URBAN AREA PLANNING COMMISSION
Meeting Minutes – February 9, 2022, at 6:00 p.m.
Council Chambers

COMMISSIONERS:
Eric Heesacker (Chair)
Mark Collier (Vice Chair)
Loree Arthur
Jennifer Aviles
Susan Tokarz-Krauss
L. Ward Nelson
Clint Scherf
Vacant

City/Staff/Council Liaisons:
Bradley Clark (Director)
Jason Maki (Associate Planner)
Ryan Nolan (Contract Principal Planner)
Gabby Sinagra (Assistant Planner)

Guests:
Amber Neeck – Housing & Neighborhood Specialist
Lauren Bishop - Remote

Lauren Bishop.

Is now joining.

Jennifer Aviles.

Is now exiting.

Susan and Jennifer, are you there?

Yes. Well, [inaudible 00:00:25].

I'm here.

Okay. All right. I think we're good, Chair.

1. Roll Call: Okay. I call this meeting to order February 9th Planning Commission Meeting. I'll call roll. Commissioner Collier?

Here.

I'm Eric Heesacker. I'm here. Commissioner Arthur?

Here.

Commissioner Nelson?

Present.

Commissioner Scherf?

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Here.

Commissioner Tokarz-Krauss?

Here.

Commissioner Aviles?

Here.

We have a quorum. We have a unanimous quorum. We like that.

2. **Introductions:** Any introduction, staff?

Well, we should probably introduce Amber Neeck. I don't think she's been to the Planning Commission yet. Amber is our housing and neighborhood specialist who has been with the community development department about four or five months. And so, you'll hear from her later in the agenda.

All right, welcome. We can't wait.

3. **Public Comment:** Okay, public comment. Anybody on the phone, member of the public want to make any comments about anything that is not on tonight's agenda?

We just have the two-

Really?

... commissioners. The others are invited, but not on there.

Oh, thank you very much.

4. **Approval of Minutes:** Okay. Item 4A approval of last meeting's minutes. Does anybody want to amend those minutes or make a motion to approve?

I'll motion to approve the meeting minutes of the last meeting.

Second.

Commissioner Collier makes a motion to approve the minutes. Commissioner Nelson seconds. All those in favor. Say aye.

Aye.

Anybody opposed? [inaudible 00:02:14]. Anybody abstaining?
Vice Chair Collier moved, and Commissioner Nelson seconded the motion to approve the minutes from the January 26, 2022, meeting. The vote resulted as follows: “AYES”: Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: None. The motion passed.

5. **Informational Items**: Okay. Informational items. Staff, anything in that regard?

   Nope, not tonight.

6. **Findings of Fact**:

   a. **201-00410-21 ~ Greenfield RV Park Major Site Plan Review.** Item 6A, findings of fact for the Greenfield RV Park, a major site plan review. Do we have any questions of staff about that? Anybody want to make a motion?

      I'll make a motion to approve project 201-00410-21. The Greenfield RV Park major site plan review.

      Nelson seconds.

      Commissioner Collier made a motion to approve the findings of fact, seconded by Commissioner Nelson. All those in favor. Say aye.

      Aye.

      Anybody opposed? Anybody abstaining? All right. Those findings of fact are passed.

   b. **101-00140-21/301-00144-21 ~ Pemberley Meadows Subdivision and Variance.** Item 6B, findings of fact for Pemberley Meadows subdivision and variance. Anybody want to make a motion?

      I've got it. On a roll. Project 101-00140-21/301-001442, on the Pemberley Meadows subdivision and variance. I move to approve the findings of fact. Nelson second.
Commissioner Collier made the motion to approve those findings of fact. Commissioner Nelson seconds. All those in favor, say aye.

Aye.

Anybody opposed? Anybody abstentions? All right. 604, we're rolling right through this.

MOTION/VOTE
Vice Chair Collier moved, and Commissioner Nelson seconded the motion to approve project 101-00140-21/301-00144-21, Pemberley Meadows Subdivision and Variance. The vote resulted as follows: “AYES”: Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: None. The motion passed.

7. Public Hearing:

a. 405-00127-21 ~ Comprehensive Plan Amendments to the Housing Element and Policies, Comprehensive Plan Text Amendment. Item 7A, public hearing, project 405-00127-21, comprehensive plan amendment.

Lauren Bishop.

Amendments to-

Is now exiting.

... to the housing element and policies comprehensive plan text amendment staff report. Go ahead, staff.

Hello? You guys are fast. All right. So, I have here the staff report and the documents for the comprehensive plan amendment to the housing element and policies. So, the goal today is to adopt the 2021 housing needs analysis and buildable land's inventory as an ancillary document to the Grants Pass comprehensive plan, as well as the text amendments that have been provided in your packet. This relates to the council goals under the housing element plan nine housing element index.

Would you like me to read that for you? Oh, okay. So, the housing needs analysis has already been approved, but a refresher on what that is, and that's on page 68 to 101 of your packet. So that was completed in May, of 2021. And that contains the housing needs projection for the next 20 years, the buildable land inventory, the land sufficiency analysis and the findings and recommendations from those.

Within the policies being proposed today, there are 22 policies that come from the housing needs analysis. You can see those on page 150 of the packet.
Those 22 policies are under four different subsections, their land availability, housing needs, housing affordability and homelessness and funding incentives.

So, part of the background for this, the passage of the Oregon Land Use Planning Act of 1974 established the Land Conservation and Development Commission and the Department of Land Conservation and Development, the act required the Commission to develop and adopt a set of statewide planning goals.

Goal 10 addresses housing in Oregon and provides guidelines for local governments to follow in developing their local comprehensive land use plans and implementing policies. The city completed the housing needs analysis and buildable land inventory with help from the project consultants, 3J Consulting, JET Planning, and the FCS group.

The Housing Advisory had formed a subcommittee of four members who held five meetings with the city's consultants between October, of 2020 and April, of 2021 to complete the housing needs analysis. There was also a survey asking for citizen input, addressing housing policy and code updates that was set up as an interactive tool on the city website, receiving 84 responses.

The criteria for approval for this and the text amendments are applicable planning goals and guidelines of the state of Oregon. And let me get the page for you on that, so that you can find in the staff report on page 65.

So, we have the applicable planning goals and guidelines of the state of Oregon. So, goal one and goal 10 are both under that. Citizen review and comment was satisfied. Review and comment from effective governmental units and other agencies was satisfied.

A demonstration that any additional need for basic urban services is adequately covered by adopted utility plans and service policies or a proposal for the requisite changes to said utility plans and service policies as a part of the requested comprehensive plan amendment. That was satisfied.

Let me see. Okay. Yeah, so that was satisfied. Additional information as required by the review body, that one was not applicable. We did not get any required information. And in lieu of item two above, demonstration that the plan was adopted in error was also not applicable.

So, our call to action today, the council needs to adopt the HNA by December 31st of 2022. So, our proposed recommendation to recommend approval to the city council of the proposed housing amendments to the comprehensive plan, either as submitted or with revisions recommended by the planning commission. Alternatives are to recommend that city council deny the request or postponement.
I do want to make one clarification. I think you said Amber, at the beginning that the housing needs analysis has been adopted or approved, I can't remember which word you used.

Approved. So, it's been reviewed and [crosstalk 00:09:16]-

It's been reviewed, right. But I mean, technically changes can be made. So, what Amber has not shown in her PowerPoint, but hit the real highlights, is that 30-page document that you have in your packets that has all the charts and tables. I mean that... Can you change it? Yes, I guess I just wanted to make clear that, I mean, the adoption process is what we're in the middle of.

So, has it been reviewed by you? Has it been reviewed by the council? Yes. Were there any significant concerns or changes at those times? No. However, and now, and we're in the formal adoption process, if there are any concerns or changes, and I'm thinking maybe not so much the housing needs analysis document itself, but the policies.

I mean, we have some pretty stringent guidance coming down from the state about the HNA itself. A lot more latitude when it comes to the policies which, I don't have the page number, Amber had it in there, but so those are local driven and will be what we compare in the future applications against.

And so, I guess I would just draw your attention particularly to that part of the document.

And you can find the policies on page 150 of your packet.

Any questions of staff?

I have a question.

Shoot.

So, the call to action is either to adopt by December 31st, to deny or to postpone. What happens if we miss that deadline?

Well, it's a good question. I guess we would have to look into what the enforcement mechanism is. I don't know exactly. We would have to look into that statute. First and foremost, we're going to get our hand slapped by DLCD. And they're going to call and say, "Hey, did you know you missed your deadline?" And they'll probably say, "You have X number of months to do it," but we certainly don't expect it'll take nine and a half more months to get this through our process.

Yeah. I think I vaguely remember there used to be a different deadline. I think it was June 2022. And it was something about if certain things weren't... If the amendments or if the code had not been updated, a model code would be
implemented. A model code that had already been drafted. Is that a part of this, or is that a part of a different, comprehensive plan amendment issue?

So, what you're referencing is actually the middle housing code update to the development codes, so that's a separate thing altogether.

Got it. Okay. Thank you so much.

For the record. That was Commissioner Aviles asking that question. Also, for the record, I need to back up a little bit. This is a public hearing. And I forgot I have all this mumbo-jumbo to read. So, I did open the public hearing at 6:04, and there's no public here in the chambers. Is anybody from the public out there online?

Since there is not, I'm just going to read this one thing. Are there any conflicts of interest from any of you commissioners, that would preclude you from participating in this hearing? Nobody's saying anything. So, I will dispense with the formalities for now. Commissioner Scherf.

I'm just asking a question. I'm not trying to ruffle feathers here, but if we had one of our members that was on the committee that made this document, should they be sitting on this committee?

Man, isn't that a good question? Director Clark, what do you think of that?

You know, as a legislative matter-

Since it is a public hearing.

... they're really not. Yeah, in quasi-judicial issues where you're talking site specific, that's definitely a concern, but on these kinds of legislative matters, it's really not.

And that was more of an educational question for myself because I [crosstalk 00:13:39] don't understand.

Okay.

And for me too, thanks. But we want to acknowledge and thank Loree for her participation prior to this.

Oh, absolutely. Yes, yes.

Good work, Loree.

Oh, good enough. Can I ask a question?

Please.

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Amber, on page 99, well there two pages, a little more of glossary that does not look at all familiar and has at least six items in it that we discussed at various times. And maybe I'm getting mixed up between the middle housing discussion and this. But I remember at least one online one with FCS where we talked a little bit about definitions and these do not reflect either what I think the state is asking for now or the LCDC, or what we agreed to.

And I don't know where these definitions came from. Or else it wasn't covered item by item. The items that I'm objecting to all have to do with definition of family, housing unit or dwelling unit, household multifamily, single family, and single family attached and detached.

And the key one is the definition of family, which we removed from our own code some time ago, I think, where it says, "A group of two or more people, one of whom is the householder related by birth, marriage or adoption and residing together." And it was very clear from direction from the state policy that any requirement for relationships for people to live together was not a requirement.

So, I can't tell you exactly where these definitions have been pulled from, but I can say that generally when we have the glossary, it's related to just this document. So, if this definition was struck from other documents, then that would hold true there, but these would just be applying to this document.

Well, I don't care what they're applying to, I disagree with every one of them, how they're worded.

Commissioner Nelson, you want to shed some light here?

I'm just questioning when the Census Bureau does its census, which is where a lot of this data comes from, they refer to households, which is defined in here as well as families. And I think that's why you see that in here is so it reflects what the Census Bureau is reporting. That's my evaluation.

Backing way up to the 1980s, the first case was decided in Michigan and Eaton township back in the mid '80s, said according in their finding of the state Supreme Court there was, that based upon the governing bodies like us operating under the Township Act of 1936 or whatever it was, any requirement had to be based upon health, safety and welfare of the populace.

And their finding was for some kind of religious household of six people, that it didn't make any difference on health, safety, and welfare, whether they were related or not. If you could show that you could only have 10 people per bathroom or nine people per bedroom or so much window air required or something that was a measurable relationship to health and safety.

But other than that, that you could not require any relationship type things. And then two or three years later, the Supreme Court of California did the same finding, but their basis was right to association, rights of association. And they ruled out all of these kinds of things on the same basis.
And finally, Oregon I thought, did that this last year, did they not?

I just pulled up the definition. The Census Bureau uses this language, this exact language.

This exact language.

So, I guess what I'm saying is, I think it's necessary to have it in there, while I understand your argument. Otherwise, you're going to have data going to be mixed up, sent to... What is it? The PALU or whatever you guys send it to, and having it not correlates with what's consistent with the census.

Not following that. I understand what you're saying, but I don't see...

What would be your motion or what would you like to do?

Well, I thought what we did in our own code was we reverted to referring to dwelling units, not family housing.

Yeah, that is correct. That is how the Grants Pass development code is worded. That is correct. It is the consultants, FCS Group, who prepared this HNA. I think as Commissioner Nelson stated, probably are defaulting to that for this document, given the guidance from the state of Oregon.

So, we may need to run this up the legal flagpole to see if there're any concerns. I mean, we wouldn't be able to answer tonight whether we can go. If you're proposing to go through the housing needs analysis and strike the word family in its entirety from the document, I think I would recommend the continuance so that we can check on the legal aspect of that.

No, I'm not happy accepting it as it is. And when you say they require this language, who's they?

Me?

Yeah.

Well, no, I'm saying the Census Bureau when they do their census-

Oh, the Census Bureau.

Yes.

Okay, well-

And that's where the data comes from for each community.
Yeah.

And not only the data, I'd be willing to bet that the consultant is given a list of things they have to do when they do the study. An adoption of the exact language of the Census Bureau's definition could be one of those things.

Each community has got-

Commissioner-

... to speak the same language.

... Tokarz-Krauss has their hand up.

I see that. Commissioner Tokarz-Krauss, go ahead.

The glossary is in reference to the definitions. Can you hear me?

Yes.

It's in reference to the definitions being used throughout the report. The definitions come from, it's somewhere in the beginning, I was trying to reread this again because it cites the Portland State University studies. Because, you have to have a common core when you're doing these statistical analysis.

And those referred to here have referred back to HUD, the Housing and Urban Development. Sorry, I'm pretty plugged up right now. And to Portland, the PSU information as well as census. So, I think they're not defining family other than defining what that one to four unit is that's being used in all the statistical analysis.

It shouldn't be a reference to code or anything. It's just simply in reference to this report and findings. And if that isn't how we're defining family, or how these references are defining family, then I don't know what your basis could possibly be.

You need some sort of a benchmark. And I think that's all that's stating. But then, it says early on in the report, I'm trying to locate.

Well, I hear what you're saying, but if you put it in your code like this, then you are saying that people who live in a single-family residence have to be related.

Mm-mmm (negative).

Yeah, because that's the definition.
No, no, no, no.

Well, read what it says.

Okay.

Read, household.

Well, household I'm not objecting to household.

Well, they just... so that would be a household if they were not related.

Well, but that's not consistent with the other statements. See even single family up there says, "Designed to be occupied by not more than one family."

Here, I'm looking on page 73 of this report under report organization. Commissioner Tokarz-Krauss, I think this is what you're talking about. Report organization item VI, glossary, list of key terms used in the housing needs analysis. Please refer to the glossary for a list of terms used in the housing needs analysis. If, that helps us at all here.

Is Jennifer on here still?

Yeah. I'm still here.

Do you recall that document and that discussion where the state was getting rid of the requirements for relationships? Not allowed to, though.

No. I don't remember that. And just to check in and make sure I'm tracking the conversation, so it sounds like an issue for at least Commissioner Arthur, is that the definitions within the housing needs analysis are problematic and, in some way, different from previously agreed upon definitions? Is that the issue at hand?

Yes.

Okay. Okay. Thank you for that. Okay.

Not just previously agreed upon. Not just previously agreed upon, but quite recently stated from, I think it was from LCDC. I'm not sure where we got that direction sometime around mid-year last year, where they finally codified it some way.

So, if we were to adopt this HNA as it is, your concern is that the mix of confusing definitions would lead to other problems?

Yeah, definitely. Like going back to Grant's Pass' old definition of family. That allowed up to, well I think it was up to five related persons and one unrelated domestic servant, was the previous definition.
Well, let's continue on with further questions and analysis. And when we get down to making a decision about what we're going to do about this, Commissioner Arthur can make a motion to continue until staff can get to the bottom of this changing the definitions. That sound okay?

Can I make a motion now?

Sure. Go ahead and make a motion now.

Commissioner Aviles makes a motion to postpone.

Do we need to postpone to a date certain?

Yes.

Do we know when that date certain might be on our schedule?

All depends on-

Postpone to February 23rd?

Do we have room on that agenda?

You do.

Okay.

For what purpose? I guess we just need to know exactly what we need to bring back. The reason for the postponement.

Sure. Well, I'm assuming my reasoning would be that we need a clarification around these definitions and their application in order to kind of make any other decisions. I'm open to this motion not passing and having a discussion, but if it comes back around too, we still have to wait to find out something else. I guess that's why I'm trying to make the motion now. But I'll rescind my motion. That's fine.

Well, what about... I mean, you don't want to discuss anything else? There might be other things people want to bring up.

Oh, yeah. What-

Right.

Nothing else and there might be other things people want to bring up-

Right.
... to know.

I hear that.

Yeah. Okay.

I hear that. Can I rescind my motion?

Sure. Motion rescinded. Do we need any motion at all to keep discussing?

No.

Okay. Any other discussions? Does anybody else have any issues? Commissioner Arthur, do you have any more? Anybody else have any issues, they can jump in here. Commissioner Nelson, go ahead.

Yeah. I had some questions in regards to the assumption of the numbers. It looks like what we're doing is pretty much following status quo. Is that a fair assumption over the last 20 years?

Are you saying meeting the growth needs?

The housing and growth needs.

No. So, the housing needs analysis can only address the growth projection. It cannot address the deficit that exists. So, it is just giving us numbers based off of the growth, and then the demographic numbers and the existing data shows existing data. But when they're talking about their projection, it is just about the growth.

That as I understand. So, when we have the growth that has been continually going on, and we have projections for housing needs that are not meeting that, and that is one of the concerns of the housing needs analysis as I understand, it's moving people out into the rural area where housing is cheaper, which we found previously at my location, increased traffic impacts. And I didn't see any analysis of that or if that's ever been done.

Right. So, that's not within the scope of what the H&A is supposed to do, really.

No. And that's one of the big flaws in these type of growth management programs, which is they're really not evaluating impacts to school, impacts to residential growth in other areas. In other words, you push on the balloon, it's going to go somewhere else. And as a result, what we have here is an analysis saying, we're going to have to have 4,000 additional units, plus or minus, and yet we're not even meeting that currently. And that's what's disturbing is, you do have an evaluation in 10 years, which is a census period, with the possibility of two to three evaluations within that period, whether you're meeting those goals?
For the H&A? We have to reevaluate every eight years.

I saw 10. Am I incorrect on that? And then I saw later in your goals, is that you update the housing needs analysis at least every 10 years, and whenever actual population growth exceeds, growth forecast for three out of five years. So, if population growth in that 10-year period exceeds three out of the five, what then? You're now further behind.

Yeah, that's exactly right word.

Thank you. I like my cheerleading squad. So, I'm not understanding what the heck are we even doing this for? It's meaningless. It doesn't do a dang thing. And I've done these before and they don't do a thing. It pushes on the balloon, it pushes it out into rural areas, it increases traffic impacts that we can't control. And yet they say, "You can't do a thing about it." Myself, I'm personally in favor just voting against it, but I wouldn't do that. It ties your hands, it ties this community's hands, and nobody can do anything. I mean, you can have these housing needs analysis done all you want. What does it accomplish? All we do is increase the price of housing within Grants Pass.

I'm sorry. I got on [inaudible 00:31:04] box there. And so, my question is, can we do this analysis more than checking three out of five years? Can we do it yearly evaluation? And is there a mechanism in which that can then be relay to PSU?

Yes, you can.

Is that the one that has to do it? If we're seeing impacts within the city or we have any way of measuring... Remember I brought up to you, is that the Census Bureau is where the data comes from? Is there a mechanism that we have in place to be able to evaluate within our own community? Are we needing housing needs for low-income, mid-income, and high-income community? I see this community's growing more with the retirement. How are you going to meet your tax-based loads, which is occurring rampantly with retirees?

In my humble opinion, you're raising the issue of lowest common denominator versus ideal. There's nothing that keeps the city of Grants Pass from performing its own housing analysis, nothing.

And that's what I would like.

What we're going through here is complying with a state requirement.

Which does nothing.

Which [Amber 00:32:22] has actually already begun creating some of her own tracking system for the city, just in her first few months here. And I think if I understood you right, what you see is the more helpful document. This is getting us-
As we track yearly, we have a faster ability to respond, and all of this can be appealed to [inaudible 00:32:47] or whatever. I would recommend instead doing update of the housing needs analysis at least every 10 years, and whenever actual population growth exceeds, that we're evaluating every year. Bring it to the planning commissioner or the council.

What page are you on there?

150.

Thank you.

I mean-

Can I say something?

By the time you evaluate, you're already behind the eight ball.

Go ahead, commissioner Arthur.

On page 113 is that basic chart, where baseline housing growth projection. And that number is, as you said, growth, and somewhere in the world, we have this same chart with another column added that adds deficit at this point in time.

And it will continue to be more deficits.

Yeah. I don't know, we went over this so long ago. But I agree with you, that it isn't showing the total need if it isn't accounting for the current deficit on future growths.

I would propose the motion, Mr. Chair. I'm sorry.

Go ahead. Commissioner Nelson.

I would propose a motion that we do a yearly analysis, since we have a staff available person that is capable of giving us some ideas of where are we trending. How are we looking? So that we can make intelligent decisions and look at this in an evaluation that meets our housing needs analysis that's been done by the public for us and can act on it proactively rather than reactively. Sorry. I did that again, didn't I? So, my motion is to do a yearly evaluation that would be under Land Availability 9.2, instead of waiting 10 years.

And you would like that to become a part of this document?

Yes.

And I'll second the motion, all year.
Okay, Commissioner Nelson made this motion for yearly analysis, seconded by Commissioner Collier.

Commissioner Tokarz-Krauss has her hand up.

Thank you very much for doing that for us commissioner Tokarz. We're going to go ahead and deliberate, right?

Why don't we see Commissioner Tokarz-Krauss' hand?

Yeah. There it is. It's no hand down there.

I don't see a hand.

It's a little hand.

A flashing thing?

No, on the right-hand side. [inaudible 00:35:17].

That's it?

That little hand.

Oh, I see it. Thank you very much. Commissioner Tokarz-Krauss, go right ahead, please.

I am kind of befuddled. Okay, number one, some of the assumptions are incorrect in and of themselves, pushing out whatever rural homes right now have a median price of $485,000, which is $120,000 more than the urban existing home stock. So, as far as increasing, I don't know, I'm listening to this and thinking, we've lost sight of what the purpose is. This is mandated to be done because quite frankly, not all communities have been doing it, this kind of thing.

Secondly, it is to give us, again, a benchmark or some sort of direction. While most of this data is to me outdated, you look at what we're actually putting into place to help the issue, regardless if the numbers are correct. If we'd have done this in 2007, we would have completely stopped doing anything about it in 2009. Because at that point, everything had fallen off the cliff, and people were leaving in mass. This is all an assumption. Everything here is just an assumption based on expected growth. Statistically, what is it, 1.02%?

I almost feel like... Again, we're picking at [inaudible 00:09:56]. I'm just going to sit back and listen, because I'm thinking we're going off into the weeds here, but as far as the motion to look at our needs analysis annually, I think that's a wonderful idea locally, with local numbers and input by more stakeholders that are currently being consulted. Thank you.
Commissioner Aviles. Go ahead.

Thank you. If we're in deliberations, I'll just share that I'm not entirely sure I followed where folks were going, although I was really trying. Reviewing the report, I'm looking at page 63, and there's just a little piece that I was just going to read out loud. It says, "The purpose of the housing needs analysis is to provide needed analysis and policy guidance to the city in meeting its needs and desires to provide housing opportunities as outlined in the comprehensive plan."

So, if I understood where Commissioner Ward was going, the H&A is important. The H&A informs comprehensive planning. I don't think it's feasible for it to be done as quickly, I think as what I heard yearly. Because it is in part built around census data, which we only get every 10 years, and also the PSU data, which is projections of 20 years. So, that's just my contribution to the deliberation. Thank you.

Thank you. Commissioner Nelson, go ahead.

We have a housing needs analysis. It's currently accepted or not adopted but accepted. And I don't wish to change that, a housing needs assessment. What I am looking at is are we meeting the goals that the housing needs assessment is proposing, or that we have put down for ourselves in our policies? Those-

No, we're not.

I'm sorry. I don't know who that was.

That was Commissioner Aviles.

I thought you were asking a question. I was providing you an answer.

No, I'm responding.

I don't believe we're meeting it.

I was responding to your concern, because I have a feeling that you're feeling that my motion would involve doing a housing needs analysis again, every year. No. I want an ongoing yearly evaluation of where we're headed, and if we're meeting what we have proposed that we would meet.

And I think friendly discussion, it sounds like. This is additive to what we're trying to do. So, I'm in support of the motion. I see some head nodding. I'm ready to move towards a vote on that motion. So, we have a motion and a second. So, if there's more discussion.

We do. And I think there's still more deliberation. Commissioner Tokarz-Krauss, I see your hand up again.
Yes. We can as a group through various reports provided by the Realtors Association, keep track of what's going on with the housing market, not in as much detail perhaps as this would into. But right now, we have a 1.06 absorption rate. That means that every month, the amount of homes that are at least being listed are being sold. In other words, three to six months, six months being preferred is not being met, and that Jennifer alluded to, we do not have housing available at the prices below-median income at this point in time, and we can see that every month using statistics that are being provided. So, we can keep our finger on the pulse fairly easily, if we include more stakeholders in the discussions. Thank you.

Any more discussion?

We would rather than annual housing or yearly needs analysis, say progress report or something of that kind of wording.

You're suggesting a friendly amendment?

Well, I don't remember exactly what the wording was.

It was yearly analysis.

Okay, let's do this. Let's leave 9.2 as it is, and move 9.3, 9.4, 9.5 down, and incorporate a new 9.6 or wherever you want to do it, as each year, we will evaluate the progress of the housing needs, the progress of what had been done with the housing needs analysis, as well as with the requirements of the code to meet the needs in this community.

And I see Director Clark is shaking his head in concurrence that you can do that. Okay, that's what for the purposes for Jennifer and Ms. Tokarz-Krauss.

Yeah. Because otherwise, you go into housing needs and [inaudible 00:42:20] remove local barriers? We won't know until after 10 years. I mean, we're running behind the eight ball every time on these things. And you've got to stay on it every year to see if you're meeting the goals and objective of your housing needs analysis, as well as what the staff is bringing to you, and what they see as the results on the ground.

So-

But don't we already get that? I feel like the city provides us a document that shows us what's being built in town. If we do this simple math, knowing we're 4,000 units short and only, I don't know, 1,600 units that were single family were built, don't we already know by looking at that, that we're not meeting our goal?

We do, Commissioner Aviles, get an annual permit issuance document, and it tells us how many permits have been let out for what kind of units.
But you don't have any analysis of population changes, school populations, that type of thing.

So, just friendly, if we were all in the same room, we would see Director Clark nodding in concurrence, Jennifer, that this can be done. So, I don't see the pushback. I don't see a concurrence of a pushback that would stop us from supporting this motion. If it says, "Let's take this to the next level", I think we can do it. So, I think it's safe. I think were safe.

Commissioner Collier, I guess my only pushback is, I'm not sure I understand, and so, that makes me not want to move forward. Maybe it's because I'm remote, maybe I'm missing something, but my pushback is that I'm having a little bit of trouble following just where this is going. I very much appreciate the discussion. I very much appreciate the interest. I feel I need a bit more time to understand everything that's being discussed. That's my only pushback, if that's what is-

So, for Commissioner Nelson, -

... [inaudible 00:44:23].

... if you could reiterate.

The problem I've seen in the past with communities trying to do this, is that you're always behind. And so, you have the state determining that population growth in your community based on information they receive that's late in coming in, then you have communities trying to develop their urban growth boundaries in conjunction with rural areas, behind the eight ball, because they have just got the information. So, they're trying to develop where are we going to develop our housing needs? How are we going to have the infrastructure capability if you're waiting five years or 10 years into the program?

What I'm proposing, is we look at, "Are we needing the goals and objectives that have been put forward in this document each year?" If we're not, if we're having problems meeting that and we're already behind, which we are, then we need to address that with the state. Because you're right, we can't really change anything, it's determined by the state, but at least we have information that we can provide them.

But we can change it. We use this information to change our local comprehensive plan.

I'm sorry, I didn't understand that.

Commissioner Aviles, would you repeat that please?

I was just commenting to Commissioner Ward's comment about not having any kind of ability to change it locally. We do change it locally through the changing of the comprehensive plan.
I believe what Commissioner Nelson is advocating for is a yearly evaluation of whether or not the city is building the housing units that seem to be projected in this housing needs analysis. If we are not keeping track of whether or not we're keeping up with the housing needs analysis, then what good is the analysis?

And what good is changing our comprehensive plan when we don't even have the information to support it.

And I see again, Director Clark nodding that he can do this. I don't put words in your mouth, but that you can do this. Because we talked about it earlier.

We can.

And you would benefit from it.

Yeah.

Okay. So, that's a yes and a yes. And I yield to Commissioner Scherf.

Thank you. This is Commissioner Scherf, and my question is, I think it's going to be a question and a statement. So, we have a new staff member that's on the staff, the city of Grants Pass, that has not been in a position before, not you personally, we actually have not had this position in the city of Grants Pass before, which there is a person, a body, a physical person monitoring this specific topic within the city of Grants Pass, which was never done previous. So, that would lead me to believe that this now, the data that she's collecting on a regular basis, would be implemented within council strategic planning every single year in a more robust and informative way.

So realistically, this person and the city actually hiring this person, is doing exactly what you're alluding to on a more annual basis. Is that some correctness in my statement there?

Just to clarify, so what you are proposing, the tracking of the completing of the housing and the different types and comparing it to this. I have already started doing that on a monthly basis, just to see where we're at with our annual progression.

Well, then you're over performing [crosstalk 00:48:15].

To clarify what my statement is, and thank you for the input, is that you are trying to make a motion to change the policy and objectives 9.2 to add in a yearly analysis. This policy and objectives is outlining recommendations from a study that was done using census data and using statistical data from all over. So, I understand that. I think that's more of a broad-brush strokes here, for that analysis, but I think we've accomplished the goal that you're seeking, is for us to get in front of the horse instead of putting the cart in front of the horse, by even having this certain person on staff now that is doing that.
So, in my mind, I don't see emotion in putting more verbiage into this, because the city's actions over this last five, six months in hiring this person and having this position available, is being a proactive measure to track this, that's my understanding.

Does Commissioner Nelson's motion help to modify it? It sounds like that's what does.

I think it needs to be done.

It doesn't hurt. I don't see the harm in pushing it. That's why I'd like to go-

Plus-

... forward, go to a vote. Go ahead.

Go ahead, Commissioner Nelson.

Think about this, there's going to be a lot of questions as growth continues, as populations continuous. Like I brought up, "What are the impacts to the schools, fire districts? What about police protection? How are we dealing with transportation plugs in our road systems?" You see, this requires us to use this data, and the data being collected on a yearly basis, to just do a simple, "Let's see if we're doing it right. Is it accomplishing what the H&A said? And are we meeting the goals that we have established?"

Ms. [inaudible 00:23:16] you had your hand up?

Well, I just wanted to add in that the next step with our housing needs analysis is what we're doing now, is moving forward with developing our housing production strategies, which is another grouping to move forward off of this as well. So, this won't be the only thing that we're looking at on how we move forward.

So, we've seen from staff a couple of thumbs up that they can move in this direction, that it's not a lift that sinks them, that it would add to the discussion and help the dialogue. I think we're at a point where I see a number of heads nodding that this doesn't harm us, and actually in fact helps us, and we'll just throw it out there and see if it sticks.

Commission Ward, could you clarify?

My last name is Nelson.

Exactly where you-

I'm adding a new point-

... want to insert-
... under Land Availability.

What page?

Page 150.

150?

One, five, zero.

And that's what this is all hinging on is, "Do we have adequate land availability?"
If you're putting in road systems, you need the availability of land for parks. You
need land availability, you need land for environmental protection. So, all of this
ties together with land availability.

So, we do have a motion on the table for yearly evaluation of progress on the
H&A, and we're still deliberating that. Does anyone have anything else they
would like to say about this?

Yes. This is Commission Scherf.

Commissioner Scherf, go ahead.

I guess this is a question. Would you want to get verbiage in line 9.2 that defines
your yearly analysis a little bit more, so it couldn't be misinterpreted as, "Well, we
have to do this humongous housing needs analysis report."

That's why I wanted this separate from that.

Oh, so you don't want to add it to that 9.2? You want to add another line? Okay,
perfect. I'd just like to really hone in on that verbiage on that.

I don't want to deal with all new housing needs analysis if we don't need to.

Yeah, exactly. I'm looking at like, if you have a staff, you have a whole dedicated
department in city, maybe we have an annual report update. I just didn't want to
confuse it with, we're forcing the city to do a whole another needs analysis.

Okay.

So, more of a defined language and an additional item to land availability.

Be proactive rather than reactive.

Okay. I'm on board with that. I think we still need to get the verbiage down pretty
much.
I'm on board. I thought we had the verbiage. Did you find anything, Ms. Arthur? Okay.

To see exactly where you were going to insert.

Okay.

Well, his staffs will insert it. I'm sure of it.

Okay. Did you want to reword it? Is that what will satisfy for Commissioner Scherf?

Yeah. Why don't you restate what your additional line would be?

New point would be, that we would do a yearly evaluation, not an analysis, an evaluation of our comprehensive land availability, based upon what the housing study came up with as well as our projected goals that we have given ourselves. So, it's not like we're going to reinvent the housing needs analysis, we're not going to rewrite all the goals and objectives, but we will be able forward onto, and I don't know if you want the council to do this or the-

Be able forward onto, and I don't know if you want the council to do this or the commission to do it.

So, I guess I would ask director Clark, are you able to get this? To capture this?

Yeah. We're following that's no problem. I mean, I think in terms of the body that maybe I think you just... I can see a combination of a housing advisory committee and planning commission doing the actual review. Maybe in more of a work session and then forwarding that to the council. Something like that. I mean, that's just a thought, but if you're wanting to formalize, what does that annual review actually look like?

If I was a city council member, I would want to have some information to me ahead of time each year. So, I can just see that things are flowing as we had predicted, and nothing gives us a hiccup. That's what I would like. I don't necessarily need to change anything or look at, but I want to make sure that we're meeting the goals and objectives the citizens wanted, and that we have accomplished what we put forward for ourselves. And that could be, they do their own review, or they could have us do it for them and make the evaluation and forward it to them.

And the housing commission can do the same thing.

Commissioner Tokarz-Krauss, I see a hand up again.

Yes, I just wanted to, I'm kind of recapitulating it. I didn't get everything he said on his motion, but basically requiring an annual evaluation of the status of the
city's progress towards achievement of attaining the goals established in the H&A, is that correct?

Yes

That's great. Yes, thank you.

Commissioner Collier, you're still seconding.

Yes.

Commissioner Collier, you're still seconding. Is there still deliberation on this motion?

Director Clark, I see somebody's hand up that's not a part of the commission.

It's mine. I'm part of the commission.

Oh, I'm sorry. It's got your last name as guest and my glasses, I need new glasses. I'm sorry, Commissioner Aviles, go right ahead.

Well, I was just going to, if we're still in deliberation. Are we still in deliberation?

Sure.

Okay. As a commission we have yearly goals, yes?

Yes.

We submit goals yearly?

Yeah. Yes, we do.

Okay. Could we make a goal related to the housing needs analysis and this request?

Well.

And get it revisited in that way as well?

Sure, we could, but the next goal setting session is next January.

Okay. Thank you.

I think we're ready for a vote.

Any more discussion?
Commissioner Arthur, you’re loading your question, no?

Okay. We’ll go ahead and take a vote. We have a motion with a second. I’m going to do a roll call vote. I’m voting yes. Commissioner Collier.

Yes.

Commissioner Arthur.

Yes.

Commissioner Nelson.

Yes.

Commissioner Scherf.

Yes.

Commissioner Tokarz-Krauss.

Yes.

And commissioner Aviles.

Yes.

**MOTION/VOTE**

Commissioner Nelson moved, and Vice Chair Collier seconded the motion to change the policy and objectives 9.2 to add in a yearly analysis. The vote resulted as follows: “AYES”: Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: None. The motion passed.

Okay. Commissioner Nelson, did I hear rumor that you’re going to make another motion here?

No, that was the only thing I was...

Oh, okay. Commissioner Scherf.

Okay, so I’d like to move on to the next section in the policies and objectives. Housing needs number 9.6: verbiages lower and remove local barriers to residential development.

The statement just the way it’s worded is more of a goal not a policy. So, I don’t understand why it would be listed as a bullet point policy. So...
What page?

What page are you on?

I'm on 150 because realistically that's what we're deliberating and discussing is whether these go into the comprehensive plan. Is that correct?

Which number?

Yeah, you said...

So, I would say 9.6 underneath housing needs, just how it's worded, it seems so broad. It's more of a goal than actually like the column it's under policies. Yes, it says objectives as well, but I would move to strike that.

I would make a motion to strike 9.6 because the verbiage is basically too broad, and I don't think it belongs in that section. It could be doubled up... That verbiage could be added to the goal section of the housing section of comprehensive plans and policies for cheap.

I would support it if you moved it somewhere, but I won't second the motion if you...

Go ahead, Mr. Nelson, I yield.

Clarification. You said you would put it in what the housing goals, right?

No. It's listed under policies, and it basically reads like it's a goal. It should be in the summary of goals. It shouldn't be in... Cause if I'm reading this right, the land availability, the housing needs nine-point blah, blah. Those are policies. That doesn't seem like a policy to me.

Well, none of these really, I mean... Established minimum densities in medium and high-density zones, that's sort of a goal, isn't it?

No, these are more... If you word it correctly it's more of a direction for the planning or the city of Grants Pass staff to implement in... to meet the housing goal. So, that statement just doesn't read as a policy of implementation. I'm saying the wrong word. The way it's worded does not read as a... As basically a policy for the staff to follow. It's just like a goal and it's worded just...

And that's okay.

Basically blatant.

It's okay.

Blatant.

Urban Area Planning Commission
Meeting Minutes February 9, 2022
But here's the problem: the chapter is housing, and the sub chapter leader is, the first one, is goal and that's weird. So, grammatically speaking, it's all kind of off. So, the question, does it do more harm present or absent? I don't think it does harm being present.

I think it does. I think it does harm.

I'm not trying to interrupt, either. I think it does harm because I'm coming at this from a developer standpoint. I'm going to read that and my attorney that I'm bringing to my case is going to basically say that's the biggest hole to put my foot through and I'm going right through it. It is too vague. So, basically what it's going to lead any developer, that could be as savvy as they want to be, it's going to lead them to rip that hole open and basically be overzealous with the zoning laws and our hands are going to be tied. So, I think it's too vague to be in a policy section. That's my statement. That's what's backing my motion to move it.

Do we know where to move it to?

I'd personally like to strike it, but if you want to keep it, I would make a motion to move it up to the goals section.

So, you would just cut and paste that and put it at the bottom of the goal paragraph?

I could care less how it goes in there.

I don't have a problem with that, but Mr. Clark?

Well, we can bring back wording. You don't have to wordsmith it here tonight. If the commission as a whole supports the motion we would, as staff, bring back a revision of the goal statement at the top of page 150 that integrates the basic idea there to lower barriers to residential development. I mean, we would work with that.

You happy?

Okay. So, I will clarify my motion. I make a motion to strike line 9.6 and allow staff to reuse verbiage and idea in the goal section of the housing section nine.

Second.

Okay. Deliberation commissioner Nelson.

I would probably be more comfortable if it was, if we're doing the goal, which is up under nine, housing. One of the things that we do find a problem with housing is a lot of time is barriers. I hear that all the time. So, to simply ignore it I think is a disservice to everybody that's worked on this. So, I would be more conducive if we were to say and lead that and say: evaluate, lowering, and removing barriers
to residential development. In other words, you're not saying you can do it, but we're evaluating it and that meets that goal. Would you be amenable to...

Well, my motion is to take it from where it's at and put it at the beginning of the section.

And I'm not sure... Why wouldn't we just put all of that up in the beginning?

Because basically you're telling a developer the most vague description of what he can do and he's going to run with that.

But commissioner Nelson is trying to make it less vague. If you just move it, Mr. Scherf, if you just move it, it hasn't made it less vague. If you take a friendly amendment to his motion, then you've clarified it, I think. And I see-

It strengthens my point if you take the vagueness and take it out of the policy section, that's what I'm saying. If you reword it in the same line to where it's more conducive to you guys enforcing it, there's no enforcement behind that. And I'm sure you can totally attest to what I'm trying to the point I'm trying to get here. If it could be word smithed better in the same section to where it's more enforceive, then I'm fine with leaving it there. If it's going to stay as the same verbiage, it needs to go out of policies, because it's not defined as a policy.

Any other discussion about this?

So here, if this makes everybody more comfortable, let me redo my motion again. I make a motion that 9.6, the total verbiage, be reword-smithed by city staff and presented back to us for further deliberation on the next time around.

Why would we not go take the next step and talk about what Mr. Nelson has offered? The evaluation? The two-part thing. Can you come with that again? It's basically a discussion now between Mr. Nelson and Mr. Scherf. Can Mr. Nelson convince Mr. Scherf that he's got the wording that he likes? Can you do it?

I understand commissioner Scherf's concern. You want to have these things bullet pointed so that they actually show that you're doing something that you can accomplish and measure it. And that's why I said evaluate, because then we're looking at the problem in residential development due to the barriers.

So, we could evaluate the barriers and see what we get as far as information. That's something you would be looking at. Is that, I'm sorry, your name was...?

Amber Neek.

Amber Neek.

Miss?
Neek.

Neek, I'm sorry. Miss Neek would be evaluating for us, not only on the yearly basis as we've projected, but also be able then to talk about, are we creating a development problem because we have barriers in place. So, you have an action item. I understand what you're saying. There's no action there.

Yeah.

Evaluate is the verb. Becomes the verb.

Evaluate makes it an action item that she brings that information back.

I like that.

But we're letting staff do the wordsmithing, according to the motion.

But I would defer to staff.

So, to make it more of an action item you would, in layman's terms, basically say evaluate how to lower and remove barriers.

If that's the problem.

Yeah, it is the problem.

Well, I don't know.

There's no action in it and it's underneath the policy's subsection. So, that means if it's a policy it has to be enforceable. There's no enforcement that can back that up because there is no action.

Well, none of these really have enforcement to them.

But they have to be if they're in this section.

These are goals.

No, they're not. The goals is the top section.

Objectives and policies of goals. Okay?

But if it's underneath policies in the comprehensive plan, this is your blueprint for a developer.

And that's why I say...
And the city to work together.

That would create that...

No, this isn’t a direct ordinance that says you can only be five feet off your property with a tree.

No, that’s the nuances, but this is the overall master plan blueprint. And if there’s an open door that somebody can use, they’re going to go in for a plan amendment.

I understand what you’re saying.

And come in front of us and waste everybody’s time.

And I’m fine if you want to let them wordsmith it, but I would prefer that it stay there not go up on top where confusing.

Okay. I will go with the last motion I said is I would like staff to reword section... or bullet point 9.6 to be a more actionable item using the same topic idea.

Well, then we’ll second it by encouraging your use of the word evaluation. That’s the action word, sounds like, I think you’ll be happy when we do that.

Yeah.

And Mr. Scherf is nodding so I think you’ve got it. I think you’re in agreement.

We have a motion with a second. Any discussion? Seeing none I’ll do a roll call vote. This motion to make policy 9.6 more enforceable. I’m going to vote yes. Commissioner Collier?

Yes.

Commissioner Arthur.

Yes.

Commissioner Nelson.

Yes.

Commissioner Scherf.

Yes.

Commissioner Tokarz-Krauss.
Sure.

And commissioner Aviles.

Yes.

**MOTION/VOTE**

Commissioner Scherf moved, and Vice Chair Collier seconded the motion to have staff reword bullet point 9.6 to be a more actionable item using the same topic idea. The vote resulted as follows: “AYES”: Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: None. The motion passed.

All righty. Any other motions? Commissioner Scherf?

I'd like to move on to housing affordability and homeless section.

Page?

The next page. Page 151.

Thank you.

Bullet point 9.18. This first word in that statement is partner with public and private. I am directly opposed to that specific word. I do not think that city should be partnering with any public and private in a financial manner and/or a directive manner. Partner could be defined as differently, such as, to lower barriers, to work in conjunction with. But partnering, I think, is a very strong word and I don't think that meets the goals, not necessarily the goals, that doesn't meet the objective of what a local city government is supposed to do. It's not the city government's job to fund or facilitate these things. It's the community's outreach, but it is the city's objective to or responsibility to work with them.

I just think the word partner is a very strong word and I'd like that changed.

I confer, would be my guess, but commissioner Nelson, go ahead. You had your hand up.

Well, I'm sorry. I was just wondering what's the word you want or if you want to change it, then you need a motion on it. So, what's the word you like?

I'm in discussion right now. I don't know what the word is personally. I'd like to strike it out completely, but I understand the premise. I understand objective of that bullet point 9.18. I believe the word partner is too strong of a word and it insinuates that the city is going to be a financial and a directive partner in these social services, which it should not be.
Especially if you go on to the next sentence, which the example, purchase affordable housing projects, because it's been the policy of Grants Pass not to be in the housing business.

Exactly.

So, the combination of terminology there probably isn't appropriate.

I have an idea here. We could make a motion for staff to wordsmith this just like we did with the last motion. Commissioner Nelson.

If you don't like partner is facilitate, which is similar, but not necessarily being part of it. Partner implies that you're together.

Yes, exactly. I would rather it say simply "work with the public and private and nonprofit".

Okay. So, my motion would be that I make a motion that within housing and affordability and homeless section 9.81 be reword-smithed by city staff and brought back for approval with recommendations that the word partner be struck or replaced. And the explanation, for example, purchase affordable housing projects be completely struck.

Clarification is...

9.18 not 9.81, right?

Thank you. That's what I was just going to say. Thank you. Thank you.

9.18. Sorry. Do I need to repeat that?

Okay.

Do we have a second? I'll second.

Okay. And I have a question to the motion.


When you say delete, for example, the example. Was the example used because of state requirements or is that just somebody wanted to put that in?

That's not driven by state. Okay.

More discussion of this motion. I'll do a roll call.

Yeah.

Yeah. I don't know that the hand things are working on this, but anyway, if you simply put "the purchase", when you're talking about the, for example, the purchase of affordable housing projects, et cetera, it's much like the reports I get every single week on every other city. Anyway, in this state, it's using words like partner, but they are having groups like we've seen here, Evergreen, all sorts of other groups getting together to do land conservancy, trust, etcetera. So, without stating whom like the city, for example, the purchase of affordable housing projects. That way it's not stating "the city" will purchase because it has as Loree, I believe commissioner Arthur said then the policy not to become the owner of real estate for this purpose, whatever. But anyway, that's my thought.

That's a great suggestion for your designated wordsmith.

Let me reiterate that my motion is to completely strike that. For example, I look at it from a standpoint of this is a policy that should be abided by and followed by the city staff, the city of Grants Pass. So, this is a directive, a direction that is basically saying, for example, the city purchase affordable housing. There would be, the way it's worded, for example, purchase affordable housing is only directed to the city of Grants Pass purchasing affordable housing. I think it's too convoluted and it should just be completely struck. I don't think, again, the city should be in the position where they're financing or land owning anything that has to do with this.

Commissioner Collier.

And because, and it might not have gone through to the people online, commissioners Aviles and Tokarz-Krauss, when commissioner Clark not a yes, this was not something that's driven top down. I would still be in favor of the motion as Mr. Scherf has presented it, striking the entire sentence, because it just seems something that's internally just came out of somewhere. So, I'd like it the way it is.

To you be clear, you're recommending striking the second sentence of 9.18.

Correct.

Okay. And that's your motion?

That's the second half of my motion. The first half of my motion was to reword-smith the first sentence, specifically, targeting the word partner.

If I...

Go ahead, did you want to say something?

Yeah, I was just going to reference another part of this report.
Participants are waiting in the lobby to admit all participants in the lobby, press star two one.

By nonprofit organizations and for-profit entities to provide housing for special needs populations. So, I'm just wondering if this line-item number 14 somehow influenced section 9.18. That's a question, I guess, for the city, maybe.

Where did you read that from? We lost you there for a second.

I was looking at page 128. My screen says 128, one second. Let me see.


Are you reading policy 9.14?

No. I'm reading off of a page numbered 128 at the very top. It says housing needs and I'm looking at item number 14 of it. It is part of the Grants Pass and urbanizing area comprehensive plan.

I think for the rest it's probably 129. There's just a little bit of a pagination difference between the digital... If you have the paper copy, it's page 129 on the bottom and its section housing needs and then number 18.

Yeah, so the language is very similar to what you were looking at down on the nine-point section as well.

Oh, I see. It's the same wording. Yeah. So, it would need to be changed in both places. I wonder if that's true of the others too.

Yeah. I'd actually like the word support better than partner with. You could totally use that from the report section housing needs on page 129 on our packet. Number 14, you could totally use that. The beginning of that sentence, it plays way better because that bullet point that was just pointed it out... It basically defines to me defines that the city as an operating organization is going to help or support a nonprofit organization, but it says nothing about purchase, run, or operate, which that's where my problem comes from.

The identical wording is in 18, just below that.

There it is. There it is again, there's your partner.

So, the policy section that we're looking at is in both sections, because they were pulled from the section. So, again, any of those recommendations of changes in the policy section need to be done on both.

That clears things up a bit for us. So, we have some work to do.
So, with that added input, I think my motion still stands is to throw it back into your guys' court and reword it and bring it back to us.

And we should...

What's important for staff is that our job is to accurately reflect what the commission is looking for. We're not going to reword and wordsmith something other than solely on the basis of what you are talking about here. So, I guess my point is, it's very important that we understand that the commission as a whole supports the basic premise of the motion. If you're going to say, "staff go reword it", then we need to know that there's concurrence amongst all of you with the basic idea that you don't support the idea of the city partnering and you want a softer engagement on behalf of the city for lack of a better term.

So, you would have clarity if we make a motion, get second on it, and it's voted and passed.

As long as everyone's clear with the intent here. Yeah.

So, we do have a motion and a second on the floor for this. Any more discussion?

I would only ask if director Clark is satisfied with the coherence, is that what I'm hearing? That it is coherent because now we've jumped back between pages and pages. You have enough to go on.

Right. Well, I think Amber and I are clear on the fact that we have two sections that mirror each other. We'll definitely work on that. As long as I'm not hearing...

PART 3 OF 4 ENDS [01:21:04]

As long as I'm not hearing any other commissioners say, "Well, I disagree with that premise," then that's fine. You will strike the word partner. We can come up with some other word.

Okay. I'm going to go ahead and call roll on this vote. I'm voting yes. Commissioner Collier?

Yes.

Commissioner Arthur?

Yes.

Commissioner Nelson?

Yes.
Commissioner Scherf?

Yes.

Commissioner Tokarz-Krauss?

Why not?

Commissioner Aviles?

Yes.

Commissioner Tokarz-Krauss said sure. And Commissioner Aviles, you said...

Yes.

**MOTION/VOTE**

Commissioner Scherf moved, and Commissioner Nelson seconded the motion that within housing and affordability and homeless section 9.18 be reword-smithed by city staff and brought back for approval with recommendations that the word partner be struck or replaced. And the explanation, for example, purchase affordable housing projects be completely struck. The vote resulted as follows: “AYES”: Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: None. The motion passed.

Thank you. Alright. Other concerns? Any other motions? It sounds like now we need a motion to continue to a date certain.

So, I would move that we move... postpone to February-

Continue.

Continue, I said, to February 23rd, for the purposes of paperwork and other things. The glossary definitions.

Commissioner Aviles seconds.

That was Commissioner Aviles second?

Commissioner Aviles does second. Thank you.

All right. Thank you very much. Any discussion on this motion? I will take a roll call vote. I'm voting yes. Commissioner Collier?
Yes. Yes.

Commissioner Arthur?
Yes.

Commissioner Nelson?
Yes.

Commissioner Scherf?
Yes.

Commissioner Tokarz-Krauss?
Indeed.

Commissioner Aviles?
Yes.

**MOTION/VOTE**

Commissioner Scherf moved, and Commissioner Aviles seconded the motion to postpone to February 23rd for the purposes of paperwork and glossary definitions. The vote resulted as follows: “AYES”: Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: None. The motion passed.

All righty. Next item on the agenda. Thank you, Ms. Neek, you did a great job. Come back and see us anytime.

Sounds like the 23rd.

8. **Matters from Commission Members and Staff:** Okay. Matters from commission members, and staff, you have a 15-to-20-minute presentation for us.

It may not be that long.

You have a 15 to 20 second presentation for us.

Is that a joke or is it really 20 minutes?

No, it won't be that long, but it kind of depends on the commission as always, but I'm just pulling this up here. This is just the matters from staff, and this has been talked
about a couple of times and I did not put it on the agenda. There's no action. This is more of an introduction to what you're going to hear formally at your March meeting. And it would help us as we're preparing for that March meeting, just to get some initial feedback from you on this middle housing code. I just got a couple of slides here that are kind of giving you the summary of this, of the middle housing code at a high level. Where is it? There we go. And Commissioner Tokarz-Krauss and Aviles, I don't think you're...You're not seeing the slide right now, are you?

I'm seeing a folder.

Yeah. Well, I don't know. My tech skills are a little below me. I'm not going to be able to move that over. I apologize.

Do you [inaudible 01:25:03] project? Can you... Oh, there we are. Is this not it?

Okay. Well, it's weird. So, the commissioners in the chambers are seeing the slide on the left and the commissioners are seeing the slide on the right. So, I think this will work. We're going to be one behind. So, we've talked about this twice. We are now in the process of doing a public hearing, we're scheduling a public hearing for your first meeting in March, to do a development code update for middle housing. It affects I think, nine chapters. So, it's fairly substantial. We're going to try to get this packet to you two weeks ahead of time so that you have more time with it.

And the purpose of tonight is just to kind of give you that heads up of what it's about because it's been, I think, four months since we had the consultant here to talk to you about it. So, this is all based off of the 2019 Legislative session House bill 2001, basically says the intent here is to bring a broader range of housing into cities. And if you're a city of 25,000 like we are, or more, than you have to follow this. We have to have local zoning codes adopted by July 21. I mean, July 21, July 1st, 2022.

It's all kind of you, you may have seen this slide before, this just shows on the left, you've got traditional single-family housing. Sorry, Commissioner Arthur, I know that word isn't the right... We're trying to move away from that, but planners, it's baked into our vocabulary. And then on the far right, you have your larger multiplexes. What's in between is your duplexes, your triplexes, your quads, cottage housing, a lot of product that was built in the twenties, thirties, forties, and then post World War II kind of tended to go away. After World War II, you started to see, and largely because of the emphasis of the federal government on mortgages, the detached housing type, and much less of these other housing types, kind of in the middle with the cottages, kind of these courtyards and things like that. What's called middle housing is basically saying, "Hey, these are another type that we're kind of, if you're looking for a diversity of housing in your community, Grants Pass is not alone in this. This is probably a weak spot. And so how do we encourage and allow for more of it?"

Well, not only did the state of Oregon say, we're going to allow, we're going to actually mandate that you have to allow those anywhere you allow single family housing. So, Minnesota kind of led the way several years ago, Oregon is one that followed up on that. So, that was the purpose of House bill 2001. We want all these kinds of middle housing to be allowed anywhere you can do a detached product,
regardless of what you're zoning. If you have a zoning that allows for that, then you have to allow these. So, for smaller cities in Oregon, they have to allow duplexes everywhere. But for cities like Grants Pass and larger, you have to not only allow duplexes everywhere, you have to allow triplexes, quadplexes, cottage, town homes, everywhere where there's residential zoning. So, it's a pretty, potentially big change. It doesn't mean that you can't still do one lot with one house, but it does mean that in that zone, the city has to make provisions to ensure that if you wanted to do a triplex on your lot, you can, and the city can't stop you.

So, that means adjusting minimum lot size, that means making clear standards, that means you can't come to the planning commission. If you want to do a quad, you have to allow these kinds of units, this middle housing by right, as a building permit, as though you were coming in for a single-family house, even though it may be a quad. So that means you have to have much more clear instructions if you will, right in the code so that anyone can come in the door upstairs in planning and say, "Here's my application for a fourplex, a quad, a cottage. This is what I want to do." And we process it just like any other building permit, if you were doing a shop or a garage or a deck.

So, you have to have clear and objective standards, you have to make it very clear where they can go, it ties into parking. Here is a summary of all of our zoning districts in the left column. Right now, it shows in black what you can do today, and basically this is what's going to be allowed in the R one, two, all et cetera, et cetera, et cetera. Now it does change as you get into the higher density zones takes out. Well, this doesn't show it correctly but we're taking, the emphasis is on the higher density product types, not the lower density. Once you get into the R four and R five, we don't have a lot of R four and R five zone. So, the idea there is to protect it and not allow for single family housing to take up that land.

So, this is a summary table of what you're going to see in your packets here in a couple weeks. This is our matrix and the code that shows what the proposed residential dwelling unit is on the left-hand column. And then if you go across the top, you see the R zones, and then you see the biggest change here. For example, town home, right here, number three, striking out planned unit development, striking out a type 1C, which is public comment and making it a type 1A, which is no public comment. And that goes through for duplexes, that goes through for quadplexes. You see all this P permitted 1A, which is administrative building permit only. So, we wouldn't send a notice to neighbors that says you're going to do a triplex, you're going to do a quad. You just come in for your building permit and you get it.

Will this require an exception to goal one and the statewide goals and policies? That requires-

No, it does not. They address that in the House bill 2001 in the 2019 session.

Thank you.

So that again, this is just kind of a highlight of what you're going to be seeing. It does affect the maximum density a little bit, so this is another change you'll see. The low
density was 3.96. It goes up to 4.35 as far as the max density, just because you're going to have to bump up that density a little bit. If you're going to allow those other units in there. Duplexes would count as a single unit, cottage units, triplexes, these would be exempt from your maximum density. Again, in order to accommodate this, this is some of the tweaks that need to be made.

The other chart I wanted to show you that you'll want to take a close look at is the lot area. The size of the lot that's required in each zone, or I should say the minimum size that's required. So, all of them drop in size. Once you get over here to the lot area for a quadplex or cottage cluster, those are the same. But then when you come down as you get down to the higher density lots, those stay a little bit bigger. So, if you come in for the R three zone, and you're going to do a quadplex, you have to do 7,000 square foot lots instead of 5,000 square foot lots, just because by the time you get your parking in there and you're landscaping, you're going to need the bigger lot for a quad.

So, anyway, I think that was, I just wanted to, because of the scope of this change, wanted to give you a heads up, it's coming at you, and we have a public hearing. We're going to give you the statute and we're going to give you each of those nine articles that's changing. So hopefully the two weeks, but if there's anything else that you think you could, you would help you in your public hearing now let me know. And of course, we can always talk during those two weeks before your hearing.

And this hearing, is it going to be legislative or quasi-judicial?

Oh, it's legislative.

Thank you very much. Commissioner Nelson?

Just a quick question, in regards to the numbers that you've projected up there and so forth, is that the state requirements that you worked with, or is this something that your staff put together?

No, these are staff. Yeah.

And this is to comply with the state requirements.

Right. And as Commissioner Aviles mentioned earlier, the state does have a model code that they have created, and if Grants Pass fails to adopt by July 1, we would kick in. And it's just not as pertinent. I mean, a lot of this is similar, but we do have latitude locally to set this. So, the specifics numbers there are not coming down from the state.

Commissioner Arthur?

[inaudible 01:36:03] ask about something besides this?

Oh yeah, no, as part of the staff, I just want to give you a heads up.
The subject is urban growth boundary expansion, and I keep noticing, I think nobody on city council, except Rick Riker lived through the UGB expansion, and I keep hearing comments when watching on TV, "Well, we need to expand this, we need to do that." And I think that the council needs a three-minute summary of UGB and what it was and what it accomplished because we established the 10 year or the 20-year boundary and the 50-year reserve already. It's not time or appropriate to do another expansion at this time. And I think they need a little clarification on that. And in either use terminology, like rezone in advance or something like that, it just scares me every time I hear one of them say, "Oh, we need to expand the urban growth boundary." We don't. We already did.

So, I don't know how to get that communicated. We don't have a liaison anymore. And the other thing that keeps coming up on the TV ones are there are a couple of people that are quite concerned about annexation. And I don't think the council as a whole is clear on how annexation relates or doesn't relate in the cases they were asking about. You know, I don't remember which item was before them last week, but it had nothing to do with whether that was the next yet or not. And I think it's time to, I don't know when you will do another charter revision or whatever it is that requires, but that vote years ago, decades ago, that everybody has to vote on every annexation probably needs to be revisited.

Yeah. And there was a Supreme court case that came down last year. That changed that. So, you're right, there would need to be a change to the city's charter to reflect the court case. Yeah.

Okay.

Well, we like this. This is in line with the goal that we submitted to counsel.

Yeah, you're going to like it for about 10 minutes, and this is going to be the downfall of Grants Pass.

Could be.

Middle housing is the worst thing that the state ever came up with because they did not take into account the infrastructure, the burden on the infrastructure, on the smaller cities. We are still a small city. Even though we're over 25,000 people, we're still a small city. This middle housing is horrifying. It's going to burden the city on infrastructure, your tax base is going to go down, so basically you become a total welfare city and you don't have taxes to support anything. So, the first thing that goes away is your police and fire.

Do you think that we have that many projects, that much available land that it's, that there's-?

Everybody is approaching this at the wrong level. You have the state of Oregon has the worst renter laws on the books. So, nobody's going to come to the table and no developer's going to come and say, I'm going to build a big, giant apartment complex for middle income people because I know I can never get rid of them. As soon as
they walk in my door, as soon as I give them a lease, the state of Oregon says that I have to leave them there, and I can't get them out if they don't pay rent. That the first thing. The second thing is it's not affordable housing, it's affordability of housing. So, get some of these people some jobs, there's no infrastructure here and calling-

Do you think I... I'm going back to your first premise. Do you think there's that much available land left to build on within the urban growth boundary that if we do it, it'll start to fall upon itself, see what I mean?

No, I understand that you should increase densities and you should encourage people to develop some more, but then you have to look at it as a whole. What a planner's job is to do is to look at the whole, every cog and wheel that works together, and it all works together. If you don't have the economic base to support the people that are in your city, that means you are going to either be a welfare city or you're going to be a retirement community, and then there's other aspects of economics that can support that. But realistically, when was the last time you had a middle-income industry in the city of Grants Pass? In the eighties when logging was still available. After that spotted owl, everything went down, and it's never come back. You need to be working with the economic developers to get people to come here, to actually give these people a job so they can afford a house. And your affordability on houses is still minuscule to what other states are.

So anyways, I'm sorry if I was on my soapbox, but this, if you want to stand behind and say middle housing is the new wave of the future, no, it's the curse of the future. [crosstalk 01:41:46].

Because people won't live here and the people that are living here are not owning the facilities. So now what happens is you start doing triplexes and quadplexes and those turned into lower income houses, and then basically you don't have people building anymore because people can't pay the rent. They're going to be subsidized. If you don't have people... If you have one piece of property and you have multiple units on it, those units are not paying the property taxes. The owner of the building is. He's only paying for one portion of, so he is not paying for four different, he's not paying four different tax bills. He's paying one, but you've just tripled, quadrupled your density, but you didn't quadruple the tax base. That's what happens when you increase density without actually increasing your tax base. Sorry.

When I said what I said, I meant that this is in line with the goal that we handed to council.

It is, but people really need to see past their nose.

Understood, and I get what you're saying about infrastructure. You start putting triplexes on a lot now instead of a single-family home, there's going to be some, some jam ups.

That's a... I mean, think about parking right now.

Right. Right, I get you.
It's just, you have to kind of think of everything together and it's really mind boggling to do it, but I can't be a fan of this, this new... And it's forced upon us by the state, which... Fun.

Understood. Thank you for your input, appreciate that. Director Clark, any other matters? [crosstalk 01:43:26]

Commissioner Tokarz-Krauss has her hand up.

Commissioner Tokarz-Krauss, go right ahead.

Thank you, Commissioner Aviles. The way I understood the mandate, yes, it does force all these communities that are over the threshold to change their zoning, there is no more single-family zoning, so to speak. What it... I thought there was a provision in there that left it to the community to massage that into its own area. For example, say up on Cook Estates or where you have a hill, it would be impractical to build certain of these multiplexes and so forth, and that was to be left to the localities. Do I have that incorrect? I guess that would go to you, Brad.

I am not aware of that. It doesn't mean it's not buried in there somewhere, but I am not aware of it.

Okay. It was one of the redeeming factors of something that was written really for a metropolitan area, not really for something a community of our size, even though we're included their end. It did come up at the housing summit that they had last year, and then again this year, and that would go to what Commissioner Scherf's concerns are because it was really aimed. This came from a focus on metropolitan areas, mainly Portland. So, but it would just as a matter of opinion, I would agree with Commissioner Scherf in that. Thank you.

Anybody else for the good of the order? I'm going to adjourn the meeting. I swear I will. Okay. We're out of here. Thank you.

__________________________
Eric Heesacker, Chair
Urban Area Planning Commissioner

Date
I. PROPOSAL:

The application is to request approval for a 2-lot residential Partition with Major Variance to address a survey error creating a 5-foot deficit in the front yard setback for the 4-plex on Parcel 1 and the setback distance of the private street from the adjoining lot line. The property is located in the R-3-2 zoning district. The applicant’s tentative plan and narrative are attached as Exhibit 3. The property is 0.48 acres and is currently developed with one residential 4-plex.

II. AUTHORITY AND CRITERIA:

Review procedures are provided in the Grants Pass Development Code (GPDC) §2.020 and Schedule 2-1. While a Partition requires a Type I-C procedure, the additional request for a Major Variance initiates a Type III procedure requiring a hearing before the Urban Area Planning Commission (UAPC).
The decision on a Partition must be based on the criteria provided in Section 17.312. A decision on a Major Variance must be based on the criteria provided in Section 6.060.

III. **APEAL PROCEDURE:**

Section 10.050 of the GPDC, provides the procedure for an appeal of the Urban Area Planning Commission’s decision to the City Council. An appeal must be filed with the Director within 12 calendar days from the date the written notice of the decision is mailed. The decision will not become final until the period for filing a local appeal has expired.

IV. **BACKGROUND:**

**A. Characteristics of the Property:**

1) Land Use Designation:
   a) Comprehensive Plan: Moderate-High Density Residential (HR)
   b) Zone District: R-3-2
   c) Overlay Districts: None
2) Size: 0.48 acres
3) Frontage & Access: SE N Street - Arterial
   SE Peters James Ln. (Proposed private street)
4) Existing Public Utilities:
   a) Water: 12-inch water main in SE N St.
   b) Sewer: 12-inch main in SE N St.
   c) Storm: Curb, gutter, sidewalk in SE N St.
   Detention pond on Parcel 1, scaled for both parcels
5) Topography: Relatively flat
6) Natural Hazards: None
7) Existing Land Use:
   a) Subject Parcel: Residential 4-plex
   b) Surrounding: BP to the north and east; Moderate-High Density residential to the south and west.

**B. Discussion:**

The application is to request approval for a 2-lot residential Partition with Major Variance to address a survey error creating a 5-foot deficit in the front yard setback for the 4-plex on Parcel 1 and the setback distance of the private street from the adjoining lot line. The
private street will provide access and frontage for Parcel 2. The property is located in the R-3-2 zoning district. The property is 0.48 acres and is currently developed with one newly built residential 4-plex. See submitted application and narrative (Exhibit 3).

The partition request meets lot size, dimension, access and frontage with the new private street as submitted. The two variance requests address setback issues, with one being resolved with the private street when permitted.

Variance #1
The major site plan review for the newly built 4-plex (201-00341-20) requested approval to build one 4-plex immediately, and one in the future on the same parcel. That project had not proposed a private street, hence SE N street was designated as the “front yard” for the 4-plex that was ultimately built. The front yard setback is 20 feet for the R-3-2 residential zone, however a surveying mistake was discovered after the 4-plex foundation was poured, showing that the front yard setback from SE N Street was actually 15 feet instead of 20. This application proposes a new private street in front of the newly built 4-plex, meaning that the setback from SE N Street would become the exterior side yard, with the required setback being 10 feet for an exterior side yard in this zone. Approval of this application, including the new private street, will negate the need for a variance as requested by the applicant to allow for a 15 feet front yard setback from SE N Street instead of the required 20 feet; because SE N Street will no longer be the front yard.

Variance #2
The second variance request is regarding private street design as stated in Section 27.123(14), where a new private street which abuts an existing developed residential property must be located 5 feet away from the property line; a sidewalk may be placed at the property line within this 5’ buffer. The applicant requests relief from this requirement as the abutting property is the driveway “pole” of a flag lot, with the proposed residential units being across the street (See site plan, Exhibit 4). The design required by the Development Code would create a “floating” sidewalk removed from the residences, and with traffic on either side of it. The applicant proposes to have a 25’ wide paved road, with 2 feet unpaved next to the western property line for the drainage system and 4 feet of sidewalk in front of the 4-plex on Parcel 1, for a total of 31 feet of easement for access to Parcel 2. Only Variance #2 will be addressed in the conformance with applicable criteria section below.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

A. MAJOR VARIANCE - #2

Section 6.060 of the Development Code states that previously granted Variances shall not be considered to have established a precedent. The review body shall approve, approve with conditions, or deny the application. No Variance shall be granted unless the review body finds that all of the applicable criteria have been satisfied.

Qualifying Condition. The applicant shall demonstrate that the following elements are present to qualify for a Variance.
CRITERION (1): The Variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a Variance.

Staff Response: Satisfied. The existing development to the west and abutting the proposed new private street is a driveway “pole” of a flag lot. This creates the special circumstance and the request for the variance private street design as stated in Section 27.123(14), where a new private street which abuts an existing developed residential property must be located 5 feet away from the property line; a sidewalk may be placed at the property line within this 5 ft. buffer. The variance requests to change the 5 ft. requirement to 2 ft. The private street will not be near any residential structures and will not impact the existing development.

CRITERION (2): The Variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.

Staff Response: Satisfied. The variance is the minimum necessary to allow residential development. The applicant proposes to move the sidewalk to the east in front of the residences, rather than across the street.

CRITERION (3): The proposal’s benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

Staff Response: Satisfied. The variance does not request any further modifications beyond the reduced buffer between the private street and the existing development. The proposal will remain in compliance with all other base development standards outlined in Section 12.150 of the GPDC. The variance will allow for new development opportunities in the City as well as provide the benefit of additional residential development in this area. No negative impacts are evident from this variance request.

In the Public Works comments (Exhibit 5) the city engineer states: “The proposed street does not keep a minimum of 5 foot separation from the abutting property line per 27.123 (14); and the Applicant is requesting a variance. The proposed variance does not appear to increase a risk to traffic safety."

CRITERION (4): The need for the Variance is not self-imposed by the applicant or property owner. For example, the Variance request does not arise as a result of a property line adjustment or land division approval previously granted to the applicant.

Staff Response: Satisfied. The applicant has applied for a partition with this variance. The request for the private street design variance is due to the existing development of a flag lot abutting the private street, rather than the partition itself.

B. PARTITION

Section 17.312 of the City of Grants Pass Development Code states that the Director shall approve, approve with conditions or deny the request based upon the following criteria:
Criterion (1): The plan conforms to the lot dimension standards of Article 12, the base lot standards of Section 17.510, and the requirements of any applicable overlay district.

Staff Response: Satisfied. Article 12 of the GPDC requires a minimum lot area of 5,000 square feet, and 2,178 square feet per dwelling unit. With a 4-plex built on Parcel 1 and another proposed for Parcel 2, each parcel requires a minimum of 8,712 square feet. Both proposed parcels surpass the minimum requirements with Parcel 1 at 10,932 and Parcel 2 at 10,144 square feet if the application is approved. The minimum lot width of 50 feet for properties in the R-3-2 zoning district is also met.

In accordance with the requirements of Section 17.510 of the GPDC, the proposed lots do not exceed the lot width to depth ratio. The side property lines run at right angles to the street where possible, and each parcel, meets the minimum 20 feet of frontage to a public/private right-of-way in accordance with Section 27.200.

Criterion (2): When required, the proposed future development plan allows the properties to be efficiently further developed, in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district, and in conjunction with other development in the neighborhood.

Staff Response: Satisfied. Further development of the parcels in the proposed partition is not feasible.

Criterion (3): When one is required or proposed, the street layout conforms to the applicable requirements of the adopted street plans, meets the requirements of Article 27 and other applicable laws, and best balances needs for economy, safety, efficiency and environmental compatibility.

Staff Response: Satisfied with conditions. The applicant has proposed access off SE N Street onto a newly created private street that is 94.24 feet long and 25 feet wide.

Per Public Works comments (Exhibit 5), a curb and 4 foot sidewalk along one side are required per Section 27.123(12)(b). Submitted plan indicates curb and sidewalk.

Public Works comments states “The proposed variance does not appear to increase risk to traffic safety.”

As a condition of approval: With the approval of the variance requested above, the private street shall meet all other standards outlined in Section 27.123, including:

- Per Section 27.123(12)(d), the private street shall be owned and maintained by the property owner using the street for access. As a condition of approval, the City shall require legal assurances for the continued maintenance of private streets, such as a recorded maintenance agreement.

- In accordance with a June 23, 2017 Director’s Interpretation on Intersection Spacing, a private street serving four (4) dwelling units or less, shall be subject to meeting the driveway separation standards as listed in 27.121(11). These standards require a five (5) foot separation between drives. The applicant’s submitted site plan meets these requirements.
Curb, gutter and sidewalk improvements already exist on SE N Street. Any work on the existing driveway and installing the new private street could impact the existing infrastructure, which shall be repaired by the developer. As a condition of approval, existing curb, gutter, and sidewalk shall be repaired after street development as outlined in the Public Works staff report (Exhibit 5) as needed.

Per Public Safety comments (Exhibit 6), the street will require “No Parking Fire Lane” signs on both sides, which will need to be indicated on the revised tentative plan. The submitted plan does not indicate a turnaround, as one is not required for street length under 150 feet. As a condition of approval, revised tentative plan will indicate type and location of “No Parking Fire Lane” signs.

In accordance with Section 25.031(9), for all land divisions, any existing parking and maneuvering areas to remain on the property shall be surfaced in accordance with the provisions of the GPDC prior to final plat approval. As a condition of approval: All existing drivable area shall be paved.

Criterion (4): The proposed utility plan conforms to the applicable requirements of adopted utility plans, the requirements of Article 28 and other applicable laws, and best balances needs for economy, safety, efficiency and environmental compatibility.

Staff Response: Satisfied with conditions. As a condition of approval, final utility plans shall meet all Public Works requirements listed in Exhibit 5, including the following:

Water: All public water meters shall be located within the public rights of way of SE N Street. Water laterals must not cross neighboring parcels. The developer shall be responsible for all encroachment fees related to the installation of water services on existing water lines.

Locate all service meters in the serviced property’s improved adjacent right of way. Service meters will not be allowed in easements. Wherever possible, install all service meters in the sidewalk per GP274. Do not install service closer than 5 feet to a front property corner. Locate meter boxes to avoid driveways and roof drains. Install water service lines in a straight line perpendicular to the waterline from the service meter. Install service line taps to not have less than 2 feet of separation between each other. Do not install a service tap in a main closer than 18" to a joint or fitting.

The installation of RP and DC backflow devices shall be installed wherever required by the Utilities Division.

All private wells and septic systems shall be properly abandoned. Applicant has submitted proof of abandonment of well.

Sewer: Provide service laterals for each lot. Avoid installing service laterals in driveways. All service lines shall be located in the serviced property’s adjacent right-of-way and installed in a straight-line perpendicular to the Sewer Main.

Design, construct and test all new sanitary sewer facilities in conformance with the City’s Sanitary Sewer Standards and Specifications.
Storm water: Provide detention which limits the storm water run-off to not exceed .65 cfs per acre for the proposed area of development during a 25-year storm event (Reference Master Storm Drainage Facilities and Management Plan – May 1982). Design for the collection of on-site storm runoff and discharge to City approved downstream drainage facilities.

It should be noted that the detention pond constructed next to SE N Street was designed for the entire lot prior to partition. As a condition of approval, applicant must confirm with Public Works that the existing detention pond meets requirements for both parcels.

Design and install erosion and sediment control measures.

Utilities: All new utilities must be placed underground and a ten-foot wide City Utility Easement shall be dedicated to the City adjacent to all rights-of-way. Any changes, including relocation, to the existing overhead transmission lines along the parcel will be required to be placed underground.

Criterion (5): The tentative plan allows for the preservation or establishment of natural features or the preservation of historic features of the property, including:

(a) Providing the necessary information to complete the tree chart identified in Section 11.041.

(b) No cuts shall result in retaining walls greater than 15 feet high in a single wall from the finish grade or create any un-retained slopes greater than 100%.

(c) No fills shall result in a retaining wall within the required setback from a property not included in the development plan greater than 6 feet in height from the finish grade or create any slopes which are greater than 100%.

Staff Response: Satisfied with conditions.

(a) The applicant has submitted a Tree Canopy chart that meets canopy coverage criteria for the zone.

No significant cuts, fills, or retaining walls will be necessary to construct the proposed improvements.

As a condition of approval, the applicant must pay a Tree Deposit of $400 for Parcel 2 prior to Final Plat approval in accordance with Section 11.060(2) of the GPDC. Parcel 1 has an approved landscape plan based the major site plan approval for 201-00341-20.

Criterion (6): The plan complies with applicable portions of the Comprehensive Plan, this Code, and state and federal laws.

Staff Response: Satisfied with conditions. The tentative plan is consistent with the Comprehensive Plan and subject to the conditions of approval, will conform to the Development Code.

As a condition of approval, the applicant will be required to submit a letter from the engineer responsible for supervising the construction of the Partition per Section 17.321(6).
VI. RECOMMENDATION:

Staff recommends the Planning Commission **APPROVE** the request for a Major Variance.

Staff recommends the Planning Commission **APPROVE** the request for the two (2) lot Partition.

CONDITIONS OF APPROVAL:

A. The following must be accomplished within 24 months of the UAPC decision per Section 17.415 and prior to issuance of a Development Permit. The Director may, upon written request by the applicant, grant up to two extensions of the expiration date of six months each. (**Note: A Development Permit is required in order to obtain a grading permit.**):

1. Submit two (2) sets (along with a plan check fee) and an electronic file (pdf) of a revised tentative plan prepared by a registered surveyor or similar professional, to the Planning Division, reflecting the items listed in Section 17.312, in addition to the following:
   a. Indicate location of “No Parking Fire Lane” signs on Private street.

2. Submit addressing request to Community Development with fee.

3. Provide a letter from the Responsible Engineer who will be supervising the construction of the project. The Responsible Engineer will be required to submit a letter at final plat application verifying that he/she supervised the grading and construction for the entire parcel and individual lots and that the grading and construction was completed according to approved plans.
   If the responsible engineer proposes to delegate any of these responsibilities, the arrangement shall be approved in writing by the City Engineering Division prior to issuance of a Development Permit.

4. Obtain an encroachment permit, and any other necessary permits for any work conducted in the right of way.

5. Submit a utility plan meeting the requirements of the Public Works Memorandum (**Exhibit 5**) and reflecting separate sewer and water laterals for each lot. Include the following:
   a. RP backflow device as “premises” protection on water service (existing or new).
   b. DC backflow device as “point of use” protection on all water services containing multiple zone irrigation systems.
   c. All public water services shall be located within the public right of way.
   d. Water services on existing water mains shall be installed by City crews.
   e. Provide utility plans for all private franchises including PPL, Qwest and Avista. Show all pedestals and boxes to be installed. (This is to verify utilities can be installed within dedicated City Utility Easements).
6. Submit four (4) copies of civil engineering drawings and an electronic file (pdf) with appropriate review fees to the City Engineering Division for review and approval:
   a. Provide a grading plan and receive a grading permit prior to any earthwork. Include the creation of building pads in the grading plan if completed as part of the construction of the partition. If building pads are created as part of the grading of the partition, then a map showing the extent of the grading will be required at the time of final plat.
   b. Provide an erosion control and dust control plan for the partition.
   c. Present engineered construction drawings stamped by a registered Engineer, including plans and profiles if necessary, that detail the proposed improvements to the City Engineering Division for review and approval.
   d. Provide storm drain calculations demonstrating detention which limits the storm water run-off from new impervious areas to not exceed .65 cfs per acre for the proposed area of development during a 25-year storm event (Reference Master Storm Drainage Facilities and Management Plan – May 1982).

B: The following must occur prior to Final Plat approval:

1. For any existing buildings to be demolished and removed, applicant must obtain required demolition permits and asbestos abatement.

2. The City requires legal assurances for the continued maintenance of private streets, such as a recorded maintenance agreement.

3. Separate sewer and water services are required for each lot. Private sewer and water lines shall not cross other lots, except within a dedicated recorded utility easement.

4. Any existing private laterals reutilized by the new development shall be TV inspected prior to reuse. All defects discovered during the TV inspection shall be corrected prior to reuse by the new development.

5. Properly abandon any existing wells and septic tanks and provide evidence of proper abandonment, if necessary.

6. Provide a land division guarantee issued by a title company.

7. Substantially complete all construction items:
   a. Secure for any remaining construction items in accordance with City Standards.
   b. Submit a one-year maintenance guarantee.
   c. Submit as-built drawings of all public improvements or secure for them in accordance with City policy.
8. Repair all curb, gutter and sidewalk disturbances as indicated in Public Works Comments (Exhibit 5).

9. If individual lots were graded as part of the grading permit for the partition, provide a map of those lots with new building pads and include the dimensions of the area graded.

10. All adjacent streets shall be swept regularly during construction.

11. Street name sign and “stop” signs shall be paid for by the developer and installed by the City. All other signs and markings including, “no parking/fire lane”, “sidewalk ends signs”, painting curbs at 20 ft. setback at intersections for no parking, 10 ft. of yellow each side of hydrant and a white stop bar at the stop signs are to be completed by the developer.

12. Power, telephone, cable television and natural gas lines shall be installed underground and within the 10 ft. City Utility Easements.

13. Pay all engineering inspection fees due.

14. Submit a letter from the Responsible Engineer stating that he/she supervised the grading and construction for the entire parcel and individual lots and the grading and construction was completed according to approved plans.

15. All water services on existing public water lines shall be installed by City of Grants Pass Water Distribution Crews. All encroachment fees related to the installation of water services shall be the responsibility of the developer.

16. Complete installation of the public utility services as reflected on the approved utility plans.

17. Coordinate with the Streets Department to confirm that all required signage and streetlights are installed at the proper locations.

18. Meet all Public Safety requirements as stated in Exhibit 6.

19. Pay a tree deposit of $400 for Parcel 2. Parcel 1 has an approved landscape plan based the major site plan approval for 201-00341-20.

20. Pay all City fees.

21. Submit for major addressing and pay associated fees prior to submitting for individual building permits.

22. Submit a final plat in accordance with Section 17.321 of the City of Grants Pass Development Code. Incorporate any modifications or conditions required as part of tentative approval. A professional land surveyor must survey the partition. A plat check by the City Surveyor and payment of appropriate fees is required. Failure to comply with this condition will nullify the approval of the Tentative Plat. Include the following on the plat:
a. Dedication of a 10-ft. CUE along the full public street frontage, if needed.
b. Dedication of a 20-ft. CUE, if necessary, for storm drain and/or sewer.

After all signatures are obtained, the plat must be recorded with the Josephine County Recorder within 30 days. The developer shall file one print of the recorded plat with the Community Development Department. Failure to do so will nullify plat approval.

C. The following shall be accomplished at the time of development of individual lots:

Note: The following conditions are not all-inclusive and are provided for the information of the applicant.

1. Payment of all System Development Charges due; including, but not limited to, water, storm, sewer, parks and transportation.
2. Each lot shall have separate utility services.
3. All utilities shall be placed underground.
4. Comply with the Uniform Fire and Building Codes.
5. Install landscaping in accordance with the approved landscape plan.
6. Submit lot drainage plans for approval on all building plans.
7. Developed or undeveloped building lots shall be maintained for weed and grass control throughout the year.
8. Provide addresses visible from the public right-of-way.
9. Gravel driveway approaches and other erosion and track out control measures shall be in place during construction of individual lots.
10. Lighting shall not glare into neighboring residential properties.
11. Meet all Public Safety requirements based on size of structures.
12. Prior to occupancy, driveways and parking and maneuvering areas shall be paved in accordance with the requirements of the Development Code.
13. Building permits issued shall comply with solar standards listed in Section 22.620.

VII. PLANNING COMMISSION ACTION:

A. Variance

1. Approve the request
   a. As submitted.
   b. With the conditions stated in the staff report.
   c. With amended conditions (list):

2. Deny the request for the following reasons (list):
3. Postponement: Continue item to a time certain

B. Partition

1. Approve the request
   d. As submitted.
   e. With the conditions stated in the staff report.
   f. With amended conditions (list):

2. Deny the request for the following reasons (list):

3. Postponement: Continue item to a time certain

NOTE: State law requires that a decision be made on the application within 120 days of when the application was deemed complete. That date is May 14, 2022.

VIII. INDEX TO EXHIBITS:

1. Location Map
2. Aerial Map
3. Application
4. Site Plan
5. Public Works Comments
6. Public Safety Comments
Property Address: 1815 SE N Street

Assessor’s Map & Tax Lot:
36_05_21 BD Tax Lot(s) 500
- - - Tax Lot(s)
Zoning: R-3-2

Property Owner: SCR Properties
Address: 538 Honeylynn Ln
Grants Pass, OR 97527
Phone:
Email:

Applicant: Daniel Charbonneau
Address: PO Box 308
Grants Pass, OR 97528
Phone: 541 218 1866
Email: carling@charter.net

Authorized Representative (if different from applicant):
Bob Hart of Bob Hart Consulting LLC
Address: 5126 W. Evans Creek Rd Rogue River
Phone: 541 582-8890
Email: bobbobhartconsultingllc.com

Surveyor or Engineer (if applicable):
Polaris Land Surveying LLC
Address: PO Box 459 Ashland, OR 97520
Phone: 541 482-5009
Email: Shawn Kampmann <shawn@polarissurvey.com>

CERTIFICATION: I hereby certify that the information on this application is correct and that I own the property, or the owner has executed a Power of Attorney authorizing me to pursue this application (attached).

(Signature of owner or Attorney-In-Fact) 1-13-22

(Signature of owner or Attorney-In-Fact) Date

(For Office Use)
Date Application Received: 1-13-22
Date Application Complete: 1-14-22
Pre-App required? N Pre-App # 001-00377-21
Fees Paid: $369.10 Initials: CN
File Number(s): 103-00144-27

301-00148-22

T:\CD\PLANNING\FORMS\Planning Application Forms\Planning Application Form updated 4-29-19.doc

EXHIBIT 3

Page 59
**SCR Partition Request**

<table>
<thead>
<tr>
<th>Owner</th>
<th>SCR Properties LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>1815 SE N Street</td>
</tr>
<tr>
<td>Legal</td>
<td>36-05-21-BD T1 500</td>
</tr>
<tr>
<td>Size</td>
<td>.48 Acres</td>
</tr>
<tr>
<td>Zone</td>
<td>R-3-2</td>
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The request is for a partition to create two lots with a private street to serve the project. The property has a four-plex under construction on the front half of the property. A second four-plex is proposed on the new parcel. The additional parcel will provide additional flexibility for ownership and financing for the project. The property was recently changed from BP to R-3-2 to better reflect the character of the area and provide needed housing in Grants Pass. The adjoining lot to the south is improved with a single family dwelling and was also a part of the zone change. This lot will be developed in the future at a higher residential density but is not ready at this time. The proposal as submitted will provide for immediate development of needed housing and provide an opportunity for separate financing and sale apart from the current four-plex under construction.

**Partition Criteria**

17.312 Criteria for Tentative Partition Plan Approval. The review body shall approve, approve with conditions or deny the request based upon the following criteria:

1. The plan conforms to the lot dimension standards of Article 12, the base lot standards of Section 17.510, and the requirements of any applicable overlay district.

Response: The property is in the R-3-2 zoning district that establishes the density of 20.0 dw/acre or 2178 square feet per unit. With a proposed four-plex the lots need to be at least 8712 sq.ft. The survey map shows the lots at 10,932 and 10,144 square feet including a private street to serve the southerly lot. The lots meet the frontage, width and area requirements. There is a problem with the front setback for Parcel 1. When the existing structure was approved and a surveyor set the corners of the building, an additional street dedication was not calculated. The result is that the building has an encroaching front setback that is five feet shy of the required setback. We will be requesting a variance to address the survey error. Appearance of the project is not affected by this change as the front of the building faces the private street. Visually from N Street the building looks like a side wall with landscaping for
the project softening the look from N Street. The lots are buildable with perpendicular side property lines. The proposed flag design is done to coincide with the private street and meets the lot standard of being at least 20 feet wide, not exceeding more than twice the width of the lot and does not exceed the limitation of not more than two adjacent flaglots. Thus, the lots meet the standards for lot design. The design of the flag/private street has an offset from the northwest corner of the lot. This offset has two functions. The first is to avoid an existing utility pole that is for high voltage overhead wires and is located at the northwest corner of the lot. The offset will preclude the need to relocate the utility pole. The second reason for the offset is to achieve the ordinance standard of 260 feet of separation between street centerlines. Scolaire Drive is located to the west of the subject property. The location of the private street will meet the separation standard for these two streets.

(2) When required, the proposed future development plan allows the properties to be efficiently further developed, in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district, and in conjunction with other development in the neighborhood.

Response: The property cannot be further developed so no development plan is required.

(3) When one is required or proposed, the street layout conforms to the applicable requirements of the adopted street plans, meets the requirements of Article 27 and other applicable laws, and best balances needs for economy, safety, efficiency, and environmental compatibility.

Response: The development includes a private street that will serve the rear lot. A variance is required for the separation of the street from the adjoining property. The code requires that the private street improvement be located at least 5 feet from an adjoining residential parcel. The variance will be addressed later in the application. We are of the opinion that the need for additional housing and the ability to separately finance and sell the two properties separately will balance the housing needs and the efficiency of development of the project. Additionally, the circumstances of the street adjacent to the neighboring parcel have special circumstances that are addressed in the variance.

(4) The proposed utility plan conforms to the applicable requirements of adopted utility plans, the requirements of Article 28 and other applicable laws, and best balances needs for economy, safety, efficiency, and environmental compatibility.

Response: The utility plan will provide for full urban services to serve the lots separately.

RECEIVED

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EXHIBIT 3

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The tentative plan allows for the preservation or establishment of natural features or the preservation of historic features of the property including

(a) Providing the necessary information to complete the tree chart identified in Section 11.041.

\[\text{Response: The information required to meet the code provisions for trees are to be a part of this application. The tentative plan shows that there is one cedar tree on the site and the tree is 8 inches in diameter. The tree is located in the proposed private street and will be removed and replaced to meet the standards of the code for canopy coverage. The existing canopy is 8 feet in diameter that covers slightly for than 50 square feet. This equates to less than 1% of the area of the parcel. This tree will be removed and replaced in a manner that is shown on the attached plan for the landscaping of the front four-plex. On that plan there are 8 maple trees proposed that are 15 gallon trees. A copy of the landscape plan is attached to this application. At maturity, the trees will far exceed the current canopy of trees.}\]

<table>
<thead>
<tr>
<th>Existing Percentage of Canopy Cover Prior to Development</th>
<th>Percentage of Existing Canopy Cover to Remain Post Development</th>
<th>Target Percentage based on Zoning District</th>
<th>Total Percentage of Canopy Cover Proposed Post Development</th>
<th>Number of Trees to be Planted per Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.1%</td>
<td>0%</td>
<td>15%</td>
<td>15%</td>
<td>8</td>
</tr>
</tbody>
</table>

(b) No cuts shall result in retaining walls greater than 15 feet high in a single wall from the finish grade or create any un-retained slopes greater than 100%.

\[\text{Response: No cuts are required to develop the property as the land is level.}\]

(c) No fills may result in a retaining wall within the required setback from a property not included in the development plan greater than six (6) feet in height from the finish grade nor create any un-retained slopes greater than 100%.

\[\text{Response: No fills are needed to develop the site as the land is level.}\]

(6) The plan complies with applicable portions of the Comprehensive Plan, this Code, and state and federal laws.

\[\text{Response: The development does require approval of variances to some portions of the City Development Code. We conclude the variances are appropriate for the}\]

Page 3 of 8

**EXHIBIT 3**

JAN 13 2022

CITY OF GRANTS PASS
development and that with approval, the project complies with the applicable code, Comprehensive Plan and state and federal laws.

To meet the technical requirements of the code, variances are required to approve the request. The variance criteria are listed below then followed by the specific justification for each variance.

6.060. Criteria for Variances
Previously granted variances shall not be considered to have established a precedent. The review body may approve, or approve with conditions, a Variance upon finding that it meets all the following criteria:

(1) The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.

(2) The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.

(3) The proposal’s benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

(4) The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.

Variance 1

Section 27.123 (14) In those cases where a proposed street abuts a developed neighboring residential property, the street itself shall be kept a minimum of 5-feet from the abutting property line. The sidewalk, if any, may be placed at the property line.

We request a variance as the street will be placed adjacent to a flag lot that serves as the access to a single family residence at the south end of the adjoining lot. There are no structures that will be adjacent to the private street. The code allows the sidewalk to be adjacent to the property line but not the driving surface. In this case, if we place the sidewalk adjacent to the property line, There would be vehicle traffic on both sides of the sidewalk and we conclude the sidewalk would not be used. If no sidewalk is placed adjacent to the property line, there would be a five foot strip of land between the street driving surface and the driveway next door. We are of the opinion that this would
be an inefficient use of land to have this strip not serve any useful purpose. We propose that the sidewalk be placed on the east side of the roadway toward the dwellings where it will be useful to the pedestrian traffic in the project.

(1) The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.

Response: The code provides that there be a 5 foot separation between a private street and an adjoining residentially developed parcel. If the 5 foot separation is installed the buildable area of the subject property would be reduced and make the 5 foot wide area unusable with the development pattern having an access driveway along the property line. Thus, an isolated strip of land will be unusable. The situation of a flag lot is such that the access to the subject property will not impact the dwelling. We are of the opinion that the code did not contemplate that the adjoining "developed residential property" was an access driveway to the residence that would not be impacted.

(2) The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.

Response: The variance to place the private road adjacent to the adjoining property line. The placement will preserve the density proposed for the project and is the most logical location because of the flag access being the physical circumstance that is a basis for the variance.

(3) The proposal’s benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

Response: The requirement to place the private road at least 5 feet from the property line will result in an area that will make the property development less efficient by creating a strip of land that has no significant purpose. We conclude that the intent is to provide as extra buffer from the access to an adjoining dwelling and reduce any noise or odor impact. With the setback being adjacent to the access to the adjoining parcel and not the location of a structure, we find that no adverse impacts will be created.

(4) The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.

Response: The size and shape of the existing lots were created more than 20 years ago and prior to the current zoning and ownership. The variance is not self imposed.
Variance 2

The second variance is a reduction of the front yard setback from 20 feet to 15 feet because of a survey error when the location of the four-plex existing on the property was approved.

(1) The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.

Response: While the proposed partition does not create the problem, it was discovered that records were not sufficiently clear to show the additional right of way that reduced the setback for the structure for Parcel 1. The building plans were submitted to the city for compliance with setback and proper street widths. The building plans were approved and the build is almost complete. The special circumstance is that the “approved structure” does not meet the code standards for a front setback. The only option to the variance would be to remove the building and start a new structure. The design of the building would need to be modified in order to meet setbacks as the structure is similar to the design of the Sequoia Village PUD to the west. To meet the proposed density, the structures would need to be changed to 3-Story buildings.

(2) The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.

Response: The variance to retain the existing structure in its current location is a unique circumstance as a result of an error in survey that shows right of way different at the time of building construction as compared to the partition plat that required a greater level of review than when the building permits were issued. Survey errors are very rare and the location of the building was done in reliance on the records generally used for issuance of permits.

(3) The proposal’s benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

Response: The requirement to remove the building or alter plans and remodel the building is impractical for the almost fully completed structure. The remodel would not be able to retain the four units that are currently constructed. The complete removal and change of location would increase costs to the extent that the units would be cost prohibitive. The purpose to have affordable housing would not be met with an alternative to the requested variance.

(4) The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.
Response: The code requires a 20-foot front yard setback. In preparing the partition map for this request, it was discovered that an additional 5 feet of dedication was required for right of way for N Street. The building under construction is located such that with the dedication, the setback will be 15 feet, 5 feet less than the required setback. The error in the location of the building was not the result of a conscious decision of the property owner but was a mistake in city records and reviews. We are of the opinion that there was an honest mistake and that the granting of the variance would not adversely impact the neighborhood or cause any damage to the intent of the code.

We ask that the variances be approved for this project.

Open Space Standard

Open space standards were recently revised in August of 2021 and the standard only applies to multifamily projects of five or more units. Thus the standards do not apply to this project as each parcel will have a maximum of four units.

Fire Access

The pre-application memorandum indicates that a turn around would be likely be required at the end of the private street as a part of the building is more than 150 feet from SE N Street. Because of the small lots and limited ability to provide a turn around we have discussed this issue with Joe Hyatt of the City in order to inquire if the matter of fire protection could be addressed as it was in Sequoia Village that is close by this project. We proposed that a fire suppression system be installed for the building in a like manner as the Sequoia Village construction. This would provide adequate fire protection that without the need for a turn around and provide water access directly to the buildings. This solution was accepted by Mr. Hyatt to solve this issue.

Summary

The proposal is to partition one lot into two parcels. Currently there is a four-plex under final construction on the proposed front parcel. An additional four-plex is proposed for the rear parcel. Located on SE N Street, the site is by the award winning Sequoia Village PUD. The same project manager for the Sequoia Project is overseeing the construction of the proposed project with similar quality of construction and design. We propose the private street and property division to provide for the sale and financing of each four-plex to provide additional ownership options. In order to accomplish this, we need to have two variances approved regarding the creation of a private street. We had originally envisioned that the subject property and the adjoining property to the south would be concurrently developed as a part of the entire Sequoia Village project. However, the owner of the adjoining property to the south is not wanting to develop right now but wants to stay in the existing residence at the present time. With these conditions, we propose the partition and private street that will need a variance to meet the full standards of the code. The variance request is to the requirement
that the improved portion of the private street be located at least 5 feet away from an adjoining residentially improved lot. In this case the road will be located adjacent to the flag access to the improved residential lot. The proposed private street will terminate 202 feet from the residence on the adjoining lot. We are of the opinion that the code was intended to reduce traffic in close proximity to dwellings. We conclude that the proposed arrangement will not have any significant adverse affect on the dwelling of the adjoining lot and that the variance will meet the intent of the code. The variance criteria are addressed above. A second issue of a variance came to light when the surveyor for the project was developing the Partition Plat. It was discovered that an additional 5 feet of dedication of N Street was done and did not appear on maps. Based on this addition right of way width, the existing structure that is at completion is 15 feet from the front property line. We are asking that the structure be allowed to remain with an encroachment of 5 feet. The variance criteria are addressed above. Based on the application and accompanying materials we conclude that the code requirements are adequately addressed and we ask for approval of the project subject to standard conditions as outlined in the pre-application memorandum.
Hi to All,

Parcel No 1 is giving a 31 foot easement to access Parcel No 2.

The 31 foot easement is sufficient to built a 26 (correction – 25) feet paved road parallel to the western line,

The street' Concrete curb & paved improvement will start be at 2 ft to the west of the property line, instead of 5 feet, and sidewalk will be 4 feet.

At the east part of the frontage of the building where the vehicles will access the garages of each unit is a 20.3 feet distance between the building and the private street easement.

Thanks Daniel
Partition of Parcel # 36-05-21-BD TL 500
1815 SE "N" Street, Grants Pass
Zoned : R-3.2

Tree Canopy Cover for proposed
Parcel # 2, 10,144 sq. ft.  \[ 15 \times = 1521.65 \text{ sq. ft.} \]

Main tree species proposed is the: Acer Truncatum "Norwegian",
called Sunset Maple, (see Develop. Code, art.# 23.076, page 23-32.),
with a spread of 30 ft, height of 30 ft, creating a canopy of 706 sq/ft at
maturity (each) \[ 706 \times 4 = 2824 \text{ sq. ft.} \approx 27\% \text{ coverage} \]

PLANTING SCHEDULE
4 Norwegian / Sunset Maple trees.
30 Cedar bushes 5 gall
40 Bushes of different variety, 1 gall. each
Buffer strip on East property line, 10 Cedar
Bushes 5 gall.
Install Irrigation System

Scale: 1" = 10'.0
February, 9th 2022
This Staff Report presents the comments generated during the review of the subject application on behalf of the City of Grants Pass Public Works Department. The objective of the review is to assist the City and the Applicant in determining requirements for public works improvements and other pertinent requirements as specified in the Grants Pass Development Code, applicable master plan documents, Standard Specifications, and current policy. The following comments are composed as either recommended conditions of approval directed to the Approving Authority and Applicant, or as an emphasis of select City policies and standards directed to the Applicant’s Engineer. Not all pertinent Codes and Standards are listed herein:

A. Prior to Issuance of a Development Permit:

The Applicant shall submit plans, maps and other required documents, for review and approval by the Public Works Department, which specify the design and construction of the public and private improvements in compliance with the following conditions and comments:

1. General:
   a. Submit a ‘Developer Installed Improvements’ application, including all required submittals and the appropriate fees specified therein. Refer to the application form for the submittal requirements. A partial list of the submittal requirements includes the following:
      i. A grading plan which includes all proposed earthwork and creation of building pads.
      ii. A detailed drainage and detention plan – if required.
      iii. A utility plan.
      iv. An erosion and sediment control plan.
      v. A digital file (PDF format) of the complete set of approved plans.
      vi. A CAD file of the complete set of the approved plans.
   b. Submit a ‘Grading/Fill Permit’ application, if applicable, including all required submittals and the appropriate fees. Refer to the application form for the submittal requirements.
   c. Submit an ‘Encroachment Permit’ application, if applicable, including all required submittals and the appropriate fees. Refer to the application form for the submittal requirements.
   d. Provide written acknowledgement that the Applicant will retain the Engineer-of-Record (Engineer), to make visits to the Site at intervals appropriate to the various stages of construction to observe as an experienced and qualified design professional the progress that has been made and the quality of the various aspects of the executed work. Based on information obtained during such visits and observations, the Engineer, will determine, in general, if the work is proceeding in accordance with the
approved plans and specifications. The Engineer will notify the contractor and the City immediately if the work is not in accordance with the approved plans and specifications. The Engineer will provide the City with copies of each Site Visit Report within seven (7) days of the visit. The Applicant shall notify the City if an alternate professional engineer will provide the above mentioned services.

2. Streets:
   a. SE N Street. Classification – Arterial Street
      i. Required Right-of-Way dedication: The required half street right-of-way equals 32 feet. The Applicant’s Surveyor shall determine if any additional right-of-way dedication is required at the subject location.
      ii. Required Street Improvements: Any new or reconstructed driveway approach shall be built to current pedestrian access standards. Replace/repair any existing sidewalk that Public Works maintenance personnel identify as in need of repair.
   b. Private Street. Classification – Private Street
      i. Required Right-of-Way dedication: None.
      ii. Required Street Improvements: 22 foot street width, with a curb and 4 foot sidewalk along one side per 27.123 (12) (b).
      iii. The proposed street does not keep a minimum of 5 foot separation from the abutting property line per 27.123 (14); and the Applicant is requesting a variance. The proposed variance does not appear to increase a risk to traffic safety.
      iv. The Applicant plans to use a fire suppression system for the building as an alternative to meet the requirements for 27.123 (12) (c). The Applicant will need to confirm with the Public Safety Department that this is a possible alternative.

3. Storm Drainage:
   a. All new, and substantially reconstructed, developments shall limit the storm water run-off from the development site to not exceed .65 cfs per acre during a 25-year storm event (Reference Master Storm Drainage Facilities and Management Plan – May 1982). The Applicant’s Engineer shall submit a storm water report which demonstrates how the proposed development satisfies this condition. Partially redeveloped sites shall apply the above condition to new impervious areas only, if the City Engineer determines that applying this condition to the entire site is not feasible.
   b. Design the development to not alter off-site existing drainage patterns.
   c. Design for the collection of on-site storm runoff and discharge to City approved downstream drainage facilities. Provide a storm drain extension from downstream facilities to the project.
   d. Design erosion and sediment control measures.

4. Sanitary Sewers:
   a. Project specific requirements: The Applicant is proposing an 8” sanitary sewer to serve the development. The City recommends extending the new 8” sanitary sewer main to the southerly property line (for future development of 1801 SE N Street) and providing a 20 foot unobstructed sewer easement for the sanitary sewer main.
   b. Design a minimum of one service lateral for each lot. Avoid installing service laterals in driveways. All service lines shall be located in the serviced property’s adjacent right-of-way and installed in a straight-line perpendicular to the Sewer Main.
   c. Connect the new development to public sewer and do not use septic systems unless exempted by section 28.071 (1).
d. Design all new sanitary sewer facilities in conformance with the City’s Sanitary Sewer Standards and Specifications.

e. Design 4-inch or larger service laterals for single dwellings and small single stores or offices, provided the current Plumbing Code does not require the building sewer to be larger than 4-inches. Install 6-inch or larger, and at least equal to the size of the building sewer, all other service laterals.

5. Water System:
   a. Project specific requirements: There is an existing 12” water main within SE N Street.
   b. Design all new water facilities in conformance with the City’s Water Standards and Specifications.
   c. Design all service meters in the serviced property’s improved adjacent Right of Way. Service meters will not be allowed in easements. Wherever possible, install all service meters in the sidewalk per GP274. Do not install service closer than 5 feet to a front property corner. Locate meter boxes to avoid driveways and roof drains. Install water service lines in a straight line perpendicular to the waterline from the service meter. Install service line taps to not have less than 2 feet of separation between each other. Do not install a service tap in a main closer than 18” to a joint or fitting.
   d. Determine the water service and meter size. The aforementioned determination is not required for single-family residential units, where a 5/8” x 3/4” meter per GP274 each unit shall be standard. Furnish and install meters 3" and above. The City will furnish and install all meters smaller than 3”.

6. Misc:
   Obtain DEQ 1200-C permit for disturbance of more than one acre.

B. Prior to Final Plat Approval:
The Applicant shall substantially complete all construction items specified in A above, and perform the following:

1. General:
   a. Pay all outstanding fees, including engineering inspection fees.
   b. The Applicant shall retain the Engineer to prepare and submit ‘Record Construction Drawings’ prepared by the Engineer for all public improvements, and which includes a statement on the drawings as to the source(s) of information, surveying, and testing, including the dates of the site visits, the Engineer relied upon to complete the ‘Record Drawings.

2. Streets:
   Sweep all adjacent streets regularly during construction.

3. Storm Drainage:
   Maintain erosion and sediment control measures until disturbed areas are re-established.

4. Sanitary Sewers:
   c. Test all new sewer facilities in conformance with the City’s Water Standards and Specifications.
   d. Abandon all un-used sewer laterals in conformance with City Sewer Standards.
   e. Provide a mini-tv inspection video of existing laterals planned for use to the Wastewater Collections Division.

5. Water System:
a. Test all new water facilities in conformance with the City’s Water Standards and Specifications.

b. Properly abandon any wells on site, unless they are to be used for irrigation.

6. Public Utilities:
   a. Place underground all utility facilities, including, but not limited to, electrical lines and other wires, street lighting and communication and cable television services.
   b. If none exists, dedicate a City utility easement (C.U.E.) across the frontages of the development in conformance with the requirements of the public utility companies.

C. Prior to Development of Individual Subdivision Lots:
   The Applicant shall accomplish the following:
   a. Provide all utility service laterals to each lot, including, but not limited to, electrical lines and other wires, street lighting and communication and cable television services.
   b. Provide a single driveway approach to each lot.
Comments:

No Comments on partition. Following comments on remainder of proposal.

**NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):

- 20-25 feet road width – no parking on either side of roadway
- 26-32 feet road width – parking is allowed on one side
- Greater than 32 feet road width – parking is not restricted

  o Private Street to be posted “No Parking Fire Lane” both sides.

**NO PARKING SIGNS:**
Signs shall read “NO PARKING - FIRE LANE” and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)

1. Private Street to be posted “No Parking Fire Lane” on one side (26’ in width). GPDC 27.123(1)(e) & OFC 503.2.

2. Fire Department Access Roads shall be provided to within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. (OFC 503.1.1) Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)

3. Fire Department access required. Minimum access width 20’ and may not be obstructed. OFC 503.2 & 503.4. Where gates are secured, an approved lock (KNOX box) is to be installed in an approved location. 506.1.1.

**EXHIBIT 6**

4. Water supply will be determined using the building fire flow requirement listed in OFC B105. Lacking sufficient information to determine fire flow, the most restrictive will be provided and may be reduced on provided specific building construction and use. In no case shall the required fire flow be reduced by 50%.

No Building Dimensions, not able to calculate fire flow.

5. Structures over 3600 square feet will require demonstration of additional fire flow or fire sprinkler system. OFC B105.2.

6. Hydrants shall be spaced an average of 500 feet between hydrants. Maximum distance from any point on a street or road frontage to a hydrant shall not exceed 250 feet. Spacing shall decrease for structures having a fire flow greater than 1750 GPM. OFC C105 & Table C105.1 Fire Hydrants shall have the ability to deliver 1000 gallons per minute at a minimum of 20 psi for 2 hours.

Note: Existing Hydrant WDHY 1015 May meet with requirement.

24. DEAD ENDS AND ROADS IN EXCESS OF 150 FEET (TURNAROUNDS): Dead end fire apparatus access roads or roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams of approved turnarounds are shown below: (OFC 503.2.5 & Figure D103.1)

**EXHIBIT 6**

Submitted By: Michael Meyer, Fire Inspector

I. PROPOSAL:

The proposal is an ordinance amending Article 12 (Zoning Districts) of the Grants Pass Development Code (See Exhibit 1 for the mark-up version of the proposed text amendment). If approved, the amendment would require development in the R-3 (R-3-1), R-3-2, R-4 (R-4-1), and R-4-2 zoning districts meet minimum density standards, including a requirement to build to at least 60% of the maximum density on a per site basis.

II. AUTHORITY AND CRITERIA:

Section 4.102 of the City of Grants Pass Development Code provides that the Director, Planning Commission, or City Council may initiate a text amendment application. These amendments have been initiated by the Director of Community Development.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorizes the City Council to make a final decision on an application for a Development Code Text Amendment, pursuant to the requirements of a Type IV procedure.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.
III. **APPEAL PROCEDURE:**

The City Council’s final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council’s written decision.

IV. **BACKGROUND AND DISCUSSION:**

Timeline:

- The Housing Advisory Committee adopted a 2021 priority to move towards establishing minimum density requirements to increase the supply of housing. This was based on the goal to preserve moderate to high density residential zones for density’s greater than single family homes.
- In March 2021, the Housing Advisory Committee motioned to recommend that City Council consider a potential Development Code text amendment that would establish minimum residential density standards in the R-3-1 and R-4-1 zones, including a requirement to build to at least 60% of the maximum density on a per site basis.
- Staff and the Chair of the Housing Advisory Committee presented the motion with a presentation to Council during a workshop session in March of 2021. Council continued the discussion with direction for staff to follow up with more information.
- After deliberation by Council at the second workshop in September of 2021, staff was directed to draft a proposed development code amendment requiring minimum residential density standards in the R-3 (R-3-1), R-3-2, R-4 (R-4-1), and R-4-2 zoning districts.
- At the time of this report a proposed Comprehensive Plan amendment is being considered which would add a housing policy directly related to this proposed Development Code amendment (Exhibit 3). The proposed Comprehensive plan policy is below:
  - 9.11. Establish minimum densities in medium and high-density zones
- To date, public notification of the potential text amendment has occurred through Council workshop, Housing Advisory Committee, and Urban Area Planning Commission agenda items. One land developer spoke in opposition and staff received an email from a land developer in opposition to the concept of minimum densities.

Proposed Development Code Amendment:

**Exhibit 1** contains the following marked-up Development Code text amendments being proposed:

1. The amendment in Article 12 (Section 12.145) is a change to Minimum Residential Density requirements, which as proposed states: In accordance with the standards below and the exceptions in Section 12.146, new residential development in the R-3, R-3-2, R-4 and R-4-2 zoning districts is required to
achieve at least 60 percent of the maximum density for the zone, per Schedule 12-4a.

2. The amendment to Schedule 12-4b is a change to the table which defines the zoning districts that will be required to meet minimum residential density standards

<table>
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<td>R-2</td>
<td>N/A</td>
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<tr>
<td>Moderate-High Density (HR)</td>
<td>R-3 (R-3-1)</td>
<td>10.46 du/acre</td>
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<tr>
<td></td>
<td>R-3-2</td>
<td>12.00 du/acre</td>
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<td>R-3M (R-3-1M)</td>
<td>N/A</td>
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<tr>
<td></td>
<td>R-3-2M</td>
<td>12.44 du/Acre</td>
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<td></td>
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<td>12.44 du/Acre</td>
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<td>High Density (HRR)</td>
<td>R-4 (R-4-1)</td>
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<td></td>
<td>R-5M</td>
<td>20 du/Acre</td>
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3. The amendment adds a new section to Article 12 (Section 12.146). The addition of Section 12.146 would provide exemptions and exceptions to the minimum residential density standards provided certain requirements are met. The proposed exemption and exception language is below:

Exemption: Development on a building site less than 10,000 square feet that is in existence prior to the date this ordinance is adopted is exempt from minimum density requirements.

Exceptions: The Director is authorized to grant an exception to the minimum residential density requirements in Section 12.145 by means of a Type I procedure, as governed by Section 2.030 as follows:

(1) For development on a building site that is 10,000 square feet or
larger, if the applicant can demonstrate by means of a detailed site plan that the site is so constrained that the proportional share of the required minimum density cannot be provided and still meet all of the development standards in the underlying zone, an exception may be granted.

(2) To be granted an exception to Subsection 1 above, the applicant must demonstrate that the maximum number of residential units are being provided while complying with all applicable development standards in the underlying zone. There is nothing in this section which precludes an applicant from applying for a Variance to these standards, as governed by Article 6.

(3) If a property is occupied by a single dwelling as of the date this ordinance is adopted, the dwelling can be enlarged, reconstructed, or replaced in the event of a natural hazard, without having to meet the minimum density requirements.

The effect of the proposed amendment is that new development in the R-3 (R-3-1), R-3-2, R-4 (R-4-1), and R-4-2 residential zoning districts will be subject to meeting minimum residential density standards.

V. APPLICABLE CRITERIA:

The text of the Development Code may be amended provided all of the criteria of Section 4.103 of the Development Code are satisfied.

SECTION 4.103:

CRITERION 1: The proposed amendment is consistent with the purpose of the subject sections and articles.

Staff Response: Satisfied. The proposed amendment is consistent with both the purpose and intent of the article affected by this proposal. The purpose of Article 12 is to establish land use review procedures, stratify land use review procedures according to the degree of discretionary judgment required and the extent of public participation appropriate, and to relate the type of the procedure to the degree of impact of the proposed development. The proposed amendment in this application does not change this purpose statement.

The proposed amendment reflects the purpose of the zoning districts affected, which are as follows:

R-3 Districts. The purpose of the R-3 (R-3-1) and R-3-2 Districts is to encourage, accommodate, maintain, and protect a suitable environment for residential living at moderate-high densities. Maximum densities in these districts are typically representative of 2-story housing such as attached or multi-family.
R-4 (R-4-1), R-4-2, and R-5 Districts. The purpose of the R-4 (R-4-1), R-4-2, and R-5 Districts is to encourage, accommodate, maintain and protect a suitable environment for residential living at higher densities, and for professional uses that typically support residential areas; such as professional offices; hospitals, clinics and other suitable uses, but only in a manner designed to support and protect residential livability. Maximum densities in these districts are typically representative of 3-story housing such as attached or multi-family.

More specifically the following purpose statement of Section 12.145 is in line with the proposed amendment: “In order to ensure an adequate supply of sites zoned for different housing types at appropriate locations, some residential zones have minimum density requirements”.

CRITERION 2: The proposed amendment is consistent with other provisions of this code, including the purpose statement found in Section 22.010 of the Grants Pass Development Code. Section 22.010 applies to the future structures built under this ordinance proposal but does not directly affect the review of the minimum residential density standards.

Staff Response: Satisfied. Staff finds that the purposes of the Development Code remain intact.

CRITERION 3: The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and most effectively carry out those goals and policies of all alternatives considered.

Staff Response: Satisfied. The proposed amendment is found to be consistent with Element 9, Housing, of the Comprehensive Plan. Specifically, the policy goal for housing encourages the provision of adequate numbers of housing units within the Urban Growth Boundary at price ranges and rent levels commensurate with the financial capabilities of area households, and to allow for flexibility of housing type, density, location and design. The proposed amendment assures the Development Code and Comprehensive Plan are in agreement and consistent.

CRITERION 4: The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Staff Response: Satisfied. Though future growth in the R-3 (R-3-1), R-3-2, R-4 (R-4-1), and R-4-2 zones is expected to be higher under the proposed amendment when compared to historical residential density levels in Grants Pass and this will have impacts on some intersections and the functions of the transportation system, however it is still found to be consistent with the adopted TSP.

The Grants Pass Transportation System Plan Technical Memorandum, page 3, states the TSP assumed a growth rate of 2.94% annual growth in units, reaching
34,230 units in 2040. This figure assumes maximum densities would be constructed, which is far below historical and projected development levels and below the 60% rate required in the proposed ordinance.

VI. RECOMMENDATION:

Staff recommends the Planning Commission dutifully review all relevant material, review all public input, give consideration to potential amendments proposed, and use their full subjective judgement to determine an appropriate recommendation to the City Council based on the best interest of the City of Grants Pass as a whole.

VII. PLANNING COMMISSION ACTION:

A. Recommend the City Council approve the request:
   1. As submitted,
   2. With revisions recommended by the Planning Commission (list):

B. Recommend the City Council deny the request for the following reasons (list):

C. Postponement: Continue item
   1. Indefinitely; or,
   2. To a certain time.

NOTE: The application is a legislative amendment and is not subject to the 120-day limit.

VIII. INDEX TO EXHIBITS

1. Mark-up text for Article 12
2. Current Comprehensive Plan Policies: Housing
4. Grants Pass Transportation System Plan Technical Memorandum, Page 3
Determining Minimum Residential Density

In order to ensure an adequate supply of sites zoned for different multi-unit housing types at appropriate locations and to help accomplish housing goals of the Comprehensive Plan, some two residential zones have minimum density requirements. Zones designated on the zoning map with an “M” suffix following the name of the zoning district. This allows ‘legacy’ zones to continue to be subject to the original standards, while most newly zoned properties will meet the newer requirements. In accordance with the standards below and the exceptions in Section 12.146, new residential development in the R-3, R-3-2, R-4 and R-4-2 zoning districts is required to achieve at least 60 percent of the maximum density for the zone, per Schedule 12-4a.

This designation is typically applied only in higher density residential zones. Minimum lot sizes in lower density zones will typically achieve zoned densities with detached housing types. However, in higher density zones, densities will only be achieved with attached and multi-dwelling housing types. Rather than implementing these provisions by prohibiting certain lower-density housing types in higher-density residential zones, this approach allows flexibility. Minimum densities on a site can be met in more than one way: by a single housing type on a lot, each built at the same average density, or by a mix of different housing types where some are at higher density and some are at lower density, resulting in the same average density. A site that is nonconforming in minimum density may not move further out of conformance with the minimum density standard. However, units may be added to the site which bring the site closer to conformance without coming all the way into conformance as part of a phased project that demonstrates the minimum density will be achieved.

(1) In a zone with a minimum density requirement designated with an “M” suffix following the name of the zoning district, development shall meet the minimum density provisions of this section, as provided in Schedule 12-4b. All land divisions in the R-3 and R-4 zones are required to demonstrate compliance with the minimum density requirements of the base zone at the time of land division application, unless modified through a Planned Unit Development.

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EXHIBIT 1
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Deductions for Natural Features. In calculating minimum density requirements, site area within stream banks and riparian setbacks, wetlands and wetland buffers, flood hazard areas, and slopes over 25% may be deducted from the site acreage before measuring minimum density.

Deductions for Public Dedications. Land dedicated as public right-of-way or public open space as part of a development may be deducted from the site acreage before measuring minimum density.

Deductions for Mixed-Use. In a zone with minimum density requirements, when residential development is part of a mixed-use development together with uses such as office and commercial use, the minimum density requirement may be reduced as follows:

(a) Vertical mixed use: Lower-floor non-residential use areas may be calculated as if they had the same number of dwelling units as the residential use on the floor above.

(b) Horizontal mixed use on same site: An equivalent deduction to Subsection (1) may be made for horizontal mixed-use on the same site, as would apply if the same mix of uses were configured as vertical mixed use. For example, two 2-story buildings of the same size, where one is a 2-story residential building and the other is a 2-story office building would qualify for the same deduction as two 2-story buildings with residential above commercial.

(c) Through a Planned Unit Development, similar deductions may be made as for horizontal mixed-use if the resulting development is on separate sites and the resulting development is consistent with the purpose of the deductions.

Exemptions and Exceptions to Minimum Residential Density Requirements

Exemption: Development on a building site less than 10,000 square feet that is in existence prior to the date this ordinance is adopted is exempt from minimum density requirements.
density requirements.

Exceptions: The Director is authorized to grant an exception to the minimum residential density requirements in Section 12.145 by means of a Type I procedure, as governed by Section 2.030 as follows:

(1) For development on a building site that is 10,000 square feet or larger, if the applicant can demonstrate by means of a detailed site plan that the site is so constrained that the proportional share of the required minimum density cannot be provided and still meet all of the development standards in the underlying zone, an exception may be granted.

(2) To be granted an exception to Subsection 1 above, the applicant must demonstrate that the maximum number of residential units are being provided while complying with all applicable development standards in the underlying zone. There is nothing in this section which precludes an applicant from applying for a Variance to these standards, as governed by Article 6.

(3) If a property is occupied by a single dwelling as of the date this ordinance is adopted, the dwelling can be enlarged, reconstructed, or replaced in the event of a natural hazard, without having to meet the minimum density requirements.
9. **HOUSING**

. **Goal**

To encourage the provision of adequate numbers of housing units within the Urban Growth Boundary at price ranges and rent levels commensurate with the financial capabilities of area households, and to allow for flexibility of housing type, density, location and design.

. **Policies**

. **Housing as a Community Service**

9.1 The City and County recognize that builders and developers are providing a necessary and desirable service, and commit to work together in the spirit of cooperation to provide adequate housing in a timely and efficient manner.

9.2 The City and County shall seek to maintain a physical standard of housing responsive to the health, safety and general welfare of the residents of the community, through the enforcement of the Uniform Building Code, as mandated by the State of Oregon.

9.3 The City and County shall encourage the development of public housing rehabilitation programs as a method of assisting property owners whose dwellings need structural repair; shall encourage the use of public funds in providing housing assistance.

. **Housing Variety, Type, Density, Location Amenities and Costs**

9.4 The Land Use Map, Zoning Map, Overlay Maps and the Development Code shall provide opportunities for a variety of housing types, densities and locations within the Urban Growth Boundary area.

9.5 The Development Code shall establish provisions for housing types which are shown to be related to lower housing costs, and shall allow these housing types outright in appropriate locations throughout the Boundary area.

9.6 The City and County recognize condominium ownership, manufactured housing, and attached single-family homes as legitimate and affordable housing alternatives, and will encourage their development to appropriate standards and in appropriate locations within the Boundary Area.

9.7 The City and County shall either (a) place on the Comprehensive Plan Land Use Map a manufactured housing overlay designating where manufactured housing shall be permitted as an outright use, or (b) allow manufactured housing outright in all Developing Districts within the Boundary.
9.8 The City and County recognize the need for rental units and additional multifamily homes in the area, and will designate appropriate locations for multi-family development within the Boundary area.

9.9 The City and County recognize the need for balance in housing types, and shall continue to support the development of traditional housing types, and shall act to protect and enhance Established neighborhoods within the City and Boundary area.

9.10 The Development Code shall establish provisions for density transfer within a particular housing development; and shall set forth regulations to accommodate housing developments which utilize density transfer, such as cluster development, planned unit development and zero lot line development.

9.11 Within 16 months of adoption of the Comprehensive Plan, the Development code shall explore service design standards (roads, water, sewer, storm drainage) which endeavor to lower the costs of development and maintenance while ensuring public safety and health.

9.12 Within 16 months of adoption of the Comprehensive Plan, the Development Code shall ensure the conservation of environmental amenities which are important for the livability of residential housing, which may include open space, parks, recreation areas, buffer yards, wetlands, natural wildlife habitats, solar space access, views, and waterways.

9.13 The City and County shall balance the benefits of its regulatory actions with the impact of such regulations to the cost of housing, and shall regularly review their fees and charges for reasonableness and efficiency.

9.14 The City shall encourage the provision of housing for all people, regardless of age, race, color, religion, sex, national origin, or handicap status, and shall take special measures to insure that not group or class of people is excluded from the community.
9. **HOUSING**

. **Goal**

Ensure the availability of adequate numbers of needed housing units at price ranges and rent levels commensurate with the financial capabilities of Grants Pass households, and allow for flexibility of housing location, type, and density.

. **Policies and Objectives**

**Land Availability**

9.1. In compliance with ORS 197.296, plan for a 20-year supply of suitable land for Grants Pass to meet housing needs within the existing Urban Growth Boundary. Coordinate with Josephine County as required by the State Housing Goal to ensure a fair allocation of housing types and densities.

9.2. Update the Housing Needs Analysis at least every 10 years and whenever actual population growth exceeds growth forecasts for three out of five years.

9.3. Revise Comprehensive Plan land use designations and Development Code as needed to meet the housing needs identified in the Housing Needs Analysis.

9.4. Direct development opportunities to vacant or partially vacant land as identified in the Buildable Lands Inventory and Housing Needs Analysis.

9.5. Maintain the Land Use Map, Zoning Map, Overlay Maps and Development Code to provide opportunities for a variety of housing types, densities, and locations within the urban growth boundary.

**Housing Needs**

9.6. Lower or remove local barriers to residential development.

9.7. Streamline land use and development processes to incentivize the timely and efficient development of housing.

9.8. Permit a variety of housing types across all residential zones, including single-family, middle housing, manufactured housing, and multifamily types. Focus on expanding opportunities for housing types which are shown to be related to lower housing costs.

9.9. Create pre-approved middle housing floorplans to encourage middle housing development.

9.10. Reduce minimum lot sizes in low-density zones to increase the efficiency of single-family and middle housing.

9.11. Establish minimum densities in medium and high-density zones.

9.12. Increase maximum building height in higher density zones.

9.13. Simplify the permit process to convert single-family units in commercial zones to mid-to-high density multi-dwelling housing.

9.14. Support efforts by nonprofit organizations and for-profit entities to provide housing for special needs populations. (Group quarters, independent living for seniors, assisted living, memory care, mental health facilities, drug and alcohol rehab, etc.).
9.15. Promote and incentivize mixed-use areas to connect households to a variety of transportation options, medical and social services, commercial centers, and recreation amenities.

9.16. Direct funds and program support to rehabilitate existing housing within Grants Pass.

9.17. Plan infrastructure and utilities to support housing development within the urban growth boundary, especially areas identified as likely for infill development.

**Housing Affordability and Homelessness**

9.18. Partner with public, private, and nonprofit agencies and organizations to facilitate affordable housing development and maintenance. For example, purchase affordable housing projects with income restricted sunset dates to retain affordability into the future.

9.19. Dedicate City resources to support public and private housing and associated programs/services to community members experiencing homelessness.

9.20. Identify surplus publicly owned properties that could be used for affordable housing and leverage these assets through public-private partnerships and other avenues.

**Funding and Incentives**

9.21. Implement a variety of incentives to support subsidized, low income and workforce housing. These incentives may include:
   a. Waiving or deferring fees and system development charges
   b. Adopting or amending criteria for property tax exemptions or freezes
   c. Providing density bonuses with the development of affordable housing
   d. Requiring the lowest off-street parking standards necessary to still meet community needs in order to reduce land used for parking and reduce housing costs
   e. Utilize Multi-Unit limited tax exemption (MULTE) program

9.22. Identify funding sources to increase housing affordability and support subsidized housing programs and infrastructure development. Funding sources may include:
   a. Assessing a construction excise tax
   b. Dedicating a portion of Urban Renewal funding
   c. Implementing Local Improvement Districts
   d. Proceeds from the sale of surplus property
   e. Dedicating a portion of System Development Charges
   f. Short-term rental lodging tax
2 Demographic Growth Projections

2.1 Population, Housing and Employment Forecasts

Figure 1 summarizes the PSU population forecasts for year 2040, totaling slightly more than 57,500 within the Grants Pass urban area by year 2040. PSU’s base year is 2015. These forecasts reflect an annual average growth rate of about 1.43%.

Though related to population, the growth in the Grants Pass urban area is estimated to increase by about 2.94% per year, reaching a total of 34,230 units by 2040. See Figure 2, which summarizes the OSUM Travel Model housing input data used in the evaluation of future traffic in the Grants Pass TSP update (source: ODOT). The OSUM Travel Model is calibrated to a base year 2010. The higher rate of growth in housing units (when compared to population growth) is an indicator of a more elderly population and smaller family size in Grants Pass over the next 20 plus year.

The rate of growth in employment is much lower than housing, averaging about 0.75% per year. Figure 3 graphs the 2010 and 2040 employment figures for the Grants Pass urban area.

Figures 4 and 5 illustrate the net new housing and employment growth, respectively, by transportation analysis zone (TAZ) within the urban area. As shown, the majority of new housing growth is located in the southwest and southeast area of Grants Pass, with some continued housing development growth west of Highland Avenue in northwest, and some modest growth north of I-5. Employment growth is centralized in the north OR 99 corridor, in the central eastside commercial and industrial areas, and along US 199 west of OR 99.
MEMORANDUM

To: Urban Area Planning Commission
From: Amber Neeck, Housing and Neighborhood Specialist
Date: February 16, 2022
Re: Amendment to Comprehensive Plan Housing Element

As discussed in the Urban Area Planning Commission (UAPC) meeting on February 9, 2022, the commission has made the following recommendations on amendments to the Comprehensive Plan text amendments:

1) The motion to change the policy and objectives 9.2 to add in a yearly analysis.
2) The motion to have staff reword bullet point 9.6 to be a more actionable item using the same topic idea.
3) The motion that within housing and affordability and homeless section 9.18 be reword-smithed by city staff and brought back for approval with recommendations that the word partner be struck or replaced. And the explanation, for example, purchase affordable housing projects be completely struck.
4) The motion to postpone to February 23rd for the purposes of paperwork and glossary definitions.

Item 1

Staff has added the new requested policy both in the Comprehensive plan text body and in the policies section.

Item 2

Staff has reworded Policy 9.6 (now policy 9.7) to utilize more actionable language. Staff has also mirrored these changes in the main Element 9 text.

Item 3

Staff has reworded policy 9.18 (Now policy 9.19) removing the words “partner with” in exchange for “support”. Staff has removed the example from the policy. Staff has mirrored these changes in the main Element 9 text.

Item 4

Staff reached out to the consultant, FCS Group, who provided a disclaimer for the glossary section of the Housing Needs Analysis explaining why terms using the word “Family” are included, and that they are used only for the purposes of data interpretation.

(end)
9.60 FINDINGS

- The population of Grants Pass is forecast to grow at 1.02% per year over the next two decades, adding 9,401 new residents.
- Population growth will require the addition of 4,055 new traditional dwelling units over the next 20 years as well as 114 group quarters dwellings.
- About 60% of the future housing need will consist of single family detached housing, 18% will be a mix of townhomes and plexes, 13% will be apartments, 6% will be comprised of manufactured housing and about 3% will be in group quarters such as dorms and congregate care facilities.
- The results of the housing needs analysis indicates that the current UGB is sufficient to accommodate future housing needs.

9.61 Housing Policy Goals

As part of the HNA process, the consultant team met with City staff and the HNA Advisory Committee to discuss potential housing policies that cities throughout Oregon have implemented to address various housing issues, which are summarized in OAR 660-038-0190(5) measures to accommodate needed housing in the UGB.

Grants Pass HNA Policies and Objectives

Goal: Ensure the availability of adequate numbers of needed housing units at price ranges and rent levels commensurate with the financial capabilities of Grants Pass households, and allow for flexibility of housing location, type, and density.

Land Availability

1. In compliance with ORS 197.296, plan for a 20-year supply of suitable land for Grants Pass to meet housing needs within the existing Urban Growth Boundary. Coordinate with Josephine County as required by the State Housing Goal to ensure a fair allocation of housing types and densities.
2. Update the Housing Needs Analysis at least every 10 years and whenever actual population growth exceeds growth forecasts for three out of five years.
3. Revise Comprehensive Plan land use designations and Development Code as needed to meet the housing needs identified in the Housing Needs Analysis.
4. Direct development opportunities to vacant or partially vacant land as identified in the Buildable Lands Inventory and Housing Needs Analysis.
5. Maintain the Land Use Map, Zoning Map, Overlay Maps and Development Code to provide opportunities for a variety of housing types, densities, and locations within the urban growth boundary.
5.6 Complete an annual evaluation of progress on the Housing Needs Analysis goals and growth targets.
Housing Needs

6.7. **Evaluate and address** lower or remove local barriers to residential development.

7.8. Streamline land use and development processes to incentivize the timely and efficient development of housing.

8.9. Permit a variety of housing types across all residential zones, including single-family, middle housing, manufactured housing, and multifamily types. Focus on expanding opportunities for housing types which are shown to be related to lower housing costs.

9.10. Create pre-approved middle housing floorplans to encourage middle housing development.

10.11. Reduce minimum lot sizes in low-density zones to increase the efficiency of single-family and middle housing.

11.12. Establish minimum densities in medium and high-density zones.

12.13. Increase maximum building height in higher density zones.

13.14. Simplify the permit process to convert single-family units in commercial zones to mid-to-high density multi-dwelling housing.

14.15. Support efforts by nonprofit organizations and for-profit entities to provide housing for special needs populations. (Group quarters, independent living for seniors, assisted living, memory care, mental health facilities, drug and alcohol rehab, etc.).

15.16. Promote and incentivize mixed-use areas to connect households to a variety of transportation options, medical and social services, commercial centers, and recreation amenities.

16.17. Direct funds and program support to rehabilitate existing housing within Grants Pass.

17.18. Plan infrastructure and utilities to support housing development within the urban growth boundary, especially areas identified as likely for infill development.

Housing Affordability and Homelessness

18.19. **Support** public, private, and nonprofit agencies and organizations to facilitate affordable housing development and maintenance. For example, purchase affordable housing projects with income restricted sunset dates to retain affordability into the future.

19.20. Dedicate City resources to support public and private housing and associated programs/services to community members experiencing homelessness.

20.21. Identify surplus publicly owned properties that could be used for affordable housing and leverage these assets through public-private partnerships and other avenues.

Funding and Incentives

21.22. Implement a variety of incentives to support subsidized, low income and workforce housing. These incentives may include:

   a. Waiving or deferring fees and system development charges
   b. Adopting or amending criteria for property tax exemptions or freezes
   c. Providing density bonuses with the development of affordable housing
   d. Requiring the lowest off-street parking standards necessary to still meet community needs in order to reduce land used for parking and reduce housing costs
   e. Utilize Multi-Unit limited tax exemption (MULTE) program

22.23. Identify funding sources to increase housing affordability and support subsidized housing programs and infrastructure development. Funding sources may include:

   a. Assessing a construction excise tax
9. **HOUSING**

. **Goal**

Ensure the availability of adequate numbers of needed housing units at price ranges and rent levels commensurate with the financial capabilities of Grants Pass households, and allow for flexibility of housing location, type, and density.

. **Policies and Objectives**

**Land Availability**

9.1. In compliance with ORS 197.296, plan for a 20-year supply of suitable land for Grants Pass to meet housing needs within the existing Urban Growth Boundary. Coordinate with Josephine County as required by the State Housing Goal to ensure a fair allocation of housing types and densities.

9.2. Update the Housing Needs Analysis at least every 10 years and whenever actual population growth exceeds growth forecasts for three out of five years.

9.3. Revise Comprehensive Plan land use designations and Development Code as needed to meet the housing needs identified in the Housing Needs Analysis.

9.4. Direct development opportunities to vacant or partially vacant land as identified in the Buildable Lands Inventory and Housing Needs Analysis.

9.5. Maintain the Land Use Map, Zoning Map, Overlay Maps and Development Code to provide opportunities for a variety of housing types, densities, and locations within the urban growth boundary.

9.6. Complete an annual evaluation of progress on the Housing Needs Analysis goals and growth targets.

**Housing Needs**

9.7. Evaluate and address local barriers to residential development.

9.8. Streamline land use and development processes to incentivize the timely and efficient development of housing.

9.9. Permit a variety of housing types across all residential zones, including single-family, middle housing, manufactured housing, and multifamily types. Focus on expanding opportunities for housing types which are shown to be related to lower housing costs.

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9.20.9.21. Identify surplus publicly owned properties that could be used for affordable housing and leverage these assets through public-private partnerships and other avenues.

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9.22.9.23. Identify funding sources to increase housing affordability and support subsidized housing programs and infrastructure development. Funding sources may include:
   a. Assessing a construction excise tax
   b. Dedicating a portion of Urban Renewal funding
   c. Implementing Local Improvement Districts
   d. Proceeds from the sale of surplus property
   e. Dedicating a portion of System Development Charges
   f. Short-term rental lodging tax
GLOSSARY

**Note:** References to the term “family” in this glossary are exclusively meant to define data points referenced throughout the report. It does not apply to local policy making apart from the data analyzed and included in this report.

**Accessory Dwelling Unit (ADU):** A small living space located on the same lot as a single-family house.

**Buildable Lands Inventory (BLI):** An assessment of the capacity of land within the city’s Urban Growth Boundary to accommodate forecasted housing and employment needs.

**Buildable Residential Land:** Includes land that is designated for residential development that is vacant and part-vacant and not constrained by existing buildings or environmental issues.

**Constrained land:** Land that is unavailable for future net new residential development based on one or more factors, such as environmental protections, public lands, floodplains, or steep slopes.

**Cost Burdened:** Defined by US Department of Housing and Urban Development (HUD) as households who spend over 30% of their income on housing.

**Cottages:** Small, single-level, detached units, often on their own lots and sometimes clustered around pockets of shared open space. A cottage is typically under 1,000 square feet in footprint.

**Density:** Defined by the number of housing units on one acre of land.

**Development density:** Expected number of dwelling units (per acre) based on current zoning designations.

**Exempt Land:** Land which is unavailable for development based on ownership (e.g. the city owns the land and it is either a park or intended to be a park) or which is otherwise owned by a public entity and is not intended for housing (e.g. land owned by a port, school district, etc.).

**Family:** A group two or more people (one of whom is the householder) related by birth, marriage, or adoption and residing together.

**High Density:** Lots with the average density of 12+ dwelling units per acre. Best suited for multifamily housing such as apartments and condos.

**Housing Needs Analysis (HNA):** The Housing Needs Analysis consists of four distinct reports that analyze the state of housing supply, housing affordability issues and the City's ability to meet projected housing demand going into 2040.

**Housing Unit (or Dwelling Unit):** A house, an apartment or other group of rooms, or a single room is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live and eat with any other person in the structure and there is direct access from the outside or common hall.

**Household:** Consists of all people that occupy a housing unit.

**HUD:** Acronym for US Department of Housing and Urban Development, the federal agency dedicated to strengthening and supporting the housing market.