



City of Jacksonville

Planning Department

Legislative Land Development Code Amendments and Revision of Comprehensive Plan Historic Element

DATE: Original: October 17, 2016
Updated: January 10, 2017

SUBJECT: File No. 2016-170

APPLICANT: City of Jacksonville

CITY STAFF: Dick Converse and Ian Foster

I. Introduction

Over the years, the Jacksonville Land Development Code was updated multiple times by a number of different authors. The intent was to reflect the changing needs of the community, and to continue protecting the City's status as a National Historic Landmark. However, with so many changes and added layers, the code became complicated and cumbersome for the user and practitioner.

As a result of administering the challenging and complicated Land Development Code (chapters 16, 17, & 18), the City of Jacksonville recognized a need for a complete update. In response, the City established a Citizens Advisory Committee (CAC) to complete this task. In accordance with Goal 1 of the Oregon Statewide Planning Goals and Guidelines, and locally administered through the Citizen Involvement Chapter of the Jacksonville Comprehensive Plan, a CAC is required when there is a proposed, community-wide, legislative land-use policy change.

Chapter 17.08 of the Jacksonville Unified Development Code permits text amendments whenever the public necessity, convenience, or the general welfare requires such modifications. The only specific criterion in the Code affecting amendments is a determination that there will be no significant effect on a transportation facility. The proposed amendment does not change zoning or land use designations or change the functional classification or implementation standards of any street or transportation system. The Code does not include any other criteria for reviewing a code amendment.

The proposed revisions to the Jacksonville Unified Development Code and the Comprehensive Plan Historic Element culminate years of effort to create documents that protect what makes Jacksonville special while clarifying review processes for new projects. On October 28, 2015, , the Citizens Advisory Committee signed a *Citizens Advisory Committee Majority Report to the Council and the Planning*

Commission, that provides background and justification for the proposed changes. This staff report incorporates the CAC report, with only a few modifications. The CAC drafted a new development code using the Oregon Model Code for Small Cities as a template while integrating modern day best practices for historic protections, and specific standards that reflect the Jacksonville community.

The primary goal is to create a user-friendly code that is clear, intuitive, and easy to regulate and enforce. The new code will:

- Be more user friendly;
- Continue to protect the town's historic status;
- Create standards that are clear and easier to regulate and enforce; and
- Clarify the process.

This Report summarizes the CAC's work on the draft code for the Planning Commission and the City Council.

Background

The City of Jacksonville received a Certified Local Government Grant in order to update the historic section of the code. The Jacksonville Planning Director contacted the Rogue Valley Council of Governments (RVCOG) and the State Historic Preservation Office (SHPO) for support and guidance for the redrafting of the code. RVCOG suggested using the new Model Code for Small Cities, developed by the Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development (DLCD), as a framework for the new code. The redrafted development code follows the Model Code for Small Cities, but is also tailored to meet the specific needs of the City of Jacksonville.

The City of Jacksonville contracted with a land use attorney to assist with and guide the code revision. After that, the city established a focus/study group to identify the most cumbersome and difficult portions of the existing code. This initial group consisted of residents, professionals, practitioners, and city officials. The group invited several practitioners for feedback regarding specific sections of the code. They included certified arborists, developers, and sign specialists.

Staff created a working draft of the code for the next phase of review. The Planning Commission (PC) held weekly work sessions for the initial review of the draft. Commissioners attended the weekly sessions as their time allowed. It was during these sessions that the group determined that zoning designations and densities should wait until the City completed a Buildable Lands Inventory and Housing Needs Analysis.

In September of 2014, the City Council formed a Citizens Advisory Committee (CAC). The CAC worked through the second working draft of the code; meeting once a week, from September 2014 through June of 2015. The Planning Commission then reviewed the draft in public workshops beginning in the fall of 2015 and continuing into 2016. A new map showing historic resources and adjacent parcels was also created to reflect changes in the comprehensive plan Historic Element and the code.

II. EXHIBITS

- Exhibit 1 –Testimony: Malcolm Carlow- received October 22, 2016 (1 page)
Exhibit 2 –Testimony: Dean and Jo Paddison- received December 5, 2016 (1 page)
Exhibit 3 –Testimony: Linda Meyers- received December 13, 2016 (25 pages)
Exhibit 4 –Testimony: Steven Gardner- received January 3, 2017 (2 pages)
Exhibit 5 –Testimony: Leona Sewitsky- received January 4, 2017 (2 pages)
Exhibit 6 –Testimony: Virginia Strapp and Douglas Phillips- received January 10, 2017 (1 page)
Exhibit 7 –Testimony: Stacey, Bud, and Samantha Powers- received January 10, 2017 (2 pages)
Exhibit 8 –Testimony: George Kramer- received January 11, 2017 (2 pages)

III. SUMMARY OF PROPOSED CHANGES

The proposed Land Development Code consists of six chapters (articles), summarized as follows:

1. Introduction and General Provisions

This chapter establishes the purpose of the Code, and includes basic information about planning processes and enforcement.

2. Zoning Regulations

Zoning districts are included in this chapter. A significant difference from the current code are the tables that provide a simple way to determine permitted uses in each zone, development standards, and the review processes for each land use. For uses with additional requirements, it also includes “special use standards” for activities such as home occupations, accessory dwellings, and keeping of livestock. Finally, the chapter includes overlays affecting flood damage prevention, wetlands and riparian protection, and urban/wildland interfaces. The Historic Core Overlay is also listed, but the requirements are in Article 5 with the rest of the historic resource regulations.

3. Community Design Standards

This chapter contains standards intended to protect the public health, safety and welfare through compliance with access and circulation, parking, landscaping, fencing, public facilities, and sign standards. It essentially provides the site development for uses determined to be acceptable in Chapter 2.

4. General Review Procedures

This chapter contains the guidelines for the review process. Focusing on the goal of creating a land use process that is easier to use and more consistent with other jurisdictions, the CAC proposed tiered levels of review, Types I - IV. (See, Chapter 4.1 General Review Procedures.) All land use and development permit applications and approvals, except building permits, will be decided through this tiered process. This replaces the current Certificate of Appropriateness process and Site Plan Review Procedures. (JMC 18.01.020 and 18.03.030).

The proposed levels of review are commonly used throughout Oregon and bring the code into alignment with state standards. While not required by statute, it reduces confusion for consultants and builders who work in multiple jurisdictions. A Type I process is an action suitable for administrative review based on objective standards, while a Type IV process is a legislative action such as a zone change or code amendment. The procedure classifications are as follows:

- **Type I Procedure** (Staff review and zoning clearance) Type I decisions are made by the City Planning Official, or designee, without public notice and without a public hearing. A Type I procedure is used in applying City standards and criteria that do not require the use of discretion (i.e., clear and objective standards);
- **Type II Procedure** (Administrative Review with notice) Type II decisions are made by the City Planning Official, with public notice and an opportunity for appeal to the Planning Commission. Alternatively the City Planning Official may refer a Type II application to the Planning Commission or Historic Preservation Commission for its review and decision in a public meeting;
- **Type III Procedure** (Quasi-Judicial Review – Public Hearing) Type III decisions are made by the Planning Commission or Historic Preservation Commission after a public hearing, with an opportunity for appeal to the City Council; or in the case of a Quasi-Judicial zone change (e.g., a change in zoning on one property to comply with the Comprehensive Plan), a Type III decision is made by the City Council on recommendation of the Planning Commission. Quasi-Judicial decisions involve discretion but implement established policy. (The model code recommends that the Planning Commission decide zone changes not requiring a comprehensive plan amendment, with City Council review only upon appeal.)
- **Type IV** (Legislative Decisions) The Type IV procedure applies to the creation or revision, or large-scale implementation, of public policy (e.g., adoption of regulations, zone changes, annexation, and comprehensive plan amendments). Type IV reviews may be considered by the Planning Commission, who makes a recommendation to the City Council, or it may be taken up directly by the City Council. The City Council makes the final decision on a legislative proposal through the enactment of an ordinance. (The current code revision process is an example of a Type IV review.)

The remainder of the chapter includes processing standards and approval criteria for site design review, land divisions and property line adjustments, conditional use permits, amendments to the zoning map or code, adjustments and variances, planned unit developments, and non-conforming situations. Most of these are similar to current processes, but “adjustments” permit slight deviations from developments standards without having to meet all of the more difficult criteria for a variance.

5. Historic Overlay District

This chapter includes all development standards for the protection of historic resources. This is a significant improvement from the current ordinance where historic standards are mixed with requirements for other uses, creating confusion about which standards apply to a particular request. This change creates a stand-alone chapter for historic landmarks that is focused on protecting heritage properties and structures. As noted elsewhere in this report, review will depend on whether or not a structure is historic, or a proposed use or modification is abutting a historic resource. All historic resources and those abutting will be subject to historic resource criteria, except for a proposed Downtown Historic District where **all** properties and existing structures will be subject to the historic resource criteria.

6. Definitions

Accurate definitions are critical for the administration of an ordinance. In its draft form, the chapter includes some terms having multiple definitions. The duplicates will be removed prior to Code adoption, but are included at this point to provide the decision-makers an opportunity to select the definition that best fits Jacksonville.

Notable Changes

Some notable changes to the code are outlined and described below. They include:

- Removal of Overlapping Layers of Review Criteria;
- HARC Jurisdiction;
- Removal of Chapter 17.48 Master Plan Requirements;
- Replacement of the Core Enhancement Overlay with the Downtown Historic District (DHD);
- Description of the DHD; and
- Additional Procedural and Content Changes. The new code changes the Review Levels to match state standards by changing the scale to Types I-IV (described above).

Removal of Overlapping Layers of Review Criteria

The focus group found a recurring theme that multiple layers of development code and design standards results in criteria that are difficult to understand and interpret. It is also difficult to determine if a property is subject to any or all of the standards and criteria.

As a result, the focus group determined to follow the intent of the original design standards and review criteria. Therefore, the new code is designed to accomplish the same objectives, but in a way that is clear, user friendly, and alleviates the unnecessary layers of bureaucracy. The draft code maintains many of the critical design standards of the current code. However, the CAC recommended removal of the following overlapping and vague Comprehensive Plan sections and approval criteria:

- Historic Character Units;
- View sheds and the current Review Level Area Maps.

The CAC confirmed with SHPO that the removal of these elements of the existing code will not endanger the status of the Landmark District in any way.

The Historic Character Units will not be replaced. Rather, the Review Level Areas map will be replaced with a much clearer Landmark list and regulations for those properties abutting a Landmark. Currently, the Comprehensive Plan identifies several view sheds, most of which are outside of the City Limits and outside of the City's jurisdiction. This requirement is confusing, and often misunderstood. Therefore, the CAC recommended removing the view shed language from the comprehensive plan and development code.

HARC Jurisdiction

Another recurring theme is that the role of the HARC grew outside of its intended purpose: to be a body for the review of historic structure applications. The HARC reviewed projects outside of the Historic Landmark District and for properties that are not designated Landmarks. The purpose of the HARC is to protect the District by protecting the landmark listed structures and control new development abutting landmark-listed structures. Over the years the HARC's review extended beyond its stated purpose. This made the review process for modern structures outside the landmark district, or surrounded by newer development, unnecessarily cumbersome. This also caused confusion and frustration among applicants.

The new code returns the focus of HARC to the preservation of historic landmarks. The intent is resources and staff time will be better spent protecting our listed landmarks. The proposed result is a refocus, and change in name, to the Historic Preservation Commission (HPC).

The HPC jurisdiction is limited to locations that affect historic structures, and is no longer applicable to all new development within the city, although all proposed development in the Downtown Historic District (DHD) remains in HPC jurisdiction. Although HPC review will not be required in other parts of Jacksonville, new development is still subject to design standards intended to ensure high-quality construction.

The landmark list consists of those properties identified as contributing to the National Historic Landmark District recognized by the National Park Service, and properties that the City recognized as locally significant. The HPC's purview is to review any proposed exterior changes to these structures (as they do now). HPC has jurisdiction over any additions to existing structures directly abutting a landmark-listed property (as they do now) and any new construction directly abutting a landmark listed property (as they do now).

As part of the code revision, the Landmark List will be readily available and accessible both online and in the Planning Department so that users will be able to quickly determine whether or not their property is a Landmark and subject to the HPC review process.

Removal of Chapter 17.48 Master Plan Requirements

The current Master Plan Requirements developed through a collaborative grant with the Oregon Department of Transportation and the Rogue Valley Council of Governments. At the time, many cities in Oregon looked to create Transit Oriented Districts: walkable, pedestrian friendly commercial districts. The Fifth Street corridor seemed to be an appropriate area for design standards for redevelopment, resulting in Chapter 17.48. The first three sections listed below dealt strictly with street standards that are now covered by the Transportation System Plan (TSP).

17.48.010 Street Plans and Connectivity

17.48.020 Functional Classifications

17.48.030 Street Standards

The guidelines that the focus group, the Planning Commission and the CAC felt were important and still relevant have been incorporated into the commercial design standards section of the new code; the rest were removed. These sections are listed below.

17.48.040 Other Plan Requirements

17.48.050 General Plan Requirements

17.48.060 Specific Gateway Standards

17.48.070 North Fifth Street Guidelines

Replacement of the Core Enhancement Overlay with the Downtown Historic District (DHD)

The adopted Comprehensive Plan includes a stand-alone document that regulates the Core Enhancement Overlay District. This area is the main commercial historic core area encompassing California Street. The idea being that this area deserves special consideration for design, pedestrian amenities, and for businesses to attract customers. While this Core Enhancement Overlay area was well intentioned, it again was confusing and was not adopted into the code, so applicants were not aware of the additional requirements. The draft code refines it and creates a simpler way of enforcing the same idea. The CAC recommends replacing the Core Enhancement Overlay with the Downtown Historic District (DHD). The new DHD keeps the same goals and policies but is a much more effective tool. This new DHD is described below.

The DHD

California Street, with its extensive collection of late 19th century masonry buildings and concentration of listed landmark properties, is the essential element to Jacksonville's identity and an important part of the City's status as a National Historic Landmark. When the CAC began the task of redrafting Jacksonville's Development Code, the group recognized that the downtown core would continue to require special protections and standards. To that end, the CAC developed the Downtown Historic District (DHD), which, in addition to historic standards within Article 5, adds standards and design guidelines specifically targeted toward downtown, and more specifically, California Street.

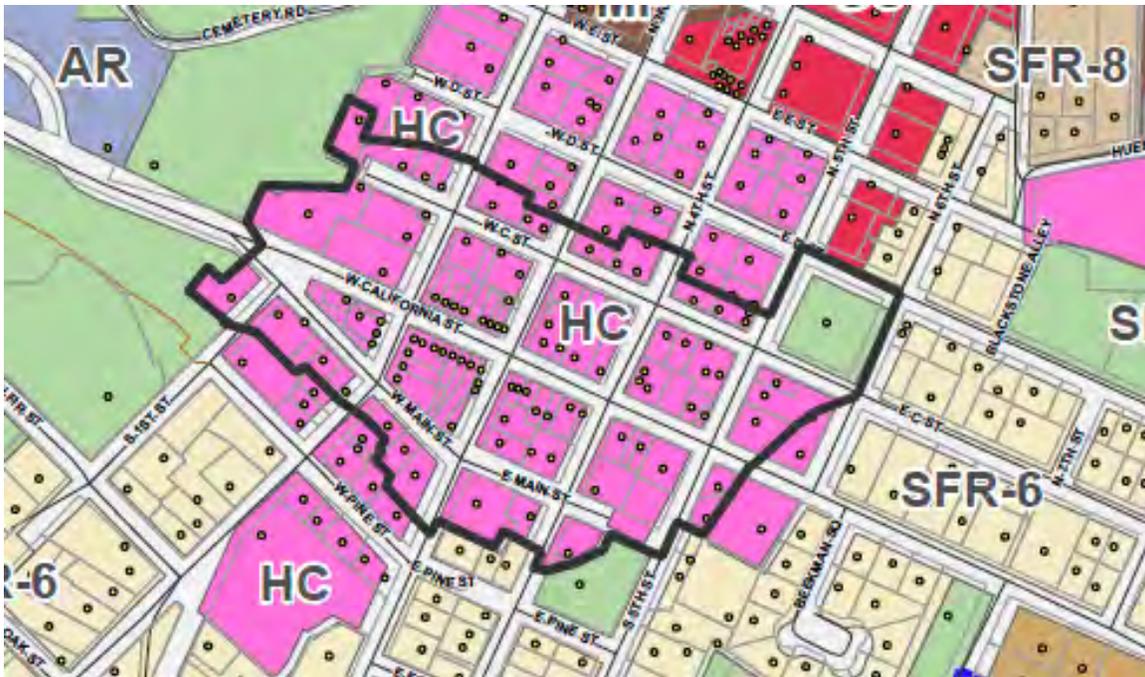


Figure 1: Proposed Downtown Historic District (DHD)

In order to create a code that is an effective preservation tool for the downtown, staff and the CAC synthesized Jacksonville’s current design standards with the Core Enhancement Plan, as well as best practices derived from state and national agencies. The intent is to have downtown guidelines that effectively protect the City’s status as a National Historic Landmark yet allow appropriate downtown development. By balancing the historic character and economic opportunities of the downtown core, Jacksonville can continue as a thriving, successful community.

The purpose of the DHD section of the code is to:

- Effect and accomplish the protection, enhancement, and perpetuation of the city’s National Historic Landmark status;
- Safeguard the city’s historic, aesthetic, and cultural heritages as embodied and reflected in the Downtown Historic District;
- Complement the National and Local Landmark designations;
- Foster civic pride in the city’s unique past and historic structures;
- Protect and enhance the City support to local business and industry; and
- Strengthen the economy of the city.

Not all historic resources are in the Downtown Historic District. Landmark structures and abutting parcels throughout the city will continue to be protected as historic resources.

Best Practices

To create a development code that also serves as an effective tool for preservation, staff and the CAC researched best practices. The result is a Downtown Historic District (DHD) section that is informed by several components, including input from the State Historic and Preservation Office, the Secretary of the Interior’s Guidelines

for Rehabilitation (regulatory standards established by the United States Department of the Interior for the preservation of historic properties), and historic protections from other Municipal Codes. The CAC incorporated the Core Enhancement Plan and *Design Guidelines for Jacksonville, Oregon* into the new DHD standards and guidelines.

The end product is a code that includes modern day best practices by integrating national and state standards for historic preservation with standards and goals established through the Comprehensive Plan, reflecting the Jacksonville Community.

DHD Standards

Properties within the DHD are required to comply with additional protections and design guidelines. The standards in the DHD are established in order to encourage a high-quality built environment that enhances, rather than detracts from the existing historic structures. The standards are in place in order to protect the identity of the City and the City's most recognizable buildings. The guidelines prevent new construction from creating a false sense of history. The majority of the existing Design Guidelines and standards currently used by HARC will continue to be the standards within the DHD.

California Street Design Standards

Properties within the DHD that also front California Street are subject to additional design standards. The purpose is to ensure the protection of California Street. Some of the guidelines for California Street include:

- Zero Lot Lines: New buildings to be built on California Street between Oregon and 4th St. are required to build to the front property line of California Street.
- Building Elements: Building elements should be compatible with existing structures, but cannot create an artificial sense of history.

Additional Downtown Historic District Standards

In addition to the specific building design standards, the DHD section includes additional standards. These additional standards include:

- Streetscape: benches, chairs, bistro tables and other pedestrian amenities are allowed within the DHD
- Signs: Signs within the DHD are required to meet the standards in the base zone and additional standards such as:
 - No temporary construction or open house signs
 - Signs shall not overwhelm the building or any special architectural features

Role of the Historic Preservation Commission (HPC)

Any alteration, relocation, or demolition of any structure or property within the DHD must be reviewed by the HPC.

Additional Procedural and Content Changes

Sign Regulation

The Small City Model Land Use Code does not have a recommended sign code, recognizing that signage is a uniquely local proposition. Signs are an integral part of the community allowing for varying commercial and personal communication. Every element of signage has the potential to impact the livability of our community. Our current Sign Regulations (JMC 18.15) are difficult for well-meaning citizens to follow. Additionally, in January 2015, the United States Supreme Court ruled in the Case, *Reed v. Town of Gilbert, Arizona*, that municipalities may only regulate sign types, and must remain content neutral. The current code regulates fonts, limits national brand logos, and requires signs not have a “cartoony” appearance. The new code revises the standards in order to comply with the Supreme Court ruling. The proposal anticipates a streamlined process where all sign permits are obtained pursuant to an administrative review of objective standards (removing subjective standards relating to font, logo or aesthetic) acknowledging that the current subjective standards have not always yielded uniformity of quality and style that would justify the delay, cost and process challenges to citizens and staff.

While many of the signage allowance provisions have been retained, the CAC is recommending allowing portable signs in all zones (sandwich board signs and other similar free standing displays such as a mannequin or teddy bear holding a chalkboard). All portable signs will need prior approval but the standards of size, placement and material are clear and objective. This is a balance of important interests: of the business interest of using portable signs to communicate with customers, as they are routinely used today, but also allowing for reasonable community protections (not in the right-of-way, pedestrian walkway and safely anchored), fair uniform availability of signage for each lot, and clarity of standards are critical for establishing expectations and enforcement.

Landscaping and Tree Removal

The Small City Model Code does not address tree removal since it is a uniquely local concern. The CAC recognizes and is committed to the preservation of the idea that landscaping and tree cover are critical elements of the quality of life in Jacksonville and livability as a community.

The current Code limits most tree removal to situations where the tree is either diseased or removal is “necessary” to protect public safety or historic structures, and is supported by a certified arborist report. The burdensome nature of this restriction has, on occasion, led to the unauthorized removal of trees and the strategy of “begging for forgiveness” if caught. The CAC believes there are situations where the removal of a significant sized tree may be warranted. The CAC has worked with many of the local arborists and studied tree removal codes for other cities.

The proposed Tree Removal provisions are designed to encourage compliance by making the process easier to remove trees on already developed private property.

For instance, a homeowner of property developed with a single family dwelling will be required to obtain a Zoning Clearance Sheet, with a nominal fee and no arborist report. The proposed process of a Zoning Clearance Sheet for removal of trees on built residential lots is intended to be a way of making sure that no Heritage Trees are removed without review.

Those trees important to the community will be placed on the Heritage Tree list. The implementation of this portion of the new JDC will require the creation of the list of Heritage Trees. These are trees which add to the quality of life in Jacksonville; and as such, will be subject to the much higher level of scrutiny. The new code creates a review system to nominate and ensure the protection of Heritage Trees. In addition, penalties have increased and liability for violations extends broadly to anyone removing the trees in addition to owners.

Vacation Rentals

The internet has opened up a whole new era of vacation and short term rentals. Across the world travelers are regularly booking rooms directly from property owners using services such as Air BnB or VRBO (Vacation Rental by Owner). These new rental offerings are a way to provide rental income to property owners who may have an accessory dwelling unit or extra rooms and also provide an inventory of visitor accommodations to tourist-driven towns such as Jacksonville. But the impacts of short term rentals such as parking, noise and trash can negatively impact the livability of residential neighborhoods. Many Oregon communities, such as Ashland, Lincoln City and Bend, are struggling with the issue balancing these factors.

The CAC believes that balance can be struck to allow short term Vacation Rental Accommodations in residential neighborhoods if there is an owner or responsible contact person present. A property owner who wants to rent a VRA must first obtain a Business License that will ensure that negative impacts of parking and trash are addressed. In order to have a VRA approved, an applicant will need to go through a Type II review that provides notice to neighbors.

Planned Unit Development

PUD planning is a tool that has existed almost since zoning was widely adopted in the 1970s. It allows for flexibility in the site design and layout of larger projects in return for creating development that is 'better' than what would occur by simply following the strict guidelines of the development code. The CAC found that this is a valuable tool for Jacksonville but the current code limits it to only certain zones identified as "PUD". The current JMC also created some confusion with the timing, phasing, and expiration of an approved PUD (because often PUDs are large projects designed to be built over a period of time, in phases). The Model Code does contain a PUD or Master Plan design section but the CAC felt that in many ways the bones of the JMC structure were good and followed the general principle of 'not changing what is not broken.'

The new JDC maintains this tool but allows it as an option in any zone if the development can meet the standards. The CAC feels that the proposed standards

are in ways harder to achieve, more realistic and clarified. The benefit to the developer of a “density bonus” (more units than otherwise allowed by the zone) was removed. The CAC felt that the benefits of the flexibility in design is a fair and valuable trade for the identified community benefits that must be shown to obtain an approval for a PUD. Obtaining this flexibility will require either Planning Commission or HPC review.

Written Testimony

Since the first hearing attempt in October 2016, the Planning Department has received testimony from Jacksonville property owners. The written testimony is attached as an exhibit to this staff report.

Below is a brief response to testimony received to date from more than one resident:

Process: The Planning Department received comments regarding the process for the code revisions. There are questions regarding whether the City followed procedure when establishing a Citizen Advisory Committee, and whether enough citizen input was gathered during the process.

Response: During the first phases of the process, the Planning Department hosted town hall events in order to gather input. Additionally, the Citizen Advisory Committee meetings, and subsequent Planning Commission meetings were open to the public. Most importantly, the City Attorney was present during the majority of the process. He advised and provided a framework to ensure compliance.

View Sheds: The Planning Department received comments with concerns regarding the removal of View Sheds. To summarize, there is a concern that certain views of the city will be compromised if the view shed standards are eliminated.

Response: The CAC felt that the View Shed standards were not clear and objective. After reviewing the language, it’s not clear how the current standards can even be administered. Most of the described view sheds are outside of the City Limits and outside of the City’s jurisdiction. Therefore, the CAC recommended removing the view shed language from the comprehensive plan and development code.

Gateway Standards: The Planning Department received comments regarding the proposed removal of the Gateway Standards.

Response: The CAC and Planning Commission included several standards that were implemented with adoption of the North Fifth Street Gateway Plan. The transportation standards were incorporated into the Transportation System Plan, but the CAC recommended use of the design standards required for developments in other parts of the city instead of the more specific design elements in the Gateway Plan.

Reducing the Historic Core: The Planning Department received comments with concerns regarding the reduction of the Historic Core.

Response: The proposed ordinance does not propose reducing the Historic Core Zone. All zoning classifications remain with this proposal. The CAC did recommend a new Downtown Historic District as a replacement to the Core Enhancement Overlay.

The change is intended to bring stronger protections to the Downtown area that are integrated into the Development Code, and not simply a supplemental document.

Elimination of the HARC: The Planning Department received comments regarding concern about eliminating HARC.

Response: The proposal does not eliminate HARC, but returns the focus of the Commission to the preservation and protection of historic landmarks and heritage properties. The proposed result is a refocusing and change in name to the Historic Preservation Commission (HPC).

The HPC jurisdiction is limited to locations that affect historic structures, and is no longer applicable to all new development within the city, although all proposed development in the Downtown Historic District (DHD) remains in HPC jurisdiction.

No mention of ADA requirements: Neither the proposed code nor the existing code includes ADA requirements. Accessory requirements are found in State Building Codes.

Summary

The CAC is confident that the revised code accomplishes the goals identified by the focus group. The result is a code with standards and requirements that are clear for applicants and staff, which affords greater protection of Jacksonville's Historic Landmark District, and streamlines process. The CAC sends a favorable recommendation to the Planning Commission and the City Council for further review.

Staff concurs with the CAC recommendation. The hearings will provide opportunity for residents and agencies to comment on any portion of the proposed code and the Comprehensive Plan Historic Element. Hearings notice was provided to all owners of property inside the Jacksonville city limits. Written comments received by October 14, 2016, will be included in the hearings packet. All other comments and oral testimony will be added to the hearings record. The Planning Commission will evaluate those comments, adjust text as it deems appropriate, and recommend a course of action to the City Council. Over the past six months, the Planning Department has tested some of the language in the proposed ordinance. There are some modifications that staff recommends as a result of these findings.

The Department of Land Conservation and Development provided the following comments. Staff responses follow each comment.

- 1) The use tables for residential uses on 2-13 through 2-16 have a lot of blank boxes. It is unclear how this would be interpreted - for example, the duplex building type is not listed as an allowed use in any district, but is specifically prohibited in only one district - for the rest the boxes are blank. A lot of the boxes for setbacks and lot coverages, etc. are blank - does this mean that there are no setbacks in those districts?

Response: The tables have been revised to address this comment.

2) The multi-family allowed densities may be inconsistent - on page 2-13 the allowed densities are 10-15 du/ac., but on Page 2-14 in the table the allowed densities per square foot could, theoretically at least, exceed 15 du/ac.

Response: The Commission should determine which number it wants to use.

3) In Section 2.2.130, manufactured home standards, the language parrots state statutory language regarding styles similar to those on surrounding homes. This is not a clear and objective standard, and I believe that what cities need to do if they want to use this state statutory provision is to better define what constitutes "style" and "surrounding area" with clear and objective provisions. This is a problem with many, many codes around the state, not just Jacksonville, but I believe that someday we will get a LUBA case out of this provision that will require a lot of codes to be rewritten.

Response: This is a "problem" because cities use the model code that conforms to State Statute. The City could clarify its intentions by adding a definition regarding style and surrounding area specific to manufactures homes.

4) DLCD recommends that the city look more closely at changes affecting viewsheds (see top of page 5 and bottom of page 13) and assess consistency with Goal 5 and OAR 660-23-0230. The Goal 5 rule for scenic views and sites requires that the standard Goal 5 process be used when making changes to a local inventory of significant scenic resources or changing protection measure for these resources. Changes to the local inventory will need to be based on a re-evaluation of their significance. Alternatively, the city can leave the inventory as is and justify changes in protection for these resources with conclusions from an analysis of the economic social environmental and energy consequences (ESEE analysis) of the proposed change. An ESEE analysis looks at the pros and cons of a decision to prohibit, limit or allow development that conflicts with significant resources. For assistance with applying the OAR 660-0230 to Jacksonville's scenic resources contact Amanda Punton.

Response: This is a significant comment. Staff will review the Comprehensive Plan to determine whether or not any inventories resources would be affected by the change. Policy #7 of the Environmental Setting Element requires that the City "preserve and enhance the scenic character of Jacksonville. All other references to scenic corridors appear to be in the Historic Element. All historic sites existing prior to 1927 will remain, and no existing sites will be removed from the National Historic Registry.

IV. POSSIBLE PLANNING COMMISSION ACTIONS:

1. Recommend City Council approval of the amendments
2. Recommend City Council denial

3. Continue the hearing to a date, time, and place certain
4. Table the hearing

Ian Foster

From: Malcolm Carlaw <malcolm@2carlaws.com>
Sent: Saturday, October 22, 2016 5:05 PM
To: ifoster@jacksonvilleor.us
Cc: kheredia@jacksonvilleor.us; commissionerwhitlock@jacksonvilleor.us;
commissionerthom@jacksonvilleor.us; commisionerthomas@jacksonvilleor.us;
councilorbennington@jacksonvilleor.us; ommissionerkantor@jacksonvilleor.us;
commissionerbetcher@jacksonvilleor.us
Subject: Support for Municipal Code Planning Amendments

From:
Malcolm and Peggy Carlaw
930 Granite Ridge Circle
Jacksonville, OR 97530

Planning Commission and Staff,

This is a vote of support of the adoption of the Amendments to the Jacksonville Municipal Code as they conform with the State code for permissible uses of property.

Our concern is specific to residential property since we are planning to build a new home at 930 Granite Ridge Circle. The architectural plans for that construction have been developed with the new code in mind. In order to clarify building guidelines and streamline the construction approval process, we ask for the expeditious adoption of the new amendments by the planning Commission and approval by the City Council.

Thanks you for your consideration,

Malcolm & Peggy Carlaw

Malcolm Carlaw
Mobile: 305-704-4610

RECEIVED
OCT 22 2016
CITY OF JACKSONVILLE

EXHIBIT

1

2016-170

November 28, 2016

Dear Jacksonville Planning Department,

This letter is to register our complaint about allowing roosters in the city limits of Jacksonville.

Not only do they wake us up before dawn (4:30 - 5:00 am) in the summer, but they crow repeatedly back and forth with other roosters in the neighborhood, often many times a minute for hours at a time throughout the day.

Many other cities near Jacksonville (Ashland, Central Pont, Medford, and even Rogue River) already ban roosters, and we feel we should follow suit as soon as possible.

We would recommend giving the owners a 2 week period to get rid of their roosters, and after that give them a daily fine until the roosters are gone. Please don't grandfather in existing roosters. We have put up with them long enough.

Thank you for your time and consideration.

Dean & Jo Paddison
955 Gleneden Way,
Jacksonville, OR 97530

deanopad@gmail.com

P.S. It is now Saturday, December 3. Even though it was still dark, the roosters were crowing this morning at 4:30 am and have continued since then (it is now 10 am).
It's time to take immediate action on this.

RECEIVED

DEC 05 2016

CITY OF JACKSONVILLE

EXHIBIT

2

CONCERNS REGARDING PROPOSED REVISIONS TO JACKSONVILLE'S CODE OF ORDINANCES

Submitted by Linda Meyers

Let me begin by saying that I recognize and appreciate the many hours of work that the Commissioners and City Planners have put into revising these City documents. Let me say, as well, that I am not against development, but I am extremely focused on maintaining our town's character and 'sense of place.' Jacksonville is not one of those generic towns that is often left in the wake of developers who have built standardized housing, strip malls, and national chain stores. We want our Comprehensive Plan and our Code of Ordinances to protect the unique qualities that we have, today. The current system of Codes and oversight commissions has served us well. Jacksonville is a gem, and we expect it to remain so.

So, with that in mind, I regret having to say that after reviewing the details of the proposed revisions to Jacksonville's Code of Ordinances and Comprehensive Plan, I have many concerns.

REGARDING PROCESS

A. I am concerned that the process for revising Jacksonville's key documents did not follow State law, regarding "widespread citizen involvement and input in all phases of the process."

1. These proposals are being made without following the State's process for revising Comprehensive Plans and Codes of Ordinances. (A table of steps is at the end of this document.)
2. The particular selection of City Officials and developers for the Citizen Advisory Committee resulted in a group's composition that does not abide by the State requirement for "widespread citizen involvement and input in all phases of the process." (ORS 197.040(2)(f))

CITIZEN INVOLVEMENT IS REQUIRED.

State Law: 197.040 Duties of commission; rules.

- (1) The Land Conservation and Development Commission shall:
- (2) Pursuant to ORS chapters 195, 196 and 197, the commission shall:
- (f) **Insure widespread citizen involvement and input in all phases of the process**

3. The list of CAC members.

- a) Chair: David Jesser: City Councilor, Business Owner in Ashland
- b) Donna Bowen: HARC Chair
- c) Mark Thomas: Developer and Planning Commissioner, Liaison to HARC
- d) Mike Thornton: Principal Engineer and owner of Thornton Engineering, specializing in civil engineering design and project management for municipal and commercial buildings, residential developments, private residences and community projects.
- e) Brad Bennington: Planning Commissioner (County), Planning Commissioner (City), State Director of Oregon Home Builders Association, Board of Directors for Home Builders Association of Jackson County, Elected to City Council in 2014
- f) Ken Gregg: Citizen, elected to City Council in 2014
- g) Owen Jurling: Former Planning Commission Chair, Former City Councilor

4. The 3-minute time allotment for citizens, speaking on nearly 300 pages of documents during a public hearing, is completely insufficient and disrespectful of Jacksonville's populace.
5. There appears to have been only one public CAC meeting, which took place on October 14, 2015 from 9:00 -11:00 AM, when citizens are at work. On the announcement for the meeting, these words appeared: "The public is allowed to attend but testimony will not be taken."
6. By using a completely new format for the proposed code, rather than existing documents, citizens were unable to compare old and new documents. No list of the changes, omissions, and additions between current and proposed documents is available so that residents can evaluate the revisions.
7. This rewrite process used the model code from League of Oregon Cities, a model that relates to cities throughout Oregon, including many that are not historic towns and do not object to strip malls and shopping centers. While Jacksonville realizes that it must abide by various Federal and State laws, Jacksonville does not want to look like every other town!

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8. The appropriate process for revising a Code of Ordinances should begin with an identified 'need,' based on documentation of existing conditions; that need should be taken before the City Council with some proposed steps to find solutions to satisfy that need. Then, a vote of approval must be obtained before proceeding with the revision process.
9. The originally-stated purpose of 'reorganization of the existing Code' quickly became a 'rewriting of the content of the Code.'
10. **RECOMMENDATION:** The current revision process should be halted. If a 'need' is identified and approved by the City Council, then a new CAC, reflecting widespread citizen involvement, should be established and should work with Ian Foster and Dick Converse, our town's City Planners. This CAC should exclude the developers and City officials, who have spent three years working to write their particular goals without widespread citizen input. Their suggestions should not be ignored by the citizen committee; they should be studied in detail with consideration of proposed revisions. The newly-formed 'widespread citizen group' will bring the revision process into accordance with State Law. Following are some questions to be answered in order to determine whether or not a 'need' exists to justify revising our Comprehensive Plan and Code of Ordinances:
 - a) What State requirements are placed on cities regarding population forecasts and growth?
 - b) Is Jacksonville meeting those requirements?
 - c) Does Jacksonville need new development?
 - d) If so, what type of structures are needed? Housing? Commercial? Multi-family? Industrial?
 - e) Do the residents of Jacksonville favor densification, which will require some rezoning within our existing city boundaries, or do residents favor expansion of the town's boundaries?
 - f) If expansion is the choice, where do we see expansion taking place and why?
 - g) If densification is the choice, where can densities be raised?
 - h) What State laws must be considered prior to expanding Urban Growth Boundaries?
 - i) What utility and road considerations must be included in the research?
 - j) What current elements of our town contribute to Jacksonville's 'sense of place'?
 - k) Do we have patterns, currently, that we would like to see repeated?
 - l) What aesthetic qualities in structures and features will capture our town's 'sense of place'?

REGARDING CONTENT OF THE PROPOSED CODE OF ORDINANCES

ARTICLE TWO

- A. I am concerned about the inclusion of drive-throughs in our historic town.
 1. While the Pony Espresso and Chase bank have been grandfathered in, I recommend that drive-throughs continue to be prohibited in our historic town. If you allow them, you do not get to hand pick which ones you will allow and which ones you want to prohibit.
 2. At the same time, I recommend that food carts and motor coach businesses be prohibited in Jacksonville.
- B. I am concerned about the inclusion of townhouses and duplexes within single family residential (SFR) zones in already-established neighborhoods.
 1. Confusion: (Table 2.2.030 (p. 2-7) conflicts with Table 2.2.040D (p. 2-15) Regarding townhouses and duplexes in SFR zones. 030 allows townhouses; 040 does not allow duplexes and shows no townhouses in SFR zone. P. 27 allows duplexes and townhomes in SFR.)
 2. How will the City respond to negative impacts on property values and livability for current residents?
 3. I recommend that the City establish a specific MF 'zone' for townhouses and duplexes.
 4. I recommend that the City consider including, in that new zone, 'cottage housing,' which allows 6 to 8 dwellings to face a common green.

C. I am concerned about the omission of a requirement for second vehicular exits for PUDs, hotels, apartment buildings, and other similar sites, and for dead-end streets.

1. Throughout Jacksonville, we currently have many dead-end streets that pose huge potential disasters for emergency fire escapes.
2. In several instances, today, we have construction in progress of PUDs that have single exits that pose huge emergency escape issues.
3. I recommend that second VEHICULAR exits be required of all PUDs, hotels, apartment buildings, and other similar sites, and for dead-end streets.

D. I am concerned that the proposed requirement for landscaped land in multi-family developments is only 10%. (Page 2-28)

1. Multi-family residential developments need to be aesthetically pleasing to the residents of the building and to the surrounding neighbors.
2. I recommend that, in multi-family development, open space and landscaping should be 25%. In residential areas, it is 50%, and in commercial areas, it should be 25%, as well.
3. See Pioneer Village as an excellent example of the appropriate % of landscaping that should be required in multi-family development. Approximately, 25% landscaping, 50% building, 25% parking.

				Parking				
				Structure				
				Landscaping				

Approximate percentages of Pioneer Village Land Use

E. I am concerned about the following uses being allowed in SFR zones, uses that will result in negative impacts on livability and property values of existing residents.

1. Does State Law require that cities allow Child Day Care, Duplexes, Town Houses, Cemetery, Crematorium, Churches, Manufactured homes, Multi-Family, Family Daycare, Residential Care home and facility in SFR zones?
2. Does the City have a chart that indicates where these uses might be appropriate?
3. I recommend that the City establish various SFR zones, perhaps based on density, so that any proposal to allow a use in SFR, does not relate to all SFR neighborhoods, where such uses would be completely out of place.

F. I am concerned that the number of persons allowed in 'Care' homes in SFR zones will negatively impact livability and property values in existing neighborhoods.

1. Does State Law dictate the number of persons that can reside in these 'care' homes?
2. This proposed code (p. 29) includes Day Care, that allows 16 children and Residence Care Homes, that allow 6-15 individuals. If these uses are forced upon Cities by State Law, then, I propose that a Day Care be allowed up to 6 children, including the caregiver's children, and a Residence Care be allowed up to 6 individuals.

3. From the following excerpt from Oregon Laws, it appears that it is a City's choice as to whether they will allow a care facility in a residential zone other than multifamily residential zones.

<http://www.oregonlaws.org/ors/197.667>: Location of residential facility:

(1) A residential facility shall be a permitted use in any zone where multifamily residential uses are a permitted use.

(2) A residential facility shall be a conditional use in any zone where multifamily residential uses are a conditional use.

(3) A city or county may allow a residential facility in a residential zone other than those zones described in subsections (1) and (2) of this section, including a zone where a single-family dwelling is allowed.

4. I propose that these care facilities be permitted only in multifamily residential zones.

- G. I am concerned that Zero setbacks along 5th Street and in new subdivisions will dramatically alter the character of Jacksonville. (Table 2.2.040.E) The proposed code says: "Zero setback in GC zone in front, street side, interior side, and rear property lines."

1. Zero setbacks fit California Street due to its historic character.
2. Zero setbacks are appropriate in urban settings, adopting a 'new urbanism' design. (Portland, Seattle)
3. Zero setbacks are NOT appropriate in rural, village-type towns, like Jacksonville.
4. I recommend that the central and north side of Pioneer Village be used as a model for 5th Street in regards to depth of setback, landscaping design, slightly angled buildings, and its 'porte cochère' that adds dimension to the front of the buildings. (The distance of PV from the sidewalk ranges from approximately 30 to 55 feet.)
5. Note: At the south end of the Pioneer Village block, a rectangular building of no style has been placed at the corner. It is the ugliest building on the 5th Street gateway. This is an example of what NOT to do.

- H. I am concerned with the proposal to allow general commercial uses to cover 80% of the land.

1. AS RECENTLY AS SIX YEARS AGO, WHEN I SERVED ON THE CITY COUNCIL, THE CITY HAD A MAXIMUM SQUARE FOOTAGE OF 20,000 FOR GENERAL COMMERCIAL IN ORDER TO KEEP NEW DEVELOPMENT IN CHARACTER WITH OUR SMALL TOWN. I CAN FIND NO REFERENCE TO THIS IN THE PROPOSED DOCUMENTS NOR IN THE CURRENT CODE.
2. The proposed code (P.2-24: 2.2.070) says structures may be up to 35 feet in height and can cover 80% of the lot with structures above 36 inches above grade. That completely eliminates the previous maximum square footage requirement that had a specific purpose for this particular 'village' town. Since the proposed Code allows the remainder of the land to be used for parking, then, 100% of the land can be covered with no room for landscaping.
3. Combine that 35-foot height with the 80% coverage and zero setbacks along 5th Street, and you can envision the potential for the urban look of downtown Portland or Seattle. The gateway will be nothing more than a hallway with no charm.
4. I recommend reinstating the general commercial maximum square foot limit of 20,000, not to exceed a lot coverage of 50%. (Today, Ray's is 20,000 sq. ft.)

- I. I am concerned that encroachments into setbacks of various elements, like porches, decks, etc., can encroach into setbacks as long as 3 feet of setback remains. (P. 2-23: 2.2.050)

1. I recommend that the setback be completely enforced with no encroachments in order to protect residents on both sides of the fence, shall we say.

- J. I am concerned about the proposed allowances for home-businesses in SFR.
1. In order to accommodate one residential property owner, who wants to have a home business, this proposed code is allowing uses that will affect livability in an existing neighborhood and will devalue residential properties around the home-business property.
 2. Advertising and Signs: The PROPOSED CODE reads, "Signs shall not exceed a total of four (4) square feet of surface area on each side of one or two faces." Business signs in a SFR neighborhood affect 'sense of place' and impact property values of surrounding properties. Street addresses allow clients to locate business properties. Signs are not necessary. Therefore, I recommend that NO business signage for home businesses be allowed in SFR zones.
 3. Vehicles, Parking and Traffic: The PROPOSED CODE reads, "Not more than one commercially licensed vehicle associated with the home occupation is allowed at the home occupation site in the same 24-hour period. Vehicles shall be of a size that would not overhang into the public right-of-way when parked." This is not sufficient to cover many home-business operations. For example, a yard maintenance business in Jacksonville has trucks and towing trailers parked in front of the house and behind the house. This is in conjunction with boats and off-road vehicles. This is a definite detriment to the neighborhood, and property values are decreased with such a parking situation. It may be that none of these vehicles is listed as a "commercially licensed vehicle," but the vehicles are used for this home business. I recommend that any vehicle marked with a sign, letters, emblem advertising or that clearly has any association with a commercial enterprise must be parked in a garage, out of public view, in an SFR zone.
 4. Following are some suggested home-business parking codes taken from cities around the country:
 - a) It shall be unlawful for any person to park at any time, including overnight, any truck, van, tractor, truck tractor, semi-trailer, trailer, recreational vehicle more than 22 feet in length, self-contained motor home, bus, taxicab, commercial vehicle, limousine (whether for hire or not for hire) or livery vehicle on any residential street within the city.
 - b) On residential streets, an exception for expeditious loading or unloading of a vehicle listed in (a) when the vehicle is actually and expeditiously being loaded or unloaded of passengers, merchandise, or other contents.
 - c) On residential streets, an exception for delivery, service or repair vehicles – when actually being used to perform deliveries, service, or repairs at a particular address for a particular customer when that customer's address is clearly displayed on the vehicle's dashboard; and (ii) is emblazoned with the name and business license number of its owner; and (iii) is lawfully parked in accordance with the general parking requirements of this Code.
 - d) Violations be punishable as follows: One warning, \$250 a day, per vehicle, for the first violation; \$500 a day, per violation, for a repeat violation.
 4. Deliveries: There shall be no commercial vehicle deliveries between 8:00 p.m. and 8:00 a.m.
 5. Parking: The Proposed Code reads: "There shall be no more than three parking spaces to serve the home occupation."
 - a) Where are those three parking spaces to be located?
 - b) Three parking spaces on a street in front of a business will impact availability of street parking for residents. Then, in reality, who's going to be out front, telling the fourth or fifth customer that they can't park on the public street?
 - c) Three parking spaces placed in the front yard of a home-business will appear as a mini-parking lot and decrease property values of surrounding residences.
 - d) I recommend that home businesses be allowed to serve no more than two clients at a time and that normal street parking be used.

6. These need to be added to the Code: Types of home businesses allowed in SFR zones (Following examples are taken from a variety of City codes from around the country.)

- a) For example, manufacturing, retail sales, and auto repair shops should NOT be allowed.
 - 1) NO manufacturing: potential impact on neighbors with noise, fumes, & lighting.
 - 2) NO retail sales: potential impact on neighbors due to traffic and parking issues.
 - 3) NO auto repair shops: potential impact of destroying the neighborhood's 'sense of place' by creating an eyesore.
 - 4) NO yard maintenance businesses: potential impact of destroying the neighborhood's 'sense of place' by taking up parking with vehicles, trailers, landscaping machines.
 - 5) NO beauty parlors (potential for very strong odors); barber shops are okay.
 - 6) NO dog kennels: potential for noise and odor impacts.
 - 7) NO industrial uses: not compatible with residential uses.
 - 8) In other words, the occupation must not produce noise, odor, smoke, dust, light and glare, electrical interference or other similar impacts extending beyond the property line of the lot where the occupation is located.
- b) Here are examples of home businesses that might be allowed:
 - 1) Home offices, like insurance sales, computer programming, accounting, architecture
 - 2) Homes where sales are only done via the Internet
 - 3) Tutoring, piano lessons, art instruction, tailor, seamstress

7. These restrictions need to be placed on home businesses in residential zones. (These examples are taken from a variety of City codes from around the country.)

- a) The home occupation must be conducted by someone living in the residence.
- b) The number of clients shall be limited to two at any given time.
- c) The amount of square footage within the home that can be used for the business shall not exceed 15% of the home for a business.
- d) Prohibit outside employees from working in the home business.
- e) Prohibit use or storage of hazardous materials.
- f) Prohibit exterior physical changes to the home for the purposes of conducting business.
- g) Prohibit outside business activities, storage, or displays.
- h) Prohibit signage or commercial vehicles, except when placed in a closed garage.

ARTICLE THREE

A. I am concerned that Article Three disregards Jacksonville's 20,000 square foot limit for general commercial and replaces it with a potential to cover 80% of the land with 35-foot high structures. (3.2.030)

- 1. The proposed code reads: Large-Format Developments: "Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than [25,000] square feet, including land divisions in the GC and CI zones . . ."
- 2. I suggest that this is setting up for the development of strip malls and shopping centers, types of development that are not consistent with the character of the historic town of Jacksonville.
- 3. I RECOMMEND REINSTATING THE 20,000 SQUARE FOOT LIMIT!

B. I recommend that this whole Section H "Large-Format Developments" (p. 14) BE DELETED FROM THIS PROPOSAL and NOT be considered at this time, not until the City has developed a MASTER PLAN that sets out what the City needs and envisions, should the UGB, in the future, be expanded.

- 1. Example: The City of Redmond's Master Plan

2. Illustration for character of commercial development: Bend's Sun River Commercial Village for aesthetics

C. Regarding layouts of large-format developments: (Page 3-14)

1. H-2 and H-6 both need diagrams, illustrating the possible configurations of this directive.
2. H-8. The Code reads: "Where a building fronts both a shopping street and a public street, that building shall contain at least one primary entrance oriented to each street; except that an entrance is not required where the public street is not improved with a sidewalk and the City determines that sidewalk improvements to the public street cannot be required as a condition of approval."
 - a) So, when a building fronts both a shopping and public street, will it have two entrances?
 - b) Along the public street, what is the view? A back door with trash bins? Green space? Will deliveries take place from the back (public street) or the front (shopping street)?
 - c) The Code reads: "except that an entrance is not required where the public street is not improved with a sidewalk" from H-8. (What will be the 2nd exit in case of fire?)
3. I recommend that buildings have two exits. If the building faces both a public and shopping street, the landscaping and sign rules apply to front and back to maintain aesthetics from both streets.

D. Regarding Approach and Driveway Development Standards. (P. 3-17; D)

Approaches and driveways shall conform to all of the following development standards:

1. This entire section has been removed from City Council or Commission approval to that of only the Public Works Director. This puts too much weight on one individual's decision, without receiving input from a commission or council. This should be changed to require that the Public Works director bring the plan with his justifications to the Planning Commission in order to receive comments on issues that may have been overlooked by one individual.
2. In large-scale developments, I recommend that all deliveries should be done behind buildings with separate driveways and entrances to increase vehicular and pedestrian safety.

E. I am concerned about **ANGLED** parking in Jacksonville. (P. 3-21).

1. The Code reads: "Frontage Driveways and Street-Side Parking Bays. The City [decision body], in consultation with the roadway authority, as applicable, may permit an open access with perpendicular or angled parking adjacent to a public street where an existing street does not contain parallel parking, and the proposed development does not warrant a street widening to provide parallel parking pursuant with to Chapter 3.6."
2. **OBSERVATION:** In this town of narrow streets, angled parking has proven to be an extreme hazard for drivers. The greatest offender is the angled parking adjacent to the north side of the new City Hall (Courthouse) property. Southbound cars turning left, off of Highway 238 (5th Street) and across a lane of traffic, can make a turn, just as a parked car begins to back out of its space. The driver must halt in mid-stride and hope that approaching cars have time to stop. If the cars on the highway are able to stop, then a line forms as the driver backing out of the space maneuvers his car. If that angled parking remains, the street should be a one-way street. Angled parking should only be on wide streets, of which we have very few in Jacksonville.

F. Regarding Pedestrian Access and Circulation: P. 3-23; 3.3.040

1. Multi-Use Pathways. (QUESTION: Does 'multi-use pathways' mean that bikes and pedestrians are allowed to use the pathway? If so, the acceptable uses and non-acceptable uses should be listed in the

Code to protect the City from future liability issues. (pedestrians, motorized wheel chairs, bikes, segways, skateboards, etc.)

G. Regarding Landscaping and Screening: P. 3-5; 3.4.030

1. Of the land to be developed as a large development, a percentage of land that must be landscaped needs to be in the Code, rather than this proposed subjective statement: "All portions of a lot requiring site design review or a non-residential conditional use permit not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped."
2. The above quote from the proposed Code could result in no landscaping at all as any undeveloped land could all be used for parking.
3. Landscaped areas must be a key factor in the development, not simply a way to 'fill in the blanks.'
4. I recommend a minimum of 25% of land area for landscaping in large-scale developments, whether it be general commercial uses or industrial parks.
5. The proposed Code reads: "Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained when possible. The removal of existing trees shall be done in conformance with this Code, section 3.4.060." (THIS IS TOO OPEN TO INTERPRETATION.)(Page 3-25)
6. I recommend that the removal of mature trees shall be approved by the Planning Commission with a report from the City Arborist, if needed.

H. I am concerned about the proposed parking section of this code. (P. 3-38)

1. Calculations of Amounts of Required and Allowed Parking.
 - a) The proposed Code (C-2) reads: "The number of parking spaces is computed based on the primary uses on the site except as stated in Paragraph C(3) below. When there are two or more separate primary uses on a site, the minimum and maximum parking for the site is the sum of the required or allowed parking for the individual primary uses." (Table 3.5.030 needs to be referenced in this paragraph.)
2. Use of Required Parking Spaces.
 - a) The proposed Code reads: "Except as otherwise provided by this Section, required parking spaces must be available for the use of residents, customers, or employees of the use."
 - b) QUESTION: How is parking assured for the residents when parking from restaurants or concerts, for example, spills onto surrounding streets or fills up the parking lot in new urbanism complexes. Are employees allowed to park all day long on the public streets in front of residences?
3. I am very concerned about this table for required automobile parking spaces: Regarding Table 3.5.030.A – Automobile Parking Spaces by Use
 - a) P. 3-40: The number of spaces for office, general and office, medical/dental is way too low. It has one space which doesn't even cover the employees of the office.
 - b) Where are patients to park? 1 space per employee and, at least, 2 or 3 spaces for patients.
 - c) P. 3-41: Number of spaces for retail uses is way too low, especially for bars and restaurants.

- I. I am concerned about the sign regulations, which are allowing large signs and numerous signs, the exact formula for destroying 'sense of place' in a town.

My Primary Concern is in regards to 5th Street, since it is the gateway into our historic town of Jacksonville! The sign codes for this gateway and the other three gateways into town should reflect the character of the

downtown core. Jacksonville differs from urban and suburban areas in that, today, it does not have commercial streets cluttered up by signage, which dramatically ruins most every town. Our codes must be specific enough to let any future business or chain business, built on land that might be brought in by UGB expansion, know that their logo signs must conform to the City's sign standards.

1. GENERAL STANDARDS FOR SIGNS P. 3-61: 3.7.040

- a) I recommend that there be a specific amount of time that temporary signs be allowed to be displayed.
 - b) I recommend that several images of signs that have followed the requirements along 5th Street be included. All the signs along this street should be of uniform size, with the content (approved by HARC) being original to the business. It would be very helpful for potential customers, if those signs are set 5 feet from the sidewalk, visible from vehicles and pedestrians. Unfortunately, the size of the tattoo sign is much larger than the other signs along 5th Street because it, apparently, followed the way-too-large signs allowed under Permitted Signs, below.
 - c) There should be no signs in windows facing the public street or shopping street, since shop owners get carried away with signs that detract from the aesthetics of the town. Even the grocery store should remove poster signs from its windows and capture the interest of drivers and pedestrians to the store from the view inside. (I, for one, have never gone into a shop or store because of a promotional sign in its window.)
 - d) Banners spanning California Street should be eliminated for they detract from the historical architecture of the town itself. Tourists, trying to take photos of the historic town, are annoyed by the advertising banner that blocks out the town's historic structures. No banners should be allowed in Jacksonville. They are no more than hanging billboards.
 - e) Sandwich boards and pedestals should be prohibited on our already small and dangerous sidewalks, especially in the downtown core. These signs must be prohibited by the Code so that the City cannot be held liable for dangerous sidewalks due to sandwich boards and pedestals.
2. PERMITTED SIGNS. The proposed code, besides the general provisions applying to signs set forth in this chapter, is permitting signs in the General Commercial and Artisan zones as follows:
- a) "The total aggregate area of all signs shall not exceed the following: The total area of signs shall not exceed two (2") square feet for each lineal foot of building frontage."
So, if I read this correctly, a building with a 50 lineal foot frontage can have a sign equal to 100 square feet. One sign could be 10 feet by 10 feet or the business might choose to have two signs at 5 feet by 10 feet or four signs at 5 feet by 5 feet. Really???? So, if adjacent businesses all choose the four signs approach, 5th Street will be filled with signs, destroying the aesthetics of the key gateway!!!
 - b) Large signs and multiple signs have no place in the historic town of Jacksonville. Go to Medford if you want to see a City with minimal sign codes and maximum signs that absolutely destroy any aesthetics of Medford.
 - c) Freestanding Signs: "Signs may be placed freestanding, provided that only one (1) such sign shall be permitted for each parcel using the formula of the linear street frontage times (x) 0.15, which equals the square footage allowable." This seems appropriate since a 100 linear street frontage would result in 15 square foot sign. (Note: put 0.15 rather than .15)
 - 1) For linear street footage larger than 100, there needs to be a maximum limit of 15 square feet for signs. Period!
 - d) "The total sign maximum area is thirty-six square feet (36') and a minimum of six square feet (6'), not to exceed ten (10') feet in height above the grade it is placed upon." These sizes are for urban

areas, like Medford, perhaps, but they are not for an historic town that is trying to maintain its 'sense of place.' These signs are huge advertisements, and our town is not a 3-D magazine.

1) REPLACE THE TEN FOOT HEIGHT ABOVE THE GRADE WITH FIVE FEET.

2) REDUCE THE MAXIMUM 36 SQUARE FEET TO 15 SQUARE FEET.

- e) WALL SIGNS: No wall signs should be attached to exterior walls as they clutter up the landscape with 'posters.' As an example, consider the mini-market at the corner of Stewart and Lozier in Medford. We can drive around Medford and see the consequences of allowing such signs, so we do not have to experiment here; that experiment has already been done, and it destroys the aesthetics of the area.
- f) MARQUEE SIGNS: In effect, this acts as a double sign: the marquee above and another sign below it. This is not appropriate in Jacksonville, which should have as its goal, to minimize signs that detract from every town that suffers from a lack of strict sign ordinances.
- g) WINDOW AND DOOR SIGNS: Door and window signs can completely destroy the aesthetics of a commercial district because each entrepreneur can choose to put up more and more signs. This section needs specific standards. Suggestions follow:
 - 1) Windows may be painted with holiday images for no longer than six weeks.
 - 2) A poster or sign may not be visible from the public street.
- f) LED OR NEON SIGNS: No neon signs in Jacksonville!
- g) SIGN LIGHTING: Lighting for signs shall not be directed so as to create a traffic safety hazard or nuisance on an abutting or adjoining street. Sign lighting shall also comply with the provisions of this Code for outdoor lighting set forth in 3.4.050.

Oversight of the above sign ordinances is one of the many excellent reasons why HARC needs to be involved with the gateway into Jacksonville, the length of 5th Street out to Main Street, should the City expand that direction.

- J. I am concerned about the proposed 'up-to-the-sidewalk' approach along 5th Street. (3.7.100)
 - 1. The proposed Code reads: "Purpose. North Fifth Street, also known as the Jacksonville Highway #238, is primarily a vehicular accessed rather than pedestrian-accessed area and is viewed differently from the Historic Core (HC) District because of this. North Fifth Street is composed of a mixture of historic and non-historic structures, it generally represents a later period of history in the development of a small western town."
 - 2. I understand why this proposal has described North Fifth Street as "primarily a vehicular accessed rather than pedestrian-accessed area." However, a goal in Jacksonville is to be pedestrian-friendly, and that can be accomplished along 5th Street in the following ways:
 - a) Draw pedestrians to the area by diversifying 5th Street with businesses, like restaurants, coffee shops, hardware store, bookshop, and useful retail shops that lure pedestrians.
 - 1) The reason for fewer 5th Street pedestrians, at this time, is because of the particular shops that line the street: real estate office, insurance office, physical therapist, car wash, and accounting offices provide no draw for pedestrians.
 - 2) The City might consider creating an 'office' zone, where people arrive by car, park in common parking, and do their business. Like an industrial park, this is an 'office' park. This office park should be along the lines of Alder Creek Office Park (East Medford), a fine example. This office park is NOT simply to be a collection of strip malls. An attractive office park would provide a draw

for office businesses and could potentially lure some of the current 'offices' off of 5th Street, allowing it to be more commercial and a greater draw for pedestrians.

3) Around Pioneer Village, we see residents walk to the market or to the Pony Espresso. From behind the current businesses, we see residents walk to these same locations from Nunan Square and other side streets. So, a goal would be to increase pedestrian traffic with a combination of general commercial and residential.

b) Mix residential uses with general commercial.

1) 5th Street can become a 'source of residents' itself.

2) Bring more residents to 5th Street by incorporating mixed uses; for example, a restaurant or a coffee house below and residential above has on-site customers while, at the same time, providing a reason to bring residents out on the street.

c) Give the commercial uses 'charm,' not simply bottom floors of rectangular buildings brought right up to the sidewalk.

1) Add covered patios, planter boxes, trees, grassy spaces . . .

2) While California Street does not have the space for covered patios and sidewalk eating, 5th Street properties—existing and yet to be built—have the space to offer outdoor patios that always draw pedestrians/customers.

3) California Street draws tourists; 5th Street can draw residents (and tourists) if it creates the right atmosphere.

d) My objection with the current proposals are that they want to bring rectangular type structures right up to the sidewalk, completely destroying the needed aesthetics for a gateway. The zero frontage gives the impression to people (whether vehicular passengers or pedestrians) that they are entering a hallway, rather than entering areas of street landscaping and trees that create a 'sense of place.'

1) Pioneer Village, however, with its main building, welcomes pedestrians with its impressive landscaping along with a break up in the building span by a covered entryway and different angles to its buildings. It's commercial use, shall we say, is on the bottom floor and has a style very inviting to the public. Its setback from 5th Street ranges from approximately 30 to 55 feet.

*** I RECOMMEND REMOVING THE ZERO LOT LINE UP TO THE SIDEWALK, AND OPTING FOR A LANDSCAPED AREA, AS SEEN WITH PIONEER VILLAGE.

*** I RECOMMEND GEARING 5TH STREET TOWARDS OUTDOOR PATIOS AND LANDSCAPING THAT WILL DRAW PEDESTRIANS.

*** I RECOMMEND ALLOWING RESIDENTIAL ABOVE GENERAL COMMERCIAL TO BRING PEDESTRIANS TO THE STREET.

*** I RECOMMEND CONSIDERATION OF A ZONE FOR AN OFFICE PARK, TO LURE OFFICES OFF OF 5TH STREET AND INTO AN OFFICE PARK ENVIRONMENT. THIS MAKES MORE SPACE ON 5TH STREET FOR GENERAL COMMERCIAL/MIXED USE THAT DRAW PEDESTRIANS.

ARTICLE 5: HISTORICAL OVERLAY DISTRICT

A. I am concerned about the reduction of the oversight of HARC; this Commission, in partnership with the Planning commission, is Jacksonville's only method of protecting its 'sense of place' and its character.

1. The list of the historic landmark properties remaining after the proposed removals should be posted on-line..

2. The list of properties being proposed for removal from the historic landmark properties should be posted on-line.

3. **HARC's NAME NEEDS TO BE RESTORED AND ITS OVERSIGHT OF ALL NEW DEVELOPMENT NEEDS TO BE REINSTATED.** After re-reading the current Code of Ordinances, it is evident that HARC's oversight is critical to all areas of our town in order to maintain Jacksonville's 'sense of place.' This is especially true in regards to 5th Street, the gateway into Jacksonville.
4. My recommendations regarding HARC's size and the number of meetings per year: (5.2.010)
 - a) Change the proposed name of Historic Preservation Commission back to the Historic Architectural Review Commission.
 - b) Maintain the number of members at seven HARC members, including the liaison from the City Council and the liaison from the Planning Commission. . . all voting members.
 - c) Change the proposed four meets a year back to TWELVE monthly meetings.

MISCELLANEOUS CONCERNS

A. I am concerned about the change in the number of Planning Commission members.

NOTE: In 2013-4, (Sec. 4.04.020) the number of commission members was changed from 7 to 5 members. Also, removed from the current code is the restriction that only 2 members of the same profession can serve on a commission at the same time. This has the potential of shifting the maximum proportion of any one profession from 30% to 100%.

From 1974 to 1981 to 2001 to 2014, the City's Code was in agreement with the State Code.

§ 2.12.020: Article 1. Membership of Planning Commission (2011 S-2)

(A) The Planning Commission shall consist of:

(1) Seven members who may not hold any other office or employment with the city except where authorized by another validly enacted ordinance of the city.

(2) One City Councilor ex officio.

(B) The ex officio member shall be entitled to sit with the Commission and take part in its discussions but shall not have the right to vote and shall not be counted in determining the requirement for, or existence of, a quorum. Except for ex officio members, no person shall be eligible for appointment to the Planning Commission unless . . . has resided within the city during 12 months immediately preceding his or her appointment.

Sec. 2.12.070: Article 1. Statutory Membership Restrictions

No more than two voting members shall be engaged principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any partnership, or officers or employees of any corporation, that is engaged principally in the buying, selling or developing of real estate for profit. No more than two voting members shall be engaged in the same kind of occupation, business, trade or profession. (1981 Code: 2.12.080) (Ord. 181; passed—1974; Am. Ord. 592, passed 3-3-2009)

Then, the Focus Group made changes to the Code, and it was approved by the City Council.

Sec. 4.04.020. - Attrition of members for committee and commission size.

(A) Due to the Code change during Fiscal year 2013-14 (which does not allow Council members to be a voting member on committees and commissions) the size of currently seated committees and commissions are larger than the Code allows.

(B) Of committees and commissions whose size is larger than stated in this chapter, the size of the committee or commission may remain the same through the end of the calendar year of codification of this Code, at which time the committee or commission must be readjusted for size to comply with this Code. If no member wishes to step down, the decision will be referred to the Mayor.

Jan, (City Recorder) wrote a history of the Code revision and wrote this paragraph: "Committee and Commission sizes are being changed as the Council Liaison will now be consistent as a non-voting member. Sizes are being redone in order to have an odd number of voting members. Attrition at the end of the calendar year will be used to accomplish this." (P. 2, #2)

State Law regarding membership in City Planning Commissions. 227.030¹ Membership

(1) Not more than two members of a city planning commission may be city officers, who shall serve as ex officio nonvoting members.

(2) A member of such a commission may be removed by the appointing authority, after hearing, for misconduct or nonperformance of duty.

(3) Any vacancy in such a commission shall be filled by the appointing authority for the unexpired term of the predecessor in the office.

(4)No more than two voting members of the commission may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation, that engages principally in the buying, selling or developing of real estate for profit. No more than two members shall be engaged in the same kind of occupation, business, trade or profession. [Amended by 1969 c.430 §1; 1973 c.739 §2; 1975 c.767 §3]

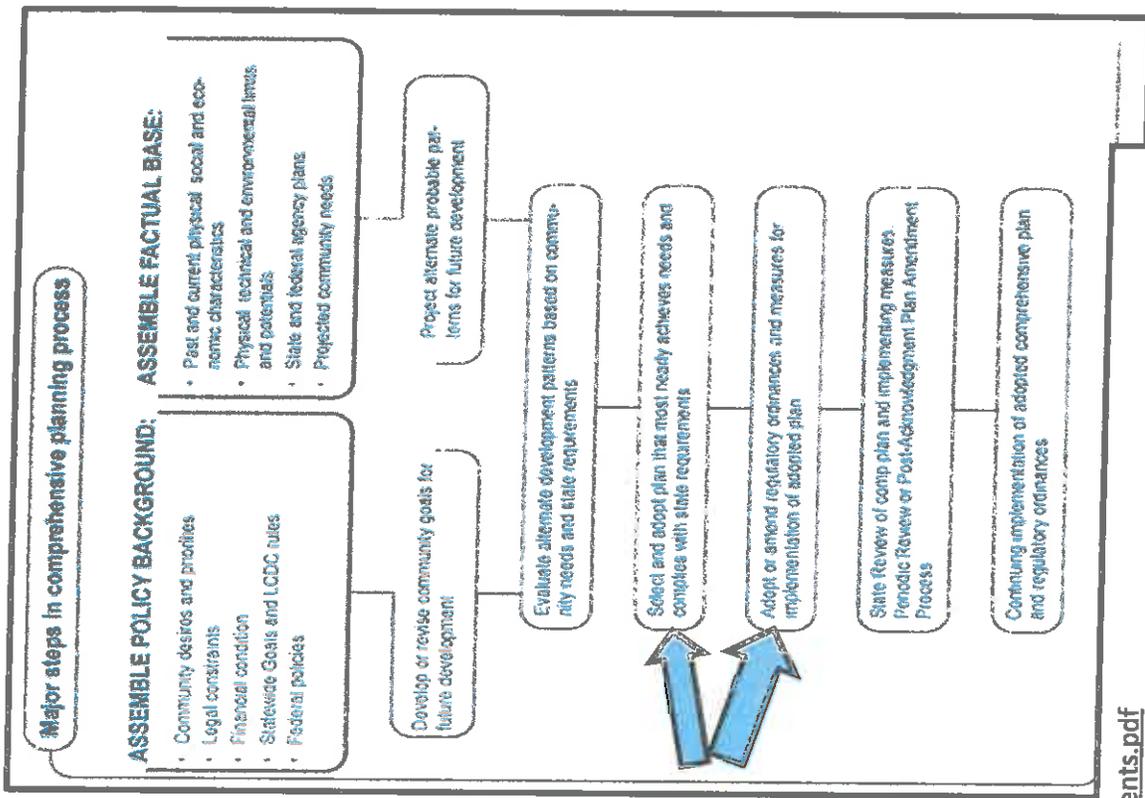
1. THE PLANNING COMMISSION NEEDS TO BE RETURNED TO A 7-MEMBER COMMISSION.
 2. THE RESTRICTION THAT ONLY 2 MEMBERS OF ANY PROFESSION CAN SERVE SIMULTANEOUSLY ON THE PLANNING COMMISSION NEEDS TO BE REINSTATED.
 3. ALSO, IF THE SIZE OF THE COMMISSION IS CHANGED, THE NUMBER OF SIMILAR OCCUPATION SLOTS MUST ALSO CHANGE TO KEEP THE SUBGROUP UNDER 30 PERCENT.
- B. I AM GREATLY CONCERNED THAT THE NORTH FIFTH STREET GUIDELINES HAS BEEN COMPLETELY REMOVED. I WILL SUBMIT A SEPARATE DOCUMENT FOR THAT SECTION.
- C. MERCHANDISE SHALL NOT BE DISPLAYED OUTSIDE A SHOP OR COMMERCIAL STRUCTURE. (FOR EXAMPLE, CONSIDER THE SHOPKEEPER OF THE HISTORIC HOUSE AT 5th ST. AND CALIFORNIA ST. THAT DISPLAYS CONSIGNMENT CLOTHING ON THE WRAP-AROUND FRONT PORCH.)
- D. MOTOR HOMES, TRAILERS, CAMPERS, 5TH WHEELS, AND OTHER RECREATIONAL VEHICLES SHALL BE PARKED COMPLETELY OUT OF PUBLIC VIEW IN RESIDENTIAL NEIGHBORHOODS.
- E. I AM CONCERNED ABOUT THE PROPOSAL IN THE HISTORIC ELEMENT OF THE COMPREHENSIVE PLAN TO CONSIDER ALLOWING BUILDINGS NO GREATER THAN 15-20% LARGER THAN THE HISTORIC BUILDINGS IN THE DOWNTOWN HISTORIC DISTRICT (E-1). No building within the City of Jacksonville shall exceed 35 feet in height.
- F. I SEEM TO RECALL THAT A CITY DOES NOT HAVE TO DEAL WITH ITS POPULATION PROJECTION AND BUILDING INVENTORY, UNLESS IT IS APPLYING TO EXPAND ITS UGB. IF SO, THEN, WE CAN CONTINUE TO TRY TO MEET OUR POPULATION DEMANDS THROUGH INCREASED DENSITY BEFORE CONSIDERING EXPANSION. THAT KEEPS US IN LINE WITH STATE GUIDELINES.
- G. A MASTER PLAN NEEDS TO BE DEVELOPED THAT WILL INCLUDE LONG-RANGE DEVELOPMENT IN FUTURE UGBs, SHOULD EXPANSION, SOME DAY, BE REQUIRED.

CONCLUSION

In conclusion, as I stated at the beginning of this document, I recommend, in order to abide by Oregon State Law, that this process of revising the Comprehensive Plan and the Code of Ordinances be halted, and, if genuine need is identified, then, the process can be restarted with widespread citizen involvement proceeding to modify the existing Comprehensive Plan and Code of Ordinances.

(Submitted by Linda Meyers, 230 Wells Fargo Drive, Jacksonville, OR 97530, December 6, 2016)

It appears that this process began at the arrows, rather than at the top of the chart.



https://www.oregon.gov/LCD/HAZ/docs/landsides/02_elements.pdf

Chapter 2, Page 10

2016-170

Jan

CONCERNS REGARDING PROPOSED REVISIONS TO JACKSONVILLE'S HISTORIC ELEMENT
Submitted by Linda Meyers

To Jacksonville's Planning Commissioners:

While I recognize and appreciate the many hours of work that the Commissioners and City Planners have put into revising these City documents, I have some major concerns regarding the proposed Historic Element before us, today.

I am concerned, for example, that the revision process excluded the "widespread citizen involvement and input in **all phases of the process**" that is required by State Law 197.040(2)(f). A Citizen Advisory Committee (CAC), consisting of City officials and developers, does not constitute "widespread citizen involvement."

The process must, now, allow Jacksonville citizens ample time to review the proposed documents. While the proposals make it clear that the pro-development CAC's ultimate mission is to "develop," our ultimate mission is to maintain Jacksonville's unique 'sense of place.' These goals do not need to be conflicting, if the appropriate codes and oversight commissions are in place to monitor new construction.

Throughout the Rogue Valley, we see standardized housing, strip malls, and national chain stores sprawl from town to town. Soon, residents will be unable to distinguish their communities from the ones next door and, thus, will have little reason to form attachments to their particular towns.

Jacksonville, fortunately, is not, yet, one of those generic towns; Jacksonville is filled with elements that elicit attachments to place. We citizens chose to live in this town because of its unique character. While we recognize that growth is inevitable, we want codes that prevent new development from stripping the town of its 'sense of place.'

It's no surprise that Jacksonville's rare designation as a National Landmark District, in combination with its surrounding vineyards and the town's incredible 'sense of place,' has drawn developers, anxious to take advantage of this ideal combination so that they can 'cash in' on Jacksonville's 'gold.' To make their goal easier, the pro-development CAC has proposed eliminating review by our town's Historic Architectural Review Commission (HARC) in regards to any new building outside of this CAC's newly-defined Downtown Historic District (DHD).

We citizens, however, are well aware that Jacksonville has been able to maintain its unique qualities due to the diligent oversight of past Planning Commissions and Historic Architectural Review Commissions in monitoring development.

The CAC's proposed Historic Element is a dramatic revision of our existing Comprehensive Plan, which they have joined with their dramatically-altered Code of Ordinances, both of which will negatively impact our town.

EXHIBIT 3 15 of 25

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My greatest concern is that this proposed Historic Element restricts HARC's purview, even though HARC is our town's protective commission that monitors aesthetics of development in order to maintain our town's 'sense of place.'

The City has relied upon HARC to oversee the preservation of our town's historic structures and to monitor the aesthetic elements of those properties adjacent to historic structures. HARC has, also, as the town has grown, expanded its oversight into neighborhoods in order to protect each neighborhood's 'sense of place.' We citizens believe that the parts do, in fact, affect the whole!

The pro-development CAC, from a different perspective, sees HARC's expanded oversight as too restrictive. So, in their proposed Historic Element, they have replaced HARC's name with Historic Preservation Commission (HPC). They, then, have proposed restricting HPC's jurisdiction to only new development within the CAC's redefined, greatly-reduced Downtown Historic District (DHD). In other words, the pro-development CAC wants complete freedom from HARC's oversight throughout the rest of Jacksonville.

With growth, comes neighborhoods, each one having its own set of characteristics. Today, HARC uses Policies A-1 and A-2 to maintain a 'sense of place' in each Jacksonville neighborhood. The proposed Historic Element, however, removes HARC'S policies on Design Review and Neighborhood Character.

There can be no debating that neighborhoods being built, today, hold historic value; they are tomorrow's historic neighborhoods. We must maintain today's neighborhood characteristics and vital viewsheds for the future, just as previous residents have done for us. We, as citizens, have that responsibility, and HARC is the commission to oversee any new development to meet that objective.

I recommend, therefore, that HARC's name be reinstated and that HARC's policies on Design Review over ALL new development, including oversight of Neighborhood Character Units, be retained, as well.

Another major concern regarding this proposed Historic Element is its removal of 5th Street, Jacksonville's key gateway, from HARC's oversight.

The proposal to remove HARC'S oversight of 5th Street in combination with the many proposed changes to the Code of Ordinances will, as stated above, DRAMATICALLY CHANGE our town.

This gateway needs to be planned out in specific detail to reflect the aesthetics that the residents of Jacksonville envision for their small historic town. Once a detailed "Specific Plan" has been developed for 5th Street, then, these details need the oversight of HARC and the Planning Commission. True, this process of citizen involvement is a slow process, but we are the custodians of a very unique town.

Several years back, a North Fifth Street Gateway plan was created. This plan was adopted as North Fifth Street Guidelines in the current Code of Ordinances. This section has been completely removed from today's Code of Ordinances. I suggest that that plan be revisited! Yes, it needs some changes, but it certainly comes closer to maintaining our town's character than do the proposed revisions to the Code of Ordinances.

Following are a few examples from the proposed Historic Element and Code changes that motivate my recommendation to revisit the 5th Street Specific Plan. I have covered these points in my report on the Code of Ordinances, but I will list some here.

- Proposal to allow general commercial to cover 80% of the land. This is a major change from the limitations we had in the Code when I served on the City Council, just 6 years ago. At that time, we had a limitation of 20,000 square feet in order to keep general commercial structures compatible with the town's character. (Ray's Market plus the side space is 20,000 square feet.) **I recommend that we restore the 20,000 square foot limitation for general commercial and allow no structure in the general commercial zone to cover more than 50% of the parcel.**
- Furthermore, the proposed Code requires that only 10% of the land be landscaped. Pioneer Village, in contrast, has approximately 25% of its land landscaped, which makes a huge difference in regards to aesthetics along the town's gateway. **I recommend a requirement that, at least, 25% of the land be landscaped with irrigation and regular maintenance.**
- Another proposed change allows potentially 35-foot high buildings along 5th Street to be brought **right up to the sidewalk**. Imagine the 'tunnel' effect that will result along our narrow gateway into town. In contrast, envision Pioneer Village, which is a 35-foot high building, but which is set back 25-50 feet from the sidewalk with spectacular landscaping in front of its main structure. **I recommend that structures along 5th Street be set back from the sidewalk between 15 and 50 feet, depending on building height. I recommend that parking be restricted to the rear of the structure.**

Side note: The early proposal for Pioneer Village was a rectangular building with a parking lot in front. If it were not for the conscientious efforts of the Planning Commission, HARC, and the Gateway Plan, it would not appear as it does, today.

- Another example of changes from this proposed Historic Element is that the proposed sign ordinances allow signs that will be way too large for our small town ambiance. **I recommend that, along Fifth Street, signs, no matter the size of the structure, be uniform in size (15 square feet) and placed 5 feet from the sidewalk.** In this way, the green landscaping in front of the

general commercial buildings in combination with the uniform-sized signs will serve to unify the structures along 5th Street.

- The proposed Historic Element removes policies protecting mid- and long-range viewsheds and replaces these policies with generic, non-specific directives, like “provide stewardship” and “project compatibility.”

I recommend that the City identify corridor viewsheds (perhaps, referring to George Kramer’s viewshed list) and determine what the requirements for each of the properties along those viewsheds should be. These specific details can, then, be used in negotiations with developers before bringing lands into the UGB or before approving various projects before the Planning Commission and HARC.

- The proposed Historic Element is considering “requiring all new development proposals within increased density areas to allow buildings that are no greater than 15% - 20% larger than the historic buildings in the Downtown Historic District. (Policy E-1)

I recommend that NO building within the City of Jacksonville exceed 35 feet in height.

- The proposed Historic Element is considering “increasing densities east of North Oregon Street” to “assure compatible multi-family development.” (Policy E-2)

I recommend that, prior to any rezoning for multi-family, the City consider parking impact on existing neighborhoods.

- The proposed Historic Element removes Overlapping Layers of Review Criteria (p. 5-6) . . . “The revised code maintains many of the critical design standards of the former code but eliminates Historic Character Units, viewsheds, and other Review Level Area Maps, finding them to contain overlapping and vague approval criteria.” . . .

I recommend that the City does not remove the Neighborhood Character protections used by HARC.

- Also, in this section, the revision states, “These actions were based on confirmation with SHPO that removal of these elements of the existing code would not endanger the status of the Landmark District in any way.”

Our mission, here in Jacksonville, is not ONLY to protect our Landmark District. Our mission is to preserve Jacksonville’s ‘sense of place,’ its character.

- The proposed Historic Element continues to uphold policy #4, which states that “street trees should not be permitted within the commercial center of the Downtown Historic Core” because “commercial architecture needs to be easily viewed and photographed by tourists.”

I recommend that this same reasoning be applied to the removal of street-crossing banners that really are no more than swinging billboards.

- The proposed Historic Element recognizes that sidewalks in the commercial core are not wide enough to comfortably accommodate street trees and adequate pedestrian width for convenient walking and window shopping.

I recommend that this same reasoning be applied to the removal of sandwich boards, pedestals, shop merchandise, etc. on the sidewalks.

In conclusion, it's easy to see, from the list of members on the selected CAC, that these proposed documents reflect the buildings that builders hope to build in Jacksonville.

I am very puzzled, though, by developers who come into a town and try revising the Comprehensive Plan and Code of Ordinances in order to get the town set up to develop what the developers want to develop.

I have much more respect for developers who come to a town and ask these questions:

- "What do the citizens envision as the character of their town?"
- "Do the citizens see a need for development?"
- "If so, where would they like to see that development take place and what would they like developed?"

That's the developer who cares about maintaining a town's 'sense of place.' That's the developer with whom we citizens are willing to work.

At this time, the pro-development CAC must step back and allow the "widespread citizen involvement and input" that is required by State Law.

I am not against development, but I am extremely focused on aesthetics and maintaining a 'sense of place.' Jacksonville is not one of those generic towns that is often left in the wake of developers who have built standardized housing, strip malls, and national chain stores. We want our Comprehensive Plan and our Code of Ordinances to protect the unique qualities that we have, today. The current system of Codes and oversight commissions has served us well. Jacksonville is a gem, and we expect it to remain so.

Thank you for your time and consideration of my concerns.

Linda Meyers
230 Wells Fargo Drive
Jacksonville, OR 97530
December 12, 2016

2016-170

THE NEED FOR RETAINING THE REVISED NORTH FIFTH STREET GUIDELINES

The proposed revisions of City documents excludes the North Fifth Street Guidelines. Yet, as has been done with this whole 'rewriting process' of the Code of Ordinances and Historic Element, we should not 'throw the child out with the bath water.' This document is an excellent beginning to maintaining Jacksonville's 'sense of place.' It needs many additions and a few subtractions to get it fine tuned, but these guidelines must be incorporated into the revised Code of Ordinances.

TITLE 17: ZONING § 17.48.070 NORTH FIFTH STREET GUIDELINES General Guidelines.

The following paragraphs describe general requirements that apply to all properties in the North Fifth Street Gateway. These guidelines set the tone and feeling that contribute to the unique character of the Gateway. When there is a conflict between the provisions of this section and other requirements of this title, the provisions of this section shall govern.

1. Maintain integrity of the two (2) existing historic buildings within the gateway area. (Name these buildings, give addresses.)
2. The rural/agricultural visual patterns just north of the entry to Jacksonville shall be incorporated into the visual and structural qualities throughout the Jacksonville Gateway area. I recommend that North Fifth Street and any further extensions north, incorporate the visual and structural qualities of the downtown village, not the farm compounds, barns, etc. that are listed in section 8 of this document.
3. The Gateway and associated street edge shall be strongly defined using an appropriate mix of approved large-scale street trees. These plantings shall be located outside the ROW while simultaneously being located as close to the right of way or sidewalk edge as reasonably allowed.
4. Small-scale vertical architectural elements, (e.g. piers, posts, columns), shall be located along portions of the street edge to strengthen the visual corridor, and enhance the verticality of the associated street areas. Any vertical elements shall be located outside the ROW. (Include some photos as examples.)
5. Architectural elements, such as bus stops and lighting standards, shall be incorporated into the streetscape, further defining the Gateway/entry. (Give photos of acceptable examples of bus stops and lighting standards that maintain J'ville character.)

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6. Miscellaneous items that could be used on private property to contribute to the character of the district include benches, landscaping, planter boxes, exterior lighting and grates.
7. Smaller buildings, (fifteen (15') feet high or less), shall be located closer to the sidewalk and street edge, (within fifteen (15') at fifteen (15') or more feet from the Right-of-Way edge. Landscaping shall be placed between structure and sidewalk. Parking shall be to the rear.
8. Larger buildings, (over fifteen (15') feet high), shall be set back twenty-five (25') feet or more from the Right-of-Way edge. Set back shall be proportional to height taking parking into consideration. Parking shall be to the rear of the building.
9. The architectural treatment of buildings within the Gateway area shall reflect rural structures in the Jacksonville vicinity using the following construction and design details: (See note below this entry.)
 - (a) Farm compounds with a main structure surrounded by various size, height, and type of outbuildings in close proximity to each other. The form, scale, massing, size and materials used shall draw from those associated with agricultural buildings.
 - (b) Mix of siding treatments for new and remodeled buildings shall be selected from rough textured wooden materials such as vertical plank, board & batten or shiplap siding with a lap exposure between six (6) and ten (10") inches.
 - (c) Repeated arrangement of doors and windows in the facades of a building.
 - (d) Vertically rectangular window openings using either one over one, two over two or four over four divided light windows shall be used
 - (e) Double or barn type doors.
 - (f) Architectural treatments may use rural structural features such as small vernacular cottages, farmhouses, and sheds.
 - (g) Porch elements with shed roofs or loading dock features shall be used for building entryways.
 - (h) Exterior finishes shall be natural and allowed to weather or use a color range of shades from brown through gray.
 - (i) Rural structural features such as water towers and barns.
8. While there definitely needs to be a section on architectural treatment of buildings, the above is too extreme for what the town has become. This section will require some extensive work.
9. The primary pedestrian entry into buildings or structures shall be from the main street frontage. A second exit shall be to the rear.
10. Parking shall be to the side and rear of all buildings.
11. Buildings and parking areas shall be buffered from street-side view with appropriate vegetation screening, inclusive of the recommended street tree plantings. Low enclosure walls of wooden-form poured concrete, dry-stacked sandstone rubble or random coursed mortared sandstone may be used in conjunction with landscaping.

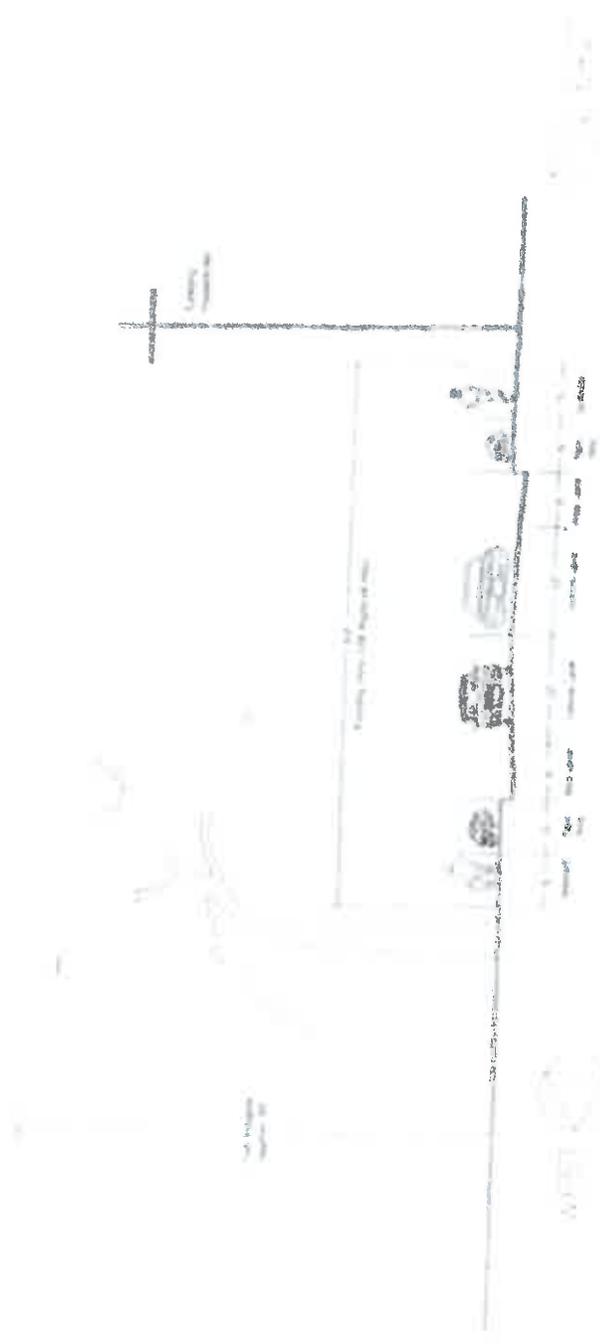
(See: Exhibit A, pg. 104 - 106)

This document should include specific sections on signage, driveway access onto a highway, lighting, acceptable trees, park benches, etc. While these North Fifth Street Guidelines are a good start for maintaining Jacksonville's character, they are not nearly specific enough. I recommend that once specifics are determined that this section be merged with the Code of Ordinances that relate to the general commercial section of Fifth Street.

<http://www.jacksonvilleor.us/CityDocs/Planning/20+-+Title+17+Zoning.pdf>

Submitted by Linda Meyers
230 Wells Fargo Drive
Jacksonville, OR 97530
December 12, 2016

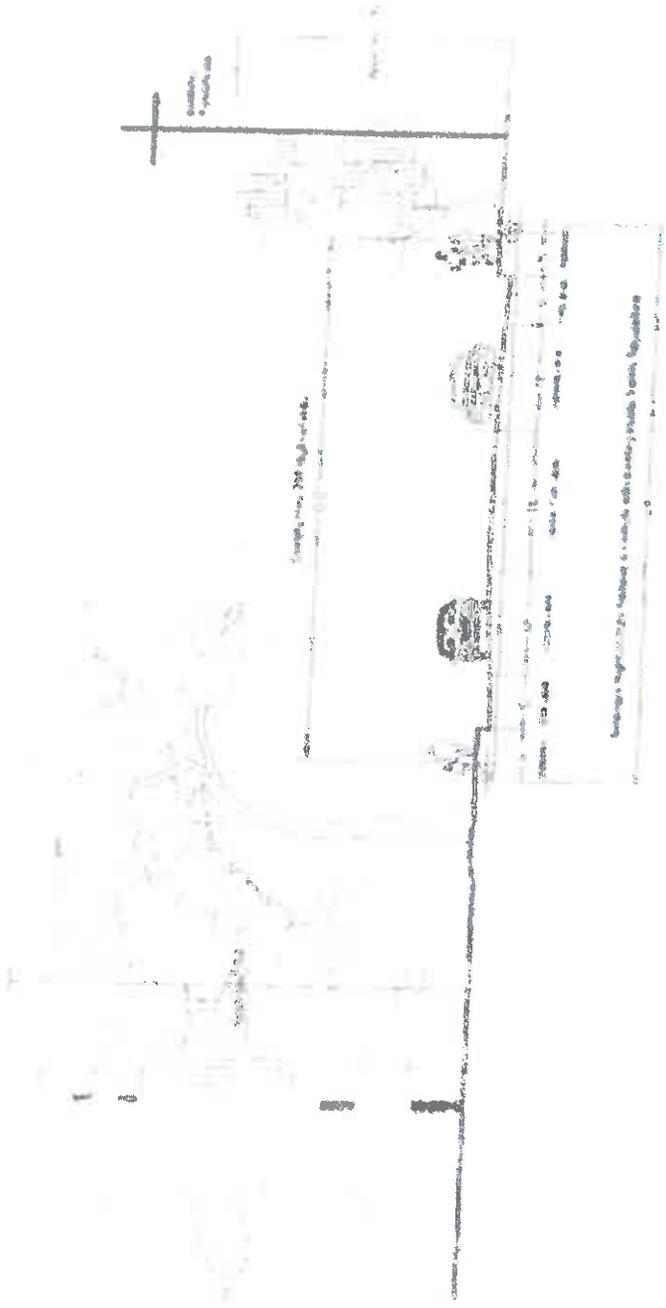
Jacksonville, Oregon - Gateway Project



Alternative Hwy 238 Cross Section - 60' R/W - Jacksonville
(Lane Widths 12' Maximum, Sidewalks 6' & Protected by 6' Planting Strips)



Jacksonville, Oregon - Gateway Project



**Proposed Hwy 238 Cross Section at Shafer Lane Intersection
Alternative A - 16' Center Turn Lane 6' Sidewalks**



EXHIBIT 3 250625

Nothing has changed the quality of our lives and the historic integrity of Jacksonville more over the past 15 years, than new development. Massive new construction now blocks views to historic buildings and dominates our skyline.

Yet these changes have been brought about by just a few men in the community and by their interpretation of what this town will look like and the building codes we must follow.

The majority of people who live here are from California where they well understand how rampant development can be and have left the state for just that reason, hoping for a better quality of life here in Oregon.

My question is, must we continue to accept massive development as the norm for our society and passively watch as we bury a historic town?

Will we allow this to be our legacy to Jacksonville?

Our city government says it has been forced by a state mandate to increase it's inner city density before urban expansion can take place and a small group of men have decided to interpret that mandate to mean that each city lot must increase it's development by 100%. Quietly, in 2008 this interpretation was implemented into our building codes.

Nowhere in that state mandate, statute 197.296, does it define any numeric value by which a city lot must be increased for development. As I have said, these interpretations and decisions have been made on your behalf by a select group of leaders in this town and written into law by Chapter 18.11.020.

My question to these leaders is can we develop our town without a 100% increase in lot development and still somehow find a way to thrive while while lessening the impact of development on the quality of our lives and preserve Jacksonville's designation as a National Historic Landmark?

My opinion is that these influential men will have nothing to do with the concept of moderation and hold nothing but disdain for the idea, otherwise we would not have seen historic structures being physically being built on top of, moved off their foundations and dominated by new pseudo-historic structures.

Historic vistas and corridors would have been preserved by modifying development so that we can co exist and still allow

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EXHIBIT

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historic structures to be seen.

Our city planning department openly admits to mistakes in the interpretation of historic preservation and the implementation of their own building codes. At the same time HARC commission for historic preservation takes no objection to these violations of the historic charter.

Let it be understood that Jacksonville has a very aggressive building policy in place with a very passive enforcement of historic preservation guidelines, which will result in a very disastrous outcome to all of us who care about the future of Jacksonville.

We have a city administration that tells us, their priority is the historic preservation of our town while the building codes they have implemented are the most aggressive we have ever seen in the history of this town.

Either we demand clear and concise building codes that moderate the amount of development to protect our historic structures and take into account the impact of development on our lives or we continue to stand back and allow a wall of development to dominate the town.

Do we intervene and take control of our destiny or do we allow the same group of select leaders to make the decisions for us? As did all the residents of this village years before us, ask of themselves:

What will be representative of our contribution to the historic significance of Jacksonville?



Steven Gardner
385 N. 4th St.
Jacksonville, Oregon

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EXHIBIT

4 2 of 2

Dick Converse

From: Leona Sewitsky <leonakeene@gmail.com>
Sent: Wednesday, January 04, 2017 4:44 PM
To: planner@jacksonvilleor.us
Subject: Proposed Changes to Municipal Code

RECEIVED
1-5-17

Hello. My name is Leona Sewitsky and I am a local Oregonian and 25 year resident of Jacksonville. I have read through much of the existing municipal code including chapters 16-18 as well as the historic element of the comprehensive plan. I have read the proposed revisions that you have been working on for two years, and understand that while my research is that of a general citizen unfamiliar with most building code vernacular, I believe that I do get the gist of what the changes will mean for the town. These are my serious concerns.

A. Entirely deleting the Neighborhood Character Units, specifically N. & S. Oregon St, N. & S. Third St., 5th St., First, Second, Fourth Sts, and basically all those that comprise the the oldest neighborhoods closest to California St. The original neighborhood character unit designation is essential to ensure that those neighborhoods will remain charming and original to residents who moved into those dwellings for that reason, and to visitors who enjoy them when walking through town. It ensures that infill new buildings will continue to be aesthetically compatible and proportionally sized to the streetscape's original ambiance. Oregon St. alone has 22 landmark properties that, while protected along with abutting lots and residences by the historic designation guidelines, should be additionally enhanced by the whole context of their neighborhoods as well. I recommend retaining the Neighborhood Character Units in all the historically sensitive areas, which can be redefined, instead of eliminating them as not needed when this is an integral part that specifically defines Jacksonville's residential charm.

B. Entirely deleting Jacksonville's view shed as something to be protected, inside the town as well as on it's perimeter. Understandably, this is a trickier concept but just as important to retain Jacksonville's beautiful visual singularity. We are extremely fortunate the Woodlands Association had the vision to preserve a large part of the wooded ridges that provide the scenic backdrop for the town. Preservation of view sheds inside city limits can be implemented with clear guidelines to remove any ambiguity, which seems to be your reason for disregarding this critical component for new building. A perfect example of failure to consider the view shed are the two new oversized speculation residences currently under construction on E. California St. that completely mar the beautiful view coming into Jacksonville from South Stage Rd. Once gone, the scenic quality is lost forever. The open space around Jacksonville is what differentiates it from almost every other town in Oregon, and we are well served to work outside the town jurisdiction areas to try to keep it so as much as we can. Not always possible, but it should be our goal. I recommend keeping view shed protections and rewording that definition for clarity instead of completely excising it from the code.

C. Shrinking the downtown Historic Core to basically California St. to open up the adjacent side street buildings to rezone for commercial endeavors that will not be bound by historical designation oversight. Jacksonville has one of the most historically intact pristinely preserved commercial districts in the country. It is a very tiny one. It should remain tiny and quaint because that is it's originality and charm. If new businesses, breweries, light industry, more stores selling tourist trinkets are wanted by business owners, creat a compatible new area for that on 5th st. I recommend keeping the original Designated Historic Core as is.

D. Elimination of HARC to be replaced with HPC and jurisdiction for that entity will be for historical landmarks and abutting properties only. As I understand your wording, the HPC will be basically the town planning official? Shouldn't it, as recommended in the national guideline for historic districts, be compromised by more than one person including a historian and an architect and citizen members? And if HPC has no jurisdiction over new construction, then who or what exactly provides guidelines for those new buildings and or subdivisions, etc. to ensure critical compatibility for the town? I suggest keeping HARC or the proposed HPC (which should be a committee not an individual) involved in new construction. Perhaps redefine it's sphere of influence, but do not eliminate it.

E. The adoption of a "model code" for small cities that uses generic guidelines that allows all land use and development application permits to be decided by a "tiered" process. Specifically objectionable is the Type IV decision making process. Quote: "Creation, revision, or large scale implementation of public policy, ie, adopt regulations, zone changes, annexations, and comprehensive plan amendments." According to this guideline, city council will have the authority to make all decisions with or without the city planner recommendations, and NO PUBLIC HEARING REQUIRED. This is a HUGE red flag to me. This is saying basically that very serious impactful changes for the town's future buildings and growth will be solely decided by the council without public input. To put this kind of oversight into the hands of an ever-changing group of councilors has the potential to open the door to special interest individuals looking to push through personal agendas, ie property owners looking to profit on multi units in inappropriate areas, annexing parcels that are not suitable for intended purposes by builders, etc. For such serious integral changes like that to Jacksonville, we need safeguards in place that foster public input, scrutiny, and overall transparency for the citizens who live here. I recommend less autonomy for city council on these important decisions and more reaching out to the community with information and opinion about proposed land or zoning changes and annexations. Remember, generic model codes do not necessarily reflect the actual needs or even applicability for a unique town like ours.

In closing, the above five proposed changes I am concerned about for the new municipal code are not in keeping with the detailed work and vision in 1993 by historic authority George Kramer and many many others who set out tenets to define and guide Jacksonville into ensuing decades. Their intent was to ensure that it continues to be a unique piece of history showcasing many original buildings in quaint historical neighborhoods that have new residences and buildings that complement them, all set into in a genuinely historic town. To dismiss their worthy contribution is taking out the core of why we even attempt to keep Jacksonville from becoming any other typical cookie cutter small town. When you think about it, Jacksonville is a unique slice of life that depicts fledgling Oregon preserved at the very moment it went from being a simple territory to becoming a state of the Union, which is incredibly rare. How many states can boast such a real treasure? If something is true and part of who we are, we can do no less than to hold it close to our hearts and not squander it for someone else's profit. We can grow but not without genuine oversight by all of us. Jacksonville has survived and thrived because of the hands of it's previous citizens and city workers and officials and now it's our turn to be it's thoughtful caretakers. Thank you and I look forward to your presentation and hope you address my concerns.

Leona Sewitsky
230 Laurelwood Dr.
541-899-7765

Sent from my iPad

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5 2 of 2

Testimony for the record for City of Jacksonville Oregon, Public Hearing before
Planning Department

It recently came to my attention that there are some major revisions being made to the Comprehensive Plan and to our Municipal Codes, specifically, Chapters 16, 17, 18, and the Historic Core Overlay. I understand the need to simplify, but some of these changes seem to far exceed simplification. Many of these changes seem to threaten the historic nature, and beauty of this very special city.

My concerns:

1. Deleting the view sheds
2. Reducing the historic core
3. Total elimination of HARC. The HPC has no say regarding new construction
4. The "tiered process". It appears tier 4 gives total control to the city council, with no public hearing required for, "zone changes, annexations, and comprehensive plan amendments".
5. No mention of ADA requirements
6. Removal of neighborhood character charts

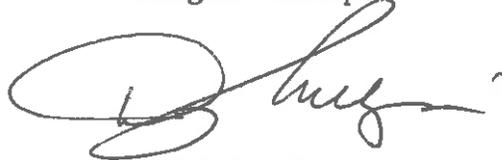
I hope these issues will be addressed at the January 18th presentation.

Virginia Stapp



375 W Elm
Jacksonville, Or
(541) 702-2150

Douglas C Phillips



375 W Elm Street
Jacksonville, Or
(541) 702-2150

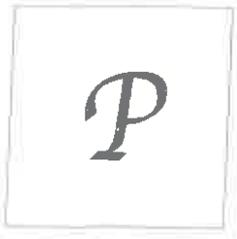
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CITY OF JACKSONVILLE

Testimony for the Record, for the City of Jacksonville, Oregon,
Public Hearing before Planning Department

January 9, 2017

Hello, our names are Stacey Powers, Bud Powers and Samantha Powers. We have been residents of Jacksonville for 5 wonderful years. Our daughter, Samantha, was born with Williams Syndrome, a genetic malformation that resulted in both physical and cognitive disabilities. As her parents, we have learned how important the American's with Disabilities Act is for people with special needs.

Some of Jacksonville's residents have concerns regarding the proposed changes to the Municipal Code and we share many of their concerns which I am sure will be addressed at the meeting on January 18th. An additional concern that we have is the complete omission of the Americans with Disabilities Act, (ADA) in the proposed revisions of the Municipal Codes.

Jacksonville should be dedicated to ensuring that all City programs, services, benefits, activities and facilities operated or funded by the City are fully accessible to and usable by people with disabilities. I brought this up at a meeting in October, and have been disappointed with the follow through as many of the commitments made during that meeting have not been followed through on. To then see that the ADA has been completely left out of the proposed, revised, Municipal Code's is alarming.

We would like to know what person, or committee, administers the implementation of ADA Standards and upgrades to meet ADA requirements under the State and Federal laws in Jacksonville? At the meeting in October, I asked if I could have a copy of the ADA Transition Plan that was required by all cities and towns throughout our Country since 1993 (or earlier). I did not receive a copy and was told there has never been a plan implemented, thus being out of compliance with ADA laws and Standards.

Jacksonville must address the ADA compliance issues that exist and we must include and enforce these Standards. We would appreciate your assurance that this will take place and be appropriately addressed in the Revised Municipal Codes. As I stated at the meeting; we are willing to assist in this endeavour in any way we can. What we won't do, and hope you won't either, is continue to see the rights of those with disabilities ignored. We have spoken to so many good people who, like us, are

*Bud and Stacey Powers * 120 Graham Street * Jacksonville, OR 97530*

707-761-1837

furnismultifa@hotmail.com

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passionate that the Civil Rights of *all* people, including those with disabilities, will not be omitted and ignored.

We look forward to your response to our question above and to your thoughts on how and when the ADA compliance issues will be addressed.

Yours sincerely,

• SAMANTHA POWERS
Bud Powers
Stacey Powers

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Bud and Stacey Powers * 120 Graham Street * Jacksonville, OR 97530

707-761-1837

furnismylife@hotmail.com



KRAMER & COMPANY
Historic Preservation Consultants

MEMO
Via E-Mail Distribution

386 North Laurel
Ashland, Oregon 97520-1154

www.preserveoregon.com
george@preserveoregon.com

541-482-9504

Date: 1/11/2017

To: Mr. Ian Foster
Principal Planner
City of Jacksonville
Via E-Mail, ifoster@jacksonvilleor.us

Re: Proposed Changes to the LDO/Historic Element and Comp Plan
TESTIMONY FOR THE PUBLIC RECORD

Dear Mr. Foster,

In 1992 the City of Jacksonville retained my services to provide a survey update and context statement to guide Jacksonville's historic resource management program. Since that time I have, at various times, worked on other restoration and new development projects in Jacksonville, including the Courthouse and the Bigham Knoll/Jacksonville Elementary School, among many others. For a time I even served as a contract preservation planner for the city. Suffice to say that I am fairly familiar with the City's resources and the various issues the result from its curious history, both in development and the efforts to manage change over the past thirty years.

I appreciate that you and others have been working for some time on what appears to be a fairly exhaustive re-write of the development code, with considerable change proposed to the Historic Element and the current HARC regulatory process. I have not had the opportunity to review the proposed language in any detail and, as a result, have no serious concerns or comments to offer regarding their appropriateness. I will not be attending the January 18th hearing.

My point in writing is to inform you that I have been independently contacted by multiple Jacksonville residents who are concerned with these proposed changes and who have sought to enlist my assistance in better understanding their implication. It seems fairly obvious that whatever process the City has employed to develop this proposal has not been sufficient to provide information to the citizens impacted by it. Perhaps this is just an educational issue, perhaps there is a more serious change being proposed and the citizens fears are warranted. I would not know.

I do know that two decades ago, as I was writing the context, the City was also considering revisions to the land development ordinance. At that time the City had enacted "model" subdivision standards, with curbs and sidewalks, as requirements for any new development. My comment to Paul Wyntergreen at the time was that to the extent Jacksonville promoted or allowed new development that was based on standard "model" concepts, Jacksonville would surely begin to lose some of what makes it Jacksonville. That standard is still true. While I can appreciate that a standardized, streamlined, approach, may remain a

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valued goal for the city and its staff, it may not be as valued by your residents, despite the extra work that is involved in maintaining it. Again, I would not know.

What I do know is that Jacksonville has always benefitted from a highly engaged citizenry, who both care and are active in protecting the town's significant character . It seems to me that this current proposal to make major changes in your guiding documents has not been fully understood by many of your citizens. Whether these changes are appropriate or not, I would strongly urge the City to step back and take its time in adopting them. A series of informational public meetings that document the proposed changes in approach and the logic behind adopting them would go a long way toward gaining support and comfort with the proposal. I think that a worthy goal. I know of no impending deadline for your adoption of these code changes and so strongly encourage the City and its leaders to make sure that whatever is done, is done with public understanding and support. Jacksonville is too valuable, and too fragile, to tinker with unnecessarily and without considerable public discussion.

It has taken more than 160 years for Jacksonville to become what it is. Another six months to make sure that this next step in its evolution is everything it can be seems like a reasonable delay.

Sincerely,



George Kramer, M.S.

C:) Mayor Paul Becker, City of Jacksonville, mayor@jacksonvilleor.us

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CITY OF JACKSONVILLE

Testimony Submitted at the Public Hearing on
January 18, 2017

Good evening Jacksonville Commissioners and Citizens,

My name is Tom Gorman and I live at 390 W. Oak Street. With me is Tresa Gorman, also at 390 W. Oak Street and Linda Davis who lives at 425 South 1st Street. We wish to place on record the following **citizen observations** concerning the proposed rewritten, reorganized, and renamed Jacksonville City Development Codes (from current Chapter 16-19 to proposed Chapter 16 Articles 1-5).

- 1) There has been an **overall elimination of 114 pages** of current development codes in this rewriting process. In addition, a **reduction by 66%** of the total number of pages in the current Historic Protection and Design Regulations.

Oregon Statute requires: "Citizen Advisory Committees (CAC) **broadly represent** the geographic area and interest of its constituency."

- 2) **Four of the seven** person Citizen Advisory Committee (CAC) who made recommendations for the proposed rewritten development codes Sections 16-18 represent basically one interest group – Development/Real Estate – and are the following:

David Jesser, Real estate agent, Jacksonville City Council / Jacksonville Parking Committee

Mark Thomas, Real estate developer and Jacksonville Planning Commissioner, member of Historic Architectural Commission

Mike Thornton, Owner of Jacksonville Thornton Engineering and Principal engineer for civil engineering design and project management for **residential developments, private residences, and commercial/community projects**, Jacksonville Transient Lodging Tax Committee member

Brad Bennington, Owner of Bennington Construction Company, Jackson County Planning Commissioner, Jacksonville Planning Commissioner, Jacksonville City Council, **State Board Member Oregon Home Builders Association, Trustee for Oregonians for Affordable Housing/National Director for National Association of Home Builders**

Donna Bowen, Historic & Architectural Review Commission (HARC) Chairperson

Ken Gregg, City Councilor, Jacksonville Transient Lodging Tax Committee

Owen Jurling, Former Planning Commission Chair, Former City Councilor

Note: 2 properties proposed to be removed from the current Historic District (HD) are owned by CAC members. (If needed: 355 S. Oregon – Ken Gregg & 260 N. 3rd St. – Mike Thornton)

- 3) **Elimination of the 7 member Historic Architectural Review Commission (HARC)** which meets 12 times a year and has current overall jurisdiction for Historic Protection and Historic Design Review (for the Historic District and Jacksonville's overall future development).
- 4) **Establishment of a new, 5 member Historic Preservation Commission (HPC)** with reduced, limited jurisdiction of just the new **Downtown Historic District (DHD)** and meeting only 4 time a year.

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CITY OF JACKSONVILLE

Eliminating HARC jurisdiction from the review process for the remaining Jacksonville properties within city limits and future development enables **expedited pro-development** within Jacksonville **without**, Historic Design Review Overlay and Historic Character Units being applied, (**also eliminated in the revised code**). Note: "The whole is greater than the sum of its isolated parts."

5) Elimination of approximately 50 properties from the current Historic District (HD).

"Higher Property Values and rates of appreciation are important economic benefits of historic district designations of residential neighborhoods." Jonathan Mabry, Ph.D., Historic Preservation Officer, Department of Urban Planning and Design, Tucson.

6) Elimination of 5th Street Corridor Gateway Plans. 2.4.050 Gateway Overlay.

7) Elimination of Historic Character Units (HCUs).

8) Historic List and list of Removed Properties from the Historic District – is currently unavailable on Jacksonville City website for citizen review & needs to be added to the website.

9) Height restrictions proposed in the rewritten codes INCREASE to 42' from current 35'.

Future building size proposed to **increase by 20% over current Historic building size.**

10) Elimination of CORE ENHANCEMENT PLAN (Core Enhancement Plan also unavailable on Jacksonville City website for citizen review & needs to be added to the website).

11) NEED to follow Oregon Statutes Governing Citizen Involvement. See ORS 197.160(b)

"Each city and county governing shall submit to the commission, on a periodic basis established by commission rule, a program for citizen involvement in preparing, adopting and amending comprehensive plans and land use regulations within the respective city. Such program shall at least contain provision for a citizen advisory committee or committees **BROADLY REPRESENTATIVE** of geographic areas and of interests relating to land use decisions." This indicates a requirement that citizens be involved in **ALL** phases of the planning process that every city undertakes. Further, see Oregon Chapter 2 Goal 1 and its Six Components adopted by the Land Conservation and Development Commission (LCDC), which took effect on January 1, 1975. "Each city and county in Oregon to develop a citizen involvement program (CIP) that insures the opportunity for citizens to be involved in all phases of the planning process." I again go back to **"BROADLY REPRESENTS"**

See **League of Oregon Cities – City Handbook** 12-5. Legislative type of Land Use Decision.

See OAR 660-015-0000(1)

See Citizen Involvement in Periodic Review – 660-025-0080

Citizen involvement ensures the democratic process.

See **League of Oregon Cities – City Handbook** (generic city codes used by the CAC to rewrite Jacksonville development codes). CAC meetings are subject to **Oregon Public Meeting law requirements, Chapter 3 – Section D** – Council meetings, League of Oregon cities – City Handbook May, 2013.

See League of Oregon Cities – City Handbook May 2013, 7-5. "Objective criteria can serve to dictate the appropriate level of citizen input, i.e., land use development plans of a city would rely on **EXTENSIVE INPUT** from the **GENERAL PUBLIC** as well as **APPROPRIATE** citizen advisory groups. The criteria would take into consideration the **LONG RANGE IMPACT THAT THESE DECISIONS WILL HAVE ON THE CITY'S PHYSICAL DEVELOPMENT** In order for citizen participation to be effective, cities must not

only solicit citizen opinion, but also must give citizens **SUFFICIENT FACTS** to formulate a **REASONED POSITION.**

See League of Oregon Cities – City Handbook 12-5. Legislative type of Land Use Decision.

See **Citizen Involvement Advisory Committee membership Handbook: Sadie Carney Land Conservation and Development** 04/24/2015 and **Oregon's Putting the People in Planning**, Third Edition, May 2008.

See ORS 197.040(2)(f). “Widespread citizen involvement and input in ALL PHASES OF THE PROCESS”.

12) **Citizen public hearings are NOT PART of proposed Type IV Design Review LEGISLATIVE DECISIONS (such as rewriting development codes)** See Chapter 2 – Land Use and Development Programs – Section D – Legislative Land Use Decisions, League of Oregon Cities – City Handbook.

13) **ELIMINATION of CITIZEN INVOLVEMENT for changes to the city's Official Zoning Code (which is a separate document from the proposed rewritten development codes). NOTE: We request transparency in zoning changes. We request all proposed changes be conducted in public meetings with public notice/attendance/minutes placed on the Jacksonville City website before approval of proposed development/zoning codes.**

See ORS 197.615 b If a comprehensive plan map or zoning map is created or altered by the proposed changes, a copy of the map is to be submitted to the Director of the Department of Land Conservation and Development within 20 days of local decision.

See ORS 227.170 Hearing Procedure rules (2) “The city council shall prescribe one or more rules stating that all decisions made by the council on zone changes will be based on factual information, including adopted comprehensive plans and land use regulations.”

14) **WE REQUEST THAT THE NAME OF THE LAND USE ATTORNEY CONTRACTED BY THE CITY OF JACKSONVILLE** for development code change oversight, be made public on the Jacksonville City website.

15) **WE REQUEST THAT THE “LOCAL INVENTORY OF SIGNIFICANT SCENIC RESOURCES TO PRESERVE”** (as recommended to be established by the Department of Land Conservation and Development) be made public for citizen review and posted on the Jacksonville City website.

16) **WE REQUEST THAT THE PAST CITIZEN ADVISORY COMMITTEE MEETING DATES AND MINUTES FOR THE PROPOSED DEVELOPMENT CODES BE MADE PUBLIC AND POSTED ON THE JACKSONVILLE CITY WEBSITE. NOTE: only ONE MEETING, October 14, 2015, is posted on the Jacksonville City website with NO MINUTES for citizen review.**

See Oregon Revised Statutes (ORS) 192.620 Policy. The Oregon form of government requires an informed public, aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies, be arrived at openly. [1973 c.172 §1]

ORS 192.630 Meetings of governing body to be open to public; location of meetings; accommodation for persons with disability; interpreters. (1) All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

II.C.1. Public Meetings. In other words, the application of the Public Meetings Law to meetings of a committee, subcommittee of advisory group depends on whether the appointing body directs the committee members to make their findings and recommendations individually or as a recommendation of the group. If the decision or recommendation is to be made by the group, whether by consensus or majority vote, the Public Meetings Law applies. However, if committee members are instructed to make individual rather than group decisions or recommendations, the "meetings" of the committee are outside the scope of the meetings law. This unquestionably is a difficult area of interpretation, and governing bodies are cautioned not to misuse the committee appointment process to subvert the policy of the Public Meetings Law.

Also see {314} meeting notice

- 17) **"HISTORIC COMPREHENSIVE PLAN GOVERNS DEVELOPMENT CODES RATHER THAN THE REVERSE."** It appears the Jacksonville City Council has undertaken rewriting current development codes **BEFORE** establishing the authority in the Comprehensive Plan.
- 18) **WE REQUEST THAT THE REQUIRED CITY COUNCIL AND CITIZEN ADVISORY COMMITTEE DOCUMENT ENTITLED, "FACTUAL BASE DOCUMENT AND COMMUNITY GOALS FOR FUTURE DEVELOPMENT AND PROJECTED NEEDS OF JACKSONVILLE",** be made available on the Jacksonville City website for citizen review. **This document is designed to form the basis for the proposed development codes.**
- 19) **WE REQUEST THAT THE "BUILDABLE LANDS INVENTORY AND HOUSING NEEDS ANALYSIS"** be posted immediately on the Jacksonville City website for citizen review.
- 20) **The State Historic Preservation Office (SHPO), per communication by a concerned Jacksonville citizen on 01/11/2017, stated they HAVE NOT seen a copy of the proposed code changes. We request that the proposed development code documents and the proposed Historic Element of the comprehensive plan be submitted for SHPO review before proceeding.** Per the same communication, SHPO followed up with the City of Jacksonville, notifying the City of Jacksonville that any actual boundary revisions to the Landmark District overall **MUST** go through SHPO. Additionally, SHPO recommended the city submit the changes for their review to be sure that Jacksonville retains their Certified Local Government status. **If Certified Local Government status is not retained, do we lose our Historical District status?**
See Jacksonville Staff Report page 5. "The Citizen Advisory Committee **CONFIRMED** with SHPO that the removal of these elements (Historic Character Units, View Sheds, and the current Review Level Area Maps) of the existing code will not endanger the status of the Landmark District in any way."
We request verification with the name of the SHPO person who made the confirmation and the written confirmation itself to be posted for citizen review on the Jacksonville City website.

Thank you for your kind attention to this compellingly important City of Jacksonville process, that **PROPOSES TO CHANGE THE FUTURE DIRECTION AND DEVELOPMENT OF OUR HISTORIC VILLAGE.**

Ensuring **transparency** and **required community collaboration, involvement, outreach, and education in all phases of rewriting our development codes** should be our **utmost priority.** We strongly urge the Jacksonville Planning Commission and City Council to **TABLE THE HEARING to enable instituting a state mandated process.**

Respectfully submitted,

A. Thomas Gorman

01-18-17

A. Thomas Gorman

Tresa Gorman

1-18-17

Tresa C. Gorman

Linda Davis

01-18-17

Linda Davis

1-18-2017

TO: CITY OF JACKSONVILLE, OREGON
PLANNING DEPARTMENT

FROM: LAURA REAVIS
360 N. 4th St.
JACKSONVILLE, OR

RE: PROPOSED REVISIONS TO
JACKSONVILLE MUNICIPAL CODE

I HAVE READ THROUGH THE CAC'S
PROPOSED REVISIONS TO THE JACKSONVILLE
MUNICIPAL CODE IN GREAT LENGTH.

I, LIKE MANY OTHER CITIZENS, HAVE
MANY QUESTIONS, COMMENTS AND
CONCERNS, NOT ONLY WITH THESE
REVISIONS, BUT ALSO WITH THE
STATE REQUIRED PROCEDURE PROCESS.

I AM IN TOTAL AGREEMENT WITH
THE TESTIMONIALS OF THE FOLLOWING
CITIZENS:

LINDA MEYERS
LEONA SEWITSKY
VIRGINIA STAPP + DOUGLAS
PHILLIPS

STEVEN GARDNER
AND

GEORGE KRAMER
TOM GOLMAN

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JAN 18 2017

CITY OF JACKSONVILLE

17 January 2017

TO: JV Planning Commission and JV City Council

FR: Patricia H. Gordon, 648 Hueners Ln, Apt. E, Jacksonville 97530

RE: Proposed changes to LDO/Historic Element and Comp Plan

TESTIMONY FOR THE PUBLIC RECORD

Public Hearing, Wed, Jan. 18, 2017, 6:00pm, JV Elementary School

I'm a resident renter, not a resident property owner, so I did not receive notice of the JV Pl. Com Meeting Wed, 1/18/2017. The JV/Applegate area has been my home for 46 years, and I've now lived in Jacksonville for 2 years. I definitely have an interest in its future, but becoming educated on the issues is challenging.

When have we had citizen education forums? How has Statewide Land Use Goal 1: Citizen Involvement contributed to this process? I haven't heard a peep – neither have resident property owner friends I've spoken with. Hear! Hear!

Our city's website is not particularly citizen-friendly. One friend who attempted to learn more about the issues on the website, said it all seemed sort of esoteric. Is that the best we can do?

I have reservations about the process and seeming lack of transparency that bring us to this meeting (which I'm unable to attend because of a prior commitment) and **request that all changes to the JV Unified Dev. Code, Chapters 16, 17, 18, and the Comp. Plan Amendment: Historic Element be tabled** at this time.

There's not been time and opportunity to study them. I request that the City of Jacksonville offer public meetings with broad public input and citizen involvement as required by LCDDC, Goal 1.

Respectfully,



Patricia H. Gordon

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JAN 18 2017
CITY OF JACKSONVILLE

Testimony for the record for City of Jacksonville,
Public Hearing before Planning Dept.
January 18, 2017

I am requesting that any governing body of the
City of Jacksonville Oregon not adopt these land
use code changes proposed the evening of
January 18, 2017 or any changes to the
City of Jacksonville Comprehensive Plan,
especially Chapter 2: Jacksonville's Historic
Element.

I do not understand them and am requesting
the City of Jacksonville offer public meetings
with public input and involvement as
required by LCDC, Goal #1, Citizen's Involvement,
ORS 660-015-00001.

Respectfully submitted,

Jean Dube

1/18/2017

mailing address
for future notices:

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JAN 18 2017

CITY OF JACKSONVILLE

Jean Dube 1/18/2017

Good evening:

We are so fortunate to live in Jacksonville, a unique community that, due to historic circumstances and diligent planning, is unlike so many generic towns with standardized housing, strip malls, and national chain stores. As a result of Jacksonville's period of economic depression and a water moratorium that restricted development, our historic town has survived largely intact. During the past 50 years, thanks to HARC and a carefully managed building code, our town has not suffered the consequences of excessive development. HARC's focus on design elements, architectural styles, lot placement, and appropriate signage, has given us a town with a well-defined character and a strong 'sense of place.'

It is no surprise, then, that Jacksonville's rare designation as a National Historic Landmark District, in combination with its surrounding vineyards and its incredible 'sense of place,' has drawn developers, anxious to take advantage of this ideal combination so they can 'cash in' on Jacksonville's 'gold.' Development does not have to be a problem, though, if it reflects the already-established town character.

Tonight, however, we are participating in a public hearing regarding proposed revisions to Jacksonville's building code that have the potential to dramatically change our town's character. After reviewing 300 pages of existing documents and proposed revisions, I have many concerns and have submitted a 25-page detailed response. Here are some of my major concerns:

1. This revision process appears to have violated Oregon State Law 197.040(2)(f), which requires "widespread citizen involvement and input in all phases of the process."
2. This revision process also appears to have violated Oregon Administrative Rule 660-015-0000, which details a specific process for 'Citizen Involvement.'
3. This revision process shifted FROM the stated goal of 'reorganizing the historic section of the existing Code in order to eliminate duplications and contradictions' (Chapter 18) TO a 'rewriting of the content of the whole land use code' (Chapters 16, 17, and 18) AND a 'rewriting of the Historic Element of the Comprehensive Plan.' In the process, many existing regulations have been removed or changed.
4. This revision process did not choose to make revisions to our existing documents, which relate directly to Jacksonville, but chose to use a boiler-plate Code of Ordinances, which is distributed by the League of Oregon Cities (LOC). Unfortunately, LOC's model Code does not address the particular issues that face our historic, village-sized town. The LOC model Code allows for large scale development that includes subdivisions, strip malls, drive throughs, shopping centers, and excessive signage.
5. This revision process has, also, proposed renaming the Historic Architectural Review Commission, which we all know as HARC, as the Historic Preservation Commission (HPC) and has proposed that HPC NO LONGER oversee all NEW development within the City boundaries. Also, HPC will no longer oversee neighborhood characteristics, viewsheds, and gateways, all of which contribute to Jacksonville's 'sense of place.' I offer the following example to illustrate the importance of HARC's oversight throughout our whole town: When Pioneer Village was first proposed to HARC, it was to be a 35-foot high rectangular building with a parking lot in front. Due to HARC's persistence, we now see a building with varied frontages, setbacks that range from 20 – 50 feet, landscaping that is attractive from the street view, and parking behind and to the side of the building. This makes a dramatic aesthetic difference along the gateway into our historic town.
6. In addition, although the Historic Core still appears on the map, the proposed codes have limited HARC/HPC oversight to a newly-created, greatly-reduced Downtown Historic District (DHD), a new list of landmark properties reduced to only those structures built before 1927, and the properties adjacent to those landmarks. I **strongly recommend that HARC retain its name and maintain its existing oversight, including the oversight of all new construction within the City boundaries.** While developing

in Jacksonville may be a challenging process, we can look around our town and see developers successfully building quality structures compatible with Jacksonville's character.

7. This proposal has removed 5th Street, the key gateway into our town, from oversight by HARC/HPC.
8. This proposal allows 5th Street to have zero setbacks, bringing new development, potentially 35 feet tall, right up to the sidewalk.
9. This proposal allows drive-throughs; however, once allowed, a City does not get to pick and choose which drive-throughs or how many drive-throughs will result.
10. This proposal allows Planned Unit Developments (PUDs) to be anywhere in town unlike the existing code that allows them in two locations. This is a dramatic change that needs further study and input from citizens.
11. This proposed code allows for Large Scale Development. **HOWEVER, detailed design and planning elements have NOT been included.** Before large scale development is even considered, a long-range City Master Plan and Map need to be created along with a set of very detailed design and planning codes that coordinate with the town's existing character.
12. Rather than maintaining the 20,000 square-foot limit and 50% lot coverage for general commercial buildings, which I recall was in effect just six years ago, when I was on the City Council, the proposed Codes are allowing 80% lot coverage for commercial development with the remaining 20% for parking. (I recommend that general commercial be limited to 20,000 square feet, not to exceed 50% lot coverage. Ray's market, for example, meets both criteria.)
13. In these proposed revisions, multifamily developments are required to have only 10% landscaping. The proposed revisions do not require general commercial and industrial developments to have landscaping at all. (I recommend that 25% of a lot be landscaped for multifamily, general commercial, and industrial developments. Pioneer Village, for example, is approximately 25% landscaping, 50% structure, and 25% parking.)
14. Sign codes within this proposed document need to be completely redone in order to reduce sign sizes, heights, placements, and the number of signs per property. For example, the proposed sign codes allow for a 6 foot by 6 foot sign up to a height of 10 feet. Picture those large signs all along 5th Street. (This section needs a great deal of work.)
15. This proposed document is lacking a very detailed section on protecting neighborhoods from potential impacts of home businesses. Cities throughout the United States have very stringent home business codes to protect neighbors. (I've provided some samples in my written submission. This section, as well, needs a great deal of work.)
16. Keep in mind, also, that any regulations approved in these proposed Codes will be the same regulations used in expanded Urban Growth Boundary (UGB) areas. So, for example, 80% coverage of a small lot in town has a completely different impact than 80% coverage of a 50-acre parcel with its remaining 20% allowed for parking.

In conclusion, because I believe this process has violated Oregon State Law and Oregon Administrative Rules and because the proposals have the potential to destroy Jacksonville's 'sense of place,' I recommend that the current revision process be **halted**. Then, **if genuine need is identified for any revisions**, the process, **following State Law and Administrative Rules**, can be restarted with widespread citizen involvement working to modify the **existing** Comprehensive Plan and Code of Ordinances. We should **NOT** be using the boiler-plate LOC Code to direct our historic, village-sized town towards becoming another generic town in Oregon.

I sincerely thank you for your time and consideration.

Linda Meyers, 230 Wells Fargo Drive, Jacksonville, OR 97530

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JAN 18 2017

CITY OF JACKSONVILLE

Testimony for the record for
City of Jacksonville Oregon
Public Hearing before Planning Dept
January 18, 2017

I am requesting that any governing body
of the City of Jacksonville not adopt the
land use code changes proposed on 1/18/17,
or any changes to the City of Jacksonville
Comprehensive Plan, especially Chapter 2:
Jacksonville's Historic Element.

I do not understand them and am
requesting the City offer public meetings
with public input and involvement as
required by LCDC, Goal #1, Citizen's Involvement,
ORS 660-015-00001.

Respectfully submitted:
Laura Stille
Laura Stille
PO BOX 1557
Jacksonville OR
97530

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CITY OF JACKSONVILLE

Comments for Public Hearing Meeting January 18, 2017

Good evening,

I am Katie Haugse, 635 East D Street, Jacksonville

I urge you to table the proposed replacement to our City's Comprehensive Plan, Chapter 2, Jacksonville's Historic Element and the Development Codes Title 16, 17, and 18 you are presenting this evening.

The revisions you have made to the Jacksonville Comprehensive Plan Chapter 2, Titled "Jacksonville's Historic Element" are devastating! You have stripped the heart and soul for the preservation of Jacksonville eliminating the following from Chapter 2 Historic Element:

1. Section 1. BACKGROUND,

a. Subsection A. Jacksonville's Significance, Item 4. Need to Preserve Sites and Context:

Treatment of the City and Its Context

- i. Removing discussion of *maintaining the integrity* and reference to documentations by *Kramer's 1993 Context Statement and design guidelines established in 1987 by the Architectural Resources Group of San Francisco*. And the sentence "What has been lacking to date is a strong statement tying together the City's historic, physical and aesthetic characteristics."

b. Subsection B. Purpose of Historic Element

- i. Removed "Defined herein are *Neighborhood Character, Vegetation, Visual/Scenic Viewsheds, Architecture, Development Patterns/Land Use and Streetscape Character*."

c. Subsection C. Character of National Historic District

- i. **1. Physical Sub Areas: Neighborhoods** removed Historic Character Units (HCU),
- ii. **Removed 2. Neighborhood Character Charts and 3. Criteria for Defining Neighborhood Character**

2. Section II. POLICY STATEMENTS, removed and revised subsections:

A. Design Review / Neighborhood Character

B: Architecture

C: Neighborhood Vegetation

D: Visual/Scenic Viewsheds

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These sections were designed by a previous CCI and should be respected! Otherwise, how will future City Planners, HARC Officers, Commissioners on Planning and HARC understand the importance of our heritage if the historic element is removed from the Comprehensive Plan or Development Codes?

I would like to suggest every Planning and HARC commissioner read and use as a reference tool, the City's 1993 Historic and Cultural Resource Inventory – A Historic Context Statement for the City of Jacksonville by George Kramer – a public record. Removing reference to this document is opening the door to changing Jacksonville from a National Historic Landmark to a generic Any Town, USA.

Tony Boom's article of September 14, 2013 in the Medford Mail Tribune, titled: "Jacksonville Considers Streamlined Planning" stated "Planned Unit Developments, currently limited to certain parts of town, could be built anywhere if the proposals meet new code criteria."

It is stated within the Historic Element Chapter 2 of the Comprehensive Plan, that previous community leaders realized the City's historic resources were worthy of widespread attention and could bring economic growth possibilities. In reading about other historic districts and towns across America, each of these cities mention that as a result of preserving and or rescuing their historic lands and buildings they have seen an increase in tourism, culture, citizen involvement and economic growth. *What are we doing?* To quote Daniel Carey, president and CEO of the Historic Savannah Foundation: "When we lose any parts of it, we lose a part of ourselves as a community. That sort of little by little erosion is dangerous. One day you may wake up and ask that question, 'What happened here?' ". "

While reviewing the documents you are presenting for this hearing, I noticed there are numerous areas where supporting or referenced documents such as current or revised maps, inventory of historical properties, and approval letters from SHPO (State Historic Preservation Office) or LCDC (Land Conservation and Development Commission) are not presented. In true transparency these referenced documents would be attached to any proposal as exhibits. Without these supporting documents it is unclear to Jacksonville citizens what exactly is being proposed. It is as if you are asking us to *authorize and pay* for an insurance policy where coverage will be clarified at a later date. Would you insure your home this way?

Going forward please read our Comprehensive Plan Chapter 1-Citizen Involvement! I participated in the 2006-2007 CAC (Citizen's Involvement Community) and ~~CCI (Committee for Citizen Involvement)~~ meetings. These procedures consisted of numerous evening meetings over several months; not *just* one mid-day meeting. Public input and transparency must be available to everyone regarding this proposal. Currently when viewing the City website I have noticed there are no meeting minutes, either audio or written for any

of the past or present Planning, HARC, CAC or focus group meetings since the beginning of this process in 2012 on any City webpages: Planning Public Hearing page or in City Archived Documents page. These website pages only contain agendas. The last posted agenda for Planning and HARC meetings is for August 2016! It is now January 2017. How are we to attend meetings if we are not informed? There are public meeting laws that are clearly not being met or followed.

I am asking this Planning Commission to table the proposed changes to the Jacksonville Comprehensive Plan Chapter 2 and Development Codes Title 16, 17, and 18 this evening. Follow state and public meeting laws, NOTIFY the PUBLIC of any and all meetings both on public billboards and on the City website. Make available all past and current meeting minutes (audio and written) for this matter. Please setup town hall meetings providing educational materials, discussions, and ALL supporting documents so ALL JACKSONVILLE CITIZENS are informed in a LEGAL manner.

Thank you for listening,

Submitted by Katie Haugse, 635 East D Street, Jacksonville OR

¹ Medford Mail Tribune, September 14, 2013, "Jacksonville considers streamlined planning" by Tony Boom
² <http://livability.com/top-10/culture/10-best-cities-for-historic-preservation/2012> #2 Savannah GA



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HARC Agendas

- [August 24, 2016](#)
- [January 20, 2016](#)
- [September 23, 2015](#)
- [August 26, 2015](#)
- [July 22, 2015](#)
- [June 24, 2015](#)
- [May 27, 2015](#)
- [May 6, 2015](#)
- [April 15, 2015](#)
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- [February 11, 2015 – Joint PC & HARC Session](#)
- [January 28, 2015](#)
- [December 17, 2014 – Revised](#)
- [November 19, 2014 – CANCELLED](#)
- [October 22, 2014](#)
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- [August 27, 2014 – Revised](#)
- [August 27, 2014](#)
- [July 23, 2014](#)
- [June 25, 2014 – Cancelled](#)

Planning Commission Agendas

- [August 12, 2015 – MEETING CANCELLED](#)
- [July 8, 2015 – REVISED](#)
- [June 10, 2015 – MEETING CANCELLED](#)
- [May 13, 2015](#)
- [April 8, 2015](#)
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- [January 14, 2015](#)
- [December 10, 2014](#)
- [November 12, 2014 – STUDY SESSION](#)
- [October 8, 2014 – MEETING CANCELLED](#)
- [September 17, 2014 – Meeting Moved](#)
- [August 13, 2014](#)

Jul 9, 2014

June 11, 2014 – MEETING CANCELLED

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GENERAL INQUIRIES **541-899-6873** planning@jacksonvilleor.us

INSPECTION REQUEST LINE **541-484-9043 or 800-358-8034**

Land Development Code

[Title 15-Buildings and Construction](#)

[Title 16-Land Division Regulations](#)

[Title 17-Zoning](#)

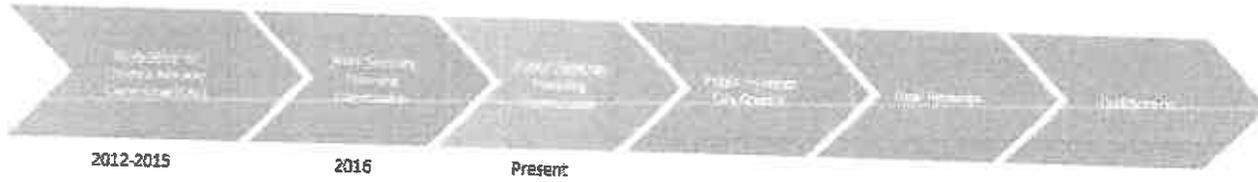
[Title 18-historic Protection and Design Regulations](#)

PLANNING & BUILDING STAFF DIRECTORY

Title	Name	Phone Number	Email
Principal Planner	Ian Foster	541-899-6873 ext. 311	ifoster@jacksonvilleor.us
Planning / Building Technician	Diane Oliver	541-899-6873 ext. 306	doliver@jacksonvilleor.us
Contract Principal Planner (RVCOG)	Dick Converse	541-899-6873 ext. 312	planner@jacksonvilleor.us
Building Official	Robert Rice	541-899-6873	robert@thebldgdept.com
Building Inspector	Cliff Pettigrew	541-899-6873	cliff@thebldgdept.com

Code Revision Status

Updated 12/30/2016



Planning Department Resources

- [Design Guidelines](#)
- [Historical Character Unit Map](#)
- [Historical Character Criteria](#)
- [Historic Design Review Areas Map](#)
- [Zoning Map](#)

Other Resources

- [Jackson County Property Data Online](#)
- [Oregon State Historic Preservation Office](#)
- [Secretary of the Interior's Standards - Archeology & Historic Preservation](#)

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Archives

Documents prior to the last fiscal year (July 2015 – June 2016) must be obtained from the City Recorder via a public records request.

City Council Audio (must be obtained from the City Recorder via a public records request.)

City Council Agendas/Packets

- [June 28, 2016](#)
- [June 21, 2016](#)
- [June 7, 2016](#)
- [May 17, 2016](#)
- [May 3, 2016](#)
- [April 19, 2016](#)
- [April 11, 2016 – Study Session](#)
- [April 5, 2016](#)
- [March 15, 2016 – Revised](#)
- [March 15, 2016](#)
- [March 1, 2016](#)
- [February 16, 2016](#)
- [February 2, 2016](#)
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- [December 1, 2015](#)
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- [November 16, 2016 – Study Session](#)
- [November 10, 2016 – Study Session](#)
- [November 3, 2015](#)
- [October 20, 2015](#)
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- [September 15, 2015](#)
- [September 1, 2015](#)
- [September 1, 2015 – Study Session](#)
- [August 18, 2015](#)
- [August 4, 2015](#)
- [July 21, 2015](#)
- [July 7, 2015](#)

City Council Minutes

June 28, 2016
June 21, 2016
June 7, 2016 UR
June 7, 2016
May 17, 2016
May 3, 2016
April 19, 2016
April 5, 2016
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March 1, 2016
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February 2, 2016
January 19, 2016
January 5, 2016
December 1, 2015
November 17, 2015
November 3, 2015
October 20, 2015
October 6, 2015
September 15, 2015
September 1, 2015
August 18, 2015
August 4, 2015
July 21, 2015
July 7, 2015

Agendas for Budget Committee Meetings

May 12, 2016
April 21, 2016
March 17, 2016 Work Session
February 2, 2016 Work Session

Agendas for Cemetery Commission Meetings

June 13, 2016
March 7, 2016
November 2, 2015
July 13, 2015

Agendas for HARC Meetings

June 28, 2016
May 25, 2016 -- Cancelled
April 27, 2016 -- Revised
April 27, 2016
March 23, 2016
February 24, 2016
January 20, 2016
December 16, 2015
November 18, 2015
October 28, 2015 - Cancelled
September 23, 2015
August 26, 2015
July 22, 2015
June 24, 2015
May 27, 2015
May 6, 2015
April 15, 2015
March 18, 2015
February 25, 2015
February 11, 2015 - Joint PC & HARC Session
January 28, 2015
December 17, 2014 - Revised
November 19, 2014- CANCELLED
October 22, 2014
September 24, 2014 - CANCELLED
August 27, 2014 - Revised
August 27, 2014
July 23, 2014 - Revised
July 23, 2014

Agendas for Land and Building Committee Meetings

Agendas for Parks, Recreation and Visitor's Services Committee Meetings

June 16, 2016
March 24, 2016
January 21, 2016
December 30, 2015
November 19, 2015 Revised
November 19, 2015
October 8, 2015
September 17, 2015
August 20, 2015
July 30, 2015 Cancelled

Agendas for Parking Commission Meetings

June 2, 2016
May 16, 2016
April 28, 2016 - Revised
November 2, 2015
February 23, 2015

Agendas for Planning Commission Meetings

June 8, 2016 - Revised
June 8, 2016
May 11, 2016 - Revised
May 11, 2016
April 13, 2016
March 9, 2016
February 17, 2016
February 10, 2016
January 13, 2016
January 6, 2016
December 9, 2015
December 2, 2015
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November 11, 2015
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September 9, 2015 MEETING CANCELLED
August 12, 2015 - MEETING CANCELLED
July 8, 2015 - REVISED
June 10, 2015 - MEETING CANCELLED
May 13, 2015
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March 11, 2015
February 11, 2015 - Joint PC & HARC Session
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December 10, 2014
November 12, 2014 - STUDY SESSION
October 8, 2014 - MEETING CANCELLED
September 17, 2014 - Meeting Moved
August 13, 2014
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Agendas for Public Safety Committee Meetings

June 20, 2016 **Study Session - Cancelled**
May 24, 2016 **Study Session**
May 16, 2016 **Rescheduled**
April 11, 2016
March 7, 2016

[November 16, 2015](#)
[August 24, 2015](#)

Agendas for Transient Lodging Tax Committee Meetings

[March 29, 2016](#)
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Citizens Advisory Committee Meetings

[October 14, 2015](#)

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Citizens Advisory Committee Public Meeting



The Jacksonville City Council appointed Citizens Advisory Committee will meet to review of the Draft Code on

Wednesday, October 14, 2015

**This meeting will be from 9:00-11:00 AM
at Old City Hall, 205 W. Main St.**

The public is allowed to attend but testimony will not be taken

- 1. Call to Order/ Roll Call**
- 2. Review of Majority Report**
- 3. Adjourn**

If you have any questions or need special accommodations to attend the meeting please contact the City of Jacksonville Planning Department at 541-899-6873.

**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Ronit Gibb, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:

Ronit C Gibb

Signature

PO BOX 298
JACKSONVILLE, OR 97030

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Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department, January 18, 2017

I, Barbara Empol, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed the evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:

Barbara Empol

Signature

Po Box 1048
Jacksonville, OR 97530
mailing address for future notices

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CITY OF JACKSONVILLE

**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Steven Wall, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:



Signature

P.O. Box 98
Jacksonville, OR 97530
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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, PATTI PEREZ, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDRC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:

Patti Perez

Signature

P.O. BOX 1863
JACKSONVILLE, OR 97530

mailing address for future notices

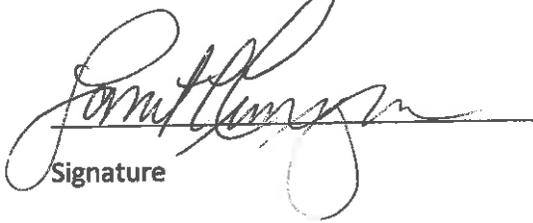
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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Jan Cunningham am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:


Signature

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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, DAVID GIBB, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:



Signature

PO Box 298
JACKSONVILLE, OR 97530

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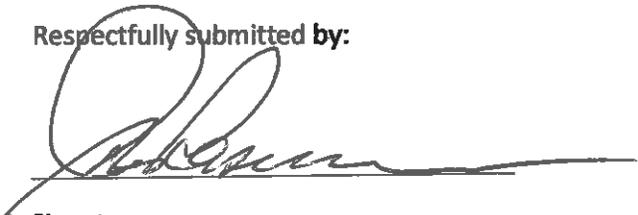
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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, ALLAN RASMUSSEN, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:


Signature

905 S. 3RD STREET.
JACKSONVILLE 97530.
mailing address for future notices

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Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017

I, April Bower, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:


Signature

PO #545
J'ville OR.
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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Lois Cartier, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:

Jojo D. Cas

Signature

P.O. Box 1812
Jacksonville, OR 97530

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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, ROY DRISKELL, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:



Signature

P.O. BOX 1032
JACKSONVILLE, OR. 97530

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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Harvey Bower am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:

H. Bower

Signature

P.O. Box 545
JViller

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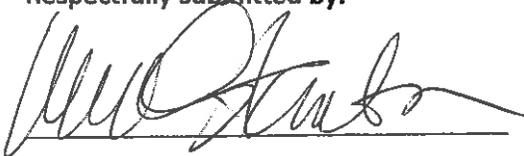
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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Bill Stanton, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:



Signature

205 Laurelwood Dr
J'ville OR 97530

mailing address for future notices

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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Cindy Rasmussen am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:

Cindy E. Rasmussen
Signature

905 S. Heid St.
Jacksonville, OR
mailing address for future notices

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**Testimony for the record for City of Jacksonville Oregon, Public Hearing before Planning Department,
January 18, 2017**

I, Livina Winterburn, am requesting that any governing body of the City of Jacksonville, Oregon, not adopt these land use code changes proposed this evening of, January 18, 2017 or any changes to the City of Jacksonville Comprehensive Plan, especially Chapter 2: Jacksonville's Historic Element and table this hearing process.

I do not understand them and am requesting the City of Jacksonville Oregon offer public meetings with public input and involvement as required by LCDC, Goal #1, Citizen's Involvement, ORS 660-015-00001.

Respectfully submitted by:


Signature

245 Laurelwood Dr
Jacksonville OR 97530
mailing address for future notices

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**TESTIMONY FOR JANUARY 18, 2017 HEARING BEFORE THE JACKSONVILLE PLANNING COMMISSION
MUNICIPAL CODE AMENDMENT: CHAPTERS 16, 17, and 18 and AMENDED COMPREHENSIVE PLAN
HISTORIC ELEMENT**

My Name is Jocie Wall, 520 S. Oregon St., Jacksonville, OR.

Members of the Commission and Planning staff, I stand before you, tonight, with the request that you TABLE this process so that the Citizens of Jacksonville can become informed, involved, and empowered to gather together and work to understand and participate in JACKSONVILLE'S PLANNING PROCESS.

WIDESPREAD CITIZEN INVOLVEMENT is REQUIRED by Oregon State, regional and city agencies that oversee and guide land use in Oregon. The first goal in all land use decisions is CITIZENS INVOLVEMENT.

In continuing these current hearings you will be in violations of:

- Jacksonville's Comprehensive Plan Chapter 1 "Citizens Involvement"
- Land Conservation and Development Commission (LCDC) Goals One and Two
- State of Oregon Statutes: ORS 197.160(b), ORS197.040(2)(f) and ORS192.610-192.690,
- State of Oregon Administrative Rules: OAR 660-015-0000(1)
- Oregon Public Meetings Law

All the above references provide guidelines for cities to incorporate citizens into their Planning process acting as the Compass that guides planning practices an process.

In TABLING these HEARINGS, the City of Jacksonville CAN comply with State and Local Guidelines for Citizen INVOLVEMENT, which it has failed to do. The State of Oregon's Land Conservation and Development Commission (LCDC) outlines 19 Statewide Planning Goals, with Goal 1 entitled "Citizen Involvement." In summary, Goal 1 calls for the opportunity for citizens to be involved in all phases of the planning process. It requires each city and county to have a Citizens Involvement Program (CIP) that contains six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning. Jacksonville does not comply with LCDC's GOAL ONE. During my 4 years on the City Council, a -Citizen Involvement Program(CIP) was never mentioned or used, and there was no mention of it in the Citizen Advisory Committee (CAC) Majority Report. On December 21, 2016, I submitted a Public Records request for a copy of Jacksonville's CIP, and it has NOT been provided as of January 16, 2017. LCDC requires that the City's Citizens Involvement Program be filed with the State's LCDC's office.

Jacksonville's Committee for Citizen's Involvement (CCI) has not met in over 4 years and has NO members. During 2013-until present, it has been assigned a City Councilor to oversee its function, David Jesser, who has stated several times that there is NO need for this committee, so it has remained inactive.

Jacksonville's Comprehensive Plan, Chapter 1, entitled Citizens Involvement, clearly outlines the role and duties of the Committee for Citizens Involvement (CCI) and states that its structure should consist of 7 citizens at large. One of the duties of this Committee is to guide and provide a facilitator to assist in the CAC process. The CCI also prepares and requests adequate funding for the CIP(Citizens Involvement

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Program) and monitors and provides recommendations to improve and enhance citizen involvement. Jacksonville DOES NOT promote or provide the necessary framework outlined by our State or our own Comprehensive Plan for Citizen Participation in guiding and participating in Jacksonville's rewriting of our entire Development Codes Planning.

I recommend that you TABLE these HEARINGS so that our Comprehensive Plan Chapter One can be followed, and the City can submit a (CIP) Citizens Involvement Plan with the State. The State provides resources for CITIZENS INVOLVEMENT, beginning with a course to help educate the citizens and the City regarding Statewide Planning 101. Our Comprehensive Plan suggests holding Monthly Town Hall Meetings and Round Table Discussions with Citizens. Generating interest and providing for opportunities for Citizen Involvement is the responsibility of the City. The City has done NOTHING to GENERATE OR PROVIDE CITIZENS the OPPORTUNITIES TO PARTICIPATE IN THIS PLANNING PROCESS.

On **September 9, 2012**, Amy Stevenson, the City's Planning Director and Historic Preservation Officer, Alan Harper, a land use attorney, (*10/2/12 He was retained as an additional City Attorney to assist with Revision of the City's Development Codes.*) and Kurt Knudsen, the City's attorney, came before the Planning Commission and presented their goals to revise Chapter 18 (Historic Protection) of our Development Codes, stating that they had received a grant and were going to form a Focus Group of staff, City officials, professionals, business owners and CITIZENS. The Citizens listed as members of this group were 4 in total, 2 who are now on our City Council (Brad Bennington and Ken Gregg), the other 2 CITIZENS, lived within a block of each other. I remember attending one of these lunch time meetings, which I had heard about because I was attending Planning and Council meetings prior to running for office. There were NO PUBLIC NOTICES and, as a citizen in attendance, there was NO opportunity to comment. There was NO formal Chair, Vice Chair, or Recorder taking attendance and NO MINUTES for the Public to review in order to become informed of the group's actions. This focus group was hand selected by the Planning department, and notices of the meetings were sent by email to the group members.

The one citizen I met with to see if they could recall their involvement stated that, "Oh yes, I remember attending several of those meetings. I knew right away, from the makeup of the group, that they were not interested in my input, so I quit attending after 3 or 4 meetings." The group quickly dwindled to staff, a land use attorney, planning and HARC Commissioners, City Council members, and professionals in the construction and building industry. This was neither a group of Citizens representing WIDESPREAD PARTICIPATION nor was this conversation designed for the input of the public. The task of this group was to determine how to go about FIXING our CODES; it wasn't the citizens' aim to FIX our CODES; it was the aim of the planning department.

Moving forward fifteen months to **December 2, 2013**, this INFORMAL FOCUS group became a FORMAL CAC in order to comply with State Law that says you MUST have Citizens involvement for major land use changes. This CAC (Citizen Advisory Committee) was NOT a new group of citizens representing WIDESPREAD citizen involvement these were the remaining members of the Informal Focus Group.

Eleven months later, on **November 18, 2014**, the 7 MEMBER CAC is re-structured, Amy Stevenson explained that due to the recent elections, we now have one Council Member (David Jesser) and 2 newly-elected Council Members (Brad Bennington and Kenneth Gregg), and we can only have one City Councilor, present or future, per Alan Harper, our City Attorney. Mayor Becker appointed Owen Jurling

(Current City Council until the end of 2014 and Mark Thomas (Current Planning Commissioner and Liaison to HARC) to the CAC.

April 22, 2015 As a member of the City Council, I emailed City Administrator, Jeff Alvis, asking when the New Planning Codes will be seen by the Council . Amy Stevenson, Director of Planning, responded: "The plan is to roll out the draft code to the world on May 22nd. We will then schedule several study sessions with PC/HARC together, have several town hall meetings for folks to come and ask questions, the PC and the HARC will then provide recommendations to the Council. At that point we will have one or two Council study sessions on the code and then Council public hearings. I anticipate that the Council will have its first study session around July/August and go to public hearings around September /October." THIS PLAN WAS NEVER ACTED UPON, THE CITY COUNCIL NEVER RECEIVED or REVIEWED THE NEW DEVELOPMENT CODES and the STUDY SESSIONS NEVER OCCURRED.

On **October 14, 2015**, the CAC has a meeting and approves the draft of their MAJORITY REPORT with a majority vote. The public is noticed of this meeting with this statement: "The public is allowed to attend but testimony will not be taken." **PUBLIC INPUT has not been encouraged or ALLOWED since this Process became official on September 9, 2012.**

On **October 28, 2015**, David Jesser, President the City Council, member of the original INFORMAL Focus Group, Head of the City's INACTIVE CIC, and Chair of this CAC, signed this 7-member group document, entitled "The CITIZENS ADVISORY COMMITTEE Majority Report to Council and the Planning Commission." When David Jesser signed the MAJORITY REPORT, the Listed Members are as follows showing 3 CURRENT CITY COUNCILORS. The 7 members did NOT represent a SINGLE CITIZEN from our town. (NOTE: BRAD BENNINGTON and KEN GREGG noted as CITIZEN'S were sworn in as CITY COUNCILORS JAN. 2015)

CAC MEMBERS at the time of signing:

- Chair-David Jesser Business Owner and **City Councilor** (also oversees the cities CIC)
- Donna Bowen, HARC Chair
- Mark Thomas, Developer and Planning Commissioner (liaison to HARC)
- Mike Thornton, Principal Engineer and Owner of Thornton Engineering
- Brad Bennington, Citizen (then Elected to the **City Council**) (Owner of Bennington Construction , Planning Commissioner for Jacksonville and Jackson County CEO of SOBA Southern Oregon Builders Association)
- Ken Gregg, Citizen (then Elected to the **City Council**) (Worked in the Jacksonville Planning Department)
- Owen Jurling, Former Planning Commission Chair and Liaison to HARC, Former City Councilor, Citizen

This document clearly DOES NOT REPRESENT OUR CITIZENS and VIOLATES THE RECOMMENDATION OF OUR CITY ATTORNEY, ALAN HARPER, as well as OREGON STATEWIDE PLANNING GOALS AND STATUES and JACKSONVILLE'S own COMPREHENSIVE PLAN AND CODES.

On **November 11, 2015**, at a Planning Commission meeting, the signed, final CAC Majority Report of the CITIZENS ADVISORY COMMITTEE'S recommendations were reviewed, but NO vote was taken to approve or disapprove this report. This Meeting was publically noticed but no minutes have been seen.

The process of how this CITIZENS ADVISORY COMMITTEE report is reviewed is in violation with Jacksonville's Comprehensive Plan, Chapter One, "General Rules Applying to Committees" states:

(C) The Council's process for considering recommendations from CAC's and Committees will take, in order, the following steps: 1.) Following thorough research on a given topic, a CAC or committee will, during a study session, present a well-organized, well documented written recommendation to the City Council. Discussion will take place between the Committee, experts and Council members. 2.) The report will, then, be reviewed by Staff for Legal and Financial ramifications. 3) The full report will, then, be presented by staff to the City Council for serious consideration, at which time a public hearing may be held so that input from citizens at large can be considered. 4) A decision by the Council is made 5.) The Council's decision may or may not reflect the recommendation of the CAC or Committee.

This report never appears before the City Council as a recommendation as outlined in our Comprehensive Plan. The Council has not been allowed to oversee or be involved in this 5-year process and NO MINUTES from any of the INFORMAL FOCUS GROUPS, CAC Meetings, or the PLANNING or HARC COMMISSION meetings have been provided to the COUNCIL for review. NO MINUTES from ANY OF THESE GROUPS have been available on line for review or I, when serving as a City Councilor(2013-2016) upon numerous requests, been provided copies of any minutes or DOCUMENTATION of what these Committees were reviewing and doing. This was NOT a TRANSPARENT process and lacked Council oversight and efforts to inform CITIZENS. This completely violates Oregon's Statewide Planning Goals & Guidelines, GOAL 1. CITIZEN INVOLVEMENT OAR 660-015-0000(1)(3) states:

(3) Adoption Process - The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

During the period of **October 14, 2015 to February 10, 2016**, there were 8 meetings held to review -the PROPOSED DEVELOPMENT CODES, conducted by the Jacksonville Planning Department and the City Planning Commission. All of the 8 meetings were Publically Noticed with vague agenda items listed, such as Study Session for Draft Ordinance; draft ordinance of what? How would the uninvolved, uninformed Citizen at large understand the vague agenda items for these meetings? In addition, the majority of these meetings were conducted in the back room of the Planning Department around the Conference table, not a PUBLIC MEETING PLACE, with NO MINUTES. This form of meeting is in VIOLATION of PUBLIC MEETINGS LAW. They did not provide a place available to the public and did not provide Minutes for the public to review. The fact is that there are NO MINUTES available on line for the public to review for any of the Planning Commission or HARC meetings, and the most recent AGENDA'S for both Commissions are for the Summer of 2016. Five Planning Commission meetings represented a quorum, involving Land Use Planning discussions and had NO MINUTES, NO RECORD of who was in attendance or recordings for public review. This VIOLATES the STATE'S PUBLIC MEETINGS LAW.

After close review, I CONCLUDE that the CITY has violated GOAL 1 of the STATE'S LAND USE GUIDELINES for CITIZEN'S INVOLVMENT AND appears to have NOT followed LCDC's Guidelines for Planning GOAL 2, entitled LAND USE PLANNING. GOAL 2 states, that land use decisions are to be made in accordance with a COMPREHENSIVE PLAN, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. Jacksonville's proposed Development Code changes do not follow OREGON

STATE GUIDELINES for LAND USE PLANNING, that require that, FIRST, you must REVIEW and UPDATE YOUR COMPREHENSIVE PLAN and, then, UPDATE YOUR DEVELOPMENT CODES. JACKSONVILLE has spent five years without CITIZEN INVOLVEMENT to REVIEW and REWRITE OUR DEVELOPMENT CODES, and, then, our PLANNING DEPARTMENT has rewritten our COMPREHENSIVE PLAN, Chapter 2, to support the NEW CODES. The City has violated the State's Guidelines for Land Use Planning Goal 2 with this process.

I REQUEST that this PLANNING COMMISSION TABLE these proceedings tonight. As stated, the process used is in VIOLATION with STATE, COUNTY and CITY GOALS, GUIDELINES, and STATE STATUES. To continue would be to ignore the testimony given tonight by the CITIZENS of JACKSONVILLE in their FIRST opportunity to weigh in on a five-year process. My recommendation is that the City institute a Citizens Involvement Program (CIP) and form a CITIZEN INVOLVEMENT COMMITTEE (CIC) to begin to educate, communicate, and facilitate a sincere interest in DEVELOPING WIDESPREAD CITIZEN INVOLVEMENT in JACKSONVILLE. Once a Citizen Involvement Program is developed, then, if change is desired, the correct process is to begin with the UPDATE of OUR COMPREHENSIVE PLAN and, then, follow with NECESSARY CODE UPDATES.

Thank you.

**SUPPORTING DOCUMENTS
FOR JOCIE WALL'S TESTIMONY**

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Action minutes along with electronic recordings of the meeting, which may be reviewed on-line on the City of Jacksonville website <http://www.jacksonvilleor.us>.
Each item before the council is subject to discussion which can be heard in detail on the recording.

December 3, 2013 at Old City Hall, 205 W Main St, Jacksonville

REGULAR CITY COUNCIL MEETING

1) CALL TO ORDER (includes call to order, pledge of allegiance)

Called to order at 6 pm

Present are Councilors Wall, Lewis, Jesser, Garcia, Winterburn and Mayor Becker. Absent is Councilor Hayes. Staff members present are City Administrator Jeff Alvis, Planner Amy Stevenson, Treasurer Stacey McNichols, Fire Chief Devin Hull, and Recorder Jan Garcia.

2) MINUTES , Nov 19, 2013

Move to: approve the minutes

Motion by: Councilor Jesser was seconded

Vote:

Ayes: Unanimous

Motion carries

BILLS

Move to: accept the bills list

Motion by: Councilor Wall was seconded

Roll call vote:

Ayes: unanimous

Motion carries

3) PUBLIC COMMENT

Clara Wendt - 570 G St: asked question regarding the library.

4) ACTION / DISCUSSION ITEMS

a. Swearing in of Fire Fighter Justin Zigenis – Chief Devin Hull/ Introduction of Kim Kerneen, receptionist – Stacey McNichols

Zigenis sworn in as Fire Fighter.

Kerneen introduced as new receptionist.

b. Update on planning department code revisions – Amy Stevenson and City Attorney, Alan Harper

Update on revision of planning codes given by Planner Stevenson and Attorney Harper.

Harper recommends CAC approval is given formally.

Move to: approve to formalize the CAC with the group read into the record by Planner Stevenson.

Motion by: Councilor Lewis was seconded

Vote:

Ayes: Unanimous

Motion Carries

12/13/2016

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 Please consider the environment before printing this e-mail

From: Jan Garcia [<mailto:recorder@jacksonvilleor.us>]

Sent: Tuesday, December 10, 2013 8:38 AM

To: Amy Stevenson

Subject: CAC list

Amy,

I am typing my minutes and it I have a note for myself to email your list of people on the code revision group that are now the CAC.

Can you send it to me?

Thanks,

Jan

Jan Garcia

Recorder and Risk Manager, City of Jacksonville

541.899.1231 x 312

recorder@jacksonvilleor.us

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Attachments:

- Focus Group for Code Revision.pdf

12/13/2016

FW: CAC list

From: Jan Garcia <recorder@jacksonvilleor.us>

'Cris Garcia' <councilorgarcia@jacksonvilleor.us>, Dan Winterburn <councilorwinterburn@jacksonvilleor.us>, David Jesser

To: <councilorjesser@jacksonvilleor.us>, Jeff Alvis <administrator@jacksonvilleor.us>, Jim Lewis <councilorlewis@jacksonvilleor.us>, Jocie Wall <councilorwall@jacksonvilleor.us>, Paul Becker, Mayor <mayor@jacksonvilleor.us>, Paul Hayes <councilorphayes@jacksonvilleor.us>

Date: 12/10/2013 9:39 AM

Good morning everyone,

My notes from City Council state that it was requested I send this list out to you.

Here it is!

Jan

Jan Garcia

Recorder and Risk Manager, City of Jacksonville

541.899.1231 x 312

recorder@jacksonvilleor.us

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From: Amy Stevenson [mailto:planner@jacksonvilleor.us]

Sent: Tuesday, December 10, 2013 9:06 AM

To: 'Jan Garcia'

Subject: RE: CAC list

Here you go

Amy Stevenson

Planning Director

City of Jacksonville, Oregon

planner@jacksonvilleor.us

(541) 899-6873

HOURS

Monday, Tuesday and Thursday, Friday 8:30 a.m. to 2:00 p.m.

Wednesday – Closed to the public

PUBLIC RECORDS LAW DISCLOSURE

FOCUS GROUP FOR CODE REVISION

Staff

Amy Stevenson- Planning Director

Alan Harper- City Attorney

~~Planning Commission Representative – Alicia Edgeworth Kersey~~ Brad Bennington

HARC Representative – Donna Bowen

City Council Representative – David Jesser

Professionals

Mike Thornton

Jim Cook

Bob Neathamer

Bruce Silva

Business Owners

~~Cherie Reneau~~——resigned in December 2012 – too busy

Mel Ashland

~~Perscha Schiller~~——resigned in January 2013 – difficult to attend meetings during the week

Tim Balfour

Citizens

Dennis Foyil

~~Brad Bennington~~——appointed to Planning Commission

Tiffany Pool

Ken Gregg

Sign Code

Steve Hale - Hale Signs

Tree Removal

Mike Bartlett – Bartlett Tree Service

Clarence Wangle – Beaver Tree Service

b. RES 2014-001 RESOLUTION NO. 2014-001 A RESOLUTION SETTING NEW FEES, FINES AND INTEREST RATES FOR ADMINISTRATION, PUBLIC WORKS, POLICE DEPARTMENT AND FIRE DEPARTMENT.

Move to: approve Res 2014-001 regarding fee schedules
Motion by: Councilor Jesser was seconded
Roll Call vote:
Ayes: Unanimous
Motion carries

- 6) COUNCIL DISCUSSION
a. Mayor and council committee reports
b. Staff reports
Jeff Alvis - Stacey McNichols – Jan Garcia

Councilor Jesser – States Roger Thom is chairman of the Planning Commission and Mark Thomas is Vice Chair.

Councilor Lewis – States that Mark Thomas is the Planning Commission Liaison to HARC. He also states that ECSO board met and the rates to the city will increase again this year by approximately 3.3%

Councilor Wall – Nothing to report. Asks for all Planning Commission and HARC minutes to be in the city council packet each meeting. There was no consensus on this and no action will be taken.

Councilor Garcia – Thanked the council for their support of the increase in funds to the Britt Lighting project. States the Parks Committee will be looking to draft a management plan for the Forest Park resources and that all stakeholders will be invited to attend any meetings.

Councilor Hayes – A public safety meeting will be held in the next few weeks. He will announce a time at the next council meeting.

Councilor Jurling – States he is still in the learning process.

Mayor Becker – reports that his eyes are improving.

Jeff Alvis, City Administrator – Alvis states the Kristin Wick from Hart Insurance is our new insurance agent and will be invited to council in March to give an annual update.

Stacey McNichols, Treasurer – States YTD financials were passed out to the councilors tonight. She states that a draft audit back from the auditors.

- 7) ADJOURN at 8:30

Paul Becker, Mayor

Jan Garcia, City Recorder

Date approved: _____

The council that in order to be considered a volunteer they must be supervised by a staff member. The Rangers at this time have no supervision.

Move to: Table the decision until the June 17th meeting to give staff time to outline ranger duties.

Motion by: Councilor Jesser was seconded

Vote:

Ayes: unanimous

d. Decision regarding workers compensation coverage for volunteer groups

Kristin Wick of Hart Insurance explains the fact that CIS insurance cannot cover certain groups as volunteers for Workers' Compensation coverage. She discusses the availability of an accident policy for \$300 per year covering up to 100 volunteers at a time. It is a medical reimbursement policy secondary to anything the injured party has in place. It covers up to \$100,000 per incident.

Move to: Follow the recommendation by our representative from Hart Insurance and simultaneously institute a valued volunteer program to pay up to \$300 to up to 10 groups who can document 1000 hours of volunteer work by their members in the previous fiscal year.

Motion by: Councilor Garcia was seconded

Roll call vote:

Ayes: Unanimous

Move to: approve the Seidlecki's worker's compensation coverage for marker restoration work.

Motion by: Councilor Garcia was seconded

Roll call vote:

Ayes: Unanimous

e. Public notice of water base rate increase and fire protection surcharge rate increase

Mayor Becker read the notice of the increase to the base water rate and the increase to fire protection surcharge into the record.

f. Accept Fire Department Grant award

Chief Hull explained the grants awarded were for a new extrication tool which cost \$35,000. \$10,000 each was donated by West Family Foundation and the Cheney Foundation. An additional \$10,000 was donated by Engine Company #1 for funds raised from hanging garland at Christmas time in the downtown area. The old tool will be donated to a Fire District without an extrication tool at a future date.

5) COUNCIL DISCUSSION

a. Mayor and council committee reports

Councilor Jurling gave an update on the CERT vehicle and the ISO class that was recently held.

Councilor Lewis states that RVSS had a budget meeting and we could expect a slight increase in rates. He will be attending the RVCOG meeting next week.

Councilor Garcia states that the next parks meeting will be held May 22 at 4 pm at Pheasant Meadows Park. He states that the regional transportation planning grant which he sent a pre application in for will be looking at connectivity by walking and bike transportation between W Medford and Jacksonville. Councilor Jesser states that the CAC for planning code changes is meeting weekly on Wednesdays to get the process moving along more quickly.

Councilors Hayes and Wall have no reports.

Motion by: Councilor Jesser
Seconded by: Councilor Lewis
Roll Call Vote:
Ayes: 5
Nays: 0
Motion Carries

d. Code Revision/CAC

Council Discussion: Amy Stevenson explains that due to the recent elections we now have one Council member and two future Council members on the Citizens Advisory Committee. Per the City Attorney, Alan Harper, we can only have one Council member (present or future) on the CAC. Mayor Becker appointed Own Jurling and Mark Thomas to the CAC.

Public Comment: Clara Wendt 572 G St. – Spoke in regards to the CAC. Councilor Jesser responded to her comments.

6) MAYOR AND COUNCIL COMMITTEE REPORTS

- a. Councilor Lewis: No report
- b. Councilor Garcia: No report. Updates the council that the next Parks and Rec Meeting is scheduled for Thursday November 20, 2014.
- c. Councilor Jesser: Talks about the Main Street Program, which we are not currently a part of. More information will be coming in the future.
- d. Councilor Hayes: No report. Hayes informed the council of talk he has been hearing for the last three or four months that Jacksonville is falling apart. Jeff Alvis and Mayor Becker responded to his comment.
- e. **Mayor Becker: Introduced an article written by Tony Boom, "Building for the future in the past," to the council for their review. Mayor Becker states that we need to do whatever it takes to not delay the progress. Jeff Alvis informed the council he will be out of town for the next meeting and that Stacey McNichols will be in charge. Councilor Lewis inquired about the thank you card from the Taylor family. Chief Hull comments.**

7) ADJOURN 6:48 pm

Paul Becker, Mayor

Kimberlyn Kerneen, City Recorder

Date approved: _____

Action minutes along with electronic recordings of the meeting, which may be reviewed on-line on the City of Jacksonville website <http://www.jacksonvilleor.us>.

December 02, 2014 at Old City Hall, 205 W Main St, Jacksonville

- 1) **CALL TO ORDER** (includes call to order, pledge of allegiance) 6:00 pm
Present: Councilors Jesser, Garcia, Lewis, Hayes, Wall, Jurling and Mayor Becker. Staff Present: Stacey McNichols, Amy Stevenson and City Attorney Kurt Knudsen.

- 2) a. **MINUTES** (minutes from November 18, 2014 meeting)

Move to: Approve minutes

Motion by: Councilor Garcia

Seconded by: Councilor Lewis

Ayes: 6

Abstain: 1 Councilor Wall

Motion Carries

- b. **BILLS LIST**

Move to: Approve bills list

Motion by: Councilor Jesser

Seconded by: Councilor Lewis

Roll Call Vote:

Ayes: 7

Nays: 0

Motion Carries

- 3) **PUBLIC COMMENT (items not on the agenda) limited to 3 minutes per speaker.**

Joyce Coleman – No address stated – Allowed to speak for 10 minutes regarding HARC, Planning and keeping Jacksonville historic as requested by Joyce and approved by Mayor Becker. **Donna Bowen** is present to address concerns if needed. Donna speaks briefly on Joyce's concerns and agrees with Joyce. **Donna** informs the council about their desire to provide training for the current and new HARC members. It is also desired to bring more items to city council meetings for approval. Donna speaks on new code.

Carol Knapp – 360 S. Oregon – Comments on scheduled LUBA remand hearing for December 16, 2014. Carol request this meeting be postponed until January 2015.

Steven A. Gardner – 385 N. 4th St. – Speaks to historic integrity of Jacksonville and urban growth.

Council Discussion: Councilor Wall thanks the public for their comments. It was also requested by **Councilor Wall to have all the HARC and Planning Commission agendas and minutes added to the iPad for each meeting. Councilor Hayes concurred. Mayor Becker requests this to be put on an agenda for the city council to vote on. Councilor Wall thinks it would be a good idea to move the LUBA remand to January. Councilor Wall speaks to Steve's comment as well.**

- 4) **STAFF / DEPARTMENT REPORTS**

- a. **Admin Department** - Jeff Alvis / Stacey McNichols / Kimberlyn Kerneen

Council Discussion: Mayor Becker explained the process and presents the two applicants who have applied for the Planning Commission. Jeff informed council that the applicants were in the audience. Councilor Jesser had a concern about our code in regards to having only two voting members that are developers on the Planning Commission. Councilor Wall did some background work on the applicants to verify what their professions are currently. Wall feels we are leaning towards a lot real estate and developing on Planning Commission. Councilor Garcia feels these types of applicants are attracted to this area and they have an area of expertise for the Planning Commission. Councilor Bennington wants the council to do a little research in this area since he is unaware of any state statues that would prohibit this type of exclusion we are considering. Amy reads a section of the code showing that we cannot have more than two voting members in the same kind of occupation, business trade or profession. Amy confirmed with Mark Thomas that he can be considered a real estate developer. Councilor Wall asked Kurt Knudsen his opinion on ORS in regards to this topic. Kurt answers her questions. Councilor Jesser reminds the council that two realtors are two realtors and we need to follow our code.

Move to: Approve Mr. Whitlock as the Planning Commissioner and to repost for a new Planning Commissioner in due course.

Motion by: Councilor Jesser

Seconded by: Councilor Lewis

Vote:

Ayes: Unanimous

Motion Carries

Jim Whitlock will serve on the Planning Commission under Brad Bennington seat for the remainder of his term.

e. RESOLUTION NO. R2015-001 A RESOLUTION ACCEPTING THE APPOINTMENTS AND TERMS FOR THE COMMITTEES AND COMMISSION AS APPOINTED BY THE MAYOR AND/OR THE CITY COUNCIL

Public Comment: None

Council Discussion: Mayor Becker reads Resolution.

Move to: Adopt Resolution No. R2015-001

Motion by: Councilor Lewis

Seconded by: Councilor Wall

Vote:

Ayes: Unanimous

Motion Carries

f. Chinese New Year's

Public Comment: None

Council Discussion: Debra Lee informs council of the Chinese New Year's celebration and wanted to invite the City Council to be participants in this event. Councilor Garcia asked about the Certificate of Liability and if we had received it. Debra and Kim respond.

Move to: Approval of the Chinese New Year event happening on Saturday, February 7 from 8:00 am - 11:30 am and approval of ODOT permit for closure of California St from 5th to Oregon and approval for amplification of MC during the parade to announce parade participants and temporary signage request at locations of activities as they have requested.

Motion by: Councilor Wall

Seconded by: Councilor Garcia

Vote:

Ayes: Unanimous

Motion Carries

FW: Planning, HARC and committee meeting Agenda's and Minutes

From: Kimberlyn Kerneen <recorder@jacksonvilleor.us>
To: Jeff Alvis <administrator@jacksonvilleor.us>, Jocie Wall <councilorwall@jacksonvilleor.us>
Cc: Stacey McNichols <treasurer@jacksonvilleor.us>
Date: 2/11/2015 12:13 PM

Good Afternoon Jocie,

I wanted to touch base with you in regards to agendas and minutes. Stacey will be talking about the agendas and minutes at the next City Council meeting. Hopefully you should get all your questions answered and maybe even more ☺ Enjoy the sun....

Kimberlyn Kerneen
City Recorder
City of Jacksonville
541.899.1231 x 312
recorder@jacksonvilleor.us

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From: Jocie Wall <councilorwall@jacksonvilleor.us>
Date: February 9, 2015 at 2:29:09 PM PST
To: Jeff Alvis <administrator@jacksonvilleor.us>
Subject: Planning, HARC and committee meeting Agenda's and Minutes

Dear Jeff,

I would like to make my verbal request a written one. I would like to be added to the distribution list for the Planning, HARC and committee meetings Agendas and Minutes.

Now that we have I-pads I believe my city email can be added to the routing list for distribution.

Thank you,

Jocie

Councilor Wall

Action minutes along with electronic recordings of the meeting, which may be reviewed on-line on the City of Jacksonville website <http://www.jacksonvilleor.us>.

February 17, 2015 at Old City Hall, 205 W Main St, Jacksonville

Executive Session (per ORS 192.660 2b and 2d) Regarding Labor Negotiations and Personnel Matters was held At 5 PM Before this Meeting

- 1) **CALL TO ORDER (includes call to order, pledge of allegiance) 6:15 pm**
Present: Councilors Jesser, Garcia, Lewis, Wall, Bennington and Mayor Becker. Absent: Councilor Gregg.
Staff Present: Jeff Alvis, Stacey McNichols, and Kimberlyn Kerneen.
- 2) a. **MINUTES (minutes from February 3, 2015 meeting)**
Move to: Approve the minutes from February 3
Motion by: Councilor Wall
Seconded by: Councilor Lewis
Vote:
Ayes: Unanimous

b. **BILLS LIST**
Move to: Approve the bills
Motion by: Councilor Jesser
Seconded by: Councilor Lewis
Roll Call Vote:
Ayes: 6
Nays: 0
Motion Carries
Council asked questions. Jeff and Stacey answered.
- 3) **PUBLIC COMMENT (items not on the agenda) limited to 3 minutes per speaker.**
None
- 4) **STAFF / DEPARTMENT REPORTS**
 - a. **Admin Department** - Jeff Alvis / Stacey McNichols / Kimberlyn Kerneen
Stacey McNichols:
Explained the process of receiving agendas and minutes and what it would take to distribute them to City Council. Council asked questions. Stacey answered. All agendas received by City Recorder will now be sent to Council but not minutes.
Jeff Alvis:
Gave an update on the dam project. Council asked questions. Jeff answered.
Reports on Dam Safety Conference that he went to last week. Council asked questions and Jeff answered.
 - b. **Planning Department** – Amy Stevenson – No Report
 - c. **Police Department** - Chief Towe - No Report
 - d. **Fire Department** - Chief Hull – No Report
 - e. **Public Works Department** – Jeff Alvis – No Report
- 5) **ACTION / DISCUSSION ITEMS**
(The public will be allowed to speak, one time, to certain items during the action/discussion items. In order to speak you must sign in with the Recorder under the item for which you wish to speak)

FW: New code for Planning

From: Jeff Alvis <administrator@jacksonvilleor.us>
To: Jocie Wall <councilorwall@jacksonvilleor.us>
Date: 4/22/2015 9:15 AM

Jocie, Here is the info from Amy on how the new code will come out
Jeff

Jeffrey N. Alvis
Administrator / Public Works Director
City Of Jacksonville
541-899-1231 541-899-7882 (fax)
administrator@jacksonvilleor.us

Public Records Law

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From: Amy Stevenson [mailto:astevenson@jacksonvilleor.us]
Sent: Wednesday, April 22, 2015 8:40 AM
To: Jeff Alvis
Subject: Re: New code for Planning

The plan is to role out the draft code to the world on May 22nd. We will then schedule several study sessions with PC/HARC together, have several town hall meetings for folks to come and ask questions, the PC and the HARC will then provide recommendations to the Council. At that point we will have one or two Council study sessions on the code and then Council public hearings. I anticipate that the Council will have its first study session around July/August and go to public hearings around September/October.

Jeff Alvis <administrator@jacksonvilleor.us> , 4/22/2015 7:32 AM:

Amy, what is the plan with the release of the code ? Does it get a review by council first ?

Jeffrey N. Alvis
Administrator / Public Works Director
City Of Jacksonville
541-899-1231 541-899-7882 (fax)
administrator@jacksonvilleor.us

Public Records Law

Dear Jeff,

Please have tomorrow's meeting of those who gather to draft our new City Charter record the meeting.

I would like to receive a recording of the meeting.

In review of my request at last night's city council meeting I believe we should be noticing, recording and providing meeting minutes for any group, including the mayors advisory group that meets for the purpose of preparing recommendations or who brief the mayor for recommendations brought before the council.

It appears that I am not supported with this understanding of Oregon Public Meetings Law. Thank you

for taking this matter to our city attorney for review. I would hope that the CAC that has been meeting for

the past 2 plus years to revise our City Planning Codes has followed Oregon Public Meetings Law.

Please

let me know where I can listen to the tapes or review their minutes as we begin to receive their new codes

for approval at the city council.

I would like to be provided our city attorney's understanding of the Oregon Public Meeting Laws and how

she recommends noticing and documenting such meetings as CAC's, Advisory groups, and others appointed

to offer suggestions in providing recommendations to the council.

Thank you,

Jocie

Councilor Wall

FW: Oregon Public Meetings Law

From: Stacey McNichols <treasurer@jacksonvilleor.us>

To: 'Brad Bennington' <councilorbennington@jacksonvilleor.us>, 'Criss Garcia' <councilorgarcia@jacksonvilleor.us>, 'David Jesser' <councilorjesser@jacksonvilleor.us>, 'Jeff Alvis' <administrator@jacksonvilleor.us>, 'Jim Lewis' <councilorlewis@jacksonvilleor.us>, 'Jocie Wall' <councilorwall@jacksonvilleor.us>, 'Ken Gregg' <councilorgregg@jacksonvilleor.us>, 'Kim Kerneen' <recorder@jacksonvilleor.us>, 'Paul Becker' <mayor@jacksonvilleor.us>, 'Stacey McNichols' <treasurer@jacksonvilleor.us>

Date: 10/15/2015 11:59 AM

We have communicated with the City Attorney, Sydnee Dreyer regarding Councilor Wall's concerns at the last council meeting, with public meetings law as it relates to the Mayor's Advisory Group, the group that meets to work on the charter and the CAC for the planning code revision. Please see the specifics for each of those below: (Sydnee's response is in red)

Mayor's Advisory Group:

"With regard to the Mayor's Advisory Group, I think it is clear that is not a governing body charged with making recommendations to the Council and as such is not subject to public meetings law. As to whether minutes or audio are required, your code implies that all committees must take minutes, but if this is not a formal committee then it appears you could argue it is not subject to the committee rules under Ch. 4."

CAC for Planning Code Revision:

The CAC for the Planning Code Revision is appointed by the Council, therefore does have to comply with public meeting law and according to attorney Alan Harper who is on the CAC they have been noticing the meetings and have audio recordings of the meetings as well.

Group that meets to work on charter:

"With regard to the committee created to review and make proposed changes this is less clear. However, as the public meeting laws are designed to ensure the public is informed and aware of how communities are governed, and your charter and code are unclear on this issue, I am inclined to find this is a governing body making recommendations subject to public meetings law for the following reasons:

- 1) Section 21 of your Charter provides that the mayor shall appoint committees provided by rules of council;
- 2) Here the Mayor essentially appointed this committee that is charged with making recommendations to Council as to Charter amendments;
- 3) Under your Charter, it is the mayor and not the Council authorized to make such appointments, and as such would likely be deemed an official act;
- 4) Although it is not clear that such a CAC is specifically identified in Section 4.14 of the Municipal Code, that section appears to contemplate such a committee. In particular that section provides that Citizen Community Involvement Committee's purpose is to solicit input from the community at large as to a

- project or plan and the CCI may appoint subcommittees called CACs that are charged with developing policies for the management of town affairs.
- 5) Thus reading this together it is more likely than not this would be deemed a meeting subject to public meeting laws.

Having said that, this issue is definitely not entirely clear. In such a situation, the only way to be certain would be to seek an attorney general's opinion on the matter. Further if the City believes this group was not appointed as an official act of the mayor, and that this group was not contemplated by the rules of the Council or the code, it could take the position it is not subject to public meetings law. However, that position could be challenged and as described above, has a reasonable likelihood of being reversed on that determination."

Given that it is not entirely clear whether the group that was formed to work on the charter is an official committee of the City and given that we have already announced in public meetings that the group was working on this, we will go ahead and notice and keep minutes for all future meetings.

Stacey Rae McNichols
City Treasurer / HR
City of Jacksonville
541.899.1231 x 313
treasurer@jacksonvilleor.us

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From: Jeff Alvis [mailto:administrator@jacksonvilleor.us]
Sent: Wednesday, October 07, 2015 6:59 AM
To: Stacey McNichols
Subject: Fwd: Oregon Public Meetings Law

Sent from my iPhone

Begin forwarded message:

From: Jocie Wall <councilorwall@jacksonvilleor.us>
Date: October 6, 2015 at 10:49:20 PM PDT
To: Jeff Alvis <administrator@jacksonvilleor.us>
Subject: Oregon Public Meetings Law

Citizens Advisory Committee Public Meeting



The Jacksonville City Council appointed Citizens Advisory Committee will meet to review of the Draft Code on

Wednesday, October 14, 2015

**This meeting will be from 9:00-11:00 AM
at Old City Hall, 205 W. Main St.**

The public is allowed to attend but testimony will not be taken

- 1. Call to Order/ Roll Call**
- 2. Review of Majority Report**
- 3. Adjourn**

If you have any questions or need special accommodations to attend the meeting please contact the City of Jacksonville Planning Department at 541-899-6873.

PLANNING COMMISSION

Public Meeting



Wednesday, October 14th, 2015
6:00 p.m.
Old City Hall, 205 W. Main St.

- 1. Call to Order/ Roll Call**
- 2. Introductions and Review of Agenda**
- 3. Minutes:**
 - a) July 8, 2015**
- 4. Audience Comment**
- 5. Public Hearings: None**
- 6. Business from Commission and staff**
 - a) Introduction of new Planning Department Staff**
 - b) Study Session: Update and Report from the Planning Department**
 - b) Introduction of new Planning Commissioner**
 - c) City Council Liaison Update**
- 7. Adjourn**

Copies of all evidence relied upon by the applicant are available for review and can be obtained at cost. Issues which may provide the basis for an appeal to the City Council and/or the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period and shall be raised with sufficient specificity to enable the decision-maker to respond to the issue. **Questions:** Contact the City of Jacksonville Planning Department, 899-6873.

The application before the PLANNING COMMISSION shall be evaluated using criteria contained in Title 16, (Land Division Regulations) and Title 17, (Zoning) of the Jacksonville Municipal Code. Please address any comments to these criteria. All oral, written, drawn or photographic evidence must be directed toward comprehensive plan criteria, or land use regulations and objective standards.

Failure to raise an issue through oral, written, drawn, or photographic illustration with sufficient specificity to afford the decision-maker and the affected parties an opportunity to respond to the issue precludes appeal to the City Council on the issue. All applications to be considered are Limited Land Use decisions as defined by ORS 197.015 and are subject to the provisions of ORS 197.195.

Notice: City of Jacksonville Planning Commission meeting agendas are regularly published in City Hall and online at least fourteen (14) days in advance of the meeting date. Agendas may be revised and supporting documents may be added up to 24 hours prior to the meeting date.

City of Jacksonville - PUBLIC RECORDS REQUEST

*all requests must go through the City Recorder first

Name of requestor Jonie Wall Date of request 12-19-16
 Requestor's Address P.O. Box 98
 City Jacksonville State OR Zip 97530
 Phone 541-264-4102 Email address of requestor: _____

Please describe the records you are requesting and any additional information that will assist us in locating this information for you as quickly as possible. Be sure to include the address of property information is being sought on.

June 15 2015 Citizens Advisory Committee Majority Report to the Council and the Planning Commission
Document from Planning for New Codes

RECEIVED
 INFO 20 1210
 CITY OF JACKSONVILLE

PLEASE NOTE: Staff time will be charged regardless of how information is provided.

Copies provided by email are charged at same rate as hard copies.

Method by which I would like to receive the information I have requested:

- Review documentation at the office by appointment (charge staff time for collection of records)
- Email to me at: _____ (charge as if copy fee and staff time)
- Mail to me at the above address (charge staff time plus duplication costs and postage)
- Call me and I will pick up in person (charge staff time plus duplication costs)

Payments of charges are due PRIOR to releasing the documents in any form.
 I agree to pay all charges as listed below on completion of my Public Records request.
 All fees are calculated by the City Recorder. A deposit may be required before beginning the request.

Requestor signature [Signature] Date of request 12-19-16

OFFICE USE ONLY

Staff fee (billed at \$20.30 per hour in 1/4 hour increments.)

Staff time for processing request		\$	_____
# of single sided black and white copies	<u>13</u>	\$0.20 =	\$ <u>0</u>
# of single sided color copies	_____	\$0.30 =	\$ _____
# of double sided black and white copies	_____	\$0.35 =	\$ _____
# of double sided color copies	_____	\$0.45 =	\$ _____
CD or thumb drive (provided by applicant) + hrly rate after first 1/4 hr		\$5.25	\$ _____
Other fees: ie Postage, oversize copy fees, outside copy fees, etc.			\$ _____

Completed by K. Collins & D. Foster Balance due \$ N/C
 Date Completed 12/22/16

Requestor contacted 12/22/16 Notes: _____



City of Jacksonville

Planning Department

Public Records Request: Code Revision

TO: Councilor Jocie Wall
FROM: Ian Foster, Principal Planner
DATE: December 21, 2016
SUBJECT: Request for Citizens Advisory Committee (CAC) Majority Report

Background

On October 28, 2015, the Citizen Advisory Committee (CAC), established by the Jacksonville City Council to review and redraft the City's Unified Development Code, approved a Majority Report that summarizes their work. The document was then sent to the Planning Commission, and will subsequently be sent to the Jacksonville City Council after Planning Commission review of the draft code.

The contents of the document were integrated into the City of Jacksonville Planning Department's staff report dated October 17, 2016, and authored by Dick Converse and Ian Foster. The content of the staff report includes findings recommended by the CAC, and adds additional background information. The staff report has been available on the City's website since September of 2016. We included information about the report in our initial notice to every property owner within the City of Jacksonville.

Please contact the Jacksonville Planning Department with any questions.

A handwritten signature in blue ink, appearing to read "Ian Foster", written over a horizontal line.

Ian Foster, City of Jacksonville Planning Department

**Citizen's Advisory Committee (CAC) Majority Report on the Draft Code to
the
Council and the Planning Commission**

October 28, 2015

CAC Members

Chair - David Jesser, Business Owner and City Councilor

Donna Bowen, HARC Chair

Mark Thomas, Developer and Planning Commissioner

Mike Thornton, Principal Engineer and owner of Thornton Engineering

Brad Bennington, Citizen (then elected to City Council)

Ken Gregg, Citizen (then elected to City Council)

Owen Jurling, Former Planning Commission Chair, Former City Councilor,
citizen

Staff

Alan Harper, City Attorney

Amy Stevenson, Planning Director/Historic Preservation Officer

Dick Converse, Rogue Valley Council of Governments

Ian Foster, City Planner

Celeste Dyson, Planning Technician

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Introduction

Over the years, the Jacksonville Land Development Code was updated multiple times by a number of different authors. The intent was to reflect the changing needs of the community, and to continue protecting the City's status as a National Historic Landmark. However, with so many changes and added layers, the code became complicated and cumbersome for the user and practitioner.

As a result of the complicated code, the City of Jacksonville recognized a need to update the city's Land Development Code (chapters 16, 17, &18). In response, the City of Jacksonville established a Citizens Advisory Committee (CAC) to complete this task. The Citizen Involvement Chapter of the Jacksonville Comprehensive Plan requires a CAC be formed when there is a proposed, community-wide, legislative land-use policy change.

As a result, the committee drafted a new code that integrates the Oregon Model Code for Small Cities, modern day best practices, and standards that reflect the Jacksonville community.

The primary goals for the new code are to create a user friendly and simpler interface that is clear and easy to regulate and enforce. The new code changes the Review Levels to match state standards by changing the scale to Types I-IV.

The new code will:

- Be more user friendly;
- Continue to protect the town's historic status;
- Create standards that are clear and easier to regulate and enforce; and
- Streamline the process.

This Majority Report summarizes the CAC's work on the draft code for the Planning Commission and the City Council.

Background

The City of Jacksonville received a Certified Local Government Grant in order to update the historic section of the code. The Jacksonville Planning Director contacted the Rogue Valley Council of Governments (RVCOG) and the State Historic Preservation Office (SHPO) for possible resources, support and guidance for the redrafting of the code. RVCOG suggested using the new Model Code for Small Cities, developed by the Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development (DLCD), as a framework for the new code. The redrafted development code follows the Model Code for Small Cities, but is also tailored to meet the specific needs of the City of Jacksonville.

The Planning Director enlisted a seasoned land use attorney, Alan Harper, to assist with the code revision. A focus/study group formed to determine the most cumbersome and difficult portions of the existing code that require an update. This initial group consisted of citizens, professionals, and city officials who were instrumental in identifying the direction of the code revision. The group met every other week for six months. Their contribution is invaluable and greatly appreciated.

The group invited several local certified arborists to contribute to the tree removal/protection section of the code. These arborists included Clarence Wangle of Beaver Tree Service, Mike Bartlett of Bartlett Tree Service and Willie Ging of Southern Oregon Tree Care.

For the sign section of the code, the group invited Roland Buck of Hale Signs to review the current code and provide update recommendations.

Staff created a working draft of the code for the next phase of review. The Planning Commission (PC) formed a lunchtime work group for the initial review of the working draft. Commissioners attended the weekly standing brown bag lunch meeting as their time allowed. It was during these lunchtime meetings that the group determined that zoning designations and densities should wait until the City completed a Buildable Lands Inventory and Housing Needs Analysis.

In September of 2014, the City Council formed a Citizens Advisory Committee (CAC). The CAC members consisted of seven (7) original members. When two of the members were elected to the City Council and took office in January 2015, the CAC was reduced to four (4) members.

The CAC regularly worked through the second working draft of the code; meeting regularly, once a week, from September 2014 through June of 2015.

Some notable changes to the code are outlined and described below. They include:

- Removal of Overlapping Layers of Review Criteria;
- HARC Jurisdiction;
- Removal of Chapter 17.48 Master Plan Requirements;
- Replacement of the Core Enhancement Overlay with the Downtown Historic District (DHD);
- The DHD; and
- Additional Procedural and Content Changes.

Removal of Overlapping Layers of Review Criteria

The focus group revealed a reoccurring theme that the multiple layers of development code and design standards resulted in criteria that are difficult to understand and interpret. It is also difficult to determine if a property is subject to any or all of the standards and criteria.

As a result, the focus group determined to follow the intent of the original design standards and review criteria. Therefore, the new code is designed to accomplish the same objectives, but in a way that is clear, user friendly, and alleviates the unnecessary layers of bureaucracy. The draft code maintains many of the critical design standards of the current code. However, the CAC recommends removal of the following overlapping and vague approval criteria:

- Historic Character Units;
- View sheds and the current Review Level Area Maps.

The CAC confirmed with SHPO that the removal of these elements of the existing code will not endanger the status of the Landmark District in any way.

The Historic Character Units will not be replaced. Rather, the Review Level Areas map will be replaced with a much clearer Landmark list and regulations for those properties abutting a Landmark. Currently, the Comprehensive Plan identifies several view sheds, most of which are outside of the City Limits and outside of the City's jurisdiction. This requirement is confusing, and often misunderstood. Therefore, the CAC recommended removing the view shed language from the development code.

HARC Jurisdiction

Another reoccurring theme is that the role of the HARC grew outside of its intended purpose: to be a body for the review of historic structure applications. The HARC reviewed projects outside of the Historic Landmark District and for properties that are not designated Landmarks. The purpose of the HARC is to protect the District by protecting the landmark listed structures and control new development abutting landmark-listed structures. Over the years the HARC's review extended beyond their intended purpose. This made the review process for modern structures outside the landmark district, or surrounded by newer development, unnecessarily cumbersome. This also caused confusion and frustration among applicants.

The new code returns the focus of HARC to the preservation of historic landmarks. The intent is resources and staff time will be better spent protecting our listed landmarks. The proposed result is a change in focus and in name, to the Historic Preservation Commission (HPC).

The HPC jurisdiction is limited to locations that impact historic structures, and is no longer applicable to all new development within the city (except for the Downtown Historic District (DHD)).

The landmark list consists of those properties identified as contributing to the National Historic Landmark District recognized by the National Park Service, and properties that the City recognized as locally significant. The HPC 's purview is to review any proposed exterior changes to these structures (as they do now). HPC

has jurisdiction over any additions to existing structures directly abutting a landmark-listed property (as they do now) and any new construction directly abutting a landmark listed property (as they do now).

As part of the code revision, the Landmark List will be readily available and accessible both online and in the Planning Department so that users will be able to quickly determine whether or not their property is a Landmark and subject to the HPC review process.

Removal of Chapter 17.48 Master Plan Requirements

The current Master Plan Requirements were developed through a collaborative grant with the Oregon Department of Transportation and the Rogue Valley Council of Governments. At the time, many cities in Oregon looked to create Transit Oriented Districts: walkable, pedestrian friendly commercial districts. The Fifth Street corridor seemed to be an appropriate area for design standards for redevelopment, resulting in Chapter 17.48. The first three sections listed below dealt strictly with street standards and are now covered by the Transportation Systems Plan (TSP).

17.48.010 Street Plans and Connectivity

17.48.020 Functional Classifications

17.48.030 Street Standards

The guidelines that the focus group, the PC and the CAC felt were important and still relevant have been incorporated into the commercial design standards section of the new code, the rest were removed. These sections are listed below.

17.48.040 Other Plan Requirements

17.48.050 General Plan Requirements

17.48.060 Specific Gateway Standards

17.48.070 North Fifth Street Guidelines

Replacement of the Core Enhancement Overlay with the Downtown Historic District (DHD)

The Comprehensive Plan adopted a stand-alone document that regulates the Core Enhancement Overlay District. This area is the main commercial historic core area encompassing California Street. The idea being that this area deserves special consideration for design, pedestrian amenities, and for businesses to attract customers. While this Core Enhancement Overlay area was well intentioned, it again was confusing and was not adopted into the code, so applicants were not aware of the additional requirements. The draft code refines it and creates a simpler way of enforcing the same idea. The CAC recommends replacing the Core Enhancement Overlay with the Downtown Historic District or DHD. The new DHD keeps the same goals and policies but is a much more effective tool. This new DHD is described below.

The DHD

California Street, with its extensive collection of late 19th century masonry buildings and concentration of listed landmark properties, is the essential element to Jacksonville's identity and an important part of the City's status as a National Historic Landmark. When the CAC began the task of redrafting Jacksonville's Development Code, the group recognized that the downtown core would continue to require special protections and standards. To that end, the CAC developed the Downtown Historic District (DHD), which, in addition to Article 5, adds standards and design guidelines specifically targeted toward downtown, and more specifically, California Street.

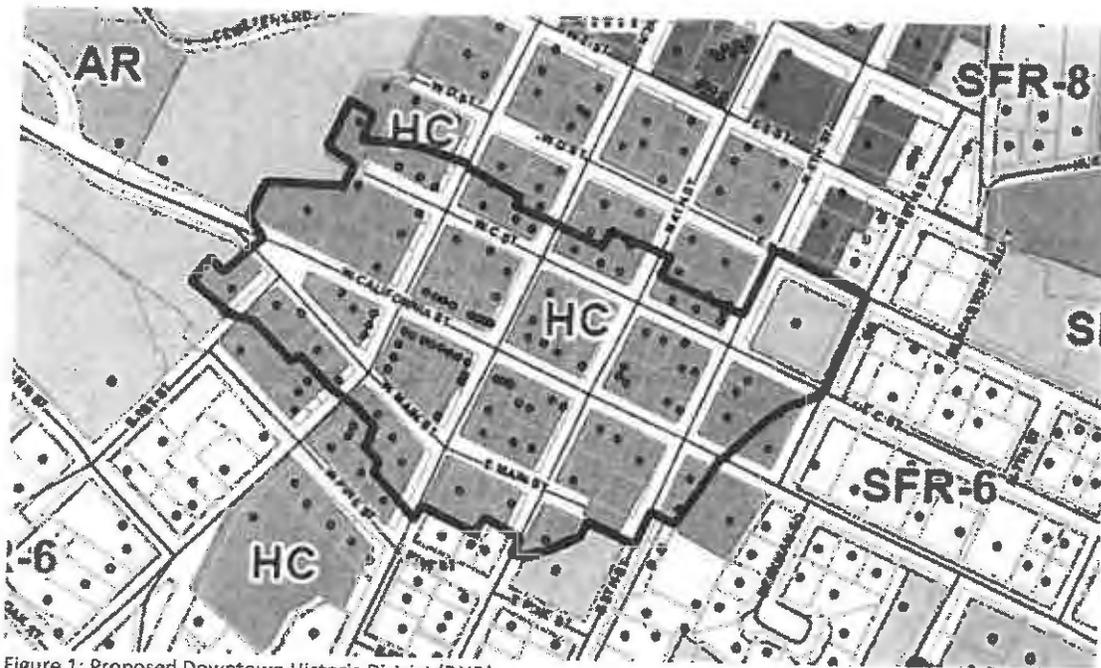


Figure 1: Proposed Downtown Historic District (DHD)

In order to create a code that is an effective preservation tool for the downtown, staff and the CAC synthesized Jacksonville's current design standards with the Core Enhancement Plan, as well as best practices derived from state and national agencies. The intent is to have downtown guidelines that effectively protect the City's status as a National Historic Landmark yet allow appropriate downtown development. By balancing the historic character and economic opportunities of the downtown core Jacksonville can continue as a thriving, successful community.

The purpose of the DHD section of the code is to:

- Effect and accomplish the protection, enhancement, and perpetuation of the city's National Historic Landmark status;
- Safeguard the city's historic, aesthetic, and cultural heritages as embodied and reflected in the Downtown Historic District;
- Complement the National and Local Landmark designations;

- Foster civic pride in the city's unique past and historic structures;
- Protect and enhance the City support to local business and industry; and
- Strengthen the economy of the city.

Best Practices

To create a development code that also serves as an effective tool for preservation, staff and the CAC researched best practices. The result is a Downtown Historic District (DHD) section that is informed by several components, including input from the State Historic and Preservation Office, the Secretary of the Interior's Guidelines for Rehabilitation (regulatory standards established by the United States Department of the Interior for the preservation of historic properties), and historic protections from other Municipal Codes. The CAC incorporated the Core Enhancement Plan, and The City's Design into the new DHD standards and guidelines.

The end product is a code that includes modern day best practices by integrating national and state standards for historic preservation with standards and goals established through the Comprehensive Plan, reflecting the Jacksonville Community.

DHD Standards

Properties within the DHD are required to comply with additional protections and design guidelines. The standards in the DHD are established in order to encourage a high-quality built environment that enhances, rather than detracts from the existing historic structures. The standards are in place in order to protect the identity of the City and the City's most recognizable buildings. The guidelines prevent new construction from creating a false sense of history. The majority of the existing Design Guidelines and standards currently used by HARC will continue to be the standards within the DHD.

California Street Design Standards

Properties within the DHD that also front California Street are subject to additional design standards. The purpose is to ensure the protection of California Street. Some of the guidelines for California Street include:

- **Zero Lot Lines:** New buildings to be built on California Street between Oregon and 4th St. are required to build to the front property line of California Street.
- **Building Elements:** Building elements should be compatible with existing structures, but cannot create an artificial sense of history.

Additional Downtown Historic District Standards

In addition to the specific building design standards, the DHD section includes additional standards. These additional standards include:

- **Streetscape:** benches, chairs, bistro tables and other pedestrian amenities are allowed within the DHD
- **Signs:** Signs within the DHD are required to meet the standards in the base zone and additional standards such as:

- No temporary construction or open house signs
- Signs shall not overwhelm the building or any special architectural features

Role of the Historic Preservation Commission (HPC)

Any alteration, relocation, or demolition of any structure or property within the DHD is required to be reviewed by the HPC.

Additional Procedural and Content Changes

Application Process and Review

Focusing on the goal of creating a land use process that is easier to use and more consistent with other jurisdictions, the CAC proposed tiered levels of review, Types I - IV. (See, Chapter 4.1 General Review Procedures.) All land use and development permit applications and approvals, except building permits, will be decided through this tiered process. This replaces the current Certificate of Appropriateness process and Site Plan Review Procedures . (JMC 18.01.020 and 18.03.030).

The proposed levels of review are commonly used throughout Oregon and bring our code into alignment with state standards. A Type I process is an action suitable for administrative review based on objective standards up to a Type IV process which is a legislative action such as a zone change or code amendment. The procedure classifications are as follows:

- **Type I Procedure** (Staff review and zoning clearance) Type I decisions are made by the City Planning Official, or his or her designee, without public notice and without a public hearing. A Type I procedure is used in applying City standards and criteria that do not require the use of discretion (i.e., clear and objective standards);
- **Type II Procedure** (Administrative Review with notice) Type II decisions are made by the City Planning Official, with public notice and an opportunity for appeal to the Planning Commission. Alternatively the City Planning Official may refer a Type II application to the Planning Commission for its review and decision in a public meeting;
- **Type III Procedure** (Quasi-Judicial Review – Public Hearing) Type III decisions are made by the Planning Commission or Historic Preservation Commission after a public hearing, with an opportunity for appeal to the City Council; or in the case of a Quasi-Judicial zone change (e.g., a change in zoning on one property to comply with the Comprehensive Plan), a Type III decision is made by the City Council on recommendation of the Planning Commission. Quasi-Judicial decisions involve discretion but implement established policy.
- **Type IV** (Legislative Decisions) The Type IV procedure applies to the creation or revision, or large-scale implementation, of public policy (e.g., adoption of regulations, annexation, comprehensive plan amendments, and zone changes that require a Comprehensive Plan Map amendment. Type IV

reviews may be considered by the Planning Commission, who makes a recommendation to City Council or taken up directly by the City Council. City Council makes the final decision on a legislative proposal through the enactment of an ordinance.

Rather than being spread out over various portions of JMC 18.01, 18.04 and 18.05, the review, process, notice, hearing, decision and appeal standards are consolidated into Chapter 4.1.

Sign Regulation

The Small City Model Land Use Code does not have a recommended sign code, recognizing that signage is a uniquely local proposition. Signs are an integral part of the community allowing for varying commercial and personal communication. Every element of signage has the potential to impact the livability of our community. Our current Sign Regulations (JMC 18.15) are difficult for well-meaning citizens to follow.

The proposal anticipates a streamlined process where all sign permits are obtained pursuant to an administrative review of objective standards (removing subjective standards relating to font, logo or aesthetic) acknowledging that the current subjective standards have not always yielded uniformity of quality and style that would justify the delay, cost and process challenges (to citizens and staff).

While many of the signage allowance provisions have been retained; the CAC is recommending allowing portable signs in all zones (sandwich board signs and other similar free standing displays such as a mannequin or teddy bear holding a chalkboard). All portable signs will need prior approval but the standards of size, placement and material are clear and objective. This is a balance of important interests: of the business interest of using portable signs to communicate with customers, as they are routinely used today, but also allowing for reasonable community protections (not in the right-of-way, pedestrian walkway and safely anchored), fair uniform availability of signage for each lot, and clarity of standards are critical for establishing expectations and enforcement.

Landscaping and Tree Removal

The Small City Model Code does not address tree removal since it is a uniquely local concern. The CAC recognizes and is committed to the preservation of the idea that landscaping and tree cover are critical elements of the quality of life in Jacksonville and livability as a community.

The current Code limits removal of trees greater than 12 inches at breast height to situations where either the tree is diseased or removal is "necessary" to protect public safety or historic structures, and is supported by a certified arborist report. The burdensome nature of this restriction has, on occasion, led to the unauthorized removal of trees and the strategy of "begging for forgiveness" if caught. The CAC believes there are situations where the removal of a significant sized tree maybe

warranted. The CAC has worked with many of the local arborists as well as studied other tree removal codes currently used in other cities.

The proposed Tree Removal provisions are designed to encourage compliance by making the process easier to remove trees on already developed private property. For instance, a homeowner of property developed with a single family dwelling will be required to obtain a Zoning Clearance Sheet, with a nominal fee and no arborist report. The proposed process of a Zoning Clearance Sheet for removal of trees on built residential lots is intended to be a way of making sure that no Heritage Trees are removed without review.

Those trees important to the community will be placed on the Heritage Tree list. The implementation of this portion of the new JDC will require the creation of the list of Heritage Trees. These are trees which add to the quality of life in Jacksonville; and as such, will be subject to the much higher level of scrutiny. The new code creates a review system to ensure the protection of Heritage Trees. In addition, penalties have increased and liability for violations extends broadly to anyone removing the trees in addition to owners.

Vacation Rentals

The internet has opened up a whole new era of vacation and short term rentals. Across the world travelers are regularly booking rooms directly from property owners using services such as Air BnB or VRBO. These new rental offerings are a way to provide rental income to property owners who may have an accessory dwelling unit or extra rooms and also provide an inventory of visitor accommodations to tourist driven towns such as Jacksonville. But the impacts of short term rentals such as parking, noise and trash can negatively impact the livability of residential neighborhoods. Many Oregon communities, such as Ashland, Lincoln City and Bend, are struggling with the issue balancing these factors.

The CAC believes that balance can be struck to allow short term Vacation Rental Accommodations in residential neighborhoods if there is an owner or responsible contact person present. A property owner who wants to rent a VRA must first get a Business License that will ensure that negative impacts of parking and trash are addressed. In order to have a VRA approved, an applicant will need to go through a Type II review that provides notice to neighbors.

Planned Unit Development

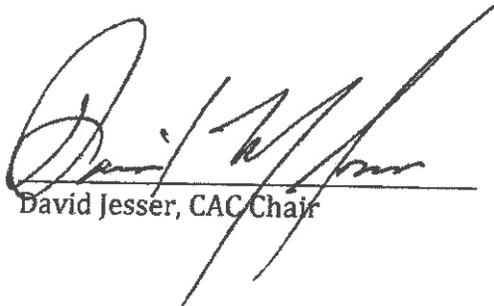
PUD planning is a tool that has existed almost since zoning was widely adopted in the 1970s. It allows for flexibility in the site design and layout of larger projects in return for creating development that is 'better' than what would occur by simply following the strict guidelines of the development code. The CAC found that this is a valuable tool for Jacksonville but the current code limits it to only certain zones identified as "PUD". The current JMC also created some confusion with the timing, phasing, and expiration of an approved PUD (because often PUDs are large projects designed to be built over a period of time, in phases). The Model Code does contain

a PUD or Master Plan design section but the CAC felt that in many ways the bones of the JMC structure were good and followed the general principle of 'not changing what is not broken.'

The new JDC maintains this tool but allows it as an option in any zone if the development can meet the standards. The CAC feels that the proposed standards are in ways harder to achieve, more realistic and clarified. The benefit to the developer of a "density bonus" (more units than otherwise allowed by the zone) was removed. The CAC felt that the benefits of the flexibility in design is a fair and valuable trade for the identified community benefits that must be shown to obtain an approval for a PUD. Obtaining this flexibility will require either Planning Commission or HPC review.

Summary

The CAC is confident that the revised code accomplishes the goals identified by the focus group. The result is a code with standards and requirements that are clear for applicants and staff, which affords greater protection of Jacksonville's Historic Landmark District, and streamlines process. The CAC sends a favorable recommendation to the Planning Commission and the City Council for further review.



David Jesser, CAC Chair

10/28/15
Date

PLANNING COMMISSION
Public Meeting



Wednesday, November 11th, 2015
6:00 p.m.
Old City Hall, 205 W. Main St.

- 1. Call to Order/ Roll Call**
- 2. Introductions and Review of Agenda**
- 3. Minutes: No Minutes**
- 4. Audience Comment**
- 5. Public Hearings: No Public Hearing**
- 6. Study Session: Draft Ordinance Review**
 - a) Review of Citizens Advisory Committee's Majority Report**
 - b) Review of Draft Article I: Introduction and General Provisions**
 - c) Review of Draft Article II: Zoning Regulations**
- 6. Business from Commission and staff**
 - a) Planning Director Report**
 - b) Planning Liaison Update**
 - c) City Council Liaison Update**
- 7. Adjourn**

Copies of all evidence relied upon by the applicant are available for review and can be obtained at cost. Issues which may provide the basis for an appeal to the City Council and/or the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period and shall be raised with sufficient specificity to enable the decision-maker to respond to the issue. **Questions:** Contact the City of Jacksonville Planning Department, 899-6873.

The application before the PLANNING COMMISSION shall be evaluated using criteria contained in Title 16, (Land Division Regulations) and Title 17, (Zoning) of the Jacksonville Municipal Code. Please address any comments to these criteria. All oral, written, drawn or photographic evidence must be directed toward comprehensive plan criteria, or land use regulations and objective standards.

Failure to raise an issue through oral, written, drawn, or photographic illustration with sufficient specificity to afford the decision-maker and the affected parties an opportunity to respond to the issue precludes appeal to the City Council on the issue. All applications to be considered are Limited Land Use decisions as defined by ORS 197.015 and are subject to the provisions of ORS 197.195.

Notice: City of Jacksonville Planning Commission meeting agendas are regularly published in City Hall and online at least fourteen (14) days in advance of the meeting date. Agendas may be revised and supporting documents may be added up to 24 hours prior to the meeting date.

PLANNING COMMISSION
Work Session



Wednesday, December 2nd, 2015
6:00 p.m.

Jacksonville Planning Department Conference Room
206 N. Fifth Street
(Behind the County Courthouse)

- 1. Call to Order**
- 2. Introductions and Review of Agenda**
- 3. Minutes: No Minutes**
- 4. Study Session: Draft Ordinance Review**
 - a) Recap of Article II: Zoning Regulations**
 - b) Review of Draft Article III: Community Design Standards**
- 6. Adjourn**

Copies of all evidence relied upon by the applicant are available for review and can be obtained at cost. Issues which may provide the basis for an appeal to the City Council and/or the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period and shall be raised with sufficient specificity to enable the decision-maker to respond to the issue. **Questions:** Contact the City of Jacksonville Planning Department, 899-6873.

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PLANNING COMMISSION
Work Session



Wednesday, December 9th, 2015
6:00 p.m.

Jacksonville Planning Department Conference Room
206 N. Fifth Street
(Behind the County Courthouse)

- 1. Call to Order**
- 2. Introductions and Review of Agenda**
- 3. Minutes: No Minutes**
- 4. Study Session: Draft Ordinance Review**

a) Continued from December 2nd, 2015: Review of Draft Article III: Community Design Standards

- 6. Adjourn**

Copies of all evidence relied upon by the applicant are available for review and can be obtained at cost. Issues which may provide the basis for an appeal to the City Council and/or the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period and shall be raised with sufficient specificity to enable the decision-maker to respond to the issue. **Questions:** Contact the City of Jacksonville Planning Department, 899-6873.

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PLANNING COMMISSION
Work Session



Monday, November 16th, 2015
6:00 p.m.

Jacksonville Planning Department Conference Room
206 N. Fifth Street

- 1. Call to Order**
- 2. Introductions and Review of Agenda**
- 3. Minutes: No Minutes**
- 4. Study Session: Draft Ordinance Review**
 - a) Review of Draft Article II: Zoning Regulations**
- 6. Adjourn**

Copies of all evidence relied upon by the applicant are available for review and can be obtained at cost. Issues which may provide the basis for an appeal to the City Council and/or the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period and shall be raised with sufficient specificity to enable the decision-maker to respond to the issue. **Questions:** Contact the City of Jacksonville Planning Department, 899-6873.

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PLANNING COMMISSION
Work Session



Wednesday, January 6th, 2016
6:00 p.m.

Jacksonville Planning Department Conference Room
206 N. Fifth Street
(Behind the County Courthouse)

- 1. Call to Order**
- 2. Introductions and Review of Agenda**
- 3. Minutes: No Minutes**

- 4. Study Session: Draft Ordinance Review**
 - a) Review of Draft Article 4: Application Procedures and Approval Criteria**

- 7. Adjourn**

Copies of all evidence relied upon by the applicant are available for review and can be obtained at cost. Issues which may provide the basis for an appeal to the City Council and/or the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period and shall be raised with sufficient specificity to enable the decision-maker to respond to the issue. **Questions:** Contact the City of Jacksonville Planning Department, 899-6873.

The application before the PLANNING COMMISSION shall be evaluated using criteria contained in Title 16, (Land Division Regulations) and Title 17, (Zoning) of the Jacksonville Municipal Code. Please address any comments to these criteria. All oral, written, drawn or photographic evidence must be directed toward comprehensive plan criteria, or land use regulations and objective standards.

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PLANNING COMMISSION
Public Meeting



Wednesday, January 13th, 2016
6:00 p.m.
Old City Hall, 205 W. Main St.

- 1. Call to Order/ Roll Call**
- 2. Introductions and Review of Agenda**
- 3. Minutes: October 14th, 2015**

- 4. Election of New PC Chair and Vice Chair**

- 5. Audience Comment:**

- 6. Study Session:**
 - a) *Continued:* Review of Article 4: Application Procedures and Approval Criteria**
 - b) *Tentative:* Review of Draft Article V, Historic Properties and District Design and use of Standards**

- 7. Adjourn**

Copies of all evidence relied upon by the applicant are available for review and can be obtained at cost. Issues which may provide the basis for an appeal to the City Council and/or the Land Use Board of Appeals shall be raised in writing prior to the expiration of the comment period and shall be raised with sufficient specificity to enable the decision-maker to respond to the issue. **Questions:** Contact the City of Jacksonville Planning Department, 899-6873.

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Testimony Submitted at the Public Hearing on
February 1, 2017

I want to commend the planning department and commissioners for the work done to date on revising the land use development code. I was a member of the commission when this work commenced sometime in 2012. I served for two years, the remainder of Ron Moore's tenure.

As I recall during this time, we had several study sessions on various code topics, such as tree removal. These study sessions were done at formal planning meetings when there was no agenda, and in small daytime study groups of which I attended a couple due to working full time. As a planning commissioner, I recall that there was a clear need to clarify and yes revise/update particular parts of the code. There are currently multiple internal inconsistencies which contribute to confusion for planners, commissioners, developers and other Jacksonville citizens.

The work proceeded haltingly due to competing demands for limited human resources in the planning department. I recall that there would be no work done for months at a time because of other higher priority planning department needs. It was not a steady progressive process.

I understand that there are those persons critical of citizens' input at this point, saying that we knew what was happening and could have attended planning meetings and given input. But again, because the revision proceeded in a timeline dominated by urgent competing needs in the planning department, the project often fell off the radar for extended periods of time.

The revision process also proceeded in a piecemeal fashion; with different components discussed at different times. Now is the first time this document has been presented to the public in its entirety.

When I read the code revision and various analyses, I am surprised at the scope and substance of the changes. The proposed revisions are not just a clarification/update of the current code but contain major proposal revisions, many of which have serious implications for growth and possibly legally and culturally threatening our historic preservation, not just tomorrow, but for many many years to come, in this small historic town.

We do not intend for our comments to be polarizing but, rather, to be seen as helpful critiques. I know the hours that you have spent getting this document prepared for review. But I also am aware of the hours that citizens have spent reviewing and writing about it. And, by the way, it is not easy standing here giving public testimony.

In closing, I ask the planners and commissioners to embrace our citizen input and work with us to make this the right code for Jacksonville. Remember, we are one community and must work as one community to get this very important work concluded.

That said, I will proceed to the bullited handout distributed at tonight's hearing.

Submitted and Read by Dianne Helmer, 122 McCully Lane, Jacksonville, OR

Dianne Helmer
2/1/17

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Dianne Helmer

**ITEMS IN PROPOSED NEW CODES THAT THREATEN
JACKSONVILLE'S HISTORIC LANDMARK DISTRICT STATUS**

Designated historic districts are significant as a **collective whole**: the District is the resource, not its individual parts. New construction must protect the integrity of the overall historic district in the same way as an addition does to a historic building.

Threatens Jacksonville's Historic Landmark District (JHLD) by Establishing a NEW, Smaller Downtown Historic District (DHD)

- In 1966 the JHLD was 326 acres. Proposed changes establish a new DHD - approximately a 3 blocks X 5 blocks downtown/ California Street
- SHPO survey in 2012 defined 224 historic structures; proposed changes appear to reduce this list significantly to less than 100 structures
- Opens the door for **incompatible and uncontrolled growth** outside the DHD boundaries
- Could possibly jeopardize Jacksonville's status as a Historic Landmark Town

Allows Drive-Thrus in Jacksonville

- If allowed, you can't pick which ones you will approve of and which ones you want to prohibit (Pony Espresso and Chase Bank are grandfathered in)

Questionable Citizen Involvement for Changes to Zoning Codes

- The proposed Planning Commission tiered review system is confusing regarding Citizen Input in zoning changes

Eliminates HARC (Historic Architecture Review Commission) 's Oversight and Protection of the ENTIRE 326 Acre JHLD and renames the Oversight Commission to HPC (Historic Preservation Commission)- Preserving ONLY the new DHD (3 blocks X 5 blocks)

- HARC's oversight is needed for the entire 326 acres to maintain Jacksonville's "Sense of Place" and village qualities

Deletes View Shed

- Once gone, scenic quality is lost forever
- Open space around Jacksonville differentiates it from almost every other town in Oregon
- Need to reword the code for clarity about view sheds, not remove view sheds from the code

Deletes Historic Character Units (HCUs) (Characteristics of Historic Neighborhoods) Guidelines for HARC's Oversight

- Eliminates *vegetation/landscape* character, *visual/scenic* character, *architectural* character, *development patterns/land use* and *streetscape* character
- Historic neighborhoods deleted include North & South Oregon St, North & South Third St, New/Old School Districts, Stagecoach Hills and Fifth and Fourth Street Gateways
- HCUs are needed to ensure neighborhoods remain charming and "village-like"
- HCUs are needed to ensure that infill new buildings are aesthetically compatible with the neighborhood and the town

Eliminates of 5th Street Corridor Gateway Plans

- Proposed code allows structures right up to the sidewalk, destroying the aesthetics needed for a gateway into Jacksonville

Increases building height restrictions from 35' to 42'

Allows coverage of 80% of the land for General Commercial Use

Eliminates previous limit of 20,000 square foot limit for commercial use

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Jules,
OR
97530

Submitted Linda Davis 425 S 1st St
Read by Dianne Helmer 122 McPally Ln
5/1/17

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Submitted by Linda Davis, 425 S First Street, Jacksonville, Oregon. February 1, 2017

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CITY OF JACKSONVILLE

How can we as citizens of a democracy stand by and allow an autocratic city government to handpick a group of mainly developers and businessmen to decide our future and determine the quality of our lives, while at the same time bury the history of this town for future generations.

This is not a representative form of government, this is a strong armed tactic to extract maximum development and tax dollars on the back of the historic value of Jacksonville and the people who live here.

Never in the history of the town have we see before such aggressive building codes and in 2008 the Planning Committee quietly implemented building code 18.11.020 which allows a 90% increase of developable square footage on every city lot, while permitting new construction to a height of 35 feet.

This building code stands in direct opposition to our historic charter guidelines and will bury this town in a wall of development, much like you see in California.

Our privacy, historic views of the town and individual historic structures will be permanently blocked by this, Land Grab for high density development.

Building code 18.11.020 remains unchanged after a through review by this Planning Committee and remains imbedded in their new proposals.

We must sign onto a referendum that removes the decision making process from this select group of men, as they are in no way are representative of the wishes of the majority of the people of this town nor do they hold any interest what so ever of preserving the historic integrity and National Landmark Status of the Jacksonville.

The goal of these men and the honorable mayor of this town is to develop our inner city density to satisfy state mandate 197.296 which they have determined requires us to increase our lot development by 90% so that they can proceed to the implementation of a major urban expansion project.

This is not what State Mandate, 197.296 claims we must do, yet these men would have us believe a 90% increase in land development is the requirement.

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A government without representation is not a government of the people, but instead a autocratic system run by a group of self serving individuals.

We cannot let this happen. We must use the power this democracy has given us.

STEVEN GARDNER

385 N. 4th St.

JACKSONVILLE, OR.

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Submission by Linda Meyers for Public Hearing # 2: February 1, 2016

Five decades ago, Jacksonville citizens recognized that, due to a particular set of historic circumstances, Jacksonville had survived as a relatively intact historic town, worthy of protection. So, in 1966, the residents applied to the National Parks System to have Jacksonville designated as a National Historic Landmark District, their gift to future generations!

Then, over the next 50 years, our predecessors took the following steps to protect the character of their town so that they would maintain their historic designation.

1. They researched and documented the stories behind the numerous landmarks.
2. They photographed and catalogued the landmark properties for future preservation.
3. They created name plates to identify the historic structures.
4. They developed and continued to evolve specific Code regulations to protect the town's character.
5. They devoted hours to serving on the Historic Architectural Review Commission (HARC), overseeing new development and assuring that it would be compatible with the town's character.
6. They used their hard-earned money and bare hands to restore their homes to specific historic standards.
7. They wrote scripts and offered tours of their National Historic Landmark District.
8. The City provided funding to contract with an historic preservationist to identify neighborhood characteristics, and indicate viewsheds worthy of protection, 'tools' to support HARC's evaluation process of proposed development.
9. The City also provided funding for an on-staff Historic Preservation Officer to guide HARC members and provide training for the commissioners to oversee infill within the historic district.
10. In fact, the City had created such an excellent plan for protecting the City's historic character that Jacksonville was among the first Oregon cities approved by the National Park Service as a Certified Local Government and was, therefore, qualified to receive matching grants from the State Historic Preservation Office.

For five decades, one of the City's highest priorities has been to protect the overall historic character of Jacksonville. However, the proposed codes before us, this evening, are taking a far different approach, and I cannot support them.

Keep in mind that the State Historic Preservation Office and the National Parks Service do not tell towns how to protect their National Historic Landmark Districts. That task is left to local governments. It's like when you were in college. A professor couldn't make you study, but if you took a test without studying, you would probably fail. Jacksonville, now, is at such a turning point in regards to its overall historic character. If we continue with our existing regulations and the oversight of HARC over all new development and if we hire a part-time historic preservation officer, like we used to have, then we can continue to protect the historic character of our town. That needs to be our goal.

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So, how did we end up in this current mess?

1. In 2011/12, a new City planner found that implementing the existing Development Codes with applicants and developers was challenging. She asked Council for approval to form a focus group in order to reorganize the Codes by eliminating repetitions and conflicts. Council approved, and she formed a focus group, which would later become a Citizen Advisory Committee (CAC).
2. The heavily-weighted pro-development membership of the CAC shifted the goal from the reorganization of the City documents to a rewriting of the Code's content.
3. At some point, the CAC decided that the City's Historic Architectural Review Commission (HARC) caused developers too much trouble, so the CAC started rewriting the Comprehensive Plan's Historic Element in order to minimize HARC's oversight.
4. However, changes made to a Comprehensive Plan must go before the Department of Land, Conservation, and Development, which enforces Oregon's land use goals. DLCDC does not approve revisions to a Comp Plan unless the City includes Oregon's Smart Growth policies, which may have some merit in urbanized cities, like Portland, but which can be disastrous to small historic towns.
5. At this point, the CAC opted to replace Jacksonville's existing development codes, which had been formulated over 50 years to fit Jacksonville's specific needs, with the League of Oregon City's Model Code. I have spoken with several historic preservationists and land use specialists during my research, and all of them have said that going with the Model Code is devastating to an historic town. The CAC members incorporated some of their preferred Jacksonville codes into the Model Code, but they left in many regulations which will completely alter Jacksonville's character. I covered those in my previous submission during Public Hearing #1.
6. After four years of work, the proposed Comp Plan and Code revisions have finally been brought before the public. This revision process completely violated State Law that requires "widespread citizen involvement and input throughout the whole process."
7. When the proposed documents were finally brought before the public, Jacksonville citizens were shocked to see that the proposals diminished HARC's existing oversight over all new development; reduced the number of historic landmark buildings; focused on landmarks only, rather than the National Historic Landmark District, as a whole; and inserted many new land use codes that were completely out of character for the City of Jacksonville. These proposals, all the way around, could be highly detrimental to Jacksonville's overall historic character.
8. So, now, we citizens, who take our responsibility to preserve Jacksonville's historic character seriously, are speaking out and contacting experts in the field of historic preservation and land use.

So, what should the City of Jacksonville do, now, to maintain its historic character while planning for the State's requirement to provide for population growth out 20 years (about 1400 people)?

1. The City should discard the LOC's Model Code and should maintain the existing Code that has evolved, over many years, to fit our particular town's needs and historic designation.

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2. The City should maintain HARC's oversight of all new development within the City's boundaries.
3. The City should go back to our previous staffing model and hire a part-time experienced historic preservation officer to deal with HARC so that the City Planner is freed up to carry out his tasks related to the Planning Commission and project approvals.
4. In the course of their work, the Historic Preservation Officer and City Planner can identify duplications and conflicts in the Codes and, at public meetings that allow citizen input, can present potential changes before the Planning Commission and City Council. Detailed documentation of the duplications and conflicts should be listed along with the proposed solutions and made public prior to public meetings. Final changes should be clearly documented.
5. Citizens should become active and involved in researching all that there is to know about historic preservation and what is necessary for maintaining a National Historic Landmark District while allowing for compatible infill development that is overseen by HARC. (Restore Oregon is an excellent source.)
6. Regarding preparations for population growth, the City should begin with a buildable lands inventory, followed by a discussion of possible rezoning to accommodate growth, all the while, keeping the preservation of the NHLD in mind. Infill development can exist alongside historic preservation as long as adequate planning, based on our existing planning documents, and HARC'S oversight are in place to ensure compatibility.

In conclusion, I strongly recommend that this revision process be halted, this evening. It's time to reconsider the original mission: to preserve Jacksonville's character and our National Historic Landmark District, as our predecessors have done for the past 50 years!

And the beat goes on . . .

Thank you,

Linda Meyers

230 Wells Fargo Drive

Jacksonville, OR 97530

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Requests to Improve Citizen Involvement

- 1 Put Historic List and List of Removed Properties from the Historic District on the City of Jacksonville's website.
- 2 Transparency in zoning changes. Request that zoning changes be discussed in public meetings. And that public notice, attendance and minutes be placed on the City of Jacksonville's website for citizen review before zoning changes are approved.
- 3 Request that the name of the Land Use Attorney, contracted by the City of Jacksonville, for oversight and development of current code changes be made public on the City of Jacksonville's website.
- 4 The document, "Local Inventory of Significant Scenic Resources to Preserve" be posted on the City of Jacksonville's website for citizen review.
- 5 Past Citizen's Advisory Committee meeting dates and minutes be made public and posted on the City of Jacksonville's website. Specifically the minutes for the CAC that made recommendations for the current code changes.
- 6 Document titled, "Factual Base Document and Community Goals for Future Development and Project Needs of Jacksonville", be made available on the City of Jacksonville's website.
- 7 Proposed development code documents and proposed Historic Element of the Comprehensive Plan be submitted for SHPO review before proceeding.
- 8 Request the name of the SHPO person who stated that the removal of Historic Character Units (HCU's), View Sheds, and the current Review Level Area Maps, of the existing code will not endanger the status of the Landmark District in any way and written confirmation of the statement be posted on the City of Jacksonville's website.
- 9 Post the "Buildable Inventory and Housing Needs Analysis" on the City of Jacksonville's website.

A. Thomas Gorman

03/01/17

A. Thomas Gorman

Tresa Gorman 3-1-17

Tresa Gorman

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1 Feb 2017 Public Hearing

I would like to comment tonight on this current process. This hearing addresses 377 pages of current code and Comprehensive Plan. And it is not just a revision with strike-outs and additions that make it obvious what is being changed. This is a complete reworking into 241 pages of a new document with Articles that don't directly correlate to the current Titles. The Staff Report, which purports to offer a summary, is 51 pages long, including written comments. The actual summary section is 12 pages long. It makes no mention of some significant changes.

Many examples of these changes that were never mentioned in the Staff Report were given at the last hearing so I will give only one more example. The Hillside Residential District (CHAPTER 17.16) has disappeared. There are no longer any regulations that limit construction on steep slopes. The Article 2 Table of Contents replaces "Hillside Overlay" with "Wetland Protection" in Chapter 2.4. Chapter 2.3 lists "Hillside Residential Standards", "Border Residential Standards", and "Forest and Agricultural Lands Special Setback Requirements" as sections but none of these appear in the body of the chapter.

This may well have been an oversight but, if the committee and staff that prepared the document did not recognize that 3 whole sections were missing, what else might have been inadvertently left out? What might some of the unintended consequences of any changes be? Since it is difficult for the average citizen to even locate changes with this complex alteration, we may never know until it is too late.

If this were a revision of a single section of a code chapter we would be allowed 3-5 minutes to express our views. We are allowed 5 minutes to express our individual views on 669 pages of documents. While we can also offer written testimony, a public hearing, as the name implies, gives the public ^{as well as Commissioners} an opportunity to hear others' concerns. This is not possible with this format.

As I understand it, there will be another hearing when the document goes before the City Council. I recommend that each current Title (16, 17, & 18) and the Historic Element of the Comprehensive Plan each be given its own hearing. The Staff Report should contain clearly indicated strike-outs and additions and where they are found in the new documents. I understand that it will be difficult for staff to do these comparisons but, if the task is difficult for staff who have been intimately involved with the changes, think about how hard it is for the public to try and make sense of what is proposed. Since each of the 4 current sections still covers a lot of material, I further recommend that consideration be given to allowing more time for each citizen's comments.

Thank you,

Carol R. Knapp

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CITY OF JACKSONVILLE

**Testimony for the Record
regarding the City of Jacksonville's proposed revisions of the Code of Ordinances and the
Comprehensive Plan
2017**

I, Donna Schatz, am requesting that any governing body of the City of Jacksonville, Oregon vote to deny approval of the proposed changes to the Land Use Code and the City's Comprehensive Plan, Chapter 2, Historic Element. I recommend that this entire revision process be halted. My priority is the protection of Jacksonville's National Historical Landmark District.

Respectfully submitted by:

Donna Schatz
Signature

P.O. Box 415, Jacksonville, OK 77530
Mailing Address

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**Testimony for the Record
regarding the City of Jacksonville's proposed revisions of the Code of Ordinances and the
Comprehensive Plan
2017**

I, Sally Melgard, am requesting that any governing body of the City of Jacksonville, Oregon vote to deny approval of the proposed changes to the Land Use Code and the City's Comprehensive Plan, Chapter 2, Historic Element. I recommend that this entire revision process be halted. My priority is the protection of Jacksonville's National Historical Landmark District.

Respectfully submitted by:

Sally L. Melgard
Signature

120 Wells Fargo Dr. Jacksonville, OR 94530
Mailing Address

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**Testimony for the Record
regarding the City of Jacksonville's proposed revisions of the Code of Ordinances and the
Comprehensive Plan
2017**

I, PETER GRANT, am requesting that any governing body of the City of Jacksonville, Oregon vote to deny approval of the proposed changes to the Land Use Code and the City's Comprehensive Plan, Chapter 2, Historic Element. I recommend that this entire revision process be halted. My priority is the protection of Jacksonville's National Historical Landmark District.

Respectfully submitted by:

Peter Grant

Signature

974 S. 3rd STREET JACKSONVILLE

Mailing Address

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Testimony for the Record
regarding the City of Jacksonville's proposed revisions of the Code of Ordinances and the
Comprehensive Plan
2017

I, IRENE SALOMONE am requesting that any governing body of the City of Jacksonville, Oregon vote to deny approval of the proposed changes to the Land Use Code and the City's Comprehensive Plan, Chapter 2, Historic Element. I recommend that this entire revision process be halted. My priority is the protection of Jacksonville's National Historical Landmark District.

Respectfully submitted by:


Signature

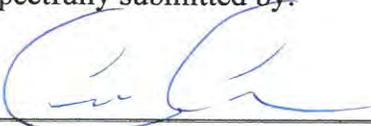
705 G ST JACKSONVILLE, 97530
Mailing Address

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**Testimony for the Record
regarding the City of Jacksonville's proposed revisions of the Code of Ordinances and the
Comprehensive Plan
2017**

I, Curtis Auer, am requesting that any governing body of the City of Jacksonville, Oregon vote to deny approval of the proposed changes to the Land Use Code and the City's Comprehensive Plan, Chapter 2, Historic Element. I recommend that this entire revision process be halted. My priority is the protection of Jacksonville's National Historical Landmark District.

Respectfully submitted by:

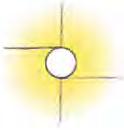


Signature

945 Westwood Dr, Jacksonville

Mailing Address

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DAVID GIBB PHOTOGRAPHY

PO Box 298

Jacksonville, Oregon 97530

2/1/17

27 years ago, in 1990, we drove into Jacksonville from the Bay Area looking for a place to relocate with our 9 month old son. We literally stumbled upon Jacksonville and drove in from the 5th St. corridor. As we drove further down California St., we remarked how charming this little place looked, a visual vignette of little America. We immediately fell in love with the character and charm of Jacksonville. Mind you this was before, Pioneer Village, Nunan Square, the Farmhouses, Pheasant Meadows, and pretty much any 3 story building in town. The downtown wasn't slick or saccharine sweet like some small towns have become. This was the appeal, this was the charm, a town with authentic character...it wasn't perfect, but again that was part of its' unique appeal.

As chairman of a Jacksonville city citizen's advisory committee in 1991, I got involved in preserving what I loved about Jacksonville. We had a robust cross section of Jacksonville citizens involved in a vision statement to be presented to the planning commission as a preamble to the comprehensive plan of how the citizens envisioned Jacksonville to be in 20 years. This was backed up by a survey mailed to all residents of Jacksonville allowing their input as to the future vision of their town. Our committee really made a concerted effort to get as much input from its' residents as possible. After all, any planning revisions and vision statements should benefit the majority of residents living in town, not just members of a small group who will financially gain from changes in our planning code.

What I find lacking in the current attempt to revise the city planning code is the minimal effort to involve more citizen input. Sure, there have been notices put on websites and public bulletin boards, but with something this game changing to Jacksonville I would have expected more aggressive calls to action, robocalls, surveys, and workshop/study meetings. Without this extra effort it really makes me suspect as to what is really wanting to be accomplished with these planning code revisions. I realize that getting a diverse group of significant numbers is a challenge but maybe if there is low attendance or lack of interest it signifies that the majority of residents are not interested in a change. An interpretable code is necessary but these revisions go far beyond just making it just understandable.

I want Jacksonville to remain a town with diligent scrutiny in what it allows to be built. I want others who drive into Jacksonville for the first time and those that have chosen to live here to marvel in its' existence. Jacksonville is more than a cute little town, it is authentic. Maintaining its' authenticity is a delicate balance. If lost or mismanaged, it is gone forever.

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541.899.9030

www.dgibbphoto.com

SEE OTHER SIDE

VISION STATEMENT QUOTES: 1991

- 1) IT IS OUR HOPE THAT JULIE WILL CONTINUE FOR MANY TO RETAIN ITS IMPORTANCE AS AN ATTRACTIVE HISTORIC AND CULTURAL CENTER, BE VITAL AND THRIVING COMMUNITY, AND A SAFE, COMFORTABLE HOME TOWN FOR THOSE OF US WHO LIVE HERE.
- 2) WE VALUE LIVING IN A SMALL CITY THAT IS IN HARMONY WITH ITS' NATURAL BEAUTY AND SEEK TO BUILD FOR THE FUTURE WITH THIS IN MIND
- 3) EXCEPTIONAL QUALITY OF LIFE:
JACKSONVILLE, WITH ITS AGRICULTURAL FOREGROUND AND FORESTED HILLSIDES, HAS A MILD CLIMATE, LOW CRIME RATE, SMALL TOWN ATMOSPHERE, HISTORIC CHARACTER, AND PEDESTRIAN FRIENDLY VILLAGE PATTERN OF DEVELOPMENT WHICH MAKES THE CITY A DESIRABLE PLACE TO LIVE AND TO OWN A BUSINESS.

TESTIMONY

MICHAEL & LEONA SEWITSKY

FEB. 1, 2017

A picture really can be worth a thousand words. I have provided some photos of infill buildings constructed in recent history in Jacksonville that are next to or on streets with historic buildings. Most of you are familiar with them. The point of the pictures is to illustrate the importance of why the Historic Element section of our current building code has a Neighborhood Character Unit and a View Shed protection guideline section in it. They act as reference guides to be used as tools to aid placement, size, and look of new construction to fit into existing streetscapes. So that the historical neighborhoods will retain their charm and ambience that residents and visitors all love so much about Jacksonville. The Historic Element, particularly HARC oversight for new construction, the Neighborhood Character Unit, and View Shed protection sections are the heart of how the planners and builders will responsibly preserve that small village quality of Jacksonville that draws us here. The planning department has deleted all of these sections and important guidelines from the new proposed code because they infer that they are vague and hard to implement.

PHOTOS 1 & 2

This infill neighborhood was built by Roger Whipple in the 1990's near Bigham Knoll and old school house. As you can see from the photos, he set the standard for thoughtful consideration for aesthetic compatibility within an older historic neighborhood. These homes were built using the current code guidelines defined in the Neighborhood Character Unit. It is readily apparent that Mr. Whipple did not have difficulty understanding, interpreting, and applying the tenets suggested for neighborhood compatibility in the code. His homes fit into Jacksonville seamlessly and blend in well.

PHOTO 3

The cute little brown house built next to the historic brick home on 3rd St. also fits very well into it's older neighborhood. Again, using current code.

PHOTO 4

The expansion added to this tiny house on Oregon St. next to the old jail is a good example of how to save a very small house and have it retain the quaint look without destroying the original structure. Again, using current guidelines for historic neighborhood construction.

PHOTO 5

Jacksonville also has many small cottages similar to this cute little white one on 3rd St. that will lose protective oversight with the proposed revision to code that keeps only preservation for pre 1927 homes and landmark structures. These

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quaint little places contribute greatly as period pieces for their neighborhoods and should be considered character assets for the town as well.

The View Shed definition and protection section in the current code is extremely important as a tool to help preserve Jacksonville's unique geographic singularity and beautiful scenic quality in town and on it's boundaries. Coburg, Oregon is a similar small Historic Landmark town that recently updated it's comprehensive plan and codes. One of it's main goals is to preserve the agricultural greenbelt around the perimeter of the town as they expand their UGB to remain distinctly separate from Eugene population sprawl. Jacksonville also is surrounded similarly with farmland and should work hard to do whatever it can to protect it's scenic greenbelt to remain distinct from Medford and Central Point.

PHOTO 6

This photo of an older log home next to a compatible newer infill building sets on the side of East California St. coming into town. When you drive by you know you are coming into an interesting little town. Again, code as well as HARC helped the design of the nice infill home.

PHOTOS 7-9

And here we have the newest speculation infill homes just a few doors down from the log cabin on California St. These homes illustrate graphically why View Shed protection seriously matters. These oversized buildings have blocked the pastoral view across town and are now the first thing you see driving into historic Jacksonville. They are enormous in size and the yellow one especially is aesthetically a complete wrong design for the town, and now sits there like a big pseudo-tuscany-wine-country elephant robbing the scenic quality motorists enjoyed. These houses were also built under current code guidelines, and while Roger Whipple paid heed to the good suggestions in the Neighborhood Character Unit and View Shed recommendations, this builder and the planning department obviously did not. So same code. But twenty years later something shifted away from the preservation goals defined in George Kramer's 1993 document written for the town. And that is of great concern.

Jacksonville's history is a significant gold rush that put the town on the map and helped Oregon become a state. The town those early residents built still stands almost in it's original entirety. And those people planned for future residents they would never know or meet, and those people are us. Revising the comprehensive plan and building codes, and expanding the UGB are important, but must be done faithfully with preservation and aesthetics in mind first, and facilitating development second. The current wave of fortune seekers coming in looking for

development second. The current wave of fortune seekers coming in looking for the big prize are real estate and commercial developers and speculators. We can grow and add new development, but being engulfed in giant overpowering homes that mar the town ambience is cancerous growth we do not need.

There is one last picture for you but you will have to imagine it. All of us right now are creating the photo that future people we will never meet will be taking of Jacksonville. There is a saying that photographers use when they have lined up a superb image: they call it "The Money Shot." It's that extraordinary, one-of-a-kind picture that every magazine wants to have on their cover. Let's give them that prizewinning photo. OF OUR SWEET LITTLE TOWN.

Submitted by Michael and Leona Sewitsky
230 Laurelwood Dr. Jacksonville

Sent from my iPad

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Jacksonville Infill Homes



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5

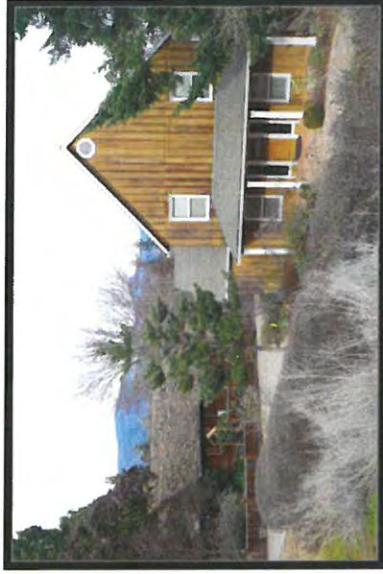


Photo 6



Photo 7

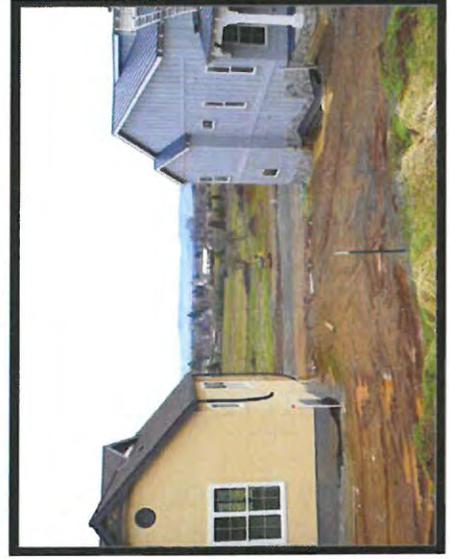


Photo 8

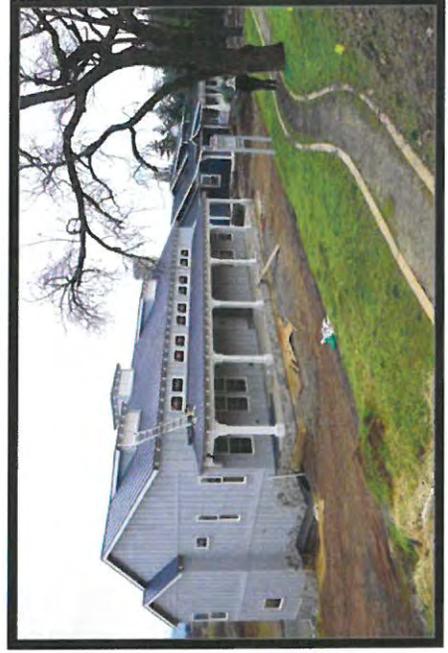


Photo 9

We Love Jacksonville

Pictures are worth a thousand words. The picture of Jacksonville has been changing since the moratorium on new building was lifted with sewer and water improvements 20 years ago. Photos 1-6 show how growth has been compatibly integrated into existing historic neighborhoods using guidelines suggested in the Historic Element of current city building codes. Pictures 7-9 show infill speculation houses currently under construction on California St. just past the welcome sign as motorists come into town. The same building code was used, but the Historic Element guidance that encourages new construction to fit aesthetically into historic neighborhoods is missing, as demonstrated by the huge size, design, and dominant appearance of the buildings, and permanent erasure of the once scenic view across town. The city has deleted most of the Historic Element section from the proposed new codes. Without historic oversight more of these oversized buildings will be constructed to the visual detriment of our historically quaint and unique town. Residents and visitors love Jacksonville exactly because it DOESN'T look like EVERYTOWN, USA.

How do you picture Jacksonville as it moves forward and grows? The actions we take right now are creating the picture we give to future generations who will call it home as we do. Let's give them our best shot, just as people who came before left us the beautiful picture of Jacksonville we live in now.

Leona Sewitsky
Jacksonville

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