be granted when the developer can clearly demonstrate that compliance is not feasible, or when a non-vehicle access way is provided at or near mid-block, in

conformance with the provisions of Section 230— Pedestrian Access and Circulation. (See examples in Figure 250.J.)

FINDING: As proposed, the design meets these standards because the pedestrian pathway between lots 29 & 30 provides a direct route for residents walking downtown or to Chuck Roberts Park or the dog park. **The provisions of this section have been met.**

J. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes in public right-of-way shall be installed in conformance with the TSP. Pathways and bike paths within subdivisions shall be designed to promote the safety of those using the path, and the privacy of adjoining property owners to the greatest extent practicable. For example, pathway connections shall be as direct as possible. Overhead street lighting shall be coordinated with pathway entrances wherever possible, and pedestrian-oriented lighting shall be considered in other areas where overhead lighting cannot be provided. Fences and landscaping may be required for privacy screening and buffering between pathways and adjacent land uses. Alternatively, grade change between pathways and adjacent uses may be a suitable buffer. Ease of maintenance of paved areas and use of native landscaping shall also be encouraged. Maintenance of sidewalks and planter strips is the continuing obligation of the adjacent property owner. (ORS 105.672)

FINDING: The proposal meets the standard but requires conditions of approval to ensure the provisions of this section are adhered to.

L. Intersection Angles. Streets shall be laid out to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

- a. No street intersection may be created within 25 feet of a street curve, and no street curve may be created within 25 feet of a street intersection (on the same street). Such intersections and curves shall have at least 25 feet of tangent between them unless topography requires a lesser distance;*
- b. Intersections that are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and*

FINDING: As proposed, all planned intersections meet at right angles with radii greater than 20'. **The provisions of this section have been met.**

M. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, in conformance with

the standards in the Transportation System Plan.

FINDING: As proposed the subdivision will complete the existing, ½ street shared with OSF and dedicate the ROW to Talent. **The provisions of this section have been met.**

- O. Grades and Curves. Grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:*
- a. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and*
 - b. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent slope or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.*

FINDING: As proposed, the subdivision street grades are less than 5%, & both intersections at Talent Ave shall have stop signs. **The provisions of this section have been met.**

8-2.260 VEHICULAR ACCESS AND CIRCULATION

- D. Traffic Study Requirements. The City or other agency with access jurisdiction may require a traffic impact study (TIS) prepared in accordance with Section 8-3L.9 Traffic Impact Study. [amended 17 February 2016; Ord. No. 912]*

FINDING: The provision of this section are addressed above in Section 8-2.250(B). **The provisions of this section have been met.**

- G. Access Spacing. Driveway access shall be separated from other driveways and public and private street intersections in accordance with the following standards and procedures:*
- 1. Local Streets. A minimum of 10 feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e., streets not designated as collectors or arterials), except as provided in Subsection 3, below.*

FINDING: As proposed, each lot either has a permitted shared driveway or has a minimum of 10' of separation between driveways. **The provisions of this section have been met.**

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

FINDING: As proposed, each lot has only one access point. **The provisions of this section have been met.**

I. *Shared Driveways. The number of driveway and private street intersections with public streets may be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:*

FINDING: As proposed, nearly half of the proposed lot share a driveway, promoting additional vehicular and pedestrian safety. **The provisions of this section have been met.**

2. *Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.*

FINDING: As proposed 14 of the 35 lots share a driveway. As a condition of approval, the applicant shall provide an access easement for each shared driveway prior to final plat. **The provisions of this section have been met subject to conditions.**

8-2.270 SANITARY SEWER AND WATER SERVICE IMPROVEMENTS

A. *Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications and the applicable Comprehensive Plan policies.*

B. *Sewer and Water Plan approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.*

C. *Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive*

Plan. The developer shall be entitled to system development charge credits for the over-sizing. (Note: Dolan versus City of Tigard findings should accompany any decision to require over-sizing.)

- D. *Permits Denied. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building or development moratoriums shall conform to the criteria and procedures contained in ORS 197.505.*

FINDING: During the pre-application conference, Rogue Valley Sanitary Sewer staff reviewed the proposal and determined that there is adequate existing capacity for the project. **The provisions of this section have been met.**

8-2.280 STORM DRAINAGE AND SURFACE WATER MANAGEMENT

- A. *General Provisions. The City shall issue a development permit only where adequate provisions for storm water and surface water runoff have been made pursuant to Resolution 517, Stormwater Design Standards.*
- B. *Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, as designated in the City of Talent Stormwater Master Plan, whether inside or outside the development. Such facilities shall be subject to review and approval by the Public Works Director or City Engineer.*
- C. *Effect on Downstream Drainage. Where it is anticipated by the Public Works Director or designee that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold permits of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards. Any applicable procedures in state development moratorium statutes shall be followed.*
- D. *Easements. Where a watercourse, drainage way, channel, or stream traverses a development, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance. Development within designated Locally Significant Wetland and Riparian areas shall be in conformance with the requirements in 8-3H.2, Natural Areas, Parks and Floodplains.*

FINDING: During the pre-application conference, Rogue Valley Sanitary Sewer staff reviewed the proposed subdivision plan and asserted that there is sufficient capacity within the storm drain system for the project. Rogue Valley Sewer Service also stated that the proposed development shall meet the requirements of the RVS Stormwater Design Manual including onsite detention and treatment of all stormwater. **The provisions of this section have been met.**

8-2. Article 3.

APPLICATION REQUIREMENTS AND APPROVAL CRITERIA

8-2.310 REVIEW PROCEDURES AND APPROVALS PROCESS

- A. *Subdivision and Partition Approval Through Three-step Process. Applications for subdivision or partition approval shall be processed through a three-step process: the pre-application conference, the preliminary plat, and the final plat.*
1. *A pre-application conference is required for all partitions and subdivisions.*

FINDING: The applicant attended the required pre-application conference on December 15, 2016. **The provisions of this section have been met.**

- H. *Compliance with ORS Chapter 92. All subdivision and partition proposals shall be in conformance to state regulations set forth in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.*

FINDING: As proposed, the preliminary plat is in compliance with ORS 92. **The provisions of this section have been met.**

8-2.320 PRELIMINARY PLAT SUBMISSION REQUIREMENTS

- A. *Preliminary Plat Information. The preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:*
1. *General information:*
 - a. *Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in the county in which it is located (please check with County surveyor);*
 - b. *Date, north arrow, and scale of drawing;*
 - c. *Location of the development sufficient to define its location in the*

- City, boundaries, and a legal description of the site, including vicinity;*
- d. *Names, addresses and telephone numbers of the owners, designer, and engineer or surveyor, and the date of the survey; and*
 - e. *Identification of the drawing as a “preliminary plat.”*
2. *Site analysis:*
- a. *Streets: Location, name, present width of all existing streets, alleys and rights-of-way on and abutting the site;*
 - b. *Easements: Width, location and purpose of all existing easements of record on and abutting the site;*
 - c. *Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest ones;*
 - d. *Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor. This requirement may be waived for partitions of one (1) acre or less with grades, on average, less than 5 percent;*
 - e. *The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);*
 - f. *Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having substantial erosion potential;*
 - h. *Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;*
 - j. *The location, size and species of trees having a caliper (diameter) of 4 inches (dbh) or greater at four feet above grade;*
 - k. *Lighting plan, mailbox plan; and*
 - l. *Other information, as deemed appropriate by the City Planner or City Administrator. The City may require studies or exhibits prepared by qualified professionals, such as a traffic study, anticipated water use and conservation study, cultural resource study, tree report and preservation study, wetland delineation, or similar study, to address specific site features and code requirements.*

FINDING: The Preliminary Plat (prepared by Friar & Associates) includes all the information pursuant to the requirements of Section 8-2.320 above. **The provisions of this section have been met.**

8-2.330 APPROVAL CRITERIA: PRELIMINARY PLAT

A. *General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

1. *The proposed preliminary plat complies with all of the applicable code sections and other applicable ordinances and regulations. At a minimum, the provisions of this Chapter and the provisions of the underlying zoning district shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of 8-3L.4—Variances; [amended 15 October 2008; Ord. No. 847]*

FINDING: As proposed the Preliminary Plat complies with all applicable code sections, ordinances & regulations, including this Chapter 8-2 (Subdivision Development & Design Standards), Chapter 8-3C.4 (RM-22 Zoning District), except for the requested setback variance in accordance with Section 8-3L.4 (Variance) of the Talent Zoning Code addressed below. **The provisions of this section have been met findings subject to conditions of approval addressed in these findings.**

2. *The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

FINDING: The subdivision name, “Williams Way Subdivision,” is not already recorded for another subdivision & satisfies the provisions of ORS Chapter 92. **The provisions of this section have been met.**

3. *The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction, and in all other respects; and are consistent with the City’s Transportation System Plan. All proposed public improvements and dedications are identified on the preliminary plat; and*

FINDING: As proposed the preliminary plat details the completion of the existing, ½ street improvement abutting the NW boundary of the parcel pursuant to existing design/engineering/dedication agreement, and it will be named “Stage Way.” The preliminary plat identifies the construction of a new street, “William Way,” that connects Stage Way to Talent Avenue. William Way intersects Talent Avenue directly opposite Everett Way, eliminating the need for additional intersections. Both proposed streets are necessary for the development of Phase 1 of the proposed subdivision and shall be completely constructed and accepted by the City prior to the issuance of building permits. **The provisions of this section have been met subject to conditions of approval.**

4. *All proposed private common areas and improvements (e.g., home owner association property) are identified on the preliminary plat.*

FINDING: *As proposed, the Preliminary Plat identifies all private common areas and improvements that will be maintained by the homeowners' association. The provisions of this section have been met.*

B. Residential Density

1. *Minimum and Maximum Density Requirements. When lots are created through a subdivision, the development shall achieve a minimum of forty percent (40%) and a maximum of one hundred percent (100%) of the dwelling unit density permitted by the applicable zoning district. The minimum density provision shall not apply to parcels that are smaller than one (1) acre. For purposes of this section, the minimum number of dwelling units required shall be determined by multiplying the maximum density by 0.4. The result shall be rounded up for any product with a factor of 0.5 or greater and rounded down for any product with a fraction of less than 0.5. [amended 15 October 2008; Ord. No. 847]*
2. *Residential Density Calculation Procedure...The following steps describe how to calculate density (For density calculation in the RM-22 zone, refer to Zoning Code, 8-3C.460. Do not use the method below for the RM-22 zone).*

FINDING: The proposed Comprehensive Plan and Zoning Map change is to RM-22 which is excluded in this Section. The density calculations are addressed below pursuant to Section 8-3C.460. **The provisions of this section are not applicable.**

C. Block and Lot Standards. *All proposed blocks (i.e., one or more lots bound by public streets), lots, and parcels conform to the specific requirements below:*

1. *All lots shall comply with the lot area, setback, and dimensional requirements of the applicable zone district, and the standards of Section 250(J)—Street Connectivity and Formation of Blocks.*

FINDING: Review of this section is pending.

- a. *Single-family residential lot sizes may be averaged to allow lots less than the minimum lot size in the RS-5 and RS-7 residential districts, as long as the average area for all lots is not less than allowed by the district. In order to prevent exceeding the maximum allowable densities, no lot shall be created that can be divisible in the future unless a re-division plan is filed for the subject lot, pursuant to Section 330(F). No lot created under this provision shall be less than eighty-five (85%) percent of the minimum lot size allowed in the zone. For example, in the RS-5 zone the following three lots could be created from a 24,000-square-foot tract: 6,800 square feet; 8,000*

square feet; and 9,200 square feet. [amended 1 December 2004; Ord. No. 777]

b. In the High-Density S&MF Residential (RM-22) zoning district, individual lots may not be created that are too small to provide a residential building footprint, adequate access, any required undeveloped or landscaped areas, and covered off-street parking for at least two dwelling units.

2. Setbacks shall be as required by the applicable zoning district. [amended 15 October 2008; Ord. No. 847]

FINDING: The proposed subdivision design is consistent with the HNA's density & design recommendations by weaving together a variety of housing types, including row-houses, common-wall houses, houses with common garage walls, houses with zero lot lines, detached homes, and future apartments on the ½ acre in reserve. As proposed, the plan incorporates a variety of garage locations, sizes, & accesses - some via rear alley, others via shared driveway with attached garages.

In addition to integrating a variety of home types into the subdivision, the plan also attempts to use the land more efficiently and erect smaller homes in an effort to lower homeowner & renter costs. The proposed subdivision helps the city alleviate the short-term housing shortage by increasing the density per acre.

Talent's setback codes were written to serve much larger 5,000 – 8,000 square foot lots and not conceived to facilitate efficient land usage and small homes. Talent's current, front-yard setback is 20' for the house or porch and 24' for the garage, and because that inefficient requirement consumes more than 25% the average lot, the Applicant is seeking a variance to reduce front-yard setbacks to 10' for houses/porches and to 20' for street-loaded garages, similar to that approved in the Clearview development in 2007. The proposed request maintains adequate, off-street parking while lessening the visual impact of a dominating street facing garage. Similarly-compressed setbacks have enhanced communities across the state, including several in Talent and Ashland, by increasing density, improving overall aesthetics, lowering costs, and encouraging interaction.

Talent's current, side-yard setback of 5' for 1-story and 8' for 2-story structures were designed for larger lots. A standard setback means that adjacent, 2-story homes must be 16' apart consuming nearly half of the frontage of a higher density residential lot, an ineffective strategy for increasing density reducing costs.

As a reference, The City of Ashland Land Development Code requires 6' minimum side-yard setbacks for both one- and two-story homes, and Medford codes require a 4' side-yard setback for one-story homes and increases them proportional to building height. Narrower setbacks and smaller lots are the simplest means of increasing Talent's density & preserving the surrounding, open space.

Past conversations with Jackson County Fire District #5 have concluded that an 8' setback doesn't facilitate their efforts because they don't typically fight fire from the sides of houses, but rather use side yards as a means of secondary fire hose and ladder access.

During the pre-application conference, the issue of narrow side-yard setbacks was discussed with Jackson County Fire District 5 staff, they agreed that they wouldn't fight the fire from the side of a house. They noted that they need enough space to place a ladder to reach a 2nd-floor windowsill and that a 5' side yard setback for a single story and a 6' side-yard setback for a 2-story building will be sufficient room to set a ladder.

As proposed, the Applicant is seeking a variance to reduce side yard setbacks from 8' to 6' for 2-story homes and a reduction front-yards setbacks from 20 feet for houses and porches to 10' feet and from 24' feet for garages, to 10' feet. The plan complies with rear-yard minimum setbacks of 10' and alley-garages of 5'. As a condition of approval, prior to the issuance of building permits, the applicant shall submit building plans that meet the following setbacks for all single-family lots:

- 5' side-yard setback for single store units
- 6' side-yard setback for all two-story units
- 10' front-yard setback for houses and porches
- 20' front-yard setback for all garages
- 10' rear-yard setback for all units
- 5' alley-garage setback

The provisions of this section have been met subject to conditions of approval.

3. *Each lot shall conform to the standards of Section 260—Vehicular Access and Circulation.*

FINDING: The provisions of this section are addressed in Section, 8-2.2 (Development and Design Standards) above. **The provisions of this section have been met.**

4. *Landscape or other screening may be required to maintain privacy for abutting uses and buffering for pathways, through lots abutting an arterial or collector street, grade changes and retaining walls, development on flag lots, and similar situations, consistent with the provisions of the Zoning Code, Subdivision Code, and 8-3J.4.*

FINDING: This design includes no lots abutting Arterial or Collector Streets. As indicated on the proposed plan and in Applicant's accompanying, Comprehensive Plan Map and Zoning Map Amendment Applications, landscape buffering meeting 8-3 J.450 (Buffering and Screening Standards) separates the subdivision from the adjacent, Light Industrial parcels. The design integrates both Section A- 3a (opaque fencing) with Section B-2c ("living wall") to create a stronger and more aesthetic buffer. Additionally, to reduce the likelihood of future residents' complaints about noise from the adjacent, light industrial activities, the applicant has proposed non-remonstrance covenants to be recorded with the

deeds requiring the owners to acknowledge their awareness and acceptance of the adjacent, Light Industrial activities. **The provisions of this section have been met.**

5. *In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See also, Section 260— Vehicular Access and Circulation.*

FINDING: All proposed lots front a local street or are within 150 feet of a public right-of-way or approved access drive. **The provisions of this section are not applicable.**

6. *Where a common drive is to be provided to serve more than one lot, a reciprocal easement, which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

FINDING: Lot 16, 17 and 18 of the preliminary plat are served by a common driveway. To ensure continued unobstructed access the applicant shall provide a reciprocal easement for the above mentioned lots prior to final plat. **The provisions of this section have been met with conditions.**

- E. *The City may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.*

FINDING: Review of this section is pending.

- G. *Compliance. All submittals shall demonstrate compliance with Article 2, Development and Design Standards, and 8-3H.2 of the Talent Zoning Code.*

FINDING: Review of this section is pending.

8-2.340 VARIANCES AUTHORIZED

Adjustments to the standards of this Chapter shall be processed in accordance with 8-3L.4—Variances of the Talent Zoning Code. Applications for variances shall be submitted prior to or at the same time as an application for land division or lot line adjustment is submitted. [amended 15 October 2008; Ord. No. 847]

FINDING: The applicant has requested a variance to the standard setbacks for the RM-22 zoning district. Findings for the requested variance are addressed in Section 8-3L.2 (Variances) below. **The provisions of this section have been met.**

TALENT ZONING CODE REQUIREMENTS

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

- A. *There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control;*

FINDING: The findings below are findings made by the applicant.

Talent's shortage of buildable residential land has reached crisis proportions: The Southern Oregon Multiple Listing database indicates that only 4, buildable lots sold during the last 2 years: The MLS doesn't list a single residential lot at this writing, and the most recent residential lot sale was over 9 months ago.

Largely because of this residential land shortage, Talent's median home price increased 77% over the past five years from \$145K to \$256K: At this writing, there are only four homes listed for sale in Talent, and the least expensive listing is priced at \$339,000. This supply-constrained, pricing pressure can only worsen until Talent's residential land inventory increases.

Talent's CAC recently approved ECONorthwest's thorough HNA and forwarded it to the Planning Commission for approval. The HNA indicates that Talent's existing land inventory amounts to less than 50% of the buildable residential land needed to meet projected demand during the next 20 years.

Exacerbating this shortfall, the HNA assumes that many acres west of the railroad are buildable, but these lands cannot be developed without a costly, railroad crossing and expensive, municipal utility extensions.

As the HNA and Talent's Regional Problem Solving (RPS) agreement recommend, the City should increase its base densities to help resolve its housing shortage. Increased densities require smaller lots and narrower setbacks than Talent's current codes provide because those codes were written to accommodate outdated, low-density subdivisions with large lots and wide setbacks.

The variances sought under this Application attempt to satisfy RPS and HNA recommendations to increase residential densities. Smaller lots cannot accommodate smaller houses and comply with current setback criteria. Granting the requested variances would help Talent achieve desired densities and generate housing inventory quickly while maintaining consistency with the general purpose of this chapter and the Talent Comprehensive Plan.

- B. *The variance is necessary for the preservation of a property right of the applicant*

which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;

FINDING: The applicant's findings are referenced below.

The proposed variances would preserve the owners' property rights and facilitate the best use of the property. Even with the requested variances the Applicant can only achieve approximately 85% of the potential density.

C. The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and

FINDING: The applicant's findings are referenced below.

The requested variances enable the Applicant to meet the objectives of Talent's Comprehensive plan, policies, and goals. The proposed subdivision meets the standards of the underlying zone and the neighborhood.

D. The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.

FINDING: The applicant's findings are referenced below.

The requested variances are the minimum that would allow the applicant to make the densities required in the RPS and in the housing needs analysis.

In addition to criteria A through D, variances from access management standards are subject to the following additional standards:

E. The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

F: Applicants for a variance must include proof that:

- 1. Indirect or restricted access cannot be obtained;*
- 2. No practical engineering or construction solutions can be applied to mitigate the condition;*
- 3. No alternative access is available from a street with a lower functional classification than the primary roadway.*

FINDING: The proposal does not make a request for a variance to access management standards. **The provisions of this section are not applicable.**

Staff's Variance Findings: Staff agrees with the applicant that the variance is appropriate. Although not consistent with the provisions of this section, the Talent Comprehensive Plan contains policies and implementation steps that support the request and support a change to the Talent Zoning Code. The standard setbacks for the zone were established at a time when Talent did not have a residential land deficit and when larger lots with more separation were in demand. To meet the current housing need, the City should consider standards that provide flexibility, encourage higher density developments and that take a more efficient position on development. Talent does not and will not have all of the necessary residential land to meet the needs for the next 20 years and it is important for the City to be more flexible to encourage more efficient development.

8-3L.920 APPLICABILITY

- A. *Transportation Impact Study (TIS) shall be required if any of the following actions exist:*
1. *A zoning or comprehensive plan map or text amendment is projected to generate 500 or more net daily vehicle trips.*
 2. *A development proposal is projected to generate fifty (50) or more net peak hour trips on an arterial or collector segment or intersection.*
 3. *A land use action or development proposal will impact known safety, congestion or capacity problems.*
 4. *A land use action or development proposal is on a highway segment with special access controls.*

FINDING: Each property in the city, with city zoning, has an underlying traffic impact. To determine the traffic impact of the proposed Comprehensive Plan Amendment, standardized trip generation rates from the International Transportation Engineers (ITE) Trip Generation Manual, 9th edition were used for an analysis. According to the ITE, the traffic impact most closely associated with vacant light industrial land is Code 110, General Light Industrial with a trip generation of .97 PM Peak Hour Trips per 1,000 square feet of development.

The existing zoning for the subject property is IL. The existing zoning on the property is unrestricted, there are no traffic caps placed on the property and as such, the highest and best use of the property would be 3.66 net acres or 159,429 square feet which accounts for all standard setbacks identified in the Talent Zoning Code. The current Trip Generation potential of the subject property is 154 PM Peak hour trips. The approval of this application and the associated land division and site plan site would create 35 single family lots and reserve acreage for up to 12 dwelling units in a future multifamily development application.

The 35 single family dwellings have a traffic impact of 1 PM Peak hour trip per dwelling units for a total of 35 PM Peak Hour Trips. The future Multifamily development with up

to 12 dwelling units at .62 PM Peak hour trips is an additional 7.44 PM Peak hour trips for a total of 42.44 PM Peak hour trips.

The effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated site plan is a reduction of 111.56 PM Peak hour trips from the current IL zoning at the highest and best use.

With a reduction in the PM Peak Hour Trips from the existing impacts, this application does not warrant a Traffic Impact Study as identified in the section 8-3L.920 of the Talent Zoning Code. **The provisions of this Section are not applicable.**

RECOMMENDATION

Staff recommends that the Planning Commission hold two public hearings on this matter. The first public hearing would be to review the plan at the conceptual level, while the second public hearing would be to review the detailed development plan.

Staff has reviewed the proposal and determined that as proposed, the request for Comprehensive Plan and Zoning Map change along with the request for a 35 lot subdivision meets or can meet with conditions, the standards set forth in the Talent Comprehensive Plan and the Talent Zoning and Subdivision Codes. Staff has also reviewed the request for a variance and has determined that the request meets the intent of the Comprehensive Plan, specifically the recently adopted Economy and both the current and proposed Housing Elements.

ATTACHMENTS

The following information was submitted regarding this application:

- Attachment A
 - Preliminary/Final Plat Application
 - Applicant's Findings
 - Notice of Neighborhood Meeting
 - Subdivision Plan
 - Type B Tree Removal
- Attachment B
 - Supplemental Information
 - William Way Subdivision
- Attachment C
 - Draft Non-Remonstrance Agreement
 - Conceptual House Renderings
- Attachment D
 - Large Format Preliminary Plat and Subdivision Plans
- Attachment E
 - Rezone/Comprehensive Plan Amendment Application and Findings



Zac Moody, Community Development Director

January 20, 2017
Date

Staff has recommended these amendments for approval, but it will require at least one public hearing before the Planning Commission and one public hearing before the City Council for a decision. The Talent Zoning Code establishes procedures for legislative hearings in Section 8-3M.160.

A public hearing on the proposed action is scheduled before the Planning Commission on January 26, 2017 at 6:30 PM at Talent Town Hall.

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at zmoody@cityoftalent.org.

EXHIBIT A



CITY OF TALENT • COMMUNITY DEVELOPMENT

PO Box 445, Talent, Oregon 97540
 Phone: (541) 535-7401 Fax: (541) 535-7423 www.cityoftalent.org

PRELIMINARY/FINAL PLAT APPLICATION

Number of Lots: 35	Associated Files:	
Property Owner Bradley Properties LLC, et al	Mailing Address (include zip) 612 Iowa St - Ashland, OR 97520	Phone 541.621.2136
Street Address or Property Location Talent Ave adjacent to OSF's Production Bldg	Email Address tom@bradleyprop.com	
Applicant/Consultant (if not owner)	Mailing Address (including zip)	Phone

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lots	Acres	Zone
38-1W- 26 AD	500	4.37	Light Industrial
38-1W-			

Subzone (if applicable)

Type of Application

(Application fees are calculated by ACTUAL PROCESSING COSTS)

<input checked="" type="checkbox"/> Subdivision	<input type="checkbox"/> Partition
<input type="checkbox"/> Flag Lot Partition	<input type="checkbox"/> Plat Vacation
<input type="checkbox"/> Subdivision or Partition Replat	<input type="checkbox"/> Final Plat

Variance
 Required Submittals

- Pre-Application Conference Completed (if yes, then date) 15 December 2016
- Application Form (signed).
- Tentative Plat (15 copies/subdivision or 3 copies/partition) – Drawn to scale, including ALL applicable provisions of 8-2.320 of the Talent Subdivision Code.
- Applicant's Statement (15 copies/subdivision or 3 copies/partition) – Including ALL applicable provisions of 8-2.330 of the Talent Subdivision Code.
- One electronic copy of plat and applicant's statement in PDF format. Plat shall be reduced to 11x17.
- Tree Removal Permit (if applicable).
- Supplementary information as required by the Talent Subdivision Code or the Talent Zoning Code.

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location is found to be incorrect, the owner assumes full responsibility.

Applicant's Signature

Date

Property Owner's Signature (required)

Date

Digitally signed by Thomas MacLeod Bradley
 DN: cn=Thomas MacLeod Bradley, o=William
 Way, ou=Owner/Applicant,
 email=tom@bradleyprop.com, c=US
 Date: 2016.12.23 10:17:57 -08'00'

APPLICATION FEES & DEPOSITS

Fees and deposits are intended to cover the full cost for processing applications. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits.

Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. The actual costs charged to the City for technical review of land use applications, including but not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing applications, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to applicant. Any additional costs incurred beyond the deposit amount shall be charged to and paid by the applicant on a monthly basis. The applicant agrees that any deficiencies shall be collected from applicant, and that applicant's failure to pay these amounts triggers the City's option to pursue any or all remedies, as listed below.

Fixed Fee Applications: Fees are non-refundable and are based on average application processing costs rounded to the nearest dollar.

Applicant acknowledges and agrees that Applicant's failure to pay City costs over the deposit fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

Applicant's Signature

Date

Digitally signed by
Thomas MacLeod
Bradley
DN: cn=Thomas
MacLeod Bradley,
o=William Way,
ou=Owner/Applicant,
email=tom@bradleypr
op.com, c=US
Date: 2016.12.23
10:18:12 -08'00'

Property Owner's Signature (required)

Date

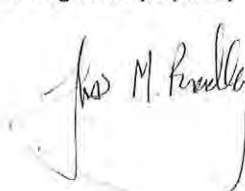
I hereby acknowledge that my applications may be consolidated. When an applicant applies for more than one type of land use or development permit (e.g., Type-II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: (1) City Planner, (2) the Planning Commission, and (3) the City Council. Joint meetings between governing bodies may be held to streamline the decision process.

Applicant's Signature

Date

Property Owner's Signature (required)

Date



Digitally signed by Thomas
MacLeod Bradley
DN: cn=Thomas MacLeod
Bradley, o=William Way,
ou=Owner/Applicant,
email=tom@bradleyprop.com,
c=US
Date: 2016.12.23 10:18:33 -08'00'

FOR OFFICE USE ONLY			
Deposit Paid (Amount): \$ 1956.00	Date: 12/23/16	Received By: TW	File Number: SUB 2016-001

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider



CITY OF TALENT

SEE N/A PROCESSING AS TYPE - C

MENT

Phone:

org

Property Owner Bradley Properties, et al	Phone 541.621.2136
Street Address or Property Location Talent Ave adj to OSF's producti	
Applicant/Consultant (if not owner)	Phone

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lot Number	Acres	Zone
38-1W- 26 AD	500	4.37	IL
38-1W-			

Subzone (if applicable) _____

Please provide a brief description of the trees proposed for removal, including common name, health and diameter at breast height (DBH @ 4 1/2' above grade). (Note: dead trees do not count towards the amount of significant trees that can be removed, but should be indicated to allow for verification of tree condition by City Staff).

A. Description of Trees Proposed for Removal:

Tree #	Common Name	Health	DBH (inches)
1	Big Leaf Maple	<input type="checkbox"/> Good <input checked="" type="checkbox"/> Poor <input type="checkbox"/> Dead	14
2	"	<input type="checkbox"/> Good <input checked="" type="checkbox"/> Poor <input type="checkbox"/> Dead	12
3	"	<input type="checkbox"/> Good <input checked="" type="checkbox"/> Poor <input type="checkbox"/> Dead	8
4	"	<input type="checkbox"/> Good <input checked="" type="checkbox"/> Poor <input type="checkbox"/> Dead	6
5	"	<input type="checkbox"/> Good <input checked="" type="checkbox"/> Poor <input type="checkbox"/> Dead	16
6		<input type="checkbox"/> Good <input type="checkbox"/> Poor <input type="checkbox"/> Dead	

B. Explanation of Why Tree Removal is Necessary:

Applicant has submitted plans to subdivide the subject parcel into 35 residential lots. The existing trees are not healthy and will be replaced by several dozen healthy, new trees

C. Tree Fund Assistance (if available):

Would you like to receive assistance from the Tree Fund to plant a new tree (if funds are available)? Yes No

D. Site Plan:

On a separate sheet of paper, please provide a sketch of the location and number of trees in relation to surrounding structures, property lines, etc., sufficient to allow City staff to locate the trees in question. All trees to be removed shall be identified by a method obvious to a site inspector, such as tagging, painting or flagging, in addition to clear identification on construction or application documents.

E. Tree Protection Measures

Please provide a brief explanation of what tree protection measures will be taken. In conformance with Section 8-3J.370 of the Talent Zoning Code address protection of the tree trunk, canopy and soils within the critical root zone (CRZ) during and after the tree removal process. Examples of tree protection methods include mulching, irrigation and protective fencing.

After removal and before the replantings, there will be no trees to protect

F. Tree Replacement

Replacement of Private Property Off-Site Mitigation Payment in Lieu of Planting

Please provide a brief description of the proposed tree replacement program with a detailed explanation, including the number, size, species and any necessary activities to ensure viability including, but not limited to mulching and irrigation.

The proposed residential subdivision meets all landscaping requirements, including tree plantings

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that if found to be incorrect, the owner assumes full responsibility.

Property Owner's Signature (required)

Date

Applicant's Signature

Date

Digitally signed by
Thomas MacLeod Bradley
DN: cn=Thomas MacLeod
Bradley, o=William Way,
ou=Owner/Applicant,
email=tom@bradleyprop.
com, c=US
Date: 2016.12.23 10:19:30
-08'00'

A person seeking to remove two or more trees within a 12-month period, or proposing to remove a heritage tree shall apply to the City of Talent for a Type "B" Tree Removal Permit. There is a \$150.00 processing fee for a Type "B" tree removal permit.

Application for a Tree Removal Permit shall be made before removing or transplanting trees, except in emergency situations as provided in Talent Zoning Code (TZC) 8-3J.3.

By submission of an application, the applicant shall be deemed to have authorized City representatives to have access to applicant's property upon 24 hours' notice as may be needed to verify the information provided, to observe site conditions, and if a permit is granted, to verify that terms and conditions of the permit are followed.

In order for us to process your permit, please completely fill out and submit this form to Community Development. Your permit will be processed within ten (10) days of receipt.

FOR OFFICE USE ONLY			
Deposit Paid (Amount):	Date:	Received By:	File Number:
N/A	12/23/16	TL	SEE SUB 2016-001

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

BEFORE THE TALENT, OREGON PLANNING COMMISSION & CITY COUNCIL

IN THE MATTER OF AN APPLICATION TO)
APPROVE A RESIDENTIAL **SUBDIVISION**)
ON A 4.37 ACRE TRACT LOCATED ON THE)
SW SIDE OF TALENT AVENUE BETWEEN)
OSF'S PRODUCTION BUILDING AND THE)
"BARK PARK")

FINDINGS OF FACT

Applicant - Bradley Properties, L.L.C
Tom Bradley
612 Iowa Street - Ashland, OR 97520
541.621.2136 tom@bradleyprop.com

Property 381W26AD TL 500 – Talent Avenue

Bradley Properties, L.L.C.
California Townhouses, L.L.C.
TKAB Real Estate, L.L.C.
Sharon Harris

Current Comprehensive Plan Map Designation Light Industrial (li)
Current zoning district Light Industrial (LI)

Proposed Comprehensive Plan Map Designation Residential High Density (rh)
Proposed Zoning District Multiple Family – High Density (RM-22)

Project Summary

On 21 December 2016, the Applicant submitted a separate application seeking approval to amend Talent's Comprehensive Map and Zoning Map to re-zone his vacant, 4.37 acre, light industrial (IL) lot adjacent to OSF's production facility to high-density residential (RM-22).

This Application seeks approval to create a two-phase, residential subdivision dividing the subject lot into 35 residential lots with 22,019 sf of land reserved for future multi-family development.

The City of Talent urban growth boundary encloses an acute shortage of developable residential land and a surplus of industrial land, and the Applicant's proposal will help mitigate both imbalances.

Largely because of this residential land shortage, Talent's median home price increased 77% over the past five years from \$145K to \$256K: At this writing, there are only four homes listed for sale in Talent, the least expensive listing is priced at \$339,000, and there isn't a single, buildable, residential lot for sale. This supply-constrained, pricing pressure can only worsen until Talent's residential land inventory increases.

Talent's Citizens Advisory Committee (CAC) & City Staff recently engaged consultancy ECONorthwest to perform a thorough, Economic Opportunities Analysis (EOA) that concluded that Talent's developable, industrial land inventory exceeds projected demand by 6.2 acres.

In addition, City staff & CAC also recently engaged ECONorthwest to perform an exhaustive, Housing Needs Analysis (HNA) and concluded that:

1. The City of Talent suffers a 17-acre deficit of developable, Medium-Density, residential land and a 9-acre deficit of developable, High-Density residential land
2. The City's density assumptions do not meet RPS Regional Plan requirements
3. Steep slopes and inadequate utility infrastructure hamper development of much of Talent's designated, developable residential land
4. 75% of Talent's housing is single-family detached, and the City needs to provide a wider range of housing types to maintain affordability and to increase density

To alleviate these problems, ECONorthwest recommends that the City of Talent should:

1. Provide opportunities to develop a wider range of housing types
2. Develop a Medium-Density zone & Plan Designation with a 5 to 10 dwelling unit per acre density
3. Consider rezoning its excess, commercial/industrial land to residential

The proposed subdivision addresses their conclusions and incorporates their recommendations: The plan's blend of detached, semi-detached, attached, and fourplex residences provides a wide range of housing types. The proposed density of 9.8 dwelling units per acre (including two, future fourplexes) utilizes the land and existing utility infrastructure more efficiently than lower-density alternatives. To achieve this density, the Applicant seeks 4 variances to setback standards and provides findings below to justify the variances.

Unlike other lands slated for residential development within Talent's UGB, existing stormwater, sewer, and water services are sufficient to support the development, and the subdivision is close enough to downtown Talent and Chuck Roberts Park (& the Bark Park...) to encourage more pedestrian (2- & 4-legged) movement and fewer vehicle-trips.



The parcel abuts 290 feet of Talent Avenue, a fully-developed arterial with RVTD service, and this Application proposes using the two, existing, street entries with no additional curb cuts.

On the land abutting the parcel's northwest boundary, The Oregon Shakespeare Festival assembles and stores theater props & sets & costumes in a large, but quiet facility. Talent Dog Park and Micro-Trains occupy the land to the southeast, and neither occupant conducts activities that could conflict with neighboring residences.

Fabricated Glass Specialties occupies the land abutting the southwest boundary of the parcel: Their manufacturing process requires a loud, cooling process most afternoons, but their large building separates their loading docks and parking/circulation from the proposed subdivision.

The Applicant has collaborated with the owner/operators of the three light industrial facilities abutting the proposed subdivision to develop a multi-faceted, buffering plan designed to mitigate noise & light generated by their current & future operations.

Future occupants of the vacant, light-industrial-zoned lands abutting the southern corner of the parcel will comply with Talent's Light Industrial codes, which limit noisy, noxious activities that could conflict with residents of the proposed subdivision.

Although the Applicant intends to subdivide the entire parcel at one time, he requests approval to perform the subdivision in two phases, as shown on the preliminary plat. Doing so will provide the Applicant some financial flexibility should market conditions change unexpectedly.

APPLICABLE CRITERIA & PROCEDURES

Talent's critical housing shortage and overlapping Comp Plan Map and Zoning Map amendment criteria induced City staff to suggest that the Applicant concurrently submit its Map Amendment Application and its Subdivision Application under a Type-IV (Legislative) Procedure. The following findings only relate to the Subdivision Application.

Title 8, Chapter 2 of Talent's General Ordinances describes **Subdivision Application and Approval Criteria** in detail & requires findings pursuant to:

<u>Talent Subdivision Code</u>	TGO – Title 8, Chapter 2
Application/Approval	Article 3
Design Standards	Article 2

Talent's Transportation System Plan: Section 6 Standards - Narrow Street Exception

Title 8 Chapter 2 also directs Applicants to prepare findings responding to:

<u>Talent Zoning Code</u>	TGO – Title 8, Chapter 3
High Density Zoning	Division C, Article 4 (RM-22)
Variance	Division L, Article 4
Administration	Division M, Article 1 (Neighborhood Meeting)

Attached Exhibits include:

- Preliminary Plat (11x17)
- Subdivision site-plan (11x17)
- Neighborhood Meeting Mailing list & Invitation

SubdivisionCode

General Ordinances, Title 8, Chapter 2

Adopted by Ordinance No. 692 on 3 October 2001 & Amended by Ordinance No. 912 on 17 February 2016

Article 3. Application Requirements and Approval Criteria

- 310 Review Procedures and Approvals Process
- 320 Preliminary Plat Submission Requirements
- 330 Approval Criteria: Preliminary Plat
- 340 Variances Authorized

Article 2. Development and Design Standards

- 210 Open Space
- 220 Public Facilities and Standards Improvements
- 230 Pedestrian Access and Circulation
- 240 Street Trees
- 250 Transportation Facility Standards
- 260 Vehicular Access and Circulation
- 270 Sanitary Sewer and Water Service Improvements
- 280 Storm Drainage and Surface Water Management
- 290 Utilities

8-2. Article 3 APPLICATION REQUIREMENTS & APPROVAL CRITERIA

8-2.310 REVIEW PROCEDURES AND APPROVALS PROCESS

A. Subdivision and Partition Approval Through Three-step Process. Applications for subdivision or partition approval shall be processed through a three-step process: the pre-application conference, the preliminary plat, and the final plat.

- 1. A pre-application conference is required for all partitions and subdivisions.

Applicant's pre-application conference occurred on 15 December 2016

- 2. The preliminary plat for a partition and subdivision shall be approved by the Planning Commission before the final plat can be submitted for approval consideration.
 - 3. The final plat shall include all conditions of approval of the preliminary plat.
- B. The preliminary plat for a partition shall be an administrative review with public notice. The preliminary plat for a subdivision shall be a quasi-judicial hearing with public notice.
- C. All preliminary plats shall be reviewed using approval criteria contained in Section 330—Approval Criteria: Preliminary Plat. [amended 15 October 2008; Ord. No. 847]

- D. **Review of Final Plat.** Review of a final plat for a subdivision or partition shall be processed as a ministerial review, using the approval criteria in Section 410—Final Plat Submission Requirements.
- E. **Preliminary Plat Approval Period.** Preliminary plat approval shall be effective for a period of 3 years from the date of approval. The preliminary plat approval shall lapse if a final plat has not been submitted within 3 years of the preliminary plat approval.
- F. **Modifications and Extensions.** The Applicant may request changes to the approved preliminary plat or conditions of approval.
1. To change the design or conditions of approval of a preliminary plat approval, the Applicant must file for an amendment. The process for approval of an amendment is the same as for the original application, subject to the following:
 - a. Only the conditions, details, or features proposed to be changed will be considered in the review of the amendment application;
 - b. The Applicant shall demonstrate that the proposed amendment will not create conflicts with other conditions of the original approval; and
 - c. The amendment application complies with all applicable City ordinances and standards (i.e., those that are in effect when the application is accepted by the City).
 2. The Applicant may apply for an extension of time for submittal of the final plat. The Applicant must submit a written request for an extension of time within one-year of preliminary approval. The City Planner shall, upon written request by the Applicant and payment of the required fee, grant one extension of the approval period not to exceed one year; if all of the following criteria are satisfied:
 - a. An extension of time will not prevent the lawful development of abutting properties;
 - b. There have been no changes to the applicable code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and
 - c. The extension request is made before expiration of the original approved plan.
 3. Failure to file a final plat within the one-year extension period will result in the preliminary approval becoming void.
- G. **Phased Development.**
1. The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public improvements, utilities, streets) for any partition or subdivision phase be greater than 3 years without reapplying for a preliminary plat;
 2. The criteria for approving a phased land division proposal are:

- a. Public facilities shall be constructed in conjunction with or prior to each phase;
 - b. The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 460—Performance Guarantees. A temporary public facility is any facility not constructed to the applicable City or district standard;
 - c. The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal; and
 - d. The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.
- H. Compliance with ORS Chapter 92. All subdivision and partition proposals shall be in conformance to state regulations set forth in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.

Although the Applicant intends to subdivide the entire parcel at one time, he requests approval to perform the subdivision in two phases, as shown on the preliminary plat. Doing so will provide the Applicant some financial flexibility should market conditions change unexpectedly. Applicant will comply with the preceding conditions.

8-2.320 PRELIMINARY PLAT SUBMISSION REQUIREMENTS

- A. Preliminary Plat Information. The preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:
1. General information:
 - a. Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in the county in which it is located (please check with County surveyor);
 - b. Date, north arrow, and scale of drawing;
 - c. Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site, including vicinity;
 - d. Names, addresses and telephone numbers of the owners, designer, and engineer or surveyor, and the date of the survey; and
 - e. Identification of the drawing as a “preliminary plat.”
 2. Site analysis:
 - a. Streets: Location, name, present width of all existing streets, alleys and rights-of-way on and abutting the site;

- b. Easements: Width, location and purpose of all existing easements of record on and abutting the site;
- c. Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest ones;
- d. Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established bench- mark or other datum approved by the County Surveyor. This requirement may be waived for partitions of one (1) acre or less with grades, on average, less than 5 percent;
- e. The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);
- f. Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having substantial erosion potential;
- g. Sensitive lands, including wetland areas, streams, wildlife habitat, greenways, and other areas identified by the City or natural resource regulatory agencies as requiring protection. (See 8-3H.2);
- h. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;
- i. Designated historic and cultural resources on the site and adjacent parcels or lots. Note that documentation of pre-settlement cultural resources may not be made a part of the public record as a matter of law, and shall be submitted in a sealed envelope addressed to the City Planner for the subject application;
- j. The location, size and species of trees having a caliper (diameter) of 4 inches (dbh) or greater at four feet above grade;
- k. Lighting plan, mailbox plan; and
- l. Other information, as deemed appropriate by the City Planner or City Administrator. The City may require studies or exhibits prepared by qualified professionals, such as a traffic study, anticipated water use and conservation study, cultural resource study, tree report and preservation study, wetland delineation, or similar study, to address specific site features and code requirements.

3. Proposed improvements:

- a. Public and private streets, tracts, driveways, open space and park land; location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;

- b. Easements: location, width and purpose of all easements;
- c. Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all lots and tracts (e.g., "Lot 1," Tract 1");
- d. Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use;
- e. Proposed improvements, as required by Sections 2-10 (Development and Design Standards), and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);
- f. The proposed source of domestic water;
- g. The proposed method of sewage disposal, and method of surface water drainage and treatment if required;
- h. The approximate location and identity of other utilities, including the locations of street lighting fixtures;
- i. Proposed railroad crossing or modifications to an existing crossing, if any, and evidence of contact with Oregon Department of Transportation and the Public Utility Commission related to proposed changes to railroad crossing(s);
- j. Proposed changes to navigable streams or other watercourses. The only changes that will be considered within the bed and banks of Bear Creek and Wagner Creek will be new or modified stormwater outfalls designed to reduce the adverse impacts of stormwater flows and protect water quality in conformance with applicable laws. Modifications to these areas, including provision or closure of public access, shall be shown on the preliminary plat and evidence of contact with the Division of State Lands and Army Corps of Engineers shall be provided, as applicable;
- k. Identification of the base flood elevation for development in floodplains. Evidence of contact with National Flood Insurance Program to initiate a flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain. Elevation certificates are required for all construction in floodplains prior to occupancy;
- l. Evidence of contact with Oregon Department of Transportation (ODOT) for any development requiring access to a highway under the State's jurisdiction;
- m. Evidence of contact with the applicable natural resource regulatory agency (s) for any development within or adjacent to jurisdictional wetlands and other sensitive lands, as identified in 8-3H.2;
- n. A future street plan that conforms to the provisions of Section 6.H. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within

600 feet surrounding and adjacent to the proposed land division; and

- o. Proposed irrigation ditch crossings, if any, and evidence of contact with the Talent Irrigation District related to existing or proposed irrigation ditch crossings.

The attached Preliminary Plat (prepared by Friar & Associates) includes all the information required by the preceding section 8-2.320

8-2.330 APPROVAL CRITERIA: PRELIMINARY PLAT

- A. General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:
 1. The proposed preliminary plat complies with all of the applicable code sections and other applicable ordinances and regulations. At a minimum, the provisions of this Chapter and the provisions of the underlying zoning district shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of 8-3L.4—Variances; [amended 15 October 2008; Ord. No. 847]

The Findings affirm that the Preliminary Plat complies with all applicable code sections & ordinances & regulations, including this Chapter 8-2 (Subdivision Development & Design Standards), Chapter 8-3C.4 (RM-22 Zoning District), except for the setback variances requested below under the Chapter 8-3L.4 (Variance) findings.

2. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;

The subdivision name, "Williams Way Subdivision," is not already recorded for another subdivision & satisfies the provisions of ORS Chapter 92.

3. The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction, and in all other respects; and are consistent with the City's Transportation System Plan. All proposed public improvements and dedications are identified on the preliminary plat; and

The Applicant will complete the existing, ½ street improvement abutting the NW boundary of the parcel pursuant to existing design/engineering/dedication agreement, and it will be duly named "Stage Way." He will also construct a new street, "William Way," that connects Stage Way to Talent Avenue. William Way intersects Talent Avenue directly opposite Everett Way, eliminating the need for additional intersections

4. All proposed private common areas and improvements (e.g., home owner association property) are identified on the preliminary plat.

The Preliminary Plat identifies all private common areas and improvements, which the homeowners' association will maintain in perpetuity

- B. Residential Density

1. Minimum and Maximum Density Requirements. When lots are created through a subdivision, the development shall achieve a minimum of forty percent (40%) and a maximum of one hundred percent (100%) of the dwelling unit density permitted by the applicable zoning district. The minimum density provision shall not apply to parcels that are smaller than one (1) acre. For purposes of this section, the minimum number of dwelling units required shall be determined by multiplying the maximum density by 0.4. The result shall be rounded up for any product with a factor of 0.5 or greater and rounded down for any product with a fraction of less than 0.5. [amended 15 October 2008; Ord. No. 847]
2. Residential Density Calculation Procedure...The following steps describe how to calculate density (For density calculation in the RM-22 zone, refer to Zoning Code, 8-3C.460. Do *not* use the method below for the RM-22 zone)...

Because this section specifically excludes RM-22 Zoned lands, the Applicant performed its density calculations below using 8-3C.460 below.

- C. Block and Lot Standards. All proposed blocks (i.e., one or more lots bound by public streets), lots, and parcels conform to the specific requirements below:
 1. All lots shall comply with the lot area, setback, and dimensional requirements of the applicable zone district, and the standards of Section 250(J)—Street Connectivity and Formation of Blocks.

Applicant's 8-2.2 (Development & Design Standards) Findings below address these standards

- a. Single-family residential lot sizes may be averaged to allow lots less than the minimum lot size in the RS-5 and RS-7 residential districts, as long as the average area for all lots is not less than allowed by the district. In order to prevent exceeding the maximum allowable densities, no lot shall be created that can be divisible in the future unless a re-division plan is filed for the subject lot, pursuant to Section 330(F). No lot created under this provision shall be less than eighty-five (85%) percent of the minimum lot size allowed in the zone. For example, in the RS-5 zone the following three lots could be created from a 24,000-square-foot tract: 6,800 square feet; 8,000 square feet; and 9,200 square feet. [amended 1 December 2004; Ord. No. 777]
 - b. In the High-Density S&MF Residential (RM-22) zoning district, individual lots may not be created that are too small to provide a residential building footprint, adequate access, any required undeveloped or landscaped areas, and covered off-street parking for at least two dwelling units.
2. Setbacks shall be as required by the applicable zoning district. [amended 15 October 2008; Ord. No. 847]

The subdivision design responds to the HNA's density & design recommendations by weaving together a variety of housing types, including row-houses, common-wall houses, houses with common garage walls, houses with zero lot lines, detached homes, and future apartments on the ½ acre in reserve. The plan also incorporates a variety of garage locations, sizes, & accesses - some via rear alley, others via shared driveway with attached garages.

In addition to integrating a variety of home types into the subdivision, the plan also attempts to use the land more efficiently and erect smaller homes to lower homeowner & renter costs. Doing so not only lowers the average home cost, but it also helps the city alleviate the housing shortage by increasing the density per acre.

However, Talent's setback codes were not conceived to facilitate efficient land usage and small homes: They were written to serve much larger, 5,000 – 8,000 sf lots.

Talent's current, front-yard setback is 20' for the house or porch and 24' for the garage, and because that inefficient requirement consumes more than 25% the average lot, the Applicant seeks variances to reduce front-yard setbacks to 10' for houses/porches and to 20' for street-loaded garages. Doing so maintains adequate, off-street parking while lessening the visual impact of the garage door. Similarly-compressed setbacks have enhanced communities across the state, including several in Talent and Ashland, by increasing density, improving overall aesthetics, lowering costs, and encouraging interaction.

Jackson County Fire District 5 staff also noted that structures closer to streets provide faster emergency access.

Talent's current, side-yard setback of 5' for 1-story and 8' for 2-story structures was also conceived to serve larger lots: It means that adjacent, 2-story homes must be 16' apart. Those 8' setbacks consume nearly half of the frontage of today's typical, 35'-wide, residential lot, an ineffective strategy for increasing density reducing costs.

Ashland code requires 6' minimum side-yard setbacks for both one- and two-story homes, and Medford codes require a 4' side-yard setback for one-story homes and increases them proportional to building height. Narrower setbacks and smaller lots are the simplest means of increasing Talent's density & preserving the surrounding, open space.

When Talent's City Council enacted the 8' side-yard setback, Fire Chief Dan Marshal testified that the 8' setback wouldn't facilitate their efforts because they don't typically fight fire from the sides of houses. There was one council member who still wanted it and it was passed even against the fire Marshal's testimony.

When the Applicant recently discussed narrower, side-yard setbacks with current, Fire District 5 staff, they agreed that they wouldn't fight the fire from the side of a house. They noted that they need enough space to place a ladder to reach a 2nd-floor windowsill and that a 5' side yard setback for a single story and a 6' side-yard setback for a 2-story building will be sufficient room to set a ladder.

The Applicant seeks a variance to reduce side yard setbacks from 8' to 6' for 2-story homes. With District 5 staff's blessing, the Applicant also seeks approval to reduce side-yards from zero lot line garages to 5' for single-story and 6' for two-story homes.

The plan complies with rear-yard minimum setbacks of 10' and alley-garages of 5'

All proposed lots include space for at least one, single car garage, as the site-plan indicates, but Applicant may adjust the garage areas prior to final approvals.

3. Each lot shall conform to the standards of Section 260—Vehicular Access and Circulation.

The Applicant's attached, 8-2.2 (Development and Design Standards) findings describe the Application's compliance with the preceding section.

4. Landscape or other screening may be required to maintain privacy for abutting uses and buffering for pathways, through lots abutting an arterial or collector street, grade changes and retaining walls, development on flag lots, and similar situations, consistent with the provisions of the Zoning Code, Subdivision Code, and 8-3J.4.

This design includes no lots abutting Arterial or Collector Streets.

As indicated on the proposed plan and in Applicant's accompanying, Comprehensive Plan Map and Zoning Map Amendment Applications, landscape buffering meeting 8-3 J.450 (Buffering and Screening Standards) separates the subdivision from the adjacent, Light Industrial parcels. The design integrates both Section A- 3a (opaque fencing) with Section B-2c ("living wall") to create a stronger and more aesthetic buffer. Lastly, to reduce the likelihood of subdivision occupants complaining about adjacent, light industrial activities, the Applicant will record non-remonstrance covenants with the deeds that require owners to acknowledge their awareness and acceptance of the adjacent, Light Industrial activities.

5. In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See also, Section 260—Vehicular Access and Circulation.

Applicant's attached, 8-2.2 (Development and Design Standards) findings address compliance with the preceding section

6. Where a common drive is to be provided to serve more than one lot, a reciprocal easement, which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.

The Applicant will provide a reciprocal easement ensuring access and maintenance rights that shall be recorded with the approved subdivision

- D. Conditions of Approval. City staff, Planning Commission, or City Council may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations. When not voluntarily accepted by the Applicant, conditions shall be roughly proportional to the impact of development, and the written findings and decision shall include findings of proportionality.

The Applicant understands this concept

- E. The City may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.

The Applicant accepts this concept

- F. Future Re-division Plan. When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use

district), the City shall require that the lots be of such size, shape, and orientation as to facilitate future re-division in accordance with the requirements of the zoning district and this Code. A re-division plan shall be submitted that identifies:

1. Potential future lot division(s) in conformance with the housing and density standards of the underlying zoning district;
2. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights-of-way.
3. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. Development activities that prevent implementation of the re-division plan shall not be permitted unless they achieve the housing densities and street connections required by the applicable zoning district and this ordinance. The City may require dedication and improvement of rights-of-way within the future plan area to provide needed secondary access and circulation.

The Applicant understands that additional development must undergo additional entitlement procedures & merely presents its conceptual ideas for the ½ acre of land reserved for multi-family development.

- G. Compliance. All submittals shall demonstrate compliance with Article 2, *Development and Design Standards*, and 8-3H.2 of the Talent Zoning Code.

Applicant's attached, 8-2.2 (Development and Design Standards) findings address compliance with the preceding section

8-2.340 VARIANCES AUTHORIZED

Adjustments to the standards of this Chapter shall be processed in accordance with 8- 3L.4—Variances of the Talent Zoning Code. Applications for variances shall be submitted prior to or at the same time as an application for land division or lot line adjustment is submitted. [amended 15 October 2008; Ord. No. 847]

Applicant's attached, 8-3L.2 (Variances) findings address compliance with this section

8-2. Article 2. DEVELOPMENT AND DESIGN STANDARDS

8-2.210 OPEN SPACE

- A. Purpose. To preserve the character of the City and to conserve natural resources by encouraging development that incorporates open space and the natural features of the land into neighborhood design, and by allowing density distribution within the development project so that there is no penalty for creative design.
- B. Open Space Standard. Designated Locally Significant Wetland and Riparian areas and a fifty-foot “safe harbor” setback from these areas shall be maintained as permanent open space, pursuant to 8-3H.2. Additional open space may also be required by the City or dedicated by the developer of a subdivision, in conformance with the Comprehensive Plan and the provisions of 8-2.220(D). The open space shall be shown on the preliminary plat, and recorded with the final plat or separate instrument in accordance with one of the following methods: [amended 15 October 2008; Ord. No. 847]

To maintain an open viewscape around the entry into the subdivision and to provide some separation between the Bark Park & the nearest residences, the Applicant incorporated an open space of 5,045 sf

1. By dedication to the City as publicly owned open space. Open space proposed for dedication to the City must be acceptable to the City Council with regard to the size, shape, location, improvement, environmental condition (i.e., the Applicant may be required to provide a level-one environmental assessment), and budgetary and maintenance terms; or
2. As private open space, by leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City, and shall establish that the subject property may not be developed for any purpose other than that specified in the approved plan. (Note: This section is intended to ensure that open space is used for open space or recreational purposes only.)

The open space will be owned and managed by the Homeowners' Association

- C. Uses of Required Open Space. Subject to review and approval by the City Council, an open space dedication may be used to comply with the City's wetland and riparian protection codes and ordinances (8-3H.2 and 8-5) and/or mitigate parks and recreation impacts related to the subject development.
- D. Open Space for Public Park Use. If determined by the Planning Commission to be in the public interest in accordance with the adopted Comprehensive Plan, the City may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.

The open space will be owned and managed by the Homeowners' Association

- E. Additional Open Space. If the developer is required to reserve additional land area in excess of conservation areas prescribed in Subsections B-D, above, for a park, playground, or other public use, the land shall be acquired by the appropriate public agency within 24 months following final plat approval, at a price agreed upon prior to approval of the plat, or the reservation shall be released to the property owner.

(Note: When the developer is required to reserve additional land area in excess of conservation areas, *Dolan v. City of Tigard* findings should be in the staff report and decision to justify the exaction.)

- F. System Development Charge Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge for parks.

The Application meets the open space standards set forth above. The preliminary plat depicts 5,045 sf of dedicated, open space adjacent to Bark Park.

8-2.220 PUBLIC FACILITIES STANDARDS AND IMPROVEMENTS

- A. Purpose. The purpose of this Section is to provide planning and design standards for public and private transportation facilities and utilities.

- B. When Standards Apply. All development shall comply with the City's public facilities standards and construction specifications. When a new subdivision uses existing streets and other public facilities, those facilities shall be improved to current standards.
- C. Standard Specifications. The Public Works Director and City Engineer shall establish written standard construction specifications and standard construction drawings consistent with the design standards of this Section and application of engineering principles. They are incorporated in this code by reference.
- D. Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the Applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

The Application meets the public facilities standards set forth above. All public facilities contemplated herein comply with City Design & Engineering standards, and these Findings affirm that the existing, public facilities are sufficiently sized for the proposed subdivision. The City engineer, RVSS, Pacific Power, and gas & phone utilities have all indicated that there are adequate public facilities to service this subdivision.

8-2.230 PEDESTRIAN ACCESS AND CIRCULATION

- A. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:
 - 1. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

The pedestrian pathway between lots 29 and 30 provides a reasonably direct route between the most distant lots and downtown Talent as well as for pedestrians walking to Chuck Roberts Park or Bark Park.

- 2. Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

The proposed, pedestrian pathway is free of hazards and provides a reasonably direct route of travel

- 3. For commercial, industrial, mixed use, as well as public and institutional buildings, the primary entrance is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
- 4. For residential buildings, the primary entrance is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the primary entrance may be a lobby, courtyard, or breezeway, which serves as a common entrance for more than one dwelling.

All primary, home entrances face the highest order street. For example - those lots with street or alley

frontage have the primary entrance facing the street, and not the alley.

- B. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 250(J)(5). Pathways shall also be provided where cul-de-sacs or permanent dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other existing or future developments. Pathways used to comply with these standards shall conform to all of the following criteria:

1. All pathways shall be located within not less than 10 feet and not more than a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;

The proposed pathway easement is 10' wide

2. Pathways within subdivisions shall be lighted;

The proposed path way will be lighted.

3. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;

The pedestrian pathway will not have any stairs or switchbacks and will have a gentle grade of less than 5%.

4. The City may require landscaping and/or fencing within the pathway easement/right-of-way for screening and the privacy of adjoining properties;

There will be landscaping along the pathway which will be installed just after the completion of the homes on either side of the pathway.

5. The Planning Commission may determine, based upon facts in the record, that a pathway is impracticable due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, sensitive lands, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded prior to the effective date of this Code prohibit the pathway connection.

NA

- C. Design and Construction. Pathways shall conform to all of the standards in 1–5 below:

1. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps that comply with the federal Americans with Disabilities Act (ADA).

The proposed pathway is perpendicular to William Way.

2. Housing/Pathway Separation. Pedestrian pathways for public use shall be separated a

minimum of 5 feet from all residential living areas on the ground floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of 8-3J.4. No pathway/building separation is required for commercial, industrial, public, or institutional uses, except required for mixed uses when residential use is on the ground floor.

The building envelopes abutting the pathway have 5' sideyard set-backs from the pathway.

3. Crosswalks. Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application. Striping, because of on-going maintenance costs, is not the City's preferred alternative.

The pedestrian pathway doesn't cross any parking lots or driveways.

4. Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other surface as approved by the City, at least 6 feet wide or as approved by the City, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 12 feet wide. (See also, Section 250—Transportation Standards for public, multi-use pathway standard.) Pathway right-of-way shall be no less than 15 feet to provide emergency vehicle access. Right-of-way of less than 15 feet may be used where a path could not otherwise be provided, but in no case may a right-of-way less than 12 feet be approved for a public path.

The pedestrian pathway shall be 6' wide, constructed of asphalt, and shall conform to ADA requirements

5. Accessible routes. Pathways shall comply with the ADA, which requires accessible routes of travel.

The pedestrian pathway shall comply with ADA requirements, as the final plat will indicate.

This Application meets the pedestrian access & circulation standards set forth above. The combination of ROW sidewalks and dedicated, pedestrian paths on the site plan provide safe, reasonably direct and convenient connections between building entrances and adjacent streets. Pathway, crosswalk, and pathway surface designs and specifications meet the foregoing criteria.

8-2.240 STREET TREES

- A. Purpose. This section is intended to improve the comfort, safety and appearance of streets through the appropriate use of street trees. The standards in this section supplement, but do not replace the provisions of Article 8-3J.4.
- B. Plantings. Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to Land Division or Site Design Review, except that street trees may be planted in planter wells as provided in subsection 4 below. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in Section 8-3J.422. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.

The Applicant is proposing to install street trees in the planter strip.

- C. Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:
1. Provide a broad canopy where shade is desired.
 2. Use low-growing trees for spaces under utility wires.
 3. Select trees, which can be “limbed-up” where vision clearance is a concern.
 4. Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.
 5. Use species with similar growth characteristics on the same block for design continuity.
 6. Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.
 7. Select trees that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.
 8. Select trees for their seasonal color, as desired.
 9. Use deciduous trees for summer shade and winter sun.
- D. Caliper Size. The minimum caliper size at planting shall be 1½ inches diameter at breast height (dbh), based on the American Association of Nurserymen Standards.
- E. Spacing and Location. If a planter strip is provided, street trees shall be planted within the planting strip. If a planter strip is not provided, trees shall be planted behind the sidewalk or in sidewalk tree wells (e.g., downtown area) when determined in the review process to be a reasonable accommodation. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with sight distance requirements, or existing trees, retaining walls, utilities and similar physical barriers.
- F. Soil Preparations, Planting and Care. The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first year after planting and individual homeowners or established homeowner’s association will be responsible thereafter.
- G. Street Tree List. Only trees included on the City of Talent’s approved tree list shall be planted as street trees. The Pacific Power approved tree list where overhead power lines are a factor, or other native tree lists acceptable to the Parks and Recreation Commission and Tree Subcommittee will be acceptable as well.

The Application meets the street trees standards set forth above. The preliminary site plan emphasizes street tree and buffering tree plantings that provide important shade, color, and sound/ light attenuation.

- A. Purpose. The purpose of this chapter is to ensure that developments provide a safe and efficient public street system for pedestrians and vehicles, in conformance with the City's Transportation System Plan and applicable ordinances.

The proposed plan utilizes two existing intersections: The ½ street improvement shared with OSF identified as "Stage Way" and the improvement of the existing exit next to the Bark Park identified as "William Way" that aligns with Everett Way across Talent Avenue

- B. Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Section 260—Access and Circulation, as well as Article 8-3J.6, and the following standards are met:

The proposed subdivision shares approximately 300' of frontage with Talent Avenue – a public street.

1. Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan Standards;

The proposed streets will meet TSP Standards

2. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable City, county or state jurisdiction;

Applicant will complete the half-finished ROW along the Shakespeare frontage in accordance with the design & engineering plans established by the Planning Staff and Commission when Shakespeare obtained their Site Plan approval. See below for William Way's compliance with Talent's narrow street exception.

3. The City may accept a future improvement guarantee [e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future] in lieu of street improvements if one or more of the following conditions exist:
 - a. A partial improvement may create a potential safety hazard to motorists or pedestrians;
 - b. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
 - c. The improvement would be in conflict with an adopted capital improvement plan; or
 - d. The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.

The Applicant does not anticipate that the subdivision will require future improvements.

- C. Variances. A variance to the transportation design standards in this Section may be granted pursuant to Article 8-3L.4.

See below for findings for Article 8-3L.4.

- D. Creation of Rights-of-Way for Streets and Related Purposes. Streets, sidewalks and walkways shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street, sidewalk or walkway by acceptance of a deed, provided that the street is deemed essential by the City Council for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code. All deeds of dedication shall be in a form prescribed by the City Administrator and shall name "the public" as grantee.

The Applicant shall adhere to all requisite procedures designing, installation and recording the final plat which provides for the dedication of the public improvements.

- E. Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Section 260—Vehicular Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.

Fire District 5 staff have reviewed the proposed plan and stated their satisfaction proposed, vehicular access and circulation.

- F. Street Location, Width, and Grade. Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, as applicable, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:

The streets in the proposed subdivision conform to TSP standards

1. Street grades shall be approved by the Public Works Director or designee in accordance with the design standards in Section 250(O), below; and

The subject site is gently sloping, and road grades are anticipated to be less than 5%: Final road grades will be detailed on the final plat

2. Where the location of a street is not shown in an existing street plan (See Section 250(I)), the location of streets in a development shall either:
- a. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Section, or

The proposed road system connects two existing intersections along Talent Avenue – the one shared with Shakespeare and the Everett Way intersection

- b. Conform to a street plan adopted by the Planning Commission, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.

- G. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be within the range of appropriate widths adopted in the Transportation System Plan. A variance

shall be required to vary the standards in the Transportation System Plan. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:

1. Street classification in the Transportation System Plan;
2. Anticipated traffic generation;
3. On-street parking needs;
4. Sidewalk and bikeway requirements based on anticipated level of use;
5. Requirements for placement of utilities;
6. Street lighting;
7. Proposed traffic calming devices;
8. Minimize drainage, slope, and sensitive lands impacts, as identified by the Comprehensive Plan;
9. Street tree location, as provided for in Section 240—Street Trees;
10. Protection of significant vegetation (i.e., trees with a caliper of 4 inches (dbh) or greater)
11. Safety and comfort for motorists, bicyclists, and pedestrians;
12. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;
13. Access needs for emergency vehicles; and
14. Transition between different street widths (i.e., existing streets and new streets) where applicable.

See below for compliance with the TSP narrow street exception.

H. Traffic Signals and Traffic-Calming Features.





1. Traffic-calming features, such as traffic circles, roundabouts, curb extensions, crosswalks, speed bumps, narrow residential streets, and special paving should be used to slow traffic in existing and planned neighborhoods and areas with high pedestrian traffic.

NA

2. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Highway Capacity Manual, and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The developer's cost and the timing of improvements shall be included as a condition of development approval.

NA

Figure 250.H—Traffic Calming Features

<i>Drawing</i>	<i>Technique</i>	<i>Description</i>
	Traffic Circles	Circular raised islands centered within intersections. Circles can be landscaped or surfaced with special paving. Landscaping can be maintained by the local jurisdiction or by neighborhood volunteers.
	Chicanes	Alternately placed curb extensions into the street that force motorists to drive in a serpentine pattern. Chicanes are offset from each other in mid-block locations and can be used to keep through-trucks versus local delivery off residential streets.
	Curb Bulb-Outs, Chokers/Neckdowns	Curb extensions placed at mid-block locations or intersections which narrow the street to provide visual distinction and reduce pedestrian crossing distances. Bulb-outs help to provide a clear visual signal to drivers that a crossing is approaching and makes waiting pedestrians more visible. Neckdowns are often longer than bulb-outs and often line up with and help to define parallel street parking areas. They narrow the appearance of the street and can be attractive, especially when landscaped.
	Special Paving	Alternative road surfaces, such as brick, colored concrete or special pavers, can be used at crossings, intersections, or along the sides of the street to break up the visual expanse of pavement and define areas of pedestrian travel.

1. Future Street Plan and Extension of Streets.

1. A future street plan shall be filed by the Applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other dividable parcels within 600 feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather it is intended to show potential future street extensions to serve future development.

The roadway design connects two existing intersections & anticipates no, future street extensions

2. Streets shall be extended to the boundary lines of the parcel or tract to be developed, when the Planning Commission determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-c, below:
 - a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs or permanent dead-end streets since they are intended to continue as through streets when the adjoining property is developed.
 - b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be

constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.

- c. Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.

The Transportation Systems Plan does not depict any additional street connections other than those on the proposed plan. During its deliberations regarding Shakespeare's Site Plan application, the Planning Commission determined that extending Stage Way to Fabricated Glass was not warranted.

The Applicant met with the three, abutting property owners: Micro Trains, Fabricated Glass and Shakespeare and none expressed desire for any additional road connections

J. Street Alignment and Connections.

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.

The plan does not propose any new intersections: It improves two, existing intersections

2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.

There is only one local intersection on this plan – Stage Way at William Way - and it is more than 125' from any other intersections.

3. All local and collector streets that abut a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15 percent for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The Applicant must show why the environmental or topographic constraint precludes some reasonable street connection.

The roadway slope will be less than 5%

4. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks and transit facilities wherever possible.

The subdivision roadways provide direct and easy access to Talent Avenue, which has RVTD service, is close to downtown Talent, and close to recreation at Chuck Roberts park.

5. In order to promote efficient vehicular and pedestrian circulation throughout the City, the design of subdivisions and alignment of new streets shall conform to the standards

in 260—Vehicular Access and Circulation, and block length shall not exceed the dimensions in a-b below:

- a. 400 foot maximum block length, and 1,200-foot maximum perimeter in the Residential zones;
- b. 400 foot maximum block length and 1,200-foot maximum perimeter in the Central Business District Zone;
- c. 800 foot maximum block length and 2,400-foot maximum perimeter in the Light Industrial District;

Exceptions to the above standards may be granted when the developer can clearly demonstrate that compliance is not feasible, or when a non-vehicle access way is provided at or near mid-block, in conformance with the provisions of Section 230—Pedestrian Access and Circulation. (See examples in Figure 250.J.)

The design meets these standards because the pedestrian pathway between lots 29 & 30 provides a direct route for residents walking downtown or to Chuck Roberts Park or the dog park.

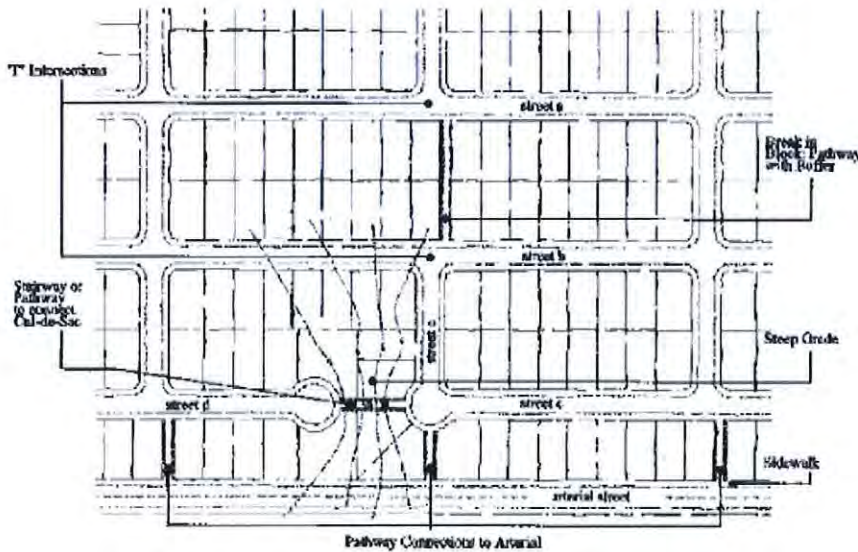
Figure 250.J—Street Connectivity

Street Connectivity and Formation of Blocks

Standard Blocks



Exceptions



- K. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes in public right-of-way shall be installed in conformance with the TSP. Pathways and bike paths within subdivisions shall be designed to promote the safety of those using the path, and the privacy of adjoining property owners to the greatest extent practicable. For example, pathway connections shall be as direct as possible. Overhead street lighting shall be coordinated with pathway entrances wherever possible, and pedestrian-oriented lighting shall be considered in other areas where overhead lighting cannot be provided. Fences and landscaping may be required for privacy screening and buffering between pathways and adjacent land uses. Alternatively, grade change between pathways and adjacent uses may be a suitable buffer. Ease of maintenance of paved areas and use of native landscaping shall also be encouraged. Maintenance of sidewalks and planter strips is the continuing obligation of the adjacent property owner. (ORS 105.672)

The proposed design meets the Transportation System Plan narrow street exception - see below for additional findings.

A landscape plan for the abutting pathway will be included with plan submittal for lots 29 & 30

- L. Intersection Angles. Streets shall be laid out to intersect at an angle as near to a right angle as

practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

1. No street intersection may be created within 25 feet of a street curve, and no street curve may be created within 25 feet of a street intersection (on the same street). Such intersections and curves shall have at least 25 feet of tangent between them unless topography requires a lesser distance;
2. Intersections that are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and
3. Right-of-way lines at intersections with arterial streets shall have a corner radius of not less than 20 feet.

All planned intersections meet at right angles with radii greater than 20'.

- M. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, in conformance with the standards in the Transportation System Plan.

Applicant will complete the existing, ½ street shared with OSF and dedicate the ROW to Talent.

- N. Cul-de-sacs. A permanent dead-end street shall be no more than 250 feet long, shall not provide access to more than 12 dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation:
1. All cul-de-sacs shall terminate with a circular or hammerhead turnaround. Circular turnarounds shall have a radius of not less than 30 feet, and not more than a radius of 40 feet (i.e., from center to edge of pavement); except that turnarounds may be larger when they contain a landscaped island or parking bay in their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width; and
 2. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac pavement.
 3. Pathways shall be provided to connect cul-de-sacs in conformance with Section 230(B).

There are no cul-de-sacs or hammer-head tur- arounds on the plan.

- O. Grades and Curves. Grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:
1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and
 2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent slope or less. Landings are that portion of the street within 20

feet of the edge of the intersecting street at full improvement.

The anticipate street grades are less than 5%, & both intersections at Talent Ave shall have stop signs.

- P. Curbs, Curb Cuts, Ramps, and Driveway approaches. Concrete curbs, curb cuts, wheelchair and bicycle ramps and driveway approaches shall be constructed in accordance with standards specified in Section 260—Vehicular Access and Circulation and Americans with Disabilities Act (ADA) standards.

The Final Plat will comply with this section.

- Q. Streets Adjacent to Railroad Right-of-Way. Wherever a proposed residential subdivision is adjacent to a railroad right-of-way, a street approximately parallel to such right-of-way at a distance suitable for the appropriate use of the land shall be created. Exception: This standard shall not apply where physical constraints (e.g. wetlands, slopes, etc.) make development of a road impracticable. In this situation, the subdivision shall contain adequate buffering and additional setbacks may be required, as determined by the Planning Commission. New railroad crossings and modifications to existing crossings are subject to review and approval by the Oregon Department of Transportation.

NA

- R. Development Adjoining Arterial Streets. Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access and through traffic, and shall minimize traffic conflicts. To satisfy this requirement, the design shall include one or more of the following:
1. A parallel access street along the arterial with a landscape buffer separating the two streets;
 2. Deep lots abutting the arterial or major collector to provide adequate buffering with frontage along another street. Double-frontage lots shall conform to the buffering standards in Section 260(F)—Access Options;
 3. Screen planting at the rear or side property line to be contained in a non-access reservation (e.g., public easement or tract) along the arterial; or
 4. Other treatment suitable to meet the objectives of this subsection;

NA

- S. If a lot has access to two streets with different classifications, primary access shall be from the lower classification street, in conformance with Section 260—Vehicular Access and Circulation.

Lots 20-22 & 31-35 obtain their primary vehicular access from the depicted, access way, and lots 6-8 obtain their primary vehicular access from a different access way: Both are in compliance with this section.

- T. Alleys, Public or Private. Alleys shall conform to the standards in the Transportation System Plan. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.

There are no sharp changes in alignment and no radii less than 12'.

- U. Private Streets. A private street shall not provide access to more than two single-family residential lots. A private street shall not be used to avoid connections with public streets. Gated communities and private street systems (i.e., where a gate limits access to a development from a public street) are prohibited. Design and construction standards for grading, base rock, compaction, paving and drainage of private streets shall be the same as for public streets. [amended 15 October 2008; Ord. No. 847]

No private streets are proposed with this project.

- V. Street Names. No street name shall be used which will duplicate or be confused with the names of existing streets in Jackson County except for extensions of existing streets. Street names, signs and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers.

Both street names Stage Way and William Way comply with this section.

- W. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments shall be reestablished and protected. The certification shall be a signed statement submitted with the final plat.

The final plat will demonstrate compliance with this section.

- X. Street Signs. The City, county or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

The final plat will demonstrate compliance with this section.

- Y. Mail Boxes. Plans for mailboxes to be used shall be approved by the United States Postal Service.

The final plat will demonstrate compliance with this section.

- Z. Street Light Standards. Streetlights shall be installed in accordance with City standards. Street lighting shall be designed to provide necessary lighting only, with all fixtures hooded and all resulting lights projected downward, and with no light projected on to adjoining property.

The final plat will demonstrate compliance with this section.

- AA. Street Cross-Sections. The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway and within one year of the conditional acceptance of the roadway unless otherwise approved by the City Engineer. The final lift shall also be placed no later than when 50% of the structures in the new development are completed or 3 years from the commencement of initial construction of the development, whichever is less.

1. Sub-base and leveling course shall be of select crushed rock;
2. Surface material shall be of Class C or B asphaltic concrete;

The final plat will demonstrate compliance with this section.

3. The final lift shall be Class C asphaltic concrete as defined by A.P.W.A. standard specifications; and
4. No lift shall be less than 1-1/2 inches in thickness.

8-2.260 VEHICULAR ACCESS AND CIRCULATION

- A. Intent and Purpose. The intent of this Section is to manage vehicle access to development through a connected street system, while preserving the flow of traffic in terms of safety, roadway capacity, and efficiency. Access shall be managed to maintain an adequate “level of service” and to maintain the “functional classification” of roadways as required by the City’s Transportation System Plan. This Section attempts to balance the right of reasonable access to private property with the right of the citizens of the City and the State of Oregon to safe and efficient travel. It also requires all developments to construct planned streets (arterials and collectors) and to extend local streets.

These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

- B. Applicability. This ordinance shall apply to all public streets within the City and to all properties that abut these streets.
- C. Access Permit Required. A new or modified connection to a public street requires an Access Permit in accordance with the following procedures:
1. Permits for access to City streets shall be subject to review and approval by the Public Works Director based on the standards contained in this Section and the provisions of Section 250—Transportation Facility Standards. An access permit may be in the form of a letter to the Applicant, or it may be attached to a land use decision notice as a condition of approval.

The final plat will demonstrate compliance with this section.

2. Permits for access to State highways shall be subject to review and approval by the Oregon Department of Transportation (ODOT), except when ODOT has delegated this responsibility to the City or Jackson County. In that case, the City or County shall determine whether access is granted based on its adopted standards.

The final plat will demonstrate compliance with this section.

3. Permits for access to County highways shall be subject to review and approval by Jackson County, except where the County has delegated this responsibility to the City, in which case the City shall determine whether access is granted based on adopted County standards.

The final plat will demonstrate compliance with this section.

- D. Traffic Study Requirements. The City or other agency with access jurisdiction may require a

traffic impact study (TIS) prepared in accordance with Section 8-3L.9 Traffic Impact Study, [amended 17 February 2016; Ord. No. 912]

To determine the traffic impact of the proposed Comp Plan & Zoning Map Amendments, the Applicant obtained trip generation rates from the ITE Trip Generation Manual, 9th edition (ITE).

According to the ITE, the trip count most closely associated with vacant light industrial land is Code 110, General Light Industrial, with a trip generation of .97 PM Peak Hour Trips per 1,000 square feet of development.

The subject parcel's current, IL zoning is unrestricted with no traffic caps, so the highest and best use of the property would consist of 3.66 net acres or 159,429 square feet of development (applying all standard setbacks identified in the TDC), so the existing Trip Generation potential of the property is 154 PM Peak hour trips.

Approval of this Application would create 35 single family lots, plus reserve acreage for up to 12 dwelling units under separate application. The 35 single family dwellings contribute 1 PM Peak hour trip per dwelling unit for a total of 35 PM Peak Hour Trips. The future Multifamily development - with up to 12 dwelling units at .62 PM Peak hour trips - adds 7.44 PM Peak hour trips for a total of 42.44 PM Peak hour trips.

Therefore, approval of these Applications would reduce PM Peak hour trips by 111.56 PM Peak hour trips and negate the need for a Traffic Impact Study per 8-3L.920 of the TDC.

- E. Conditions of Approval. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public or private street.
- F. Access Options. When vehicle access is required for development, access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider.
 - 1. Option 1. Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.
 - 2. Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.

Public access easements shall be recorded for both, proposed, access ways

- 3. Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Subsection G, below.
- 4. Subdivisions Fronting onto an Arterial Street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or

collector) streets for access to individual lots.

NA

5. Double-Frontage Lots. When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. Except for corner lots, the creation of new double-frontage lots shall be prohibited in the Residential District, unless topographic or physical constraints require the formation of such lots. When double-frontage lots are permitted in the Residential District, a landscape buffer with trees and/or shrubs and ground cover not less than 10 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; and maintenance shall be assured by the owner (i.e., through homeowner's association, etc.).

NA

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

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

Except for the permitted, shared driveways, all driveways on local streets have at least 10' of separation

2. Arterial and Collector Streets. Access spacing on collector and arterial streets shall be determined by the Public Works Director. Access to State Highway 99 shall be subject to review and approved by the Oregon Department of Transportation (ODOT), based on the applicable standards contained in the City's Transportation System Plan and policies contained in the *1999 Oregon Highway Plan*.

NA

3. Special Provisions for All Streets. Direct street access may be restricted for some land uses. For example, access consolidation, shared access, and/or access separation greater than that specified by Subsections 1-2, may be required by the City, County or ODOT for the purpose of protecting the function, safety, and operation of the street for all users. (See Subsection 1, below.) Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.

NA

H. Number of Access Points. For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot. Alley access is strongly encouraged before other access points are considered; except that two access points may be permitted for two-family and three-family housing on corner lots (i.e., no more than one access per street), and subject to the access spacing standards in Section G, above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Subsection

I, below, in order to maintain the required access spacing, and minimize the number of access points.

Each single-family lot has only 1 access point.

- I. Shared Driveways. The number of driveway and private street intersections with public streets may be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

14 of the 35, proposed lots share driveways

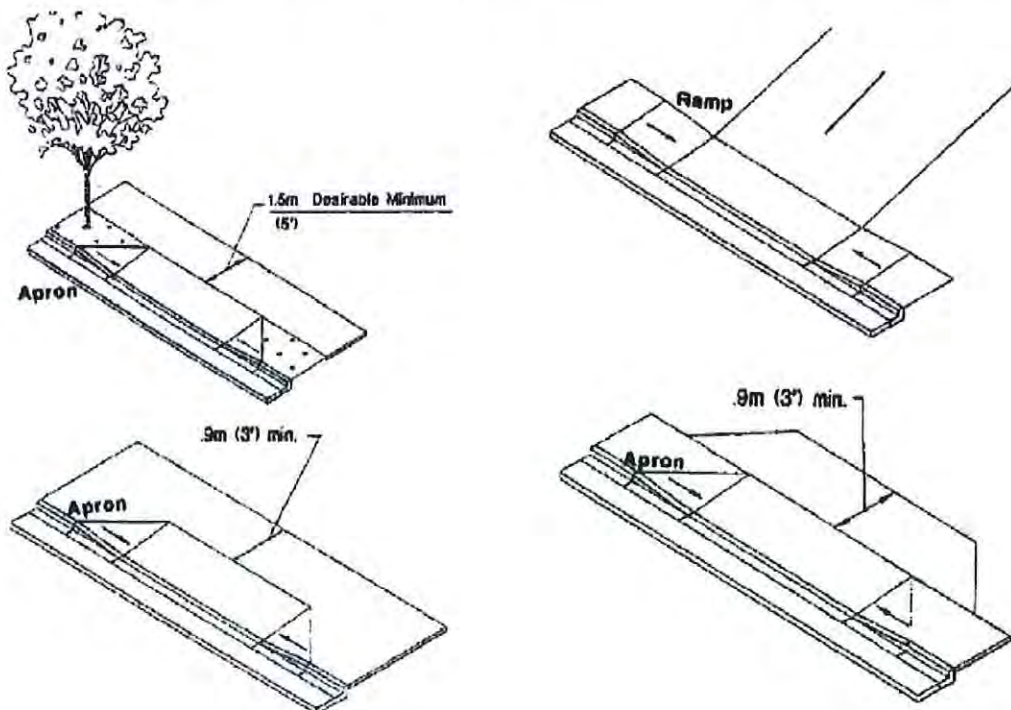
1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they may be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

NA

2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

Access easements shall be recorded for all shared driveways

Figure 260.I—Examples of Acceptable Driveway Openings Next to Sidewalks/Pathways



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

1. Single family, two-family, and three-family uses shall have a minimum driveway opening/curb cut width of 10 feet, and a maximum width of 24 feet.

All shared driveway opening/curb cuts shall meet this requirement.

2. Multiple family uses with between 4 and 7 dwelling units shall have a minimum driveway opening/curb cut width of 20 feet, and a maximum width of 24 feet.
3. Multiple family uses with more than 8 dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a minimum driveway opening/curb cut width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the Public Works Director determines that more than two lanes are required based on the number of trips generated or the need for turning lanes.

Compliance with this section shall be provided when the Applicant submits for site plan approval for the multifamily dwellings.

4. Access widths for all other uses shall be based on 10 feet of width for every travel lane, except that driveways providing direct access to parking spaces shall conform to the parking area standards in 8-3J.5;
5. Driveway Aprons. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown above. Driveway aprons shall conform to ADA standards for sidewalks and pathways, which require a continuous accessible route of travel, with a cross slope not exceeding 2 percent.

Compliance with this section shall be provided at time of final plat

K. Fire Access and Parking Area Turn-arounds. A fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner. For requirements related to cul-de-sacs, please refer to Section 250—Transportation Facility Standards.

There are no cul-de-sacs associated with this project, and Fire District 5 has reviewed the site plan for compliance.

L. Vertical Clearances. Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13' 6" for their entire length and width.

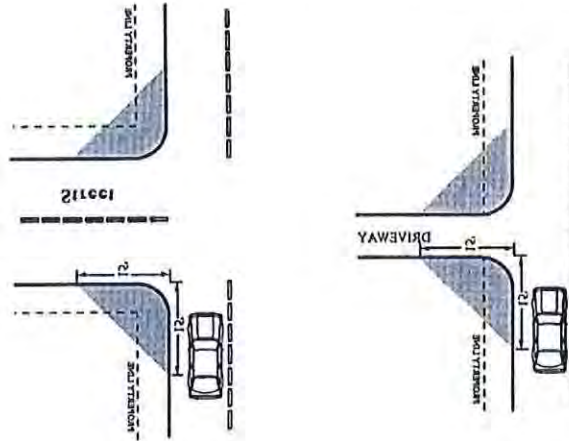
Compliance with this section shall be provided at time of final plat

M. Vision Clearance. No signs, structures or vegetation in excess of three feet in height shall be placed in "vision clearance areas", as shown below. The minimum vision clearance area may be increased by the City Engineer upon finding that more sight distance is required (i.e., due

to traffic speeds, roadway alignment, etc.).

Compliance with this section shall be provided at time of final plat

Figure 260.M-Vision Clearance Areas



- N. Construction. The following construction standards shall apply to all driveways and private streets:
1. Surface Options. Driveways, parking areas, aisles, and turn-arounds shall be paved with asphalt, concrete or comparable surfacing, or a durable non-paving material that will support emergency vehicles may be used to reduce surface water runoff and protect water quality.
 2. Surface Water Management. When a paved surface is used, all driveways, parking areas, aisles and turn-arounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with City standards.
 3. Driveway Aprons. When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing. (See also, Subsection K. above.)

Compliance with this section shall be provided with submission of the final plat

8-2.270 SANITARY SEWER AND WATER SERVICE IMPROVEMENTS

- A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City’s construction specifications and the applicable Comprehensive Plan policies.
- B. Sewer and Water Plan approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in

conformance with City standards.

- C. Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the over-sizing. (Note: *Dolan versus City of Tigard* findings should accompany any decision to require over-sizing.)
- D. Permits Denied. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building or development moratoriums shall conform to the criteria and procedures contained in ORS 197.505.

Rogue Valley Sanitary Sewer staff have reviewed the proposal and determined that there is adequate existing capacity for the project. Compliance with the rest of this section shall be provided with submission of the final plat

8-2.280 STORM DRAINAGE AND SURFACE WATER MANAGEMENT

- A. General Provisions. The City shall issue a development permit only where adequate provisions for storm water and surface water runoff have been made pursuant to Resolution 517, Stormwater Design Standards.
- B. Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, as designated in the City of Talent Stormwater Master Plan, whether inside or outside the development. Such facilities shall be subject to review and approval by the Public Works Director or City Engineer.
- C. Effect on Downstream Drainage. Where it is anticipated by the Public Works Director or designee that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold permits of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards. Any applicable procedures in state development moratorium statutes shall be followed.
- D. Easements. Where a watercourse, drainage way, channel, or stream traverses a development, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance. Development within designated Locally Significant Wetland and Riparian areas shall be in conformance with the requirements in 8-3H.2, Natural Areas, Parks and Floodplains.

Rogue Valley Sanitary Sewer staff have reviewed the proposed subdivision plan and assert that there is sufficient capacity within the storm drain system for the project. Compliance with the remainder of this section shall be provided at time of final plan.

8-2.290 UTILITIES

- A. Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting and cable television services and related facilities shall be placed underground and shall provide for future expansion of services, except for surface mounted

transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or higher. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. All above ground equipment shall not obstruct vision clearance areas for vehicular traffic (8-3J.6);
 2. The City reserves the right to approve the location of all surface mounted facilities;
 3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
 4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.
 5. Adequate capacity for communications services shall be provided. Underground conduit for communications lines, or oversized conduit for phone or other compatible utilities, shall be installed whether or not provision of such services is planned at the time of development.
- B. Easements. Recorded easements shall be provided for all underground utility facilities.
- C. Exception to Under-Grounding Requirement. The standard applies only to proposed subdivisions. An exception to the under-grounding requirement may be granted due to physical constraints, such as steep topography, or existing development conditions, when demonstrated by the Applicant

All utility providers have verified that their existing infrastructure provides sufficient capacity to service the subdivision. Compliance with the remainder of this section will occur at time of final plan.

Transportation System Plan: Section 6: Standards

Narrow Street Exception

An exception to the local residential standard may be considered by the Planning Commission under certain conditions:

- Average Daily Traffic is not reasonably expected to exceed 800 trips.
- Distance between cross streets is no more than 600 feet.

The distance between William Way and Stage Way is less than 600 feet, and the projected traffic of 10 trips per day per unit amounts to less than 480 trips/ day.

- The street is a cul-de-sac not designed to provide future through-connection.

Although William Way is a loop, not a cul-de-sac, its effect is the same as a cul-de-sac, with no anticipated, future connections or capacity increases

- Expected parking demand can be met off street (considering the land uses/zoning in the vicinity).

The designed parking on one side of the street provides 27 spaces, and lots 7-13 and 30- 32 each have one off street parking space and an additional, designated parking space across the access way.

In comparison, Ashland requires a 47-50' ROW for similar streets and permits parking on both sides of the street with a 25-28' paved section. We propose a 28' wide paved section and seek parking on one side only (though Applicant would consider parking both sides if staff and Commissioners prefer additional parking).

- The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.

As an infill street connecting Talent Avenue's Everett Way intersection to the ½ street improvement on the NW edge of the subdivision, the proposed street meets this criteria

- The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on-street parking).

William Way meets this standard because there is an alley on one side, and in addition to the off-street parking provided by garages and 20' driveways, the plan designates 10, additional parking stalls adjacent to the access way. Unlike comparably dense subdivision designs, this plan provides abundant parking and wouldn't benefit from widening the ROW for additional parking.

Although the City may agree that a wide street is not necessary now, it may become necessary in the future. For this reason, the Planning Commission may require dedication of a standard right-of-way—with reduced paving width when initially built—so the City may increase capacity when needed. The Commission may also consider requiring the provision of additional parking on a one-to-one basis to compensate for loss of on-street parking. Such parking may be located in mini-lots or some other alternative.

As there are no reasonably anticipated, future connections to the proposed, street system, there should be no reason to need to increase the width of the ROW in the future.

8-3 Division C. Article 4.

RESIDENTIAL ZONE

MULTIPLE-FAMILY—HIGH-DENSITY (RM-22)

8-3C.410 DESCRIPTION AND PURPOSE

The Residential—Multiple-Family—High-Density (RM-22) zone is intended to provide a healthful and livable residential environment, together with the full range of urban services, for housing units at densities higher than provided for in other residential zones. This zone is also intended to accommodate housing alternatives to conventional housing and an area where small economic enterprises, such as home occupations and neighborhood commercial activity, can occur indistinguishably or compatibly with the residential character. It is generally intended that high-density residential zones will be situated in close proximity to activity centers and major streets.

The proposed, subdivision plan integrates a variety of housing types into a high-density, residential community nestled close to recreational activity centers (Bark & Chuck Roberts Parks) and adjacent to an arterial street with RVTD service.

The plan's unconventional combination of row-houses, common-wall houses, homes with attached garages, homes with zero lot lines, traditional, single family homes, plus acreage for future apartments is intended to provide a healthful and livable residential environment suitable for home occupations and for employees of the neighboring, low-impact, commercial enterprises.

8-3C.420 BUILDINGS AND USES PERMITTED SUBJECT TO TYPE-1 PERMIT REVIEW

No building, structure, or land shall be used, and no building or structure shall be hereafter erected, enlarged or structurally altered, except for the following uses:

- A. Detached Single-family dwellings on individual lots.

The proposed design includes 3 detached single family lots will be subject to Type-1 Review

- B. Manufactured homes that are multi-sectional and a minimum of 1,000 square feet, not including garage or carport. Manufactured homes are prohibited within the Old Town or other historic district.

NA

- C. Use of existing structures for the permitted uses listed in Sections 430 and 440 of this Article below, where all the provisions of this Chapter and any amendment thereto are met.

There are no existing structures on the property

- D. Home occupations, subject to the provisions of Article 8-3L.6

None sought under this Application

- E. [Reserved]

- F. Other uses determined by the Planning Commission to be similar to those listed above.

Except for multi-family development on Tract A, which the Applicant will apply for under a separate application, the subdivision design contemplates only single-family residences subject to Type-1 Permit review.

- G. Accessory buildings and structures, not including additional or accessory dwellings.

None are being applied for with this application

8-3C.430 BUILDING AND USES PERMITTED SUBJECT TO TYPE- 2 SITE DEVELOPMENT PLAN REVIEW

No building or structure shall be hereafter erected, enlarged or structurally altered, neither shall any land be developed, except for the following uses, which are subject to the site plan review process in Article 8-3L.1.

- A. Up to four dwelling units, either duplexes, multiple-family dwellings, condominiums, row houses and townhouses (attached single-family dwellings), but not including the conversion of multiple-family dwellings to unit ownership. Attached single-family dwellings (row houses or townhouses) are permitted only if vehicular access is provided via alleyway(s).
- B. Boarding and rooming houses not exceeding accommodations for five (5) residents.
- C. Conversion of existing single-family dwellings to multi-family units, up to four dwelling units, provided each unit shall have no less than 450 square feet of living area and 250 square feet of open space in compliance with the provision of Section 470, below.
- D. More than one single-family dwelling (detached or attached and not exceeding four dwelling units) on an individual lot that is with or without existing dwelling units.
- E. Wireless communication antennae within the Public Right of Way, subject to the provisions of Section 8-3J.910.
- F. Other uses determined by the Planning Commission to be similar to those listed above or under Section 420.

Except for multi-family development on Tract A, which the Applicant will apply for under a separate application, the subdivision design contemplates only single-family residences subject to Type-1 Permit review.

8-3C.440 BUILDINGS AND USES PERMITTED SUBJECT TO TYPE- 3 SITE DEVELOPMENT PLAN REVIEW

No building or structure shall be hereafter erected, enlarged or structurally altered; neither shall any land be developed except for the following buildings and uses, which are permitted subject to the provisions of Article 8-3L.1 and Section 8-3M.130. The following uses are those that, although permissible, contain certain characteristics that can impact nearby properties. The purpose of the public hearing is to obtain points of view and suggestions from persons owning property within 250 feet of a proposed use, or their representatives, or other interested or affected persons, as to whether and how the use can be located on the designated site.

Except for Tract A which will come before the City for review all of the other homes are similar to section A and will be a type 1 permit.

- A. Any use in Section 430, above, that exceeds the size thresholds listed.
- B. Parks and playgrounds.
- C. Public and semi-public buildings essential to the physical welfare of the area; such as fire and police substations, libraries, substations, pump stations and reservoirs, provided that each side yard on an interior lot shall be a minimum of twenty percent (20%) of the property width but no less than ten (10) feet.
- D. Churches and other places of worship, excluding rescue missions and temporary revivals held outside of religious worship buildings.
- E. Kindergartens, day nurseries and pre-schools.
- F. Relocated Structures.
- G. Other uses determined by the Planning Commission to be similar to those listed above, or under Sections 420 or 430.

8-3C.450 BUILDINGS AND USES PERMITTED SUBJECT TO CONDITIONAL USE REVIEW

The Planning Commission may grant or deny a conditional use permit in accordance with the procedure set forth in Article 8-3L.2. The following uses permitted conditionally in the RM-22 zone meet the description and purpose set forth in Article 8-3L.2:

- A. Hospitals, sanitariums, rest homes, homes for the aged, nursing homes, group care homes, retirement homes, and medical and dental clinics and laboratories (not including animal hospitals and clinics).
- B. Public and private elementary, junior high, and high schools and colleges.
- C. Community centers, fraternal or lodge buildings.
- D. Business, technical, art or music schools.
- E. Professional offices for accountants, attorneys, engineers, architects, landscape architects, surveyors, designers, planners and similar professionals.
- F. Studios for interior decorators, photographers, artists and draftsmen.
- G. Antique stores.
- H. Neighborhood grocery store located on a lot of not more than 12,000 square feet in area.
- I. Mobile home for the infirm, subject to the supplemental provisions of Section 8-3L.250.
- J. Building over two-and-a-half (2½) stories or thirty (30) feet in height, whichever is less. Such buildings must also meet the Building Height Transition Standards in Section 8-3J.123(A).

- K. Other buildings, structures or uses that the Planning Commission determines to be similar to other uses permitted conditionally in the RM-22 zone.

The Applicant is not seeking any Conditional Use Permits

8-3C.460 YARD REGULATIONS

- A. Front yard. The front yard shall have a depth of not less than twenty (20) feet for dwellings and twenty-four (24) feet for garages and carport entrances.

The subdivision design responds to the HNA's density & design recommendations by weaving together a variety of housing types, including row-houses, common-wall houses, houses with common garage walls, houses with zero lot lines, detached homes, and future apartments on the ½ acre in reserve. The plan also incorporates a variety of garage locations, sizes, & accesses - some via rear alley, others via shared driveway with attached garages.

In addition to integrating a variety of home types into the subdivision, the plan also attempts to use the land more efficiently and erect smaller homes to lower homeowner & renter costs. Doing so not only lowers the average home cost, but it also helps the city alleviate the housing shortage by increasing the density per acre.

However, Talent's setback codes were not conceived to facilitate efficient land usage and small homes: They were written to serve much larger, 5,000 – 8,000 sf lots.

Talent's current, front-yard setback is 20' for the house or porch and 24' for the garage, and because that inefficient requirement consumes more than 25% the average lot, the Applicant seeks a variance to reduce front-yard setbacks to 10' for houses/porches and to 20' for street-loaded garages. Doing so maintains adequate, off-street parking while lessening the visual impact of the garage door. Similarly-compressed setbacks have enhanced communities across the state, including several in Talent and Ashland, by increasing density, improving overall aesthetics, lowering costs, and encouraging interaction.

Chief Vince Lockett & Dave Meads of Fire District 5 also noted that structures closer to streets provide faster emergency access.

- B. Side yard.

1. Five (5) feet for the first story, plus three (3) feet for buildings over eighteen (18) feet in height; zero (0) feet for attached single-family dwellings. The following additional provisions shall also apply to side setbacks:

Talent's current, side-yard setback of 5' for 1-story and 8' for 2-story structures was also conceived to serve larger lots: It means that adjacent, 2-story homes must be 16' apart. Those 8' setbacks consume nearly half of the frontage of today's typical, 35'-wide, residential lot, an ineffective strategy for increasing density reducing costs.

Ashland code requires 6' minimum side-yard setbacks for both one- and two-story homes, and Medford codes require a 4' side-yard setback for one-story homes and increases them

proportional to building height. Narrower setbacks and smaller lots are the simplest means of increasing Talent's density & preserving the surrounding, open space.

When Talent's City Council enacted the 8' side-yard setback, Fire Chief Dan Marshal testified that the 8' setback wouldn't facilitate their efforts because they don't typically fight fire from the sides of houses. There was one council member who still wanted it and it was passed even against the fire Marshal's testimony.

When the Applicant recently discussed narrower, side-yard setbacks with Chief Vince Lockett & Dave Meads of Fire District 5, they agreed that they wouldn't fight the fire from the side of a house. They noted that they need enough space to place a ladder to reach a 2nd-floor windowsill and that a 5' side yard setback for a single story and a 6' side-yard setback for a 2-story building will be sufficient room to set a ladder.

The Applicant seeks a variance to reduce side yard setbacks from 8' to 6' for 2-story homes. With District 5 staff's blessing, the Applicant also seeks approval to reduce side-yards from zero lot line garages to 5' for single-story and 6' for two-story homes.

- a. Ten (10) feet for street-facing side yards on corner lots when side street is a local or an alley; fifteen (15) feet when side street is a collector or arterial; twenty (20) feet for garage and carport entrances.
- b. Ten (10) feet on one side for zero lot-line lots.

For the reasons described above, & with District 5 staff's endorsement, the Applicant also seeks approval to reduce the side-yard of a zero lot line garage to 5' for single-story structures and 6' for 2-story structures.

- C. Rear yard. Ten (10) feet; five (5) feet for alley-access garages.

The Application design complies with existing, rear-yard setbacks

8-3C.470 LOT AREA AND DIMENSIONS

In the RM-22 zone, the minimum lot area shall be as follows:

- A. Minimum lot size by dwelling type:
 1. Single-Family Residence (SFR)
(detached): 5,000 square feet.

Note: Lots (or groups of lots forming a development) greater than two (2) acres in size may not be used for SFR developments; such lots shall be preserved for higher-density

development. In developments larger than two acres, half of the area—but only up to two acres total—may be designed to contain SFRs.

The Application's three, detached, single-family lots (#'s 4-6) are larger than 5,000 Sq. Ft.

2. Duplex: 6,000 square feet.
3. SFR (attached): 1,800 square feet.

Attached or zero lot line townhouses or row houses may be on individual pad lots smaller than 1,800 square feet so long as the density per net acre does not exceed 16 dwellings and for each dwelling there is at least 250 square feet of recreation area, as described in Section 480, below.

Only 1 of the 35, proposed lots measures less than 1,800 Sq. Ft. (# 13), and the average area of the SFR-attached lots is 2,852 sf

Applicant anticipates that nearly every lot will contain 250 Sq. Ft. of recreation area as described in Section 480, and compliance shall be evident when Applicant applies for building permits.

The Applicant voluntarily incorporated an open space- recreational area, so if a particular lot lacks the requisite, 250 Sq. Ft. the open space can be reduced accordingly.

4. Apartment building containing three dwellings: 6,000 square feet. For each additional dwelling unit on the same lot, the lot size shall be 1,800 square feet larger.

The plan designates 25,139 sf, Tract A for future multifamily development, providing sufficient land for 13 apartments under these minimum area criteria.

5. Additional regulations:
 - a. Corner lots for all the above: increase minimum lot size by 1,000 square feet.

Both corner lots exceed 2,600 sf and comply with the preceding, Section 3 SFR "density per net acre" criteria.

- b. Double-frontage lots for all the above: increase minimum lot size by 1,000 square feet.

B. Maximum number of dwellings by type per net acre (see definition below):

1. SFR (detached) 6
2. Duplex 12 (i.e., six separate buildings)
3. SFR (attached) 16
4. Apartment 22

Net Acre: For the purposes of this Section, a *net acre* is the total development acreage net of undevelopable lands (as defined in Article 8-3B.1) and a 24-percent reduction allowing for infrastructure. Development projects less than 1.5 acres in size do not need to subtract infrastructure allowance. Development proposals 1.5 acres or larger may not exempt 1.5 acres from calculating infrastructure allowance.

The area of the entire, subject parcel is 190,357 sf (4.37 acres)

Deducting the 25,239 sf, Tract A (for future multi-family) leaves 165,118 "gross square feet," or 125,490 "net square feet" (after the 24% reduction).

The design includes 3 detached, single-family lots that together consume 15,163 sf, leaving 110,327 sf (2.53 acres) of single-family attached lots. At 16 units per acre the 2.53 acres could sustain 40 units.

The maximum, design- density could therefore be 43 units (minimum permitted density is 16 units), but the proposed plan includes only 35 units, 81% of maximum density.

C. Maximum Building Coverage

1. SFR (detached): 40 percent

The three detached single family homes will demonstrate compliance with the 40% lot coverage at time of building permit.

2. Duplex: 40 percent
3. SFR (attached): 40 percent, as averaged over the entire development area minus streets.

The area of the subject parcel is 190,357 sf (4.37 acres)

Deducting the 25,239 sf, Tract A (for future multi-family) and 27,776 sf for street areas leaves 137,342 sf, and 40% of 137,342 equals 54,937 sf. The aggregate, buildable areas of the attached, SFR lots amounts to 53,621 sf, which equates to 39% coverage (before applying 100 sf/lot coverage deduction for patios/porches), so the design is in compliance.

4. Apartment: 40 percent

D. Minimum Lot Width

1. SFR (detached): 40 feet

The three detached SFR lots are all more than 40'

2. Duplex: 50 feet

NA

3. SFR (attached): None
4. Apartment: 50 feet

E. Maximum Building Bulk:

1. Height: 30 feet.

No buildings will be over 30' tall

2. Building Coverage: 40 percent.

See Section C above for a detail analysis of lot coverage

- F. Non-conforming Lots of Record:
 1. A lot having an area of less than 5,000 square feet of record at the time of the passage of this ordinance may be occupied by one single-family dwelling or one duplex dwelling if all other dimensional requirements of the zone are complied with. [Section 6 amended by Ord. 793; 11/02/2005]

NA

8-3C.480 RECREATION AREA FOR MULTI-FAMILY DWELLINGS

In addition to the required landscaped open space (see Section 476, below), a minimum of 250 square feet of useable recreation area shall be provided for each multi-family dwelling unit. The recreation area may be in one or more locations, and may include recreation buildings, but no area with any minimum dimension of less than fifteen (15) feet—except for bicycle paths—shall be counted toward this requirement.

Applicant will demonstrate compliance with this section when it seeks approval for the Tract A, multifamily portion of the project.

8-3C.482 LANDSCAPING, FENCES, WALLS AND SIGNS

In the RM-22 zone, all required landscaping shall be installed in accordance with Section 8-3J.4. Fences and walls shall be permitted in accordance with Section 8-3J.4. Signs shall be permitted in accordance with Section 8-3J.7. [Amended by Ord. No. 918; 7/15/2016]

All landscaping and fencing will be installed in accordance with Section 8-3J.4. The plan includes no signs other than street signs

8-3C.484 BUFFERING

When a development or use is proposed on property in the RM-22 zone, which abuts or is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone, the Planning Commission shall require a buffer in accordance with Section 8-3J.450. [Amended by Ord. No. 918; 7/15/2016]

The subdivision's buffering design incorporates the entirety of both the 8-3J.450.A (Commercial & Industrial Transition Buffers) and the 8-3J.450.B (Single-Family Transition Buffers) standards

8-3 Division L. Article 4 VARIANCE

8-3L.410 AUTHORIZATION TO GRANT OR DENY VARIANCES

- A. The Planning Commission is delegated the authority to approve, approve with conditions, or disapprove any proposed variance from the provisions of this chapter. Where practical difficulties, unnecessary hardships, and results inconsistent with the general purposes of this chapter and the Talent Comprehensive Plan would result from the strict and literal interpretation and enforcement of the provisions of this chapter, variances may be granted as provided in this Article.
- B. No variances shall be granted to allow the use of property for a purpose not authorized within the zone in which such property is located.

The subdivision design responds to the HNA's density & design recommendations by weaving together a variety of housing types, including row-houses, common-wall houses, houses with common garage walls, houses with zero lot lines, detached homes, and future apartments on the ½ acre in reserve. The plan also incorporates a variety of garage locations, sizes, & accesses - some via rear alley, others via shared driveway with attached garages.

In addition to integrating a variety of home types into the subdivision, the plan also attempts to use the land more efficiently and erect smaller homes to lower homeowner & renter costs. Doing so not only lowers the average home cost, but it also helps the city alleviate the housing shortage by increasing the density per acre.

However, Talent's setback codes were not conceived to facilitate efficient land usage and small homes: They were written to serve much larger, 5,000 – 8,000 sf lots.

Talent's current, front-yard setback is 20' for the house or porch and 24' for the garage, and because that inefficient requirement consumes more than 25% the average lot, the Applicant seeks a variance to reduce front-yard setbacks to 10' for houses/porches and to 20' for street-loaded garages. Doing so maintains adequate, off-street parking while lessening the visual impact of the garage door. Similarly-compressed setbacks have enhanced communities across the state, including several in Talent and Ashland, by increasing density, improving overall aesthetics, lowering costs, and encouraging interaction.

Jackson County Fire District 5 officials, Chief Vince Lockett & Dave Meads also noted that structures closer to streets provide faster emergency access.

Talent's current, side-yard setback of 5' for 1-story and 8' for 2-story structures was also conceived to serve larger lots: It means that adjacent, 2-story homes must be 16' apart. Those 8' setbacks consume nearly half of the frontage of today's typical, 35'-wide, residential lot, an ineffective strategy for increasing density reducing costs.

Ashland code requires 6' minimum side-yard setbacks for both one- and two-story homes, and Medford codes require a 4' side-yard setback for one-story homes and increases them proportional to building height. Narrower setbacks and smaller lots are the simplest means of increasing Talent's density & preserving the surrounding, open space.

When Talent's City Council enacted the 8' side-yard setback, Fire Chief Dan Marshal testified that the 8' setback wouldn't facilitate their efforts because they don't typically fight fire from the sides of houses. There was one council member who still wanted it and it was passed even against the fire Marshal's testimony.

When the Applicant recently discussed narrower, side-yard setbacks with Chief Vince Lockett & Dave Meads of Fire District 5, they agreed that they wouldn't fight the fire from the side of a house. They noted that they need enough space to place a ladder to reach a 2nd-floor windowsill and that a 5' side yard setback for a single story and a 6' side-yard setback for a 2-story building will be sufficient room to set a ladder.

The Applicant seeks a variance to reduce side yard setbacks from 8' to 6' for 2-story homes. With District 5 staff's blessing, the Applicant also seeks approval to reduce side-yards from zero lot line garages to 5' for single-story and 6' for two-story homes.

For the reasons described above, & with District 5 staff's endorsement, the Applicant also seeks approval to reduce the side-yard of a zero lot line garage to 5' for single-story structures and 6' for 2-story structures.

In summary, the Applicant seeks the following, 4 variances:

- *Reduction of front-yard setbacks from 20' to 10' for house/porch.*
- *Reduction of front-yard setbacks from 24' to 20' for garage*
- *Reduction of side-yard setbacks for second stories reduced from 8' to 6'*
- *Reduction of sideyard setbacks for zero-lot-lines reduced from 10' to 5'*

Assuming Staff, Commissioners, & Councilors approve the Applicant's concurrent applications to amend the Comp Plan and Zoning Maps to re-zone the parcel to RM-22, the proposed variances will not change the use of the property: They should actually enable development of the property to the highest and best use permitted under RM-22 codes.

- C. In granting a variance, the Planning Commission may attach conditions that it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this chapter.

8-3L.420 APPLICATION

Please refer to 8-3M.1 for application requirements.

8-3 L. 430 PUBLIC HEARING

Before the Planning Commission may act upon a request for a variance, it shall hold a public hearing. Notice of the public hearing shall be provided as prescribed by 8-3M.1. The public hearing shall be held within sixty (60) days from the date the application for variance is filed. The Planning Commission may, but shall not be required to, act upon the proposed variance at the meeting at which the public hearing is held; provided, however, that disposition shall be made of the matter within forty (40) days of the date of the public hearing.

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

- A. There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the

applicant has no control;

Talent's shortage of buildable residential land has reached crisis proportions: The Southern Oregon Multiple Listing database indicates that only 4, buildable lots sold during the last 2 years: The MLS doesn't list a single residential lot at this writing, and the most recent residential lot sale was over 9 months ago.

Largely because of this residential land shortage, Talent's median home price increased 77% over the past five years from \$145K to \$256K: At this writing, there are only four homes listed for sale in Talent, and the least expensive listing is priced at \$339,000. This supply-constrained, pricing pressure can only worsen until Talent's residential land inventory increases.

Talent's CAC recently approved ECONorthwest's thorough HNA and forwarded it to the Planning Commission for approval. The HNA indicates that Talent's existing land inventory amounts to less than 50% of the buildable residential land needed to meet projected demand during the next 20 years.

Exacerbating this shortfall, the HNA assumes that many acres west of the railroad are buildable, but these lands cannot be developed without a costly, railroad crossing and expensive, municipal utility extensions.

As the HNA and Talent's Regional Problem Solving (RPS) agreement recommend, the City should increase its base densities to help resolve its housing shortage. Increased densities require smaller lots and narrower setbacks than Talent's current codes provide because those codes were written to accommodate outdated, low-density subdivisions with large lots and wide setbacks.

The variances sought under this Application attempt to satisfy RPS and HNA recommendations to increase residential densities. Smaller lots cannot accommodate smaller houses and comply with current setback criteria. Granting the requested variances would help Talent achieve desired densities and generate housing inventory quickly while maintaining consistency with the general purpose of this chapter and the Talent Comprehensive Plan.

- B. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;

The proposed variances would preserve the owners' property rights and facilitate the best use of the property. Even with the requested variances the Applicant can only achieve approximately 85% of the potential density.

Denying the requested variances would decrease the subdivision density and contravene the RPS & HNA's emphatic recommendations

- C. The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and

The requested variances enable the Applicant to meet the objectives of Talent's Comprehensive plan, policies, and goals. The proposed subdivision meets the standards of the underlying zone and the neighborhood.

- D. The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.

The requested variances are the minimum that would allow the applicate to make the densities required in the RPS and in the housing needs analysis.

In addition to criteria A through D, variances from access management standards are subject to the following additional standards:

The Applicant is not seeking any variances from access management standards.

- E. The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.
- F. Applicants for a variance must include proof that:
 - 1. Indirect or restricted access cannot be obtained;
 - 2. No practical engineering or construction solutions can be applied to mitigate the condition;
 - 3. No alternative access is available from a street with a lower functional classification than the primary roadway.

8-3L.450 VARIANCE ORDER

Within five (5) days after a decision has been rendered on a request for a variance, the applicant shall be provided with written notice of the decision of the Planning Commission. An order granting or denying the variance, and signed by the Chairperson of the Planning Commission, shall be filed in the planning files of the City, together with the written findings of the Planning Commission. Where an order is entered granting a variance, no person shall begin construction pursuant thereto for a period of five (5) days after the entry of the order and, in the case where an appeal is filed, until disposition of the matter has been made by the City Council. It shall be unlawful for any person to cause or permit the use of any property in violation of the express conditions or limitations of any variance granting with respect to such property.

8-3L.460 APPEAL

Any applicant or any other person may appeal the Planning Commission decision on a variance, pursuant to the provisions of 8-3M.1.

8-3L.470 REVOCATION OF A VARIANCE

A variance granted according to the provisions of this Article shall be revoked unless the use authorized by such variance is commenced or construction begun on or before the time limit specified, within ninety (90) days after the date that the variance order was entered. In all cases, the Commission may extend such time limit for good cause.

8-3L.480 CAUSE FOR REVIEW OR TERMINATION OF VARIANCE

A variance may be revoked or modified by the City Council, after a public hearing, on any one or more of the following grounds:

- A. That the approval was obtained by fraud or misrepresentation.
- B. That the variance has not been exercised for one year.

- C. That the variance granted is being or recently has been exercised contrary to the terms or conditions of such approval, or in violation of any statute, ordinance, law or regulation.
- D. That the variance has been so exercised as to be detrimental to the public health or safety, or so as to constitute a nuisance.

8-3L.490 PREVIOUSLY AUTHORIZED VARIANCES

Any valid variance issued prior to the effective date of this chapter shall remain in full force and effect in accordance with the terms thereof; provided, however, that such variance is subject to modification or revocation for any of the reasons set forth in Section 480 of this Article.

8-3 M. 190 SPECIAL PROCEDURES

- A. Expedited Land Divisions. An Expedited Land Division (ELD) shall be defined and may be used as in ORS 197.360, which is expressly adopted and incorporated by reference here.
 - 1. Selection. An applicant who wishes to use an ELD procedure for a partition or subdivision, instead of the regular procedure type assigned to it, must request the use of the ELD in writing at the time the application is filed, or forfeit his/her right to use it;
 - 2. Review procedure. An ELD shall be reviewed in accordance with the procedures in ORS 197.365;
 - 3. Appeal procedure. An appeal of an ELD shall be in accordance with the procedures in ORS 197.375.
- B. Neighborhood Meeting Requirement. Applicants shall meet with adjacent property owners and neighborhood representatives prior to submitting their application in order to solicit input and exchange information about the proposed development. After a pre-application conference, the applicant shall meet with any adjacent property owners within 250 feet of subject property, prior to the City's acceptance of an application as complete. The City will furnish a form letter to the applicant to be mailed to all property owners within 250 feet of the subject property that provides due notice of the scheduled neighborhood meeting. The applicant shall be responsible for any costs associated with the mailing. The City's intent is to include neighbors in the design process, as well as improving communication among the City, neighbors, and applicant, and as a result, facilitates the public approval process.

A Neighborhood Meeting shall be required for the following Type-III applications:

- 1. Subdivisions
- 2. Site Plan Review applications within a Residential Zoning District.
- 3. Other Type-III development applications, such as conditional uses, which are likely to have neighborhood or community-wide impacts (e.g., traffic, parking, noise, or similar impacts).

[amended 5 March 2003; Ord. No. 735 and 15 October 2008; Ord. No. 847]

The Applicant mailed the attached invitation to all addressees on attached list of all neighbors within 250 feet of the subject parcel, and held a meeting at 6:00 PM on 22 December, 2016 at 328 Talent Avenue in Suncrest Homes' offices.

*The attendees were: Harvey Holtz and "JR" Holtz of Fabricated Glass Specialties
Ted DeLong, General Manager of the Oregon Shakespeare Festival
Eric and Vicki Smith and Coral Edwards of Micro-Trains*

381W25B003600
Housing Authority Of J C
2251 Table Rock Rd
Medford, OR 97501

381W26AA03900
Oceanah D'amore
405 Talent Ave
Talent, OR 97540

381W26AA03700
James Walker
408 S Pacific Hwy
Talent, OR 97540

381W26AD00400
Todd Stubbs
300 Everett Way
Talent, OR 97540

381W26AD00300
Marieke Constance Brecheisen
1775 Ashland Mine Rd
Ashland, OR 97520

381W26AD00200
Kirk & Elizabeth Mickelsen
1780 Mill Creek Dr
Prospect, OR 97536

381W26AA03800
John Gibson
407 Talent Ave
Talent, OR 97540

381W26AA04100
Todd Doriguzzi
303 Rapp Rd
Talent, OR 97540

381W26AA04000
Charles & Colleen Willis
401 Talent Ave
Talent, OR 97540

381W26AA04200
Legacy Development LLC
PO Box 3071
Ashland, OR 97520

381W26AD01400
Fabricated Glass Spec Inc
PO Box 335
Talent, OR 97540

381W26AD00700
Oregon Shakespeare Festival
Association
15 Pioneer St
Ashland, OR 97520

381W26AD01400
Harvey Holtz
P O Box 335
Talent, OR 97540

381W26AD01700
Talent City Of
PO Box 445
Talent, OR 97540

381W26AD01600
Kce LLC
PO Box 1200
Talent, OR 97540

381W26AA03701
Ross Albertson
79 Scenic Dr
Ashland, OR 97520

381W26AD01500
Douglas Healy & Mark Dirienzo
PO Box 965
Ashland, OR 97520

381W26AD00401
Linda Cooley
304 Everett Way
Talent, OR 97540

381W26AD00402
Bb & Hb LLC
1775 Ashland Mine Rd
Ashland, OR 97520

381W26AD00403
John Scott Hill
1409 Kings Hwy
Medford, OR 97501

381W26AD00301
Jean Morrison
PO Box 392
Merlin, OR 97532

381W26AD00302
Chase & Kerri Brooks
305 Everett Way
Talent, OR 97540

381W26AD00303
Evan Petersen
1950 Hutchins Cir
Medford, OR 97504

381W26AD00305
Abe Numair
2610 Darius Way
San Leandro, CA 94577

381W26AD00306
Abe Numair
2610 Darius Way
San Leandro, CA 94577

381W26AD00307
Abe Numair
2610 Darius Way
San Leandro, CA 94577

381W26AD00308
Abe Numair
2610 Darius Way
San Leandro, CA 94577

381W26AD00201
Dawn Howell
511 Talent Ave
Talent, OR 97540

381W26AD01500
Bruce & Mary Bergstrom
705 Roca St
Ashland, OR 97520

381W26AD01400
Fabricated Glass Spec Inc
PO Box 335
Talent, OR 97540

Notice of Neighborhood Meeting

In accordance with Section 8-3M.190(B) of the City of Talent Zoning Code, the following person, persons or company will hold a Neighborhood Meeting to discuss their pending development application.

Applicant: **Bradley Properties, LLC, et al**

Contact: **541.621.2136 or tom@bradleyprop.com**

Development type & size: **Re-zone a vacant, 4.37 acre light industrial parcel to RM-22 & develop a residential subdivision**

Address or location description: **The vacant land between OSF's Production Facility and Talent's Bark Park on Talent Ave, extending south approximately 600 feet to Fabricated Glass Specialties' property**

Time and Date of Neighborhood Meeting: **6:00 PM on Thursday, December 22, 2016**

Location: **Suncrest Homes offices at 328 Talent Avenue, Talent, Oregon**

This notice is being mailed to all property owners within 250 feet of the subject property. The purpose of the meeting is to solicit input and exchange information about the proposed development. The City of Talent requires neighborhood meetings to facilitate community involvement and communication in the land use process. The applicant is obliged to provide a summary of the meeting for the Planning Commission's review.

This is a standard form that has been provided to the applicant by the City, but staff is not involved in the planning or conducting of this meeting. If you have questions for the City, you may contact the planning department at (541) 535-7401.

EXHIBIT B



Supplemental information for the William Way Subdivision application:

- a. *Easements: Width, location and purpose of all existing easements of record on and abutting the site;*

On the submitted plans the public utility easements are shown for both William way and Stage way, the plans also indicate each access way, and pedestrian walkways as well.

- b. *Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest ones;*

The existing utilities are shown on the submitted tentative plat which shows the existing water and sewer lines running along Stage Way as well as those in Talent Ave.. It should be noted for the record that along Talent ave. phone, gas, electric and storm drainage are all available.

- c. *Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having substantial erosion potential;*

This area is not known for any high water table, potential landslide or nor as having erosion problems.

- d. *Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;*

The existing site does have an existing parking lot that is no longer used, the applicant will be removing the existing paving at time of construction of the subdivision.

- e. *Lighting plan, mailbox plan; and*

The location of the street lights and mailboxes are shown on the submitted subdivision map; the mailboxes are along the open space and street lights are located at the intersection of William Way & Talent Ave, William way & Stage Way, along William Way and the pedestrian path, Stage way and the Access Way

- f. *Public and private streets, tracts, driveways, open space and park land; location, names, right-of way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;*

All street names are indicated on the submitted maps as well as indication of the open space parcel, ROW for William Way is shown as

well as future dedication for Stage Way which was already approved with Shakespeare application. Since Stage Way is already half constructed and Talent Ave is already fully constructed those center line grades are already existing William way just connects those two existing streets. William way in between those two intersections will have a center line elevation approximately 1' above existing grade for example: as William Way turns from Stage Way towards Talent Ave the elevation is 1644 so the approximate center line will be 1645 ect... All the exact grades and engineer will be provide at time of final plan. As was discussed with the City engineer at the pre-application this site has almost the perfect slope for developing a subdivision not to steep nor to flat – making grade with this project should be very easy. The street radius shown on the tentative plat; C-5 is 50', C-6 is 48', C-7 is 46'. The two private access ways are shown on the submitted maps.

- g. *Proposed improvements, as required by Sections 2-10 (Development and Design Standards), **and timing of improvements** (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);*

The applicant hopes to start construction on the project within 6 months of final plan approval and to record the plat for both phases or the first phase (if developed in phases) within 12 months of final plan approval. If developed in phases the applicant will have the second phase plat recorded within 36 months of final plan approval. All of the proposed improvements are shown in the submitted maps.

- h. *The proposed method of sewage disposal, and method of surface water drainage and treatment if required;*

The applicant will utilize the existing sewer lines in both Stage Way and Talent Ave for sewage disposal and RVSS has already reviewed the existing subdivision layout and indicated there is adequate capacity. The applicant has also discussed storm drainage with RVSS (controlling agency) and there is also adequate capacity, at time of final plan applicant will decide if storm water will be treated via bio swales, or mechanically or a combination (applicants engineer will to do all the drainage calculations before which method can be decided on).

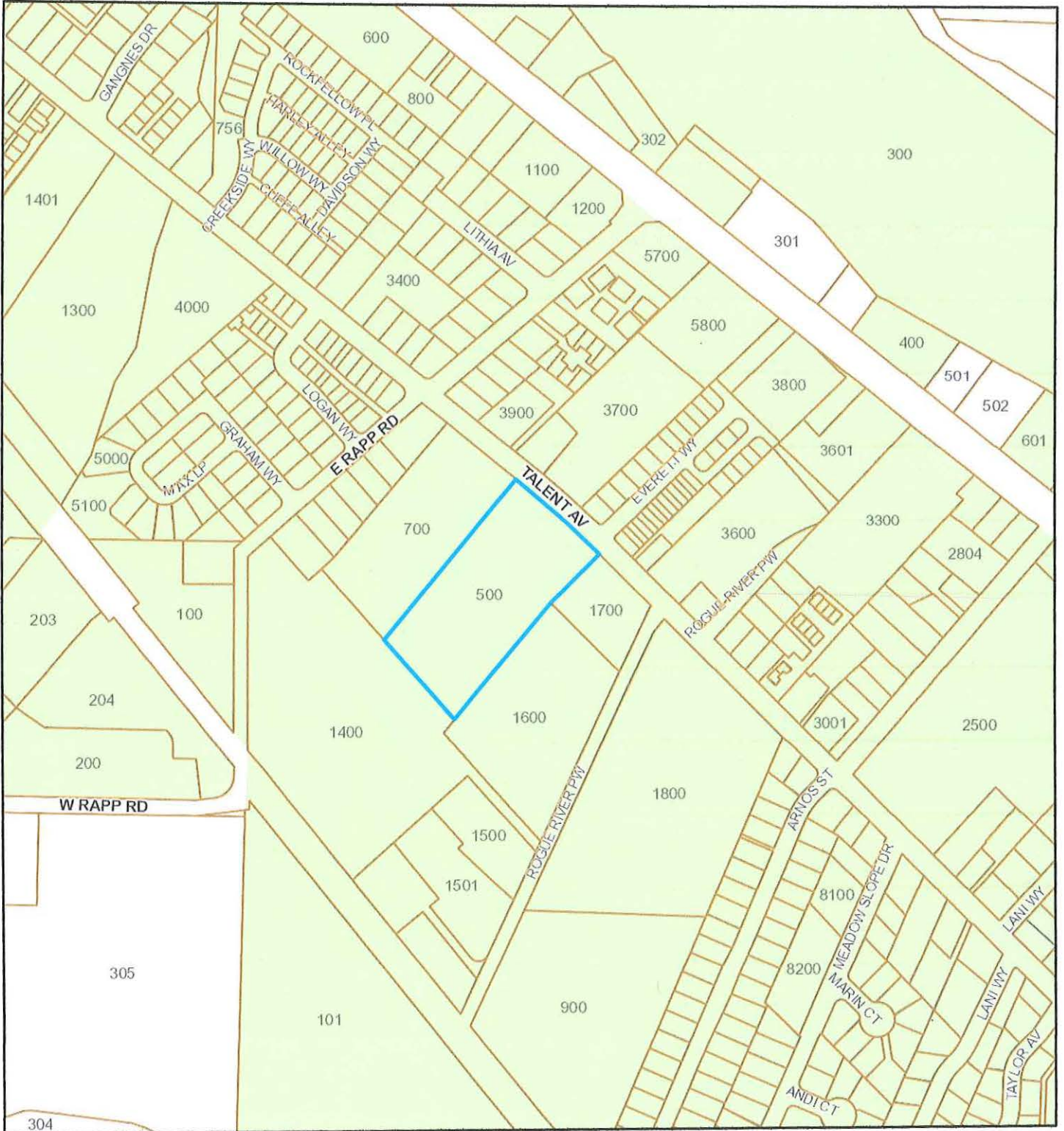
- i. *The approximate location and identity of other utilities, including the locations of street lighting fixtures;*

All utilities are shown on the submitted maps and indicated in this addendum, including as stated above the street light locations.

- j. *A future street plan that conforms to the provisions of Section 6.H. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within 600 feet surrounding and adjacent to the proposed land division;*

As discussed in the findings the project as proposed is only connecting the existing street Stage Way to Talent Ave. at the intersection of Talent Ave. and Everett Way. There are no future or additional street connections planned or any others shown in the TSP. The applicant has included with this addendum a map showing the surrounding streets at least 600 feet surrounding the project and all the submitted maps show the proposed new street.

Jackson County GIS



December 30, 2016

1:4,864

- | | | |
|--|---|---|
|  County Line |  Central Point |  Phoenix |
|  Streets - Label Only |  Eagle Point |  Rogue River |
|  Taxlots |  Gold Hill |  Shady Cove |
|  Ashland |  Jacksonville |  Talent |
|  Butte Falls |  Medford | |

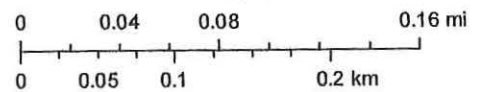


EXHIBIT C

After recording, please return to:

Applicant's proposed, non-remonstrance covenant

Please send all tax statements to:

Escrow #

Title #

Non-Remonstrance Covenant

John R. Smith and Jane S. Smith ("Covenantors") hold title to:

Lot 13 in William Way Subdivision, a platted subdivision recorded by the Jackson County Clerk's office in Medford, Oregon. (the "Property")

In accordance with the conditions set forth in City of Talent Ordinance No. 17-105-0, dated 15 March 2017 approving William Way Subdivision ("Subdivision"), and in consideration of such approval, Covenantors do promise and covenant to the owners of all properties in the proximity of the Subdivision ("Covenantees") as follows:

1. The Covenantors and their heirs, successors and assigns acknowledge that the Subdivision is located in the proximity of businesses engaged in light-industrial activities that ordinarily and necessarily produce noise and other conditions that may conflict with Covenantors' residential occupancy. Specifically, but without limitation, Fabricated Glass Specialties and Sawyer Paddles & Oars respectively operate glass fabricating/tempering and wood-working/finishing facilities near the Subdivision that can produce loud noises, dust, and fumes.
2. Covenantors hereby waive all common-law rights to object to normal and necessary, light industrial activities conforming to relevant codes and regulations conducted in the proximity of the Subdivision which may conflict with Covenantors' residential occupancy.
3. Covenantors intend that this covenant run with the Property in perpetuity, be appurtenant to all property in the proximity of the Subdivision, bind the heirs, successors, and assigns of Covenantors, and inure to the benefit of Covenantees, their heirs, successors, and assigns.

Covenantees, their heirs, successors, and assigns are hereby expressly granted the right of third-party enforcement of this covenant.

4. Nothing in this covenant shall prohibit or otherwise restrict the Covenantors from enforcing governmental statutes or regulations for activities conducted on properties in the proximity of the Subdivision.

IN WITNESS WHEREOF, the Covenantors have executed this covenant on the date(s) set forth below.

Covenantor

Covenantor

State of OREGON)
)ss.

this
County of Jackson)
me:

On this ____ day of _____, 20__, personally
appeared before me _____ who signed

instrument as its voluntary act and deed. Before

Notary Public for Oregon

My Commission Expires: _____.



LOT 33

LOT 32

LOT 31

TYPICAL SINGLE FAMILY HOMES – Zero-setback lots



TYPICAL SINGLE FAMILY HOME – Standard Lot (#14)



LOTS 34 & 33

LOTS 32 & 31

LOT 30

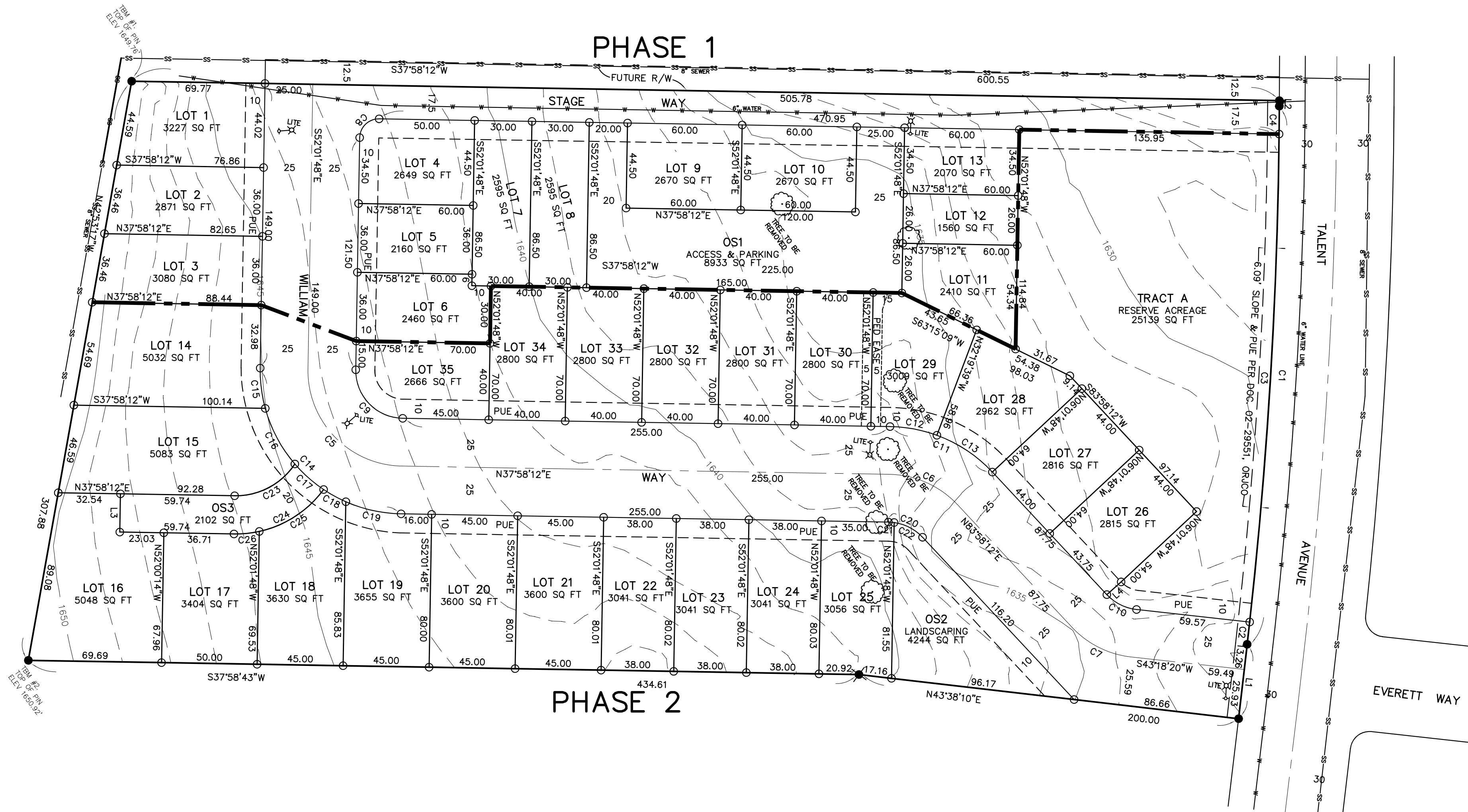
STREETSCAPE – Craftsman Bungalow Style Homes



STREETScape – Elevation View

EXHIBIT D

PRELIMINARY PLAT OF WILLIAM WAY SUBDIVISION A Planned Community located in the N.E. 1/4 of Sec. 26, T38S., R.1W., W.M. and in the City of Talent Jackson County, Oregon

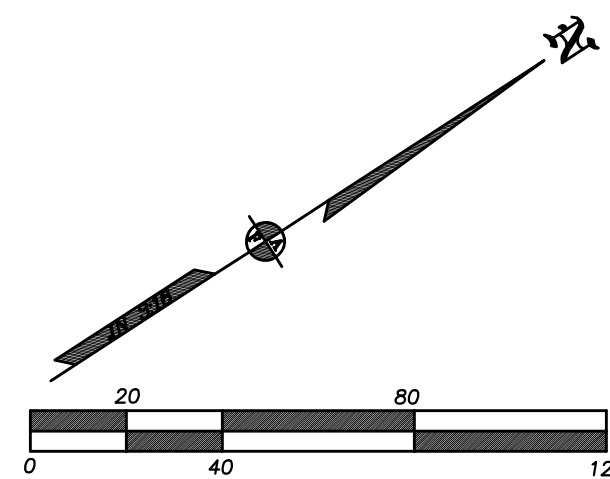


OWNER:
BRADLEY PROPERTIES, LLC, ET AL
613 IOWA ST.
ASHLAND, OR 97520

NOTES:
EXISTING PROPERTY: 4.37 ACRES +/-
ZONING: L1
ELEVATION DATUM: NAVD 1988 PER CITY OF TALENT BM #1.
PHASE 1 = LOTS 1-13 & OS1
PHASE 2 = LOTS 14-35, OS2, OS3 & TRACT A

EASEMENTS PER TITLE REPORT

- EASEMENT FOR TRANSMISSION & DISTRIBUTION OF ELECTRICITY PER VOL.149, PG.84, JCDR, DOC. 80-10664 & 83-01858 ORJCO, NO SPECIFIC LOCATION GIVEN.
- SLOPE & UTILITY EASEMENT PER DOC. 02-29551, ORJCO. SHOWN.



REGISTERED PROFESSIONAL LAND SURVEYOR <i>James E. Hibbs</i> OREGON JULY 17, 1986 JAMES E. HIBBS 2234 RENEWAL DATE: 6-30-17 © L.J. FRIAR & ASSOCIATES, P.C. 2016	TITLE: TENTATIVE SUBDIVISION PLAT ASSESSOR'S MAP #: 381W26AD TL500	DATE: 22 DEC 2016
	FOR: SUNCREST HOMES, LLC PO BOX 1313 TALENT, OR 97540	SCALE: 1 inch : 40 feet
L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1947, Phoenix, OR 97535 Phone: (541) 772-2782 Email: lfriar@charter.net		ORIGIN: ROTATION: 57 JOB#: 16236FM
		Sheet 1 of 1.

SITE DATA

TOTAL PROPERTY AREA (after dedication): 159,459 sq.ft.
 STREET PAVING AREA: 27,276 sq.ft.
 PROPERTY AREA MINUS PAVING: 131,683 sq.ft.
 AGGREGATED BUILDING COVERAGE: 53,914 sq.ft.
 COVERAGE DEDUCTION (110 sq.ft. per lot): 3,500 sq.ft.
 ADJUSTED TOTAL COVERAGE: 50,414 sq.ft. (38.5%)

TOTAL DETACHED HOMES (LOT AREA 0 lot): 15 (17%)
 COMMON OPEN SPACE: 3,045 sq.ft.
 COMMON LANDSCAPED AREA (including sidewalks): 2,423 sq.ft.
 MULTI-FAMILY PARCEL AREA: 22,819 sq.ft.
 STREET PARKING: 21 parallel parking spaces
 OFF-STREET PARKING: 55 (garage), 10 (open)

SETBACKS

Setback Category	Code	Requirement/Note
Garage Setbacks at Street	24'	30'
Garage Setbacks at Alley	5'	No charge
Front House Setbacks	20'	10'
Side Setbacks	5' + 8' for 2nd story	5' (No), stone)
Side Setbacks at Corner	10'	No charge

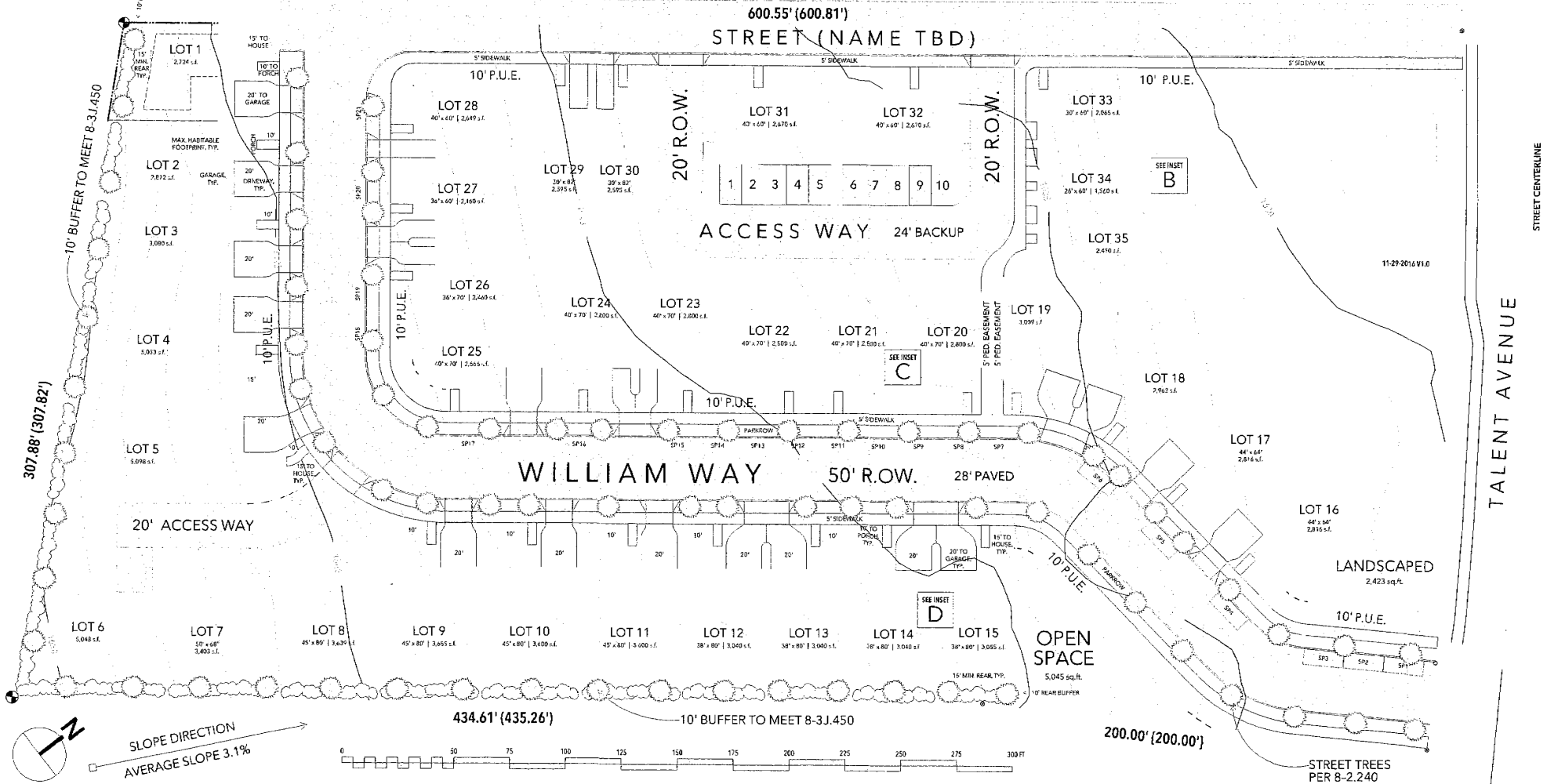
OTHER

DAILY TRIPS: 10
 STREET ROW: 50' w/ 28' driving surface, 4' curb, 5.5' parkway and 5' idealized
 ACCESS WAY ROW: 20'
 ACCESS WAY ROW WITH HEAD-IN PARKING: 24'
 RECREATION AREA: MIN 250 sq.ft. per lot, plus additional common space

LEGEND

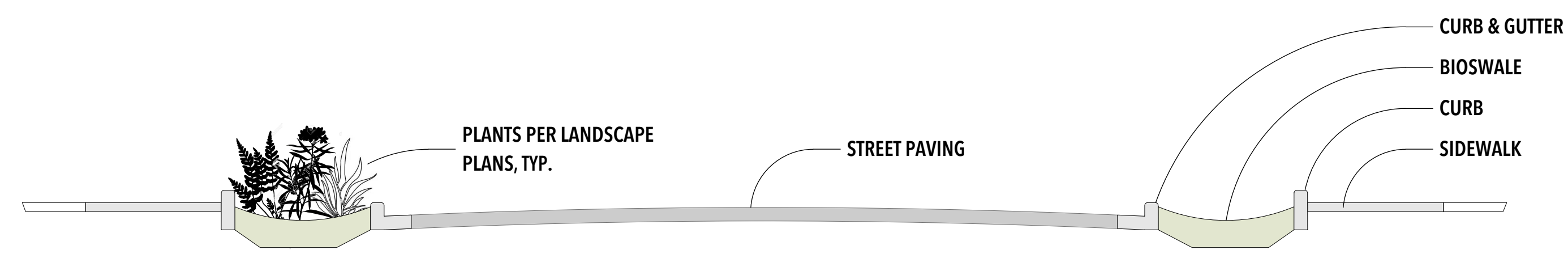
GARAGES / PORCHES
 MAXIMUM HABITABLE FOOTPRINT
 CONCRETE (SIDEWALKS & DRIVEWAYS)
 ASPHALT

DRAWING VERSION 1.1 • MODIFIED 12/4/2016

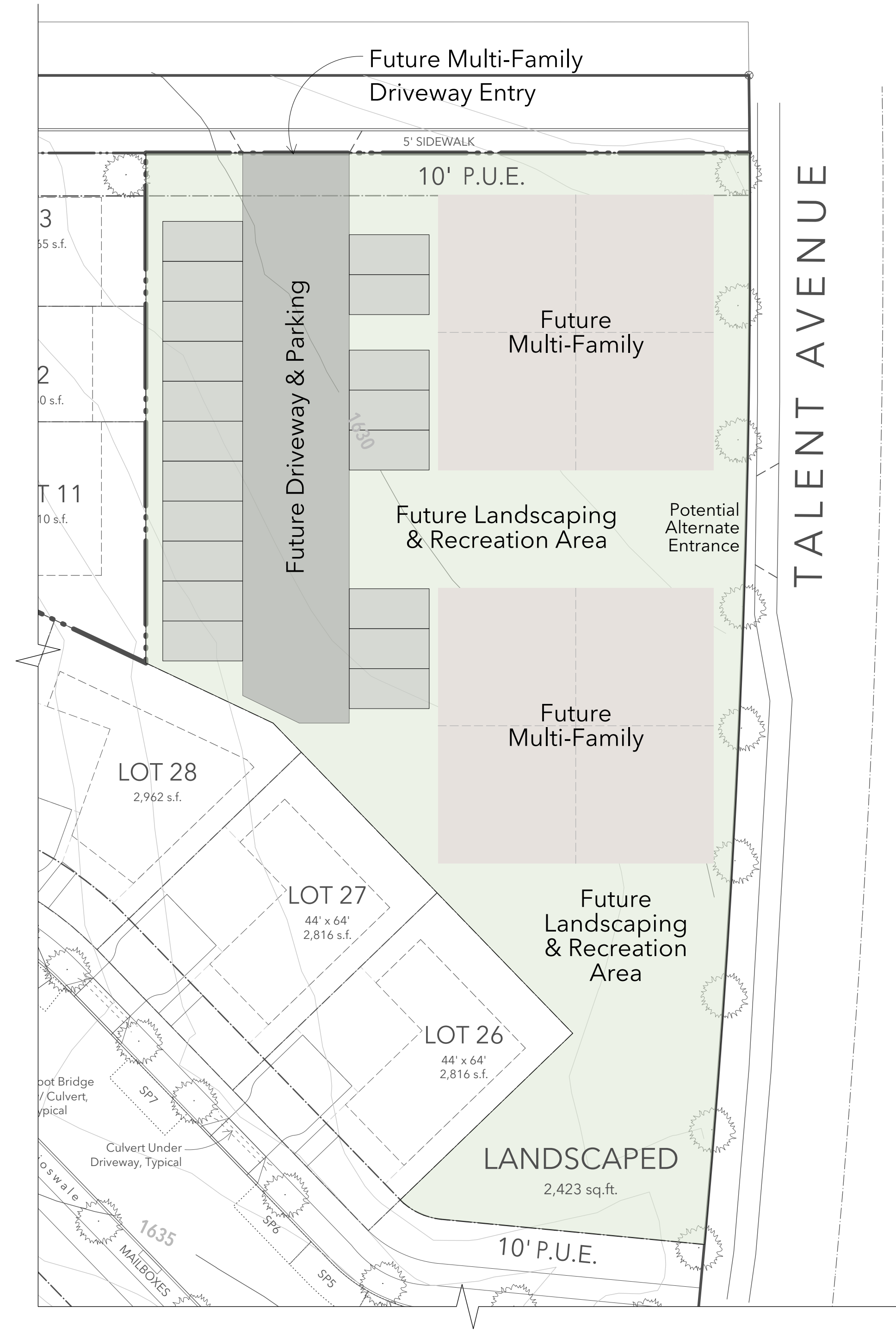


A PROPOSED SITE PLAN
 Scale: 1" = 20'

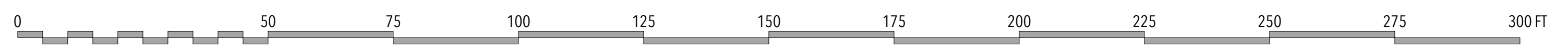
"WILLIAM WAY" SUBDIVISION EXHIBITS



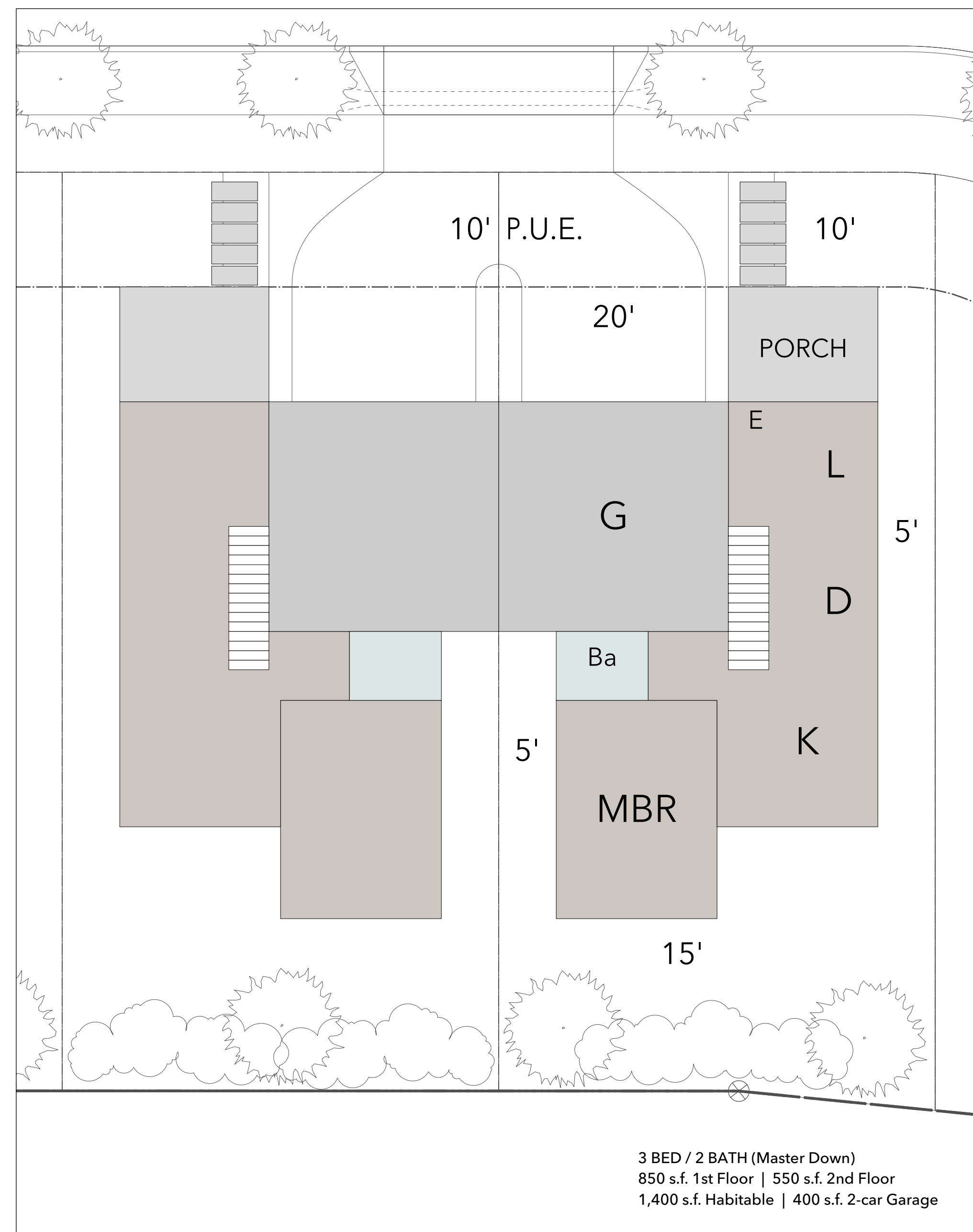
F SCHEMATIC STREET SECTION
Scale: 1/4" = 1'-0"



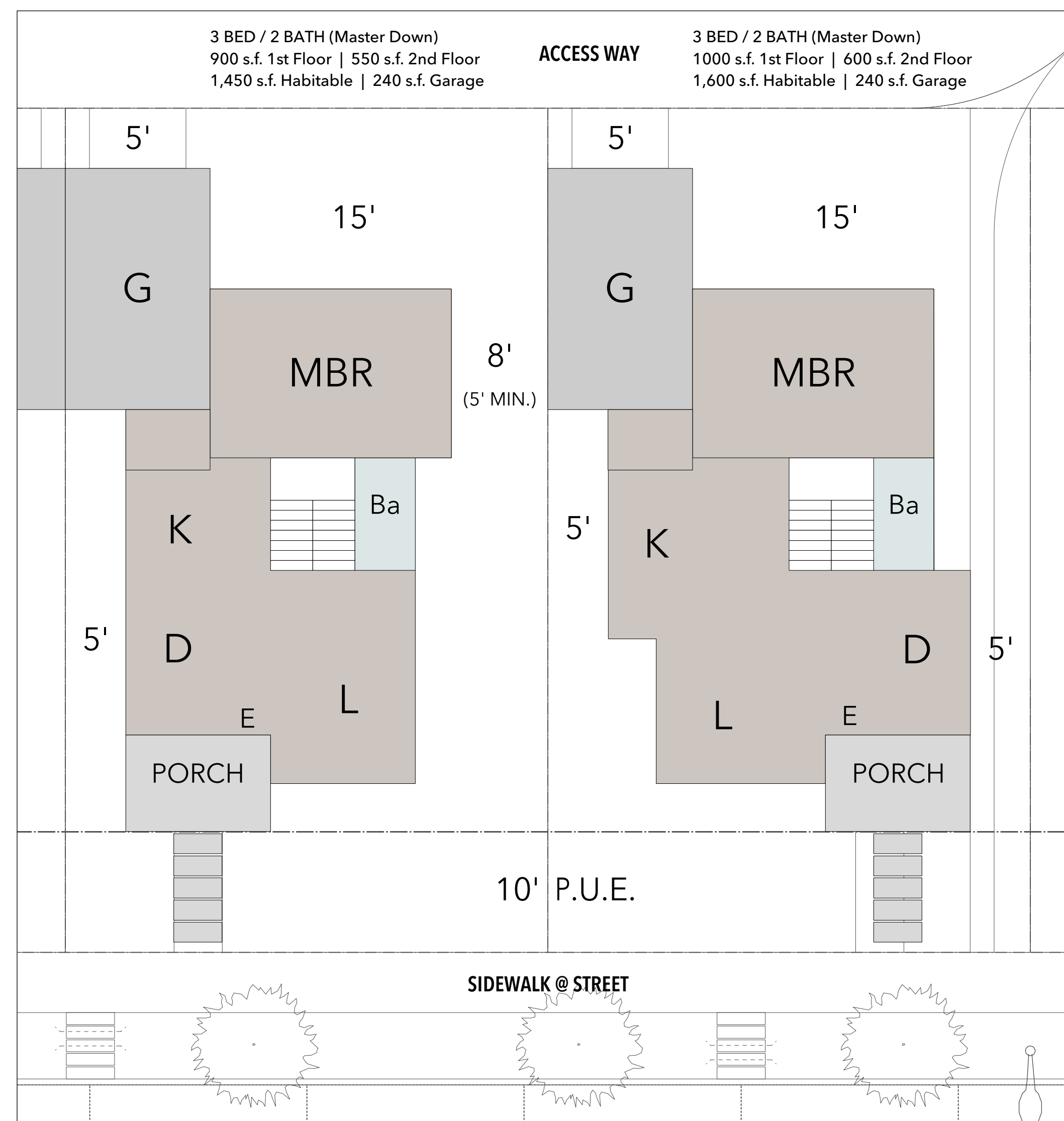
E POTENTIAL MULTI-FAMILY
Scale: 1" = 20 ft



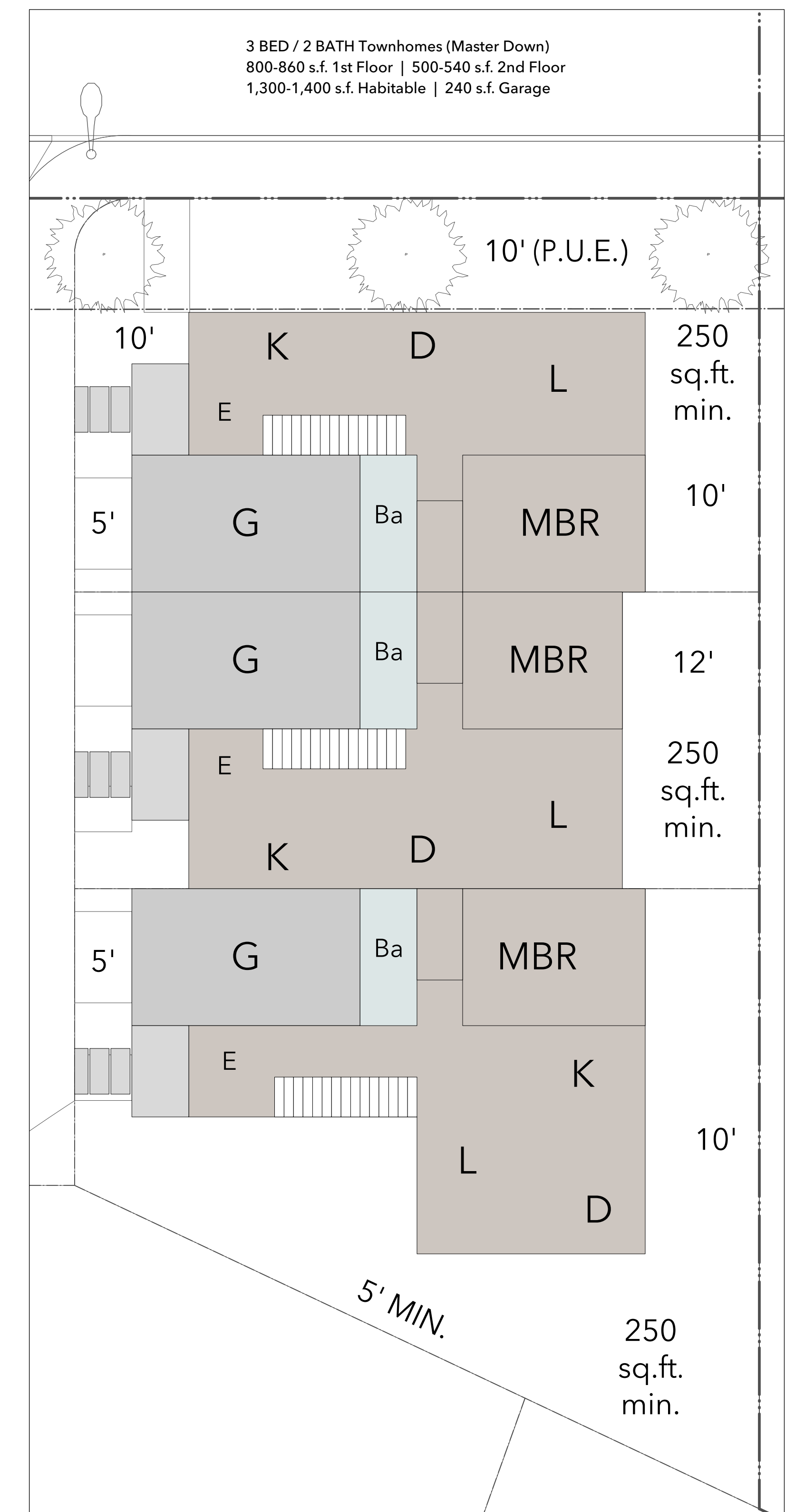
"WILLIAM WAY" SUBDIVISION - PROPOSED UNIT TYPES



D SEMI-ATTACHED SFDs
Scale: 1/8" = 1'-0"



C ZERO-SETBACK SFDs
Scale: 1/8" = 1'-0"



B ATTACHED TOWNHOMES
Scale: 1/8" = 1'-0"

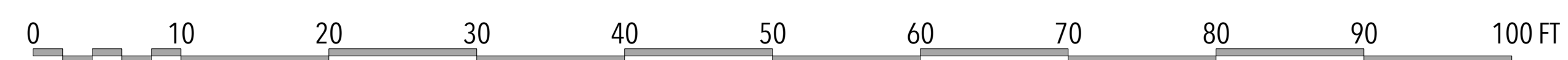


EXHIBIT E



CITY OF TALENT • COMMUNITY DEVELOPMENT

PO Box 445, Talent, Oregon 97540

Phone: (541) 535-7401 Fax: (541) 535-7423 www.cityoftalent.org

GENERAL LAND USE APPLICATION

Project Description: Comp Plan Map Amendment & Zoning Map Amendment & Subdivision Plat		
Property Owner Bradley Properties LLC et al	Mailing Address (include city, zip) 612 Iowa Street, Ashland, OR 97520	Phone 541.621.2136
Street Address or Property Location Talent Ave (adjacent to OSF's production bldg)	Email Address tom@bradleyprop.com	
Applicant/Consultant (if not owner) Scott Sinner	Mailing Address (including city, zip) 4401 San Juan Dr. Suite G - Medford, OR 97504	Phone 541.601.0917

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lot Number	Acres	Zone
38-1W- 26 AD	500	4.37	Light Industrial (IL)
38-1W-			

Subzone (if applicable) _____

Pre-Application Meeting Completed? Yes No N/A Date Completed: 15 December 2016

APPLICATION TYPE (check all boxes that apply)

<input type="checkbox"/> Site Development Plan Review	<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Variance	<input type="checkbox"/> Home Occupation
<input type="checkbox"/> Fence	<input type="checkbox"/> Code Interpretation
<input type="checkbox"/> Annexation	<input type="checkbox"/> Comprehensive Plan Amendment (text)
<input type="checkbox"/> Accessory Dwelling Unit	<input checked="" type="checkbox"/> Comprehensive Plan Map/Zoning Map Change
<input type="checkbox"/> Appeal (flat fee)	<input type="checkbox"/> Development Code Amendment

ACCURACY STATEMENT

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location is found to be incorrect, the owner assumes full responsibility.

Applicant's Signature

Date

Property of

Digitally signed by Thomas MacLeod Bradley
Date

DN: cn=Thomas MacLeod Bradley,
o=William Way, ou=Owner/Applicant,
email=tom@bradleyprop.com, c=US
Date: 2016.12.21 11:37:05 -08'00'

APPLICATION FEES & DEPOSITS (Application fees are calculated by ACTUAL PROCESSING COSTS)

Fees and deposits are intended to cover the full cost for processing applications. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits.

Application Deposits: Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. The actual costs charged to the City for technical review of land use applications, including but not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing applications, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to applicant. Any additional costs incurred beyond the deposit amount shall be charged to and paid by the applicant on a monthly basis. The applicant agrees that any deficiencies shall be collected from applicant, and that applicant's failure to pay these amounts triggers the City's option to pursue any or all remedies, as listed below.

Fixed Fee Applications: Fees are non-refundable and are based on average application processing costs rounded to the nearest dollar.

Applicant acknowledges and agrees that Applicant's failure to pay City costs over the deposit fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

Applicant's Signature

Date

decision. If more than one approval authority would be required to decide on the applications it submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: (1) City Planner, (2) the Planning Commission, and (3) the City Council. Joint meetings between governing bodies may be held to streamline the decision process.


Applicant's Signature

Date

Property owner's Sig



Digitally signed by Thomas MacLeod Bradley
DN: cn=Thomas MacLeod Bradley, o=William Way,
ou=Owner/Applicant,
email=tom@bradleyprop.com, c=US
Date: 2016.12.21 11:37:40 -08'00'

FOR OFFICE USE ONLY			
Deposit Paid (Amount):	Date:	Received By:	File Number:
\$5140	12/21/16		REZ 2016-001 CPA 2016-003

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

IN THE MATTER OF AN APPLICATION FOR)	
A COMPREHENSIVE PLAN MAP AND ZONING)	
MAP AMENDMENT ON THE PROPERTY IDENTIFIED)	FINDINGS OF FACT
AS T38-R1W-26AD TL 500)	AND
APPLICANT BRADLEY PROPERTIES, L.L.C)	CONCLUSIONS
<u>SCOTT SINNER CONSULTING, INC. AGENT</u>)	OF LAW

I. BACKGROUND INFORMATION

Applicant:

Bradley Properties, L.L.C
Tom Bradley
612 Iowa Street
Ashland, OR 97520
tom@bradleyprop.com

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr.
Medford, OR 97504
541-772-1494
scottsinner@yahoo.com

Property:

381W26AD TL 500
Bradley Properties, L.L.C.
California Townhouses, L.L.C.
TKAB Real Estate, L.L.C.
Sharon Harris
Current Comprehensive Plan Map Designation Light Industrial (li)
Current zoning district Light Industrial (LI)
Proposed Comprehensive Plan Map Designation Residential High Density (rh)
Proposed Zoning District Multiple Family – High Density (RM-22)

Project Summary:

The subject property is currently identified on the Comprehensive Plan Map as being within the Light Industrial (li) designation and within the Light Industrial (IL) zoning district.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

The approval of this application would amend the Comprehensive Plan Map designation for the subject property to the Residential High Density (rh) designation and the Zoning Map to the Multiple Family – High Density (RM-22) zoning district.

These findings of fact will demonstrate the City of Talent has a surplus of Light industrial property and a shortage of High Density Residential property with in the City's Urban Growth Boundary.

These findings will demonstrate the request is consistent with all applicable Statewide Planning Goals, OAR 660-009-0010(4) Industrial Lands, ORA 660-008-0010 Residential Land, The Oregon Transportation Planning Rule, The Talent Comprehensive Plan and the Talent Transportation System Plan.

Findings of Fact:

The Talent Comprehensive Plan and the Talent Zoning Code do not provide a detailed approval criteria for a Comprehensive Plan Map / Zoning Map Amendment. The Applicant submitted a procedure (attached) and the City confirmed the amendment procedure.

Statewide Planning Goals:

A Comprehensive Plan Map Amendment (CPA) is identified as Type IV Legislative action in the Talent Development Code (TDC). An application for amendment is submitted to Staff and the Planning Commission will make a recommendation to the approving authority, the City Council, for a decision.

This application will demonstrate the request is consistent with all applicable Statewide Planning Goals as listed below:

Goal 1 Citizen Involvement

Goal 2 Land Use Planning

Goal 3 Agricultural Lands

Goal 4 Forest Lands

Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 6 Air, Water and Land Resources Quality

Goal 7 Areas Subject to Natural Hazards

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

Goal 8 Recreational Needs

Goal 9 Economic Development

Goal 10 Housing

Goal 11 Public Facilities and Services

Goal 12 Transportation

Goal 13 Energy Conservation

Goal 14 Urbanization [Old Goal 14]

Goal 15 Willamette River Greenway

Goal 16 Estuarine Resources

Goal 17 Coastal Shorelands

Goal 18 Beaches and Dunes

Goal 19 Ocean Resources

Findings of fact for each Goal are discussed below.

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

Goal 1 assures a land use action will allow and promote opportunities for affected citizens to have an opportunity for input in a land use action.

The TDC identified the requested Comprehensive Plan Map Amendment as a Type IV Legislative procedure. Once the applicant submits and application to the City, Staff will review the application for completeness, deem the application complete, and notify affected agencies and nearby landowners.

The TDC also requires a properly noticed public hearing before both the Planning Commission and the City Council. The noticing of the public hearings, and conducting the public hearings are consistent with State regulations the acknowledged Talent Comprehensive Plan.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

The procedures for noticing the public and the public hearing process assure citizen involvement in the requested application, and the procedure is consistent with Statewide Planning Goal 1.

The City requires a neighborhood meeting prior to submitting a subdivision application. The Applicant conducted a neighborhood meeting to discuss the project with affected property owners.

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.*

The City of Talent has an adopted Comprehensive Plan and a Land Development Ordinance which provides the framework for land use actions in the City. The Comprehensive Plan provides Goals and objectives consistent with Statewide Planning Goals and the TDC provide clear and objective standards to implement the Goals and Objectives.

The process, noticing requirements and the applicable approving authority for land use decisions are identified in the TDC. The Adopted plans provide Standards and approval criteria to allow applicants, citizens and the City a fair and factual standard for decisions and processing of land use actions.

Goal 3 Agricultural Lands *To preserve and maintain agricultural lands.*

The subject property is within the City of Talent Urban Growth Boundary (UGB), the li Comprehensive Plan Map designation, and Light Industrial zoning district. The subject property is not contiguous or near any agriculturally zoned lands.

The City is currently in a process to determine if an Urban Growth Boundary is expansion is necessary. The Economic and Housing data available at the time of submitting this application indicates a surplus of commercial and industrial lands and a shortage of residential lands in the current UGB.

The approval of this application would convert a portion of the surplus industrial land to high density residential land. The intensification of residential land and the conversion of surplus industrial land supports an efficient use of urbanizable land and addresses the immediate shortage of developable residential land in the current UGB.

Goal 4 Forest Lands *To conserve forest lands by maintaining the forest land base*

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

The subject property is within the City of Talent Urban Growth Boundary, the II Comprehensive Plan Map designation, and Light Industrial zoning district. The subject property is not contiguous or near any lands within the Forest resources zoning districts.

The approval of this application will not have an impact on any forest lands.

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

Goal 5 requires a jurisdiction to inventory the following resources:

Riparian corridors, including water and riparian areas and fish habitat

Wetlands

Wildlife Habitat

Federal Wild and Scenic Rivers

State Scenic Waterways

Groundwater Resources

Approved Oregon Recreation Trails.

Natural Areas

Wilderness Areas

Mineral and Aggregate Resources

Energy sources

Cultural areas.

Local governments and state agencies are encouraged to maintain current inventories of the following resources:

Historic Resources

Open Space

Scenic Views and Sites.

A review of the available inventories maintained by the City indicates there are no Goal 5 resources impacted by this application.

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

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

Goal 6 assures a land use decision shall not have a negative impact on the air, water and land resources in the State. The subject property is within the Talent UGB and City Limits.

The subject property has direct access to the municipal water supply. Future development of the property will extend the water supply on the site and all improvements will be subject the current standards and will be reviewed by staff to assure water quality will be maintained for both the current residents in the area as well as the residents in the future development.

The subject property has access to storm water and sanitary sewer facilities under the jurisdiction of Rogue Valley Sewer Service (RVS). The future development will be subject to review and approval or storm and sanitary sewer facilities to assure the proper extension of those facilities.

According to Jackson County data, subject property is with in the Air Quality Management Area (AQMA). The City will review future development for compliance with the standards contained within the AQMA to assure air quality standards for development are met.

Goal 7 Areas Subject to Natural Hazards To protect people and property from natural hazards.

Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

The site is not within a map flood plain or flood hazard area in in an area typically known for coastal inundation tsunamis or coastal erosion. The site is not in an area of steep slopes and landslides are not a hazard.

Future development will be subject the prevailing building code at the time of submittal. The State Building Codes include reasonable measures to meet hazards associated with earthquakes.

Goal 8 Recreational Needs To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The site is within the Talent UGB and is currently within the IL zoning district. Upon the approval of this application the property would be within the RM-22 zoning district. Either zoning district, or properties typically found within a local UGB, are not typically considered appropriate for a destination resort.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

The Talent Comprehensive Plan has recognized the need for recreations facilities that would be available for the local citizens and the need of the residents in multifamily developments. Future development of the site will comply with the City's current development code standards for open space on the subject property.

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.*

The City has recently adopted an Economic Opportunities Analysis (EOA) as an element of the Comprehensive Plan. The EOA complies with the requirements of Statewide Planning Goal 9.

Goal 9 describes the EOA as "an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends" and states that "a principal determinant in planning for major industrial and commercial developments should be the competitive advantage of the region within which the developments would be located."

The EOA concludes the City has a 26.19-acre supply of industrial land and a need for the next 20 years of 20 acres, resulting in a surplus of 6.19 acres of industrial land. The City has a 62.5-acre supply of commercial land and a need for the next 20 years of 17.2 acres, resulting in a surplus of 45.3 acres of commercial land.

The following excerpt is from the recommendations section within the EOA:

Identify opportunities to meet residential land needs on commercial or industrial lands. Talent is beginning to develop an analysis of residential land needs. If the analysis identifies deficits of residential land, especially moderate- and high-density residential land needs, we recommend that the City evaluate opportunities to meet those land needs within the UGB on commercial and industrial lands.

The City is currently reviewing a Housing Needs Analysis for adoption and inclusion in Element G, Housing Needs and the Urban Growth Boundary of the Comprehensive Plan. The data demonstrates a deficit of 642 dwelling units including 122 dwelling units in the High-Density zoning district in the coming 20-year planning cycle.

The subject property is very well suited for conversion from light industrial to high density residential uses. The property abuts existing residential uses and is adjacent to a public park. All urban facilities are currently available with adequate capacity for the needs of the proposed development.

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Prior to a possible expansion of the UGB the City is required to update the Comprehensive Plan to determine the economic needs as well as the housing needs. The City currently has an immediate need for property suitable for residential development. A survey of the current real estate listings in the City indicate there are not any vacant and buildable residential lots in the City.

The lack of available residential land has resulted in abnormally high inflationary pressures on all housing segments in the City. The possible expansion of the UGB does not provide an immediate resolution to the deficit of Housing needs.

The approval of the proposed Comprehensive Plan Amendment and associated development applications would result in the conversion of suitable industrial land to high density residential land and the ability to commence development within 12 months.

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

The City is in the process of updating the Housing Element of the Comprehensive Plan. At the time of submitting this application, the City is presenting the revised Housing Element, including a new Housing Needs Analysis (HNA) to the Planning Commission for a recommendation to the City Council, the approving authority for the legislative action.

While the updated element has not been adopted at the time of submitting this application, the data and analysis represents the most relevant data depicting the current needs for housing and housing types in the City.

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

The shortage of available land residential development negatively effects the affordability of all housing types and all residential densities. Solutions for the housing deficit will require intensification of existing residential land and the conversion of land currently designated with commercial or industrial uses.

The approval of this application would convert 4.3 acres of industrial land to high density residential land. The site plan associated with the application provides a mixture of housing types, small lot single family detached, small lot single family attached and multifamily.

The housing types proposed provide an efficient use of land on an infill property with adequate infrastructure. The proposed density of the development is between 10 and 11 units per acre.

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As stated above in the Findings of Fact for Goal 9, the approval of this application would result in relief in the need for housing needs within the next 12 months. The conversion of industrial land to high density residential land is an intensification of suitable property within the current UGB. The approval of this application expedites a solution of both the short-term housing needs and the conversion of the surplus of industrial lands within the City.

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.

A Timely, Orderly, and Efficient Arrangement – refers to a system or plan that coordinates the type, locations and delivery of public facilities and services in a manner that best supports the existing and proposed land uses.

The subject property fronts on Talent Avenue and is an infill development. The Urban Category A are identified as:

- Streets
- Domestic Water
- Sanitary Service
- Storm Water Service

The subject property is currently vacant, however, abutting and adjacent properties are currently developed and served with Category A facilities. The development of the subject property is infill development and an efficient use of existing infrastructure.

Streets

The property has frontage on Talent Avenue. According the adopted Talent Transportation System Plan (TSP) Talent Avenue is classified as a collector street. The west half of Talent Avenue is currently improved with a paved section, a bicycle travel lane, curb and gutter and a 5-foot sidewalk.

The TSP provides Street Design Standards applicable to all streets in the City. The collector street classification includes 4 residential collector standards and 2 commercial collector standards. With the exception of a residential collector with parking permitted on both sides of the street, the required right of way for the standard is a total of 70 feet.

The subject property is 4.37 net acres within the I-L zoning district.

Domestic Water

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The City of Talent Public Works Department has responsibility for the domestic water system. Domestic Water is provided from the water supply of the Medford Water Commission. The Delivery system is the responsibility of Talent Public Works.

Water is currently available in Talent Avenue from a public water main in the public right of way. The public ROW on the north-west side of the property was developed with a public water line. Future development on the site will be required to comply with the standards in effect at the time of development the extension of urban services.

Sanitary Sewer

Rogue Valley Sewer Service (RVS) provided comments on the sanitary sewer facilities in at the site. According to RVS, Talent Avenue has a 8" sanitary sewer line in the public right of way and there is adequate capacity within the system for the purposes of the Comp Pan Amendment and Zone Change.

Future development on the site will be required to comply with the standards in effect at the time of development.

Storm Water

RVS provided comments on the Storm water issues of the Site. The City has responsibility for the storm water conveyance in the area and RVS has responsibility for onsite collection, treatment, and discharge to the public system.

Currently storm water facilities are available in the Talent Avenue right of way and the systems have adequate capacity for the purposes of the Comp Pan amendment and zone change.

Future development on the site will be required to comply with the standards in effect at the time of development.

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

The Oregon Transportation Planning Rule assures all land use decisions will consider review of multi modal forms of transportation in the decision process.

The site does not have access any water based transportation opportunities. The site is near the existing railroad, but not adjacent to any rail based transportation.

The Medford International Airport is approximately 12 miles from the subject property.

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The subject property is approximately .25 mile from State Highway 99 and 1.25 miles from Interstate 5.

The site plan and tentative plat propose public streets to provide access for the dwelling units and a connection to the existing transportation system. The public streets will include sidewalks to promote pedestrian connectivity and access to Talent Avenue.

The proposed streets are lower order streets and do not have provisions for bicycle lanes within the right of way. The low traffic volumes and narrow rights of way anticipate safe bicycle travel in the vehicular travel lanes. Talent Avenue is a collector street and provides bicycle travel lanes.

Traffic Impact Analysis

The subject property is currently within the IL zoning district. The City does not currently have a generalized traffic impact per zoning district in the Comp Plan or the TDC. Section 8-3L.920 of the TDC does identify the applicability of a Transportation Impact Study as excerpted below:

8-3L.920 APPLICABILITY A. Transportation Impact Study (TIS) shall be required if any of the following actions exist:

- 1. A zoning or comprehensive plan map or text amendment is projected to generate 500 or more net daily vehicle trips.*
- 2. A development proposal is projected to generate fifty (50) or more net peak hour trips on an arterial or collector segment or intersection.*
- 3. A land use action or development proposal will impact known safety, congestion or capacity problems.*
- 4. A land use action or development proposal is on a highway segment with special access controls.*

Each property in the city, with city zoning, has an underlying traffic impact. To determine the traffic impact of the proposed Comprehensive Plan Amendment, standardized trip generation rates from the International Transportation Engineers (ITE) Trip Generation Manual, 9th edition (attached) were used for an analysis.

According to the ITE exhibit, the traffic impact most closely associated with vacant light industrial land is Code 110, General Light Industrial with a trip generation of .97 PM Peak Hour Trips per 1,000 square feet of development.

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The existing zoning for the subject property is IL. The existing zoning on the property is unrestricted, there are no traffic caps placed on the property and as such, the highest and best use of the property would be 3.66 net acres or 159,429 square feet which accounts for all standard setbacks identified in the TDC. The current Trip Generation potential of the subject property is 154 PM Peak hour trips.

The approval of this application and the associated land division and site plan site would create 35 single family lots and reserve acreage for up to 12 dwelling units in a future multifamily development application.

The 35 single family dwellings have a traffic impact of 1 PM Peak hour trip per dwelling units for a total of 35 PM Peak Hour Trips. The future Multifamily development with up to 12 dwelling units at .62 PM Peak hour trips is an additional 7.44 PM Peak hour trips for a total of 42.44 PM Peak hour trips.

The effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated site plan is a reduction of 111.56 PM Peak hour trips from the current IL zoning at the highest and best use.

With a reduction in the PM Peak Hour Trips from the existing impacts, this application does not warrant a Traffic Impact Study as identified in the section 8-3L.920 of the TDC.

Goal 13 Energy Conservation Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

The approval of the proposed Comprehensive Plan Amendment would provide appropriate zoning for a residential development within the RM-22 high density residential zoning district. The site plan and land division submitted with this application will allow for energy conscious residential development.

The site plan considered designs to utilize the benefits of passive solar to promote energy conservation in the dwellings. The current Oregon Energy Code assures the dwellings will be built to a very high standard with respect to energy conservation.

The codeveloper for the project, Suncrest Homes, has a proved history of exceeding the prevailing energy Code and adopting standards, specifications and practices which exceed the Code standards.

The proposed high density development provides a mixture of detached, semi attached and attached dwelling types on small lot configurations. Development on small lots results in smaller dwelling sizes and a more efficient use of resources as well as a more efficient energy consumption than other types of residential construction. Smaller homes use less energy.

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Goal 14 Urbanization [Old Goal 14] *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

The City of Talent has established an Urban Growth Boundary (UGB) and an inventory of buildable lands available for urbanization. The subject parcel is well within the UGB and development is infill development. The Category A facilities are currently available at the property to facilitate an efficient use of the land and existing infrastructure.

The City is currently involved in the process to revise key elements of the Comprehensive Plan to determine the need for land and land uses in the current planning cycle. The City Staff has prepared a updated Housing Needs Analysis for review and approval by the City Council. The proposed Housing Needs Analysis concludes the City will have a deficit of 9 acres of High Density RH zoning and a need for 122 dwelling units in the RH zoning district.

The proposed Comprehensive Plan Amendment with zone change and the accompanying site plan will reduce the identified shortage of RH land and dwelling units. The proposed site plan also provides a mixture of housing types suitable for the RH zoning district.

The site plan provides small lot detached single family dwellings as well as attached single family dwellings. The area of the plat identified as reserve acreage will be a future development application with up to 12 additional multifamily dwelling units.

Goal 15 Willamette River Greenway *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway*

This goal is not applicable to the subject property and land use action.

Goal 16 Estuarine Resources *To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and To protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.*

This goal is not applicable to the subject property and land use action.

Goal 17 Coastal Shorelands *To conserve, protect, where appropriate, develop*

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and where appropriate restore the resources and benefits of all coastal shorelands...

This goal is not applicable to the subject property and land use action.

Goal 18 Beaches and Dunes To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas...

This goal is not applicable to the subject property and land use action.

Goal 19 Ocean Resources To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

This goal is not applicable to the subject property and land use action.

Conclusions of Law, Statewide Planning Goals

The approving authority, The City Council, can conclude this application to amend the Comprehensive Plan Map designation for the subject property to the Residential High Density (rh) designation and the Zoning Map to the Multiple Family – High Density (RM-22) zoning district is consistent with all applicable Statewide Planning Goals.

Talent Comprehensive Plan:

The City has an adopted Comprehensive Plan. The Comprehensive Plan has been acknowledged by the State. With the acknowledgement by the State, the Comprehensive Plan has been found to be consistent will all applicable Statewide Planning Goals.

ELEMENT A. THE HISTORY OF TALENT AND HISTORIC PRESERVATION POLICIES AND STRATEGIES

ELEMENT B. PARKS, RECREATION, OPEN SPACE, AND URBAN FORESTRY

ELEMENT C. NATURAL HAZARDS

ELEMENT D. TRANSPORTATION

ELEMENT E. ECONOMY

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ELEMENT F. PUBLIC FACILITIES

ELEMENT G. HOUSING NEEDS AND THE URBAN GROWTH BOUNDARY

ELEMENT H. REGIONAL PLAN

Findings of Fact

ELEMENT A. THE HISTORY OF TALENT AND HISTORIC PRESERVATION POLICIES AND STRATEGIES

Element A provides documentation for the settlement and development of the City. The City has identified historic areas within the City and has adopted Policies and Implementation Strategies to preserve and protect important historic features.

The City has an established Historic District and the subject property is not within an area with the mapped Historic District. There are no features of the site with any historical significance.

ELEMENT B. PARKS, RECREATION, OPEN SPACE, AND URBAN FORESTRY

“Parks are an integral component to the quality of life in the City of Talent. They provide greenspaces for the enjoyment of both active and passive uses such as youth sports, biking, walking, and just plain relaxation. Investing in parks and recreation can lead to many benefits: personal health, increasing social capital while decreasing crime, and economic and environmental sustainability”.

The Comprehensive Plan has recognized the value of parks and open space in urban settings. The subject property is abutting with an existing City Park, the Bark Park, and the proposed site plan was designed to complement the adjacent park with an open space.

Pedestrian facilities included in the proposed development plan will allow the residents to enjoy Chuck Roberts Park, which is within comfortable walking distance of the site.

ELEMENT C. NATURAL HAZARDS

The State requires cities to map Natural Hazards within their jurisdictions. Natural Hazards include: floods (coastal and riverine), landslides, earthquakes and related

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hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.

The site is not within a map flood plain or flood hazard area in an area typically known for coastal inundation tsunamis or coastal erosion. The site is not in an area of steep slopes and landslides are not a hazard.

Future development will be subject the prevailing building code at the time of submittal. The State Building Codes include reasonable measures to meet hazards associated with earthquakes.

ELEMENT D. TRANSPORTATION

The City has an adopted Transportation System Plan (TSP) in compliance with State requirements. The TSP is a component of the Comprehensive Plan. The TSP reviews all modes of transportation and classifies and provide a standard specification for all new streets. The TDO implements the goals and policies of the TSP.

The Oregon Transportation Planning Rule assures all land use decisions will consider review of multi modal forms of transportation in the decision process.

The site does not have access any water based transportation opportunities. The site is near the existing railroad, but not adjacent to any rail based transportation.

The Medford International Airport is approximately 12 miles from the subject property.

The subject property is approximately .25 mile from State Highway 99 and 1.25 miles from Interstate 5.

The site plan and tentative plat propose public streets to provide access for the dwelling units and a connection to the existing transportation system. The public streets will include sidewalks to promote pedestrian connectivity and access to Talent Avenue.

The proposed streets are lower order streets and do not have provisions for bicycle lanes within the right of way. The low traffic volumes and narrow rights of way anticipate safe bicycle travel in the vehicular travel lanes. Talent Avenue is a collector street and provides bicycle travel lanes.

Traffic Impact Analysis

The subject property is currently within the IL zoning district. The City does not currently have a generalized traffic impact per zoning district in the Comp Plan or the TDC. Section

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8-3L.920 of the TDC does identify the applicability of a Transportation Impact Study as excerpted below:

8-3L.920 APPLICABILITY A. Transportation Impact Study (TIS) shall be required if any of the following actions exist:

- 1. A zoning or comprehensive plan map or text amendment is projected to generate 500 or more net daily vehicle trips.*
- 2. A development proposal is projected to generate fifty (50) or more net peak hour trips on an arterial or collector segment or intersection.*
- 3. A land use action or development proposal will impact known safety, congestion or capacity problems.*
- 4. A land use action or development proposal is on a highway segment with special access controls.*

Each property in the city, with city zoning, has an underlying traffic impact. To determine the traffic impact of the proposed Comprehensive Plan Amendment, standardized trip generation rates from the International Transportation Engineers (ITE) Trip Generation Manual, 9th edition (attached) were used for an analysis.

According to the ITE exhibit, the traffic impact most closely associated with vacant light industrial land is Code 110, General Light Industrial with a trip generation of .97 PM Peak Hour Trips per 1,000 square feet of development.

The existing zoning for the subject property is IL. The existing zoning on the property is unrestricted, there are no traffic caps placed on the property and as such, the highest and best use of the property would be 3.66 net acres or 159,429 square feet which accounts for all standard setbacks identified in the TDC. The current Trip Generation potential of the subject property is 154 PM Peak hour trips.

The approval of this application and the associated land division and site plan site would create 35 single family lots and reserve acreage for up to 12 dwelling units in a future multifamily development application.

The 35 single family dwellings have a traffic impact of 1 PM Peak hour trip per dwelling units for a total of 35 PM Peak Hour Trips. The future Multifamily development with up to 12 dwelling units at .62 PM Peak hour trips is an additional 7.44 PM Peak hour trips for a total of 42.44 PM Peak hour trips.

The effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated site plan is a reduction of 111.56 PM Peak hour trips from the current IL zoning at the highest and best use.

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With a reduction in the PM Peak Hour Trips from the existing impacts, this application does not warrant a Traffic Impact Study as identified in the section 8-3L.920 of the TDC.

ELEMENT E. ECONOMY

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

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

In Talent, particular attention is directed toward redeveloping the city's core downtown area as a walkable commercial and service center for the Talent area.

The subject property is approximately ½ mile for the city's core downtown area.

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

The Comprehensive Plan includes an Economic Opportunities Analysis (EOA) that was updated in October 2016. The EOA demonstrates the City of Talent has a demand of 20 acres of Industrial land for the 2016 – 2036 planning horizon. The EOA contains a Buildable Lands Inventory of industrial land currently within the UGB. The City currently has a 26.19 acres supply of Industrially zoned land.

The City meets the requirements of Policy 1 and has a 20-year supply of industrial land within the UGB. The City has a surplus of 6.19 acres within the UGB.

The City is in the process of reviewing the updated Housing Needs Analysis (HNA) to update the Housing Element of the Comprehensive Plan. While the HNA has not been adopted to the City Council at the time of submitting this application, the data represents the most current Data specific to the City's housing needs.

The proposed HNA indicates the City currently has a capacity of 630 dwelling units for the 20-year planning horizon. The projected growth in the planning horizon indicates a demand of 1,272 dwelling units. The proposed HNA concludes the City has a deficit of 642 dwelling units with a need for housing at all densities.

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The subject property is currently within the IL zoning district and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is adjacent to existing High Density development within the RM-22 zoning district and adjacent to a city park.

The site is within ½ mile of the City downtown core and the west side of Talent Avenue is currently developed with sidewalks for pedestrian connectivity to the downtown core.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. The traffic associated with industrial uses, including truck traffic has an impact on the existing streets in the areas. Using the ITE Trip Generation methodology, the subject property has a highest and best use impact of 154 PM Peak Hour Trips, and 1,540 Average Daily Trips (ADT).

The site Plan submitted with this application indicates 35 single family dwellings and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a traffic impact of 1 PM Peak hour trip per dwelling units for a total of 35 PM Peak Hour Trips. The future Multifamily development with up to 12 dwelling units at .62 PM Peak hour trips is an additional 7.44 PM Peak hour trips for a total of 42.44 PM Peak hour trips.

The effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated site plan is a reduction of 111.56 PM Peak hour trips from the current IL zoning at the highest and best use.

The approval of this application and the conversion of industrial land to high density residential land will significantly reduce the traffic impact in the vicinity of the subject property.

The subject property is an ideally suited for conversion from Industrial land to High Density residential land.

The City has identified a surplus of industrial land and has a deficit of residential land for the 20-year planning horizon. Additionally, the City has an immediate need for additional residential land. Converting this industrial land to high density land with address short term and long term residential demands without negative impacts to the industrial land needs.

The subject property is infill development with significant industrial, residential and municipal development on surrounding properties. All Category A facilities are currently available at the site and have adequate capacity for the proposed development.

Objective 2.3: The City will develop policies to identify industrial areas that are more appropriate for other uses (e.g., residential uses) based on their site characteristics (e.g., location, size, configuration, or transportation access).

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Implementation Strategy 2.3a: Identify sites appropriate to re-zone for residential uses in industrial areas.

This application requests a Comprehensive Plan Map and Zoning Map Amendment to rezone the subject property from industrial land to high density residential land. The approval of this application will address the identified surplus of industrial land and the deficit of residential land.

The approval of the application will reduce the traffic impacts when compared to the highest and best uses allowed in the Industrial zone. The Category A Facilities are currently available with sufficient capacity to serve the proposed development.

The subject property is adjacent to existing residential development, city park facilities and comfortable walking distance to the Central core of the city using existing pedestrian facilities.

The subject property is an appropriate property for rezoning from IL zoning district to the RM-22 zoning district.

Implementation Strategy 2.3b: If industrial sites are re-zoned to residential uses, identify new industrial sites suitable to replenish the supply of industrial land to meet Talent's identified industrial land need in the Economic Opportunities Analysis.

Implementation Steps: (1) This strategy will be implemented if industrial land is rezoned, such as through Implementation Strategy 2.3a. (2) Conduct analysis to identify suitable industrial sites to meet Talent's industrial land need identified in the Economic Opportunities Analysis, which may be found inside or outside of the city's Urban Growth Boundary.

The City has an adopted Economic Opportunities Analysis that has identified a 6.19-acre surplus of industrial land for the needs of the 20-year planning horizon. Should the City approve this application to convert 4.37 acres of industrial lands to residential lands The City will still have a 1.82-acre surplus of industrial land within the current UGB.

The City is involved the Regional Problem Solving (RPS) process to identify growth areas with the intent of UGB expansion. The City has identified 5 suitable growth areas. TA-4 and TA-5 have been identified as suitable for industrial growth.

ELEMENT F. PUBLIC FACILITIES

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

The subject property fronts on Talent Avenue and is an infill development.
The Urban Category A are identified as:

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- Streets
- Domestic Water
- Sanitary Service
- Storm Water Service

The subject property is currently vacant, however, abutting and adjacent properties are currently developed and served with Category A facilities. The development of the subject property is infill development and an efficient use of existing infrastructure.

Streets

The property has frontage on Talent Avenue. According to the adopted Talent Transportation System Plan (TSP) Talent Avenue is classified as a collector street. The west half of Talent Avenue is currently improved with a paved section, a bicycle travel lane, curb and gutter and a 5-foot sidewalk.

The TSP provides Street Design Standards applicable to all streets in the City. The collector street classification includes 4 residential collector standards and 2 commercial collector standards. With the exception of a residential collector with parking permitted on both sides of the street, the required right of way for the standard is a total of 70 feet.

The subject property is 4.37 net acres within the I-L zoning district.

Domestic Water

The City of Talent Public Works Department has responsibility for the domestic water system. Domestic Water is provided from the water supply of the Medford Water Commission. The Delivery system is the responsibility of Talent Public Works.

Water is currently available in Talent Avenue from a public water main in the public right of way. The public ROW on the north-west side of the property was developed with a public water line. Future development on the site will be required to comply with the standards in effect at the time of development the extension of urban services.

Sanitary Sewer

Rogue Valley Sewer Service (RVS) provides sanitary sewer facilities in the City. According to RVS, Talent Avenue has a 8" sanitary sewer line in the public right of way and there is adequate capacity within the system for the purposes of the Comp Plan Amendment and Zone Change.

Future development on the site will be required to comply with the standards in effect at the time of development.

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Storm Water

RVS provided comments on the Storm water issues of the Site. The City has responsibility for the storm water conveyance in the area and RVS has responsibility for onsite collection, treatment, and discharge to the public system.

Currently storm water facilities are available in the Talent Avenue right of way and the systems have adequate capacity for the purposes of the Comp Pan amendment and zone change.

Future development on the site will be required to comply with the standards in effect at the time of development.

The subject property is in an area currently served with all Category A Facilities. The proposed development represents an efficient use of the existing infrastructure.

ELEMENT G. HOUSING NEEDS AND THE URBAN GROWTH BOUNDARY

POLICY 1: PROVIDE FOR ALL OF TALENT'S HOUSING NEEDS FOR THE TWENTY YEAR PLANNING PERIOD WITHIN THE EXISTING URBAN GROWTH BOUNDARY.

The City is in the process of updating the Housing Element of the Comprehensive Plan. At the time of submitting this application, the City is presenting the revised Housing Element, including a new Housing Needs Analysis (HNA) to the Planning Commission for a recommendation to the City Council, the approving authority for the legislative action.

While the updated element has not been adopted at the time of submitting this application, the data and analysis represents the most relevant data depicting the current needs for housing and housing types in the City.

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

The shortage of available land residential development negatively effects the affordability of housing of all housing types and all residential densities. Solutions for the housing deficit will require intensification of existing residential land and the conversion of land currently designated with commercial or industrial uses.

The approval of this application would convert 4.3 acres of industrial land to high density residential land. The site plan associated with the application provides a mixture of

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housing types, small lot single family detached, small lot single family attached and multifamily.

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

The housing types proposed provide an efficient use of land on an infill property with adequate infrastructure. The proposed development includes a variety of housing types suitable for the RM-22 zoning district.

The proposed housing types include small lot single family detached, small lot single family attached and future attached multifamily dwellings. The proposed density of the development is between 10 and 11 units per acre.

The mixture of housing types at proposed density on an infill property represents an efficient use of the land and existing urban facilities.

The approval of this application would result in relief in the need for housing needs within the next 12 months. The conversion of industrial land to high density residential land is an intensification of suitable property within the current UGB. The approval of this application expedites a solution of both the short-term housing needs and the conversion of the surplus of industrial lands within the City.

ELEMENT H. REGIONAL PLAN

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

The most significant product of the Regional Plan is the establishment of requirements which affect the form and function of future urban-level development and the creation of an Urban Reserve (UR) for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

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

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

The City has identified future growth areas for the expansion of the UGB. The Regional Plan has been adopted. The Comprehensive Plan Element E, Economy, has been updated and demonstrated the City has a surplus of commercial and industrial land.

The Comprehensive Plan Element G, Housing Needs, is in the process of an update at the time of submission of this application. The Proposed Housing Needs Analysis demonstrates a deficit of residential land in the current UGB and the 20-year planning horizon.

The expansion of the UGB is a long-term process and the City has an immediate need for additional land suitable for residential use. With an identified surplus of industrial land and a deficit of available residential land in both the short term and long term, converting the subject property from industrial land to residential land has a significant beneficial impact to the City.

The approval of this application will maintain a 20-year supply of industrial land within the current UGB. The Regional Plan has identified TA-4 and TA-5 as areas suitable for expansion areas for industrial lands and both areas would be better suited for industrial development with better topography and improved access to higher order transportation facilities.

Conclusions of Law, Talent Comprehensive Plan

The approving authority, The City Council, can conclude this application to amend the Comprehensive Plan Map designation for the subject property to the Residential High Density (rh) designation and the Zoning Map to the Multiple Family – High Density (RM-22) zoning district is consistent with the Talent Comprehensive Plan

Application Summary and Conclusion

The subject property is currently identified on the Comprehensive Plan Map as being within the Light Industrial (li) designation and within the Light Industrial (IL) zoning district.

The approval of this application would amend the Comprehensive Plan Map designation for the subject property to the Residential High Density (rh) designation and the Zoning Map to the Multiple Family – High Density (RM-22) zoning district.

The Talent Comprehensive Plan and Talent Development Code do not provide specific approval criteria for the requested amendment process. The applicant provided an outline for the requested process and the Community Development Director affirmed the applicant's proposed methodology for the amendments.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

This application has demonstrated the request is consistent with all applicable Statewide Planning Goals, the Talent Comprehensive Plan and the Transportation System Plan.

The applicant has submitted a development application with a site plan and tentative Plan to comply with the standards of the Talent Development Code.

This application demonstrates the City has a surplus of Industrial land for the 20-year planning horizon.

The proposed Housing Needs Analysis currently in review by the City provides the most relevant housing data available for determining the City's expected housing needs. The Housing Needs Analysis demonstrates the City has a deficit of available residential land for the 20-year planning horizon.

The conversion of industrial land to residential land is identified in the comprehensive Plan as a policy and implementation strategy to meet the City's residential lands needs.

The subject property currently has access to all Category A Urban Facilities in sufficient capacity for the proposed conversion from industrial land to residential land.

On behalf of the applicant I request the approval of the of this application to amend the Comprehensive Plan Map designation for the subject property to the Residential High Density (rh) designation and the Zoning Map to the Multiple Family – High Density (RM-22) zoning district.

Respectfully,



Scott Sinner



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

December 16, 2016

Zac Moody
PO Box 445
Talent, OR 97540

Re: Comprehensive Plan Map / Zoning Map Amendment Procedure

Zac,

I am working with Tom Bradley and Charlie Hamilton on an application for a Comprehensive Plan Map / Zoning Map Amendment (CPA) of 381W26AD TL 500. On Talent Avenue.

After reviewing the Talent Development regulations, A was not able to identify criteria for a CPA in either the Comp Plan or the Zoning Code. We are preparing an application on a very compressed timeline and I wanted to review a procedure for the CPA.

We are proposing to provide findings addressing the following:

1. All applicable Statewide Planning Goals
 - a. OAR 660-009-0010(4) Industrial Lands
 - b. ORA 660-008-0010 Residential land
2. The Oregon Transportation Planning Rule
3. The Talent Comprehensive Plan
 - a. Housing Needs Analysis
 - b. Economic Opportunities Analysis
4. The Talent Zoning Code
5. Talent Transportation System Plan
6. Urban Facilities Adequacy.

I would like to clarify the rezoning process in this application. Is the Comprehensive Plan Map / Zoning Map Amendment also a rezone if we address the Urban capacity issues? Would the approval of our Comprehensive Plan Map / Zoning Map Amendment result in the property being included in the RM-22 zoning district and ready for current planning development consistent with the standards of the Code?

Thank you and I appreciate your timely consideration of this procedure.

Regards,



Scott Sinner, President
Scott Sinner Consulting, Inc.



4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone and Fax 541-772-1494
Cell 541-601-0917
Email scottsinner@yahoo.com



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

December 7, 2016

Zac Moody
City of Talent
PO Box 445
Talent, OR 97540

Re: Pre-Application for William Way Subdivision, Tax Lot 500, Map 38 1W 26AD (REF: PA 2014-005)

There are 8 inch sewer mains on Talent Avenue and along the Northwesterly property line of the subject property. The latter main line extends approximately half way down the Southwesterly property line. These sewer mains are available for service. Lots which front on existing sewer mains can be served by service line connections, all others will require a main line extension.

The proposed development will require an NPDES 1200-CN permit prior to the start of any ground disturbing activities.

The project is within the Phase 2 stormwater quality area and must comply with stormwater quality requirements outlined in the Regional Stormwater Design Manual.

Rogue Valley Sewer Services requests that approval of this development be subject to the following conditions:

Prior to the start of construction:

1. Applicant must obtain a plan approval for main line construction from RVSS.
2. Applicant must obtain an NPDES 1200-CN erosion and sediment control permit from RVSS.
3. Applicant must have all erosion and sediment control measures in place prior to any ground-disturbing activities.
4. Applicant must submit a stormwater management plan demonstrating compliance with the regional Stormwater Design Manual for review and approval by RVSS.

During Construction

1. Applicant must sequence construction so that the permanent stormwater quality features are installed first and will be operational when stormwater enters them.
2. Applicant must fence off and protect stormwater quality features from equipment traffic.
3. Applicant must comply with conditions of 1200-CN and sewer connection permits.

Prior to final acceptance of project:

1. Applicant must have new sewer pipes inspected and approved by RVSS.
2. Applicant must have all stormwater quality facilities, including vegetation when applicable, inspected and approved by RVSS.
3. Applicant must record an operations and maintenance agreement for all new stormwater quality features.

At the conclusion of construction RVSS will issue a final acceptance letter indicating that all sanitary sewer and stormwater requirements have been met.

Feel free to call me if you have any questions.

Carl Tappert

Carl Tappert, PE
Manager

INSTITUTE OF TRANSPORTATION ENGINEERS COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 9th Edition)

Code	Description	Unit of Measure	Trips Per Unit
PORT AND TERMINAL			
30	Truck Terminal	Acres	6.55
90	Park and Ride Lot with Bus Service	Parking Spaces	0.62
INDUSTRIAL			
110	General Light Industrial	1,000 SF	0.97
120	General Heavy Industrial	Acres	2.16
130	Industrial Park	1,000 SF	0.85
140	Manufacturing	1,000 SF	0.73
150	Warehousing	1,000 SF	0.32
151	Mini-Warehouse	1,000 SF	0.26
152	High-Cube Warehouse	1,000 SF	0.12
170	Utilities	1,000 SF	0.76
RESIDENTIAL			
210	Single-Family Detached Housing	Dwelling Units	1.00
220	Apartment	Dwelling Units	0.62
221	Low-Rise Apartment	Dwelling Units	0.58
230	Residential Condominium / Townhouse	Dwelling Units	0.52
240	Mobile Home Park	Dwelling Units	0.59
251	Senior Adult Housing - Detached	Dwelling Units	0.27
252	Senior Adult Housing - Attached	Dwelling Units	0.25
253	Congregate Care Facility	Dwelling Units	0.17
254	Assisted Living	Beds	0.22
255	Continuing Care Retirement Community	Dwelling Units	0.16
LODGING			
310	Hotel	Rooms	0.60
320	Motel	Rooms	0.47
330	Resort Hotel	Rooms	0.42
RECREATIONAL			
411	City Park	Acres	0.19
412	County Park	Acres	0.09
413	State Park	Acres	0.07
415	Beach Park	Acres	1.30
416	Campground / Recreation Vehicle Park	Camp Sites	0.27
417	Regional Park	Acres	0.20
420	Marina	Berths	0.19
430	Golf Course	Acres	0.30
431	Miniature Golf Course	Holes	0.33

Code	Description	Unit of Measure	Trips Per Unit
432	Golf Driving Range	Tees / Driving Positions	1.25
433	Batting Cages	Cages	2.22
435	Multi-Purpose Recreational Facility	Acres	5.77
437	Bowling Alley	1,000 SF	1.71
441	Live Theater	Seats	0.02
443	Movie Theater without Matinee	1,000 SF	6.16
444	Movie Theater with Matinee	1,000 SF	3.80
445	Multiplex Movie Theater	1,000 SF	4.91
452	Horse Race Track	Acres	4.30
454	Dog Race Track	Attendance Capacity	0.15
460	Arena	Acres	3.33
473	Casino / Video Lottery Establishment	1,000 SF	13.43
480	Amusement Park	Acres	3.95
488	Soccer Complex	Fields	17.70
490	Tennis Courts	Courts	3.88
491	Racquet / Tennis Club	Courts	3.35
492	Health / Fitness Club	1,000 SF	3.53
493	Athletic Club	1,000 SF	5.96
495	Recreational Community Center	1,000 SF	1.45
INSTITUTIONAL			
520	Elementary School	1,000 SF	1.21
522	Middle School / Junior High School	1,000 SF	1.19
530	High School	1,000 SF	0.97
536	Private School (K-12)	Students	0.17
540	Junior / Community College	1,000 SF	2.54
560	Church	1,000 SF	0.55
565	Daycare Center	1,000 SF	12.46
566	Cemetery	Acres	0.84
571	Prison	1,000 SF	2.91
580	Museum	1,000 SF	0.18
590	Library	1,000 SF	7.30
591	Lodge / Fraternal Organization	Members	0.03
MEDICAL			
610	Hospital	1,000 SF	0.93
620	Nursing Home	1,000 SF	0.74
630	Clinic	1,000 SF	5.18
640	Animal Hospital / Veterinary Clinic	1,000 SF	4.72

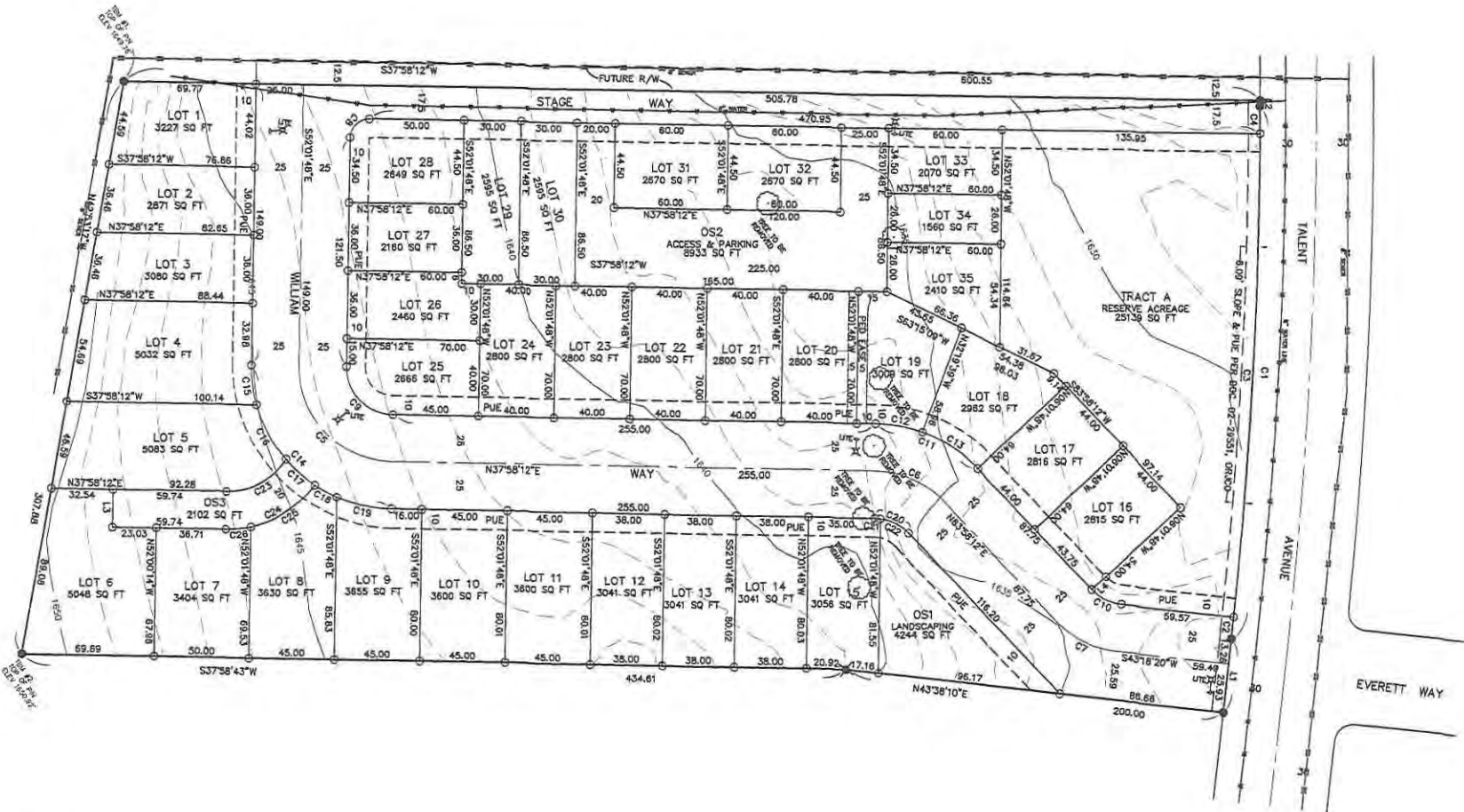
Code	Description	Unit of Measure	Trips Per Unit
OFFICE			
710	General Office Building	1,000 SF	1.49
714	Corporate Headquarters Building	1,000 SF	1.41
715	Single Tenant Office Building	1,000 SF	1.74
720	Medical-Dental Office Building	1,000 SF	3.57
730	Government Office Building	1,000 SF	1.21
732	United States Post Office	1,000 SF	1.22
733	Government Office Complex	1,000 SF	2.85
750	Office Park	1,000 SF	1.48
760	Research and Development Center	1,000 SF	1.07
770	Business Park	1,000 SF	1.29
RETAIL			
812	Building Materials and Lumber Store	1,000 SF	4.49
813	Free-Standing Discount Superstore	1,000 SF	4.35
814	Variety Store	1,000 SF	6.82
815	Free Standing Discount Store	1,000 SF	4.98
816	Hardware / Paint Store	1,000 SF	4.84
817	Nursery (Garden Center)	1,000 SF	6.94
818	Nursery (Wholesale)	1,000 SF	5.17
820	Shopping Center	1,000 SF	3.71
823	Factory Outlet Center	1,000 SF	2.29
826	Specialty Retail Center	1,000 SF	2.71
841	New Car Sales	1,000 SF	2.62
842	Recreational Vehicle Sales	1,000 SF	2.54
843	Automobile Parts Sales	1,000 SF	5.98
848	Tire Store	1,000 SF	4.15
850	Supermarket	1,000 SF	9.48
851	Convenience Market (Open 24 Hours)	1,000 SF	52.41
852	Convenience Market (Open 15-16 Hours)	1,000 SF	34.57
853	Convenience Market with Gasoline Pumps	1,000 SF	50.92
854	Discount Supermarket	1,000 SF	8.34
857	Discount Club	1,000 SF	4.18
860	Wholesale Market	1,000 SF	0.88
861	Sporting Goods Superstore	1,000 SF	1.84
862	Home Improvement Superstore	1,000 SF	2.33
863	Electronics Superstore	1,000 SF	4.50
864	Toy / Children's Superstore	1,000 SF	4.99
866	Pet Supply Superstore	1,000 SF	3.38
867	Office Supply Superstore	1,000 SF	3.40
875	Department Store	1,000 SF	1.87

Code	Description	Unit of Measure	Trips Per Unit
876	Apparel Store	1,000 SF	3.83
879	Arts and Craft Store	1,000 SF	6.21
880	Pharmacy / Drugstore without Drive-Through Window	1,000 SF	8.4
881	Pharmacy / Drugstore with Drive-Through Window	1,000 SF	9.91
890	Furniture Store	1,000 SF	0.45
896	DVD/Video Rental Store	1,000 SF	13.60
SERVICES			
911	Walk-In Bank	1,000 SF	12.13
912	Drive-In Bank	1,000 SF	24.30
918	Hair Salon	1,000 SF	1.93
925	Drinking Place	1,000 SF	11.34
931	Quality Restaurant	1,000 SF	7.49
932	High-Turnover (Sit-Down) Restaurant	1,000 SF	11.15
933	Fast Food Restaurant without Drive-Through Window	1,000 SF	26.15
934	Fast Food Restaurant with Drive-Through Window	1,000 SF	33.84
935	Fast Food Restaurant with Drive-Through Window and No Indoor Seating	1,000 SF	153.85
936	Coffee / Donut Shop without Drive-Through Window	1,000 SF	40.75
937	Coffee / Donut Shop with Drive-Through Window	1,000 SF	42.8
938	Coffee / Donut Shop with Drive-Through Window and No Indoor Seating	1,000 SF	75
940	Bread / Donut / Bagel Shop with Drive-Through Window	1,000 SF	18.99
941	Quick Lubrication Vehicle Shop	Service Bays	5.19
942	Automobile Care Center	1,000 SF	3.11
943	Automobile Parts and Service Center	1,000 SF	4.46
944	Gasoline / Service Station	Fueling Positions	13.87
945	Gasoline / Service Station with Convenience Market	Fueling Positions	13.51
946	Gasoline / Service Station with Convenience Market and Car Wash	Fueling Positions	13.94
947	Self Service Car Wash	Stalls	5.54
948	Automated Car Wash	1,000 SF	14.12
950	Truck Stop	1,000 SF	13.63

Note: All land uses in the 800 and 900 series are entitled to a "passby" trip reduction of 60% if less than 50,000 ft² or a reduction of 40% if equal to or greater than 50,000 ft².

* Approximated by 10% of Weekday average rate.

**PRELIMINARY PLAT OF
WILLIAM WAY SUBDIVISION**
A Planned Community located in the
N.E. 1/4 of Sec. 26, T38S, R1W, W.M. and in the
City of Talent Jackson County, Oregon

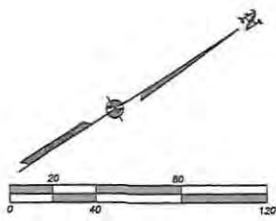


OWNER:
BRADLEY PROPERTIES, LLC, ET AL
612 OMA ST
ASHLAND, OR 97520

NOTES:
EXISTING PROPERTY: 4.37 ACRES +/-
ZONING: LU
ELEVATION DATUM: NAVD 1988 PER CITY OF TALENT BM #1.

EASEMENTS PER TITLE REPORT

- EASEMENT FOR TRANSMISSION & DISTRIBUTION OF ELECTRICITY PER VOL.149, PG.84, JCDR. DOC. 80-10654 & 83-01855 DRUGO. NO SPECIFIC LOCATION GIVEN.
- SLOPE & UTILITY EASEMENT PER DOC. 02-29251, DR.DOC. SHOWN.



REGISTERED PROFESSIONAL LAND SURVEYOR <i>James E. Higgs</i> OREGON JULY 17, 1986 JAMES E. HIGGS 2034 RENEWAL DATE: 6-30-17 © L.J. FRIAR & ASSOCIATES, P.C. 2016	FILE: TENTATIVE SUBDIVISION PLAT ASSessor's MAP #: 381W26AD TL500 FOR: SUNCREST HOMES, LLC PO BOX 1313 TALENT, OR 97540	DATE: 20 DEC 2016 SCALE: 1 inch = 40 feet DRAWN BY: JCH CHECK BY:
	L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1947, Talent, OR 97533 Phone: (541) 772-2762 Email: ljf@friarandassociates.com	ROTATION: 57 JOB#: 162387W Sheet 1 of 1.

SITE DATA

TOTAL PROPERTY AREA (after deductions): 151,429 sq.ft.
 STREET PAVING AREA: 27,776 sq.ft.
 PROPERTY AREA MINUS PAVING: 123,653 sq.ft.
 ALGEBRAIC BUILDING COVERAGE: 3.2% = sq.ft.
 COVERAGE DEDUCTION: 1100 sq.ft. per lot; 3,500 sq.ft.
 ADJUSTED TOTAL COVERAGE: 50.474 sq. ft. (33.2%)

TOTAL DETACHED HOMES LOT AREA (3 lots): 15,179 sq.ft.
 COMMON OPEN SPACE: 5,845 sq.ft.
 COMMON LANDSCAPED AREA (including gutters): 2,423 sq.ft.
 MIN. II FAMILY PARKING AREA: 22,079 sq.ft.
 STREET PARKING: 21 parallel parking spaces.
 CHP STREET PAVING: 55 (garage), 10 (park)

SETBACKS

Setback Category	Code	Proposed Distance
GARAGE SETBACKS AT STREET	24'	24'
GARAGE SETBACKS AT ALLEY	5'	No change
FRONT HOUSE SETBACKS	20'	10'
SIDE SETBACKS	5' + 2' for 2nd story	5' (both stories)
SIDE SETBACKS AT CORNER	10'	No change

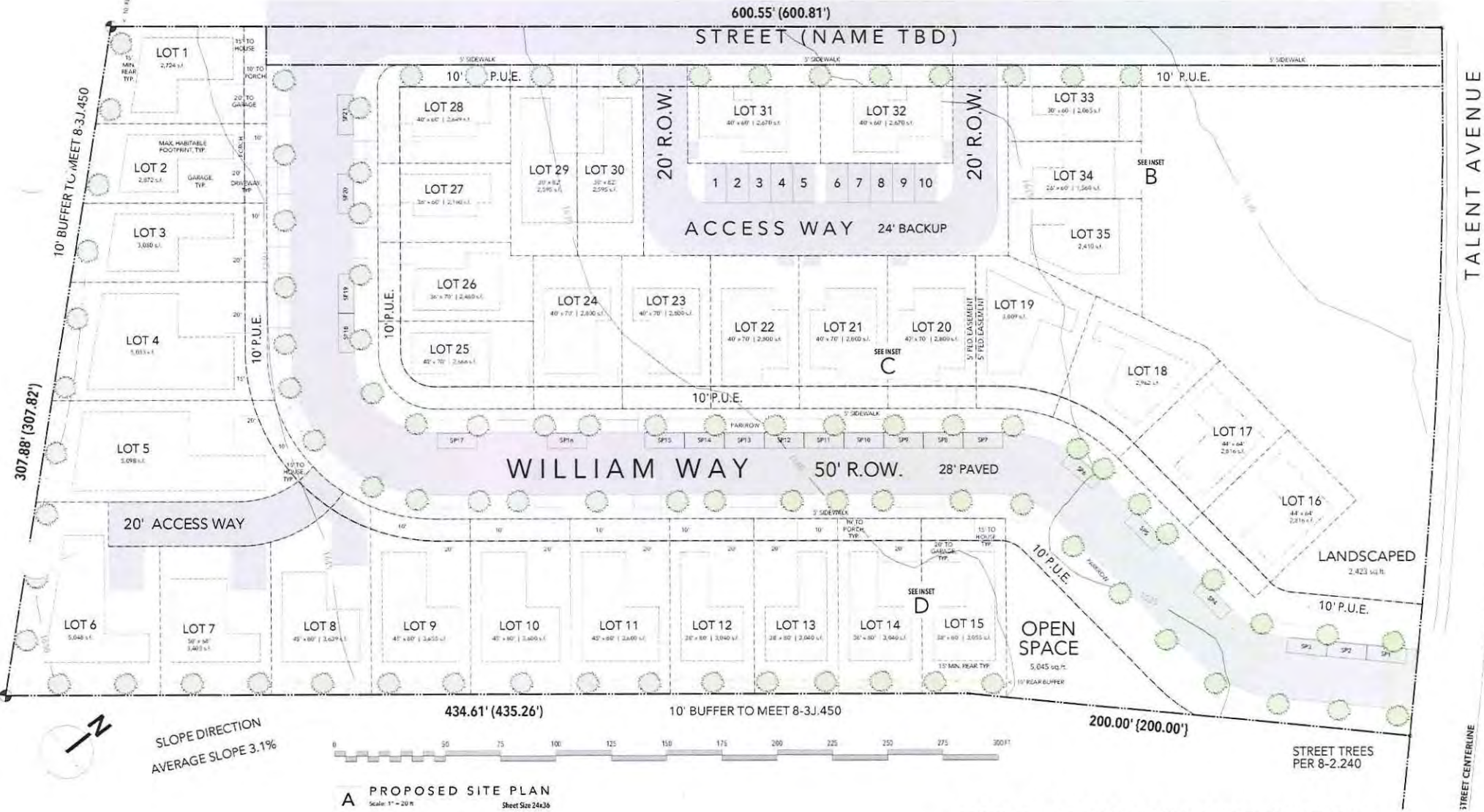
OTHER

DATE FRMS: 10
 STREET R.O.W.: 50' = 20' (front) + 10' (side) + 5' (sidewalk) + 5' (sidewalk)
 ACCESS WAY R.O.W.: 20'
 ACCESS WAY R.O.W. (WITH PAVED IN PARKING): 24'
 RECREATION AREA: MIN 250 sq.ft. per lot, plus additional common space

LEGEND

- GARAGES - PORCHES
- MAXIMUM HABITABLE FOOTPRINT
- CONCRETE SIDEWALKS & DRIVEWAYS
- ASPHALT

DRAWING VERSION 1.2 • MODIFIED 12/5/2016



"WILLIAM WAY" SUBDIVISION

SITE DATA

TOTAL PROPERTY AREA (with dual cove): 150,459 sq.ft.
 STREET PAVING AREA: 27,776 sq.ft.
 PROPERTY AREA MINUS PAVING: 122,683 sq.ft.
 AGGREGATED BUILDING COVERAGE: 52,914 sq.ft.
 COVERAGE DEDUCTION (750 sq.ft. per lot): 3,000 sq.ft.
 ADJUSTED TOTAL COVERAGE: 50,414 sq.ft. (38.3%)

TOTAL DETACHED HOMES LOT AREA (3 Reg): 15,179 sq.ft.
 COMMON OPEN SPACE: 3,045 sq.ft.
 COMMON LANDSCAPED AREA (including parking): 2,423 sq.ft.
 MULTIFAMILY FACILITY AREA: 22,919 sq.ft.
 STREET PARKING: 21 parallel parking spaces
 OFF-STREET PARKING: 55 (30 on-st, 25 off-st)

SETBACKS

Setback Category	Code	Proposed Setback
GARAGE SETBACKS AT STREET	24'	20'
GARAGE SETBACKS AT ALLEY	3'	No Change
FRONT HOUSE SETBACKS	20'	10'
SIDE SETBACKS	3' - 8' for 2nd story	3' (with corner)
SIDE SETBACKS AT CORNER	10'	No Change

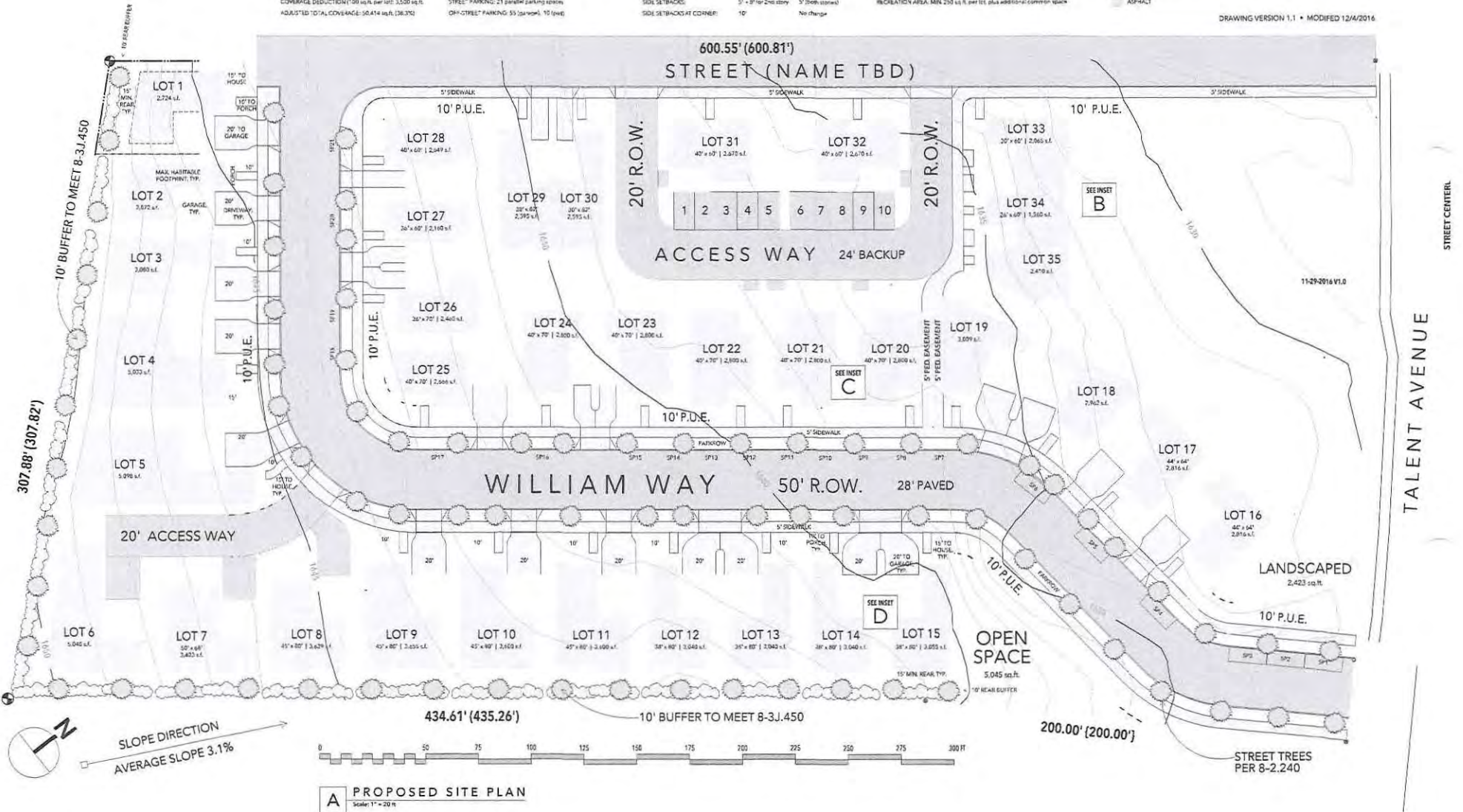
OTHER

DAILY TRIPS: 10
 STREET R.O.W.: 50' w/ 20' driving surface, 5' curb, 3.5' parkway and 5' sidewalk
 ACCESS WAY R.O.W.: 20'
 ACCESS WAY R.O.W. WITH HEAD-IN PARKING: 20'
 RECREATION AREA: MIN 250 sq.ft. per lot plus additional common space

LEGEND

- GARAGES / PORCHES
- MAXIMUM HABITABLE FOOTPRINT
- CONCRETE (SIDEWALKS & DRIVEWAYS)
- ASPHALT

DRAWING VERSION 1.1 • MODIFIED 12/4/2016



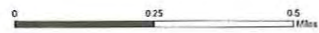


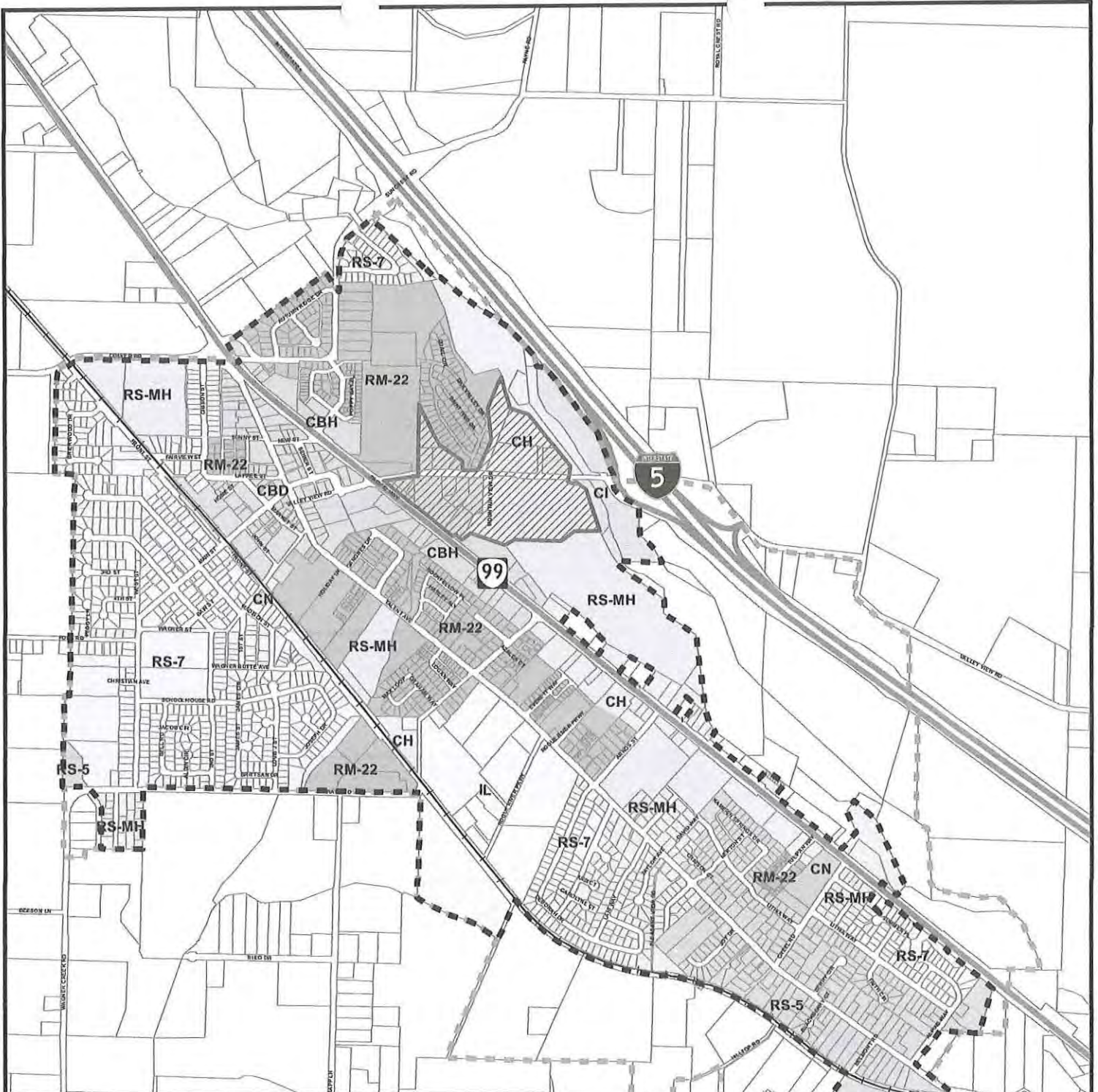
Comprehensive Plan

ADOPTED: 05/24/1950 by ORD 417
 AMENDED: 03/15/2012 by ORD 12-685-0

- | | | |
|--------------------------------------|--------------------------------|------------------------------------|
| Talent Taxlots | Commercial (c) | Residential High Density (rh) |
| City Limits | Light Industrial (li) | Residential Low Density (rl) |
| Urban Growth Boundary | Parks (p) | Residential Manufactured Home (rm) |
| Urban Reserves (Future Growth Areas) | Public Facilities - Civic (pc) | |

Mapping is illustrative only and does not warranty of accuracy. The products are provided for informational purposes and they are not to be used for legal or engineering purposes. All zoning information should be confirmed by the City or other local authorities.





Zoning Map

ADOPTED: 11/1/2006 by ORD 06-817-O
 AMENDED: 01/20/2016 by ORD 16-906-O
 EFFECTIVE: 02/19/2016

- | | | |
|-----------------------|---|--|
| Urban Growth Boundary | Central Business District (CBD) | Light Industrial (IL) |
| City Limits | Highway Central Business District (CBH) | Multiple Family - High Density (RM-22) |
| Diveup Overlay | Highway Commercial (CH) | Single Family - Low Density (RS-5) |
| County Tax Lots | Interchange Commercial (CI) | Single Family - Medium Density (RS-7) |
| | Neighborhood Commercial (CN) | Single Family Manufactured Housing (RS-MH) |



This map is a planning tool and does not constitute a contract. The City of Joliet is not responsible for any errors or omissions. All zoning information should be confirmed by the City of Joliet Planning Department.



FEMA Floodplains

Effective: 5/3/2011 by ORD 11-859-0

The Federal Emergency Management Agency (FEMA) is a federal agency created in 1979 to provide a single point of national leadership for all federal activities related to disaster preparedness, emergency response and recovery. FEMA's mission is to "support the states and the citizens in their efforts to reduce the loss of life and property and protect the public health and safety of the Nation." FEMA's floodplains are based on the frequency of natural flooding. Flooding is the temporary and/or long-term inundation of normally dry land areas from the overflow of inland waters or the unusual and high accumulation of wind-blown debris from any source. For more information about FEMA's floodplains, please visit <http://www.fema.gov>.

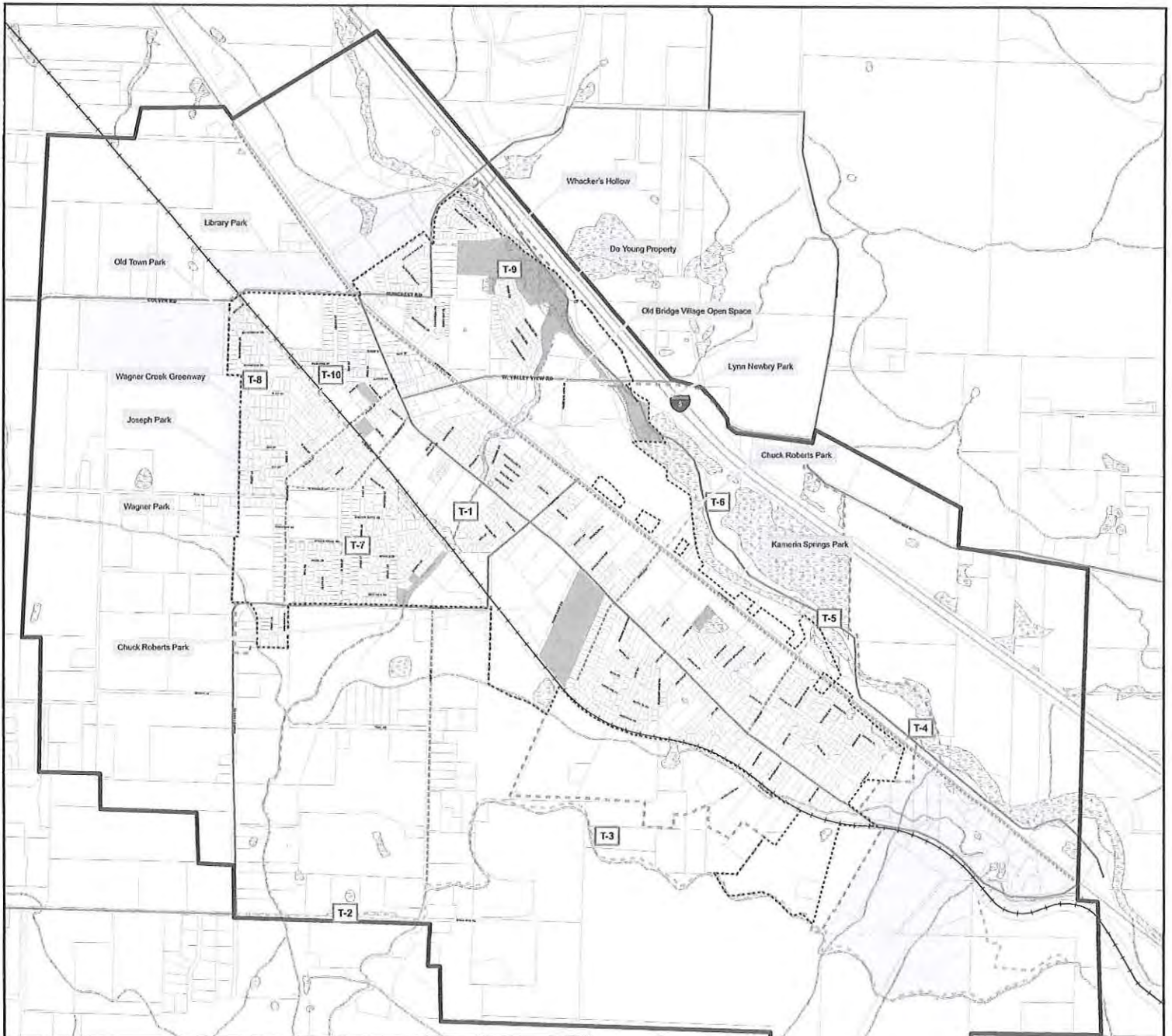
The 100-year floodplains represent the local water of Talent Urban Growth Boundary subject to a one percent chance of flooding in any given year. Talent, Oregon, City will assist the Floodplain Ordinance in providing information for development within the floodplains. City will notify the property owner of the results of a floodplain study. The only way to determine if a property is in the floodplains is to use the maps and FEMA maps at the Community Development Office. The information should be discussed with the Community Development Office due to the possibility of flooding a specific site by the FEMA map. Please contact Community Development at (531) 326-7333 for more information.

- Tax Lots
- City Limits
- Urban Growth Boundary
- Structures in 100 yr Floodplain
- Highways
- Railroads
- Bear Creek
- Creeks & Streams

- ### Floodplains
- Floodway
 - 100 Year Floodplain
 - 500 Year Floodplain

Map is for informational purposes only and does not constitute an insurance policy. This product was created for informational purposes and may not have been prepared by a licensed agent. For more information, please contact the City of Talent at (531) 326-7333.





Parks & Trails Map

Parks Master Plan July 2006

ADOPTED: 5/20/11 by RES 01-501
AMENDED: 11/20/13 by RES 13-508

- Urban Growth Boundary
- City Limits
- Planning Area
- Wetland
- Existing Parks & Open Space

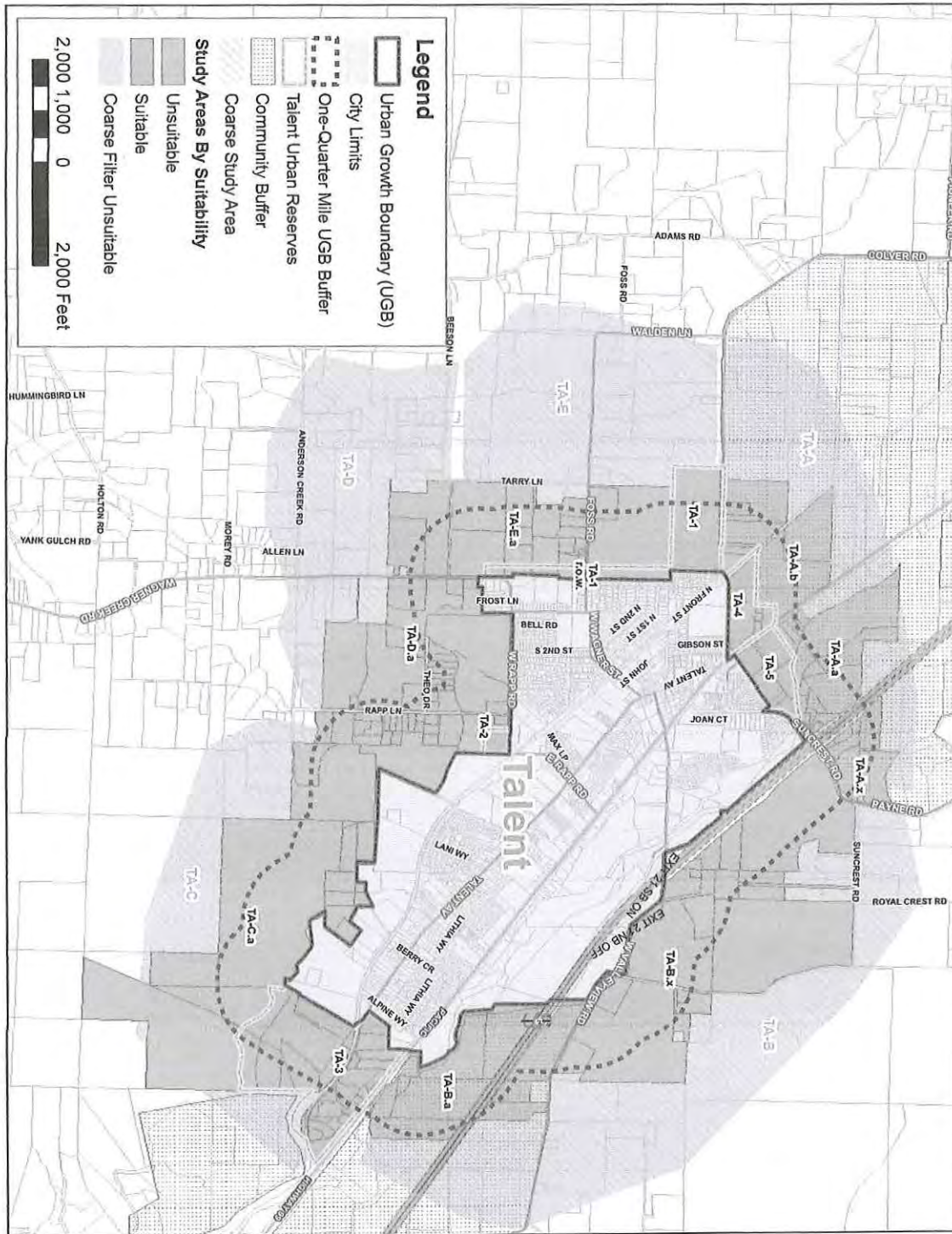
- Urban Reserves (Future Growth Areas)
- TSP Proposed Bike Paths
- Proposed Trails/Pathways
- Existing Bikepaths

Paths and Trails Proposed by the Parks Master Plan

- T-1 Wagner Creek Trail
- T-2 Quail Run Road Trail
- T-3 Ridgeline Trail
- T-4 Alpine Trail
- T-5 Crows Trail
- T-6 Amos Trail
- T-7 2nd St/Schrockhouse Trail
- T-8 Collier Trail
- T-9 Whacker's Hollow/DeWong Loop
- T-10 Fred Trail

Maping is not a guarantee and does not constitute an assurance of accuracy. The provided data is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, planning, or property investment purposes. All zoning information should be confirmed by the City prior to use for any purposes.





Greater Bear Creek Valley - Regional Plan

Study Lots By Suitability
Talent



EXHIBIT "B"



City of Talent

Comprehensive Plan & Zoning Map Amendment

35-Lot Subdivision and Variance

FILE: REZ 2016-001, CPA 2016-001, SUB 2016-001, VAR 2016-001



Process

Comprehensive Plan & Zoning Map Amendment

TYPE 4 Legislative Action

Subdivision & Variance

TYPE 3 Quasi-Judicial Action

- Consolidated Applications
- Requires Planning Commission Recommendation to City Council
- Type 3 Application cannot be approved without approval of Type 4 Application
- Staff is requesting these applications be heard during two public hearings
 - Concept Plan (initial hearing)
 - Final Plan (second hearing)





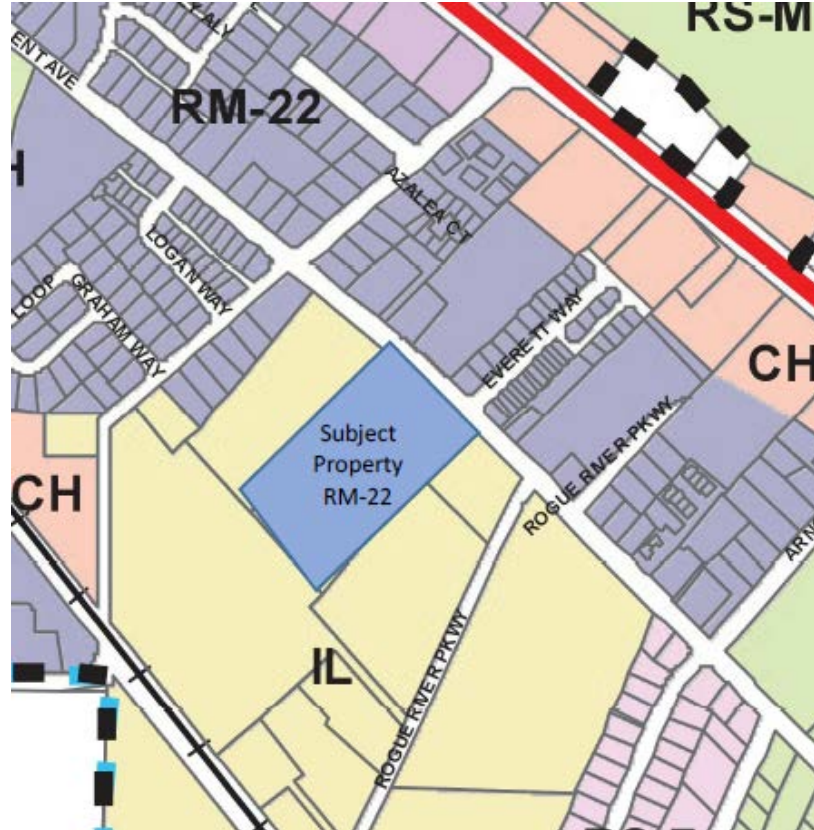
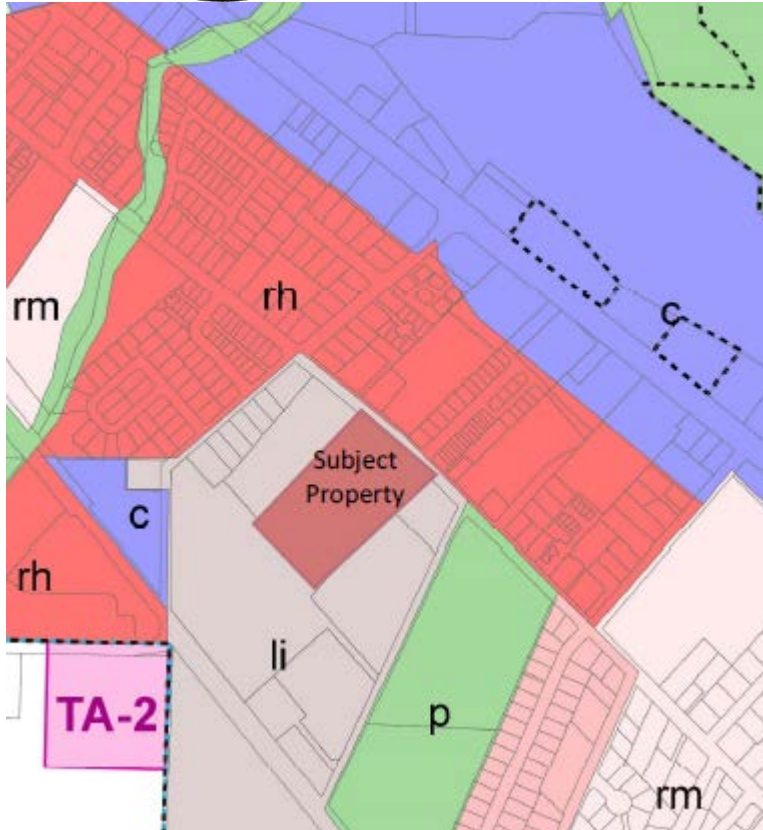
Proposal

- **Comprehensive Plan and Zoning Map Amendment**
 - From Light Industrial to High Density Residential Comprehensive Plan Designation
 - From Light Industrial to Multiple-Family – High Density Zoning Designation
- **35-Lot Subdivision/Variance**
 - Two phases (single family dwellings, apartments)
 - Single family dwellings include: attached and detached dwellings
 - Lot sizes range from 1,500 square feet (SFR attached) to 5,000 square feet (SFR detached).
 - Proposal requests a variance to side yard and front yard/garage setbacks.
 - Completion of ½ street improvements adjacent to OSF and new street to align with Everett Way at Talent Ave.





Map Amendments





Required Findings

- **Oregon Administrative Rules**
 - OAR 660-012-0060, Plan and Land Use Regulation Amendments
- **Talent Comprehensive Plan**
 - Element B – Parks and Recreation
 - Element D – Transportation
 - Element E – Economy
 - Element F – Public Facilities
 - Element G – Housing Needs and the UGB
 - Element H – Regional Plan





Oregon Administrative Rules

- **Oregon Administrative Rules**
 - OAR 660-012-0060, Plan and Land Use Regulation Amendments

FINDING: The proposed change will not degrade the performance of the existing transportation facility and does not appear to impact the level of service below that required by the Transportation System Plan.

FINDING: Decreases the volumes and level of service for the highest and best uses in the Industrial Designation.

FINDING: The proposed amendment would not significantly affect the transportation facility



Talent Comprehensive Plan

- **Talent Comprehensive Plan**
 - Element B – Parks and Recreation
 - ***POLICY 3: Recreation: It is the policy of the City of Talent to provide recreational opportunities that balances the needs of all ages and users.***

FINDING: Pedestrian facilities included in the proposed development plan will allow the residents to enjoy Chuck Roberts Park, which is within comfortable walking distance of the site.



Talent Comprehensive Plan

- **Talent Comprehensive Plan**

- Element D – Transportation

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

~~FINDING: Pedestrian facilities included in the proposed development plan will allow the residents to enjoy Chuck Roberts Park, which is within comfortable walking distance of the site.~~



Talent Comprehensive Plan

- **Talent Comprehensive Plan**
 - Element E – Economy

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

FINDING: The City has identified a surplus of industrial land and has a deficit of residential land for the 20-year planning horizon.

FINDING: Converting surplus industrial land to high density land to address the short term residential demands without negative impacts to the industrial land needs meets the intent of this policy.



Talent Comprehensive Plan

- **Talent Comprehensive Plan**
 - Element E – Economy

➤ *Objective 2.3: The City will develop policies to identify industrial areas that are more appropriate for other uses (e.g., residential uses) based on their site characteristics (e.g., location, size, configuration, or transportation access.*

FINDING: The approval of this application will address the identified surplus of industrial land and the deficit of residential land.

FINDING: The subject property is adjacent to existing residential development, city park facilities and comfortable walking distance to the downtown core of the city using existing pedestrian facilities.



Talent Comprehensive Plan

- **Talent Comprehensive Plan**
 - Element E – Economy

➤ *Implementation Strategy 2.3b: If industrial sites are re-zoned to residential uses, identify new industrial sites suitable to replenish the supply of industrial land to meet Talent’s identified industrial land need in the Economic Opportunities Analysis.*

FINDING: Approval of this application would convert 4.37 acres of industrial lands to residential lands, leaving a 1.82-acre surplus of industrial land within the current UGB.

FINDING: TA-4 has been identified as suitable for industrial growth and makes available approximately 17 acres of land for future industrial needs.



Talent Comprehensive Plan

- **Talent Comprehensive Plan**
 - Element G – Housing Needs and the UGB

➤ ***POLICY 1: PROVIDE FOR ALL OF TALENT'S HOUSING NEEDS FOR THE TWENTY YEAR PLANNING PERIOD WITHIN THE EXISTING URBAN GROWTH BOUNDARY.***

FINDING: Based on the projected population growth in the next 20 years, the Talent will have a need of 1,272 dwelling units. The City has a deficit of 642 dwelling units in the next 20 years.

FINDING: The shortage of available land residential development negatively effects the affordability of housing of all housing types and all residential densities.



Talent Comprehensive Plan

- **Talent Comprehensive Plan**

- Element G – Housing Needs and the UGB

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

FINDING: The proposed housing types include small lot single family detached, small lot single family attached and future attached multifamily dwellings.

FINDING: As proposed, the density is greater than the target 6.6 units per acre required by the Regional Plan (proposed plan is approx. 10 units/acre)



Talent Subdivision Ordinance

CRITERIA FOR SUBDIVISION APPROVAL

- Meet the requirements of ORS 92
- Meet the City's Preliminary Plat Approval Criteria
- Meet the Development and Design Standards in Chapter 8-2, Article 2
 - Includes Open Space Requirements
 - Public Facilities and Improvements
 - Pedestrian Access and Circulation
 - Street Trees and Transportation Facilities (Narrow Street Exception)
 - Vehicle Access and Circulation
 - Storm, Sewer and Water Improvements



Discussion Items

Narrow Street Exception

An exception to the local residential standard may be considered by the Planning Commission under certain conditions:

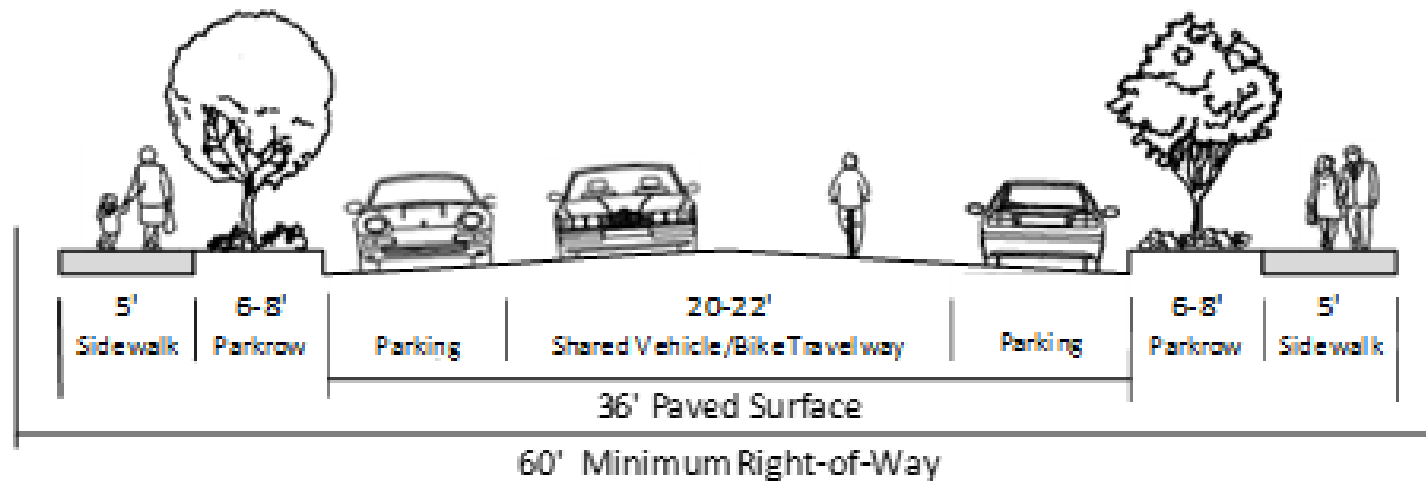
- Average Daily Traffic is not reasonably expected to exceed 800 trips.
- Distance between cross streets is no more than 600 feet.
- The street is a cul-de-sac not designed to provide future through-connection.
- Expected parking demand can be met off street (considering the land uses/zoning in the vicinity).
- The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.
- The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on-street parking).





Street Standards

LOCAL RESIDENTIAL CROSS SECTION - PARKING BOTH SIDES



SITE DATA

TOTAL PROPERTY AREA (after dedication) 159,459 sq.ft.
 STREET PAVING AREA: 27,776 sq.ft.
 PROPERTY AREA MINUS PAVING: 131,683 sq.ft.
 AGGREGATED BUILDING COVERAGE: 53,621 sq.ft.
 COVERAGE DEDUCTION (100 sq.ft. per lot): 3,500 sq.ft.
 ADJUSTED TOTAL COVERAGE: 50,121 sq.ft. (38.1%)

TOTAL DETACHED HOMES LOT AREA (3 lots): 15,179 sq.ft.
 COMMON OPEN SPACE: 5,045 sq.ft.
 COMMON LANDSCAPED AREA (excluding parkway): 2,423 sq.ft.
 MULTI-FAMILY PARCEL AREA: 22,019 sq.ft.
 STREET PARKING: 27 parallel parking spaces
 OFF-STREET PARKING: 55 (garage), 10 (pad)

SETBACKS

Setback Category	Code	Proposed Variance
GARAGE SETBACKS AT STREET	24	20'
GARAGE SETBACKS AT ALLEY	5	No change
FRONT HOUSE SETBACKS	20	10'
SIDE SETBACKS	5' + 8' for 2nd story	5 (both stories)
SIDE SETBACKS AT CORNER	10	No change

OTHER

DAILY TRIPS: 10
 STREET R.O.W.: 50' w/ 28' driving surface, 6' curb, 5.5' parkways and 5' sidewalks
 ACCESS WAY S.O.W.: 20'
 ACCESS WAY S.O.W. WITH HEAD-IN PARKING: 24'
 RECREATION AREA: MIN 250 sq.ft. per lot, plus additional common space

LEGEND

- GARAGES / PORCHES
- MAXIMUM HABITABLE FOOTPRINT
- CONCRETE (SIDEWALKS & DRIVEWAYS)
- ASPHALT

DRAWING VERSION 1.5 • MODIFIED 12/22/2016



A PROPOSED SITE PLAN
 Scale: 1" = 20 ft
 Sheet Size 24x36

"WILLIAM WAY" SUBDIVISION



Discussion Items

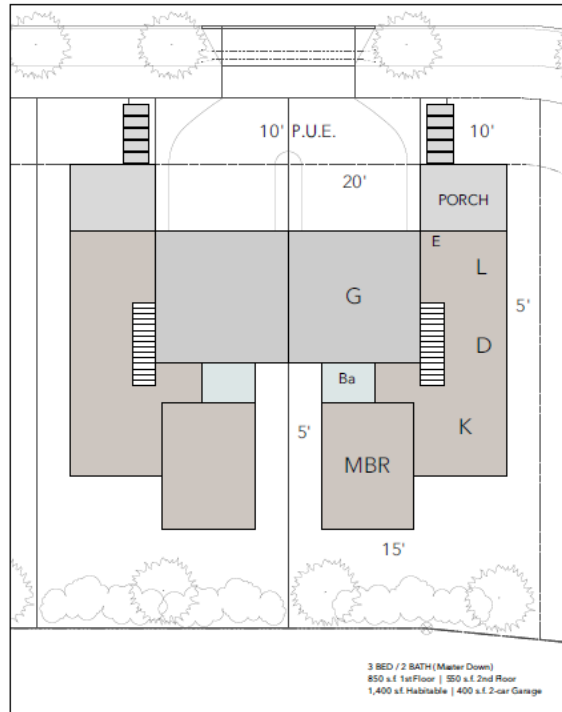
8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

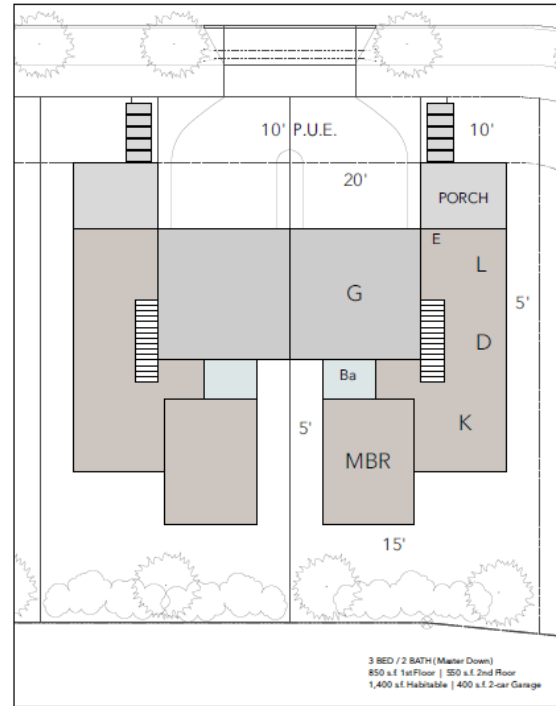
- A. There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control;
- B. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;
- C. The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and
- D. The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.



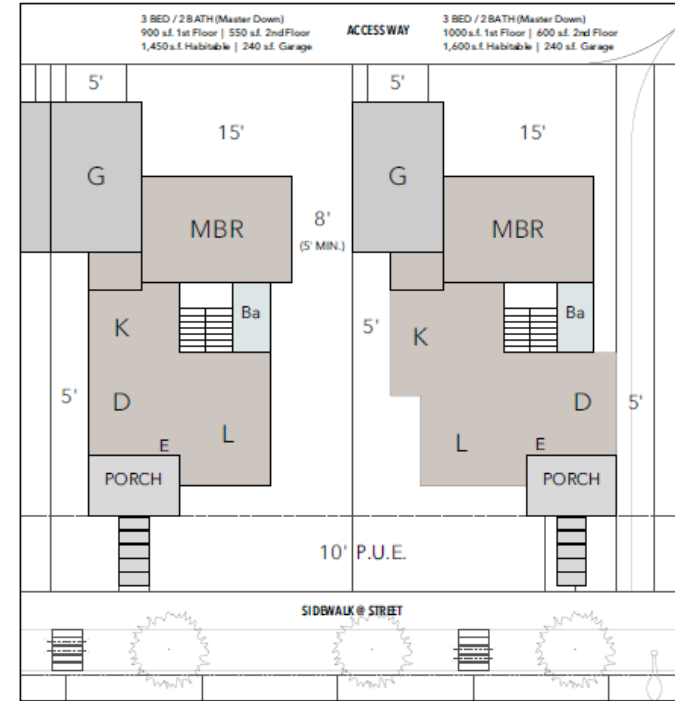
Typical Floor Plan



D SEMI-ATTACHED SFDs
Scale: 1/8" = 1'-0"



D SEMI-ATTACHED SFDs
Scale: 1/8" = 1'-0"



C ZERO-SETBACK SFDs
Scale: 1/8" = 1'-0"



Rendering





Next Steps

Recommend approval to City Council as proposed

Amend draft language to reflect Planning Commission and new public comments and keep public hearing open. Bring revised amendment back to Planning Commission during the May meeting



EXHIBIT "C"



**TALENT PLANNING COMMISSION
MEETING MINUTES
TALENT TOWN HALL
JANUARY 26, 2017**

***Study Session and Regular Commission meetings are digitally recorded and will be available online at:
www.cityoftalent.org***

The Planning Commission of the City of Talent will meet on Thursday, January 26, 2017 in a regular session at 6:30 P.M. at Talent Town Hall, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012. The Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

REGULAR COMMISSION MEETING- 6:30 PM

Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the Minute Taker. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the "Citizens Heard on Non-agenda Items" section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the Planning Commission.

I. Call to Order/Roll Call 6:31 P.M.

Members Present:

Commissioner Dolan
Commissioner French
Commissioner Hazel
Commissioner Milan
Commissioner Pastizzo
Commissioner Riley
Commissioner Schweitzer

Members Absent

None

Also Present:

Darby Stricker, Mayor
Daniel Wise, City Councilor
Tom Corrigan, City Manager
Zac Moody, Community Development Director
Jeff Wilcox, Minute-Taker

II. Brief Announcements

III. Consideration of revised Minutes for November 17, 2016

Hazel asked for discussion on the revised minutes from November 17, 2016, no comments were received. Hazel asked the commission to entertain a motion.

Motion: Commissioner Schweitzer moved to approve the revised Minutes of November 17, 2016. Commissioner Milan seconded and the motion carried.

IV. Public Comments on Non-Agenda Items

None

V. Action Items

None

VI. Public Hearing (Legislative) Comprehensive Plan Amendment – Consideration of Text Amendments to the Talent Comprehensive Plan, Element G. As proposed, Element G of the Comprehensive Plan would be repealed and replaced with an updated Element G which includes, goals, objectives and implementation strategies as well as the Housing Needs Analysis as an appendix. The proposed amendments are consistent with Oregon’s Statewide Planning Goal 10, Housing and OAR 660-008 (0000-0040). File: CPA 2016-002. Applicant: City of Talent.

Hazel read the opening statement.

Staff Report

Moody explained that staff has received a lot of comments, some as recently as 1/25/17, the commissioners have been provided copies of these. Tonight, as many questions as possible will be addressed. Staff and consultant have picked out written questions germane to Buildable Lands Inventory/Housing Needs Analysis to cover at the meeting. Moody explained that Beth Goodman, the ECONorthwest consultant for the project, will explain the purpose of this project, describe the process, policies, and the commissioners and public will have the opportunity to ask questions and provide comment. Moody turned the Staff Report over to Goodman.

Goodman’s Presentation

1. Why is Talent doing a Housing Needs Analysis (HNA)?

Cities conduct a HNA to determine how much growth the city will have, population and housing and land available for res dev, and where is the land. BLI helps understand how much land there is. Looks at development patterns. Does Talent have enough land to accommodate future growth (IAW with SWPG goal 10). Also will talk about need for affordable housing and different housing types.

2. How does HNA fit into Talents regulatory framework?

City Charter is the legal document that describes structure and powers of Talent government – it is rarely updated. The Comprehensive Plan document contains goals relevant to development for the City, it is updated occasionally and provides general guidance on new development codes. The Zoning Ordinance takes policies found in the Comprehensive plan and implements them, it is updated fairly frequently. The Subdivision Ordinance also implements the goals in the Comprehensive Plan.

Moody emphasized that this project focuses on policy recommendations, not regulations.

Riley asked if comprehensive plan updates are required.

Moody explained that for populations as small as Talent, periodic reviews are not required.

Goodman added that Oregon generally doesn't enforce periodic review, most cities opt to go through periodic review voluntarily.

3. What are the elements of Talent HNA?

Process started with a review of current policies, which included looking at current comprehensive plan housing element and zoning ordinance. Had to determine under current policies, how much land is needed for growth, conducted HNA, housing market analysis in regional context, looked at population forecast conducted with help of PSU, forecasted housing needs, and developed BLI. Had to determine if we have enough land to accommodate future growth.

For housing needs that cannot be met with current policies, you come up with a housing strategy, revise Comprehensive Plan policies, and make recommendations for zoning policies. A number of these recommendations are complicated and will require public involvement. More analysis public input. Adopt policies and standards. Conduct future monitoring of housing needs and update policies as necessary.

4. How is a HNA connected with UGB expansion?

If housing needs cannot be met with current policies, the City must identify additional policies or changes to increase land use efficiency. If housing needs cannot be met within the UGB, the City must conduct a UGB alternative analysis, which determines where the City expands. The next step is to adopt the analysis, expand the UGB, then monitor and reexamine housing needs. The process is circular.

HNA Overview: Parts of HNA

Demand for new housing is reviewed, which is a function of pop growth and Economic Opportunities Analysis; Supply of new housing is reviewed, which is a function of land base and existing housing stock. The HNA looks at demographics, income, housing costs and their interactions, and supply of current housing, supply stocks and characteristics of housing.

First Part of HNA, the BLI

Developed by City staff in accordance with state goals and laws.

First identify: Vacant land – land with no structure, or structure below \$10000

Then identify Partially Vacant land: has structure, but could possibly be subdivided without changing zoning. Examined PV closely to make sure nothing was landlocked.

Constraints: were removed, including: floodways, regulatory wetlands and slopes > 25%

BLI Findings – Vacant and Partially Vacant Land Availability

Residential Low Density: 107 acres

Residential Medium Density: 5 acres

Residential High Density: 12 acres

Goodman pointed out that approximately 70 of these “available” acres are within the Railroad District Master Plan area, in south Talent.

Goodman asked for questions related to BLI

Riley asked if structures less than \$10,000 is the industry standard for vacant land designations.

Goodman replied, yes.

Riley asked if the value is assessed by Jackson County.

Moody explained that yes, those assessment values are based off Jackson County records.

Capacity of Buildable Lands Inventory

Goodman the next step was to look at vacant land and come up with densities based on historic development patterns.

- Residential Low Density-City Limits: 38 acres available, with 4 dwelling units/acre, capacity for approx. 152 dwelling units
- Residential Low Density-UGB: 69 acres, with 4 dwelling units/acre, capacity for approx. 276 dwelling units
- Residential Medium (Manufactured Housing) Density is 7.7 dwelling units/acre
- Residential High Density 13.7 dwelling units/acre 164 units.
- Current dwelling unit capacity is approx. 630 under current policies.

Sloped Lands in BLI

French asked, when BLI was done, how were slopes counted?

Goodman replied, on the last page of BLI, the map shows slopes through the city: anything 25% or greater slope is not counted as buildable land, anything less was considered buildable. She added that land with 10-25% slopes really don't have the same capacity that flat lands do. City may consider increasing density on flat portions to adjust for slope constrained lands.

Forecast of Housing Growth, 2017-2037

How much housing will Talent need from 2017-2037 Period. Growing by 2716 new people. Talent will need 1185 new occupied dwelling units and 87 units for vacancy rate. Talent's vacancy rate is probably around 1-2%, a normal vacancy rate is between 5-10%. The HNA used the legally sound vacancy rate of 7.3%, which came from 2010-2014 Census Data. Oregon State Statute "Safe Harbor" protocol is to use vacancy data from most recent census. The analysis determined that Talent will need 1272 additional Dwelling Units.

Key Findings:

- Talents housing is predominantly single-family detached, 76% of current housing stock.
- Affordability is a key issue in Talent, region and nation.
- Demographic trends suggest future demand for a wider range of housing types.
- Millennials (population born 1980-2000) preferring Single Family Residence detached housing on smaller lots. Affordability is an issue here; this is also an issue for Latino population.
- 49% of Talent households are house burdened (more than 30% Gross Income goes to housing costs); 56% of renters are house burdened; 45% owners are house burdened. This is an issue in Jackson County, at state and national level.
- Develop policies to allow or encourage development of a wider range of housing types:
 - Accessory dwelling units, small lot sf housing, cottage housing, tiny housing, townhouses, apartments, and government subsidized housing.
- Affordability: Median income in Jackson County is \$53k, as defined by Housing Authority.
 - Low income = 60% or less of median family income, \$32k or less.

- Many are house burdened or in subsidized housing
- Moderate income (workforce housing) is 60-120% median family income \$33k-64k, most seek apartments at market rate and low cost Single Family Residence.

Needed new Dwelling Units 2017-2037

- 1272 total dwelling units
- 65% percent single family detached
- 10% single family attached
- 25% multi-family
- Comments indicate not enough MF housing; Talent had had much multifamily housing in more than a decade.
- Achieving more than 300 MF units may be very challenging. Rules for housing dictated largely by industry.
- Single Family Detached housing in other cities: Phoenix 74%, Medford 76%, Ashland 64%
- When comparing capacity to demand, we find there is a deficit of 642 dwelling units. Each comprehensive plan designation has a deficit (RL, RM & RH)

Hazel asked if Southern Oregon University housing was included in Ashland.

Goodman explained institutional housing is not counted, but privately owned housing would be included.

Key Conclusions:

- There are development constraints in the Railroad District Master Plan area within the UGB. The City will need to address transportation challenges, as well as sewer and water. Without this area included, the housing problem is a lot worse.
- Talent Urban Reserves aren't much better than UGB for residential needs.
- Recommended to add a Medium Density designation to the Comprehensive Plan, in addition to existing Residential-Manufactured Home designation
- Provide opportunity for development of more diverse housing types
- Increase density on lands outside CL in UGB, or increase density within city limits to offset RPS density requirements.
- Work with RPS to resolve Urban Reserve issues

Goodman asked for questions on the HNA before proceeding to housing policies.

There were none.

Housing Policies

Policy #1 – Land Availability

- Unite Oregon submitted a letter regarding affordable housing and the need to provide housing for lower income.
- 1000 Friends of Oregon provided a commend that focused on land use efficiency and mentioned that the HNA densities policies aren't consistent with RPS, they also recommended the City look for surplus of commercial and industrial land when considering residential needs.
- Items discussed within Policy 1 include:
 - establishing a true Medium Density designation,
 - identifying Low Density lands that should be High Density,

- identifying commercial/industrial properties that should be low/med/high residential land (consistent with EOA),
- Implementing Railroad District Master Plan infrastructure,
- addressing requirements of RPS plan,
- addressing Efficiency Measures, for expansion of UGB,
- and monitoring land development.

Policy #2 – Housing Types

- Items discussed within policy 2 include:
 - Opportunities for providing housing for low income households, including government-assisted housing
 - encourage development of accessory dwelling units
 - Provide opportunity for development for some higher income households 64k+ (8000-12000 sqft lots are still desirable to some).
 - Support renovation of existing housing

Policy #3 – Efficient Development Patterns

- Items discussed within policy 3 include:
 - Provide a variety of housing types, RPS target is 6.6 dwelling units per gross acre
 - Cottage housing is 600sqft-1000sqft sometimes clustered together on a lot. Tiny houses are generally smaller than cottages (150-400sqft) often on a trailer bed. State Building Code has not caught up to tiny housing movement.

Schweitzer asked if the state is working on building code changes to address Tiny Houses.

Moody explained that there is a group that is just starting the process to make legislative changes.

- Develop policies to encourage residential mixed use in downtown (consistent with Economic development objectives)
- Identifying and planning for infrastructure investments necessary to support redevelopment of downtown sites (consistent with Economic Development program)
- Develop policies to allow residential/mixed use in other areas of the City, such as along some portions of Talent Ave, and in that general area.

Moody added that there is not a lot of on street parking in North Talent conducive to residential, but there is a lot of Central Business District property behind Talent Ave.; no specific properties have been targeted yet, but this document would provide direction to aim that general direction.

Policy #4 – Zoning Flexibility

- Items discussed within policy 4 include:
 - Flexibility in lot sizes (with Flag lots) to provide consistency with other jurisdictions.
 - Develop standards for residential development based on number of bedrooms instead of number of dwelling units.

Moody explained, currently Talent Zoning Code (TZC) requires 2 parking stalls per unit, if someone wants to build 40 one bedroom units, they have to provide 80 parking stalls, this eats heavily into density, then maximum density cannot be met and the intent of the underlying zone can be lost.

- Streamline building permit review process.

- o Streamline site plan criteria in TZC to make it more efficient and clearer when a development proposal must go to PC for a decision.

Goodman explained that the HNA really looks at the next five-year period and is ambitious, and the City is not limited to strategies or policies within this document, it just provides a bit of direction. Goodman concluded by asking for questions.

Riley stated that there is nothing in the document about supporting solar/wind/alternative building materials. Does this belong in a different part of the Comprehensive Plan?

Moody explained that Together for Talent (T4T) and Rogue Climate Talent (RCT) are working together on two Energy Plans, one short-term and one long-term. The City hopes to incorporate the long-term plan into a new Comprehensive Plan element to address environmental topics like those Riley mentioned.

PUBLIC HEARING OPENED

Mike Savage, CSA Planning (449 Brownridge Terrace, Medford OR).

Here on behalf of clients Eric Artner & Mr. Nieto, own approx. 40 acres of land in RRDMP area. Speaking in support of HNA, they provided a letter to record with minor recommendations.

Moody asked Savage to read the letter for the benefit of Planning Commission and Public

Summary of Letter:

Savage explained that his clients agree with objective 1.2 of the proposed Housing Element and that it is absolutely necessary in order for the City to begin developing land in this area. His clients have three suggestions:

1. City take interest to change other elements of Comprehensive Plan and Transportation System Plan (TSP) as necessary to coincide with Railroad District Master Plan.
2. More ambitious time frame to accomplish the updates, preferably in year 1.
3. Proposed modification 1.2b: recommend City adopts specific policy to utilize existing crossings to satisfy secondary access needs such as to satisfy fire code and safety requirements.

Hazel asked if client is willing to help in the process and asked if getting the railroad crossing are the biggest challenge.

Savage said yes to both questions, he explained that they came up with a solution that had ODOT rail approval, they're looking for assistance with financing. They hope to elevate plan from tier 2 to tier 1 in the TSP. The Belmont Railroad crossing is estimated to cost somewhere between \$800k-1.5m.

Schweitzer: if the City speeds up the timeline, and revises the TSP, 1 year doesn't sound very realistic.

Savage elaborated, they're hoping for target dates for beginning within 1 year to start the processes.

Riley asked where secondary access is in this area.

Savage explained that throughout the state, anything Fire Marshall is ok with in case of an emergency typically works. He added, it would be good to refine secondary emergency access language can be something other than a full street in City policy.

Riley asked what specifically in the Railroad District Master Plan would be revised?

Savage replied, nothing in particular, the problem is how to get the ball rolling. Plan has to be incremental. Problem is with limited access points, unless secondary access requirement is softened. Being able to temporarily use private railroad crossing for emergency access until a later time would be helpful in the development of these lands.

Nancy Buono (240 Sweetbrier Dr., Talent OR)

Buono explained that she was a member of the CAC for this analysis. She explained she had a few points she wanted to make sure were clear:

1. Citizen Advisory Committee was comprised of a diverse group of people from town with diverse backgrounds, it was a pleasure to hear a great variety of discussion.
2. Kept in mind maintaining the quality and character of Talent, to include quality of life and maintaining the diversity of the population in town, to avoid turning into a retirement village.
3. The HNA process was regulated by state rules. Therefore, the analysis is fairly conservative, the CAC was not allowed to consider the fact that Talent is a bedroom community of Ashland.
4. Strongly recommends moving forward with the analysis because it is conservative, state requires infill first, that's why they're looking at medium density areas and varied types of housing.
5. As far as timeframes go, CAC wanted to go quicker, but due to limited size of town and city staff, dates were calculated accordingly.
6. Best interest of Talent was always kept in mind.

Milan asked if Buono could speak about Talent's characteristics.

Buono explained she observes a very diverse community that enjoys Talent's small town nature. Residents enjoy the outdoors and current quality of life and want to maintain small town feeling. CAC/HNA findings indicate we don't have enough land to do what we need to do. The City must create more housing diversity.

Schweitzer acknowledged that the Latino population represents a large portion of the community and asked if there was Latino representation on the committee.

Buono was unsure.

Michelle Glass (360 Blackberry Court, Talent OR)

Glass explained that she is the Regional Director with Unite Oregon and thanked the CAC for hard work on the HNA process. She explained that she goes door-to-door in Talent, Phoenix and Ashland to talk about housing issues such as costs. She speaks with retired folks, young children, etc. In the conversations, many are concerned about losing folks from the community. She agrees the HNA is very conservative, knowing what current reality is for families. Retirees are struggling to hang on with their fixed income, same with individuals with children. She agrees with a lot of objectives in housing element, but the City should also consider two policy strategies from Appendix B: inclusionary zoning and developer incentives. Developers share concerns about affordable housing but the incentives in the market often don't support that. She recommends the City remove barriers to developers so they can provide more affordable housing and expanding the tools the City has at its disposal to respond to developer concerns and constraints allowing for affordable housing. She added that the most vulnerable groups are renters and those making less than \$25k.

French asked for example of what Cities do to incentivize affordable housing:

Glass will provide a list based on recently passed Oregon State Law.

Greg Goebelt (1110 Lithia Way, Talent OR)

Goebelt explained that he is here in support of the HNA and to give attention to the urgency. He explained he is a realtor and resident of Talent, he is also a member of Talent Chamber of Commerce, member of the Historical Society. He is here as a professional and as someone who cares deeply about the town. Goebelt added that there was a land shortage two years ago. From his vantage point, Talent is drastically in need of land and development. Many clients he is talking to can't afford to move back to their childhood town. He acknowledged that he is glad that his home price is increasing but not happy to see it increasing so unfairly, the story is much the same with rental costs. Rental rates today are astronomical compared to historical rates; he explained that the price went from \$850-1350 nearly overnight. Talent needs a wide variety of housing. He is concerned with losing families due to being priced out. He added that he cares about what is built but explained that housing availability in the City is also way behind.

Dolan asked Goebelt if he sees any trends with lot sizes; will small lot sizes will be undesirable or are people increasingly okay with small sizes?

Goebelt explained that smaller homes are in fashion generally, especially with "empty nesters" 40% of buying population roughly. Young families are more interested in 3-4 bed in affordable ranges, so something smaller in square footage. As Talent moves ahead you'll see what the market is interested in. The timeline is the important aspect.

Schweitzer asked if people are being priced out of Talent, where are they going?

Goebelt explained that as appreciation slows to 6% and interest rates are beginning to rise there's a small window of opportunity to buy, there are few lots under 400k. Something that was \$1300 in Kameron Springs is now \$1700. Today, folks are considering renting in Phoenix.

Milan explained that he hears interest in maintaining the quality and character of Talent, he asked Goebelt if he could express or explain that quality and character of Talent.

Goebelt explained that volunteerism, agriculture and specialty goods are a big part of it. He added that diversity is available if Talent keeps on its path. Ultimately diversity depends on what housing options are available to the population. He emphasized create a place to be downtown as it contributes to a sense of pride. He concluded by opining that Talent has always been very inclusive but unless housing changes, this will limit inclusivity and he cares about the diversity of the town greatly.

Nancy Lynn (1001 Crimson Ct., Talent OR)

Lynn explained that she is a local homeowner and interested citizen. She shared the following:

- Lynn agrees with the speed of proposed actions.
- Prompt rezoning from commercial to residential will help with providing more housing. Especially on Talent Ave, where it is very walkable.
- Would like to see immediate annexation of land for residential needs. Sooner the better. In medium density proposal 4400sqft lots.
- Would prefer to see 5000sqft, as is pretty standard in most urban areas, unless the development is part of a Planned Unit Development with shared open space.
- Manufactured Home housing areas should be considered for renovation and multifamily.
- Arts are important, Camelot Theater, Oregon Shakespeare Festival, downtown artist live/work space should be considered. This is part of the vibrant downtown concept that is discussed here.
- Would like to see Talent emphasize downtown redevelopment.
- Being so near to Ashland, we have to acknowledge spillover and think regionally.

Riley expressed interest in seeing more information on live/work units.

Lynn explained that Santa Barbra and Ventura are good examples of where this is implemented, she will be happy to provide additional information to community.

Stefanie Moss (3 Logan Way, Talent OR)

Moss explained that she is a homeowner with love for Talent. She wants to address concern about vacation rental prices:

- Talent has 36 vacation rentals, bed and breakfasts (BNB), supervised and unsupervised.
- These vacation rentals eat into longer term rental stocks
- Vacation rentals should be limited to five people
- Vacation rentals should consider substandard roads, which are very narrow, and leads to congested parking
- Emergency vehicles could not get by if the street parking is filled

Hazel asked how that relates to the current public hearing for CPA 2016-002.

Moss explained she believes rental rates are connected to housing needs.

Moody explained that the City is in the process of identifying BNB's and addressing them accordingly. Right now, the City operates off of complaints. Once the City can establish where they're at, it can work on code revisions. When the BNB code section is drafted up, the planning commission hearing will allow for citizen input. Moody concluded by inviting Moss to speak about specific code enforcement issues at the office.

Moody explained that the planning commission could choose to close the public hearing and deliberate at another specified date and time, this would grant staff time to look into concerns brought up today during the public hearing and bring back responses to a future meeting in the Staff Report. He reminded the commission that land use applications are coming in and the timeline for those is already in play. He concluded that Staff recommends closing the record and public hearing and commissioners could choose to deliberate tonight or another specified date and time.

The Planning Commission unanimously agreed to close the Public Hearing.

PUBLIC HEARING CLOSED

Motion: Riley moved to table deliberation on Element G until February 9th at 6:30.

Pastizzo seconded and the motion carried.

Public Hearing (Legislative/Quasi-Judicial) – Comprehensive Plan and Zoning Map Amendment, 35 Lot Subdivision with Variance – Consideration of a Comprehensive Plan Map Amendment from Light Industrial (LI) to Residential High Density (RH) and a Zoning Map Amendment from Light Industrial (IL) to Multiple-Family High Density (RM-22) for property described as Township 38 South, Range 1 West, Section 26AD, Tax Lot 500. The application also requests the consideration of a 35 Lot Subdivision and associated Variance to property setbacks. Decisions are based on the approval criteria found in Zoning Ordinance 8-3M.160 and 8-3L.4 and Subdivision Ordinance 8-2.320 and are also based on compliance with the Talent Comprehensive Plan and Oregon Statewide Planning Goals. File: REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001. Applicant: Bradley Properties, LLC.

Hazel read the opening statement.

Staff Report:

Moody explained that this item was presented to the planning commission in a staff report with the idea that this is a very large application that will require more than one hearing. Findings from the staff report indicate that staff believes application reasonably meets the code requirements. However, with the subdivision and variance, there are always conditions. Moody explained that the City had an old Planned Unit Development (PUD) process where the commission could do a conceptual plan hearing and a detailed plan hearing; essentially, one meeting to introduce the concept, the other was for the final format. Moody explained that the City doesn't have that in the zoning ordinance, but it is a better process to go through the Staff Report, open the public hearing, take comments, hear from applicants, and then continue the public hearing to next planning commission meeting or another time. This gives staff time to obtain planning commission concerns and incorporate them into the findings. This way, they can adapt conditions of approval to the specific application. Moody added, if the application is not approvable, that's a different story. From staff's view, it is an approvable request.

Application Types

Moody explained there are two different application types for this proposed Land Use Action: Type 3, and Type 4. They're consolidated, therefore all applications are considered Type 4. The Comprehensive Plan Map and Zoning Map Amendment applications are Type 4. The Subdivision and Variance applications are Type 3. Without the Comprehensive Plan Map approval, the Subdivision application can't be approved, and the CPA might be approved, but the subdivision might not. Moody explained that the last similar project in Talent—a PUD—was completed in 2007-2008.

Proposal

Moody stated the Comprehensive Plan Map amendment proposal is to change one parcel from Light Industrial (li) to Residential-High Density (rh). The Zone Change application would change the Light Industrial (IL) designation to Multiple Family-High Density (RM-22). The Subdivision and Variance request, as proposed, contains two phases. Single Family Dwellings first, then apartments. The proposed lot sizes range between 1500-5000 sqft for the Single Family Dwellings. The variance request is for partial relief from the side yard and front yard/garage setbacks. Subject property is located on Talent Ave., between the Oregon Shakespeare building and the "bark park."

Required Findings:

OAR 660-012-0060 – plan and land use regulation amendments
Talent Comprehensive Plan B, D, E, F, G (Current Housing Element)

Element D - Transportation:

Proposed change will not degrade the performance of the existing transportation facility and does not appear to impact the level of service below that required by the TSP. Moody added that the Institute of Transportation Engineers manual indicates that industrial generates more trips than residential.

Element B – Parks and Recreation:

It is the policy of the City of Talent to provide recreational opportunities that balances the needs of all ages and users. The proposed development is complementary to adjacent parks and the proposed internal paths provide a little more opportunity for recreation and includes a common open space.

FINDING: pedestrian facilities included in the proposed development plan will allow the residents to enjoy CRP which is within walking distance of site.

Element E – Economy:

The City has a surplus of Industrial land based on the Economic Opportunities Analysis. Once the map is acknowledged by Department of Land Conservation and Development (DLCD), they'll see that the proposed removal of industrial land will not push the City into a deficit.

FINDING: approval of this application will address the identified surplus of industrial land and the deficit of residential land.

FINDING: approval of this application would convert 4.37 acres of industrial lands to residential lands, leaving a 1.82 acre surplus of industrial land within the current UGB.

Element G – Housing:

Moody explained that existing Housing Element still requires the City to maintain a 20-year supply of residential land.

Moody reiterated that different lot sizes and different housing types are proposed, he believes that item 4.1 of current Element G can be met with this comprehensive plan map change. Also, as proposed, the density is greater than the target 6.6 units per acre required by the RPS Plan. The proposed development is approximately 10 units per acre.

Subdivision Ordinance Review

Moody explained the criteria for approval:

- Meet requirement of Oregon Revised Statute (ORS) 92
- City Preliminary Plat approval criteria
- Development and design standards

Standard right of way width in TSP is 60ft. There is a narrow street exception if trip generation is under 800. This threshold has not been exceeded. Distance between cross streets is no more than 600 ft. Streets do not create cul-de-sac. The proposal connects to existing grid system (Talent Ave.).

Hazel asked if Stage Way connects to William Way

Moody: yes, as proposed

Moody explained this is a unique opportunity for the planning commission because they can engage with the applicant prior to findings and conditions being drafted.

Riley had questions regarding noticing for this Land Use Action.

Moody reassured Riley that signage, newspaper and notice mailing had been sent out in preparation for this hearing. He added that a Neighborhood Meeting notice was also sent out and every public comment that had been submitted in regard to this item has been included for review.

PUBLIC HEARING OPENED

Scott Sinner, Scott Sinner Consulting (4401 San Juan Dr., Medford OR)

Charlie Hamilton, Suncrest Homes (151 Max Loop, Talent OR)

Sinner summarized the project proposal:

- Proposing to move 4.3 acres out of the industrial land base and into residential land base.

- Findings support the upcoming HNA which represents the most current data available to the City.
- The EOA in the comprehensive plan has identified the industrial land surplus of 6.19 acres.
- The Comprehensive plan and HNA demonstrates that primary tool for meeting residential demand is increasing density and converting industrial lands.
- This application is infill development with high density residential nearby, and industrial on three sides.
- One of the big concerns applicants had was to make sure they're compatible with existing industrial uses. They've taken care to provide buffers along back and side property lines, reached out to neighbors to try and address concerns. Buffering from more intensive industrial.
- The applicants also tried to provide mix of housing types and opportunities. Reflected in HNA recommendations heard tonight
- Applicant believes they meet code criteria for subdivision, and feel 50ft right of way is a justified exception as identified in the TSP. With narrow roads, parking is proposed for N. side of street.
- HOA will be installed with this subdevelopment. The small parking area will be privately maintained. This will provide in excess of the code for parking requirements.
- Display boards show the types of housing they're focused on. The primary variance request is for front and side yard setbacks, very comparable for other jurisdictions. Front yard setback gives pedestrian friendly feeling. This is a model project for direction applicant feels Talent is heading.
- Hamilton adds that 10ft setbacks used to be allowed, allows house to be in front of garage. Smaller setbacks are probably where City is going in the coming years. He met with JCFD5 and asked about fire safety issues. JCFD5 said setbacks are reasonable, and they're very conservative for safety reasons. There are no fire and safety issues here. Spruce Landing and Old Bridge Village have these types of setbacks.
- RPS plan standard is 6.6 units/acre. RPS plan allows average land inside and outside City. This helps meet those density requirements.
- Applicants met with every property owner adjacent (Sawyer, Microtrains, Fabricated Glass) two items were selected for buffering. In addition, nonremonstrate agreement in deed that will also be in CCRs.
- The applicant believes the proposal addresses a huge problem for the community. This project will only make a dent in the overarching issues but the timeline is perfect.
- Sinner added, these smaller homes are far more energy efficient. Hamilton has a history of exceeding energy efficiency standards. Trying to preserve a back yard. Small means more affordable.

Hamilton explained that the small section will probably be apartments. They're not requesting development of that area that at this time. He added that the HOA is a mechanism where everyone pays a few dollars per month to cover maintenance.

French asked what applicant predicts a typical house might cost?

Hamilton explained the goal is to have homes in the 200's.

Sinner added, smaller lots equals smaller costs.

Hamilton agreed, explaining that the market favoring smaller home on smaller lots.

Riley addressed the conceptual house renderings and asked if they can look like anything.

Hamilton explains that traditional style models are the general theme.

Schweitzer asked if it is possible to bring apartments into phase 1.
Hamilton explained that what is proposed is what financially works, apartments can't come sooner.

Moody explained that staff recommends continuing the public hearing, so people can comment as part of that process. Staff has heard concerns, enough to continue writing findings, to bring to planning commission and deliberate on at a later time. He explained that he would bring back a recommendation one way or another for the next planning commission meeting.

Hazel asked for a motion on when commissioners would like to resume the public hearing.

Motion: Milan moved to continue proceedings as stated on February 9th

Hazel asked for discussion. There was none.

Schweitzer seconded and the motion carried.

Moody asked if the planning commission wants deliberation on the HNA and to continue this public hearing for the Subdivision proposal and have staff continue to prepare findings and conditions.

Hazel requested to take what comments were heard and prepare conditions and findings accordingly.

VII. Discussion Items

None

VIII. Subcommittee Reports

None

IX. Propositions and Remarks from the Commission

None

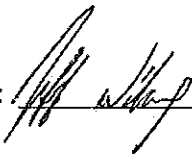
X. Next Meeting

The next specially scheduled meeting will be held on February 9th 2017.

XI. Adjournment

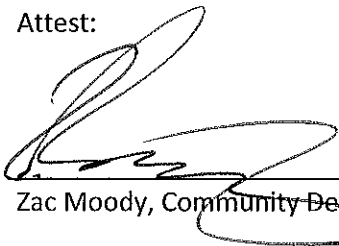
There being no further business to come before the Commission, the meeting was adjourned at 10:00 p.m.

Submitted by: _____

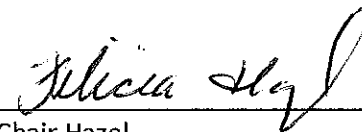


Date: 2/2/2017 _____

Attest:



Zac Moody, Community Development Director



Chair Hazel

*Further information on the Code amendments is available at the Community Development office.

Note: These Minutes and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website (www.cityoftalent.org) in advance of each meeting. The Minutes are not a verbatim record: the narrative has been condensed and paraphrased to reflect the discussions and decisions made.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

EXHIBIT "D"

City of Talent

Community Development Department - Planning



STAFF REPORT and **PROPOSED FINAL ORDER**

Type-4 Land Use Application — Legislative Review — Planning Commission

Meeting date: January 26, 2017
File no: REZ 2016-001, CPA 2016-003, SUB 2016-001, VAR 2016-001
Prepared by: Zac Moody, Community Development Director
Item: Comprehensive Plan and Zoning Map Amendment, Subdivision and Variance

GENERAL INFORMATION

Petitioner Bradley Properties, LLC.

Requested Action Amendments to the City of Talent's Comprehensive Plan and Zoning Map and 35-Lot Subdivision with Setback Variance

Amended Maps Comprehensive Plan and Zoning Map

PROPOSAL

The subject property is currently identified on the Comprehensive Plan Map as being within the Light Industrial (LI) designation and within the Light Industrial (IL) zoning district.

The approval of this application would amend the Comprehensive Plan Map designation for the subject property to the Residential High Density (RH) designation and the Zoning Map to the Multiple Family – High Density (RM-22) zoning district.

This Application seeks approval to create a two-phase, residential subdivision dividing the subject parcel into 35 residential lots with 22,019 sf of land reserved for future multi-family development.

PROCESS

This application was originally brought to the Planning Commission on January 26, 2017. During the course of the hearing, Staff requested that the public hearing remain open until February 9, 2017 to revise the proposed final order and to determine if the applicant could reasonably meet the required variance standards. The Planning Commission accepted Staff's request and continued the public hearing to February 9, 2017. The hearing will provide an opportunity for the public to comment on Staff's recommendation and to consider additional public comment that has been received. Following the close of the public hearing, the Planning Commission will deliberate and provide a recommendation to the Talent City Council.

AGENCY AND PUBLIC COMMENTS

Agency Comment

The applicant submitted the required pre-application conference forms and fees and attended the conference on December 15, 2016. During this conference multiple agencies, including Jackson County Fire District #5, Rogue Valley Sewer Services, Jackson County Building, City Engineer, Public Works Direct and the Talent Police Chief provided support for the proposed application. Rogue Valley Sewer Services provided additional comment detailing requirements for sewer connections and for stormwater management.

Public Comment

The City has received six comments public (**Attachment C**). Four of the comments are in support of the development and two have concerns about the potential conflicts with the development of residential near occupied and vacant industrial land. Comments from Holtz Family Trust and Fabricated Glass are summarized below:

- *Possible loss in value to any existing development*
- *The possibility that the re-zone will reduce the desirability of any future development on undeveloped land*
- *The livability which might arise, in the event any future residents wander onto the adjoining industrial property and are injured or suffer loss*
- *The possible litigation which might arise due to residents being disturbed during normal conditions of an industrial operation*
- *The additional impact due to the requirement of the Transition Buffer as defined in 8-3J.450 of the City of Talent Zoning Code*
- *The additional impact due to requirements of 8-3F.196 of the City of Talent Zoning Code*
- *Additional possible impacts of 8-3F.160 of the City of Talent Zoning Code*

DISCUSSION

Staff has addressed all applicable criteria relating to the proposed requests and has addressed all of the public comments related to specific criteria. It is Staff's determination that the proposed requests meet or can meet with conditions, the intent of Oregon's Statewide Planning Goals, Comprehensive Plan and Talent Zoning Code and Subdivision Codes.

Buffering

Section 8-3J.450 of the Talent Zoning Code states that the Planning Commission shall require a buffer when a development or use proposed in a commercially land industrially zoned area is adjacent to a conflicting land use zone or an incompatible but permitted use within the same zone. Section 8-3J.450(B) details the specific requirements for buffering when a residential use is proposed adjacent to a non-residential zone. As proposed, the buffer along the south and west side of the development meets the requirement of the zoning ordinance.

Section 8-3F.160 and 196 were also identified as a concern to the adjacent (pre-existing) industrial use. After review of this section, Staff has determined that these regulations do not apply to an existing industrial use and therefore the proposed residential use will not force a new buffering requirement on the existing industrial development.

Setback Variance

Staff has reviewed the supplemental findings submitted by the applicant on January 30, 2017 and agrees with the analysis provided by the applicant. The City’s zoning ordinance is an evolving document, but doesn’t always take into consideration the current development environment of the city. Because there is a need for flexibility as it pertains to development, cities have a variance process. The requested variance can be argued either way, but the subjective nature of the regulations provides the Planning Commission to grant a variance if specific findings are made. These findings are outlined in the Proposed Final Order and demonstrate the need for the variance.

As the City moves forward once the new Housing Element is adopted, it is likely that requests such as this will become a common way to creatively develop an infill parcel. The proposed policies of the Housing Element and the adopted policies of the Economy Element both recommend the City provide flexibility with development. Approval of this request is consistent with those policies and provides the Planning Commission and Staff reasonable example of how future zoning regulations in medium and high density zones might be developed.

RECOMMENDATION

Based on the findings for the Comprehensive Plan and Zoning Map change and Subdivision and Variance stated in the Proposed Final Order, staff recommends **APPROVAL** of the Comprehensive Plan and Zoning Map request from Industrial to High Density Residential and the request for a 35 lot subdivision with the requested variance to setbacks, with conditions outlined in the Proposed Final Orders.

ATTACHMENTS

The following information was submitted regarding this application:

- Proposed Final Order – Attachment A
- Applicant’s Supplemental Variance Findings - Attachment B
- Public Comment - Attachment C



Zac Moody, Community Development Director

February 2, 2017
Date

Staff has recommended these amendments for approval, but it will require at least one public hearing before the Planning Commission and one public hearing before the City Council for a decision. The Talent Zoning Code establishes procedures for legislative hearings in Section 8-3M.160. **A public hearing on the proposed action is scheduled before the Planning Commission on January 26, 2017 at 6:30 PM at Talent Town Hall.**

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at zmoody@cityoftalent.org.



BEFORE THE TALENT PLANNING COMMISSION

STATE OF OREGON, CITY OF TALENT

IN THE MATTER OF PLANNING COMMISSION FILE NO. REZ)
2016-001, CPA 2016-003, SUB 2016-001 AND VAR 2016-001 LO-) ORDER
CATED ON TALENT AVE [MAP NO. 38-1W-26AD TAXLOT 500],)
THE CITY OF TALENT PLANNING COMMISSION FINDS THE)
FOLLOWING:

1. The Planning Commission held a properly noticed continued public hearing on this matter on January 26, 2017;
2. The Planning Commission asked the Community Development Director to present a staff report and a proposed final order with findings and recommendations;
3. At the public hearing evidence was presented and the public was given an opportunity to comment;
4. The Commission found that with the approval of a Comprehensive Plan and Zoning Map change from Light Industrial to High Density Residential, the requested subdivision could be approved.
5. The Commission found that the requested variance to the standard setbacks is necessary because exceptional and extraordinary circumstances apply to the property and to the City as a whole;
6. The Commission found that the proposed applications, with conditions in all other respects complied substantially with the approval criteria in the Talent Zoning Code, Talent Subdivision Code, Talent Comprehensive Plan and Oregon Statewide Planning Goals.

The Talent Planning Commission recommends approval of the Comprehensive Plan and Zoning Map change from Light Industrial to High Density Residential (REZ 2016-001/CPA 2016-003) and with the approval of the aforementioned files, the Talent Planning Commission also recommends approval of the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6' for two-story homes, 10' front/porch setbacks and 20' garage setbacks with the following conditions of approval:

GENERAL CONDITIONS:

1. The applicant shall complete all required public improvements in both subdivision phases within three (3) years of the approval of the final plat or an application for preliminary approval shall be resubmitted.
2. The applicant shall prior to final plat, provide the City a proposed time schedule for the development of each phase.

PRIOR TO FINAL PLAT:

3. Applicant shall prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) including:
 - a. Additional details on the continued maintenance of the private open space by the Home Owner's Association.
 - b. Language that disallows required buffers to be removed unless to replace dead, dying or diseased vegetation.
4. Applicant shall provide Community Development with Public Improvement Plans approved by the City Engineer including the following additional information:
 - a. Pathway lighting type and location. All pathway lighting shall be downward directed or shielded to avoid light pollution.
 - b. Pathway surface type and the path's conformance to ADA requirements. Pathway surface shall be concrete, asphalt or any other surface as approved by the City Engineer.
 - c. Location, type of no parking sign to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street.
 - d. Street grades and the location, type of street signs to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street.
 - e. Specify the required dedication of right-of-way for Stage Way and William Way.
 - f. Detailed water improvement plans in conformance with the City standards.
 - g. Detailed sewer plans approved by Rogue Valley Sewer Services and the City Engineer.

- h. Detailed stormwater detention and treatment plans approved by Rogue Valley Sewer Services and the City Engineer.
5. Applicant provide Community Development with a landscape plan including the following:
 - a. The size and type of each tree and the method of soil preparation and irrigation.
 - b. The design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees.
6. Applicant shall provide Community Development with a revised preliminary plat including the following information:
 - a. The open space providing access to lots 16-18 shall be identified as a 20' share access easement.
 - b. Rename William Way to Everett Way and the name of the subdivision.
 - c. Identify a reserve strip of land south of Lots 3 and 6, alternatively the applicant may dedicate the entire right-of-way with the recording of the Phase 1 final plat and not identify a reserve strip.
 - d. Amend the lot widths of some, or all of Lots 2-8, 11-13, 22-25 and 28-29 to the 40' minimum lot width requirement or alternatively the applicant shall be allowed to only build single-family attached dwellings on Lots 2-8, 11-13, 22-25 and 28-29.

PRIOR TO ISSUANCE OF BUILDING PERMITS

7. The applicant shall submit building plans that meet the following setbacks for all single-family lots:
 - 5' side-yard setback for single store units
 - 6' side-yard setback for all two-story units
 - 10' front-yard setback for houses and porches (no additional setback exceptions allowed)
 - 20' front-yard setback for all garages
 - 10' rear-yard setback for all units
 - 5' alley-garage setback

PRIOR TO CERTIFICATE OF OCCUPANCY:

8. Applicant shall landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan.

9. The applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code.

IT IS HEREBY ORDERED THAT the Talent Planning Commission recommends approval of the Comprehensive Plan and Zoning Map change from Light Industrial to High Density Residential (REZ 2016-001/CPA 2016-003) and with the approval of the aforementioned files, the Talent Planning Commission also recommends approval of the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6' for two-story homes, 10' front/porch setbacks and 20' garage setbacks on all of the newly created lots based on the information presented in the Staff Reports and Findings of Fact below:

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

OREGON ADMINISTRATIVE RULES

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

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

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

FINDING: The subject tract is adjacent to Talent Avenue which is classified as a collector. The proposed change will not degrade the performance of the existing transportation facility and does not appear to impact the level of service below that required by the Transportation System Plan.

The proposed zoning map amendment would change the existing Comprehensive Plan and Zoning Map from Light Industrial zone to High Density Residential, decreasing the volumes and level of service for the highest and best uses in the Industrial Designation. Considering that the impacts would be unchanged or lessened, the proposed amendment would not significantly affect the transportation facility, the mitigating measures provided in section (2) of this rule are not applicable. **The provisions of this section have been met.**

TALENT COMPREHENSIVE PLAN POLICIES, GOALS AND OBJECTIVES

ELEMENT A – HISTORY OF TALENT

POLICY 1: A Sense of Place. It is the policy of the City of Talent to preserve the historic resources of the city as a way to maintain its unique character and to provide for the social and economic needs of the people who live here.

FINDING: The City has an established Historic District and the subject property is not within an area with the mapped Historic District. There are no features of the site with any historical significance. Staff believes that the proposed subdivision meets the intent of Policy 1 and creates a “sense of place.” The subdivision as proposed is consistent with other recent housing projects such as Old Bridge Village and Clearview and provides for smaller scale housing and an opportunity for low to moderate income household ownership. **The provisions of this Section have been met.**

ELEMENT B – PARKS AND RECREATION

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

FINDING: The Comprehensive Plan has recognized the value of parks and open space in urban settings. The subject property is abutting an existing City Park (Chuck Roberts), the

Bark Park, and the proposed site plan was designed to complement the adjacent park with an open space area and additional pedestrian facilities.

The proposed pedestrian facilities included in the preliminary subdivision plan allow the residents to enjoy Chuck Roberts Park, which is within comfortable walking distance from the site and provides quick and safe access to the local transit facilities. **The provisions of this section have been met.**

ELEMENT C – NATURAL HAZARDS

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

FINDING: The site is not within a map flood plain or flood hazard area or in an area typically known for coastal inundation tsunamis or coastal erosion. The site is not in an area of steep slopes and landslides are not a hazard.

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

ELEMENT D – TRANSPORTATION

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

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

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

The site plan and tentative plat propose public streets to provide access for the dwelling units and complete a connection to the existing transportation system. The public streets include sidewalks to promote pedestrian connectivity and vehicular access to Talent Avenue and with a narrow street exception meet the cross section requirements in the TSP.

The proposed streets are lower order streets and do not have provisions for bicycle lanes within the right of way. The low traffic volumes and narrow rights of way anticipate safe bicycle travel in the vehicular travel lanes. Talent Avenue is a collector street and provides bicycle travel lanes. **The provisions of this section have been met.**

ELEMENT E – ECONOMY

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

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

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

FINDING: The Comprehensive Plan includes an Economic Opportunities Analysis (EOA) that was updated in October 2016. The EOA demonstrates the City of Talent has a demand of 20 acres of Industrial land for the 2016 – 2036 planning horizon. The EOA contains a Buildable Lands Inventory of industrial land currently within the UGB. The City currently has a 26.19 acres supply of Industrially zoned land, a surplus of approximately 6.19 acres.

The City is in the process of reviewing the updated Housing Needs Analysis (HNA) to update the Housing Element of the Comprehensive Plan. While the HNA has not been adopted by the City Council at the time this application was submitted, the information represents the most current data specific to the City’s housing needs.

The proposed HNA indicates the City currently has a capacity of 630 dwelling units for the 20-year planning horizon. The projected growth in the planning horizon indicates a demand of 1,272 dwelling units. The proposed HNA concludes the City has a deficit of 642 dwelling units with a need for all housing types at all densities.

The subject property is currently zoned Light Industrial (IL) and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is across from existing High Density (RM-22) zoning and adjacent to a city park and local public transit.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. Using the ITE Trip Generation methodology, the applicant has demonstrated that the subject property has a highest and best use impact of 154 PM Peak Hour Trips (PM-PHT), and 1,540 Average Daily Trips (ADT).

The Site Plan and Tentative Plat submitted with this application identifies 35 single family dwelling units and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a total PM-PHT rate of 35.7. The future Multifamily development with up to 12 dwelling units at 0.62 PM-PHT trips has a potential addition of 7.44 PM-PHT for a total of 43.14 PM-PHT.

As stated in the applicant's findings, the effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated subdivision is a reduction of 110.86 PM-PHT from the current IL zoning at the highest and best use.

As noted above, the City has identified a surplus of industrial land and is projecting a deficit of residential land for the 20-year planning horizon requiring an immediate need for additional residential land. Converting this industrial land to high density land addresses the short term residential demands without negative impacts to the industrial land needs of the City as a whole. **The provisions of this section have been met.**

Objective 2.3: The City will develop policies to identify industrial areas that are more appropriate for other uses (e.g., residential uses) based on their site characteristics (e.g., location, size, configuration, or transportation access).

FINDING: The proposal is for a Comprehensive Plan Map and Zoning Map Amendment to rezone the subject property from industrial land to high density residential land. The approval of this application addresses the identified surplus of industrial land and the deficit of residential land. Although this application doesn't represent a current policy, staff believes that this proposed subdivision represents a good example of a proper mix of housing types and a good mix of aesthetics and lot size.

All necessary public facilities are available with sufficient capacity to serve the proposed development. The subject property is directly across from an existing residential development, adjacent to city park facilities and comfortable walking distance to the downtown core of the city.

Implementation Strategy 2.3b: If industrial sites are re-zoned to residential uses, identify new industrial sites suitable to replenish the supply of industrial land to meet Talent's identified industrial land need in the Economic Opportunities Analysis.

Implementation Steps: (1) This strategy will be implemented if industrial land is rezoned, such as through Implementation Strategy 2.3a. (2) Conduct analysis to identify suitable industrial sites to meet Talent's industrial land need identified in the Economic Opportunities Analysis, which may be found inside or outside of the city's Urban Growth Boundary.

The City's recently adopted Economic Opportunities Analysis identifies a surplus of approximately 6.19-acres of industrial land for the needs of the 20-year planning horizon. The proposed Comprehensive Plan and Zoning Map change would convert 4.37 acres of industrial lands to residential lands, leaving a 1.82-acre surplus of industrial land within the current UGB. Considering a surplus of industrial would exist after the amendment, the need for identifying suitable land to replenish the supply of industrial line is not necessary at this time. **The provisions of this section have been met.**

ELEMENT F – PUBLIC FACILITIES

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

FINDING: The subject property is currently vacant, however, abutting and adjacent properties are currently developed and served by all necessary public facilities. The development of the subject property is infill development and demonstrates an efficient use of existing infrastructure.

Streets

The property has frontage on Talent Avenue. The adopted TSP classifies Talent Avenue as a collector street. The west half of Talent Avenue adjacent to the proposed development is currently improved to City standards with curb, gutters and sidewalks.

The TSP provides street design standards applicable to all local streets in the City. Section 6 of the TSP provides a standard cross section for local streets with parking, parkrows and sidewalks on both sides of the street. The minimum right-of way for a local street is 60' with a paved surface of 36'. The proposed right-of-way for William Way is 50' with a paved surface of 28'.

Section 6 of the TSP provides an exception that may be considered by the Planning Commission under certain circumstances. The Narrow Street Exception is allowed when the following has been met:

- Average Daily Traffic is not reasonably expected to exceed 800 trips

As noted by the applicant, the average daily trips based in the Institute of Traffic Engineers (ITE) represents a reduction from 1,540 Average Daily Trips (ADT) for industrial to approximately 450 ADT.

- Distance between cross streets is no more than 600 feet

William Way from Talent Ave. to Stage Way is approximately 550 feet. Stage Way extends approximately 600 feet from Talent Ave. to its terminus near Fabricated Glass. It should be noted however that Stage Way was approved and designed as part of the decision for the Shakespeare building.

- The street is a cul-de-sac not designed to provide for future through connection

The request for the narrow street exception is only for William Way, as Stage Way was approved as part of another land use action. William Way is not a cul-de-sac, but it is a

street that does not provide a future through connection similar to a cul-de-sac. Considering that no future connection is possible due to its location, staff believes that the intent to allow narrow streets extends to other similar streets that do not or cannot provide a future through connection and will be maintained as a local street indefinitely.

- Expected parking demand can be met off-street

As proposed, all lots with access from a public street have off-street parking. Those lots with alley access provide at least one parking stall on the property, but are provided with additional parking stalls of the 20' alley right-of-way. On-street parking as proposed will be limited to the north side of William Way, providing an additional nine (9) feet of paved driving surface. The paved surface of the street is approximately 28', providing 19' of driving surface. As a comparison, the newly repaved N. Front Street, a higher order collector street has a paved surface of approximately 19.5 feet. Based on the evidence provided by the applicant, the expected parking demand can be met off-street.

- The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.

William Way is not part of an existing grid system, but is a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision. Stage Way, an existing half-street serves as the primary street in the subdivision since it has already been designed and partially constructed. The design of William Way is dependent to the location of Stage Way and therefore serves a secondary role.

- The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on street parking.

Alley access is provided for Lots 9-13 and 30-32. Dwellings built on these lots will be served directly from the alley and are provided with an additional 10 parking spaces to accommodate the need for more parking if necessary. The subdivision proposes 27 on-street parking spaces on the north side of William Way, providing the necessary uninterrupted curb for continuous on street parking.

The information presented by the applicant meets all of the conditions of the narrow street exception and therefore can be considered as an acceptable transportation method by the Planning Commission. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Domestic Water

The City's Public Works Department is responsible for the domestic water system currently available in Talent Avenue from a water main in the public right of way. The public ROW on the north-west side of the property was developed with a public water line. Future

development on the site will be required to comply with the standards in effect at the time of development the extension of urban services.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Sanitary Sewer

Rogue Valley Sewer Service (RVS) can provide sanitary sewer facilities to the proposed subdivision through an 8” sanitary sewer line in the public right of way. RVS provided comment stating there is adequate capacity within the system for the purposes of the Comprehensive Plan Amendment and Zone Change and to serve 35 new single family homes and 12 apartments. All Future development on the site will be required to comply with the standards in effect at the time of development.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Storm Water

RVS provided comments on the storm water issues of the Site. The City has responsibility for the storm water conveyance in the area and RVS has responsibility for onsite collection, treatment, and discharge to the public system.

Currently storm water facilities are available in the Talent Avenue right of way and the systems have adequate capacity for the purposes of the Comprehensive Plan Amendment and Zone Change. Future development on the site will be required to comply with the standards in effect at the time of development.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

ELEMENT G – HOUSING NEEDS AND THE UGB

POLICY 1: PROVIDE FOR ALL OF TALENT’S HOUSING NEEDS FOR THE TWENTY YEAR PLANNING PERIOD WITHIN THE EXISTING URBAN GROWTH BOUNDARY.

FINDING: As proposed, this application would convert 4.3 acres of industrial land to high density residential land providing a mixture of housing types, small lot single family detached, small lot single family attached and multifamily.

The proposed Housing Needs Analysis demonstrates Talent currently has a capacity of 630 residential dwelling units. Based on the projected population growth in the next 20 years,

the Talent will have a need of 1,272 dwelling units. The City has a deficit of 642 dwelling units in the next 20 years.

The shortage of available land residential development negatively effects the affordability of housing of all housing types and all residential densities. Solutions for the housing deficit require intensification of existing residential land and the conversion of land currently designated with commercial or industrial uses to residential. **The provisions of this section have been met.**

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

The housing types proposed provide an efficient use of land on an infill property with adequate infrastructure. The proposed development includes a variety of housing types suitable for the RM-22 zoning district.

The proposed housing types include small lot single family detached, small lot single family attached and future attached multifamily dwellings. The proposed density of the development is approximately 10 units per acre when including the multi-family component. As proposed, the density is greater than the target 6.6 units per acre required by the Regional Plan, aiding in the increased overall density of the City. The additional density in this location is appropriate considering the adjacent high density developments and its proximity to public services such as transit and parks.

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

ELEMENT H – REGIONAL PLAN

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

The most significant product of the Regional Plan is the establishment of requirements which affect the form and function of future urban-level development and the creation of an Urban Reserve (UR) for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

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

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

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

TALENT SUBDIVISION CODE REQUIREMENTS

8-2. Article 2.

DEVELOPMENT AND DESIGN STANDARDS

8-2.210 OPEN SPACE

- A. *Purpose. To preserve the character of the City and to conserve natural resources by encouraging development that incorporates open space and the natural features of the land into neighborhood design, and by allowing density distribution within the development project so that there is no penalty for creative design.*
- B. *Open Space Standard. Designated Locally Significant Wetland and Riparian areas and a fifty-foot “safe harbor” setback from these areas shall be maintained as permanent open space, pursuant to 8-3H.2. Additional open space may also be required by the City or dedicated by the developer of a subdivision, in conformance with the Comprehensive Plan and the provisions of 8-2.220(D). The open space shall be shown on the preliminary plat, and recorded with the final plat or separate instrument in accordance with one of the following methods: [amended 15 October 2008; Ord. No. 847]*
 - 2. *As private open space, by leasing or conveying title (including beneficial ownership) to a corporation, homeowners’ association or other legal entity, with the City retaining the development rights to the property.*

The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City, and shall establish that the subject property may not be developed for any purpose other than that specified in the approved plan. (Note: This section is intended to ensure that open space is used for open space or recreational purposes only.)

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed open space will be owned and managed by the Homeowner's Association. As a condition of approval, the applicant shall prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) that include details on the continued maintenance of the private open space by the Home Owner's Association. **The provisions of this section have been met subject to conditions.**

D. Open Space for Public Park Use. If determined by the Planning Commission to be in the public interest in accordance with the adopted Comprehensive Plan, the City may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed subdivision is directly adjacent to the Bark Park and near Chuck Robert's Park, therefore the need for a dedicated open space for public park use is not necessary. **The provisions of this section are not applicable.**

F. System Development Charge Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge for parks.

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of private open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. Considering the proximity to Chuck Robert's Park and the Bark Park, an additional public open space dedication is not required. **The provisions of this section are not applicable.**

8-2.220 PUBLIC FACILITIES STANDARDS AND IMPROVEMENTS

A. Purpose. The purpose of this Section is to provide planning and design standards for public and private transportation facilities and utilities.

B. When Standards Apply. All development shall comply with the City's public facilities standards and construction specifications. When a new subdivision

uses existing streets and other public facilities, those facilities shall be improved to current standards.

- C. *Standard Specifications. The Public Works Director and City Engineer shall establish written standard construction specifications and standard construction drawings consistent with the design standards of this Section and application of engineering principles. They are incorporated in this code by reference.*
- D. *Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the Applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.*

FINDING: A request for subdivision approval shall meet all of the public facilities standards set forth above. The applicant has stated that all public facilities proposed in the preliminary Plat meet or can meet with conditions, the City of Talent Standard Details amended June 18, 2014. A pre-application conference with the City Engineer and Public Works Director confirmed that the existing public facilities are sufficiently sized for the proposed subdivision and that proposed development can feasibly meet the required design standards. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

8-2.230 PEDESTRIAN ACCESS AND CIRCULATION

- A. *Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:*
 - 1. *Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.*

FINDING: As proposed, the pedestrian pathway between lots 29 and 30 provide a reasonable, direct route between the north side of the development near Stage Way and the south side of the development on William Way. **The provisions of this section have been met.**

- 2. *Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.*

FINDING: As proposed, the subdivision is designed with sidewalks on both sides of the

William Way and on the south side of Stage Way. The paved surface of the proposed street is 28' with parking on the north side of William Way. William Way as proposed is a local street that has an adequately sized paved street surface to accommodate bicycle traffic. **The provisions of this section have been met.**

4. *For residential buildings, the primary entrance is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the primary entrance may be a lobby, courtyard, or breezeway, which serves as a common entrance for more than one dwelling.*

FINDING: With the exception of lots 11 and 12 which only have access to the proposed alley, all primary home entrances either face Stage Way or William Way. **The provisions of this section have been met.**

B. *Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 250(J)(5). Pathways shall also be provided where cul-de-sacs or permanent dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other existing or future developments. Pathways used to comply with these standards shall conform to all of the following criteria:*

1. *All pathways shall be located within not less than 10 feet and not more than a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;*

FINDING: The proposed subdivision provides a pedestrian pathway between lots 29 and 30 through the creation of a 10' wide pedestrian access easement. To ensure the safety of the public using the pedestrian pathway, the path shall meet the standards of Section 8-2.230 (C) below. As a condition of approval, the applicant shall, prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) that include additional details on the continued maintenance of the pedestrian pathway by the Home Owner's Association. **The provisions of this section have been met subject to conditions.**

2. *Pathways within subdivisions shall be lighted;*

FINDING: As detailed in the applicant's findings, the pedestrian pathway between lots 29 and 30 shall be lighted in accordance with City standards. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway lighting type and location. All pathway lighting shall be downward directed or shielded to avoid light pollution. The applicant is encouraged to use LED or other energy efficient light for the proposed pathway. **The provisions of this section have been met subject to conditions.**

3. *Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;*

FINDING: The proposed pedestrian pathway does not have any stairs or switchbacks and is proposed with grade of less than 5%. **The provisions of this section are not applicable.**

4. *The City may require landscaping and/or fencing within the pathway easement/right- of-way for screening and the privacy of adjoining properties;*

FINDING: As detailed in the applicant's findings, the pedestrian pathway between lots 29 and 30 shall be landscaped upon the completion of the homes adjacent to the pathway. As a condition of approval, the applicant shall, prior to Certificate of Occupancy, landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan. **The provisions of this section have been met subject to conditions.**

C. *Design and Construction. Pathways shall conform to all of the standards in 1–5 below:*

1. *Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps that comply with the federal Americans with Disabilities Act (ADA).*

FINDING: The pedestrian pathway between lots 29 and 30 not parallel or directly adjacent to a driveway. **The provisions of this section are not applicable.**

2. *Housing/Pathway Separation. Pedestrian pathways for public use shall be separated a minimum of 5 feet from all residential living areas on the ground floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of 8-3J.4. No pathway/building separation is required for commercial, industrial, public, or institutional uses, except required for mixed uses when residential use is on the ground floor.*

FINDING: The required side-yard setbacks, if a variance is approved would be 5 feet, therefore, all segments of the path will meet the minimum separation standard of 5 feet. As a condition of approval, the applicant shall, prior to Certificate of Occupancy, landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan. **The provisions of this section have been met subject to conditions.**

3. *Crosswalks. Where pathways cross a parking area, driveway, or street (“crosswalk”), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application. Striping, because of on-going maintenance costs, is not the City’s preferred alternative.*

FINDING: The pedestrian pathway terminates at the intersection of William Way and does not cross a parking area, driveway or street. **The provisions of this section are not applicable.**

4. *Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other surface as approved by the City, at least 6 feet wide or as approved by the City, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 12 feet wide. (See also, Section 250—Transportation Standards for public, multi-use pathway standard.) Pathway right-of-way shall be no less than 15 feet to provide emergency vehicle access. Right-of-way of less than 15 feet may be used where a path could not otherwise be provided, but in no case may a right-of-way less than 12 feet be approved for a public path.*

FINDING: The proposed pedestrian pathway is not intended as a multi-use path, but rather as a pedestrian path. Both William Way and Stage Way have been designed in such a manner to provide a safe, convenient route for bicycles, eliminating the need for bicycle traffic on the pathway. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway surface type and the path’s conformance to ADA requirements. Pathway surface shall be concrete, asphalt or any other surface as approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

5. *Accessible routes. Pathways shall comply with the ADA, which requires accessible routes of travel.*

FINDING: The pedestrian pathway shall be constructed to comply with all ADA requirements and shall be included on the public improvement plans. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway surface type and the path’s conformance to ADA requirements. Pathway surface shall be concrete, asphalt or any other surface as approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

8-2.240 STREET TREES

B. Plantings. Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to Land Division or Site Design Review, except that street trees may be planted in planter wells as provided in subsection 4 below. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in Section 8-3J.422. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.

FINDING: As proposed, the subdivision provides a parkrow on both sides of William Way to accommodate street trees. There are no parkrows proposed on Stage Way due to the insufficient right-of-way. The proposed site plan identifies trees fronting the street along Stage Way. Lots 4, 7, 8-10 and 13 shall plant trees in the locations identified on the proposed site plan. All required trees, including those on the aforementioned lots shall be from the approved street tree list and shall be 2” caliper in size. In order for the revised landscape plan to be approved, the plan shall be in substantial conformance with Section 8-2.240(C-F). As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan identifying the size and type of each tree and the method of soil preparation and irrigation. Prior to Certificate of Occupancy of each dwelling, the applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code. **The provisions of this section have been met subject to conditions.**

- C. Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:*
- a. Provide a broad canopy where shade is desired.*
 - b. Use low-growing trees for spaces under utility wires.*
 - c. Select trees, which can be “limbed-up” where vision clearance is a concern.*
 - d. Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.*
 - e. Use species with similar growth characteristics on the same block for design continuity.*
 - f. Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.*
 - g. Select trees that are well adapted to the environment, including soil, wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.*
 - h. Select trees for their seasonal color, as desired.*
 - i. Use deciduous trees for summer shade and winter sun.*

- D. *Caliper Size. The minimum caliper size at planting shall be 1½ inches diameter at breast height (dbh), based on the American Association of Nurserymen Standards.*
- E. *Spacing and Location. If a planter strip is provided, street trees shall be planted within the planting strip. If a planter strip is not provided, trees shall be planted behind the sidewalk or in sidewalk tree wells (e.g., downtown area) when determined in the review process to be a reasonable accommodation. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with sight distance requirements, or existing trees, retaining walls, utilities and similar physical barriers.*
- F. *Soil Preparations, Planting and Care. The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first year after planting and individual homeowners or established homeowner's association will be responsible thereafter.*
- G. *Street Tree List. Only trees included on the City of Talent's approved tree list shall be planted as street trees. The Pacific Power approved tree list where overhead power lines are a factor, or other native tree lists acceptable to the Parks and Recreation Commission and Tree Subcommittee will be acceptable as well.*

FINDING: As proposed, the subdivision provides a parkrow on both sides of William Way to accommodate street trees. There are no parkrows proposed on Stage Way due to the insufficient right-of-way. The proposed site plan identifies trees fronting the street along Stage Way. Lots 4, 7, 8-10 and 13 shall plant trees in the locations identified on the proposed site plan. All required trees, including those on the aforementioned lots shall be from the approved street tree list and shall be 2" caliper in size. In order for the revised landscape plan to be approved, the plan shall be in substantial conformance with Section 8-2.240(C-F). As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan identifying the size and type of each tree and the method of soil preparation and irrigation. Prior to Certificate of Occupancy of each dwelling, the applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code. **The provisions of this section have been met subject to conditions.**

8-2.250 **TRANSPORTATION FACILITY STANDARDS**

A. *Purpose. The purpose of this chapter is to ensure that developments provide a safe and efficient public street system for pedestrians and vehicles, in conformance with the City’s Transportation System Plan and applicable ordinances.*

FINDING: The proposed plan utilizes two existing intersections: The ½ street improvement shared with OSF identified as “Stage Way” and the improvement of the existing exit next to the Bark Park identified as “William Way” that aligns with Everett Way across Talent Avenue. **The provisions of this section have been met.**

B. *Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Section 260—Access and Circulation, as well as Article 8-3J.6, and the following standards are met:*

FINDING: The proposed subdivision shares approximately 300’ of frontage with Talent Avenue – a public street and each newly created lot as proposed has frontage on an approved street, alley or shared access easement. **The provisions of this section have been met.**

1. *Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan Standards;*

FINDING: The proposed subdivision plan uses a narrow street exception within the Standards Section (Section 6) of Transportation System Plan. An exception to the local residential standard may be considered by the Planning Commission under the following conditions:

- *Average Daily Traffic is not reasonably expected to exceed 800 trips.*
- *Distance between cross streets is no more than 600 feet.*

As proposed, both streets are under 600 feet and the projected traffic trips at 9.7 trips per day per unit are expected to be less than 800 a day.

- *The street is a cul-de-sac not designed to provide future through-connection.*

Although a loop and not a cul-de-sac the effect is the same with no future connections to this road system, there will be no increase in capacity in the future

- *Expected parking demand can be met off street (considering the land uses/zoning in the vicinity).*

As proposed, the designed allows parking on one side of the street creating extra spaces near lots 20, 21, 22, and 29 through 35. All lots have off street parking and additional

parking for back loaded alley lots have been designated adjacent to the alley. The proposed subdivision provides a 28' wide pave section and could accommodate parking on one side of the street.

- *The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.*

The subject property is an infill parcel connecting completing an existing ½ street improvement on the north property line and tying into Talent Ave at the intersection of Everett Way and Talent Ave.

- *The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on-street parking).*

As proposed, the subdivision provides alley access on Stage Way, with each lot having two off street parking spaces and an additional parking off of the alley. Considering that each parcel provides off-street parking and that on-street parking will be minimized adjacent to the parkrow and stormwater facilities, the ROW width proposed is adequate and it is not necessary to increase the width of the ROW.

- *Although the City may agree that a wide street is not necessary now, it may become necessary in the future. For this reason, the Planning Commission may require dedication of a standard right-of-way—with reduced paving width when initially built—so the City may increase capacity when needed. The Commission may also consider requiring the provision of additional parking on a one-to-one basis to compensate for loss of on-street parking. Such parking may be located in mini-lots or some other alternative.*

There are not future connections to this local street system. The proposed street system only serves the properties within the subdivision, minimizing the need for future ROW dedication.

Based on the aforementioned evidence, the proposed streets in the subdivision meet the narrow street exception outlined in the Transportation System Plan and can, at the Planning Commission's discretion, be approved. It should also be noted that during the pre-application conference, Public Works, City Engineer and Jackson County Fire District #5 agreed that the proposed street network provided adequate space to protect the public.

To ensure that the proposed narrow street remains functional and that adequate space is provided to protect the public, "NO PARKING THIS SIDE OF STREET" signs shall be installed on the west and south side of William Way in an appropriate number to clearly denote that parking is not allowed. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the location, type of no parking sign to be installed and the

method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street. **The provisions of this section have been met subject to conditions.**

2. *Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable City, county or state jurisdiction;*

FINDING: As proposed in the preliminary plat, the applicant shall complete the half-finished right-of-way along the Shakespeare frontage in accordance with the design & engineering plans established by the Planning Staff and Commission when Shakespeare obtained their Site Plan approval. William Way's compliance with Talent's narrow street exception is addressed in the findings above. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

3. *The City may accept a future improvement guarantee [e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future] in lieu of street improvements if one or more of the following conditions exist:*
 - a. *A partial improvement may create a potential safety hazard to motorists or pedestrians;*
 - b. *Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;*
 - c. *The improvement would be in conflict with an adopted capital improvement plan; or*
 - d. *The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.*

FINDING: Other than the proposed improvements, there are no other future improvements necessary as a result of the subdivision request. **The provisions of this section are not applicable.**

- C. *Variances. A variance to the transportation design standards in this Section may be granted pursuant to Article 8-3L.4.*

FINDING: The proposed subdivision request proposes a narrow street exception which can only be approved through a variance pursuant to Section 8-3L.4 which is addressed below. **The provisions of this section have been met.**

E. *Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Section 260—Vehicular Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.*

FINDING: The proposed subdivision proposes two areas where an access easement is necessary. Lots 16-18 near the southwest corner of the subdivision requires the use of a shared access from William Way in order to provide proper frontage. As proposed, the 20' access way serving these lots are classified as open space owned by the Home Owner's Association and does not meet the requirements for proper frontage. While the open space can be a separate legal lot owned by the Home Owners Association, staff recommends that the open space providing access to lots 16-18 also be identified as a 20' private access easement for consistency with the frontage standards. Additionally, the applicant has proposed a 10' pedestrian access easement between Lots 29 and 30. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat identifying the open space providing access to lots 16-18 as a 20' shared access easement. **The provisions of this section have been met subject to conditions.**

F. *Street Location, Width, and Grade. Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, as applicable, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:*

a. *Street grades shall be approved by the Public Works Director or designee in accordance with the design standards in Section 250(O), below; and*

FINDING: As shown on the preliminary subdivision plat, the subject site is gently sloping with an elevation change of approximately 20 feet, and as proposed, road grades are anticipated to be less than 5%. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the street grades. **The provisions of this section have been met subject to conditions of approval.**

b. *Where the location of a street is not shown in an existing street plan (See Section 250(I)), the location of streets in a development shall either:*

i. *Provide for the continuation and connection of existing streets*

in the surrounding areas, conforming to the street standards of this Section, or

FINDING: The proposed subdivision request proposes a road system that connects two existing intersections along Talent Avenue. One connection is to the existing ½ street south of Oregon Shakespeare Festival’s property which will be improved to full street standards and the other connects to Talent Avenue at Everett Way. **The provisions of this section have been met.**

G. *Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be within the range of appropriate widths adopted in the Transportation System Plan. A variance shall be required to vary the standards in the Transportation System Plan. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:*

- a. *Street classification in the Transportation System Plan;*
- b. *Anticipated traffic generation;*
- c. *On-street parking needs;*
- d. *Sidewalk and bikeway requirements based on anticipated level of use;*
- e. *Requirements for placement of utilities;*
- f. *Street lighting;*
- g. *Proposed traffic calming devices;*
- h. *Minimize drainage, slope, and sensitive lands impacts, as identified by the Comprehensive Plan;*
- i. *Street tree location, as provided for in Section 240—Street Trees;*
- j. *Protection of significant vegetation (i.e., trees with a caliper of 4 inches (dbh) or greater)*
- k. *Safety and comfort for motorists, bicyclists, and pedestrians;*
- l. *Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;*
- m. *Access needs for emergency vehicles; and*
- n. *Transition between different street widths (i.e., existing streets and new streets) where applicable.*

FINDING: As proposed, the preliminary subdivision plat identifies William Way as a “narrow street” with a 28’ paved surface. As shown on the preliminary site plan, the proposed right of way is adequate to provide needed on street parking, street lighting, street trees and proper emergency vehicle access and meets the narrow street exception requirements outlined in the TSP. **The provisions of this section have been met.**

J. *Street Alignment and Connections.*

- 2. *Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or*

similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.

FINDING: As proposed, the only local intersection on this plan is at the intersection of Stage Way at William Way which is more than 125' from the intersection of Stage Way and Talent Ave. **The provisions of this section have been met.**

4. *Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks and transit facilities wherever possible.*

FINDING: The proposed streets within the subdivision provide direct and easy access to Talent Avenue, which has RVTD transit service, is close to downtown Talent, and close to recreation at Chuck Roberts park. **The provisions of this section have been met.**

5. *In order to promote efficient vehicular and pedestrian circulation throughout the City, the design of subdivisions and alignment of new streets shall conform to the standards in 260—Vehicular Access and Circulation, and block length shall not exceed the dimensions in a-b below:*
 - a. *400 foot maximum block length, and 1,200-foot maximum perimeter in the Residential zones;*
 - b. *400 foot maximum block length and 1,200-foot maximum perimeter in the Central Business District Zone;*
 - c. *800 foot maximum block length and 2,400-foot maximum perimeter in the Light Industrial District;*

Exceptions to the above standards may be granted when the developer can clearly demonstrate that compliance is not feasible, or when a non-vehicle access way is provided at or near mid-block, in conformance with the provisions of Section 230— Pedestrian Access and Circulation. (See examples in Figure 250.J.)

FINDING: As proposed, the design meets these standards because the pedestrian pathway between lots 29 & 30 provides a direct route for residents walking downtown or to Chuck Roberts Park or the dog park. **The provisions of this section have been met.**

- K. *Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes in public right-of-way shall be installed in conformance with the TSP. Pathways and bike paths within subdivisions shall be designed to promote the safety of those using the path, and the privacy of adjoining property*

owners to the greatest extent practicable. For example, pathway connections shall be as direct as possible. Overhead street lighting shall be coordinated with pathway entrances wherever possible, and pedestrian-oriented lighting shall be considered in other areas where overhead lighting cannot be provided. Fences and landscaping may be required for privacy screening and buffering between pathways and adjacent land uses. Alternatively, grade change between pathways and adjacent uses may be a suitable buffer. Ease of maintenance of paved areas and use of native landscaping shall also be encouraged. Maintenance of sidewalks and planter strips is the continuing obligation of the adjacent property owner. (ORS 105.672)

FINDING: The proposed subdivision plan proposes the necessary sidewalks and park-rows in the public right-of-way. Bicycle lanes are not required on local streets. The proposal identifies a pedestrian pathway between lots 29 and 30 as a means to join the two phases of the subdivision together. To ensure the safety of those using the pedestrian pathway, pathway lighting is required. In addition to pathway lighting, the applicant shall, to the greatest extent practicable, locate the overhead street lighting adjacent to or near the pedestrian pathway. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway lighting and the location of all required overhead lighting. All pathway lighting shall be downward directed or shielded to avoid light pollution. The applicant is encouraged to use LED or other energy efficient light for the proposed pathway. **The provisions of this section have been met subject to conditions.**

- L. *Intersection Angles. Streets shall be laid out to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:*
- a. *No street intersection may be created within 25 feet of a street curve, and no street curve may be created within 25 feet of a street intersection (on the same street). Such intersections and curves shall have at least 25 feet of tangent between them unless topography requires a lesser distance;*
 - b. *Intersections that are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and*

FINDING: As proposed, all planned intersections meet at right angles with radii greater than 20'. **The provisions of this section have been met.**

- M. *Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, in conformance with the standards in the Transportation System Plan.*

FINDING: As proposed, the subdivision completes the recently approved existing ½ street shared with OSF and dedicate the right-of-way to the City of Talent. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that specify the required dedication of right-of-way for Stage Way and William Way. **The provisions of this section have been met subject to conditions.**

- O. *Grades and Curves. Grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:*
 - a. *Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and*
 - b. *Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent slope or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.*

FINDING: As proposed, the subdivision street grades are less than 5%, & both intersections at Talent Ave shall have stop signs. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the street grades and the location, type of street signs to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City’s acceptance of the dedicated public street. **The provisions of this section have been met subject to conditions.**

8-2.260 VEHICULAR ACCESS AND CIRCULATION

- D. *Traffic Study Requirements. The City or other agency with access jurisdiction may require a traffic impact study (TIS) prepared in accordance with Section 8-3L.9 Traffic Impact Study. [amended 17 February 2016; Ord. No. 912]*

FINDING: The provision of this section are addressed above in Section 8-2.250(B). **The provisions of this section have been met.**

- G. *Access Spacing. Driveway access shall be separated from other driveways and public and private street intersections in accordance with the following standards and procedures:*
 - 1. *Local Streets. A minimum of 10 feet separation (as measured from the sides of the driveway/street) shall be required on local streets (i.e.,*

streets not designated as collectors or arterials), except as provided in Subsection 3, below.

FINDING: As proposed, each lot on William Way and Stage Way either have a permitted shared driveway or have a minimum of 10' of separation between driveways. The exception is Lot 31 and 32 which are accessed by the 20' public alley. These lots access a lower function public access, not a local street, therefore the 10 feet of separation does not apply to alley accessed lots. **The provisions of this section have been met.**

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

FINDING: As proposed, each lot has only one access point. **The provisions of this section have been met.**

I. Shared Driveways. The number of driveway and private street intersections with public streets may be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

FINDING: As proposed, nearly half of the proposed lot share a driveway, promoting additional vehicular and pedestrian safety. **The provisions of this section have been met.**

2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

FINDING: As proposed 14 of the 35 lots share a driveway. With the exception of Lots 16-18, all shared driveway share only a driveway apron which is in the public right-of-way. Therefore, these lots do not require a recorded shared access easement. **The provisions of this section are not applicable.**

8-2.270**SANITARY SEWER AND WATER SERVICE IMPROVEMENTS**

- A. *Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications and the applicable Comprehensive Plan policies.*
- B. *Sewer and Water Plan approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.*
- C. *Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the over-sizing. (Note: Dolan versus City of Tigard findings should accompany any decision to require over-sizing.)*
- D. *Permits Denied. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building or development moratoriums shall conform to the criteria and procedures contained in ORS 197.505.*

FINDING: During the pre-application conference, Rogue Valley Sewer Services staff and the City Engineer reviewed the proposal and determined that there is adequate existing capacity for the project. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the proposed water improvements. Additionally, prior to final plat, the applicant shall provide Community Development with Public Improvement Plans approved by Rogue Valley Sewer Services that detail the proposed sewer improvements. **The provisions of this section have been met subject to conditions.**

8-2.280**STORM DRAINAGE AND SURFACE WATER MANAGEMENT**

- A. *General Provisions. The City shall issue a development permit only where adequate provisions for storm water and surface water runoff have been made pursuant to Resolution 517, Stormwater Design Standards.*
- B. *Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, as designated in the City of Talent Stormwater Master Plan, whether inside or outside the development. Such facilities shall be subject to review and approval by the Public Works Director or City Engineer.*

- C. *Effect on Downstream Drainage. Where it is anticipated by the Public Works Director or designee that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold permits of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards. Any applicable procedures in state development moratorium statutes shall be followed.*
- D. *Easements. Where a watercourse, drainage way, channel, or stream traverses a development, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance. Development within designated Locally Significant Wetland and Riparian areas shall be in conformance with the requirements in 8-3H.2, Natural Areas, Parks and Floodplains.*

FINDING: During the pre-application conference, Rogue Valley Sanitary Sewer staff reviewed the proposed subdivision plan and determined that there is sufficient capacity within the storm drain system for the project. Rogue Valley Sewer Service also stated that the proposed development shall meet the requirements of the RVS Stormwater Design Manual including onsite detention and treatment of all stormwater. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the stormwater detention and treatment plans approved by Rogue Valley Sewer Services. **The provisions of this section have been met subject to conditions.**

8-2. Article 3.

APPLICATION REQUIREMENTS AND APPROVAL CRITERIA

8-2.310 REVIEW PROCEDURES AND APPROVALS PROCESS

- A. *Subdivision and Partition Approval Through Three-step Process. Applications for subdivision or partition approval shall be processed through a three-step process: the pre-application conference, the preliminary plat, and the final plat.*
1. *A pre-application conference is required for all partitions and subdivisions.*

FINDING: The applicant attended the required pre-application conference on December 15, 2016. **The provisions of this section have been met.**

G. *Phased Development.*

1. *The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for*

required public improvements, utilities, streets) for any partition or subdivision phase be greater than 3 years without reapplying for a preliminary plat;

2. *The criteria for approving a phased land division proposal are:*
 - a. *Public facilities shall be constructed in conjunction with or prior to each phase;*
 - b. *The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 460—Performance Guarantees. A temporary public facility is any facility not constructed to the applicable City or district standard;*
 - c. *The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal; and*
 - d. *The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.*

FINDING: The applicant has proposed to develop the subdivision in two phases. Pursuant to this section, all required public improvements, utilities and streets for both phases shall be installed within three (3) years of the final plat approval. If public improvements are not installed within three (3) years of the final plat, the applicant shall reapply for a preliminary plat. As a general condition of approval, the applicant shall complete all required public improvements in both subdivision phases within three (3) years of the approval of the final plat or an application for preliminary approval shall be resubmitted. Additionally, the applicant shall prior to final plat, provide the City a proposed time schedule for the development of each phase. **The provisions of this section have been met subject to conditions.**

H. Compliance with ORS Chapter 92. All subdivision and partition proposals shall be in conformance to state regulations set forth in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.

FINDING: As proposed, the preliminary plat is in compliance with ORS 92. **The provisions of this section have been met.**

8-2.320 PRELIMINARY PLAT SUBMISSION REQUIREMENTS

A. *Preliminary Plat Information. The preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:*

1. *General information:*

- a. *Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in the county in which it is located (please check with County surveyor);*
- b. *Date, north arrow, and scale of drawing;*
- c. *Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site, including vicinity;*
- d. *Names, addresses and telephone numbers of the owners, designer, and engineer or surveyor, and the date of the survey; and*
- e. *Identification of the drawing as a "preliminary plat."*

FINDING: The applicant has provided a preliminary plat that includes all of the required general information above. The proposed subdivision name does not duplicate the name of another subdivision in the County, however, the City has determined that the William Way street name is not appropriate since it has a direct connection with Everett Way. Considering this direct connection, Staff recommends that William Way be renamed to Everett Way to minimize confusion for emergency responders. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat changing the name of William Way to Everett Way and the name of the subdivision. Staff has verified that Stage Way Subdivision is an acceptable name should the applicant choose to keep Stage Way named as proposed on the plat. **The provisions of this section have been met subject to conditions.**

2. *Site analysis:*

- a. *Streets: Location, name, present width of all existing streets, alleys and rights-of-way on and abutting the site;*
- b. *Easements: Width, location and purpose of all existing easements of record on and abutting the site;*
- c. *Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest ones;*
- d. *Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established bench-mark or other datum approved by the County Surveyor. This requirement*

- may be waived for partitions of one (1) acre or less with grades, on average, less than 5 percent;
- e. *The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);*
 - f. *Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having substantial erosion potential;*
 - h. *Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;*
 - j. *The location, size and species of trees having a caliper (diameter) of 4 inches (dbh) or greater at four feet above grade;*
 - k. *Lighting plan, mailbox plan; and*
 - l. *Other information, as deemed appropriate by the City Planner or City Administrator. The City may require studies or exhibits prepared by qualified professionals, such as a traffic study, anticipated water use and conservation study, cultural resource study, tree report and preservation study, wetland delineation, or similar study, to address specific site features and code requirements.*

FINDING: The Preliminary Plat (prepared by Friar & Associates) includes all the information pursuant to the requirements of Section 8-2.320 above. **The provisions of this section have been met.**

8-2.330 APPROVAL CRITERIA: PRELIMINARY PLAT

A. *General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

- 1. *The proposed preliminary plat complies with all of the applicable code sections and other applicable ordinances and regulations. At a minimum, the provisions of this Chapter and the provisions of the underlying zoning district shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of 8-3L.4—Variances; [amended 15 October 2008; Ord. No. 847]*

FINDING: As proposed the Preliminary Plat complies with or can comply with conditions all applicable code sections, ordinances & regulations, including this Chapter 8-2 (Subdivision Development & Design Standards), Chapter 8-3C.4 (RM-22 Zoning District), except for the requested setback variance in accordance with Section 8-3L.4 (Variance) of the Talent Zoning Code addressed below. **The provisions of this section have been met subject to conditions.**

- 2. *The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

FINDING: The proposed subdivision name does not duplicate the name of another subdivision in the County, however, the City has determined that the William Way street name is not appropriate since it has a direct connection with Everett Way. Considering this direct connection, Staff recommends that William Way be renamed to Everett Way to minimize confusion for emergency responders. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat changing the name of William Way to Everett Way and the name of the subdivision. Staff has verified that Stage Way Subdivision is an acceptable name should the applicant choose to keep Stage Way named as proposed on the plat. **The provisions of this section have been met subject to conditions.**

3. *The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction, and in all other respects; and are consistent with the City's Transportation System Plan. All proposed public improvements and dedications are identified on the preliminary plat; and*

FINDING: As proposed the preliminary plat details the completion of the existing, ½ street improvement abutting the northern boundary of the parcel. The preliminary plat identifies the construction of a new street, “William Way,” that connects Stage Way to Talent Avenue. William Way intersects Talent Avenue directly opposite Everett Way, eliminating the need for additional intersections. The applicant has proposed a two phase development, however, it appears that both proposed streets are necessary for the development of either phase. The construction of Phase 1 as proposed would include the completion of the ½ street and the partial construction of William Way near the intersection of Stage Way. Should the applicant choose to construct the improvement for only Phase 1 initially, the street stub near Lots 3 and 6 would require a reserve strip to ensure future street construction. Considering this segment of William Way is less than 150’, there is no need for an emergency vehicle turn-a-round. As a condition of approval, the applicant shall prior to final plat, provide Community Development with a revised preliminary plat identifying a reserve strip of land south of Lots 3 and 6 or dedicate the entire right-of-way with the recording of the Phase 1 final plat. **The provisions of this section have been met subject to conditions of approval.**

4. *All proposed private common areas and improvements (e.g., home owner association property) are identified on the preliminary plat.*

FINDING: As proposed, the Preliminary Plat identifies all private common areas and improvements that will be maintained by the Homeowner’s Association. Lots 16-18 near the southwest corner of the subdivision requires the use of a shared access from William Way in order to provide proper frontage. As proposed, the 20’ access way serving these lots are classified as open space owned by the Home Owner’s Association and does not meet the requirements for proper frontage. While the open space can be a separate legal lot owned by the Home Owners Association, staff recommends that the open space providing access to lots 16-18 also be identified as a 20’ private access easement for consistency

with the frontage standards. Additionally, the applicant has proposed a 10' pedestrian access easement between Lots 29 and 30. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat identifying the open space providing access to lots 16-18 as a 20' shared access easement. **The provisions of this section have been met.**

B. Residential Density

1. *Minimum and Maximum Density Requirements. When lots are created through a subdivision, the development shall achieve a minimum of forty percent (40%) and a maximum of one hundred percent (100%) of the dwelling unit density permitted by the applicable zoning district. The minimum density provision shall not apply to parcels that are smaller than one (1) acre. For purposes of this section, the minimum number of dwelling units required shall be determined by multiplying the maximum density by 0.4. The result shall be rounded up for any product with a factor of 0.5 or greater and rounded down for any product with a fraction of less than 0.5. [amended 15 October 2008; Ord. No. 847]*
2. *Residential Density Calculation Procedure...The following steps describe how to calculate density (For density calculation in the RM-22 zone, refer to Zoning Code, 8-3C.460. Do not use the method below for the RM-22 zone).*

FINDING: The proposed Comprehensive Plan and Zoning Map change is to RM-22 which is excluded in this Section. The density calculations are addressed below pursuant to Section 8-3C.460. **The provisions of this section are not applicable.**

C. Block and Lot Standards. All proposed blocks (i.e., one or more lots bound by public streets), lots, and parcels conform to the specific requirements below:

1. *All lots shall comply with the lot area, setback, and dimensional requirements of the applicable zone district, and the standards of Section 250(J)—Street Connectivity and Formation of Blocks.*

FINDING: The applicant has requested a variance to the required setbacks which are addressed in the findings below. As proposed, all lot area and other dimensional standards required in the RM-22 zoning district have been met either through an average lot area for the subdivision or due to the type of allowed dwelling for an individual lot. Section 8-3C.470(D) provides the minimum lot widths for specific dwelling types. The dwelling types in this subdivision are single-family attached and detached. Pursuant to Section 8-3C.470(D), single-family detached lots have a minimum lot width of 40 feet, while single family attached have no minimum lot size. Considering the minimum standards for single family detached housing, Lots 2-8, 11-13, 22-25 and 28-29 shall be a single-family attached dwelling in order to accommodate a dwelling. An alternative to requiring the aforementioned lots to be attached is a revision of the plat to meet the minimum lot standards

for single-family detached dwellings. As a condition of approval, Lots 2-8, 11-13, 22-25 and 28-29 shall be allowed to only build single-family attached dwellings or the applicant shall, prior to final plat, provide Community Development a revised preliminary plat amending the lot widths of some, or all of Lots 2-8, 11-13, 22-25 and 28-29 to the 40' minimum lot width requirement. **The provisions of this section have been met subject to conditions.**

- a. *Single-family residential lot sizes may be averaged to allow lots less than the minimum lot size in the RS-5 and RS-7 residential districts, as long as the average area for all lots is not less than allowed by the district. In order to prevent exceeding the maximum allowable densities, no lot shall be created that can be divisible in the future unless a re-division plan is filed for the subject lot, pursuant to Section 330(F). No lot created under this provision shall be less than eighty-five (85%) percent of the minimum lot size allowed in the zone. For example, in the RS-5 zone the following three lots could be created from a 24,000-square-foot tract: 6,800 square feet; 8,000 square feet; and 9,200 square feet. [amended 1 December 2004; Ord. No. 777]*
- b. *In the High-Density S&MF Residential (RM-22) zoning district, individual lots may not be created that are too small to provide a residential building footprint, adequate access, any required undeveloped or landscaped areas, and covered off-street parking for at least two dwelling units.*

FINDING: As proposed, all lots with the exception of Lot 12 meet the minimum lot area standards required in the RM-22 zoning district. An exception for lots with an area smaller than 1,800 square feet is outline in Section 8-3C.470(A)(3). This section allows attached or zero lot line townhouses or row houses on individual lots smaller than 1,800 square feet provided the net density for the development does not exceed 16 units and that 250 square feet of open space is provided. The development as proposed has a net density of approximately 10 units per net acre, below the required 16 units per net acre allowance and proposes approximately 4,244 square feet of open space adjacent to Lot 25. **The provision of this section have been met.**

2. *Setbacks shall be as required by the applicable zoning district. [amended 15 October 2008; Ord. No. 847]*

FINDING: The proposed subdivision design is consistent with the HNA's density & design recommendations including row-houses, common-wall houses, houses with common garage walls, houses with zero lot lines, detached homes, and future apartments on the ½ acre in reserve. As proposed, the plan incorporates a variety of garage locations, sizes, & accesses - some via rear alley, others via shared driveway with attached garages. In addition to integrating a variety of home types into the subdivision, the plan provides a more efficient use of land and smaller more affordable homes.

The applicant contends that the City's setback requirements were written to serve much larger 5,000 – 8,000 square foot lots and not conceived to facilitate efficient land usage and small homes. Although that logic has not been confirmed, Staff agrees that the existing setbacks are not consistent with other jurisdictions that encourage higher densities and that greater setbacks can be a barrier to efficient high density development. Talent's current, front-yard setback is 20' for the house or porch and 24' for the garage. As an example, a two 1,800 square foot lots meant to accommodate a single-family attached home would require approximately 1,140 square feet per lot to be dedicated to required setbacks, leaving only 660 square feet of building space. This requirement, along with a lot coverage maximum of 40 percent averaged over the development is a barrier to high density development. Considering this barrier, the applicant is seeking a variance to reduce front-yard setbacks to 10' for houses/porches and to 20' for street-loaded garages, similar to that approved in the Clearview development in 2007 and to Old Bridge Village in 2005. The proposed request maintains adequate, off-street parking while lessening the visual impact of a dominating street facing garage. Similarly, compressed setbacks have enhanced communities across the state, including several in Talent and Ashland, by increasing density, improving overall aesthetics, lowering costs, and encouraging interaction.

Talent's current, side-yard setback of 5' for 1-story and 8' for structures taller than 18'. In general, a standard setback means that adjacent, 2-story homes must be 16' apart consuming approximately 500 square feet of valuable building space.

The applicant references the City of Ashland Land Development Code which requires 6' minimum side-yard setbacks for both one- and two-story homes, and Medford codes which require a 4' side-yard setback for one-story homes and increases them proportional to building height. Staff agrees that narrower setbacks and smaller lots are the simplest means of increasing Talent's density & preserving the surrounding, open space.

During the pre-application conference, the issue of narrow side-yard setbacks was discussed with Jackson County Fire District 5 staff who agreed that need enough space to place a ladder to reach a 2nd-floor windowsill and that a 5' side yard setback for a single story and a 6' side-yard setback for a 2-story building is sufficient.

As proposed, the Applicant is seeking a variance to reduce side yard setbacks from 8' to 6' for 2-story homes and a reduction front-yards setbacks from 20 feet for houses and porches to 10' feet and from 24' feet for garages, to 20' feet. The plan complies with rear-yard minimum setbacks of 10' and alley-garages of 5'. Considering the evidence presented by the applicant and further considering the direction the City must head in the coming years to achieve higher densities within the City, staff recommends allowing the reduced setbacks. Reduced setbacks afford this applicant the same opportunities as other recent higher density development without additional risk to fire, life or safety. As a condition of approval, prior to the issuance of building permits, the applicant shall submit building plans that meet the following setbacks for all single-family lots:

5' side-yard setback for single store units

- 6' side-yard setback for all two-story units
- 10' front-yard setback for houses and porches (no additional setback exceptions allowed)
- 20' front-yard setback for all garages
- 10' rear-yard setback for all units
- 5' alley-garage setback

The provisions of this section have been met subject to conditions of approval.

3. *Each lot shall conform to the standards of Section 260—Vehicular Access and Circulation.*

FINDING: The provisions of this section are addressed in Section, 8-2.2 (Development and Design Standards) above. **The provisions of this section have been met.**

4. *Landscape or other screening may be required to maintain privacy for abutting uses and buffering for pathways, through lots abutting an arterial or collector street, grade changes and retaining walls, development on flag lots, and similar situations, consistent with the provisions of the Zoning Code, Subdivision Code, and 8-3J.4.*

FINDING: As indicated on the proposed plan and in Applicant's accompanying, Comprehensive Plan Map and Zoning Map Amendment Applications, landscape buffering meeting 8-3 J.450 (Buffering and Screening Standards) separates the subdivision from the adjacent, Light Industrial parcels. The design integrates both Section A- 3a (opaque fencing) with Section B-2c ("living wall") to create a stronger and more aesthetic buffer. Additionally, to reduce the likelihood of future residents' complaints about noise from the adjacent, light industrial activities, the applicant has proposed non-remonstrance covenants to be recorded with the deeds requiring the owners to acknowledge their awareness and acceptance of the adjacent, Light Industrial activities. As proposed, the opaque fence and "living wall" which includes a combination of trees and trellises at 95% opacity provides an adequate buffer to protect the adjacent industrial uses and to address the concerns of the neighbors. As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan consistent with Section 8-3J.450(A)(3)a and 8-3J.450 (B)(2)c, that specifically identifies the design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees. Additionally, the applicant shall, prior to final plat, provide Community Development a copy of the proposed development agreement to be recorded to each lot which shall include language that states the owners acknowledge their awareness and acceptance of the adjacent industrial uses and that disallows required buffers to be removed unless to replace dead, dying or diseased vegetation. **The provisions of this section have been met subject to conditions.**

5. *In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See also, Section 260— Vehicular Access and Circulation.*

FINDING: All proposed lots front a local street or are within 150 feet of a public right-of-way or approved access drive. **The provisions of this section are not applicable.**

6. *Where a common drive is to be provided to serve more than one lot, a reciprocal easement, which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

FINDING: Lot 16, 17 and 18 of the preliminary plat are served by a common driveway. To ensure continued unobstructed access the applicant shall provide a reciprocal easement for the above mentioned lots prior to final plat. As a condition of approval, the applicant shall, prior to final plat, provide the City with a copy of the draft reciprocal easement for Lots 16, 17 and 18 that shall be recorded concurrently with the final plat. **The provisions of this section have been met with conditions.**

- E. *The City may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.*

FINDING: The applicant has proposed a two phase development, however, it appears that both proposed streets are necessary for the development of either phase. The construction of Phase 1 as proposed would include the completion of the ½ street and the partial construction of William Way near the intersection of Stage Way. Should the applicant choose to construct the improvement for only Phase 1 initially, the street stub near Lots 3 and 6 would require a reserve strip to ensure future street construction. Considering this segment of William Way is less than 150', there is no need for an emergency vehicle turn-a-round. As a condition of approval, the applicant shall prior to final plat, provide Community Development with a revised preliminary plat identifying a reserve strip of land south of Lots 3 and 6 or dedicate the entire right-of-way with the recording of the Phase 1 final plat. **The provisions of this section have been met subject to conditions.**

TALENT ZONING CODE REQUIREMENTS

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

- A. *There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control;*

FINDING: The applicant contends that the primary objectives of the proposed development is to provide a mixture of housing types and ownership opportunities at a higher target

density. The proposed development provides four housing types, including single-family attached and detached, townhouses and multiplexes (apartments).

The proposed subdivisions because of its adjacency to a conflicting industrial use, requires the use of a minimum 5' wide vegetative buffer reducing the total land available on this site for residential development. The applicant has proposed reductions in the front yard and the front of the garages to allow the dwellings to be sited street ward to provide more private outdoor space in the rear yards and to accommodate the required vegetative buffer.

The requested variance for side and front yard setbacks is necessary for this property and other RM-22 infill properties to be developed at a residential density greater than 6.6 units per acre. As noted in the HNA, the City needs to begin the process of using its available stock of residential land more efficiently in order to accommodate the City's needed housing and mixture of housing types. As proposed, this subdivision serves as an example of how future infill projects might be developed and provides a basis for establishing zoning regulations to eliminate the need for future variances. The variances requested as part of this application satisfy RPS and HNA recommendations to increase residential densities. Considering the variance request was based on the required buffer, a condition establishing the buffer is necessary. As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan consistent with Section 8-3J.450(A)(3)a and 8-3J.450 (B)(2)c, that specifically identifies the design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees. **The provisions of this section have been met subject to conditions.**

B. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;

FINDING: The applicant contends that the City of Talent had setbacks similar to those propose in this application, and those standards were repealed with the repealing of the PUD Ordinance. The historic development in the RM-22 zoning district was able to utilize the repealed Code for reduced setbacks. The applicant's position appears to have some merit. Developments such as Clearview, Old Bridge Village and home built on Everett Way across from the proposed development all have reduced setbacks providing owners in these developments a property right not available to the applicant. Further, it should be noted that when these developments were built, Talent's housing deficit hadn't been realized and the need for housing was not the purpose for allowing the reduced setbacks. **The provisions of this section have been met.**

C. The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and

FINDING: As proposed, the reduction in setbacks similar to those in surrounding high density developments would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy or the goals, policies or text of the Comprehensive Plan. Many of the policies in the proposed Housing Element are similar to those in the existing element and draw special attention to the need for higher density development and creative methods allowing unique developments. As proposed, this subdivision serves as an example of how future infill projects might be developed and provides a basis for establishing zoning regulations to eliminate the need for future variances. The variances requested as part of this application satisfy RPS and HNA recommendations to increase residential densities. **The provisions of this section have been met.**

D. The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.

FINDING: As proposed, the requested variances are the minimum that would allow the applicant to meet the densities required in the RPS Plan and both the current and proposed Housing Element G. **The provisions of this section have been met.**

In addition to criteria A through D, variances from access management standards are subject to the following additional standards:

E. The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

F: Applicants for a variance must include proof that:

- 1. Indirect or restricted access cannot be obtained;*
- 2. No practical engineering or construction solutions can be applied to mitigate the condition;*
- 3. No alternative access is available from a street with a lower functional classification than the primary roadway.*

FINDING: The proposal does not make a request for a variance to access management standards. **The provisions of this section are not applicable.**

8-3L.920 APPLICABILITY

A. Transportation Impact Study (TIS) shall be required if any of the following actions exist:

- 1. A zoning or comprehensive plan map or text amendment is projected to generate 500 or more net daily vehicle trips.*

2. *A development proposal is projected to generate fifty (50) or more net peak hour trips on an arterial or collector segment or intersection.*
3. *A land use action or development proposal will impact known safety, congestion or capacity problems.*
4. *A land use action or development proposal is on a highway segment with special access controls.*

FINDING: Each property in the city, with city zoning, has an underlying traffic impact. To determine the traffic impact of the proposed Comprehensive Plan Amendment, standardized trip generation rates from the International Transportation Engineers (ITE) Trip Generation Manual, 9th edition were used for an analysis.

According to the ITE, the traffic impact most closely associated with vacant light industrial land is Code 110, General Light Industrial with a trip generation of 0.97 PM PHT per 1,000 square feet of development.

The subject property is currently zoned Light Industrial (IL) and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is across from existing High Density (RM-22) zoning and adjacent to a city park and local public transit.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. Using the ITE Trip Generation methodology, the applicant has demonstrated that the subject property has a highest and best use impact of 154 PM Peak Hour Trips (PM-PHT), and 1,540 Average Daily Trips (ADT).

The Site Plan and Tentative Plat submitted with this application identifies 35 single family dwelling units and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a total PM-PHT rate of 35.7. The future Multifamily development with up to 12 dwelling units at 0.62 PM-PHT trips has a potential addition of 7.44 PM-PHT for a total of 43.14 PM-PHT.

As stated in the applicant's findings, the effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated subdivision is a reduction of 110.86 PM-PHT from the current IL zoning at the highest and best use.

With a reduction in the PM Peak Hour Trips from the existing impacts, this application does not warrant a Traffic Impact Study as identified in the section 8-3L.920 of the Talent Zoning Code. **The provisions of this Section are not applicable.**

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

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

Felicia Hazel
Chairperson

Date

ATTEST

Zac Moody
Community Development Director

Date

PROPOSED

Attachment B
Findings of Fact,

The applicant has submitted an application for a Comprehensive Plan Map and Zoning Map Amendment, a subdivision application and an application for a variance from the strict application of setbacks with the development Code.

The approval of the requested applications would allow for the development of a 4.3 acre parcel currently in the light industrial zoning district with 35 single family dwellings and up to 12 multifamily dwelling units.

The granting of the relief described below will create 4 housing types, single family detached, single family attached, townhouses and multiplexes along with individual lot ownership opportunities as identified as necessary for more affordable development within the City.

The density and proposed development currently under review is compatible with the needs identified in the proposed Housing Needs Analysis for inclusion in the Talent Comprehensive Plan.

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

A. There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control; 8-3L.4 Zoning Code page L-25 Variance

B. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;

C. The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and

D. The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.

In addition to criteria A through D, variances from access management standards are subject to the following additional standards:

E. The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

F. Applicants for a variance must include proof that:

1. Indirect or restricted access cannot be obtained;

2. No practical engineering or construction solutions can be applied to mitigate the condition;

Findings of Fact,

3. No alternative access is available from a street with a lower functional classification than the primary roadway.

Findings:

The applicant has requested the following variances.

- 5' side-yard setback for single store units
- 6' side-yard setback for all two-story units
- 10' front-yard setback for houses and porches
- 20' front-yard setback for all garages
- 10' rear-yard setback for all units
- 5' alley-garage setback

The Variances requested are necessary to develop this project at the proposed densities and mixture of housing types for the subject property within the requested zoning district. The reduction on front yard setbacks promotes a lively pedestrian scale neighborhood.

The side yard setbacks were established in the 1990s and contemplated larger lots that do not meet the density goals for the City today and in the future. The Talent Development Code provided a mechanism for reduced setbacks, however those elements of the Code have been repealed, and not yet replaced. The requested setbacks are similar to other urban jurisdictions in the County.

The ability of the City to meet the density objectives identified in the RPS document and in the future will necessitate Code amendments to develop at the target densities is dependent on the reduction of the side yard setbacks to allow for construction on small lots.

The current Code requires the finding of extraordinary circumstances or conditions on this property that do not generally apply to other properties in the same zone or vicinity. The lack of developable or redevelopable R-22 zoned property ,together with the RPS requirements are the extraordinary circumstances.

The granting of the variances for reduction of setbacks will allow for small lot detached and attached ownership opportunities to promote affordable housing opportunities that do not exist in the City today.

The granting of the variances for setbacks are not detrimental to the purposes of the Code and Comprehensive Plan and will in fact allow the City to meet mandated density objectives to intensify within the UGB prior to expanding the UGB.

A. There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control; 8-3L.4 Zoning Code page L-25 Variance

Findings of Fact,

One of the primary objectives of the proposed development is to provide a mixture of housing types and ownership opportunities at a higher target density. The proposed development provides four housing types:

1. Small lot single family detached
2. Small lot single family attached
3. Townhouses
4. Multiplexs

This infill site is constrained by existing development on adjoining parcels and public rights of way. Bufferyards are typically included on the property of the more intensive use of an interface of two land use types. Since the subject parcel abuts developed Light Industrial properties on three sides, typical land use planning practices of buffer yards between land uses must be altered. The applicant cannot propose bufferyards on the adjoining industrial lands and the City cannot condition an approval for the installation on bufferyards on adjoining parcels.

This application proposes buffer yards onsite. The adjacent industrial uses are currently developed. The bufferyards reduce the total land available on this site for residential development. Including the bufferyards on the lots affects the availability of usable private outdoor space for the residents on these proposed lots.

The applicant has proposed reductions in the front yard and the front of the garages to allow the dwellings to be sited streetward to provide more private outdoor space in the rear yards. The reduces setback also provides for the pedestrian scale and pedestrian friendly environment proposed.

The Approving Authority can conclude the inclusion of bufferyards on the subject property is an exceptional or extraordinary condition and the reduced front yard setbacks variances are warranted.

The requested variance for side yard setbacks is necessary to achieve the target densities of the development and provide the mixture of housing types proposed.

The current side yard setbacks were established in the 1990s and were well suited to large lot development and the development of multifamily properties. The regulations are suitable for those scenarios.

The development of this High Density residential property with the four housing type and the potential for individual ownership opportunities require relief from the large lot setbacks. The large lot setbacks currently in the Code ultimately result in up to 50% of the lot width in setbacks.

The City had smaller setbacks in the Code at one time. To implement the goals, policies and recommendations of the Housing Needs Analysis revision currently under review for adoption by the City, the existing, large lot setbacks will need to be amended. The setbacks proposed are very similar to other jurisdictions in the Jackson County.

The exceptional or extraordinary circumstances specific to this property is that assuming the approval of the Comprehensive Plan Map and Zone Map Amendments, there is a complete lack of available RM-22 land suitable for the type of development proposed with this consolidated application.

Findings of Fact,

The Applicant consulted with the Fire Marshall of Jackson County Fire District #5 to discuss the setback reduction and the impact of the reduction on Public Safety. After reviewing the proposed application and plans, the Fire Marshal indicated there is no compromise to public safety with the proposed setbacks.

B. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;

The City of Talent had setbacks similar to those propose in this application, and those standards were repealed with the repealing of the PUD Ordinance. The historic development in the RM-22 zoning district was able to utilize the repealed Code for reduced setbacks.

C. The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and

To achieve the small lot, individual ownership opportunities contemplated with the proposed Housing Needs Analysis and the density requirements of the RPS the standards for the existing setbacks will need to be modified.

D. The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.

The proposed setbacks are very similar to other jurisdictions in other municipalities in Jackson County. The requested setbacks represent the minimum relief to meet the objective of mixed housing types and ownership opportunities for development at the standards of the RM-22 zoning district.

In addition to criteria A through D, variances from access management standards are subject to the following additional standards:

E. The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

F. Applicants for a variance must include proof that:

- 1. Indirect or restricted access cannot be obtained;*
- 2. No practical engineering or construction solutions can be applied to mitigate the condition;*
- 3. No alternative access is available from a street with a lower functional classification than the primary roadway.*

This application does not seek relief for access standards and subsections E and F are not applicable to this request.

Summary and Conclusion.

Findings of Fact,

These finding of fact demonstrate compliance with the approval criteria for the granting of relief from the strict application of the current development Code for setbacks.

The lack of available RM-22 land in the City and the setback standards developed in the 1990s for large lots are too restrictive to achieve a mixture of housing types and ownership opportunities for the goals and needs of today's development at the RPS mandated densities.

The applicant has requested the minimum relief necessary for this development and the requested relief is comparable to other nearby jurisdictions.

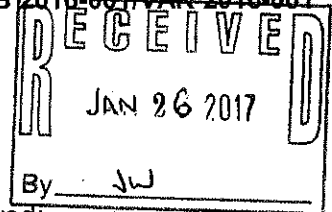
The Applicant consulted with City Staff and the Fire Marshall for Jackson County Fire District #5 to assure the requested reduction in setbacks would not compromise public safety.

On behalf of the applicant, I request the granting of the relief for the identified setbacks for this development.

Respectfully

Scott Sinner

Comment Form



- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

Please approve this project for the sake of Talent and all the folks
who'd like to move here. Housing prices are skyrocketing and my friends
are getting priced out of town.

This is a good looking project in a great neighborhood close to parks &
transportation line and I support it!

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: Gina Velando

Mailing Address: 108 School House Rd.

Talent, OR 97540

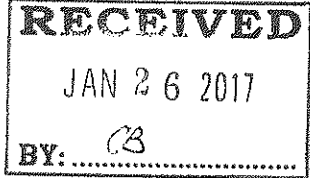
Date: 1/26/17

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

Comment Form

REZ 2016-001/CPA 2016-003 SUB 2016-001/VAR 2016-001



- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

It seems that when ever I talk
to & with my own experience
the lack of housing is a great
concern

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: Garth W. Evey
Mailing Address: 102 N. Talent Ave
Talent, OR. 97540

Date: 1/26/2017

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Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

✓

Comment Form

REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: _____

Mailing Address: MICHAEL NELSON
121 MAX LOOP
TALENT, OR 97540

Date: 1/25/17

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

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The City of Talent is an Equal Opportunity Provider

Comment Form

REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

I just bought a house built in 1973,
a real ~~fixer~~ fixer upper. Talent needs
this subdivision badly, as Ashland prices have
become absurd. Close to services, parks, etc.

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: Ben LaMore

Mailing Address: 302 E. RAPP RD.
TALENT, OR 97540

Date: 1-24-17

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

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The City of Talent is an Equal Opportunity Provider

Holtz Family Trust

P.O. Box 335
Talent, OR 97540

January 26, 2017

City of Talent Planning Commission
110 E. Main Street
Talent, OR 97540

Re: Comprehensive Plan Map Amendment – Bradley Properties, LLC.

Commission Members:


The members of the Holtz Family Trust purchased land in the Talent Industrial Park with the intention of expanding light industrial operations to benefit the community of Talent. Keeping in mind the property was designated as light industrial, it has always been the intention, as landowners, to take care of the property and reduce the industrial impact to the city while providing an opportunity for employment.

The Holtz Family Trust is concerned about the re-zoning of the property with the intention of mixing multi-family high density residential use with industrial use. The following is a listing of concerns the Holtz Family Trust has in regards to the proposed re-zoning:

1. The possible loss in value to any existing development.
2. The possibility the re-zoning will reduce the desirability of any future development on undeveloped land.
3. The liability which might arise, in the event any future residents wander onto the adjoining industrial property and are injured or suffer a loss.
4. The possible litigation which might arise due to residents being disturbed during normal conditions of an industrial operation.
5. The additional impact due to the requirement of the Transition Buffer as defined in 8-3J.450 of the City Of Talent Zoning Code.
6. The additional impact due to requirement of 8-3F.196 of the City Of Talent Zoning Code.
7. Additional possible impact of 8-3F.160 of the City f Talent Zoning Code.

The Holtz Family Trust requests the City of Talent Planning Commission takes items stated above and their impact, when reviewing the proposed zoning change.

Sincerely,



Harvey R. Holtz, Trustee
Holtz Family Trust



Fabricated Glass Specialties, inc.

January 26, 2017

City of Talent Planning Commission
110 E. Main Street
Talent, OR 97540

Re: Comprehensive Plan Map Amendment – Bradley Properties, LLC.

Commission Members:

Fabricated Glass Specialties, inc. was established in the Talent Industrial Park in 1978 with a desire to benefit the community. During the years, Fabricated Glass Specialties, inc. has attempted to maintain a positive image within the community. Fabricated Glass Specialties, inc. has always attempted to be a pleasant neighbor to the existing residential occupants, despite being a light industrial operation.

The proposed re-zoning to Multi-Family High Density on adjoining property raises concerns for the future blend of use. The following is a listing of concerns with regards to the proposed re-zoning:

1. The liability which might arise, in the event any future residents wander onto the adjoining industrial property and are injured or suffer a loss.
2. The possible litigation which might arise due to residents being disturbed during normal conditions of an industrial operation.
3. The possible impact upon any future residents from any existing or possible future operations.
4. The possible impact any proposed expansion approval, which might be denied due to the approval of the above proposed zoning change.
5. The additional impact due to the requirement of the Transition Buffer as defined in 8-3J.450 of the City Of Talent Zoning Code.
6. The additional impact due to requirement of 8-3F.196 of the City Of Talent Zoning Code.
7. Additional possible impact of 8-3F.160 of the City of Talent Zoning Code.

Fabricated Glass Specialties, inc. requests the City of Talent Planning Commission takes items stated above and their impact, when reviewing the proposed zoning change.

Sincerely,

JR Holtz
President

EXHIBIT "E"









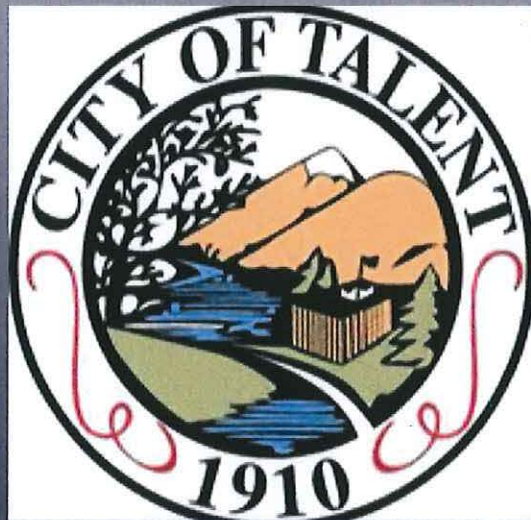


Greg Goebelt . GRI.CRS.ABR

Certified Earth Advantage Real Estate Broker

EXHIBIT "F"

City of Talent Home Pricing Analysis Real Estate Pricing Citywide



Comparative Market Analysis

Royce Real Estate Services

145 E. Main Street . Ashland . OR . 9752

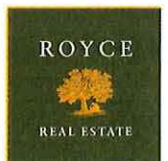
GREG GOEBELT

AND THE **Deluxe Home Team**



Certified Residential Specialist

The Proven Path To Success



541.840.5966 | ggoebelt@gmail.com | www.GregGoebelt.com



CRS
GRI
ABR

Specializing in Ashland &
Talent Since 2002.

ROYCE



REAL ESTATE

**Certified Earth Advantage Real Estate Broker
Royce Real Estate Services**

Talent Stats & Homes Prices Prices divided by Price \$200K-\$299K, Price: \$300K-\$425, and years 2004-2007, and if spending \$220K-\$250K what could you buy & what does it look like.

Homes between \$200,000 and \$299,999

average age of home: 1972, 7 homes 1989-1992, 3 homes earlier

Average square feet 1325, Price Square FT \$181, \$238,675 avg.

TOP 3 homes \$267,500 to \$295,000 (for a 1989 home). **No home later then 1992**

This is what is in the \$200,000's (\$200,000 to \$299,999)

Homes built between 2004 and 2007:

average age of home is 2004/2005 (2004.9), 4 homes 2004, 2-2005, 2-2006,

average square ft 2059, \$175 PSF, \$353,722-\$375,000

****These homes are 11-13 years old (almost half are 13-years old).***

Homes between \$300,000 to \$425,000

Average SQFT (Active Listing are 1717 sqft w/price of price \$372,975)

Average sold: 1934 sqft. for \$344,065

22 homes, half over \$350,000, 7 homes \$350,000, only 1 home is a 2016 built home.

****Most homes between \$350K and \$390K are built between 2004-2007/and one 2008.***

These homes are 9-13 years old.

*Only 1 home built in 2016, no new homes built in 2014 or 2015. Next year of newer homes was 2013. **The NEWEST home under \$300,000 is 1992.***

****the next few home are built in 2004-2010 for \$305,000-\$325,000.***

comparable property values, market conditions, land values, lot size, type of property, zoning, homesite approval, permits, easements, development costs, water rights, utility access, overall condition, date of last remodel, number of bedrooms & bathrooms, size of building(s), number of buildings/units, income (if any), floor plan, amenities, date of last remodel, upgrades & improvements, landscaping, location, traffic & road noise, curb appeal and neighborhood condition.

Please call with any questions. Let me know if you need more help.

Sincerely,

Greg Goebelt

CMA Report
Sorted by Status (asc), Price (asc)

\$200K

Listings as of 2/7/2017 6:47:34 PM

Property Type: Residential Include Property Subtype: Residential Area: Talent Statuses: Active, Sold (8/7/2016 or after) Price: 150,000 to 299,000 Page 1
Bedrooms: 3.00 or more Total Bathrooms: 1.00 or more Structure: 1000 or more (also includes 0 values)

Residential														
Sold														
Address	City	Map	Bd	Bth	SqFt	LotSz	Year	Date	\$/SqFt	DOM/CDOM	Orig Price	List Price	Sale Price	SP % LP
1490 Lithia Way	Talent		3	2 (2 0)	1465	0.1800ac	1992	01/20/17	139.76	23/23	197,600	197,600	204,750	103.62
528 Bell Rd	Talent		3	1 (1 0)	1108	0.1400ac	1990	10/19/16	194.04	11/11	234,900	234,900	215,000	91.53
114 N Fourth St	Talent		3	2 (1 1)	1164	0.1600ac	1965	11/21/16	186.86	2/2	227,500	227,500	217,500	95.60
295 Schoolhouse Ln	Talent		3	2 (2 0)	1126	0.1400ac	1989	10/26/16	194.49	5/5	219,000	219,000	219,000	100.00
307 W Main St	Talent		3	2 (2 0)	1188	0.1800ac	1942	10/31/16	185.19	5/5	217,500	217,500	220,000	101.15
106 N First St	Talent		3	2 (2 0)	1228	0.1700ac	1949	02/03/17	186.07	7/7	247,000	247,000	228,500	92.51
361 Belmont Rd	Talent		3	2 (2 0)	1440	0.3100ac	1925	09/08/16	162.85	6/6	249,000	249,000	234,500	94.18
210 Jacob Cir	Talent		3	2 (2 0)	1357	0.1400ac	1991	11/30/16	197.13	14/14	269,900	269,900	267,500	99.11
434 James Cir	Talent		3	2 (2 0)	1612	0.1600ac	1991	11/07/16	176.80	54/54	299,000	289,000	285,000	98.62
509 S 2nd St	Talent		3	2 (2 0)	1558	0.1400ac	1989	09/23/16	189.35	3/3	299,000	299,000	295,000	98.66
Listing Count	10	Averages			1325				181.25	13/13	246,040	245,040	238,675	97.50
					High	295,000		Low	204,750		Median	224,250		
Property Type Count	10	Averages			1325				181.25	13/13	246,040	245,040	238,675	

Homes \$200,000 to \$299,000

• HALF 1989-1991

• AVG. YEAR 1972

• 1325 sqft for \$238,675

• IF YOU WANT TO SPEND \$267,000
\$285,000
\$295,000

you're going to get a 1300-1600 sqft home

BUILT BEFORE 1991

CMA Report
Sorted by Status (asc), Price (asc)

Year 2004-2007

Listings as of 2/7/2017 6:59:50 PM

Property Type: Residential Include Property Subtype: Residential Area: Talent Statuses: Active, Pending, Sold (8/7/2016 or after) Price: 300,000 to Page 1
425,000 Bedrooms: 3.00 or more Total Bathrooms: 1.00 or more Structure: 1000 or more (also includes 0 values) Year Built: 2004 year(s) to 2007
year(s)

Residential

Active

Address	City	Map	Bd	Bth	SqFt	LotSz	Year	Date	\$/SqFt	DOM/CDOM	Orig Price	List Price	
510 Nerton St	Talent		3	3 (2 1)	2150	0.1200ac	2007	10/19/16	172.05	40/40	375,000	369,900	
Listing Count	1	Averages			2150				172.05	40/40	375,000	369,900	
					High	369,900			Low	369,900		Median	369,900

Pending

Address	City	Map	Bd	Bth	SqFt	LotSz	Year	Date	\$/SqFt	DOM/CDOM	Orig Price	List Price	
1729 Lithia Way	Talent		4	3 (2 1)	2093	0.1300ac	2004	01/12/17	179.17	93/93	375,000	375,000	
Listing Count	1	Averages			2093				179.17	93/93	375,000	375,000	
					High	375,000			Low	375,000		Median	375,000

Sold

Address	City	Map	Bd	Bth	SqFt	LotSz	Year	Date	\$/SqFt	DOM/CDOM	Orig Price	List Price	Sale Price	SP % LP
232 Willow Springs Dr	Talent		4	3 (2 1)	2340	0.2300ac	2005	11/23/16	141.24	20/20	327,500	327,500	330,500	100.92
119 Marin Ct	Talent		3	2 (2 0)	1626	0.1500ac	2006	10/31/16	209.10	10/10	359,000	349,000	340,000	97.42
250 Meadow Slope Dr	Talent		3	2 (2 0)	1752	0.1700ac	2004	08/24/16	196.92	17/17	349,999	349,999	345,000	98.57
184 Willow Springs Dr	Talent		4	3 (3 0)	2481	0.1300ac	2004	10/21/16	141.07	27/27	359,000	350,000	350,000	100.00
120 Jordan Ave	Talent		3	3 (2 1)	2055	0.1300ac	2004	08/26/16	170.32	43/43	359,000	349,900	350,000	100.03
1733 Lithia Way	Talent		3	3 (2 1)	2015	0.1300ac	2004	08/25/16	173.70	18/18	369,000	350,000	350,000	100.00
111 S Second St	Talent		3	3 (2 1)	1600	0.1500ac	2005	01/12/17	221.88	27/27	365,000	365,000	355,000	97.26
1025 Kamerin Springs D	Talent		3	3 (2 1)	2238	0.1400ac	2006	11/04/16	166.67	58/58	379,000	375,000	373,000	99.47
428 Nerton St	Talent		6	3 (3 0)	2425	0.3000ac	2007	12/30/16	160.82	51/51	425,000	400,000	390,000	97.50
Listing Count	9	Averages			2059				175.75	30/30	365,833	357,378	353,722	99.02
					High	390,000			Low	330,500		Median	350,000	
Property Type Count	11	Averages			2070				175.72	37/37	367,500	360,118	353,722	

HOMES 2004-2007 BUILT

SOLDS

2004-2007

\$353,722

PENDING (FUTURE SALES/SOLDS) 2007 year

\$375,000

CMA Report
Sorted by Status (asc), Price (asc)

#300K to \$399K

Listings as of 2/7/2017 6:53:12 PM

Property Type: Residential Include Property Subtype: Residential Area: Talent Statuses: Active, Pending, Sold (8/7/2016 or after) Price: 300,000 to Page 1
425,000 Bedrooms: 3.00 or more Total Bathrooms: 1.00 or more Structure: 1000 or more (also includes 0 values)

Residential

Active

Address	City	Map	Bd	Bth	SqFt	LotSz	Year	Date	\$/SqFt	DOM/CDOM	Orig Price	List Price	
202 Meadow Slope Dr	Talent		3	2 (2 0)	1472	0.4600ac	1956	09/09/16	247.96	151/151	365,000	365,000	
1109 Lithia Way	Talent		3	2 (2 0)	1719	0.1500ac	2013	02/07/17	214.08	0/0	368,000	368,000	
510 Nerton St	Talent		3	3 (2 1)	2150	0.1200ac	2007	10/19/16	172.05	40/40	375,000	369,900	
249 Wintersage Cir	Talent		3	2 (2 0)	1524	0.1700ac	2011	01/03/17	255.25	35/35	389,000	389,000	
Listing Count	4	Averages			1716				222.34	56/56	374,250	372,975	
					High	389,000			Low	365,000		Median	368,950

Pending

Address	City	Map	Bd	Bth	SqFt	LotSz	Year	Date	\$/SqFt	DOM/CDOM	Orig Price	List Price	
1729 Lithia Way	Talent		4	3 (2 1)	2093	0.1300ac	2004	01/12/17	179.17	93/93	375,000	375,000	
Listing Count	1	Averages			2093				179.17	93/93	375,000	375,000	
					High	375,000			Low	375,000		Median	375,000

Sold

Address	City	Map	Bd	Bth	SqFt	LotSz	Year	Date	\$/SqFt	DOM/CDOM	Orig Price	List Price	Sale Price	SP %	LP
102 Marin Ct	Talent		3	2 (2 0)	1647	0.1900ac	2010	09/19/16	185.19	4/4	296,500	296,500	305,000	102.87	
248 Willow Way	Talent		3	3 (2 1)	1511	0.0900ac	2010	12/05/16	205.16	0/0	310,000	310,000	310,000	100.00	
113 Willow Springs Dr	Talent		3	2 (2 0)	1828	0.1500ac	2004	09/26/16	172.32	8/8	315,000	315,000	315,000	100.00	
1209 Kamerin Springs D	Talent		3	2 (2 0)	1665	0.1300ac	2007	10/28/16	189.19	138/138	325,000	319,999	315,000	98.44	
108 Graham Way	Talent		3	2 (2 0)	1563	0.1400ac	2003	08/12/16	207.93	7/7	320,000	325,000	325,000	100.00	
127 Graham Way	Talent		3	2 (2 0)	1525	0.1100ac	2003	08/11/16	213.11	0/0	300,000	300,000	325,000	108.33	
247 Rockfellow Pl	Talent		4	4 (3 1)	2321	0.1000ac	2013	12/12/16	142.18	225/225	410,000	350,000	330,000	94.29	
232 Willow Springs Dr	Talent		4	3 (2 1)	2340	0.2300ac	2005	11/23/16	141.24	20/20	327,500	327,500	330,500	100.92	
119 Marin Ct	Talent		3	2 (2 0)	1626	0.1500ac	2006	10/31/16	209.10	10/10	359,000	349,000	340,000	97.42	
250 Meadow Slope Dr	Talent		3	2 (2 0)	1752	0.1700ac	2004	08/24/16	196.92	17/17	349,999	349,999	345,000	98.57	
1404 Lithia Way	Talent		3	2 (2 0)	2098	0.2000ac	1993	08/17/16	166.11	21/21	359,000	359,900	348,500	96.83	
1733 Lithia Way	Talent		3	3 (2 1)	2015	0.1300ac	2004	08/25/16	173.70	18/18	369,000	350,000	350,000	100.00	
120 Jordan Ave	Talent		3	3 (2 1)	2055	0.1300ac	2004	08/26/16	170.32	43/43	359,000	349,900	350,000	100.03	
184 Willow Springs Dr	Talent		4	3 (3 0)	2481	0.1300ac	2004	10/21/16	141.07	27/27	359,000	350,000	350,000	100.00	
1660 Summer Pl	Talent		3	3 (2 1)	2521	0.1400ac	2008	08/11/16	138.83	0/0	350,000	350,000	350,000	100.00	
184 Faith Cir	Talent		3	2 (2 0)	1391	0.2500ac	1994	11/28/16	251.62	0/0	350,000	350,000	350,000	100.00	
111 S Second St	Talent		3	3 (2 1)	1600	0.1500ac	2005	01/12/17	221.88	27/27	365,000	365,000	355,000	97.26	
1699 Lithia Way	Talent		4	4 (3 1)	2381	0.1400ac	2013	02/07/17	153.30	58/152	375,000	372,500	365,000	97.99	
1025 Kamerin Springs D	Talent		3	3 (2 1)	2238	0.1400ac	2006	11/04/16	166.67	58/58	379,000	375,000	373,000	99.47	
428 Nerton St	Talent		6	3 (3 0)	2425	0.3000ac	2007	12/30/16	160.82	51/51	425,000	400,000	390,000	97.50	
285 S First St	Talent		3	3 (2 1)	1640	0.1300ac	2016	11/17/16	245.96	0/0	386,700	386,700	403,375	104.31	
Listing Count	21	Averages			1934				183.46	35/39	351,890	345,333	344,065	99.73	
					High	403,375			Low	305,000		Median	348,500		

Property Type Count	26	Averages	1907	189.27	40/44	356,219	350,727	344,065
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#300,000 to \$399,999

- HALF OF ALL HOMES ARE "ABOVE" \$350K AND RANGE YEAR BUILT 1993-2007
- 1 Home 2016 \$403,000

ACTIVE AVG: 1716 sqft for \$372,975

Client Detail with Addl Pics Report

Listings as of 02/07/17 at 7:05pm

Pending 02/07/17

Listing # 2973284
County: Jackson

132 School House Rd, Talent, OR 97540-9744 [Map](#)
Cross St: Joseph Drive

Listing Price: \$252,000



TRS 38 01W 26

Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1008 Assessor
Beds	3	Price/Sq Ft	\$250.00
Baths(FH)	1 (1 0)	Lot Sq Ft (approx)	9583 ((Assessor))
Year Built	1993	Lot Acres (approx)	0.2200
Tax Acct N	10825485		
DOM/CDOM	0/0		

Directions W Valley View Road, left on Talent Ave, right on E Wagner St, left on 2nd Street, left on School House Road. OR Rapp Road, turn right on Louis J and right on School House.

Marketing Remark Beautiful Talent home! Home and yard have recently been updated and are ready for you to move right in! The inside of this offers: Remodeled kitchen with butcher block counter, country style deep sink, energy efficient appliances, and so much attention to detail to make this a great kitchen; Laminate floors thru out the home; Repainted inside and out; built in closet packs to maximize storage; & wood stove with slate hearth. Back yard features a patio with local paver stones, a trex deck with a pergola w/treated wood and solar lights, raised garden beds, a peach, plum, & goji tree, a 5 year old grape arbor, 10 X 10 attached storage shed, 10 X 7 studio and a chicken coup. Out front you'll find a zero-scaped bee and butterfly friendly front yard along with a cherry tree and a Japanese maple. Come see this special property for yourself!

Agency Represent	Yes	Year Built Source	Assessor
Tax Years	2016	Taxes	1710.00
Tax Lot #	1900	Zoning	SFR
Sale Approval	Normal	Phone Ownership	Listing Licensee
Text Ownership	Listing Licensee	Pre - 1978	No
Sign	NO	Laundry In Garage?	No
Out Building Size(s)	10 x 7 studio	Inclusions	Range/oven, frig, DW
Exclusions	Garage Freezer, W/D, safe	Elementary School	JA Talent
Middle School	JA Talent	High School	JA Phoenix
Kitchen	Main	Master Bedroom	Main
Levels	One	Addl Dwelling Unit	No
Style	Ranch	Construction	Frame
Exterior	Wood	Perimeter Foundation	Concrete
Concrete Type	Continuous	Substructure	Crawlspc
Garage	Two Car, Attached	Heat Source	Wood/Pellet
Heat Type	Stove	Stove Type	Wood, Freestanding, Certified-Yes
Air Conditioning	Window, Wall Unit	Sewer	RVS
Household Water Avlb	Public (City)	Roof	Composition
Landscaping	Fenced, Lawn, Garden	Fenced Type	Partial
Lawn Type	Partial	Exterior Features	Deck, Patio
Interior Features	Alarm, Ceiling Fan(s), Dbl. Paned Windows	Alarm Type	Smoke, Co Detector
Appliances	Sump Pump, Refrigerator, Oven, Dishwasher, Garbage Disposal, Water Heater	Refrigerator Type	Freestanding
Oven Type	Range/Oven Combo, Electric	Water Heater Type	Electric
Flooring	Vinyl, Laminate	Windows	Vinyl
View	Territorial	Street	Public, Paved
Communications	Cable TV Available	Power Source	Public Utility

	Presented By: Greg Goebelt	Royce Real Estate Services
	Lic: 200204226 Primary: 541-840-5966 Secondary: Other: E-mail: ggoebelt@gmail.com Web Page: http://www.greggoebelt.com	Office Lic.: 960700218 145 E. Main Ashland, OR 97520 541-482-3814 Fax: 541-482-1410 See our listings online: http://www.roycerealestate.net

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U.S. Patent 6,910,045



**EXAMPLE OF A \$250,000 HOME IN TALENT.
(PENDING: COULD CLOSE LOWER POSSIBLY)*

Client Summary Report

Listings as of 02/08/17 at 5:40pm

Active 02/08/17 **Listing # 2973325** **103 N Front St, Talent, OR 97540-6656** [Map](#) **Listing Price: \$225,000**
County: Jackson **Cross St: East Main**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1388 Assessor
Beds	4	Price/Sq Ft	\$162.10
Baths(FH)	2 (1 1)	Lot Sq Ft(approx)	10019 ((Assessor))
Year Built	1943	Lot Acres (approx)	0.2300
Tax Acct N	10276370		
DOM/CDOM	0/0		

TRS 23

Directions East Main. Left on North Front. Property is on the left

Marketing Remark Older home on large lot which can be divided. The property is fully surveyed and just needs final plat. The home is in need of repair and not much value is placed on it. No showings of the home until the seller has received an accepted offer. Please honor the tenants rights and do not enter the property. Map of the proposed partition is available . The city would like to see a common driveway serving both lots. Hard to find lots in a central Talent location.

Sold 10/19/16 **Listing # 2969251** **528 Bell Rd, Talent, OR 97540-9749** [Map](#) **Listing Price: \$234,900**
County: Jackson **Cross St: S. 2nd/ Schoolhouse**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1108 Assessor
Beds	3	Price/Sq Ft	\$194.04
Baths(FH)	1 (1 0)	Lot Sq Ft(approx)	6098 ((Assessor))
Year Built	1990	Lot Acres (approx)	0.1400
Tax Acct N	10779770		
DOM/CDOM	11/11		

TRS 38 01W 26 **Selling Price \$215,000 SP % LP 91.53**

[Additional Pictures](#)

Directions W. Wagner to s. 2nd To Bell or Rapp Road to S. 2nd to Bell.

Marketing Remark Great Central Talent Location in desirable neighborhood. Close to schools, town, parks and Ashland. Lovely single level 3 bedroom with new Stainmaster carpet, new interior paint, newer 50 -yr roof, energy efficient heating/cooling with solar powered attic fan. Mature landscaping with sprinkler system and automatic timer. Move-in ready. Enjoy private backyard with view of the hills.

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Client Summary Report

Listings as of 02/08/17 at 5:40pm

Sold 11/09/16 **Listing # 2969748** **603 W Rapp Rd, Talent, OR 97540-9706** [Map](#) **Listing Price: \$235,000**
County: Jackson **Cross St: Wagner Creek**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1700 Assessor
Beds	3	Price/Sq Ft	\$126.47
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	8276 ((Assessor))
Year Built	2003	Lot Acres (approx)	0.1900
Tax Acct N	10911482		
DOM/CDOM	15/106		

TRS 38 01W 26 **Selling Price \$215,000 SP % LP 91.49**

[Additional Pictures](#)

Directions South on 99, right on Rapp Rd, lane on left at stop sign. Home on right.

Marketing Remark Gorgeous home located on a quiet lane. 3 Large bedrooms,two full bathrooms, home built in 2003. You wont find anything like it on the market in Talent. Call to view before its gone

Sold 11/21/16 **Listing # 2969907** **114 N Fourth St, Talent, OR 97540** [Map](#) **Listing Price: \$227,500**
County: Jackson **Cross St: West**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1164 Assessor
Beds	3	Price/Sq Ft	\$186.86
Baths(FH)	2 (1 1)	Lot Sq Ft(approx)	6970 ((Assessor))
Year Built	1965	Lot Acres (approx)	0.1600
Tax Acct N	10282522		
DOM/CDOM	2/2		

TRS 38 01W 26 **Selling Price \$217,500 SP % LP 95.60**

[Additional Pictures](#)

Directions West on Main Street, turn right on West Street and left on North Fourth

Marketing Remark Nice three bedroom ranch style on quiet cul-de-sac. New roof and gutters, new exterior and interior paint, hardwood floors throughout, fireplace, central gas heat, large rear fenced yard with secondary access gate to street in rear. Some fruit trees. Walking distance to elementary and middle school. Finished garage, new electrical service panel.

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Client Summary Report

Listings as of 02/08/17 at 5:40pm

Sold 10/26/16 Listing # 2970224 295 Schoolhouse Ln, Talent, OR 97540-9745 [Map](#) Listing Price: \$219,000
 County: Jackson Cross St: S 2nd St



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1126 Assessor
Beds	3	Price/Sq Ft	\$194.49
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	6098 ((Assessor))
Year Built	1989	Lot Acres (approx)	0.1400
Tax Acct N	10773540		
DOM/CDOM	5/5		

TRS 38 01W 26 Selling Price \$219,000 SP % LP 100.00

[Additional Pictures](#)

Directions Wagner Cr Rd - Schoolhouse Rd

Marketing Remark Clean 3 Bedroom 2 Bath home in Talent. Close to schools and the foothills of Talent.

Sold 10/31/16 Listing # 2968901 307 W Main St, Talent, OR 97540 [Map](#) Listing Price: \$217,500
 County: Jackson Cross St: S 2nd Street



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1188 Assessor
Beds	3	Price/Sq Ft	\$185.19
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	7841 ((Assessor))
Year Built	1942	Lot Acres (approx)	0.1800
Tax Acct N	10280158		
DOM/CDOM	5/5		

TRS 38 01W 26 Selling Price \$220,000 SP % LP 101.15

[Additional Pictures](#)

Directions N Front Street to W Main Street - property is on your left side

Marketing Remark Fall in love with this affordable 3 bed/2 bath in Talent! An amazing opportunity for first-time buyer or investor. Inviting single-story home offers 1188 sf of living space with attached 1-car garage. Hardwood floors throughout & cozy fireplace in the living room. Kitchen offers gas oven/range combo, dishwasher and is open to the formal dining room. Private, covered back patio & large fully-fenced back yard. Just blocks from downtown Talent and so close to Ashland.

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U.S. Patent 6,910,045



Client Summary Report

Listings as of 02/08/17 at 5:40pm

Sold 02/03/17 **Listing # 2972587** **106 N First St, Talent, OR 97540** [Map](#) **Listing Price: \$247,000**
County: Jackson **Cross St: Main St**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1228 Assessor
Beds	3	Price/Sq Ft	\$186.07
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	7405 ((Assessor))
Year Built	1949	Lot Acres (approx)	0.1700
Tax Acct N	10276540		
DOM/CDOM	7/7		

Selling Price \$228,500 SP % LP 92.51

[Additional Pictures](#)

Directions Driving west on Main Street, turn right on 1st street after the railroad tracks.

Marketing Remark Very affordable starter home or rental property in downtown Talent. Walking distance to shopping, restaurants and schools. Additional unfinished shed with loft that could be used as studio or office. Big living room with large windows and lots of natural light. New roof in 2007 (per seller.) Hardwood floors. Skylights in both bathrooms. Large fenced backyard. Some recently upgraded windows and doors (per seller.)

Sold 09/08/16 **Listing # 2967487** **361 Belmont Rd, Talent, OR 97540-9626** [Map](#) **Listing Price: \$249,000**
County: Jackson **Cross St: Talent Ave**




Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1440 Assessor
Beds	3	Price/Sq Ft	\$162.85
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	13504 ((Assessor))
Year Built	1925	Lot Acres (approx)	0.3100
Tax Acct N	10278419		
DOM/CDOM	6/6		

TRS 38 01W 25 **Selling Price \$234,500 SP % LP 94.18**

[Additional Pictures](#)

Directions Talent Ave south from Creel. Turn west on Belmont. Home is on the right before the irrigation ditch

Marketing Remark Great country cottage at the edge of Talent. Super quick drive to the Ashland Plaza. Very eclectic home and could possibly have two structures mingled together- but it works. Fantastic views of the south valley hills. 2 full baths, heat pump, new roof in 2015, new interior paint, natural gas to home, artistic kitchen with copper counters. Irrigation ditch runs through the property and splits the garden area from the home. Very unique affordable rural property.

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U.S. Patent 6,910,045



Client Summary Report

Listings as of 02/08/17 at 5:40pm

Sold 11/30/16 **Listing # 2970207** **210 Jacob Cir, Talent, OR 97540-9747** [Map](#) **Listing Price: \$269,900**
County: Jackson **Cross St: Bell Road**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1357 Assessor
Beds	3	Price/Sq Ft	\$197.13
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	6098 ((Assessor))
Year Built	1991	Lot Acres (approx)	0.1400
Tax Acct N	10779577		
DOM/CDOM	14/14		

TRS 38 01W 26 **Selling Price \$267,500 SP % LP 99.11**

[Additional Pictures](#)

Directions Second Street to Bell Road to Jacob Circle.

Marketing Remark Tastefully updated home in a great neighborhood in Talent, just minutes from Ashland. This home has a flexible open floor plan all on one level. Private master bedroom suite with separate bath and walk-in closet. New flooring and paint throughout this ready to move in and enjoy home. The large fully usable yard features an expansive wood deck and a covered patio off of the dining room.

Sold 12/30/16 **Listing # 2971612** **1109 Kamerin Springs Dr, Talent, OR 97540-7843** [Map](#) **Listing Price: \$295,000**
County: Jackson **Cross St: Nerton Street**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1452 Assessor
Beds	3	Price/Sq Ft	\$202.14
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	6970 ((Assessor))
Year Built	2008	Lot Acres (approx)	0.1600
Tax Acct N	10982688		
DOM/CDOM	3/3		

TRS 38 01W 25 **Selling Price \$293,500 SP % LP 99.49**

[Additional Pictures](#)

Directions Take Talent Exit or Hwy 99 South to Creel Road. Right on Creel, Right on Lithia Way, Right on Kamerin Springs.

Marketing Remark Located minutes from Ashland in the Kamerin Springs subdivision. This quiet community has its own City Park with Gazebo perfect for entertaining, Play set and Basketball court. Built in 2008, this 3 bedroom 2 bath 1452 Sqft home has an open floor plan with lots to offer. Tiled entry, Vaulted ceilings, Fireplace, Hardwood floors and built in Surround Sound - plug in ready. Large open kitchen with Custom Cabinets, Granite & Quartz Island and counters with backsplash. French doors open up to the 3rd bedroom or an Office with hardwood floors and a ceiling fan. The master bedroom offers vaulted ceilings with a ceiling fan, a large walk-in closet, new carpet with upgraded pad and a separate entry. The master bath has dual granite vanity sinks, separate shower/bath and vinyl flooring. Intentionally forested backyard with 3 Sequoia's, 2 Bakers Cypress, 2 Birch Trees and 1 Perodia Tree. Automatic sprinkler system for front and back yard with back flow valves. This home is a must see!

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U.S. Patent 6,910,045



Client Summary Report

Listings as of 02/08/17 at 5:40pm

Sold 09/23/16 **Listing # 2966921** **509 S 2nd St, Talent, OR 97540-9750** [Map](#) **Listing Price: \$299,000**
County: Jackson **Cross St: School House Rd**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1558 Assessor
Beds	3	Price/Sq Ft	\$189.35
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	6098 ((Assessor))
Year Built	1989	Lot Acres (approx)	0.1400
Tax Acct N	10773581		
DOM/CDOM	3/3		

TRS 38 01W 26 **Selling Price \$295,000 SP % LP 98.66**

[Additional Pictures](#)

Directions Rapp Lane to S. Second Street or School House Rd. to S. Second Street

Marketing Remark This well maintained, light filled home is in a great Talent neighborhood close to schools, mountain adventures and is not all that far from Ashland. It's completely single level and has been tastefully remodeled. Open kitchen with granite island, tile perimeter and backsplash plus a huge dining area with plenty of space for indoor entertaining and quality family means. Lots of storage including a walk-in pantry. There is bamboo, laminate and tile flooring throughout. A tiled guest bathroom, stylish lighting, new interior doors, paint, trim and more. The spacious master suite features a large tiled bathroom and roomy walk-in closet. Central heating and air, two car attached garage. There are also peek a boo views of Grizzly Peak from rear deck and backyard with for gardening, kiddos and/or pets.

Sold 10/25/16 **Listing # 2967823** **251 Rockfellow Pl, Talent, OR 97540-9708** [Map](#) **Listing Price: \$300,000**
County: Jackson **Cross St: Creekside Way**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1879 Assessor
Beds	4	Price/Sq Ft	\$158.60
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	3920 ((Assessor))
Year Built	2013	Lot Acres (approx)	0.0900
Tax Acct N	10979621		
DOM/CDOM	49/49		

TRS 38 01W 26 **Selling Price \$298,000 SP % LP 99.33**

[Additional Pictures](#)

Directions From I-5, take the Exit 21. Head west, cross over Hwy 99. Turn left on Talent Avenue. Go through town for approx 1/2 mile. Cross over Wagner Bridge and turn left into Old Bridge Village.

Marketing Remark Custom built certified Earth-Advantage Green home just minutes from Ashland! Bright, open floor plan with soaring 18' ceilings in the living room, open kitchen with granite counter tops, custom built cabinets and stainless steel appliances. Master is on the main level with deck access to take in the surrounding mountain views. Home is located in the beautiful Old Bridge Village subdivision. Old Bridge Village has a park/open space setting on Wagner Creek. Close to the heart of Talent w/Camelot theater, restaurants, shops, parks & grocery store.

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Client Summary Report

Listings as of 02/08/17 at 5:36pm

Sold 11/17/16	Listing # 2965111	285 S First St, Talent, OR 97540 Map	Listing Price: \$386,700
	County: Jackson	Cross St: E Wagner	



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1640 Builder's Data
Beds	3	Price/Sq Ft	\$245.96
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	5663 ((Assessor))
Year Built	2016	Lot Acres (approx)	0.1300
Tax Acct N	10280311		
DOM/CDOM	0/0		

TRS 38 01W 26 Selling Price \$403,375 SP % LP 104.31

Directions Talent Ave to E Wagner St then left on First St just after the Arbor House. Home under construction on lefthand side.

Marketing Remark NEW custom green construction on a quiet street in downtown Talent. The floor plan is open which is perfect for entertaining but many changes are possible to fit the layout of your dreams. Work with the builder directly to make this home fit your personality and lifestyle. Home will be single level with 3 bedroom 2.5 bath and 1,640 square feet. When completed it will include Moen fixtures, granite countertops, tile backsplash, and wood/tile floors. Suncrest Homes guarantees a minimum Earth Advantage Silver certification which is at least 15% more efficient than homes built to current code. No construction loan needed, close with a standard conventional loan when home is finished. Picture is for illustration purposes only.

Sold 06/01/16	Listing # 2964483	130 Max Lp, Talent, OR 97540 Map	Listing Price: \$400,000
	County: Jackson	Cross St: Graham	



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2584 Assessor
Beds	4	Price/Sq Ft	\$156.73
Baths(FH)	4 (3 1)	Lot Sq Ft(approx)	6534 ((Assessor))
Year Built	2004	Lot Acres (approx)	0.1500
Tax Acct N	10975038		
DOM/CDOM	3/3		

TRS 38 01W 26 Selling Price \$405,000 SP % LP 101.25

[Additional Pictures](#)

Directions From Hwy 99 turn onto Rapp Rd, cross Talent Avenue, Turn right onto Graham Way which turns into Max Loop. Watch for sign.

Marketing Remark Desirable Spruce Landing Subdivision, built by Suncrest Homes, this quality craftsman home is a must tour! Two Family set up with a complete, spacious apartment above the garage. Inviting floor plan with large master on main floor with walk-in closet and private bathroom. Vaulted ceilings, gorgeous hardwood floors, granite counter tops, custom island with eating bar. Lush landscaping creates a secluded feeling with professional landscaping, sprinkler system, fenced, mature trees and lawn. A community pool to relax and enjoy friends. This home is conveniently located by a wetlands trail, parks, Camelot Theater is not far at all. This home shows very well and is surrounded by beautiful homes in a nice neighborhood.

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Client Summary Report

Listings as of 02/08/17 at 5:36pm

Sold 12/30/16 **Listing # 2970043** **428 Nerton St, Talent, OR 97540-7847** [Map](#) **Listing Price: \$400,000**
County: Jackson **Cross St: Lithia Way**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2425 Assessor
Beds	6	Price/Sq Ft	\$160.82
Baths(FH)	3 (3 0)	Lot Sq Ft(approx)	13068 ((Assessor))
Year Built	2007	Lot Acres (approx)	0.3000
Tax Acct N	10982712		
DOM/CDOM	51/51		

TRS 38 01W 25 **Selling Price \$390,000 SP % LP 97.50**
[Additional Pictures](#) [See Virtual Tour](#)

Directions Start going Southeast on Talent Ave, left onto East Nerton St, home is on the right.

Marketing Remark Sip on a cup of coffee & soak in the morning rays from your huge covered patio! This custom built home is accentuated with wonderful attention to detail, from the flooring to the remote controlled gas fireplaces. The living room is open and offers built in surround sound. The kitchen is adorned with granite countertops, a 6 burner gas range and is drenched in warm natural lighting. The Master bedroom is spacious and features numerous built in shelves & storage along with a gas fireplace. The Master bath offers a large Jacuzzi tub, Sun Touch heated floors, dual sinks, stand up shower & large walk-in closet. French doors also lead from the Master to a private covered patio. The additional bedrooms are open with ample storage & a hallway skylight brightens the home immensely! The backyard is fully fenced and perfect for the avid gardener. This custom home is also equipped with a backup generator!! Don't miss your chance to own the one of a kind home!

Sold 05/18/16 **Listing # 2964436** **1358 Lithia Way, Talent, OR 97540** [Map](#) **Listing Price: \$400,000**
County: Jackson **Cross St: Creel Road**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2445 Assessor
Beds	4	Price/Sq Ft	\$161.74
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	10890 ((Assessor))
Year Built	2003	Lot Acres (approx)	0.2500
Tax Acct N	10975096		
DOM/CDOM	7/7		

TRS 38 01W 25 **Selling Price \$395,455 SP % LP 98.86**
[Additional Pictures](#)

Directions From Highway 99, turn up Creel Road; right on Lithia Way.

Marketing Remark This modern and sweet home sits in a newer residential neighborhood on the Ashland end of town. Experience surprising privacy set back from the main road. Enjoy real oak flooring, abundant wood trim, vaulted ceilings, and an inviting open floorplan. Gas fireplace with wood mantle inside, and decorative timbers with rockwork outside. The open kitchen offers quality appliances and luxurious dark granite counters. Fantastic storage including oversized bedroom closets & walk-in master. Multiple sliders provide easy access to the wonderful, private and partially terraced back yard. Owners have enjoyed much time outdoors under the large covered patio, as well as on the front porch. Separate master patio is wired for a hot tub. Professionally landscaped backyard features pond-less fountain and many flowering plants. Bonus room upstairs is a great play area for the kids, or could be a theatre, or another guest bedroom. Plenty of parking with finished 3-car garage and RV/boat space.

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Client Summary Report

Listings as of 02/08/17 at 5:36pm

Sold 11/04/16 **Listing # 2967381** **1025 Kamerin Springs Dr, Talent, OR 97540-7842** [Map](#) **Listing Price: \$375,000**
County: Jackson **Cross St: Creel Lane/ Lithia W**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2238 Assessor
Beds	3	Price/Sq Ft	\$166.67
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	6098 ((Assessor))
Year Built	2006	Lot Acres (approx)	0.1400
Tax Acct N	10982717		
DOM/CDOM	58/58		

TRS 38 01W 25 **Selling Price \$373,000 SP % LP 99.47**

[Additional Pictures](#)

Directions Hwy 99 South, Right on Creel Lane, Right on Lithia Way, Right on Kamerin Springs. Coming from Ashland on Hwy 99 turn left on Creel and Right on Lithia Way to Kamerin Springs Drive.

Marketing Remark Custom built home by Terry Buntin Contruction located in Kamerin Springs Subdivision just minutes from Ashland. 2006 built the home is 2236 sqft. with 3 bedrooms and 2 1/2 baths plus large office area. Lots of storage built into the home. The master suite is large with its own slider out to separate patio. The amenities are extensive with hardwood floors, tiled baths and utility room. The master on main level has a large bath with dual vanity sinks, tiled shower, large walk-in closet and coffered ceilings with ceiling fan. The great room has high ceilings giving a really open feeling. The 2 bedrooms upstairs are really good size. Upstairs bath has dual vanity sinks and tiled shower. Stainless steel appliances, granite counter tops and a covered back patio off dining area. The list goes on!! Don't miss this wonderful opportunity to live in this great quite neighborhood with its own city park!

Sold 06/30/16 **Listing # 2965279** **1379 Lithia Way, Talent, OR 97540** [Map](#) **Listing Price: \$389,900**
County: Jackson **Cross St: Creel**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2026 Assessor
Beds	3	Price/Sq Ft	\$187.54
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	6970 ((Assessor))
Year Built	2002	Lot Acres (approx)	0.1600
Tax Acct N	10975103		
DOM/CDOM	7/7		

TRS 38 01W 25 **Selling Price \$379,950 SP % LP 97.45**

[Additional Pictures](#)

Directions Driving directions: going south on Hwy 99 past Talent, turn right on Creel Rd turn right on Lithia Way, 1st home on the right hand side.

Marketing Remark Another great Suncrest custom built home w/hardwood floors in entry, hallway, kitchen, breakfast rm & flex rm, (den, office or formal dining rm) Vaulted ceilings in entry w/lrg archway, vaults in kitchen, lg. great rm w/breakfast rm,+ master suite. Open kitchen w/ canned LED lighting, skylight, granite counters, , newer lg appliances that incl grill, 5 burner gas cooktop w/ grill, dbl oven(1 convection), lg 3 sided refrig, microwave, hood fan, nice cherry stain cabinets & solar panel doors. Slate patio areas, slate walkways, covered patio & front porch. Beautiful landscaping w/garden beds & shed. Nice corner lot w/private backyard that views east hills. Nice master suite w/doors to covered patio, walk in closets, skylights & vaults in great bonus rm/4th bedroom with own private staircase off laundry rm, good sized 2 car finished garage w/sm workbench & extra storage area.

Presented By:

Greg Goebelt

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U.S. Patent 6,910,045



Client Summary Report

Listings as of 02/08/17 at 5:36pm

Sold 01/12/17 **Listing # 2971582** **111 S Second St, Talent, OR 97540** [Map](#) **Listing Price: \$365,000**
County: Jackson **Cross St: Bain**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1600 Assessor
Beds	3	Price/Sq Ft	\$221.88
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	6534 ((Assessor))
Year Built	2005	Lot Acres (approx)	0.1500
Tax Acct N	10279951		
DOM/CDOM	27/27		

Selling Price \$355,000 SP % LP 97.26

[Additional Pictures](#)

Directions West on West Valley View, right on Talent Avenue, left on Main, left on 2nd, on the corner of 2nd and Bain.

Marketing Remark Fabulous two story home is close to shopping, restaurants and the theater. There is a craftsman style wrap around front porch, soaring ceilings, formal living room dining room and entry way. Nice pantry and washer/dryer hookups in the house. The master suite has a large soaking tub, separate shower, double sinks and walk in closet. The detached two car garage has a 691 sq ft apartment, 1 bedroom, 1 bath, very cute. The double garage, one half for the house, the other for the apartment, which has the washer/dryer hookups for the apartment. Alley access to the garage with additional parking. The apartment rents for \$750/month (main house previously rented at \$1375) and apartment will need 24 hour notice to show. The main house is vacant. The address for the ADU is 208 Bain St, Talent. Microwave in main house doesn't work.

Sold 02/07/17 **Listing # 2970086** **1699 Lithia Way, Talent, OR 97540-9631** [Map](#) **Listing Price: \$372,500**
County: Jackson **Cross St: Jordan**




Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2381 Assessor
Beds	4	Price/Sq Ft	\$153.30
Baths(FH)	4 (3 1)	Lot Sq Ft(approx)	6098 ((Assessor))
Year Built	2013	Lot Acres (approx)	0.1400
Tax Acct N	10985405		
DOM/CDOM	58/152		

Selling Price \$365,000 SP % LP 97.99

TRS 38 01W 25
[Additional Pictures](#)

Directions From Talent: From hwy 99 take a right on Creel. Left on Lithia. Home is ahead on the left on the corner of lithia & Jordan.

Marketing Remark Custom 2013 built Taylored Elements home! Exceptionally cared for, this home feels like new construction. The main level offers Generous great room concept, and boasting Red oak wood floors, extensive living and dining room that seamlessly flow into the beautifully finished kitchen that offers exquisite granite countertops and elegant fixtures. A 6 burner gas range/oven with micro hood, ample counter space, eating bar, ample pantry, separate den and built in desk only add to the versatility of the main level. Upstairs the functionality continues to flow boasting 4 bedrooms, including the master suite, and additional ensuite, a jack and jill" set up, and full laundry. The master offers a spacious bedroom with architectural detailed ceilings, unsparing walk in closet, and bathroom with custom detailed tile work around the large soaking tub, and stall shower. Moldings and every attention to detail was paid inside and out with an extended covered patio out to the fully fenced and landscaped yard.

Presented By:	Greg Goebelt	Royce Real Estate Services
	Lic: 200204226 Primary: 541-840-5966 Secondary: Other:	Office Lic.: 960700218 145 E. Main Ashland, OR 97520 541-482-3814 Fax : 541-482-1410 See our listings online: http://www.roycerealestate.net
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February 2017

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U.S. Patent 6,910,045



Client Summary Report

Listings as of 02/08/17 at 5:36pm

Sold 10/21/16 **Listing # 2968641** **184 Willow Springs Dr, Talent, OR 97540-9646** [Map](#) **Listing Price: \$350,000**
County: Jackson **Cross St: Suncrest Rd**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2481 Assessor
Beds	4	Price/Sq Ft	\$141.07
Baths(FH)	3 (3 0)	Lot Sq Ft(approx)	5663 ((Assessor))
Year Built	2004	Lot Acres (approx)	0.1300
Tax Acct N	10978607		
DOM/CDOM	27/27		

TRIS 38 01W 23 **Selling Price \$350,000 SP % LP 100.00**

[Additional Pictures](#)

Directions Hwy 99 to Suncrest, right on Willow Springs.

Marketing Remark This lovely 2004 Craftsman style home boasts 2481 sq ft of well-designed space perfect for those who want space and quality. The whole family sleeps comfortably with 4 bedrooms-including a large master with walk in closet, jetted tubs, and private restroom. In addition to this spacious and bright home, there are 3 full baths, additional play or storage area and light throughout! Gather groups together in the lovely kitchen with granite, stainless steel appliances, and plenty of counter space that opens to the large living area with gas fireplace. Meals can be enjoyed in the formal dining area, breakfast nook, bar stools off the kitchen area or outside on your very private and peaceful backyard with great views to surrounding mountains and Bear Creek nearby.

Sold 08/11/16 **Listing # 2968695** **1660 Summer Pl, Talent, OR 97540-8711** [Map](#) **Listing Price: \$350,000**
County: Jackson **Cross St: Lithia Way**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2521 Assessor
Beds	3	Price/Sq Ft	\$138.83
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	6098 ((Assessor))
Year Built	2008	Lot Acres (approx)	0.1400
Tax Acct N	10985403		
DOM/CDOM	0/0		

TRIS 38 01W 25 **Selling Price \$350,000 SP % LP 100.00**

Directions Cross Street Lithia Way

Marketing Remark Cute 4 bedroom, 2.5 bath, over 2500 sq ft. Open living kitchen concept, large bonus room.

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Client Summary Report

Listings as of 02/08/17 at 5:36pm

Sold 08/26/16 **Listing # 2965560** **120 Jordan Ave, Talent, OR 97520** [Map](#) **Listing Price: \$349,900**
County: Jackson **Cross St: Summer Place**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2055 Assessor
Beds	3	Price/Sq Ft	\$170.32
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	5663 ((Assessor))
Year Built	2004	Lot Acres (approx)	0.1300
Tax Acct N	10977401		
DOM/CDOM	43/43		

TRS 38 01W 25 **Selling Price \$350,000 SP % LP 100.03**
[Additional Pictures](#)

Directions Highway 99 to Creel, left on Lithia Way, left on Jordan.

Marketing Remark Spacious 2055 square feet home built in 2004 by Eric Green in Lithia View subdivision on a corner lot. 3 bedrooms upstairs plus office on main level could be a fourth bedroom. Master bedroom has vaulted ceilings, ceiling fan and large walk-in closet. Master bath has large soaking tub, step-in shower and double vanity with ceramic tile countertop. Kitchen has granite counters, cherry cabinets, oak floors, dog door, ceiling fan and a large walk in pantry. Dining area opens to living room with gas fireplace with blower. Gas forced air heat and AC with zones on each level. Wired for internet and speakers. Exterior is fully fenced with mature landscaping, sprinkler system and patio. New in 2015: Gas hot water heater, Whirlpool refrigerator, GE gas range, paint on exterior trim, and all substructure HVAC. Two car attached garage. No HOA dues.

Sold 11/28/16 **Listing # 2971739** **184 Faith Cir, Talent, OR 97540-9630** [Map](#) **Listing Price: \$350,000**
County: Jackson **Cross St: Lithia**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	1391 Assessor
Beds	3	Price/Sq Ft	\$251.62
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	10890 ((Assessor))
Year Built	1994	Lot Acres (approx)	0.2500
Tax Acct N	10772024		
DOM/CDOM	0/0		

Selling Price \$350,000 **SP % LP** 100.00

Directions Creel, let on Lithia Way, right on Faith Circle

Marketing Remark sold only.

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Listings as of 02/08/17 at 5:36pm

Sold 08/17/16 **Listing # 2966480** **1404 Lithia Way, Talent, OR 97540-6618** [Map](#) **Listing Price: \$359,900**
County: Jackson **Cross St: Creel**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2098 Assessor
Beds	3	Price/Sq Ft	\$166.11
Baths(FH)	2 (2 0)	Lot Sq Ft(approx)	8712 ((Assessor))
Year Built	1993	Lot Acres (approx)	0.2000
Tax Acct N	10772634		
DOM/CDOM	21/21		

TRS 38 01W 25 **Selling Price \$348,500 SP % LP 96.83**

[Additional Pictures](#)

Directions Hwy 99 to Creel then left on Lithia Way. Home is second on the right.

Marketing Remark Nice home in the sought after town of Talent. Beautiful hardwood flooring throughout! Vaulted ceiling in the living room, spacious master suite with a walk-in closet and a door leading to the back deck. Kitchen has an island, breakfast nook and a dining area. Peaceful quiet neighborhood with nice views, RV Parking, a sunny spot for a garden, and a terrific backyard with a water feature & deck for entertaining!

Sold 08/25/16 **Listing # 2966898** **1733 Lithia Way, Talent, OR 97540-9631** [Map](#) **Listing Price: \$350,000**
County: Jackson **Cross St: Creel Rd.**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2015 Assessor
Beds	3	Price/Sq Ft	\$173.70
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	5663 ((Assessor))
Year Built	2004	Lot Acres (approx)	0.1300
Tax Acct N	10977407		
DOM/CDOM	18/18		

TRS 38 01W 25 **Selling Price \$350,000 SP % LP 100.00**

[Additional Pictures](#)

Directions Hwy 99 to Creel Rd. Make a left onto Lithia Way (not part of the Kameran Springs Subdivision).

Marketing Remark Well built Talent home in a great neighborhood. There is a main level master suite with vaulted ceiling double closet, and spacious bathroom. In addition, there is a roomy den with French doors, also located on the main level. Vaulted great room with gas fireplace complete with rock surround. Open kitchen with hardwood floors, tile countertops and island. Easy access to the covered rear patio and lawn area. Upstairs features two additional bedrooms, a full bathroom and a built-in desk located in the loft area. Two car attached garage, central heat and air. Mature landscaping provides nice privacy. This house is a great value!

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Client Summary Report

Listings as of 02/08/17 at 5:36pm

Pending 01/12/17 **Listing # 2970473** **1729 Lithia Way, Talent, OR 97540-9631** [Map](#) **Listing Price: \$375,000**
County: Jackson **Cross St: Summer Place**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2093 Assessor
Beds	4	Price/Sq Ft	\$179.17
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	5663 ((Assessor))
Year Built	2004	Lot Acres (approx)	0.1300
Tax Acct N	10977408		
DOM/CDOM	93/93		

TRS 38 01W 25

[Additional Pictures](#)

[See Virtual Tour](#)

Directions From Hwy 99 in Talent, turn on Creel Rd, left on Lithia Wy. Home is at the end of street on left, before Summer Pl.

Marketing Remark This contemporary craftsman-style home is conveniently located and offers main-level living, kitchen, dining, and master suite. Entering through the river rock and rustic beam vine covered front porch, you'll find tall vaulted ceilings with skylights, recessed lighting, wood banister, and a grand river rock gas fireplace. The kitchen is equipped with all stainless appliances, gas range, dark granite countertops, as well as wood and glass fronted cabinetry. The master suite with coffered ceilings allows easy access to the backyard patio and lawn and includes a large walk-in closet, dual sinks, and separate shower/water closet. Other quality details throughout the home include hardwood oak floors, solid core doors with upgraded brushed metal fixtures, French doors to the upstairs office/fourth bedroom, wood wrapped windows, Kenmore Elite washer/dryer, and dual HVAC system. Cherry, pear, peach, and plum trees can also be found in the fully-fenced and irrigated low-maintenance back yard.

Sold 05/31/16 **Listing # 2964317** **245 Deborah, Talent, OR 97540** [Map](#) **Listing Price: \$345,000**
County: Jackson **Cross St: Arnos Lane**



Property Type	Residential	Property Subtype	Residential
Area	Talent	Approx Square Feet	2017 Assessor
Beds	4	Price/Sq Ft	\$172.53
Baths(FH)	3 (2 1)	Lot Sq Ft(approx)	7405 ((Assessor))
Year Built	1996	Lot Acres (approx)	0.1700
Tax Acct N	10878778		
DOM/CDOM	3/3		

TRS 38 01W 25

Selling Price \$348,000 SP % LP 100.87

[Additional Pictures](#)

Marketing Remark Wonderful Talent 4-bedroom home nestled into the west Talent foothills with spacious yard & mountain views. This home is immaculate, light & bright with a perfect floor plan. Many great features make this home spacious, comfortable & very charming. Vaulted 9 foot ceilings, French doors, marble entry, formal & informal spaces. Very spacious cook's kitchen with large island for excellent prep and work space, roomy breakfast room that opens to beautiful rear yard, walk-in pantry, Corian counters, newer dishwasher, built in desk. The master suite on the main level has French entry doors, jetted tub, dual sinks & walk-in. Upper level features 3 additional bedrooms, 1 bath and upper level balcony overlooking the foothills & sunset views. Fabulous private & large rear yard with extensive brick patio, mature landscaping, hot tub & water feature & grape arbor. All natural gas. Newer exterior paint, good storage, attached 2 cars garage & in a quiet desirable neighborhood. We love this home!

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EXHIBIT "G"



**TALENT PLANNING COMMISSION
MEETING MINUTES
TALENT TOWN HALL
FEBRUARY 9, 2017**

***Study Session and Regular Commission meetings are digitally recorded and will be available online at:
www.cityoftalent.org***

The Planning Commission of the City of Talent will meet on Thursday, February 9, 2017 in a special session at 6:30 P.M. at Talent Town Hall, 206 E. Main Street. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-535-1566, ext. 1012. The Planning Commission reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and/or meeting.

REGULAR COMMISSION MEETING- 6:30 PM

Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the Minute Taker. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the "Citizens Heard on Non-agenda Items" section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the Planning Commission.

I. Call to Order/Roll Call 6:32 P.M.

Members Present:

Commissioner Dolan
Commissioner French
Commissioner Hazel
Commissioner Milan
Commissioner Pastizzo
Commissioner Riley
Commissioner Schweitzer

Members Absent

None

Also Present:

Darby Stricker, Mayor
Daniel Wise, City Councilor
Zac Moody, Community Development Director
Jeff Wilcox, Minute-Taker

II. Brief Announcements

Request to modify Agenda

Moody requested to move Agenda Item 5 (Action Items; 2017 Planning Commission Goals) to the end of the list since the Public Hearings are high priority items.

Hazel asked for objections.

The Commissioners unanimously and informally agreed to modify the agenda per Moody's request.

III. Consideration of minutes for January 12, 2017

Motion: *Commissioner French moved to approve the Minutes for January 12, 2017 as presented. Commissioner Pastizzo seconded and the motion carried.*

Consideration of minutes for January 26, 2017

Motion: *Commissioner Milan moved to approve the Minutes for January 26, 2017 as presented. Commissioner Pastizzo seconded and the motion carried.*

IV. Public Comments on Non-Agenda Items

None

V. Public Hearings

Continued Public Hearing (Legislative/Quasi-Judicial) Comprehensive Plan and Zoning Map Amendment, 35 Lot Subdivision with Variance – Consideration of a Comprehensive Plan Map Amendment from Light Industrial (LI) to Residential High Density (RH) and a Zoning Map Amendment from Light Industrial (IL) to Multiple-Family High Density (RM-22) for property described as Township 38 South, Range 1 West, Section 26AD, Tax Lot 500. The application also requests the consideration of a 35 Lot Subdivision and associated Variance to property setbacks. Decisions are based on the approval criteria found in Zoning Ordinance 8-3M.160 and 8-3L.4 and Subdivision Ordinance 8-2.320 and are also based on compliance with the Talent Comprehensive Plan and Oregon Statewide Planning Goals. File: REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001. Applicant: Bradley Properties, LLC.

The opening statement was read into the record. Moody explained that he would provide the approval criteria in the following staff report.

Staff Report:

Moody acknowledged the lengthy set of Final Orders, explaining there were many items to be addressed in the Comprehensive Plan/Zoning map and variance criteria. All requirements are detailed in the Findings in the Final Order. The Final Order starts with the upper level Oregon Administrative Rules, then addresses Comp Plan policies, and finally, zoning and variance requirements.

Moody explained that a properly noticed meeting was held on January 26, 2017 and was continued to this specified date/time, state law does not require re-noticing for the continuance of a Public Hearing. At that meeting, the Planning Commission asked Moody to provide a Staff Report and Final Order at this meeting.

More Public Comment has been received since the past meeting, as recently as February 9, 2017. Moody explained that comments that were received before the Staff Report went out out were addressed in the Findings; including comments from Fabricated Glass and Holtz in regard to buffering and conflicting uses.

Staff feels those points were adequately addressed in the application and that it meets the standards for buffering conflicting uses.

Moody explained that the application for the 35 lot subdivision includes a variance request for lot setbacks and street width standards. Staff feels that in accordance with the Transportation System Plan (TSP), the narrow road request is not a problem. Staff has provided Conditions of Approval so that public improvements meet the intent of City code and standards are met. The Conditions of Approval also address plat requirements, landscape plan requirements, and require more specifics on tree and vegetation types. Moody emphasized that the Planning Commission has the latitude to be stringent on buffering requirements and that deliberations are the appropriate time for modifications to the proposed Final Orders.

Moody concluded by stressing that this consolidated application has to be approved in accordance with the *currently adopted* Comprehensive Plan and Zoning Code. Bearing that in mind, Moody concluded by stating that Staff recommends Approval with Conditions for all four applications because they meet policies addressed in the current Housing and Economic elements of the Comprehensive Plan and other approval criteria, including state level criteria.

Aesthetic and Affordability

French asked if the development could have design characteristics matching a more industrial aesthetic due to its adjacency to industrial land uses (in accordance with Comprehensive Plan Element A – History, Policy 1 – A Sense of Place). Also, smaller scale housing and low/moderate-income housing may be in conflict with the applicant's proposal. Moody explained that staffs' take is that the proposal fits in with the resources of the core downtown. If this industrial parcel had been located in the Old Town District, perhaps the proposed aesthetic would be more of an issue. He added that the proposed houses are smaller, and the lots are smaller. His understanding is that smaller lots and building footprints will provide lowest costs.

Application Consolidation and Separation of Final Orders

Wise explained that in his mind, there are two major actions, (1) Comprehensive Plan/Zone Change (2) Variance, yet there is one Proposed Final Order. He asked if the Commission would want to separate the Final Order. Moody explained that there are no real standards in the Zoning Code in how to process/handle consolidated applications, except that when several applications are submitted at once (consolidated), they go to the highest land use process (Type 4). Wise asked since this application is consolidated, if Planning Commission gives its blessing and it goes to City Council and is approved, what happens if the developer is unable to complete the project? Would the parcel continue to be residentially zoned? Moody explained that there are no assurances that once land use approval is granted, the project is completed, however associated public improvements are protected by bond. Wise asked if the commission can separate the elements, in case the variance or some other portion is not approved. Moody explained that the Proposed Final Order is certainly capable of being modified by the Planning Commission. Moody recommended the applicant consider submitting consolidated applications, since historically commissioners have been wary of approving a zone change prior to seeing a site plan proposal.

Appealing an Approval

Riley asked if the City Council approval of the application is appealed, who would handle it? Moody explained it would go to Land Use Board of Appeals (LUBA). Riley recommended separating the Proposed Final Order because if it is appealed, it could prove to be costly to the City. Moody explained that if a legislative application is appealed, the applicant is responsible for defending the application, not the City.

Moody reiterated that the Planning Commission has recommended in the past (with the Truck Stop application) that they'd like to see the applications together to see what is going to happen. Riley explained that to her recollection, applications were treated separately in the past, and that if an approval is appealed to LUBA, the City will then "own" the application. Moody explained that this is probably a better question for the City Attorney, and that as planning staff, his role is to make a recommendation to the Planning Commission, and the Proposed Final Order recommends Approval with Conditions, but the commission is the decision maker. If the Planning Commission doesn't feel the application is in best interest of the City, they're able to make their recommendation to City Council accordingly. Moody explains he can rewrite orders however the Planning Commission chooses, but in all fairness a decision hasn't even been made yet. Moody recommended the Planning Commission hear the applicant side of these issues and public testimony before bringing those issues forward.

Addressing the Housing Element in the Proposed Final Order

Dolan explained that in the Proposed Final Order, where Element G is addressed, the findings don't address affordability aspect, only the need for housing. Moody stated that he is happy to reword the finding, the intent of the finding was not to say this one subdivision would fix the housing problems in Talent.

The applicants were called forward.

Scott Sinner, Scott Sinner Consulting, Inc. (4401 San Juan Dr. Medford OR)

Charlie Hamilton, Suncrest Homes (151 Max Loop, Talent, OR)

Application Consolidation

Sinner explained that the applications were consolidated to show the Planning Commission what their plan is in context. The applicants understand they have four applications but that City Council would be taking this as an entire package. Hamilton explained that he thought it was important for commissioners to see the proposed Comprehensive Plan Map/Zone Change in context. Furthermore, the applicants have no interest in going forward with only a Comprehensive Plan Map/Zone Change. They're looking for approval on all four applications. He added, breaking up the applications isn't helpful, if commissioners don't like it, don't vote for it. Hamilton asked the Planning Commission to look at the history and track record of the applicants, explaining that they survived the recession, they're financially strong and reputable.

Photos and Variance Request

Hamilton provided photos of a past project to help explain the current proposal. He stated that the photos were from the Spruce Landing Subdivision, the photos showed that the setback is 10ft from the right-of-way. Hamilton stated that Spruce Landing is one of the most desirable places to live in Talent and this is what applicant is asking for variance-wise. Houses are pulled forward and garages are tucked back a bit. Side yard setback photos were also shown. Hamilton explained that Jackson County Fire Department 5 is ok with the proposed side yard setbacks. He concluded by stating that the applicants are not coming at the Planning Commission with something crazy, the setbacks are very reasonable.

Affordability and Lot Size Requirements

Speaking to housing affordability, Sinner explained that the proposal is a market rate development. Land costs and building footprints drive development costs. If you build smaller lots, it will by nature be more affordable than large lot development. Hamilton added that the desire was to provide an affordable range of lot sizes, but all are small.

Sinner explained that the applicants' only concern with Staff findings was with section 6d of the Proposed Final Order:

6. *Applicant shall provide Community Development with a revised preliminary plat including the following information:*
 - d. *Amend the lot widths of some, or all of Lots 2-8, 11-13, 22-25 and 28-29 to the 40' minimum lot width requirement or alternatively the applicant shall be allowed to only build single-family attached dwellings on Lots 2-8, 11-13, 22-25 and 28-29.*

Sinner explained that when the project was designed, a mixture of housing types was planned. On page C-17 of Talent Zoning Code (TZC) attached or zero lot line townhouses or row houses may be on individual pad lots smaller than 1800 sqft lot threshold. Some of these dwelling units are zero-lot-line; they feel that they meet standards. Hamilton elaborated, under Single Family Attached, it says attached, or zero-lot-line. Applicants respectfully argue that there is no minimum lot width requirement as interpreted.

Non-Remonstrate Agreement

Sinner explained that the Holtz family, nearby property owners, had discussion with applicants regarding the project, Holtz wanted it to be clearly stipulated that a non-remonstrance agreement will be forwarded to all customers. Hamilton explained that Oregon Shakespeare Festival, Microtrains, Fabricated Glass and Sawyer Paddle have all reviewed the non-remonstrance and are onboard with it. The Applicant is asking that it is a Condition of the Final Order. However, the Codes Covenants and Restrictions (CCRs) will also state this. French asked how the non-remonstrance agreements would be monitored. Hamilton explained that it would be (1) on the Preliminary Title Report (deeded document that runs with property) and (2) the CCRs.

Future Phase – Apartments

Milan asked if the applicants would be willing to commit to apartments for the future project phase. Hamilton explained that as of right now, he is 100% committed to apartments during the future phase but cannot make guarantees because he does not know what the future holds. Dolan asked if phase 2 could become phase 1 due to an urgent need for housing. Hamilton explained that this would be incredibly difficult due to infrastructure requirements (sewer and water) on Stage Way. French asked what could the City do to motivate the applicant to move phase 3 to phase 2. Hamilton explained it's not so much a City imposed limiting factor as it is a lack of time. He can only take on so much risk at one time. The first two phases will help to fund the apartments. He reiterated that his business has survived the recession by being cautious and prudent. Hazel asked what is the intent, to sell or rent our apartments? Hamilton explained that they have not made a decision on this yet.

Narrow Road

Wise asked the applicant if, with a proposed 50ft right-of-way, will it allow for two-way traffic with parking on one side, with room for bikes/pedestrians/vehicles. Hamilton answered in the affirmative. He added that statistics indicate that the wider streets are, the faster people drive, therefore, applicants prefer narrower streets for slower traffic speeds.

Timeline

Pastizzo asked for a timeline for the phases. Hamilton explained that he hopes to be back in 6-8 months for the final phase, he added that this first application included about 150 pages of documentation, and

that he can only do so much at any given time. He explained that the City site design requirements for apartments are intense and therefore requires a good deal of time to plan out.

Consolidated Application Clarification

Schweitzer asked the applicant to clarify their request to have commissioners make a single decision on the project, rather than application-by-application; are the applicants not interested in a partial approval if that is all that the Planning Commission can offer? Hamilton explained that he didn't mean to make the request sound like an ultimatum. However, if the subdivision isn't approved, they have no interest in going forward, and if commissioners don't approve the Comprehensive Plan Map change, it won't work, and without a variance...the project won't work. He reiterated, please keep the project all as one decision.

Low Income Housing

Dolan asked if the applicant can set aside some units for Low Income Housing. Hamilton explained that there are no City policies (codes, ordinances, city staff, etc.) for these programs. He added that even if some Low Income Housing policy was in place, the price burden is essentially pushed onto all of the other units.

Harvey Holtz, Fabricated Glass (1641 Veranda Park Dr., Medford OR)

Holtz explained that based on the non-remonstrate agreement, that would satisfy what he would need to have.

Dorian Hastings (100 N. Pacific Hwy., Talent OR)

Hasting explains that she is from New Orleans and has a doctorate in Urban Studies. She has worked in areas of affordable housing, and stated that Talent's community must decide: will it be a wealthy bedroom community, or will it preserve housing for traditional residents of Talent. Reviewing the demographics, approximately 20% are below the poverty line, in just 3 years, property values have increased considerably. While this plan is very nice, Hastings believes it is the responsibility of the government to preserve and protect those that live here. In New Orleans, they looked for developers who could meet needs of the City. She closed by asking the commissioners to consider what kind of development is needed to serve Talent residents?

Darby Stricker (221 E. Rapp Rd., Talent OR)

Stricker explained that she is a huge fan of Hamilton's neighborhoods, she acknowledged the challenges based on density but explained that the houses are lovely. Further, Hamilton is a business owner in the community. She explains that there are two issues: (1) until recently, she was under impression that this would be handled separately, not consolidated. (2) As a resident, Stricker is concerned that rezoning would isolate this property, Light Industrial is right next-door. If this gets approved, there are other pieces of property that remain Light Industrial. Based on recent findings, high density housing is a critical need for the community. Stricker added that the City can initiate Comprehensive Plan Map/Zoning changes nearby. She explained that the Planning Commission has the opportunity moving forward to rezone the entire area. She encouraged the Planning Commission to think about this area holistically. Stricker is a proponent of high-density housing and if Talent is going to go with high density housing, this is the place to do it. The commission should carefully consider how to use this property and how will it impact us moving forward. If the property is rezoned, it will sell, to do everything at once seems a little hasty.

John Steinbergs (328 Talent Ave., Talent OR)

Steinbergs explained that he has been a resident of Talent for 21 years. He was a participant in the Housing Needs Analysis (HNA) and has been following it as a citizen and local real-estate broker. He explained that

he wants to put his support behind this project. He has worked with a number of people who have not been able to find homes in Talent. He concluded by urging the Planning Commission to move forward with the project.

Greg Goebelt (1110 Lithia Way, Talent OR)

Goebelt explained that there is lots of diversity in the neighborhood he lives in. He explained that he will be talking about the Talent housing market. Homes between 2004-2007 are \$350k. Average price is \$375k, range in years 1993-2010. Point being, low \$300k, is affordable for a new house. If Charlie is going to be building in high 200's and low 300's, that is affordable for a new house, no one is doing that. If those home are sold, people won't be looking to buy those older homes built in the 1990's and 2000's for as much. This slows down the rate of appreciation. Today, in Talent \$250k buys a 3-bed/1-bath 1993 1000sqft home that is approximately 47% less efficient than homes built today. What is affordable? Most families are buying in \$325k-\$350k range. Based on comps, anything in the twos would be affordable. Goebelt added that the location of the proposed development is ideal, especially as related to parks. When you do mixed use with apartments, and variety of home sizes, it keeps community together. This type of project helps avoid: "that's the apartment area of town." Goebelt concluded that with these homes available, there will be more slightly older homes on the market to increase the affordable housing stock.

Schweitzer explained that \$299k for a home seems pretty expensive for moderate income earners, she asked Goebelt where Talent home seekers are currently living. Goebelt explained he is serving mostly locals, some from Ashland. He explained that if there were enough homes to buy in all ranges, more homes will stabilize the Talent housing crisis. Older homes for \$250k-\$270k, frees up new for \$200k-\$299k.

Milan asked if, since the proposed development is surrounded by Light Industrial, would it be a hindrance to the demand? Goebelt explained that a large percentage of Talent is affected by the train, some portions are affected by highway traffic. He added that the demand is still there to buy. As long as people know ahead of time, he thinks most people would still consider it.

Applicant Rebuttal

Hamilton explained, to summarize Greg, there is an issue with supply and demand. Talent has no supply. There are no new homes. Will the proposal fix all problems? No, but it will have some small impact. He explained that the HNA public comments asked for more housing. When talking about Urban Reserves or Urban Growth Boundary, Talent has control as to how that land is brought in. This property has RM-22 right next to it (across from Talent Ave.). Hamilton explained that he respectfully disagrees with Stricker, and that it doesn't make sense to change zoning for anyone who is already actively using their parcels (all 3 industrial neighbors are already developed). He concluded by requesting Planning Commission recommendation for approval.

Noticing Requirements and Geographic Information Systems (GIS)

Riley asked if notices were sent to nearby properties. Moody explained that staff uses GIS for consistency to notify nearby property owners. If the subject property is even partially within 250ft of a neighboring property, that neighboring property will be mailed a noticed. Moody offered to provide a notification list to interested parties. Riley asked why one GIS would say something different from another one. Moody explained that different GIS programs uses different methodologies. Moody added that in addition to mailings, staff has noticed this land use action through other venues, to include: newspaper advertisement, conspicuous postings throughout City, and a sign posted on the subject parcel itself.

Hamilton added that the Shakespeare property is 275ft wide, so people beyond it, wouldn't have been notified.

Density and Code Criteria

Riley asked why the City would want to develop RM-22 at a density less than what is possible. Moody explained that developers are not going to get 22 units per acres even with apartments due to open space and other infrastructure requirements, maybe 22 units per gross acre. Moody added that staff has to make sure the applicant can meet intent of City code. The Planning Commission can approve or deny the variance, but the Commission doesn't have much of an opportunity to add conditions of approval such as affordability because there's no criteria in land development ordinance or subdivision code. Moody explained that conditions of approval must be crafted carefully and be based on code criteria.

PUBLIC HEARING CLOSED

Deliberations

Wise understands bundling applications requires a higher degree of scrutiny. He accepts the fact that project won't work if only partially approved. He expressed concern about "putting cart before horse," the City can't demand affordable housing or subsidized before policies are in place.

French expressed concern that the HNA discussion and decision-making wasn't finished before the Subdivision application was reviewed. Moody explained that the order of the agenda is for the public to make comment first, then City business can be discussed after, as a courtesy to the applicants/public etc. He emphasized that the basis of decision here has to be on what's currently adopted in the Comprehensive Plan (new Economy element, old Housing element), the City has to use that criteria.

Wise asked if there is a time limit to this application. Moody explains that this is a legislative amendment, so there is no time limit, but there is an obligation to the applicant, it would be bad optics for the City to sit on the application just because it's legislative.

Moody explained that TZC Section 8-3M.160(D)(2) talks about consolidated apps, when proceedings are consolidated, findings should be separated out, but there should be one Final Order. He added that a decision has to be made for the Comprehensive Plan Amendment before the Subdivision. The Planning Commission can direct staff to write separate Final Orders, one for CPA/REZ one for SUB/VAR. Moody reminded the Planning Commission that any motion made won't be for a final decision, they're making a recommendation to City Council. Moody explains that if Planning Commission feels additional Conditions of Approval are needed, they must make sure code criteria or standards are present to back it up.

Wise asked if taking the Proposed Final Order and splitting it into two, to separate out the CPA/REZ from the SUB/VAR would require another meeting since document content would be altered. Moody explained that it is common for the Planning Commission to propose additions/modifications to the Final Order prior to the document receiving the Chair's signature, merely splitting the findings of the Proposed Final Order into two documents would not necessitate another Planning Commission meeting.

Milan stated that the concept of going into a large area and rezoning is attractive and compelling, but even if it was rezoned, that Light Industrial area won't disappear any time soon. No plan commissioners can come up with that will be perfect, the HNA doesn't need to be completed for them to make a decision, they can see the need for the type of housing that is necessary for Talent.

Hazel explained that the town has expanded and what was once the outskirts is now at the core. Public discourse has led her to believe that area should be residential. She has reservations since HNA isn't yet completed but hopes that apartments happen if the project does go through.

Schweitzer acknowledged that the Planning Commission is making a recommendation, not a decision. But she takes this decision-making very seriously. The character of Talent and affordability are very important issues. Commissioners must realize these decisions do affect the long-term; even with a small subdivision like this.

Pastizzo explained that he likes the concept and takes the bedroom community concerns to heart. He acknowledged that the bus stop location, park and downtown are close-by. He added it could be a great location for apartments and knows there is a housing crisis in Talent.

Riley stated that if a motion is made to approve she'd vote no; she explained the proposed project is not mixed-use, and there are other not-for-profit developers out there other than Housing and Urban Development (HUD). She added that the City has to use land for its highest and best use. If this is high density, they'd be squandering the land. She believes there might be a health risk with heavy metals in glass production next to homes and model train fumes are sometimes strong. The City shouldn't take away rights to access justice via endorsing non-remonstrance agreement. Riley stated that the project doesn't address worst need for housing and there is no topographical excuse for a variance; variances should only be granted for extreme circumstances.

Wise explained that the commission has the opportunity to envision another use in terms of what else could be done, such as apartments.

Hazel asked the Planning Commissioners for a motion.

Moody explained that if the commission recommends denial, the motions don't need to be separated. If the commission recommends approval, two motions need to be made for preparing Final Orders, one for the Comprehensive Plan Amendment and Rezone, and one for the Subdivision and Variance request.

Motion: *Schweitzer moved to recommend the commission not approve the application. Riley seconded. The motion was passed by roll call vote with Members Schweitzer, Milan, Pastizzo, French, Riley and Dolan voting for, and Member Hazel voting against.*

Moody explained that the Draft Minutes will go to City Council along with the Proposed Final Order that was presented to the commission. He added that the City Council has an opportunity to make a decision opposite to the Planning Commission, and there will be a Public Hearing at that City Council meeting for this application. If the City Council denies the application, the applicant would then have the opportunity to appeal that decision.

Moody stated that there is not enough time to talk about the HNA decision, but the commission does have enough time for Planning Commission goals if they'd like to have that discussion.

VI. Action Items
Planning Commission Goals

Moody explained that the goals are divided into sections based on goals completed, goals in progress and potential new goals. He added that some of the year one goals that were prepared are reflective of the new HNA; the commission could decide to adopt all of the year 1 items from the Housing and Economy Element.

Hazel suggested the Planning Commission prioritize implementing a trail system. Moody recommended that issue be forwarded to Parks Commission for their consideration from *Citizen Hazel*, as it would be more likely to gain traction going through that commission first, rather than Planning Commission first.

Moody took feedback from the commissioners to draft the following Planning Commission *New Goals* for Fiscal Year 2017-2018:

1. Develop Citizen Involvement element to be added to Comprehensive Plan
2. Implement Year 1 policies from the Housing and Economy Comprehensive Plan elements (prioritizing and addressing affordable housing issues)
3. Develop overlay standards for industrial buildings and residential mixed use buildings
4. OR 99 Master Plan (within City Limits)

Moody asked the commissioners if they could provide a motion for the new goals.

Motion: *Schweitzer moved to recommend the goals to Council, Fiscal Year 2017-2018.*

Riley seconded and the motion carried.

VII. Discussion Items

None

VIII. Subcommittee Reports

None

IX. Propositions and Remarks from the Commission

None

X. Next Meeting

The next regularly scheduled meeting will be held on February 23, 2017.

XI. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 10:00 p.m.

Submitted by:  _____

Date: 2/17/2017 _____

Attest:

Zac Moody, Community Development Director

Chair Hazel

DRAFT

*Further information on the Code amendments is available at the Community Development office.

Note: These Minutes and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website (www.cityoftalent.org) in advance of each meeting. The Minutes are not a verbatim record: the narrative has been condensed and paraphrased to reflect the discussions and decisions made.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

EXHIBIT "H"

DLCD FORM 1

NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:



Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Talent**

Local file no.: **REZ 2016-001, CPA 2016-003**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Zac Moody, Community Development Director

Phone: 541-535-7401 E-mail: zmoody@cityoftalent.org

Street address: 110 E. Main Street, PO Box 415 City: Talent Zip: 97540-

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

The proposed amendment is to land currenty zoned Light Industrial with a Comprehensive Plan Map Designation of Light Industrial. The proposed amendment would change the zoning designation to RM-22 and the Comprehensive Plan Designation to Residential High. Notice of the public hearing will be prepared in accordance with the City's LDO and a staff report will be available seven (7) days from the date of the first hearing.

Date of first evidentiary hearing: 01/26/2017

Date of final hearing: 02/15/2017

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from Light Industrial to Residential High Density (RH)
Change from _____ to _____
- New or amended land use regulation
- Zoning map amendment(s) – Change from Light Industrial to Mulitple Family - High Density
Change from _____ to _____
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment: 4

Location of property, if applicable (site address and T, R, Sec., TL): 381W26AD TL 500

List affected state or federal agencies, local governments and special districts: Oregon Department of Transportation, Jackson County, Rogue Valley Transit District, ODOT Rail, Jackson County Fire District #5.

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at

http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

¹ 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal

NOTICE OF PUBLIC HEARING

On Wednesday, March 1, 2017 at 6:45 PM, the Talent City Council will hold a public hearing to discuss the following:

Consideration of a Comprehensive Plan Map Amendment from Light Industrial (LI) to Residential High Density (RH) and a Zoning Map Amendment from Light Industrial (IL) to Multiple-Family High Density (RM-22) for property described as Township 38 South, Range 1 West, Section 26AD, Tax Lot 500. The application also requests the consideration of a 35 Lot Subdivision and associated Variance to property setbacks. Decisions are based on the approval criteria found in Zoning Ordinance 8-3M.160 and 8-3L.4 and Subdivision Ordinance 8-2.320 and are also based on compliance with the Talent Comprehensive Plan and Oregon Statewide Planning Goals. File: REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001. Applicant: Bradley Properties, LLC.

February 24, 2017



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Talent City Council will hold a public hearing on **Wednesday, March 1, 2017 at 6:45 p.m.** in the Talent Town Hall located at 206 East Main Street, Talent, Oregon. The purpose of the public hearing is for the:

*Consideration of a Comprehensive Plan Map Amendment from Light Industrial (LI) to Residential High Density (RH) and a Zoning Map Amendment from Light Industrial (IL) to Multiple-Family High Density (RM-22) for property described as Township 38 South, Range 1 West, Section 26AD, Tax Lot 500. The application also requests the consideration of a 35 Lot Subdivision and associated Variance to property setbacks. Decisions are based on the approval criteria found in Zoning Ordinance 8-3M.160 and 8-3L.4 and Subdivision Ordinance 8-2.320 and are also based on compliance with the Talent Comprehensive Plan and Oregon Statewide Planning Goals. **File: REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001.** Applicant: Bradley Properties, LLC.*

Oregon law and Section 8-3M.160 of the Talent Zoning Code provide the procedures for City sponsored legislative actions. Testimony, arguments, and evidence must be directed toward the approval criteria, or other criteria in the Ordinance which the person believes apply to the application. Failure to raise an issue at the hearing, in person or by letter, or failure to provide sufficient specificity to afford the hearing body an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue. A copy of the rules (Talent Zoning Code, Section 8-3M.160) governing conduct of the hearing and submission of evidence and testimony at the hearing may be inspected at the Community Development Department at no cost any time prior to the hearing and can be provided at reasonable cost.

A SIGN UP SHEET WILL BE PROVIDED AT THE HEARING AND WHEN YOUR NAME IS CALLED YOU MAY GIVE YOUR ORAL TESTIMONY. ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. ADDITIONAL TESTIMONY (BEYOND THE FIVE MINUTE LIMIT) MAY BE SUBMITTED IN WRITING.

Alternatively, respondents may comment by using the comment sheet on the reverse side and return it to the Community Development Department in person or via mail to:

City of Talent, Community Development Department
P.O. Box 445,
110 East Main Street
Talent, Oregon 97540

NOTICE TO MORTGAGE, LIENHOLDER, VENDOR, OR SELLER: THE TALENT CITY CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the proposed amendments, all documents and evidence relied upon for the amendments and applicable criteria is available for inspection at no cost on the City's website, www.cityoftalent.org and will be provided at reasonable cost, if requested. A copy of the record will be available for inspection seven days prior to the hearing. Failure to specify which ordinance criteria an objection is based on precludes your right of appeal to LUBA on that criterion. Additional information is available by contacting Zac Moody at the City of Talent Community Development Department, 110 E. Main Street, Talent, Oregon 97540, phone: 541-535-7401 email: zmoody@cityoftalent.org.

OVER

Comment Form

REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: _____

Mailing Address: _____

Date: _____

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

Albertson Ross Trustee Et A
79 Scenic Dr
Ashland, OR 97520

Bb & Hb Llc
1775 Ashland Mine Rd
Ashland, OR 97520

Bergstrom Bruce C/Mary S
705 Roca St
Ashland, OR 97520

Bradley Properties Llc Et A
612 Iowa St
Ashland, OR 97520

Brecheisen Marieke Constanc
1775 Ashland Mine Rd
Ashland, OR 97520

Brooks Chase E/Kerri R
305 Everett Way
Talent, OR 97540

Camus Court Property Owners
333 Geraldine Pl
Talent, OR 97540

Cooley Linda M
304 Everett Way
Talent, OR 97540

D'amore Oceanah T
405 Talent Ave
Talent, OR 97540

Doriguzzi Todd
303 Rapp Rd
Talent, OR 97540

Fabricated Glass Spec Inc
Po Box 335
Talent, OR 97540

Gibson John J
407 Talent Ave
Talent, OR 97540

Healy Douglas K/Dirienzo Ma
Po Box 965
Ashland, OR 97520

Hill John Scott
1409 Kings Hwy
Medford, OR 97501

Holtz Harvey R Trustee
P O Box 335
Talent, OR 97540

Housing Authority Of J C
2251 Table Rock Rd
Medford, OR 97501

Howell Dawn
511 Talent Ave
Talent, OR 97540

Kce Llc
Po Box 1200
Talent, OR 97540

Legacy Development Llc
Po Box 3071
Ashland, OR 97520

Mickelsen Kirk A/Elizabeth
1780 Mill Creek Dr
Prospect, OR 97536

Morrison Jean L Et Al
Po Box 392
Merlin, OR 97532

Numair Abe Jtrustee Et Al
2610 Darius Way
San Leandro, CA 94577

Oregon Shakespeare Festival
15 Pioneer St
Ashland, OR 97520

Petersen Evan D
1950 Hutchins Cir
Medford, OR 97504

Scott Sinner
4401 San Juan Dr Ste G
Medford, OR 97504

Stubbs Todd C
300 Everett Way
Talent, OR 97540

Suncrest Homes
P.O. Box 1313
Talent, OR 97540

Walker James G Trustee
408 S Pacific Hwy
Talent, OR 97540

Willis Charles D/Colleen A
401 Talent Ave
Talent, OR 97540

I hereby certify this Notice of Public
Hearing was mailed to the above
property owner(s) on 2/21/17
Jeff Wilcox,
Community Development Assistant

CITY COUNCIL - NPH - REZ 2016-001 / CRA 2016-003 - SUS 2016-001 / UNCC 2016-001

PI

Ben LaMere
302 E. Rapp Rd.
Talent, OR 97540

Gina Velando
108 Schoolhouse Rd.
Talent, OR 97540

Darby Stricker
221 E. Rapp Rd.
Talent, OR 97540

Greg Goebelt
1110 Lithia Way
Talent, OR 97540

Dorian Hastings
100 N. Pacific Hwy. #73
Talent, OR 97540

John Steinbergs
328 Talent Ave.
Talent, OR 97540

Garth W. Evey
102 N. Talent Ave.
Talent, OR 97540

Michael Nelson
121 Max Loop
Talent, OR 97540

PZ

CITY COURIER - WPH - PEZ 2016-001 / CRA 2016-003 + SUB 2016-001 / VAR 2016-001

NOTICE OF PROPOSED LAND USE ACTION AND PUBLIC HEARING

Project No. SUB2016-001 / VAR 2016-001
Name William Way Also: REZ2016-001
Description 35 Lot Subdivision / Comp / zoning Map Ord. CPA2016-003
Ordinance Criteria TC 8.3M.160 / B-3L4 / 8-2.32D
Site Address UnAssigned
Maplot No. 381W26AD 500
Applicant Bradley Properties, LLC
Contact ZACMoody, City of Talent
PUBLIC HEARING to be held on 3/1/17 at 6:45 pm
in the Talent Community Center, 206 E. Main Street



City of Talent Planning & Community Development
(541)535-7401 or Emoody@CityofTalent.org
Application materials available for review or purchase at City Hall, 110 E. Main Street

NOTICE OF MEETING

On Thursday, January 26, 2017 at 6:30 PM, the City of Talent Planning Commission will hold a public meeting to discuss the following:

Consideration of a Comprehensive Plan Map Amendment from Light Industrial (LI) to Residential High Density (RH) and a Zoning Map Amendment from Light Industrial (IL) to Multiple-Family High Density (RM-22) for property described as Township 38 South, Range 1 West, Section 26AD, Tax Lot 500. The application also requests the consideration of a 35 Lot Subdivision and associated Variance to property setbacks. Decisions are based on the approval criteria found in Zoning Ordinance 8-3M.160 and 8-3L.4 and Subdivision Ordinance 8-2.320 and are also based on compliance with the Talent Comprehensive Plan and Oregon Statewide Planning Goals. File: REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001. Applicant: Bradley Properties, LLC.

January 13, 2017



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Talent Planning Commission will hold a public hearing on **Thursday, January 26, 2017 at 6:30 p.m.** in the Talent Town Hall located at 206 East Main Street, Talent, Oregon. The purpose of the public hearing is for the:

*Consideration of a Comprehensive Plan Map Amendment from Light Industrial (LI) to Residential High Density (RH) and a Zoning Map Amendment from Light Industrial (IL) to Multiple-Family High Density (RM-22) for property described as Township 38 South, Range 1 West, Section 26AD, Tax Lot 500. The application also requests the consideration of a 35 Lot Subdivision and associated Variance to property setbacks. Decisions are based on the approval criteria found in Zoning Ordinance 8-3M.160 and 8-3L.4 and Subdivision Ordinance 8-2.320 and are also based on compliance with the Talent Comprehensive Plan and Oregon Statewide Planning Goals. **File: REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001.** Applicant: Bradley Properties, LLC.*

Oregon law and Section 8-3M.160 of the Talent Zoning Code provide the procedures for City sponsored legislative actions. Testimony, arguments, and evidence must be directed toward the approval criteria, or other criteria in the Ordinance which the person believes apply to the application. Failure to raise an issue at the hearing, in person or by letter, or failure to provide sufficient specificity to afford the hearing body an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue. A copy of the rules (Talent Zoning Code, Section 8-3M.160) governing conduct of the hearing and submission of evidence and testimony at the hearing may be inspected at the Community Development Department at no cost any time prior to the hearing and can be provided at reasonable cost.

A SIGN UP SHEET WILL BE PROVIDED AT THE HEARING AND WHEN YOUR NAME IS CALLED YOU MAY GIVE YOUR ORAL TESTIMONY. ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. ADDITIONAL TESTIMONY (BEYOND THE FIVE MINUTE LIMIT) MAY BE SUBMITTED IN WRITING.

Alternatively, respondents may comment by using the comment sheet on the reverse side and return it to the Community Development Department in person or via mail to:

City of Talent, Community Development Department
P.O. Box 445,
110 East Main Street
Talent, Oregon 97540

NOTICE TO MORTGAGE, LIENHOLDER, VENDOR, OR SELLER: THE TALENT CITY CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the proposed amendments, all documents and evidence relied upon for the amendments and applicable criteria is available for inspection at no cost on the City's website, www.cityoftalent.org and will be provided at reasonable cost, if requested. A copy of the record will be available for inspection seven days prior to the hearing. Failure to specify which ordinance criteria an objection is based on precludes your right of appeal to LUBA on that criterion. Additional information is available by contacting Zac Moody at the City of Talent Community Development Department, 110 E. Main Street, Talent, Oregon 97540, phone: 541-535-7401 email: zmoody@cityoftalent.org.

OVER

Comment Form

REZ 2016-001/CPA 2016-003 and SUB 2016-001/VAR 2016-001

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

- We encourage denial of this request for the following reasons:

- Please let us know the results.

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: _____

Mailing Address: _____

Date: _____

Failure to raise an issue by returning this form, or in person or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals.

Interested parties may review the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards at City Hall at no cost. Interested parties may obtain copies at 25 cents per page; 50 cents for 11" x 17" copies.

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

The City of Talent is an Equal Opportunity Provider

Albertson Ross Trustee Et A
79 Scenic Dr
Ashland, OR 97520

Bb & Hb Llc
1775 Ashland Mine Rd
Ashland, OR 97520

Bergstrom Bruce C/Mary S
705 Roca St
Ashland, OR 97520

Bradley Properties Llc Et A
612 Iowa St
Ashland, OR 97520

Brecheisen Marieke Constanc
1775 Ashland Mine Rd
Ashland, OR 97520

Brooks Chase E/Kerri R
305 Everett Way
Talent, OR 97540

Camus Court Property Owners
333 Geraldine Pl
Talent, OR 97540

Cooley Linda M
304 Everett Way
Talent, OR 97540

D'amore Oceanah T
405 Talent Ave
Talent, OR 97540

Doriguzzi Todd
303 Rapp Rd
Talent, OR 97540

Fabricated Glass Spec Inc
Po Box 335
Talent, OR 97540

Gibson John J
407 Talent Ave
Talent, OR 97540

Healy Douglas K/Dirienzo Ma
Po Box 965
Ashland, OR 97520

Hill John Scott
1409 Kings Hwy
Medford, OR 97501

Holtz Harvey R Trustee
P O Box 335
Talent, OR 97540

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1780 Mill Creek Dr
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408 S Pacific Hwy
Talent, OR 97540

Willis Charles D/Colleen A
401 Talent Ave
Talent, OR 97540

I hereby certify this Notice of Public
Hearing was mailed to the above
property owner(s) on 12/30/16
Jeff Wilcox,
Community Development Assistant

REC 2016-001 / CPA 2016-003 + SUB 2016-001 / VAR 2016-001

AVAILABLE
4.37 ACRES LIGHT INDUSTRIAL
ALL OR PART
541-621-2136
Bradley Properties, Inc.

**NOTICE OF PROPOSED
LAND USE ACTION
AND
PUBLIC HEARING**
SUB ZONE-001/PAK ZON-01
WILLIAM WATY (AGRICULTURE)
35.07 SUBDIVISION (LPA 2007)
CONVERT TO UNDESIGNATED
SCHEDULED/000
BRADLEY PROPERTIES,
242 MOODY
1/24/11 6:30
200808 CIPM 2/1/11

2
30



NOTICE OF PROPOSED LAND USE ACTION AND PUBLIC HEARING

Project No. **SUB 2016-001/VAR 2016-001**

Name **WILLIAM WAY** (ALSO: REZ 2016-001 + CPA 2016-003)

Description **35 LOT SUBDIVISION**

Ordinance Criteria **TZC 8-3M.160, 8-3L.4, TSC 8-2.320**

Site Address **CURRENTLY UNASSIGNED**

Maplot No. **381W26AD500**

Applicant **BRADLEY PROPERTIES, LLC**

Contact **ZAC MOODY**

PUBLIC HEARING to be held on **1/26/17** at **6:30**
in the Talent Community Center, 206 E. Main Street



City of Talent Planning & Community Development
(541)535-7401 or **ZMOODY@CITYOF TALENT.ORG**
Application materials available for review or purchase at City Hall, 110 E. Main Street

EXHIBIT "I"



BEFORE THE TALENT CITY COUNCIL

STATE OF OREGON, CITY OF TALENT

IN THE MATTER OF PLANNING FILE NO. REZ 2016-001 AND)
CPA 2016-003 LOCATED ON TALENT AVE [MAP NO. 38-1W-) ORDER
26AD TAXLOT 500], THE TALENT CITY COUNCIL FINDS THE)
FOLLOWING:)

1. The City Council finds that the applicant participated in a pre-application meeting, as required under TMC 8-3M.160 (A), on December 15, 2016 as evidenced in the record and on the land use application.
 2. The City Council finds the proposed Comprehensive Plan Map amendment is consistent with the City's Comprehensive Plan and Oregon's Statewide Planning Goals.
 3. The City Council finds the proposed Comprehensive Plan Designation is consistent with the residential high density designation on adjacent lands across Talent Avenue.
 4. The City Council finds that proposed Comprehensive Plan Map amendment application was duly noticed, including a noticed hearing by the Talent Planning Commission on January 13, 2017 and by the Talent City Council on February 24, 2017.
 5. The City Council finds that the Planning Commission recommended denial of the proposed Comprehensive Plan Map amendment during the February 9, 2017 Planning Commission meeting as noted in the draft Planning Commission minutes on February 9, 2017.
 6. Section 8-3M.180 (H)(4) provides the Talent City Council to authority to render a decision different from the recommendation of the Planning Commission.
 7. The Talent City Council has decided by a majority of the qualified voting members to approve the proposed Comprehensive Plan Map amendment as proposed and to adopt Staff's recommended Findings below.
 8. The Planning Commission held a properly noticed continued public hearing on this matter on January 26, 2017 and a continued public hearing on February 9, 2017;
 9. At the public hearing evidence was presented and the public was given an opportunity to comment;
-

The Talent City Council approves of the Comprehensive Plan and Zoning Map change from Light Industrial to Residential – High Density (REZ 2016-001/CPA 2016-003) and with the approval of the aforementioned files, the Talent City Council also approves the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6’ for two-story homes, 10’ front/porch setbacks and 20’ garage setbacks based on the information presented in the Staff Reports and Findings of Fact below:

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

OREGON ADMINISTRATIVE RULES

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

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

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

FINDING: The subject tract is adjacent to Talent Avenue which is classified as a collector. The proposed change will not degrade the performance of the existing transportation facility and does not appear to impact the level of service below that required by the Transportation System Plan.

The proposed zoning map amendment would change the existing Comprehensive Plan and Zoning Map from Light Industrial zone to High Density Residential, decreasing the volumes and level of service for the highest and best uses in the Industrial Designation. Considering that the impacts would be unchanged or lessened, the proposed amendment would not significantly affect the transportation facility, the mitigating measures provided in section (2) of this rule are not applicable. **The provisions of this section have been met.**

TALENT COMPREHENSIVE PLAN POLICIES, GOALS AND OBJECTIVES

ELEMENT A – HISTORY OF TALENT

POLICY 1: A Sense of Place. It is the policy of the City of Talent to preserve the historic resources of the city as a way to maintain its unique character and to provide for the social and economic needs of the people who live here.

FINDING: The City has an established Historic District and the subject property is not within an area with the mapped Historic District. There are no features of the site with any historical significance. Staff believes that the proposed subdivision meets the intent of Policy 1 and creates a “sense of place.” The subdivision as proposed is consistent with other recent housing projects such as Old Bridge Village and Clearview and provides for smaller scale housing and an opportunity for low to moderate income household ownership. **The provisions of this Section have been met.**

ELEMENT B – PARKS AND RECREATION

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

FINDING: The Comprehensive Plan has recognized the value of parks and open space in urban settings. The subject property is abutting an existing City Park (Chuck Roberts), the Bark Park, and the proposed site plan was designed to complement the adjacent park with an open space area and additional pedestrian facilities.

The proposed pedestrian facilities included in the preliminary subdivision plan allow the residents to enjoy Chuck Roberts Park, which is within comfortable walking distance from

the site and provides quick and safe access to the local transit facilities. **The provisions of this section have been met.**

ELEMENT C – NATURAL HAZARDS

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

FINDING: The site is not within a map flood plain or flood hazard area or in an area typically known for coastal inundation tsunamis or coastal erosion. The site is not in an area of steep slopes and landslides are not a hazard.

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

ELEMENT D – TRANSPORTATION

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

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

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

The site plan and tentative plat propose public streets to provide access for the dwelling units and complete a connection to the existing transportation system. The public streets include sidewalks to promote pedestrian connectivity and vehicular access to Talent Avenue and with a narrow street exception meet the cross section requirements in the TSP.

The proposed streets are lower order streets and do not have provisions for bicycle lanes within the right of way. The low traffic volumes and narrow rights of way anticipate safe bicycle travel in the vehicular travel lanes. Talent Avenue is a collector street and provides bicycle travel lanes. **The provisions of this section have been met.**

ELEMENT E – ECONOMY

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

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

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

FINDING: The Comprehensive Plan includes an Economic Opportunities Analysis (EOA) that was updated in October 2016. The EOA demonstrates the City of Talent has a demand of 20 acres of Industrial land for the 2016 – 2036 planning horizon. The EOA contains a Buildable Lands Inventory of industrial land currently within the UGB. The City currently has a 26.19 acres supply of Industrially zoned land, a surplus of approximately 6.19 acres.

The City is in the process of reviewing the updated Housing Needs Analysis (HNA) to update the Housing Element of the Comprehensive Plan. While the HNA has not been adopted by the City Council at the time this application was submitted, the information represents the most current data specific to the City's housing needs.

The proposed HNA indicates the City currently has a capacity of 630 dwelling units for the 20-year planning horizon. The projected growth in the planning horizon indicates a demand of 1,272 dwelling units. The proposed HNA concludes the City has a deficit of 642 dwelling units with a need for all housing types at all densities.

The subject property is currently zoned Light Industrial (IL) and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is across from existing High Density (RM-22) zoning and adjacent to a city park and local public transit.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. Using the ITE Trip Generation methodology, the applicant has demonstrated that the subject property has a highest and best use impact of 154 PM Peak Hour Trips (PM-PHT), and 1,540 Average Daily Trips (ADT).

The Site Plan and Tentative Plat submitted with this application identifies 35 single family dwelling units and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a total PM-PHT rate of 35.7. The future Multifamily development with up to 12 dwelling units at 0.62 PM-PHT trips has a potential addition of 7.44 PM-PHT for a total of 43.14 PM-PHT.

As stated in the applicant's findings, the effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated subdivision is a reduction of 110.86 PM-PHT from the current IL zoning at the highest and best use.

As noted above, the City has identified a surplus of industrial land and is projecting a deficit of residential land for the 20-year planning horizon requiring an immediate need for additional residential land. Converting this industrial land to high density land addresses the short term residential demands without negative impacts to the industrial land needs of the City as a whole. **The provisions of this section have been met.**

Objective 2.3: The City will develop policies to identify industrial areas that are more appropriate for other uses (e.g., residential uses) based on their site characteristics (e.g., location, size, configuration, or transportation access.

FINDING: The proposal is for a Comprehensive Plan Map and Zoning Map Amendment to rezone the subject property from industrial land to high density residential land. The approval of this application addresses the identified surplus of industrial land and the deficit of residential land. Although this application doesn't represent a current policy, staff believes that this proposed subdivision represents a good example of a proper mix of housing types and a good mix of aesthetics and lot size.

All necessary public facilities are available with sufficient capacity to serve the proposed development. The subject property is directly across from an existing residential development, adjacent to city park facilities and comfortable walking distance to the downtown core of the city.

Implementation Strategy 2.3b: If industrial sites are re-zoned to residential uses, identify new industrial sites suitable to replenish the supply of industrial land to meet Talent's identified industrial land need in the Economic Opportunities Analysis.

Implementation Steps: (1) This strategy will be implemented if industrial land is rezoned, such as through Implementation Strategy 2.3a. (2) Conduct analysis to identify suitable industrial sites to meet Talent's industrial land need identified in the Economic Opportunities Analysis, which may be found inside or outside of the city's Urban Growth Boundary.

The City's recently adopted Economic Opportunities Analysis identifies a surplus of approximately 6.19-acres of industrial land for the needs of the 20-year planning horizon. The proposed Comprehensive Plan and Zoning Map change would convert 4.37 acres of industrial lands to residential lands, leaving a 1.82-acre surplus of industrial land within the current UGB. Considering a surplus of industrial would exist after the amendment, the need for identifying suitable land to replenish the supply of industrial line is not necessary at this time. **The provisions of this section have been met.**

ELEMENT F – PUBLIC FACILITIES

The purpose of this element is to plan for the provision of economical and efficient public facilities and services to meet the needs of current residents, and to serve new development in a manner that minimizes adverse financial, environmental, and social impacts on the

citizens of Talent. This element establishes a long-range plan for compliance with statewide planning Goal 11, Public Facilities and Services.

FINDING: The subject property is currently vacant, however, abutting and adjacent properties are currently developed and served by all necessary public facilities. The development of the subject property is infill development and demonstrates an efficient use of existing infrastructure.

Streets

The property has frontage on Talent Avenue. The adopted TSP classifies Talent Avenue as a collector street. The west half of Talent Avenue adjacent to the proposed development is currently improved to City standards with curb, gutters and sidewalks.

The TSP provides street design standards applicable to all local streets in the City. Section 6 of the TSP provides a standard cross section for local streets with parking, parkrows and sidewalks on both sides of the street. The minimum right-of way for a local street is 60' with a paved surface of 36'. The proposed right-of-way for William Way is 50' with a paved surface of 28'.

Section 6 of the TSP provides an exception that may be considered by the Planning Commission under certain circumstances. The Narrow Street Exception is allowed when the following has been met:

- Average Daily Traffic is not reasonably expected to exceed 800 trips

As noted by the applicant, the average daily trips based in the Institute of Traffic Engineers (ITE) represents a reduction from 1,540 Average Daily Trips (ADT) for industrial to approximately 450 ADT.

- Distance between cross streets is no more than 600 feet

William Way from Talent Ave. to Stage Way is approximately 550 feet. Stage Way extends approximately 600 feet from Talent Ave. to its terminus near Fabricated Glass. It should be noted however that Stage Way was approved and designed as part of the decision for the Shakespeare building.

- The street is a cul-de-sac not designed to provide for future through connection

The request for the narrow street exception is only for William Way, as Stage Way was approved as part of another land use action. William Way is not a cul-de-sac, but it is a street that does not provide a future through connection similar to a cul-de-sac. Considering that no future connection is possible due to its location, staff believes that the intent to allow narrow streets extends to other similar streets that do not or cannot provide a future through connection and will be maintained as a local street indefinitely.

- Expected parking demand can be met off-street

As proposed, all lots with access from a public street have off-street parking. Those lots with alley access provide at least one parking stall on the property, but are provided with additional parking stalls of the 20' alley right-of-way. On-street parking as proposed will be limited to the north side of William Way, providing an additional nine (9) feet of paved driving surface. The paved surface of the street is approximately 28', providing 19' of driving surface. As a comparison, the newly repaved N. Front Street, a higher order collector street has a paved surface of approximately 19.5 feet. Based on the evidence provided by the applicant, the expected parking demand can be met off-street.

- The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.

William Way is not part of an existing grid system, but is a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision. Stage Way, an existing half-street serves as the primary street in the subdivision since it has already been designed and partially constructed. The design of William Way is dependent to the location of Stage Way and therefore serves a secondary role.

- The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on street parking.

Alley access is provided for Lots 9-13 and 30-32. Dwellings built on these lots will be served directly from the alley and are provided with an additional 10 parking spaces to accommodate the need for more parking if necessary. The subdivision proposes 27 on-street parking spaces on the north side of William Way, providing the necessary uninterrupted curb for continuous on street parking.

The information presented by the applicant meets all of the conditions of the narrow street exception and therefore can be considered as an acceptable transportation method by the Planning Commission. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Domestic Water

The City's Public Works Department is responsible for the domestic water system currently available in Talent Avenue from a water main in the public right of way. The public ROW on the north-west side of the property was developed with a public water line. Future development on the site will be required to comply with the standards in effect at the time of development the extension of urban services.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Sanitary Sewer

Rogue Valley Sewer Service (RVS) can provide sanitary sewer facilities to the proposed subdivision through an 8” sanitary sewer line in the public right of way. RVS provided comment stating there is adequate capacity within the system for the purposes of the Comprehensive Plan Amendment and Zone Change and to serve 35 new single family homes and 12 apartments. All Future development on the site will be required to comply with the standards in effect at the time of development.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Storm Water

RVS provided comments on the storm water issues of the Site. The City has responsibility for the storm water conveyance in the area and RVS has responsibility for onsite collection, treatment, and discharge to the public system.

Currently storm water facilities are available in the Talent Avenue right of way and the systems have adequate capacity for the purposes of the Comprehensive Plan Amendment and Zone Change. Future development on the site will be required to comply with the standards in effect at the time of development.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

ELEMENT G – HOUSING NEEDS AND THE UGB

POLICY 1: PROVIDE FOR ALL OF TALENT’S HOUSING NEEDS FOR THE TWENTY YEAR PLANNING PERIOD WITHIN THE EXISTING URBAN GROWTH BOUNDARY.

FINDING: As proposed, this application would convert 4.3 acres of industrial land to high density residential land providing a mixture of housing types, small lot single family detached, small lot single family attached and multifamily.

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

The shortage of available land residential development negatively effects the affordability of housing of all housing types and all residential densities. Solutions for the housing deficit require intensification of existing residential land and the conversion of land currently designated with commercial or industrial uses to residential. **The provisions of this section have been met.**

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

The housing types proposed provide an efficient use of land on an infill property with adequate infrastructure. The proposed development includes a variety of housing types suitable for the RM-22 zoning district.

The proposed housing types include small lot single family detached, small lot single family attached and future attached multifamily dwellings. The proposed density of the development is approximately 10 units per acre when including the multi-family component. As proposed, the density is greater than the target 6.6 units per acre required by the Regional Plan, aiding in the increased overall density of the City. The additional density in this location is appropriate considering the adjacent high density developments and its proximity to public services such as transit and parks.

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

ELEMENT H – REGIONAL PLAN

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

The most significant product of the Regional Plan is the establishment of requirements which affect the form and function of future urban-level development and the creation of an Urban Reserve (UR) for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

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

FINDING: The City has identified multiple future growth areas for the expansion of the UGB through the adoption of the RPS Plan. However, the expansion of the UGB is a long-term process and the City has an immediate need for additional land suitable for residential use. With an identified surplus of industrial land and a deficit of available residential land

in both the short term and long term, converting the subject property from industrial land to residential land has a significant beneficial impact to the City.

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

This approval shall become final the day this decision and supporting findings of fact are signed by the Mayor, below. An appeal of the City Council’s decision must be submitted to the Land Use Board of Appeals within 21 days of the City Council’s decision becoming final.

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

Darby Stricker
Mayor

Date

ATTEST

Zac Moody
Community Development Director

Date



BEFORE THE TALENT CITY COUNCIL

STATE OF OREGON, CITY OF TALENT

IN THE MATTER OF PLANNING FILE NO. SUB 2016-001 AND)
VAR 2016-001 LOCATED ON TALENT AVE [MAP NO. 38-1W-) ORDER
26AD TAXLOT 500], THE TALENT CITY COUNCIL FINDS THE)
FOLLOWING:)

1. The City Council finds that the applicant participated in a pre-application meeting, as required under TMC 8-3M.160 (A), on December 15, 2016 as evidenced in the record and on the land use application;
 2. At the public hearing evidence was presented and the public was given an opportunity to comment;
 3. The City Council finds the proposed Subdivision and Variance applications are consistent with the City's Comprehensive Plan and the Talent Zoning and Subdivision Codes;
 4. The City Council finds that with a density of 10 units per/acre, the preliminary subdivision plat meets the density requirement of the Multi-Family – High Density (RM-22) zoning district;
 5. The City Council finds that the requested variance to the standard setbacks is necessary because exceptional and extraordinary circumstances apply to the property and to the City as a whole;
 6. The City Council finds that proposed Subdivision and Variance applications were duly noticed, including a noticed hearing by the Talent Planning Commission on January 13, 2017 and a notice hearing by the Talent City Council on February 24, 2017;
 7. The City Council finds that the Planning Commission recommended denial of the proposed Subdivision and Variance applications during the February 9, 2017 Planning Commission meeting as noted in the draft Planning Commission minutes on February 9, 2017;
 8. The City Council finds that Section 8-3M.180 (H)(4) provides the Talent City Council to authority to render a decision different from the recommendation of the
-

Planning Commission.

9. The City Council has decided by a majority of the qualified voting members to approve the proposed Comprehensive Plan Map amendment as proposed and to adopt Staff's recommended Findings below.

The Talent City Councils approves the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6' for two-story homes, 10' front/porch setbacks and 20' garage setbacks with the following conditions of approval:

GENERAL CONDITIONS:

1. The applicant shall complete all required public improvements in both subdivision phases within three (3) years of the approval of the final plat or an application for preliminary approval shall be resubmitted.
2. The applicant shall prior to final plat, provide the City a proposed time schedule for the development of each phase.

PRIOR TO FINAL PLAT:

3. Applicant shall prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) including:
 - a. Additional details on the continued maintenance of the private open space by the Home Owner's Association.
 - b. Language that disallows required buffers to be removed unless to replace dead, dying or diseased vegetation.
4. Applicant shall provide Community Development with Public Improvement Plans approved by the City Engineer including the following additional information:
 - a. Pathway lighting type and location. All pathway lighting shall be downward directed or shielded to avoid light pollution.
 - b. Pathway surface type and the path's conformance to ADA requirements. Pathway surface shall be concrete, asphalt or any other surface as approved by the City Engineer.
 - c. Location, type of no parking sign to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street.

- d. Street grades and the location, type of street signs to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street.
 - e. Specify the required dedication of right-of-way for Stage Way and William Way.
 - f. Detailed water improvement plans in conformance with the City standards.
 - g. Detailed sewer plans approved by Rogue Valley Sewer Services and the City Engineer.
 - h. Detailed stormwater detention and treatment plans approved by Rogue Valley Sewer Services and the City Engineer.
5. Applicant provide Community Development with a landscape plan including the following:
- a. The size and type of each tree and the method of soil preparation and irrigation.
 - b. The design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees.
6. Applicant shall provide Community Development with a revised preliminary plat including the following information:
- a. The open space providing access to lots 16-18 shall be identified as a 20' share access easement.
 - b. Rename William Way to Everett Way and the name of the subdivision.
 - c. Identify a reserve strip of land south of Lots 3 and 6, alternatively the applicant may dedicate the entire right-of-way with the recording of the Phase 1 final plat and not identify a reserve strip.
 - d. Amend the lot widths of some, or all of Lots 2-8, 11-13, 22-25 and 28-29 to the 40' minimum lot width requirement or alternatively the applicant shall be allowed to only build single-family attached dwellings on Lots 2-8, 11-13, 22-25 and 28-29.

PRIOR TO ISSUANCE OF BUILDING PERMITS

7. The applicant shall submit building plans that meet the following setbacks for all single-family lots:

- 5' side-yard setback for single store units
- 6' side-yard setback for all two-story units

- 10' front-yard setback for houses and porches (no additional setback exceptions allowed)
- 20' front-yard setback for all garages
- 10' rear-yard setback for all units
- 5' alley-garage setback

PRIOR TO CERTIFICATE OF OCCUPANCY:

- 8. Applicant shall landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan.
- 9. The applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code.

IT IS HEREBY ORDERED THAT the Talent City Council approves the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6' for two-story homes, 10' front/porch setbacks and 20' garage setbacks on all of the newly created lots based on the information presented in the Staff Reports and Findings of Fact below:

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

TALENT SUBDIVISION CODE REQUIREMENTS

8-2. Article 2.

DEVELOPMENT AND DESIGN STANDARDS

8-2.210 *OPEN SPACE*

- A. *Purpose. To preserve the character of the City and to conserve natural resources by encouraging development that incorporates open space and the natural features of the land into neighborhood design, and by allowing density distribution within the development project so that there is no penalty for creative design.*

- B. *Open Space Standard. Designated Locally Significant Wetland and Riparian areas and a fifty-foot "safe harbor" setback from these areas shall be maintained as permanent open space, pursuant to 8-3H.2. Additional open space may also be required by the City or dedicated by the developer of a subdivision, in conformance with the Comprehensive Plan and the provisions of 8-2.220(D). The open space shall be shown on the preliminary plat, and recorded with the final plat or separate instrument in accordance with one of the following methods: [amended 15 October 2008; Ord. No. 847]*

1. *As private open space, by leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City, and shall establish that the subject property may not be developed for any purpose other than that specified in the approved plan. (Note: This section is intended to ensure that open space is used for open space or recreational purposes only.)*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed open space will be owned and managed by the Homeowner's Association. As a condition of approval, the applicant shall prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) that include details on the continued maintenance of the private open space by the Home Owner's Association. **The provisions of this section have been met subject to conditions.**

- D. *Open Space for Public Park Use. If determined by the Planning Commission to be in the public interest in accordance with the adopted Comprehensive Plan, the City may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed subdivision is directly adjacent to the Bark Park and near Chuck Robert's Park, therefore the need for a dedicated open space for public park use is not necessary. **The provisions of this section are not applicable.**

- F. *System Development Charge Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge for parks.*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of private open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. Considering the proximity to Chuck Robert's Park and the Bark Park, an additional public open space dedication is not required. **The provisions of this section are not applicable.**

8-2.220 PUBLIC FACILITIES STANDARDS AND IMPROVEMENTS

- A. *Purpose. The purpose of this Section is to provide planning and design standards for public and private transportation facilities and utilities.*

- B. *When Standards Apply. All development shall comply with the City's public facilities standards and construction specifications. When a new subdivision uses existing streets and other public facilities, those facilities shall be improved to current standards.*
- C. *Standard Specifications. The Public Works Director and City Engineer shall establish written standard construction specifications and standard construction drawings consistent with the design standards of this Section and application of engineering principles. They are incorporated in this code by reference.*
- D. *Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the Applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.*

FINDING: A request for subdivision approval shall meet all of the public facilities standards set forth above. The applicant has stated that all public facilities proposed in the preliminary Plat meet or can meet with conditions, the City of Talent Standard Details amended June 18, 2014. A pre-application conference with the City Engineer and Public Works Director confirmed that the existing public facilities are sufficiently sized for the proposed subdivision and that proposed development can feasibly meet the required design standards. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

8-2.230 PEDESTRIAN ACCESS AND CIRCULATION

- A. *Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:*
 - 1. *Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.*

FINDING: As proposed, the pedestrian pathway between lots 29 and 30 provide a reasonable, direct route between the north side of the development near Stage Way and the south side of the development on William Way. **The provisions of this section have been met.**

- 2. *Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between*

destinations.

FINDING: As proposed, the subdivision is designed with sidewalks on both sides of the William Way and on the south side of Stage Way. The paved surface of the proposed street is 28' with parking on the north side of William Way. William Way as proposed is a local street that has an adequately sized paved street surface to accommodate bicycle traffic. **The provisions of this section have been met.**

4. *For residential buildings, the primary entrance is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the primary entrance may be a lobby, courtyard, or breezeway, which serves as a common entrance for more than one dwelling.*

FINDING: With the exception of lots 11 and 12 which only have access to the proposed alley, all primary home entrances either face Stage Way or William Way. **The provisions of this section have been met.**

- B. *Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 250(J)(5). Pathways shall also be provided where cul-de-sacs or permanent dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other existing or future developments. Pathways used to comply with these standards shall conform to all of the following criteria:*

1. *All pathways shall be located within not less than 10 feet and not more than a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;*

FINDING: The proposed subdivision provides a pedestrian pathway between lots 29 and 30 through the creation of a 10' wide pedestrian access easement. To ensure the safety of the public using the pedestrian pathway, the path shall meet the standards of Section 8-2.230 (C) below. As a condition of approval, the applicant shall, prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) that include additional details on the continued maintenance of the pedestrian pathway by the Home Owner's Association. **The provisions of this section have been met subject to conditions.**

2. *Pathways within subdivisions shall be lighted;*

FINDING: As detailed in the applicant's findings, the pedestrian pathway between lots 29 and 30 shall be lighted in accordance with City standards. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway lighting type and

location. All pathway lighting shall be downward directed or shielded to avoid light pollution. The applicant is encouraged to use LED or other energy efficient light for the proposed pathway. **The provisions of this section have been met subject to conditions.**

3. *Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;*

FINDING: The proposed pedestrian pathway does not have any stairs or switchbacks and is proposed with grade of less than 5%. **The provisions of this section are not applicable.**

4. *The City may require landscaping and/or fencing within the pathway easement/right-of-way for screening and the privacy of adjoining properties;*

FINDING: As detailed in the applicant's findings, the pedestrian pathway between lots 29 and 30 shall be landscaped upon the completion of the homes adjacent to the pathway. As a condition of approval, the applicant shall, prior to Certificate of Occupancy, landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan. **The provisions of this section have been met subject to conditions.**

C. *Design and Construction. Pathways shall conform to all of the standards in 1–5 below:*

1. *Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps that comply with the federal Americans with Disabilities Act (ADA).*

FINDING: The pedestrian pathway between lots 29 and 30 not parallel or directly adjacent to a driveway. **The provisions of this section are not applicable.**

2. *Housing/Pathway Separation. Pedestrian pathways for public use shall be separated a minimum of 5 feet from all residential living areas on the ground floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of 8-3J.4. No pathway/building separation is required for commercial, industrial, public, or institutional uses, except required for mixed uses when residential use is on the ground floor.*

FINDING: The required side-yard setbacks, if a variance is approved would be 5 feet, therefore, all segments of the path will meet the minimum separation standard of 5 feet. As

a condition of approval, the applicant shall, prior to Certificate of Occupancy, landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan. **The provisions of this section have been met subject to conditions.**

3. *Crosswalks. Where pathways cross a parking area, driveway, or street (“crosswalk”), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application. Striping, because of on-going maintenance costs, is not the City’s preferred alternative.*

FINDING: The pedestrian pathway terminates at the intersection of William Way and does not cross a parking area, driveway or street. **The provisions of this section are not applicable.**

4. *Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other surface as approved by the City, at least 6 feet wide or as approved by the City, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 12 feet wide. (See also, Section 250—Transportation Standards for public, multi-use pathway standard.) Pathway right-of-way shall be no less than 15 feet to provide emergency vehicle access. Right-of-way of less than 15 feet may be used where a path could not otherwise be provided, but in no case may a right-of-way less than 12 feet be approved for a public path.*

FINDING: The proposed pedestrian pathway is not intended as a multi-use path, but rather as a pedestrian path. Both William Way and Stage Way have been designed in such a manner to provide a safe, convenient route for bicycles, eliminating the need for bicycle traffic on the pathway. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway surface type and the path’s conformance to ADA requirements. Pathway surface shall be concrete, asphalt or any other surface as approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

5. *Accessible routes. Pathways shall comply with the ADA, which requires accessible routes of travel.*

FINDING: The pedestrian pathway shall be constructed to comply with all ADA requirements and shall be included on the public improvement plans. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway surface type and the path’s conformance to ADA requirements. Pathway surface shall be concrete, asphalt

or any other surface as approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

8-2.240 STREET TREES

B. Plantings. Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to Land Division or Site Design Review, except that street trees may be planted in planter wells as provided in subsection 4 below. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in Section 8-3J.422. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.

FINDING: As proposed, the subdivision provides a parkrow on both sides of William Way to accommodate street trees. There are no parkrows proposed on Stage Way due to the insufficient right-of-way. The proposed site plan identifies trees fronting the street along Stage Way. Lots 4, 7, 8-10 and 13 shall plant trees in the locations identified on the proposed site plan. All required trees, including those on the aforementioned lots shall be from the approved street tree list and shall be 2” caliper in size. In order for the revised landscape plan to be approved, the plan shall be in substantial conformance with Section 8-2.240(C-F). As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan identifying the size and type of each tree and the method of soil preparation and irrigation. Prior to Certificate of Occupancy of each dwelling, the applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code. **The provisions of this section have been met subject to conditions.**

- C. Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:*
- a. Provide a broad canopy where shade is desired.*
 - b. Use low-growing trees for spaces under utility wires.*
 - c. Select trees, which can be “limbed-up” where vision clearance is a concern.*
 - d. Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.*
 - e. Use species with similar growth characteristics on the same block for design continuity.*
 - f. Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.*
 - g. Select trees that are well adapted to the environment, including soil,*

8-2.250 TRANSPORTATION FACILITY STANDARDS

A. *Purpose. The purpose of this chapter is to ensure that developments provide a safe and efficient public street system for pedestrians and vehicles, in conformance with the City’s Transportation System Plan and applicable ordinances.*

FINDING: The proposed plan utilizes two existing intersections: The ½ street improvement shared with OSF identified as “Stage Way” and the improvement of the existing exit next to the Bark Park identified as “William Way” that aligns with Everett Way across Talent Avenue. **The provisions of this section have been met.**

B. *Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Section 260—Access and Circulation, as well as Article 8-3J.6, and the following standards are met:*

FINDING: The proposed subdivision shares approximately 300’ of frontage with Talent Avenue – a public street and each newly created lot as proposed has frontage on an approved street, alley or shared access easement. **The provisions of this section have been met.**

1. *Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan Standards;*

FINDING: The proposed subdivision plan uses a narrow street exception within the Standards Section (Section 6) of Transportation System Plan. An exception to the local residential standard may be considered by the Planning Commission under the following conditions:

- *Average Daily Traffic is not reasonably expected to exceed 800 trips.*
- *Distance between cross streets is no more than 600 feet.*

As proposed, both streets are under 600 feet and the projected traffic trips at 9.7 trips per day per unit are expected to be less than 800 a day.

- *The street is a cul-de-sac not designed to provide future through-connection.*

Although a loop and not a cul-de-sac the effect is the same with no future connections to this road system, there will be no increase in capacity in the future

- *Expected parking demand can be met off street (considering the land uses/zoning in the vicinity).*

As proposed, the designed allows parking on one side of the street creating extra spaces near lots 20, 21, 22, and 29 through 35. All lots have off street parking and additional parking for back loaded alley lots have been designated adjacent to the alley. The proposed subdivision provides a 28' wide pave section and could accommodate parking on one side of the street.

- *The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.*

The subject property is an infill parcel connecting completing an existing ½ street improvement on the north property line and tying into Talent Ave at the intersection of Everett Way and Talent Ave.

- *The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on-street parking).*

As proposed, the subdivision provides alley access on Stage Way, with each lot having two off street parking spaces and an additional parking off of the alley. Considering that each parcel provides off-street parking and that on-street parking will be minimized adjacent to the parkrow and stormwater facilities, the ROW width proposed is adequate and it is not necessary to increase the width of the ROW.

- *Although the City may agree that a wide street is not necessary now, it may become necessary in the future. For this reason, the Planning Commission may require dedication of a standard right-of-way—with reduced paving width when initially built—so the City may increase capacity when needed. The Commission may also consider requiring the provision of additional parking on a one-to-one basis to compensate for loss of on-street parking. Such parking may be located in mini-lots or some other alternative.*

There are not future connections to this local street system. The proposed street system only serves the properties within the subdivision, minimizing the need for future ROW dedication.

Based on the aforementioned evidence, the proposed streets in the subdivision meet the narrow street exception outlined in the Transportation System Plan and can, at the Planning Commission's discretion, be approved. It should also be noted that during the pre-application conference, Public Works, City Engineer and Jackson County Fire District #5 agreed that the proposed street network provided adequate space to protect the public.

To ensure that the proposed narrow street remains functional and that adequate space is provided to protect the public, “NO PARKING THIS SIDE OF STREET” signs shall be installed on the west and south side of William Way in an appropriate number to clearly denote that parking is not allowed. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the location, type of no parking sign to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City’s acceptance of the dedicated public street. **The provisions of this section have been met subject to conditions.**

2. *Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable City, county or state jurisdiction;*

FINDING: As proposed in the preliminary plat, the applicant shall complete the half-finished right-of-way along the Shakespeare frontage in accordance with the design & engineering plans established by the Planning Staff and Commission when Shakespeare obtained their Site Plan approval. William Way’s compliance with Talent’s narrow street exception is addressed in the findings above. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

3. *The City may accept a future improvement guarantee [e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future] in lieu of street improvements if one or more of the following conditions exist:*
 - a. *A partial improvement may create a potential safety hazard to motorists or pedestrians;*
 - b. *Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;*
 - c. *The improvement would be in conflict with an adopted capital improvement plan; or*
 - d. *The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.*

FINDING: Other than the proposed improvements, there are no other future improvements necessary as a result of the subdivision request. **The provisions of this section are not applicable.**

C. *Variances. A variance to the transportation design standards in this Section may be granted pursuant to Article 8-3L.4.*

FINDING: The proposed subdivision request proposes a narrow street exception which can only be approved through a variance pursuant to Section 8-3L.4 which is addressed below. **The provisions of this section have been met.**

E. *Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Section 260—Vehicular Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.*

FINDING: The proposed subdivision proposes two areas where an access easement is necessary. Lots 16-18 near the southwest corner of the subdivision requires the use of a shared access from William Way in order to provide proper frontage. As proposed, the 20' access way serving these lots are classified as open space owned by the Home Owner's Association and does not meet the requirements for proper frontage. While the open space can be a separate legal lot owned by the Home Owners Association, staff recommends that the open space providing access to lots 16-18 also be identified as a 20' private access easement for consistency with the frontage standards. Additionally, the applicant has proposed a 10' pedestrian access easement between Lots 29 and 30. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat identifying the open space providing access to lots 16-18 as a 20' shared access easement. **The provisions of this section have been met subject to conditions.**

F. *Street Location, Width, and Grade. Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, as applicable, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:*

a. *Street grades shall be approved by the Public Works Director or designee in accordance with the design standards in Section 250(O), below; and*

FINDING: As shown on the preliminary subdivision plat, the subject site is gently sloping with an elevation change of approximately 20 feet, and as proposed, road grades are anticipated to be less than 5%. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the street grades. **The provisions of this section have been met**

subject to conditions of approval.

- b. *Where the location of a street is not shown in an existing street plan (See Section 250(I)), the location of streets in a development shall either:
 - i. *Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Section, or**

FINDING: The proposed subdivision request proposes a road system that connects two existing intersections along Talent Avenue. One connection is to the existing ½ street south of Oregon Shakespeare Festival’s property which will be improved to full street standards and the other connects to Talent Avenue at Everett Way. **The provisions of this section have been met.**

G. *Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be within the range of appropriate widths adopted in the Transportation System Plan. A variance shall be required to vary the standards in the Transportation System Plan. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:*

- a. *Street classification in the Transportation System Plan;*
- b. *Anticipated traffic generation;*
- c. *On-street parking needs;*
- d. *Sidewalk and bikeway requirements based on anticipated level of use;*
- e. *Requirements for placement of utilities;*
- f. *Street lighting;*
- g. *Proposed traffic calming devices;*
- h. *Minimize drainage, slope, and sensitive lands impacts, as identified by the Comprehensive Plan;*
- i. *Street tree location, as provided for in Section 240—Street Trees;*
- j. *Protection of significant vegetation (i.e., trees with a caliper of 4 inches (dbh) or greater)*
- k. *Safety and comfort for motorists, bicyclists, and pedestrians;*
- l. *Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;*
- m. *Access needs for emergency vehicles; and*
- n. *Transition between different street widths (i.e., existing streets and new streets) where applicable.*

FINDING: As proposed, the preliminary subdivision plat identifies William Way as a “narrow street” with a 28’ paved surface. As shown on the preliminary site plan, the proposed right of way is adequate to provide needed on street parking, street lighting, street

trees and proper emergency vehicle access and meets the narrow street exception requirements outlined in the TSP. **The provisions of this section have been met.**

J. Street Alignment and Connections.

2. *Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.*

FINDING: As proposed, the only local intersection on this plan is at the intersection of Stage Way at William Way which is more than 125' from the intersection of Stage Way and Talent Ave. **The provisions of this section have been met.**

4. *Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks and transit facilities wherever possible.*

FINDING: The proposed streets within the subdivision provide direct and easy access to Talent Avenue, which has RVTD transit service, is close to downtown Talent, and close to recreation at Chuck Roberts park. **The provisions of this section have been met.**

5. *In order to promote efficient vehicular and pedestrian circulation throughout the City, the design of subdivisions and alignment of new streets shall conform to the standards in 260—Vehicular Access and Circulation, and block length shall not exceed the dimensions in a-b below:*
 - a. *400 foot maximum block length, and 1,200-foot maximum perimeter in the Residential zones;*
 - b. *400 foot maximum block length and 1,200-foot maximum perimeter in the Central Business District Zone;*
 - c. *800 foot maximum block length and 2,400-foot maximum perimeter in the Light Industrial District;*

Exceptions to the above standards may be granted when the developer can clearly demonstrate that compliance is not feasible, or when a non-vehicle access way is provided at or near mid-block, in conformance with the provisions of Section 230— Pedestrian Access and Circulation. (See examples in Figure 250.J.)

FINDING: As proposed, the design meets these standards because the pedestrian pathway between lots 29 & 30 provides a direct route for residents walking downtown or to Chuck

Roberts Park or the dog park. **The provisions of this section have been met.**

- K. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes in public right-of-way shall be installed in conformance with the TSP. Pathways and bike paths within subdivisions shall be designed to promote the safety of those using the path, and the privacy of adjoining property owners to the greatest extent practicable. For example, pathway connections shall be as direct as possible. Overhead street lighting shall be coordinated with pathway entrances wherever possible, and pedestrian-oriented lighting shall be considered in other areas where overhead lighting cannot be provided. Fences and landscaping may be required for privacy screening and buffering between pathways and adjacent land uses. Alternatively, grade change between pathways and adjacent uses may be a suitable buffer. Ease of maintenance of paved areas and use of native landscaping shall also be encouraged. Maintenance of sidewalks and planter strips is the continuing obligation of the adjacent property owner. (ORS 105.672)*

FINDING: The proposed subdivision plan proposes the necessary sidewalks and park-rows in the public right-of-way. Bicycle lanes are not required on local streets. The proposal identifies a pedestrian pathway between lots 29 and 30 as a means to join the two phases of the subdivision together. To ensure the safety of those using the pedestrian pathway, pathway lighting is required. In addition to pathway lighting, the applicant shall, to the greatest extent practicable, locate the overhead street lighting adjacent to or near the pedestrian pathway. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway lighting and the location of all required overhead lighting. All pathway lighting shall be downward directed or shielded to avoid light pollution. The applicant is encouraged to use LED or other energy efficient light for the proposed pathway. **The provisions of this section have been met subject to conditions.**

- L. Intersection Angles. Streets shall be laid out to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:*
- a. No street intersection may be created within 25 feet of a street curve, and no street curve may be created within 25 feet of a street intersection (on the same street). Such intersections and curves shall have at least 25 feet of tangent between them unless topography requires a lesser distance;*
 - b. Intersections that are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and*

FINDING: As proposed, all planned intersections meet at right angles with radii greater than 20'. **The provisions of this section have been met.**

M. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, in conformance with the standards in the Transportation System Plan.

FINDING: As proposed, the subdivision completes the recently approved existing ½ street shared with OSF and dedicate the right-of-way to the City of Talent. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that specify the required dedication of right-of-way for Stage Way and William Way. **The provisions of this section have been met subject to conditions.**

O. Grades and Curves. Grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:

- a. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and*
- b. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent slope or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.*

FINDING: As proposed, the subdivision street grades are less than 5%, & both intersections at Talent Ave shall have stop signs. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the street grades and the location, type of street signs to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street. **The provisions of this section have been met subject to conditions.**

8-2.260 VEHICULAR ACCESS AND CIRCULATION

D. Traffic Study Requirements. The City or other agency with access jurisdiction may require a traffic impact study (TIS) prepared in accordance with Section 8-3L.9 Traffic Impact Study. [amended 17 February 2016; Ord. No. 912]

FINDING: The provision of this section are addressed above in Section 8-2.250(B). **The provisions of this section have been met.**

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

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

FINDING: As proposed, each lot on William Way and Stage Way either have a permitted shared driveway or have a minimum of 10' of separation between driveways. The exception is Lot 31 and 32 which are accessed by the 20' public alley. These lots access a lower function public access, not a local street, therefore the 10 feet of separation does not apply to alley accessed lots. **The provisions of this section have been met.**

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

FINDING: As proposed, each lot has only one access point. **The provisions of this section have been met.**

- I. *Shared Driveways. The number of driveway and private street intersections with public streets may be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:*

FINDING: As proposed, nearly half of the proposed lot share a driveway, promoting additional vehicular and pedestrian safety. **The provisions of this section have been met.**

2. *Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.*

FINDING: As proposed 14 of the 35 lots share a driveway. With the exception of Lots 16-18, all shared driveway share only a driveway apron which is in the public right-of-

way. Therefore, these lots do not require a recorded shared access easement. **The provisions of this section are not applicable.**

8-2.270 SANITARY SEWER AND WATER SERVICE IMPROVEMENTS

- A. *Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications and the applicable Comprehensive Plan policies.*
- B. *Sewer and Water Plan approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.*
- C. *Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the over-sizing. (Note: Dolan versus City of Tigard findings should accompany any decision to require over-sizing.)*
- D. *Permits Denied. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building or development moratoriums shall conform to the criteria and procedures contained in ORS 197.505.*

FINDING: During the pre-application conference, Rogue Valley Sewer Services staff and the City Engineer reviewed the proposal and determined that there is adequate existing capacity for the project. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the proposed water improvements. Additionally, prior to final plat, the applicant shall provide Community Development with Public Improvement Plans approved by Rogue Valley Sewer Services that detail the proposed sewer improvements. **The provisions of this section have been met subject to conditions.**

8-2.280 STORM DRAINAGE AND SURFACE WATER MANAGEMENT

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

- B. *Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, as designated in the City of Talent Stormwater Master Plan, whether inside or outside the development. Such facilities shall be subject to review and approval by the Public Works Director or City Engineer.*
- C. *Effect on Downstream Drainage. Where it is anticipated by the Public Works Director or designee that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold permits of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards. Any applicable procedures in state development moratorium statutes shall be followed.*
- D. *Easements. Where a watercourse, drainage way, channel, or stream traverses a development, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance. Development within designated Locally Significant Wetland and Riparian areas shall be in conformance with the requirements in 8-3H.2, Natural Areas, Parks and Floodplains.*

FINDING: During the pre-application conference, Rogue Valley Sanitary Sewer staff reviewed the proposed subdivision plan and determined that there is sufficient capacity within the storm drain system for the project. Rogue Valley Sewer Service also stated that the proposed development shall meet the requirements of the RVS Stormwater Design Manual including onsite detention and treatment of all stormwater. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the stormwater detention and treatment plans approved by Rogue Valley Sewer Services. **The provisions of this section have been met subject to conditions.**

8-2. Article 3.

APPLICATION REQUIREMENTS AND APPROVAL CRITERIA

8-2.310 REVIEW PROCEDURES AND APPROVALS PROCESS

- A. *Subdivision and Partition Approval Through Three-step Process. Applications for subdivision or partition approval shall be processed through a three-step process: the pre-application conference, the preliminary plat, and the final plat.*
 - 1. *A pre-application conference is required for all partitions and subdivisions.*

FINDING: The applicant attended the required pre-application conference on December 15, 2016. **The provisions of this section have been met.**

G. Phased Development.

1. *The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public improvements, utilities, streets) for any partition or subdivision phase be greater than 3 years without reapplying for a preliminary plat;*
2. *The criteria for approving a phased land division proposal are:*
 - a. *Public facilities shall be constructed in conjunction with or prior to each phase;*
 - b. *The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 460—Performance Guarantees. A temporary public facility is any facility not constructed to the applicable City or district standard;*
 - c. *The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal; and*
 - d. *The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.*

FINDING: The applicant has proposed to develop the subdivision in two phases. Pursuant to this section, all required public improvements, utilities and streets for both phases shall be installed within three (3) years of the final plat approval. If public improvements are not installed within three (3) years of the final plat, the applicant shall reapply for a preliminary plat. As a general condition of approval, the applicant shall complete all required public improvements in both subdivision phases within three (3) years of the approval of the final plat or an application for preliminary approval shall be resubmitted. Additionally, the applicant shall prior to final plat, provide the City a proposed time schedule for the development of each phase. **The provisions of this section have been met subject to conditions.**

H. Compliance with ORS Chapter 92. All subdivision and partition proposals shall be in conformance to state regulations set forth in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.

FINDING: As proposed, the preliminary plat is in compliance with ORS 92. **The provisions of this section have been met.**

8-2.320 PRELIMINARY PLAT SUBMISSION REQUIREMENTS

A. *Preliminary Plat Information. The preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:*

1. *General information:*

- a. *Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in the county in which it is located (please check with County surveyor);*
- b. *Date, north arrow, and scale of drawing;*
- c. *Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site, including vicinity;*
- d. *Names, addresses and telephone numbers of the owners, designer, and engineer or surveyor, and the date of the survey; and*
- e. *Identification of the drawing as a “preliminary plat.”*

FINDING: The applicant has provided a preliminary plat that includes all of the required general information above. The proposed subdivision name does not duplicate the name of another subdivision in the County, however, the City has determined that the William Way street name is not appropriate since it has a direct connection with Everett Way. Considering this direct connection, Staff recommends that William Way be renamed to Everett Way to minimize confusion for emergency responders. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat changing the name of William Way to Everett Way and the name of the subdivision. Staff has verified that Stage Way Subdivision is an acceptable name should the applicant choose to keep Stage Way named as proposed on the plat. **The provisions of this section have been met subject to conditions.**

2. *Site analysis:*

- a. *Streets: Location, name, present width of all existing streets, alleys and rights-of-way on and abutting the site;*
- b. *Easements: Width, location and purpose of all existing easements of record on and abutting the site;*
- c. *Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest ones;*

- d. *Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor. This requirement may be waived for partitions of one (1) acre or less with grades, on average, less than 5 percent;*
- e. *The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);*
- f. *Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having substantial erosion potential;*
- h. *Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;*
- j. *The location, size and species of trees having a caliper (diameter) of 4 inches (dbh) or greater at four feet above grade;*
- k. *Lighting plan, mailbox plan; and*
- l. *Other information, as deemed appropriate by the City Planner or City Administrator. The City may require studies or exhibits prepared by qualified professionals, such as a traffic study, anticipated water use and conservation study, cultural resource study, tree report and preservation study, wetland delineation, or similar study, to address specific site features and code requirements.*

FINDING: The Preliminary Plat (prepared by Friar & Associates) includes all the information pursuant to the requirements of Section 8-2.320 above. **The provisions of this section have been met.**

8-2.330 APPROVAL CRITERIA: PRELIMINARY PLAT

A. *General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*

- 1. *The proposed preliminary plat complies with all of the applicable code sections and other applicable ordinances and regulations. At a minimum, the provisions of this Chapter and the provisions of the underlying zoning district shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of 8-3L.4—Variances; [amended 15 October 2008; Ord. No. 847]*

FINDING: As proposed the Preliminary Plat complies with or can comply with conditions all applicable code sections, ordinances & regulations, including this Chapter 8-2 (Subdivision Development & Design Standards), Chapter 8-3C.4 (RM-22 Zoning District), except for the requested setback variance in accordance with Section 8-3L.4 (Variance) of the Talent Zoning Code addressed below. **The provisions of this section have been met subject to conditions.**

2. *The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

FINDING: The proposed subdivision name does not duplicate the name of another subdivision in the County, however, the City has determined that the William Way street name is not appropriate since it has a direct connection with Everett Way. Considering this direct connection, Staff recommends that William Way be renamed to Everett Way to minimize confusion for emergency responders. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat changing the name of William Way to Everett Way and the name of the subdivision. Staff has verified that Stage Way Subdivision is an acceptable name should the applicant choose to keep Stage Way named as proposed on the plat. **The provisions of this section have been met subject to conditions.**

3. *The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction, and in all other respects; and are consistent with the City's Transportation System Plan. All proposed public improvements and dedications are identified on the preliminary plat; and*

FINDING: As proposed the preliminary plat details the completion of the existing, ½ street improvement abutting the northern boundary of the parcel. The preliminary plat identifies the construction of a new street, "William Way," that connects Stage Way to Talent Avenue. William Way intersects Talent Avenue directly opposite Everett Way, eliminating the need for additional intersections. The applicant has proposed a two phase development, however, it appears that both proposed streets are necessary for the development of either phase. The construction of Phase 1 as proposed would include the completion of the ½ street and the partial construction of William Way near the intersection of Stage Way. Should the applicant choose to construct the improvement for only Phase 1 initially, the street stub near Lots 3 and 6 would require a reserve strip to ensure future street construction. Considering this segment of William Way is less than 150', there is no need for an emergency vehicle turn-a-round. As a condition of approval, the applicant shall prior to final plat, provide Community Development with a revised preliminary plat identifying a reserve strip of land south of Lots 3 and 6 or dedicate the entire right-of-way with the recording of the Phase 1 final plat. **The provisions of this section have been met subject to conditions of approval.**

4. *All proposed private common areas and improvements (e.g., home owner association property) are identified on the preliminary plat.*

FINDING: As proposed, the Preliminary Plat identifies all private common areas and improvements that will be maintained by the Homeowner's Association. Lots 16-18 near the southwest corner of the subdivision requires the use of a shared access from William Way in order to provide proper frontage. As proposed, the 20' access way serving these

lots are classified as open space owned by the Home Owner's Association and does not meet the requirements for proper frontage. While the open space can be a separate legal lot owned by the Home Owners Association, staff recommends that the open space providing access to lots 16-18 also be identified as a 20' private access easement for consistency with the frontage standards. Additionally, the applicant has proposed a 10' pedestrian access easement between Lots 29 and 30. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat identifying the open space providing access to lots 16-18 as a 20' shared access easement. **The provisions of this section have been met.**

B. Residential Density

1. *Minimum and Maximum Density Requirements. When lots are created through a subdivision, the development shall achieve a minimum of forty percent (40%) and a maximum of one hundred percent (100%) of the dwelling unit density permitted by the applicable zoning district. The minimum density provision shall not apply to parcels that are smaller than one (1) acre. For purposes of this section, the minimum number of dwelling units required shall be determined by multiplying the maximum density by 0.4. The result shall be rounded up for any product with a factor of 0.5 or greater and rounded down for any product with a fraction of less than 0.5. [amended 15 October 2008; Ord. No. 847]*
2. *Residential Density Calculation Procedure...The following steps describe how to calculate density (For density calculation in the RM-22 zone, refer to Zoning Code, 8-3C.460. Do not use the method below for the RM-22 zone).*

FINDING: The proposed Comprehensive Plan and Zoning Map change is to RM-22 which is excluded in this Section. The density calculations are addressed below pursuant to Section 8-3C.460. **The provisions of this section are not applicable.**

C. Block and Lot Standards. All proposed blocks (i.e., one or more lots bound by public streets), lots, and parcels conform to the specific requirements below:

1. *All lots shall comply with the lot area, setback, and dimensional requirements of the applicable zone district, and the standards of Section 250(J)—Street Connectivity and Formation of Blocks.*

FINDING: The applicant has requested a variance to the required setbacks which are addressed in the findings below. As proposed, all lot area and other dimensional standards required in the RM-22 zoning district have been met either through an average lot area for the subdivision or due to the type of allowed dwelling for an individual lot. Section 8-3C.470(D) provides the minimum lot widths for specific dwelling types. The dwelling types in this subdivision are single-family attached and detached. Pursuant to Section 8-3C.470(D), single-family detached lots have a minimum lot width of 40 feet, while single

family attached have no minimum lot size. Considering the minimum standards for single family detached housing, Lots 2-8, 11-13, 22-25 and 28-29 shall be a single-family attached dwelling in order to accommodate a dwelling. An alternative to requiring the aforementioned lots to be attached is a revision of the plat to meet the minimum lot standards for single-family detached dwellings. As a condition of approval, Lots 2-8, 11-13, 22-25 and 28-29 shall be allowed to only build single-family attached dwellings or the applicant shall, prior to final plat, provide Community Development a revised preliminary plat amending the lot widths of some, or all of Lots 2-8, 11-13, 22-25 and 28-29 to the 40' minimum lot width requirement. **The provisions of this section have been met subject to conditions.**

- a. *Single-family residential lot sizes may be averaged to allow lots less than the minimum lot size in the RS-5 and RS-7 residential districts, as long as the average area for all lots is not less than allowed by the district. In order to prevent exceeding the maximum allowable densities, no lot shall be created that can be divisible in the future unless a re-division plan is filed for the subject lot, pursuant to Section 330(F). No lot created under this provision shall be less than eighty-five (85%) percent of the minimum lot size allowed in the zone. For example, in the RS-5 zone the following three lots could be created from a 24,000-square-foot tract: 6,800 square feet; 8,000 square feet; and 9,200 square feet. [amended 1 December 2004; Ord. No. 777]*
- b. *In the High-Density S&MF Residential (RM-22) zoning district, individual lots may not be created that are too small to provide a residential building footprint, adequate access, any required undeveloped or landscaped areas, and covered off-street parking for at least two dwelling units.*

FINDING: As proposed, all lots with the exception of Lot 12 meet the minimum lot area standards required in the RM-22 zoning district. An exception for lots with an area smaller than 1,800 square feet is outline in Section 8-3C.470(A)(3). This section allows attached or zero lot line townhouses or row houses on individual lots smaller than 1,800 square feet provided the net density for the development does not exceed 16 units and that 250 square feet of open space is provided. The development as proposed has a net density of approximately 10 units per net acre, below the required 16 units per net acre allowance and proposes approximately 4,244 square feet of open space adjacent to Lot 25. **The provision of this section have been met.**

2. *Setbacks shall be as required by the applicable zoning district. [amended 15 October 2008; Ord. No. 847]*

FINDING: The proposed subdivision design is consistent with the HNA's density & design recommendations including row-houses, common-wall houses, houses with common garage walls, houses with zero lot lines, detached homes, and future apartments on the ½

acre in reserve. As proposed, the plan incorporates a variety of garage locations, sizes, & accesses - some via rear alley, others via shared driveway with attached garages. In addition to integrating a variety of home types into the subdivision, the plan provides a more efficient use of land and smaller more affordable homes.

The applicant contends that the City's setback requirements were written to serve much larger 5,000 – 8,000 square foot lots and not conceived to facilitate efficient land usage and small homes. Although that logic has not been confirmed, Staff agrees that the existing setbacks are not consistent with other jurisdictions that encourage higher densities and that greater setbacks can be a barrier to efficient high density development. Talent's current, front-yard setback is 20' for the house or porch and 24' for the garage. As an example, a two 1,800 square foot lots meant to accommodate a single-family attached home would require approximately 1,140 square feet per lot to be dedicated to required setbacks, leaving only 660 square feet of building space. This requirement, along with a lot coverage maximum of 40 percent averaged over the development is a barrier to high density development. Considering this barrier, the applicant is seeking a variance to reduce front-yard setbacks to 10' for houses/porches and to 20' for street-loaded garages, similar to that approved in the Clearview development in 2007 and to Old Bridge Village in 2005. The proposed request maintains adequate, off-street parking while lessening the visual impact of a dominating street facing garage. Similarly, compressed setbacks have enhanced communities across the state, including several in Talent and Ashland, by increasing density, improving overall aesthetics, lowering costs, and encouraging interaction.

Talent's current, side-yard setback of 5' for 1-story and 8' for structures taller than 18'. In general, a standard setback means that adjacent, 2-story homes must be 16' apart consuming approximately 500 square feet of valuable building space.

The applicant references the City of Ashland Land Development Code which requires 6' minimum side-yard setbacks for both one- and two-story homes, and Medford codes which require a 4' side-yard setback for one-story homes and increases them proportional to building height. Staff agrees that narrower setbacks and smaller lots are the simplest means of increasing Talent's density & preserving the surrounding, open space.

During the pre-application conference, the issue of narrow side-yard setbacks was discussed with Jackson County Fire District 5 staff who agreed that need enough space to place a ladder to reach a 2nd-floor windowsill and that a 5' side yard setback for a single story and a 6' side-yard setback for a 2-story building is sufficient.

As proposed, the Applicant is seeking a variance to reduce side yard setbacks from 8' to 6' for 2-story homes and a reduction front-yards setbacks from 20 feet for houses and porches to 10' feet and from 24' feet for garages, to 20' feet. The plan complies with rear-yard minimum setbacks of 10' and alley-garages of 5'. Considering the evidence presented by the applicant and further considering the direction the City must head in the coming years to achieve higher densities within the City, staff recommends allowing the reduced setbacks. Reduced setbacks afford this applicant the same opportunities as other recent higher

density development without additional risk to fire, life or safety. As a condition of approval, prior to the issuance of building permits, the applicant shall submit building plans that meet the following setbacks for all single-family lots:

- 5' side-yard setback for single store units
- 6' side-yard setback for all two-story units
- 10' front-yard setback for houses and porches (no additional setback exceptions allowed)
- 20' front-yard setback for all garages
- 10' rear-yard setback for all units
- 5' alley-garage setback

The provisions of this section have been met subject to conditions of approval.

3. *Each lot shall conform to the standards of Section 260—Vehicular Access and Circulation.*

FINDING: The provisions of this section are addressed in Section, 8-2.2 (Development and Design Standards) above. **The provisions of this section have been met.**

4. *Landscape or other screening may be required to maintain privacy for abutting uses and buffering for pathways, through lots abutting an arterial or collector street, grade changes and retaining walls, development on flag lots, and similar situations, consistent with the provisions of the Zoning Code, Subdivision Code, and 8-3J.4.*

FINDING: As indicated on the proposed plan and in Applicant's accompanying, Comprehensive Plan Map and Zoning Map Amendment Applications, landscape buffering meeting 8-3 J.450 (Buffering and Screening Standards) separates the subdivision from the adjacent, Light Industrial parcels. The design integrates both Section A- 3a (opaque fencing) with Section B-2c ("living wall") to create a stronger and more aesthetic buffer. Additionally, to reduce the likelihood of future residents' complaints about noise from the adjacent, light industrial activities, the applicant has proposed non-remonstrance covenants to be recorded with the deeds requiring the owners to acknowledge their awareness and acceptance of the adjacent, Light Industrial activities. As proposed, the opaque fence and "living wall" which includes a combination of trees and trellises at 95% opacity provides an adequate buffer to protect the adjacent industrial uses and to address the concerns of the neighbors. As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan consistent with Section 8-3J.450(A)(3)a and 8-3J.450 (B)(2)c, that specifically identifies the design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees. Additionally, the applicant shall, prior to final plat, provide Community Development a copy of the proposed development agreement to be recorded to each lot which shall include language that states the owners acknowledge their awareness and acceptance of the adjacent industrial uses and that disallows required buffers to be removed unless to replace dead, dying or diseased vegetation. **The provisions of this section have been met subject to conditions.**

5. *In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See also, Section 260— Vehicular Access and Circulation.*

FINDING: All proposed lots front a local street or are within 150 feet of a public right-of-way or approved access drive. **The provisions of this section are not applicable.**

6. *Where a common drive is to be provided to serve more than one lot, a reciprocal easement, which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

FINDING: Lot 16, 17 and 18 of the preliminary plat are served by a common driveway. To ensure continued unobstructed access the applicant shall provide a reciprocal easement for the above mentioned lots prior to final plat. As a condition of approval, the applicant shall, prior to final plat, provide the City with a copy of the draft reciprocal easement for Lots 16, 17 and 18 that shall be recorded concurrently with the final plat. **The provisions of this section have been met with conditions.**

- E. *The City may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.*

FINDING: The applicant has proposed a two phase development, however, it appears that both proposed streets are necessary for the development of either phase. The construction of Phase 1 as proposed would include the completion of the ½ street and the partial construction of William Way near the intersection of Stage Way. Should the applicant choose to construct the improvement for only Phase 1 initially, the street stub near Lots 3 and 6 would require a reserve strip to ensure future street construction. Considering this segment of William Way is less than 150', there is no need for an emergency vehicle turn-a-round. As a condition of approval, the applicant shall prior to final plat, provide Community Development with a revised preliminary plat identifying a reserve strip of land south of Lots 3 and 6 or dedicate the entire right-of-way with the recording of the Phase 1 final plat. **The provisions of this section have been met subject to conditions.**

TALENT ZONING CODE REQUIREMENTS

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

- A. *There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the*

applicant has no control;

FINDING: The applicant contends that the primary objectives of the proposed development is to provide a mixture of housing types and ownership opportunities at a higher target density. The proposed development provides four housing types, including single-family attached and detached, townhouses and multiplexes (apartments).

The proposed subdivisions because of its adjacency to a conflicting industrial use, requires the use of a minimum 5' wide vegetative buffer reducing the total land available on this site for residential development. The applicant has proposed reductions in the front yard and the front of the garages to allow the dwellings to be sited street ward to provide more private outdoor space in the rear yards and to accommodate the required vegetative buffer.

The requested variance for side and front yard setbacks is necessary for this property and other RM-22 infill properties to be developed at a residential density greater than 6.6 units per acre. As noted in the HNA, the City needs to begin the process of using its available stock of residential land more efficiently in order to accommodate the City's needed housing and mixture of housing types. As proposed, this subdivision serves as an example of how future infill projects might be developed and provides a basis for establishing zoning regulations to eliminate the need for future variances. The variances requested as part of this application satisfy RPS and HNA recommendations to increase residential densities. Considering the variance request was based on the required buffer, a condition establishing the buffer is necessary. As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan consistent with Section 8-3J.450(A)(3)a and 8-3J.450 (B)(2)c, that specifically identifies the design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees. **The provisions of this section have been met subject to conditions.**

B. The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;

FINDING: The applicant contends that the City of Talent had setbacks similar to those propose in this application, and those standards were repealed with the repealing of the PUD Ordinance. The historic development in the RM-22 zoning district was able to utilize the repealed Code for reduced setbacks. The applicant's position appears to have some merit. Developments such as Clearview, Old Bridge Village and home built on Everett Way across from the proposed development all have reduced setbacks providing owners in these developments a property right not available to the applicant. Further, it should be noted that when these developments were built, Talent's housing deficit hadn't been realized and the need for housing was not the purpose for allowing the reduced setbacks. **The provisions of this section have been met.**

C. The variance would not be detrimental to the purposes of this chapter, the objec-

tives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and

FINDING: As proposed, the reduction in setbacks similar to those in surrounding high density developments would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy or the goals, policies or text of the Comprehensive Plan. Many of the policies in the proposed Housing Element are similar to those in the existing element and draw special attention to the need for higher density development and creative methods allowing unique developments. As proposed, this subdivision serves as an example of how future infill projects might be developed and provides a basis for establishing zoning regulations to eliminate the need for future variances. The variances requested as part of this application satisfy RPS and HNA recommendations to increase residential densities. **The provisions of this section have been met.**

D. The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.

FINDING: As proposed, the requested variances are the minimum that would allow the applicant to meet the densities required in the RPS Plan and both the current and proposed Housing Element G. **The provisions of this section have been met.**

In addition to criteria A through D, variances from access management standards are subject to the following additional standards:

E. The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

F: Applicants for a variance must include proof that:

- 1. Indirect or restricted access cannot be obtained;*
- 2. No practical engineering or construction solutions can be applied to mitigate the condition;*
- 3. No alternative access is available from a street with a lower functional classification than the primary roadway.*

FINDING: The proposal does not make a request for a variance to access management standards. **The provisions of this section are not applicable.**

8-3L.920 APPLICABILITY

A. Transportation Impact Study (TIS) shall be required if any of the following actions exist:

1. *A zoning or comprehensive plan map or text amendment is projected to generate 500 or more net daily vehicle trips.*
2. *A development proposal is projected to generate fifty (50) or more net peak hour trips on an arterial or collector segment or intersection.*
3. *A land use action or development proposal will impact known safety, congestion or capacity problems.*
4. *A land use action or development proposal is on a highway segment with special access controls.*

FINDING: Each property in the city, with city zoning, has an underlying traffic impact. To determine the traffic impact of the proposed Comprehensive Plan Amendment, standardized trip generation rates from the International Transportation Engineers (ITE) Trip Generation Manual, 9th edition were used for an analysis.

According to the ITE, the traffic impact most closely associated with vacant light industrial land is Code 110, General Light Industrial with a trip generation of 0.97 PM PHT per 1,000 square feet of development.

The subject property is currently zoned Light Industrial (IL) and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is across from existing High Density (RM-22) zoning and adjacent to a city park and local public transit.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. Using the ITE Trip Generation methodology, the applicant has demonstrated that the subject property has a highest and best use impact of 154 PM Peak Hour Trips (PM-PHT), and 1,540 Average Daily Trips (ADT).

The Site Plan and Tentative Plat submitted with this application identifies 35 single family dwelling units and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a total PM-PHT rate of 35.7. The future Multifamily development with up to 12 dwelling units at 0.62 PM-PHT trips has a potential addition of 7.44 PM-PHT for a total of 43.14 PM-PHT.

As stated in the applicant's findings, the effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated subdivision is a reduction of 110.86 PM-PHT from the current IL zoning at the highest and best use.

With a reduction in the PM Peak Hour Trips from the existing impacts, this application does not warrant a Traffic Impact Study as identified in the section 8-3L.920 of the Talent Zoning Code. **The provisions of this Section are not applicable.**

The request for subdivision and variance approval have been consolidated with a Type IV legislative action and shall adhere to Section 8-3M.180(D)(2) of the Talent Zoning Code outlining the approval authority of consolidated proceedings. Approval this subdivision and variance request are subject to the review requirements for a Type IV review as provided in Section 8-3M.160 of the Talent Zoning Code.

This approval shall become final the day this decision and supporting findings of fact are signed by the Mayor, below. An appeal of the City Council’s decision must be submitted to the Land Use Board of Appeals within 21 days of the City Council’s decision becoming final.

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

Darby Stricker
Mayor

Date

ATTEST

Zac Moody
Community Development Director

Date

EXHIBIT "J"

ORDINANCE NO. 17-933-O

AN ORDINANCE FOR A COMPREHENSIVE PLAN MAP AMENDMENT OF 4.37 ACRES FROM LIGHT INDUSTRIAL (LI) TO RESIDENTIAL - HIGH DENSITY (RH), FOR A VACANT PROPERTY ALONG TALENT AVENUE, FURTHER IDENTIFIED AS TOWNSHIP 38 SOUTH, RANGE 3 WEST, SECTION 26AD, TAX LOT 500.

WHEREAS: The City Council finds that the applicant participated in a pre-application meeting, as required under TMC 8-3M.160 (A), on December 15, 2016 as evidenced in the record and on the land use application.

WHEREAS: The City Council finds the proposed Comprehensive Plan Map amendment is consistent with the City's Comprehensive Plan and Oregon's Statewide Planning Goals.

WHEREAS: The City Council finds the proposed Comprehensive Plan Designation is consistent with the residential high density designation on adjacent lands across Talent Avenue.

WHEREAS: The City Council finds that proposed Comprehensive Plan Map amendment application was duly noticed, including a noticed hearing by the Talent Planning Commission on January 13, 2017 and by the Talent City Council on February 24, 2017.

WHEREAS: The City Council finds that the Planning Commission recommended denial of the proposed Comprehensive Plan Map amendment during the February 9, 2017 Planning Commission meeting as noted in the draft Planning Commission minutes on February 9, 2017.

WHEREAS: Section 8-3M.180 (H)(4) provides the Talent City Council to authority to render a decision different from the recommendation of the Planning Commission.

WHEREAS: The Talent City Council has decided by a majority of the qualified voting members to approve the proposed Comprehensive Plan Map amendment as proposed and to adopt Staff's recommended Findings labeled as Exhibit A.

THE CITY OF TALENT ORDAINS AS FOLLOWS:

SECTION 1. That the Comprehensive Plan Designation of Tax Lot 500, Jackson County Map Number 38-1W-26AD, as shown on the map labeled as Exhibit B, attached, be changed from Light Industrial (LI) to Residential – High Density (RH).

SECTION 2. That the proposed Comprehensive Plan Map amendment as described herein has been advertised and publically noticed in accordance with Section 8-3M. Article 1 of the Talent Zoning Code.

SECTION 3. Under the provisions of the Talent Charter of July 1998, Chapter VIII, Section 33, the provisions of this ordinance shall take effect 30 days after adoption.

Duly enacted by the City Council in open session on _____, 2017 by the following vote:

AYES: _____ NAYS: _____ ABSTAIN: _____ ABSENT: _____

Melissa Huhtala, City Recorder and Custodian of City records

EXHIBIT "A"



BEFORE THE TALENT CITY COUNCIL

STATE OF OREGON, CITY OF TALENT

IN THE MATTER OF PLANNING FILE NO. REZ 2016-001 AND)
CPA 2016-003 LOCATED ON TALENT AVE [MAP NO. 38-1W-) ORDER
26AD TAXLOT 500], THE TALENT CITY COUNCIL FINDS THE)
FOLLOWING:)

1. The City Council finds that the applicant participated in a pre-application meeting, as required under TMC 8-3M.160 (A), on December 15, 2016 as evidenced in the record and on the land use application.
 2. The City Council finds the proposed Comprehensive Plan Map amendment is consistent with the City's Comprehensive Plan and Oregon's Statewide Planning Goals.
 3. The City Council finds the proposed Comprehensive Plan Designation is consistent with the residential high density designation on adjacent lands across Talent Avenue.
 4. The City Council finds that proposed Comprehensive Plan Map amendment application was duly noticed, including a noticed hearing by the Talent Planning Commission on January 13, 2017 and by the Talent City Council on February 24, 2017.
 5. The City Council finds that the Planning Commission recommended denial of the proposed Comprehensive Plan Map amendment during the February 9, 2017 Planning Commission meeting as noted in the draft Planning Commission minutes on February 9, 2017.
 6. Section 8-3M.180 (H)(4) provides the Talent City Council to authority to render a decision different from the recommendation of the Planning Commission.
 7. The Talent City Council has decided by a majority of the qualified voting members to approve the proposed Comprehensive Plan Map amendment as proposed and to adopt Staff's recommended Findings below.
 8. The Planning Commission held a properly noticed continued public hearing on this matter on January 26, 2017 and a continued public hearing on February 9, 2017;
 9. At the public hearing evidence was presented and the public was given an opportunity to comment;
-

The Talent City Council approves of the Comprehensive Plan and Zoning Map change from Light Industrial to Residential – High Density (REZ 2016-001/CPA 2016-003) and with the approval of the aforementioned files, the Talent City Council also approves the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6’ for two-story homes, 10’ front/porch setbacks and 20’ garage setbacks based on the information presented in the Staff Reports and Findings of Fact below:

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

OREGON ADMINISTRATIVE RULES

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

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

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

FINDING: The subject tract is adjacent to Talent Avenue which is classified as a collector. The proposed change will not degrade the performance of the existing transportation facility and does not appear to impact the level of service below that required by the Transportation System Plan.

The proposed zoning map amendment would change the existing Comprehensive Plan and Zoning Map from Light Industrial zone to High Density Residential, decreasing the volumes and level of service for the highest and best uses in the Industrial Designation. Considering that the impacts would be unchanged or lessened, the proposed amendment would not significantly affect the transportation facility, the mitigating measures provided in section (2) of this rule are not applicable. **The provisions of this section have been met.**

TALENT COMPREHENSIVE PLAN POLICIES, GOALS AND OBJECTIVES

ELEMENT A – HISTORY OF TALENT

POLICY 1: A Sense of Place. It is the policy of the City of Talent to preserve the historic resources of the city as a way to maintain its unique character and to provide for the social and economic needs of the people who live here.

FINDING: The City has an established Historic District and the subject property is not within an area with the mapped Historic District. There are no features of the site with any historical significance. Staff believes that the proposed subdivision meets the intent of Policy 1 and creates a “sense of place.” The subdivision as proposed is consistent with other recent housing projects such as Old Bridge Village and Clearview and provides for smaller scale housing and an opportunity for low to moderate income household ownership. **The provisions of this Section have been met.**

ELEMENT B – PARKS AND RECREATION

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

FINDING: The Comprehensive Plan has recognized the value of parks and open space in urban settings. The subject property is abutting an existing City Park (Chuck Roberts), the Bark Park, and the proposed site plan was designed to complement the adjacent park with an open space area and additional pedestrian facilities.

The proposed pedestrian facilities included in the preliminary subdivision plan allow the residents to enjoy Chuck Roberts Park, which is within comfortable walking distance from

the site and provides quick and safe access to the local transit facilities. **The provisions of this section have been met.**

ELEMENT C – NATURAL HAZARDS

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

FINDING: The site is not within a map flood plain or flood hazard area or in an area typically known for coastal inundation tsunamis or coastal erosion. The site is not in an area of steep slopes and landslides are not a hazard.

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

ELEMENT D – TRANSPORTATION

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

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

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

The site plan and tentative plat propose public streets to provide access for the dwelling units and complete a connection to the existing transportation system. The public streets include sidewalks to promote pedestrian connectivity and vehicular access to Talent Avenue and with a narrow street exception meet the cross section requirements in the TSP.

The proposed streets are lower order streets and do not have provisions for bicycle lanes within the right of way. The low traffic volumes and narrow rights of way anticipate safe bicycle travel in the vehicular travel lanes. Talent Avenue is a collector street and provides bicycle travel lanes. **The provisions of this section have been met.**

ELEMENT E – ECONOMY

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

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

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

FINDING: The Comprehensive Plan includes an Economic Opportunities Analysis (EOA) that was updated in October 2016. The EOA demonstrates the City of Talent has a demand of 20 acres of Industrial land for the 2016 – 2036 planning horizon. The EOA contains a Buildable Lands Inventory of industrial land currently within the UGB. The City currently has a 26.19 acres supply of Industrially zoned land, a surplus of approximately 6.19 acres.

The City is in the process of reviewing the updated Housing Needs Analysis (HNA) to update the Housing Element of the Comprehensive Plan. While the HNA has not been adopted by the City Council at the time this application was submitted, the information represents the most current data specific to the City's housing needs.

The proposed HNA indicates the City currently has a capacity of 630 dwelling units for the 20-year planning horizon. The projected growth in the planning horizon indicates a demand of 1,272 dwelling units. The proposed HNA concludes the City has a deficit of 642 dwelling units with a need for all housing types at all densities.

The subject property is currently zoned Light Industrial (IL) and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is across from existing High Density (RM-22) zoning and adjacent to a city park and local public transit.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. Using the ITE Trip Generation methodology, the applicant has demonstrated that the subject property has a highest and best use impact of 154 PM Peak Hour Trips (PM-PHT), and 1,540 Average Daily Trips (ADT).

The Site Plan and Tentative Plat submitted with this application identifies 35 single family dwelling units and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a total PM-PHT rate of 35.7. The future Multifamily development with up to 12 dwelling units at 0.62 PM-PHT trips has a potential addition of 7.44 PM-PHT for a total of 43.14 PM-PHT.

As stated in the applicant's findings, the effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated subdivision is a reduction of 110.86 PM-PHT from the current IL zoning at the highest and best use.

As noted above, the City has identified a surplus of industrial land and is projecting a deficit of residential land for the 20-year planning horizon requiring an immediate need for additional residential land. Converting this industrial land to high density land addresses the short term residential demands without negative impacts to the industrial land needs of the City as a whole. **The provisions of this section have been met.**

Objective 2.3: The City will develop policies to identify industrial areas that are more appropriate for other uses (e.g., residential uses) based on their site characteristics (e.g., location, size, configuration, or transportation access.

FINDING: The proposal is for a Comprehensive Plan Map and Zoning Map Amendment to rezone the subject property from industrial land to high density residential land. The approval of this application addresses the identified surplus of industrial land and the deficit of residential land. Although this application doesn't represent a current policy, staff believes that this proposed subdivision represents a good example of a proper mix of housing types and a good mix of aesthetics and lot size.

All necessary public facilities are available with sufficient capacity to serve the proposed development. The subject property is directly across from an existing residential development, adjacent to city park facilities and comfortable walking distance to the downtown core of the city.

Implementation Strategy 2.3b: If industrial sites are re-zoned to residential uses, identify new industrial sites suitable to replenish the supply of industrial land to meet Talent's identified industrial land need in the Economic Opportunities Analysis.

Implementation Steps: (1) This strategy will be implemented if industrial land is rezoned, such as through Implementation Strategy 2.3a. (2) Conduct analysis to identify suitable industrial sites to meet Talent's industrial land need identified in the Economic Opportunities Analysis, which may be found inside or outside of the city's Urban Growth Boundary.

The City's recently adopted Economic Opportunities Analysis identifies a surplus of approximately 6.19-acres of industrial land for the needs of the 20-year planning horizon. The proposed Comprehensive Plan and Zoning Map change would convert 4.37 acres of industrial lands to residential lands, leaving a 1.82-acre surplus of industrial land within the current UGB. Considering a surplus of industrial would exist after the amendment, the need for identifying suitable land to replenish the supply of industrial line is not necessary at this time. **The provisions of this section have been met.**

ELEMENT F – PUBLIC FACILITIES

The purpose of this element is to plan for the provision of economical and efficient public facilities and services to meet the needs of current residents, and to serve new development

in a manner that minimizes adverse financial, environmental, and social impacts on the citizens of Talent. This element establishes a long-range plan for compliance with statewide planning Goal 11, Public Facilities and Services.

FINDING: The subject property is currently vacant, however, abutting and adjacent properties are currently developed and served by all necessary public facilities. The development of the subject property is infill development and demonstrates an efficient use of existing infrastructure.

Streets

The property has frontage on Talent Avenue. The adopted TSP classifies Talent Avenue as a collector street. The west half of Talent Avenue adjacent to the proposed development is currently improved to City standards with curb, gutters and sidewalks.

The TSP provides street design standards applicable to all local streets in the City. Section 6 of the TSP provides a standard cross section for local streets with parking, parkrows and sidewalks on both sides of the street. The minimum right-of way for a local street is 60' with a paved surface of 36'. The proposed right-of-way for William Way is 50' with a paved surface of 28'.

Section 6 of the TSP provides an exception that may be considered by the Planning Commission under certain circumstances. The Narrow Street Exception is allowed when the following has been met:

- Average Daily Traffic is not reasonably expected to exceed 800 trips

As noted by the applicant, the average daily trips based in the Institute of Traffic Engineers (ITE) represents a reduction from 1,540 Average Daily Trips (ADT) for industrial to approximately 450 ADT.

- Distance between cross streets is no more than 600 feet

William Way from Talent Ave. to Stage Way is approximately 550 feet. Stage Way extends approximately 600 feet from Talent Ave. to its terminus near Fabricated Glass. It should be noted however that Stage Way was approved and designed as part of the decision for the Shakespeare building.

- The street is a cul-de-sac not designed to provide for future through connection

The request for the narrow street exception is only for William Way, as Stage Way was approved as part of another land use action. William Way is not a cul-de-sac, but it is a street that does not provide a future through connection similar to a cul-de-sac. Considering that no future connection is possible due to its location, staff believes that the intent to allow narrow streets extends to other similar streets that do not or cannot provide a future through connection and will be maintained as a local street indefinitely.

- Expected parking demand can be met off-street

As proposed, all lots with access from a public street have off-street parking. Those lots with alley access provide at least one parking stall on the property, but are provided with additional parking stalls of the 20' alley right-of-way. On-street parking as proposed will be limited to the north side of William Way, providing an additional nine (9) feet of paved driving surface. The paved surface of the street is approximately 28', providing 19' of driving surface. As a comparison, the newly repaved N. Front Street, a higher order collector street has a paved surface of approximately 19.5 feet. Based on the evidence provided by the applicant, the expected parking demand can be met off-street.

- The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.

William Way is not part of an existing grid system, but is a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision. Stage Way, an existing half-street serves as the primary street in the subdivision since it has already been designed and partially constructed. The design of William Way is dependent to the location of Stage Way and therefore serves a secondary role.

- The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on street parking.

Alley access is provided for Lots 9-13 and 30-32. Dwellings built on these lots will be served directly from the alley and are provided with an additional 10 parking spaces to accommodate the need for more parking if necessary. The subdivision proposes 27 on-street parking spaces on the north side of William Way, providing the necessary uninterrupted curb for continuous on street parking.

The information presented by the applicant meets all of the conditions of the narrow street exception and therefore can be considered as an acceptable transportation method by the Planning Commission. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Domestic Water

The City's Public Works Department is responsible for the domestic water system currently available in Talent Avenue from a water main in the public right of way. The public ROW on the north-west side of the property was developed with a public water line. Future development on the site will be required to comply with the standards in effect at the time of development the extension of urban services.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Sanitary Sewer

Rogue Valley Sewer Service (RVS) can provide sanitary sewer facilities to the proposed subdivision through an 8” sanitary sewer line in the public right of way. RVS provided comment stating there is adequate capacity within the system for the purposes of the Comprehensive Plan Amendment and Zone Change and to serve 35 new single family homes and 12 apartments. All Future development on the site will be required to comply with the standards in effect at the time of development.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

Storm Water

RVS provided comments on the storm water issues of the Site. The City has responsibility for the storm water conveyance in the area and RVS has responsibility for onsite collection, treatment, and discharge to the public system.

Currently storm water facilities are available in the Talent Avenue right of way and the systems have adequate capacity for the purposes of the Comprehensive Plan Amendment and Zone Change. Future development on the site will be required to comply with the standards in effect at the time of development.

The proposed development represents an efficient use of the existing infrastructure. **The provisions of this section have been met subject to conditions addressed in the findings below.**

ELEMENT G – HOUSING NEEDS AND THE UGB

POLICY 1: PROVIDE FOR ALL OF TALENT’S HOUSING NEEDS FOR THE TWENTY YEAR PLANNING PERIOD WITHIN THE EXISTING URBAN GROWTH BOUNDARY.

FINDING: As proposed, this application would convert 4.3 acres of industrial land to high density residential land providing a mixture of housing types, small lot single family detached, small lot single family attached and multifamily.

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

The shortage of available land residential development negatively effects the affordability of housing of all housing types and all residential densities. Solutions for the housing deficit require intensification of existing residential land and the conversion of land currently designated with commercial or industrial uses to residential. **The provisions of this section have been met.**

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

The housing types proposed provide an efficient use of land on an infill property with adequate infrastructure. The proposed development includes a variety of housing types suitable for the RM-22 zoning district.

The proposed housing types include small lot single family detached, small lot single family attached and future attached multifamily dwellings. The proposed density of the development is approximately 10 units per acre when including the multi-family component. As proposed, the density is greater than the target 6.6 units per acre required by the Regional Plan, aiding in the increased overall density of the City. The additional density in this location is appropriate considering the adjacent high density developments and its proximity to public services such as transit and parks.

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

ELEMENT H – REGIONAL PLAN

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

The most significant product of the Regional Plan is the establishment of requirements which affect the form and function of future urban-level development and the creation of an Urban Reserve (UR) for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

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

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

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

This approval shall become final the day this decision and supporting findings of fact are signed by the Mayor, below. An appeal of the City Council’s decision must be submitted to the Land Use Board of Appeals within 21 days of the City Council’s decision becoming final.

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

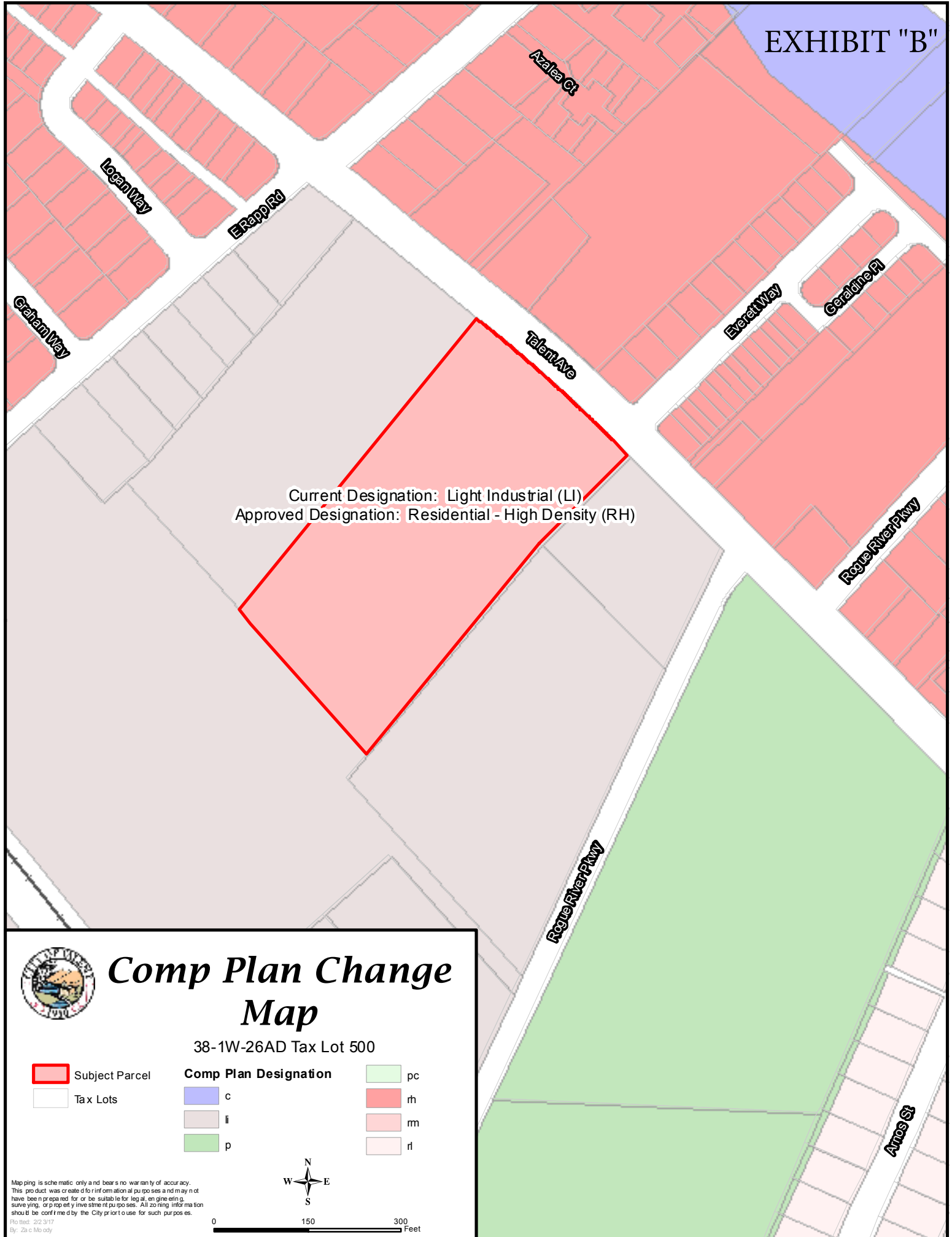
Darby Stricker
Mayor

Date

ATTEST

Zac Moody
Community Development Director

Date












Current Designation: Light Industrial (LI)
 Approved Designation: Residential - High Density (RH)



Comp Plan Change Map

38-1W-26AD Tax Lot 500

	Subject Parcel	Comp Plan Designation	 pc
	Tax Lots	 c	 rh
		 li	 rm
		 p	 rl



Map pling is schematic only and bears no warranty of accuracy. This product was created for informational purposes and may not have been prepared for or be suitable for legal, engineering, surveying, or reporting investment purposes. All zoning information should be confirmed by the City prior to use for such purposes.

EXHIBIT "K"

ORDINANCE NO. 17-934-O

AN ORDINANCE FOR A ZONE CHANGE OF 4.37 ACRES FROM LIGHT INDUSTRIAL (LI) TO MULTI-FAMILY – HIGH DENSITY (RM-22), FOR A VACANT PROPERTY ALONG TALENT AVENUE, FURTHER IDENTIFIED AS TOWNSHIP 38 SOUTH, RANGE 3 WEST, SECTION 26AD, TAX LOT 500.

WHEREAS: The City Council finds that the applicant participated in a pre-application meeting, as required under TMC 8-3M.160 (A), on December 15, 2016 as evidenced in the record and on the land use application.

WHEREAS: The City Council finds the proposed zone change (zoning map amendment) is consistent with the City's Comprehensive Plan and identified Residential designation.

WHEREAS: The City Council finds the proposed rezoning is consistent with the multiple-family – high density zoning on adjacent rlands across Talent Avenue.

WHEREAS: The City Council finds that proposed rezoning application was duly noticed, including a noticed hearing by the Talent Planning Commission on January 13, 2017 and by the Talent City Council on February 24, 2017.

WHEREAS: The City Council finds that the Planning Commission recommended denial of the proposed Zoning Map amendment during the February 9, 2017 Planning Commission meeting as noted in the draft Planning Commission minutes on February 9, 2017.

WHEREAS: Section 8-3M.180 (H)(4) provides the Talent City Council to authority to render a decision different from the recommendation of the Planning Commission.

WHEREAS: The Talent City Council has decided by a majority of the qualified voting members to approve the proposed Zoning Map amendment as proposed and to adopt Staff's recommended Findings labeled as Exhibit A.

THE CITY OF TALENT ORDAINS AS FOLLOWS:

SECTION 1. That the zoning designation of Tax Lot 500, Jackson County Map Number 38-1W-26AD, as shown on the map labeled as Exhibit B, attached, be changed from Light Industrial (LI) to Multiple-Family – High Density (RM-22).

SECTION 2. That the proposed rezoning as described herein has been advertised and publically noticed in accordance with Section 8-3M. Article 1 of the Talent Zoning Code.

SECTION 3. Under the provisions of the Talent Charter of July 1998, Chapter VIII, Section 33, the provisions of this ordinance shall take effect 30 days after adoption.

Duly enacted by the City Council in open session on _____, 2017 by the following vote:

AYES: _____ NAYS: _____ ABSTAIN: _____ ABSENT: _____

Melissa Huhtala, City Recorder and Custodian of City records

EXHIBIT "A"



BEFORE THE TALENT CITY COUNCIL

STATE OF OREGON, CITY OF TALENT

IN THE MATTER OF PLANNING FILE NO. SUB 2016-001 AND)
VAR 2016-001 LOCATED ON TALENT AVE [MAP NO. 38-1W-) ORDER
26AD TAXLOT 500], THE TALENT CITY COUNCIL FINDS THE)
FOLLOWING:)

1. The City Council finds that the applicant participated in a pre-application meeting, as required under TMC 8-3M.160 (A), on December 15, 2016 as evidenced in the record and on the land use application;
 2. At the public hearing evidence was presented and the public was given an opportunity to comment;
 3. The City Council finds the proposed Subdivision and Variance applications are consistent with the City's Comprehensive Plan and the Talent Zoning and Subdivision Codes;
 4. The City Council finds that with a density of 10 units per/acre, the preliminary subdivision plat meets the density requirement of the Multi-Family – High Density (RM-22) zoning district;
 5. The City Council finds that the requested variance to the standard setbacks is necessary because exceptional and extraordinary circumstances apply to the property and to the City as a whole;
 6. The City Council finds that proposed Subdivision and Variance applications were duly noticed, including a noticed hearing by the Talent Planning Commission on January 13, 2017 and a notice hearing by the Talent City Council on February 24, 2017;
 7. The City Council finds that the Planning Commission recommended denial of the proposed Subdivision and Variance applications during the February 9, 2017 Planning Commission meeting as noted in the draft Planning Commission minutes on February 9, 2017;
 8. The City Council finds that Section 8-3M.180 (H)(4) provides the Talent City Council to authority to render a decision different from the recommendation of the
-

Planning Commission.

9. The City Council has decided by a majority of the qualified voting members to approve the proposed Comprehensive Plan Map amendment as proposed and to adopt Staff's recommended Findings below.

The Talent City Councils approves the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6' for two-story homes, 10' front/porch setbacks and 20' garage setbacks with the following conditions of approval:

GENERAL CONDITIONS:

1. The applicant shall complete all required public improvements in both subdivision phases within three (3) years of the approval of the final plat or an application for preliminary approval shall be resubmitted.
2. The applicant shall prior to final plat, provide the City a proposed time schedule for the development of each phase.

PRIOR TO FINAL PLAT:

3. Applicant shall prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) including:
 - a. Additional details on the continued maintenance of the private open space by the Home Owner's Association.
 - b. Language that disallows required buffers to be removed unless to replace dead, dying or diseased vegetation.
4. Applicant shall provide Community Development with Public Improvement Plans approved by the City Engineer including the following additional information:
 - a. Pathway lighting type and location. All pathway lighting shall be downward directed or shielded to avoid light pollution.
 - b. Pathway surface type and the path's conformance to ADA requirements. Pathway surface shall be concrete, asphalt or any other surface as approved by the City Engineer.
 - c. Location, type of no parking sign to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street.

- d. Street grades and the location, type of street signs to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street.
 - e. Specify the required dedication of right-of-way for Stage Way and William Way.
 - f. Detailed water improvement plans in conformance with the City standards.
 - g. Detailed sewer plans approved by Rogue Valley Sewer Services and the City Engineer.
 - h. Detailed stormwater detention and treatment plans approved by Rogue Valley Sewer Services and the City Engineer.
5. Applicant provide Community Development with a landscape plan including the following:
- a. The size and type of each tree and the method of soil preparation and irrigation.
 - b. The design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees.
6. Applicant shall provide Community Development with a revised preliminary plat including the following information:
- a. The open space providing access to lots 16-18 shall be identified as a 20' shared access easement.
 - b. Rename William Way to Everett Way and the name of the subdivision.
 - c. Identify a reserve strip of land south of Lots 3 and 6, alternatively the applicant may dedicate the entire right-of-way with the recording of the Phase 1 final plat and not identify a reserve strip.
 - d. Amend the lot widths of some, or all of Lots 2-8, 11-13, 22-25 and 28-29 to the 40' minimum lot width requirement or alternatively the applicant shall be allowed to only build single-family attached dwellings on Lots 2-8, 11-13, 22-25 and 28-29.

PRIOR TO ISSUANCE OF BUILDING PERMITS

7. The applicant shall submit building plans that meet the following setbacks for all single-family lots:

- 5' side-yard setback for single store units
- 6' side-yard setback for all two-story units

- 10' front-yard setback for houses and porches (no additional setback exceptions allowed)
- 20' front-yard setback for all garages
- 10' rear-yard setback for all units
- 5' alley-garage setback

PRIOR TO CERTIFICATE OF OCCUPANCY:

- 8. Applicant shall landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan.
- 9. The applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code.

IT IS HEREBY ORDERED THAT the Talent City Council approves the requested Subdivision (SUB 2016-001) and Variance (VAR 2016-001) applications for a 35 lot subdivision, allowing side yard setbacks of 6' for two-story homes, 10' front/porch setbacks and 20' garage setbacks on all of the newly created lots based on the information presented in the Staff Reports and Findings of Fact below:

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

TALENT SUBDIVISION CODE REQUIREMENTS

8-2. Article 2.

DEVELOPMENT AND DESIGN STANDARDS

8-2.210 OPEN SPACE

- A. *Purpose. To preserve the character of the City and to conserve natural resources by encouraging development that incorporates open space and the natural features of the land into neighborhood design, and by allowing density distribution within the development project so that there is no penalty for creative design.*
- B. *Open Space Standard. Designated Locally Significant Wetland and Riparian areas and a fifty-foot “safe harbor” setback from these areas shall be maintained as permanent open space, pursuant to 8-3H.2. Additional open space may also be required by the City or dedicated by the developer of a subdivision, in conformance with the Comprehensive Plan and the provisions of 8-2.220(D). The open space shall be shown on the preliminary plat, and recorded with the final plat or separate instrument in accordance with one of the following methods: [amended 15 October 2008; Ord. No. 847]*

1. *As private open space, by leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City, and shall establish that the subject property may not be developed for any purpose other than that specified in the approved plan. (Note: This section is intended to ensure that open space is used for open space or recreational purposes only.)*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed open space will be owned and managed by the Homeowner's Association. As a condition of approval, the applicant shall prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) that include details on the continued maintenance of the private open space by the Home Owner's Association. **The provisions of this section have been met subject to conditions.**

- D. *Open Space for Public Park Use. If determined by the Planning Commission to be in the public interest in accordance with the adopted Comprehensive Plan, the City may require the dedication or reservation of areas within the subdivision of a character, extent and location suitable for the development of parks and other public uses.*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. The proposed subdivision is directly adjacent to the Bark Park and near Chuck Robert's Park, therefore the need for a dedicated open space for public park use is not necessary. **The provisions of this section are not applicable.**

- F. *System Development Charge Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge for parks.*

FINDING: As proposed on the preliminary partition plat, the applicant has incorporated approximately 5,045 square feet of private open space into the subdivision plan to provide separation between the Bark Park and the nearest residences. Considering the proximity to Chuck Robert's Park and the Bark Park, an additional public open space dedication is not required. **The provisions of this section are not applicable.**

8-2.220 PUBLIC FACILITIES STANDARDS AND IMPROVEMENTS

- A. *Purpose. The purpose of this Section is to provide planning and design*

standards for public and private transportation facilities and utilities.

- B. *When Standards Apply. All development shall comply with the City's public facilities standards and construction specifications. When a new subdivision uses existing streets and other public facilities, those facilities shall be improved to current standards.*
- C. *Standard Specifications. The Public Works Director and City Engineer shall establish written standard construction specifications and standard construction drawings consistent with the design standards of this Section and application of engineering principles. They are incorporated in this code by reference.*
- D. *Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the Applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.*

FINDING: A request for subdivision approval shall meet all of the public facilities standards set forth above. The applicant has stated that all public facilities proposed in the preliminary Plat meet or can meet with conditions, the City of Talent Standard Details amended June 18, 2014. A pre-application conference with the City Engineer and Public Works Director confirmed that the existing public facilities are sufficiently sized for the proposed subdivision and that proposed development can feasibly meet the required design standards. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

8-2.230 PEDESTRIAN ACCESS AND CIRCULATION

- A. *Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:*
 - 1. *Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.*

FINDING: As proposed, the pedestrian pathway between lots 29 and 30 provide a reasonable, direct route between the north side of the development near Stage Way and the south side of the development on William Way. **The provisions of this section have been met.**

- 2. *Safe and convenient. Bicycle and pedestrian routes that are reasonably free*

from hazards and provide a reasonably direct route of travel between destinations.

FINDING: As proposed, the subdivision is designed with sidewalks on both sides of the William Way and on the south side of Stage Way. The paved surface of the proposed street is 28' with parking on the north side of William Way. William Way as proposed is a local street that has an adequately sized paved street surface to accommodate bicycle traffic. **The provisions of this section have been met.**

4. *For residential buildings, the primary entrance is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the primary entrance may be a lobby, courtyard, or breezeway, which serves as a common entrance for more than one dwelling.*

FINDING: With the exception of lots 11 and 12 which only have access to the proposed alley, all primary home entrances either face Stage Way or William Way. **The provisions of this section have been met.**

B. *Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 250(J)(5). Pathways shall also be provided where cul-de-sacs or permanent dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other existing or future developments. Pathways used to comply with these standards shall conform to all of the following criteria:*

1. *All pathways shall be located within not less than 10 feet and not more than a 20-foot-wide right-of-way or easement that allows access for emergency vehicles;*

FINDING: The proposed subdivision provides a pedestrian pathway between lots 29 and 30 through the creation of a 10' wide pedestrian access easement. To ensure the safety of the public using the pedestrian pathway, the path shall meet the standards of Section 8-2.230 (C) below. As a condition of approval, the applicant shall, prior to final plat provide the City a copy of the draft Conditions, Covenants and Restrictions (CC&Rs) that include additional details on the continued maintenance of the pedestrian pathway by the Home Owner's Association. **The provisions of this section have been met subject to conditions.**

2. *Pathways within subdivisions shall be lighted;*

FINDING: As detailed in the applicant's findings, the pedestrian pathway between lots 29 and 30 shall be lighted in accordance with City standards. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway lighting type and

location. All pathway lighting shall be downward directed or shielded to avoid light pollution. The applicant is encouraged to use LED or other energy efficient light for the proposed pathway. **The provisions of this section have been met subject to conditions.**

3. *Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;*

FINDING: The proposed pedestrian pathway does not have any stairs or switchbacks and is proposed with grade of less than 5%. **The provisions of this section are not applicable.**

4. *The City may require landscaping and/or fencing within the pathway easement/right-of-way for screening and the privacy of adjoining properties;*

FINDING: As detailed in the applicant's findings, the pedestrian pathway between lots 29 and 30 shall be landscaped upon the completion of the homes adjacent to the pathway. As a condition of approval, the applicant shall, prior to Certificate of Occupancy, landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan. **The provisions of this section have been met subject to conditions.**

C. *Design and Construction. Pathways shall conform to all of the standards in 1–5 below:*

1. *Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps that comply with the federal Americans with Disabilities Act (ADA).*

FINDING: The pedestrian pathway between lots 29 and 30 not parallel or directly adjacent to a driveway. **The provisions of this section are not applicable.**

2. *Housing/Pathway Separation. Pedestrian pathways for public use shall be separated a minimum of 5 feet from all residential living areas on the ground floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of 8-3J.4. No pathway/building separation is required for commercial, industrial, public, or institutional uses, except required for mixed uses when residential use is on the ground floor.*

FINDING: The required side-yard setbacks, if a variance is approved would be 5 feet, therefore, all segments of the path will meet the minimum separation standard of 5 feet. As

a condition of approval, the applicant shall, prior to Certificate of Occupancy, landscape the pedestrian pathway adjacent to the dwellings on lots 29 and 30 in accordance with the approved landscape plan. **The provisions of this section have been met subject to conditions.**

3. *Crosswalks. Where pathways cross a parking area, driveway, or street (“crosswalk”), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application. Striping, because of on-going maintenance costs, is not the City’s preferred alternative.*

FINDING: The pedestrian pathway terminates at the intersection of William Way and does not cross a parking area, driveway or street. **The provisions of this section are not applicable.**

4. *Pathway Surface. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other surface as approved by the City, at least 6 feet wide or as approved by the City, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 12 feet wide. (See also, Section 250—Transportation Standards for public, multi-use pathway standard.) Pathway right-of-way shall be no less than 15 feet to provide emergency vehicle access. Right-of-way of less than 15 feet may be used where a path could not otherwise be provided, but in no case may a right-of-way less than 12 feet be approved for a public path.*

FINDING: The proposed pedestrian pathway is not intended as a multi-use path, but rather as a pedestrian path. Both William Way and Stage Way have been designed in such a manner to provide a safe, convenient route for bicycles, eliminating the need for bicycle traffic on the pathway. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway surface type and the path’s conformance to ADA requirements. Pathway surface shall be concrete, asphalt or any other surface as approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

5. *Accessible routes. Pathways shall comply with the ADA, which requires accessible routes of travel.*

FINDING: The pedestrian pathway shall be constructed to comply with all ADA requirements and shall be included on the public improvement plans. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway surface type and the path’s conformance to ADA requirements. Pathway surface shall be concrete, asphalt

or any other surface as approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

8-2.240 STREET TREES

B. Plantings. Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to Land Division or Site Design Review, except that street trees may be planted in planter wells as provided in subsection 4 below. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in Section 8-3J.422. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.

FINDING: As proposed, the subdivision provides a parkrow on both sides of William Way to accommodate street trees. There are no parkrows proposed on Stage Way due to the insufficient right-of-way. The proposed site plan identifies trees fronting the street along Stage Way. Lots 4, 7, 8-10 and 13 shall plant trees in the locations identified on the proposed site plan. All required trees, including those on the aforementioned lots shall be from the approved street tree list and shall be 2” caliper in size. In order for the revised landscape plan to be approved, the plan shall be in substantial conformance with Section 8-2.240(C-F). As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan identifying the size and type of each tree and the method of soil preparation and irrigation. Prior to Certificate of Occupancy of each dwelling, the applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code. **The provisions of this section have been met subject to conditions.**

- C. Growth Characteristics. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following should guide tree selection:*
- a. Provide a broad canopy where shade is desired.*
 - b. Use low-growing trees for spaces under utility wires.*
 - c. Select trees, which can be “limbed-up” where vision clearance is a concern.*
 - d. Use narrow or “columnar” trees where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.*
 - e. Use species with similar growth characteristics on the same block for design continuity.*
 - f. Avoid using trees that are susceptible to insect damage, and avoid using trees that produce excessive seeds or fruit.*
 - g. Select trees that are well adapted to the environment, including soil,*

wind, sun exposure, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.

- h. *Select trees for their seasonal color, as desired.*
 - i. *Use deciduous trees for summer shade and winter sun.*
- D. *Caliper Size. The minimum caliper size at planting shall be 1½ inches diameter at breast height (dbh), based on the American Association of Nurserymen Standards.*
- E. *Spacing and Location. If a planter strip is provided, street trees shall be planted within the planting strip. If a planter strip is not provided, trees shall be planted behind the sidewalk or in sidewalk tree wells (e.g., downtown area) when determined in the review process to be a reasonable accommodation. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity. In general, trees shall be spaced no more than 30 feet apart, except where planting a tree would conflict with sight distance requirements, or existing trees, retaining walls, utilities and similar physical barriers.*
- F. *Soil Preparations, Planting and Care. The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first year after planting and individual homeowners or established homeowner's association will be responsible thereafter.*
- G. *Street Tree List. Only trees included on the City of Talent's approved tree list shall be planted as street trees. The Pacific Power approved tree list where overhead power lines are a factor, or other native tree lists acceptable to the Parks and Recreation Commission and Tree Subcommittee will be acceptable as well.*

FINDING: As proposed, the subdivision provides a parkrow on both sides of William Way to accommodate street trees. There are no parkrows proposed on Stage Way due to the insufficient right-of-way. The proposed site plan identifies trees fronting the street along Stage Way. Lots 4, 7, 8-10 and 13 shall plant trees in the locations identified on the proposed site plan. All required trees, including those on the aforementioned lots shall be from the approved street tree list and shall be 2" caliper in size. In order for the revised landscape plan to be approved, the plan shall be in substantial conformance with Section 8-2.240(C-F). As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan identifying the size and type of each tree and the method of soil preparation and irrigation. Prior to Certificate of Occupancy of each dwelling, the applicant shall plant the required trees in accordance with the approved landscape plan and meet the landscape requirements of Section 8-3J.4 of the Talent Zoning Code. **The provisions of this section have been met subject to conditions.**

8-2.250 TRANSPORTATION FACILITY STANDARDS

A. *Purpose. The purpose of this chapter is to ensure that developments provide a safe and efficient public street system for pedestrians and vehicles, in conformance with the City’s Transportation System Plan and applicable ordinances.*

FINDING: The proposed plan utilizes two existing intersections: The ½ street improvement shared with OSF identified as “Stage Way” and the improvement of the existing exit next to the Bark Park identified as “William Way” that aligns with Everett Way across Talent Avenue. **The provisions of this section have been met.**

B. *Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Section 260—Access and Circulation, as well as Article 8-3J.6, and the following standards are met:*

FINDING: The proposed subdivision shares approximately 300’ of frontage with Talent Avenue – a public street and each newly created lot as proposed has frontage on an approved street, alley or shared access easement. **The provisions of this section have been met.**

1. *Streets within or adjacent to a development shall be improved in accordance with the Transportation System Plan Standards;*

FINDING: The proposed subdivision plan uses a narrow street exception within the Standards Section (Section 6) of Transportation System Plan. An exception to the local residential standard may be considered by the Planning Commission under the following conditions:

- *Average Daily Traffic is not reasonably expected to exceed 800 trips.*
- *Distance between cross streets is no more than 600 feet.*

As proposed, both streets are under 600 feet and the projected traffic trips at 9.7 trips per day per unit are expected to be less than 800 a day.

- *The street is a cul-de-sac not designed to provide future through-connection.*

Although a loop and not a cul-de-sac the effect is the same with no future connections to this road system, there will be no increase in capacity in the future

- *Expected parking demand can be met off street (considering the land uses/zoning in the vicinity).*

As proposed, the designed allows parking on one side of the street creating extra spaces near lots 20, 21, 22, and 29 through 35. All lots have off street parking and additional parking for back loaded alley lots have been designated adjacent to the alley. The proposed subdivision provides a 28' wide pave section and could accommodate parking on one side of the street.

- *The street is provided as an infill connecting street within an existing grid system or will be a short segment (no more than two blocks) fulfilling a similar secondary role in a proposed subdivision.*

The subject property is an infill parcel connecting completing an existing ½ street improvement on the north property line and tying into Talent Ave at the intersection of Everett Way and Talent Ave.

- *The street has alley access on at least one side (however, the City may still require standard right-of-way widths because of the resultant availability of uninterrupted curb for continuous on-street parking).*

As proposed, the subdivision provides alley access on Stage Way, with each lot having two off street parking spaces and an additional parking off of the alley. Considering that each parcel provides off-street parking and that on-street parking will be minimized adjacent to the parkrow and stormwater facilities, the ROW width proposed is adequate and it is not necessary to increase the width of the ROW.

- *Although the City may agree that a wide street is not necessary now, it may become necessary in the future. For this reason, the Planning Commission may require dedication of a standard right-of-way—with reduced paving width when initially built—so the City may increase capacity when needed. The Commission may also consider requiring the provision of additional parking on a one-to-one basis to compensate for loss of on-street parking. Such parking may be located in mini-lots or some other alternative.*

There are not future connections to this local street system. The proposed street system only serves the properties within the subdivision, minimizing the need for future ROW dedication.

Based on the aforementioned evidence, the proposed streets in the subdivision meet the narrow street exception outlined in the Transportation System Plan and can, at the Planning Commission's discretion, be approved. It should also be noted that during the pre-application conference, Public Works, City Engineer and Jackson County Fire District #5 agreed that the proposed street network provided adequate space to protect the public.

To ensure that the proposed narrow street remains functional and that adequate space is provided to protect the public, “NO PARKING THIS SIDE OF STREET” signs shall be installed on the west and south side of William Way in an appropriate number to clearly denote that parking is not allowed. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the location, type of no parking sign to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City’s acceptance of the dedicated public street. **The provisions of this section have been met subject to conditions.**

2. *Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable City, county or state jurisdiction;*

FINDING: As proposed in the preliminary plat, the applicant shall complete the half-finished right-of-way along the Shakespeare frontage in accordance with the design & engineering plans established by the Planning Staff and Commission when Shakespeare obtained their Site Plan approval. William Way’s compliance with Talent’s narrow street exception is addressed in the findings above. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer. **The provisions of this section have been met subject to conditions.**

3. *The City may accept a future improvement guarantee [e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future] in lieu of street improvements if one or more of the following conditions exist:*
 - a. *A partial improvement may create a potential safety hazard to motorists or pedestrians;*
 - b. *Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;*
 - c. *The improvement would be in conflict with an adopted capital improvement plan; or*
 - d. *The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.*

FINDING: Other than the proposed improvements, there are no other future improvements necessary as a result of the subdivision request. **The provisions of this section are not applicable.**

C. *Variances. A variance to the transportation design standards in this Section may be granted pursuant to Article 8-3L.4.*

FINDING: The proposed subdivision request proposes a narrow street exception which can only be approved through a variance pursuant to Section 8-3L.4 which is addressed below. **The provisions of this section have been met.**

E. *Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Section 260—Vehicular Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.*

FINDING: The proposed subdivision proposes two areas where an access easement is necessary. Lots 16-18 near the southwest corner of the subdivision requires the use of a shared access from William Way in order to provide proper frontage. As proposed, the 20' access way serving these lots are classified as open space owned by the Home Owner's Association and does not meet the requirements for proper frontage. While the open space can be a separate legal lot owned by the Home Owners Association, staff recommends that the open space providing access to lots 16-18 also be identified as a 20' private access easement for consistency with the frontage standards. Additionally, the applicant has proposed a 10' pedestrian access easement between Lots 29 and 30. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat identifying the open space providing access to lots 16-18 as a 20' shared access easement. **The provisions of this section have been met subject to conditions.**

F. *Street Location, Width, and Grade. Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, as applicable, and an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:*

a. *Street grades shall be approved by the Public Works Director or designee in accordance with the design standards in Section 250(O), below; and*

FINDING: As shown on the preliminary subdivision plat, the subject site is gently sloping with an elevation change of approximately 20 feet, and as proposed, road grades are anticipated to be less than 5%. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the street grades. **The provisions of this section have been met**

subject to conditions of approval.

- b. *Where the location of a street is not shown in an existing street plan (See Section 250(I)), the location of streets in a development shall either:
 - i. *Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Section, or**

FINDING: The proposed subdivision request proposes a road system that connects two existing intersections along Talent Avenue. One connection is to the existing ½ street south of Oregon Shakespeare Festival’s property which will be improved to full street standards and the other connects to Talent Avenue at Everett Way. **The provisions of this section have been met.**

G. *Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be within the range of appropriate widths adopted in the Transportation System Plan. A variance shall be required to vary the standards in the Transportation System Plan. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:*

- a. *Street classification in the Transportation System Plan;*
- b. *Anticipated traffic generation;*
- c. *On-street parking needs;*
- d. *Sidewalk and bikeway requirements based on anticipated level of use;*
- e. *Requirements for placement of utilities;*
- f. *Street lighting;*
- g. *Proposed traffic calming devices;*
- h. *Minimize drainage, slope, and sensitive lands impacts, as identified by the Comprehensive Plan;*
- i. *Street tree location, as provided for in Section 240—Street Trees;*
- j. *Protection of significant vegetation (i.e., trees with a caliper of 4 inches (dbh) or greater)*
- k. *Safety and comfort for motorists, bicyclists, and pedestrians;*
- l. *Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;*
- m. *Access needs for emergency vehicles; and*
- n. *Transition between different street widths (i.e., existing streets and new streets) where applicable.*

FINDING: As proposed, the preliminary subdivision plat identifies William Way as a “narrow street” with a 28’ paved surface. As shown on the preliminary site plan, the proposed right of way is adequate to provide needed on street parking, street lighting, street

trees and proper emergency vehicle access and meets the narrow street exception requirements outlined in the TSP. **The provisions of this section have been met.**

J. Street Alignment and Connections.

2. *Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.*

FINDING: As proposed, the only local intersection on this plan is at the intersection of Stage Way at William Way which is more than 125' from the intersection of Stage Way and Talent Ave. **The provisions of this section have been met.**

4. *Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and parks and transit facilities wherever possible.*

FINDING: The proposed streets within the subdivision provide direct and easy access to Talent Avenue, which has RVTD transit service, is close to downtown Talent, and close to recreation at Chuck Roberts park. **The provisions of this section have been met.**

5. *In order to promote efficient vehicular and pedestrian circulation throughout the City, the design of subdivisions and alignment of new streets shall conform to the standards in 260—Vehicular Access and Circulation, and block length shall not exceed the dimensions in a-b below:*
 - a. *400 foot maximum block length, and 1,200-foot maximum perimeter in the Residential zones;*
 - b. *400 foot maximum block length and 1,200-foot maximum perimeter in the Central Business District Zone;*
 - c. *800 foot maximum block length and 2,400-foot maximum perimeter in the Light Industrial District;*

Exceptions to the above standards may be granted when the developer can clearly demonstrate that compliance is not feasible, or when a non-vehicle access way is provided at or near mid-block, in conformance with the provisions of Section 230— Pedestrian Access and Circulation. (See examples in Figure 250.J.)

FINDING: As proposed, the design meets these standards because the pedestrian pathway

between lots 29 & 30 provides a direct route for residents walking downtown or to Chuck Roberts Park or the dog park. **The provisions of this section have been met.**

- K. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes in public right-of-way shall be installed in conformance with the TSP. Pathways and bike paths within subdivisions shall be designed to promote the safety of those using the path, and the privacy of adjoining property owners to the greatest extent practicable. For example, pathway connections shall be as direct as possible. Overhead street lighting shall be coordinated with pathway entrances wherever possible, and pedestrian-oriented lighting shall be considered in other areas where overhead lighting cannot be provided. Fences and landscaping may be required for privacy screening and buffering between pathways and adjacent land uses. Alternatively, grade change between pathways and adjacent uses may be a suitable buffer. Ease of maintenance of paved areas and use of native landscaping shall also be encouraged. Maintenance of sidewalks and planter strips is the continuing obligation of the adjacent property owner. (ORS 105.672)*

FINDING: The proposed subdivision plan proposes the necessary sidewalks and parkways in the public right-of-way. Bicycle lanes are not required on local streets. The proposal identifies a pedestrian pathway between lots 29 and 30 as a means to join the two phases of the subdivision together. To ensure the safety of those using the pedestrian pathway, pathway lighting is required. In addition to pathway lighting, the applicant shall, to the greatest extent practicable, locate the overhead street lighting adjacent to or near the pedestrian pathway. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the pathway lighting and the location of all required overhead lighting. All pathway lighting shall be downward directed or shielded to avoid light pollution. The applicant is encouraged to use LED or other energy efficient light for the proposed pathway. **The provisions of this section have been met subject to conditions.**

- L. Intersection Angles. Streets shall be laid out to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:*
- a. No street intersection may be created within 25 feet of a street curve, and no street curve may be created within 25 feet of a street intersection (on the same street). Such intersections and curves shall have at least 25 feet of tangent between them unless topography requires a lesser distance;*
 - b. Intersections that are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and*

FINDING: As proposed, all planned intersections meet at right angles with radii greater than 20'. **The provisions of this section have been met.**

M. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, in conformance with the standards in the Transportation System Plan.

FINDING: As proposed, the subdivision completes the recently approved existing ½ street shared with OSF and dedicate the right-of-way to the City of Talent. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that specify the required dedication of right-of-way for Stage Way and William Way. **The provisions of this section have been met subject to conditions.**

O. Grades and Curves. Grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:

- a. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and*
- b. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent slope or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.*

FINDING: As proposed, the subdivision street grades are less than 5%, & both intersections at Talent Ave shall have stop signs. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the street grades and the location, type of street signs to be installed and the method of installation of each required sign type. All required street signage shall be installed prior to the City's acceptance of the dedicated public street. **The provisions of this section have been met subject to conditions.**

8-2.260 VEHICULAR ACCESS AND CIRCULATION

D. Traffic Study Requirements. The City or other agency with access jurisdiction may require a traffic impact study (TIS) prepared in accordance with Section 8-3L.9 Traffic Impact Study. [amended 17 February 2016; Ord. No. 912]

FINDING: The provision of this section are addressed above in Section 8-2.250(B). **The provisions of this section have been met.**

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

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

FINDING: As proposed, each lot on William Way and Stage Way either have a permitted shared driveway or have a minimum of 10' of separation between driveways. The exception is Lot 31 and 32 which are accessed by the 20' public alley. These lots access a lower function public access, not a local street, therefore the 10 feet of separation does not apply to alley accessed lots. **The provisions of this section have been met.**

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

FINDING: As proposed, each lot has only one access point. **The provisions of this section have been met.**

- I. *Shared Driveways. The number of driveway and private street intersections with public streets may be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:*

FINDING: As proposed, nearly half of the proposed lot share a driveway, promoting additional vehicular and pedestrian safety. **The provisions of this section have been met.**

2. *Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.*

FINDING: As proposed 14 of the 35 lots share a driveway. With the exception of Lots

16-18, all shared driveway share only a driveway apron which is in the public right-of-way. Therefore, these lots do not require a recorded shared access easement. **The provisions of this section are not applicable.**

8-2.270 SANITARY SEWER AND WATER SERVICE IMPROVEMENTS

- A. *Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications and the applicable Comprehensive Plan policies.*
- B. *Sewer and Water Plan approval. Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.*
- C. *Over-sizing. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer shall be entitled to system development charge credits for the over-sizing. (Note: Dolan versus City of Tigard findings should accompany any decision to require over-sizing.)*
- D. *Permits Denied. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building or development moratoriums shall conform to the criteria and procedures contained in ORS 197.505.*

FINDING: During the pre-application conference, Rogue Valley Sewer Services staff and the City Engineer reviewed the proposal and determined that there is adequate existing capacity for the project. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the proposed water improvements. Additionally, prior to final plat, the applicant shall provide Community Development with Public Improvement Plans approved by Rogue Valley Sewer Services that detail the proposed sewer improvements. **The provisions of this section have been met subject to conditions.**

8-2.280 STORM DRAINAGE AND SURFACE WATER MANAGEMENT

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

- B. *Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate potential runoff from the entire upstream drainage area, as designated in the City of Talent Stormwater Master Plan, whether inside or outside the development. Such facilities shall be subject to review and approval by the Public Works Director or City Engineer.*
- C. *Effect on Downstream Drainage. Where it is anticipated by the Public Works Director or designee that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold permits of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards. Any applicable procedures in state development moratorium statutes shall be followed.*
- D. *Easements. Where a watercourse, drainage way, channel, or stream traverses a development, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance. Development within designated Locally Significant Wetland and Riparian areas shall be in conformance with the requirements in 8-3H.2, Natural Areas, Parks and Floodplains.*

FINDING: During the pre-application conference, Rogue Valley Sanitary Sewer staff reviewed the proposed subdivision plan and determined that there is sufficient capacity within the storm drain system for the project. Rogue Valley Sewer Service also stated that the proposed development shall meet the requirements of the RVS Stormwater Design Manual including onsite detention and treatment of all stormwater. As a condition of approval, the applicant shall, prior to final plat provide Community Development with Public Improvement Plans approved by the City Engineer that detail the stormwater detention and treatment plans approved by Rogue Valley Sewer Services. **The provisions of this section have been met subject to conditions.**

8-2. Article 3.

APPLICATION REQUIREMENTS AND APPROVAL CRITERIA

8-2.310 REVIEW PROCEDURES AND APPROVALS PROCESS

- A. *Subdivision and Partition Approval Through Three-step Process. Applications for subdivision or partition approval shall be processed through a three-step process: the pre-application conference, the preliminary plat, and the final plat.*
 - 1. *A pre-application conference is required for all partitions and subdivisions.*

FINDING: The applicant attended the required pre-application conference on December 15, 2016. **The provisions of this section have been met.**

G. Phased Development.

1. *The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public improvements, utilities, streets) for any partition or subdivision phase be greater than 3 years without reapplying for a preliminary plat;*
2. *The criteria for approving a phased land division proposal are:*
 - a. *Public facilities shall be constructed in conjunction with or prior to each phase;*
 - b. *The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 460—Performance Guarantees. A temporary public facility is any facility not constructed to the applicable City or district standard;*
 - c. *The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal; and*
 - d. *The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.*

FINDING: The applicant has proposed to develop the subdivision in two phases. Pursuant to this section, all required public improvements, utilities and streets for both phases shall be installed within three (3) years of the final plat approval. If public improvements are not installed within three (3) years of the final plat, the applicant shall reapply for a preliminary plat. As a general condition of approval, the applicant shall complete all required public improvements in both subdivision phases within three (3) years of the approval of the final plat or an application for preliminary approval shall be resubmitted. Additionally, the applicant shall prior to final plat, provide the City a proposed time schedule for the development of each phase. **The provisions of this section have been met subject to conditions.**

- H. *Compliance with ORS Chapter 92. All subdivision and partition proposals shall be in conformance to state regulations set forth in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions.*

FINDING: As proposed, the preliminary plat is in compliance with ORS 92. **The provisions of this section have been met.**

8-2.320 **PRELIMINARY PLAT SUBMISSION REQUIREMENTS**

- A. *Preliminary Plat Information. The preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:*
1. *General information:*
 - a. *Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in the county in which it is located (please check with County surveyor);*
 - b. *Date, north arrow, and scale of drawing;*
 - c. *Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site, including vicinity;*
 - d. *Names, addresses and telephone numbers of the owners, designer, and engineer or surveyor, and the date of the survey; and*
 - e. *Identification of the drawing as a “preliminary plat.”*

FINDING: The applicant has provided a preliminary plat that includes all of the required general information above. The proposed subdivision name does not duplicate the name of another subdivision in the County, however, the City has determined that the William Way street name is not appropriate since it has a direct connection with Everett Way. Considering this direct connection, Staff recommends that William Way be renamed to Everett Way to minimize confusion for emergency responders. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat changing the name of William Way to Everett Way and the name of the subdivision. Staff has verified that Stage Way Subdivision is an acceptable name should the applicant choose to keep Stage Way named as proposed on the plat. **The provisions of this section have been met subject to conditions.**

2. *Site analysis:*
 - a. *Streets: Location, name, present width of all existing streets, alleys and rights-of-way on and abutting the site;*
 - b. *Easements: Width, location and purpose of all existing easements of record on and abutting the site;*

- c. *Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest ones;*
- d. *Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established bench- mark or other datum approved by the County Surveyor. This requirement may be waived for partitions of one (1) acre or less with grades, on average, less than 5 percent;*
- e. *The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);*
- f. *Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having substantial erosion potential;*
- h. *Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;*
- j. *The location, size and species of trees having a caliper (diameter) of 4 inches (dbh) or greater at four feet above grade;*
- k. *Lighting plan, mailbox plan; and*
- l. *Other information, as deemed appropriate by the City Planner or City Administrator. The City may require studies or exhibits prepared by qualified professionals, such as a traffic study, anticipated water use and conservation study, cultural resource study, tree report and preservation study, wetland delineation, or similar study, to address specific site features and code requirements.*

FINDING: The Preliminary Plat (prepared by Friar & Associates) includes all the information pursuant to the requirements of Section 8-2.320 above. **The provisions of this section have been met.**

8-2.330 APPROVAL CRITERIA: PRELIMINARY PLAT

- A. *General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:*
 - 1. *The proposed preliminary plat complies with all of the applicable code sections and other applicable ordinances and regulations. At a minimum, the provisions of this Chapter and the provisions of the underlying zoning district shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of 8-3L.4—Variances; [amended 15 October 2008; Ord. No. 847]*

FINDING: As proposed the Preliminary Plat complies with or can comply with conditions all applicable code sections, ordinances & regulations, including this Chapter 8-2 (Subdivision Development & Design Standards), Chapter 8-3C.4 (RM-22 Zoning District), except for the requested setback variance in accordance with Section 8-3L.4 (Variance) of the Talent Zoning Code addressed below. **The provisions of this section have been met subject to conditions.**

2. *The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

FINDING: The proposed subdivision name does not duplicate the name of another subdivision in the County, however, the City has determined that the William Way street name is not appropriate since it has a direct connection with Everett Way. Considering this direct connection, Staff recommends that William Way be renamed to Everett Way to minimize confusion for emergency responders. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat changing the name of William Way to Everett Way and the name of the subdivision. Staff has verified that Stage Way Subdivision is an acceptable name should the applicant choose to keep Stage Way named as proposed on the plat. **The provisions of this section have been met subject to conditions.**

3. *The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction, and in all other respects; and are consistent with the City's Transportation System Plan. All proposed public improvements and dedications are identified on the preliminary plat; and*

FINDING: As proposed the preliminary plat details the completion of the existing, ½ street improvement abutting the northern boundary of the parcel. The preliminary plat identifies the construction of a new street, "William Way," that connects Stage Way to Talent Avenue. William Way intersects Talent Avenue directly opposite Everett Way, eliminating the need for additional intersections. The applicant has proposed a two phase development, however, it appears that both proposed streets are necessary for the development of either phase. The construction of Phase 1 as proposed would include the completion of the ½ street and the partial construction of William Way near the intersection of Stage Way. Should the applicant choose to construct the improvement for only Phase 1 initially, the street stub near Lots 3 and 6 would require a reserve strip to ensure future street construction. Considering this segment of William Way is less than 150', there is no need for an emergency vehicle turn-a-round. As a condition of approval, the applicant shall prior to final plat, provide Community Development with a revised preliminary plat identifying a reserve strip of land south of Lots 3 and 6 or dedicate the entire right-of-way with the recording of the Phase 1 final plat. **The provisions of this section have been met subject to conditions of approval.**

4. *All proposed private common areas and improvements (e.g., home owner association property) are identified on the preliminary plat.*

FINDING: As proposed, the Preliminary Plat identifies all private common areas and improvements that will be maintained by the Homeowner's Association. Lots 16-18 near the southwest corner of the subdivision requires the use of a shared access from William Way in order to provide proper frontage. As proposed, the 20' access way serving these lots are classified as open space owned by the Home Owner's Association and does not meet the requirements for proper frontage. While the open space can be a separate legal lot owned by the Home Owners Association, staff recommends that the open space providing access to lots 16-18 also be identified as a 20' private access easement for consistency with the frontage standards. Additionally, the applicant has proposed a 10' pedestrian access easement between Lots 29 and 30. As a condition of approval, the applicant shall, prior to final plat provide a revised preliminary plat identifying the open space providing access to lots 16-18 as a 20' shared access easement. **The provisions of this section have been met.**

B. Residential Density

1. *Minimum and Maximum Density Requirements. When lots are created through a subdivision, the development shall achieve a minimum of forty percent (40%) and a maximum of one hundred percent (100%) of the dwelling unit density permitted by the applicable zoning district. The minimum density provision shall not apply to parcels that are smaller than one (1) acre. For purposes of this section, the minimum number of dwelling units required shall be determined by multiplying the maximum density by 0.4. The result shall be rounded up for any product with a factor of 0.5 or greater and rounded down for any product with a fraction of less than 0.5. [amended 15 October 2008; Ord. No. 847]*
2. *Residential Density Calculation Procedure...The following steps describe how to calculate density (For density calculation in the RM-22 zone, refer to Zoning Code, 8-3C.460. Do not use the method below for the RM-22 zone).*

FINDING: The proposed Comprehensive Plan and Zoning Map change is to RM-22 which is excluded in this Section. The density calculations are addressed below pursuant to Section 8-3C.460. **The provisions of this section are not applicable.**

C. Block and Lot Standards. All proposed blocks (i.e., one or more lots bound by public streets), lots, and parcels conform to the specific requirements below:

1. *All lots shall comply with the lot area, setback, and dimensional requirements of the applicable zone district, and the standards of Section 250(J)—Street Connectivity and Formation of Blocks.*

FINDING: The applicant has requested a variance to the required setbacks which are addressed in the findings below. As proposed, all lot area and other dimensional standards required in the RM-22 zoning district have been met either through an average lot area for the subdivision or due to the type of allowed dwelling for an individual lot. Section 8-3C.470(D) provides the minimum lot widths for specific dwelling types. The dwelling types in this subdivision are single-family attached and detached. Pursuant to Section 8-3C.470(D), single-family detached lots have a minimum lot width of 40 feet, while single family attached have no minimum lot size. Considering the minimum standards for single family detached housing, Lots 2-8, 11-13, 22-25 and 28-29 shall be a single-family attached dwelling in order to accommodate a dwelling. An alternative to requiring the aforementioned lots to be attached is a revision of the plat to meet the minimum lot standards for single-family detached dwellings. As a condition of approval, Lots 2-8, 11-13, 22-25 and 28-29 shall be allowed to only build single-family attached dwellings or the applicant shall, prior to final plat, provide Community Development a revised preliminary plat amending the lot widths of some, or all of Lots 2-8, 11-13, 22-25 and 28-29 to the 40' minimum lot width requirement. **The provisions of this section have been met subject to conditions.**

- a. *Single-family residential lot sizes may be averaged to allow lots less than the minimum lot size in the RS-5 and RS-7 residential districts, as long as the average area for all lots is not less than allowed by the district. In order to prevent exceeding the maximum allowable densities, no lot shall be created that can be divisible in the future unless a re-division plan is filed for the subject lot, pursuant to Section 330(F). No lot created under this provision shall be less than eighty-five (85%) percent of the minimum lot size allowed in the zone. For example, in the RS-5 zone the following three lots could be created from a 24,000-square-foot tract: 6,800 square feet; 8,000 square feet; and 9,200 square feet. [amended 1 December 2004; Ord. No. 777]*
- b. *In the High-Density S&MF Residential (RM-22) zoning district, individual lots may not be created that are too small to provide a residential building footprint, adequate access, any required undeveloped or landscaped areas, and covered off-street parking for at least two dwelling units.*

FINDING: As proposed, all lots with the exception of Lot 12 meet the minimum lot area standards required in the RM-22 zoning district. An exception for lots with an area smaller than 1,800 square feet is outline in Section 8-3C.470(A)(3). This section allows attached or zero lot line townhouses or row houses on individual lots smaller than 1,800 square feet provided the net density for the development does not exceed 16 units and that 250 square feet of open space is provided. The development as proposed has a net density of approximately 10 units per net acre, below the required 16 units per net acre allowance and proposes approximately 4,244 square feet of open space adjacent to Lot 25. **The provision of this section have been met.**

2. *Setbacks shall be as required by the applicable zoning district. [amended 15 October 2008; Ord. No. 847]*

FINDING: The proposed subdivision design is consistent with the HNA's density & design recommendations including row-houses, common-wall houses, houses with common garage walls, houses with zero lot lines, detached homes, and future apartments on the ½ acre in reserve. As proposed, the plan incorporates a variety of garage locations, sizes, & accesses - some via rear alley, others via shared driveway with attached garages. In addition to integrating a variety of home types into the subdivision, the plan provides a more efficient use of land and smaller more affordable homes.

The applicant contends that the City's setback requirements were written to serve much larger 5,000 – 8,000 square foot lots and not conceived to facilitate efficient land usage and small homes. Although that logic has not been confirmed, Staff agrees that the existing setbacks are not consistent with other jurisdictions that encourage higher densities and that greater setbacks can be a barrier to efficient high density development. Talent's current, front-yard setback is 20' for the house or porch and 24' for the garage. As an example, a two 1,800 square foot lots meant to accommodate a single-family attached home would require approximately 1,140 square feet per lot to be dedicated to required setbacks, leaving only 660 square feet of building space. This requirement, along with a lot coverage maximum of 40 percent averaged over the development is a barrier to high density development. Considering this barrier, the applicant is seeking a variance to reduce front-yard setbacks to 10' for houses/porches and to 20' for street-loaded garages, similar to that approved in the Clearview development in 2007 and to Old Bridge Village in 2005. The proposed request maintains adequate, off-street parking while lessening the visual impact of a dominating street facing garage. Similarly, compressed setbacks have enhanced communities across the state, including several in Talent and Ashland, by increasing density, improving overall aesthetics, lowering costs, and encouraging interaction.

Talent's current, side-yard setback of 5' for 1-story and 8' for structures taller than 18'. In general, a standard setback means that adjacent, 2-story homes must be 16' apart consuming approximately 500 square feet of valuable building space.

The applicant references the City of Ashland Land Development Code which requires 6' minimum side-yard setbacks for both one- and two-story homes, and Medford codes which require a 4' side-yard setback for one-story homes and increases them proportional to building height. Staff agrees that narrower setbacks and smaller lots are the simplest means of increasing Talent's density & preserving the surrounding, open space.

During the pre-application conference, the issue of narrow side-yard setbacks was discussed with Jackson County Fire District 5 staff who agreed that need enough space to place a ladder to reach a 2nd-floor windowsill and that a 5' side yard setback for a single story and a 6' side-yard setback for a 2-story building is sufficient.

As proposed, the Applicant is seeking a variance to reduce side yard setbacks from 8' to 6' for 2-story homes and a reduction front-yards setbacks from 20 feet for houses and porches to 10' feet and from 24' feet for garages, to 20' feet. The plan complies with rear-yard minimum setbacks of 10' and alley-garages of 5'. Considering the evidence presented by the applicant and further considering the direction the City must head in the coming years to achieve higher densities within the City, staff recommends allowing the reduced setbacks. Reduced setbacks afford this applicant the same opportunities as other recent higher density development without additional risk to fire, life or safety. As a condition of approval, prior to the issuance of building permits, the applicant shall submit building plans that meet the following setbacks for all single-family lots:

- 5' side-yard setback for single store units
- 6' side-yard setback for all two-story units
- 10' front-yard setback for houses and porches (no additional setback exceptions allowed)
- 20' front-yard setback for all garages
- 10' rear-yard setback for all units
- 5' alley-garage setback

The provisions of this section have been met subject to conditions of approval.

3. *Each lot shall conform to the standards of Section 260—Vehicular Access and Circulation.*

FINDING: The provisions of this section are addressed in Section, 8-2.2 (Development and Design Standards) above. **The provisions of this section have been met.**

4. *Landscape or other screening may be required to maintain privacy for abutting uses and buffering for pathways, through lots abutting an arterial or collector street, grade changes and retaining walls, development on flag lots, and similar situations, consistent with the provisions of the Zoning Code, Subdivision Code, and 8-3J.4.*

FINDING: As indicated on the proposed plan and in Applicant's accompanying, Comprehensive Plan Map and Zoning Map Amendment Applications, landscape buffering meeting 8-3 J.450 (Buffering and Screening Standards) separates the subdivision from the adjacent, Light Industrial parcels. The design integrates both Section A- 3a (opaque fencing) with Section B-2c ("living wall") to create a stronger and more aesthetic buffer. Additionally, to reduce the likelihood of future residents' complaints about noise from the adjacent, light industrial activities, the applicant has proposed non-remonstrance covenants to be recorded with the deeds requiring the owners to acknowledge their awareness and acceptance of the adjacent, Light Industrial activities. As proposed, the opaque fence and "living wall" which includes a combination of trees and trellises at 95% opacity provides an adequate buffer to protect the adjacent industrial uses and to address the concerns of the neighbors. As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan consistent with Section 8-3J.450(A)(3)a and 8-3J.450 (B)(2)c, that specifically identifies the design of the proposed living wall, including

type, size and spacing of trees as well as the vegetation type proposed between the required trees. Additionally, the applicant shall, prior to final plat, provide Community Development a copy of the proposed development agreement to be recorded to each lot which shall include language that states the owners acknowledge their awareness and acceptance of the adjacent industrial uses and that disallows required buffers to be removed unless to replace dead, dying or diseased vegetation. **The provisions of this section have been met subject to conditions.**

5. *In conformance with the Uniform Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See also, Section 260— Vehicular Access and Circulation.*

FINDING: All proposed lots front a local street or are within 150 feet of a public right-of-way or approved access drive. **The provisions of this section are not applicable.**

6. *Where a common drive is to be provided to serve more than one lot, a reciprocal easement, which will ensure access and maintenance rights shall be recorded with the approved subdivision or partition plat.*

FINDING: Lot 16, 17 and 18 of the preliminary plat are served by a common driveway. To ensure continued unobstructed access the applicant shall provide a reciprocal easement for the above mentioned lots prior to final plat. As a condition of approval, the applicant shall, prior to final plat, provide the City with a copy of the draft reciprocal easement for Lots 16, 17 and 18 that shall be recorded concurrently with the final plat. **The provisions of this section have been met with conditions.**

- E. *The City may require reserve strips be granted to the City for the purpose of controlling access to adjoining undeveloped properties.*

FINDING: The applicant has proposed a two phase development, however, it appears that both proposed streets are necessary for the development of either phase. The construction of Phase 1 as proposed would include the completion of the ½ street and the partial construction of William Way near the intersection of Stage Way. Should the applicant choose to construct the improvement for only Phase 1 initially, the street stub near Lots 3 and 6 would require a reserve strip to ensure future street construction. Considering this segment of William Way is less than 150', there is no need for an emergency vehicle turn-a-round. As a condition of approval, the applicant shall prior to final plat, provide Community Development with a revised preliminary plat identifying a reserve strip of land south of Lots 3 and 6 or dedicate the entire right-of-way with the recording of the Phase 1 final plat. **The provisions of this section have been met subject to conditions.**

TALENT ZONING CODE REQUIREMENTS

8-3L.440 REQUIRED FINDINGS FOR GRANTING A VARIANCE

The Planning Commission shall not grant any variance unless all of the following findings are made:

- A. *There are exceptional or extraordinary circumstances or conditions applying to the property or intended use that do not apply generally to other properties in the same zone or vicinity and which result from lot sizes or shape legally existing prior to the adoption of this chapter, topography, or other circumstances over which the applicant has no control;*

FINDING: The applicant contends that the primary objectives of the proposed development is to provide a mixture of housing types and ownership opportunities at a higher target density. The proposed development provides four housing types, including single-family attached and detached, townhouses and multiplexes (apartments).

The proposed subdivisions because of its adjacency to a conflicting industrial use, requires the use of a minimum 5' wide vegetative buffer reducing the total land available on this site for residential development. The applicant has proposed reductions in the front yard and the front of the garages to allow the dwellings to be sited street ward to provide more private outdoor space in the rear yards and to accommodate the required vegetative buffer.

The requested variance for side and front yard setbacks is necessary for this property and other RM-22 infill properties to be developed at a residential density greater than 6.6 units per acre. As noted in the HNA, the City needs to begin the process of using its available stock of residential land more efficiently in order to accommodate the City's needed housing and mixture of housing types. As proposed, this subdivision serves as an example of how future infill projects might be developed and provides a basis for establishing zoning regulations to eliminate the need for future variances. The variances requested as part of this application satisfy RPS and HNA recommendations to increase residential densities. Considering the variance request was based on the required buffer, a condition establishing the buffer is necessary. As a condition of approval, the applicant shall, prior to final plat, provide Community Development with a landscape plan consistent with Section 8-3J.450(A)(3)a and 8-3J.450 (B)(2)c, that specifically identifies the design of the proposed living wall, including type, size and spacing of trees as well as the vegetation type proposed between the required trees. **The provisions of this section have been met subject to conditions.**

- B. *The variance is necessary for the preservation of a property right of the applicant which is substantially the same as is possessed by the owners of other property in the same zone or vicinity;*

FINDING: The applicant contends that the City of Talent had setbacks similar to those propose in this application, and those standards were repealed with the repealing of the PUD Ordinance. The historic development in the RM-22 zoning district was able to utilize the repealed Code for reduced setbacks. The applicant's position appears to have some merit. Developments such as Clearview, Old Bridge Village and home built on Everett Way across from the proposed development all have reduced setbacks providing owners

in these developments a property right not available to the applicant. Further, it should be noted that when these developments were built, Talent's housing deficit hadn't been realized and the need for housing was not the purpose for allowing the reduced setbacks. **The provisions of this section have been met.**

C. *The variance would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy, the goals, policies or text of the Comprehensive Plan, or other property in the zone or vicinity in which the property is located; and*

FINDING: As proposed, the reduction in setbacks similar to those in surrounding high density developments would not be detrimental to the purposes of this chapter, the objectives of any City development plan or policy or the goals, policies or text of the Comprehensive Plan. Many of the policies in the proposed Housing Element are similar to those in the existing element and draw special attention to the need for higher density development and creative methods allowing unique developments. As proposed, this subdivision serves as an example of how future infill projects might be developed and provides a basis for establishing zoning regulations to eliminate the need for future variances. The variances requested as part of this application satisfy RPS and HNA recommendations to increase residential densities. **The provisions of this section have been met.**

D. *The variance requested is the minimum variance from the provisions and standards of this chapter, which will alleviate the hardship.*

FINDING: As proposed, the requested variances are the minimum that would allow the applicant to meet the densities required in the RPS Plan and both the current and proposed Housing Element G. **The provisions of this section have been met.**

In addition to criteria A through D, variances from access management standards are subject to the following additional standards:

E. *The granting of the variance shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.*

F: *Applicants for a variance must include proof that:*

1. *Indirect or restricted access cannot be obtained;*
2. *No practical engineering or construction solutions can be applied to mitigate the condition;*
3. *No alternative access is available from a street with a lower functional classification than the primary roadway.*

FINDING: The proposal does not make a request for a variance to access management standards. **The provisions of this section are not applicable.**

8-3L.920 APPLICABILITY

A. *Transportation Impact Study (TIS) shall be required if any of the following actions exist:*

1. *A zoning or comprehensive plan map or text amendment is projected to generate 500 or more net daily vehicle trips.*
2. *A development proposal is projected to generate fifty (50) or more net peak hour trips on an arterial or collector segment or intersection.*
3. *A land use action or development proposal will impact known safety, congestion or capacity problems.*
4. *A land use action or development proposal is on a highway segment with special access controls.*

FINDING: Each property in the city, with city zoning, has an underlying traffic impact. To determine the traffic impact of the proposed Comprehensive Plan Amendment, standardized trip generation rates from the International Transportation Engineers (ITE) Trip Generation Manual, 9th edition were used for an analysis.

According to the ITE, the traffic impact most closely associated with vacant light industrial land is Code 110, General Light Industrial with a trip generation of 0.97 PM PHT per 1,000 square feet of development.

The subject property is currently zoned Light Industrial (IL) and has frontage on Talent Avenue, which is classified as a collector street in the TSP. The site is across from existing High Density (RM-22) zoning and adjacent to a city park and local public transit.

While the subject property is within the primary industrial area of the City, the current intensity of industrial development is relatively low. Using the ITE Trip Generation methodology, the applicant has demonstrated that the subject property has a highest and best use impact of 154 PM Peak Hour Trips (PM-PHT), and 1,540 Average Daily Trips (ADT).

The Site Plan and Tentative Plat submitted with this application identifies 35 single family dwelling units and up to 12 multifamily dwelling in a future phase. The 35 single family dwellings have a total PM-PHT rate of 35.7. The future Multifamily development with up to 12 dwelling units at 0.62 PM-PHT trips has a potential addition of 7.44 PM-PHT for a total of 43.14 PM-PHT.

As stated in the applicant's findings, the effect of the approval of the proposed Comprehensive Plan Amendment and development of the associated subdivision is a reduction of 110.86 PM-PHT from the current IL zoning at the highest and best use.

With a reduction in the PM Peak Hour Trips from the existing impacts, this application does not warrant a Traffic Impact Study as identified in the section 8-3L.920 of the Talent Zoning Code. **The provisions of this Section are not applicable.**

PROPOSED

The request for subdivision and variance approval have been consolidated with a Type IV legislative action and shall adhere to Section 8-3M.180(D)(2) of the Talent Zoning Code outlining the approval authority of consolidated proceedings. Approval this subdivision and variance request are subject to the review requirements for a Type IV review as provided in Section 8-3M.160 of the Talent Zoning Code.

This approval shall become final the day this decision and supporting findings of fact are signed by the Mayor, below. An appeal of the City Council’s decision must be submitted to the Land Use Board of Appeals within 21 days of the City Council’s decision becoming final.

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

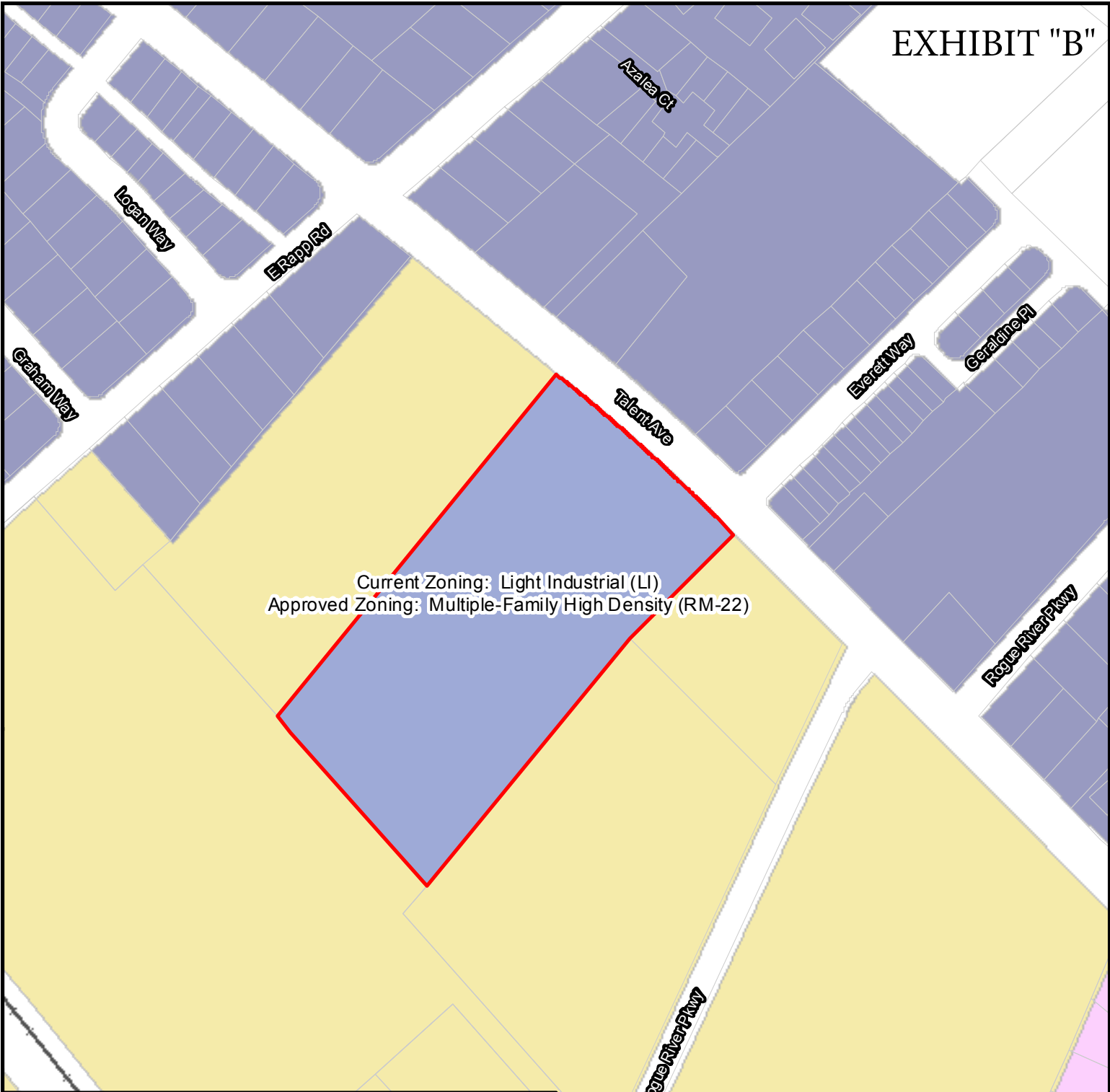
Darby Stricker
Mayor

Date

ATTEST

Zac Moody
Community Development Director

Date



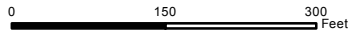
Current Zoning: Light Industrial (LI)
 Approved Zoning: Multiple-Family High Density (RM-22)



Zone Change Map

38-1W-26AD Tax Lot 500

- subject parcel
- Tax Lots
- Light Industrial (LI)
- Multiple Family - High Density (RM-22)
- Single Family - Low Density (RS-5)
- Single Family - Medium Density (RS-7)



Map pling is schematic only and bears no warranty of accuracy. This product was created for informational purposes and may not have been prepared for or be suitable for legal, engineering, surveying, or professional investment purposes. All zoning information should be confirmed by the City prior to use for such purposes.