

MINUTES
KLAMATH FALLS PLANNING COMMISSION
OCTOBER 23, 2023

A regular meeting of the Klamath Falls Planning Commission was held in the City Council Chambers (500 Klamath Avenue) on the above date at 7:05 p.m. Chair Sheryl Franklin called the meeting to order.

Commission Members present: Commissioner Franklin
Commissioner Cox
Commissioner Faunt
Commissioner White

Commission Members absent: Commissioner Brown
Commissioner Durand
Commissioner McGee

City Staff members present: Development Services Director,
Iain Vasey
Planning Manager, Joe Wall
Assistant Planner, Iris Davis
IT User Support Technician,
Scotty Hayes

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES FROM AUGUST 28, 2023

Commissioner Cox **moved to approve the August 28, 2023, Planning Commission Meeting Minutes.** Commissioner White seconded. The motion carried unanimously with all Planning Commission members present voting aye.

PUBLIC COMMENT

None

PUBLIC HEARING

1. QUASI-JUDICIAL MATTER: ZONE CHANGE (1-Z-23) - Juvenile Center, Recommendation to City Council

(begin verbatim minutes)

Planning Manager, Joe Wall: Very good. Well, we'll kick things off. I think this is our first meeting that is being broadcast on YouTube as well, so I appreciate Iain wearing the jacket. I should maybe dress up more in the future.

Development Services Director, Iain Vasey: Thought I was going to be a little bit more formal.

Mr. Wall: We're on Zoom but YouTube as well. And Scotty's here assisting us. How did you say (Mr. Hayes) with the microphones? Gotta make sure we turn them on for Youtube?

IT User Support Technician, Scotty Hayes: Make sure you turn them on before you speak.

Mr. Wall: Okay. Very good. All right, so we'll kick things off. We have in this late stage of the year, but our first Zone Change application of 2023. Just over a six-acre property. It's immediately east of all of the County facilities up on Vandenburg Road, where we have Klamath County Sheriff, Juvenile Center, Public Health, Jail, etc. There was a property line adjustment done back in 2019. That created the subject property and through a proposal to expand the Juvenile Center, the zoning on this 6.2 acre property is to match the remaining County facilities on the hill. Being zone changed to Public Facility permits the use, currently Copper Valley PUD (Planned Unit Development zoning), which I'll allude to in a little bit. Staff has already approved the expansion of the Juvenile Center. It involves tearing down an older building on-site, I believe, built in the 1960s. An expansion will add on to a building that was constructed in the mid-2000s. If Planning Commission does have any questions coming up, we have the

Director of the Juvenile Center here. And then we have Jon (Moritz) with Adkins engineering, who's completing all the project design, entitlement work for the project itself. So, one thing I want to note, this one's a little bit unique. I'm going to bring it forward to Planning Commission in the future; not really part of the discussion tonight, but just to kind of get on the radar. We do have a number of what we call Planned Unit Developments that were established, let's say, prior to the Great Recession, where the zoning was approved, the uses were approved, but no subsequent development took place. They've just kind of sat idle for decades. This is another one of those situations: Copper Valley Planned Unit Development. It was envisioned as a mix of lower density, medium density housing and some commercial components mixed in with open space. But no subsequent subdivision plats/lots have been created and no developments occurred. And it is now currently listed for sale again. I think we're going to come back to Planning Commission in the somewhat near future and talk about what we do with Planned Unit Developments that have never moved forward.

Planning Commission Chair, Sheryl Franklin: That sounds like a plan.

Mr. Wall: Very good.

Chair Franklin: Many years later, it's probably time to figure it out.

Mr. Wall: I think so. It results in a lot of confusion. We've spoken to Randy Cox (KCEDA) on a few of these matters on what it means for entitlements, and what you can build on the site when you are two owners down the road, and what the new owner now wants to do. With that: rezone from Copper Valley PUD, a portion of Copper Valley PUD - six acres, to Public Facility to allow for the Juvenile Center expansion. The remaining PUD would remain valid and in effect for the remaining 70 acres. As contained within the staff report, anytime we do a zone change, we have a series of criteria that are contained within the Comprehensive Plan and the Community Development Ordinance. Much of the criteria relate to: is it of adequate size and shape? Are there effects on the transportation system? Will there be negative effects on surrounding neighbors? Is this contiguous to similar or higher intensity zoning? Staff, in this instance, and we're trying to get closer to this, because staff spends too much time doing this, but starting to use the applicant's findings as submitted. It really is the applicant's job and requirement to submit that burden of proof for how

they meet or don't meet the criteria. So in this instance, instead of staff drafting findings, we went ahead and used the findings as drafted by Adkins. What I would say is, if there's a desire to go through any of these specific findings, if there are any questions from the Commission, we can go through those. Otherwise, we'll just kind of leave it as staff accepted the findings as written by Adkins, the applicant, and that we would recommend that the findings be accepted and then approval of the Zone Change recommended to City Council.

Chair Franklin: I have one question: *(referring to a locator map on screen)* You have a red star and the outline of the lot. Is that the whole lot that we're rezoning or just a portion of?

Mr. Wall: The entirety. It's about six acres where that red is. The red is over one lot with that green crosshatch. That is the Planned Unit Development. The remaining crosshatch that is outside of that box with the red star in it, is going to remain Copper Valley PUD.

Chair Franklin: And the building underneath is the building that they tore down. Kind of light looking thing there. That looks like a building.

Mr. Wall: To the west of the subject site. I mentioned all the facilities that are on Vandenberg Road, the Juvenile Center is the furthest east of those. And then as part of the project, they will be tearing down a portion of the building. I don't believe that's occurred yet. I know a lot of grading has occurred. I think they've put a perimeter road to kind of prep for additional parking on the site. But I don't think that active construction has occurred yet. If there are any specific questions on, we'll say project details, we'll defer to Klamath County Juvenile Center.

Chair Franklin: Okay. Well, I just have a question as when you look at that, you know, there's a lot of white in that area. Is that either a building or perhaps parking area? I mean, can you tell me what's in there now?

Klamath County Juvenile Department Director, Dan Golden: It's dirt.

Chair Franklin: It's dirt? Okay.

Mr. Wall: Staff is largely done with its report. If there are questions from the Planning Commission? Dan, would you like to answer that question? Introduce yourself.

Mr. Golden: Sure, for the record. I'm Dan Golden. I'm Director of the Klamath County Juvenile Department, the owner-agent in this project. That red star is in sort of the center of that parcel that we're seeking rezone on. That sort of green crosshatch, crossing some of the white area there, that is just kind of graded out and filled area. On that site, we're planning for the future, some solar development, in addition to the buildings and other things that are going into that site. The kind of interesting thing about that is, if you're up on that elevation where the juvenile department is and jail, that site pretty radically drops down there. And so there really isn't any other contiguous use for that type of site. Other than up at that top elevation where some of that white ground and the driveway loops around the juvenile building and comes through that sort of white area back into Vandenberg and small parking areas down at the bottom, contiguous to or next to Vandenberg Road.

Chair Franklin: Thank you.

Commissioner, Kathy White: I have one question. It really doesn't pertain to this totally. I just was kind of confused with how many beds the juvenile building has now? And then they will have, it sounded like it was the same, different?

Mr. Golden: The portion that is subject to demolition is the 1962 original building that housed both the office, or the Juvenile Department, and the Detention Center. The Detention Center had approximately 24 beds in it. That is completely subject to demo. The new portion, that is now the Juvenile Detention Center has 16 beds in detention and eight beds, nine beds, actually in the Klamath Crimson Rose Program, which is a rehabilitation program. And what we're doing is, we're tearing down that old Detention Center and replacing it with a new home with an eight bed residential treatment home for Klamath Crimson Rose clients, so that they can move out of the detention facility and into a new residential treatment home. And most all the funds for this coming from the Oregon Legislature are to be able to increase statewide capacity for residential treatment beds.

Commissioner White: Thank you. That explains. There is a confusion with eight bed, nine bed and I thought, oh, no, they're going smaller.

Mr. Golden: And let me just continue and complete the explanation. In this rezoned area there is also a site for an additional eight bed residential treatment transition home for some of the same. We haven't been completely funded at the state level for that, but we're pursuing that funding. We have commitments, pretty high level, that we may be able to accomplish that as well.

Commissioner White: Thank you.

Chair Franklin: And staff, any additional expansion would fall under this rezoning as it stands, so we won't need to see this again?

Mr. Wall: That is correct. The Public Facilities Zone would accommodate all the governmental functions that Dan described.

Chair Franklin: Okay. Thank you. Any other questions? Do I have a motion?

Mr. Vasey: Do we have to have a Public Hearing? Open the public hearing.

Chair Franklin: We'll open the public hearing regarding the Zone Change. Do I have anyone interested in speaking? Anyone on Zoom?

Mr. Hayes: There's nobody on Zoom.

Chair Franklin: Nobody at all. Okay. All right, we'll close the meeting, close the public meeting.

Mr. Vasey: Public Hearing.

Chair Franklin: Now I'll accept a motion. If someone has one to make?

Commissioner, Randy Cox: Question, if I can ask a couple questions here? You talked about the Exhibit A, the criteria and recommendation findings. This was actually filled out by someone else and not yourself?

Mr. Wall: That is correct. Yes.

Commissioner Cox: The only thing I would say and for the future, it already has been presumptuous and states that the Planning Commission has already agreed with these findings. We are meeting tonight for the first time, so we have not agreed with the findings. The Planning Department might have agreed with the findings, which'll be fine. But we should be able to say we agree with the findings at the motion that we're about ready to make in regards to agreeing with the findings. That's my only comment.

Chair Franklin: That's a good catch.

Commissioner Cox: And therefore, I would make a motion to accept the recommended findings, that the Planning Department staff has contributed to this project.

Commissioner, Bryant Faunt: I'll second that.

Chair Franklin: All those in favor say aye.

Commissioners Present: Aye.

Chair Franklin: Opposed? Alright. Motion passes. Joe, you had something to say?

Mr. Wall: Well, we always for better or worse. I think it's a tad confusing, but we always have two steps. We have the... *(several people talking over each other in confirmation)*.

Chair Franklin: We've got a second motion coming.

Commissioner Cox: I move to recommend approval of the requested Zone Change, land use application 1-Z-23 to the City Council.

Commissioner White: I second that motion.

Chair Franklin: All those in favor say aye.

Commissioners Present: Aye.

Chair Franklin: Opposed? And the motion passes. Thank you very much.

Mr. Golden: Thank you very much. Appreciate it.

(end verbatim minutes)

Commissioner Cox moved to accept staff's presented findings for Zone Change 1-Z-23. Commissioner Faunt seconded. The motion carried unanimously.

Commissioner Cox moved to recommend approval of Zone Change 1-Z-23 based on the accepted findings to City Council. Commissioner White seconded. The motion carried unanimously with all Commission members present voting aye.

OTHER MATTERS:

- Planned Unit Developments (PUDs) potential updates
- Short Term Rentals - began accepting applications
- Residential development applications update
- Downtown Design Standards updates
- Staff's Findings clarification
- Future work sessions or public hearings

ADJOURNMENT

Commissioner Cox moved to adjourn the meeting. Commissioner White seconded. The motion carried unanimously. **Chair Franklin adjourned the meeting at 7:28 pm.**

Iris Davis
Assistant Planner