



**PLANNING COMMISSION
REGULAR MEETING AGENDA**

- HELD in PERSON-

Talent Community Center

July 23, 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) 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
 - c. April 9, 2024 Meeting Minutes
 - d. May 28, 2024 Meeting Minutes
- 4. Public Comment on Non-Agenda Items**
- 5. Chapter 17 & 18 Code Revision Updates-Potential Committees, Ad-Hoc/TAC**
- 6. Discussion on Street Trees**
- 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

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

Members Present:	Members Absent:
Chair Volkart Vice Chair D’Amato Commissioner Davis Commissioner Hazel Commissioner Shapiro Commissioner Riley	
Also Present:	
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. Commission 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 13th at 6:00 pm for a study session.

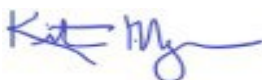
Commissioner Volkart-regarding architectural review wants to ask staff, to get meeting notes on website in order to track it. Staff let the commission know we can update the website and post the agenda for architectural review as time allows.

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

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**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

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

Members Present:	Members Absent:
Chair Riley Vice Chair Shapiro Commissioner Davis Commissioner Hazel Commissioner D’Amato Commissioner Volkart	
Also Present:	
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, is 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

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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.



**PLANNING COMMISSION
REGULAR MEETING MINUTES
April 9, 2024**

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REGULAR MEETING – 6:30 PM

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I. Call to Order/Roll Call at 6:30 PM

Members Present:	Members Absent:
Chair Riley Vice Chair Shapiro Commissioner Davis Commissioner Hazel Commissioner D’Amato Commissioner Volkart	
Also Present:	
Nick Schubert, Community Development Planner Dave Lohman, City Attorney	

II. Brief Announcements by staff –None.

III. Consideration of Minutes -PC Minutes for January 23,2024, February 13, 2024, and February 27, 2024, for approval. Commissioner Volkart would prefer to add his findings to the February 27, 2024 Minutes.

Motion (6:34): Commissioner Volkart moves to approve the February 13, 2024, study session meeting minutes as is. Commissioner D’Amato seconds the motion. All ayes. Motion carries.

Motion (6:35): Commissioner Volkart moves to take up January 23rd and February 27th minutes and reschedule for discussion at next meeting. Commissioner Davis seconds. All ayes. Motion carries.

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

V. Planning Commissioner Interviews-Commissioners interviewed Russell Hodgdon & Jason Clark; both presented their cases for planning commissioner.

Motion (7:10): Commissioner Volkart: “I move to recommend appointment of Jason Clark to vacant planning commissioner seat” Four ayes, two nos. Motion carries for approval recommendation from planning commission. Final decision is up to the city council & mayor.

Recess (7:12-7:16)

VI. Adopt Findings of Denial;

- a. CPA 2023-001 for a denial of a comprehensive plan amendment from commercial to residential
- b. REZ 2023-001 for a denial of zone change from commercial to residential.

City Attorney Dave Lohman presented the updated findings for denial.

Planning Commission and City Attorney agreed to use updated findings with revisions using the city attorneys' findings with added findings from commissioner Volkart.

Motion (8:45): Commissioner Davis: "I move to approve draft findings provided by the city attorney as amended for CPA 2023-001 & REZ 2023-001' Vice-Chair Shapiro seconds the motion. Four ayes, two nos. Motion carries.

VII. Propositions and Remarks from the Commission

Commissioner Hazel remarked that the reason she voted no was because she still did not agree with the initial decision findings. No further propositions or remarks.

VIII. Adjournment at 8:48 PM

Respectfully submitted by:



Nick Schubert, Community Development Planner

Attest:

Joi Riley, Planning Commission Chair

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**PLANNING COMMISSION
REGULAR MEETING MINUTES
May 28, 2024**

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REGULAR MEETING – 6:30 PM

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I. Call to Order/Roll Call at 6:41 PM

Members Present:	Members Absent:
Chair Riley Vice Chair Shapiro Commissioner Clark	Commissioner Davis Commissioner Hazel Commissioner D’Amato Commissioner Volkart
Also Present:	
Nick Schubert, Community Development Planner Dave Pastizzo, Ex-Officio	

II. Chair Riley opened and closed due to lack of quorum.

III. Adjournment at 6:42 PM

Respectfully submitted by:

Nick Schubert, Community Development Planner

Attest:

Joi Riley, Planning Commission Chair

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Title 17 and Title 18 Updates Process-Per City Manager

Included in the scope of work for the Community Development Department are updates to both Title 17 and 18 of the Talent Municipal Code. Title 17 deals with subdivisions and Title 18 deals with land use and development, including development standards, trees, signs, parking, annexation, Urban Growth Boundary and administrative procedures. The “due date” for completion of this work is listed as January 2025 in the CDD work plan that was developed prior to the departure of the Community Development Director. No funding has been allocated to retain consulting services for this work.

There are several other work products in progress that would impact updates to these codes, and the Talent “Urban Forestry Committee has requested an update to the City “tree ordinance” which is incorporated into several different sections of the Code.

The City Manager is proposing a modified in-house approach to reviewing/updating Title 17 and 18 rather than hiring a consultant. This proposal is to form a Title 17/18 update team consisting of the following individuals:

1. Shandell Clark, (RVCOG planner already under contract with the City) who would be the project lead
2. Nick Schubert, City Planner
3. Gaoying Vigoa, City Engineer
4. One member of the Planning Commission
5. One member of the City Council

We would bring in other “experts” as needed such as:

- RVCOG Transportation Planning and Natural Resources staff.
- Rogue Valley Sanitation District staff.
- TARC members.
- Land Use Attorney.
- Consultants who have worked on MASS housing, Railroad District and other related studies.
- County Building Official.
- District 5 Fire Chief.
- Arborist.
- City Manager...primarily utilizing his experience in code enforcement.

This approach was successfully utilized in Brookings. It took a little over a year to walk through the code section-by-section. The committee met every-other week for 90 minutes. The City Manager has discussed this approach with the City staff and Shandell Clark, and they are ready to proceed.

Discussion and direction to staff on the above proposal-after some discussion in last month's joint planning commission/city council meeting there were still questions remaining as to what type of committee would be needed exactly moving forward, whether it be a subcommittee, Ad-Hoc Committee, or Technical Advisory Committee with it leaning towards the latter two options.