PLANNING COMMISSION AGENDA

FEBRUARY 14, 2019

Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

Jared Pulver

Jeff Thomas

Regular Planning Commission meetings are held on the second and fourth Thursdays of every month

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

Public Hearing
February 14, 2019
5:30 PM
Council Chambers, City Hall, Room 300
411 West Eighth Street, Medford, Oregon

10. Roll Call

10.1 Election of Officers.

10.2 Appointments / Reappointments to the Site Plan and Architectural Commission and Transportation Commission.

20. Consent Calendar/Written Communications (voice vote)

20.1 **LDS-18-153** Final Order of a request to revise the tentative plat of Phases 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A and 7B of the "High Cedars at Cedar Landing a Planned Community". The project area is located south of Cedar Links Drive and west of Foothill Road within the SFR-4/PD (Single Family Residential four dwelling units per gross acre/Planned Development Overlay) zone. (371W16CA, TL 2200-2206, 371W16D, TL 7000-7005). Applicant: Cedar Landing Development LLC; Agent: CSA Planning Ltd.; Planner: Liz Conner.

20.2 **CUP-18-148** Final Order of a Conditional Use Permit to allow storm water facilities within the Riparian Corridor of Lone Pine Creek, located approximately 300 feet from the intersection of Delta Waters Road and Crater Lake Highway (HWY 62). (371W18AA TL 1200-1400). Applicant: Delta Waters Lenders; Agent: Bill Philp; Planner: Liz Conner.

20.3 **CUP-18-176** Final Order of a request for a Conditional Use Permit (CUP) in order to operate a temporary shelter for homeless individuals and families (Kelly Shelter) at the First United Methodist Church located at 607 West Main Street in the Commercial-Service & Professional Office (C-S/P) zoning district (372W25DA TL 200, 400, 500, 700 & 800). Applicant: Rogue Retreat; Agent: United Methodist Church; Planner: Dustin Severs.

20.4 **LDS-18-109** Determination of whether splitting Howard View Subdivision into two phases is substantially consistent with the approved tentative plat for Howard View Subdivision. The applicant is also desiring to have the full 5 years between phases with the proposed phasing plan. The approved tentative plat creates 17 residential lots, northwest of the Merriman Road and mace Road intersection. Applicant: F.B. Owen, Inc.; Agent: Richard Stevens & Associates, Inc.; Planner: Steffen Roennfeldt.

20.5 **LDS-16-131** Consideration of request for a one-year time extension of the approval of proposed tentative plat for Jordan Village a, 4-lot residential duplex subdivision on 0.9 acres, located on the east side of Columbus Ave approximately 150 feet south of Garfield

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

Street within the SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district. (372W36CD TL 400). Applicant: RNN Properties LLC; Agent: Scott Sinner Consulting, Inc.; Planner: Liz Conner.

30. Minutes

30.1 Consideration for approval of minutes from the January 24, 2019, hearing.

40. Oral and Written Requests and Communications

Comments will be limited to 3 minutes per individual or 5 minutes if representing an organization. **PLEASE SIGN IN.**

50. Public Hearings

Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**

Continuance Requests

50.1 **LDS-18-160** Consideration of a tentative plat for a six lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district, located on Roxy Ann Road directly south of Autumn Park Drive (371W23DD TL 1800). Applicant: Rita Vinatieri; Agent: Neathamer Surveying Inc.; Planner: Liz Conner. **The applicant has requested to continue this time to the Thursday, March 14, 2019 Planning Commission meeting.**

50.2 **ZC-18-189** Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400); Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs. **The applicant has requested to continue this item to the Thursday, March 14, 2019 Planning Commission meeting**.

New Business

50.3 **DCA-19-005 / CP-19-011** An update to the Land Development Code to reflect recent changes to lighting standards in the Southeast Overlay. Applicant: City of Medford; Planner: Kyle Kearns.

50.4 **CP-18-185** A Major Comprehensive Plan amendment to update the Public Facilities Element of the Medford Comprehensive Plan to reflect the updated 2018 Sanitary Sewer Collection System Master Plan as initiated by City Council on December 6, 2018 per Ordinance 2018-134. Applicant: City of Medford; Planner: Kyle Kearns.

60. Reports

60.1 Site Plan and Architectural Commission

60.2 Planning Department

70. Messages and Papers from the Chair

80. Remarks from the City Attorney

90. Propositions and Remarks from the Commission

100. Adjournment

BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF	)	
	)	**ORDER**
HIGH CEDARS AT CEDAR LANDING PLANNED UNIT DEVELOPMENT [LDS-18-153]	)	

ORDER granting approval of a request for tentative plat for *High Cedars,* described as follows:

Revise the tentative plat of Phases 5B, 6A, 6B, 7A and 7B of the "High Cedars at Cedar Landing a Planned Community". The project area is located south of Cedar Links Drive and west of Foothill Road within the SFR-4/PD (Single Family Residential four dwelling units per gross acre/Planned Development Overlay) zone. (371W16CA, TL 2200-2206, 371W16D, TL 7000-7005).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and

2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *High Cedars,* as described above, with the public hearing a matter of record of the Planning Commission on January 24, 2019.

3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and

4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat for *High Cedars,* as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *High Cedars,* stands approved per the Planning Commission Report dated January 24, 2019, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated January 24, 2019.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.202(E) Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 14th day of February, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

PLANNING COMMISSION REPORT

for a Type III quasi-judicial decision: **Land Division**

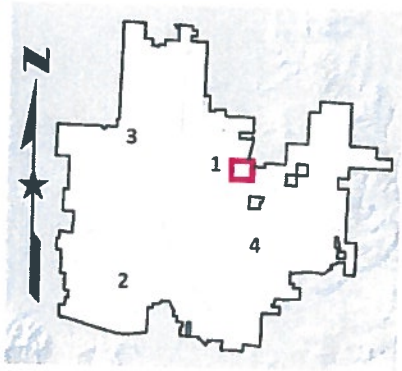
Project	High Cedars and Cedar Landing PUD, Phases 5B through 7 Applicant: Cedar Landing Development LLC; Agent: CSA Planning Ltd.
File no.	LDS-18-153
Date	January 24, 2019

BACKGROUND

Proposal

Consideration of a request to revise the tentative plat of Phases 5B, 6 and 7 of the "High Cedars at Cedar Landing a Planned Community". The project area is located south of Cedar Links Drive and west of Foothill Road within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zone. (371W16CA TL 2202 and 2203; 371W16D TL 7000-7002)

Vicinity Map



Subject Site Characteristics

Zoning	SFR-4	Single Family Residential, four dwelling units per gross acre
GLUP	UR	Urban Residential
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	SFR-4
	Use:	Single Family dwellings
South	Zone:	SFR-4
	Use:	Single Family dwellings
East	Zone:	SFR-4
	Use:	Single Family dwellings
West	Zone:	SFR-4
	Use:	Vacant/ Single Family dwellings

Related Projects

PUD-05-035	Cedar Landing PUD
LDS-05-036	Cascade Terrace Subdivision
LDS-05-037	Sky Lakes Subdivision
PUD-05-035	Termination of 5.47 acre portion of PUD for park property in 2011
LDS-13-121	Sky Lakes Village Subdivision Phases 7A & 7B
PUD-13-119	PUD Revision
E-14-059	Exception to required right-of-way dedication
PUD-14-136	PUD Revision
LDS-14-137	Sky Lakes Village Phase 1 Tentative Plat
LDS-14-138	The Village at Cedar Landing Phase 1 Tentative Plat
PUD-15-043	PUD Revision to change commercial, multi-family and condominium use south of Cedar Links to single-family residential use
LDS-15-044	176-Lot Tentative Plat for High Cedars Subdivision
SV-15-101	Street Vacation of a portion of Normil Terrace and Farmington Avenue.
LDS-15-120	Sky Lakes Village at Cedar Landing 7A Replat
PUD-16-024	PUD Revision to reconfigure the land uses within the north portion of the PUD and increase the lot coverage and establish height standards for the single family residential uses of the PUD within the south portion.

Applicable Criteria

SUBDIVISION TENTATIVE PLAT APPROVAL CRITERIA FROM SECTION 10.202(E) OF THE *MEDFORD LAND DEVELOPMENT CODE*

The Planning Commission shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:

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

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

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

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

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

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

Corporate Names

The application lists Cedar Investment Group, LLC as the owner of the subject property. As per the State of Oregon Business Registry, Eric Artner is listed as the registered agent.

ISSUES AND ANALYSIS

Project History

On April 27, 2006, the Planning Commission approved Cedar Landing Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of

existing open space. The overall project is organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43.0 ± acres), at time of plan approval, consisted of five phases, which included single-family lots, 55 and older, pad lots and common area/open space.
2. The Village at Cedar Landing (21.42 ± acres) is made up of five phases of single-family lots, condominiums, retirement facilities and common area/open space.
3. Cascade Terrace (15.4 ± acres) is comprised of two phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.
4. Sky Lakes Village (41.6 ± acres) consists of single-family residential lots and common area/open space.

Three phases of the original project have final PUD plan and plat approvals. Sky Lakes Village Phases 5, 6, and 7A have received final plat and PUD plan approvals. In addition, a request was approved to allow the termination of portions of Cascade Terrace and Sky Lakes Village. The 5.47 acre terminated portion of the project was sold to the City for use as Cedar Links Park.

In 2013, a revision to the PUD was approved which included modifications for naming, numbering, and design. In January 2015, an exception was approved for the reduction of required right-of-way dedication for Cedar Links Drive. The Planning Commission approved modifications to the street design as part of the original approval in order to preserve existing Cedar trees on the north side of Cedar Links Drive. An Exception was necessary in order to reduce the amount of right-of-way dedication.

In April 2015, the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1.

In June 2015, the Planning Commission approved a PUD and 176 lot subdivision tentative plat for the portion of the PUD south of Cedar Links Drive (PUD 15-143 and LDS-15-044). Specifically, significant revisions of the PUD included the following revisions:

- Reconfiguration of the entire south area into five phases.
- Changing all commercial, multi-family, and condominium uses to single-family detached residential use.
- Removal of the below grade pedestrian crossing at Cedar Links Drive.
- Providing a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive.
- Relocating pedestrian paths.

In July 2016, the Planning Commission approved a PUD revision PUD-16-024 that affected the portion north of Cedar Links Drive. Only one change was made to the portion South of Cedar Links Drive:

1) Allow a 55% lot coverage maximum for single-family residential units under 25 feet; units more than 25 feet in height will remain subject to zoning provision maximum lot coverage of 40%.

Current Proposal

The purpose of this subject application (LDS-18-153) is to reconfigure the street connection to Foothill Road and Tree Top Drive and eliminate the connection at Normil Terrace. This connection will be a right in, right out (RIRO) and has supporting evidence per the Traffic Impact Analysis addendum provided (Exhibit K).

In addition to the street connection the applicant is proposing to include the following revisions:

1) Eliminate the connection with Foothill Road and Normil Terrace
    a. This triggers a name change for Normil Terrace. Applicant proposed the name to be Broken Top Way.
    b. Removal of the easterly segment of Broken Top Way between Pronghorn Lane and Foothill Road.
    c. The intersection between Broken Top Way and Pronghorn Lane changes from a "T" intersection to a knuckled corner.
2) Add a 12-foot pedestrian accessway between Broken Top Way and Morning View Drive, between Lots 88 and 89 of Phase 5A and Lots 117 and 118 in Phase 6A.
3) Reduce remainder of Broken Top Way between Noble Fir Drive and Pronghorn Drive from 63 feet to 55 feet of right-of-way.
4) Create connection with Foothill Road at Tree Top Drive.
    a. Increase the right-of-way width for Tree Top Drive from 55 feet to 63 feet.
    b. Increase the right-of-way for the southerly portion of Noble Fir Drive (from Broken Top Way to Tree Top Drive) from 55 feet to 63 feet and modify the curved transition at Noble Fir Drive and Tree Top Drive from a curve to a knuckle to utilize the lands south of the streets more efficiently.
    c. Limit the turn movement at the intersection of Foothill Road and Tree Top Drive to a right-in and right-out only. The currently approved connection at Normil Terrace is a full-movement intersection.

As a result of the changes above, the following will also change:

1) Reduce the amount of open space.
2) Modify the cul-de-sac at the end of Tree Top Drive so that it becomes an extension of High Cedars Lane.
3) Provide access to the lots situated south of the aforementioned cul-de-sac by means of a Minimum Access Easement.
4) Adjust lot configurations to align with modified road alignments. The number of lots and the minimum lot sizes remain the same.
5) Adjust phase boundaries to align with the modified road and lot layouts.

6) Reduce the amount of right-of-way and public utility easement (PUE) to be dedicated and conveyed along the full frontage of Foothill Road by approximately five feet.
7) Modify the improvement cross section for Foothill Road.
8) Modify the underlying reserve Lots 97, 98 and 99 (to be implemented through separate property line adjustments).
9) Modify the cross section of High Cedars Lane in Phase 5B to eliminate the park strips, sidewalk and PUE on one side due to 15% slopes in that area.

PUD Compliance

The Cedar Landing Planned Unit Development has gone through a number of revisions, the last two being in 2015 (PUD-15-043) and 2016 (PUD-16-024). The revision from 2015 addressed the area south of Cedar Links Drive and reconfigured the access points to Foothill Road.

When the proposed tentative (LDS-18-153) plat is compared with the approved tentative plat for PUD-15-043/LDS-15-044 the following changes are noted:

	Approved PUD-15-043/LDS-15-044	Proposed LDS-18-153	Consistent with PUD
Open Space (sq. ft.)	64,290	58,666 (reduced by 5,624)	No
Number of Lots	91	91	Yes
Street Connection to Foothill Road	Normil Terrace	Tree Top Drive	Yes

Open Space

The proposed changes trigger a reduction in the open space area situated at the corner of Noble Fir Drive and Tree Top Drive. The open space area is proposed to be reduced by approximately 5,624 square feet. This equates to a reduction of approximately 0.5% to the overall open space within the PUD; the total open space is reduced from 21.3% to 20.8%.

The proposed tentative plat is not consistent with the approved PUD-15-043. There are options to revise PUD in MLDC Section 10.198(A). One option is a De Minimis Revision, which is a Planning Director decision. The standard is that a change be found to "be slight and inconsequential" and "not violate any substantive provisions of this code". In this case, open space is a significant feature of Cedar Landing PUD. It is an overall project amenity and also has a practical function as detention and water quality treatment areas. Because retaining the open space was such an important feature of the project, staff could not find that this is a "slight and inconsequential" change. If a change is not De Minimis, it must be brought before the Planning Commission as a public hearing.

The applicant is requesting that the Planning Commission acknowledge that this reduction in open space is minor and that the proposed subdivision is in conformance approved Cedar Landing PUD (Exhibit J). Should the Planning Commission find the proposal is consistent with the PUD, no further action is required by the applicant.

However, if the Planning Commission finds the proposal is inconsistent with the PUD, the applicant may either remove Lot 155 or submit an application to revise the Preliminary PUD Plan. A condition to revise the PUD to be consistent with the tentative plat prior to final plat for any of the subject phases has been included (Exhibit A).

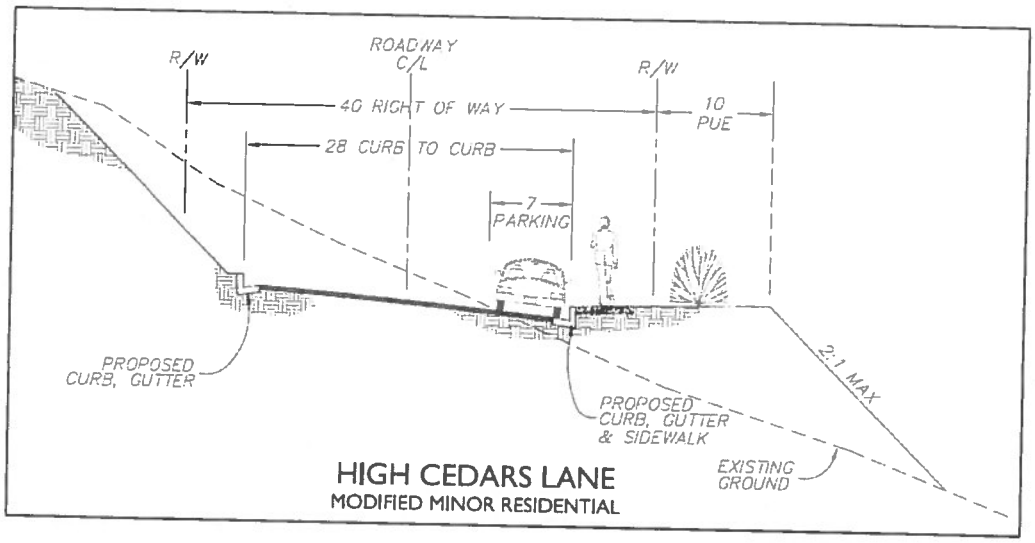
Public Improvements

Per the Public Works Report, all public improvements along Foothill Road shall comply with the MLDC. In accordance with the Planning Commission Report for PUD 05-035, Cedar Landing PUD, the Developer is required to

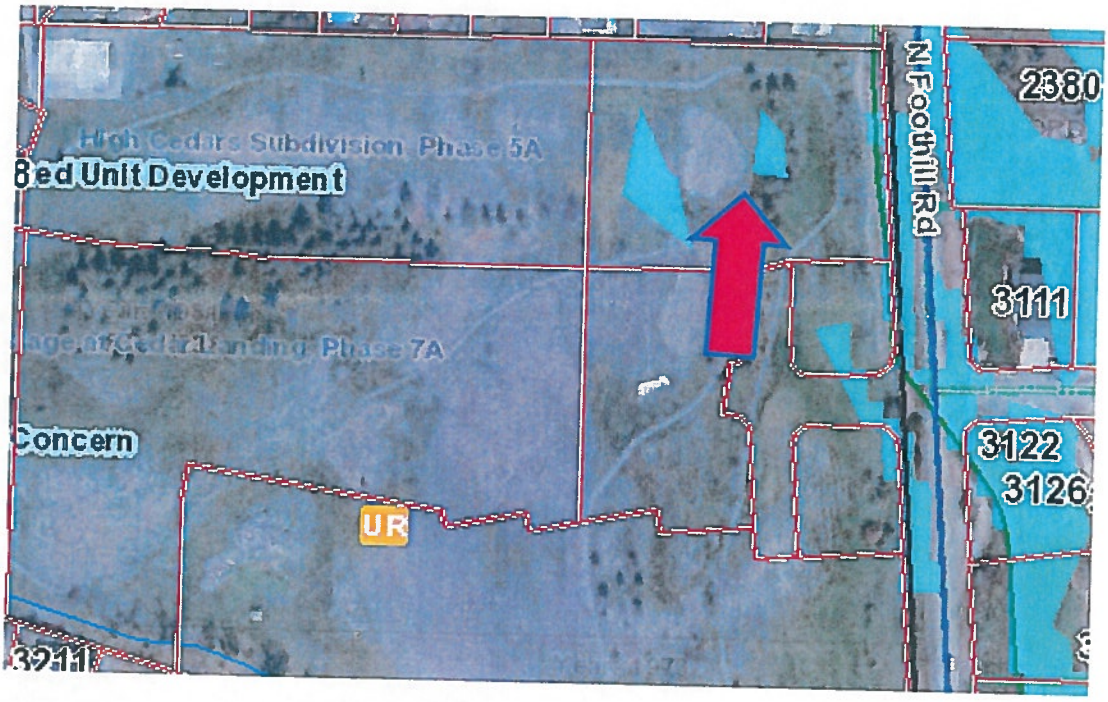
1. Prepare a final Street Tree and Commercial Area Master Plan for Cedar Landing PUD, which includes a detailed plan component for the Foothill Road Arterial Street Frontage Landscape feature that will be installed within Phase 5B, 6B and 7B of High Cedars Subdivision.
2. Include a minimum 8-foot high vertical separation feature outside of the public right-of-way along the Foothill Road frontage prior to the final plat of High Cedars Phase 5B, 6B or 7B, whichever occurs first.

Access and Circulation

The proposed tentative plat (Exhibit B) shows High Cedars Lane with a 55-foot right-of-way which complies with the Minor Residential Street standard in MLDC Section 10.130. The applicant submitted a cross-section of High Cedars Lane that is a modified minor residential lane show below. (Exhibit G)



This cross section shows a reduction in right-of-way from 55 feet to 40 feet and the elimination of the park strips, sidewalks and Public Utility Easement (PUE) on one side only. The applicant requests the reduction in accordance with the Hillside Ordinance which allows modifications to public street improvement standards for areas with slopes in excess of 15%. (MLDC 10.931[E][3]) The Hillside Ordinance map shows a small area that is restricted to Phase 5B in the vicinity of the connection of High Cedars Lane and Sky Way. (Exhibit I)



The slope map does not show steep slopes along High Cedars Lane in any other phase of this development. A condition of approval has been included to restrict the reduction of right-of-way to the portion of High Cedars Lane within Phase 5B pursuant to MLDC 10.931(E)(3).

Discussion: The applicant has requested that the modification to the cross section of High Cedars Lane be permitted in 5B and 6B. The Planning Commission asked the City Engineer if the cross section should be allowed in the additional phases. The City Engineer stated that the required material for the Hillside Ordinance was not submitted, and without that information he cannot tell the Planning Commission where the slopes are exceeding 15%.

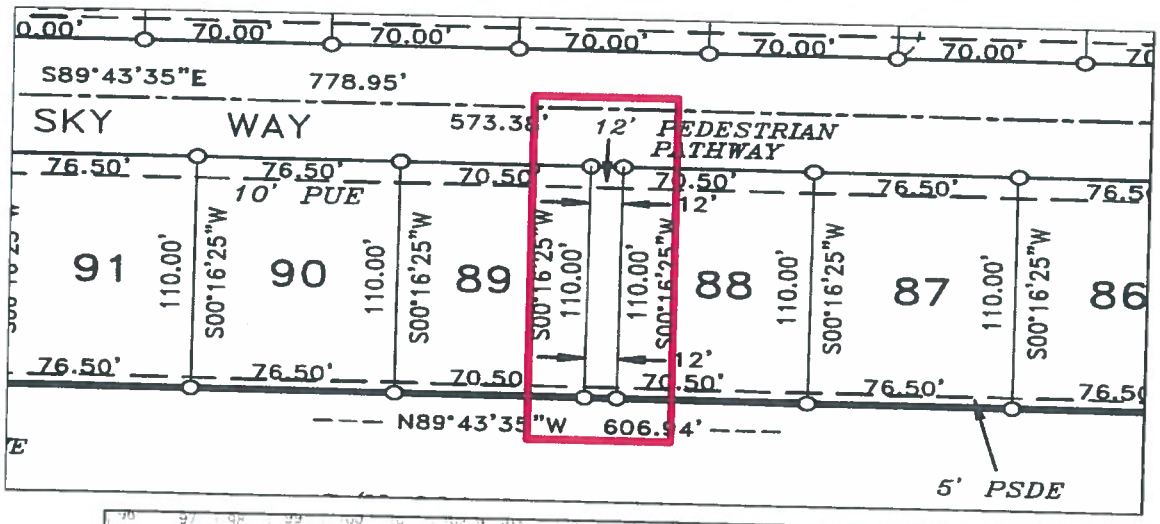
Staff made the recommendation to allow the modified cross section in Phase 5B without the analysis because the Hillside Ordinance map does show that slopes

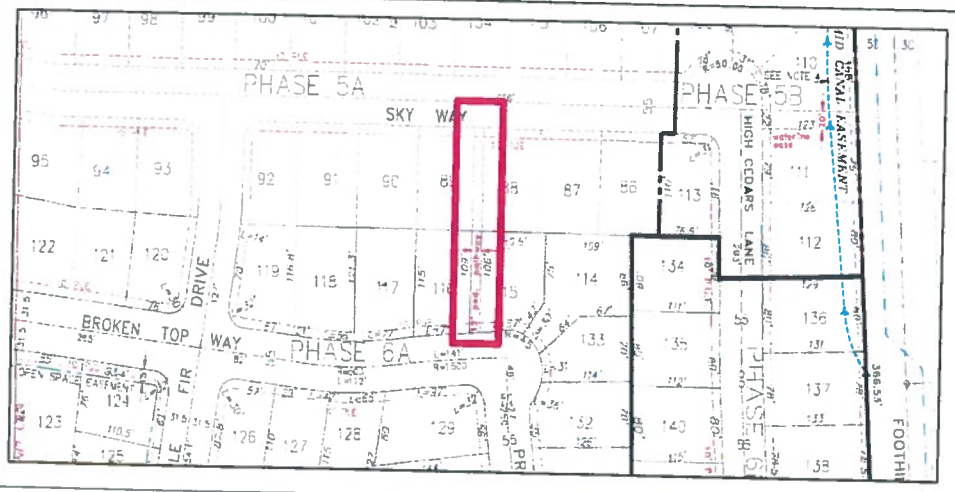
exceeding 15% are only within Phase 5B. To allow a modification anywhere else without an analysis would require an exception application.

Decision: The Planning Commission decided that the applicant may submit a slope analysis and information in the areas that exceed 15% slopes or meets the Hillside Ordinance requirements. If the analysis meets the Hillside Ordinance requirements then a modified cross section shall be permitted. If the analysis fails to meet the Hillside Ordinance requirements then a standard cross section shall be required.

Block Length

The proposed tentative plat generally meets the block length requirements in MLDC 10.426 (Exhibit B). To ensure compliance with this section the applicant is proposing a 12-foot pedestrian access way connecting Sky Way and Normil Terrace between Lots 115 and 116 in Phase 6A and between Lots 88 and 89 in Phase 5A. Per the applicant's findings the path north is in lieu of a steeper extension east of Broken Top Way. (Exhibit J) The accessway is proposed in the final plat of Phase 5A between Lots 88 and 89 as depicted below. Phase 5A is currently in final plat review and is not a part of the subject application.

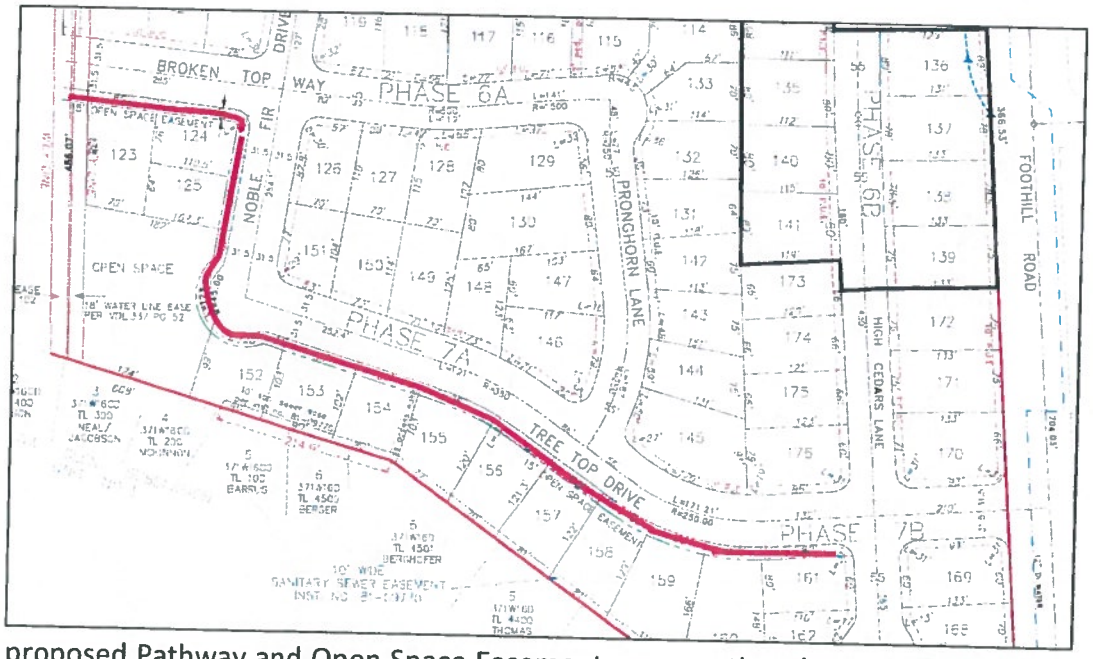




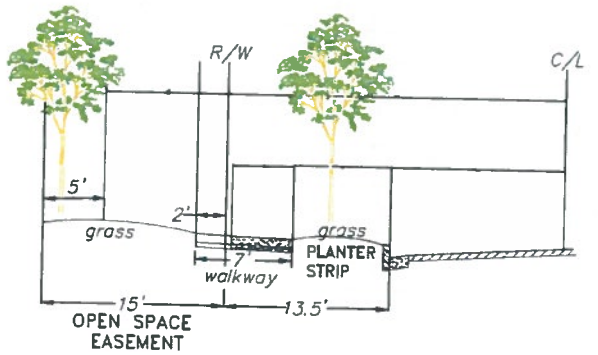
Per the Public Works report (Exhibit L), the entire length of the proposed public Accessway shall be included in Phase 6A public improvement plans. A condition to comply with the Public Works report has been included (Exhibit A).

Pedestrian Pathway

The applicant is requesting approval of the relocation of the pathway as depicted on the tentative plat (Exhibit B). The pathway is proposed to be along the front of Lots 123-125 on Broken Top Way and Nobile Fir Drive, and Lots 152-161 on the southern portion of Tree Top Drive.



The proposed Pathway and Open Space Easement cross section shown on the tentative plat is included below (Exhibit B).



TYPICAL SECTION
PATHWAY & OPEN SPACE EASEMENT

Per the Medford Parks & Recreation memo (Exhibit P) the proposed location and cross section was approved pursuant to an implementation and maintenance agreement for the entire Cedar Landing Development. The pathway shall make a connection to Foothill Road along the frontage of Lot 169. A condition to comply with the Medford Parks and Recreation requirements has been included (Exhibit A).

Facility Adequacy

Per the agency comments submitted to staff (Exhibits L-Q), it can be found that there are adequate facilities to serve the proposed development.

Other Agency Comments

Jackson County Roads Department (Exhibit R)

The Jackson County Roads Department submitted a letter requesting that construction drawings and hydraulic reports and drainage plans be submitted to Jackson County Roads for review to determine if any permits are required to be obtained. A condition to comply with the Jackson County Roads requirements has been included (Exhibit A).

Committee Comments

No comments were received from committees such as BPAC.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit J) and recommends the Commission adopt the findings as presented.

ACTION TAKEN

The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of LDS-18-153 per the staff report dated January 17, 2019, including Exhibits A through T, replacing Exhibit L with Exhibit L-1, determination on the reduction in open space is De Minimis, and the applicant provide the information that shows the slopes in the area exceeds the 15% or meets the Hillside Ordinance requirement then staff could find their proposal to include the modified cross-section from 5B down to 6B would be included.

EXHIBITS

A-1 Conditions of Approval, dated January 24, 2019

B. Tentative Plat received January 17, 2019
C. Conceptual Grading and Drainage Plan received October 18, 2018
D. Conceptual Utility Plan received October 18, 2018
E. Foothill Road Conceptual plan & Profile received October 18, 2018
F. Retaining Wall Detail with Foothill Road cross section received January 15, 2019
G. High Cedars Lane Cross Section modified minor residential received January 15, 2019
H. Proposed Phase 5A Final Plat received January 15, 2019
I. Hillside Ordinance Map excerpt adopted May 9, 2009

J. Applicant's findings and conclusions received January 17, 2019
K. Traffic Analysis dated January 2, 2019
L-1 Public Works Report received January 24, 2019
M. Medford Fire Department report received December 5, 2018
N. Medford Building Department memo received December 5, 2018
O. Address Technician correspondence dated December 4, 2018
P. Medford Parks and Recreation memo dated January 16, 2019
Q. Medford Water Commission staff memo dated December 5, 2018
R. Jackson County Roads comments received November 26, 2018
S. Photos from James Garner received December 27, 2018
T. Maps from PUD-15-043/LDS-15-044
Vicinity map

MEDFORD PLANNING COMMISSION

_____

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA:

DECEMBER 27, 2018
JANUARY 10, 2019
JANUARY 24, 2019
FEBRUARY 14, 2019

EXHIBIT A-1

High Cedars Revised Tentative Plat
5B, 6A, 6B, 7A, 7B
LDS-18-153
Conditions of Approval
January 24, 2019

All conditions of the Preliminary PUD plan approval (PUD-05-035) are still in effect, other than those modified by this revision request.

DISCRETIONARY CONDITIONS

1. The Planning Commission accepts the stipulations in the applicant's findings of facts dated January 3, 2019 (Exhibit J)

Prior to Final Plat approval of any phase the applicant shall:

2. Allow applicant to provide required Hillside Ordinance requirements and shall comply with MLDC 10.931 for modified cross sections within Phases 5B and 6B.
3. Revise the PUD to be consistent with this proposed tentative plat (LDS-18-153).
4. Include the entire length of the public Accessway in the public improvement plans for Phase 6A.

CODE CONDITIONS

5. Comply with the Public Works Department Report dated January 17, 2019 (Exhibit L)
6. Comply with the Medford Fire Department Report, prepared December 5, 2018 (Exhibit M).
7. Comply with the Address Technician Memo, dated December 4, 2018 (Exhibit O).
8. Comply with the Medford Parks and Recreation memo dated January 16, 2019 (Exhibit P)
9. Comply with the Water Commission Staff Memo dated December 5, 2018 (Exhibit Q).
10. Comply with the Jackson County Roads Department Correspondence, dated November 28, 2018 (Exhibit R).

Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 12/5/2018
Revised 1/23/2019
File Number: LDS-18-153
(Reference: LDS-15-044 (revision), PUD 15-043/LDS-15-044, PUD-14-136, LDS-14-137, LDS-14-138 and LDS-13-121)

PUBLIC WORKS DEPARTMENT STAFF REPORT

HIGH CEDARS SUBDIVISION PHASE 5A-7B – Replat
Cedar Landing PUD

Project: Consideration of a request to replat Phases 5A, 5B, 6A, 6B, 7A and 7B of the "High Cedars at Cedar Landing a Planned Community".

Location: The project area is located south of Cedar Links Drive and west of Foothill Road within the SFR-4/PD (Single Family Residential four dwelling units per gross acre/Planned Development Overlay) zone. (371W16CA, TL 2200-2206, 371W16D, TL 7000-7005).

Applicant: Applicant: Cedar Landing Development LLC; Agent: CSA Planning Ltd.; Planner: Liz Conner.
Related Applications: PUD-16-024, LDS-16-025, LDS-16-026, LDS-16-027

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. Planning Commission granted approval of a request for tentative plat approval of Sky Lakes Village Subdivision Phases 7A and 7B on February 27, 2014. An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). Request for a revision to the Cedar Landing PUD and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5 was approved by the Planning Commission on June 11, 2015 (PUD-15-043/LDS-15-044). Request for a 176-lot residential subdivision tentative plat revision, approved under application number LDS-15-044, for the purpose of modifying phase boundaries and amending underlying reserve lots was approved by the Planning Commission on April 14, 2016. The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

The following items shall be completed and accepted prior to the respective events under which they are listed:

- Approval of Final Plat:
  Right-of-way, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)
- Issuance of first building permit for residential construction:
  Construction of public improvements (Items A through E)
- Issuance of Certificates of Occupancy for individual units:
  Sidewalks (Items A2)

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CITY OF MEDFORD
EXHIBIT # L-1
File # LDS-18-153

A. STREETS

1. Dedications

Foothill Road is an existing County road, which lies along the easterly boundary of the portion of Cedar Landing PUD, which is south of Cedar Links Drive. It is classified as a major arterial street, which has a required total right-of-way width of 100-feet, or 50 feet on each side of the centerline along the frontage of the proposed Development, in accordance with the MLDC, Section 10.428. The necessary right-of-way was previously dedicated as part of the final plat for "Sky Lakes Village at Cedar Landing, Phase 7A". **No other right-of-way is needed with this Development.**

Noble Fir Drive (south of Broken Top Way), Broken Top Way (west of Noble Fir Drive) and Tree Top Drive are proposed as Standard Residential Streets within the Medford Land Development Code (MLDC) 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the full width of right-of-way, which is 63-feet.

On the plat of "Sky Lakes Village at Cedar Landing, Phase 7A", right-of-way for High Cedars Lane and Normil Terrace was dedicated to provide access to Developer Lots. This proposed revised tentative plat for High Cedars Subdivision will necessitate vacating portions of the existing right-of-way and dedicating new areas. This can be done in several ways, but the timing of any vacations must be coincident with dedicating new right-of-way so that Lot 98 (Phase 7A) will always have right-of-way width available to its boundary. The final platting of High Cedars Phase 5A will satisfy this condition. Lots 97 and 98 of Phase 7A shall not have direct access to Foothill Road, but shall take access from Lot 99 (Phase 7A).

High Cedars Lane, Sky Way, Broken Top Way (east of Noble Fir Drive) and Pronghorn Lane are each proposed as Minor Residential streets with a right-of-way width of 55-feet in accordance with MLDC Section 10.430. The 'Knuckles and Cul-de-sac' shown shall also be dedicated with a minimum of a 45-foot radius to the right-of-way line per MLDC 10.450. **The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat.**

High Cedars Lane right-of-way and PUE may be altered in accordance with the Hillside Ordinance, MLDC 10.931, as illustrated on Exhibit 11, High Cedars Lane Modified Minor Residential, only within Phase 5B.

Corner radii shall be provided at the right-of-way lines of all intersecting streets per MLDC 10.445.

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall

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automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

Public Utility Easements, 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471).

The right-of-way and easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

The Developer shall provide a pedestrian easement for any portion of a public sidewalk or pathway that is located outside of the public right-of-way and is not classified as a public accessway (MLDC 10.464).

2. **Public Improvements**

   a. **Public Streets**

Foothill Road, adjacent to this development, shall be improved to Major Arterial Street Standards in accordance with the MLDC, Section 10.428. The developer shall improve the west half plus to the existing edge of pavement, east of the centerline along the entire frontage of this development. The improvements shall be completed with High Cedars Phase 5B, 6B or 7B, whichever occurs first.

As an option, the Developer may elect to provide evidence of the existing structural section to Public Works for consideration in order to determine if the extent of construction may be reduced. Depending on the results, the Developer still may be responsible for the improvements noted above or at minimum improve the remainder of street from a point 1-foot inside the existing edge of pavement.

The Applicant has proposed a modified cross section for Foothill Road, as shown on Exhibit 'F', page 57 of the Planning Agenda packet. This modification will require a partial vacation of public right-of-way along the entire frontage of this development. If the vacation is approved by City Council, then the Developer shall construct these public improvements as shown on the exhibit, which include a 4-foot planter strip with a 5-foot sidewalk on the west side of Foothill Road. If the vacation is not approved, then the improvements shall be constructed as noted above.

The Developer shall receive Street System Development Charge credits for the public improvements on Foothill Road per the value established by the Medford Municipal Code,

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Section 3.815.

In accordance with the Commission Report for PUD-05-035, Cedar Landing PUD, the Developer is required to:

1. Prepare a final Street Tree and Commercial Area Master Plan for Cedar Landing PUD, which includes a detailed plan component for the Foothill Road Arterial Street Frontage Landscape feature that will be installed within Phase 5B, 6B and 7B of High Cedars Subdivision.
2. Include a minimum 8-foot high vertical separation feature along the Foothill Road frontage prior to the final plat of High Cedars Phase 5B, 6B or 7B, whichever occurs first. The vertical separation feature shall be located outside of the public right-of-way.

Noble Fir Drive (south of Broken Top Way), Broken Top Way (west of Noble Fir Drive) and Tree Top Drive shall be constructed to Standard Residential street standards, in accordance with MLDC 10.430.

High Cedars Lane, Sky Way, Noble Fir Drive (north of Broken Top Way), Broken Top Way (east of Noble Fir Drive) and Pronghorn Lane shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430.

High Cedars Lane improvements may be altered in accordance with the Hillside Ordinance, MLDC 10.931, as illustrated on Exhibit 11, High Cedars Lane Modified Minor Residential, only within Phase 5B.

In the areas where the Developer has proposed the Pathway and Open Space Easement to be adjacent to the public right-of-way and in accordance with the Planning Commission's prior decision the Developer shall provide a 7-foot wide sidewalk.

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC). Based on the preliminary plan submitted, the following number of street lights and signage will be required:

<u>Street Lighting – Developer Provided & Installed</u>

A. 8 – A-310
B. 23 – R-100

Note – Multiple BMCs if Pedestrian Lighting is installed. Load/Conduit/Voltage Drop calculations would be required.

<u>Traffic Signs and Devices – City Installed, paid by the Developer</u>

A. 8 – Street Name Signs
B. 1 – Stop Sign
C. 1 – Speed Sign

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Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request. All street lights shall be operating and turned on at the time of the final "walk through" inspection by the Public Works Department.

The Developer shall pay for City installed signage required by the development. City installed signs include, but are not limited to, street name signs, stop signs, speed signs, school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer's contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to remove any existing signs and place new signs provided the Developer.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along the respective frontages. However, Sky Way is currently under construction.

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

The Developer's Engineer shall obtain a soils report to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development. The soils report shall be completed by a licensed Geotechnical Engineer in the state of Oregon.

e. Access and Circulation

No Lot or Parcel platted with Phase 5B, 6B or 7B shall be allowed to take direct access to Foothill Road.

The entire length of the proposed public Accessway between Sky Way and Broken Top Way

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shall be included as part of the public improvements for Phase 6A and be built in conformance with MLDC 10.464 through 10.466.

Public Works received a Transportation Impact Analysis (TIA) letter from Southern Oregon Transportation Engineering LLC, dated January 2, 2019, titled "Cedar Landing PUD Foothill Road Right-in Right-out Access Site Modification". This is an addendum to the TIA for PUD-05-035, titled "Cedar Landing PUD".

The 2005 analysis evaluated Foothill Rd for a full movement access at Farmington Drive and a right out only access further south on a local street. The 2019 analysis evaluated the impacts of combining the traffic movement from two previous Foothill Road access points into a single proposed right-in right-out (RIRO) access and any rerouting that occurs. The analysis finds that there are adequate transportation facilities to serve the proposed development with the proposed changes. It also found that there is adequate sight distance at the proposed RIRO access point. Public Works concurs with the findings of the TIA.

The TIA offered that the applicant would be willing to stripe an interim southbound right turn lane at the intersection of Tree Top Drive and Foothill using space from the bike lane and a hatched area. This detail is not part of the planning approval and will be determined at the time of Public Improvement Plan submittal.

f. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes which are not constructed or existing within a street section.

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

To support a condition of development that an applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

10.668 Limitation of Exactions

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless:

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so

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that the exaction will not result in a taking of private property for public use, or
(2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. **Nexus to a legitimate government purpose**

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, and pedestrians. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

2. **Rough proportionality between the dedications and improvements, and the impacts of development.**

No mathematical formula is required to support the rough proportionality analysis. It has been described as comparing apples to oranges. Further, we are allowed to consider the benefits to the development from the dedication and improvements when determining "rough proportionality."

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

Foothill Road is classified as a Major Arterial street per the adopted Circulation Plan. Foothill is the Foothill Road is the primary connector to Cedar Links Drive and Lone Pine Road from the development. As a Major Arterial, Foothill Road will have one travel lane in each direction, a center-turn median, bike lanes in each direction, and sidewalks. It will provide safe travel for vehicles, bicycles, and pedestrians. As a higher order streets, it is eligible for street SDC credits for both the right-of-way and roadway improvements, per MMC, Section 3.815 (5). Street SDC credits offset costs to the Developer and is the mechanism provided by the City of Medford to fairly compensate the applicant for the excess burden of dedicating for and constructing higher order streets.

Noble Fir Drive, Broken Top Way, Tree Top Drive, High Cedars Lane, Sky Way, Normal Terrace and Pronghorn Lane: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications. The proposed development has 102 dwelling units and will improve approximately 4,510 lineal feet of roadway which equates to 44.2 lineal feet per dwelling unit. Also the development will dedicate approximately 252,370 square feet of right-of-way which equates to approximately 2,474 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was pervious phases of Summerfield Subdivision located between Stanford and Lone Oak and Cherry Lane and Shamrock and consisted of 152 dwelling units. The pervious

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development improved approximately 7,530 lineal feet of roadway and dedicated approximately 425,230 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 49.5 lineal feet of road per dwelling unit and approximately 2,800 square feet of right-of-way per dwelling unit.

a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 102 Lots within the City of Medford and increase vehicular traffic by approximately 962 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development. There is also sufficient space for on-street parking.

b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.

c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.

d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in previous developments in the vicinity to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer shall provide one service lateral to each platted lot prior to approval of the Final Plat.

Public sanitary sewer mains shall be extended on their courses to the exterior boundaries of this subdivision, such that future development can extend service without having to excavate back into the improvements provided by this subdivision.

C. STORM DRAINAGE

1. Hydrology

The Design Engineer shall provide an investigative report of the off-site drainage on the

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subdivision perimeter, a distance not less than 100-feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Each phase will be required to have its own stormwater detention and water quality treatment. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate stormwater detention and water quality treatment. The Stormdrain Masterplan shall be submitted and reviewed with each phase's construction plans and shall be constructed with any phase to be served by the facility.

Upon completion of the project, the Developer's design Engineer shall provide written certification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

The City is responsible for operational maintenance of the public detention facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer or a Home Owners Association (HOA). The Developer's Engineer shall provide an operations and maintenance manual for the facility that addresses responsibility for landscape maintenance prior to subdivision acceptance. Regarding water quality maintenance, the Rogue Valley Stormwater Quality Design Manual states: "Vegetation shall be irrigated and mulched as needed to maintain healthy plants with a density that prevents soil erosion."

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

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4. Mains and Laterals

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing a private drain line, including a tee at the low point of each lot to provide a storm drain connection. All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each tax lot prior to approval of the Final Plat.

5. Drainage Channel

The Developer shall dedicate a public drainage easement along the existing drainage channel that runs along the southerly boundary of the property. The easement shall be a maximum of 20-feet on each side of the centerline or to the City Engineer's satisfaction.

6. Erosion Control

Subdivisions of one acre and greater require a run-off and erosion control permit from DEQ. The approved permit must be submitted to the Engineering Division prior to public improvement plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. All disturbed areas shall have vegetation cover prior to final inspection/"walk-through" for this subdivision.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to the final "walk-through" inspection of the public improvements by City staff.

The tentative map shall depict the area as presently configured, including the existing lots (remainder of lots 96, 97, 98 & 99 per final plat for Phase 7A as shown on survey number 22140) and roads (Normil Terrace per survey number 22140) along with showing what is proposed.

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

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2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a Professional Engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (http://www.ci.medford.or.us/Page.asp?NavID=3103). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

Please Note: If Project includes one or more Minor Residential streets, an additional Site Plan shall be submitted, noting and illustrating, one of the following design options to ensure fire apparatus access per MLDC 10.430(2):

- Clustered driveways,
- Building to have sprinklers,
- 33-foot paved width.

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of the Final Inspection (walk through). Also, the Engineer shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

3. Phasing

The Tentative Plat shows that this subdivision will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

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4. Draft of Final Plat

The Developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

5. Permits

Building Permit applications for vertical construction shall not be accepted by the Building Department until the Final Plat has been recorded, and a "walk through" inspection has been conducted and approval of all public improvements as required by the Planning Commission has been obtained for this development.

Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a Professional Engineer.

6. System Development Charges (SDC)

Buildings in this development are subject to SDC fees. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges, the Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24 inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development charge shall be collected at the time of the approval of the final plat

7. Construction and Inspection

Contractors proposing to do work on public streets, sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit to perform from the County.

For City of Medford facilities, the Public Works Maintenance Division requires that public sanitary sewer and storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

Where applicable, the Developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

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SUMMARY CONDITIONS OF APPROVAL

HIGH CEDARS SUBDIVISION PHASE 5A-7B – Replat LDS-18-153

Cedar Landing PUD – Applicability of previously adopted conditions of approval remains in effect. See full report.

A. Streets

1. **Street Dedications to the Public:**
   - **Foothill Road** – No additional right-of-way is required.
   - Dedicate full width right-of-way on **Noble Fir Drive, Broken Top Way, Tree Top Drive, High Cedars Lane, Sky Way**, and **Pronghorn Lane.**
   - "Knuckles" and Cul-de-sac dedicate 45-foot radius.
   - Dedicate 10-foot public utility easements (PUE).

2. **Improvements:**

Public Streets

- Construct **Foothill Road** to Major Arterial street standards or as otherwise approved. Construct the west half plus to the far edge of pavement, east of centerline.
- Prepare final Street Tree Mater Plan for Foothill Road frontage.
- Construct 8-foot high vertical separation along Foothill Road frontage, located outside of the public right-of-way.
- Construct **Noble Fir Drive (south of Broken Top Way), Broken Top Way (west of Noble Fir Drive) and Tree Top Drive** to Standard Residential Street standards.
- Construct **High Cedars Lane, Sky Way, Broken Top Way (east of Noble Fir Drive) and Pronghorn Lane** to Minor Residential Street standards.

Lighting and Signing

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.

Access and Circulation

- Comply with MLDC 10.426. Provide a public accessway in conformance with MLDC 10.464 through 10.466.

Other

- There is no pavement moratorium in effect along the respective frontages.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Developer installs public mains to serve lots and provides a private service lateral constructed to each lot prior to Final Plat.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide Engineers certification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide ditch easement.
- Provide Erosion Control Permit from DEQ.

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D. Survey Monumentation

- Provide all survey monumentation.
- Tentative plat to show existing developer lots and right-of-way.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
- Additional Site Plan to ensure fire apparatus access per MLDC 10.430(2) if project includes Minor Residential streets.

▪ = City Code Requirement
o = Discretionary recommendations/comments

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.

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BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE CUP-18-148 APPLICATION FOR A)
CONDITIONAL USE PERMIT SUBMTTED BY DELTA WATERS LENDERS LLC) **ORDER**

ORDER granting approval of a request for a conditional use permit for *Delta Waters Lenders LLC,* described as follows:

Allow storm water facilities within the Riparian Corridor of Lone Pine Creek, located approximately 300 feet from the intersection of Delta Waters Road and Crater Lake Highway (HWY 62). (371W18AA TL 1200-1400).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.184; and,

2. The Medford Planning Commission has duly held a public hearing on the matter of an application for a conditional use permit for *Delta Waters Lenders LLC,* as described above, with a public hearing a matter of record of the Planning Commission on January 24, 2019.

3. At the public hearing on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and,

4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a conditional use permit for *Delta Waters Lenders LLC,* as described above.

THEREFORE LET IT BE HEREBY ORDERED that the application for *Delta Waters Lenders LLC,* as described above, stands approved in accordance per the Planning Commission Report dated January 24, 2019.

AND LET IT FURTHER BE OF RECORD that the action of the Planning Commission in approving this request for *Delta Waters Lenders LLC,* as described above, is hereafter supported by the findings referenced in the Planning Commission Report dated January 24, 2019.

Accepted and approved this 14th day of February, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

PLANNING COMMISSION REPORT

for a Type III quasi-judicial decision: **Conditional Use Permit**

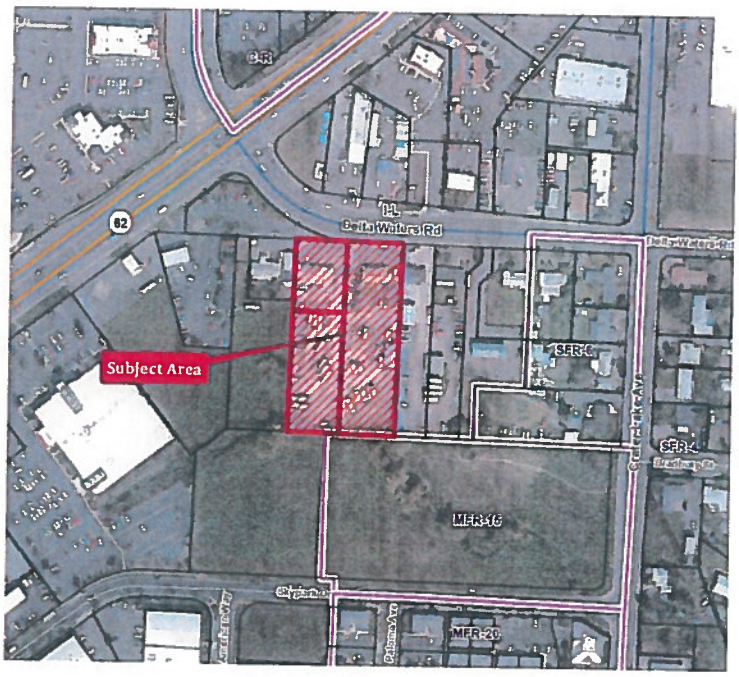
Project	Delta Waters Self Storage Applicant: Delta Waters Lenders, LLC; Agent: Bill Philp
File no.	CUP-18-148
Date	January 24, 2019

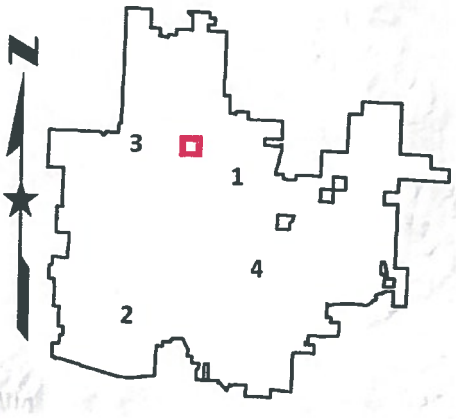
BACKGROUND

Proposal

A Conditional Use Permit to allow storm water facilities within the Riparian Corridor of Lone Pine Creek, located approximately 300 feet from the intersection of Delta Waters Road and Crater Lake Highway (HWY 62) 1884-1862 Delta Waters Road (371W18AA TL 1200-1400).

Vicinity Map





Subject Site Characteristics

Zoning	I-L	Light Industrial
GLUP	GI	General Industrial
Use	Outdoor RV Storage/Office	

Surrounding Site Characteristics

North	Zone:	I-L
	Use:	Stove, Pool and Sauna sales
South	Zone:	I-L, MFR-15 (Multi Family Residential – 15 dwelling units per gross acre)
	Use:	Vacant
East	Zone:	I-L
	Use:	Curtius-Huntley Plumbing
West	Zone:	I-L
	Use:	Custom fabrication shop

Related Projects

PA-17-055	Pre-Application
GF-18-096	Riparian Corridor Reduction
AC-18-147	Self-Storage Facility

Applicable Criteria

CONDITIONAL USE PERMIT APPROVAL CRITERIA

FROM SECTION 10.184(C) OF THE *MEDFORD LAND DEVELOPMENT CODE*

(1) The Planning Commission must determine that the development proposal complies with either of the following criteria before approval can be granted.

(a) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

(b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the Planning Commission to produce a balance between the conflicting interests.

(2) In authorizing a conditional use permit the Planning Commission may impose any of the following conditions:

(a) Limit the manner in which the use is conducted, including restricting the time an activity may occur, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

(b) Establish a special yard or other open space or lot area or dimension requirement.

(c) Limit the height, size, or location of a building or other structure.

(d) Designate the size, number, location, or nature of vehicle access points.

(e) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.

(f) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading areas.

(g) Limit or otherwise designate the number, size, location, height, or lighting of signs.

(h) Limit the location and intensity of outdoor lighting, or require its shielding.

(i) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.

(j) Designate the size, height, location, or materials for a fence.

(k) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

Corporate Names

Patrick Huycke is listed as the Registered Agent for Delta Waters Lenders, LLC. according to the Oregon Secretary of State Business Registry.

ISSUES AND ANALYSIS

Background

The subject site is made up of three parcels located on Delta Waters Road between Crater Lake Avenue and Highway 62. The site is currently developed and is used as a graveled RV storage lot.

Lone Pine Creek runs along the southern boundary of the site with a mapped floodplain and riparian corridor. In August of 2018 the applicant requested a reduction in the riparian corridor for Lone Pine Creek. The Planning Director approved a 25 foot reduction along Lone Pine Creek along tax lots 1200 and 1400 (Exhibit J).

Stormwater Facility

As mentioned previously, the subject site abuts Lone Pine Creek that has a mapped floodplain and riparian corridor. Per the site plan (Exhibit C), the applicant proposes to locate their stormwater facility within the riparian corridor. MLDC Section 10.925(1)

permits water-related or water-dependent uses such as drainage facilities as conditional uses. The applicant concurrently applied for a Site Plan and Architectural Review (AC-18-147) for a self-storage facility. This application AC-18-147 is scheduled for hearing before the Site Plan and Architectural Commission on January 18, 2019. That application AC-18-147 has a condition of approval that reads:

Prior to the issuance of a building permit for vertical construction, the applicant shall obtain approval for the Conditional Use Permit application CUP-18-148 for stormwater facilities within the Riparian Corridor.

Riparian Planting Plan (Exhibit B)

The applicant has provided a Riparian & Detention planting plan that details the planting requirements for the irrigated detention swale. This plan was approved by the Oregon Department of Fish and Wildlife (ODFW) with the Riparian Corridor reduction staff report (Exhibit J). A condition of approval has been included to comply with the planting plan submitted (Exhibit A).

Floodplain

The subject site has obtained a Letter of Map Amendment (LOMA) for a portion of the property (Exhibit K). Per the exhibit map submitted with the LOMA the floodplain was removed on the property except in the portion noted.

Per the site plan (Exhibit C), the mapped floodplain does not contain vertical construction.

Public Works Report (Exhibit L-1)

The Public Works report requires the following conditions be applied for the storm water facility:

> Developer shall make improvements to their side of Lone Pine Creek to convey the 25-year storm with one foot of freeboard, or provides calculations showing this condition now exists.
>
> Developer shall provide a 25-foot easement for Lone Pine Creek measured from the centerline of the Creek.
>
> Developer shall provide riparian plantings meeting Oregon Department of Fish and Wildlife (ODFW) standards within the Creek easement.

A condition of approval to comply with the Public Works Staff report has been included (Exhibit A).

Decision: The Public Works department agreed to reduce the easement request along Lone Pine Creek to 25 feet from 30 feet. The Commission acknowledged the reduction.

Agency Comments

The comments received from Medford Fire, Medford Building, City Surveyor, Medford Water Commission, Jackson County Roads and the Jackson County Airport are related to the Site Plan and Architectural Commission application AC-18-147. The reports included are for information.

No other issues were identified by staff.

Criteria Compliance

The Planning Commission can find that the proposal is consistent with MLDC Section 10.184(C)(1)(a).

> *The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.*

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit H) and recommends the Commission adopt the findings as presented.

ACTION TAKEN

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of CUP-18-148 per the staff report dated January 17, 2019, including Exhibits A through R.

EXHIBITS

A-1 Conditions of Approval, dated January 24, 2019
B. Riparian Planting Plan received October 4, 2018
C. Site Plan received October 4, 2018
D. Conceptual grading and drainage plan received October 4, 2018
E. Conceptual Utility Plan received October 4, 2018
F. Exhibit Map for Letter of Map Amendment received October 4, 2018
G. Assessors Map Received October 4, 2018
H. Applicants findings and conclusions received October 4, 2018
I. Oregon Department of Fish and Wildlife correspondence received October 4, 2018
J. Riparian Corridor Reduction Staff report and approval dated August 22, 2018
K. Letter of Map Amendment received October 4, 2018
L-1 Public Works report dates January 28, 2018
M. Medford Fire Department report dated November 21, 2018

N. Medford Building Department Memo dated November 20, 2018
O. City of Medford Surveyor comments received November 15, 2018
P. Medford Water Commission memo dated November 21, 2018
Q. Jackson County Roads letter dates November 16, 2016
R. Jackson County Airport email received November 13, 2018
Vicinity map

MEDFORD PLANNING COMMISSION

_____

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA: **JANUARY 24, 2019**
FEBRUARY 14, 2019

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 11/21/2018
Commission Update: 1/28/2019
File Number: CUP-18-148
Reference: PA-17-055

PUBLIC WORKS DEPARTMENT STAFF REPORT
1862/1884 Delta Waters Road
Self-Storage Units

Project: **A Conditional Use Permit to allow storm water facilities within the Riparian Corridor of Lone Pine Creek.**

Location: **Located approximately 300 feet from the intersection of Delta Waters Road and Crater Lake Highway (HWY 62) (371W18AA TL 1200-1400).**

Applicant: **Delta Waters Lenders; Agent; Bill Philp; Planner: Liz Conner.**

Storm Drainage Conditions

Developer shall make improvements to their side of Lone Pine Creek to convey the 25-year storm with one foot of freeboard, or provide calculations showing this condition now exists.

Developer shall provide a 25-foot easement for Lone Pine Creek measured from the centerline of the Creek. The easement shall provide for creek maintenance and riparian planting.

Developer shall provide riparian plantings meeting Oregon Department of Fish and Wildlife (ODFW) standards within the Creek easement.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs
Revised by: Doug Burroughs

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CITY OF MEDFORD
EXHIBIT # L-2
FILE # CUP-18-148

BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE CUP-18-176 APPLICATION FOR A)
CONDITIONAL USE PERMIT SUBMTTED BY ROGUE RETREAT) **ORDER**

ORDER granting approval of a request for a conditional use permit for *Rogue Retreat,* described as follows:

Operate a temporary shelter for homeless individuals and families (Kelly Shelter) at the First United Methodist Church located at 607 West Main Street in the Commercial-Service & Professional Office (C-S/P) zoning district (372W25DA TL 200, 400, 500, 700 & 800).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.184; and,

2. The Medford Planning Commission has duly held a public hearing on the matter of an application for a conditional use permit for *Rogue Retreat,* as described above, with a public hearing a matter of record of the Planning Commission on January 24, 2019.

3. At the public hearing on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and,

4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a conditional use permit for *Rogue Retreat*, as described above.

THEREFORE LET IT BE HEREBY ORDERED that the application for *Rogue Retreat,* as described above, stands approved in accordance per the Planning Commission Report dated January 24, 2019.

AND LET IT FURTHER BE OF RECORD that the action of the Planning Commission in approving this request for *Rogue Retreat*, as described above, is hereafter supported by the findings referenced in the Planning Commission Report dated January 24, 2019.

Accepted and approved this 14th day of February, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

PLANNING COMMISSION REPORT

for a Type-III quasi-judicial decision: **Conditional Use Permit**

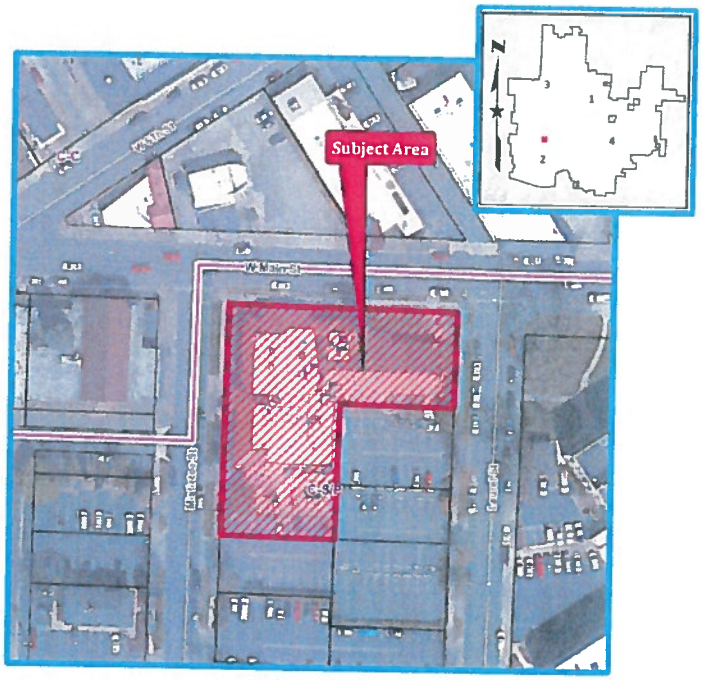
Project	Kelly Shelter Applicant: Rogue Retreat Agent: United Methodist Church
File no.	CUP-18-176
Date	January 24, 2019

BACKGROUND

Proposal

Consideration of a request for a Conditional Use Permit (CUP) in order to operate a temporary shelter for homeless individuals and families (Kelly Shelter) at the First United Methodist Church located at 607 West Main Street in the Service Commercial & Professional Office (C-S/P) zoning district.

Vicinity Map



Subject Site Characteristics

Zoning	C-S/P	Service Commercial & Professional Office
GLUP	CC	City Center
Use	United Methodist Church	

Surrounding Site Characteristics

North	Zone:	C-C (Community Commercial)
	Use:	Caldwell Banker/Pro West Real Estate
South	Zone:	C-S/P
	Use:	Jackson County Jail
East	Zone:	C-S/P
	Use:	Jackson County Assessor's office
West	Zone:	C-C and C-S/P
	Use:	The Children's Sanctuary Church

Related Projects

None

Applicable Criteria

Medford Municipal Code §10.184(C) Conditional Use Permit Approval Criteria.

(1) The Planning Commission must determine that the development proposal complies with either of the following criteria before approval can be granted.

(a) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

(b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

(2) In authorizing a conditional use permit the approving authority (Planning Commission) may impose any of the following conditions:

(a) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

(b) Establish a special yard or other open space or lot area or dimension requirement.

(c) Limit the height, size, or location of a building or other structure.

(d) Designate the size, number, location, or nature of vehicle access points.

(e) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.

(f) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.

(g) Limit or otherwise designate the number, size, location, height, or lighting of signs.

(h) Limit the location and intensity of outdoor lighting, or require its shielding.

(i) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.

(j) Designate the size, height, location, or materials for a fence.

(k) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

Medford Municipal Code §10.184(D) Conditional Use Permits, Mitigation of Impacts.

A conditional use requiring the mitigation of impacts under Subsection (C)(1)(b) above must do one of the following:

(1) Preserve unique assets of interest to the community.

(2) Provide a public facility or public nonprofit service to the immediate area or community.

(3) Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

Medford Municipal Code §10.819A Temporary Shelters

(A) Purpose and Intent.
Temporary shelters provide short-term relief for homeless individuals and families, as well as those without adequate protection during times of extreme weather, within an existing or newly constructed building. It is the intent of these standards to ensure that any conflicts with temporary shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 10.819A.

(B) Definitions Pertaining to Temporary Shelters.
When used in Chapter 10 in reference to temporary shelters, the following terms shall have the meanings as herein ascribed:

(1) Access Point: The main point of entry and exit for a temporary shelter where users, visitors, and other persons must sign in and out to maintain security within a shelter.

(2) Client(s): Person or persons who receive services from an operator of a temporary shelter which shall include overnight sleeping, and may include other items established per the shelter's operations plan as required in Section 10.819A(D)(1)(b).

(3) Operator: The organization in charge of daily operations of a temporary shelter. The operator shall be a civic, non-profit, public, religious, membership based, or otherwise competent organization and shall be the applicant for the land use review of a temporary shelter.

(4) Operational Period: An operator's established days of operations.

(5) Operations Plan: The guiding document for an operator to use in determining the standards clients must adhere to in a shelter.

(6) User(s): See 10.819A(B)(2) client(s).

(C) Temporary Shelter Permit Requirements

(1) The conditional use permit (CUP) as required by Sections 10.314 and 10.337 of this Code shall run with the lot(s), tract(s), or parcel(s) of land on which a temporary shelter was conditionally permitted. Unless modifications to the original CUP are made, a new CUP shall not be required for each new operational period.

(2) An operator of a temporary shelter shall comply with all applicable local, state, and federal laws, rules, and regulations (e.g. Building and Fire Department approvals) unrelated to land use applications/reviews, unless waived by the appropriate approving authority/official.

(3) Upon request by the applicant, the Planning Director may reduce or waive application fees and any other fees required by the Planning Department. In evaluating such a re-quest, the Director will consider the financial hardship to the applicant and other information relevant to the cost of processing the application and/or the applicant's ability to pay the fees.

(4) In order to begin operating a temporary shelter, an operator shall apply for and receive an approved Temporary Shelter Operational Permit from the Medford Fire-Rescue Department for each operational period.

(5) Shelters operating with extensions, granted per Section 10.819A(D)(2)(e), shall be required to perform all improvements, acquire all permits, and fulfill all other requirements of the Medford Municipal Code, unless waived by the appropriate approving authority.

(6) All applicable permits must be approved prior to the initial date of operations.

(7) Each temporary shelter shall adhere to the Temporary Shelter Policy as established by the City.

(D) General Standards for Temporary Shelters

The following standards of subsection 10.819A (D) shall apply to temporary shelters. The words operator and applicant may be used interchangeably in this subsection as they are one and the same. The requirements are as follows:

(1) Operational Requirements. The operator shall be required to meet the following standards as it pertains to shelter operations:

(a) Conformance. It shall be the duty of the operator to ensure and maintain compliance with applicable local, state, and federal regulations relating to the operations of temporary shelters. Temporary shelters shall comply with all applicable building, fire, health, life, and safety codes as they pertain to temporary shelters. Compliance with this section requires the Operator maintain a Temporary Shelter Operational Permit.

(b) Operations Plan. An operations plan shall be required for a temporary shelter. An operations plan shall include, at a minimum, items addressing client interaction, rules for shelter use, facility operations and maintenance, safety and security provisions, signage that complies with the Medford Municipal Code, and the dates of the operational period.

(c) Supervision. There shall be a minimum of two on-duty representatives of the temporary shelter at any time, unless approved otherwise. The representative(s) contact information shall be clearly posted at the shelter's access point each day. The representative may be a volunteer, hired employee, or otherwise competent and responsible adult.

i. When required by Medford Fire-Rescue, a fire watch shall be in place in addition to an on-duty representative(s).

ii. On duty-representatives shall monitor all areas of a temporary shelter, in order to ensure that all applicable rules are being followed.

(d) Shelter Capacity. Shelter capacity shall be determined by applicable Building and Fire Codes.

(e) Areas for Sleeping. Temporary shelters may have separate and designated areas for sleeping or shelter for the comfort of clients by separating clients into male only, female only, and family only sleeping areas.

(f) Shelter queuing. During times of shelter intake lines or queues of people awaiting admittance shall not obstruct any public space or right of way. A three foot clearance shall be maintained on all sidewalks.

(g) Written proof of compliance with requirements of this Section shall be available in hard copy at the temporary shelter's access point and shall also be made available to the Fire Code Official, upon request.

(h) Operational Requirements stated in this Section may be conditions of approval as deemed necessary by the approving authority.

(2) Operational Period.

(a) The use of a temporary shelter shall not exceed 90 days within a 12 month period, unless otherwise permitted by this code. The operational period shall

start on the first day of operations in which individuals were provided shelter and shall end once shelter has been provided for 90 days within a 12 month period or 12 months after the first day of operations, whichever occurs sooner.

(b) The intended timeframe in which an operational period is to take place shall be clearly stated in an operations plan. This shall include one of the following:

i. Operations based on local weather events such as, but not limited to, temperature extremes, persistent smoke or fog, and other acts of nature that are hazardous to human health. Conditions for opening and closing based on weather events shall be clearly stated in the operations plan.

ii. Specific dates in which operations are to occur, not exceeding 90 days in a 12 month period as identified in this Section, subject to the 180 day limitation for Temporary Uses described in 10.819A(D)(2)(e) below.

(c) The operator shall notify Medford Fire-Rescue each time the shelter is closing.

(d) The operator shall notify Medford Fire-Rescue a minimum of four business days prior to each re-opening of the shelter and shall provide the opportunity for inspection prior to re-opening the shelter. In times of emergency the operator shall coordinate with Medford Fire-Rescue if it is not possible or prudent to give four days' notice.

(e) The operational period may be extended for a temporary shelter by the City if local conditions warrant an extension. Extensions may be granted for a total of 30, 60, or 90 calendar days. Extensions shall be approved by the City Manager. The total operational period, including extensions, shall not exceed a total of 180 consecutive days, in a 12 month period. Extensions are subject to the following conditions:

i. Operators must request to extend the operational period a minimum of 14 business days prior to the first anticipated day of extended operations.

ii. An extension of the operational period for a temporary shelter may require additional conditions that were not previously required. Additional conditions shall be consistent with applicable Building and Fire Codes, unless otherwise waived by the appropriate approving authority or the City Manager.

(f) The limitations on the length of operational periods shall apply to the lot(s), tract(s), or parcel(s) of land on which a temporary shelter operates.

(3) Reporting Requirements. Within 30 days of the end of the operational period, and/or upon application for an extension to the operational period pursuant to section 10.819A(D)(2)(e), the operator shall submit a report to the Housing Advisory Commission (HAC). At a minimum, the report shall include the following information:

i. Number of clients served at the temporary shelter during the operational period

ii. Number of public service calls to the temporary shelter and reason for each call

iii. Services provided to the clients of the temporary shelter, if applicable iv. Number of nights spent at full capacity (if applicable)

v. Number of clients from the operational period who were provided with more permanent or transitional housing

The operator shall coordinate the reporting requirement with the Medford, Ashland/Jackson County Continuum of Care using the industry standard software (e.g. Homeless Management Information System) in place at the time of reporting.

(4) Standards for Closing/Suspending Temporary Shelters

The City shall consider the reports submitted by operators to the HAC in determining whether to close or suspend a temporary shelter. A shelter may be closed or suspended in accordance with the following procedures and criteria.

(a) The City may close or suspend a temporary shelter use if:

i. The City Manager has determined that it would be in the public interest to do so.

ii. More than 40 emergency service calls within 30 calendar days are made regarding activity in or near the temporary shelter.

iii. Any safety issues are identified during an inspection, including, but not limited to fire and life safety issues.

iv. Any violation of the Medford Municipal Code and/or state or federal law occurs.

(b) Any day on which the temporary shelter is closed or suspended due to noncompliance with applicable codes, laws, or rules shall not count as a day of the operational period. Closing of a temporary shelter under this section invalidates all temporary shelter permits for the tax lot(s) on which the shelter is located, including temporary shelters in other buildings on the same tax lot, but does not invalidate a conditional use permit issued pursuant to Section 10.184 of this Code.

(c) When a temporary shelter is closed or suspended due to violation of the standards outlined in this Section, it shall not be allowed on the same tax lot(s) for a time period of one year (365 days) from the final day of operations, unless otherwise approved by the City Council.

(d) Clients of a temporary shelter, the operator, and the property owner shall be given seven calendar days for the operator and owner to remove temporary shelter components, and for clients to vacate the location in which a shelter operates, once the use has been terminated. In cases of emergency or threat to human health or life safety, less than seven days' notice may be given. The owner or operator shall not be required to remove components utilized for the temporary shelter that are also part of the owner or operator's routine operations.

(e) The City Manager's decision to revoke a temporary shelter's permits shall be effective immediately. Appeals shall be made to the City Council.

(5) Consent to Inspection of Temporary Shelter(s)

(a) Temporary shelters are subject to inspection at any time by the City to verify safe operation of a shelter.

i. Inspections by the City may include inspections of all portions of a temporary shelter. Inspections shall be in conformance with all applicable local, state, and federal laws.

ii. Areas used for bathrooms and showers shall be subject to inspections by the City, but any users of the facilities shall be given ten minutes notice prior to inspection to allow for the privacy needs of individuals who may be using the facilities.

(b) Inspections shall be required prior to each opening of a temporary shelter. All violations of applicable codes found through an inspection shall be resolved prior to commencing operations of a temporary shelter. Inspections may be required by the following City departments to verify conformance with applicable codes, prior to operations commencing:

i. Building Department

ii. Planning Department

iii. Police Department

iv. Fire-Rescue Department

(c) Each user of temporary shelter must sign a waiver and give consent to inspections from the departments listed in this Section for reasons deemed necessary to ensure safe operations of a temporary shelter. This waiver shall include consent to walk-through inspections of sleeping areas as well as inspections of the facility. This shall be a part of the operations plan and may differ from shelter to shelter.

(d) Signage stating "Inspection by the City of Medford officials, including Medford Fire-Rescue and Medford Police Department, may occur without notice" shall be prominently posted in the sleeping units, shower areas, and toilet areas of the temporary shelter.

(E) Site Standards for Temporary Shelters

The following standards shall apply to the development and use of temporary shelters.

(1) Temporary shelters must be at least 500 feet, measured from any property line, from any other temporary shelter's closest property line. This Section applies to temporary shelters during their operational period, not for land use approvals.

(2) Temporary shelters shall be an accessory use in residential zones.

(3) In commercial and industrial zones, temporary shelters may be an accessory or primary use.

(4) A site plan depicting how the standards of Section 10.819A of this Code have been met shall be submitted as a part of the application submittal. A site plan shall, at a minimum, include the following:

(a) Building footprint(s) of the primary and accessory uses on the site in which the temporary shelter will be located.

(b) A floor plan, with square footage measurements labeled clearly for:

i. The location and size of the temporary shelter and areas intended for sleeping

ii. Location and size of other areas used in conjunction with the warming shelter (e.g. common area(s), kitchen(s), bathroom(s), and similar spaces).

iii. Total client capacity within the temporary shelter and areas intended for sleeping

(c) Location of buildings access point(s)

(d) Location(s) of trash receptacle(s)

(e) Location(s) of lighting for site and building(s)

(5) Adequate space shall be provided for client's personal items and shall not displace required parking per Sections 10.741-10.751.

(6) Access points shall have a trash receptacle that does not block the public right of way and is large enough for trash disposal during times of intake.

(7) Adequate access shall be given for emergency vehicles and personnel, where applicable.

(8) Tents, yurts, and similar temporary structures are not allowed to be used for the temporary shelter land use.

Corporate Names

The Oregon Secretary of State business registry identifies Rogue Retreat as located at 711 East Main Street in Medford, and lists Chad McComas as its registered agent.

ISSUES AND ANALYSIS

Background

The applicant, Rogue Retreat, is a 501c3 non-profit organization that provides affordable housing and case-management to homeless individuals and families in Jackson County. Rogue Retreat consists of a Board of Directors and a staff which includes case managers, coaches and volunteers. Rogue Retreat's program provides five different levels of housing and shelter to homeless individuals and families, including Restart Retreat, which is an affordable housing program (no subsidy) for homeless individuals and families; Housing Retreat, a rent subsidized program for the homeless, which Rogue Retreat works in partnership with the Housing Authority of Jackson County to administer; Recovery Housing, a program for individuals coming out of inpatient recovery centers; and Hope Village, a tiny house village used as a transitional shelter for the homeless, which opened in November of 2017.

At the base of Rogue Retreat's 5-level housing tier for the homeless is the Kelly Shelter, a temporary emergency shelter for homeless individuals and families, which currently

operates out of the basement of the United Methodist Church at 607 West Main Street. Operations at the Kelly Shelter began in the winter of 2017, receiving approval through City Council to operate the shelter for a three month period (January – March) for both the winter of 2017 and 2018. The requirements established by City Council for the operation of the Kelly Shelter for those two previous winters served as a framework for the Temporary Shelters ordinance drafted by the Planning staff, which was adopted by City Council on September 20, 2018.

With the Ordinance for Temporary Shelters adopted, the applicant is now requesting a CUP in order to operate the Kelly Shelter for January 1 through March 31, 2019. The Kelly Shelter is currently in operation, as City Council has authorized Rogue Retreat to operate the shelter – under the same conditions established for the two previous winters – while their CUP request is being processed by the Planning Department.

Operations

As stated in the findings submitted by the applicant (Exhibit C), acting through Rogue Retreat's application process, the Kelly Shelter will provide overnight shelter for 50 guests, who will be approved for the duration of the shelter season. Only those guests approved through Rogue Retreat's application process will be allowed on the premises. As these individuals transition from the Kelly Shelter, the vacant beds will be filled with someone from the shelter waitlist. Each approved shelter guest will have a case manager that will work with them to coordinate their shelter stay and to assist in their transition into more permanent housing. All prospective guests will be required to complete an application and risk assessment form (Exhibits G & H), are screened for safety purposes once accepted, and must sign the Kelly Shelter Guest Agreement form (Exhibit F), which governs shelter rules. The Kelly Shelter will be staffed 24 hours a day, 7 days a week, and will also include an overnight fire watch.

The applicant has included a Floor Plan (Exhibit B) with their application submittal, identifying fifty sleeping individual sleeping spaces, two storage spaces, one janitor closet, two bathrooms, one kitchen, and one large locker room.

Parking

Pursuant to the parking standards found in MLDC 10.743-1, Temporary Shelters require a minimum of 1 space per 25 resident beds, plus 1 space per employee on the largest shift. The United Methodist Church's parking lot currently contains 63 parking spaces, which far exceeds the spaces necessary to accommodate the parking of the guests and employees of the shelter.

Additional Permits & Documentation

Temporary Shelter Operational Permit

In addition to the Conditional Use Permit application, a Temporary Shelter Operational Permit is required to be obtained by the applicant prior to opening the facility. The Temporary Shelter Operational Permit is administered by the Fire Department and is required to be renewed for each operational period.

The Fire Department has completed their inspections of the Kelly Shelter and the Temporary Shelter Operational Permit has been issued for the winter of 2018/2019 operational period.

Temporary Use Permit

Prior to the opening of each operational period, the applicant is also required to obtain a Temporary Use Permit and approved by the Building Department.

Operational Plan (Exhibit J)

An Operational Plan is required per MLDC 10.819A(D)(1)(a), which should include items addressing client security provisions, rules for shelter use, facility operations and maintenance, safety and security provisions, signage, and the dates for the operational period.

The applicant has included an Operational Plan (Exhibit D) with their application submittals, which will act as the guiding document to determine the standards clients must adhere to in the shelter. The Operations Plan was reviewed and approved by the Fire Department.

Committee Comments

No comments were received from a committee, such as BPAC.

DECISION

The Commission voted unanimously to approve the request while adding a revised Guest Agreement Form into the record as Exhibit F-1.

FINDINGS OF FACT

The approving authority (Planning Commission) must determine that the development proposal complies with either of the following criteria before approval can be granted.

(1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

The Commission can find that there is sufficient evidence contained in the Applicant's narrative and Findings of Fact, and the Staff Report, to determine that the proposed Temporary Shelter can be made to comply with the provisions of the Code with the

imposition of conditions of approval contained in Exhibit A, and therefore will not have an adverse impact on the surrounding area. This criterion is satisfied.

(2) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

This criterion is not applicable.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit C) and recommends the Commission adopt the findings as recommended by staff.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of CUP-18-176 per the Planning Commission report dated January 24, 2019, including Exhibits A through L.

EXHIBITS

A Conditions of Approval, dated January 17, 2019.
B Floor Plan, received November 13, 2018.
C Narrative & Findings of Fact and Conclusions of Law, received November 13, 2018.
D Temporary Shelter Operations Plan, received, November 13, 2018.
E Temporary Shelter Emergency Plan, received November 13, 2018.
F-1 Kelly Shelter Guest Agreement Form (revised), received January 23, 2019.
F Kelly Shelter Application, received December 5, 2017.
G Kelly Shelter Risk Assessment Form, dated November 2017.
H Public Works Department Staff Report, received December 26, 2018.
I Fire Department Land Development Report, dated December 20, 2018.
J Medford Water Commission memo and map, received December 26, 2018.
Vicinity map

MEDFORD PLANNING COMMISSION

_____

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA: **JANUARY 24, 2019**
JANUARY 31, 2019

2018/2019 Guest Agreement Form

THE KELLY SHELTER
Providing Dignity and Hope

By signing this document I agree to the following:

I will have respect for everyone at the overnight shelter, the daytime warming shelters; including staff, volunteers, my fellow guests, the driver, church members and the general public. That means that I will not be disrespectful, vulgar or combative in any way. Bullying is not tolerated.

I will have respect for the surrounding neighborhood and church as I come and go to and from the shelter, including picking up my garbage and cigarette butts along the way. Shopping carts and bike trailers will not be allowed at the shelter. I will be issued a locking tote and bedding for my use as long as I am enrolled in the shelter. I understand that all carts on the property will be disposed of with no warning. Bikes must be stored at the bike rack. The church and shelter are not responsible for lost or stolen items so secure them at your own risk.

I understand the doors will be locked between the hours of 10 pm - 6 am. I may leave during those hours (smoke break, etc.) but I will not be allowed back in until the doors reopen in the morning. I agree to leave the church property between the hours of 10 am – 6 pm.

I acknowledge that if my minor child(ren) are admitted to the shelter with me they are solely my responsibility. The shelter staff and volunteers are not responsible to supervise, provide parental direction or care for them.

I will not bring any alcohol or drugs or drug paraphernalia on the properties.

I will not smoke on the properties. (Including e-cigarettes)

I will not have any weapons on the properties.

I will not be allowed to have guests on the properties.

I will not engage in any sexual activity with myself or anyone else.

If there is a problem or concern, I will find the staff person on duty to handle it.

I understand that if I have a physical emergency staff may call 911 to help me.

I understand that my behavior will affect my ability to stay at the Kelly Shelter. If I am disrespectful, vulgar or combative in any way on any of the properties used for Kelly Shelter, day shelter or transportation I may be asked to leave. If I do not leave peacefully when asked the Medford Police Department will be called and I may be cited for trespassing. Police and Fire may enter at any time. If I am asked to leave the shelter for my behavior I must have permission from staff to come back on the property. These agreements will make the Kelly Shelter safe for everyone and ensure that it can continue to be open. Breaking any of the agreements will be dealt with immediately and may result in my removal from the shelter and I may be placed on a permanent ban.

Print Name: _____ Date:_____/_____/_____

CITY OF MEDFORD
EXHIBIT # F-1
FILE # CUP-18-176

WRITTEN COMMUNICATION

Project	Howard View Subdivision Applicant: F.B. Owen, Inc.; Agent: Richard Stevens & Associates, Inc.
File no.	LDS-18-109
To	Planning Commission *for meeting of February 14, 2019*
From	Steffen Roennfeldt, Planner III
Date	February 5, 2019

REQUEST

Determination of whether splitting Howard View Subdivision into two phases is substantially consistent with the approved tentative plat for Howard View Subdivision. The applicant is also desiring to have the full 5 years between phases with the proposed phasing plan. The approved tentative plat creates 17 residential lots, northwest of the Merriman Road and mace Road intersection.

BACKGROUND

The Planning Commission adopted the Final Order granting approval of the project on October 11, 2018. Staff is bringing this issue to the Commission for a determination because it is a minor revision, but the Land Development Code does not contain a process for such revisions. The Final Plat process found in Medford Land Development Code (MLDC) Section 10.162(E)(2) requires the Planning Department to determine consistency between the approved Tentative Plat and the Final Plat.

PROJECT REVIEW

The subject site was previously owned by the Medford School District and was developed with various office buildings and workshops. As of the time of the tentative plat approval, all improvements on the site were demolished.

The approved tentative plat identified 17 single-family residential lots to be developed in one phase, including a detention and water quality pond to serve the subdivision.

The applicant is now proposing to develop the subdivision in two phases. Phase 1 will include 7 lots plus the water detention facility. All lots will be accessed from Caster Lane. Phase 2 will consist of the 10 remaining lots including the construction of Orrin Drive.

The Public Works Department, Fire Department and Medford Water Commission, and the Rogue River Valley Irrigation District (RRVID) were the only agencies with conditions of approval applied to the subject subdivision LDS-18-109. They have reviewed the proposal and have recommended no changes to the conditions of approval. The RRVID did not provide comment by the time this staff report was printed.

This decision will change the expiration date of October 11, 2021 to October 11, 2023 as the applicant is also requesting a five year expiration period with the proposed phasing plan per MLDC 10.202(D)(2). The conditions of approval will remain in effect.

RECOMMENDED ACTION

Approve the phasing plan as a minor modification and find that the proposed Howard View Subdivision phasing plan is substantially the same as the previously approved tentative plat for LDS-18-109 per the Staff Report dated January 31, 2019.

EXHIBITS

A Revised Tentative Plat (Phasing Plan), received January 22, 2019
B E-Mail requesting 5-year phasing, received January 25, 2019
C Tentative Plat, approved August 2, 2018
D Medford Fire comments, received January 26, 2019
E Medford Water Commission comments, received January 28, 2019
F Public Works Department comments, received February 5, 2019
Vicinity Map

TENTATIVE SUBDIVISION PLAT
HOWARD VIEW

located in the

NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 37 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF MEDFORD, JACKSON COUNTY, OREGON

for

F.B. OWEN INC
3400 CRATER LAKE AVENUE
MEDFORD, OREGON 97504

STORMDRAIN MANHOLES

1. INVERT ELEVATION = 1296.61, RIM ELEVATION = 1302.33
2. INVERT ELEVATION = 1293.38, RIM ELEVATION = 1302.88
3. INVERT ELEVATION = 1293.53, RIM ELEVATION = 1302.94
4. INVERT ELEVATION = 1297.24, RIM ELEVATION = 1303.00
5. INVERT ELEVATION = 1292.79, RIM ELEVATION = 1303.19
6. INVERT ELEVATION = 1292.45, RIM ELEVATION = 1302.02
7. RIM ELEVATION = 1302.12, 12" INVERT ELEVATION = 1297.21, 24" INVERT ELEVATION = 1296.52
8. RIM ELEVATION = 1302.84

STORMDRAIN CURB INLETS

9. INVERT ELEVATION = 1299.11, RIM ELEVATION = 1302.15
10. INVERT ELEVATION = 1298.65, RIM ELEVATION = 1301.71
11. RIM ELEVATION = 1302.14
12. RIM ELEVATION = 1302.34
13. RIM ELEVATION = 1302.15
14. RIM ELEVATION = 1303.21
15. RIM ELEVATION = 1299.57

STORMDRAIN DROP INLET

16. RIM ELEVATION = 1303.05

SANITARY SEWER MANHOLES

17. INVERT ELEVATION = 1295.60, RIM ELEVATION = 1301.97
18. INVERT ELEVATION = 1295.95, RIM ELEVATION = 1302.55
19. INVERT ELEVATION = 1294.63, RIM ELEVATION = 1302.75
20. INVERT ELEVATION = 1297.48, RIM ELEVATION = 1300.01
20. RIM ELEVATION = 1299.18

WATER MANHOLE

21. 12" PVC INVERT ELEVATION = 1300.74, MANHOLE INVERT ELEVATION = 1297.79, RIM ELEVATION = 1302.56

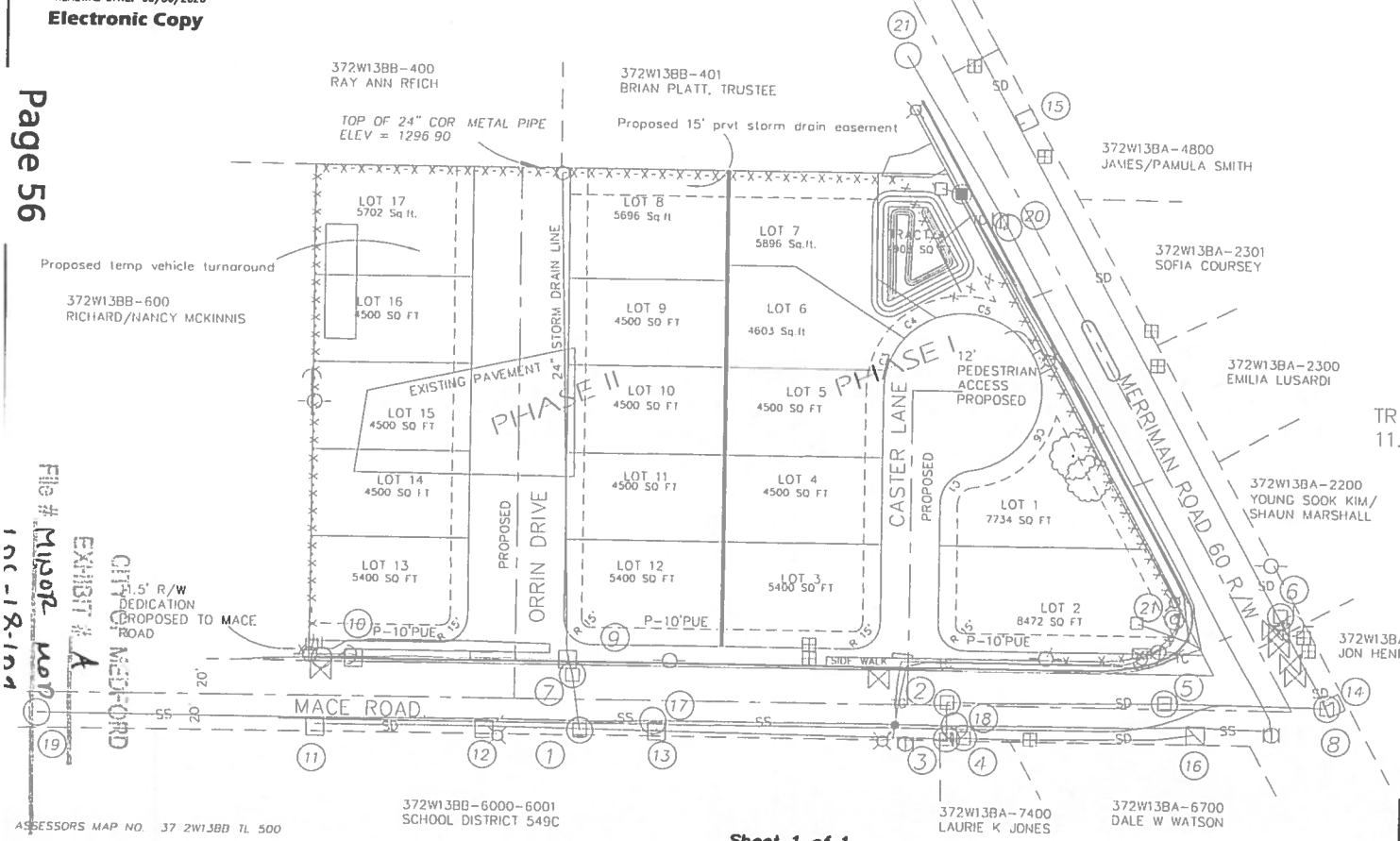
BASIS OF BEARING IS TRUE NORTH, NAD 83/91 DATUM, AS DERIVED BY GLOBAL POSITIONING SYSTEM OBSERVATIONS
VERTICAL DATUM NGVD 1929

SCALE 1" = 50'
50' 0' 50' 100'

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	82°55'49"	28.95	20.00	S41°25'36"W	26.49
C2	97°02'42"	76.22	45.00	N48°35'08"W	67.43
C3	41°30'58"	32.61	45.00	S20°41'42"W	31.90
C4	28°04'39"	22.05	45.00	S55°29'30"W	21.83
C5	81°21'19"	63.90	45.00	N69°47'31"W	58.66
C6	112°00'22"	87.97	45.00	N26°53'20"E	74.62

- = FIRE HYDRANT
- = GAS VALVE
- = SITE LIGHTING
- = POWER POLE (PP&L)
- = GUY WIRE
- = STORMDRAIN MANHOLE
- = STORM DRAIN CUB INLET
- = STORMDRAIN DROP INLET
- = SANITARY SEWER MANHOLE
- = WATER METER
- = WATER VALVE
- = FENCE
- = TREE
- = WATER MANHOLE
- = TELEPHONE RISER
- = POWER CONTROL BOX
- = 24" CMP
- = TELE/CABLE MANHOLE

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
FEBRUARY 8, 2000
RICHARD E. STEIN
49593PLS
RENEWAL DATE: 06/30/2020
Electronic Copy



ASSESSORS MAP NO. 37 2W13BB TL 500

Sheet 1 of 1

NOTES:

Gross Area 3.34 Acres
TRACT A IS STORM WATER TREATMENT DETENTION
11.5' R/W DEDICATION PROPOSED ON MACE ROAD
ZONING SFR-6
VERTICAL DATUM = NGVD 1929
CONTOUR INTERVAL = 1 FOOT

Surveyed by:
FARBER & SONS, INC. dba
FARBER SURVEYING
PO BOX 5286
431 OAK STREET
CENTRAL POINT, OREGON 97502
(541) 664-5529

RECEIVED
JAN 22 2019
PLANNING DEPT.

DATE:	JULY 5, 2018
JOB NO.:	2016-2446
DRAWING FILE.	JOBS\MEDFORD_NW/MERRIMANN/2801MERRIMANN/MICROSURVEY /SITE_PLAN_012418.DWG
DRAWN BY: DHM	ORIG. DATE: 01\23\18 REVISED BY: RES DATE: 01/16/2019

EXHIBIT # A
CITY OF MEDFORD
File # MUNOR-18-109
10-18-109

Steffen K. Roennfeldt

From: Clark <cstevens@mind.net>
Sent: Friday, January 25, 2019 2:06 PM
To: Steffen K. Roennfeldt
Cc: Kelly Evans
Subject: LDS-18-109

Hello Steffen,

Yes, the applicants are desiring to have the full 5 years between phases with the proposed phasing plan, consistent with Section 10.202(D)(2), MLDC.
Thanks for your consideration,

--
Clark Stevens

RICHARD STEVENS & ASSOCIATES, INC.
100 EAST MAIN ST., SUITE O
MEDFORD, OR 97501
541-773-2646
www.rsaoregon.com

CITY OF MEDFORD
EXHIBIT 3
File # MINOR MOD.
LDS-18-109

TENTATIVE SUBDIVISION PLAT
HOWARD VIEW

located in the

NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 37 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF MEDFORD, JACKSON COUNTY, OREGON

for

F.B. OWEN INC
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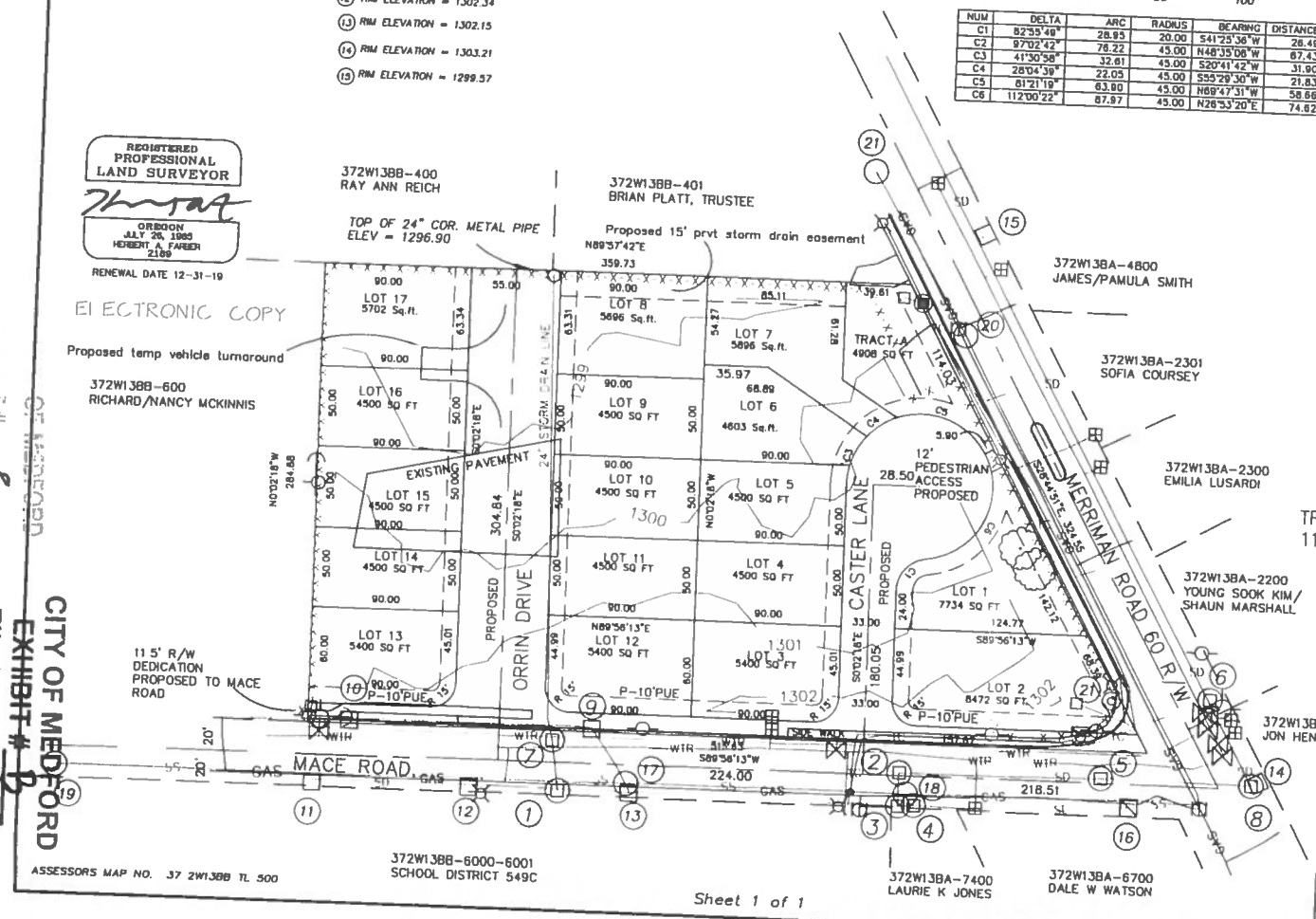
- = TELE/CABLE MANHOLE

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON JULY 26, 1985 HERBERT A. FARBER 2189
RENEWAL DATE 12-31-19

ELECTRONIC COPY



ASSESSORS MAP NO. 37 2W13BB TL 500

Sheet 1 of 1

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PO BOX 5286
431 OAK STREET
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(541) 664-5599

DATE: JULY 5, 2018
JOB NO.: 2016-2446
DRAWING FILE: JOBS\MEDFORD_NW/MERRIMAN/2801MERRIMANN/PROSURVEY/SITE_PLAN_012416.DWG
DRAWN BY: DHM CHK. DATE: 01/24/18 REVISED BY: hgf DATE: 07/27/2018

AUG 02 2018
PLANNING DEPT

CITY OF MEDFORD
EXHIBIT # D
File # LDS-18-109

Page 58 18-109

Steffen K. Roennfeldt

From: Greg G. Kleinberg
Sent: Saturday, January 26, 2019 2:45 PM
To: Steffen K. Roennfeldt
Subject: Re: LDS-18-109 Howard View Subdivision

Steffen,

This does not affect our conditions.

Thank you,

Greg Kleinberg
Deputy Chief/Fire Marshal
Medford Fire-Rescue
541-774-2317

Sent from my iPhone

> On Jan 25, 2019, at 9:11 AM, Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org> wrote:
>
> Hi all,
> Could you please take a look at the attached tentative plat for Howard View Subdivision (File Number LDS-18-109) and let me know if that changes any of your submitted comments?
> The only requested change is to split the subdivision into two phases and to ask for an extension of time to five years for platting all phases.
> Please let me know if you have any comments on these changes.
> Thank you,
> Steffen
>
> -----Original Message-----
> From: planning@cityofmedford.org [mailto:planning@cityofmedford.org]
> Sent: Thursday, January 24, 2019 7:05 AM
> To: Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>
> Subject: Scanned from a Xerox Multifunction Device
>
>
>
> Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Device.
>
> Attachment File Type: pdf, Multi-Page
>
> Multifunction Device Location:
> Device Name: XRX9C934E335A11
>
>
> For more information on Xerox products and solutions, please visit
> http://www.xerox.com <Scanned from a Xerox Multifunction Device.pdf>

CITY OF MEDFORD
EXHIBIT # D
MINOR MOD
LDS-18-109

Steffen K. Roennfeldt

From: Rodney L. Grehn <rodney.grehn@medfordwater.org>
Sent: Monday, January 28, 2019 9:53 AM
To: Steffen K. Roennfeldt
Subject: RE: LDS-18-109 Howard View Subdivision

Steffen,

The proposed Phasing of this project into Two Phases, and to fully develop the whole site over the next 5 five years will not change the existing MWC Staff Memo Conditions of Development dated September 5, 2018.

Thanks,

Rodney Grehn, P.E.
Staff Engineer
Medford Water Commission
200 S. Ivy St. Rm. 177
Medford, Oregon 97501
Direct: 541-774-2448
Fax: 541-774-2555
Email: Rodney.Grehn@medfordwater.org

-----Original Message-----
From: Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>
Sent: Friday, January 25, 2019 9:11 AM
To: 'rrvid@rrvid.org' <rrvid@rrvid.org>; Greg G. Kleinberg <John.Kleinberg@cityofmedford.org>; Douglas E. Burroughs <Douglas.Burroughs@cityofmedford.org>; Jodi K. Cope <Jodi.Cope@cityofmedford.org>; Rodney L. Grehn <rodney.grehn@medfordwater.org>
Subject: LDS-18-109 Howard View Subdivision

Hi all,
Could you please take a look at the attached tentative plat for Howard View Subdivision (File Number LDS-18-109) and let me know if that changes any of your submitted comments?
The only requested change is to split the subdivision into two phases and to ask for an extension of time to five years for platting all phases.
Please let me know if you have any comments on these changes.
Thank you,
Steffen

-----Original Message-----
From: planning@cityofmedford.org [mailto:planning@cityofmedford.org]

CITY OF MEDFORD
EXHIBIT # E
File # MINOR. MOD.
LDS-18-109

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CITY OF MEDFORD

Revised Date: 1/30/2019
File Number: LDS-18-109

PUBLIC WORKS DEPARTMENT STAFF REPORT
Howard View Subdivision
(TL 7900)

Project: Consideration of a tentative plat for a 17-lot subdivision on approximately 2.85 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district.

Location: Located northwest of the Merriman Road and Mace Road intersection (372W13BB 500).

Applicant: Applicant: F.B. Owen, Inc.; Agent: Richard Stevens & Associates, Inc.; Planner: Steffen Roennfeldt.

The following items shall be completed and accepted prior to the respective events under which they are listed:

- Approval of Final Plat:
  Right-of-way, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)

- Issuance of first building permit for residential construction:
  Construction of public improvements (Items A through E)

- Issuance of Certificates of Occupancy for individual units:
  Sidewalks (Items A2)

A. STREETS

1. Dedications

Merriman Road is classified as a Major Collector Street within the Medford Land Development Code (MLDC), Section 10.428. **No additional right-of-way is required.**

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MINOR MOD.
LDS-18-109

Mace Road is classified as a Standard Residential Street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Orrin Drive is proposed as Minor Residential Street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the full width of right-of-way, which is 55-feet.

Caster Lane is proposed as a Residential Lane within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the full width of right-of-way, which is 33-feet. The proposed cul-de-sac at the south terminus shall be dedicated per MLDC 10.450, and have a minimum 45-foot radius.

Corner radii shall be provided at the right-of-way lines of all intersecting streets per MLDC 10.445.

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

Public Utility Easements, 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471). However, a reduction in width of the Public Utility Easement to 5.90-feet as proposed on the Tentative Plat (where the Pedestrian Access is shown), is at the discretion of the City Engineer.

The right-of-way and easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

2. **Public Improvements**

   a. **Public Streets**

Merriman Road – All street section improvements, with the exception of a planter strip, have been completed in close conformance with current standards, including pavement, curb and gutter, street lights, and sidewalks with P989D. **No additional public improvements are required.**

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Mace Road – All street section improvements, with the exception of a planter strip, have been completed in close conformance with current standards, including pavement, curb and gutter, street lights, and partial sidewalks. **However, a 5-foot wide sidewalk with a planter strip will be required along this developments frontage.**

Orrin Drive shall be constructed to Minor Residential Street standards, in accordance with MLDC 10.430.

Caster Lane shall be constructed to Residential Lane standards, in accordance with MLDC 10.430. The proposed cul-de-sac shall be constructed in accordance with MLDC 10.450.

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC). Based on the preliminary plan submitted, the following number of street lights and signage will be required:

Street Lighting – Developer Provided & Installed:

A. 3 – Type R-100

Traffic Signs and Devices – City Installed, paid by the Developer:

A. 2 – Dead End Signs
B. 1 – Dead End Barricade
C. 2 – Street Name Signs

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request. All street lights shall be operating and turned on at the time of the final "walk through" inspection by the Public Works Department.

The Developer shall pay for City installed signage required by the development. City installed signs include, but are not limited to, street name signs, stop signs, speed signs, school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer's contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to remove any existing signs and place new signs provided the Developer.

c. Pavement Moratoriums

There is a pavement cutting moratorium currently in effect along this frontage to Merriman

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Road, which is set to expire **August 16th, 2022**. There is no pavement moratorium currently in effect along Mace Road.

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

The Developer's Engineer shall obtain a soils report to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development. The soils report shall be completed by a licensed Geotechnical Engineer in the state of Oregon.

e. Access and Circulation

Access to and through the site shall comply with MLDC 10.426 for block length and connectivity of the street network.

Driveways shall comply with MLDC 10.550. No driveway access shall be allowed to Merriman Road.

f. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes which are not constructed within the street section.

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

To support a condition of development that an Applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

10.668 Limitation of Exactions

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Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless:

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

(2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. **Nexus to a legitimate government purpose**

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

2. **Rough proportionality between the dedications and improvements, and the impacts of development.**

No mathematical formula is required to support the rough proportionality analysis. Furthermore, benefits to the development resulting from the dedication and improvements when determining "rough proportionality" have been considered, including but not limited to: increased property values, intensification of use, as well as connections to municipal services and the transportation network.

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

Mace Road, Orrin Drive and Caster Lane: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 17 dwelling units and will improve approximately 463 lineal feet of roadway which equates to 27 lineal feet per dwelling unit. Also the development will dedicate approximately 21,285 square feet of right-of-way, which equates to approximately 1,252 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Silky Oaks Subdivision Phase 1 & 2 just south of this development on

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the north side of Maple Park Drive and consisted of 19 dwelling units. The previous development improved approximately 351 lineal feet of roadway and dedicated approximately 19,690 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 18 lineal feet of road per dwelling unit and approximately 1,036 square feet of right-of-way per dwelling unit.

a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 20 new Lots within the City of Medford and increase vehicular traffic by approximately 188 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood.

c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.

d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in previous adjacent developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer shall provide one service lateral to each buildable lot prior to approval of the Final Plat.

Public sanitary sewer mains shall be extended on their courses to the exterior boundaries of this subdivision, such that future development can extend service without having to excavate back into the improvements provided by this subdivision.

C. STORM DRAINAGE

1. Hydrology

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The Design Engineer shall provide an investigative report of the off-site drainage on the subdivision perimeter, a distance not less than 100 feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

Developer shall replace the existing 24-inch storm drain that bisects the property with a new pipe with capacity for the 10 year storm with a foot of freeboard.

2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481.

Upon completion of the project, the developer's design engineer shall provide written certification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

The City is responsible for operational maintenance of the public detention facility. Irrigation and maintenance of landscape components shall be the responsibility of the developer or a Home Owners Association (HOA). The developers engineer shall provide an operations and maintenance manual for the facility that addresses responsibility for landscape maintenance prior to subdivision acceptance. Regarding water quality maintenance, the Rogue Valley Stormwater Quality Design Manual states: "Vegetation shall be irrigated and mulched as needed to maintain healthy plants with a density that prevents soil erosion."

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

4. Mains and Laterals

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

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In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing a private drain line, including a tee at the low point of each lot to provide a storm drain connection. All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each tax lot prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing lots other than the one being served by the lateral.

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the Final Plat and the public improvement plans.

5. Erosion Control

Subdivisions of one acre and greater require a run-off and erosion control permit from DEQ. The approved permit must be submitted to the Engineering Division prior to public improvement plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. All disturbed areas shall have vegetation cover prior to final inspection/"walk-through" for this subdivision.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to approval of the final plat.

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (http://www.ci.medford.or.us/Page.asp?NavID=3103). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works

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will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

Please Note: If Project includes one or more Minor Residential streets, an additional Site Plan shall be submitted, noting and illustrating, one of the following design options to ensure fire apparatus access per MLDC 10.430(2):

- Clustered driveways,
- Building to have sprinklers, or
- 33-foot paved width,

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of the Final Inspection (walk through). Also, the engineer shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

3. Phasing

The Tentative Plat shows that this subdivision will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

The Developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

5. Easements

Easements shall be shown on the Final Plat for all sanitary sewer laterals and storm drainage laterals that cross lots other than the one being served by the laterals.

6. Permits

Building Permit applications for vertical construction shall not be accepted by the Building Department until the Final Plat has been recorded, and a "walk through" inspection has been conducted and approval of all public improvements as required by the Planning Commission has been obtained for this development.

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Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

7. System Development Charges (SDCs)

Buildings in this development are subject to Street and Sewer Treatment SDCs. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges, the Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24-inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development charge shall be collected at the time of the approval of the final plat.

8. Construction and Inspection

Contractors proposing to do work on public streets, sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit from the County.

For City of Medford facilities, the Public Works Maintenance Division requires that public sanitary sewer and storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

Where applicable, the Developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs
Revised by: Jodi K Cope

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SUMMARY CONDITIONS OF APPROVAL

Howard View Subdivision TL 7900) LDS-18-109

A. Streets

1. Street Dedications to the Public:

- **Merriman Road** – No street dedications are required for this partition.
- **Mace Road** – Dedicate additional right-of-way.
- Dedicate full width right-of-way on **Orrin Drive** and **Caster Lane.**
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- **Merriman Road** – Street improvements have been completed.
- **Mace Road** – Street improvements have been completed.
- Construct **Orrin Drive** to Minor Residential Street standards.
- Construct **Caster Lane** to Residential Lane standards, including the Cul-de-sac.

Lighting and Signing

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.

Access and Circulation

- Access to and through the site shall comply with MLDC 10.426 for block length and connectivity of the street network.
- Driveways shall comply with MLDC 10.550. No driveway access shall be allowed to Merriman Road.

Other

- **There is a pavement cutting moratorium currently in effect along this frontage to Merriman Road, which is set to expire August 16th, 2022.** There is no pavement moratorium in effect along Mace Road.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Provide a private lateral to each lot.
- Provide easements as necessary.

C. Storm Drainage:

- Provide an investigative drainage report.
- Address capacity of the existing 24-inch storm drain that bisects the property.
- Provide water quality and detention facilities.
- Provide Engineers certification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
- Additional Site Plan to ensure fire apparatus access per MLDC 10.430(2) if project includes Minor Residential streets.

▪ = City Code Requirement
o = Discretionary recommendations/comments

The above report is based on the information provided with the Pre-Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection shall be provided with a Development Permit Application as applicable.

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STAFF REPORT – EXTENSION OF TIME

Project	Jordan Village Applicant: RNN Properties LLC, Rick Jackson; Agent: Scott Sinner Consulting
File no.	LDS-16-131
To	Planning Commission *for 02/14/2019 hearing*
From	Liz Conner, Planner II
Reviewer	Kelly Akin, Assistant Planning Director
Date	February 7, 2019

REQUEST

Consideration of request for a one-year time extension of the approval of proposed tentative plat for Jordan Village a, 4-lot residential duplex subdivision on 0.9 acres, located on the east side of Columbus Ave approximately 150 feet south of Garfield Street within the SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district. (372W36CD TL 400)

Background

The Planning Commission adopted the Final Order granting approval of the project on January 12, 2017. The applicant is requesting an extension of time as allowed under Medford Land Development Code (MLDC) Section 10.202(D).

Project Review

Per MLDC Section 10.200(G), extensions shall be based on findings that the facts upon which the application was first approved have not changed to an extent sufficient to warrant refiling of the application. It can be found that neither the circumstances of approval nor applicable site development standards have changed to a degree that warrants refiling of the application. This is the only extension allowed under the Medford Land Development Code.

Recommended Action

Approve the one-year time extension to January 12, 2020, for LDS-16-131 per the Staff Report dated February 7, 2019.

Exhibits

A Letter requesting extension received January 25, 2019
B Approved site plan
Vicinity Map

Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

January 25, 2019

Liz Conner
Medford Planning Department
200 S Ivy
Medford, OR 97501

Re Jordan Village Extension

Liz,

On behalf of RNN Properties, I would like to request a 1 year extension of LDS-16-131 to allow for the completion of the construction documents and the development of the project.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.

A L L Y

4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone and Fax 541-772-1494
Cell 541-601-0917
Email scottsinner@yahoo.com

CITY OF MEDFORD
EXHIBIT # A
File # LDS-16-131

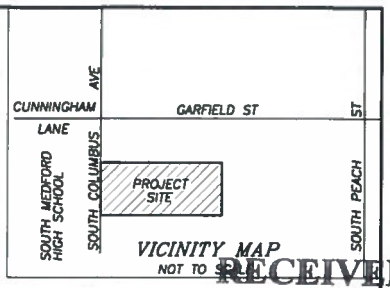
JORDAN VILLAGE

A SUBDIVISION

In the S.W. 1/4 of Sec. 36, T.37S., R.2W., W.M. & in the City of Medford Jackson County, Oregon

LEGEND:

- -X- = FENCE.
- -SD- = STORM DRAIN.
- -SS- = SANITARY SEWER.
- -W- = WATER.
- -G- = GAS.
- -ELEC- = ELECTRIC.
- -UGP- = UNDERGROUND POWER.
- -OHP- = OVERHEAD POWER.
- TELPED = TELEPHONE PEDESTAL.
- TVPED = CABLE PEDESTAL.
- GM = GAS METER.
- WM = WATER METER.
- WV = WATER VALVE.
- IV = IRRIGATION VALVE.
- GV = GAS VALVE.
- = CONIFER TREE- TYPE & DIAMETER AS NOTED.
- = DECIDUOUS TREE- TYPE & DIAMETER AS NOTED.
- SSMH=SANITARY SEWER MANHOLE. R=RIM ELEV IE=INVERT ELEV
- SDMH=STORM DRAIN MANHOLE R=RIM ELEV IE=INVERT ELEV
- SDCI=STORM DRAIN CURB INLET R=RIM ELEV IE=INVERT ELEV
- SDCB=STORM DRAIN CATCH BASIN R=RIM ELEV IE=INVERT ELEV
- = POWER POLE.
- = UTILITY POLE.



VICINITY MAP
NOT TO SCALE

RECEIVED
OCT 21 2016
PLANNING DEPT.

COURSE DATA TABLE

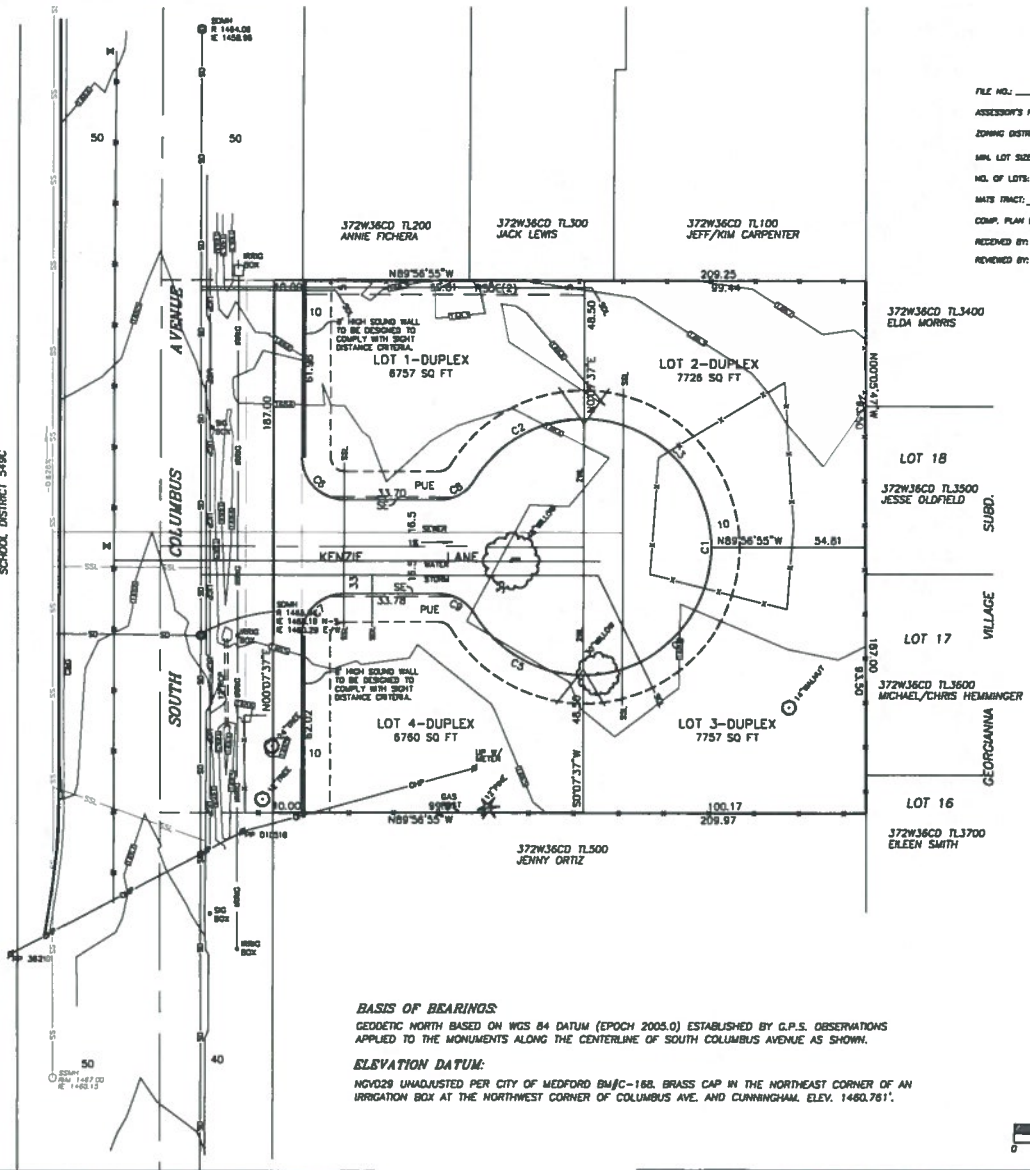
NUM	DELTA	ARC	RADIUS	CHORD	
C1	296°39'49"	233.00	45.00	N0°03'05"E	47.25
C2	56°24'26"	45.87	45.00	S60°35'24"W	43.91
C3	89°55'28"	70.63	45.00	N44°54'39"W	63.60
C4	90°04'32"	70.75	45.00	N45°05'21"E	63.68
C5	58°15'23"	45.75	45.00	S60°44'42"E	43.81
C6	90°04'32"	23.58	15.00	S44°54'39"E	21.23
C7	89°55'28"	23.54	15.00	S45°05'21"W	21.20
C8	58°19'54"	15.27	15.00	N60°53'08"E	14.62
C9	58°19'54"	15.27	15.00	N60°46'58"W	14.62

NOTES:

SEWER MAIN IN SOUTH COLUMBUS AVE.
SCHOOL DISTRICT: MEDFORD 549C
IRRIGATION DISTRICT: M.I.D. (CURRENTLY BEING ASSESSED)
GROSS ACREAGE: 1.072 ACRES
RIGHT OF WAY RETURNS ARE 15' RADIUS.
PUE = PROPOSED PUBLIC UTILITY EASEMENT.
PROPERTY IS CURRENTLY VACANT.
CONTOUR INTERVAL: 1'.
ELEVATION DATUM NGVD29 (UNADJUSTED) BASED ON CITY OF MEDFORD BM#C-168.
PSDE = PROPOSED PRIVATE STORM DRAINAGE EASEMENT.
SUBJECT PROPERTY LIES IN ZONE "X" PER FIRM #41029C1977F DATED MAY 3, 2011.
SE = PROPOSED 1' PUBLIC SLOPE EASEMENT.

EXHIBIT "A"

FILE NO.: _____ DATE: _____
ASSESSOR'S PARCEL NO.: 372W36CA TL400
ZONING DISTRICT: SFR-10
MIN. LOT SIZE: 3800 SF MAX. LOT SIZE: 8125 SF
NO. OF LOTS: 4 DUPLEX
MATS TRACT: _____
COMP. PLAN DESIGNATION: URBAN RESIDENTIAL
RECEIVED BY: _____ DATE: _____
REVIEWED BY: _____ DATE: _____



BASIS OF BEARINGS:

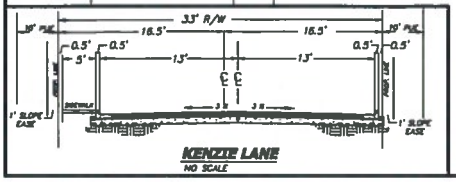
GEODETIC NORTH BASED ON WGS 84 DATUM (EPOCH 2005.0) ESTABLISHED BY G.P.S. OBSERVATIONS APPLIED TO THE MONUMENTS ALONG THE CENTERLINE OF SOUTH COLUMBUS AVENUE AS SHOWN.

ELEVATION DATUM:

NGVD29 UNADJUSTED PER CITY OF MEDFORD BM#C-168. BRASS CAP IN THE NORTHEAST CORNER OF AN IRRIGATION BOX AT THE NORTHWEST CORNER OF COLUMBUS AVE. AND CUNNINGHAM. ELEV. 1460.761'.

N

0 15 30 60 90



KENZIE LANE
NO SCALE

© L.I. FRIAR & ASSOCIATES, P.C. 2016

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

TITLE: TENTATIVE SUBDIVISION PLAT
ASSESSOR'S MAP #: 372W36CA TL400
OWNER & APPLICANT: RNN PROPERTIES, LLC 2640 BARNETT RD., #E-341 MEDFORD, OR 97504
L.I. FRIAR & ASSOCIATES, P.C.

DATE: 21 OCT 2016
SCALE: 1 inch = 30 feet
DRAWN BY: JCH
CHK BY: JCH
ORIGIN:
ROTATION: 0°
Sheet 1 of 1

CITY OF MEDFORD
EXHIBIT # B
File # LDS-16-131
SCANNED

City of Medford

Planning Department

Vicinity Map

File Number:

LDS-16-131

Project Name:

Jordan Village

Map/Taxlot:

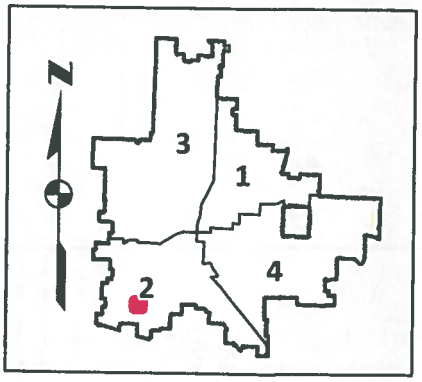
372W36CD TL 400

0 100 200 Feet

10/26/2016

Legend

- Subject Area
- Medford Zoning
- Tax Lots
- Streets



Minutes

From Public Hearing on **January 24, 2019**

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
David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
Mark McKechnie
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Greg Kleinberg, Fire Marshal
Terri Richards, Recording Secretary
Liz Conner, Planner II
Dustin Severs, Planner III

Commissioner Absent
Patrick Miranda, Chair, Excused Absence
E.J. McManus, Excused Absence
Jared Pulver, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

20.1 LDS-18-163 Final Order of tentative plat approval for April's Meadow Subdivision, a proposed 4-lot residential subdivision on a 1.44-acre parcel located at 2570 Springbrook Road in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (371W17BD400). Applicant: Sidney & Linda Lumpkin; Agent: Farber Surveying; Planner: Dustin Severs.

20.2 CP-18-182 A legislative amendment to incorporate by reference, the Phoenix-Talent School District Long-Range Facilities Master Plan into the Comprehensive Plan, and to make related updates to the Conclusions, Goals, Policies and Implementation Strategies of the Comprehensive Plan. Applicant: City of Medford; Planner: Seth Adams.

Motion: The Planning Commission adopted the consent calendar as submitted.

Moved by: Commissioner Foley Seconded by: Commissioner Culbertson

Voice Vote: Motion passed, 6-0.

30. Minutes

30.1 The minutes for January 10, 2019, were approved as submitted.

40. Oral and Written Requests and Communications. None.

Eric Mitton, Deputy City Attorney, read the Quasi-Judicial Statement.

50. Public Hearings – **Continuance Request**

50.1 LDS-18-160 Consideration of a tentative plat for a six lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district, located on Roxy Ann Road directly south of Autumn Park Drive (371W23DD TL 1800). Applicant: Rita Vinatieri; Agent: Neathamer Surveying Inc.; Planner: Liz Conner. **The applicant has requested to continue this item to the Thursday, February 14, 2019 Planning Commission meeting.**

Mr. Mitton stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the Thursday, February 14, 2019, Planning Commission hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on Thursday, February 14, 2019. There will be no decisions made this evening on this agenda item.

The public hearing remained opened from the previous meeting.

Mr. Mitton reported the record would remain opened to receive further information.

Motion: The Planning Commission continued LDS-18-160, per the applicant's request, to the Thursday, February 14, 2019, Planning Commission meeting.

Moved by: Commissioner Foley Seconded by: Commissioner McKechnie

Voice Vote: Motion passed, 6-0.

50.2 LDS-18-153 Consideration of a request to revise the tentative plat of Phases 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A and 7B of the "High Cedars at Cedar Landing a Planned Community". The project area is located south of Cedar Links Drive and west of Foothill Road within the SFR-4/PD (Single Family Residential four dwelling units per gross acre/Planned Development Overlay) zone. (371W16CA, TL 2200-2206, 371W16D, TL 7000-7005). Applicant: Cedar Landing Development LLC; Agent: CSA Planning Ltd.; Planner: Liz Conner.

Vice Chair McFadden inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. None were disclosed.

Vice Chair McFadden inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Liz Conner, Planner II stated that this morning staff received a Revised Public Works Department staff report. It is to clarify the construction requirements for Foothill Road and clarify requirements associated with the future vacation of the right-of-way along Foothill Road. It will be entered into the record as Exhibit L-1. The Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Conner gave a staff report.

Commissioner McKechnie asked, what was the open space on the original proposal versus now and how does that compare to the minimum required for a Planned Unit Development (PUD)? Ms. Conner did not know the exact overall total for the entire PUD. The approximate PUD approval was 64,000 square feet. The applicant's findings brings it down to 58,000 square feet. She does not know if it was for the area south of Cedar Links Drive or the entire PUD.

Commissioner McKechnie asked, is there a minimum percentage the open space has to meet? Ms. Conner is not sure if the approved PUD was required to retain a percentage of the open space.

Commissioner McKechnie asked, is the open space only affected in 6A, 7A and 7B? Ms. Conner replied yes.

Commissioner McKechnie asked, is the number of lots being changed? Ms. Conner reported that originally 91 lots were approved and there still is 91 lots. They are reconfigured.

Commissioner McKechnie asked for clarification that if the Commission determines this is a De Minimis change that it has to come before the Planning Commission. Is that not what they are doing this evening? Ms. Conner reported that the application before the Planning Commission is not the PUD it is a tentative plat for the phases. Since it does not match the original PUD the Planning Commission needs to determine whether or not the change is slight and inconsequential or significant.

Vice Chair McFadden asked, are all the lots in the subdivision at the required size for the SFR-4 area? Ms. Conner stated they are. There is a minimum access easement being proposed causing the size difference from the original plan.

Vice Chair McFadden stated that according to his calculation there is a 17,000 square foot difference between the open space before and after this application. Ms. Conner deferred the calculation difference to the applicant.

The public hearing was opened.

a. Mike Savage, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Savage reported that the original application included the entire High Cedars and the applicant has reduced it to just the areas being modified that include 5B 6A-B and 7A-B. The maps used for notice reflected those areas but the current maps include 5A that is not part of this application.

Answering Commissioner McKechnie's question regarding open space. If proposing multifamily for a PUD one is obligated to commit at least 20% towards open space common area. The southern half of this project is single family residential. The vast majority of the open space is on the north end of the PUD area within close proximity to the multifamily. The applicant requests that the Planning Commission acknowledge that the commitment for open space does not necessarily tie strictly to the single family residential. There were some mathematical differences between what was originally submitted versus what they ended up with. There is one half of one percent reduction. It is approximately half an acre. They went from 21 ½ percent open space to just under 21 percent open space.

The applicant focused on the change to access points. The applicant was told that they needed the tentative plat revision but the PUD could be processed through a De Minimis change without having to do an amendment.

The lot sizes conform to the SFR-4 minimum lot size.

As part of the review and when the engineer looked at what it would require to put in Normil Terrace where previously approved they discovered grading issues. They looked at the overall site and determined to increase the size of some of the lots to reduce the amount of cuts and fills for future dwellings. That is where the open space reduction comes from.

A minor issue that the applicant would like the Planning Commission to consider is related to the Hillside Ordinance and the restriction of using the modified cross-section for High Cedars. Staff accepted the modified cross section for High Cedars but they limited it to 5B based on the GIS mapping. Portions of 6B exceed 15%. The reason the Hillside Ordinance allows for a modified cross-section is not just for where the street is, it is to give a little leeway for the lots. The applicant requests that the condition be modified to allow, at a minimum, the modified cross-section for both 5B and 6B.

Commissioner Foley asked Mr. Savage to explain the math on the open space. It is down from 10% to less than 1%. Mr. Savage stated that it is half an acre reduction of open space for the entire PUD. The half-acre reduction is in the phases discussed tonight but the percentage is for the entire PUD.

Commissioner McKechnie stated that if it is a half-acre that is 22,000 square feet. Mr. Savage stated that is correct. It is approximately 20,000 square feet.

Vice Chair McFadden stated the neighbors on Callaway have been concerned about two-story homes behind them. Has that been resolved? Mr. Savage reported that 5A is close to Calloway but is not part of this project. He recalls there is no restriction on two-story homes but as an incentive to provide single story there was an allowance for additional lot coverage.

Commissioner McKechnie stated that staff is recommending that the Hillside Ordinance limitation be in 5B. It allows curb tight sidewalks eliminating the park strip. Does it allow or require a reduction in the overall width of the 28 feet curb to curb or is it going to be consistent throughout the development? Mr. Savage stated that the Hillside Ordinance allows for a modified cross-section based on what the engineer can demonstrate to be appropriate in order to minimize cuts, slopes, erosion, etc. The applicant's engineer proposes eliminating the park strip and Public Utility Easement (PUE) on one side in exchange for parking on one side and sidewalk and PUE on one side.

Commissioner McKechnie stated that down the strip the intention is to have the same width of street, on the uphill side there will be a curb only and no sidewalk, on the downhill side there would be a sidewalk tight to the curb. That would be consistent from whatever street that goes out to Foothill up around the knuckle. Mr. Savage responded that is what the applicant is requesting. If they are limited to 5B it will taper to a residential street.

Vice Chair McFadden asked, did the applicant have a problem with the access pathway between 5A and 6A or B? Mr. Savage commented not at all. The final plat before the City currently for 5A will show the right-of-way there. Since it is being final plat reviewed for all the infrastructure the City has agreed to allow the applicant to put that in prior to or part of 6A.

Mr. Savage reserved rebuttal time.

b. James Garner, 1020 Callaway Drive, Medford, Oregon, 97504. Mr. Garner showed photographs of the construction area. There was a storm drain behind his house but the developer removed it and rain water floods his backyard. He wanted to make the Planning Commission aware of what the construction was doing to the area. He would like the drainage on Callaway Drive be addressed. He is tired of sitting in water.

c. Tamara Barris, 3227 Sycamore Way, Medford, Oregon, 97504. Ms. Barris is frustrated with all the changes being adopted for this PUD and her testimony does not make a difference. Nothing changes except the developers get to do what they want to do. It is affecting her with noise, her property value, and the views.

Vice Chair McFadden reported that in many ways Ms. Barris is correct. From the beginning this property was zoned for homes. Changes get made. Some for good reason that make logical sense. The City of Medford has a Land Use Planning document that outlines the specifications that developers have to go through to get their project done as long as they meet all the criteria that is approved by the State of Oregon. Ms. Barris is seeing tonight minor changes to make the project better. For example the street onto Foothill Road. It is a difficult road to get into because of how steep it is. Vice Chair McFadden recommended that she voice her concerns to her City Council person.

Commissioner Thomas commented that he lives at the end of Wheat Ridge where the development started. Approximately fifteen minutes after he bought his lot and closed developers starting tearing out the golf course. He was frustrated and upset. He did not check that the golf course was zoned for single family homes. He now has three rows of homes behind him instead of a golf course. There are certain things the Planning Commission can do based on the zoning of the property.

Vice Chair McFadden asked Alex Georgevitch, City Engineer to talk about the drain south of Callaway Drive. Mr. Georgevitch reported that he does not have details and cannot answer specifics about that this evening without looking at engineering plans. Each of these developments goes through a complete hydrologic and hydraulic analysis to determine where drainage is going, how to accommodate the flows on the site, and make sure it is not draining onto neighbor sites. There are times, during construction, when things are not complete. Some developments are master planned with several phases and as each phase is built out, even though they are supposed to accommodate everything during construction, there can be times where not all of the infrastructure is in place that it could be problematic when it rains. He cannot speak to any detail what occurred on Mr. Garner's site but through the engineering process, staff has reviewed all the plans for all the construction that has been built and they have accommodated all their storm water going into appropriate facilities.

Vice Chair McFadden commented that all those plans are available if a citizen visits the Engineering Department. Mr. Georgevitch replied that is correct. He encouraged anyone to come to the Engineering Department if they are having problems.

Mr. Georgevitch pointed out that there has been discussion reducing a cross-section for the Hillside Ordinance. Unfortunately, it was limited to 5B. There has been no analysis provided of the slopes. When getting into the Hillside Ordinance staff will have a

constraints analysis and a geologic hazard report. Staff does not have that on this application so he cannot tell the Planning Commission where slopes are exceeding the 15%. He does not believe the applicant can right now as well. If they have that information the Engineering Department staff will review and make a decision based on that type of analysis. Staff did not receive that. All they had was a cross-section with the limited location of the GIS location of 15% or greater. That is why staff made the recommendation they did. Anything else would be an exception process.

Vice Chair McFadden asked, since the Planning Commission is aware of this and cannot decide that issue, can the Planning Commission leave it that City staff and the applicant work it out according to the standards? He does not see the road width as being a major issue for the Planning Commission to be concerned with in terms of the division of the properties. Mr. Georgevitch clarified that the applicant is maintaining the standard road width of 28 feet. They are requesting a reduction in the right-of-way. Mr. Georgevitch has concerns based on the data staff has available.

Kelly Evans, Assistant Planning Director reported that as Mr. Georgevitch pointed out the question is reducing the right-of-way. It is something staff has no authority to do nor the Planning Commission outside an exception request, except of the relief provided in the Hillside Ordinance. The Hillside Ordinance provides relief for properties with areas that exceed slopes of 15% for 1000 square feet or more. Staff has not seen that analysis. Staff is correct in their analysis on 5A on the northerly piece because it is clear the easterly section would be within the proposed right-of-way. The applicant's request on 6B would likely fall into that category but without the slope analysis and demonstrating that the development will occur more than 1000 feet, it is difficult for staff to approve. The question of staff doing something, the Planning Commission may decide if the applicant demonstrates that the Hillside Ordinance applies, it could be reduced. It would only be limited to those areas where slopes exists and they do not exist farther south. The Planning Commission could state that the applicant can utilize the provisions of the Hillside Ordinance in phase 5B and demonstrate in 6B that they will disturb more than 1000 square feet of area that exceed 15%. If they cannot make that demonstration they would be obliged to do one of the two: 1) build to the standard; or 2) come back with an exception requesting relief through that process.

Mr. Mitton wanted clarification that one of the key issues is the determination of whether the reduction in open space is or is not De Minimis. Is the recommended motion finding that this is not De Minimis? Ms. Conner replied finding that it is or is not De Minimis, either way. Mr. Mitton stated that the Planning Commission in making the motion needs to make findings.

Mr. Savage reported that the applicant has a slopes map that provides a little analysis but the clearest thing to do is the "if then". If the applicant's engineer provides the

appropriate information that staff could accept to allow for the reduced cross-section the applicant is willing to accept that as a condition.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of LDS-18-153 per the staff report dated January 17, 2019, including Exhibits A through T, replacing Exhibit L with Exhibit L-1, determination on the reduction in open space is De Minimis, and the applicant provide the information that shows the slopes in the area exceeds the 15% or meets the Hillside Ordinance requirement then staff could find their proposal to include the modified cross-section from 5B down to 6B would be included.

Moved by: Commissioner Foley Seconded by: Commissioner McKechnie

Commissioner McKechnie reported that the applicant's agent reported that the open space in the Cedar Links subdivision is a reduction of half a percent. It is close to 8 or 9% in this particular area. It needs to be pointed out that a large portion was not open space per se but the pedestrian connection over to Foothill was required because originally it eliminated vehicular connection. That effect of usable open space in that area is considerably less than the 8% reduction that one would see on paper.

Commissioner Foley stated it is important to consider that. When looking at the larger map at this particular part most of the open space was associated with another section that made a big difference. Just looking at the data the Planning Commission had it was a huge number. Looking at the south side it is still De Minimis.

Roll Call Vote: Motion passed, 6-0.

50.3 CUP-18-148 Consideration of a Conditional Use Permit to allow storm water facilities within the Riparian Corridor of Lone Pine Creek, located approximately 300 feet from the intersection of Delta Waters Road and Crater Lake Highway (HWY 62). (371W18AA TL 1200-1400). Applicant: Delta Waters Lenders; Agent: Bill Philp; Planner: Liz Conner.

Vice Chair McFadden inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Culbertson disclosed that he is on the Site Plan and Architectural Commission. They had a coordinated application that was presented to the Site Plan and Architectural Commission that was continued to the February 1, 2019 meeting. He has information on that. Does that preclude him from hearing this item? Mr. Mitton replied no. It was another application on the same thing and could be considered ex-parte. Simply disclosing that he knows about another application is not the same thing as a conflict of interest that would disqualify him from voting on this. All the information related to this application being

presented tonight is a separate issue and separate proceeding. Disclosing the information is sufficient.

Vice Chair McFadden inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Liz Conner, Planner II stated that the Conditional Use Permit approval criteria can be found in the Medford Land Development Code Section 10.184(C). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Conner gave a staff report. Ms. Conner reported that staff has been in communication regarding the Public Works staff report that suggested a 30 foot easement. Through communication it can now be a 25 foot easement. Ms. Conner deferred questions of the easement to Mr. Georgevitch and have him explain what the access is for.

Commissioner McKechnie asked, is the drainage facility within the 25 foot easement? Ms. Conner replied yes.

Commissioner McKechnie asked, what happens when the creek overflows? Ms. Conner stated that it will go into the drainage facility.

Commissioner McKechnie asked, is this detention or retention? Ms. Conner deferred the question to the applicant.

Mr. Georgevitch reported that Public Works spoke with the applicant and Public Works would like to change their staff report from a 30 foot to a 25 foot easement from the center line. Also, clarify that the easement is for riparian planting and access for creek maintenance. Public Works will update their staff report for the final order.

Vice Chair McFadden asked, is there going to be a roadway between the detention area and the creek? Mr. Georgevitch replied no. Creeks are part of the City's storm drain system. They need to get into the creeks occasionally to maintain them. To maintain them they either, by hand cut away overgrowth, or use a ditch cleaner through the bottom of the channel and work the sides to recreate and stabilize the banks. The applicant has no issues with this. They just wanted clarification what the easement was for.

Mr. Georgevitch answered the question of was it a detention facility or retention. The City does not do retention as of yet. That may change in the near future. These types of facilities near the water have to be located above at least the 10 year high watermark if not the 25 year high watermark. It does not preclude water from coming in but the detention ordinance is only dealing with 10 year or lesser events.

Vice Chair McFadden asked, if the water comes across and gets washed out is the property owner required to rebuild to proper heights? Mr. Georgevitch replied yes. They have a responsibility to maintain their water quality requirements conditioned in the code. If there is a natural event that causes damage they would have to maintain it. It also goes beyond a major event. It is the day to day maintenance.

Vice Chair McFadden asked, is the major regulation through the Oregon Department of Fish and Wildlife (ODFW)? Mr. Georgevitch replied no. The location brings it into ODFW purview but the City's municipal code requires water quality and detention. It is out of the water quality and detention ordinance that they are building this. They are building within the creek area where ODFW is involved.

The public hearing was opened.

a. Bill Philp, 277 Coyote Run, Jacksonville, Oregon. Mr. Philp reported that they needed clarification of the easement and glad that it is in the record. ODFW says a lot about the storm detention. He quoted: *"The addition of the bioswale will provide stormwater treatment as well as adding significant natural area to a current decomposed granite parking lot. In large quantities, decomposed granite will smother and kill incubating salmon and steelhead eggs."* It is a benefit to the City and stream. They have complied with everything ODFW has. They have no problem with the 25 foot easement for access into the property.

Vice Chair McFadden asked, since they are going through the Site Plan and Architectural Commission, is the City requiring right-in/right-out at Delta Waters? Mr. Philp stated that the right-in/right-out will be there. The divider already there will be extended 50 feet to the west.

Mr. Philp reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of CUP-18-148 per the staff report dated January 17, 2019, including Exhibits A through R, and the change to the Public Works staff report to allow for a 25 foot easement for riparian planting and access for maintenance for the creek.

Moved by: Commissioner Foley Seconded by: Commissioner Culbertson

Roll Call Vote: Motion passed, 6-0.

50.4 CUP-18-176 Consideration of a request for a Conditional Use Permit (CUP) in order to operate a temporary shelter for homeless individuals and families (Kelly Shelter) at the First United Methodist Church located at 607 West Main Street in the Commercial-Service & Professional Office (C-S/P) zoning district (372W25DA TL 200, 400, 500, 700 & 800). Applicant: Rogue Retreat; Agent: United Methodist Church; Planner: Dustin Severs.

Vice Chair McFadden inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. None were disclosed.

Vice Chair McFadden inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Dustin Severs, Planner III stated that the Conditional Use Permit approval criteria can be found in the Medford Land Development Code Section 10.184(C). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs reported that staff received a revised guest agreement form that is before the Planning Commission. There were minor changes that City staff requested to be added. It simply states that City personnel can enter and inspect without advance notice. This will be entered into the record as Exhibit F-1. Mr. Severs gave a staff report.

The public hearing was opened.

a. Chad McComas, Executive Director, Rogue Retreat, 711 E. Main Street, #25, Medford, Oregon, 97504. Mr. McComas reported that they have been in operation for three years. The reason they are coming for the Conditional Use Permit at this point is because things changed with the new policy that was put into place last year for shelters. They helped create that policy. They opened in December because they are under the 2018 year. Now they are in 2019 and have to go through the Conditional Use Permit process.

Statistics about the shelter: Since December 1, 2018, they have had 101 different guests come through; 81 males, 19 females, 1 transgender person. They have had 11 veteran quests. They have had 6 dogs and 1 cat. Eighty-four guests have active health insurance. If they do not have medical insurance Rogue Retreat helps them to get medical insurance. They have had 9 people move out of the shelter into more permanent housing. That is the point of running the Kelly Shelter. They have case management staff that works with the guests addressing their needs and trying to keep them off the streets. Last year from January 1 to March 31, 2018 they were able to transition over 40 people out of the shelter and into more permanent housing.

Mr. McComas reserved rebuttal time.

b. Willie Johnson, c/o Rogue Retreat, 711 E. Main Street, #25, Medford, Oregon, 97504. Mr. Johnson reported that if the shelter does not get an extension there will be approximately 50 more people on the street. He wants to make sure these people have a place to be at year round. A lot of people consider homeless people to be ignorant, drug addicts and alcoholics which is not true. He is a former Marine with two associate degrees. He was evicted from his home.

c. Christine Hardy, 525 N. Riverside Avenue, #8, Medford, Oregon, 97501. Ms. Hardy was a client on the floor last year of Rogue Retreat. She started out January 1, the middle of March she went to the Tiny Houses and the middle of June she got an apartment. Last summer she volunteered at the cooling shelter and clean sweep. She is now an employee of Rogue Retreat taking care of the people that are in the shelter.

Mr. McComas stated they are grateful to the City for working with them for the last 3 to 4 years creating something they all can be proud of and something that will move forward. They are currently working on a full time shelter because they think it really needs to happen in this community. They are proving with a little care and work they can help change things.

The public hearing was closed.

Motion: The Planning Commission adopted the findings as recommended by staff and directed staff to prepare the Final Order for approval of CUP-18-176 per the staff report dated January 17, 2019, including Exhibits A through K, and replacing Exhibit F with Exhibit F-1.

Moved by: Commissioner Foley Seconded by: Commissioner McKechnie

Roll Call Vote: Motion passed, 6-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural met on Friday, January 18, 2019. There were three applications that came before the Site Plan and Architectural Commission. One was Kentucky Fried Chicken off Center Drive. There was discussion of the ingress and egress on Belknap Road. The City was requiring half the road. They kept the record open and continued the item to February 1, 2019. The other application was Pilot Rock Excavation on Bateman. They have a 6,000 square foot heavy equipment repair yard. The applicant requested an exception to put in rough rock rather than paving so they can unload and load their tract machines. That was approved. The last application was a continuance on the Delta Waters Lenders building. The argument letter that was pitched to the Commission for the continuance he thought was kind of

inflammatory. He is not sure if someone from the Planning Commission would want to sit in as he will not be able to attend that meeting.

Ms. Evans reported that there is not a provision for a Planning Commission alternate appointee. Mr. Mitton agreed.

60.2 Planning Department

Ms. Evans reported that the next Planning Commission study session is scheduled for Monday, January 28, 2019. Discussion will be on Sanitary Sewer Collection Master Plan.

There is business scheduled for the Planning Commission on Thursday, February 14, 2019, Thursday February 28, 2019, Thursday, March 14, 2019 and Thursday, March 28, 2019.

City Council is interviewing Ward 4 candidates this evening.

The Planning Department does not have any business items for the City Council for several weeks.

Landmarks and Historic Preservation Commission had a study session with staff a week before last. They discussed if the Commission was comfortable giving staff administrative authority. It will require a text amendment that will come before the Planning Commission at a future date.

Commissioner Culbertson asked if there was any items scheduled for the Monday, February 11, 2019 Planning Commission study session. Ms. Evans replied yes. Commissioner Culbertson will be out of town.

70. Messages and Papers from the Chair. None.

80. Remarks from the City Attorney. None

90. Propositions and Remarks from the Commission. None.

100. Adjournment

The meeting was adjourned at 7:23 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards
Recording Secretary

David McFadden
Planning Commission Vice-Chair

Approved: February 14, 2018

STAFF REPORT- CONTINUANCE REQUEST

for a Type-III quasi-judicial decision: **Subdivision**

Project	Vinatieri Heights Subdivision Applicant: Rita Vinatieri; Agent: Neathamer Surveying Inc.
File no.	LDS-18-160
To	Planning Commission *for February 14, 2019*
From	Liz Conner, Planner II
Reviewer	Kelly Evans, Assistant Planning Director
Date	February 7, 2019

BACKGROUND

Proposal

Consideration of a tentative plat for a six lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district, located on Roxy Ann Road directly south of Autumn Park Drive (371W23DD TL 1800).

Request

The applicant has requested that the item be continued to March 14 2019, in order to provide additional information.

EXHIBITS

A Continuance request received February 6, 2019
Vicinity map

PLANNING COMMISSION AGENDA:

JANUARY 10, 2019
JANUARY 24, 2019
FEBRUARY 14, 2019

NEATHAMER SURVEYING, INC.

February 6, 2019

CITY OF MEDFORD: PLANNING DEPARTMENT
Attn: Liz Conner, Planner II
200 South Ivy Street, Lausmann Annex
Medford, OR 97501

Re: Vinatieri Heights Subdivision
City of Medford File No. LDS-18-160

Liz:

On behalf of our client and applicant, Rita Vinatieri, the intent of this letter is to request a continuance for the Planning Commission meeting scheduled for February 14, 2019, for the referenced project.

The applicant would like to move the project to the agenda for the Planning Commission meeting scheduled for March 14, 2019. The requested continuance would allow Rita Vinatieri an opportunity to address the matters that were discussed during the land division meeting that occurred on December 19, 2018, particularly those related to the required improvements.

Thank you for your consideration. Please contact this office should any questions arise or if any additional information is necessary.

Respectfully,

Neathamer Surveying, Inc.

By: Nathan Ruf CFM
Nathan Ruf/CFM

3126 State Street, Suite 203 | P.O. Box 1584 | Medford, Oregon 97501-0120
Bus: (541) 732-2869 | Fax: (541) 732-1382

CITY OF MEDFORD
EXHIBIT # A
File # LDS-18-160

City of Medford

Planning Department

Vicinity Map

File Number:

LDS-18-160

Project Name:

Vinatieri Heights Subdivision

Map/Taxlot:

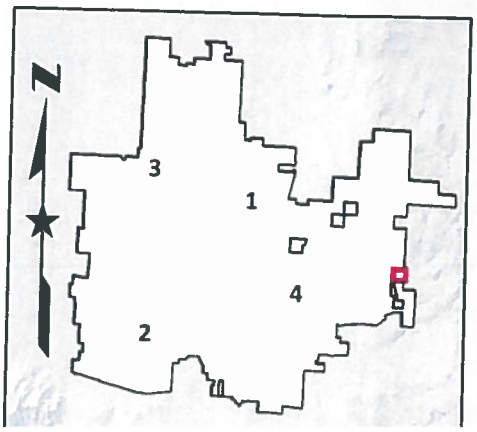
371W23DD TL 1800

0 125 250 Feet

11/02/2018

Legend

- Subject Area
- Zoning Districts
- Tax Lots



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT – CONTINUANCE REQUEST

for a Type-III quasi-judicial decision: **Zone Change**

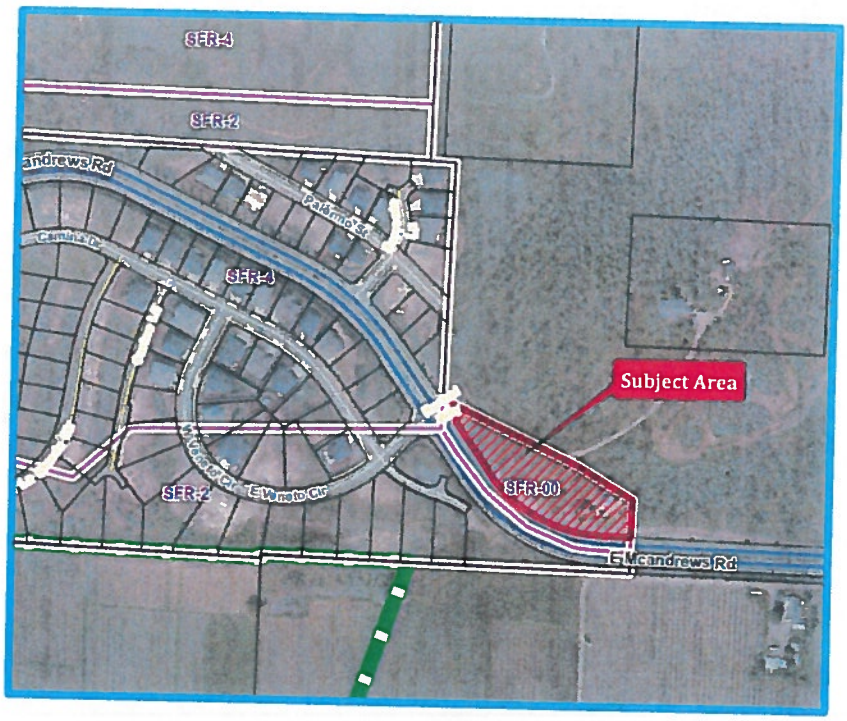
Project	Hagle Zone Change Applicant: Jane Erin Griffin-Hagle
File no.	ZC-18-189
To	Planning Commission
From	Dustin Severs, Planner III
Reviewer	Kelly Evans, Assistant Director
Date	February 7, 2019

for February 14, 2019 hearing

BACKGROUND

Proposal

Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400).



Request

The applicant has requested that the item be continued to March 14, 2019, in order to provide additional time to complete a sewer study to support the zone change request.

EXHIBITS

A Continuance request, received February 1, 2019.
Vicinity Map

COMMISSION AGENDA: **FEBRUARY 14, 2019**

RECEIVED
FEB 01 2019
PLANNING DEPT.

January 31, 2019

HAND-DELIVERED to City of Medford Planning Department
On February 1, 2019

Dustin Severs, Planner III
City of Medford – Planning Department
200 South Ivy Street
Medford, OR 97501

RE: FILE No.: ZC-18-189

Dear Mr. Severs,

Please consider this letter as a formal request to extend the timeframe for me to meet before the City of Medford Planning Commission for 30 days. While I was scheduled to meet before the Planning Commission on February 14, 2018, additional time is required to complete a sewer study to support my petition for a zone change. Since sewer was the only issue raised at the January 23, 2019 utility meeting, I perceive this will require time for an engineering firm to complete their study on my behalf.

Therefore, please extend the timeframe for my appearance before the Planning Commission to March 14, 2019 or later, based on the Planning Commission's meeting schedule. If you have any questions regarding this request, please do not hesitate to contact me at 541-821-5263.

Sincerely,

Jane Griffin-Hagle
4199 Rachel Way
Medford, OR 97504
Jhagle01@gmail.com
541-821-5263

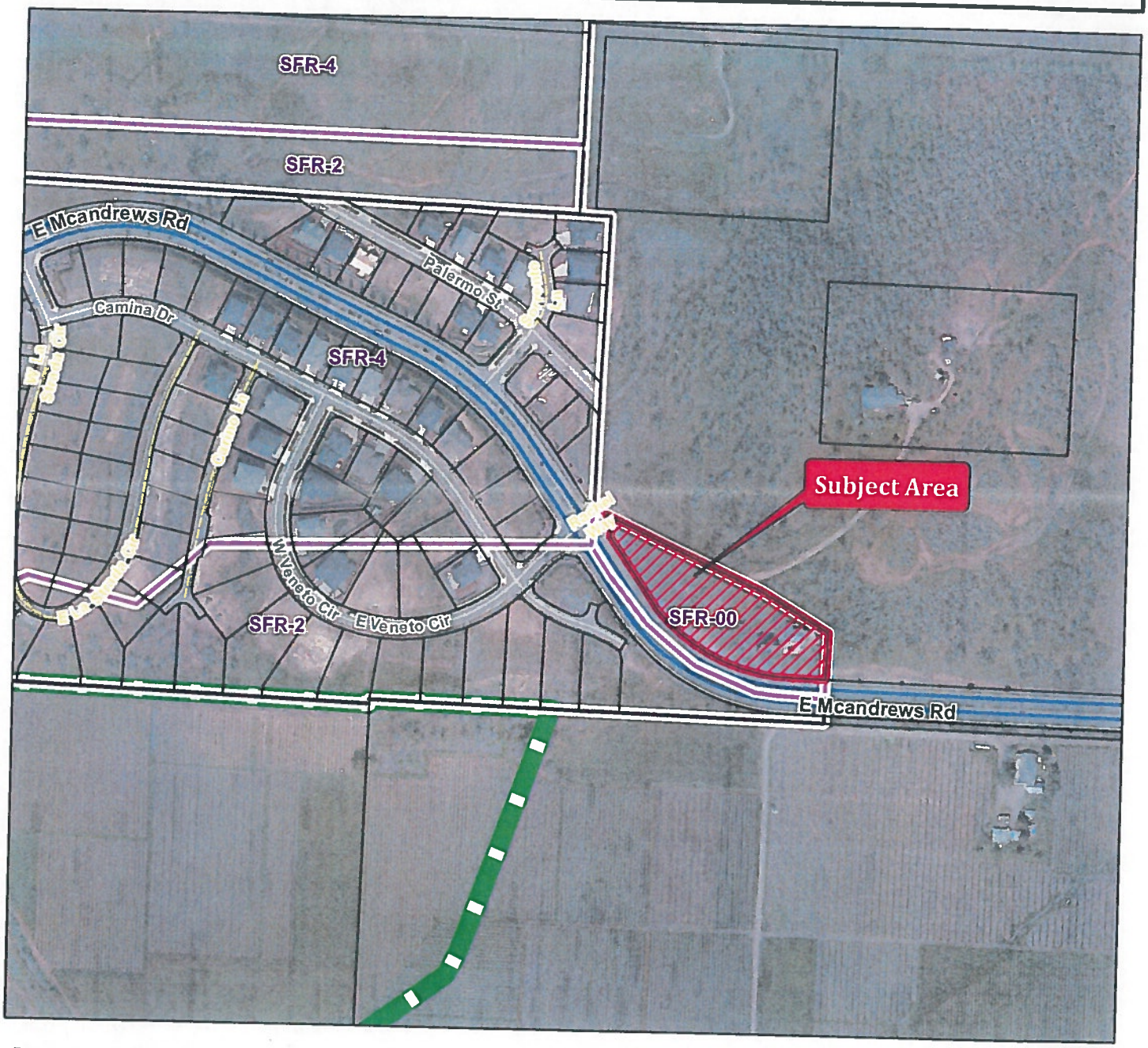
City of Medford

Planning Department

Vicinity Map

File Number:

ZC-18-189



Project Name:

Griffin-Hagle Zone Change

Map/Taxlot:

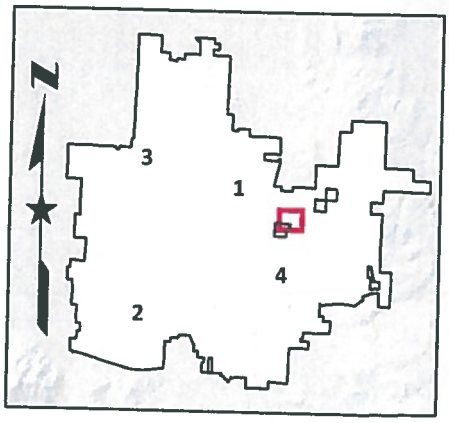
371W22 TL 400

0 250 500 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots

12/19/18



STAFF REPORT

for a Type IV legislative decision: **Development Code Amendment & Minor Comprehensive Plan Amendment**

Project	Lighting Standards Update
File no.	DCA-19-005 & CP-19-011
To	Planning Commission
From	Kyle Kearns, Planner II
Reviewer	Carla Angeli Paladino, Principal Planner
Date	February 7, 2019

for 01/14/2019 hearing

BACKGROUND

Proposal

DCA-19-05 is an update to the Land Development Code to reflect recent changes to lighting standards in the Southeast Overlay. CP-19-011 is a legislative amendment identical to the development code amendment to the Comprehensive Plan to update the same text, but in the Neighborhood Element, Southeast Plan of the Comprehensive Plan.

History

The Public Works department has been investigating the use of LED streetlights over the past two years. Through this process a different street light for pedestrian scale lighting has been identified. Staff selected a new light (Exhibit C) made by Visionaire Lighting. The Visionaire pole and light are more durable and use less energy but have an initial cost that is about 10% more than the current light standard. Outreach to the development community was performed in the summer of 2017 by Public Works staff. In order to make the changed standard cost neutral, the development community had requested that the lights be spaced further apart. Staff verified that the lighting levels can meet the standards in the Medford Municipal §§ 10.495 with the larger spacing by using a pole that is 16-feet tall instead of matching the 12-foot height of the current standard. The request to space the poles farther apart is driving the changes proposed in Exhibit A & B.

Authority DCA-19-005

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

Authority CP-19-011

This proposal is a Type IV land use action to amend the Comprehensive Plan. 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

Previous standards regarding pedestrian scale lighting were created and added to the Medford Land Development Code in 2002 (Ordinance No. 2002-94). Since 2002 the technology and abilities of modern lights have changed greatly, especially with the increased efficiency and use of LED lights. The new lights identified by Public Works staff are a 46 Watt LED light fixture that consume 50% less power than the current 100Wm high pressure sodium standard. In addition the new lights being used for pedestrian scale lighting will be affixed to a steel pole that is more durable than the current extruded aluminum. With the changes in lighting standards comes a 10% increase in initial cost; thus the development community has asked for a change to the pedestrian scale lighting spacing standards to help alleviate the new cost burden.

Staff has determined that the only changes needed to update the MLDC would be standards consistent with the request of the development community. The new lights meet the lighting standards outlined within §§10.495, Street Lighting and Pedestrian-Scale Street Lighting; these standards set the quantity & spacing, illuminance (footcandle measurement) and shielding standards for lighting and pedestrian scale lighting citywide. Through staff's review of the MLDC it was determined that the only standards that needed to be updated is the section in the Southeast Overlay, 10.380 Street Lighting Standards, S-E. The changes in the S-E Overlay, as proposed (Exhibit A), are consistent with the general standards as established in 10.495.

FINDINGS AND CONCLUSIONS – DCA-19-005

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

Although not directly relatable to the general public, the new standards proposed within Exhibit A do benefit the development community. As proposed, the new standards are more consistent with other pedestrian-scale lighting standards throughout the code (specifically 10.495). In addition the LED light chosen by Public Works consumes 50% less energy and are sturdier than the preceding light standard. Since the new light is more expensive, in order to offset this cost to the public, the changes in DCA-19-005 have been drafted to offset aforementioned cost.

Conclusions

In looking to the application of DCA-19-005 to the broader public, the effects will be minuscule. The development community provided input on the increased cost due to the newly selected LED lights; in response staff prepared broader and less restrictive standards to lower development cost. 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 policies are from the comprehensive plan and in support of DCA-19-005 as proposed.

Environmental Element – Policy 10-E

The City of Medford shall strive to make all city facilities and operations as energy efficient as possible.

Public Facilities Element-General Public Facilities – Policy 2-B

The City of Medford shall strive to ensure that new development does not create public facility demands that diminish the quality of services to current residences and businesses below established minimum levels.

Conclusions

With a 50% reduction in power consumption of the new LED lights the proposed light and the associated standards will be in direct support of the Medford Comprehensive Plan. The criterion has been satisfied.

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

Findings

Public Works staff provided a memorandum (Exhibit C) directing the changes to the MLDC. The changes of DCA-19-005 were directed by this memo.

Conclusions

Staff prepared changes consistent with the Public Works Direction. 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.

FINDINGS AND CONCLUSIONS – CP-19-011

For the approval criteria, Section 10.218 of the Medford Municipal Code redirects to the "Review and Amendment section of the Comprehensive Plan." The applicable criteria in this action are those for the review and amendments procedure. The criteria are set in *italics* below; findings and conclusions are in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments to review and amendment procedures shall be based on the following criteria: Amendments shall be based on Statewide Goal 2 and any other applicable Statewide goals.

Findings

The changes proposed in CP-19-011 (Exhibit B) are intended to reflect the language changes proposed within DCA-19-005. Staff has reviewed the Comprehensive Plan and the associated land use goals and has found that the majority of the criteria are not applicable to the proposed changes within CP-19-011. Additionally, staff has reviewed Statewide Planning Goal 2, Land Use Planning, per the

listed criteria and has found that CP-19-011 is supported by language within Goal 2.

The intent of Goal 2 is "To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions." [1] With the changes reflected in DCA-19-005, the need for CP-19-011 is needed to "...assure an adequate factual base for such decisions and actions." If the Comprehensive Plan were not changed concurrently with DCA-19-005 it would no longer be factual.

Conclusions

If the proposed text within CP-19-011 was not amended then the Comprehensive Plan would be referencing text that was no longer factual or relevant. This would be in direct conflict with the intent of creating "...a land use planning process and policy framework...to assure an adequate factual base for such decisions and actions." Thus, the changes are necessary; the criterion has been satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are either met or not applicable, initiate the amendment, and forward a favorable recommendation for adoption of DCA-19-005 and CP-19-011 to the City Council per the staff report dated February 7, 2019 including Exhibits A through C.

EXHIBITS

A Proposed Amendment DCA-19-005
B Proposed Amendment CP-19-011
C Public Works Memorandum – January 14, 2019

PLANNING COMMISSION AGENDA: **FEBURARY 14, 2019**

[1] United States. State of Oregon. Department of Land Conservation and Development. Oregon's Statewide Planning Goals & Guidelines GOAL 2: LAND USE PLANNING. Salem: n.p., 2010. Web. 19 July 2017

Exhibit A

Proposed Amendment DCA-19-005

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

10.380 **Street Lighting Standards, S-E.**

1. Public Streets.

For public streets within the S-E Overlay District, street lighting and pedestrian-scale street lighting meeting the design and improvement standards specified for the S-E Overlay District

within the *City of Medford Street Lighting Standards and Specifications*, a copy of which is on file in the Medford Public Works Department, shall be installed as follows:

a. At least one streetlight shall be installed at each street intersection and at any pedestrian street crossing other than at street intersections.

b. Pedestrian-scale street lights shall be installed on both sides of lower-order streets ~~at least~~ approximately every ~~80~~ 100 feet within the planter strips, or, where planter strips are not required, located within the street right-of-way at locations agreed upon by the Director of the Medford Public Works Department or designee. For Collector and Arterial streets, the use and location of pedestrian scale streetlights shall be as determined by the approving authority in the development review process.

c. Streetlights and pedestrian-scale streetlights shall be designed or shielded so as to prevent light from being emitted above the fixture.

d. The location of streetlights and pedestrian-scale streetlights shall be coordinated with streetscape and planter strip or street tree planting plans where required or utilized.

e. The operation and maintenance costs for the pedestrian-scale street lighting shall be charged to the benefiting property owners through establishment of a utility fee.

2. Private Streets.

For private streets within the S-E Overlay District, street lighting and pedestrian-scale street lighting shall be installed in accordance with (1), unless the PUD approval authorizes a modification. Legal documents shall be submitted in a form acceptable to the City Attorney prior to recording in the official records of Jackson County that assure that the street lighting and pedestrian-scale street lighting systems will be perpetually maintained and operated by individual property owners, an association of property owners, or other non-public entity.

Exhibit B

Proposed Amendment CP-19-011

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

Medford Comprehensive Plan
Chapter 10

Neighborhoods

Introduction

The divisions of this chapter are special area plans that have been adopted by the Council. One plan is incorporated by reference; two others are incorporated into this document.

Contents

Introduction 7
10.1 Southeast Plan ..... **Error! Bookmark not defined.**
10.2 Southeast Circulation Plan ..... **Error! Bookmark not defined.**
10.3 Bear Creek Master Plan ..... **Error! Bookmark not defined.**
10.4 Urbanization Plans ..... **Error! Bookmark not defined.**

* * *

Street Lighting
Medford Land Development Code Section 10.495 permits the use of pedestrian-scale street lighting (used to light the sidewalk) except on collector and arterial streets. In addition, a standard streetlight (used to light the roadway) is required to be installed at each street intersection and at any other pedestrian street crossings. The operation and maintenance costs of pedestrian-scale street lighting are charged to the benefiting property owners through a utility fee.

Such lighting is required in the S-E Overlay District on both sides of the street approximately every 100 feet. They are placed within the planter strips where there are planter strips. Where there are no planter strips, they are placed on abutting private property or within extra wide sidewalks. They will be essential on certain collector and arterial streets as well, to provide the continuity and where there will be high pedestrian activity, especially in the Southeast Village Center TOD, including a portion of Barnett Road. The Code should be clarified to allow pedestrian-scale streetlights to be required where needed in the S-E Overlay District, including on collectors and arterial streets.

* * *

MEMORANDUM

Date	January 14, 2019
To	Kyle Kearns, Planner II
From	Karl MacNair, Transportation Manager
Subject	Development Code Streetlight Spacing Change (MLDC Section 10.380)

This memorandum serves to inform why the change to the development code is being requested.

Public Works has been investigating LED streetlights for the last 2-3 years. As part of this investigation, we have identified a different desired street light for pedestrian scale lighting that is required in the SE overlay area. The new light is made by Visionaire Lighting and is about 10% more expensive than the old light.

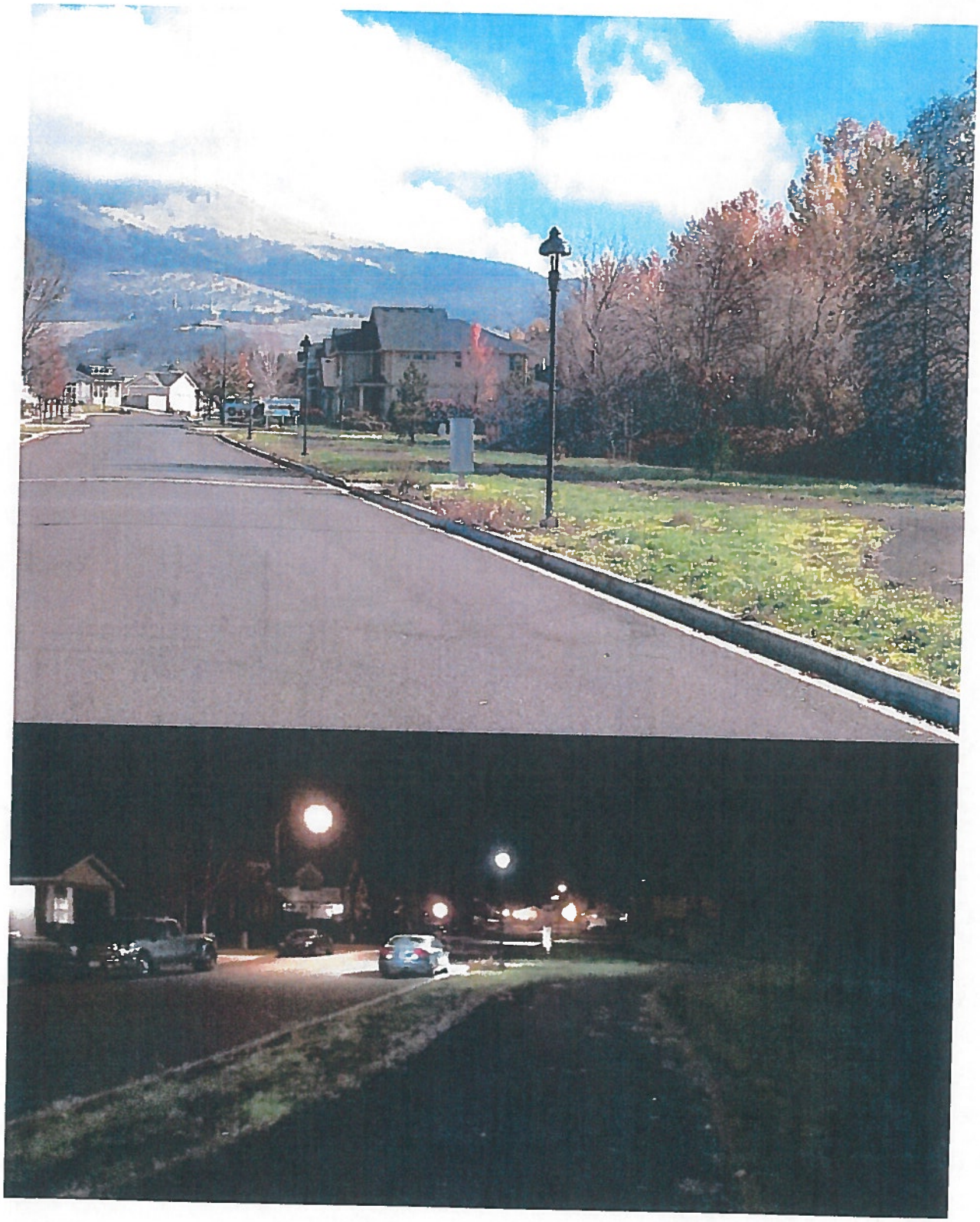
In order to make the change closer to cost neutral, the development community requested that the lights be spaced farther apart. Public Works has confirmed that the light level requirements in Medford Land Development Code (MLDC) Section 10.495 can be met with the new lights at an approximate 100-feet spacing on-center. This includes lights on both sides of the street, consistent with the current standard.

MLDC Section 10.495 sets the city-wide lighting standards, which measured in footcandles. However, MLDC Section 10.380 specifies that lights be installed at a *maximum* 80-feet on-center in the SE overlay. This is a very restrictive requirement. Public Works requests the code language be modified to allow the change to the new pole standard.

Below are some photos and information about the new poles.

Key Statistics:

- 46W LED replaces 100W High Pressure Sodium (approx. 50% power consumption)
- Steel pole is more durable than current extruded aluminum.



STAFF REPORT

for a Type IV legislative decision: Major Comprehensive Plan Amendment

Project	Sanitary Sewer Collection System Master Plan (2016-2036) – Public Facilities Element
File no.	CP-18-185
To	Planning Commission *for 02/14/2019 hearing*
From	Kyle Kearns, Planner II
Reviewer	Carla Angeli Paladino CFM, Principal Planner
Date	February 7, 2019

BACKGROUND

Proposal

CP-18-185 is a Major Comprehensive Plan amendment to update the Public Facilities Element of the Medford Comprehensive Plan (Exhibit A) to reflect the updated 2018 *Sanitary Sewer Collection System Master Plan* (SSMP) as initiated by City Council on December 6, 2018, per Ordinance 2018-134.

Note: It is important to note that this update to the public facilities element of the Comprehensive Plan pertains to only sanitary sewer collection, not treatment, facilities. The SSMP referenced throughout this report can be found at the following link: http://www.ci.medford.or.us/SIB/files/Medford_Final_SSMP_Jan2019_Reduced.pdf

History 2015-20108

The creation of the SSMP began on November 12, 2015 upon the hiring of the consultant, Carollo Engineering, Inc., to prepare the SSMP. In September of 2017 staff formed the Technical Advisory Group (TAG) to review the draft SSMP and provide input on the plan. From September of 2017 until November 14, 2018 the TAG met a total of five times to provide comments, input and guide final formation of the SSMP. On December 6, 2018 City Council initiated a Major Comprehensive Plan Amendment, per Resolution 2018-134 (Minutes Exhibit B) , to include the Sanitary Sewer Collection System Master Plan (SSMP) into the comprehensive plan. The previous SSMP was completed in 2005. In order to verify current conditions as well as plan for growth in areas due to the expanded Urban Growth Boundary (UGB), approved in the summer of 2018, the SSMP needed to be updated as well.

Planning Commission Study Session January 28, 2019 (Minutes Exhibit C)

Staff from both Planning and Public Works presented to the Planning Commission to inform of the forthcoming comprehensive plan amendment for the public facilities element. Discussion on the 28th focused primarily on the issues of removing restricted zoning from certain parcels, the proposed raise in System Development Charges (SDCs) and the request of Planning Commission in regards to CP-18-185. Below are further details regarding the recommended funding option to supplement discussion from January 28, 2019. It was noted by Kelly Evans, Assistant Planning Director that the Planning Commission is being asked to forward a favorable recommendation to the City Council for the inclusion of the comprehensive plan element and adoption of the SSMP, as directed by ordinance.

ANALYSIS

Medford is the largest city in the region and strives to meet the housing, employment, and recreational needs of residents and visitors alike. As such, the City must ensure efficient flows for various forms of congestion, including sanitary sewer collection facilities. The *Sanitary Sewer Collection System Master Plan* is needed to address future growth and provide direction on the improvement and capacity growth (specifically the newer UGB lands) of the sanitary sewer collection system over the next 20 years (planning horizon in 2036).

One of the requirements of annexing and developing the newly expanded UGB lands is to have an updated public facilities element in the Comprehensive Plan. Lands being developed, whether in the newly expanded UGB or not, are required to maintain what is defined as "Category A Facilities;" sanitary sewer collection facilities are considered a Category A facility. An update to the SSMP was necessary to analyze and define what is needed to maintain sanitary sewer collection facilities. Much like the Transportation System Plan (TSP) the SSMP has several sections that combine to analyze current conditions and capacity, anticipate growth areas, plan for future projects and determine the financials needed to grow the sanitary sewer collection system. Items relating to sanitary sewer treatment are not addressed in this comprehensive plan amendment; they will be addressed in a subsequent update upon completion of the applicable plans (2 or more years out anticipated). Text related to treatment facilities in Exhibit A is existing comprehensive plan language, not proposed language.

SSMP Sections

A complete SSMP document can be found here: http://www.ci.medford.or.us/SIB/files/Medford_Final_SSMP_Jan2019_Reduced.pdf

The various sections include:

- **Executive Summary**: Summarizes each individual section

- **1-Introduction**: Summarizes resources and methods used, SSMP objectives and the general outline of the document
- **2-Basis of Planning**: Contains land use, environmental, and planning horizon considerations as well as goals and policies
- **3-Existing System**: Overview of existing wastewater collection system
- **4-Hydraulic Model Development**: Reviews use of model to determine impact of storms on system to identify deficiencies
- **5-Capacity Evaluation**: Conveys the capacity of the existing system and identifies projects to correct deficiencies for existing and future users
- **6-Infiltration & Inflow Reduction Program**: Summarizes the current inflow and infiltration estimates, reviews options for reduction and assesses cost compared to projects recommended in chapter 5
- **7-Capital Improvement Plan (CIP)**: Recommended projects as discussed in previous chapters to meet service goals for existing and future users
- **8-Finacial Analysis**: Assesses cost associated with funding the CIP; potential funding options include bonds, loans and increasing sewer fees and system development charges (SDCs)

Financial Scenarios and Sanitary Sewer Development

Generally, there are three scenarios available to the City to pay for the SSMP CIP; they can be summed up into options of issuing no debt or issuing debt. Historically the City has not issued debt to pay for sanitary sewer, and maintains a no-debt policy. Public Works staff recommends the use of Option 1A.

The three scenarios are as follows:

- **Option 1A:** This option assumes the City would not issue debt, and instead fund the City's operating expenses and CIP through rate revenue and system development charges (SDCs increase to $1,036 per Equivalent Residential Unit (ERU).
- **Option 1B**: This option is the same scenario as Option 1A in terms of debt issuance and revenue strategy. However, projects required in and for areas of expansion (EXP projects) are assumed to be funded by other means as discussed below [in the SSMP] and are therefore excluded from the CIP, SDC calculation, and Option 1B financial forecast scenarios (SDCs increase to $1,033 per Equivalent Residential Unit (ERU).
- **Option 2**: This option assumes that the City would issue debt to fund the CIP and offset user rate impacts. Rate increases would occur every other year and debt would be issued every three years. The EXP projects would be included in this scenario.

Existing conditions throughout the City and future needs within the expansion areas are considered in the updated SSMP. The plan provides a summary table of the estimated cost to construct pipes and general projects as it relates to sanitary sewer collection system through the year 2036. The proposed CIP for the City's SSMP is presented in the proposed text of Exhibit A and is directly from Table 7.6 of the SSMP. Total cost for all recommended improvement projects is $31.4 million. Annually, this can be expressed as approximately $1.3 million per year. Approximately $16.5 of the $31.4 million is for future development and is SDC eligible.

Looking at 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 $1,036 per Equivalent Residential Unit (ERU) (as identified in Option 1A). 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. Consequently, the City's sewer rates are planned to be raised by 5.0% a year until 2020, then by 4.0% until 2024, then 2.0% in 2025 and ending the projected rate increase in the SSMP as SDCs should overtake as mentioned in the previous statement.

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 Sanitary Sewer Collection System Master Plan for the plan years 2016-2036 is proposed to replace the existing plan adopted in 1990 and a subsequent plan completed in 2005. Development of the plan over the years is reflective of several factors including adoption of the Regional Plan in 2012, the approved expansion of the City's Urban Growth Boundary recognized by the Department of Land Conservation and Development in 2018, and updated modeling that anticipates future population growth and capacity needs. The plan summarizes the projects needed to ensure population growth and the sanitary sewer collection capacity keep pace with each

other; the plan looks to existing lands within the City as well as areas not developed in Jackson County in considering capacity needs.

The new plan will replace the old document in its entirety. The applicable sections of the Comprehensive Plan including the Public Facilities element and the Goals, Policies, and Implementation Strategies section of the plan will be updated.

Conclusions

Criterion 1: Satisfied. An updated Public Facilities element is needed to reflect changing conditions and future growth within the City limits and Urban Growth Boundary. The plan outlines the City's sanitary sewer capacity needs and projected areas of population and commercial growth to serve the future needs of the community. It also estimates the funding sources that will pay for the priority projects in the Capital Improvement Plan (CIP) (contained in Exhibit A). Three funding scenarios exist for consideration in ensuring the CIP comes to fruition. Public Works staff has recommended Option 1A which includes no issuance of debt and the raising of both SDCs and sewer rates. The new plan will supersede the existing plan.

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 Public Facilities Element – Sanitary Sewage Collection Conclusions include five conclusions, all of which are still relevant and/or changed to reflect the 2019 SSMP.

Conclusions

Criterion 1: Satisfied. The Conclusions section has been revised to reflect the most recent update of the Sanitary Sewer Collection System Master 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 sanitary sewer collection facilities as well as other public facilities.

Existing conditions throughout the City and future needs within the expansion areas are considered in the 2019 SSMP. The plan provides a summary table of estimated cost to construct pipes and general projects as it relates to sanitary sewer collection through the year 2036. The proposed CIP for the City's SSMP is presented in the proposed text of Exhibit A and is directly from Table 7.6 of the SSMP. Total cost for all recommended improvement projects is $31.4 million. Annually, this can be expressed as approximately $1.3 million per year. Approximately $16.5 of the $31.4 million is for future development and is SDC eligible. Total cost for all recommended improvement projects is $31.4 million. Annually, this can be expressed as approximately $1.3 million per year. Approximately $16.5 of the $31.4 million is for future development and is SDC eligible.

Generally, there are three scenarios available to the City to pay for the SSMP CIP; they can be summed up into options of issuing no debt or issuing debt. As discussed above in the Analysis portion of the report staff is recommending Option 1A, which is:

- **Option 1A:** This option assumes that the City would not issue debt, and instead fund the City's operating expenses and CIP through rate revenue and system development charges.

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 $1,036 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

Conclusions

Criterion 2: Satisfied. The City is projected to grow and develop especially in the new Urban Growth Boundary expansion areas. The need to plan for future growth requires the City to select key projects that will strategically aid in maintaining a functioning sanitary sewer collection system that will accommodate users across the entire community.

3. *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 Public Facilities Element of the Comprehensive Plan and evaluating how the sanitary

sewer collection system will be affected by future growth in the expansion areas and throughout the City is a community priority.

In order to ensure a broad spectrum of reviewers, staff formed a Technical Advisory Group (TAG) in 2017 to review the draft SSMP and provide input on the plan; the TAG consisted of nine members. The TAG roster consisted of Roger Thorn and Alex Georgevitch (City of Medford Public Works), Brandon Hall and Tony Bakke (CEC Engineering), Randy Jones (Mahar Homes), Mike Savage (CSA Planning), Mike Montero (Montero Associates), Mike Zarosinski (Adkins Engineering) and Dan Mahar (Pacific Trend). From September of 2017 until November 14, 2018 the TAG met a total of five times to provide comments, input and guide final formation of the SSMP. Staff has now prepared an amendment to the Public Facilities Element (Exhibit A) of the Comprehensive Plan, including language incorporating the full SSMP by reference as guided by the TAG.

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 Public Facilities Element 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.

4. *Demonstrable inconsistency with another Plan provision.*

Findings

Sanitary Sewer 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, sanitary sewer is linked in some way to these other elements. Minor changes are being sought within the Public Facilities element to update the text consistent with the SSMP.

The updated Sanitary Sewer Collection System Master Plan will replace the existing plan and guide the update in the Public Facilities element. Policies and text still applicable to the sanitary sewer system have been carried forward into the proposed text of CP-18-185. For example, items pertaining to sanitary sewer treatment are still relevant and not proposed to change. 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. Changes to text or replacement portions of the Public Facilities Element are proposed in order to maintain consistency within the Comprehensive Plan document.

5. *Statutory changes affecting the Plan.*

Findings

Staff reviewed the Oregon Administrative Rules pertinent to the updated SSMP (OAR 660-011 – Public Facilities Planning). The findings and summary of this review can be found in Exhibit D.

Conclusions

Criterion 5: Satisfied. The City's plan must adhere to applicable federal and state regulations related to public facilities planning. There are no administrative rule changes related to the OAR 660-011. The City's plan will show compliance with the existing applicable rules.

6. *All applicable Statewide Planning Goals.*

The City is proposing to update the Comprehensive Plan, which includes an update to the Public Facilities Element and adoption of the SSMP. This action will effectively amend the City's state-acknowledged Comprehensive Plan. The findings below explain that the updated SSMP 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 SSMP was guided by the Technical Advisory Group (TAG) formed in 2017 to review the draft SSMP and provide input on the plan; the TAG consisted of nine members as identified above. Various disciplines were represented including planning, engineering, residential development and other development firms. From September of 2017 until November 14, 2018 the TAG met a total of five times to provide comments, input and guide final formation of the SSMP. In addition, CP-18-185 was noticed to the public using traditional noticing methods identified in the MLDC. Public input will be provided, ultimately, through two public hearings in addition to the City Council meeting in which the comprehensive plan amendment was initiated on December 6, 2018 (Exhibit B)

Conclusions

Goal 1: Satisfied. The development included broad representation from the development community as well as the hearing process which provided 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 SSMP reviewed future and current conditions as outlined within the Medford Comprehensive Plan which includes the Regional Plan Element and the General Land Use Plan Element. Generally, the sanitary sewer collection system is related to lands within the Medford UGB. Goal 5 and policies 5-A and 5-B support the inclusion of outside agencies and the support and participation in regional planning as it relates to sanitary sewer collection facilities (Exhibit A).

Conclusions

Goal 2: Satisfied. The City has effectively coordinated the development of the SSMP document with the applicable state, regional, and local partners and will continue to do so into the future.

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

Goal 6 requires cities to maintain and improve the quality of the air, water and land resources of the state.

Findings

The SSMP identifies Goal 3 to address environmental concerns, in which it states in reference to the City "Ensure a sanitary sewer collection system that is environmentally sound and adaptive to a changing environment," (Exhibit A).

Conclusions

Goal 6: Satisfied. Goal 3 has several policies that relate to wastewater overflow, siting infrastructure away from streams, wetlands and other similar environmental features while also considering peak storm flows.

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 SSMP identifies Goal 3 to address environmental concerns, in which it states in reference to the City "Ensure a sanitary sewer collection system that is environmentally sound and adaptive to a changing environment," (Exhibit A).

Conclusions

Goal 7: Satisfied. Goal 2 & 3, within the policies, identify follow up items to address an Emergency Response Plan as well as a Vulnerability Assessment & Hazard Mitigation Plan as well as to ensure the security and longevity of the system are maintained.

Goal 8—Recreation Needs does not apply in this case.

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

With the recent acceptance of the expanded urban growth boundary, the City's lands available for prime commercial and residential development need public facilities planned in order to appropriately allow for the levels of development projected. The City's Economic Element states that the City, "...shall assure that adequate commercial and industrial lands are available to accommodate the types and amount of economic development needed to support the anticipated growth in employment in the City of Medford and the region," (Policy 1-5); and that the City shall, "...balance the efficient use of public facilities..." (Policy 1-8). In order to ensure these policies are met, the City needs an up to date Public Facilities element to ensure adequate capacity for all facilities is provided throughout the City.

Conclusions

Goal 9: Satisfied. The SSMP 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

The amount and mix of land planned to be developed in the new UGB lands, and the type of land uses, have a direct impact on the how the sanitary sewer collection system will be used in the future. As proposed, the CIP within the SSMP would accommodate projected growth in the newly adopted UGB lands as well as within the interior parcels within the City as projects are planned for all parts of Medford.

Conclusions

Goal 10: Satisfied. The development of the SSMP 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

Sanitary sewer collection facilities are identified as Category 'A' facilities in the Comprehensive Plan. Given the recent adoption of the new UGB lands and with more than 20 years of time having passed since the last update regarding sanitary sewer to the Public Facilities Element the SSMP update is necessary. The SSMP uses modeling software with inputs based on land uses identified in the comprehensive plan to identify system deficiencies and projected areas where growth is expected to occur. Additionally, the consulting firm hired (Carollo Engineers) to perform the analysis did so under the guidance of a registered Professional Engineer (PE NO. 81417). The various sections of the SSMP include:

- **Executive Summary**: Summarizes each individual section
- **1-Introduction**: Summarizes resources and methods used, SSMP objectives and the general outline of the document
- **2-Basis of Planning**: Contains land use, environmental, and planning horizon considerations as well as goals and policies
- **3-Existing System**: Overview of existing wastewater collection system

- **4-Hydraulic Model Development**: Reviews use of model to determine impact of storms on system to identify deficiencies
- **5-Capacity Evaluation**: Conveys the capacity of the existing system and identifies projects to correct deficiencies for existing and future users
- **6-Infiltration & Inflow Reduction Program**: Summarizes the current inflow and infiltration estimates, reviews options for reduction and assesses cost compared to projects recommended in chapter 5
- **7-Capital Improvement Plan (CIP)**: Recommended projects as discussed in previous chapters to meet service goals for existing and future users
- **8-Finacial Analysis**: Assesses cost associated with funding the CIP; potential funding options include bonds, loans and increasing sewer fees and system development charges (SDCs)

Conclusions

Goal 11: Satisfied. The updated Public Facilities Element outlines the types of infrastructure projects and improvements needed to provide sanitary sewer collection systems for a growing City.

Goal 12—Transportation does not apply in this case
Goal 13—Energy Conservation does not apply in this case

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 Public Facilities Element, as it pertains to sanitary sewer collection facilities, 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 public facility impacts and needs to serve these new areas is necessary and appropriate in order to ensure a smooth transition of these lands. The City, through Carollo Engineers, conducted analysis from 2015 until 2018 of what the impacts of the future development of rural lands to urban lands would be on the sanitary sewer collection system.

Conclusions

Goal 14: Satisfied. Provisions are in place to ensure coordination between sanitary sewer collection 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 and policies to provide guidance on how to implement the SSMP for a growing community. Several of the goals and policies are being carried forward from the previous plan; this includes proposed Goal 1 (Policies 1-A & 1-B) and Goal 4 (Policies 4-A & 4-B). New goals and policies include policies 1-C through 1-E and Goals 2, 3 and 5 and the associated policies. All of these items were derived directly from the SSMP. However, by adopting the SSMP by reference all policies and procedures identified within the plan will also be applicable to sanitary sewer collection facilities. The bulk of policies identified in the SSMP pertain to items either already in the municipal code, comprehensive plan or are procedures related to the physical construction or inspection of collection facilities not needed within the comprehensive plan.

Conclusions

Criterion 1: Satisfied. The plan outlines the City's new goals and policies needed to implement the SSMP. This element of the plan was developed based on input from the Technical Advisory Group (TAG) and then refined by the members of the City Council prior to initiation of CP-18-185. The provisions assist in meeting the first goal of the public facilities element which states, "The city shall assure that development is guided and supported by appropriate types and levels of urban facilities and services, provided in a timely, orderly, and efficient arrangement."

2. *Availability of new and better strategies such as may result from technological or economic changes.*

Findings

The development of the City's public facilities, including sanitary sewer, is highly dynamic. The maintenance, improvement, and construction of sanitary sewer collection infrastructure is a collaborative effort among City, County, and State agencies as well as private and public entities. The plan anticipates new population growth through the year 2036. Serving current and future residents will require new and enhanced sanitary sewer collection facilities. The City has identified its financial ability to construct projects identified in the CIP over the next two decades and has selected Option 1A as the funding scenario as identified in the SSMP. Rate revenues and SDCs are identified in this option.

Medford plays the role as 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 related to public facilities.

Conclusions

Criterion 2: Satisfied. The plan is a blue print to help ensure the sanitary sewer collection system for the City is maintained and improved over time. By adhering to the rate increases and SDCs identified in Option 1A the City of Medford can construct all of the projects identified in the CIP.

3. *Demonstrable ineffectiveness of present strategy(s).*

Findings

The SSMP was last adopted in 1990 and updated in 2005. The City has grown and changed over the past 20+ years and is preparing to serve approximately 20,000 more people in the next two decades. In order to plan for this growth, the sanitary sewer collection 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 sanitary sewer collection facility master plan was effectively used over the last 10+ years to serve the community. Future growth necessitates an update to the plan to ensure the City's ability to provide unobstructed and free flowing sanitary sewer collection systems and to prioritize the 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 SSMP.

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 SSMP has estimated its projected expenditures and has identified three scenarios to pay for the expenditures (detailed above). Public Works staff, per the direction of Council, is recommending Option 1A; this option raises SDCs to $1,036 per Equivalent Residential Unit (ERU) and proposes sewer utility rate increase until 2025 and then proposes no more increases due to the increased capacity from projects constructed.

Total cost for all recommended improvement projects is $31.4 million. Annually, this can be expressed as approximately $1.3 million per year. Approximately $16.5 of the $31.4 million is for future development and is SDC eligible.

Conclusions

Criterion 5: Satisfied. All projects within the CIP of the Sanitary Sewer Collection System Master Plan can be funded through the use of funding Option 1A.

6. *All applicable Statewide Planning Goals.*

Findings

The Statewide Planning Goals identified as relevant to the Sanitary Sewer Collection System Master Plan have been addressed in detail in Criterion 6 above.

Conclusions

Criterion 6: Satisfied. The updated SSMP is compliant with the applicable Statewide Planning Goals.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied, forward a favorable recommendation for approval of CP-18-185, with a recommendation to select funding Option 1A, to the City Council per the staff report dated February 7, 2019, including Exhibits A through D.

EXHIBITS

A Proposed Amendment CP-18-185
B City Council Hearing Minutes – December 6, 2018
C Planning Commission Study Session Minutes – January 28, 2019
D OAR Conformance Memo

PLANNING COMMISSION AGENDA: FEBRUARY 14, 2019

Exhibit A

Proposed Amendment CP-18-185

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

Medford Comprehensive Plan
Chapter 8

Public Facilities

Amd Pub. Fac. Element, Ord. No. 2003-134, April 17, 2003;
Amd Parks, Recreation and Leisure Services Section, Ord. No. 2010-240, November 4, 2010;
Amd Schools Section, Ord. No. 2014-16, January 16, 2014;
Amd Pub. Fac. Element, Ord. No. 2016-08, January 7, 2016
Amd Pub. Fac. Element, Ord. NO. 2019-XX Month Day, 2019

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List of Tables & Figures

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Table B-1 Sanitary Sewer Collection System Capital Improvements.....XX

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Introduction

The fundamental purpose of the Public Facilities Element is to establish and maintain a general but timely view of where, when, and how public facilities and services will be provided to support planned urban growth within Medford's Urban Growth Boundary. Each year, decisions are made to commit considerable funds for acquisition, construction, expansion, and repair of public facility systems. One important role of this *Comprehensive Plan* element is to describe the principles and criteria underlying these decisions and to integrate them with the overall land use planning process.

Public facilities elements are required by state law (ORS ~~1~~197.175 and OAR 660-011) for all cities with a population greater than 2,500. The Public Facilities Element implements Statewide Planning Goal 11, which is intended to assure that cities plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development. This element was written in accordance with Oregon Administrative Rules (OAR) 660-011 (Public Facilities Planning).

PUBLIC FACILITIES CATEGORIES

Public facilities and services are divided into two categories.

Category "A" includes:

Water Service
Sanitary Sewer and Treatment
Storm Drainage

These are the key minimum physical facilities necessary for urban development and are those for which specific documentation is required by state rule.

Category "B" include:

Fire Protection
Law Enforcement
Parks and Recreation
Solid Waste Management
Schools
Health Services

Category "B" public facilities and services enhance and protect development within the city and are provided in response to development that occurs. Because of this they will generally be discussed in less intensive detail than Category "A" facilities. The division of public facilities into these two categories is useful when determining facility adequacy prior to development. Creation of these two categories complies with OAR 660-011. This document identifies Category "A" facilities and the improvements to city infrastructure and services that are necessary to support land uses allowed by the *Comprehensive Plan*.

Because this plan element also describes potential funding mechanisms, the plan is essential to long range financial planning of capital facilities, and provides general guidance for the cost and location of future facilities.

EXISTING PLANS

Medford has a number of separate plans for parks, streets, drainage, water, etc. These separate plans generally utilize similar future economic and population growth trends for the community and the region. However, some of them differ markedly in terms of their planning periods. They have varying lead times from original planning to construction dates. Some of the facilities, such as water and sewer systems, are expected to be operational in advance of population growth; while others that are not directly critical to health or safety are staged to coincide with or follow urban growth, for example, parks. One purpose of the "Public Facilities Element", therefore, is to review these various plans in relation to each other, and to Statewide Planning Goal 11. Key information, as well as policy direction contained in these existing plan documents is also summarized in this plan element.

The information for this element comes from existing facility plans. In addition, interviews were conducted with the respective service providers and the information from the facility plans was updated, where appropriate. The facility plans used for this element are listed below.

Water Service - Medford Water Commission Water System Facility Plan, 1999.
Water Service - Medford Water Commission Water System Final Budget, 1998.
Water Service - Robert A. Duff Water Treatment Facility Plan, 1997.
Water Service - *Water Curtailment Plan*, 1992.
Sanitary Sewer Treatment - City of Medford Facilities Plan, Water Quality Control Plant, 1992.
Sanitary Sewer Collection - ~~*City of Medford Sewer Master Plan*~~*Sanitary Sewer Collection System Master Plan*, ~~1990~~2019
Sanitary Sewer Collection - Bear Creek Valley Sanitary Authority (now Rogue Valley Sanitary Sewer Services) Comprehensive Plan, 1990.
Storm Drainage - Comprehensive Medford Area Drainage Master Plan, 1996.
Parks and Recreation – Parks, Recreation & Leisure Services Plan, 2016.
Schools - Medford School District Long-Range Facilities Plan, ~~May 12, 2012 Update.~~2016
Solid Waste Management – Solid Waste Management Plan, Jackson/Josephine Counties, 1994.

These plans are, hereby, incorporated into this document and officially acknowledged upon adoption of the "Public Facilities Element".

* * *

SANITARY SEWER SERVICE

COLLECTION

Sanitary sewer facilities are a key concern of state and local policies relating to the management of urban growth. The acknowledged joint City-County Urban Growth Boundary and Urbanization Policies ~~(1990)~~ set forth policies governing extension of sewers both within and outside of the City and its UGB. These policies can be found in the Urbanization Element of Medford's *Comprehensive Plan.*

Existing Planning and Facilities

The majority of the sanitary sewer collection system within the UGB is owned and maintained by the City. ~~The Bear Creek Valley Sanitary Authority (BCVSA)~~Rogue Valley Sewer Services (RVSS) provides sanitary sewer interceptors for the UGB area and collection service to some areas. The City of Medford, along with White City, Central Point, Eagle Point, Jacksonville, Phoenix, and Talent discharge into the ~~BCVSA~~ RVSS operated interceptor system, which transports the wastewater to the Regional Water Reclamation Facility (RWRF) located adjacent to the Rogue River outside Medford's UGB.

A Regional Sewer Agreement (RSA) allows for a division of responsibility for wastewater collection and treatment. ~~BCVSA~~ RVSS operates and maintains the Interceptor System and the City operates and maintains the Regional Water Reclamation Facility. The participants in the RSA pay monthly wastewater treatment charges to the City and contribute, based on percentages set out in the agreement, to the operation and maintenance of the ~~BCVSA~~ RVSS Interceptor System. ~~BCVSA~~ RVSS and the City jointly agree upon the party responsible for the collection of wastewater for new developments.

The City of Medford's collection system consists of ~~eight~~ five pump stations and approximately 2~~1~~70 miles of pipeline ranging from 6 to 33 inches in diameter, and ~~BCVSA~~ RVSS operates approximately 18 miles of trunk and interceptor pipeline and approximately 33 miles of collection lines within the UGB. This does not include the Lower Bear Creek Interceptor, the Upper Bear Creek Interceptor or the White City Trunk Sewer, all of which are operated by ~~BCVSA~~ RVSS and extend beyond the UGB boundary.

The Medford collection system has been constructed in stages, as the populated area grew, with some sewers in the original town-site of Medford being over 100 years old. The original town site is the area west of Interstate 5 to Oakdale Avenue and between Jackson and Twelfth Streets. For years the City has maintained the sewer collection system as needed. Starting in 2010, the City significantly increased replacement and relining of the collection system to ~~approach~~extend anticipated life expectancy of ~~our~~the aging infrastructure. ~~Between 1990 and 1999, 5,200 feet of existing collection lines have been replaced. Of the replaced lines, over 2,400 feet have been replaced in the original section of town. The majority of the remaining, replaced line is in the southwestern portion of the City.~~

~~T~~he two major interceptors include the Upper Bear Creek Interceptor that transports wastewater from the southern UGB area, through town, past the airport and to the RWRF entirely by gravity. The existing line should handle the planned flows for the UGB ~~through 2015~~ with possible upgrades just south of the airport where grades are relatively flat. The Lower Bear Creek Interceptor picks up flow from the west side of town and the city of Central Point and transfers it down the Bear Creek Valley to Kirkland Road where a pump station pumps it to the RWRF.

Level of Service

The City of Medford has little flexibility in terms of the level of sanitary sewer collection it provides. City Code prohibits new on-site septic facilities. Hence, piped collection systems are installed with all new construction. Pump stations are required to service some areas, however, these are kept to a minimum to reduce operation and maintenance costs. Level of service minimums for a property to be considered for an unconditional zone change is that all downgradient pipes must show the hydraulic grade line is a minimum of three feet below manhole rims. Replacement pipe criteria when a new or replacement pipe is installed is based on depth over diameter (d/D) criteria. For pipes 12" and smaller, the d/D ratio shall be lower than 0.65, for pipes 15" and larger, the d/D ratio shall be lower than 0.75. ~~Parcels having on-site facilities that are annexed to the City must connect to the system if they are within 300 feet of a collection line.~~

Capacity for Growth

The City of Medford does have some flexibility in terms of the amount of growth for which it can provide. Sewers are normally built with sufficient capacity to serve an area developed to the maximum density allowed by zoning. There is flexibility in terms of how far those sewers are extended. Sewers can be installed only in developed areas or they can be extended to undeveloped areas to provide for future growth. In 2014, the sanitary sewer collection system was at capacity in many portions of the City. In 2018, a Sanitary Sewer Master Plan was adopted to address collection system capacity needs to buildout ~~of~~ the Urban Growth Boundary and Urban Reserves. ~~The citizens of the City have the option to decide, based on their goals for population growth and economic development, how much capacity for growth will be built into the sanitary sewer collection system.~~

TREATMENT

Existing Planning and Facilities

The Regional Water Reclamation Facility (RWRF) is located on the former Camp White treatment plant site, which was acquired from the federal government in 1948. The site is located adjacent to the Rogue River approximately one mile downstream from Touvelle Park, and is confined on the north by the River and on the south by Kirkland Road. With the exception of the old White City lagoons directly to the west and potential wetlands mitigation sites, there are no neighbors, structures, or other features in the vicinity of the plant that would constrain plant expansion. The City owns approximately 1,100 acres at the facility site; of that, approximately 350 acres is for future expansion.

The RWRF preliminary treatment facility is designed for a peak wet weather flow (PWWF) of 60 million gallons per day (mgd). The system currently consists of both primary and secondary treatments. A detailed description of the treatment process and the associated equipment is available in the *City of Medford Sewer Master Plan, 1990.*

Level of Service

The RWRF has a long history of producing an effluent that is cleaner than the discharge permit requirements. The current National Pollution Discharge Elimination System (NPDES) permit requires a summer discharge of 10 parts per million (ppm) of biochemical oxygen demand (BOD) and suspended solids (SS) and a winter discharge of 30 ppm of BOD and SS. The plant summer discharge averages 5-7 ppm BOD and SS, and the winter discharge averages approximately 8-10 ppm of BOD and SS.

Capacity for Growth

The RWRF has sufficient capacity to handle forecasted ~~five-year~~ population growth. Most equipment is designed for an average daily weather flow (ADWF) of 20 mgd and PWWF of 60 mgd. The average daily dry weather flow for 1997 was 16.7 mgd - about 84 percent of the ADWF capacity for most of the plant. In early January 1997, the area experienced a five-year storm event. During the storm, the plant handled flows that averaged 45 mgd, which is about 75 percent of the PWWF capacity for most of the plant. Recent wet winters have prompted investigation into projects that would further expand the capacity to accommodate higher peak wet weather flows.

Funding

Approximately 66 percent of the of the RWRF influent is due to customers in the Medford UGB. Hence, approximately 66 percent of the costs of improvements are the responsibility of the customers within the Medford UGB. The sanitary sewer collection and treatment system is funded with specific funds and user fees.

Sanitary Sewer Utility Fee – This "user fee" funds maintenance of the sanitary sewer main lines, manholes, and pump stations.

System Development Charges - These charges are collected when new customers are added to the system. This is used to generate funds to build and maintain treatment plant facilities.

SANITARY SEWAGE COLLECTION CONCLUSIONS

1. Medford's sanitary sewer facility plans are coordinated with ~~Jackson County and the~~ Rogue Valley Sewer Services (RVSS). ~~Bear Creek Valley Sanitary Authority (BCVSA).~~ The City of Medford and ~~BCVSA~~ RVSS coordinate sewage collection efforts.
2. All areas within the City of Medford are served where possible with gravity sewers.
3. There is a low level of water inflow and infiltration into the newer sections of Medford's sewage collection system. The inflow and infiltration, however, is higher in the older sections of the collection system.

4. Medford's monthly "Sewer Utility Fee" provides funding for the maintenance of sanitary sewer lines, manholes, and pump stations.
5. A Sanitary Sewer Collection System Development Charge (SDC) helps pay for new sanitary sewage collection facilities.

SANITARY SEWAGE TREATMENT CONCLUSIONS

1. The City of Medford has sole responsibility for the operation of the Regional Water Reclamation Facility (RWRF) for regional sanitary sewage treatment.
2. The Medford urban growth area is responsible for approximately two-thirds of the Regional Water Reclamation Facility (RWRF) inflow.
3. The 1992 *Facilities Plan for the Water Quality Control Plant* developed a long-range capital improvement program to upgrade and expand the Regional Water Reclamation Facility (RWRF) to meet needs into the twenty-first century.
4. As of Spring 2000, the Regional Water Reclamation Facility (RWRF) had a dry weather flow capacity of 20 million gallons per day (MGD).
5. Ongoing capital improvements at the Regional Water Reclamation Facility (RWRF) are designed to maintain a three-year growth cushion to accommodate development throughout the region.

SANITARY SEWER—GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Sanitary Sewage Collection

Goal 1: To provide appropriate sanitary sewage collection facilities to serve the Medford Urban Growth Boundary.

~~Policy 1-A: The City of Medford shall plan the sanitary sewage collection system to serve all new development within the City. Existing on-site septic systems shall not be permitted to remain in use if sewage collection facilities are available within 300 feet.~~[KWK1]

Policy 1-~~B~~A: The City of Medford shall extend the sanitary sewage collection system within the City as development approvals occur, consistent with the Land Development Code and Engineering Division standards. Sewers outside the City but within the Urban Growth Boundary are constructed pursuant to the Joint Urbanization Policies and cooperative agreements with the Bear Creek Valley Sanitary Authority (now Rogue Valley Sanitary Sewer Services).

Policy 1-~~C~~B: The City of Medford shall maintain and improve the existing sanitary sewage collection system through preventative maintenance and on-going replacement or rehabilitation of deteriorated lines.

Policy 1-C: Unincorporated property shall be required to annex into the City prior to receipt of City sanitary sewer service, or as set forth below. Each of the

following conditions must be met to provide unincorporated property with sanitary sewer service prior to annexation:

1) The property shall be located within the Urban Growth Boundary;

2) Existing sanitary sewer line operated by the City to which connection can be made in accordance with subsection (4) below is within 300 feet of the property;

3) The County has found that the septic system serving the property is failing and the County has required connection to a sanitary sewer system;

4) The extension of a sanitary sewer line to be connected to the City sanitary sewer line shall be subject to acceptance of an approved plan by the City Engineer.

Policy 1-D: When appropriate, the City shall assess the applicable codes and policies for clarification of the difference between an inspection fee and a system development charge; including reference to established system development charges.

Policy 1-E: The City shall operate sewer collection facilities to meet or exceed federal, state and local standards.

Goal 2: Protect the security and longevity of the sewer collection system.

Policy 2-A: The City shall make reasonable attempts to protect the security of its sewer collection system. The City shall determine what information about the system should remain unavailable to the general public.

Policy 2-B: The City shall manage the sewer collection system through developing design standards, overseeing construction, operating, and maintaining the system such that service to areas in the Urban Services Boundary is adequate and reliable. Whenever possible, the City shall anticipate system interruptions, such as power outages, and design and operate the system to minimize the impact of such interruptions on its customers and the environment.

Policy 2-C: Unless specifically directed otherwise by the City Council, all facilities and equipment shall be maintained in accordance with manufacturers' specifications. The City shall adhere to maintenance and replacement schedules for all facilities and equipment.

Policy 2-D: The City shall maintain a complete inventory of all City-owned equipment, supplies, parts, and service vehicles used for maintenance of sewer facilities. The inventory should include planned replacement dates as applicable.

Goal 3: Ensure a sanitary sewer collection system that is environmentally sound and adaptive to a changing environment.

Policy 3-A: On a regular basis, the City shall update an Emergency Response Plan that focuses on problems created by major disasters (such as earthquakes, floods, or windstorms). The plan should ensure that adequate emergency provisions and procedures are in place to provide sewer services to the extent possible during an emergency event.

Policy 3-B: The City shall prepare and maintain a Vulnerability Assessment & Hazard Mitigation Plan addressing risks associated with natural and human-made hazards on the sewer. The plan should identify how the public and environment may be damaged by such a hazard, and provide detailed procedures for responding to such an act to minimize harm to the public. The Vulnerability Assessment shall not be made available to the public.

Policy 3-C: The City shall develop and maintain a Fats, Oils, and Grease (FOG) Control Program to address excessive buildup of FOG in the sewer.

Policy 3-D: The City will manage the sewer collection system, including monitoring and adapting plans, policies, and practices to collect and convey wastewater from its customers in a safe and sustainable manner in accordance with the City's Environmental element of the Comprehensive Plan.

Policy 3-E: Programs shall be implemented to prevent overflows of wastewater in the existing system, and requires all new construction to convey peak flows and storm events without overflowing the sewer during the design storm event.

Policy 3-F: New wastewater infrastructure will be sited outside of stream corridors, wetlands, and significant tree groves whenever feasible.

Sanitary Sewage Treatment

Goal ~~1~~4: To provide appropriate sanitary sewer treatment facilities to serve the Medford Urban Growth Boundary.

Policy ~~1~~4-A: The City of Medford shall continue to operate the regional sewage treatment facilities according to the 1969 interagency agreement with Bear Creek Valley Sanitary Authority (now Rogue Valley Sanitary Sewer Service), Jackson County, and other participating cities, until such time as a new agreement is adopted.

Policy ~~1~~4-B: The City of Medford shall continue expansion of the Regional Water Reclamation Facility (RWRF) capacity sufficient to provide for continued urban growth. Facility expansion should be given a high priority in capital improvement

programming. In the event that necessary funding is not forthcoming, all options, including an appropriate interagency growth management program, should be explored in a timely manner, and implemented as necessary.

Sanitary Sewage Service

Goal 5: Coordinate with other agencies and municipalities to provide adequate sewer service when applicable.

Policy 5-A: The City shall support and participate in regional planning of sewer service with neighboring jurisdictions and sewer districts.

Policy 5-B: The City shall work closely with adjacent jurisdictions to coordinate sewer service issues related to regional growth, regulatory requirements and changes, and opportunities for regional projects.

Category "A" Capital Improvement Program Summary

INTRODUCTION

Included in this section are **Tables A, B**, and **C**, which describe the planned category "A" public facilities, projects for water, stormwater management, and sanitary sewer collection and treatment. These tables include information relating to general project location, project construction timing, estimated capital costs, provider, and funding sources, as required by Oregon Administrative Rules (OAR 660-11). The following tables are the applicable Capital Improvement Plans for aforementioned category "A" facilities. ~~is an explanation of the information in these tables.~~

- ~~*Project*—A short descriptive name for the planned project.~~

- ~~*Area/Drainage Basin Served*—The area(s) primarily benefited by the project are listed. See **Figure 2**. Many projects will benefit a larger section of the community to some degree. The drainage basins listed in this column are only those that receive the most direct benefit from the project. "Regional" means the project serves the entire UGB, or is spread throughout large sections of the UGB.~~

- ~~*Estimated Capital Cost*—The approximate capital cost, including construction, engineering, legal and administrative costs, as estimated by the pertinent facility plan, is presented. Where known, the date of the estimate is given as short term (1-5 years) or long term (6-10 years). In almost all cases the timing is an estimate. In general, projects~~

~~are built on an as-needed basis when development occurs. The capital cost for sanitary sewer and domestic water treatment projects are the proportion that the UGB is responsible for paying.~~

- ~~*Provider*—The agency or utility responsible for the proposed project.~~
- ~~*Funding Source*—The probable source(s) of funds for the project.~~

* * *

SANITARY SEWER COLLECTION AND TREATMENT

The ~~*1990*~~ *2019 City of Medford* ~~*Sewer Master Plan*~~*Sanitary Sewer Collection System Master Plan* outlined ~~near~~short-term replacement of ~~over 19,000~~34,500~~1~~ feet of existing pipe to increase capacity for growth. The replacement pipe ranges in size from 12~~8~~ to 24~~16~~ inches, and has~~d~~ an ~~cost~~estimated cost of ~~approximately~~ $~~2.1~~29 million. ~~Many of these lines have already been replaced. In addition~~Additionally, the plan identifies~~d~~ long-term expansion needs for new ~~interceptors expansion area~~sewer pipes to accommodate growing areas in the newly expanded Urban Growth Boundary (UGB) areas. See **Table B** for the Sanitary Sewer System Capital Improvements Plan through 2020. See **Table B-1** for the Sanitary Sewer Collection System . For a map of the planned projects, see Figure 7.3 in the SSMP. ~~The Regional Water Reclamation Facility (RWRF) is completing several tasks. Funding for RWRF improvements comes from regional sewer fees and System Development Charges (SDCs).~~

* * *

Table B: Sanitary Sewer System Capital Improvements

Area Served	Project	Estimated Capital Cost: Short Term 2000–2005	Estimated Capital Cost: Long Term 2006–2020	Provider	Funding Source
	Collection				
Regional	Piping Improvements	$115,000		City	Bond, SDC, Sewer Rates
	Non-Treatment Facility Improvements	$120,000		City	Bond, SDC, Sewer Rates
	Treatment				
Regional	Aeration Systems Improvements	$196,000	$1,400,000	City	Bond, SDC, Sewer Rates
	Drying Bed Improvements	$4,780,000	$0	City	Bond, SDC, Sewer Rates
	Secondary Clarifier Improvements	$436,772	$4,100,000	City	Bond, SDC, Sewer Rates
	Digester Improvements	$6,000	$2,000,000	City	Bond, SDC, Sewer Rates
	Grit System Improvements	$850,000	$550,000	City	Bond, SDC, Sewer Rates
	Headworks/Inlet Improvements	$500,000	$0	City	Bond, SDC, Sewer Rates
	Instrumentation Systems	$0	$100,000	City	Bond, SDC, Sewer Rates
	Cogeneration Facility Improvements	$203,000	$305,000	City	Bond, SDC, Sewer Rates
	Sludge Storage Lagoon Improvements	$1,400,000	$2,600,000	City	Bond, SDC, Sewer Rates
	Primary Treatment Facility Improvements	$1,440,000	$900,000	City	Bond, SDC, Sewer Rates
	Sludge Thickening Facility Improvements	$6,000	$2,000,000	City	Bond, SDC, Sewer Rates
	Research Projects	$25,000	$125,000	City	Bond, SDC, Sewer Rates
	Solids Disposal Systems	$0	$200,000	City	Bond, SDC, Sewer Rates
	Trickling Filter Improvements	$0	$1,750,000	City	Bond, SDC, Sewer Rates
	Disinfection Systems	$0	$2,000,000	City	Bond, SDC, Sewer Rates
	Miscellaneous Improvements	$500,000	$1,500,000	City	Bond, SDC, Sewer Rates
	Advanced Treatment System (ATS)	$22,582,000		City	Bond, SDC, Sewer Rates
	Estimated 1–5 year Capital Cost	**$33,159,772**			
	Estimated 6–20 year Capital Cost	**$19,530,000**			
	Total Long Term Estimated Capital Cost	**$52,689,772**			

Table B-1: Sanitary Sewer Collection System Capital Improvements (For a complete list of projects, see *Sanitary Sewer Collection System Master Plan* (2019)

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
TAL 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		

Exhibit B

City Council Hearing Minutes – December 6, 2018

MINUTES
December 6, 2018
6:00 p.m.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

The regular meeting of the Medford City Council was called to order at 6:00 p.m. in the Medford City Hall Council Chambers 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, Michael Zarosinski*(*joined via phone as noted)

City Manager Brian Sjothun; City Attorney Lori Cooper; City Recorder Karen Spoonts

* * *

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.

Deputy Public Works Director Alex Georgevitch presented the staff report and noted the major changes to the plan. There are several projects per ward; Wards 2 and 3 are only partially served by Medford as the remainder is served by Rogue Valley Sewer. He read into the record a letter just received from CSA Planning, who were a member of the Technical Advisory Group (TAG), and recommended support of the plan.

Public hearing opened.
Mike Montero, Montero & Associates, supported the Sanitary Sewer Master Plan.

Randy Jones, Mahar Homes, and member of TAG, strongly encouraged Council to approve the plan.

Public hearing closed.

Motion: Approve the resolution.
Moved by: Kevin Stine

Seconded by: Kay Brooks

Roll call: Councilmembers Bearnson, Brooks, D'Alessandro, Gordon, Jackle, Stine, and Wallan voting yes.
Resolution #2018-134 was duly adopted.

* * *

110. Adjournment
There being no further business, this Council meeting adjourned at 8:57 p.m.

The proceedings of the City Council meeting were recorded and are filed in the City Recorder's Office. The complete agenda of this meeting is filed in the City Recorder's Office.

Karen M. Spoonts, MMC
City Recorder

Exhibit C

Planning Commission Study Session Minutes – January 28, 2019

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
David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
Mark McKechnie
E. J. McManus
Jared Pulver
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Kyle Kearns, Planner II
Roger Thom, Utilities Manager

Commissioners Absent
Patrick Miranda, Chair, Excused Absence

Subject:
20.1 CP-18-185 Sanitary Sewer Collection Master Plan

Kyle Kearns, Planner II reported that staff is updating the Comprehensive Plan in order to incorporate the Public Facilities element with the Sanitary Sewer Collection System Master Plan.

In November 2015 the City contracted Carollo Engineering to begin the Sanitary Sewer Collection System Master Plan update. In September 2017 staff formed the Technical Advisory Group lead largely by Public Works. In 2017 and 2018 the Technical Advisory Group met five times to provide comment, input and guide information of the Sanitary Sewer Collection System Master Plan. On December 6, 2018 the City Council initiated a Major Comprehensive Plan Amendment to incorporate the Sanitary Sewer Collection System Master Plan into the Public Facilities element of the Comprehensive Plan.

In order to enable the annexation of newly approved Urban Growth Boundary lands the City must plan for category A facilities that include:

- Water Service
- Sanitary sewer collection and treatment
- Storm Drainage
- Transportation facilities

The focus of the Sanitary Sewer Collection System Master Plan is sanitary sewer collection facilities. Treatment facilities will be analyzed in a forthcoming plan.

Items used to produce a comprehensive plan element:

- Executive Summary
- Introduction
- Basis of Planning
- Existing System
- Hydraulic Model Development
- Capacity Evaluation
- Infiltration and Inflow Reduction Program
- Capital Improvement Plan
- Financial Analysis

Staff reviewed the applicable state Oregon Administrative Rules and determined the following elements are necessary in the Comprehensive Plan element:

- Statement adopting the Sanitary Sewer Collection System Master Plan by reference
- List of planned public facility projects
- Map or description of projects
- Policies or Urban Growth Management Agreements stating providers

In addition to the elements needed by Oregon Administrative Rule 660, staff included:

- Goals and policies from the Sanitary Sewer Collection System Master Plan (focused on items relevant to plan development and land use reviews)

This is scheduled to go Planning Commission public hearing on Thursday, February 14, 2019 and their recommendation to the City Council on Thursday, March 7, 2019.

Vice Chair McFadden stated that the study session can be left open for seven days for further comments. If there was a change it would be nice to do today but how much longer could staff go before they could not make changes to what is going to be presented to the Planning Commission on February 14, 2019? Mr. Kearns stated the Planning Commission could propose changes on February 14, 2019.

The proposed policies are on pages 13 through 16 of the study session agenda packet. A lot already exist in the code or help with any particular land use action that could arise out of this new plan. They are directly derived from what has already been a two to three year process.

Commissioner McKechnie asked, is this a study that has limitations on all development? Roger Thom, Utilities Manager reported yes. He is the project manager for the Sanitary Sewer Collection System Master Plan. He has been the person that puts conditions on development for the last thirteen or fourteen years. For instance, in the southeast area the City is not doing zone changes because there is no sanitary sewer capacity to allow the zone change. In the last four to five years on the northeast side of town, Delta Waters area, because of the sanitary sewer that runs south of the airport has become maxed out, the City has discontinued an unconditional zone change for the properties that are served by the terminals. Everything on Hillcrest going north to the airport is served by that sewer. It impacts any development in that area. This plan does not make it any better but it identifies where the issues are and what pipes need to be replaced to facilitate development.

Alex Georgevitch, City Engineer stated that the plan does not fix any of the pipes in the ground. Through analysis and empirical data collecting rain data shows some of the areas that the previous master plan showed failing, this one does not show a failing. Through this process they will see some zone changes that previously had conditions limiting them and one right next to it could have no conditions limiting them because the analysis shows they are operating acceptably. Public Works has changed some criteria. Right now the pipe itself can be built and the manhole can backup within 3 feet of the rim.

There is a recommendation for Public Works to raise the System Development Charges for the collection system. That was supported by the Technical Advisory Group. The Technical Advisory Group is made up of engineers, developers and planners that supported the increase. The increase is critical to Public Works because they will be able to start building out some of the infrastructure needed to allow development to move forward.

Commissioner Mansfield asked, is there any organizing opposition to the increase of the System Development Charges from the building industry or real estate brokerage industry? Mr. Georgevitch stated that Randy Jones represented the building industry as well as Dan Mahar, engineers and planners representing developers that were all supportive of the increase.

It is difficult to ask for more money but the reality is if Public Works does not do this they are going to have moratoriums with no way out. It is a non-sustainable system.

Anytime Public Works upsizes a pipe they are also considering the next urban reserve areas. They are considering all of the RPS lands when they install a pipe. The cost of the pipe is one-twentieth of the cost of installation, cutting the road, patching, excavation, and traffic control is far more than the plastic pipe they put in the ground. Upsizing it to accommodate future development is important.

Commissioner Foley asked, assuming this gets adopted by the City Council on March 7, 2019, what happens to the people that have restrictions now. Can they come back and apply to get it lifted? Mr. Georgevitch replied yes. The code requires they go to the Planning Director and he will seek guidance from Public Works. Public Works will verify if there is adequate facilities. Just because there is capacity in areas does not mean they will get full development rights.

Commissioner McKechnie asked, are they having capacity issues with the treatment plants? Mr. Georgevitch replied they are not having any capacity issues now. They are getting ready to start a master plan within the next two years. They will do the same update. The bigger issue is the interceptor line owned by Rogue Valley Sewer Services going to the treatment plant. All of Medford flows into this interceptor line. This master plan is for the collection facilities that the City controls. The City serves approximately two-thirds and Rogue Valley Sewer Services serves the other one-third. Rogue Valley Sewer Services has their own area in southwest and northwest Medford.

Vice Chair McFadden asked, has the City urged Rogue Valley Sewer Services to do a similar master plan of their facilities to include in the City's plan? Mr. Thom stated that it would not necessarily be included in the City's plan. They have a master plan for their collection system. Vice Chair McFadden stated that the City has included the airport master plan, Rogue Valley Manor master plan, master plans from different entities. If they have one then the City could refer to it at some point. Mr. Thom has never been left with the impression Rogue Valley Sewer Services has any capacity issues in their interceptor lines.

Commissioner Pulver asked, what projects does this undertake? Is the funding source in place or with the approval of the increase in SDC fees? Mr. Thom reported that the master plan has identified a funding plan that if everything came together perfectly with SDCs, rates and homes being built, a slow controlled rate in the right spot, they have this perfect thing that works out where the funding comes together and everything pays for itself through time and SDCs over the twenty years it takes to do this. The reality is there needs to be a funding plan that identifies projects specifically to get capacity where needed and the developments bring in SDCs faster. Without building the lines and doing another analysis of the system they do not know where they really are. It is a progressive system.

Commissioner Mansfield asked, are any of these projects going to be financed with SDCs or assessment districts? Mr. Thom stated there are no assessment districts mentioned in the plan. Mr. Georgevitch reported that the City collects SDCs now. Assessment districts

were used previous to SDCs. It could be challenging to do both. If the SDCs are not adequate they are supposed to raise the SDCs through creating a master plan showing project needs and a financial statement showing projected revenue.

It is important to understand there is no way to know what pipe to fix next. It is developer driven. One moment there is a lot of development happening in one part of town and the next application can be in a completely different part of the community. They do not want to be project specific but meet the needs of development. Currently, there is not enough revenue. This is a twenty year plan that looks at the number of homes projected and the need. It is calculated by multiplying the number of homes being developed times the SDCs to figure out if there is enough funding assuming there is some commercial. If there is no commercial then they bump up the funding. If the City does not create capacity then development cannot occur to give the SDCs to build the capacity. They have some money banked that will seed some projects now. There is a good chance that they will have to borrow from their gas tax as opposed to a general obligation bond.

Commissioner Mansfield asked, can they borrow from the highway fund? Mr. Georgevitch replied yes. They are responsible for paying it back. There is a limitation to all the SDC fees. Storm drain SDCs cannot be spent on sewer but if they borrow against it with means of paying it back it is no different than doing a general obligation bond.

Commissioner Pulver asked, is the increase in SDCs on new development or in the general tax payer monthly charges or both? Mr. Georgevitch stated they are both being increased but the monthly fees go towards operations and maintenance and SDC's goes towards capacity increases. In the plan they are programming to spend both dollars. If there is a pipe in the ground it needs maintenance. So they can spend some maintenance dollars and some SDC dollars to replace it. The increase in the plan is SDCs for new development only.

Commissioner Pulver stated that the Planning Commission has talked a lot about affordable housing and continues to. One of the ideas is to eliminate or minimize barriers for development. If building in east Medford where there is capacity issues he assumes there will be healthy SDC costs if the capacity of that line needs to be increased. There needs to be a balance. Mr. Georgevitch commented that for a single family residential unit for System Development Charges per sanitary sewer collection system is approximately $730 and they are increasing to the $1040 range. They are increasing approximately $300 for a single family unit. It is not that much in the big picture. Transportation and Parks are the big ones.

Commissioner Pulver stated those are all additional costs. Everything has to line up for it to work. To fund a major line, capacity increase has to be huge dollars that are probably not covered by a dozen homes in some areas of town. He does not know how the capacity issue is solved. He believes that as a resident not doing any development they are still

having to foot the bill for having a functional sewer system. It cannot just be operations and maintenance. Sometimes capacity has to be increased if one wants to live in the City of Medford because of growth. He does not know if those dollars and fees are being allocated accordingly but it is an issue. The City will not get any development if the developers have to pay expansion throughout. Mr. Georgevitch commented that they would not be paying the bill for those types of things.

Commissioner Pulver asked, how does the math work? Mr. Georgevitch stated that the projects in the plan is approximately $30 million.

Commissioner Pulver stated that all the new projects is where the City gets the SDCs with increasing the expansion and new development funds all expansion increases. Mr. Georgevitch replied that is the way it is supposed to work under SDCs.

Mr. Georgevitch reported that these are good discussion topics to have. It is important to understand that the City Council has approved Public Works to move forward with approximately $300 increase per unit. Randy Jones spoke with the Builders Association and everyone was in support. When staff notices their 90 day notice of the SDC fee increase that is when they will find out if there are concerns.

Commissioner Pulver understands no one wants increased fees. It is his opinion that if it is all on new development the math will not let up. Mr. Georgevitch stated that there is $30 million in projects, there is only $15.5 million in SDCs that goes towards that. The rest is from monthly fees.

Commissioner McKechnie asked, are there any pipes that are both sanitary and storm? Mr. Thom reported none that they know of.

Commissioner Foley stated that the study indicated a lot of that happening downtown. Mr. Thom stated that there are some sanitary sewer systems that the manholes line up with storm drain systems. They use the same manhole for the sanitary sewer system. The top of the sanitary sewer pipe was cut off in some of those so the pipe was backing up and overflowing into the storm drain below. As far as they know all of those have been corrected. They are not using the storm system for sanitary disposal except in very rainy events.

Commissioner Foley thought what he read was the reverse; more of the rain water getting into the sanitary system. Mr. Thom stated that is what they call inflow and infiltration. Inflow is a direct connect to the roof drain or parking lot drain that is connected directly to the sanitary sewer. Public Works has done what they can to eliminate those. Infiltration is a broken pipe.

Mr. Georgevitch commented that he is sure there are some out there. The question is how big of an impact versus disconnect all of them. They are having a challenge with I and I. I and I was a huge issue in this study. North of downtown there is a pipe that flows heavy and it is primarily due to I and I. Is it cheaper to line the pipe? Does that do anything with all the laterals that the City does not control past the right-of-way? If there is a broken lateral going into a home it may be working fine but could be letting in tons of ground water. It would cost approximately $90M to provide capacity for the entire City of Medford. That is a challenge. It is more of a challenge for the interceptor and the treatment plant. Currently, the treatment plant is processing storm drain water and that is not what it is designed for. There are some jurisdictions that have a combined system. Someday depending on environmental laws the City may be doing the same thing. In the meantime the City does not want to be processing storm drain water.

Commissioner Mansfield stated that Mr. Georgevitch mentioned several times lining the pipe. Is that to eliminate leakage or extend the life of the pipe? What does it do? Mr. Thom reported that it does both. They do not say it is to eliminate leakage. They are not trying to keep the sewer from going out. They are trying to keep rain from coming in. It is a quarter-inch typical lining in an eight-inch sewer. They say it is as strong as putting in a new PVC pipe. It should last another one hundred years. Mr. Georgevitch stated that it is cheaper to line a pipe. The dilemma is that there is no capacity increase.

Commissioner Pulver asked Kelly Evans, Assistant Planning Director, what is the Planning Commission really being asked on Thursday, February 14, 2019? To forward a favorable recommendation for inclusion of this master plan into the Comprehensive Plan? Is the criteria consistent with the State goals? Ms. Evans replied yes.

Commissioner Pulver asked, is the Planning Commission being asked to review the amendment? Ms. Evans stated that at this point the City is just adopting the master plan into the Comprehensive Plan.

Vice Chair McFadden commented that it is high level because it has not been in the Comprehensive Plan before. It will help in time giving them a basis to work from.

30. Adjournment

The meeting was adjourned at 12:44 p.m.

Terri L Richards

Submitted by:
Terri L. Richards
Recording Secretary

Exhibit D
OAR Conformance Memo

MEMORANDUM

Subject	OAR Conformance – Chapter 660 Division 11 (660-011)	
File no.	CP-18-185	
To	Alex Georgevitch, Roger Thom	*for December 21, 2018 meeting*
From	Kyle Kearns, Planner II – Long Range Division	
Date	December 11, 2018	

SUMMARY

On December 6, 2018 the Medford City Council approved Ordinance 2018-134 that initiated the Major Comprehensive Plan amendment to incorporate the SSMP. This memorandum, and associated attachments, review the requirements of Oregon Administrative Rules (OARs), Chapter 660 Division 11 – Public Facilities Planning, as it relates to 2018 Sanitary Sewer Collection Master Plan (SSMP). Below are the elements of the SSMP that need to be incorporated into the City's Comprehensive Plan.

NEEDED COMPREHENSIVE PLAN ELEMENTS

To comply with State law, staff had determined the following to be needed in the comprehensive plan element in regards to the SSMP:

- Adopt SSMP by reference (policy stating such)
- Sections explaining the City's:
  - Treatment facilities system
  - Primary Collection System
- Items contained within 660-011-0010 (may be incorporated by reference)
  - Inventory and general assessment of condition of public facilities
  - List of significant public facility projects
  - Rough cost estimates
  - Map or description of each project's location/service area

- Policy statements or UGMA stating who provider is
- Estimate of when projects are needed
- Discussion of existing and projected funding for projects

- Items needed directly in comp. plan element:
  - List of public facility projects, excluding (if chosen) descriptions
  - Map or description of public facility projects location/service area
    Policies or UGMA stating who provider is

Desired Comp. Plan Elements

Planning staff would encourage the inclusion of all the elements referenced in 660-011-0010 (see above). This will allow for a clearer public facilities plan, for the public to access, as sanitary sewer items can be difficult to grasp for the general public.

OAR 660-11 PUBLIC FACILITIES PLANNING IN BRIEF

Each portion of Chapter 660, Division 11 has been reviewed to understand what is needed to be brought into the City's Comprehensive Plan, they are summarized as follows:

660-011-0000 - Purpose

States the purpose of implementing Division 11, Public Facilities Planning is to "...aid in achieving the requirements of Goal 11 [of the Statewide Planning Goals]." No pertinent information was evident.

660-011-0005 - Definitions

Broad section defining terms relevant to Division 11. One definition worth noting is *public facilities plan* which states:

"A public facility plan is a support document or documents to a comprehensive plan."

660-011-0005(1)

Adoption of the 2018 Sanitary Sewer Collection Master Plan will need to accompany the adoption of the comprehensive plan element as a "supporting document." The SSMP will not need to be adopted directly into the Comprehensive Plan. Additionally, 0005 further defines public facility systems. The two pertinent items to sanitary sewers are the treatment facilities system and primary collection system. Both will need to be referenced in the comprehensive plan element.

660-011-0010 – The Public Facility Plan

This is largely the SSMP. Portions of this will need to be referenced within the Comp. Plan element, to what detail is important to determine, those sections include:

- Inventory and general assessment of the condition of all the significant public facility systems which support the land uses designated;
- A list of the significant public facility projects which are to support the land uses designated;
- Rough cost estimates of each public facility project;
- A map or written description of each public facility project's general location or service area;
- Policy statement(s) or urban growth management agreement identifying the provider of each public facility system;
- An estimate of when each facility project will be needed; and
- A discussion of the provider's existing funding mechanisms and the ability of these and possible new mechanisms to fund the development of each public facility project or system

660-011-0015 – Responsibility for Public Facility Plan Preparation

Specifies the responsibilities of who is to prepare the public facility plan. The urban growth management agreement relevant to the SSMP will need to be included with the submission of the SSMP and Comp. Plan element.

660-011-0020 – Public Facility Inventory and Determination of Future Facility Projects

To comply with these provisions the Comp. Plan element will need to reference the inventory of the significant public facility systems or the inventory will need to be brought directly into the City's Comp. Plan. Adopting this portion by reference should suffice.

660-011-0025 – Timing of Required Public Facilities

Highlights the requirements of the OAR to set a general estimate of the timing for planned public facility projects in a short (1-5 years) and long (6+ years) term time frame. Timing of project may be based on:

- Population growth (e.g. expansion of treatment facility)
- Level of service (e.g. increased capacity needs)
- More long term in nature (e.g. sewer projects to correct infiltration problems)

Projects identified as short term shall have an approximate year for development; projects determined to be long term shall provide a general estimate as to the need for the project (i.e. population growth, level of service, etc.).

660-011-0030 – Location of Public Facility Projects

Codifies the requirements to identify the location of public facility projects, appropriate for the particular facility. Short term projects may be detailed more preciously.

660-011-0035 – Determination of Rough Cost Estimates for Public Facility Projects and Local Review of Funding Mechanisms for Public Facility Systems

Requires that public facility projects be estimated to understand the fiscal requirements of the City while supporting the acknowledged land uses in the Comp. Plan. In addition to cost estimates the facility plan shall include a discussion of the providers existing and potential funding mechanisms and how they will fund future improvements identified in the plan. Funding mechanisms may be described in general guidelines or local policies.

660-011-0040 – Date of Submittal of Public Facility Plans

Requires the completion and adoption within the jurisdictions/providers periodic review time.

660-011-0045 – Adoption and Amendment Procedures for Public Facility Plans

This section highlights the need to "...adopt the plan as a supporting document to the jurisdiction's comprehensive plan [and the jurisdiction] shall also adopt as a part of the comprehensive plan," the following:

- List of public facility project titles (may exclude project specifications)
- Map or written description of public facility projects' location/service area
- Policies or UGMA designating providers
    - If more than one provider within public facility plan area then the provider for each project shall be designated

In addition to the above requirements 660-011-0045 builds in allowances for modifications to the public facility projects, without an amendment to the plan, that meet the following:

- Administrative changes that do no impact the projects general description, location, sizing, capacity or other general characteristics

- Technical and Environmental changes made pursuant to "final engineering" whether it be through:
  - National Environmental Policy Act (NEPA)
  - Environmental Impact Statements
  - State and Federal project development regulations

660-011-0050 – Standards for Review by the Department

DLCD will evaluate the public facility plan according to:

- Those items as specified in OAR 660-011-0010(1);
- Whether the plan contains a copy of all agreements required under OAR 660-011-0010 and 660-011-0015; and
- Whether the public facility plan is consistent with the acknowledged comprehensive plan.

660-011-0060-65 – Sewer Service to Rural Lands

Only pertinent if the City of Medford provides sewer service to rural lands. Will need to be determined.