

EXHIBIT JJ
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Mayor Wheeler and City Council
City of Medford
411 W. Eighth St.
Medford, Oregon 97501

August 6, 2015

RE: Urban Growth Boundary Public Hearing - General Comments

Dear Mayor Wheeler and City Council,

Medford has before it tonight among the most **complex land use process** that will forever shape the future of the City of Medford.

As a result of the region's 13 year long Regional Problem Solving process the City is now able to consider for inclusion into its Urban Growth Boundary agriculturally zoned lands now designated as Urban Reserves.

With this unique regulatory flexibility - the City is better able to meet the region's goal of accommodating growth in the most compact configuration practical. **That is very positive.**

However, the City of Medford also finds itself in the unusual role of the **applicant**, with approval requiring **joint approval** by both City and Jackson County, followed by acknowledgement from the Oregon Land Conservation and Development Commission. Jackson County and the Oregon Land Conservation and Development Commission must make their determination based upon evidence in the City's record that complies with Oregon's Goal 14 requirements. Future third party legal appeals are typically challenged over Goal 14 non-compliance.

While the City is **presently utilizing a process it has developed** to meet these statewide regulations, other cities such as Bend, McMinnville and Woodburn have found themselves mired in years of appeals and remands, due in large measure to court determination that their processes did not fully comply with Goal 14 requirements.

Should the City of Medford find itself similarly delayed or denied, there are serious consequences. By way of example during the last period of robust **regional growth**, the City was unable to capture a substantial portion of that growth due to transportation infrastructure limitations. This growth was met in neighboring communities because it could not be met in Medford at the time. With regional residents coming to Medford for employment, medical,

shopping and governmental services, county roads, Oregon Highways and the region's air quality was, and continues to be beyond the impacts if most of that growth were to have occurred Medford.

Additionally there is a largely unrecognized impact to Medford residents. While Medford welcomes the residents from neighboring communities, the cost of expanding Medford street capacity and road maintenance resulting from growth that could not be captured in Medford is borne solely by Medford residents. This is reflected in higher impact fees (SSDCs) that must be collected from builders pulling building permits in Medford to meet growth and Medford street maintenance, in the form of utility fees paid ONLY by Medford residents. Goal 14 factors, when fully applied, supporting compact of urban development will minimize such future impacts

That said, for the benefit of the City of Medford and all property owners involved, it is critical that the City's final decisions be able to be found by the County, LCDC and perhaps the courts to be fully compliant with Oregon Goal 14 regulations.

All involved, city and property owners alike **MUST** be on the same team. To that end, we respectfully request that the record be left open after-all oral / written testimony and staff's response for clarifying rebuttal input ALL with the objective to strengthen evidence in the record in support of the City's application.

Respectfully submitted,

Montero & Associates, LLC

A handwritten signature in cursive script, appearing to read "Michael A. Montero".

Michael A. Montero

CC: Mr. Michael Quilty, Chair Metropolitan Planning Organization
Mr. John Vial, Director Jackson County Roads Department
Mr. Michael Baker, ODOT Region 3 Planner
Mr. Art Anderson, Area Manager ODOT District 8