

ORDINANCE NO 2009-253

AN ORDINANCE amending Chapter 10 of the Medford Code by amending Sections 10 158 and 10 235 pertaining to notification of affected property owners, PUD plan application procedures, and neighborhood meeting requirements

THE CITY OF MEDFORD ORDAINS AS FOLLOWS

SECTION 1 Section 10 158 of the Medford Code is amended to read as follows

10 158 Notification, Affected Property Owners

Notification shall be mailed to the applicant and all affected property owners no later than twenty (20) days prior to the scheduled meeting date before the approving authority All addresses for mailed notices shall be obtained from the latest property tax rolls of the Jackson County Assessor's office Affected property owners for each type of plan authorization shall be determined as follows

Plan Authorization Classification	Affected Property Owners
"A"	Not applicable, legislative action
"B" ("Vacations)	All property owners within the area of a plat vacation or all abutting property and all attached real property within 200 feet laterally and 400 feet beyond the terminus of each right-of-way to be vacated
"B" (Annexations, Minor Comp Plan Amendments (quasi-judicial), Transportation Facility Development)	All owners of property within the project plus all property owners within 200 feet of the project boundaries
"C" ( <del>All</del> ) ( <b>Zone Changes, Conditional Use Permits, Exceptions, Site Plan and Architectural Review, Land Divisions and Historic Review</b> )	All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries
"C" (Preliminary PUD Plans)	<b>All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries. The owners of no less than 75 tax lots shall be notified. If 75 tax lots are not located within 200 feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty 50 foot increments, until a minimum of 75 tax lots are included in the notification area. Owners of all tax lots within the extended notification area shall receive notice; therefore, noticing of more than 75 tax lots may be required.</b>

SECTION 2 Section 10 235 of the Medford Code is amended to read as follows

10 235 Preliminary PUD Plan - Application Procedures

**A. Neighborhood Meeting Requirement.** To ensure neighborhood knowledge of proposed development and to provide an opportunity for direct communication, the applicant shall present the development proposal at a neighborhood meeting prior to submitting the land use application to the City Planning Department. The applicant shall arrange and conduct the neighborhood meeting. City staff need not attend. Attendees shall be asked to sign a signature sheet and provide their mailing address. Attendance at the neighborhood meeting does not give an attendee legal standing for appeal.

1. The presentation at the neighborhood meeting shall include at a minimum the following:

- a. A map depicting the location of the subject property proposed for development; and,
- b. A visual description of the project including a tentative site plan, tentative subdivision plan and elevation drawings of any structures, if applicable; and,
- c. A description of the nature of the proposed uses and physical characteristics, including but not limited to, sizes and heights of structures, proposed lot sizes, density;; and,
- d. A description of requested modifications to code standards.
- e. Notification that attendance at the neighborhood meeting does not give legal standing to appeal to the City Council, the Land Use Board of Appeals, or Circuit Court.

2. It shall be the responsibility of the applicant to schedule the neighborhood meeting and provide adequate notification of the meeting. The applicant shall send mailed notice of the neighborhood meeting to the owners of no less than seventy-five (75) of the nearest tax lots regarding the neighborhood meeting. If seventy-five (75) tax lots are not located within two-hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy-five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification shall receive written notice; therefore, noticing of more than seventy-five (75) tax lots may be required. In addition to the affected property owners, the applicant shall also provide notice to the City Planning Department. The applicant shall use the Jackson County Tax Assessor's property owner list from the most recent property tax assessment roll. The notice shall be mailed a minimum of fifteen (15) days prior to the neighborhood meeting which shall be held in Medford on a weekday evening. A certificate of mailing attesting to the date of mailing and the name and signature of the agent responsible for mailing said notices shall be prepared and submitted to the Planning Department in accordance with the materials identified in Section 10.235 (B)(6). The notice for PUD neighborhood meeting shall include:

- a. Date, time and location of the neighborhood meeting; and,
- b. A brief written description of the proposal; and,
- c. The location of the subject property, including address (if applicable), nearest cross streets and any other easily understood geographical reference, and a map (such as a tax assessor's map) which depicts the subject property.

**A B** Application for Preliminary PUD Plan An application for Preliminary PUD Plan shall be on forms supplied by the City A complete application shall include the materials and information listed in this Subsection However, the Planning Director, in his/her discretion, may waive the submittal of any of the materials or information that are deemed to be excessive, repetitive or unnecessary based upon the size and nature of the PUD If an application for a PUD is accepted by the City as complete under ORS 227 178 but the application does not contain all of the items listed below, the missing items shall be deemed to have been waived by the Planning Director Unless waived by the Planning Director, the following items shall be required to constitute a complete application for a Preliminary PUD Plan

\* \* \*

5 The names and mailing addresses of the owners of ~~land~~ **record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor's Office**, located within 200 feet of the exterior boundary of the whole PUD. **The owners of no less than seventy-five (75) tax lots shall be notified of the pending land use hearing. If seventy-five (75) tax lots are not located within two-hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy-five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification area shall receive written notice; therefore, noticing of more than seventy-five (75) tax lots may be required.** The names and mailing addresses shall be typed on mailing labels and shall include the assessor map and tax lot numbers for each ~~property~~ **parcel**.

\* \* \*

7. **Documentation of pre-submittal PUD Neighborhood Meeting.** Documentation shall include:

- a. A copy of a Certificate of Mailing for the neighborhood meeting notification mailing pursuant to Section 10.235(2);
- b. A completed Verification of Neighborhood Meeting form attesting to the contents of the materials provided or reviewed at the meeting;
- c. A set of the notification materials listed in Section 10.235(A)(2); and,
- d. The signature sheet(s) from the Neighborhood Meeting.

\* \* \*

PASSED by the Council and signed by me in authentication of its passage this 19 day of November, 2009

ATTEST Glenda Owens  
City Recorder

APPROVED November 19, 2009

[Signature]  
Mayor  
[Signature]  
Mayor

NOTE Matter in **bold** in an amended section 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