1. **Roll Call:** The chairman is not here tonight. He had to call out an emergency, he's sick, so I'm going to do my best to get through this. It is 6:00 so I'll open the meeting with roll call. My name is Mark Collier. I'll be acting chair. I'm the vice chair. I'm here. Commissioner Aviles?

Present.

Commissioner Nelson is away on vacation. Commissioner Arthur?

Here.

Commissioner Tokarz-Krauss?

Here.

Commissioner Scherf?

Here.

So, we have a quorum.

2. **Introductions:** Any introductions necessary? No.

3. **Public Comment:** As a public comment, it looks like everybody in the audience is a player for tonight, so I don't need to read that. Okay? It's a guess.

4. **Approval of Minutes:** Approval of the minutes for February 9th. Do I have a motion?

I move to approve the minutes from February 9th.

[inaudible 00:01:11].

Commissioner Scherf?

Yes.

Commissioner Tokarz-Krauss?

Yes.

Commissioner Arthur.

Yes.

And Commissioner Collier. I approve as well.

MOTION/VOTE
Commissioner Tokarz-Krauss moved, and Commissioner Arthur seconded the motion to approve the minutes from the February 9, 2022, meeting. The vote resulted as follows: “AYES”: Vice Chair Collier, Commissioners Aviles, Tokarz-Krauss, Arthur, and Scherf. “NAYS”: None. Abstain: None. Absent: Chair Heesacker and Commissioner Nelson. The motion passed.

5. Informational items: I have none here. Okay.

6. Findings and Fact:. So, I guess we’re going to go and we’re going to move item C because it’s a continuation to the top of the agenda and then we’ll follow with A and B.

405-00127-21~ Comprehensive Plan Amendment: Amendments to the Housing Element and Policies, Comprehensive Plan Text amendment ~ Staff Report ~ Continued: So, for item C, 405-00127-21, Comprehensive Plan Amendment. We’ll have Ms. Amber.

Yes. Hello everybody. Good evening. So this one, fairly straightforward. We had some requests last meeting for some changes to the comprehensive plan text amendments that were presented. Item one, we had requested ... Let’s see. Motion to change the policy and objectives on 9.2, which you can find in your packet. [inaudible 00:02:27] 93. Thank you very much. Primarily on page 93. Actually, I’m seeing it on page 94 in my packet. Might be 93 or 94.

Well, it starts on 93.

Yeah, it starts on 93. So we had the request to add in the yearly analysis, so we added in to complete an annual evaluation of progress on the housing needs
analysis goals and growth targets. Item two was to have staff reword bullet point 9.6, which is now 9.7. We removed... We added the word evaluate and address and removed lower or remove. Now, this was the one that had been discussed to potentially move to its own section for goals, but after speaking with the consultant, just really wasn't feasible to make its own section for goals when the sections are housing policies, goals, and objectives. So that's why we ended up rewording it to be more enforceable with the evaluate and address.

Item three was to reword policy 9.18, which is now 9.19. We removed the words partner with and replaced it with at the word support and removed the example in that policy there. And item four was discussing the word family in the glossary of the housing needs analysis and its uses in other descriptions as well. So we have added into that glossary, which is on the very last page of your packet, a header for that going over that the term family in this glossary is used exclusively to define data points referenced throughout this report, and it does not apply to local policy making apart from the data analyzed and included in this report. And that is the only place that the glossary exists currently. Do we have any discussion on those changes that were made?

I'm not at all satisfied with how that plays out here because I sent to you the terminology that the census actually uses, and as nearly as I could tell, and I wasn't able to get verification back from the RVCOG statistics person today, family is only used in their analysis categories about groups of people. When they get down to the buildings, they call them one unit structures, two or more unit structures, mobile homes, and all other types of units. They're not using family and multi-family and single-family. So it doesn't apply. It isn't required by the census as nearly as I can tell to use that terminology. It's confusing.

So, I believe you're correct with the building types and the census. I did an initial look through after you sent me that email. It looked like I couldn't really find anywhere where they used family for building types.

Right.

Seems like that did get pulled from just the general terminology that gets used with programs like HUD, tax credit and whatnot. They still use those multi-family terminologies. But if you wanted to propose a change.

I think it would be better to go with what the census uses. Dwelling units or the structural terms. And I'm not sure that HUD and all of them, if they still use those, will be doing that very long.

So, my suggestion would be to have the commission make a recommendation, if the rest of you agree and you get to a majority on that. I think what would be required is we probably have that term family... I don't know if we were able to calculate, but probably over 100 times in the comprehensive plan. So what we would do is go through... We would need a suggestion from the commission as to what you would like in place of that term and then we would go into the comprehensive plan and do a
replace on that term throughout the plan. The development code, we believe, is already corrected.

We already did that.

So, we're just talking about the comprehensive plan now and the housing needs analysis that's in front of you.

Just to be clear, for the housing needs analysis, we wouldn't be able to change the income family definitions or the family grouping definitions, just the unit definition.

I'm not quarreling with the family definition. I'm quarreling with applying it calling a house some kind of family [crosstalk 00:08:01].

Right. So we're talking about the unit related family in the housing needs analysis, and then for the rest of the comp plan, taking family out.

Right. Right. We just wanted you to be aware of what change would need to happen by doing that.

Well, I know that because we did that with the development code. That was huge. Yeah.

So, Mr. Chair, my suggestion would just be to take a vote on that, and if everybody agrees, then staff will go back and make those changes and you would want to continue again so that you could see exactly all those edits, I think would probably be the best approach.

So, do we need to stop it right now or do we continue the discussion with anything else before we make this motion? Or does that motion stand alone? If the motion stands alone, then Loree, can you put it in words?

The other thing was that I felt the housing unit or dwelling unit definition was pretty clumsy and I wondered where that came from. It's almost too specific to fit all the circumstances that they call non-family housing in the census.

Which definition was it?

The one that... Okay. Housing unit or dwelling unit. A house apartment or other group of rooms or a single room is regarded as a housing unit when it's occupied or intended for occupancy as separate living quarters. That is when occupants do not live and eat with any other person in the structure and there is direct access from the outside or common hall. That last might work, but I'm pretty sure that the part about don't live and eat with any other person because there are a lot of housing and combinations in cooperative housing and so on where there may be some couples and singles occupying the same building. And I'm pretty sure a couple of them live together and eat together and it's just an odd specification.
So, I think what they're trying to do is define it so that if you have a duplex, you might get together and have a meal with those people, but you're not buying groceries together. They're trying to define that there is one household per unit. And so when you get into multiple households per unit, they start looking at is this group quarters, and so that's where they're trying to differentiate that.

There's a whole range out there that's not group quarters, nor is it duplex kind of thing. I suppose you can leave it as it is at the moment, but I think you might run into problems. I've never seen that particular definition.

Commissioner Tokarz-Krauss?

I was just going to say FCS, the group that was contracted to assist with this analysis, they... I was just curious. They assisted with at least 18 others within the state of Oregon. I get accurate report that tells who's working on what, and that did not seem to be an issue with those particular areas. I realized we're unique, but I think it might be just common terminology based on the information given, and it's consistent, so if we do make these changes, you're allowed.

What is it that's the common terminology?

Most all of the language coming from where they've assisted. So it's like family, any number of things. For housing and urban development, for example, they utilize family. I mean, there's just a whole lot of ways that term is used. I'm just throwing that out there for food for thought.

Commissioner Scherf.

I just need clarification because I'm kind of confused now. So the page in here that says glossary is an excerpt out of the Grants Pass Housing Needs Analysis done by FCS Group. Is that correct?

Correct. And that is only being added as ancillary document to the comprehensive plan.

I just don't understand why we're arguing about their report if it's done by them. If these definitions... If this glossary is within our comprehensive plan, I think then we'd have the latitude to change it, but if this glossary comes out of their report, we don't have the latitude to change it, so it's kind of a waste of time to argue it. That's my personal opinion.

I would tend to agree with that point. Do we need to go back to the first one, the definition of family? Do you want to resolve that first before we go into the second part of the glossary definition?

I don't think there's any quarrel about the definition of family.

Well, we do have to make a motion so that... She has a lot of work to do.

*Urban Area Planning Commission
Meeting Minutes February 23, 2022*
So it sounds like we're wanting to possibly change the terminology used for family without, throughout the comprehensive plan to unit. Was that what we thought maybe?

So that the buildings are not described with the word family.

Right. So like multi-unit building or single unit.

The way they are in the development code.

So that's one item, stands alone, and you can do that. Staff can do that. There's no problem. Okay. So that's solved. So now we're going back to the other one and then Commissioner Scherf does have the question, where did this glossary document come from? Did it come from outside of the comprehensive plan or the housing analysis? Is that correct? It did?

The glossary comes from the housing needs analysis and FCS Group did work on that. Yes.

Did we have the discretion to change that?

We do have contact with them. That's how we were able to get this current note that we had added into it. So yes, we can reach out and make some slight changes, but only to the extent that it wouldn't harm being able to consume the data. And so if the data was collected under certain terminology, we do need to keep it that way, which is why we opted for the disclaimer in this instance.

Are you satisfied with the disclaimer? Sounds like you would be because you wrote it.

I am, yes.

Okay.

So just to be clear, I think what we're talking about is not changing the housing needs analysis itself, but the terms that are in the comprehensive plan, which are the policies that you see prior to that. That comprehensive plan is the city of Grants Pass. We take full ownership over that. So that's... And there is many terms. The term family is used throughout the comprehensive plan, like I said, probably well over 100 times to refer to structures, single-family housing, multi-family housing. So that, I think, is what's on the table. If the rest of the commission agrees, we can go through the comprehensive plan and change that, but we would keep that red note that's at the top of page 98 as part of the housing needs analysis.

Needs analysis.

Okay. Commissioner Scherf.

So just for clarification again, the comprehensive plan utilizes the same glossary terminology as the development code. Correct or incorrect?

Incorrect. Yeah.
Okay. So then you have an issue because the comprehensive plan uses different words for different terminology, but you are satisfied with the development code glossary terms and tech.

Yes.

Okay. And again, clarification, I was kind of spinning in circles here going, I don't know where we're going with this. I do understand what you're saying. So I think now we're back to the point of you are not comfortable with the word family within the comprehensive plan as it's used currently?

I don't know that I've seen it as its used currently.

Well, we can give you two examples.

Yeah.

So if you turn to page 95.

Yeah. I've got them marked here.

Yeah. And on page 95, the policy number 9, permit a variety of housing types across all residential zones including single-family, middle housing, manufactured, and multi-family. That's just one example. And then if you go to number 11, reduced minimum lot sizes, et cetera, et cetera, efficiency of single-family. Those are examples. And those are throughout the whole comprehensive plan. What you're looking at here is just the housing policies from the comprehensive plan, but the comp plan is 400 pages long.

Yeah.

So that... Yeah.

So let me get this straight. So within the development code, you do no use single-family?

That is correct.

What do you use?

The term for the multi-family is multi-dwelling complex.

Wow.

And the term for the single, I think, is just... Is it single detached? [crosstalk 00:18:26]. I think it's just single detached or it might be single detached unit in some places.

I don't have any other words. I'm baffled.

So does this mean we could get behind commissioner Arthur?

Urban Area Planning Commission
Meeting Minutes February 23, 2022
I would like to make a motion to... I would like to make a motion that we accept the changes that have been presented for section 9.6, 9.7, 9.19 only. That's just the terminologies that have been presented for us excluding the secondary conversation here.

So then your items one, two, and three. Is that what it is?

Correct.

That would help us get started. Do we have a second?

I second. Tokarz-Krauss seconds.

Discussion? No discussion. We'll take a roll call. Commissioner Aviles?

Yes.

Commissioner Scherf.

Yes.

Commissioner Tokarz-Krauss.

Yes.

Commissioner Arthur.

Yes.

Commissioner Callier votes aye, so that's four. Okay. So that's done. Commissioner Scherf.

I would make a motion that we continue the discussion of the terminology used for the definition of family to a date certain next time because I think it needs more research and I think if you're posing a problem with that definition, I think you need to come back with something that needs to be changed, that you'll be comfortable with changing.

Do we have ready access to the legislation that was passed last year forbidding using family as a consideration in the land use things?

We can get that.

I couldn't find a copy. I don't know.

Motion. Do you want to continue it? [crosstalk 00:20:59].

Or define it. [crosstalk 00:21:03].

Second.

Urban Area Planning Commission
Meeting Minutes February 23, 2022
Well, are we on any kind of time? This is legislative. Is there any...

The housing needs analysis has to be adopted by December 31st.

Okay. Yeah.

So I've made a motion to continue this conversation further about the terminology, quote quote, the word family. Looking for a second.

Tokarz-Krauss seconds.

Any discussion? None. Take a roll call. I'll just go around the room back and forth this way this time. Commissioner Collier. I'll say aye. Commissioner Arthur.

Aye.

Commissioner Tokarz-Krauss.

Aye.

Commissioner Scherf.

Aye.

Commissioner Aviles.

Aye.

So just for clarification, what staff will do prior to your next meeting is bring you the legislation that talks about family that was passed the last legislative session. We can get that and then give you a sample, if you will, of what the terms are that are in the development code and maybe what are used in a couple of other city codes, and then you'll take the discussion from there. Does that work?

No. Can you run a... Is the comprehensive plan one document that you could do a find and it'll say there's 97 of them or...

It sounds like this is almost housekeeping if it's already in the development code. Is it almost housekeeping?

It sounds like that. We're just making it cohesive with the terminology already used in other codes.

Okay.

Okay. So we'll close that item, correct? And move over to the public hearing item A, 103-00144-22/301001. The SCR properties on Southeast North... Southeast N Street. Page 45.
Yeah. This is a quasi-judicial statement that there for you, Chair.

So at this time, I open the public hearing and consider the application filed by SCR Properties with the major variance. Yeah, I know. This type two hearing. Engineer is Bob Hart Consulting, and the applicant is Daniel Charbonneau. Begin the hearing with a staff report followed by a presentation of the applicant's statements by persons in favor for the application, statements by persons in opposition to the application, and an opportunity for additional comments by the applicant and the staff. After that has occurred, public comment portion will be closed and the matter will be discussed and acted on by the commission.

Yeah. There should be a...

Okay. Is there anyone present who wishes to challenge the authority of the commission to hear the matter? Seeing none. Abstentions, conflict of interest, any commissioners wish to abstain from participating in the hearing or declare potential conflict of interest? Seeing none. Prior to ex parte, are there any commissioners who wish to disclose discussions, contact, biases, or other ex parte information they received prior to the meeting regarding the application? Seeing none.

Thank you. My name is Donna Rupp. I'm an Associate Planner in the Community Development Department. This is for the SCR Properties tentative partition plan with the major variants. The location of this property is on Southeast N Street. It's about 300 feet or so west of where Agnes crosses the railroad tracks and then curves to the west and becomes Southeast N Street. It is zoned R32 within city limits. The applicants have already applied for a private street name. That's what you see here on this slide. So the background on this. This goes back a couple of years, actually. Different projects. This application is for a two lot partition with a major variance project. The project began in 2020, where they received approval to build one fourplex on the parcel with a second one to be built in the future, and now they have applied for a two lot partition to allow each fourplex to be located on individual lots.

The application includes the construction of a new private street to meet access and frontage requirements outlined in Article 27 of the Grants Pass Development Code, and that's where we get into needing the variance. This is in your packet [inaudible 00:27:07]. This one, I did not write down the page number for you. Might be easier to see on the screen anyhow because it's much larger. It's in your packet on page 71. This diagram. Went out there today and took a few photos to give you an idea of the layout. Turn on the little pointer here. So right here is the fourplex that's nearly completed. You can see it here behind the fence. The original plan in 2020 was then to build another fourplex on the one parcel. The application is requesting that this one parcel be split into two along this line. And in order to meet frontage requirements, to put in a private street that will provide access back to parcel two.

This is the photo taken right on the sidewalk here. I guess I didn't get the arrow quite in the right place, but right on the sidewalk. And then this is taken of the fourplex from approximately at this angle, just to give you a lay of the land, so to speak. Initially in the application, if you've had time to review your packet, the applicant requested two variances with the... There was a surveying error based on not calculating for a right of way, and it reduced the front yard setback from 20 feet to 15 for the newly built fourplex. But with this application, Southeast N Street now becomes the exterior side yard rather than the front yard, so with a private street here, this fourplex now needs 20 feet from here, which it has, and only needs 10 feet to Southeast N Street. So that

Urban Area Planning Commission
Meeting Minutes February 23, 2022

10
variance one, that request actually becomes moot because Southeast N Street is now the exterior side yard. It only needs 10 feet. It has 15. Okay?

Variance two is really at the heart of the matter. Per section 27.123, subsection 14, when a new private street abuts an existing residential development, the new street must be located five feet away from the property line and a sidewalk may be placed in that buffer. The intent of that is so that no one has a street right in their backyard, right? That's the intent of that section. You can see here is the existing develop. There's a big lot back here, Tax Lot 501, that has a house on it, but the house again is way back here. So this road here is what is considered the existing development, and on that basis, the applicant has requested that five feet be reduced down to two feet. This is a better close up of the variance two details. In that two feet, they're going to include drainage. Here's the survey marker here. At the angle, it's kind of hard to tell, but this tree is actually on the neighbor's property. So the property line goes where right down next to here.

And as you'll see in your packet on pages 47 to 48, the staff find that criteria is satisfied as outlined in the packet. And on this one, we recommend that UAPC approve the request for a major variance, for an adjustment to the setback of a new private street from five feet to two feet. The parcel request, we have all the criteria that is shown within your packet, and Article 12 for residential lots require 5,000 square feet, however, 2178 square feet per dwelling unit. So when you do the math on that, you come out to each parcel needing at least 8,712 square feet to build a fourplex on it, and both parcels surpass that minimum. They meet all the other lot requirements for a partition for the development code. We did have to look at the landscaping and the tree chart as a listed in criterion five, and the landscaping for the existing, not quite finished fourplex at the front, was submitted with the intent that the rest of this would be landscaped.

It's a little difficult to read this, but they're proposing eight Norwegian Maples in 15 gallon size although there's only five drawn on here. But eight is what's approved, and that will provide plenty of canopy coverage on this lot as well as the new submittal in page 70 of your packet, which you should be able to read all the little notes on that I checked it. It's pretty legible in your packet, where the requirement is 15 percent required coverage and doing the math on the number of trees, their mature canopy size, the area of the circles compared to the square footage of the lot. We get about a 27 percent coverage. So that totally meets. The approval is based on the landscaping that was approved in 201341-20 and that major site plan review, that being installed as well as was proposed for parcel two. So all of their criteria for the partition request are met with conditions listed in the staff report within your packet on pages 49 to 51.

And again, staff recommends that UAPC approve the request for a two lot partition with the conditions listed. So a call to action on this would be to approve the request for the major variance as submitted or as modified or deny the request based on specific criteria and continue the item to the date in time certain with the deadline being May 14th. And as far as the two lot petition approve is submitted, approve is submitted with conditions listed in the staff report as modified, deny or continue again the same deadline date of May 14th.

Questions for staff.

I'm a little confused. Is the variance required to get the partition or do you get the partition first and then the variance for...

*Urban Area Planning Commission*

*Meeting Minutes February 23, 2022*
They have to be done at the same time.

Well, you have to...

Because the street design, to create parcel two, you have to have frontage on a street. You couldn't just divide it off and just have a driveway. So the private street is required.

Still have to make one motion before the other.

And the applicants are here if you have questions for them as well.

Commissioner Scherf.

So question for staff. So the adjacent on the plan here, the adjacent residence to the west is... On the plan it's labeled as a gravel drive. Is that a flag lot or is that an access easement to a rear parcel?

That's a flag lot. That's part of their property.

So that's why we're at this point because I was just looking at, making sure that if it was an access easement or it was a flag lot. So that's why you're at that. Okay. That was the only question I had.

Okay. Thank you.

Commissioner Tokarz-Krauss.

So the motion would be to simultaneously approve? Or did... That way so that it...

Oh no. You... First, you have to have applicant testimony.

Right.

But then you would...

Right.

You would definitely need two different motions. The variance needs to be done first.

Okay. I'm just clarifying really because that's what I think Commissioner Arthur was trying to get to. Okay. Thank you.

Okay.

More questions for staff? No. Presentation applicant?

Right here.

*Urban Area Planning Commission*  
*Meeting Minutes February 23, 2022*
For the record, my name is Bob Hart, Land Use Consultant. Land use consultants serving Southern Oregon. I was called in to help with this project, so I was part of the larger project that's located a little bit further to the west in Sequoia Village. So this is a same developer that did that is doing this. We could not do it as a PUD because there was not sufficient area to have common area in additional amenities. This project presented somewhat of a complication, and I think it's easiest to follow when you take this exhibit in your packet. We have the subject property and a driveway that is in a flag lot directly to the west. If we did exactly what the code says, we would have to place the sidewalk on the west hand side and then the driving surface on the easterly side toward the structures, which would make the sidewalk in between two driving surfaces, the driveway on the adjacent parcel and the private street on the subject parcel.

We didn't think that would be a safe situation of having driving surface traffic on both sides of this isolated sidewalk, so we looked at what could we try and do, and the variance we felt is the best option here that would create a safer situation, still preserve the 20 foot setback between the street and the structures, and meet all the other requirements of the code. As you see in your packet, there's also a little deviation at the front corner where it comes right off of N Street. To explain that little wiggle there, there is a major utility pole there using high intensity voltage, so we can't move that in an easy manner. So we bypassed, went around that, and then we moved over within two feet of the property lines, so we still had area for our drainage to get everything out to N Street. So we felt that this was the best solution to a difficult situation. We split it because as we see, financing now is more difficult.

So we wanted to be able to split it in and split the project, that we don't have to income the whole thing, and we can do it as two separate structures. We felt this is the best situation to try and bring the housing as quick as we could to market. If there's any questions, I'd be happy to answer them.

Commissioner Aviles.

Thank you. So just looking at the map that's on page 69 of the packet, it shows parcel one and it shows the proposed private street.

Mm-hmm (affirmative).

And this, it may not be material, but maybe even just my curiosity, does the proposed private street not extend a parcel two because that's not currently in development or would that happen later?

The private street for technical purposes ends at the operation or parcel two where it begins. From then, it's a driveway to the parking spaces. As soon as we get this approved, then we will come in with our request for the building permit to start the second fourplex.

Okay. Thank you.

So it just changes from private street to driveway. We had to go across the front lot parcel one to get to parcel two, and that's the termination of the private street.
Got it. Thank you.

Good question. Is there any more?

Thank you very much.

When it's a statement by persons in opposition to the application. Doesn't look like anyone. Opportunity for additional comments by the applicant or staff. Seeing none. Okay. I guess we close the public comment portion of this and ready to proceed to a discussion. Commissioner Scherf.

My question, if I don't see any discussion, I'd like to move on to a motion. Do we have to motion these separately? Okay. I would like to make a motion to approve the variances as... or the variance. We're down to one variance, correct? The variance as listed within the staff report.

Tokarz-Krauss seconds.


Yes.

Commissioner Tokarz-Krauss.

Yes.

Commissioner Scherf.

Yes.

Commissioner Aviles.

Yes.

Motion passes. Can I have another motion? Commissioner Scherf.

I'd like to make a motion to approve the partition as labeled and described within the staff report.

Tokarz-Krauss seconds.


Yes.

Commissioner Scherf.

Yes.
Commissioner Tokarz-Krauss.

Yes.

Commissioner Arthur.

Yes.


Get her done. Bye, Daniel.

I guess we're ready to go. [crosstalk 00:44:21]. Yeah. Oh, at this time, open to public hearing to consider a type four planning commission recommendation city council decision. Staff assigned is Mr. Maki. We'll begin the hearing with a staff report followed by public comment. The matter will be discussed and acted upon by the commission. Anyone present wishes to challenge the authority of the commission in the matter? Seeing none. Any commissioners wish to abstain from participating in the hearing or declare conflict of any interest? Seeing none. Explanation criteria of the hearing, the recommendation of the commission to the council will be based on specific criteria. All testimony evidence must be directed toward direct criteria. Criteria will apply in this case and is noted in staff report. Waiver, raise it or lose it. It's 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 to appeal the city council. Doesn't look like there's anyone even here, so I guess we're ready to go.

Yes. Thank you. Good evening, commissioners. The topic we're going to be discussing tonight is a minimum residential density development code amendment, specifically section 12.145 of the Grants Pass Development Code. And for the record, the project number we're going to be discussing is 4050012822. So just a little bit of background. This is a discussion that has been taking place over several years. Starting in spring of 2019, the housing advisory committee, also known as AJC, discussed minimum density zoning as a potential tool for the city to add and to increase the supply of units. And then in fall of 2019, the housing advisory committee agreed to add action 2.4 to their housing action plan, which was to develop minimum density zones in parallel with density transfers added to draft HAC Work Plan as a recommended action.

At the beginning of 2020, the housing advisory committee presented the housing action plan to city council and city council acknowledged the HAC work plan. And then moving to October of 2020, the HAC included minimum density, adopting a minimum density standard in its list of top 10 priorities for 2021, and the housing advisory committee, excuse me, did pass a motion to recommend to city council that they adopt a minimum density standard in the development code, which would be 60 percent of max density in the R31 and R41 zones. And then in May of 2021, city council reviewed the HAC motion during a workshop session, and during that workshop session, the council requested additional research to consider minimum densities above 60 percent to develop some language around exceptions to meeting minimum density and to provide examples of built projects that achieve 60 percent of minimum density or above.

So council, our staff followed up with some of that research, and then in August 30th of 2021, city... During a city council workshop, council discussed the requested research and council gave direction to proceed with a 60 percent minimum density code amendment, requested...
review of draft ordinance prior to planning commission public hearing. So just some general information around the purpose and goals of a minimum density ordinance. A minimum density standard helps to accomplish the housing goals of the Grants Pass Comprehensive Plan, including policy 9.4, which is diversity of housing types, and 9.8, need for rental units and multifamily. And just as a little bit of a coincidence, although it hasn't been formally adopted, the earlier discussion tonight, the revised comprehensive plan does include a new bullet point, which is to establish minimum densities in medium and high density zones. So what we're discussing tonight is in line with that comprehensive code amendment.

It ensures in areas with high levels of public service and infrastructure that service capacity is used to its greatest extent, achieve more efficient use of available residential lands and meet intended housing production goals, and helps to increase the diversity of housing types available within the city. Here's a couple bullet points from the 2021 housing needs analysis just to illustrate the fact that the proposed code amendment is in line with this document as well. But the population of Grants Pass is forecasted to grow at just slightly over one percent per year over the next two decades, adding the need for... Or adding 9,401 new residents. Population growth will require the addition of just over 4,000 new traditional dwelling units over the next 20 years plus 114 group quarter dwellings. About 60 percent of the future housing need will consist of single-family detached housing. 18 percent will be a mix of town homes and townhouses. 33 percent will be apartments. Six percent will be manufactured housing and three percent in group quarters.

So just drilling down a little bit now into the development code, Article 12, which is the article we're looking at, does give some purpose statements to describe the intent of the zoning districts, and tonight we're looking at the R3 and R4 districts. So as you can see on the slide here, the purpose of the R3 districts is to encourage, accommodate, maintain, and protect a suitable environment for residential living at moderate high densities. Maximum densities in these zones are typically representative of two-story housing such as attached or multi-family. And similar statement for the R4 zoning districts. The purpose of the R4 districts is to encourage, accommodate, maintain, protect a suitable environment for residential living at higher densities and for professional uses that typically support residential areas such as professional offices, etc. Maximum densities in these districts are typically representative of three-story housing such as attached or multi-family.

So currently the development code does include a section related to minimum residential density standards, describes the intent of the section. Part of the issue is that the schedule, Schedule 12-4B that defines what the minimum density is for a specific zone, is essentially zero. There is no minimum density that needs to be met. So as an example, single-family home can be built on any lot in any zone. You will notice this M designation. We'll talk about that a little bit later in the presentation, but there are no M designated zoned lots within the city, so it doesn't apply to any lot within the city. So just to sort of summarize the main points of the code amendment, the amendment would change one existing section of Article 12, which is section 12.145. It would create one new section in Article 12, the newly created 12.146, and it would amend Schedule 12-4B, the table we looked at in the prior slide. And just as a reference. Page 85 in your packet is the proposed draft language.

These are just getting a little bit more specific, but still summarizing what the changes are that you see in that edited draft. New residential development in the R31, R32, R41, and R42 zoning districts is required to achieve at least 60 percent of the maximum density for the zone, and a
site that is nonconforming in minimum density may not move further out of conformance with the minimum density standard. Units may be added, which bring the site closer to conformance without coming all the way into conformance as part of a phase project that demonstrates the minimum density will be achieved. All lands in the R31, R32, R41, and R42 zones are required to demonstrate compliance with the minimum density requirements of the base zone at the time of land division application unless modified through a land unit development.

And staff proposes to delete the current M suffix, which allows a minimum density standard to be used with any zone. Again, it just goes back to the fact that we don't have any M designated zoning within the city. And my understanding is there's no intention to have any, any time soon. And there is just one little addition to section 12.145 subsection two that would include flood hazard areas would be subtracted from the total area of the lot to determine what the minimum lot standard would be.

Hey, Jason, just let me interrupt you there. We were just looking at that here of the staff table and that, I don't think, is correct. We would... Because our code actually allows for development in flood hazard areas, so I mean, if you allow for development of a flood hazard area, then it should be... It shouldn't be exempted out. I mean, that should be part of it. So the flood way, which is basically the channel of the river or the channel of Gilbert Creek, et cetera, et cetera, now that should be exempted out, but not the 100 year floodplain. You can develop in the 100 year. So thanks to Donna, she's actually our floodplain coordinator, for catching that. So that would... If you chose to move this tonight, we would need to actually not include that particular phrase.

And one thing. It does also refer to stream banks under this number two. It's on page 86 in the packet. So within stream banks and [inaudible 00:56:50] setbacks, again, that term is really hard to define for us, so that would be replaced with flood ways because that's completely defined within the development code and then just strike the flood hazard area.

Yeah. So we may be able to talk about this towards the end, but so we would be editing one phrase that's existing and not adding one proposed.

Yeah. Okay.

And here's the proposed amendment to Schedule 12-4B. As you can see, staff is proposing to strike the reference to the M designations and to add the 60 percent of the max density as the minimum required density for the appropriate zones. And just as a reference, Schedule 12-4A is what establishes max density, so these are the numbers here that we're just taking 60 percent of those numbers, which becomes the minimum density in the previous slide. And there is a proposed addition of a section, again, 12.146. The first part of that is an exemption statement, which basically says that all lots less than 10,000 square feet are exempt from meeting the minimum density requirements. And for lots greater 10,000 square feet, there's an exception process. I'll just go ahead and read this out to you.

A development on a building site that is 10,000 square feet or larger, if the applicant can demonstrate by means of a detailed site plan that the site is so constrained that the proportional share of the required minimum density cannot be provided and still meet all of the development standards in the underlying zone, an exception may be granted. For development on a building site that is 10,000 square feet or larger, if the applicant can demonstrate... Well, maybe that's
just a little bit of a repeat there. To be granted in exception to subsection one above, the applicant must demonstrate that the maximum number of residential units are being provided while complying with all applicable development standards in the underlying zone.

There is nothing in this section which precludes an applicant from applying for a variance to these standards as governed by Article 6. And if a property is occupied by a single dwelling as of the date of this ordinance is adopted, the dwelling can be enlarged, reconstructed, or replaced in the event of a natural hazard without having to meet the minimum density requirements. And just to give a specific recent example of how this might relate to a project, I have a little bit of a subdivision comparison. So Highland Meadows is an 11 lot subdivision that is developed with single-family homes and Evergreen Manor is a similarly sized subdivision, 11 lots, each lot developed with a duplex. And as you can see from this table, again, same zone, similar size, similar max density.

If a 60 percent minimum density standard was required, they'd be pretty similar for both developments. Same number of lots. In the case of Highland Meadows, the developer built 11 units, and in the case of Evergreen Manor, the developer constructed 22 units. Highland Meadows would not meet up a 60 percent minimum density standard and Evergreen Manor would meet that standard. So to better align with the intent and purpose of these zoning districts, the code amendment would lend itself to developers needing to meet the standard that's described in the example of Evergreen Manor. Just to give you a sense of the total impact of this to the lots that would be impacted by this development code amendment, here is a map. As you can see, the different shaded areas relate to different zones.

Is that map available on your website, on the Grounds Pass website?

It is, but it'll show all zones. So what I did here is I removed the colors for any other zone. It just helps you sort of see the zones we're talking about. But our zoning map is available. And I can send this out if anybody is interested in seeing this exact particular map. And just again, looking at high-level impact, during council discussion, there was some talk about how this change would relate to lots that have the potential to be to developed as opposed to lots that are already built out, so this is staff's attempt to quantify the total number of lots and acreage that are likely to be developed in the future, and we did that by identifying all of the lots with assessed value less than 10,000, which we would classify as being vacant, and then lots with less than 50 percent value, which we would describe as being under-improved, and then the total number of lots and total number of acres within those zones.

So because the exemption includes language that would exempt lots less than 10,000, this table makes an attempt to get a sense of how many lots within the total number of lots fit that description. So as you can see, a big... A significant portion of the lots within each zone are less than 10,000 square feet. And there was also some discussion for a typical multi-family development, multi-dwelling unit complex, typically we'd be looking at lots of over one acre, so you can kind of get a sense in this column here of how many lots are within each zone that are over one acre in size, likely the lots most significantly impacted by this code amendment. And so the planning commission's call to action recommend approval by the city council as submitted or with revisions recommended by the UAPC, recommend city council deny the requests and list the reasons, or postpone and continue to a date certain. And just so we're all aware, that 120 day deadline, or maybe there's not a 120? Okay. So pending any questions, that's my presentation.

Urban Area Planning Commission
Meeting Minutes February 23, 2022
Commissioner Aviles.

Thank you. Just a quick question. So in terms of the minimum density proposal, it applies to R3 and R4. Why not R2?

There was quite a bit of discussion, both at the housing advisory committee level and the city council level, and ultimately council directed staff to move forward with a development code amendment that did not include R2.

You could listen to the workshops to get a better sense for that, commissioner. At a high level, I think one of the reasons was the sheer acreage involved. There's a lot more acreage that is zoned R2 when you add it in there, so I mean, you could argue that both ways. You could say, "Well, that's more acreage, so that means potentially more density." On the other side, this is a pretty significant change for the city and that could potentially be done later, but I think one of the thoughts was let's start with those zones that are intended for the higher level of density. The R2 is right at that borderline between kind of medium and high. I mean, it's really intended more for single dwellings than it is for multi volumes if you look at the purpose statement. So those are just a couple of thoughts.

Other questions. Commissioner Scherf.

Okay. So basically the prime example, if we go back to the heart of this discussion, the prime example is taking a subdivision and... Or your example that a minimum density would be required is taking a subdivision, and it's in not allowing somebody to do decent size single-family dwellings with open space per individual and basically doubling up the units by putting duplexes on these to increase that density. I just, to the heart of this, I think minimum density goes completely against section 9.7 in the comprehensive plan that we just agreed upon in taking away local barriers to development. My argument for that would be basically if you're forcing developers to increase the density purposely, then that's putting another barrier to that local jurisdiction, to that local zoning, which goes against your comprehensive plan, which was just agreed upon.

So I don't know if that was a lot of forethought in that. I understand that you're trying to get a little bit more duplexes and plexes in. I'm just not seeing... I don't know. I don't know how to finish that conversation. My second question would be minimum density requirements is just going to the root of the utilized density on that property and does not preclude or does not diminish the other restrictions on that zoning, meaning the utility requirements, the parking requirements, and so forth. It's just actually just trying to force a utilization of 60 percent of the allowable. Is that correct?

I guess I don't completely understand.

So if you're forcing somebody to use a minimum density in that area, is there any concessions decreased in the amount of parking required or is that still density based within those other development code regulations?

Not anything directly. I don't think there would be anything indirectly that I can think of, but nothing in this section that would offer a concession, for example.

*Urban Area Planning Commission*  
*Meeting Minutes February 23, 2022*
And I'm trying to preclude that. I don't want to offer a concession because I guess basically what you're trying to do is try to make sure that your infrastructure is growing with the amount of density. If you're forcing a minimum density requirement, I wouldn't want any other concessions for decreasing the amount of required parking, the amount of any other development code.

Yeah. I'm just kind of thinking off the top of my head here. I suppose through the exemption request process, an applicant could make some sort of argument around needing to meet other standards, but again, no direct language that would give any sort of other concession for any other required standard of the code.

Perfect. Thank you. That's what I wanted to make sure. I don't have any other questions.


I did want to make sure that you provide a copy of the map. I find it helpful because where you had put the R3 and R4 zoning highlighted, what I found online showed such an insufficient amount. These numbers, in addition to the map that you've laid out here, give very reasonable... In fact, I think this fits what we've been mandated legislatively to do, and that's get those numbers up without... Well, it doesn't say this legislatively, but allows for a more dense use of the lands that we have. If that also had R2 on it, you'd have a... That thing would light up like crazy and we wouldn't be able to, as a locality, I feel, blend this in in a way that fits our particular community. So I, again, find that helpful. It helps me feel more comfortable with what's being presented here and the goals that it's seeking to achieve. Thank you. I think we would all want the map if you could send that to all of us.

Well, I think based upon Clint's comment that the item that's missing for perspective is how much did we take in with the urban growth boundary expansion? And I can't even... So many numbers, I don't even remember what it was now. I know what we went... We still are under 16 square miles, which is one percent of the county for the people who were alarmed about covering the whole county with houses. But I think it would be good to just have, and I know we've had tons of numbers like this, but to tell us what the R1s and 2s are so you can say, "Okay, we're taking away," in Clint's terminology, "We're putting a barrier on 1,100 acres requiring them to be more dense." But how many are left that aren't required to do that just for perspective? And I don't remember what that number is now. The lot.

Commissioner Scherf.

So to clarify what my statement was against... To clarify my definition of barriers is if you force a developer to build more infrastructure, more houses within to build more density within a piece of property, you're also forcing that developer to outlay more money to upgrade and follow the infrastructure behind it. So that is a barrier. That's an increased cost within that piece of property. Secondly, I wanted to know, there was, and I just need a little clarification because my brain might have glossed over when you were talking about... You were talking about if a property didn't meet the minimum density, there was an avenue for an exemption, or... Would that avenue include basically going through a variance or PAD style and going through a public hearing or have you guys defined that?

It would be a director's decision.

Urban Area Planning Commission
Meeting Minutes February 23, 2022
So it would only be a staff level decision.

Correct.

Okay.

Anyone else?

I know we've been around on that infrastructure issue before, but I still can't see how density doesn't decrease the need for infrastructure because you're not stretching streets and sewer lines and everything way out beyond that small piece of property.

Easy way to explain it.

Hm?

Easy way to explain it.

Okay.

You have one hose to your garden. You put in four tomato plants. You need four sprinklers for those four tomato plants. You have one hose to that. You double your garden the next year, same plot of land. You put 12 tomato plants on there. You need 12 sprinklers. Does that small hose that you, last year, watered four tomato plants with have the capacity to water 12 tomato plants the next year? So basically if you increase the amount of houses, you increase the amount of toilets, you increase the amount of water pressure needed, so if the infrastructure going to that residence, residential area, is not big enough, doesn't have enough capacity, that's what I'm talking about. So if you increase the density, you still have to have infrastructure to follow behind it. So when does that become the burden of the city versus the burden of the developer? As a burden of the developer, that is a barrier for him to develop because that's an added cost to them.

And that might be a question. My guidance for taking this seat was to keep those comments headed towards staff. And to that end, we did ask staff to say, "Okay, what's going to be the overall impact?" So could we address that question for staff? What would be the... because as I understand it, that you've looked at this.

Yes. Generally speaking, all master plans, sewer, water, assume capacity at the max density level, which goes back to this chart. So the plans are assuming that lots in these zoning designations are going to be built out to 100 percent of max density, which is very rare that it happens. So the 60 percent would be less than the assumed density of the master plans.

In full transparency to Commissioner Scherf's point, the current master sewer, water, storm water, and transportation plans, so we have those as our four main master plans that address pipe size, that address street width, that address the capacity to handle all the storm water runoff, I mean, those were all adopted generally around 2015, 16. The transportation system plan we've just adopted last year. But a lot of emphasis was put on the new growth areas. So you see on that map, there's a lot of R3 and R4. That's closer in to the core of the city, which
would have been... The infrastructure would have been built sometimes 40, 50 years ago. Now, some of that infrastructure, again, just trying to put everything on the table here tonight, is not necessarily at that pipe size, for example. I mean, we're talking about all kinds of infrastructure to handle.

I think the confidence level increases, though, when you, when you look at the distribution. So if you're talking about one 30 unit multiplex being put, say, up off of Highland maybe where there's some older pipes, now it is possible that a 70 unit, 100 unit, 120, may trigger some need to up-size. That is possible. And that is typically going to be the cost of the developer to up-size if that's where they want to build. We have not, in this proposal, gone to that level of detail to say, "Well, on this parcel, a 100 unit project is going to trigger this up-size, which triggers this much cost." That's a major analysis. We did not do that. But we do still feel comfortable that looking at a broad scale where these are targeted, the infrastructure is there. And as Jason said, the master sewer, all those plans were designed at the maximum, which we're not even close to the maximum density on the vast majority. So that's...

So with that in mind, you're satisfied that this is a workable tool for you.

For the city. I mean, we put these applications out there in large part because they get driven by elected officials. So I mean, this is where... This was a strategic plan item, so we're just... We're kind of following the directions that were given by the city council here.

And that's what I'm very comfortable... I'm very thrilled that you actually gave that analysis because I feel that one of my jobs is to make sure to ask as many questions as possible to make sure that we are all thinking about the whole picture, not just doing a knee jerk reaction that's going to last through the end of the day. And again, you're five years down the road and we're going, "Well, we don't have that multimillion dollar coffer to extend that sewer out to there where we told them they had to build 120 units." So I'm just here to ask those questions to make sure that we're all looking at every aspect, every corner of the box.

Absolutely.

Commissioner Aviles.

Thank you. It's part of a discussion with the commissioner, not to staff. Can I? Oh, okay. So just speaking to the metaphor about the hose and four plants versus the hose and more plants. So with your comments, am I to understand that things were built with a bigger hose that are being underutilized and then therefore are able to manage at a higher capacity should the densities be increased? Did I follow that right? Is that what you...

You did. Yes.

Okay. Okay.

Yes.

Thank you.
So there's lots of 12 inch sewer lines out there that are well underutilized.

All I can... In my head, you said Highland Avenue, and all I can see is collapsing Orangeburg pipe. That goes back to, again, a builder assuming that risk with a profit motive in mind, and it is one of those things. So anyway, thank you.

Do we have consensus?

I would like to, if I could, just... Sorry to cut you off there, Chair. Just mention two things. Just to clarify, with the recently agreed to be adopted comp plan, there is a specific policy goal, 9.6.12, which is the specific language is established minimum densities in medium and high density zones, so I do think it aligns with a very specific policy goal of the new comp plan amendment. And then just to touch on something that you mentioned, commissioner Arthur, I just want to clarify with everybody, everything you have seen tonight does not include the urban growth boundary rezoning project, so there will be areas of town that transition into city zoning once the urban growth boundary rezoning project is complete that will have some of these zoning designations. So at that time, you'll see more areas identified on this map that will be subject to the minimum of density standard.

Do we have a motion? Unless you want to spend the night here.

Sorry, Chair. I guess you should close the hearing.

Yeah. If there's no more discussion, we can close the hearing on the item.

I hereby move that we approve the development code text amendment as presented with... Go ahead.

With edits, do I need to be specific as to what they are with edits as recommended by staff?

Regarding the flood way.

Specifically the flood way or plain designation.

I think you had two edits setbacks. Okay. I'm getting a thumbs of up from the chair that he knows the two edits. We'll see him. Okay. We have a motion with two edits and a second by Commissioner Aviles. Discussion. And seeing Commissioner Scherf.

Sorry, I still have one more question. If you impose minimum densities as laid out in these code changes, are those subject to running a PUD on an R3 or an R4 zone?

I don't know if we can... We closed the hearing.

I know.

Yeah. So that's discussion. We have to come to that.

I'll withdraw the question.

Yes.

Commissioner Tokarz-Krauss.

Yes.

Commissioner... That’s a yes. Commissioner Scherf.

No.

Commissioner Aviles.

Yes.

Okay. That’s four in favor, one opposed. It means the motion carries. Do we need a reason?

I don’t like to have... I don’t like the fact that there’s not an avenue for a developer to come up with lot hardships. I mean, you said it was staff approval, but I just kind of see that it’s not... I don’t see an easy avenue out of it, and then again, I’m going to go back to I think you’re imposing... You’re self-imposing more barriers on development in the area. So that’s my excuse.

Okay. What do you need from me now? That’s it? Okay. That’s done. Matters from commission members and staff. Any commissioners matters? I think we’re done. Let’s keep going. No matters. Staff?

I think we’re good.

Okay. I guess we’ll adjourn the meeting at 7:26. [crosstalk 01:26:23].