Medford City Council Meeting

Agenda

December 6, 2018
6:00 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

20. Recognitions, Community Group Reports
20.1 Jeff Golden – Senator Elect District 3

30. Oral Requests and Communications from the Audience
Comments will be limited to 4 minutes per individual, group or organization. PLEASE SIGN IN.

40. Public Hearings
Comments are limited to a total of 30 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All others will be limited to 4 minutes. PLEASE SIGN IN.

40.1 COUNCIL BILL 2018-132 An ordinance amending sections 10.012, 10.314, 10.337, 10.821, and 10.826 of the Medford Municipal Code to modify standards for Accessory Dwelling Units. (DCA-18-113) Land Use, Legislative

40.2 COUNCIL BILL 2018-133 An ordinance amending sections 10.033, 10.108, 10.112, 10.120, 10.124, 10.134, 10.185, 10.198, 10.204, 10,314, 10.334, 10.337, 10.705, 10.708, 10.710, 10.712, 10.713, 10.714, 10.732, 10.797, 10.824, and 10.1160 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density. (DCA-18-118) Land Use, Legislative

40.3 COUNCIL BILL 2018-134 A resolution initiating a minor amendment to the Medford Comprehensive Plan to include the updated 2018 Sanitary Sewer Master Plan.

40.4 COUNCIL BILL 2018-135 A resolution approving the formation of a Reimbursement District for recovery of a portion of costs associated with the construction of Tamarack Drive.

50. Approval or Correction of the Minutes of the November 15, 2018 Regular Meeting

60. Consent Calendar

70. Items Removed from Consent Calendar

80. Ordinances and Resolutions
80.1 COUNCIL BILL 2018-136 A resolution canvassing the returns of the General City Election on November 6, 2018, declaring the election of Councilmembers for terms beginning January 3, 2019.

80.2 COUNCIL BILL 2018-137 An ordinance authorizing execution of a Lease Agreement with Rogue Valley Children's Discovery Museum, Inc. for use of the Carnegie building located at 413 W. Main Street.

80.3 COUNCIL BILL 2018-126 SECOND READING - An ordinance adopting a revised Transportation System Plan (2018-2038) and approving a legislative amendment to the Transportation Element, Public Facilities Element, and the Conclusions, Goals, Policies, and Implementation Strategies of the Medford Comprehensive Plan. (CPA-16-036)

90. Council Business

90.1 Proclamations issued:
Eagle Scout Jacob Watson – December 6, 2018
Leigh Johnson Day – December 5, 2018

90.2 Committee Reports and Communications
a. Citizen Committee Appointment

100. City Manager and Staff Reports

100.1 Further reports from City Manager

110. Adjournment

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.1

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP CFM, Planning Director

AGENDA SECTION: Public Hearings
MEETING DATE: December 6, 2018

COUNCIL BILL 2018-132
An ordinance amending sections 10.012, 10.314, 10.337, 10.821, and 10.826 of the Medford Municipal Code to modify standards for Accessory Dwelling Units.

SUMMARY AND BACKGROUND
Council is requested to consider a legislative amendment (DCA-18-113) to Chapter 10, Article V, specifically the Special Use Regulations contained within Section 10.821, of the Medford Land Development Code (MLDC). The purpose of the amendment is to modify standards for Accessory Dwelling Units (ADUs) to expand where ADUs are permitted as well as to incentivize the construction of accessory dwelling units by reducing or removing cost prohibitive standards.

The Planning Commission recommends adopting DCA-18-113 based on the analysis, findings and conclusions per the Council Report dated November 29, 2018, including Exhibits A through J.

PREVIOUS COUNCIL ACTIONS
On February 15, 2018 the Council approved the Housing Advisory Committee's policy recommendations to address Medford's housing supply and affordability levels for all income levels. Two of these recommendations pertained to ADUs and include:

- Incentivize construction of Accessory Dwelling Units (ADU) – High Priority
- Expand where Accessory Dwelling Units are permitted – Medium Priority

The focus of DCA-18-113 is to expand where ADUs are permitted, subsequently proposed changes to the standards of 10.821 may lower cost of constructing an ADU potentially encouraging ADU construction.

Additionally, Council reviewed the proposed language at a joint Study Session with the Planning Commission on September 24, 2018. Staff received direction to remove the allowance for two ADUs per dwelling unit and to proceed with amending the ADU standards to remove potential barriers to ADU development and to expand where ADUs are permitted.

ANALYSIS
ADUs have been a longstanding form of residential development in urban areas taking the form of granny-flats, alley apartments, etc. With more than 19,000 single-family lots in the City limits of Medford, ADUs present an extensive opportunity for infill development that is appropriately scaled to lower density residential neighborhoods.

The changes proposed in DCA-18-113 are intended to promote the construction of ADUs, expand where ADUs are permitted, provide a prescriptive process for legalizing illegal ADUs under certain circumstances, and updating standards to be consistent with SB 1051. Allowing for the development of an ADU with townhouses and duplexes (when divided by a lot line) and allowing for ADUs by dwelling type, not zone, would further expand where ADUs are permitted. Allowing for a reduction in parking needs can lower development cost, thus incentivizing ADU construction. For further analysis of the proposed changes refer to the analysis portion of the Council report.

The major changes proposed in DCA-18-113 include:

- Allowing for an ADU per dwelling unit, not per lot (required per SB 1051)
- Expanding the permitted dwelling types for ADUs to include (currently permitted with detached single-family manufactured or stick built homes):
  - Duplexes divided by a lot line
  - Townhouses divided by a lot line
- Allowing for ADUs in all zones when permitted dwelling types are present
- Allowing for a 10% lot coverage increase for ADU construction only
- Increasing ADU size to 75% of main dwelling (rather than 50%) and maintaining 900 sq. ft. maximum currently within MMC 10.281
- Adding a standard to permit the reduction of one off street parking when existing primary dwellings do not meet the required parking standards of MMC10.743-1 if the following criteria are met:
  - Parcel is within Central Business (CB) or Transit Oriented District (TOD) Overlay;
  - Parcel is within a quarter (1/4) mile of a transit stop;
  - Parcel is within a quarter (1/4) mile of a bicycle facility;
  - Parcel has 24 feet of lot frontage where on-street parking is available;
  - Parcel is unable to meet off-street parking due to structures built before January 1, 2019
- Adding a standard requiring alley access be used when available (does not force ally paving)
- Adding the allowance for ADUs in Multi-Family and Commercial zones when legal nonconforming single-family housing is the primary use on the property
- Adding standards for the conversion of illegal ADUs to legal nonconforming structures or legal ADUs under certain circumstances

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
None.

TIMING ISSUES
None

COUNCIL OPTIONS
- Approve the ordinance as presented
- Modify the ordinance as presented by adopting alternatives as presented or as offered by Council.
- Decline to approve the ordinance as presented, and direct staff regarding further action

STAFF RECOMMENDATION
Staff recommends approval of the ordinance as presented.

SUGGESTED MOTION
I move to approve the ordinance authorizing the Land Development Code Amendment as described in the Commission Report dated November 29, 2018.

EXHIBITS
Ordinance
Commission Report, including Exhibits A – J

ORDINANCE NO. 2018-132

AN ORDINANCE amending sections 10.012, 10.314, 10.337, 10.821, and 10.826 of the Medford Municipal Code to modify standards for Accessory Dwelling Units.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 10.012 of the Medford Municipal Code is amended to read as follows:

10.012 Definitions, Specific.
When used in this chapter, the following terms shall have the meanings as herein ascribed:
***

Accessory dwelling unit (ADU). A detached or attached dwelling unit that is additional and auxiliary to ~~an existing~~ **a** single-family dwelling, and is on the same tax lot. ~~A single family dwelling with an ADU can be distinguished from a duplex through its continuing appearance as a single family dwelling structure.~~
***

~~Floor, habitable, means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".~~
***

Footprint. The total flat surface area a building covers on land, excluding unenclosed areas and items not considered structures.
***

Gross Habitable Floor Area. The cumulative floor area of space for living purposes including, working, sleeping, eating, cooking, or recreation, or a combination thereof.
***

Section 2. Section 10.314 of the Medford Municipal Code is amended to read as follows:

10.314 Permitted Uses in Residential Land Use Classification.
***

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
1. SINGLE-FAMILY RESIDENTIAL									
***									
(c) Manufactured Home on Individual Lot	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.710, **10.821 (with ADU),** 10.826 & 10.900
***									

2. MULTIPLE-FAMILY RESIDENTIAL									
(a) Duplex Dwelling - Interior Lot	X	X	X	P	Ps	Ps	Ps	Ps	10.713, ~~&~~ 10.820 **&** **10.821 (ADUs only)**
(b) Duplex Dwelling - Corner Lot	X	X	P	P	Ps	Ps	Ps	Ps	10.713, ~~&~~ 10.820 **&** **10.821 (ADUs only)**
(c) Multiple-Family, Multiplex, or Apartment Dwelling	X	X	X	X	P	P	P	P	10.714
(d) Townhouse/Rowhouse Dwelling	X	X	X	X	P	P	P	X	10.712 **&** **10.821 (ADUs only)**
***									
4. ACCESSORY USES									
(a) Accessory Dwelling Unit (ADU)	Ps	Ps	Ps	Ps	Ps	~~X~~ **Ps**	~~X~~ **Ps**	~~X~~ **Ps**	10.821 **&** **10.826**
***									

Section 3. Section 10.337 of the Medford Municipal Code is amended to read as follows:

10.337 Uses Permitted in Commercial and Industrial Zoning Districts.
***
88 DWELLING UNITS

	C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
881 Dwelling Units	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps

The special use ~~reference~~ **regulations** for commercial zones corresponds with special use section 10.837 and the special use ~~reference~~ **regulations** for industrial zones corresponds with special use section 10.835. **The special use regulations for Accessory Dwelling Units (ADUs) in commercial and industrial zones correspond with special use section 10.821.**

Section 4. Section 10.821 of the Medford Municipal Code is amended to read as follows:

10.821 Accessory Dwelling Unit (ADU).
For the purposes of this Chapter, a single-family dwelling with an accessory dwelling unit (ADU), as defined herein, ~~located within a single family residential zone~~ shall not be considered

a duplex or multiple-family dwelling. **ADUs are defined as either:**

Accessory Dwelling Unit - Attached (ADU-A). An ADU-A is attached to the primary dwelling unit by a shared wall or as an additional story above the primary dwelling unit.

Accessory Dwelling Unit - Detached (ADU-D). An ADU-D shares no common walls with the primary dwelling or the ADU-A.

(A) ADU General Standards

The following standards apply to all ADUs and shall be required. They are as follows:

(1) ADUs shall not be counted in residential density calculations.

(2) An ADU within the Historic Preservation Overlay shall be subject to applicable reviews as identified in this Code.

(3) A development's Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument recorded subsequent to the effective date of this ordinance shall not prohibit or limit the construction and use of ADUs meeting the standards and requirements of the City of Medford.

~~In addition to other standards of this code, ADUs shall comply with the following development standards:~~

(B) ADU Development Standards. In addition to other applicable standards of this code, ADUs shall comply with the following development standards:

(1) ADUs shall comply with maximum lot coverage and setback requirements applicable to the parcel containing the primary dwelling.

(a) Lot coverage, as determined by the subjects parcel's zoning may be exceeded by up to 10%. The additional coverage allowance is exclusively for the ADU and shall not be used for any other structures.

(2) **One** ADUs shall be allowed **per dwelling unit and** only in conjunction with ~~parcels containing one detached single-family dwelling (the "primary dwelling").~~ **the following dwelling unit type(s):**

(a) A detached single-family dwelling

(b) An attached single-family dwelling, divided by a lot line, including:

(i) duplexes

(ii) townhouses

(c) A manufactured dwelling located on an individual lot

The dwelling unit types identified shall be considered the "primary dwelling." Under no circumstance will more than one ADU associated with each primary dwelling be permitted. ~~Only one ADU per parcel is permitted.~~

(3) The ADU may be created through conversion of an existing structure~~,~~ or construction of a new structure that is either attached to the primary dwelling or detached. **Existing structures may be nonconforming, meeting the standards of 10.032-10.037 and subject to approval by the Building Official and the Planning Director.**

(4) The maximum gross habitable floor area (GHFA) of the ADU shall not exceed ~~50~~ **75** percent of the GHFA of the primary dwelling ~~on the lot~~, or ~~shall not exceed a maximum of~~ 900 square feet, whichever is less. ~~The floor area of any garage shall not be included in the total GHFA.~~

(5) Conversion of existing habitable space within the primary dwelling to an Attached ADU (ADU-A) may not be subject to the provision of 10.821(B)(4). When deviating from 10.821(B)(4) the ADU-A shall be 50 percent or less in GHFA than the primary dwelling.

~~(5) Only one entrance may be located on the front of the existing dwelling unless the existing dwelling contained more than one entrance before the addition of the ADU.~~
~~(6) In order to maintain a consistent architectural character, it is recommended that similar building materials, architectural design and colors be used so that the ADU blends with the general appearance of the primary dwelling.~~
~~(7) A parcel containing a primary dwelling unit and an ADU shall provide a minimum of two off-street parking spaces designed in accordance with City of Medford standards.~~

(6) A primary dwelling shall adhere to the parking standards in Table 10.743-1. No additional parking shall be required for an ADU. When existing primary dwellings do not meet the standards of Table 10.743-1 a reduction of the required off-street parking shall not exceed one space if one of the below conditions is met:

(a) The subject parcel is within the Central Business (CB) Overlay or other established Transit Oriented Districts (TODs) as established by the Transportation System Plan (TSP); or

(b) The subject parcel is within a quarter (1/4) mile radius of a transit stop; or

(c) The subject parcel is within a quarter (1/4) mile radius of an existing bicycle facility including a bicycle lane, multi-use/shared-use path or a neighborhood bikeway; or

(d) The subject parcel has at least 24 feet of lot frontage with on-street parking available, excluding any area considered to be a part of the driveway width/throat; or

(e) The subject parcel is unable to comply with off-street parking standards due to existing structures built prior to January 1, 2019.

(7) When alley access is available, the ADU shall take vehicle access from the alleyway, unless off-street parking need not be constructed to comply with other provisions of this Code.

~~(8) ADUs shall not be counted in residential density calculations.~~
~~(9) A development's Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument recorded subsequent to the effective date of this ordinance shall not prohibit or limit the construction and use of ADUs meeting the standards and requirements of the City of Medford.~~

(C) Siting ADUs in Multi-Family and Commercial Zones

ADUs shall be permitted in multi-family and commercial zones when the following apply:

(1) The primary use on the property is a primary dwelling as provided for in 10.821(B)(2).

(2) A primary dwelling, as provided for in 10.821(B)(2), in the multi-family zones that meets the standards of Section 10.826 shall be permitted an ADU meeting the standards of this Section.

(D) Illegal ADUs

It is the intent of subsection 10.821(D) to offer a land use review process to convert illegal ADUs to a nonconforming structure or use. Any such ADU shall adhere to the following:

(1) Illegal ADUs seeking conversion to a nonconforming structure or use shall have been constructed prior to January 1, 2019. The owner, not the City, has the burden of proving that any illegal ADU structure or use was occupied, constructed and/or used prior to January 1, 2019.

(2) All applicable permits and utility connections required by Medford Municipal Code for the illegal ADU shall be obtained prior to the issuance of any Certificate of Occupancy or

other required licensed for occupancy of the ADU.
(3) All building, fire, life and safety codes shall be met.
(4) If the standards of Article V of the Medford Land Development Code otherwise cannot be met, the land use approval for an illegal ADU shall be subject to the land use review procedures of the Type III, Exception land use review (Section 10.186). The applicable Exception criteria for converting an illegal ADU shall be 10.186(B)(1-3).
(5) An illegal ADU converted to a legal structure or use per 10.821(D)(4) in this subsection shall be considered a nonconforming ADU once all standards of 10.821(D)(1-4) have been met.

Section 5. Section 10.826 of the Medford Municipal Code is amended to read as follows:

10.826 Single-Family Dwelling in Multiple-Family Residential Zones.
A single-family dwelling may be constructed in an **MFR-15,** MFR-20 or MFR-30 zone when ~~either~~ **any** of the following ~~two~~ conditions exist:
(1) The existing tax lot is nonconforming because it has less than the minimum lot area, lot width or lot depth.
(2) The existing tax lot would be made nonconforming as a result of a required street dedication that would come from review of a multi-family project on the site.
(3) Accessory Dwelling Units may be constructed on lots that have a primary dwelling~~(s)~~ meeting the standards of Section 10.821.

PASSED by the Council and signed by me in authentication of its passage this ____ day of _____, 2018.

ATTEST: _____ _____
City Recorder Mayor

APPROVED _____, 2018. _____
Mayor

NOTE: Matter in **bold** is new. Three asterisks (* * *) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.

COUNCIL REPORT

for a Type IV legislative decision: **Development Code Amendment**

Project	Accessory Dwelling Units (ADU) Standards Update	
File no.	DCA-18-113	
To	Mayor & City Council	*for 12/06/2018 hearing*
From	Planning Commission via Kyle Kearns, Planner II	
Reviewer	Carla G. Angeli Paladino, Principal Planner	
Date	November 29, 2018	

BACKGROUND

Proposal

DCA-18-113 is a development code amendment (Exhibit A) to portions of Chapter 10 of the Medford Land Development Code (MLDC) to modify standards for Accessory Dwelling Units (ADUs).

History

An accessory dwelling unit (ADU) has been an auxiliary housing option with many names such as outchambers, alley apartments, granny-flats, mother-in-law suites, backyard cottages and most recently an ADU.

Medford adopted into the land use code standards for allowing ADUs in 1995, however the allowance for boarding tenants, guest homes, and other accessory buildings was a part of Medford's housing framework for years before that.

In August 2017, City Council approved the formation of the Housing Advisory Committee (HAC) to identify policies to address Medford's housing shortage for a range of income levels. Among those policy recommendations, approved for consideration by Council on February 15, 2018, included two pertaining to ADUs, those being:

- Incentivize construction of Accessory Dwelling Units (ADU) (high priority)
- Expand where Accessory Dwelling Units are permitted (medium priority)

These policy directives provided by the HAC and Council, which look to enable the construction of more ADUs in areas where single-family development is permitted, are reviewed in greater depth in the Analysis section of this Staff Report.

September 24, 2018, Joint City Council & Planning Commission Study Session – Minutes Exhibit B

To gather initial direction from the Planning Commission and the City Council on the proposed text of DCA-18-113 staff presented the initial proposal at a joint study session. Originally, the proposed text allowed two ADUs (one attached/one detached), changed where ADUs are permitted and modified several site design standards including minimum off-street parking requirements, permitted ADU size, and front façade limitations. Staff had also provided information on the allowance of a Junior ADU as a potential option. A Junior ADU is the conversion of existing space within a home that doesn't have full kitchen facilities, much like a guest house, and would accrue no additional system development charges.

Staff received direction from both the City Council and Planning Commission to pursue amending the portions of the MLDC pertaining to ADUs (Section 10.821) to revise standards to remove potential barriers to ADU development and to expand where ADUs are permitted. Staff did not receive direction to allow for Junior ADUs or two ADUs per single family dwelling.

Note: If the City Council desires the allowance of two ADUs per single-family dwelling staff could incorporate language into the proposed development code amendment for the ordinance that would include the language below with 10.821(B)(2) (See Exhibit A):

- (2) A maximum of two ADUs shall be allowed per dwelling unit and only in conjunction with the following dwelling unit type(s):
  - (a) A detached single-family dwelling
  - (b) An attached single-family dwelling, divided by a lot line, including:
    - (i) duplexes
    - (ii) townhouses
  - (c) A manufactured dwelling located on an individual lot

November 8, 2018 Planning Commission Hearing –Minutes Exhibit J

The Planning Commission reviewed the proposed language of DCA-18-113 at a public hearing on November 8, 2018. Discussion focused on two main aspects of the proposal, those being the allowance of an ADU in the multi-family and commercial zones and the allowance for a reduction to one off-street parking space when specific criteria are met; each of these items is reviewed below:

> ***Allowing ADUs per detached single-family dwelling.*** Recent passage of Senate Bill 1051 amended portions of ORS 197.312 (Exhibit E) to require that each city allow for ADUs per "...each detached single-family...." As such, staff has proposed changes to Section 10.821 requiring that ADUs be permitted with each proposed dwelling type (detached single-family, duplex divided by a lot line & townhouse divided by a lot line) in all zones. At a minimum, SB 1051 requires the allowance

of ADUs with single-family detached housing, regardless of zone. Planning Commission had some clarifying questions regarding this language but ultimately agreed with staff's direction to allow for ADUs with the proposed dwelling types, regardless of zone, as proposed in Exhibit A.

Reduction in off-street parking requirements. Concerns regarding the proposed allowance for a reduction of one off-street parking space was raised by three Planning Commissioners. A friendly amendment was proposed to remove the proposed language in 10.821(A)(6) which allows for a reduction in one off-street parking space, if certain criteria are met (Exhibit A). The addition of the allowance for a reduction in off-street parking is to enable older, nonconforming lots that were developed with lessor or no off-street parking requirements to accommodate construction of an ADU and to allow for the reduction of cost of construction in newer neighborhoods. The reduction only applies for "existing primary dwellings," not for new developments. The friendly amendment failed to pass by a vote of 3-6.

The Planning Commission voted unanimously to initiate DCA-18-113 while also forwarding a favorable recommendation for the adoption of the proposal (Exhibit A) to City Council per the staff report dated November 1, 2018.

Authority DCA-18-113

This proposed plan authorization is a Type IV legislative amendment of Chapter 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code §§10.110 and 10.218

ANALYSIS

For reference, Exhibit A contains the proposed language for DCA-18-113. Additionally, staff has provided the Department of Land Conservation and Development (DLCD) the propose language as reviewed at the September 24 Joint Study Session (Minutes Exhibit B). DLCD's comments on the proposal are provided in Exhibit C. DLCD had concerns regarding compliance with SB 1051 and some of the language of the original proposal; the most recent proposal (Exhibit A) contains the changes requested by DLCD.

Lastly, DLCD's model ADU code language can be found in Exhibit D. The DLCD model code language was provided to cities to help implement the language passed in Senate Bill 1051 which was designed to create more affordable housing options and to require clear and objective standards for the review of housing projects.

The following analysis explains how the proposed language incentivizes construction of ADUs, expands where ADUs are permitted, seeks legalization of illegal units, and how the proposal seeks to align with a recent amendment to an Oregon Revised Statute (ORS 197.312 – Exhibit E).

Promoting ADU Construction

Generally, there are two ways to incentivize construction of Accessory Dwelling Units. These two methods of incentivizing include either financial incentives or the removal of development standards that create financial barriers. DCA-18-113 seeks to remove development standards that create financial barriers. Generally, current standards for ADU development (Section 10.821) are fairly generous. To further reduce potential cost barriers staff is proposing:

- removing the standard limiting the number of front door entrances
- allowing for the use of nonconforming structures as an ADU
- not requiring additional parking for an ADU

The intent of these changes is to reduce additional cost to construct an ADU. For example, the use of nonconforming structures as an ADU allows for the conversion of existing space and not for the construction of a new ADU, which is inherently more expensive (by almost $100,000). Building in flexibility for the location of an entrance to an ADU reduces potential design constraints, potentially reducing the cost of an ADU. Lastly, the average cost of providing surface parking is valued at $5,000[1] but could be as high as $10,000. This means that 4-15 percent of the total cost of construction of an ADU can be attributed to parking (using total development cost of $50,000-$180,000). For a more detailed analysis of Medford's ADU market see Exhibit F.

Note: Staff researched the date on which two off-street parking spaces were required within the MLDC and found that to be within the 1960 land use ordinances. 10.821(A)(6)(e) as proposed in Exhibit A allows for a reduction to one off-street parking space if nonconforming lots or structures do not allow for the construction of two off-street parking spaces. Staff would support the change to an earlier date of January 1, 1960 (Rather than January 1, 2019) to reflect the point in time when the City of Medford began requiring two off-street parking spaces for single-family housing. An amendment to the proposal would be needed by City Council to reflect this change.

[1] Spivak, Jeffrey. "People Over Parking." American Planning Association, American Planning Association, 18 Oct. 2018, www.planning.org/planning/2018/oct/peopleoverparking/.

Expanding Where ADUs are Permitted

Another aspect of DCA-18-113 is to expand where an Accessory Dwelling Unit is permitted. Currently, ADUs are only permitted in areas zoned for detached single-family, with a detached single-family home, one ADU to a parcel. As proposed in Exhibit A, ADUs would be permitted on a per dwelling unit basis for all dwelling types that are either a detached single-family home, an attached single-family home divided by a lot line (duplex and townhouse) and with manufactured homes on their own lot. Additionally, as proposed, the zones in which ADUs would be permitted would be all City zones. ADUs would still only be permitted with single-family dwelling types in commercial, industrial and multi-family zones where currently they are prohibited. Lastly, loosening the parking requirements and expanding lot coverage for ADUs by 10 percent enables smaller, older parcels closer to the city center to have an ADU where it may not have otherwise been permitted.

Legalization of Illegal ADUs

There are illegal ADUs in existence, each with varying levels of nonconformity whether it be through lack of building permits or missing utility connections. The intent of subsection 10.821(C), as proposed, is to provide a path forward for creating a legal ADU. If the ADU conforms to the MLDC, then it will only be required to meet applicable building, fire, life and safety codes. If, in addition to the lack of building, fire, life and safety code conformance, it also does not meet the MLDC then an illegal ADU will need to follow the Type III Exception process meeting all but the fourth criteria of 10.186(B). If an ADU is converted using the Exception process it would be considered a nonconforming structure/use in perpetuity, assuming no changes to the development pattern.

Statutory Changes to ORS 197.312 – Senate Bill (SB) 1051

Recent changes to Oregon Revised Statute 197.312 (Exhibit E), through SB 1051, require that "A city with a population greater than 2,500...shall allow in areas zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling..."(ORS 197.312(5)(a)). This requires that Medford allow for an ADU for each detached unit, where currently the City limits each parcel to one ADU. Additionally, staff has proposed allowances for ADUs with attached single-family dwellings (i.e. duplexes, townhouses) and with single-family housing types in commercial, industrial and multi-family zones. To conform to the changes in ORS 197.312 the proposal will have to allow for ADUs for each detached single-family unit, regardless of how many are on a parcel; the allowance for ADUs with attached single-family dwellings is not required with the statutory changes.

Note: Previously Staff had reviewed the statutory changes necessary to comply with SB 1051 and determined that our ADU standards met the necessary statutory requirements. However, DLCD reviewed the proposal available at the September 24, 2018 joint study session and provided comment counter to this determination (Exhibit C). Laura Buhl of DLCD noted that,

> *"This subsection says that ADUs are allowed only on lots with "one 'primary dwelling.'" However, state law requires subject cities to allow at least one ADU per detached single-family dwelling. So, according to Medford's proposed code, if a lot had two single-family dwellings or a multi-family dwelling and a single-family dwelling, an ADU wouldn't be allowed even though state law requires it to be allowed. This section should be amended in order to conform to state statute. One aspect of this section that isn't required by state law, but that is good to have is the allowance of an ADU in conjunction with townhomes."* (Exhibit C).

Staff has amended the proposed language (Exhibit A) to reflect these comments.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.218. The criteria are rendered in italics; findings and conclusions in roman type.

10.218 Land Development Code Amendment Approval Criteria.

The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

(A) Explanation of the public benefit of the amendment.

Findings

Medford, like much of the West, has struggled with housing affordability and housing supply in many respects. In recent years though, Medford has succeeded in creating a residential market that has supplied affordable, detached single-family. Ninety-four percent (94%) of homeowners live in single-family detached housing, where 40% of renters occupy this form of housing.[2] According to the Jackson County Assessor there are 19,752 tax lots in Medford with a detached single-family; or in other words 66% of Medford's housing stock is single-family detached.[3] While over the past 20 years the City has only seen the production of just 170 ADUs (0.9% of total housing share). This means that more than 19,000 lots have the potential to add an additional unit, prior to any amendments to the City's ADU standards. Additionally, the average cost of a detached single-family home is around $280,000

[2] Census Bureau, 2011-2015 ACS Table B25032
[3] Census Bureau, 2011-2015 ACS Table B25024

The amendments to 10.821 (Exhibit A) are intended to reduce potential development barriers, lower cost of ADU development and increase supply (land) where ADUs are permitted.

Conclusions

With a clear trend in development towards detached, single-family housing the development opportunities for increased housing options are limited in part by land use. As mentioned previously only 40% of renters live in detached single-family housing, yet the majority of renters are considered to be cost burdened. With the cost of multi-family housing around $200 a square foot[4] and the price of single-family development is approximately $165 a square foot. ADUs present a more affordable development option than that of traditional renter housing.

While amending the standards alone won't create more ADUs it will make it easier and cheaper to construct ADUs. In addition to simpler standards DCA-18-113 expands the zones and dwelling types in which an ADU are permitted, increasing supply of land for an ADU thus enabling more affordable options for development. Since rents and construction of an ADU are more affordable than their single-family or multi-family counterparts the public receives the benefit of more affordable housing, thus the criterion has been satisfied.

(B). The justification for the amendment with respect to the following factors:

(1) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Findings

The following goals, policies, and implementation measures are from the Housing Element:

Policy 1: The City of Medford shall assess the housing needs of current and prospective residents, including the elderly, disabled, active retirees, and other groups with special housing needs, to determine development priorities and to formulate specific strategies and activities to meet those needs.

Implementation 1-C: Assess policies, regulations, and standards affecting residential development and pursue amendments as needed to meet Policy 1. Assess factors such as:

a) Residential development standards;

[4] Nicco-Annan, Francisco. "Multifamily Market Commentary – March 2017." Www.fanniemae.com, Fannie Mae, 14 Mar. 2017, www.fanniemae.com/resources/file/research/emma/pdf/MF_Market_Commentary_031517.pdf.

e) Assuring a mix of income levels and dwelling types, including multifamily, group, affordable, and assisted housing, throughout the City

Policy 5: The City of Medford shall provide opportunities for alternative housing types and patterns, such as planned unit developments, mixed-uses, and other techniques that reduce development costs, increase density, and achieve projects that are flexible and responsive to the site and surroundings, including the conservation and enhancement of areas having special scenic, historic, architectural, or cultural value.

Conclusions

Allowing for ADUs in more zones, with more dwelling types and amending the standards to 10.821 are in direct alignment with the Housing Element of the Comprehensive Plan. Implementation item 1-C states that the City shall "Assess policies, regulations, and standards affecting residential development..." and DCA-18-113 (Exhibit A) does by eliminating design requirements, expanding lot coverage for ADUs and allowing for a reduction in off-street parking requirements valued at $5,000-10,000.

The Housing Element also requires that the City assures "...a mix of income levels and dwelling types..." (Implementation 1-C) and provides "...opportunities for alternative housing types and patterns, such as....mixed-uses, and other techniques that reduce development costs, increase density, and achieve projects that are flexible and responsive to the site and surroundings..." (Policy 5).

ADUs are a way to increase density within existing neighborhoods while working with the surrounding site in a way that traditional multi-family and affordable housing does not do. Furthermore, it provides opportunities for a mixture of incomes and backgrounds to live within existing neighborhoods. By increasing where ADUs are permitted and loosening the design requirements for ADUs DCA-18-113 seeks to encourage the development and mixture of "...alternative housing types and patterns..." (Policy 5).

The criterion has been satisfied.

(2) Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings

Staff had a code language review at the Land Development (LD) Committee meeting on September 26, 2018 and received comments from the Medford Fire-Rescue Department (Exhibit G), Public Works (Exhibit H) and the Medford Water

Commission (Exhibit I). The majority of the comments were not substantive or did not affect the proposed language in Exhibit A. Additional comments from the Department of Land Conservation and Development can be found in (Exhibit C).

When reviewed at the September 26 LD Meeting and by DLCD, DCA-18-113 had proposed the allowance of two ADUs per lot. Many of the comments reflect this proposal and not the text of Exhibit A.

Conclusions

City Staff concluded that the proposal of DCA-18-113 has no effect on general operations or utility services within the City of Medford. Additionally, if directed by the City Council the allowance for two ADUs per dwelling unit would also have no substantial effect on providing water, sewer, or other utility services to City lots so long as they meet applicable building, fire, life and safety standards.

Additionally, DLCD provided comments regarding recent amendments to Oregon Revised Statute (ORS) 197.312 and the code language generally. Staff has prepared a proposal (Exhibit A) that conforms to ORS 197.312.

The criterion has been satisfied.

(3) *Public comments.*

Findings

No public comment has been provided.

Conclusions

The criterion does not apply.

(4) *Applicable governmental agreements.*

Findings & Conclusions

Staff could find no applicable governmental agreement. This criterion does not apply.

RECOMMENDED ACTION

The Planning Commission recommends adopting DCA-18-113 based on the analysis, findings and conclusions per the Council Report dated November 29, 2018, including Exhibits A through J.

EXHIBITS

A	Proposed Amendment DCA-18-113
B	Minutes - Planning Commission and City Council Joint Study Session September 24, 2018
C	Agency Comment – Department of Land Conservation and Development (DLCD) via Laura Buhl October 10, 2018
D	DLCD Model ADU Code
E	ORS 197.312
F	ECONorthwest Memorandum September 14, 2018
G	Agency Comment – Medford Fire-Rescue September 26, 2018
H	Agency Comment – Medford Public Works September 26, 2018
I	Agency Comment – Medford Water Commission September 26, 2018
J	Minutes – Planning Commission Hearing November 8, 2018

CITY COUNCIL AGENDA: **DECEMBER 6, 2018**

Exhibit A

Proposed Amendment DCA-18-113

(Deleted text is ~~struck-through~~, new text is underlined, ~~moved text/~~ moved text)

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10.012 Definitions, Specific.

* * *

A~~A~~ccessory dwelling unit (ADU). A detached or attached dwelling unit that is additional and auxiliary to ~~an existing~~ a single-family dwelling, and is on the same tax lot. ~~A single-family dwelling with an ADU can be distinguished from a duplex through its continuing appearance as a single-family dwelling structure.~~

* * *

~~**Floor, habitable**, means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor".~~

* * *

Footprint. The total flat surface area a building covers on land, excluding unenclosed areas and items not considered structures.

* * *

Gross Habitable Floor Area. The cumulative floor area of space for living purposes including, working, sleeping, eating, cooking, or recreation, or a combination thereof.

* * *

10.314 **Permitted Uses in Residential Land Use Classification.**
The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed. (See Article I, Section 10.012, for the definition of each listed use.)
These symbols indicate the status of each listed use:
"P" = Permitted Use.
"C" = Conditional Use; permitted subject to approval of a Conditional Use Permit. (See Article II, Section 10.184.)
"X" = Prohibited Use.
"s" = Special Use (See Article V, Sections 10.811- 10.900, Special Use Regulations)
"EA" = Permitted only when within an EA (Exclusive Agriculture) overlay district.
"PD" = Permitted Use if in a PD (Planned Unit Development).
* * *

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
1. SINGLE-FAMILY RESIDENTIAL									
* * *									
(c) Manufactured Home on Individual Lot	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.710, 10.821 (with ADU), 10.826 & 10.900
* * *									
2. MULTIPLE-FAMILY RESIDENTIAL									
(a) Duplex Dwelling - Interior Lot	X	X	X	P	Ps	Ps	Ps	Ps	10.713, & 10.820 & 10.821 (ADUs only)
(b) Duplex Dwelling - Corner Lot	X	X	P	P	Ps	Ps	Ps	Ps	10.713, & 10.820 & 10.821 (ADUs only)
(c) Multiple-Family, Multiplex, or Apartment Dwelling	X	X	X	X	P	P	P	P	10.714

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(d)Townhouse/Rowhouse Dwelling	X	X	X	X	P	P	P	X	10.712 & 10.821 (ADUs only)
* * *									

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
* * *									
4. ACCESSORY USES									
(a) Accessory Dwelling Unit (ADU)	Ps	Ps	Ps	Ps	Ps	XPs	XPs	XPs	10.821 & 10.826
* * *									

10.337 **Uses Permitted in Commercial and Industrial Zoning Districts.**

A. The uses allowed within each commercial and industrial zoning district are based on the Standard Industrial Classification (SIC) Manual, 1987 Edition. This chapter classifies uses by Industry Group Number (3 digits) of the SIC Manual. When necessary to resolve any ambiguity in defining a use classification as per this chapter the Industry Number (4 digit) classification contained in the SIC Manual shall be used as the acceptable reference source.

B. There are four classifications in the following tables that do not appear in the SIC Manual; "Business Offices," (001); Parks, Recreation, and Leisure Facilities" (002); "Marijuana-related businesses" (003); and "Dwelling Units" (881). "Dwelling Units" is in the Services group, but this is not intended to suggest any relationship to the SIC classification scheme. In this context the use classification "Dwelling Units", includes housing types that are allowed in the MFR-30 zoning district.

C. All uses have been identified by zoning district as either permitted, permitted subject to special use standards, conditional, or not permitted.

"P" = Permitted Uses.
"Ps" = Special Use (see Special Use Regulations).
"C" = Conditional uses - permitted subject to approval of a Conditional Use Permit.
"Cs" = Conditional uses permitted subject to approval of a Conditional Use Permit and the applicable Special Use Regulations.
"X" = Uses specifically prohibited.
"*" = Permitted when within an EA overlay district.
nec = not elsewhere classified
* * *

88 DWELLING UNITS

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
881	Dwelling Units	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps

The special use ~~reference~~ regulations for commercial zones corresponds with special use section 10.837 and the special use regulations ~~reference~~ for industrial zones corresponds with special use section 10.835. The special use regulations for Accessory Dwelling Units (ADUs) in commercial and industrial zones correspond with special use section 10.821.

* * *

10.821 **Accessory Dwelling Unit (ADU).**

For the purposes of this Chapter, a single-family dwelling with an accessory dwelling unit (ADU), as defined herein, ~~located within a single-family residential zone~~ shall not be considered a duplex or multiple-family dwelling. ADUs are defined as either:

Accessory Dwelling Unit - Attached (ADU-A). An ADU-A is attached to the primary dwelling unit by a shared wall or as an additional story above the primary dwelling unit.

Accessory Dwelling Unit - Detached (ADU-D). An ADU-D shares no common walls with the primary dwelling or the ADU-A.

(A) ADU General Standards

The following standards apply to all ADUs and shall be required. They are as follows:

(1) ADUs shall not be counted in residential density calculations.

(2) An ADU within the Historic Preservation Overlay shall be subject to applicable reviews as identified in this Code.

(39) A development's Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument recorded subsequent to the effective date of this ordinance shall not prohibit or limit the construction and use of ADUs meeting the standards and requirements of the City of Medford.

~~In addition to other standards of this code, ADUs shall comply with the following development standards:~~

(B) ADU Development Standards. In addition to other applicable standards of this code, ADUs shall comply with the following development standards:

(1) ADUs shall comply with maximum lot coverage and setback requirements applicable to the parcel containing the primary dwelling.

(a) Lot coverage, as determined by the subject parcel's zoning, may be exceeded by up to 10%. The additional coverage allowance is exclusively for the ADU and shall not be used for any other structures.

(2) One ADU~~s~~ shall be allowed per dwelling unit and only in conjunction with ~~parcels containing one detached single-family dwelling (the "primary dwelling").~~ the following

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dwelling unit type(s):

(a) A detached single-family dwelling

(b) An attached single-family dwelling, divided by a lot line, including:

(i) duplexes

(ii) townhouses

(c) A manufactured dwelling located on an individual lot

The dwelling unit types identified shall be considered the "primary dwelling." Under no circumstance will more than one ADU associated with each primary dwelling be permitted. ~~Only one ADU per parcel is permitted.~~

(3) The ADU may be created through conversion of an existing structure~~,~~ or construction of a new structure that is either attached to the primary dwelling or detached. Existing structures may be nonconforming, meeting the standards of 10.032-10.037 and subject to approval by the Building Official and the Planning Director.

~~(~~4) The maximum gross habitable floor area (GHFA) of the ADU shall not exceed ~~50~~75 percent of the GHFA of the primary dwelling ~~on the lot~~, or ~~shall not exceed a maximum of~~ 900 square feet, whichever is less. ~~The floor area of any garageshall not be included in the total GHFA.~~ (5) Conversion of existing habitable space within the primary dwelling to an Attached ADU (ADU-A) may not be subject to the provision of 10.821(B)(4). When deviating from 10.821(B)(4) the ADU-A shall be 50 percent or less in GHFA than the primary dwelling.

~~(5) Only one entrance may be located on the front of the existing dwelling unless the existing dwelling contained more than one entrance before the addition of the ADU.~~

(~~6~~) ~~In order to maintain a consistent architectural character, it is recommended that similar building materials, architectural design and colors be used so that the ADU blends with the general appearance of the primary dwelling~~.

(~~67~~) ~~A parcel containing a primary dwelling unit and an ADU shall provide a minimum of two off-street parking spaces designed in accordance with City of Medford standards.~~A primary dwelling shall adhere to the parking standards in Table 10.743-1. No additional parking shall be required for an ADU. When existing primary dwellings do not meet the standards of Table 10.743-1 a reduction of the required off-street parking shall not exceed one space if one of the below conditions is met:

(a) The subject parcel is within the Central Business (CB) Overlay or other established Transit Oriented Districts (TODs) as established by the Transportation System Plan (TSP); or

(b) The subject parcel is within a quarter (1/4) mile radius of a transit stop; or

(c) The subject parcel is within a quarter (1/4) mile radius of an existing bicycle facility including a bicycle lane, multi-use/shared-use path or a neighborhood bikeway; or

(d) The subject parcel has at least 24 feet of lot frontage with on-street parking available, excluding any area considered to be a part of the driveway width/throat; or

(e) The subject parcel is unable to comply with off-street parking standards due to existing structures built prior to January 1, 2019.

~~(9) A development's Conditions, Covenants, and Restrictions (CC&Rs) or similar legal instrument recorded subsequent to the effective date of this ordinance shall not prohibit or~~

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~~limit the construction and use of ADUs meeting the standards and requirements of the City of Medford.~~

(7) When alley access is available, the ADU shall take vehicle access from the alleyway, unless off-street parking need not be constructed to comply with other provisions of this Code.

(C) Siting ADUs in Multi-Family and Commercial Zones

ADUs shall be permitted in multi-family and commercial zones when the following apply:

(1) The primary use on the property is a primary dwelling as in 10.821(B)(2).
(2) A primary dwelling, as in 10.821(B)(2), in the multi-family zones that meets the standards of Section 10.826 shall be permitted an ADU meeting the standards of this Section.

(C) Illegal ADUs

It is the intent of subsection 10.821(C) to offer a land use review process to convert illegal ADUs to, nonconforming structure or use. Any such ADU shall adhere to the following:

(1) Illegal ADUs seeking conversion to a nonconforming structure or use shall have been constructed prior to January 1, 2019. The owner, not the City, has the burden of proving that any illegal ADU structure or use was occupied, constructed and/or used prior to January 1, 2019.
(2) All applicable permits and utility connections required by Medford Municipal Code for the illegal ADU shall be obtained prior to the issuance of any Certificate of Occupancy or other required licensed for occupancy of the ADU.
(3) All building, fire, life and safety codes shall be met.
(4) If the standards of Article V of the Medford Land Development Code otherwise cannot be met, the land use approval for an illegal ADU shall be subject to the land use review procedures of the Type III, Exception land use review (Section 10.186). The applicable Exception criteria for converting an illegal ADU shall be 10.186(B)(1-3).
(5) An illegal ADU converted to a legal structure or use per 10.821(C)(4) in this subsection shall be considered a nonconforming ADU once all standards of 10.821(C)(1-4) have been met.

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* * *

10.826 **Single-Family Dwelling in Multiple-Family Residential Zones.**

A single-family dwelling may be constructed in an MFR-15, MFR-20 or MFR-30 zone when either of the following two conditions exist:
(1) The existing tax lot is nonconforming because it has less than the minimum lot area, lot width or lot depth.
(2) The existing tax lot would be made nonconforming as a result of a required street dedication that would come from review of a multi-family project on the site.
(3) Accessory Dwelling Units may be constructed on lots that have a primary dwelling(s) meeting the standards of Section 10.821.

* * *

Exhibit B

Minutes - Planning Commission and City Council Joint Study Session September 24, 2018

The City Council and Planning Commission Study Session was called to order at 6:00 p.m. in the Prescott Room of the Medford Police Department on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Clay Bearnson, Kay Brooks, Tim D'Alessandro, Dick Gordon, Tim Jackle, Kevin Stine, Kim Wallan, and Michael Zarosinski; Planning Commissioners Dave Culbertson, Joe Foley, Bill Mansfield, David McFadden, Mark McKechnie, E.J. McManus; Patrick Miranda, Alex Poythress, and Jared Pulver

Acting City Manager Ryan Martin; City Attorney Lori Cooper; Planning Director Matt Brinkley; Principal Planner Carla Paladino; Planner III Seth Adams; Deputy City Recorder Winnie Shepard

* * *

Accessory Dwelling Units
Principal Planner Carla Paladino spoke regarding Accessory Dwelling Units (ADU)

- Currently half the square footage of the residence or 900 square feet, whichever is less
- Built behind or within an existing SFR home
- One ADU allowed per lot; code could be revised to allow two units
- 50 ADUs built in the last 10 years; 170 in the last 20 years
  - Possible incentives could be waiving or reducing SDC fees or offering financing options
- Potential regulation revisions
  - Increasing ADUs from one to two units per lot

- Permit in multi-family and commercial zones
- Reduce off street parking requirements
- Increasing the percentage of the home accounted in determining ADU size
- Remove limitation of one door on front façade
- Require alley access be used for vehicular access to ADU

• Junior ADU

- Conversion of existing space within a SFR
- Generally less than 500 square feet and generally lack one utility such as a kitchen or bathroom
- Possible incentives could be waiving or reducing SDC fees, offering low-interest loans and/or providing permit ready designs

Council/Planning Commission Comments and Questions

- Junior ADUs are conversions of existing space within the home; not separate from the structure
- SDC fees can be somewhat prohibitive; Councilmember Gordon noted two constituents reported SDC fees of $7,000 and $10,000 for their ADUs
- Temporary changes on the regulatory side may make sense
- Handle issues relating to affordable housing through a separate pro cess
- Commissioner Culbertson advised that construction could run as inexpensive as $75 per square foot
- Economic incentives should be regulated
- Could have different regulations for existing and new ADUs
- Should look at expense of the SDC fees

• Allowing two ADU units on one property

- Commissioners McKechnie and Pulver were against two units
- Councilmember Bearnson and Commissioner Poythress weren't against two ADUs on a lot, but it should depend on the lot size

Ms. Paladino clarified that staff would look at incentives for building, including SDC incentives, looking at the CET program, expanding ADUs to other zones, and provide more information on one versus two units.

* * *

Exhibit C

Agency Comment – Department of Land Conservation and Development (DLCD) via Laura Buhl October 10, 2018

From: LeBombard, Josh
To: Kyle W. Kearns; Buhl, Laura
Subject: RE: Comments on Medford ADU ordinance proposal
Date: Thursday, October 11, 2018 11:29:01 AM

Yes, I think the comments should be part of the record. Also, Kyle you can let the commission and council know that little Talent allows 2 ADUs. Sometime peer pressure works.

Josh

Josh LeBombard
Southern Oregon Regional Representative | Community Services Division
Cell: (541) 414-7932
josh.lebombard@state.or.us | www.oregon.gov/LCD

From: Kyle W. Kearns [mailto:Kyle.Kearns@cityofmedford.org]
Sent: Thursday, October 11, 2018 10:46 AM
To: Buhl, Laura <lbuhl@dlcd.state.or.us>
Cc: LeBombard, Josh <jlebombard@dlcd.state.or.us>
Subject: RE: Comments on Medford ADU ordinance proposal

I hear ya on allowing two…but our Planning Commission and City Council aren't interested in doing that unfortunately.

More to come though.

Thanks again!

Kyle Kearns | Planner II
City of Medford Planning Department

Phone: 541-774-2380

From: Buhl, Laura [mailto:laura.buhl@state.or.us]
Sent: Thursday, October 11, 2018 8:56 AM
To: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Cc: LeBombard, Josh <josh.lebombard@state.or.us>
Subject: RE: Comments on Medford ADU ordinance proposal

Hi Kyle,

Yes, I do think you're right that barriers to development (parking requirements being one of the biggest ones) will have a greater impact than allowing two ADUs. But why not both lower barriers and allow two, as various cities have done? ☺

Josh, can you weigh in on whether you want the comments to be part of the record?

I'm still not convinced that the code should address non-conforming ADUs. It seems like the situation you describe in your email is as simple as someone having an illegal development – which should be dealt with the same as any other illegal development. ADUs aren't special in that regard. We do recommend that codes specifically allow ADUs to be established in *legal* non-conforming structures (e.g., an outbuilding or house that doesn't meet current setback or other development requirements), but beyond that, I can't think of any other provisions for non-conformities that would be added for ADUs. Illegal structures are different from legal non-conforming structures.

Sure, I'd be happy to take a look at another draft.

All the best,
Laura

Laura Buhl, AICP, CNU-A | Land Use & Transportation Planner
Planning Services Division | Transportation & Growth Management
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Direct: (503) 934-0073 | Main: (503) 373-0050
laura.buhl@state.or.us | www.oregon.gov/LCD/TGM

From: Kyle W. Kearns [mailto:Kyle.Kearns@cityofmedford.org]
Sent: Thursday, October 11, 2018 7:31 AM
To: Buhl, Laura <lbuhl@dlcd.state.or.us>
Cc: LeBombard, Josh <jlebombard@dlcd.state.or.us>
Subject: RE: Comments on Medford ADU ordinance proposal

Thank you Laura.

We've been directed to move away from the two ADU allowance and to focus on barriers to development. We'll be working on incentive programs later in the year/2019 as we suspect this would have a greater impact then allowing two.

I assume you'd like these comments as a part of the record? If not please let me know.

As far as the nonconforming section goes we had a local example of a property owner who was using a shed converted to ADU. My understanding is it had a lot of the things a typical habitable space has but was missing building code compliance and wasn't adequately hooked up to City utilities but otherwise met our land use code (except for the lack of review/permit). This is more our intent here. I'll make some edits and then send them back your way next week if you'd like to take a second look at it.

Best,

Kyle Kearns | Planner II
City of Medford Planning Department

Phone: 541-774-2380

From: Buhl, Laura [mailto:laura.buhl@state.or.us]
Sent: Wednesday, October 10, 2018 6:16 PM
To: Kyle W. Kearns <Kyle.Kearns@cityofmedford.org>
Cc: LeBombard, Josh <josh.lebombard@state.or.us>
Subject: Comments on Medford ADU ordinance proposal

Hi Kyle,

Josh asked me to take a look at your ADU ordinance proposal. I've attached my comments. Please let me know if you have any questions.

Take care,
Laura

Laura Buhl, AICP, CNU-A | Land Use & Transportation Planner
Planning Services Division | Transportation & Growth Management
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Direct: (503) 934-0073 | Main: (503) 373-0050
laura.buhl@state.or.us | www.oregon.gov/LCD/TGM

* * *

Attached Word Document (Comments) referenced in Email:

Comments on Medford ADU ordinance: (Laura Buhl)

This is generally a good ordinance that should lower some barriers to developing ADUs and creating more housing. However, there are some improvements that can be made, some of which are required in order for the ordinance to meet state law.

DEFINITION SECTION

The following sentence in the first paragraph should deleted: "A single-family dwelling with an ADU can be distinguished from a duplex through its continuing appearance as a single-family dwelling structure." It's not clear what the purpose of this sentence is, since many duplexes also look like single-family dwellings. Also, and more importantly, it requires discretion to determine what constitutes "appearance as a single-family dwelling" and, therefore, violates the statutory "clear and objective" requirement for all housing. ADUs and duplexes are distinguished by the standards to which they are subject, not opinions about their appearance.

10.033 CONTINUATION OF NONCONFORMING DEVELOPMENT

Section 10.033(8) is confusing raises a red flag in regards to clear and objective standards. I'm not sure it's necessary to specifically call out ADUs, since all types of nonconforming development fall under the provisions for nonconformities, including ADUs. The only reason to mention ADUs (or any other use) specifically would be if there would be some sort of exception or special standard applied in relation to their non-conformity, and I don't really see that.

It appears as though the code is intended to allow legal nonconforming ADUs as well as ILLEGAL nonconforming ADUs, legal or not. Legal nonconforming ADUs would have all the required permits (otherwise they wouldn't be legal) for the time they were built, so the only reason to state that "applicable building, fire, life and safety permits" are required would be if the City was intending to legalize currently illegal ADUs. However, it's confusing because even though subsection (8) doesn't specify "legal" nonconforming ADUs, the introduction to the section (10.033) does. This should be cleared up.

Last, the part of subsection (8) that refers to 10.034(4) is confusing and potentially problematic. The provision says "the nonconforming ADU, attached or detached, shall not increase or aggravate existing adverse impacts as described in section 10.034(4)." The wording implies that it refers to existing nonconforming ADUs, but section 10.034(4) deals with expansions or changes to nonconformities "to serve another use," not nonconformities that are continuing as is. Additionally, several of the standards in section 10.034(4) are not clear and objective. The safest way for the City to make sure that it is complying with state statutes that require clear and objective standards for housing would be to ensure that even nonconforming housing not be subject to discretionary standards. A couple of suggestions for ways to do this are: 1) remove subsection (8) and let non-conforming ADUs follow the provisions for nonconforming development just like any other nonconformity; or 2) remove the discretionary standards from 10.034(4).

<u>10.821 ACCESSORY DWELLING UNIT (ADU)</u>

(A)(1)
Lot coverage: The 10% bonus for ADUs in certain zones is a good step, but consider applying it to all the zones. Also, you might try some measurements on common lot sizes in various zones in the city to make sure that the standards aren't making barriers to developing in real life scenarios. Older lots might be smaller than what is allowed today in some zones.

(A)(2)
This subsection says that ADUs are allowed only on lots with "one 'primary dwelling.'" However, state law requires subject cities to allow at least one ADU per detached single-family dwelling. So, according to Medford's proposed code, if a lot had two single-family dwellings or a multi-family dwelling and a single-family dwelling, an ADU wouldn't be allowed even though state law requires it to be allowed. This section should be amended in order to conform to state statute. One aspect of this section that isn't required by state law, but that is good to have is the allowance of an ADU in conjunction with townhomes.

(A)(3)
It's good to allow existing legal nonconforming accessory structures to be converted to ADUs, as this section does. However, it would be a good idea to remove "accessory" so that it's clear that even a legal nonconforming primary dwelling could have an internal ADU. In addition, please refer to the discussion above, on the discretionary standards in 10.034. Section 10.821(A)(3) should be amended to address any changes that are made to Section 10.033(8) to resolve the "clear and objective" issue.

(A)(4)
Applying size standards in terms of gross habitable floor area isn't really a barrier to ADU development, but it will make application review more difficult for staff, encourage applicants to lie on their applications, and present enforcement issues when storage space is (inevitably) converted to living space. It also makes one question the reason for size limits. If storage space and garages aren't included in size calculations and someone could build a huge structure with a small living space and a large storeroom and large garage, then why have size limits at all? Why does it matter what the interior space is used for? I recommend having a size limit on the total size of the structure and remove all references to habitable floor area.

(A)(6)
Consider not requiring additional off-street parking for ADUs – or only require one additional space when there are two ADUs. That said, the reductions provided in subsection (7) are probably generous enough that nearly everyone could avoid having add additional off-street parking.

(A)(7)
Take a look at syntax and redundancies in this subsection. For example, the introductory sentence says, "reduction in the off-street parking requirements may be reduced." Also, (7)(a) and (7)(b) both say "the subject parcel may reduce the requirements . . ." The parcel doesn't reduce requirements, the City (or the code) reduces requirements. That said, once reworded, this section will be quite good and should relieve the burden of off-street parking requirements in most cases.

(B)(1)
This section contains a requirement that is not clear and objective: "The ADUs shall be subordinate to the primary dwelling." If clear and objective standards are included that define what "subordinate" means, this sentence can stay. If not, then it violates state statute and must go.

(C)
State law requires one ADU per single-family dwelling to be allowed in zone that allow single-family dwellings. This subsection (C) doesn't appear to be needed and possibly conflicts with state law. Medford must allow "in areas zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling" (ORS 197.312[5][a]). That means that if the zone allows single-family dwellings and there is a single family dwelling on the lot, an ADU must be allowed ("subject to reasonable standards relating to siting and design"). Whether or not the predominate use of the property is a single-family dwelling doesn't relate to siting and design, and requiring the existing primary dwelling to meet certain standards isn't doesn't relate to siting and design of the ADU. I would recommend removing this subsection (10.821[C]) entirely because it isn't needed and also seems to conflict with state law.

<u>10.826 SINGLE-FAMILY DWELLING IN MULTIPLE-FAMILY RESIDENTIAL ZONES</u>

(3)
Similar to the discussion on 10.821(C), above, I recommend removing subsection (3) because it's not needed and could conflict with state law. If single-family dwellings are allowed in the zone, and there's a single-family dwelling on the lot, then ADUs have to be allowed. (Plus, the last cross reference looks wrong.) The zoning table is all that's needed to say where ADUs are allowed. Make sure that they're clearly allowed in every zone that allows single-family dwellings.

Exhibit D

DLCD Model ADU Code

Accessory Dwellings (model code)

Note: ORS 197.312 requires that at least one accessory dwelling be allowed per detached single-family dwelling in every zone within an urban growth boundary that allows detached single-family dwellings. Accessory dwellings are an economical way to provide additional housing choices, particularly in communities with high land prices or a lack of investment in affordable housing. They provide an opportunity to increase housing supply in developed neighborhoods and can blend in well with single-family detached dwellings. Accessory dwelling regulations can be difficult to enforce when local codes specify who can own or occupy the homes. Requirements that accessory dwellings have separate connections to and pay system development charges for water and sewer services can pose barriers to development. Concerns about neighborhood compatibility, parking, and other factors should be considered and balanced against the need to address Oregon's housing shortage by removing barriers to development.

The model development code language below provides recommended language for accessory dwellings. The italicized sections in brackets indicate options to be selected or suggested numerical standards that communities can adjust to meet their needs. Local housing providers should be consulted when drafting standards for accessory dwellings, and the following standards should be tailored to fit the needs of your community.

Accessory dwellings, where allowed, are subject to review and approval through a Type I procedure*[, pursuant to Section_____,]* and shall conform to all of the following standards:

*[**A. One Unit.** A maximum of one Accessory Dwelling is allowed per legal single-family dwelling. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).*

/

***A. Two Units.** A maximum of two Accessory Dwellings are allowed per legal single-family dwelling. One unit must be a detached Accessory Dwelling, or in a portion of a detached accessory building (e.g., above a garage or workshop), and one unit must be attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor).]*

B. Floor Area.

1. A detached Accessory Dwelling shall not exceed *[800-900]* square feet of floor area, or *[75]*
percent of the primary dwelling's floor area, whichever is smaller.

2. An attached or interior Accessory Dwelling shall not exceed *[800-900]* square feet of floor area, or *[75]* percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than *[800-900]* square feet.

C. Other Development Standards. Accessory Dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:

1. Conversion of an existing legal non-conforming structure to an Accessory Dwelling is allowed, provided that the conversion does not increase the non-conformity; and
2. No off-street parking is required for an Accessory Dwelling.

Definition (This should be included in the "definitions" section of the zoning ordinance. It matches the definition for Accessory Dwelling found in ORS 197.312)

Accessory Dwelling – An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

Exhibit E

ORS 197.312

197.312 Limitation on city and county authority to prohibit certain kinds of housing; zoning requirements for farmworker housing; real estate sales office. (1) A city or county may not by charter prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy or manufactured homes. A city or county may not by charter prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

(2)(a) A single-family dwelling for a farmworker and the farmworker's immediate family is a permitted use in any residential or commercial zone that allows single-family dwellings as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of a single-family dwelling for a farmworker and the farmworker's immediate family in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other single-family dwellings in the same zone.

(3)(a) Multifamily housing for farmworkers and farmworkers' immediate families is a permitted use in any residential or commercial zone that allows multifamily housing generally as a permitted use.

(b) A city or county may not impose a zoning requirement on the establishment and maintenance of multifamily housing for farmworkers and farmworkers' immediate families in a residential or commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning requirement imposed on other multifamily housing in the same zone.

(4) A city or county may not prohibit a property owner or developer from maintaining a real estate sales office in a subdivision or planned community containing more than 50 lots or dwelling units for the sale of lots or dwelling units that remain available for sale to the public.

(5)(a) A city with a population greater than 2,500 or a county with a population greater than 15,000 shall allow in areas zoned for detached single-family dwellings the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

(b) As used in this subsection, "accessory dwelling unit" means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling. [1983 c.795 §5; 1989 c.964 §7; 2001 c.437 §1; 2001 c.613 §3; 2011 c.354 §4; 2017 c.745 §6]

Note: The amendments to 197.312 by section 6, chapter 745, Oregon Laws 2017, become operative July 1, 2018. See section 12, chapter 745, Oregon Laws 2017. The text that is operative until July 1, 2018, is set forth for the user's convenience.

197.312. (1) A city or county may not by charter prohibit from all residential zones attached or detached single-family housing, multifamily housing for both owner and renter occupancy or manufactured homes. A city or county may not by charter prohibit government assisted housing or impose additional approval standards on government assisted housing that are not applied to similar but unassisted housing.

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Exhibit F

ECONorthwest Memorandum
September 14, 2018

ECONorthwest
ECONOMICS • FINANCE • PLANNING

DATE: September 14, 2018
TO: Angela Durant, City of Medford
FROM: Becky Hewitt, ECONorthwest
SUBJECT: PRELIMINARY FINDINGS FROM ANALYSIS OF FINANCIAL INCENTIVES FOR ACCESSORY DWELLING UNITS

Background and Context

ECONorthwest (ECO) is working with the City of Medford on an analysis, funded by a grant from the Oregon Department of Land Conservation and Development (DLCD), of various financial incentives to support and implement the City's housing strategies. Separately, the City also has a contract with another consultant to evaluate potential development code amendments related to housing. ECO's contract is focused on evaluating measures the City could take outside the development code, and will evaluate a range of housing incentives and topics including ways to encourage production of Accessory Dwelling Units (ADUs), tax abatements to encourage greater multifamily housing density and production, and administration of the City's new Construction Excise Tax revenue. This memorandum is an interim product that provides results of an analysis of one of the potential components of the housing strategy: the potential for various financial incentives to encourage production of ADUs.

The City currently allows ADUs as permitted uses in low density residential zones subject to special standards. ADUs can be created through several mechanisms:

- Conversion of existing building space within or an addition to an existing home – referred to in this document as an attached ADU retrofit
- Conversion of an existing detached structure (e.g. a garage or large shed) – referred to in this document as a detached ADU retrofit
- Construction of a new detached structure – referred to in this document as a new detached ADU
- Construction of a new home with an integrated ADU within the home – referred to in

this document as a new attached ADU

Based on the best available building permit data, the City has seen over 50 ADUs built in the last 10 years, and at least 170 built in total over the last 20 years. The units built include a mix of detached ADU retrofits (one of the most common situations), attached ADU retrofits, and new detached ADUs.

ADUs are typically added by a homeowner, though an investor may consider adding one to an existing or new rental home to increase revenue. Homeowners may have a variety of motivations for adding an ADU on their property, including generating rental income, providing a place for family members or a live-in caretaker to live, having additional space available for guests, etc. Some may aspire to downsize and live in the ADU while renting out the main home. Not all of these motivations demand a financial return on the investment, but cost can be an obstacle regardless of the intended use of the ADU.

While there may be a variety of reasons for homeowners to add an ADU, from the City's perspective, ADUs can be most beneficial to increasing the supply of lower-cost housing options if they are available for rent. In this case, being able to generate enough income to offset the cost or make payments on a loan is a key element of the decision to add an ADU.

Some Oregon jurisdictions, including Portland and Springfield, have made efforts to encourage production of ADUs, including adopting development code changes and providing SDC waivers for ADU projects. Both communities have seen an increase in SDC production, with Portland's annual ADU numbers growing from under 100 per year in 2010 to over 600 per year in 2018. Springfield reports having gone from one ADU permit every few years to three in six months since the code amendments went into effect (the SDC waiver had been adopted about nine months earlier but no ADU permits were received until the code amendments were also complete). This shows the potential for increased up-take as well as the importance of combining code amendments with financial incentives in encouraging ADU production.

Approach to Analysis and Key Assumptions

There is significant variability in the situation of homeowners within the City, including lot size, size and location of existing home on the lot, zoning, presence of accessory structures (e.g. a detached garage or shed), presence of an alley, home value, existing mortgage balance, access to cash or other financing options, etc. While it is challenging to predict how each individual homeowner would think about the decision to build an ADU,[1] ECO has developed three hypothetical scenarios to test for financial feasibility and the potential impact of financial incentives:

- **Detached ADU retrofit**: Assumes conversion of an existing 380 square foot detached garage or shed. This is approximately the size of one-car garage.

[1] ECONorthwest has developed a statistical model to predict ADU production for the City of Seattle based on a

range of property-specific factors and the presence of those factors for existing housing in Seattle (available online at http://www.seattle.gov/Documents/Departments/Council/ADU_DEIS_2018.pdf); however, this type of effort requires extensive data and analysis and was outside the scope for the current project.

- **Attached ADU retrofit**: Assumes conversion of a 750 square foot unfinished or semi-finished daylight basement in an existing home. This would represent somewhat less than a full floor for a hypothetical 1,700 square foot two-story home.

- **New detached ADU**: Assumes construction of a new 550 square foot detached ADU on a lot with an existing home. This is on the larger end of the common range for new detached ADUs in the experience of some local builders.

These assumptions, along with the financial assumptions that follow, are meant to capture relatively typical cases, while acknowledging that individual homeowners' situations, costs, and financial considerations may vary widely.

In all cases, the existing home was assumed to be roughly 1,700 square feet and valued at roughly $280,000 (near the median home value for Medford). The home was assumed to have an existing mortgage of $150,000, in order to test a situation where the homeowner has a fair amount of equity in the home but still has a current mortgage.

ECONorthwest has gathered information regarding construction costs, rents, and financing options related to ADUs from interviews with local industry professionals, past reports on ADUs in Oregon, and online data sources. Key general assumptions as well as assumptions for each of the three hypothetical scenarios are summarized below.

General Assumptions

Fees

Fee	Assumed Amount	Basis / Notes
Street SDC (City)	$1,943.82	ADU rate, assuming no direct access to an arterial or collector street
Parks SDC (City)	$1,851.00	ADU rate, assuming property located outside the Southeast Plan Area
Sewer SDC (City)	$466.02	ADU rate, assuming City sewer service
Regional Sanitary Treatment SDC (City)	$1,008.62	ADU rate, assuming City sewer service
Water SDCs (Medford Water Commission)	$0	Medford Water Commission does not charge SDCs for an ADU unless a new water meter is required. This analysis assumes a new water meter is not required, and that utilities are billed together with those for the main house.
SDC Subtotal	$6,881	
Building Permit and Review fees	$2,000 for remodels, $2,200 for new construction	Includes mechanical, electrical, plumbing, structural, planning department, and driveway permit and review fees (somewhat less than the example published by the City for a new 2 bedroom single family home)

City of Medford Affordable Housing Construction Excise Tax	$150-$400 depending on the permit value	Tax is applied based on the permit valuation (applies to remodels and new construction)
School District Construction Excise Tax	$550 to $800 depending on the size of the ADU	Tax is applied per square foot (assumes this would apply to remodels of existing space)

All three hypotheticals assume System Development Charges (SDCs), building permit fees, school taxes, and Construction Excise Taxes (CET) based on the city's fee schedules for ADUs / residential construction, as summarized below.

Financing

While there are various ways an ADU could be financed, the most likely include:

- Home equity loans, which are available from most lenders who offer primary mortgages. These typically provide a lump sum up front and can be fixed-rate or adjustable rate loans with a typical payoff period of 10-15 years. Typical fixed rate, 10- year home equity loans are being advertised at interest rates of 5-6.5%, with higher rates from national banks and a lower rate from local credit unions.
- Home equity lines of credit, which are also typically provided by banks and other mortgage lenders, and are generally adjustable rate loan products that may be drawn against and repaid somewhat flexibly, with an initial draw period and a repayment period. Advertised interest rates range from about 5-7% today.
- Refinancing the primary home, which typically incurs higher financing costs, but may offer a lower interest rate and a longer amortization period (e.g. 30 years) than home equity loans, lowering the additional monthly payment.
- Cash / savings – depending on where people would otherwise have this money invested, the forgone interest / earnings on this money could be modest (e.g. <1% for a savings account) or more significant.
- Loans or other funds from friends or family – this could be low or no interest, an agreement to share some of the revenue from the ADU, or a contribution because the ADU will house the family member with no expectation of repayment, depending on the situation.

The first three options require that the homeowner have sufficient equity in their home to borrow against, and generally limit the total loan amount (including the primary mortgage) to 85% of the value of the home, though some local credit unions may allow loans up to 95% of the home's value. The last two options are, of course, very dependent on the homeowners' personal financial and family situations.

Our financial analysis assumes a 10-year, fixed rate home equity loan limited to 85% of the primary home's value with an interest rate of 6%. This financing option is likely to be available to many homeowners and suitable for adding an ADU, but it is important to keep in mind that some homeowners may have lower cost financing options.

Rental Options and Assumptions

All three hypotheticals were tested with both long-term rental and short-term rental revenue and operating cost assumptions. Short-term rentals were tested to see whether or in what circumstances they might financially outperform long-term rentals. The purpose of testing short-term rentals was to see whether they might make ADUs financially viable without incentives, and whether the City should be concerned about people using incentives to build ADUs that would then be used as short-term rentals rather than adding to the supply of available rental housing.

Long-Term Rentals

We assumed that vacancy rates for long-term rentals are similar across the hypotheticals at just over 6% (about 3 weeks per year of down time). An additional 1% "credit loss" was assumed to account for the possibility that the property owner may not always be able to collect on rents.

In all cases, management and listing of the unit was assumed to be done by the homeowner (not a third-party management company), with no value assigned to the homeowner's time spent on those activities, and no listing fees.

Rents were assumed to vary based on the situation, as described in the scenario-specific assumptions. Rent assumptions came primarily from Craig's List listings for the most similar properties currently listed.

Short-Term Rentals

Occupancy rates for short-term rentals were derived from hotel occupancy rates for southwestern Oregon, which have averaged between 52% and 62% since 2011 with significant seasonal fluctuation. A comparison of Airbnb and hotel occupancy[2] found that Airbnb occupancy rates in the US markets studied tended to run between 20 and 45 percentage points lower than those of hotels in the same market. Even in large cities, Airbnb occupancy rates were nearly all found to be below 50%. Based on these two data points, we have assumed an average annual occupancy rate of 35% for short-term rentals in Medford. Note that this is 35% of all 365 days a year; a host may not make the property available every night and have a higher occupancy rate on the days the property is listed as available, but the total annual revenue would be the same.

Nightly rental rates were based primarily on listings in Airbnb for the most similar current "guesthouse", "cottage" or similar listings in Medford and are assumed to vary based on the situation and how appealing the unit is likely to be.

Management was assumed to be done by the homeowner (not a third-party management company), with no value assigned to the homeowner's time spent on those activities. Listing fees of 3% were assumed, based on current rates for Airbnb. An additional $3,000 in up front cost was assumed to account for the cost of providing a furnished rental with cooking

equipment, linens, etc. An additional $100 per year in annual replacement costs was assumed to account for damage to or loss of furnishings beyond what would be recoverable from the renter.

[2] "Airbnb & Hotel Performance: An analysis of proprietary data in 13 global markets" by STR Global. http://www.str.com/Media/Default/Research/STR_AirbnbHotelPerformance.pdf

Other Costs

Parking

Our analysis assumes that the existing home already has two required parking spaces as required under the code. For homes where this is not the case, enlarging a driveway to add parking could add somewhere between $5,000 and $10,000 to development costs, depending on the situation. The physical obstacles to adding more parking may be greater than the costs, and preclude the possibility of adding an ADU. This potential added cost and physical constraint is not accounted for in our analysis.

Transportation Improvements

Another significant cost item that could arise for some properties is a need to improve sidewalks and/or alleys when adding an ADU. These costs can be substantial – thousands or even tens of thousands of dollars. While they will not apply to every property and are not included in the assumed costs for the three hypothetical scenarios, they can be an obstacle for properties where City standards would require these improvements.

Scenario-Specific Assumptions

Attached ADU retrofit

- **Construction costs:** Assumed at $50,000, based on a number of sources, including average cost for attached ADU construction from a survey of Portland ADU owners from 2014 (accounting for some increase in construction costs), building permit data from the City of Medford for attached ADUs, and online home remodel and ADU cost guides.
- **Design costs:** $3,000 based on input from local industry professionals.
- **Rents:** Assumed at $750 per month for long-term rentals and $55 per night for short-term rentals, because this example assumes a basement remodel, which would likely command rents in the middle or towards the lower end of the range for units of similar size in duplexes, ADUs, or apartments.
- **Operating expenses:** Assumed to be modest – about $600 per year in additional upkeep (e.g. appliance repairs in the additional kitchen and maintenance between tenants); assumes most systems (e.g. hot water heater, roof) are shared with the main house and maintenance costs do not increase. Also assumes about $70 per month in increased utility bills and homeowners' insurance costs that may not be passed on to tenants.
- **Increase in property value:** Assumed to be negligible, since there is no increase in square footage, and while some people may value having a second independent unit, others may prefer more living space associated with the main house.

Detached ADU retrofit

- **Construction costs:** Assumed at $60,000, assuming relatively similar costs for interior work as the attached ADU remodel (despite the smaller size, since most of the cost is in kitchen and bathroom) and additional cost to extend water and sewer services to an accessory structure.
- **Design costs:** $3,000 based on input from local industry professionals.
- **Rents:** Assumed at $825 per month for long-term rentals and $60 per night for short-term rentals, despite the smaller size, since other research by ECONorthwest suggests that detached units tend to be more desirable and command higher rents than basement units, but since it would be a converted space, it might still not be the most desirable unit.
- **Operating expenses:** Assumed to be modest but slightly higher than the attached ADU – about $650 per year in additional upkeep (e.g. appliance repairs in the additional kitchen, a second hot-water heater, and maintenance between tenants); assumes exterior maintenance costs do not increase much if at all because the structure was existing. Also assumes about $80 per month in increased utility bills and homeowners' insurance costs that may not be passed on to tenants (utility costs may be higher than with an attached ADU since the space likely would not have been heated prior to conversion).
- **Increase in property value:** Assumed to be modest (about $8,000 in year 1), since it would increase the habitable square footage of the property, but having a second unit on the property may not appeal to all buyers.

New Detached ADU

- **Construction costs:** Assumed at $130,000, based on input from industry professionals. Costs for new construction of a small detached unit tend to be much higher on a per square foot basis than a larger home, because the expensive items (kitchens and bathrooms) vary less than the total size of the unit.
- **Design costs:** Assumed at $6,000 based on input from local industry professionals.
- **Rents:** Assumed at $1,100 per month for long-term rentals and $85 per night for short-term rentals since a new detached ADU is likely to be a relatively desirable place to live and be able to command rents near the top of the market for 1-bedroom units.
- **Operating expenses:** Assumed to higher than other options – about $1,300 per year in additional upkeep to account for maintenance on both interior systems and the exterior of the new structure. Also assumes about $80 per month in increased utility bills and homeowners' insurance costs that may not be passed on to tenants, plus an additional roughly $380 per year in property taxes since the property value might be assessed higher with the new structure.

- **Increase in property value:** Assumed at about $25,000 in year 1, since it would increase the habitable square footage of the property and might increase value more than conversion of an existing structure, but having a second unit on the property may not appeal to all buyers.

Potential Incentives

This analysis looked at the impact of three different potential measures the City could take to encourage ADUs:

- **Waive all City SDCs.** Because the City cannot waive SDC fees from other service providers (e.g. Medford Water Commission), this would not entirely eliminate SDC costs, but would reduce them by $5,270 for the examples tested.

- **Offer a low-interest loan product.** This assumes the City would offer a 10-year fully amortizing loan with an interest rate of 3.5-4% and an 85-95% loan (plus mortgage) to value limit. How the City would operationalize such a program and the details of how it might work require further discussion and study, but the intent for this analysis was to determine how beneficial it would be to encouraging ADUs.
- **Offer permit-ready plans for new detached ADUs.** This assumes that the City would work with industry professionals to develop one or more standard sets of plans that could be used for new detached ADUs. This would reduce or eliminate design costs by removing the need for an architect and an engineer in most cases and could potentially offer some savings in permit review time and costs. For the hypothetical example, this was assumed to eliminate the assumed design costs and to offer a 10% savings on building permit and review fees.

Results

Figures 1 through 3 illustrate the results of the financial analysis for each of the hypothetical examples with the base case assumptions and with each of the relevant incentives, as well as with all of the incentives combined.

Figure 1 illustrates how total development costs vary among the hypothetical examples, and how the incentives impact development costs. (Note that the loan interest loan does not reduce the total development cost and is not shown here.)

Figure 1: Total Development Costs by Scenario

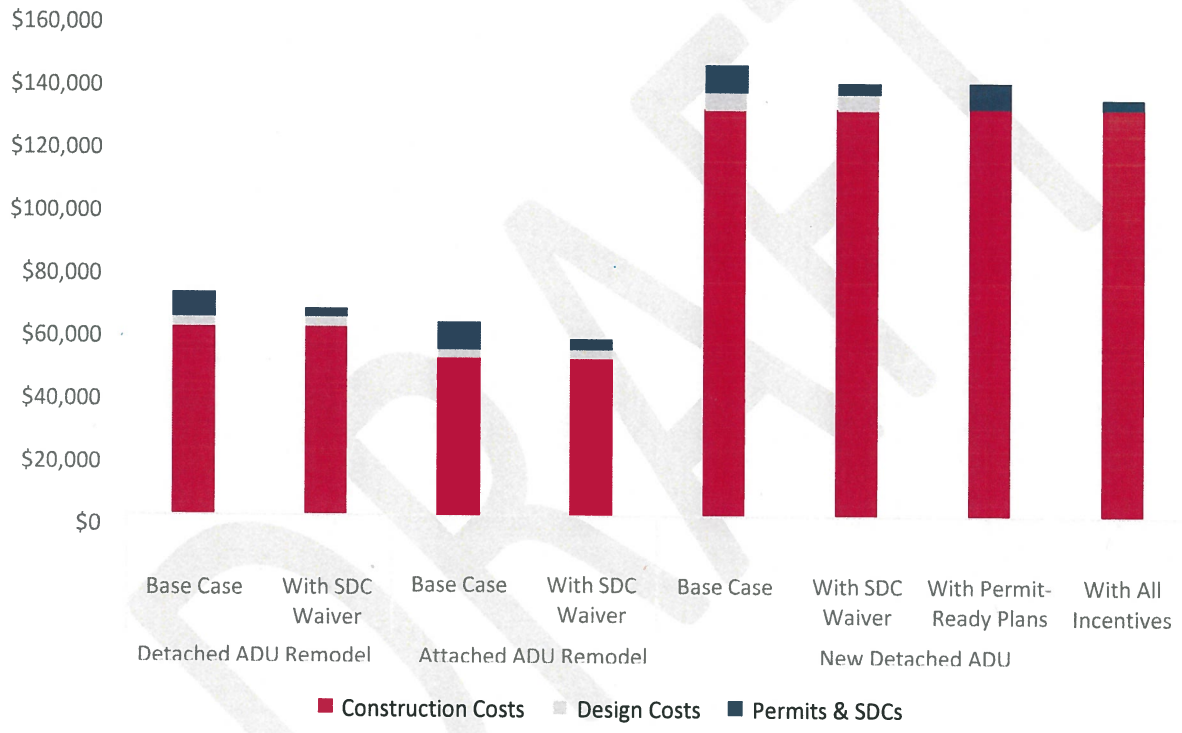


Figure 2 illustrates how short-term rental income is estimated to compare to long-term rental income for each of the three hypothetical ADU situations. Revenue from short-term rentals (like hotel rooms) tends to be highly variable over the course of the year, with strong occupancy and revenue in the summer and very low occupancy and revenue during the winter. While the annual total net operating income (rental revenue less operating expenses) is projected to be lower for short-term rentals, households that prefer to manage a rental only part of the year or intermittently may still prefer a short-term rental.

Figure 2: Net Operating Income for Long-term vs. Short-term Rental

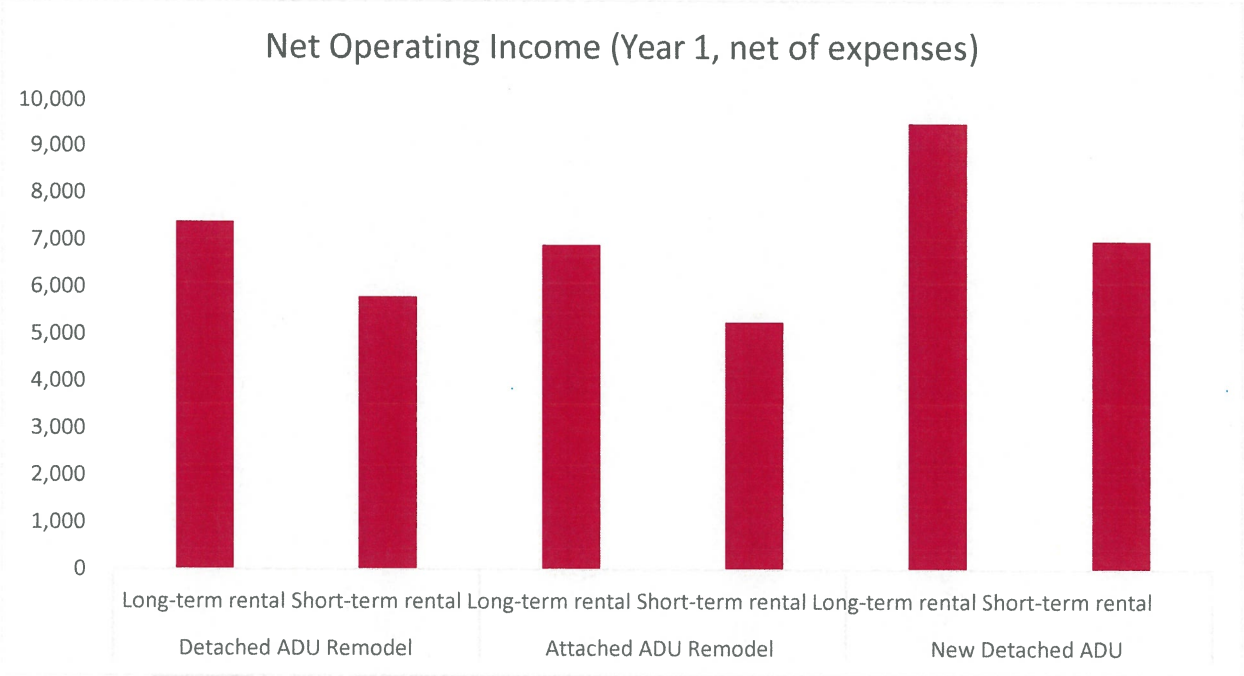


Figure 3 illustrates how net rental revenue, loan payments, and the net cash flow remaining after making loan payments (or the additional cash needed to make the loan payments, where this number is negative) vary among the hypothetical examples and how the incentives change these results. Note that none of the incentives change the net rental revenue. Also note that the rental revenue is projected to grow in future years as rents gradually increase, while loan payments would remain constant. Thus, some scenarios that show a negative cash flow in the first year ultimately have a positive cash flow within the 10-year loan period. For the new detached ADU, because the total development costs exceed the amount of equity assumed to be available in the home, cost savings in total development costs would reduce the cash required up front, but would not reduce the loan payments.

Figure 3: Revenue, Loan Payments and Net Cash Flow after Loan Payments by Scenario

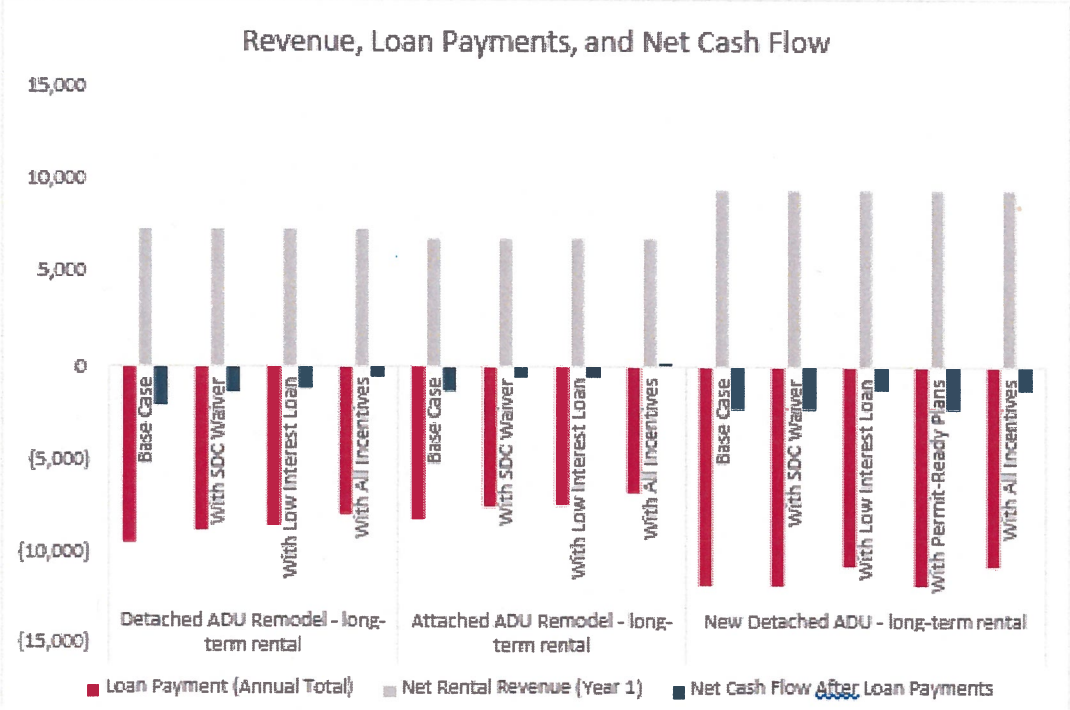
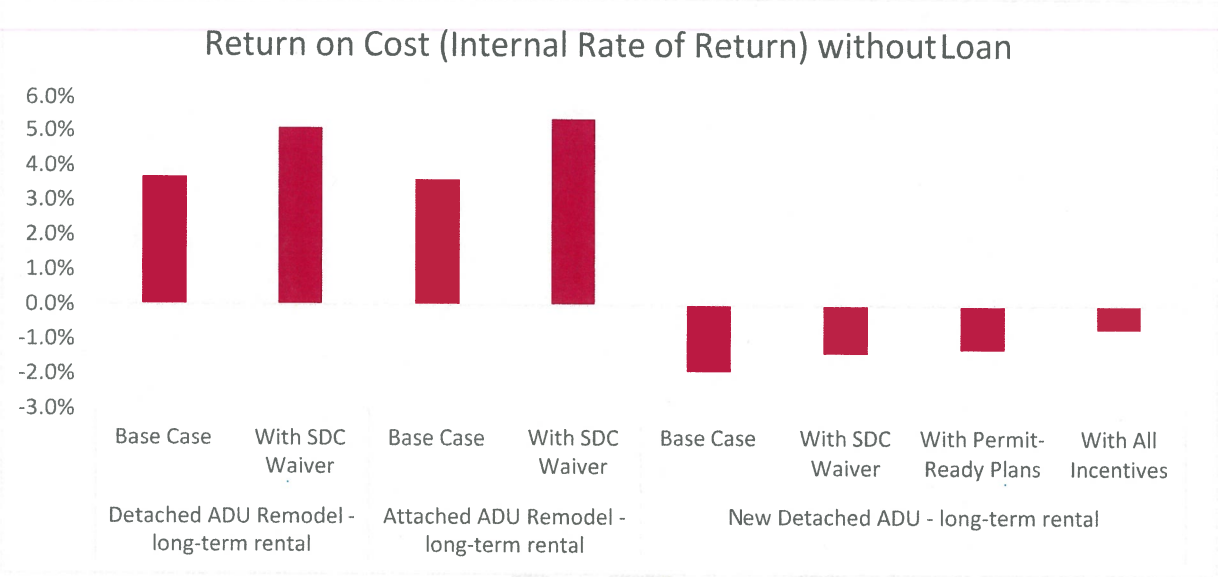


Figure 4 illustrates the internal rate of return over 10 years (the overall return on cost, given the amount and timing of costs and revenues) if a homeowner were able to self-finance the improvements. Note that the low interest loan does not come into play if the homeowner is self-financing, so it is not included below.

Figure 4: Internal Rate of Return Without Loan by Scenario



Preliminary Findings

- **Adding an ADU can be a very costly undertaking, with total development costs ranging from about $30,000 to over $180,000 depending on the situation.** This level of financial investment will be daunting for many homeowners, regardless of any actions the City might take. Those with existing structures or basements that lend themselves to ADU conversion are likely to have lower costs.
- **Development fees (permit fees, CET, and SDCs) can total roughly $10,000 or more for an ADU, accounting for anywhere from 5% to more than 20% of total development cost.** For remodel projects that have lower construction costs, these fees are especially significant. Within this group, System Development Charges as a whole are the largest single item, though streets, water, parks and sewer SDCs are each individually under $2,000 – likely less than building permit fees. It is worth noting that the

affordable housing CET adds only a few hundred dollars to the cost of creating an ADU, which is minor in comparison to the total development cost.

- **Financing can be a challenge.** Loan to value limits for home equity loans, home equity lines of credit, and refinancing may prevent some homeowners from being able to get a loan to cover the full costs of the project, depending on how much equity they currently have in the existing home. Most homeowners likely do not have tens of thousands or even over $100,000 available from savings or family members, though some will. Homeowners who have to make loan payments may have a greater need to reliably generate income from the ADU than those that can self-finance and be more flexible about the payback period.
- **The value of the property remains in the primary home, and the cost of the ADU addition will likely not be fully captured in increased value of the home.** This is especially true where demand for and interest in ADUs is relatively low. As interest builds, the value they add to a property may increase.
- **Net income from an ADU in Medford could be roughly $7,000 to $10,000 per year (using current rents) after accounting for operation and maintenance costs.** Even with relatively low rents that would be affordable to households earning 80-100% of Jackson County's area median income, and even after accounting for maintenance and operations costs that homeowners may not fully account in their own evaluation, there is a significant potential income stream from long-term ADU rentals.
- **Short-term rentals create highly variable income, but generally will not out-compete long-term rentals in Medford's market.** Generally speaking, homeowners with an ADU are likely to find long-term rentals to be a more consistent and generally higher revenue stream than short-term rentals in Medford's market. Even so, some people may want to use an ADU for short-term rentals in order to use it for guests when needed or to accommodate a family member who lives there part-time. In addition, highly successful short-term rental listings may significantly out-perform long-term rentals for revenue generation. The addition of financial incentives that could reduce development costs would not change the relative revenue potential from short-term versus long-term rental.
- **Annual net income may not cover the loan payments to finance construction of an ADU unless a homeowner has lower construction**

costs or access to lower cost financing than the examples considered. In all three examples tested, without incentives, the net income generated by the ADU was insufficient to cover the home equity loan payments that would be required to finance it. For those who might be able to self-finance, the remodel options without incentives would offer just over a 3% return on investment over 10 years, while the new detached ADU would still not have paid for itself by the end of 10 years.

Impacts of Potential Financial Incentives

SDC Waivers

If Medford were to waive all City SDCs for ADUs, it would save over $5,000 in up-front costs. This would particularly benefit homeowners with properties where construction costs are likely to be lower based on the ability to remodel existing space. For the three examples tested, this by itself did not reduce costs enough that rental revenue would fully cover loan payments, but it resulted in roughly $700 per year in annual savings on loan payments, and increased the return on investment for those who could self-finance from roughly 3% to roughly 4.5% for remodels. For a new detached ADU, this by itself was only enough to make the investment roughly break even by the end of 10 years, but would still not generate a positive return.

The fiscal impacts to the City of this loss of revenue would need to be considered, along with the legal considerations of waiving SDC fees for specific product types.

Low-Interest Loans

If Medford were to offer a low-interest loan program for homeowners seeking to add an ADU, it could remove a barrier to construction while also reducing the rents required to cover the loan payments. While there would be many details to consider, this type of loan product could offer a meaningful cost savings and tip the balance towards financial feasibility for some lower cost ADUs even without other incentives. For the examples tested, it was not enough on its own to reduce loan costs such that rental revenue would fully cover them, but at 4% interest it would offer $740 to $1,030 per year in savings on loan payments (more for the more expensive examples). A rate of 3.75% would increase savings to between $830 and $1,160 per year.

The City would need to consider its risk tolerance and the potential administrative costs of operating such a program, but if it were established as a revolving loan fund, it might become self-sustaining over time as the loans were repaid.

Permit-Ready Designs

If the City offered permit-ready designs for new detached ADUs, it could save thousands of dollars on design costs and potentially also streamline the permitting process, resulting in further savings. The total savings for the new detached ADU example was estimated at roughly $6,200 in up-front costs, greater than the value of waiving City SDCs. This tool would only benefit those building new detached ADUs, which tend to be on the more expensive end of ways to create an ADU. However, since not every home has an existing space that can be converted, this could potentially benefit a broader range of properties. (Local industry professionals noted that level sites with existing alley access may be the best candidates for this type of standard plans.) It would also help remove a non-financial barrier by providing homeowners with better, more readily accessible information about what an ADU might look like and how it might fit on their property.

Creating appropriate plans (presumably through a contract with one or more architects and engineers) would have a one-time cost to the City, but would not result in an on-going loss of revenue, except to the extent that permit fees would be reduced. However, any reduction in permit fees would be due to less staff time being required to review the plans, and should generate savings for the City as well.

Conclusions

While none of the financial incentives alone was enough to tip the balance into financial feasibility for the specific examples tested, a combination of all of the incentives did significantly improve the viability of all of the examples, and made the lowest-cost retrofit example feasible financially. Since not all homeowners will have the same circumstances and many have non-financial motivations or do not expect to fully recoup their costs, any reduction in costs and obstacles can be expected to encourage some additional ADU production, regardless of whether there is a strong financial return or not. All of the potential incentives tested are impactful enough to merit further consideration, especially as part of a broader effort and package of changes to encourage ADUs. Especially when relying on individual homeowners to take action, creating interest in ADUs and making it seem do-able are also important elements of encouraging ADU production.

Exhibit G

Agency Comment – Medford Fire-Rescue
September 26, 2018

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/28/2018
Meeting Date: 9/26/2018

LD #: DCA18113

Planner: Kyle Kearns

Applicant: N/A

Project Location: N/A

ProjectDescription: ADU Standards Update in Medford Code

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Description
Approved	Approved as submitted with no additional conditions or requirements.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanicial Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org

Exhibit H

Agency Comment – Medford Public Works September 26, 2018

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 9/26/2018
File Number: DCA-18-113

PUBLIC WORKS DEPARTMENT STAFF REPORT

Development Code Amendment
Accessory Dwelling Unit (ADU) Standards Update

Project: DCA-18-113 is a development code amendment to portions of Chapter 10, the Medford Land Development Code (MLDC) to create more permissive standards for Accessory Dwelling Units (ADUs) and to allow for one attached and one detached ADU where ADUs are permitted per the MLDC.

Applicant: City of Medford

Planner: Kyle Kearns, Planner II, Long Range Division

Master planning of the sanitary sewer system does not take into account more than one residence on a Single Family Residential lot. However, considering ADU installations average five to six per year for the last 10 years, I do not see the potential code change as a concern to sanitary sewer capacity at this time. Future Sanitary Sewer Master Planning may need to adjust flow factors if we see a significant increase in the construction of ADU's.

Exhibit I

Agency Comment – Medford Water Commission September 26, 2018

BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford

FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: DCA-18-113

PROJECT: DCA-18-113 is a development code amendment to portions of Chapter 10, the Medford Land Development Code (MLDC) to create more permissive standards for Accessory Dwelling Units (ADUs) and to allow for one attached and one detached ADU where ADUs are permitted per the MLDC. Planner: Kyle Kearns

DATE: September 26, 2018

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. No Conditions.

COMMENTS

1. No Comments

Exhibit J
Draft Minutes – Planning Commission Hearing November 8, 2018

The regular meeting of the Planning Commission was called to order at 5:30 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present
Patrick Miranda, Chair
David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
Mark McKechnie
E.J. McManus
Alex Poythress
Jared Pulver (left at 6:22 p.m.)

Staff Present
Kelly Evans, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Greg Kleinberg, Fire Marshal
Carla Paladino, Principal Planner
Terri Richards, Recording Secretary
Kyle Kearns, Planner II
Steffen Roennfeldt, Planner III

* * *

New Business
50.2 DCA-18-113 A development code amendment to portions of Chapter 10, the Medford Land Development Code (MLDC) to create more permissive standards for Accessory Dwelling Units (ADUs). Applicant: City of Medford; Planner: Kyle Kearns.

Kyle Kearns, Planner II stated that the Land Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218. The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Kearns gave a staff report and reported that the recommended action refers to the staff report as October 25, 2018 and it should read November 1, 2018.

The public hearing was opened.

Commissioner McKechnie asked, does allowing ADU's in MFR-15, MFR-20 and MFR-30 zoning districts due to the comment from DLCD? Mr. Kearns reported partially. If there is a detached single home in the multifamily zone the code allows for that. When it is on a nonconforming lot that cannot meet MFR standards it would have to be allowed.

The public hearing was closed.

Motion: The Planning Commission based on the findings and conclusions that all of the approval criteria are either met or not applicable, initiated the amendment and forwarded a favorable recommendation for adoption of DCA-18-113 to the City Council per the staff report dated November 1, 2018, including Exhibits A through I.

Moved by: Vice Chair McFadden Seconded by: Commissioner Foley

Commissioner McKechnie recommended not allowing ADU's on multifamily lots where there are single family homes. Mr. Mitton reported that under Senate Bill 1051 it is required to allow an ADU per single family dwelling anywhere that single family dwelling would be. He is not sure it can be prohibited in MFR zones. Mr. Kearns added that on page 62 of the agenda packet it states: "*Subsection (C) Siting ADUs in Multi-Family and Commercial Zones, ADUs shall be permitted in multi-family and commercial zones when the following apply: (1) The primary use on the property is a primary dwelling as in 10.821(B)(2). (2) A primary dwelling, as in 10.821(B)(2), in the multi-family zones that meets the standards of Section 10.826 shall be permitted an ADU meeting the standards of this Section.*"

Commissioner Pulver asked, if there is a single family residence on a commercial lot, does the state regulation allow ADUs? Mr. Mitton stated that Senate Bill 1051 will require ADUs where there is a permitted single family residence in a commercial zone. Mr. Kearns reported that it is explicit to the nonconforming lots for multifamily zones. Commercial lots do not have that standard.

Commissioner Pulver asked, is Mr. Kearns stating that DLCD indicated that they would be supportive of an appeal if an ADU was proposed and turned down on a commercial zoned lot with a single family residence on it? Mr. Kearns replied only detached single family residences. This does not apply to duplexes and townhouses.

Commissioner Pulver stated that this is getting a lot of attention for an issue that the code is favorable to begin with. He understands complying with the law. He would rather react to problems on a case by case basis. The City is pushing for small lots and more density. He does not see how that falls in line with that. These play better on a bigger lot. Unless the City starts allowing bigger lots he does not see the reason advocating so hard for

ADUs. He does not understand that ADUs are allowed in SFR-6 or dense zones and not require more parking. The Transportation System Plan showed inadequate funding for the transportation system. He believes there is inadequate funding for parks. He would be more receptive to the cottage concept. There is no credit in density calculations for ADUs. Affordability is cited and he believes that is invalid. He is opposed to not requiring additional parking for what is being forwarded to the City Council.

Amend Motion: Remove the ability to not require additional parking for Accessory Dwelling Units (ADUs).

Moved by: Commissioner Pulver Seconded by: Commissioner Poythress

Mr. Kearns reported that it is not a direct allowance to remove parking. It is for the older lots that have one off-street parking. This does not exempt from what is required for single family development by the code. Mr. Kearns read: *"A primary dwelling shall adhere to the parking standards in Table 10.743-1. No additional parking shall be required for an ADU. When existing primary dwellings do not meet the standards of Table 10.743-1 a reduction of the required off-street parking shall not exceed one space if one of the below conditions is met: (a) The subject parcel is within the Central Business (CB) Overlay or other established Transit Oriented Districts (TODs) as established by the Transportation System Plan (TSP); or (b) The subject parcel is within a quarter (1/4) mile radius of a transit stop; or (c) The subject parcel is within a quarter (1/4) mile radius of an existing bicycle facility including a bicycle lane, multi-use/shared-use path or a neighborhood bikeway; or (d) The subject parcel has at least 24 feet of lot frontage with on-street parking available, excluding any area considered to be a part of the driveway width/throat; or (e) The subject parcel is unable to comply with off-street parking standards due to existing structures built prior to January 1, 2019."*

Commissioner Pulver stated that it appears to him that no additional parking shall be required for an ADU. The addition of the ADU and associated square footage does not create additional parking requirement. If creating additional residence it should have additional parking. Mr. Kearns reported that a parcel containing a primary dwelling unit and an ADU shall provide a minimum of two off-street parking spaces in accordance with the City of Medford standards.

Mr. Mitton stated that it is required to have two off-street parking spaces whether there is just a single family home or a single family home with an ADU. That is not changing. The change is for legacy homes that do not have two off-street parking spaces. This amendment allows for certain legacy homes that one off-street parking space to add an ADU.

Commissioner Culbertson agrees with Commissioner Pulver. This is compounding an existing problem.

Commissioner McManus stated that having an older generation relying on the tenants in the primary residence would not be adding additional vehicles. The legacy lots would not be meeting the parking standards. He would not be in favor of the amended motion.

Commissioner Culbertson reported that currently there are no rules that prohibit Airbnbs. What if someone has an ADU and decides they want to Airbnb it. Airbnb people are not going to bike to the property.

Mr. Mitton stated that there is no rule prohibiting someone from doing an Airbnb in an ADU. There is no rule of someone having an Airbnb in a spare bedroom and having the guests bring their various guests with vehicles day in and day out to the residence.

Vice Chair McFadden reported that Mr. Kearns mentioned a date at the end of his presentation of January 1, 2019. Is the problem the date? Older neighborhoods have single car garages where the streets are wider. Newer neighborhoods have narrow streets. Mr. Kearns reported that the date was to have a point in time. Staff would entertain an earlier date but it would take research that would be time consuming.

Mr. Mitton stated the reason for the January 1, 2019 date is so that people cannot try and use it for new development. It was chosen to be a date somewhat contemporaneous with this amendment going into action. Choosing a date in history he would be hesitant to put anything like that in the code without research to support it. It would be a lot of research to figure out what date would be the boundary. It is to prevent any sort of intentional chicanery with future development.

Commissioner Poythress believes that the issue of the low number of ADUs having been built in the last ten or twenty years. He has spoken to a number of councilors and commissioners from other cities around the state. A phenomenon they found to be true as they simplify and reduce the costs of developing ADUs for residences. At the same time doing a diligent job of communicating the inventory need of homes in their community. There has been a substantial surge in the development of ADUs as the accessibility becomes lower and easier.

The parking issue is conflicting because on one hand the City and community is saying there needs to be more housing inventory and on the other hand the City and community is saying here is a way to it but it comes with a cost of mobility. Reading through the notes on this and the intention of removing that parking space requirement is so that somebody does not have to pay to expand their driveway or to incur further costs to develop an ADU. He struggles with that. Maybe not requiring some form of parking is not the way

to do it. Maybe one of the ways to go about this is for Council to take a look at some of the prohibitive costs are for building an ADU outside of parking. He does not know the solution to reducing the costs and increasing accessibility to decrease mobility around town. The solution may lie elsewhere.

Commissioner McKechnie stated that it is a flat fee for building an ADU regardless of size. Working on a developed lot is more expensive than developing on a new lot. Being more allowable on ADUs will not reduce the cost to make it attractive for someone.

There should be one off-street parking space per ADU per lot. If two are required for a single family home and an ADU is added that gets one per unit per home. In areas where houses are dense and parking is tight people manage to live with one car instead of four or five.

Roll Call Vote for Amended Motion: Motion failed: 3-6, with Commissioner Foley, Commissioner Mansfield, Commissioner McKechnie, Commissioner McManus, Vice Chair McFadden and Chair Miranda voting no.

Roll Call Vote for Main Motion: Motion passed: 9-0

* * *

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.2

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, Planning Director, AICP CFM

AGENDA SECTION: Public Hearings
MEETING DATE: December 6, 2018

COUNCIL BILL 2018-133
An ordinance amending sections 10.033, 10.108, 10.112, 10.120, 10.124, 10.134, 10.185, 10.198, 10.204, 10,314, 10.334, 10.337, 10.705, 10.708, 10.710, 10.712, 10.713, 10.714, 10.732, 10.797, 10.824, and 10.1160 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density. (DCA-18-118) Land Use, Legislative

SUMMARY AND BACKGROUND
Council is requested to consider amendments to Chapter 10 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density. The Planning Department regularly brings text amendments forward on sections of Chapter 10 that need clarification or correction. This is done to address errors and better define code requirements. (DCA-18-118)

Some of the housekeeping changes proposed are needed due to recent code amendments. Some minor errors or clarifications were found to be necessary as a result of the Article II reconfiguration, new sections pertaining to the Public Parks zoning and small cell facilities amendments. Additionally, minor changes are proposed in regards to density and housing, and other small corrections that have been identified.

PREVIOUS COUNCIL ACTIONS
On February 15, 2018, the Housing Advisory Committee recommendations were presented and discussed with the City Council on regulatory and economic incentives to promote housing. The Council directed staff to begin working on the recommendations.

On June 7, 2018, the City Council adopted the Public Park Zone Ordinance. This ordinance created a new zone specifically for public parks.

On June 21, 2018, the City Council adopted the Article II Reconfiguration Ordinance. This ordinance updated and reorganized the section of Chapter 10 related to the procedural requirements of land use and development permits.

On September 6, 2018, the City Council adopted the Small Cell Facilities Ordinance. This ordinance amended the Medford Municipal Code to allow wireless communication facilities within the public right-of-way.

ANALYSIS

Housekeeping Corrections and Clarifications
The housekeeping changes proposed are mostly needed due to recent code amendments. Since the adoption of the Article II reconfiguration in June 2018, some minor errors or clarifications were found such as 1) the requirement that public hearing sign posting is not needed for Type II applications and 2) the wrong code section is referenced for minor modifications. Another recently adopted code amendment, the Public Parks zoning, created a new application type called the Park Development Review; however, the amendment did not include the submittal requirements for this new type of review.

Clarifications are also being proposed to better administer the standards in Chapter 10. Examples include revising the way fence height is measured to make it more understandable to the general public and

explaining that landscaping in the planter strip can count towards required frontage landscaping for new development.

Housing & Density Changes

In August 2017, the City Council approved the formation of a temporary Housing Advisory Committee (HAC) to identify policies to address Medford's housing shortage for a range of income levels. The committee made recommendations related to regulatory changes and economic incentives to promote housing. The City Council directed staff to begin updating the Medford Municipal Code with these recommendations in February of this year. Four of the proposed amendments are from the HAC's list. Two of these include:

1) Allowing residential care facilities for 15 or more individuals in the multi-family zones, and
2) Using standard mathematical rounding for density calculations.

There are other minor density or housing barrier changes in the amendments proposed by staff as well. Examples of this include removing restrictions for duplexes that 1) require them to be located on corner lots in the SFR-4 (Single Family Residential – 4 dwelling units per gross acre) zone and 2) prohibit more than one duplex on a lot in the multi-family zones. These minor changes will help to remove barriers to the development of a range of housing types in Medford.

Planning Commission Hearing

The proposed amendments were discussed at the Planning Commission meeting on October 25, 2018. The commission supported the proposed changes with two revisions. First, the commission recommended increasing the lot coverage allowance in the SFR-2 zone to 40 percent to be consistent with the SFR-00 zone. The proposed amendments previously did not include an increase of lot coverage for this zone, which is currently at 35 percent.

Second, the commission recommended the removal of the amendment to allow structures built as single family homes in the commercial zones to be converted back and forth between commercial and residential uses. There are areas within the city that were developed as single family neighborhoods that were subsequently zoned for commercial uses. Examples of this include sections of East Main Street, Hawthorne Street, and Genesee Street. Under the current code, once these homes are converted to commercial uses, they are not permitted to convert back to residential uses. The buildings, which were constructed as single family homes, are not always ideal for commercial uses and are often located on narrow, relatively deep residential lots. Such properties face a kind of development limbo where they are regulated according to a use that they are often unable to accommodate. Ideally, these circumstances would be resolved as portions of neighborhoods are redeveloped and transition toward the intended development pattern. Unfortunately, this often requires coordinated assembly of several adjacent properties in order to make redevelopment economically feasible and to provide sufficient land for the new use (in this case commercial). The outcome is that buildings that have been constructed for residential occupancies cannot be occupied for that purpose—this at a time when housing is relatively scarce. Meanwhile, they meet the needs of a much smaller portion of commercial users than does a building developed for that particular market.

Staff encourages the council to consider keeping this provision. This was a recommendation from the Housing Advisory Committee and it is often requested from property owners with these types of buildings. Since the restriction prevents these commercial buildings from being converted back to residential, some of these properties remain vacant once a commercial use is no longer viable. With strong demand for housing, these buildings would be less likely to remain vacant if the city allowed them to convert back to residential use with a building permit.

Not only does this amendment help to reduce vacancy, it also offers live-work opportunities for those who might want to use the majority of the building for a residence and also use a smaller portion of the building for a commercial use. Many of these buildings would require only minor modifications to convert back and forth, especially once the ADA (Americans Disabilities Act) upgrades and parking requirements have been met for commercial uses. These buildings retain much of their residential character and are generally on smaller lots, which precludes them from be redeveloped many of the more intensive commercial uses, making them more compatible for adjacent residential uses.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
None.

TIMING ISSUES
None.

COUNCIL OPTIONS
- Approve the ordinance as presented
- Modify the ordinance as presented
- Decline to approve the ordinance as presented and direct staff regarding further action

STAFF RECOMMENDATION
Staff recommends approval of the ordinance.

SUGGESTED MOTION
I move to adopt the ordinance authorizing a Development Code Amendment as described in the Council Report dated November 29, 2018.

EXHIBITS
Ordinance
City Council Report, including Exhibits A-H

ORDINANCE NO. 2018-133

AN ORDINANCE amending sections 10.033, 10.108, 10.112, 10.120, 10.124, 10.134, 10.185, 10.198, 10.204, 10.314, 10.334, 10.337, 10.705, 10.708, 10.710, 10.712, 10.713, 10.714, 10.732, 10.797, 10.824, and 10.1160 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density.

Section 1. Section 10.033 of the Medford Code is amended to read as follows:

10.033 Continuation of Nonconforming Development.
***

(2) A structure in any commercial zone that was originally built as a single family home may be converted to a permitted commercial use and then converted back to its original residential use subject to the requirements of the Building Code.

(~~2~~3) A single-family residential structure that is legal nonconforming because of a failure to comply with the permitted or conditional uses in Article III may be reconstructed, as it was, if destroyed as in 10.036(2). The new structure may be altered from the original floor plan or design if the Planning Director finds that the alteration will not result in an aggravation of a nonconformity and is otherwise consistent with items ~~3~~ **4** through ~~5~~ **6** that follow.

(~~3~~4) Subject to approval by the approving authority (Planning Commission) as a conditional use, a legal nonconforming use may be expanded or changed to serve another use, with the exception that the maximum amount of special relief that can be given is as follows:

(a) The floor area of a building shall not be increased by more than 20 percent.

(b) The land area covered by structures shall not be increased by more than 10 percent.

(~~4~~5) The entire contiguous ownership of land shall be considered as a single parcel for determination of nonconformity as a consideration for approval of any further development or change in use. A record of separate lot or parcel boundaries shall be disregarded.

(~~5~~6) A lot of record, or a parcel of land for which a deed or other instrument dividing the land was recorded with Jackson County prior to May 5, 1980, which has an area or dimension less than required by this code, shall be considered legal nonconforming and may be developed and occupied by a permitted use subject to compliance with the minimum standards of this code.

(~~6~~7) The taking by eminent domain action of a portion of an existing legal nonconforming lot shall not affect the legal right of the owner to use the remainder of such lot in any manner that would have been legal prior to the taking.

(~~7~~8) If, by the taking by eminent domain action of a portion of a lot, which includes a legal non-conforming sign(s), said sign(s) may be moved to another location on the remaining portion of the lot, as permitted by the Planning Director (or designee), with the signs retaining their legal nonconforming status. Such relocated sign shall otherwise be in conformance with all standards of the *Land Development Code*.

///

///

Section 2. Section 10.108 of the Medford Code is amended to read as follows:

10.108 Land Use Review Procedure Types.
***

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Minor Modification to a Site Plan & Architectural Review Approval	I	10.200(H)(2)	Planning Director	No
Major Modification to an Approved Conditional Use Permit	III	10.184(D)(1)	Planning Commission	Yes
Minor Modification to an Approved Conditional Use Permit	I	~~10.814(D)(2)~~ **10.184(E)(2)**	Planning Director	No

***

Section 3. Section 10.112 of the Medford Code is amended to read as follows:

10.112 Referral Agencies.
***
(D) Referral Agency Action and Decision Time.
***

(a) Type IV Land Use Reviews: Referral agencies shall have thirty ~~working~~ **calendar** days to submit comments on all Type IV land use applications/reviews. If the referral agency does not comments within thirty ~~working~~ **calendar** days, then the referral agency is assumed to have no comment. If requested in writing, by a referral agency, an extension of thirty ~~working~~ **calendar** days may be granted.

(b) Type **II and** III Land Use Reviews: Upon receipt of a Type **II or** III land use application~~/review~~ and necessary accompanying data, each referral agency shall make an investigation and submit a written report within fifteen ~~working~~ **calendar** days, and forward same to the Planning Department, clearly specifying any recommended conditions for development or approval.

***

Section 4. Section 10.120 of the Medford Code is amended to read as follows:

10.120 Due Process.
Each of the procedural types outlined in Section 10.106 are subject to specific due process and administrative requirements which are outlined below in Table 10.120-1 for each land use application.

///

Table 10.120-1. Due Process Elements by Procedure Type

Due Process Element	Land Use Procedure Type			
	Type I	Type II	Type III	Type IV
1. Completeness Review		✓	✓	✓
2. Notification		✓	✓	✓
3. Disclosure		~~✓~~	✓	✓
4. Conflict of Interest			✓	✓
5. Public Hearing			✓	✓
6. Cross-Examination			✓	✓
7. Action, Decision Time and Notice of Decision		✓	✓	✓
8. Findings of Fact		✓	✓	✓
9. Record		✓	✓	✓

Section 5. Section 10.124 of the Medford Code is amended to read as follows:

10.124 Due Process Element 2: Notification.

***

(B) Public Hearing Signs. On-Site Posting. Public hearing signs shall be posted on the project site for any proposed Type ~~II,~~ III~~,~~ or IV (minor) land use actions according to the following:

***

(C) Notification, Affected Property Owners.

(1) Notice of Type II Land Use Action. In the case of Type II land use actions where there is no public hearing, notification shall be mailed to the applicant and all affected property owners within ~~10 working~~ **14 calendar** days of deeming an application complete pursuant to Section 10.122.

***

~~(d) Notice of Decision, Type II. Upon reaching a final decision on the application, the Planning Director shall mail a copy of the decision to the applicant and any person who submits comments during the public comment period. The Planning Director shall also mail notice of the decision in writing to parties who were notified of the comment period in Subsection (C.1.b) of this Section.~~

~~(e) Notice of Decision Content, Type II. The content of the notice of decision shall:~~

~~(i) A description of the applicant's proposal and a summary of the City's decision on the proposal.~~

~~(ii) Identify the street address or other easily understandable geographical reference of the location of the site.~~

~~(iii) Identify a statement of where the City's decision can be obtained and contact information.~~

~~(iv) Include a statement that all persons entitled to notice may appeal the decision.~~

~~(v) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice in Subsection (C.1.b) above, and anyone who provides written comments during the comment period may appeal the decision by filing an appeal in accordance with this Code within 14 days of the date the written notice of decision is mailed.~~

~~(vi) State that copies of all evidence relied upon by the decision maker are available for review at no cost, and that copies can be obtained at reasonable cost from the City.~~

~~(vii) State the decision will not become final until the period for filing a local appeal has expired.~~

~~(viii) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.~~

~~(f) Final Decision and Effective Date, Type II. The effective date of the final decision shall be 14 calendar days following the date the notice of decision is mailed, unless appealed, in which case the decision is effective when the appeal is decided.~~

~~(g) Appeal, Type II. A final decision may be appealed to the Planning Commission as provided in Section 10.140 of this Code.~~

***

Table 10.124-1: Notice of Public Hearing Schedule by Procedure Type			
Procedure Type	Newspaper Publication	On-Site Public Hearing Sign	Affected Property Owners Notice
Type I	None	None	None
Type II	None	None	Within ~~10 working~~ **14 calendar** days of deeming an application complete, notice will be sent to all property owners within 200 feet of the project boundaries.

***

Section 6. Section 10.134 of the Medford Code is amended to read as follows:

10.134 Due Process Element 7: Action, Decision Time, and Notice of Decision.

(A) Action. After acceptance of an application, the approving authority shall approve, approve with conditions, or deny the request. The decision of the approving authority shall be based upon the application, the evidence and comments from referral agencies and the public, and compliance with this chapter.

(B) Decision Time. Action on all land use reviews shall be taken within the time herein prescribed.

(C) Notice of Decision**, Type III/IV**. ~~For all land use reviews,~~ **T**~~t~~he Planning Department shall,

within five working days of the decision date, provide written notification of the land use decision to the applicant and all persons who testify orally or in writing on the land use review. The notice shall indicate the date that the decision will take effect, the approval's expiration date, and the final date for appeal.

(D) Notice of Decision, Type II. Within three working days of a final decision on the application, the Planning Director shall mail a copy of the decision to the applicant and any person who submits comments during the public comment period. The Planning Director shall also mail notice of the decision in writing to parties who were notified of the comment period in Section 10.124(C)(1)(b).

(1) Notice of Decision Content, Type II. The content of the notice of decision shall:

(a) Include a description of the applicant's proposal and summary of the City's decision on the proposal.

(b) Identify the street address or other easily understandable geographical reference of the location of the site.

(c) Identify a statement of where the City's decision can be obtained and contact information.

(d) Include a statement that all persons entitled to notice may appeal the decision.

(e) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice in Section 10.124(C)(1)(b), and anyone who provides written comments during the comment period may appeal the decision by filing an appeal in accordance with this Code within 14 days of the date the written notice of decision is mailed.

(f) State that copies of all evidence relied upon by the decision-maker are available for review at no cost, and that copies can be obtained at reasonable cost from the City.

(g) State the decision will not become final until the period for filing a local appeal has expired.

(h) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(2) Final Decision and Effective Date, Type II. The effective date of the final decision shall be 14 calendar days following the date the notice of decision is mailed, unless appealed, in which case the decision is effective when the appeal is decided.

(3) Appeal, Type II. A final decision may be appealed to the Planning Commission as provided in Section 10.140 of this Code.

Section 7. Section 10.185 of the Medford Code is amended to read as follows:

10.185 Park Development Review.

In order to ensure a harmonious transition between parkland and surrounding uses, a Park Development Review is required for new and expanded parks, trails, and paths within the Public Parks zone. All park facilities, including paths and trails within the Public Parks zone, previously approved under a Conditional Use Permit are subject to the Park Development Review process as

described in this section ~~for any major modification (as defined below) to the prior CUP~~.
***

(E) Park Development Review Application Form

An application for a Park Development Review shall contain the following:

(1) Vicinity map drawn at a scale of 1" = 1,000' identifying the location of the proposed site.

(2) Assessor's map with subject site identified.

(3) Site plan drawn to scale on an eighteen inch by twenty-four inch (18" x 24") sheet. The site plan shall identify all existing and proposed buildings, parking, drives, vegetation and/or landscaping, and adjacent development.

(4) Property owner's and agent's (if any) names, addresses, and map and tax lot numbers of property within 200 feet of the subject site, typed on mailing labels.

(5) Findings prepared by the applicant or his/her representative addressing the criteria set forth in Section 10.185 (A), Park Development Review Criteria.

(6) A conceptual stormwater facility plan with associated landscape plan, if applicable, pursuant to Sections 10.486(B) or 10.729(B).

(7) A Landscape Plan, drawn to scale, showing existing and proposed landscaping.

Section 8. Section 10.198 of the Medford Code is amended to read as follows:

10.198 Revision ~~of~~ **or** Termination of a PUD.
***

Section 9. Section 10.204 of the Medford Code is amended to read as follows:

10.204 Zone Change.
***

(B) Zone Change Approval Criteria.

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) ~~and (2)~~ **through (3)** below:
***

(b) For zone changes to ~~SFR-6 or~~ SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:

(i) At least one parcel that abuts the subject property is zoned ~~the same as the proposed zone, either SFR-6 or~~ SFR-10 ~~respectively~~; or

***

///

///

///

Section 10. Section 10.314 of the Medford Code is amended to read as follows:

10.314 Permitted Uses in Residential Land Use Classification.

***

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
5. GROUP QUARTERS									
(a) Boarding/Lodging House (1-2 guest rooms)	P	P	P	P	P	P	P	P	
(3-5 guest rooms) (owner occupied)	C	C	C	C	C	P	P	P	
(b) Retirement or Congregate Living Facility	X	X	X	X	X	Ps	Ps	Ps	10.838
(c) Nursing Home/Long Term Care Facility	X	X	X	X	X	P	P	P	
(d) Residential Facility (6 to 15 Residents)	Ps	Ps	Ps	Ps	Ps	P	P	P	10.836
(e) Residential Facility (16 or more Residents)	**X**	**X**	**X**	**X**	**X**	**Ps**	**Ps**	**Ps**	**10.836**
(ef) Halfway Homes for Delinquents; Juvenile Correctional Homes, Residential Training Schools for Delinquents (6 to 15 Residents)	X	X	X	X	X	P	P	P	
(fg) Residential Drug and Alcohol Treatment Facility (16 or More Residents)	X	X	X	X	X	C	C	C	

***

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///

Section 11. Section 10.334 of the Medford Code is amended to read as follows:

10.334 Uses Permitted in the Public Parks Zone.
***
Uses Permitted in the Public Parks Zoning District

SIC #	Description of Use	Allowance Type	Additional Regulations/ Land Use Requirement
002	Public Parks, Recreation and Leisure Facilities and Services	P	PDR
0279	Beekeeping	Ps	The special use for beekeeping corresponds with Section 10.813
431	U S Postal Service	P	SPAC
481	Wireless Communication Support Structure / **Wireless Communication Facilities in the Public Right of Way**	Cs	The special use references for Wireless Communication Support Structure and Wireless Communication Facilities, other than Support Structure, correspond with special uses 10.824
	Wireless Communication Facilities, other than Support Structure	Ps	
6553	**Cemeteries**	**P**	**The special use reference for cemeteries corresponds with Section 10.815**

***

Section 12. Section 10.337 of the Medford Code is amended to read as follows:

10.337 Uses Permitted in Commercial and Industrial Zoning Districts.
***
83 SOCIAL SERVICES. This major group includes establishments providing social services and rehabilitation services to those persons with social or personal problems requiring special services and to the handicapped and disadvantaged.

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
832	Individual and Family Social Services	P	P	P	P	P	X	X	X
833	Job Training and Vocational Rehabilitation Services	P	P	P	P	P	P	P	X

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
835	Child Day Care Services	Ps	Ps	Ps	Ps	Ps	Ps	X	X
836	Residential Care (All kinds, including those with over 15 residents)	P	~~X~~ **P**	P	P	P	X	X	X
839	Social Services, nec	P	P	P	P	P	X	X	X

The special use reference for child day care services corresponds with section 10.811.
***

Section 13. Section 10.705 of the Medford Code is amended to read as follows:

10.705 Building Height and Side-Yard Determination.
** *

C. Determining Side-Yards for Detached Single-Family**,** ~~and~~ Duplex Dwellings**, and Townhomes**.

1) Side-yards are calculated using the building height measured at the adjacent contact ground level at the outside edges of the front wall of the building. The side-yard is measured from property line to the nearest vertical structural element (i.e. wall or post) of any area under roof cover.
***

Section 14. Section 10.708 of the Medford Code is amended to read as follows:

10.708 Residential Density.
***

A. Definitions.

When used in this Chapter in reference to the residential density calculations, the following terms shall have the meaning as herein assigned:

(1) Dwelling Unit (DU). The number of dwelling units permitted. Minimum **and Maximum** density is rounded to the nearest whole number (up for numbers 0.5 and greater, and down for numbers less than 0.5). ~~Maximum density is rounded down to the nearest whole number.~~

***

Section 15. Section 10.710 of the Medford Code is amended to read as follows:

10.710 Detached Single-Family Dwellings.
***

///

///

DETACHED SINGLE-FAMILY DWELLINGS One detached dwelling unit per lot.					
Development Standards	SFR-00	SFR-2	SFR-4	SFR-6	SFR-10
Minimum and Maximum Density Factor Range (See 10.708)	NA	0.8 to 2.0 dwelling units per gross acre	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre
Lot Area Range (Square Feet)	Land divisions not permitted in this zone	14,000 to 55,000	6,500 to 18,750	4,500 to 12,500	3,600 to 8,125
Maximum Coverage Factor (See 10.706)	40%	~~35~~40% of lot area	~~45~~50% of lot area can exceed ~~45~~50% when the building footprint is not more than 2,000 sq. ft.		50%
Minimum Interior Lot Width	NA	80 feet	60 feet	50 feet	40 feet
Minimum Corner Lot Width	NA	90 feet	70 feet	60 feet	50 feet
Minimum Lot Depth	NA	90 feet can count only half of an adjoining alley toward the lot depth			
Minimum Lot Frontage	NA	30 feet EXCEPT Flag Lots which shall be 20 feet			
Minimum Front Yard Building Setback	15 feet EXCEPT the garage shall be a minimum of 20 feet. If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet. (See Garage Setback Diagram).				
Minimum Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports				
Minimum Side Yard Building Setback	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23–26 feet building height 10 feet for 27– 30 feet building height 12 feet for 31 feet or taller building height				
Minimum Rear Yard Building Setback	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(C), and not less than 4 feet. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet.				
Maximum Height (See 10.705)	35 feet				
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit				
A detached single-family dwelling as a stand alone use is permitted in the Multiple-Family Residential (MFR) zoning districts ONLY if the lot is nonconforming as to minimum lot area, width, or depth. **A detached single-family dwelling is permitted in the Industrial zones as a caretakers residence per Section 10.835.**					
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.					

***

Section 16. Section 10.712 of the Medford Code is amended to read as follows:

10.712 Townhouse Dwellings.

***

TOWNHOUSE DWELLINGS Three or more attached dwelling units, with each unit on a separate tax lot, occupying the interior space from ground to roof, and having direct access to individual private outdoor space.			
Development Standards	SFR-10	MFR-15	MFR-20
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre
Lot Area Range (Square Feet)	3,250 to 8,125	2,500 to 4,500	1,800 to 3,000
Maximum Coverage Factor (See 10.706)	~~40~~**50%**		
Minimum Interior Lot Width	25 feet	20 feet	
Minimum Corner Lot Width	35 feet	30 feet	
Minimum Lot Depth	90 feet	90 feet	
Minimum Lot Frontage	25 feet	20 feet	
Minimum Front Yard Building Setback	15 feet * EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Street Side Yard Building Setback	10 feet * EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Side Yard Building Setback **(side not attached to a building)**	**4 feet for 0–18 feet building height** **6 feet for 19–22 feet building height** **8 feet for 23–26 feet building height** **10 feet for 27– 30 feet building height** **12 feet for 31 feet or taller building height** ~~10 feet *~~		
Minimum Rear Yard Building Setback	10 feet *	10 feet *	
Maximum Height (See 10.705)	35 feet		
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit		
* Those portions of any townhouse dwelling located within 20 feet of any property line common with property containing single-family zoning shall not exceed one story.			
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.			

Section 17. Section 10.713 of the Medford Code is amended to read as follows:

10.713 Duplex Dwellings.

***

DUPLEX DWELLINGS Two attached dwelling units on an individual lot or divided by a lot-line.						
DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
Special Standards	A duplex SHALL be divided by a lot-line ~~AND be on a corner lot~~.	A duplex SHALL be divided by a lot-line.	A duplex need not be divided by a lot-line. A duplex is permitted on a lot if it meets the density calculation.	**One or more duplexes are permitted on a single site when density is met.** ~~A duplex is permitted on lots between 5,000 and 12,500 square feet in size.~~		
Minimum and Maximum Density Factor Range (See 10.708)	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Lot Area Range (Square Feet)	8,500 to 18,750 each half	6,000 to 12,500 each half	6,000* to 12,500*	5,000* to 12,500*		
Maximum Coverage Factor (See 10.706)	~~45~~50%		50%			
Minimum Interior Lot Width	75 feet each half	60 feet each half	50 feet*			
***						

Section 18. Section 10.714 of the Medford Code is amended to read as follows:

10.714 Multiple-Family Dwellings.

***

MULTIPLE-FAMILY DWELLINGS Three or more attached dwelling units.				
Development Standards	SFR-10	MFR-15	MFR-20	MFR-30
Special Standards	Multiple-family dwellings in SFR-10 are permitted ONLY if the units can be individually owned			

MULTIPLE-FAMILY DWELLINGS Three or more attached dwelling units.				
Development Standards	SFR-10	MFR-15	MFR-20	MFR-30
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Minimum Lot Area (Square Feet)	15,000	9,000	8,000	
Maximum Coverage Factor (See 10.707)	~~40~~**50%**			50%
Minimum Interior Lot Width	80 feet			
***				

Section 19. Section 10.732 of the Medford Code is amended to read as follows:

10.732 Fencing of Lots.

***

(2) Fencing located in the side or rear yards (when not a through-lot) shall not exceed eight (8) feet in height. Height shall be measured as follows:

(a) In required yards abutting a street, it shall be the effective height measured from the finished grade on the side nearest the street.

(b) In other required yards, it shall be ~~the total effective height above the finished grade measured on the side nearest the abutting property~~ **measured from the highest adjacent finished ground level**.

***

Section 20. Section 10.797 of the Medford Code is amended to read as follows:

10.797 Street Frontage Landscaping Requirements.

***

(2) For all other street frontages the number of plants required for distances above or below one hundred (100) feet shall be prorated with the resulting numbers of plants rounded so that one-half or more shall be deemed to require a full plant. All required planting shall be located in the required yard area adjacent to the street**, or within the planter strip, or a combination of both.** ~~unless otherwise approved by the approving authority.~~

***

Section 21. Section 10.824 of the Medford Code is amended to read as follows:

10.824 Wireless Communication Facilities.
***
D. Conditional Use.
Approval of a Conditional Use Permit is required for new Wireless Communication Support Structures (as defined in Section 10.012), and Wireless Communication Facilities within the public right-of-way (ROW) in residential zones **or Public Parks zones** (as outlined in Section 10.824(G), subject to the Conditional Use Permit procedural requirements of Section 10.184.
***
G. Public Right-of-Way.
Applications for Wireless Communication Facilities within the public right-of-way (ROW) shall be required to enter into a Franchise Agreement with the City, and to obtain a right-of-way permit from the Public Works Department. Such applications shall be approved by the Planning Director as a Type I Land Use Action if the facility is located within a commercial or industrial zone and it complies with all of the following design standards. Facilities located within residential **or Public Parks** zones, and/or facilities that do not comply with the design standards are subject to approval of a Conditional Use Permit pursuant to Section 10.824(D).
***

Section 22. Section 10.1160 of the Medford Code is amended to read as follows:

10.1160 Signs in the Public Parks (P-1) Zoning District: Basic Regulations.
***
(2) Wall Signs (non-illuminated):
(a) Maximum Square Footage: ~~60 square feet per sign~~ **The aggregate area of all signs shall not exceed one square foot for each linear foot of building frontage.**
***

PASSED by the Council and signed by me in authentication of its passage this ____ day of _____, 2018.

ATTEST: _____ _____
City Recorder Mayor

APPROVED _____, 2018. _____
Mayor

NOTE: Matter in **bold** is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (* * *) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.

COUNCIL REPORT

for a Type IV legislative decision: Development Code Amendment

Project	Housing & Housekeeping
File no.	DCA-18-118
To	Mayor & City Council *for the 12/06/2018 hearing*
From	Planning Commission via Sarah Sousa, Planner IV, Long-Range Planning
Reviewer	Carla Angeli Paladino, Principal Planner
Date	November 29, 2018

BACKGROUND

Proposal

Amendments to Chapter 10 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density.

Authority

The amendments will be reviewed as a Type IV Legislative Development Code Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Municipal Code under Medford Municipal Code Section 10.214 and 10.218.

History

The Planning Department regularly brings text amendments forward on sections of Chapter 10 that need clarification or correction. This is done in order to fix errors and also to better explain code requirements.

The housekeeping changes proposed are mostly needed due to recent code amendments. Since the adoption of the Article II reconfiguration in June, some minor errors or clarifications were found. Examples include 1) the requirement for public hearing sign posting is not needed for Type II applications and 2) the wrong code section is referenced for minor modifications. Another recently adopted code amendment, the Public Parks zoning, created a new application type called the Park Development Review. However, the amendment did not include the submittal requirements for this new review.

Other than the housekeeping updates, minor changes are proposed in regards to density and housing. Some of these changes are recommendations the Housing Advisory Committee made to the City Council. In February of this year, the City Council directed staff to begin working on those recommendations that help to promote housing and remove barriers.

OVERVIEW

The proposed project includes twenty-five minor changes. Exhibit B includes a complete list of the amendments including a description, code section, and type of change. The minor revisions to encourage development more types of housing are bulleted below:

- Equalizing lot coverage for all residential zones to 50 percent with the exception of the SFR-00 and SFR-2 zones, to be increased to 40 percent
- Allowing structures built as single family homes to convert back and forth from residential to commercial uses in the commercial zones
  Note: The Planning Commission recommended removing the above amendment, staff recommends keeping it.
- Removing the locational requirement for zone changes to the Single Family Residential – 6 dwelling units per gross acre zone
- Allowing townhomes the same setbacks as single family detached homes
- Revising the maximum density calculation to round up if .5 or greater
- Eliminating the restriction that duplexes must be on a corner lot in the Single Family Residential – 4 dwelling units per gross acre (SFR-4) zone
- Clarifying that more than one duplex is permitted on a lot zoned multi-family
- Removing restrictions prohibiting residential care facilities for 15+ individuals in the multi-family zones and the Neighborhood Commercial zone

Other non-housekeeping changes proposed are listed below:

- Changing referral agency review time for Type IV applications from 30 working days to 30 calendar days
- Changing Type II action notification from 10 working days to 14 calendar days
- Adding cemeteries as permitted uses in the Public Parks zone
- Clarifying that wireless communication facilities in the right-of-way within the Public Parks zone require a conditional use permit
- Adding a note to the residential standards table about allowance for caretakers residence in industrial zones
- Changing the way fencing height is measured
- Clarifying that landscaping in the planter strip can count toward required frontage landscaping

PLANNING COMMISSION HEARING

The proposed amendments were discussed at the Planning Commission meeting on October 25, 2018. The commission supported the proposed changes with two revisions. First, the commission recommended increasing the lot coverage allowance in the SFR-2 zone to 40 percent to be consistent with the SFR-00 zone. The proposed amendments did not include an increase of lot coverage for this zone, which is currently at 35 percent. Staff supports this change.

The commission also recommended the removal of the amendment to allow structures built as single family homes in the commercial zones to be converted back and forth between commercial and residential uses. The commission's concern was that the City should uphold the zoning and not allow the continuation of non-conforming uses.

However, there are areas within the city that were developed as single family neighborhoods that were subsequently zoned for commercial uses. Examples of this include sections of East Main Street, Hawthorne Street, and Genesee Street. Under the current code, once these homes are converted to commercial uses, they are not permitted to convert back to residential uses. The buildings, which were constructed as single family homes, are not always ideal for commercial uses and are often located on narrow, relatively deep residential lots. Such properties face a kind of development limbo where they are regulated according to a use that they are often unable to accommodate. Ideally, these circumstances would be resolved as portions of neighborhoods are redeveloped and transition toward the intended development pattern. Unfortunately, this often requires coordinated assembly of several adjacent properties in order to make redevelopment economically feasible and to provide sufficient land for the new use (in this case commercial). The outcome is that buildings that have been constructed for residential occupancies cannot be occupied for that purpose—this at a time when housing is relatively scarce. Meanwhile, they meet the needs of a much smaller portion of commercial users than does a building developed for that particular market.

Staff encourages the council to consider keeping this provision. This was a recommendation from the Housing Advisory Committee, it is often requested from property owners with these types of buildings. Since the restriction prevents these commercial buildings from being converted back to residential, some of these properties remain vacant once a commercial use is no longer viable. With strong demand for housing, these buildings would be less likely to remain vacant if the city allowed them to convert back to residential use with a building permit.

Not only does this amendment help to reduce vacancy, it also offers live-work opportunities for those who might want to use the majority of the building for a residence and also use a smaller portion of the building for a commercial use. Many of these buildings would require only minor modifications to convert back and forth, especially once the ADA (Americans Disabilities Act) upgrades and parking requirements have been met for commercial uses. These buildings retain much of their residential character and are generally on smaller lots, which precludes them from be redeveloped many of the more intensive commercial uses, making them more compatible for adjacent residential uses.

FINDINGS AND CONCLUSIONS

Applicable criteria

The applicable criteria that apply to code amendments are in Medford Municipal Code Section 10.218. The criteria are set in *italics* below; findings and conclusions are in roman type.

Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

Section 10.218. (A) Explanation of the public benefit of the amendment.

Findings

The City has been looking at ways in which to increase housing in Medford. Last year the City Council formed a temporary Housing Advisory Committee (HAC) to advise it

on measures the City could take to promote housing through changes to regulatory policies and the development of economic incentive programs. The HAC's recommendations were forwarded to City Council for consideration in February 2018. The Council directed staff to begin working on those recommendations.

The proposed Development Code changes promote a greater housing choice and larger overall inventory by 1) revising the way maximum density is calculated; 2) allowing residential care facilities of 15 or more residents in the multi-family zones and the Neighborhood Commercial zone; 3) removing the locational criteria for zone changes to SFR-6 (Single Family Residential – 6 dwelling units per gross acre); and 4) allowing conversion of single family homes in commercial zones to convert back and forth between residential and commercial uses.

The proposed housekeeping changes help to clarify and improve usability of the existing Development Code. Examples of this include correction of errors that occurred when Article II was reconfigured and the Public Parks zone was adopted. In addition to a few corrections, changes are proposed to make regulations more consistent and predictable as allowing townhomes the same setbacks as single family detached homes.

A few clarifications are proposed as well to help the public and staff better administer the Land Development Code. For example, the proposed amendment provides a new method for determining allowable fence height. This is currently measured from the side of the "abutting property," which assumes the property owner on one side built the fence. The proposed measurement is from the highest adjacent finished ground level. Another provision clarifies how street frontage landscaping requirements may be met. Previously, this allowance was vague in regards to how much landscaping can be counted within the planter strip. The proposal would allow all required plantings to be within the required yard adjacent to the street, or within the park strip, or a combination of both. As long as the total number of trees, plants, and groundcover is met, it can be accomplished in one or both areas.

Conclusions

The proposed changes help to make modest incremental changes in density and remove barriers to provide additional housing in Medford. The housekeeping changes serve to correct errors and better clarify regulations which make administering and understanding the code easier and clearer for staff and the general public. This criterion is found to be satisfied.

10.218. (B) The justification for the amendment with respect to the following factors:

1. *Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.*

Findings

The amendment relates to the goals and policies found in the Regional Plan Element, specifically Goal 1 which is to: Manage future growth for the greater public good.

Goal 1(c)

- The Region's overall urban housing densities shall be increased to provide for more efficient land use utilization.

The proposed amendments relate to increasing density within the City. SFR-6 is commonly sought after by residential developers. Removing the locational criteria for SFR-6 zoning will make this zone more accessible. Also, changing the procedure for calculating maximum density will incrementally help to increase density.

The amendment also relates to the goals and policies found in the Housing Element, specifically Policy 1.

Policy 1-C

Assess policies, regulations, and standards affecting residential development and pursue amendments as needed to meet Policy 1. Assess factors such as:

(a) Residential development standards;
(c) Standards applicable to group and modified housing units;

The amendment proposes to change residential standards to make more housing types more feasible by increasing lot coverage in the residential zones, standardizing setbacks for all housing types, and removing restrictions that require duplexes in the SFR-4 zone to be located on a corner lot. In regards to revising standards applicable to group housing units, this amendment would allow residential care facilities for 15 or more individuals to locate in the multi-family zones and within the Neighborhood Commercial zone.

Conclusions

The amendments are relevant to the Regional Plan goals and policies as well as the Housing Element. This criterion is found to be satisfied.

2. *Comments from applicable referral agencies regarding applicable statutes or regulations.*

Findings

The proposed development code amendment was distributed to internal and external agencies for review and comments in September 2018. The Public Works, Building, and Fire Departments provided official "no comments" for the record (See Exhibits C-E). No written comments were received on the proposed changes.

Conclusions

Opportunities for comments were provided to applicable referral agencies and no comments were received regarding the amendments. This criterion is found to be satisfied.

3. *Public comments.*

Findings

On October 3, 2018, information related to this amendment was made available to a City-formed group (Technical Advisory Committee) reviewing potential housing updates through a Technical Assistance Grant. The amendments under review were also discussed at a Planning Commission Study Session on October 8, 2018 and a Planning Commission hearing on October 25, 2018.

Since the Planning Commission hearing, one letter was submitted by a property owner of 712 E. Jackson Street. The owner is in favor of the proposed amendment to allow structures built as single family homes to convert between residential and commercial uses in the commercial zones (Exhibit H).

Conclusions

The amendments have been made available for public review and comments through a public meeting (Planning Commission study session and hearing). Also, members of the development community have been informed of the amendments at a Technical Advisory Committee meeting. This criterion is found to be satisfied.

4. *Applicable governmental agreements.*

Findings

There are no governmental agreements that apply to the proposed code amendments.

Conclusions

This criterion is not applicable to this amendment.

PLANNING COMMISSION'S RECOMMENDED ACTION

The Planning Commission recommends adopting the proposed amendments based on the findings and conclusions in the Council Report dated November 29, 2018, including Exhibits A-H, with the following changes:

1) Increase the lot coverage allowance for the SFR-2 zones to 40 percent; and
2) Remove the amendment allowing structures built as single family homes to convert between residential and commercial uses in the commercial zones.

The proposed ordinance includes #2 above.

EXHIBITS

A Draft code amendment text
B Code Amendments Table
C Public Works Memo received October 10, 2018
D Building Department Memo received October 10, 2018
E Fire Department Memo received October 10, 2018

F Planning Commission Study Session Minutes from October 8, 2018
G Planning Commission Meeting Minutes Excerpt from October 25, 2018
H Letter from Bradley Maloof received October 30, 2018

CITY COUNCIL AGENDA: DECEMBER 6, 2018

Housing & Housekeeping Amendment (DCA-18-118)

(Blue lettering = proposed addition / Red strikeout = words to be removed)

Article I

10.033 **Continuation of Nonconforming Development**.

Except as otherwise provided in Sections 10.034, Criteria for Nonconformity Expansion or Change through 10.037, Completion of Nonconforming Development, a legal nonconforming structure or use may continue but shall only be changed, while continuing to be nonconforming, as authorized by this chapter.

(1) A structure that is legal nonconforming because of a failure to comply with a requirement of

Articles IV, V, or VI may be altered or reconstructed if the Planning Director finds that the alteration or reconstruction will not result in an aggravation of the nonconformity. A structure that is legal nonconforming because of a public facility deficiency may only be further developed upon meeting the other requirements of this chapter and after provisions have been made to correct the public facility deficiency or to assure that the applicant will meet the pro rata share of the responsibility for correcting the deficiency when the correction takes place.

(2) A structure in any commercial zone that was originally built as a single family home may be converted to a permitted commercial use and then converted back to its original residential use subject to the requirements of the Building Code.

(~~2~~3) A single-family residential structure that is legal nonconforming because of a failure to comply with the permitted or conditional uses in Article III may be reconstructed, as it was, if destroyed as in 10.036(2). The new structure may be altered from the original floor plan or design if the Planning Director finds that the alteration will not result in an aggravation of a nonconformity and is otherwise consistent with items ~~3~~4 through ~~5~~6 that follow.

(~~3~~4) Subject to approval by the approving authority (Planning Commission) as a conditional use, a legal nonconforming use may be expanded or changed to serve another use, with the exception that the maximum amount of special relief that can be given is as follows:

(a) The floor area of a building shall not be increased by more than 20 percent.

(b) The land area covered by structures shall not be increased by more than 10 percent.

(~~4~~5) The entire contiguous ownership of land shall be considered as a single parcel for determination of nonconformity as a consideration for approval of any further development or change in use. A record of separate lot or parcel boundaries shall be disregarded.

(~~5~~6) A lot of record, or a parcel of land for which a deed or other instrument dividing the land was recorded with Jackson County prior to May 5, 1980, which has an area or dimension less than

required by this code, shall be considered legal nonconforming and may be developed and occupied by a permitted use subject to compliance with the minimum standards of this code.

(~~6~~7) The taking by eminent domain action of a portion of an existing legal nonconforming lot shall not affect the legal right of the owner to use the remainder of such lot in any manner that would have been legal prior to the taking.

(~~7~~8) If, by the taking by eminent domain action of a portion of a lot, which includes a legal non-conforming sign(s), said sign(s) may be moved to another location on the remaining portion of the lot, as permitted by the Planning Director (or designee), with the signs retaining their legal nonconforming status. Such relocated sign shall otherwise be in conformance with all standards of the Land Development Code.

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedura l Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Minor Modification to a Site Plan & Architectural Review Approval	I	10.200(H)(2)	Planning Director	No
Major Modification to an Approved Conditional Use Permit	III	10.184(D)(1)	Planning Commission	Yes
Minor Modification to an Approved Conditional Use Permit	I	~~10.814(D)(2)~~ 10.184(E)(2)	Planning Director	No

Article II

10.112 **Referral Agencies.**

(D) Referral Agency Action and Decision Time.

(1) After deeming an application complete per Section 10.122, the Planning Department shall transmit one copy of the proposed legislation, or land use permit application, and necessary accompanying data for review and comment to any governmental agency or private entity that is entitled to notice per the Planning Department's Distribution Schedule.

(a) Type IV Land Use Reviews: Referral agencies shall have thirty ~~working~~ calendar days to submit comments on all Type IV land use applications/reviews. If the referral agency does not comment~~s~~ within thirty ~~working~~ calendar days, then the referral agency is assumed to have no comment. If requested in writing, by a referral agency, an extension of thirty ~~working~~ calendar days may be granted.

(b) Type II and III Land Use Reviews: Upon receipt of a Type II or III land use application~~/review~~ and necessary accompanying data, each referral agency shall make an investigation and submit a written report within fifteen ~~working~~ calendar days, and forward same to the Planning Department, clearly specifying any recommended conditions for development or approval.

10.120 **Due Process.**

Each of the procedural types outlined in Section 10.106 are subject to specific due process and administrative requirements which are outlined below in Table 10.120-1 for each land use application.

Table 10.120-1. Due Process Elements by Procedure Type

Due Process Element	Land Use Procedure Type			
	Type I	Type II	Type III	Type IV
1. Completeness Review		✓	✓	✓
2. Notification		✓	✓	✓
3. Disclosure		~~✓~~	✓	✓
4. Conflict of Interest			✓	✓
5. Public Hearing			✓	✓
6. Cross-Examination			✓	✓
7. Action, Decision Time and Notice of Decision		✓	✓	✓
8. Findings of Fact		✓	✓	✓
9. Record		✓	✓	✓

10.124 **Due Process Element 2: Notification.**

(B) Public Hearing Signs. On-Site Posting. Public hearing signs shall be posted on the project site for any proposed Type ~~II,~~ III~~,~~ or IV (minor) land use actions according to the following:

(C) Notification, Affected Property Owners.

(1) Notice of Type II Land Use Action. In the case of Type II land use actions where there is no public hearing, notification shall be mailed to the applicant and all affected property owners within ~~10 working~~ 14 calendar days of deeming an application complete pursuant to Section 10.122.

~~(d) Notice of Decision, Type II. Upon reaching a final decision on the application, the Planning Director shall mail a copy of the decision to the applicant and any person who submits comments during the public comment period. The Planning Director shall also mail notice of the decision in writing to parties who were notified of the comment period in Subsection (C.1.b) of this Section.~~

~~(e) Notice of Decision Content, Type II. The content of the notice of decision shall:~~

~~(i) A description of the applicant's proposal and a summary of the City's decision on the proposal.~~

~~(ii) Identify the street address or other easily understandable geographical reference of the location of the site.~~

~~(iii) Identify a statement of where the City's decision can be obtained and contact information.~~

~~(iv) Include a statement that all persons entitled to notice may appeal the decision.~~

~~(v) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice in Subsection (C.1.b) above, and anyone who provides written comments during the comment period may appeal the decision by filing an appeal in accordance with this Code within 14 days of the date the written notice of decision is mailed.~~

~~(vi) State that copies of all evidence relied upon by the decision-maker are available for review at no cost, and that copies can be obtained at reasonable cost from the City.~~

~~(vii) State the decision will not become final until the period for filing a local appeal has expired.~~

~~(viii) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.~~

~~(f) Final Decision and Effective Date, Type II. The effective date of the final decision shall be 14 calendar days following the date the notice of decision is mailed, unless appealed, in which case the decision is effective when the appeal is decided.~~

~~(g) Appeal, Type II. A final decision may be appealed to the Planning Commission as provided in Section 10.140 of this Code.~~

Table 10.124-1: Notice of Public Hearing Schedule by Procedure Type			
Procedure Type	Newspaper Publication	On-Site Public Hearing Sign	Affected Property Owners Notice
Type I	None	None	None
Type II	None	None	Within ~~10 working~~ 14 calendar days of deeming an application complete, notice will be sent to all property owners within 200 feet of the project boundaries.

10.134 **Due Process Element 7: Action, Decision Time, and Notice of Decision.**

(A) Action. After acceptance of an application, the approving authority shall approve, approve with conditions, or deny the request. The decision of the approving authority shall be based upon the application, the evidence and comments from referral agencies and the public, and compliance with this chapter.

(B) Decision Time. Action on all land use reviews shall be taken within the time herein prescribed.

(C) Notice of Decision~~.~~, Type III/IV. ~~For all Type III/IV land use reviews,~~ The Planning Department shall, within five working days of the decision date, provide written notification of the land use decision to the applicant and all persons who testify orally or in writing on the land use review. The notice shall indicate the date that the decision will take effect, the approval's expiration date, and the final date for appeal.

(D) Notice of Decision, Type II. Within three working days of a final decision on the application, the Planning Director shall mail a copy of the decision to the applicant and any person who submits comments during the public comment period. The Planning Director shall also mail notice of the decision in writing to parties who were notified of the comment period in Section 10.124(C)(1)(b).

(1) Notice of Decision Content, Type II. The content of the notice of decision shall:

(a) Include a description of the applicant's proposal and summary of the City's decision on the proposal.

(b) Identify the street address or other easily understandable geographical reference of the location of the site.

(c) Identify a statement of where the City's decision can be obtained and contact information.

(d) Include a statement that all persons entitled to notice may appeal the decision.

(e) State that any person who is adversely affected or aggrieved, anyone who is entitled to written notice in Section 10.124(C)(1)(b), and anyone who provides written comments during the comment period may appeal the decision by filing an appeal in accordance with this Code within 14 days of the date the written notice of decision is mailed.

(f) State that copies of all evidence relied upon by the decision-maker are available for review at no cost, and that copies can be obtained at reasonable cost from the City.

(g) State the decision will not become final until the period for filing a local appeal has expired.

(h) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

(2) Final Decision and Effective Date, Type II. The effective date of the final decision shall be 14 calendar days following the date the notice of decision is mailed, unless appealed, in which case the decision is effective when the appeal is decided.

(3) Appeal, Type II. A final decision may be appealed to the Planning Commission as provided in Section 10.140 of this Code.

10.185 **Park Development Review.**

In order to ensure a harmonious transition between parkland and surrounding uses, a Park Development Review is required for new and expanded parks, trails, and paths within the Public Parks zone. All park facilities, including paths and trails within the Public Parks zone, previously approved under a Conditional Use Permit are subject to the Park Development Review process as described in this section ~~for any major modification (as defined below) to the prior CUP~~.

(E) Park Development Review Application Form

An application for a Park Development Review shall contain the following:

(1) Vicinity map drawn at a scale of l" = 1,000' identifying the location of the proposed site.

(2) Assessor's map with subject site identified.

(3) Site plan drawn to scale on an eighteen inch by twenty-four inch (18" x 24") sheet. Site plan shall identify all existing and proposed buildings, parking, drives, vegetation or landscaping, adjacent development.

(4) Property owner's (and agent's) names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.

(5) Findings prepared by the applicant or his/her representative addressing the criteria set forth in Section 10.185 (A), Park Development Review Criteria.

(6) A conceptual stormwater facility plan with associated landscape plan, if applicable, pursuant to Sections 10.486(B) or 10.729(B).

(7) A Landscape Plan, drawn to scale, showing existing and proposed landscaping.

10.198 **Revision ~~of~~ or Termination of a PUD.**

* * *

10.204 **Zone Change.**

(B) Zone Change Approval Criteria.

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) ~~and (2)~~ through (3) below:

* * *

(b) For zone changes to ~~SFR-6 or~~ SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:

(i) At least one parcel that abuts the subject property is zoned ~~the same as the proposed zone, either SFR-6 or~~ SFR-10 ~~respectively~~; or

(ii) The area to be re-zoned is five acres or larger; or

(iii) The subject property, and any abutting parcel(s) that is (are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five acres.

10.314 **Permitted Uses in Residential Land Use Classification.**

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
5. GROUP QUARTERS									
(a) Boarding/Lodging House (1-2 guest rooms)	P	P	P	P	P	P	P	P	
(3-5 guest rooms) (owner occupied)	C	C	C	C	C	P	P	P	
(b) Retirement or Congregate Living Facility	X	X	X	X	X	Ps	Ps	Ps	10.838
(c) Nursing Home/Long Term Care Facility	X	X	X	X	X	P	P	P	
(d) Residential Facility (6 to 15 Residents)	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.836
(e) Residential Facility (16 or More Residents)	X	X	X	X	X	Ps	Ps	Ps	10.836
(e f) Halfway Homes for Delinquents; Juvenile Correctional Homes, Residential Training Schools for Delinquents (6 to 15 Residents)	X	X	X	X	X	P	P	P	
(f g) Residential Drug and Alcohol Treatment Facility (16 or More Residents)	X	X	X	X	X	C	C	C	

Article III

10.334 **Uses Permitted in the Public Parks Zoning District**

SIC #	Description of Use	Allowance Type	Additional Regulations/ Land Use Requirement
481	Wireless Communication Support Structure / Wireless Communication Facilities in the Public Right-of-Way	Cs	The special use references for Wireless Communication Support Structure and Wireless Communication Facilities, other than Support Structure, correspond with special uses 10.824
	Wireless Communication Facilities, other than Support Structure	Ps	
6553	Cemeteries	P	The special use reference for cemeteries corresponds with Section 10.815

10.337 **Uses Permitted in Commercial and Industrial Zoning Districts.**

* * *

83 SOCIAL SERVICES. This major group includes establishments providing social services and rehabilitation services to those persons with social or personal problems requiring special services and to the handicapped and disadvantaged.

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
832	Individual and Family Social Services	P	P	P	P	P	X	X	X
836	Residential Care (All kinds, including those with over 15 residents)	P	~~X~~P	P	P	P	X	X	X
839	Social Services, nec	P	P	P	P	P	X	X	X

Article V

10.705 **Building Height and Side-Yard Determination.**

C. Determining Side-Yards for Detached Single-Family, ~~and~~ Duplex Dwellings, and Townhomes.

1) Side-yards are calculated using the building height measured at the adjacent contact ground level at the outside edges of the front wall of the building. The side-yard is measured from property line to the nearest vertical structural element (i.e. wall or post) of any area under roof cover.

10.708 **Residential Density.**

The minimum and maximum number of dwelling units permitted shall be determined by multiplying the project's gross acreage, less non-development areas (NDAs), by the zoning district minimum and maximum density factor, consistent with A, B, and C below.

A. Definitions.

When used in this Chapter in reference to the residential density calculations, the following terms shall have the meaning as herein assigned:

(1) Dwelling Unit (DU). The number of dwelling units permitted. Minimum and Maximum density is rounded to the nearest whole number (up for numbers 0.5 and greater, and down for numbers less than 0.5). ~~Maximum density is rounded down to the nearest whole number.~~

10.710 **Detached Single-Family Dwellings.**

DETACHED SINGLE-FAMILY DWELLINGS One detached dwelling unit per lot.					
Development Standards	**SFR-00**	**SFR-2**	**SFR-4**	**SFR-6**	**SFR-10**
Minimum and Maximum Density Factor Range (See 10.708)	NA	0.8 to 2.0 dwelling units per gross acre	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre
Lot Area Range (Square Feet)	Land divisions not permitted in this zone	14,000 to 55,000	6,500 to 18,750	4,500 to 12,500	3,600 to 8,125
Maximum Coverage Factor (See 10.706)	40%	~~35%~~ 40 % of lot area	50% ~~45%~~ of lot area can exceed 50% ~~45%~~ when the building footprint is not more than 2,000 sq. ft.		50%
Minimum Interior Lot Width	NA	80 feet	60 feet	50 feet	40 feet
Minimum Corner Lot Width	NA	90 feet	70 feet	60 feet	50 feet
Minimum Lot Depth	NA	90 feet can count only half of an adjoining alley toward the lot depth			
Minimum Lot Frontage	NA	30 feet EXCEPT Flag Lots which shall be 20 feet			
Minimum Front Yard Building Setback	15 feet EXCEPT the garage shall be a minimum of 20 feet. If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet. (See Garage Setback Diagram).				
Minimum Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports				
Minimum Side Yard Building Setback	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23–26 feet building height 10 feet for 27– 30 feet building height 12 feet for 31 feet or taller building height				
Minimum Rear Yard Building Setback	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(C), and not less than 4 feet. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet.				
Maximum Height (See 10.705)	35 feet				
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit				
A detached single-family dwelling as a stand alone use is permitted in the Multiple-Family Residential (MFR) zoning districts ONLY if the lot is nonconforming as to minimum lot area, width, or depth. A detached single-family dwelling is permitted in the Industrial zones as a caretakers residence as per Section 10.835.					
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.					

10.712 **Townhouse Dwellings.**

TOWNHOUSE DWELLINGS Three or more attached dwelling units, with each unit on a separate tax lot, occupying the interior space from ground to roof, and having direct access to individual private outdoor space.			
Development Standards	**SFR-10**	**MFR-15**	**MFR-20**
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre
Lot Area Range (Square Feet)	3,250 to 8,125	2,500 to 4,500	1,800 to 3,000
Maximum Coverage Factor (See 10.706)	~~40%~~ 50%		
Minimum Interior Lot Width	25 feet	20 feet	
Minimum Corner Lot Width	35 feet	30 feet	
Minimum Lot Depth	90 feet	90 feet	
Minimum Lot Frontage	25 feet	20 feet	
Minimum Front Yard Building Setback	15 feet * EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Street Side Yard Building Setback	10 feet * EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Side Yard Building Setback (side not attached to a building)	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23–26 feet building height 10 feet for 27– 30 feet building height 12 feet for 31 feet or taller building height ~~10 feet~~ *		
Minimum Rear Yard Building Setback	10 feet *		
Maximum Height (See 10.705)	35 feet		
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit		
* Those portions of any townhouse dwelling located within 20 feet of any property line common with property containing single-family zoning shall not exceed one story.			
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.			

10.713 **Duplex Dwellings.**

DUPLEX DWELLINGS Two attached dwelling units on an individual lot or divided by a lot-line.						
DEVELOPMENT STANDARDS	**SFR-4**	**SFR-6**	**SFR-10**	**MFR-15**	**MFR-20**	**MFR-30**
Special Standards	A duplex SHALL be divided by a lot-line. ~~AND be on a corner lot.~~	A duplex SHALL be divided by a lot-line.	A duplex need not be divided by a lot-line. A duplex is permitted on a lot if it meets the density calculation.	One or more duplexes are permitted on a single site when density is met.~~A duplex is permitted on lots between 5,000 and 12,500 square feet in size.~~		
Minimum and Maximum Density Factor Range (See 10.708)	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Lot Area Range (Square Feet)	8,500 to 18,750 each half	6,000 to 12,500 each half	6,000* to 12,500*	5,000* to 12,500*		
Maximum Coverage Factor (See 10.706)	50%~~45%~~		50%			
Minimum Interior Lot Width	75 feet each half	60 feet each half	50 feet*			
Minimum Corner Lot Width	75 feet each half	60 feet each half	60 feet*			
Minimum Lot Depth	90 feet					
Minimum Lot Frontage	15 feet each half		30 feet*			
Minimum Front Yard Building Setback	15 feet EXCEPT the garage shall be a minimum of 20 feet. If the garage door is perpendicular to the street then the minimum setback to the side wall of the garage is 15 feet (see Garage Setback Diagram in Section 10.710					
Minimum Street Side Yard Building Setback	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports					
Minimum Side Yard Building Setback	4 feet for 0–18 feet building height 6 feet for 19–22 feet building height 8 feet for 23 –26 feet building height 10 feet for 27 –30 feet building height 12 feet for 31 feet or taller building height					
Minimum Rear Yard Building Setback	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(C), and not less than 4 feet. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet.					
Maximum Height (See 10.705)	35 feet					
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit					
Where the duplex is REQUIRED to be divided by a lot-line (SFR-4 and SFR-6), THEN the standards pertain to each half separately. For the other zoning districts, the * indicates standards that are divided in half IF the duplex is to be divided by a lot-line. Where the duplex is permitted without being divided by a lot-line, THEN two DETACHED dwelling units are permitted in lieu of the duplex.						
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.						

10.714 **Multiple-Family Dwellings.**

MULTIPLE-FAMILY DWELLINGS Three or more attached dwelling units.				
Development Standards	**SFR-10**	**MFR-15**	**MFR-20**	**MFR-30**
Special Standards	Multiple-family dwellings in SFR-10 are permitted ONLY if the units can be individually owned			
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Minimum Lot Area (Square Feet)	15,000	9,000	8,000	
Maximum Coverage Factor (See 10.707)	50%~~40%~~			50%
Minimum Interior Lot Width	80 feet			
Minimum Corner Lot Width	90 feet			
Minimum Lot Depth	120 feet	100 feet		
Minimum Lot Frontage	30 feet			
Minimum Front Yard Setback	20 feet * EXCEPT 15 feet IF vehicular access to the garage is parallel to the street			
Minimum Street Side Yard Setback	15 feet * EXCEPT 20 feet for vehicular entrances to garages or carports	10 feet * EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Side Yard Setback	10 feet *	4 feet PLUS 1/2 foot for each foot in building height over 15 feet *		
Minimum Rear Yard Setback	20 feet	4 feet PLUS 1/2 foot for each foot in building height over 15 feet EXCEPT 10 feet IF the rear property line abuts a collector or arterial street *		
Maximum Height (See 10.705)	35 feet			
Bufferyard Setback	8 feet from bufferyard to any doors on a dwelling unit			
• Those portions of any multiple-family dwelling located within 20 feet of any property line common with property containing single-family zoning shall not exceed one story.				
The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.				

10.732 **Fencing of Lots.**

(1) Fencing located within the front yard setback area of all zones, except the MFR zone, shall not exceed three (3) feet in height when measured from the grade of the street centerline. When within a MFR zone, a fence shall not exceed three (3) feet in height when located within ten (10) feet of a street right-of-way unless otherwise approved by the approving authority.

(2) Fencing located in the side or rear yards (when not a through-lot) shall not exceed eight (8) feet in height. Height shall be measured as follows:

(a) In required yards abutting a street, it shall be the effective height measured from the finished grade on the side nearest the street.

(b) In other required yards, it shall be ~~the total effective height above the finished grade measured on the side nearest the abutting property~~ measured from the highest adjacent finished ground level.

10.797 **Street Frontage Landscaping Requirements.**

(2) For all other street frontages the number of plants required for distances above or below one hundred (100) feet shall be prorated with the resulting numbers of plants rounded so that one-half or more shall be deemed to require a full plant. All required planting shall be located in the required yard area adjacent to the street, or within the planter strip, or a combination of both. ~~unless otherwise approved by the approving authority.~~

10.824 Wireless Communication Facilities.

* * *

D. Conditional Use.
Approval of a Conditional Use Permit is required for new Wireless Communication Support Structures (as defined in Section 10.012) and Wireless Communication Facilities within the public right-of-way (ROW) in residential or Public Parks zones (as outlined in Section 10.824(G), subject to the Conditional Use Permit procedural requirements of Section 10.184).

* * *

G. Public Right-of-Way.
Applications for Wireless Communication Facilities within the public right-of-way (ROW) shall be required to enter into a Franchise Agreement with the City, and to obtain a right-of-way permit from the Public Works Department. Such applications shall be approved by the Planning Director as a Type I Land Use Action if the facility is located within a commercial or industrial zone and it complies with all of the following design standards. Facilities located within residential or Public Parks zones, or facilities that do not comply with the design standards are subject to approval of a Conditional Use Permit pursuant to Section 10.824(D).

10.1160 **Signs in the Public Parks (P-1) Zoning District: Basic Regulations.**

(2) Wall Signs (non-illuminated):

(a) Maximum Square Footage: ~~60 square feet per sign~~ The aggregate area of all signs shall not exceed one square foot for each linear foot of building frontage.

HOUSING AND HOUSEKEEPING AMENDMENTS						
	Description of Amendment	**Code Section**	**House Keeping Change**	**Density or Housing Barrier Change**	**Other Change**	**Housing Advisory Committee Recommendation**
1.	Changed nonconforming section so that SFRs in commercial zones can convert back and forth between commercial and residential uses	10.033		✓		✓
2.	Corrected Code Reference in Section 10.108-1	10.108-1	✓			
3.	Changed referral agency review time from 30 working days to 30 calendar days	10.112			✓	
4.	Removed disclosure requirement for Type 2 reviews	10.120-1	✓			
5.	Removed requirement for public hearing sign posting for Type 2 applications	10.124(B)	✓			
6.	Changed Type 2 notification from 10 working days to 14 calendar days	10.124(C)(1) 10.124-1			✓	
7.	Moved Section 10.124(C)(1)(d-g) to 10.134(D)	10.124(C)(1)(d-g) 10.134(D)	✓			
8.	Revised wording for converting CUPs to Park Development Reviews	10.185	✓			

	Description of Amendment	Code Section	House Keeping Change	Density or Housing Barrier Change	Other Change	Housing Advisory Committee Recommendation
9.	Added submittal requirements for Park Development Reviews	10.185(E)	✓			
10.	Corrected wording of section title	10.198	✓			
11.	Made correction to sentence referencing too few criterions	10.204(B)	✓			
12.	Removed locational criteria for zone changes to SFR-6	10.204(B)(b)		✓		✓
13.	Removed restriction prohibiting residential care facilities for 15+ residents in multi-family zones	10.314		✓		✓
14.	Added cemeteries as permitted uses in the Public Parks zone/Clarified that wireless communication facilities in the r-o-w require a CUP	10.334			✓	
15.	Added residential care as permitted in the Neighborhood Commercial zone	10.337		✓		
16.	Reduced side yard setbacks for townhomes	10.705(c) & 10.712		✓		
17.	Revised maximum density calculation	10.708(1)		✓		✓
18.	Added note about allowance for caretakers residence in industrial zones	10.710			✓	
19.	Increased lot coverage to 40% in the SFR-2 zone and 50% in SFR-4 & SFR-6 zones	10.710 10.712 10.713 10.714			✓	

	Description of Amendment	Code Section	House Keeping Change	Density or Housing Barrier Change	Other Change	Housing Advisory Committee Recommendation
20.	Eliminated restriction that only allows one duplex on a multi-family lot	10.713		✓		
21.	Removed standard restricting duplexes in SFR-4 to corner lots	10.713		✓		
22.	Changed the way fencing is measured	10.732(2)			✓	
23.	Clarified that landscaping in the planter strip can count towards required frontage landscaping	10.797(2)			✓	
24.	Added the Public Parks zone to the Wireless Communication Section	10.824(D) & (G)	✓			
25.	Revised wording about wall signage allowance in Public Parks zone	10.1160(2)	✓			

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 10/10/2018
File Number: DCA-18-118

PUBLIC WORKS DEPARTMENT STAFF REPORT

Development Code Amendment
Housekeeping & Housing Updates

Project: A development code amendment to Chapter 10 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density.

Applicant: City of Medford

Planner: Sarah Sousa, Planner IV, Long Range Division

Public Works has no comments on the proposed amendment.

Prepared by: Jodi K Cope

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

Memo

Exhibit D

To: Sarah Sousa, Planning Department

From: Mary Montague, Building Department

CC: N/A

Date: October 10, 2018

Re: DCA-18-118; Project Housekeeping & Housing Updates

Building Department:

Please Note: This is not a plan review. These are general notes based on general information provided. Plans need to be submitted and will be reviewed by a commercial plans examiner to determine if there are any other requirements for this occupancy type. Please contact the front counter for fees.

1. Applicable Building Codes are 2010 OSSC until Sept. 30, 2014; 2014 OSSC Code change in effect July 1, 2014 with three month phase-in period July1, 2014 to September 30, 2014; ICC/ANSI A117.1-2003 Edition; 2010 ADA Standards for Accessible Design (2010 Standards); and 2010 OEESC (Energy Code) with additional Oregon amendments.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to City Departments; Building; click on ELECTRONIC PLAN REVIEW for information.

3. Building department has no comments. It appears changes made will not affect building code requirements.

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 10/1/2018
Meeting Date: 10/10/2018

LD #: DCA18118

Planner: Sarah Sousa

Applicant: City of Medford

Project Location: N/A

ProjectDescription: A development code amendment to Chapter 10 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density.

The proposed updates are needed due to recently adopted Code amendments. The other changes are minor revisions to make housing more feasible including:

-Equalizing lot coverage for all housing types
-Allowing structures built as single family homes to convert back and forth from residential to commercial in the commercial zones
-Removing the locational restriction for zone changes to the Single Family Residential -6 dwelling units per gross acre zone
-Allowing townhomes the same setbacks as detached single family homes
-Revising the maximum density calculation
-Eliminating the restriction that duplexes must be on a corner lot in the Single Family Residential – 4 dwelling units per gross acre zone
-Clarifying that more than one duplex is permitted on a lot zoned multi-family.

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Description
Approved	Approved as submitted with no additional conditions or requirements.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanicial Codes and applicable NFPA Standards.

Minutes

From Study Session on **October 8, 2018**

The study session of the Medford Planning Commission was called to order at 12:00 p.m. in the Lausmann Annex Room 151-157 on the above date with the following members and staff in attendance:

Commissioners Present
Patrick Miranda, Chair
David McFadden, Vice Chair
Joe Foley
Bill Mansfield
E. J. McManus
Alex Poythress
Jared Pulver

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Sarah Sousa, Planner IV

Commissioners Absent
David Culbertson, Excused Absence
Mark McKechnie, Unexcused Absence

Subject:

20.1 DCA-18-118 Housing and Housekeeping Amendment

Sarah Sousa, Planner IV reported that the amendment is housekeeping corrections and minor changes related to housing and density in the Medford Land Development Code.

Reconfiguring Article II removed the requirement for posting public hearing signs for Type 2 applications. These applications are approved by the Planning Director and does require the posting of public hearing signs.

A new application type was created for the public parks zoning review but submittal requirements were not included. The housekeeping amendment will include those requirements.

Small cell facilities needs the addition of public parks zone to the list of zones they can be located in.

There are a total of twenty four housekeeping amendments. The above are just a few examples.

Housing and Density Changes.
The minor revisions to make housing more feasible:

- Equalizing lot coverage for all residential housing types

Vice Chair McFadden asked, does lot coverage include the concrete for parking? Ms. Sousa replied that it does not. Vice Chair McFadden asked, will the concrete for parking

take more percentage because the house is 10% bigger? Ms. Sousa reported that it would apply to multi-family because another unit could be added. Single family and duplexes have a set amount of parking; two spaces per unit for single family detached. Vice Chair McFadden commented that one knows they are going to get the parking and building. Chances are they will maximize the building which means the only third option is all the open space for children to play in that just took a hit. Ms. Sousa replied that there is not a minimum of open space except in Planning Unit Developments for multi-family projects.

- Allowing structures built as single family homes to convert back and forth from residential to commercial in the commercial zones

Commissioner Pulver asked, if a zone is designated commercial isn't it to eliminate residential uses in that zone? Ms. Sousa stated that multi-family is allowed in commercial zones. They would look like single family homes.

Commissioner Mansfield asked, what public purpose is served by not permitting a residential in a commercial zone? Commissioner Pulver's opinion is that there will potentially be conflicting uses. There are all sorts of dynamics associated with commercial and industrial uses. There are different traffic flows and noise associated with commercial uses.

Personally, Commissioner Foley likes this one. He did not realize there were a lot of requests for this. Jackson Street is a classic example.

Vice Chair McFadden asked, does this allow changes to the outside of the building? Is there something that states one cannot add onto the footprint or add an accessory dwelling unit on the lot? Could there be a business and an accessory dwelling unit on the back side? Ms. Sousa stated that one would have to look at the nonconforming section. It is a Planning Director decision of over a certain percentage it is a conditional use permit. It is limited to expand the nonconformity. Also, the accessory dwelling unit standards would have to be reviewed. Currently, they are not allowed in commercial zoning districts but staff is reviewing maybe they could be allowed.

Chair Miranda asked, if it is converting from residential to commercial then converts back to residential would it not be permitted because it is residential? Commissioner Foley commented that the zoning did not change. It is allowing the use.

- Removing the locational requirement for zone changes to the Single Family Residential – 6 dwelling units per gross acre zone

Commissioner Pulver asked, what is the neighboring locational requirement for SFR-6? Ms. Sousa stated that the neighboring property has to have a GLUP designation of UR. Staff is leaving the locational criteria for SFR-10. SFR-10 still has to be abutting another property zoned SFR-10.

- Allowing townhomes the same setbacks as single family detached homes
- Revising the maximum density calculation to round up if .5 or greater
- Eliminating the restriction that duplexes must be on a corner lot in the single Family Residential – 4 dwelling units per gross acre zone

Chair Miranda asked, what was the logic behind enforcing that requirement? Ms. Sousa commented that it would not look like a duplex.

- Clarifying that more than one duplex is permitted on a lot zoned multi-family
- Removing restrictions prohibiting residential care facilities for 15+ individuals in the multi-family zones and the Neighborhood Commercial zone

Vice Chair McFadden asked, is there a state maximum of the number of people in residential care facilities? Is this aimed at the development on the corner of Lone Pine and Springbrook? Ms. Sousa replied that the Residential Care Facility on the corner of Lone Pine and Springbrook is in a single family zone as a conditional use. She does not believe there is a cap in multi-family zones.

Commissioner Pulver requested clarification of what residential care facilities are. Are they senior care facilities without medical care? Carla Paladino, Principal Planner replied that they can be. Kelly Evans, Assistant Planning Director commented that residential care facilities are super broad. Carla Paladino reported that a customer wanted to do an Alzheimer's care facility in a multifamily zone. It did not show as being allowed over 15 units. Nursing homes includes a definition of residential care. Technically, a residential care facility can be in a multifamily zone under the nursing home category. It needed to be clarified.

Commissioner commented that during an earlier discussion there are specific definitions of all types of care facilities on the state and federal level. Are they codified in the City's Code? Ms. Paladino agreed and reported they are codified in the Code.

The hearing schedule is October 25, 2018 for the Planning Commission and December 6, 2018 for the City Council.

Commissioner Foley asked, why move the working days to calendar days? Ms. Evans reported that it makes it easier for staff to manage.

Commissioner Pulver asked, does the Planning Commission review park developments? Ms. Evans stated they are kin to a Conditional Use Permit.

Commissioner Foley did not understand the description of the amendment for "Clarify that landscaping in the planter strip can count towards required frontage landscaping". Ms. Sousa replied that if there are plantings in the park strip it can count towards frontage landscaping. Frontage landscaping is on the private party portion of a lot. When doing commercial development there are required number of bushes and trees per whatever the length of the frontage. Existing landscaping in the planter strip can count towards the frontage landscaping requirement. Ms. Evans reported that the Site Plan and Architectural Commission reviews that requirement.

Vice Chair McFadden commented that adding the public parks zone to Wireless Communication Section did not dis-allow anything else. Ms. Evans replied that is correct.

Commissioner Pulver stated that at the last Planning Commission and City Council joint study session there is a lot of emphasis on density and affordability. It is his opinion that it is a mistake to eliminate the ability for people to be creative for large lot homes. He does not think it needs to be the standard but there needs to be a place for that. By eliminating that ability makes a stereotype generalization. It will push high wagers out of the City. Making SFR-6 and SFR-10 does make it affordable. The gross number is smaller but that does not mean it is affordable. There needs to be thought into this before it gets carried away.

Commissioner Mansfield respectfully disagreed with Commissioner Pulver. Large homes are not in the public interest. Our society can no longer afford those size of houses. The American public simply has not recognized that yet.

Commissioner Pulver disagrees and aren't those people going to go somewhere else? They will move to the County or another municipality. They are not going to happen here if boxed out.

Commissioner Mansfield stated that we need to be leaders. We might lose a house or two here or there is a little moment to him.

Commissioner Poythress empathically agrees with Commissioner Pulver. The unattended consequence of limiting lot and house size will artificially inflate property value. It addresses two different sides. One it is allowing the freedom. Respectfully, he stated that our society will decide for itself and correct itself if somebody builds a home on a two acre lot. If there is no one to buy the home it can be addressed. We are doing ourselves a long term disservice.

Commissioner Mansfield commented that it is a good thing there are different viewpoints on the Planning Commission.

Vice Chair McFadden thinks that Commissioner Pulver wants to include the idea that certain lot configurations could be big or small and should be protected from redevelopment or further development. Large lots are being divided. There are lots that should stay a lot and a home and restricting the option to sell part of it.

Commissioner Pulver reported that the Planning Commission heard the one on White Oak where the owner was splitting it into three houses. There are neighborhood that should be protected and preserved. New ones need to be created. Regulations are coming from Salem/Portland metro area that has different issues than Medford. People come to Medford for different reasons. We have a strong medical community and the doctors do not want a 1,600 square foot home in an SFR-6 zone. We want those people a part of our community and a part of our tax base. Lot size restrictions will push them out. That is short sighted.

Commissioner Foley stated that in relation to the urbanization plan, how much flexibility is there within the Planning unit creating whatever they want as long as the total density is the right number? Commissioner Pulver reported that the answer they received the other evening was that it was specific units. Not MD-5 but MD-5E that has to meet the 6.6 requirement. There are parties that disagree with that. Ms. Paladino stated the way the Regional Plan is built is density is spread across our City limits and our expanded area. The Planning unit should meet that. She believes there will be testimony Thursday evening that staff needs to look at somehow making that different.

Vice Chair McFadden commented or should the City allow people to bank that with the City acting as the banker and the flexibility gets paid to the City.

Ms. Evans stated that usually the Planning Commission has one meeting in November because Thanksgiving falls on the fourth Thursday of the month. This year there are five Thursdays in November. The agenda is busy. Is the Planning Commission interested in having a meeting on Thursday, November 29, 2018? She will ask the question again on Thursday.

Commissioner Mansfield, Commissioner Foley, Vice Chair McFadden, Chair Miranda and Commissioner Pulver are fine with a Thursday, November 29, 2018 Planning Commission meeting.

Regular December Planning Commission meetings will be on the 13th and 27th. Staff will try not to schedule business for Thursday, December 27, 2018 but they do not always have that luxury.

30. Adjournment

The meeting was adjourned at 12:45 p.m.

_____

Submitted by:
Terri L. Richards
Recording Secretary

Planning Commission
Minutes

Excerpt From Public Hearing on **October 25, 2018**

The regular meeting of the Planning Commission was called to order at 5:30 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present	**Staff Present**
Patrick Miranda, Chair	Matt Brinkley, Planning Director
David McFadden, Vice Chair	Kelly Evans, Assistant Planning Director
Joe Foley	Eric Mitton, Deputy City Attorney
Bill Mansfield	Doug Burroughs, Development Services Manager
Mark McKechnie	Carla Paladino, Principal Planner
E.J. McManus	Terri Richards, Recording Secretary
Alex Poythress	Sarah Sousa, Planner IV
Jared Pulver	Dustin Severs, Planner III

Commissioner Absent
David Culbertson, Excused Absence

New Business
50.2 DCA-18-118 A development code amendment to Chapter 10 of the Medford Municipal Code to make housekeeping corrections and minor changes related to housing and density. Applicant: City of Medford; Planner: Sarah Sousa.

Sarah Sousa, Planner IV stated that the Land Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218. The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Sousa gave a staff report.

Commissioner McKechnie is struggling with 40% maximum coverage for SFR-00, which is property annexed into the City and converted to SFR-2 with a home larger it would be nonconforming. SFR-00 and SFR-2 should be the same so there will not be a conflict when going from SFR-00 to SFR-2. He suggested leaving SFR-00 and SFR-2 at 35%, 45% for SFR-4 and SFR-6 and 50% for the rest. He agrees with whatever the zone is the lot coverage for a single family, duplex and townhome should all be the same. He also thinks the side setbacks, regardless of units, should be the same as well.

Vice Chair McFadden commented that if SFR-00 is a holding for properties being annexed into the City the percentage does not have to be listed. It is already what has been built and if they do any building they have to go to a different zoning. Ms. Sousa commented not necessarily. There are properties zoned SFR-00 that would be eligible for a single family home and an ADU.

Commissioner Foley agrees with Commissioner McKechnie on the SFR-00 and SFR-2. It does not make sense making those two different. The 50% makes sense.

Commissioner McKechnie stated that if leaving everything else at 50%, 40% for SFR-00 and SFR-2 makes more sense.

The public hearing was opened.

Mr. Mitton reported that most SFR-00 are properties coming in from the County he has not been able to confirm but he is wondering if the 40% may make the property nonconforming. If adjusting one of the two numbers it would probably be more prudent to bump up SFR-2 than to bump down SFR-00.

Kelly Evans, Assistant Planning Director reported that SFR-2 is only allowed where there are topographical constraints. She is confident that is the reason for the lesser lot coverage.

The public hearing was closed.

Main Motion: The Planning Commission based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, initiated the amendment and forwarded a favorable recommendation for approval of DCA-18-118 to the City Council per the staff report dated October 18, 2018, including Exhibits A through F.

Moved by: Vice Chair McFadden Seconded by: Commissioner Foley

Commissioner Pulver has concerns with single family residential structures that are in commercial zones that have been converted to commercial and be able to be converted back and forth. He recommended a modification to the motion.

Vice Chair McFadden stated that Commissioner Pulver is wanting that particular amendment dropped. He agrees with that.

Friendly Amendment #1: Delete the housekeeping amendment of changing nonconforming section so that SFR's in commercial zones can convert back and forth between commercial and residential uses.

Moved by: Commissioner Pulver Seconded by: Vice Chair McFadden

Commissioner Poythress shared his thoughts. He does not think it is a surprise that there is a shortage of housing inventory. He appreciates this gesture tries to solve that issue. He agrees with the premise behind what is being discussed about the back and forth.

There was some lack of resolution about the question of accessory dwelling units that was not fully answered. There are too many unknowns. He supports Commissioner Pulver's motion.

Roll Call Vote on Friendly Amendment #1: Motion passed, 6-2, with Commissioners Foley and Commissioner Mansfield voting no.

Commissioner Poythress would love to revisit this and thinks the Planning Department could workshop it and it may materialize into something better.

Commissioner McKechnie wanted to revisit the densities for the single family lots.

Friendly Amendment #2: Change SFR-00 and SFR-2 to 40% maximum lot coverage.

Moved by: Commissioner McKechnie Seconded by: Commissioner Foley

Roll Call Vote on Friendly Amendment #2: Motion passed, 8-0

Friendly Amendment #3: Leave SFR-4 and SFR-6 at 45% on detached homes only.

Moved by: Commissioner McKechnie Seconded by: Commissioner Poythress

Vice Chair McFadden asked, would this make it harder to put an ADU on? Mr. Brinkley reported ADU's count towards lot coverage. Yes, it will make it harder to do ADU's and RV storage facility. It restricts the property owner's ability to do what they want.

Commissioner Pulver asked, does that include non-livable space as well? Yes, this is lot coverage.

Roll Call Vote on Friendly Amendment #3: Motion failed, 1-7, with Commissioner Foley, Commissioner Mansfield, Commissioner McManus, Commissioner Poythress, Commissioner Pulver, Vice Chair McFadden and Chair Miranda voting no.

Roll Call Vote on Main Motion: Motion passed: 8-0.

OCT 30-18

RECEIVED

OCT 30 2018

PLANNING DEPT

Exhibit H

I am writing this letter in order to persuade you to allow the property I bought 712 E. Jackson st. to be come a mixed use/work space. Originally the building was a home turned Commercial. I bought the building because of its look. It is a home. I wanted our business to reflect that feeling. At the same time it had the features I wanted. A kitchen a laundry room and a large private room in the back of store.

My wife and I own a home across the border on the Klamath River. When I purchased the building my intention was to be able to stay there when too tired to commute or if the weather was too bad to drive.

Making Improvements like a new fire sprinkler system would make the building safe. Also by living there it would provide security. That is important.

In these times its important to remember that we all have to adjust and accommadate changes that make our lives work better.

Thank You

Bradley Nash Malouf

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.3

DEPARTMENT: Public Works
PHONE: 541-774-2100
STAFF CONTACT: Cory Crebbin, PE, P.W. Director

AGENDA SECTION: Public Hearings
MEETING DATE: December 6, 2018

COUNCIL BILL 2018-134
A resolution initiating a minor amendment to the Medford Comprehensive Plan to include the updated 2018 Sanitary Sewer Master Plan.

SUMMARY AND BACKGROUND
Council is requested to initiate a Comprehensive Plan Amendment to incorporate the Sanitary Sewer Master Plan (SSMP) into the City of Medford Comprehensive Plan.

The SSMP documents the status of the City's sewer system, analyzes the system for existing operations, and anticipates needs for the next 20-years. The current SSMP was completed in April of 2005. The plan needs to be updated to verify current conditions as well as plan for growth areas due to the expanded Urban Growth Boundary (UGB). Over the past three years the Public Works Department has worked with Carollo Engineering and a Technical Advisory Group (TAG) to revise the existing SSMP. The proposed plan replaces the current SSMP incorporated in the Comprehensive Plan in 2005.

The adoption of the SSMP does not raise SDC's. SDC adjustments will be proposed as a future Council action.

PREVIOUS COUNCIL ACTIONS
On June 4, 2015, City Council approved Council Bill 2015-57 adopting the biennial budget, which contained the appropriations for the SSMP update.

On November 12, 2015, City Council approved Council Bill 2015-118 approving the contract with Carollo Engineering, Inc. to prepare the new SSMP.

On November 9, 2017, City Council had a study session for the SSMP where Carollo Engineering presented the draft SSMP to Council and directed further coordination with the TAG.

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On March 8, 2018 City, Council had a study session for the SSMP where staff presented the status of meetings with the TAG and next steps to complete the SSMP. Council directed that the SSMP be brought forward for consideration of adoption after the final TAG comments were incorporated in the document.

ANALYSIS
The SSMP is a comprehensive document that assists the City and the development community in making decisions, analyzing or taking actions on maintaining an adequate sanitary sewer collection system. The sanitary sewer collection system is a Category A facility in the Comprehensive Plan. The Plan establishes specific criteria, goals, objectives, recommendations and actions to maintain sanitary sewer collection system within Medford based on engineering principals, industry best standards and practices and input from our partners on the TAG.

In August of 2015 a request for proposals was issued to prepare a new SSMP. Proposals were received from Carollo Engineering, Inc. of Portland and SHN Engineers & Geologists of Klamath Falls. Carollo Engineering was selected based on their qualifications and staff began negotiations for the contract. City Council approved the contract on November 12, 2015, and notice to proceed was given on November 16, 2015. The draft SSMP was made available in August 2017 and public comments were accepted until October 2, 2017.

Staff formed a Technical Advisory Group (TAG) in September 2017. The TAG met five times with the most recent meeting on November 14, 2018 and provided over 60 questions to be addressed by Carollo and staff. The comments led to several changes in the SSMP. The major changes include:

- Revise Southeast Alternative to better meet demands (change Alt 2 to Alt 1 in plan)
- Adds language to provide flexibility in construction
- Address separate priorities for capacity vs. maintenance
- Eliminate sewer surcharge criteria of 2-feet above crown
- Modify maps to show proper UGB limits now adopted
- Several minor criteria changes and/or edits (changed the criteria to allow flow in manholes to be within 2-feet from lid instead of 3-feet).
- City to maintain model as improvements are made
- Several clarifications for technical data
- Added a Purpose and Use statement that clarifies the intended uses for the document.
- Increase System Development Charges (SDC's) for Collection from $716.95 per Equivalent Residential Unit (ERU) to $1036 per ERU.

The TAG supports the need to raise SDC's to maintain adequate Category A facilities as required by the Medford Municipal Code to allow development to proceed in an orderly fashion. The proposed increase requires a 90-day notice to the public. The public notice will be sent immediately after City Council action. A public hearing to adjust the sanitary sewer collection SDC will be scheduled no earlier than 90 days after the public notice is published.

The SSMP provides a project list required to meet current capacity issues and future development, including within the expanded UGB. All projects contemplate the needs in the remaining urban reserve areas identified through the Regional Problem Solving (RPS) process. Project timing is provided as guidance as development patterns or maintenance failures cannot be predicted with certainty. The plan also provides a financial analysis and shows that the current System Development Charges (SDC) for the sewer collection system are not adequate to construct the capacity necessary to allow for full development within the UGB.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
The cost to implement the SSMP over the next 20-years is anticipated to be $31.5M with SDC's paying for approximately $16.5M and utility fees paying the remaining $15.0M.

TIMING ISSUES
A new Sanitary Sewer Master Plan is one of the necessary steps required before lands within the newly expanded Urban Growth Boundary can be annexed and developed. Further, the plan provides direction for developers on needed improvements to allow for approval of zone changes as well as guides staff on projects needed to prevent sanitary sewer overflows and capacity enhancements to meet the demands of

development. The current budget anticipated delaying specific sewer capacity projects until completion of the SSMP.

COUNCIL OPTIONS

- Approve the resolution
- Modify and approve the resolution
- Deny the resolution and direct staff regarding further action

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

SUGGESTED MOTION

I move to approve the 2018 Sanitary Sewer Master Plan and initiate a resolution to incorporate the SSMP in the City of Medford Comprehensive Plan.

EXHIBITS

Ordinance
Executive Summary

RESOLUTION NO. 2018-134

A RESOLUTION initiating a minor amendment to the *Medford Comprehensive Plan* to include the updated 2018 Sanitary Sewer Master Plan.

WHEREAS, the City Council's initiation of this process is required to include the Sanitary Sewer Master Plan in the *Medford Comprehensive Plan* and to accept the proposed capital improvement projects outlined in the 10 year Plan; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

That the initiation of a minor amendment to include the 2018 Sanitary Sewer Master Plan into the *Medford Comprehensive Plan* is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2018.

ATTEST: _____ _____

City Recorder Mayor

ES.1 INTRODUCTION

The City of Medford (City) has prepared this Sanitary Sewer Master Plan (SSMP) to document the status of the City's sewer system and analyze the system to anticipate future needs. In order to provide effective, reliable, and safe sewer service, this SSMP will be used as a guide for operation, maintenance, and expansion of the sewer system for the next 20 years and beyond. This SSMP plans for the build-out condition of the Service Area. This SSMP is a planning level document utilizing the best practices in the industry. The City's sewer collection system contains over 7,000 individual pipe segments. This SSMP was assembled using flow monitoring data from 12 basins, and models almost all the individual pipes in the City' service area, but is limited in specificity to generally accepted modeling assumptions. The engineer may rely on the data and capacities within the SSMP until such time as the City updates its SSMP as better and even more accurate information becomes available.

Recognizing the importance of planning, developing, and financing sewer system facilities to provide reliable service for the existing customers and to serve anticipated growth, the City initiated the preparation of this Plan. In 2015, the City selected Carollo Engineers, Inc., along with ADS Environmental, LLC, to develop this plan in accordance with applicable rules and regulations governing planning for wastewater utility systems.

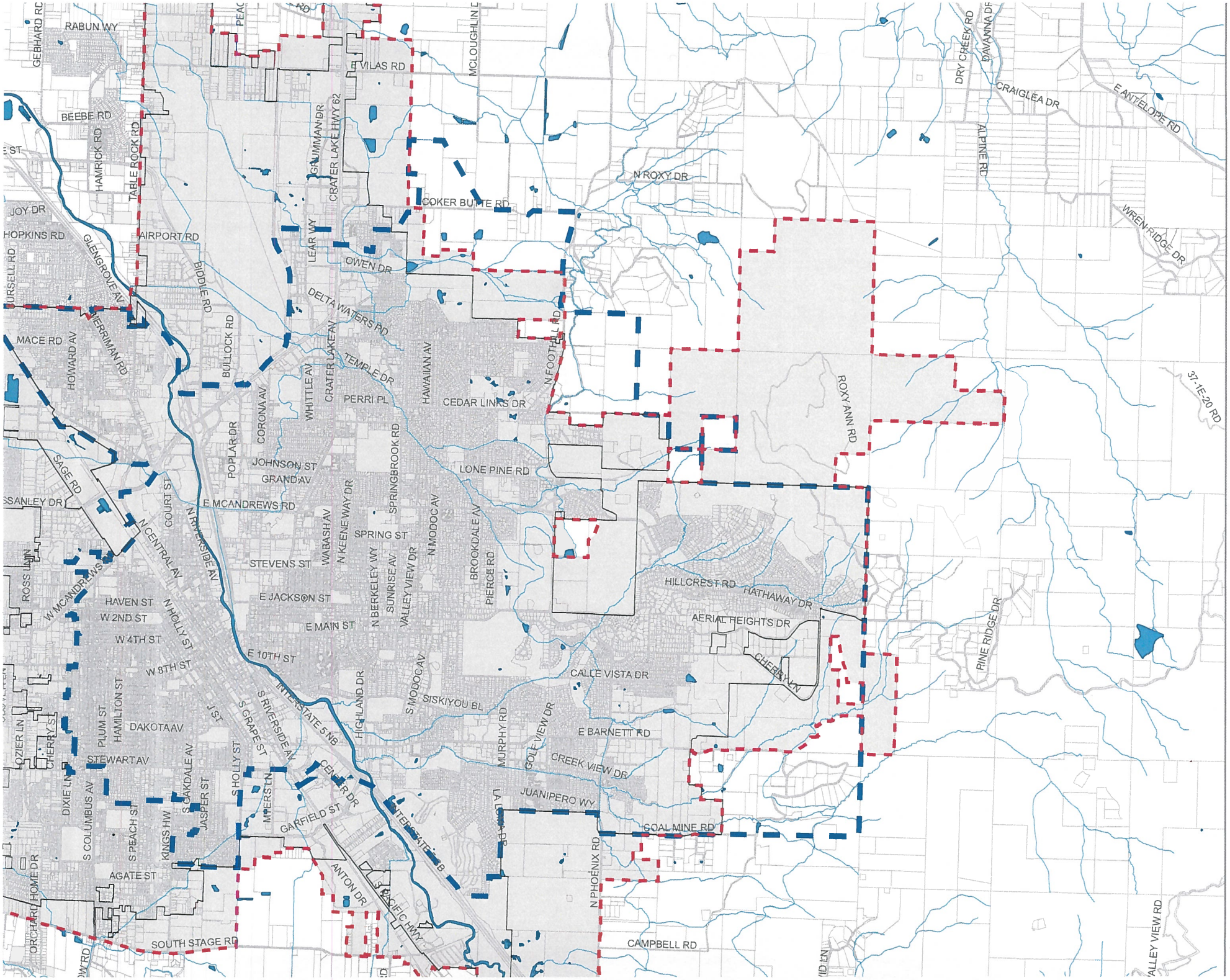
The following sections summarize the planning assumptions, methodologies, and results of the SSMP, which are described in further detail in the Chapters and Appendices of this plan.

ES.2 BASIS OF PLANNING

The City was incorporated in 1885. Today, the City is one of the fastest growing cities in the state with a population of over 80,000 in 2015, per Census data. It is the largest city in Southern Oregon and the seat of Jackson County government. The oldest sanitary sewers in the City were built in the late 1800s to early 1900s and still serve the downtown core area.

As development of this SSMP began, planning periods and corresponding service area boundaries were established to help the City identify available collection and expansion options of their current system. The City's service area abuts the Rogue Valley Sewer Service (RVS), which collects and conveys sewage to the City's Regional Water Reclamation Facility (RWRF). The three service areas evaluated in this SSMP are shown in Figure ES.1 and described as follows:

1. Existing system and currently sewered area (currently sewered area information was obtained from April 2016 data provided by the City,
2. 2036 Service Area,
3. Service Area (considered as build-out, and includes development of the Urban Reserve Areas).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TEMPLE DR
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W 8TH ST
N HOLLY ST
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HAMILTON ST
PLUM ST
DAKOTA AV
STEWART AV
DIXIE LN
S COLUMBUS AV
S PEACH ST
KINGS HW
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ANTON DR
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SPRING ST
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CRAIGLEA DR
E ANTELOPE RD
ALPINE RD
WREN RIDGE DR
37-1E-20 RD
PINE RIDGE DR
VALLEY VIEW RD

SE

SA

Existing and future land use information is an integral component in projecting sewer flow generation within the Service Area. Assumptions for future development are consistent with the City's comprehensive plan. Maps of the City's existing and future land use within the Service Area are presented in Chapter 2.

Also presented in Chapter 2 are the sewer system policies and criteria that have been established by the City to facilitate the successful management of the wastewater system and compliance with all local, state, and federal regulations. The policies and criteria are organized into the categories of sewer service and service extensions, system reliability, environmental policies, coordination with Other Agencies, financial policies, and design criteria.

ES.2.1 Flow Projections

Chapter 2 and Appendix B summarizes the results of a two-month flow monitoring program performed by ADS Environmental, Inc. during development of this SSMP. The main purposes of flow monitoring are to accurately determine average dry weather flow (ADWF), define the collection system's weekday and weekend diurnal flow patterns, and develop land use flow factors that facilitate the development of future flow projections given planned land use. Chapter 2 describes how the results of the flow monitoring program were used to estimate existing and future sewer flows. As seen in Table ES.1, Current ADWFs amount to 9.05 millions of gallons per day (mgd), while the Service Area ADWF is projected to be 14.71 mgd, increasing current flows by approximately 63 percent by build-out.

Table ES.1 Existing and Projected Wastewater Flows to RWRF
Sanitary Sewer Master Plan
City of Medford

Condition[3]	Average Dry Weather Flow (ADWF) (mgd)	Peak Wet Weather Flow (PWWF)[1] (mgd)	Peaking Factor (PWWF:ADWF)[2]
Existing	9.05	67.70	7.5
2036 Service Area	13.39	75.68	5.6
Service Area (URA)	14.71	79.12	5.4

Notes:
(1) The PWWF flow (design flow) is the peak hourly flow.
(2) Peaking factor is the Peak Wet Weather Flow divided by the Average Dry Weather Flow.
(3) These conditions represent the flows to the interceptor if the capacity bottlenecks are resolved. This ensures that the PWWF truly represents the peak hour flow, without dampening due to upstream capacity deficiencies.
(4) The City's system has several connections to the RVS Interceptor. When adding or subtracting flows between basins, the accuracy in reported peak flow decreases. The "level of confidence" for these basins are less than basins with one direct outflow.

Flow monitoring data was also used to calibrate the City's collection system hydraulic model and identify areas with high inflow and infiltration (I/I). Peak Wet Weather Flows

(PWWF) for each basin were derived for a design storm consisting of a synthetic 5-year, 24-hour storm applied to the model. The PWWF represents the maximum hourly flow rate under the design storm and assumed growth conditions, and are used to evaluate the capacity of the current wastewater system. Current and predicted future PWWF is presented in Table ES.1. The values shown are conservative but realistic, as they assume bottlenecks that limit conveyance are removed. PWWFs from these scenarios more closely represent the wastewater inflows to the system and the potential existing and future PWWFs to the RVS Interceptor and RWRF once necessary improvements are implemented. It is important to note that these flows are conveyed to multiple connection points to the RVS interceptor.

ES.3 EXISTING SYSTEM

Chapter 3 provides a description of the City's existing collection system and an inventory of the City's assets. The City's collection system consist of approximately 260 miles of gravity mains, 1.1 miles of force mains, and 5 pump stations that collect and convey wastewater to the regional Rogue Valley Sewer (RVS) interceptor running south-north along Bear Creek. RVS customers contribute flow both upstream and downstream of the City, and all wastewater is sent to the Regional Wastewater Reclamation Facility owned and operated by the City. The City's collection system is shown in Figure ES.2.

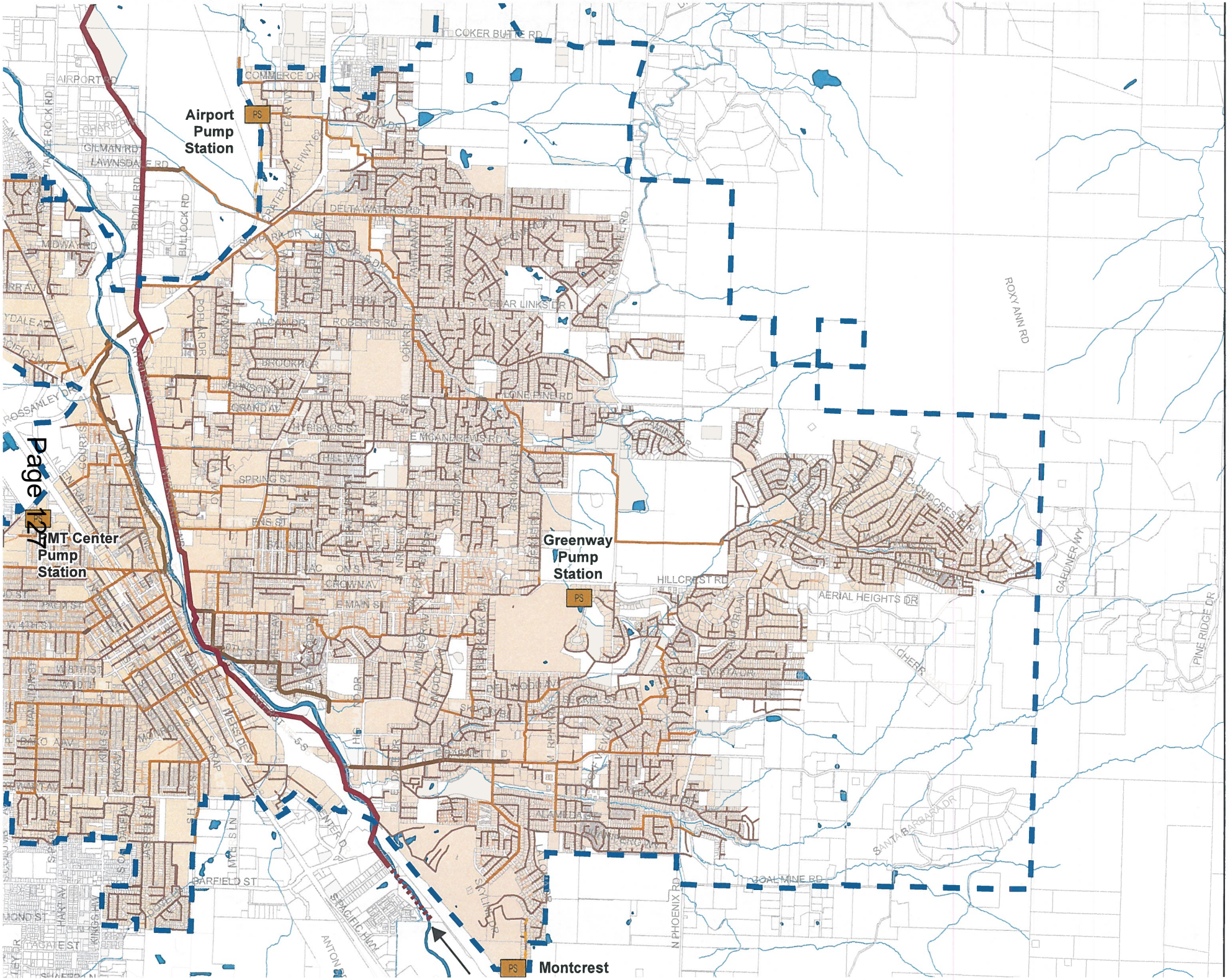
ES.4 HYDRAULIC MODEL DEVELOPMENT

Carollo assisted the City to convert its previous collection system hydraulic model to a new software platform. Innovyze's InfoSWMM was selected and was developed using all pipes 6-inches in diameter and larger and the RVS interceptor. The modeled sewer system consists of approximately 266 miles of sanitary sewer pipelines (including both gravity, force mains, and a portion of the RVS Interceptor) ranging in diameter from 6 inches to 54 inches, 5 city-owned sanitary sewer pump stations, 35 diversions, and 2 siphons.

Baseline wastewater flows were assigned in the hydraulic model based on land use data and wastewater flow coefficients. As described in Chapter 4, calibration of the City's hydraulic model was a multi-step process that involved comparing model-simulated flow to the actual field-measured data for both dry and wet weather conditions. Results indicated that the model correlated well with the field-measured data, meeting industry calibration standards. The City can be confident in their new calibrated model to serve as a useful tool for evaluating the collection system.

The SSMP is a living document, and will allow for amendments as conditions change. The City has flexibility to respond to opportunities as they present. The City anticipates that updates to the model will be done at 10-year intervals. The City may, as resources and funding permit, update the model to show changes and modifications more frequently.

Developer's consultants are encouraged to model the City sewer system (or a portion of) using any industry standard software available, using parameters set forth in this SSMP. The consultant may consider alternative flow routing across basins where consistent with the City ordinance for orderly development. Where the City finds that criteria is met, modeling is accurate, and there are no negative consequences, the consultants work will be accepted as an amendment to the SSMP.


Airport Pump Station
PMT Center Pump Station
Greenway Pump Station
Montcrest
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C

ES.5 CAPACITY EVALUATION AND PROPOSED IMPROVEMENTS

Using the calibrated hydraulic model, Carollo evaluated the capacity of the City's collection system against the performance criteria developed for this SSMP. An existing sewer was identified as deficient when the Hydraulic Grade Line (HGL) exceeded three feet below the manhole rim or surcharging occurred in shallow manholes (d/D>1).

Several pockets of deficiencies are predicted in the model. Existing deficiencies, largely due to high I/I, are mainly predicted in sewer Basins C, D, L, M, and N. Additional projected flows from new development intensify the capacity issues, exacerbating existing deficiencies and adding new deficiencies in Basins A, B, E, and J. Deficiencies observed in Basins A and J are mainly caused by the addition of flows from the expansion areas east of the system.

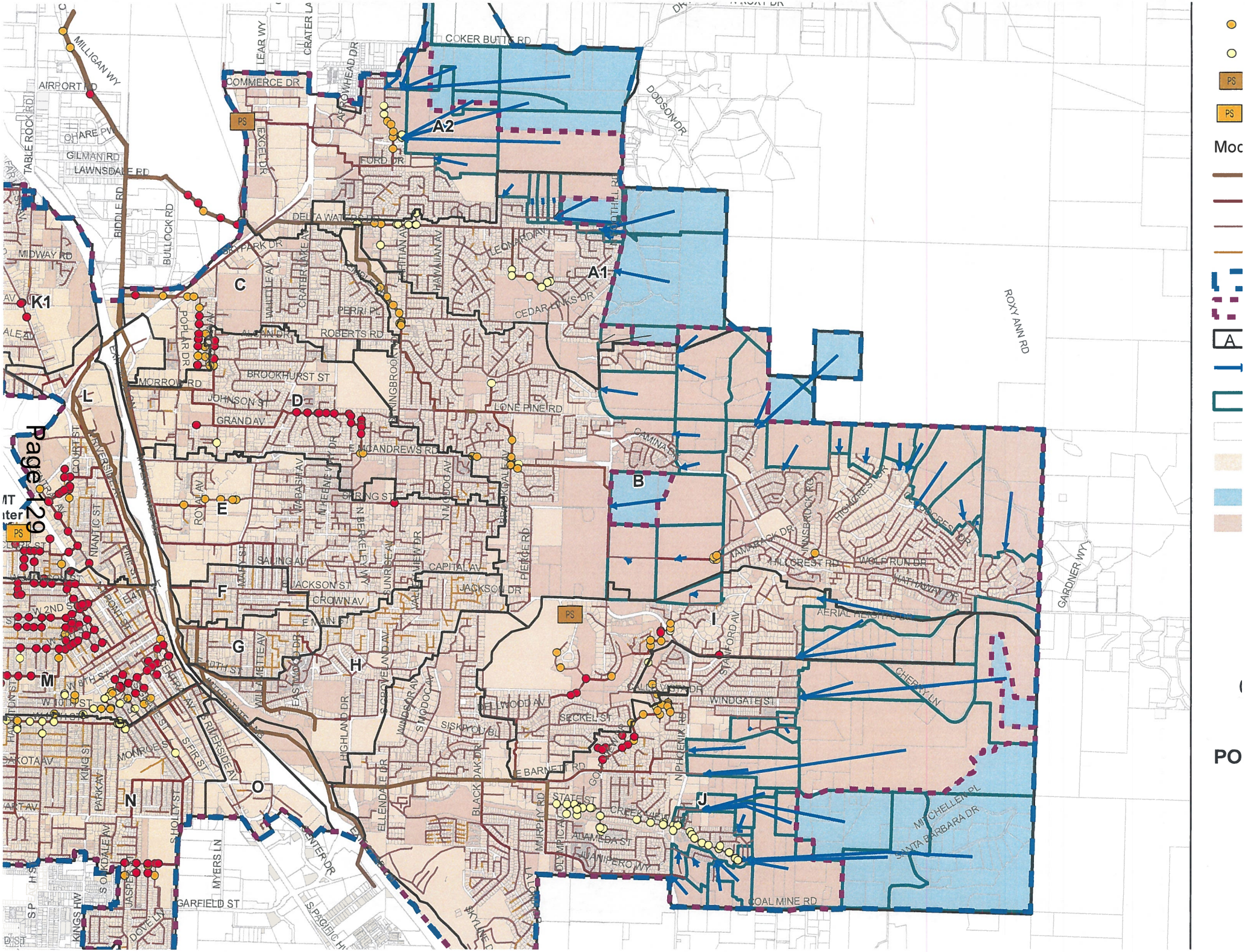
Figure ES.3 presents the deficiencies under PWWF conditions and are color coded to match the timing of the deficiency. Red dots represent existing system deficiencies, orange and yellow represent predicted new deficiencies associated with 2036 and build-out development, respectively.

A total of 74,500 linear feet of pipes ranging from 12-inch to 24-inch are recommended to alleviate capacity deficiencies for the City's three planning conditions (existing, 2036 Service Area, and Service Area). Two of the five City pump stations (PS) only have one pump and even though each pump has sufficient capacity, they should be upgraded in the future to meet redundancy criteria. Table ES.2 summarizes all recommended improvement projects by phase. The recommended improvements are further described in Chapter 5 – Capacity Evaluation, and costs estimates are provided for each project in Chapter 7 – CIP. This Plan assumes that the entire Service Area will be build-out, the improvements summarized in the table below are therefore planned for build-out condition.

Table ES.2 Improvement Projects Summary
Sanitary Sewer Master Plan
City of Medford

Proposed Project	Short-Term	Mid-Term	Long-Term
Existing Pipe Upsize	34,501 ft	22,955 ft	17,009 ft
New Sewer for Expansion Areas	-	16,800[(1)] ft	9,100 ft [(2)]
PMT PS		X	
Service Center PS		X	

Note:
(1) Includes the recommended developer's driven "expansion" sewers located in the 2036 Service Area.
(2) Includes the recommended developer's driven "expansion" sewers located in the Service Area and Urban Reserves.



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LAWNSDALE RD
TABLE ROCK RD
BIDDLE RD
BULLOCK RD
MIDWAY RD
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DODSON DR
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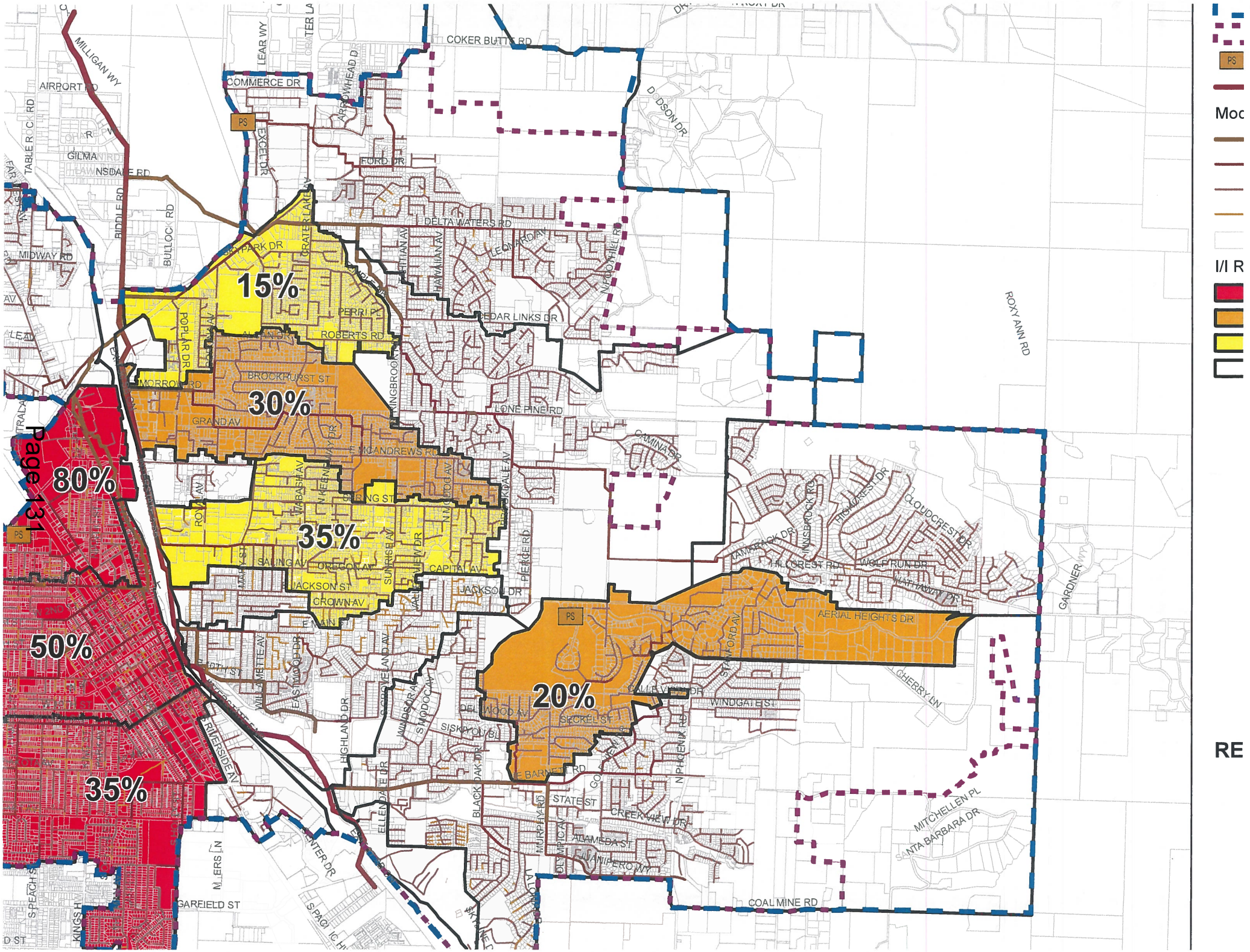
Page 129

ES.6 I/I REDUCTION PROGRAM

Infiltration and inflow (I/I) are known problems for the City's sewer system. The City has investigated causes of these flows to the sewer system since the 1960's and has actively removed direct connections over time. High I/I indicates aging infrastructure, and potential storm drains directly connected to the sewer system, and results in higher peak flows at the City's pump stations, the RVS interceptor, and at the City's RWRF. The City's hydraulic model predicts moderately high I/I in several City basins, particularly the downtown area. These results are confirmed by City staff. However, overall the City's I/I is not as high as other sewer agencies in the state. Cost estimates were developed for an I/I reduction program that offsets the need for the capacity improvement projects identified in Chapter 5. Figure ES.4 illustrates the location and I/I reduction target values for the basins included in the I/I Reduction Program. The cost estimates rely heavily on the estimated I/I reduction through various techniques as published by King County, Washington.

Given the assumptions for costs and the effectiveness of I/I reduction techniques, a system-wide I/I reduction program was estimated to cost approximately $91M. In contrast, pipe capacity projects to accommodate I/I were estimated to be far less expensive, thus performing a system-wide I/I reduction program is not recommended at this time. The City plans to continue to investigate I/I issues in the downtown area (Basins L and M). The City also plans to continue annual maintenance projects that improve sewer pipe integrity and result in lower I/I. It is further recommended that the City determine a method to implement its policy for private property owners to maintain their sewer laterals, which are known to be high contributors of I/I.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ARROWHEAD DR
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MATHAWAY DR
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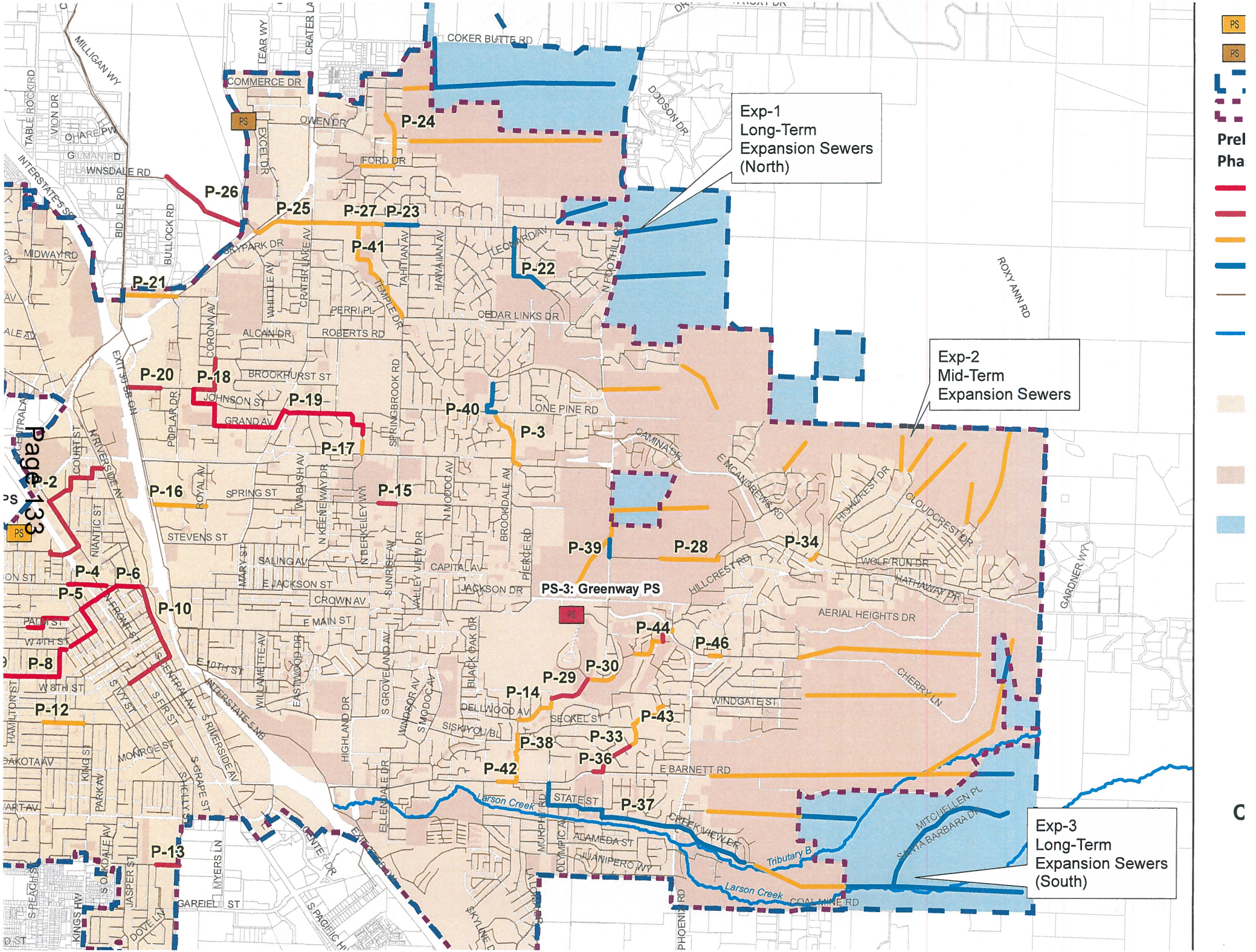
ES.7 CAPITAL IMPROVEMENT PLAN

The necessary pipeline, and other general projects are compiled into a comprehensive capital improvement plan (CIP) for the sewer system. The purpose of the CIP is to provide the City with a guideline for planning and budgeting its sewer system. The CIP consists of schedule and cost estimates for the recommended improvements. The CIP is separated into four phases:

- Short-Term (ST) Priority 1 (2017-2022). Proposed projects recommended to alleviate deficiencies under existing conditions. These projects commonly have structural deficiencies and high inflow and infiltration (I/I), and were prioritized by City staff due to these known issues. Timing for these projects is planned between 2017 and 2022. These are the high priority projects/programs that the City plans to implement in the next five years.
- Short-Term (ST) Priority 2 (2023-2026). Proposed projects recommended to alleviate deficiencies under existing conditions. Structural deficiencies and high I/I are present, but these projects were not as critical to the City as the Priority 1 projects. Timing for these projects is planned between 2023 and 2026.
- Mid-Term (MT) (2027- 2036). Proposed projects recommended to alleviate deficiencies and serve new development by planning year 2036 (in the Urban Growth Area), and medium priority for I/I reduction. These projects are mostly development driven and could be implemented earlier or later based on developer's needs. It is recommended that the City monitors these areas and implement these projects as growth occurs.
- Long-Term (LT) (2037-2040). Proposed projects recommended to alleviate deficiencies and serve new development under build-out conditions (in the Urban Reserves), and low priority for I/I reduction. It is recommended that the City monitors these areas and implement these projects as growth occurs. These are estimated based on how the City is expecting to develop in the next 25 years and accommodates all future growth areas identified by the City; timing may be adjusted with growth.

A map of pipeline replacement projects is presented in Figure ES.5.

The proposed CIP for the City's SSMP is presented in Table ES.3. The table includes the un-escalated estimated costs for pipe, pump station, and general projects and allocates the projects by phase based on their priority. As seen in the table, the total cost for all recommended improvement projects is $31.4 M. Annually, this can be expressed as approximately $1.3 M per year. The majority of costs are recommended for the Short- and Mid-Terms. Approximately $16.5 M of the total CIP is for future development and is System Development Charge (SDC) eligible.


Exp-1
Long-Term
Expansion Sewers
(North)
Exp-2
Mid-Term
Expansion Sewers
Exp-3
Long-Term
Expansion Sewers
(South)
PS-3: Greenway PS
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EXIT 38 SB
PS

Table ES.3 Capital Improvement Plan
Sanitary Sewer Master Plan
City of Medford

Project ID	Improvement Type	Description	Total Capital Improvement Cost(1)	Total Short-Term Priority 1 (2017-2021)	Total Short-Term Priority 2 (2022-2026)	Mid-Term (2027-2036)	Long-Term (2037 – Build-Out)	SDC Allocation	
								SDC Eligibility (%)	SDC Eligibility ($)
PIPE PROJECTS									
P-1 to P-46	Gravity	Improvement and Capacity-Related Pipe Projects	$ 29,894,000	$ 6,569,000	$ 6,895,000	$ 10,376,000	$ 6,054,000	49	$ 15,353,000
Exp-1	Expansion	Alternative 2 - "Regional Sewers" to Expansion Areas	$ 25,000	$ –	$ –		$ 25,000	100	$ 25,000
Exp-2	Expansion	Alternative 2 - Expansion pipes above 8-inch in diameter. 8-inch pipes are paid for by developers.	$ 100,000	$ –	$ –	$ 100,000	$ –	100	$ 100,000
Exp-3	Expansion	Alternative 2 - Expansion pipes above 8-inch in diameter. 8-inch pipes are paid for by developers.	$ 25,000	$ –	$ –	$ –	$ 25,000	100	$ 25,000
TOTAL PIPE PROJECTS			**$ 30,044,000**	**$ 6,569,000**	**$ 6,895,000**	**$ 10,476,000**	**$ 6,104,000**	**54**	**$ 15,503,000**
PUMP STATION PROJECTS									
PS-1	Pump Station	PMT Pump Station - 1024 Summit Ave. (No redundant pump)	$ 50,000	$ –	$ –	$ 50,000	$ –	0	$ –
PS-2	Pump Station	Service Center Pump Station - 821 Columbus Ave. (No redundant pump)	$ 50,000	$ –	$ –	$ 50,000	$ –	0	$ –
TOTAL PUMP STATION PROJECTS			**$ 100,000**	**$ –**	**$ –**	**$ 100,000**	**$ –**		**$ –**
GENERAL PROJECTS									
G-1	General	I/I Reduction Program - Basin M	$ 675,000	$ 675,000	$ –	$ –	$ –	100	$ 675,000
G-2	General	Master Plan Updates	$ 300,000	$ –	$ –	$ 300,000	$ –	50	$ 150,000
G-3	General	Master Plan Updates	$ 300,000	$ –	$ –	$ –	$ 300,000	50	$ 150,000
TOTAL GENERAL PROJECTS			**$ 1,275,000**	**$ 675,000**	**$ –**	**$ 300,000**	**$ 300,000**		**$ 982,000**
TOTAL ($)			**$ 31,419,000**	**$ 7,244,000**	**$ 6,895,000**	**$ 10,876,000**	**$ 6,404,000**		**$ 16,478,000**
Total Annual ($/year)			**$ 1,309,125**	**$ 1,207,333**	**$ 1,723,750**	**$ 1,087,600**	**$ 1,601,000**		

ES.8 FINANCIAL ANALYSIS

The last chapter of the SSMP assesses the City's ability to fund the CIP, and includes a financial status of the sewer utility, funding required to finance the scheduled improvements, updating the system development charges (SDC), potential funding sources, and the impacts of sanitary sewer improvements on sewer rates.

Given historical revenue and expenses, the City has maintained an adequate amount of revenue from sanitary sewer fees to cover their operating and capital expenses, and the City maintains a no-debt policy. The City's current sewer system development charges are well below the average SDC when compared to other Oregon cities, and are proposed to increase to $1,030 or $1,036 per Equivalent Residential Unit (ERU), depending on funding options for the EXP projects. The proposed increase would increase the City's SDC revenue and, assuming the annual growth continues, would help reduce rate increases beyond Fiscal Year (FY) 2027.

The City's sanitary sewer utility would have sufficient funds for the recommended CIP provided the City consider reasonable rate increases and, if necessary, issuing debt. The options given in Chapter 8 show a strong analysis in the short-term, as the City is more confident with the priority of the projects and assumed growth. As the analysis goes beyond the ten-year period, the assumptions become more unpredictable as the City's growth and CIP tend to be adjusted. The recommended CIP in Chapter 7 was adjusted to delay some projects in order to maintain lower, more consistent rate increases. This revised CIP to meet funding goals is shown in Chapter 8. It is recommended to conduct a more in-depth rate study and cost of service study in the near future that will help the City understand the financial impacts and the suggestions identified herein.

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.4

DEPARTMENT: Public Works
PHONE: (541) 774-2100
STAFF CONTACT: Cory Crebbin, Public Works Director

AGENDA SECTION: Public Hearings
MEETING DATE: December 6, 2018

COUNCIL BILL 2018-135
A resolution approving the formation of a Reimbursement District for recovery of a portion of costs associated with the construction of Tamarack Drive.

SUMMARY AND BACKGROUND
Council is requested to consider approval of a resolution authorizing the formation of a Reimbursement District and allowing for payments from benefitting properties contribute for the construction of Tamarack Drive.

PREVIOUS COUNCIL ACTIONS
On April 19, 2007, Council Bill 2007-84 was approved adding Sections 3.900 through 3.913 to the Medford Municipal Code to establish a process for the formation of reimbursement districts.

ANALYSIS
Several phases of a development known as Forest Ridge at Vista Point were conditioned to construct Tamarack Drive. This standard residential street was constructed in 2005. On October 3, 2018, the original developer applied to the City for the formation of a Reimbursement District to collect proportional contributions for street construction from other benefitting properties.

As of the date of the Reimbursement District application the formation of Reimbursement Districts is governed by Medford Municipal Code (MMC) sections 3.900 through 3.913. A Public Works Director's Report has been prepared as required by the MMC and is attached as an Exhibit. That Report concludes:

A) The applicant or their predecessors have paid for improvements to Tamarack Drive.
B) The area to be included in the Reimbursement District are City properties commonly referred to as Oregon Hills Park and the Oregon Hills Storm Water Detention Facility site.
C) The estimated cost of the public improvements was $854,412.63 and the applicant can be reimbursed for half of that amount.
D) The recommended method for allocating costs is length of frontage on Tamarack Drive.
E) No charge by the City for administration of the agreement is proposed.

The cost information in the Reimbursement District application, which is $427,206.32 for the benefitting properties, appears reasonable. The City of Medford owns all benefitting property. No cost escalation since the time of street construction is recommended as no Reimbursement District has been formed, thereby denying the benefitting properties the opportunity to pay the balance without incurring such additional costs.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
The City of Medford, as owner of all proposed benefitting properties, will be liable for the amount established in the Reimbursement District. Based on the front footage methodology recommended in the Public Works Director's Report, the Parks Department will be responsible for 62% of the cost and the Public Works Storm Drain Utility will be liable for 38% of the costs. Such funds are not included in the current budget but can be funded by account SDR0000 for Storm Drain utility and account RAA1000 for Parks Department.

TIMING ISSUES
None.

COUNCIL OPTIONS

- Approve a resolution authorizing the formation of a Reimbursement District as applied for.
- Modify the terms of the Reimbursement District and approve a resolution authorizing formation.
- Deny the formation of a Reimbursement District.

STAFF RECOMMENDATION

None.

SUGGESTED MOTION

I move to approve a resolution authorizing the formation of a Reimbursement District for the construction of Tamarack Drive in the amount of $427,206.32.

EXHIBITS

Resolution
Public Works Director's Report
Reimbursement District Application

RESOLUTION NO. 2018-135

A RESOLUTION approving the formation of a Reimbursement District for recovery of a portion of costs associated with the construction of Tamarack Drive.

WHEREAS, Tamarack Drive, LLC is requesting that a Reimbursement District be created for improvements made on Tamarack Drive; and

WHEREAS, Sections 3.900 through 3.913 of the Medford Municipal Code allow for the formation of Reimbursement Districts which provides a means whereby a developer who finances some or all of the costs of a public street, sanitary sewer, or storm drain improvement, may recover some or all of their costs for such improvement from other benefitting property owners as they develop in the future; and

WHEREAS, the Public Works Director has reviewed the project costs submitted by the developer and has determined that a total of $427,206.32 is eligible for recovery from the benefitting properties; and

WHEREAS, no administration fees shall be imposed as all benefitting properties are owned by the City; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON

That the formation of a Reimbursement District with Tamarack Drive, LLC for construction of Tamarack Drive, is hereby approved.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2018.

ATTEST: _____ _____

City Recorder Mayor

Public Works Director's Report
For
Tamarack Drive Reimbursement District

Tamarack Drive, LLC, an Oregon Limited Liability company, has requested that a Reimbursement District be created for the improvements they made on Tamarack Drive from McAndrews Road to the easterly end of real property known as Oregon Hills Park. The total length of improvements is approximately 1,412 linear feet and the property benefitting from the improvements is owned by the City of Medford. Although the construction of the improvements predates the current Medford Municipal Code (MMC) 3.902 this report is based on the requirements therein:

(A) Whether the applicant will finance some or all of the cost of a public improvement, thereby making service available to property, other than property owned by the applicant;

The applicant constructed the full width of Tamarack Drive at their expense. As a result service was made available to City property intended for stormwater detention and a City park.

The applicant paid for and constructed the street as part of a residential development known as Forest Ridge at Vista Point, Phases 2, 3, 9 and 10. The work completed the full width of Tamarack Drive fronting the subdivision and City-owned property not developed at the time. The City-owned frontage was thus relieved of making frontage improvements as a result.

(B) The area to be included in the reimbursement district;

The area of the reimbursement district is shown on applicant's Exhibit C attached. The entire area is owned by the City and includes Oregon Hills Park and an area intended for storm water detention.

(C) The estimated cost of the public improvement(s) within the proposed reimbursement district and the portion of the cost for which the applicant should be reimbursed for each improvement;

The applicant's engineer provided a detailed cost estimate showing the total cost to build the road to be $854,412.63. The cost estimate has been reviewed and I find that the amounts are within the expected costs at the time construction was performed.

The applicant has requested that they be reimbursed for 50% of the cost. The basis for this request is that each property owner (the applicant and the City) have equal

frontage on Tamarack Drive. This method of computing proportional shares is consistent with the intent and practice for a local street described in the Medford Municipal Code.

Based on the costs submitted by the applicant and the methodology described in the previous paragraph, the applicant is eligible to receive $427,206.32.

An option which may be considered and the resulting reimbursement amount is:

1) Consider applicant liable for 'half plus 8 feet' – typically developments are required to build local streets half width plus 8 feet or half width plus 12 feet on the borders of the developed property. The City development approval for this development required Tamarack Drive to be fully constructed. There is no justification or explanation for this condition in the development file for Forest Ridge at Vista Point. However, if the applicant is held to be responsible for the costs of constructing half plus 8 feet of Tamarack Drive, which would have been the minimum condition imposed at the time of this development, then the resulting reimbursement amount is computes as:

General site work (37.3%)	**= $5,637**
Street work (37.3%)	**= 100,410**
All other items (50%)	**= 240,505**
Total	**= $346,552**

(D) A methodology for spreading the cost among the parcels within the reimbursement district and where appropriate defining a "unit" for applying the reimbursement fee to property which may, with City approval, be developed at some future date;

The recommended methodology for cost allocation to benefitting property is by proportion of frontage. This method is consistent with how local street construction costs are incurred by development under the Medford Municipal Code. Oregon Hills Park has 960 lineal feet of frontage on the improved street which is 68% of the total frontage. A storm water detention facility site abuts the remaining frontage.

(E) The amount to be charged by the City for administration of the agreement by the City. The administration fee shall be fixed by the City Council and will be included in the resolution approving and forming the reimbursement district. The administration fee is due and payable by the Applicant to the City at the time the agreement is signed.

No fee is proposed for this reimbursement district as the City owns all of the property therein and administrative burden is anticipated to be minimal.

The Parks, Recreation and Facilities Department has developed a significant portion of the Oregon Hills Park which currently fronts approximately 960 lineal feet of the 1,412 lineal feet of Tamarack Drive (approximately 68% of the frontage).

This report is intended to support four City Council decisions:

(1) Will or will not a reimbursement district be established?
(2) What will the reimbursement amount be?
(3) How will proportional shares of reimbursement amount be allocated amongst benefitting properties.
(4) What is the amount of the administrative fee to be charged by the City?

Respectfully Submitted,

Cory Crebbin, P.E.
Public Works Director

HUYCKE O'CONNOR JARVIS, LLP

ATTORNEYS AT LAW

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Writer's Assistant:
Renne Dal Santo

October 3, 2018

Mr. Cory Crebbin
Public Works Director
City of Medford Public Works Department
200 S. Ivy Street
Medford, OR 97501

RE: Reimbursement District Application

Dear Mr. Crebbin:

On behalf of Tamarack Drive, LLC, an Oregon limited liability company, I am submitting a Reimbursement District Application, which is enclosed. Also enclosed is the application fee of $376.00. The application is for partial reimbursement of the cost of constructing Tamarack Drive along its Oregon Hills Park frontage. This letter should be considered part of the application.

This application is pursuant to MLDC 10.442. Please note the following:

- The pertinent City Ordinance is MLDC 10.442 as it read in 2005. The Tamarack road project fits within the parameters of this ordinance in that: a) the street is adjacent to the boundary of developer's development; b) it was improved to its full width and dedicated; and c) the developer is requesting a reimbursement agreement.

- When Tamarack Drive was built in 2005, there were no City ordinances detailing procedures for the establishment of reimbursement districts. MMC 3.900 – 3.913 did not exist when Tamarack Drive was built. Informal cost-sharing agreements between the City and developers were not unusual.

- In the prior version of MLDC 10.442, there is no prescribed time within which the developer must request the reimbursement agreement.

- Under the current version of MLDC 10.442 and MMC 3.900 – 3.913, the reimbursement district should be approved.

- Oregon Hills Park is the benefitting property under MLDC 10.442 and MMC 3.900. Since 2005, the City has been relieved of the

expense of its construction and substantial interest that would have accrued on such amount.

- Although MMC 3.901 requires a reimbursement application to be submitted prior to construction of the public improvement: a) this requirement can be waived by the Public Works Director; and, more importantly, b) this ordinance did not exist at the time Tamarack Drive was constructed, so the application could not have been submitted prior to construction.

- The costs of construction for Tamarack Drive have been determined by the engineering company that designed and prepared the construction drawings for the road and inspected its construction and are based on construction costs for several similar roads built in Medford at the same time.

- The City should pay its fair share of the cost of improvements that benefit the City's Oregon Hills Park.

Please send me a copy of your report and let me know when a public hearing will be scheduled. Thank you for your assistance.

Very truly yours,

HUYCKE O'CONNOR JARVIS, LLP

PATRICK G. HUYCKE

PGH:rds
Enclosures
cc: Tamarack Drive, LLC
Sydnee Dreyer

REIMBURSEMENT DISTRICT
APPLICATION FORM

Application Fee: $376.00

Name: Tamarack Drive, LLC, an Oregon limited Date: October 3, 2018

Address: 3140 Juanipero Way City: Medford State: Oregon Zip: 97504

Description of development property (include map and tax lot number, Planning Department Permit reference, and address):

Forest Ridge at Vista Point, Phases 2, 3, 9 and 10 (Parcel 1 of Partition Plat No. P-14-2003) (PUD Planning File No. 03-124); the property benefitted by the development is City of Medford Oregon Hills Park, Map No. 371W22, TL 216 (Parcel 1 of Partition Plat No. P-14-2003); See **EXHIBIT A**.

Description of public improvements for which Reimbursement District is sought:

Street Improvements along Tamarack Drive including paving, curb, gutter, 5-foot sidewalks, and 8-foot park strips as depicted in the attached **EXHIBIT B**. The entire street improvement consists of 1412 linear feet (25,416 square feet) of street improvements and a creek crossing to accommodate such street.

Required attachments:

1. Detailed description of the location, type, and size of the public improvement(s), including detailed approved construction drawings or record drawings showing the location, nature and extent of the public improvement(s).

See **EXHIBIT B**.

2. Narrative explaining why all or part of the cost of the public improvement is eligible for reimbursement under MC§§3.900 through 3.913.

The original developer purchased from the City of Medford ("City") the subject property, which included the entire Vista Pointe Planned Unit Development. In exchange, the developer paid the City cash proceeds, built a substantial portion of East McAndrews Road east of the bridge at Foothills Road, and the parties agreed to do a lot line adjustment giving the City a park and the developer the remaining land. Subsequently, after significant negotiations, the property lot partition line was established as the center line of Tamarack Drive and Chablis Terrace. This partition was recorded on March 19, 2003. It should be noted that through the years the development project has been purchased and sold, but, as a result of successive conveyances, the applicant is the successor in interest to the original developer.

At the time and as a result of the negotiations and discussions regarding the partition, development approvals and subsequent improvements to Tamarack Drive, the developer

understood that the developer and the City would each dedicate and pay for 50% of the street improvements to the Tamarack Drive; the developer and City each owned one-half of the land on which the street would be built. The developer and the City each dedicated half of the street, but, with the understanding that the City would reimburse the developer for its share of the road improvements, the developer paid 100% of the cost thereof, including costs for the sidewalk and park strips on the City property when the improvements were completed in 2005. As a result, the City received 1,412 feet of street frontage for easy access to the future park and benefitted from the full street improvements. Street cost-sharing agreements between the City and developers were not unusual at the time the street improvement was made.

MLDC 10.442 deals with street improvements along exterior boundaries of land divisions. The purpose of the ordinance is to fairly allocate the sharing of the costs of public streets which benefit more than one property. The ordinance encourages the completion of streets and promotes connectivity. At the time the improvements to Tamarack Drive were completed, MLDC 10.442 provided as follows:

> Whenever the developer elects to construct any new street of the proposed development (as distinguished from an existing street) which will lie along and adjacent to any boundary of the development, it shall be offered for dedication and be improved to its full width as provided for that type of street in Tables IV-1 and IV-2 hereof. In such case, at the developer's request, the city will enter into a reimbursement agreement with the developer, whereby future developers of property abutting this required improvement will be required to pay a pro rata share of the cost of said full street as a condition of future development or development approval of such abutting property, provided that a unit price reimbursement is agreed to by the City prior to issuance of a development permit. Such agreements are limited to a ten (10) year duration. (emphasis added).

Nothing in the foregoing ordinance specifies a time limit within which the developer must request the reimbursement agreement. The only time limitation is the duration of the reimbursement agreement, which is ten years.

In 2007, the City adopted MMC 3.900 through 3.913 to establish a process for the formation of Reimbursement Districts, and in 2008, MLDC 10.442 was amended as a housekeeping measure to provide as follows:

> Whenever the developer elects to construct any new street of the proposed development (as distinguished from an existing street) which will lie along and adjacent to any boundary of the development, it shall be offered for dedication and be improved to its full width as provided for that type of street in Tables IV-1 and IV-2 hereof. If the street is other than an arterial or collector, the developer may apply to the City for the formation of a Reimbursement District in accordance with Sections 3.900 through 3.913 of the Medford Code, whereby future developers of property abutting this required improvement will be required to pay a pro rata share of the cost of said full street as a condition of future development or development approval of such abutting property. (emphasis added)

Under the version of MLDC 10.442 in effect when Tamarack Drive was constructed, at the developer's request, the city will enter into a reimbursement agreement, and when a development permit is issued for the property that is adjacent to the street, the owner of

the adjacent property will be required to pay its pro rata share of the cost of the street. Nothing in the legislative history or body of MMC 3.900 through 3.913 or amended MLDC 10.442 indicate that these ordinances should be applied retroactively. Oregon law establishes a presumption that laws are applied prospectively and will only be applied retroactively when such intent is clearly indicated. The developer's right to reimbursement is controlled by MLDC 10.442 as it read at the time road developments were completed. Nevertheless, this application will also address the criteria under the current versions of MLDC 10.442 and MMC 3.900 through 3.913.

MMC 3.900 defines a benefitted property as follows:

> Benefiting properties" means those properties which are, or may be, partially relieved of a cost or expense associated with development or construction of a public improvement, and which is different in degree from the value or benefit received by the general public. Benefiting property includes parcels within the City's urban growth boundary but outside the current City limits.

The developer constructed the full street improvements, including sidewalks and park strips, even though half of the land was owned by the City, which was later dedicated by the City for right-of-way purposes. This was based on the developer's understanding that the developer and the City would each dedicate and pay for 50% of the subject street improvements. But as noted above, even without an understanding that the City would pay for one-half of the street improvements, under MLDC 10.442 and as a result the request made in this application, the city is required to establish a reimbursement district.

It should be noted that in the original final order of approval for developer's subdivision, the public works department required the developer to construct the full street improvements as a condition of approval. This condition was illegal in that it went beyond what could legally be required of the developer – a one-half street, plus 12' beyond the centerline. The condition was not appealed by the developer because of the developer's understanding that the city would pay for its one-half share of the street improvement. The record on the developer's land use application contained erroneous information that rendered strict satisfaction of the illegal condition impossible. In particular, 1) the developer was required to dedicate 63 feet of right-of way, when in fact the City owned 31.5 feet of the land that was supposed to be, and ultimately was dedicated; 2) the developer would have had no authority to improve property belonging to a third party; and 3) the City had no legal authority to require the developer to install sidewalks and park strips along property owned by a third party. If the developer did not believe the City was going to pay for one-half of the street improvement, the developer would have designed the road so that access to the park would be provided, but, except for the park access drive, subdivision lots would be double-loaded on both sides of the road; the developer would not have situated the road so that it was single-loaded with lots on one side only. The alternative design would have spread the road costs over more lots and resulted in an increase in the developer's lot count by approximately 20 lots. The City wanted the park to have street frontage, and the City's agreement to pay for one-half of the street improvement caused the developer to design the road as it now stands. A condition imposing a requirement to improve the full street does not negate a developer's ability to apply for reimbursement from benefitted properties. In fact, this was acknowledged by the City Attorney's office at the time MMC 3.900 – 3.913 were adopted. "The City Attorney's office and the Public Works Department have prepared a

draft ordinance addressing the formation of reimbursement districts **for public improvements which private developers are required to construct as conditions of development, and which will benefit other properties besides the developers.** *City of Medford Agenda Item Commentary, Item No. 120.5, p. 1 (April 19, 2007)*"(emphasis added).

MMC 3.901 requires that a reimbursement district application be submitted prior to the installation of the public improvement, but in this case, there is no such time limitation because MMC 3.900 – 3.913 were adopted in 2007, after the completion of the public improvement. MMC 10.442, as it read at the time the public improvements were completed, did not include any time limitation on the reimbursement district application. Nevertheless, the developer contends that the reimbursement district should be approved both under the prior version of MMC 10.442 and under the current version of MMC 10.442 and MMC 3.900 – 3.912. Under MMC 3.901, "the Director may waive (the requirement for an application prior to installation of the public improvement) upon a showing by the applicant of good cause for the delay, that the applicant did not create the delay, and that the delay was unavoidable due to unanticipated or unforeseen circumstances." The delay referred to in the ordinance is the delay in not applying for the establishment of a reimbursement district prior to construction of the public improvement. It is not the delay between the time of completion of the public improvement and the time of application. There are instances where the Director has waived the requirement for pre-installation applications. In fact, MMC 3.901(B)(1) contemplates that the application may be made after the completion of public improvement by referencing that "as-built" plans may be submitted with the application. "As-built" plans are not created until after construction of improvements is complete. The delay in the developer's reimbursement district application has benefitted the City. Payment of the City's fair share of the cost of the street improvement and interest thereon has been delayed, and, meanwhile, the City and public have benefitted from the street improvement.

At the time the road was constructed, pursuant to MMC 10.442, the developer was entitled to request, and the city was required to enter into, a reimbursement agreement. "In (the case of full street improvements), at the developer's request, the city **will** enter into a reimbursement agreement with the developer." MLDC 10.442 (emphasis added). By the time Chapter 3.900 was adopted, the developer had already constructed the street, and any application for a reimbursement district would be required to be based upon application after the installation of the improvements, not prior to such work. By 2007 when this code was adopted, the recession had begun, and developer was distracted by many other pressing matters and the matter of reimbursement from the City was not at the forefront of those matters.

The developer contends that, pursuant to MMC 3.901, the City Public Works Director can find there was good cause for the delay for the following reasons: 1) at the time the improvements were made, the City's code gave a developer a right to apply for a reimbursement district and required the city to enter into such agreement for qualifying improvements; 2) at the time the improvements were made, the City had no code provisions setting forth the process for applying for reimbursement agreements or the timing thereof; 3) at the time the improvements were made, the developer reasonably

believed that the City intended to dedicate one-half of the road and reimburse him for one-half of the cost of those improvements; 4) by the time this ordinance was adopted the improvements were already installed, and as such the developer could not have filed prior to installation; 5) until recently, the developer was unaware that the ordinance had been adopted and, thus, unaware that timing was an issue; and 6) by the time this ordinance was adopted developer was in the midst of the recession and the significant issues his businesses suffered as a result which caused further delay in moving forward with this agreement.

If, under MMC 3.901, the Director finds that there is good cause for not filing for creation of the reimbursement district prior to construction, the City needs to determine whether to allow the formation of the district. Under the prior version of MMC 10.442, which was in effect when the street was built, the City had no discretion to approve or deny an application for a reimbursement district. Under MMC 3.904(A), the City has the "sole discretion" to decide whether or not to adopt a resolution approving the formation of a reimbursement district. There are no standards guiding the City's exercise of its discretion. The city's decision in this matter is complicated because it is the only party that will be affected by the decision. The City's park property benefitted substantially from the construction of the street improvements, and the City should pay its fair pro-rata share of the cost thereof. This situation is exactly what the City's pre-ordinance policy and ordinance were designed to accomplish as evidenced by the amendment to Chapter 3.900 setting forth the policy behind such agreements which is to establish a process "whereby a developer who finances some or all of the costs of a public street, sanitary sewer or storm drain improvements may recover some or all of his costs for such improvement from other benefiting property owners. Ordinance No. 2008-92.

Under the old and new versions of MLDC 10.442, the developer may apply for a reimbursement district for one-half of the street improvements, and it is consistent with City code to approve the formation of such district.

3. Map showing the properties to be included in the proposed district, including the City zoning designation, tax lot numbers, owners of the properties according to the current records of the County Assessor's office and their mailing addresses, the square footage or frontage of the properties, and identification of the properties owned by the applicant, if any.

See **EXHIBIT C**.

4. Detailed costs of the public improvements to be reimbursed. If the application is filed prior to construction, include the estimated costs of the improvements as evidenced by bids, cost and labor projections, or other similar evidence satisfactory to the City Engineer. If the application is filed after construction, include the actual costs of construction as evidenced by a contract, receipts, bids or other similar documents. *(Note: not all costs are eligible for reimbursement. See MC §3.903).*

See **EXHIBIT D**. The cost analysis has been prepared by Construction Engineering Consultants, Inc. ("CEC"), the same firm that designed and prepared the construction drawings for the road and inspected its construction. Because it prepared the plans and engineering details for the road, CEC has the exact quantities of materials needed for the construction. CEC's cost analysis of the road is based on several other road construction

projects in Medford that were completed at the same time as Tamarack Drive.

5. A proposed methodology for spreading the cost among the properties within the Reimbursement District.

This district is unusual in that there is only one benefitted parcel, the City's Oregon Hills Park. The proposed methodology for calculating costs is based upon the linear foot cost of the street improvements, including the arch pipe culvert with retaining wing walls. Developer seeks reimbursement in the total amount of $427,206.32, which is one-half of the total cost of the improvements. No right-of-way acquisition costs are included nor does the developer seek any interest to be applied to the fee.

6. The date that the public improvements are estimated to be complete.

As noted above, the improvements were completed in 2005.

7. A signed Construction Agreement with required bonds, on forms provided by the City.

N/A

APPLICANT:

TAMARACK DRIVE, LLC

By _____
Patrick G. Huycke, Authorized Agent

PROPERTY OWNER(S) *(if different from applicant):*

_____ _____

Name: _____ Name: _____

Address: _____ Address: _____

_____ _____

Reimbursement District Application

Exhibit A

Description of Development Property and Benefitting Property

Description: Jackson,OR Partition Plats 2003.14 Page
Order: plats and subds - Vista Pt Comment:

17700

PARTITION PLAT NO. P-14-2003

(File No. LDP-02-172)

Located In:

The NW 1/4, The NE 1/4, The SW 1/4 and The SE 1/4 of Section 22, Township 37 South, Range 1 West, W.M., City of Medford, Jackson County, Oregon

For:

CITY OF MEDFORD
411 WEST 8TH STREET
MEDFORD, OREGON 97501

RECEIVED
Date 3-19-03 By DD
This survey Consists of:
3 sheet(s) Map
1 page(s) Narrative
JACKSON COUNTY SURVEYOR

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE CITY OF MEDFORD, A MUNICIPALITY IN THE STATE OF OREGON, IS THE OWNER OF THE REAL PROPERTY REPRESENTED ON THIS PARTITION PLAT AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE PARTITIONED INTO PARCELS AS SHOWN HEREON, AND DOES HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREETS AND PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.

BY: Lindsay D. Berryman
AUTHORIZED REPRESENTATIVE
CITY OF MEDFORD

TITLE: Mayor

STATE OF OREGON)
) SS
COUNTY OF JACKSON)

ON THIS 14th DAY OF March, 2003, BEFORE ME, Glenda Owens, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED Lindsay D. Berryman, PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED THAT IT WAS EXECUTED ON BEHALF OF THE CITY OF MEDFORD, A MUNICIPALITY IN THE STATE OF OREGON.

Glenda Owens
NOTARY

OFFICIAL SEAL
GLENDA OWENS
NOTARY PUBLIC-OREGON
COMMISSION NO. 326146
MY COMMISSION EXPIRES AUG. 11, 2003

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS REQUIRED BY O.R.S. 92.095 HAVE BEEN PAID AS OF THIS 18 DAY OF MARCH, 2003.

Christopher Francis Deputy
ASSESSOR — DATE: MARCH 18, 2003

Patty Birdsong, Deputy
TAX COLLECTOR — DATE: March 18 2003

I certify this plat to be an exact photocopy of the original.
David M. Minneci
SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
David M. Minneci
OREGON
JULY 30, 1988
DAVID M. MINNECI
2349
EXPIRES 12/31/04

APPROVALS:

CITY OF MEDFORD PLANNING DEPARTMENT:

Robert O. Scott — March 14, 2003
DIRECTOR — DATE

EXAMINED AND APPROVED THIS 13 DAY OF March, 2003.

(Paul D. Lewis)
CITY OF MEDFORD SURVEYOR

RECORDER'S CERTIFICATE:

FILED FOR RECORD THIS 18 DAY OF March, 2003 AT 10:47 O'CLOCK A.M.

RECORDED AS PARTITION PLAT NO. P-14-2003 OF "RECORD OF PARTITION PLATS" IN JACKSON COUNTY, OREGON. (INDEX VOLUME 14, PAGE 14)

Kathleen S. Beckett — Christy D. Walker
COUNTY CLERK — DEPUTY

17700

FILED IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR AS NO. _____.

SURVEYOR'S CERTIFICATE

I, DAVID M. MINNECI, A DULY REGISTERED SURVEYOR OF THE STATE OF OREGON, DO HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME AND COMPLIES WITH THE REGULATIONS FOR LAND PARTITIONS AND THE FOLLOWING IS AN ACCURATE DESCRIPTION OF THE PARENT TRACT OF LAND AS SET FORTH HEREON:

BEGINNING AT THE ELL CORNER OF DONATION LAND CLAIM NO. 62 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON, THENCE SOUTH 89°48'39" EAST 1322.77 FEET TO THE EAST, NORTHEAST CORNER OF SAID CLAIM, THENCE, ALONG THE EAST BOUNDARY OF SAID CLAIM, SOUTH 00°07'30" WEST 1539.10 FEET TO THE NORTHEAST CORNER OF OREGON HILLS SUBDIVISION UNIT NO. 4, ACCORDING TO THE OFFICIAL PLAT THEREOF, NOW OF RECORD IN SAID JACKSON COUNTY; THENCE, ALONG THE BOUNDARIES OF OREGON HILLS SUBDIVISION UNITS NO 1, 2, 3 AND 4, AND GREYSON HEIGHTS SUBDIVISION, THE FOLLOWING COURSES: NORTH 89°51'49" WEST 349.99 FEET (PLAT NORTH 89°52'19" WEST 350.00 FEET); THENCE SOUTH 00°07'48" WEST 90.00 FEET (PLAT SOUTH 00°07'41" WEST 90.00 FEET); THENCE NORTH 89°53'56" WEST 244.73 FEET (PLAT NORTH 89°52'19" WEST 245.00 FEET); THENCE SOUTH 48°22'20" WEST 140.54 FEET (PLAT SOUTH 48°25'26" WEST 140.71 FEET); THENCE NORTH 28°09'30" WEST 219.86 FEET (PLAT NORTH 28°02'32" WEST 220.00 FEET); THENCE SOUTH 46°00'30" WEST 357.36 FEET (PLAT SOUTH 46°00'23" WEST 357.86 FEET); THENCE SOUTH 00°07'41" WEST 369.87 FEET (PLAT 370.00 FEET); THENCE NORTH 66°48'00" WEST 140.03 FEET (PLAT 140.02 FEET); THENCE NORTH 23°45'00" WEST 220.00 FEET; THENCE NORTH 73°18'00" WEST 60.29 FEET; THENCE SOUTH 33°15'[illegible]" WEST 58.14 FEET (PLAT SOUTH 33°48'52" WEST 57.91 FEET); THENCE SOUTH 67°06'29" WEST 219.77 FEET (PLAT SOUTH 67°01'18" WEST 219.77 FEET); THENCE, ALONG THE ARC OF A 960.00 FOOT RADIUS CURVE TO THE LEFT (THE LONG CHORD TO WHICH BEARS SOUTH 52°10'26" EAST 277.77 FEET), AN ARC DISTANCE OF 278.76 FEET (PLAT, ALONG THE ARC OF A 960.00 FOOT RADIUS CURVE TO THE LEFT (THE LONG CHORD TO WHICH BEARS SOUTH 52°13'48" EAST 277.43 FEET), AN ARC DISTANCE OF 278.20 FEET); THENCE SOUTH 60°32'10" EAST (PLAT SOUTH 60°32'16" EAST) 437.37 FEET; THENCE SOUTH 29°27'44" WEST 60.00 FEET; THENCE NORTH 60°32'10" WEST (PLAT NORTH 60°32'16" WEST) 437.37 FEET; THENCE, ALONG THE ARC OF A 1034.97 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD TO WHICH BEARS NORTH 52°10'26" WEST 301.04 FEET), AN ARC DISTANCE OF 302.11 FEET (PLAT, ALONG THE ARC OF A 1040.00 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD TO WHICH BEARS NORTH 52°13'48" WEST 300.54 FEET), AN ARC DISTANCE OF 301.60 FEET); THENCE NORTH 43°48'41" WEST (PLAT NORTH 43°55'19" WEST) 215.00 FEET; THENCE SOUTH 82°49'59" WEST 173.52 FEET (PLAT SOUTH 82°03'58" WEST 173.40 FEET); THENCE SOUTH 59°10'08" WEST 76.39 FEET (PLAT SOUTH 59°03'16" WEST 76.14 FEET); THENCE SOUTH 26°31'01" WEST 196.25 FEET (PLAT SOUTH 26°29'34" WEST 196.28 FEET); THENCE, ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD TO WHICH BEARS NORTH 53°08'47" WEST 132.74 FEET), AN ARC DISTANCE OF 134.06 FEET; THENCE SOUTH 50°54'28" WEST 49.67; THENCE, ALONG THE ARC OF A 325.00 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD TO WHICH BEARS NORTH 33°06'54" WEST 68.06 FEET), AN ARC DISTANCE OF 68.18 FEET (PLAT THE LONG CHORD TO WHICH BEARS NORTH 33°06'54" WEST 68.21 FEET, AN ARC DISTANCE OF 68.34 FEET); THENCE NORTH 27°06'18" WEST 28.82 FEET (PLAT NORTH 27°03'51" WEST 28.82 FEET); THENCE SOUTH 66°55'24" WEST 92.93 FEET (PLAT SOUTH 66°56'09" WEST 93.00 FEET); THENCE SOUTH 80°29'49" WEST 70.08 FEET (PLAT SOUTH 80°27'44" WEST 70.00 FEET); THENCE SOUTH 61°26'34" WEST 448.96 FEET (SOUTH 61°26'19" WEST, TO THE EASTERLY BOUNDARY OF DONATION LAND CLAIM NO. 60; THENCE, LEAVING SAID SUBDIVISION BOUNDARIES AND ALONG SAID EASTERLY BOUNDARY, NORTH 00°04'37" EAST 2102.93 FEET TO THE NORTHEAST CORNER OF SAID CLAIM NO. 60; THENCE, ALONG THE WESTERLY BOUNDARY OF DONATION LAND CLAIM NO. 62, NORTH 00°06'41" WEST 1174.84 FEET TO THE SOUTHWEST CORNER OF THAT TRACT DESCRIBED IN DOCUMENT NO. 79-06290, OFFICIAL RECORDS OF SAID JACKSON COUNTY; THENCE, LEAVING SAID WESTERLY BOUNDARY AND ALONG THE BOUNDARY OF SAID TRACT THE FOLLOWING COURSES: SOUTH 89°45'15" EAST 217.80 FEET; THENCE NORTH 00°06'41" WEST 400.00 FEET; THENCE NORTH 89°45'15" WEST 217.80 FEET TO THE AFORESAID WESTERLY BOUNDARY OF DONATION LAND CLAIM NO. 62; THENCE, ALONG SAID WESTERLY BOUNDARY, NORTH 00°06'41" WEST 30.00 FEET TO THE NORTHERLY LINE OF SECTION 22, SAID TOWNSHIP AND RANGE, THENCE, ALONG SAID NORTHERLY LINE, SOUTH 89°45'15" EAST 1178.15 FEET TO THE NORTH ONE-QUARTER (1/4) CORNER OF SAID SECTION 22; THENCE CONTINUE ALONG SAID NORTHERLY LINE, SOUTH 89°44'31" EAST 487.09 FEET TO THE NORTH, NORTHEAST CORNER OF SAID CLAIM NO. 62; THENCE SOUTH 00°14'10" WEST 1317.27 FEET TO THE POINT OF BEGINNING.

David M. Minneci
SURVEYOR

37S1W22 TL 200 & TL 204

(02281partS1.dwg)
SHEET 1 OF 3

17700

Description: Jackson,OR Partition Plats 2003.14 Page
Order: plats and subds - Vista Pt Comment:
Page 152

17700

PARTITION PLAT NO. P-14-2003

(File No. LDP-02-172)

Located In:

The NW 1/4, The NE 1/4, The SW 1/4 and The SE 1/4 of Section 22, Township 37 South, Range 1 West, W.M., City of Medford, Jackson County, Oregon

For:

CITY OF MEDFORD

411 WEST 8TH STREET

MEDFORD, OREGON 97501

"RECEIVED"
Date 3-14-03 By KB
This survey Consists of:
3 sheet(s) Map
_ page(s) Narrative
JACKSON COUNTY SURVEYOR

FD 2 1/2" BRASS CAP IN CONCRETE STAMPED T37S R1W 16 15 21 22 CS 1969

NW CORNER DLC NO. 62 FD. 3/4" PIPE WITH 2" BRASS DISC EXPOSED 6" PER S/N 9158

(BASIS OF BEARING) (2648.855' PER S/N 9158) S89°45'15"E 2648.76'

1178.15' (CITY LIMITS)

(S89°45'00"E 487.117' PER S/N 9158) S89°44'31"E 487.09'

FD. 1" IRON PIPE WITH 2 1/2" BRASS DISC EXPOSED 6" & STAMPED JACKSON COUNTY 1980 T37S R1W DLC N.E. 62

N00°14'10"E 3.18'

1470.62' (1470.777' PER S/N 9158)

(SEE DETAIL) 217.80' N89°45'15"W

0.22' S85°48'E

400.00' DOC NO. 79-06280, OFFICIAL RECORDS OF JACKSON COUNTY 400.00' N00°06'41"W

S89°45'15"E 217.80'

0.29' S74°58'E

0.39' S87°14'E

FD 3" BRASS CAP IN CONCRETE STAMPED T37S R1W 1/4 3 16 22 CS 1980

NE CORNER DLC NO. 62 PER S/N 9158

30' EASEMENT FOR INGRESS, EGRESS AND WATER MAINS PER DOC. NO. 79-06280, OFFICIAL RECORDS

S89°45'15"E 217.80'

N00°06'41"W 30.00'

N22°54'E 0.11'

S89°45'15"E 217.80'

DETAIL

(CITY LIMITS)

(N00°07'12"W 1604.978' PER S/N 9158) N00°06'41"W 1604.84'

1068.36'

S/N 9158

S00°14'10"W 1317.27' (S00°13'32"W 1317.257' PER S/N 9158)

INITIAL POINT

ELL CORNER DLC NO. 62 FD. 1 1/2" IRON PIPE WITH 2 1/2" BRASS DISC EXPOSED 9" & STAMPED JACKSON COUNTY 1980 T37S R1W DLC EL. 62 C.S. 1987

(S89°49'29"E 1323.549' PER S/N 9158) S89°48'39"E 1322.77'

ENE CORNER DLC NO. 62 FD. 1" IRON PIPE WITH 2 1/2" BRASS DISC EXPOSED 6" & STAMPED JACKSON COUNTY T37S R1W DLC ENE 62 C.S. 1987

N00°06'41"W 46.16'

NE CORNER DLC NO. 60 FD. 2 1/2" BRASS CAP EXPOSED 6" STAMPED JACKSON COUNTY 1999 CS

10' PUE

40.37' N00°06'41"W

10' PUE

(Parcel 1)

Parcel 1
166.86 acres

S27°27'23"E 38.23'	S72°27'22"E 28.28'	65.00'	S27°43'15"E
S17°32'38"W 28.28'	73.61'	S27°27'23"E	116.34'
S26°25'19"E	73.57'	S27°27'23"E	S27°32'37"W 26.28'
65.00'	S27°32'40"E	S72°27'23"W 28.28'	

N27°27'23"W 162.81'

McAndrews Road

MATCH LINE

SEE SHEET 3

3980.62' (S00°07'41"W 3980.66' PER S/N 14692) S00°07'30"W (S00°07'41"W PER S/N 9158)

23 13 12 11 9

CAMBRIDGE PARK PHASES 1 AND 2

SE CORNER DLC NO. 62 FD. 3/4" IRON PIPE WITH 2 1/2" BRASS DISC EXPOSED 3" & STAMPED JACKSON COUNTY 1980 T37S R1W DLC SE 62 DLC

HOFFBUHR & ASSOCIATES, INC.
3155 ALAMEDA ST., STE 201 MEDFORD, OREGON
(541) 776-4641
BY: DAVID M. MINNECI RPLS NO. 2349
SCALE: 1" = 200' FEBRUARY 14, 2003
BASIS OF BEARING: SURVEY NUMBER 9158 (SECTION LINE)

- o = SET 5/8" x 24" IRON PIN WITH PLASTIC CAP STAMPED "D. MINNECI LS 2349".
- • = FOUND 5/8" IRON PIN WITH PLASTIC CAP STAMPED "KAISER RLS 603" PER S/N 9158.
- ◉ = FOUND BRASS CAP MONUMENT AS NOTED
- ◎ = SET 5/8" X 30" REBAR WITH METAL CAP STAMPED "LS 2349".
- S/N = SURVEY NUMBER
- PUE = EASEMENT FOR PUBLIC UTILITIES, INCLUDING BUT NOT LIMITED TO, STORM DRAINAGE, TELEPHONE, GAS, WATER, ELECTRIC, CABLE TELEVISION AND SANITARY SEWER CONSTRUCTION AND MAINTENANCE.

NOTE

1.) CENTERLINE REFERENCES ON FILE WITH THE CITY OF MEDFORD ENGINEERING DEPARTMENT.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
1	51°04'47"	477.46'	425.86'	411.70'	N52°59'46"W
2	26°26'11"	522.76'	241.20'	239.07'	N86°19'59"W
3	25°39'30"	540.00'	241.82'	239.81'	N40°17'08"W
4	29°30'22"	422.00'	217.32'	214.93'	S85°19'57"E
5	21°07'24"	427.00'	157.42'	156.53'	S38°01'08"E

REGISTERED PROFESSIONAL LAND SURVEYOR
David M. Minneci
OREGON
DAVID M. MINNECI
2349
EXPIRES 12/31/04

I certify this plat to be an exact photocopy of the original.
David M. Minneci
SURVEYOR

37S1W22 TL 200

(02281PARTS2.DWG)
SHEET 2 OF 3

17700

PARTITION PLAT NO. P-14-2003

(File No. LDP-02-172)

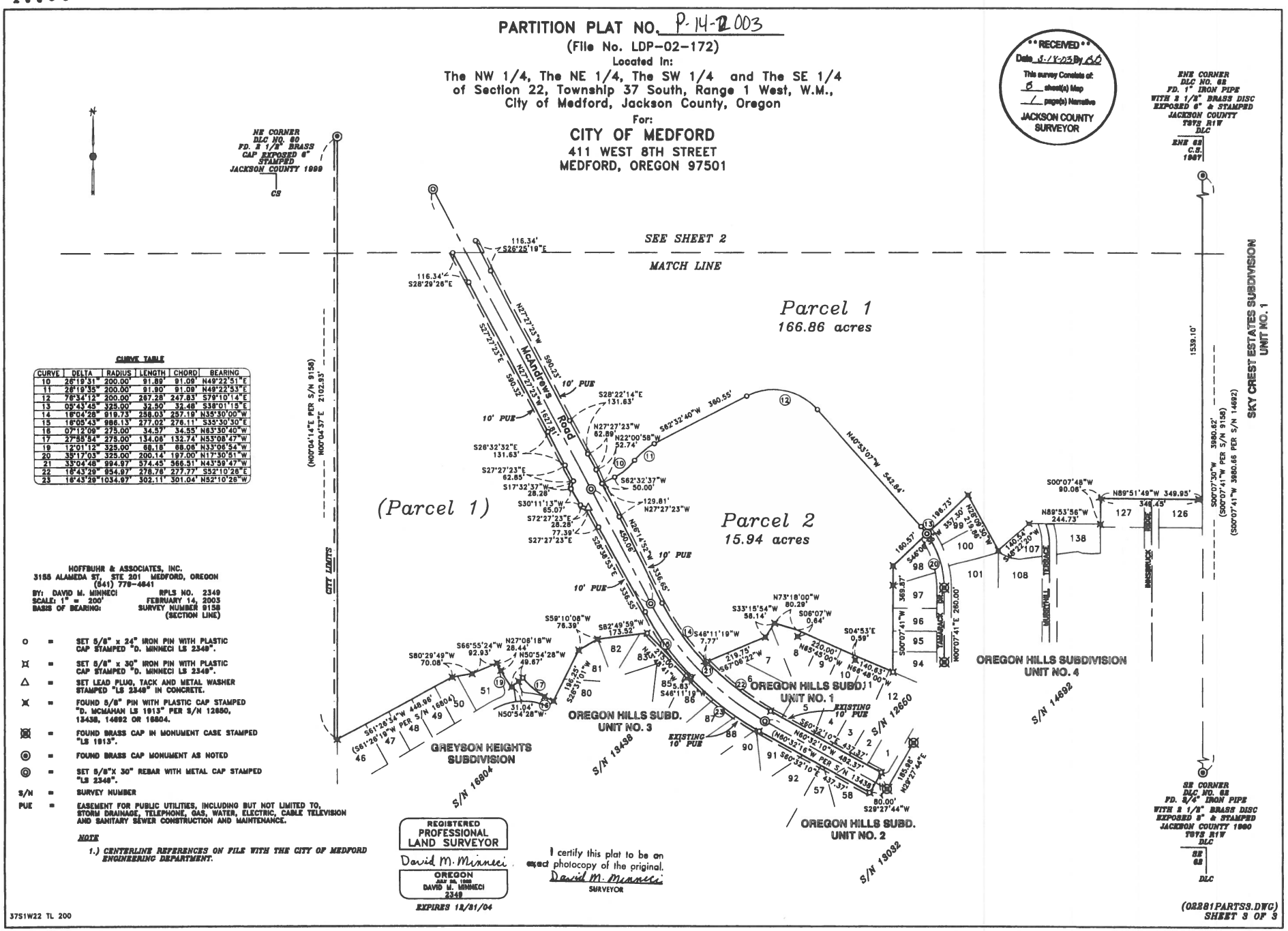
Located In:

The NW 1/4, The NE 1/4, The SW 1/4 and The SE 1/4 of Section 22, Township 37 South, Range 1 West, W.M., City of Medford, Jackson County, Oregon

For:

CITY OF MEDFORD
411 WEST 8TH STREET
MEDFORD, OREGON 97501

RECEIVED
Date 3-14-03 By AD
This survey Consists of:
6 sheet(s) Map
1 page(s) Narrative
JACKSON COUNTY SURVEYOR



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
10	26°19'31"	200.00'	91.89'	91.09'	N49°22'51"E
11	26°19'35"	200.00'	91.90'	91.09'	N49°22'53"E
12	76°34'12"	200.00'	267.28'	247.83'	S79°10'14"E
13	05°43'45"	325.00'	32.50'	32.48'	S38°01'15"E
14	18°04'28"	819.73'	258.03'	257.19'	N35°30'00"W
15	16°05'43"	986.13'	277.02'	276.11'	S35°30'30"E
16	07°12'09"	275.00'	34.57'	34.55'	N63°30'40"W
17	27°55'54"	275.00'	134.06'	132.74'	N53°08'47"W
19	12°01'12"	325.00'	68.18'	68.08'	N33°08'54"W
20	35°17'03"	325.00'	200.14'	197.00'	N17°30'51"W
21	33°04'46"	994.97'	574.45'	566.51'	N43°59'47"W
22	16°43'29"	954.97'	278.76'	277.77'	S52°10'26"E
23	16°43'29"	1034.97'	302.11'	301.04'	N52°10'26"W

HOFFBUHR & ASSOCIATES, INC.
3155 ALAMEDA ST, STE 201 MEDFORD, OREGON
(541) 770-4841
BY: DAVID M. MINNECI RPLS NO. 2349
SCALE: 1" = 200' FEBRUARY 14, 2003
BASIS OF BEARING: SURVEY NUMBER 9158 (SECTION LINE)

- o = SET 5/8" x 24" IRON PIN WITH PLASTIC CAP STAMPED "D. MINNECI LS 2349".
- ⌧ = SET 5/8" x 30" IRON PIN WITH PLASTIC CAP STAMPED "D. MINNECI LS 2349".
- △ = SET LEAD PLUG, TACK AND METAL WASHER STAMPED "LS 2349" IN CONCRETE.
- ✕ = FOUND 5/8" PIN WITH PLASTIC CAP STAMPED "D. MCMAHAN LS 1913" PER S/N 12650, 13436, 14692 OR 16804.
- ⊠ = FOUND BRASS CAP IN MONUMENT CASE STAMPED "LS 1913".
- ◎ = FOUND BRASS CAP MONUMENT AS NOTED
- ◎ = SET 5/8"X 30" REBAR WITH METAL CAP STAMPED "LS 2349".
- S/N = SURVEY NUMBER
- PUE = EASEMENT FOR PUBLIC UTILITIES, INCLUDING BUT NOT LIMITED TO, STORM DRAINAGE, TELEPHONE, GAS, WATER, ELECTRIC, CABLE TELEVISION AND SANITARY SEWER CONSTRUCTION AND MAINTENANCE.

NOTE

1.) CENTERLINE REFERENCES ON FILE WITH THE CITY OF MEDFORD ENGINEERING DEPARTMENT.

REGISTERED PROFESSIONAL LAND SURVEYOR
David M. Minneci
OREGON
JULY 29, 1988
DAVID M. MINNECI
2349
EXPIRES 12/31/04

I certify this plat to be an exact photocopy of the original.
David M. Minneci
SURVEYOR

37S1W22 TL 200

(02281PART33.DWG)
SHEET 3 OF 3

Description: Jackson,OR Partition Plats 2003.14 Page
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Description: Jackson,OR Subdivision Map 31.36 Page: Page 154
Order: plats and subds - Vista Pt Comment:

10004

FOREST RIDGE AT VISTA POINTE, PHASE 10
(A PLANNED COMMUNITY)
LOCATED IN:
PARCEL 1 OF PARTITION PLAT NO. P-14-2003
IN THE N.W. 1/4 SECTION 22, T.37S., R.1W., W.M.
CITY OF MEDFORD, JACKSON COUNTY, OREGON

* * * DECLARATION * * *

Know all men by these presents that, we, KEY WEST PROPERTIES, consisting of GALPIN, LLC and LARVAN, INC., are the owners in fee simple of the land hereon described, and have subdivided the same into lots and streets as shown hereon, and the number of each lot and the course and length of all lines are plainly set forth, and that this plat is a correct representation of the subdivision, and do hereby dedicate to the public for public use the streets shown hereon, together with those easements labeled as public utility easements, we also hereby grant to the City of Medford in fee simple those areas portrayed and designated hereon as 1 foot street plugs, by its approval of this plat, the City of Medford declares that upon dedication of the extension of the affected streets, it thereby dedicates the street plug for public street purposes. We also hereby create the private storm drainage easements (PSDE) for installation and maintenance of storm drainage facilities across Lots 215-218, for the benefit of the owners, heirs and assignees of Lots 216-219 across Lots 220-226, for the benefit of the owners, heirs and assignees of Lots 221-227, and do also hereby create the private sanitary sewer easements (PSSE) for installation and maintenance of private sanitary sewer facilities across Lot 230, for the benefit of the owners, heirs, and assignees of Lot 225, across Lot 232, for the benefit of the owners, heirs and assignees of Lot 223, across Lot 234, for the benefit of the owners, heirs and assignees of Lot 221, across Lot 235 for the benefit of the owners, heirs and assignees of Lot 220. We hereby designate said subdivision as FOREST RIDGE AT VISTA POINTE, PHASE 10.

KEY WEST PROPERTIES:

IN WITNESS WHEREOF, I have set my hand and seal this 7th day of June, 2005.

John Schleining
John Schleining,
LARVAN, INC.

STATE OF OREGON)
County of Jackson)ss.

The foregoing instrument was acknowledged before me this 7th day of June, 2005, by John Schleining as President of LARVAN, INC., an Oregon Corporation (partner of KEY WEST PROPERTIES).

Before me: Stephanie D. Susi
Notary

OFFICIAL SEAL
STEPHANIE D. SUSI
NOTARY PUBLIC-OREGON
COMMISSION NO. 355429
MY COMMISSION EXPIRES APR. 30, 2006

IN WITNESS WHEREOF, I have set my hand and seal this 9th day of June, 2005.

C.A. GALPIN, GALPIN, L.L.C.

STATE OF OREGON)
County of Jackson)ss.

The foregoing instrument was acknowledged before me this 9th day of June, 2005, by C.A. GALPIN, as an authorized member of GALPIN, LLC, an Oregon Limited Liability Company (partner of KEY WEST PROPERTIES).

Before me: Stephanie D. Susi
Notary

OFFICIAL SEAL
STEPHANIE D. SUSI
NOTARY PUBLIC-OREGON
COMMISSION NO. 355429
MY COMMISSION EXPIRES APR. 30, 2006

PREMIERWEST BANK, THE UNDERSIGNED BENEFICIARY OF A CERTAIN TRUST DEED DATED AUGUST 13. 2004 AND RECORDED AUGUST 26, 2004 AS DOCUMENT NO. 2004-050024, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, AFFECTING THE LAND DESCRIBED HEREIN, HEREBY RELEASES FROM THE LIEN OF SAID TRUST DEED ALL PROPERTY SHOWN HEREON AS DEDICATED TO THE PUBLIC FOR PUBLIC USE.

IN WITNESS HEREOF, SIGNED THIS 9th DAY OF June, 2005.

Gene A. Taylor
AUTHORIZED REPRESENTATIVE PREMIERWEST BANK
Vice President
TITLE

STATE OF OREGON
COUNTY OF JACKSON } SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9th DAY OF June, 2005, BY Gene A Taylor, KNOWN TO ME AS THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF PREMIERWEST BANK.

BEFORE ME: Jenny Maddock
NOTARY

OFFICIAL SEAL
JENNY MADDOCK
NOTARY PUBLIC - OREGON
COMMISSION NO 355674
MY COMMISSION EXPIRES MARCH 14, 2006

For order of the County Court approving this plat see Volume ______, page ______ of County Commissioners Journal of Proceedings.

RECORDER:

Filed for record this 14th day of July, 2005 at 11:18 O'Clock A.M. and recorded in Volume 31 of Plats at page 36 of records of Jackson County, Oregon.

Kathleen S Beckett
County Clerk

Barbara J Shaw
Deputy

37 1W 22 T.L. 200

[redacted] 7-14-05 [redacted]
[redacted]
2 [redacted]
2 [redacted]
[redacted]

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Darrell L Huck
OREGON
FEBRUARY 4, 1993
DARRELL L HUCK
2023

RENEWS 6/30/05

STATE OF OREGON)
County of Jackson) ss.

* * * SURVEYOR'S CERTIFICATE * * *

I, Darrell L. Huck, a duly Registered Professional Land Surveyor of the State of Oregon, do hereby certify that I have correctly surveyed and marked with the proper monuments as provided by law the tract of land hereon shown and the plat is a correct representation of the same, and the following is an accurate description of the boundary lines.

BEGINNING at a point for the most Easterly corner of Lot 22 in FOREST RIDGE AT VISTA POINTE, PHASE 1, in the City of Medford, according to the Official Plat thereof, now of record in Jackson County, Oregon, said point being marked with a 5/8 inch rebar with plastic cap stamped "HOFFBUHR AND ASSOC., INC." for the INITIAL POINT OF BEGINNING; thence South 27°27'23" East 31.50 feet to a point on the Northerly boundary of Parcel No. 2 of Partition Plat recorded March 18, 2003 as Partition Plat No. P-14-2003 of "Record of Partition Plats" in said Jackson County, and filed as Survey No. 17700 in the Office of the Jackson County Surveyor; thence along said boundary, South 62°32'40" West 319.81 feet; thence along the arc of a 200.00 foot radius curve to the left (the long chord to which bears South 49°22'53" West 91.09 feet) an arc distance of 91.90 feet; thence along the arc of a 200.00 foot radius curve to the right (the long chord to which bears South 49°22'51" West 91.09 feet) an arc distance of 91.89 feet; thence South 62°32'37" West 50.00 feet to a point on the Northeasterly right-of-way line of McAndrews Road; thence leaving the boundary of said Parcel No. 2, North 22°00'58" West along said right-of-way line, 52.74 feet; thence leaving said right-of-way line, along the arc of a 20.00 foot radius curve to the left (the long chord to which bears South 71°03'33" East 29.00 feet) an arc distance of 32.44 feet; thence North 62°32'37" East 25.00 feet; thence along the arc of a 168.50 foot radius curve to the left (the long chord to which bears North 49°22'51" East 76.74 feet) an arc distance of 77.42 feet; thence along the arc of a 231.50 foot radius curve to the right (the long chord to which bears North 39°09'17" East 23.72 feet) an arc distance of 23.73 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North 02°32'04" East 25.47 feet) an arc distance of 27.62 feet; thence North 37°01'20" West 23.25 feet; thence along the arc of a 227.50 foot radius curve to the right (the long chord to which bears North 32°14'22" West 37.94 feet) an arc distance of 37.98 feet; thence North 27°27'23" West 783.16 feet; thence along the arc of a 227.50 foot radius curve to the right (the long chord to which bears North 19°54'13" West 59.80 feet) an arc distance of 59.98 feet; thence North 12°21'04" West 12.00 feet; thence along the arc of a 20.00 foot radius curve to the left (the long chord to which bears North 51°54'28" West 25.47 feet) an arc distance of 27.62 feet to a point on the Southerly right-of-way line of Vista Pointe Drive; thence along said right-of-way line, along the arc of a 231.50 foot radius curve to the left (the long chord to which bears North 75°32'24" East 104.12 feet) an arc distance of 105.02 feet; thence North 62°32'40" East 144.11 feet; thence along the arc of a 20.00 foot radius curve to the right (the long chord to which bears South 72°27'21" East 28.28 feet) an arc distance of 31.42 feet to a point on the Southwesterly right-of-way line of Park Ridge Drive; thence along said right-of-way line South 27°27'23" East 882.00 feet; thence along the arc of a 20.00 foot radius curve to the right (the long chord to which bears South 17°32'39" West 28.28 feet) an arc distance of 31.42 feet; thence North 62°32'40" East 103.00 feet to a point on the boundary of the aforementioned Lot 22 in FOREST RIDGE AT VISTA POINTE, PHASE 1; thence continue North 62°32'40" East along said boundary, 46.00 feet to the INITIAL POINT OF BEGINNING.

Darrell L Huck
SURVEYOR

* * * APPROVALS * * *

MEDFORD CITY PLANNING

I certify that, pursuant to authority granted in Ordinance No. 5785 this plat is hereby approved.

Jim Maize — ACTING Planning Director
JULY 1, 2005 — Date

Examined and approved this 29th day of June, 2005.

Lawrence Bakow — City Engineer
Paul Leni — City Surveyor

Examined and approved as required by O.R.S. 92.100 as of July 13, 2005.

, Deputy
Assessor, Department of Assessment

All taxes, fees, assessments or other charges as required by O.R.S. 92.095 have been paid.

As of July 13, 2005

James Clark, Deputy
Tax Collector

BANK OF CASCADES, THE UNDERSIGNED BENEFICIARY OF A CERTAIN TRUST DEED DATED APRIL 7. 2005 AND RECORDED APRIL 8, 2005 AS DOCUMENT NO. 2005-019921, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, AFFECTING THE LAND DESCRIBED HEREIN, HEREBY RELEASES FROM THE LIEN OF SAID TRUST DEED ALL PROPERTY SHOWN HEREON AS DEDICATED TO THE PUBLIC FOR PUBLIC USE.

IN WITNESS HEREOF, SIGNED THIS 10 DAY OF JUNE, 2005.

William A. Haden
AUTHORIZED REPRESENTATIVE BANK OF CASCADES
EXECUTIVE V.P.
TITLE

STATE OF OREGON
COUNTY OF JACKSON } SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 10th DAY OF June, 2005, BY William A. Haden, KNOWN TO ME AS THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF BANK OF CASCADES.

BEFORE ME: Kristi Stockebrand
NOTARY

I certify this plat to be an exact photocopy of the original.
Darrell L Huck
SURVEYOR

OFFICIAL SEAL
KRISTI STOCKEBRAND
NOTARY PUBLIC- OREGON
COMMISSION NO. 347801
MY COMMISSION EXPIRES JUL 15, 2005

(03316S1.DWG)
Sheet 1 of 2

10004

FOREST RIDGE AT VISTA POINTE, PHASE 10
(A PLANNED COMMUNITY)
Located in:
PARCEL 1 OF PARTITION PLAT NO. P-14-2003
IN THE N.W. 1/4 SECTION 22, T.37S., R.1W., W.M.
CITY OF MEDFORD, JACKSON COUNTY, OREGON

FOR:
KEYWEST PROPERTIES
3140 JUANIPERO WAY
MEDFORD, OREGON 97504

HOFFBUHR & ASSOCIATES, INC.
880 GOLF VIEW DRIVE, SUITE 201 MEDFORD, OREGON
(541) 779-4641 97504

SCALE: 1 inch = 60 feet
BASIS OF BEARING:

DATE: MAY 16, 2005
FILED S/N 17700
(C/L MCANDREWS ROAD)

- O = SET 5/8"x24" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC."
- ● = FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC." PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1.
- ⊠ = SET 5/8"x30" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC."
- ⊙ = FOUND 5/8" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC INC" PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1.
- ◎ = SET 5/8"x30" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC INC"
- S/N = FILED SURVEY NUMBER
- PUE = EASEMENT FOR PUBLIC UTILITIES, STORM DRAINAGE, GAS WATER, ELECTRIC, TELEPHONE, CABLE TELEVISION AND SANITARY SEWER CONSTRUCTION AND MAINTENANCE.
- PSSE = PRIVATE SANITARY SEWER EASEMENT
- PSDE = PRIVATE STORM DRAIN EASEMENT
- ◢ = FOUND 5/8" IRON PIN WITH PLASTIC CAP STAMPED "D.MINNECI LS 2349" PER S/N 17700.
- ⊙ = FOUND 5/8" REBAR WITH METAL CAP STAMPED "LS 2349" PER S/N 17700.

LOT SIZE

LOT NO.	SQUARE FEET
215	7,263
216	6,624
217-218	6,521
219	7,159
220	7,677
221-226	6,728
227	7,263
228	7,272
229-234	6,987
235	7,977
236	7,439
237-238	6,773
239	6,880
240	7,326

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
1	79°06'48"	20.00'	27.62'	25.47'	N27°12'21"E
2	4°13'04"	231.50'	17.04'	17.04'	S64°39'12"W
3	89°59'57"	20.00'	31.42'	28.28'	S72°27'21"E
4	26°19'35"	200.00'	91.90'	91.09'	S49°22'53"W
5	26°19'31"	200.00'	91.89'	91.09'	S49°22'51"W
6	92°56'16"	20.00'	32.44'	29.00'	S71°03'33"E
7	26°19'31"	168.50'	77.42'	76.74'	N49°22'51"E
8	05°52'22"	231.50'	23.73'	23.72'	N38°09'17"E
9	21°46'24"	231.50'	87.97'	87.45'	N77°38'57"E
10	90°00'03"	20.00'	31.42'	28.28'	S17°32'39"W
11	89°59'57"	20.00'	31.42'	28.28'	N72°27'21"W
12	90°00'03"	20.00'	31.42'	28.28'	N17°32'39"E
13	80°25'59"	20.00'	28.08'	25.83'	N77°14'20"W
14	79°06'48"	20.00'	27.62'	25.47'	N02°32'04"E
15	09°33'58"	227.50'	37.98'	37.94'	N32°14'22"W
16	09°33'58"	200.00'	33.39'	33.35'	N32°14'22"W
17	09°33'58"	172.50'	28.80'	28.77'	N32°14'22"W
18	90°00'03"	20.00'	31.42'	28.28'	N17°32'39"E
19	89°59'57"	20.00'	31.42'	28.28'	N72°27'21"W
20	15°06'18"	172.50'	45.48'	45.35'	N19°54'13"W
21	15°06'19"	200.00'	52.73'	52.58'	N19°54'13"W
22	15°06'19"	227.50'	59.98'	59.80'	N19°54'13"W
23	79°06'48"	20.00'	27.62'	25.47'	N51°54'28"W
24	15°06'16"	200.00'	52.72'	52.57'	N70°05'48"E
25	14°44'44"	200.00'	51.47'	51.33'	S85°01'18"W
26	03°51'32"	231.50'	15.59'	15.59'	S89°32'06"E
27	09°34'01"	200.00'	33.40'	33.36'	S57°45'40"W

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON FEBRUARY 4, 1983 DARRELL L HUCK 2033
RENEWS 6/30/05

NOTES:

1.) INITIAL POINT - FOUND 5/8 INCH REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC." PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1.

2.) UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250 OREGON REVISED STATUTES

PURPOSE: TO SURVEY, MONUMENT AND PREPARE FINAL PLAT FOR OF FOREST RIDGE AT VISTA POINTE, PHASES 10, PER CITY OF MEDFORD PLANNING DEPARTMENT FILE NO. PUD-03-124 AND AS PER THE CLIENT'S REQUEST.

PROCEDURE: UTILIZING FOUND MONUMENTATION AND INFORMATION PER FILED SURVEY NO. 17700 AND PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1 FOR CONTROL, I ESTABLISHED PROPER MONUMENTS AS SHOWN HEREON. AN ELECTRONIC TOTAL STATION WAS USED FOR ALL MEASUREMENTS. INSTRUMENT NO. 04-011571 WAS USED IN DETERMINING CLIENT'S PROPERTY.

I certify this plat to be an exact photocopy of the original.
Darrell L Huck
SURVEYOR

37 1W 22 T.L. 200

(03316S2.DWG)
SHEET 2 OF 2

Description: Jackson,OR Subdivision Map 32.2 Page: 1
Order: plats and subds - Vista Pt Comment:
Page 156

FOREST RIDGE AT VISTA POINTE, PHASE 9

(A PLANNED COMMUNITY)

LOCATED IN:

PARCEL 1 OF PARTION PLAT NO. P-14-2003 IN
The Northeast 1/4, Northwest 1/4, Southwest 1/4 and Southeast 1/4
of Section 22, Township 37 South, Range 1 West, Willamette Meridian
in the City of Medford, Jackson County, Oregon

*** DECLARATION ***

KNOW ALL MEN BY THESE PRESENTS THAT, WE, KEY WEST PROPERTIES, CONSISTING OF GALPIN, LLC AND LARVAN, INC., ARE THE OWNERS IN FEE SIMPLE OF THE LAND HEREON DESCRIBED, AND HAVE SUBDIVIDED THE SAME INTO LOTS AND STREETS AS SHOWN HEREON, AND THE NUMBER OF EACH LOT AND THE COURSE AND LENGTH OF ALL LINES ARE PLAINLY SET FORTH, AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE SUBDIVISION, AND DO HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE THE STREETS SHOWN HEREON, TOGETHER WITH THOSE EASEMENTS LABELED AS PUBLIC UTILITY EASEMENTS, WE HEREBY GRANT TO THE CITY OF MEDFORD AND THEIR ASSIGNEES AN EASEMENT FOR STORM DRAINAGE, FOR ACCESS AND MAINTENANCE OF DRAINAGE AREAS ACROSS LOTS 182, 183, AND 194-197 AS SHOWN HEREON, AND WE ALSO HEREBY GRANT TO THE CITY OF MEDFORD IN FEE SIMPLE THOSE AREAS PORTRAYED AND DESIGNATED HEREON AS 1 FOOT STREET PLUGS, BY ITS APPROVAL OF THIS PLAT, THE CITY OF MEDFORD DECLARES THAT UPON DEDICATION OF THE EXTENSION OF THE AFFECTED STREETS, IT THEREBY DEDICATES THE STREET PLUG FOR PUBLIC STREET PURPOSES. WE ALSO CREATE THE PRIVATE WATER SERVICE EASEMENTS (PWSE) FOR INSTALLATION AND MAINTENANCE OF WATER SERVICE FACILITIES ACROSS LOT 181, FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES OF LOT 62 OF FOREST RIDGE AT VISTA POINTE, PHASE 2 AND PHASE 3, AND ACROSS LOT 189, FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES OF LOT 188, WE DO ALSO HEREBY CREATE THE PRIVATE STORM DRAINAGE EASEMENT (PSDE) FOR INSTALLATION, REPAIR AND MAINTENANCE OF STORM DRAINAGE FACILITIES ACROSS LOT 190 FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES OF THE REAL PROPERTY ADJOINING TO THE EAST, AND WE DO ALSO HEREBY CREATE THE PRIVATE SANITARY SEWER EASEMENTS (PSSE) FOR INSTALLATION, REPAIR AND MAINTENANCE OF PRIVATE SANITARY SEWER FACILITIES ACROSS LOT 175 FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES OF LOTS 68-70 OF FOREST RIDGE AT VISTA POINTE, PHASE 2 AND PHASE 3, ACROSS LOT 178, FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES OF LOTS 65-67 OF FOREST RIDGE AT VISTA POINTE, PHASE 2 AND PHASE 3, ACROSS LOT 185, FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES OF THE REAL PROPERTY ADJOINING TO THE EAST, ACROSS LOT 187, FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES OF THE REAL PROPERTY ADJOINING TO THE EAST AND ACROSS LOT 193, FOR THE BENEFIT OF THE OWNERS, HEIRS AND ASSIGNEES THE REAL PROPERTY ADJOINING TO THE EAST.

WE HEREBY DESIGNATE SAID SUBDIVISION AS FOREST RIDGE AT VISTA POINTE, PHASE 9.

KEY WEST PROPERTIES:

IN WITNESS WHEREOF, I have set my hand and seal this 16th day of December, 2005.

Stephanie Susi (signature)
~~John Schleining~~ Stephanie Susi
Larvan, Inc.

STATE OF OREGON)
County of Jackson)ss.

The foregoing instrument was acknowledged before me this 16th day of December, 2005, by ~~John Schleining~~ Stephanie Susi, ~~as President~~ Secretary of LARVAN, INC., an Oregon Corporation (partner of KEY WEST PROPERTIES).

Before me: Krista D. Amundsen (signature)
Notary

OFFICIAL SEAL
KRISTA D. AMUNDSEN
NOTARY PUBLIC-OREGON
COMMISSION NO. 389787
MY COMMISSION EXPIRES FEB. 16, 2009

IN WITNESS WHEREOF, I have set my hand and seal this 16th day of December, 2005.

(signature)
C.A. Galpin
Galpin, L.L.C.

STATE OF OREGON)
County of Jackson)ss.

The foregoing instrument was acknowledged before me this 16th day of December, 2005, by C.A. Galpin, as an authorized member of GALPIN, LLC, an Oregon Limited Liability Company (partner of KEY WEST PROPERTIES).

Before me: Guilaine Erceg (signature)
Notary

OFFICIAL SEAL
GUILAINE ERCEG
NOTARY PUBLIC-OREGON
COMMISSION NO. 362050
MY COMMISSION EXPIRES OCT. 14, 2006

PREMIERWEST BANK, THE UNDERSIGNED BENEFICIARY OF A CERTAIN TRUST DEED DATED AUGUST 13. 2004 AND RECORDED AUGUST 26, 2004 AS DOCUMENT NO. 2004-050024, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, AFFECTING THE LAND DESCRIBED HEREIN, HEREBY RELEASE FROM THE LIEN OF SAID TRUST DEED ALL PROPERTY SHOWN HEREON AS DEDICATED TO THE PUBLIC FOR PUBLIC USE.

IN WITNESS HEREOF, SIGNED THIS 16th DAY OF December 2005.

Gene A. Taylor (signature)
AUTHORIZED REPRESENTATIVE OF PREMIERWEST BANK
Vice President
TITLE

STATE OF OREGON } ss.
COUNTY OF JACKSON

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 16 DAY OF December 2005, BY Gene A. Taylor. KNOWN TO ME AS THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF PREMIERWEST BANK.

Before me: Jenny Maddock (signature)
Notary

OFFICIAL SEAL
JENNY MADDOCK
NOTARY PUBLIC - OREGON
COMMISSION NO. 355674
MY COMMISSION EXPIRES MARCH 14, 2006

37 1W 22 T.L. 271

RECEIVED
Date 1-11-06 By DG
This survey Consists of:
2 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

I certify this plat to be an exact photocopy of the original.
Douglas C. McMahan (signature)
SURVEYOR

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Douglas C. McMahan (signature)
OREGON
JULY 18, 1980
DOUGLAS C. McMAHAN
No. 1913
RENEWS 12/31/06

*** SURVEYOR'S CERTIFICATE ***

STATE OF OREGON }
County of Jackson } ss.

I, Douglas C. McMahan, a duly Registered Professional Land Surveyor of the State of Oregon, do hereby certify that I have correctly surveyed and marked with the proper monuments as provided by law the tract of land hereon shown and the plat is a correct representation of the same, and the following is an accurate description of the boundary lines.

BEGINNING at a point on the Northeasterly boundary of FOREST RIDGE AT VISTA POINTE, PHASE 1 in the City of Medford, according to the Official Plat thereof, now of record in Jackson County, Oregon, said point being the most-Northerly corner of Lot 18 of said FOREST RIDGE AT VISTA POINTE, PHASE 1, for the INITIAL POINT OF BEGINNING; thence along said Northeasterly boundary, North 27°27'22" West 55.00 feet; thence South 62°32'40" West 54.00 feet; thence North 27°27'20" West 120.00 feet to a point for the most Northerly corner of Lot 17 of said FOREST RIDGE AT VISTA POINTE, PHASE 1, said point also being the Southwest corner of FOREST RIDGE AT VISTA POINTE, PHASE 2 AND PHASE 3, according to the Official Plat thereof, now of record in said Jackson County; thence along the Southerly boundary of said FOREST RIDGE AT VISTA POINTE, PHASE 2 AND PHASE 3, North 62°32'40" East 240.00 feet; thence South 89°38'08" East 87.31 feet; thence South 83°34'41" East 173.46 feet; thence South 78°38'20" East 60.00 feet; thence South 62°14'36" East 57.33 feet; thence along the arc of a 202.50 foot radius curve to the right (the long chord to which bears South 11°45'31" West 2.81 feet) an arc distance of 2.81 feet; thence South 47°11'51" East 168.63 feet; thence South 00°24'06" West 61.84 feet; thence South 07°01'51" West 42.39 feet; thence South 14°38'15" East 39.88 feet; thence North 59°54'22" East 18.85 feet; thence North 69°11'44" East 57.80 feet; thence North 52°05'00" East 6.34 feet; thence South 40°53'07" East 155.28 feet; thence North 49°06'53" East 41.00 feet; thence South 40°53'07" East 190.00 feet; thence South 49°06'53" West 260.00 feet; thence South 40°53'07" East 280.00 feet; thence South 47°09'48" East 21.32 feet to a point for the most-Northerly corner of Lot 99 of OREGON HILLS SUBDIVISION, UNIT NO. 4, according to the Official Plat thereof, now of record in said Jackson County, said point being on the Northerly boundary of said subdivision; thence South 46°06'36" West (Record South 46°00'23" West) along said Northerly boundary, 196.73 feet to a point for the most-Easterly corner of Parcel No. 2 of Partition Plat recorded March 18, 2003 as Partition Plat No. P-14-2003 of ?Record of Partition Plats" in said Jackson County, and filed as Survey No. 17770 in the office of the Jackson County Surveyor; thence along the Northerly boundary of said Parcel No. 2, along the arc of a 325.00 foot radius curve to the left (the long chord to which bears North 38°01'15" West 32.48 feet) an arc distance of 32.50 feet; thence North 40°53'07" West 542.84 feet; thence along the arc of a 200.00 foot radius curve to the left (the long chord to which bears North 79°10'14" West 247.83 feet) an arc distance of 267.28 feet; thence South 62°32'40" West 40.74 feet to a point on the Northeasterly boundary of the aforementioned FOREST RIDGE AT VISTA POINTE, PHASE 1; thence along said Northeasterly boundary North 27°27'23" West 142.50 feet; thence North 62°32'40" East 89.18 feet; thence leaving said boundary, along the arc of a 75.00 foot radius curve to the left (the long chord to which bears South 88°28'23" East 8.07 feet) an arc distance of 8.08 feet; thence North 88°26'32" East 187.21 feet; thence along the arc of a 75.00 foot radius curve to the left (the long chord to which bears North 55°12'39" East 82.20 feet) an arc distance of 87.00 feet; thence North 21°58'45" East 92.51 feet; thence North 40°53'07" West 47.78 feet; thence along the arc of a 172.50 foot radius curve to the left (the long chord to which bears North 66°13'17" West 147.64 feet) an arc distance of 152.56 feet; thence South 88°26'32" West 128.47 feet; thence along the arc of a 172.50 foot radius curve to the left (the long chord to which bears South 75°29'36" West 77.31 feet) an arc distance of 77.97 feet; thence South 62°32'40" West 68.01 feet to the INITIAL POINT OF BEGINNING.

Douglas C. McMahan (signature)
SURVEYOR

*** APPROVALS ***

MEDFORD CITY PLANNING

I certify that, pursuant to authority granted in Ordinance No. 5785 this plat is hereby approved.

Robert O. Scott (signature) — Planning Director
January 5, 2006 — Date

Examined and approved this 21st day of December, 2005.

Laurence Bashaw (signature) — City Engineer
Paul D. Lemi (signature) — City Surveyor

Examined and approved as required by O.R.S. 92.100 as of JANUARY 11, 2006.

William Johnson, Deputy (signature)
Assessor/ Department of Assessment

All taxes, fees, assessments or other charges as required by O.R.S. 92.095 have been paid. As of 1/11/06.

Janice Clark, Deputy 1/11/06 (signature)
Tax Collector

APPROVED FOR RECORDING:

(signature) — County Commissioner/Administrator
1/11/06 — Date

RECORDER:

Filed for record this 11th day of JANUARY, 2006 at 11:37 O'Clock A.M. and recorded in Volume 32 of Plats at page 2 of records of Jackson County, Oregon.

Kathleen S Beckett — County Clerk
Barbara J Shaw — Deputy

(03314S1.DWG)
Sheet 1 of 2

Description: Jackson,OR Subdivision Map 32.2 Page: 2
Order: plats and subds - Vista Pt Comment:

FOREST RIDGE AT VISTA POINTE, PHASE 9

(A PLANNED COMMUNITY)

LOCATED IN:

PARCEL 1 OF PARTION PLAT NO. P-14-2003 IN
The Northeast 1/4, Northwest 1/4, Southwest 1/4 and Southeast 1/4
of Section 22, Township 37 South, Range 1 West, Willamette Meridian
in the City of Medford, Jackson County, Oregon

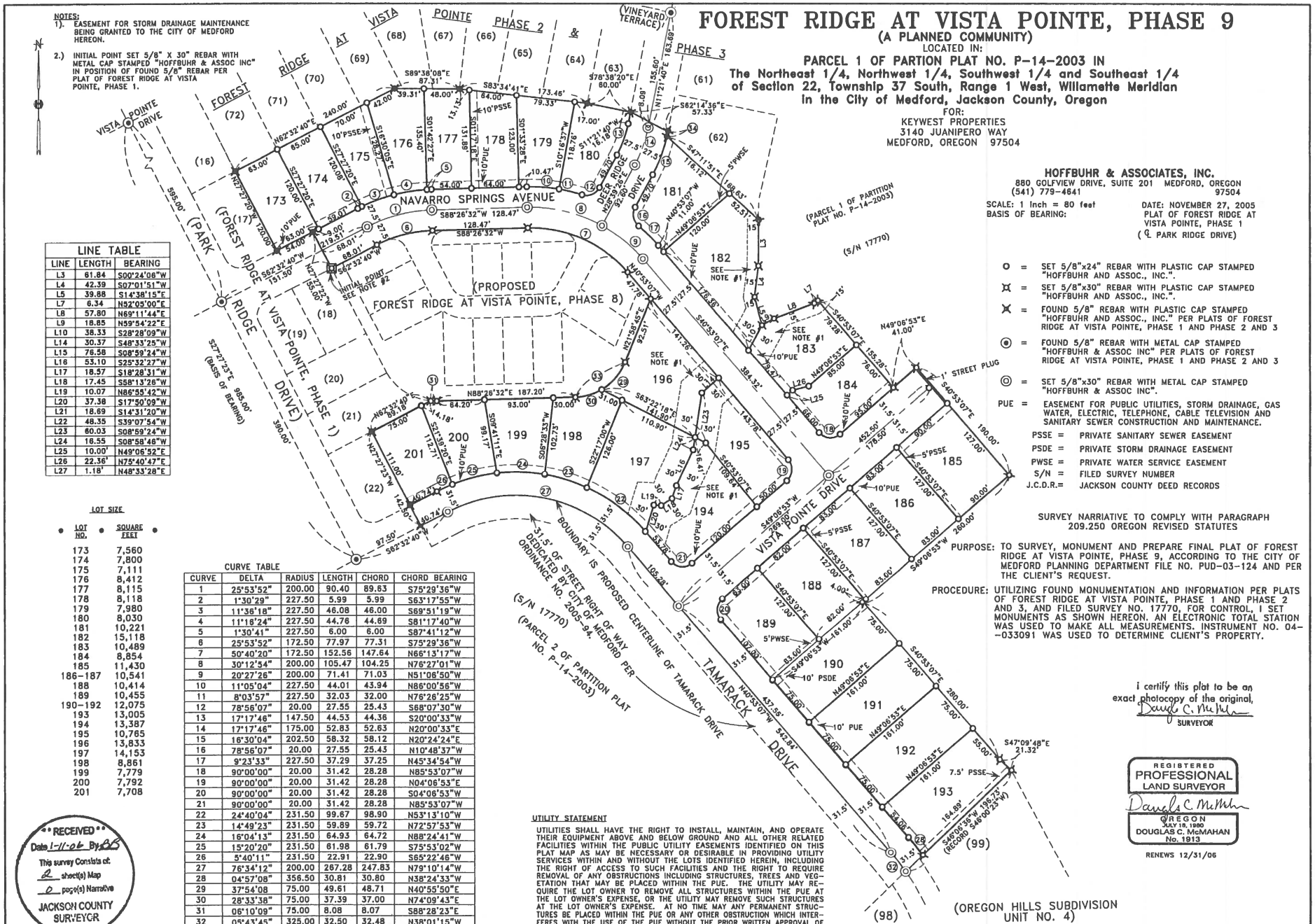
FOR:
KEYWEST PROPERTIES
3140 JUANIPERO WAY
MEDFORD, OREGON 97504

HOFFBUHR & ASSOCIATES, INC.
880 GOLFVIEW DRIVE, SUITE 201 MEDFORD, OREGON
(541) 779-4641 97504

SCALE: 1 Inch = 80 feet
BASIS OF BEARING:

DATE: NOVEMBER 27, 2005
PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1
(℄ PARK RIDGE DRIVE)

NOTES:
1). EASEMENT FOR STORM DRAINAGE MAINTENANCE BEING GRANTED TO THE CITY OF MEDFORD HEREON.
2.) INITIAL POINT SET 5/8" X 30" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC INC" IN POSITION OF FOUND 5/8" REBAR PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1.



LINE TABLE		
LINE	LENGTH	BEARING
L3	61.84	S00°24'06"W
L4	42.39	S07°01'51"W
L5	39.88	S14°38'15"E
L7	6.34	N52°05'00"E
L8	57.80	N69°11'44"E
L9	18.85	N59°54'22"E
L10	38.33	S28°28'09"W
L14	30.37	S48°33'25"W
L15	76.58	S08°59'24"W
L16	53.10	S25°32'27"W
L17	18.57	S18°28'31"W
L18	17.45	S58°13'26"W
L19	10.07	N86°55'42"W
L20	37.38	S17°50'09"W
L21	18.69	S14°31'20"W
L22	48.35	S39°07'54"W
L23	60.03	S08°59'24"W
L24	16.55	S08°58'48"W
L25	10.00'	N49°06'52"E
L26	22.36'	N75°40'47"E
L27	1.18'	N48°33'28"E

LOT SIZE

LOT NO.	SQUARE FEET
173	7,560
174	7,800
175	7,111
176	8,412
177	8,115
178	8,118
179	7,980
180	8,030
181	10,221
182	15,118
183	10,489
184	8,854
185	11,430
186-187	10,541
188	10,414
189	10,455
190-192	12,075
193	13,005
194	13,387
195	10,765
196	13,833
197	14,153
198	8,861
199	7,779
200	7,792
201	7,708

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
1	25°53'52"	200.00	90.40	89.63	S75°29'36"W
2	1°30'29"	227.50	5.99	5.99	S63°17'55"W
3	11°36'18"	227.50	46.08	46.00	S69°51'19"W
4	11°18'24"	227.50	44.76	44.69	S81°17'40"W
5	1°30'41"	227.50	6.00	6.00	S87°41'12"W
6	25°53'52"	172.50	77.97	77.31	S75°29'36"W
7	50°40'20"	172.50	152.56	147.64	N66°13'17"W
8	30°12'54"	200.00	105.47	104.25	N76°27'01"W
9	20°27'26"	200.00	71.41	71.03	N51°06'50"W
10	11°05'04"	227.50	44.01	43.94	N86°00'56"W
11	8°03'57"	227.50	32.03	32.00	N76°26'25"W
12	78°56'07"	20.00	27.55	25.43	S68°07'30"W
13	17°17'46"	147.50	44.53	44.36	S20°00'33"W
14	17°17'46"	175.00	52.83	52.63	N20°00'33"E
15	16°30'04"	202.50	58.32	58.12	N20°24'24"E
16	78°56'07"	20.00	27.55	25.43	N10°48'37"W
17	9°23'33"	227.50	37.29	37.25	N45°34'54"W
18	90°00'00"	20.00	31.42	28.28	N85°53'07"W
19	90°00'00"	20.00	31.42	28.28	N04°06'53"E
20	90°00'00"	20.00	31.42	28.28	S04°06'53"W
21	90°00'00"	20.00	31.42	28.28	N85°53'07"W
22	24°40'04"	231.50	99.67	98.90	N53°13'10"W
23	14°49'23"	231.50	59.89	59.72	N72°57'53"W
24	16°04'13"	231.50	64.93	64.72	N88°24'41"W
25	15°20'20"	231.50	61.98	61.79	S75°53'02"W
26	5°40'11"	231.50	22.91	22.90	S65°22'46"W
27	76°34'12"	200.00	267.28	247.83	N79°10'14"W
28	04°57'08"	356.50	30.81	30.80	N38°24'33"W
29	37°54'08"	75.00	49.61	48.71	N40°55'50"E
30	28°33'38"	75.00	37.39	37.00	N74°09'43"E
31	06°10'09"	75.00	8.08	8.07	S88°28'23"E
32	05°43'45"	325.00	32.50	32.48	N38°01'15"W
33	66°27'47"	75.00	87.00	82.20	N55°12'39"E
34	00°47'42"	202.50	2.81	2.81	S11°45'31"W

UTILITY STATEMENT

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

- O = SET 5/8"x24" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC.".
- ⌑ = SET 5/8"x30" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC.".
- ✕ = FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC." PER PLATS OF FOREST RIDGE AT VISTA POINTE, PHASE 1 AND PHASE 2 AND 3
- ⊙ = FOUND 5/8" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC INC" PER PLATS OF FOREST RIDGE AT VISTA POINTE, PHASE 1 AND PHASE 2 AND 3
- ◎ = SET 5/8"x30" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC INC".
- PUE = EASEMENT FOR PUBLIC UTILITIES, STORM DRAINAGE, GAS WATER, ELECTRIC, TELEPHONE, CABLE TELEVISION AND SANITARY SEWER CONSTRUCTION AND MAINTENANCE.
- PSSE = PRIVATE SANITARY SEWER EASEMENT
- PSDE = PRIVATE STORM DRAINAGE EASEMENT
- PWSE = PRIVATE WATER SERVICE EASEMENT
- S/N = FILED SURVEY NUMBER
- J.C.D.R.= JACKSON COUNTY DEED RECORDS

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250 OREGON REVISED STATUTES

PURPOSE: TO SURVEY, MONUMENT AND PREPARE FINAL PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 9, ACCORDING TO THE CITY OF MEDFORD PLANNING DEPARTMENT FILE NO. PUD-03-124 AND PER THE CLIENT'S REQUEST.

PROCEDURE: UTILIZING FOUND MONUMENTATION AND INFORMATION PER PLATS OF FOREST RIDGE AT VISTA POINTE, PHASE 1 AND PHASE 2 AND 3, AND FILED SURVEY NO. 17770, FOR CONTROL, I SET MONUMENTS AS SHOWN HEREON. AN ELECTRONIC TOTAL STATION WAS USED TO MAKE ALL MEASUREMENTS. INSTRUMENT NO. 04--033091 WAS USED TO DETERMINE CLIENT'S PROPERTY.

I certify this plat to be an exact photocopy of the original,
Douglas C. McMahan
SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
Douglas C. McMahan
OREGON
JULY 10, 1980
DOUGLAS C. McMAHAN
No. 1913
RENEWS 12/31/06

RECEIVED
Date 1-11-06 By
This survey Consists of:
2 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

37 1W 22 T.L. 271

(0331452.DWG)
SHEET 2 OF 2

Description: Jackson,OR Subdivision Map 33.25 Page: Page 158
Order: plats and subds - Vista Pt Comment:

WESTRIDGE VILLAGE AT VISTA POINTE, PHASE 2 AND PHASE 3

(A PLANNED COMMUNITY)
LOCATED IN:
PARCEL 1 OF PARTITION PLAT NO. P-14-2003
IN THE N.W. 1/4 OF SECTION 22, T.37S., R.1W., W.M.
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON

* * * DECLARATION * * *

KNOW ALL MEN BY THESE PRESENTS THAT, WE, KEY WEST PROPERTIES, CONSISTING OF GALPIN, LLC AND LARVAN, INC., ARE THE OWNERS IN FEE SIMPLE OF THE LAND HEREON DESCRIBED, AND HAVE SUBDIVIDED THE SAME INTO LOTS AND STREETS AS SHOWN HEREON, AND THE NUMBER OF EACH LOT AND THE COURSE AND LENGTH OF ALL LINES ARE PLAINLY SET FORTH, AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE SUBDIVISION, AND DO HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE THE EASEMENT LABELED AS A PUBLIC UTILITY EASEMENT.

WE HEREBY DESIGNATE SAID SUBDIVISION AS WESTRIDGE VILLAGE AT VISTA POINTE, PHASE 2 AND PHASE 3..

KEY WEST PROPERTIES:

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 14th DAY OF August, 2006.

John Schleining
JOHN SCHLEINING
LARVAN, INC.

STATE OF OREGON)
COUNTY OF JACKSON)ss.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF August, 2006, BY JOHN SCHLEINING, PRESIDENT OF LARVAN, INC., A NEW JERSEY CORPORATION (A PARTNER OF KEY WEST PROPERTIES).

BEFORE ME: Stephanie D. Susi
NOTARY

OFFICIAL SEAL
STEPHANIE D. SUSI
NOTARY PUBLIC-OREGON
COMMISSION NO. 406427
MY COMMISSION EXPIRES APR. 27, 2010

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 16 DAY OF August, 2006.

C.A. Galpin
C.A. Galpin
GALPIN, LLC

STATE OF OREGON)
COUNTY OF JACKSON)ss.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 16 DAY OF August, 2006, BY C.A. GALPIN, AS AN AUTHORIZED MEMBER OF GALPIN, LLC, AN OREGON LIMITED LIABILITY COMPANY (A PARTNER OF KEY WEST PROPERTIES).

BEFORE ME: Terry Spalding
NOTARY

BANK OF THE CASCADES, THE UNDERSIGNED BENEFICIARY OF A CERTAIN TRUST DEED DATED OCTOBER 9, 2003 AND RECORDED OCTOBER 14, 2003 AS DOCUMENT NO. 03-70614, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, AFFECTING THE LAND DESCRIBED HEREIN, HEREBY RELEASE FROM THE LIEN OF SAID TRUST DEED ALL PROPERTY SHOWN HEREON AS DEDICATED TO THE PUBLIC FOR PUBLIC USE.

IN WITNESS HEREOF, SIGNED THIS 15th DAY OF August, 2006.

AUTHORIZED REPRESENTATIVE OF BANK OF THE CASCADES

SVP
TITLE

STATE OF OREGON)
COUNTY OF JACKSON) SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF August, 2006, BY Mike Peil.
KNOWN TO ME AS THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF BANK OF THE CASCADES.

BEFORE ME: JJ Eldridge
NOTARY

OFFICIAL SEAL
J J ELDRIDGE
NOTARY PUBLIC OREGON
COMMISSION NO 395692
MY COMMISSION EXPIRES AUGUST 15, 2009

APPROVED FOR RECORDING:

COUNTY COMMISSIONER/ADMINISTRATOR

4/20/07
DATE

RECORDER:

FILED FOR RECORD THIS 20 DAY OF APRIL, 2006 AT 2:51 O'CLOCK P.M. AND RECORDED IN VOLUME 33 OF PLATS AT PAGE 25 OF RECORDS OF JACKSON COUNTY, OREGON.

Kathleen S Beckett
COUNTY CLERK

Barbara J. Shaw
DEPUTY

37 1W 22 T.L. 272

* * * SURVEYOR'S CERTIFICATE * * *

STATE OF OREGON)
COUNTY OF JACKSON) ss.

I, DOUGLAS C. MCMAHAN, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR OT THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS AS PROVIDED BY LAW THE TRACT OF LAND HEREON SHOWN, AND THIS PLAT IS A CORRECT REPRESENTATION OF THE SAME, AND THE FOLLOWING IS AN ACCURATE DESCRIPTION OF THE BOUNDARY LINES.

BEGINNING at a point on the Southwesterly boundary of FOREST RIDGE AT VISTA POINTE, PHASE 1 in the City of Medford, according to the Official Plat thereof, now of record in Jackson County, Oregon, said point being the most-Westerly point of curve on the Southerly right-of-way line of Vista Pointe Drive for the INITIAL POINT OF BEGINNING; thence along said right-of-way line, along the arc of a 168.50 foot radius curve to the right (the long chord to which bears North 77°28'09" East 86.80 feet) an arc distance of 87.79 feet; thence along the arc of a 231.50 foot radius curve to the left (the long chord to which bears South 89°32'06" East 15.59 feet) an arc distance of 15.59 feet to a point on the Southwesterly right-of-way line of Brownridge Terrace; thence along said right-of-way line along the arc of a 20.00 foot radius curve to the right (the long chord to which bears South 51°54'28" East 25.47 feet) an arc distance of 27.62 feet; thence South 12°21'04" East 12.00 feet; thence along the arc of a 227.50 foot radius curve to the left (the long chord to which bears South 19°54'13" East 59.80 feet) an arc distance of 59.98 feet; thence South 27°27'23" East 783.16 feet; thence along the arc of a 227.50 foot radius curve to the left (the long chord to which bears South 32°14'22" East 37.94 feet) an arc distance of 37.98 feet; thence South 37°01'20" East 23.25 feet; thence along the arc of a 20.00 foot radius curve to the right (the long chord to which bears South 02°32'04" West 25.47 feet) an arc distance of 27.62 feet to a point on the Northwesterly right-of-way line of Chablis Terrace; thence along said right-of-way line, along the arc of a 231.50 foot radius curve to the left (the long chord to which bears South 39°09'17" West 23.72 feet) an arc distance of 23.73 feet; thence along the arc of a 168.50 foot radius curve to the right (the long chord to which bears South 49°22'51" West 76.74 feet) an arc distance of 77.42 feet; thence South 62°32'37" West 25.00 feet; thence along the arc of a 20.00 foot radius curve to the right (the long chord to which bears North 71°03'33" West 29.00 feet) an arc distance of 32.44 feet to a point on the Northeasterly right-of-way line of McAndrews Road; thence along said right-of-way line North 27°27'23" West 62.89 feet; thence North 28°22'14" West 131.63 feet; thence North 27°27'23" West 590.23 feet; thence North 26°25'19" West 116.34 feet; thence North 27°27'23" West 73.61 feet; thence North 17°32'38" East 28.28 feet to a point on the aforementioned Southerly right-of-way line of Vista Pointe Drive; thence along said right-of-way line North 60°51'11" East 30.01 feet to the INITIAL POINT OF BEGINNING.

Douglas C. McMahan
SURVEYOR

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
JULY 19, 1990
DOUGLAS C. McMAHAN
No. 1913

RENEWS 12/31/06

I certify this plat to be an exact photocopy of the original.
Douglas C McMahan
SURVEYOR

* * * APPROVALS * * *

MEDFORD CITY PLANNING
I CERTIFY THAT, PURSUANT TO AUTHORITY GRANTED IN ORDINANCE NO. 5785 THIS PLAT IS HEREBY APPROVED.

PLANNING DIRECTOR

March 2, 2007
DATE

EXAMINED AND APPROVED THIS 29th DAY OF August, 2006.

Lawrence Barkhurst
CITY ENGINEER

CITY SURVEYOR

EXAMINED AND APPROVED AS REQUIRED BY O.R.S. 92.100 AS OF APRIL 20, 2006.

Nena Crawford, Deputy
ASSESSOR, DEPARTMENT OF ASSESSMENT

All TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS REQUIRED BY O.R.S. 92.095 HAVE BEEN PAID. AS OF 4-20-07.

Melissa Bench, Deputy
TAX COLLECTOR

RECORDED
4-20-07 P 2:51
2
0
JACKSON COUNTY
OREGON

(06036s1.dwg))
Sheet 1 of 2

Description: Jackson,OR Subdivision Map 33.25 Page: 2 of 2
Order: plats and subds - Vista Pt Comment:

19596

WESTRIDGE VILLAGE AT VISTA POINTE, PHASE 2 AND PHASE 3

(A PLANNED COMMUNITY)
LOCATED IN:
PARCEL 1 OF PARTITION PLAT NO. P-14-2003
IN THE N.W. 1/4 OF SECTION 22, T.37S., R.1W., W.M.
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250 OREGON REVISED STATUTES

PURPOSE: TO SURVEY, MONUMENT AND PREPARE FINAL PLAT OF WESTRIDGE VILLAGE AT VISTA POINTE, PHASE 2 AND PHASE 3, ACCORDING TO THE CITY OF MEDFORD PLANNING DEPARTMENT FILE NO. PUD-03-124 AND PER THE CLIENT'S REQUEST.

PROCEDURE: UTILIZING FOUND MONUMENTATION AND INFORMATION PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1 AND FILED SURVEY NO. 17700 FOR CONTROL, I ESTABLISHED THE MONUMENTS AS SHOWN HEREON. AN ELECTRONIC TOTAL STATION WAS USED TO MAKE ALL MEASUREMENTS. INSTRUMENT NO. 04-033091, OF THE OFFICIAL DEED RECORDS, WAS USED TO DETERMINE CLIENT'S PROPERTY.

NOTES:

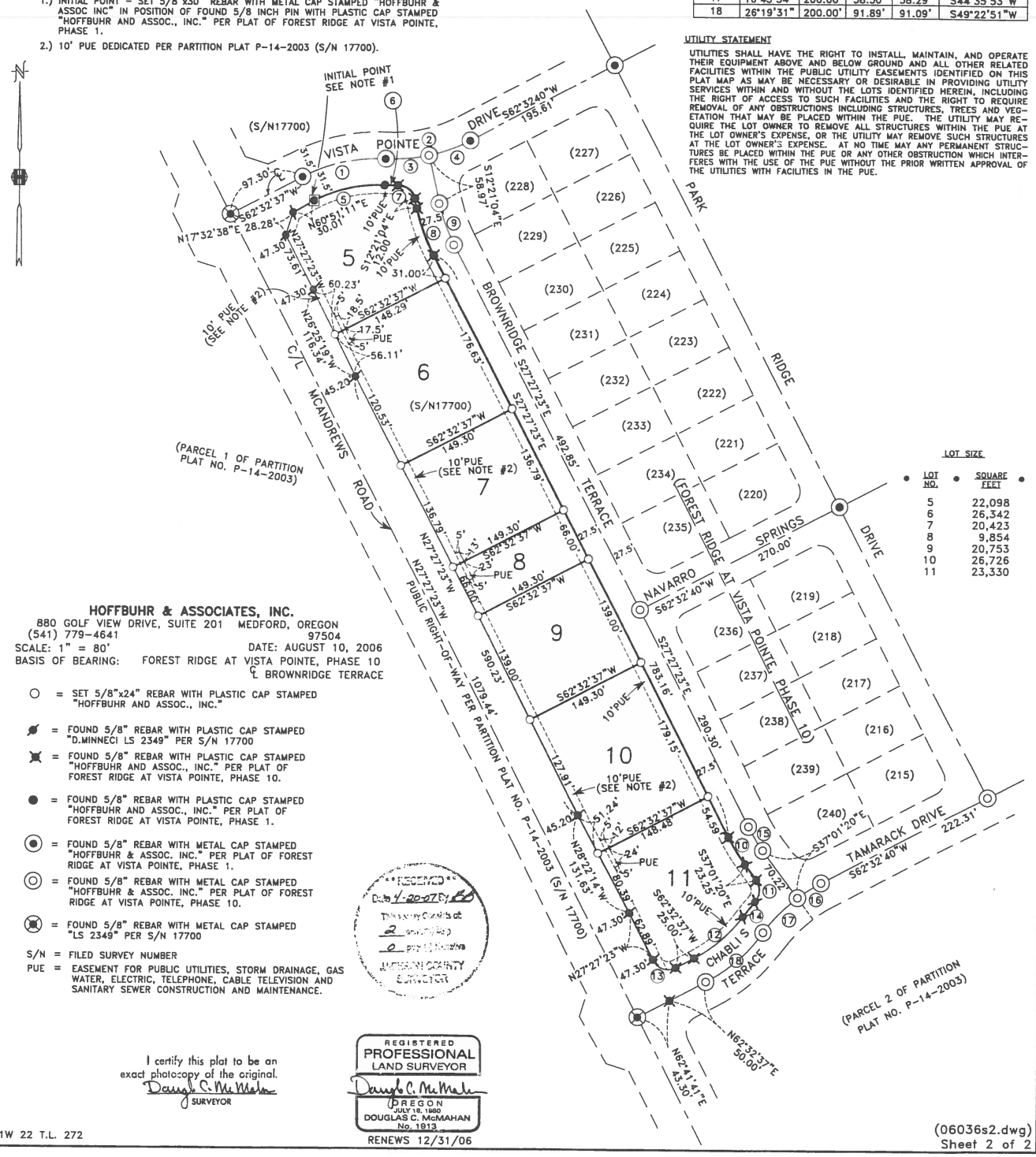
1.) INITIAL POINT - SET 5/8"x30" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC INC" IN POSITION OF FOUND 5/8 INCH PIN WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC." PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1.

2.) 10' PUE DEDICATED PER PARTITION PLAT P-14-2003 (S/N 17700).

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
1	29°51'03"	200.00'	104.20'	103.03'	S77°28'09"W
2	29°51'00"	200.00'	104.20'	103.02'	S77°28'10"W
3	14°44'44"	200.00'	51.47'	51.33'	S85°01'18"W
4	15°06'16"	200.00'	52.72'	52.57'	S70°05'48"W
5	29°51'03"	168.50'	87.79'	86.80'	N77°28'09"E
6	03°51'32"	231.50'	15.59'	15.59'	S89°32'06"E
7	79°06'48"	20.00'	27.62'	25.47'	S51°54'28"E
8	15°06'19"	227.50'	59.98'	59.80'	S19°54'13"E
9	15°06'19"	200.00'	52.73'	52.58'	S19°54'13"E
10	09°33'58"	227.50'	37.98'	37.94'	S32°14'22"E
11	79°06'48"	20.00'	27.62'	25.47'	S02°32'04"W
12	26°19'31"	168.50'	77.42'	76.74'	S49°22'51"W
13	92°56'16"	20.00'	32.44'	29.00'	N71°03'33"W
14	05°52'22"	231.50'	23.73'	23.72'	S39°09'17"W
15	09°33'58"	200.00'	33.39'	33.35'	S32°14'22"E
16	09°34'01"	200.00'	33.40'	33.36'	S57°45'40"W
17	16°45'34"	200.00'	58.50'	58.29'	S44°35'53"W
18	26°19'31"	200.00'	91.89'	91.09'	S49°22'51"W

UTILITY STATEMENT

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.



LOT SIZE

LOT NO.	SQUARE FEET
5	22,098
6	26,342
7	20,423
8	9,854
9	20,753
10	26,726
11	23,330

HOFFBUHR & ASSOCIATES, INC.
880 GOLF VIEW DRIVE, SUITE 201 MEDFORD, OREGON 97504
(541) 779-4641
SCALE: 1" = 80' DATE: AUGUST 10, 2006
BASIS OF BEARING: FOREST RIDGE AT VISTA POINTE, PHASE 10 & BROWNRIDGE TERRACE

○ = SET 5/8"x24" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC."

= FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "D.MINNECI LS 2349" PER S/N 17700

= FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC." PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 10.

● = FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HOFFBUHR AND ASSOC., INC." PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1.

◉ = FOUND 5/8" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC. INC." PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 1.

◎ = FOUND 5/8" REBAR WITH METAL CAP STAMPED "HOFFBUHR & ASSOC. INC." PER PLAT OF FOREST RIDGE AT VISTA POINTE, PHASE 10.

⊗ = FOUND 5/8" REBAR WITH METAL CAP STAMPED "LS 2349" PER S/N 17700

S/N = FILED SURVEY NUMBER
PUE = EASEMENT FOR PUBLIC UTILITIES, STORM DRAINAGE, GAS WATER, ELECTRIC, TELEPHONE, CABLE TELEVISION AND SANITARY SEWER CONSTRUCTION AND MAINTENANCE.

RECEIVED
Date 4-20-07
Jackson County Clerk
2 sheet(s)
0 pages
JACKSON COUNTY SURVEYOR

I certify this plat to be an exact photocopy of the original.
Douglas C. McMahan
SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 18, 1980
DOUGLAS C. McMAHAN
No. 1913
RENEWS 12/31/06

19596

37 1W 22 T.L. 272

(06036s2.dwg)
Sheet 2 of 2

Reimbursement District Application

Exhibit B

Description of Public Improvements

CIVIL IMPROVEMENT PLANS

FOR

VISTA POINTE P.U.D.

FOREST RIDGE, PHASES 1, 8, 9, AND 10

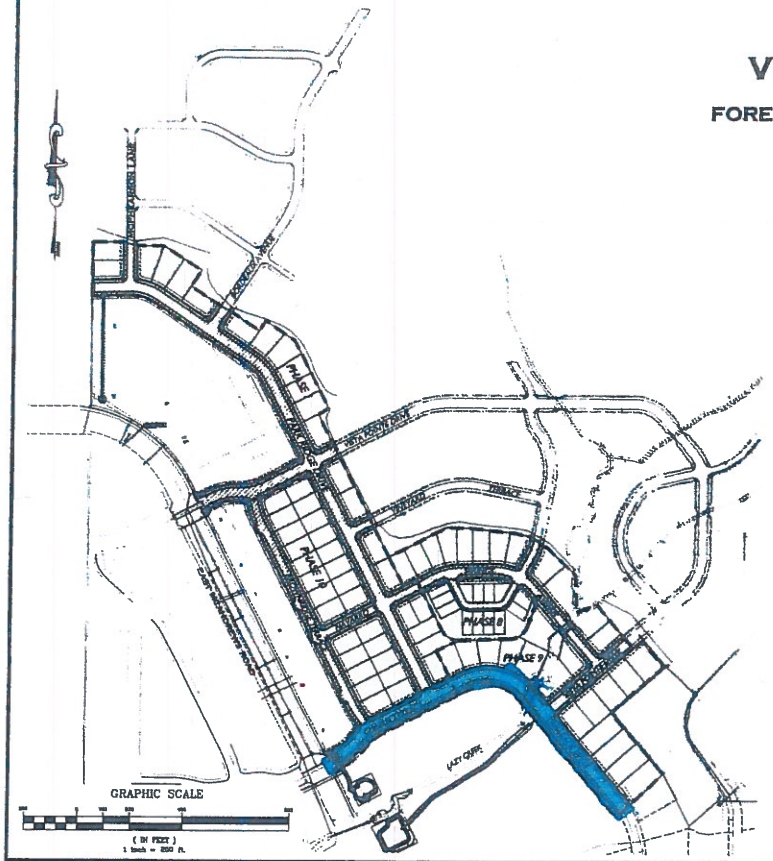
LOCATED IN

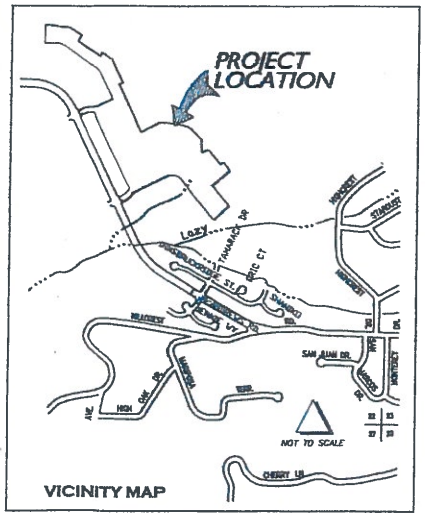
SECTION 22, T.37.S, R.1W., W.M.,

TAX LOT 200

CITY OF MEDFORD

JACKSON COUNTY, OREGON





VICINITY MAP

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO THE APWA STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, OREGON CHAPTER, 1996, AS AMENDED BY THE CITY OF MEDFORD ENGINEERING DEPARTMENT, AND THE APPLICABLE SECTIONS OF THE "CITY OF MEDFORD DEVELOPMENT CODE FOR RESIDENTIAL SUBDIVISIONS."

2. ALL WATER WORKS SHALL CONFORM TO THE CURRENT MEDFORD WATER COMMISSION STANDARDS. ALL WATER LINES SHALL HAVE MIN 36" COVER AND MIN CLASS "A" BACKFILL SHALL BE USED. SERVICE CONNECTIONS ARE TO BE INSTALLED FOR EACH PARCEL PER MWC STANDARDS (STANDARD DETAIL NO.'S 100 & 101).

3. SANITARY SEWER PIPE SHALL BE PVC (ASTM D-3034). USE C-900 PVC SS SERVICE CENTERED AT WATER MAIN CROSSING.

4. STORM DRAIN PIPE SHALL BE AS INDICATED ON THE PLANS. PVC AND HDPE STORM DRAIN PIPE WHICH HAS LESS THAN 2-FEET OF FINAL COVER AND WHICH UNDERLIES THE STREET SECTION SHALL BE RCP. STORM DRAIN PIPE 30" IN DIAMETER OR LARGER SHALL BE: RCP CL III, OR 12 GAGE, ALUMINIZED TYPE 2, ASPHALT OR EPOXY COATED, SPIRAL RIB PIPE OR PVC PIPE (ASTM F-794). STORM DRAIN PIPE AND FITTINGS SHALL BE WATERTIGHT MEETING THE REQUIREMENTS OF ASTM-D3212, F477, AND C-443M, AS APPLICABLE. 4" HDPE STORM SERVICES SHALL BE POSITIVELY SLOPED (1% MIN.). W/A MINIMUM COVER OF 3' AND 6" CLEARANCE AT ALL CROSSINGS

5. BUILDING PERMIT REQUIRED PRIOR TO CONSTRUCTION OF PRIVATE STORM DRAINS.

6. 1"-0 CRUSHED ROCK SHALL BE USED IN ALL TRENCHES WITHIN THE RIGHT OF WAY AND SHALL BE COMPACTED TO 100% MAXIMUM DENSITY T-180 (PER CITY OF MEDFORD).

7. GRANULAR MATERIALS SHALL BE OBTAINED FROM A CITY APPROVED SOURCE. CONTRACTOR SHALL NOTIFY THE CITY ENGINEER OF THE MATERIAL SOURCE PRIOR TO ANY GRANULAR MATERIAL PLACEMENT. CONTRACTOR SHALL NOT CHANGE MATERIAL SOURCE WITHOUT PRIOR APPROVAL FROM THE CITY ENGINEER.

8. SANITARY SEWER LATERALS SHALL BE CONNECTED TO THE MAIN WITH A ONE PIECE PREFABRICATED SEWER TEE AND SHALL EXTEND 2' BEYOND THE P.U.E.

9. ALL STORM DRAIN CURB INLETS SHALL BE CITY OF MEDFORD TYPE 4A WITH A 4' CURB OPENING UNLESS OTHERWISE SPECIFIED ON THE PLANS.

10. ALL STORM DRAIN PIPES SHALL HAVE WATER-TIGHT JOINTS. H.D.P.E. PIPE JOINTS SHALL CONFORM TO ASTM D3212 (TESTABLE JOINTS). TEES SHALL BE EITHER MANUFACTURED OR "INSERTA TEE."

11. CONTRACTORS AND SUBCONTRACTORS SHALL BE PREQUALIFIED WITH THE CITY OF MEDFORD ENGINEERING DEPARTMENT AND THE MWC PRIOR TO STARTING WORK. CONTRACTOR SHALL NOTIFY OREGON UTILITY NOTIFICATION CENTER (1-800-332-2344), CITY OF MEDFORD ENGINEERING (774-2100), AND THE MWC (774-2438), 48 HOURS PRIOR TO STARTING WORK.

12. SEE SECTION II-C-8 OF MWC STANDARDS REGARDING CROSSINGS WITH WATER AND SANITARY SEWER LINES.

13. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH THE VARIOUS UTILITY COMPANIES REGARDING INSTALLATION REQUIREMENTS FOR THEIR FACILITIES. THE ENGINEER HAS RECEIVED A SET OF STANDARDS FROM PACIFIC POWER, IF THE CONTRACTOR IS UNFAMILIAR W/ THESE, PLEASE CONTACT THE ENGINEER FOR A COPY.

14. STABILIZATION FABRIC SHALL BE NON-WOVEN AND CONFORM TO 1991 OSHD PLACEMENT SECTION 02320 AND CONFORM TO 1991 OSHD SECTION 350.

15. ALL GIVEN PIPE LENGTHS AND SLOPES ARE FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE.

16. ALL WORK ON GRAVITY STORM AND SANITARY SEWER SYSTEMS SHALL BEGIN AT THE LOWEST POINT AND PROCEED UPGRADE TO THE HIGHEST POINT. DO NOT BEGIN WORK ANYWHERE OTHER THAN THE LOWEST POINT. DO NOT LEAVE OUT SECTIONS OF THE SYSTEM AND RESTART AT A HIGHER POINT.

17. THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND STRUCTURES ARE APPROXIMATE. THERE MAY EXIST UTILITIES THAT ARE NOT SHOWN ON THE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES PRIOR TO CONSTRUCTION.

18. BASIS OF BEARING: FILED SURVEY NO. 17700.

19. BENCHMARK: CITY OF MEDFORD "A-318" BRASS DISC IN THE EAST CURB OF SATELLITE DRIVE, 4' +/- SOUTH OF THE CURB INLET, 150' +/- NORTH OF HIGHCREST ROAD, CITY ELEV. = 2043.496
CITY OF MEDFORD "A-334" BRASS DISC IN THE EAST CURB OF INNSBRUCKRIDGE ST. AT THE N.E. CORNER OF INNSBRUCKRIDGE ST. & SHAMROCK COURT, CITY ELEV. = 1816.198
CITY OF MEDFORD "A-336" BRASS DISC IN THE CURB INLET AT THE N.E. CORNER OF TAMARACK DRIVE & MCANDREWS ROAD, CITY ELEV. = 1780.014

THESE PLANS ARE FOR RECORD PURPOSES ONLY. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE ACCURACY OF THESE DRAWINGS.

CALL 48 HOURS BEFORE YOU DIG

CONSTRUCTION ENGINEERING CONSULTANTS, INC.
P.O. BOX 1784 · MEDFORD, OREGON 97501
PH. (541) 779-5888 · FAX (541) 779-5159

DRAWN BY: JLJ DATE: 09/03
CHECKED BY: M.Z. PMH DATE: 09/03
INSPECTED BY: M. TRAUCOTT DATE:
APPROVED: DATE:
APPROVED: DATE:

REGISTERED PROFESSIONAL ENGINEER
OREGON JULY 10, 1981
PATRICK B. HAYNES
EXPIRES: 6/30/04

CONTACT INFORMATION

ENGINEER:
PATRICK W. HAYNES, P.E.
C.E.S., INC.
325 E. CENTRAL AVE.
MEDFORD, OR 97501
(541) 779-3268

DEVELOPER:
KEY WEST PROPERTIES
JOHN SCHLENING
990 NO. PHOENIX RD., #105
MEDFORD, OREGON 97504
(541) 779-8390

CABLE COMPANY:
CHARTER COMMUNICATIONS
928 S. GRAPE ST.
MEDFORD, OR 97501
(541) 282-8612

ELECTRIC COMPANY:
PACIFIC POWER
839 S. GRAPE ST.
MEDFORD, OR 97501
(541) 776-5458

CITY OF MEDFORD
ENGINEERING DEPT.
LARRY BENTON P.E.
411 W. 8TH ST.
MEDFORD, OR 97501
(541) 774-2100

GEOTECHNICAL ENGINEER
BILL CALLI
THE CALLI GROUP
813 NW THIRD STREET
GRANTS PASS, OR 97526
(541) 955-1611

GAS COMPANY:
STEVE WOOD
AVISTA UTILITIES
380 BUSINESS PARK DR.
MEDFORD, OR 97504
(541) 858-4740

SURVEYOR:
HOSTBJOR & ASSOC.
3155 ALAMEDA ST.
SUITE 201
MEDFORD, OR 97501
(541) 779-6641

TELEPHONE COMPANY:
JIM MARTIN
QWEST
132 E. 4th ST.
MEDFORD, OR 97501
(541) 776-8268

WATER COMPANY
LARRY RANKS
MEDFORD WATER COMMISSION
200 S. IVY, ROOM 177
MEDFORD, OR 97501
(541) 774-2440

CONTRACTOR:
JOHN HOLMES
JOHNNY CAT
PO BOX 88
JACKSONVILLE, OR 97530
(541) 601-7190

LEGEND

LINES

- PROPOSED PVMNT
- PROPOSED SIDEWALK
- XX" SD — PROPOSED STORM
- XX" SS — PROPOSED SEWER
- XX" W — PROPOSED WATER
- R/W
- PROPERTY LINE
- CENTER LINE
- PUE
- PROPOSED C & G
- PROPOSED DITCH

SYMBOLS

MANHOLE	○	AREA DRAIN	○
CLEAN-OUT	○	PIPE PLUG	⊔
SERVICE WYE	⌐	CATCH/LYNCH BASIN	⊞
WATER SERVICE	———	UTILITY POLE	⊸
FIRE HYDRANT	⊢⊣	STREET LIGHT	✳
WATER VALVE	⊸	TELEPHONE PEDESTAL	T
FITTING & T.B.	⊢⊣	POWER TRANSFORMER	P
CUT-IN SLEEVE	—	POWER SWITCHGEAR	S
AIR VALVE	⌀	GAS VALVE	⊸
CURB INLET	⊡		

SHEET INDEX

COVER SHEET	A.1
UTILITY SHEET	B.1-2
TAMARACK DRIVE / CHABLIS TERRACE	C.1-4
VISTA POINT DRIVE	C.5-7
BROWNRIDGE TERRACE	C.8-8
PARK RIDGE DRIVE	C.10-14
NAVARRO SPRINGS AVENUE	C.15-17
DEER RIDGE	C.18-19
CHURCH PROPERTY (SS & SD)	C.20
STORM DRAIN 'A' & 'B' & SANITARY SEWER 'A' & 'B'	C.21-22
BACK-LOT STORM LINES	C.23
CULVERTS	D.1
GRADING PLAN	D.2-3
DETAIL SHEETS	E.1-3
EROSION CONTROL SHEET	F.1-3

NO.	REVISION	DATE	BY
1	RECORD DRAWING	01/02	JLJ
		5/07	JLB

CITY OF MEDFORD- ENGINEERING DEPARTMENT

VISTA POINTE P.U.D.
FOREST RIDGE, PHASES 1, 8, 9, & 10
CIVIL IMPROVEMENTS

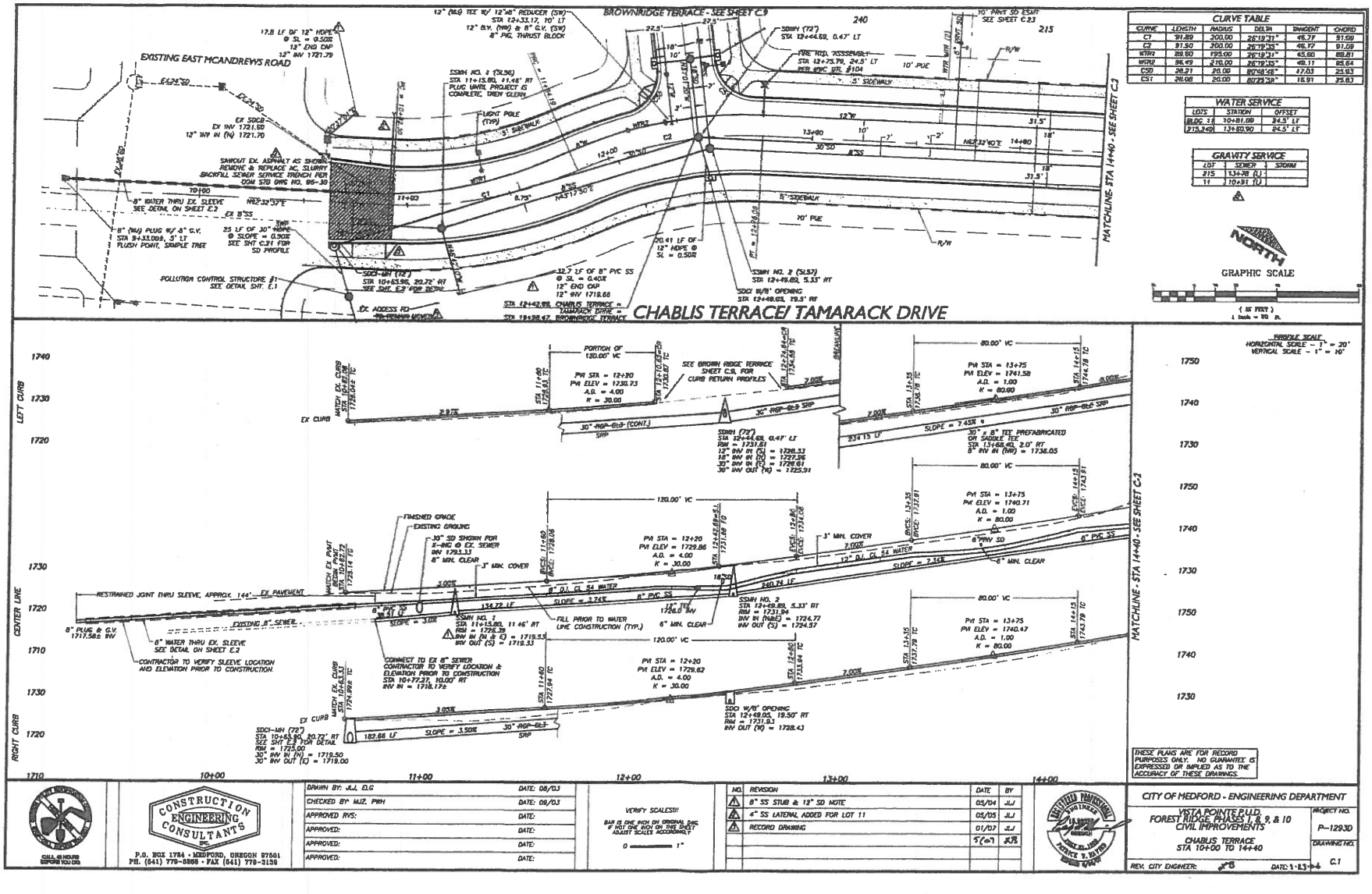
COVER SHEET

PROJECT NO. P-1293D

DRAWING NO. A.1

REVIEWED CITY ENGINEER: [signature] DATE: 5-15-04

P1293D



CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1784 · MEDFORD, OREGON 97501
PH. (541) 770-0888 · FAX (541) 770-3139

DRAWN BY: JLJ, ELG	DATE: 08/03
CHECKED BY: WJZ, PWH	DATE: 08/03
APPROVED: RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

VERIFY SCALES!!! BAR IS ONE INCH ON ORIGINAL DWG. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY. 0 —— 1"

NO.	REVISION	DATE	BY
1	8" SS STUB & 12" SD NOTE	05/04	JLJ
2	4" SS LATERAL ADDED FOR LOT 11	05/05	JLJ
3	RECORD DRAWING	01/07	JLJ
		5/07	RVS

CITY OF MEDFORD - ENGINEERING DEPARTMENT

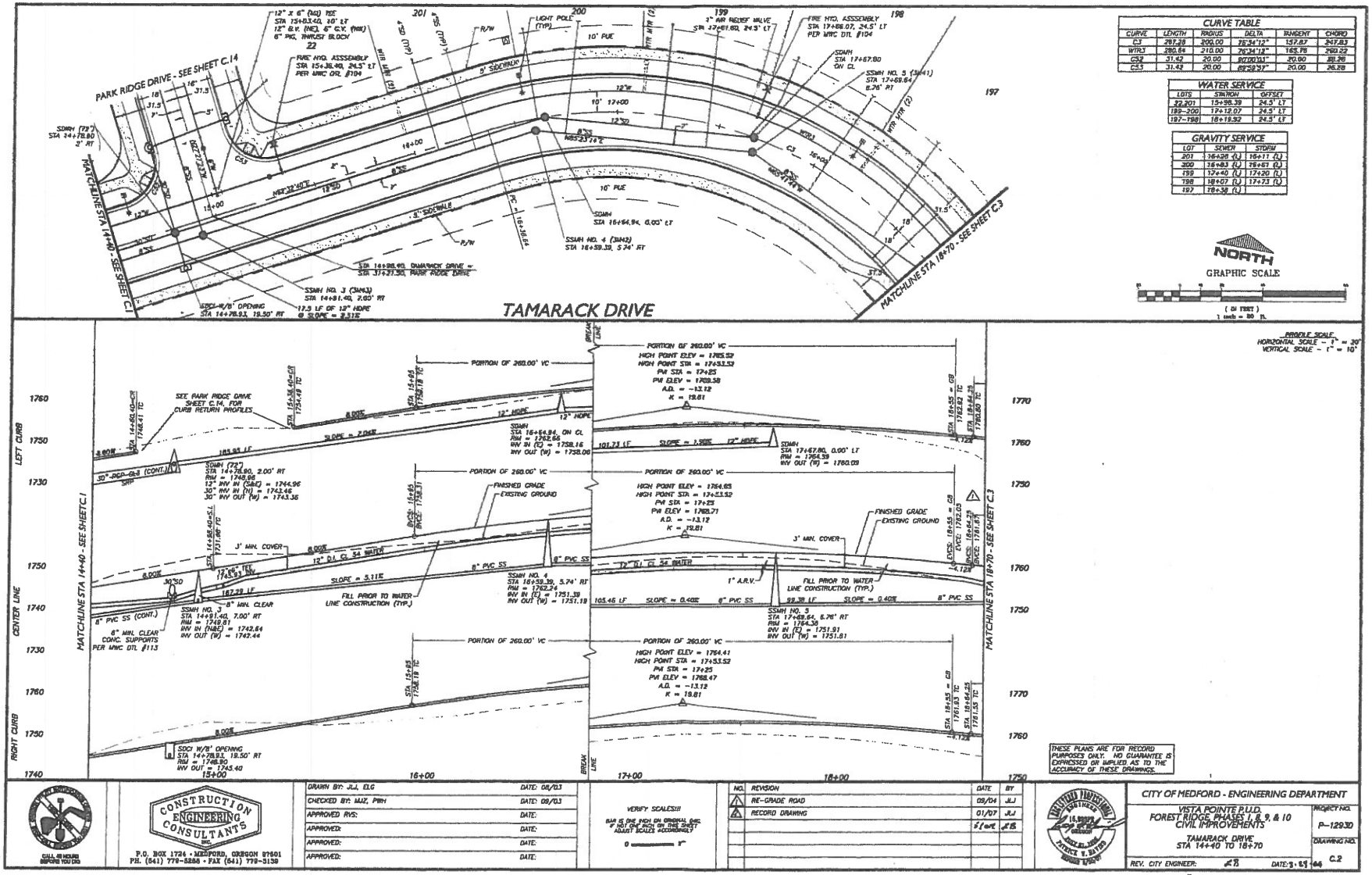
VISTA POINTE P.U.D.
FOREST RIDGE, PHASES 1, 8, 9, & 10
CIVIL IMPROVEMENTS

CHABLIS TERRACE
STA 10+00 TO 14+40

PROJECT NO. P-12930
DRAWING NO. C.1

REV. CITY ENGINEER: RVS DATE: 5-15-04

P 12930



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD
C1	267.28	200.00	76°34'12"	157.87	247.83
WTR1	280.84	210.00	76°34'12"	165.78	260.22
C2	31.42	20.00	90°00'00"	20.00	28.28
C3	31.42	20.00	89°59'59"	20.00	28.28

WATER SERVICE		
LOTS	STATION	OFFSET
32,201	15+96.39	24.5' LT
199–200	17+12.07	24.5' LT
197–198	18+19.92	24.5' LT

GRAVITY SERVICE		
LOT	SEWER	STORM
201	16+28.4 (L)	16+11 (L)
200	16+83 (L)	16+67 (L)
199	17+40 (L)	17+20 (L)
198	18+07 (L)	17+73 (L)
197	18+38 (L)	

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

PROFILE SCALE:
HORIZONTAL SCALE = 1" = 20'
VERTICAL SCALE = 1" = 10'

DRAWN BY: JJJ, ELG	DATE: 08/03		
CHECKED BY: MJZ, PRH	DATE: 08/03		
APPROVED: RVS:	DATE:		
APPROVED:	DATE:		
APPROVED:	DATE:		
APPROVED:	DATE:		

VERIFY SCALES!!!
BAR IS ONE INCH ON ORIGINAL DWG. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY
0 1"

NO.	REVISION	DATE	BY
1	RE-GRADE ROAD	05/04	JJJ
2	RECORD DRAWING	01/07	JJJ
		5/ave	JLB

CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 779-5255 • FAX (541) 779-3139

CITY OF MEDFORD - ENGINEERING DEPARTMENT

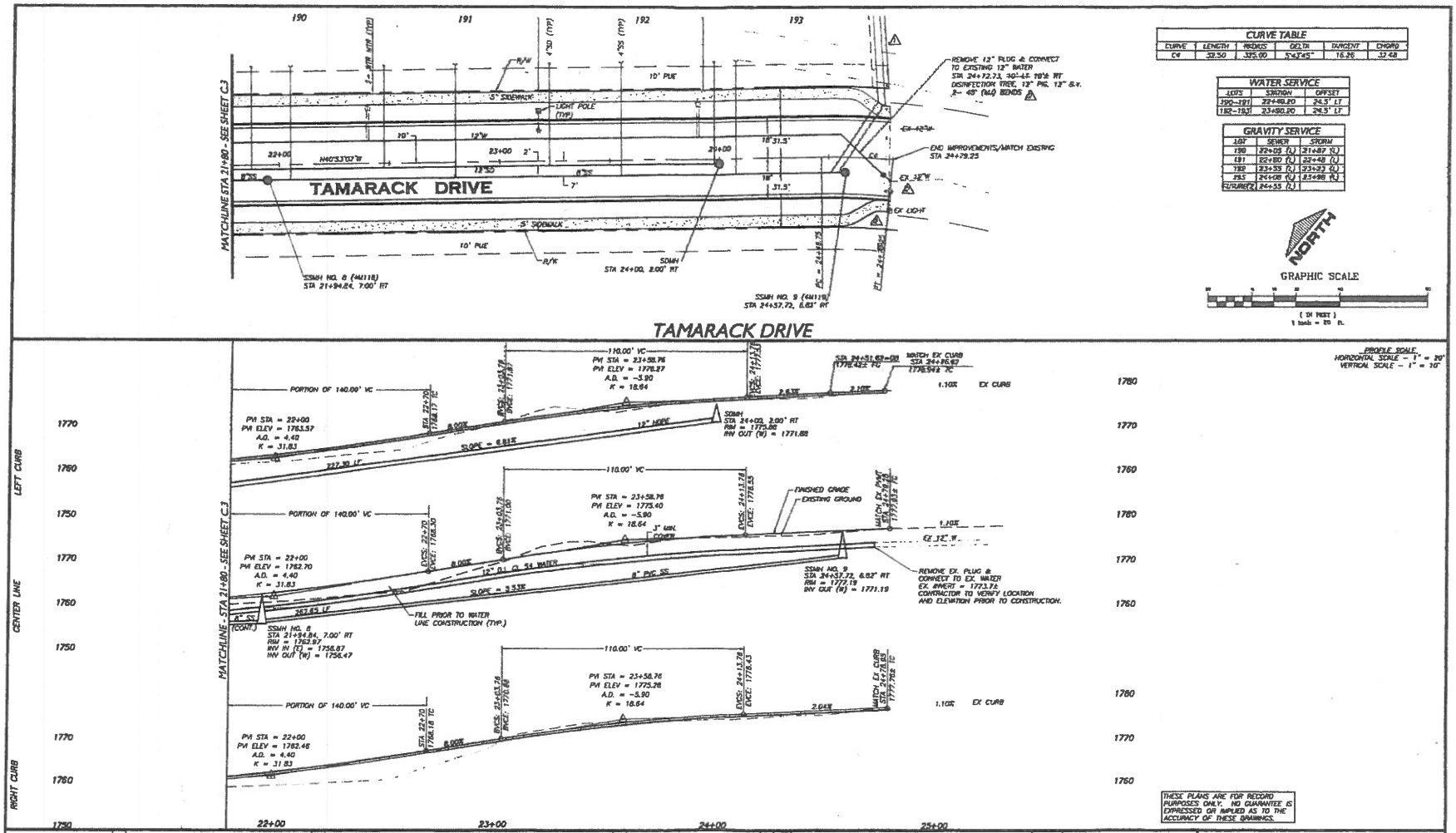
VISTA POINTE P.U.D.
FOREST RIDGE, PHASES 1, 8, 9, & 10
CIVIL IMPROVEMENTS

TAMARACK DRIVE
STA 14+40 TO 18+70

PROJECT NO. P-12930
DRAWING NO. C.2

REV. CITY ENGINEER: JLB DATE: 5/24/07

P12930

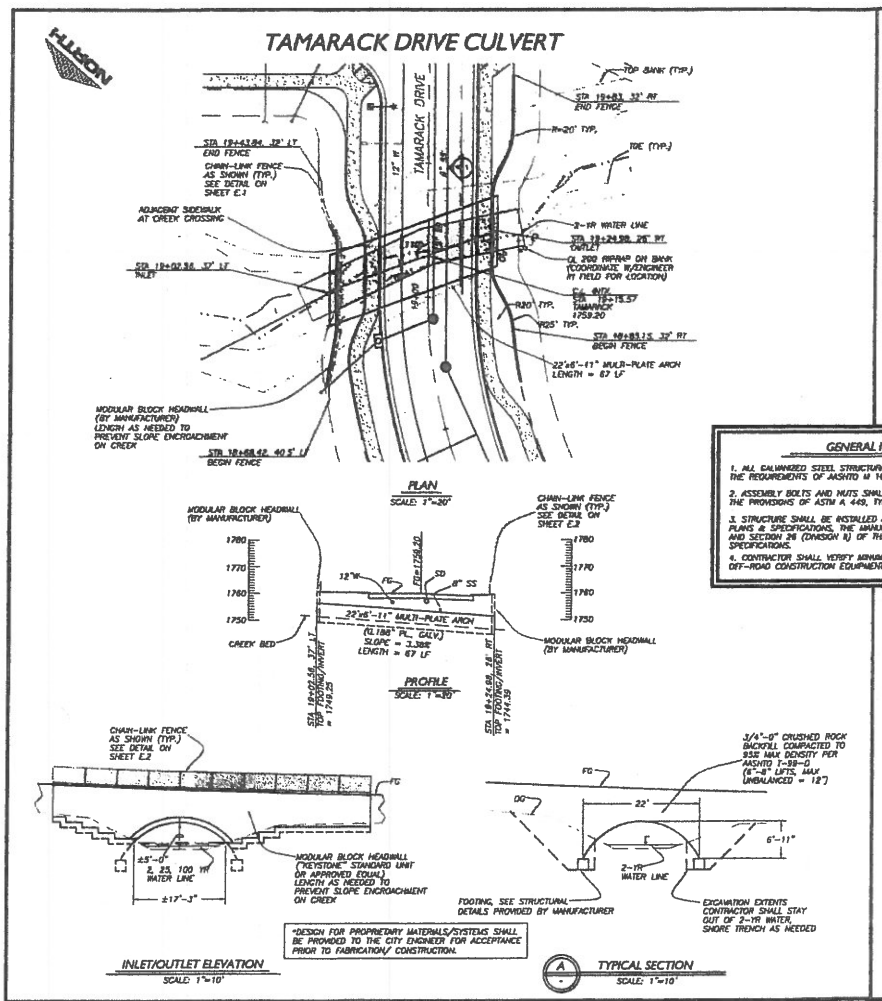


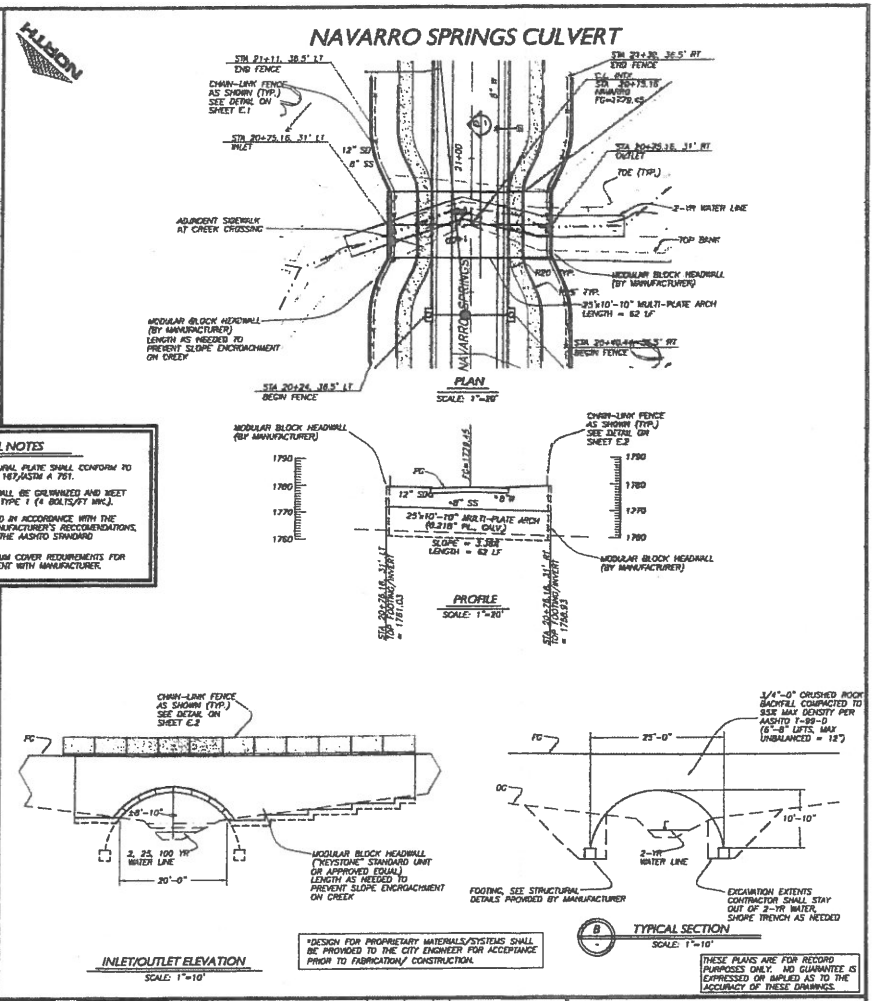
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD
C4	32.50	325.00	5°43'45"	16.26	32.48

WATER SERVICE		
LOTS	STATION	OFFSET
190-191	22+49.20	24.5' LT
192-193	23+90.20	24.5' LT

GRAVITY SERVICE		
LOT	SEWER	STORM
190	22+05 (L)	21+87 (L)
191	22+80 (L)	22+48 (L)
192	23+55 (L)	23+23 (L)
193	24+08 (L)	23+98 (L)
FUTURE(2)	24+55 (L)	

P1293D





GENERAL NOTES

1. ALL GALVANIZED STEEL STRUCTURAL PLATE SHALL CONFORM TO THE REQUIREMENTS OF AASHTO M 167/ASTM A 761.
2. ASSEMBLY BOLTS AND NUTS SHALL BE GALVANIZED AND MEET THE PROVISIONS OF ASTM A 449, TYPE 1 (4 BOLTS/FT MIN.).
3. STRUCTURE SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANS & SPECIFICATIONS, THE MANUFACTURER'S RECCOMENDATIONS, AND SECTION 26 (DIVISION II) OF THE AASHTO STANDARD SPECIFICATIONS.
4. CONTRACTOR SHALL VERIFY MINIMUM COVER REQUIREMENTS FOR OFF-ROAD CONSTRUCTION EQUIPMENT WITH MANUFACTURER.

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CALL BEFORE YOU DIG
CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1784 • MEDFORD, OREGON 97501
PH. (541) 776-5868 • FAX (541) 779-3138

DRAWN BY: MJZ	DATE:	8/03
CHECKED BY: MJZ	DATE:	8/03
APPROVED RVS:	DATE:	
APPROVED:	DATE:	
APPROVED:	DATE:	
APPROVED:	DATE:	

VERIFY SCALES!!!
BAR IS ONE INCH ON ORIGINAL DWG. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY
0 ——— 1"

NO.	REVISION	DATE	BY
1	REVISED FENCE LOCATION	8/04	MJZ
2	RECORD DRAWING	01/07	JLJ
		4/07	JCB

REGISTERED PROFESSIONAL ENGINEER
JAMES L. JOHNS
EXPIRES: 6/30/07

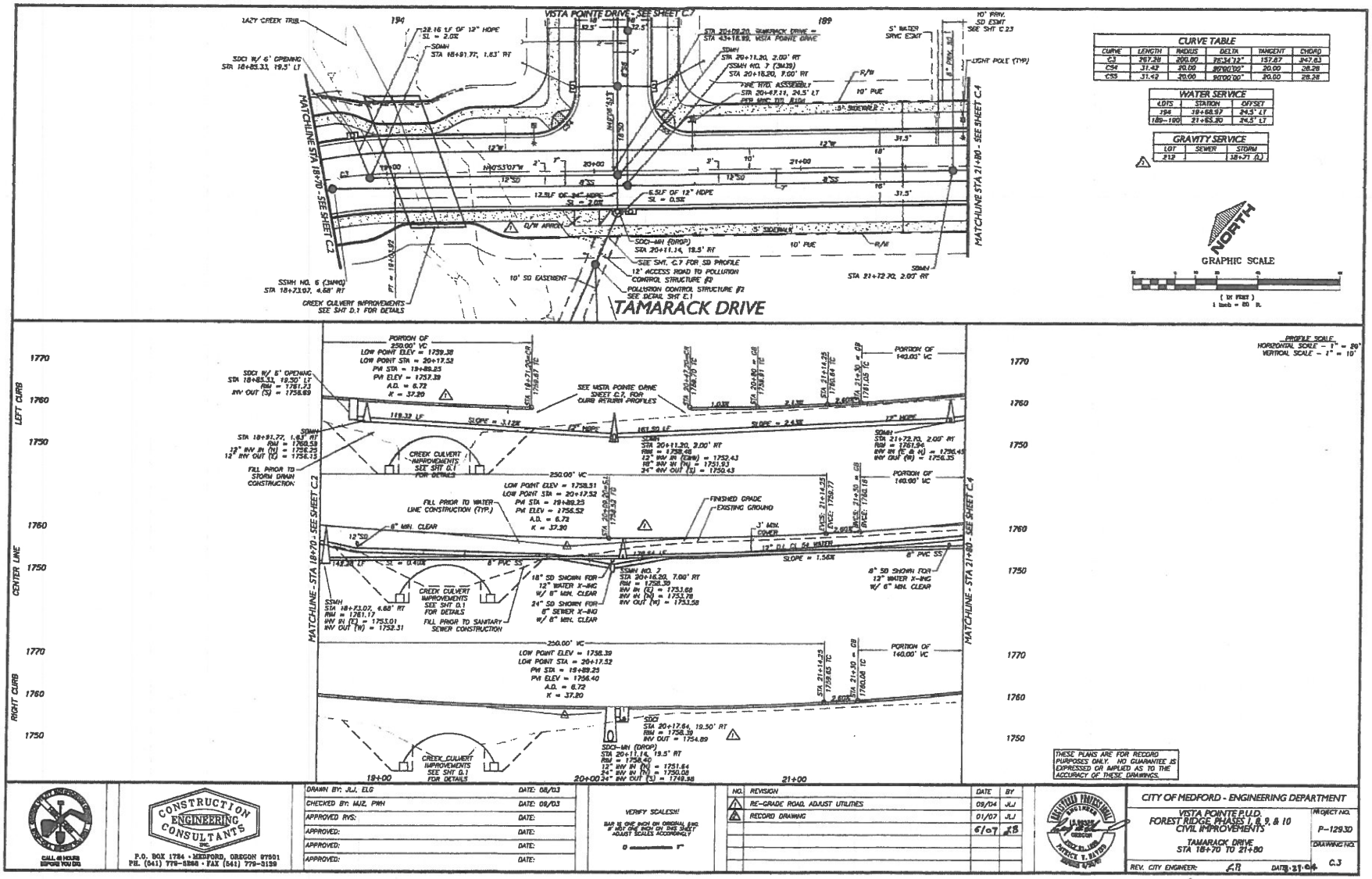
CITY OF MEDFORD - ENGINEERING DEPARTMENT

VISTA POINTE P.U.D.
FOREST RIDGE PHASES 1 & 2 & 10
CREEK/CULVERT IMPROVEMENTS
NAVARRO & TAMARACK DRIVE
PLAN & PROFILE

PROJECT NO. P-12930
DRAWING NO. 0.1

REV. CITY ENGINEER: JCB DATE: 2-3-04

P 1293 D



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P.O. BOX 1784 · MEDFORD, OREGON 97501
PH. (541) 779-8388 · FAX (541) 779-3139

DRAWN BY: JJ, ELG	DATE: 08/03
CHECKED BY: MJZ, PWH	DATE: 08/03
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

VERIFY SCALES!!
BAR IS ONE INCH ON ORIGINAL ENG. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY
0 1"

NO.	REVISION	DATE	BY
1	RE-GRADE ROAD, ADJUST UTILITIES	05/04	JLJ
2	RECORD DRAWING	01/07	JLJ
		6/07	KB

REGISTERED PROFESSIONAL ENGINEER
OREGON
JULY 23, 1985
PATRICK T. WATERS
RENEWS 6/30/07

CITY OF MEDFORD - ENGINEERING DEPARTMENT

VISTA POINTE P.U.D.
FOREST RIDGE, PHASES 1, 8, 9, & 10
CIVIL IMPROVEMENTS

TAMARACK DRIVE
STA 18+70 TO 21+80

PROJECT NO. P-12930
DRAWING NO. C.3

REV. CITY ENGINEER: [illegible] DATE: 8-21-07

P12930

CONTECH CONSTRUCTION PRODUCTS, INC.
DESIGN OF MULTI-PLATE ARCH STRUCTURE
TAMARACK DRIVE CULVERT
VISTA POINTE
MEDFORD, OREGON

INDEX

1. TITLE SHEET / INDEX
2. PLAN, PROFILE & DETAILS
3. UPSTREAM ENDWALL DESIGN
4. DOWNSTREAM ENDWALL DESIGN
5. SPECIFICATIONS
6. SPECIFICATIONS CONT'D

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CBC ENGINEERS
DAYTON, OHIO
PROJECT No. CBC-5923

DRAWN BY: DJH	DATE: 5/24/04
CHECKED BY: DCC	DATE: 6/25/04
APPROVED BCVSA:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

VERIFY SCALES!!!
BAR IS ONE INCH ON ORIGINAL DWG. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY
0 —— 1"

NO.	REVISION	DATE	BY
1	Comments from Medford City Engineer Dated 5/11/04	06/25/04	DJH
	REVISED AS CONSTRUCTED BY		

EXPIRES 12/31/03

CITY OF MEDFORD - ENGINEERING DEPARTMENT

VISTA POINTE P.U.D.
STORM DRAIN IMPROVEMENTS
CREEK CULVERT INSTALLATION
TAMARACK DRIVE CULVERT

PROJECT NO. P-1293

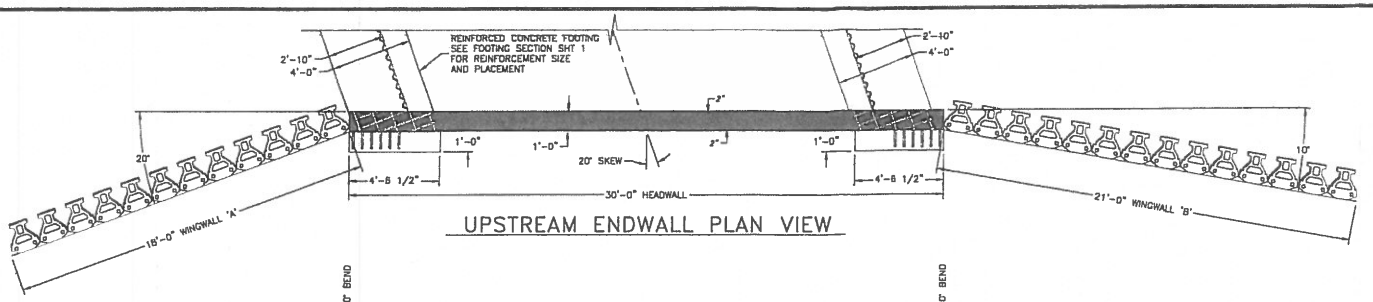
TITLE SHEET / INDEX

DRAWING NO. 1 OF 6

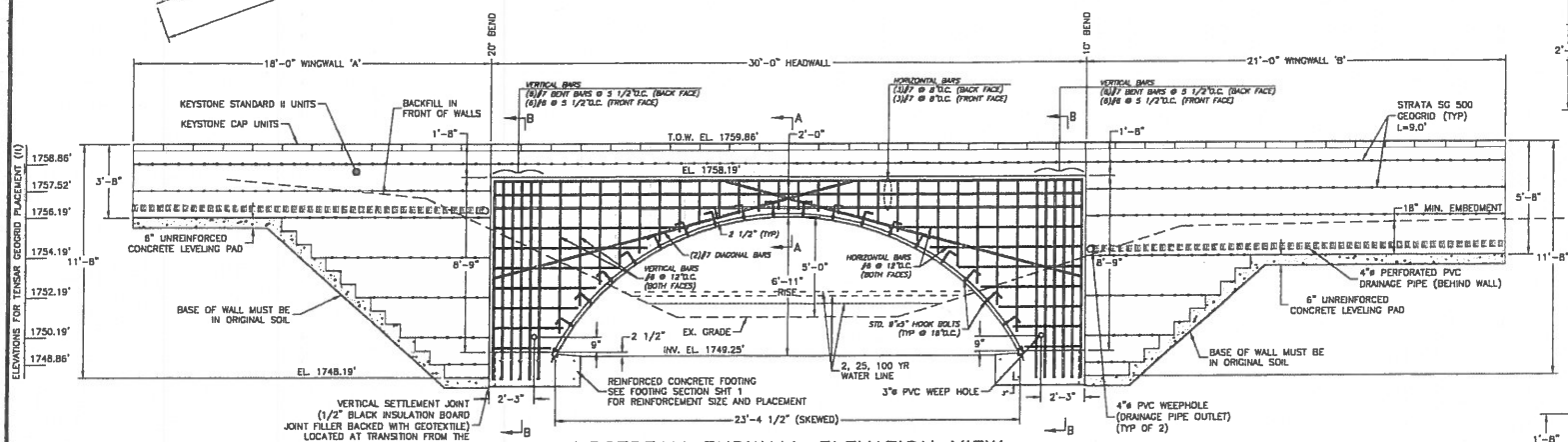
REV. CITY ENGINEER: DATE

KEYSTONE RETAINING WALL SYSTEMS, INC.
(A CONTECH COMPANY)
MINNEAPOLIS, MINNESOTA

OREGON BASALITE CONCRETE PRODUCTS
(800)596-3844

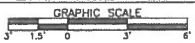


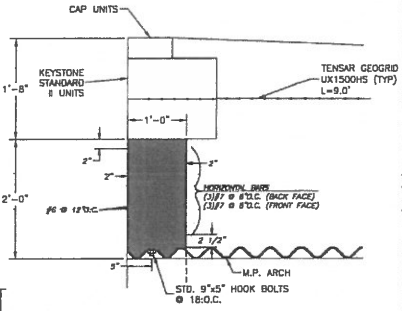
UPSTREAM ENDWALL PLAN VIEW



UPSTREAM ENDWALL ELEVATION VIEW

GRAPHIC SCALE

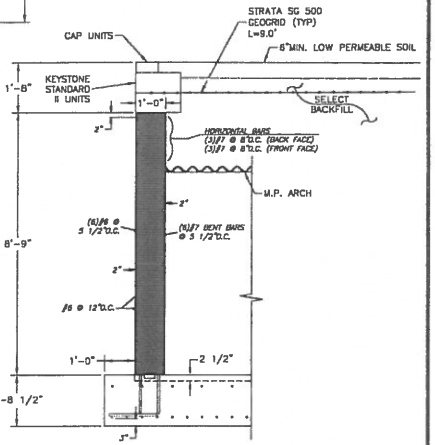




SECTION 'A-A'

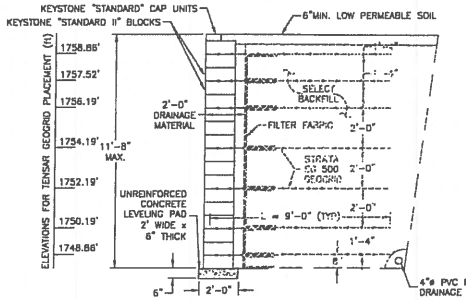
GRAPHIC SCALE

NOTES FOR CONCRETE HEADWALL/FOOTINGS:
1.) CONCRETE SHALL BE f'c = 4,000 psi.
2.) ALL REINFORCEMENT SHALL BE ASTM A-815, GRADE 60



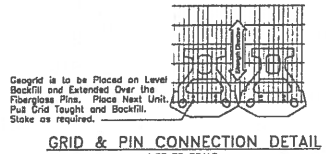
SECTION 'B-B'

GRAPHIC SCALE



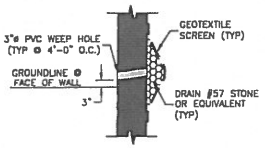
TYPICAL WINGWALL SECTION AT MAX. HEIGHT

GRAPHIC SCALE



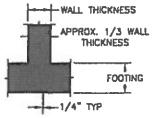
GRID & PIN CONNECTION DETAIL

NOT TO SCALE



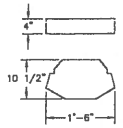
WEEP HOLE DETAIL

NOT TO SCALE



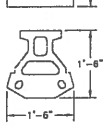
KEYED CONSTRUCTION JOINT DETAIL

NOT TO SCALE



"STANDARD" CAP UNIT DETAIL

NOT TO SCALE



"STANDARD II" BLOCK UNIT DETAIL

NOT TO SCALE

CALL 48 HOURS BEFORE YOU DIG

CBC ENGINEERS
DAYTON, OHIO
PROJECT No. CBC-5923

DRAWN BY: DJH	DATE: 5/24/04	
CHECKED BY: DCC	DATE: 6/25/04	
APPROVED BCVSA:	DATE:	
APPROVED:	DATE:	
APPROVED:	DATE:	
APPROVED:	DATE:	

VERIFY SCALES!!!
BAR IS ONE INCH ON ORIGINAL DWG. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY
0 1"

NO.	REVISION	DATE	BY
1	Comments from Medford City Engineer Dated 5/11/04	06/25/04	DJH
2	Revised Keystone Walls to Match Existing Groundline	08/08/04	DJH
	REVISED AS CONSTRUCTED BY		

EXPIRES 12/31/05

CITY OF MEDFORD - ENGINEERING DEPARTMENT

VISTA POINTE P.U.D.
STORM DRAIN IMPROVEMENTS
CREEK CULVERT INSTALLATION
TAMARACK DRIVE CULVERT

UPSTREAM ENDWALL DESIGN

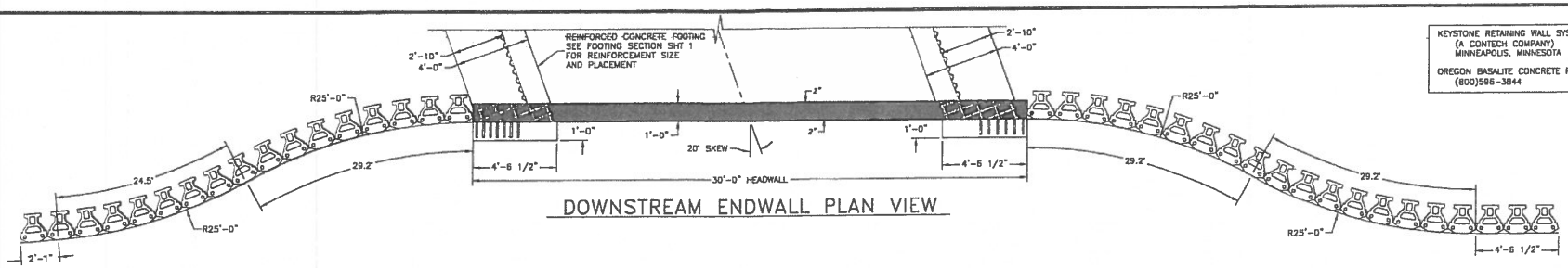
PROJECT NO. P-1293

DRAWING NO. 3 OF 6

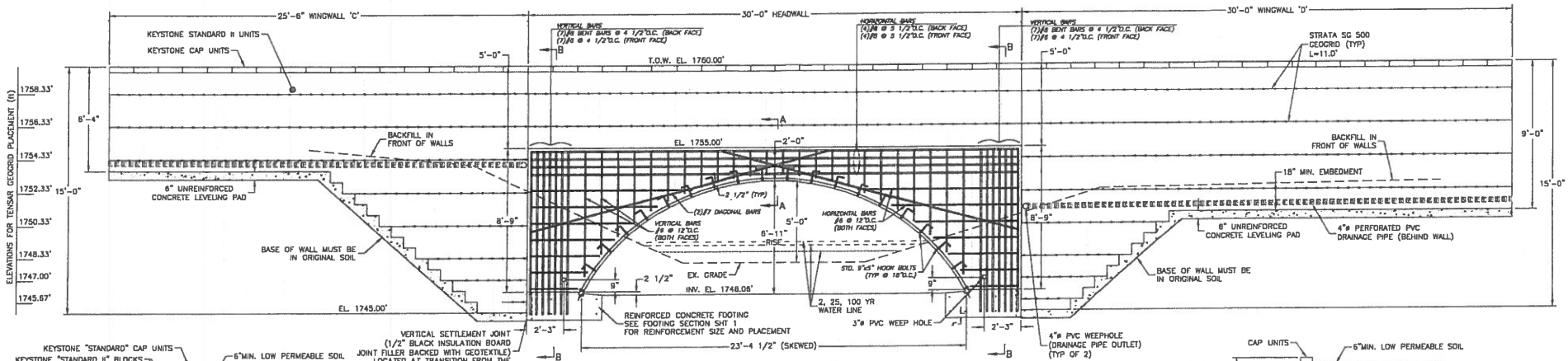
REV. CITY ENGINEER: DATE

KEYSTONE RETAINING WALL SYSTEMS, INC.
(A CONTECH COMPANY)
MINNEAPOLIS, MINNESOTA

OREGON BASALITE CONCRETE PRODUCTS
(800)598-3844



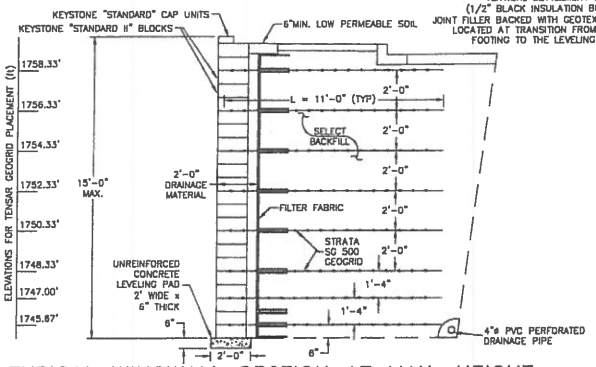
DOWNSTREAM ENDWALL PLAN VIEW



DOWNSTREAM ENDWALL ELEVATION VIEW

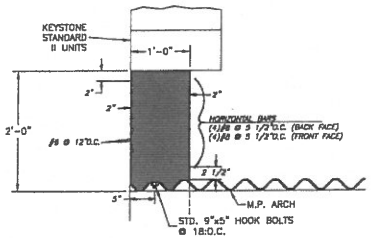
GRAPHIC SCALE

NOTES FOR CONCRETE HEADWALL/FOOTINGS:
1.) CONCRETE SHALL BE f'c = 4,000 psi.
2.) ALL REINFORCEMENT SHALL BE ASTM A-615, GRADE 60



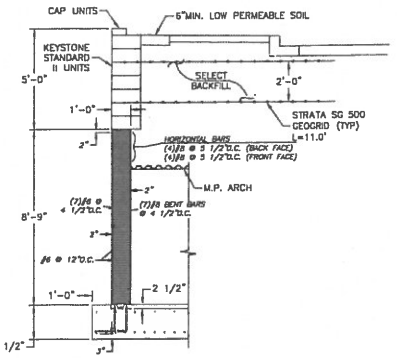
TYPICAL WINGWALL SECTION AT MAX. HEIGHT

GRAPHIC SCALE



SECTION 'A-A'

GRAPHIC SCALE



SECTION 'B-B'

GRAPHIC SCALE

CALL 48 HOURS BEFORE YOU DIG

CBC ENGINEERS
DAYTON, OHIO
PROJECT No. CBC-5923

DRAWN BY: DJH	DATE: 5/24/04
CHECKED BY: DCC	DATE: 6/25/04
APPROVED BCVSA:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

VERIFY SCALES!!!
BAR IS ONE INCH ON ORIGINAL DWG. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY
0 ——— 1"

NO.	REVISION	DATE	BY
1	Comments from Medford City Engineer Dated 5/11/04	06/25/04	DJH
2	Revised Keystone Walls to Match Existing Groundline	08/08/04	DJH
	REVISED AS CONSTRUCTED BY		

EXPIRES 12/31/05

CITY OF MEDFORD - ENGINEERING DEPARTMENT

VISTA POINTE P.U.D.
STORM DRAIN IMPROVEMENTS
CREEK CULVERT INSTALLATION
TAMARACK DRIVE CULVERT

DOWNSTREAM ENDWALL DESIGN

REV. CITY ENGINEER: DATE

PROJECT NO. P-1293

DRAWING NO. 4 OF 6

I - FOOTINGS

1.0 EXCAVATION FOR FOOTINGS

1.1 Footing excavation shall consist of the removal of all material, of whatever nature, necessary fo the construction of foundations.

1.2 It shall be the responsibility of the Contractor to identify and relocate all existing utilities whicl conflict with the proposed footing locations shown on the plan The Contractor must call th appropriate utility company at least 48 hours before any excavation to request exact fiel location of utilities, and coordinate removal and installation of all utilities with the respectiv utility company.

1.3 The side of all excavations shall be cut to prevent sliding or caving of the material above th footings

1.4 Excavated material shall be disposed in accordance with the plan established by the Engineer

1.5 The footings are designed for a bearing capacity of 4000 psf, and this shall be verified by th Geotechnical Engineer in the field before construction.

2.0 CONCRETE FOOTING DIMENSIONS

The footings shall be reinforced in accordance with the construction drawings

II - HEADWALLS

1.0 The headwall shall consist of reinforced concrete conforming to Chapter IV of thes specifications and to Division II, Section 8, of the AASHTO Standard Specifications fo highway bridges having a minimum compression strength of 4000 psi. Above the top of th concrete headwalls an extension with Keystone headwalls shall be extended up to the roadwa elevations

1.1 Reinforcing steel shall conform to ASTM A-615, Grade 60, having a minimum yield strength o 60,000 psi

1.2 The foundations for the headwall shall be prepared as outlined in Section II of thes specifications

1.3 The headwall shall be anchored to the Multi-Plate structure in the manner shown on the plan and shall be formed and poured in accordance with the plan dimensions

1.4 Round weep holes spaced not over 5 feet on center shall be placed in the endwalls as shown o the construction drawings A granular envelope, consisting of #57 stone or equivalent, shall b placed behind each weep hole for a distance of approximately 1 foot from all edges of the weep hole. A free-draining geotextile screen shall be placed between the weep hole and the stone t prevent erosion of the stone.

III – MODULAR BLOCK WALLS

1.0 GENERAL

1.1 DESCRIPTION

1.1.1 Work includes furnishing and installing modular block retaining wall units to the line and grades shown on the construction drawings and as specified herein. The keyston blocks color and texture shall match other walls being constructed on site

1.1.2 Work includes preparing foundation, furnishing and installing leveling pad, unit fill an backfill to the lines and grades shown on the construction drawings

1.1.3 Work includes furnishing and installing all related materials required for construction o the retaining wall as shown on the construction drawings.

1.2 RELATED WORK

1.2.1 Section IV – Geogrid Reinforcement for Keystone Walls

1.3 REFERENCE STANDARDS

1.3.1 ASTM C90 – Hollow load bearing masonry units.

1.3.2 ASTM C140 – Sampling and testing concrete masonry units

1.3.3 ASTM C145 – Solid load bearing concrete masonry units

1.3.4 UN-STD 1804

1.3.5 ASTM 2339

1.3.6 FHA UM-60

1.4 DELIVERY, STORAGE AND HANDLING

1.4.1 Contractor shall check the materials upon delivery to assure that proper materials hav been received

1.4.2 Contractor shall prevent excessive mud, wet cement, epoxy and similar materials (whicl may affix themselves) from coming in contact with the materials

1.4.3 Contractor shall protect the materials from damage Damaged material shall not b incorporated into the retaining wall structure

1.5 SUBMITTALS

1.5.1 Samples of all products used in the work of this section

1.5.2 Latest edition of manufacturer's specifications for proposed materials, method o installation and list of material proposed for use

1.6 QUALITY ASSURANCE

1.6.1 Owner will supply soil testing and inspection service for quality control testing durin earth work operations

2.0 PRODUCTS

2.1 CONCRETE UNITS

2.1.1 Masonry units shall be KEYSTONE Retaining Wall Standard II Units manufactured i accordance with ASTM C-90 and ASTM C-140 by the Basalite Concrete Products Oregon

2.1.2 Exterior dimensions may vary in accordance with ASTM-C90. Standard units shall hav a minimum of 1 sq ft. face area each

2.1.3 KEYSTONE Standard units shall provide a minimum of 150 psf of wall face area. Fil which is contained within the dimensions of the units may be considered as 80% effectiv weight.

2.1.4 Units shall have angled sides capable of concave and convex alignment curves with a minimum radius of 3.5 feet (Where applicable, for straight walls, use non-angled straigh side cap units).

2.1.5 Units shall be interlocked with non-corrosive fiberglass pins

2.1.6 Units shall be interlocked and provide a vertical setback

2.2 FIBERGLASS CONNECTING PINS

2.2.1 Connecting pins shall be ½" diameter thermoset isopthalic polyester resin-pultrude fiberglass reinforcement rods.

2.2.2 Pins shall have a minimum flexural strength of 128,000 psi and short beam shear o 64,000 psi

2.3 KEYSTONE KAPSEAL CONSTRUCTION ADHESIVE

2.3.1 Material conforms to UN-STD 1804, ASTM 2339-70 and FHA UM-60

2.4 BASE LEVELING PAD MATERIAL

2.4.1 Material shall consist of unreinforced concrete as shown on the construction drawing Peagravel shall not be allowed

2.5 UNIT FILL

2.5.1 Fill for units shall be free draining crushed stone or coarse gravel. 3/8" to ¾" with (n more than 5% passing the No 200 sieve). Gradation of the fill shall be approved by th engineer.

2.5.2 Place recommended fill behind the retaining wall units. Peagravel shall not be used.

2.6 BACKFILL

2.6.1 Material shall be site excavated soils when approved by the engineer unless otherwis specified in the drawings. Unsuitable soils for backfill (heavy clays or organic soils shall not be used in the backfill or in the reinforced soil mass

2.6.2 Where borrow fill is required, contractor shall submit sample and specifications to th engineer for approval

3.0 EXECUTION

3.1 EXCAVATION

3.1.1 Contract shall excavate to the lines and grades shown on the construction drawings Contractor shall be careful not to disturb embankment materials beyond lines shown.

3.2 FOUNDATION SOIL PREPARATION

3.2.1 Foundation soil shall be excavated as required for leveling pad dimensions shown on th construction drawings, or as directed by the engineer

3.2.2 Foundation soil shall be approved by the engineer to confirm that the actual foundatio soil conditions meet or exceed the design strength. Soils not meeting required strengt shall be removed and replaced with acceptable material.

3.2.3 Over-excavated areas shall be filled with approved compacted backfill material

3.3 BASE LEVELING PAD

3.3.1 Leveling pad materials shall be placed as shown on the construction drawings

3.3.2 Material shall be compacted so as to provide a level surface on which to place the firs course of units Compaction shall be to 95% of modified Proctor for sand or gravel typ materials For crushed rock, material shall be densely compacted

3.3.3 Leveling pad shall be prepared to ensure complete contact of retaining wall unit wit base

3.3.4 Leveling pad materials shall be to the depth and widths shown Concrete shall b unreinforced and a maximum of 6" thick

3.4 UNIT INSTALLATION

3.4.1 Place first course of concrete wall units on the base leveling pad The units shall b checked for level and alignment

3.4.2 Ensure that units are in full contact with base.

3.4.3 Units are placed side by side for full length of wall alignment Alignment may be don by means of a string line or offset from base line

3.4.4 Install fiberglass connecting pins and fill all voids at units with unit fill material Tam fill

3.4.5 Sweep all excess material from top of units and install next course. Ensure each course i completely unit filled, backfilled and compacted prior to proceeding to next course.

3.4.6 Lay up each course ensuring that pins protrude into adjoining courses above a minimun of 1". Two pins required per unit. Pull each unit forward, away from the embankment against pins in the previous course, and backfill as the course is completed. Repea procedure to the extent of wall height.

3.4.7 As appropriate where the wall changes elevation, units can be stepped with grade o turned into the embankment with a convex return end. Provide appropriate buried unit on compacted leveling pad in area of convex return end.

3.5 CAP INSTALLATION

3.5.1 Place KEYSTONE Cap units over projecting pins from units below Pull forward t setback position Backfill and compact to finished grade

3.5.2 As required, provide permanent mechanical connection to wall units with KEYSTON KapSeal construction adhesive. Apply adhesive to top surface of unit below, and plac cap unit into position.

3.6 GEOGRID INSTALLATION

3.6.1 Follow the requirements of Section IV, Geogrid Reinforcement.

IV - GEOGRID FOR KEYSTONE WALLS

1.0 GENERAL

1.1 Geogrid meeting the requirements of this specification shall be placed at the locations shown o the construction drawings

1.2 The geogrid shall extend to the lengths shown on the construction drawings

1.3 The geogrid shall be secured to the modular block as recommended by the manufacturer

2.0 DELIVERY, STORAGE AND HANDLING

2.1 The contractor shall check the geogrid upon delivery to assure that the proper material has bee received

2.2 Geogrids shall be stored above -20°F (-29°C) and be shaded from prolonged periods of direc exposure to sunlight

2.3 The contractor shall prevent excessive mud, wet cement, epoxy, and like materials, which ma affix themselves to the gridwork, from coming in contact with the geogrid material

2.4 Rolled geogrid material may be laid flat or stood on end for storage.

3.0 DEFINITIONS

3.1 Geogrid A polymer grid structure specifically fabricated for use as soil reinforcement.

3.2 Uniaxial Grid: A geogrid which has been manufactured with high junction strength and a hig tensile strength and modulus in one direction only

3.3 Direction of Reinforcement: Refers to the orientation that the geogrid is used in for a particula project; along the roll for uniaxial geogrid and either along or across the roll for biaxial geogrid.

3.4 MD: Machine direction.

3.5 CMD: Cross machine direction

4.0 MATERIALS

4.1 The geogrid reinforcement shall.

- Be uniaxially oriented polymer grid structure.
- Be composed of high density polyethylene

4.2 The manufacturer shall furnish test reports certifying that the product meets the requirements of this Specification upon request.

4.3 The geogrid shall be a regular grid structure formed by uniaxially drawing a continuous sheet of select high density polyethylene material and shall have aperture geometry and rib and juncture cross-sections sufficient to permit significant mechanical interlock with the material being reinforced The geogrid shall have high flexural rigidity and high tensile modulus in relation to the material being reinforced and shall also have high continuity of tensile strength through all ribs and junctions of the grid structure. The geogrid shall have high resistance to deformation under sustained long term design load while in service and shall also be resistant to ultraviolet degradation, to damage under normal construction practices and to all forms of biological or chemical degradation normally encountered in the material being reinforced

The geogrid shall also conform in all respects to the property requirements of STRATA SG500 listed below

DESIGN PROPERTIES	
Ultimate and Creep Limited Tensile Strengths (lbs/ft)	SG500
Ultimate Strength[1] ASTM D 6637 (lbs/ft)	5000
Creep Limited Strength ASTM D 5262 (lbs/ft)	3106
Reduction Factors for Installation Damage and Durability	
$RF_{ins-damage}$ (Sand, Silt & Clay)	1.05
$RF_{ins-damage}$ (3/4" minus angular aggregate)	1.10
$RF_{ins-damage}$ (1.5" minus angular aggregate)	1.20
$RF_{Durability}$	1.10
Long-term Design Strength (LTDS or T_{al})[3]	
For Sand, Silt & Clay	2689
For 3/4" minus angular aggregate	2567
For 1.5" minus angular aggregate	2353
PHYSICAL PROPERTIES	
Roll Dimensions[4] Width x Length feet	6 x 300
Area square yards	200
Weight per Roll lbs	130
Lab Number	GB-6037

1. Denotes both machine and cross-machine direction strength (Biaxial Strength)
2. Values shown are Minimum Average Roll Values
3. LTDS or Tal = Tult / (RFcreep x RFinstallation damage x RFdurability) as per FHWA NHI-00-043
4. Special order roll sizes are available

Note For Permanent walls the Tal needs to be factored for uncertainties. Typically FS uncertainties = 1.5

4.4 The manufacturer shall furnish test reports certifying that the product meets the requirements o the manufacturer's Specification upon request.

5.0 GEOGRID INSTALLATION

5.1 Geogrid shall be laid at the proper elevation and orientation (i.e., the machine direction shall b perpendicular to the wall face) as shown on the construction drawings

5.2 Correct orientation (roll direction) of the geogrid shall be verified by the Contractor The correc roll direction shall be perpendicular to the wall face

5.3 Geogrid may be secured in-place with staples, pins, sand bags, or backfill as required by fil properties, fill placement procedures, or weather conditions, or as directed by the Engineer

5.4 Geogrid Placement

- Geogrids should be laid horizontally on compacted fill and pulled taut from their connectio to the concrete units before wall fill is placed over them Care must be taken to prevent slac from becoming trapped within the geogrid as fill is placed.

6.0 BACKFILL PLACEMENT OVER GEOGRID

6.1 Backfill material shall be placed in lifts and compacted as directed in the text of this document

6.2 Backfill shall be placed, spread, and compacted in such a manner that minimizes th development of wrinkles in and/or movement of the geogrid

6.3 Tracked construction equipment shall not be operated directly upon the geogrid. A minimum fi thickness of six (6) inches (150mm) is required prior to operation of tracked vehicles over th geogrid. Turning of tracked vehicles should be kept to a minimum to prevent tracks fro displacing the fill and damaging the geogrid

6.4 Rubber tired equipment may pass over geogrid reinforcement at slow speeds, less than 10 MP (16 KPH). Sudden braking and sharp turning shall be avoided

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DAYTON, OHIO
PROJECT No. CBC-5923

DRAWN BY:	DJH	DATE: 5/24/04
CHECKED BY:	DCC	DATE: 6/25/04
APRROVED BCVSA:		DATE:
APPROVED:		DATE:
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NO.	REVISION	DATE	BY
1	Comments from Medford City Engineer Dated 5/11/04	06/25/04	DJH
	REVISED AS CONSTRUCTED BY		

EXPIRES 12/31/05

CITY OF MEDFORD - ENGINEERING DEPARTMENT
VISTA POINTE P.U.D.
STORM DRAIN IMPROVEMENTS
CREEK CULVERT INSTALLATION
TAMARACK DRIVE CULVERT
SPECIFICATIONS
REV. CITY ENGINEER: DATE
PROJECT NO. P-1293
DRAWING NO. 5 OF 6

V - SELECT BACKFILL SPECIFICATIONS

1.0 GENERAL CONDITIONS

1.1 The contractor shall furnish all labor, materials, and equipment, and perform all work and services necessary to complete in a satisfactory manner the site preparation, excavation, filling compaction and grading as shown on the plans and as described therein

1.2 This work shall consist of all clearing and grading, removal of existing structures unless otherwise stated, preparation of the land to be filled, spreading and compaction of the fill, and all subsidiary work necessary to complete the grading of the cut and fill areas to conform with the lines, grades, slopes, and specifications.

1.3 This work is to be accomplished under the constant and continuous supervision of the Owner or his designated representative

2.0 SUBSURFACE CONDITIONS

2.1 The Contractor shall examine, investigate and inspect the construction site as to the nature and location of the work, and the general and local conditions at the construction site, including without limitation, the character of surface or subsurface conditions and obstacles to be encountered on and around the construction site; and shall make such additional investigation as he may deem necessary for the planning and proper execution of the work.

2.2 If conditions other than those indicated are discovered by the Contractor, the Owner should be notified immediately. The material which the Contractor believes to be a changed condition should not be disturbed so that the Owner can investigate the condition

3.0 SITE PREPARATION

3.1 Within the specified areas, all debris, existing stockpile material, and structures scheduled for demolition shall be removed and disposed of

3.2 Any rubbish, organic and other objectionable soils, and other deleterious material, shall be disposed of off the site, or as directed by the Owner or his designated representative if on site disposal is provided. In no case shall such objectionable material be allowed in, or under the fill

3.3 Prior to the addition of fill, any undercuts shall be made and the original ground shall be compacted to the project specifications as outlined below. Special attention shall be given to the proposed fill area at this time. If wet spots, spongy conditions, or ground water seepage is found corrective measures must be taken before the placement of fill.

4.0 FORMATION OF FILL AREAS

4.1 SELECT BACKFILL

4.1.1 Select backfill shall be placed to a minimum distance of 3 feet horizontally, as measured from the springline of the structure, and to a distance of 3 feet above the crown of the structure as shown on the construction drawings

5.0 MINIMUM BACKFILL REQUIREMENTS FOR MULTI-PLATE STRUCTURES

5.1 MATERIAL

A granular type of material shall be used around and over the structure. This select structural backfill material shall conform to AASHTO Specification M-145 A-1, A-2 or A-3 meeting the following criteria.

TABLE V-1
BACKFILL REQUIREMENTS

AASHTO M-145 - TABLE 2 (MODIFIED)*					
GROUP CLASSIFICATION	A-1		A-2 (Modified)		A-3
	A-1-a	A-1-b	A-2-4	A-2-5	A-3
Sieve Analysis, Percent Passing					
No. 10 (2.00 mm)	50 max.	--	--	--	--
No. 40 (0.425 mm)	30 max.	50 max.	--	--	51 min
No. 100 (.150 mm)	--	--	50 max.	50 max.	--
No. 200 (0.075 mm)	15 max.	25 max.	20 max.	20 max.	10 max.
CHARACTERISTICS OF FRACTION PASSING NO. 40 (0.425 mm)					
Liquid Limit	--	--	40 max.	41 min.	--
Plasticity Index	6 max.		10 max.	10 max.	NP
USUAL TYPES OF SIGNIFICANT CONSTITUENT MATERIALS	Stone Fragments, Gravel and Sand		Silty or Clayey Gravel and Sand		Fine Sand

*Modified to be more select than M-145

Additional Backfill Material Requirements:
1. Backfill must be dense-graded material. Open-graded or gap-graded materials are not allowed
2. On-site mixing or blending to achieve specified gradation is not allowed
3. The maximum particle size shall not exceed 3 inches
4. The stone particles shall be angular and not rounded

Other backfill materials which provide equivalent long term structural properties in the environmental conditions expected (saturation, freeze-thaw, etc.) may be used. Such materials shall be approved only after thorough investigation and testing by a soils engineer familiar with the requirements for structural backfill of MULTI-PLATE and long span structures and approval by the Chief Engineer, Contech.

5.2 BACKFILL LIMITS

The required width of the structural backfill shall be 3 feet minimum outside the springline and to 3 feet over the top of the structure

5.3 BACKFILL PLACEMENT

Before backfilling, the erected structure shall meet the tolerance and symmetry requirements of AASHTO and Contech

Approved backfill material shall be placed in horizontal, uniform layers not exceeding 8" in thickness, before compaction, and shall be brought up uniformly on both sides of the structure. Each layer of backfill shall be compacted to a relative density of not less than 90%, modified Proctor per AASHTO Test Method No. T-180. Field density tests of compacted backfill shall be made at regular intervals during backfill

Multi-Plate structures, due to their size and shape, are sensitive to the types and weights of equipment used to place and compact the select backfill material. This is especially critical in the areas immediately adjacent to and above the structure. Therefore, equipment types will be restricted in those critical zones. Compaction equipment or methods that produce horizontal or vertical earth pressures which cause excessive distortion or damage to these structures shall not be used

Contractors should plan to have a D4 (approximately 20,000 lbs.) or similar weight tracked dozer to place and grade backfill immediately alongside and above the structure until minimum cover level is reached. Lightweight vibratory plate or roller type compaction equipment must be used to compact the backfill in these zones. Use of heavier equipment and/or rubber tired equipment such as scrapers, graders and front end loaders are prohibited inside the select fill envelope zone until appropriate minimum cover height has been obtained.

6.0 SLOPE RATIO AND STORM WATER RUN-OFF

Protected slopes shall not be greater than 2:0 (horizontal) to one (1) (vertical) in both cut and fill, and storm water shall not be drained over the slopes.

7.0 GRADING

The Contractor shall furnish, operate, and maintain such equipment as is necessary to construct uniform layers, and control smoothness of grade for maximum compaction and drainage

8.0 COMPACTING

8.1 The compaction equipment shall be approved equipment of such design, weight, and quantity to obtain the required density in accordance with these specifications, without distorting the structure

8.2 During backfill, only small tracked vehicles (D-4 or smaller) shall be near the structure as fill progresses above the crown and to finished grade. The contractor is cautioned that the minimum cover may need to be increased to handle temporary construction vehicle loads (larger than a D-4).

9.0 TOP LOADING

9.1 If the structure rises, and chord dimensions have become distorted by more than ±2% of plan, top loading or bracing may be necessary

9.2 The structure can carry legal highway loads once the backfill is placed and compacted to a minimum cover of 3 feet. For heavier construction loads in the unpaved conditions the Contractor shall consult the Engineer

10.0 TESTING AND INSPECTION SERVICES

10.1 Testing and inspection services will be provided by the Owner

10.2 Regular inspection during erection and backfilling is required to achieve a structure with proper shape and backfill compacted to the specified density. Soil materials and compaction method must be verified by testing.

VI - CONCRETE

1.0 CODES AND STANDARDS

1.1 Reinforced concrete shall conform to the requirements of AASHTO Standard Specifications for Highway Bridges, Division II - Construction, Section 8, "Concrete Structures", for Class A concrete, having a minimum compressive strength of 4000 psi.

2.0 STANDARDS FOR MATERIALS

2.1 Portland Cement - Conforming to ASTM Specification C-150, Type I or II

2.2 Water - The water shall be drinkable, clean free from injurious amounts of oils, acids, alkalis organic materials, or deleterious substances

2.3 Aggregates - Fine and coarse aggregates shall conform to current ASTM Specification C-33, "Specification for Concrete Aggregates" except that local aggregates which have been shown by tests and by actual service to produce satisfactory qualities may be used when approved by the Engineer

2.4 Submittals - Test data and/or certifications to the Owner shall be furnished upon request.

3.0 PROPORTIONING OF CONCRETE

3.1 COMPOSITION

3.1.1 The concrete shall be composed of cement, fine aggregate, coarse aggregate and water

3.1.2 The concrete shall be homogeneous, readily placeable and uniformly workable and shall be proportioned in accordance with ACI-211.1

3.1.3 Proportions shall be established on the basis of field experience with the materials to be employed. The mount of water used shall not exceed the maximum 0.49 water/cement ratio, and shall be reduced as necessary to produce concrete of the specified consistency at the time of placement.

3.1.4 An air-entraining admixture, conforming to the requirements of ASTM C260, shall be used in all concrete furnished under this contract. The quantity of admixture shall be such as to produce an air content in the freshly mixed concrete of 6 percent plus or minus 1 percent as determined in accordance with ASTM C231 or C173

3.2 Qualities Required - As indicated in the table below

TABLE VI-1
QUALITIES REQUIRED

ITEM	QUALITY REQUIRED
Class	A
Type of Cement	I or II
Compressive Strength f'c @ 28 days	4000 psi
Slump, inches	2 - 4 in

3.3 Maximum Size of Coarse Aggregates - Maximum size of coarse aggregates shall not be larger than 38 mm (1 ½ inches).

3.4 Rate of Hardening of Concrete - Concrete mix shall be adjusted to produce the required rate of hardening for varied climatic conditions.

Under 40°F Ambient Temperature - Accelerate calcium chloride at 2% is acceptable when used within the recommendations of ACI-306R "Cold Weather Concreting." Admixtures containing chloride ion in excess of 1% by weight of admixture shall not be used in reinforced concrete.

4.0 MIXING AND PLACING

4.1 Equipment - Ready Mix Concrete shall be used and shall conform to the "Specifications for Ready-Mix Concrete," ASTM C-94. Approval is required prior to using job mixed concrete

4.2 Preparation - All work shall be in accordance with ACI-304, "Recommended Practice for Measuring, Mixing, Transporting and Placing Concrete." All construction debris and extraneous matter shall be removed from within the forms. Concrete shall be placed on clean surfaces, free from water. Concrete that has to be dropped four (4) feet or more shall be placed through a tremie.

4.3 All concrete shall be consolidated by internal mechanical vibration immediately after placement. Vibrators shall be of a size appropriate for the work, capable of transmitting vibration to concrete at frequencies of not less than 4,500 impulses per minute

5.0 FORM WORK

5.1 Forms shall be of wood, steel or other approved material and shall be set and held true to the dimensions, lines and grades of the structure (footings) prior to and during the placement of concrete.

5.2 Forms shall not be removed until the concrete has sufficient strength to prevent concrete drainage

6.0 CURING

6.1 Fresh concrete shall be protected from rains, flowing water and mechanical injury for a period of four (4) days.

7.0 REINFORCING STEEL

7.1 MATERIAL

7.1.1 All reinforcing bars shall be deformed bars (ASTM-A615) Grade 60

7.2 BENDING AND SPLICING

7.2.1 Bar reinforcement shall be cut and bent to the shapes shown on the plans. Fabrication tolerances shall be in accordance with ACI 315. All bars shall be bent cold, unless otherwise permitted

7.2.2 All reinforcement shall be furnished in the full lengths indicated on the plans unless otherwise permitted. Except for splices shown on the plans and splices for No. 5 or smaller bars, splicing of bars will not be permitted without written approval. Splices shall be staggered as far as possible.

7.2.3 In lapped splices, the bars shall be placed and wired in such a manner as to maintain the minimum distance to the surface of the concrete shown on the plans

7.2.4 Substitution of different size bars will be permitted only when authorized by the engineer. The substituted bars shall have an area equivalent to the design area, or larger

7.3 PLACING AND FASTENING

7.3.1 Steel reinforcement shall be accurately placed as shown on the plans and firmly held in position during the placing and setting of concrete. Bars shall be tied at all intersection around the perimeter of each mat and at not less than 2 foot centers or at every intersection, whichever is greater, elsewhere. Welding of cross bars (tack welding) will not be permitted for assembly of reinforcement.

7.3.2 Reinforcing steel shall be supported in its proper position by use of mortar blocks, wire bar supports, supplementary bars or other approved devices. Such devices shall be of such height and placed at sufficiently frequent intervals so as to maintain the distance between the reinforcing and the formed surface or the top surface within 1/4 inch of that indicated on the plans

VII - FILTER FABRIC (GEOTEXTILE SCREEN)

1.0 Geotextile (filter fabric) shall be placed over the #57 drainage stone at all weepholes. The filter fabric shall be placed between weepholes, #57 drainage stone and the granular backfill material. Filter fabric shall be placed at all locations shown on the construction drawings

2.0 Filter fabric cloth shall conform to Contech specification for C60-NW or equivalent and shall meet the following ASTM tests:

2.1 ASTM D4751 - Apparent opening size equal to #70 U.S. Standard Sieve Size.

2.2 ASTM D4632 (Grab Tensile Test) - Minimum Strength = 160 pounds

2.3 ASTM D4632 (Grab Elongation) - 30-70%.

2.4 ASTM D4533 (Trapezoidal Tear) - Minimum Strength = 60 pounds.

2.5 ASTM D4355 (Stabilized for Heat and Ultra-Violet Degradation) - 70% strength retained.

3.0 The minimum fabric coefficient of permeability (ASTM D4491) shall be 0.24 cm/sec

4.0 The fabric shall be non-woven with a minimum thickness (ASTM D5199) of 60 mils

5.0 Fabric shall not be placed over sharp or angular rocks that could tear or puncture it.

6.0 Care should be exercised to prevent any puncturing or rupture of the filter fabric. Should such rupture occur the damaged area should be covered with a patch of filter fabric using an overlap minimum of one (1) foot.

7.0 The gradation for the drainage stone (AASHTO #57 coarse aggregate) shall be in the following range.

TABLE VII-1
GRADATION

SIZE	PERCENT PASSING (%)
1.5"	100
1"	95-100
½"	25-60
#4	0-10
#8	0-5

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STORM DRAIN IMPROVEMENTS
CREEK CULVERT INSTALLATION
TAMARACK DRIVE CULVERT

SPECIFICATIONS CONT'D

REV. CITY ENGINEER: DATE

PROJECT NO. P-1293

DRAWING NO. 6 OF 6

Reimbursement District Application

Exhibit C

Map of Proposed District Properties

Account Sequence | Map TL Sequence | Assessment Year 2017 ▼ | Print Window | Close Window

Assessment Info for Account 1-097602-6 Map 371W22 Taxlot 216

Report For Assessment Purposes Only Created September 11, 2018

Account Info

Account	1-097602-6
Map Taxlot	371W22 216
Owner	MEDFORD, CITY OF
Situs Address	
Mailing Address	MEDFORD CITY OF 411 WEST 8TH ST MEDFORD OR, 97501
Appraiser	164

Tax Year 2017 Info

Pay Taxes Online

Tax Report	Details
Tax History	Details
Tax Code 49-01	
Tax Rate	15.4746
District Rates	Details
Tax Details	Details
Tax Rates	Details

Land Info

Tax Code	49-01
Acreage	14.91
Zoning	
Land Class	
	UNK 14.91 Ac
Property Class	940
Stat Class	685
Unit ID	211220-1
Maintenance Area	6
Neighborhood	000
Study Area	03
Account Status	ACTIVE
Tax Status	Non-Assessable
Sub Type	NORMAL

Sales Data (AS 400)

Value Summary Detail (For Assessment Year 2017)

Market Value Summary (For Assessment Year 2017)

Code Area	Type	Acreage	RMV	M5	MAV	AV
49-01	LAND	14.91	$ 1,423,530	$ 1,423,530	$ 0	$ 0
49-01	IMPR	0.00	$ 125,400	$ 125,400	$ 0	$ 0
Value History Details		Total:	$ 1,548,930	$ 1,548,930	$ 0	$ 0

Value Summary Details

Value History

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	49-01	0		685	EXEMPT	Comml Imp	0	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF
ACCOUNT PHOTO	2	1	PDF
ACCOUNT PHOTO	3	1	PDF
ACCOUNT PHOTO	4	1	PDF
ACCOUNT PHOTO	5	1	PDF
ACCOUNT PHOTO	6	1	PDF
ACCOUNT PHOTO	7	1	PDF
ACCOUNT PHOTO	8	1	PDF
SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	Portal

ALL IN ONE REPORT?

Improvement Comments

Appraisal Maintenance

Account Comments

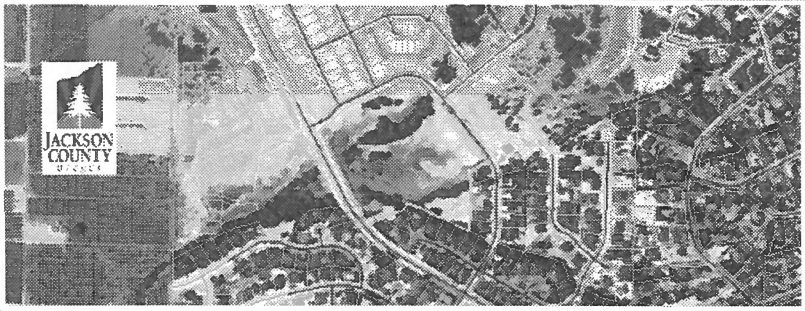
9/04/03 OWNED BY CITY OF MEDFORD. EXEMPT PROPERTY. PARTITION PLAT FROM 371W22-200. +15.94 ACRES #88. 9/11/03: ADDED POT'L LIEN OF $5227.07 - WHICH IS A PORTION OF $59,944.04 FROM PARENT TL 200 - DUE TO LOT BEING SPLIT - PER #74.>>> 5/8/13- #164: City of Medford - Oregon Hills Park. Add for park improvements partially complete for 2012. RT for 2014 for completion.>>> 05/20/14 rt review...small covered areas at city park, nciv 172 JI

Exemptions / Special Assessments / Notations / Potential Liability

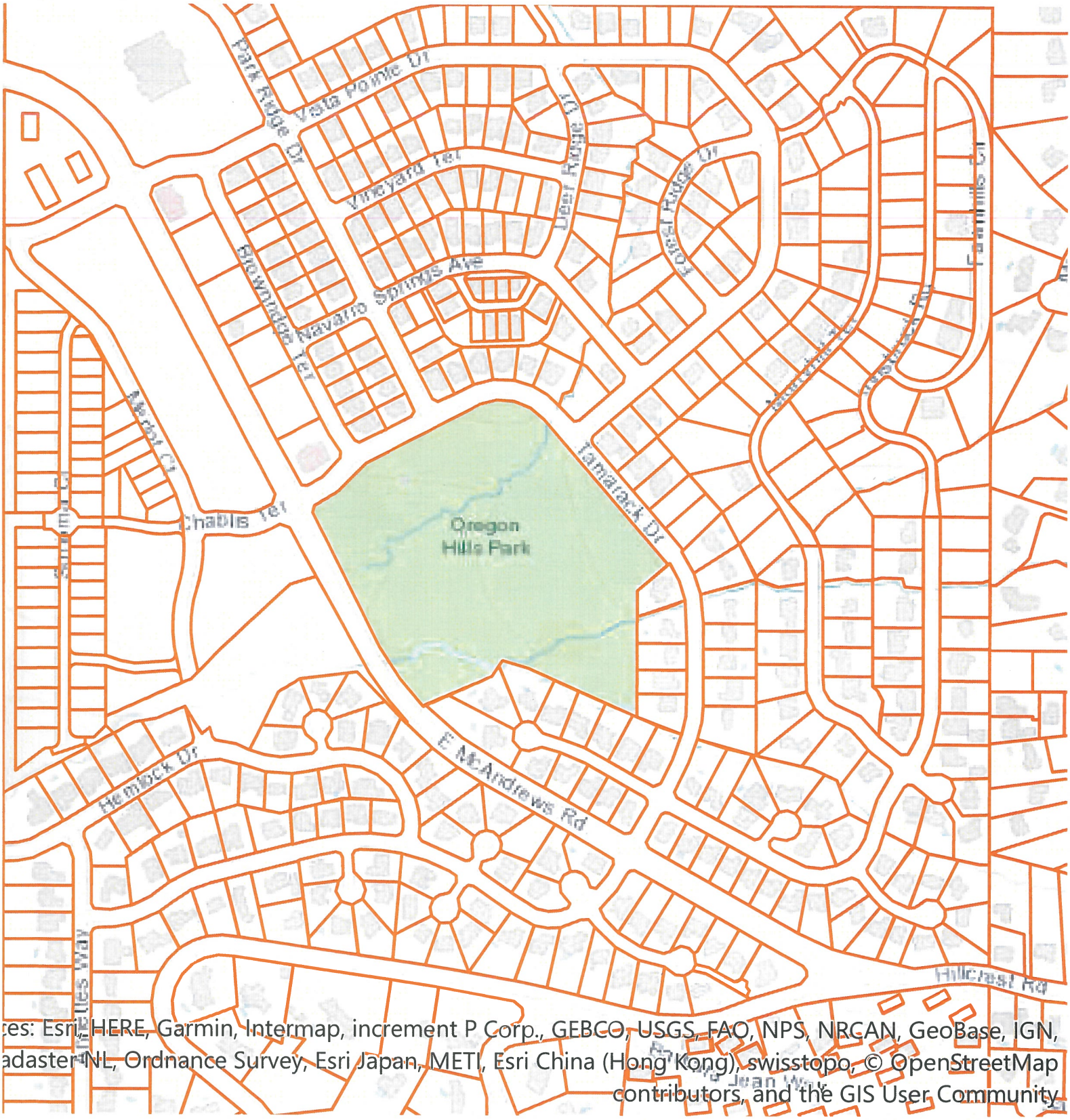
Notations

Description	Tax Amount	Year Added	Value Amount
CARTOGRAPHIC ACTIVITY		2005	
CARTOGRAPHIC ACTIVITY		2003	
POT'L ADD'L TAX LIABILITY ORS 308A.083	5227.07	2003	$0.00

Location Map



Close Window | Print Window


Park Ridge Dr
Vista Pointe Dr
Vineyard Ter
Deer Ridge Ct
Forest Ridge Dr
Brownridge Ter
Navarro Springs Ave
Tamarack Dr
Oregon Hills Park
Chablis Ter
Hemlock Dr
E McAndrews Rd
Hillcrest Rd
ces: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN,
adaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap
contributors, and the GIS User Community

Reimbursement District
Application

Exhibit D

Detailed Costs of Public Improvements

P.O. BOX 1724 • MEDFORD, OR 97501 • PH (541) 779-5268

VISTA POINTE P.U.D
FOREST RIDGE PHASES 1,8,9 & 10
TAMARACK DRIVE COST ESTIMATE
SEPTEMBER 25, 2018

Item	Description	Quantity	Unit	Unit Price	Total Price
	General Site Work				
1	Mobilization	1	LS	$5,000.00	$5,000.00
2	Install/Maintain Erosion Control (Incl. Hydroseeding)	1	LS	$2,500.00	$2,500.00
3	Clearing and Grubbing	1	LS	$2,000.00	$2,000.00
4	Remove Existing Asphalt	1,056	SF	$2.00	$2,112.00
5	Traffic Control	1	LS	$3,500.00	$3,500.00
				Sub-Total	$15,112.00
	Street Work				
6	General Excavation (Street Cut)	2,415	CY	$8.00	$19,320.00
7	Structural Fill	2,093	CY	$24.00	$50,232.00
8	Asphalt Concrete, Class "B"	1,337	TON	$65.00	$86,916.38
9	Base, 3/4"-0" Minus Crushed Rock	3,773	CY	$28.00	$105,653.33
10	Geotextile Fabric, Non-Woven	5,660	SY	$1.25	$7,075.00
11	Curb & Gutter	2,830	LF	$8.50	$24,055.00
12	Concrete Sidewalk	13,550	SF	$4.25	$57,587.50
13	Sidewalk Base Rock	84	CY	$28.00	$2,352.00
14	Concrete Sidewalk Handicap Ramp	6	EA	$850.00	$5,100.00
				Sub-Total	$358,291.21
	Street Lighting, Striping and Signage				
15	Residential Street Lights (Incl. conduit, wire & JB)	7	EA	$3,000.00	$21,000.00
				Sub-Total	$21,000.00
	Sanitary Sewer Work				
16	8" PVC Pipe w/ Crushed Rock Backfill	1,400	LF	$28.00	$39,200.00
17	48" Manhole	9	EA	$2,500.00	$22,500.00
				Sub-Total	$61,700.00
	Waterline Work				
18	12" D.I. Pipe Water (See note 4)	1270	LF	$38.00	$48,260.00
19	8" D.I. Pipe Water	151	LF	$38.00	$5,738.00
20	8" D.I. Pipe Water Restrained	144	LF	$42.00	$6,048.00
21	12" x 8" Reducer	1	EA	$500.00	$500.00
22	12" Butterfly Valve (See note 4)	2	EA	$950.00	$1,900.00
23	12" Tee (See note 4)	1	EA	$400.00	$400.00
24	12" x 6" Tee	1	EA	$600.00	$600.00
25	12" 45° Bend (See note 4)	2	EA	$500.00	$1,000.00
26	8" Gate Valve	2	EA	$950.00	$1,900.00
27	8" End Plug	1	EA	$300.00	$300.00
28	Fire Hydrant Assembly	4	EA	$3,000.00	$12,000.00
29	ARV (Incl. box, trenching, backfill, tap, fittings & appurenances)	15	LF	$8.75	$131.25
30	Sample Tree	1	EA	$150.00	$150.00
31	Disinfection Tree	1	EA	$250.00	$250.00
				Sub-Total	$79,177.25

Item	Description	Quantity	Unit	Unit Price	Total Price
	Storm Sewer Work				
32	30" SRP w/ Crushed Rock Backfill (See note 5)	529	LF	$27.00	$14,283.00
33	24" HDPE w/ Crushed Rock Backfill (See note 5)	86	LF	$26.00	$2,236.00
34	12" HDPE w/ Crushed Rock Backfill	863	LF	$22.00	$18,986.00
35	72" SD Manhole	2	EA	$3,000.00	$6,000.00
36	48" SD Manhole	6	EA	$1,800.00	$10,800.00
37	72" SD Curb Inlet/Manhole	1	EA	$3,000.00	$3,000.00
38	48" SD Curb Inlet/Manhole	1	EA	$2,500.00	$2,500.00
39	Curb Inlet	1	EA	$1,000.00	$1,000.00
40	Curb Inlet with 6' Opening	1	EA	$1,200.00	$1,200.00
41	Curb Inlet with 8' Opening	2	EA	$1,800.00	$3,600.00
42	Pollution Control Structure	2	EA	$3,000.00	$6,000.00
				Sub-Total	$69,605.00
	Culvert Work				
43	6'-11" Multi-Plate Arch with Footings	22	LF	$300.00	$6,600.00
44	Modular Block Headwall	1,500	SF	$25.00	$37,500.00
45	Chain Link Fence	175	LF	$10.00	$1,750.00
46	3/4" Crushed Rock Backfill	2,000	CY	$28.00	$56,000.00
				Sub-Total	$101,850.00
	General Utility Work *(Actual quantities to be determined by Contractor from Utility Company plans)*				
47	4' Utility Trench w/ Crushed Rock Backfill	463	LF	$8.00	$3,704.00
48	4' Utility Trench w/ Native Backfill	2,266	LF	$6.00	$13,596.00
49	Power Pedestals	5	EA	$500.00	$2,500.00
50	3"/4" Conduit *	2,729	LF	$6.50	$17,738.50
51	3"/4" Sweeps *	3	EA	$37.50	$112.50
52	Vaults (Transformers & Enclosures) Size= 4'X4'	2	EA	$1,500.00	$3,000.00
53	Vaults (Transformers & Enclosures) Size= 4'X6'	3	EA	$1,800.00	$5,400.00
	* Final Quantities and Sizing to be determined by Utility Company				
				Sub-Total	$46,051.00
				Total	$752,786.46
	Professional Services				
54	Engineering & Surveying (13.5% of Construction Costs)	1	LS	$101,626.17	$101,626.17
				Sub-Total	$101,626.17
				Grand-Total	$854,412.63

Notes:

1. Construction Engineering Consultants, Inc. prepared the civil improvement plans & record drawings for the project
2. Unit prices shown are based on CEC's records of several similar construction projects during 2005 & 2006.
3. There are additional costs associated with the construction of the improvements not included in this estimate such as utility company fees (electric), land costs, etc.
4. MWC pays up-sizing costs above 8" pipe & fiitings. 8" prices used to compensate
5. City pays up-sizing costs for 24" or larger pipes. Smaller pipe size pricing used to compensate

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 80.1

DEPARTMENT: City Recorder's Office
PHONE: 541-774-2017
STAFF CONTACT: Karen Spoonts, City Recorder

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: December 6, 2018

COUNCIL BILL 2018-136
A resolution canvassing the returns of the General City Election on November 6, 2018, declaring the election of Councilmembers for terms beginning January 3, 2019.

SUMMARY AND BACKGROUND
Council is requested to approve a resolution certifying the election results of November 6, 2018. The results of all elections will be entered into the record of the proceedings of the council. Adoption of this resolution meets this requirement.

PREVIOUS COUNCIL ACTIONS
On December 4, 2014, Council approved Resolution 2014-146 canvassing the returns of the General City Election on November 4, 2014, declaring the election of Councilmembers for terms beginning January 8, 2015.

On December 1, 2016, Council approved Resolution 2016-44 canvassing the returns of the General City Election on November 8, 2016, declaring the election of Mayor and Councilmembers for terms beginning January 5, 2017, and declaring the election results on the ballot measures pertaining to marijuana (Measure 15-144, Measure 15-145, and Measure 15-166).

ANALYSIS
Chapter VI, Section 22 of the Medford Charter directs the City Recorder to issue and deliver without delay to the persons thus elected a certificate of election under the hand and seal of the city. Per ORS 254.568, the certificate of election must be completed before the oath can be administered.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
None pertaining to Council.

TIMING ISSUES
Certificates of election must be completed before the oath of office can be administered. The oath of office will be administered at the January 3, 2019 Council meeting.

COUNCIL OPTIONS
Adopt the resolution.
Modify the resolution.
Deny the resolution and provide direction to staff.

STAFF RECOMMENDATION
Staff recommends approval of the resolution.

SUGGESTED MOTION
I move to approve the resolution canvassing the returns of the General Election on November 6, 2018.

EXHIBITS
Resolution

RESOLUTION NO. 2018-136

A RESOLUTION canvassing the returns of the General City Election on November 6, 2018, declaring the election of Councilmembers for terms beginning January 3, 2019.

WHEREAS, the votes cast by all of the legal voters of the City of Medford at the regular election on November 6, 2018, for candidates for City Councilmembers for terms beginning January 3, 2019, have been counted and returns thereof have been fully reported and certified by the County Clerk of Jackson County and the City Council has canvassed the same; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

Section 1. That the votes cast for candidates for the offices of City Councilmembers at the election are as follows:

Councilmember - Ward 1 (4-year term)	
Curt Ankerberg	1,783
Alex Poythress	2,531
David Dobrin	434
Steve Dickson	1,979
Write-In	55
Councilmember - Ward 2 (4-year term)	
Clay Bearnson	3,173
James A Herndon	3,098
Write-In	27
Councilmember - Ward 3 (4-year term)	
Don Libby	1,550
Glenda Wilson	1,427
Kevin Stine	2,161
Write-In	23
Councilmember - Ward 4 (4-year term)	
Michael Zarosinski	5,706
Lewis E Severson	2,197
Write-In	33

Section 2. That it is hereby declared that Alex Poythress, Clay Bearnson, Kevin Stine, and Michael Zarosinski have been elected to the office of City Councilmember for the First, Second, Third, and Fourth Wards respectively, all for the term beginning January 3, 2019, or as soon thereafter as they shall qualify.

Section 3. That the City Recorder is directed to issue and deliver without delay to the persons thus elected, a certificate of election under the hand and seal of the City.

PASSED by the Council and signed by me in authentication of its passage this _____day of _____, 2018.

ATTEST: _____ _____

City Recorder Mayor

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 80.2

DEPARTMENT: City Manager's Office
PHONE: (541) 774-2003
STAFF CONTACT: Brian Sjothun, City Manager

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: December 6, 2018

COUNCIL BILL 2018-137
An ordinance authorizing execution of a Lease Agreement with Rogue Valley Children's Discovery Museum, Inc. for use of the Carnegie building located at 413 W. Main Street.

SUMMARY AND BACKGROUND
The Council is requested to consider a 25-year lease with an option for an additional 25-year renewal for the historic Carnegie Building with Rogue Valley Children's Discovery Museum, Inc. (RVCDM) also known as Kid Time.

The proposed lease agreement has been negotiated and approved by RVCDM Board and represents direction provided by Council to staff in that the historic integrity of the building must be retained. Approval of this lease will also meet a Council Goal of helping to revitalize the area surrounding City Hall along with increasing the capacity for youth and families to gain access to affordable educational and enrichment programing.

PREVIOUS COUNCIL ACTIONS
On August 3, 2017, the Council directed staff to proceed with a Solicitation of Interest (SOI) for the leasing of the Carnegie Building.

On January 11, 2018, Council held a study session and heard presentations from Kid Time and Southern Oregon Historical Society (SOHS). Council directed staff to bring this item for consideration at a future Public Hearing.

On April 19, 2018, Council conducted a Public Hearing with presentations provided by Kid Time and Southern Oregon Historical Society. Members of the public also participated and provided testimony. A motion was made by Council to direct staff to enter into a lease agreement for the Carnegie building, located at 413 West Main Street with Kid Time, and that the lease agreement come back to the City Council for approval. This motion was approved 7-1.

ANALYSIS
A mandatory pre-proposal walk-through of the building was held on October 26 and November 1, 2017. Representatives from RVCDM, SOHS, the Valley School, and Compassion Highway Project attended the walk-throughs. Only RVCDM and SOHS submitted responses to the SOI.

The Council put forward the following City goals to be included in the SOI:

- The use(s) in the Carnegie Library will serve a broad community need.
- The successful proposer will be in a financial position to pay for maintenance of the Carnegie Library and the property.
- The entire building would be utilized.

As a result of the direction provided by Council on April 19, staff completed the proposed lease for your consideration and addresses the following areas:

- Term: 25-year lease with option for an additional 25-years.
- Possession: RVCDM will take possession on January 1, 2019.
- Rent: $1 per year. All taxes, insurance costs, utility charges, and maintenance that RVCDM is required to perform is considered additional rent.
- Permitted Use: Offices, public events, museum exhibitions, family education, preschool and child development activities.

- Tenant's Obligations:
  - Repairs, maintenance and replacement:
    - Roof and gutters
    - Exterior walls
    - Bearing walls
    - Structural members, sub-floor and foundation
    - Interior and exterior water, sewage, gas, and electrical lines located on the premises
    - Interior walls, ceilings, doors, windows, flooring, light fixtures and switches/plugs
    - Landscaping – Once Certificate of Occupancy is issued
    - Historical preservation work
    - Heating and air conditioning system
    - Sidewalks along the exterior boundaries
    - Elevator
- Alterations: No improvements or alterations on the building of any kind without first obtaining Landlord's written consent. All improvements must be made in compliance with applicable laws and building codes.

RVCDM anticipates beginning the necessary improvements to obtain a Certificate of Occupancy during the first eight months of 2019 with an anticipated opening date of August 2019 for the preschool program.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
The term of this agreement is for $1 per year.

The City and RVCDM engaged RE/MAX Platinum Real Estate and Burrill Real Estate, LLC to conduct a market analysis of the Carnegie Building. This analysis has established a market rate for the Carnegie Building of $0.75 per square foot, triple net (tenant would be responsible for all utilities, insurance and maintenance of the property). As a result of this analysis, the City is providing an in-kind contribution of $137,000 per year based on the lease agreement square footage of 15,242. Over the life of the 25-year agreement, this would equal $3.425 million.

TIMING ISSUES
RVCDM has begun fundraising efforts for this project and thus entering into this agreement will allow for them to take possession on January 1, 2019 as outlined in the agreement.

COUNCIL OPTIONS
Approve the agreement as presented.
Modify the agreement as presented.
Deny the agreement and provide direction to staff.

STAFF RECOMMENDATION
Staff recommends that the City Council approve the lease agreement with RVCDM.

SUGGESTED MOTION
I move to approve the lease agreement with Rogue Valley Children's Discovery Museum, Inc. for the terms outlined in the agreement.

EXHIBITS
Ordinance
Lease Agreement
Carnegie Building Market Analysis

ORDINANCE NO. 2018-137

AN ORDINANCE authorizing execution of a Lease Agreement with Rogue Valley Children's Discovery Museum, Inc. for use of the Carnegie building located at 413 W. Main Street.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That execution of a Lease Agreement with Rogue Valley Children's Discovery Museum, Inc. for use of the Carnegie building located at 413 W. Main Street, which is on file in the City Recorder's office, is hereby authorized.

Section 2. The term of this lease shall be for 25 years with an option to renew for an additional 25 years at the rate of $1 per year.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2018.

ATTEST: _____ _____
City Recorder Mayor

APPROVED _____, 2018. _____
Mayor

COMMERCIAL LEASE

Effective Date: January 1, 2019

Between: CITY OF MEDFORD ("Landlord")
an Oregon municipal corporation
411 W 8th St.
Medford, OR 97501

And: ROGUE VALLEY CHILDREN'S DISCOVERY MUSEUM, INC. ("Tenant)
an Oregon nonprofit corporation
dba "Kid Time! Discovery Experience"
413 West Main Street
Medford, OR 97501

Landlord leases to Tenant, and Tenant leases from Landlord the following described property (the "Premises") on the terms and conditions stated below:

> Approximately 15,242 square feet of commercial space, consisting of the historical Carnegie building located at 413 W Main St., Medford, Oregon including the surrounding landscape, walkways and parking area. The Premises are depicted on the site plan, attached hereto as Exhibit "A."

Tenant shall have the right to reasonable use of the areas within and surrounding the building in the manner in which such areas are improved, consistent with the terms of this lease. Tenant's use of such areas is subject to reasonable regulation.

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence on the date Tenant takes possession of the Premises. The term of this lease shall continue for a period of twenty-five (25) years following the commencement date, unless sooner terminated as hereinafter provided.

1.2 Possession. Tenant's obligations under the Lease shall commence on the date Tenant takes possession of the Premises. Tenant shall be deemed to take possession on January 1, 2019.

1.3 Renewal Option. If the lease is not in default when the option is exercised or when the renewal term is to commence, Tenant shall have the option to renew this Lease for one term of twenty-five (25) years as follows:

(a) The renewal term shall commence on the day following expiration of the immediately preceding term.

(b) Unless Tenant provides written notice to Landlord of its intent not to renew the lease, given not less than twelve months before the last day of the expiring term, this Lease shall automatically renew as provided in this Section 1.3.

(c) The terms and conditions of the Lease for the renewal term shall be identical with the original term except that Tenant will no longer have any option to further renew.

Section 2. Rent

2.1 Base Rent. During the first year of the term and each year thereafter, Tenant shall pay to Landlord, as base rent, the sum of $1.00 per year.

2.2 Security Deposit. None.

2.3 Additional Rent. All taxes, insurance costs, utility charges, and maintenance that Tenant is required to perform under this Lease and any other sum that Tenant is required to pay to Landlord or third party shall be additional rent.

Section 3. Use of the Premises

3.1 Permitted Use. The Premises shall be used for offices, public events, museum exhibitions, family education, preschool, and child development activities.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws and regulations of any public authority affecting the Premises and the use, and correct, at Tenant's own expense, any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance unless such changes are required because of Tenant's specific use.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the Premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord, which limitations shall be communicated to Tenant in writing.

(5) Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the business specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this lease, Tenant shall remove all Hazardous Substances from the Premises which Tenant, or Tenant's agents, employees, guests or invitees, caused or permitted to be placed on the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

Section 4. Repairs, Maintenance and Replacements

4.1 Landlord's Obligations. During the term of this Lease, Landlord shall be obligated to maintain the following:

(1) Perform any repair and maintenance obligations in 4.2(1) through 4.2(2) from the Date of Possession to the date such maintenance obligations are turned over to Tenant as provided in Section 4.2 below.

(2) Provide an inspection report to Tenant by January 1, 2019 confirming that the elevator has had all routine maintenance as a condition of Tenant taking over maintenance responsibilities for the elevator.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant beginning January 1, 2019, or such later date as specified below:

(1) Repairs, maintenance and replacements of roof and gutters, exterior walls (including painting), bearing walls, structural members, sub-floor, and foundation.

(2) Repairs, maintenance and replacement of interior and exterior water, sewage, gas, and electrical utility lines located on the Premises.

(3) Repairs, maintenance and replacements of (including painting), interior walls, ceilings, doors, windows, and related hardware, flooring, light fixtures, and switches/plugs within the Premises.

(4) Maintenance of all landscaping and internal walkways and the parking area on the Premises. Notwithstanding Section 4.2, Landlord shall continue to be responsible for the maintenance of all landscaping, internal walkways and the parking area until a Certificate of

Occupancy is issued by the City of Medford for operation of Tenant's preschool. In addition, Landlord shall be required to remove and replace dead and dying trees prior to Tenant's assumption of maintenance therefore. Landlord and Tenant agree to meet at the Premises at a mutually agreeable time to identify those trees in need of replacement by Landlord.

(5) Historical preservation work such as repair and replacement of brick and masonry.

(6) Repair, maintenance and replacement of the heating and air conditioning system for the Premises.

(7) Repair, maintenance and replacement of all sidewalks along the exterior boundaries of the Premises.

(8) Upon receipt of an inspection report per 4.1(2), repair, maintenance and replacement of the elevator.

(9) Any repairs, maintenance and replacements necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.2 dealing with waiver of subrogation but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

Repairs, maintenance and replacements performed by Landlord and/or Tenant shall comply with all applicable laws and regulations.

4.3 Reimbursement for Repairs Assumed. If either party fails or refuses to make repairs, maintenance or replacements that are required by this Section 4, the other party may make the repairs and charge the actual costs of the repairs, maintenance and replacements to the first party. Such expenditures shall be reimbursed by the first party on demand together with interest at the rate of twelve percent (12%) per annum from the date of expenditure. Such expenditures by Tenant may be deducted from rent and other payments subsequently becoming due if not repaid by Landlord within 30-days of the expenditure. Except in an emergency creating an immediate risk of personal injury or property damage, neither party may perform repairs which are the obligation of the other party and charge the other party for the resulting expense unless at least 15 days before work is commenced, the defaulting party is given notice in writing outlining with reasonable particularity the work required, and such party fails within that time to initiate such work in good faith.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times, upon reasonable notice, to determine the necessity of repairs, maintenance or replacements. Whether or not such inspection is made, the duty of Landlord to begin repairs, maintenance or replacements shall mature within 15 days after Landlord has received from Tenant written notice of the work that is required. Landlord shall complete any repairs required of Landlord within a reasonable timeframe considering the nature and extent of the repair.

4.5 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have no right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

Section 5. Alterations

5.1 Alterations Prohibited. Tenant shall make no improvements or alterations on the Premises of any kind without first obtaining Landlord's written consent, which consent shall not be unreasonably withheld. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. As used herein, "alterations" includes the installation of computer and telecommunications wiring, cables, and conduit. Notwithstanding the foregoing, subject to City of Medford building permits, the parties acknowledge and agree that Tenant intends to add on to the Building and install fencing along the perimeter of the Premises and Tenant shall not be required to obtain written consent from Landlord for such alternations. Attached hereto as Exhibit "B" and incorporated herein by reference is a site plan depicting the approximate location of alterations by Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises by either Landlord or Tenant shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Improvements and alterations installed by Tenant after the Commencement Date, shall at Landlord's option, be removed by Tenant and the Premises restored unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Casualty Insurance

6.1 Insurance Required. Landlord shall keep the Premises insured at Landlord's expense against fire and other risks covered by a standard fire insurance policy with an endorsement for extended coverage. Tenant shall reimburse Landlord for the cost of such insurance coverage. Landlord shall bill tenant periodically for the insurance premiums, and Tenant shall pay to Landlord the amount due for such premiums within 10 days after each such billing. Tenant may carry similar insurance insuring the property of Tenant on the Premises against such risks, but is not required to insure.

6.2 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. Each party agrees to use best efforts to obtain such an agreement from its insurer if the policy does not expressly permit a waiver of subrogation.

Section 7. Taxes; Utilities

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. The Premises are exempt from any real property taxes.

7.2 Payment of Utility Charges. Except as provided in this Section 7.2, Tenant shall pay when due all charges for services and utilities incurred in connection with the use, occupancy, operation, and maintenance of the Premises, including (but not limited to) charges for fuel, water, gas, electricity, sewage disposal (including street fee and other fees and systems development charges billed by the City of Medford with its billings for with water and sewage disposal charges), power, refrigeration, and janitorial services.

Section 8. Damage and Destruction

8.1 Partial Damage. If the Premises are partly damaged and Section 8.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3, except for rent abatement as provided by Section 8.3.

8.2 Destruction. If the Premises are destroyed or damaged such that the cost of repair exceeds 30 percent of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than 45 days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

8.3 Rent Abatement. In the events of partial damage or destruction as provided in Sections 8.1 and 8.2, rent shall be abated during the repair of any damage to the extent the Premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the negligence or intentional act of Tenant.

8.4 Damage Late in Renewal Term. If damage or destruction to which Section 8.1 would apply occurs within 24-months before the end of the renewal lease term, Landlord or Tenant may elect to terminate the lease by written notice to the other given within 30 days after the date of the damage. Such termination shall have the same effect as termination under Section 8.2.

Section 9. Eminent Domain

9.1 Partial Taking. If a portion of the Premises is condemned and Section 9.2 does not apply, the lease shall continue on the following terms:

(1) Landlord shall be entitled to all of the proceeds of condemnation, and Tenant shall have no claim against Landlord as a result of the condemnation, except for that portion of the award which reflects the unamortized value of any permanent improvements to the structure of the building in which the Premises are located which have been installed and paid for by Tenant following the commencement of the lease term. Tenant shall also be entitled to claim against the condemning authority for its moving expenses and associated expenses and damages.

(2) Landlord shall proceed as soon as reasonably possible to make such repairs and alterations to the Premises as are necessary to restore the remaining Premises to a condition as comparable as reasonably practicable to that existing at the time of the condemnation.

(3) After the date on which title vests in the condemning authority or an earlier date on which alterations or repairs are commenced by Landlord to restore the balance of the Premises in anticipation of taking, the rent shall be reduced in proportion to the reduction in value of the Premises as an economic unit on account of the partial taking. If the parties are unable to agree on the amount of the reduction of rent, the rent shall be determined by a qualified, independent real property appraiser familiar with commercial rental values in the area. The appraiser shall be chosen by Tenant from a list of not fewer than five such individuals submitted by Landlord. If Tenant does not make the choice within five days after submission of the list, Landlord may do so. If Landlord does not submit such a list within 10 days after written request from Tenant to do so, Tenant may name as an appraiser any individual with such qualifications. Within 30 days after appointment, the appraiser shall return a decision, which shall be final and binding upon both parties. The cost of the appraisal shall be borne equally by both parties.

(4) If a portion of Landlord's property not included in the Premises is taken, and severance damages are awarded on account of the Premises, or an award is made for detriment to the Premises as a result of activity by a public body not involving a physical taking of any portion of the Premises, this shall be regarded as a partial condemnation to which Sections 9.1(1) and 9.1(3) apply, and the rent shall be reduced to the extent of reduction in rental value of the Premises as though a portion had been physically taken.

(5) Notwithstanding the foregoing, Landlord shall have no right to exercise the power of eminent domain or a taking of any portion of the Premises during any term of this lease, or any extension or renewal term.

9.2 Total Taking. If a condemning authority takes all of the Premises or a portion sufficient to render the remaining premises reasonably unsuitable for the use that Tenant was then making of the Premises, the lease shall terminate as of the date the title vests in the condemning authorities. Such termination shall have the same effect as a termination under Section 9.1(1). Landlord shall be entitled to all of the proceeds of condemnation, and Tenant shall have no claim against Landlord as a result of the condemnation, except for that portion of the award which reflects the unamortized value of any permanent improvements to the structure of the building in which the Premises are located which have been installed and paid for by Tenant following the commencement of the lease term. Tenant shall also be entitled to claim against the condemning authority for its moving expenses and associated expenses not covered by insurance.

9.3 Sale in Lieu of Condemnation. Sale of all or part of the Premises to a purchaser with the power of eminent domain in the face of a threat or probability of the exercise of the power shall be treated for the purposes of this Section 9 as a taking by condemnation.

Section 10. Liens, Indemnity and Liability Insurance

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of twelve percent (12%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within 10 days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or intentional or fraudulent act or omission or Landlord's breach of duty under this lease, or such acts by Landlord's agents and/or employees.

10.3 Liability Insurance. Before going into possession of the Premises, Tenant shall procure and thereafter during the term of the lease shall continue to carry the following insurance at Tenant's cost: commercial general liability policy (occurrence version) in a responsible company with coverage for bodily injury and property damage liability, personal and advertising injury liability, and medical payment with a limit of not less than $2,000,000 combined single limit per occurrence. Such insurance shall cover all risks arising directly or indirectly out of Tenant's activities on or any condition of the Premises whether or not related to an occurrence caused or contributed to by Landlord's negligence. Such insurance shall protect Tenant against the claims of Landlord on account of the obligations assumed by Tenant under Section 10.2, and shall name Landlord as an additional insured. Certificates evidencing such insurance and bearing endorsements requiring 10 days' written notice to Landlord prior to any change or cancellation shall be furnished to Landlord prior to Tenant's occupancy of the property.

Section 11. Quiet Enjoyment; Estoppel Certificate; Subordination and Attornment.

11.1 Quiet Enjoyment. Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

11.2 Estoppel Certificate. Either party will, within 20 days after notice from the other, execute and deliver to the other party a certificate stating whether or not this lease has been modified and is in full force and effect and specifying any modifications or alleged breaches by the other party. The certificate shall also state the amount of monthly base rent, the dates to which rent has been paid in advance, and the amount of any security deposit or prepaid rent. Failure to deliver the certificate within the specified time shall be conclusive upon the party from whom the certificate was requested that the lease is in full force and effect and has not been modified except as represented in the notice requesting the certificate.

11.3 Subordination. Any deed of trust, mortgage or other lien ("Mortgage") granted by Landlord which affects the Premises shall be and remain, as it may be modified or extended, at all times, a lien or charge on the Premises prior and superior to the lien or charge of this lease.

11.4 Attornment. In the event the holder of any Mortgage forecloses its lien, exercises of any power of sale, or exercises of any other remedy under any loan documents encumbering the Premises, or in the event of conveyance of title to the Premises by deed in lieu of foreclosure, Tenant agrees to accept and attorn to the purchaser of the Premises, and its successors and assigns as the new Landlord of the Premises, and, until terminated pursuant to its provisions, this lease shall continue in full force and effect as a direct lease between such purchaser and its successors and assigns and Tenant, with privity of contract and with the same force and effect as if this lease had initially been entered into between them.

11.5 Self Operative Provisions. The foregoing provisions of this Sections 11.3 and 11.4 shall be self-operative and effective without the execution of any further instruments on the part of any party hereto.

Section 12. Assignment and Subletting

No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord, which consent shall not be unreasonably delayed or withheld. This provision shall apply to all transfers by operation of law. If Tenant is a corporation or partnership, this provision shall apply to any transfer of a majority voting interest in stock or partnership interest of Tenant. No consent in one instance shall prevent the provision from applying to a subsequent instance. Landlord shall consent to a transaction covered by this provision when withholding such consent would be unreasonable in the circumstances.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 10 days after it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within 30 days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 30-day period, this provision shall be complied with if Tenant begins correction of the default within the 30-day period and thereafter, proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within 30 days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within 10 days shall constitute a default. If Tenant consists of two or more individuals or business entities, the events of default specified in this Section 13.3 shall apply to each individual unless within 10 days after an event of default occurs, the remaining individuals produce evidence satisfactory to Landlord that they have unconditionally acquired the interest of the one causing the default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

13.4 Abandonment. Failure of Tenant for 15 days or more to occupy the Premises for one or more of the purposes permitted under this lease, unless such failure is excused under other provisions of this lease.

Section 14. Remedies on Default

14.1 Termination. In the event of a default the lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the lease is terminated by the election of Landlord or otherwise, Landlord shall be entitled to recover damages from Tenant for the default, and Landlord may reenter, take possession of the Premises, and remove any persons or property by legal action or by self-help with the use of reasonable force and without liability for damages and without having accepted a surrender.

14.2 Reletting. Following reentry or abandonment, Landlord may relet the Premises and in that connection may make any customary and suitable alterations or refurbish the Premises, or both, or change the character or use of the Premises (exclusive of capital improvement costs to the common areas), but Landlord shall not be required to relet for any use or purpose other than that specified in the lease or which Landlord may reasonably consider injurious to the Premises, or to any tenant that Landlord may reasonably consider objectionable. Landlord may relet all or part of the Premises, alone or in conjunction with other properties, for a term longer or shorter than

the term of this lease, upon any reasonable terms and conditions, including the granting of normal and customary rent-free occupancy or other rent concessions.

14.3 Damages. In the event of termination or retaking of possession following default, Landlord shall be entitled to recover immediately, without waiting until the due date of any future rent or until the date fixed for expiration of the lease term, the following amounts as damages:

(1) The loss of rental from the date of default until a new tenant is, or with the exercise of reasonable efforts could have been, secured and paying out.

(2) The reasonable costs of reentry and reletting including without limitation the cost of any cleanup, refurbishing, removal of Tenant's property and fixtures, costs incurred under Section 14.5, or any other expense occasioned by Tenant's default including but not limited to, any remodeling or repair costs, attorney fees, court costs, broker commissions, and advertising costs.

(3) Any excess of the value of the rent and all of Tenant's other obligations under this lease over the reasonable expected return from the Premises for the period commencing on the earlier of the date of trial or the date the Premises are relet, and continuing through the end of the term. The present value of future amounts will be computed using a discount rate equal to the prime loan rate of major Oregon banks in effect on the date of trial.

14.4 Right to Sue More than Once. Landlord may sue periodically to recover damages during the period corresponding to the remainder of the lease term, and no action for damages shall bar a later action for damages subsequently accruing.

14.5 Landlord's Right to Cure Defaults. If Tenant fails to perform any obligation under this lease, Landlord shall have the option to do so after 30 days' written notice to Tenant. All of Landlord's expenditures to correct the default shall be reimbursed by Tenant on demand with interest at the rate of twelve percent (12%) per annum from the date of expenditure by Landlord. Such action by Landlord shall not waive any other remedies available to Landlord because of the default.

14.6 Remedies Cumulative. The foregoing remedies shall be in addition to and shall not exclude any other remedy available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination on account of default, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed by Tenant with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Tenant's obligations under this section shall be subordinate to the provisions of Section 8 relating to destruction.

15.2 Fixtures (1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord

so elects, Tenant shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease 10 days following written notice to Tenant of such abandonment, or, by notice in writing given to Tenant within 20 days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal, or to eject Tenant from the Premises and recover damages caused by wrongful holdover. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than 30 days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Attorney Fees. If suit or action is instituted in connection with any controversy arising out of this lease, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees at trial, on petition for review, and on appeal.

16.3 Notices. Any notice required or permitted under this lease shall be given when actually delivered or 48 hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.4 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.5 Recordation. This lease shall not be recorded without the written consent of Landlord.

16.6 Entry for Inspection. Upon reasonable notice, Landlord shall have the right to enter upon the Premises at any time to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, and in addition shall have the right, at any time during the last four months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.7 Windows and Signage. Tenant shall be permitted to install signs, logos, or other business signs subject to Medford, Oregon sign codes.

16.8 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.9 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease. This section shall not be construed to require Tenant to make non-emergency improvements to the Premises, prior to obtaining adequate grant funding for such work.

16.10 Good Faith Requirement. Notwithstanding anything to the contrary herein, each party hereto shall act in good faith in a commercially reasonable manner in discharging each and every one of its duties and obligations or in exercising its rights under this lease.

16.11 Authority. The person executing the Lease on behalf of Tenant hereby covenants and warrants that the execution of this Lease has been duly authorized by Tenant, that Tenant is qualified to do business in Oregon, and that the person signing on behalf of Tenant was authorized by Tenant to bind Tenant to this Lease. Upon Landlord's request, Tenant shall provide Landlord with evidence satisfactory to Landlord confirming the foregoing covenants and warranties.

Section 17 Arbitration.

17.1 Disputes to Be Arbitrated. If any dispute arises between parties, either party may request arbitration and appoint as an arbitrator an arbitrator having knowledge of commercial lease disputes. The other party shall also choose an arbitrator with such qualifications, and the two arbitrators shall choose a third. If the choice of the second or third arbitrator is not made within 10 days of the choosing of the

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prior arbitrator, then either party may apply to the presiding judge of the judicial district where the premises are located to appoint the required arbitrator.

17.2 Procedure for Arbitration. The arbitrator shall proceed according to the Oregon statutes governing arbitration, and the award of the arbitrators shall have the effect therein provided. The arbitration shall take place in the county where the leased premises are located. Costs of the arbitration shall be shared equally by the parties, but each party shall pay its own attorney fees incurred in connection with the arbitration.

Wherefore, the parties have caused this Lease to be executed as of the date set forth above.

CITY OF MEDFORD

_____

By:
Its:

("Landlord")

ROGUE VALLEY CHILDREN'S DISCOVERY MUSEUM, INC

Eric Christopher Oames

By: Eric Christopher Oames
Its: Board President

("Tenant")

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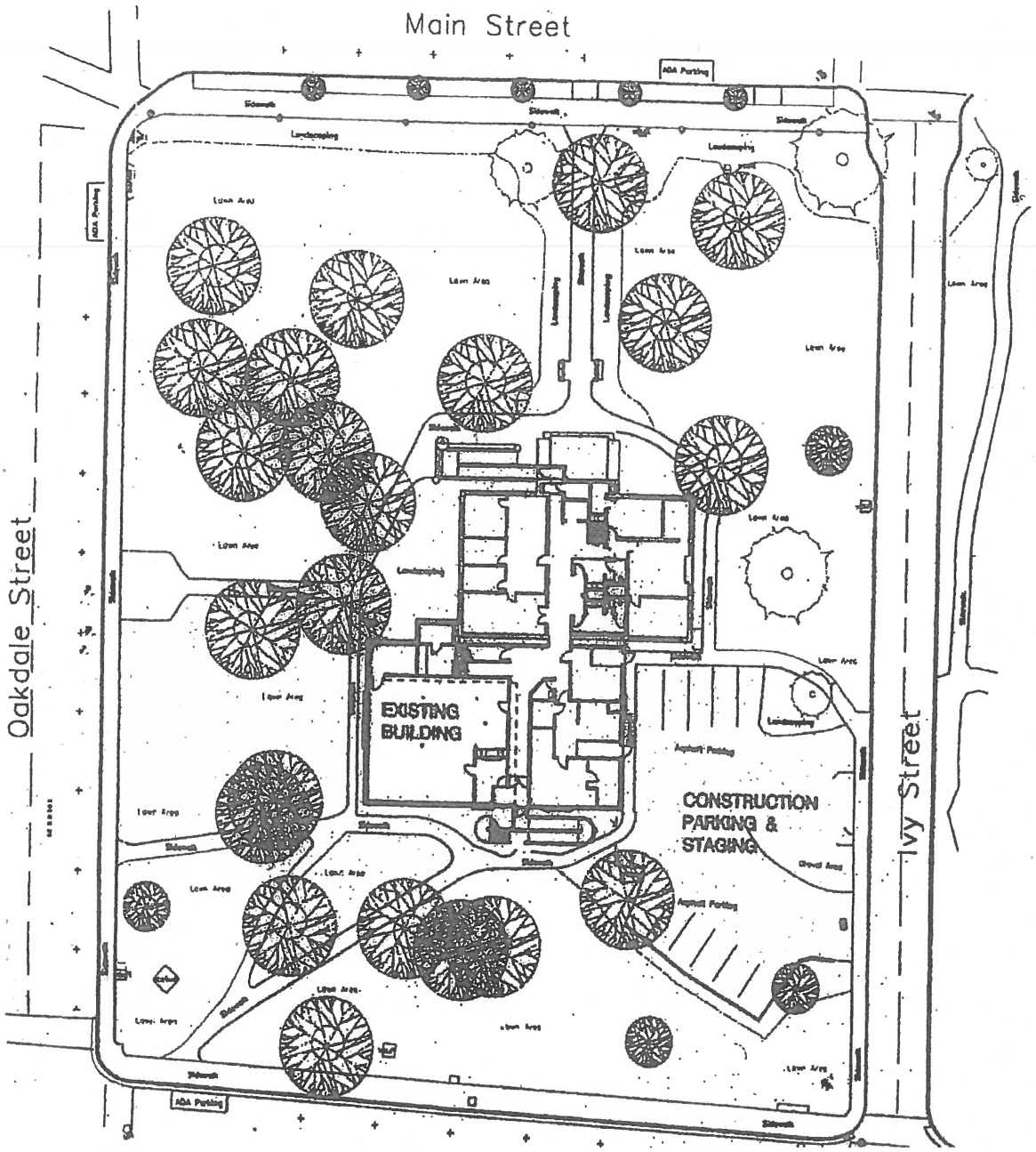

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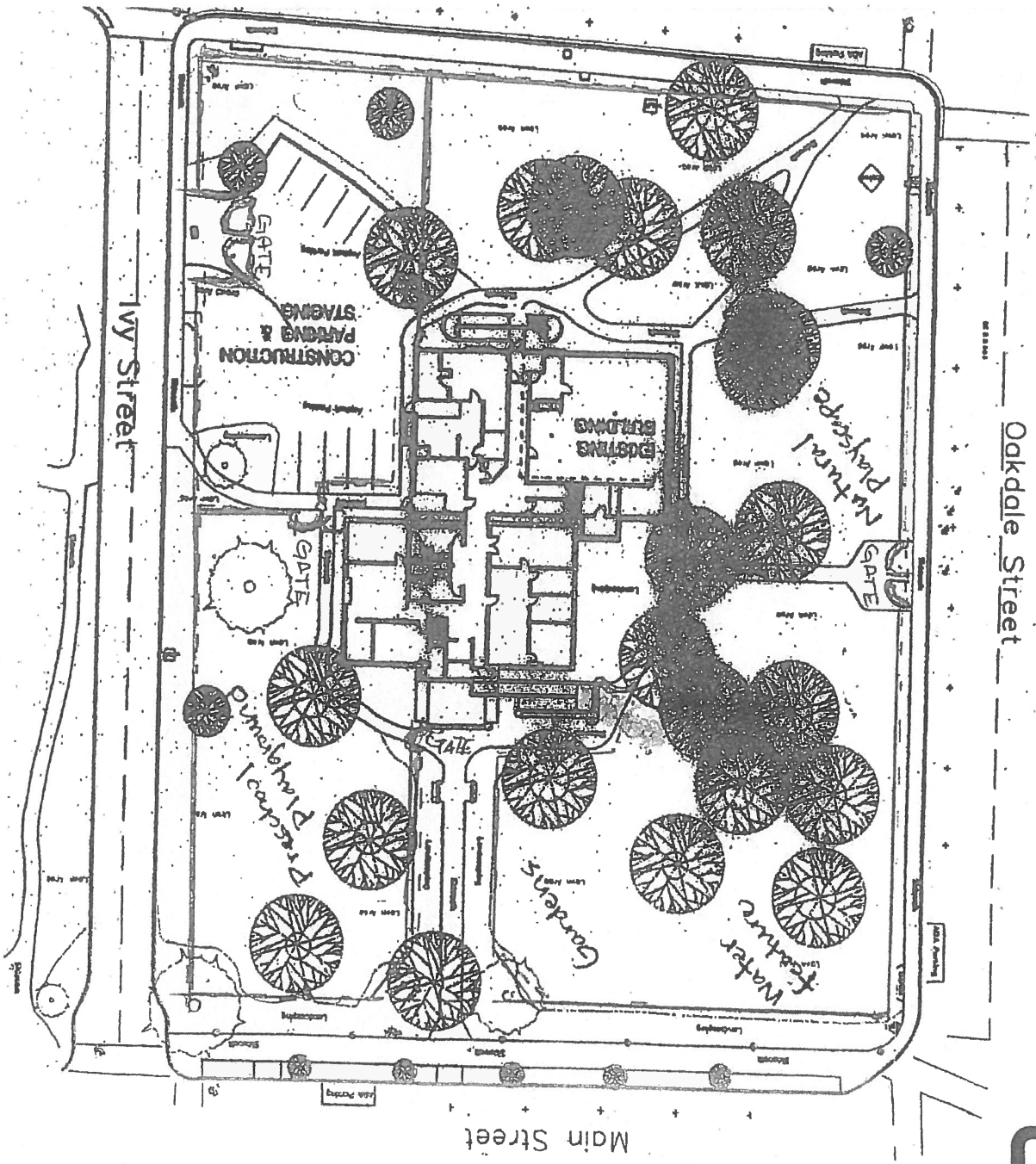

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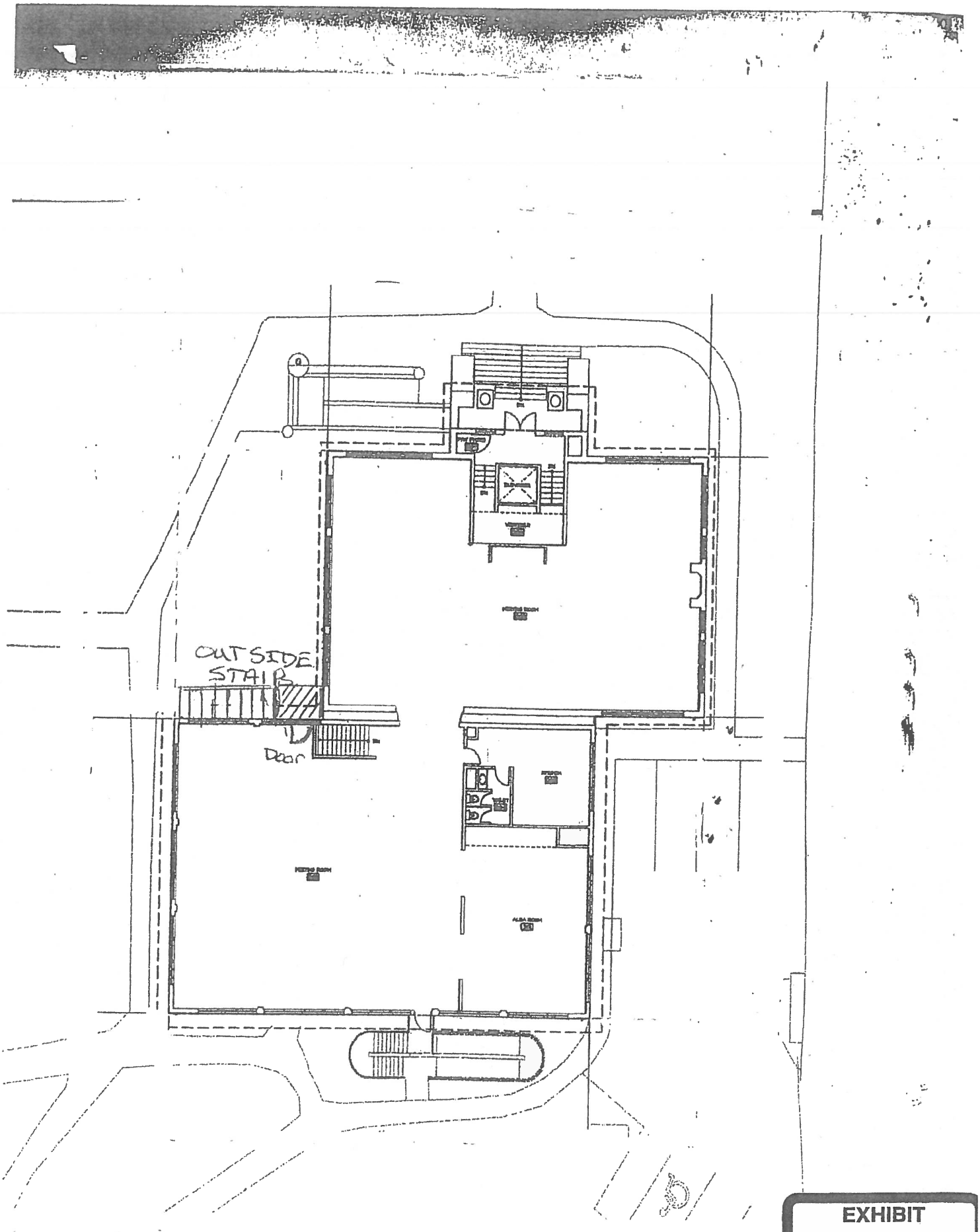

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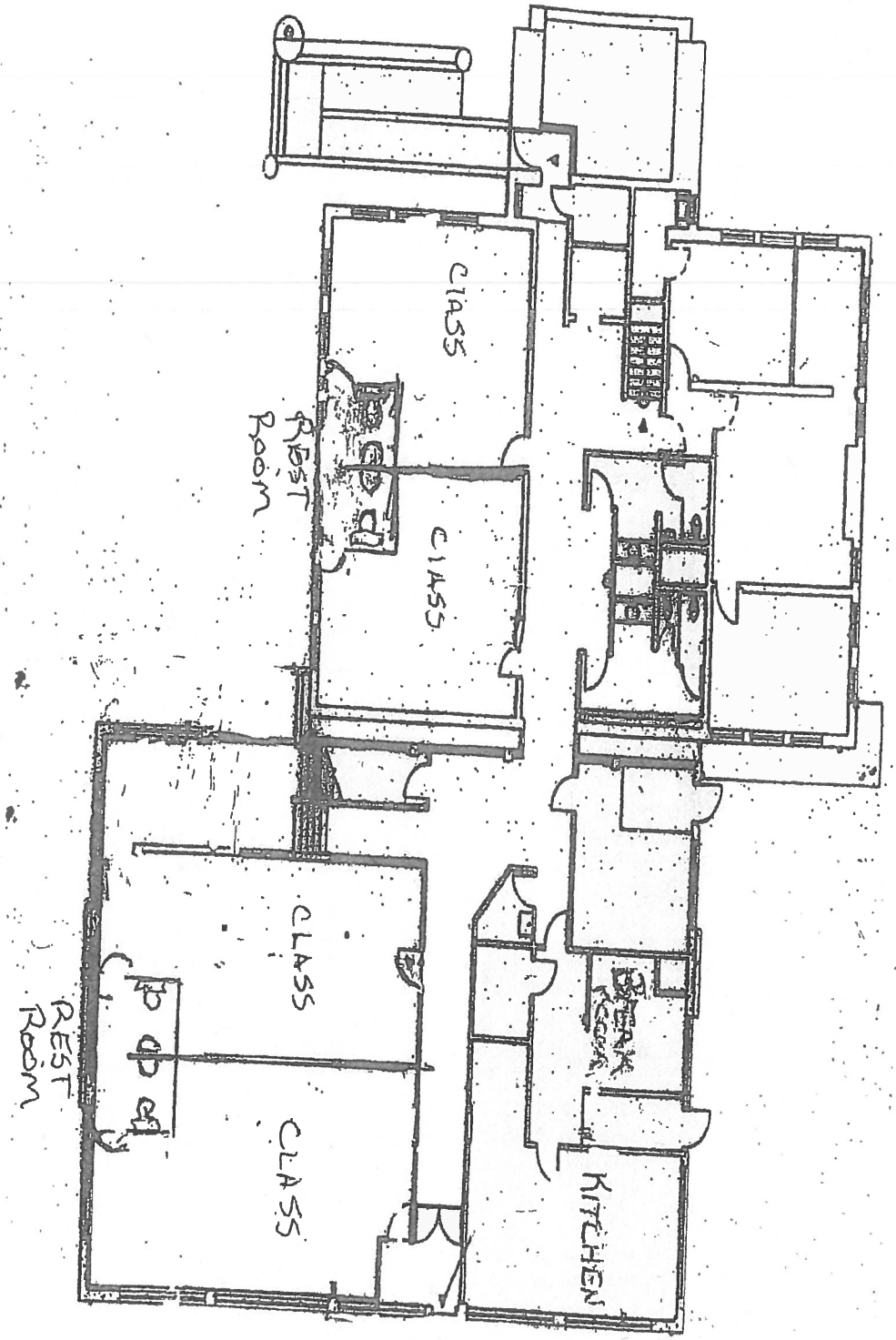

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RE/MAX PLATINUM

BURRILL REAL ESTATE, LLC

September 3, 2018

Mr. Brian Sjothun
City of Medford
411 West 8th Street
Medford, OR 97501

RE: Carnegie Library Building, 413 W Main Street, Medford, Oregon

Dear Brian,

Thank you for the opportunity to consult for The City of Medford on the Carnegie Library Building located at 413 W Main Street. Curt Burrill, Burrill Real Estate LLC, and I have toured the property. As we understand the task, The City is looking for a market rate rent evaluation of the property.

The building is approximately 11,660 square feet and sits on 1.48 acres. The building is block construction with a flat roof. Built in 1911 and recently updated in 2010. The renovation included new windows and upgrades to the Heating and Air Conditioning systems. The building is in good condition. There are two floors with an operating elevator. Multiple ramps for Handicap Access and ADA bathrooms on the bottom floor. Upstairs there are two large open rooms. One of the rooms has a fireplace. There is a non ADA bathroom upstairs.

The bottom floor has multiple offices and two ADA bathrooms. One of the bathrooms is has a stall and a urinal, the other bathroom has two stalls.

There are seven parking spaces in the lot on the North side of the building. Street parking exists on Eighth, West Main and Oakdale Streets.

There are a lack of large office lease comparables in the last two years on the Southern Oregon Multiple Listing Service. One larger space, although Retail, located at 1225 Court Street leased on 8/3/17. This space is 7,200 square feet and leased for $0.65 per square foot, modified gross. The tenant is responsible for the utilities and interior maintenance.

Smaller leased space in downtown Medford has ranged between $0.80 per square foot, full service and $1.00 per square foot triple net. Full service means that the landlord pays for property taxes, insurance, maintenance and utilities. Triple net is where the landlord bills back a

pro-rata share of the property taxes, insurance and maintenance. The following were smaller leased spaces in Medford:

- 201 W Main Street #2C is 3,408 square feet and leased for $0.80 per square foot full service. This space was leased May 23, 2017.
- 526 E Main Street is 2,400 square feet and leased for $0.75 per square foot, modified gross. This space was leased February 2, 2017.
- 604 Franquette Street is 1,264 square feet and leased for $1.00 per square foot, modified gross. This space leased 9/1/18.

There are a few large active listings currently for lease.

- 545 Stevens Street. 10,500 square feet, mostly retail but could be used for office. This space is being marketed at $0.80 per square foot triple net. This space has been on the market for 467 days.
- 145 N Bartlett Street is 8,338 square feet of office space listed for $1.31 per square foot, triple net. This space has been on the market for 131 days.
- 29 N Central Ave. 5,500 SF at $1.10 per square foot, Modified Gross.

A user for the Carnegie Building may be a Call Center or an operation that would utilize the large open rooms upstairs and have administration offices downstairs. Unfortunately, the lack of dedicated parking detracts from the value of the building for this type of user.

It is our opinion, that the market rate for the Carnegie Building is $0.75 per square foot, triple net. The tenant would be responsible for all utilities, insurance and maintenance on the property. Please let us know if you have any questions.

Best regards,

David Wright
Principal Broker
RE/MAX PLATINUM

Curt Burrill
Principal Broker
Burrill Real Estate LLC

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 80.3

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP CFM, Director

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: December 6, 2018

COUNCIL BILL 2018-126
SECOND READING - An ordinance adopting a revised Transportation System Plan (2018-2038) and approving a legislative amendment to the Transportation Element, Public Facilities Element, and the Conclusions, Goals, Policies, and Implementation Strategies of the Medford Comprehensive Plan. (CPA-16-036)

SUMMARY AND BACKGROUND
The Council is requested to approve the Ordinance adopting the revised Transportation System Plan.

The City Council held a public hearing on November 15, 2018, to consider a legislative amendment to adopt the revised Transportation System Plan (TSP) 2018-2038 and amend applicable portions of the Comprehensive Plan including the Transportation Element (the new TSP replaces this element), the Public Facilities Element, and the Goals, Policies, and Implementation Element. The Council voted in favor of the amendments with the following modifications:

Please note some of the page numbers in the document have changed also.

Proposed Changes	TSP Figure, Table, & Page Number Reference
1) Under the Vision, Goals, Objectives, and Action Items section modify Action Item 4-a regarding concurrency.	Updated pages 11, 15, and 136 <u>Modified Action Item 4-a to read (page 11):</u> Balance transportation facility capacity with planned land uses by amending the City's concurrency and transportation facility adequacy requirements by adopting local procedures that apply the Oregon Transportation Planning Rule as the determinant of facility adequacy. <u>Added Action Item 16-d (page 15):</u> The first priority for code amendments for TSP implementation are the amendments to implement Action Item 4-a. <u>Amended Section 6 (page 135):</u> ~~Evaluate whether to move concurrency to the land use application (site plan) process rather than at the time of zone change.~~ Amend the City's concurrency and transportation facility adequacy requirements by adopting local procedures that apply the Oregon Transportation Planning Rule as the determinant of facility adequacy.
2) Remove the qualifying statement to the Vision, Goals, Objectives, and Action Items section regarding the relevance of these provisions.	Updated page 9 by removing the proposed language:

~~The TSP is an internally-directed document that provides a coordinated guide for changes to the City's transportation infrastructure and operations over the next 20 years. The TSP is not an externally-applicable document, meaning no part of the TSP serves as a "requirement" to which land use (or other) applicants must demonstrate compliance. The City will not use the action items of the TSP in determining whether to approve or deny individual land use applications.~~

3) Remove Project 479 (Manzanita Street extension from Riverside Avenue to Spring Street and crossing Interstate 5) from the project list and maps	Updated pages 81 and 82 (Table 7) Removed project from all maps Revised page 56 (Table 3)
4) Revise the residential lane cross section right-of-way width from 55 feet to 34-36 feet	Updated page 73 (Exhibit 16)
5) Modify the Functional Classification map by re-designating Owen Drive from a Major Collector to a Minor Arterial (Projects 709 and 482)	Updated page 59 (Figure 18) Updated pages 81 and 82 (Table 7)
6) Remove Project Numbers L11 (Hilton Road extension to Whittle Avenue) and L12 (Patrick Street extension to Corona Avenue) from the local street connections table and figure	Updated page 130 (Table 23) Updated page 131 (Figure 23)
7) Modify the Functional Classification map by re-designating East Barnett Road (Project 704) from a Minor Collector to a Major Collector and modify the description of the project to remove the curbed/landscaped center median to allow the street to function as an evacuation route	Updated page 59 (Figure 18) Updated page 82 (Table 7) Updated page 95 (Figure 20)
8) Funding Scenario #5 shall be used in the TSP as recommended by the Planning Commission, providing approximately $88.4 million in revenue over the planning period	
9) Revised cost calculations for the Intersection projects	Updated page 86 (Table 8)

10) Revised the project description for Cherry Lane (Project 445) noting the center turn lane without curbed/landscaped median	Updated page 78 (Table 5)

The Transportation System Plan has been updated to reflect these changes. (File No. CP-16-036)

PREVIOUS COUNCIL ACTIONS
On July 6, 2017, Council Bill 2017-71 was approved establishing the composition of the Technical Advisory Committee (TAC) as one of the City Council's advisory groups for the Transportation System Plan (TSP) project.

On August 17, 2017, Council Bill 2017-95 was approved expanding the composition of the Joint Transportation Subcommittee (JTS) serving as the Citizen Advisory Committee (CAC) to include broader representation of community members and organizations.

Study sessions regarding the Transportation System Plan were held on the following dates:

July 6, 2017	January 25, 2018
July 20, 2017	February 22, 2018
August 10, 2017	March 22, 2018
August 17, 2017	March 29, 2018 with Planning Commission
September 14, 2017	May 24, 2018
October 12, 2017	June 28, 2018
November 30, 2017	August 23, 2018

On November 1, 2018, the Council voted 5-3 in favor of Council Bill 2018-126, an ordinance adopting a revised Transportation System Plan (2018-2038) and approving amendments to the Transportation Element, Public Facilities Element, and the Conclusions, Goals, Policies, and Implementation Strategies of the Medford Comprehensive Plan.

On November 15, 2018, the Council voted 5-2 in favor of the Council 2018-126 with the removal of language added to page 9 of the TSP document under the Vison, Goals, Objectives, and Action Items section.

ANALYSIS
The proposed Transportation System Plan 2018–2038 will replace the 2003 plan and is intended to be more flexible and user-friendly than the current version in order to address changes in community needs, priorities, and funding sources over time. The need for a revised plan is in response to several different factors including adoption of the Regional Plan in 2012, the approved expansion of the Urban Growth Boundary by the City in 2016 and subsequent acknowledgement by the State in 2018, and updated modeling that anticipates future population growth.

Volume I of the document is organized into six sections and applicable attachments. The sections provide information about the following topics:

- Introduction
- Visions, Goals, Objectives, and Action items
- Existing Conditions and Future Needs Assessment
- Transportation Funding and Implementation
- Transportation Plans for Auto, Freight, Rail, Transit, Pedestrian, Bicycle, Air and other modes
- Key Code and Policy Amendments

The supporting background data, technical memoranda, and analysis of the plan are found in Volume II of the document.

Some of the highlights of the plan include:

- Amended goals and objectives that will help guide future actions and projects related to the transportation system
- Maintain a Level-of-Service standard D for nearly all of the City's intersections with the exception of two that will maintain a Level-of-Service standard E
- A Pedestrian and Bicycle Level of Traffic Stress analysis that evaluates the comfort level of sidewalks and bicycle facilities within the community
- Modifications to the cross sections for major and minor arterials which includes a preferred option that separates the bicycle facilities to an off-road location
- A revised Functional Classification map
- Lists of new projects separated into Tier 1 (funded) and Tier 2 (unfunded) projects
- Address other transportation modes such as transit, freight, and air travel
- Establish a process referred to as legacy streets to evaluate how existing streets are retrofit over time and ensuring the various modes of transportation are constructed to serve all users

The Planning Commission held a hearing on the Transportation System Plan on October 11, 2018. Public testimony was provided by nine citizens and new exhibits were entered into the record. Concerns were raised by many of the speakers noting that the City's bicycle facilities need to be improved and provided to serve a broader segment of the population. Other citizens spoke in favor of the project. The Planning Commission forwarded a favorable recommendation of the project to the City Council in a vote of 6-1.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
The plan estimates $88.4 million dollars (Scenario 5) is available in capital revenue for the 20 year planning period. The City Council approved this funding scenario at their November 1st hearing.

TIMING ISSUES
A new Transportation System Plan is one of the necessary steps required before lands within the newly expanded Urban Growth Boundary can be annexed and developed.

COUNCIL OPTIONS

- Approve the ordinance as modified
- Modify the ordinance as presented
- Deny the ordinance as presented and direct staff regarding further action

STAFF RECOMMENDATION
Staff recommends approval of the ordinance as modified.

SUGGESTED MOTION
I move to approve the ordinance adopting a revised Transportation System Plan 2018–2038 and amending the applicable portions of the Comprehensive Plan including the Transportation Element, the Public Facilities Element, and the Goals, Policies, and Implementation Element.

EXHIBITS
Ordinance
Track Change version of select pages (noted above) from TSP document

ORDINANCE NO. 2018-126

AN ORDINANCE adopting a revised Transportation System Plan (2018-2038) and approving a legislative amendment to the Transportation Element, Public Facilities Element, and the Conclusions, Goals, Policies, and Implementation Strategies of the *Medford Comprehensive Plan.*

WHEREAS, the City Council has determined that the proposed Transportation System Plan satisfied the applicable criteria as demonstrated by the Findings and Conclusions included in the Council Report dated October 25, 2018 attached as Exhibit A and incorporated herein by reference and which are adopted as the findings and conclusions of the City Council; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That the Transportation System Plan (2018-2038) is hereby adopted.

Section 2. That the Transportation System Plan (2018-2038), replaces the Transportation Element in its entirety and is hereby adopted as part of the *Medford Comprehensive Plan.*

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2018.

ATTEST: _____ _____
City Recorder Mayor

APPROVED _____, 2018. _____
Mayor

COUNCIL REPORT

for a Type IV legislative decision: Major Comprehensive Plan Amendment

Project	Transportation System Plan
File no.	CPA-16-036
To	Mayor and City Council *for 11/01/2018 hearing*
From	Planning Commission via Carla Angeli Paladino CFM, Principal Planner
Reviewer	Matt Brinkley CFM AICP, Planning Director
Date	October 25, 2018

BACKGROUND

Proposal

A legislative amendment to adopt a revised Transportation System Plan (TSP) for the planning period 2018–2038 and amend applicable portions of the Comprehensive Plan including the Transportation element, Public Facilities element, and the Goals, Policies, and Implementation element (Exhibits A, B, and C). The updated TSP will replace the existing Transportation Element in its entirety.

The Transportation System Plan documents (Volumes I and II), attachments, and appendices can be found at the link below: http://www.ci.medford.or.us/Page.asp?NavID=4168.

History 2010-2018

Work began to update the Transportation System Plan in 2010. The State awarded the City a grant to begin evaluating transportation needs related to the City's proposed Urban Growth Boundary expansion. That same year, Kittelson and Associates (KAI) was hired to work on the project and both a Technical Advisory Committee (TAC) and Citizen Advisory Committee (CAC) were established to review information. Transportation modeling was started, but issues began to arise in 2011 causing a nearly two year delay in the project and requiring the grant funding to be renegotiated. The original TAC and CAC were disbanded and a new Joint Transportation Subcommittee (JTS) was created to serve in the role of the CAC.

EXHIBIT A

By 2015, Kittelson provided an analysis for evaluation of the proposed expansion areas in the Urban Growth Boundary. In 2017, the City hired KAI to write the transportation document. Council re-established a Technical Advisory Committee and expanded the membership of the JTS, known as the Super CAC. Staff outlined and implemented a public outreach campaign for the project and transportation topics of interest were discussed through a series of study sessions and meetings with the City Council, Planning Commission, and advisory committees starting in 2017 through 2018.

The existing transportation plan was adopted in 2003 and is nearing its 20-year planning horizon. Due to anticipated growth within the City limits and in the expanded Urban Growth Boundary, the City requires an updated transportation plan that incorporates new data from the regional model, reflects the City's transportation goals, and identifies priority projects to be constructed over the next planning period.

The Planning Commission and City Council have worked with staff to draft the plan over the past several years and recognize its relevance to aid in the future growth of the community.

Authority

This proposed legislative land use action is a Type IV Major Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.214 and 10.220.

ANALYSIS

Medford is the largest city in the region and meets the housing, employment, and recreational needs of residents and visitors alike. As such, the City must ensure a transportation system that meets the needs of a variety of users and a growing community. The 2018-2038 Transportation System Plan is needed to address future growth and provide direction on the improvement of the transportation system over the next 20 years.

PLANNING COMMISSION HEARING

The Planning Commission held a hearing on the project on October 11, 2018. Nine citizens spoke regarding the project with many expressing concerns with the City's existing bicycle infrastructure and requesting a more robust system to accommodate users of all ages and abilities. Some of the speakers spoke in favor of the project. Several new exhibits have been added into the record. The Commission recommended the City Council adopt the plan in a 6-1 vote.

The Siskiyou Velo Bicycle Club provided testimony indicating the City's Transportation System Plan does not meet the Transportation Planning Rule requirements related to bicycle facilities (Exhibit G). The Planning Department staff has responded to Siskiyou Velo's concerns in a separate memorandum (Exhibit P).

Prior to the Planning Commission hearing, staff discussed the project description of the South Stage overcrossing with ODOT staff. Project 537 for the South Stage Road overcrossing has been divided into two projects in the project list. The first is Project 537a, which discusses the environmental process and right-of-way acquisition portion of the project and identifies this work to occur in the short term (next five years). The second is Project 537b, which is the proposed road construction portion of the project and places this project in the long-term category (over the 20 year planning period). Other related road or intersection projects associated with the South Stage project have been adjusted as well. These include projects 609, 610, I-45, and I-73 being placed in the midterm category (5-10 years) and projects 611, 721, I-13, and I-24 being placed in the long-term category.

In addition, ODOT provided comments via e-mail for the plan to be enhanced related to the alternative measures provisions identified in OAR 660-012-0035(7). The TSP provides an overview of these provisions that the City participates in regionally through the Rogue Valley Metropolitan Planning Organization (pages 29 and 30 of the plan). Staff has enhanced the language tying the goals and objectives and project list to the City's efforts in trying to accomplish the identified regional benchmarks.

A new exhibit is included in the record that was received after the Planning Commission hearing. CSA Planning submitted e-mail correspondence regarding the local street connections considered in Figure 23 and Table 23 (Projects L11 and L12). These two local street connections are proposed across Jackson County Airport property. The site contains a large wetland that will make it difficult to make these future connections. It is requested that these street projects either be removed from the plan or consolidated into one project and re-routed around the wetland location. The plan can be modified to reflect these changes. Council will be asked to consider these modifications during the hearing (Exhibit O).

The Legal Department has provided a memorandum regarding legal review of the TSP goals and objectives (Exhibit N).

FINDINGS AND CONCLUSIONS

Applicable criteria

For the applicable criteria the Medford Municipal Code §10.218 redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for conclusions, goals and policies, and implementation strategies. The criteria are set in *italics* below; findings and conclusions are in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Conclusions] shall be based on the following:

1. *A change or addition to the text, data, inventories, or graphics which substantially affects the nature of one or more conclusions.*

   Findings

   The updated Transportation System Plan for the plan years 2018-2038 is proposed to replace the existing plan adopted in 2003. The development of the plan over the years is reflective of several different factors including adoption of the Regional Plan in 2012, the approved expansion of the City's Urban Growth Boundary by the City in 2016 (County in 2017) and by the Department of Land Conservation and Development in 2018, and updated modeling that anticipates future population growth. The plan summarizes the projects needed to ensure a transportation system that accommodates all modes such as walking, biking, and driving as well as considerations for freight, air, and transit that also contribute to the overall system.

   The document is intended to be more flexible and user-friendly than the current version in order to respond when community needs, priorities, and funding sources change over time. Some of the new or revised elements of the plan include: updates to the Level-of-Service (LOS) standard; new roadway cross-sections; amended goals, objectives, and actions items; and a revised Functional Classification map.

   The document is divided into two volumes. Volume I is the main document which is organized into six sections and attachments. Within Volume I reside the goals and objectives; existing conditions analysis; project list; funding sources; and the City's plans for auto, freight, bike, pedestrian, transit, and other modes of transportation. Volume II is the appendix to the main document and provides the background data, technical memoranda, and analysis for the plan.

The new plan will replace the old document in its entirety. The applicable sections of the Comprehensive Plan including the Transportation element, Public Facilities element, and Goals, Policies, and Implementation Strategies sections of the plan will also be updated.

Conclusions

Criterion 1: Satisfied. A new Transportation System Plan is needed to reflect changing conditions and future growth within the City limits and Urban Growth Boundary. The plan outlines the City's vision for a transportation system to serve the future needs of the community. It also estimates the funding sources that will help pay for the priority projects identified for the various modes. The new plan will supersede the existing plan and serve the City over the 2018–2038 planning period.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Goals and Policies] shall be based on the following [criteria 1–6]:

1. *A significant change in one or more Conclusion.*

Findings

The various elements (e.g. Public Facilities, Economic, and Housing) of the Comprehensive Plan include summary conclusions related to each particular topic. The existing Conclusions section identified in the Transportation Element contains three conclusions related to Transit Oriented Districts (TOD), and the language is taken directly from the 2003 Transportation System Plan. The updated plan does not include this specific TOD language and is proposed to be replaced with new conclusions based on the revised plan.

Twelve new conclusion statements are proposed that reference various topics covered in the Transportation System Plan. The conclusions include items such as the need for coordination among the City, County, and State in order to meet the transportation needs of the public, modified cross sections (for higher order streets), an updated Functional Classification plan that identifies the existing and proposed higher order street network. The conclusions also discuss the City's Level of Service (LOS) standards, activity centers to meet the goals of the Regional Transportation Plan (RTP) related to alternative measures, and the importance of improving safety and mobility through intersection improvements, installing sidewalk and bicycle facilities, and by complying with the Americans with Disability Act (ADA) requirements. The conclusions also include statements recognizing the importance of transit, as well as air, rail, and pipeline, and Transportation Demand Management, in reducing demand on the system and the use of Transportation System Management in getting the most out of the built environment. The conclusions also mention the priority project list to help accommodate a growing City and ways to address retrofitting existing streets to incorporate missing modes. All the

conclusions provide an overview of the Transportation System Plan and how the plan will meet the needs of the community.

Conclusions

Criterion 1: Satisfied. The Conclusions section has been revised to reflect the major components of the updated 2018-2038 Transportation System Plan.

2. *Information reflecting new or previously undisclosed public need.*

Findings

The City recently received State approval to expand its Urban Growth Boundary. This expansion of approximately 4,000 acres will accommodate additional growth for the next two decades and will require new and upgraded transportation facilities.

The updated plan considers existing conditions throughout the City and future needs within expansion areas. The plan provides a summary table of the estimated revenues, fixed expenditures, and funds available to construct priority ("Tier 1" funded) projects over the planning period.

The original 20-year revenue projections allocated for capital projects totaled $72,440,343 (referred to as the "baseline scenario" or Scenario 1). Staff was asked to provide additional funding scenarios that would offset the need to increase street utility fees that fund road maintenance by using the new State Transportation Revenue House Bill 2017. The Engineering Department drafted five additional revenue scenarios and project lists that alternate the use of HB 2017 funds towards maintenance or projects. In addition, staff varied the annual grant funding assumption of $700,000 in the baseline scenario to $1,500,000 and $3,000,000, respectively, based on a historical average over a 14 year period. The memorandum dated August 2, 2018, provides the complete overview of this topic along with corresponding project lists (Exhibit D). The scenario summary is provided below.

Scenario #	HB2017	Annual Grant Funding	20-year Revenue Available for Capital Projects	Difference from Scenario 1	Exhibits*
1	Projects	$700,000	$72,440,343	$0	1a, 1b
2	Maintenance	$700,000	$35,859,063	($36,581,280)	2a, 2b, 2c
3	Projects	$3,000,000	$118,440,343	$46,000,000	3a, 3b, 3c
4	Maintenance	$3,000,000	$81,859,063	$9,418,720	4a, 4b, 4c
5	Projects	$1,500,000	$88,440,343	$16,000,000	5a, 5b, 5c
6	Maintenance	$1,500,000	$51,859,063	($20,581,280)	6a, 6b, 6c

*Exhibits are attached to Exhibit D

The City Council reviewed and discussed the scenarios at a study session on August 23, 2018. Based on feedback from several members of the Council, Scenario 5 was selected as the preferred alternative to incorporate into the TSP over the baseline Scenario 1. However, recognizing the value in each of the proposed scenarios, Council directed staff to provide the different scenarios to the Planning Commission, Technical Advisory Committee, and Joint Transportation Committee/Citizen Advisory Committee for review and comments and to incorporate the different scenarios into the report for Council consideration during the hearing process.

On September 10, 2018, the Planning Commission was presented the above information and several of the members voiced support for Scenarios 3 or 4, understanding their role to provide a more formal recommendation during the hearing.

On September 26, 2018, the Joint Transportation Committee/Citizen Advisory Committee reviewed the information and there was strong support and a lot of discussion to continue funding street maintenance at the City's current level. Regarding the funding scenarios, six members recommended support of Scenario 5 and four members supported Scenario 4 for consideration.

On September 27, 2018, the Technical Advisory Committee reviewed the information and again there was a strong emphasis placed on allocating funds to ensure maintenance is prioritized. Of the members in attendance, three were supportive of Scenario 6 and one member was supportive of Scenario 5.

On October 11, 2018, the Planning Commission recommended in favor of Scenario 5 during their deliberations.

A major component of the Transportation System Plan is the projected revenues and selection of priority projects to be constructed. The priority projects ensure the City's overall Level-of-Service (LOS) standard "D" is maintained (with the exception of two intersections located at South Pacific Highway/Stewart Avenue and Highland Drive/Barnett Road which could be downgraded to LOS "E") throughout the community and key streets are upgraded and improved to meet the needs of a growing City and regional center.

Conclusions

Criterion 2: Satisfied. The City is projected to grow and develop especially in the new Urban Growth Boundary (UGB) expansion areas. The need to plan for future growth requires the City to select key projects that will strategically aid in maintaining a functioning transportation system that will accommodate all users across the entire community.

A significant change in community attitudes or priorities.

Findings

For nearly two decades, the City worked toward the goal of expanding its Urban Growth Boundary. Several key factors, including adoption of the Regional Plan in 2012, helped to move that goal one step closer to reality. In 2016, the City Council adopted a proposal to expand its UGB and by 2018 the State acknowledged it. Updating the Transportation System Plan and evaluating how the transportation system will be affected by future growth in the expansion areas and throughout the City is a community priority.

Over the past year, the City completed a robust public outreach plan to gain feedback and input on the updated transportation plan. Public input was received through a multi-pronged approach that included open houses, public events, and online surveys that began with feedback about the goals and objectives, included input into project prioritization, and review of the draft document. In addition, staff met regularly with the Joint Transportation Subcommittee/Citizen Advisory Committee (JTS-CAC) and Technical Advisory Committee (TAC); these two committees were heavily invested in providing comments and recommendations into the document.

Furthermore, the City Council took a leadership role in reviewing and modifying the new goals, objectives, and action items that helped set the tone for the plan and the type of transportation system the City is striving to achieve.

Information received as part of the on-line survey indicates that residents of Medford use all available modes of transportation with the top three modes being vehicles, bicycles, and walking. The plan provides for the installation of new and enhanced facilities to serve all three of these modes and others.

Conclusions

Criterion 3: Satisfied. The City successfully completed the expansion of the Urban Growth Boundary amendment in 2018. In order to ensure orderly development and to meet the needs of future growth, a revised transportation plan must be adopted. The document outlines these new factors and provides guidance into how the system will be improved and expanded upon over the next twenty years.

3. *Demonstrable inconsistency with another Plan provision.*

Findings

Transportation is a Category "A" facility in the Comprehensive Plan. Category "A" facilities are key physical facilities necessary for urban development. The topic is

identified in several of the Comprehensive Plan elements including the Environment, Housing, Public Facilities, and Transportation elements. Generally, transportation is linked in some way to these other elements. For example, in the Environment element transportation issues relate to ways to reduce greenhouse gas emissions or noise factors.

Minor changes are being sought within the Public Facilities element to update the text. The updated Transportation System Plan will replace the existing text in the Transportation element in its entirety. Provisions found within the existing Transportation element that are still applicable, such as adopted circulation maps or reference to the Rogue Valley International Airport's adopted master plan, have been carried forward into the updated plan. Any conflicts found within the various elements have been amended or completely replaced to resolve any inconsistencies within the Comprehensive Plan.

Conclusions

Criterion 4: Satisfied. The topic of transportation is identified throughout the various elements of the Comprehensive Plan. Changes to text or replacement of an entire element are proposed in order to maintain consistency within the Comprehensive Plan document.

4. *Statutory changes affecting the Plan.*

Findings

Transportation planning is one of the 19 Statewide Planning Goals and is specifically addressed in the Oregon Administrative Rules found in 660-012-0000 through 660-012-0070 (also known as the Transportation Planning Rule "TPR") and within applicable Oregon Revised Statutes. These provisions outline how local jurisdictions and Metropolitan Planning Organizations (MPOs) coordinate land use and transportation systems to increase transportation options. The City of Medford is located within the Rogue Valley Metropolitan Planning Organization (RVMPO) and can be affected by changes in state rules.

The State created an advisory committee to evaluate amendments to the Transportation Planning Rule governing metropolitan areas. Engineering staff has been a participant on the State's Rulemaking Advisory Committee which started in 2016. The original work looked at updating greenhouse gas reduction targets adopted in 2017 and then moved onto clarifying procedures in the TPR. On September 11th, a letter from the Department of Land Conservation and Development was provided to the committee members stating the rulemaking would be placed on hold until after the 2019 legislative session, due to confusion on the substance of the rule changes.

The existing administrative rules that govern transportation planning are still in effect and will be evaluated against the City's updated Transportation System Plan to show compliance. Prior to the City Council hearing, City's Legal staff will provide a memorandum indicating their review of the updated TSP against the TPR regulations.

Conclusions

Criterion 5: Satisfied. The City's plan must adhere to applicable federal and state regulations related to transportation planning. There are no administrative rule changes related to the Transportation Planning Rule that affect the City's updated Transportation System Plan. The City's plan will show compliance with the existing applicable rules.

5. *All applicable Statewide Planning Goals.*

The City is proposing to update the Comprehensive Plan and adopt a new Transportation System Plan (TSP). This action will effectively amend the City's state-acknowledged Comprehensive Plan. The findings below explain that the updated TSP is found to be consistent with the relevant Statewide Land Use Planning Goals.

Goal 1—Citizen Involvement

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Findings

The review of the TSP update was guided by the appointment of the Joint Transportation Subcommittee as the Citizen Advisory Committee in 2011. This nine-member committee was later expanded in 2017 to a 25-member committee referred to as the Joint Transportation Subcommittee-Citizen Advisory Committee (JTS-CAC) or Super Citizen Advisory Committee. Representatives from surrounding jurisdictions, the County, State, school district and other agencies made up the 11-member Technical Advisory Committee who helped guide the technical aspects of the plan. Both the JTS-CAC and TAC were responsible for reviewing and providing feedback on all major topics related to the plan such as prioritization of projects. The original JTS group was responsible for drafting the original set of goals, objectives, and action items, and had been meeting for several years. The expanded JTS-CAC met eight times over the course of the project starting in 2017. The TAC met seven times between 2017 and 2018.

All meetings were open to the public and provided an opportunity for citizens to offer comments and share ideas including a presentation from the Siskiyou Velo organization related to the National Association of City Transportation Officials

(NACTO) guidebook released in 2017 related to Designing for All Ages and Abilities bicycle facilities.

As noted in Criterion 3 above, the City also sought feedback from its citizens through a diverse outreach campaign that included six open houses. Staff attended four public events, and conducted two on-line forums, including a community survey that produced over 1,000 responses.

In addition, the Planning Commission and City Council met during regular study sessions to discuss the progress of the plan and provide direction. Altogether, 20 study sessions were held between these review bodies.

A minimum of two public hearings will be held to discuss this proposal providing additional opportunity for input by residents and agencies. The Planning Commission will provide a recommendation for the City Council's consideration.

A social media campaign has provided a means for those in support of the "all ages and abilities" bicycle facilities guidebook produced by NACTO to provide comments. The City has received over 100 e-mails from residents within Medford and throughout the region voicing their support for an enhanced bicycle network (See Exhibit F for names and comments from citizens). A memorandum dated May 14, 2018, from the Bicycle and Pedestrian Advisory Committee also indicates support for the Goals and Objectives to show a review of the NACTO document when the City considers the installation of bicycle facilities (See Exhibit E). The action item that reflects this language is found in 12-d of the TSP Goals and Objectives.

Conclusions

Goal 1: Satisfied. The development of the plan has included a strong citizen involvement component that included input from the JTS-CAC, TAC, Bicycle and Pedestrian Advisory Committee (BPAC), Planning Commission, City Council and citizens. The hearing process also provides additional opportunities for citizen involvement.

Goal 2—Land-use Planning

Goal 2 requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statues (ORS) Chapter 268.

Findings

The transportation network in Medford is a diverse system that is owned, managed, and/or operated by a number of jurisdictions, entities, and agencies. The relevant

state, regional, county, and local plans, projects, and studies were reviewed and evaluated to guide the development of the TSP (Volume II, Appendix A for Summary of Documents Reviewed). The City coordinated development of this plan with a number of stakeholders including the Mayor and City Council, the Project Management Team, and the Technical Advisory Committee (TAC). The membership of the TAC included broad representation from the agencies listed below.

- Oregon Department of Transportation (ODOT)
- Jackson County Roads & Greenway; Planning
- City of Central Point
- City of Phoenix
- Department of Land Conservation and Development
- Rogue Valley Metropolitan Planning Organization
- Rogue Valley Transit District
- Freight
- Medford School District 549c

Conclusions

Goal 2: Satisfied. The City has effectively coordinated the development of the TSP document with the applicable state, regional, and local partners who were represented on the Technical Advisory Committee.

Goal 3—Agricultural Lands does not apply in this case.
Goal 4—Forest Lands does not apply in this case.
Goal 5 – Natural Resources, Scenic & Historic Areas, and Open Spaces does not apply in this case.
Goal 6 – Air, Water, and Land Resources Quality does not apply in this case.

Goal 7—Areas Subject to Natural Hazards

Goal 7 requires local governments to adopt comprehensive plans to reduce risk to people and property from natural hazards.

Findings

The community relies on a safe and functioning transportation system. In the event a natural hazard causes disruption to the system it is important for the City to plan for how it will handle and rebound from such impacts. Under the Economic Development goal in the document is an objective and action item that aims to evaluate vulnerabilities to the transportation system in relationship to natural disaster such as an earthquake. It calls for the City to develop a mitigation strategy using the City's recently adopted Natural Hazards Mitigation Plan to study impacts to major corridors.

Conclusions

Goal 7: Satisfied. The City has an updated Natural Hazards Mitigation Plan (NHMP) that identifies the significant hazards that could disrupt the community. The TSP recognizes the importance of the transportation system and identifies an action item in the Goals and Objectives section (Objective 6, Action Item: 6-a) to assess the resiliency of the system in the event of a natural disaster, specifically a Cascadia event.

Goal 8—Recreation Needs

Goal 8 seeks to satisfy the recreational needs of the citizens of the state and visitors, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Findings

The TSP incorporates the shared-use path network identified in the City's Leisure Services Plan. The development and connection of such paths provide for additional recreational opportunities as well as the possibility of transportation connections throughout the community.

Conclusions

Goal 8: Satisfied. The desire to create additional recreational opportunities for the residents and visitors of Medford is re-iterated in the transportation plan through the identification of shared-use paths within the network.

Goal 9—Economic Development

Goal 9 requires local comprehensive plans and policies contribute to a stable and healthy economy in all regions of the state.

Findings

Within the identified Goals and Objectives found in Section 2 of the TSP document, Economic Development is identified as Goal 2. This goal seeks to enhance economic development and vitality within the City and throughout the Region. The noted objectives include: supporting existing and planned land uses, efficiently moving freight, increasing resiliency related to a natural disaster, and supporting tourism and neighborhoods.

The Tier I project list includes a number of key projects distributed throughout the community to support new development, particularly near new Urban Growth Boundary expansion areas and other areas for redevelopment. The Foothill/North Phoenix/South Stage Road corridor is an important City project identified within the plan that supports the City's economic goals but also has regional significance for the City of Phoenix, Jackson County, and ODOT. Four Urban Upgrade projects and a

new roadway project showing the extension of South Stage over Interstate-5 are identified in Tables 5 and 7 of the document. Improvements to intersections particularly in the north and east side of Medford have been identified in Table 8. In many cases, new traffic signals (or roundabouts) are needed at these identified intersections to help maintain the City's Level-of-Service standard and ensure development impacts are mitigated and development is able to proceed supported by needed infrastructure. The TSP also identifies five ODOT intersections that are not projected to meet ODOT's mobility target which will require further study as part of the Interchange Area Management Plan (IAMP) or alternative mobility target study. Improvements and/or alternative mobility targets at these intersections will be critical to allow Medford's economy to continue to develop.

ODOT is currently working on an (IAMP) at the East Vilas Road and Oregon 62 Bypass location. A Technical Advisory Committee for the project reviewed the initial 19 scenarios in July 2018 and recommended the top four performing alternatives be further analyzed. The committee is awaiting adoption of the City's TSP to ensure proposed projects are consistent with Medford's Tier 2 project list. The full list of Oregon 62 Bypass projects under ODOT's jurisdictions are identified in Table 9 of the document. The completion of the Highway 62 Bypass and the transfer of the current Highway 62 to the City will provide additional economic development opportunities for redevelopment along this corridor.

Conclusions

Goal 9: Satisfied. The transportation system plan is aligned with the City's goals for economic development.

Goal 10—Housing

Goal 10 requires local jurisdictions to provide for the housing needs of its citizens and provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas developed or undergoing development or redevelopment.

Findings

In June, the State acknowledged the City's proposal to expand its Urban Growth Boundary to accommodate future growth. The amount and mix of land planned to be developed and the type of land uses have a direct impact on the how the transportation system will be used in the future. The travel demand model provides base year 2006 and forecast year 2038 traffic volume projections that reflect anticipated land use changes and planned transportation improvements within the study area. It also assumes regional growth and build-out of the City's expansion areas (Volume II, Appendix L – Operations Analysis Memorandum).

As noted in Goal 9 above, the identified Tier I projects will provide system improvements to support new housing development within the City and expansion areas. All of the proposed Urban Upgrade projects include new sidewalk and bicycle facilities that also support development in residential locations.

Conclusions

Goal 10: Satisfied. The development of the TSP was based on modeling future growth to accommodate all land uses including housing. The projects outlined support residential development within the City and Urban Growth Boundary.

Goal 11—Public Facilities and Services

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

Findings

Transportation facilities are identified as Category 'A' facilities in the Comprehensive Plan. Medford's transportation system includes roadways, bicycle facilities, and sidewalks needed to accommodate urban development.

Section 2 of the TSP (Exhibit A) describes existing conditions and future needs within the system; Section 5 identifies projects. The projects are categorized into different project types and have been identified to improve the system and help meet future needs. The City has identified priority projects (Tier 1) to pursue over the planning period that will help facilitate growth. It is recognized however that priorities over time may change and other projects may need to be pursued.

The City is responsible for planning for adequate public facilities to serve the City and the new expansion areas. The adoption of a new transportation system based on this projected growth is necessary to meet the City's obligations to provide and plan for urban infrastructure.

Conclusions

Goal 11: Satisfied. The updated transportation plan outlines the types of infrastructure projects and improvements needed to provide for a growing City.

Goal 12—Transportation

Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a "safe, convenient and economic transportation system. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule ('TPR"). The TPR contains numerous requirements governing transportation planning and project development.

Findings

The proposed Transportation System Plan (TSP) for the City is comprised of two Volumes. Volume 1 is separated into 6 different sections. The *Introduction* and *Goals and Objectives* help provide the framework for the document and outline what the City is trying to accomplish with the plan over the next planning period. The *Goals and Objectives* address topics such as Safety and Public Health, Economic Development, Livability, Connectivity, Financing, and Environment. Section 3 provides the *Existing Conditions and Future Needs Assessment* of the transportation system. Current facilities for all transportation modes were evaluated to identify any deficiencies, and an analysis was conducted to estimate the conditions in the future year 2038 based on future growth and land uses. Applicable transportation and land use projects were incorporated into the analysis to estimate future conditions, identify future issues and potential mitigations. Discussions with the Citizen Advisory Committee, Technical Advisory Committee, Planning Commission, City Council, and the public were held throughout the planning process to assess these conditions and identify priority projects. The technical analysis is provided in Volume II of the document. Key findings for each transportation mode are outlined in the TSP.

The purpose of Goal 12 is to promote coordination of land use and transportation planning. The updated TSP will replace the 2003 plan and will be adopted as the new Transportation Element of the City's Comprehensive Plan. The adoption of these changes is a legislative amendment recommended by the Planning Commission and adopted by the City Council through ordinance. The City will follow up with any relevant Development Code Amendments to ensure consistency between the TSP and development requirements. Section 6 of the TSP outlines key code and policy amendments to be drafted and evaluated.

Oregon Transportation Plan (OTP)

The Oregon Transportation Plan (OTP) is the state's long-range, multimodal transportation plan. The OTP is the overarching policy document for a series of modal and topic plans that together form the state transportation system plan. A local TSP must be consistent with applicable OTP goals and policies. The following demonstrates how the Draft TSP complies with State transportation policy:

Policy 1.1 Development of an Integrated Multimodal System
It is the policy of the State of Oregon to plan and develop a balanced, integrated transportation system with modal choices for the movement of people and goods.

Response

As the region's major urban center, Medford provides a diverse range of modal choices to serve its residents. Section 5 of the TSP addresses the various modes including vehicles, air, freight, transit, bicycles, and pedestrians. The updated plan includes a new cross section for arterial streets that separates the bicycle facilities from the roadway. The creation of new arterial streets and urban upgrades will include this enhancement to help provide safer facilities for those traveling by bicycle while improving roadway conditions for motorists by reducing potential conflicts between motor vehicles, cyclists, and pedestrians.

The plan recognizes the City's responsibility to coordinate with the Metropolitan Planning Organization, other jurisdictions, and agencies to help improve the transportation system within the City and as the system connects throughout the region. Projects are proposed throughout the City to enhance all modes.

Policy 1.2 Equity, Efficiency and Travel Choices
It is the policy of the State of Oregon to promote a transportation system with multiple travel choices that are easy to use, reliable, cost-effective and accessible to all potential users, including the transportation disadvantaged.

Response

Section 5 of the plan identifies the range of cross sections starting with the higher order arterial and collectors and ending with the residential streets. The Functional Classification plan has been updated to identify new higher order streets within the expansion areas and included a review of all existing higher order streets to determine any needed modifications. The City recognizes its built environment has limitations but has set established goals and policies to help aid in providing transportation choices for all its users. For existing higher order streets that may contain missing facilities along existing development, a policy has been created to evaluate how improvements are made to the roadway. For example, streets missing sidewalks will be required to install sidewalk but the planter strip may be reduced in order to work within existing right-of-way constraints. Similarly, for streets missing bicycle facilities, the City will seek alternate routes via other parallel and lower order streets, evaluate a possible lane reconfiguration to add the facilities, or identify specific streets that will require a widened sidewalk to serve as a multi-use path.

All new roadways and urban upgrades will provide facilities for all modes of travel. The City has set aside funding annually for both the installation of sidewalks near neighborhood schools and the infill of bicycle gaps throughout the system. In Section 5, Tables 14 through 19 identify projects for sidewalks, shared-use paths, and bicycle facilities representing over a 100 different projects. Two of the identified actions items within the Goals and Objectives that are supported by the CAC, TAC, Bicycle and Pedestrian Advisory Committee (BPAC), and the public include review of the All Ages and Abilities Bicycle Facilities guidebook produced by NACTO when new bicycle facilities are being considered on the City's roadways. In addition, the City plans to look more closely at bicycle and pedestrian facilities through the development of a separate plan that focuses on these modes.

The City partners with Rogue Valley Transit District (RVTD) who is the provider of transit service throughout the City and region. Figure 22 identifies the major transit routes and stops located within the City. The City's goal to improve connectivity of the system recognizes the importance of coordinating with RVTD to enhance services including links to the airports, downtown, and neighborhoods. RVTD is also in the process of updating its master plan and the City will coordinate any necessary changes to its TSP in the future.

Policy 2.1 - Capacity and Operational Efficiency
It is the policy of the State of Oregon to manage the transportation system to improve its capacity and operational efficiency for the long term benefit of people and goods movement.

Policy 2.2 – Management of Assets
It is the policy of the State of Oregon to manage transportation assets to extend their life and reduce maintenance costs.

Response

The City's updated TSP (Section 3) addresses the existing conditions and future needs of the transportation infrastructure that is critical to the long term benefit of people and the movement of goods. The City has identified needed projects in Section 5 to support the transportation system through the year 2038. These projects include upgrades to signalized intersections to help ensure the City's Level-of-Service standards are met. Such projects are important as development occurs to ensure compliance with the standards and participate in the needed upgrade of these facilities over time.

Polices and regulations that help implement the plan are designed to preserve and maintain the transportation system. This is accomplished by the routine scheduling and overlay of major roadways to ensure their use and function over time. In addition, the City has strategies to improve local access and mobility through access management as discussed in Section 5. The City strives to continue to enforce

spacing standards in accordance with the roadway's jurisdiction and functional classification, require consolidation of driveways over time and as development opportunities present themselves, and provide other transportation improvements such as turn lanes when deemed appropriate. The City relies on the Oregon Highway Plan when roadways are under the jurisdiction of ODOT.

Policy 3.1 – An Integrated and Efficient Freight System

It is the policy of the State of Oregon to promote an integrated, efficient and reliable freight system involving air, barges, pipelines, rail, ships and trucks to provide Oregon a competitive advantage by moving goods faster and more reliably to regional, national and international markets.

Policy 3.3 – Downtowns and Economic Development

It is the policy of the State of Oregon to provide transportation improvements to support downtowns and to coordinate transportation and economic development strategies.

Response

Goal 2 of the TSP is Economic Development. It identifies the City's goals to coordinate efforts to improve the effectiveness and safety of the movement of freight. It also supports the efforts of the Rogue Valley International Airport and its master plan. The strengthening of the City's downtown and surrounding neighborhoods are also an important objective of the plan and the coordination of the transportation system and adjacent land uses.

The freight routes in the City are shown in Figure 3, Section 3 along with Jackson County, ODOT's, and the National Highway System's freight routes and connections. The City's roadway design standards help ensure the roadways are built to support freight traffic. Table 20 of the plan identifies the freight improvement needs and street projects identified in the Rogue Valley Metropolitan Planning Organization Freight Study.

Policy 4.1 - Environmentally Responsible Transportation System

It is the policy of the State of Oregon to provide a transportation system that is environmentally responsible and encourages conservation and protection of natural resources.

Response

The ability to provide residents and visitors with transportation options (the ability to easily and safely walk, bike or use transit) helps provide the greatest benefits for reducing the use of vehicles and helping to reduce environmental impacts by reducing energy consumption and improving air quality.

The transportation plan identifies projects to improve and expand the sidewalk network and installation of bicycle facilities or shared-use paths throughout the community. One major project identified is the completion of the Larson Creek Greenway corridor in southeast Medford. This part of the City is anticipated to grow and this greenway corridor will provide new opportunities for residents to choose alternative modes of transportation.

RVTD provides nine transit routes to serve all four wards of the community. After RVTD's master plan is updated, the City will support implementation of this plan as much as possible.

The City will continue to coordinate land use and transportation planning by evaluating neighborhood plans (Liberty Park, downtown) or transit oriented districts (TOD). These plans help integrate residential and employment land uses and provide opportunities to shorten and reduce the number of trips by supporting the use of other transportation options.

Policy 5.1 – Safety

It is the policy of the State of Oregon to continually improve the safety and security of all modes and transportation facilities for system users including operators, passengers, pedestrians, recipients of goods and services, and property owners.

Response

Safety is addressed in Section 5 of the transportation plan with technical data provided in Volume II, Appendix B (Safety & Technical Memorandum). Table 13 identifies the top 20 safety locations, the overlap with other indicators as shown in ODOT's Statewide Priority Index System (SPIS) and All Roads Transportation Safety (ARTS) lists, and their correspondence to identified projects in the plan.

The safety memorandum explains the safety analysis conducted for the City and groups the topic into two sections: crash trends overview and network screening. The crash trends overview section provides a summary of the data used for the analysis and general trends seen throughout the City. The network screening process evaluated all the roads and intersections within the City. Crash data was obtained from ODOT for the years between 2011 and 2015.

The TSP also provides an analysis of the transportation facilities using the Bicycle and Pedestrian Levels of Stress methodologies. Figure 13 identifies the types of improvements needed to create low stress bicycle connections. Figure 14 shows existing pedestrian facilities, Figure 15 shows the existing levels of pedestrian stress experienced on pedestrian facilities. Annual funding is identified in the project list to provide for sidewalk and bicycle improvements throughout the City. Other projects

identified such as urban upgrades will accommodate all modes of travel and help improve safety along the City's streets and these improvements are considered in Section 5 under the Legacy Streets topic.

Policy 7.1 – A Coordinated Transportation System

It is the policy of the State of Oregon to work collaboratively with other jurisdictions and agencies with the objective of removing barriers so the transportation system can function as one system.

Response

The City has coordinated this plan with adjacent jurisdictions including the City of Phoenix and City of Central Point, Jackson County, the Rogue Valley Metropolitan Planning Organization, and ODOT. These agencies were represented on the Technical Advisory Committee as outlined under Goal 2 above.

Policy 7.3 – Public Involvement and Consultation

It is the policy of the State of Oregon to involve Oregonians to the fullest practical extent in transportation planning and implementation in order to deliver a transportation system that meets the diverse needs of the state.

Policy 7.4 – Environmental Justice

It is the policy of the State of Oregon to provide all Oregonians, regardless of race, culture or income, equal access to transportation decision-making so all Oregonians may fairly share in benefits and burdens and enjoy the same degree of protection from disproportionate adverse impacts.

Response

The plan included a robust public involvement process that is summarized in the introduction of the document in Section 1 and as detailed under the Goal 1 Statewide Planning Goals findings noted above. The City provided information via its webpage (MedfordTSP.com) and conducted two on-line forums that included a community survey. Additional public feedback will be provided during the public hearing process.

Oregon Highway Plan

The 1999 Oregon Highway Plan (OHP) establishes policies and investment strategies for Oregon's state highway system over a 20-year period and refines the goals and policies found in the OTP. Policies in the OHP emphasize the efficient management of the highway system to increase safety and to extend highway capacity, partnerships with other agencies and local governments, and the use of new techniques to improve road safety and capacity. These policies also link land use and transportation, set standards for highway performance and access management, and emphasize the relationship between state highways and local

road, bicycle, pedestrian, transit, rail, and air systems. Medford's updated TSP meets the State policies as follows:

Policy 1A: State Highway Classification System
It is the policy of the State of Oregon to develop and apply the state highway classification system to guide ODOT priorities for system investment and management.

Policy 1C: State Highway Freight System
This policy balances the need for movement of goods with other uses of the highway system, and to recognize the important of maintaining efficient through movement on major truck freight routes.

Response

The City has a number of state facilities within its boundaries including Interstate 5 (I-5), Crater Lake Highway (Statewide Highway), Highway 99 and Rossanley Drive (District Highways), and the new OR 62 Bypass categorized as a Principal Arterial Other. The Functional Classification of these roadways establishes their primary function and their access management regulations. The City's driveway and traffic spacing standards vary from those of ODOT. Discussion regarding access management is found in Section 5 of the plan. The City coordinates with ODOT on access spacing standards based on OAR 734-051-3050 and the Oregon Highway Plan.

Policy 1B: Land Use and Transportation
This policy recognizes the role of both State and local governments related to the state highway system.

Response

As outlined in Goals 1 and 2 of this report, and OTP Policy 7.1 above, the development of the TSP has been a collaboration between the City, ODOT, and other stakeholders. The plan recognizes the relationship between integrating land use and transportation facilities especially near designated activity centers and TODs. The City is a participant in the Rogue Valley Metropolitan Planning Organization and is helping to achieve the alternative measures outlined in the Regional Transportation Plan (RTP). The concentration of land use and transportation improvements near activity centers will help in achieving the RTP requirements.

Policy 1F: Highway Mobility Policy
This policy seeks to maintain acceptable and reliable levels of mobility on the state highway system, consistent with the expectations for each facility type, location and functional objectives.

Response

The plan summarizes the existing and projected (2038) traffic conditions analysis for streets and intersections in Section 3 and in detail in Volume II, Operations Analysis memorandum. Figure 4 shows the existing intersection Level-of-Service (LOS) and Figure 5 shows the future baseline intersection Level-of-Service. Intersections not projected to meet the City's or ODOT's mobility targets were evaluated to identify potential improvements such as modifications to signal timing or signal phasing, adding turn lanes or through lanes, or installing a signal. There are five identified ODOT intersections that need further evaluation as part of the Interchange Area Management Plans (IAMPs) or alternative mobility targets. The City is participating in the IAMP process and will cooperate with ODOT to implement plans that are consistent with highway mobility standards.

Policy 1G: Major Improvements and Policy 2B: Off-System Improvements

This policy seeks to maintain highway performance and improve safety by improving system efficiency and management before adding capacity. ODOT works in partnership with local governments to address highway performance and safety needs.

It is the State policy to provide state financial assistance to local jurisdictions to develop, enhance, and maintain improvements on local transportation systems when they are a cost-effective way to improve the operation of the state highway system such as through local jurisdictions adopting land use, access management and other policies to assure the continued benefit of the off-system improvement to the state highway system.

Response

The TSP outlines needed projects to accommodate future growth in the following categories: additional vehicle capacity, new roadway connections, pedestrian and bicycle travel, and safety. The projects are identified in Section 5 of the plan and includes a commitment to improve the Foothill/North Phoenix/South Stage corridor. In the same section, access management standards are addressed for access, spacing, driveway access, and access consolidation. These identified strategies in the plan are intending to help preserve the transportation system investments while promoting safety and limiting congestion.

Policy 1H: Bypasses and Policy 2C: Interjurisdictional Transfers

It is State policy to build bypasses to provide safe, efficient passage for through travelers and commerce, and to effectively serve state and regional traffic trips.

It is State policy to consider, in cooperation with local jurisdictions, interjurisdictional transfers to lead to increased efficiencies in the operation and maintenance of a particular roadway segment or corridor.

Response

The construction of Phase 1 of the OR 62 Bypass project is underway in Medford. The project will result in a new four-lane access controlled expressway from Interstate 5 to OR 62 north of White City. The current phase starts at OR 62 east of Bullock Road and Poplar Drive and extends north on the west side of OR 62 to Corey Road. An IAMP is also under review for the Vilas Road and OR 62 Bypass.

The Bypass is expected to reduce traffic volumes on the old Highway 62 providing opportunities to review access management, streetscape enhancements, pedestrian crossing treatments, multi-modal improvements, and transit needs. The City of Medford will eventually take jurisdiction of segments of the old Highway 62.

Policy 2F: Traffic Safety
It is State policy to continually improve safety for all users of the highway system.

Response

See response under OTP Policy 5.1.

Policy 3A: Classification and Spacing Standards
It is State policy to manage the location, spacing and type of road and street intersections and approach roads on state highways to assure safe and efficient operation of state highways.

Response

Access management is covered in Section 5 of the plan and outlines the City's and ODOT's spacing standards for accesses, driveways, and traffic signals. These standards are coordinated through regulations found in Chapter 10 of the Medford Municipal Code.

Policy 4A: Efficiency of Freight Movement
It is State policy to maintain and improve the efficiency of freight movement on the state highway system and access to intermodal connections. The State shall seek to balance the needs of long distance and through freight movements with local transportation needs on highway facilities in both urban areas and rural communities.

Response

The freight routes shown in Figure 3 identify those for the City, County, ODOT, and the National Highway System. Several of the City's Tier 1 projects (Figure 19) that also include intersection projects are proposed on designated freight routes including the Foothill/North Phoenix corridor, Table Rock Road, and W. McAndrews Road.

Policy 4B: Alternative Passenger Modes

It is State policy to advance and support alternative passenger transportation systems where travel demand, land use, and other factors indicate the potential for successful and effective development of alternative passenger modes.

Response

Section 5 of the updated TSP includes a Pedestrian plan that outlines sidewalk, bicycle, and shared-use path projects to help address gaps in the system and ensure a better connected network to serve all users. A new cross section that is the preferred alternative when new roads are built provides for the separation of bicycle facilities off of the roadway. Separated facilities better serve the needs of all ages and abilities. Sidewalk infill has been prioritized near neighborhood schools with annual funding proposed at $250,000.

Rogue Valley Transit District provides nine fixed-routes throughout the City that provides options for the traveling public. The City will support RVTD and the implementation of their updated master plan as much as possible.

The plan outlines different strategies through Transportation System Management and Transportation Demand Management to maximize the existing system by trying to incentivize different forms of travel through carpooling or encouraging mixed-use developments.

Other Modal Plans

The State has a number of modal and topic plans that together form the State TSP. In addition to the OHP, which is the modal plan for the State's roadways, the following govern aspects of statewide planning for the transportation system: Oregon Transportation Safety Action Plan; Oregon Bicycle and Pedestrian Plan/ Bicycle and Pedestrian Design Guide; Oregon Public Transportation Plan; Oregon Freight Plan; Oregon State Rail Plan; and Oregon Aviation Plan.

Response

Section 5 of the Transportation System Plan outlines the modal plans that are including in the document. These plans include: Street Plan, Safety Plan, Transit Plan, Freight/Rail/Intermodal Plan, and Water, Air, and Pipeline Plans. All of these plans were developed to be consistent with State modal plans and ensure the City's plan meets relevant State policies and requirements.

OAR 660 Division 12 Transportation Planning Rule (TPR)

The purpose of the Transportation Planning Rule (TPR) is "to implement Statewide Planning Goal 12 (Transportation) and promote the development of safe, convenient and economic transportation systems that are designed to reduce reliance on the automobile so that the air pollution, traffic and other livability problems faced by urban areas in other parts of the country might be avoided." A major purpose of the TPR is to promote more careful coordination of land use and transportation planning, to ensure that planned land uses are supported by and consistent with planned transportation facilities and improvements.

OAR 660 Division 12 Transportation Planning Rule (TPR)

The TPR contain policies for preparing and implementing a transportation system plan.

Response

660-012 Administrative Rule Section Number(s)	Administrative Rule Provision	City's Response based on updated TSP
-0015	Preparation and Coordination of Transportation System Plans	The City has coordinated the TSP update with affected State, local governments, the school district, the RVMPO, and other affected agencies through the Technical Advisory Committee and Citizen Advisory Committee
-0016	Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas	The City has coordinated with the RVMPO regarding the plan and will provide needed updates to the Regional Transportation Plan once adopted. The City recognizes its commitment to participate in striving to achieve the alternative measures identified in the Regional Transportation Plan.
-0020	Elements of Transportation System Plans	The plan has studied existing and future conditions to meet the transportation needs of Medford in 2038. The Functional Classification Plan has been updated to show new higher order streets within the Urban Growth Boundary expansion areas and make updates as necessary to existing streets. The plan includes the extension of streets to make better connections. The plan addresses all modes of travel including roads, pedestrians, bicycles, shared-use paths, air, freight, rail, transit and pipeline.

-0025	Complying with the Goals in Preparing Transportation System Plans; Refinement Plans	The adoption of a new TSP is a legislative decision. The information within this report addresses the applicable criteria associated with a Major Comprehensive Plan amendment and compliance with the Statewide Planning Goals, the Oregon Transportation Plan, Oregon Highway Plan, other Modal Plans, and the applicable administrative rules.
-0030	Determination of Transportation Needs	The plan is based on adopted population and employment forecasts for Medford. The planning period for the TSP is from 2018-2038. The plan includes improvements to enhance the multi-modal system and provide transportation options for all users. The City will assist in reducing reliance on the automobile by coordinating future land use and transportation facilities and by participating in the alternative measures outlined in the Regional Transportation Plan.
-0035	Evaluation and Selection of Transportation System Alternatives	See -0030 above; The plan includes projects to assist in expanding the system and providing transportation alternatives for its residents.
-0040	Transportation Financing Program	The plan includes an estimate of anticipated revenues over the planning period. Projects are prioritized into Tier 1 (funded) and Tier 2 (unfunded) projects. The Tier 1 projects are categorized in two, five-year timeframes and a ten-year timeframe. An estimated cost is provided for each of the identified City projects.
-0045	Implementation of the Transportation System Plan	Code amendments related to implementation of the TSP are found in Section 6 of the document and will follow adoption of the plan.
-0050	Transportation Project Development	The plan includes ODOT projects. The Regional Transportation Plan will be updated after adoption of the plan.

Conclusions

Goal 12: Satisfied. As outlined above, the City's TSP is found to be in compliance with the Oregon Transportation Plan, Oregon Highway Plan, Other Modal Plans, and the applicable administrative rules that govern Goal 12. Code amendments that assist with implementing the TSP are outlined in Section 6 of the document and will follow upon adoption of the plan.

Goal 13—Energy Conservation
Goal 13 seeks to conserve energy

Findings

As noted in other goals above, there is a strong connection between existing and future land uses and transportation facilities. Creating land use patterns and connected transportation systems provides more efficient use of land and helps to reduce energy consumption by providing for shorter commutes, more direct routes or the use of alternative modes of travel.

Development within the expansion areas must show compliance with the performance measures of the Regional Plan. These measures require minimum residential densities, transportation connections, and integrated development patterns to serve the residents. Provisions such as these help achieve greater energy efficiency throughout the community.

Section 5 of the document also discusses Transportation Demand Management and Transportation System Management strategies that address ways to try and shift travel habits and find ways to improve the system without increasing travel lanes or building new roads. These identified strategies also lead to more energy conservation.

Conclusions

Goal 13: Satisfied. The transportation plan identifies areas such as activity centers that provide opportunities for more mixed-use, concentrated development patterns that help create more efficiencies. The new expansion areas and increased transportation connections will also conserve energy.

Goal 14—Urbanization
Goal 14 requires the orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Findings

The update to the Transportation System Plan is directly related to the City's expansion of its Urban Growth Boundary and to provide for the transition from rural lands to urban lands. Provisions outlined in the Regional Plan help to ensure these new lands are served by adequate public facilities and developed in a manner that makes efficient use of land. An evaluation of the transportation impacts and needs to serve these new areas is necessary and appropriate in order to ensure a smooth transition of these lands. The City spent several years modeling transportation impacts taking into consideration the future development of rural lands to urban lands.

Conclusions

Goal 14: Satisfied. Provisions are in place to ensure coordination between transportation facilities and the transition of lands from rural to urban uses.

Goals 15–19 do not apply to this part of the State.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Implementation Strategies] shall be based on the following [criteria 1–6]:

1. *A significant change in one or more Goal or Policy.*

Findings

The updated plan includes a new set of goals, objectives, and action items to provide guidance on how to implement the transportation plan for a growing community. The plan begins with a vision statement to maintain and improve the transportation system to serve all people. The plan identifies six overall goals, 21 objectives, and 82 action items to help guide staff and the community to continue building and improving the City's transportation system. The main themes of the goals, objectives, and action items cover the following topics: Safety and Public Health, Economic Development, Livability, Connectivity, Financing, and Environment.

The new Transportation System Plan will guide changes to the City's infrastructure and operations over the 20-year planning period. The goals, objectives, and action identify and summarize the vision of the plan and provide ways to implement it. Staff will be responsible for updating the Planning Commission and City Council regularly on the progress towards the goals and objectives.

Conclusions

Criterion 1: Satisfied. The plan outlines the City's new goals, objectives, and action items needed to implement the transportation plan. This element of the plan was developed based on input from the Joint Transportation Subcommittee/Citizen

Advisory Committee, the Planning Commission, public input, and then refined by the members of the City Council. The provisions assist in meeting the City's vision related to transportation.

2. *Availability of new and better strategies such as may result from technological or economic changes.*

Findings

The development of the City's transportation system is highly dynamic. The maintenance, improvement, and construction of transportation infrastructure is a collaborative effort among City, County, State, and Federal agencies as well as private and public entities. The plan anticipates new population growth over the planning period. Serving current and future residents and visitors will require new and enhanced transportation facilities. The City has identified its financial ability to construct priority projects over the next two decades and recognizes other forms of funding and assistance will be needed through grants, financial support from other jurisdictions and agencies, and public-private partnerships to help build out the system over time.

Advancements in transportation are occurring rapidly through the use of more fuel efficient vehicles, traffic signal technology, and the research and testing of autonomous vehicles. The city is the major urban center in the region and will grow and change over time as new development occurs. The plan takes into consideration these factors and will serve the community as conditions change in the transportation landscape.

Conclusions

Criterion 2: Satisfied. The plan is a blue print to help ensure the transportation system for the City is maintained and improved over time. There is an overabundance of projects that the City cannot fully fund, but through prioritization and seeking out other sources of funding and opportunities, the transportation system will be enhanced to effectively serve its residents.

3. *Demonstrable ineffectiveness of present strategy(s).*

Findings

The Transportation System Plan was adopted in 2003. The City has grown and changed over the past 15 years and is preparing to serve approximately 20,000 more people in the next two decades. In order to plan for this growth, the transportation needs of the community need to be evaluated and planned for. There is no finding that the present strategy is ineffective, but growing demands of existing facilities

require routine evaluation and, where necessary, improvement, expansion, or augmentation.

Conclusions

Criterion 3: Satisfied. The existing transportation plan was effectively used over the last 15 years to serve the community. Future growth necessitates an update to the plan to enhance the transportation system and prioritize needed projects.

4. *Statutory changes affecting the Plan.*

Findings

This same criterion has been addressed in Criterion 5 above. No statutory changes are found to effect the new transportation plan.

Conclusions

Criterion 4: Satisfied. Detailed responses are provided in Criterion 5 above. The proposal complies with existing administrative rules that govern such plans.

5. *Demonstrable budgetary constraints in association with at least one of the above criteria.*

Findings

The City has estimated its projected revenues and expenditures for the next 20 years. The plan shows there is approximately $88.4 million dollars available for capital projects. See Criterion 2 above (*Information reflecting new or previously undisclosed public need)* for more details on the proposed funding.

Based on estimated revenues, the City has prioritized projects into Tier 1 and Tier 2 lists. Tier 1 projects are those with funding allocated to them, while Tier 2 projects are unfunded. The needed projects are categorized into different project types including:

- Urban Upgrades
- Roadway Widening
- New Roadways
- Intersection Improvements
- Sidewalk
- Shared Use Paths, and
- Neighborhood Bikeways and Bicycle Facilities

The estimated capital revenues have been allocated to projects in all the categories above. The projects selected will help maintain the City's Level-of-Service standard "D" (with two intersections at Level-of-Service "E") at specified intersections and set

aside funds towards the Foothill/North Phoenix/South Stage corridor. The selected projects provide a diverse mix of opportunities to upgrade existing streets, complete trail segments along Larson Creek, and extend new roadways.

The selected projects will be reviewed through the biennial budget process and assigned through a five-year capital improvement plan. Depending on priorities, community needs, and grant funding, projects can be shifted to different timeframes for completion.

Conclusions

Criterion 5: Satisfied. The City has more projects than can reasonably be funded over the planning period. Therefore, all applicable projects have been prioritized into Tier 1 and Tier 2 lists with funding allocated to Tier 1 projects. The transportation needs of the community may change over time, but identified projects have been selected to maintain city standards and improve transportation facilities to serve the residents of the City.

6. *All applicable Statewide Planning Goals.*

Findings

The Statewide Planning Goals identified as relevant to the Transportation System Plan have been addressed in detail in Criterion 6 above.

Conclusions

Criterion 6: Satisfied. The updated Transportation System Plan is compliant with the applicable Statewide Planning Goals.

RECOMMENDED ACTION

The Planning Commission recommends adopting the proposed amendments based on the analyses, findings, and conclusions in the Council Report dated October 25, 2018, including Exhibits A through P.

EXHIBITS

A Transportation System Plan (replaces the existing Transportation Element)
B Public Facilities Element
C Conclusions, Goals, and Policies Element
D City Council Memorandum dated August 2, 2018 with attachments
E Memorandum dated May 14, 2018 from the Bicycle and Pedestrian Advisory Committee (BPAC)
F Citizen e-mails supporting All Ages and Abilities Bicycle Facilities (consolidated)

G	E-mail from Gary Shaff received 10/9/2018 that includes written testimony from Siskiyou Velo bike club and a copy of Designing for All Ages and Abilities Guidance for bicycle facilities
H	E-mail from Dan Thorndike received October 10, 2018
I	E-mail from Gary Shaff including testimony labeled 233 Days Until 2019 Fire Season, a report titled A Global High Shift Cycling Scenario, and Transport Reviews
J	Testimony submitted by Evan MacKenzie
K	Pamphlet titled Make Medford Safe for Biking by All Ages and Abilities
L	Planning Commission hearing minutes of October 11, 2018 (excerpt)
M	Planning staff power point presentation to Planning Commission
N	Memorandum from the Legal Department
O	E-mail and attachments from Raul Woerner regarding local street connectivity
P	Memorandum from the Planning Department responding to Siskiyou Velo's written testimony in Exhibit G

CITY COUNCIL AGENDA: NOVEMBER 1, 2018

Goals and Objectives

The following provides the City's vision for transportation and the identified goals, objectives, and action items that will help the City achieve this vision.

VISION

In 2038, the City of Medford will continue to be the regional and economic center of the Rogue Valley and will be served by a transportation system that is safe, efficient, and pleasant to use. The City's many different neighborhoods, districts, and destinations will be well connected. The City of Medford's transportation system will also be well connected to the regional and state system. People will be able to drive, walk, bike, or use public transportation to reach stores, restaurants, parks, schools, work and other common destinations. Gateways and activity centers will have attractive streetscapes that are inviting.

In application of the goals and objectives of the TSP, it is recognized this is a fiscally constrained document and the majority of the city is already constructed, which makes universal application impractical. Some parts of the community are highly convenient offering a variety of modes, including walking, bicycling, and transit. Other areas will be more auto-centric and include more modest measures to accommodate access and circulation by different modes. Recognizing this fact will lead to better decision making on utilizing the City's resources while still providing a safe, convenient, and economical transportation system that serves everyone.

The *TSP* is a policy element within the *Comprehensive Plan* that provides the City with a coordinated guide for changes to its transportation infrastructure and operations over a 20 year period of time. A basic assumption in the development of this policy element is that transportation systems do more than meet travel demand; they have a significant effect on the physical, social, and economic characteristics of the areas they serve. Transportation planning must be viewed in terms of regional and community goals and values such as protection of the environment, impact on the regional economy, and maintaining the quality of life that area residents enjoy and expect.

In order for the outcomes of this document to be periodically assessed, the Planning and Public Works Departments will provide the Planning Commission and City Council a report that provides a thorough assessment of TSP implementation progress a minimum of every two years.

Action Items:

2-a: Continue to ensure all new transportation facilities, and improvements comply with the Americans with Disabilities Act (ADA) of 1990, and implement necessary policies and procedures from the ADA project action plan.

2-b: Coordinate with local hospitals, schools, social service providers and similar organizations to identify the transportation needs of the groups they serve and identify opportunities to improve mobility for the providers' constituents.

2-c: Take regular action to ensure the safety of heavily used pedestrian crossings.

2-d: Identify key locations that represent opportunities for low-stress routes for bicycle travel throughout the City.

Objective 3: Promote active transportation as a means of improving public health.

Action Items:

3-a : Participate in, collaborate with, and promote active transportation programs and outreach like RVTD's Go by Bike Week, the Drive Less Challenge, Safe Routes to Schools Program(s), Rogue Valley Bike Share, or similar programs .

3-b: Coordinate and implement a bicycle diversion program. (Such programs allow a person issued a bicycle citation to attend a bicycle safety class instead of appearing in court or paying a fine).

3-c: Develop an action plan for development and implementation of the Citywide Path and Trail Network outlined in the City's Leisure Services Plan.

GOAL 2 – ECONOMIC DEVELOPMENT

The transportation system shall enhance economic development and vitality within the City and throughout the Region.

Objective 4: Provide transportation facilities that support existing and planned land uses, consistent with the City's Comprehensive Plan.

Action Items:

4-a: ~~Evaluate and modify, as deemed appropriate the City's policy on transportation facility concurrency~~. Balance transportation facility capacity with planned land uses by amending the City's concurrency and transportation facility adequacy requirements by adopting local procedures that apply the Oregon Transportation Planning Rule as the determinant of facility adequacy.

4-b: Ensure development throughout the City and within the Urban Growth Boundary expansion areas are consistent with the Functional Classification plan and other planned transportation improvements.

4-c: Implement adopted neighborhood plans including the Bear Creek Master Plan.

Objective 5: Maintain and improve the efficiency of the movement of freight and goods by ground, rail, air, pipeline, and transmission infrastructure.

Action Items:

5-a: Assess land use conflicts affecting freight service providers and develop best practices that prioritize safe, efficient, and reliable freight connections while reducing neighborhood impacts.

5-b: Review and consider revisions to the existing truck route designations within the City of Medford and implement street design standards that meet the weight and dimensional needs of trucks for streets that serve industrial and commercial areas and those designated as "truck routes."

5-c: Strive to balance the needs of moving freight with community livability.

5-d: Advocate for and support designation of State and Federal priority freight routes within the City of Medford.

Objective 6: Increase resilience of the local freight and logistics network to natural disaster.

Action Items:

6-a: Using the City's Natural Hazards Mitigation Plan and other resources, assess the local freight routes for

Objective 16: Amendments to the land development code and municipal code to implement the TSP shall be targeted for completion within 24 months of TSP acknowledgement.

Action Items:

16-a: Modify land use review procedures to allow street cross-section standards to be applied in a flexible manner based on identified criteria or standards. Examples of flexibility may include: adopting multiple street cross-section alternatives for a single functional classification; establishing ranges of improvement widths for specific elements; allowing the elimination or reduction of aesthetic elements where constraints make it appropriate.

16-b: Review landscape requirements within the Land Development Code to allow flexibility with the amount and type of landscaping and ground cover installed while still ensuring beautification and storm water benefits along the roadways.

16-c: Incorporate the legacy street standards into the Land Development Code in order to address future development requirements along these roadways and outline who has the authority to approve deviations.

16-d: The first priority for code amendments for the TSP implementation are the amendments to implement Action Item 4-a.

Objective 17: Partner with local jurisdictions, state and federal agencies, and private sector partners to maximize the City's return on transportation investments whenever possible.

Action Items:

17-a: Continue to work with ODOT, Jackson County, RVTD, and neighboring cities to fund roads, pedestrian, and bicycle facility improvements along State and regional highways/roadways and major transit routes.

17-b: Partner with schools to identify impediments to walking to school and implement Safe Routes to School solutions.

17-c: Continue active membership in the Rogue Valley Metropolitan Planning Organization (RVMPO) and associated planning efforts, and routinely participate in updating the MPO Transportation Improvement Program (TIP) to ensure that the City transportation projects are leveraged with the region's discretionary and special funding opportunities.

17-d: Collaborate with private developers through public-private-partnerships to fund public transportation infrastructure that supports proposed development.

17-e: Recognize the importance of shifting project priorities to capture transportation funding opportunities such as Statewide Transportation Improvement Program (STIP) funding and other such sources.

Objective 18: Support the development of stable and flexible transportation financing that provides adequate funding sources for Medford's transportation system while supporting the TSP's economic development goal.

Action Items:

18-a: Collect transportation system development charges (SDC's), as defined by Oregon Revised Statutes and local ordinances, to mitigate impacts of new development on Medford's Transportation System.

18-b: Assess the effectiveness of current funding sources and identify new funding sources during preparation of biennial budgets including the use of tax increment financing and interjurisdictional agreements. Update policies and regulations to accommodate changes as needed.

GOAL 6 – ENVIRONMENT

Reduce environmental impacts from transportation

Objective 19: Reduce environmental impacts of the transportation infrastructure.

UNMET NEED

The total needs for capital projects described in Section 5 are estimated to cost approximately $721 million. Table 3 shows that there is a difference between projected revenues available for capital projects and the total need resulting in an unfunded need of approximately $649 million.

Table 3 City of Medford 20-Year Revenue for Capital Projects vs. Need

20-Year Capital Funding vs. Need				
	2018-2022 (Short-term)	2023-2027 (Mid-Term)	2028-2038 (Long-Term)	Total
20-Year Revenue for Capital Projects	$40,746,320	$15,000,661	$32,693,362	$88,440,343
Total Need				~~$721,450,000~~638,212,000
Unfunded Need				~~$633,009,657~~549,771,657

POTENTIAL FUNDING SOURCES

The City has historically revised System Development Charges (SDCs) to fund projects required in the Transportation System Plan (TSP) after the TSP is adopted.

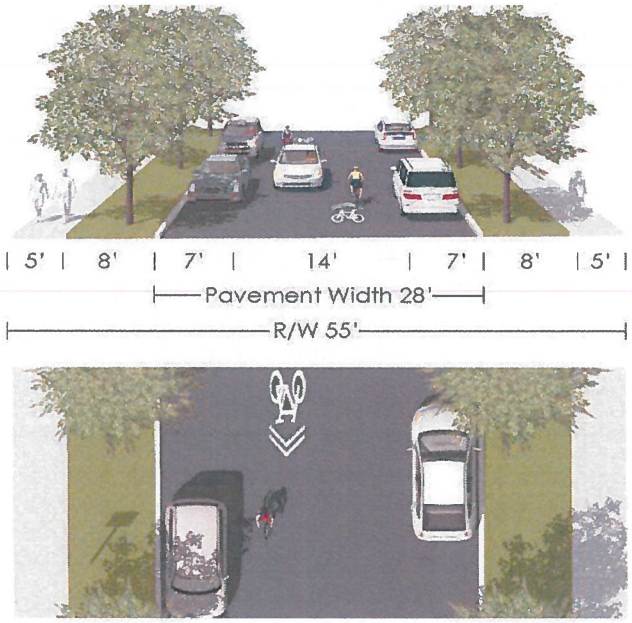
The City has also raised additional funds in the past by adding a surcharge to either SDCs or the street utility fee, typically for substantial project expenses not included in the TSP. Surcharges are added to SDC when the projects are adding capacity for new development. Surcharges have been added to utility fees when they serve developed areas.

Other funding options to consider are Local Improvement Districts (LIDs), a local gas tax, or use of other Funds such as the General Fund. According to the Oregon Department of Transportation, nine (9) other Oregon cities have local gas taxes, ranging from $0.01/gallon to $0.03/gallon. Twenty-three (23) Oregon cities have local gas tax on diesel fuel. Two (2) Oregon counties have gas taxes.

Considering the regional benefit of the Foothill / N Phoenix Corridor and the South Stage Overcrossing, the City of Medford is anticipating that regional partners will contribute to both projects. Regional partners are anticipated to contribute approximately $10M to $15M toward these projects.

Figure 18 Roadway Functional Classification

Exhibit 15 Minor Residential Street – Neighborhood Bikeway



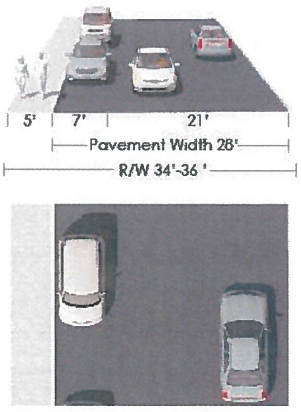
Residential Lane

Residential Lanes are the lowest-order of the local residential facilities. These roads can serve a maximum of 8 residences and extend no more than 450 feet. The terminus of residential lanes is an approved cul-de-sac adequate for turn-around maneuvers (minimum 37-foot paved radius). Six inches of right-of-way is to be provided behind the sidewalks or curb if no sidewalk is present. The right-of-way width provides for future sidewalks and landscape strips on both sides of the roadway.

Additional Notes:

- Additional 2 feet of right-of-way required for drainage behind the curb with no sidewalk when the road is on the outside border of a development. Not required when street is internal to the development and there is a Public Utility Easement (PUE) behind the curb.

Exhibit 16 Residential Lane



Roadway Urban Upgrade Projects

Project #	Location	Project Type	Description	Tier	Cost ($1,000)
472	Cedar Links Drive, Callaway Drive to Foothill Road	Urban Upgrade	Upgrade to major collector standard including one lane in each direction, center-turn lane, bike facilities, and sidewalks	2	$2,035
612	Barneburg Road, Highland Drive to Sunrise Avenue connection	Urban Upgrade	Upgrade to major collector standard from Highland Drive to E. Main Street including one lane in each direction, center-turn lane, bike facilities, and sidewalks and upgrade to minor collector standard from E. Main Street to Sunrise Avenue including one lane in each direction, bike facilities, and sidewalks	2	$3,975
613	Highland Drive, Keene Drive to Main Street	Urban Upgrade	Upgrade to major collector standard including one lane in each direction, center-turn lane, bike facilities, and sidewalks	2	$2,810
445	Cherry Lane, Old Cherry Lane to Hillcrest Road	Urban Upgrade	Upgrade to major collector standard including one lane in each direction, center-turn lane without curbed/landscaped median, bike facilities, and sidewalks	2	$11,500
456	Sunset Drive, South Stage Road to Orchard Home Drive	Urban Upgrade	Major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$4,010
457	Pierce Road, Hillcrest Road to Spring Street	Urban Upgrade	Upgrade to major collector standard including one lane in each direction, center-turn lane, bike facilities, and sidewalks	2	$2,800
458	Diamond Street, Columbus Avenue to Kings Highway	Urban Upgrade	Upgrade to major collector standard from McKenzie Drive to Kings Highway, including one lane in each direction, center turn-lane, bike facilities, and sidewalk. Stripe to major collector standard from Columbus Avenue to McKenzie Drive, including one lane in each direction, center turn-lane and bike facilities.	2	$ 2,150
462	Edwards Street, Court Street/Central Avenue to Riverside Avenue	Urban Upgrade	Upgrade to minor collector standard including one lane in each direction, bike facilities, and sidewalks	2	$1,665
465	Columbus Avenue, South Stage Road to Stewart Avenue	Urban Upgrade	Upgrade to major arterial standard including two lanes in each direction, center-turn lane, bike facilities, and sidewalks	2	$10,510
478	Coker Butte Road, eastern UGB to Springbrook Road	Urban Upgrade	Realign and upgrade to major collector standard including two lanes in each direction, center-turn lane, bike facilities, and sidewalks	2	$1,545
481	Coal Mine Road (realigned), North Phoenix Road to Santa Barbara Drive	Urban Upgrade	Realign and upgrade to major collector standard including two lanes in each direction, center-turn lane, bike facilities, and sidewalks	2	$5,975
492	Cunningham Avenue, Orchard Home Drive to Warren Way	Urban Upgrade	Upgrade to minor arterial standard including one lane in each direction, center-turn lane, bike facilities, and sidewalks	2	$850
495	Coker Butte Road, International Way to Lear Way	Urban Upgrade	Upgrade to minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$1,985
497	Highland Road, Siskyou Boulevard to Keene Way Drive	Urban Upgrade	Upgrade to major collector standard including one lane in each direction, center-turn lane, bike facilities, and sidewalks	2	$1,135
600	Oak Grove Road, West Main Street to Stewart Avenue	Urban Upgrade	Upgrade to major collector standard including one lane in each direction, center turn-lane, bike facilities, and sidewalks	2	$4,335
603	West Stewart Avenue, Oak Grove Road to Lozier Lane	Urban Upgrade	Upgrade to minor arterial standard including one lane in each direction, center-turn lane, bike facilities, and sidewalks	2	$2,715

Table 7 New Roadways and Roadway Extensions

New Roadways and Roadway Extensions Projects					
Project #	Location	Project Type	Description	Tier	Cost ($1,000)
413	Columbus Avenue, West McAndrews Road to Sage Road	New Roadway	Realign, extend Columbus Avenue to Sage Rd, and widen to major arterial standard including center-turn lane, bike facilities, and sidewalks	1 (Short-term)	$4,425
475	Coker Butte Road, Crater Lake Avenue to Springbrook Road	New Roadway	Realign and upgrade to major arterial standard including two lanes in each direction, center-turn lane, bike facilities, and sidewalks.	1 (Mid-term)	$3,400
537a	South Stage Road, South Pacific Highway to North Phoenix Road	New Roadway	Complete the environmental process and purchase right-of-way for a new minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks) and overcrossing of I-5 (part of the N. Phoenix / Foothill and S Stage Corridor)	1 (Short-term)	$3,000[1]
537b	South Stage Road, South Pacific Highway to North Phoenix Road	New Roadway	Construct new minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks) and overcrossing of I-5 (part of the N. Phoenix / Foothill and S Stage Corridor)	1 (Long-term)	$47,000[1]
621	Owen Drive, Springbrook Road to Torrent Street	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	1 (Short-term)	$525
708	South Stage Road, City Limits to Orchard Home Drive	New Roadway	Realign S Stage Rd and construct new minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks)	1 (Short-term)	$4,345
467	Lear Way, Coker Butte Road to Vilas Road	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$6,465
535	Barnett Road, North Phoenix Road to Lone Oak Drive	New Roadway	Realign and construct new minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$4,455
471	Spring Street, Pierce Road to Foothill Road	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$3,955
~~479~~	~~Manzanita Street, extension from Riverside Avenue to Spring Street and crossing Interstate 5~~	~~New Roadway~~	~~Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks) and new crossing of I-5 at Manzanita~~	~~2~~	~~$100,000~~
482	Owen Drive, McLoughlin Drive to Foothill Road	New Roadway	Construct new ~~major collector~~ minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$5,100
484	Stanford Avenue, Barnett Road to Coal Mine Road	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$6,000
485	Bellinger-Cunningham Avenue Connector, Hull Road to Orchard Home Drive	New Roadway	Construct new minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$6,835
486	Springbrook Road, Owen Drive to Coker Butte Road	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$4,210
489	Diamond Street, Orchard Home Drive to Sandstone Drive	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$640
539	N/S Collector Street in SE Medford TOD	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$5,410

New Roadways and Roadway Extensions Projects

Project #	Location	Project Type	Description	Tier	Cost ($1,000)
601	Dakota Avenue, Collinwood Court to Oak Grove Road/Madrona Lane	New Roadway	Construct new minor collector roadway (includes one lane each direction, bike facilities, and sidewalks)	2	$3,510
604	Holly Street, Garfield Street to South Stage Road	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$6,475
607	Stevens Street connection to Oregon Avenue	New Roadway	Construct new minor collector roadway (includes one lane each direction, bike facilities, and sidewalks)	2	$310
624	Wilson Road, Table Rock Road to City Limits	New Roadway	Construct new minor collector roadway (includes one lane each direction, bike facilities, and sidewalks)	2	$3,885
627	Crater Lake Avenue, Coker Butte Road to northern UGB	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$8,580
628	Lear Way, Vilas Road to northern city limits	New Roadway	Construct new minor collector roadway (includes one lane each direction, bike facilities, and sidewalks)	2	$1,900
629	Airway Dr /Industry Dr, Vilas Road to Coker Butte Road	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$9,345
630	Springbrook Road, Coker Butte Road to Vilas Road	New Roadway	Construct new major collector roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$8,055
631	East-West collector between Coker Butte Road and Vilas Road, Crater Lake Highway to eastern UGB	New Roadway	Construct new minor collector roadway (includes one lane each direction, bike facilities, and sidewalks)	2	$3,950
677	Golf View Drive, Juanipero Way to southern expansion boundary	New Roadway	Construct new major collector (minor collector south of South Stage Road extension) roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$10,760
678	East-West collector along southern UGB, Golf View Drive to North Phoenix Road	New Roadway	Upgrade to minor collector standard including one lane in each direction, bike facilities, and sidewalks	2	$2,140
681	Experiment Station Road, Kings Highway to Holly Street	New Roadway	Construct new minor collector standard (includes one lane in each direction, bike facilities, and sidewalks)	2	$3,830
703	Dakota Avenue extension to Lozier Lane	New Roadway	Construct new minor collector standard (includes one lane in each direction, bike facilities, and sidewalks)	2	$2,290
704	N/S Collector Street in SE Medford TOD	New Roadway	Construct new ~~minor~~ major collector standard (includes one lane in each direction, bike facilities, and sidewalks and no curbed/landscaped center median)	2	$3,310
705	Lone Oak Drive Extension	New Roadway	Construct new major collector standard (includes center turn-lane, bike facilities, and sidewalks)	2	$8,160
709	Owen Drive, Torrent Street to McLoughlin Drive	New Roadway	Construct new ~~major collector~~ minor arterial roadway (includes center turn-lane, bike facilities, and sidewalks)	2	$3,845
710	McLoughlin Drive, Ford Drive to Northern Expansion Boundary	New Roadway	Construct new major collector roadway (includes one lane in each direction, center-turn lane, bike facilities, and sidewalks)	2	$1,935

New Roadways and Roadway Extensions Projects					
Project #	Location	Project Type	Description	Tier	Cost ($1,000)
711	Spring Street, Foothill Road to Urano Lane	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$2,645
712	Urano Lane, Hillcrest Road to Spring Street	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$1,835
713	Fairfax Street, Delta Waters Road to northern expansion boundary	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$4,180
714	Cheltenham Way, Ford Drive to northern expansion boundary	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$2,370
716	Hondeleau Lane, City Limits to eastern expansion boundary	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$1,045
722	Murphy Road extension to Pierce Road	New Roadway	Construct new minor collector roadway (includes one lane in each direction, bike facilities, and sidewalks)	2	$3,830
				Tier 1	$27,695
				Tier 2	~~$276,255~~176,255
				TOTAL	~~$303,950~~203,950

[1]A total of $15,000,000 has been assigned to the N. Phoenix / Foothill Corridor and the S Stage Extension and Overcrossing of I-5 combined in the short term. Total Project costs, and projected time frames, for individual segments are shown but not included in the total funding allocation. Sources for the balance of the funding will be identified through future partnerships and policy decisions.

City Intersection Projects					
Project #	Location	Description	Tier	Timeframe	Cost ($1,000)
I-48	Garfield Street & South Holly Street	Install traffic signal or roundabout when warranted	2	When warranted	$400
I-49	Garfield Street & South Peach Street	Install traffic signal or roundabout when warranted	2	When warranted	$400
I-50	Hillcrest Road & Barneburg Road &	Geometric improvements such as re-alignment or roundabouts	2	When warranted	$4,400
I-52	Hillcrest Road & Sunrise Avenue	Geometric improvements such as re-alignment or roundabouts	2	When warranted	$2,200
I-54	Juanipero Way and North Phoenix Road	Install traffic signal or roundabout when warranted	2	When warranted	$400
I-56	Kings Highway & South Stage Road	Install traffic signal or roundabout when warranted	2	When warranted	$400
I-57	Lozier Lane & Cunningham Avenue	Install traffic signal or roundabout when warranted	2	When warranted	$400
I-59	Main Street & Hamilton Street	Monitor warrants for enhanced pedestrian crossing or traffic signal.	2	When warranted	$400
I-63	McAndrews Road & Riverside Avenue	Intersection improvements such as re-striping westbound approach to one through, a shared through/right, and a right-turn lane, signal modifications, and second westbound right-turn lane when needed	2	When warranted	$245
I-65	Oak Grove Road & Stewart Avenue	Install traffic signal or roundabout when warranted	2	When warranted	$2,200
I-66	Orchard Home Drive & South Stage Road	Install traffic signal or roundabout when warranted	2	When warranted	$2,200
I-67	Orchard Home Drive & Sunset Drive	Install traffic signal or roundabout when warranted	2	When warranted	$2,200
I-68	Owen Drive & Springbrook Road	Install traffic signal or roundabout when warranted	2	When warranted	$2,200
I-70	West Jackson Street & West McAndrews	Install traffic signal or roundabout when warranted	2	When warranted	$2,200
I-71	Willamette Avenue & Main Street	Install traffic signal or roundabout when warranted	2	When warranted	$2,200
				Tier 1	$~~14,619~~15,129
				Tier 2	$~~33,546~~34,272
				TOTAL	$~~48,165~~49,401

[1] Intersection projects I-12, I-14, I-22, I-26, and I-27 have no cost because their costs are already budgeted in the FY18-FY19 biennial budget.

Note: For projects designated "When Warranted", traffic studies and associated signal warrants will determine when a signal or roundabout should be installed. The city will implement roundabouts rather than traffic signals wherever feasible.

Figure 20 Roadway and Intersection, Bicycle, and Pedestrian Tier 2 Projects

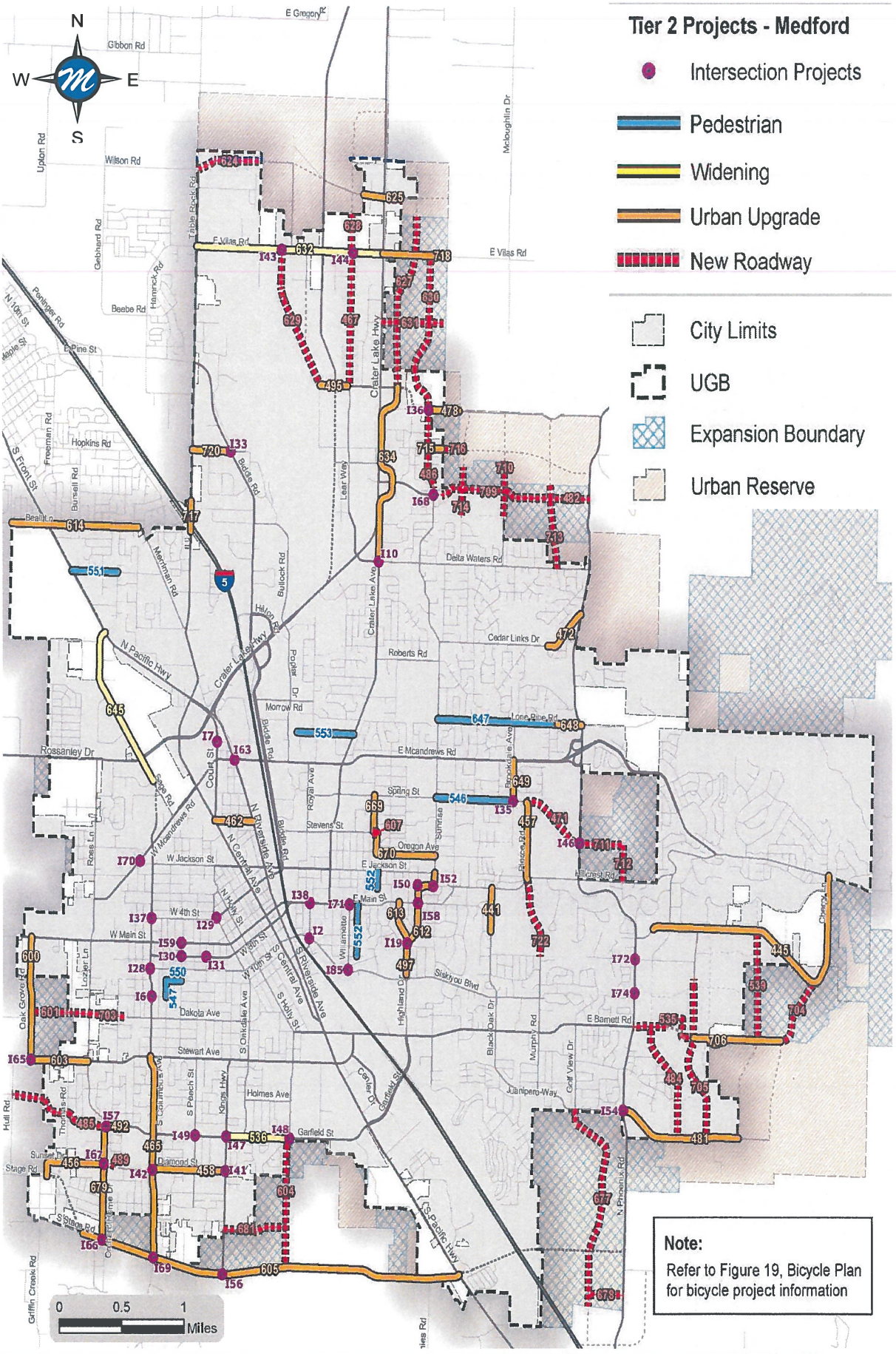
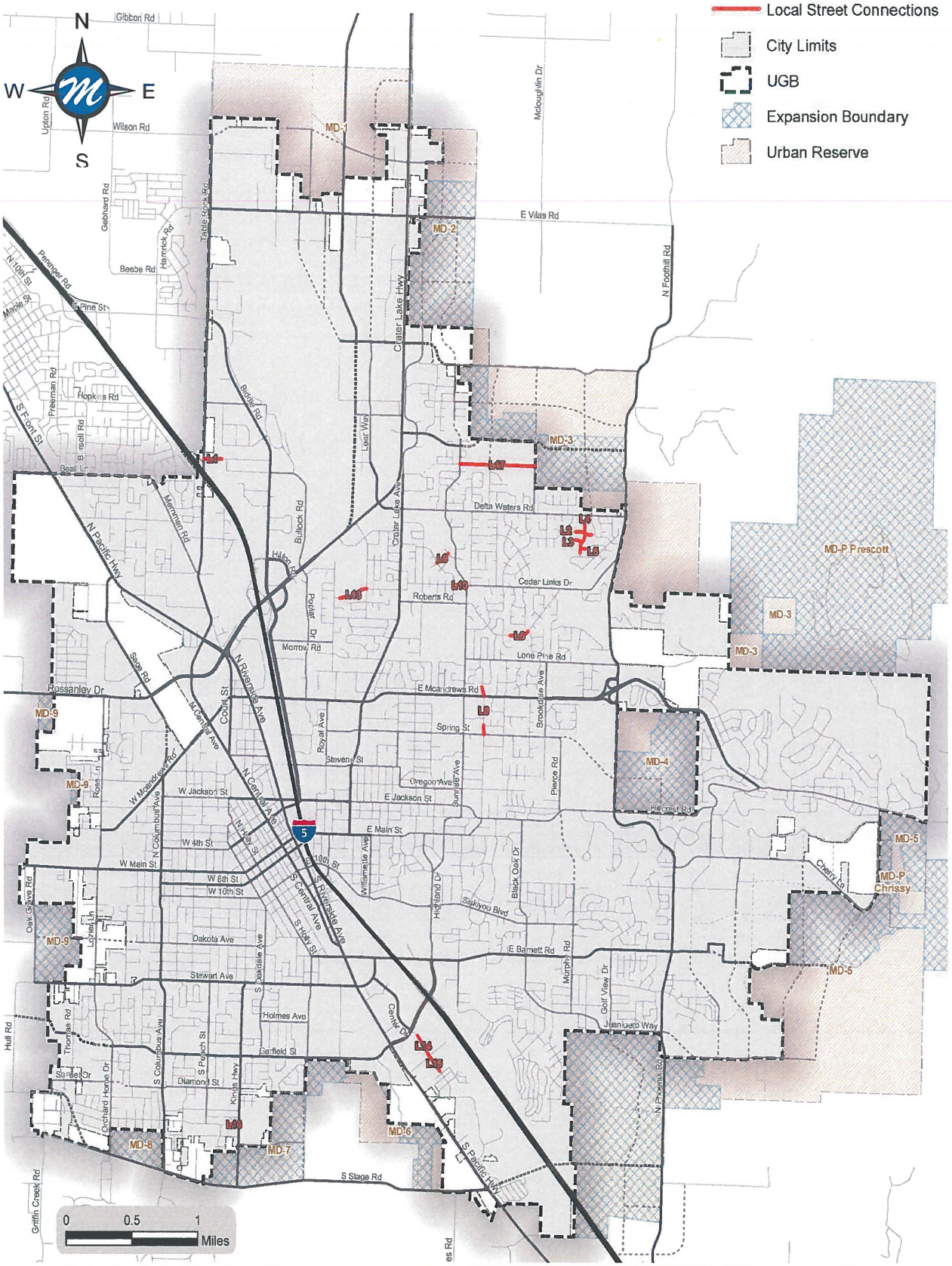


Table 23 Street Connections

Project Number	Name	Type
L1	Gilman Road Extension to Table Rock	Local Street
L2	Viewpoint Dr Extension to Tiffany Street Extension	Local Street
L3	Bryson Way Extenstion to Tiffany Street Extension	Local Street
L4	Tiffany Street Extension to Augustine Drive	Local Street
L5	Wheatridge Extension to Tiffany Street Extension	Local Street
L6	Wilkshire Rd to Roberts Dr Connection	Local Street
L7	Murphy Rd extension from Country Club Drive to Hillcrest Rd.	Local Street
L8	Valley View Drive extensions to McAndrews Road and to Spring Street	Local Street
L9	Bell Court connection to Temple Drive at Montelimar Drive	Local Street
L10	Cedar Links Dr extension to Perri Pl through residential	Local Street
~~L11~~	~~Hilton Road extension to Whittle Avenue~~	~~Local Street~~
~~L12~~	~~Patrick Street extension to Corona Avenue~~	~~Local Street~~
L13	Grandview Avenue extension to Steelhead Run	Local Street
L14	Center Drive extension to Charlotte Ann Road	Local Street
L15	Highgate Street extension to Charlotte Ann Road	Local Street
L16	Archer Drive extension to Kings Highway	Local Street
L17	Ford Drive, Springbrook Road to eastern UGB	Local Street

Figure 23 Street Connectivity



Key Code and Policy Amendments

Chapter 6: Key code and policy amendments changes required to implement the *TSP*.

- Update the LOS standards
- Establish a roundabout analysis policy in the Public Works Department
- Modify the Municipal Code related to pro-rata share requirements for traffic signals and roundabouts
- Provide an exemption from trip generation calculations for residences built over commercial
- Modify the submittal requirements for Traffic Impact Analyses (TIA) to include a specific safety analysis and mitigation requirement for vehicles as well as pedestrian, bicycle, and transit modes
- Provide an allowance for alternative mitigation measures; circumstances under which they can be used will be defined during implementation
- ~~Evaluate whether to move concurrency to the land use application (site plan) process rather than at time of zone change~~ Amend the City's concurrency and transportation facility adequacy requirements by adopting local procedures that apply the Oregon Transportation Planning Rule as the determinant of facility adequacy.
- Modify the code to address building orientation and transit planning requirements for new development, including defining major transit stops into code language
- Implement changes related to the TDM action plan under Parking Strategies section
- Evaluate the number of permitted driveways, driveway consolidation standards, and cross access easement requirements
- Update the cross access requirements for private development in the land development code and insert the Potential Driveway Consolidation diagram into the Land Development Code
- Create requirements for existing buildings to install bicycle racks and remove unutilized driveway approaches as part of tenant improvements
- Codify changes related to legacy street standards as outlined in the Legacy Streets section
- Provide the Planning Commission with the flexibility to modify the planter strip and right-of-way widths based on surrounding context and improvements
- Codify the evaluation criteria related to streets with missing bicycle lanes
- Work with ODOT to create alternate mobility targets for State facilities within City limits
- Research and then create standards that require conduit along arterial and selected collector roadways during roadway improvement projects where overhead electrical transmission is not available.