CITY OF GRANTS PASS
COUNCIL AGENDA
March 2, 2022
6 pm City Council Meeting
Council Chambers - 101 NW A Street

MAYOR: Sara Bristol

CITY COUNCIL MEMBERS:

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<td>Brian DeLaGrange</td>
<td>Valerie Lovelace</td>
<td>Dwight Faszer, II</td>
<td>Joel King</td>
</tr>
<tr>
<td>Rob Pell</td>
<td>Rick Riker</td>
<td>Curt Collins</td>
<td>Vanessa Ogier</td>
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Invocation

Flag Salute

Roll Call

1. PUBLIC HEARING

   Legislative
   Second reading

2. COUNCIL ACTION
   b. Resolution awarding the Redwood Grange a System Development Charge matching grant for property located at 1830 Redwood Avenue. Pgs. 149-160

3. PUBLIC COMMENT This is an opportunity for the public to address the City Council on items not related to a public hearing or Council action item for the Council. The intent is to provide information that is pertinent to the City’s jurisdiction. Each speaker will be given three minutes to address the Council as one body, not to individuals. At the conclusion of public comment, Council will have an opportunity to respond. This meeting will proceed in an effective and courteous manner. Citizens and Council members will be allowed to state their positions in an atmosphere free from slander, threats, or other personal attacks. Signs or placards, outbursts of applause, campaigning for public office, or other disruptive behavior will not be tolerated.
   If you have a question regarding any government provided service or a current City policy, please contact the City Manager’s office in an attempt to resolve the matter.
   a. Opportunity to review public comment
   b. Review emails

4. CONSENT AGENDA (Items included are of such routine nature or without controversy so that they may be approved with a single action).
   *Indicates short Staff presentation and Council comment.
a. Resolution authorizing the City Manager to enter into a three-year labor contract with the Grants Pass Police Association (GPPA). Pgs. 161-216

b. Resolution amending the Collaborative Economic Development Committee bylaws. Pgs. 217-230

c. Resolution creating a position of Economic Development Manager and amending the Classification Plan. Pgs. 231-236

d. * Resolution authorizing the City Manager to enter into a General Fund Grant Agreement with the Oregon Department of Administrative Services. Pgs. 237-146

e. Motion approving the minutes of the City Council meeting of February 16, 2022. Pgs. 247-250

f. Motion acknowledging the minutes of the Bikeways and Walkways Committee meeting of January 11, 2022. Pgs. 251-252

g. Motion acknowledging the minutes of the Historical Buildings and Sites Commission meeting of December 9, 2021. Pgs. 253-254

h. Motion acknowledging the minutes of the Historical Buildings and Sites Commission meeting of December 23, 2021. Pgs. 255-256

i. Motion acknowledging the minutes of the Historical Buildings and Sites Commission meeting of January 13, 2022. Pgs. 257-258

j. Motion acknowledging the minutes of the Housing Advisory Committee meeting of December 10, 2021. Pgs. 259-262

k. Motion acknowledging the minutes of the Housing Advisory Committee meeting February 4, 2022. Pgs. 263-266

l. Motion acknowledging the minutes of the Urban Area Planning Commission meeting of January 12, 2022. Pgs. 267-294

m. Motion acknowledging the minutes of the Urban Area Planning Commission meeting of January 26, 2022. Pgs. 295-324

n. Motion acknowledging the minutes of the Urban Tree Advisory Committee meeting of January 10, 2022. Pgs. 325-326

o. Motion acknowledging the minutes of the Committee on Public Art meeting of December 14, 2021. Pgs. 327-328

p. Motion acknowledging the minutes of the Parks Advisory Committee meeting of January 13, 2022. Pgs. 329-332

q. Motion acknowledging the minutes of the Tourism Advisory Committee meeting of December 7, 2021. Pgs. 333-334
5. MATTERS FROM MAYOR, COUNCIL AND STAFF

   a. Mayor & Council Comments
   
   b. Staff Comments

6. EXECUTIVE SESSION: None anticipated

7. ADJOURN

City Council meetings will offer citizen participation via phone. If you would like to provide public comment, please contact the City Recorder by noon the day of the meeting. Registered participants will be emailed the teams meeting ID password, and call-in phone number by 3 pm on the day of the meeting. You should not share this information.

City Recorder: 541.450.6000 or kfrerk@grantspassoregon.gov

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Recorder’s Office of any special physical or language accommodations at least 48 business hours prior to the meeting. To request these arrangements, please contact Karen Frerk, City Recorder at 541.450.6000.

Watch City Council Meetings Live
Stream it live on your computer or device at www.grantspassoregon.gov/770/watch
Watch on cable Channel 183 or on YouTube at City of Grants Pass.
Ordinance amending Development Code Articles 22 Residential Development, 23 Landscape and Buffering Standards, 25 Parking and Loading, and 30 Definitions related to landscape design.

Date: March 2, 2022

SUBJECT AND SUMMARY:

Adoption of this ordinance would amend Development Code Articles 22, 23, 25, and insert new definitions in Article 30 related to residential, commercial and public right of way landscaping.

RELATIONSHIP TO COUNCIL GOALS:

This supports the Council’s goals to FACILITATE SUSTAINABLE, MANAGEABLE GROWTH and ENHANCE COMMUNITY SAFETY by redefining and clarifying landscaping standards and buffering criteria for residential development.

CALL TO ACTION SCHEDULE:

Call to action schedule: At Council’s discretion.

BACKGROUND:

This Development Code text amendment addresses the need for alternative landscaping design options for residential development, recognizing the need for drought tolerant, native plants and fire-resistant landscapes in Grants Pass. The existing code offers only one option – a traditional design with an emphasis on green lawns. In addition, parking lot landscaping does not currently address the viability of trees planted in the allotted “islands” for design options. This amendment was developed with input from the Urban Tree Advisory Committee and several community stakeholders to improve the viability of trees planted in areas surrounded by impermeable surfaces such as parking lots. Additionally, City Council discussed the draft amendments at workshops in 2020 and 2021. To make the approved Street and Parking Lot trees list more responsive to changing availability and cultivars, this amendment will remove the list from the Development Code and publish it on the City’s website to allow for updates in real time. The approved Street and Parking Lot trees list will be adopted by reference within Article 23. Illustrations within Article 23 are updated with this text amendment for increased clarity and accuracy.

Goal 10 compliance was analyzed to “ensure opportunity for the provision of adequate

ITEM: 1.a. ORDINANCE AMENDING DEVELOPMENT CODE ARTICLES 22 RESIDENTIAL DEVELOPMENT, 23 LANDSCAPE AND BUFFERING STANDARDS, 25 PARKING AND LOADING AND 30 DEFINITIONS RELATED TO LANDSCAPE DESIGN.
Staff Report (continued):

numbers of needed housing units, the efficient use of buildable land within urban growth boundaries, and to provide greater certainty in the development process so as to reduce housing costs.” It was determined that: (1) the impact of these text amendments will reduce the cost of future housing by offering options for residential developments which require less long-term maintenance; (2) required minimum areas for landscaping do not impact the space needed for housing as they are staying the same or reduced slightly depending on the residential zone; and (3) the timeline needed for these landscape standards will not change from current estimates and will not cause any delays.

The mark-up text amendments to Articles 22, 23, 25, and 30 are summarized and explained in detail in the associated Urban Area Planning Commission (UAPC) Findings of Fact and the City Council staff report and exhibits and can be found in the February 2, 2022, Council packet.

The UAPC public hearing was held on December 8, 2021. The UAPC made a recommendation of approval to the City Council for the proposed amendment with a 6:0:0 vote, with one Commissioner absent.

Below are the changes to the Landscape Text Amendments in Articles 22, 23, 25, and 30 as voted on by the City Council at the public hearing held February 16, 2022.

<table>
<thead>
<tr>
<th>Section Number</th>
<th>Text change</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.031</td>
<td>Update Schedules 23-1 and 23-2 and related narrative for Landscape Design Type “Fire-safe”, change minimum plant % coverage at maturity to 60%.</td>
</tr>
<tr>
<td>23.031</td>
<td>Update Schedules 23-1 and 23-2 and related narrative for Landscape Design Type “Traditional”, change minimum plant % coverage at maturity to 80%.</td>
</tr>
<tr>
<td>23.035(3)(i)</td>
<td>Parking Lot Landscaping and Screening, Landscape Standards, Landscape islands at compact parking stalls: change required minimum dimension to 7 ft. x 14 ft.</td>
</tr>
<tr>
<td>23.079</td>
<td>Add Redwood Trees to the “Priority List of Trees to Retain”</td>
</tr>
<tr>
<td>25.033(10)</td>
<td>Design Standards (parking), Lighting: Remove subsection (a) which reads: “Lighting shall not be located in landscape islands where parking lot trees are required and shall not be located within 20 feet of a required parking lot tree.”</td>
</tr>
</tbody>
</table>

COST IMPLICATION:

Staff resources will be required to update the Development Code, website links, and explain changes to developers and landscape architects.
Staff Report (continued):

ALTERNATIVES:

1. Approve the text amendment as submitted;
2. Approve the text amendment with revisions;
3. Deny the text amendment; or
4. Postpone: Continue the item indefinitely or to a certain time.

RECOMMENDED ACTION:

The UAPC recommends the Council approve the text amendment.

POTENTIAL MOTION:

I move to adopt the Development Code text amendment for Articles 22 Residential Development, 23 Landscape and Buffering Standards, 25 Parking and Loading, and 30 Definitions related to landscaping standards with the following amendments: Coverage for fire safe option reduced to 60%, coverage for traditional option reduced to 80%, allow both lights and trees in planter islands, add Redwood tree to Section 23.079 list, reduce island minimum size to 7' x 14', and have it read by title only, second reading.
ORDINANCE NO.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING DEVELOPMENT CODE ARTICLES 22 RESIDENTIAL DEVELOPMENT, 23 LANDSCAPE AND BUFFERING STANDARDS, 25 PARKING AND LOADING, AND 30 DEFINITIONS RELATED TO LANDSCAPE DESIGN.

WHEREAS:

1. The Grants Pass and Urbanizing Area Comprehensive Community Development Plan was adopted December 15, 1982; and

2. The ordinance amends Development Code Articles 22, 23, 25 and 30; and

3. The proposal is consistent with the goals and policies of the Comprehensive Plan; and

4. The applicable criteria from the Development Code are satisfied, and approval of the proposal is recommended by the Urban Area Planning Commission to the City Council.

NOW, THEREFORE, THE CITY OF GRANTS PASS HEREBY ORDAINS:

Section 1. The amendments to Grants Pass Development Code Articles 22, 23, 25 and 30, as set forth in Exhibit ‘A’, are hereby adopted.

Section 2. This ordinance shall take effect 30 days from adoption.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 2nd day of March 2022 with the following specific roll call vote:

AYES:

NAYS: 

ABSTAIN: 

ABSENT:

SUBMITTED to and ________________ by the Mayor of the City of Grants Pass, Oregon, this ___ day of March 2022.

______________________________
Sara Bristol, Mayor

ATTEST:

______________________________ Date submitted to Mayor: ________________
Karen Frerk, City Recorder

Approved as to Form, Augustus Ogu, City Attorney
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### Solar Standards

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### Additional Standards for Single Attached Development

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### Accessory Dwelling Unit Standards

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<td>Applicability</td>
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<td>22.732</td>
<td>Development and Design Standards</td>
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<td>22.735</td>
<td>Approval Criteria</td>
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</tbody>
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Article 22: Residential Development Standards

22.010 Purpose

The purpose of this Article is to provide development standards for single and multi-dwellings, manufactured homes and recreational vehicle parks.

22.020 Concept

The provisions of this Article are supplementary to the Base Development Standards contained in Article 12 of this Code. These standards are intended to ensure an acceptable living environment for future residents of a development proposal and to minimize impact to adjacent residents and property owners.

22.030 Applicability

A development permit shall not be issued for any parcel or lot where compliance with the provisions of this Article has not been met.

The standards specifically apply to:

(1) Planned Unit Development (PUD) Development Standards (Section 18.090)
(2) Multi-Dwelling Projects
(3) Modified Setback Option
(4) Manufactured Housing
   (a) Individual lots (Class “A” Standard)
   (b) Manufactured Dwelling Parks (Class “B” Standard)
   (c) Health condition (Class “C” Standard)
(5) Single detached, single attached and duplex residences
(6) Recreational Vehicle Parks
(7) Accessory dwelling units

22.040 Procedures

For procedure types for site plan review for various categories of housing development, see Schedule 12-2, and Schedule 12-3 for the RTC zones.
22.041 Pre-application Conference

The applicant shall request a pre-application conference with the Director as provided in Section 3.041 of this Code.

22.100 Multi-Dwellings

The provisions of this section apply to development containing multi-dwellings (5 units or more).

22.101 Approval Guidelines and Standards

1) **Guidelines.** The guidelines below are intended as foundational design principles to assist designers of multi-dwelling projects and are used by the City to assess a project’s compliance with the goals of this Section.

2) **Standards.** An application for a Minor Site Plan Review shall be granted if it meets the applicable zone standards and the applicable standards of this Article.

3) Where a standard or a guideline of this Article conflicts with another standard in the Grants Pass Development Code, the provisions of this Article shall apply.

22.102 Open Space Guidelines and Standards

1) **Open Space – General Guidelines:**

   a) Locate open space throughout the site and in proximity to dwelling units as depicted in Figure 22-1;

   b) Provide centrally located open space in increments large enough to accommodate intended activities;

   c) Integrate open space with the natural topography;

   d) Maximize private open space for each dwelling unit;

   e) Provide separation between buildings on and off-site;

   f) Provide pedestrian access to all common open space areas to promote active use.
FIGURE 22-1. MULTI-DWELLING COMPLEX CONCEPTUAL SITE DESIGN

(2) **Common Open Space.**

(a) **Guidelines.**

(i) A variety of open space areas of sufficient size shall be provided for use by all residents of a development.

(ii) Common open space shall be distributed around buildings and throughout the site.

(iii) The amount of perimeter setbacks used for common open space shall be minimized.

(b) **Standards.**

(i) Common open space shall be provided in all new multi-dwelling complexes with five (5) or more dwelling units as follows:

(A) A minimum of thirty percent (30%) of the gross site area shall be designated and permanently reserved as common open space.
(B) Not more than fifty percent (50%) of the common open space shall be located in the required perimeter setbacks of the development. The minimum dimensions in Table 22.1 are not required to apply to open space located in perimeter setbacks.

(C) Not more than fifteen percent (15%) of the required common open space shall be located on land with slopes greater than twenty-five percent (25%).

(D) Indoor, rooftop or covered recreation space may count toward the common open space requirement, provided such indoor, rooftop or covered space is open to all residents of the development and does not exceed thirty percent (30%) of the required common open space.

(E) At least one of the required common open space areas provided within the development, excluding the perimeter setbacks or land with slopes greater than twenty-five percent (25%), shall meet the size and dimensional standards set forth in Table 22-1.

<table>
<thead>
<tr>
<th>Number of Dwelling Units</th>
<th>Minimum Open Space Area Size</th>
<th>Minimum Width Dimension</th>
<th>Maximum Width to Depth Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 to 10</td>
<td>500 sq. ft.</td>
<td>20 ft.</td>
<td>3:1</td>
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<tr>
<td>11 to 20</td>
<td>750 sq. ft.</td>
<td>25 ft.</td>
<td>3:1</td>
</tr>
<tr>
<td>More than 20</td>
<td>1,000 sq. ft., plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units</td>
<td>25 ft.</td>
<td>3:1</td>
</tr>
</tbody>
</table>

(c) **Small Lots.**

(i) For lots that are one-half (0.5) acre or less in size in the R-2, R-3, R-3-2, R4, R-4-2 or R-5 zones, the following open space requirements apply:

(A) A minimum of twenty percent (20%) of the lot must be dedicated to required open space.

(B) Not more than fifty percent (50%) of the common open space shall be located in the required perimeter setbacks of the development.
(C) Not more than fifteen percent (15%) of the required common open space shall be located on land with slopes greater than twenty-five percent (25%).

(D) Open space areas not otherwise developed with recreational facilities shall be landscaped.

(d) Exemptions.

(i) In the General Commercial, Central Business District, Riverfront Tourist District or mixed-use developments, open space requirements may be reduced to zero percent (0%) if the development is located within one-quarter mile radius of an existing public park or open space.

(3) Children’s Play Areas and Adult Recreation Areas.

(a) Guidelines.

(i) A variety of common open area opportunities shall be provided for enjoyment by all residents.

(ii) Children’s plan and/or adult recreation areas shall be centrally located within the development.

(iii) Children’s play areas, if provided, shall be connected to each multi-family building through a system of private pedestrian ways to ensure access for all members of the development.

(iv) Children’s play areas, if provided, shall be located in a manner to incorporate safety into the design by including such things as locating play areas to be visible from dwelling units, locating play areas away from physical barriers such as driveways and parking areas, and selection of play equipment with safe designs.

(b) Standards.

(i) Outdoor children’s play and/or adult recreation areas shall be provided as set forth in Table 22-2 in all new multi-dwelling complexes with twenty (20) or more dwelling units. Outdoor children’s play and/or adult recreation areas count toward meeting the common open space requirement.

<table>
<thead>
<tr>
<th>Number of Dwelling Units</th>
<th>Play/Recreation Area Size</th>
<th>Minimum Horizontal Dimension</th>
<th>Maximum Width to Depth Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 19</td>
<td>N/A</td>
<td>N/A</td>
<td>3:1</td>
</tr>
</tbody>
</table>

City of Grants Pass Development Code Article 22: Last Rev. 8/18/21 Page 22-5
<table>
<thead>
<tr>
<th>20</th>
<th>950 sq. ft.</th>
<th>25 ft.</th>
<th>3:1</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than 20</td>
<td>950 sq. ft. plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units</td>
<td>25 ft.</td>
<td>3:1</td>
</tr>
</tbody>
</table>

(i) Outdoor children’s play and/or adult recreation areas shall be centrally located within the development.

(ii) Outdoor children’s play and/or adult recreation areas shall be connected to each multi-family building and common building through private pedestrian ways in conformance with Section 27.320.

(iii) Outdoor children’s play and/or adult recreation areas shall not be located within required setbacks.

(iv) A minimum 30-inch-tall fence shall be installed to separate outdoor children’s play areas from any parking lot, drive aisle, stormwater retention/detention facility or street.

(4) Exemptions.

(a) Lots one-half (0.5) acre or less in size in the R-2, R-3, R-3-2, R4, R-4-2, or R-5 zones.

(b) In the General Commercial, Central Business District, and Riverfront Tourist District zones or in mixed-use developments, recreation areas may be reduced or eliminated if the development is located within one-quarter mile radius of an existing public park or open space.

(5) Private Open Space.

(a) Guidelines.

(i) Individual private open space shall be provided for each dwelling unit in all new multi-dwelling complexes.

(ii) Private open space shall be easily accessible from the dwelling unit.

(iii) If private open space is located adjacent to common open space, a buffer between the two open space areas shall be provided.

(b) Standards.

(i) Private open space meeting the size and dimension standards set forth in Table 22-3 shall be provided for each dwelling unit in all new multi-dwelling complexes.
### TABLE 22-3. PRIVATE OPEN SPACE SIZE AND DIMENSIONS

<table>
<thead>
<tr>
<th>Location of Dwelling Unit</th>
<th>Minimum Open Space Area Size</th>
<th>Minimum Dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not more than 5 feet above finished grade</td>
<td>96 sq. ft.</td>
<td>6 ft.</td>
</tr>
<tr>
<td>More than 5 feet above finished grade</td>
<td>48 sq. ft.</td>
<td>6 ft.</td>
</tr>
</tbody>
</table>

(ii) Private open space shall be located contiguous to the dwelling unit with direct access to the private open space provided through a doorway.

(iii) Private open space shall be visually separated from common open space through the use of perimeter landscaping, wall or fencing.

(iv) If fenced, a lockable gate shall be provided to grant access to public right-of-way or other improved open space.

(v) Fencing shall meet design standards in Section 23.037(1).

#### 22.103 Landscaping Guidelines and Standards.

(1) **General Landscaping.**

(a) **Guidelines.**

(i) A variety of tree types shall be distributed throughout the site to maximize tree canopy.

(ii) Landscaping shall be used to shield the site from winter winds and summer sun.

(iii) Existing trees shall be preserved to the maximum extent possible.

(iv) Where development site abuts property zoned single-family residential, an appropriate combination of landscaping and screening shall be provided that is sufficient to visually screen and buffer the multi-dwelling complex from the abutting property.
(v) A mix of landscaping treatments and design shall be used to provide a visually interesting development.

(b) Standards.

(i) A minimum of one tree shall be planted or preserved for every 2,000 square feet of site area.

(ii) Trees shall be planted that, at maturity, will provide canopy coverage over at least thirty percent (30%) of the open space and setbacks. All trees shall be selected from the Approved Street and Parking Lot Trees List.

(iii) For developments with frontage on an arterial or collector street, a street buffer that complies with Section 23.035(1) shall be provided.

(iv) Where a development site abuts property that is zoned R-1-6 through R-1-12, a combination of landscaping and screening shall be provided to buffer between the multi-dwelling complex and the abutting single-family zoned property. The landscaping and screening shall include the following:

(A) A minimum of one tree, not less than 1.5 inches in caliper for deciduous trees or six (6) feet tall for conifer trees, for every thirty (30) linear feet of abutting property width. At least forty percent (50%) of the trees in a single-family residential buffer must be a conifer species; and

(B) A minimum six (6) foot tall, site-obscuring fence or wall constructed of durable materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other similar materials. Chain-link fencing with slats, sheet metal and similar materials shall not be allowed to satisfy this standard.

(2) Street Frontage.

(a) Guidelines.

(i) The residential character of the site shall be enhanced with trees planted within the public right-of-way.

(b) Standards.

(i) Multi-dwelling complexes fronting on public or private streets shall plant street trees in accordance with the standards in Section 23.070.

(3) Building Exteriors.
(a) **Guidelines.**

(i) Landscaping shall be planted to define and accentuate the primary entryway of each dwelling unit or combination of dwelling units.

(ii) Vertical and horizontal landscape elements shall be provided along all exterior walls to soften the visual impact of buildings and create residential character.

(b) **Standards.**

(i) The perimeter of all buildings within a multi-dwelling complex shall be planted in accordance with the standards in Section 23.035(4).

(4) **Privacy.**

(a) **Guidelines.**

(i) Landscaping or a combination of landscaping and fencing shall be used to visually screen and buffer the multi-dwelling complex from abutting properties.

(ii) Landscaping shall be used to establish privacy of dwelling units. Methods may include fencing in combination with plant units.

(b) **Standards.**

(i) Ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing that is a minimum of four (4) feet in height.

(5) **Parking Areas.**

(a) **Guidelines.**

(i) Canopy trees shall be distributed throughout the interior and planted along the perimeter of parking areas (see Figure 22-2 and Figure 22-3).

(b) **Standards.**

(i) Parking areas within multi-dwelling complexes shall be planted in accordance with the standards in Section 23.050, and per the Approved Street and Parking Lot Trees List. Landscape standards for parking areas associated with
developments of eight (8) units or less may be reduced if written evidence is provided to the Director demonstrating physical site constraints.

FIGURE 22-2. PARKING LOT LANDSCAPING CONCEPT

FIGURE 22-3. PARKING LOT WITH CANOPY TREES CONCEPT
22.104 Parking, Site Access, and Circulation.

(1) General Parking and Site Access.

(a) Guidelines.

(i) Parking areas shall be designated to minimize the expanse of continuous parking (see Figure 22-4).

(ii) Pedestrian pathways shall be provided that connect to the between buildings, common open space, parking areas and surrounding uses.

(iii) Parking shall be located to maximize the convenience to residents.

(iv) Parking areas and circulation systems shall be designed in a manner that considers site topography, natural contours and any abutting properties zoned single-family residential.

(v) Parking areas shall promote circulation and access for all modes of transportation.

(vi) The number and design of parking spaces shall accommodate the planned use for the site.

(b) Standards.

(i) Parking areas greater than 5,000 square feet in area shall be physically and visually separated from each other with
landscaped planter bays that are a minimum of 18 feet in length. Individual parking areas may be connected by an aisle or driveway.

(ii) Pedestrian pathways a minimum of 5 feet wide shall be provided that connect to and between all buildings, common open space and parking areas.

(iii) Garages and carports shall be set back a minimum of 20 feet from the public right-of-way.

(iv) Where a development site abuts and is located uphill from property zoned single-family residential and the slope of the development site within 40 feet of the abutting single-family residential zoned property is fifteen percent (15%) or greater, parking areas shall be set back not less than 20 feet from the property line of the abutting single-family residential zoned property. Decorative walls, earthen berms, fencing, landscaping, or any combination thereof shall be provided to prevent glare from headlights onto abutting properties.

(v) Parking ratios and dimensional standards provided in Article 25 shall be met.

**FIGURE 22-4. CONCEPTUAL PARKING AREA LAYOUT**

(2) **Site Access.**
(a) **Guidelines.**

(i) Accessibility to and from the site shall be provided for all travel modes, including cars, cyclists and pedestrians.

(ii) Site access shall be provided in a manner that minimizes vehicle and pedestrian conflicts.

(iii) Where possible, driveway access shall be provided onto collector or local streets rather than arterial streets.

(iv) Where possible, driveway access shall be consolidated with either existing or future driveways serving adjacent developments.

(v) Parking areas shall be located to minimize their visibility from the public right-of-way and abutting properties.

(b) **Standards.**

(i) Pedestrian pathways shall be provided that connect the development to the public sidewalks.

(ii) Pedestrian access from the street to individual dwelling units, clusters of units, or common interior lobbies shall be provided for residential buildings located within 32 feet of a public street with a concrete walkway of not less than five (5) feet in width.

(iii) Where development has frontage on more than one street and such streets have different classifications in the Grants Pass Transportation System Plan, driveway access shall be provided to the street with the lowest classification.

(iv) Where required to meet the access spacing standards in Article 27-10, driveway access shall be consolidated with either existing or future driveways serving abutting development sites.

(v) Parking areas shall be separated from public street and abutting properties by a landscape screen and buffer of not less than five (5) feet in width with shrubs reaching at least three feet in height at maturity, or a wall or fence of not less than four (4) feet in height. (see Figure 22-5)

**FIGURE 22-5. PARKING AREAS BUFFERED FROM RIGHT-OF-WAY CONCEPT**
22.105 Building Mass and Façade Design.

(1) General Siting and Building Mass.

(a) Guidelines.

(i) Buildings shall be sited with sensitivity to topography and natural landform.

(ii) The development shall be designed to reinforce human scale.

(iii) Buildings with long monotonous exterior walls shall be avoided.

(b) Standards.

(i) Where development is located on a lot with an average cross slope of fifteen percent (15%) or more, grading shall be limited to sixty percent (60%) of the site surface area.

(ii) Individual buildings shall not exceed 150 feet in overall length.

(2) Compatibility.

(a) Guidelines.

(i) Contrast and compatibility shall be provided throughout the site through building design, size and location.
(ii) Appropriate transitions shall be provided between new buildings and structures on-site and existing buildings and structures on abutting sites.

(iii) Architectural elements and façade materials shall be used to provide continuity throughout the site.

(iv) The majority of dwelling units within the development shall be placed as close as possible to the street right-of-way.

(v) Architecturally defined and covered entryways shall be incorporated into the design of buildings.

(b) Standards.

(i) Except as provided in subsection (3)(b)(ii) of this section where a development site abuts property zoned R-1-6 through R-1-12, buildings shall be set back from the abutting single-family property as set forth in Table 22-4.

<table>
<thead>
<tr>
<th>Number of Building Stories</th>
<th>Minimum Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Minimum 1 foot for each 1 foot of building height, but in no case less than 14 feet</td>
</tr>
<tr>
<td>2 or more</td>
<td>Minimum 1 foot for each 1 foot of building height, but in no case less than 20 feet</td>
</tr>
</tbody>
</table>

(ii) Where a development site abuts and is located uphill from property zoned single-family residential and the slope of the development site within 40 feet of the abutting single-family residential zoned property is fifteen percent (15%) or greater, buildings shall be set back from the abutting single-family residential zoned property as set forth in Table 22-5.

<table>
<thead>
<tr>
<th>Number of Building Stories</th>
<th>Minimum Setback</th>
<th>Limitation &amp; Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 2</td>
<td>Minimum 1 foot for each 1 foot of building height, but in no case less than 20 feet</td>
<td></td>
</tr>
<tr>
<td>3 or more</td>
<td>Minimum 1 foot for each 1 foot of building height, but in no case less than 40 feet</td>
<td></td>
</tr>
</tbody>
</table>
(iii) On sites with 75 feet or more of buildable width, a minimum of fifty percent (50%) of the buildable width shall be occupied by building places at the setback line. Accessory structures shall not apply towards meeting the required percentage.

(iv) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment and shall be integrated with exterior building design.

(v) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas are permitted, provided the porch or entry area has at least 25 square feet of area for each dwelling unit with no dimension less than five (5) feet. Porches and entry areas shall be open on at least one side and may be covered or uncovered. All grade level porches shall include hand-railings, half-walls or shrubs to define the outside perimeter.

(3) Building Articulation.

(a) Guidelines.

(i) The appearance of building bulk shall be minimized by:
(A) Establishing a building offset interval along building facades; and

(B) Dispersing windows throughout building facades.

(ii) Articulation shall be provided at the common entryway to all residential buildings.

(iii) Building roofs shall reinforce the residential character of the neighborhood.

(b) Standards.

(i) Every two attached dwelling units shall be offset from the next dwelling unit by a wall plane of at least four (4) feet in depth. (see Figure 22-6)

(ii) Individual and common entryways shall be articulated – this standard is met by providing a separate entry roof, covered porch, portico or similar architectural feature.

(iii) Flat roofs and the roof ridges of sloping roofs shall not exceed a horizontal length of 100 feet without providing differences in roofline elevations of at least two (2) feet.

(iv) At least one window shall be provided in every habitable room, other than bathrooms, that faces a required setback, common open area and parking area.

FIGURE 22-6. BUILDING OFFSETS AND ARTICULATION CONCEPT
22.106 Public Improvements.

(1) Purpose.

(a) The purpose of this Section is to establish the means and standards whereby public improvements are provided for development within the City.

(2) Development to be served by City Utilities and Streets.

(a) All development shall be served by City utilities and streets designed and constructed according to all applicable provisions of the Standards listed in Article 28, Utilities and Article 27, Access.

22.107 Separation between Buildings at Property Lines. As required by applicable zoning district.

22.108 Exterior Elevations. To preclude large expanses of uninterrupted building surfaces, exterior elevations shall incorporate design features such as offsets, balconies, projections, or similar elements along each face of the building facing a public right-of-way or abutting property. Along the vertical face of the structure, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

(1) Recesses (elevated decks, patios, entrances, etc.) with a minimum depth of four (4) feet, or

(2) extensions (elevated decks, patios, entrances, floor area, etc.) with a minimum depth of four (4) feet, or

(3) offsets or breaks in roof elevations of three (3) or more feet in height.
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  23.035 Type E: Parking Lot Landscaping and Screening ...................... 23-10
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Article 23: Landscape and Buffering Standards

23.010 Purpose and Concept

Trees, shrubs and living ground-cover provide shade and shelter for both citizens and wildlife, aiding in energy conservation and moderating local climate. Plant materials eliminate pollutants from our air and water, and help maintain physical health by fulfilling a need for contact with the natural environment. Landscaping our major gateways into the City provides a lasting impression to visitors which is critical to our tourist economy. The knowledgeable use of vegetation by landscape professionals can achieve these positive benefits at a relatively small cost.

In these terms, landscaping is a significant factor in maintaining the livability and economic viability of the community. The purpose of this Article is to provide standards for Landscaping and Buffering within Grants Pass.

23.020 Landscaping Required

Landscaping shall be required in all the following areas:

(1) In all required front and exterior side yards in Residential, Commercial, Business Park, Industrial Park and Industrial zones.
(2) As provided in the Major Thoroughfare and Gateway Plan Where a conflict exists between such area plans and the base standards of Section 23.030, the area plans shall prevail.
(3) At buffering between zones and conflicting uses, as provided in Section 23.034.
(4) At vehicle parking, loading, access and maneuvering areas, as provided in Section 23.035.
(5) At required interior open space and recreational areas, as provided in Section 22.102 for multi-dwelling developments.
(6) In addition, screening or design consideration shall be given for refuse areas, service corridors, light and glare, mechanical equipment and service areas as provided in Section 23.036.

23.030 Landscape and Buffering Development Standards

All required landscaped yards and buffer strips shall meet the standards of the appropriate Landscape and Buffer Type and the general provisions of this Section.

23.031 Type A: Residential Front and Exterior Yards
Reference Type A Concept sketch.
(1) New residential development landscape designs may incorporate one of the following four design types: fire-safe, low water use, native plant/pollinator/wildlife habitat, and traditional.

Schedule 23-1 outlines each of the design options for Low and Moderate Density (R-1-12, R-1-10, R-1-8, R-1-6 and R-2) residential zones with a minimum net lot width (less the driveway approach) of 21 feet or wider.

<table>
<thead>
<tr>
<th>Landscape Design Type</th>
<th>Ground cover</th>
<th>Shrubs</th>
<th>Trees</th>
<th>Minimum Plant % Coverage at Maturity</th>
<th>Resources</th>
</tr>
</thead>
</table>
| Fire-safe                              | Sod, rock, compost, and/or groundcover species listed in the OSU publications listed under the "Resources" column. No wood chips or bark dust. Do not plant vegetation within 5 feet of any building structure. | Species listed in the OSU publications listed under "Resources" column. Do not plant vegetation within 5 feet of any building structure. | Species listed in the "Resources" column. For trees in the public right-of-way, species must be listed in the Approved Street and Parking Lot Tree List. | 70%                                  | Oregon State University (OSU): 
  - Fire-Resistant Plants for Home Landscapes (2006) 
  - THE HOME IGNITION ZONE: Protecting Your Property from Wildfire (2020) 
  - Keeping Your Home and Property Safe from Wildfire (2017) |
| Low water                              | Plants grouped together for water use. Rock and organic mulch are permitted around plants when minimum coverage of plant materials at maturity is met. Select drought tolerant ground cover. | Select drought tolerant shrubs. Rock and organic mulch are permitted around plants when minimum coverage of plant materials at maturity is met. | Select drought tolerant trees in the City of Grants Pass Approved Street and Parking Lot Tree List. | 50%                                  | Oregon State University (OSU): 
  - Water Wise Gardening Website & Publications City of Ashland: 
  - "Very Low Water Plants" List Website |
| Native plant/pollinator/wildlife habitat| Rock and organic mulch are permitted around plants so long as minimum coverage of plant materials at maturity is met. | Species lists provided in the Resources column. Rock and organic mulch are permitted around plants so long as minimum coverage of plant materials at maturity is met | Species listed in the City of Grants Pass Approved Street and Parking Lot Tree List under "Attracts wildlife" column of list. | 60%                                  | City of Ashland: 
  - "Bee Pollinators" Plant List 
  - "Attracts Butterflies" Plant List 
  - "Attracts Birds" Plant List 
  - "Attracts Hummingbirds" Plant List 
  - Rogue Basin Native Plants List |
| Traditional                            | Any non-invasive ground cover species.                                        | Any non-invasive shrub species listed in the other Landscape Design Types. | Any tree species except Tree of Heaven (Ailanthus altissima). For trees in the public right-of-way, species must be listed in the Approved Street and | 90%                                  | All resources listed in the other Landscape Design Types. |
For lots with a minimum net lot width of 20 feet and under, see Section 23.031(2).

High Density, multi-unit residential landscaping is addressed in Article 22.103.

Following are the guidelines and requirements for each of the four landscape design type options.

(a) Fire-safe design option: This landscape design shall be installed in areas located in the Wildland Urban Interface as shown on the City of Grants Pass interactive GIS map for area hazards (Fire Hazard Areas). It may be installed in other locations upon request. This option is designed to protect structures from future wildland fires.

Design standards:
- No foundation plantings.
- No conifers within 30 feet of any structure.
- No bark mulch allowed within 5 feet of a building or deck.

Minimum landscape requirements shall be as shown in Schedule 23-2, selected from the fire safe trees and shrubs list and also meet the following:

(i) Ground cover may not be selected from any conifer species. Coverage with shrubs or living ground-cover shall be at least 50% upon installation and 70% after 3 years.

(ii) Up to 30% of required landscape area may contain hardscape such as landscape boulders, rocks, cobble and gravel, as defined in Article 30.

(b) Low water use design option: This landscape design promotes water conservation and low maintenance while still providing the benefits of landscaped developments. Submitted plans must indicate grouping of plants with similar water needs. Drought tolerant species should be selected from provided resources.

Minimum landscape requirements shall be as shown in Schedule 23-2, selected from the drought tolerant trees and shrubs list and shall also meet the following:
(i) Remaining area treated with living ground-cover, as defined in Article 30. Coverage with shrubs or living ground-cover shall be at least 25% upon installation and 50% after 3 years.

(ii) Up to 50% of required landscape area may contain a minimum of two (2) inches organic mulch such as compost or bark dust; or hardscape mulches such as landscape boulders, rocks, cobble and gravel, as defined in Article 30.

(c) Native plant/pollinator/wildlife design option. This landscape design supports the use of native plants as they are adapted to the local climate and soil conditions. The intent of this design is to make use of native plants that provide pollen and wildlife habitat, although all specimens do not have to be native. The majority of native trees are large and slow growing and may not be a good fit for smaller suburban landscapes. Schedule 23-2 offers an alternative to address this conflict.

Minimum landscape requirements shall be as shown in Schedule 23-2, selected from the native plant, pollinator and wildlife design species, and shall also meet the following:

(i) Remaining area treated with living ground-cover, as defined in Article 30. Coverage with shrubs or living ground-cover shall be at least 30% upon installation and 60% after 3 years.

(ii) Up to 40% of required landscape area may contain a minimum of two (2) inches of organic mulch such as compost or bark dust; or hardscape mulches such as landscape boulders, rocks, cobble and gravel, as defined in Article 30. Up to 25% of this unplanted area (or 10% of the entire required landscape area) can be left uncovered if indicated on landscape plan as insect habitat.

(d) Traditional design option.

Minimum landscape requirements shall be as shown in Schedule 23-2 and shall also meet the following:

(i) Remaining area treated with living ground-cover, as defined in Article 30. Coverage with shrubs or living ground-cover shall be at least 50% upon installation and 90% after 3 years. A minimum of two (2) inches of organic mulch such as compost or bark dust shall cover this area upon installation.
(2) Landscape requirements for Single Attached residential developments on lots 2,000 square feet or less, and narrow lots with 20 feet or under net lot width:

(a) Any of the four landscape design type options listed in 23.031(1) may be used for these lots.

(b) All areas of the lot not occupied by structures or pavement in the front and exterior side yards visible from the public right of way shall be landscaped with trees, shrubs and living ground cover.

   i. If the visible front and/or exterior side yard landscape area combined is larger than 300 sq. ft., one (1) tree is required. Street trees in planter strips shall be allowed to meet this requirement.

(c) All street facing structures shall have landscaping along their foundations, with a minimum 4-feet wide planting area containing a minimum of one (1) 5-gallon shrub per five (5) lineal feet of foundation and three (3) 1-gallon accent plants, with living ground cover planted in the remaining area. When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch where it abuts unpaved areas.

(d) Rock, cobble, and gravel, compost, decorative bark or mulch shall be limited to no more than 25% of the entire landscape area.

(e) For lots in Fire Hazard Areas, the Director shall have discretion to approve submitted landscape plans meeting fire safe design standards.
### SCHEDULE 23-2: Tree and shrub quantities per residential front and exterior side yard net lot width

<table>
<thead>
<tr>
<th>Fire-safe Landscape Design Type</th>
<th>21-75 feet</th>
<th>76 feet and above</th>
<th>Minimum Plant % Coverage at Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lot Width</td>
<td>Ground Cover</td>
<td>Number of Shrubs</td>
<td>Number of Trees</td>
</tr>
<tr>
<td>21-75 feet</td>
<td>To reach required coverage</td>
<td>Four (4), 1-gallon shrubs or accent plants</td>
<td>One (1) deciduous tree at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare.</td>
</tr>
<tr>
<td>76 feet and above</td>
<td>To reach required coverage</td>
<td>Six (6), 1-gallon shrubs or accent plants</td>
<td>Two (2) deciduous trees at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Low Water Use Landscape Design Type</th>
<th>21-75 feet</th>
<th>76 feet and above</th>
<th>Minimum Plant % Coverage at Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lot Width</td>
<td>Ground Cover</td>
<td>Number of Shrubs</td>
<td>Number of Trees</td>
</tr>
<tr>
<td>21-75 feet</td>
<td>To reach required coverage</td>
<td>Four (4), 1-gallon shrubs or accent plants</td>
<td>One (1) tree at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare.</td>
</tr>
<tr>
<td>76 feet and above</td>
<td>To reach required coverage</td>
<td>Six (6), 1-gallon shrubs or accent plants</td>
<td>Two (2) trees at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Native Plant / Pollinator Landscape Design Type</th>
<th>21-75 feet</th>
<th>76 feet and above</th>
<th>Minimum Plant % Coverage at Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lot Width</td>
<td>Ground Cover</td>
<td>Number of Shrubs</td>
<td>Number of Trees</td>
</tr>
<tr>
<td>21-75 feet</td>
<td>To reach required coverage</td>
<td>Four (4), 1-gallon shrubs or accent plants</td>
<td>One (1) tree at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare. Select from “Native” trees in Section 23.076; OR one (1) non-native pollinator tree.</td>
</tr>
<tr>
<td>76 feet and above</td>
<td>To reach required coverage</td>
<td>Six (6), 1-gallon shrubs or accent plants</td>
<td>Two (2) trees at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare. Select from “Native” trees in Section 23.076; OR two (2) non-native pollinator trees.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Traditional Landscape Design Type</th>
<th>21-75 feet</th>
<th>76 feet and above</th>
<th>Minimum Plant % Coverage at Maturity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lot Width</td>
<td>Ground Cover</td>
<td>Number of Shrubs</td>
<td>Number of Trees</td>
</tr>
<tr>
<td>21-75 feet</td>
<td>To reach required coverage</td>
<td>Four (4), 1-gallon shrubs or accent plants</td>
<td>One (1) tree at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare.</td>
</tr>
<tr>
<td>76 feet and above</td>
<td>To reach required coverage</td>
<td>Six (6), 1-gallon shrubs or accent plants</td>
<td>Two (2) trees at least six (6) feet in height, and one and one half (1.5) inches in caliper measured six (6) inches from the root flare.</td>
</tr>
</tbody>
</table>
(3) Vehicle Intrusion in Required Residential Landscaped Yards. Vehicle parking intrusions shall be permitted within a required front or exterior side landscaped residential yard, as follows:

(a) For single detached and duplex dwellings in Residential zones, two vehicle spaces per dwelling unit are allowed, provided that a ten foot width of continuous landscaped area is maintained between the street right-of-way and the vehicle parking area.

(b) For all residential uses in R-3, R-3-2, R-4, R-4-2 and R-5 zones, up to a five foot depth of continuous parking intrusion is allowed provided that:

A 5-foot width of continuous landscaped area is maintained between the inside edge of the sidewalk and the vehicle parking area.

The parking area is screened as provided in Section 23.035. See “Type A” concept sketch illustration.

(4) Approved plant materials installed in the area between the curb and the sidewalk (planter strip) may be used in meeting the landscaping requirements for front and exterior yards.
Type A: Concept Sketch

Type B: **Commercial, Business Park and Industrial Park Front and Exterior Yards**

(1) The following landscape standards shall apply to commercial and indoor industrial uses in residential, commercial, business park and industrial park zones; and to residential uses in commercial, business park and industrial park zones.

(2) Required front and exterior yards shall be landscaped, and building setbacks shall be maintained, according to the Type B concept sketch and Schedule 23-3. Minimum landscape requirements per 1,000 square feet of a required front or exterior yard, or any portion thereof, shall be the following:

(a) Three (3) trees at least eight (8) feet in height, and one and one-half (1.5) inches in caliper measured six (6) inches from the root flare. Select from the Approved Street and Parking Lot Tree List, Section 23.076, and plant as shown per Type B Concept Sketch. Trees may be offset to permit signs in the landscape yard. Trees shall be kept trimmed of branches up to 14' from base five years following planting.

(b) Five (5) five-gallon and ten (10) one-gallon shrubs or accent plants.

(c) Remaining area treated with living ground-cover, as defined in Article 30.

(d) Coverage with shrubs and living ground-cover shall be at least 50% upon installation and 80% after three (3) years. The remaining area shall be mulched with a minimum depth of two (2) inches of organic mulch such as bark or compost for water retention.
(3) Vehicle Intrusion in Required Landscaped Yards. Vehicle parking intrusions shall be permitted within a required front or exterior landscaped yard, as follows:

(a) No more than a 5-foot depth of continuous parking intrusion.

(b) Parking is screened as provided in Section 23.035, Type E.

(c) The required front or exterior yard is not a required buffer strip, as provided in Section 23.034, Type D.

(4) Signs may be permitted in required landscaped yards. Any sign on the property shall be in compliance with the sign requirements as established in Title 9, Chapter 9.21, Sign Standards, of the City of Grants Pass Municipal Code.

(5) Approved plant materials installed in the area between the curb and the sidewalk (planter strip) may be used in meeting the landscaping requirements for front and exterior yards.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Type B Concept Sketch Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) Parking Intrusion</td>
</tr>
<tr>
<td>NC</td>
<td>5'</td>
</tr>
<tr>
<td>GC</td>
<td>5'</td>
</tr>
<tr>
<td>CBD</td>
<td>5'</td>
</tr>
<tr>
<td>BP</td>
<td>5'</td>
</tr>
<tr>
<td>IP</td>
<td>5'</td>
</tr>
</tbody>
</table>

*
Type C: Industrial Zone Front and Exterior Yards

(1) The following landscape standards shall apply to all uses in Industrial (I) zones.

(2) Required front and exterior yards of 10 feet shall be landscaped, and building setbacks shall be maintained, according to the Type C Concept Sketch and Schedule 12-9. Minimum landscape requirements per 1,000 square feet of a required yard, or any portion thereof, shall be the following:

   (a) Three (3) trees at least ten (10) feet in height and two inches in caliper measured six (6) inches from the root flare. Select from the Approved Street and Parking Lot Tree List, Section 23.076, and plant within 10 feet of the right-of-way. Trees shall be kept trimmed of branches so as not to interfere with pedestrian pathways.

   (b) Fifteen, five-gallon shrubs or accent plants.
(c) Remaining area treated with living ground-cover, as defined in Article 30.

(d) Coverage with shrubs and living ground-cover shall be at least 50% upon installation and 80% after 3 years. The remaining area shall be mulched with a minimum depth of two (2) inches of organic mulch such as bark or compost for water retention.

(3) No vehicle parking or maneuvering shall be permitted within a required landscaped yard.

(4) Approved plant materials installed in the area between the curb and the sidewalk (planter strip) may be used in meeting the landscaping requirements for front and exterior yards.

(5) Outdoor Industrial development adjacent to or abutting Residential, Commercial Business Park or Indoor Industrial development shall meet the following design features:

(a) Windows and person-doors for customer entrances are permitted into office areas, lobbies and similar areas that do not contain noise or odor producing equipment, materials, or machinery.

(b) Overhead doors and other openings are prohibited.

(c) The development must comply with the sound standards of Section 24.170.
23.034 Type D: Buffering Between Zones or Conflicting Uses. Buffering shall be required between zones or conflicting uses on abutting properties.

- Commercial, Business Park or Indoor Industrial to Residential uses
- Outdoor Industrial to all other zones and uses.
- Multi-unit residential developments to Residential uses as outlined in Section 22.105.

Exceptions to Zone Buffer requirements may be granted by the review body when adjoining or abutting properties are developed with similar uses.
The property owner of each proposed development is responsible for the installation and maintenance of required buffers. The Director may waive the buffering requirements of this Section where buffering has been provided on the adjoining property in conformance with this Code.

(1) Required buffer strips shall be landscaped, and building setbacks shall be maintained, according to the appropriate Type D Concept Sketch and Schedule 23-4.

(2) Buffer strips facing a property line shall require minimum planting of at least one row of trees, not less than eight feet high and one and one-half inches in caliper for deciduous trees and five feet high for evergreen trees at the time of planting, and spaced not more than 15 feet apart. Appropriate species may be counted as parking lot trees on an interior buffer, but only for those parking spaces abutting the buffer strip. The area beneath the trees shall be planted with a living ground-cover or shrubs giving 50% coverage at planting and 100% coverage within 3 years.

(3) No parking, loading or vehicle maneuvering area shall be permitted within a required buffer strip, excepting bike paths.

(4) Type D-2 interior buffers may be approved only upon the written agreement of all abutting parties, and the filing of a reciprocal maintenance and use easement by the appropriate party. Installation of plant materials and irrigation shall be at the expense of the party initially developing and as found in Section 23.050, responsibility for ongoing maintenance shall be specified in the easement document as required in Schedule 23-4.

(5) Sound obscuring walls shall be of attractive masonry construction, or a combination of masonry and earth mound. Masonry materials shall be limited to brick, slump block or split block, all with integral color other than gray.
## Buffering Between Zones and Conflicting Uses – Schedule 23-4

### Buffer Type: D-1

<table>
<thead>
<tr>
<th>From (use or zone)</th>
<th>To (use or zone)</th>
<th>Building Setback</th>
<th>Landscape Buffer Strip Width</th>
<th>Facing Wall Building Openings Allowed?</th>
<th>Sight Obscuring Fence or Wall Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial or Business Park or Indoor Industrial or Outdoor Industrial</td>
<td>Residential at Property Line</td>
<td>20'</td>
<td>3'</td>
<td>Yes</td>
<td>Fence 6'</td>
</tr>
<tr>
<td></td>
<td>20'</td>
<td>3'</td>
<td>Yes</td>
<td>Fence 6'</td>
<td></td>
</tr>
<tr>
<td></td>
<td>20'</td>
<td>3'</td>
<td>No*</td>
<td>Fence 6'</td>
<td></td>
</tr>
<tr>
<td></td>
<td>30'</td>
<td>3'</td>
<td>No* ***</td>
<td>Wall 8'</td>
<td></td>
</tr>
<tr>
<td>Outdoor Industrial</td>
<td>Commercial at Property Line Or Indoor Industrial /Business Park at Property Line</td>
<td>30'</td>
<td>3'</td>
<td>No* ***</td>
<td>As required to meet sound standards in Section 24.170</td>
</tr>
<tr>
<td>Manufactured Housing Park</td>
<td>All other uses</td>
<td>10'</td>
<td>5'</td>
<td>Yes</td>
<td>Fence 6'</td>
</tr>
</tbody>
</table>

### Buffer Type: D-2

<table>
<thead>
<tr>
<th>From (use or zone)</th>
<th>To (use or zone)</th>
<th>Building Setback</th>
<th>Landscape Buffer Strip Width</th>
<th>Facing Wall Building Openings Allowed?</th>
<th>Sight Obscuring Fence or Wall Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial or Indoor Industrial/ Business Park or Outdoor Industrial</td>
<td>Residential at Property Line</td>
<td>5'</td>
<td>Easement for access to maintain landscaping</td>
<td>No</td>
<td>Wall 6'</td>
</tr>
<tr>
<td></td>
<td>5'</td>
<td>No</td>
<td>Wall 6'</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10'</td>
<td>No</td>
<td>Wall 8'</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Per Section 20.220(2), trade services and recreation including restaurants, gyms and office buildings must comply with Commercial Building Design standards which may be
allowed in "I" and "IP" zones. These type of uses will require building openings on facing walls.

** Overhead doors and openings to areas that contain noise or odor producing equipment, material or machinery are not allowed. Windows and doors into office type areas are.
Type D-1 Concept Sketch
Commercial/Industrial Buffering at Property Line

20 - 30' Building Setback
(Park, Load, Access)
Landscape Screen and
6' Sight Obscuring Fence or
Acoustical Wall

3' Buffer Strip
Property Line

Dwelling Unit
Type D-2 Concept Sketch
Commercial/Industrial Buffering Option at Property Line

Type D-2
Commercial/Industrial Buffering Option at Property Line
See Schedule 23-4 for specific dimensions of maintenance easements

No Openings; No Signs; Material Requirement Building Wall Continues as Acoustic Wall

Maintenance Easement to Residential Owner

Residential Backyard Setback

Dwelling Unit

Property Line

23.035 Type E: Parking Lot Landscaping and Screening

All parking lots, which for purposes of this Section shall include areas of vehicle maneuvering, parking and loading, shall be landscaped and screened according to the appropriate concept sketch and criteria, as follows:

1) Screening at Required Yards. Parking abutting a required landscaped front or exterior yard shall incorporate a sight obscuring hedge screen into the required landscaped yard. The screen shall grow to be 18 inches higher than the finish grade of the parking area. The screen height may be achieved by a combination of earth mounding and plant materials. Elevated parking lots shall screen both the parking and the retaining wall. See Type E-1 Concept Sketch.
(2) **Screening Abutting Property Lines.** Parking abutting a property line shall be screened by a 3' landscaped strip according to Schedule 23-6. Where a zone buffer is required, the screening shall be incorporated into the required buffer strip, and shall not be an additional requirement.
Parking Lot Screening Abutting Property Line  
Schedule 23-6

<table>
<thead>
<tr>
<th>Use of Proposed Parking</th>
<th>Use of Adjacent Property</th>
<th>Required Screening*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial or Industrial</td>
<td>Residential</td>
<td>6' sight obscuring fence</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8'-12' height hedge screen</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>18&quot; height hedge screen</td>
</tr>
</tbody>
</table>

* The minimum width of required hedge screening is 3 ft. The screen area shall be 100% covered with living groundcover within 2 years.

(3) **Landscape Standards.** Parking lot landscaping shall be designed to create a canopy covering 50% of the parking lot surface area at maturity, through application of the following standards: Trees and landscaping shall be installed as follows and as shown in the Type E-2 Concept Sketch.

(a) To calculate tree canopy coverage at maturity, use canopy area for species as listed in the Approved Street and Parking Lot Tree List of Section 23.076.

(b) Each tree shall be provided a minimum of two (2) cubic feet of soil volume for each square foot of tree canopy at the projected maturity of the tree.
   i. Soil volume is to be calculated as the landscape area under the tree canopy, free of impervious surface or paving and measured at a minimum depth of 24 inches and a maximum depth of 36 inches.
   
      ii. For trees that have any impervious surfaces over a portion of a required soil volume, structural soil shall be used as an alternative material under the impervious portion of the required soil area in order to achieve the required soil volume calculation. See Article 30 for the definition of structural soils.

(c) Landscaping shall be designed so there are no more than 10 parking spaces between two parking lot trees. *See Figure 23-1.*

(d) The tree species shall be an appropriate large-canoped shade tree. Tree species must be consistent with parking lot suitability, parking lot island width, and overhead high-voltage power line suitability, as noted in the Approved Street and Parking Lot Tree List of Section 23.076.

(e) The tree shall be planted in a landscaped area such that the tree bole is at least three (3) feet from the back of the curb or paved area, but preferably midway between opposite sides of the parking lot island.
(f) The landscaped areas shall be planted with shrubs and/or living ground-cover to assure a minimum of 120 square feet of landscaped area per eight (8) parking spaces.

(g) Landscaped areas shall be evenly distributed throughout the parking area and parking perimeter to meet the required minimum ratio of 120 square feet per eight (8) parking spaces and 50% canopy coverage at tree maturity.
(h) Landscaped end islands shall be provided at the end of parking rows. End islands shall be a minimum of seven (7) feet wide to the inside of curb at a point adjacent to the midpoint of the adjoining parking space. They must be designed with sufficient length to provide for tree health and meet the required minimum ratio of 120 square feet per eight (8) parking spaces. When there are unique site constraints, the Director may authorize minor modifications to this requirement as shown in Figure 23-2, provided equivalent landscaping is provided elsewhere on site.

Figure 23-2 Landscaped End Islands

(i) Landscaped islands at compact parking stalls shall have a minimum internal width of seven (7) feet and a minimum internal length of 16 feet.

(j) That portion of a required landscaped yard, buffer strip or screening strip abutting parking stalls may be counted towards required parking lot landscaping but only for those stalls abutting landscaping so long
as the tree species, living plant material coverage and distribution
criteria are also met. Front or Exterior yard landscaping may not be
substituted for the interior landscaping required for interior parking
stalls.

(4) **Landscaping Adjacent to Building.** Development subject to the commercial
design standards of Article 20 and multi-unit dwellings of 5 units or more
shall comply with the provisions of this Subsection. See *Figure 23-3*.

(a) Where a building face does not abut a landscaped yard or public
sidewalk, landscape beds or planters at least five (5) feet deep shall be
incorporated adjacent to the building. If a concrete sidewalk with a
minimum depth of 10 feet is present adjacent to the building, the
landscape beds or planters may be located within the sidewalk area.

(b) The landscape beds or planters required in Subsection (a):

(i) shall be present along at least 30 percent of the building face
    when a sidewalk is present, or

(ii) along the full building face when a sidewalk is not present,
    except at points where pedestrian or vehicular access is
    present, such as a door or a loading dock.

(iii) are not required along the building face of a service corridor,
    service drive, or service courtyard that meets the requirements
    of Article 20.

(c) Landscape planters between parking spaces or at the end of a parking
row do not count as part of the landscape bed or planter required by
this Section.

(d) Minimum landscape requirements per 1000 square feet of required
planter, or any portion thereof, shall be the following:

(i) Ten (10) five-gallon and twenty one-gallon shrubs or accent
    plants.

(ii) Remaining area treated with living ground-cover, as defined in
    Article 30. Coverage with shrubs and living ground-cover
    shall be at least 50% upon installation and 90% after two (2)
    years.
(e) In addition to the above requirements, any retail building 30,000 square feet or larger subject to this section shall provide all of the following along the façade. See Figure 23-4.

(i) A minimum 16-foot wide, 6-inch high raised concrete sidewalk along any building façade which faces a customer parking or circulation area.

(ii) Street trees selected from the Approved Street and Parking Lot Tree List shall be planted in accordance with the requirements of Section 23.070. The street trees shall be within minimum 5 foot by 5 foot planters and shall be located adjacent to the curb. Structural soils shall be installed under impervious surfaces to provide each tree two (2) cubic feet of soil per one (1) square foot of tree canopy at species maturity. Soil shall be installed at a depth between 24 inches and 36 inches. Structural soil is defined in Article 30.

(iii) The Director of Community Development may authorize minor variations to the rhythm, spacing and distribution of trees to enhance the relationship to the building face, provided the required number of trees is not reduced and the trees generally remain equally distributed along the building face, with trees no closer than 20 feet on center. See Figure 23-5.

(iv) Street trees shall be protected from contiguous perpendicular parking spaces by use of wheel stops or 2-1/2 feet of additional
sidewalk width between the tree and parking space as provided in Article 25.

Figure 23-4. Additional Sidewalks and Landscaping for Retail Development 30,000 Square Feet or Larger

<table>
<thead>
<tr>
<th>Furnishing Zone</th>
<th>Pedestrian Zone</th>
<th>Frontage Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Trees, Light</td>
<td>Clear Pedestrian Path</td>
<td>Planters,</td>
</tr>
<tr>
<td>Poles</td>
<td></td>
<td>Outdoor Seating,</td>
</tr>
<tr>
<td>Trash Cans,</td>
<td></td>
<td>Windows/Doors,</td>
</tr>
<tr>
<td>Benches</td>
<td></td>
<td>Canopy/Awning,</td>
</tr>
<tr>
<td>Bicycle Racks,</td>
<td></td>
<td>Façade,</td>
</tr>
<tr>
<td>Flower Pots</td>
<td></td>
<td>Treatments</td>
</tr>
<tr>
<td>Benches</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Figure 23-5. Alternate Spacing of Trees Along Building Face for Retail Development 30,000 Square Feet or Larger

The top illustration shows the standard placement of trees at 25-foot intervals. The bottom sketch shows how the tree spacing could be revised to relate to building entrances.

(5) **Residential Screening.** Where a parking area or driveway would be located adjacent to a window on a residential building, the review body may require a hedge, mound, or other screen between the parking area or driveway and the window as per Type E-3 Concept Sketch.

(6) **Wheel Guards.** Parking lot landscaping shall be protected from damage by a secured wheel guard to prevent vehicles extending into landscaped areas.

(7) **Hedge Screening.** The hedge screen required in this Section shall be installed as follows:
(a) Evergreen shrubs of a species, initial size and on-center planting such that 50% of the desired screening is achieved in 2 years, 100% before 4 years, and the desired height is not exceeded.

(b) Living ground-cover in the screen strip such that 100% coverage is achieved within 2 years.

(8) Hardship Variance of Parking/Landscape Standards.

(a) For pre-existing lots with pre-existing development requiring a Development Permit, and unable to meet both the parking and the landscape provisions of this Code due to pre-existing lot and building configurations, the Director may authorize departure from the parking and landscape standards as follows: Required parking spaces reduced by up to 25%, required landscaped area reduced by up to 10%.

(b) No standards relating to size of plant materials, amount of living plant material coverage, or irrigation shall be reduced or waived. Any further reduction of parking or landscape standards shall require the Major Variance procedure as provided in Article 6.

<table>
<thead>
<tr>
<th>Use of Proposed Parking</th>
<th>Use of Adjacent Property</th>
<th>Required Screening*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial or Industrial</td>
<td>Residential</td>
<td>6’ sight obscuring fence</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8’-12' height hedge screen</td>
</tr>
<tr>
<td></td>
<td>Commercial</td>
<td>18” height hedge screen</td>
</tr>
</tbody>
</table>

* The minimum width of required hedge screening is 3 ft. The screen area shall be 100% covered with living groundcover within 2 years.
Type E-3 Concept - Parking Lot Landscape

Evergreen screen planting
3' wide, and minimum 8' - 12' High
sight-obscuring shrubs
Type F: Other Screening. Other screening and buffering shall be provided as follows:

1. **Refuse Container Screen.** Except for single family detached dwellings, any refuse container or disposal area shall be screened from view by placement of a solid wood fence or masonry wall from five to eight feet in height. All refuse materials shall be contained within the refuse area.

2. **Service Corridor Screen.** When adjacent to residential uses, commercial and industrial service corridors shall be screened with Type E-1 screening. Siting and design of such service areas shall be such as to reduce the adverse effects of noise, odor and visual clutter upon adjacent residential uses.

3. **Light and Glare Screen.** Artificial lighting shall be so arranged and constructed as to not produce direct glare on adjacent residential properties or streets.

4. **Mechanical Equipment.** Development subject to the commercial design standards of Article 20 shall comply with the provisions of this Subsection.

Mechanical equipment shall be located and screened in one or more of the following ways. See Figure 23-6.

(a) It shall be oriented toward a service drive, service alley, service corridor, or service courtyard meeting the requirements of Section 20.320 (See Figures 20-11 & 20-13), or screened from public view in the same manner as outdoor service areas as required in Subsection (5) of this Section. See Figure 23-7.

(b) It shall be located interior to the building, with all venting and exterior elements oriented toward a service drive, service alley, service corridor, or service courtyard meeting the requirements of Section 20.320 (See Figure 20-11 & 20-13), or screened from public view in the same manner as outdoor service areas as required in Subsection (5) of this Section. See Figure 23-7.

(c) It shall be located on the roof and screened from public ground level view with a parapet at least 6 inches taller than the equipment, or

(d) It shall be located on the roof and screened from public ground level view with a rooftop equipment screen set back from the exterior wall, at least 6 inches taller than the equipment, with materials, colors, and detailing similar to the primary building materials and design.
(5) Screening of Outdoor Service Areas. Development subject to the commercial design standards of Article 20 shall comply with the provisions of this Subsection.

(a) When the review body determines an outdoor service area cannot be oriented away from a public right-of-way or customer parking or circulation area per Section 20.320, the service area shall be screened with the following:

(i) A solid, opaque wood fence or masonry wall, or material with similar appearance, with a minimum height of 6 feet. The fence or wall shall be taller if necessary to screen the service functions from the right-of-way or customer parking and circulation area. It shall be at least 12 inches higher than the equipment it screens.

The fence or wall shall have materials, colors, and articulation similar to the primary building materials and design.
The fence or wall shall have a taller post or column a minimum of every 25 feet and where there is a change in height of the top of the fence or wall.

The fence or wall shall have a “cap” or “cornice” treatment with a finished surface that projects beyond the edge of the fence or wall surface, and the posts or columns shall have a “cap” or “capstone” treatment, such as a decorative top post feature or a finished surface that projects beyond the edge of the post or column.

See Figure 23-7.

(ii) A 10-foot deep landscape planter adjacent to the fence or wall, containing the plant materials that would be required for a Type B landscaped yard. If the fence or wall abuts a Type B landscaped yard, the requirements of this Subsection shall not be in addition to those requirements.
23.037  Fencing

(1) Fences in residential zones shall be subject to the following:

(a) **Maximum height within required front yards:** A fence up to four (4) feet in height (except decorative arbors, gates and similar features) may be placed on the property line. A fence up to four feet, 6 inches (4’ 6”) in height may be placed a minimum of five (5) feet from the front property line (See Figure 23-8).

(b) **Maximum height within required exterior yard:** Six (6) feet with a minimum three (3) feet setback from the exterior property line. Three-foot setback area must be maintained with trees, shrubs or living ground-cover.

(c) The use of barbed wire or razor fences is prohibited in the residential zones and on the shared property line in other zones that abut residential zones.

(d) **Maximum height within required interior yards:** Six (6) feet (See Figure 23-9).

(e) Requirements for fencing in all zones shall also apply. See Section 23.037 (4)

**Figure 23-8. Fence Profile**
NOTE: Property owners are strongly encouraged to hire a licensed surveyor to locate property lines prior to the construction of a fence.

(2) Fences in commercial zones shall be subject to the following:

(a) Any fence over three (3) feet in height shall be located behind any required landscaped front or exterior side/rear yard.
(b) Maximum height within required interior yards: eight (8) feet, except electric fences as authorized under Section 23.037(5) may be ten (10) feet or two (2) feet higher than the perimeter fence, whichever is higher.

(c) Razor wire, barbed wire, and chain link fencing shall not be used between a building face and public right-of-way. Treatments such as decorative wrought iron should be used instead. See Section 20.490(2)

(3) Fences in industrial zones shall be subject to the following:

(a) Any fence over three (3) feet in height shall be located behind any required landscaped front or exterior side/rear yard.

(b) Maximum height in interior yards: Eight (8) feet, except electric fences as authorized under Section 23.037(5) may be ten (10) feet or two (2) feet higher than the perimeter fence, whichever is higher.

(c) Depending on use and location, razor wire, barbed wire and chain link fencing may not be permitted between a building face and public right-of-way. Refer to Section 20.220 of this Code for applicability of Commercial Design Standards to industrial zones. See Section 20.490 (2)

(d)  

(4) In addition, the following provisions shall apply to fencing in all zones:

(a) A fence meeting required building setbacks shall not exceed the maximum height for structures in that zone.

(b) Where permitted, a fence over 7 feet high requires a building permit as required by the applicable Building Code.

(c) A fence with a height of up to 6 feet is permitted along a property line abutting an alley and within the alley setback, unless such a fence creates a visual obstruction.

(d) No fencing shall conflict with the requirements of the clear vision area for streets and driveways. Fencing within a vision clearance area shall not create a visual obstruction as defined in Article 30 of this Code.

(e) Fencing within the public right-of-way is permitted only upon issuance of a valid Encroachment Permit by the City Engineer.

(f) Fencing within a City Utility Easement (CUE) or other public easement is permitted only upon approval by the City Engineer.
(g) In cases where Code provisions conflict, structures required as part of a zone buffer—shall be subject to the applicable provision within Section 23.034 rather than the conflicting provision within this section.

(h) Every fence shall be maintained in a condition of reasonable repair and not be allowed to become or remain in a condition of disrepair including noticeable leaning or missing sections, broken supports, non-uniform height, and growing or noxious vegetation.

(i) Link fencing less than seven feet in height shall be constructed in such a manner that no barbed ends shall be at the top.

(j) Barbed wire and razor wire fences are prohibited in the following locations: at less than six feet above grade, within required zone buffer setbacks, and within the public right-of-way.

(k) Electric fences are prohibited, except as authorized under Section 23.037(5).

(5) Electric perimeter fencing is allowed in the General Commercial (GC) and Industrial (I) zones subject to the following:

(a) IEC Standard 60335-2-76: Unless otherwise specified herein, electric fences shall be constructed or installed in conformance with the specifications set forth in International Electro technical Commission (IEC) Standard No. 60335-2-76.

(b) Electrification: The energizer for electric perimeter security systems must be driven by a commercial storage battery not to exceed 12 volts DC.

(c) The electric charge produced by the electric fences upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of IEC Standard No. 60335-2-76.

(d) Height: Electric fences shall have a height of 10 feet (or 2 feet higher than the perimeter fence whichever is higher) to prevent scaling both fences and shall be no further than 6 inches from the existing perimeter fence to ensure no accidental entrapment occurs between the fences.

(e) Warning signs: Electric fences shall be clearly identified with warning signs that read: "Warning—Electric Perimeter Security Systems" at intervals of not less than sixty feet.

(f) Egress: All electric fences must have gates accessible for immediate egress and the charge deactivated and adhere to Oregon Structural
Specialty Coe 1004.5 (Outdoor areas).

(g) Access by city personnel: All locations with approved electric fences shall have a “Knox box” located on site and easily accessible by city personnel.

(h) Surveillance: Electric fences shall be part of a functioning security system and monitored 24 hours a day.

Figure 23-10. Fence on Retaining Wall
23.038 Retaining Walls

(1) A fence height shall be measured from the top of the fence to the lowest grade at the base of the fence. When a fence is located on top of a retaining wall, the height of the retaining wall shall not be included in the height measurement of the fence. See Figure 23-10.

(2) When the exposed portion of a retaining wall (measured from the top of the wall to the lowest finish grade at the base of the wall) exceeds 4 feet in height, the wall shall incorporate earth tone colors, wall surface treatments, and/or vegetative landscaping.

(3) A retaining wall(s) separated from another retaining wall(s) by less than 4 feet horizontally (measured from outside face to outside face) shall be considered one wall for the purpose of measuring height.
   See Figure 23-11.

(4) No retaining wall shall conflict with the requirements of the clear vision area for streets and driveways. A retaining wall within a vision clearance area shall not create a visual obstruction as defined in Article 30 of this Code.

(5) Retaining walls within the Slope Hazard District shall meet the applicable standards of Article 13 of this Code.

(6) Retaining walls shall meet applicable Building Codes.

(7) Retaining walls within the public right-of-way are permitted only upon issuance of a valid Encroachment Permit by the City Engineer.

(8) Retaining walls located within a City Utility Easement (CUE) or other public easement are permitted only upon approval of the City Engineer.

Figure 23-11. Multiple Retaining Walls Less Than 4' Apart
23.040 Submittal Requirements

In accordance with the major site plan submittal requirements of Section 19.072, at the time of application for major site plan review the applicant shall submit:

(1) A landscape plan including items specified in Section 23.041 and an irrigation plan with the items specified in Section 23.042; or

(2) A Concept Plan including the items specified in Section 23.043, if the applicant has obtained prior approval from the Director of the Community Development Department to follow the optional concept plan process.

23.041 Landscape Plan. The required Landscape Plan shall include the following:

(1) Identification, location and trunk diameter (measured in inches 4.5 feet from ground level, of all existing trees with notations indicating whether they are to be removed or preserved in the development.

(2) Existing and finished grades, with sections showing cut and fill for areas to be excavated below soils containing organic matter.

(3) Indication of general drainage flow with arrows, and location of all surface drains and subsurface drain ways.

(4) Location of all required yards, screening and buffering areas, easements, and public rights-of-way, building foundations or pads, parking areas, walkways and other impervious surfaces, and all access ways and private streets.
(5) A schedule showing the percentage of impervious surface, landscaped area, and recreation open space, as a percentage of usable site area.

(6) Plant materials, including identity and spacing, using both symbol and schedule if necessary.

(7) Typical sections at building mass, planters in paved areas, landscape strips 10' in width or less, and landscaped berms, showing excavation, topsoil fill, finished grade, plant materials and irrigation.

(8) Other items needed to meet requirements of this Code, of landscape conditions resulting from Development Permit review.

(9) Residential landscape plans must indicate which one of the four landscape design type options will be installed.

(10) Methods for preservation of existing plant materials, as required in Section 23.052.

(11) Location and specifications of applicable soil requirements, as required in Sections 23.035 and 23.052.

23.042 Irrigation Plan: The required irrigation plan shall include the following:

(1) Location of connection to the public water main and location of stub-outs to separate landscape areas.

(2) Identification of the type of irrigation system to be used, the location of irrigation facilities, and coverage to be achieved by the irrigation system.

(3) An accompanying letter from the designer of the landscape plan stating that the design of the proposed irrigation system can provide irrigation sufficient to encourage deep rooting and for the health and survival of the tree and plant species specified in the landscape plan.

23.043 Concept Plan Option:

The applicant may utilize the Concept Plan option, if approval from the Director of the Community Development Department is obtained prior to application submittal.

(1) Concept Plan shall be submitted at time of application. Final, detailed landscape and irrigation plans must be submitted prior to issuance of the development permit.

(2) The Concept Plan shall include the following information:

(a) Location of all proposed landscape areas and square footage calculation of each area.
(b) Minimum number and size of the trees, 5-gallon, and 1-gallon shrubs to be planted in each landscape area.

(c) Location and size of existing trees that are to be removed and the trees that are to remain.

(d) Location of the irrigation service from the public water main, and location of the stub-outs to each landscape area.

(3) The landscape plan prepared in accordance with Section 23.041, and the irrigation plan prepared in accordance with Section 23.042 shall be submitted and approved prior to issuance of a building permit.

23.044 Coordination With Other Required Plans. The required landscape plan, irrigation plan, and concept plan may be combined with other plans required by this Code, such as the drainage plan, erosion control plan, and site plan, so long as all information required may be presented in a clear and understandable fashion. The irrigation letter required in Section 23.042 shall be submitted as a separate document.

23.050 General Landscape Design, Construction, and Maintenance Standards

All landscape and irrigation materials shall be designed, constructed, and maintained according to the standards of this Article and the following provisions:

23.051 Design

(1) Except single unit residences, duplexes and tri-plexes, all development shall provide an automatic underground irrigation system.

(2) The landscape plan shall specify landscape materials which will achieve required levels of coverage as specified in this Article.

23.052 Construction

(1) All landscaping materials and irrigation shall be installed according to approved plans.

(2) Preservation of Existing Plant Materials:

(a) The applicant shall provide methods for the protection of existing plant material to remain during the construction process. The plants to be saved shall be shown on the Landscape Plan or the Concept Plan and the method of protection shall be noted on the landscape plans. Example: Areas not to be disturbed can be temporarily fenced, as in snow fencing which can be placed around individual trees.

(b) Existing trees shall not have construction occur within the drip line, where possible. Trees to be saved shall be kept free from trunk
abrasion or soil compaction during construction. The landscape plan shall provide for the location and variety of replacement trees in case of the subsequent death of existing trees.

(c) Protection methods must be installed before construction activities (including any site clearing or grade changes). Protection methods must be in place until the end of development and construction.

(3) Soil Treatment in Landscaped Areas:

(a) All areas designated for required landscaping shall not be used as a waste dump or fill during the construction process and shall be excavated to proper depths to allow for required topsoil and/or structural soil depths. Excavation shall not occur within the dripline of trees protected for retention unless the excavation is performed by an International Society of Arboriculture (ISA) certified arborist. The arborist shall submit an accompanying letter explaining the need for excavation and the methods that will be used for excavation.

(b) All required landscape areas shall contain topsoil that is classified as a loam, sandy clay loam, or sandy loam soil. Soils devoid of organic materials, such as sand or decomposed granite, shall not be used for required landscape areas. Structural soils, as defined in Article 30, may be used as an alternative material under impervious surfaces to meet required soil volume calculations for parking lot trees. Soils within the dripline of trees protected for retention may not require replacement. If replacing soil within the dripline is proposed, the arborist letter referenced in Section 23.052(a) shall state the reasons why the soil needs to be changed.

(c) The landscape plan shall provide specifications indicating topsoil at a minimum depth of 12 inches for landscape areas, with 24 inches where trees are planted, and extending out to the mature canopy dripline. Mature compost shall be added to the topsoil at a rate of three (3) cubic yards per 1,000 sq.ft. of required landscaped area.

23.053 Maintenance

(1) All plant materials identified in the approved landscape plan shall be reasonably maintained. If any tree, shrub or living ground-cover dies or is relocated, it shall be the responsibility of the property owner to replace the landscaping, such that the landscaping continues to comply with the approved landscape plan.

(2) If plant materials have not achieved the required coverage over time as required by this code, then the property owner shall plant additional materials to achieve the required coverage.
The property owner shall maintain the irrigation system in working condition to provide the irrigation necessary for the health and survival of the landscape materials.

23.060 Completion and Occupancy

23.061 Inspection Required

(1) The landscape installer shall arrange to meet with the City of Grants Pass Urban Forester at the completion of the project to verify proper installation of plant materials, topsoil and structural soil on all commercial and industrial use developments and multi-unit residential developments of five (5) units and above.

(2) Plant materials shall be inspected prior to planting to ensure that placement, quantity, size and variety conform to the approved landscape plan and the requirements of this Article. All plant specimens shall have the nursery tags identifying variety and species. All tags shall remain on plant specimens until final inspection.

(3) Final inspection shall be made following planting. Plantings contrary to the approved landscape plan shall not be approved.

(4) Inspection of the irrigation system shall be conducted prior to issuance of a Certificate of Occupancy. Water shall be turned on to demonstrate functionality of the system. Photos or videos may be submitted showing that the irrigation system is functional in lieu of a demonstration. For the health of the trees, it shall be demonstrated that the irrigation does not spray on the trunks or canopies of the trees.

23.062 Completion Required

(1) Approval of landscape installation is required prior to occupancy. However, for all development requiring a Landscape Plan, temporary occupancy permits may be issued prior to the complete installation and approval of all required landscaping if security equal to 110% of the cost of plant materials and labor as determined by the Director is filed with the City, assuring such installation within nine months of issuance of the temporary occupancy permit. An extension of three months may be granted by the Director when circumstances beyond the control of the developer prevents earlier completion.

(2) Prior to issuance of a Certificate of Occupancy, the applicant shall submit a letter from the contractor who installed the irrigation system, which states that the irrigation system was installed according to approved plans and is functioning as designed.

(3) Prior to issuance of a Certificate of Occupancy, the applicant shall submit a letter from the landscape contractor indicating the quantity, type and depth of required soils that were installed.
23.063 Completion Guarantee

(1) Required security may consist of a faithful performance bond payable to the City, cash, certified check, time certificate, or deposit, or builders/developers lending agency certification to the City that funds are being held until completion.

(2) If the installation of the landscaping is not completed within the required period, the security may be used by the City to either complete the installation, or the security may be held by the City and other enforcement powers employed to prevent final occupancy until such time as the improvements are completed. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned.

(3) The final landscape and irrigation inspection shall be made prior to any security being returned. Any portions of the plan not installed, or improperly installed, shall cause the inspection to be postponed until the project is completed or cause the security to be used by the City.

23.070 Street Tree Standards

23.071 Street Trees. All development fronting on public or private streets approved following the adoption date of this Code shall be required to plant street trees in accordance with the following standards. Street trees to be planted shall be chosen from the Approved Street and Parking Lot Tree List found in Section 23.076. Approval for the planting of alternate species or cultivars may be given by the Urban Forester.

23.072 Location for Street Trees. Street trees shall be located outside of street right-of-way except where there is a designated planting strip in the right-of-way, and as specified in requirements and restrictions in Section 23.030 and Section 27.313.

23.073 Spacing, Placement and Pruning of Street Trees. All tree spacing may be impacted by special site conditions, such as safety or location of utilities, which may impact the final placement of the trees. Any proposed special spacing requests due to unique site conditions shall be subject to the Director's review and requires a written explanation of the special site conditions.

(1) Small or narrow canopy trees (, less than 20 feet wide at maturity) shall be spaced at intervals of 20 feet apart from trunk to trunk. Medium-sized canopy trees (20-30 feet wide at maturity) shall be spaced at intervals of 30 feet apart from trunk to trunk. Large-sized canopy trees (greater than 30 feet wide at maturity) shall be spaced at intervals of 40 feet apart from trunk to trunk.

(2) Trees shall not be planted closer than 25 feet from the curb line of intersections of streets or alleys, nor closer than 5 feet from private driveways (measured at the back edge of the sidewalk), or utility poles.
(3) The Director of Community Development may allow trees closer to specified intersections where intersections are signalized. No new utility pole location shall be established closer than five (5) feet to any existing street tree.

(4) Trees shall be planted at least 10 feet from premise services (water and gas meters, etc.), stormwater inlets, and fire hydrants. Premises services shall not be installed within 10 feet of existing trees. Any disturbance to existing street trees (including but not limited to root pruning) must be in accordance with the regulations of the City of Grants Pass Municipal Code Title 10.

(5) Street trees shall not be planted closer than 20 feet to light standards. Except for public safety, no new light standard location shall be positioned closer than 10 feet to any existing street tree, and preferably such locations will be at least 20 feet distant.

(6) In order to maximize canopy coverage, tree species and/or cultivars shall be planted in locations of appropriate width between curb and sidewalk, or other structures as listed below. Tree species and cultivars are listed for approved widths in the Approved Street and Parking Lot Tree List. Width is measured between:

(a) Curb and sidewalk for planter strips.

(b) Sidewalk and nearest building or other permanent structure for curbside sidewalks (sidewalks adjacent to curbs).

(c) Curb and nearest building or other permanent structure for unimproved rights-of-way without sidewalks.

(d) Street and nearest building or other permanent structure for unimproved rights-of-way without curbs or sidewalks

(7) Where there are overhead power lines, tree species are to be chosen from the Approved Street and Parking Lot Tree List to not interfere with those lines.

(8) Trees shall not be planted within two (2) feet of any permanent hard surface paving or walkway. Space between the tree and such hard surface may be covered by nonpermanent hard surfaces such as bricks on sand, paver blocks, cobblestones, etc. This means that sidewalk cuts in concrete for tree planting shall be at least 4 X 4 feet to help allow for air and water into the root area.

(a) All trees in sidewalk conditions, public or private, shall have soil volume equal to two cubic feet of soil for each square foot of tree canopy. Structural soil and/or pervious paving materials may be used to satisfy this requirement.

(9) Trees, as they grow, shall be pruned to provide at least 8 feet of clearance above sidewalks and 15 feet above street roadway surfaces.
(10) Existing trees may be used as street trees if no cutting or filling takes place within the drip line of the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the Director.

23.074 Replacement of Street Trees. Existing street trees removed by development projects shall be replaced by the developer with those from the Approved Street and Parking Lot Tree List. All replacement trees shall be a minimum of two (2) inch caliper measured six (6) inches above the root flare.

23.075 Exemptions. Exemptions from the street tree standards may be granted by the Director of Community Development on a case by case basis. Exemptions may be granted for example, if the location of a proposed tree would cause potential problems with existing utility lines, line of sight, etc.

23.076 Approved Street and Parking Lot Trees List. The City shall maintain this list on the City's website. It shall be adopted by reference here.

Note: The use of a different tree not listed shall be approved by the Grants Pass Urban Forester.

23.077 Prohibited Street Trees. The following tree species are prohibited from use as street trees:

1. Salix spp - willows
2. Populus spp - cottonwoods/poplars
3. Palm Tree
4. Catalpa
5. Robinia pseudoalacia (Black Locust)
6. Liquidambar Styraciflua (Sweet Gum)
7. Ailanthus – (TREE OF HEAVEN); short lived, highly invasive

23.078 Street Trees Not Recommended. The following tree species are not recommended for use as street trees planted in the planter strips, for the reasons listed after each species. These trees may be planted if the problems are satisfactorily met and accepted by the owner, approved by the Parks Department, and so noted on the site plan. Some are desirable trees in the right situation.

1. Acer Negundo – (BOX ELDER); subject to wind damage.
2. Albizia julibrissi – (SILK TREE); litter, aggressive roots.
3. Alnus rubra –(RED ALDER); short lived, brittle, favorite of tent caterpillars.
4. Sorbus ausuparia – (MOUNTAIN ASH); large crop messy fruits may be sidewalk hazard.
5. Fruit trees – litter
6. Nut trees - litter
Priority List of Trees to Retain. The following provides a list of trees in order of priority to be retained on properties when development occurs.

1. Ponderosa Pine
2. Incense Cedar
3. Sugar Pine
4. Douglas Fir
5. Black Oak
6. White Oak
7. Pacific Madrone
8. Big leaf Maple (Riparian Only)
9. Oregon Ash (Riparian Only)
10. Cottonwood (Riparian only)

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Article 25: Parking and Loading Standards

25.010 Purpose

The purpose of this Article is:

(1) to ensure adequate amounts of parking and loading facilities relative to land use type.

(2) to set minimum design standards for parking, access, and maneuvering areas which promote safe, clean, durable and efficient facilities.

(3) to locate parking facilities within practical distances of proposed uses.

25.020 Procedures and Compliance

Wherever a new or expanded building or use is proposed, a development permit or business license shall not be issued until compliance with this section has been met. A Parking Lot Plan shall be prepared and submitted for review and approved in accordance with the requirements of Section 27, Access. For land use requests requiring other actions, such as site plan review, the Parking Lot Plan shall be made part of the overall Site Plan.

25.030 General Provisions

25.031 Applicability

(1) Off-Street parking spaces shall be provided at the time:

(a) A new building is hereafter erected.

(b) The use of a building existing on the effective date of this ordinance is changed, or the building is enlarged for an existing use. A change in use shall provide parking as required for a new use. A new use is considered "changed" when the proposed use of an existing building or parcel requires a greater parking requirement (Section 25.040) than the previous use. If an existing use is enlarged, and the increase is less than 50% of the existing structure floor area, new parking spaces may be provided in proportion to the increase only. If an increase exceeds 50%, parking shall be provided for the entire structure in accordance with the requirements of this section.

(c) An existing dwelling unit is converted to a permitted use.

(2) Off-Street loading spaces shall be provided when:

(a) the use will require the receipt or distribution of materials by truck or similar vehicle, and
(b) a building is erected or structurally altered to the extent that the building's total floor area equals the minimum amount requiring an off-street loading space as specified in Section 25.041.

(3) All parcels and uses within the CBD zone are exempt from the space requirements of this Article, however, any voluntarily installed parking shall conform to the design standards of this Article.

(4) Required parking shall be available for the parking of passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials.

(5) The provision for and maintenance of off-street parking and loading spaces are the continuing obligation of the property owner.

(6) If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this article.

(7) Parking lots shall be maintained by the property owner or tenant in a condition free of litter and dust, and dead plant material. Parking lot trees shall be replaced if dead or damaged. Replacement trees shall be a minimum of two (2) inch caliper measured six (6) inches above the root flare.

(8) In the case of mixed uses, the total requirements for off-street parking space shall be the sum of the requirements for the various uses, unless joint use of parking facilities can be established consistent with Section 25.032(3).

(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 this Code prior to final plat approval.

(10) **Loading Berths.**

(a) If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use.

(b) Off-street parking area used to fulfill the requirements of this section shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.

(11) **Compact Car Parking.** Not more than 35 % of the total parking spaces in a parking lot may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 1/2 feet by 16 feet. Such spaces shall be signed and/or the space painted with the words "Compact Car Only".
Location of Parking and Loading Facilities. Parking as required by this ordinance is considered accessory to and part of the primary use of the lot. The location of the required parking shall be on the same lot, except as provided below. Except for voluntary parking facilities as provided in Section 12.131, Land Use and Procedure Schedule 12-3, parking for a use shall not be located in a residential zone unless that use is also a permitted use in the residential zone where the parking is provided.

(1) **Residential.** All off-street parking facilities for residential uses shall be located on the same lot as the use or on a parcel or tract owned in common by all the owners of the properties that will use the parking area. If parking is provided on a separate lot, an easement or shared parking agreement shall be recorded allowing use of the parking. On-street parking may be counted toward the minimum parking requirements when it is on the block face abutting the subject use. On-street parking counted toward the minimum requirement shall remain open and available to the public.

(2) **Other Uses.** For uses other than residences, parking spaces shall be located on the same parcel or on another parcel not farther than 500 feet from the building or use they are intended to serve, measured in a straight line from the building or use. Where parking is located on a parcel not owned by the applicant, a lease or other evidence of agreement shall be submitted to the Director that the use of the facilities is exclusively for the applicant. On-street parking may be counted toward the minimum parking requirements when it is on the block face abutting the subject use. On-street parking counted toward the minimum requirement shall remain open and available to the public.

(3) **Joint Use of Facilities.** The off-street parking requirements of two or more uses, structures or parcels of land may be satisfied by the same parking or loading space used jointly to the extent that it can be shown by the owners or operators of the uses, structures or parcels that their operations and parking needs do not overlap in point of time. If the uses, structures or parcels are under separate ownership, the right to joint use of the parking space must be evidenced by a deed, lease, contract or other appropriate written document to establish the joint use.

(4) **Front and Exterior Side Yards.** Required parking and loading spaces shall not be located in a required front or exterior side yards except as permitted in Section 23.030 of this Code.

25.033 **Design Standards.**

Parking as required by the Development Code is in addition to accessible parking requirements of the Oregon Structural Specialty Code.

(1) **Parking Space Dimension:**

(a) Typical: 8 1/2 feet x 20 feet

(b) Compact: 8 1/2 feet x 16 feet
(2) **Minimum Aisle Dimensions.** Minimum Aisle Dimensions shall be as shown in Sketch 25-1.

(3) **Surfacing.** All areas used for parking, driveways and maneuvering of vehicles shall have durable and dustless surfaces composed of one of the following:

(a) Asphalt

(b) Concrete

(c) Pervious surfacing materials such as concrete, grasscrete, or paved tire strips, following review and approval of the City Engineer. Engineered plans for pervious surfacing materials used in lieu of asphalt or concrete shall be based on the following:

(i) The pervious surfacing material shall have similar structural characteristics to asphalt or concrete, and shall be capable of withstanding the normal wear and tear associated with the parking and maneuvering of vehicles.

(ii) Drainage shall not adversely affect the public right-of-way or adjacent properties.

(iii) The pervious surfacing material shall be maintained throughout its use so that it continues to function as originally approved by the City Engineer.

(d) Exceptions to the above for Commercial Outdoor Storage & Display are provided in Section 25.036 and exceptions for Residential RV Storage are provided in Section 25.037 below.

(4) **Drainage.** Adequate drainage shall be provided to dispose of the run-off generated by the impervious surface area of all parking, display and/or storage areas. Provisions shall be made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property. All drainage system must be approved by the City Engineer and shall be constructed in conformance with the Master Storm Drainage Facilities and Management Plan. (See Section 28.091)

(5) **Perimeter Curb.** All parking areas except those required in conjunction with a single or two-family dwelling shall provide a curb of not less than six inches in height along the perimeter of all parking areas.

(6) **Wheel-Guard/Bumper.** All parking stalls fronting a sidewalk, alleyway, street or property line, except for those required in conjunction with a single family or two-family dwelling, shall provide a secured wheel bumper not less than six inches in height nor less than six feet in length, to be set back from the front of the stall a minimum of 2 1/2 feet. A linear curb (continuous or in
short sections) may be used to fulfill this requirement provided that if adjacent to a sidewalk or landscape area, 2 1/2 feet of additional sidewalk or landscape width is provided to allow for vehicle encroachment.
Sketch 25-1: Minimum Aisle Dimensions
(7) **Turnaround.** Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by an aisle or turnaround that their use will require no backing movements or other maneuvering within a street right-of-way, other than an alley.

(8) **Striping.** Lots containing more than two parking spaces shall have all spaces permanently and clearly marked.

(9) **Screening.** Off-street parking and loading spaces in groups of more than four (4) shall be screened and buffered in accordance with Section 23.035, Type E Landscaping, on each side which adjoins residential zoned property.

(10) **Lighting.** Parking lots that are illuminated shall contain lighting facilities that do not project light on any adjoining residential zone or onto passing motorists.
    
    (a) Lighting shall not be located in landscape islands where parking lot trees are required and shall not be located within 20 feet of a required parking lot tree.

(11) **Loading Berth.** A loading berth shall contain a space 10 feet wide, 35 feet long and have a height clearance of 14 feet. Where vehicles generally used for loading and unloading exceed these dimensions, the required dimension of these berths shall be increased.

(12) **Service Drives.** Services drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and maximum safety of pedestrians and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through the use of markers on frontage not occupied by service drives. Service drives to drive-in establishments shall be designed to avoid backing movements or other maneuvering within a street, other than an alley. Through access from a commercial use to a residential street is prohibited unless provided by variance or other authorized provision of this Code.

(13) **Vision Clearance.** Service drives shall have a minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line and a straight line joining said lines through points 20 feet from their intersection.

(14) **Extension into Street.** Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper rail so placed to prevent a motor vehicle from extending over an adjacent property line or a street.

25.034 **Parking Lot Plan.** A Parking Lot Plan, drawn to scale, shall accompany development permit applications. The Plan shall show all those elements necessary to indicate that
the requirements of this Ordinance are being fulfilled and shall include, but is not limited to:

(1) Delineation of individual parking spaces.

(2) Circulation area necessary to serve spaces.

(3) Access to streets, alleys and properties to be served.

(4) Curb cuts.

(5) Type of landscaping, fencing or other screening materials.

(6) Abutting land uses.

(7) Grading, drainage, surfacing and subgrading details.

(8) Location of lighting fixtures.

(9) Delineations of all structures and obstacles to circulation on the site.

(10) Specifications of signs and bumper guards.

(11) Location of planter bays where required.

(12) Amount of floor area space applicable to the parking requirement for the proposed use.

25.035 Minimum Number of Space Requirements.

(1) Determining Need. When square feet is specified, the area measured shall be the combined floor area on each level of a building exclusive of vent shafts, court yards, stairwells, elevator shafts, restrooms, storage rooms and rooms designed and used for the purpose of storage and operation of maintenance equipment, and covered or enclosed parking areas. The number of employees shall include those working on the premises, plus proprietors, during the largest shift at peak season. Fractional space requirements shall be counted to the nearest whole space; half spaces will be rounded up.

(2) Parking Requirements for Uses not Specified. The parking space requirements for buildings and uses not specified in this article shall be determined by the Director, and such determination shall be based upon the requirements for the most comparable building or use specified herein. A decision of the Director may be appealed as provided in Section 10.030.

25.036 Outdoor Display & Storage Standards

(1) Surfacing shall be no less than ¾” gravel with fines (3/4 minus) with a minimum 6” depth of material, or as determined by a licensed engineer.
(2) Fire Access must be provided within 150' of all portions of the Display and Storage area. Access roads must be engineered to support a vehicle load of 75,000 pounds. Fire access roads shall meet all requirements of the State Fire Code Section 503 as amended.

(3) The site and drainage plans shall be prepared by a licensed engineer and in accordance with Section 25.033(4).

(4) Driveway Approaches. All driveway approaches serving commercial display and/or storage areas shall be surfaced in accordance with Section 25.033(3) a minimum of fifty-feet (50') in length from the public right of way and a width equal to the approach to prevent tracking of material and debris onto the right of way.

(5) Owners of such Outdoor Display & Storage areas are responsible for maintaining the lot in a manner that is free of ruts and holes and consistent with Article 24 of this code.

(6) Nothing in this section provides an exclusion from the required landscaping standards as provided by Article 23.

25.037 Residential RV Storage Standards

(1) Surfacing shall be no less than ¾” gravel with fines (3/4 minus) in an appropriate depth to maintain a mud and dirt free surface.

(2) RV storage shall be set back at least twenty feet (20’) from the Right-of-Way.

(3) Storm water drainage shall be provided in accordance with Section 25.033(4).

(4) Nothing in this section provides an exclusion from the required landscaping standards as provided by Article 23.

25.040 Off-Street Parking and Loading Requirements by Use

Off-Street parking spaces shall be provided according to the following schedule:

25.041 Loading Facilities.

(a) Commercial, industrial, and public utility uses which have a gross floor area of 5,000 square feet or more, shall provide truck loading or unloading berths as follows:

<table>
<thead>
<tr>
<th>Square Feet of Floor Area</th>
<th>Number of Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5,000</td>
<td>0</td>
</tr>
<tr>
<td>5,000 - 29,999</td>
<td>1</td>
</tr>
</tbody>
</table>
(b) Restaurants, office buildings, hotels, motels, hospitals and institutions, schools and colleges, public buildings, recreation or entertainment facilities and any similar use which has a gross floor area of 30,000 square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:

<table>
<thead>
<tr>
<th>Square feet of Floor Area</th>
<th>Number of Berths Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 30,000</td>
<td>0</td>
</tr>
<tr>
<td>30,000 - 99,999</td>
<td>1</td>
</tr>
<tr>
<td>1,000,000 and over</td>
<td>2</td>
</tr>
</tbody>
</table>

25.042 Parking Facilities

Parking as required by the Development Code is in addition to accessible parking requirements of the Oregon Structural Specialty Code.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Off-Street Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(1) Residential Uses</strong></td>
<td></td>
</tr>
<tr>
<td>(a) Studio and one-bedroom dwelling unit</td>
<td>1.00 space per dwelling unit</td>
</tr>
<tr>
<td>(b) Two-bedroom dwelling units</td>
<td>1.50 spaces per dwelling unit</td>
</tr>
<tr>
<td>(c) Three- and four-bedroom dwelling units</td>
<td>2.00 spaces per dwelling unit</td>
</tr>
<tr>
<td>(d) Five or more bedrooms</td>
<td>3.00 spaces per dwelling unit</td>
</tr>
<tr>
<td>(e) Group Living, such as nursing or convalescent homes, rest homes, assisted living, congregate care, and similar special needs housing. Includes residential facilities.</td>
<td>0.5 space per 4 bedrooms</td>
</tr>
<tr>
<td>(f) Group Quarters</td>
<td>1 space per 2 bedrooms</td>
</tr>
<tr>
<td>(g) Manufactured dwelling park</td>
<td>2 spaces per manufactured home, plus one space for guest parking for each five manufactured homes</td>
</tr>
<tr>
<td><strong>(2) Commercial Residential Uses</strong></td>
<td></td>
</tr>
<tr>
<td>(a) Hotel:</td>
<td>1 space per room</td>
</tr>
<tr>
<td>(b) Motel:</td>
<td>1 space per room</td>
</tr>
<tr>
<td>(c) Clubs, Lodge:</td>
<td>Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.</td>
</tr>
</tbody>
</table>
(d) Bed and Breakfast/Vacation Rental Dwelling: One space per guest room plus one space for the owner/innkeeper. No more than two vehicles are allowed in the driveway and only one vehicle is allowed in the street. Recreational vehicles must be parked in the driveway and are strictly prohibited from being parked in the street.

(3) Institutional Uses

(a) Welfare or correctional institution: One space per five beds for patients or inmates.

(b) Convalescent hospital, nursing home, sanitarium, rest home, home for the aged: One space per two beds for patients or residents.

(c) Hospitals: Two (2) spaces per bed.

(4) Public Assembly Uses

(a) Religious Assembly: One space for every three fixed seats or every seven foot of bench length, or every 28 sq.ft where no permanent seats or benches are maintained in assembly areas.

(b) Library; reading room; museum; art gallery: One space per 500 square feet of floor area.

(c) Day Care Facility: One space per attendant in addition to residential parking requirements. Resident attendants are not counted in parking requirements for attendant parking.

(d) Elementary or Junior High School: Two spaces for each teaching station plus one for every eight fixed seats or every 100 sq. ft. of seating area where there are no fixed seats in the auditorium or assembly area.

(e) High School: Two spaces for each teaching station plus one for every four fixed seats or for every 50 sq. ft. of seating area where there are no fixed seats in auditorium.

(f) College: commercial school for adults: Two spaces for each teaching station plus one space for every two students of design capacity.

(g) Other auditorium; meeting rooms; or theater One space per 3 seats or 7 ft of bench length, or every 28 sq. ft. where no permanent seats or benches are maintained in assembly areas.

(h) Limited school service facility: One space per 400 sq. ft. of floor area.

(5) Commercial Recreation Uses

(a) Stadium; sports arena: One space per 5 seats, or 10 ft of bench length.

(b) Bowling Alley: Six spaces per line.

(c) Dance Hall; Skating Rink: One space per 100 sq. ft. of floor area.
(6) **Commercial Uses**

<table>
<thead>
<tr>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Supermarkets; grocery stores, food stores:</td>
<td>2 spaces per 1,000 sq. ft. of gross floor area, except bulk retail per (b)</td>
</tr>
<tr>
<td>(b) Services or repair shops, retail stores and outlets selling furniture,</td>
<td>One space per 1,000 square feet</td>
</tr>
<tr>
<td>automobiles or other bulky merchandise where the operator can show the</td>
<td></td>
</tr>
<tr>
<td>bulky merchandise occupies the major area of the building.</td>
<td></td>
</tr>
<tr>
<td>(c) Other retail stores except as otherwise specified herein:</td>
<td>2 spaces per 1,000 sq. ft. of gross floor area, except bulk retail per (b)</td>
</tr>
<tr>
<td>(d) Medical or dental:</td>
<td>4 spaces per 1,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>(e) Other office buildings, business and professional offices:</td>
<td>4 spaces per 1,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>(f) Pharmacies:</td>
<td>2 spaces per 1,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>(g) Establishments for the sale and consumption on the premises of food</td>
<td>5 spaces per 1,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>and beverages (restaurants and bars):</td>
<td></td>
</tr>
<tr>
<td>(h) Mortuaries:</td>
<td>One space per 4 seats of maximum capacity in assembly areas, plus one space</td>
</tr>
<tr>
<td>(i) Taxicab dispatch offices:</td>
<td>for each facility vehicle.</td>
</tr>
<tr>
<td>(j) Transportation terminals:</td>
<td>One space for dispatcher and 1.5 spaces per licensed taxicab.</td>
</tr>
<tr>
<td></td>
<td>One space for each 5 seats capacity of carriers, loading or unloading within</td>
</tr>
<tr>
<td></td>
<td>any half-hour period.</td>
</tr>
</tbody>
</table>

(7) **Industrial uses**

<table>
<thead>
<tr>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Manufacturing establishment</td>
<td>One space per 1,000 sq. ft. of floor area.</td>
</tr>
<tr>
<td>(b) Storage warehouse; wholesale establishment; rail or trucking freight</td>
<td>One space per 2,000 sq. ft. of floor area.</td>
</tr>
<tr>
<td>terminal:</td>
<td></td>
</tr>
</tbody>
</table>

(8) **Other Uses:**

Other uses not specifically listed above shall furnish parking as required by the Director. The Director shall use the above list as a guide for determining requirements for said other uses.

(9) **Exceptions:**

A use listed in Item 6 (g) above existing at the time of passage of this Code may expand without meeting the full standards of this section, provided that additional off-street parking spaces are provided as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eating or drinking establishments:</td>
<td>One space for every 200 sq. ft. of additional floor area.</td>
</tr>
</tbody>
</table>
25.050 Performance Parking Standards

25.051 Purpose. The purpose of this section is to provide a procedure whereby business proprietors and property owners have the option to determine parking needs based upon a performance evaluation. This section is intended to apply to unique or special uses where the prescriptive parking standard contained in Section 25.040 appears unrepresentative of actual parking needs and, therefore, creates a hardship on the property owner. It is not the intent of this section to circumvent the normal requirements of this Code, nor create substandard parking conditions.

25.052 Concept.

(1) The Performance Parking concept recognizes the need for flexibility in determining parking requirements for those uses which do not fit the standards contained in section 25.040 of this Code. The concept provides the property owner with an opportunity to determine parking needs based upon a submitted plan and the owner's ability to perform in accordance with the plan.

(2) The parking plan, as approved by the Site Plan Review Committee, is constructed and placed on probation for an 18 month period. During this period, the parking conditions are monitored to determine impact to surrounding property owners and streets. If it is determined that no impact has been created, the probationary period terminates and the use is declared in compliance with the ordinance. If an impact has been created, the remaining parking requirements must be constructed. To guarantee construction, security must be posted prior to issuance of the development permit.

25.053 Procedure. A performance parking application shall be processed according to the procedures in Schedule 2-1.

The procedure for submission, review and approval is designed to insure the general health, safety and welfare of the community while providing flexibility and minimizing time delays to the applicant.

(1) Application for Performance Parking Permit. A property owner or his designee may submit an application for a Performance Parking Permit to the Director. The application will be accepted and processed when all of the required information has been submitted.

(2) Information Required

(a) Application for Performance Parking and non-refundable fee.

(b) Off-Street Parking Plan. A Parking Lot Plan shall be prepared and submitted in accordance with Section 25.034 of this Code. If the proposed use involves the preparation of a Site Plan, the Parking Lot Plan may then be part of the Site Plan. The Parking Lot Plan shall show both the total off-street parking spaces as required in Section 25.040, and the location and number of the proposed spaces.
The difference between the total and proposed spaces is the amount of relief requested from the zoning ordinance, and is hereby referred to as 'deferred parking'.

(c) **Evidence of Off-Site Parking Facilities.** If any of the total spaces are to be located on a separate parcel, the applicant shall submit evidence as to the ownership of the parcel, availability of parking, and an agreement, lease, deed in escrow, option to buy, or other mechanism guaranteeing the parking with the other owner. Off-site spaces shall conform with the requirements of Section 25.030 of this Code. The use of the off-site parking facilities shall not reduce the number of spaces below the required number for the use occupying the site.

(d) **Undeveloped Facilities.** If any of the deferred parking is located on property which does not contain parking facilities developed to the standards contained in Section 25.030 of this Code, a security guarantee shall be provided for the cost of the facilities and shall be guaranteed for the duration of the probationary period.

(3) **Application Review.** Upon receipt of all required information, the Site Plan Review Committee shall review the request as to compliance with the purposes, intent and standards of this section, and shall report their findings to the Director.

(4) **Decision on Permit Request.** Based upon the submitted evidence and the findings of the site Plan Review Committee, the Director shall approve, approve with conditions, or deny the request.

(5) **Issuance of Permit.** The permit is issued for the duration of the probationary period. If future facilities are involved, the applicant shall sign a binding agreement and shall post security guaranteeing to construct all required parking in accordance with the approved parking plan. The permit is issued for the use as described on the application. Any enlargement, expansion or change of use of the building shall subject the property to the parking requirements contained in Section 25.030 and 25.040 of this Code.

(6) **Probationary Review.** The probationary period shall begin at time of issuance of Use and Occupancy Permit, or Business License, and run for a period not to exceed 18 months. At the beginning of the probationary period, property owners within 500 feet of the use or building, shall be notified of the request. During the probation period, site visits shall be conducted by staff to determine impacts, if any. At the end of probation period, property owners are notified again and asked to comment on the parking condition. Based upon the evidence gathered during the probationary period, the Director shall determine if the applicant has performed to his stated need.

(7) **Decision on Performance Evaluation.** Upon completion of the probationary period, the Director shall decide:
(a) Whether the applicant has performed to his stated need, and therefore, complies with this Code. The permit, agreement and securities, if any, shall become null and void, or

(b) Whether the use consistently generates greater parking demand than the applicant's stated need, and that the applicant has failed to perform to his stated need and must comply with the prescriptive standards contained in the Ordinance. The deferred parking facilities must now be constructed.

(8) **Appeal.** Any aggrieved citizen may appeal the Director's decision as provided in Article 10 of this Code.

25.054 **Standards.** Applicant must conform to the normal requirements of this Code including lot design and materials, number of spaces and landscaping.

(1) **Parcel Size.** Each affected parcel must be of minimum size to physically accommodate the total required parking and landscaping requirements as prescribed in Section 25.040. Exception to the requirement is provided for in Section 25.032, Location of Parking Requirements, of this Code, and subsection 25.054(2) below.

(2) **Off-Site Parking.** If any of the total required parking is proposed off-site, applicant must comply with Section 25.032. Evidence must be provided that: the off-site facilities are exclusively available to the applicant for the duration of his use; the facilities are developed to the standards contained in Section 25.050 and use of the facilities will not reduce the amount of required parking available for any other uses. Evidence of proof must be in the form of a lease, deed, contract or any other written evidence acceptable to the Director.

(3) **Deferred Parking on Undeveloped Property.** If any of the deferred parking is proposed on undeveloped property, the applicant must demonstrate:

(a) The development rights of the property are controlled by the applicant for the duration of the probationary period. Proof may take the form of a deed, deed in escrow, deed restriction, or any other instrument acceptable to the Director.

(b) The ability to install and cover all costs of the deferred parking. Prior to the issuance of the Performance Parking Permit, the Site Plan Review Committee shall determine all associated costs of the parking and shall receive a security guarantee from the applicant to be held by the appropriate jurisdiction for the duration of the probationary period.

(4) **Binding Agreement.** Applicant to sign an agreement with the appropriate jurisdiction binding him to the terms of the Performance Parking Permit. The agreement commits the applicant to make all improvements as required and pertains to both the land and the parking facilities. The binding agreement
shall be implemented through the security guarantee and the possible forfeiture of any public service or facility.

25.060 Bicycle Parking Facilities

25.061 Bicycle Parking Facilities Required.

(1) Bicycle parking facilities shall be provided for all new multi-dwelling residential, institutional, commercial, industrial uses.

(2) Bicycle parking shall also be provided at the time an existing multi-dwelling residential, institutional, commercial or industrial use is changed, or the building or site is enlarged. A change in use shall provide bicycle parking facilities as required for a new use. A use is considered "changed" when the proposed use of an existing building or site requires more bicycle parking (Section 25.062) than the previous use. If an existing use is enlarged, and the increase is less than 50 percent of the existing structure floor area, new bicycle parking facilities may be provided in proportion to the increase only. If an increase exceeds 50 percent, bicycle parking shall be provided for the entire use in accordance with the requirements of this section.

(3) Lots within the Central Business District are not required to provide bicycle parking as part of development permit approval.

25.062 Required Number of Spaces. The uses requiring bicycle parking facilities, the required minimum number of bicycle parking spaces, and the percentage of those spaces that must be covered is specified in Schedule 25-2. The floor area of structures shall be determined the same as for vehicle parking in Section 25.035.

25.063 Bicycle Parking Facility Location.

(1) Required bicycle parking facilities shall be located no further than 50 feet from a public entrance.

(2) Bicycle parking facilities may be provided in a dedicated area within a building that is accessible for bicycle storage.

(3) Required bicycle parking facilities may be located within the public right-of-way or within a required building setback subject to approval from the review body and the governing body responsible for the right-of-way.

25.064 Bicycle Parking Facilities Design Standards.

(1) Bicycle parking facilities shall either be stationary racks which accommodate bicyclist's locks securing the frame and both wheels, or lockable rooms or enclosures in which the bicycle is stored.
(2) Bicycle parking spaces shall be at least 6 feet long and 2 feet wide. Upright bicycle storage structures are exempted from the parking space length standard.

(3) A 5 foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.

(4) Bicycle racks or lockers shall be anchored to the surface or to a structure.

(5) Covered bicycle parking facilities may be located within a building or structure, under a building eave, stairway, entrance, or similar area, or under a special structure to cover the parking. The cover shall leave a minimum 7 foot overhead clearance and shall extend over the entire parking space. If a bicycle storage area is provided within a building, a sign shall be placed at the area indicating that it is for bicycle parking only.

<table>
<thead>
<tr>
<th>Schedule 25-2: Required Number of Bicycle Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use Category</td>
</tr>
<tr>
<td>Residential Uses</td>
</tr>
<tr>
<td>Multi-Dwelling Housing</td>
</tr>
<tr>
<td>Group or Transient Quarters</td>
</tr>
<tr>
<td>Retirement Housing</td>
</tr>
<tr>
<td>General Institutional, Commercial, and Industrial Uses</td>
</tr>
<tr>
<td>&lt;1,600 sq. ft.</td>
</tr>
<tr>
<td>1,600 sq. ft. to 3,999 sq ft</td>
</tr>
<tr>
<td>&gt;4,000 sq. ft.</td>
</tr>
<tr>
<td>Specific Institutional, Commercial, and Industrial Uses</td>
</tr>
<tr>
<td>Elementary or Secondary Sch.</td>
</tr>
<tr>
<td>Library, reading room, museum, art gallery</td>
</tr>
<tr>
<td>Recreation/Outdoor</td>
</tr>
<tr>
<td>Auto Service Stations, Drive-in Theaters, and other uses catering entirely to automobile traffic.</td>
</tr>
<tr>
<td>Eating/Drinking Establishment</td>
</tr>
<tr>
<td>Commercial Parking</td>
</tr>
<tr>
<td>Manufacturing Buildings</td>
</tr>
<tr>
<td>Storage or warehouse</td>
</tr>
</tbody>
</table>

*Covering requirements are as follows:
Type 1: Parking need not be covered
Type 2: Bicycle parking must be covered if vehicle parking is covered.
Type 3: 50 percent of all spaces must be covered, exclusive of the first two.
Type 4: All spaces must be covered

Vehicle Parking Reduction

Any use providing covered bicycle parking facilities may reduce the number of required vehicle spaces as follows:

<table>
<thead>
<tr>
<th>Covered Bicycle Parking Spaces Provided</th>
<th>Allowed Reduction in Vehicle Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>4 or more</td>
<td>2</td>
</tr>
</tbody>
</table>

In no case shall the total number of vehicle parking spaces provided under this provision be reduced to less than four.
Concept Sketch 25-2: Bicycle Parking Facility
<table>
<thead>
<tr>
<th>DATE</th>
<th>ORD #</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/3/91</td>
<td>4700</td>
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<tr>
<td>5/19/93</td>
<td>4768</td>
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<tr>
<td>3/6/96</td>
<td>4853</td>
</tr>
<tr>
<td>1/21/04</td>
<td>5209</td>
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<td>4/20/05</td>
<td>5285</td>
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<tr>
<td>5/6/09</td>
<td>5487</td>
</tr>
<tr>
<td>5/20/09</td>
<td>5489</td>
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Article 30: Definitions

30.010 Applicability

As used in this Code, the words and phrases contained in this Article shall have the following meanings:

30.020 Definitions

Abut: Contiguous to, as shown in Concept Sketch 30-Adjacent and Abutting. For example, two lots with a common property line or common property corner. However, "abut" does not apply to buildings, uses or properties separated by public right-of-way. See also "adjacent."

Access: The place, means or way by which pedestrian or vehicles shall have ingress and/or egress to a property or parking space.

(1) Primary: Provides the principal means of access to off-street parking areas and serves the general circulation needs of the property and development.

(2) Secondary: Provides incidental access to the property. Service drives are typical of secondary access facilities.

Access Control Line: A line or narrow strip of land that is recorded on a plat or other legal document across which vehicular and other specified types of access are prohibited.

Access Management: Measures regulating access to streets, road and highways from public roads and private driveways. Measures may include but are not limited to restrictions on the siting of interchanges, restrictions on the type and amount of access to roadways, and use of physical controls, such as signals and channelization including raised medians, to reduce impacts of approach road traffic on the mail facility.

Accessory Buildings: A building of less than 1,000 sq. ft. the use of which is subordinate to and consistent with the principal use of the property.

Accessory Dwelling Unit (ADU):

(1) A second dwelling unit created on a lot with a primary single-family detached house. The second unit is created auxiliary to, and is always smaller than the primary house. The ADU includes its own independent living facilities including provision for sleeping, cooking, and sanitation, and is designed for residential occupancy, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.
(2) A dwelling unit attached to a commercial building and on the same lot as a commercial use in a commercial zone, which is incidental, appropriate, and subordinate to the principal use.

**Accessory Use:** A use incidental, appropriate and subordinate to the principal use. See also "Principal Use."

Industrial accessory uses may include uses such as:

- On-site food service: primarily, but not exclusively, for employees of the business or businesses on the subject property, provided there is no separate dedicated building, outdoor advertising, or drive-through;

- On-site day-care: primarily, but not exclusively, for employees of the business or businesses on the subject property, provided there is no separate dedicated building or outdoor advertising;

- Other uses not permitted as principal uses in subject industrial zones, provided they are principally for the convenience of the on-site industrial use and employees, provided they do not function as a separate principal use, and provided there is no separate dedicated building or outdoor advertising.

**Access Way:** An unobstructed way of specified width containing a drive or roadway which provides vehicular access and connects to a public street.

**Active Solar Energy System:** See "Solar Energy System, Active."

**Adjacent:** Contiguous to a property boundary at a property line or property corner, or contiguous to a property line or corner as extended across an abutting right-of-way for an alley or street, as shown in Concept Sketch 30-Adjacent and Abutting.
Concept Sketch 30 - Adjacent and Abutting

Adjoin: Same as adjacent.

Adult Business: Any person, group, firm, business, or organization (except non-profit corporations which are not open to the general public) which prohibits admission to its entire premises at all times to any persons younger than 21 years of age.

Adult Use: A use of whatever character, conducted on the premises of an adult business, which use is conducted in the area in which any persons under 21 years of age are prohibited.

Agriculture: The cultivation of crops, and animal husbandry. Agricultural uses are of three types:

1. Intensive: Truck gardening and field crops; customary agricultural buildings, including plant nurseries and greenhouses; roadside stands only for display and sale of products raised on the premises; animals, including: public stables, kennels, and riding academies.

2. Non-Intensive: Gardening; accessory gardening buildings less than 1,000 square feet, including plant greenhouses for plant propagation; and including the keeping of animals as provided by Section 14.900 et seq.

3. Prohibited: Feed lots, Slaughter of animals.
Alley: A public way not over 30 feet wide providing a secondary means of access to private property.

Alter, Alterations: A change, addition or modification in construction or use of a building or structure.

Ambulance or Paramedic Service: A service for transporting the injured or sick or for providing emergency medical services before or during transportation to a hospital or clinic.

Amendment: A change in the text of the Code, or a change in the zone boundaries or district boundaries upon the zoning map or special district maps, or a change in the Comprehensive Plan text, Land Use Map or Urban Growth Boundary.

Apartment House: See "Dwelling, Multi-.

Appeal: A request that a final decision by the Director, Hearings Officer, Planning Commission or City Council be considered by a higher authority, either on the basis of a de novo hearing or with the inclusion of evidence in addition to the evidence considered by the maker of the initial decision.

Applicant: The owner of affected property, or such owner's duly authorized representative. The City Attorney may ascertain the sufficiency of the representative's alleged authorization by the owner to act as applicant on the owner's behalf.

Application: For purposes of this Code, application is defined as materials submitted, or required to be submitted under this Code.

Area of Shallow Flooding: A designated AO or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and intermittent; and, velocity flow may be evident. AO is characterized as sheet flow, and AH indicates ponding.

Area of Special Flood Hazard: The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letter A or V.

Arterial Street: A major street which functions primarily to move large amounts of traffic and is identified as an arterial street on the official street map.

Athletic Clubs: Recreation facilities containing one or more athletic activities which are primarily indoor in character.

Auto Service Station: Provision of fuel for any motor vehicles, together with performance of associated services for motor vehicles when performed as an accessory use.
Bankfull Stage: The stage or elevation at which water overflows the natural banks of streams or other waters and begins to inundate the upland. In the absence of physical evidence, the two-year recurrence interval flood elevation may be used to approximate the bankfull stage.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.

Basement: A space wholly or partly underground and having more than one-half of its height, measured from its floor to its ceiling, below the average adjoining finished grade.

Basic Needs Facility or Site: This land use type is to permit the provision of goods and services to meet the basic needs of unhoused persons or other persons needing assistance. Goods and services which may be provided include, but are not limited to, food, health care, clothing, warming center, housing technical assistance, and other supportive services. The target population for these goods and services is primarily unhoused persons and those at-risk of becoming unhoused. Others in need of assistance, such as travelers and migrants, may also be served. Goods and services will be provided by non-profit agencies, charitable organizations, and governmental agencies. Goods and services may be provided from buildings or open sites and may be year-round or seasonal. This land use type does not include shelter or housing.

Beds or Banks: The physical container of the waters of this state lying below bankfull stage.

Bed and Breakfast Inn: A use providing temporary overnight lodging and a morning meal (breakfast), for which monetary compensation is paid and received. Bed and Breakfast does not include other similar service uses, such as eating and drinking establishments, religious services, clothing sales or distribution outlets, health or limited care for needy individuals, boarding homes, group quarters, transient quarters, or rescue missions.

Berm: A man-made mound or small hill or earth used to deflect sound or used as a buffer in landscaping provisions to separate incompatible areas or to provide aesthetic enhancement in site design.

Bicycle Parking Facilities: Space and improvements dedicated exclusively for use of securing bicycles. They include, but are not limited to: marked spaces, structures including lockers, racks and enclosures, and areas providing maneuvering space for access to parking spaces and improvements.

Bikeway: A paved facility provided for use by cyclists. There are four types of bikeways:

Shared Roadway: A type of bikeway where motorists and cyclists occupy the same roadway area.
Shoulder Bikeways: A bikeway which accommodates cyclists on paved roadway shoulder.
Bike Lanes: A section of the roadway designated for exclusive bicycle use.
Bike Paths: Bike lanes constructed entirely separate from the roadway, alone or in conjunction with pedestrian ways.

Block: An area of land containing one or more lots or parcels surrounded by streets, railroad rights-of-way, un-subdivided acreage or a combination thereof.

Board: Josephine County Board of County Commissioners.

Bond: Any form of security, including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the City.

Buffer, Buffering: A landscaped area which provides a separation between potentially conflicting zoning districts, when developed as provided in Section 23.034, Type D.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building Envelope: That portion of a lot or development site exclusive of the areas required for front, side, and rear yards and other required open spaces and easements, and which is available for siting and constructing a building or buildings.

Building Line: A line on a plat indicating the limit beyond which buildings or structures may not be erected, or the minimum distance as prescribed by this Code between the front property line abutting a street and the closest point of the foundation of any building or structure related thereto.

Building Types: The description of buildings according to their placement and arrangement on a site or sites as follows:

(1) Nonresidential - That group of building types comprising the following:
   (a) Detached: A single main building, freestanding and structurally separated from other buildings. (See Concept Sketch 30-Building Types.)
   (b) Attached: Two or more main buildings placed side-by-side so that some structural parts are touching one another, located on a lot or development site or portion thereof. (See Code Concept Sketch 30-Building Types.)

(2) Residential - That group of building types comprising the following:
   (a) Single Detached-One: One dwelling unit, freestanding and structurally separated from any other dwelling unit or buildings,
located on a lot or development site. (See Concept Sketch 30-Building Types.)

(b) Single Detached-Two: Two dwelling units located on the same lot that are not attached in any manner. (See Concept Sketch 30-Building Types.)

(c) Duplex: Two dwelling units placed so that some structural parts are in common and are located on a single lot or development site. (See Concept Sketch 30-Building Types.)

(d) Single Attached: Two or more dwelling units attached side-by-side with some structural parts in common at a common property line. (See Concept Sketch 30-Building Types).

(e) Multi-Dwelling: A structure or complex of structures containing at least three dwelling units in any vertical or horizontal arrangement, located on a lot or development site. (See Concept Sketch 30-Building Types.)

(f) Cottage Development: A grouping of four to twelve small, single family dwelling units clustered around a common open space area and developed with a coherent plan for the entire site. Cottage units may have other shared amenities. The shared common area and coordinated design may allow densities that are somewhat higher than typical in single family neighborhoods possible while minimizing impacts on adjacent residential areas.

(3) The following commonly used terms are not considered building types for purposes of this Code:

(a) Condominium

(b) Townhouse

(c) Apartment
Concept Sketch 30 - Building Types
Building Official: The City Building Official.

Building Principal: A building within which is conducted a principal use permitted on a lot.

Calendar Year: The period of time from January 1 to December 31 inclusive.

Carport: A structure consisting of a roof with its supports and which is entirely open on two or more sides and is used for sheltering a motor vehicle.

Cemetery: Land use or intended to be used for the burial of the dead and dedicated for cemetery purposes, and which may include columbaria, crematories, mausoleums and mortuaries.

City Engineer: The City Engineer of the City of Grants Pass or his designee.

City Manager: See "Manager."

City Surveyor: An individual appointed to the office of Grants Pass City Surveyor who is responsible for performing the duties of such office in lieu of the County Surveyor as described by law.

Clearance: The highest point of the grade below a sign to the lowermost point of the sign.

Clinic: A building for the diagnosis and treatment of human patients, for periods not exceeding 24 hours, by a health care provider licensed by the State of Oregon, including doctors, dentists, surgeons, chiropractors, physical therapists, psychologists, and health counselors.

Code: Shall mean the City of Grants Pass Development Code.

Co-dominant: Trees with crowns forming the general level of the crown cover and receiving full light from above but comparatively little from the sides; usually with medium-sized crowns more or less crowded on the sides.

Collector Street: A major street which transports traffic from local streets to the arterial street system and is identified as such on the official street map.

Commercial: See "Trade Retail."

Compatible: To be used in determining the suitability of land uses within a zone and is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. Compatible may include being made compatible through screening, fencing, traffic pattern and site plan design, restriction of building openings, building design, building setbacks or other design solutions.

Comprehensive Land Use Plan/Comprehensive Plan: An official document which establishes the future land use pattern and land use goals and policies for the City.
Condominiums: A type of residential development offering individual ownership of units and common ownership of open spaces and other facilities and regulated, in part, by State Law (ORS Chapter 100).


County Recorder: The Josephine County Clerk.

County Surveyor: An individual appointed or elected to the office of Josephine County Surveyor and who is responsible for performing the duties of such office as described by law.

Courtyard: A landscape area enclosed by two or more walls.

Coverage, Building: That percentage of the total lot area covered by buildings.

Criteria: General rules or tests on which a judgment or decision can be based.

Crown: Live branches and foliage of individual trees that results in shading beneath.

Cul-de-sac: A short street which has one end open to traffic and is terminated by a vehicle turn-around.

Cul-de-sac Bulb: The circular radius at the end of a cul-de-sac.

Cultural Exhibits: Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art. Specifically excluded from this category are exhibitions where items displayed are available for retail sale (see "Trade, Retail.")

Day(s): Shall mean calendar days, unless working days are specified, which shall mean Monday through Friday, exclusive of official City holidays.

Day Care: Care, supervision and guidance on a regular basis provided to five or more persons during part of the day, under appropriate local and State licensing. Day care is of two types:

(1) Family: Day care provided for fewer than 13 children (under 13 years of age), including children of the provider, in the living area of the provider’s home, regardless of full-time or part-time status, which meets the requirements of ORS 418.805 through 418.885.

(2) Group: Day care provided in a place other than the recipient’s home, excluding Family Day Care.

Dedication: The designation of land by its owner for any general or public use.
De Novo: A new hearing, usually without consideration of any previous hearing testimony.

Density: The number of residential dwelling units per acre of land.

Destination Resort: As defined in Goal 8, Recreational Needs, Oregon's Statewide Planning Goals, as may be amended from time to time (OAR 660, Division 15).

Development: Any man-made change to improved or unimproved real estate, including but not limited to construction, installation or change of a building or other structure, land division and partition, establishment or termination of a right of access, storage on the land, drilling and site alteration such as that due to land surface mining, dredging, paving, excavation or clearing.

Development, Existing: Development existing or authorized by City permit at the time of application for a Solar Access Permit.

Development Permit: A permit issued by the Director for a development which is in compliance with this Code and the Comprehensive Plan.

Development Plan: Any plan adopted by the City Council for the guidance of growth and improvement of the City. The Council may make adjustments in any such plan from time to time to meet unanticipated problems and conditions affecting landowners or the public.

Development Site: A tract of land either undivided or consisting of two or more contiguous lots of record which, on the effective date of this Ordinance or subsequently, came under single or common ownership and continued to be so owned at the time a Development Permit was applied for.

Director: Director of the City Community Development Department, or his/her designee.

District: A portion of territory of the Urban Growth Boundary within which certain uniform regulations and requirements of this Code apply.

Dividing Land: See "Land Division."

Dominant Tree: Trees with crowns extending above the general level of the crown cover and receiving full light from above and partially from the side; larger than the average trees occupying the site and with crowns well developed.

Drainageway: A natural or manmade watercourse which has the specific function of transmitting natural stream water or storm runoff water from a point of higher elevation to a point of lower elevation and which conveys significant seasonal concentrations of water over the surface of the land.

Driveway: The driving surface that provides access internal to a lot or parcel, which has access to the public or private street that constitutes frontage. A driveway does
not constitute frontage. A driveway services only one lot or parcel, except where there are provisions for shared driveways and cross access easements. See definition of “Streets, Private.”

**Duplexes:** A building under single or common ownership designed or used exclusively for the occupancy of two families living independently of each other and having separate housekeeping facilities for each family. See also "Building Type."

**Dwelling, Multi:** A building under single or common ownership designed and used for occupancy by three or more families, all living independently of each other, and having separate housekeeping facilities for each family. See also "Building Type."

**Dwelling, Single Family:** A building designed or used exclusively for the occupancy of one family and having housekeeping facilities for only one family, and if attached, under separate ownership from any attached dwelling. See also "Building Type."

**Dwelling Unit, Existing Residential:** A residential dwelling unit that is currently certified for occupancy, that was constructed as a new residential dwelling unit in accordance with the standards in effect at the time of its construction.

**Dwelling Unit, Residential:** One or more habitable rooms which are occupied or which are intended or designed to be occupied by one family with one housekeeping facilities for living, sleeping, cooking and eating.

**Easement:** A recorded interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

**Eating/Drinking Establishments:** Uses providing facilities for consumption of prepared food and/or licensed beverages.

**Elevation, Average:** The average of the lot elevation on the northerly side of a structure and the lot elevation on the southerly side of a structure.

**Employees:** All persons, including proprietors, working on the premises during the largest shift at peak season.

**Family:** Any of the following:

1. An individual or group of persons not to exceed fifteen in number, related by blood, marriage or adoption;

2. An individual or group of disabled persons, not to exceed fifteen in number.

3. An individual or a group of not more than five persons (excluding servants) who need not be related by blood, marriage or adoption, living together in a dwelling unit.
Fee in Lieu Agreement: Replaces the Deferred Development Agreement. The agreement obligates the property owner to pay a one-time assessed fee for those public improvements associated with the property's street frontage. The assessed fee for public improvements is based on the street classification fronting the property. The agreement is duly recorded, remains with the property and guarantees the property owner(s) one-time assessed fee for those public improvements specified in the agreement are paid in full.

Fenestration: The arrangement or design of windows and doors in a building.

Final Action: A final determination made by the review body and accompanied by adopted findings, if required, and signed by the review body or its designee. See also "Oral Action" and "Findings."

Findings: Written statements of fact, conclusions and determinations based on the evidence presented in relation to the Decision Approval Criteria and accepted by the review body in support of a decision.

Flag Lot: A lot that has frontage on and primary access to a street by means of a flag pole (See Concept Sketch 30 - Flag Lot and Flag Pole).

Flag Pole: That portion of a lot that is a narrow strip of land to provide primary frontage and access to the main body of the lot. A flag pole has a width at all points that is less than 50 feet or the width of the lot, whichever is less. The width of the flag pole at any point is less than the depth of the flag pole from the street right-of-way to that point (See Concept Sketch 30 - Flag Lot and Flag Pole).
Flood: Any high stream flow which overtops the natural or artificial bank of any part of a stream or river that covers land not usually under water. The Intermediate Regional or Base Flood (often referred to as the 100-year flood) is a flood with a one percent chance of occurrence in any given year. This flood is mapped by the Army Corps of Engineers and is used by the Federal Emergency Management Agency and the City of Grants Pass for purposes of regulating development within flood boundaries.

Flood Fringe: The area bordering the floodway and within the floodplain and which acts as a reservoir of flood waters.

Flood Insurance Rate Map (FIRM): The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

Floodplain: The combined area of the floodway and flood fringe as defined herein.

Floodway: The minimum area necessary for the passage of floodwaters, including the channel and adjacent land areas which must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot; or any area designated as a floodway on the Floodway Map, whichever is more restrictive.

Flood Area: The gross area, under roof, of all of the floors of a building, measured from the interior of exterior walls, excluding only space devoted to off-street parking or loading.

Forestry: Any commercial activity relating to the growing or harvesting of forest tree species, including, but not limited to:

(a) Reforestation;

(b) Construction and maintenance of roads specifically for the growing or harvesting of forest tree species;

(c) Harvesting of forest tree species;

(d) Application of chemicals as part of growing or harvesting forest tree species; and

(e) Disposal of slash.

Forestry: Individual or stand culture; pest management, thinning, fertilization, chemical applications, pruning or other at an individual tree or stand level.
Frontage: That portion of a property which abuts a street right-of-way.

Functional Classification: The description of streets by the relative importance of the movement and access functions. See “Streets” for specific descriptions of each street classification.

Future Street Plan: An approved street plan indicating the location of future streets within undeveloped or partially developed portions of the Urban Growth Boundary.

Garage, Private Parking: A structure having one or more tiers of height used for the parking of automobiles for the tenants, employees or owners of the property for which the parking spaces contained in or on said garage are required by this Code and which are not open for use by the general public.

Garage, Public Parking: A publicly or privately owned structure having one or more tiers of height, used for the parking of automobiles and open for use by the general public, either free or for remuneration. Public parking garages may include parking spaces for customers, patrons or clients which are required by this Code, provided said parking spaces are clearly identified as free parking space(s) for the building or use.

Garage, Repair: A building used for the care and repair of motor vehicles, including major and minor work such as body and fender work or engine and transmission overhaul, and incidental storage or parking of vehicles.

Goals: Statements identified as such in the Comprehensive Plan.

Governmental Bodies: Shall mean City, County, State and Federal Boards, Councils, Commissions and Agencies and the like. See also "Review Bodies."

Government Buildings: All buildings and structures defined in ORS 446.210 through 446.280 used by the public which are constructed, purchased, leased or rented in whole or part by the use of State, County or Municipal funds, or the funds of any political subdivision of the State; and to the extent not required otherwise by federal law or regulations or not beyond the power of the State to regulate, all buildings and structures used by the public which are constructed, purchased, leased or rented in whole or in part by the use of federal funds.

Grade, Finish: The final grade of paving, sidewalk or landscaped area at any given point upon completion of construction.

Group Care Home: Facilities licensed by the State of Oregon and the appropriate governing bodies providing convalescent or chronic care for periods exceeding 24 hours for elderly or physically dependent persons, or providing care and training on a daily basis for physically or mentally handicapped persons, for sixteen or more persons not related by blood, marriage or adoption to the administrator of such care and training.
Group Quarters: The residential occupancy of living units by groups of more than five persons who are not all related by blood, marriage or adoption, and where the communal kitchen and/or dining facilities are provided.

Habitable Floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

Half Street: Half of the width of a street, usually along the side of a subdivision where the remaining portion of the street could be provided in another subdivision.

Handcrafted Manufacturing: Merchandise produced using non-power equipment and tools, except for low-impacting household appliances, such as sewing machines, jigsaws, small drills and sanders. In no case can the equipment and/or material used in production result in noise, vibration or air or water quality impact in excess of locally adopted standards.

Hearings Officer: A contracted individual empowered with certain decision-making authority by this Code.

Height of Building: The vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building.

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.

When a building has a covered porch, covered deck, or other unenclosed covered space without an exterior wall, the outermost point of the unenclosed space shall be considered an exterior wall.

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.
**Helipad, Medical:** A landing and takeoff place for a helicopter for emergency medical services, such as patient transport.

**Homeowners Association:** An incorporated, non-profit organization operating under recorded land agreements through which each lot owner of a Planned Unit Development or other described land area is automatically subject to a charge for a proportionate share of maintaining a common property.

**Home Occupation:** An accessory use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or services. The primary use of the dwelling unit is residential.
Hospitals: Institutions devoted primarily to the rendering of healing, curing and/or nursing care which maintain and operate facilities for the diagnosis, treatment and care of two or more non-related individuals suffering from illness, injury or deformity, or where other healing curing and/or nursing care is rendered over a period exceeding 24 hours.

Hospital, Small Animal: See Veterinary Clinic.

Hotel (Motel, Motor Hotel, Tourist Court): A building or group of buildings used for transient residential purposes containing rental units which are used, rented or hired out for sleeping purposes.

Indoor Recreation Area: A room or rooms within an enclosed building which is designed and used for recreational purposes by the public and/or occupants of a residential development. Activities provided for within an indoor recreation area may include, but are not limited to, the following: indoor swimming pools, saunas, gymnasiums, exercising rooms, dance floors, tennis or handball courts, and games such as pool, ping-pong, shuffleboard, etc.

Industrial: The on-site production of goods excluding agriculture. Industrial uses are one of three types:

(1) **Indoor**: Those light industrial uses that can be accomplished within a wholly enclosed building, that require no outside production and little or no outside storage of materials. Indoor Industrial uses refer to industrial production of previously processed or prepared materials, as follows:

(a) Production, processing, assembling, packaging or treatment of food products from previously processed materials; or

(b) Production, processing, assembling and packaging of finished products from previously prepared materials; or

(c) Manufacturing and assembly of electronic instruments and equipment and electrical devices.

(2) **Outdoor**: Those heavier industrial uses that require open air production, processing and storage of materials. Outdoor Industrial uses refer to:

(a) The manufacturing, processing or assembling of semi-finished or finished products from raw materials.

(b) The retail or wholesale trade in bulk of hazardous materials.

(3) **Prohibited**: Those industrial uses within the City of Grants Pass, as follows:

(a) Manufacturing of explosives.

Intensity of Use: See "Land Intensity of Use."
**Intermediate Tree:** Trees shorter than those in the Codominant and Dominant classes but with crowns extending into the crown cover formed by codominant and dominant trees; receiving little direct light from above and none from the sides, usually considerably crowded on the sides.

**Irrigation System:** Method of supplying water which can be manually or mechanically-controlled to a needed area.

**Itinerant Use:** (Repealed per Ord 5564) See Chapter 4 of the Municipal Code.

**Kennels:** A lot or premises on which three or more adult dogs are kept, whether by the owners of the dogs or by persons providing facilities and care, whether or not for compensation. An adult dog is one that has reached the age of six months.

**Kitchen:** Any room used or intended or designed to be used for preparation of food and storage of food, including any room having a sink, and either a 3/4-inch gas opening or provision for a range or stove.

**Laboratory, Medical:** A laboratory that provides the processing and/or manufacture of medical products on an individual basis from another medical source, usually a health care provider. This includes, but is not limited to, a dental, blood, foot, radiology, and pharmaceutical laboratories.

**Land, Intensity of Use:** Relative measure of development impact defined by such characteristics as the number of dwelling units per acre, amount of traffic generated and amount of site coverage.

**Land, Parcel of:** Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

**Landscaping:** Includes ground cover, trees, grass, bushes, shrubs, flowers and garden areas and any arrangement of fountains, patios, decks, street furniture and ornamental concrete or stonework areas.

**Landscape Coverage:** The degree to which living plant materials cover any given landscaped area, as measured no higher than six inches from the finish grade of the landscaped area.

**Library:** Collection of books, manuscripts, periodicals, and other media, etc., for study or reading, on-site or available for check out and circulation. A library may house meeting space as a secondary function. Specifically excluded from this category are exhibitions where items displayed are available for retail sale (see "Trade," "Retail.")

1. Main branch. When there is one library in the library system, it shall be considered the main branch. When there is more than one library in the library system, the principal library, typically the largest facility
which serves as a hub for other libraries in the system, shall be considered the main branch. Administrative functions for the library system are typically housed in the main branch rather than neighborhood branches.

(2) Neighborhood branch. When there is more than one library in the library system, a secondary library, typically a smaller facility, which acts as a satellite facility and serves a smaller neighborhood area, shall be considered a neighborhood branch.

Living ground cover: Any variety of low-growing, trailing, non-invasive plants used to cover the ground to provide protection of the soil from erosion, drought, and weeds.

Loading Space: An off-street space or berth on the same lot with a main building or contiguous to a group of buildings for the temporary parking of commercial vehicles while loading or unloading.

Lodge: A lodge, club or fraternal organization, except those carried on as a business for a profit, and excepting Group Care and Group Quarters uses.

Lot: Either a discrete unit of land for planning, zoning, use, and development purposes, or subdivision lot, as the context dictates.

Lot Area: The total horizontal area within the lot lines of a lot.

Lot, Authorized: A lot which is recognized by the City of Grants Pass as a discrete unit of land for planning, zoning, use, and development purposes.

Lot, Corner: A lot situated at the intersection of two intersecting streets, where the interior angle of such intersection does not exceed 135 degrees.

Lot Coverage: The percent of a development site area covered by the vertical projection of any structures or buildings.

Lot Depth: The average minimum horizontal distance between the rear lot line and the front lot line, unless,

(1) the rear lot line is enclosed within a floodway, required stream setback, or similar area not to be used for building and the applicant chooses to designate the setback or floodway line to be the rear lot line; or

(2) the lot is a flag lot, in which case the lot depth shall be the average minimum horizontal distance between the two lot lines most distant from one another.

Lot, Interior: A lot other than a corner lot and having frontage on only one street.

Lot Line: The property line bounding a lot.
Lot Line, Exterior: Any Side or Rear Lot Line abutting a street or alley.

Lot Line, Front: A property line which abuts the street. Where two or more property lines abut a street, one shall be the Front Lot Line and all others shall be Exterior Side or Exterior Rear Lot lines, as appropriate. The choice of Front Lot line shall be the applicant's.

Lot Line, Rear: The record lot line or lines most distant from and generally opposite the front lot line, except that in the case of a triangular lot or lot with more than four sides, it shall mean a straight line 10 feet in length which is a) parallel to the front lot line or its chord and b) intersects the other lot lines at points most distant from the lot line. (See Concept Sketch 30-Rear Lot Line.)

Lot Line, Side: Any lot boundary not a front or rear lot line.

Concept Sketch 30 - Rear Lot Line

Lot, Net Width: For use in determining landscaping requirements based on frontage. The recorded width of the lot less the width of the driveway approach.

Lot of Record: See "Lot, Authorized."

Lot, Tax: A unit of land that has been assigned a lot number by the Josephine County Assessor, that may or may not be an authorized lot.

Lot, Through: A lot of record which has both a front and rear lot line abutting a street.

Lot, Unauthorized: A lot which is not recognized by the City of Grants Pass as a discrete unit of land for planning, zoning, use, and development purposes.

Lot Width: The diameter of the largest circle that can be inscribed within the property lines of a lot (See Concept Sketch 30 - Lot Width).
Concept Sketch 30 - Lot Width

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Code.

Maintenance: See Repair/Maintenance.

Major Zone District: The primary zone designation of property within the City such as R-1, GC or BP.

Makerspace/Innovation Hub: A community center or shared facilities that provide technology, manufacturing equipment and educational opportunities to the public, typically funded by membership fees or through affiliations with external organizations such as universities, for-profit companies, non-profit organizations and libraries.

Manager: The City Manager of the City of Grants Pass or his designee.

Manufactured Dwelling: A residential trailer, mobile home, or manufactured home.

Manufactured Dwelling Park: Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured Dwelling Park" does not include a lot or lots located within a subdivision which are being rented or leased for occupancy by no more than one manufactured dwelling per lot.
Manufactured Home: A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

**Manufactured Home Space or Lot:** A plot of ground within a manufactured dwelling park designed for the accommodation of one manufactured home, its accessory structures, parking spaces and required yard areas.

**Manufactured Housing Park:** A manufactured dwelling park.

**Marijuana:** (a) Marijuana means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae; (b) “Marijuana” does not include industrial hemp as defined in ORS 571.300.

**Marijuana Business:** “Marijuana Business” shall mean any of the following:

1. Marijuana processing sites; or
2. Marijuana dispensaries; or
3. Marijuana producers; or
4. Marijuana processors; or
5. Marijuana wholesalers; or
6. Marijuana retailers.

**Medical Office:** A business office directly associated with a licensed health care provider or providers for activities directly related to the health care, such as supplying, billing, and record keeping, but not providing diagnosis or treatment of patients.

**Mobile Home:** A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

**Mobile Home Park:** A manufactured dwelling park.

**Modular Home** A factory-fabricated transportable building designed to meet the Uniform Building Code, to be used by itself or incorporated with similar structures or units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include buildings constructed at a site from prefabricated parcels, trusses and other prefabricated supplements. A "Modular Home" is not considered a "Manufactured Home."

**Mortuary:** Mortuaries, crematories, and funeral and interment enterprises, where human bodies are kept prior to cremation or interment.
Motel. Tourist Court: See "Hotel".

Motor Vehicle and Trailer Sales Area: A lot used for display, sale or rental of new or used motor vehicles or trailers.

Non-Conforming Building: Any building which lawfully exists prior to the effective date of this Code but which, due to the requirements adopted herein, no longer complies with the height, yard, area and/or coverage regulations, off-street parking requirements or other provisions of this Title.

Non-Conforming Lot: A parcel of land which lawfully existed as a lot on the effective date of this Code, or which is legally created after the effective date of this Code, but which in either case does not conform to the lot area and/or lot dimension standards for the zone in which it is located.

Non-Conforming Use: Any use which lawfully existed on the effective date of this Code but which, due to the requirements adopted herein, no longer complies with the schedule of permitted uses.

Noon: Noon solar time, when the sun reaches its highest position in the sky on January 21.

Northern Lot Line: A lot line or lines less than 45 degrees southeast or southwest of a line drawn east-west and intersecting the northernmost point of the lot, or, is no such line exists, the lot line the fewest degrees southeast or southwest of this east-west line. If the northern lot line adjoins an unbuildable area or areas (e.g. streets, alleys, public rights-of-way, parking lots, common areas) other than a required yard area, the northern lot line shall be northerly edge of the unbuildable area. (See Concept Sketch 30-Northern Lot Line.)

![Diagram of Northern Lot Line](image)

Concept Sketch 30 - Northern Lot Line

North-South Lot Dimension: A distance that represents the general length of the north-south axis of a lot. It is calculated as one-half the sum of the distances between: (A) the northernmost point on the northern lot line and the southernmost point of the southern lot line, and (B) the southernmost point on the northern lot line and the northernmost point on the southern lot line. The north-south lot dimensions
of flag lots shall be measured excluding the flag pole portion of the lot. (See Concept Sketch 30-North-South Lot Dimension.)

\[
\text{North-South Lot Dimension} = \frac{(A+B)}{2}
\]

Concept Sketch 30 - North-South Lot Dimension

**Nursing Home:** See "Group Care Home."

**Nuisance:** A use, development or building on a parcel which is found to be dangerous, or a potential threat to the health, welfare and safety of the community, and which may be cited by the City Manager for civil action.

**ODOT:** Oregon Department of Transportation.

**Offices:** All offices maintained by business, professional and financial organizations and individuals for the performance of their business or profession, excepting repair/maintenance. Office uses are three types:

1. **Professional:** Office uses for the practice of a profession, including any office performing personal or business services, excepting repair/maintenance services. Professional office uses include medical and dental clinics, but do not include small animal clinics, and do not include laboratories not incidental to medical/dental office or clinic operation.

2. **Business:** Office uses provided for the conduct of business other than professional, excepting repair/maintenance services, and not involving retail or wholesale trade on the premises. See also "Trade, Wholesale."

3. **Limited:** Professional or Business Offices, but only when abutting GC or CBD Zoning Districts by either (a) an interior side lot line or (b) an interior side and interior rear lot line. (See Concept Sketch 30-Limited Office.)
Concept Sketch 30 - Limited Office

Open Space, Recreational: Area on a lot that is suitable for recreational use such as play, picnics, gardens, or sports. While recreational open space generally contains pervious surfaces, it may include impervious surfaces necessary to the recreational activity such as decks or sports courts. Recreational open spaces may be any of the following:

(1) lawn or similar living ground cover that allows active recreational use. This does not include areas covered with decorative rock, landscaping bark, shrubs, or similar materials.

(2) decks, patios, balconies, picnic areas, gazebos, or similar facilities that are designed solely for recreation.

(3) active recreation facilities such as playgrounds, swimming pools, and sports courts.

(4) walking, jogging, biking, or similar trails, including adjoining natural areas. This does not include trails within a required exterior yard.

(5) cultivated gardens.

Open Space, Pervious: Area on a lot with surfaces permeable to water. This includes required landscaped yards, buffer areas, other landscaped areas, ponds, creeks, and other natural areas. It does not include streets, accessways, parking areas, areas covered by structures, decks, or areas covered by asphalt, concrete, or decorative rock.

Oral Action: The initial determination made by the review body at a public meeting or hearing, subject to the Final Action and adoption of findings. See also "Final Action" and "Findings."
Outdoor Storage: The keeping, in an unroofed area, of non-explosive materials, merchandise, goods and/or vehicles in the same place for more than 24 hours. Storage shall be screened with a solid fence or wall and shall not encroach into any required setback.

Owner: Where used in relationship to real property, the legal owner of record or, where there is a recorded Land Sales Contract in force, the purchaser thereunder.

Parapet or Parapet Wall: That part of any wall above the roof line as defined in Uniform Building Code, Oregon Edition.

Parcel: A partition parcel, a property line adjustment parcel, or a discrete unit of land for planning, zoning, use, and development purposes, as the context dictates.

Parking Area, Commercial: Privately or publicly owned property other than streets or alleys, on which parking spaces are defined, for use by the general public, either free or for remuneration, and not provided as part of a parking requirement for some other use.

Parking Area, Private: Privately or publicly owned property, other than streets and alleys, on which parking spaces are defined, designated or otherwise identified for use by the tenants, employees or owners of the property for which the parking area is required and not open for use by the general public.

Parking Area, Public: Privately or publicly owned property other than streets or alleys, on which parking spaces are defined, designated or otherwise identified for use by the general public, provided as a part of a parking requirement for an adjoining land use.

Parking Space: The minimum gross area available for the parking of an automobile as required by this Code.

Parking, Voluntary: A private parking area provided in a residential zone for use by a business or use on an adjacent lot in a commercial or industrial zone. Parking is provided voluntarily and is in excess of any parking spaces required by this Code. The number of spaces is not more than 50 percent of the number of spaces required for the use, or ten spaces, whichever is greater. Voluntary parking is of two types:

(1) Local Impact: Voluntary parking involving ten or fewer spaces with no access to a street in a residential zone.

(2) Area Impact: Voluntary parking involving more than ten spaces or access to a street in a residential zone.

Partition: Either an act of partitioning of land or an area or tract of land partitioned.

Partition Parcel: A single unit of land that is created by a partitioning of land.
Partition Land: To divide land into two or three parcels of land within a calendar year, but does not include:

(1) A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots.

(2) A property line adjustment.

(3) The division of land resulting from the recording of a subdivision or condominium plat.

(4) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes provided that such road or right-of-way complies with the Comprehensive Plan and ORS 215.213 (2)(q) to (s) and 215.283 (2)(p) to (r). However, any property divided by the sale or grant of property for state highway, county road, city street or other right-of-way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned.

Partition Plat: A final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a partition.

Party: Any person, organization, or governmental body, including the applicant, that appeared at a public hearing by submitting written or oral testimony concerning a particular application or matter, or who submitted written testimony concerning a particular matter or application during a noticed public comment period prior to a land use decision or limited land use decision.


Pedestrian Connection: A continuous, unobstructed, reasonably direct route between two points that is intended and suitable for pedestrian use. Pedestrian connections include but are not limited to sidewalks, walkways, pedestrian ways, stairways and pedestrian bridges.

Pedestrian Connector Route: A right-of-way dedicated and constructed to accommodate pedestrian travel between rights-of-way or properties.

Pedestrian Way: An access, trail, sidewalk, or similar path that accommodates pedestrian travel.

Pedestrian Way, Private: A pedestrian way that is located on private property.

Performance Standards: A measure of the quality of traffic operations at an intersection or roadway segment. Performance standards can include level of service, volume to capacity ratio, average stopped delay, and other methods of measurement.
Person: An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more people having a joint or common interest, or any other legal entity.

Personal Services: Services, the primary function of which is to enhance the appearance, health, or hygiene of individuals. Providing these personal services for the convenience of walk-in customers is the primary function. The sale of any product is accessory to these services. Typical uses include beauty and barber shops, professional masseuses, shoe repair shops, and coin operated laundries. Personal services do not include medical or dental offices or clinics.

Pharmacy: A retail store where medicines are compounded and sold. Not more than 25 percent of the floor area may be devoted to retail sale or rental of goods other than medicines, durable medical goods, or medical related products.

Planned Unit Development: A land development project comprehensively planned as an entity via a unified site plan which permits flexibility in building siting, mixtures of building types and land uses (provided those land uses are permitted in the underlying zone), usable open spaces and the preservation of significant natural features.

Planning Commission: The Urban Area Planning Commission, except that the Historical Buildings and Sites Commission may be substituted for the Planning Commission in Section 2, Procedures, and Section 10, Appeals, when referencing action by the Historical Buildings and Sites Commission under the Procedures or Appeals Sections.

Plat: A final subdivision plat, replat, partition plat, property line adjustment plat or map.

Pre-Existing Lot: See "Authorized Lot."

Preliminary Plan: See "Tentative Plan."

Premises: A lot, parcel or tract of land occupied, or to be occupied, by a building or unit or group of buildings and their accessory buildings.

Principal Use: The main use to which the premises are devoted and the primary purpose for which the premises exist. See also "Accessory Use."

Private Driveway: A driveway to serve residential premises.

Property: A unit or tract of land.

Property Consolidation: The creation of one unit of land where more than one unit of land previously existed.

Property Line: The legally recognized division line between two units of land.
Property Line Adjustment: The relocation of a common property line between two abutting properties, when recorded with the County Recorder by the appropriate parties, when such adjustment is done in accordance with the applicable standards in effect at the time of recordation.

Property Line Adjustment Parcel: A unit of land created by a property line adjustment.

Property Line Vacation: The removal of the property lines separating two units of land resulting in the consolidation of abutting properties.

Public Building: All buildings and structures used by the public that are constructed, purchased, leased or rented in whole or in part by the use of private funds, where the building or structure has a ground area of more than 4000 square feet or is more than 20 feet in height from the top surface of the lowest flooring to the highest interior overhead finish of the building or structure.

Public Facilities: This category includes public uses and facilities which are not defined separately under more specific definitions in this Article, such as ‘Public Park’ and ‘Library.’

Except as provided below, public facilities that operate and function similarly to their private equivalents other than for their public ownership or occupancy, shall be reviewed using the procedures that apply to their private equivalents, if there is a commonly recognized equivalent, and if the public nature itself does not make the use location-dependent. Examples of these uses include: government/public offices, maintenance facilities, storage, etc.

1. Public Facility, Location-Dependent: Government, public, or semi-public facilities and utilities which, by nature of their function, must be located relative to other facilities, areas, elements of the collection or distribution system, or natural or topographic features to function properly, whether they may have local impact or substantial impact. Any associated impacts are addressed through mitigation rather than zoning. If a facility could meet more than one definition (Location-Dependent Public Facility, Minor Public, or Major Public), the least restrictive shall apply.

Examples of uses included in this definition include: Open-air utility substations and pumping stations, reservoirs and wholly enclosed pumping stations or utility sub-stations. It also includes municipal water or sewage treatment plants when separated from any residential development by a minimum 50-foot wide Type B landscaped buffer. Uses also include public safety stations and substations (police and/or fire) when necessary to serve a specific area or achieve needed response times to a specific area.

Examples of uses not included in this definition are other public uses that are included in the ‘Major Public’ and ‘Minor Public’ definitions. Those uses may have specific siting requirements, but they are not location-dependent in the
same manner as uses in this definition, and they have greater siting flexibility to function properly.

(2) **Public, Major:** Government or publicly owned facilities which have substantial impact, including materials storage or equipment repair facilities, warehouses, and detention and correction institutions.

(3) **Public, Minor:** Government, public or semi-public facilities and utilities which have a local impact upon surrounding properties.

**Public Need:** A conclusion based on presentation of factual evidence which demonstrates that a particular request for a change is in the best public interest for economic, social, and environmental reasons.

**Public Park:** A tract(s) of land set apart and devoted to the purposes of pleasure, recreation, ornament, light and air for the general public and under the management or control of a public agency. Parks may include playgrounds, recreation facilities, athletic fields, courts and open space. Uses generally occur outdoors, but buildings for indoor uses and enclosed spaces may be permitted by the Review Body as Accessory Uses. Parks are classified as Mini-Neighborhood, Neighborhood, Community, and Metropolitan Parks in accordance with the definitions found in the Parks and Recreation Master Plan for the City of Grants Pass Urban Growth Boundary.

**Quasi-Judicial Action:** An action which involves the application of adopted policy to a specific development application or amendment, as provided by this Code.

**Ramada:** A structure having a roof extending over a manufactured home or manufactured home space which is designed for protection of the manufactured home from sun and rain.

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

**Recreation, Commercial:** Provision of sports, recreation and entertainment for both participants and spectators, provided both indoors and outdoors. Specifically excluded from this category are “Residential Recreation” and “Athletic Club” uses. Commercial Recreation uses are of two types:

(1) **Local Impact:** Commercial recreation uses conducted within an enclosed building with a capacity of 300 persons or less. Typical uses include theaters and meeting or banquet halls.

(2) **Area Impact:** Commercial recreation uses conducted outdoors, or conducted within an enclosed building with a capacity of over 300 persons. Typical uses include theaters, meeting or banquet halls, cinemas, theme parks, stadiums, miniature golf facilities, and zoos.
Recreation, Residential: Provision of recreation facilities for participants, with only incidental spectator use, such that compatibility with residential uses can be maintained. Residential recreation uses are of two types:

(1) **Local Impact**: Facilities for the private use of an individual family and non-paying guests, including members of a PUD. Typical uses include swimming pools, open space, club houses, or other recreational facilities located within a residential subdivision, PUD, or multi-family development.

(2) **Area Impact**: Facilities for use of the general public or membership of a private organization (where not a part of a PUD) which consist primarily of vegetative landscaping, or similar natural-appearing areas, and focus on outdoor recreation. Lands tend to have few structures, but accessory uses such as club houses, maintenance facilities, concession stands, etc. may be permitted by Review Body. Typical uses include golf courses, privately-owned parks and plazas, botanical gardens, and nature preserves.

Recreational Resort: As defined in Section 14.142 of the Josephine County Zoning Ordinance, as may be amended from time to time (Acknowledged Plan, December 1985).

Recreational Vehicle: A boat, camper, motor vehicle or portable vehicular structure capable of being towed on the highways by a motor vehicle, designed and intended for casual or short-term human occupancy for travel, recreational and vacation uses. If identified in some manner as a recreational vehicle by the manufacturer or registered as such with the State, it is prima facie a recreational vehicle.

Religious Assembly: The building and premises used for the conduct of regular religious services, such as customarily occur in synagogues, temples, mosques and churches. Specifically excluded from this category are schools, other than premises used for religious instruction during regular religious services. See also “Schools.”

Rental Unit: Any housing unit, which is occupied pursuant to a lawful rental agreement, oral or written, expressed or implied, which was not owned as a condominium unit or cooperative unit on the effective date of this Code. A condominium housing unit in a converted rental building for which there has been no acceptance of sale on the effective date of this Code shall be considered a rental unit.

Repair/Maintenance: A use whose primary function is the repair and maintenance of equipment, machines, and/or vehicles. Repair/Maintenance uses are of two types:

(1) **Commercial**: Repair and maintenance of household and personal machines and equipment, of light business machines and equipment, and of cars, pickup trucks and mobile homes.

(2) **Industrial**: Repair and maintenance of heavy business machines and equipment, large contractor and farm equipment, and of motorcycles, heavy trucks and truck and trailer tractors. A repair/maintenance use with any
industrial component shall be designated as an Industrial Repair/Maintenance use.

Replat: The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

Reserve Strip: A strip of property, usually one foot in width, overlaying a dedicated street which is reserved to the City for control of access until such time as additional right-of-way is accepted by the City for continuation or widening of the street.

Residential Care: Services such as supervision, protection, assistance while bathing, dressing, grooming or eating, management of money, transportation, recreation and the providing of room and board.

Residential Dwelling Unit: See "Dwelling Unit, Residential."

Residential Care Facility: A facility licensed by the State of Oregon which provides residential care alone or in conjunction with treatment or training, or a combination thereof, for six or more individuals who need not be related. Staff persons required to meet State licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

Residential Home: A home licensed by the State of Oregon which provides residential care alone or in conjunction with treatment or training, or a combination thereof, for five or fewer individuals who need not be related. Staff persons required to meet State licensing requirements shall not be counted in the number of facility residents and need not be related to each other or to any resident of the residential home.

Residential Trailer: A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

Restaurant: An establishment where meals are prepared and served to the public for consumption either on or off the premises.

Retirement Housing: Housing for an older person as defined in the Fair Housing Act.

Review Body: The Director, Hearings Officer, Planning Commission, Historical Buildings and Sites Commission or City Council, whichever has authority for making a determination under the various provisions of this Code.

Right-of-way: The area between boundary lines of a street.

Rip Rap: The act of facing a stream bank with rock or similar substances to control erosion.
Road: A street.

Roadway: The portion or portions of a street right-of-way improved for vehicular traffic.

Rocks, cobble and gravel for landscaping: Includes rounded rock in various shapes and sizes from pea gravel to boulders; and various colored lava cinder. Does not include gravel typically used for driveways, such as “three quarter minus” (¾-) and decomposed granite.

Sale or sell: Every disposition or transfer of land in a subdivision or partition or an interest or estate therein.

School: Facilities for the instruction of children, youth and adults. School uses are of two types:

(1) Public: Public, private or parochial, kindergarten, primary, secondary and high schools and colleges, including accessory administrative uses, but not child care facilities, except when operated in conjunction with a school.

(2) Technical: Technical, business, trade, dancing, music or sports schools, including accessory administrative uses.

Self-Storage: A commercial facility in which customers can rent space to store possessions; or

A storage facility in a residential neighborhood or development which, in accordance with Section 14.720, is only available for use by the residents of that neighborhood or development.

Service Station: An establishment selling fuel and oil for vehicles; selling, servicing and installing tires, batteries, accessories and related products; furnishing minor repair and service when conducted entirely within an enclosed building, and at which incidental services are conducted. “Minor repair and service,” as used in this definition, shall be understood to exclude activities such as painting, bodywork, steam cleaning, and/or tire recapping.

Service Driveways: Any driveway constructed, installed, maintained in or over any portion of the public right-of-way for the purpose of ingress and egress of vehicles from the street to the property abutting the street.

Setback: The minimum allowable horizontal distance from a given point or line of reference, which for purposes of this Code shall be the property line, unless otherwise stated, to the nearest vertical wall of a building or structure, fence, or other elements as defined by this Code.
Shade: A shadow, except a shadow caused by a narrow object, including but not limited to such narrow objects as a utility pole, antenna, wire, flagpole or reasonable-sized chimney or flue.

Shade Point: The point on a structure that would cast the highest shadow at the northern lot line at noon on January 21. (See Concept Sketch 30-Shade Point and Shade Point Height.)

![Concept Sketch 30 - Shade Point and Shade Point Height](image)

Shade Point Height: The vertical distance between the shade point and the finished grade at that point. If the shade point is on a ridgeline that runs generally north-south, then the shade point height is one-foot less than what otherwise would be the shade point height. (See Concept Sketch 30-Shade Point and Shade Point Height.)

Shelter Facility or Site: This land use type is to provide temporary shelter for unhoused persons. The use may include emergency shelter in response to disaster events or severe weather (extreme cold or heat). Shelter type may include stick-built or temporary structures, existing or new structures, tents, RVs, camp trailers, and purpose-built shelters such as “Pallet Shelters.” Food service, medical aid, and other supportive services may be provided. Sanitation and security must be provided.

Side-Loaded Garage: A garage that is located perpendicular to either a front or exterior yard where a minimum of twenty (20) feet of paved area is located in front of the garage entrance.
Site: That parcel of real property in common ownership, notwithstanding that the particular application may be for development of a portion of the site only. Conveyance of less than fee title to different persons, such as by ground lease, shall not operate to prevent the requiring of site design review of the entire parcel.

Site Plan: A plan, prepared to scale, showing accurately and with complete dimensions, all the uses proposed for a parcel of land and other information as required by specific sections of this Code.

Solar Access Permit: A document that describes the maximum permitted height of non-exempt vegetation on properties to which the permit applies to protect solar access on the property of the permit applicant, to the extent authorized by the City. A Solar Access permit shall include, but is not limited to, the legal description of the properties benefited and restricted by the Permit and copy of the sun chart, solar access permit height limitations, and information listed in The Solar Access Permit Height Limitations (Solar Envelope) of the solar energy system.

Solar Access Permit Height Limitations: A series of contour lines rising in four-foot increments at an angle to the south not less than 27 degrees from the horizon (the altitude of the sun on January 21 at noon) and extending at an angle not greater than 55 degrees (the azimuth of the sun on March 21 and September 21 at 9 AM and 3 PM, respectively) east and west of true south, parallel to and beginning at the bottom edge of a solar energy system for which a Solar Access Permit is requested.

Solar Building Line: A line designated on a lot south of which residential structures are precluded. The purpose of this line is to allow construction of a higher shade point on the lot to the south than would otherwise be allowed (See Concept Sketch 30-Solar Building Line).
Concept Sketch 30 - Solar Building Line

**Solar Energy System:** A device or combination of devices or elements that rely on direct sunlight as any energy source, including but not limited to a substance or device that collects sunlight for the following uses: heating or cooling of a structure or building; heating or pumping of water; or, generating electricity. A solar energy system may be used for purposes in addition to collecting solar energy, including but not limited to serving as a structural member or part of a roof or a building or structure and serving as a window or wall. A south-facing wall of a habitable structure is a solar system to the extent it is unshaded.

**Solar Front Line:** A line used to determine the solar orientation of a lot. It is the same as the front lot line, except in the following cases:

1. For a curved front lot line, a line that connects the endpoints of the curve.
2. For a lot with more than one frontage, the exterior lot line that runs closest to east-west.
3. For a flag lot, the side or rear property line, exclusive of the flagpole, that runs closest to east-west. (See Concept Sketch 30-Solar Front Line)
Solar Heating Hours: The hours and dates during which solar access is protected under a Solar Access Permit, not to exceed those hours and dates when the sun is lower than 27 degrees altitude or greater than 55 degrees east or west of true south.

Solar Setback: A line parallel to the northern lot line which is the minimum distance that the shade point of a structure shall be set back from the northern lot line.

Solar Sunchart: A photograph or photographs, taken in accordance with guidelines issued by the Director, which plot the position of the sun during solar heating hours. The sunchart shall contain, at a minimum, the southern skyline as seen through a grid which plots solar altitude for a 42-degree northern latitude in 10-degree increments and solar azimuth measured from true, south in 15-degree increments. If the solar energy system is less than 20 feet wide, a minimum of one sunchart shall be taken from the center of the bottom edge of the system. If the solar energy system is wider than 20 feet, a minimum of two suncharts shall be taken, one from each end of the bottom edge of the system.

Solar Energy Systems, Active: Utilizes heat collection which is separate from the area being heated, with a mechanical method of transferring heat between the two areas.

Solar Energy System, Passive: Requires no external energy input to collect and disperse solar heat. In new building design this means utilizing site design, building orientation, window placement, insulation, vegetation, etc. to heat and cool a
building. Passive solar systems may also include the addition of such solar collectors as greenhouses, water traps, improved insulation or other weatherization techniques.

**Southern Building Line:** A line establishing the southernmost location for a structure on a lot.

**Southern Lot Line:** A lot line or lines less than 45 degrees southeast or southwest of a line drawn east-west and intersecting the southernmost point of the lot, or, if no such line exists, the lot line the fewest degrees southeast or southwest of this east-west line.

**Special Purpose District:** Overlay zone designations which set forth specific land use regulations in addition to the standards of the underlying Zoning District.

**Special Use Permit:** A land use permit issued by the Grants Pass City Council to authorize one or more of several uses specific to meeting the needs of unhoused persons, or those at-risk of becoming unhoused. The uses that may authorized by this permit are: 1) Shelter Facility or Site, 2) Supportive Housing – Type A, and 3) Supportive Housing – Type B. These land uses are defined in Article 30 – Definitions. Approval of a Special Use Permit uses the Type IV-A land use application and review process. See Article 14 – Special Uses for more information.

**Staff:** An employee or employees of the City of Grants Pass.

**Stand:** A hard-surfaced area within a manufactured home space or lot designed for placement of a manufactured home.

**Story:** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. If the finished floor level directly above a basement or cellar is more than six feet above finish grade, such basement or cellar shall be considered a story.

**Story, Half:** A basement or cellar, except as provided in this Code, which has less than six feet of its height above finish grade.

**Street Plug:** An area of land that is dedicated to the public for a future street or other specified purpose, over which current access is prohibited or specifically limited.

**Streets, Public:** Those designated on the City of Grants Pass Official Street Map.

1. **Cul-de-sac:** A local street with only one outlet and having an appropriate terminal for safe and convenient turnaround of vehicles.

2. **Hammerhead street:** A dead-end street that terminates in a turn-around other than a circular cul-de-sac, usually shaped like a “T” or a “Y”. Typically these are private streets, and are used only where use of a circular cul-de-sac is impractical.
(3) **Loop Street**: A local access street with outlets that begin and end on the same street. Typically, they serve 100 dwelling units or less, and are less than 1200 lineal feet in length.

(4) **Local**: A street intended to provide direct access to other streets from individual properties and allow traffic movement within a neighborhood.

(5) **Local Collector**: A street intended to move traffic from local roads to collectors or arterial. A local collector services a neighborhood or large subdivision.

(6) **Collector**: A street intended to collect and transport traffic from a varying number of local neighborhoods to arterials, and having a minimal number of controlled access points, and which may have two or more travel lanes.

(7) **Arterial**: A street intended to transport large quantities of traffic in an efficient, rapid manner, and having a minimal number of controlled access points.

**Streets, Private**: A private street constitutes frontage and may serve more than one lot or parcel. Private streets may be accessed by driveways. See definition of “Driveway”.

**Structural Soils**: A blended mix of angular, open-graded (i.e. all the same or similar size) rock, clay, stabilizer, and water that, when correctly and lightly compacted, supports traffic loads and healthy tree root growth. Specifications adopted by reference as listed on the City of Grants Pass website.

**Structure**: Anything built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. This includes, but is not limited to, carports, swimming pools, hot tubs, permanent signs, above ground gas or liquid storage tanks, fences, railings, sheds, manufactured homes, antennas, satellite dishes, well pump houses, mechanical equipment, and portable buildings. It also includes tents, awnings, stands, carts, and tables, except those used temporarily for an itinerant use. It does not include portable items solely for sale or temporary storage on the premises, including manufactured homes, portable buildings, and vehicles.

**Subdivide Land**: To divide land into four or more lots within a calendar year.

**Subdivision**: Either an act of subdividing land or an area or tract of land subdivided.

**Subdivision Lot**: A single unit of land that is created by a subdivision of land.

**Subdivision Plat**: A final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

**Supportive Housing – Type A**: This land use type is for the provision of transitional housing where a full range of supportive services are provided. Sanitation and
security must be provided. This housing is intended for relatively short-term occupancy. The expectation is to serve persons either unhoused or coming from a shelter and provide housing and support services that will enable moving people to a longer-term housing situation. The housing in this use category must meet the building standards set out in the 2017 Oregon Transitional Housing Code (as it may be revised).

Supportive Housing – Type B: This land use type is for the provision of a permanent housing facility where a full range of supportive services are provided. Sanitation and security must be provided. This housing is intended for relatively longer-term occupancy. However, the expectation is the client population would eventually move on to other longer-term housing where supportive services are no longer necessary. The housing in this category must meet the building standards set out in the 2019 Oregon Specialty Code (as it may be revised).

Supportive Services: The range of services included in this category will vary depending upon the need of the client population but typically includes employment assistance, counseling, job training, on-site medical aid, and/or financial services. Services at a minimum should provide for basic needs but may include more extensive and complex services.

Tax Lot: See "Lot, Tax."

Tentative grading plan: A grading plan submitted with the application and used for public review. It shall be drawn at a scale of either 1:50 or 1:100 and indicate intervals of 5 feet. It shall indicate cuts, fills, and retaining walls, and shall be replaced with a final grading plan.

Tentative Plan: A map showing the proposed layout of a property line adjustment, partition, subdivision, or planned unit development.

Tourist Court, Motel: See "Hotel."

Townhouse: Two or more common wall single family dwelling units, each unit of which is built upon an individually owned subdivided or partitioned lot or parcel.

Trade, Retail: The distribution, retail sale and/or rental of goods. Retail trade may include Wholesale trade and Handcrafted Manufacturing, but only as an accessory use to retail trade, when retail trade is the dominant use. In no case shall retail trade include manufacturing or assembly, except in the case of handcrafted items crafted for sale.

(1) Ground Floor Level: Handcrafted Manufacturing or Wholesaling uses shall not exceed more than 25% of floor area. Not more than two handcrafted power machines may be operating at the same time.

(2) Other than Ground Floor: No area restriction. Not more than one handcrafted power machine for every 400 square feet of floor area may be operating at the same time.
Retail Trade may include those offices necessary to the function of the retail trade operation. Retail trade does not include bulk fuel oil or bulk vehicle fuel sales; sale of explosives, and/or live animal sales other than small domestic pets. Retail Trade uses are of two types, as follows:

(1) **Indoor**: Retail Trade uses which do not require more than 5% of the enclosed square footage for outdoor uses accessory to the enterprise, other than parking.

(2) **Outdoor**: Retail Trade uses which require more than 5% of the enclosed square footage for outdoor uses accessory to the enterprise, other than parking.

**Trade, Wholesale**: The distribution and sale of goods at wholesale. Wholesale trade may include retail trade as an accessory use when wholesale trade is the dominant use. Wholesale trade does not include storage and/or sale of bulk fuel oil, bulk fuel, explosives or other hazardous material, or sale of live animals other than small domestic pets, when such sales are made from the premises. Wholesale Trade by brokerage only, with no display or storage of merchandise on the premises, shall be considered a Business Office use.

**Transportation Facilities**: Any physical facility that moves or assists in the movement of people or goods, but excluding electricity, sewage and water systems. A plan or land use regulation amendment significantly affects a transportation facility if it:

(1) Changes the functional classification of an existing or planned transportation facility;

(2) Changes standards implementing a functional classification system;

(3) Allows types or levels of land uses which would result in levels of travel access which are inconsistent with the functional classification of a transportation facility; or

(4) Would reduce the performance standards of the facility below the minimum acceptable level identified in the Transportation System Plan.

**Transportation System Management Measures**: Techniques for increasing the efficiency, safety, capacity or level of service of a transportation facility without increasing its size.

**Tree Professional**: An individual registered in the State of Oregon that specializes in Arboriculture, Landscape Architecture, or a person having a degree in horticulture, urban forestry, arboriculture, landscape architecture, or similar profession.

**Urban Area**: Lands within the Grants Pass Urban Growth Area.
Use: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is, or may be, occupied or maintained.

Vacation Occupancy: Vacation Occupancy means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, which has all of the following characteristics:

(a) the occupant rents the unit for vacation purposes only, not as a principal residence;

(b) the occupant has a principal residence other than at the unit; and

(c) the period of authorized occupancy does not exceed twenty-seven (27) days.

Vacation Rental Dwelling: A dwelling unit that is used, rented or occupied on a daily or weekly basis, or is advertised, or listed by an agent, as available for use, rent, or occupancy on a daily or weekly basis.

Vegetation, Exempt: Existing vegetation that is shown on a sun chart to shade a Solar Energy System during solar heating hours, and existing deciduous vegetation to the extent that it shades a Solar Energy System used solely for space heating, or formerly non-exempt vegetation that has been allowed to grow more than 10 feet into the skyscape protected by a Solar Access Permit.

Vegetation, Non-Exempt: Vegetation other than exempt-vegetation.

Veterinary Clinics: Facilities providing for veterinary care to animals, where overnight accommodation is limited to emergency care and treatment, where animals are treated and kept indoors, and where laboratories are incidental to the operation of the clinic.

Vision Clearance Area: A triangular area located at the intersection of two streets, a street and a railroad, or a street and a driveway; defined by a line across the corners, the ends of which are on the street or alley lines, an equal and specified distance from the corner. (See Concept Sketch 30-Vision Clearance area.)
Concept Sketch 30 - Vision Clearance Area

Visual Obstruction: Any fence, hedge, tree, shrub, device, wall or structure between the elevations of 2 1/2 feet and 8 feet above the adjacent curb height or above the elevation of gutter line of street edge where there is no curb, as determined by the City Engineer, and so located at a street, drive, or alley intersection as to limit the visibility of pedestrians or persons in motor vehicles on said streets, drives, or alleys.

Warehouse: A large building for storing items before they are sold, used, or sent out to retail shops.

Watchman’s Cottage: See “Residential Uses in Industrial Zones.”

Water-Dependent Use: A use or activity which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for waterborne transportation, recreation, energy production or source of water.

Waters of this State: Natural waterways, including all bays, estuaries, any stream which flows during a portion of every year and supports aquatic life, rivers, creeks, lakes and other bodies of water in this State. (See OAR 141-85-100)(24)).

Water-Oriented Use: Any use which receives a demonstrable benefit from being located with a view to the river. Examples might include restaurants, residential structures and commercial structures when river views are incorporated into the design of the river.

Water-Related: Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered.

Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration that are sufficient to support a prevalence of vegetation typically adapted to life in saturated soil conditions.
Wrecking Yard, Motor Vehicles and Building Materials: Any premises used for the storage, dismantling or sale of either used motor vehicles, trailers, machinery and/or building materials, or parts.

Yard: An open space unobstructed from the ground upward except as otherwise provided in this Code.

Yard, Exterior Side: A yard extending from the front yard to the rear lot line on the street side of a corner lot. (See Concept Sketch 30-Yard, Exterior Side.)

![Concept Sketch 30 - Yard, Exterior Side](image)

Yard, Front: A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto at the nearest point of the main building. (See Concept Sketch 30-Yard, Front.)

![Concept Sketch 30 - Yard, Front](image)

Yard, Rear: A yard extending across the full width of the lot between the rear main building and the nearest point of the rear lot line. (See Concept Sketch 30- Yard, Rear.)

![Concept Sketch 30 - Yard, Rear](image)
Concept Sketch 30 - Yard, Rear

Yard, Side: A yard between the main building and the side lot line extending from the Front Yard or front lot line where no front yard is required, to the rear yard. The width of the required Side Yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the main building. (See Concept Sketch 30-Yard, Side.)

Concept Sketch 30 - Yard, Side

Zoning District: A classification of land in which only uses specified by this Code are allowed, except for non-conforming uses, and for which specific requirements are set forth pertaining to height, yard, area, coverage, landscaping, parking and other land use restrictions.

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Item: Fireworks. Date: March 2, 2022

SUBJECT AND SUMMARY:

The proposed change to the Municipal Code would ban the use of fireworks during a Red Flag Fire Weather Warning issued by the National Weather Service in Fire Zone 620.

RELATIONSHIP TO COUNCIL GOALS:

This supports the Council’s goal of ENHANCE COMMUNITY SAFETY by contributing to the health, safety, and welfare of the community.

CALL TO ACTION SCHEDULE:

Call to action schedule: Council discretion.

BACKGROUND:

The City Council desires to provide for wildland urban interface safety in the City of Grants Pass and to better regulate the use of fireworks to provide for public safety during times of dangerous fire weather.

Staff recommends adding Section E to the current Municipal Code language.

9.12.270 Prohibition of Fireworks

Current adopted Oregon Fire Code is amended to add the following language:

A. Any manufacture, sale, or discharge of fireworks is prohibited except as follows: A. Fireworks for public displays by permit, as provided in OAR 837-012-0700 for Supervised Public Displays of Fireworks are authorized.

B. Use of fireworks, otherwise legal under State law, is permitted on July 4, between the hours of 6:00 p.m. and 11:00 p.m. except in the areas identified in Section D below.

C. In the areas identified as Wildfire Hazard Areas, the use and discharge of fireworks is not allowed at any time. A map(s) identifying the Wildfire Hazard Areas shall be made available to the public at the Fire Prevention Office as well as on the City website.

ITEM: 2.a. ORDINANCE AMENDING GRANTS PASS MUNICIPAL CODE CHAPTER 9.12.270 PROHIBITION OF FIREWORKS.
Staff Report (continued):

D. Notwithstanding any provision to the contrary, the use and discharge of fireworks of whatever kind is prohibited in the following areas:

1. The area west of NW Highland and NW Dimmick, which is north of the railroad tracks.

2. The area north of Interstate 5.

3. All City parks.

4. Any public school.

5. Any area where a fire hazard or potential to cause a fire exists as determined by the Fire Chief or designee.

E. The use of all fireworks shall be prohibited within the city when the National Weather Service has issued a Red Flag Warning for our Fire Weather Zone 620.

COST IMPLICATION:

None.

ALTERNATIVES:

1. Do not approve the ordinance; or

2. Modify the ordinance and adopt with additional changes.

RECOMMENDED ACTION:

Staff recommends the ban on fireworks during a red flag weather event in Fire Zone 620.

POTENTIAL MOTION:

I move to adopt the ordinance amending the Grants Pass Municipal Code Chapter 9.12.270 Prohibition of Fireworks, and have it read by title only, second reading.
Section:

9.12.270 Prohibition of Fireworks, UFC Section 78.102 Amended (Ord. 4895 §1, 1997) (Ord. 15-5641, 2015)

9.12.270 Prohibition of Fireworks

Current adopted Oregon Fire Code is amended to add the following language:

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1. The area west of NW Highland and NW Dimmick, which is north of the railroad tracks.

2. The area north of Interstate 5.

3. All City parks.

4. Any public school.

5. Any area where a fire hazard or potential to cause a fire exists as determined by the Fire Marshal Chief or designee.

E. The use of all fireworks shall be prohibited within the city when the National Weather Service has issued a Red Flag Warning for our Fire Weather Zone 620.
ORDINANCE NO.


WHEREAS:

1. It is the intent of the City Council to provide for Wildland Urban interface safety in the City of Grants Pass; and

2. The City desires to better regulate use of fireworks to provide for public safety during times of high fire danger.

NOW, THEREFORE, THE CITY OF GRANTS PASS HEREBY ORDAINS:


ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 2nd day of March 2022.

AYES:

NAYS: ABSTAIN: ABSENT:

SUBMITTED to and ____________ by the Mayor of the City of Grants Pass, Oregon, this ___ day of March 2022.

__________________________
Sara Bristol, Mayor

ATTEST:

__________________________
Karen Frerk, City Recorder

Date submitted to Mayor: ___

Approved as to Form, Augustus Ogu, City Attorney
9.12.270 Prohibition of Fireworks

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1. The area west of NW Highland and NW Dimmick, which is north of the railroad tracks.

2. The area north of Interstate 5.

3. All City parks.

4. Any public school.

5. Any area where a fire hazard or potential to cause a fire exists as determined by the Fire Chief or designee.

E. The use of all fireworks shall be prohibited within the city when the National Weather Service has issued a Red Flag Warning for our Fire Weather Zone 620.
Resolution awarding the Redwood Grange a System Development Charge matching grant for property located at 1830 Redwood Avenue.  

Date: March 2, 2022

SUBJECT AND SUMMARY:

This resolution would authorize the payment of a System Development Charge (SDC) grant in the amount of $5,072.50 for water SDC expenses for the building located at 1830 Redwood Avenue, in accordance with the Commercial and Nonprofit Infrastructure Incentive Grant Program (LB6381).

RELATIONSHIP TO COUNCIL GOALS:

The program supports Council’s goal to **ENCOURAGE ECONOMIC OPPORTUNITIES**.

CALL TO ACTION SCHEDULE:

Call to action schedule: Council’s discretion.

BACKGROUND:

The Redwood Grange is part of a national organization focused on community, family and agriculture. The State Grange closed the facility in early 2021 due to non-compliance with Grange rules. A new group of citizens appealed to the State Grange to re-open and run the facility. After in-depth research of the building and utilities, the well was found to be out of code compliance and the building would need to be connected to City water. There were also no working heating or cooling units, and the kitchen appliances were unusable. The State Grange loaned the Redwood Grange $50,000 to upgrade and get the building to serviceable standards.

The current matching grant request is to allow for the reimbursement of SDC fees associated with the connection of the Redwood Grange to City water, shown as Exhibit ‘A’. Because the work was completed prior to contacting the City, the application is being set as a Council action item before the City Council.

The City Council created the Commercial and Nonprofit Infrastructure Incentive Grant Program for SDCs or reimbursement liens for small businesses looking to relocate or expand their business. This grant program allows for a matching grant up to $25,000. The intention of the matching grant is to assist with SDC costs to help relocate and expand businesses in the Grants Pass area. Prior grants have been made to nonprofit organizations where a community economic need has been demonstrated.

Conditions for the grant require that the total amount of monies granted to any one project shall not exceed 50% of the total cost of the qualifying items. Matched funds will be on a reimbursement basis from actual business expenditures or encumbrances used specifically for the improvements associated with the approved grant.

ITEM: 2.b. RESOLUTION AWARDING THE REDWOOD GRANGE A SYSTEM DEVELOPMENT CHARGE MATCHING GRANT FOR PROPERTY LOCATED AT 1830 REDWOOD AVENUE.
Staff Report (continued):

COST IMPLICATIONS:

Funds are available within the Commercial and Nonprofit Infrastructure Incentive Grant Program (LB6381). As of February 19, 2022, the fund balance in LB6381 was $238,694. The SDCs for this project were $10,145. The amount of the 50% matching grant is $5,072.50.

ALTERNATIVES:

1. Approve the grant award;
2. Modify the grant request; or
3. Deny the grant request.

RECOMMENDED ACTION:

At Council’s discretion.

POTENTIAL MOTION:

I move to approve the resolution awarding the Redwood Grange a System Development Charge matching grant for property located at 1830 Redwood Avenue.
City of Grants Pass
Economic Development Division
Grant Application

Select the type of grant(s) you are applying for (Check all that apply):

☐ Business Retention and Relocation Assistance Grant
☐ SDC Incentive Program Grant
☐ Building Facade

Select Business Type (Check one only)

☒ Non-Profit
☐ Commercial
☐ Industrial

☐ Other: ____________________________________________

Name of Property Owner

[Name]

Tax ID Number

23-7510601

Phone Number

541-660-4185

Email Address

[Email]

Property Street Address

1830 Redwood Avenue, Grants Pass OR 97527

Mailing Address (If different from Property Street Address)

PO Box 5432, Grants Pass OR 97527

Business Name

Redwood Grange #260

Business Owner (If different from Property Owner)

Ron Smith

Provide a brief description of project.

- For Non-profit, describe business, including mission statement and annual operating budget.
- For Industrial, describe business, including market area and SIC.

Redwood Grange is part of a National Organization focused on community, family, agriculture. Redwood Grange's annual operating budget is approximately $10,000 to $15,000. This project is getting water to the building in a speedy manner as the well pump is not up to code and is not drinkable. We have needed clean water asap.
What is the projected time frame to occupy the facility?

Already occupied. Water needed to be installed immediately as well.

Are you seeking any other grants from the City?
- Yes
- No

If yes, please explain:

Has grant funding been previously awarded on the subject property?
- Yes
- No

If yes, please explain:

Are there any active code enforcement violations?
- Yes
- No

If yes, will approval of this application satisfy all violations?
- Yes
- No

Are you an owner-occupied business with 50 employees or less?
- Yes
- No

Is the site located within the City of Grants Pass Urban Growth Boundary and within City jurisdiction?
- Yes
- No

Are you a new business?
- Yes
- No

If yes, please provide your detailed business plan:

Are you relocating your business?
- Yes
- No

If yes, please explain:

Are you expanding your business?
- Yes
- No

If yes, please explain:

If you are applying for the Business Retention and Relocation Assistance Grant, select what services you are seeking reimbursement for (Check all that apply):

- System Development Charges
- Street, Storm, and Utility upgrades
- Sewer and water lateral installation
- Fire suppression system installation or upgrades
- Reimbursement District liens
If you are applying for the SDC Incentive Program Grant Application, provide the amount of all SDC fees assessed by the City or reimbursement fees attached to the property.

The statements made herein are true and represent a total disclosure of all the information as of this date. Applicant understands that the City will retain this application whether or not this grant request is approved. Applicant understands that this grant request may become public and/or may be reviewed by the Grants Pass City Council.

Property Owner Signature

Date

Business Owner Signature

Date

Please include the following information with this application (if applicable):

☐ Minor or Major Site Plan
☐ Copy of tax status, mission statement and board of directors (if applicable)
☐ Detailed cost estimate of eligible infrastructure expenses
☐ Copy of original SDC fee statement from the City

For additional information, please contact Susan Seereiter, Business Advocate, at 541-450-6014 or sseereiter@grantspassoregon.gov.

DISCLAIMER:

Applications MUST be filled out completely. Incomplete application will not be processed.

You MUST have already submitted a Minor or Major Site Plan application before submitting this application. Applications will be considered incomplete without it.

Because of the limited funds available, priority will be awarded, on a first come, first serve basis, to businesses that have already submitted a building permit and are ready to move forward with upgrades, and with the intention to occupy the property upon completion.
## INVOICE

**BILLING CONTACT**

REDDWOOD ORANGE #760  
Ne 982 7Th St  
Grants Pass, OR 97526

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**TOTAL** $13,876.71
COMMUNITY

The Grange community consists of 150,000 members in 1,700 local chapters across the nation that each serve as the center of rural life in their farming communities. Each local chapter offers a wide range of locally oriented programs and activities like potluck dinners, annual Grange fairs, and community service events.

This charitable work is often the focus at local Granges with members giving thousands of volunteer hours and raising millions of dollars for important causes. Through this outreach, Granges help improve the lives of their own members and of neighbors in their rural communities. Whether by helping a neighbor in need or by organizing a bake sale to raise money for a local school, Grange members will be there serving their communities.

The Grange is for the whole family. With Junior Grange and Grange Youth, anyone over age four has a place in the Grange. These young members conduct their own meetings, learn about leadership and service, and participate in fun activities. The Grange is for everyone!

ADVOCACY

Along with being a social and service organization, the Grange is the nation’s oldest agriculture advocacy group. Being a Grange member opens the door to interact with legislators to advocate on behalf of rural America and agriculture. Local Granges hold regular meetings during which issues like rural broadband access, climate change, and rural healthcare are discussed. As the Grange is a grassroots organization, policy recommendations are adopted in local Granges, passed by State Granges, and moved to the National Grange who advocates for them in Washington, D.C. with Congress and other federal agencies.
Mission & Vision

MISSION

The Grange strengthens individuals, families and communities through grassroots action, service, education, advocacy and agriculture awareness.

VISION

The Grange in the 21st Century will be a preeminent organization.

It will commit to the development of the potential in families, youth and adults of all ages through dynamic programs and experiences that educate, engage and enrich lives.

The Grange will be noted for its commitment to the membership through its enabled leadership, its financial and organizational strength, and its ability to make a difference in the lives of children, youth, families and individuals.

The Grange will be a relevant, caring and involved part of the community in which its members are located. It will be well known and understood and considered a viable, involved and distinctive organization.

A person who becomes a member can expect to find in the organization a clear and impressive pathway to membership, outstanding fellowship with leaders and respected citizens of the community, the encouragement to meet and make new friends and the opportunity to lead and be well led.

At the state and national level, the Grange will be flexible, well governed, proactive partner in support of issues that are relevant to members and the communities in which they live. It will be accountable to and supportive of the leadership and membership at the local Grange. The Grange will be responsive to the member's time, committed to membership growth, and designed for relevance and national preeminence.
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*(Note: Numbers may not add up due to rounding or transcription errors.)*
### Monthly Budget

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**Expenses:**
- Utilities - Insurance: $650.00 - 700.00
- Supplies - Janitorial: $200.00

**Income:**
- Rentals: $1,600 - 2,000

**Fundraisers Annually:** $4,000
REDWOOD GRANGE #760
1830 Redwood Avenue
Grants Pass, OR 97527

To Grants Pass City Council and Mayor
I would appreciate to opportunity to speak to you directly about the unique circumstances of Redwood Grange and what brought us to where we are today. The State Grange closed Redwood in early 2021 due to non-compliance with Grange rules. Our community needs that facility so a group of concerned citizens asked to have the chance to re-open and run it as a Grange should be ran. I was given the ok to try and put together a new membership. After in depth research of the building and utilities it was discovered that the well was not up to code and without potable water. There were no working heating or cooling units. The kitchen appliances were unusable and on a whole it had been neglected for years and was a haven for rats. The State Grange Loaned Redwood $50,000 to upgrade and get it to serviceable standards. There were a few renters and water became an urgent matter. It was just me putting things together until the membership meeting was held in September and new officers were voted in. I was in a rush to get it up to par and didn’t realize the timetable to make this request. I’m hoping we can still get assistance from you in this manner. It would go a very long way in being able to afford to replace the much-needed appliances so we can once again have a Certified Kitchen to use for Fundraisers and rent to local bakers.

Thank you for your consideration in this matter.

Jill Hamm
Secretary-Redwood Grange #760
RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AWARDING THE REDWOOD GRANGE A SYSTEM DEVELOPMENT CHARGE MATCHING GRANT FOR PROPERTY LOCATED AT 1830 REDWOOD AVENUE.

WHEREAS:

1. The City has an interest in the vitality and general economic development of businesses within the City of Grants Pass and the Urban Growth Boundary; and

2. The City wishes to assist owner-occupied businesses and qualified non-profit organizations with System Development Charge (SDC) fees when seeking to expand or relocate; and

3. The improvements proposed by the applicant will enhance the current building by adding a clean drinking water source; and

4. The matching grant incentive up to $25,000 is designed to encourage businesses to grow and prosper.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that it hereby approves the aforementioned SDC matching grant request to the Redwood Grange (1830 Redwood Avenue) in the amount of $5,072.50. This grant award will expire six months from the date of adoption of this resolution.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 2nd day of March 2022.

SUBMITTED to and ______________ by the Mayor of the City of Grants Pass, Oregon, this ____ day of March 2022.

____________________________
Sara Bristol, Mayor

ATTEST:

____________________________ Date submitted to Mayor: ___________
Karen Frerk, City Recorder

Approved as to Form, Augustus Ogu, City Attorney
Resolution authorizing the City Manager to enter into a three-year labor contract with the Grants Pass Police Association (GPPA).

Item: 4.a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR LABOR CONTRACT WITH THE GRANTS PASS POLICE ASSOCIATION (GPPA).

Date: March 2, 2022

SUBJECT AND SUMMARY:
A tentative three-year agreement has been reached with the bargaining unit establishing the terms of agreement and terms of employment.

RELATIONSHIP TO COUNCIL GOALS:
This supports Council’s goal of LEADERSHIP by ensuring efficiency and effectiveness, delivering the highest quality of services at the best possible value.

CALL TO ACTION SCHEDULE:
Call to action schedule: March 2, 2022.

BACKGROUND:
The labor contract with the Grants Pass Police Association (GPPA) expired December 31, 2021. Management entered into negotiations with the GPPA on September 5, 2021, meeting with representatives of the Union’s 72 members. After six meetings, the City and GPPA have reached a tentative agreement for a three-year contract.

The tentative agreement reached is within the parameters set by Council for the City’s negotiating team. The terms of the contract call for a three-year agreement with the following compensation adjustment:

1) January 1, 2022, salary schedule adjustment of 3.25% for all, and incentive increases of associate degree from 2% to 2.5%, bachelor’s degree from 4% to 5%, and intermediate and advanced certifications from 2.25% each to 2.5% each.

2) January 1, 2023, salary schedule adjustment of 3% for all, and longevity incentive of 1% for employees with 10-14 years of service and 2% for employees with 15+ years of service.

3) January 1, 2024, wage-only opener to be scheduled in year 2 of the agreement.

COST IMPLICATION:
Revenue Source: Police personnel budget.

The incremental cost for calendar year 2022 as compared to the prior year’s salary schedule and incentive pay is approximately $284,670 including all benefits and payroll taxes. There is no net impact on the current fiscal year personnel budget due to the inflation adjustment that was built into budgeted personnel projections for the current year and salary savings due to temporary personnel vacancies.
Staff Report (continued):

The incremental cost for calendar 2023 as compared to the prior year’s salary schedule and incentive pay is approximately $264,710 including all benefits and payroll taxes.

ALTERNATIVES:

Council could choose to not authorize the City Manager to enter into the labor contract tentatively agreed upon by the City and GPPA and direct staff to continue negotiating. This could lead to an unfair labor practice claim from the Union.

RECOMMENDED ACTION:

It is recommended Council ratify the labor contract successfully negotiated between management and GPPA.

POTENTIAL MOTION:

I move to authorize the City Manager to enter into a three-year contract with the Grants Pass Police Association.
RESOLUTION NO.

RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR LABOR CONTRACT WITH THE GRANTS PASS POLICE ASSOCIATION (GPPA).

WHEREAS:

1. The City of Grants Pass has bargained in good faith with representatives from the Grants Pass Police Association; and

2. A tentative three-year agreement has been reached with the bargaining unit establishing the terms of agreement and the terms of employment in the bargaining unit; and

3. The City Council wishes to ratify the contract negotiations and authorize the City Manager to execute the contract.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the City Manager is authorized to enter into a contract agreement with the Grants Pass Police Association (GPPA), which is attached to and incorporated herein as Exhibit 'A'.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 2nd day of March 2022.

SUBMITTED to and __________________ by the Mayor of the City of Grants Pass, Oregon, this ____ day of March 2022.

______________________________
Sara Bristol, Mayor

ATTEST:

______________________________          ______________________________
Karen Frerk, City Recorder          Date submitted to Mayor:

Approved as to Form, Augustus Ogu, City Attorney

163
Collective Bargaining Agreement

City of Grants Pass
and
Grants Pass Police Association (GPPA)

TERM OF AGREEMENT
JANUARY 1, 2022 TO DECEMBER 31, 2024
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City of Grants Pass / Grants Pass Police Association
Collective Bargaining Agreement
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8.5 Sick Leave Conversion Program
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9.5 Parental and Family Leave
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10.7 Cleaning Allowance
10.8 Physical Fitness
PREAMBLE

This Agreement is entered into between the City of Grants Pass, Oregon, hereinafter called the "City," and the Grants Pass Police Association, hereinafter called the "Association," made and entered into for the purpose of bargaining collectively regarding employment relations matters as defined by Oregon Revised Statutes.

ARTICLE 1 - RECOGNITION

1.1 Sole and Exclusive Agent

The City recognizes the Association as the sole and exclusive bargaining agent for the purpose of establishing salaries-wages, hours and other conditions of employment for all regular part-time and full-time employees who are members of the bargaining unit. For the purpose of this Agreement, regular employees are those occupying established positions in the classifications listed below.

The bargaining unit shall consist of the following classifications:

A. Police Officer
B. Police Corporal
C. Police Records Specialist
D. Dispatcher
E. Property Specialist
F. Crime Analyst
G. Community Service Officer
H. Parking Enforcement Officer

1.2 Exclusions

It is further agreed that the following are excluded from the bargaining unit: Police Chief; Police Supervisor (for example, Captain, Lieutenant, Sergeant); Civilian Police Supervisor; confidential employees, Reserves; and irregular, seasonal or temporary employees.

1.3 New Classification

New classifications within the bargaining unit may be developed within the Police Department by the City, and a wage scale assigned thereto. The City shall forward the new classifications and wage scales to the Association for their review of the wage scale. If the parties cannot agree, the Contract may be reopened on the wage scale and working conditions for the new classification only.

1 Part-time employees shall accrue vacation, sick time and holiday benefits on a pro rata basis based upon their regularly scheduled hours. They will not receive any medical benefits, and the City shall have the ability to continue its practice of scheduling their hours of work on a flexible basis depending upon the City's needs. However, all other provisions of this Agreement shall apply to them.
1.4 Notice

All correspondence to the City shall be addressed to: City Manager, Grants Pass Municipal Building, 101 N.W. "A" Street, Grants Pass, OR 97526 or hand delivered or electronically mailed to the Human Resources Director or Police Chief.

All correspondence to the Association shall be addressed to Grants Pass Police Officers Association, c/o President, Grants Pass Police Department, Grants Pass, Oregon 97526, or other address as supplied in writing by the Association, or hand delivered or electronically mailed to the President or Vice President.

When items are electronically mailed, and an automatic reply indicates the recipient is out of the office, alternate delivery methods shall be attempted to ensure notice.

ARTICLE 2 - MANAGEMENT RIGHTS

The Association recognizes the prerogative of the City to operate and manage its affairs in all respects in accordance with its responsibilities, and the powers or authority which the City has not expressly abridged, delegated or modified by this Agreement are retained by the City. It is understood and agreed that the City possesses the sole and exclusive right to operate the City through its City Manager and Department Directors and that all management rights repose in it, but such rights must be exercised consistent with the other provisions of this Contract. This list of rights is by way of illustration and is not limited to the specified items:

A. To determine the mission of its constituent departments, commissions and boards.
B. To set standards and levels of services.
C. To direct its employees.
D. To discipline or discharge for just cause.
E. To relieve its employees from duty because of lack of work, finances, or other legitimate reasons.
F. To maintain the efficiency of governmental operations.
G. To determine the methods, means and personnel by which government operations are to be conducted.
H. To determine the content of job classifications.
I. To take all necessary action to carry out its mission in emergencies; and
J. To exercise complete control and discretion over its organization and the technology and staffing levels of performing its work.
These rights in no way abridge the right of the Association to bargain with the City over any changes in existing conditions that are mandatory subjects of bargaining or any contracting out of bargaining unit work in accord with Oregon law.

ARTICLE 3 - NON-DISCRIMINATION

In conformance with Oregon law, employees shall have the right to form, join and participate in the activities of employee organizations of their own choosing, for the purpose of representation matters of employment relations. In conformance with Oregon law, no employee shall be interfered with, intimidated, restrained, coerced, or discriminated against by the City or the Association because of the exercise of their rights under the labor agreement in effect between the City and the Association.

ARTICLE 4 - ASSOCIATION SECURITY

4.1 Time

The Association agrees to identify to the City in writing its representatives. The City agrees to allow time without loss of pay for its members who are designated Association representatives or shift representatives for the purpose of handling and processing grievances and collective bargaining activities. All efforts shall be made to schedule such activities so as not to interfere with departmental operations or staffing levels.

4.2 Checkoff

Any employee who is a member of the Association or who has applied for membership, shall sign and deliver to the Association, who shall forward to the City, an original assignment authorizing deductions of membership dues in the Association. Such authorization shall continue in effect from year to year unless revoked or changed in writing. Pursuant to each authorization, the City shall deduct such dues from the salary check of said employee each month. The amounts deducted shall be transmitted within ten (10) working days to the Association.

4.3 Hold Harmless

The Association will indemnify, defend and hold the City harmless against any claim made or suits instituted against it on account of the application of these provisions.

4.4 Right of Access

The Association and/or its designated representatives shall have the right of reasonable access to the police station but will not interfere with the employee’s work.

Such access may be granted by the shift supervisor after the supervisor is apprised of the visit, the probable length of time required and the person(s) to be contacted. Such access will not be discriminatorily denied by the City.
4.5 New Hires

The City will notify the Association of all new hires in the unit within two (2) weeks after their having been employed, furnishing the Association with the new employee's name, mailing address and position for which the employee was hired.

4.6 Bulletin Boards

The City agrees to allow wall space in a mutually agreed upon location in the Parkway Public Safety Station and the main Police Station, not to exceed 3' x 4' for bulletin boards which may be locked by the Association to be used by the Association for the posting of notices and bulletins relating to the Association.

4.7 Use of Buildings

The City agrees to the reasonable use of City meeting rooms for the purpose of holding Association meetings. Such meetings may be held after reasonable notice is given to the City and must conform to the City policy so long as such policy does not unreasonably restrict the use intended by this clause. Such use shall be consistent with the operating needs of the City and not in conflict with any prior scheduled use of the building.

ARTICLE 5 - HOURS AND OVERTIME

5.1 Workweek

The employees' workweek shall consist of a seven (7) day work schedule with five (5) consecutive eight (8) hour days, with two (2) days off or four (4) ten (10) hour workdays with three (3) consecutive days off (i.e. the seven (7) day work schedule will begin at the start of the employee's first day of work and end 168 hours later) or a 12-hour shift with rotating days off. If the City changes the employee's regularly scheduled shift, it will post the available shift starting times two (2) weeks before the shift rotation. The employees who have bid for that shift will select by seniority. It shall be permissible for employees and management to utilize any of the above schedules, or a combination thereof, in order to meet the overall staffing needs of the Department.

When shift changes occur and result in less than eighty hours being worked in a two week pay period, the time less than eighty hours shall be deducted, at an hour per hour rate, from accrued vacation or comp time. If the employee is without accrued vacation or comp time, the time, less than eighty hours, shall be without pay. Any time worked in excess of eighty hours in the two-week pay period will be paid at time and one half.

5.2 Workday

The workday shall consist of an eight (8), nine (9), ten (10), or twelve (12) hour day within a twenty-four (24) hour period, including rest periods, briefing and training periods and the meal period per Article 5.6 (i.e., the twenty-four (24) hour period will begin at the start of the employee's workday and end twenty-four (24) hours later).
5.3 Work Shift

Each employee shall be scheduled to work on a regular shift, and each employee shall have regular starting and quitting times. This shall apply with the following exceptions: Those employees whose special assignment requires a flexible work schedule. These will include officers assigned to Detectives, employees in Trial Service while attending-formalized training to include FTEP, School Resource Officer, or any other recognized assignment. Their WORK SHIFT will be flexible within a 40-hour week. Therefore, for the purpose of overtime, these employees shall work a 40-hour week.

5.4 Work Schedules

Employees shall select their shift by seniority. Employees shall select shifts on an annual basis for three (3) four (4) month periods. With the exception of persons assigned to a 12 hour patrol shift an employee may work in the same shift for no more than two (2) consecutive periods.

If the City adjusts starting times it will post the available shift starting times two (2) weeks before the shift rotation. The employees who have bid for that shift will select starting times by seniority.

A blank schedule shall typically be posted September 1 for the year’s shift beginning January, May and September respectively. Each employee, by seniority, shall fill in their schedule preferences. In order to accomplish the sign-up in a timely manner, each employee will have no more than 48-hours to make a selection. After making a selection, the employee shall initial their selection and document the date and time of their selection. By initialing, the employee is also confirming that they have notified the next senior employee scheduled to bid that the 48-hour time period has started. If an employee fails to make a selection within the allocated 48-hours, the next senior employee shall be entitled to make a selection. The senior employee who missed making a selection will then be entitled to select again. The Association shall turn in the bid schedule to the Deputy Chief within 60 days of posting. The final shift schedule shall be posted at least 30 days prior to its implementation.

If a vacancy occurs during the year, employees will be offered the opportunity to fill the vacancy based on seniority, subject to the City’s reasonable operating needs (including training needs). If an employee volunteers to take the vacant schedule, that employee will fill in the vacancy for the remainder of the rotation. If an employee does not volunteer, an employee will be assigned for the remainder (or duration) of the rotation. Such involuntary assignment will be based on seniority, subject to the City’s reasonable operating needs (including training needs).

5.5 Rest Period

Each employee shall be granted a rest period of 15 minutes during each half (1/2) shift, consistent with the operating needs of the Department.

5.6 Meal Period

All police officers and community service officers working patrol, dispatchers, property specialists and sworn personnel assigned to Detectives shall be granted a paid meal period during each work shift. All other personnel shall be granted an unpaid meal period. To the extent consistent with operating requirements of the Department, each meal period shall be scheduled in the middle of the work shift, or as near thereto as possible. The paid meal period shall be 30 minutes and shall be considered duty time.
With prior approval from their supervisor, employees assigned to a 12-hour work shift may combine a 15-minute break with a 30-minute meal period. The meal period may be interrupted by emergency calls. If an employee is called out during a meal period due to an emergency, then the employee shall not be entitled to extra compensation for that.

5.7 Overtime

Employees shall be compensated at the rate of one and one-half (1 and 1/2) times their regular rate\(^2\) for over time under the following conditions:

A. All work in excess of any scheduled workday as defined in section 5.2, except those assigned to a flexible schedule.

B. All work in excess of 40 hours in any one (1) workweek, for non-sworn personnel.

C. All work outside the employee's regularly scheduled workweek as defined in 5.1 Work Schedule.

D. All work in excess of 80 hours in any one (1) pay period for sworn personnel.

E. In no event shall any member be compensated twice for the same hours.

In the event that an employee elects to be compensated overtime in compensatory time, such time shall be applied at one and one-half (1 and 1/2) times the greater of the actual time worked or at the minimum number of hours required under 5.8 Callback.

5.8 Callback

Employees called back to work shall receive overtime pay for the work which they were called back, and if called back, shall be credited with not less than three (3) hours at the overtime rate.

Employees scheduled for court time on their scheduled days off shall be compensated for not less than three (3) hours at the overtime rate, unless short notice of court time is given. Short notice is defined as 24 hours or less. If short notice is given, the employee will be compensated for four (4) hours at the overtime rate. (Short notice does not include grand jury.)

Scheduled day off as used in this article includes regular days off, approved vacation days (regardless of bank utilized) and mutually agreed upon flex days. Employees called back during vacation will be paid for not less than three (3) hours at the overtime rate and vacation leave will be reduced by three (3) hours. (i.e. Employee is scheduled 8-hours vacation, but is called back to court. Employee will be charged 5-hours vacation and paid 3-hours OT Callback.) Should the employee be required to remain in court for more than 3-hours, the vacation leave will be adjusted accordingly.

In no event shall any member be compensated twice for the same hours.

\(^2\)The regular rate is that rate which complies with FLSA.
Callback applies when:

1. An employee is called back to work during off-duty hours, when the callback is not annexed to the beginning or end of the employee’s regularly scheduled shift.

   If at the end of his workday (shift) the employee had departed the City’s premises for more than 30 minutes before being called back, the same shall not be considered as holdover time, but shall be considered as callback.

2. An employee is scheduled for a mandatory meeting at a defined time on the employee’s regularly scheduled day off or during off-duty hours not annexed to the beginning or end of the employee’s regularly scheduled shift.

3. An employee is required to report to court or grand jury hearings pursuant to a subpoena on the employee’s regularly scheduled day off or during off-duty hours not annexed to the employee’s regularly scheduled shift.

4. An employee is required to report to court on a scheduled day-off (such as vacation) if the scheduled day-off was approved prior to the receipt of a court subpoena or hearing notice.

Callback does not apply, and employees will be paid based on actual hours worked, when:

1. Employees works hours annexed to the beginning or end of the employee’s shift.

2. Employees attend pre-noticed non-mandatory meetings, such as the Safety Committee.

3. Employees sign-up for an overtime opening of less than 3-hours.

For specifics regarding Training and Mandatory Time, see Article 5.11.

5.9 Distribution of Overtime

The Police Chief will maintain a procedure for distributing overtime among the employees in as equitable a manner as possible. In distributing overtime, such things as special qualifications and desires of the employee(s) shall be considered.

5.10 Form of Compensation

Overtime/Callback shall be paid at time and one-half (1 ½). Employees may earn up to a total of 120 hours of such compensatory time. Accumulations over 120 hours must be paid as overtime. Compensatory time off may be taken upon the request of the employee if the supervisor agrees based upon the operating needs of the Department.

During the first pay date in the months of February, May, August, and November, up to 40 hours of compensatory time will be paid off at the employee’s straight time rate at the employee’s request. This compensatory pay off will be granted so long as the employee makes the request during the pay period for the first pay date in February, May, August, and November.
5.11 Training and Mandatory Time

It is the intent of the City that all department employees receive adequate and appropriate training. To this end, notice of training classes shall be posted and all employees will be given the opportunity to apply for appropriate training classes, workshops, and seminars.

Any training time or mandatory classes, seminars, or other time required by the City such as physical tests, firearms, shoots, etc., outside an employee’s regular schedule shall be compensated as overtime. If out-of-town travel is involved, the City shall compensate the employee for all expenses related to the training being received, including the current IRS rate if the employee’s personal vehicle is driven.

In this Section 5.11, training trade hour maximums shall be referred to as the Trade Cap. The Trade Cap for years in which EVOC training is held in Salem (or another city of similar distance) shall be 16 hours. All other years shall have a Trade Cap of 12 hours.

1. The City may adjust an employee’s regular work schedule for mandatory training hours up to the Trade Cap for that calendar year. Examples of mandatory training include Survival Skills (excluding Range) and Ethics training. All mandatory training hours beyond the Trade Cap that occur outside the employee’s regular work schedule shall be compensated as overtime.

2. Range training that is required during off-duty hours, shall be compensated at the overtime rate on an hour-for-hour basis (i.e. Range training is a Survival Skills training excluded from trade time.)

3. The City may adjust an employee’s regular work schedule for mandatory training hours beyond the Trade Cap when an employee is approved time off or calls in sick on a scheduled mandatory training day and the training has to be made up on the employee’s off-duty time.

4. Employees acting as department trainers shall trade off-duty instruction hours at a time and half rate. In the event that a trade of instruction hours is not possible, the hours shall be compensated as overtime on an hour-for-hour basis. (Example: Employee “A” provides 8 hours of training during his off-duty hours. Employee “A” will trade 8 hours at time and one-half (12 hours) in exchange for the off-duty training time. Employee “B” provides instruction for 4 hours on shift and 4 hours during off-duty hours. Employee “B” will trade 4 hours at time and one-half (6 hours) in exchange for the off-duty training time.)

5. Trade time shall be coordinated in the following manner: The shift supervisor will post available dates and times for the pay period. The available dates and times shall be for trading flex and training time. Corporals and Officers will select their trade time by hire date seniority within the shift (not by classification). Selection for shift “flex” time shall be permitted first. Once shift “flex” is scheduled, selection for trade time will occur. When the need for a trade arises after initial selection, the Officer may select from the remaining dates and times. In the event that no remaining dates and times exist, overtime will be paid.

6. Training time associated with voluntary, collateral special assignments, such as CINT, SWAT and K9, shall be traded on an hour-for-hour basis. In the event that a trade is
not possible, the hours shall be compensated as overtime on an hour-for-hour basis. Training time associated with voluntary special assignments shall not be included in the Trade Cap.

7. When an employee requests or agrees to attend discretionary training that occurs outside the employee's regular work schedule, the City may adjust the employee's schedule to permit the employee's attendance. Nothing requires the City to approve discretionary training.

Schedule adjustments for discretionary training shall be on an hour-for-hour basis and shall include travel time to/from when travel is beyond 30-miles of the regularly assigned work location. (Example: Employee drives to Eugene for a 6-hour class and back. Employee accumulates 4 hours travel + 6 hours training = 10-hour trade.)

Discretionary training shall not be included as part of the Trade Cap.

5.12 Work Schedule

The Grants Pass Police Association and the City of Grants Pass may, through a memo of understanding, implement any mutually agreed upon work schedule for the purposes of functional evaluation and potential adoption by both parties.

ARTICLE 6 - HOLIDAYS

6.1 Designation

In lieu of holidays, an employee shall be assigned six (6) holidays on July 1 and six (6) holidays on January 1. The employee may elect to use these holidays at a time mutually agreeable to the Police Chief or designee and the employee. If an employee leaves the City service during the year, the employee shall repay the City for holiday compensation if the employee has used more than eight (8) hours for each calendar month of employment. The City may withhold the amount owed from the employee's final paycheck to the extent permitted by law and the employee will repay any remaining amount.

Employees requesting a day off on a recognized City holiday, as defined in the Personnel Rules, Regulations & Policies, are required to utilize holiday hours. The holiday shall be the actual holiday and not the observed day. Employees working a schedule in excess of 8 hours will only be required to use 8 hours of holiday compensation and may elect to use vacation or earned compensation for the additional scheduled hours. Employees who are within 24 hours of their vacation accrual maximums will be permitted to utilize vacation leave for the full shift.

Employees assigned to the Detective Section shall have the option to choose to work official holidays at their normal rate of pay; however, should the employee elect to take the holiday off, the employee shall utilize holiday compensatory time. If the on-call detective elects to work the holiday, the on-call detective may work half the day and take the remainder of the day off without any deduction from their compensatory time. If the on-call detective chooses to take the recognized holiday off only an amount equivalent to one-half their regular working hours will be deducted from their holiday compensatory time.
Any credits remaining on the second payroll in June of each year will be compensated for in cash at the employee's straight time rate or may be rolled over into the employee's compensatory time bank as long as the cap is not exceeded.

6.2 Scheduling

Holidays shall be scheduled on a first come first served basis at a time mutually agreed upon by employee and the Police Chief or designee. When conflicts occur, seniority shall prevail so long as the senior employee schedules that day off 30 days prior to the actual date. Holidays scheduled during the 30 day period shall be on a first come first served basis as described in 6.1 and shall not be subject to seniority. Only regular employees shall have seniority.

ARTICLE 7 - VACATIONS

7.1 Rate of Accrual

A regular employee shall be eligible for annual vacation time with pay on his anniversary date in accordance with the following:

<table>
<thead>
<tr>
<th>Completed Service</th>
<th>Hours of Accrual for Each 80 Pay Hours</th>
<th>Days</th>
<th>Annual Accrual</th>
<th>Annual Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 through 36 months</td>
<td>3.08</td>
<td>10</td>
<td>80</td>
<td>200</td>
</tr>
<tr>
<td>37 through 60 months</td>
<td>3.85</td>
<td>12.5</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>61 through 84 months</td>
<td>4.62</td>
<td>15</td>
<td>120</td>
<td>240</td>
</tr>
<tr>
<td>85 through 120 months</td>
<td>5.39</td>
<td>17.5</td>
<td>140</td>
<td>280</td>
</tr>
<tr>
<td>121 through 240 months</td>
<td>6.16</td>
<td>20</td>
<td>160</td>
<td>320</td>
</tr>
<tr>
<td>241 months or more</td>
<td>6.93</td>
<td>22.5</td>
<td>180</td>
<td>320</td>
</tr>
</tbody>
</table>

Vacation leave shall not accrue during a leave of absence without pay.

Effective January 1, 2022, or the first pay period following ratification of the contract, whichever occurs first, a regular employee hired prior to January 1, 2022, shall be provided an additional 40-hour vacation bank on a one-time basis not subject to the annual accrual limits set forth above. On January 1, 2025, the balance of the 40-hour vacation bank will roll into the vacation bank above and be subject to the accrual limits. An employee hired after January 1, 2022, will begin accruing leave from the date of hire.

7.2 Continuous Service

Continuous service, for the purpose of accumulating vacation leave credit, shall be based on the regular paid hours worked by the employees. Except that paid time spent by an employee on military leave, sick leave resulting from an injury incurred in the course of employment and authorized educational leave required by the City shall be included as continuous service. Time spent on other types of authorized leave shall not be counted as service, provided that employees returning from such leave and employees on layoff status shall be entitled to credit for service prior to leave or layoff.
7.3 Accrual Limitations

Employees may accrue up to a maximum of 200 hours of vacation leave or twice their annual accrual, whichever is greater. However, no employee shall be allowed to accrue more than 320 hours of vacation leave. The City shall notify employees each pay period of their current accrual balance. Vacation shall be deemed forfeited if not taken unless mutually agreed in writing in advance. An employee who is about to lose vacation credit because of accrual limitations may, by notifying the supervisor 15 days in advance, request to take vacation to prevent loss of this time. A supervisor may offer an alternate day/time when staffing is not sufficient to approve the employee’s request. Such action taken by the employee shall not constitute a basis for disciplinary action or loss of pay. The City shall not incur overtime due to accrual limitation requests.

No payment shall be made for vacation time lost by an employee because of accrual limitations, unless the failure to take vacation is caused by the City’s insistence that the employee be at work during a scheduled vacation period.

7.4 Vacation Buy-Back

An employee who utilizes at least one-half of his annual vacation accrual each fiscal year may convert up to forty (40) hours of accrued vacation to cash at his straight time rate. Employees may request buy-back during the month of May to be paid in the month of June, or at the time the employee takes one-half of his annual vacation. Buy-back is subject to available budget.

7.5 Scheduling

Vacation times shall be scheduled by the City based on the Police Chief or designee’s judgment as to the needs of efficient operations and the availability of vacation relief. Subject to the foregoing, employees shall have the right to determine vacation times. Employees shall be permitted to request vacation on either a split or an entire basis.

A blank primary vacation schedule shall typically be posted September 1 for the year’s vacation period beginning January 1. Each employee, by seniority, shall fill in their vacation schedule preference. Sergeants assigned to Patrol shall bid during this process based on their department hire date.

A. Primary Vacation: The primary vacation request shall not exceed 80 total hours if taken in a two-week block of time. If an employee splits their primary vacation, it shall be in two (2) one-week blocks of time. Primary vacation selection will be completed before secondary vacation bids begin. Vacation times shall be selected on the basis of seniority within each shift. In order to accomplish the sign-up in a timely manner, each employee will have no more than 48 hours to make a selection in coordination with their shift bid as detailed in Article 5.4. In order to accomplish the sign-up in a timely manner, each employee will have no more than 48-hours to make a selection in coordination with their shift bid as detailed in Article 5.4.

B. Secondary Vacation: Employees with at least two (2) years of service will have the opportunity to select up to one (1) week of secondary vacation. Secondary vacation may not begin or end within two (2) weeks of the primary vacation and may not be split. A blank secondary vacation shall be posted upon the completion of the primary vacation schedule. Each employee, by seniority, shall fill in their vacation schedule preference. The secondary
vacation request shall not exceed 40 total hours. Each employee will have no more than 24 hours to make a selection and shall follow the procedures detailed in article 5.4.

C. Seniority Vacation: Employees with at least ten (10) years of service will have the opportunity to select up to one (1) additional week, 40-hours, of vacation after the secondary vacation bid is complete. The additional week may be added to the primary or secondary vacation when a consecutive week is available, for a maximum period of (3) three consecutive weeks.

In the event a consecutive week is not available for the secondary vacation, the employee may cancel the original secondary vacation week and select an open (2) two week, 80-hour, period.

The list shall be closed as of December 15th and subsequent changes or selection of primary and/or secondary vacation must be submitted via memorandum to the Chief for approval. If an employee’s primary or secondary vacation request is found to conflict with another employee’s vacation during the supervisor vetting process, the employee shall have an opportunity to choose from any eligible vacation time openings.

For the purposes of this Article, the following classifications shall be considered to be one classification:

1. Police Officers and Corporals
2. Police Officers assigned to Detectives
3. Community Service Officers
4. Police Records Specialists assigned to Records

Newly hired employees shall be able to take vacation twelve (12) months after they are hired subject to the reasonable operating needs of the department.

7.6 Payment on Separation

In the event of death or separation of an employee during the initial 12 months of employment after an employee has served for 12 continuous months, and is otherwise eligible for vacation credits, the employee shall be entitled to payment for accrued vacation leave at the current rate. In the event of death, earned but unused vacation leave shall be paid in the same manner as salary due the deceased employee is paid.

7.7 Time off Request

If an employee, within a six (6) month period, requests time off whether it is holiday time, compensatory time, or vacation, the Department has an obligation to make a good faith response to the employee’s time off request within one (1) week of when the request is made. The employer will not automatically deny these requests in an effort to avoid responding to them in a timely fashion.
ARTICLE 8 - SICK LEAVE

8.1 Accrual

Sick leave shall accrue at the rate of eight (8) hours per month for regular employees (3.69 hours bi-weekly).

8.2 Utilization

Employees may utilize sick leave allowances in the following situations, and are required to use accrued leave during a qualifying family medical leave.

A. Illness or Injury of the Employee. Employees may utilize their allowances of sick leave when unable to perform their work duties by reason of illness or injury or exposure to contagious diseases under which the health of the employees with whom associated or a member of the public would be endangered by the presence of the employee, or for any OFLA qualifying purpose or any reason allowed under the Oregon Sick Time law.

B. Illness in Family. Employees may utilize their allowance of sick leave when a qualifying family member has an illness or injury requiring the employee’s care.

A family member is defined as a spouse, same-gender domestic partner, parent, step-parent, parent-in-law and parent of same-gender domestic partner, a child (biological, adopted, foster, step and same-gender domestic partner’s child), grandparent, and grandchild.

C. Emergency Leave. Emergency leave is given to employees for the purpose of attending the funeral or visiting a member of the immediate family who is seriously injured or ill and such injury or illness may result in death. For the purpose of this subsection, the immediate family is defined as: spouse, children, mother, father, mother-in-law, father-in-law, brothers, sisters, grandparents, and stepchildren in the household. This utilization shall include travel time to and from the funeral or location of the family member and time for making necessary arrangements for care and/or the funeral. The employee may not take more than 3 days emergency leave in any one year. In the event that more time is needed, the employee may utilize their allowance of sick leave and/or vacation.

D. Physician’s Statement. In the event that an employee is off more than three (3) workdays, the City may require the employee to obtain a statement from the employee’s physician as to the expected duration of the absence.

In the event that an employee is off for more than three (3) days, prior to returning to work, the City may require the employee to obtain a statement from the employee’s physician that the employee is not suffering from an illness or injury which would prevent the employee from performing the essential functions of the job, and would not expose the public or other employees to a contagious disease or illness.

The physician’s statement shall be submitted on a form provided by the City. The form shall be submitted to the employee’s supervisor prior to returning to work. To the extent the employee’s physician provides written statement refusing to sign release, the City agrees to pay for examination by physician of City’s choice.
If the City has a reasonable basis to believe that an on-duty employee is suffering from an illness or injury which would prevent the employee from performing the essential functions of the job, or would expose the public or other employees to a contagious disease or illness, then the City may immediately place the employee on sick leave, at which time the employee shall leave the work place. If the employee or the City desires an examination by a physician to confirm the employee’s condition, the employee will be examined within a reasonable time by a physician chosen by the City and paid for by the City. If the physician indicates that the employee does not qualify for sick leave utilization, then the employee shall be entitled to return to work, the sick leave will be reinstated, and the employee will be paid regular wages for any lost time. If the employee does not have accrued sick leave, the employee shall be subject to Sections 8.2(E) and 8.3. Nothing herein prevents the employee, at the employee’s expense, from challenging that physician’s determination.

8.3 Sick Leave without Pay

Upon application by the employee, sick leave without pay may be granted by the City for the remaining period of the disability after the employee’s accrued sick leave has been exhausted pursuant to the requirements set forth by the FMLA, OFLA, ADA and/or ADAAA. The City may require a physician’s statement on a periodic basis during the period of disability.

8.4 Integration with Workers’ Compensation

When an injury occurs in the course of employment, the City’s obligation to pay under the sick leave Article, is limited to the difference between any payment received under Workers’ Compensation laws and the employee’s regular pay minus State and Federal deduction. In such instances, no charges will be made against accrued sick leave for one hundred twenty (120) calendar days. After 120 days prorated charges will be made against accrued sick leave as described above.

8.5 Sick Leave Conversion Program

A portion of the balance of an employee’s accumulated sick leave shall be paid to the employee who terminates employment in good standing after 10 or more years of continuous service with the City, or his beneficiary in the event of death while a regular employee of the City. Sick leave shall be converted for payment in the following manner:

Two and one-half percent (2 1/2 %) x (times) each full year of employee’s continuous years of service x (times) the employee’s sick leave accumulation.

8.6 Abuse

Abuse of sick leave is grounds for disciplinary action.

ARTICLE 9 - OTHER LEAVES OF ABSENCE

9.1 Extended Leave of Absence

A. Criteria and Procedure. The City will consider a written application for a leave of absence without pay not to exceed six months if the City finds there a reasonable justification to grant sick leave and that the work of the Department will not be seriously handicapped by the temporary absence of the employee. The employee will apply for a
three-month leave of absence without pay that cannot be revoked by the City once approval is given. Within the first three-month period, the employee may apply for an additional 3 months. Once approval is given for the second three months, the City may terminate or cancel such leave by 30 days written notice mailed to the address given by the employee on his written application for such leave. Such leave shall not be approved for an employee for the purpose of accepting employment outside the service of the City; and notice that the employee has accepted permanent employment or entered into full-time business or occupation may be accepted by the City as a resignation.

B. Return from Leave. Any employee who is granted a leave of absence without pay under this Article and who for any reason fails to return to work at the expiration or termination of said leave of absence shall be considered as having resigned his position with the City, and his position shall be declared vacant; unless the employee prior to expiration of his leave of absence or prior to the termination date has furnished evidence that the employee is unable to work by reason beyond his control, and seeks an extension of leave for such reason. Such a request for extension shall be in writing. An extension shall be granted only for a specified period of time, and only if the City determines that the request is reasonable and justified and that the extension may be granted without unduly handicapping the operation of the Department.

Requests for leaves of absence under this Section shall be in writing on a form provided by the City. The form shall contain the name of the employee, the effective date of the absence, the number of days of absence, the purpose of the absence, and signature lines for the City. The purpose of the request form will be to eliminate misunderstanding as to the purpose, dates and length of absence.

9.2 Required Court Appearances

Leave of absence with pay shall be granted for an appearance before a court, legislative committee, judicial or quasi-judicial body as a witness in response to a subpoena or other order by proper authority compelling his attendance under penalty described by law in connection with the employee's officially assigned duties, including the time required for travel to court and return to the employee's headquarters. Employees shall be required to seek all fees due for such duty and turn said fees over to the City.

9.3 Jury Duty

Employees shall be granted leave with pay for service upon a jury when the service is on a scheduled work day; provided, however, that the employee is required to seek all fees due for such jury duty and turn said fees over to the City, and upon being excused from jury duty for any day an employee shall immediately contact the Police Chief or other supervisor for assignment for the remainder of the employee's regular work day. Mileage and expenses paid for jury duty will be retained by the employee, so long as the employee provides the employee's own transportation for such jury duty service.

9.4 Military Leave

Military leaves with or without pay shall be in accordance with Oregon Revised Statutes and/or applicable Federal law.
9.5 Parental and Family Leave

Family leave may be taken pursuant to applicable state and federal law. Generally, these laws provide for the employee’s own serious health condition, for the serious health condition of specified family members and a same-sex domestic partner, for parental leave purposes, and to care for a child who needs home care but does not have a serious health condition. While out on such leave, an employee must utilize accumulated sick leave, compensatory time and holiday time in any order. Lastly, they may use accrued vacation leave. While on OFLA/FMLA leave for six (6) continuous weeks or more, an employee may elect to retain 40 hours of accrued sick leave and 40 hours of accrued vacation leave by notifying Human Resources; however, their utilization of accumulated paid time off must still follow the order set forth earlier in this paragraph.

After using all paid time as outlined in the above paragraph, the employee may take leave without pay unless state or federal law requires otherwise and the employee requests otherwise in writing. Except as provide by law, family leave shall not exceed twelve (12) weeks without prior approval from the City. An additional twelve (12) weeks leave shall be available for an employee who needs pregnancy disability leave, and, if the employee utilized a full 12-weeks of family leave for parental leave purposes, additional leave may be available to care for a sick child who requires home care, but does not have a serious health condition. The employee may also utilize sick leave in accordance with Article VIII before or after taking other paid time and otherwise with the City’s approval which may be granted on a case by case, non-precedent setting basis, with such time not accrued as a portion of the twelve week limit for family leave.

Except where otherwise required by law, all leaves including sick leave, vacation leave, holiday and compensatory leave, state and federal family leave, will run concurrently and be counted against the employee’s annual family leave entitlement when the leave is for a family leave purpose. If the leave is for a family leave purpose, the employee may be required, at City expense, to provide certifications of health care providers, including second and third opinions and fitness for duty certifications. It is up to the City to notify the employee that a leave is being counted against the employee’s family leave entitlement.

9.6 Oregon Paid Family Medical Leave (OPFML).

Within ninety (90) calendar days of publication of final administrative rules for OPFML, the parties will meet and bargain over mandatory subjects of bargaining related to the implementation of OPFML. Such bargaining will be in accordance with expedited procedures in ORS 243.698.

ARTICLE 10 - COMPENSATION

10.1 Salary Schedule

Employees shall be compensated for hours worked in accordance with the salary schedules attached to this Agreement and marked Exhibit A, which are hereby incorporated into and made a part of this Agreement. If any position not listed in the salary schedule is hereafter established by the City, the City shall designate a job classification and establish a pay rate (see 1.3). Exhibit “B” of this Agreement establishes the eligibility for step increases.
10.2 Pay Periods

Pay periods shall be on a bi-weekly basis and paychecks shall be received every other Friday for the pay period ending on the preceding Saturday.

10.3 Conversion Formula

Conversion formula for hourly rates of pay shall be determined by utilization of 2080 per year.

10.4 Working out of Classification (Step-Up-Pay)

When regular employees work out of classification for four (4) hours or more, that employee shall receive the rate of the assigned position as if the employee were promoted to that position but in no case shall an employee receive less than five percent (5%) increase.

Consistent with past practice, employees shall be assigned on a rotating basis to work in an acting capacity position when the supervisor is not present so long as qualified as reasonably determined by the City.

In the event an "Interim" appointment is necessary this will be designated by Personnel Action Form (PAF) where the length of time the employee will function in the "Interim" position will be specified, to include a general description of the employee's duties, responsibilities and compensation level while serving in an "Interim" capacity.

10.5 Detective Pay

Employees assigned as detectives shall receive compensation equal to that received by Corporals. Upon initial assignment employees will be paid $750 to purchase department approved clothing. On July 1 thereafter, assigned employees will be paid $500 to cover the cost of replacement and maintenance of clothing.

10.6 Certification/Incentive Program

In addition to their base salary, all classifications covered under this contract may receive supplementary pay for achieving certain levels of certification, education, and training. Certification/incentive pay will be effective the first of the pay period following receipt of satisfactory verification. It is the employee's responsibility to provide the Police Chief or designee in writing the required verification of eligibility. No such pay shall be retroactive. Regular part-time employees shall be eligible for supplementary pay on a pro-rata basis, based upon regularly scheduled hours. The components of the supplementary pay schedules are as follows:

A. Certification for Sworn Officers

Intermediate Level DPSST. Upon receipt of an Intermediate DPSST Certificate, the employee shall receive certificate pay in the amount of two and one-half percent (2.5%) of the employee's regular pay per month.

Advanced Level DPSST. Upon receipt of an Advanced DPSST Certificate, the employee shall receive certificate pay in an additional two and one-half percent (2.5%) of the employee's regular pay per month.

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(This is accumulative with the Intermediate Level DPSST Certification money – total of 5.0%.)

A(1). Certification for Dispatchers

Intermediate Level DPSST. Upon receipt of an intermediate DPSST Certificate, the employee shall receive certificate pay in the amount of two and one-half percent (2.5%) of the employee’s regular pay per month.

Advanced Level DPSST. Upon receipt of an Advanced DPSST Certificate, the employee shall receive certificate pay in an additional amount of two and one-half percent (2.5%) of the employee’s regular pay per month.

(This is accumulative with the Intermediate Level DPSST Certification money – total of 5.0%.)

B. Education

Associate Degree. Upon receipt of an Associate Degree or its equivalent, from an accredited institution an employee shall receive education premium pay in the amount of two and one-half percent (2.5%) of the employee’s regular pay per month.

Bachelor’s Degree. Upon receipt of a Bachelor’s Degree or its equivalent, from an accredited institution an employee shall receive education pay of five percent (5%) of the employee’s regular pay per month. (Employees are not entitled to receive both Associate and Bachelor’s degree pay.)

C. Training Certification Pay.

On an annual basis, employees will be given an opportunity to be certified by a recognized authority selected by the City for successful performance of the activities. Upon certification, the incentive pay will remain in effect for one year, or until the training opportunity is offered again. If the employee fails to perform satisfactorily upon receiving training, the incentive will be withdrawn until the employee is successful. Should the employee miss the testing opportunity due to no fault of the employee, the City shall not take away the employee’s certification pay until the employee is given an opportunity for testing.

TRAINING COMPONENTS FOR POLICE OFFICERS AND CORPORALS

EMT.
Effective January 1, 2022, current employee with an EMT certificate shall continue to receive certificate pay in an amount of one and three-quarters percent (1.75%) of the employee’s regular pay per month. (EMT must be Oregon Certified with a physician advisor). No other employees will be eligible for EMT certificate pay.

TRAINING COMPONENTS FOR ALL CLASSES

Second Language.
Fluency in a second language, including signing is one and one quarter percent (1.25%) of the employee’s regular pay per month.
D. Department Trainers Incentive.
In cases where DPSST training is required for sworn peace officers or dispatch personnel, a trainer meeting all requirements of department policy may be selected to perform the duties of Field Training Officer (FTO) or Communications Training Officer (CTO). Trainers shall be paid a premium when assigned as a trainer and working with an Employee in Training. The incentive for each position is the equivalent of three and one-half percent (3.5%) of the employee’s regular pay. In addition, employees assigned as firearms instructors, EVOC instructors, survival skills instructors, and drug recognition expert (DRE) instructors shall be paid a premium of three and one-half percent (3.5%) while actually instructing and attending “train the trainer” or an instructor development course.

All payment of incentive shall be pro-rated to the actual hours when assigned employees in training are working with the designated trainer.

10.7 Cleaning Allowance

The City will provide cleaning service for employees to be used on an as needed basis.

10.8 Physical Fitness

The City will administer a mandatory fitness test in Exhibit “D” on an annual basis. Employees failing to take or pass the test will be given ninety (90) days to meet the standards and be retested. If an employee fails the second time an additional 90 days will be given to meet the standards and be retested. The employee will be tested a third time, and if the test is failed, the City will have cause for discharge. An employee who successfully passes the test on the second and or third attempt can have no more that 5 (five) failures in 3 (three) calendar years. Attempting the test and not passing it or failing to participate in a scheduled test will each be counted as failures. Five failures will result in the City having cause for discharge.

10.9. Boot Reimbursement

The City shall reimburse each police officer assigned to patrol, each community service officer, and each evidence specialist up to $200 every three (3) years for the purchase of a single pair of department approved boots, provided that police officers assigned to detectives will be eligible for such reimbursement every five (5) years.

ARTICLE 11 – INSURANCE

11.1 Insurance Maintenance

The City agrees to provide a comprehensive health and welfare plan to all eligible bargaining unit employees. Bargaining unit employees will pay 7.5% of the total monthly premium for the plan. In addition, the City and bargaining unit employees agree to split 50/50 any premium increase above 10%. City and unit agree to work cooperatively in a City wide insurance committee to continue to explore insurance packages in order to offer alternate potential insurance coverage at differing levels that may be selected by individual members.
of the unit. At least one alternative offered shall be reasonably similar to the current coverage, if available in Southern Oregon.

Eligible employees hired on or before January 1, 2001, will receive City paid medical and prescription benefits for up to 48 months following retirement. Retired employees shall pay the same percentage of the total monthly premium as regular employees.

Eligible employees hired after January 1, 2001, will receive 50% City paid medical and prescription benefits for up to six months only following retirement.

To be eligible for coverage the employee must be covered under the City’s insurance plan at the time of retirement, not be eligible for Medicare, nor be covered under another insurance plan.

A. Obligation to Pay Premiums is Exclusive. It is understood the City’s only obligation is to pay for premiums on any of the insurance policies. No claim shall be made against the City as a result of denial of benefits by the insurance company.

11.2 Life Insurance

The City shall provide full-time employees with life insurance equal to one-time the employee’s annual salary. Employees may elect to carry additional voluntary life insurance coverage at their own cost pursuant to the terms and conditions of the City’s provider.

In the event of an employee’s death, benefits will be paid in accordance with the carrier’s contract to the beneficiary designated by the employee.

Employees who separate service have the option to continue coverage at their own expense under the carrier’s terms of portability.

11.3 Continuation of Benefits for Permanently Disabled Employees

Any covered employee totally disabled and retired from City employment before age 60 will continue to receive life insurance benefits pursuant to the City’s carrier’s terms and conditions until the employee reaches age 65.

The same life insurance benefits may be available, at the option of and at the expense of the employee, to the dependents of the totally disabled employee pursuant to the carrier’s terms and conditions.

The health insurance premium for any employee, who has been continuously employed on a full-time basis for 12 consecutive months or longer after the determination of such disability, be paid by the City for the period of total and permanent disability commencing after such determination, but not to exceed 18 months or conclusion of the disability, whichever occurs first.

11.4 Public Employees Retirement System

The City shall continue to participate in the State’s Public Employee Retirement System or its successor. Effective July 1, 2007, the City is responsible for the employee’s 6% contribution on behalf of the employee in addition to the employer’s portion.
ARTICLE 12 – SENIORITY

12.1 Definition

Seniority shall be achieved following completion of the respective trial service period of eighteen (18) or twelve (12) months and shall thereafter be established as the employee’s length of continuous service in the bargaining unit. In the event two (2) or more employees are hired in the same job classification on the same date, the date of tentative hire offer shall determine their seniority. Separate seniority lists will be maintained for “sworn” and “non-sworn” personnel. Seniority shall be broken or terminated if an employee:

A. Quits.
B. Is discharged for just cause.
C. Is laid off and fails to respond to written notice as provided in Article 13, 13.2.
D. Is laid off from work for any reason for 18 months.
E. Fails to report to work at the termination of a leave of absence.
F. While on leave of absence accepts employment without permission.
G. Is retired.

Seniority shall apply by classification in the matter of layoff, recall, shift selection and days off.

12.2 New Employees

Every new employee hired into the bargaining unit shall serve a trial period of twelve (12) full months, except for police officers and dispatchers who shall normally serve a trial period of eighteen (18) full months.

Newly hired police officers who meet the Department of Public Safety Standards and Training (DPSST) criteria for attending the two week Career Officer Development Course, and satisfactorily complete the course and who have at least 24 months satisfactory experience with a state, county, or municipal law enforcement agency, shall serve a trial service period of twelve (12) months.

Newly hired dispatchers who meet the Department of Public Safety Standards and Training (DPSST) criteria for Telecommunicators and have at least 24 months of satisfactory police, fire, or emergency medical dispatching experience, shall serve a trial service period of twelve (12) months.

DPSST has designed the Career Office Development Course for previously certified officers who have been out of law enforcement for a period of time or have completed their basic training in another state. The Association recognizes the right of the City to terminate trial employees for any reason, with or without cause, and any such termination shall not constitute a violation of this Contract, except in cases of discrimination as defined by this Agreement. New employees may be scheduled by the City, pursuant to Article 5, “hours and Overtime,” without overtime penalties.
12.3 Seniority List

Exhibit "C" is a listing of all current employees within the bargaining unit and their respective seniority order and date of hire. The City shall provide the Association with copies of a seniority list on January 1 of each year.

12.4 Seniority for Promoted Employees

Employees who promote to a Police Department position out of the bargaining unit shall have the opportunity to resign and return to their previously held position within the six-month trial service period. City shall not fill the promoted employee’s position for the six-month period and shall allow the employee to return. Return to the bargaining unit shall be without loss of seniority, with the exception of time served in the promoted position. If the employee had completed trial service before the transfer, the employee may return to their former classification.

Employees who transfer within the bargaining unit to another classification shall serve a trial service period in the same manner as a new employee as required by the position to which they transferred.

ARTICLE 13 – LAYOFF AND RECALL

13.1 Layoff and Recall

Layoff shall be in reverse order of seniority in job classification. Employees not qualified to perform necessary job requirements may be laid off or recalled out of seniority. If employees volunteer to obtain certification in another field; and, the Employer chooses to acknowledge such certification through the use of an incentive program, then such training, certification and associated incentive shall not alter the contract provision calling for layoff and recall by seniority. Employees certified in multiple fields shall not be deemed to have any preference for layoff and recall. Employees who have previously held a previous classification with the City may bump back down to that classification in the event of layoff, provided that they have more seniority than an employee in the other classification. In such case, the burden of proof that the employee is not qualified to perform the job is with the Employer. Recall of laid off employees shall be the reverse of the layoff procedure. For the purpose of this section, determination of whether or not a senior employee is qualified will be determined by whether or that employee possessed the demonstrated skill, ability, physical fitness, and experience necessary to perform the work.

For the purposes of this Article, police officers and corporals shall be considered to be the same classification.

13.2 Notice of Recall from Layoff Status

Notice to an employee of recall from layoff shall be made by certified mail sent to the last address provided to the City by the employee. The employee shall have 14 days to return to work from the date of receipt of mail notifying that employee of his recall from a layoff status or the employee will forfeit all seniority.
ARTICLE 14 – DISCIPLINE AND DISCHARGE

14.1 **Just Cause.** No regular employee shall be disciplined or discharged except for just cause. Oral discussions are not considered to be discipline and shall not be subject to the grievance procedure.

14.2 **Just Cause Standards.** For the purpose of this Agreement, except for sworn police employees, just cause shall be determined in accordance with the following guidelines:

A. The employee shall have warning of the consequences of their conduct, unless the conduct is of such a nature that no prior warning is necessary in the eyes of a reasonable person.

B. If a rule or order is the subject of the alleged misconduct, it must be reasonable and applied evenhandedly, with variations allowed based on the actual situations of the alleged misconduct.

C. The City must conduct a reasonable investigation.

D. It must be determined that the employee has engaged in the misconduct or act.

E. The discipline must be appropriate and applied in an evenhanded manner based on the severity of the misconduct or the actual or likely impact the misconduct has or would have on the employer’s operations.

F. The employee’s past employment record, that has been documented, shall be considered, if appropriate, based on the severity of the act.

For sworn police employees, “just cause” for discipline shall be determined in accordance with HB 2930 (2021).

14.3 **Forms of Discipline.** Disciplinary action for just cause shall be limited to the following:

A. Written reprimand
B. Suspension
C. Demotion or reduction in pay
D. Termination

The City, in disciplining an employee, shall make reasonable effort to impose such discipline in a manner that will not embarrass or humiliate the employee before other employees or the public.

14.4 **Investigation Due Process.** In the event the City believes an employee may be subject to discipline, the following procedural due process shall be followed:

A. Within five (5) calendar days of the initiation of an investigation, the City shall give the employee under investigation and the Association written notice of the investigation. The notice shall describe the nature of the investigation and

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3Trial service employees are not subject to the "just cause" standard provided herein. Article 12.2 New Employee defines the trial service period.

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include information necessary to reasonably apprise the employee of the allegations, conduct or incident under investigation, and the policies potentially violated.

B. Employees and the Association shall be given at least 24 hours’ notice of the initial scheduled interview time. Follow-up interviews may be scheduled with reasonable notice (not less than two hours) to the employee and the Association if the employee has requested Association representation in their initial interview.

C. Employees shall be advised in the notice of investigation if they are being interviewed as the subject of the investigation or a witness.

D. Employees on paid administrative leave will be required to respond for operational purposes within one (1) hour of notice during the identified “work day”.

E. At the request of the employee, the employee will be entitled to be accompanied by a fellow employee or a representative of the Association at the informal hearing.

14.5 Assignment During an Investigation. Employees placed on Administrative Leave will not be required to remain in home provided the employee shall be able to respond to their work station within one hour.

14.6 Notice of Discipline. A written record shall be made of any disciplinary action taken against an employee and placed in the employee’s personnel file which shall be maintained by the Human Resources Department. The employee must sign any such notice before it is placed in the file.

ARTICLE 15 – USE OF ALCOHOL AND DRUGS

15.1 City Policy Applicability and Employee Rights

The City’s Alcohol and Drug Use Policy is applicable to bargaining unit employees along with the following employee rights provisions. If the City intends to change its Alcohol and Drug Use Policy, it shall notify the Association of its proposed changes, and shall be available to meet and confer with the Association for a period not to exceed 30 days regarding those changes and bargain on any mandatory subjects in accordance with Oregon law.

The employee shall have the right to have an Association representative present during testing procedures. However, this provision shall not cause an unreasonable delay in testing nor shall it be allowed to interfere with the authenticity or reliability of the sample. Nothing herein shall restrict the employee’s right to representation under general law.

If the results of the laboratory testing procedures are negative, all further testing shall be discontinued. The employee will be provided with a copy of the results and all documentation on the testing will be sealed and maintained in a secure place. Test results will be treated as confidential information by the City.

Any employee who tests positive shall be given access to all written documentation available from the testing laboratory which verifies the accuracy of the testing equipment used in the
testing process, the chain of custody of the specimen, and the accuracy rate of the laboratory.

If the results of the test are negative, the employee shall have the right to grieve in accordance with Article 16. However, if the results of the test(s) are positive, neither the Association nor the employee shall have the right to challenge whether reasonable suspicion existed for the ordering of the test.

ARTICLE 16 – SETTLEMENT OF DISPUTES

16.1 Grievance and Arbitration Procedure

The City and the Association agree that any grievance or dispute which may arise between the parties concerning the application, meaning or interpretation of this Agreement shall be settled in the following manner:

Step 1. The affected employee and/or the Association shall take up the grievance or dispute with the Captain within ten (10) calendar days after the grievant becomes aware of its occurrence. The Captain shall then attempt to adjust the matter or give an answer within ten (10) calendar days. The Association has the right to be present at all steps of the grievance procedure.

Step 2. If the grievance has not been settled between the grievant/Association and the Captain, it may be presented in writing by the employee and/or the Association to the Police Chief within ten (10) calendar days after the response specified in Step 1 is due. The written notice shall include the details of the grievance, the section of this Agreement allegedly violated and the specific remedy requested. The Police Chief shall respond to the employee and/or the Association in writing within ten (10) calendar days after receipt thereof.

Step 3. If the grievance still remains unadjusted to the grievant’s/Association’s satisfaction, it may be presented by the employee and/or the Association to the City Manager, within seven (7) calendar days after the response specified in Step 2 is due. The City Manager shall respond in writing to the employee and/or the Association within seven (7) calendar days after the receipt thereof.

Step 4. If the grievance is still unsettled, the Association may within ten (10) calendar days of the decision of the City Manager or his designee(s) under Step 3 have the right to have the matter arbitrated.

For all grievances except disciplinary grievances involving sworn police employees, the City and Association will attempt to jointly agree to an arbitrator. If the parties are unable to agree upon an arbitrator, the Association shall request from the State Conciliation Service a list of seven (7) arbitrators who reside or maintain offices in Oregon or Washington. The parties shall decide by the flip of a coin who shall strike first.

For disciplinary grievances involving sworn police employees, arbitrator selection shall be in accordance with HB 2930 (2021).

The designated arbitrator shall hear both parties as soon as possible on the dispute matter and shall render a decision within 30 calendar days which shall be final and binding on the
parties and the employee/Association. The arbitrator shall have no right to amend, modify, 
nullify, ignore, or add provisions to the Agreement, but shall be limited to consideration of the 
particular issue(s) presented to the arbitrator. The arbitrator's decision shall be: based solely 
upon the arbitrator's interpretation of the meaning of the Agreement; for disciplinary 
grievances involving sworn employees, consistent with HB 2930 (2021); and shall be final 
and binding on all parties. Expenses for the arbitrator shall be borne by the losing party who 
shall be designated by the arbitrator; however, each party shall be responsible for 
compensating its own representatives and witnesses. If either party desires a verbatim 
recording of the proceedings, it may cause such a record to be made, provided it pays for the 
record. If the other party desires a copy, both parties shall jointly share the cost of the 
transcript and all copies.

16.2 Time Limitation for Filing

The parties to this Agreement shall be bound by the time limits contained in this 16.1, above. 
If either party fails to comply with or follow the time limits, the following shall result:

A. If the grievant fails to respond in a timely fashion, the grievance shall be 
deemed waived.

B. If the City fails to respond in a timely fashion, the grievance may be appealed 
to the next step.

ARTICLE 17 – STRIKES AND LOCKOUTS

17.1 No Lockouts

There will be no lockout of employees in the unit by the City as a consequence of any 
dispute arising during the period of this Agreement.

17.2 No Strikes

The Association and its members, as individuals or as a group, will not initiate, cause, permit, 
or participate or join in any strike, work stoppage, or slowdown, picketing other than 
informational picketing, or any other restriction of work, at any location in the City during the 
term of this Contract. Employees in the bargaining unit, while acting in the course of their 
employment, shall not honor any picket line established in the City by the Association or by 
any other labor organization when called upon to cross picket lines in the line of duty. 
Disciplinary action, including discharge, may be taken by the City against any employee or 
employees engaged in a violation of this Article and shall not preclude or restrict recourse to 
any other remedies which may be available to the City.

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4The grievance will be considered to have been presented or forwarded within the time limits so long 
as the mailing of such action by certified mail was within the time limits specified.
17.3 Return to Work

In the event of a strike, work stoppage, slowdown, picketing, other than informational picketing, observance of a picket line, other restriction of work in any form either on the basis of individual choice or collective employee conduct, the Association will immediately, upon notification, attempt to secure an immediate orderly return to work. This obligation and the obligation set forth in 17.1 above shall not be affected or limited by the subject matter involved in the dispute giving rise to stoppage or by whether such subject matter is or is not subject to the grievance provision of this Agreement.

ARTICLE 18 – PERSONNEL FILE

18.1 Maintenance

The City Manager or designee shall maintain the personnel file.

18.2 Notice of File Contents

Each employee shall read and sign all written material that is placed in the employee’s personnel file following his date of hire. This will include disciplinary action, merit or job evaluations, and letters of commendation. Signing will not necessarily indicate agreements with the contents of the item signed. It is agreed that selection materials used for hiring or promotion are exempt from this Section.

18.3 Response

An employee and/or the Association may respond in writing to any item placed in the employee’s personnel file and said response shall become a part of said file after it has been initialed by the City Manager or his designee.

18.4 Copies

Employees shall have the right, upon request, to review and obtain, at their own expense, copies of the contents of their personnel file exclusive of materials placed in the file or received by the City prior to the employee’s date of hire.

18.5 Removal

Upon employee’s written request the following schedule will be followed to remove documentation from active personnel files. Documentation of a verbal warning or a written warning shall be removed from the employee’s personnel file after 18 months if no similar conduct has occurred within that time. Any suspensions without pay shall be removed from the employee’s personnel file after 36 months if no similar conduct has occurred within that time. Documentation of discipline for civil rights related misconduct (e.g. protected class harassment, excessive use of force) shall be removed from the personnel file as indicated above. All documents removed from the personnel files will be retained by the City in a separate file for use in connection with discipline for civil rights related misconduct or for personnel records maintenance requirements under HB 4207 (2020).
ARTICLE 19 – MILEAGE AND PER DIEM

19.1 Mileage

Employees authorized or required by the City to report for special duty such as schools, conferences, training, court appearances and legislative hearings, requiring the use of his personal automobile for transportation to such location shall be compensated for the mileage at the current IRS rate. In no event shall the rate of compensation be less than is being paid per City policy on the effective date of this Agreement.

19.2 Per Diem

When an employee’s duties require him to travel outside the City, the City agrees to pay the employee reasonable costs for food and lodging.

19.3 Other Transportation.

When an employee is required or authorized to use public transportation other than his private vehicle such as air, train, bus and taxi, the actual expenses including taxes and other charges shall be paid for by the City or if paid for by the employee, shall be reimbursed to the employee upon presentation of receipts to the City.

19.4 Travel to Police Academy

In conjunction with attending all mandatory training at the DPSST Academy in Salem, OR, the Department will provide a City vehicle when available, or reimburse for mileage at the I.R.S. rate one round trip for every two weeks of extended stay required at the academy class, or one round trip for one week of training, to include two (2) meals per round trip in accordance with the City travel policy. When more than one employee is attending the academy, they are expected to travel together.

ARTICLE 20 – GENERAL PROVISIONS

20.1 Safety

The City is committed to adequate levels of safety within the Police Division and will comply with all applicable safety regulations.

20.2 Uniform, Clothing and Equipment

Uniforms and other protective clothing or safety wear and equipment required for an employee by law or by the City shall be provided by the City. Employees thus provided shall wear such uniforms, other protective clothing and safety wear in the manner required by law or the City. No employee shall wear or use any such protective clothing, uniforms or safety wear provided by the City save and except on the job. Employees shall maintain uniforms and equipment supplied by the City.
20.3 **Other Employment**

Outside employment shall be permitted only with the express prior approval of the City. To deny outside employment, the City must find that it violates one of the following criteria:

A. That such employment is in conflict with the interest of City employment;
B. That such employment detracts from the efficiency of City work;
C. That such employment is a discredit to the City employment; or
D. That such employment takes preference over the requirements of City employment.

20.4 **Shift Trading & Trading of Days Off**

Shift trades and trading of days off between employees shall be permitted with approval by the affected supervisors. Such approval shall not be unreasonably withheld. The City shall suffer no liability for overtime as a result of such trades.

20.5 **Job Descriptions**

The City shall maintain written job descriptions that shall include titles and written specifications for various positions. Job titles shall refer to a specific position, and not to an individual. Each position shall have a specification that includes a concise, descriptive title, a description of responsibilities and a statement of the minimum or desirable qualifications for each position. Job descriptions shall relate only to the type of work done by each class. The City shall forward to the Association any changes in the job descriptions of the classifications covered by this Agreement.

20.6 **Rules**

The Association recognizes the right of the City to make reasonable work rules, but in no case will the City promulgate or implement any work rule which is inconsistent with this Agreement. All work rules will be reduced to writing and will be furnished to the Association and to the affected employee(s). The City will provide the Association with an opportunity to meet and confer on new work rules, and bargain on any mandatory subjects in accordance with Oregon law.

20.7 **Personal Appearance**

The personal appearance of employees shall be in compliance with department policy while on duty or representing the Department during an officially sanctioned event.

20.8 **Definition of Emergency**

Emergencies are unforeseen circumstances for which the City is not directly responsible and beyond the control of the City; and those, circumstances must materially impair operations, and they must be for a limited time period.
20.9 Residency

The residency requirement for the positions of police officer and police corporal will be forty-five (45) minutes from City limits as it exists within the Urban Growth Boundary (UGB). Officers assigned to detectives or K-9 must live within thirty (30) minutes of the City limits in order to take home an assigned vehicle, except for when assigned standby duties.

ARTICLE 21 – FUNDING

The parties recognize that revenue needed to fund the wages and benefits provided by the Agreement must be approved annually by established budget procedures and in certain circumstances by vote of the citizens of the City. The City shall not reduce the wages and benefits specified in this Agreement because of budgetary limitations, but cannot and does not guarantee any level of employment in the bargaining unit covered by this Agreement. The City agrees to include in its annual budget request amounts sufficient to fund wages and benefits provided by this Agreement, but makes no guarantee as to the passage of such budget request or voter approval thereof.

ARTICLE 22 – SAVINGS CLAUSE

The provisions of this Agreement are declared to be severable and if any section, subsection, sentence, clause or phrase of this Agreement shall for any reason be held to be invalid or unenforceable by any court of competent jurisdiction, by ruling by the Employment Relations Board, or by statute or constitutional amendment, such decision shall not affect the validity of the remaining provisions of this Agreement, but they shall remain in effect, it being the intent of the parties that this Agreement shall stand, notwithstanding the invalidity of any part. Upon issuance of such a decision, the parties agree immediately to negotiate a substitute, if possible, for the invalidated section or portion thereof consistent with ORS 243.698.

ARTICLE 23 – TERM OF AGREEMENT

This Agreement shall be effective upon ratification by the parties and except as amended or modified, shall remain in full force and effect until December 31, 2024.

This Agreement shall be automatically renewed from year to year thereafter unless either the Association or the City desires to amend or renegotiate this Agreement and so notifies the other party in writing by May 1, 2024.

During the time the contract is in negotiations, it will remain in full force and effect.
ARTICLE 24 – EXECUTION/SIGNATURES

Executed this ____ day of March 2022, at Grants Pass, Oregon, by the undersigned officers by the authority of and on behalf of the City of Grants Pass, Oregon, and the Grants Pass Police Association.

GRANTS PASS POLICE ASSOCIATION

Heather Yerrick, President

CITY OF GRANTS PASS, OREGON

Aaron K. Cubic, City Manager
Effective January 1, 2022, the Grants Pass Police Association (GPPA) Salary Schedule in effect on January 1, 2021 will be increased across-the-board by three and one-quarter percent (3.25%)
Effective January 1, 2023, the Grants Pass Police Association (GPPA) Salary Schedule in effect on January 1, 2022, will be increased across-the-board by three percent (3%). In addition, effective January 1, 2023, the City will add a new annual longevity incentive of 1.0% for all employees who have been employed ten (10) years or longer and 2.0% for all employees who have been employed fifteen (15) years or longer. The amounts are not cumulative (i.e., an employee will not receive longevity pay that exceeds 2.0%).

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Grants Pass Police Association (GPPA) Salary Schedule Effective January 1, 2024 (Wage-only re-opener)
EXHIBIT B – STEP SCHEDULE

STEP SCHEDULE
Eligibility for Step Increase

STEP ONE
This is entry level.

STEP TWO
Requires one-year satisfactory performance at step one.

STEP THREE
Requires one-year satisfactory performance at step two.

STEP FOUR
Requires one-year satisfactory performance at step three.

STEP FIVE
Requires one-year satisfactory performance at step four.

STEP SIX
Requires one-year satisfactory performance at step five.

STEP SEVEN
New hires with no prior certifiable law enforcement experience shall attain Step 6 before being eligible for Step 7 compensation.

For Step Seven provisions for Corporal, Dispatch and Patrol Officer, the following standards shall apply:

Evaluations
All employees shall be evaluated annually on their anniversary date. If the evaluation is not completed within 60 days of the employee's anniversary date, the employee shall be deemed to have received an overall rating of "effectively meets standards". An employee, who is eligible for a step increase based on a "meets" or higher evaluation rating, shall be granted the step increase retroactive to the anniversary date. The assigned supervisor shall indicate a rating of at least "meets" on the evaluation form when completed.

Any member who receives less than an overall rating of "effectively meets standards" will receive a special evaluation within 6 months of the rating below "effectively meets standards", and should the evaluation be at a minimum overall rating of "effectively meets standards" or better, the member's Step 7 compensation shall be reinstated effective 6 months after the loss of Step 7 pay. When a special 6 months evaluation is done in accord with this provision, the standard evaluation will remain scheduled on the member's anniversary date. Any member whose rating is more than 90 days out of cycle shall be considered to have completed an evaluation with an overall rating of "effectively meets standards".

Discipline
Any member who receives more than one written reprimand within a twelve month period or who is disciplined resulting in a loss of pay will lose his/her Step 7 pay for a period of six months.
months. After six months, if the member has not received further discipline his/her step 7 pay shall be restored on condition that all other requirements have been satisfactorily met.

Training
It is the affirmative duty of the Association member to sign up for and complete training identified in these standards. Training sponsored by the City shall include at least the minimum necessary to achieve these standards.

The City will not deny step seven compensation to an employee who was prevented from attending necessary training through shift scheduling conflicts that prohibited the City from allowing the employee to attend training, provided the employee requested training throughout the calendar year with sufficient advance notice to allow the City the ability to accommodate in accord with the department policy.

Compliance with Step 7 training requirements shall be determined on a calendar year basis. All required documentation is due to Human Resources by December 31st.

Application
Upon submission of approved Step 7 Application to Executive Assistant, the paperwork will be reviewed by management and submitted to Human Resources within fourteen days. Compensation will be effective the next pay period following receipt in Human Resources.

STEP SEVEN for Corporal
Preliminary Qualifications
- Intermediate DPSST Certificate
- Minimum three years of consecutive performance evaluations with a minimum overall rating of "effectively meets standards"
- Successfully attain the requisite minimum 200 "career development points"
- Must have completed a minimum aggregate total of forty hours of Department/DPSST approved training in the areas of leadership, ethics, supervision, management, critical incident management, Incident Command, crisis negotiations, media relations, fire suppression, prevention and/or similar career development courses to qualify.
- Must attend and successfully complete the DPSST Supervision Course (two week course). In the event that DPSST does not offer the two-week course, a substitute will be a combination of a core forty-hour course provided by DPSST plus forty-hours of recognized DPSST leadership training. It is up to the individual to attend the additional training. Until such time as DPSST re-established the requirements and curriculum for the two-week Supervision Course, DPS employees may submit their training records to DPSST for review and obtain “Equivalency waivers” to meet the requirements of the two-week Supervision Course.
- Must complete an IDC (Instructor Development Course), or similar type curriculum of Department approved training.

Step 7 Maintenance
Member must submit to the Executive Assistant in writing proof of:

- Attendance and successful completion of a minimum of 24 hours of approved training in the areas of leadership, ethics, supervision, management, critical incident management, incident command, crisis negotiations, media relations, fire suppression, prevention and/or similar career development courses each calendar year.
- Minimum overall rating of “effective meets standard” on last scheduled performance evaluation.

Note that a Step 7 Police Officer who promotes to Corporal would go to the nearest compensable step in the salary schedule for Corporal. Upon completing trial service and all other requirements for step 7 Corporal could then advance to step 7.

STEP SEVEN for Officer
Preliminary Qualifications
- Intermediate DPSST Certificate
- Minimum three years of consecutive performance evaluations with a minimum overall rating of “effectively meets standards”
- Successfully attain the requisite minimum 200 “career development points”
- Must have completed a minimum aggregate total of forty hours of
- Department/DPSST approved training in the areas of leadership, ethics, supervision, management, critical incident management, Incident Command, crisis negotiations, media relations, fire suppression, prevention and/or similar career development courses.

Step 7 Maintenance
Member must submit to the Executive Assistant in writing proof of:

- Attendance and successful completion of a minimum of 16 hours of approved training in the areas of leadership, ethics, supervision, management, critical incident management, incident command, crisis negotiations, media relations, fire suppression, prevention and/or similar career development courses each calendar year.
- Minimum overall rating of “effective meets standard” on last scheduled performance evaluation.

STEP SEVEN for Dispatchers
Preliminary Qualifications
- Intermediate DPSST Certificate
- Minimum three years of consecutive performance evaluations with a minimum overall rating of “effectively meets standards”
- Successfully attain the requisite minimum 175 “career development points”
- Must have completed a minimum aggregate total of forty hours of Department/DPSST approved training in the areas of leadership, ethics, supervision, management, critical incident management, Incident Command, crisis negotiations, media relations, fire suppression, prevention or similar career development courses such as: Communication Training Officer Course, completion and maintenance of 9-1-1 Liability Issues course, completion of Tactical Communications, Hostage Negotiations or Suicide Intervention courses.

Step 7 Maintenance
Member must submit to the Executive Assistant in writing proof of:

- Attendance and successful completion of a minimum of 16 hours of approved training in the areas of leadership, ethics, supervision, management, critical incident management, incident command, crisis negotiations, media relations, fire suppression, prevention,
computer science, writing skills, criminal law, medical terminology, and/or similar career development courses each calendar year such as: Communication Training Officer Course, completion and maintenance of 9-1-1 Liability Issues course, completion of Tactical Communications, Hostage Negotiations or Suicide Intervention courses.

- Minimum overall rating of "effective meets standard" on last scheduled performance evaluation
# EXHIBIT C – SENIORITY LIST

GRANTS PASS POLICE DEPARTMENT  
SWORN SENIORITY LIST  
February 21, 2022

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# Non-Sworn Seniority List

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<td>Mathews, Bryan</td>
<td>02/05/01</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Pulyer, Jacqueline</td>
<td>06/25/02*</td>
<td>*06/25/02</td>
<td>10/04/00</td>
</tr>
<tr>
<td>LaTourette, Naomi</td>
<td>05/07/04</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Leppla, Jessi</td>
<td>07/07/15</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Taylor, Jessica</td>
<td>09/24/15</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Farr, Jamie</td>
<td>12/04/17</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Grissom, Katelyn</td>
<td>11/19/18</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Romero, Kayla</td>
<td>06/18/20</td>
<td>*06/18/20</td>
<td>03/27/17</td>
</tr>
<tr>
<td>Kerr, Jamie</td>
<td>10/16/20</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Holguin, Amanda</td>
<td>03/10/21</td>
<td>*03/10/21</td>
<td>02/23/20</td>
</tr>
<tr>
<td>McCallum, Christy</td>
<td>01/31/22</td>
<td>Same</td>
<td>Same</td>
</tr>
</tbody>
</table>

*Seniority adjusted for time outside the Union
EXHIBIT D – PHYSICAL FITNESS TEST

GRANTS PASS POLICE DEPARTMENT
PHYSICAL FITNESS TEST (OFFICERS AND APPLICANTS)

POLICY:
It is the policy of the Grants Pass Police Department to administer physical fitness testing to sworn personnel and applicants applying to the Department.

PURPOSE:
The purpose of this testing is to assure that officers are able to perform the duties of a police officer. It is essential that officers are fit when hired and continue to maintain a minimum level of physical fitness/agility during the course of their careers. The safety and life of the officer, fellow officers and the public we serve, may depend on the officer being able to perform the various, and sometimes strenuous duties of a police officer.

TESTING VALIDATION:
A job analysis of police officers in the Grants Pass Police Department revealed that they perform certain essential or important physical functions which are vital to their job duties. Many essential functions identified from this job analysis were included in the physical fitness examination. A subject matter expert panel meeting comprising law enforcement personnel from this municipality also confirmed that the functions included in the physical fitness test were job-related and essential for successful performance as a Grants Pass Department of Public Safety Police Officer. Asante Occupational Health and members of this department worked in conjunction on this test to meet the standards of the job description and objective expectations of officers’ fitness. Several police officers of different ages, job experience and genders validated the test and maximum time limit.

In Grants Pass, police officers must be able to run (speed and distance), climb through windows, climb over obstacles (i.e., fences), lift, carry, walk, sit or stand for long periods of time and arrest resisting individuals. The Grants Pass Police Department fitness test measures job-related physical skills such as these which are necessary for successful performance as a police officer. Only those skills which do not require training to become proficient are assessed.

The examination is equally valid for assessing the physical skills of candidates with police experience and those without.

TEST PREPARATION
The following suggestions should help you prepare yourself physically for the test:

1. Avoid junk food and concentrate on a well-balanced diet for several days before the test;
2. Avoid tranquilizers and stimulants such as caffeinated beverages, especially on the day of the test;
3. Get a good night’s sleep before the test;
4. Do not drink a lot of liquids or eat a big meal before the test; and
5. Avoid alcohol several days prior to and especially on the day of the test.

On the day of testing, all individuals are required to wear clothing with belt loops. Sport shoes are highly recommended. You will not be allowed to participate in the examination if you are not wearing...
clothing with belt loops. Belt loops are required because a police utility belt needs to be attached during testing. Sweat pants are not allowed.

Watches, rings, and gloves must be removed prior to testing, so it is advisable to leave these objects at home.

**DESCRIPTION OF THE TEST**
The test will require the officer to complete several specified physical tasks in a given sequence within an allotted time frame. An orientation is conducted prior to testing.

To simulate a police officer on duty, officers will be provided with and will be required to wear police equipment during the physical testing session. This includes items such as a utility belt, handcuffs, a non-firing pistol in a holster, two magazine pouches containing two magazines and a ballistic vest. Officers are required to bring their own equipment. Applicants will be provided this equipment by the Grants Pass Police Department at the time of testing.

The functional test circuits, items 1-10 below, will be run two times and both circuits must be completed in under seven (7) minutes. Item 11 is not part of the timed test.

**TEST COMPONENTS**

<table>
<thead>
<tr>
<th>Testing Circuit Procedures</th>
<th>Weight/Distribution/Force</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lift 10 pound weights (one in each hand) to waist height and carry 150', step up and down on 8&quot; step x2, then 12&quot; step x2</td>
<td>Carry 20 lbs. 150'</td>
</tr>
<tr>
<td>Lift 50 pound bag from floor, carry 20 feet, and return to origin</td>
<td>Up to 50 lbs.</td>
</tr>
<tr>
<td>Climb ladder, 3 rungs x3. Each foot must touch each step up and down the ladder</td>
<td>Climbing</td>
</tr>
<tr>
<td>Modified shuffle: Lateral movement for 5', back other direction 15', back again 10'</td>
<td>Lateral movements</td>
</tr>
<tr>
<td>Lift 25 pounds from floor to overhead with full elbow extension x3</td>
<td>Overhead reach</td>
</tr>
<tr>
<td>Squat x10 touching hand to ground with each squat</td>
<td>Positional activity</td>
</tr>
<tr>
<td>Kneel on one knee for 30 seconds, repeat on other knee (Tester: check pulse at wrist of participant while in kneeling position.)</td>
<td>Positional activity</td>
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<tr>
<td>Crawl 10 feet on hands and knees</td>
<td>Positional activity</td>
</tr>
<tr>
<td>From seated position on turf/floor, rise to feet and cover 50 feet in 8 seconds or less</td>
<td>Positional change</td>
</tr>
<tr>
<td>Apply handcuffs properly with double lock</td>
<td>Dexterity</td>
</tr>
<tr>
<td>Drag 150-pound dummy for 30 feet using a sustained drag</td>
<td>Not part of timed event</td>
</tr>
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</table>

**COURSE REQUIREMENTS**

City of Grants Pass / Grants Pass Police Association
Collective Bargaining Agreement
Sworn personnel and applicants are required to complete test components 1-10 twice in under 7 minutes.

Testing shall be done once a year for sworn personnel. Only the Police Chief or assigned designee may excuse an individual from the mandatory testing. Personnel Persons not passing the test during the year will be rated unsatisfactory in this area on their annual employee evaluation. Repeated failures by an officer who has not successfully completed the test may result in further disciplinary action being taken by the Department, as stipulated in the collective bargaining agreement.
ATTACHMENT 2 - STEP 7 APPLICATION

GRANTS PASS DEPARTMENT OF PUBLIC SAFETY
STEP 7 APPLICATION

EMPLOYEE: ______________________ HIRE DATE: ______________________

The classifications of Police Officer, Police Corporal and Dispatcher are eligible to advance to Step 7 of their salary range when they meet the criteria defined in Exhibit B. The preliminary qualifications include 200 career development points. A step 7 application identifying the 200 career development points must be completed and submitted to the Public Safety Executive Assistant for consideration. Rate changes occur the start of the pay period following receipt of the approved application by the Human Resources Department. Step 7 is not applied retroactively.

CAREER DEVELOPMENT CRITERIA:

YEARS OF SERVICE
(7 points for each year of public safety service to a maximum of 50 points)

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<tr>
<th>Date:</th>
<th>Assignment:</th>
<th>Points:</th>
<th>Approved:</th>
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Total Points: ________ (max 50)

SPECIALTY ASSIGNMENT
(25 points for 2 years’ service in Crime Prevention, Detective, Training, Accountability, Traffic/Motor, School Resource Officer, SWAT, C.I.N.T., K-9 Officer, OIC, or N.I.T., or serve as FTO/CTO/ RTO to a maximum of 50 points)

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<th>Date:</th>
<th>Assignment:</th>
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<th>Approved:</th>
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Total Points: ________ (max 50)

CERTIFICATION
(25 points for Advanced DPSST certificate)

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<tr>
<th>Date:</th>
<th>Certificate:</th>
<th>Points:</th>
<th>Approved:</th>
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<tbody>
<tr>
<td></td>
<td>Advanced DPSST</td>
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</table>
**EDUCATION**
(1 point per credit for college credits to a maximum of 25 points in this category, Associate’s = 50 points, or Bachelor’s degree = 100 points to a maximum of 100 points)

<table>
<thead>
<tr>
<th>Date:</th>
<th>Credits and/or Degree:</th>
<th>Points:</th>
<th>Approved:</th>
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<td>Total Points:</td>
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<td>(max 100)</td>
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**DEPARTMENT COMMITTEES AND OTHER COMMUNITY ACTIVITIES**
(5 points for participation in committees or activities of each event. Examples of events include American Cancer Society Relay for Life, coaching organized youth activities, participation with Boys and Girls Club, enrollment and attendance at civic groups, Paint Your Heart Out, MADD member, Special Olympics, Tip a Cop, volunteerism in organized civic, military, and or non-profit organizations to a maximum of 25 points)

<table>
<thead>
<tr>
<th>Date:</th>
<th>Committee and/or Activity:</th>
<th>Points:</th>
<th>Approved:</th>
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<td>Total Points:</td>
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<td>(max 25)</td>
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</table>

**DEPARTMENT INSTRUCTOR:**
(1 point for each hour of approved instruction to a maximum of 25 points)

<table>
<thead>
<tr>
<th>Date:</th>
<th>Type of Instruction:</th>
<th>Points:</th>
<th>Approved:</th>
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<td>Total Points:</td>
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<td>(max 25)</td>
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</tbody>
</table>

**MILITARY / VETERAN:**
(20 points for minimum 4 years’ service to a maximum of 20 points)

<table>
<thead>
<tr>
<th>Service Date:</th>
<th>Service Type:</th>
<th>Points:</th>
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<tr>
<td>Total Points:</td>
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<td>(max 20)</td>
<td></td>
</tr>
</tbody>
</table>
TRAINING:
(1 point for each DPSST/POST training credit (excluding basic academy, other mandated training, or in-service training points, to a maximum of 100 points in conjunction with education)

<table>
<thead>
<tr>
<th>Date</th>
<th>Type of Instruction</th>
<th>Points</th>
<th>Approved</th>
</tr>
</thead>
<tbody>
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Total Points: ________
(max 100 w/education)

Applications MUST include proof attached to prove the elements that are listed.

4865-2033-9469, v. 1
Resolution amending the Collaborative Economic Development Committee bylaws.

Item: 4.b. RESOLUTION AMENDING THE COLLABORATIVE ECONOMIC DEVELOPMENT COMMITTEE BYLAWS.

Date: March 2, 2022

SUBJECT AND SUMMARY:
The City Council adopted the Joint Economic Strategic Plan and the formation of the Collaborative Economic Development Committee (CEDC) and bylaws on February 1, 2017. For consistency, the proposed amendment will make minor changes to the bylaws.

RELATIONSHIP TO COUNCIL GOALS:
This supports Council’s goals of ENCOURAGE ECONOMIC OPPORTUNITIES and provide cooperative shared LEADERSHIP involving Council, staff and community by providing a common plan to help the City and County achieve goals related to economic development.

CALL TO ACTION SCHEDULE:
Call to action schedule: Council’s discretion.

BACKGROUND:
The CEDC was created as a result of the Joint Economic Strategic Plan supported by both the City of Grants Pass and Josephine County. The committee meets monthly to discuss and evaluate ways to improve economic development in the County and to make recommendations to the County Commissioners, Grants Pass Council, and Cave Junction Council.

This proposed resolution is the result of a recent motion passed by the CEDC. If adopted by City Council, it would change the composition of the committee by replacing the representative of the Three Rivers School District with a representative of the Destination Marketing Organization (dba Experience Grants Pass).

The representative of the DMO brings economic development and tourism experience and wishes to engage with the committee. Tourism-related topics are frequently addressed by this committee. This change will allow the Executive Director of the DMO to vote on issues before the committee. The Three Rivers School District representative will be welcome to offer input but will no longer be an official member or have a vote on the committee.
Staff Report (continued):

A marked-up copy of the CEDC bylaws is attached as Exhibit ‘1’ with the portions to be deleted shown in “bold strikethrough” (bold strikethrough) and the portions to be added shown in “bold type” (bold type).

COST IMPLICATION:

None.

ALTERNATIVES:

1. Council can adopt the amended committee bylaws;

2. Delay the action for additional discussion; or

3. Choose to not amend the bylaws.

RECOMMENDED ACTION:

The CEDC recommends Council adopt the changes to the committee bylaws by removing a representative of the Three Rivers School District as a member of the committee and replacing them with a representative of the Destination Marketing Organization, as shown under Article III, Section 1.

POTENTIAL MOTION:

I move to adopt the resolution amending the Collaborative Economic Development Committee bylaws.
COLLABORATIVE ECONOMIC DEVELOPMENT COMMITTEE BYLAWS

Article I - NAME AND PURPOSE

Section 1. Name: The name of this committee shall be the Collaborative Economic Development Committee (CEDC). It shall be an advisory committee to the City of Grants Pass and to the Josephine County Board of Commissioners (BCC) on matters pertaining to economic development.

Section 2. Purpose: To have the Collaborative Economic Development Committee (CEDC) be responsible for advising on and monitoring the implementation of economic development actions. The CEDC is to promote cooperation in getting to agreement on how economic development actions should be implemented, and to monitor the implementation of those actions.

Article II - COMMITTEE ROLE AND RESPONSIBILITIES

Section 1. CEDC Role and Responsibilities: The CEDC will make recommendations for the following key actions:

A. Services
   1. Enhancing capabilities, focusing on delivery of governmental services;
   2. Identifying desired City and County services and how to fund them;
   3. Communicating accurate uniform informational materials to businesses.

B. Infrastructure
   1. Assisting with planning, funding, and development of fiber infrastructure;
   2. Assisting with planning, funding and development of infrastructure for properties at the Grants Pass Airport and Illinois Valley Airport.

C. Workforce Development and Entrepreneurship
   1. Developing and coordinating education and workforce development programs;
   2. Developing a feasible concept for a business incubator, makerspace, and/or public market.

D. Work to promote business and public awareness of economic opportunities in the area.

Section 2. CEDC will work with "Business Resource" agencies and organizations such as: SOREDI, Business Oregon, Small Business Development Center (SBDC), RVACT, Work Source, Grants Pass and Josephine County
Chamber of Commerce and Illinois Valley Chamber of Commerce, to encourage economic development.

Section 3. CEDC will provide information, recommendations and reports to the Grants Pass City Council and to the Josephine County Board of County Commissioners.

Liaisons. The City Council and the Board of County Commissioners may require that the committee Chair report regularly to their Liaison about the committee’s actions and plans. The Staff Liaison helps in maintaining communication between the committee, staff and Governing body’s liaisons. If needed, the Chair may request a meeting with the Council Liaison or County Board Liaison to resolve problems and report progress.

Public Information Meetings. The success of a committee’s endeavors often depends on effective communication with the public. The committee may hold public meetings and hearings when needed, both to inform citizens of work in progress and to gain public reaction and response. All meetings are subject to public meeting law.

Annual Report to City Council and Board of County Commissioners. The committee shall furnish a written annual report to the Council and the Board. The reports shall outline the committee’s accomplishments, any specific needs and all recommendations of the committee. The City’s annual report shall be part of the Council’s annual strategic planning process. (Resolution 5823)

Article III - MEMBERSHIP

Section 1. Committee Composition: The CEDC will be comprised of Fifteen (15) total members, with five (5) appointed by the City, five (5) appointed by the County, one (1) member appointed by Cave Junction, one (1) member representing Rogue Community College (RCC), one (1) member representing the Grants Pass and Josephine County Chamber of Commerce, one (1) member representing the Grants Pass Destination Marketing Organization Three-Rivers School District.

Section 2. Membership Qualifications: All members of the CEDC must be at least eighteen (18) years of age and must reside within the boundaries of Josephine County. Committee membership representation shall be as follows:

Special Qualifications:
City Appointments will have special qualifications/experience in:
1. Business Retail
2. Manufacturing/Industrial
3. Health Care
4. Finance/Commercial lending/Real estate
5. Member at large
County Appointments will have special qualifications/experience in:
1. Natural Resources and Agriculture
2. Tourism
3. Transportation/Airports/Industry
4. Technology
5. Member at large

Section 3. Appointment of Members: County appointments shall be appointed or removed at the direction of the BCC. City appointments shall be appointed or removed at the direction of the City Council. Appointments to fill vacant positions shall be for the remainder of the term of said vacant position.

Section 4. Term of Membership: All CEDC members shall serve three-year terms. There are no reappointments; however, once a committee member’s term has expired, he/she can reapply for the open position. The City Council or BCC may evaluate the citizen’s contribution to the committee, the desirability of widespread involvement, and the changing needs of the committee to the City and County.

Section 5. Committee Officers:
Chair. The group may elect the chair. The chair is responsible for:
- Setting and following the agenda.
- Presiding at meetings.
- Constructive conduct of the group.
- Orderly process of business.
- Calling for actions and confirming actions taken by the quorum.
- Serving as the official voice of the group in representations taken to the City Council or Board of County Commissioners.

Secretary or Clerk. The group may elect the secretary or clerk.

Section 5. Resignation, Termination, and Absences: A committee member who is no longer able to serve, or moves out of town, should resign promptly so that the vacancy may be filled as soon as possible. Any resignation must be submitted in writing to the Committee Chair. Three unexcused absences from meetings are grounds for removal from the committee, commission, or board. The Chair will make a request that Council or BCC remove the member from the committee.

Section 6. Special Meetings: Special meetings of the CEDC may be called by the Council or the BCC. Notices of special meetings shall be sent out by the assigned Staff Support person to each committee member at least one (1) week prior to the meeting.
Article IV- SUBCOMMITTEES

Section 1. Subcommittee Formation: The CEDC may create subcommittees as needed, for purposes such as, but not limited to, public relations, data collection or special projects.

Article V- MEETINGS

Section 1. Meeting Schedule: The CEDC should establish a regular meeting schedule to suit the needs and convenience of the members. The primary location of meetings will be at the Grants Pass City Hall.

Depending on a committee’s workload, meetings may be held weekly, bimonthly, monthly or less frequently. Monthly meetings are recommended for this committee. The Chair calls each meeting. When possible, a regular meeting day, hour and location should be established.

Section 2. Decision-making: The CEDC will make decisions by consensus of a majority of the members present at the time of the vote. Members must be physically present at the meeting to be entitled to vote.

Section 3. Quorum: A majority of the appointed members of the CEDC (8) will constitute a quorum for the purposes of conducting business and making decisions.

Section 4. Minutes and Records: All committee approved minutes must be filed with the Grants Pass City Recorder for Council acknowledgment and with the Board of County Commissioners for acknowledgement.

Minutes must include:

- The names of committee members present and absent at the meeting.
- The names of others present (may be included).
- Date, place, time convened, and time adjourned.
- All action taken at the meeting (such as all agreements reached by vote or consensus). Thus, the exact wording of all motions, including who made the motion and who seconded, and the vote of each member and those members who did not participate in the vote should be recorded. Minutes should be a complete enough statement of action and discussion to reflect the nature of deliberations and the substance of decisions. Any public participation in a hearing should be captured.

Minutes should also include:

- Assignments to committee members.
- Mention of topics discussed.
- Names of additional participants (not press or observers).
- Schedule of future meetings.
Support staff will assist in maintaining records in accordance with Oregon Public Records Laws and state archives requirements.

Section 6. Open Meetings: All meetings of the CEDC shall be open to the public. Notice of meetings shall be given by the assigned Staff Support person in accordance with Oregon Public Meetings Laws.

Article VI - CONFLICTS OF INTEREST

Section 1. Declaration: The CEDC is subject to ORS 244.020, 244.040(1) and 244.210 to 244.030, defining conflict of interest and establishing protocols for members of public bodies in Oregon. CEDC members are expected to declare a conflict of interest prior to consideration of any matter causing a potential or actual conflict.

Section 2. Potential Conflict defined: A potential conflict-of-interest exists when a CEDC member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or member’s relative is associated. The CEDC member may participate in an action after declaring the potential conflict and announcing its nature.

Section 3. Actual Conflict defined: An actual conflict of interest exists when an action is reasonably certain to result in a special benefit or detriment to the CEDC member, a relative, or a business with which the member or member’s relative is associated. The member will declare the actual conflict and announce its nature. The member must then refrain from taking any official action, except when the member’s vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

Article VII- AMENDMENTS TO BY-LAWS

Section 1. Amendments: The CEDC may propose amendments to the By-Laws. Any recommendations agreed upon by the majority of the Advisory Board shall be forwarded to the City and the BCC for approval. The City and BCC have the authority to adopt, amend or repeal By-Laws, through resolutions.

Article VIII - EFFECTIVE DATE

Section 1. Effective Date: These Bylaws shall become effective upon the approval of the Josephine County Board of Commissioners, by Board Order and by approval of the Grants Pass City Council by Resolution.
RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING COLLABORATIVE ECONOMIC DEVELOPMENT COMMITTEE BYLAWS.

WHEREAS:

1. The City of Grants Pass and Josephine County have adopted a Joint Economic Development Strategic Plan; and

2. The Collaborative Economic Development Committee (CEDC) meets monthly to provide recommendations and advice to the governing bodies and review economic development activities; and

3. The CEDC promotes cooperation in achieving progress in economic development efforts and activity; and

4. The committee's purpose is to help the City and County monitor implementation of economic development actions; and

5. The CEDC finds that creation of the Destination Marketing Organization (DMO) in 2021 and the increasingly significant role of tourism in the Josephine County and Grants Pass economies warrants a permanent membership role for the DMO on the committee.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the Collaborative Economic Development Committee bylaws are amended as outlined in the attached Exhibit 'A'.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 2nd day of March 2022.

SUBMITTED to and ______________ by the Mayor of the City of Grants Pass, Oregon, this ___ day of March 2022.

__________________________
Sara Bristol, Mayor

ATTEST:

__________________________
Kareen Frerk, City Recorder

Approved as to Form, Augustus Ogu, City Attorney
COLLABORATIVE ECONOMIC DEVELOPMENT COMMITTEE BYLAWS

Article I - NAME AND PURPOSE

Section 1. Name: The name of this committee shall be the Collaborative Economic Development Committee (CEDC). It shall be an advisory committee to the City of Grants Pass and to the Josephine County Board of Commissioners (BCC) on matters pertaining to economic development.

Section 2. Purpose: To have the Collaborative Economic Development Committee (CEDC) be responsible for advising on and monitoring the implementation of economic development actions. The CEDC is to promote cooperation in getting to agreement on how economic development actions should be implemented, and to monitor the implementation of those actions.

Article II - COMMITTEE ROLE AND RESPONSIBILITIES

Section 1. CEDC Role and Responsibilities: The CEDC will make recommendations for the following key actions:

A. Services

1. Enhancing capabilities, focusing on delivery of governmental services;

2. Identifying desired City and County services and how to fund them:

3. Communicating accurate uniform informational materials to businesses.

B. Infrastructure

1. Assisting with planning, funding, and development of fiber infrastructure;

2. Assisting with planning, funding and development of infrastructure for properties at the Grants Pass Airport and Illinois Valley Airport.

C. Workforce Development and Entrepreneurship

1. Developing and coordinating education and workforce development programs;

2. Developing a feasible concept for a business incubator, makerspace, and/or public market.

D. Work to promote business and public awareness of economic opportunities in the area.

Section 2. CEDC will work with “Business Resource” agencies and organizations such as: SORED! Business Oregon, Small Business Development Center (SBDC), RVACT, Work Source, Grants Pass and Josephine County

Revised March 2, 2022
Chamber of Commerce and Illinois Valley Chamber of Commerce, to encourage economic development.

Section 3. CEDC will provide information, recommendations and reports to the Grants Pass City Council and to the Josephine County Board of County Commissioners.

Liaisons. The City Council and the Board of County Commissioners may require that the committee Chair report regularly to their Liaison about the committee’s actions and plans. The Staff Liaison helps in maintaining communication between the committee, staff and Governing body’s liaisons. If needed, the Chair may request a meeting with the Council Liaison or County Board Liaison to resolve problems and report progress.

Public Information Meetings. The success of a committee’s endeavors often depends on effective communication with the public. The committee may hold public meetings and hearings when needed, both to inform citizens of work in progress and to gain public reaction and response. All meetings are subject to public meeting law.

Annual Report to City Council and Board of County Commissioners. The committee shall furnish a written annual report to the Council and the Board. The reports shall outline the committee’s accomplishments, any specific needs and all recommendations of the committee. The City’s annual report shall be part of the Council’s annual strategic planning process. (Resolution 5823)

Article III - MEMBERSHIP

Section 1. Committee Composition: The CEDC will be comprised of Fifteen (15) total members, with five (5) appointed by the City, five (5) appointed by the County, one (1) member appointed by Cave Junction, one (1) member representing Rogue Community College (RCC), one (1) member representing the Grants Pass and Josephine County Chamber of Commerce, one (1) member representing School District 7, and one (1) member representing the Grants Pass Destination Marketing Organization.

Section 2. Membership Qualifications: All members of the CEDC must be at least eighteen (18) years of age and must reside within the boundaries of Josephine County. Committee membership representation shall be as follows:

Special Qualifications:
  City Appointments will have special qualifications/experience in:
  1. Business Retail
  2. Manufacturing/Industrial
  3. Health Care
  4. Finance/Commercial lending/Real estate
  5. Member at large
County Appointments will have special qualifications/experience in:
1. Natural Resources and Agriculture
2. Tourism
3. Transportation/Airports/Industry
4. Technology
5. Member at large

Section 3. Appointment of Members: County appointments shall be appointed or removed at the direction of the BCC. City appointments shall be appointed or removed at the direction of the City Council. Appointments to fill vacant positions shall be for the remainder of the term of said vacant position.

Section 4. Term of Membership: All CEDC members shall serve three-year terms. There are no reappointments; however, once a committee member's term has expired, he/she can reapply for the open position. The City Council or BCC may evaluate the citizen’s contribution to the committee, the desirability of widespread involvement, and the changing needs of the committee to the City and County.

Section 5. Committee Officers:
Chair. The group may elect the chair. The chair is responsible for:
- Setting and following the agenda.
- Presiding at meetings.
- Constructive conduct of the group.
- Orderly process of business.
- Calling for actions and confirming actions taken by the quorum.
- Serving as the official voice of the group in representations taken to the City Council or Board of County Commissioners.

Secretary or Clerk. The group may elect the secretary or clerk.

Section 5. Resignation, Termination, and Absences: A committee member who is no longer able to serve, or moves out of town, should resign promptly so that the vacancy may be filled as soon as possible. Any resignation must be submitted in writing to the Committee Chair. Three unexcused absences from meetings are grounds for removal from the committee, commission, or board. The Chair will make a request that Council or BCC remove the member from the committee.

Section 6. Special Meetings: Special meetings of the CEDC may be called by the Council or the BCC. Notices of special meetings shall be sent out by the assigned Staff Support person to each committee member at least one (1) week prior to the meeting.
Article IV- SUBCOMMITTEES

Section 1. Subcommittee Formation: The CEDC may create subcommittees as needed, for purposes such as, but not limited to, public relations, data collection or special projects.

Article V- MEETINGS

Section 1. Meeting Schedule: The CEDC should establish a regular meeting schedule to suit the needs and convenience of the members. The primary location of meetings will be at the Grants Pass City Hall.

Depending on a committee’s workload, meetings may be held weekly, bimonthly, monthly or less frequently. Monthly meetings are recommended for this committee. The Chair calls each meeting. When possible, a regular meeting day, hour and location should be established.

Section 2. Decision-making: The CEDC will make decisions by consensus of a majority of the members present at the time of the vote. Members must be physically present at the meeting to be entitled to vote.

Section 3. Quorum: A majority of the appointed members of the CEDC (8) will constitute a quorum for the purposes of conducting business and making decisions.

Section 4. Minutes and Records: All committee approved minutes must be filed with the Grants Pass City Recorder for Council acknowledgment and with the Board of County Commissioners for acknowledgement.

Minutes must include:
- The names of committee members present and absent at the meeting.
- The names of others present (may be included).
- Date, place, time convened, and time adjourned.
- All action taken at the meeting (such as all agreements reached by vote or consensus). Thus, the exact wording of all motions, including who made the notion and who seconded, and the vote of each member and those members who did not participate in the vote should be recorded. Minutes should be a complete enough statement of action and discussion to reflect the nature of deliberations and the substance of decisions. Any public participation in a hearing should be captured.

Minutes should also include:
- Assignments to committee members.
- Mention of topics discussed.
- Names of additional participants (not press or observers).
- Schedule of future meetings.
Support staff will assist in maintaining records in accordance with Oregon Public Records Laws and state archives requirements.

Section 6. Open Meetings: All meetings of the CEDC shall be open to the public. Notice of meetings shall be given by the assigned Staff Support person in accordance with Oregon Public Meetings Laws.

Article VI - CONFLICTS OF INTEREST

Section 1. Declaration: The CEDC is subject to ORS 244.020, 244.040(1) and 244.210 to 244.030, defining conflict of interest and establishing protocols for members of public bodies in Oregon. CEDC members are expected to declare a conflict of interest prior to consideration of any matter causing a potential or actual conflict.

Section 2. Potential Conflict defined: A potential conflict-of-interest exists when a CEDC member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or member’s relative is associated. The CEDC member may participate in an action after declaring the potential conflict and announcing its nature.

Section 3. Actual Conflict defined: An actual conflict of interest exists when an action is reasonably certain to result in a special benefit or detriment to the CEDC member, a relative, or a business with which the member or member’s relative is associated. The member will declare the actual conflict and announce its nature. The member must then refrain from taking any official action, except when the member’s vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

Article VII- AMENDMENTS TO BY-LAWS

Section 1. Amendments: The CEDC may propose amendments to the By-Laws. Any recommendations agreed upon by the majority of the Advisory Board shall be forwarded to the City and the BCC for approval. The City and BCC have the authority to adopt, amend or repeal By-Laws, through resolutions.

Article VIII - EFFECTIVE DATE

Section 1. Effective Date: These Bylaws shall become effective upon the approval of the Josephine County Board of Commissioners, by Board Order and by approval of the Grants Pass City Council by Resolution.
Resolution creating a position of Economic Development Manager and amending the Classification Plan.

Date: March 2, 2022

SUBJECT AND SUMMARY:

This resolution creates the position of Economic Development Manager and amends the Classification Plan.

RELATIONSHIP TO COUNCIL GOALS:

This supports Council's goals of LEADERSHIP and ENCOURAGE ECONOMIC OPPORTUNITIES by restructuring our organization to improve our ability to ensure efficient and effective City operations and better meet the needs and expectations of our citizens.

BACKGROUND:

During the February 7, 2022, workshop, City Council was presented with information related to the reorganization of the Economic Development Division and Downtown Welcome Center services. Historically, the Welcome Center has been staffed by temporary employees who worked under the guidance of the Business Advocate. In addition to this Welcome Center function, the Business Advocate position served as the staff liaison to three advisory committees, processed and managed business grants, served as the face of the City to merchants, supported tourism, represented the City on local and regional economic development boards and initiatives, and played a small role in managing the Urban Renewal Agency (URA) plan.

Council's 2022 Strategic Plan and other priorities call for growth of the URA and project development. Additionally, the City/County Economic Development Strategic Plan identifies numerous infrastructure investment and workforce development goals that have lagged in implementation due to lack of available and experienced staff. In order to help achieve these goals, the Business Advocate position would be replaced under this resolution with a higher-level Economic Development Manager, and an Economic Development Specialist (classification title of Administrative Specialist). The Economic Development Manager would handle many of the Business Advocate's former responsibilities but with a greater focus on implementing URA goals and more proactive business retention and recruitment duties. Other Business Advocate duties such as Welcome Center management and staff liaison to the Committee on Public Art and Tourism Advisory Committee would be assigned to the Economic Development Specialist. This would allow the Economic Development Manager to focus on executing the Economic Development Strategic Plan, regional cooperation, and responsibility for moving forward with URA Plan projects.

ITEM: 4.c. RESOLUTION CREATING A POSITION OF ECONOMIC DEVELOPMENT MANAGER AND AMENDING THE CLASSIFICATION PLAN.
Staff Report (continued):

COST IMPLICATION:

Revenue Sources: Approximately a 50/50 split between Transient Lodging Taxes and Urban Renewal Agency reimbursement for time spent on those respective duties; a forthcoming Intergovernmental Agreement between the City and the URA will outline reimbursement and contractual duties of the Economic Development Manager position.

ALTERNATIVES:

1. Council can choose to approve creating the position of Economic Development Manager; or
2. Council can choose to disapprove the new position.

RECOMMENDED ACTION:

Staff recommends the Council approve the creation of the Economic Development Manager position.

POTENTIAL MOTION:

I move to create the position of Economic Development Manager and amend the Classification Plan.
RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS
AUTHORIZING THE CITY MANAGER TO CREATE AN ECONOMIC DEVELOPMENT
MANAGER POSITION AND AMENDING THE CLASSIFICATION PLAN.

WHEREAS:

1. The City of Grants Pass has a Classification Plan defining duties, responsibilities and knowledge of a person holding that position; and

2. The evaluation of job descriptions, the scope of duties, responsibilities and defined experience and education for each, is prompted by many situations; and

3. The creation of an Economic Development Manager will positively affect our organization and the community by providing more focus on economic development and the Urban Renewal Area Plan; and

4. The Economic Development Manager position supports Council’s Strategic Plan and priorities for business growth and infrastructure development within the Urban Renewal Area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants Pass that the City Manager is authorized to create an Economic Development Manager position, which is attached hereto as Exhibit ‘A’, and amend the Classification Plan.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 2nd day of March 2022.

SUBMITTED to and ______________ by the Mayor of the City of Grants Pass, Oregon this ____ day of March 2022.

ATTEST:

Sara Bristol, Mayor

Date submitted to Mayor

Karen Frerk, City Recorder

Approved as to Form, Augustus Ogu, City Attorney

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CITY OF GRANTS PASS, OREGON
CLASS SPECIFICATION

ECONOMIC DEVELOPMENT
MANAGER

CLASS SUMMARY:
The Economic Development Manager is a Program standalone class. Incumbent manages all aspects of the City’s economic development program, activities and functions and urban renewal development within the City. Builds and maintains close relationships with businesses, property owners, commercial real estate professionals, developers, and government agency partners to support existing businesses and to encourage and support the development of new and existing businesses. Serves as a liaison between the City Council, departments, the public, urban renewal agency and the City Manager.

The Economic Development Manager receives general direction and supervisor from the Community Development Director and provides direction and supervision over administrative support staff.

CORE COMPETENCIES:

- **Integrity/Accountability**: Conducts oneself in a manner that is ethical, trustworthy and professional; demonstrates transparency with honest, responsive communication; behaves in a manner that supports the needs of Council, the citizens and co-workers; and conducts oneself in manner that supports the vision and goals of the organization taking pride in being engaged in the community.

- **Vision**: Actively seeks to discover and create ways of doing things better using resources and skills in an imaginative and innovative manner; encourages others to find solutions and contributes, regardless of responsibilities, to achieve a common goal; and listens and is receptive to different ideas and opinions while solving problems.

- **Leadership/United**: Focuses on outstanding results of the betterment of the individual, the organization and the community; consistently seeks opportunities for coordination and collaboration, working together as a team; displays an ability to adjust as needed to accomplish the common goal and offers praise when a job is done well.

TYPICAL CLASS ESSENTIAL DUTIES: These duties are a representative sample; position assignments may vary.

- Develop and implement the City’s economic development strategy and plan.
- Analyze existing economic situations relative to business attraction and expansion; monitors program performance and provides reports and recommendations to the Director, City Manager, and City Council.
- Lead staff for the Grants Pass Urban Renewal Agency in working with consultants, proactively engaging businesses in the Urban Renewal boundary, and building partnerships with other redevelopment professionals.
• Serve as City’s lead staff with local, regional, and state economic development partners, including SBDC, SOREDI, Chamber of Commerce, and others.
• Serves as staff liaison to the Collaborative Economic Development Committee.
• Administers and promotes the City’s SDC Incentive, Business Retention and Relocation Assistance Grant, and other economic development grant programs with the business community.
• Identifies barriers to economic development and/or business development activities and works proactively with City officials and community leaders to eliminate these barriers while maintaining and ensuring legal and regulatory compliance.
• Prepares reports and other progress assessments demonstrating progress with plans and projects.
• Coordinates, monitors, and provides support to City businesses including completing research, conducting analysis and preparing related reports, participating on committees as a representative of the City, and interacting with businesses in a manner that promotes business development activities.
• Works closely with the Community Development Director and City Manager in bringing development proposals forward and serves as project leader for urban renewal development activities.
• Performs other duties of a similar nature or level.

Training and Experience (positions in this class require):
A Bachelor’s Degree in economics, marketing, public administration, urban planning, or a related field and four (4) years of experience in a position responsible for economic development, urban renewal, policy development, small business administration funding strategies, preferably in the public sector; experience with commercial and/or industrial property development and/or financing is preferred.

Licensing Requirements (positions in this class require):
• Valid driver’s license, Oregon Class C

Knowledge (positions in this class require):
Knowledge of:
• Fundamentals of business and economic development;
• Budget development and administration;
• Small to mid-size business recruitment, retention and management practices;
• Commercial real estate markets and practices;
• Employee supervision, evaluation, work planning, coaching and training methods;
• Effective and efficient public outreach and relations, including presentation techniques;
• Advanced economic development principles, techniques, policies, and procedures;
• Research methods and analysis in order to make sound recommendations, prepare reports and interpret/assess economic feasibility and impact studies;
• English usage, grammar, spelling, vocabulary, and punctuation;
• Personal computers and related software programs;
• Applicable City policies, development code and ordinances; and,
- Applicable Federal, State, and local laws, rules and regulations.

**Skills** (positions in this class require):

Skill in:
- Public speaking and presentation;
- Providing positive, effective leadership and supervision to staff;
- Appropriate and effective independent decision making;
- Preparation of technical reports and delivery of complex information in an understandable manner based on the audience;
- Economic development techniques and tools;
- Project management;
- Demonstrating active listening and interpersonal skills;
- Maintaining confidentiality;
- Resolving conflict and applying problem-solving techniques to resolve issues;
- Working collaboratively across City departments, local governments and partners.
- Organizing and prioritizing projects and multiple tasks effectively to meet critical deadlines; and
- Communication, interpersonal skills as applied to interaction with coworkers, supervisor, the general public, etc. sufficient to exchange or convey information and to receive work direction.

**Physical Requirements:**

Positions in this class typically require: grasping, fingering, feeling, talking, hearing, seeing, repetitive motions, reaching, standing, walking, pushing and pulling.

Sedentary Work: Exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects, including the human body. Sedentary work involves sitting most of the time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.

Positions in this class require regular attendance and punctual employee presence. Incumbents may be required to work hours in excess of a 40-hour workweek, attend evening meetings and travel.

**Additional Requirements:**

Incumbents must pass a full background investigation and reference check, and a pre-employment drug screen.

**Note:**

The above job description is intended to represent only the key areas of responsibilities; specific position assignments will vary depending on the business needs of the department. When job duties and responsibilities change and develop, this job description will be reviewed and is subject to change based on business needs of the City.

**Classification History:**

Adopted by Council March 2, 2022, Resolution No.
Resolution authorizing the City Manager to enter into a General Fund Grant Agreement with the Oregon Department of Administrative Services.

Date: March 2, 2022

SUBJECT AND SUMMARY:

A resolution authorizing the City Manager to enter into a General Fund Grant Agreement with the Oregon Department of Administrative Services (DAS) to fund affordable-housing-related activities.

RELATIONSHIP TO COUNCIL GOALS:

This supports Council's goals to **FACILITATE SUSTAINABLE, MANAGEABLE GROWTH** by funding solutions for workforce and affordable housing as well as potentially funding solutions that address homelessness and to **ENCOURAGE ECONOMIC OPPORTUNITIES** by funding projects that could increase the land base for housing development.

CALL TO ACTION SCHEDULE:

Call to action schedule: March 2, 2022.

BACKGROUND:

In December 2021, the Oregon Legislature approved a special session package that included Senate Bill 5561. Section 32 of that bill allocated $14 million to the cities of Albany, Ashland, Beaverton, Bend, Corvallis, Eugene, Grants Pass, Gresham, Hillsboro, Medford, Portland, Redmond, Salem, and Springfield for programs or services that address housing insecurity, lack of affordable housing, and homelessness. The City of Grants Pass is to receive $1 million through this grant. The selected cities are Community Development Block Grant entitlement communities. Funding is administered through the Oregon DAS and terminates on June 30, 2023.

COST IMPLICATION:

City to receive a one-time grant in the full amount of $1,000,000.

ITEM: 4.d. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A GENERAL FUND GRANT AGREEMENT WITH THE OREGON DEPARTMENT OF ADMINISTRATIVE SERVICES.
Staff Report (continued):

The Grant Agreement requires the City to submit annual progress reports to DAS until grant funds are fully expended, including a project description, timeline for project deliverables, funds spent to date, and project milestones. The City cannot transfer any of its rights or obligations without prior written consent from DAS.

To date, the City Council has not made any commitments for utilization of these DAS grant monies. Staff is recommending this decision be incorporated into the April 4, 2022, Council workshop where staff will present a comprehensive housing investment strategy that outlines the status and restrictions associated with all active affordable housing funding resources (e.g., Community Development Block Grants, American Rescue Plan Act, surplus property proceeds, System Development Charge grants).

ALTERNATIVES:

1. Council can approve the resolution authorizing the City Manager to enter into a General Fund Grant Agreement with the Oregon DAS; or
2. Council could decide not to approve the resolution.

RECOMMENDED ACTION:

It is recommended that the Council approve the resolution authorizing the City Manager to enter into a General Fund Grant Agreement with the Oregon DAS.

POTENTIAL MOTION:

I move to adopt the resolution authorizing the City Manager to enter into a General Fund Grant Agreement with the Oregon Department of Administrative Services.
RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF GRANTS PASS
AUTHORIZING THE CITY MANAGER TO ENTER INTO A GENERAL FUND GRANT
AGREEMENT WITH THE OREGON DEPARTMENT OF ADMINISTRATIVE
SERVICES.

WHEREAS:

1. The Oregon Department of Administrative Services facilitated a grant to fund
programs or services that address housing insecurity, lack of affordable housing,
and homelessness; and

2. The Council desires to authorize the City Manager to enter into a General Fund
Grant Agreement to accept and expend the $1,000,000 grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Grants
Pass that the City Manager is authorized to enter into a General Fund Grant Agreement
with the Oregon Department of Administrative Services, as set forth in Exhibit ‘A’, which
is attached.

EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the
City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session
this 2nd day of March 2022.

SUBMITTED to and ________________ by the Mayor of the City of Grants Pass,
Oregon, this ___ day of March 2022.

____________________________
Sara Bristol, Mayor

ATTEST:

____________________________          Date submitted to Mayor: __________
Karen Frerk, City Recorder

Approved as to Form, Augustus Ogu, City Attorney
GRANT AGREEMENT

Title: Senate Bill 5561 (2021 2nd Special Session) General Fund Grant

Agreement Number: 107-2021-5561-25

This grant agreement ("Contract"), dated as of the date the Contract is fully executed, is made by the State of Oregon, acting by and through its Department of Administrative Services ("DAS"), and the City of Grants Pass ("Recipient"). This Contract becomes effective only when fully signed and approved as required by applicable law (the "Effective Date") and, unless earlier terminated, expires on June 30, 2023 (the "Expiration Date"). The period from the Effective Date through the Expiration Date is hereinafter referred to as the "Grant Term."

Pursuant to the Oregon Laws 2021, chapter 4, section 32 (Second Special Session) (the "Authorization"), the Oregon Legislature appropriated $1,000,000 from the General Fund for a grant to Recipient to help support programs or services that address housing insecurity, lack of affordable housing, or homelessness.

SECTION 1 – GRANT

DAS shall provide Recipient, and Recipient shall accept from DAS, a grant (the "Grant") in the amount of $1,000,000.

Conditions Precedent. DAS's obligations are subject to the receipt of the following items, in form and substance satisfactory to DAS and its counsel:

(1) This Contract duly signed by an authorized officer of Recipient; and

(2) Such other certificates, documents, opinions and information as DAS may reasonably require.

SECTION 2 – DISBURSEMENT

A. Full Disbursement. Upon satisfaction of all condition's precedent, DAS shall disburse the full Grant to Recipient.

B. Condition to Disbursement. DAS has no obligation to disburse funds unless, in the reasonable exercise of its administrative discretion, it has sufficient funding, appropriations, limitations, allotments and other expenditure authority to make the disbursement.

SECTION 3 - USE OF GRANT

A. Use of Grant Moneys.

(1) Recipient shall use the Grant for the purpose of providing funding to support programs or services that address housing insecurity, lack of affordable housing, or homelessness over the next few months.

B. Costs Paid for by Others. Recipient may not use any of the Grant to cover costs to be paid for by another State of Oregon agency or any third party.

SECTION 4 - REPRESENTATIONS AND WARRANTIES OF RECIPIENT

Recipient represents and warrants to DAS:

A. Organization and Authority.
(1) Recipient is a public body or nonprofit corporation validly organized and existing under the laws of the State of Oregon.

(2) Recipient has all necessary right, power and authority under its organizational documents and under Oregon law to (a) execute and deliver this Contract, (b) incur and perform its obligations under this Contract, and (c) receive the Grant funds.

(3) This Contract has been authorized by an ordinance, order or resolution of Recipient’s governing body.

(4) This Contract has been duly executed by Recipient, and when executed by DAS, is legal, valid and binding, and enforceable in accordance with their terms.

B. Full Disclosure. Recipient has disclosed in writing to DAS all facts that materially adversely affect its ability to perform all obligations required by this Contract. Recipient has made no false statements of fact, nor has it omitted information necessary to prevent any statements from being misleading. The information contained in this Contract is true and accurate in all respects.

C. Pending Litigation. Recipient has disclosed in writing to DAS all proceedings pending (or to the knowledge of Recipient, threatened) against or affecting Recipient, in any court or before any governmental authority or arbitration board or tribunal, that, if adversely determined, would materially adversely affect the ability of Recipient to perform all obligations required by this Contract.

D. No Defaults. No Defaults or Events of Default exist or occur upon authorization, execution or delivery of this Contract.

E. Compliance with Existing Agreements and Applicable Law. The authorization and execution of, and the performance of all obligations required by, this Contract will not: (i) cause a breach of any agreement or instrument to which Recipient is a party; (ii) violate any provision of the charter or other document pursuant to which Recipient was organized or established; or (iii) violate any laws, regulations, ordinances, resolutions, or court orders related to Recipient or its properties or operations.

F. Compliance with Tax Laws. Recipient is not in violation of any Oregon tax laws, including but not limited to a state tax imposed by ORS 320.005 to 320.150 and 403.200 to 403.250 and ORS chapters 118, 314, 316, 317, 318, 321 and 323 and local taxes administered by the Department of Revenue under ORS 305.620.

SECTION 5 - COVENANTS OF RECIPIENT

Recipient covenants as follows:

A. Notice of Adverse Change. Recipient shall promptly notify DAS of any adverse change in the activities, prospects or condition (financial or otherwise) of Recipient related to the ability of Recipient to perform all obligations required by this Contract.

B. Compliance with Laws. Recipient shall comply with all applicable laws, rules, regulations and orders of any court or governmental authority that relate to this Contract and Recipient’s use of the Grant funds.

C. Annual Progress Reports. Recipient must submit to DAS annual progress reports (each a “Progress Report”) until Grant funds are fully expended. A Progress Report is due one year from distribution of funding and thereafter annually until the Grant funds are fully expended. Each Progress Report shall contain a brief narrative and financial report on the total use of Grant funds. The narrative and
financial report should include, but need not be limited to, the following information:

(1) Brief description of the project and use of Grant funds to date;
(2) Timeline for major project deliverables;
(3) Grant funds spent to date; and
(4) Project milestones met to date.

D. **Books and Records.** Recipient shall keep accurate books and records of the uses of the Grant and maintain them according to generally accepted accounting principles.

E. **Inspections: Information.** Recipient shall permit DAS and any party designated by DAS to inspect and make copies, at any reasonable time, of any accounts, books and records, including, without limitation, its records regarding receipts, disbursements, contracts, investments and any other related matters. Recipient shall supply any related reports and information as DAS may reasonably require.

F. **Records Maintenance.** Recipient shall retain and keep accessible all books, documents, papers, and records that are directly related to this Contract for a minimum of six years beyond the later of the final and total expenditure or disposition of the Grant. If there are unresolved issues at the end of such period, Recipient shall retain the books, documents, papers and records until the issues are resolved.

G. **Notice of Default.** Recipient shall give DAS prompt written notice of any Default as soon as any senior administrative or financial officer of Recipient becomes aware of its existence or reasonably believes a Default is likely.

H. **Indemnity.** Recipient shall defend (subject to ORS chapter 180), indemnify, save and hold harmless the State of Oregon, DAS and their officers, employees and agents from and against any and all claims, suits, actions, proceedings, losses, damages, liability and court awards including costs, expenses, and attorney’s fees incurred related to any actual or alleged act or omission by Recipient, or its employees, agents or contractors.

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**SECTION 6 - DEFAULTS**

Any of the following constitutes an “Event of Default”:

A. Any false or misleading representation is made by or on behalf of Recipient, in this Contract or in any document provided by Recipient related to this Grant.

B. Recipient fails to perform any obligation required under this Contract, other than those referred to in subsection A of this section 6, and that failure continues for a period of 10 business days after written notice specifying such failure is given to Recipient by DAS. DAS may agree in writing to an extension of time if it determines Recipient instituted and has diligently pursued corrective action.

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**SECTION 7 - REMEDIES**

A. **Remedies.** Upon any Event of Default, DAS may pursue any or all remedies in this Contract and any other remedies available at law or in equity to enforce the performance of any obligation of Recipient. Remedies may include, but are not limited to any one or more of the following:

(1) Terminating DAS’s commitment and obligation to make the Grant.

(2) Barring Recipient from applying for future awards.

(3) Withholding amounts otherwise due to Recipient for application to the payment of amounts due under this Contract.
(4) Requiring repayment of the Grant and all interest earned by Recipient on those Grant funds.

B. Application of Moneys. Any moneys collected by DAS pursuant to section 7.A will be applied first, to pay any attorneys’ fees and other fees and expenses incurred by DAS; then, as applicable, to repay any Grant proceeds owed; then, to pay other amounts due and payable under this Contract, if any.

C. No Remedy Exclusive; Waiver; Notice. No remedy available to DAS is intended to be exclusive, and every remedy will be in addition to every other remedy. No delay or omission to exercise any right or remedy will impair or is to be construed as a waiver of such right or remedy. No single or partial exercise of any right power or privilege under this Contract will preclude any other or further exercise thereof or the exercise of any other such right, power or privilege. DAS is not required to provide any notice in order to exercise any right or remedy, other than notice required in section 7 of this Contract.

SECTION 8 - MISCELLANEOUS

A. Time is of the Essence. Recipient agrees that time is of the essence under this Contract.

B. Relationship of Parties; Successors and Assigns; No Third-Party Beneficiaries.

(1) The parties agree that their relationship is that of independent contracting parties and that Recipient is not an officer, employee, or agent of the State of Oregon as those terms are used in ORS 30.265.

(2) Nothing in this Contract gives, or is to be construed to give, directly or indirectly, to any third persons any rights and benefits greater than those enjoyed by the general public.

(3) This Contract will be binding upon and inure to the benefit of DAS, Recipient, and their respective successors and permitted assigns.

(4) Recipient may not assign or transfer any of its rights or obligations or any interest in this Contract without the prior written consent of DAS. DAS may grant, withhold or impose conditions on such consent in its sole discretion. In the event of an assignment, Recipient shall pay, or cause to be paid to DAS, any fees or costs incurred because of such assignment, including but not limited to attorneys’ fees of DAS’s counsel. Any approved assignment is not to be construed as creating any obligation of DAS beyond those in this Contract, nor does assignment relieve Recipient of any of its duties or obligations under this Contract.

C. Disclaimer of Warranties; Limitation of Liability. Recipient agrees that:

(1) DAS makes no warranty or representation.

(2) In no event are DAS or its agents liable or responsible for any direct, indirect, incidental, special, consequential or punitive damages in connection with or arising out of this Contract.

D. Notices and Communication. Except as otherwise expressly provided in this Contract, any communication between the parties or notices required or permitted must be given in writing by personal delivery, email, or by mailing the same, postage prepaid, to Recipient or DAS at the addresses set forth below, or to such other persons or addresses that either party may subsequently indicate pursuant to this Section.

Any communication or notice by personal delivery will be deemed effective when actually delivered to the addressee. Any communication or notice so addressed and mailed will be deemed to be received and effective five (5) days after mailing. Any communication or notice given by email becomes effective 1) upon the sender’s receipt of confirmation generated by the recipient’s email system that the notice has been received by the recipient’s email system or 2) the recipient’s
confirmation of receipt, whichever is earlier. Notwithstanding this provision, the following notices
cannot be given by email: notice of default or notice of termination.

If to DAS:
Oregon Department of Administrative Services
ATTN: Kate Nass, Deputy Chief Financial Officer
155 Cottage St. NE
Salem OR 97301
kate.nass@oregon.gov

If to Recipient:
City of Grants Pass
ATTN: Aaron Cubic, City Manager
101 NW A Street
Grants Pass OR 97526
acubic@grantspassoregon.gov

E. **No Construction against Drafter.** This Contract is to be construed as if the parties drafted it jointly.

F. **Severability.** If any term or condition of this Contract is declared by a court of competent jurisdiction
as illegal, invalid or unenforceable, that holding will not invalidate or otherwise affect any other
provision.

G. **Amendments, Waivers.** This Contract may not be amended without the prior written consent of DAS
(and when required, the Department of Justice) and Recipient. This Contract may not be amended in
a manner that is not in compliance with the Authorization. No waiver or consent is effective unless
in writing and signed by the party against whom such waiver or consent is sought to be enforced.
Such waiver or consent will be effective only in the specific instance and for the specific purpose
given.

H. **Attorneys’ Fees and Other Expenses.** To the extent permitted by the Oregon Constitution and the
Oregon Tort Claims Act, the prevailing party in any dispute arising from this Contract is entitled to
recover its reasonable attorneys’ fees and costs at trial and on appeal. Reasonable attorneys’ fees
cannot exceed the rate charged to DAS by its attorneys.

I. **Choice of Law; Designation of Forum; Federal Forum.** The laws of the State of Oregon (without giving
effect to its conflicts of law principles) govern all matters arising out of or relating to this Contract,
including, without limitation, its validity, interpretation, construction, performance, and
enforcement.

Any party bringing a legal action or proceeding against any other party arising out of or relating to
this Contract shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for
Marion County (unless Oregon law requires that it be brought and conducted in another county).
Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to
venue, and waives any claim that such forum is an inconvenient forum.

Notwithstanding the prior paragraph, if a claim must be brought in a federal forum, then it must be
brought and adjudicated solely and exclusively within the United States District Court for the District of
Oregon. This paragraph applies to a claim brought against the State of Oregon only to the extent
Congress has appropriately abrogated the State of Oregon’s sovereign immunity and is not consent
by the State of Oregon to be sued in federal court. This paragraph is also not a waiver by the State of
Oregon of any form of defense or immunity, including but not limited to sovereign immunity and
immunity based on the Eleventh Amendment to the Constitution of the United States.
J. **Integration.** This Contract (including all exhibits, schedules or attachments, if any) constitutes the entire agreement between the parties on the subject matter. There are no unspecified understandings, agreements or representations, oral or written, regarding this Contract.

K. **Survival.** The following provisions, including this one, survive expiration or termination of this Contract: Sections 5.C., 5.E., 5.F., 5.H., 6, 7, 8.H. and 8.I.

L. **Execution in Counterparts.** This Contract may be signed in several counterparts, each of which is an original and all of which constitute one and the same instrument.

Recipient, by its signature below, acknowledges that it has read this Contract, understands it, and agrees to be bound by its terms and conditions.

**STATE OF OREGON**
acting by and through its Department of Administrative Services

By: ___________________________ By: ___________________________

Date: ________________ Date: ________________

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

Sam Zeigler via email dated 1/17/2022
Senior Assistant Attorney General
The Council of the City of Grants Pass met in regular session on the above date with Mayor Bristol presiding. The following Councilors were present: Collins, Faszer (via Teams), King, Lovelace, Ogier, Pell and Riker. Also present and representing the City were City Manager Cubic, Deputy Fire Chief DeLonge, Police Chief Hensman, Community Development Director Clark, Public Works Director Canady, City Attorney Ogu, Accountant Shults (via Teams) and City Recorder Frerk. Absent: Councilor DeLaGrange.

Mayor Bristol called the meeting to order.

1. PUBLIC HEARING

Legislative


Councilor King moved to have the ordinance read by title only, first reading, as amended: coverage for fire safe option reduced to 60%; coverage for traditional option reduced to 80%; allow both lights and trees in planter islands; add Redwood tree to Section 23.079 list; reduce island minimum size to 7’ x 14’. Councilor Lovelace seconded the motion. The vote resulted as follows: “Ayes”: Faszer, King, Lovelace, Pell and Riker. “Nays”: Collins and Ogier. Abstain: None. Absent: DeLaGrange. The motion passed.

The vote was not unanimous so the second reading will be held at the March 2, 2022, meeting.

2. COUNCIL ACTION


Councilor Lovelace moved to have the ordinance read by title only, first reading. Councilor Riker seconded the motion. The vote resulted as follows: “Ayes”: Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: Collins. Abstain: None. Absent: DeLaGrange. The motion passed.

The vote was not unanimous so the second reading will be held at the March 2, 2022, meeting.

b. Resolution adopting the City’s Strategic Plan for 2022-2023.
RESOLUTION NO. 22-7152

Councilor King moved and Councilor Lovelace seconded to adopt Resolution 22-7152 and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange and Ogier. The resolution was adopted.

3. APPOINTMENTS

a. Motion appointing one member to the Parks Advisory Committee.

Councilor Collins moved and Councilor Riker seconded to appoint Shane Hickman to the Parks Advisory Committee and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The motion passed.

b. Motion appointing nine members to the Caveman Plaza Taskforce.


4. PUBLIC COMMENT

a. Opportunity to review public comment.

b. Review emails.

Councilor Riker moved and Councilor Lovelace second to extend the meeting past 9 p.m. and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The motion passed.

5. CONSENT AGENDA


RESOLUTION NO. 22-7153

Councilor King moved and Councilor Collins seconded to adopt Resolution 22-7153 and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The resolution was adopted.

b. Resolution authorizing the City Manager to enter into a contract for the FY’21 Sanitary Sewer Replacement Project; Project No. SE6375.
RESOLUTION NO. 22-7154

Councilor King moved and Councilor Collins seconded to adopt Resolution 22-7154 and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The resolution was adopted.

c. Resolution authorizing the City Manager to enter into an agreement with Four Seasons Nursery to manage the downtown flower basket program.

RESOLUTION NO. 22-7155

Councilor King moved and Councilor Collins seconded to adopt Resolution 22-7155 and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The resolution was adopted.

d. Motion approving the minutes of the City Council meeting of February 2, 2022.

Councilor King moved and Councilor Collins seconded to approve the minutes of the City Council meeting of February 2, 2022, and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The motion passed.

e. Motion acknowledging the minutes of the Collaborative Economic Development Committee meeting of December 16, 2021.

Councilor King moved and Councilor Collins seconded to acknowledge the minutes of the Collaborative Economic Development Committee meeting of December 16, 2021, and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The motion passed.

f. Motion acknowledging the minutes of the Committee on Public Art meeting of January 11, 2022.

Councilor King moved and Councilor Collins seconded to acknowledge the minutes of the Committee on Public Art meeting of January 11, 2022, and the vote resulted as follows: “Ayes”: Collins, Faszer, King, Lovelace, Ogier, Pell and Riker. “Nays”: None. Abstain: None. Absent: DeLaGrange. The motion passed.

6. MATTERS FROM MAYOR, COUNCIL AND STAFF

   a. Mayor & Council Comments.

   b. Staff Comments.

7. EXECUTIVE SESSION: None.
8. ADJOURN:

There being no further business to come before the Council, Mayor Bristol adjourned the meeting at 9:15 pm.

The ordinances, resolutions and motions contained herein, and the accompanying votes have been verified by:

City Recorder
BIKEWAYS AND WALKWAYS COMMITTEE
Meeting Minutes – January 11, 2022, at 12:00 PM
Council Chambers – Virtual Meeting

Member Attendance:
Melissa Pingree (Chair)
Bob Lange (Vice Chair)
Benjamin Betterly -
Dana Christensen -
Chip Dennerlein -
Cliff Kuhlman
Lesley Orr- Absent
Craig Rodenmayer
Eric Parrinello- Absent
Vacant (County)

City Staff/Council Liaisons:
Brian DeLaGrange (City Council)
Wade Elliott (City Liaison)
Rob Brandes (Jo Co Public Works)
Darin Fowler (County Commissioner)

1. Roll Call:
   Chair Pingree opened the meeting and took roll.

2. Introductions:
   None.

3. Approval of Minutes: December 14, 2021

   MOTION
   Vice Chair Lange moved, and Member Christensen seconded the motion to approve the
   minutes from December 14, 2021, as written. The vote resulted as follows: “AYES”: Chair
   Pingree, Vice-Chair Lange, Members Betterly, Christensen, Dennerlein, Kuhlman, and
   Rodenmayer. “NAYS”: None. Abstain None. Absent: Members Orr and Parrinello. The
   motion passed.

4. Action Items:
   I. Discuss committee positioning on grant writing
      a. Members discussed several options of potential projects
         - Allen Creek Trail to the Fairgrounds connectivity
         - 5th Street Pedestrian Bridge and associated approaches
         - Pedestrian Bridge at or below Tom Pierce Park for future use when the
           Greenway connects to Grants Pass
         - Connecting the multimodal path along Redwood Highway to Walker
           Lane and subsequently Cathedral Hills
         - River Access Corridor Study to begin building a ‘Greenway’ within the
           City of Grants Pass
         - Complete the sidewalks involved in the Booth and Foundry Strategic
           Goal
         - Resurface western portion of Rogue River Avenue to connect to the All
           Sports Park
      b. Members decided to email all projects to the City Liaison to put into an
         excel matrix for the next meeting. The matrix will be discussed along with maps
         to determine the Committee’s top priorities.
II. Discuss subcommittee status and vision
   a. Members discussed whether sub-committees should continue and decided to discontinue the sub-committees for now.
   b. Sub-committees may be created again in the future for specific projects.

MOTION
Member Christensen motioned, Vice-chair Lange seconded the motion to discontinue the sub-committees. The vote resulted as follows: “AYES”: Chair Pingree, Vice-Chair Lange, Members Betterly, Christensen, Dennerlein, Kuhlman, and Rodenmayer. “NAYS”: None. Abstain None. Absent: Members Orr and Parrinello. The motion passed.

5. Public Comment:
   None.

6. Matters from Committee Members and Staff:

   Updates from local jurisdictions

   County (Rob) – Gave an update of the Beacon Drive Project. He said the stormwater was almost all installed and that they would start rebuilding the road soon. He estimated that the project will be completed in 6-8 weeks.

   City (Wade Elliott) – Slow design phase due to weather. Updates on multiple projects were provided.

7. Future Agenda Building for Next Meeting
   I. Debrief of Strategic Planning and Introduce 2022 Council Liaison
   II. Discuss project Matrix and prioritize goals
   III. Future- Jenna Marmon to present an overview of Greenway plan after the project is awarded, limit to 10 mins.
   IV. Future- Jenna Marmon to discuss implementing vegetative buffers along US 199 to make the detached multimodal path more enjoyable.

8. Adjournment
   I. Chair Pingree adjourned the meeting at 1:00 pm

Next meeting date: February 8, 2022, at 12:00 pm
Minutes prepared by Wendy Higgins, City Public Works Department.
Historical Buildings and Sites Commission
MEETING MINUTES
December 9, 2021
5:15 pm Council Chambers

COMMISSIONERS:
Ward Warren (Chair)
Arden McConnell (Vice Chair)
Virginia Ford
Shirley Holzinger
Nathan Miller
Sandra Crowder (absent)
Vacant

STAFF/LIAISON MEMBERS:
Bradley Clark – Director Community Development
Donna Rupp – Associate Planner
Jason Maki – Associate Planner

STAFF/LIAISON MEMBERS:
Joel King

GUESTS:
Kuri Gill - Oregon Heritage Grants & Outreach Coordinator

1. Roll Call – Chair Warren called the meeting to order at 5:17 pm.

2. Introductions

3. Public Comment: None.

4. Approval of October 14, 2021 Minutes:

Amend minutes to reflect Chair Warren wrote the narrative and Michael Holzinger provided the picture which were used for the Certified Local Government narrative.

MOTION
Chair Warren moved, and Vice Chair McConnell seconded the motion to approve the September 9, 2021 minutes as amended. The vote resulted as follows: "AYES": Chair Warren, Vice Chair McConnell, Commissioners Ford, Miller and Holzinger. “NAYS”: None. Abstain: None. Absent: Crowder.
The motion passed.

5. Guest:

a. Kuri Gill - Oregon Heritage Grants & Outreach Coordinator

6. Action Items:

a. Public Hearing for 303-00115-21; Bohemian commercial addition and remodel at 221 SW G St.

MOTION
Vice Chair McConnell moved, and Commissioner Holzinger seconded the motion to approve the Bohemian commercial addition and remodel at 221 SW G St. and to add a horizontal wood strip across the large windows on either side of the entry doors. The vote resulted as follows: “AYES”: Chair Warren, Vice Chair McConnell, Commissioners Ford, Miller and Holzinger. “NAYS”: None. Abstain: None. Absent: Crowder.
The motion passed.
7. Matters from Commission Members and Staff:

a. 2022 HBSC Goals
   - Added "litter, sidewalks, alleyways, etc." to goal #2.
   - Added "Establish a plan for a historic museum in Grants Pass." as goal #11

c. City website search results
   
   Associate Planner, Donna Rupp, worked with the City’s webmaster to optimize the search results when people search for historic landmarks on the City’s website.

7. Future Agenda Building for Next Meeting:

   a. Certified Local Government Grant Discussion
   b. Conservation District Update
   c. Completing list of local landmark residential registrations

8. Adjourn: 6:54 pm

Next Meeting: December 21, 2021

Summary minutes prepared by Jason Maki, Associate Planner, Grants Pass Community Development.
Historical Buildings and Sites Commission
MEETING MINUTES
December 23, 2021
3:30 pm Council Chambers

COMMISSIONERS:
Ward Warren (Chair)
Arden McConnell (Vice Chair)
Virginia Ford
Shirley Holzinger
Nathan Miller
Sandra Crowder (absent)
Vacant

STAFF/LIAISON MEMBERS:
Jason Maki – Associate Planner

STAFF/LIAISON MEMBERS:
Joel King (absent)

GUESTS:
Jason Canady – City of Grants Pass Public Works Director

1. Roll Call – Chair Warren called the meeting to order at 3:30 pm.

2. Introductions

3. Public Comment: None.

4. Action Items:
   a. Redwood Empire Sign Discussion:

   Chair Warren gave a summary of the events which occurred on December 18th, 2021. A car left the Roadway and struck the Redwood Empire Sign Located on 6th Street. The attendees discussed details around repairing the sign and the meeting ended with the following motion:

   MOTION

   Chair Warren moved, and Vice Chair McConnell seconded the motion to recommend that the historic Redwood Empire sign be repaired and restored to the greatest extent possible and reinstalled at the same location and be protected by the addition of bollards. Any parts or components that are not possible to repair should be replicated so that the finished sign is identical to the 2019 restored original sign in every regard, including size, shape, design, materials, and colors. The vote resulted as follows: “AYES”: Chair Warren, Vice Chair McConnell, Commissioners Miller, Ford, and Holzinger. “NAYS”: None. Abstain: None. Absent: Crowder. Vacant: One. The motion passed.

8. Adjourn: 4:02 pm

Next Meeting: January 13, 2022

Summary minutes prepared by Jason Maki, Associate Planner, Grants Pass Community Development.
Historical Buildings and Sites Commission
MEETING MINUTES
January 13, 2022
5:15 pm Council Chambers

COMMISSIONERS:
Ward Warren (Chair)
Arden McConnell (Vice Chair)
Virginia Ford
Shirley Holzinger
Nathan Miller (absent)
Sandra Crowder
Vacant

STAFF/LIAISON MEMBERS:
Bradley Clark – Director Community Development
Jason Maki – Associate Planner

STAFF/LIAISON MEMBERS:
Joel King

GUESTS:

1. Roll Call – Chair Warren called the meeting to order at 5:18 pm.

2. Introductions

3. Public Comment: None.

4. Approval of December 9, 2021 Minutes:

MOTION

Vice Chair McConnell moved, and Commissioner Ford seconded the motion to approve the December 9, 2021 minutes as amended. The vote resulted as follows: “AYES”; Chair Warren, Vice Chair McConnell, Commissioners Ford, Crowder, and Holzinger. “NAYS”: None. Abstain: None. Absent: Miller.
The motion passed.

5. Action Items:

a. Findings of Fact 303-00115-21; Bohemian commercial addition and remodel at 221 SW G St.

   i. The Commission requested a revision to the conditions of approval, shown below:

   1. B.1.a - Building plans shall be consistent with approved site plan; as well as, conditions approved by the Historical Buildings and Sites Commission. and all conditions listed in the Director’s Decision for staff report 201-00403-21.

   2. C.1. - Development must occur according to the approved site plan and construction drawings, and conditions approved by the Historical Buildings and Sites Commission. Developer must contact the Community Development Department and arrange for a final inspection prior to occupancy to insure compliance.
MOTION

Chair Warren moved, and Vice Chair McConnel seconded the motion to approve Findings of Fact for 303-00115-21, Bohemian commercial addition and remodel at 221 SW G St. and to add a horizontal wood strip across the large windows on either side of the entry doors. The vote resulted as follows: “AYES”: Chair Warren, Vice Chair McConnell, Commissioners Ford, Crowder and Holzinger.
“NAYS”: None. Abstain: None. Miller.
The motion passed.

b. Certified Local Government Grant Discussion
c. Local Landmark Invite Letter
d. Local Landmarks Caveman Bowl and Wonder Bur
e. 2022 Goals Review

6. Matters from Commission Members and Staff:

a. Redwood Empire Sign Update
b. Conservation District Update
c. Caveman Plaza Redevelopment Update
d. Potential Funding Sources
e. Newman Methodist Church Building Permit Revision
f. New Commissioner Applications

The Historical Building and Site Commission recommended Cynthia Charat be appointed to the Historical Buildings and Sites Commission to fill the existing vacancy. The vote resulted as follows: “AYES”: Vice Chair McConnell, Commissioners Ford, Crowder and Holzinger.
The motion passed.

7. Future Agenda Building for Next Meeting:

a. Local Landmark Invite Letter Edits

8. Adjourn: 6:34 pm

Next Meeting: February 10, 2022

Summary minutes prepared by Jason Maki, Associate Planner, Grants Pass Community Development.
HOUSING ADVISORY COMMITTEE
Meeting Minutes – December 10, 2021 at 9:00 AM

*Due to the COVID-19 situation, the meeting will be held in person and with remote using an internet application. The meeting will be recorded and posted for viewing on the City’s web site. Anyone interested in participating in the meeting or making public comment may contact Community Development at (541) 450-6060 for viewing instructions.

Committee Members
Doug Walker – Chair
Kelly Wessels – Vice Chair
Loree Arthur
Duward Brown
Steve Gulliford
Jason Elzy (absent)
Sam Engel
Darin Fowler (absent)
Tammy D’Amico
Vacant
Tom Bradbeer
Ralph “JR” Wheeler

Staff/Council Liaisons:
Dwight Faszer II – Council Liaison (absent)
Amber Neeck – Housing and Neighborhood Specialist

Guests:

1. Roll Call:
a. Chair Walker opened the meeting at 9:02 am and took roll.

2. Introductions:
a. Member Highlight – Loree Arthur
   • Promote more housing for single people and roommates

3. Public Comment: (opportunity for citizens to share information with the committee regarding items that are not on the agenda)

4. Consent Agenda:
a. Minutes: November 19, 2021

   MOTION/VOTE

   Member Bradbeer moved and Member Brown seconded the motion to approve the minutes from November 19, 2021. The vote resulted as follows: “AYES”: Members Wessels, Arthur, Brown, Gulliford, Engel, D’Amico, Bradbeer, Wheeler “NAYS”: None. Abstain: None. Absent: Fowler, Elzy
   The motion passed.

5. Action Items:
a. Strategic Planning
   • Prepare one or more goals to submit to council for consideration for their 2022 Strategic Planning Goals
   • 2021 HAC Strategic Plan Goals
      o Creation of a Housing Specialist to prioritizes development of/or allocate resources to quickly implement the housing plan, facilitate private/public partnerships, and broker funding opportunities
      o Develop minimum density zones

Housing Advisory Committee
Meeting Minutes December 10, 2021
- SMART Goals
- Five-year History of permits

MOTION/VOTE

Member Brown moved and Member Bradbeer seconded the motion: Move to recommend the goal to create 275 units in the categories and percentages shown (as defined in the housing needs analysis) by implementing the policies and projects in the housing action plan.

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Detached</td>
<td>61.40%</td>
</tr>
<tr>
<td>Townhome/Plexes</td>
<td>18.50%</td>
</tr>
<tr>
<td>Multifamily (5+ units)</td>
<td>13.60%</td>
</tr>
<tr>
<td>Mfg. home/other</td>
<td>6.30%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
</tbody>
</table>

The motion passed.

MOTION/VOTE

Member Wessels moved and Member Bradbeer seconded the motion: Move to recommend the goal for Housing Advisory Committee to communicate with or distribute educational material to 90% of city departments (staff) in 8 months regarding data and impact of our housing crisis. All city staff are asked to take an active role in helping to find solutions to our city’s housing crisis. With refinement by email prior to submission.

The motion passed.

b. Committee Applicant
   - Kathy Foster – Low – moderate income renter

MOTION/VOTE

Member Wessels moved and Member Engel seconded the motion: Move to advance the committee application for “renter” for Kathy Foster to Council.
The motion passed.

6. Matters from Committee Members and Staff:
   a. Ramsey/Nebraska Affordable Housing RFP Status Update
      • Subcommittee recommends Chrisman Development INC to Council on December 15th
   b. Solar Standards Code Amendment
   c. Urban Renewal Funds & Marketing for programs

7. Future Agenda Building for Next Meeting:
   a. Inclusive Housing Fund Defined
   b. Eviction Moratorium
   c. Community Development Block Grant (CDBG)
   d. HB 2003 Updates
   e. Marketing

8. Adjournment
   a. Chair Walker adjourned the meeting at 10:40 am.

Next scheduled meeting: January 28, 2022, in the City Council Chambers.

Minutes prepared by Amber Neeck, City of Grants Pass Community Development.
HOUSING ADVISORY COMMITTEE  
Meeting Minutes – February 04, 2022 at 9:00 AM

*Due to the COVID-19 situation, the meeting will be held in person and with remote using an internet application. The meeting will be recorded and posted for viewing on the City’s web site. Anyone interested in participating in the meeting or making public comment may contact Community Development at (541) 450-6060 for viewing instructions.

Committee Members
Doug Walker – Chair
Kelly Wessels – Vice Chair (Absent)
Loree Arthur
Duward Brown (Absent)
Steve Gulliford
Jason Elzy (absent)
Sam Engel
Darin Fowler (absent)
Tammy D’Amico
Kathleen Foster
Tom Bradbeer
Ralph “JR” Wheeler

Staff/Council Liaisons:
Brian DeLaGrange – Council Liaison
Amber Neeck – Housing and Neighborhood Specialist

Guests:
None

1. Roll Call:
   a. Chair Walker opened the meeting at 9:05 am and took roll.

2. Introductions:
   a. Member Highlight – Kathleen Foster
      • Adjunct Professor at Rogue Community College

3. Public Comment: (opportunity for citizens to share information with the committee regarding items that are not on the agenda)
   a. No public comment.

4. Consent Agenda:
   a. Minutes: December 10, 2021

MOTION/VOTE
Member Gulliford moved and Member Arthur seconded the motion to approve the minutes from December 10, 2021. The vote resulted as follows: “AYES”: Members Walker, Arthur, Gulliford, D’Amico, Foster, Bradbeer, Wheeler “NAYS”: None. Abstain: None. Absent: Wessels, Brown, Elzy, Fowler, Engel
The motion passed.

5. Action Items:
   a. Determine committee’s role with Housing Production Strategy
      o Housing Production Strategy is a follow up to the Housing Needs Analysis completed in 2021
      o The city is working with consultant, ECONorthwest, to perform this study
      o Anticipated for completion in early 2023
Housing Advisory Committee shall meet to review and provide feedback to the consultant
   a. April 15th – Gaps and Potential Strategies
   b. August 19th – Draft Strategies
o A sub committee shall be formed to meet monthly with the consultant to further review and develop housing production strategies.
   a. March 11th – Summary of housing need
   b. June 3rd – Refine strategies
   c. July 8th – Refine strategies (if needed)
o Volunteers for sub-committee
   a. Doug Walker, Steve Gulliford, Tom Bradbeer

b. Recommendation to City Council for potential use of Allenwood property for Housing

• Properties 225 Allenwood Drive and 175 Allenwood Drive
  o Zoned R-1-8 currently
  o 8.67 Acre and 0.71 acres respectively
  o City owned lots in the Allenwood park reserve

• Key Features Impacting Development
  o Stormwater open ditches run through sections of the property
  o Conservation wetlands and riparian setback take up a large area of the property
  o Property frontage on Williams Highway
  o Properties zoned R-1-8 low density
  o ODOT required stormwater detention/retention
  o ODOT Traffic Analysis needed to up-zone

• Different Approaches to Development
  o The Property/s are currently owned by the City of Grants Pass. The city could request for proposals for the development of affordable housing on one or both properties.
  o The city could request for proposals for the development of mixed income housing on one or both properties
  o The city could leave the properties in the parks reserve
  o The city could sell the land.

• Discussion
  o Steve Gulliford raised the option of potentially donating the land to and organization such as Habitat for Humanity for home building program
  o Councilor DeLaGrange brought up that during the presentation to council it had been mentioned that potentially there would not be an ability to have road access directly onto Williams highway
  o Tom Bradbeer asked about the third city owned parcel to the west of the smaller parcel and if it could be included in this deliberation.

MOTION/VOTE
Member Bradbeer moved and Member Engel seconded the motion: Move to Recommend City Council Rezone the three lots to r-3 pending the Traffic Impact Analysis and consider requiring the open space near the creek be kept open to the public in partnership with future developer. The city to complete the wetland delineation/re-assessment, and the type of housing development to be reassessed after completion of Traffic Impact Analysis and Wetland delineation/re-assessment, with the intent of seeking mixed
income development.
The vote resulted as follows: “AYES”: Members Walker, Arthur, Gulliford, D’Amico, Foster, Bradbeer, Wheeler, Engel “NAYS”: None. Abstain: None.
Absent: Wessels, Brown, Elzy, Fowler
The motion passed.

6. Matters from Committee Members and Staff:
   a. Rent Burden Forum and Housing Strategies Open House on February 8th, 2022
   b. Strategic Planning Recap
      • 26 priority items, 3 of which are housing related
         o Work towards developing a land bank program
         o ADU program development
         o Have housing advisory recommend CDBG allocations in the housing category
   c. Housing Advisory Committee to consider applying for a grant for a public relations campaign.
      • ADUs
      • Landlord tenant law/landlord misconceptions
   d. Seek legal education on tax incentives for developers
   e. Vertical Housing Tax District potential expansion

7. Future Agenda Building for Next Meeting:
   a. Housing Production Strategy Continued – April meeting
   b. Inclusive Housing Fund Defined
   c. Vertical Housing Development Zone
   d. Community Development Block Grant
   e. Land Banking

8. Adjournment
   a. Chair Walker adjourned the meeting at 10:09 am.

Next scheduled meeting: February 18, 2022, in the City Council Chambers.

Minutes prepared by Amber Neeck, City of Grants Pass Community Development.
URBAN AREA PLANNING COMMISSION
Meeting Minutes – January 12, 2022, at 6:00 p.m.
Council Chambers

COMMISSIONERS:
Eric Heesacker (Chair)
Mark Collier (Vice Chair) - Absent
Loree Arthur
Jennifer Aviles - Absent
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) - Absent
Gabby Sinagra (Assistant Planner)

Guests:
Barry Stone
Justin Gerlitz
Tom Papuk
Gretchen Boris
Dija Sky
Tammy Krauss
Rod Raybon
Linda Blower
Lynn Erickson
Ivey Sanford
Terry Haugan (Remote)
Alicia Howard (Remote)

He should have a copy.
[inaudible].

You want to use my phone?
[inaudible].

Where would you like me to go?
[inaudible].

They paid well.

Yeah. Okay. Let's go.

Hey, sunshine. How are you?
[inaudible].

That's just the print that you emailed?

Yeah.

Okay.

There's four exhibits that were added.

Oh, okay. Okay.

Maybe I'm not-

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I printed out what you guys emailed. So I don't know. It was only two letters that you... It's fine. I got all the information. Yeah.

There may be some that you've already received and some that [inaudible].


Right next to [inaudible].

Oh, A Street. Yeah. That's what I thought. Yeah. You're that way?

That way.

Yeah. Okay. Yeah. That's the way I go home.

Yeah. I figured that.

Well, as far as echo, Eric will give you a ride.

On bike?

Yeah. You sit on that neck.

Well, one night I rode with Clint. I could hardly [inaudible] was raised real high and it has the thing to hang onto, but it was taller than I could reach.

Well, mine has a step. It has a step there.

Oh, boy, I'm really... Trouble getting in the car. It's pretty bad.

Alicia Howard is now joining.

Are these all neighbors of [inaudible]?

Hi there, everybody. I got 6:02, time to get this ball rolling. I'm going to do a roll call. Commissioner Tokarz-Krauss.

Present.

Commissioner Arthur.

Here.

Commissioner Scherf.

Here.

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Commissioner Nelson.

Present.

I'm Eric Heesacker. I'm here. Is there any introduction staff? Okay. As chair, I have the executive privilege of monkeying around with this agenda and I'm going to do just that. I'm going to move item 8A, the public hearing for the Greenfield RV park major site plan review, right up to the front of the agenda. So I'm going to dive right into that. I'm going to open up the public hearing. At this time, I will... Oh, bear with me. I have to read a bunch of stuff here. At this time, I will open the public hearing to consider an application filed by... Oh my goodness. I'm sorry. I'm not prepared for this. Property owner, Kenneth A. Roberts, property owners, Engineer Justin Gerlitz.

This application is for an RV park at 420 Greenfield Road, project number 201-00410-21. We will begin the hearing with a staff report followed by a presentation by the applicant's engineer, statements by persons in favor of the application, statements by persons in opposition to the application, and an opportunity for additional comments by the applicant and staff. After that has occurred, the public comment portion will be closed and the matter will be discussed and acted upon by the commission. Is there anyone present who wishes to challenge the authority of the planning commission to hear this matter? No hands are raised. Abstentions conflict of interest to any of these commissioners, wish to abstain from participating in this hearing or declare a potential conflict of interest. Seeing no declarations.

Prior ex parte contacts by commissioners. Are there any commissioners who wish to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding the application? Again, no hand raised. In this hearing, the decision of the commission will be based upon specific criteria, which are set forth in the city's development code. All testimony which apply in this case are noted in the staff report. If you would like a copy of the report, please write that on a note to staff over here and one will be provided. It is important to remember if you fail to raise an issue with enough detail to afford the commission and the parties an opportunity to respond to the issue, you will not be able appeal to the land use board of appeals based on that issue. Public hearing will now keep proceeding with a report from staff.

Good evening, commissioners. Going to attempt to share my screen with those of us joining remotely. Do we have any commissioners joining us remotely?

Thanks for checking, Jason. I appreciate that.

Hearing none and seen none. I'm going to assume no. My name is Jason Maki. I'm an associate planner here with the city of Grants Pass. The assigned planner for this project is our contract principal planner, Ryan Nolan. I'm going to be filling in his place this evening. The application that we're going to be reviewing is application number 201-00410-21. The location of the site is address 420 Northeast Greenfield Road. It's two parcels, both of which are general commercial zoning. The applicant, Barry Stone and the applicant's engineer, Justin Gerlitz, are in the audience tonight. So the site currently consists of two lots, which include an existing apple orchard, a large home built in approximately early 1900s. It's gone through several remodels over the years, various outbuildings, including barns, gazebos, Perus and Perus [inaudible]
structures. This application is associated with current property line vacation request that will be heard by city council on February 2nd.

Okay.

The proposal is a major site plan review for 119-space RV park with associated bath, shower, laundry buildings and storage structures. Here's an aerial view of the site. As you can see, there's two lots relatively adjacent to the north end of town on I-5. And again, both lots are in the general commercial zoning district. Here's just a couple of pictures of the frontage. This is the southeastern corner of the property generally in this area here, looking further up where the apple orchard is. And here's just another aerial view. Here's the site plan which, commissioners, you can find a full-size version in your packet, page 115. There's several larger format printouts towards the back of the packet, and this site plan here is just oriented north to south. Again, it is a major site plan reviewed under the criteria found under the minor site plan section of article 19. One of the requirements was that a traffic analysis be submitted, which was submitted by the applicant, reviewed by both ODOT and the city traffic engineer.

One of the conditions of approval was to vacate the property line, which you can see in this picture here, this black line that cuts through the middle of the property, which they're currently in the process of being approved for through a council decision. The development includes landscaping and buffering designs that have been reviewed by staff and comply with development code standards. You can find those again in your packet towards the end there. There's a pretty significant sewer infrastructure improvement. Again, I'll point that out here. This green line that cuts through the center here, there will be an improvement to that main that cuts through the property, which is slightly out of the ordinary. And Northeast Greenfield will have, again, some significant improvements to the street frontage. There is a section in the development code, article 22, section 532, that specifically addresses RV parks and some criteria around approval.

Staff has determined that the submitted site plan meets those conditions found in that section of code. Since the staff report was issued last week, staff has received four additional exhibits. I've passed those out and I'm happy to email them if needed. Exhibit 12, which is just a continuation of the exhibit list found in the original staff report is a letter from Trisha Black in opposition to the project. She cites some concerns around buffering, length of stay, crime, historical nature of the site, some traffic impact issues, and requests an extension of the hearing. I failed to mention at the beginning of this, we have had multiple requests for an extension. I'll have a slide at the end that gives some direction for UAPC on how you would like to extend or continue this hearing. Exhibit 13 is another letter in opposition from Terry Hogan. Some of the concerns that he addresses are the general commercial zoning and the RV park is adjacent to residential zoning, a subdivision to the north.

The proposal was described as being 119 spaces with a possible addition of another space to make 120 spaces in the future, addresses some concerns around that. Noise and drainage issues being a concern. Lighting and the potential for light to shine from the development onto the neighboring residential lots was a concern. The proposal does call out some storage on site and there were some concerns about that. There was a concern about the length of time that an RV could stay on the lot. There was a typo addressing Carnahan Drive, which is going to be later in this presentation, a recommendation by staff to make that edit to the findings. Some concerns about the trash enclosure and possible vermin nuisances that could arise from trash.

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Also had some concerns about the traffic impact analysis and requested a continuance of the hearing. And Exhibit 14 is a response from Kim Parducci, which is the applicant’s traffic engineer, basically addressing the traffic-related concerns of the previous two letters of opposition.

And Exhibit 15 is just an email correspondence between Grants Pass Public Works Department and the applicant’s engineer, Justin Gerlitz, just clarifying some language of the public works memo related to those sewer infrastructure improvements. So staff did have some recommendations for edits to the findings. The first one is found on page eight of the staff report. Basically just editing some language about the requirement for city utility easement across the frontage of the development. And on page 10, condition A3, again, editing the language around the requirement of a COE. And as I mentioned previously, on page 11, condition A8, subsection D, there’s just a typo. It states Carnahan Drive, but the reference should be Greenfield Road.

So because staff has received a request for continuance, staff recommends that in accordance withORS197493, the planning commission either continue the hearing to a date and time certain at least seven days from today, or close the hearing and leave the record open for seven days, providing additional days for the applicant to review additional testimony and submit final written argument. Following the continuation of the hearing or the record, staff recommends the planning commission approve the major site plan review subject to the amended conditions of approval. Ending. Any questions for me? That’s my presentation.

Commissioners, any burning questions for staff? Commissioner Nelson.

Yeah, just clarification. The address on here was listed as, oh, hold on, I got to get to the right page, 420 Greenfield Road. It’s supposed to be Northeast Greenfield Road?

We could make that edit to the staff report in the findings.

Anyone else have burning questions for staff? All right then. Thank you, staff. You did a great job. Would the applicant please come forward to make their presentation? State your name and address please, sir.

Good evening. Justin Gerlitz with Gerlitz Engineering Consultants, here on behalf of the applicant, Berry Stone, tonight for the Greenfield RV Park resort. Let me get this presentation loaded up here. All right. Well, we’ve got a fun project here tonight, something that we’ve been working on for a while now and we’re very excited about. This project, as mentioned, is located at the North Grants Pass Interchange. It’s a very, very prominent location to our city. As you know, we don’t have much freeway frontage in Grants Pass, and this happens to be one of the big commercial lots that’s situated just off the freeway off a ramp. This is an aerial. Try to go through this quick. I know Jason showed some of these, but the yellow represents the two properties that make up this project. It is adjacent to a couple of different zones. This is a zoning map there.

The two properties involved in the project are general commercial zoned, which support this project. You can see here, we’ve got, I’ll switch my pointer here, another commercial project adjacent to this, and then we’ve got some lower density residential on the north and east sides. And then we’ve got Interstate 5 and the big interchange, which access a big natural buffer, and

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we've got a lot of general commercial and business park, light industrial here to the south. This project, one of the most important things we're trying to accomplish here is to support tourism in the Grants Pass area. This is at the interchange of I-5 in Grants Pass and Highway 99. So we've got two major highways that come together at this location, and it's very visible from the I-5 corridor, which is really important for an RV resort project. This is some Google three-dimensional view of property. There's a lot of trees on here, but this is the existing structures, the older structures, and the newer ones that have been built to look historic.

This is where the current owner had an apple orchard, and then this triangle over here is more of a naturally agitated hillside. This is a view from the west and this is a view from the east, looking back to the west. These are a few pictures on the street upfront. Greenfield Road right now is improved to county standards. So it's a full two lanes, but it does not currently have any curb, gutter, and sidewalk, which will be part of this project along the frontage. This goes down along the frontage, heading to the west. This is the driveway that will be used for the main entrance, and this is looking towards the west side of the property where you can see that existing commercial use there. There's some pretty neat buildings on this site. I don't have a lot of good pictures of these buildings, but I'll show you a few. As mentioned, there's these historic structures on site that have been extensively remodeled by the current owner.

And then in addition to that, in the early 2000s, he actually built several additional structures to look like historic structures. So there's a lot of history here and that's very important to the applicant. They want to maintain that history. They want to maintain these structures and actually use all of them other than one small outbuilding for the RV resort. So it's going to be a destination spot with a lot of character as compared to what you see today that's brand new. This is just some of the character. This building here actually was built out of a flat-dimensional lumber. So the entire wall on this structure is solid wood all the way from top to bottom. And you can see some of the ornate detail there on those doors and the windows that have been constructed to look historic. Off of the distance here, this is the historic main house with some of the secondary homes. Many of you've seen the south side of the freeway, a barn style roof on it, and then this is just an up-close version of that existing structure with the siding.

So these structures have been elaborately remodeled. I mean, they're very, very beautiful structures in and out and we're really looking forward to using those for the tenants of the park. This is the site plan blow up. Again, this is looking towards... North is to your left here. So everything's rotated. This area up here is all those existing structures and existing trees. The owner was really into trees and a lot of the trees that are around all these existing structures were taken from historic places, famous places, their seedlings and planted there. Something that we're going to do as part of this project is we're going to put placards next to those trees to highlight that history. In the middle of this site, again, there was an apple orchard that had some historic trees in it as well, the seedlings. And then we got a lot of native vegetation over here. You can see here, all these little spots represent the RV spaces for rent.

They are going to be short-term rentals. This is a resort off the side of the freeway and I know that's one of the points the neighbors were concerned about, but this isn't a long-term stay park. This is a destination resort type facility. We do have access roads all to and through the whole project. There are going to be some storage units in this area right here, proposed, and these aren't the traditional storage units that you hear when we say, "Storage units for rent." So many people these days travel with their RVs and they have little motorcycles, and mopeds, and bicycles, and kayaks, and other things that they bring along with them. And one of the things

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that the applicant would like to do is keep those out of the RV spaces. They're not piled up on
the ground and the way he's going to do that is by proposing some of these little storage units,
these little small units that the patrons at the park can use for their different things.

If you look in your packet, there is a summary of everything that is proposed here and this is a
combination of new and existing. Just real briefly, we've got the 120 spaces. There's going to be
four new bathrooms and washrooms, 48 different storage units in that area, a new swimming
pool, new pickle ball courts, and then all of those existing structures are going to be reused and
revamped for managers' quarters, recreational rooms, lacafe, wine rooms. So these are all
going to be amenities that are available to the people that are staying in the resort. Also in your
packet, we hired an architect to go through and look at all these existing structures to try and
make sure that we make sure they're all ADA-compliant, and we're going to be doing a little bit
of site improvement within that area over the top of the existing driveways, just to make sure
that those surfaces are all smooth and adequate for people that need to use those parking
spaces and whatnot.

Again, all this area is going to... Other than some walkways and some surface improvements
inside of there, most of it is going to remain the same and we're really going to landscape it and
make it an amenity to the resort. Also included in the packet is a utility and grading plan, which
you can see here. Pretty extensive utilities on this project. One of the things that is required as
part of the development is to improve Greenfield. That's going to include curb, gutter, and
sidewalk and a planter strip. It also includes a very long sewer main. This area to the east of the
project was designated as part of the new urban growth boundary. And as part of that, the
master plan is requiring it to be sewered in the future. So this is part of that extension that's
required as part of the master plan. There is an irrigation canal, Grants Pass Irrigation Canal,
that's open for this portion of the site right here before it's piped on both ends. And as part of the
project, we're also going to be piping that. So the whole thing will be contained.

And then we have to do our traditional water, sewer, and storm drain detention on site to make
sure we comply with city standards. But generally, grading-wise, this thing slopes from the
upper side of the site down towards the freeway. We're really hoping to take advantage of that.
So all these RVs will be somewhat layered upon one another. The views up here, as most of
you know, when you're sitting at the freeway, looking into Grants Pass are beautiful, and the
whole point of this project is to try to take advantage of those views. Also included in the
application is a conceptual landscape plan. The state of Oregon actually has a code
requirement, which is reflected in local ordinance as well, that every single RV space has to
have at least one tree planted right next to it. We're showing that on this conceptual plan, but
one of the things that's not shown because we don't have every tree located yet is we're going
to be maintaining as many of the existing significant trees as possible.

And that's going to be especially around the existing homes, but also layered in and out of the
spaces here as we can, based on the grading restrictions that we're up against. This area in
here, this little triangle, is pretty heavily vegetated now. So we're planning on keeping all those
tall evergreen trees in there. And then there'll be additional landscaping along the frontage, both
along the site and along the newer street improvements. And then we'll be providing a nice,
really detailed landscape plan as part of the formal submittal permitting process. There are
architectural drawings also included in the packet. This is the floor plan for the bathroom and
shower area. One of the things that the applicant is trying to do is, again, try to tie the new

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buildings, because we are going to have a few of these new buildings into the old historic look, both color wise, roofing materials, and things like that.

So you can see here, if you look at this one compared to the mini-storage, they have a very similar look and the mini-storage isn't a long metal building. It's a broken-up section building. So this looks more historic in nature than what you would expect for a normal mini-storage structure. As mentioned by Jason, there were some concerns, one being from Mr. Haugan, on how the traffic study was calculated and how the data was calculated and obtained. So because our traffic engineer couldn't be here tonight, we had her prepare this memorandum. So this should hopefully address those concerns. Overall, we really believe that this location is extremely well-suited to what we're trying to accomplish here. The fact that it's located on the hillside next to the freeway at one of the main entrances to our city really makes it well-suited for this type of development. Again, we're really trying to take the historic aspect of this site too and bring it into the overall project, and create that destination resort that people are really going to find unique.

We do recognize the fact that there are six residences along the north and east property line. And there's concern about buffering from that. We are buffering this project per the codes, which will include a tall hedge screen along both of those entire property lines, along with a brand new six-foot solid fence along those property lines. We are willing to hear the neighbors' concerns and work with the neighbors as needed to help alleviate some of those concerns as we go through the project. And really with still the interstate frontage in Grants Pass, we just think this is going to be a huge benefit to residents and the community, really support the existing businesses in and around the area. So with that, based on this information, we're looking for approval of the Greenfield RV resort project tonight, and are happy to take any initial questions that the commission might have.

Hi, there. I have a question. Could you please reveal the ultra-secret location of this mysterious 120th space?

So we had prepared the application of 119 spaces. The traffic study was done, I believe, for 123. The applicant had requested that we keep the flexibility in there to add one additional space. We do not have that in here. Honestly, it would probably go right here.

Thank you.

This is really where we would assume it would be.

Thank you, sir. Any other questions?

Are we going to be able to ask questions later from the proponents?

From the applicants?

Yeah, the applicants and proponents.

I don't think we can do that. That's an exchange and we don't do that.

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Generally, most of the commission's questions for the applicant would be now. But certainly after the public testimony, if things come up and you need clarification based on the testimony, then you could do that.


Go ahead, sir.

I did have a question for you on this traffic issue on the southeast corner, down the bottom, or, I guess, this side for you. You had a shot showing the intersection, I believe it would be going north.

Yes, this would be the southeast corner.

So that's going north, correct?

That's looking west. The maps are rotated. So I apologize for the confusion on it, but this would be heading to the west.


Yeah. Do you have one going the other way?

I do not in this presentation. The road looks similar, but this was... See, I could probably show you on here. So there is that intersection right there that we-

And that was a concern expressed in the traffic study information. I don't know how busy that intersection is.

It's a very low volume project, which I could show you here. This right here has-

Is Ed in?

This intersection right here has one, two, three, four, five, six, seven, eight, nine houses off of it.

And that is zone as what?

Residential,

Residential urban area?

Yes. Correct. It's part of the new urban growth boundary. And one of the things too to point out is, if we back to the site plan, the main entrance for the facility is here. This is going to be our main in and out. This is a one-way out and the only reason that this is being maintained, this is existing driveway, is because we need to maintain ADA accessibility to the main office building.

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So this will just be a one-way very low volume out only, not an in. and all of the main traffic for the development will come through this entrance.

Other questions? Yes, Commissioner Arthur.

I was having trouble figuring out the trash and recycling thing.

Mm-hmm (affirmative).

I saw these number 24s all scattered around in the middle of the street and I don't know if you could just explain a little bit more about that.

The trash enclosures are scattered throughout the site. It is a pretty big site. We've got one here. They have to be head in for the trash trucks to come pick them up, where the trash truck is driving and actually pick them up in the front. So we've got one here, one here, here, here, here, and then I believe that's the extent of them as-

All right. [inaudible].

Other questions to the applicant? Mr. Nelson.

I had one final one. These are drive-through?

Some are drive-through and some are backend. So the ones that are connected at both ends here to the asphalt, the gray being the asphalt representation, are pull-through. The ones around the perimeter, there, there, and down here and over here are back-end.

Okay.

So they'll be the back of the unit.

Other questions. Thank you, sir. Anybody else want to speak on behalf of the applicant? All righty. Did you want to say something?

No, I want to make sure that we're [inaudible].

Thank you. Is there anyone who would like to speak in favor of the application? Is there anyone who would like to speak in opposition to the application? Okay. Before we get to that, if Mr. Haugan and Ms. Black are here, please don't come up to the microphone and read your letter into the record. We have it here. It's in the record and it's ready to go. If the comments start to duplicate each other, I might call you on that. There's a few of you here that want to have some testimony. We're going to give you time. We'll give you three minutes a piece. If you're still talking, I'm not going to cut you right off, but I will say you have 20, 30 seconds left. So who would like to speak first?

Chair, I just would like to call out the fact we have several people joining us online, one of which is Terry Haugan who has his hand raised. So we'll just need to navigate between in-person and the remote.

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Sure. We'll try and take turns. How many people are remote?

Eight or so.

Oh yeah. We'll keep it at three minutes. All right. So I'll entertain somebody from the audience here in the room first. Come on up, state your name and address please and let it rip.

My name is Gretchen Boris. I live at 140 Spring Mountain Road, would be the road directly after the proposed entrance to the RV park. It was a great proposal. You've done a great job, but I'm sure it'll be beautiful and it is zone commercial. And you have every right to do what you want to do with that property. However, I would like to maintain some of our rights. As the road directly following, I think we should be able to put up a sign saying, "Private road," or, "Residents only," or, "No turnaround." If they miss that turnaround, which is going to happen, the only turnaround will be on our quiet street.

There aren't eight houses on the street, there are four. People have lived there for upwards of 30 years. They've raised their kids there. Many are now gracing their grandkids there. I know we've thought about putting up for sale sign in our home. We're definitely putting up a six-foot fence. This will horribly affect our property value, it will affect our quiet, peaceful way of life, it will affect our security. But that being said, he does have the right to do what he wants to do. I just want to protect the rights that we have as property owners right next to this proposed development. Thank you.

Thank you very much. Okay. I can't see who's remote here, but I'm ready to take somebody from the remote section.

I would call on Terry.

This is Terry Haugan, if you can hear me.

We can hear you, sir. Go ahead. Name and address.

My name is Terry Hogan, address is 261 Northeast Oak Dale Drive. I had submitted written comments, which I know are part of the record. I did want to highlight a couple of very important things in that. One is that privacy is very important to us since we are immediately on the backside of this property. And we understand that this will be a premier RV resort as being presented, that there will be large RVs which will be present, which we'll definitely be able to see over the top of a six-foot fence into our backyard. That impacts us directly. Additionally, if in the long term, this does not turn out as it is, and we do a lot of RV traveling ourselves. We go to a lot of parks where we see that it is turned into long-term residential, and that it becomes basically to some degree, low income multifamily property.

And again, within five feet of our backyard, we don't really like to have that close to our property. Nowhere within the plans do I see a lighting plan as sufficient, and we are concerned about future maintenance of any lighting that goes in so that it does not glare into our windows since we are very close to the property. We are concerned about occupancy limits. If this is to be a premier RV park, I believe that the property owner and the developer should not object at all to having any length of stay limitation placed upon this approval. As far as the traffic study goes, I
understand what has been stated, but I do also know that because we have an RV ourselves and we access the interstate from our property, that getting onto Sixth and Morgan and Seventh and Morgan with a large RV is difficult.

And our RV is not as large as many of them that are out there. And I severely believe that there will be a large impact to the traveling public at Sixth and Morgan and Seventh and Morgan with all these large RVs going through those intersections. And also because we do have RV ourselves, we do like to walk when we are going out and about, and there is a lot of restaurants within relatively close proximity to this proposed park. And we think that some type of pedestrian access should be allowed going all that way because it has been extremely difficult and will continue to be, going underneath the interstate to get down to those areas. So with that, I guess, we're just primarily concerned about privacy to our own property, as well as any traffic impacts there may be here.

Thank you.

Thank you and I would answer any questions if anyone has anything of me.

Thank you, sir. That was exactly three minutes. Good timing. Okay. Somebody else from the audience want to come up and speak at the podium? Go ahead, sir. Name and address please.

My name's Tom Papuk. I bought the property at 420 Greenfield. I'm the other commercial owner in this area. We build instrumentation. We sell it around the world. 75% of our business is offshore. We don't have the same type of passion that the people that live here do. But looking at it from a common sense standpoint, it's a stupid idea to put a lot of RVs and put that many people in a small space. Despite what the gentleman said earlier, it's a very busy intersection. People coming off the freeway make a hard right turn. And depending on the competence of the people driving the RVs, I can see all kinds of problems. Also, the motion of the people in the RV resort going into town would be using their cars, not their RVs, probably. And I talked to a gentleman today and he said about 50% of the RVs are carrying cars or some alternate transportation. That's not a great intersection and not a great [inaudible]. People don't want to walk through there, walking underneath that.

Could you get a little closer to the mic, please?

Excuse me.

A little closer to the microphone so we can hear you better. Thank you.

People walking into town under that bridge through that intersection are targets. People are driving too fast. I have a letter of... I think it was submitted to one of you from Chris Cobble. We have a letter of comment. Anyhow, we make our profit, but we're feeding them back into the city. We have 40 or 50 employees there. The forest service had 170 altogether. Anyhow, this is commentary I'm making on good sense. Thank you.

Thank you, sir. Anybody attending remotely, please raise your hand if you'd like to speak. I don't know where to see hands being raised on the at screen.
Hi, my name is Alicia Howard. I'm very versed in Teams. I use it at work all the time, which is actually why I'm not present due to the demands of COVID on the hospital.

Okay, perfect. What's your address please?

229 Northeast Oak Dale Drive.

Thank you very much. Go right ahead.

My property bursts right up to the back of this area. Every window in my house faces that wooded green area and an RV park with that many tenants, that's all I would see from my desk, my backyard, and every window in my home. I would feel like my privacy was being invaded. I'm concerned about the noise. I'm concerned about the traffic as everyone else has stated. And the other question I had was is this going to be on city water?

Yes, it will be on city water system.

Okay. Because that's a well and I didn't want to be concerned about competing for water. That was all.

Thank you very much. Anyone else here in the audience who would like to speak? Yes, sir. Come on up to the microphone. Name and address please.

Hello. My name is Rod Raymon. The address is 231 Northeast Oak Dale. I have several concerns, but I know I only have three minutes. One is I'm wondering how tall these trailers are going to be, because it sounds like you're saying there's a six-foot fence. And if we have a 10-foot trailer, where's the privacy? That's one thing I'm wondering about. I really enjoy looking at the stars at nighttime. That's one of the things I do. I have a website that's dedicated to astronomy. If he has those bright lights on, that's going to be the end of that. Plus, we'll have the lights shine in our windows at night. My bedroom faces that. I think that's outrageous.

Also, if you look at that street, that very, very narrow street, if you have... Let's just say, a third of the people who are there want to leave at a particular time to go someplace. So that road is completely stuffed with cars. How's that road going to be able to handle all those cars? How are we going to be able to get in and out when there's so many cars turning this way, turning that way? What have you. I'm also wondering, what kind of a fence are we talking about? Is it a six-foot wood fence with a 10-foot trailer, 15-foot trailer? I don't know how tall they are. Are we going to grow something? So my main concern is lighting, having the light shine into my backyard, which will be the end of the reason we bought that house, is so that we could sit up there and look up at the stars at night. That's what I do. That will be gone.

And also having the light shining into our windows because my bedroom and I think a lot of other people's bedroom windows face the trailer park. And also I'm concerned, as Terry brought up, will this eventually degrade into a typical trailer park? What happens to our property values? Is the city planning on reimbursing this for the loss of the values of our property? Which that will happen. Who wants to live next to a trailer park? So those are my concerns. Thank you.
Thanks for your time, sir. Anyone attending remotely, go ahead. Jump on in here. Okay. Then we'll switch back here to the audience. Yes, ma'am. Come right on up. Name and address please.

I'm Linda Blower. I'm at 322 Northeast Oak Dale Drive. So my property does not butt up next to this. I'm just down the Oak Dale Road, just a ways. My husband and I built the house 48 years ago. So I am very aware of the traffic issue. My real concern is when you go up 7th Street, and you're going to turn onto Scoville, and then you turn and you go on up to Scenic Drive to go home, there's a stop sign right there at, I mean, 7th Street and Scoville. For several years, you have to stop to make the right-hand turn. As of yesterday, they blacked that out and now you have to stop. So I asked my son how long his trailer is with his pickup. He said, "Mom, I don't have one of the longest trailers, but my trailer is 34 feet long."

Now I add my Tundra truck to it, we're 60 feet. If you have two or three of these rigs, because they travel together, trying to come up, stop at that stop sign, now try to take off and go and turn on the very first road onto Greenfield, they're going to miss that. They're going to go up and try to find another place to turn around so they can hit Greenfield. The congestion, add some semi-trucks into this, you're going to be backing up on 7th Street. I'm going to be backing up on 7th Street to try to get home, or you're going to have back up off the freeway to do this. Now years ago, they were going to make... The first Baptist Church was or River Valley, now it's called, was going to make [inaudible], change all the stoplights and do all this off-ramp stuff. What has happened to that?

We are going to have as much traffic then as if the church gets out on a Sunday morning. So you guys have got to figure out what to do with all the traffic that's going to happen at that intersection at Scoville and 7th Street or going down 6th Street. Right now, there's all this construction with the seismic overpass thing. But I can understand. I mean, the trailer park looks beautiful. I am also wanting to know not long-term resident. Five or six days, they move on. That's all it's for. It's not for long term. So we don't have a bunch of homeless... We have a very safe neighborhood right now. There's very low crime. I don't want it to increase. Like I said, I'm a born and raised resident of Grants Pass, very few of us, and I've lived in the house for 48 years.

So if you want to know some info... Oh, one other slight thing. This mountain or hill that it's on is called Spring Mountain for a reason. The water runoff of this hill is horrendous. You got to start preparing for that down on his property because it's got to have someplace to run off. And we have a ditch above our place. We border the city limits. We are in the county, very strange. We have county, I mean, city on three sides. There is a huge ditch that runs at the top of our property and a week ago when we had snow, it was full. Now, where are you going to put that? Because the storm drain water runs over the road and right close to this Terry Haugen's property and has flooded them out. So you better plan for all the water because now you put in a whole bunch of black top trailer park secess. Where does that water go? You're covering in the irrigation ditch. It can't go there. So where does it go?

Thank you very much. Anyone online want to jump in here with any comments? All right. Anyone else from the audience? Yes. Come on up. Name an address please.

Hi, I'm Lynn Erickson. We live at 201 Spring Mountain Road. We also have property on Oak Dale and on Greenfield. And the one thing that everyone has failed to comment on is the traffic. We're all talking about... Haven't commented on the fact that Greenfield is a dead end. There's
no way out of there. So Spring Mountain is a dead end. So is Oak Dale, a dead end. Whether it's the garbageman, or an RV guy, or me in my little car, there's only one way to get out of my house from Spring Mountain, is to turn right, go down Greenfield Road, going right past the two roads that lead into this trailer park. He mentioned there's four people living on Spring Mountain, but there's a whole lot of people that live down on Greenfield that still have to come through.

So it doesn't just affect four of us that live there. And there's no way out other than getting out to Scenic. And I really agree with Linda, trying to make that 180-degree turn from the freeway to get on Greenfield is crazy in any car. Anyway, I was also at Jack's Landing, the RV park at the north end of town. They've got a lot of folks living in their cars there and it's not just a resort. The resort word sounds wonderful. But these people are staying long term and it creates a whole different atmosphere. So yes, we are very concerned about our neighborhood.

Thank you very much. Anyone online? All right. Back to the audience. Anyone else want to speak? Yes, ma'am. Come on up. Name and address.

Ivey Sanford, 1499 Granite Hill Road. I live past all of that. My concern is the traffic. I drive into town five, six days a week, because I work, and the traffic there at the intersection of Scoville and 7th is going to be horrible. When I come home from work, I had 18-wheeler truck hauling some cars, who had blocked the entire street because he went the wrong direction and he was trying to turn around, and held up seven cars. And the curve from coming off 7th Street onto Greenfield is a very sharp turn. It isn't an easy turn. It's not a lot of space. And I didn't see or hear anything about what they're going to do to make it... We have a trailer, we travel, and I'm concerned that there's going to be cars. As I'm trying to go into work or come home, I'm going to have trucks and RVs and fifth wheels pulling out and blocking the whole road and coming on the wrong side of the road.

I think the traffic, whatever they checked is not accurate because that intersection is a horrible intersection. Have cars almost three times a week coming the wrong way up 6th Street. Because they're out-of-towners, they don't know it's a one-way street. You can imagine what that will look like with an RV, or trying to make a left or right turn there on Morgan Lane off of 6th Street. It's a tough corner. Both sides are tough to get to, and they're going to be moving in to get onto the freeway. I think there needs to be more study of that section of the road of Scoville going 6th and 7th. Thank you.

Thank you very much. Anybody online want to speak yet? Back to the audience. Come right on up. Name and address please.

Dija Sky. I live at 241 Northeast Oak Dale Drive. I feel like having to think about your address. These are more questions that I thought about. Other things to traffic and safety and security have all been addressed. So I won't go over to those. But I do wonder, what guarantee do we have as far as the short term, meaning non-permanent housing? I know that in the presentation, he mentioned that the owner loves trees and yet he's going to tear out an entire oak grove and the apple orchard. The oak grove is directly behind my house. That's one of the things that drew me to the house. And I was told that they're actually planning to tractor-level the property. And it sounded like in the presentation, he's saying that it's not going to be completely leveled. So I'm a little bit confused about that.
And then he mentioned that there was going to be a hedge screen. How tall is that? What does that mean? Obviously, they've mentioned the six-foot fence, but that really doesn't give security and/or privacy. My house is probably the tallest house on the street. Meaning behind the RV park, so I really will have zero. I will literally look out and have a sea of RVs and the freeway. So the other questions are how often is the trash picked up? Because if it's a full park, it's going to have to be more than once a week. Having gone camping at campsites, what we have is they pick up trash twice a week at least. And then as the last person just mentioned, did they really do the I-5 intersection in 7th Street?

I've almost gotten hit or couldn't get over because traffic comes off the freeway so fast. And then it sounds like they really didn't communicate... This project wasn't communicated to the entire neighborhood. It was just communicated directly to the people that were abutting the property, and I think that the entire neighborhood should have been advised of what was going on. And also, you already know that we got less than 30 days' notice about this and the notification was sent out in the middle of Christmas and New Year's. That's all I have to say. I wish I could ask those questions to the presentation person, but you guys at least have them and can ask your questions.

Any questions? Apparently not. Thank you very much.

No problem. Thank you.

Anyone else in the audience want to speak? Yes, ma'am. Name and address please.

Hi, my name is Tammy Krauss. I live at 227 Northeast Oak Dale, and I don't want to stop the project. I don't want to prohibit anybody's use of their land, but I would like the city, if they are going to approve it, at least entertain some of the resolutions that I would like to bring forth. The wall has been addressed, but I would rather see it be a wall, not a fence like most of ours. I'm to the side of the corner of the property, but our fences are pretty flimsy the way that they were built, and I would like to ask if the planning commission does approve it, that they actually make a wall that's much taller and an actual wall. Somewhat similar to what you would see like in Southern California along the freeway lines, when they're trying to block the traffic noise from various housing communities.

And I would also suggest and ask that if it is approved, that they would be required to have security footage and surveillance across the lines that are bordering all of the neighbors' yards. So that if we have a problem with theft, robbery, which we actually have had some of that already this past year, that they would work in conjunction with the neighbors in providing that security footage. And then the lighting that got brought up, I would like to... Obviously, the lighting is going to be required, but if we could make it, like at Gilbert Creek Park and some of the other places, so that the lights would face outward towards the freeway, and not shining towards the residential homes would be very beneficial. And then right now, currently, there are homeless people that have been living in and out of those historical buildings up on the hill.

And there is a homeless camp that sits up on top of the mountain too. And I know I've been there because we've fed some of those homeless people. So when you bring a resort in here and it looks nice and they did a great job presenting and I'm not prohibiting that, but the short-term stay, I have several clients that are my clients and the way they get around that short-term stay is they stay in a spot for a certain amount of days and then they go 10 spaces down. So I

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don't know what policing that needs to be, but it would be really nice if that was addressed as well. Thank you for your time.

Thank you very much. Anyone else? If you've already had a turn, I can't talk to you again. Sorry. Anyone else? All righty. Anyone else online want to say anything? Okay. Applicant, you may come on up and address these concerns, if that's what you'd like to do.

Can you hear me? There we go. Again, Justin Gerlitz, Gerlitz Engineering Consultants. I always appreciate the neighbors sharing their comments to hear their concerns, and I figured I'd try to address a couple of those, some specific answers. Traffic is always a concern with every project we do, whether it's three lots subdivision or a shopping mall. And one of the things that the city requires is for us to hire a professional traffic engineer to do a traffic study. The scope of that study is determined by both the city's traffic engineer and ODOT in this case, specifically on the city, more on this one, because it's a city road. The traffic engineer then does counts, does analysis. There's very specific ways to do that. And then that study is submitted back to the city and ODOT's professional traffic engineer for review and concurrence.

So I know that there's concern over traffic, but we did do those steps, which showed that the limits of the traffic impacts are not exceeded in such a way that they were concerned with the intersections adjacent to it. I did hear one of the neighborhood concern about turnaround and I think that's a very valid point. I think some signage at the main entrance to this facility that says, "Turn here, do not go straight," would probably be an important feature to add and we're very happy to do that because I want to see it function as well. Lighting was mentioned as a concern. We have no desire to shine lights back on the neighbors' properties. Today with LED lights, there's ways you can use different intensities and dim them down to certain levels. And we want it to be safe within development, but we definitely don't want to be imposing direct lights on the neighbors. So that's something we're going to be doing, is hiring a professional electrical engineer to design that system.

There was a mention from a letter from Chris Cobble. I'm assuming we'll get a copy of that in the record. I know one of the things... Somebody mentioned the church that was originally River Valley was going to be building a church across the street. One thing that's a little different about an RV park is the traffic doesn't come and go exactly at one time during the day like a church service would be, or a restaurant, or a coffee drive-through, or the peak hours on the way to work. So I know that does help a little bit. It disperses the traffic out. People come and go different times during the day, and I'm pretty sure that was accounted for in the traffic study. The back fence, there's a lot of comments on the screening. The city typically requires a six-foot fence and a three-foot landscape buffer.

But with RV parks, there's actually state requirements that go along with it as well, that are in the code, which increases that to a five-foot buffer. And the city standards I specify, I believe, an eight to a 12-foot vegetated hedge screen, evergreen hedge screen. So it's there all year long. So that's the intention that's actually drawn on the landscape plan, where we would plant a solid hedge screen along there, something similar to [inaudible] hedge, something that grows quickly and tall that could be trimmed up against the fence. And we found that that combination of a solid fence and vegetation is actually some of the best sound protection that you can install versus just a solid fence. So with that, I hope that answers some of the commission's questions, some of the neighbors' questions, and I'm happy to answer any additional questions that you may have.

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Commissioner Nelson.

Curiosity. I know you have the desire to plant trees on each of these sites, but you have them next to the road. Is that for a reason?

Yeah. The state actually requires that each RV space specifically has a tree next to it. And then the city requirements along the roadway require a row of trees in the-

Terry Haugen is now exiting.

... 10-foot front yard. And then also additional trees down where we're going to be putting in a new planter strip on the roadway. So there'll be a combination of trees, not just at the RV spots themselves.

So on that backend, then you're saying is going to be the hedge row that will be eight to 12 feet?

Mm-hmm (affirmative) When it's fully grown. Yes. And then there'll be additional trees along those spaces as well as the hedge. It won't just be the-

Okay. That's what I didn't see.

Other questions? Commissioner Scherf.

So I've heard concerns about visibility and you've stated as well as I'm looking at the contours on your utility map here, can you basically explain a little bit more? To me, the contours look like the site slopes from the northeast corner down to the southeast corner. First question. How much relief from the top of the property down to Greenfield Road elevation-wise? What's it? 10-foot fall? Four-foot fall? Three-foot fall?

All across the entire property?

Yeah. Yeah. I just want to get a visual in my head.

It's substantial. I'd have to pull up the map up there, but each one of the contours on there are a foot, I believe. One to two feet. So there's a substantial fall. It's a slope. It's a consistent slope down from top to bottom and there's another cross slope in there at the northwest corner. Immediately at the north property line, there's not a drop-off right there, but it continues from that point all the way down to the freeway and then continues down the hill from the freeway into the city. So that constant slope from the top of the hill behind the project, all the way into town is there.

Okay. And there's concerns with the neighborhood to the north there that there would not be a visibility relief. Is there alternatives that you guys could look at in laying out the property where you took that furthest north row and dropped it in elevation a little bit to further the visibility relief?
There will be a little bit of a drop there for the... The RV stalls themselves will have to be pretty level and the slope is generally sloping right there. So we probably will excavate a little bit. I can't say exactly how much because we haven't gotten into that level of design, but- 

Is this something that would be in your mind when you're actually going through this?

Yes.

Perfect. Thanks.

Anyone else have questions for the applicant? Thank you very much.

Thank you.

Staff, I think we're going to go back to you for any final comments you might have, and to see if any of the commissioners want to hit you up with questions. Thank you.

I'm happy to address any of the questions or comments, specifically related to the development code that any of the commissioners may have for me.

Questions, anybody. Commissioner Nelson.

Future development a long, I guess, it's Spring Mountain Drive, it's rezoned or zoned at 112. And how big of sites are those? Those are fairly large lots, aren't they?

The minimum lot size for the R112 zone is 11,000 square feet. So some of those may be larger than that as they exist today. But if somebody was to come in with a new subdivision, that would be the minimum.

Okay. That probably answers my question. So I was just curious if the city had right away or any plans for extending those dead-end roads that you know of.

Without having the master transportation plan in front of me, I'm not entirely certain, but I do look at that document often and I don't believe that it's identified for Greenfield to extend further to the east.

We can certainly check on that for your next hearing and bring that to you.

Yeah. I'd like to see what potential lies in the future on this commercial area as well as for the residential development buildout.

Okay.

Anybody else have questions for staff?

I do.
Go right ahead, Commissioner Tokarz-Krauss.

Many of the pieces of information raised from lighting to fencing to whatever, it sounds like these things could be mitigated, but I am concerned about the access overall. I am concerned about if they should miss the entrance, even though it is going to be properly marked, I’m sure, we’ve got faith in that, it’s not necessarily going to be upon the applicant to develop that access way outside of, I mean, the 7th Street, the 6th Street, the I-5 corridor. How can that be mitigated? And that goes beyond the applicant here, but these are valid concerns. That’s a tricky space anyway, heading up Scoville Road and that whole area, what is being done? Is anything being planned, especially in light of this development?

Yeah, I guess, what I can confidently say is all the different city stakeholders, involve the city’s traffic engineer, public works department, have all reviewed this application and provided comment. I do know that there’s other projects going on in that area. I can definitely take back some of the comments that I’ve heard tonight and get some further clarification from both the city traffic engineer and the public works department to more specifically address some of the traffic concerns in the specific intersections that were mentioned.

Yeah, we do a staff-level look on a routine basis, especially as new growth happens in certain areas of town and the Redwood area is a good example where over time, you see those levels of growth and traffic really increase. And so it’s routine to look at those as growth happens because the law is set up primarily around the impacts of just one development. So if one development is going to cause the need for a traffic light, for example, then that developer would have to put in a traffic light. But legally, the city can’t say, “Go and make all these improvements because we think that those are going to happen.” It’s all based on, as Justin said, the traffic study specifically to that development, but it is part of our responsibility as city staff and as a city as a whole to be looking at the cumulative impacts.

And so I think tonight, we heard some good points about over time, there have been increased impacts. And so I think there’s nothing, as Jason said, on the books today that’s a funded capital project that we can point to and say, “In 2024, this is going to happen.” But that is a document that’s living and breathing and it can change. And so capital projects can shift from one part of town to another part of town, depending on impacts. And so that’s usually looked at after the development is done and it’s operational and you see things. That’s not to say there won’t be some requirements that the [inaudible] may want to put on, especially related to signage at that Scoville-Scenic intersection, or the Scenic... That area.

Mr. Nelson.

I had a question. Justin, in regards to pedestrian walkway, where is that exactly from that side?

The pedestrian connectivity route to the right of way?

Right.

Can you pull it up on your-

Getting across the freeway.

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Are you asking how would somebody like... Because they're going to be installing sidewalk, but it won't have connectivity down into town?

Oh, I believe someone out there mentioned that there was a walking way to town?

No. [inaudible].

So there is no connectivity into town from this site? Okay.

Right. There will be a portion of the entire frontage of Greenfield that will have some sidewalk and other portions not have sidewalk. The purview of the development code for this project is just the frontage of the property boundary.

Other questions to staff? So I have a question. Did you say at the beginning of your presentation that you have a slide showing us the two possibilities for continuing?

Mm-hmm (affirmative).

So here's our options. We can continue the public hearing itself, or we can close the public hearing and keep the record open. Does anybody have a preference? Commissioner Nelson.

I would be happy closing the public hearing, but keeping the record open. Simply, I think we've heard most of the concerns from the neighbors abutting up to this property, but I'd like to be sure that we've got this notification. Or is there going to be notification sent in a broader area?

So the ordinance doesn't require that. If you wanted that to happen, we could, but bear in mind that you only have the seven days. And so that would really not provide-

Wouldn't get too much time then. My preference, and I don't know how the rest of the committee feels, but would be just to close the public hearing, but leave it open for additional comment.

Is that a motion?

That would be my motion.

I need a second.

I second it.

We have a motion and a second to close the public hearing and leave the record open. It's for seven days. Correct. And then the applicant has those seven days to... Okay.

Yeah. The items that were submitted tonight, both to the commission as well as by people here on the record, we'll put on the agenda center section of our website. They'll be uploaded tomorrow, but we can also email those to anyone who signed up in the back. There's a sheet back there. And then of course, the applicant will receive that. Since the record's open for seven days, that's new information that was just submitted tonight. So that's one of the reasons that it's continued so that there's time to look at that new material and comment so that then the

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commission will get all that. And then we'll receive the applicants, any new information they want to respond to that, so that you have that when you meet again.

Thank you very much. You people in the audience who bothered to come tonight, thank you very much. Did you hear him say to make sure your name is on that sheet back there before you leave? Okay. Mr. Nelson.

Now, would that include some additional traffic impact information? I'm still a little confused on whether or not we can impose on this site particularly, or this project, but I'd like to have a little broader understanding of what potential could be out there, particularly with intersections and so forth.

Sure. No, I mean, we'll send you a copy of that section of the master transportation plan. Yeah.

Does closing the hearing and keeping the record open mean that we have to schedule this for a date certain?

Yes. Yes. You definitely want to put a date certain on that.

Can we-

... which typically, it's your next meeting. By code, it's your next meeting.

Okay.

I mean, that's-

So how is our schedule looking for the next meeting? Is there room for this, is what I'm asking?

Did you bring the... I think we have one. So there's room. Yeah, yeah. Absolutely.

Great. Great.

This would be first.

Okay. So we have a motion to close the hearing and keep the record open. That's been seconded. All those in favor say, "Aye."

Aye.

Anybody opposed? All righty. Public hearing is closed. Thank you all for coming. We appreciate that. All right. I'm going to head back to the agenda.
MOTION/VOTE

Commissioner Nelson moved, and Commissioner Scherf seconded the motion to close the public hearing, but leave it open for additional comment. The vote resulted as follows: “AYES”: Chair Heesacker, Commissioners Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: Vice Chair Collier and Commissioner Aviles.
The motion passed.

Alicia Howard is now exiting.

And commissioners, we're going to have hot mics for a while. There's people still online. First item is election of chair and vice chair. Do we have any nominations for the chair? Commissioner Nelson.

I'm going to make it easy. My motion, if the rest of the group is amenable to it, is I would move Eric Heesacker for chair and Mark Collier for vice chair, unless someone else wants one of those positions.

Can we do both positions at once in one motion?

Nope.

Sorry.

You can. It's called a railroad.

Could you please modify your motion?

All right. Fine. I would move nominating Eric Heesacker as chair.

Do we have a second?

I second.

Does anyone else want to be chair?

[inaudible].

All righty. All those in favor of keeping me in chair, so do you mind if you say aye?

Aye.

Aye.

Anybody opposed? Thank you all. Consider that a vote of confidence.
MOTION/VOTE

Commissioner Nelson moved, and Commissioner Scherf seconded the motion to nominate Eric Heesacker as Chair. The vote resulted as follows: “AYES”: Chair Heesacker, Commissioners Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: Vice Chair Collier and Commissioner Aviles. The motion passed.

Do we have a motion for vice chair, Commissioner Nelson?

I would move Mark Collier for vice chair.

Second.

Second.

And we have a second. All those in favor say aye?

Aye.

Aye.

Anybody opposed? All right.

MOTION/VOTE

Commissioner Nelson moved, and Commissioner Scherf seconded the motion nominate Mark Collier as Vice Chair. The vote resulted as follows: “AYES”: Chair Heesacker, Commissioners Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: Vice Chair Collier and Commissioner Aviles. The motion passed.

Takes care of that agenda.

No, I want to correct you a little bit. You should have called for, are there any other nominations? Are there other-

I should have. Sorry about... Are there any other nominations?

That's okay.

I think you have to retract everything and start over at this point.

Oh yeah.

Urban Area Planning Commission
Meeting Minutes January 12, 2022
Okay. I'm not-
All the way from the beginning.
I'm not doing that. I'm the chair. I have that off.
Well, now you're a dictator.
I love being up here.
You're in the right place.
All right. Public comment. I see two or three people online. Do any of you want to comment on anything that is not on tonight's agenda?
Where are you online?
Apparently not. Okay. Approval of minutes from December 8th. Do we have a motion?
I hear by move that we approve the minutes from-
Commissioner Tokarz-Krauss moves that we approve those minutes. Do we have a second?
Second.
Commissioner Scherf seconds. All those in favor say aye?
Aye.
Aye.
Aye. Anybody opposed? We have some good minutes.

**MOTION/VOTE**
Commissioner Tokarz-Krauss moved, and Commissioner Scherf seconded the motion to approve the minutes from the December 8, 2021 meeting. The vote resulted as follows: "AYES": Chair Heesacker, Commissioners Tokarz-Krauss, Arthur, Nelson, and Scherf. "NAYS": None. Abstain: None. Absent: Vice Chair Collier and Commissioner Aviles. The motion passed.

The next item is findings of fact from the landscape-related text amendments. Do we have a motion there for those findings of fact? Commissioner Nelson.

I would move the approval of the findings of facts for the arborist presentation that we had in changing our landscape-related plan.

*Urban Area Planning Commission*
*Meeting Minutes January 12, 2022*
Do we have a second?

Second. Tokarz-Krauss.

Commissioner Tokarz-Krauss seconds Commissioner Nelson's motion. All those in favor say aye?

Aye.


MOTION/VOTE
Commissioner Nelson moved, and Commissioner Tokarz-Krauss seconded the motion to approval of the findings of facts for the arborist presentation that we had in changing our landscape-related plan. The vote resulted as follows: “AYES”: Chair Heesacker, Commissioners Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: None. Absent: Vice Chair Collier and Commissioner Aviles.
The motion passed.

Matters from staff and commission members. Staff, what do you have for us?

I don't think we have anything tonight. Welcome to 2022.

Thank you very much. Commissioners, if you have something you'd like to say, please raise your hand. Seriously? All right. Well, I'll thank you once again for keeping me as chair. I'm having fun doing this.

I was going to say Commissioner Aviles did step up to help man the warming center, which was a big step up. The numbers reported by the paper apparently were higher than in reality, but it still served its purpose and it was nice to see her. She apparently works with UCAN. I've dealt with her on that basis and it was a good thing. So I would like to say thank you to her. I sent her an email, but if you haven't, it's another sacrifice of time.

Thanks for that reminder. I think I read something about that in the courier. Is that possible?

You possibly did. Yes.

[inaudible]?

Yeah. I think her name was in the paper.

Yeah, it's funny. They mentioned her as a planning commissioner. I don't know if they mentioned her UCAN role, but that was primarily why she was there. So anyway, it's a good thing because that's certainly time.

That was very nice of her.

Urban Area Planning Commission
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Yeah.

Anybody else have anything? Okay.

I did forget to say the city council starting next Thursday has their annual strategic planning workshop. So just let you know that as a result of that, there'll be a new strategic plan for 2022 and we'll bring the commission the results that are the high priorities that come out of that workshop so you can be aware of that. And Commissioner Heesacker will present your goals on behalf of you. So we'll keep you posted.

Can we revisit the chair election that we just had then? All right. Hopefully, I'll be prepared for that. Anything else? We are done tonight. Thank you all for coming. (Silence)

Eric Heesacker, Chair
Urban Area Planning Commissioner

1-26-22
Date
URBAN AREA PLANNING COMMISSION
Meeting Minutes – January 26, 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)
Donna Rupp (Associate Planner)
Ryan Nolan (Contract Principal Planner)
Gabby Sinagra (Assistant Planner)

Guests:
Wade Elliott – Assistant Public Works Director
Justin Gerlitz – Gerlitz Engineering Consultants
Bruce Wiznap
Scott White

Roll Call:
Commissioner Arthur.

Here.


Here.

Introductions:

Staff, any introductions? I’ll take that as a no.

Public Comment:

Item three, public comments. This is an opportunity for the public to address the commission on items not related to a public hearing or action item on the agenda. The intent is to provide information that is pertinent to the city’s jurisdiction. Each speaker will be given three minutes to address the commission as one body, not to individuals. The commission may consider items brought up during this time later in our agenda during matters from commission members and staff. Anybody fit that bill?

All right, no one’s raising their hands.

Approval of Minutes:

We move on to item 4A, approval of minutes from the last meeting. Do we have a motion? Any amendments? Commissioner Nelson.

Mr. Chair, I would move approval. Although I don’t know if we need all the prior dialogue to six o’clock on there.
Do we want to strike it, is that what you're suggesting?

There are some comments that you made, that you may want to keep in there.

That I made that we don't want to keep in there?

No, it's fine.

Okay, so there's a motion to approve the minutes as written. Do I have a second?

Second.

Commissioner Arthur seconds. All those in favor, say aye. Aye.

Aye.

Aye.

Anybody opposed? Any abstentions?

I have to abstain.

Two abstentions. Thank you. Did you guys get the abstentions were Commissioner Aviles and Commissioner Collier.

MOTION/VOTE

Commissioner Nelson moved, and Commissioner Arthur seconded the motion to approve the minutes from the January 12, 2022, meeting. The vote resulted as follows: “AYES”: Chair Heesacker, Commissioners Tokarz-Krauss, Arthur, Nelson, and Scherf. “NAYS”: None. Abstain: Vice Chair Collier and Commissioner Aviles. Absent: None. The motion passed.

Informational Items:
Are there any informational items from staff?

Findings of Fact:

Item six, [inaudible], we don't have any of those.

Continued Deliberation:

a. 201-00410-21 – Greenfield RV Park Major Site Plan Review – Staff Report

Item number seven, continued deliberation. Project 20100410-21 Greenfield RV Park, major site plan review. The public hearing on that is closed. It's my understanding staff is going to walk us through a couple of things here and then we can begin deliberations.
So, you’ve all received the document that I handed out in an email that’s the applicant’s rebuttal to additional testimony received while the record was left open for an additional seven days, but just for the record, that’s now exhibit 31, made part of the official record. So as Chair Heesacker mentioned, this is continued deliberation. The actual public hearing on this site plan review was closed on the 12th. However, based on a request from neighboring property owners, the board left the record open for seven days. An additional comments and testimony were received from concerned property owners and then an additional seven days was provided to the applicant to respond to that. So, no new testimony or information is to be part of a deliberation once the public hearing is closed, but I’ll just kind of go through a kind of brief analysis of what we received as far as additional comment.

So again, a reminder, this is property at 420 Northeast Greenfield Road, and it’s a major site plan review related to a proposed RV park. So, the city received written comments from 11 neighboring property owners opposing the development. Some of the concerns included: concerns about safety, crime, protecting the existing views, describing that it’s not an appropriate use for a residential neighborhood, concerns about lengths of stay requesting that they be limited, the historical significance of trees and structures on the site, concerns about traffic congestion, directional signage, and the issue of no turnaround if RVs were to the appropriate entrance, issues of noise, smoke, exhaust, and light, opposition to the specific storage units proposed, concerns about vermin control, a request for a wider buffer and additional or alternate plant materials for that buffer and a concern about using an existing encroachment on county property on the east edge of the site.

Additionally, the city received two petitions, one with 17 signatures and one with 15 opposing the development and one of the petitions specifically asked that the city extend or reopen the public hearing to allow more input from neighbors. So, the applicant responded and as you can see, there are several concessions that they have agreed to add to this development. They’ve stated that they will work with the city and ODOT to install proper directional signage. They’ve included in the exhibits, a response from their traffic engineer to some of the comments made by the neighbors. They’ve also agreed to extend the fence on the north and east side to a total of eight feet and a six-foot-tall fence with lattice on top and to widen the landscape buffer to 10 feet along the north and east property lines.

They’ve also agreed that they would not allow fire pits at individual RV sites nor generators. They also discussed relocating trash bins away from the property on the north edge and describe that they would use low silhouette lighting that’s downward directed and shield all lighting to prevent glare and also added they would have 24-hour maintenance and video security.

So, staff’s response to this to help clarify the staff report for the planning commission, as it was indicated in the staff report, we still feel that this is a permitted use in the zone, it’s general commercial, and that with the conditions in the staff report, all the criteria have been met. Staff report has been slightly amended following the first hearing in relation to the preexisting encroachment on the east side. That would state that no uses are approved offsite, not "of," and all buffering or fencing shall be on the owner’s property. There was a question from one of the planning commission members specifically about the city’s transportation system plan and if any impact from proposed improvements might affect this area. So just to clarify, there’s an image showing several future street planned projects. We have tiers of projects. Tier one are projects that in the next 20 years, we believe will be funded and hopefully will be completed. Tier two are projects if we had 150% of our expected funding, we would start to work on, and
tier three are the projects we would start next after we've exhausted all of our funding and gone through the 20-year plan. We have one tier two project, which would connect Greenfield to Hillcrest Drive. Again, that would happen past more than 20 years out if we had 150% of our expected funding, hopefully, and then the tier three project would increase the width of Scenic and Scoville and build those out to, at least these sections, to a full city street.

With the applicant's rebuttal, there are a number of conditions that the planning commission may wish to add to this. That would be an amendment to the staff report, potentially increasing landscape buffer, as they've agreed to along the north and east property edge, prohibiting fire pits, generators at RV sites, some more detailed language about lighting, requiring low silhouette lighting and downward shielded lighting and requiring 24-hour staffing and continued video surveillance. With that, if there are any clarifications that staff can help make, we'd be happy to. Staff recommends that the planning commission approve the major site plan review subject to the amended conditions in the staff report, and then potentially including any additional amendments you'd like to make amendments potentially related to the concessions made by the applicant or others that you feel appropriate based on the criteria.

Thank you, sir. Questions of staff?

I have a question.

Commissioner Collier.

After reading the packet, and the additional comments, and the proposed additional comments, is there any reason to reopen the public hearing to take additional, additional comments?

There has been a request from some neighbors. They have voiced their concerns. Their concerns were the traffic noise, the development next door, so that's a judgment call for the planning commission. If there's something additional you feel you need to determine whether or not it's met the criteria, you could reopen the public hearing, but if you have all the evidence needed to know if it does meet or can meet the criteria, not requiring to reopen the public hearing.

Are you making a motion?

No, because everything that's been mentioned, that I was looking for are the subject matters that were presented in the signatures and the additional comments covered in this and it sounds like they have been, so I'm not moving to or reopen anything.

Okay. Are you, you're making any kind of motion at all? Any other questions for staff? Looks like you're off the hot seat for now. Before we begin deliberations, we do need a motion. Commissioner Nelson.

Excuse me. I would move approval of this project as proposed at this time.

With the extra conditions?
Well, I had a question. You had a mention of the lighting, but I don't want to make the motion yet until I had an opportunity to clarify something he was talking about with the lighting. I guess I do have an additional question.

Go ahead.

When they're talking about the glare from lighting and so forth, if this project or any project was to go forward and they were to add in side streets or even put in roads for a project at this site, would they not have to have lighting?

Additional public city streets or private streets need street lighting. Any lighting that's proposed for commercial development or even residential is required and this staff report includes required to be downward directed, to avoid glaring directly into neighboring properties.

That's what I thought.

It was already conditioned governing kind of onset your own lighting and to answer your question, if they added a street, they would be required to install streetlights.

Well, they have streets to each of these sites and the sites would have what type of lighting?

So, we don't have standards for specific wattage, et cetera for onsite commercial lighting. We would for a public street that would be per specific power standard, so they're proposing that all lighting at the RV space be low silhouette lighting and shielded to prevent glare to other properties.

And that's what we would hold them to on that.

Correct.

Okay. Then I'll just make the motion.

So, are you going to stick with your motion?

Yeah.

Commissioner Collier, do you have a question to staff?

I was to go for the question on generators and how you enforce that because RVs are rolling in and out and in and out, then all of a sudden, somebody fires up a generator and then a neighbor goes, "Well, generators aren't permitted," then they make a phone call. It just seems amorphous.

Commissioner Nelson.

I was thinking that, but I thought, why would anyone fire up a generator where I can plug in my RV? And why would I need a dump station when all I have is each site has its own sewage hookup. I mean, there was one comment about that. Each site's going to have their own sewage hookup plus electrical outlet for lighting or electrical purposes in the RV.
You have a dump station on site for the people that use their toilet in transit.

Once you hook up, you can flush.

Yeah, I know. But when you're driving from point A to get to this place, sometimes they'll use the bathroom on the road and then they'll have to flush their tank before they hook up to their RV site.

Why?

It's just a courtesy in most RV stations?

Oh, I never had problems.

I guess that back to my generator question was how long are you going to let someone run a generator? Who's going to police that?

Well, usually it's written in the RV guidelines when you actually... And the only reason I'm answering these is because I frequent RV parks. Usually, you have a noise ordinance that you have to abide by. Most generators in RVs are shielded and have a decibel range below what you can really hear. If you have electrical hookups, then usually the RV park will have stipulations on between hours X and Y, dusk to dawn on, you can't run that generator even if the power goes out, da, da, da, da, da. So, I think it's written in the rules and regulations of a regular RV park.

I would just offer that the applicant has stated they're willing to make that a condition for any tenant of the RV park, so initially the applicant and the manager would be responsible for that.

More questions? Did you want to clarify your motion please?

I was trying to read the nice language and I lost my place on it. I would move approval as for the site as submitted with the conditions stated in the staff report.

With these four extra conditions up on the screen. Yeah? All right. So now we have a motion, do we have a second?

Second.

Commissioner Collier seconds. Okay. Now we're open for deliberations. Any commissioner questions, statement? All right. We'll move on to a vote. I can take a roll call. Commissioner Collier.

Yes.

Commissioner Nelson.

Yes.
Commissioner Aviles.

Yes.

Commissioner Arthur.

Yes.

I'm Eric. I'm voting yes. Commissioner Tokarz-Krauss.

Yes.

Commissioner Scherf.

Yes.

MOTION/VOTE

Commissioner Nelson moved, and Vice Chair Collier seconded the motion to approve 201-00410-21 ~ Greenfield RV Park Major Site Plan Review as submitted with the four extra conditions stated in the staff report. 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. Thank you very much. We're done with that item. The RV Park has been approved.

Public Hearing:

a. 101-00140-21/301-00144-21 ~Pemberley Meadows Subdivision and Variance PC Staff Report

Next item on the agenda is a new public hearing item numbers 101-00140-21/301-00144-21, Pemberley Meadows subdivision and variances. All right. I should have dug my rules up before. At this time, I will open the public hearing to consider an application filed by... I am never prepared for this. Filed by the applicant, but I'm trying to find the applicant's name. Christo Arnette, and Brad Orton.

Page 137.

Thank you very much. I can't even find my page numbers on here. All right, I'll take your words for it. Thank you very much. Christo Arnette and Brad Orton 2599 and 2603 Williams Highway.

The application is for 10 lot subdivision, but not all 10 lots are being proposed at this time, right?

They are.

They are.

They are, but there's extra ones for the future. They showed a build out plan. [crosstalk] Here you go. Thank you very much. We'll begin the hearing with the staff report followed by a
presentation by the applicant, statements by persons in favor of the application, statements by persons in opposition to the application and an opportunity for additional comments by the applicant and staff. After that has occurred, the public comment portion will be closed, and the matter will be discussed and acted upon by the commission. Is there anyone present who wishes to challenge the authority of the commission to hear this matter?

Nobody's raising hands. Do any commissioners wish to abstain from participating in this hearing or declare a potential conflict of interest? Nobody's doing so. Are there any commissioners who wish to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding this application? Nobody's indicating such. In this hearing, the decision of the commission will be based upon specific criteria, which are set forth in the development code. All testimony, which apply in this case are noted in the staff report. If you would like a copy of the report, please write that on a note to staff and one will be provided for you. It is important to remember if you fail to raise an issue with enough detail to afford the council and the parties an opportunity respond to the issue, you will not be able to appeal to the land use board of appeals based on that issue. The hearing will now proceed with a report from staff.

Good evening commissioners. My name is Jason Maki, I'm an associate planner here with the city of Grants Pass. Tonight, the project I'm going to be presenting is Pemberley Meadow subdivision and major variances. The project number for the subdivision approval is 10400140-21. And the variance request application number is 3010014421. I just want to kind of take a look back at the timeline of this project and just make you fully aware of how this has evolved. In October of 2017, the applicant requested review of a subdivision and variance request, project numbers listed in the presentation. The application was subsequently approved through a UAPC decision shortly after submission, that was later revised through a minor modification process to allow for an ADU on the existing single-family home that is on one of the lots. Development permit in October of 2018 was issued for that minor modification. There was two development permit extensions requested and approved. Unfortunately, those extensions expired making the application itself expired. The applicant later came in to submit a new application for review in September of last year. Due to some conversations with staff and the applicant, the applicant requested that the hearing be continued to a date uncertain, so you did recently see this on an agenda, but there was no deliberation. At that point, the applicant did submit a revised site plan at the end of last year, and now we're here today to discuss that revision. The applications include three variance requests. One is for cul-de-sac length that exceeds the standard as defined in the development code. The other is for private street standards related to the sidewalk and private street buffering. We'll talk a little bit more in detail about each of those. The subdivision tentative plan, it includes three parcels with a total of 8.62 acres. They are proposing 10 lots as part of the approval for tonight. It does include a future development plan, which we'll talk a little bit more later in the presentation. The zoning of all three lots is R18, which requires a minimum 7,000 square foot. The zoning, the intention of the zoning is single family residential, which is what the applicant is proposing. There is three parcels long east-west orientation lot here with a 25-foot flag lot that takes access off Williams Highway.

PART 1 OF 4 ENDS [00:23:04]

... lot that takes access off Williams Highway, another similar lot just to the north, and then this little, small lot here, which functions as a flag for access. It's actually not to standard for our normal frontage requirement of 20 feet. It's 15 feet and we can go into a little bit more detail about how that relates to the subdivision. This first picture here is looking at the southern
access, the flag that is connected to the south lot. It has a width of 25 feet and the picture on the right is taking a look at the 15-foot wide, small flag lot on the north part of the property.

Just a few details about the site. The Eastern portion of the lots are in a combination of class A and B steep slope. There was a condition in the staff report that the commissioners received calling out the fact that the applicant needs to submit a geotechnical report as part of an A-list condition. Since the issuance of the staff report, staff has received from the applicant a geotechnical report, so staff considers that A-list condition satisfied. There is a GPID canal that runs along the western portion of the property.

They didn't send out the link for the meeting.

Sorry, was there a question for staff on the phone? There is an existing single-family home with ADU on tax lot 900, which is the northern lot. Just wanted to call out the fact that the lots are identified in the master transportation plan for the future construction of Coach Drive. It's a little difficult to get a sense of it here, but this is the area of town that we're talking about. Here's where you can see the dashed line indicates the future construction of Coach Drive.

There are three variance requests. The first is for cul-de-sac length. These are a type of dead-end local access streets. Cul-de-sac streets shall be as short as possible and shall have a maximum length of 400 feet in the slope hazard district, which these lots are within that district and 250 feet in all other areas, unless a variance is granted by the review body. The new street, including the temporary connection will have an overall length of 650 feet as measured from the curb face on Williams Highway to the center of the Hammerhead turnaround and you can find the applicant's full response on exhibit five, but it's page 163 in your packet. Staff does acknowledge that base development code standards do not address the historic development patterns of the surrounding area or the topography challenges and their impacts on development of the subject site.

The second variance request is we have two classifications for private streets. For private streets that are going to serve up to 10 dwelling units requires a minimum street width of 22 feet with a curb width of four feet. Because of the narrow flag, the applicant is proposing to relocate the sidewalk to the northern flag. There will be a 22-foot portion of street paving on the southern flag with the sidewalk functioning as a pedestrian access onto the northern flag. Again, staff agrees that the base development code standards do not address the specific development patterns of this area.

The third variance request is standard code requires that private streets be buffered five feet from adjacent property lines. Because of the narrow flag and the requirement of the 22-foot wide, there's just not enough width of the flag satisfy those requirements. Similar to the other variance requests, they're all sort of connected or correlated with one another. Staff agrees that base development code standards do not address the historic adjacent development patterns of the subject site.

This is a screenshot of the tentative subdivision plan. These full-size plans can be found at the back of the packet. There's going to be eight smaller, pretty to-standard residential lots to the east and then two larger lots that are going to be proposed for future development, which are indicated as lots three and 10. Then, again, you can see the dashed line indicating the future location of Coach Drive. We don't typically focus heavily on the future development plan approval section of the code, but I will go through a few things just because this is one of the
more significant future development plans that we've received recently for a subdivision. Code section 17.52 states that whenever property is proposed to be partitioned or subdivided and there is potential for additional partitions or subdivisions of the property, in accordance with the provisions of this code, the partition subdivider shall submit a future development plan for approval, which the applicant did provide, which is here. You can see additional lots being proposed both on the north and south parent parcels.

There is some criteria for approval for a future development plan and it states that the proposed future plan allows the properties to be further developed partitioned or subdivided as efficiently as possible under existing circumstances 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. There's also some conditions that the hearing body can require for the approval of a future development plan. And those are stated here. I won't go through each one of them. One of the kind of standout conditions is an A list condition related to the future development plan. Staff is proposing a revision to the staff report, which strikes an A list condition 2A which general restricted access to lots three and 10 in accordance with the list of conditions that we saw in the previous slide. Instead, staff is recommending the revision to include the conditions that you see bolded and italicized here.

Jason. Yes. So, I just wanted to point out, this is Brad Clark, so you don't have what Jason is showing up here in your packet. This information came up as a result of communications between staff and the applicant. Justin Gerlitz, the applicant's representative after getting the staff report, talking about the conditions, and then going back and forth. We just wanted to make sure that you were aware of what we have talked about. There's lot of back and forth. I should also point out that we have, I believe, Wade. Are you with us, Wade, on the phone?

Yep. I'm here.

Okay. We have Wade Elliot as the assistant public works director who's on the phone with us tonight as well. There's a lot of crossover when we're talking about extension of Coach going through this property between public works, the transportation plan, and what the development code would require. Frankly, there's two sections in the code that you can take into play with this issue. There's just a lot going on with it, so I think it's an important piece for the commission to spend some time on tonight. I think we need to let the applicant give their full testimony, but what you see on the screen here is a result of a conversation that I had with Justin Gerlitz prior to tonight's hearing that we came to agreement on but wanted to make sure that the commission has the chance to look at this, so maybe you could.

Did we print this slide out for the commission?

No.

Okay. Maybe we can leave that up and also, I can go get you a copy, so you can refer to this as the applicant is giving their testimony, so you can have a chance to look at it further.

Yeah. Actually, that might be a good idea if there's some other folks on the phone. You want to just maybe read those Jason?
So, the revised condition would read, "Submit two copies of a revised future development plan at the community development department indicating the following: as listed in the public work staff report, the applicant will provide a design for Coach Drive where it crosses the development property to ensure it is feasible to construct in the future. Based on the final design location, the applicant will dedicate a future roadway easement across the future right of way, accounting for slope easements if needed. This easement will be non-buildable.

"Subsection B. Pemberley Lane will be extended 20 feet into lot 10 to provide legal frontage for utility services. This extension will utilize the future Coach Drive design to make sure roadway grades and utility stubs are at correct locations. Subsection C. Any single-family home to be constructed on lot three and 10 will be a minimum 140 feet east of the future Coach Drive ride of way per the future development plan. This will preclude construction on future lots, 11 through 12 and 18 through 19.

"Subsection D. If the applicant desires to construct a single-family home on all 10 lots, the existing accessory dwelling unit on lot one will need to be decommissioned. That's related to the fact that the private street can only support up to 10 dwelling units. Subsection E. Coach Drive improvements will be required at the time of building permit for the 11th dwelling unit and or any land division of lot three or 10, essentially moving forward with the future development plan will require the construction of Coach Drive."

One other revision to the staff report, which is related to the slide previously. In the criteria, it was stated that a condition of approval, it requires an easement for the future Coach Drive right of way. This is an important part of this future development plan, so just to ensure that this is being captured, staff is recommending a revision to include it in the A list. There was a couple of relatively minor typos, I suppose, in the public works memorandum, which are being suggested for revision. The first is 3A related to Grant's Pass Irrigation District. The current condition is explicit in saying that no storm water shall discharge into the irrigation system. After talking with Don Miller, the superintendent, he is agreeable to having some broader language that just says, plans must comply with standards as required by GPID. The second revision is related to sanitary sewers, I think is just a typo. The previous memo said the sewer applicant is proposing to extend public sewer made through private sewer lateral up to the project, but that should read private sewer easement up to the project. Staff is recommending the approval of all three variance requests, as well as the request for the 10-lot subdivision. Kind of threw a lot at you tonight, so if there's any questions for me, I'm happy to go into more detail about the future development plan and how that relates to this project.

Mr. Nelson, just to clarify, Pemberley Lane remains a private road, and so how do we propose Coach Drive goes through? Is that common having two connections? In other words, one going to Williams one now on Coach.

Yeah. So, at the time that Coach Drive has interconnectivity with adjacent right of way, then the current temporary private street section will be abandoned for a pedestrian access.

You're talking about that other one, I guess it's to the south.

Yeah. Let me pull it up here. Until the time that Pemberley Lane has interconnectivity with adjacent right of way, it will be privately maintained, but it's built to a local access standard. So once it has interconnectivity, then the city will take ownership of it.
Okay, because you said it was private, I was getting a little confused there.

Yeah. So, there is this portion to the west that will always remain private-

Ah.

... due to the fact that it's not built to a local access standard, but the section that is built to that standard, once the time comes that there is interconnectivity, then the city will take ownership of it, but until that time it'll be privately maintained.

Other questions to staff?

Do you have the slide to show that whole connection of Coach Drive and how far away the north and south connections are? Because it looks like it'll be quite a while before...

You just passed it.

Yeah. I tried to capture all of it in this shot. To the north here, you can see Curtis Drive and to the south, you can see the existing dead end of Coach Drive.

I thought there was one that was actually transportation plan that showed-

Yeah, it's a little hard to really see more granular. This is the best that we have as indicated on the master transportation.

I know. We've spent a lot of time trying to get all those connected through there off of Williams Highway to have a north-south connector. It's still a long ways away, but it's a good idea to have that dedicated and hold that. There was one other item I thought about. We talked about it a little bit at the time that we approved the pedestrian access being on the northern most east-west. I don't know what you call that. Is it a street or...? The 15-foot wide one.

That was five years ago and since then, there have been several subdivisions that had future road connections, but not immediate ones to provide a second egress from a subdivision in case of wildfire. I'm thinking of the one on F street, particularly where we asked to have an emergency exit provided until such time as there was another way out. I'm wondering if that would serve that purpose. We talked about it a little bit at the time, but since then, we've become a little more concerned about having that. It's not a big, because it's not very far away, but in case there's any blockage or problem with the lower one, it is another choice. I was wondering, is there a vehicle bridge now across the irrigation ditch or not on that northern 15 foot.

I'll defer to the applicant on where they're at in the construction. I'm a little bit more familiar with the southern flag lot.

Right. Well, I know that there's got to be one down there, but I just wondered if there was an old one left from access to that lot one up there.

Yeah. I could speculate, but I'll let the applicant speak to it.
Yeah. Maybe it wouldn't be necessary to have a vehicle exit, but at least a pedestrian escape route, which you have, if you have that being the pedestrian connection. Anyway, Justin can address that.

Other questions to staff? Did I cut you off? Do you have more questions? Marie, no? You're done?

Yeah.

Okay, I have a question. This future development plan that keeps throwing me. I'm looking at it right now and I'm seeing lots 14 and 21. Am I correct in assuming those lots will never be developed because they're so steep?

We do have a lot of homes go on very steep slopes, so with enough engineering, I would say anything's possible. Not being on the building side of things, I would be speculating again, but we have home sites go on very steep slopes.

Okay. Thank you for that. Anybody else, questions of staff? All right, applicant, come on forward and make your presentation please. Name and address, sir. We never see you here, so we like to know those things.

Evening commissioners, Justin Gerlitz, Gerlitz Engineering Consultants, 223 Northeast B Street here on behalf of the applicant tonight for Pemberley Meadow subdivision. I'll get the PowerPoint loaded up here. Here we go.

All right. So, I think maybe only Commissioner Arthur might have been here when we did this project originally. So, this was a project that was approved and actually started construction. I'll go through some details on that when we did the project, but due to various reasons of the applicant, it was delayed and then the approval expired, so we're here tonight to kind of renew that. With that comes a few minor changes more than anything. A lot of that to ensure what Jason was just talking about for future development and making sure that that could happen when the time comes. It is a 10 lot...

PART 2 OF 4 ENDS [00:46:04]

Sure, that that could happen when the time comes. It is a 10-lot subdivision right now, physically square footage-wise, it's big enough for 51 lots, but as Commissioner Heesacker just asked, the upper portion of it, of those larger lots is very, very steep and access would be very difficult to achieve up there without going through other properties above. It is going to be developed with similar homes, probably with a similar builder. The site does have... Excuse me, limited access as mentioned. And that's really one of the reasons that all these different private and public street items have come up tonight.

This is a kind of an overview showing the project, Coach Drive is to the north, Wagon Wheel and stubbed to Coach Drive has actually been built to here, this is an older aerial photo. So, we're two properties away on Coach Drive to the south, and one property away on the north side. My guess is the north property is probably the most likely to develop first because it is kind of a larger subdivision piece, so there is the potential that one project could make that connection. One thing to note in this image here is, Wagon Wheel, which is similar to Allenwood
to the south, and similar to McKenna Trail, which is in the same vicinity, they were all set up in a similar fashion. So, Coach Drive would eventually be the frontage road, and the connection to the State highway is the temporary connection today.

So, Wagon Wheel as you can see here, has a cul-de-sac bulb right on the highway. Allenwood is exactly the same way further to the south, and I believe both of those subdivisions had conditions that said, at such time Coach Drive connects through those entrances would be closed, which is similar to what we're proposing today. This is just a zoomed in photo. There is an existing home and since more recently, constructive accessory dwelling unit here. There is some small structures on the property, on the south property here that are all going to be removed. And then you can kind of see here that treed area that's really thick up here, is that steeper slope above the property. These are just some site photos, some older site photos, when we did the project originally. You can see here looking up the property, it's mostly undeveloped, up until that tree line, there's just a handful of trees.

This is one of the existing small structures that'll be removed. And then this is just standing up top kind of looking back towards the highway, through the main body of the lots to be developed. As asked by commissioner Heesacker, this is the existing vehicle bridge that goes over the irrigation canal on the 15-foot flag lot. So, that will remain in place, although it won't be used as a primary access for the project. These are some photos of the canal, this is the canal before it was fixed up and improved, it was actually in pretty bad shape when we started this project, a lot of the concrete was cracked and broken. And since then, I'll show you some photos here, it has been improved substantially. This is the 15 foot flagpole from the highway down below, and this is the neighboring property owner's driveway next to it, they kind of parallel one another.

This is standing in that driveway, looking back towards New Hope Road there. And then this is looking the other way down the highway, which all has sidewalk improvements, currently. This is actually a picture from today, very frosty this morning. This shows what improvements have been made there since the project was originally started, that included the subgrade, the rock that was built up to the irrigation crossing, and if we look back here, an irrigation culvert was constructed as part of that project, it's going to have eventually some bridge rails across that for protection, for vehicles and driving in there. You can kind of see some rebars sticking up there, so they just haven't been constructed yet. And then the irrigation canal has been significantly improved, the irrigation district kind of is part of this project, it's kind of their own project as well. Fixed all those broken panels, picked up the actual elevation of the top edge of this thing, which has had some flooding issues in the past, it looks a lot better today.

And this is that temporary private street kind of coming up from the highway into here, and I'd be standing right about where the cul-de-sac is going to go. And this is what some of the grading that occurred up the hill as part of the original construction. As Jason went over, we're kind of focusing on the lower portion of this project right now, most of that's the limitation on this temporary private street of 10 lots. The applicant does have the desire to further develop this as time goes on, but again, we're at the mercy of the neighboring developments occurring, who goes first. So, this is just one of the vital pieces in the middle, and we're really spending some time with the city staff to try to make sure we accomplish the ultimate goal of having that road go through.

This is kind of a zoomed in version down below showing the existing house. So, these are lots, standard for this area, the R1-8 zone, we don't do a lot of R1-8 development these days. So,
these are 7,000 square foot minimum lots, road running down the middle. And as mentioned, the goal here is Pemberley Lane will become a public cul-de-sac street, but because there isn’t public access to that cul-de-sac street today, staff would like to have it as a privately maintained street all the way through until such a time, it connects to Coach Drive. So, we’re going to be working with the city engineering division to design this, inspect it, just like it’s a public road, all the utilities, all the connections. So, when Coach Drive does go through, they’ll have all the records associated with the fact that this is a publicly... They can adopt it into their system.

Down here, this is kind of zoomed in version here, you can see we’ve already constructed the water line from Williams Highway up to the cul-de-sac, we’ve built that private street road minus paving. There is a public sewer main that’s stubbed into that 15 foot flagpole, so the sewer main will continue up that flagpole and into the development. And that’ll serve basically everything uphill of this in the future, potentially including the neighboring developments. The cul-de-sac again, street profile, this is the steep slope cul-de-sac section, because we are in the steep slope area. So, it will be constructed to that public standard in its entirety, up to the cul-de-sac bulb. The private street, which is this little piece right here fits in between the flagpole that’s there today. It will be constructed to the same standard for a private street for 10 lots, except for that sidewalk that’s usually attached to it is being moved over to that 15 foot flagpole.

That flagpole, because there’s a sewer main in it, a smaller one, also would be graveled to its full width, the full 15 foot width, and that allows sewer maintenance vehicles to get out there, and potentially if there was an emergency, a vehicle could drive across that bridge and drive down it. These are the same conditions that Jason listed, so I won’t spend time going through them, but again, we kind of agreed to a format for those upper lots where we can ensure that that future road could be constructed, and nothing would be constructed in the way of it.

And here are those upper lots right now, so this is how they will sit when they’re developed in this first phase. And then we get into the future development plan. Lot numbering is a little confusing on here, we try to renumber them for the future development, which shows that ultimately there’ll be a total of 21 lots, we anticipate, when Coach Drive is built and this project developed in its entirety. The owners of this project, we have two owners, are looking to probably develop a single-family home on these larger lots. And as commissioner Heesacker commented, the home will probably be at the base of these lots, and then the hill above will likely just stay forested for the long-term future. This is just a zoomed in version of that. We anticipate this upper portion will probably be a private street once Coach Drive is built, and then Coach Drive will run through here within that easement. As included with most projects, we have a steep slope erosion control plan which is in your packet, this is just an image of that. This hatching here is denser, up here is the steeper area, the hatching down here is what’s considered the lower class of steep slope below, which is where the project’s happening. Also included is a tree plan, is included with any subdivision showing, we have plenty of trees, plenty are going to remain, and then we’ll replant for each new lot development.

I’ll zoom back in here just as... in closing, and I think there was a couple questions. One of the corrections Jason, that had been made for the sewer easement, I think it still said private, it’s actually going to be a public sewer easement. If we can make that correction. And again, there is a bridge there, commissioner Arthur had asked about the potential secondary access, and yes, there will be a potential secondary access that will remain there as part of the project. Variances, one of the things on these variances that we’re requesting tonight, they’re very, very specific to this very awkward configuration, that has been there for a very long time. One thing to know that’s important though is, the variances that we’re requesting now are only for this.
temporary access road, this private street that's going in today, once Coach Drive is built and connected up here, this private street will essentially go away, it will remain as just a water maintenance access.

And then when it comes to the length of the street, today, it sounds long. I think it's 600 and some feet, from the very bottom to the very top. Once Coach Drive is connected in here and connected back to this cul-de-sac and this is closed, the length of that cul-de-sac is only I think, 418 feet, which is only 18 feet longer than the actual allowed road length in this area. So important things to know. Again, one of the important things that are variances, is it the minimum required? Is it based on existing conditions and not conditions that the applicant created? And I think we can show that very clearly here tonight. Overall, we believe the subdivision and development, especially on the south side of town, there's very limited properties available to develop anymore within the UGB, is an important addition.

We are going to be creating nine new lots, with the 10th lot already there, with the house on it. So, traffic will be very limited onto Williams Highway, which has 11,000 cars a day on it, right now. It does provide a very good layout, again, with very good consideration and in coordination with staff, I think we've really set this thing up for what it needs to be for future development, with Coach Drive going through the middle. And with that, we're asking for approval to them, the subdivision associated variances. So happy to take any questions.

Questions to Mr. Gerlitz? Are you raising your hand? Anybody have questions for the applicant? Anybody else going to speak on your behalf?

Only if needed. Not right now.

All right. Looks like you're off the hot seat for now, thank you very much. Is there anyone who would like to speak in favor of the application? Is there anyone who would like to speak in opposition to the application? Sir, come on up to this microphone here. Give us your name and address and you have at least three minutes.

Okay. My name is Bruce Wiznap. I live at 2601 Williams Highway.

Hang on one second, is the red light on the base of the microphone? The other box there, the base of that microphone, is there a red light on?

Yep.

Okay. Thank you very much. Continue on.

I live at 2601 Williams Highway, just to the west of the cul-de-sac.

If you'd like, you can take your mask off [inaudible].

A few things we wanted to talk about, the road prep work was started before the surveying was finished by the surveyor who is, or was the county surveyor, the property line work was not in yet, and they used the steak that marked something else. It damaged our property, which they have made more or less correct, but the road that they've built, the temporary road coming up off Williams Highway going to the cul-de-sac, that road, the roadbeds are between seven and
nine feet onto our property, there is no retaining wall holding that road in, so the road is continually sloughing down and it's encroaching onto our property. There's water flowing out of their roadbed onto our property, and we've had to dig trench drains, trying to drain the water away from our house. What we're wanting on that side is to have the retaining wall put in and be given a time that that retaining wall we be put there. We were originally told there was going to be a retaining wall there, but since 2017, we've seen nothing, that's enough time to put a retaining wall in.

Also, on the other approval that we had back when we spoke on this originally, we asked for a fence to be put down the middle of the two driveways, their 15 foot driveway and ours is right next to it. As you saw in the pictures, we have an RV parked there, we have our garage right there, and having a public sidewalk going right beside our RV, right beside our garage, they approved and said, yes, it was reasonable for the subdivision to put a fence line in between the two driveways to protect our property from whatever. And I haven't seen anything or heard anything about that, and I wanted that to be brought up. And I think that's about it.

Thank you for your time, sir, much appreciated. Anyone else like to speak in opposition to this project? Same drill, sir. Come on up to the microphone name and address.

Yeah. My name's Scott White. I live at 2627 Williams Highway. I'm just concerned about the road. It just looks like it cut into my property, and I just want to get it surveyed by my own surveyor, which is going to be expensive, but I feel I need to do it. I've had about 20 people tell me; it looks like part of my property was taken for that road. If you can go back to the road view, if you can go pull up the pictures up.

Thanks, Jason.

This way.

Yeah, right there. It looks like they changed the encroachment and everything, and they took about five foot on my property and chopped the corner off right there.

Are we looking at the left photo or the one on the right?

The one on the left.

Okay.

Yeah. Just the survey didn't seem right to me, it always has. I was under the understanding, it wasn't going to happen anymore, the subdivision, so I kind of just let it go. But now, since I got this letter, that's why I'm here. I would've come to the first meeting about this, but they came and surveyed it, and about a week later, they came back and surveyed again, and that's when everything seemed wrong to me. All the property lines run straight right there, and it just goes at an angle. So, that's my concern, I just want to get my own surveying done. Peter Allen was the surveyor and I believe he wasn't correct about what he did on my side there. So, that's it.

Thank you very much for your testimony. Anyone else like to speak in opposition to this project? Does the applicant have any final comments?
Well, I appreciate the neighbors coming to tonight, I’ll try to answer a couple questions for them. Timing obviously, the project got stalled for a long time, the applicant’s intent is to complete the project, I think this year, is his goal, so hopefully it will happen quickly. These retaining walls that aren’t there right now on that public street or the private street portion, will be constructed within the property lines. So, that’ll resolve, I think any of the concerns right now of potential encroachments. Property was surveyed by Peter Allen, who’s a reputable surveyor in our area, he’s county surveyor as well. And so, when this project is plotted, everything will be set, property corners pinned, and we’ll make sure that there’s no encroachments of any kind, with the roadway onto the adjacent properties.

There is, that the approach that is in front of that development on the left picture, is not aligned with the property lines. One of the things on this project that we’re going to do is, we’re going to cut that approach out, center it within that current flagpole that’s there, where the road’s going to be. So, that does kind of skew when you look at that, it appears it’s kind of shifted one way and it is actually shifted one way. So, hopefully that helps clarify some questions for the neighbors, and if you have any additional questions, I’m happy to answer them.

Commissioner Arthur, do you have a question?

Well, I’m not sure that it’s a question, but I would like to, when we get to the point of making a motion, I’d like to include an amendment to have some kind of egress allowed on that northern, what are we calling that?

I guess the flagpole or sewer easement, over the sewer easement, maybe for reference.

Sewer easement and with a bollard or something for emergency egress. And because it’s kind of, I assume, a lower grade wooden bridge, there might have to be some weight limit, or something applied to what would be allowed to go over that. But I think it would be a good precaution, not just for fire, but if for some somebody slid off that culvert down below into the river, into the ditch, nobody could get in and out. I mean, there would be other reasons to be able to use that temporarily for egress. But my question would be, would you see some kind of a requirement as a part of that amendment?

We’re basically following the original design on this, with a few minor modifications. So, the original design had a bollard across that driveway.

I thought so.

It is sufficient for a regular vehicle right now, it’s not sufficient for a heavy vehicle by any means, a concrete truck or firetruck. And we did have a bollard there, the intention is that’s going to be used for pedestrians from the subdivision to get down Williams Highway sidewalk. But the bollard, I think it was removable, if I remember correctly, to where a single vehicle could drive across it. But they are pretty close to one another in the subdivision right now without Coach Drive tucked back by the highway. Fire concerns are always a concern in our area, but in this situation, we’re not getting people way, way, way up the hill in particular, maybe one house. It will remain there, we’re not taking the bridge out.

So just make it subject to what? Road standard, or how would you word it? Any limitation on it?
Yeah. The bridge isn't sufficient for a road, highway rating is what we typically refer to, or bridge rating. The intention was to keep it primarily just for people to walk across it, pedestrians.

Other questions?

I have one to [inaudible]. So, you had mentioned the retaining wall, that the owner is intending to get that taken care of on behalf of the neighboring property owners, and the first one, I believe you mentioned fencing as well. Is this also intended to be addressed?

Yeah. I know last time we talked to the same neighbor about the project, there was fencing brought up, but then there was also some discussion on his RV, which was mentioned tonight, about difficulty getting in it in and out with fencing. So, we could put some fencing down a portion of that, I think that's what we had on the last one was, maybe the upper portion had some fencing coming down for a portion of the driveways, and then the lower portion didn't.

Right. And there's nothing in the information that we have that would address that these... we haven't really gotten to this point. So, in 2017, when this all started and whatnot, obviously some of these issues were brought up then, it was stalled, we're now back at it, and I guess what I'm getting at is that the owner has every intention of accommodating the neighbors to the degree possible here.

Yes, yes. And finishing the project. And I do you understand, if I was a neighbor, the project was going to be built in 2000... I think it was 17, 18, and it didn't, and it's been sitting, I sense that frustration, I would have the frustration, and the full intention is to complete the project and get it done and have everybody fences up, road built, everything paved, and reducing dust and everything else associated with the construction.

It's the wraparound of the two properties.

Yes.

It's the two different lots that makes it a little unique.

Yeah. It's two individual flag lots stacked next to each other. Normally the flag poles are next to each other, in this case, they're opposing one another. So, I definitely had to get creative and look at short term versus long term needs, for the roadway system.

Yeah. Thank you.

You're welcome.

Anything else for the applicant? Thank you very much.

PART 3 OF 4 ENDS [01:09:04]

[inaudible]. Thank you very much. Staff conclusion. Do you have any final comment, staff?

On the buffering, article 23 is what gives the commission the authority to buffer or not to buffer and it's established really for different uses, where you have commercial next to residential.

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Now, as the first application that you had on your agenda tonight, you had determined that there really was a pretty clear conflict between the RV park and the adjacent residential. In this case, you have residential to residential. I think Commissioner Tokarz-Krauss' question was good to kind of present it to the applicant to say, "Are you willing to work with them?" I think from staff's perspective, that probably is the better approach to have the two private parties work that out. Because if you look at article 23, it really doesn't talk about the authority to buffer that. Now I understand the owner's point in terms of having pedestrians walking up and down that easement there and being so close to the RV. I think as you deliberate, just bear that in mind in terms of what the code says.

Questions for staff? Are you sure? I'm going to close the public hearing. I'm not kidding, I'm going to do it. All right. The public hearing is closed. We need to motion so we can deliberate. Whoever is making the motion, be aware. Staff, are we striking condition A-5 that requires the geotechnical report because we received it?

We can do that.

Yes, we do.

I think my thought was, is that just at, it's just set satisfied now, but if it's cleaner or that's what you would like to see, we could strike that as a condition.

All right. Thank you very much. So, as we have done in the past, and it is my belief that if we don't work with the variances first and those don't get approved, then we don't approve the rest of the subdivision. So, is anybody prepared to make a motion for one variance or all three together? It's up to you, Commissioner Nelson.

Well, that's what I was going to ask is last time I thought there was going to be a railroad, but it wasn't. When we can do all three variances at once.

I mean, I guess you could. I mean, technically these-

And if someone objects to that, they could amend or sure not vote for it or take it out.

So, I was going to ask if anybody wanted to pull any one of these three variances for extra discussion.

That would [crosstalk].

Because they're all pretty much related to the same gig. And I agree with you, I think we can do all three at once. So go ahead and make your motion.

My motion is to approve the recommendations from staff in regards to the variance in the cul-de-sac link standards, the private street width standards, and the street section, the design standards.

All right. I think that's a great motion. Thanks. Any of these extra conditions that we want on the report, any of them related to the variances? The A2A, A2E.

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And we have to include that in the final motion.

They are not related to the variance.

Okay. So they would be in the final motion, correct?

Yes. Yes.

Okay. So, we have a motion on the table to approve all three variances at once. Do we have a second?

Second, Collier.

Commissioner Collier seconds the motion. Deliberations. All right. I'll do a roll call vote again. Commissioner Collier.

Yes.

Commissioner Nelson.

Yes.

Commissioner Aviles.

Yes.

Commissioner Arthur.

Yes.

I'm voting yes. Heesacker votes yes. Tokarz-Krauss?

Yes.

Commissioner Scherf.

Yes.

All right. The variance portion of this is out of the way.

MOTION/VOTE

Commissioner Nelson moved, and Vice Chair Collier seconded the motion to approve the recommendations from staff in regards to the variance in the cul-de-sac link standards, the private street width standards, and the street section, the design standards. 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.
Do we have a motion for the remainder of the subdivision? Commissioner Nelson, thank you for always doing the motions. I appreciate that.

It's all right. I just like to get the work done. Approve the request for the 10-lot sub to the approval with the conditions A through E as provided by staff tonight. On the record tonight.

Staff with this motion being made, have we nailed down all these extra conditions and all the other things that we discussed with this motion? I just want to make sure we're getting everything covered.

I mean, I think it's important that all the commissioners are clear on the changes that Jason presented. And if you are, then I think that's it. You're going to get the findings of fact back at your next meeting. So, as you know, this isn't technically the final decision. Your final, final isn't until you actually see this all again in writing at the findings of fact. But as long as everyone's comfortable, we will draft those findings based on what Jason presented. So, unless there's any clarifications, then I don't think we have anything more.

Okay. I have one more question. Hang on.

You might want to put A through E up again because we didn't get a copy of that.

Sure. That's a good idea.

And the print was so big.

I can't.

So, staff, I have a question when you get a minute. Ryan, you can probably answer this. Those typos that were noticed in the public works report, do we need to have those typos fixed? Should we make that a part of the motion?

Well, we were just chatting through that a little bit.

Whatever [inaudible]. There was two or three. Speaking.

I think the recommendation would be just a motion that was more broad changes as revisions as proposed by staff.

Could you please reword your motion?

I would recommend approval of the 10 lot subdivision with the conditions of approval with A through E as presented and with the Scribner's corrections as presented by staff.

Great motion. Thank you very much, Commissioner Nelson. Do we have a second?

Collier seconds.

I do. Because those things we talked about that were in the original plan to have the emergency egress on the 15-foot-wide sewer easement, I didn’t see anywhere in this set of conditions. I don’t think they’re there, are they? I think I didn’t find them.

You’re suggesting a friendly amendment.

Yeah, because it was already seconded. So how do you want to proceed? I make an amendment?

Commissioner Arthur has a friendly amendment to add in a condition that says...

It says that until there is access on Coach Drive, that the 15-foot-wide sewer easement be made accessible for emergency egress. And I don’t know whether we need to put a weight limit or anything in.

And not about a Ballard.

Well, that would be the... The Ballard would be the making the emergency access usable.

So, this is a good wrench about the weight on the bridge. How do we say this is emergency ingress, egress for cars that weight blah blah?

Well, 75,000 pounds is typically right in that range, gross GVW to support emergency. And you also don’t have, you’re not talking about only the ability to carry the weight, but also the width. Because the fire standard is a minimum of 20, and that’s only 15. So, the implications would be to rip out the bridge that was depicted up there, the wood, and install probably a concrete culvert or something else that’s capable of handling a 70,000 to 75,000 pound vehicle and widening it, which we didn’t get into in the public hearing. So that I think, that would require more input from the owner.

That was not my intention to require that level of temporary construction, but just to allow people to escape or get out of their subdivision if the other road is blocked.

So, if you did not use the term emergency vehicle access.

Okay, I see what you mean.

Then that’s the... that was your term. So, if you’re only talking about pedestrian and a single vehicle, I believe Mr. [inaudible] did refer to the fact that if necessary, a single vehicle, but not emergency vehicle access.

You want to try and reword your friendly amendment?

I don’t know. It seems like you need an adjective, but maybe not.

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But egress, you're looking mainly for egress for the inhabitants or the occupants there. So minimally, just in the event of an emergency.

So don't use the word emergency.

Well, it's emergency vehicles, I think is the problem. Because those are the vehicles that are of the larger size weight and would be difficult. And you want to make sure that the people living there have the ability to escape an emergency situation and use that as an access way in event of such an event. Using the event lot of times, but anyway. Suggestions on how best to word, minimal wordage.

Can we make an amendment out of that wording?

Thinking.

I guess I would move that. You want to second it? Yes, no?

I'm trying to word something here. Use of the northerly access point for residents of the subdivision to escape any disaster. No use of the word emergency.

And I would move that. Susan, do you want second? Okay.

Sorry. It would be an amendment to the first motion.

Yes, yes. So, you're making a friendly amendment to his first motion. Do you accept this friendly amendment?

No.

He doesn't like it.

And I'll say why. One, is liability issues concern me. We haven't had a hearing in regards to this. So, if you want to postpone and have a hearing on that, then I would think that would be the safest bet. Requiring the project who has not even considered that in their project to be an access point for emergency, or and disaster is probably beyond the scope of what they can provide.

Maybe I'm misunderstanding, but I thought that was discussed earlier, prior to this of course, in like say 2017, of course. Commissioner Arthur being the only one of us here, I thought it was not. I'm seeing the head shaking. Okay. Right now, it's pedestrian only.

Would you accept any kind of amendment there? I think I'm hearing you. If we do anything with this, we're going to have to open a public hearing back up and go notice it.

That's my feeling.

I'm having to agree. So, we're ready to pull your friendly amendment.
Doesn't exist. Doesn't have the support.

I'm not seeing the support for this. Well, he's not willing to accept the friendly amendment, and he would have to reword the motion.

You can make an amendment after the motion has been made. She can make her own amendment to the motion. That's okay. But as far as friendly amendment, I'm not accepting it.

Okay. Are we going to make two votes here then? One on your motion and one on hers?

No.

No. Her amendment is tabled because it does not have support. So, you need to move on with motion that Mr. Nelson has made.

That's not true. She has two courses. She can do the friendly amendment, or she can make an amendment to the motion.

After the motion is voted on, correct?

No.

No.

No. She would make the amended... she can make the amendment motion. If it's a seconded, then that would be voted on. Then we go to the final motion.

That's the way you do it. I don't know.

Try again, please, with the amendment. I crossed mine out. I didn't think we were going to do it.

I'm not quite sure. We discussed it during the hearing, and it was part of the original proposal years ago. So, I'm not sure why it would require a separate hearing.

From my understanding the original proposal was expired and they had to go through the whole brand-new thing, so you're looking at what is today, what was yesterday. It's no longer available. That's the way I'm looking at it. [inaudible] as well as if we're having discussion on this, this plan has gone through all the departments of the city, meaning it's gone through the fire department. And if they have accepted this plan and given their blessing that they have emergency access through the one access to the temporary access to the culvert, then I'm satisfied that there's enough emergency access to this site.

Go ahead and make your amendment.

Okay. My amendment was to include or ensure the use of the northerly sewer easement access to escape any disaster, that the residents would have the ability to do that.

There's the amendment. Do we have a second?
I'll continue to second it.

Commissioner Tokarz-Krauss seconds. Here, I need that back. Thank you. So, I'm going to do a roll call vote. This is on the amendment to the motion. Commissioner Collier?

No.

Commissioner Nelson?

No.

Commissioner Aviles.

No.

Commissioner Arthur.

Yes.

Commissioner Tokarz-Krauss.

Yes.

I'm Eric, I'm voting no. Commissioner Scherf?

No.

Okay. So that amendment fails.

**MOTION/VOTE**

Commissioner Arthur moved, and Commissioner Tokarz-Krauss seconded the motion to approve the approval of the 10-lot subdivision with the conditions of approval with A through E as presented and with the Scribner's corrections as presented by staff and to ensure the use of the northerly sewer easement access to escape any disaster. The vote resulted as follows: "AYES": Commissioners Arthur and Tokarz-Krauss. "NAYS": Chair Heesacker, Vice Chair Collier, Commissioners Aviles, Nelson, and Scherf. Abstain: None. Absent: None.

The motion failed.

I know you're going to hate me for this, but could you please state the original motion?

I would move approval with the request for the 10-lot subdivision as conditioned with the items A through E and as to the Scribner corrections provided by staff tonight.

Thank you very much. Commissioner Collier, you're still seconding that?

Sure.
Okay. We got a second. I'll do another vote. Oh, any deliberation over that motion? All right. Roll call vote on the subdivision on the motion on the table. Commissioner Collier?

Yes.

Commission Nelson.

Yes.

Commissioner Aviles?

Yes.

Commissioner Arthur?

Yes.

I'm voting yes. Heesacker votes yes. Commissioner Tokarz-Krauss?

Yes.

Commissioner Scherf?

Yes.

Thank you very much.

MOTION/VOTE

Commissioner Nelson moved, and Vice Chair Collier seconded the motion to approve the request for the 10-lot subdivision as conditioned with the items A through E and as to the Scribner corrections provided by staff tonight. 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.

Matters from Commission Members and Staff:

Next on the agenda, matters from commission members and staff.

I think from staff's perspective, we had talked a couple of months ago about the middle housing code amendment. It impacts five different articles, I think it is. I think we had indicated tonight, we may present that to you. We're going to be doing that on February 9th at your February 9th meeting, just to give you more time with it. There's a lot to it. And I think it would help the commission, let's put it that way, if we gave it to you ahead of time in a more cohesive so you can look at it and have better rather than just putting. So, we'll put that on your February 9th. A review, more like a workshop, not a hearing of the middle housing code amendment. So, you'll have that your next meeting.

All right. I will also have findings of fact for Pemberley.

Urban Area Planning Commission
Meeting Minutes January 26, 2022
Yes.

All righty. Anything else from staff? Commissioner Scherf, do you have anything for us?

No, thank you.

Commissioner Tokarz-Krauss?

I just want to remind whoever puts these packets together to make sure that we all have the foldouts. The one I originally received, which was in, I think Commissioner Scherf's, does not have any foldouts in it. And in this case, as you can see, it'd be very helpful. So, I'm sure that was just an oversight, but a reminder.

It's okay. I'm at the kids' table.

So, I have one item here. Commissioner Nelson, thank you so much for making that motion. I just want it straight for the record. I can tell you're getting frustrated. I don't blame you. I would too. So, you're not going to catch me after the meeting. I'll be out of here. Thank you very much. Commissioner Arthur, do you have anything? Commissioner Aviles?

Nothing.

Commissioner Nelson?

Yes, I would, no.

Commissioner Collier?

He's already left, but I was going to commend Mr. [inaudible] for his work on the RV park. It seemed like he went back, readdressed, readdressed, and I just feel good about what he's done.

That's his style. I've seen him do that on another projects.

It works out. My other comment would be, I'd always love to hear from Brad, the status of the future of the BLM parking lot. I'm always curious about how that's going.

Sure. Well, it's engineered. And because of the weather, we just haven't put out the RFP yet. If there's going to be still some rains and whatnot, we just don't want to be digging around too much up there. But the engineering is done for it. We are going to go out to bid to see which kind of contractors want to come into town and build it. But we'll put out that, I think, in March.

So, you think we'll see that this summer?

Oh yeah.

That'd be awesome.
Yeah. No, it’s funded, so it’ll be built.

No, I just [crosstalk].

You want us to get you a shovel?

Anything else from anyone? Staff, thank you. Good to meeting you tonight. Meeting adjourned.

PART 4 OF 4 ENDS [01:30:56]

Eric Heesacker, Chair
Urban Area Planning Commissioner

Z-9-22

Date
GRANTS PASS URBAN TREE ADVISORY COMMITTEE
Meeting Minutes – January 10, 2022, 6:30 PM
City Council Chambers

Committee Members:
Doug Tripp, Chair - Absent
David Renton, Vice Chair
Michael Holzinger - Virtual
James Love
Dan McBerty
Chris Rudd - Virtual
Nicole Kieffer - Virtual
Barbra Villona - Virtual

City/Staff/Council Liaisons:
Joel King (City Councilor)
Tony Mecum (Community Development & Public Works)

Guests:
None

AGENDA:
1. Roll Call:
   a. Vice Chair Renton started the meeting at 6:30pm.
2. Introductions:
   a. None.
3. Items from Public:
   a. None
4. Approval of Minutes:
   a. Approval of Minutes from December 13, 2021.

MOTION/VOTE
Member Love moved and Member Holzinger seconded the motion to approve the minutes as submitted. The vote resulted as follows: “AYES”: Vice Chair Renton, Members Holzinger, Love, Rudd, and Kieffer. “NAYS”: None. Abstain: Member McBerty. Absent: Member Villona.

5. Action Items:
   a. Washington BLVD Median Island Tree Replacement Project
      i. Urban Forester presented an update on the project. City Administration requested the Committee to provide feedback on a plan to plant one ornamental cherry tree on the most southern median island. This would accommodate the limited growing space from a nearby oak tree’s canopy.
      ii. The Committee discussed the proposed plan and all members expressed support for the planting of one ornamental cherry tree in this specific location.
   b. Tree Canopy Program Extension to Backyards
      i. Committee discussed the current policy of the Tree Canopy Program, including its limit to front yards, rights-of-ways, and side yards of corner streets facing streets.
      ii. Constituents have requested trees in their backyards due to limited spacing in front of their houses.
      iii. Urban Forester reviewed other City’s planting programs, including the City of Portland’s “Free Yard Trees,” which can be planted in backyards.
      iv. Committee discussed the option of having a waiting list for back yards if there are extra trees prioritized for front yards.

MOTION/VOTE
Member Love moved and Member Villona seconded the motion to encourage City staff to include back yards as part of the Tree Canopy Program while giving priority to front yards. The vote resulted as follows: “AYES”: Vice Chair Renton, Members Holzinger, Love, McBerty, Rudd, Villona, and Kieffer. “NAYS”: None. Abstain: None. Absent: None.

c. Arbor Day Growth Award Review
   i. Urban Forester reviewed the growth award program and briefly reviewed the various categories of actionable items cities can accomplish to receive growth awards.

6. Matters from Committee Members
   a. Member Holzinger asked about a tree that failed across M Street.

7. Matters from Staff
   a. Arbor Day 2022 Planning
      i. Urban Forester stated that Arbor Day is coming up in April. He is unsure how COVID will play into the planning of the event.
   b. Committee Chair Election - February Meeting
      i. Urban Forester explained that the last election was in February of 2021. Urban Forester will send a document listing the role of Committee Chairs when the minutes and agenda are sent for the February meeting.
   c. Strategic Planning for City Council is January 20-22
      i. Urban Forester explained that Chair Tripp will present the Committee's goals to Council at the meeting.

8. Future Agenda Building for Next Meeting
   a. Committee Chair Election
   b. Heritage Tree Program and Nominations
   c. Tree Deposit Update from Councilor King
   d. Coordination and Input into the Energy Taskforce

9. Adjournment
   a. Member Love moved and Member Holzinger seconded the motion to adjourn the meeting, which was approved unanimously, at approximately 7:45pm.

Next Meeting: February 14, 2022, at 6:30 PM
Minutes prepared by Tony Mecum, Urban Forester, Community Development & Public Works
COMMITTEE ON PUBLIC ART
Meeting Minutes – December 14, 2021, at 5:00 pm
Ridge Room 108

Committee Members:
Larry Evans (Chair)
Cal Kenney (Vice Chair)
Sulaiha McDougall - Teams
Michael Holzinger- Teams
Robyn Lofing-Dean
Deanna Morse
Pattie Crumpton- Late
Diane Dahlgren
Kate Bortells -Late

City/Staff/Council Liaisons:
Susan Seereiter (Business Advocate)
Vanessa Ogier (City Council) - Teams

1. Roll Call: Chair Evans called the meeting to order at 5:04 and took roll call

2. Public Comment: None

3. Approval of Minutes: November 9, 2021

MOTION/VOTE
Member Morse moved, and Member Kenney seconded the motion to approve the minutes for November 9, 2021. The vote resulted as follows: “AYES”: Chair Evans, Members Morse, Holzinger, Dahlgren, Lofing-Dean, McDougall, Bortells, Crumpton and Vice-Chair Kenney. Abstain: None. “NAYS”: None. Absent: None. The motion passed.

4. Action Items:
   a. Artist selections for Art in Motion 2022
      • Due to technical difficulties, the members had to view the submissions gathered around the computer.
      • There were 7 different artist who submitted art renderings
      • Members calling in were sent emails with pictures to review, however, some pictures were too large to send out
      • Committee members deliberated and then began to review each artist and vote for which pictures they like best
      • After all the artists were reviewed, the votes were tallied
         o January installation: David Tiedemann’s Mt. Rainer and Desmond Serratore’s Covered Bridge
         o July installation: Lori Mitchell’s Blackbird and Bob Eding’s musician
         o First installations run from January -June and second installations run from July-December
   b. Goals for 2022 City Council Strategic Planning
      • Chair Evans reminded the committee of the goal suggestions that were made at the last meeting
      • The committee reviewed all the items on their wish list and determined which goals rose to the top of the list

Committee on Public Art
Meeting Minutes December 14, 2021
• Councilor Ogier encouraged the committee to think big and not to hold back or stifle themselves in goal setting
• After deliberation and discussion, the committee agreed on the following goals to bring to Council:
  o Request a portion of the Tourism Lodging Tax to fund projects and promotions
  o Tourism promotion: Flags, Art Map, Public Art of the Month
  o Alley Beautification (continuation of this project to enhance another walkable alley with art placement)
  o Parking Lot Art (continuation of placing art in another parking lot)
  o Alley Door Art
  o Art Box (continuation of placing painted or “wrapped” artwork on existing utility boxes throughout the city)
  o Storm Drain Art (possibly coinciding with Art Along the Rogue for permanent street art placement and education)

5. Subcommittee Updates:
• Sub-committee continues working on revising the Walking Art Map and meeting regularly.
• Maintenance next steps to be discussed at next meeting.
• Four Art-Spotlights: Art in Motion (two artist featured), Art Along the Rogue and Alley Beautification.
• First art box to be completed on Friday

Matters from Committee Members and Staff:
• Member Kenney recommended getting in touch with Hyla Lipson at Grants Pass Museum of Art to see if she has recommendations for a contractor to prep art boxes
• Member Lofing-Dean wants to bring snacks to next meeting
• Member Kenney strongly recommends all to visit the recycled art exhibition going on at the Museum of Art.
• Member Morse shared an insert from the Daily Courier which featured Joseph Johnson.

6. Future Agenda Building for Next Meeting
   a. Duck lot mural and art box (artist to present)
   b. Maintenance Discussion
   c. DMO

7. Adjournment
   a. Meeting adjourned at 7:10 pm.

Next meeting date: January 11, 2022, at 5:30 pm in the Ridge Room.

Minutes prepared by Susan Seereiter, City Staff Liaison.
PARKS ADVISORY COMMITTEE  
Meeting Minutes – January 13, 2022, at 3:30 PM  
Council Chambers

Members in Attendance:  
Vacant (Chair)  
Cliff Kuhlman (Vice Chair) left 4:51  
Jan Battersby  
John Blackett  
Chad Thorson  
Michael Sellers - absent  
Brad Converse

City/Staff/Council Liaisons:  
Joel King (City Councilor)  
Brad Clark – CD Director

Guests:  
Brian DeLaGrange (City Councilor)  
Aaron Cubic – City Manager

1. Roll Call:  
   - Vice Chair Kuhlman called the meeting to order at 3:35 pm and roll was taken.

2. Introductions:

3. Approval of Minutes:  
   
   MOTION/VOTE  
   Member Battersby moved, and Member Blackett seconded the motion to approve the minutes as amended from November 9, 2021. The vote resulted as follows: “AYES”: Vice Chair Kuhlman. Members Battersby, Blackett, Converse, and Thorson. “NAYS”: None. Abstain: None. Absent: Michael Sellers. The motion passed.

4. Public Comment:  
   a. No Public Comment.

5. Action Items:  
   a. Election of Chair and Vice Chair:  
      1. The was moved to next month as the Committee only had one application to look at.

   b. Review Committee Applications:  
      1. The Committee decided to move the Chair and Vice Chair elections to next month’s meeting.

   c. Master Plan:  
      1. Chad discussed the Master Plan Subcommittee. They have not been able to finish updating it due to lack of Parks Staff.  
      2. Jan stated that Consultants are very expensive and is not sure there is enough money for that. She thinks the money should be used to hire more people to maintain the parks.  
      3. Chad said that the Committee needs to put together a list of ideas of things they would like to see. The Community is very interested in having trails.  
      4. Brad Clark stated that he would look into Fruitdale Phase II improvements.  
      5. Chad stated that Parks Inventory such as Parks Land Acquisitions need to be included in the Master Plan. He also pointed out that they need to update improvements that are already made. Substitute Dolier Mountain for River Road Reserve etc...
6. Chad also discussed future trails and projects to be added to the Master Plan.

7. Brad Converse wanted to know what the protocol is for the Committee to move forward with so many Parks Personnel shortages.

8. Jan is concerned with the lack of Parks staff. She feels personnel is leaving because there is not enough help. She is concerned that the city parks are going to go downhill because there is not enough staff to keep them safe and maintained.

9. Aaron Cubic informed the Committee that he understands that Parks is understaffed. He wanted two more staff but there were budget cuts to help the Public Safety budget. He stated that they will be adding additional staff to this year’s budget. Jan was concerned because Parks gets cut first. Aaron informed her that the Budget Committee does not make decisions, it is Council’s direction. He went on to explain how the Budget Committee works.

10. Chad stated that it is the Parks Committee’s job to look at the Master Plan and then make recommendation to Council for changes they would like to see.

11. The Committee agreed on a Motion to Submit the Bin List to Council to include:
   I. Update park improvements per Table 9.
   II. Update Dollar Mountain.
   III. Delete River Road Reserve.
   IV. Add Greenway Segment.
   V. Change Hillside Park to Loveless Park.
   VI. Delete US Forest Service Complex.
   VII. Pg. 76 Trail Segments Bridge at River Road Reserve.
   VIII. Remove cost estimates from Table 15.

**MOTION/VOTE**

Member Battersby moved, and Member Converse seconded the motion to have the Bin List submitted to City Council. The vote resulted as follows: “AYES”: Vice Chair Kuhlman, Members Battersby, Blackett, Converse, and Thorson. “NAYS”: None. Abstain: None. Absent: Michael Sellers. The motion passed.

d. Dedication/Honor application:
   1. Dick Matti is on the schedule for the dedication of the Dick Matti Soccer Field. After that there will be a dedication date. Cliff got funding for the plaque from Rotary in the amount of $100.00.

e. Skate Park Resurface RFP Update:
   1. Brad Clark went over what needs to be done regarding the Skate Park resurface. A proposal needs to go out in March for bids. Once that is done the Committee can proceed. The project is funded we just need bids.

6. Matters from Committee Members and Staff:
   a. 
7. **Future Agenda Building for Next Meeting:**
   a. Election of Chair and Vice Chair  
   b. Review Committee Applications  
   c. Report on Council Strategic Plan Workshop results

8. **Adjournment:** Member Thorson adjourned the meeting at 4:59 p.m.  
**Next scheduled meeting: February 10, 2022**

Minutes prepared by Jayme Hyatt, Community Development Department.
TOURISM ADVISORY COMMITTEE
Meeting Minutes – December 7, 2021, at 4:00 pm
Ridge Room 108

Committee Members:
Doug Bradley (Chair)
Terry Hopkins (Vice Chair)
Barb Hochberg - by phone
Tamara Bushnell
Wynnis Grow - absent
Rebecca Anderson - late
Mandi DelVaglio
Vacant
Vacant

City/Staff/Chamber/Council Liaisons:
Susan Seereiter (City Business Advocate)
Rob Pell (City Councilor) - Absent
Josie Molloy (Chamber Liaison) Absent
Darin Fowler (County Liaison) Absent
Guest:
Tori Middlestadt
Amber Neeck (City staff)

1. Roll Call: Chair Bradley started the meeting and took roll at 4:06 pm.

2. Introductions: None

3. Public Comment: Amber Neeck shared information to committee about musical roads. The idea intrigued the members and they asked Amber to bring back more information about costs etc.

4. Approval of Minutes:
   a. Approval of minutes from November 2, 2021.

   MOTION
   Member DelVaglio moved, and Member Bushnell seconded the motion to approve the November 2nd, 2021, minutes, as submitted. The vote resulted as follows: “AYES”: Chair Bradley, Vice chair Hopkins, Members Hochberg, DelVaglio and Bushnell. “NAYS”: None. Abstain: None. Absent: Members Anderson and Grow.
   The motion passed.

5. Work Session Items:
   a. Finalize Goals for 2022:
      • Downtown Master Plan-string lights along 5th Street between G and H Street and more ambient lighting on G and H.
      • Permanent Parklets
      • Alley Beautification/Activation-identify alleys that would work and make sure to provide infrastructure such as electricity availability
      • Dollar Mountain
      • At least once a year, be able to meet with other City committees including the newly formed Taskforce for Town Center Plaza.
      • Tourism committee wants City to ensure that other committees will be able to engage with Town Center Plaza Taskforce
      • Discussions continued including consideration to close G Street on weekends only.
      • Discussion about Experience Grants Pass not being public facing and that there is relevance for the Tourism Committee to be that public facing entity.
Committee still seeks Council direction and would like to have a City Liaison who engages with them

b. DMO Executive Director Tori Middlestadt
   - Discussion about meeting the downtown merchants and having a listening session.
   - An opportunity for merchants to understand DMO's responsibilities
   - Discussion of how TAC can maximize the efforts of DMO and be relevant
   - How can the Welcome Center be utilized to draw more visitors?

6. Information Sharing
   a. City Council to develop Town Center Plaza Taskforce
   b. Property owner Travis Boersma’s is open to future conversations for redevelopment
   c. Committee wants to be updated on Council meetings that involve tourism initiatives

7. Future Agenda Building for Next Meeting:
   a. One Rogue Valley (SOREDI Regional Initiative)
   b. Friends of Oregon Caves.

8. Adjournment:
   a. Meeting adjourned at 5:02 pm

Next scheduled meeting: February 1, 2021

Minutes prepared by Susan Seereiter, City Staff Liaison