

MD-5  
Exhibit VVV

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August 13, 2015

RECEIVED  
AUG 13 2015  
PLANNING DEPT

Medford City Council  
411 West 8<sup>th</sup> Street, #310  
Medford, OR 97501

**RE: NORTHEAST PORTION OF MD-5 - INCLUSION IN THE MEDFORD URBAN GROWTH BOUNDARY**

**REPRESENTED PARTIES:**

**DR. ROGER AND ROZANNE HALL  
PROPERTY DESCRIPTION: 37-1W-26 TAX LOT 201**

**DENNIS AND MARLENE WEILER  
PROPERTY DESCRIPTION: 37-1W-26B TAX LOT 2200**

**DR. DAVID YOUNG, TRUSTEE OF THE YOUNG FAMILY TRUST  
PROPERTY DESCRIPTION: 37-1W-26 TAX LOT 301**

**TRUSTEE OF THE MONITOR ORCHARD  
PROPERTY DESCRIPTION: 37-1W-26B TAX LOT 2500**

*Dear Medford City Council Members:*

*We represent the above-named parties. A plat showing the location of each parties' property is attached. The parties own land in the Southeast Area of Medford that the City has planned for future urban development under the Southeast Plan. Our clients' properties were brought into the Urban Growth Boundary (UGB) in the City's last UGB amendment in 1993. Mr. and Ms. Dennis Weiler's property was annexed to the City of Medford in 2007.*

*The above-referenced property owners strongly urge the City Council to include the property owned by Mahar Homes and John Hanson (Tax Lots 300 and 103) in the Urban Growth Boundary. The above property owners, who are already within the Urban Growth Boundary and the City Limits, cannot develop their respective properties until the sanitary sewer system is constructed. It is necessary to include the Mahar/Hanson properties in order to construct a gravity sanitary sewer system to serve the above-referenced properties.*

**OREGON LAW REQUIRES THAT MD-5 BE GIVEN PRIORITY**

1. **CITY REQUIRED TO PROVIDE SERVICES TO EXISTING LAND IN THE UGB AND IN CITY.** There are approximately 244 acres of land adjacent to MD-5 which cannot be developed until sewer service becomes available. More compelling is the fact that this land is already in the Urban Growth Boundary and/or within the City of Medford. These properties already located within the UGB or within the City of Medford cannot be developed unless MD-5 is included in the UGB.

Oregon law requires that these lands be given top priority. Implicit in the mandate is the requirement that MD-5 be included in order to service the land already within the UGB or the City of Medford.

Goal 14, Factor 1, requires that the City consider the efficient accommodation of identified land needs. This explicitly requires evaluating efficiency inside potential expansion areas. This is reinforced by OAR 660-004-0020(2)(1).

This includes the requirement that the City examine the impact of the proposed UGB expansion on lands inside the UGB. Friends of Linn County v. Linn County, 41 LUBA 342, 351-352 (2002).

2. **CITY REQUIRED TO ENCOURAGE LAND USE EFFICIENCY.** As stated, the above-named parties own land that is already in the UGB and/or in the City of Medford. Oregon law emphasizes that the City is to prioritize the "efficient" use of land.

Goal 14, Boundary Location Factor 2, requires the council to consider the orderly and economic provision of public facilities and services. This means that the City must evaluate the impact the UGB expansion will have on the provision of public services inside the existing UGB.

Implicit in the above is the mandate and requirement that the City give #1 priority to ensuring that services are available to lands already in the UGB or the City. In order to comply with Oregon law, MD-5 must be included in order to ensure that services become available to the existing land located within the UGB and the land owned by the above parties.

**CONCLUSION**

For 20 years the above-named property owners have patiently waited for City services. The owners have paid substantially higher taxes with the expectation that they would be able to develop their property. The inclusion of MD-5 into the Urban Growth Boundary will finally fulfill the City's promise and obligation to the property owners. The

**Medford City Council**  
**Re: Northeast MD-5 - Inclusion in the UGB**  
**August 13, 2015**  
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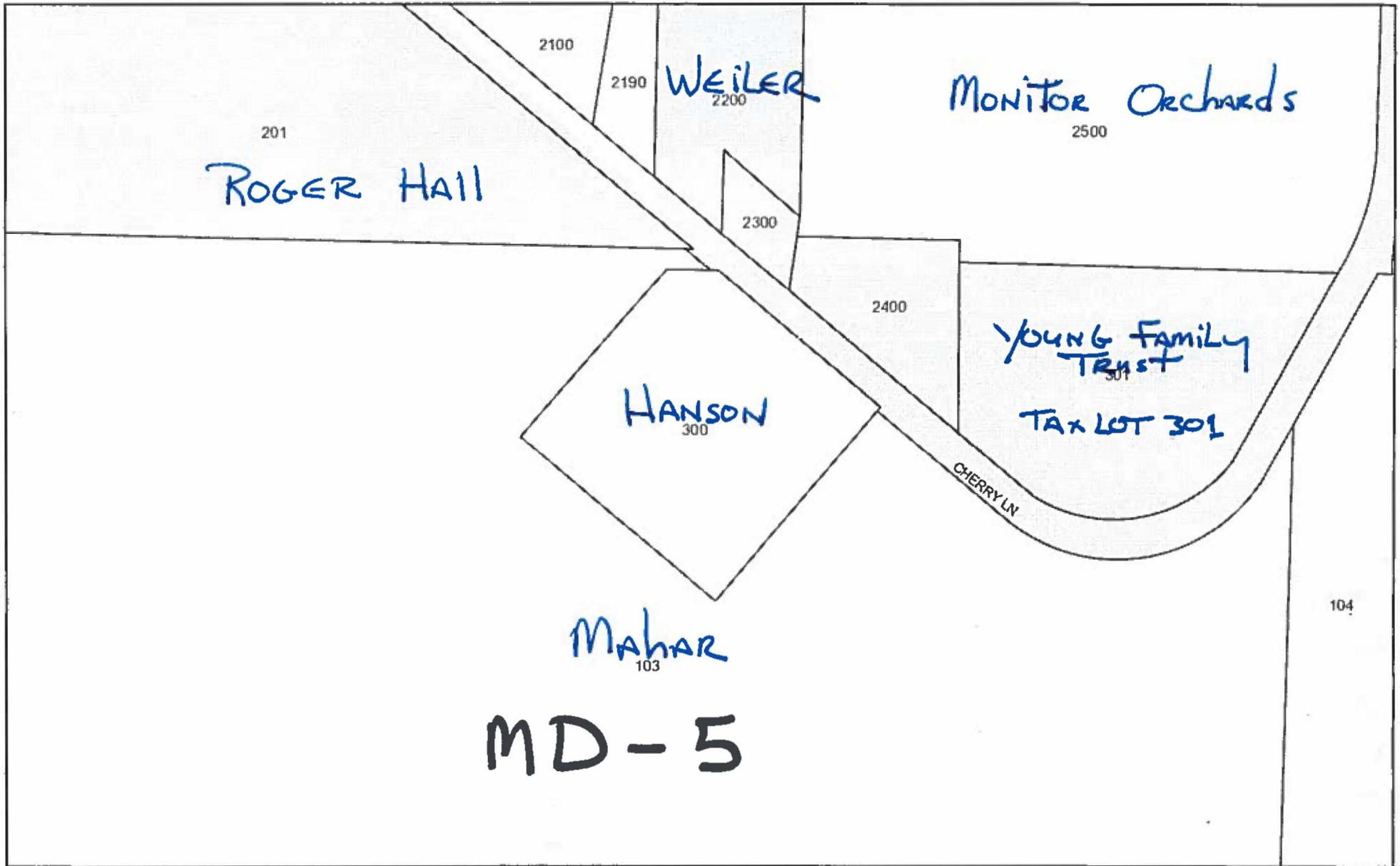
*property owners respectfully request the Medford City Council to include MD-5 in the Urban Growth Boundary.*

*Respectfully submitted,*

*/s/ John R. Hanson*

**JOHN R. HANSON**

# Jackson County GIS



March 11, 2015

- County Line
- Streets - Label Only
- Taxlots

