



**PLANNING COMMISSION  
REGULAR MEETING AGENDA**

**- HELD in PERSON-**

**Town Hall**

**May 28, 2024 – 6:30 PM**

*This agenda and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website ([www.cityoftalent.org](http://www.cityoftalent.org)) in advance of each meeting. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.*

- 1. Call to Order / Roll Call**
- 2. Brief Announcements by Staff**
- 3. Approval of Minutes**
  - a. January 23, 2024 Meeting Minutes
  - b. February 27, 2024 Meeting Minutes
- 4. Public Comment on Non-Agenda Items**
- 5. Cluster Housing-Review and Next Steps**
- 7. Propositions and Remarks from the Commission**
- 8.. Adjournment**

**This meeting will be held in person and electronically via Zoom.**

1. You can join the meeting with your computer or smart phone using the following link & passcode:  
**Link to join Webinar:**  
<https://us02web.zoom.us/j/81367959703>



**PLANNING COMMISSION  
REGULAR MEETING/STUDY SESSION MINUTES  
January 23, 2024**

*Study Session and Regular Commission meetings are digitally recorded and will be available on the City Website: [www.cityoftalent.org](http://www.cityoftalent.org)*

**REGULAR MEETING – 6:40 PM**

Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the Minute Taker. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the “Citizens Heard on Non-agenda Items” section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the Planning Commission.

**I. Call to Order/Roll Call at 6:40 PM**

<b>Members Present:</b>	<b>Members Absent:</b>
Chair Volkart Vice Chair D’Amato Commissioner Davis Commissioner Hazel Commissioner Shapiro Commissioner Riley	
<b>Also Present:</b>	
Kristen Maze, Community Development Director (CDD) Nick Schubert, Community Development Planner	

**II. Brief Announcements by Staff -Audio out from 0:00 to 0:24:37**

**III. Consideration of Minutes-November 28, 2023**

Motion: Move to approve the minutes from November 28, 2023.

Vote: Five ayes, Commissioner Hazel abstained. Motion carries.

**IV. Election of Chair and Vice Chair**

Commissioner Shapiro moved to elect Commissioner Riley as Chair. Commissioner Davis seconded.

Vote: All ayes. Motion Carries

Commissioner Volkart moved to elect commissioner Shapiro as Vice Chair. Commissioner D’Amato seconded.

Vote: All ayes. Motion Carries.

**V. 6.2 Building Orientation/Tree Planting** Discussion regarding the orientation of buildings away from the street, in this instance South Pacific Hwy (99). Commissioner Volkart stated that if builders are allowed to orient residential/commercial buildings away from the street then he wants to move forward with potentially

appealing to the council to consider changing the code. His interpretation is that they shouldn't have built it based on the final orientation.

Discussion was also had regarding the planting of trees on site. Commissioner Volkart wanted more clarity on this issue. Interesting that the engineer for the applicant did not want to build on top of the fiber optic cable within the Public Utility Easement (PUE). The code does say that no person shall plant any tree in the city so as to adversely affect public utilities. Commissioner Volkart's interpretation is that this could be a burden on the applicant because the application stated they need to plant street trees, but they can't based on the utility lines.

Planning Director Maze-if they can plant street trees they will, but not if it interferes with a utility easement. It doesn't make sense to plant there as it damages the utilities and trees will need to be taken out. We are looking for other places to plant trees because of this, there are ways to get around this. We can ask them to plant more trees, and this will be a requirement per the CFA when that comes into effect.

Chair Riley-Proposing that we revisit orientation discussion as we need to motion an appeal to the city council to potentially change the code to orient the streetscape. We will start a to-do list and we can order it up at a later date after further discussion at later agenda.

Motion to suspend order of business for public comment, all yes.

**VI. Public Comment** Mr. Lichtenstein questioned the specific location of the site that Commissioner Volkart was speaking about in terms of orientation.

**VII. Propositions and Remarks from the Commission** Commissioner Volkart in response to Mr. Lichtenstein's public comment regarding the location of site discussed as 210 N. Pacific Highway, the old Goodnight Inn as the residential/commercial property.

Chair Riley-The Rezone CPA is coming back to us. Information on the wetland & wetland designation. Wait until application comes back to discuss at later date (w/ applicant).

To-do list: Cluster housing-wants to take all information and give it to the commission in the form of a PowerPoint, to look at it again to move forward with it.

Chair Riley called for a study session in mid-February for the purpose of presenting Climate Friendly Equitable Community (CFEC) summary in further detail. Committee agreed to schedule February 13<sup>th</sup> at 6:00 pm for a study session.

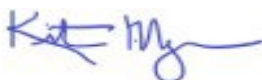
Commissioner Volkart-regarding architectural review wants to ask staff, to get meeting notes on website in order to track it. Staff let the commission know we can update the website and post the agenda for architectural review as time allows.

Chair Riley brought up 'Element F' on agenda, 'open space and public facilities'. In response Planning Director Maze stated that the city is currently working on multiple grants. Once the grants are completed, we will work on rewriting code sections (Title 17 & 18 of the TMC).

Architectural review committee is working on writing guidelines for that specific code section. Will report to the planning commission with their findings for guidelines when finished.

**VIII. Adjournment at 7:45 PM**

Respectfully submitted by:



---

Kristen Maze, Community Development Director

Attest:

---

Joi Riley, Planning Commission Chair

Note: These Minutes and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website ([www.cityoftalent.org](http://www.cityoftalent.org)) in advance of each meeting. The Minutes are not a verbatim record: the narrative has been condensed and paraphrased to reflect the discussions and decisions made.

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



**PLANNING COMMISSION  
REGULAR MEETING MINUTES  
February 27, 2024**

*Study Session and Regular Commission meetings are digitally recorded and will be available on the City Website: [www.cityoftalent.org](http://www.cityoftalent.org)*

**REGULAR MEETING – 6:36 PM**

*Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the Minute Taker. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the “Citizens Heard on Non-agenda Items” section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the Planning Commission.*

**I. Call to Order/Roll Call at 6:36 PM**

<b>Members Present:</b>	<b>Members Absent:</b>
Chair Riley Vice Chair Shapiro Commissioner Davis Commissioner Hazel Commissioner D’Amato Commissioner Volkart	
<b>Also Present:</b>	
Kristen Maze, Community Development Director (CDD) Nick Schubert, Community Development Planner	

**II. Brief Announcements by staff** –Goal setting session on Saturday (2/24) went over last year’s goals and added a few. One of the goals is the railroad district feasibility study. Putting together an advisory committee asking that two planning commissioners be on this committee.

Buildable lands inventory draft is ready-will be setting up a stakeholder meeting then an open house along with a planning commission meeting.

Current planning projects-still working on the multi-housing site plan review at 220 Suncrest Rd. Kick-off of CFEC and Bear Creek Greenway Grants. Director Maze asked to be on the CFEC model code committee. The Mass Timber code will be updated as well (for modular housing) they have asked that they review our code, to add modular housing in addition to manufactured housing to the code.

**III. Consideration of Minutes –None.**

**IV. Public Comment on Non-Agenda Items – None.**

**V. Public Hearings Remand from City Council** CPA 2023-001 and REZ 2023-001 for consideration of a comprehensive plan amendment and zone change from commercial to residential.

No conflicts of interest from planning commissioners.

Applicant’s representative provided the commission with a PowerPoint presentation.

Motion (54:20) Commissioner Volkart 'I move to deny CPA 2023-001 and REZ 2023-001, a request to change the comprehensive map designation and zoning map designation on Tax lot 1903'  
Vice Chair Shapiro seconded the motion.

Commissioner Volkart spoke to his motion, stating that he found that the applicant has failed to demonstrate that talent does not have an adequate supply of residential options.

This information at length is listed in Commissioner Volkart's findings, of which are attached to these minutes as supplementary (draft findings REZ/CPA 2023-001).

Following the Alameda Fire the city of Talent has built back its residential more densely and has accommodated more residential development through Title 18 zone code revisions. As demonstrated in last public hearing applicant did not realize build potential under mixed use that is allowed. Mixed use is a needed, viable housing option.

Applicant has failed to demonstrate that the current zoning status of the parcel is inconsistent with the comprehensive plan or that the allowed residential buildability within the zone is insufficient. The talent comprehensive plan addresses the needs of Talent and was based on long term planning objectives to address the future needs of the community. Talent needs commercial zones with mixed use opportunities and that is available to the applicant in the CH zone. A comprehensive analysis is preferable to individual parcel rezoning, a process that does not allow for citywide comprehensive analysis. The ability to build residences is already available within the zone, a potential solution while keeping the zone itself. The applicant failed to address the protection of the wetland on site, no setback was on conceptual site plan as well.

Commissioner Hazel shared her remarks on the project that they have to abide by state law in regards to setback from the wetland. The applicant had addressed setbacks and making the wetland area a part of a park, dedicating land to the city as park land. It will remain parkland as shown in comprehensive plan. Commissioner Hazel also discussed her opinion that it would be a good option to re-zone, as it is not directly off Valley View but tucked back inside and between the MH park and abutting other homes. If zone was changed it would be a nice transition backing up into commercial businesses while taking advantage of being in a residential area and adjacent to the creek and that the city of Talent does need more housing. Connectivity and walkability would also be potentially improved with connective trails that would help decrease the need to drive between residential and commercial areas of the city, Goal 14.

Commissioner D'Amato discussed that the current comprehensive plan clearly states that we have too much commercial and need more residential. She stated that the project made really good use of the property without taking anything away. Based on our current housing plan adding townhouses there would be beneficial to Talent and its residents-the project is justified based on that.

Commissioner Shapiro shared her concerns on further changes to the already mitigated wetland.

Motion (1:13:00) Chair Riley motions a roll-call vote:

Ayes-Chair Riley, Vice Chair Shapiro, Commissioner Davis, Commissioner Volkart  
No-Commissioner Hazel, Commissioner D'Amato.

Director Maze asked the question to the commission to use commissioner Volkart's findings for denial. Yes-will have to come back and approve findings.

## **VI. Propositions and Remarks from the Commission**

Proposition of Senate Bill 8, Senate Bill 2001 discussion at a future study session.

**VII. Adjournment at 7:38 PM**

Respectfully submitted by:

A handwritten signature in blue ink, appearing to read "Kristen Maze", with a long horizontal flourish extending to the right.

---

Kristen Maze, Community Development Director

Attest:

---

Joi Riley, Planning Commission Chair

Note: These Minutes and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are posted on the City of Talent website ([www.cityoftalent.org](http://www.cityoftalent.org)) in advance of each meeting. The Minutes are not a verbatim record: the narrative has been condensed and paraphrased to reflect the discussions and decisions made.

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

#### Goal 1 – Citizen Involvement / Element A

The Planning Commission finds that the public was notified of the public hearings through direct mailings, publication in the Grants Pass Daily Courier, and notification on the subject property, as well as, postings via the City of Talent website.

The Planning Commission finds that during the public hearings, evidence was presented, and the public was given an opportunity to comment. The Planning Commission finds that the applicant’s proposal demonstrates compliance with Goal 1 / Element A.

#### Goal 2 – Land Use Planning

The Planning Commission finds that this application was initially appropriately conducted under type IV Legislative land use procedure as required by TMC 18.190.020 and the subsequent use of type III Quasi-judicial procedure is inconsistent with Talent Municipal Code.

The Planning Commission finds that the applicant participated in a pre-application meeting on March 16, 2023, as evidenced in the record and on the legislative land use application. *The Commission needs to be provided a copy of the Type III pre-application conference (dated September 26, 2023) in order to affirm a second pre-application conference following the original. Additionally, that is where additional criteria should be provided so that the PC may affirm that as well. Please note that none of the information from REZ/CPA 2023-001 is provided on the City website.*

The Planning Commission finds that the applicant failed to demonstrate a public need or justification for the change given existing residential build opportunities already provided for in the CH zone that permits needed housing, either mixed-use or affordable, as allowed by Talent zoning code and Oregon state law (Senate Bill 8) respectively.

The Planning Commission finds that the applicant failed to demonstrate, through special studies or other information, that partitioning off a piece of their property and deeming it unfit for commercial use should rise to the level of a minor change, the associated public need and justification for a minor change, and the strict limitations on the application of the minor changes, as provided under Goal 2.

#### Goal 5 – Environment *(not included as criteria in the original March 16, 2023 pre-application conference)*

The Planning Commission finds that while the applicant acknowledged TMC 18.85.030, the “Safe harbor protection of wetland and riparian areas” provision of the Talent Zoning Code and its application to Wagner Creek, the applicant failed to acknowledge the presence of a deed-restricted, compensatory, mitigated wetland on site that is subject to safe harbor protection. The failure to consider the water resources of the planning area is a guideline for Goal 5.

#### Goal 9 – Economic Development / Element E - Economy

#### Goal 10 – Housing / Element G

The Planning Commission finds that the applicant failed to demonstrate that the existing allowance for mixed-use (residential and commercial) residential units in the current Commercial Highway zone (CH) is inadequate, choosing to forgo calculations of residential



densities currently allowed that would increase the dwelling unit targets under the Housing Needs Analysis.

The Planning Commission finds that the applicant failed to demonstrate that their ability to develop entirely residential housing units on site with potential allowable increased density, as provided by Oregon Senate Bill 8, is inadequate, choosing to forgo calculations of residential densities currently allowed that would increase the dwelling unit targets under the Housing Needs Analysis.

Goal 11 / Public Facilities and Services / Element F *(not included as criteria in the original March 16, 2023 pre-application conference)*

The Planning Commission finds that while the applicant's proposal can be made to comply with Goal 11 / Element F, the applicant failed to acknowledge in their application, the presence of, and in the public hearing, the significance of, a deed-restricted, mitigated, compensatory wetland on site, offering a conceptual site plan with parking and housing over the Safe Harbor Zone for the wetland. The applicant also failed to note the presence of City hydrologic/stormwater infrastructure with overflow drainage from the wetland to Wagner Creek.

The Planning Commission finds that while the applicant provided a site development plan that was conceptual, the applicant failed to acknowledge the presence of the wetland in their application and thus, Safe harbor protection setbacks (18.85.030) for that wetland.

The Planning Commission finds that the applicant failed to acknowledge, the presence of hydrologic/stormwater infrastructure, and thus, the impacts to conveyance of water to Bear Creek, within the Talent Stormwater Master Plan, considered an urban service and public plan under Goal 11.

Despite gaining knowledge of the wetland on their property, the applicant failed to demonstrate any adjustment to safe harbor protections, density calculations, or floodway and buildable land calculations within their application.

The Planning Commission finds that the application failed to demonstrate compliance with Public Facilities and Services, Goal 11 / Element F.

Goal 12 – Transportation / Element D

The Planning Commission finds that the applicant's proposal demonstrates compliance with Transportation, Goal 12 / Element D

Element B – Parks and Recreation

Element C – Natural Hazards *(not included as criteria in the original March 16, 2023 pre-application conference)*

Element H – Regional Plan *(not included as criteria in the original March 16, 2023 pre-application conference)*

The Planning Commission finds that the applicant failed to analyze the allowable residential units under existing zoning and Oregon Senate Bill 8, thus failing to demonstrate that they

could not meet or exceed target densities under the Regional Plan.

## Chapter 18.97

# CLUSTER HOUSING

Sections:

- 18.97.010**    **General provisions.**
- 18.97.020**    **Permits – Eligibility and Application.**
- 18.97.030**    **Development standards.**

### **18.97.010**    **General provisions.**

A. *Purpose and Intent.* It is the policy of the city of Talent to provide for cluster housing that allows more flexible development as an alternative to traditional housing types. Cluster housing is intended:

1. To provide a variety of housing types that respond to changing household sizes and ages, including but not limited to retirees, small families, and single-person households.
2. To encourage creation of more usable open space for residents of the development through flexibility in density and lot standards.
3. To ensure that the overall size and visual impact of the cluster development be comparable to standard residential development, by balancing bulk and mass of individual residential units with allowed intensity of units.
4. To provide centrally located and functional common open space that fosters a sense of community and a sense of openness in cluster housing developments.
5. To ensure minimal visual impact from vehicular use and storage areas for residents of the cluster housing development as well as adjacent properties. [Ord. 966 § 3 (Exh. C), 2021.]

### **18.97.020**    **Permits – Eligibility and Application.**

A. *Authorization for Cluster Housing by Zoning District.* Cluster housing is permitted in residential districts as permitted by individual zoning districts.

B. *Approval Process.*

1. Cluster housing shall be reviewed as a Type II site plan review consistent with Chapter [18.150](#) TMC and TMC [18.190.040](#).

2. If the cluster housing development includes dwellings on individual lots to be created through land division, the site plan review and tentative plan may be reviewed concurrently, with the condition of approval that the site plan review approval shall only become effective after the final plat is recorded.

3. Notwithstanding the time limitations of TMC [18.150.070\(C\)](#), a cluster housing project without land division may be approved as phased development, but in no case shall the actual time construction period (i.e., for required public improvements, utilities, streets) for any single phase be greater than three years without reapplying for site plan approval. A cluster housing project approved with a land division may apply for phased development consistent with TMC [17.15.010\(G\)](#).

C. *Systems Development Charges.* For the purposes of calculating systems development charges (SDCs), cluster dwellings shall be regarded as apartments and all SDCs shall be assessed accordingly, except the following modifications will be factored into the calculations:

1. Rogue Valley Sewer Services or its successor shall determine SDCs for sanitary sewer. [Ord. 966 § 3 (Exh. C), 2021.]

### **18.97.030 Development standards.**

A. *Applicability.* Where there is a conflict between these standards and standards elsewhere in the code, the cluster housing standards shall apply.

B. *Permitted Housing Types.*

1. Residential low density district: Units may be single-family detached or duplexes.

2. Residential medium density district: Units may be single-family detached, duplexes, or up to four units attached.

3. Residential high density district: Units may be single-family detached, duplexes or up to 12 units attached.

C. *Dimensional Standards.*

1. Maximum average gross floor area: 1,200 square feet per dwelling unit.

2. Maximum height for dwellings: 25 feet or two stories, whichever is less.

3. Units per cluster: There may be three to 12 units per cluster with no limit on the number of clusters per development.

4. *Minimum Lot Size.*

	<b>Minimum lot size for cluster development on a single lot</b>	<b>Minimum lot size for development with individual lots</b>
RLD	15,000 square feet	2,000 square feet
RMD	10,000 square feet	1,500 square feet
RHD	8,000 square feet	1,500 square feet

5. Minimum lot dimensions: Minimum lot width for individual lots shall be 20 feet, with a minimum lot depth of 50 feet.
6. Minimum setbacks from site perimeter: Same as the base zone.
7. Minimum setbacks for single-family and duplex dwellings on individual lots within a cluster housing development:

	<b>Setback</b>
Front	10 ft.
Porch or stairs	5 ft.
Side	3 ft.
Rear	5 ft.

8. Maximum building coverage: Same as the base zone.
9. Minimum distance separating dwelling units (excluding attached dwellings and accessory structures): six feet.

D. *Density.*

1. For developments in the RLD district: The minimum density shall be met as established in TMC [18.25.065\(A\)](#). The maximum density shall be 21.6 units per acre.
2. For developments in the RMD district: The minimum density shall be met as established in TMC [18.30.065\(A\)](#). The maximum density shall be 29 units per acre.
3. For developments in the RHD district: The minimum density shall be met as established in TMC [18.40.065\(A\)](#). No maximum density standard applies.
4. For purposes of this section, density may be calculated based on the total development site acreage, after subtracting undevelopable land. No percentage reduction for infrastructure is required.

E. *Open Space.* Cluster housing developments shall provide and maintain at least one common open space per cluster for the use of all occupants. The open space shall have the following characteristics:

1. Located on land with less than a five percent slope.
2. Cleared sufficiently of trees, brush and obstructions so that recreational use is possible.
3. Not used for temporary or regular parking of automobiles or other vehicles.
4. Includes at least 150 square feet of area for each dwelling unit.
5. Provides at least 50 percent of open space in the form of a single compact, contiguous, central open space that:
  - a. Has a minimum dimension of 20 feet.
  - b. Abuts at least 50 percent of the dwellings in a cluster housing development.
  - c. Has dwellings abutting on at least two sides.
6. The common open space shall be developed with a mix of landscaping and lawn area, recreational amenities, hard-surfaced pedestrian paths, or a community building built for the sole use of the cluster housing residents. Impervious elements of the common open space, excluding community buildings, shall not exceed 30 percent of the total open space.
  - a. Shared nonrecreational facilities such as shared laundry or storage facilities shall not count towards the open space requirement.
7. If private open space is provided for dwelling units, it shall be adjacent to each dwelling unit. Private open space may include landscaping, porches and decks. The minimum dimension for private open spaces shall be 10 feet, except that porches shall have a minimum dimension of five feet.

F. *Siding and Roofing Requirements.* Cluster dwellings shall comply with siding and roofing standards in TMC [18.95.040](#).

G. *Existing Dwelling Unit On-Site.* One existing single-family dwelling incorporated into a cluster housing development that does not meet the requirements of this chapter is permitted to remain on a site developed for cluster housing and shall be considered a dwelling in the development. The existing single-family dwelling unit shall not be part of the average gross floor area calculations. [Ord. 966 § 3 (Exh. C), 2021.]

**The Talent Municipal Code is current through Ordinance 968, passed April 7, 2021.**

Disclaimer: The city recorder's office has the official version of the Talent Municipal Code. Users should contact the city recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.cityoftalent.org](http://www.cityoftalent.org)

[City Telephone: \(541\) 535-1566](tel:(541)535-1566)

[Hosted by Code Publishing Company, A General Code Company.](#)

To: Planning Commissioners  
From: Joi Riley  
Re: Chapter 18.97

The Cluster Housing ordinance came to be during a chaotic time when we didn't have the luxury of an in-depth review.

My hopeful intention when requesting this review was for us to ensure that it's an infill tool that benefits people who need housing, while maintaining the workability of our city. By workability I mean, does it support the realities of transportation, safety, and 8-1 of The Comprehensive Plan, Clean Energy Action Plan 2018-2030, including but not limited to, solar access?

Also, will this new (to Talent) development type be accepted within the surrounding neighborhoods without undue uproar.

The questions I propose we ask ourselves during this review are:

Does Chapter 18.97 objectively answer all pertinent questions about

- Dimensions
- Access
- Safety
- Economic safeguards
- Impacts to adjoining properties
- 
- 

There are acres of properties like mine south of Creel. Long, skinny and nearly blocked from roads by one house. This is the area that could most benefit from what we originally called, "Cottage Cluster" housing and the "Missing Middle" housing that's back in vogue.

My fear is that omissions in the current ordinance create a tool for developers much like the Planned Unit Development ordinance we used to have. Due to it's vague language, the planning commission had no objective criteria for appeal safe decisions. That's why the City Council removed it.

Hopefully it is possible to have flexibility for creative solutions to odd lots and still build for humans to thrive.



C. Dimensional Standards.

1. Maximum average gross floor area: **1,200 square feet per dwelling unit.**
2. Maximum height for dwellings: **25 feet or two stories, whichever is less.** (Why is this less than underlying zone?)
3. Units per cluster: There may be **three to 12 units per cluster with no limit on the number of clusters per development.**
4. Minimum Lot Size.

Minimum lot size for cluster development on a single lot  
15,000 square feet

Minimum lot size for development with individual lots  
2,000 square feet

5. Minimum lot dimensions: Minimum lot width for individual lots shall be 20 feet, with a minimum lot depth of 50 feet.
6. Minimum setbacks from site perimeter: Same as the base zone.
7. Minimum setbacks for single-family and duplex dwellings on individual lots within a cluster housing development:

Setbacks	
Front	10 ft.
Porch or stairs	5 ft.
Side	3 ft.
Rear	5 ft.

8. Maximum building coverage: Same as the base zone . LDR -**50% = 11543.4 sq.ft** (plus required open space?)
9. Minimum distance separating dwelling units (excluding attached dwellings and accessory structures): **6 feet.**

D. Density.

1. For developments in the RLD district: The minimum density shall be met as established in TMC [18.25.065\(A\)](#). The maximum density shall be **21.6 units per acre. .53A = 23,086.8 = 11.448 units.**
4. For purposes of this section, density may be calculated based on the total development site acreage, after subtracting undevelopable land. No percentage reduction for infrastructure (**parking?**) is required. Yes, parking.

E. Open Space. Cluster housing developments shall provide and maintain at least one common open space per cluster for the use of all occupants.

The open space shall have the following characteristics:

1. Located on land with less than a five percent slope.
2. Cleared sufficiently of trees, brush and obstructions so that recreational use is possible.
3. Not used for temporary or regular parking of automobiles or other vehicles.
4. **Includes at least 150 square feet of area for each dwelling unit. = 1717.2 sq ft**
5. Provides at least 50 percent of open space in the form of a single compact, contiguous, central open space that:
  - a. Has a minimum dimension of 20 feet.
  - b. Abuts at least 50 percent of the dwellings in a cluster housing development.
  - c. Has dwellings abutting on at least two sides.
6. The common open space shall be developed with a mix of landscaping and lawn area, recreational amenities, hard-surfaced pedestrian paths, or a community building built for the sole use of the cluster housing residents. Impervious elements of the common open space, excluding community buildings, shall not exceed 30 percent of the total open space. Shared nonrecreational facilities such as shared laundry or storage facilities shall not count towards the open space requirement.
7. If private open space is provided for dwelling units, it shall be adjacent to each dwelling unit. Private open space may include landscaping, porches and decks. The minimum dimension for private open spaces shall be 10 feet, except that porches shall have a minimum dimension of five feet.

F. Siding and Roofing Requirements. Cluster dwellings shall comply with siding and roofing standards in TMC [18.95.040](#).

G. Existing Dwelling Unit On-Site. One existing single-family dwelling incorporated into a cluster housing development that does not meet the requirements of this chapter is permitted to remain on a site developed for cluster housing and shall be considered a dwelling in the development.

The existing single-family dwelling unit shall not be part of the average gross floor area calculations. **(Is it subtracted from developable square feed?)** [Ord. 966 § 3 (Exh. C), 2021.]



1 **Chapter 18.97 CLUSTER HOUSING**

2 18.97.010 General provisions.

3 A. Purpose and Intent. It is the policy of the city of Talent to provide for cluster housing that  
 4 allows more flexible development as an alternative to traditional housing types. Cluster  
 5 housing is intended:

- 6 1. To provide a variety of housing types that respond to changing household sizes  
 7 and ages, including but not limited to retirees, small families, and single-person  
 8 households.
- 9 2. To encourage creation of more usable open space for residents of the  
 10 development through flexibility in density and lot standards.
- 11 3. To ensure that the overall size and visual impact of the cluster development be  
 12 comparable to standard residential development, by balancing bulk and mass of  
 13 individual residential units with allowed intensity of units.
- 14 4. To provide centrally located and functional common open space that fosters a  
 15 sense of community and a sense of openness in cluster housing developments.
- 16 5. To ensure minimal visual impact from vehicular use and storage areas for  
 17 residents of the cluster housing development as well as adjacent properties. [Ord.  
 18 966 § 3 (Exh. C), 2021.]

19 18.97.020 Permits – Eligibility and Application.

20 A. Authorization for Cluster Housing by Zoning District. Cluster housing is permitted in  
 21 residential districts as permitted by individual zoning districts.

22 B. Approval Process.

- 23 1. Cluster housing shall be reviewed as a Type II site plan review consistent with  
 24 Chapter 18.150 TMC and TMC 18.190.040.
- 25 2. If the cluster housing development includes dwellings on individual lots to be  
 26 created through land division, the site plan review and tentative plan may be  
 27 reviewed concurrently, with the condition of approval that the site plan review  
 28 approval shall only become effective after the final plat is recorded.

**Commented [1]:** Literal impact from vehicles seems more important. Visual impact is subjectively aesthetic. Storage is vague.

3. Notwithstanding the time limitations of TMC 18.150.070(C), a cluster housing project without land division may be approved as phased development, but in no case shall the actual time construction period (i.e., for required public improvements, utilities, streets) for any single phase be greater than three years without reapplying for site plan approval. A cluster housing project approved with a land division may apply for phased development consistent with TMC 17.15.010(G).

C. Systems Development Charges. For the purposes of calculating systems development charges (SDCs), cluster dwellings shall be regarded as **apartments** and all SDCs shall be assessed accordingly, except the following modifications will be factored into the calculations:

**Commented [2]:** Future impacts of development are no less for these sgl fam units. ADUs are charged by sq. ft. at sgl fam rate

1. Rogue Valley Sewer Services or its successor shall determine SDCs for sanitary sewer. [Ord. 966 § 3 (Exh. C), 2021.]

18.97.030 Development standards.

A. Applicability. Where there is a conflict between these standards and standards elsewhere in the code, the cluster housing standards shall apply.

**Commented [3]:** A. Applicability. I think the underlying zone should be the baseline requirement. And if we're paying attention there should not be a conflict.

B. Permitted Housing Types.

**Commented [4]:** B. Do the different rates between zones support missing middle housing in all zones?

1. Residential low density district: Units may be single-family detached or duplexes.
2. Residential medium density district: Units may be single-family detached, duplexes, or up to four units attached.
3. Residential high density district: Units may be single-family detached, duplexes or up to 12 units attached.

C. Dimensional Standards.

1. Maximum **average** gross floor area: 1,200 square feet per dwelling unit.
2. Maximum height for dwellings: 25 feet or two stories, whichever is less.
3. Units per cluster: There may be three to 12 units per cluster with no limit on the number of clusters per development.
4. Minimum Lot Size.

**Commented [5]:** Average? A minimum square footage would prevent unforeseen consequences.

	Minimum lot size for cluster development on a single lot	Minimum lot size for development with individual lots
RLD	15,000 square feet	2,000 square feet
RMD	10,000 square feet	1,500 square feet
RHD	8,000 square feet	1,500 square feet

**Commented [6]:** If it's not a whole number is there rounding up or down? If so, or if not, should be stated.

5. Minimum lot dimensions: Minimum lot width for individual lots shall be 20 feet, with a minimum lot depth of 50 feet.

**Commented [7]:** 20x50 is 1000 sq. ft. less than the standard in any zone.

6. Minimum setbacks from site perimeter: Same as the base zone.

**Commented [8]:** Add Setbacks table.

7. Minimum setbacks for single-family and duplex dwellings on individual lots within a cluster housing development:

**Setback**

**Commented [9]:** What if porch or stairs are on the side? Would the setbacks be added? If a porch is covered is it part of the house?

Front	10 ft.
Porch or stairs	5 ft.
Side	3 ft.
Rear	5 ft.

8. Maximum building coverage: Same as the base zone.<sup>1</sup>

9. Minimum distance separating dwelling units (excluding attached dwellings and accessory structures): six feet.

D. Density.

1. For developments in the RLD district: The minimum density shall be met as established in TMC 18.25.065(A). The maximum density shall be 21.6 units per acre.

2. For developments in the RMD district: The minimum density shall be met as established in TMC 18.30.065(A). The maximum density shall be 29 units per acre.

3. For developments in the RHD district: The minimum density shall be met as established in TMC 18.40.065(A). No maximum density standard applies.

4. For purposes of this section, density may be calculated based on the total development site acreage, after subtracting undevelopable land. No percentage reduction for infrastructure is required.<sup>2</sup>

E. Open Space. Cluster housing developments shall provide and maintain at least one common open space per cluster for the use of all occupants.

The open space shall have the following characteristics:

1. Located on land with less than a five percent slope.

2. Cleared sufficiently of trees, brush and obstructions so that recreational use is possible.

3. Not used for temporary or regular parking of automobiles or other vehicles.

4. Includes at least 150 square feet of area for each dwelling unit.

5. Provides at least 50 percent of open space in the form of a single compact, contiguous, central open space that:

a. Has a minimum dimension of 20 feet.

b. Abuts at least 50 percent of the dwellings in a cluster housing development.

c. Has dwellings abutting on at least two sides.

6. The common open space shall be developed with a mix of landscaping and lawn area, recreational amenities, hard-surfaced pedestrian paths, or a community building built for the sole use of the cluster housing residents. Impervious elements

Commented [10]: Max coverage table

Commented [11]: Six feet is arbitrary and sub standard to setback for 2-story units, which is 16 feet apart.

Commented [12]: Table for densities. Are these the same as underlying zone?

Commented [13]: Is footprint of existing structure deducted in density calculation?

Commented [14]: No infrastructure even if units on separate lots?

Commented [15]: Remove trees? Grass is a water sucking monoculture.

Commented [16]: All units could Cluster around shared space for "sense of community"

Commented [17]: compact? What happened to "openness"?

<sup>1</sup> RLD 50 percent. RMD 60 percent. RHD 75 percent

<sup>2</sup> 1. *Net Acre*. For the purposes of this section, a net acre is the total development acreage net of undevelopable lands (as defined in Chapter 18.15 TMC) and a 24 percent reduction allowing for infrastructure. Development projects less than one and one-half acres in size do not need to subtract infrastructure allowance. Development proposals one and one-half acres or larger may not exempt one and one-half acres from calculating infrastructure allowance.

90 **of the common open space, excluding community buildings, shall not exceed 30**  
91 **percent of the total open space.**

92 a. Shared non recreational facilities such as shared laundry or storage  
93 facilities shall not count towards the open space requirement.

94 7. If private open space is provided for dwelling units, it shall be adjacent to each  
95 dwelling unit. Private open space may include landscaping, porches and decks. The  
96 minimum dimension for private open spaces shall be 10 feet, except that porches  
97 shall have a minimum dimension of five feet.

98 F. Siding and Roofing Requirements. Cluster dwellings shall comply with siding and roofing  
99 standards in TMC 18.95.040.

100 G. Existing Dwelling Unit On-Site. One existing single-family dwelling incorporated into a  
101 cluster housing development that does not meet the requirements of this chapter is permitted to  
102 remain on a site developed for cluster housing and shall be considered a dwelling in the  
103 development. The existing single-family dwelling unit shall not be part of the average gross floor  
104 area calculations. [Ord. 966 § 3 (Exh. C), 2021.]

105 **Parking and access to street are requirements of 2nd ADUs and Flag lots.**  
106 **Homeowner Association/maintenance for commonly held property and**  
107 **street address requirements are also standards that protect residents.**  
108

Commented [18]: uh huh

Commented [19]: ya think?

World record for run-on sentence stating the obvious aside - need language about incorporating existing unit(s) into cluster. Otherwise it's always going to be a Master in the big house socio-economic relationship. The pre war style of development termed "missing middle" is idolized now because of its inclusiveness.