

**URBAN AREA PLANNING COMMISSION**  
**Meeting Minutes – June 28, 2023, at 6:00 p.m.**  
**Council Chambers**

**COMMISSIONERS:**

Eric Heesacker  
Mark Collier (Chair)  
Loree Arthur  
Lois MacMillan - Absent  
Susan Tokarz-Krauss  
L. Ward Nelson (Vice Chair)  
Scott Lindberg  
Vacant

**City/Staff/Council Liaisons:**

Bradley Clark (Director)  
Mark Trinidad – (Principal Planner)  
Jason Maki (Associate Planner)  
Donna Rupp (Associate Planner)  
Gabby Sinagra (Assistant Planner)  
Amber Neeck (Housing & Neighborhood Specialist)

**Guests:**

Julie Fuller Cavener  
Tom Gannel

Good evening, Chair. I see Commissioner Lindberg has joined us. No one else has joined us on Teams and I am recording. So, you're ready to go.

**1. Roll**

Beautiful. We'll open the hearing for the Urban Area Planning Commission for June 28th at six o'clock. We'll start with roll call, and we'll just go down the list in order. Commissioner Heesacker?

Here.

Nelson?

Present.

McMillan is excused. Commissioner Arthur?

Here.

Commissioner Tokarz-Krauss?

Here.

Collier's here? Commissioner Lindberg?

Here.

Okay. Beautiful. Scott, I don't know how you're going to communicate with us, but one way or the other, if we don't get your input, just chime in-

Okay.

... at some point.

**2. Introductions**

Any introductions?

None, Chair.

**3. Public Comment:**

Okay. Public comment is an opportunity for the public to address the commission on items not related to the public hearing or action item. The intent is to provide information that is pertinent to today's city's jurisdiction. Each speaker would be given three minutes to address the commission as one body, not to individuals. The commission may consider items brought up during this time later in our agenda during matters from commission members and staff. Do we have anyone who'd like to comment at this time?  
Okay. Okay. Fair enough.

That hasn't stopped us before.

Well, it does now.

**4. Approval of Minutes**

**a. June 14, 2023**

Approval of the minutes for June 14th. Do I have a motion?

Nelson moves approval.

Heesacker second.

Any discussion?

Yeah, it was too short.

Too short? Beautiful. Okay. Taking the roll and, Mark, I don't have that to sign in front of me... the minutes.

Sorry, Chair.

Unless they're here. Okay, we'll take the roll on the minutes. Heesacker?

Yes.

Nelson?

Yes.

McMillan is absent. Arthur?

Yes.

Tokarz-Krauss?

Yes.

Collier is a yes. Lindberg?

Yes.

#### **MOTION/VOTE**

**Vice Chair Nelson moved, and Commissioner Heesacker seconded the motion to approve the minutes of June 14, 2023, as presented. The vote resulted as follows: "AYES": Chair Collier, Vice Chair Nelson, Commissioners Arthur, Heesacker, Tokarz-Krauss, and Lindberg. "NAYS": None. Abstain: None. Absent: Commissioner MacMillan. The motion passed.**

Beautiful. So, they're approved unanimously. I'll get you a signature when you're ready.

#### **5. Findings of Fact**

a. None. Findings of fact are none.

#### **6. Public Hearing**

a. 405-00135-23 ~ Zoning Transition Overlay, Request for Development Code Text Amendment for Repeal Zoning Transition Overlay District, City of Grants Pass ~ Staff Report

Public hearing. And if we're ready, we will open the public hearing for the zoning transition overlay, and that'll be project 405-00135-23. We'll begin the hearing with a staff report followed by public comment, and then the matter will be discussed and acted upon by the commission. Any objections to the jurisdiction? Anyone present who wishes to challenge the authority of the commission in this matter? Seeing none. Abstentions, conflict of interest? Any commissioners wish to abstain from participating in the hearing or declare a potential conflict of interest? Seeing and hearing none.

Continuing explanation of the criteria, in the hearing, the recommendation of the commission to council will be based on specific criteria. All testimony and evidence must be directed to the criteria. This criteria will apply in this case noted in the case or noted in the staff report waiver. It is important to remember if you fail to raise an issue with enough detail to afford the commission and the parties an opportunity to respond to the issue, you will not be able to appeal to city council based on the issue. Hearing will now proceed with a report from staff.

All right. Thank you, Chair. Members of the commission, members of the public, thanks for coming out. So, we'll try to work through. We've got quite a few slides here just to try to set the context, but we'll try to move through them pretty quick for you. So, what you have before you tonight is a repeal of the zoning transition overlay, and it affects these four articles in our code: 12, 13, 22 and 23.

Hey Brad?

Yes.

This is Lindbergh. Should I be able to see the PowerPoint through Teams?

Yes, you should, but that's only if we actually do what we're supposed to do on this end. Let me share our screen. Can you see it?

Ah, there it is. Thank you.

Let me see if we can... Can you still see that, Scott?

Yes.

Or is that the-

Yes sir, I sure can.

All right, great.

Thank you.

So, the four articles that we're talking about... 12, 13, 22 and 23... are listed there, zoning districts and number 13, special purpose district. Those are the two big ones. Twenty-two and 23 are just really minor, just some small changes there.

What's the authority to do this? The code says that the city council can start code amendments. It says that you can. Planning commissions can start code amendments. It says that the public can file an application, and it also says that the community development director can. In this case, we basically have a case where the city council directed staff to proceed with this. So that's the authority to actually file the application. So, what is this zoning transition overlay? It was a tool created in 2014 that was driven primarily by a requirement of the Oregon Department of Land Conservation Development when the city was doing its urban growth boundary at that time, and the city had to comply with certain 20-year targets. There had to be enough land supply to accommodate 20 years of residential growth. What the state said after looking at the areas that the city was proposing to expand in that time, they said, you're not quite there, or at least we said it to ourselves knowing what the state would say.

So, the way that they dealt with that was to create this zoning transition overlay at that time, which said in a few years, these areas of the city will be upzoned to higher density so that you can accommodate more housing than what you could in 2014. So that would basically increase the potential for the number of dwelling units.

So here are the areas that were designated back in 2014 as the zoning transition overlay. You can see there's about eight to ten of them scattered around the area. You have one up here on the north end off of Ninth Street near Beacon. Then there's some over here in the northwest. The majority of it was actually south of the river. There's a large sub-area here on the south side of Rogue River Highway and then off of Williams Highway as you're heading down towards the golf course, and then out towards RCC and the campus, there are some other areas. So those all had these on the left-hand side. You can see the zones that were created in order to accommodate that expected new growth.

So, the way it was set up, it was set up in two phases. Phase one was November of 2014, which is when the urban growth boundary was adopted and amended and is when this ordinance kicked in, November of '14 through October of '20.

So that basically was a phase that said the comprehensive plan designations changed. So that was the underlying comp plan designation. But the actual zoning of all those areas, the ZTO parcels, didn't change. The zoning stayed the same as it was prior to that, but it did give the owners an option to upzone if they wanted to and if they could meet the traffic impact studies that were required. So that was phase one. There were a few property owners that did come in during that period and did upzone. They had the opportunity to do that.

Phase two, the way that it was worded in 2014 that it would say would take effect upon adoption of the TSP. And sorry, I try not to put all these abbreviations in there, but transportation system plan. In 2014, nobody knew exactly when the transportation system plan would be adopted. It was expected to be adopted much sooner than it actually was. It didn't get adopted by the council until October of 2020. And that's honestly really the key to this whole thing, is that the wording in the ordinance was that the land would be upzoned essentially automatically when the TSP was adopted. Why is that? It's because the TSP was looking at new facilities for transportation. So, if you're going to go higher density zoning, the TSP would set those new expanded roadways and facilities so that the higher density would presumably be able to accommodate in there.

So, the overlay zoning became the new base zone. The old zone was repealed and that basically was about 348 acres that moved it from what was called a legacy zone, the pre-2020 zone, to the new zoning which was designated in the overlay.

So, here's the list of how all those changes... I'm not going to go through all of them. We can certainly take questions and drill into any of these areas that you would like to, but I just wanted to show you how they transitioned. Basically, what's in the left column is the comprehensive plan map showing LR, which is low density residential, to MR, medium residential, and just how that was distributed throughout the city. So, you can see in this column it was about 450 acres that was affected, changing from some of these lower density zones to some of the higher density zones.

So, there were two big changes that have happened since this thing was created, since the zoning transition overlay was created and now. These next two slides, we'll talk about what those are.

So, one big change was the minimum residential density ordinance, which was adopted in May of 2022, which mandated that if you have land in the R3 and the R4 zone, you have to build at least 60% of the minimum density. So, if the minimum density says 20, you're going to have to build to 12, at least 12 units. Whereas before that, even if it said the minimum density was 20, you could build to three dwelling units per acre. There was no requirement to build to the higher density. So that's a big change.

The other big change was House Bill 2001, which the commission is all too familiar with, the middle housing code, which became effective on July 1st of last year. That requires the city to permit duplexes, triplexes, fourplexes, town homes and cottage clusters in any zone where there's single family housing allowed. It also removed the public hearing requirement for those units. So, there's no public hearing requirement for the fourplexes and triplexes, and the land available to construct those multiplexes with just going straight to a building permit, essentially more than doubled. It's probably closer to tripling in terms of the land mass where you used to be able to do triplexes and quadplexes to where you can now.

Does that mean we're going to see that? Nobody knows, but the zoning does allow for that, and those two things combined together, we think are enough to warrant changing the zoning transition overlay and taking it out of the city's code.

I don't know that I really need to go into the next few. The next few slides are just the background, how we got to where we are. June 15th, 2022, there was a hearing at the city council where this came up, and then these next dates in July and August and October of last year just show the process of how the council got to where they did, which basically was directing staff to, yes, we want you to take the zoning transition overlay out of the ordinance.

We did send a letter to about 742 tax parcels in the zoning transition overlay. We sent one in October of last year and then we sent another one just last month. That letter basically said there was two options. Option A was the default, which was no action

required by an owner. The zoning was going to change back to the older single-family zoning. There was a list of 27 subdivisions where that was the case. There's a sample of that letter in your packet.

And then option B requested a response from owners who were interested in keeping higher density zoning. There was about 40 responses that we received to the October letter and then we also got several phone calls, front counter visits, some emails. And of those 40-plus responses, we had 11 owners which totaled about 20 acres who requested to retain the zoning transition overlay zone. Seven owners requested to revert back to the original. There were five instances where an owner responded and asked for additional information, but they didn't say one way or the other. So that was what was the result of that October letter.

I wanted to just drill into a couple of different areas so you can see on the ground what does this actually mean if you decide to recommend to the council approval.

So, this one is one example. I mean, this whole area falls under the zoning transition overlay. This is on Raydean Drive, which is in the west off of Leonard. So, this one is a 4.2-acre parcel. It has one single-family house on it today. It's surrounded by R18. So, all of this built out subdivision area has the zoning of R18 on it. The option was given to them, do you want to rezone in the future, or do you want to keep what you have? In this case, they said, well yeah, we want to revert, and we want to go back so we can do more single-family housing. So, what would happen is the current zone is R18. The ZT is R2, which allows for the higher density. That R2 would no longer be in effect, and it would go back to the R18, which would match a lot of that subdivision development around it.

Here's another example. This is 2175 North Star. Again, the current zoning is R2, and the zoning transition overlay zone is R32. And in this case, this is about a two-acre parcel really close to Redwood. This is Redwood Avenue that is on the south side of this big blue area. So, you can see there's 15 to 20 parcels in there. The idea in 2014 was, well, most of these are not really built out to their full potential, shall we say. So rather than just letting them build out to whatever, you can see here on the north side how dense those are. The zoning transition overlay R32 would allow that kind of development down here. So, by reverting back to the R2 instead of the R32, it changes what kind of land uses can go there to some extent.

And then finally, here's another example. This is Southwest Elmer Nelson. This is Summerfield Estates. You may know Summerfield Estates subdivision. This is an example of one that's all built out for the most part. Current zone is R2. They are fairly traditional size lots though. So, by changing from the R31, which is the zoning transition overlay, to the R2, you're really not going to see any change because, I mean, it's a built-out subdivision. The single-family houses are just going to continue to be there. That big area in the middle is wetlands, so there's not going to be any development on that wetlands area.

And then here's a couple of examples of those folks that said, yeah, we actually want to retain the higher density entity zone. So, here's one off of Terry Lane. WinCo is just off the map to the right. So, this is D Street and then Terry Lane. There's four large parcels that are almost all vacant. I think there might be one single-family house out there. In this case, the owner said, well yeah, we actually have plans for higher density residential there, and so we don't want to go back to this R2 zoning because in the R2 zoning, you can't do the 15, 20 type apartment type complex. That's prohibited. But in the R42, you can do apartments. So, what they said was, no, we actually want to keep the higher zone. So, if you recommend approval of this tonight to the city council, it is going to go back to the R2.

But what we have said to these folks as well as about 12 other property owners is that the city will work with you to go through the rezone process so we can do them all at once rather than just an individual one at a time. The city's fees to go through that rezoning process would be waived, and there would be a streamlined process to help these folks do that.

Why is that? In part because some of them knew about this zoning transition overlay and that they were going to be rezoned and they expected to be rezoned. And now what we're saying is, now we're going to take that away from you. But in this application to try to do both of those things at the same time, rezone some and revert back to others, turned out to just be too chaotic to be honest. The mapping was getting messy. The process to go through it was messy. So, what we're proposing here is just to take all of the zoning transition overlay away all at one time and then work with folks who have an interest in the higher density starting probably in September or October to go to the higher density zone.

And then this is another example. In this case, this is New Hope Road where New Hope takes a jog off of Williams. And on the right-hand side as you're heading down New Hope, there's three lots there that are fairly good size. They're about 1.27 acres, 1.4 acres. The one in the middle did send a letter in and they said, yeah, we're interested in keeping the GC2 zone. So, this is another example of where we would work with them and probably reach out to the owners on both sides of them, we didn't hear from them to see if they're also interested so you can do it as a grouping instead of creating a spot zone.

So those are the main changes. Article 12, here's basically what it looks like. You can see the blue here. This is the table in article 12 and the R32 zone at the top is being stricken, the R42 being stricken, the GC2. So those -2 zones is what reflects the zoning transition overlay. So those would be removed entirely from this article.

Article 13 is where the whole zoning transition overlay was created in the first place.

That set all of the phasing and it set all of the rules. It was considered a special purpose district. So, this would essentially delete that whole section 13.5 hundred.

And then articles 22 and 23 just have some really small references to those -2 zones, and you can see those in your packet. So those would just be cleaned up so that there would be no references anywhere in the code to any of the -2 zones.

And finally, just a couple of observations. There was some concern when we had the council workshops about if you remove the ZTO in its entirety, are we not hindering the city's ability to do multifamily?

What the urban growth boundary projection is for the next 20 years, the need is to construct about 551 new multifamily units. So that would include apartments, anything with five or more units in a single structure. So that's what the projected need is. Even though it doesn't factor in the current market supply gaps, the net buildable land requirement to accommodate 550 units is about 48 acres. That's assuming you build out that 11.4 or higher. If you go higher, you don't need that as much land. And if you look at our available inventory right now of the higher density land, we have about 337 acres. So, we feel like that gap between what's needed to build at 48 acres and 337 is sufficient that even if we take out the zoning transition overlay, there's still enough room to accommodate those multifamily.

As the Chair mentioned, there's four criterion. Section 4.103, those are on page 13 of your hearing packet. So, if you have any changes to those, you'll want to reference that page 13. That is where staff reviewed it. We determined that the criterion could be met in this case.

And here's your recommendation. We do recommend that the zoning transition overlay section of the code be repealed in its entirety, revert to the base zoning that was on

these properties prior to October 2020. There is a recommendation... or not a recommendation, but an observation built in here that it's not meant to infer staff support for reverting to exclusive single-family zoning. And by that, we're just saying we support the city-led process to help rezone these other properties who want to retain the higher density zone.

We recommend the planning commission recommend approval to the council for these four changes. So that's what staff has.

Ready? Questions for staff. Commissioner Heesacker.

Yeah, this is Heesacker. I like to dumb things down quite a bit for myself. These people wanting to hang on to ZTO zoning, why would they want to do that in the face of the middle housing code? They can build higher densities on those parcels anyway. Why do they need to retain ZTO to build to those higher densities?

So, when you say higher density, middle housing only lets you go up to fourplex. Now that's the highest you could... Well, I shouldn't say that. Townhouses, you could actually do like eight townhouses. And Mark, you might have to help me on what the maximum is. I think there is a maximum, but middle housing doesn't allow you to do an apartment complex.

Okay. I understand then. They want higher densities than the middle housing code would allow them.

Right.

And the ZTO allows those higher densities.

Right.

Got it. Thank you very much.

Commissioner Nelson.

Mr. Chair, I had a couple of questions, but I did need some clarification. On page 12, I was trying to understand your graph there at the bottom. It says housing need by tenure and housing type. Can you explain that single-family detached where it says vacant units and it's got 5.6 on the top and then 61.4%.

So, in the top row is the housing tenure distribution.

Which means?

So that would be the supply in that particular... just for across the whole city, the vacant units as a percentage of the entire 100%.

And the 61.4% you're saying are vacant units of single family?

That is a good question. We took this from the housing needs analysis. No, that's...

It doesn't make sense.



Yeah, they're not vacant. I think what's intended to be there is just the housing type distribution. Yeah, I see what you mean. The vacant unit's column header-

Yeah.

... really throws you off because what you're really looking at is the header on the left column that has the colon, housing tenure distribution, and then housing type distribution.

So read across, if those are the single-family detached, 86% of what?

So, of all of the single-family detached housing, 86% is owner occupied.

Okay. And then 40% is renter occupied?

Um...

Which is over a hundred percent.

Yeah, which is again breaking down the... Yeah, we had this done in 2020, and I included this in here because the state requires a-

We need this-

... analysis, but I apologize, this has been a while since we've actually used this chart, but...

Do we need this in here?

The only reason it was included in here is because of the goal 10, which is a requirement in the state statute that whenever you make a change that affects residential zoning, you have to do some kind of analysis about how it affects your overall housing supply.

Well, that certainly does it, but I just don't understand it.

Right. Right. Thank you. Yeah, I can get you a much better answer when we get back to our consultant who prepared that particular table.

Okay. Well, I was reading that, and I said this makes no sense to me. So, if I may continue?

Along the same lines, yes. Then it'll be Commissioner Tokarz-Krauss. But thank you for breaking the meeting. It's a joke. You can strike that... broke the meeting. Go ahead.

Can I just ... on what you just were talking about and then I'll...

Commissioner Tokarz-Krauss.

Yes, Commissioner Tokarz-Krauss. So, I took that to mean the vacant units, the smaller percentage of 5.6% of those, 61.4% were single-family detached as a breakdown that.

But that's how I interpreted the statistics. Anyway, I have another question following his continuation.

So, continue, Commissioner Nelson, please.

As I understand then, we have to have 48 acres approximately for high density development-

To meet the 550-unit goal.

And we have approximately 300-plus acres to achieve that goal.

Right.

Okay. That I wanted to clarify. And then I was confused about conditional use that was brought up in regard to this, and that was in page 23 on three. The use may be permitted on any given site subject to findings of compliance with compatible criteria specific in the condition use section of this code. Does that imply in hearing or is that just planning department conditional use?

Well, just to clarify, this has nothing to do with the zoning transition overlay.

No, no. But I was confused by that language as well.

Yeah. The conditional use is a hearing before the planning commission.

That's what I thought, and I thought with all these new zoning changes with middle housing, there would be no...

No, that only applies to telecommunication facilities.

Okay.

Yeah.

Okay. And then... I don't want to take up everybody's time. ADUs, I just want to clarify that additional ADUs could still be allowed up to a certain maximum amount based upon the calculations on I think it was page whatever you had it on. Is that correct?

I'm not sure I'm following.

Well, you still allow accessory dwelling units, correct?

Yes.

And so, in these zones, we will still have ADUs possibly being requested-

Right.

... because they wouldn't come before us or anything.

Correct.

But they would have to meet the measurement maximum residential density. Is that correct?

That is not correct. The ADUs are actually exempted from the density calculation.

So, if I have reached a maximum density in that particular development, individuals could still put in ADUs?

That is correct. There's a few situations, for example on a private street, our code says you can only do up to 10 units on a private street. So, if there's a private street out there and they have nine units and then somebody wants to do an ADU, that's 10. But then somebody else wants to do an ADU, they wouldn't be able to because they've reached the threshold maximum for that private street.

Okay. That's why I was asking. So, there is a maximum threshold that would be reached?

Only related to private streets.

Only to private streets.

Only to private streets.

On public streets-

Oh, on a public street, yeah, it would never apply. Yep.

And then what is the PUD process then under this? Would that still be in place?

Yes. Yeah, there is still a planned unit development option. That doesn't change. So, a developer could use the PUD option that's in the code.

Thank you. Commissioner Tokarz-Krauss.

Okay. And just for informational purposes, the table that runs after page 27 through 30 or whatever might be of assistance, if you look at the PUD options. My question was if you could go back to the slide which showed off Williams Highway where New Hope is. Okay, right there. When you mentioned that you had reached out to the others in the area, you meant that within the ZTO, correct?

Within the ZTO, yes.

Yeah. How close, can you see on your map... I'm not quite picking it up... where Regina Way is on that? Is it not just maybe one street back? There are some very large lots also right behind there.

I see Meadow Drive.

Okay, so I'm-

Bayard Drive. I'm not seeing Regina pop up.

Okay, so it's another one further down. Okay. I had a client receive the letter which matches the letter in this packet on two other properties and really wanted... I tried to encourage that person to come because they really wanted to be included in the ZTO to have these options and I'm like, oh, sorry, that doesn't work. But you also... I think that was it. That's it. I just had a question on clarification because I think some of the people in that area felt that they might be able to tag on to this now and they cannot. And the letter that you sent... Did you get the recent letter? Not the October.

Right.

Okay. So, the recent letter that was sent, did you get a lot of response stating they had no clue, never received a prior letter? Any kind of response like that from the public?

Not to my knowledge. I'm looking at Mark to see.

Okay.

No?

All right. That's all I had.

Yeah. Yeah, we understand this is pretty arcane stuff, so we really want to work with folks. I think if there is an interest out there to keep that higher density, then that's what this process starting in September or October after the council goes through this approval process, then we would start up immediately behind that to work with property owners who may have an interest in having that higher densities on retained. And then, so when they contact you and said they'd missed the cutoff, if you will, and they choose option B-

Right.

... that they've given that to you verbally, that will be reiterated back to them in letter format or something that's documented?

Yes. Yes. In September or October, we will be going through anyone that we have heard from who has expressed that and invite them to work with us on getting the new application set up. Yeah.

I like the options that were given. That makes this a lot more palatable because it was handled well this time.

Any other questions from the dais? Seeing none, Commissioner Lindberg?

Yes, thank you. Lindberg here. Brad, while we're on this slide, can we use this as an example, please? So, staff will be working with property owners that want to retain the ZTO, but it still is an application process, right? And retaining the ZTO zoning is not a guarantee. Correct?

Yes, I suppose that's a fair statement as far as guarantee. I mean, we're still going to be bounded by the state rules-

Right.

... and we're going to be bounded by the city's rules in terms of going through any rezone, but the comprehensive plan designation is really already in place for these. So that certainly helps to streamline it. And the fact that the analysis was done in 2014, we're also relying on that and saying, okay, well-

Right.

... they felt that in 2014 these areas were appropriate for higher density zoning. So, we are relying on that. So, is it guaranteed? No. Do we expect any legal problems or barriers in terms of meeting the code? No.

Hang on one second. My question was based on being a former planner and not wanting to see a bunch of spot zones, right? But you just said that the underlying comp plan is in place?

Yes. When the zoning transition overlay was created in 2014, it changed the comprehensive plan to allow for the new zoning.

Sure. So, in this case then on New Hope Road, the comprehensive plan designation for this is general commercial, right?

Right.

So, if we get rid of ZTO, it's going to go to a zone map of residential with a comprehensive map of commercial.

Well, you raise a good point. This is one of the few where the general commercial comp plan designation would have to be changed if this went to a purely residential. Now remember, the general commercial does allow for multifamily.

Right.

So, if someone's looking for multifamily, the general commercial comp plan works and the general commercial zoning works, and it also gives them the option to do retail and office and several other uses as well.

Sure.

But you are correct that if there's some places where the comp plan is general commercial and they want only residential and don't have any interest in the other GC options, then that would probably require a comp plan change.

And should we be doing a comp plan change with this action too?

Yeah, we looked at that. We didn't see where that would be required since we are still going back to that 2020 zoning. We're not going back to the old... I mean, until these

finish up their full process throughout the year, we were working with the city attorney, and he felt that that would be sufficient for this process to just do these on map only.

Okay.

Does that make sense? I mean, we're-

It does. It just popped in my head. I'm not trying to...

Yeah. No, that's a good question.

Okay. I think that's all I have, Chair.

Okay. That's sounds like it wraps up comments from the commission to staff. So, if I am correct, we can move to public comment. Is that right?

Correct.

So, since you're here and you have an interest, generally it goes one way or the other. It reads literally is there anyone who'd like to speak in favor of the application? The next sentence is opposition. So, whether you're in favor or in oppose, if you'd like to comment, you're not going to be able to ask questions except generally, but if you'd like to comment, you can have up to five minutes to comment. Or we can give you cards and letters and contact information and you're certainly welcome... The staff is always available at the counter to answer things.

You're welcome to come up and talk. Yep. Love to have you. You can do it now or you can do it then. Now's a good time.

So, this is Mark Trinidad. He's going to turn on your microphone. If you'll tell us your name and if you live in the county.

My name is Julie Fuller Cavener, and I do live in Josephine County. I live on Lincoln Road, and I received one of these letters and initially responded. I was one of those 12 that they got the letters back. So, I'm trying to understand in listening to him, does this mean that he is proposing that they remove the ZTO completely or is that what's going to happen and why did I have an option to write this letter?

What we do is close the public comment session. Anyone else is welcome to speak and then staff would come back up.

Tom Gannel, Josephine County. We live on Cloverlawn.

Cloverlawn?

Cloverlawn.

Okay.

I mean, do we have a say in this or is this just about the owners of that land?

You get to comment and then as a private matter, this is not the place for it, but you can certainly comment on the general process and then at some point you would come back and go individually. This is the overall process. This is the big umbrella.

It's very hard to read what's in the paper. So, if we have a say, I'd like to be able to do that. But for us, I mean, the lower the better as far as how many houses they put in this area, but it sounds like it's based on how much land is there, too, right? How many you can put in? [inaudible 00:49:18]. Sorry, this is not my thing. We're just concerned because we're abutting this property and what is going to go in there. [inaudible 00:49:34].

You've got to have her come up. So, it sounds like you're on a specific situation that we cannot address the criteria for that based on the information that you've given us. So, I would have to close the public hearing and refer you to the planning staff and then you could get a better understanding for...

Okay. I think that's where we need to be. Thank you.

Yep. Are there any more comments from the public? If none, we would bring it back to final statements from staff.

Yeah, as the Chair said, it sounds like in your situations we just need to set up a meeting sometime. You just come into the office, and we'll pull out a map and zero right in on your properties and talk about your specific situation. I think we all understand with so much land that's being covered with this application, it's difficult. But yeah, that's my particular card. Mark is our planning manager and so either one of us will be happy to meet with you.

To clarify your question, ma'am, on Lincoln Road, what is being proposed is that that zoning transition overlay goes away entirely. However, because there's some concern both from us and from the council and from some of our commissioners about what does that mean for property owners who were actually relying on that overlay to do something in the future, like either an apartment or some other higher density, that's what we want to work with each individual on.

And there was 12 to that first letter and then we did get one more to the recent letter from last May. So, we will reach out. And then we're just going to reach out again and actually the council is talking about a grace period of one year. For lack of a better term, a grace period which would say maybe somebody doesn't know today whether they want to keep that or not. So, we would say, okay, you have a year to decide. The city's not saying make up your mind right now. They would give a year to look at the market or talk with developers or talk with your neighbors or whatever you need to do. So that would be a process that would start, again, sometime in this fall.

There was another piece of your question which I'm not remembering. [inaudible 00:52:30]. What was the purpose of it. Right, right. So, the purpose of the letter was to help us understand if there are interested parties that are within the zoning transition overlay who want to retain that higher density zone or don't care or are okay with just keeping it the way it is. I mean, the option was really to give us a list of folks to work directly with honestly. I mean, because the vast majority of the 740 property owners that are in this overlay have built out single-family houses that don't need this overlay and it

doesn't make any sense to have the overlay. So, we were trying to understand for those other people who have either vacant land or maybe have parcels that are big enough to do some kind of new development to be able to work with them individually. That was the goal. Yeah. Okay.

Further comments from staff?

Do you have any, Mark? No, I think staff's good.

Final questions from the commission. Going once. Commissioner Lindberg.

Just a quick question on criteria four. This is consistent with all the various plans, correct?

I'm sorry, I was just getting to you, Scott. Oh, we're talking about page 14?

Right. Yes. So rather than not applicable, it is satisfied, right? This action is consistent with the TSP.

Well, it is. We put not applicable because, I mean, the criterion is, is the proposed amendment consistent with the functions, capacities, and performance standards of the transportation facilities. This application has no direct implication on transportation facilities.

Okay.

It's purely a land use action.

Okay.

But if you want to... I can see where it could be interpreted that way and maybe it is more appropriate. And again, now it's in the commission's hands. What you have is staff's recommendations. So, we're happy to see that changed if you would like it to be.

Okay. I'm not too concerned about it. I just wanted to bring that up and if anybody else on the commission feels strongly about it, then I'm all ears. So that's all I have. Thank you.

Just for your own view, Scott, I don't see further comments coming from the commission, so at that point it sounds like we've exhausted that portion. So, the public portion is now closed in the matters before the commission for our collective consideration. Comments or recommendations? Motions?

Yes. Commissioner Nelson. I would recommend approval to the city council of the proposed amendment to amend articles 12, 13, 22 and 23 of the development code as presented in our exhibit one.

Do I have a second?

Heesacker will second.



Heesacker seconds. Discussion?

I just would like to speak to the motion. I was satisfied with-

Name, please.

Nelson here. I was satisfied with the fact that we actually have an adequate land supply for developing higher density, which is required by the state. I think that this meets the criteria for being sure that we meet the state's ambition, particularly with the 48 acres that are attainable within our 300 acres, and also even amongst the ZTO elements that we're taking away, there is still a high-density possibility with the middle housing code that's still allowed. So, I'm satisfied that this will not impact our comprehensive plan and/or our zoning.

Other comments?

Fingers there. You looked like your finger was ready. Okay. No other comments. We'll take the roll.

Okay. On the motion with the second. Commissioner Heesacker?

Yes.

Collier is a yes. Commissioner Arthur?

Yes.

Commissioner Tokarz-Krauss?

Yes.

Commissioner Nelson?

Yes.

Commissioner Lindberg?

Yes.

#### **MOTION/VOTE**

**Vice Chair Nelson moved, and Commissioner Heesacker seconded the motion to recommend approval to the city council of the proposed amendment to amend articles 12, 13, 22 and 23 of the development code as presented in our exhibit one. The vote resulted as follows: "AYES": Chair Collier, Vice Chair Nelson, Commissioners Arthur, Heesacker, Tokarz-Krauss, and Lindberg. "NAYS": None. Abstain: None. Absent: Commissioner MacMillan. The motion passed.**

Okay, perfect. That's it for that. With that completed, that's the end of that part.

## **7. Matters from Commission Members and Staff**

**a. None.** We'll go for matters from commissions members and staff. Matters from commission. Seeing none on the dais. Commissioner Lindberg, anything for the general good?

No sir.

Okay, sounds good. Staff?

Sure. Next meeting is July 13th. The item that you just adopted today will be presented as a finding of fact. There's an opportunity basically for next meeting to be on Teams. If there's support for the next planning commission to be on Teams, staff will certainly look to both coordinate it and make sure that it's noticed properly. And so therefore the July 13th meeting would be simply a Teams meeting versus an in-person meeting in chambers. So, I just bring it to you, Chair, to survey your commissioners if that is their wish.

So, what he's throwing out, he addressed me before and said we will only have one item to approve the findings of fact and minutes. If you want to do it by a phone in via either Teams or phone in, I'm willing and able to phone in.

This is Heesacker. Yes.

Nelson. Sure.

Arthur. Yes.

Bingo.

Okay. That's Tokarz-Krauss. Scott, if you're there, you can do the same as you're doing today.

Sure, why not? Yeah.

So, what we would do is usually when this has happened before, it's somewhere around noon lunch on the Wednesday of the designated day, we all call in. We get a quorum. We do the minutes. We do the findings of facts and bada-boom, bada-bing, we're done. Okay. So, we'll get more information from staff because they're going to send out an email saying when can everybody meet? Hopefully it's on the Wednesday, that Wednesday that he spoke of, and it's generally around lunchtime for just minutes. Okay. Anything else from staff?

That's it. Thank you for that.

## **8. Adjourn**

Beautiful. We are adjourned.

Thanks everybody.

Thanks Scott.