



CITY OF GRANTS PASS
COUNCIL AGENDA
June 22, 2020
11:45 a.m. City Council Workshop and
Special Meeting
Council Chambers - 101 N.W. 'A' Street

MAYOR: Roy Lindsay

CITY COUNCIL MEMBERS:

Ward 1	Ward 2	Ward 3	Ward 4
Tyler Flaming Clint Scherf	Valerie Lovelace Rick Riker	Dennis Roler Dwight Faszer, II	Barry Eames Joel King

1. CONSENT AGENDA
 - a. Motion approving the Aurelia Zoning Map Amendment and Subdivision Findings of Fact.
2. ADJOURN SPECIAL COUNCIL MEETING AND CONVENE COUNCIL WORKSHOP
3. COUNCIL WORKSHOP
 - a. Public Safety levy discussion
 - b. Agenda review
4. ADJOURN WORKSHOP AND CONVENE THE SPECIAL COUNCIL MEETING IN EXECUTIVE SESSION

Executive Session is held to discuss the following subjects:
(e) Real property transactions-negotiations

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate person with physical impairments, please notify the City Recorder's Office of any special physical or language accommodations at least 48 business hours prior to the meeting. To request these arrangements, please contact Karen Frerk, City Recorder at (541) 450.6000.

**CITY OF GRANTS PASS
COMMUNITY DEVELOPMENT DEPARTMENT**

**AURELIA ZONING MAP AMENDMENT AND SUBDIVISION
FINDINGS OF FACT – CITY COUNCIL**

Procedure Type:	Type IV-B – City Council Decision w/Planning Commission Recommendation
Project Numbers:	401-00100-19 & 104-00130-19
Project Type:	Zoning Map Amendment (Rezone) & Tentative Subdivision Plan
Owner(s):	Stephen Bivens, Miriam Burman, Melodi Hamilton, Dan Mulgrew, Celeste A. Wilson
Representative:	Celeste A. Wilson
Property Address:	1191 West Harbeck Rd.
Map and Tax Lot:	36-06-25-AD, TL 1200
Current Zoning:	RR-5 (Josephine County) (Grants Pass UGB)
Proposed Zoning:	R-4-2, High Density Residential (Grants Pass UGB)
Size:	4.44 acres
Planner Assigned:	Bradley Clark
Application Date:	December 16, 2019
Application Complete:	February 24, 2020
Date of Staff Report:	April 16, 2020
Planning Commission Hearing Date:	April 22, 2020
Continued Commission Hearing Date:	May 13, 2020 (continued due to COVID-19; provide for public review of the virtual hearing recording)
City Council Hearing Date:	June 17, 2020
City Council Findings:	June 22, 2020
120-Day Deadline	June 23, 2020

Note: ~~Strikeout Text~~ indicates text that was deleted. *Italic Text* indicates text that was added.

I. PROPOSAL:

The proposed development is located within the City of Grants Pass Urban Growth Boundary (UGB) and outside the existing city limits. It involves two separate but linked applications. The first is a proposal to amend the City of Grants Pass Zoning Map by changing the existing Josephine County, rural zone of RR-5 to a City of Grants Pass, urban zone of R-4-2 (High Density Residential). As allowed under the Intergovernmental Agreement between Josephine County and the City of Grants Pass, no annexation is being proposed at this time. The development and public improvements would be constructed to City standards with an accompanying Service and Annexation Agreement that provides irrevocable consent to annexation at a later date.

The second application is a Tentative Subdivision Plan to divide the 4.4-acre parcel into 15 building lots and 3 common lots. The decision on this action, while typically a Type III procedure with Planning Commission approval, is contingent on the outcome of the Zoning Map Amendment application, which is a City Council decision. Therefore, both applications have been reviewed by the Planning Commission who in turn made a formal recommendation to the City Council on each item.

The applicant proposes the division of Tax Lot 1200 into 18 lots as follows:

Lot Number(s)	Proposed Use
1-5	4-plex w/off-street parking & private open space
6	2-plex w/off-street parking & private open space
7-15	4-plex w/off-street parking & private open space
16 ¹	Common open space lot
17 ¹	Private street (east side of Hungry Hill Dr.)
18 ¹	Private street (west side of Hungry Hill Dr.)

¹Note: Under Oregon Revised Statutes, private streets and common areas must be identified as a “tract” and not a “lot”. This is a change that would come into effect at the time of a final plat.

The application proposes a total of 58 dwelling units: 14 fourplex lots (56 units) and one duplex lot (2), for a density of 13.2 dwelling units per acre. The proposed building lots range in size from 5,044 sq. ft. (Lot 6) to 9,243 sq. ft. (Lot 5). The large common area on the eastern end of the development adjacent to Allen Creek (Lot 16) is 26,929 sq. ft. (0.62 acres) and the two private street lots are 3,153 sq. ft. (Lot 17) and 12,349 sq. ft. (Lot 18). The subdivision also includes the dedication of 28,519 sq. ft. of public right-of-way to provide access to and through the site.

The proposed subdivision will be served by the extension of Hungry Hill Drive to the south in alignment with the existing street north of West Harbeck Rd, a full half-street improvement of SW Allen Creek Road, and a new private street with sidewalks on one side. No direct lot access to either Allen Creek or Harbeck is proposed. Public water and sewer utilities are proposed to be extended from their current locations in both SW Allen Creek and West Harbeck Road. A new onsite stormwater detention and treatment pond is proposed in Lot 16. There is also a 10-foot wide irrigation easement along the southern boundary for the Grants Pass Irrigation District.

II. AUTHORITY & PROCESS:

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 applications 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.

Since this development involves a Type III application procedure (Tentative Subdivision Plan of more than 10 lots) and a Type IV application procedure (Zoning Map Amendment), both applications will be processed using the Type IV process. The Tentative Subdivision Plan cannot be acted on by the City Council prior to or without the accompanying Zoning Map Amendment application being approved.

III. CRITERIA:

The decision for the Zoning Map Amendment application must be based on the criteria contained in Section 4.033 of the Grants Pass Development Code (GPDC). The decision for the tentative subdivision plan must be based on the criteria contained in Section 17.413 of the GPDC.

In accordance with the condition of approval from the Planning Commission staff incorporated material further addressing the criteria for a Zoning Map Amendment which particularly addressed Goal 10 requirements that require the City to review the impacts of the map amendments on the housing supply within the City.

One of the City's adopted goals is to encourage 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. A variety of policies have been adopted by the City to meet this goal.

Policy 9.8 recognizes the need for rental units and additional multifamily homes in the area and will designate appropriate locations for multi-family development. The proposed project will provide for the opportunity for multi-family dwellings which meets Comprehensive Goal siting standards in Element 11 and 12.

Furthermore, the City of Grants Pass is experiencing a lack of housing units at price ranges and levels commensurate for the area's household incomes. 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.

Although Grants Pass expanded the UGB in 2014, those properties have yet to be re-zoned because the required Transportation System Plan has not been completed or adopted. Therefore, the UGB properties cannot be developed to the intended densities. In order to increase housing inventory, developers are looking for opportunities to amend the Comprehensive Plan to encourage in-fill housing opportunities.

The applicant's proposal to change the zoning designation will allow for more housing in the Grants Pass area which is consistent with the City's policies regarding land use.

In 2014, the City updated its Housing Element with new population projections planning for housing to 2033. The City calculated the need to develop 5,643 dwelling units, of which 1,411 are multi-family (Duplex or more) by 2033, to provide housing at price ranges and rental levels commensurate with the financial capabilities of area households. To achieve these needed units approximately 282 dwelling units should be developed per year, of which 70 units should be multi-family, if development is distributed equally across years.

To meet the above standards the City should have developed 1,128 dwelling units of which 280 are multi-family since 2014 but it only produced 659 dwelling units of which 117 are multi-family. The City is behind by 453 dwelling units and 163 multi-family units.

The application would potentially allow 58 dwelling units as opposed to the current potential of 1 dwelling unit. The housing needs and policies of the City of Grants Pass

support this application for Zoning Map Amendment in light of the potential impacts to the housing needs and opportunities within the City.

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. PROCEDURE:

- A.** An application for a tentative subdivision plan and zoning map amendment was submitted on December 16, 2019 and deemed complete on the February 24, 2020. The request was processed in accordance with Section 2.040 of the Development Code.
- B.** Public Notice of the April 22, 2020 meeting was mailed on April 1, 2020 and ran in the newspaper on April 10th in accordance with Section 2.043 of Development Code.
- C.** At the April 22, 2020 Planning Commission meeting, the public hearing was continued to May 13, 2020.
- D.** At the May 13, 2020 Planning Commission meeting, the Planning Commission made a recommendation in support of the request.
- E.** The Planning Commission signed the Findings of Fact on May 27, 2020.
- F.** Public Notice of the June 17, 2020 City Council public hearing was mailed on May 22, 2020 and published in the newspaper on June 1, 2020 in accordance with Sections 2.053 and 2.063 of the Development Code.
- G.** On June 17, 2020, the City Council held a public hearing to consider the request. A roll call vote was taken during the public hearing and the City Council voted to approve the request.

VI. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as Exhibit “A” and incorporated herein.
 - 1. Planning Commission Findings of Fact
 - A. UAPC Staff Report
 - 1. Location Map
 - 2. Aerial Photo
 - 3. Applicant Submittal
 - 4. Tentative Subdivision Plan (Preliminary Grading Plan)
 - 5. DSL Wetlands Notice Response (WN#2019-0626)
 - 6. Transportation Impact Analysis (Access Engineering)
 - 7. City Transportation Engineer Response to TIA
 - 8. TPR Response by Access Engineering
 - 9. City of Grants Pass Public Works Staff report
 - 10. Grants Pass Fire Marshal Memo
 - 11. System Development Charges Brochure
 - 12. Grants Pass Engineering Checklist
 - B. Minutes from the April 22, 2020 meeting and May 13, 2020 UAPC Hearing
 - C. PowerPoint Presentation
- B.** The minutes of the public hearing held by the City Council on June 17, 2020, attached as Exhibit “B”, summarize the oral testimony presented and are hereby adopted and incorporated herein.
- C.** A copy of the PowerPoint Presentation given by staff at the June 20, 2020, public hearing is attached as Exhibit “C” and incorporated herein.

CONFORMANCE WITH APPLICABLE CRITERIA:

Detailed background and discussion is provided in the Planning Commission Findings of Fact and Minutes from the May 13, 2020 public hearing.

VII. FINDINGS IN CONFORMANCE WITH APPLICABLE CRITERIA:

The City Council finds the applicable criteria are satisfied and **APPROVES** of the proposed zoning map amendment from RR5 County zoning to High Density Residential R-4-2 zoning.

The City Council finds the applicable criteria are satisfied and **APPROVES** of the proposed Tentative Subdivision Plan Review with the following conditions:

CONDITION OF APPROVAL:

The City Council finds the applicable criteria are satisfied and **RECOMMENDS APPROVAL** of the proposed Tentative Subdivision Plan Review with the following conditions:

CONDITIONS OF APPROVAL:

- A. The following must be accomplished within 24 months of the Planning Commission's Decision and prior to issuance of a Development Permit. The Director may, upon written request by the applicant, grant up to two extensions of the expiration date of six months each.**

(Note: A Development Permit is required in order to obtain a grading permit):

1. Submit a revised Tentative Plan, prepared by a Professional Land Surveyor in accordance with Section 17.311, including the following:
 - a. A minimum 10 ft. C.U.E provided along all street frontages. If an exception is requested, submit letters from all franchise utilities and Public Works stating the C.U.E. is not necessary.
 - b. Detailed drawing of the emergency vehicle access design, including bollards, at the west terminus of the private street. Coordinate the private street emergency access design with Public Works and Public Safety and construct the bollards per Public Safety standards.
 - c. Re-number the private streets and common area(s) as tracts, not lots.
 - d. Provide a minimum 10-foot wide public pedestrian easement located adjacent to the west side (top of bank) of Allen Creek.
2. Provide all requirement submittals and meet standards found in the Public Works memo.
3. Provide approval from the County Surveyor's Office for subdivision name.
4. Submit a detailed landscaping and irrigation plan in compliance with Section 23.041 and 23.042, including the street trees to be planted in the existing planter strip along W. Harbeck Road.
5. Enter into a Service and Annexation Agreement (SAA) with the City of Grants Pass.
6. Provide a copy of all approved wetland mitigation permits or a letter stating no wetlands mitigation is required from DSL, ACOE, ODEQ, and/or any other agency with jurisdiction prior to the granting of a development permit.

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

1. Submit recorded CC&Rs for the subdivision that, at a minimum, address exterior building colors, siding and roofing materials, off-street parking, minimum landscape standards, maintenance of the open space lots, private street, and related design standards.
2. Submit a maintenance plan for the open space area. This may be part of the CC&Rs.
3. Provide all requirement submittals and meet standards found in the Public Works Staff report.
4. Pay a tree deposit of \$300 per lot in compliance with Section 11.060(2). The money will be available for future installation trees in accordance with the Tree Re-vegetation Plan and other standards found in Section 11.060(2).
5. Submit a Tree Re-vegetation Plan, prepared by a Tree Professional, in accordance with Section 11.060.
6. Provide a land division guarantee issued by a title company.
7. Street names and traffic control signs shall be installed by the City Engineer Section 27.121(14) and Section 27.121(15).
8. If individual lots were graded as part of the grading permit for the subdivision, provide a map of those lots with new building pads and include the dimensions of the area graded.
9. All adjacent streets shall be swept regularly during construction.
10. Pay all engineering inspection fees due.
11. Submit a final plat in accordance with Section 17.422 of the City of Grants Pass Development Code. Incorporate any modifications or conditions required as part of tentative approval. A professional land surveyor must survey the subdivision. A plat check by the City Surveyor and payment of appropriate fees is required. Failure to comply with this condition will nullify the approval of the Tentative Plat.
12. After all signatures are obtained, the plat must be recorded with the Josephine County Recorder within 30 days. The subdivider shall file one print of the recorded plat with the Parks and Community Development Department. Failure to do so will nullify plat approval.

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

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

1. All future structures on Lots 1 – 15, except Lot 6, must submit and receive approval for a Major Site Plan application prior to building permit application. The duplex on Lot 6 will need to submit a Minor Site Plan application.
2. Submit Major Site Plan applications on Lots 6 and 7 that adjust the building setback to comply with the minimum 10-foot exterior yard dimension.
3. All design standards in Article 22 will need to be complied with at the time of Site Plan application for Lots 1-5 and Lots 7-15.
4. Future Development of lots shall comply with adopted City standards at time a future submittal is deemed complete. Standards at time of a future submittals deeming of condition shall override any of the below conditions.
5. Comply with the Uniform Fire and Building Codes.
6. Development of lots shall be in accordance with solar standards.
7. All future development shall reflect the Tree-Revegetation Plan.
8. Payment of all System Development Charges due; including, but not limited to, water, storm, sewer, parks and transportation.
9. Future Development of lots shall comply with Article 24: Environmental Standards of the Development Code.
10. During Construction on new development sites that are without paved surfaces the developer shall take appropriate measures to suppress the dust, primarily by wetting the travel surfaces, in and around, the construction site in accordance with Section 24.253.
11. Each lot shall conform to Article 25; Parking and Loading Standards
12. Prior to occupancy, driveways and parking and maneuvering areas shall be paved in accordance with the requirements of the Development Code.
13. Driveways shall be in compliance with Section 27.121(11).
14. Each lot shall have separate utility services.
15. All utilities shall be placed underground.
16. Install landscaping in accordance with the approved landscape plan (Section 23.031 ~ Residential Front Yard).
17. Submit lot drainage plans for approval on all building plans.

18. Developed or undeveloped building lots will need to be maintained for weed and grass control throughout the year.
19. Provide addresses visible from the public right-of-way.
20. Gravel driveway approaches and other erosion and track out control measures shall be in place during construction of individual lots.

VIII. DECISION AND SUMMARY:

The City Council **APPROVED** the proposed zoning map amendment from RR5 County zoning to High Density Residential R-4-2 zoning.

The City Council **APPROVED** the proposed Tentative Subdivision Plan Review with conditions.

The vote was 6-0 with Councilors Scherf, Riker, Lovelace, Roler, Eames, and King in favor and none opposed. Councilors Flaming and Faszler were absent.

IX. APPROVED BY THE CITY COUNCIL this 22nd day of June, 2020.

Roy Lindsay, Mayor