MEDFORD
PLANNING

Date of Notice: October 1, 2020

File No.: LDP-20-241 / E-20-240
Contact: Liz Conner

NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

Hearing Date:	**Thursday – October 22, 2020**
Hearing Time:	**5:30 pm**
Hearing Location:	**Medford City Council Chambers** **City Hall, 411 W 8th Street, Third Floor**

This notice is to inform you of an upcoming opportunity to participate in a public hearing before the Medford Planning Commission.

What is being considered? Consideration of a tentative plat approval for a two lot partition and an Exception pertaining to relief to the lot width and lot depth standards on a parcel of land, 0.46 acres in size located at 2720 Connell Avenue north of the intersection of Connell Avenue and Mellecker Way within a SFR-6 (Single Family Residential, six dwelling units per gross acre) zoning district (372W14AA2600).

How do I obtain additional information? You may visit the Planning Department on the second floor of the Lausmann Annex, 200 S. Ivy Street between the hours of 8 a.m. and 5 p.m. weekdays, to review the application, all documents and evidence submitted, and the criteria relating to this proposal. The agenda and the staff report for this project will be available seven (7) days prior to the public hearing, and can also be viewed on the City web site (www.ci.medford.or.us). Copies may be obtained at the Planning Department at minimal cost.

Who do I contact? Questions can be directed to the contact listed above at 541-774-2380, or by visiting the Planning Department in person.

What happens at a Public Hearing? At the public hearing, the Chair will open the hearing and invite all interested parties to direct their testimony and evidence toward the regulations found in the *Medford Land Development Code,* specifically the criteria that apply to this project. The applicable criteria are included with this notice. You are invited to speak at the hearing stating why you favor or oppose this proposal. You may also write a letter to the Commission prior to the hearing that can be submitted as a part of the public record. You must testify in either manner to have standing; standing gives you the legal ability to appeal a decision that is made by the Commission on this project. Oregon Revised Statutes state that failure to raise an issue in a hearing, either in person or by letter, or failure to provide statements or evidence sufficient to afford the Commission an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

Please be aware that communications made through Email and Messaging systems shall in no way be deemed to constitute legal notice to the City of Medford or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against the City or any of its agencies, officers, employees, agents, or representatives, where notice to the City is required by any federal, state or local laws, rules, or regulations.

Kelly Evans
Assistant Planning Director
tlr/Attachments (criteria and maps)

PARTITION TENTATIVE PLAT APPROVAL CRITERIA

FROM SECTION 10.170(D) OF THE *MEDFORD LAND DEVELOPMENT CODE*

The Planning Director shall not approve any tentative partition plat unless they can determine that the proposed land partition, together with the provisions for its design and improvement:

(1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;

(2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;

(3) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the approving authority determines it is in the public interest to modify the street pattern;

(4) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;

(5) Will not cause an unmitigated land use conflict between the land partition and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

[Added Sec. 56, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

EXCEPTION APPROVAL CRITERIA
FROM SECTION 10.186(B) OF THE *MEDFORD LAND DEVELOPMENT CODE*

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the land use review unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

[Amd. Sec. 23, Ord. No. 7659, June 2, 1994; Amd. Sec. 2, Ord. No. 2003-148, May 15, 2003; Amd. Sec. 2, Ord. No. 2012-137, Sept. 6, 2012; Replaced Sec. 66, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

RECEIVED
AUG 05 2020
PLANNING DEPT.

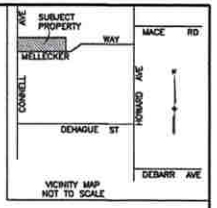
TENTATIVE PARTITION PLAT

Located in the N.E. 1/4 of Sec. 14, T.37S, R.2W., W.M.
& in the City of Medford Jackson County, Oregon

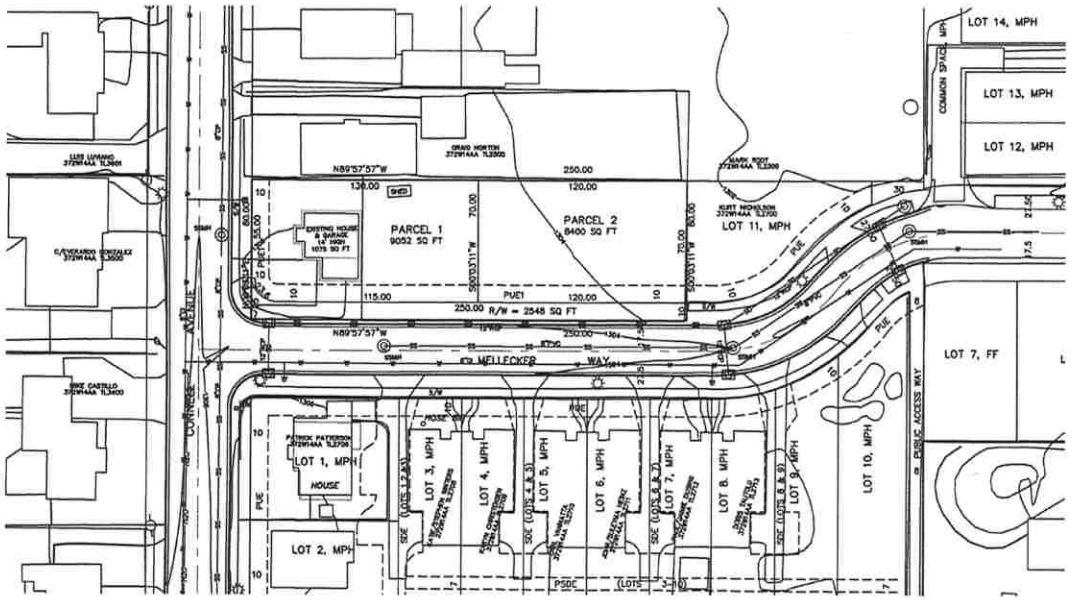
EXHIBIT "A"

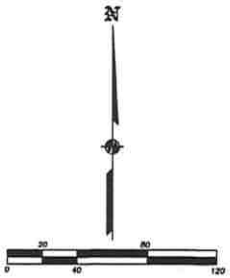
FILE NO.: _____ DATE: _____
ASSESSOR'S PARCEL NO.: 372W14AA TL2600
ZONING DISTRICT: SFR-6
MIN. LOT SIZE: 4500 SF MAX. LOT SIZE: 12500 SF
NO. OF LOTS: 2 SFR PARCELS
MATZ TRACT: _____
COMP. PLAN DESIGNATION: URBAN RESIDENTIAL
RECEIVED BY: _____ DATE: _____
REVIEWED BY: _____ DATE: _____

MELLECKER WAY (LOOKING WEST)
NOT TO SCALE



VICINITY MAP
NOT TO SCALE





GENERAL NOTES

SCHOOL DISTRICT: MEDFORD 549C
IRRIGATION DISTRICT: M.I.D.
GROSS ACREAGE: 0.827 AC
NET ACREAGE: 0.459 AC
MIN # LOTS = 2 MAX # LOTS = 3
10' PUE ALONG STREETS
ALL STRUCTURES TO BE REMAIN.

LEGEND

PUE = EXISTING 10' PUBLIC UTILITY EASEMENT.
PUE1 = PROPOSED 10' PUBLIC UTILITY EASEMENT.
MPH = MORIAN PARK HOMES, PHASES 1 & 2

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REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE: 6-30-21

TITLE: TENTATIVE PARTITION PLAT
ASSESSOR'S MAP & 372W14AA TL2600
OWNER & RZ & BRIANNA LATHROM
APPLICANT: 2720 CONNELL AVE.
MEDFORD, OR 97501

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. Box 1997, Phoenix OR 97535
Phone (541) 772-7219
Email: ljfriarassociates@charter.net

DATE: 29 JULY 2020
SCALE: 1 inch = 40 feet
DRAWN BY: JDY
CHK BY:
ORDER:
REVISION #
JOB# 2016WFM
Sheet 1 of 1

CITY OF MEDFORD
EXHIBIT "A"
File # LDP-20-241/E-20-240

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MEDFORD PLANNING

Vicinity Map

File Number:
LDP-20-241/ E-20-241

Project Name:

Lathrom Partition

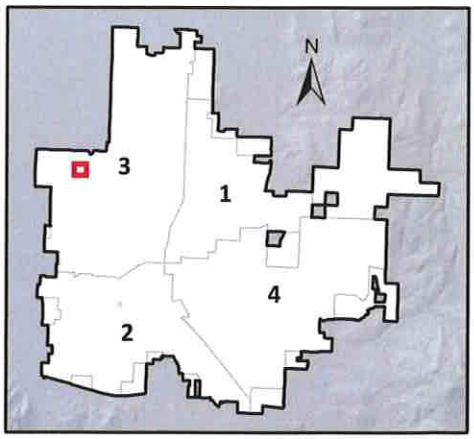
Map/Taxlot:

372W14AA TL 2600

0 250 500 Feet

Legend

Subject Area

Tax Lots

Date: 8/17/2020