CITY OF GRANTS PASS
COMMUNITY DEVELOPMENT DEPARTMENT

ZONE MAP AMENDMENT
STAFF REPORT

<table>
<thead>
<tr>
<th>Procedure Type:</th>
<th>Type IV-B: Urban Area Planning Commission Recommendation with City Council Final Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Number:</td>
<td>402-00105-20</td>
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<tr>
<td>Project Type:</td>
<td>Zone Map Amendment</td>
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<tr>
<td>Owner(s):</td>
<td>Various; city-wide</td>
</tr>
<tr>
<td>Applicant:</td>
<td>City of Grants Pass</td>
</tr>
<tr>
<td>Planner Assigned:</td>
<td>Bradley Clark</td>
</tr>
<tr>
<td>Application Date:</td>
<td>September 11, 2020</td>
</tr>
<tr>
<td>Application Complete:</td>
<td>September 11, 2020</td>
</tr>
<tr>
<td>Date of Staff Report:</td>
<td>October 22, 2020</td>
</tr>
<tr>
<td>Hearing Date:</td>
<td>October 28, 2020</td>
</tr>
<tr>
<td>120 Day Deadline:</td>
<td>Not Applicable to Zone Map Amendment</td>
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I. PROPOSAL:

The UGB Rezoning project affects 533.7 acres of land within the City's UGB but outside its current city limits, encompassing nearly all of the land within the UGB intended for future City development.¹ These properties currently have rural zoning under Josephine County's zoning regulations and are eligible for rezoning to urban zones, even prior to annexation, under the terms of a 1998 Intergovernmental Agreement between the City and County to support efficient development of UGB area. The proposed zoning is a mix of urban residential, commercial and employment zones, consistent with the existing Comprehensive Plan designations. Rezoning to urban zoning districts will expand the development capacity of these parcels, particularly residential areas, and provide for the orderly and timely development of these areas consistent with urban zoning and development standards.

II. AUTHORITY:

Section 2.020: Schedule 2-1; Sections 2.062, 2.063, and 2.064 of the City of Grants Pass Development Code authorize the Planning Commission to review the application at a duly noticed public hearing and make a recommendation to the City Council. Section 2.066 grants City Council the authority to approve, conditionally approve or deny a Type IV application after receiving the findings and evidence from the Planning Commission.

III. CRITERIA:

In order to recommend approval of the project as proposed, the project must be consistent with the Criteria in Section 4.033 of the Grants Pass Development Code. As a Zoning Map Amendment, the proposal must also comply with ORS 197.175(2)(a)² requiring compliance with

¹ There is one area within the UGB but outside City limits that is not proposed for rezoning with this project. See discussion on page 4 of the employment area in the North subarea.

² Corrected; the public notice for this project incorrectly referenced ORS 197.174(2)(b).
relevant statewide planning goals, and ORS 227.175(4)(a) requiring compliance with local comprehensive plan goals. The Criteria are identified and analyzed in the remaining Sections below.

IV. APPEAL PROCEDURE:

Final action on the proposal will be considered by the City Council. As such, the Planning Commission recommendation is not subject to appeal. Section 10.060 of the Development Code provides for an appeal of the City Council decision to the Oregon Land Use Board of Appeals (LUBA) within twenty-one (21) days of the final written decision, as provided in ORS 197.830.

V. BACKGROUND AND DISCUSSION

A. Characteristics of the Affected Area:

The affected properties are located around the periphery of the existing city limits and within the City’s Urban Grown Boundary (UGB). (See Exhibit 1.) The locations, Comprehensive Plan designations, and current Josephine County rural zones for these five subareas include:

**North Grants Pass:** Several areas along either side of the I-5 corridor that are entirely Employment designation with the exception of two Low Density Residential properties located on Vertical Drive. The predominate zoning for this subarea is Rural Residential 5, with some Rural Industrial parcels. (See Exhibits 2 and 3.)

**West Grants Pass:** Located north of Leonard Road, with a patchwork of Low and Moderate Density Residential, with Moderate Density Residential predominating. The predominate zoning for this subarea is Rural Residential 2.5. (See Exhibit 4.)

**Southwest AB Grants Pass:** South of Hwy 199 (Redwood Highway) at Hubbard Lane, and between Willow Lane and Schutzwohl Lane that includes a patchwork of Commercial, Employment and High Rise Density Residential, with small amounts of Low and High Density Residential. Predominate zones within this subarea include Rural Residential 5, Rural Residential 2.5 and Rural Commercial. (See Exhibit 5.)

**Southwest C Grants Pass:** Along Allen Creek Road is predominately Medium Density Residential with some High and High Rise Density Residential in the northern portion, and a few Low Density Residential parcels on the southern edge. The predominate zone within this subarea is Rural Residential 5. (See Exhibit 6.)

**Southeast Grants Pass:** Along Cloverlawn Drive from Robertson Lane to Walker Road, this area includes exclusively Low and Moderate Density Residential, predominately Moderate Density Residential. The predominate zoning within this subarea is Rural Residential 5, with pockets of Rural Residential 2.5 as well. (See Exhibit 7.)

The Comprehensive Plan designations for these properties include a full range of residential, commercial and employment designations. Residential designations range from low to high density. Total area by designations show that residential designations are the most prevalent, totaling 72.1% of the UGB area across the four residential designations, with Moderate Density Residential being the most common designation.
Table 1: Land Use Designations for UGB Rezone Area

<table>
<thead>
<tr>
<th>Designation</th>
<th>Acres</th>
<th>% of Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential</td>
<td>84.41</td>
<td>15.8%</td>
</tr>
<tr>
<td>Moderate Density Residential</td>
<td>213.01</td>
<td>39.9%</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>13.87</td>
<td>2.6%</td>
</tr>
<tr>
<td>High Rise Density Residential</td>
<td>73.57</td>
<td>13.8%</td>
</tr>
<tr>
<td>Employment</td>
<td>91.10</td>
<td>17.1%</td>
</tr>
<tr>
<td>Business Park</td>
<td>2.08</td>
<td>0.4%</td>
</tr>
<tr>
<td>Commercial</td>
<td>55.69</td>
<td>10.4%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>533.73</strong></td>
<td></td>
</tr>
</tbody>
</table>

B. Background and Discussion:

The proposal is for the approval of a Zone Map Amendment, consistent with the existing Comprehensive Plan Map.

The foundation of land use planning in Oregon is a set of 19 Statewide Land Use Planning Goals. The goals express the state’s policies on land use and related topics, like citizen involvement, housing, and natural resources.

Oregon’s statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan and the zoning and land-division ordinances needed to put the plan into effect.

Both the Comprehensive Plan Map and Zone Map designations depict how land can be used and developed over time, using a set of “designations” and “zones” (shown as colors on the maps). Both show broad categories of uses, such as residential, mixed use, industrial, employment and open space. They also convey information about the scale of future development (the type and size of buildings).

The Comprehensive Plan Map depicts a long-term vision of how and where the city will grow and change over the next 20 years to accommodate expected population and job growth. The City’s Zoning Map implements the Comprehensive Plan Map and regulates how land can be used and what can be built on any given property today. Zones are more specific than the Comprehensive Plan designations and come with a set of rules (included in the City’s Development Code) that clarify what uses are allowed (e.g., residences, businesses, manufacturing), and how buildings may be developed or changed (e.g., maximum heights, parking requirements, and required setbacks from property lines).

The Comprehensive Plan Map applies to the City’s entire Urban Growth Boundary area, including areas already within the City limits with City zoning, areas within the UGB yet outside the City limits with City zoning designations, and areas that are within the UGB yet outside the City limits that remain with County zoning designations. The UGB Rezoning Project applies to the latter category of lands, to ensure that nearly all lands
within the City’s UGB will have consistent City zoning applied, rather than County zoning. Relevant facts include:

- The UGB Rezoning project affects properties with rural Josephine County zoning within the City’s UGB. The 1998 Intergovernmental Agreement for the Orderly Management of the Grants Pass Urban Growth Boundary Area between the City and County grants the City authority to apply the City’s Comprehensive Plan, Comprehensive Plan and Zoning Maps, and Land Development Code within the UGB area. (See Exhibit 8, Sections III(2) and IV(1).)

- There are several hundred acres outside of City limits but within the UGB that already have City zoning. Many of those properties were subject to the Zoning Transition Overlay (ZTO), which limited interim development to lower-intensity zones prior to adoption of the updated Transportation System Plan (TSP), which became effective October 19, 2020. This project does not affect the zoning of any properties within the ZTO; those properties now can develop consistent with their designated City zoning.

- There is one area within the UGB but outside City limits that is not proposed for rezoning with this project. The approximately 132-acre area north of I-5 at Scoville Road and extending north along Granite Hill Road is designated for future Employment uses. While the area was initially considered for rezoning with this project, staff recommends conducting further analysis of its future employment needs and the characteristics of this area, including parcelization patterns, slopes, wetlands, and ability to provide utilities, before moving forward with any urban rezoning of this area.

C. Proposed Zoning.

The proposed zoning implements the existing Comprehensive Plan designations and is consistent with all designations across a range of residential, employment and commercial designations. The proposed zoning is presented in Exhibits 2-7.

Table 2: Comprehensive Plan Designations and Implementing Zones

<table>
<thead>
<tr>
<th>Plan Designation</th>
<th>Implementing City Zoning District</th>
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</table>
| Low Density (LR)       | R-1-12: Primarily single-family detached and single detached manufactured homes at a density of 3.96 units/acre.  
                          | R-1-10: Primarily single-family detached and single detached manufactured homes at a density of 4.84 units/acre.  
                          | R-1-8: Primarily single-family detached and single detached manufactured homes at a density of 6.22 units/acre.  |
| Moderate Density (MR)  | R-1-6: Primarily single-family detached and single detached manufactured homes at a density of 8.71 units/acre. Duplexes, townhouses and multifamily can be incorporated through a discretionary review.  
                          | R-2: Single-family detached, single-family attached.                                                               |

3 The UGB Rezoning Project does not apply to any lands within the Urban Reserve areas; these areas are not eligible for Urban zoning and development until they are brought into the City’s UGB.
<table>
<thead>
<tr>
<th>Plan Designation</th>
<th>Implementing City Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>manufactured home parks, townhomes, duplexes, and multifamily at 12.44 units/acre.</td>
</tr>
<tr>
<td>Moderate High Density (HR)²</td>
<td>R-3-2: Single-family detached, townhomes, manufactured (single detached and manufactured home parks), duplexes, and multifamily at a density of 12.44-20 units per acre, which is typically representative of 2-story development.</td>
</tr>
<tr>
<td>High Density (HRR)²</td>
<td>R-4-2: Single-family detached, townhomes, manufactured (single detached and manufactured home parks), duplexes, and multifamily at a density of 20-34.8 units per acre.</td>
</tr>
<tr>
<td></td>
<td>R-5: Single-family detached, townhomes, manufactured (single detached and manufactured home parks), duplexes, and multifamily at a density of 20-50 units per acre, which is typically representative of 3-story development.</td>
</tr>
<tr>
<td>Employment</td>
<td>Business Park District (BP): Mixed-use zone for light industrial and commercial uses, with significant performance standards to minimize impacts outside of buildings.</td>
</tr>
<tr>
<td></td>
<td>Industrial Park District (IP): Light industrial uses in a campus-like setting, with significant performance standards to minimize impacts and uses outside of buildings.</td>
</tr>
<tr>
<td></td>
<td>Industrial District (I): Industrial uses with heavier impacts upon their surroundings and the need for outdoor functions.</td>
</tr>
<tr>
<td>Business Park (BP)</td>
<td>Business Park District (BP): see above.</td>
</tr>
<tr>
<td>Commercial</td>
<td>Neighborhood Commercial District (NC): Small businesses located within residential zoning districts which serve the retail and personal services needs of nearby residents.</td>
</tr>
<tr>
<td></td>
<td>General Commercial District (GC): All commercial and professional uses, excepting those requiring on-site manufacture or assembly.</td>
</tr>
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<td></td>
<td>Office Residential (OR): Office uses where more intensive retail uses may not be suitable, which permit residential uses as a secondary use.</td>
</tr>
</tbody>
</table>

1. The City is initiating a code update project that will allow additional "middle housing" types including duplexes, triplexes, quadplexes, townhouses, and cottage clusters in all R-1 districts to comply with new state regulations adopted with House Bill 2001, prior to June 2022.
2. The R-3-1 zone also implements the HR designation, but is a legacy zone and not intended to be applied to properties after the TSP is adopted, and therefore is not included here as a zone option.
3. Similarly, the R-4-1 zone also implements the HRR designation but is not proposed here as a zone option.

VI. CONFIRMANCE WITH APPLICABLE CRITERIA:

A. For Zone Map Amendments, Section 4.033 of the City of Grants Pass Development Code requires that all of the following criteria be met:
CRITERION 1: The proposed use, if any, is consistent with the proposed Zoning District.

Staff Response: Not applicable. No new land uses are proposed at the time of this rezoning. Individual parcels may be developed in the future consistent with the Development Code standards.

CRITERION 2: All proposed zoning districts are consistent with the Comprehensive Plan Land Use Map designations, per Table 2.

Staff Response: Satisfied. All proposed zoning districts are consistent with the Comprehensive Plan Land Use Map designations, per Table 2.

CRITERION 3: A demonstration that existing or proposed levels of basic urban services can accommodate the proposed or potential development without adverse impacts upon the affected service area or without a change to adopted utility plans.

Staff Response: Satisfied. The City has adopted utility plans that include provision of urban services to all areas within the UGB, including the areas included in the UGB Rezoning project, for development at levels consistent with the applied land use designations. Adopted plans include the City of Grants Pass Water Distribution Systems Master Plan, Water Management and Conservation Plan, Water Treatment Plant Facility Plan, Collection System Master Plan, and Stormwater Master Plan. Each of these master plans was updated after the UGB was expanded in 2014 and were developed using the same population and employment assumptions that were used to update the Comprehensive Plan. Future development of individual sites will require detailed applications that demonstrate compliance with minimum urban service levels for the proposed development.

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

Staff Response: Satisfied. The City adopted an updated Master Transportation Plan (now referred to as the Transportation System Plan or TSP) effective on October 19, 2020, that includes transportation facilities to serve all forecasted development in the UGB including within the UGB Rezone project area. The TSP was developed based on land use modeling assumptions consistent with the adopted land use designations and the 2014 population and employment assumptions used to update the Comprehensive Plan. Because the proposed zoning districts are consistent with the adopted land use designations in terms of future traffic generation, the proposed rezone is consistent with the TSP. Future development of individual sites under the proposed zoning will be required to complete detailed transportation analysis that demonstrates adequacy of transportation facilities existing or planned to serve the proposed development.

CRITERION 5: The natural features of the site are conducive to the proposed Zoning District.

Staff Response: Satisfied. Natural features within the project area have been taken into account with the proposed zoning districts. Specifically, lower-density residential zones (R-1-12 and R-1-10) have been selected for Low Density Residential-designated sites with slopes over 15% and/or wetland and riparian areas, to reduce development pressures on sensitive lands. Medium to High Density zones have been applied in
areas with slopes less than 15% and that have a reduced likelihood of impacting natural
features. Within Employment-designated areas, the Industrial zone has not been applied
on parcels with slopes greater than 5% because greater slopes cannot accommodate
larger-scale industrial development without significant grading, site disruption and cost.
(See Exhibit 9.)

The City has a preliminary Local Wetlands Inventory (draft completed in August 2020)
that identifies known and probable wetlands. The current Local Wetlands Inventory was
adopted in 1997 and regulates wetlands activities. Wetlands were identified within the
areas proposed for rezoning, most notably south on Redwood Avenue in subarea
Southwest AB. (See Exhibit 10.) Any properties that include wetland areas will be
required to meet wetland and wetland buffer protection standards at the time of site
development. (See GPDC Section 24.500.)

CRITERION 6: The proposed zone is consistent with the requirements of all overlay
districts that include the subject property.

Staff Response: Not applicable. No Overlay Districts are included within the
properties that comprise the UGB Rezoning project; criterion is not relevant.

CRITERION 7: The timing of the zone change request is appropriate in terms of the
efficient provision or upgrading of basic urban services versus the utilization of other
buildable lands in similar zoning districts already provided with basic urban services.

Staff Response: Satisfied. Under the terms of the adopted Intergovernmental
Agreement between the City and Josephine County, the City may apply urban zoning to
rural areas within the City’s UGB that are not annexed. (See Exhibit 8.) The City has
recently adopted utility and transportation master plans that will ensure efficient provision
of urban services to these areas as they develop, and development regulations that will
ensure site-specific review of services and necessary improvements prior to site
development.

The residential zone changes are particularly timely to increase the supply of buildable
residential land at urban densities to address a housing shortage in the City and a
statewide housing emergency. (Note: For additional findings related to the timing of the
need for new residential-zoned lands, see the “Goal 10: Housing” analysis on page 10
below.)

CRITERION 8: In the case of rezoning from the Urban Reserve District, that the criteria
for conversion are met, as provided in Section 4.034.

Staff Response: Not Applicable. The subject property is not located within an Urban
Reserve District, and this criterion does not apply.

B. Amendments to the City's Zoning map must comply with the Statewide Planning
Goals as required by ORS 197.175(2)(a):

GOAL 9: ECONOMIC DEVELOPMENT
To provide adequate opportunities throughout the state for a variety of economic
activities vital to the health, welfare, and prosperity of Oregon's citizens.

Staff Response: Satisfied. Goal 9 is implemented by Element 8 of the Comprehensive
Plan, Economy. The Comprehensive Plan identifies a need for employment and
commercial lands to improve, expand, diversify and stabilize the economic base of the Community, and the proposed zoning implements local and state goals. The proposed zoning is entirely consistent with the existing designations, and will ensure there is no change to the amount of land available for employment and commercial development needed to meet local development needs.

**Employment:** There are 93.2 acres designated for employment use within the UGB Rezoning project area, intended to provide future job growth opportunities and economic development. The Comprehensive Plan identifies a need for parcels of various sizes corresponding to the typical size of a firm to support future employment across target sectors. Industrial sites of all sizes ranging from less than 1 acre to 50+ acres are needed. (See Table 14.30.4, Comprehensive Plan Element 14 pg 14-29.) The Comprehensive Plan identifies a need for parcels 5-20 acres in size for industrial uses. (See Comprehensive Plan Element 14 pg 14-40.) Comprehensive Plan Policy 8.1(d) seeks to ensure that an adequate quality and quantity of industrial land is available, and property is zoned and serviced.

Historically, the City has largely relied on the BP and I zoning districts with limited use of the IP district. Of existing employment lands within city limits, 46% are zoned BP, 46% zoned I, and only 8% zoned IP. (2008 data; see Table 14.20.2, Comprehensive Plan Element 14 pg 14-13.) Previous City Community Development Director Lora Glover reported greater success implementing development regulations in the BP zone than the IP zone. The BP and I zones provide greater site development flexibility. For those reasons, BP and I zoning is proposed within the employment-designated lands to maximize development potential.

The City’s economic development strategies include pursuing a broad range of employment uses, with a focus on retaining and expanding local industries, which can best be met by a mix of zoning districts. City Business Advocate Susan Seereiter observed a need for more I lands for new and existing industries to expand, with some demand for large BP-zoned sites that could accommodate new corporate campuses.

Employment uses can have significant off-site impacts and the application of non-residential zones should carefully take into account surrounding uses. The BP zoning district standards include measures to minimize off-site impacts, such as prohibitions on outdoor storage and heavy manufacturing, whereas the most intense industrial uses can be located in the I zone. For those reasons, BP zoning is proposed to support compatibility where employment-designated land abuts residential or commercial properties; for example, the proposed zoning south of Redwood Highway features BP zoning to implement the employment designation given proximity to abutting residential and commercial properties. (See Exhibit 5.)

Industrial zoning is ideally suited to large tracts of land surrounded by other employment uses. The majority of the employment-designated properties are located in the North subarea, though the largest employment area north of the I-5 interchange is not proposed for rezoning at this time. Industrial zoning is proposed for several parcels in the North subarea stretching along the interstate frontage where surrounding uses are

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also industrial, where even smaller individual parcels can contribute to the contiguous industrial land base.

Parcel size and topography also influence suitability for certain types of employment uses. Where possible, larger (20+ acre) and flatter sites with slopes of less than 5% were proposed for industrial uses permitted in the I zone, while smaller sites (20 acres or less) and those with minor slopes were proposed for BP zoning. However, there were no individual employment sites over 20 acres included within the study area; BP zoning was thus proposed on the majority of employment land with the exception of the few parcels in the North subarea adjacent to existing Industrial parcels.

Summary of factors used to apply employment zones to implement Goal 9 and economic development goals:

- Prioritized BP and I zoning, both of which have seen greater success and reported need compared to the IP zone.
- Prioritized BP zoning near residential and commercial areas to limit off-site impacts, and locate I zoning within employment areas to provide better buffering.
- Considered I zoning for larger (20+ acre) and flatter sites with slopes of less than 5%, and BP zoning for smaller sites (20 acres or less) with minor topographical challenges.

Commercial: There are 55.7 acres designated for commercial use within the UGB Rezoning project area, which will provide future job opportunities and economic development, as well as goods and services for future residents. Similar to employment lands, there is need for parcels of various sizes corresponding to size of firm. Commercial sites of all sizes ranging from less than 1 acre to 20-50 acres are needed, with a priority on sites less than 2 acres in size. (Table 14.30.4, Comprehensive Plan Element 14 pg 14-29.)

Each of the implementing zones can contribute to the suitable mix of parcels, however, the NC zone is limited to a sites no larger than 0.5 acres, so the GC and OR zones will be needed to provided a wider range of development site sizes. (GPDC Schedule 12-7.) The commercially designated properties within the project area are largely located south of Hwy 199 (Redwood Highway) rather than integrated within residential neighborhoods; the designated parcels and contiguous clusters of commercially designated land greatly exceed 0.5 acres and thus are proposed for GC and OR zoning.

Because GC zoning supports a broad range of commercial, retail and service uses, it is proposed more broadly to implement the Commercial designation, particularly along major transportation corridors where access and demand for range of services is greatest. The OR district is proposed for sites better suited to office than retail development, and the overall amount of proposed OR zoning is limited to avoid oversaturating the market with office development opportunities. Within the project area, the GC zone is proposed for the majority of commercially designated parcels along Redwood Highway in the Southwest AB subarea with approximately 10 acres of OR zoning proposed. (See Exhibit 5.)

Proposed zoning was also developed to achieve compatibility with adjacent zoning districts. Comprehensive Plan Policy 8.1(e) sets the direction to support economic development by protecting existing and planned commercial and industrial areas from
the intrusion of incompatible land uses through land use regulation. For the commercially
designated areas south of Hwy 199 (Redwood Highway), surrounding properties are
zoned GC, high-density residential, and BP for employment use. Such zones support
selection of the GC and OR districts within the project area, with additional consideration
of the OR zone as a buffer between residential uses and employment or commercial
uses.

Summary of factors used to apply commercial zones to implement Goal 9 and economic
development goals:
- Applied GC and OR zoning to all sites larger than 0.5 acres, with NC zoning
  reserved for future commercial development within residential neighborhoods.
- Prioritized GC zoning that supports the widest range of commercial uses for the
  majority of the Commercial-designated lands, particularly along major
  transportation corridors such as Hwy 199 (Redwood Highway).
- Applied OR zoning as a buffer between residential uses and employment or
  commercial uses south of Redwood Highway between Dowell Road and West
  Harbeck Road.

GOAL 10: HOUSING
To provide for the housing needs of citizens of the state.

Staff Response: Satisfied. Goal 10 is implemented by Element 9 of the
Comprehensive Plan, Housing. The Comprehensive Plan includes the goal of
encouraging the provision of housing units at price ranges and rental levels
commensurate with the financial capabilities of area household and to allow for flexibility
of housing type, density, location and design, in order to address the state housing goal.
The proposed zoning fully implements the Comprehensive Plan designations to provide
housing development capacity that meets or exceeds the planned capacity for those
lands.

A variety of housing policies have been adopted by the City to meet the goal of providing
needed housing, and the proposed zoning will unlock development potential of 397.66
acres of residentially designated land to provide that needed housing at a variety of
densities and forms. Policy 9.4 requires that the Land Use Map, Zoning Map, Overlay
Maps and the Development Code provide opportunities for a variety of housing types,
densities and locations within the Urban Growth Boundary area. The proposed zoning
ensures that the Zoning Map provides for this variety of housing by incorporating all
residential districts from the lowest density R-1-12 zoning to the highest density R-5
zoning.

The City of Grants Pass is experiencing a lack of housing units, and a lack of units at
price ranges and levels commensurate for the area's household incomes. Housing
development has fallen well short of needed annual progress to continue providing
housing commensurate with projected population growth. As shown in Table 3, housing
production from 2014-2018 has provided only 58% of the estimated units needed to
keep pace with population growth. Those few units that are available are priced out of
reach for many residents, with approximately 62.6% of rental households spend over
30% of their gross income on housing and 32% spend more than 50% of their gross
income on housing.
## Table 3: Grants Pass Housing Production, 2014-2018

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<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Total Units</td>
<td>75</td>
<td>173</td>
<td>129</td>
<td>156</td>
<td>126</td>
<td>659</td>
<td>1128</td>
<td>58%</td>
</tr>
<tr>
<td>Units in Single-Family Structures</td>
<td>71</td>
<td>109</td>
<td>125</td>
<td>134</td>
<td>103</td>
<td>542</td>
<td>848</td>
<td>64%</td>
</tr>
<tr>
<td>Units in All Multi-Family Structures</td>
<td>4</td>
<td>64</td>
<td>4</td>
<td>22</td>
<td>23</td>
<td>117</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Units in 2-unit Multi-Family Structures</td>
<td>4</td>
<td>14</td>
<td>4</td>
<td>22</td>
<td>20</td>
<td>64</td>
<td></td>
<td></td>
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<tr>
<td>Units in 3- and 4-unit Multi-Family Structures</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
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<tr>
<td>Units in 5+ Unit Multi-Family Structures</td>
<td>0</td>
<td>50</td>
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<td>0</td>
<td>0</td>
<td>50</td>
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</table>

A variety of housing policies have been adopted by the City to meet the goal of providing needed housing, and the proposed zoning will unlock development potential of 384.9 acres of residually designated land to provide that needed housing at a variety of densities and forms. Policy 9.4 requires that the Land Use Map, Zoning Map, Overlay Maps and the Development Code provide opportunities for a variety of housing types, densities and locations within the Urban Growth Boundary area. The proposed zoning ensures that the Zoning Map provides for this variety of housing by incorporating all residential districts from the lowest density R-1-12 zoning to the highest density R-5 zoning.

The proposed zoning was developed to ensure that they provide adequate development capacity to build the number of dwelling units forecasted in the adopted Housing Needs Analysis (HNA). The areas within the UGB were expressly incorporated in order to provide sufficient land for residential development that meets projected housing need. Overall, the 2014 Housing Needs Analysis (HNA) forecast the need for 5,643 new dwelling units across 1,068 gross acres in the UGB. For the 384.9 residential acres within the UGB affected by this rezone, 2,117 new dwelling units are forecasted across the four designations based on HNA density assumptions.

## Table 4: Projected Housing Unit Capacity for Residential Acres

<table>
<thead>
<tr>
<th>Gross acres</th>
<th>LR</th>
<th>MR</th>
<th>HR</th>
<th>HRR</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>HNA projected density (du/gross acre)</td>
<td>4.4</td>
<td>4.7</td>
<td>10.1</td>
<td>8.2¹</td>
<td></td>
</tr>
<tr>
<td>Projected units</td>
<td>371</td>
<td>1,001</td>
<td>140</td>
<td>604</td>
<td>2,117</td>
</tr>
</tbody>
</table>

¹. Not an error; see HNA assumed gross densities by plan designation in Tables 1-4 and 1-5 on pg. 4 of the 2014 Update to the HNA in Element 9 of the Comprehensive Plan.
The implementing zones chosen for these areas create sufficient development capacity for the 2,117 needed housing units and are therefore consistent with the adopted Comprehensive Plan, and Goal 10 by extension. Tables 5-8 compare the needed residential capacity for each designation to the density and development capacity of the corresponding implementing zones. Comparing the HNA’s density assumption for each designation with the minimum and maximum densities for each zone illustrates whether it is possible to meet the HNA assumptions: if the maximum density of an implementing zoning district is lower than the assumed density in the HNA, it is not possible to develop sufficient housing units to meet housing needs under that zoning district. Applying the allowed densities for each zoning district to determine how many dwelling units could be built within the project area provides further information about whether the proposed zoning districts would create sufficient development capacity to meet the needed dwelling units forecast in the HNA.

It should be noted that these calculations of potential dwelling units in Tables 5-8 are likely to overstate the development potential and likely build-out, and should be interpreted as approximate rather than precise forecasts. These planning-level estimates use a rough adjustment factor to convert from gross acres to net acres available for development, consistent with the adopted HNA methodology, but do not account for actual site conditions including areas constrained by natural resources. Further, historical development patterns have been at significantly lower densities than the maximums permitted in each zone. This is particularly true since there are currently no minimum densities for any zones and single-family detached residential is a permitted use even in higher density residential zones, tending to result in lower density developments relative to allowed maximum densities. Minimum density standards are one tool that may help counter these trends and achieve higher built densities in the HR and HRR designations that better meet identified housing needs, and may be considered for application to these areas in the future.

**Within the LR designation**, only the highest-density implementing zone (R-1-8) can provide sufficient development capacity to achieve the needed dwelling units forecast in the HNA and thus the majority of LR-designated properties within the project area are proposed for R-1-8 zoning. Simply comparing the projected net density for the LR designation from the HNA at 5.5 units per net acre with the allowed maximum densities for the three implementing zones shows that the maximum density of the R-1-12 and R-1-10 zones is too low to meet the HNA target, as shown in Table 5. Only the R-1-8 zone that allows up to 6.22 units per net acre exceeds the HNA target density, and thus, allows sufficient development capacity for needed housing units. The majority of LR-designated properties are proposed for R-1-8 zoning with limited application of R-1-12 and R-1-10 zoning where necessitated by environmental constraints, in order to provide sufficient residential development capacity. Prioritizing R-1-8 zoning over R-1-12 and R-1-10 zoning is also consistent with adopted efficiency measures in Element 14 of the Comprehensive Plan, as discussed further on page 15.
### Table 5: Comparison of Density and Dwelling Unit Capacity for Low Density Residential Designation and Implementing Zones

<table>
<thead>
<tr>
<th></th>
<th>LR</th>
<th>R-1-12</th>
<th>R-1-10</th>
<th>R-1-8</th>
</tr>
</thead>
<tbody>
<tr>
<td>HNA projected density (du/gross acre)</td>
<td>4.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross to net adjustment factor, determined based on projected mix of housing types(^1)</td>
<td>19.9%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross acres / net acres(^2)</td>
<td>84.41/67.61</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjusted density (du/net acre)</td>
<td>5.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max density permitted (du/net acre)</td>
<td>3.96</td>
<td>4.84</td>
<td>6.22</td>
<td></td>
</tr>
<tr>
<td>Total units projected</td>
<td>372</td>
<td>268</td>
<td>327</td>
<td>421</td>
</tr>
<tr>
<td>Comparison to HNA needed housing units</td>
<td>(-104)</td>
<td>(-45)</td>
<td>+49</td>
<td></td>
</tr>
</tbody>
</table>

1. See HNA Tables 9.40.23 and 9.40.24 for assumed adjustment factor for each housing type and each designation, based on assumed mix of housing types in each designation. Adjustment factors account for land needed for infrastructure deductions and range from 10% for multifamily to 20% for single-family detached.

2. Using the gross to net adjustment factor.

**For the MR designation**, both implementing zones allow development at densities equal to or greater than the assumed density in the HNA, meaning that either or a mix of the implementing zones would be consistent with the HNA requirements. As shown in Table 6, both the R-1-6 and R-2 zones that implement the MR designation allow maximum densities that exceed the HNA project density, and thus, provide sufficient development capacity for dwelling units in excess of the HNA target.

### Table 6: Comparison of Density and Dwelling Unit Capacity for Medium Density Residential Designation and Implementing Zones

<table>
<thead>
<tr>
<th></th>
<th>MR</th>
<th>R-1-6</th>
<th>R-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>HNA projected density (du/gross acre)</td>
<td>4.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross to net adjustment factor, determined based on projected mix of housing types(^1)</td>
<td>19.3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross acres / net acres(^2)</td>
<td>213.01/171.90</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjusted density (du/net acre)</td>
<td>5.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max density permitted (du/net acre)</td>
<td></td>
<td>8.71</td>
<td>12.44</td>
</tr>
<tr>
<td>Total units projected</td>
<td></td>
<td>1,497</td>
<td>2,138</td>
</tr>
<tr>
<td>Comparison to HNA needed housing units</td>
<td></td>
<td>+500</td>
<td>+1,141</td>
</tr>
</tbody>
</table>

1. See HNA Tables 9.40.23 and 9.40.24 for assumed adjustment factor for each housing type and each designation, based on assumed mix of housing types in each designation. Adjustment factors account for land needed for infrastructure deductions and range from 10% for multifamily to 20% for single-family detached.

2. Using the gross to net adjustment factor.

**For the HR designation**, there is only one implementing zone for the HR designation, the R-3-2 zone, which allows development at a maximum density that exceeds the HNA projected density, as shown in Table 7. While the maximum density easily exceeds the
needed capacity, the minimum density just meets the needed capacity for this designation. In order to ensure the minimum density is achieved, the City may consider applying the ‘M’ overlay to these properties in the future that would apply the minimum density requirement as a tool to ensure that development capacity within this designation is protected through zoning implementation.

**Table 7: Comparison of Density and Dwelling Unit Capacity for Moderate High Density Residential Designation and Implementing Zone**

<table>
<thead>
<tr>
<th></th>
<th>HR</th>
<th>R-3-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>HNA projected density (du/gross acre)</td>
<td>10.1</td>
<td></td>
</tr>
<tr>
<td>Gross to net adjustment factor, determined based on projected mix of housing types †</td>
<td>11.5%</td>
<td></td>
</tr>
<tr>
<td>Gross acres / net acres 2</td>
<td>13.87 /</td>
<td>12.28</td>
</tr>
<tr>
<td>Adjusted density (du/net acre)</td>
<td>11.4</td>
<td></td>
</tr>
<tr>
<td>Min density permitted (du/net acre) 3</td>
<td>12.44</td>
<td></td>
</tr>
<tr>
<td>Max density permitted (du/net acre)</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>Total units projected</td>
<td>140</td>
<td>153</td>
</tr>
<tr>
<td>Comparison to HNA needed housing units</td>
<td>245</td>
<td>13</td>
</tr>
</tbody>
</table>

1. See HNA Tables 9.40.23 and 9.40.24 for assumed adjustment factor for each housing type and each designation, based on assumed mix of housing types in each designation. Adjustment factors account for land needed for infrastructure deductions and range from 10% for multifamily to 20% for single-family detached.
2. Using the gross to net adjustment factor.
3. For the R-3-2M zone.

**For the HHR designation**, either the R-4-2 or R-5 implementing zones provide significant capacity in excess of the HNA target, as shown in Table 8. Development at the minimum density of both of these zones would result in approximately double the number of units projected in the HNA for the HHR designation. Development at the maximum densities for either zone would further exceed the HNA targets. Thus, either the R-4-2 or R-5 zone could satisfy the comprehensive plan goals and the minimum density requirement implemented through the ‘M’ overlay, while helpful, is less essential to ensure that HNA targets are met than in the HR designation.

**Table 8: Comparison of Density and Dwelling Unit Capacity for High Rise Density Residential Designation and Implementing Zone**

<table>
<thead>
<tr>
<th></th>
<th>HHR</th>
<th>R-4-2</th>
<th>R-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>HNA projected density (du/gross acre)</td>
<td>8.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross to net adjustment factor, determined based on projected mix of housing types †</td>
<td>12.9%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross acres / net acres 2</td>
<td>73.57 /</td>
<td>64.08</td>
<td></td>
</tr>
<tr>
<td>Adjusted density (du/net acre)</td>
<td>9.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Min density permitted (du/net acre) 3</td>
<td>20</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Max density permitted (du/net acre)</td>
<td>34.8</td>
<td>50</td>
<td></td>
</tr>
</tbody>
</table>

Staff Report: Type IV-B Urban Area Planning Commission
File: 402-00105-20
Zone Map Amendments
<table>
<thead>
<tr>
<th>Total units projected</th>
<th>602</th>
<th>1,282</th>
<th>2,230</th>
<th>1,282</th>
<th>3,204</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comparison to HNA needed housing units</td>
<td>679</td>
<td>1,628</td>
<td>679</td>
<td>2,601</td>
<td></td>
</tr>
</tbody>
</table>

1. See HNA Tables 9.40.23 and 9.40.24 for assumed adjustment factor for each housing type and each designation, based on assumed mix of housing types in each designation. Adjustment factors account for land needed for infrastructure deductions and range from 10% for multifamily to 20% for single-family detached.

2. Using the gross to net adjustment factor.

3. For the R-4-2M and R-5M zones respectively.

The City has adopted a number of efficiency measures in the Comprehensive Plan guiding the efficient use of residential land to achieve target HNA densities, including selecting higher-density zones to implement the plan designations. The 6.7 dwelling units per net acre overall target density adopted in the HNA represents a 24% increase over the historical density of 5.1 dwelling units per net acre; achieving target density will require new, more efficient ways of using land compared to previous development patterns as required by ORS 197.296(7). The adopted efficiency measures relevant to residential zoning include:

- **Efficiency Measure 1f**: Increase ratio of higher to lower density plan designations and zones for new lands to be included in the UGB. This measure calls for both increasing the amount of residential land with higher density designations, that is, MR, HR and HRR relative to LR designations, and using higher-density zones to implement each designation. For the latter, this includes prioritizing the R-1-8 zone over the R-1-12 and R-1-10 zones to implement the LR designation and prioritizing the R-2 zone over the R-1-6 zone to implement the MR designation, though a mix of zoning districts is still forecast for each designation. (See Comprehensive Plan Element 14 pg 14A-7.)

- **Efficiency Measure 1h**: Generally limit use of lowest density zones within LR plan designation to areas with slope and natural features constraints. R-1-12 zoning would only be applied in areas that generally have slopes over 25% and riparian areas, and R-1-10 would only be applied in areas that generally have slopes between 15% and 25%. R-1-8 would be applied to all other LR-designated areas without constraints, to achieve greater built densities. (See Comprehensive Plan Element 14 pg 14A-9.)

These efficiency measures directing the use of the higher density zones to implement the LR and MR designations are also consistent with the earlier findings that the higher density zoning districts are necessary to achieve target densities and dwelling unit capacity.

Other considerations from the Comprehensive Plan to guide selection of the implementing zones generally guide the selection of higher-density zones around community amenities and high-capacity facilities. Such amenities and facilities include:

- Major transportation corridors
- Transit services
- Parks
- Schools
- Commercial and service nodes, including the hospital and community college
The application of residential designations generally follows this pattern. For example, the highest density designations along Allen Creek Road are in the north in proximity to transportation, transit and commercial services along Hwy 199 (Redwood Highway). Finer grained application of zoning districts within each designation is proposed to further implement this direction, such as the proposed R-5 zoning along Redwood Highway transitioning to R-4-2 zoning directly south on Plumlee Lane to implement the HRR designation. (See Exhibit 5.) However, zoning districts are generally proposed across large enough contiguous areas to avoid "spot" zoning of small parcels with different zoning adjacent to one another, such as the contiguous R-2 zoning within the Southeast subarea rather than a mix of R-2 and R-1-6 to implement the MR designation. (See Exhibit 7.)

Protection of natural resources was also considered when applying the implementing zones for each designation. Natural resources and natural hazards present in Grants Pass include steep slopes, floodplains, and wetland and riparian areas. Development on steep slopes tends to occur at lower densities because of additional land needed to create buildable portions of the site, and limitations of infrastructure development. Historically, the City has zoned areas at 15% or greater slopes with R-1-12 zoning in recognition of the larger lot sizes and lower densities appropriate for such sites.

In total, the proposed mix of zoning districts to implement the plan designations provides capacity for development of 5,355 units, compared to forecasted capacity in the HNA for 2,117 units, as shown in Table 10. The proposed zoning creates development capacity for the projected HNA units overall as well as within every land use designation, with the exception of the LR designation. The R-1-12 and R-1-10 zones are proposed to implement the LR designation in portions of the project area that are affected by steep slopes, wetland and riparian areas, and other natural features that warrant protection by limiting development potential. The minor shortfall of 17 units' capacity in the LR designation is more than compensated for, however, with the surplus capacity created through the proposed zoning to implement the MR, HR and HRR designations. Thus, the proposed zoning successfully implements the Comprehensive Plan and Goal 10.

| Table 9: Comparison of HNA Projected Capacity and Proposed Zoned Capacity |
|-----------------------------|-----------------|--------|--------|--------|--------|
|                             | LR              | MR     | HR     | HRR    | Totals |
| Gross acres                 | 84.41           | 213.01 | 13.87  | 73.57  | 384.86 |
| HNA projected density (du/gross acre) | 4.4          | 4.7    | 10.1   | 8.2    |        |
| Projected units             | 371             | 1,001  | 140    | 604    | 2,117  |
| Proposed zoning             |                 |        |        |        |        |
| R-1-12                      | 10.67           |        |        |        |        |
| R-1-10                      | 43.16           |        |        |        |        |
| R-1-8                       | 30.57           |        |        |        |        |
| R-1-6                       | 0               | 213.01 |        |        |        |
| R-2                         |                 | 13.87  |        |        |        |
| R-3-2                       |                 | 44.29  |        |        |        |
| R-4-2                       |                 | 29.28  |        |        |        |
| R-5                         |                 |        |        |        | 384.86 |
| Gross acres                 |                 |        |        |        |        |
| Gross to net conversion factor | 19.9%         |        | 19.3%  | 11.5%  | 12.9%  |
| Net acres                   | 8.55            | 34.57  | 24.49  | 0.00   | 171.90 |
| Max density permitted (du/net acre) | 3.96       | 4.84   | 6.22   | 8.71   | 12.44  |
| Total unit capacity         | 34              | 167    | 152    | 0      | 2,138  |
| Comparison to HNA needed housing units | (-17)    | 1,137  | 106    | 2,013  | 5,355  |

Staff Report: Type IV-B Urban Area Planning Commission  
File: 402-00105-20  
Zone Map Amendments
Summary of factors used to apply residential zones to implement Goal 10 and housing goals:

- Implemented zoning demonstrated to meet the housing needs adopted in the Comprehensive Plan and Housing Needs Analysis.
- Applied higher density zones within the Low and Medium Density Residential designations to achieve efficient use of land, and to ensure adequate development capacity for needed housing units within the LR designation to meet HNA projections.
- Limited use of R-1-10 and R-1-12 zones to properties with 15% or greater slopes, wetland and riparian areas, and other development constraints to protect natural resources.
- Use the R-3-2 district to implement the HR designation; and consider applying minimum densities to ensure development capacity is used to meet HNA targets.
- Used a mix of implementing zones for the HRR designation, given that both the R-4-2 and R-5 implementing zones provide excess capacity to meet the needed number of dwelling units. Consider applying minimum densities to these properties to ensure capacity is used efficiently and meets targets.
- Within each designation, applied higher density zones near transportation corridors, transit services, commercial and service nodes, schools and parks while avoiding spot zoning.

VII. RECOMMENDATION:

Staff recommends the Planning Commission recommend APPROVAL to the City Council for the Zone Map Amendment with the conditions listed below.

PLANNING COMMISSION ACTION:

A. Approve the request as submitted.
B. Approve the request with the following amendments (list):
C. Deny the request for the following reasons (list):
D. Postponement: Continue item
   1. Indefinitely
   2. To a time certain.

INDEX TO EXHIBITS:

1. Existing Comprehensive Plan designations: City-wide
2. Proposed zoning map: North 'A' Subarea
3. Proposed zoning map: North 'B' Subarea
4. Proposed zoning map: West Subarea
5. Proposed zoning map: Southwest 'AB' Subarea
6. Proposed zoning map: Southwest ‘C’ Subarea
7. Proposed zoning map: Southeast Subarea
8. Intergovernmental Agreement for the Orderly Management of the Grants Pass Urban Growth Boundary Area
9. Subarea maps of slope conditions
10. Preliminary Wetland Inventory excerpt, Study Area 10, Sheets 26-30
11. Public Comments Received To-Date for File #402-00105-20
Grants Pass UGB Rezone
Proposed Rezone: North B

- Streets
- City Limits
- Study Area
- UGB

R-1-8
R-3
R-1-12
Grants Pass UGB Rezone
Proposed Rezone: Southwest AB
INTERGOVERNMENTAL AGREEMENT
FOR THE
ORDERLY MANAGEMENT
OF THE
GRANTS PASS URBAN GROWTH BOUNDARY AREA

The parties to this agreement are Josephine County (hereinafter County) the City of Grants Pass (hereinafter City), the Harbeck-Fruitdale Sewer District (hereinafter HFSD) and the Redwood Sanitary Sewer Service District (hereinafter RSSSD).

WHEREAS, in the 1980's the County and City, in the spirit of cooperation, adopted the comprehensive plan and zoning ordinances for the Urban Growth Boundary at the request of the City; and

WHEREAS, in 1984 the County and City entered into an intergovernmental agreement that neither the County or City have been able to implement; and

WHEREAS, the County and the City share responsibility for the maintenance, improvement and creation of public facilities and services within the Urban Growth Boundary area of the City of Grants Pass (UGBA); and

WHEREAS, the County and City share administrative jurisdiction for the professional planning and building services within the Urbanizing Area of the City of Grants Pass (UA), which has resulted in confusion and conflict in the administration of policies and standards for urban levels of development within the UA; and

WHEREAS, development within the UGBA over the last 15 years has not always occurred with appropriate levels of area-wide arterial and collector streets and drainage facilities, or the provision of the funding for these improvements, which has resulted in dramatic increases in development burdens and risks to the residents of both the City and the County; and

WHEREAS, the costs associated with the development of urban streets and drainage facilities are extremely high and the parties may not be able to generate fees and assessments to off-set this expense; and because developer contributions are limited by changes in takings law, shifting more of the burden back to the local residents; and

WHEREAS, the County and the City desire to create a basis for future cooperation and cost savings in the provision of urban facilities and services within the UGBA; and

WHEREAS, representatives of the County and City have entered into detailed discussions regarding how to accomplish increased cooperation in the provision of urban
services and facilities in the UGBA, to include water, sewer, planning, building and fire services, and street, storm drain, and park facilities; and

WHEREAS, City owns and operates a municipal water utility with water rights and treatment capacity sufficient to serve all lands within the UGBA and the parties agree that the extension of the water system, together with fire flow capacity, in conjunction with urban levels of development is extremely important for the long-term benefit and safety of the residents of the UGBA; and

WHEREAS, City owns and operates a municipal sewer collection system and treatment facility that presently serves a majority of the residents of the UGBA, and which has the physical and legal capacity to serve the entire UGBA in an efficient and cost effective manner, to include the collection and treatment of effluent from the RSSSD; and

WHEREAS, there are substantial planning, administrative and fiscal advantages to be gained by consolidated management of sanitary sewer services within the entire UGBA; and

WHEREAS, the resulting planning and fiscal problems associated with the improvement of urban services and facilities are now too great to be effectively addressed by one jurisdiction without significant participation and cooperation from the other; and

WHEREAS, it benefits all of the citizens of Josephine County and Grants Pass when the jurisdictions work together using their resources to meet their responsibilities in an equitable and efficient manner; and to provide the most cost effective level of services and facilities to both the UGBA and the rural areas of Josephine County; and

WHEREAS, it is the intent of this agreement to implement a cooperative agreement for the performance of urban planning and development functions and activities within the UGBA pursuant to the authority contained in Oregon Revised Statutes, Chapter 190; and

WHEREAS, it is the further intent to comply with the requirements of Oregon Revised Statutes, Chapter 195, regarding the creation of urban service agreements between local governments and special districts to govern the provision of urban services;

NOW, THEREFORE, the parties agree as follows:

I. PURPOSES OF THE AGREEMENT

1. To enable the County and City to plan for and provide urban services and facilities in a timely, orderly and cost effective manner within the UGBA.

2. To enable the County and City to provide an effective transition from rural levels of services and facilities to urban levels of services and facilities within the UGBA.

3. To improve government service to the residents of the UGBA by providing a single, convenient place to obtain information, applications and permits for land
use developments, and by assuring the uniform and fair administration of a single set of permit procedures and development standards and policies.

4. To enable the County and City to work together to encourage the transition from rural to urban level of services.

5. To enable the City to provide the urban level of services and facilities required as the population in the UA increases and the Citizens request them in accordance with City policies.

6. To ensure the responsibilities for the costs of providing urban level services to the UA are allocated according to the benefits received and impacts as determined, permitted, authorized or required by state law and the Charter and ordinances of the City of Grants Pass.

II. DEFINITIONS

1. Grants Pass Urban Growth Boundary Area (UGBA). All land within the Urban Growth Boundary to include the City of Grants Pass as designated on the Comprehensive Plan Map and as hereinafter amended.

2. Land Use Regulations. Any local government zoning ordinance, land division ordinance adopted (and as amended) under ORS 92.044 or 92.046 or similar general ordinance establishing standards for implementing a comprehensive plan which is applicable to the UA.

3. Land Development Regulations. Standards, specifications and conditions under which an authorized use of land may be made.

4. Category 1 Development. Development within the UA on an authorized lot or lot of record existing as of the effective date of this agreement which is:

A. A new single-family or one duplex development which is beyond 100 feet from the nearest water main; or

B. A residential remodel; or

C. A lot line adjustment; or

D. A partition which does not create more than one new lot from a parent parcel within a ten year period and which is beyond 300 feet from the nearest water main; or

E. An expansion, up to a total of 25%, of an existing commercial, industrial or public use and associated structures, which is beyond 100 feet from the nearest water main and which does not include a different non-conforming use; or
F. A change in use from a previously permitted use to a use permitted under the City’s Land Use Regulations of the same or lesser intensity and which does not require or request a new connection to City water or sanitary sewer service.

5. **Category 2 Development.** All development within the UA not classified as Category 1 Development pursuant to this agreement.

6. **Urban Area Planning Commission.** The review body created by the Josephine County Board of Commissioners and the Grants Pass City Council to consider land use issues within the UGBA.

7. **Urban Service.** That level of service generally provided to residents within a city including, but not limited to, sewage collection, treatment and disposal; water supply and distribution; storm drainage, streets and roads, parks and open space, police and fire protection.

8. **Urbanizing Area (UA).** That area within the Urban Growth Boundary that is not part of the City of Grants Pass.

III. TRANSFER OF AUTHORITY

1. The County hereby transfers and assigns to the City, and the City hereby accepts, all of the County’s authority to provide and manage planning and building services and facility financing and development within the UA.

2. The City is hereby vested with the exclusive authority to exercise the County’s legislative and quasi-judicial powers, rights and duties within the UA and to apply the City’s Comprehensive Community Development Plan for Grants Pass and the Urbanizing Area, the Comprehensive Plan and Zoning Maps, Land Development Code, and Urbanization Policies and Procedures as now or hereinafter adopted or amended by the City.

3. The City may at any time during the term of this agreement elect to:

   A. Adopt the Comprehensive Community Development Plan for the Grants Pass and Urbanizing Area for the UA;

   B. Adopt uses for residential properties as set forth in the Development Code for the City of Grants Pass;

   C. Repeal all conditional use land uses;

IV. LAND USE MANAGEMENT
1. As authorized by ORS 190.010(4) and ORS 215.170, it is hereby agreed the City shall exclusively apply the Comprehensive Community Development Plan for Grants Pass and the Urbanizing Area, as has been adopted or as may be hereinafter be adopted or amended and maintained by the City of Grants Pass within the UA.

2. As authorized by ORS 190.010(4) and ORS 215.170, it is hereby agreed the City shall exclusively apply the City's Development Code, as has been adopted or as may be hereinafter be adopted or amended and maintained by the City of Grants Pass within the UA.

3. All land uses within the UA (Category 1 and Category 2) shall be subject to the City's Land Use Regulations, Land Development Regulations including Development, Building and Utility standards and procedures, except Category 1 developments shall not be required to execute an agreement for future annexation or to extend water as a condition of development unless annexation or extension is otherwise required by state statute or administrative rule.

4. The County and City shall jointly adjust the Grants Pass Urban Growth Boundary using the procedures currently contained in Section 13.6 of the Grants Pass and Urbanizing Area Comprehensive Community Development Plan Policies, or as hereafter mutually modified by the two governing bodies.

5. The Joint Urban Area Planning Commission shall be composed by an equal number of County/City appointees who are residents of the UGBA. The City, however, shall be responsible for the administrative functions of the commission.

6. Within the UA the City shall:
   a. Administer and enforce the Land Development Regulations, using its Code and implementation procedures;
   b. Issue building, development, and other permits and provide for site inspection necessary for the administration of the Land Development Regulations;
   c. Update fees for Land Development Regulations, permits, processing, inspections, appeals, enforcement, user and utility fees as necessary to recover costs and implement and manage urban services required by the State Planning Goals or ordinances and resolutions of the City.
   d. Update, establish or manage System Development Charges, utility charges, impact fees, and manage local improvement districts as authorized by state law.
V. NOTIFICATION AND APPEALS

1. QUASI-JUDICIAL DECISIONS. The City shall give the County written notice of all land use, limited land use and expedited land division decisions in the UA in the same manner as required by Oregon Law for adjacent property owners. The County shall be deemed to have automatic party status regarding all such decisions for the purposes of standing for appeals. Quasi-judicial land use and limited land use development decisions made by the City's Director or Hearings Officer or the Urban Area Planning Commission may be appealed according the City's Land Use Hearing Rules. The City may provide staff support for any administrative or judicial review of decisions regarding the application of Land Use Regulations to land within the UA.

2. LEGISLATIVE DECISIONS. The City agrees to provide written notice of all proposed legislative actions to the County at least 45 days prior to the public hearing at which the action is first considered. The County shall be deemed to have automatic party status regarding all such decisions for the purposes of standing for appeals.

VI. ANNEXATION

1. All Category 1 developments within the UA which are required to connect to sanitary sewer or municipal water by state statute or administrative rule, or which request such connection, shall be subject to a service and annexation agreement.

2. All Category 2 developments shall require service and annexation agreements.

3. Prior to the approval of any Category 2 Development, the City shall either annex the land contained within the development or enter into an annexation agreement requiring annexation within 12 months from the date of final approval of the development. In the latter case, the City shall annex the lands within the 12 month time period.

4. If annexation cannot occur as provided in paragraph 3 above because of conflicting legal requirements, all of the other provisions of this agreement will operate as if annexation has occurred at the time the City provides any municipal service or facility, or obtains a service and annexation agreement, whichever occurs first.

VII. BUILDING AND SAFETY

1. The County hereby transfers and the City hereby accepts responsibility for providing building, electrical, plumbing, mechanical, and similar codes, including but not limited to: filing and complying with all applicable statutory requirements, assuring effective programs throughout the UA; providing all personnel, management, structures, oversight, and financial systems necessary to provide
all code enforcement in the UA; and authority for adoption, amendment, and updates for all codes applicable in the UA.

2. The City shall give the County first preference for any contracting for building related services so long as the County conforms to the City's contractual requirements and policies as the same apply to other contractors.

VIII. PUBLIC SAFETY SERVICES

1. Unless otherwise provided under Section VI.4 of the Agreement, the City will be responsible for the level of Public Safety Services (police and fire) within the City limits as they exist now and as are hereafter modified and may provide fire and police services per individual contractual agreements with specific properties.

2. Unless otherwise provided under Section VI.4 of the Agreement, the County will be responsible for providing police services within the UA.

IX. WATER

The County hereby transfers and the City hereby accepts exclusive responsibility and authority for the planning, administration and management of domestic water supplies for properties within the UA, including (but not limited to) the following: the permitting, authorizing, granting or providing water use for domestic, industrial, residential, fire flow, or commercial purposes within the UA.

X. PARKS

1. PARKS DEVELOPMENT COMMISSION. In cooperation with the Josephine Parks and Recreation Foundation, the Urban Area Planning Commission shall serve as the Parks Development Commission (PDC) in the planning and development of neighborhood and community parks within the UA. Within 60 days from the execution of this agreement, the City and County shall each designate at least one employee to act as joint staff to the PDC and hold an organizational meeting. The PDC shall review the 1984 Parks and Recreation Master Plan and recommend to the City and County a reviewed plan, with or without proposed modifications, to include a determination of the number of acres of developed parks needed and desirable for the UA, and how existing public or semi-public lands should be recognized for park purposes under the plan. The PDC shall meet at least semi-annually to develop and implement the Parks and Recreation Master Plan.

2. COUNTY RESPONSIBILITIES. It shall be the responsibility of the County under this agreement to:

   A. Provide regional natural based parks.
B. Complete a county-owned land inventory and analysis within one year of this agreement. This analysis shall include recommendations from the County regarding potential sites to be used, traded, sold, or exchanged for acquisition and development of neighborhood and community parks within the UA. The County will assist in the acquisition and provision of park lands for neighborhood and community parks to serve the UA. The county shall submit copies of the of the inventory and analysis to the City Manager and the PDC.

3. CITY RESPONSIBILITIES. It shall be the responsibility of the City under this agreement to:

A. Provide neighborhood and community parks.

B. Plan, administer, develop and operate neighborhood and community parks in the UA as sufficient lands become available for park development consistent with this section.

XI. STREETS AND DRAINAGE

1. JOINT MANAGEMENT. The County and City shall be jointly involved in the maintenance of current roadways, the funding for improvements, and the coordination of future growth in the Urban Growth Boundary Area with adequate capacity street and storm drainage facilities. Numerous improvements are currently recommended and more will be necessary to meet the transportation and drainage needs of the UGBA as population increases. It is understood between the parties that neither jurisdiction has the financial resources to meet the street requirements as identified in the Master Transportation Plan (MTP) or the drainage requirements contained in the Urban Area Drainage Plan. Therefore, a fundamental point of agreement between the parties is that new and expanded sources of funding will be necessary in order to provide adequate street and drainage facilities within the UGBA, and that both jurisdictions must share responsibility for the maintenance and provision of urban street and drainage facilities.

2. MASTER TRANSPORTATION PLAN. The classifications for the various streets within the UGBA as shown in the Grants Pass Urban Master Transportation Plan (MTP) shall be utilized except as noted in the attached local collector and residential street inventory. The City shall hereafter be solely responsible for the maintenance, amendment, adoption and re-adoptions of the MTP, including the Local Area Transportation Plan.

3. ARTERIALS AND COLLECTORS. Responsibility for all maintenance, repair, construction, and improvement for arterial and collector streets shall be apportioned between the City and County as follows:
A. The County shall be responsible for all arterial and collector roads and drainage currently or hereafter identified as "county roads" in the MTP.

B. The City shall be responsible for arterial and collector streets and drainage currently or hereafter identified as "city streets" in the MTP.

4. LOCAL COLLECTORS AND RESIDENTIAL STREETS. Responsibility for all maintenance, repair, construction and improvement for local collector and residential streets shall be apportioned between the City and County as follows:

A. The County shall be responsible for local collectors and residential streets located outside the City until jurisdiction transfers to the City pursuant to this agreement.

B. The City shall be responsible for all County and City local collectors and residential streets located inside the City starting on the date of this agreement, except for Beacon Drive from Madrone to Hillcrest.

C. The County shall be responsible for Beacon Drive from Madrone to Hillcrest.

5. FUTURE TRANSFER OF RESPONSIBILITY. Responsibility for further maintenance, repair, construction and improvement of streets shall transfer from the County to the City upon the occurrence of any one of the following future events:

A. When a County arterial or collector street or Beacon Drive located within the City is constructed or improved to full City development standards; or

B. Except for Beacon Drive, when the street right-of-way for a local collector or residential street is annexed into the City (for the purpose of this subsection, the City shall annex local collector or residential right-of-way whenever the right-of-way runs from the annexed development to the city limits); or

C. When a County arterial or collector street located within the UA meets city or county urban standards at the time of annexation, including full curb, gutter, and sidewalk.

6. DRAINAGE FACILITIES. Responsibility for the maintenance and improvement of drainage facilities shall be included in the responsibility for the maintenance and improvement of streets.

7. TRANSFER PAYMENTS. For local collector and residential streets, not developed to County or City urban standards, which are transferred from the County to the City pursuant to this agreement, the County agrees to pay to the City an annual
XII. SEWER SERVICES

1. REVOCATION. This agreement revokes and replaces all previous agreements between the County, the HFSD and the City, and between the County and the RSSSD.

2. COUNTY AND DISTRICTS. The County, the HFSD, and the RSSSD shall:

A. Amend ordinances and actions of the County and District that may conflict with the terms of this agreement; and

B. Transfer to the City all funds, records, files, data, and information pertaining to the Districts; and

C. Relinquish control of all financial and physical assets, real and incorporeal property, and interests therein from the appropriate District to the City; and

D. Certify to the City that the County and the Districts have no bonded indebtedness or other outstanding debt related to the Districts, except as follows: in the fiscal year 1990-91 Josephine County made an interest free loan of $128,000 to the Redwood District, with the loan to be repaid over a 10 year period at $12,800 per year. The purpose of the loan was to assist the District with the purchase of a wood waste grinder for its sludge composting/recycling program. Repayment of the loan started with the first payment being made to the County in FY 1995-96. The last payment will be due in FY 2004-05. The Redwood District shall repay the loan in full to the County on or before June 30, 2005, with payments at no less than $12,800 per year.

3. CITY AUTHORITY. The County, the HFSD, and the RSSSD hereby transfer to, and the City hereby accepts, all responsibility and authority for the planning, administration, operation, maintenance and management of sewer services of the HFSD and the RSSSD for properties located within the respective District boundaries. This authority shall include any and all actions necessary and convenient for the provision of sewer service, to include (but not limited to) the following:

A. The issuance of permits and the authorization and provision of sewer services for domestic, industrial, residential, or commercial purposes;

B. Secure the financing needed to provide sewer services, and establish all liens or other devices, deferred payment programs and formats, and otherwise take all actions necessary to assure the financing for the operation, maintenance, extension and expansion of the Districts' sewer systems;
C. Assume and control of each District’s financial and physical assets, real and incorporeal property, and any interests therein;

D. Adopt and administer the budgets for each District;

E. Act as the board for the respective Districts in all respects with full responsibility and authority for all aspects of the existence and operation of each District;

F. Adopt and administer sewer standards;

G. Collect and administer all applicable sewer related City fees and fees of the appropriate District, including but not limited to system development charges, user fees and service connection permit fees as established by the City;

H. Collect assessment liens and facilitate bancrofting and the formation of local improvement districts; and

I. Bill and collect monthly user charges and other authorized charges and fees, including the collection of delinquent accounts.

4. RETENTION OF MONIES. All fees, charges and other funds collected for costs incurred by the City for sewer services pursuant to this agreement shall be held under the authority of the City as the managing entity for the two sewer districts.

5. COMPENSATION FOR TRANSITIONAL SERVICES. The parties agree to compensate the County for certain transitional services by the Josephine County Public Works Department to the RSSSSD as specifically called for in this paragraph, during the three year period following the date this agreement is executed. During the first year of transition the County shall provide engineering and budgetary services to the City at the same level as the year immediately preceding the transfer. In exchange for these services the City shall pay the County the sum of $72,000. In the second and third years of transition the County agrees to provide engineering and budgetary services as requested by the City, but such services shall be capped by the amounts of $36,000 for the second year and $18,000 for the third year. Services shall be billed and paid at the actual costs incurred at the hourly rates existing between the Public Works Department and the District as of January 1, 1998 until the cap is reached. The parties may thereafter extend or modify the terms of transitional services and fees by mutual agreement.

6. SERVICE OUTSIDE THE UGBA. The City agrees to provide sanitary sewer service to any property within the RSSSSD boundary that is outside the Grants Pass Urban Growth Boundary if and only if all of the following conditions are met:
A. The property or the parent parcel from which the property was partitioned or subdivided has been included within the RSSSD from the date of its formation and has a District sewer main on or abutting the subject or parent parcel; and

B. A property assessment for public sewer construction is on file with the RSSSD for a public sewer line on or abutting the subject parcel or the parent parcel from which the property was partitioned or subdivided.

In such cases the County shall be the lead agency for the review and approval of development applications for the property, and County development and building standards and procedures shall exclusively govern. The City's sewer service agreement shall not be conditioned upon the landowner's performance of any on or off-site improvements, but may require the execution of an annexation agreement. All fees and charges for servicing such a property shall be determined using the same method or formula used for computing fees and charges for properties located within the applicable District boundary that are inside the Urban Growth Boundary. Actual fees and charges may be higher for service outside the Urban Growth Boundary as long the fees and charges are computed using the same method or formula applied within the Boundary.

7. HOLD HARMLESS. As of the effective date of this agreement, each District shall indemnify and hold harmless the City and County for any act or omission of the City or County on behalf of the respective District which results or may reasonably result in liability to the City or County, in so far as such act or omission does not constitute official misconduct, malfeasance or is contrary to law.

8. INSURANCE. As of the effective date of this agreement, the RSSSD shall no longer be insured under the policies or provisions of the Josephine County Self-Insurance Program for liability or workers compensation or any purchased insurance policies purchased by Josephine County.

9. WORKERS COMPENSATION. The County shall be responsible for workers compensation coverage and all costs related thereto of the RSSSD for occurrences before the effective date of this agreement. The City shall be responsible for workers compensation coverage and all costs related thereto for occurrences on or after the effective date of this agreement.

10. COSTS OF PENDING CLAIMS. Prior to the effective date of this agreement, the RSSSD shall reimburse the County for its administrative costs, contract legal fees and expenses and any settlement awards incurred in the resolution of any existing RSSSD claims not related to workers compensation. On or after the effective date of this agreement, the RSSSD shall reimburse the County for contract legal fees and expenses and settlement awards incurred in the resolution of any claims that carryover, and the County agrees to administer all
remaining claims to final resolution and to bear the administrative costs connected therewith.

11. DISSOLUTION. Proceedings to dissolve either District shall not commence without the mutual agreement of the parties to this agreement except as provided for annexation or incorporation as set forth in ORS Chapter 451 or as hereafter amended by the legislature.

12. TERMINATION. Notwithstanding the provisions for termination contained in Section XV below, the Sewer Services section of this agreement, to include any other provisions of this agreement necessary to the function of the Sewer Services section, shall not be terminated without the written consent of the City if debt is outstanding on improvements specifically benefitting the District.

XIII. FINANCING AUTHORITY

The County grants, and the City accepts, the authority to raise and collect monies that are necessary or convenient to provide, construct, improve and maintain UA public facilities and services, subject to the requirements and procedures of Oregon law. This authority shall include, but is not limited to, the formation of local improvement districts and similar service districts and special assessments, and to exercise any and all powers now or hereafter granted to the County through waivers of remonstrance to lands within the UA, and to secure financing and establish liens or other devices, deferred payment programs and formats, and otherwise take all actions necessary to assure the timely, orderly and efficient arrangement of public facilities and services within the UA. This authority shall also include the right to require the signing of service and annexation agreements, to include compliance with City development, building, and planning standards, prior to the provision of City owned or managed services to specific properties.

XIV. MAINTENANCE AND AMENDMENT

This agreement may be amended any time with the consent of the parties, provided 30 day written notice of the intention to amend is given to the Department of Land Conservation. Modifications in this agreement shall be deemed consistent with the applicable Comprehensive Plan and its various elements.

XV. REVIEW AND TERMINATION

1. REVIEW. The parties agree to review this agreement two years after the date of execution, and thereafter at the request of any party.

2. TERMINATION. Except as noted in Section XII(11) regarding Sewer Services, this agreement may be terminated by the County or City at any time after one year from the date of execution by the tender of written notice of the intent to terminate. In the event a termination notice is tendered, the following procedures shall apply:
A. A public hearing by the governing body tendering the notice shall be scheduled. The governing body shall thereupon furnish the other governing body and the Department of Land Conservation and Development with formal notice at least 90 days prior to the date of the hearing;

B. The County and City shall seek resolution of any differences during the 90 day notice period pursuant to Section XVI below. The 90 day period may be extended at the election of the noticing body;

C. Termination of the agreement shall not occur until at least 90 days after formal action is taken by the governing body to terminate the agreement;

XVI. DISPUTE RESOLUTION

In the event a dispute occurs regarding the operation or interpretation of this agreement, or the need for amendment, and the parties come to an impasse regarding the dispute, the governing body of either the County or City may refer the dispute to a resolution committee. The resolution committee shall be comprised of two County Commissioners, two City representatives chosen by the City Council and the Chair of the Urban Area Planning Commission. The committee shall immediately proceed with non-binding mediation. The Resolution Committee may elect to proceed with binding arbitration by unanimous agreement.

XVII. OTHER DOCUMENTS

The County shall amend all ordinances and other official actions of the County to the extent they conflict with the terms of this agreement. In addition, the County shall deliver to the City all of its existing UA land use files, and all records, data, and information pertaining to the creation, approval, or continuing rights of any community water system currently authorized by the County in the UA, as the City requests such documents. The City shall honor all outstanding development plan agreements existing between the County and UA property owners, or their successors to the extent required by law.

XVIII. RESCISSION OF OTHER AGREEMENTS

This agreement rescinds or replaces all previous intergovernmental agreements between the County and City dealing with any subject matter covered or affected by this agreement. This agreement also rescinds or replaces all previous agreements between the County and the RSSSD and the County and the HFSD.

XIX. SEVERABILITY

If any term or provision of this agreement or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this agreement and the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby,
and each term or provision of this agreement shall be valid and enforceable to the fullest extent permitted by law.

XX. EFFECTIVE DATE

This agreement shall become effective upon the date the last party executes the agreement as shown below. Until such time as the rights and obligations specified in this agreement become legally operable according to the terms and conditions contained herein, the policies, rules and ordinances in existence on the effective day of this agreement shall remain applicable.

JOSEPHINE COUNTY

Jim Brock, Chair
Date 8/5/98

Harold L. Haugen, Vice-Chair
Date 8/5/98

Fred Borngasser, Commissioner
Date 8/5/98

CITY OF GRANTS PASS

Gordon Anderson, Mayor
Date August 4, 1998

William A. Peterson, Jr., City Manager
Date 8/5/98

Joanne Stumpf, Administrative Services Director
Date 8/4/98

HARBECK-FRUITDALE SEWER DISTRICT

Jim Brock, Chair
Date 8/5/98

Harold L. Haugen, Vice-Chair
Date 8/5/98

Fred Borngasser, Commissioner
Date 8/5/98

REDWOOD SANITARY SEWER SERVICE DISTRICT

Jim Brock, Chair
Date 8/5/98

Harold L. Haugen, Vice-Chair
Date 8/5/98

Fred Borngasser, Commissioner
Date 8/5/98
Grants Pass UGB Rezone
Proposed Rezone: West

Slopes
- 0 - 5
- 5 - 15
- 15 - 25
- 25+
Grants Pass Local Wetland Inventory

Study Area Overview

Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.
Grants Pass Local Wetland Inventory

Study Areas 8 - 11

Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

Pacific Habitat Services
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070
503.570.0800
phs@pacifichabitat.com
07/30/2020
Grants Pass Local Wetland Inventory
Sheet 30

Information shown on this map is for planning purposes, represents the conditions that exist at the map scale, and is subject to change. The locations and extents of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands assumed wetland delineation is required for Wate removal/permittee. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.
Urban Area Planning Commission
Public Hearing October 28, 2020

Urban Growth Boundary Rezone/Zone Map Amendment
Public Comments Received for Project File #402-00105-20
Hello Carolyn,

After a long day driving I am a bit tired now and my thinking ability is somewhat limited. I want to continue our dialog anyway now as I am very busy most of the time helping people who depend on me to make their life happen.

My greatest concern about the rezoning has been that over the last 30 or so years the city has talked about doing work on Allen Creek Road to put in sidewalks and widen the lanes. It's all been talk. The $3.5 million allocated by the state highway department might be half of what is needed currently. As time passes that cost can only get higher unless it gets done at some point. As city administrators come and go we are still here waiting after 35 years to see the development happen.

I've been told the zoning could not be changed until the road was done.
To me all that really needs to be done is put in storm drain pipe and in part of the road irrigation pipe and widen the road enough to be over the storm drain pipe. Allen Creek Road doesn't need to be turned into an express way. It doesn't need to be widened like Table Rock Road was done for a short distance. Unless the state wants to widen the entire New Hope Road from one end to the other there is no point to widen just Allen Creek Road.

Something does need to happen to improve safety on Allen Creek Road. The county should have put in storm drain pipe years ago and widened the road out to Denton Trail... Even without sidewalks the road would be much safer for pedestrians, bicyclists, and other non motorized traffic.
Allen Creek Road is a favorite route for bicyclist for exercise.

When delivery trucks drive down SW Allen Creek Road they tend to drive down the center divider line instead of their lane proper. At 35 miles per hour they might as well be going 50 miles per hour. For pedestrians the experience is the same. The distance between the delivery truck and the is only about 3 feet. Since there is no road side pedestrians need to use the road lane. Most of the time driver's yield to pedestrians after they get yelled at for not yielding. But trucks are another matter. My thought is there should be speed humps on Allen Creek Road to slow down divers.

Back to zoning. I have been here for about 20 years now with some periods of being gone too work on other projects. Since I'm disabled I've had terrible trouble finding a living wage carrier job. Being disabled does not help. I served on the Advisory Board for Human Services for 4 years hoping I would get discovered. But what I've found is there are too many people who need the job I wanted. So
I've been trying to find one thing I can do with the training I have.

I have worked for places which provide Hospitality services to people at motels and a ghost resort in Eastern Oregon called Ritter Hot Springs. I was hoping to go back there in the next two years to work on building a glamping business. Unfortunately the owner past away last year so I'm not sure that will be possible now.

My mother passed away January 14, 2017. Mom allowed the city to buy the back half of the property in a controversial "would not have been allowed" sale "except it was the city" for the purpose of a park. Which it already was and is. Currently the park is private with no access for the public. The city has not taken care of the park so I am beginning to cleanup the park and hopefully by spring it will be functional again. I've talked with my sister about helping but she is busy. Edith, my sister built the park the way she wanted it to be.
I wanted to plant a garden out in the back but she insisted that I could not do what I wanted to do. That was back in 1978 I think. At one point I had hauled seven loads of horse bedding from the fair grounds and she took it and hid it as fast as she could.
I just was hoping to earn money to go to college. I went to college anyway but always broke financially.
I got married had children and got divorced. After the divorce I stayed at Ritter Hot Springs for about 2.5 years. Maybe 3 years. I had to leave there because the owner wouldn't pay his help. He had told his family they would never have money for Ritter taken out of the family budget. Ritter was not a money maker the way he operated the place.
I don't mind working but I need to pay my expenses also. He could not see how he was robbing people when he would use their time and skills to benefit his project.
When I left Ritter Hot Springs I came to Grants Pass to drive the car for my mother since my sister didn't drive and still doesn't. I found out my mom was driving virtually blind. For a while my sister was telling my mom where to turn the steering wheel. Very dangerous so I asked my mother to give up her driver's license. My mom was blind in one eye and had partial vision in the other eye until she had surgery which helped her to see enough to sew quilt tops which she made into tied comforters for anyone who asked for one. For the most part people paid for the materials but not her time.
I helped get the bus program funded so I wouldn't be driving my sister as well. That's another story. Which happened while I served on the Advisory Board. I will say this. The reason there is a working and funded bus service in Josephine County or at least the reason it got startup funding was because I went to Walla Walla University and used the Walla Walla bus service. I took time to get to know who the director for Walla Walla's bus service was. I heard him explain how they got part of their startup funding. When the people directing Josephine counties bus program said they "wanted to get a bus service going but they didn't know how to fund it"...
I said I know how you can find out how to get it funded. I told them to get in contact with the director in Walla Walla and they did. The rest is history.
Eventually someone would have figured out what to do. The thing is if I wasn't there it could have been another 10 years before someone would have connected the dots.

After some time of educating myself in social psychology I've learned there is no place for me in our society in a working environment. If I had the resources I would start my own business which I will keep trying to do until I die.
My goal is to get a motorhome to go to places which need a person like me willing to help people have a better life.
To that end I am wanting to start my glamping business. I need a place to start. The family
farm garage if you will. Unfortunately, everything I want to do seems to be against the law to do with the resources I have at my disposal. I may have to go camp in the mountains soon the way things are going.

I had hoped to construct a small garden house consisting of 4 small structures to get my business started. The structures are built using ESIP's which are constructed in a factory setting and then assembled wherever the building needs to be. The base floor is built using a platform box method which makes for onsite rapid assembly of the base floor system. Plumbing, electrical, and any other infrastructure in the building is engineered before the building is assembled. The structure I'm currently staying in is a patentable prototype. It is setup as a framed wall tent but could become a regular building by changing the roof to include an overhang.

I also am working on constructing a teepee. I finally have teepee poles for that one. I need to finish them and make the teepee cover. -- I have a 16' x 16' wall tent I need to build a base platform to set it up on. The platform base will be portable similar to a portable stage platform.

The most important project I'm working on is the affordable housing project for my mother's estate. My brother's wife wanted to sell the property like as if it's the normal thing people do... When they have no vision. I have talked with various people in the community about building affordable housing on my mother's estate. I have been told it will happen in a couple of years for about 20 years.

We need to know what to expect as far as taxes would be if the project is not done and what they will be when the project is done.

Another option I would be interested in considering is a permanent foster care home. I don't remember the correct wording is for assisted living homes are but they are basically foster care homes. At one time the states department of human services stated that there is basically unlimited funding for those types of facilities. I don't know if there is now. Unless people know where to go in the state programs they think all the money to do affordable housing projects comes from a bank.

When Tom Shaur was here he had talked with me about using a community block grant for part of the project. Possibly such a grant could build any infrastructure roads sewer lines, city water line, and underground electrical.

(I lost the part of this letter which leads into the following section but it was about my brother's sister wanting to sell Mom's estate so she wouldn't be stuck paying Mom's debts.) I realized that would not be in my sister's nor my own best interest. Edith, my sister is truly dysfunctional and has always planned to live here after our parents died. The only way that would be possible since she didn't become a real estate wizard is for other people including myself to work on a plan which will give her an affordable home and everyone else gets their share of the investment.

I'm hoping to be able to live in the country somewhere away from the noise and pollution. I've tried living in subsidized housing. I had to deal with mold, cockroaches, fleas, flooding, bad landlords, worn out buildings, and a few other frustrating issues which turned me off from renting an apartment. In the past recent I studied to work as a community health worker but again I'm not the person
organizations and institutions are looking for. I also studied for peer support certification. I got married again which didn't work because there were adult children who demanded her attention. So currently I'm working on divorcing her. I worked for a short time as a caregiver. If demands against my living situation can be relaxed I'm hoping to work as a 'Direct Support Professional' again. When I do hopefully the economy will have improved. If possible I would prefer to be able to stay in my framed wall tent on my mother's estate until I can find a legal solution which is permissible. The alternative because of my financial limitations is for me to go camp in the forest which would make it hard for me to work on my responsibilities. Did you know it is against the law to raise raspberries without a permit in the state of Oregon. Laws which take away our freedoms and rights are unconstitutional. Some of them are called monopoly laws because they are created to the benefit of some special interest groups. These types of laws are unconstitutional.

What's really interesting is how the zoning was originally done along Allen Creek Road. None of the property on the east side of the road is even close to being 5 acres yet it is all zoned RR5. So it was illegally zoned in the first place. The property could not be sold to the city in less than 5 acres. But there is only approximately 1.5 acres to begin with. When people built buildings here there were no such thing as a setback. That's a modern invention to control your neighbors...I guess.

I have more to talk about but I'm about to run out of battery.

Thank you for your help,

Curtis Kramer
Mr. Clark,

Hello and good afternoon. I received the notice of public hearings for the UGB rezone area as my property is within the West proposed rezone.

I live at 846 Schroeder Lane. Being that I am somewhat at a loss to how this works, the color coding on the map etc, I figured that I can email my questions to you. I hope you do not mind.

This looks like our property will be rezoned to R-2. I have 1.38 acres of land. Does this mean that our land would be subdividable if we were to be rezoned?

I also have a question in regards to my neighbor at 860 Schroeder Lane. He has 2.5 acres and grows ILLEGAL marijuana on it. Now, I say illegal because I see the U Haul vans load it up and haul it off. They say medical but we all know that is a crock! Anyways, if we are able to rezone, will this address be prohibited from growing marijuana? I saw a county vehicle there a few days ago and was curious as to what they are looking at.

If you are able to give me some insight into the rezoning and the laws that will surround our properties I would greatly appreciate it.

Thank you and I look forward to hearing from you.
Stacy Hanley
October 13, 2020

City of Grants Pass

Urban Area Planning Commission

We have property at 3322 Leonard Road, (36-06-22 tl 500 and tl 502) currently zoned RR-5. We respectfully request you consider zoning to urban R-2.

Thank You,

Bruce & Jaci Buckmaster
Page 4: UGB Rezone Subareas - North A & B

Q1
1. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Regarding the north end of town I can see the property that borders the freeway of exit 58 being employment but not across Scenic Drive. That side of the road has Granite Hill mountain in its backyard. So much of the wildlife comes down into that area. If you turn that side into business you will RUIN the beautiful environment which we love so much. Not to mention the traffic already on Scenic Drive. If you start bringing employment, big trucks, construction, noise and congestion up here you'll up end this neighborhood. Traffic is getting worse up here already. Can't even image a "business park" in this neighborhood. My cousin is an attorney who loves this area up here and I intend to work with her to stop you from ruining this beautiful landscape.

Page 5: UGB Rezone Subareas - West

Q2
2. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Respondent skipped this question

Page 6: UGB Rezone Subareas - Southwest A & B

Q3
3. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Respondent skipped this question

Page 7: UGB Rezone Subareas - Southwest C

Q4
4. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Respondent skipped this question

Page 8: UGB Rezone Subareas - Southeast
Q5

5. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Page 9: About You

Q6

6. Is there anything else you would like to share about the Grants Pass UGB Rezoning project?

Yes please reconsider the zoning code for the north area. We will fight you on this.

Q7

Sign up here to receive project updates! Contact information will never be shared.

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 13, 2020 8:44:09 PM
Last Modified: Thursday, August 13, 2020 8:50:43 PM
Time Spent: 00:06:33
IP Address: 71.84.133.243

Page 4: UGB Rezone Subareas - North A & B

Q1

1. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Page 5: UGB Rezone Subareas - West

Q2

2. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

No duplexes or townhouses, or apartments in lot between kokanee and Waterstone. Residential single home only.

Page 6: UGB Rezone Subareas - Southwest A & B
Q3
3. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Respondent skipped this question

Page 7: UGB Rezone Subareas - Southwest C

Q4
4. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Respondent skipped this question

Page 8: UGB Rezone Subareas - Southeast

Q5
5. Are there specific properties or areas where you would like to see different zoning districts? What other zones do you recommend and why?

Respondent skipped this question

Page 9: About You

Q6
6. Is there anything else you would like to share about the Grants Pass UGB Rezoning project?

Respondent skipped this question

Q7
Sign up here to receive project updates! Contact information will never be shared.
Brad,

I’ll cover the second appointment first because it is simple. The appointment was with Terry and Cindy Nelson. Their property is located at 374 Glen Crest Way off of Cloverlawn Drive in the Southeast Grants Pass study area. They have a home on approximately 5 acres. The proposed zoning is R-1-10. It would be possible to divide the property under this zoning but they are not interested in doing so. The road to their property is steep and some of their property is also steep. The most effective division of the property would be to carve off a piece on the north side and combine it with abutting property on the north as that property develops. There is more level land and better access on the north side. The bottom line is these people are okay with the proposed zoning. They just wanted to make sure the rezoning doesn’t mandate annexation at this time.

The first appointment was with Bruce Buckmaster and wife and their representative Rick Riker. The subject property is located at 3322 Leonard Road in the West Grants Pass study area. It is 10.5 acres in size and zoned RR-5. The property is proposed for R-2 zoning. Mr. Riker has previously submitted a preliminary application for subdivision of the property (see Project # 001-00229-18). The applicant was told that in order to proceed with the subdivision process several actions needed to take place. They are: rezoning of the property, adoption of the TSP, and update of the Stormwater Master Plan. There are wetlands on the property. The wetlands will need to be delineated and if the subdivision plan requires alteration of the wetlands approval will be needed from the state and federal regulating agencies. The bottom line is these people are in agreement with the proposed new zoning and simply want the process to move as quickly as possible.

Let me know if this is sufficient information. If not I will attempt to answer questions. I did print locational maps from Google maps to help me visualize the setting of each property.

Dennis

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Bradley Clark, AICP  
Interim Director  
Community Development Dept.  
City of Grants Pass  
(541) 450-6061 (direct)
August 6, 20120

Bradley Clark
Head Planner, City of Grants Pass
City of Grants Pass
Grants Pass, OR 97526

Bradley,

Thank you and Donna for taking the time to meet with me today at the City Council Chambers. I appreciated not only the time, but the communication of ideas and concepts driving your decision making process. One thing is evident, there are no easy answers, just tough decisions!

In light of the conversation three items seem to rise to the top of my thinking and ostensibly those of my fellow neighbors.

1. We believe the current proposed zoning of EMP is completely at odds with the texture of the neighborhood and the desires of neighbors.

2. The terrain required for the EMP designation appears ill suited as it is a hillside requiring heavy excavation to develop level sites for any commercial structures. That seems a poor utilization of land as you lose much of the land to the slope required to avoid landslide and erosion. Additionally, the infrastructure of utilities does not exist nor is it proposed by the city works department. It would need to pump water uphill to support office type structures. Currently there is not even internet cable to all structures on the east side of Granite Hill. It is highly unlikely commercial developers would ever see this as a viable or attractive outlet for such development of business park ventures.

3. The land is suited for R-1-12 designation as it can support four homes per acre or less without overwhelming city sewer services and current water supply of high GPM water well output. Any development would be dependent on a water study.
ADDED QUESTION:

A secondary consideration is the marsh area adjacent to the south of 247 and 225 Granite Hill. This is the beginning of the water source of Skunk Creek and as such may actually require a study as a wetland or a consideration whether development is workable in that area. At one point I even considered asking the neighbor if he would allow me to dig the area out and create a large spring fed pond because of its constant water source.

The final consideration is what has to be the historical context. Grants Pass by the most common definition has become a bedroom community. There is little heavy industry or manufacturing. We have always been heavily dependent on a retired population, tourism and government. We have had a few industries come and go such as Litton, Champion Products, etc. They have all left the area as market conditions changed and the likelihood of attracting new manufacturing doesn’t match the reality.

The state police property and the land that used to be owned in the sixties by Stach Construction have sat idle now for many (25+) years, which is a clear indicator that developers have not, and currently do not, see the development as viable. It begs the question of why would you force the designation on an area where developers do not see a future? This is especially true now in the current work environment where more and more people are working from home. That makes the likelihood of pressure of needed business parks far less likely. There is also a fairly large inventory of available commercial structures already in Grants Pass city limits, (i.e. Bank of America building, Asante building on north 6th street, various structures on Rogue River Hwy and on Redwood Hwy as well as directly downtown).

Do we need to add inventory on the outer reaches and make the downtown core less vibrant? Grants Pass has always thrived because of our connection to I-5 and the Hwy 199 route to the coast. Without that continued support we can watch the slow death of downtown into a blighted area. Medford saw this problem and headed it off by providing incentives for employers to utilize structures downtown. We should do the same.
SOLUTIONS:

If I may be so bold as to propose a consideration which might fit the need for EMP land. The common sense approach would be that land south of the marsh area be used for EMP designation as it is at the base of the hill and on flatter ground. The land north of that area could be R-1-12 residential in accordance with current neighborhood standards.

On the east side of Granite Hill around the Humane Society and what was formerly a neighborhood market, that could also be designated EMP as it is already a commercial venture space. This of course would include the large parcel to the south of Scenic Drive, which is the former State Police land now owned by River Valley Church. The church had done a full study and plat for the development before they abandoned the idea.

North of the hemp farm could then revert to residential R-1-8 as the land is flatter and could again accommodate multiple structures per acre.

The additional EMP space needed to meet state land use goal percentages could be added off of Foothill prior to Jones Creek Road as that land has better logistics and services and already serves multiple business outlets.

CONCLUSION:

I realize I am but one voice, but we are gathering the signatures of surrounding neighbors who also have a vested interest in the future of their properties and their pursuit of happiness. They have signed this letter with the understanding it is not binding, but merely an outline of how to move forward.

We all want the best for Grants Pass, thank you for listening.

Sincerely,

David Sailer
247 Granite Hill Road
Grants Pass, OR 97526
From: Malcolm Drake <jumpoff@centurylink.net>
Sent: Wednesday, August 5, 2020 3:52 PM
To: Bradley Clark
Cc: Aaron Cubic; Adam Shults; Barry Eames; Clint Scherf; Dennis Roler; Dwight Faszer; Joel King; Karen Frerk; Mark Bartholomew; Mayor; Rick Riker; Roy Lindsay; Tyler Flaming; Valerie Lovelace

Subject: Homeless camps, etc.

[NOTICE: This message originated outside the City of Grants Pass -- DO NOT CLICK on links or open attachments unless you are sure content is safe.]

Dear Mr. Clark,

I understand we are being given the opportunity to comment on rezoning and development of lands in the “new” UGB.

My wife and I have owned five acres, county zoned RRS, for almost thirty years. As a general contractor (now retired), we always expected that we could do a nice PUD at some point, once the land was included in a new UGB, as we were assured it would be by planners of that time period.

I innocently thought that the new UGB would have its zoning determined when it was finalized, as happened in an earlier UGB expansion.

Under that scenario, it was relatively easy to develop land; unfortunately, things have changed this time around, and one of your planners told me it would probably cost in the neighborhood of almost $1 million, just in preparation costs, not including any actual design and construction.

Is this still the expected scenario?

Lately, I’ve been feeling a lot of concern about people losing their jobs, and likely their homes, due to the covid 19 virus. Here we sit, with a nice home, plenty of food, clean water, and WARMTH in winter, snug as bugs in a rug, with who knows how many innocent people ending up evicted through no fault of their own, shivering on the streets of our otherwise wonderful town

Long story short, we are wondering if GP has any plans to facilitate helping these people. I have two friends who’ve been very active in developing Foundry Village. We are wondering if there’s any way to donate 1-2 acres at the eastern end of our property (220 Glen Crest Way, at the corner of GlenCrest and Cloverlawn) to help facilitate a facility similar to Foundry Village, or perhaps some other plan to aid some of these people.

If GP has no such plans for the new UGB, this is my request to please consider this.

Thanks for your consideration,

Malcolm Drake
1200 Jump Off Joe Creek Road
Grants Pass 97526

Cc Mayor and Council