

City of Talent

Community Development Department - Planning



STAFF REPORT and **ANALYSIS**

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

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that the Planning Commission use a review process similar to that of the Planned Unit Development Ordinance (recently repealed by the City Council) to conduct a preliminary review of the plan in two phases.

The recently repealed PUD ordinance encouraged innovative planning and site design that resulted in compatible, mixed use developments, improved open space and greater housing and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

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@bradleypr
op.com, c=US
Date: 2016.12.23
10:18:12 -08'00'

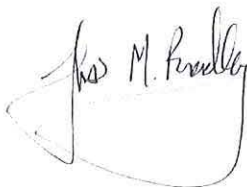
I hereby acknowledge that my applications may be consolidated. When an applicant applies for more than one type of land use or development permit (e.g., Type-II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision. If more than one approval 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

FREE N/A PROCESSING AS TYPE - C

Phone: [redacted] .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	TW	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

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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.



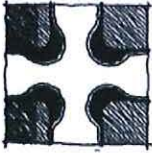

1. Traffic-calming features, such as traffic circles, roundabouts, curb extensions, crosswalks, speed bumps, narrow residential streets, and special paving should be used to slow traffic in existing and planned neighborhoods and areas with high pedestrian traffic.

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.

I. 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 RVTB 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.

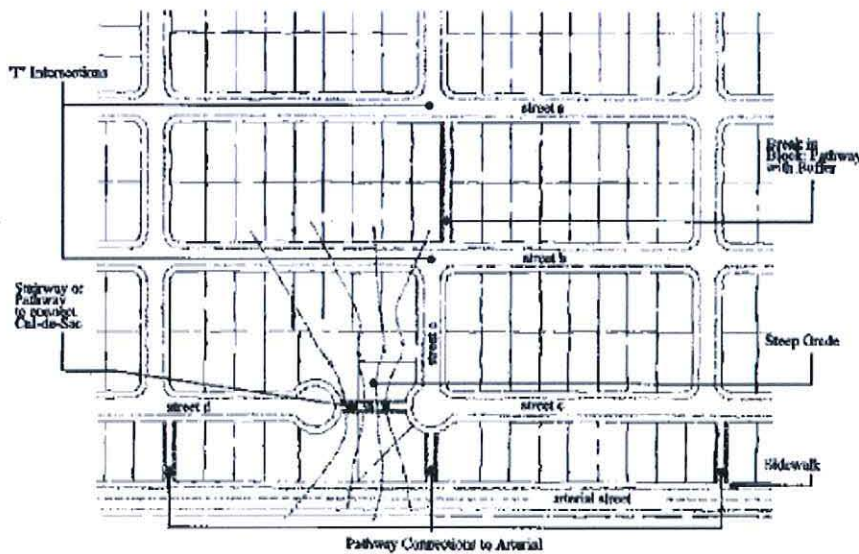
Figure 250.J—Street Connectivity

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

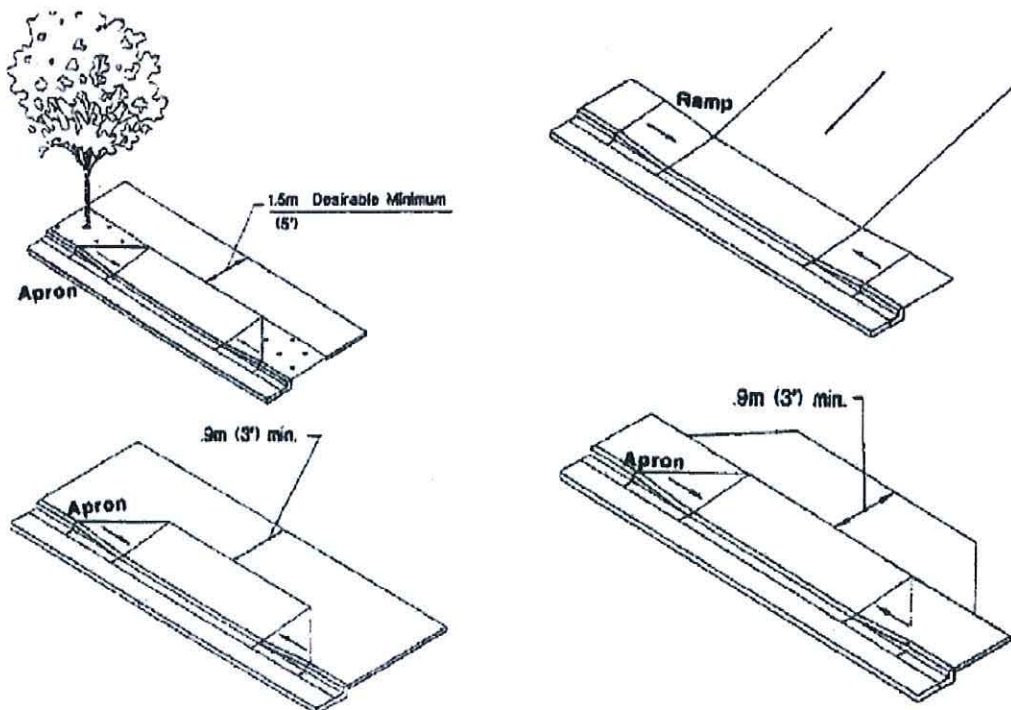
1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they may be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily 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.

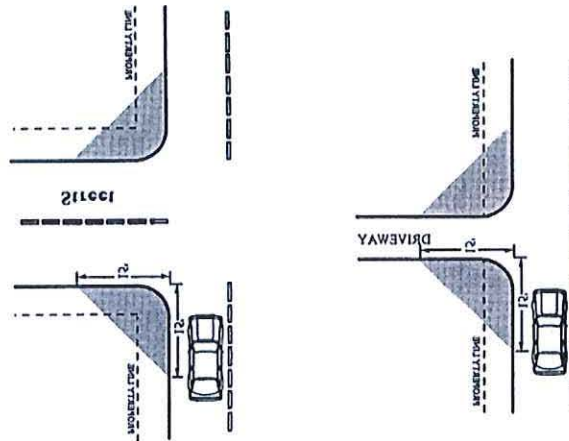
Compliance with this section shall be provided at time of final plat

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**

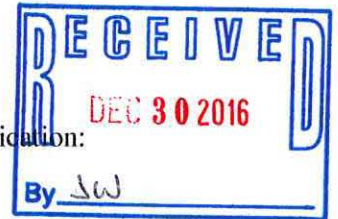
Time and Date of Neighborhood Meeting: **6:00 PM on Thursday, December 22, 2016**

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).

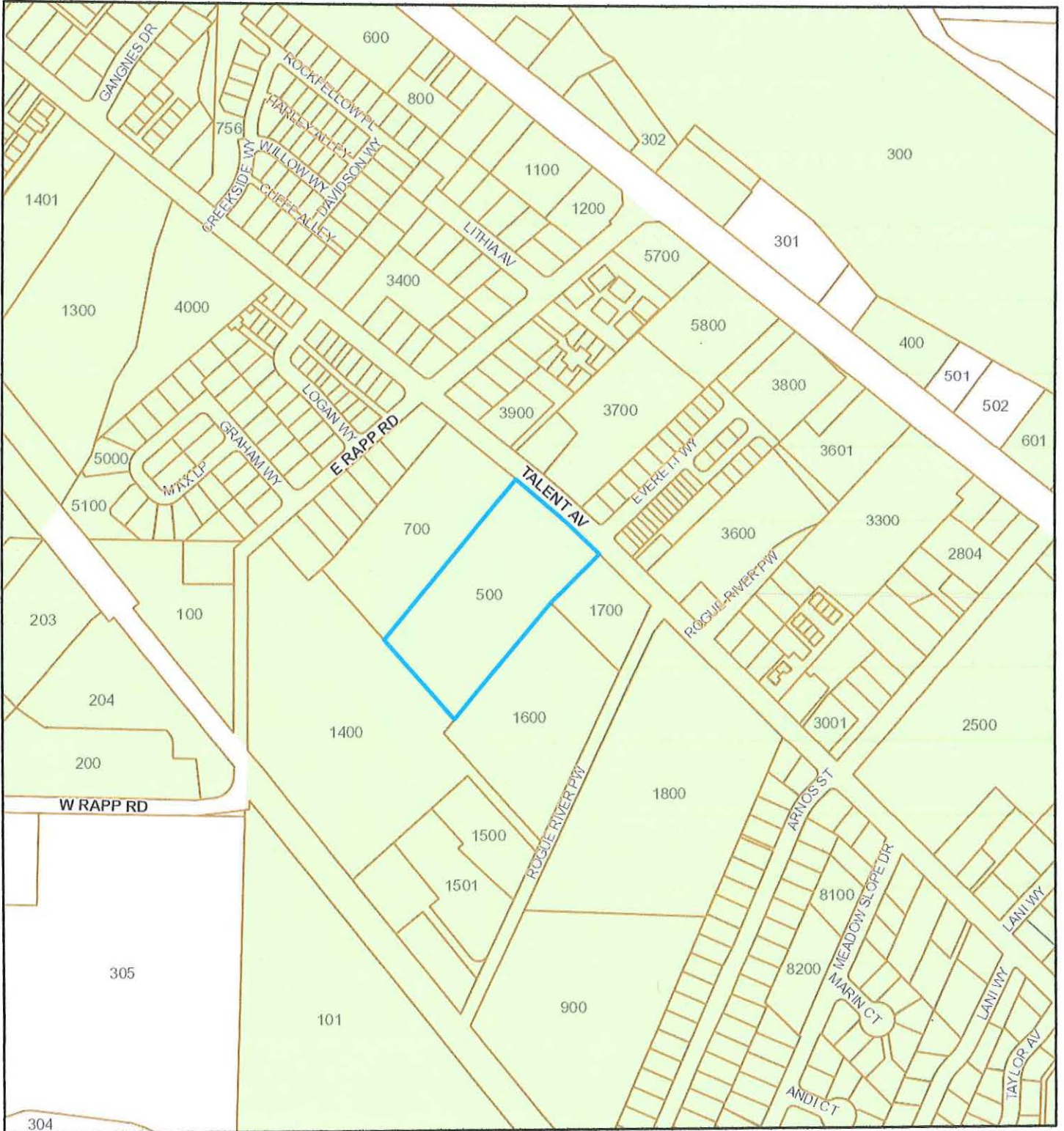
- i. *The approximate location and identity of other utilities, including the locations of street lighting fixtures;*

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 | |

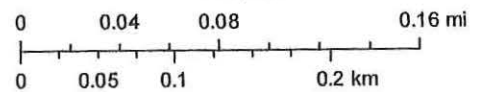


EXHIBIT C

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

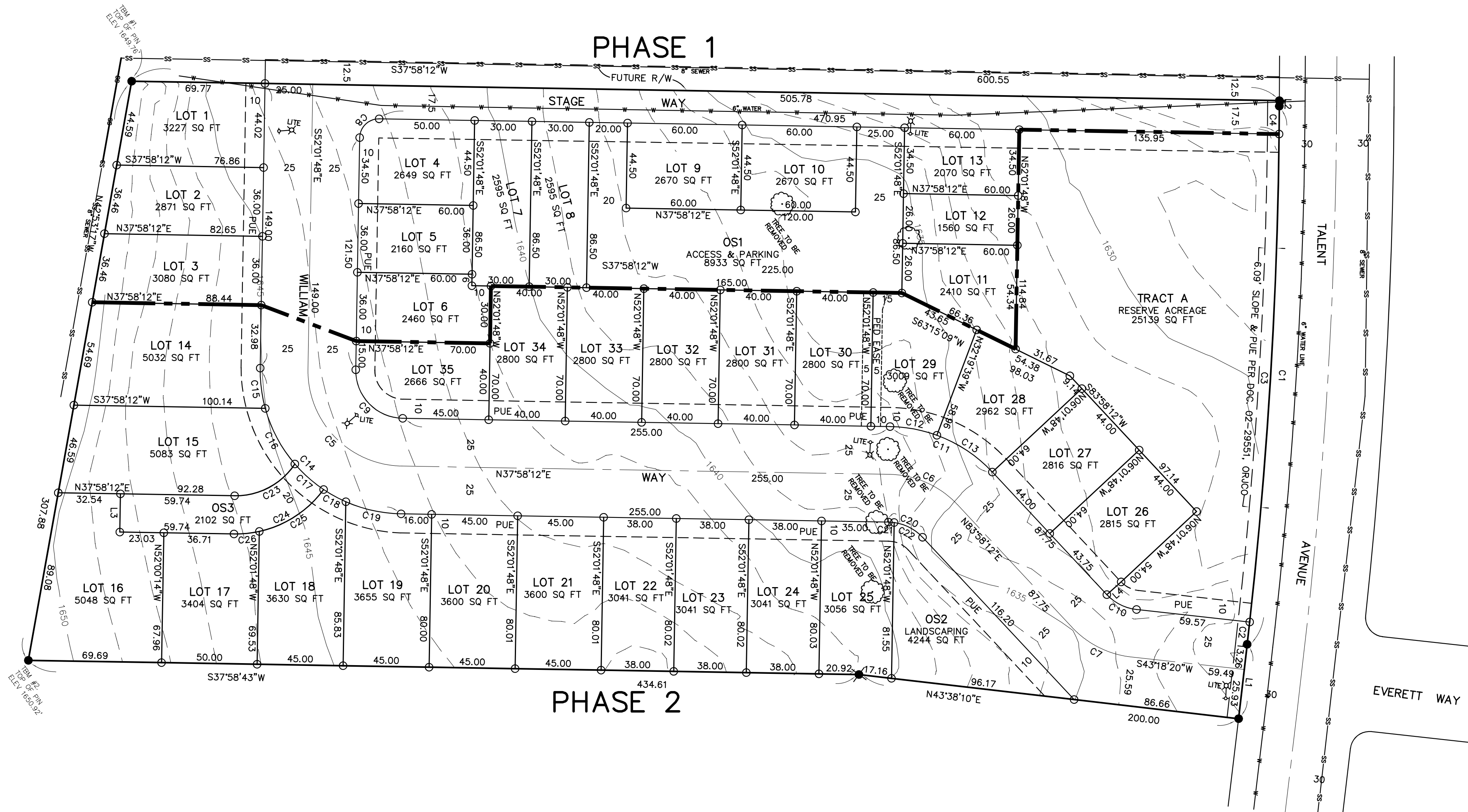
STREETSCAPE – Craftsman Bungalow Style Homes



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

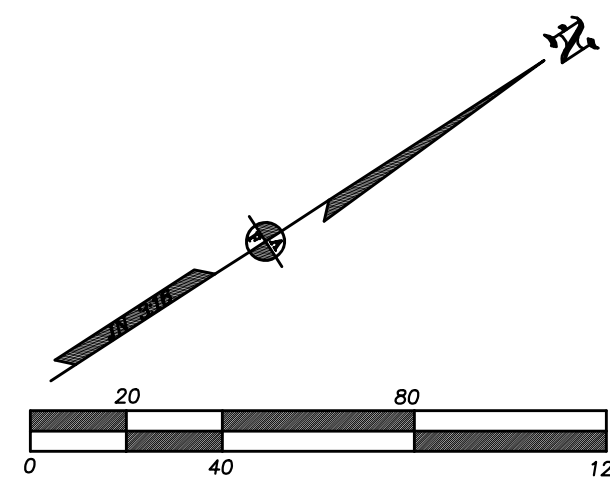


OWNER:
BRADLEY PROPERTIES, LLC, ET AL
613 IOWA ST.
ASHLAND, OR 97520

NOTES:
EXISTING PROPERTY: 4.37 ACRES +/-
ZONING: LI
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 dedications): 159,459 sq.ft.
 STREET PAVING AREA: 27,776 sq.ft.
 PROPERTY AREA MINUS PAVING: 131,683 sq.ft.
 AGGREGATED BUILDING COVERAGE: 53,914 sq.ft.
 COVERAGE DEDUCTION (100 sq.ft. per lot): 3,500 sq.ft.
 ADJUSTED TOTAL COVERAGE: 50,414 sq.ft. (38.3%)

TOTAL DETACHED HOMES (LOT AREA @ 10%): 15,179 sq.ft.
 COMMON OPEN SPACE: 3,045 sq.ft.
 COMMON LANDSCAPED AREA (excluding parkrows): 2,423 sq.ft.
 MULTI-FAMILY PARCEL AREA: 22,019 sq.ft.
 STREET PARKING: 21 parallel parking spaces
 OFF-STREET PARKING: 55 (garage), 10 (pad)

SETBACKS

Setback Category:	Code:	Proposed/Minimum:
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

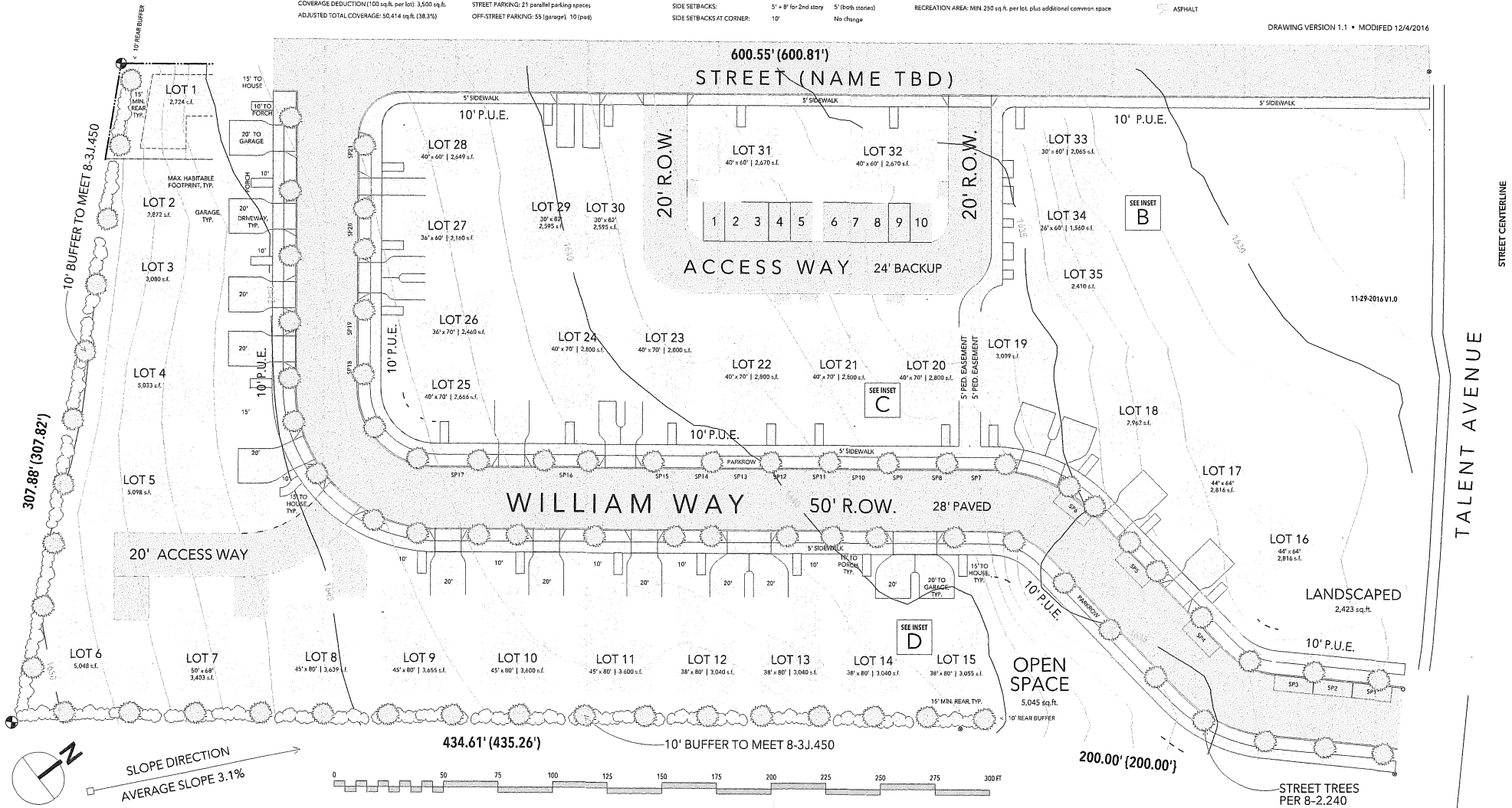
OTHER

DAILY TRIPS: 10
 STREET R.O.W.: 50' w/ 28' driving surface, 6" curb, 5.5' parkrow and 5' sidewalks
 ACCESS WAY R.O.W.: 20'
 ACCESS WAY R.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

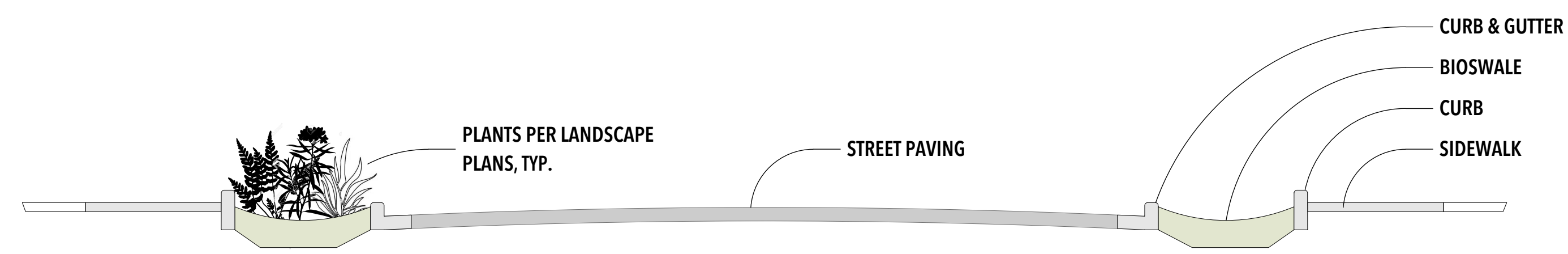
DRAWING VERSION 1.1 • MODIFIED 12/4/2016



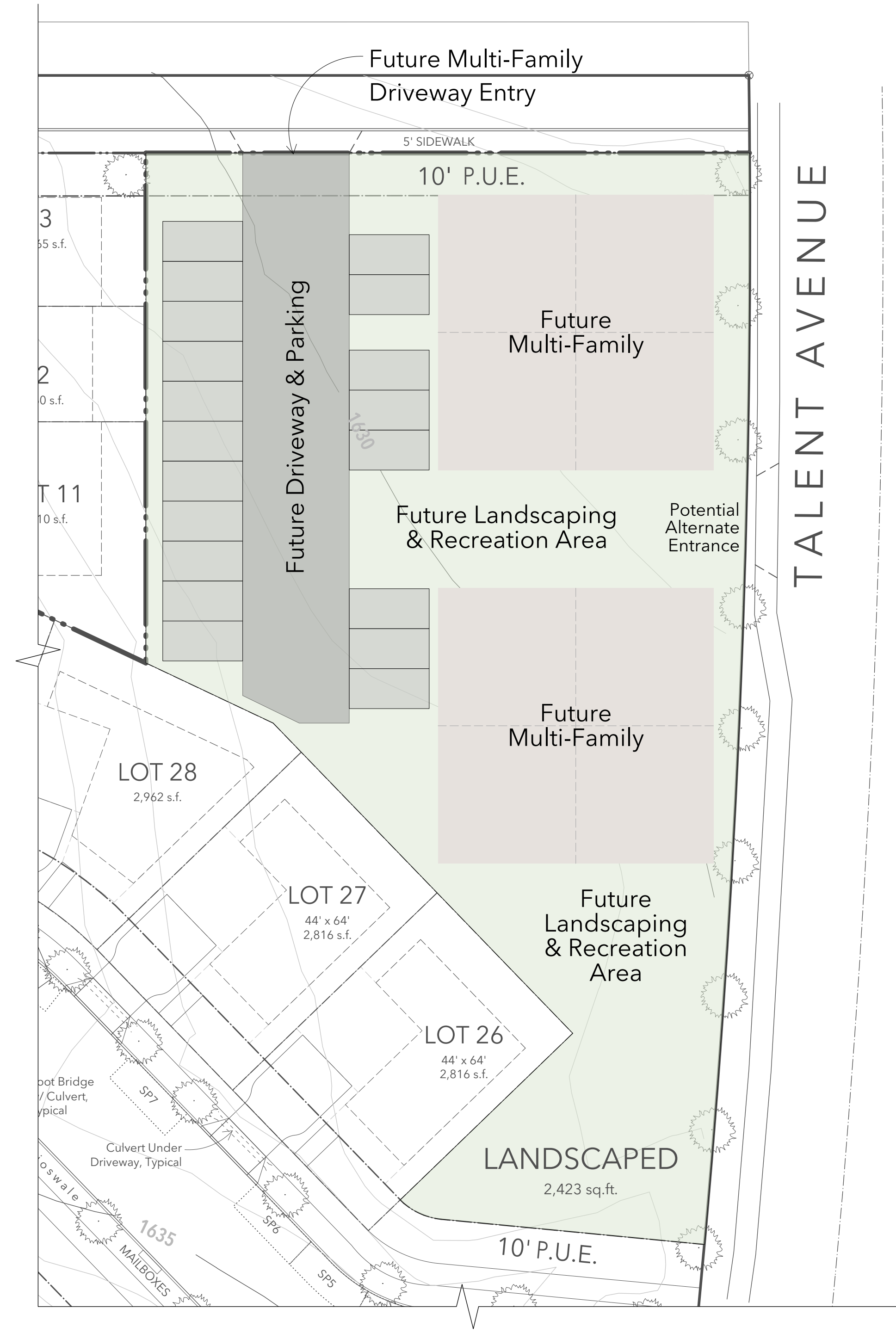
A PROPOSED SITE PLAN
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STREET CENTERLINE
 TALENT AVENUE

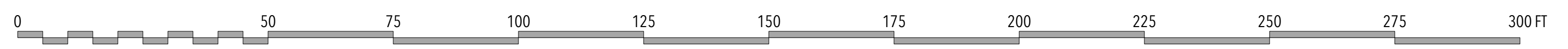
"WILLIAM WAY" SUBDIVISION EXHIBITS



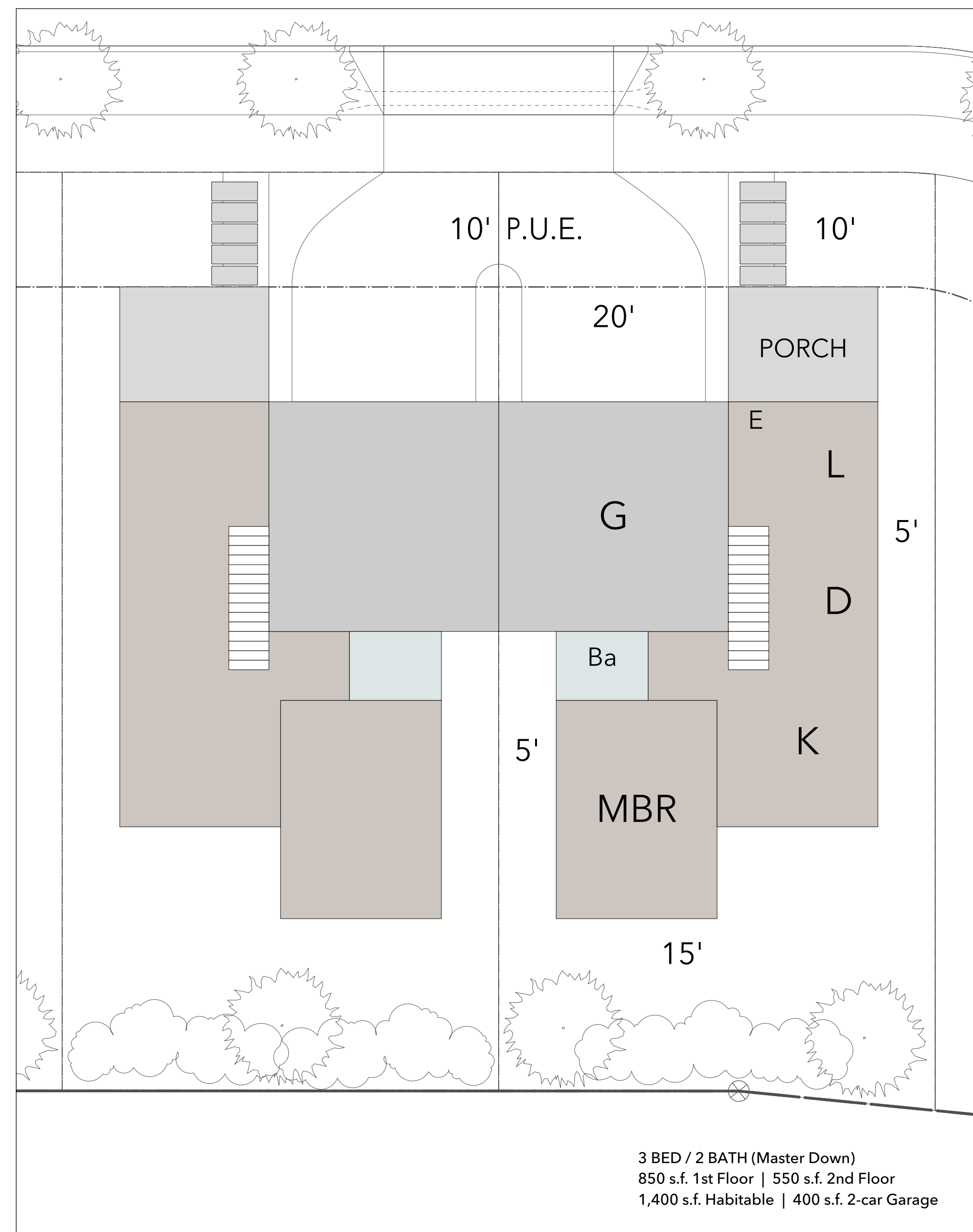
F SCHEMATIC STREET SECTION
Scale: 1/4" = 1'-0"



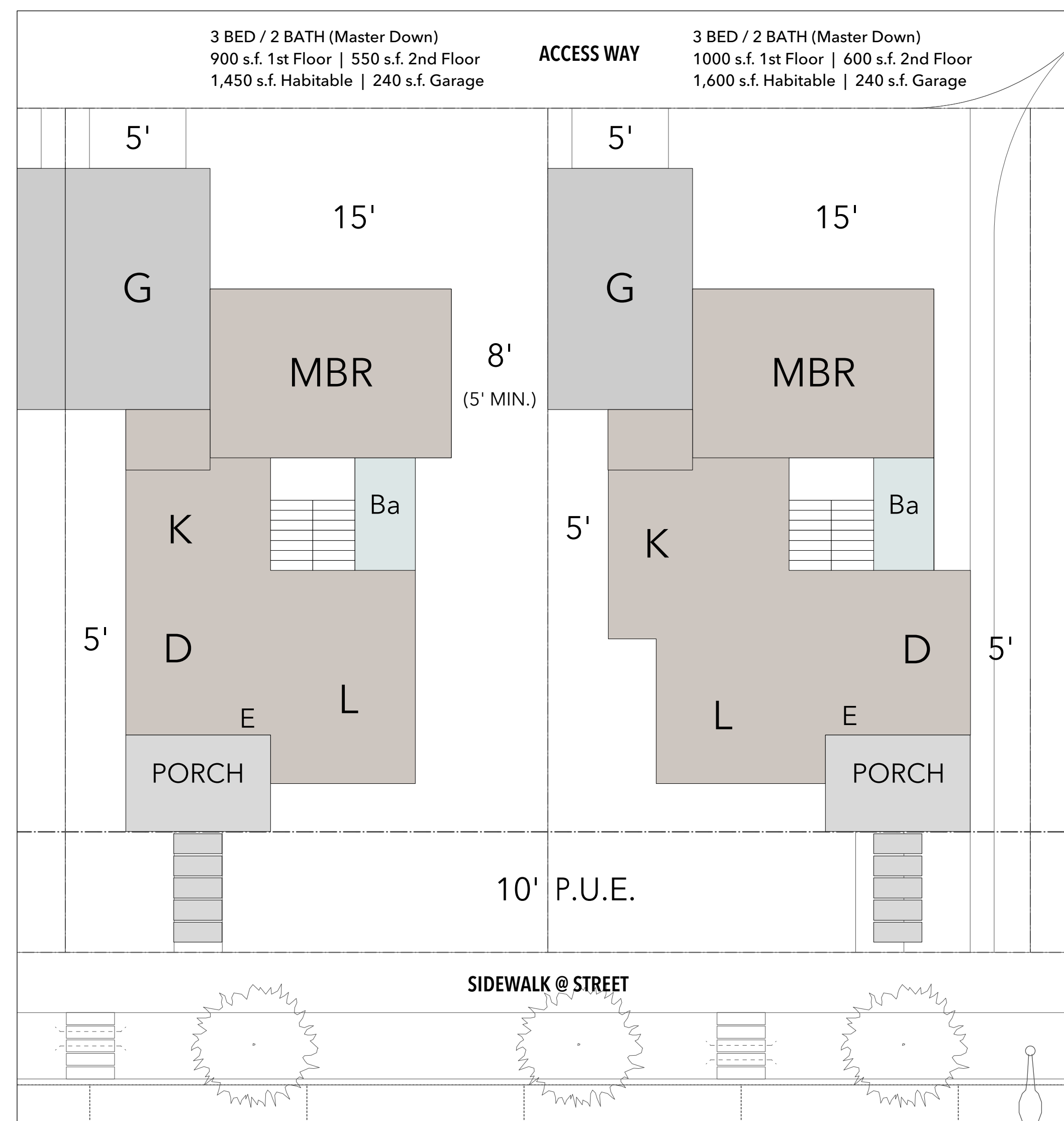
E POTENTIAL MULTI-FAMILY
Scale: 1" = 20 ft



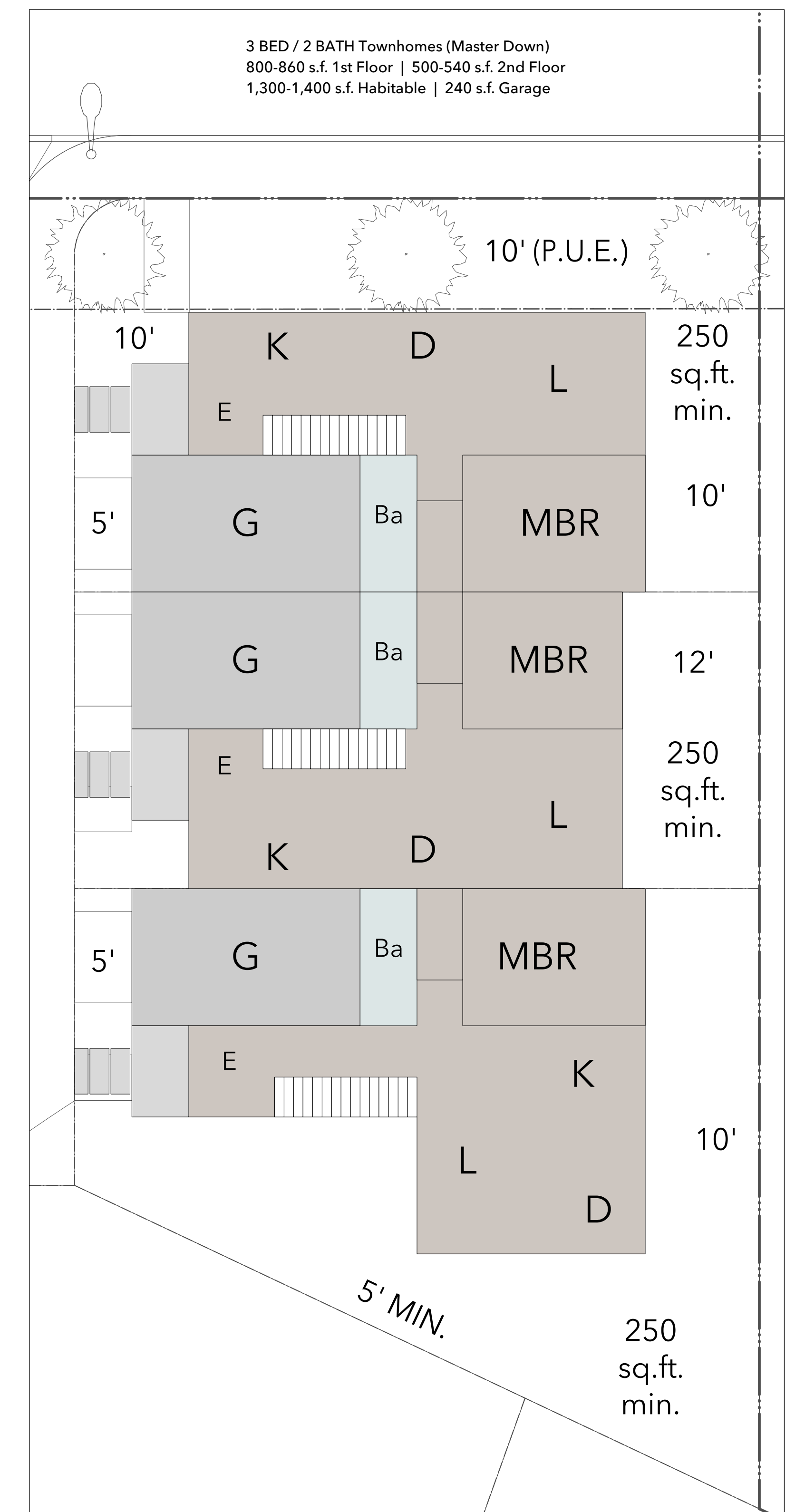
"WILLIAM WAY" SUBDIVISION - PROPOSED UNIT TYPES



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

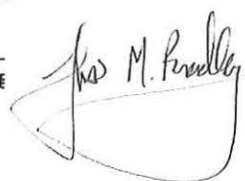
Date

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.

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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.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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.

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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*

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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

BEFORE THE CITY COUNCIL OF THE CITY OF TALENT OREGON

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 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 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.

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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.

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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

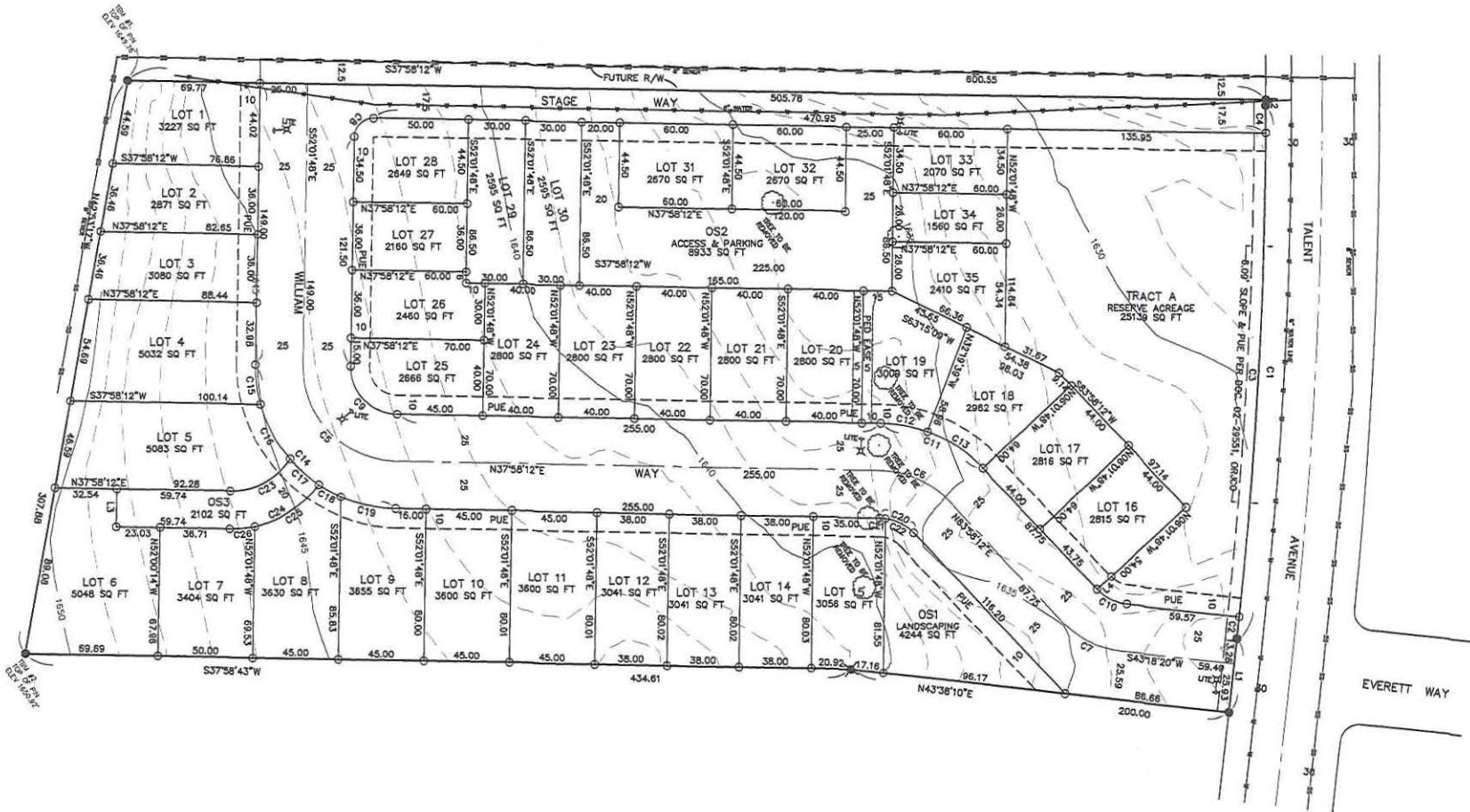
Code	Description	Unit of Measure	Trips Per Unit
OFFICE			
710	General Office Building	1,000 SF	1.49
714	Corporate Headquarters Building	1,000 SF	1.41
715	Single Tenant Office Building	1,000 SF	1.74
720	Medical-Dental Office Building	1,000 SF	3.57
730	Government Office Building	1,000 SF	1.21
732	United 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, T36S, R1W, W.M. and in the
City of Talent Jackson County, Oregon

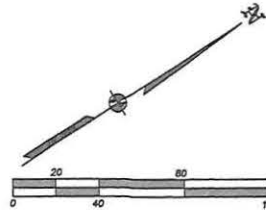


OWNER:
BRADLEY PROPERTIES, LLC, ET AL
612 OMA ST
ASHLAND, OR 97520

NOTES:
EXISTING PROPERTY: 4.37 ACRES +/-
ZONING: LI
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. 02-29551, DRUGO, SHOWN.



REGISTERED PROFESSIONAL LAND SURVEYOR <i>James E. Friar</i> OREGON JULY 17, 1986 JAMES E. FRIAR 2234 RENEWAL DATE: 6-30-17 © L.J. FRIAR & ASSOCIATES, P.C. 2016	TITLE: TENTATIVE SUBDIVISION PLAT ASSESSOR'S MAP #: 381W26AD TL500 FOR: SUNCREST HOMES, LLC PO BOX 1313 TALENT, OR 97540	DATE: 30 DEC 2016 SCALE: 1 inch = 40 feet DRAWN BY: JCH CHK BY:
	L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1947, Talent, OR 97533 Phone: (541) 772-2768 Email: jfrier@friar.net	ROTATION: 57° JOB#: 16238FW Sheet 1 of 1.

SITE DATA

TOTAL PROPERTY AREA (after dedication): 151,429 sq.ft.
 STREET PAVING AREA: 27,376 sq.ft.
 PROPERTY AREA MINUS PAVING: 124,053 sq.ft.
 ALGEBRAIC DEDICATION COVERAGE: 5.57% sq.ft.
 COVERAGE DEDUCTION: 1100 sq.ft. per lot / 3,560 sq.ft.
 ADJUSTED TOTAL COVERAGE: 50.474 sq. ft. (38.2%)

TOTAL DETACHED HOMES LOT AREA (3 lots): 13,177 sq.ft.
 COMMON OPEN SPACE: 1,643 sq.ft.
 COMMON LANDSCAPED AREA (excluding parking): 2,423 sq.ft.
 MULTI-FAMILY PARKING AREA: 2,217 sq.ft.
 STREET PARKING: 21 parallel parking spaces
 OFF-STREET PARKING: 55 (garage), 10 (pad)

SETBACKS

Setback Category	Code	Proposed Distance
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

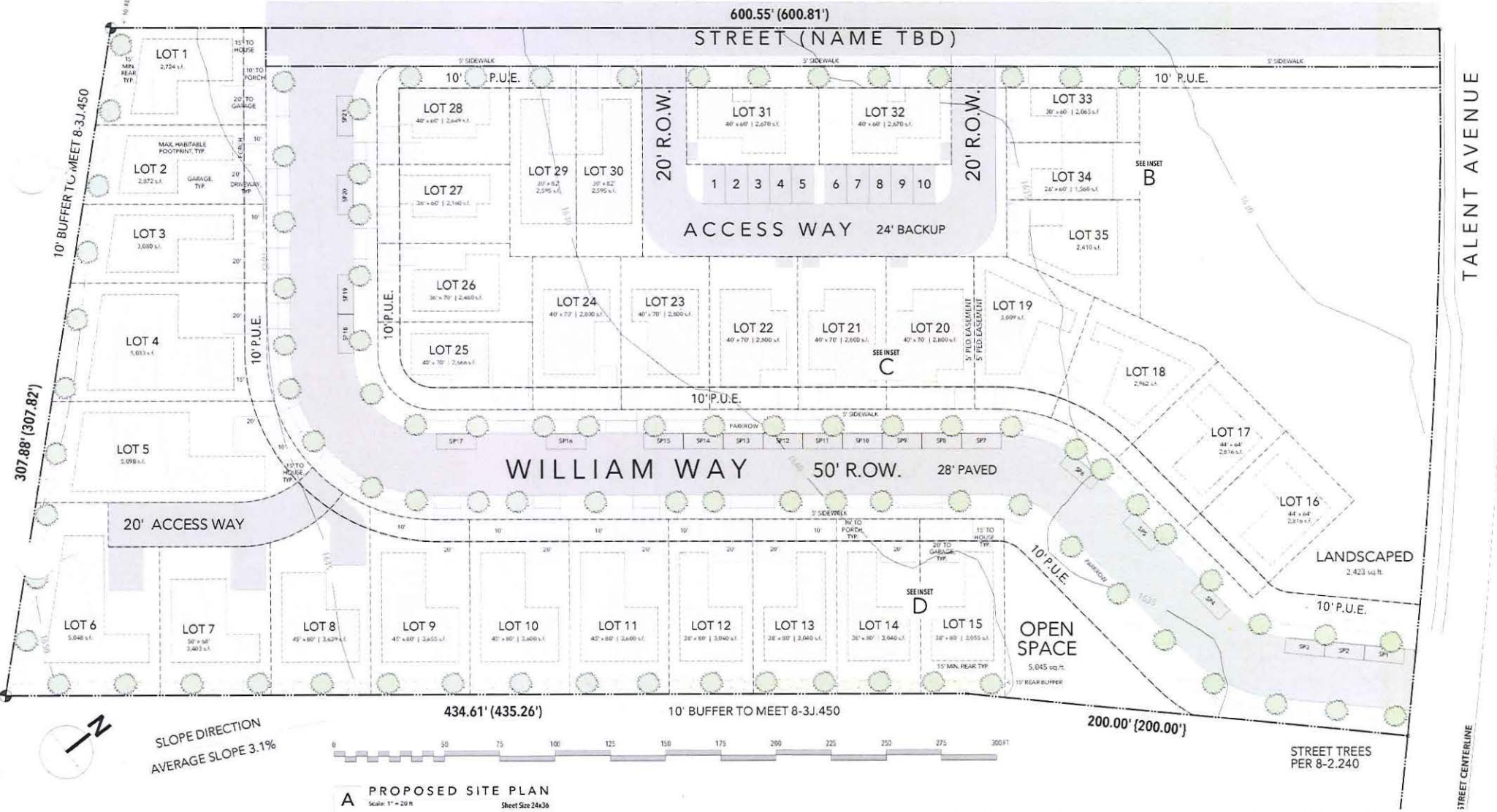
OTHER

DATE TRIPS: 10
 STREET R.O.W.: 50' w/ 20' driving surface, 6' curbs, 5.5' parkways and 5' sidewalks
 ACCESS WAY R.O.W.: 20'
 ACCESS WAY R.O.W. WITH ROAD-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 (shaded color): 159,459 sq.ft.
 STREET PAVING AREA: 27,776 sq.ft.
 PROPERTY AREA MINUS PAVING: 131,683 sq.ft.
 AGGREGATED BUILDING COVERAGE: 52,914 sq.ft.
 COVERAGE DEDUCTION (130 sq.ft. per lot): 3,000 sq.ft.
 ADJUSTED TOTAL COVERAGE: 50,414 sq.ft. (38.3%)

TOTAL DETACHED HOMES LOT AREA (1 Reg): 15,179 sq.ft.
 COMMON OPEN SPACE: 3,045 sq.ft.
 COMMON LANDSCAPED AREA (including parking): 2,423 sq.ft.
 MULTIFAMILY PARCEL AREA: 22,919 sq.ft.
 STREET PARKING: 21 parallel parking spaces
 OFF-STREET PARKING: 55 (3 covered, 10' wide)

SETBACKS

Setback Category	Code	Proposed Variance
GARAGE SETBACKS AT STREET	24'	20'
GARAGE SETBACKS AT ALLEY	3'	No Change
FRONT HOUSE SETBACKS	20'	10'
SIDE SETBACKS	3' - 9' for 2nd story	3' (high corner)
SIDE SETBACKS AT CORNER	10'	No Change

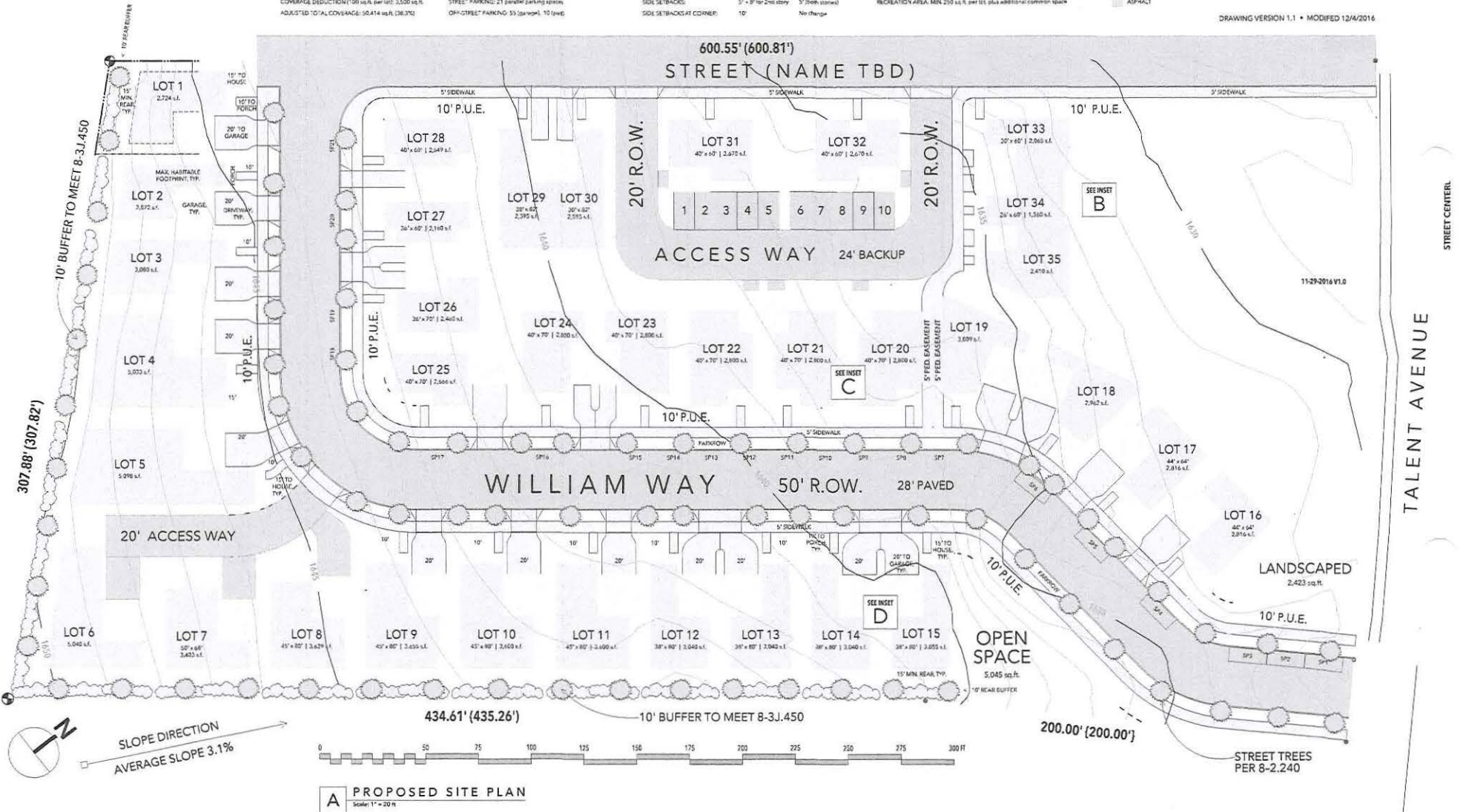
OTHER

DAILY TRIPS: 10
 STREET R.O.W.: 50' w/ 20' driving surface, 6" 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



A PROPOSED SITE PLAN
 Scale: 1" = 20'



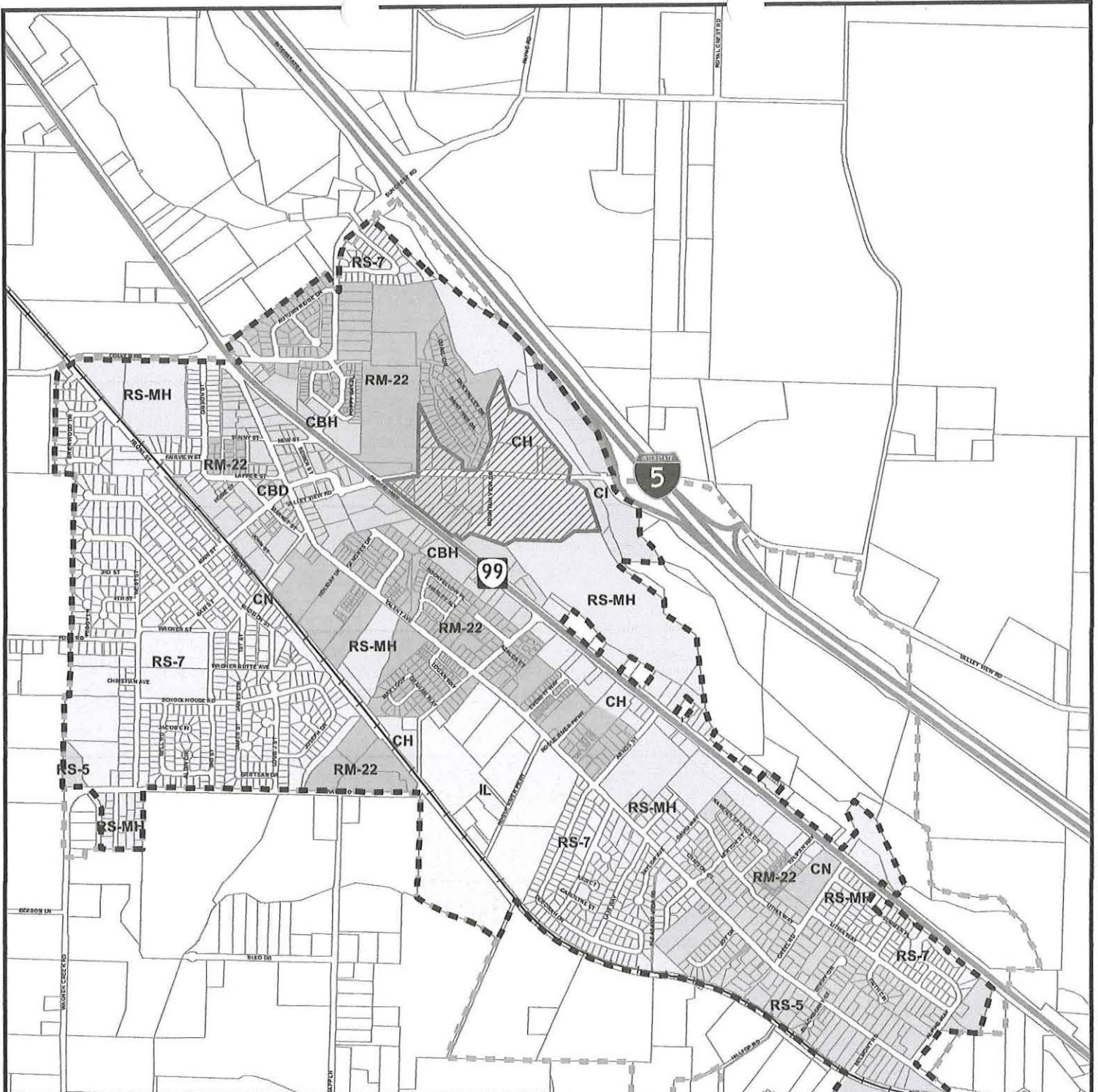
Comprehensive Plan

ADOPTED: 05/24/1950 by ORD 417
 AMENDED: 03/15/2012 by ORD 12-865-0

- | | | |
|--------------------------------------|--------------------------------|------------------------------------|
| 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 constitute a warranty of accuracy. The products are created for informational purposes and they are not intended to be used for legal or engineering purposes. All zoning information should be confirmed by the City prior to use for such purposes.



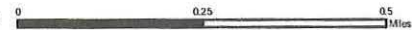


Zoning Map


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 shown for informational purposes only. It is not intended to be used as a legal document. The City of Joliet is not responsible for any errors or omissions. All zoning information should be confirmed by the City of Joliet for any business.







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 authority for all federal activities related to disaster preparedness, emergency response and recovery. FEMA's mission is to support the states and its residents to ensure that a nation we work together to build is safe and secure and capable to bring a self-reliant spirit, support to those in need, and relief of suffering. FEMA's Floodplains are based on the findings of Federal Floodplain Mapping in the temporary and final floodplains of the community, or land areas that are subject to flooding from the normal and high accumulation of flood of water from any source. For more information about FEMA's floodplains, please visit <http://www.fema.gov>.


The 100 year floodplains represent the total area the Talent Urban Growth Boundary subject to a one percent chance of flooding in any given year. Talent City, OR, will ensure the Floodplains are being prepared and updated for development within the Floodplains. Cities that might not be included in the floodplains are in the floodplains in the floodplains and FEMA maps of the Community Development Office. This information should be discussed with the Community Development Office and the Department of Planning & Economic Development for the City of Talent. Please contact Community Development at 541-338-3333 for more information.

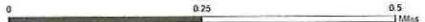
- Tax Lots
- City Limits
- Urban Growth Boundary
- Structures in 100 yr Floodplain

- Highways
- Railroads
- Bear Creek
- Creeks & Streams

Floodplains

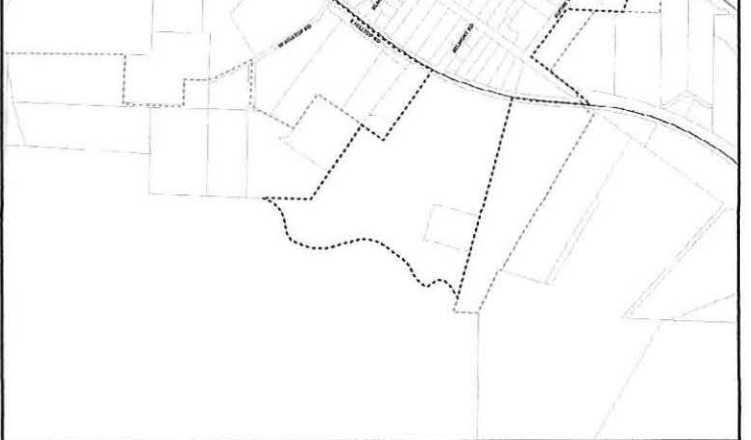
- Floodway
- 100 Year Floodplain
- 500 Year Floodplain

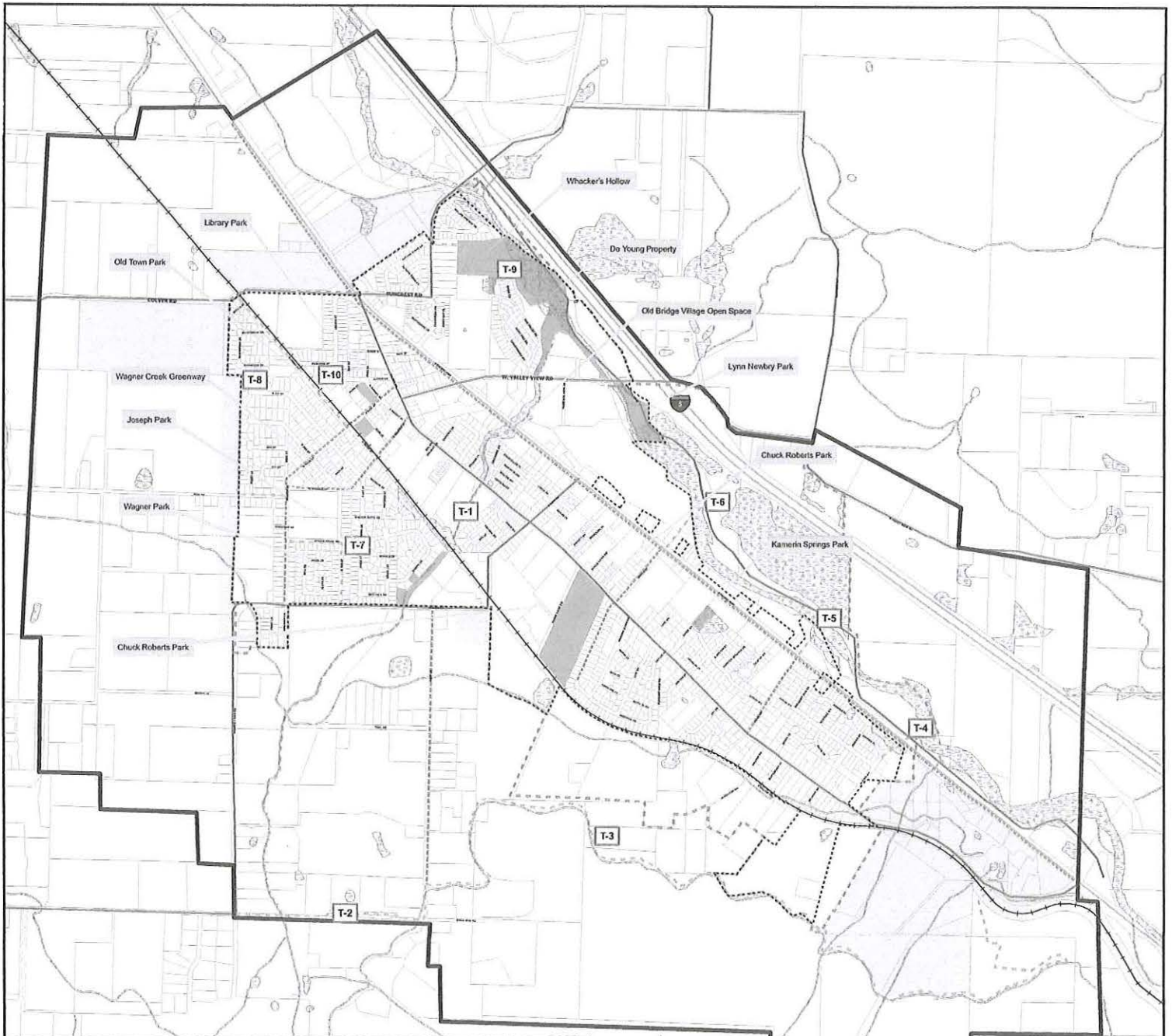




0 0.25 0.5 Miles

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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

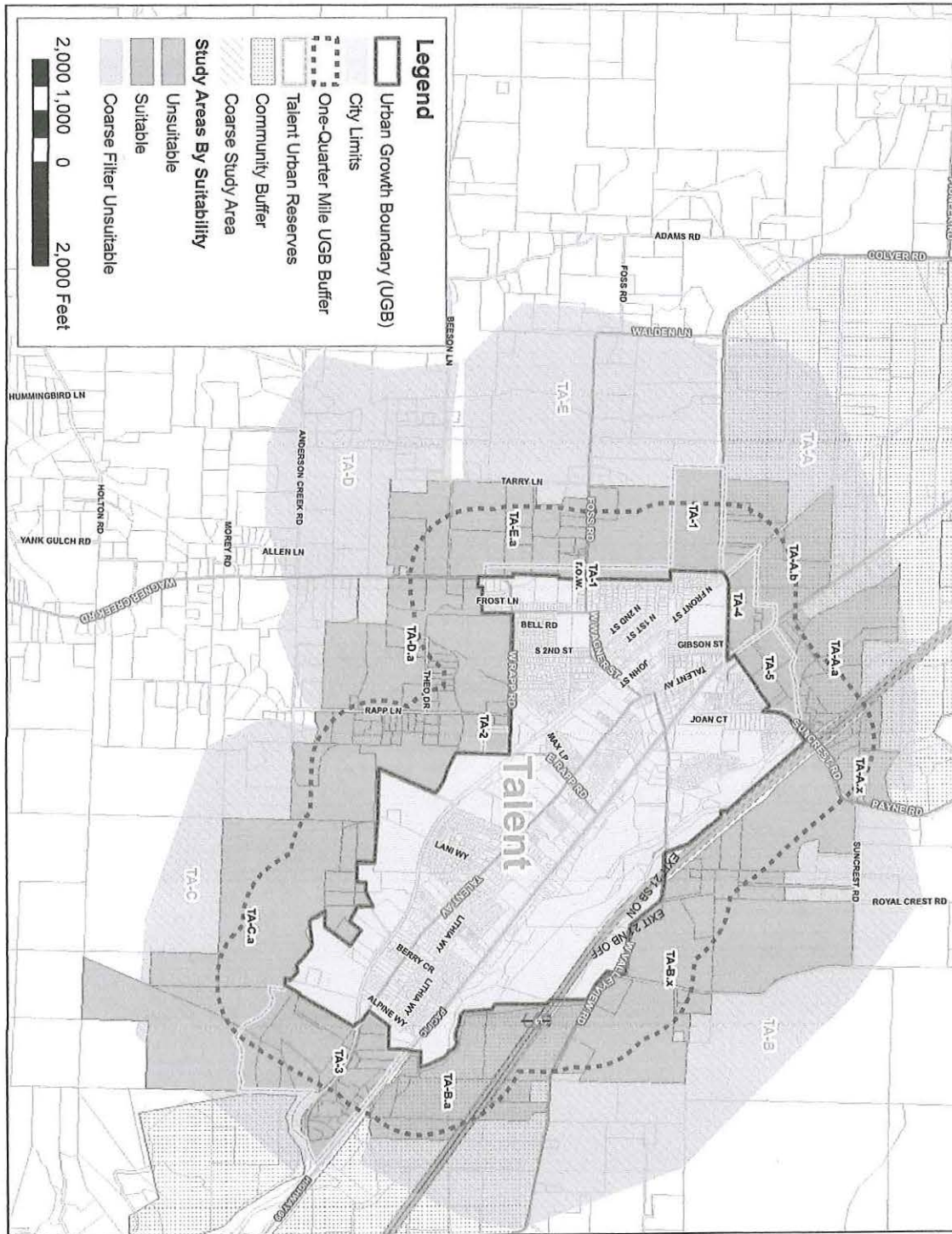
- Urban Reserves (Future Growth Areas)
- TSP Proposed Bike Paths
- Proposed Trails/Pathways
- Existing Bikepaths

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/DeWung Loop
- T-10 Ford Trail

Mapping is schematic and does not guarantee accuracy. This product was prepared for informational purposes 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 purpose.





Greater Bear Creek Valley - Regional Plan

Study Lots By Suitability
Talent

