

Testimony delivered by Robert Broadway to the Mayor and City Councilors of Medford on August 13th, 2015

“Good evening. My name is Robert Broadway, and with my wife, Elena, I am the co-owner of the property at 2400 Starlite Lane, which is located in MD 6, of the Urban Growth Reserve.

There are two residential areas in MD 6; one to the north of the Harry and David campus, and one to the south. Upon receiving the news that public hearings were scheduled concerning the Urban Growth Boundary Amendment I wrote a petition protesting against the removal of MD 6 from the Urban Growth Reserve. The vast majority of the property owners and residents of Star Lite Lane, Reed Lane, and the affected South Stage properties eagerly signed this petition. At the time, I had not realized that the residential area north of Harry and David was also part of MD 6, because the map I was consulting seemed to suggest to me that that area was part of MD 7. A phone call to Mr. Joe Slaughter of the planning commission corrected this mistake, and so a second petition, an appendix to the first, was circulated to the property owners and residents of Myers Lane. They too were all too happy to affix their signatures to the petition protesting the removal of their land from the Urban Growth Reserve.

It is therefore clear that if the final recommendation of the city planning commission should include any part of MD 6 so as to reconfigure it into the Urban Growth Boundary, making it subject to annexation by the city, such a proposal will contradict the will of the vast majority of the property owners and residents presently occupying MD 6.

With all due respect, your honor, members of the council, if this were to happen and you were to favor such a proposal, I would argue that you had made the wrong decision.

Regarding annexation, Oregon State Law requires that an area to be annexed must be in the Urban Growth Boundary, and I am ready to grant that MD 6 is not yet in the boundary but still in the reserve. Nevertheless, Oregon State Law goes on to stipulate that once inside the boundary a majority of the property owners and/or registered voters in the area to be annexed must agree to the annexation. Because of the petitions that have already been submitted to you, you have already been made aware that such a necessary agreement does not exist.

It should also be noted that MD 6 is only partially contiguous to the city limits and that Oregon State Law regarding annexation requires that an area to be annexed must be completely surrounded by land already under city jurisdiction in order to override a majority opposition.

In my opinion the only conclusion to be reached is that the status of MD 6 will continue to remain as it is, entirely unchanged, in the Urban Growth Reserve.

So then, Mr. Mayor, members of the council, I will thank you for having been given the opportunity to speak to you tonight, and I am eager to answer any questions you may want to put to me.”

RECEIVED

AUG 13 2015

Planning Dept.

APPENDIX H. PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENTS

Proposed additions shown in **Bold** and proposed deletions shown in ~~Strikethrough~~.

URBANIZATION ELEMENT

1. URBAN GROWTH BOUNDARY

The Medford Urban Growth Boundary (UGB) includes land within the city and selected land surrounding the city that is committed to/planned for future city growth, the development of which is likely to require the extension of urban services. Land around the city within the UGB is called the unincorporated urbanizable area in this element. The Medford UGB was last amended in ~~1990~~**2015** through a cooperative process between the City of Medford and Jackson County. It is officially delineated on the Jackson County and City of Medford Comprehensive Plan and zoning maps.

The Medford UGB was established to comply with the statutory requirement for Urban Growth Boundaries around urbanized areas to identify and separate urbanizable land from rural land.

ANNEXATION

The transfer of urbanizable land under county jurisdiction to city jurisdiction is called annexation. Chapter 222 of the Oregon Revised Statutes governs annexation in Oregon. According to state law, land may be annexed to a city only if it is within the Urban Growth Boundary, and is contiguous to the city limits. Generally, a majority of the registered voters and/or property owners within the area to be annexed must agree to the annexation, except in cases where the area is surrounded by land already under city jurisdiction.

2.1 Annexation Policies

The following are the policies of the City of Medford with respect to annexation:

2.1.7. Annexation of Property Added to the Urban Growth Boundary in 2015

The City Council must find that the following conditions are met in order to approve an annexation of land that was added to the Urban Growth Boundary in 2015:

1. **A revised Transportation System Plan (TSP), which includes the area to be annexed, has been adopted by the City;**
2. **A Local Wetlands Inventory (LWI), which includes the area to be annexed, has been adopted by the City;**

PETITION

TO: THE CITY OF MEDFORD PLANNING DEPARTMENT

REGARDING: THE URBAN GROWTH BOUNDARY AMENDMENT

We, the undersigned, being the residents and property owners living on Starlite Lane, Reeds Lane, and affected properties on South Stage, hereby present this Petition to The Medford City Council, and to The City of Medford Planning Department in particular, to maintain our present status in The Urban Growth Reserve.

Our objections to being removed from The Urban Growth Reserve were made clear at the planning commission hearing concerning The Urban Growth Boundary Amendment. Given the stated purpose of the amendment to provide a twenty-year supply based on the city's projected need for residential and employment land, the relatively small properties on Starlite Lane, Reeds Lane and South Stage, surrounded as they are on all sides by substantial agricultural acreage, plainly do not qualify for re-zoning into commercial and industrial usage. A "patchwork development" was, in point of fact, denounced by the planning commission itself as being undesirable.

In consideration of this fact, and with due regard to the opposition herein expressed by those citizens who strongly feel they will be directly and negatively impacted by this change, we can hope that a just solution will be found to remedy this problem. In our opinion, that solution is obvious: Starlite Lane, Reeds Lane, and the affected properties on South Stage, should not, at least at this time, be removed from the Urban Growth Reserve.

Being grateful for your attention to this matter, and in reasonable anticipation of a favorable outcome, we are:

Name: Print and Sign. Address. Date.

! ROBERT BROADWAY, Robert Broadway, 2400 STARLITE LN.
5/22/15

2: Elena Broadway, ~~Elena Broadway~~ 2400 Starlite Ln, Medford 5/21/15

3: JUSTIN WOODSIDE, ~~Justin Woodside~~ 2414 STARLITE LN MEDFORD, OR 97501, 5/21/15

Jeanetta Woodside Jeanetta Woodside 5/21/15
4: 2414 Starlite lane Medford

5: LEANNA Z. SORENSON ~~Leanna Z. SORENSON~~ 2548 STARLITE LN. MEDFORD, OR 97501

6: NANCY WAKEMAN ~~Nancy Wakeman~~ 2548 STARLITE LN MEDFORD, OR 97501

7: Kristi Hendricks ~~Kristi Hendricks~~ 2596 Starlite lane Medford OR 97501

MICHAEL HENDRICKS Michael Hendrick
8: 2596 STARLITE LANE MEDFORD OR 97501

9: ~~Leonard Perkins~~ LEONARD PERKINS 2537 STARLITE LANE MEDFORD 97501

10: ~~Eric Hiller~~ ERIC D. HILLER 2537 starlite lane Medford, OR

11: C. L. Perkins *C. L. Perkins*
2537 Starlite Lane May 22 2015

12: Lori (Sutton) Barnes *Lori (Sutton) Barnes*
2428 Starlite Lane May 22, 2015

13: David Barnes *David Barnes*
2428 Starlite Ln. May 22, 2015

14: Monte R. Smith *Monte R. Smith*
108 South Stage Rd. May 22, 2015

15: Matt + Lanette Sekrete *Matt Sekrete* May 22, 2015
118 South Stage Rd *Lanette Sekrete* May 22, 2015

16: Hilah ~~Pearce~~^{lp} Pearce *Hilah Pearce*
126 S Stage Rd May 23 2015

17: GAYLA BRIGHT *Gayla Bright*
2599 StarLite Ln May 23, 2015

18: _____

19: KATHRYN ADAMS

Kathryn Adams 2591 Starlite Ln Medford OR 97501

20: KAREN HACKETT 2595 Starlite Ln Medford OR 97501

Karen Hackett

21: LARRY E HACKETT

Larry E Hackett 2595 Starlite Ln Medford OR 97501

22: RUTH TUTTLE 2565 Starlite Lane, Medford, OR 97501

Ruth E Tuttle, Successor Trustee Ermala Caudron Trust

23: Donald Dee Wallace 2405 Starlite Ln Medford, OR 97501

Donald D Wallace

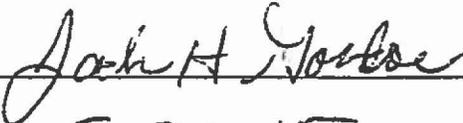
24: Carole G. Wallace 2405 Starlite Ln, Medford, OR 97501

Carole G Wallace

25: _____

26: Brian Kirkland 

2408 Reed Ln. 5-30-15
Medford, Or.

27: Jack H Gordon 

2522 Reed Ln, 5-30-15
Medford, Or.

28: Skyler Lesniak 

2502 Reed Ln. Medford, OR 5-30-15

29: _____

30: _____

31: _____

32: _____

APPENDIX TO THE PETITION

THE FOLLOWING SIGNATURES ARE FROM THE MYERS ROAD AREA OF MD 6 UNDER CONSIDERATION FOR ANNEXATION INTO THE CITY OF MEDFORD, WHO HEREBY DECLARE THEIR WISH...(ALONG WITH THE ABOVE SIGNATORY RESIDENTS AND PROPERTY OWNERS OF STAR LITE LANE, REEDS LANE, AND THE AFFECTED SOUTH STAGE PROPERTIES)...TO PETITION THE CITY OF MEDFORD TO REMAIN IN THE URBAN GROWTH RESERVE AT THIS TIME.

- 1: DENNIS JAMES MURPHY
1798 MYERS LANE 8/1/15
- 2: Alice A. Gettling Alice A. Gettling
1902 Myers Lane 8/1/15
- 3: William W. Gettling William W. Gettling
1902 Myers Ln 8-1-15
- 4: Elyjah St. James Elyjah St James
1980 Myers Lane 8/1/15
- 5: ~~K~~ Katherine Deener
1984 MYERS LN 8/1/15
- 6: Derrell Leek Derrell Leek
1924 Myers Ln 8-1-15

7: GARY ROSENDAUL Gary Rosendaul
1948 MYERS LANE 8-1-15

8: Shauna Rosendaul Shauna Rosendaul
1948 Myers Lane 8-1-15

9: Carol Stern Carol STERN
1850 Myers Ln 8-1-15

10: ~~Carol Stern~~ Dave STERN
1850 MYERS LN 8-1-15

11: IRA BARTLETT Fred Bartlett
1984 Myers Lane 8/2/2015

12:

13:

14:

15: