



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

12/28/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Grants Pass Plan Amendment
DLCD File Number 002-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, January 09, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. **NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.**

Cc: Carla Paladino, City of Grants Pass
Gordon Howard, DLCD Urban Planning Specialist
Josh LeBombard, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE STAMP

DEPT OF

DEC 21 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Grants Pass**

Local file number: **11-40500001**

Date of Adoption: **12/5/2012**

Date Mailed: **12/19/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 12/5/2011

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☒ Land Use Regulation Amendment

☐ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The Development Code text changes repeal the sections related to Itinerant Use provisions. The Itinerant Use provisions have been revised and renamed to Temporary Merchants and the regulations for such use is now provided for in Chapter 4.08 of the Municipal Code.

Does the Adoption differ from proposal? Yes, Please explain below:

The original proposal aimed to revise the language regarding Itinerant Uses. However it was much cleaner to revise the entire Municipal Code section related to this use and remove it from the Development Code to reduce confusion.

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **n/a**

Acres Involved: **0**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

| | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 003-11 (19081) [17289]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Carla Angeli Paladino**

Phone: **(541) 450-6070** Extension:

Address: **101 NW A Street**

Fax Number: **541-476-9218**

City: **Grants Pass**

Zip: **97526-**

E-mail Address: **cangeli@grantspassoregon.gov**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on **light green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

Item: An Ordinance of the Council of the City of Grants Pass amending Articles 12, 14, and 30 of the Grants Pass Development Code relating to Itinerant Uses

Date: October 17, 2012

SUBJECT AND SUMMARY:

A Development Code Text Amendment to remove provisions related to Itinerant Uses. Itinerant Uses have been renamed and redefined as Temporary Merchants in Chapter 4 of the Municipal Code. The regulations for Temporary Merchants replace Itinerant Uses so the provisions are not necessary in both codes.

RELATIONSHIP TO COUNCIL GOALS:

This supports Council goal of **FACILITATING SUSTAINABLE, MANAGEABLE GROWTH** by evaluating the regulations and procedures related to temporary businesses.

BACKGROUND:

The application is for a Text Amendment to repeal regulations related to Itinerant Uses found in three different articles of the Development Code. The Municipal Code revisions to Chapter 4 related to Solicitor/Peddler, Mobile Vending, and Temporary Merchant licenses replaces the provisions for Itinerant Uses in the Development Code.

Upon adoption of a new Chapter 4 in the Municipal Code, the provisions related to Itinerant Uses are no longer needed as currently defined. The proposed Development Code Text Amendment will update and repeal the Itinerant Use regulations to create consistency with the new regulations proposed in Chapter 4 of the Municipal Code.

COST IMPLICATION:

None.

ALTERNATIVES:

- Approve the Development Code Text Amendment as proposed
- Approve the Development Code Text Amendment as revised by the City Council
- Deny the Development Code Text Amendment for the following reasons
- Continue the Development Code Text Amendment to a date and time certain

ITEM: AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS
AMENDING ARTICLES 12, 14, AND 30 OF THE GRANTS PASS
DEVELOPMENT CODE RELATING TO ITINERANT USES

RECOMMENDED ACTION:

Staff recommends the Council approve the Development Code Text Amendment based on the reasons outlined in the staff report.

POTENTIAL MOTION:

I move to approve the ordinance amending Chapters 12, 14, and 30 of the Development Code relating to the Itinerant Use provisions.

ORDINANCE NO. 5564

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GRANTS PASS AMENDING ARTICLES 12, 14, AND 30 OF THE GRANTS PASS DEVELOPMENT CODE RELATING TO ITINERANT USES.

WHEREAS:

1. The Grants Pass and Urbanizing Area Comprehensive Community Development Plan was adopted December 15, 1982; and
2. The ordinance amends Articles 12, 14, and 30 of the Development Code; and
3. The proposal is consistent with the goals and policies of the Comprehensive Plan; and
4. The applicable criteria from the Development Code are satisfied.

NOW, THEREFORE, THE CITY OF GRANTS PASS HEREBY ORDAINS:

Section 1. The language in Articles 12, 14, and 30 of the Development Code, as set forth in Exhibit "A", is hereby adopted and incorporated herein.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 17th day of October, 2012. The ordinance shall be effective starting January 1, 2013.

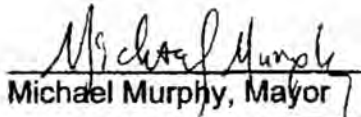
**AYES: Woodburn, Morgan, DeYoung, Fowler, Michelon, Riker, Webber
And Williams**

NAYES: None

ABSTAIN: None

ABSENT: None

SUBMITTED to and Approved by the Mayor of the City of Grants Pass, Oregon, this 22nd day of October, 2012.


Michael Murphy, Mayor

ATTEST:


Finance Director

Date submitted to Mayor: 10/18/2012

Approved as to Form, Mark Bartholomew, City Attorney MB

EXHIBIT D
to CC F.O.F.

| Land Use Types | UR | R-1-12 R-1-10 R-1-8 | R-1-6 | R-2 | R-3 | R-4 | NC | GC | CBD | BP | IP | I |
|-------------------------------------|-------|---------------------------|-------|-------|-------|-------|--------------|-------|-------|--------------|--------------|--------------|
| h) Residential Facility, per 14.521 | P-II | P-II | P-II | P-II | P-I-C | P-I-C | P-I-C | P-I-C | P-I-C | - | - | - |
| i) Dwelling, Accessory | - | - | - | - | - | - | P-I-C | P-I-C | P-I-C | - | - | - |
| 3) Trade | | | | | | | | | | | | |
| a) Retail Indoor | - | - | - | - | - | - | P-II | P-(a) | P-(a) | P-(b) | - | - |
| b) Retail Outdoor | - | - | - | - | - | - | - | P-(a) | - | P-(b) | - | - |
| c) Wholesale | - | - | - | - | - | - | - | P-(a) | - | P-(b) | - | - |
| d) Itinerant Uses (Repealed) | | | | | | | | | | | | |
| 4) Services | | | | | | | | | | | | |
| a) Professional Office | - | - | - | - | - | P-II | - | P-(a) | P-(a) | P-(b) | P*-(b) | - |
| b) Business Office | - | - | - | - | - | - | - | P-(a) | P-(a) | P-(b) | - | - |
| c) Limited Office | P-II | P-II | P-II | P-II | P-II | P-II | - | - | - | - | - | - |
| d) Repair/Maintenance, Commercial | - | - | - | - | - | - | - | P-(a) | P-(a) | P-(b) | - | P-(b) |
| e) Auto Service Station | - | - | - | - | - | - | - | P-(a) | - | P-(b) | - | - |
| f) Eating/Drinking Establishment | - | - | - | - | - | - | - | P-(a) | P-(a) | P-(b) | - | P-(b) |
| g) Hotel/Motel | - | - | - | - | - | - | - | P-(a) | P-(a) | - | - | - |
| h) RV Parks | - | - | - | - | - | - | - | P-III | - | - | - | - |
| i) Day Care/Family, per 14.310 | P-I-A | P-I-A | P-I-A | P-I-A | P-I-A | P-I-A | P-I-A (f) | P-I-A | P-I-A | P-I-A (f) | P-I-A (f) | P-I-A (f) |
| j) Day Care/Group, per 14.320 | P-II | P-II | P-II | P-II | P-II | P-II | - | P-II | P-II | P-II | P-II | P-II |

| | |
|---|-------|
| Article 14: Certain Uses..... | 14-1 |
| 14.100 Itinerant Use (Repealed)..... | 14-1 |
| (update page #'s below) | |
| 14.200 Home Occupation | 14-3 |
| 14.210 <u>Applicability and Purpose</u> | 14-3 |
| 14.220 <u>Permit Required</u> | 14-4 |
| 14.230 <u>Criteria</u> | 14-4 |
| 14.240 <u>Mitigation</u> | 14-5 |
| 14.250 <u>Application Information and Issuance of</u> <u>Permit</u> | 14-6 |
| 14.300 Day Care | 14-7 |
| 14.310 <u>Family Day Care</u> | 14-7 |
| 14.320 <u>Group Day Care</u> | 14-7 |
| 14.330 <u>Criteria</u> | 14-7 |
| 14.400 Bed and Breakfast Inn..... | 14-8 |
| 14.410 <u>Applicability</u> | 14-8 |
| 14.420 <u>Permit Required</u> | 14-8 |
| 14.430 <u>Use and Development Standards</u> | 14-8 |
| 14.500 Residential Care..... | 14-10 |
| 14.510 <u>Residential Homes</u> | 14-10 |
| 14.520 <u>Residential Facilities</u> | 14-10 |
| 14.600 Adult Businesses..... | 14-12 |
| 14.610 <u>Applicability</u> | 14-12 |
| 14.620 <u>Permit Required</u> | 14-12 |
| 14.630 <u>Additional Criteria for Permit Approval</u> | 14-12 |
| 14.640 <u>Modification of an Adult Use in a</u> <u>Non-conforming Adult Business</u> | 14-13 |
| 14.650 <u>Modification of a Structure Housing a</u> <u>Non-conforming Adult Business</u> | 14-14 |

Article 14: Certain Uses

14.100 Itinerant Uses. ***Repealed. See Chapter 4 of the Municipal Code***

²14.200 Home Occupation

14.210 Applicability and Purpose.

This section applies to all proposed Home Occupations as defined in Section 30 of this Code. The purpose of this section is to regulate home occupations consistent with the following goals:

- (1) To maintain the residential character of neighborhoods in both appearance and characteristics.
- (2) To allow businesses compatible with residential uses without infringing upon the right of neighboring residents to enjoy the peaceful occupancy of their homes.
- (3) To preserve and to protect adequate public utility services and transportation facilities.
- (4) To ensure that home occupations are subject to standard development review criteria, regardless of the zone district.

14.211 Exemptions. The following occupational uses are not required to apply for home occupation permits. The uses are required to comply with the standards for minor home occupations.

- (1) Building contractors, home builders, building tradespeople, landscaping services, janitorial services, and truck drivers, where the work is conducted entirely off-site, and
- (2) Other businesses where the office in the home serves only as a secondary office.

14.212 Occupational uses exempted under 14.211 shall comply with all of the following restrictions:

- (a) the occupational use shall be consistent with the home occupation purpose goals, as stated in Section 14.210; and,

Irrigation System: Method of supplying water which can be manually or mechanically-controlled to a needed area.

Itinerant Use: (Repealed) See Chapter 4 of the Municipal Code.

Kennels: A lot or premises on which three or more adult dogs are kept, whether by the owners of the dogs or by persons providing facilities and care, whether or not for compensation. An adult dog is one that has reached the age of six months.

Kitchen: Any room used or intended or designed to be used for preparation of food and storage of food, including any room having a sink, and either a 3/4-inch gas opening or provision for a range or stove.

³⁷Laboratory, Medical: A laboratory that provides the processing and/or manufacture of medical products on an individual basis from another medical source, usually a health care provider. This includes, but is not limited to, a dental, blood, foot, radiology, and pharmaceutical laboratories.

Land, Intensity of Use: Relative measure of development impact defined by such characteristics as the number of dwelling units per acre, amount of traffic generated and amount of site coverage.

Land, Parcel of: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

Landscaping: Includes ground cover, trees, grass, bushes, shrubs, flowers and garden areas and any arrangement of fountains, patios, decks, street furniture and ornamental concrete or stonework areas.

Landscape Coverage: The degree to which living plant materials cover any given landscaped area, as measured no higher than six inches from the finish grade of the landscaped area.

Loading Space: An off-street space or berth on the same lot with a main building or contiguous to a group of buildings for the temporary parking of commercial vehicles while loading or unloading.

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**ITINERANT USES
DEVELOPMENT CODE TEXT AMENDMENT
CITY COUNCIL FINDINGS OF FACT-TYPE IV**

| | |
|--|---|
| Procedure Type: | Type IV: Planning Commission Recommendation and City Council Decision |
| Project Number: | 11-40500001 |
| Project Type: | Development Code Text Amendment |
| Applicant: | City of Grants Pass |
| Planner Assigned: | Carla Angeli Paladino |
| Application Received: | December 2, 2011 |
| Application Complete: | December 2, 2011 |
| Date of Planning Commission Staff Report: | January 31, 2012 |
| Date of Planning Commission Hearing: | February 8, 2012 |
| Date of Planning Commission Revised Staff Report: | March 8, 2012 |
| Date of Planning Commission Hearing: | March 14, 2012 |
| Planning Commission Findings of Fact signed: | March 28, 2012 |
| Date of City Council Report: | October 9, 2012 |
| Date of City Council Hearing: | October 17, 2012 continued from March 7, 2012, April 4, 2012, July 18, 2012, and September 19, 2012 |
| City Council Findings Signed: | December 5, 2012 |

I. PROPOSAL:

The proposal repeals the Itinerant Use provisions of the Development Code. The amendments include:

- Striking out Itinerant Uses from Schedule 12-2 in Article 12
- Repealing Section 14.100 – Itinerant Use provisions from Article 14
- Striking out the definition of Itinerant Use from Article 30

II. AUTHORITY AND CRITERIA:

Sections 4.102, 4.040, and 4.050 of the City of Grants Pass Development Code provide the procedure for initiation of Development Code text amendments. The proposed amendment was initiated by the Community Development Director consistent with those provisions and the direction provided by the City Council.

Sections 2.060, 7.040 and 7.050 authorize the Urban Area Planning Commission to make a recommendation to the City Council and authorize the City Council to make a

final decision on a land use matter requiring a Type IV procedure, in accordance with the procedures of Section 2.060.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within twenty-one (21) days of the Council's written decision.

IV. PROCEDURE:

- A. The application was submitted and deemed complete on December 2, 2011. The application was processed in accordance with Section 2.060 of the Development Code, and Sections III and V of the 1998 Intergovernmental Agreement.
- B. Notice of the proposed amendment was mailed to the Oregon Department of Land Conservation and Development (DLCD) on December 5, 2011, in accordance with ORS 197.610 and OAR Chapter 660-Division 18.
- C. Notice of the proposed amendment was mailed to Josephine County on December 8, 2011, in accordance with the 1998 Intergovernmental Agreement.
- D. Notice of the proposed amendment, the February 8, 2012, Planning Commission hearing, and the March 7, 2012, City Council hearing was mailed to parties specified in Section 2.053(1) of the Development Code on January 10, 2012, in accordance with Sections 2.053 and 2.063 of the Development Code.
- E. Notice of the proposed amendment and the February 8, 2012, Planning Commission hearing was published in the newspaper on February 1, 2012, in accordance with Section 2.053(2) of the Development Code.
- F. A public hearing was held by the Planning Commission on February 8, 2012, and March 14, 2012, to consider the proposal and make a recommendation to City Council. The Planning Commission made a recommendation to the City Council.
- G. Notice of the proposed amendment and the March 8, 2012, City Council hearing was published in the newspaper on February 29, 2012, in accordance with Section 2.053(2) of the Development Code.
- H. A public hearing was held by the City Council on March 8, 2012, and subsequently continued to April 4, 2012, July 18, 2012, September 19, 2012, and October 17, 2012 to consider the proposal. The City Council adopted the decision on October 17, 2012.

V. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the October 9, 2012, City Council staff report and its exhibits, which are attached as Exhibit "A" and incorporated herein.
- B. The minutes of the public hearing held by the City Council on March 8, 2012, April 4, 2012, July 18, 2012, September 19, 2012, and October 17, 2012, which are attached as Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated herein.
- C. The PowerPoint presentation given by staff at the October 17, 2012, City Council hearing is attached as Exhibit "C" and incorporated herein.
- D. The ordinance with the final text which incorporates the text of this proposal is attached as Exhibit "D" and incorporated herein.

VI. GENERAL FINDINGS:

The City receives a lot of inquiries regarding setting up temporary businesses either on public or private property throughout the City limits and within the Urban Growth Boundary. The City regulations discuss such temporary uses in two (2) different regulations: 1) the Development Code in Articles 12 and 14 under Itinerant Uses and 2) in Chapter 4 of the Municipal Code under Peddlers License. Both sets of regulations are unclear at best. The rules are cumbersome to regulate and enforce because of conflicting provisions and limitations. The process is unclear to a customer trying to navigate through the regulations and distinguish what permits apply to their business.

In an effort to simplify the process and regulations, City staff in Community Development, Finance-Utility Billing, Public Safety, and Administration worked on a draft to revise the Municipal and Development codes related to Peddlers Licenses and Itinerant Uses. Those proposed changes were presented to the Planning Commission in February/March of this year and the Commission recommended the City Council approve the revisions. The proposal was presented to the City Council in April 2012 and a continuance was requested by staff in order to obtain feedback from the public and to make changes. A completely new Chapter 4 of the Municipal Code was drafted and presentations on the new language presented to the City Council in August and September. In order to maintain consistency with the Municipal Code changes proposed, the Development Code sections have also been revised. A hard copy of the Municipal Code draft was distributed to the City Council and public on September 19. A copy of the draft was also available on the city website for review and comment. Comments received on the draft and a petition in favor of food trucks are attached to the staff report.

The proposed Development Code changes simply remove Itinerant Uses from the Development Code and relocate all the regulations as defined into the Municipal Code.

VII. FINDINGS OF FACT - CONFORMANCE WITH APPLICABLE CRITERIA:

The text of the Development Code may be recommended for amendment and amended provided all of the criteria of Section 4.103 of the Development Code are satisfied.

SECTION 4.103:

CRITERION 1: The proposed amendment is consistent with the purpose of the subject section and article.

City Council's Response: Satisfied. The proposal amends Sections 12, 14, and 30 of the Development Code. The specific Sections include removing the Itinerant Use provisions noted in 12.027 Schedule 12-2, 14.100, and the definition in Article 30.

The proposed changes are occurring simultaneously with revisions to Chapter 4 of the Municipal Code. Itinerant Uses are renamed and defined in the Municipal Code and no longer are needed in the Development Code.

CRITERION 2: The proposed amendment is consistent with other provisions of this code.

City Council's Response: Not Applicable. The proposed changes eliminate duplication of provisions as proposed in the Municipal Code. Rather than have two codes addressing the same regulations, the Development Code provisions are being removed and new language is being proposed in the Municipal Code to address temporary uses and regulations.

CRITERION 3: The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

City Council's Response: Satisfied. See below

Comprehensive Plan Consistency

The proposed amendment is consistent with the goals and policies of the Comprehensive Plan. Applicable goals and policies are:

Goal: To improve, expand, diversify and stabilize the economic base of the economy.

Policy: The City and County shall endeavor to improve, expand, diversify, and stabilize the economic base of the community:

(a) by encouraging the location and development of environmentally sound economic activities within the Urban Growth Boundary which meet the occupational and employment needs of area residents, particularly the unemployed and under-employed.

Response: The proposed changes are furthering the economic base of Grants Pass by providing alternative job opportunities for individuals or groups trying out new entrepreneurial endeavors. For many who want to

be self-employed and/or do not want to work for a company or organization, the provisions outlined allow for an additional opportunity for someone to make a living. In some cases such temporary businesses then have the potential to become permanent brick and mortar businesses. The Economic Element adopted in 2008 indicated that 4.2 percent of Grants Pass residents worked from home and that the trend would continue to rise. Although the provisions do not relate solely to home occupations, the numbers seem to indicate a trend for those seeking to be self-employed which the changes in the Development Code and Municipal Code help foster.

(f) by providing for a timely, efficient, clear and objective development review process.

Response: Currently, the regulations are difficult to understand and interpret. The system is broken and cumbersome for customers. The proposed changes are intended to stream line the process and create a one-stop shop for customers to apply, pay for, and receive permits. The proposed changes remove the provisions from the Development Code and locate all the regulations in one location in the Municipal Code. This change makes it more customer and staff friendly to regulate the provisions.

Most Effective Alternative

The proposed amendment will relocate all provisions related to temporary uses into the Municipal Code. It clearly defines each use, the development standards for each use, and the allowable zoning districts to accommodate the various uses.

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

City Council's Response: Satisfied. The revisions related to Itinerant Uses do not affect the functions, capacities or performance standards of transportation facilities identified in the Master Transportation Plan. Revisions to the Municipal Code and the allowance for mobile vending vehicles work to address any conflicts with transportation facilities by designating food vending zones both on and off street.

If impacts were found to the transportation system, issues would be addressed on a case by case basis as necessary.

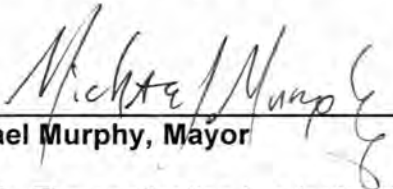
OTHER LAW:

ODOT has provided a letter and determined that the proposed amendments don't trigger review under the Transportation Planning Rule (OAR 660-012-0000) or the Access Management Rule (OAR 734-051-0045).

VIII. DECISION AND SUMMARY:

City Council **APPROVED** the proposed amendment, as presented in Ordinance 5564. The vote was 8-0-0, with Councilors Morgan, Woodburn, DeYoung, Michelin, Fowler, Williams, Riker, and Webber in favor and none opposed.

IX. FINDINGS APPROVED AND DECISION ADOPTED BY THE GRANTS PASS CITY COUNCIL this 5th day of December 2012.



Michael Murphy, Mayor

NOTE: *The application is a legislative amendment and is not subject to the 120-day limit.*

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**ITINERANT USES
DEVELOPMENT CODE TEXT AMENDMENT
CITY COUNCIL STAFF REPORT-TYPE IV**

| | |
|--|---|
| Procedure Type: | Type IV: Planning Commission Recommendation and City Council Decision |
| Project Number: | 11-40500001 |
| Project Type: | Development Code Text Amendment |
| Applicant: | City of Grants Pass |
| Planner Assigned: | Carla Angeli Paladino |
| Application Received: | December 2, 2011 |
| Application Complete: | December 2, 2011 |
| Date of Planning Commission Staff Report: | January 31, 2012 |
| Date of Planning Commission Hearing: | February 8, 2012 |
| Date of Planning Commission Revised Staff Report: | March 8, 2012 |
| Date of Planning Commission Hearing: | March 14, 2012 |
| Planning Commission Findings of Fact signed: | March 28, 2012 |
| Date of City Council Hearing: | October 17, 2012 continued from March 7, 2012, April 4, 2012, July 18, 2012, and September 19, 2012 |

I. PROPOSAL:

The proposal repeals the Itinerant Use provisions of the Development Code. The amendments include:

- Striking out Itinerant Uses from Schedule 12-2 in Article 12
- Repealing Section 14.100 – Itinerant Use provisions from Article 14
- Striking out the definition of Itinerant Use from Article 30

See Exhibit 1 for proposed Development Code revisions.

Please note: The Planning Commission reviewed and recommended approval of changes made to the original drafts of both the Development Code and Municipal Code and not the attached revisions.

Since the drafts the Planning Commission reviewed no longer are under consideration, the findings and minutes from their hearings are not attached in order to avoid confusion. Copies of the Planning Commissions original recommendations and the original drafts are available at the Planning office for review if the Council or public is interested.

II. AUTHORITY AND CRITERIA:

Sections 4.102, 4.040, and 4.050 of the City of Grants Pass Development Code provide the procedure for initiation of Development Code text amendments. The proposed amendment was initiated by the Community Development Director consistent with those provisions and the direction provided by the City Council.

Sections 2.060, 7.040 and 7.050 authorize the Urban Area Planning Commission to make a recommendation to the City Council and authorize the City Council to make a final decision on a land use matter requiring a Type IV procedure, in accordance with the procedures of Section 2.060.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within twenty-one (21) days of the Council's written decision.

IV. BACKGROUND AND DISCUSSION:

The City receives a lot of inquiries regarding setting up temporary businesses either on public or private property throughout the City limits and within the Urban Growth Boundary. The City regulations discuss such temporary uses in two (2) different regulations: 1) the Development Code in Articles 12 and 14 under Itinerant Uses and 2) in Chapter 4 of the Municipal Code under Peddlers License. Both sets of regulations are unclear at best. The rules are cumbersome to regulate and enforce because of conflicting provisions and limitations. The process is unclear to a customer trying to navigate through the regulations and distinguish what permits apply to their business.

In an effort to simplify the process and regulations, City staff in Community Development, Finance-Utility Billing, Public Safety, and Administration worked on a draft to revise the Municipal and Development codes related to Peddlers Licenses and Itinerant Uses. Those proposed changes were presented to the Planning Commission in February/March of this year and the Commission recommended the City Council approve the revisions. The proposal was presented to the City Council in April 2012 and a continuance was requested by staff in order to obtain feedback from the public and to make changes. A completely new Chapter 4 of the Municipal Code was drafted and presentations on the new language presented to the City Council in August and September. In order to maintain consistency with the Municipal Code changes proposed, the Development Code sections have also been revised. A hard copy of the Municipal Code draft was distributed to the City Council and public on September 19. A copy of the draft was also available on the city website for review and comment. Comments received on the draft are attached as **Exhibit 2**. A petition in favor of food trucks received on September 19th is attached as **Exhibit 3**.

The proposed Development Code changes simply remove Itinerant Uses from the Development Code and relocate all the regulations as defined into the Municipal Code.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

The text of the Development Code may be recommended for amendment and amended provided all of the criteria of Section 4.103 of the Development Code are satisfied.

SECTION 4.103:

CRITERION 1: The proposed amendment is consistent with the purpose of the subject section and article.

Staff Response: Satisfied. The proposal amends Sections 12, 14, and 30 of the Development Code. The specific Sections include removing the Itinerant Use provisions noted in 12.027 Schedule 12-2, 14.100, and the definition in Article 30.

The proposed changes are occurring simultaneously with revisions to Chapter 4 of the Municipal Code. Itinerant Uses are renamed and defined in the Municipal Code and no longer are needed in the Development Code.

CRITERION 2: The proposed amendment is consistent with other provisions of this code.

Staff Response: Not Applicable. The proposed changes eliminate duplication of provisions as proposed in the Municipal Code. Rather than have two codes addressing the same regulations, the Development Code provisions are being removed and new language is being proposed in the Municipal Code to address temporary uses and regulations.

CRITERION 3: The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

Staff Response: Satisfied. See below

Comprehensive Plan Consistency

The proposed amendment is consistent with the goals and policies of the Comprehensive Plan. Applicable goals and policies are:

Goal: To improve, expand, diversify and stabilize the economic base of the economy.

Policy: The City and County shall endeavor to improve, expand, diversify, and stabilize the economic base of the community:

(a) by encouraging the location and development of environmentally sound economic activities within the Urban Growth Boundary which meet the occupational and employment needs of area residents, particularly the unemployed and under-employed.

Response: The proposed changes are furthering the economic base of Grants Pass by providing alternative job opportunities for individuals or groups trying out new entrepreneurial endeavors. For many who want to

be self-employed and/or do not want to work for a company or organization, the provisions outlined allow for an additional opportunity for someone to make a living. In some cases such temporary businesses then have the potential to become permanent brick and mortar businesses. The Economic Element adopted in 2008 indicated that 4.2 percent of Grants Pass residents worked from home and that the trend would continue to rise. Although the provisions do not relate solely to home occupations, the numbers seem to indicate a trend for those seeking to be self-employed which the changes in the Development Code and Municipal Code help foster.

(f) by providing for a timely, efficient, clear and objective development review process.

Response: Currently, the regulations are difficult to understand and interpret. The system is broken and cumbersome for customers. The proposed changes are intended to stream line the process and create a one-stop shop for customers to apply, pay for, and receive permits. The proposed changes remove the provisions from the Development Code and locate all the regulations in one location in the Municipal Code. This change makes it more customer and staff friendly to regulate the provisions.

Most Effective Alternative

The proposed amendment will relocate all provisions related to temporary uses into the Municipal Code. It clearly defines each use, the development standards for each use, and the allowable zoning districts to accommodate the various uses.

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

Staff Response: Satisfied. The revisions related to Itinerant Uses do not affect the functions, capacities or performance standards of transportation facilities identified in the Master Transportation Plan. Revisions to the Municipal Code and the allowance for mobile vending vehicles work to address any conflicts with transportation facilities by designating food vending zones both on and off street.

If impacts were found to the transportation system, issues would be addressed on a case by case basis as necessary.

OTHER LAW:

ODOT has provided a letter and determined that the proposed amendments don't trigger review under the Transportation Planning Rule (OAR 660-012-0000) or the Access Management Rule (OAR 734-051-0045).

VI. RECOMMENDATION:

Staff recommends the City Council **APPROVE** the proposed amendments to the Development Code, as presented in **Exhibit 1**.

VII. CITY COUNCIL ACTION:

- A. Positive Action: Approve the request:
 - 1. as submitted
 - 2. with revisions (list):
- B. Negative Action: Deny the request for the following reasons (list):
- C. Postponement: Continue item
 - 1. indefinitely.
 - 2. to a time certain.

NOTE: *The application is a legislative amendment and is not subject to the 120-day limit.*

VIII. INDEX TO EXHIBITS:

- 1. Development Code revisions to Articles 12, 14, and 30 (Changes in strike through text)
- 2. Comments received on the Municipal Code draft
- 3. Petition submitted in support of food trucks

| Land Use Types | UR | R-1-12 R-1-10 R-1-8 | R-1-6 | R-2 | R-3 | R-4 | NC | GC | CBD | BP | IP | I |
|-------------------------------------|-------|---------------------------|-------|-------|-------|-------|--------------|--------|--------|--------------|--------------|--------------|
| h) Residential Facility, per 14.521 | P-II | P-II | P-II | P-II | P-I-C | P-I-C | P-I-C | P-I-C | P-I-C | - | - | - |
| i) Dwelling, Accessory | - | - | - | - | - | - | P-I-C | P-I-C | P-I-C | - | - | - |
| 3) Trade | | | | | | | | | | | | |
| a) Retail Indoor | - | - | - | - | - | - | P-II | P-(a) | P-(a) | P-(b) | - | - |
| b) Retail Outdoor | - | - | - | - | - | - | - | P-(a) | - | P-(b) | - | - |
| c) Wholesale | - | - | - | - | - | - | - | P-(a) | - | P-(b) | - | - |
| d) Itinerant Use, per 14.120 | - | - | - | - | - | - | - | P-I-AU | P-I-AU | - | - | - |
| 4) Services | | | | | | | | | | | | |
| a) Professional Office | - | - | - | - | - | P-II | - | P-(a) | P-(a) | P-(b) | P*-(b) | - |
| b) Business Office | - | - | - | - | - | - | - | P-(a) | P-(a) | P-(b) | - | - |
| c) Limited Office | P-II | P-II | P-II | P-II | P-II | P-II | - | - | - | - | - | - |
| d) Repair/Maintenance, Commercial | - | - | - | - | - | - | - | P-(a) | P-(a) | P-(b) | - | P-(b) |
| e) Auto Service Station | - | - | - | - | - | - | - | P-(a) | - | P-(b) | - | - |
| f) Eating/Drinking Establishment | - | - | - | - | - | - | - | P-(a) | P-(a) | P-(b) | - | P-(b) |
| g) Hotel/Motel | - | - | - | - | - | - | - | P-(a) | P-(a) | - | - | - |
| h) RV Parks | - | - | - | - | - | - | - | P-III | - | - | - | - |
| i) Day Care/Family, per 14.310 | P-I-A | P-I-A | P-I-A | P-I-A | P-I-A | P-I-A | P-I-A (f) | P-I-A | P-I-A | P-I-A (f) | P-I-A (f) | P-I-A (f) |
| j) Day Care/Group, per 14.320 | P-II | P-II | P-II | P-II | P-II | P-II | - | P-II | P-II | P-II | P-II | P-II |

| | |
|---|-----------------|
| Article 14: Certain Uses | 14-1 |
| 14.100 Itinerant Use | 14-1 |
| 14.110 <u>Applicability</u> | 14-1 |
| 14.120 <u>Permit Required</u> | 14-1 |
| 14.200 Home Occupation | 14-3 |
| 14.210 <u>Applicability and Purpose</u> | 14-3 |
| 14.220 <u>Permit Required</u> | 14-4 |
| 14.230 <u>Criteria</u> | 14-4 |
| 14.240 <u>Mitigation</u> | 14-5 |
| 14.250 <u>Application Information and Issuance of Permit</u> | 14-6 |
| 14.300 Day Care | 14-7 |
| 14.310 <u>Family Day Care</u> | 14-7 |
| 14.320 <u>Group Day Care</u> | 14-7 |
| 14.330 <u>Criteria</u> | 14-7 |
| 14.400 Bed and Breakfast Inn. | 14-8 |
| 14.410 <u>Applicability</u> | 14-8 |
| 14.420 <u>Permit Required</u> | 14-8 |
| 14.430 <u>Use and Development Standards</u> | 14-8 |
| 14.500 Residential Care | 14-10 |
| 14.510 <u>Residential Homes</u> | 14-10 |
| 14.520 <u>Residential Facilities</u> | 14-10 |
| 14.600 Adult Businesses | 14-12 |
| 14.610 <u>Applicability</u> | 14-12 |
| 14.620 <u>Permit Required</u> | 14-12 |
| 14.630 <u>Additional Criteria for Permit Approval</u> | 14-12 |
| 14.640 <u>Modification of an Adult Use in a Non-conforming Adult Business</u> | 14-13 |
| 14.650 <u>Modification of a Structure Housing a Non-conforming Adult Business</u> | 14-14 |

Article 14: Certain Uses

14.100 Itinerant Use. Repealed. See Chapter 4 of the Municipal Code

~~14.110 Applicability. This section applies to any person, group, firm, business, or organization engaged in selling merchandise, goods, wares, or services from a vehicle, trailer, cart, tent, or any other temporary stand or apparatus, whether on public or private property.~~

~~14.120 Permit Required. Itinerant Use Permit shall be obtained from the City Manager at least three days prior to the start of the use. The permit shall contain the following information:~~

- ~~(1) The applicant's true name, permanent address, and an address the City may use for purposes of notifying the applicant.~~
- ~~(2) The true name and address of a person for whom the applicant is acting as an agent. If the applicant is acting as the agent of a corporation:
 - ~~(a) The address of the registered office of the corporation in Oregon.~~
 - ~~(b) The name and address of the registered agent of the corporation in Oregon.~~~~
- ~~(3) A description of the nature of the business operation the applicant will conduct.~~
- ~~(4) A description of the goods, wares, merchandise or services the applicant will offer for sale.~~
- ~~(5) The location from which the applicant will operate.~~
- ~~(6) The length of time the applicant will conduct the business and the hours of operation.~~
- ~~(7) Past criminal convictions involving unlawful trade practices as defined by ORS 646.608, fraud, or crimes involving moral turpitude.~~
- ~~(8) Known consumer complaints made to local or State consumer agencies.~~
- ~~(9) Proof of compliance with all relevant Federal and State bonding and licensing requirements.~~

- ~~(10) If use is associated with an established organized annual event.~~
- ~~(11) Written permission from the owner of the property for which the use is proposed.~~

~~14.121 Use and Development Standards.~~

~~(1) Duration.~~

- ~~(a) Itinerant Use Permit is valid for a maximum of three continuous days. Exception: Uses from Thanksgiving to New Years Day shall not exceed 30 days, and charitable, religious, fraternal or civic organizations may be granted permits not to exceed 14 days.~~
- ~~(b) Not more than two permits shall be issued to any single business, firm, or person during any 30 day period. Exception: Only one permit during any 30 day period for charitable, religious, fraternal and civic organizations.~~

~~(2) Safety. All structures, temporary stands, booths, trailers, and similar apparatus shall conform with State and local building, fire life safety, health, and zoning codes.~~

~~(3) Appearance. All uses and associated equipment and signs to be maintained in a condition equal to that of existing surrounding businesses. After termination of use, property shall be restored to a neat and orderly condition.~~

~~(4) Location. All uses and associated equipment, merchandise, and signs to be located consistent with applicable zone district setback standards. Required parking spaces shall not be used for itinerant use.~~

~~14.122 Violation of Permit. Any person, firm, business, or organization determined to be in violation of the provisions of this section shall be subject to the full prosecution of this Code. Repeat offenders will not be eligible for future permits.~~

Irrigation System: Method of supplying water which can be manually or mechanically-controlled to a needed area.

~~Itinerant Use: A temporary use offering the sale of goods, merchandise or services from a vehicle, trailer, cart or other temporary apparatus.~~

Kennels: A lot or premises on which three or more adult dogs are kept, whether by the owners of the dogs or by persons providing facilities and care, whether or not for compensation. An adult dog is one that has reached the age of six months.

Kitchen: Any room used or intended or designed to be used for preparation of food and storage of food, including any room having a sink, and either a 3/4-inch gas opening or provision for a range or stove.

³⁷Laboratory, Medical: A laboratory that provides the processing and/or manufacture of medical products on an individual basis from another medical source, usually a health care provider. This includes, but is not limited to, a dental, blood, foot, radiology, and pharmaceutical laboratories.

Land, Intensity of Use: Relative measure of development impact defined by such characteristics as the number of dwelling units per acre, amount of traffic generated and amount of site coverage.

Land, Parcel of: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

Landscaping: Includes ground cover, trees, grass, bushes, shrubs, flowers and garden areas and any arrangement of fountains, patios, decks, street furniture and ornamental concrete or stonework areas.

Landscape Coverage: The degree to which living plant materials cover any given landscaped area, as measured no higher than six inches from the finish grade of the landscaped area.

Loading Space: An off-street space or berth on the same lot with a main building or contiguous to a group of buildings for the temporary parking of commercial vehicles while loading or unloading.

Carla Angeli

From: W Warren [bluemoongp@hotmail.com]
Sent: Wednesday, September 26, 2012 10:21 PM
To: Carla Angeli
Subject: FW: Mobile Food Carts

From: bluemoongp@hotmail.com
To: mblack@grantspassoregon.gov
Subject: Mobile Food Carts
Date: Wed, 26 Sep 2012 21:12:23 -0700

Mr Black:

The story in tonight's paper said you were looking for feedback re: the mobile food carts.

I think the reasons against locating food carts on 6th St have been stated and restated many times, so I will spare you from relisting all of those reasons. In addition to the SDC/transportation fees paid by brick and mortar restaurants, one of my biggest objections is that you can't control the appearance of the food wagons. Also, they block the visibility of the storefronts and signs that they park in front of to passing cars and pedestrians.

So where do you locate them? I believe Riverside Park would be a pleasant, ideal setting for the vendors and their customers. It also allows for a controlled environment by the City, and makes downtown restaurant owners happy as well.

Next choice: private property in a setting large enough to safely and reasonably accommodate them.

One of the vendors suggested the Fairgrounds. Why not?

As far as City fees, I think they should be high enough to cover the substantial staff time that has, and will continue to be expended in support of these vendors. It should be high enough to discourage those that are unprofessional or do not have adequate facilities. And also high enough to make the brick and mortars feel that there is a level playing field, that they are not subsidizing their competition.

Thank you for your consideration.

Ward Warren
541-660-1164

9/27/2012

EXHIBIT 2
to CC report

Carla Angeli

From: webmaster@grantspassoregon.gov
Sent: Friday, September 28, 2012 10:19 AM
To: Carla Angeli
Subject: Peddler's License Comments - Online Form

Submission information

Submitter DB ID : 10567
Submitter's language : Default language
IP address : 63.155.159.101
Time to take the survey : 5 min. , 35 sec.
Submission recorded on : 9/28/2012 10:18:32 AM

Survey answers

Please enter your comments below:

I feel like with the current level of congestion in the downtown area the added noise and exhaust from the generators is very unappealing to our downtown. It gives it the feel of a carnival.

Carla Angeli

From: webmaster@grantspassoregon.gov
Sent: Friday, September 28, 2012 12:56 PM
To: Carla Angeli
Subject: Peddler's License Comments - Online Form

Submission information

Submitter DB ID : 10571
Submitter's language : Default language
IP address : 97.125.52.39
Time to take the survey : 5 min. , 29 sec.
Submission recorded on : 9/28/2012 12:56:02 PM

Survey answers

Please enter your comments below:

Our streets were not built with street vendors in mind. We don't have the capacity or the suitability. These folks need to rent a place to be just like every other business owner must. If it is to be allowed they need to have a special tax which accounts for this discrepancy.

Personally I think it looks tacky and takes us one step closer to being a grungy, trash filled city.

Carla Angeli

From: Robert Brutke [wwpp_1@msn.com]
Sent: Thursday, October 04, 2012 11:12 AM
To: Carla Angeli
Cc: Bob1
Subject: Re: DRAFT Peddler Ordinance for review and comment

Hi Carla,

I would like to state for the record that all food trailers, carts, vehicles and or anything vending (selling) any type of product should not be allowed to operate as a business on any public street in the City of Grants Pass.

Thank you,
Bob Brutke
541 944 3644

----- Original Message -----

From: Carla Angeli
To: [Alison Orozco](#) ; [Allen Ehr](#) ; [Dennis Ward](#) ; [Jason Tucker](#) ; [Jeff Geddings](#) ; [Jeff Voigt](#) ; [Jennifer Marks](#) ; [Jon Bowen](#) ; [Kimberly Gasperson](#) ; [Linda Edwards](#) ; [Mariah Larson](#) ; [Marti Fate](#) ; [Michael Black](#) ; [Molly Prive](#) ; [Oris Huffman](#) ; [Rebecca Tinsley](#) ; [Rob Pells](#) ; [Robert Brutke](#) ; [Sandi Crowder](#) ; [Tana & Roy Pondelick](#) ; [Tim Caswell](#) ; [Tina Gotchall](#) ; [Todd Frye](#)
Cc: [Michael Black](#) ; [Kimberly Gasperson](#) ; [Dennis Ward](#) ; [Joe Henner](#) ; [Steve Scrivner](#) ; [Terry Haugen](#)
Sent: Thursday, September 20, 2012 12:14 PM
Subject: DRAFT Peddler Ordinance for review and comment

Hello Interested Parties,

Please find attached the draft ordinance for Solicitor/Peddler, Mobile Vending, and Temporary Merchants along with a proposed fee schedule (on the last page).

Please review and provide your comments to me or Michael Black by October 3rd.

Thank you,
Carla

Carla G. Angeli Paladino, Principal Planner
City of Grants Pass
Community Development Department - Planning Division
101 NW A Street
Grants Pass, Oregon 97526
cangeli@grantspassoregon.gov
541-474-6355 ext. 6417 (old phone line; no longer valid)
541-450-6070 (new phone number)
541-476-9218 (fax)

10/4/2012

EXHIBIT *end of*
2

Petition

I support the food carts/lunch wagon business in Josephine County.

I believe the current regulations, restrictions and laws should remain as they are.

| Printed Name | Signature | Address | Comment | Date |
|-----------------|-----------------------|--|---------------------------|-----------|
| Cheryl Walker | <i>Cheryl Walker</i> | POB 167, Murphy 97533 | If licensed OK to operate | 9/11/12 |
| Marilyn Raskin | <i>Marilyn Raskin</i> | 799 NE Wharton Dr | Great addition to town! | 09/11/12 |
| Kerth C. Heck | <i>K. Heck</i> | PO Box 276, Grants Pass, OR 97528 | | 9/11/12 |
| Guy Munro | <i>Guy Munro</i> | 118 NW SAUSAGE CR GRANTS PASS OR 97526 | | 9/11/12 |
| Thomas King | <i>Thomas King</i> | 555 Country View Dr Grants Pass | Keep in regulated areas | 9/12/12 |
| Toni Webb | <i>Toni Webb</i> | 405 Currier Lane GP 97526 | | 9/12/2012 |
| Madelene Morgan | <i>Morgan</i> | 1346 SE Priscilla Lane GP 26 | | 9/12/12 |
| Jan Bowersmith | <i>Jan Bowersmith</i> | 4450 LEONARD RD 97527 | Love having them! | 9/12/12 |
| HARLEY FLOOD | <i>Harley Flood</i> | 4450 LEONARD RD. 97527 | | 9/12/12 |
| CARL RASKIN | <i>Carl Raskin</i> | 799 N.E. WHARTON DR G.P. 97526 | FREE ENTER PRISE | 9/12/12 |
| Richard Hughes | <i>Richard Hughes</i> | 324 NE Mead GP 97526 | | 9-12-12 |
| Gary Tucker | <i>Gary Tucker</i> | 4121 Highland Ave GP 97526 | | 9-14-12 |
| Lynn Hughes | <i>Lynn C. Hughes</i> | 324 NE Mead GP 97526 | | 9-14-12 |
| LINDA MILNER | <i>Linda Milner</i> | PO Box 787 G.P. 97528 | | 9/18/12 |

EXHIBIT 3
to CC report

Petition

I support the food carts/lunch wagon business in Josephine County.

I believe the current regulations, restrictions and laws should remain as they are.

| <u>Printed Name</u> | <u>Signature</u> | <u>Address</u> | <u>Comment</u> | <u>Date</u> |
|---------------------------|--------------------|---------------------|--------------------------------|-------------|
| <u>1</u> Maryfette Smith | <i>[Signature]</i> | 2197 Wilcox Ln. | make a way for food businesses | 9/18/12 |
| <u>2</u> Nancy Wilcox | <i>[Signature]</i> | 1940 Regis Way | | 9/18/12 |
| <u>3</u> Lucie Harker | <i>[Signature]</i> | 995 Summer Lane Col | | 9/19/12 |
| <u>4</u> Ty BERGUND | <i>[Signature]</i> | 120 6th ST. | | 9/19/12 |
| <u>5</u> Elizabeth Wilkes | <i>[Signature]</i> | 231 Colum Rd GP | | 9.19.12 |
| <u>6</u> Dawn Riltoria | <i>[Signature]</i> | 640 NE D. St. GP. | | 9.19.12 |
| <u>7</u> Lisa Hull | <i>[Signature]</i> | 1304 Parkdale Dr GP | | 9.19.12 |
| <u>8</u> | | | | |
| <u>9</u> | | | | |
| <u>10</u> | | | | |
| <u>11</u> | | | | |
| <u>12</u> | | | | |
| <u>13</u> | | | | |
| <u>14</u> | | | | |
| <u>15</u> | | | | |
| <u>16</u> | | | | |
| <u>17</u> | | | | |
| <u>18</u> | | | | |

Petition

I support the food carts/lunch wagon business in Josephine County.

I believe the current regulations, restrictions and laws should remain as they are.

| | <u>Printed Name</u> | <u>Signature</u> | <u>Address</u> | <u>Comment</u> | <u>Date</u> |
|----|---------------------|----------------------|---|-----------------------------|--------------|
| 1 | Jessa Suthann | <i>Jessa Suthann</i> | 850 Pine Crest Dr Merlin OR | | 4/17/20 |
| 2 | 3 - 2600 | | 3 - 2600 W. Ln | | 9-17-20 |
| 3 | DAN J MURPHY | | 1370 SW ARGO LN G. PASS | | 9/17/201 |
| 4 | Colleen Stine | | 131 WEBB ST G Pass | | 9-17-20 |
| 5 | Jan Stine | | 131 WEBB ST. | | 9-17-201 |
| 6 | Jan Masters | <i>Jan Masters</i> | 3080 S. River Rd GP. 27 | | 9-17-1 |
| 7 | Louise Nicholson | | POB 3335 Applegate | <i>Jessie Nicholson</i> | 9/17/12 |
| 8 | Janet Hill | | 325 SW J Street Grants Pass, Oregon 97526 | | 09-12-16 |
| 9 | Chet Creek | | 5943 RIVERBANK RD GRANTS PASS 97527 | | 09-17-16 |
| 10 | Judy Sue | | 2701 Lower River Rd. " | | 97526-9-17-1 |
| 11 | Jody Perry | | 1457 NE 6th St. GP OR 97526 | ⁶⁵⁹⁻¹⁶⁸⁹ | 9-17-1 |
| 12 | Suey Vargas | | 1013 NW Conklin | ⁴⁷⁴⁹³⁹⁴ GP 97526 | 9/17/1 |
| 13 | | | | | |
| 14 | | | | | |
| 15 | | | | | |
| 16 | | | | | |
| 17 | | | | | |

Petition

I support the food carts/lunch wagon business in Josephine County.

I believe the current regulations, restrictions and laws should remain as they are.

| | Printed Name | Signature | Address | Comment | Date |
|----|-----------------------|------------------|---------------------------|---|---------|
| | Joy Boothroyd | Joy R Boothroyd | 13730 Redwood Hwy | | 9/12/12 |
| 1 | John Ames | [Signature] | 2586 Birdseye Creek GA | Tell City to F*CK OFF! | 9/12/12 |
| 2 | Mike Wingers | [Signature] | 2586 Birdseye | | 9/12/12 |
| 3 | Betsy Badley | Betsy Badley | 271-C Fruitdale GP | | 9/12/12 |
| 4 | Nancy Wilder | Nancy Wilder | 343 Catalpa Dr. G.P. | | 9-12-12 |
| 5 | Robert W. [Signature] | [Signature] | 410 E. Wood St | (This letter would be sent to city would be sent) | 9/12 |
| 6 | Barbara Bean | | 3344 Pearce Pk Rd | | 9-12-12 |
| 7 | Barbara Mason | | 258 Winer St | Great food carts | 9/13/12 |
| 8 | Shad Christensen | | 303 Madrone edge Dr. G.P. | | 9/13/12 |
| 9 | CATHY HAMILTON | [Signature] | 1143 SLEEPY HOLLOW LP | GP | 9/13/12 |
| 10 | Werner Constanza | [Signature] | | GP | 9/13/12 |
| 11 | F. Nicks | | PO Box 2158 Grants Pass | | 9/13/12 |
| 12 | Jason Hughitt | [Signature] | 1715 Softwood way, GP. | 97526 | 9/13/12 |
| 13 | [Signature] | [Signature] | 2015 SW Colorado Ln | 97527 | 9/13/12 |
| 14 | Kicki Esher | | 4603 Laurel Ave | 97527 | 9/13/12 |
| 15 | Jim McGilmeay | [Signature] | 172 Yorktown Rd | 97527 | 9/14/12 |
| 16 | Nataliya Aktyeva | Nataliya Aktyeva | 2003 Davis Creek Rd Selma | | 9/14/12 |
| 17 | Armanda Cushman | | 1824 NE D St | | 9/14/12 |
| 18 | | | | | |

Petition

I support the food carts/lunch wagon business in Josephine County.

I believe the current regulations, restrictions and laws should remain as they are.

| | Printed Name | Signature | Address | Comment | Date |
|----|-------------------|------------------|--|----------|---------|
| 1 | William P. Cheske | Will Cheske | 204 1/2 W. Jackson St. | | 9/10/12 |
| 2 | Larry Matusik | Larry Matusik | 2125 Cullison Ln | | 9/10/12 |
| 3 | FORREST C. WEST | Forrest C. West | 100 NW DAWN HILL CT. | | 9/10/12 |
| 4 | Ryan Konieczny | Ryan Konieczny | 1304 SE Green Lane | | 9/10/12 |
| 5 | Jay En | Jay En | 1119 Grandview | | 9-10-12 |
| 6 | Tiffany Bonney | Tiffany Bonney | 2036 Leonard Rd. Grants Pass | | 9/10/12 |
| 7 | Jerry Gost | Tonia Gost | 395 Wilderhill Ln Grants Pass 97527 | | 9/10/12 |
| 8 | Josh Solenberger | Josh Solenberger | 1007 NW 1st Grants Pass, Ore | | 9/10/12 |
| 9 | Duane Gaurin | Duane Gaurin | 512 Rte 66 Grants Pass | | 9/10/12 |
| 10 | Rebecca Wiltrout | Rebecca Wiltrout | 1131 SE Excelsior Dr GP | | 9/10/12 |
| 11 | Jean Kirkpatrick | Jean Kirkpatrick | 1081 SE Clarey Ave | BB | 9/10/12 |
| 12 | Heaven Danester | Heaven Danester | 342 Catalpa Dr. | SO GOOD! | 9/10/12 |
| 13 | Luke Wilder | Luke Wilder | 1084 Summit Loop | | 9/10/12 |
| 14 | Noah Wilder | Noah Wilder | 1084 Summit Loop | Amazing | 9/10/12 |
| | GOUTAM MURTHY | GOUTAM MURTHY | 205 NE GATEWAY SQ | | 9-11-12 |
| | RYAN LEE | RYAN LEE | 615 ABRAHAM RD MARLB | | 9-11-12 |
| | Ken Granawatt | Ken Granawatt | 339 Peckwood Ln | | 9-11-12 |

Petition

I support the food carts/lunch wagon business in Josephine County.

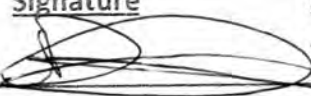
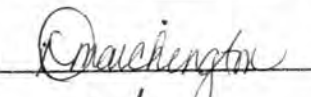
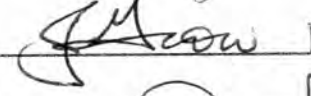
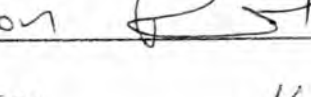
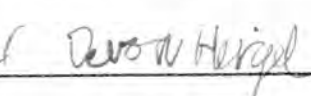




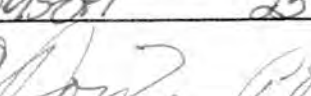
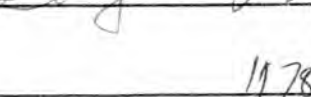

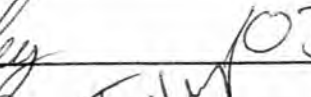


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| | Printed Name | Signature | Address | Comment | Date |
|----|-------------------|-------------------|--------------------------------------|--|---------|
| | | | | Amazing food & service!!! | |
| 1 | Dore' Durette | Dore' Durette | 1047 Via Colinas Westlake, Ca 91362 | | 9-10-12 |
| 2 | Sryan Ross | Sryan Ross | 1751 Hubbard on Grants Pass | | 9-11-12 |
| 3 | Greg Chandler | Greg Chandler | 1473 NE Tanager Grants Pass Or 97526 | | 9/11/12 |
| 4 | Erik Petersen | Erik Petersen | 311 App A SE Riversid GP OR | | 9/11/12 |
| 5 | ADRIENNE MCBRIDE | ADRIENNE MCBRIDE | 951 NE 12th St GP. | | 9/11/12 |
| 6 | James McMiller | James McMiller | 2036 SE Marlen | | 9/11/12 |
| 7 | Summitt Fluty | Summitt Fluty | 704 NW D St | | 9/11/12 |
| 8 | JENNIFER MURPHY | JENNIFER MURPHY | KITCHEN CO. | | 9/11/12 |
| 9 | James Wright | James Wright | 1936 Haviland drive GP 97527 | | 9-11-12 |
| 10 | Kurt Ramm | Kurt Ramm | 1395 Fruitdale Dr G, P 97527 | | 9-11-12 |
| 11 | Stephanie N Brown | Stephanie N Brown | 1460 N D St GP. OR 97526 | | 9-11-12 |
| 12 | Ashley cusper | Ashley Jasper | 2321 Hamilton Lane GP, JR 97527 | AWESOME FOOD | 9-11-12 |
| 13 | Springhops | Springhops | 476 E Park St GP 97526 | | 9-11-12 |
| 14 | Nick Palage | Nick Palage | 1179 W JONES CRK, GP | | 9-11-12 |
| 15 | RAY POLANCO | RAY POLANCO | 310 N D St GP. | Food carts ARE APPRECIATED! good folks, GREAT food | 9-11-12 |
| 16 | Jesse Gabbert | Jesse Gabbert | 3925 Rockwood Ave GP 97527 | | 9-11-12 |
| 17 | Jake Gabbert | Jake Gabbert | 863 Cantata Ln GP 97527 | | 9/11/12 |
| 18 | | | | | |

Petition

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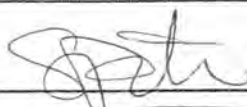
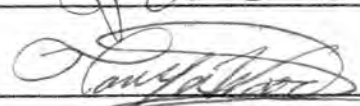
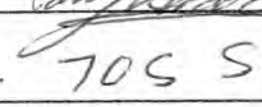
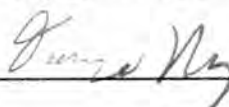
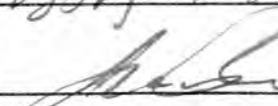
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| | Printed Name | Signature | Address | Comment | Date |
|----|---|---|------------------------------------|----------------------------------|-----------|
| | Bryan Fraisure |  | 4291 Rogue River Hwy S.P. 97527 | Let them stay. | 9-12-2012 |
| 1 | Dib Marchington |  | 1310 Highland Ave. | available 1 day/wk to operate | 9-12-12 |
| 2 | Jordan Grew |  | 1430 NE Olson G.P. | | 9-12-12 |
| 3 | Den Sorcaison |  | 125 8th St | Please Stay | 9-12-12 |
| 4 | LYNDA TAGLIERE | | 1605 NW HIGHLAND AVE | FIND A SPOT | 9-12-12 |
| 5 | Charlie McKinn | | 5395 Acacia | | 9-12-12 |
| 6 | Devon Heigel |  | 2073 Colorado Ln | | 9-12-12 |
| 7 | Stephanie Dean |  | 142 SW Hudson | Live there | 9-12-12 |
| 8 | Rick Terwilliger | | 2444 Rogue River Hwy G.P. | | 9/12-12 |
| 9 | J. Dean |  | 59 SW Western | | 9/12/12 |
| 10 | Justin Allsman |  | 431 Nugget Dr. R.R. | | 9-12-12 |
| 11 | J. Ryan Kirchhoff |  | 1467 Williams Highway OR | | 9-12-12 |
| 12 | Thomas Edmonson |  | 257 Jasmine Dr. | | 9-12-12 |
| 13 | Patricia Boyd |  | 6036 46 Obion OR 97534 | keep it! | 9-12-12 |
| 14 |  | | 11789 Williams Hwy G.P. 97526 | | 9-12-12 |
| 15 | Cheryl Ann |  | 958 NW Valley View | | 9/12/12 |
| 16 | Chad Sevelley |  | 1034 Century Cir | | 9-12-12 |
| 17 | Sandra Farley |  | 2400 NW Highland G.P. OR 97526 | | 9-12-12 |
| 18 | | | 1 241 1222 N. Main | | 9-12-12 |

Petition

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| | <u>Printed Name</u> | <u>Signature</u> | <u>Address</u> | <u>Comment</u> | <u>Date</u> |
|----|---------------------|---|---------------------------|----------------|-------------|
| 1 | Susan Peterson |  | 501 NE Royal | 3 | 9/14/2012 |
| 2 | Tanya wood |  | 734 SWL | | 9/14/2012 |
| 3 | Jacqueline Daffery |  | 705 SW K. St | | 9/14/2012 |
| 4 | Jason Schmidt | Jason Schmidt | 727 Azulea Dr | | 9-14-12 |
| 5 | Somer wood | | 215 SW Central | | 9/14/12 |
| 6 | Jill Smith | Jill Smith | 257 Gordon Way N GP | | 9/14/12 |
| 7 | Tanya Nunez |  | 2112 Fekey Way GP | | 9-14-12 |
| 8 | Kathy Charles | | 836 Lark Ellen Way GP | | 9-14-12 |
| 9 | Debra Swanson | | 1668 SE Belle Ave N GP | | 9-14-12 |
| 10 | Jesse Reed |  | 414 SW 9th St | | 9-14-12 |
| 11 | Denise Swafford | | 822 Delsie Dr. GP | | 9-14-12 |
| 12 | Nicholas Mason | | 2113 North Hill Dr. | | 9-14-12 |
| 13 | Tawrin Verret | | 3562 Placer RD | | 9-14-12 |
| 14 | JACKIE CHART | | 253 SW CENTRAL AVE GP | | 9-14-12 |
| 15 | Shelly Bond | | PO Box 837 Selma Or 97538 | | 9/14/12 |
| 16 | | | | | |
| 17 | Jim Lehman | | 915 N.E 9th St | | 9.14.12 |
| 18 | | | | | |

Petition

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|----|-----------------|--------------------|-------------------------------|---------|-----------|
| 1 | AL KUENT, PhD | <i>[Signature]</i> | 121 NE A ST, GP | | 9/11/12 |
| 2 | April Campbell | <i>[Signature]</i> | 1900 Dawn Dr. | | 9/11/12 |
| 3 | Beth Hays | <i>[Signature]</i> | 356 Sether Ave | | 9/11/2012 |
| 4 | Ray Kilmon | <i>[Signature]</i> | 400 ^{NE} Dean | | 9/11/12 |
| 5 | Justin Gardiner | <i>[Signature]</i> | 3861 Meadow View Dr | | 9/12/12 |
| 6 | ROSE MURNEY | <i>[Signature]</i> | PO Box 1581 GRANTS PASS | | 9/12/12 |
| 7 | Loralke | <i>[Signature]</i> | Merlin PO Box 372 97532 | | 9/12/12 |
| 8 | JIMMY ATTAS | <i>[Signature]</i> | P.O. Box 170 ROGUE RIVER, OR | | 9/12/12 |
| 9 | JIM VERTICH | <i>[Signature]</i> | GRANTS PASS | | 9-12-2012 |
| 10 | Shane Sims | <i>[Signature]</i> | Grants Pass | | 9-12-12 |
| 11 | Steven Marshak | <i>[Signature]</i> | 1013 NW Prospect Ave GP 97526 | | 9/12/12 |
| 12 | Norma Medart | <i>[Signature]</i> | 1048 Medart Ln | | 9/12/12 |
| 13 | Mindy Farrow | <i>[Signature]</i> | 1586 E. Jones Cr Rd | | 9/12/12 |
| 14 | Sue Ann LePage | <i>[Signature]</i> | 202 Chaparral Dr GP | | 9/12/12 |
| 15 | Virginia Knoles | <i>[Signature]</i> | 2247 Dowell Rd | | 9/12/12 |
| 16 | L. CARTER | <i>[Signature]</i> | | | 9/12/12 |
| 17 | Dana Helu | <i>[Signature]</i> | 117 NE F ST. | | 9/12/12 |
| 18 | | | | | |

Petition

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| | Printed Name | Signature | Address | Comment | Date |
|----|---------------------|------------------|---------------------------------|----------------------|---------|
| 1 | MARTY STRATTON | | 917 7th St SE Medford | | 9/10/12 |
| 2 | Chuck Jenkins | | 800 31st Ave SE Lot 66 Minot ND | | 9/10/12 |
| 3 | William S. Williams | | 405 Camp St Fayetteville AR | | 9/10/12 |
| 4 | Debbie | | | | |
| 5 | Angela Slack | Angela Slack | 18 Juarez St L.O. Oregon | | 9/10/12 |
| 6 | MAY R. MORSE | May Morse | 960 Meeman Dr GP | | 9-10-12 |
| 7 | Roxy Sweet | | 1630 Williams Hwy | | 9-10-12 |
| 8 | Wm. Moore | | 132 6th St. #1081 GP | Support current laws | 9-11-12 |
| 9 | Jiffany Ginger | | 428 Greenwood Ave | | 9-16-12 |
| 10 | Dawn Delius | | 800 N Applegate | | 9-16-12 |
| 11 | SHAWNETTE SCHMIT | Shawnette Schmit | 301 BRADY HILLMANE | | 9/18/12 |
| 12 | EMILY POWER | Emily Power | 301 BRADY HILLMANE | | 9/18/12 |
| 13 | Dean Heald | Dean Heald | 788 Debbie Dr G.P. | | 9-18-12 |
| 14 | Kathy Heald | Kathy Heald | 788 Debbie Dr G.P. | | 9-18-12 |
| 15 | Rick Epstein | Rick Epstein | 360 McMullen Crk Rd. Selmer | | 9-18-12 |
| 16 | Ken How | | 311 SE 11th St. Grants Pass, | | 9-18-12 |
| 17 | | | | | |
| 18 | | | | | |

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|----|----------------|-----------|--------------------------------------|---|------------|
| 1 | Cameron Wilby | | 969 SE 6th St | | 9-18-12 |
| 2 | Audra Hickman | | 1106 SW Princeton | | 9-18-12 |
| 3 | Kati O Meara | | 162 Stonebrookway Merlin | | 9-18-12 |
| 4 | JOSH WELCH | | 214 LINDEN | SUPPORT THE CART MOVEMENT | 9-18-12 |
| 5 | KAREN NANTAIS | | 232 ELLIOTT CR RD WILDERVILLE OR. | | 9-18-12 |
| 6 | Shari Schorr | | 1820 Gaffney Way Grants Pass, OR | | 9-18-12 |
| 7 | Stephen Schorr | | 1820 Gaffney Way Grants Pass, OR | | 9-18-12 |
| 8 | ALICIA COOK | | 1820 Gaffney Way Grants Pass, OR | | 9-18-12 |
| 9 | Nicole Cole | | 4086 Azuka Dr. GP | | 9-18-12 |
| 10 | Shane Hild | | 1083 SUNGLD D GP | | 9/18/12 |
| 11 | Kurt Tamashiro | | 252 Frontier Ln | | GP 9/18/12 |
| 12 | Kendon Leet | | 188 Kincaid Rd - Williams, OR | | 9/18/12 |
| 13 | Ann Ford | | 4000 Cloverlane Dr - Grants Pass | | 9/18/12 |
| 14 | Debra Prince | | 505 SE Jaylen Dr. G.P. | You guys are great and an asset to the community! | 9/18/12 |
| 15 | MAX MEYER | | 1909 WY CR. | | 9-18-12 |
| 16 | Kendra Wayland | | 1556 Rounds Ave | | 9-18-12 |
| 17 | Nicol Crawford | | 1001 Jerome | | 9-18-12 |
| 18 | Sara Riechers | | 405 Colonial Dr. | | 9/18/12 |

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| | Printed Name | Signature | Address | Comment | Date |
|----|-------------------|-------------------|--|---------------------------------|---------|
| 1 | Jennifer Mullenax | Jennifer Mullenax | 454 PO Box | Let them stay!!! | 9/18/12 |
| 2 | Cindy Shih | Cindy Shih | 1638 NE Beverly Dr. GP | Love the food carts! | 9-18-12 |
| 3 | SUSAN B BUSH | Susan Bush | 657 Ewe or GP 97526 | yes They're Great | 9-18-12 |
| 4 | JEFF BASSETT | Jeff Bassett | PO Box 816 | American | 9-18-12 |
| 5 | Vickie Wright | Vickie Wright | Merlin OR 97532 | Summit at it | 9-18-12 |
| 6 | Lucas Richter | Lucas Richter | 2256 Western Rd Grants Pass OR | Best | 9-18-12 |
| 7 | Starr Carrington | Starr Carrington | 1885 Medart Lane | BEST FOOD | 9-18-12 |
| 8 | CAROLINE CASS | Caroline Cass | 1325 Sunny Glen Way WOLF CREEK 97497 | (BEST FOOD - U HERE NEED IT) | 9-18-12 |
| 9 | Danella Bivens | Danella Bivens | 1481 Raydon Dr GP 97527 | Great Food | 9/18/12 |
| 10 | Julie Gulden | Julie Gulden | 1201 E Park St Grants Pass OR | 😊 | 9/18/12 |
| 11 | MARK BOURRET | Mark Bourret | 720 NE ELIDA Grants Pass OR 97526 | | 9-18-12 |
| 12 | Carol Lillibridge | Carol Lillibridge | 415 S. E L St | Let 'em stay | 9-18-12 |
| 13 | Mike Schenk | Mike Schenk | 4511 Summit Joe we need let them stay | | 9/18/12 |
| 14 | Sam Kane | Sam Kane | 720 Lincoln Rd. 97526 | | 9/18/12 |
| 15 | Jasmine Codd | Jasmine Codd | 509 SE "L" St | | 9/18/12 |
| 16 | | | | | |
| 17 | | | | | |
| 18 | | | | | |

change

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days
aweek**
Letter: Greetings,

I just signed the following petition addressed to: The Grants Pass Oregon
City Council.

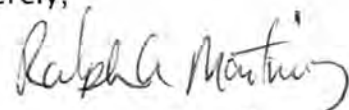
Allow Food Trucks/Carts to make a honest living by working 5-6 days
aweek

Food trucks are an important source of economic opportunity for
entrepreneurs of all types. They can also enhance the culinary culture of
our city, enliven streets, and provide food options in underserved
areas.....IF we let them.

This petition is aimed at growing support for our cause in principle. With
the petition in hand, we will work to develop and negotiate specific
changes to the city code. Because EVERYONE has a right to make a honest
living.

Sincerely, We The People Of Grants Pass Oregon and Supporters Of The
Growth Of Cities Everywhere.

Sincerely,


2167 STRINGER GAP RD.
G.P. 97527
541-474-6927

To: The Grants Pass Oregon City Council

Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**

Letter: Greetings,

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Sincerely,

Kat Drowdahl
5595 Kane Creek Rd
Central Point OR 97502
please?

change

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Carla Bricker
420 Garner Rd
Cave Junction
Or. 97523

To: The Grants Pass Oregon City Council
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Sincerely,

Georgia Buckner

*426 Gairnel RD
Cave Junction OR 97523*

change

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Sincerely,

Dennis Hunt

541 899 6882

2495 Caly Rd Jacksonville OR 97530

change

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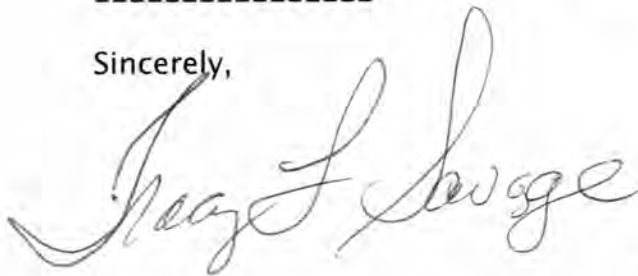
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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,



Check Bend out
for - on Street
vendors.
and they
totally want,

change

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Sincerely,


Jeff Campbell

541 (450-3391)
Keep These food
Trucks around. we
all have a right

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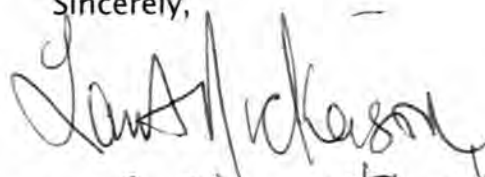
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This petition is aimed at growing support for our cause in principle. With the petition in hand, we will work to develop and negotiate specific changes to the city code. Because EVERYONE has a right to make a honest living.

Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,


305 NE 6th St #258
Grants Pass, OR 97526

change

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

I just signed the following petition addressed to: The Grants Pass Oregon City Council.

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald E. Zebert".

863 Countant Lake

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Susan Beck
541-659-6100
1840 Hubbard Lane
Grants Pass, OR
97527

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

I just signed the following petition addressed to: The Grants Pass Oregon City Council.

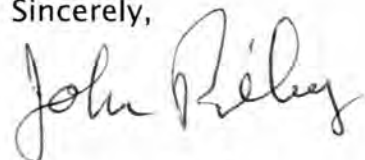
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Sincerely,



4713 Leonard Rd. G.P.

541-476-0035

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Nancy B. Riley
4713 Leonard Rd
Grants Pass, OR
476-0035

Please let these people stay with their wonderful food that we enjoy.

change

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely,

 J. W. West
97497

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Carlos Alcala

333 Howard St Medford OR 97504.



change

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

JUAN SALAS,

P.O. Box 905

Medford OR 97501

This is the LAND OF THE

FREE!!!

THANK YOU

To: The Grants Pass Oregon City Council

Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**

Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Melissa Kuchta
1224 NE Grable Dr.
GP, Or
97526

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely, 
1357 Redwood Circle #138
Grants Pass, OR 97527

change

To: The Grants Pass Oregon City Council

Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**

Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,


Borse AD

change

To: The Grants Pass Oregon City Council
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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

LIBBY HOCKER
1786 BROOKHURST WAY
GP 97527

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Rosemary Wytcharley
Rosemary S. Wytcharley
2741 Sand Creek Rd.
Grants Pass, OR 97527

541-476-2737

change

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely,

allan Wytcherley 541-476-2937
ALLAN WYTCHERLEY
2741 SAND CREEK RD.
GRANTS PASS OR. 97527

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
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Sincerely,

Beatrice Y. Davy

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
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Sincerely,

2221-BD EMARAY DR.
G.P. Debus McNulty

YOU BROUGHT JOBS TO OUR
COMMUNITY WHICH ARE NEEDED

To: The Grants Pass Oregon City Council

Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely, Jennifer Elmer 472-5095 2221 Demaray Dr GP

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Jill Cunningham

I love the street food concept.

Phyllis [Signature]

*5577 Jerome Pacific Rd.
Grants Pass, Or 97527*

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
Letter: Greetings,

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Sincerely,

Valerie Bruce
1402 NW Hawthorne Ave
GP 97526

change

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Kelly Hehin
862-2974
Murphy

change

To: The Grants Pass Oregon City Council
Subject: **Allow Food Trucks/Carts to make a honest living by working 5-6 days aweek**
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Sincerely,

Supanne Hehner

762-2974

Murphy

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,



Richard Terwilliger 2444 Rogue River Hwy
Grants Pass OR 97527

Comments:

Greetings,

I just signed the following petition addressed to: The Grants Pass Oregon City Council.

Allow Food Trucks/Carts to make a honest living by working 5-6 days a week *IN GRANTS PASS DOWNTOWN AREA.*

Food trucks are an important source of economic opportunity for entrepreneurs of all types. They can also enhance the culinary culture of our city, enliven streets, and provide food options in underserved areas.....IF we let them.

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Sincerely,

Paula Terwilliger *PAULA TERWILLIGER*
2444 ROGUE RIVER HWY GRANTS PASS OR
9752

Comments:

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Sincerely,



ANTONIO MELENDEZ

SIGN

PRINT

Comments: ADDRESS ~~000~~ 237 SW A street

A central location like growers market lot
would be ideal.

Greetings,

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Sincerely,

Polly M. Vally

541-474-3237

Comments:

Greetings,

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Sincerely,

Shelley Smith
3500 Redwood Hwy
G.P. OR. 97521

Comments:

Let people make an honest living. Please
make a change in the ordinances to accomodate
this kind of service very much needed & appreciated in
Grants Pass.

Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,



Comments:

JOYA FELTEN
CAVE JUNCTION, OR

I work for our county public health dept
and appreciate the opportunity to have
quick, nutritious lunch/dinner options
Food carts in Portland increase business
use in their downtown areas
I would like to see more food carts!

Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Jody Perry

Comments:

I think the restrictions should actually be loosened
up. I have a friend with a hot dog cart and know
what he's been through. It's very expensive and restrictive.

Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

Stanley Mince
STAN

Comments

ADDRESS

PRINT

Yes! Yes! Yes!

Greetings,

I just signed the following petition addressed to: The Grants Pass Oregon City Council

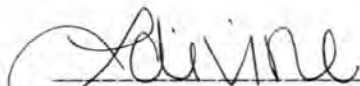
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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere

Sincerely,


SIGN

Stephanie Divine
PRINT

Comments: ADDRESS 351 NE emerald way, Grants pass
OR 97526

Greetings,

I just signed the following petition addressed to: The Grants Pass Oregon City Council.

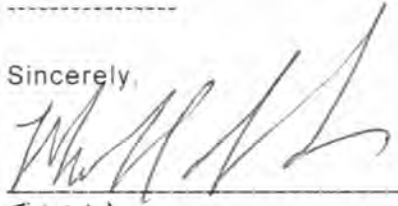
Allow Food Trucks/Carts to make a honest living by working 5-6 days a week

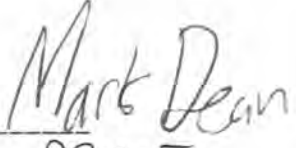
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Sincerely,


SIGN


PRINT

Comments:

ADDRESS

1549 Se Nst GP OR 97526

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Sincerely,



ANTONIO MELENDEZ

SIGN

PRINT

Comments: ADDRESS 1615 NW @ 4th St. GP

Please allow this. Perhaps a central location
For them to be located.

Greetings,

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Sincerely, We The People Of Grants Pass Oregon and Supporters Of The Growth Of Cities Everywhere.

Sincerely,

A handwritten signature in black ink, reading "Garry C. Jueden", written over a horizontal line.

Comments:

| Name | City | State | Zip | Signed On | Comment |
|----------------------|-------------|-------|---------|-----------|--|
| Christopher Masters | Grants Pass | OR | 97526 | 8/11/2012 | This food truck is an amazing addition to the city of Grants Pass. The owners are extremely friendly and the service is great. These are the types of businesses that will grow our small economy by creating jobs and by getting people to walk our streets and therefor spend money in local shops. |
| Winona Bishop | Grants Pass | OR | 97527 | 8/11/2012 | With the way the job force is, I feel if a person will go out to find a job or make a job for themself to support their families and not take advantage of the system, then they should do so. |
| Jennifer Korisanszky | Surrey | | V3R 5N8 | 8/11/2012 | I grew up in Grants Pass and it will always be my home. Everyone deserves to make an honest living anyway they can. |
| Dianne Dessert | Rogue River | OR | 97537 | 8/12/2012 | Many studies across the U.S. have proven the food cart industry is a boon to local economy, they don't inhibit/hurt local establishments and they produce entrepreneurs who go on to establish brick and mortar businesses. The Portland OR study is a fine example of an in-depth review regarding this. Also, Medford, OR has a plan in place that works very well. They establish sites around the downtown for food carts, vendors apply for placement and if they meet health code regulations and meet their placement schedule, they are allowed to participate the next year. In this economy, and with all the proven info in studies, I don't understand why anyone would attempt to curtail such these venture. Make it work! |
| jay brown | grants pass | OR | 97527 | 8/12/2012 | free enterprise is what makes this country what it is. if you regulate a mans livelyhood . you turn him into your slave. all citezens are gaurentied to life liberty and pursuit of happyness. one can not live if he does not eat . one can not eat if he is not allowed to work. let the free market decide if this food cart makes it or breaks it. |
| Nelson Ferguson | Grants Pass | OR | 97526 | 8/12/2012 | Because I can't find a a reason not to sign this petition. I can't find a reason why people shouldn't be allowed to work. |
| Danielle Peck | Wickliffe | KY | 42087 | 8/12/2012 | Having grown up in Grants Pass, I love the quaint small town feel of it and think a food cart would be a wonderful addition to the town. It creates diversity and charm. |
| Ellen Eggers | Weaverville | CA | 96093 | 8/12/2012 | Have lived in Grants Pass most of my life. Love the fact that someone is trying to work. Some of the best food comes off a food cart. Let them make a living. |
| Ciara Owen | Grants Pass | OR | 97526 | 8/12/2012 | I love living in Grants Pass and have lived here most of my life. I hear people complain all the time about how we don't have enough food options in our town. I think it's important in this community to support small businesses (new or old) as much as humanly possible. There is enough business in this town for everyone no matter what business you are in. And I think we can all agree that there are also a lot of lazy people and a lot of unemployed people in this area. We really need to reward and support those people who want to work and who want to provide for their families. |

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| kim riha | murphy | OR | 97533 | 8/12/2012 | because food trucks offer a different kind of food then is available in Grants Pass and more convenient and cheaper too. The restrauants in GP should be scared they might lose business most of them are awful and overpriced! |
| Glenda Ponder | Gold Hill | OR | 97525 | 8/12/2012 | I work in Grants Pass and would appreciate the opportunity to have this wonderful food available to me and my co-workers. Please support free enterprise and diversity in Grants Pass |
| JODY NIGH | Grants Pass | OR | 97526 | 8/12/2012 | As long as the businesses are licensed by the city and inspected by Health Dept. for cleanliness I don't see any reason they shouldn't be allowed on our streets. |
| Rosa Kiser | Grants Pass | OR | 97526 | 8/13/2012 | Entrepreneurs need to be encouraged to start new businesses and sometimes when people do not have enough money to have a "structured business" then this is a great alternative!! |
| Crystal Bettencourt | Grants Pass | OR | 97527 | 8/13/2012 | We live in the United States and should have the freedom to operate a legitimate business whether it's in a truck or building. These are honest people attempting to earn a living. Praise them for thier creativity and good luck to them all! We should uplift each other and support ALL local buinesses! |
| cindi hedgepeth | grants pass | OR | 97527 | 8/13/2012 | Beacue free enterprise, innovation and competition are a healthy part of our economy. It is supposed to be what make America what it is. As long as the food carts can pass the same health inspections that stationary restaurants pass, bring them on! I love the food that this particular cart provides and miss it when I cannot find it. The prices are good, the food is healthy and delicious. What's the problem???? |
| jamie smedley | grants pass | OR | 97527 | 8/14/2012 | Food trucks, like the Saigon Xich Lo, bring a special outdoor community atmosphere ... which is something that would help this little town community. Besides, the family who operate the Saigon Xich Lo are amazingly positive and their food inspires me to hunt them down VERY often. Another reason: I'd like to save some time and gas trying to find them. |
| Melissa Duffy | Merlin | OR | 97532 | 8/16/2012 | I believe people who are willing to take the giant risk of operating their own businesses should have that opportunity as long as they comply with all EXISTING laws. |
| Melissa Lebars | Grants Pass | OR | 97527 | 8/16/2012 | GP is well over due for food diversity and interest on our downtown strip! |
| Kerrie Bunes | Grants Pass | OR | 97527 | 9/1/2012 | I believe these vedors should have an orotundity to earn a living too! |
| Thomas Gravlee | Valrico | FL | 33596 | 9/1/2012 | I am an original Grants Pass, OR resident who is currently serving on active duty in the military, assigned to USSOCOM in Tampa, Fl. I completely support this effort to allow venders like this to provide a great service to the community. I personally experienced this vendor when I was back home visiting this summer and was very pleased and excited to see the the efforts made to improve the town/county, like allowing this type of service. |
| dona white | grants pass | OR | 97526 | 9/1/2012 | I absolutly believe we should bw able to make a living this way with travling food trucks. People are jobless. This definatly gets rid of the overhead, and allows mone to bw spent in our comunity |

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| Tamara Howe | Grants Pass | OR | 97526 | 9/1/2012 | You'll let a blood sucker like Walmart stay open 24 hours. But a little food cart working hard to make a living is a problem? Leave these people alone! They have been put through enough from our community. |
| Eva Kallai | merlin | OR | 97532 | 9/1/2012 | Cause the food is delicious and why Not let hard working people who are trying to support their family and contributing to out local economy work hard. |
| Robert Bell | Cave Junction | OR | 97523 | 9/3/2012 | I Love this Restaurant. From the first time I went there, I received so much Christ-like Kindness from the owners. They were giving me free samples and extra amazing dressings before and after I purchased the meal. I Love them. I Love the food. I don't want to see either leave Grants Pass. God Bless em. |
| Richard Elardi | Grants Pass | OR | 97527 | 9/3/2012 | My wife and mom love the food. |

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| Rosa Kiser | Grants Pass | Oregon | 97526 | 8/13/2012 |
| Crystal Bettencourt | Grants Pass | Oregon | 97527 | 8/13/2012 |
| Richad Gagnon | Grants Pass | Oregon | 97527 | 8/13/2012 |
| Danielle Rossiter | Grants Pass | Oregon | 97526 | 8/13/2012 |
| Autumn McKenzie | grants pass | Oregon | 97527 | 8/13/2012 |
| Katrina Ramirez | Grants Pass | Oregon | 97527 | 8/13/2012 |
| C Trandinh | Grants Pass | Oregon | 97526 | 8/13/2012 |
| cindi hedgepeth | grants pass | Oregon | 97527 | 8/13/2012 |
| Lori Mecca | Grants Pass | Oregon | 97526 | 8/13/2012 |
| Antonio Melendez | Grants Pass | Oregon | 97526 | 8/13/2012 |
| Chris Megrue | norwalk | Connecticut | 6854 | 8/14/2012 |
| Brian Pombo | Grants Pass | Oregon | 97526 | 8/14/2012 |
| jamie smedley | grants pass | Oregon | 97527 | 8/14/2012 |
| Kaileen Flora | Coos Bay | Oregon | 97420 | 8/15/2012 |
| shamara ecep | Coos Bay | Oregon | 97420 | 8/15/2012 |
| Sandra Jenkins | Grants Pass | Oregon | 97527 | 8/15/2012 |
| Melissa Duffy | Merlin | Oregon | 97532 | 8/16/2012 |
| karen duffy | Merlin | Oregon | 97532 | 8/16/2012 |
| Julia Miller | Grants Pass | Oregon | 97527 | 8/16/2012 |
| kelly arris | Grants Pass | Oregon | 97526 | 8/16/2012 |
| Amy Johnson | Grants Pass | Oregon | 97526 | 8/16/2012 |
| tom miller | Grants Pass | Oregon | 97527 | 8/16/2012 |
| Melissa Lebars | Grants Pass | Oregon | 97527 | 8/16/2012 |
| Karen Watson | Portland | Oregon | 97215 | 8/17/2012 |
| Kerrie Bunes | Grants Pass | Oregon | 97527 | 9/1/2012 |
| charla lehman | grants pass | Oregon | 97526 | 9/1/2012 |
| Lori Matlock | Grants Pass | Oregon | 97527 | 9/1/2012 |

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| sarah mccollum | Grants Pass | Oregon | 97526 | 9/1/2012 |
| Thomas Gravlee | Valrico | Florida | 33596 | 9/1/2012 |
| LaDawn Sutch | Grants Pass | Oregon | 97527 | 9/1/2012 |
| donna white | Grants Pass | Oregon | 97526 | 9/1/2012 |
| Tamara Howe | Grants Pass | Oregon | 97526 | 9/1/2012 |
| Eva Kallai | Merlin | Oregon | 97532 | 9/1/2012 |
| Anne Perry | Grants Pass | Oregon | 97526 | 9/1/2012 |
| MELISSA TALLY | Grants Pass | Oregon | 97526 | 9/1/2012 |
| Sandra Shane | Grants Pass | Oregon | 97527 | 9/1/2012 |
| Catriona Callies | Grants Pass | Oregon | 97526 | 9/1/2012 |
| Shelly Club | Grants Pass | Oregon | 97526 | 9/2/2012 |
| Rebecca Hallin | Federal Way | Washington | 98003 | 9/2/2012 |
| Sharon Sparlin | Grants Pass | Oregon | 97527 | 9/3/2012 |
| Robert Bell | Cave Junction | Oregon | 97523 | 9/3/2012 |
| Richard Elardi | Grants Pass | Oregon | 97527 | 9/3/2012 |

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|--------------------|-----------------|----------|-------|-----------|
| Jon Peterman | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Gypsy Dessert | Rogue River | Oregon | 97537 | 8/12/2012 |
| Alexandria Rodgers | Hampton | Virginia | 23663 | 8/12/2012 |
| Jonathan Masters | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Janet West | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Joel Fertakos | Baltimore | Maryland | 21206 | 8/12/2012 |
| april graham | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Jessica Strength | Grants Pass | Oregon | 97527 | 8/12/2012 |
| brittany basis | Wilderville | Oregon | 97543 | 8/12/2012 |
| Melissa Gallagher | Grants Pass, OR | Oregon | 97526 | 8/12/2012 |
| kelly gabbert | grants pass | Oregon | 97527 | 8/12/2012 |
| Susanne Primer | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Cherie Gabbert | Grants Pass | Oregon | 97527 | 8/12/2012 |
| cynthia Frego | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Jim Frego | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Russell Rediger | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Chris Vitale | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Courtney Tucker | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Kelly Loffer | Grants Pass | Oregon | 97527 | 8/12/2012 |
| jay brown | grants pass | Oregon | 97527 | 8/12/2012 |
| Teza HAMPTON | GRANTS PASS | Oregon | 97527 | 8/12/2012 |
| Ron Swanson | Rogue River | Oregon | 97526 | 8/12/2012 |
| Shirley Radka | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Debbie Lee | grants pass | Oregon | 97526 | 8/12/2012 |
| John White | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Casey Dilbeck | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Heidi Foss | Grants Pass | Oregon | 97526 | 8/12/2012 |

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| Stephanie Pinegar | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Arla Demore | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Juniper Bartlett | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Julia Baida | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Ruth Sears | Grants Pass | Oregon | 97527 | 8/12/2012 |
| David Andrews | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Nelson Ferguson | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Audra Waite | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Shonna Bouteller | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Kristina Keith | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Danielle Peck | Wickliffe | Kentucky | 42087 | 8/12/2012 |
| Teresa Beam | Gresham | Oregon | 97080 | 8/12/2012 |
| Kristina Stader | Grants Pass | Oregon | 97528 | 8/12/2012 |
| joy kilishek | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Ellen Eggers | Weaverville | California | 96093 | 8/12/2012 |
| Trina Friez | Grants Pass | Oregon | 97527 | 8/12/2012 |
| Shanel Heller | Merlin | Oregon | 97532 | 8/12/2012 |
| Ciara Owen | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Phil Burgess | Grants Pass | Oregon | 97527 | 8/12/2012 |
| James Deatherage | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Kent Beck | Merlin | Oregon | 97532 | 8/12/2012 |
| kim riha | murphy | Oregon | 97533 | 8/12/2012 |
| Glenda P | Gold Hill | Oregon | 97525 | 8/12/2012 |
| JODY NIGH | Grants Pass | Oregon | 97526 | 8/12/2012 |
| Bonnie Freel | Glendale | Oregon | 97442 | 8/12/2012 |
| Mike Giamalva | Ocean Springs | Mississippi | 39564 | 8/12/2012 |
| Shawna Henderson | Grants Pass | Oregon | 97527 | 8/13/2012 |

| Name | City | State | Zip Code | Signed On |
|----------------------------|------------------------------------|---------------|------------|-----------|
| Merek Doggett | | | | 8/11/2012 |
| Rebecca Masters | Grants Pass | Oregon | 97527 | 8/11/2012 |
| Leslie McCarthy | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Christopher Masters | Grants Pass | Oregon | 97526 | 8/11/2012 |
| katy hicks | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Ashley Sietsma | Grants Pass | Oregon | 97526 | 8/11/2012 |
| April Bassett | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Winona Bishop | Grants Pass | Oregon | 97527 | 8/11/2012 |
| Roberta Sabine | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Jennifer Miller | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Faye Logan | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Anne Burden | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Mark Shay | Grants Pass | Oregon | 97527 | 8/11/2012 |
| Cynthia Fletcher | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Nicole Cole | Grants Pass | Oregon | 97526 | 8/11/2012 |
| JOHN RICHARD YOUNG-HIGGINS | east norriton township, norristown | Pennsylvania | 19401-1531 | 8/11/2012 |
| Emet Band | Eugene | Oregon | 97405 | 8/11/2012 |
| Samantha Evans | Grants Pass | Oregon | 97527 | 8/11/2012 |
| Jeff Bailey | Merlin | Oregon | 97532 | 8/11/2012 |
| dave hodes | grants pass | Oregon | 97527 | 8/11/2012 |
| Rachael Ramsay | Grants Pass | Oregon | 97526 | 8/11/2012 |
| Jennifer Korisanszky | Surrey BC | | v3r 5n8 | 8/11/2012 |
| Skip Stephenson | Grants Pass | Oregon | 97527 | 8/11/2012 |
| Amber Hatfield | Grants Pass | Oregon | 97527 | 8/11/2012 |
| Brenda Francis | Grants Pass | Oregon | 97527-9591 | 8/11/2012 |
| Danielle Nelson | Saugus | Massachusetts | 1906 | 8/12/2012 |

City Council Meeting
April 4, 2012
6:00 p.m.
City Council Chambers

The Council of the City of Grants Pass met in regular session on the above date with Mayor Murphy presiding. The following Councilors were present: Morgan, DeYoung, Woodburn, Fowler, Riker, Webber, and Williams. Absent: Michelin. Also present and representing the City were City Manager Pro Tem Reeves, City Attorney Bartholomew, Finance Director Meredith, Public Safety Director Henner, Community Development Director Black, Parks and Community Services Director Seybold, Streets Superintendent Scrivner, and Human Resources Coordinator Lange.

Mayor Murphy opened the meeting. Councilor Fowler gave the invocation followed by the Pledge of Allegiance.

PROCLAMATIONS

Fair Housing Month

Mayor Murphy read the proclamation: whereas April marks the anniversary of the Fair Housing Act of 1968 which sought to eliminate discrimination in housing opportunities and to further housing choices for all Americans and; whereas illegal housing discrimination occurs when a person is prevented from living in housing of his/her choice due to race, religion, national origin, sex, physical or mental disability, source of income, sexual orientation, gender identity, and age, and; whereas vigorous local efforts to combat discrimination can be effective, if not more so, than federal efforts, and; whereas illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all and; whereas the City of Grants Pass is committed to highlight the Fair Housing law by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other groups to ensure every American of the right to fair housing, therefore, I, Michael Murphy, Mayor of the City of Grants Pass, on behalf of the City Council, do proclaim April 2012 as Fair Housing Month in Grants Pass, and call upon the people of Grants Pass to abide by the letter, and the spirit of the Fair Housing law.

Donna Lee Brooks from the Oregon Housing Program (Access) accepted the proclamation. She thanked the Mayor and Council for dedicating April as Fair Housing Month and the commitment to affirmatively furthering fair housing in the community and for partnering with Access in promoting fair housing. She noted there is an exhibit on display at the Josephine Community Library through April 10 then will move to Illinois Valley Library in Cave Junction.

community support the City has received and the commitment by citizens to plant and nurture trees in the community.

1. COUNCIL ACTION:

- a. Ordinance amending Chapter 4.08 of the Grants Pass Municipal Code relating to Peddlers/Solicitors/Itinerant Merchant/Lunch Wagon License.

Mayor Murphy noted that both he and Council are aware that there is specific interest in this item and that this hearing is not directed at any specific business of concern. The ordinance amendment had been in the works, though there may have been some overlap, this is not a hearing regarding a specific business.

City Manager Pro Tem Reeves stated, the Community Development Department has been working on this for quite some time and Director Black can frame the issue for us a little bit.

Community Development Director Black stated, I am going to turn this over to Principal Planner Angeli Paladino to do the presentation, but I just wanted to reiterate what the Mayor said. The business he is talking about, which this is not about, actually is licensed and was licensed under Code. It is legal what they are doing. We have received some complaints and we are looking into those. I sent out an email today about it. What is relevant is what they are doing, because the Code you are looking at tonight regulates to some extent what they are doing. What would be relevant would be, for instance, how they operate and things which might tie into these other businesses which need to be regulated. That is something which is relevant for you to talk about tonight. I do know there are people here tonight to talk about that as well. But the presentation is simply going to be about these types of uses, and not necessarily this one business.

Principal Planner Angeli Paladino stated, the proposal before you this evening is a Municipal Code amendment. Item 2a on your agenda tonight is the Development Code amendment which relates to this item. I will talk about both of them under this presentation in order to get all the issues out, and we will go from there. We are now looking at the Municipal Code, section 4.08 regarding a peddlers license. The ordinance is looking at modifying the existing language. The outcome thought by doing this was to create some distinct categories of uses that people are constantly asking about, redefining terms, and creating some new terms within that ordinance. As part of the Development Code change, we are looking at identifying zones where each use is permitted and expanding where some of the uses are permitted as well as looking at simplifying our permitting process. We recognize that as people come in asking questions, asking for a permit, there is really a back-and-forth between Community Development and the Finance Department and Public Safety, and maybe there is a way to simplify that, so we are hoping to do

that as well. Staff has been looking at this on and off since 2010. Carl Sniffen, a former City attorney, actually drafted the ordinance before you. Customer Service Supervisor Kimberly Gasperson is here and she is our supervisor in Finance. She and her staff actually issue the peddlers license and process the business tax forms to customers. Lt. Jeff Geddings is also part of the team, with Public Safety. He has been reviewing the ordinance for Code Enforcement, for the CSOs and that kind of thing. Then myself, as a planner in the CD Department, looking at the Development Code process and how that meshes with this Municipal Code change.

As far as other review bodies, this whole package has gone to the Planning Commission and they actually heard it under two hearings; once in February and once in March. The Planning Commission did have recommended suggestions and their minutes are part of your packet. Some of those changes, I will talk about tonight. In late march this draft was submitted to the Chamber of Commerce and was submitted to the Downtown Services staff to take a look at. I did not really get a chance to sit down and talk to either of those agencies to get a feel for what they think about it. We do have some downtown merchants here this evening to give some opinions on it and hear their input. That is great.

Let's start with the definition of what is a peddler. Again, this Municipal Code section has been in place since about 1985 and has about ¾ page definition as it currently exists. It is long, a run on sentence. It is murky. What we tried to do was simplify the definition and we took out a lot of its parts. What is a peddler? A peddler is someone who either goes door to door or place to place soliciting goods or services. An example may be from the old times when someone was soliciting encyclopedias door to door. That would be a peddler. In some cases, it is someone selling food from a cart. It may be someone selling magazine subscriptions. There are many different types of peddlers. As part of the Development Code process, there is something called itinerant use. That is where someone applies for selling goods or services from a temporary stand or cart, but in a fixed location. A location that is temporary in nature. For instance, perhaps they go to a private property and asked that property owner if they can set up a hot dog cart or a booth – those kinds of things that are limited in duration and only temporary.

New terms proposed – again, we took that peddlers definition and revamped it and created a peddler/solicitor definition. Again, that is a person who is going door-to-door and place to place. We looked at itinerant use and re-created that into itinerant merchant. Again, that is the same concept of someone setting up a booth either on public or private property for a set amount of time, selling goods or services. Then we actually looked at a new definition for a lunch wagon. That would be someone who is actually selling prepared foods or drinks to the public. Some of the proposed changes again are that we shortened the definition for peddler and included in that definition specifically the ice cream truck vendor. The part of that which is relevant is that a peddler/solicitor is allowed in all zones and the ice cream truck is typically in the residential zones, for neighborhoods where they can sell and that is specifically located in the peddler definition. The peddler/solicitor definition also continues to exclude tax-exempt groups, so the Girl Scouts or 4H club and all of those religious organizations which are coming in and wanting to do

some kind of solicitation of their goods or services are not part of the peddler definition. They would get a license, but they are not considered a peddler.

In terms of itinerant merchant, once again, this is part of the Development Code revisions. We looked into expanding the user into the neighborhood commercial zones and all of our industrial zones. Currently our itinerant use or itinerant merchant is only allowed in the general commercial or central business district. However, we have a lot of customers who come to the counter that maybe want to do an auction or some kind of event or something in an area that is an industrial zone and there really is not any reason why they can't, since it is a temporary use. The new provisions would allow merchants on private property to be there for an entire fiscal year. Right now, they are limited to 2 permits in a 30 day and that permit is good for three continuous days, so six days out of the month is all they can do. We are looking at expanding that. There are some exceptions currently in the Code about the timeframe for charitable groups and in areas during holidays – basically, from Thanksgiving to New Year's Day there is allowance for additional time. This would kind of take care of all of that because if a private property owner would permit someone to come on their property and sell these temporary goods than they can be there all year. In terms of a merchant being on public property, they would be allowed to be there for 30 days during a fiscal year.

Now for the lunch wagon. This is a new term defined and basically noting that it is either foot propelled or a motor vehicle and there is the intent they are selling prepared foods and drink. The Code would allow them to be on private property for the entire fiscal year. We get a lot of people who come in saying they want to do a hot dog cart and we tell them the timeframe is six days a month, so they kind of shriek that it is not worth their time to do it six days a month. They want something more stable. The idea here was to open that up and allow for it if a private property wants them to be there then they could be there all year. In terms of being on public property, which would be our roadways, sidewalks, land that is owned by the public then they would be allowed up to 30 days.

Additional provisions noted in the ordinance we would be looking at peddlers and solicitors and lunch wagon operators to go through a background check with our Public Safety Department. They would be issued a photo ID card – and I have some examples here – this is similar to what city staff cards look like. There is no allowance for them to get into the building, but they would be issued a photo identification card and this would give people some meaningful sense of security that they had gone through process and someone has reviewed their information and they are legit. In addition to that, as I mentioned, the Planning Commission reviewed this pretty thoroughly.

They actually reviewed the Municipal Code section in a lot of detail and they asked staff to go back and make some revisions, so the staff team did look at some of their comments. They specifically did want to add a provision that would allow someone other than the applicant to appeal a permit to the City Council. That had not been there originally. I think this is something they specifically thought was a good idea.

In summary, again, the definition of peddler was modified and kind of reduced. They do have to go through a background check and require a photo ID. They do pay a peddlers license fee and a business tax fee. Again, the peddler/solicitor does include the ice cream truck. They are kind of a separate identified use under peddler. For the tax exempt groups it is more of a streamlined process. They fill out an application, they do not have to pay any fees, and they would be issued a permit. For the itinerant merchant, again, this would be allowed year round on private property and 30 days on public property, and they would pay a business tax only. They would not actually pay a permit fee. The itinerant use currently is free as well, so we kind of kept that model. For the lunch wagon, again, this is a new term. It would be allowed year round on private property. We do get a majority of requests from customers asking to do some sort of wagon or cart or something on private property, and this is really to address that concern. They would be allowed 30 days on public property. They do have to go through a background check and require photo ID to be shown. They would pay for a peddler license and a business tax.

Councilor Woodburn asked, there is a comment on the very first page in the background I'd like you to help me understand. I can read the definition, but it is hard for me to understand exactly how things fit into those clearly. Also a comment in the background states, "A lunch wagon that is also a peddler and does not stay in one public location for more than two hours is also permitted on public property for a fiscal year." I don't really know what that means. I have a hard time, you know, is it a lunch wagon or is it a peddler, is it both? Can you fit in all three?

Principal Planner Angeli Paladino stated, as this background was being created everything was kind of happening at the same time. There were thoughts about whether or not someone could fall into two categories. I think the real reason we went to identifying separate uses is so that someone could fit into one use and not be in multiple uses. Right now if we have someone come in as an itinerant use, they may or may not also be a peddler. To try and separate that confusion, when you come in and apply for something then we are going to put you into one box, we are not going to put you into three boxes. The comment, that last sentence you just read, is incorrect. They wouldn't be considered both. They would be considered a lunch wagon.

Councilor Woodburn stated, then can I ask if there is something in here that prohibits you from getting more than one? Let's say I apply for a lunch wagon permit and that is going great and then I think I want to go door to door, then can I also apply for a peddlers license and get that because I can say I fit in both? Are these going to be mutually exclusive and in the Code that they are mutually exclusive? In other words, when I show up and ask for a license, are you going to say I have to pick one and cannot just pick all three?

Principal Planner Angeli Paladino stated, yes, that does make sense and I think we are going to need to figure out those details, but that is the concern. We don't want to have somebody coming in doing all kinds of different things. We have received some letters and they are on the dais for you. They were also sent out by email. We do have some concerned business owners downtown that have raised some issues regarding an existing peddler who is on the streets in Grants Pass. As Director Black mentioned, that peddler does have a peddlers license. He falls under the definition of a peddler. He received his permit in February and he has paid his business tax. He is considered as legally operating. He is allowed to basically move around the city streets and cannot be in one location for more than 2 hours. Some suggestions from property owners with this concern of us opening up this idea of having lunch wagons being on city streets include restricting the lunch wagons to kind of the downtown core, in the 6th and 7th street areas and the two blocks east and west. Another suggestion was to evaluate the Growers Market area and maybe look at a zone or a location for lunch wagons specifically so people would know where to go to find them and they would not be causing any potential issues on city streets. In terms of the lunch wagon evaluation, I think the majority of the concerns this evening will be regarding this topic. I think what is best, from a staff perspective, is to maybe hear the concerns and listen to it, and then have a chance to go back and maybe make the conditions a little stronger. As I mentioned earlier, the majority of inquiries for lunch wagon are those on private property. On private property, the proposed ordinance would allow for this to be year round and I think that is a lot of the concern that people have. Right now they can only do it for a set amount of time and it is not enough. The peddlers ordinance has been in effect since 1985. It is timely that we are having one visible food vendor as a concern come up as we are addressing this issue, that way we can all work together and figure out what to do.

From staff perspective and from a customer's perspective, the rules right now are confusing. We are doing our best right now to wade through them and separate them and give people the best information to allow them to do what they want to go do. The current ordinance has things that need to be addressed. For example, can someone come in and apply for three permits? There is always going to be something that may not... some loophole or something that was not thought about, but we are going to do our best to try and minimize those conflicts. Maybe it means doing a little bit more work. We want to make sure people are able to do what they want to do but they are not going to be able to circumvent the process. Part of staff's suggestion would be to find solutions that address the brick and mortar concerns and still allow a process for mobile vendors to continue to operate if they want to. Our recommendation this evening would be to continue this hearing until June 6 and allow staff to go back and review the lunch wagon provision, specifically. Maybe look at a lunch wagon zone or identify areas of exclusion. Maybe get some more details about the proposed lunch wagon facility such as size, noise issues, trash issues, or whatever concerns may be out there. Maybe we could put those down in more words and make sure we have those settled. That is our recommendation for this evening. I would be happy to answer any questions.

Councilor Morgan stated, I appreciate that you all are being diligent to try to think of every area. Clearly one area we are getting feedback on right now are with the distraction and the fumes created by the business in front of us. I like the idea of the Grower's Market lot or an area that is not directly in front of a food business. The concern would then be also to look at enforcement of food vendors, checking what is going on and making sure everything is in check. Who is moderating it? Who is following up when there are complaints and those kinds of things. I don't like the 6th and 7th streets idea, just as a personal idea because traffic and parking are already difficult enough on those two streets. If there is someone who has to move every 2 hours down that road, to me, it is kind of a traffic nightmare. It is already busy as it is. Also, it is pulling from other businesses. I like that you guys came up with the Grower's Market idea. I'm not saying it can necessarily work, but you are looking at things and I appreciate that. The other question I have is based on what Councilor Woodburn had said. I guess it's based on the current thing where you could do it as long as you are moving every two hours – that is something I think should be looked at as well. Maybe if you are parked in front of a business then you have to have that businesses permission or something along those lines, so it makes this community friendly.

Councilor Riker stated, you really tackled a hard subject and I know there's a lot of work that has gone into this with all of the different angles involved. One thing for discussion is when you talked about the 30 days and the proposal right now is to limit 30 days per fiscal year. Is that the way it is being proposed?

Principal Planner Angeli Paladino stated, that is correct for itinerant merchant use and for lunch wagon.

Councilor Riker asked, so if they went into Riverside Park for Memorial Day they could be there but is that 30 days incremental or is it just one 30 day period?

Principal Planner Angeli Paladino stated, it could be 30 days within a fiscal year.

Councilor Riker asked, so with for that 30 days they spent two days in Riverside Park then that is two days off of their 30 right? It is, okay. Thank you.

Community Development Director Black stated, to follow up with what Councilor Morgan said, I just wanted to say there are really valid points on both sides of the issue. I went out today and walked around and this is our only example, you know, there were a couple of things that surprised me that I didn't know about before about these types of uses so it is really important for us to go back and really look at these things. I think we could come back with some really good solutions that hopefully address the downtown business owners concerns and some of the things you just said, and the people who are operating this valid business as well. I think if you want us to come back... I didn't hear if we needed to come back for a

work session or not – if that is something you guys want us to do, or if you want to just come back for a City Council meeting.

Mayor Murphy stated he did not think they need the answer to that question yet.

Councilor Fowler asked, I would like to know about the fee schedule for the peddlers license and the lunch wagon versus the downtown business that is brick-and-mortar, what is the difference?

Principal Planner Angeli Paladino stated, I actually printed that out here. The peddlers license is currently in our fee schedule. The background checks performed by Public Safety costs \$5, and the one-year license is \$20 and a half year license is \$10. So it would be either \$25 or \$15. Councilor Fowler asked about the business license cost. Principal Planner Angeli Paladino stated, the business license is based on the number of employees. For 1-2 employees it is \$50 and it goes up from there. Three employees would be \$72 and four employees would be \$96, five employees is \$120.

Councilor Webber stated, I think you reference the Girl Scouts and things like that somewhere along the line and that was one of the questions I had in terms of maybe Grants Pass High School Choir bagging groceries at Ray's and collecting donations for that, then are we saying that any activity by any club or any school is going to end up needing a license?

Principal Planner Angeli Paladino stated, they already do, and those that know about it do come in and get them. We issue them. There are quite a few people who do know about it and come in routinely. Maybe there are some people who have no idea and they are listening tonight. There is no fee charged for the non-profit groups.

Councilor Webber asked, on page 23 I wonder if there is a typo on paragraph A where it says, "Term of peddlers/solicitors license from July 1 to June 30, inclusive. A person licensed after the first day of July shall pay one-half of the annual license fee." I think that would be after the first day of January that pays half. [He was told that was a typo.] Councilor Webber asked, also does this include the lunch wagons that are at the Fairgrounds? With this policy, would they be required to come in and get this license? Customer Service Supervisor Gasperson said that the Fairgrounds is exempt. Councilor Webber asked if that language was included in the proposed amendment because he did not see it.

Customer Service Supervisor Gasperson stated that what happens at the Fairgrounds is exempt from City enforcement. With the exception of liquor licenses, the City does not monitor what happens in the Fairgrounds. There is a law that keeps the City from doing that. The City does not take any business tax

money from anything that happens there or do peddlers licenses there – anything that happens in the Fairgrounds is under the jurisdiction of the Fairgrounds. Anytime, not just during the fair.

Councilor Webber stated, I understand why you were changing it from just 2-3 days you could operate in a row and 6 days in a month. To help me catch up with your thinking, how did you arrive at 30 days? Principal Planner Angeli Paladino stated they had just picked that number.

Councilor DeYoung asked, the language says that anybody can appeal to the City Council if they have a problem with it, but are they limited to just 1 appeal in a fiscal year? Principal Planner Angeli Paladino stated there was no time frame noted. Councilor DeYoung asked, does that mean that any number of appeals can come to the City Council on any number of lunch wagons out there? So if we got 30 wagons then that would take up a lot of Council time. That is something I want you to address when you come back in June. Then who is going to enforce that 30 days? Are they going to have a punch card like a salmon tag or something, so a CSO can go by and punch it every day or something? Who is going to document the 30 days?

Principal Planner Angeli Paladino stated, it will be part of their application form that they will have to note which 30 days. It will be on record, so a CSO can go out there and if it is not one of those days then... Councilor DeYoung asked if it would be like a log book for a truck driver. Principal Planner Angeli Paladino stated, no, but the City would have the application on file and could say "these are the days you picked." We are going to do our best to enforce it.

Councilor Morgan asked, you said this applies for Boatnik but does it also apply for the Grower's Market? Principal Planner Angeli Paladino said those vendors are under a separate contract. We have a Boatnik contract and we have a Growers Market contract and there are certain things that fall under those contracts. Councilor Morgan stated, the only other thing I would wonder about is the 30 day limit. If this is truly a vendor cart or a food wagon then it is going to take some time and money to put that together and to have a 30 day limit on that it seems, would not be cost efficient to do that. Maybe we could look at options for different types or if there is going to be something like an area set up then maybe there could be an extension set up – say if it's in a parking lot outside of the normal area or something like that. However, if it is just on the streets or something like that than just have the time limit there.

Councilor DeYoung asked, it says that if it is on private property then can it be year round? Principal Planner Angeli Paladino stated that they could as long as they have permission of the property owner. Councilor DeYoung stated, I'm just going to give an example and you can answer it... You know the Dutch Bros that is at Agness and the Parkway, they had to go through all kinds of hoops to put that in there when in theory they probably just could have come back after the fact, if they got permission from

the land owner out there to put that on there and stay there for keeps. I'm just throwing that out there because the City encouraged them to put in I think close to \$75,000 of improvements on that property before Dutch Bros could put the trailer there. Then they said they were going to need to put in a bathroom out there and put it on a solid foundation. Whereas, with this thing right now, they could actually move to the private property next door which is owned by Dutch Bros and set up that Dutch Bros stand and nobody could do anything about it.

Principal Planner Angeli Paladino stated, if that stand was a push cart or a wagon maybe. They have a permanent building right now, which has to go through the building permit process and those kinds of things.

Councilor DeYoung stated, these things are very similar because they have wheels and tires underneath them because they transport them as a trailer, but when it got out there they said they couldn't have the axle underneath it. They had to put it on blocks and provide a foundation and put in a bathroom. But they could have just left it on the wheels.... Basically, it's a loophole in the system that I want you to look into before June, because we have required Dutch Bros stands and a lot of other businesses to follow criteria and it looks like now we are getting ready to circumvent that criteria and make it real easy for the carts.

Councilor Riker asked, you said people can appeal to the City Council if they have a concern on this, so what is the appeal fee? Principal Planner Angeli Paladino stated they do not have any currently.

Councilor Williams stated, on page 15 regarding 4.08.21 on the third line down it says, "...to the City, setting forth their grievances and the full grounds for the appeal within 14 days of issuance of the license." If someone got a license in January and it was raining then it might be a couple months before they use that cart then no one would be able to appeal.

Principal Planner Angeli Paladino stated, we originally had it without a time frame and when I talked to Mr. Sniffen about it, he suggested putting a time frame on it so that way there was some way to kind of contain it. Maybe make it 14 days after you see it. We could look at it.

Councilor Williams stated, because somebody could be using it in June, July, or August but they got the permit in April.

Principal Planner Angeli Paladino stated, maybe it could be 14 days from knowing they are there but we can look at that.

Seeing no further questions for staff, Mayor Murphy opened public comment on the issue.

Bob Brutke (Grants Pass) stated, I own the River City center, what we call it, that is the whole block between 6th and 7th and J and K. Staff answered a lot of my questions but I, like you, have a lot of comments or remaining details that are out there. This really just came up recently because of my property bordering 6th Street and having a cart there and realizing what happens. My parking lot is being used by the cart customers. Their vehicles pull in. It is private property and they are using it. It is not their fault because they don't realize they are on private property, but the cart is on public property. That is an issue with me. Another issue is with my tenants because I have an Asian restaurant and when there is a food cart parked on 6th Street bordering my property then it is just 200 feet from that Asian restaurant which is paying for that parking lot and paying business tax, personal property tax and regular property tax, and all those costs are considerable. That city block gets thousands and thousands of dollars of tax money to the City. Then you are talking about only \$15 to \$20 for these permits. That is one point. Again, most of these items have been addressed. I think pushing it off to June 6 is good too. My main concern is that we are talking about a 30-day license but I noticed other times in the past that the same cart would be licensed by another family member and they go right down the line.... They could have 12 family members each getting 30 days and it's a full year. Then it will be right out where they want to set it on public streets. That is something I really feel needs to be addressed. Councilor DeYoung had some good comments. How many of these wagon permits will be allowed? Will there be 5 or 30 or 50? If you pull a unit in with a truck and a trailer then it takes 2 parking spots, in an area where.... First of all, yesterday it was parked in front of Golden Rule and you couldn't see their store front. That store front display was gone, and that's a problem. Is it every 2 hours or 4 hours.... I tried to get an answer from the Planning Department and the Police Department and everybody has a different answer. It's like it is not monitored. What priority is this? On weekends, if I call dispatch, you know, they have an emergency and here I am talking about a food cart. They say to talk to Planning, but it is on the weekend. There are deep things here that us brick and mortar people are dealing with already – and you can see the empty store fronts. I want to keep my tenants. I don't want the general public thinking they should just go to this great food cart, but he is drawing from my tenant on the border of my property and paying property taxes.

Mayor Murphy stated, you made lots of good points. I just want to reiterate to everyone that there will be lots of opportunity to address staff or address the Council in writing or personally, and we will review the ordinance as it goes through the rest of the process. I'm cutting you off, but you are not being cut off.

Alan Ehr (Grants Pass) stated, I'd like to give you a copy of this letter. I currently reside in Grants Pass and my family has been here over 86 years in a business that we closed down a few years ago. Obviously, the one we had you couldn't just pull up a cart but I have seen one mobile roller skating rink in

my life, and that was intense. I brought this document and all of you have it, the Mayor and City Manager Pro Tem Reeves, and I addressed 6 or 7 issues on there.... #1: "Cannot park within 1 block length of any business with any of the same food, menu items, drinks, or products" whether they are selling shoes or shirts or whatever, in this critical area on 6th and 7th streets, within the city center I guess you would call it. #2: "Cannot run gas of any kind in town because of bad air quality." I got kind of frustrated over this because when you come across the street choking because of a 3000 W generator is running trying to power this thing up – and I'm not trying to pick on them – you can't do that in public and have chairs 6 feet away. They went through the process, have been there, have a business and are established, and now we have something that is choking people half to death who want to come there and enjoy downtown. There has got to be a different way. I suggest real stress on that because of clean air – and you guys understand that. #3: "Keep area cleaned up, by self or by vendor." #4: "No walk up signage." That is where they cannot put up a sign, one of these stand ups, right out there next to a business so people can see it as they are driving by but cannot see the signs for the actual business. I have a problem with that because people could trip over that, and the City ought to be concerned about it. #5: "Not more than 3 tables and chairs per drop." In other words, have 1 table and a couple of chairs, just like the other businesses have to..... they have to be so far out from the building, you know, you folks have made that known before. #6: "Cannot take up 1 full length parking space, including the unit." No more than 1 parking space because you are taking from parking that the City paid for. The last issue, #7: "have all licenses, bonds, health certificates, food handlers permit and all of that." I did follow up on that and they do have those different things. This project has been in the making for 2 years, but I was told by Laurel Samson that there were over 50 vendors – whatever type they were – that were interested in this process and wanting to see how it worked. That is a little alarming, after seeing what goes on in Portland. Thank you.

Jon Bowen (Grants Pass) stated, I handed out a series of questions I wanted to ask, in the interests of time, and also with what has transpired tonight I am going to slightly address that – change my tact. I am a little concerned about the process on this. There has been no noticing to the merchants downtown. The Downtown Services was notified of this maybe, but tonight at 4:35 I got my first notice from Downtown Services, basically saying "don't worry about this because they are not going to vote on this tonight, because new concerns have been brought up." What is going on? We are the ones paying the taxes and we are the ones dealing with this. It had been really good lately where the City has taken a policy of trying to poll the downtown merchants on particular issues. We can't even hold an event anymore without going back and checking with everybody. But nobody was polled about this item. It is going to affect us directly. My concern is that us brick and mortar businesses, if we want to put a business into a current location then we are slapped with SDCs that are just absurd. I inquired about putting in a restaurant in an existing building outside the CBD and it was going to be \$400,000 just to put in a restaurant in that location, with some settlements, discounts, brought it down to \$280,000. Are you

saying that now I can park a trailer in front of that same location and for less than \$100 I can get a business going and that is fine? How are you doing this? There is a double standard that is quite disconcerting. Again, I question the process here and I have a series of questions I feel address the concerns like the SDCs. Like Councilor DeYoung brought up, are you saying that on a lot now we can put up – and those are trailers, the Dutch Bros stands – now they can circumvent.... Anyone can go into a private lot and circumvent the SDCs and all the rest of the things that all the rest of us who abide by the system have to pay. That is an offense that can be sued to the City. You can't do that, and I hope that gets considered. Just as an example, on 5th Street I am having a hard time with all of the regulations from the Planning Department to put any kind of establishment into my building so maybe I should just put a 40 foot trailer on the street and avoid all of that? That is how silly this could get. I think all of these concerns need to be addressed. Was this going to be voted on tonight? Because there had been no vetting with the business community.

Tina Gottschall (Grants Pass) stated, I also have something for the Council handout was passed out] and this is from the Town Center Association. I own the Powderhorn Café and I am a member of the TCA. I would like to start off by talking about what you referred to as the panel with Downtown Services and the Chamber being involved. I would request that TCA possibly be a part of that as well. What is unique about TCA is that it is made up of business owners and it would be a wonderful resource for you. You have seen the passion already in just the few folks who have spoken. That is because we are fighting for our very lifeblood in some situations at this time for our businesses. We do care about these issues and we are happy to be a part of those discussions. I can already sense that the Council is sensitive to those needs, and I do appreciate that. My main thing is that when the panel is put together, that we would have an opportunity to speak. I had an opportunity to talk to a number of business owners today and it was amazing how similar everyone's feelings were. We do not want to prevent someone from having a business, but we do not want to be prevented from doing our best. We have nurtured the relationships with our clientele and they come to our businesses, then to have another business kind of intercept that was an issue. Everything else I was going to comment on, someone else has already talked about. I know you are well aware. We look forward to seeing how this issue goes forward.

Rycke Brown (Grants Pass) stated, speaking as a relatively disinterested member of the public, I like the sound of concentrating the food carts in a public parking lot; particularly the Grower's Market lot, though there are others. You may want to think about designating certain other lots, maybe on the south side of the river. Having a concentration of different food vendors is a unique dining experience. It is kind of cosmopolitan. I think the vendors would benefit from being concentrated in one area and bringing customers together cooperatively. We could exempt, as Councilor Morgan was saying, these particular places from that 30-day limit so they could set up there all year round. I don't like the idea of the carts on city streets. Especially if they are running gas generators, because they can be a real problem unless

they are well-muffled and well-filtered, but they should probably be avoided at all costs. There are other ways to keep food hot and cold.

Linda Edwards (Grants Pass) stated, I am a member of the Town Center Association executive board. We just wanted you guys to know that we are here tonight and, as Mr. Bowen said, we had not been vetted on any of the information you have. We know you are going to postpone tonight and give us that opportunity. We would like to be intimately involved in any further things that go on with this, so we can make sure our business members, along with the Chamber and the Downtown Services staff, are completely informed and so we have a chance to discuss this with you guys. Again, we are not opposed to the proposal but in these economic times we have so many downtown businesses that are vacant right now and we have to do something for people who are fighting to keep their doors open. We want to make sure that we are intimately involved in your decisions.

Chris Grave (Grants Pass) stated, I am also a member of TCA and I support what Linda and Tina had said. Thank you.

Mariah _____ (Grants Pass) stated, I own Yummy Tummy Bakery and I just moved in downtown. For me, the taxes and all the permits I had to pay for, and my partner, and then to find out that somebody can come in across the street from me and sell the same thing I have for a lot less than what I can sell it for because they don't have to pay the same kind of tax and permit money – that is heartbreaking. It makes me want to fold up and go away, to not want to do this. If I have to be in competition with somebody on wheels who is right across the street from what I'm trying to do. I don't know what the answer is. I agree that everybody deserves a chance to have a business, but when we are required to pay the kind of money we have had to pay, it is heartbreaking. [Councilor Morgan asked where her business was located.] I am sharing a space with Sandi's Candies on G Street.

Rob Pell (Grants Pass) stated, I agree with most of what was said tonight, if not all. The first thing that came up for me, that had come up for Mr. Bowen I think, was that the staff has been working on this thing for 2 years and we were just going to get 3 minutes tonight to try to save our businesses. That is not fair, not right. Basically, you know, Councilor Fowler asked earlier about fees for these different permits and so forth but I think everyone else is touching on the fact that free enterprise is not free and the costs go so far beyond what these fees are, whether it is Pong Shri who was asked to pay \$35,000 to move her business or Mr. Bowen's story about \$285,000 for SDCs – we all pay taxes and we all pay for the Public Safety Levy and we all pay extra fees for the fire houses. If, God forbid, one of these lunch wagons went up in flames then Public Safety would be there to put out the fire, but did they pay for the PS Levy? Did they pay the taxes that we all did? To me, rather than focusing so much on trying to stimulate free enterprise, I would rather see a leveling of the playing field. Everybody should be playing by the same

rules. Right now that just isn't happening. If someone doesn't have those same fees involved then they can sell for less. The way a peddlers license is now, I guess this particular lunch wagon falls under that, means that almost any business could be out there. We could have a discount mortgage truck in front of Evergreen bank or when Norris Shoes has their yearly sale and they spend money in the Courier to put their ad out then you could have a discount shoe van out in front of Norris. You could have discount snow cones and popcorn in front of Blind Georges -- it would all be discount because they are not paying the same fees. It is not a level playing field. To me, that has to be leveled. Another thing that nobody has brought up tonight is that if you want to protect businesses, why would businesses in the downtown core be the only ones to be protected? Why shouldn't businesses everywhere around town be protected? They are just as important. Just because they are not here tonight to talk about it doesn't mean they shouldn't be protected as well. If the Council wants to set up let's say a gray market economy with these shadow businesses, then you could have a discount trailer out front of Gates. You could do that, but that probably is not where you want to go and it is probably not fair to the people who are there now and paying the taxes. Or you could have a level playing field by having no fees for everybody. You'll just have a financing issue at budget time. I'm okay with that, if you can come up with the financing aspects for that. It needs to be level and it needs to be the same all over town for businesses. The fact that, again, only 3 minutes per person was going to be devoted tonight to getting this right -- that is ridiculous. I also want to say that none of the groups that have come up tonight really represent me, or ever have represented me, but I still would like another chance to make sure this is right and to speak in front of the Council. Thank you.

Bill Terrell (Grants Pass) stated, this issue came up in the newspaper where the exhaust was coming out and affecting the health of people. That should have been an issue that the licensing people should have addressed before this all got going. There are burn days here in Grants Pass, and why do we have those? Because of an inversion layer of air that keeps it down in here. Before that burn schedule came in, we had a lot of sick people. These people, without regulating the smoke, are causing health problems and we need to stop that. Since you are in the process of trying to find out what to do, stop the licensing now and get everything addressed and then start again. What would you say if I wanted to start a peacock farm in your City? You don't have the regulations do you? But you would not like it. That is what you need to do with this. Be fair with the people -- all of the businesses here in Grants Pass. Do we have that few of restaurants that we need food on the curbside? No. You have an ordinance that peddlers cannot be on the sidewalk, but here you are letting them on the street. There is a conflict of ideas going on here. Straighten it up and get a straight path and make it fair for everybody, then let's go forward and start licensing these folks. Thank you.

Sandi Crowder (Grants Pass) stated, I own Sandi's Candies and the thing that I have probably the most problem with in bringing all these vendors in is that almost all of the local merchants have been on a

campaign for almost 2 years called Shop Local, It Matters. These people are not local. Yesterday there was a company in from Central Point that was selling their products in a parking lot and they are not local. Where does that money go? Back to their town, and not ours! We need to support our own community, not everyone else's community. That is all I have to say, thank you.

Seeing no one else who wished to speak on the issue, Mayor Murphy closed public comment. He stated, I would like to make one note about the lack of notice here. The business you guys are talking about, as noted, is operating legally now under an existing ordinance. The one we are discussing tonight, that is now going to be postponed for awhile, which the staff has been working on actually has restrictions on the use more than what is allowed now. We are going to leave it open for another couple of months while we talked about this more because there is some energy to restrict it even more than the proposed ordinance. This is not a new allowed use. The use is already allowed under existing law. What staff is talking about is restricting it and not opening it up. Now returning the item to Council, I would like to have a motion to continue this until June 6 and then get any other comments Council would like to make to help direct staff.

Councilor Webber made a motion to postpone to date certain, as stated. The motion was seconded by Councilor Williams.

Councilor Morgan stated, I would be interested in having a workshop before June 6 so we can look at it. I might be overruled by everyone else, but how many options are you going to bring back to us on June 6 which we are going to have to vet through? Just as far as giving us a chance to go through it. There are just so many things we could bring to the table to discuss for different options and I'm not sure June 6 meeting is the best place for that. It may be, but I think a workshop would be appropriate to hammer through some of the things and then bring that result forward for public comment and feedback on June 6 -- so that the next draft is not on June 6.

Councilor Woodburn stated, I think your intent is good but my concern is that these people cannot be at the workshop because they are between 11:30 and 1:00 on Mondays. Quite frankly, I think the City has been doing a better job of trying to reach out to the community and I think maybe we fell down on this one. I think we do need time to work with people and make contact. I know there are a lot of folks here who want to give input, and I think that needs to happen. I don't want to do it in a workshop setting because that is during the day at lunch when folks can't be there. It is not that I don't want to do it at a workshop, it is just that I don't want to do it at a time when people can't be there on an issue that is so near and dear to so many people that work during the day. I would rather have staff go back -- they already now. The recommendation tonight was that they need more time to figure it out. They get it. Why don't we let staff work with these people and have whatever committees they are going to put

together and then come back with some ideas, then let's hammer it out in a public setting in the evening. I think for most of these folks their stores are closed at this time of night and they can be here. That would be my preference.

Councilor Fowler, I think that the idea of a peddler or a lunch wagon was to be very specific to temporary events, jobs sights, snack trucks, and that type of thing. I think the crack in the ordinance was to allow a business to do what we are seeing right now. You have to love the innovation and the entrepreneurial spirit, but as a City we need to do better so that we aren't heading down a road like I see in Portland where there are blocks full of lunch wagons -- that aren't even open when I'm there on a Saturday, I guess they must be just Monday through Friday -- but it is not a level playing field. If you look across the street, to the brick and mortar places, they are not paying the same, under costs, that are not seen in the food itself. I think as a City we need to work on things like this one year on private property. I certainly don't like the sound of that. If we are going to have a place for lunch wagons to go like Portland does, that public parking lot is underutilized but we would have to work out the hours because you can't just have a consistent business set up there for \$100 a year and then compare it to a brick and mortar business. We have some work to do. I think we are going to come to a much better decision when we have more information and we have a few options. Maybe we could see what some other cities are doing to regulate this form of business. Certainly, you don't want to squelch anybody from trying to make a living in this economy but you don't want to do it without following the same type of rules everyone else is following.

Councilor Webber stated, I want to second what Councilor Woodburn said. As much as I appreciate the process, it is not just what the 8 of us think or whatever we can hammer out up here, it is what all these people think. They need to get together with City staff and hammer out all of the language and the rest of that. You tell us what you [business owners] think we ought to be doing, because you are the guys in business and we are just up here making decision. I don't think it is a workshop item, because then it becomes what we think but we need to know what you think. You need to come up with something that is reasonable and intelligent and, I think, as Councilor Fowler said, free enterprise also includes the fact that the other guy is freely competing -- so we have to work all that out. I think you guys can do that. I would much rather see them do the work and bring us back a product where there is at least some general sense -- nobody is going to be happy with everything -- that they have worked it out and tell the Council what they think really ought to happen. I'm much more willing to cooperate than to sit up here and try to craft some sort of business model.

Councilor DeYoung stated, I think Principal Planner Angeli Paladino and Community Development Director Black and other city staff is going to get the picture that -- and I think City staff will extend an invitation for you to come in and talk this thing over -- and I agree with Councilor Woodburn that what we

discuss needs to be in a public forum. I have a question about size, the physical size of these things. I also have a question about -- you know, we spend a tremendous amount of time, and so does the Historic Committee and so forth on the buildings and store fronts and stuff -- we spend a tremendous amount of resources making downtown Grants Pass look like the quaint city downtown that it is and we didn't spend a whole..... We allow the fairgrounds and Boatnik and Back to the 50's and everything to be more of the carnival atmosphere things. I don't want to see 6th and 7th streets look like the midway at the carnival where every block has some wagon. If we could put a restriction on the number of permits or something, and the size of the structure, and so on, and also that you don't have 17 polish sausage carts in one..... Maybe some restrictions on just so many -- if it goes that far. I just really hate to think we are going to jeopardize the beauty of Grants Pass. I would like to see that preserved, especially 6th and 7th streets as people travel through, and along the Parkway also.

Councilor Morgan stated, I think Councilor Fowler said something that was key. When this first got brought to us several months ago by staff, it was because there was someone with an ice cream truck that wanted to operate at a special event in the park -- a birthday party or something like that -- and we were looking at that kind of situation. That is why staff even cited the ice cream vendor in the presentation, because it was a specific thing we were looking at. The intent was to be temporary or something that was event focused, not something that was a permanent business. I think that is something that from what we've heard tonight is not going to meet the needs here. The SDC is a huge thing, and \$285,000 in SDCs for a building that is already existing is unfathomable. Also, how we are trying to encourage small businesses when they can't get past the hurdles of the fees is a challenge. I don't know if there is a way to look at a different situation with the business fee or business tax related to this, maybe not be per employee but something based on the square footage of the "thingamabobber" you know, that there be something based on the specific imprint. If they are having that kind of thing then there should be a different fee base. I'm not sure what all options there are. I wasn't intending to take it out of the way from getting public feedback, but just wanted a chance to have Council hash through the options and ideas. If that gives you an opportunity to have the open forum, I'm definitely not trying to exclude the public, but I want to give us a chance to actually get through and get something that is going to work accomplished.

Councilor Riker stated, I like a lot of the comments made tonight. Also, earlier Councilor DeYoung mentioned what happens on the appeals process if everybody keeps coming in. If we have like 5 food carts out there then we could have an appeal every other week and I don't know how.... Just looking at the procedure, is there some way to help that as well.

Community Development Director Black stated, I just wanted to make one last comment really quick but I can make it after you vote as it is just general information. Okay? Then what we will do is go back in light

of all the issues we have heard tonight and what we have observed over the last few weeks having the fortunate opportunity to observe something like this happening in our community – we can go back and start looking at solutions. I can tell you right now that Principal Planner Angeli and I have already done a lot of research for other places on what they are going through and what kinds of issues they dealt with on these same things. I have to tell you that it is exactly the same, but you have to have them first, before you have those issues. We're there. We are at that point where we have them now. Just to clarify really quick about what the Mayor said. This ordinance is actually a regulation we were proposing today, and we actually were trying to become more strict on businesses in the public right-of-way. Like Principal Planner Angeli Paladino said, there was the 30 day limit. We will also be looking at the "no limit" in the private property and see if that is really appropriate. We have a lot of good notes and I think we will be able to hit all these issues. For the public, the people who own the cart and everybody, we will schedule a meeting and we'll do more than one meeting if we need to – where we can go over all these issues and get feedback, and then refine it from there.

Mayor Murphy stated, just as a reminder that when the Council has a continuance of an item it does not mean they can't continue it longer if it is not done by that time. Seeing no further discussion, Mayor Murphy called for the vote.

MOTION

It was moved by Councilor Webber and seconded by Councilor Williams to postpone until date certain June 6, 2012. The vote resulted as follows: "AYES": Morgan, DeYoung, Riker, Fowler, Woodburn, Webber and Williams. "NAYS": None. Abstain: None. Absent: Michelin. The motion has passed.

2. PUBLIC HEARING:

- a. Ordinance amending Articles 2, 12, 14, and 30 of the Grants Pass Development Code relating to Itinerant Uses.

Mayor Murphy noted they needed a separate motion to postpone this second ordinance. Councilor Webber made a motion to postpone, which was seconded by Councilor Williams. Seeing no further discussion, Mayor Murphy called for the vote.

MOTION

It was moved by Councilor Webber and seconded by Councilor Williams to postpone until date certain June 6, 2012. The vote resulted as follows: "AYES": Morgan, DeYoung, Riker, Fowler, Woodburn, Webber and Williams. "NAYS": None. Abstain: None. Absent: Michelin. The motion has passed.

City Council Meeting
July 18, 2012
6:00 p.m.
City Council Chambers

The Council of the City of Grants Pass met in regular session on the above date with Mayor Murphy presiding. The following Councilors were present: Michelon, Morgan, DeYoung, Woodburn, Fowler, Riker, Webber, and Williams. Absent: None. Also present and representing the City were City Manager Cubic, Assistant City Manager Reeves, City Attorney Bartholomew, Finance Director Meredith, Public Safety Director Henner, Principal Planner Angeli Paladino, Parks Superintendent Nelson, Public Works Director Haugen, and Human Resources Director Lange.

Mayor Murphy convened the meeting then Councilor Riker gave the invocation followed by the Pledge of Allegiance.

PRESENTATIONS: GFOA Award Presentation

Finance Director Meredith announced that for the 29th year in a row the City has earned the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. Every year the City submits its annual report to that organization because that entity has the premiere standards for best practices in financial reporting, so it gives a rigorous third party review of our financial statements. There is a lot of time and effort put into this as there is a 78 page checklist we have to follow when putting together our financial statements and covers everything from formatting and the auditor's report down to the supplementary information. The longstanding history we have of following this program has maintained our following of the best practices. One of the benefits has been that our bond rating has been better and we can get better rates on interest. He presented the plaque to Mayor Murphy.

1. PUBLIC HEARINGS:

Mayor Murphy stated, I'm going to suggest that we move item 2d up since I see we have a bunch of people here for that item, and I don't believe it will take very long. First we will do this motion to continue.

- a. Motion to continue Ordinance adopting a Development Code Text Amendment and Municipal Code Amendment related to Itinerant Uses and Peddler's Licenses.

Councilor Morgan made a motion to continue the ordinance until September 19. Councilor Webber seconded the motion. Mayor Murphy asked if further discussion was needed. Seeing none, he called for a vote.

MOTION

It was moved by Councilor Morgan and seconded by Councilor Webber to continue the ordinance until September 19 and the vote resulted as follows: "AYES": Woodburn, Fowler, Riker, Williams, Morgan, Michelin, DeYoung, and Woodburn. "NAYS": None. Abstain: None. Absent: None. The motion has passed.

[Mayor Murphy moved back to item 2d.]

2. COUNCIL ACTION:

- a. Ordinance to approve a Development Agreement for Asante related to the new Outpatient Center on Union Avenue.

Principal Planner Angeli-Paladino stated, the ordinance before you is for an agreement between Asante and the City regarding the new outpatient center on Union Avenue. For a little bit of background – Asante has applied and received approval from the Urban Area Planning Commission for a new \$80,000 square foot medical office building. It will be located just south of Union Avenue. As part of their proposal, because of the size of the building, they were required to do a traffic study to show what impacts the surrounding intersections would have regarding that new facility and propose any mitigation that would be required for intersections that do not meet our standards. There were two intersections that were found to need mitigation. As part of the mitigation proposal, the applicant is proposing to do improvements in excess of what they need to do to meet their requirements for their development. As part of that, they are requesting a credit be included in the development agreement to basically bank that credit for future development.

In terms of location, this is in southwest Grants Pass. The large building on the west here is the existing Three Rivers Hospital. The administration building for the hospital is here, kind of just south of Union. The new outpatient center will be in this location here. It's kind of the southwest portion of this highlighted area just south of Union and south of Redwood Highway. The applicants did come in and request a property line adjustment. The starred area shows you the location of the new building. This is one outside of the elevation showing the new building. It's a four-story building. This shows the north and west façades off of Union. As I mentioned, there were two intersections that need mitigation – one being Union and Ringuette and the other being Ringuette and US 199 at the southbound approach, this leg right here.

As far as the mitigation factors, there are two options. One is for Asante to construct a right bound lane from that southbound approach which would create, basically, a through lane and a right turn lane. Another option is for them to build a left turn lane on that leg to provide for people going east on the Highway. As you can see from this little table here, if they construct the southbound right turn lane, they

The Council of the City of Grants Pass met in regular session on the above date with Mayor Murphy presiding. The following Councilors were present: Michelin, Morgan, DeYoung, Woodburn, Fowler, Riker, Webber, and Williams. Absent: Webber. Councilor Riker left at 9:55 p.m., Councilor Woodburn left at 10:13 p.m., and Councilor Michelin left at 10:25 p.m. Also present and representing the City were City Manager Cubic, Assistant City Manager Reeves, City Attorney Blackhurst, Finance Director Meredith, Public Safety Director Henner, Community Development Director Black, Parks Superintendent Nelson, Public Works Director Haugen, and Human Resources Director Lange.

Mayor Murphy opened the meeting then Councilor _____ gave the invocation and led the Pledge of Allegiance.

PRESENTATION: Review of Proposed amendments to Municipal Code - Peddlers License and Development Code - Itinerant Use

Community Development Director Black stated, what we are handing out right now is the draft of the draft mobile food truck itinerant use ordinance. We talked about this a month ago, and I presented you with a lot of concepts about how to break apart all the different types of uses that are out there that fall under what the general umbrella of itinerant, temporary or peddler. We made a lot of distinctions that night. I showed you definitions that I was able to glean from other places and things that made sense for our community to define these things. That night, I also showed you a lot of ideas for regulation, or standards as we call them in the code now, for the operation of these uses so that they can commingle and everybody can coexist together, all businesses we hope. Tonight what I'm doing is handing out the ordinance as we've drafted it. I'm going to go over a few things in it and then ask you to review it – not all tonight but in a few weeks – and then get comments back to me and we could hold a work session on if you like and talk about specific points. Another thing important to realize is that as we are going through and drafting an ordinance, this is a completely new ordinance. There is a line or two here or there that we from the one that was drafted previously, but this is pretty much a completely new ordinance. As we go through it you find a lot of causal links. You do something here and it affects something over there, so there are a lot of different things happening that we have to juggle, make fit, and try to regulate and still be fair in all these different types of things and not be too general at the same time. You're going to find things in there that you have questions on. We want to hear the questions so that we can answer them and we can get the code to where it needs to be to adequately regulate these businesses so that they

can do business and make money, and people can go get their food, and that people feel like they're paying their fair share and all those different types of things.

The current ordinance was adopted in 1980 and from 1980 until now we've been operating off of that last revision, which is a long time. It just shows that between 1980 and now, there probably hasn't been a real good reason to revise the ordinance. But now, there is a really good reason to revise. If you haven't noticed, we have a lot of these types of uses in the city. I am still amazed that we have so many. I think it's pretty cool. I see new ones almost every day it seems like – not really every day, but it just seems that way. They are licensed. We do check those out. We have done a City Council meeting previously. We've done focus group meetings. We've done a lot of research. Tonight we're distributing the ordinance. We are going to ask you to review it from now until October 3. In between now and October 3, we would love to hear all of your comments. You can get them to us on October 3 too, because this is for everybody, it's not just for the Council. I'd like to hear from everybody that this affects. I'm willing to meet with focus groups or Principal Planner Angeli-Paladino and I can sit down individually with people and talk about this, and those causal links and what it means to everybody and how it affects them. But in order to have it on the October 17 meeting agenda, we would like to, for review again and potentially approval, we'd like to have the comments back by October 3 and that's two weeks from tonight. Then we'd look at approval on October 17, however, you don't need to approve it on October 17. We don't want to implement it and we would recommend that we don't implement it until January 1, 2013. For one reason, everybody who has a business license already is going to be able to operate under the old code, no matter when we adopt it, until January 1, because they have that right. Secondly there are still some things that we have to deal with – like tree lots. It's one those when those things that is little bit different from everybody else. It's a little bit harder to regulate them, or it could be super easy to regulate them but I just need to get the word from you guys. Getting past November/December will help us in a lot of different ways and it just makes the most sense to implement it then.

I already talked about the definition of uses. One of the new things that you'll see in there that wasn't there last time was a mobile food truck group. That's when you get a bunch of the uses grouped together, like we talked about at Growers Market or on private property. We tried to create some standards for them to operate under. We also have the areas of regulation. They are broken out by use. If I'm a mobile food truck or a cart -- let's say a cart, that's an easy one, they are small and they operate on the sidewalk -- then I'm going to go through there and I going to look at the ordinance and not the whole ordinance is going to apply to me, but what will apply to me is anything that's general, you know, the purpose, the definitions, the general standards and the license requirements and those types of things, and then the section that says mobile food cart. Under mobile food cart there will be standards for me to follow, but I don't need to go look at the mobile food truck standards or I don't need to go look at the temporary merchant standards, or the solicitor standards, I look at the cart standards and anything else that's general to everybody. It is not as long as it looks, I guess, if you look at it that way. That's the correct way. We would like to get comments on everything, but I'm going to point out a few things for you

to think about that I would like to get specific comments on. We don't need to get these comments tonight. In fact, we would love for you to go and think about this, come back, and give us your comments. The first thing is locations for mobile food trucks. Remember mobile food trucks are those units that are just one. It's just a truck. It's not truck and trailer. It's a truck that serves food from the vehicle onto the sidewalk. They are operating on the public street from a curb parking space.

What we talked about last time is limiting those uses to only a few areas within the city. I can honestly tell you that I don't know which areas are the best. I think in order to say which areas are best, we need to talk to people who do this, get their input and talk to everybody else about where they don't think they should go, and then we can figure out where the best places for them to go are. The other thing is that we don't have any food trucks right now and we have mobile vending trailers. We have mobile vending carts. We have temporary merchants. We have solicitors and peddlers. We don't technically have, as far as I know, we don't have any trucks like you see here of the yellow truck that can pull up to a sidewalk and serve from the side of the vehicle onto the sidewalk, and it's only one unit. We do need to designate those areas. We have talked about restricting 6th and 7th streets, for one. I did talk to ODOT. I can't remember who had the question about ODOT. I think it was Councilor DeYoung who had that question. I did talk to them. They gave me an email back and it just said that they are going to follow our lead "whatever you guys want to do... We can work within whatever you guys do... If you don't want them there, we can work with you. If you want them there, we can work with it." I think we would propose that we keep them off the state highway system. That's one thing I do know. I do know also that areas that... they need to be in areas where there are lots of population. In areas that people can walk to easily to get the food, and areas that are likely to do good business and not in areas where we are just putting them out of the way and kind of forgetting about them. They need to have the opportunity to do business as well. I think we can provide that.

Mobile food trucks grew so we have a standard in there for those guys now. If we are going to get six or seven these guys together – and they can be a food truck, the definition actually would probably have to be amended but they can be a trailer, a truck or a cart -- they can be on private property or public property subsequent to a lease like the Growers Market. We have standards that we proposed for them. If we get a lot of them together, it makes sense that the lot be improved. Usually they would go on a lot that's already improved, like a parking lot or whatever, and that there be benches for people to sit on and eat their food. If we are going to draw a lot of people to the area, there should be amenities there like restrooms and things like that so take a look at that in there.

Mobile vending cart locations – these are the ones that are on the sidewalk. There are only a few places in the city where a mobile vending cart could operate, mainly because not all our sidewalks are wide enough to have a mobile vending cart and 4 feet of clear passage. I think this one's pretty easy in designating where these could be. But we want to get your ideas of where you think... Right now, the mobile vending cart that we have is operating out of the alley down between H and I streets – I believe that is the alley they are operating in – so we got that and we need comments on that.

The temporary merchant – last time we talked in a work session with the City Council, you asked me to make that 10 days. The big question is going to be whether that is going to be 10 days period for the month for you as a business, or is that going to be 10 days on one property, then 10 days on another property and 10 days on another property? These guys are temporary. The reason why we would limit them to only 10 days, or 6 days, or whatever it would end up being, it's to 10 days in there right now as a draft. The reason why is because they can operate on any lot. On a private lot it doesn't have to be paved. It can have the bare minimum of access requirements because they are temporary. They are only there for a few days. There is not necessarily a need to go in and require them to improve the whole lot out or make sure that they are on an improved lot unless you want them to.

Ice cream truck restrictions – there are a few things in there that we were able to find from other locations where they have restricted these in the past or regulated these the past. They generally keep them away from schools, and we have 1000 feet from public schools. The reason is that they interfere with operations, keeping track of kids at the schools, and parents probably don't like it either. They are only allowed to operate on residential streets with 25 mile an hour speed limits, and so on so forth. You can find that all in there.

Fireworks stands -- we have a weird situation where we actually don't allow them in the city but we do the UGB. They are in the county, but since we have the UGB and the intergovernmental agreement, we are actually the ones giving them the permits for them. It's kind of a weird situation and the only people who operate fireworks stands are nonprofits, far as I know. Oh, there are some for-profit ones. We're going to want to get your comments on that and how you want to deal with those. Those are things that can't pack up every night and leave. They are there and they usually have people sleeping on site the entire time they are there. Tree lots are the same thing, so I'll skip over that.

The fees – I have given you a hand out on the fees. These are drafts. We're just talking about fees that would cover everything. I mean, there shouldn't be an argument anymore about SDC fees for these guys. There shouldn't be an argument anymore about not them not paying their fair share of enforcement and things because with the fees that we are proposing, we think that they will be paying their fair share. Just as a side note, we're going to talk a little bit later about pass-by trips with SDC calculations. In these types of uses that we're talking about, if we are going to take pass-by trips and compare them to original trips, or, I can't remember the exact term that they use in there but, a trip that I set out to go to this place, and then I'm going to go back. Those are the other types of trips; you're either doing something on the pass-by and you are stopping there on your way to somewhere else, or you're going directly there and back. The amount of unique trips, I believe that is the term – those trips for a use like this is about 11%. You'll find out what that means when we get to the code later on that City Manager Cubic is going to present, but 89% of business that comes to these people is already going somewhere else. They are all pass-by trips, and it's the same thing with copy stands and those types of things. The SDC fees actually wouldn't be that much anyway if that were to go through tonight.

In general, we want you to look at everything and please comment on everything, especially for the people that this will effect.... Please don't hesitate to contact us if you have questions because we're trying to put together an ordinance that does what we presented last time, and if anybody feels like we went down a different direction than what we said we're going to, we would like to hear about it because we would like to straighten that out. We certainly didn't have the intention of coming in here with anything different than we proposed last time, although there are those causal links that we do have to deal with when we are drafting these things. Sometimes you'll see something in there that you didn't realize would be in there.

I'm going to leave the fees and the impacts and license stuff. I'm not to go through all of them unless you want me to. You have the handout. We'll have plenty time to talk about those, and really it's, "Do you feel it's fair?" We feel it's fair based on calculations that we've done with SDCs if you were to figure out how forever is and then divide that by the number of years and then charge them yearly for a fee for transportation plus enforcement plus this plus that. We feel like these fees are representative of a fair share.

The effect on the current licenses – I already talked about this -- but we'd like to take it into effect on January 1, so we need to have it adopted at least 30 days before. The existing merchants, like I said, would have the opportunity whether we adopted it tonight or next month to operate under their original licenses until December 31 anyways. These are the fees and, like I said, I think they commensurate with the impact that the uses have, and rather than go through all these today unless you want me to, we can look at those and you can look at the handout and we can get comments on those and address those comments as they come in. That's my presentation. The intent was to get the ordinance to you tonight and then answer any questions that you may have.

Mayor Murphy asked if copies were available to the public.

Community Development Director Black stated, they are, and you can get a copy at the Community Development Office but we should have a copy for download on the Internet tomorrow on our webpage.

Councilor DeYoung stated, on your fee schedule you have mobile vending vehicle. Does that include the trailers? That's what we have most of, or is that considered just the trucks, those self-contained trucks?

Community Development Director Black stated, it is for all of them. Whenever you see "mobile vending vehicle," it refers to anything that's mobile vending. It's everything but a solicitor basically.

Councilor DeYoung stated, you are going to change your implementation from 2012 to 2013 on your last slide. You said the ice cream trucks can't be around schools, but can the mobile vending, the food trucks be around the schools?

Community Development Director Black stated, not unless we create a district around the school that says that they can be there. I would think that's one of the things we would probably not do. I would say no.

Councilor DeYoung asked, then "improved lots" would that be something that's paved or gravel?

Community Development Director Black stated, if you think about it, then it would be paved. It would be one of those lots where somebody has already developed it, probably already paid SDC fees on it and all that kind of stuff. The storm water treatment, maybe it was 20 years ago, but treatment for the time was taken care of, there is access from the street so there are curb ramps, curb approaches and those types of things so people can get in.

Councilor Morgan stated, on ice cream trucks I don't like the 1000 feet within a school thing. If you look at NE A Street, the whole two blocks of it are in front of the school, and yet that means that entire street can't get.... I don't know, I think there are a few streets like that which are near a school that are residential, so what do you do when you have a school front that is two blocks long and it's also residential?

Community Development Director Black stated, it's a proposal, and we thought that it got to the heart of the issue – which was not to interfere with school operations, and to ensure that you couldn't come in and snipe from the kids at school and create dangerous situations as well for these kids.

Councilor Morgan stated, let's keep it simple then, say "Don't go on school grounds." That's the simple thing. Don't park...

Community Development Director Black stated, I think already, you wouldn't be able to go on school grounds. But driving by the street in front of it and in talking to parents, I think that's the issue. My kids, whenever they hear an ice cream truck, they immediately pop up and start heading in the direction of the music. It could be disturbing for the kids -- I stop them, by the way, I grab them and pull them back – but it could be disturbing for school operations. I think that's the reason why we've seen it in other places and why we are suggesting it here. If 1000 feet isn't the right number, then maybe there is another number that is right. I truly believe that it's an important one in front of the schools...

Councilor Morgan interrupted, not within the boundaries of the school during school hours, or something like that if you don't want them to interrupt school. But just saying that on Saturday in the summertime you can't come up 10th Street or 8th Street or Josephine, across from the track because it is school

property... I understand what you're intending, but the letter of the law versus the spirit of the law is what I can see can get confusing in that situation. The spirit of it is that you don't want to interrupt school, but in how it's worded, it will be interpreted differently.

Community Development Director Black stated, we don't want to create chaos either. Chaos can happen during a school event that's going on, on a Saturday too.

Councilor Morgan stated, I know one thing that was very important to me when we met last time is that I don't want this to be overregulated. I want this simple. If we get to that level, that's over regulating.

Community Development Director Black asked, why don't I propose this? The people who are probably going to be the most concerned about this are the people who have children at the school and principles... Why don't I go to the PTA meeting.

Councilor Morgan interrupted, I have 3 kids in my home.... I have 3 kids that run for the ice cream truck. I understand that too.

Community Development Director Black stated, I've got 4, do I get an extra vote?

Councilor Morgan stated, I hear you but it's one of those things that we walk the kids to school, I drive by two schools on my way to work. I mean, it's one of those things.... It's very common sense to say, "During school, don't interrupt school." It's another thing to say, "Geographically you can't operate near a school," when all of our schools are in residential communities. If the purpose is not to disrupt school then have it worded towards "not during school hours." If the purpose is to stay away from school grounds so that people aren't running out there then.... I guess my point is, "What is the purpose?" The purpose is not to disrupt children while they are in school. If that's the purpose then staying 1000 feet from a school is going to preclude whole lot of neighborhoods, including North Middle School, Highland School, all of Highland, Morgan maybe okay on the backside but North actually abuts up to a couple of other streets around there, and I'm just asking, "What is the purpose of it? Is that what we were intending to say? That all of those streets don't get ice cream trucks because it's right next to a school." In the summertime, school is not in session when ice cream trucks come by for the most part anyhow.

Community Development Director Black stated, sure. If you look at it in terms of where people operate and where we expect them to operate and everything, if I want lunch, I'm going to go down to a commercial district where I can find a restaurant or a mobile food truck or something like that. You wouldn't expect the ice cream truck to park out in front of the school and gather all the kids from outside of the school. It's not what I expect when I send my kids to school – that they are going into a commercial

district and that they are going to have to deal with ice cream trucks on the way back home and everything. The police officers have to worry about background checks and all that different kind of stuff.

Councilor Morgan interrupted, I mean, honestly, I hear you, but you wanted feedback. One of the other questions I have is that last time I had to push for the 10 day limit because I thought the 6 day limit wasn't appropriate. The more I thought about it since then, I wonder why we have a time limit at all. Have the restriction be no overnight stay, versus a time limit on how many times in the month they can operate. If they are temporary then they have to go where they are going on private property off of the city streets and at the end of the day, they go home. That's what makes it temporary. If there is an overnight stay then they have to go by development code or whatever else – something else like that. But if it is truly temporary, let it be go then go home... I did not anticipate when we were doing this that we were going to go after the fireworks stands and the tree stands and, you know, I know we said we were going to leave the Girl Scouts alone when they are selling their cookies outside of Albertsons. Pretty soon, it's going to be again that that's the vendors and everything is going to be looked at, at some level. Again, simple, I think, is appropriate and not over-regulating.

Community Development Director Black stated, in order to have order as well, we need to have a little bit of regulation. I'm not trying to go after anybody. If we are going to regulate all of these folks, then it only stands to reason that the other temporary businesses should be regulated. Again, fireworks stands and tree lots fall into that.

Councilor Williams stated, you are under a good idea. I taught grade school and if you don't have control of your kids in your classroom, and I'm talking 4th, 5th and 6th grade, the biggest ice cream eaters in the world, you've got a problem. I was just thinking of Lincoln School and the old Redwood School and the different schools – I think you need to ask the principles. I think you need to ask the teachers. Forget about the parents because some of the parents – you're going to have so many different off-the-wall things, and they have good intentions, but 1000 feet away from the school is way too far because you're going to take away so many of the areas. End of that subject.

Community Development Director Black stated, absolutely, I would love to go and talk to the principles about it. I think that's the next-door I'll knock on.

Councilor Williams asked, are we going to take over the Growers Market, because this kind of goes in with the Growers Market.

Community Development Director Black stated, well there is an option there to use public property by virtue of a lease for mobile food groups.

Councilor Williams stated, but the profits are made by the nonprofit organization that is granted a lease from us.

Community Development Director Black stated, the lease is paid to us and whatever they charge is whatever they charge.

Councilor Williams interrupted, is this commensurate with what the Growers Market people pay for their stands for one day week?

Community Development Director Black stated, there is nothing in there about fees. That would be between the City Council, City Attorney, and the person, and the City Manager of course.

Councilor Williams asked, so that is a separate item?

Community Development Director Black stated, yes, it's totally separate. It's contract by contract.

Councilor Williams stated, my next question is on this, "No fee if produce is grown by seller." How in the world are you going to check that?

Community Development Director Black stated, usually they sell it on the property they grow it.

Councilor Williams stated, oh, it's on the property that they live on.

Community Development Director Black stated, yes, in the current code. We just don't want to prevent fruit stands...you know, the strawberry stand by the guy who grows the strawberries there. We don't charge any money. It's a good operation and we should be encouraging things like that.

Councilor Williams stated, you've really tackled a tough job. Thank you.

Councilor Woodburn stated, for a process check – I'm just trying to figure out what we are doing tonight. I thought we were going to get the presentation and take a bunch of input. I'd much rather hear what the people who are here in the audience have to say before we start expressing our personal likes and dislikes. I'd rather hear what they say before we start making decisions and barking things at Community Development Director Black. That's how I would like to handle it.

Community Development Director Black stated, I have to say, that was the intent. I did ask if you had any questions and I engaged with you. I'm sorry if I took us farther than we needed to go tonight on that.

Mayor Murphy asked the audience if anybody would like to address this issue.

Alan Ehr (Grants Pass) stated, the only thing I would add to what he has said is, I did a little bit of checking a few months ago when this all started out and up in the Portland area, or the Portland region, which is a lot different than us, when you refer to the schools, these carts, just like ice cream carts, but specifically ice cream carts, only during the hours that the students aren't at the school is what they said. They do not allow carts or vendors to be near the schools, going past the parts of the schools because a lot of them up there are the same as ours here. School starts here, the housing area starts there, not during school hours. When there are games or other activities after school, that's a different story. It depends on what the principal says. I did a little research on it. I contacted Beaverton, Portland, Tigard, Gresham and even Sandy. I mean, I kind of did a little bit of the gambit. I was up there years ago, but had been transferred. When you check with those kinds of things, you won't see them in general during school hours. I just wanted to share that with you because you are on track with it, I think, but not during hours of school – in session, and then from there it's up to the principal. That's what I was told with each one of the ones I checked with.

Kurt Ramey (Grants Pass) stated, I agree with you, Councilor Morgan, to keep it simple – KISS -- keep it simple stupid. That's something I learned a long time ago when I was involved a little bit with multilevel business. I agree on no vendors during school hours. At Fruitdale School they have soccer fields and Saturday is occupied with people and children playing soccer and stuff. The ice cream vendor goes down there in the evenings. My question is why are they being called peddlers versus the other vendors? What I mainly came to say is, this is the CD of last month's meeting where some of the property owners were against the vendors. There is only one business on that property between J and K, at 6th and 7th that looks out to 6th Street. That's the En Vogue Beauty Salon, Liberty Tax, 4 Seasons, Soggy Dog and River City all have K Street addresses and the Purple Parrot has a J Street address. There are multiple ways into that parking lot and lately it has not been full like it used to be. I have patronized several of these vendors buying food or something to drink and telling them I'm in support of them. We need to have them in a place where they will make a living. If we put them out in some corner like over at the hospital, where is the main group of people? I saw a businessman dressed up with a suit who had three containers of food and another person had a couple of containers. I took my food home. The Growers Market – they don't have hardly any place for people to sit down. There are restrooms. I think we need to keep it simple on this thing and not get too engrossed.... Yes, I agree they need the business license. Make sure they are health inspected. What do the people of Grants Pass want? I know Councilor DeYoung doesn't want our city to become a carnival or a circus atmosphere. Those bears don't really

make me happy and they take up sidewalk space too. On 6th Street between J and K, the people aren't blocking up the sidewalk. There is a lot of space there. Farther up on H, G and I streets where the bears are, the sidewalks are narrower and the trees.... Those are just my comments. I appreciate that is going to be heard some more. Thank you.

Rhonda Miller stated, I own one of the vending trailers in town. I just want to speak to a subject that came up about the parking on private property. I like what you asked about, "Why is it 10 days?" I couldn't understand why it's just 10 days. I would like to know why it can't be every day that we want to be there. What is the reason? I just haven't heard a good reason why. That's my comment.

Yung Peng stated, I own one of the lunch wagons in town. I want to let you know that I have a lot of support from our community about enjoying the new food industry that is rising up in the country today. I like that goal right there you have [on the wall] for 2012-2013 "Encourage economic prosperity for our community and tourism." I believe that the Growers Market would be a good place. The reason is that you only have a half an hour for lunch, for everybody, to go somewhere. I think we can clean up that area and we can make a good mark in our town. They can sit down if they want to sit down. If they want to eat in the cars, they can do that. I believe it will be good for everybody plus easier for tourism too. It's happening in big cities already and they enjoy it. There is a lot of support in it right there. Everybody says it's neat that they come and embrace everybody's talents and different types of food, diversity and culture at the same time. I think it's neat. I think that is what I believe is the American dream. I've lived here for 33 years. I came from Vietnam. You know what? This is still the home for me. I want to make sure this is home. You give us an opportunity to make a living and do it right for all this. That's all. Thank you.

Dan Trader stated, I just had maybe a quick question or comment in regards to your temporary merchant code. If you are cutting their days down to 10 days, that's cutting out 70% of their opportunity to be able to sell on the street. You are increasing the fees but you are cutting out the days for the opportunity to be able to make a dollar. If you look at that and you look at the cost of food these days and what it takes to run a business, we as city are going to say, "We are going to increase your fees but we are going to cut your time over half to be able to utilize it." The ordinance will do its thing. It will eliminate any type of activity downtown at all for these people because there is absolutely no way they can afford to be able to make a profit down there. I don't know if that's what the intent is, but if you cut somebody by 70% and increase their price, it will happen.

_____ stated, because of Saigon Xich Lo food cart here in town, I was given the opportunity to go back to work. Because of this opportunity, my fiancée will actually be able to go part-time at his work so that he can pursue getting his degree in science – a science degree. America was founded on people

going out and staking their claim. This is why all food trucks, ice cream trucks, vendors and peddlers – that's what they are doing. Are we looking to make certain days that they can come out so that they can make half a way of living and also being on government assistance? We should implore people to go out and get off of assistance, have jobs, and create an economy for our state, for our government. Also, I'm just very happy to have a job. I don't want to lose this job. If the government starts telling people when and where they can make a living, we have bigger issues going on. Everybody has the right to make a living. Giving us to be able to be at the Growers Market, that would be wonderful. Being on the side of the streets like this gentleman had said, we are not blocking other food places. A lot of our customers are people that see us and just pull over for a day. You're asking to take away our income – our livelihood -- and take away our citizens' right and the choice of where they can eat. I really hope that you look at the petition. Look at what people have said. You were voted in for the people, by the people. So please, take time to read the comments and to look at the signatures and understand, this is what the people want. Also look at Medford's regulations, Portland's regulations, and Eugene's regulations. If we are having such a hard time creating codes, why don't we look at where it's actually working in other cities and take a note from their codes. Thank you.

Mayor Murphy spoke against the audience clapping as it is a "public display" and how it is disruptive in a public meeting.

Carl Raskin stated, I sure didn't want to come here tonight and speak but I'm a business owner downtown. My wife and I eat out a lot. We go to restaurants, for breakfast, for dinners. But quite candidly, we can't leave our store during the lunch period so we use the vendors a lot. We probably eat there two or three times a week just to grab a quick lunch and come back to the store, eat it, and still take care of our customers. I'm really in favor of these people and letting them be there 5 or 6 days a week – 7 days, or whatever it is. You know, whatever they think that they need to be there. Thank you.

Bob Bretkey stated, I'm the owner of the property between 6th and 7th and J and K. I just want to remind that gentleman there and the lady that spoke previously, it's private property. All you have to do is watch the Vietnamese vendor... every day his clients think that's public property. It's not. I just want to reemphasize that.

Michael Machado (Grants Pass) stated, I'm also a vendor. I have a hot dog cart that is in the alley on 6th Street. I just want to say that, along with Yung and the others, I hope everything works out here. Everybody that I have met -- it seems like I'm the little ambassador out there – they really love the idea of the carts, people in general, whether they live here or not and they are really liking them. There are, of course, a few merchants that don't like it, which is understandable, but hopefully we can work this out for everybody. I did have another idea. I don't know how everybody will think about this. I just thought I

would run it. If we can't get something here in the city, whether it be where Marty is or whatever, or the Growers Market, our County Fairgrounds is going downhill. Maybe we could go over there with all artisans, not just us, but with all artisans, fix that place up and give the kids a place to go paint. Let everybody go there and have a minimal fee to be there... because we get a lot of traffic off of 199 that doesn't even come through town. It's just an idea. Maybe make these – our criminals that are throwing the tickets away in the trash, maybe we can have them go over there and work their little time off and clean that place up then let the kids paint their murals and give them something to look at. They have nothing to do in this town. Thank you.

_____ stated, I'm a senior at Grants Pass High School. I just wanted to say something about the importance of the vendors that happen downtown, as the previous man said, there is not exactly a whole lot for us to do here, just as a senior from the school.... I think it's something great to do just to go downtown and go to one of those vendors, whether it be the hot dog stand or the Vietnamese one, it's just a cool place to just get food and sit on the sidewalk and talk. I think it's very important to a lot of the teenage part of the community. I just kind of wanted to put that out there. Thank you.

Rycke Brown (Grants Pass) stated, Councilor DeYoung, regarding your seasonal sales, it says "no fee if product is grown by the seller." I think that should be include "or made by the seller." That would cover everybody in the Growers Market because, to be in the Growers Market, you have to either grow it or make it. It would also cover me with my little pile of hats out at my little protest outside of the Growers Market at 6th and G later between noon and 2 o'clock. I can live with that. No fee. That's fine. As far as the 10 day limit, that is indeed silly. They prove they are mobile vendors by taking their cart or truck or whatever it is home every night and cleaning up the space. Thank you.

Seeing no one else in the audience who wished to speak, he closed public comment.

Councilor Fowler stated, I was hoping Community Development Director Black could clarify the temporary – the 10 day... Does that apply to all categories or is that a category inside of this that only applies to some of them?

Community Development Director Black stated, it applies to anybody who would like to operate on temporary property... I'm sorry, who would want to operate on private property without having to bring that private property up to the same level of development as say a brick and mortar or any other business that operates permanently. That's the big difference. They don't have to go through a lot of the other things that other people have to do, and therefore the trade-off, this is just in general terms and kind of an industry standard -- the trade-off is that then they only operate a portion of the month. You can sell fruit or hats or sheets – whatever you want to sell, there wouldn't be a limit on what you sell like there would

be on the street. Of course, all of this stuff is proposed. It's all proposed to you and to the people in the audience. If you don't like the way something is going, we can change it.

Councilor DeYoung stated, this is just a quick comment on the young lady's entrepreneurial spirit. I always have to refer to Dutch Brothers and how they started out. They were a little coffee stand at the football games when Hodges High School Store burned down. We can see where that has gone today. Don't think we don't think about that up here. You may comment, just for the students in the audience, it sometimes looks like people are talking to you and you are not talking back. We are not allowed to until we get to the segment when we can talk. We couldn't just answer questions as they come along. It's just a matter of process. We aren't as mean as we appear to be up here. Like I said Dutch Brothers started out a long time ago as just a small trailer selling coffee at the football game at halftime. Look what they've worked their way into. It's a hometown business that is very successful and it's brought a lot of notoriety to Grants Pass. We do take other things into consideration. Little bitty seeds make big trees one day.

Councilor Morgan stated, I think we, as a Council, need to answer the "where" question. Either we need to designate a spot like the Growers Market lot and come up with a plan that's that, or we need to say that it is restricted to private property and have to have the permission of the property owners. We need to decide the "where" so then we can kind of decide where to go from there. As far as the fee structure. I don't actually have a problem with the fee structure. I do like what Rycke said. If it was grown or made by the person, that makes a big difference versus something they purchased from somebody else and they are reselling. The "where" is one thing that we need to decide and I still think the school thing should be just as simple, as in not during school hours, and therefore it is not going to disrupt school if it's not during school hours. The final thing is that I don't think the timeframe... I know I arbitrarily threw out the 10 days last time trying to get it past 6 days, but really, if they have to leave at night and can't be there overnight... I don't have a problem with not having a time frame. If we have to come up with a timeframe then Monday through Friday times 4 ½ is 25 days. There are 25 days in the month that you can operate, or something like that. We heard testimony last time from a guy with the Alaska stand and he said the same thing. "Give me a chance. If I have to keep moving, it's a problem. If I only have 6 days, it's a problem." We came into this wanting to be considerate of brick and mortar buildings. We had brick-and-mortar owners here, including a restaurant owner at one time who supported... You know, I understand the man who owns property at 6th and K Street, it's private property – you need the blessing of the property owner period. You can't come and sit on a property or sit on my front lawn without my blessing. Okay, I understand his concern with that. I really think that in trying to think of everything, we overthought it and it needs to be simplified. Really, either you just figure out a way that the time limit is not there and the restrictions are gone at night, or something else.

Councilor DeYoung stated, I want to also reissue the invitation to all of you folks out there that if you've got ideas as to where you want to be and how you want to be, we heard the Growers Market... That might not work for your stand. We heard from Taste of Alaska and he is fine over there on E and Mill Street. That might not work for yours. The gentleman said something about the Fairgrounds. That might be another idea. We need to hear from you. If you submit those to the City, your ideas and your concerns, list them all, be specific, and Staff will get those to the Council because they are very good about passing things through to us. If you want to be heard in written form, let's hear from you. I know Community Development Director Black has extended that invitation just about every time we have one of these discussions. We do want to hear from you – not just at that microphone, but we would like to hear from you so we can make a reasonable decision and try to accommodate everybody's wishes at the same time as we are saying, "stepping on the private property owner's toes." We want to hear from you folks. Please write it in and send it in – email it in – contact the City Staff and they will get it to us. Thank you.

Councilor Fowler stated, I missed the first go through on this, played catch up, read the minutes and had an hour with Community Development Director Black. I really think we are heading in the right direction with the draft we have in front of us. I don't think you want to make a policy so simple that it's easy to find a way around. We found in the sign code that we have to change the rules every 3 to 5 years because they came up with a different type of sign. If you don't cover all types of possible vendors in this ordinance you're going to end up with something that comes in between that we didn't cover and we have to go back and change it. I think we boiled it down to the timeframe and the location. I'm going to be resistant to 25 days. That is an unfair advantage over the brick-and-mortar. It is a permanent business that is on our streets that is not contributing, so I'm going to be resistant to 25 days. We do not want to give special permission or lower fees to someone without giving it to someone else. If you want to lower the fees on the brick-and-mortar businesses, and get the field of play at least closer to level, then we have other issues to discuss. I think this works. The direction we are headed works. We certainly can't allow on public property without a lot of restrictions because that's essentially a free ride, and an advantage. We don't offer that to anybody else. I know they are good business incubators and that some will end up with permanent businesses, but we do not want to become a Portland with vendors on every street, on every corner and all of the storefronts next to them, empty. We've got to be careful how far you let this go.

Councilor Michelin stated, he is going to be resistant but I'm going to be on the opposite end. I think carts and a restaurant are two distinctly different products. Eat on the sidewalk or go inside and sit down. Those are two different commodities. Nobody wants competition. The idea of increasing competition is negative. Our position is not to try to protect one particular part of the economy from competition. I would say to look at the benefit to the general public before we look at inhibiting competition in a particular

sector. I will be in favor of, probably, getting rid of most of this which I consider anal. This draft, which I haven't read by the way, but I've listened to details so far 6 days, 10 days, and 25 days, I mean, I would say full-time, whenever... I know that if I was young and starting out, I would want the ability to work every day that I was able to. Anyway, I will be on the opposite side of the fence as Councilor Fowler.

Mayor Murphy stated, we don't have to have the hearing tonight. That is not scheduled.

Community Development Director Black stated, I was just going to say a couple of things real quick. I really look forward to the next meeting, after you've had a chance to go through it and we really get into the discussion about this. I want to say one thing, just for clarification about the ice cream trucks and schools, I'll say what I should've said to begin with.... However you would like to handle that, I would be happy to implement it for you. On the permanent issue – anybody has an opportunity to operate a business permanently, everybody does. There is a process that you go through to operate a permanent business. The people that are operating permanent businesses have already done that, and so on and so forth, so that's why the difference between... We're not trying to make it impossible for someone to operate 30 or 31 days a month. It just falls under a different code. The last thing is just a clarification, about best practices... When I refer to best practices, that actually is referring to when we contact other cities and peers in other places and talk about what they have experienced and what they've done, and reviewed their ordinances and took a look at what problems they've run into and try to learn from those.

Councilor Riker stated, Community Development Director Black, the last comment you made telling about others cities and their ordinances and what they've run into, I would appreciate if that was in the presentation in the future – just a quick summary – not a real long involved comparison... Just to give us a little more insight as to how they have handled it. I appreciate it.

Councilor Williams stated, Community Development Director Black, you are doing a good job -- and I don't want it -- but 10 days as a property owner, if somebody comes up to me, I was trying to think about my position on an empty piece of property that I had and if they said, "Oh, by the way, you have to bring it up to code." Who gets the bill for \$50,000 to pave it and put in some plants and stuff like that? Then I would say, "Well, they might not make it." The chances are real high that they wouldn't make it because I don't know how anyone can follow the 10 day rule unless they have to bring it up to code, because there is no way they can get by the city code for that season to get it done and the cost would be so prohibitive, it would be cheaper to build a building.

Community Development Director Black stated, I'm not sure I understand that the way you're trying to say it. If I did understand it the way you were trying to say it, I think the response is that if you're only

operating for 10 days under temporary, you wouldn't have to bring it up to code. You wouldn't have to go into that expense to do those things. That's the trade-off.

Councilor Williams asked, you're talking 10 days a month for 6 months, a year or the whole year?

Community Development Director Black stated, it depends on how you look at it. It could be 30 days a month because you can be one place for 10, another place for 10 and another place for 10. You don't have a foundation. You are on rubber tires. You don't have to improve the lot. If you can find three places, that's how it's written. It doesn't have to be the way that it is, but that's the way it's written. The point is that if you're not going to bring the lot up to standards, then you do operate under a different set of standards if you choose. We can structure it anyway you would like to.

Councilor Williams asked, the Alaska place down on the corner of Mill and E Street, across from one of my buildings, is that the property up to code? You wouldn't know exactly.

Community Development Director Black stated, it may not be up to code but it is developed and when it was developed it followed the code at that time, so it's not something we would be looking at. We are not going to make somebody bring everything up to code when they come in. We just want to see that it's developed, has access in and has gone through some standards at some point in time.

Councilor Williams stated, that sounds good. Thank you.

Councilor Morgan stated, Snap On Tools they go around and sell tools out of their truck and they are a company that is operated out of something else but they have delivery trucks. You can go up and you can buy a tool. (Community Development Director Black stated, they would be exempt.) Then Casa Amiga, they have a taco truck and they go around and they do events around town. They have a brick and mortar building but they have a taco truck. As matter of fact, the first event that I went to was at the Blue Slide ribbon-cutting down at Parkside School. They were on school property after school hours and the principal was present. Anyhow, it is a brick and mortar business, but they have a vending truck. Behind Bi-Mart on the corner of whatever street that is that runs behind Tussey, I think. On the corner of Tussey and Redwood Highway there is a little hot dog stand that's been there for a couple of years. Every day they are selling Taylor's hot dogs out of a little stand in the gravel lot. With our current proposal, they are going to have to upgrade that lot because they want to stay there every day. It's a gravel lot and it's not hurting anybody... for the little pushcart that's there every day of the year. They are not somebody who wants to move from place to place for 10 days at a time. I understand that if our streets get clogged up with carts, it's unfair to the businesses that have a place and someone is parked in front of their business. If there is permission to be on private property somewhere with a blessing that

they can operate, and if it's temporary, it means they go away at night, and it's not interfering with other businesses, not interrupting other stuff -- I think that needs to be looked at further. To do 10 days in one place and 10 days at another place, one of the questions people had is, "How do I find you? When do I find you?" Again, the temporary meaning it's on wheels and that it goes away at night, I think, should be more important than 10 days at a location. If somebody is there overnight then the litter is going to increase and the responsibility is going to increase and the need for toilets and everything else is going to increase and the need for security when you're watching your trailer overnight increases. That's what Portland does. If you look at their trailers at night, man those suckers are locked up tighter than a prison. It's not pretty to look at, at night but it sure saves the effort of moving in and out of 100 places. That's what they deal with because they picked one location to have them and so that's how they deal with them at night. Again, until we decide the "where," we can't determine how we deal with it. If we have one location, we need to come up with rules for one location. I'm sorry, if we were using the Growers Market, I would want a lot more rent out of every cart that was in there that needs space. You'd have to pay a monthly fee to be in there. It's going to have an expensive lease to be dealing with the fact that it's competing with public property paid for ... It's a permanent spot. That's going to be treated differently, in my mind, than somebody who is giving a business fee who moves every night and they go home every night. I can handle the fee structure if it's a temporary thing that goes home at night. If it's something that is going to be in one location where there is that ongoing thing, we need to relook at it and do something different. But until we figure out those two things, I don't think we are anywhere near ready to come back on October 17 with a proposal of what we are going to do because we haven't decided anything. We can't decide in a workshop so I'm not really sure how we move forward. We have thrown out some ideas but nothing is going to happen about it. Yes, I sound frustrated but I am because we've had several meetings on this and it's not going anywhere. We are at the same spot. I appreciate all of the work that Staff has put into this. It has been very thorough, but at the same time, there are people that are going to be hurt and they are not hurting anybody right now.

Mayor Murphy stated, we can't decide anything until we have a proposal in front of us and we take the vote and see where people stand. You don't get there in a workshop, you get there was something that you can make a motion on.

1. COUNCIL ACTION:

- a. Ordinance amending the Grants Pass Municipal Code Title 3, Chapter 3.30.042 (A), Transportation System Development Charges.

City Manager Cubic stated, I'm here today to give you a presentation as a follow-up to the last Council meeting on the Transportation System Development Charges. The last time we met, we moved in a

The Council of the City of Grants Pass met in regular session on the above date with Mayor Murphy presiding. The following Councilors were present: Michelin, DeYoung, Woodburn, Fowler, Riker, Webber, Williams, and Councilor Morgan attended by telephone. Absent: None. Also present and representing the City were City Manager Cubic, City Attorney Bartholomew, Finance Director Meredith, Public Safety Director Henner, Community Development Director Black, Parks Superintendent Nelson, Public Works Director Haugen, and Human Resources Director Lange.

Mayor Murphy opened the meeting then Councilor Fowler gave the invocation followed by the Pledge of Allegiance.

PRESENTATION: Recreation Northwest Report.

Mayor Murphy stated, thank you for coming out on this beautiful October evening. We will begin tonight's meeting with a presentation on Recreation Northwest.

Bruce Galloway stated, I'm one of the owners of Recreation Northwest, we provide recreation programs and we work with the Visitor Center, Downtown. This is Molly Prive, our office manager. Megan over there works in our office as does Alice. We have two other people, Dick is not here – one of the owners, and Sarah who is home sick. One of the things we wanted to do is give you a little insight as to why you provide recreation differently than a lot of other communities do, and then give you an idea of what we really do. Two-thirds of our contract is recreation and one-third is for downtown visitors. We started providing this service for you back in 1984. It has been a long time. In 1984 we had one of the best recreation programs going in the state. All of a sudden, we had a crisis here in the community where funds were short and two levies failed. Because of those two levies the whole recreation program was canceled – eliminated. We ended up having four people left in the Parks Department to be able to do mowing of the grass and taking care of bathrooms. It's similar to what's going on right now with the County. It was devastating. All the programs that we used to provide in help, they were left on their own. What happened is 10 years later you had an opportunity to say, "Let's get some recreation direction going and let's try to get some people leading the programs." You didn't want to add new people with benefits and retirement, and all those other things, instead it is contracted out. Our business was lucky enough to get the opportunity to do that. Because I have a history where I used to be the Parks and Recreation Director here for quite a few years, we tried to do it in a different way. We provided recreation more as facilitators rather than doing everything for everybody. In the interim, of those 10 years, different groups like the Soccer Association, were formed to help provide those services. What we wanted to do was not

up with something that we could do. It seemed like the right thing to do to offer this promotion that we are working on during the holidays. As a merchant, I know this is kind of a short story on what you do when you have to advertise a business. You don't advertise it during a short-term period. Having all three agencies involved in this has been the only thing that has made this work. Jon has... well, it's actually his handiwork you're going to see. His expertise has been phenomenal when it comes to this and this one holiday promotion has actually stretched into more of a five or six month promotion. He's helped to really start doing a little branding of our town. We're going to show you this and then be here if you have any questions, comments or concerns. [Commercial is played promoting local businesses.]

Ms. Stegemiller stated, so you see a common theme. Our goal really is these commercials will be shown not only in Grants Pass but they will be shown on networks in Medford, Ashland and over the coast. They are trying to really reach out and kind of shut off the drive to go to outside of town to shop. It's not only to keep our own local shoppers here, but bring people the other direction as well. These five commercials are going to be are going to be reshot and we will have a new message for the Christmas holiday season. Molly found a really big idea on how we can get people to shop with our own local merchants. You kind of see them there. Every one of those merchants is a locally owned merchant here. They pay to play. We have no major sponsor. Everybody is equal to a degree.

Jon Bowen stated, the main thing in the idea of shop local is to create pride in our community – create pride in our merchants and the collective efforts of all of these people that everyday make our town great. That's kind of the message we want to spread within our community as well as the surrounding communities these commercial spots will reach. That's it.

Mayor Murphy stated, fantastic, and thank you all for the nice presentation.

1. PUBLIC HEARING:

a. Ordinance amending Chapter 4.08 of the Grants Pass Municipal Code relating to Solicitor/Peddler, Mobile Vending, and Temporary Merchant licenses.

Principal Planner Angeli Paladino stated, Community Development Director Black and I have worked on this draft for a couple of months now. Community Development Director Black has presented to you at least two versions kind of leading up to tonight to explain kind of what direction and draft we have proposed for the Solicitor/Peddler, Mobile Vending and Temporary Merchant licenses. This evening, my goal is to kind of walk you through the ordinance. It will basically be hitting the high points. We will be going through each detailed regulation, but kind of hitting the high points and talking about the purpose and research that we've done, again, looking at kind of the overview of the proposal, looking at providing you some comments that we received on the draft, looking at items that still need to be completed if we don't decide this evening that this is the right direction – we are looking for feedback from the Council and

from the public on changes so we can make those, and then looking at the effective date if it is approved this evening.

In terms of the purpose, basically, since the beginning of the year we've seen mobile vending kind of as the new business, entrepreneurial action happening downtown and throughout the town. We proposed something in March that was a little simpler than this, but it didn't cover all of the things that we needed to do. We went back and re-drafted it, and this is the newest draft. We're hoping it meets our current needs. We hope it identifies each of the users specifically so that people know what the regulations are, how they are licensed, and what application they need.

At the last meeting we were asked which cities we had researched. We pulled several ordinances from most of the West Coast. We did look at other cities. We looked at Seattle and we looked at Portland, Boise (Idaho), Corvallis, Kansas City, Medford and Ashland... and really focusing on Seattle, Portland and Boise ordinances, thinking that those really add some key elements that we think we needed to include in ours. Again, this evening we hope to discuss the draft with you. We hope that you have been able to have a chance to look at it and maybe see some issues that need to be addressed if they do and we hope to refine it for you.

In terms of general standards of operation, these are kind of the 16 major points that each user needs to follow, in addition to some additional criteria specific to a mobile food truck, a mobile cart, a merchant, and those kinds of things. I just want to go through the standard operation guidelines quickly. These start on page 11 of the packet. In terms of hours of operation, vendors and temporary merchants, except ice cream trucks and solicitors, are allowed to engage in their business between 7 a.m. and 11 p.m. Monday through Sunday. The removal of the vehicle talks about that it has to basically leave the site every evening... Public health codes, building, and fire codes are basically in compliance with Josephine County health standards, building and fire code requirements. General location – unless positioned on private property, a mobile vending vehicle shall not be located on a public sidewalk less than 5 feet wide, an alley that is not designated as an off-street mobile vending zone, within a mid-_____ crosswalk... and it goes through a couple of other items. In terms of ADA compliance – we also propose vending activities “shall not violate the Americans Disabilities Act.” Waste receptacles – everyone is responsible for having a trash receptacle for patrons to be able to throw their trash away. They are supposed to be able to keep their area in good clean order. Maintenance of vehicles – the carts and trucks are all supposed to be kept in good shape. We don't want grease on the streets, and fumes, and those kinds of things. Alcoholic beverages are prohibited unless the person is licensed for a special event or community event. The display of license – each vendor will be issued a license. They will have to display that at the site in accordance with the Finance Department rule. No amplified music – vendors that have music blaring from their cart, or whatever, that will not be permitted. The cooking mechanism – talking about the grills and stoves and all that stuff, how they must be enclosed and permanently built into the structure of the vehicle. Pedestrian zones – this is making sure that people have a clear path on the sidewalk, that if people are queuing up to be in line there is still a clear path for people that are not buying

those goods will be able to move through there freely. For the mobile vending operations – we don't want the carts or the vehicles to have any flashing or strobing lights. We don't want them to be a distraction. We don't want people on the street to have any kind of reason to create an accident or something like that. Those things are prohibited. Vehicle support equipment – this would be if someone has an awning – it could project 4 feet out from the vehicle and not any further than that. In terms of signage, we would be looking at these merchants and vehicles to be licensed under the sign code provisions.

Solicitor/Peddler -- currently we have a peddler's license and it's far-reaching. Basically, a lot of people have come in and we've kind of deviated from what a real solicitor/peddler is and the new ordinance clearly defines what a peddler/solicitor is, as "An individual taking or attempting to take orders for the sale of goods, beverages, merchandise or services to be furnished or performed in the future." This is really the door-to-door salesman or the person that canvases the streets or goes door-to-door selling their services or goods. That's a solicitor/peddler. They are required to apply for an application and receive a license to do that. They must comply with the general standards that I just mentioned. In addition, they have to display their license, so when they go up to a door, people know they have been licensed through the City and if there is any concern, people will know that and they can call and say that the person didn't have their license on display. If the residential owner has a sign up that says "no soliciting" then they are not allowed to do it. They cannot solicit before 9 a.m. or after 8 p.m. They cannot solicit if their license has been revoked or expired.

Ice cream trucks – we put them in separate a category. Defined as "Mobile vehicle use as a point of retail sales of pre-wrapped or prepackaged frozen dessert products." They are required to apply through an application and gain a license to do that. In terms of location, they are limited to the public right-of-way or access in a zone of 25 mph or less within residential zones. The current draft does note that they shall not operate within 1000 feet of any public or private schools, daycare, etc., during school hours or 1-hour after school for the school year. It also says they shall not stop where parking is prohibited. They are not allowed in city parks unless through a special event or community event license. They also must comply with the general standards. They cannot stop for more than 15 minutes at a time. They need to pull over as far to the curb as possible so that they are not impeding traffic. They also must provide the trash receptacle and remove any trash left at the stop. Their hours of operation are little different. They are allowed to operate 11 a.m. to 9 p.m. Monday through Sunday.

Mobile food trucks – this is a new term. This is an operator that is vending, basically, "On or within the frame of a vehicle or trailer on the public right-of-way between the curb lines and any other designated quick vending zone." They also require you get an application and a license to do business. They are permitted within the right-of-way only within the designated on street mobile vending zones. At this time, the ordinance does not indicate which streets are mobile vending zones. That work needs to be completed. If the Council thinks this is a good idea and we do want to have some on street vending, we need to pick what streets those are going to be. If this is adopted this evening, there will be no vending on the streets until those streets are approved.

In terms of private property – they are allowed on private property for the duration of 10 days as a temporary merchant. If they would like to be on private property year-round, they do have to come in and go through land-use review through a site plan office. They are also allowed with community event license to be either on private property or, if the event includes a street closure then they can be on the street. They must comply with general standards. They have to vend from the side of the vehicle. They can't open up hatch and vend towards the parking area or oncoming traffic. They have to vend to the sidewalk. They must comply with posted parking standards and cannot be in one location for more than three hours. Generators must be fully contained in the vehicle.

Mobile vending carts – a “push cart movable under human power that is operated by a vendor standing on the sidewalk for sale of food that's ready to eat.” Again, they are required to apply and get a license to do that. They are permitted on the sidewalk in designated off-street vending zones. Again, this is work that needs to be completed if this gets approved tonight then we would need to have designated locations on the sidewalk that says where we will approve sidewalk vending. They are allowed on private property as temporary merchants for 10 days. Also, they could be approved year-round on private property through a site plan review process. They can be approved for special community events on private property or if the event included street closure. They must comply with general operating standards. The cart itself must be movable by an operator. It is limited by size – 5 feet wide by 9 feet long by 7 feet tall. Lights, strobing things etc.... not lights necessarily, but lights, signs and those kinds of things shall be attached to the outside of the vehicle and no generators are permitted.

Mobile vending trailer – this is the majority of vendors that we see in town that do have kind of a full trailer. It's operated by a vendor standing on or within the frame operating either as a temporary merchant or within an off-street mobile vending zone. An application and license is required. They are permitted as a temporary merchant on private property for the 10 days. It can be approved year-round on private property through a site brief plan review process, and again, can be approved for community events. They must comply with the general operation standards. Temporary this is the renaming of what we currently have....

Councilor Webber stated, several times now we've mentioned this site plan review. Can you elaborate a little bit about what a site plan review is and the process by which you would go from the 10 days to something more permanent?

Principal Planner Angeli Paladino stated, currently in our Development Code, we have a process where if someone has vacant land and they want to build something on their property they would go through a site plan review. We would identify access points and site criteria that needs to be upgraded and those kinds of things. If somebody wanted to come in and get approval year-round, we would take them through a similar process and see, for example, if the site has an existing building, if it's paved, if they want to add a part to it then is access okay? Is everything kind of on the up and up on the site, to get approval? It

basically would be an accessory use to the property, or it would be the primary if the site was currently vacant. Temporary merchant replaces the itinerant use provisions that are currently in the Development Code. This is basically allowing someone to engage in temporary business. It doesn't have to just be for food. This could be other wares and goods being sold. They would have to apply for an application to gain a license. We are expanding where the permitted zones are, as currently it is only in the general commercial and the central business district zones. This now allows for a neighborhood commercial zone, all of the industrial zones and the R-4 zone, which is a combined residential and kind of office use zone – to have that permitted. They must comply with general standards of operation. They are limited to 10 days per month. They must vacate the premises everyday by 11 p.m., unless otherwise stated in the code. They must meet basic site standards for pedestrian and vehicular access.

In terms of other issues that we have identified in the draft, we've looked at providing a provision for people that are producing goods – vegetables, fruits and those kinds of things to be able to vend for a 90 day period. We see during the summertime and in the spring when people have their crops that they are really limited to that six days as currently written. It's really not enough time. We want to promote healthy food and have people able to access that if they don't want to go to the grocery store to get it... the seller, you know, 90 days which is a good thing. We've looked at a community event license. Again, this is similar to the temporary merchant license. What it's basically saying is, if you're part of a community event like First Friday was something like that, you would come in and get a community event license for that event specifically. They both have application and license parameters. We do have exceptions that are noted in the code – the Girl Scouts and those kinds of things. We tried to do a pretty comprehensive list of those that we don't want to have them in our office. We don't want them to have any permits. Just go sell your boosters and all that kind of stuff. We do have some exceptions also noted which is a good thing.

As far as comments received – we did provide a hard copy draft at the September meeting through the Council and the public that were here. We launched it on the website in early October, or actually, the end of September and provided about a two week window for comments. We did receive some email feedback on the drafts saying that in general, they are not in favor of street vending, they think that it makes the street look trashy or that streets weren't built for that. We did receive that. That same evening that we provided comments to you in September, we did receive a stack, and it is in your packet, of a petition list saying that there is some benefit to having street vending. I counted them up today and there are 373 signatures on those pages saying that they do like street vending in the current way that it's being regulated.

In terms of items to complete, as I mentioned earlier, we do not currently have the designated on street or off street vending zones. If Council would like Staff to move forward with looking at the Growers Market, or the Fairgrounds or some of those other issues that people have mentioned throughout this process, like on public and private property where we could do groups of food carts, we would proceed

with doing that, if you would like us to, and then, we also need to make sure that we finalize the fee structure before this is implemented.

In terms of an effective date – the ordinance currently reads that it would be effective 1 January next year. The existing merchants can operate as they currently are with their current permits. After the first of the year they would have to comply with the new rules as approved. I would be happy to answer any questions.

Councilor Fowler asked, in a couple of different categories, mobile trailer and temporary merchant, you had a 10 day limitation, was that gleaned from other city ordinances? Do you think that might be difficult to enforce?

Principal Planner Angeli Paladino stated, I don't believe that we saw that from any other ordinances. We were trying to accommodate... Currently we have a 6 day rule and there had been discussion earlier that 6 days wasn't enough, that 10 would be better. It's with current location. If someone came in and said they wanted to vend on your site for 10 days and then vend on somebody else's site for 10 days. They would be able to stretch that permit out for the whole year.

Councilor Fowler asked, if we made some zones in public spaces, how would that affect the 10 days?

Principal Planner Angeli Paladino stated, if we created a designated area, such as the Growers Market, that would be a year-round or it could be seasonal, depending on how you wanted to approve that.

Councilor DeYoung asked, is there a way to streamline this? I can see an absolute administrative nightmare up in your office. The guy comes in and describes what he has. (He gives an example.) I see a real nightmare here and an awful lot of work for Staff. I think if we streamlined into saying, "It's \$350 year-round as a calendar year and these are the places you can be." That's the end of it. The 10 day thing for the vendor to come in... Every month he's got to be up there banging on your door to get another 10-day permit for that month. I don't know that's fair to the vendor. Another thing is, right now we have five or six vendors that are along 6th and 7th Street, but is there any limitation on how many? I know they are taking up parking spaces for the brick-and-mortar people downtown. I know you've got a vast majority of people that say they want them on the street, but there are a bunch of merchants that have a question about that. You know the dogfight we get into every time if we take a couple of parking spaces away for the Christmas thing down there. We spend hours and you folks have too trying to straighten that out and get both people back to a neutral corner just for the Christmas event. I have some questions with that. The every month thing bothers me a little bit... and on public property. I'm not a real fan of putting it on public property if we have identified enough private property where they can go. I have some reservations about putting them over on the Growers Market. I don't think that's a very ideal for the

vendor. I'm not in the vending business but it seems kind of out of the way from the audience they are trying to attract. I would think more like the parking lot across from the post office but that's up to them. I hesitate for us to get involved in their business that heavily with rules, regulations and all of these other hoops they have to jump through. To me it's confusing just listening to you, and we've heard it before. I would be in favor of streamlining the process. Make it one deal and go from there.

Councilor Williams stated, one day I saw one of the vendors down on the block between J and K streets and 6th and 7th streets, just outside the central business district -- one block out. That lot is paved and there are businesses in the building. I assume the vendor that was there on the private property had permission from the owner, but that property, technically, is not in any way up to general commercial code because there is not a 10 foot building strip along K Street. If he was to rent out part of his spaces along K Street, could he rent them out permanently without having to put in thousands of dollars worth of beautification to bring it up to code because it's a paved lot -- it's an existing business?

Principal Planner Angeli Paladino stated, that property owner has to come in for a minor site plan review to have vehicles parked on the property and that application will come out in the next week or so -- that decision. But yes, we would be looking at existing conditions and he wouldn't necessarily be having to upgrade to provide the 10 foot landscape or for any of that.

Councilor Michelin stated, I'm with Councilor DeYoung about streamlining it. This reminds me a little bit of the IRS code and the humongous administration it takes to administer it. I don't know how much time... It's going to be a hunk. If we took one extra person full-time to handle this that would be expensive and I would be totally against that. I'm back to.... Let's streamline. Let's make it easy.

Community Development Director Black stated, if I can just respond to that really quick because there have been to comments on that, the easiest way to make it for the applicants is to make it super general like it is now and charge one fee. Then there is a lot of guesswork that the police officers have to do and we have to do, but there are not a lot of hard and fast standards that they have to follow or that we have to ensure that they are following. I think that's why we were tasked with creating an ordinance that properly regulated these businesses and gave them a place to go without impeding on other businesses at the same time. The way that we drafted it isn't so that you don't follow the code, if you're one type of use and you're a mobile food truck, you follow the mobile food truck standards. You don't need to know the rest of the code as it relates to trailers, and sidewalks and things like that. You follow that section. I went through the other day and took out everything that wasn't germane to one type of use. Let's say, I think it was mobile food trucks, I took out everything that a mobile food truck operator wouldn't have to worry about in the code. It took the code down eight pages -- eight or nine pages -- something like that. As far as staffing goes, we are not proposing any staffing to come with this. We have the same amount

of vendors today that we will likely have next year at the same time – maybe a few more – I'm not really sure. But we're not expecting that we are going to have to go out and measure things and do all those types of things. We're expecting that we will be able to give people information. We'll say, "This is how you can operate." If a code complaint comes in, which often does, then our officers and our CSOs will have something to base a decision off of, if they go out and say that you are disturbing this and that, and based on this section of the code, it either is or isn't allowed. Right now, we get a lot of complaints and they can't go out and really do much about it. Right now it is, "They can operate here if they'd like to." That's where we're coming from. We're trying to get to the point where we have the right amount of regulation... Not being too over burdensome but not being so general that we say, "Go out and do your thing without any restriction."

Councilor DeYoung stated, the concern I have is the 10 days every month. You are saying that you want to streamline this thing so CSOs don't have to spend a lot of time. I don't mind you saying, "Okay, I'm an ice cream truck," so you hand the person the ice cream truck rules. Your right, his concern is not about pull the vending trailer, the mobile vending vehicle and all of the other different categories we have here. That's true, you hand him that portion of it. My concern is that part of these come in for a 90 day seasonal permit. The other parts come in for 10 days and then they are back on the first of the month for another 10-day permit, for another 10-day permit, and as Principal Planner Angeli Paladino said, you are taking... a guy could come in and apply for a 10-day permit at various locations throughout the year. How do you police that? How do you take care of that? It doesn't sound easy to me. It might sound like a walk in the park to you, but it certainly doesn't to me.

Community Development Director Black stated, well actually, if you take the amount of days, and based on how easy it would be on the amount of days, it should be easier than it is now because now it's only 6 days. There are actually able to stay in a place longer so it's fewer times during the month that they have to move if they were to move. The other thing is that we have no intention of having people come in every month and reapply for licenses. I don't think that that is what we are proposing. The way I would see it operate is that someone would come in for a temporary license and they would be able to say, "I'm going to operate throughout the year and I vow not to be in one place more than 10 days." We might have to say, "Tell us where you going to be for every one of these 10 days." If the police officer goes and looks at their license, it would say, "At the corner of such and such from the first to the 10th of every month. And then from here to there for every month," or something like that. The idea is that they are allowed to have those 10 days and they can locate just about anywhere on lots of just about any standard without having to bring those into any sort of compliance with our code. There is kind of a trade-off there. That's why we are proposing temporary, it's kind of the way we are doing it now.

Councilor Michelin stated, what would be the downside of changing the 10 days to say, 30 days? Community Development Director Black asked, a change to 30 days? Then that would make them permanent. Councilor Michelin asked, and, therefore?

Community Development Director Black stated, therefore, based on the standards that we have everywhere else in the Code, if your permanent you should have to meet the same standards that everybody else meets. They would have to bring the lot up to the same standards that, let's say Dutch Brothers has to bring their lot up to code because they are permanent, and they may actually be the same size and do similar types of businesses with the same amount of traffic so they would have to bring the lot up to standards just to be in compliance like everybody else has to do, or else we would have to make everybody else come down so that it was somewhat level or an even playing field.

Councilor Woodburn stated, I'm just trying to figure out what our process is tonight. This is about the third time we've had presentations. It seems like every time you present you ask us what we think, we give you feedback, and then you go do a ton of work and look at a bunch of other ideas and try to meet what we've requested each time. It seems like we're in that same place again. Each time it seems like we've also gotten public comment at each one of those meetings. I think you tried to incorporate that in too... It's starting to feel, quite frankly, with a couple of the Councilors saying to streamline it. What I'm really getting out of that is this isn't really close to what we wanted if we are talking about streamlined. We've asked for more and more detail. Then there have been complaints, and so we want the problem fixed, so you run out, quite frankly, you've done just a boat load of work on this trying to sort out everything and make everybody happy. I'm trying to figure out what we're doing tonight. If what we're doing tonight is going to be..... If as a Council, we just want to streamline it and throw out everything that's happened so far... I guess I'm just trying to sort out... Should we just listen to the public comment first and then get to where we want to go? We're not really asking questions. We're just saying what we want. It just seems like a do-over like the last three times. We might as well listen to public comment, see if we can come to some agreement, and if we can't, maybe we start dealing with this in a workshop and stop wasting everybody's time with, "Thanks for all the work and can't we just streamline it?"

Councilor DeYoung stated, I agree with Councilor Woodburn. I think we've got quite a few of the vendors in the audience tonight. They have heard the same presentation. If they're willing to go along with it and it fits their needs, we may be able to get this thing put the bed tonight. I just don't want to put anything over on them that they don't think they can comply with, because it's their business. I don't know their business. You guys know your business and how it works. If this thing is going to work for you and you can work within these guidelines... We've got have the rules. We know that. I'm with Councilor Woodburn. I think we ought to hear from the people that do this every day for living because we don't.

Mayor Murphy asked, are there any questions on the ordinance for staff? Seeing none, Mayor Murphy opened public comment.

Mark Seligman (Selma) stated, I'm in favor of the vendors having less restriction on them as possible. The reason that I'm for that is I think they provide a vital service. I have eaten at several of them during my workday and I think they offer an alternative that you don't see. Number one, their prices are cheaper. Their food is pretty varied. It's pretty convenient. I understand why business owners might be opposed to it, because it's competition. Isn't that what America is all about – competition? If the problem the business owners have is that they pay higher fees and they have more permanent requirements, I can understand that. Perhaps the City needs to reevaluate, due to the economics of the times, the fees that they are charging these permanent businesses. That means the City giving up some revenue, which I know the City doesn't like to do, but in these economic times you want to put more people to work and you want to make it easier for people to purchase products and services. It's pretty obvious to me when you see 373 to 4 where this community stands, whether it's County residents like myself or City residents, I think it's a slam-dunk. You need to put as less regulations upon these vendors as possible. Like I say, in respect for regular business owners that you call brick-and-mortar, they have some valid complaints. The way you can be responsive to them and restore more trust in government, is to lower the rates to them as well. The City needs to take a little bite on this in terms of revenue due to these economic times. Thank you.

Dale Matthews (Grants Pass) stated, somebody sets up a hot dog vending cart and they decide to have a member of their family dressed up like hot dog, and this hot dog walks up and down in front of brick and mortar places at 11 o'clock at night. One hopes they have some kind of lighting if it's not blinking, though many lights do have a tendency to blink, especially something like neon that's going to seem to be blinking, but I'm hoping that they can see what they're cooking.... And so the hot dog, they decide to string lights around it during Christmas time and the lights are blinking. Or they decide, they are going to have 10 little hot dogs out there. We're going to have an adult hot dog and little hot dogs and they are going to be walking up and down in front of all of the stores encouraging them to come and eat at this hot dog place. Do you like that? We're flooded with hot dogs. I like to eat at these kinds of places too. Where I used to work, you'd go out to the parking lot, which is prohibited, and you would buy your food out in the parking lot. It was a really handy way other than jumping in a car and driving off to some fast food place and coming back, you'd get your food out in the parking lot. You can't do that with this – it's my understanding. Really? It does look like it's getting more and more complicated. Think about the little hot dogs. Do you want them rolling all over the place?

Judy Ahrens (Grants Pass) stated, I just wanted to ditto what Councilor Michelin said. I like the idea and I hope the rest of you take it very seriously. You want a streamlined thing because you don't want to bog

up the administration. I think that's a very good concern. We're not here to make sure down the line that you hire another employee. You don't have money for that. The County is poor, the City is poor, everybody is poor. It's too bad it couldn't have been made into a pilot program.... That's in hindsight anyway. Knowing that you are moving forward it looks like on it, and maybe even the fees as Mark Seligman had mentioned, about the fees and how can we bring business in here, and even these little stands etc. I think it's a good idea if people have a general idea. If you're going to add that, have a general idea. For you to pass something and say, "Okay, we've got this, and now we are going to go to the workshop and we are going to be fine with what the fee is." Because some of these new fees, I don't remember that being set on, maybe it was in the presentation but I don't remember it being said, if you gave them kind of like an area the fees might be from between this and this. I can understand that. Even with what Councilor DeYoung said, "Streamline it and not bog down the administration." I think that's an excellent idea. If it seems like with all this complicated stuff is going to do that, then maybe you have to think of a way that would keep it simplified not only for the administration but for the public – and for future vendors. Thank you.

Tim Tipton, Grants Pass stated, I'm the owner of Taste of Alaska. The first thing to address is that the pod is active at 6th and K on that property. The site review is in and there are four vendors, three active and a potential fourth. So far in the five days we've been there, it's been solid, with positive reaction. There is appreciate for being off the street and paying rent to the property owner. When we get power that's approved, we can pay our electricity. The whole goal, as I talked about two months ago was to stay off the street, be respectful to our community, to our brick and mortars, and pay fees associated to our size and operation in order to support our infrastructure. It's being done. There are five active vendors in town right now. Four are off the street and one is still on. It's his choice. He was given that opportunity two months ago to join us in this program. He declined. There are some rumors floating around that we are biased in working together, in cahoots or whatever you want to call it – it's not true. The offer has been extended to anybody that wants to cooperate and work within our community; to support our community is the right way, as our brick and mortars already have to. We are leading by example right now the way we're doing this. It's working. Customers are coming in to show appreciation by buying our food – being very vocal on our Facebook pages and showing support. The positive energy is consistent in our area. It's not a negative draw to our area. It's actually a positive draw. We are creating more of an interest around the building that we rent the property from. Bob had to get permission from all of the renters of his city center building before we could come on the property – and to approve us. This just wasn't somebody just slamming us in there against the will of the others. As a model plan that I spoke of before when I was over at E and Mill Street at the gas station, my goal was to present you, the City Council, some kind of model that you've never had to deal with before because 1980 was the last time this ordinance came about. All of a sudden, it's in-your-face. It's complicated. It doesn't have to be. My goal was to promote something simple. Put us on private property, give us a site evaluation, let us work

on improved property, but let us work year round to develop our businesses. Eventually we would like to go brick and mortar. That's the goal. It's still the goal within my vision of it and the three other participating vendors that are working with us at the city center. I want to give you a little insight on that. I could go on but I don't want to get cut off. That's the key part to remember. The other thing is, when you work on the street you run a generator. Your expenses per month are as much as I'm paying rent per month. It's a trade-off. If the vendors are looking at it from a financial aspect, it's no less to be on the street than it is to pay rent. Financially, you the City Council, wouldn't be burdening us any less or any different by letting us work on a private lot and paying a private owner rent than we would be on the street paying \$20 a year for a peddlers license, but spending \$300 or more a month on fuel to run our generator. That's our source of power. If we are plugged into an electrical system, we are supporting our PP&L. They get payments. They pay taxes to our community. We pay our rent. That goes back into our tax structure. It supports our infrastructure, street, police and so on and so forth. That basis of staying off the street and paying a private landowner is supporting our infrastructure. We do promote... Your presentation was awesome in the fact that what we are striving for too with our trailer and our little pod – by local, shop local and stay local. As I described earlier two months ago, I bring in fish from Alaska. I draw outside interest to my trailer with the specialty item. My goal is to highlight the town I live in and increase its value to more people that visit or travel through, and give them the perspective of this is a cool place and they've got a pod. Last time I saw a pod was in Portland. Actually, from Portland to the California border, we are a very rare exception. I want to thank you guys for allowing us to do this. Thank you.

Ryck Brown (Grants Pass) stated, Community Development Director Black said that 30 days would make these mobile vendors permanent if they stay 30 days on private lots per month. How can they be permanent if they have to pack up every night and cleanup the litter, if they leave by 11 o'clock every night and the lot is unchanged. When they leave it should be as clean as when they came. It should be cleaner. We can pass this. It sounds like that lot would be a lot cleaner than off the lot brick-and-mortar businesses around town. I see no reason for a 10 day limit. This has been a sticking point every time – this limit on parking on private property. We should be encouraging people, as the man said, to get off of public property and onto private property. We should make it easy to be on private property. What is the advertising slogan? What is it about location, location, location? If you've got three locations you're in trouble. If you keep moving around, you're not going to get the business. It seems that this 10 day limit is designed to cripple these businesses and not to help them. It needs to go. Most of the rest of the ordinance works pretty well. Get them off the street. Thank you.

Jon Bowen stated, there have been a lot of good comments tonight and this is a complicated issue. I'll contend that the reason it's complicated is because we are basically taking existing zoning and existing standards that have worked for our city and we've all complied with for many years, and then we are

asked to put those aside and set a new set of standards for what is coming upon us. I welcome the carts. I welcome competition. But the system that we have to comply with was set up for brick and mortar, and now, all of those standards, fees and whatnot that everybody has to abide by is said to be put aside to adopt to this mobile standard. There needs to be a way. I see the answer before us. I think we are almost there. It's the model that was outlined... You know, the four vendors participating on private property. This is a standard we should go towards. But I do say, unless there is a site that is developed where this is where they are going to be, the model won't work in the long run because it's better for everyone in the community to know where to go – where to find them. It creates a destination for these vendors. That's what I've been arguing for. I feel like the Growers Market is a solution. Maybe it's not an ideal location, but once people know it's there it will develop. If it's not that site, what is another site whether private or public? We need the temporary thing because otherwise we're going to have these all over the place. Wires are going to be running around, sewer lines and whatnot. What about the standards that the brick-and-mortar have to uphold? We're close. I think if we figure out a site that everybody can work with, whether public or private, and try to come up with a model I think it can work... and do that. One of the things that does bother me is that a site review usually includes all things. You know, not just egress and ingress into the property, but bathrooms, trash, electricity and all that. Is that going to be the full complement of a site review for these, let's say, permanent mobile structures? Will there be a different standard that we brick-and-mortars have to uphold? Thank you.

Jung Hang (Grants Pass) stated, I am one of the vendors and I own the Saigon _____. I do agree with Jon on a spot. We need to make a mark in this town. When we look at Portland, we know where in Portland the pods are. We know where it is. I do agree. You know what, certain groups of people want to band together to make it better for them. It's their choice. Let the American dream be their choice. Maybe somebody will want somebody in there and maybe they don't. We don't want to start. (Pause) I have a pod on 6th Street. That's me. The gentleman owns that lot. They like me because I complied with the code and everything from the beginning to get a chance to make a living. Now, a certain group of people say they want me to be involved, but you know, business is about research and looking at what you need to do for the best of your business. It was good what he had earlier. Why didn't he stay there? Now I'm excluded because they have a Chinese restaurant in there. Vietnamese and Chinese are two different countries—the flavor is totally different. My point is, give us options. Saturday market is going to take time, which is at my point already – Saturday market. Everybody knows, including the vendors it's every Saturday, but now to start a pod there, I would try my best to create my menu plus I have a few vendors... They are very good and very creative – all the flavors. That's what we need to do so they know what the Saturday market is all about. But everyone has a half an hour for lunch. Everybody needs a half an hour for lunch. We've got G Street, and now we can pod by Saturday market. Everyone can have a good time to go there one time, you're going to sit down, you're going to go by a vendor – you have your choice. Closed area – give more people options plus we might create something good for our

community with a future, with the tourism and the flavor we would create in this town. That's why I think everybody has their own unique talent. We need to show what Grants Pass... like Dutch Brothers did 20 years ago. That's my dream, but we don't know, we've got to try. That's the next opportunity for us to be creative. Watch us. Monitor us – that we are a positive for our community – that we get feedback like Tom was talking about – competition. To me it's a blessing to live in this country and have an opportunity to do this to take care of my family through these hard times where the economy is so bad right now. To play this game that you be in there or you don't or whatever, that's not a game. Competition is good. You work hard at it. That's how I raised my kids and I think we need to let the kids know, in our community, especially high school kids, especially, "Wow dad, would somebody throw a cocktail bomb at my house? It's amazing the embrace of this community don't know my family and give me support to stay here. I want to move for the sake of my family, but I want to make a home here. You have an opportunity to be home. Home is where a community and our city need to work together. I don't want to be on welfare. I want to do something different. I want my kids and their kids to have an opportunity, American dream, to do something with a variety of stuff for them to dream on. That's what it's all about. Thank you.

Mayor Murphy stated, for those of you wondering about the time limits, I'm normally very careful about them. These two vendors are directly affected by the ordinance that we are talking about. Yes, I did allow them to go over.

Darrell Englen (Grants Pass) stated, I moved to Grants Pass about a year and a half ago. I absolutely love it here. I have no understanding of why there is a 10 day rule. I'm just getting ready to start a mobile vending business – coffee. I actually want to open up a café but having problems getting that going. It's almost like vendors are being treated like they are loitering. What is the point of making everybody pick up and move every 10 days. I don't know how or why that started. I agree with somebody else who was talking about... How are people going to know where to find you? If you've got to be at this end of town and get permission to be at the other end of town, if we didn't have the Internet it would be pretty much impossible. It is a small town and people talk but, that and just having to get permits, like you say, every 10 days, I don't understand that part. Streamlining it would be very beneficial to everybody involved. Thank you.

Seeing no one else who wished to speak, Mayor Murphy returned the item to the Council for deliberation.

Community Development Director Black stated, I need to correct one thing. I did say that the temporary businesses – we could look at doing those yearly. We can look at doing that. The way it's worded in the code right now, they have to come in monthly to get new licenses the same way that they do now. The license is for 6 days at one location right now, this would bump it out to 10 and they would have to come

in every month and tell us where they are going to be for those 10 days. If you have any questions of why and who else does temporary things like this, I'd be happy to answer those.

Councilor Riker stated, so Community Development Director Black, when you looked at the other cities, apparently they didn't have the 10 day limitation.

Community Development Director Black stated, most cities have a limitation. It may not be 10 days. It may be 6 days, it may be whatever. Cities where I have direct relationships with in the past have all had temporary standards so that people could come in and operate temporarily without having to bring the property completely up to standards, or go to the expense, time or the energy that it takes to go through a full site plan review. When we talked about site plan reviews, it is a full site plan review. It's giving them an opportunity to operate a fraction of the month without having to come up to the standards that a brick-and-mortar would have to come up to. It is typical that everybody has definition of temporary. It's always by the month, it could be 5 days, it could be 10 days or it could be 2 weeks. Where I came from last, it was 2 weeks a year. You can split it up how very wanted but that's all you got was 2 weeks a year. Are there any other questions I can answer?

Councilor DeYoung stated, in my mind as a person that has been in business for a long time, there are 22 working days if you work Monday through Friday in a month's period of time. Generally people like to have a couple of days off. I'm assuming that even you folks would like to have a couple of days off. There is a stretch between 10 and 30 here that is kind of no man's land. I wouldn't mind seeing 20 days on that temporary permit. It still needs to be _____, and as Rycke said, because the definition is temporary, they do have to go home every night. This probably gives them a chance to regroup, reload, and restock their trailer or truck or whatever the cart is. But 10 days, it would be tough to cram a living in 10 days. A friend of mine has the kettle corn thing, he makes a darn good living all summer long and he does it on the weekends. That's how he chooses to work. He works Thursday through Sunday and works very hard. He takes the rest of the week off. Whereas, if you put 20 days on the thing and said, "Okay, fine I've got to come in every month." If that's the way it has to be to remain temporary... I'm with Councilor Michelin on the fact that every month.... We have 6 now, but when you have 60, it's going to get a little cumbersome for Staff. I think if we can come to agreement somewhere between 10, maybe if we go to 20 days on that thing, that's fine. That's closer to a normal work week. You folks, I have seen that you're not afraid to go to work every day. They want to work more than 10 days. If you double that, you could essentially double their income in a month. At 10 days you're really strapping them to try to make a months-worth of wages to raise their families in a 10 day period. I would go more for 20 days. You know, change that part of it. I like your idea. You explained it in kind of a different definition to where you come in with a Vietnamese cart, and of course you're not going to get the ice cream packet, you're going to get the Vietnamese packet. That's the neat part about that. That does streamline that part of it.

Now that you've explained that, I appreciate that. I'd like to see 20 days. That puts it more in line with what a brick-and-mortar, if they were closed Saturday and Sunday, they would have 22 days.

Councilor Williams stated, Community Development Director Black, I'd like to see if I can figure out how this 10 days works. Could I get a license for the first 10 days in one location and then a license for the second 10 days of the month in a separate location in another part of town?

Community Development Director Black stated, that's all depends on how the Code is adopted. The way it's written right now, it wouldn't preclude you from operating at three different locations during the month.

Councilor Williams stated, okay, so you really couldn't make a living in 10 days... in my opinion.

Community Development Director Black stated, are you saying could or couldn't?

Councilor Williams stated, you could not make a living in 10 days of one month of each month if you had to be out the other 20.

Community Development Director Black stated, I'm not sure if I explained that correctly. You could operate 10 days here, 10 days there, and 10 days there. You actually could fill up the entire month by moving from place to place. It wouldn't preclude... It wouldn't make it so that wasn't possible. It would allow it.

Councilor Williams asked, but they would get three different licenses?

Community Development Director Black stated, I think, yes, they would have to get three different licenses because temporary is termed, "10 days." If you want to make it permanent you have a couple of options. You can be permanent at one location and go through site plan review just like everybody who builds a business on a property. That's one option. The second option is to use the temporary ordinance as a full-time gig, so you would have to get three per month.

Councilor Riker stated, Community Development Director Black, one idea on that 10 days that you mentioned, they could come in with three different applications would be to have one application and to pay a different fee if you want to operate 30 days, 20 days or 10 days and list those separate locations on the application so they do not physically have to come through the door every 10 days.

Community Development Director Black stated, you could do it all at the beginning of the month too. The thing is, if there is going to be a definition of temporary, it should be 10 days, 20 days, or whatever it's

going to be and a permit should be issued for a temporary license, and maybe we can do them all at once, but I don't think that we can say a temporary permit is three 10 day periods. It's either 30 days or it's 10 days. You would either half to do multiple permits or extend the amount of time that they have to operate during the month.

Councilor Riker stated, now we would be talking about one application where they could pay three different fees but they don't have to keep coming back and it could be three separate locations.

Community Development Director Black stated, yes, we could do that. No problem at all.

Councilor Morgan stated, I guess for me I think the concern is the temporary to me is not whether it's 10, 20 or 30 days, it's whether or not they have to pack up and leave at the end of the night. They don't just get to lock their doors and leave their stuff there and not have to set up every day. Councilor Woodburn, you said earlier about, "Here we are a third time.... We say nice work but we come back to it." Over and over I said, "Keep it simple." I think it should simply be that if it's a temporary they have to go home at night. If they don't go home at night, they have to develop the code. If we are requiring planters around the trailer and everything else, that doesn't make it very temporary. That adds extra stuff that makes it towards a permanent structure. The 10 days is arbitrary. We have it at 6 days now and we said 10 days, or however many in a year, and we can set that to be whatever we want. I think it's much simpler to not have a time frame. Just simply state, "As a temporary thing, you can only operate between these hours and these hours and must go home at night." Keep it as simple as possible. That way it's done. Have a fee. The other item I feel very strongly about is that that it not be on the public roadways whatsoever. Not against the curb whatsoever. It's on private property, period, and that way it's something that has permission. It's off the way. But again, they have to go home at night, that's what makes it temporary.

Councilor Fowler stated, definitely not on public property, but I do think we need to open this up to more days. That's our main debate, I think, whether it's 22, 20, 28 or whatever we decide. I'm with Councilor Morgan on the temporary. As long as you are taking it home it's still temporary. I like the ordinance as it's written. We're doing it not just for what's happening now, we're doing it for the future of Grants Pass. We want to regulate this sector of business in a thorough manner and have rules that are definable. I don't like simplifying it down to pay a fee and park here. I like the way it's written. I think the debate is just the number of days. I think we should also further develop the idea of using the Growers Market parking lot in some sort of agreement like we do with the Saturday Market people so that we could develop that as one of the zones that it is allowed. I think that has some great potential. There is a private lot that was identified tonight that could work but may not support the future growth of this type of business. I think we need to develop both ways, private property – yes, as written in the code and the Growers Market. I think we want to open that direction so that if this becomes a taste that our community

continues to love, that we want to have a place for them to go, and I think it's close enough to downtown. Once the words out is going to be defined as a great place to go and have lunch. I think we should stick with what we have already been working on for a few meetings, further develop the Growers Market and define the number of days. I'm fine with you Councilor DeYoung. I'm in between the 10 and 30. I'm more of the 22, 25 or somewhere in there.

Councilor Webber stated, I'm going to put myself out there. I'm going to move that we adopt what has been presented to us, understanding that the fees have not been decided and the public locations have not been decided. There are a bunch of undecided, but we pass what is there with the change from 10 to 20 days.

Mayor Murphy stated, then you want the ordinance to be read by title only for first reading as amended. That's what I thought you said. Councilor Riker seconded the motion.

Councilor Woodburn asked, Community Development Director Black, could you sort of explain.... I heard Councilor Williams say they are in site plan review right now. I think there are three there. Can you sort of explain how once that's done what that will look at – what would have to be in place in terms of facilities? Also, am I missing it, or once that's done, those vendors can stay on that private property all month long? Am I missing that?

Community Development Director Black stated, yes, they can. They would become an ancillary or accessory use to the main function of the property, which is retail commercial. Let's have the expert explain what happens during the site plan – Principal Planner Angeli-Paladino can do that.

Principal Planner Angeli Paladino stated, for the application of the minor site plan review there are six or seven criteria that need to be followed. We would look at, just as we've explained, if the zoning is correct, does it meet access standards, where the property is located, if there is access, and people are able to park appropriately? All of those kinds of things would be addressed. Currently, it's a Type I decision. It would go to Community Development Director Black for approval. We would go line by line through that criteria and make sure that the site meets those functions.

Councilor Woodburn asked, does there have to be electricity? That's part of what I'm asking. I don't understand what's required in terms of providing those types of utilities out at the site in a parking lot.

Principal Planner Angeli Paladino stated, for this application are restroom facilities going to be provided in the existing building? For the use in terms of electricity, they won't be able to string any overhead power or anything like that, but it would be whatever is existing on-site and self-contained in the unit.

Councilor Woodburn stated, I wanted to ask the question before I made my comment about why I'm a little concerned about moving to 20 days. I have to say I really like what you guys have done. I really like that. The reason I like that so much is, you know, brick and mortar people, we keep talking about them, they pay property taxes and those property taxes actually provide services for all of us. That just happens to be how Oregon chooses to fund its services. When you start doing everything on a public street, I think someone earlier said, "Well, the prices are cheaper on the public street." I was thinking to myself, that's maybe because they aren't paying for rent which means the guy who has the building is not paying property taxes, which means they are getting a service that the public is basically competing against the private property owner. I really like what you guys have done. Really when we're talking about the number of days, we're talking about if you had basically a dirt lot and there is no improvement. Really what we're saying is, if you do what these guys have done you can be there permanently. Actually, I think the owner is the one who filed for the permit, and he's taking care of this. Now we have a real addition to the community. We have someone who's taken the time to develop their property. They are going through the process. They are not shortcutting anything, and yet these gentlemen have their American dream. The one problem I see with this, which I thought Councilor Fowler brought up a great solution to, is apparently, and I'm not asking, but apparently there is some sort of limitation or reason that one of the vendors is not allowed on that property, maybe due to a conflict with another type of business. I don't know what it is. What I would love to see is leave it at 10 days, because you know what? I don't really want to see people pulling a cart up on every dirt parking lot and having the business owner not be able to compete on a fair basis. Mr. Bowen or Mr. Bretkey have developed their property played by those rules. These people want to do it too, but what I'm saying is the 10 days really only have to deal with unimproved things that haven't gone through site plan. You're not really limiting... You're just bringing them to the same level as the people who have already done it. I can't support the 20 days for that reason. What you'll have with 20 days, you'll have basically people that are full-time competing with brick and mortar and other folks who are choosing to pay. The rent goes to the property taxes, which goes to the services provided in the city. When you connect all that together, what I would like to do is be at 10 days for those, but I really want people like the gentleman wants to start a cart, in the back, to have a place. If he can't find a place on private, I'd really like for us to be working with them – maybe for a public location and get them on that. I can't support the 20 days for that reason because the 10 and the 20 is only if we don't improve it. They can be there permanently if they just will rent from a gentleman or if we can provide that same service on a public lot. Now having said that, if we're going to do that, I think the fees have to be somewhat comparable to someone they would compete against in the private so we're not giving them the benefit. That's my position.

Councilor Williams asked, Principal Planner Angeli Paladino on K Street, we'll call it the K Street lot between 6th and 7th Street, do you anticipate that will go through without any changes that need to be done when you do the investigation?

Principal Planner Angeli Paladino stated, at this point, the site is paved and there are access points. I think there are going to be minimal requirements, if any.

Councilor Williams stated, describe minimal.

Principal Planner Angeli Paladino stated, we haven't totally reviewed it. That's not a fair question.

Councilor Williams stated, I know you haven't, but I was worried about... (laughter).

Principal Planner Angeli Paladino stated, yes, we would make sure the parking there is safe, there is circulation and those kinds of things.

Councilor Williams stated, I was just worried that later we would want to have them put in a 10 foot beautification strip and call that minimal. Principal Planner Angeli-Paladino stated, no. Councilor Williams stated, thank you. I agree with Councilor Woodburn.

Councilor DeYoung stated, we asked the public and the vendors themselves to come up to the microphone. When I just happened to be glancing out there when we said we went from 10 to 20 days I saw a tremendous amount... and now we are going to ignore that. At 20 days it still makes it temporary. It does not put it on the same par as the brick and mortar. The key here is that we have not discussed fees yet. If we leave it at 10 days and I were your business, if I'm going to be paying a fee, which we haven't even discussed yet, I'm going to want it to mean something. I'm going to want it... I'm going to throw out that \$350 out there for the permit. I'm going to want to be able to recoup that. I don't know how much Vietnamese food you have to serve in order to get a net profit in food business for \$350. I know that transcends over the brick and mortar people because they have to do the same thing. You tell somebody that it's going to be \$350,000 worth of SDCs, do you know how many hamburgers that is? It's a tremendous amount. I think 20 days gives them the opportunity to be able to recover their fee, number one, and like I said, it's 20 days in one location. They are not going to be there every day. There are going to be days where two or three of them don't show up, and there may be days where all four of them show up. There may be days when there is only one guy sitting out there. I agree with Councilor Fowler. Let's have an overflow lot or an alternative lot. Right now the motion on the floor is for 20 days as an amendment and adopt the policy. We haven't discussed fees yet. I think the only change we are making to Community Development Director Black's presentation, and I like the definitions and everything along that line, but 20 days is the only thing. I think 20 days is not conservative but it's certainly not a liberal amount of time. It kind of breaks the difference between 10 and 30.

Councilor Michelin stated, two points. One – everybody is bantering about this competition. These carts offer a different product than a restaurant. Usually when you go to a restaurant you sit down, get waited on... You know, it's different. It's a different product. It's just a different product. I don't see it as competition. I can understand how a business won't want any extra competition. I mean, that's why big companies merge to eliminate competition. The other point I would like to make is the other factor that is being ignored, the community itself, I think, would find life enriched by having more of these out there than less. I know that my wife and I like to stroll around. "Oh, let's have a nibble over there." A quickie. Or, we like to go into Jon Bowen's place. Maybe we would like to do that, but maybe we aren't there. I'm going to support this 20 days.

Councilor Fowler stated, I kind of want to follow up with what Councilor Williams was asking Principal Planner Angeli Paladino about the future of J and K Street. Are they limited to the 6 days now... the 10 days that is written in this ordinance based on their application?

Principal Planner Angeli-Paladino stated, they fall into the rules that are currently there which is the 6 days. We've told the vendors that we would work with them this month until we get the application completed.

Community Development Director Black stated, but what goes with that is their application is for full-time permanent status on that lot. They wouldn't have to comply with any 20 day, 10 days, 6 days or any day rules like that if the site plan were approved.

Councilor Fowler asked, would they have to take them home at night?

Principal Planner Angeli Paladino stated, yes, they would still have to go home at night.

Councilor Riker stated, I seconded this motion and I think it's a very good ordinance. I like what Councilor Woodburn is saying that 20 days is probably too long, maybe 15 days would be a compromise. But also, when you look at the 10 days, a lot of businesses are operational five days a week so 10 days could actually be two weeks at a time. I would consider 15 days.

Councilor DeYoung stated, another thing, if we go back to the brick-and-mortar, we asked for public comment, we noticed this meeting that this was going to be the time when if you had any complaints or any concerns as both vendor and brick-and-mortar person that today would be public hearings at which time you could voice your opinion. I haven't heard anybody from the brick-and-mortar community step up to that microphone yet other than Jon Bowen, who has got a place downtown – yes. I haven't heard from any of the other restaurants. You know, the Wonderbur or the other ones downtown. That concerns me

a little bit. If there is no concern and I'm still going to support the 20 days. I think 20 days is not out of the ordinary. It's not over the top.

Mayor Murphy stated, we have had testimony from brick-and-mortar businesses in prior meetings.

Councilor Fowler stated, with that clarification on the private property that put in the site application, I'm listening more to what Councilor Woodburn was saying about the ones that aren't. I want to know what this ordinance says about the potential of the Growers Market lot. Would they be limited to what the number of days that we have in this ordinance or would there be any special considerations for the Market?

Community Development Director Black stated, the way it's written is they would be the same as a private lot with site plan review. They would have to provide bathrooms, parking circulation, and access to the property to accommodate their use. They would have to go home every night but they could be there unlimited days unless during the process you decided to limit their days.

Councilor Fowler stated, and therefore I'm not going to support the 20 days. I'm back down to 10 thinking that it regulates it properly now that we have further clarified that there is a way for them to make a living if they have an agreement with the property owner and helping pay property taxes, or through a lease or rental agreement with the City to also contribute; not through property taxes but through fees on the Growers Market lot.

Community Development Director Black stated, I just have to point out that there would be a limitation. If it was the Growers Market it's simply because the City already leases that out on Saturday, so it's already taken on Saturday. Other than that there wouldn't be any limitation.

Mayor Murphy stated, Councilor Morgan I'm about to call for a vote. Councilor Morgan asked, can you repeat what's on the table because I can hardly hear you. Councilor Woodburn stated, it's for first reading on the ordinance with the amendment of temporary being at 20 days instead of being at 10 days. Mayor Murphy called for a vote.

ORDINANCE NO.

Councilor Webber moved that the ordinance as amended be read for the first reading, title only. The motion was seconded by Councilor Riker. The vote resulted as follows: "AYES": Michelon, Morgan, DeYoung, and Webber. "NAYS": Riker, Fowler, Woodburn, Williams. Abstain: None. Absent: None. The vote was a tie and Mayor Murphy cast his vote "Nay". The motion failed.

Councilor Woodburn stated, I'm going to make one last comment. I know you guys want it to be longer, but with the action that these guys are taking independently, they kind of showed us a way to fix this.

They've shown us a way to fix it and still have the same standards that all of the other people have met over years and years. I'm going to make a motion with it at the 10 days with the hope and understanding that they can be there permanently. It sounds like, although I don't want to pre-predict their site plan review -- it looks like there is relatively limited action. Also understanding that we need to work on another location so that other people could, if they wanted to... I think the Growers Market would be maybe an ideal location... obviously not Saturdays. I'm going to make a motion to adopt the ordinance as written with those comments, by title only, first reading.

Councilor Williams seconded the motion. Mayor Murphy asked if further comments were needed on the motion.

Councilor DeYoung stated, so you're saying that if we leave it at 10 days, they are only allowed to work for 10 days a month at that location?

Councilor Woodburn stated, what's going to happen is they are going to put their site plan in and, assuming that Principal Planner Angeli Paladino is able to meet the site plan, which sounds like a lot of it is in place, they are going to work for 30 days at that location. They can have that location all the time. They are going to pay rent to Mr. Bretkey, which I assume they have already worked out. They will pay rent to Mr. Bretkey. He will provide, I guess, the bathroom facilities, the electricity, and the parking lot. They will get to work there as many, I don't know if they will work 30 days, but the whole month. They can work there permanently at that point and that's what they've worked out. The 10 days is only for people who are on lots that have not been improved to the standard of the current code. If you wanted to be on another location, you would be limited to 10 days on an unimproved lot and another 10 days on another. What I'm saying is that it's 6 days currently. The problem is that we have to find a location that is not just Mr. Bretkey's in case whatever process he goes through doesn't allow certain people. We need to find a location for other people to work 30 days if they want to.

Seeing no further questions, Mayor Murphy called for a vote.

ORDINANCE NO. 5563

Councilor Woodburn moved that the ordinance be read for the first reading, title only. The motion was seconded by Councilor Williams. The vote resulted as follows: "AYES": Michelon, Morgan, DeYoung, Riker, Fowler, Woodburn, Webber and Williams. "NAYS": None. Abstain: None. Absent: None. The motion has passed. The ordinance is read.

Councilor Fowler moved that the ordinance be read by title only, second reading. The motion was seconded by Councilor Riker. The vote resulted as follows: "AYES": Michelon, Morgan, DeYoung, Riker, Fowler, Woodburn, Webber and Williams. "NAYS": None. Abstain: None. Absent: None. The motion has passed. The ordinance is read.

Councilor Woodburn moved that the ordinance be adopted. The motion was seconded by

Councilor Fowler. Mayor Murphy asked if the ordinance should be adopted, signified by roll call vote as follows: Michelin - yes, Morgan - yes, DeYoung - yes, Riker - yes, Fowler - yes, Woodburn - yes, Webber - yes, Williams - yes. The ordinance is adopted.

Councilor Woodburn stated, I just have a request, I don't know if it's to Community Development Director Black's Department or if it's City Manager Cubic – my request is that we look into evaluating maybe the Growers Market site as another location so that we don't leave people with only one option if they end up wanting a permanent.

Community Development Director Black stated, just as a note, any improved private lot could do the same thing that Mr. Bretkey is proposing in the right zoning district. However, we will look at the public one as well. It's worded in there too.

Councilor Fowler stated, as well, we should look at if there is going to be any other public property that we are going to offer, there are some options to put designated space somewhere – or more than one space, either in a regular parking spot. It was my understanding that was a possibility also. We would have like a public designated public parking space that was okay to put vendors in that might be erased in the morning but... if that could be part of that discussion as well.

Community Development Director Black stated, we've got a few items to bring back to you before January 1, 2013, including items of the fees, the on-street locations, plus the sidewalk locations and everything that was just mentioned just now.

b. Ordinance amending Articles 12, 14, and 30 of the Grants Pass Development Code relating to Itinerant Uses.

Principal Planner Angeli-Paladino stated, I actually don't have a presentation. This is a Development Code change. Mayor Murphy stated, my notes say it's an ordinance. Principal Planner Angeli Paladino stated, it would be adopted by ordinance but it's a change to our Development Code. Mayor Murphy read the disclaimer.

Principal Planner Angeli Paladino stated, the direct changes for the Development Code start on page 34 of your packet. This is just a housekeeping item. The ordinance that you just passed has a provision for temporary merchants that is overwriting what we currently have in our Development Code related to itinerant uses. We are basically striking all of the verbiage that talks about itinerant uses within our Development Code and saying that it has been repealed, and please go to the Municipal Code for those items. That's it.

Mayor Murphy asked if there were any questions for staff. Seeing none, he opened public comment. Seeing none, he closed public comment and returned the item to Council for action.

Councilor Woodburn made a motion to hear the ordinance by first reading, title only. Councilor Webber seconded the motion. Mayor Murphy called for a vote.

ORDINANCE NO. 5564

Councilor Woodburn moved that the ordinance be read for the first reading, title only. The motion was seconded by Councilor Webber, and the vote resulted as follows: "AYES": Michelin, Morgan, DeYoung, Riker, Fowler, Woodburn, Webber and Williams. "NAYS": None. Abstain: None. Absent: None. The motion has passed. The ordinance is read.

Councilor Fowler moved that the ordinance be read by title only, second reading. The motion was seconded by Councilor Riker, and the vote resulted as follows: "AYES": Michelin, Morgan, DeYoung, Riker, Fowler, Woodburn, Webber and Williams. "NAYS": None. Abstain: None. Absent: None. The motion has passed. The ordinance is read.

Councilor Woodburn moved that the ordinance be adopted. The motion was seconded by Councilor Webber. Mayor Murphy asked if the ordinance should be adopted, signified by roll call vote as follows: Michelin - yes, Morgan - yes, DeYoung - yes, Riker - yes, Fowler - yes, Woodburn - yes, Webber - yes, Williams - yes. The ordinance is adopted.

BREAK: 10 MINUTES

2. COUNCIL ACTION:

a. Resolution adjusting the Water user rates in 2012.

Public Works Director Haugen stated, we will be revisiting some of the things that we talked about in the past, but I've got some additional information tonight. Some of the things that we've heard maybe several times before, I'll try and go over quite rapidly so we don't bore you with some of the same information. Recently in the newspaper and from different comments I've heard, I've heard people say that the projects that we are proposing to do have not been formally approved or have not been considerably advanced. I just want to reiterate what we've said before, but maybe even more so. All the projects that we are looking at are either in our Master Plan or our projects that have come up since the Master Plan has been adopted and have been approved by the City Council before we're moving forward on them. Our projects have been determined through either the Distribution System Master Plan, which was last adopted in 2001, and we will be looking at revising that and updating it as soon as the UGB expansion process is completed. The Water Treatment Plant Facilities Plan which was last adopted in 2004, in fact we are currently in the process of updating that right now. In fact City Council got their first progress report on that project this last Monday. We have emergency projects, things have come up that are very



Solicitor/Peddler, Mobile Vending, and Temporary Merchant Licenses ~

October 17, 2012



Michael A. Black, AICP
*Community Development
Director*

Carla Angeli Paladino
Principal Planner



Outline/Overview

- Purpose/Research
- Overview of Proposal
 - Terms Defined
 - Standards for Operation
 - Location for Uses
- Comments Received
- Items to Complete
- Effective Date



Mobile Vending

October 17, 2012



Purpose

- Adopt a new Ordinance (that meets current needs)
- Other Cities Researched (Seattle, Boise, Corvallis, Kansas City, Medford, Ashland)
- Discuss/ Refine proposed language



3

Mobile Vending

October 17, 2012



General Standards of Operation ~

Sixteen (16) General Standards Identified:

- | | |
|---------------------------|---------------------------------|
| ○ Hours of Operation | ○ Alcoholic Beverages |
| ○ Removal of Vehicle | ○ Display of License |
| ○ Public Health Codes | ○ Amplified Music |
| ○ Building and Fire Codes | ○ Cooking Mechanism |
| ○ General Location | ○ Pedestrian Zone |
| ○ ADA compliance | ○ Strobing, Blinking Lights etc |
| ○ Waste Receptacle | ○ Vehicle Support Equipment |
| ○ Maintenance of Vehicle | ○ Signs |

4

Mobile Vending

October 17, 2012



EXHIBIT C 1
to CC F.O.F.

Solicitor/Peddler ~

- o An individual who is taking or attempting to take orders for the sale of food, beverages, goods, merchandise or services to be furnished or performed in the future.
- o Application/License required
- o Comply with General Standards in addition
 - Shall display license
 - Solicit when sign is present
 - Shall not solicit before 9 a.m. or after 8 p.m.
 - Shall not solicit on revoked or expired license



5

Mobile Vending

October 17, 2012



Ice Cream Truck ~

- o Motor vehicle used as the point of retail sales of pre-wrapped or prepackaged frozen dessert products
- o Application/License required
- o Location
 - Limited to public r.o.w. or access easements (25 mph or less) w/ residential zones
 - Shall not operate w/in 1,000 ft. of any public or private school, daycare, etc. during school hours & 1 hr. before and after for school year
 - Shall not stop where parking is prohibited
 - Shall not operate in City parks unless in conjunction with a Special or Community Event



Comply with General Standards of Operation in addition

- o Stops not to exceed 15 minutes
- o Trucks should pull as far to the right as possible & operate 4 way flashing lights
- o Provide trash receptacle and remove any trash left at stop
- o Operate 11 a.m. to 9 p.m. M-S

6

Mobile Vending

October 17, 2012



Mobile Food Truck ~

- o A mobile unit operated by a vendor standing on or within the frame of the vehicle trailer on the public right-of-way between the curb lines or in other designated public vending zones.
- o Application/License required
- o Location
 - Permitted on street only w/in designated on-street mobile vending zones. Such streets still need to be identified and approved
 - Private property (10 days)(Temp Merchant)
 - Private property (year round)(site review)
 - Community events (on private property or if event includes a street closure)



Must comply with General Operation Standards in addition to:

- Vend from side of vehicle parallel to curb
- Comply with posted parking standards & no longer than 3 hours in 1 location
- Generators must be fully contained in the vehicle

7

Mobile Vending

October 17, 2012



Mobile Vending Cart ~

- o A push cart movable under human power that is operated by a vendor standing on the sidewalk for the sale of food ready to eat.
- o Application/License required
- o Location
 - Permitted on sidewalk in designated off-street vending zones
 - Private property (10 days)(Temp Merchant)
 - Private property (year round)(site review)
 - Community events (on private property or if event includes a street closure)



Must comply with General Operation Standards in addition to:

- o Movable by operator
- o Size limitations (5' x 9' x 7')
- o Lights, etc shall be attached to the outside of the vehicle
- o No generators permitted

8

Mobile Vending

October 17, 2012



Mobile Vending Trailer ~

- o A mobile trailer operated by a vendor standing on or within the frame of the trailer operating either as a temporary merchant or within an off-street mobile vending zone
- o Application/License required
- o Location:
 - Permitted as Temp Merchant on private property (10 days)
 - Private property (Year round) (Site review)
 - Community events (on private property or if event includes a street closure)
- o Must comply with General Operation Standards



9

Mobile Vending

October 17, 2012



Temporary Merchant ~

- o A person who engages in a temporary business of selling and delivering goods, wares, merchandise and services within the City, and who hires, leases, uses or occupies any private for the exhibition and sale of food, beverages, goods, merchandise or services
- o Application/License required
- o Permitted on Private Property in GC, CBD, NC, All Industrial zones, and R-4 (when primary use is not residential)
- o Comply with General Standards of Operation in addition to:
 - Limited to 10 days per month/location
 - Must vacate premises every day by 11 p.m. unless otherwise stated
 - Must meet basic site standards for pedestrian and vehicular access



10

Mobile Vending

October 17, 2012



Other ~

Seasonal ~

The sale of produce or other seasonal food products during the given harvest season not to last more than 90 days per calendar year per business.



Community Events ~ Temporary
use of private or public property for purposes of conducting licensed short term events.



Both have application and license requirements

11

Mobile Vending

October 17, 2012



Comments Received

- o Four (4) e-mails received Not In Favor of vending on the street
- o Three hundred seventy-three (373) signatures received In Favor of vending on the street

12

Mobile Vending

October 17, 2012



Items to Complete

- Designate On-Street Mobile Vending Zones (Mobile Food Trucks)
- Designate Off-Street Mobile Vending Zones (Mobile Food Carts)
- Work on other private/public properties to set up mobile vending groups (if Council directs staff)
- Fee Structure

13

Mobile Vending

October 17, 2012



Effective Date

- Ordinance would take effect January 1, 2013.
- Existing merchants have the right to operate under the license they were issued until end of the year.
- First of the year those who apply for a permit will be regulated under new ordinance

14

Mobile Vending

October 17, 2012



Ordinance updates

- 4.08.020 (D): Change *Use* to *Merchant*
- 4.08.060 (B) and (C): Need to include *when street is closed* after community event
- 4.08.100 (C): *Trucks* to *Vehicles*

15

Mobile Vending

October 17, 2012



Discussion/Questions ~

16

Mobile Vending

October 17, 2012





City of Grants Pass

101 Northwest A Street
Grants Pass, OR 97526

TO: Attention:

Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Ste. 150
Salem, OR 97301-2540

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