

PLANNING COMMISSION AGENDA APRIL 12, 2018



Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

Alex Poythress

Jared Pulver

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



Planning Commission

Agenda

Public Hearing

April 12, 2018

5:30 PM

Council Chambers, City Hall, Room 300
411 West Eighth Street, Medford, Oregon

-
10. Roll Call
 20. Consent Calendar/Written Communications (voice vote)
 - 20.1 ZC-17-168 Final Order of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to C-C (Community Commercial) on an 8.00 acre lot located northeast of the intersection of North Phoenix Road and East Barnett Road in southeast Medford (371W27 1605) The application also includes a request to modify a condition of approval in the matter of File No. ZC-15-041 limiting traffic generation for 955 North Phoenix Road (371W34 501). (North Phoenix Enterprises LLC, Applicant; CSA Planning, Agent; Steffen Roennfeldt, Planner).
 - 20.2 ZC-18-008 Final Order of a zone change on 1.06 acre parcel located south of East Barnett Road, approximately 530 feet east of Ellendale Drive from MFR-20 (Multi Family Residential – 15 to 20 dwelling units per gross acre) to MFR-30 (Multi-Family Residential – 20 to 30 dwelling units per gross acre) (371W32AB500). (Stylus Development LLC, Applicant; ORW Architecture, Agent; Steffen Roennfeldt, Planner).
 - 20.3 LDS-17-113 / ZC-17-112 Consideration of request for the approval for a minor modification to add an additional lot to the approved tentative plat for a tentative plat for Phases 23-29 plus Reserve Acreage, totaling 168 residential lots on approximately 42 acres in the Southeast Overlay with a combination of SFR-4, SFR-10 and MFR-20 zoning districts, located between E Barnett Road and Cherry Lane at the terminus of Shamrock Drive. (Crystal Springs Development Group, Applicant; Neathamer Surveying, Inc., Agent; Liz Conner, Planner).
 30. Minutes
 - 30.1 Consideration for approval of minutes from the March 22, 2018, 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.**

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.

New Business

- 50.1 **ZC-18-018** Consideration of a request for a zone change of a 0.88-acre parcel located at 2131 W Main Street from Community Commercial (C-C) to Heavy Commercial (C-H) (372W26DA TL 400). (Marigold Enterprises, LLC, Applicant; Rogue Planning & Development Services, Agent; Dustin Severs, Planner)
- 50.2 **LDP-18-015** Consideration of a request for tentative plat approval of a proposed three-lot partition on a 0.45-acre parcel located at 403 North Ross Lane within the SFR-6 (Single-Family Residential – 4 to 6 dwelling units per gross acre) zoning district (372W26AA 3900). (Craig Horton, Applicant; Richard Stevens & Associates, Agent; Steffen Roennfeldt, Planner)
- 50.3 **DCA-16-072 / CP-17-114 / ZC-17-115** The proposal is a four part project that includes the following land use applications: **1) A General Land Use Plan Map Amendment** to update the Comprehensive Plan Map by converting existing parks from their current GLUP designation to the Parks and Schools GLUP designation and make corrections to two other properties that are privately owned location on Merriman Road and Dillon Way; **2) A Major Zoning Map Amendment** to create a new Public Parks (P-1) zoning district and convert existing publicly owned park properties from their current zoning designation of residential, commercial, or industrial to the new zoning designation; **3) A Land Development Code Amendment** to amend various sections of Chapter 10 of the Municipal Code to add regulations, uses, and procedures associated with the new Public Parks (P-1) zoning district; and **4) A Minor Comprehensive Plan Amendment** to update two elements of the Comprehensive Plan to reflect the new Public Parks (P-1) zoning district.

60. Reports

- 60.1 Site Plan and Architectural Commission
- 60.2 Joint Transportation Subcommittee
- 60.3 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 PLANNING COMMISSION FILE ZC-17-168)
APPLICATION FOR A ZONE CHANGE SUBMITTED BY) **ORDER**
NORTH PHOENIX ENTERPRISES LLC)

ORDER granting approval of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to C-C (Community Commercial) on an 8.00 acre lot located northeast of the intersection of North Phoenix Road and East Barnett Road in southeast Medford (371W27 1605). The application also includes a request to modify a condition of approval in the matter of File No. ZC-15-041 limiting traffic generation for 955 North Phoenix Road (371W34 501).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below to rezone the westerly 2.20 acres of an existing 7.7 acre parcel located at the southeast corner of Hillcrest Road and N. Phoenix Road, plus 0.94 acres of adjacent right-of-way, from MFR-20 (Multiple-Family, 20 dwelling units per gross acre) to C-C (Community Commercial), within corporate limits of the City of Medford; and

WHEREAS, the City Planning Commission has given notice of, and held a public hearing, and, after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Report dated March 22, 2018, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

The zoning of the following described area within the City of Medford, Oregon:

37 1W 27 Tax Lot 1605

is hereby changed from SFR-00 (Single Family Residential) to C-C (Community Commercial) zoning district; and

The zoning of the following described area within the City of Medford, Oregon:

37 1W 34 Tax Lot 501

is hereby amending Discretionary Condition 1 of Exhibit A of ZC-15-041; and

1. Remove the word “significant” from the second line of the second paragraph of section (III Transportation System) “...without mitigating the [significant] impact of the development traffic.”

2. To find that driveway H has been justified and supported by the caption on page 59 and by the evidence presented. Allow driveway H with the condition that the developer enter into a deferred improvement agreement to remove driveway H when the traffic volume westbound at driveway H regularly exceeds 230 P. M. peak hour trips. The developer shall provide, as part of the required Transportation Demand Management Program reporting, an accounting of the westbound traffic volume until the driveway is removed or the reporting is determined to no longer be necessary by the City’s Traffic Engineer.

Accepted and approved this 12th day of April, 2018.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



COMMISSION REPORT

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

Project North Phoenix Enterprises
Applicant: North Phoenix Enterprises LLC; Agent: CSA Planning Ltd.

File no. ZC-17-168

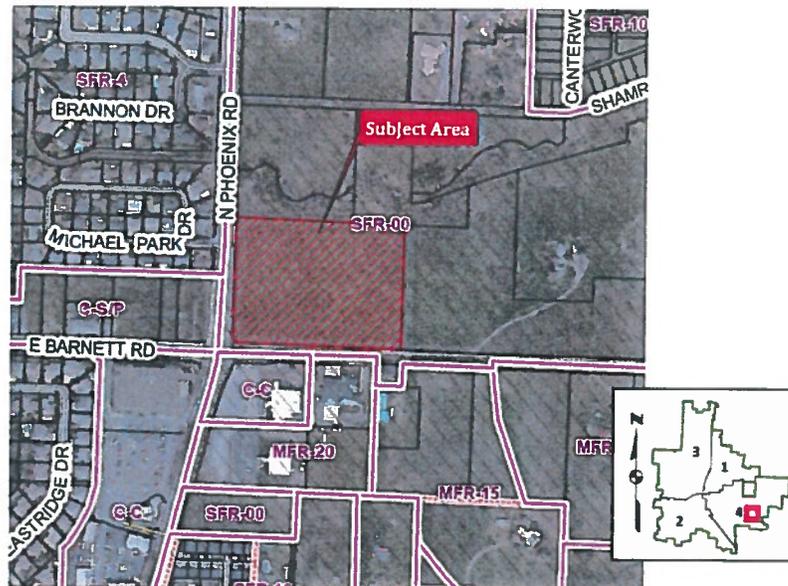
Date March 22, 2018

BACKGROUND

Proposal

Consideration of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to C-C (Community Commercial) on an 8.00 acre lot located northeast of the intersection of North Phoenix Road and East Barnett Road in southeast Medford (371W27 1605). The application also includes a request to modify a condition of approval in the matter of File No. ZC-15-041 limiting traffic generation for 955 North Phoenix Road (371W34 501).

Vicinity Map



Subject Site Characteristics

Zoning	SFR-00	Single-Family Residential – 1 dwelling unit per existing lot
Overlay	SE	Southeast, Subarea 7a

- (ii) The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.

- (e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:

- (ii) At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;
- (iii) At least fifty percent (50%) of the subject property's boundaries abut properties that contain one(1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or

- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one (1) of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or ***
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or

- anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:
- (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
 - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

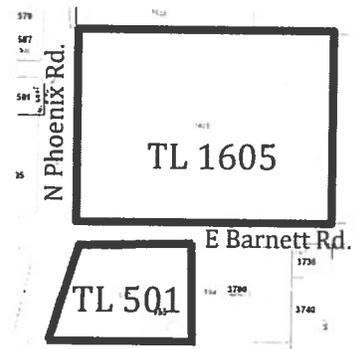
The property to be rezoned (Tax Lot 1605) is located within the Southeast Commercial Center Core Area, Area 7A. At the time of annexation, the property was given a holding zone of SFR-00, which can serve as a holding zone for both commercial and residential parcels. Land use and development within the Southeast (S-E) Overlay District shall conform to the Southeast Overlay District regulations, in addition to all other applicable City regulations. Within the S-E Overlay District, the GLUP Map is further refined by the Southeast Plan Map adopted as part of the Comprehensive Plan. The Southeast Plan Map shall determine GLUP Map consistency for purposes of zoning and zone changes. The zoning district(s) which each Southeast Plan land use category is consistent are set forth in Section 10.373. Table 10.373 shows the only permitted zoning for the subject area, Area 7A, as C-C (Community Commercial).

The second property that is part of this application (Tax Lot 501) was re-zoned as part of File Number ZC-15-041. As part of the zone change approval, a condition limiting traffic generation for Tax Lot 501 was placed on the parcel (Exhibit J). The condition read that development would be limited to that which would generate a total of 628 total daily trips. Said stipulation was to remain in effect until a traffic impact analysis showed that additional trips will have no significant impact to the transportation system.

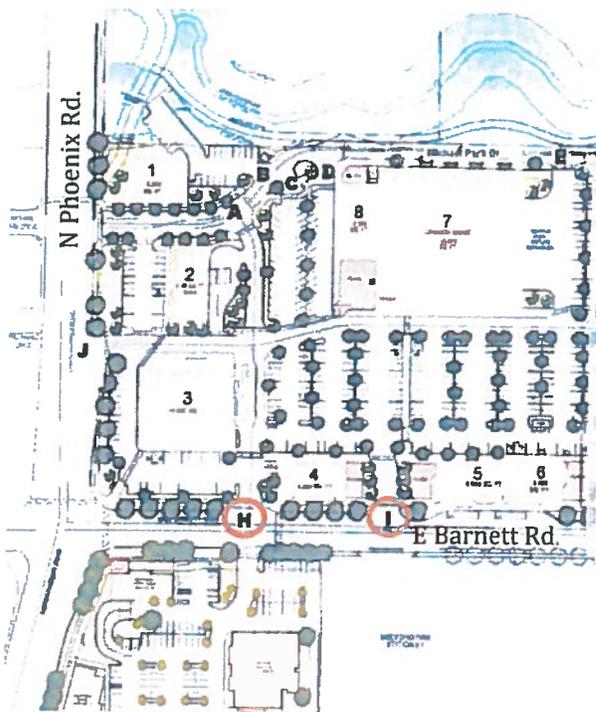
Agency Comments

Public Works

The Public Works Staff Report (Exhibit C) states that the sanitary sewer stipulation listed in the applicant's Findings of Fact (Exhibit B) is acceptable and that the site will be able to connect to exiting storm drain facilities in the area at the time of development. In addition, Public Works received a Traffic Impact Analysis (TIA) for the areas located northeast and southeast of N. Phoenix Road and Barnett Road intersection.



Tax Lot 501 is currently zoned C-C and has an existing trip cap of 628 ADT (Average Daily Trips) as stipulated per Zone Change Application ZC-15-041. A TIA that included lot 501 was submitted to the City on June 21, 2017. (The Executive Summary is included in this application as part of the Applicant's Exhibit 10a. The full document can be reviewed at the Planning Department.) Based on said TIA for the SE Commercial Center Core Area from June 2017 (Applicant's Exhibit 10a) and Comments & Revisions from August 1 & 8 2017 (Applicant's Exhibit 10b), the applicant is proposing to increase the ADT by approximately 400 trips to 145 PM peak hour trips (adjusted from gross trips for pass-by and transit oriented development reduction). According to the TIA, the transportation



system cannot accept the potential trip generation from the proposed zone change without mitigating the impact of the development traffic. The applicant proposes five stipulations tied to the traffic impacts (Numbers 1 to 5 on pages 13 & 14 of Exhibit B and Exhibit A, Discretionary Conditions).

Public Works does not concur with the conclusions drawn regarding driveway "H" on Barnett Road. Public Works recommends denial of the north side access at driveway "H", and approval of driveway "I" as the only north side access allowed on East Barnett Road. Public Works does recommend approval of the south side access at driveway "H" and to put in place four conditions of

approval, adding to and clarifying the suggested stipulations by the applicant.

Prior to the public hearing, staff added Exhibit A-1 that included a condition that requires a deed restriction per the MLDC 10.227 (2)(c) for conditional zone change to the record. Also added into the record to further help explain staff's position were Exhibits K through N. At the public hearing, the applicant submitted Exhibit O, a response to Public Works Department Requirements – SE Commercial Center Area, Medford, Oregon to the Commission.

Staff added that there is a housekeeping item in the Public Works staff report that needs to be removed under III Transportation System. The second paragraph reads *"According to the TIA, the transportation system cannot accept the potential trip generation from the proposed zone change without mitigating the significant impact of the development traffic."* The word *"significant"* needs to be removed.

The reason the driveway issue came before the Planning Commission was triggered by MLDC 10.550 (c)(4) which states that *"at an applicant's request, the approving authority will evaluate alternative access spacing and location on a project basis in conjunction with procedural Class C plan authorization."* A zone change is a Class C plan authorization.

Public Works staff reiterated that they do not agree with the conclusions drawn in the Traffic Impact Analysis regarding driveway H. Their recommendation was to not allow driveway H. However, if the Planning Commission allows driveway H, Public Works

recommended the applicant be required to enter into a deferred improvement agreement building a median to restrict the north side access to right-in/right-out and the conditions to remove the driveway in the future.

The applicant had agreed with the City prior to the meeting that a provision to close off the driveway when there is an issue is acceptable. The applicant proposed for the trigger for closing off the driveway to be tied to traffic volumes.

Decision: The Planning Commission accepted the change to the Public Works staff report and approved the Applicant's requested modification to allow driveway H with the condition that the developer enter into a deferred improvement agreement to remove driveway H when the traffic volume westbound at driveway H regularly exceed 230 pm peak hour trips. The developer shall also provide, as part of the required Transportation Demand Management Program reporting, an accounting of the westbound traffic volume until the driveway is removed or the reporting is determined to no longer be necessary by the City's Traffic Engineer.

Medford Water Commission

Water facilities have adequate capacity to serve the subject property at the proposed density, according to the Medford Water Commission Report (Exhibit D).

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit B).

Finding – Oregon Transportation Planning Rule

The City of Medford has an approved Transportation System Plan (TSP) consistent with the requirements of the State. The TSP requires all modes of transportation be considered, including rapid transit, air, water, rail, highway, bicycle and pedestrian. A review of the property determines that water and rail are not available. The parcel has frontage on North Phoenix Road, classified as a Major Arterial, and East Barnett Road, classified as a Minor Arterial in the TSP.

RVTD does not provide direct access to the subject site. There is currently service on East Barnett Road and Murphy Road, approximately 0.75 miles west of the subject site.

Access to I-5 via the Phoenix Exit is available 2.5 miles to the south. The airport is located approximately 4.75 miles northwest of the subject site.

Conclusion – Oregon Transportation Planning Rule

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660 Division 12).

Finding – Zone change to Commercial zoning district

The proposed zone change is over three acres in size and fronts on upon two arterial streets. The subject property is required to be zoned as C-C by the Southeast Overlay District Master Plan and MLDC Table 10.373.

Conclusion – Zone change to Commercial zoning district

The Planning Commission can find the requested zone to C-C is consistent with the requirements of MLDC 10.227(1)(c)(ii) and (1)(e).

Finding – Availability of Category A Urban Service Facilities

The site lies within the Larson Creek Drainage Basin. At the time of future development, the subject property will be able to connect to these storm drainage facilities. Also at the time of future development, the subject property will be required to provide stormwater quality and detention.

The subject property lies within the City of Medford Sewer Services area. As pointed out by the applicant in stipulation No. 6, a 190-foot segment of pipe will have to be upgraded prior to issuance of building permits for vertical construction. Once this stipulation is taken care of, there will be adequate capacity to serve this property at the proposed density.

The subject property can be served by the Medford Water Commission and there is adequate capacity to serve this property at the proposed density.

The entire site is designated as a Transit Oriented Development and a Transportation Impact Analysis has been prepared. The TIA demonstrates that development of the property as per the adopted master plan and with mitigation as recommended by the traffic engineer and Public Works will meet all adopted transportation performance standards.

Conclusion – Availability of Category A Urban Services and Facilities

The Planning Commission can find that Category A urban services and facilities are currently available or can and will be available at the time of development to adequately serve the subject property with the permitted uses under the proposed C-C zoning designation.

The conclusion can be made that all of the zone change criteria have been met.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of ZC-17-168 and amending Discretionary Condition 1 of Exhibit A of ZC-15-041 per the staff report dated March 13, 2018, including Exhibits A through O, and:

1. Remove the word “significant” from the second line of the second paragraph of section III Transportation System of the Public Works Staff Report “...without mitigating the [significant] impact of the development.”

2. To find that driveway H has been justified and supported by the caption on page 59 and by the evidence presented. Allow driveway H with the condition that the developer enter into a deferred improvement agreement to remove driveway H when the traffic volume westbound at driveway H regularly exceeds 230 pm peak hour trips. The developer shall provide, as part of the required Transportation Demand Management Program reporting, an accounting of the westbound traffic volume until the driveway is removed or the reporting is determined to no longer be necessary by the City’s Traffic Engineer.

EXHIBITS

- A-1 Conditions of Approval, dated March 22, 2018**
- B Applicant’s Findings of Fact & Conclusions of Law, received December 18, 2017**
- C-1 Public Works Department Staff Report, revised March 27, 2018**
- D Medford Water Commission Memo, received January 24, 2018**
- E Medford Fire Department Memo, received January 24, 2018**
- F Medford Building Department Memo, received January 24, 2018**
- G City Surveyor Memo, received January 17, 2018**
- H Jackson County Roads Memo, received January 17, 2018**
- I Oregon Department of Fish and Wildlife E-Mail, received January 18, 2018**
- J Conditions of Approval for ZC-15-041, dated June 4, 2015**
- K Tentative Plan for Summerfield Phases 23-29**
- L Mahar Homes Urban Growth Boundary Concept Layout Plan**
- M Excerpt from Urban Growth Boundary Amendment Map, adopted August 18, 2016**
- N Excerpt from Regional Plan Element of Comprehensive Plan for MD-5**

- O **Response to Public Works Department Requirements – SE Commercial Center Area, Medford, Oregon**
Vicinity map

PLANNING COMMISSION AGENDA:

MARCH 22, 2018
APRIL 12, 2018

Patrick Miranda, Chair

EXHIBIT A-1

North Phoenix Enterprises
ZC-17-168
Conditions of Approval
March 22, 2018

DISCRETIONARY CONDITIONS

1. The Planning Commission accepts the stipulations for the following:
 - a. Vehicular trip generation for the North Side (TL 1605) shall be limited to 431 PM peak hour trips (adjusted from gross trips for pass-by and transit-oriented development reduction).
 - b. Vehicular trip generation for the South Side (TL 501) shall be limited to 145 PM peak hour trips (adjusted from gross trips for pass-by and transit-oriented development reduction). The South Side trip cap shall replace the prior cap of 628 Average Daily Trips imposed through Planning File No. ZC-15-041.
 - c. Prior to issuance of permits for vertical construction of new buildings, traffic impact mitigation for the intersection of North Phoenix Road and East Barnett Road shall require adding protected-permissive traffic signal phasing to the north and southbound left-turn phases.
 - d. Prior to issuance of permits for vertical construction on Tax Lot 1605, owners of that property agree to construct a south-bound left turn lane for North Phoenix Road at Michael Park Drive, including modification of the existing median to accommodate the same. Final design shall be submitted for review and approval with Site Plan and Architectural Review application at the time development of the North Side (Tax Lot 1605) is proposed.
 - e. Driveway "J" as identified in the TIA (being the right-in only access from north-bound North Phoenix Road to Tax Lot 1605) shall not be included in future development plans for the property.
 - f. Prior to issuance of permits for vertical construction on Tax Lot 1605, the 190-foot segment of 12-inch diameter pipe section (ID No. S371W28DS0139, City of Medford Sanitary Sewer Master Plan (2205)) shall be upgraded to an 18-inch diameter pipe.

EXHIBIT A-1

North Phoenix Enterprises
ZC-17-168
Conditions of Approval
March 22, 2018

CODE CONDITIONS

2. Prior to issuance of building permits for vertical construction on Tax Lot 1605, the applicant shall:
 - a. Comply with the report from the Public Works Department, received January 24, 2018 (Exhibit C).
3. Within 30 days of the final order, the property owner shall record a restrictive covenant on the subject properties in a form acceptable to the City Attorney, specifying the applicant's stipulations in Condition 1 above.



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 3/27/2018
Commission Update: 3/27/2018
File Number: ZC-17-168

PUBLIC WORKS DEPARTMENT STAFF REPORT
Zone Change – North Phoenix Enterprises LLC
North Phoenix Road at East Barnett Road
(TL 1605)

Project: Consideration of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to C-C (Community Commercial) on an 8.00 acre lot.

Location: Located northeast of the intersection of North Phoenix Road and East Barnett Road in southeast Medford (371W271605).

Applicant: Applicant: North Phoenix Enterprises LLC; Agent: CSA Planning; Planner: Steffen Roennfeldt.

The Medford Land Development Code (MLDC), Section 10.227 (2) requires a zone change application demonstrate Category ‘A’ urban services and facilities are available or can and will be provided to adequately serve the subject property. The Public Works Department reviews zone change applications to assure the Category ‘A’ urban services and facilities under its jurisdiction meet those requirements. The Category urban services and facilities the Public Works Department manages are sanitary sewers within the City’s sewer service boundaries, storm drains, and the transportation system.

I. Sanitary Sewer Facilities

This site lies within the City of Medford Sewer Service area. The sanitary sewer stipulation listed in CSA Planning’s Findings of Fact and Conclusions of Law (under IV, 11.B) dated December 18th, 2017 is acceptable.

II. Storm Drainage Facilities

This site lies within the Larson Creek Drainage Basin. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of

development. This site will be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

Public Works received a Traffic Impact Analysis (TIA) from JRH Transportation Engineering for the Southeast Commercial Center Core Area located at the northeast and southeast corners of the intersection of N. Phoenix Rd and Barnett Rd. The project is comprised of tax lot 371W271605 and tax lot 371W340501. Lot 371W271605 being 8 acres, is currently zoned SFR-00 and is the subject of a Zone Change application to change to C-C (Community Commercial). Lot 371W340501, being 2.14 acres, is currently zoned C-C with a trip cap of 628 ADT and is the subject of a Traffic Impact Analysis to increase the trip cap.

According to TIA, the transportation system cannot accept the potential trip generation from the proposed zone change without mitigating the significant impact of the development traffic. The engineer proposes two separate trip caps on the north and south side properties, mitigation of the intersection of Barnett Rd and N. Phoenix Rd, and installation of a southbound left turn lane on N Phoenix Rd at Michael Park Dr.

Staff does not concur with the conclusions drawn regarding driveway H on Barnett Rd. The applicant makes the case that the driveway is depicted in the Southeast Village Commercial Center Core Area Master Plan and it was the intent of the master plan to allow this driveway. However, the master plan specifically states that any depicted access onto Barnett Rd shall not be approved until justified by a TIA. Driveway H is proposed approximately 195 feet east of the intersection with N. Phoenix Rd. The TIA shows the westbound left turn queue, from Barnett Rd to southbound N Phoenix Rd, anticipated to be 75 feet long and the eastbound left turn queue, from Barnett Rd into the development at driveway H, anticipated to be 25 feet long in 2023 under the studied traffic conditions. As proposed, the deceleration and transition area for these movements will overlap with each other, resulting in higher potential for head-on conflicts. As the southeast area continues to develop, the queues will get longer and the number of conflicts will increase. The best solution is to provide more space between N Phoenix Rd and the first access point by denying driveway H and concentrating access on Barnett to driveway I. Staff recommends denial of the north side access at driveway H, and approval of driveway I as the only north side site access allowed on E Barnett Rd. Staff recommends approval of the south side access at driveway H

Public Works recommends the following conditions be imposed or the zone change be denied:

1. Trips generated by the north side property, comprised of lot 371W271605, shall be capped at 431 P. M. peak hour trips. Trips generated by the south side property, comprised of lot 371W340501, shall be capped at 145 P. M. peak hour trips. Both of these trip caps were proposed by the engineer in the TIA and include allowable reductions for Transit Oriented District and pass-by trips. The developer shall submit trip accountings for approval by the Public Works Department prior to issuance of permits for vertical construction.

2. The intersection of Barnett Rd and N. phoenix Rd will require mitigation to operate acceptably through the planning horizon. Consistent with the recommendations of the TIA, the applicant shall make necessary improvements to convert the existing “protected” north and south left turn phasing to “protected-permissive” left turn phasing. The report says that this mitigation will allow the intersection to operate at level of service C, which meets City of Medford requirements. This mitigation shall be completed prior to the issuance of permits for vertical construction.

3. The applicant shall construct a southbound left turn lane at the intersection of N. Phoenix Rd and Michael Park Dr. This mitigation shall be completed prior to the issuance of permits for vertical construction.

4. Driveway H, as identified in the TIA, shall not be included in future development plans for the north side property (tax lot 371W271605).

If the commission grants access to the north side properties at driveway H, staff recommends that the applicant be required to enter into a Deferred Improvement Agreement (DIA) to build a median to restrict the access to right-in/right-out only for the north side properties and right-in/right-out/left-in only on the south side property when the intersection of Stanford Ave and Barnett Rd (planned as a roundabout) is constructed. The DIA shall be in accordance with Medford land Development Code section 10.432 and be in place prior to issuance of permits for vertical construction.

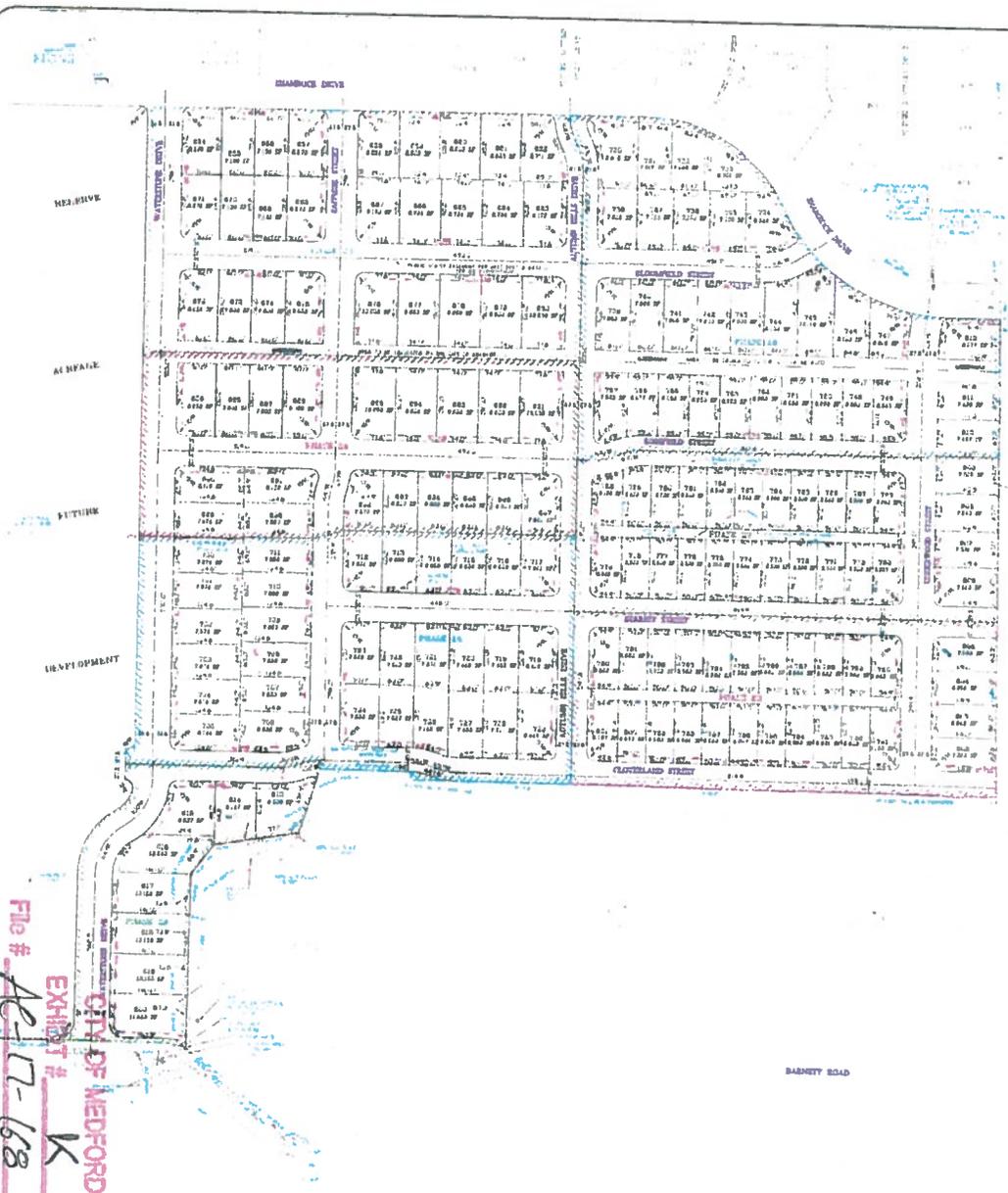
Commission Update:

On Thursday March 22, 2018, the Planning Commission held the public hearing for ZC17-168 North Phoenix Enterprises: Southeast Commercial Center Core Area. Steffen Roennfeldt and Karl MacNair presented for the city, and Raul Warner and Jim Hanks presented for the developer. The zone change was approved on a 4-3 vote, (Mark McKechnie recused himself), with the following provisions:

1. Remove the word “significant” from the second line of the second paragraph of section (III Transportation System) “...without mitigating the [significant] impact of the development traffic.”
2. Allow driveway H with the condition that the developer enter into a deferred improvement agreement to remove driveway H when the traffic volume westbound at driveway H regularly exceeds 230 P. M. peak hour trips. The developer shall provide, as part of the required Transportation Demand Management Program reporting, an accounting of the westbound traffic volume until the driveway is removed or the reporting is determined to no longer be necessary by the City’s Traffic Engineer.

Prepared by: Doug Burroughs
Updated by: Doug Burroughs

The above report is based on the information provided with the Zone Change 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.



**TENTATIVE PLAT
SUMMERFIELD AT SOUTH
EAST PARK, PHASES 23-29 &
RESERVE ACRES**

APRIL 19, 2017. This plat is being filed for record in the County of Clatsop, Oregon, under the name of the City of Medford, Oregon, and is subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005, and the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.

PREPARED FOR:
City of Medford Development
Public Works
215 Alder Street
Medford, Oregon 97504

PROJECT INFORMATION

OWNER	CITY OF MEDFORD
DATE OF SURVEY	APRIL 19, 2017
SURVEY NUMBER	10254-17
PREPARED BY	ROBERT V. NEWMAN
DATE OF PREPARATION	APRIL 19, 2017

GENERAL SURVEY NOTES:

1. The survey was conducted in accordance with the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.

2. The survey was conducted in accordance with the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.

BASIS OF SURVEY

The survey was conducted in accordance with the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.

LEGEND:

- 1. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 2. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 3. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 4. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 5. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 6. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 7. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 8. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 9. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 10. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.

ABBREVIATIONS:

- 1. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
- 2. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.
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- 10. All lots shown on this plat are subject to the provisions of the Oregon Land Use Code, ORS 223.005, and the provisions of the Oregon Land Use Rules, OAR 150.005.

File # **AC 17-168**
EXHIBIT # **K**
CITY OF MEDFORD

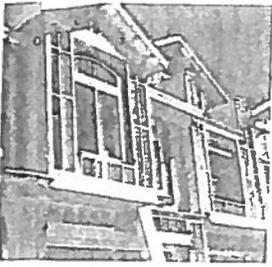
REGISTERED
PROFESSIONAL
LAND SURVEYOR

ROBERT V. NEWMAN
2025

PREPARED BY: Southamer Surveying, Inc.
11201 State St, Suite 203
P.O. Box 1044
Medford, Oregon 97501
Phone (541) 733-2000
FA (541) 733-1382

PLAT DATE: December 13, 2017 PROJECT NUMBER: 10254-17





MaharHomes

incorporated

Exhibit IIII

VIA HAND DELIVERY

RECEIVED

AUG 27 2015

Planning Dept.

August 27, 2015

Medford City Council
411 West 8th Street #310
Medford, OR 97501

Dear Honorable Mayor and Members of the City Council:

RE: Inclusion in the Medford Urban Growth Boundary

The purpose is to allow Medford to grow in a desirable and well planned way. We believe inclusion of 180 acres in MD-5 along Cherry Lane is a logical and integral component of the South East Plan. This is a master-planned area and provides for multiple housing types, a village center, mixed uses, parks, greenways, and schools.

Including this property would add a vital and necessary component and ensure a continuation to this planned community.

Summarized Benefits:

1. This property provides and pays for sanitary sewer to 244 acres of existing UGB property above and below Cherry Lane, thus making it possible to develop an additional 500 acres currently not feasible to build upon.
2. This property provides and pays for the only possible connecting trails and Greenways for the entire city of Medford to Chrissy Park and Prescott Park; a total of over 1800 acres. These incredible parks are also seeking to be included into the UGB as a part of this same application.
3. This property provides and pays for the only trails beyond the Bear Creek Greenway from the Larson Creek Greenway through the Southeast planned area to Chrissy and Prescott Parks.
4. This property provides and pays for sewer and helps pay for water to Chrissy Park.
5. This property provides and pays for improvements to Cherry Lane, a major collector road which is currently functioning as a collector road, yet is actually a substandard and dangerous road. Cherry Lane is unsafe for pedestrians and bicyclists due to a lack of shoulders and pedestrian lanes.

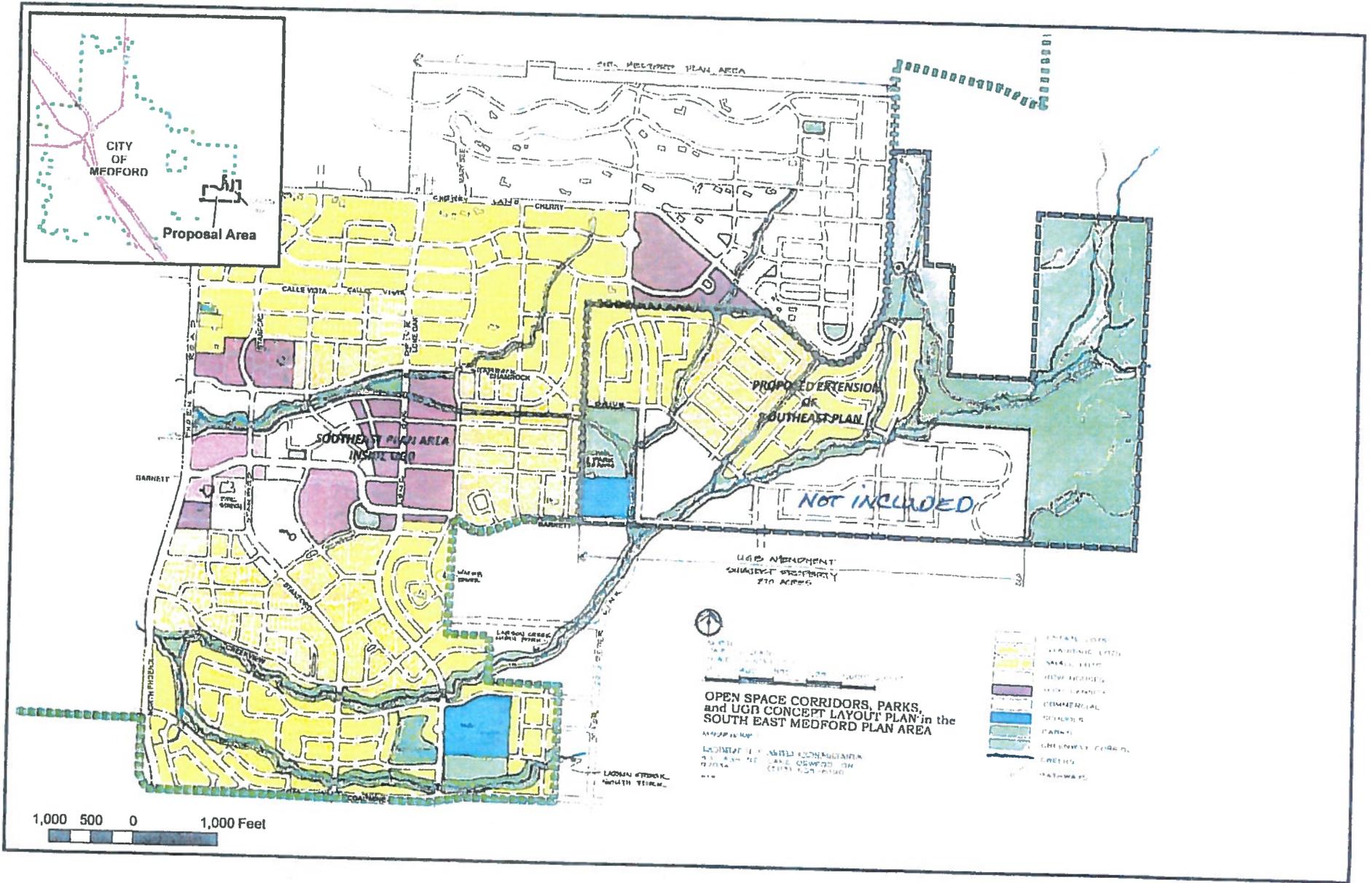
CITY OF MEDFORD
EXHIBIT # 6
File # AC-17768

6. This property provides and pays for connecting Barnett Road to Cherry Lane which will enable a much improved critical response time from the new fire station on East Barnett Road to a very vulnerable area of Medford far beyond the intersection of Cherry Lane and Hillcrest Road.
7. This property provides and pays for connecting Barnett Road to Cherry Lane bringing an entire section of Medford closer to the future Southeast Village Center, Asante Rogue Regional Medical Center and other medical services and beyond.
8. This property provides and helps pay for a new neighborhood park and school site where all the trails converge. This would enable all of the proposed neighborhoods and housing types the opportunity to walk or ride a bicycle to the park and school site.
9. This property provides and helps pay for connecting trails and greenways from the new proposed employment centers to these incredible parks, the Southeast Village Center and desirable mixed housing options. This will create greater desire for employees to want to live here and give the best employers the confidence to do business here. This is real economic development.
10. Mahar Homes provides many jobs to the community with its 17-20 full time employees and helps support hundreds of local subcontractors and building suppliers.
11. Mahar Homes will have very few lots left on which to build single family homes by the time this Urban Growth Boundary extension is actually complete and ready for annexation to build.
12. Mahar Homes will eagerly begin the process of developing and building in continuation of the South East Plan – a well-thought out master-planned area that has been in progress for many years; designed to provide the city a mix of housing types and services enabling Medford to grow in the most desirable and planned way; which really is the goal of this process.

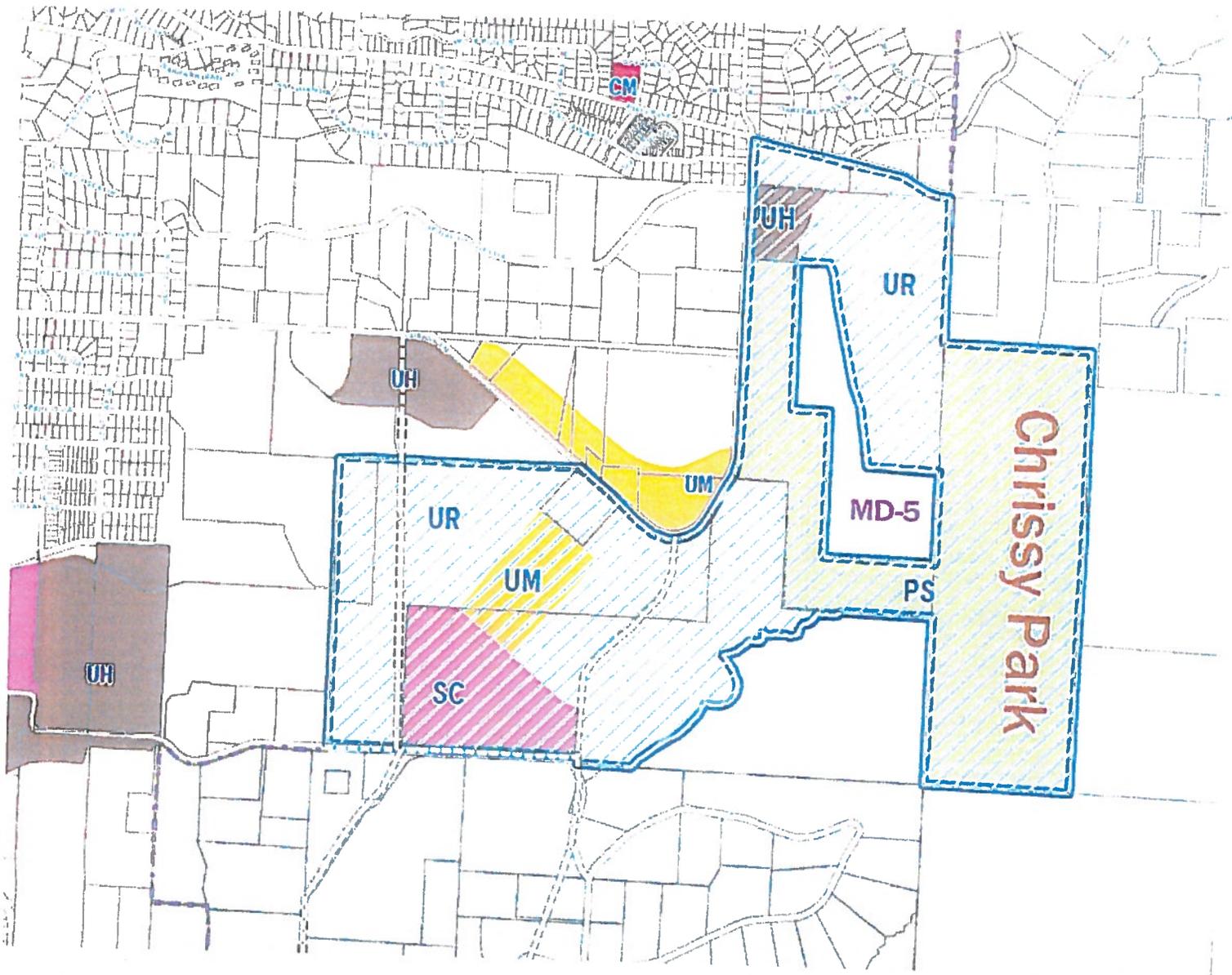
Sincerely,



Michael T. Mahar



City of Medford
Excerpt from Urban Growth Boundary Amendment Map
Adopted August 18, 2016
Ordinance No. 2016-99



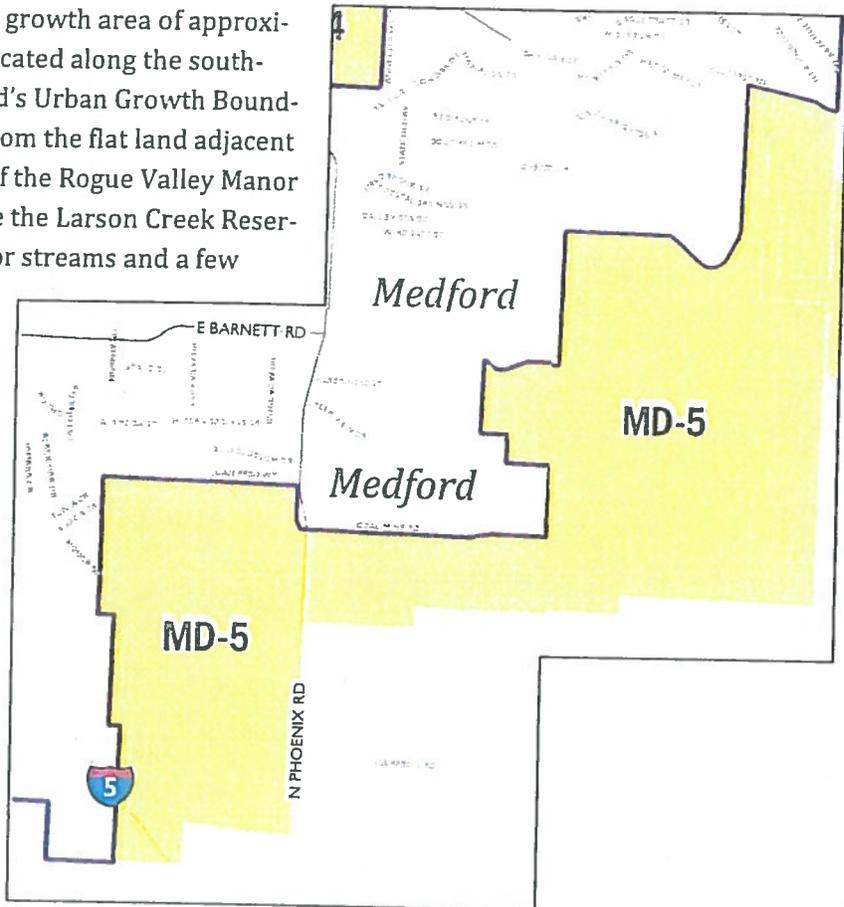
MD-5

This irregularly shaped growth area of approximately 1,748 acres is located along the south-eastern edge of Medford's Urban Growth Boundary. The area extends from the flat land adjacent to the golf course east of the Rogue Valley Manor to the rolling hills above the Larson Creek Reservoir. Despite a few minor streams and a few small pockets of wetlands scattered throughout and a few acres of steep slopes in the northeast corner, the vast majority of MD-5 is void of physical constraints.

The Centennial Golf Course, situated between the UGB to the west and North Phoenix Road to the east, comprises approximately 425 acres of

MD-5. The approximate 153 acres situated south of the golf course, west of Fern Valley Road, and east of I-5, is flat to gently sloped, is near the Fern Valley-Interstate-5 interchange, is immediately adjacent to the future South Stage east-west connector, and is situated central to the Bear Creek Valley.

Two minor inclusions of low-density exception lands are situated in the center of MD-5, south of Coal Mine Road along Hidden Village Place and Oakmont Way and east of Coal Mine Road along Santa Barbara Place and Mitchellen Place. Most of MD-5 is designated Agricultural land and, similar to all other agricultural-designated lands east of Interstate 5 and near the city, they are of lower soil capability class than the soils west of the city.



CITY OF MEDFORD
 EXHIBIT # N
 File # AC-17-168

Figure 3.3-5. Area MD-5: Existing and Proposed Land Use Type by percent of area

	Current	Proposed	
Residential	5	56	gross acres
Aggregate	-	-	1,748
Resource	95	-	reasonably
Open Space/Parks	-	19	developable acres
Employment	-	25	1,656

MD-5 spans two coarse filter areas, MD-F and MD-G. The lands east of North Phoenix Road (Mostly MD-F) are distinct in some regards from the lands west of North Phoenix Road (MD-G). For this reason, the fine filter suitability analysis considers these areas according to their distinct attributes where it is logical to do so. This area was found to be suitable due to the following Goal 14 boundary location factors and resource land use impacts:

1. *Efficient Accommodation of Identified Land Needs.* MD-5 is flat to gently sloped and facilities are generally already available or will be made available as facilities are extended through development in the existing UGB. The area east of North Phoenix Road represents a logical extension of the Southeast Plan area and additional growth will support more intensive uses within the commercial core area of the Southeast Plan. MD-5 will provide a direct urban connection with Chrissy Park as an open-space/park use specific urban reserve. The area east of North Phoenix Road may also provide some job opportunities in east Medford, part of this area could be developed for commercial uses, including a business park, close to existing and planned neighborhoods

The area west of North Phoenix Road presents two unique urban opportunities to support regional economic development. The area south of the future South Stage Road is contemplated to be planned as a regional employment campus to meet the unique site requirements of larger regional employers. This area has excellent access to regional labor markets and with extension of South Stage Road and completion of the Fern Valley Interchange reconstruction will have good access to regional transportation facilities. The area north of South Stage Road contains Centennial Golf Course and Pacific Retirement Services has already forwarded a UGB proposal that contemplates this area as an "Active Adult Retirement Community." While this use would be residential by definition, the nature of use will function as basic sector economic development because it has the effect of transferring wealth and investment from outside the region and concentrating it within the region. Pacific Retirement Services has a proven

track record of marketing and attracting upper income retirees to relocate to the Rogue Valley and this has spawned a major economic development cluster within the region and one that will be supported by demographic changes over at least the first half of the RPS planning horizon.

2. *Orderly and Economic Provision of Public Facilities and Services* – From a transportation standpoint, this area, when urbanized, will actuate a connection of South Stage Road across Interstate 5 to North Phoenix Road—a necessity in a largely urbanized area where east-west circulation is obstructed by Interstate 5 for many miles.. The South Stage Road project has significant potential to address long-range regional transportation issues.⁴ All other public facilities and services are generally available to the area or can be made available. For many areas in MD-5, designation as Urban Reserve is essential to long-term public facility planning both inside and outside the existing UGB. Much of the services in MD-5 would be provided through extension of facilities as part of development within the existing UGB. If Urban Reserve areas are not known with specificity as the Southeast Plan builds out, then the potential for undersized downstream facilities (especially concerning sewer and storm drainage) is an issue that will reduce the potential of the area to economically provide public facilities. This same rationale applies generally to urban reserves: their existence is a surety not otherwise available to long-range land use and infrastructure planning, regulation, and investment.
3. *ESEE Consequences.* The overall comparative ESEE consequences of an Urban Reserve boundary in this area is positive, based upon the following:
 - a. **Economic.** The comparative economic consequence of including these lands is positive based upon the potential for significant economic development opportunities west of North Phoenix Road and the support of those opportunities through expanded labor markets in southeast Medford which is near the geographic center of the RPS planning area..
 - b. **Social.** The comparative social consequences are expected to be positively correlated with positive economic consequences as it promotes neighborhood extension and job opportunities. Social benefits would also accrue from the creation of an additional I-5 crossing in an area where no crossing currently exists for almost three miles near the geographic center of the planning area and the corresponding additional alternative transportation connection to the Bear Creek Greenway. Social benefits from direct urban connections to Crissy Park are also an important and valuable social consequence.

⁴ See Appendix - Fern Valley Interchange Area Management Plan

- c. Environmental. The comparative environmental consequences are expected to be neutral. The area itself is generally free of any known significant environmental constraints, with the exception of localized riparian corridors. But Medford has already demonstrated a commitment to protecting these and maximizing their utility as urban amenities in the Southeast Plan. MD-5 should also have air quality benefits as it will intensify urban development in an area with excellent regional access and located near the geographic center of the planning area which can be expected to support efficient transportation system utilization. However, MD-5 is integrally related to the South Stage Road project and that project will require crossing of Bear Creek which will necessarily have some adverse environmental consequences.
 - d. Energy. The comparative energy consequences are expected to be positive as the energy consequences will be positively correlated with the efficient utilization of the regional transportation system and the area's central location within the planning area to support compact, energy-efficient urbanization.
4. *Compatibility of the Proposed Urban Uses with Nearby Agriculture and Forest Activities Occurring on Farm and Forest Land Outside the Urban Growth Boundary-* To the south the City of Phoenix is proposing Urban Reserves up to/near all of MD-5. To the west and north is existing UGB land. Bear Creek Corporation had orchards in this area but these are now relocated because of rising conflicts with the increased urbanization in nearby southeast Medford and resulting additional traffic along Fern Valley Road. As a result, there are no significant intensive agricultural uses in the area that would conflict with the eventual urbanization as Urban Reserves.

MD-5 comprises Class III and IV agricultural soils and much of it is or could be irrigated. The area is predominantly designated agricultural. However, there are no alternatives that will use less or have less effect upon resource lands because west of North Phoenix Road the proposed mix of uses are unique regional opportunities that cannot be reasonably located elsewhere⁵ and the lands east of North Phoenix Road will extend one of the areas that is planned for the most dense and efficient urbanization in the region and this area is also needed to urbanize some exception lands and a rural subdivision off Coal Mine Road that essentially functions as an exception area in the center of MD-5.

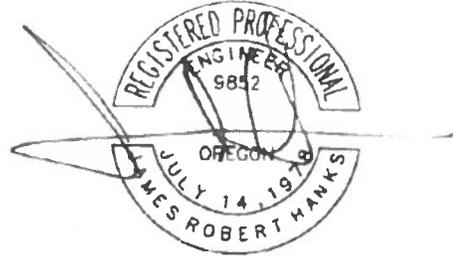
⁵ In the case of "Active Adult Retirement Community" uses, the proximity to existing facilities (i.e., the Rogue Valley Manor) would be efficient from a location perspective.



RECEIVED

MAR 27 2018

March 22, 2018 PLANNING DEPT.



Renews 6/13/19

Medford Planning Commission
C/O Medford Planning Department
200 South Ivy Street
Medford, OR 97501

RE: Response to Public Works Department Requirements - SE Commercial Center Area, Medford, Oregon

Introduction:

All aspects of JRH Transportation Engineering's *Transportation Engineering Analysis* (TIA) for the SE Commercial Center Area were thoroughly reviewed and approved by the City of Medford Public Works Staff. The City Staff agrees with the methodology, inputs, and outputs of the TIA.

With one exception, the City and the applicant agree with the conclusions, mitigation, and approval criteria provided by the Public Works Department. That exception, Condition 4, in the Public Works staff report states: "Driveway H, as identified in the TIA, shall not be included in future development plans for the north side property (tax lot 371W271605)." As a fallback condition, the Public Works Department recommends that the applicant must provide a median barrier to close access H, once an intersection, presumed to be a roundabout, is constructed between Stanford Ave. and E. Barnett Road.

The remainder of this letter focuses on demonstrating why this condition and fallback do not meet the goals and specific conditions of the SE Medford Overlay Plan, and is unnecessary to accommodate projected traffic volumes.

Planning Background:

JRH TRANSPORTATION ENGINEERING -- 3672 RIVERPOINTE DR EUGENE, OR 97403
687- 1081

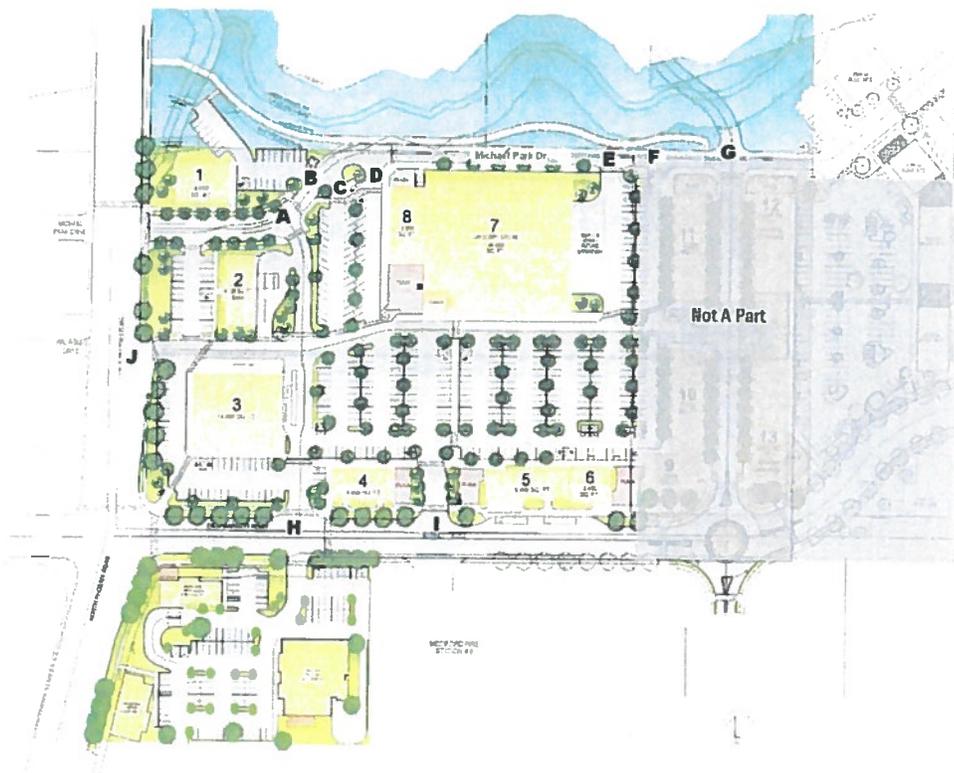
CITY OF MEDFORD

EXHIBIT # 0

FILE # 2018-175168



The TIA provides an extensive evaluation of Site Access H, on the north side of E Barnett Road, opposite the existing Rogue Credit Union access in the location adopted in the South East Commercial Center Core Area Master Plan (SE Center Plan). The SE Center is the gateway to a neo-traditional Transit Oriented Development (TOD) and is planned to meet needs of bicyclists, pedestrians, and transit users along with those of motorists. The TIA provides an extensive evaluation of Site Access H at the location adopted in the South East Commercial Center Core Area Master Plan (SE Center Plan). The SE Center is the gateway to a neo-traditional Transit Oriented Development (TOD) balancing the needs of bicyclists, pedestrians, and transit users with those of auto users. As a gateway, it announces to drivers that they have arrived in a neighborhood and are not, as on most other arterials, passing though. Emphasizing this, the SE Center Plan states: “The Master Plan is designed to transition from the existing suburban pattern west of North Phoenix Road into the planned neo-traditional form of the SE Plan Area.”



Site Plan Adopted in SE Commercial Center Plan and the Subject of the Traffic Impact Analysis



As evaluated in the TIA and adopted in the SE Commercial Center Core Area Plan, and the SE Overlay District, the gateway announces itself by a series of architectural and engineering features. Benches, landscaping, and pedestrian-level lighting fixtures will punctuate sidewalks constructed to twice the normal width of typical Medford walkways. Shops will front E. Barnett Road adjacent to the sidewalk. Driveways are located to replicate the grid pattern of a downtown. Bike lanes will flow along each side of E. Barnett Road. Bike parking will be integrated into the overall design of the project. A major transit stop, placed directly along the sidewalk near the roundabout, helps to encourage pedestrian and bicycle use of the SE Center.

An essential element of achieving the neighborhood neo-traditional form is assuring that auto speeds remain compatible with the multi-modal character of the neighborhood. The plan has many features that help with this assurance. Traffic approaching and leaving a traffic signal tend to drive slower than locations between signals. A roundabout marks the east end of the Gateway area. Properly designed, a roundabout limits traffic speed to approximately 25 miles per hour.

To further reduce traffic speeds, the TIA recommends reducing width of automobile travel lanes to 10-feet and widening bike lanes and sidewalks to a minimum of six feet. Automobile travel lane widths of 10-feet have the same capacity as the City standard 11 or 12-foot width. Traffic speed in ten-foot wide lanes is generally slower than in otherwise comparable wider lanes. Ten-foot lanes do not measurably affect traffic capacity.

Site Access H is a component of a larger vision for the SE Center. It connects from the Rogue Credit Union site to Michael Park Road. This layout emphasizes the neo-Traditional grid pattern promoted in the plan.

By intent, site accesses shown in the adopted SE Neighborhood Center Core Area Plan are more closely spaced than driveways along a typical arterial. This is in recognition of the Plan's intent to create a central core for the neighborhood rather than development accessed primarily by automobiles only at concentrated points of entry as is typical of strip developments elsewhere. The driveways themselves are activity points that tend to reduce speeds. Similar to a downtown area, drivers will drive slower and be more attuned to potential conflicts than they would if they were on an arterial similar to E. Barnett and N. Phoenix Roads near the site.

Current Medford arterial standards place driveways far enough apart for high-speed traffic to reach cruising speed before encountering conflicting traffic. This



is not conducive to lowering traffic speeds.

Without Access H, two of the adopted SE Center Plan elements would be ignored. First, the internal street pattern replicating a neo-traditional grid would be impossible. The current plan, based on marketable building dimensions, places the internal roadway along the face of the buildings aligning with N. Phoenix Road. Any material movement to the east of the driveway would limit the viability of this design. The on-site roadway provides connectivity, unhindered by parking between the Masonic Temple and Michael Park Drive.

Second, moving Site Access H to the west would materially impact the size of Building 4. The Master Plan has buildings 5 and 6 on sites adjacent to the bus transfer facility. There is no way to keep the dimensions of Building 4 and accommodate a driveway relocated to the east.

Adopted Salient Conflict Resolution Process:

In the SE Commercial Master Plan approval process the Planning Commission and City Council recognized that there would be tension between the adopted Plan and City Code sections regarding arterial streets. The City Adopted Southeast Village Commercial Center Core Area Master Plan itself states:

“Land use and development within the Master Plan area will accordingly conform to the Master Plan in addition to all other applicable land use and development regulations. *In the situation of a conflict with other regulations of the Medford Land Development Code, the Master Plan shall supersede.*” (Emphasis added)

At the time of the SE Center Plan adoption, the City had not, and still has not, adopted roadway standards reflecting the City’s vision of a transit-oriented development. In the more than a decade of deliberations since Plan approval, decision makers challenged the property owners to address the loss of neighborhood that is a visible result of current standards. Decision makers recognized that existing rules may not accommodate their vision, they established a procedure to make the important decisions involved in the SE Plan Area. They are included in the Section 10.550-3) c of the Medford City Code and quoted below:

“(3) Area Plans: Access spacing and location may be evaluated as part of a special area plan. The approving authority may adopt specific standards through a special area plan such as a neighborhood plan and/or master

plan. Where such plans are adopted, any conflict between the special area plan access and location standards and the standards in Section 10.550 (3) (a) and/or (b) above shall be resolved in favor of the special area plan provisions. [Emphasis added.]

(4) New Development: At an applicant's request, the approving authority will evaluate alternative access spacing and location on a project basis in conjunction with procedural Class C plan authorizations. Evaluation of alternative access location and spacing for projects shall be based upon a Transportation Impact Analysis (TIA) prepared by a professional engineer licensed in the State of Oregon with expertise in transportation. The Public Works Director (or designee) will provide a scope of work for the TIA and will issue a report to the approving authority stating his/her professional opinion as to the technical adequacy of the TIA and whether it demonstrates compliance with the criteria for access spacing and location for the project. The TIA will consider motorists, cyclists and pedestrians. The approving authority will evaluate the project's access spacing and location, in one of the following ways:

i. If the conclusions of the TIA and the professional opinion of the Public Works Director (or designee) concur that the safety and operations of the project's proposed access spacing and location will, at the time of development, be equal to or better than application of the standards in 10.550 (3) (a) and/or (b) above for all studied facilities, the approving authority will accept the access spacing and location proposed at the time of project review.

If the Public Works Director's professional opinion is not consistent with the conclusions of the TIA, the approving authority will review the competing testimony by the professional engineers with expertise in transportation and will approve, modify, or deny the proposed alternative access design; or

'ii. If the conclusions of the TIA and the professional opinion of the Public Works Director (or designee), concur that the safety and operations of the project's proposed access spacing and location will, at the time of development, be equal to or better than application of the standards in 10.550 (3) (a) and/or (b) above for the transportation system as a whole, the approving authority may accept the access spacing and location proposed at the time of the major project review provided all facilities will still meet basic transportation engineering safety requirements; or

'iii. If the conclusions of the TIA find that the safety of the project's proposed access location and spacing will, at the time of development, meet basic transportation engineering safety requirements and the approving authority concludes that the proposed access spacing and location will significantly advance one or more of the Goals and/or Policies of the Comprehensive Plan, the approving authority may accept the access spacing and location proposed at the time of project review.'

Technical Analysis:

Public Works Staff, after developing the Scope of Work, reviewed, thoroughly checked, and approved all elements of the Traffic Impact Analysis (TIA) including:

- Trip Generation
- Trip Distribution
- Trip Assignment
- Traffic Counts
- Traffic Count Adjustments
- Growth Rates for Background Traffic
- Intersection Geometry
- Pipeline Trips
- Analysis Procedures and Methodologies
- Analysis Software
- Analysis Text



Since the City comprehensively reviewed the JRH work, they did not make any comments disagreeing with the technical findings of the study. The JRH Study analyzed full development at the adopted planning horizon including pipeline trips for approved developments assigned to the nearly vacant land to the east of the project. The scale of the projected pipeline trips would allow over 400 houses and 75,000 Sq. feet of office to be built in the SE Plan area without exceeding the pipeline trips used in this study.

There are several key facts contained in the TIA:

At the Access H Eastbound-to-Northbound left turn, the projected full development, horizon year Level-of-Service is LOS A, with an average delay per vehicle of 8.3 seconds, and a 95th percentile queue of 6 feet, rounded up to 25 feet. The adopted standard is LOS D for intersections. The City has no adopted standard for driveways. This is outstanding performance and indicates very smooth traffic flow.

The N. Phoenix Road intersection with E Barnett Road Intersection is projected to operate at the end of the Planning Horizon at LOS C. The Westbound-to-Southbound left turn itself is projected to operate at LOS B with an average delay of 13 seconds, and a 95th percentile queue of 56 feet rounded up to 75 feet.

The PW Staff do not offer any objection to the planning justification regarding Access H in the TIA or the Response. They have agreed with the technical analysis results compiled in the TIA. They reviewed, checked, and approved, all elements of it.

The PWD Report contains several comments that require discussion. They are outlined below. The direct quotes from the PWD Report are provided in Italics and the discussion follows.

“As proposed, the deceleration and transition area for these movements will overlap with each other, resulting in higher potential for head-on conflicts”

We have prepared two alternatives that address City concerns. **Alternative 1, Back-to-Back Turn Lanes**, places a striped or low-level median “S” curve between the eastbound and westbound left turns. The eastbound lane would be approximately 50 feet to hold the calculated 6-foot, rounded to 25-foot 95th-percentile queue. The westbound turning lane would be approximately 110 feet to



handle the calculated 56 feet rounded up to 75 feet.

Alternative 2, Side-by-Side Turn Lanes takes advantage of the southerly eastbound lane that will not be needed until there are more than one approaching lane from any direction. This would be accomplished by transitioning the Eastbound through lane 12 feet to the south over a distance of approximately 235 feet measured from the westerly crosswalk line of the N. Phoenix Road – E. Barnett Road intersection. The Access H Eastbound left-turn lane will be striped in the former northerly Eastbound through lane and will provide approximately 70 feet of storage for the 6-foot projected 95th queue. The Westbound to Southbound left turn from E Barnett to N. Phoenix Road will have as much as 195 feet of storage.

Under the **Side-by-Side Turn Lanes** alternative, at Access H, the westbound to southbound lane must be moved south so that it will line up directly opposite the Eastbound turn lane. It might be appropriate to stripe a buffer island between the Westbound turn lane and the adjacent through lane to guide drivers into the lane.

West of Access H a curve in the roadway alignment facilitates transitioning the through lane back to a position adjacent to the two-way left-turn lane.

“As the southeast area continues to develop, the queues will get longer and the number of conflicts will increase.”

The queues will get longer and the conflicts will increase after the number of vehicles analyzed in the study is exceeded. Given that it would take the development of at least 400 homes and 75,000 square-feet of office space to reach that number, and substantially more to create a negative impact, this is a potential issue, for any alternative, a long time in the future. This level of development is anticipated to at or beyond the planning horizon.

“The best solution is to provide more space between N Phoenix Rd and the first access point by denying driveway H and concentrating access on Barnett to driveway I. Staff recommends denial of the north side access at driveway H, and approval of driveway I as the only north side site access allowed on E Barnett Rd.”



The Public Works Department does not provide any analysis or criteria that shows this to be true. It is certainly false regarding the planning goals of this rezone. The SE Plan area call for pedestrian focused street patterns, a neo-traditional circulation pattern, and a sense of neighborhood. None of these are improved by the proposal City recommendation.

But it's hard to see traffic engineering improvement in the recommendation. Combining the traffic from two intersections into one will lead to a lower level of service. Adding more traffic to an intersection providing access to a fire station may not be a "best" solution.

Triggers for Additional Analysis:

There is no relationship between the timing of the Stanford Ave – E Barnett Road intersection construction and the subject development. It is even possible that the intersection could be constructed before any of the proposed project. The uncontested fact in the TIA is that the volumes of traffic projected at the end of the planning horizon are accommodated by the recommended improvements. The Public Works Department is concerned about what happens after build out. The City is requesting mitigation beyond the planning horizon.

The minimum trigger for the Two-Way Left-Turn Lane an Back-to-Back options would when the Westbound approach to Access H regularly exceeds 320 vehicles per hour during the PM peak hour. This is the traffic volume analyzed in the TIA and will operate at level-of-service A, with queues accommodated within the space available. The actual need for change in access would be much longer out.

We could do additional analysis to find out what higher volumes would result in problems. All are beyond the planning horizon.

The trigger for the Side-by-Side Alternative would be such time as there is a double left-turn lane from SB N. Phoenix Road, a second through lane from E. Barnett Road, or a double right-turn lane from Northbound N. Phoenix Road to Eastbound E. Barnett Road. There is no reason for two through lanes beginning on the east side of N. Phoenix Road if there are not two lanes feeding it.



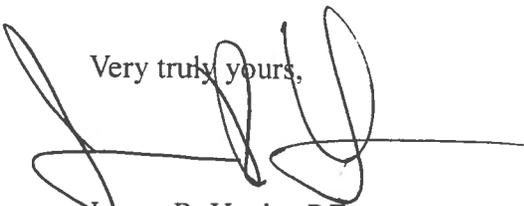
Conclusion and Recommendation:

We believe that if the roadway is built to the currently adopted arterial standards, there is no reason to expect anything different from E. Barnett Road and N. Phoenix Road as they approach the SE Center. These arterials encourage high-speed traffic, divide neighborhoods, and discourages pedestrians and bicycles. We believe the roadway status quo does not meet the goals of the SE Plan Overlay and the SE Commercial Center Core Area Master Plan. We strongly recommend that the location and spacing for Site Access H and Site Access I be approved as located in the Adopted Plans.

Any of the alternatives suggested in this memo, as well as the continuous two-way, left-turn median originally suggested would meet the planning and traffic engineering goals be acceptable to us. We would also agree to eventual closure of Access H, if it is based on sound traffic engineering reasoning, rather than non-related whim.

Thank you for your consideration. We look forward to your questions.

Very truly yours,



James R. Hanks, P.E.

N PHOENIX RD

SIDE-BY-SIDE

PROPOSED R/W

ACCESS "H"

PROPOSED R/W

235'

W

DY

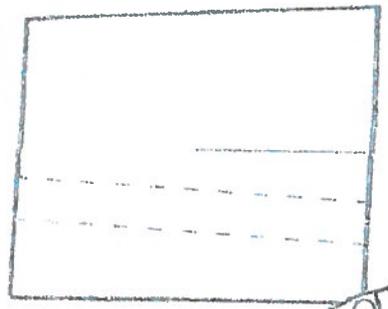
W

DY

(DY) DOUBLE YELLOWS

(W) SOLID WHITE STRIPE

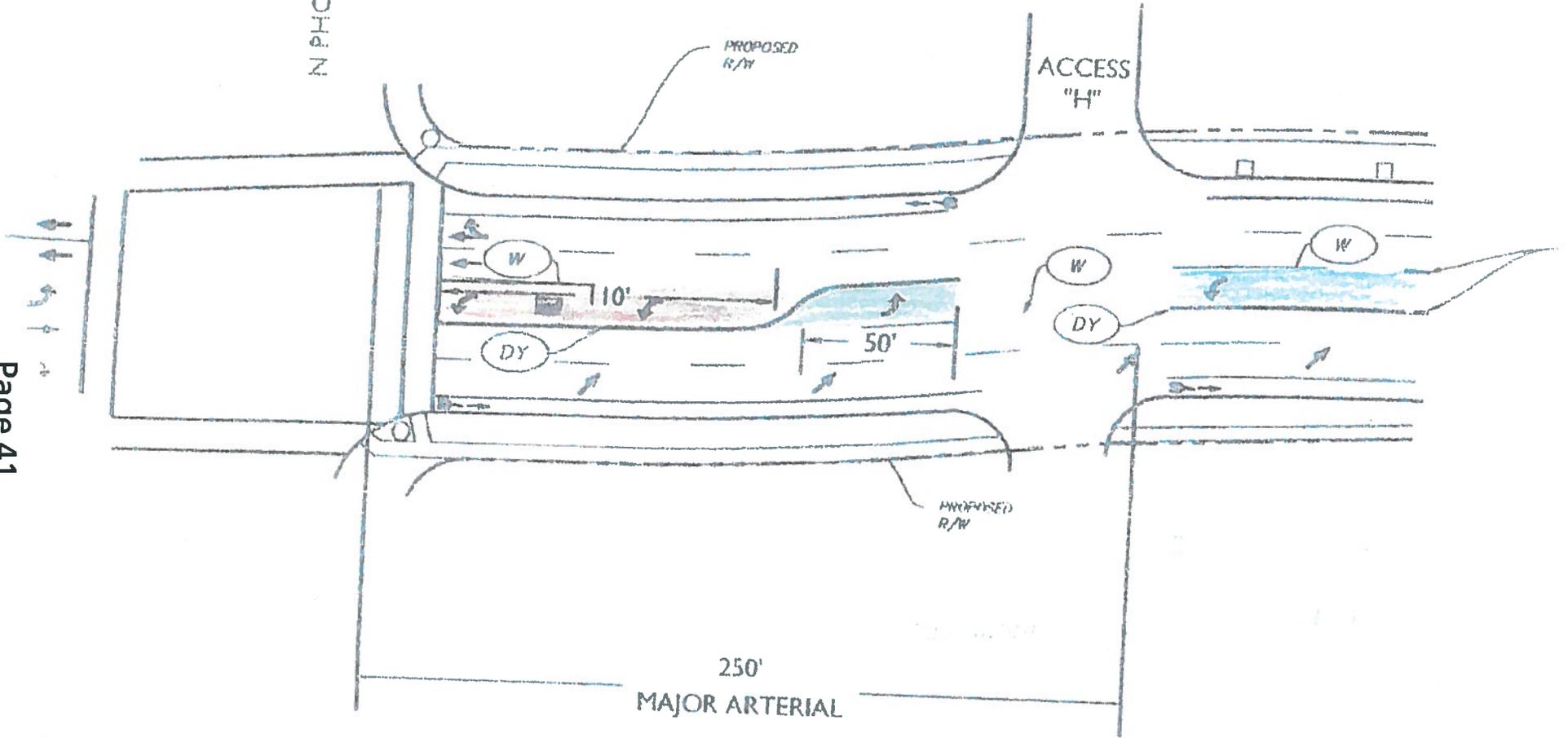
(TW) TWO-WAY LEFT-TURN STRIPE



N PHOENIX RD

PROPOSED BARNETT CENTER

BACK TO BACK



- (DY) DOUBLE YELLOWS
- (W) SOLID WHITE STRIPE
- (TW) TWO-WAY LEFT-TURN STRIPE

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-18-008 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY STYLUS DEVELOPMENT LLC) **ORDER**

ORDER granting approval of a request for a zone change for *Stylus Development LLC*, described as follows:

A zone change on 1.06 acre parcel located south of East Barnett Road, approximately 530 feet east of Ellendale Drive from MFR-20 (Multi Family Residential – 15 to 20 dwelling units per gross acre) to MFR-30 (Multi-Family Residential – 20 to 30 dwelling units per gross acre)

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Stylus Development LLC*, as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Staff Report dated March 13, 2018, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

The zoning of the following described area within the City of Medford, Oregon:

37 1W 32AB Tax Lot 500

is hereby changed as described above.

Accepted and approved this 12th day of April, 2018.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



WRITTEN COMMUNICATION

Project Summerfield at Southeast Park, Phases 23-29
Applicant: Crystal Springs Development Group; Agent: Neathamer
Surveying, Inc

File no. LDS-17-113

To Planning Commission *for meeting of April 12, 2018*

From Liz Conner, Planner II

Date April 5, 2018

REQUEST

Determination of whether the addition of one lot and relocation of an east-west street connection is substantially consistent with the approved tentative plat for Summerfield at Southeast Park Phases 23-29. The approved tentative plat creates 168 residential lots and one reserve acreage lot on approximately 42 acres located between E Barnett Road and Cherry Lane at the terminus of Shamrock Drive within the SFR-4, SFR-10 and MFR-20 zoning districts and the Southeast Plan Overlay.

BACKGROUND

The Planning Commission adopted the Final Order granting approval of the project on December 14, 2017. 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 10.278 requires the Planning Department to determine consistency between the approved Tentative Plat and the Final Plat.

PROJECT REVIEW

During the civil engineering design process, the project engineer discovered two issues that result in a slight redesign of the project. First, the radius of street centerlines were approved at 100 feet, which is the standard in the Land Development Code but does not meet the minimum 250 foot radius standard set forth by the American Association of State Highway and Transportation Officials (AASHTO). There are three locations where the radii were corrected: Waterstone Drive between Barnett Road and Cloverland Street,

Cloverland Street at Sapphire Street and Bloomfield Street at Shamrock Drive. The impact of a larger radius is a flatter, smoother curve. (Exhibit A)

The applicant notes that the zone boundaries will change at Waterstone; however, there is no Commission action required. MLDC 10.302(3) states that zone boundaries follow street centerlines.

The applicant also proposes to extend Rosefield Street to the easterly project boundary in place of Starset Street. The purpose of relocating the east-west connection is to provide adequate storm drain facilities. Rosefield Street was staff's preferred connection; staff does not object to this change.

Moving the east-west connection to Rosefield Street resulted in an oversized lot between the Greenway and Rosefield Street. Because the resultant lot exceeded the standards in MLDC 10.710, it was split into Lots 811 and 812, which do meet the standards in MLDC 10.710. This is how the additional lot was created. The revised tentative plat shows Lots 811 and 812 taking access from the Rosefield Street extension. (Exhibit B)

The proposed revisions do not affect any conditions of approval, which will remain in effect. This decision will not change the expiration date of December 14, 2022.

RECOMMENDED ACTION

Approve the minor modifications and find that they are substantially the same as the previously approved tentative plat for LDS-17-113 per the Staff Report dated April 5, 2018.

EXHIBITS

- A Letter requesting approval of modification received March 8, 2018
- B Revised Tentative Plat received March 8, 2018
- C Tentative Plat approved December 14, 2017
- D Tentative Plat approved December 14, 2017 showing affected areas
Vicinity Map



NEATHAMER SURVEYING, INC.

March 8, 2018

CITY OF MEDFORD: PLANNING DEPARTMENT

Attn: Kelly Akin, Assistant Planning Director
200 S. Ivy St. Lausmann Annex
Medford, OR 97501

Re: *Land Division and Zone Change Applications:
Summerfield at South East Park, Phases 23-29
(File Number: LDS-17-113 and ZC-17-112)*

Kelly:

On behalf of the applicants, Crystal Springs Development Group, a Joint Venture, the intent of this letter is to provide written communication to notify the Planning Commission of the following modifications to Summerfield at South East Park, Phases 23-29 and Reserve Acreages, being approved with conditions by the Final Order dated December 14, 2017 (LDS-17-113).

During the design process, it was determined that the minimum radiuses along the centerline of the streets did not meet the minimum standards set forth by the American Association of State Highway and Transportation Officials (AASHTO). To meet the standards, the radiuses along the centerline of the streets were increased from 100 feet to 250 feet. The increase to the radiuses also impacted the associated zone change (ZC-17-112) as the separation between the proposed zones went to the centerline of the proposed streets. Overall, the majority adjustments were minor, producing negligible changes to lot and zoning areas. The most significant change occurred near the southwest corner of the property, which reduced the area being rezoned from MFR-20 to SFR-4.

Additionally, due to the constraints of the existing topography in conjunction with the original layout, there was difficulty designing the storm system near the easterly end of the project. It was suggested by the engineering team to extend Rosefield Street to the easterly boundary and remove the easterly extension of Starset Street from its intersection with Underwood Street. The solution was also supported by Karl MacNair, the City's Transportation Manager, who originally recommended to have Rosefield Street extend to the easterly boundary.

The adjustment resulted in an oversized lot between the Greenway and Rosefield Street. Said oversized lot was then split into two lots and reoriented to take access from Rosefield Street. The change produced an additional lot, bringing the total lots back to the original amount of 168.

For reference, we have attached a copy of the updated layout and a map demonstrating the changes to the proposed zoning.

Thank you and 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

Enclosures

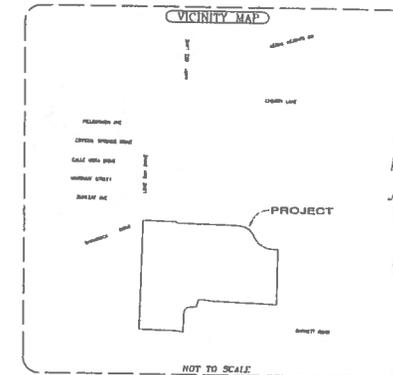
CITY OF MEDFORD
EXHIBIT # A
File # LDS-17-113
Minor Modification

ZONE CHANGES FOR: SUMMERFIELD AT SOUTH EAST PARK, PHASES 23-29 & RESERVE ACRES

A portion of a portion of the Reserve Acreage, Tract A, Summerfield at South East Park, Phase 19, is a portion of Summerfield at South East Park, Phase 15, and is a portion of Park Oaks Central Tracts, Lots 61-62, 63, 64, and 65, located in the northwest corner of Section 27, Township 33 North, Range 1 West of the Willamette Meridian in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

Crystal Springs Development
George A. Scott Venture
218 Alamo Ocean Drive
Medford, Oregon 97504



**ZONING ACREAGE
CALCULATION TABLE**

EXISTING ZONE	PROPOSED ZONE	AREA
RFR-20	SFR-4	13.93 AC
RFR-20	SFR-6	9.84 AC
RFR-10	SFR-10	18.20 AC
RFR-10	SFR-4	2.52 AC
SFR-4	SFR-4	0.50 AC

BASIS OF SURVEY

State of Oregon to the center of Encinas Drive, per Summerfield at South East Park, Phase 15, filed on Survey Number 2044 in the office of the Jackson County Surveyor.

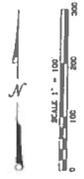
Enclosures were established on most corner points via physical survey points on City of Medford Survey Map No. 25-23, with a permanent elevation of 1516.866 (Survey of Level) from corner to the southern corner of Cedar Valley Drive at the southeast corner of the intersection with lots 65 or Phoenix Road.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PRELIMINARY
OREGON
JULY 15, 1984
ROBERT V. NEATHAMER
2875
Renewed Date 12/26/20

PREPARED BY: Neathamer Surveying, Inc.
3128 State St., Suite 203
P.O. Box 1584
Medford, Oregon 97501
Phone (541) 732-2869
FAX (541) 732-1382

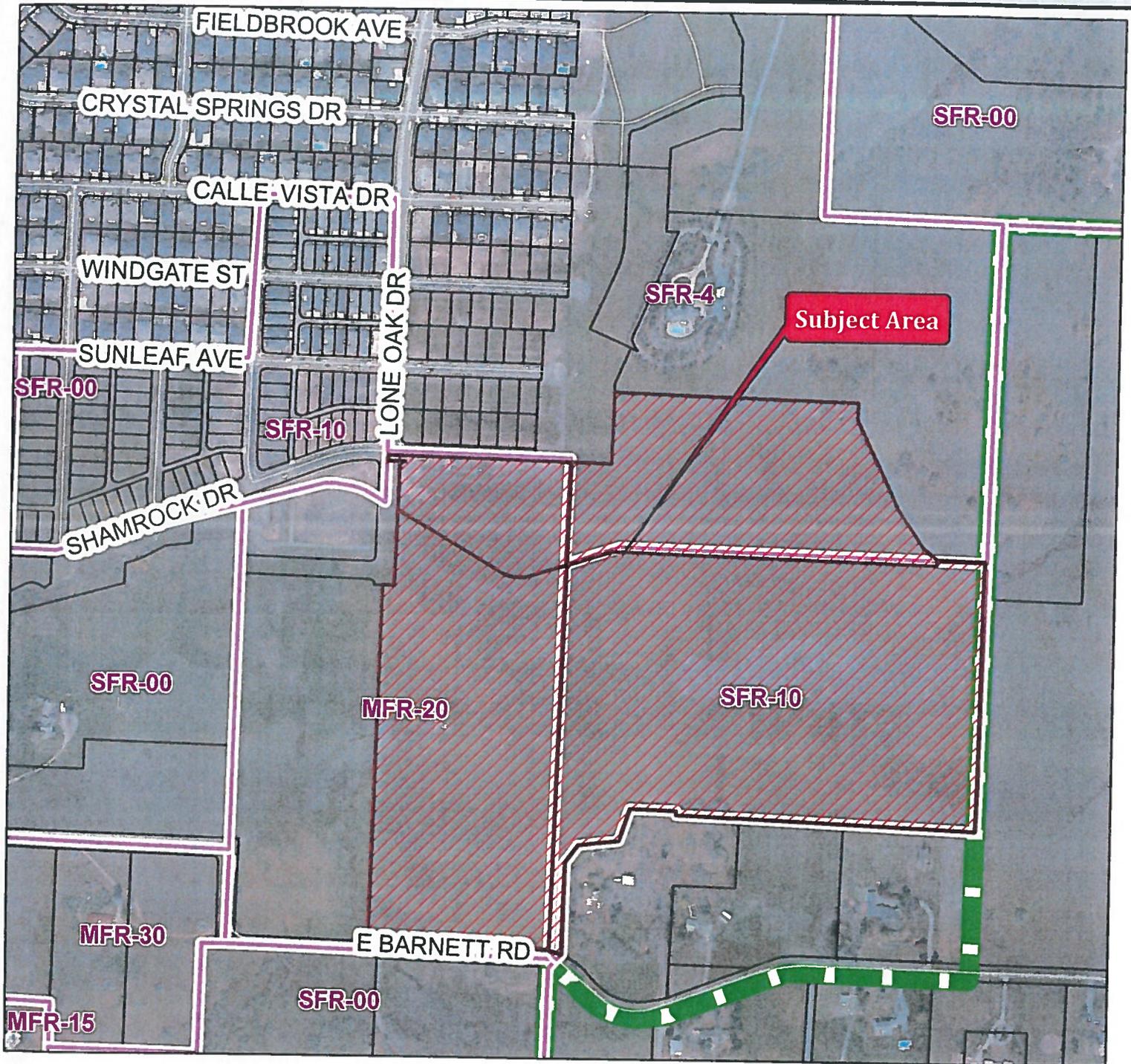
PLOT DATE: January 28, 2018 PROJECT NUMBER: 12024-17
Sheet 1 of 1



Jackson County Assessor's Map No. 27 24 27, Tax Lots 1000, 1001, 1002, and 1003

Drawing is valid for Crystal Springs Development Group (2024) Summerfield at South East Park

CITY OF MEDFORD
 EXHIBIT D
 LAS-17-113
 WOODMAN FIGLIARU



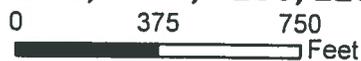
Project Name:

**Summerfield At South East Park,
Phases 23-29 & Reserve Acreage**

Map/Taxlot:

371W27

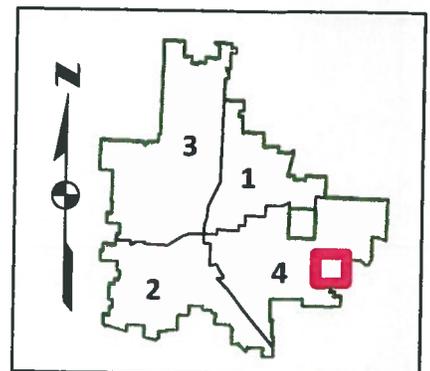
PL 1000, 1001, 1200, 1202



09/26/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





Planning Commission

Minutes

From Public Hearing on **March 22, 2018**

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

Commissioners Present

Patrick Miranda, Chair
David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
Mark McKechnie
E.J. McManus
Alex Poythress

Staff Present

Kelly Akin, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Karl MacNair, Transportation Manager
Debbie Strigle, Recording Secretary
Steffen Roennfeldt, Planner III

Commissioners Absent

Jared Pulver, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

20.1 LDS-17-170 Final Order of a request for tentative plat approval for PDK Village Subdivision, a 15-lot residential subdivision on approximately 1.61 acres located southeast of the intersection of Lozier Lane and Lozier Court within an SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district. (PDK Properties; Scott Sinner Consulting, Inc., Agent; Steffen Roennfeldt, Planner).

20.2 LDS-15-141 / E-15-142 Consideration of request for a one-year time extension of the approval of Panther Landing Subdivision, a seven lot residential subdivision with an Exception to reduce the street dedication requirement for Columbus Avenue and an Exception to the number of units allowed to take access off of a minimum access easement for an 0.86 acre parcel located on the east side of S Columbus Avenue, approximately 120 feet north of Garfield Street, within the SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district (1579 S. Columbus Avenue – 372W36CA2200). (Tom Malot Construction Company, Inc., Applicant; Farber Surveying, Agent; Sarah Sousa, Planner).

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

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Voice Vote: Motion passed, 8–0.

30. Minutes

30.1. The minutes for March 8, 2018, 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 CUP-17-116 Consideration of a request for a Conditional Use Permit (CUP) for a proposed Bed & Breakfast to be located at 15 Geneva Street in the SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) zoning district, and within the Historic Preservation Overlay District (371W30AB TL 16400). (Gloria Thomas & Cecil de Hass, Applicants; Julie Krason, Agent; Dustin Severs, Planner). **The applicant has requested to continue this item to the Thursday, June 14, 2018, Planning Commission meeting.**

Motion: The Planning Commission continued CUP-17-116, per the applicant’s request, to the Thursday, June 14, 2018, Planning Commission meeting.

Moved by: Commissioner Mansfield

Seconded by: Commissioner Foley

Roll Call Vote: Motion passed, 8-0.

New Business

50.2 ZC-17-168 Consideration of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to C-C (Community Commercial) on an 8.00 acre lot located northeast of the intersection of North Phoenix Road and East Barnett Road in southeast Medford (371W27 1605) The application also includes a request to modify a condition of approval in the matter of File No. ZC-15-041 limiting traffic generation for 955 North Phoenix Road (371W34 501). (North Phoenix Enterprises LLC, Applicant; CSA Planning, Agent; Steffen Roennfeldt, Planner).

Chair Miranda inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner McKechnie reported that his name and his company’s name are on the exhibits. He recused himself.

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

Steffen Roennfeldt, Planner III, stated that the zone change criteria can be found in the Medford Land Development Code Section 10.227. The applicable criteria were addressed in the staff report, property owner notices and hard copies are available at the entrance

of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report. The Commission received Exhibit A-1 that included a condition that requires a deed restriction per the Medford Land Development Code Section 10.227 (2)(c) for conditional zone change. Additionally, staff added exhibits into the record to help explain staff's position on driveway H. Those are as follows:

Exhibit K - tentative plat for Summerfield Phases 23-29

Exhibit L - Mahar Homes Urban Growth Boundary Concept Layout Plan

Exhibit N – Excerpt from Urban Growth Boundary Amendment Map, adopted August 18, 2016

Exhibit N – Excerpt from Regional Plan Element of Comprehensive Plan for MD-5

Karl MacNair, Transportation Manager, reported that they do not agree with the conclusions drawn in the Traffic Impact Analysis regarding driveway H. The Public Works Report explains the reasons in Exhibit C. There is a housekeeping item in the Public Works report that needs to be removed under III Transportation System. The second paragraph reads *"According to the TIA, the transportation system cannot accept the potential trip generation from the proposed zone change without mitigating the significant impact of the development traffic."* The word *"significant"* needs to be removed.

Driveway H is approximately 195 feet east of North Phoenix Road. The Traffic Impact Analysis shows the westbound left from Barnett Road onto southbound North Phoenix Road is shown as 75 feet and the maximum turning into the development at driveway H is shown as 25 feet. That leaves 100 feet of the 195 feet available to the driveway. It leaves 95 feet for two left turn lanes for the deceleration area. Fifty feet is an absolute minimum. With the continued development anticipated to the east, Public Works has concerns over the driveway functioning, and the deceleration area overlapping the safety of that operation. The traffic analysis shows that the westbound through move to be approximately 200 feet that would block the driveway in some cases preventing the left turns. This is under studied conditions and Public Works expects it to worsen.

Public Work's recommendation is to not allow driveway H. If the Planning Commission allows driveway H Public Works recommends the applicant be required to enter into a deferred improvement agreement building a median to restrict the north side access to right-in/right-out and the condition to remove the driveway in the future. Public Works would like that tied to the development of the intersection at Stanford and Barnett.

Commissioner Foley asked, currently Public Works is not proposing that the applicant restrict access to right-in/right-out. If the traffic gets worse the applicant would need to do something about that. Mr. MacNair stated that staff's opinion is that the driveway not be put in. If the Planning Commission decides to let it go in Public Works would like to remove the driveway in the future at the time of the development of the intersection at Stanford and Barnett.

The Public Hearing was opened.

a. Raul Woerner, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504-9173. Mr. Woerner reported that he was present on behalf of Rogue Federal Credit Union with regard to the modification of their previous zone change, and North Phoenix Properties. This is a zone change with additional requirements specific to the Southeast Plan area that normally does not get addressed at time of zone change.

There are two Category "A" facility systems that have deficiencies that would need to be mitigated in order to build out the master plan development on the site. Those are sewage and the street system. Sewage can be mitigated by replacing approximately 190 feet of pipe downstream near Golf View. The project is in the City's sewer capital improvement plan that was never completed. Before vertical construction this needs to be done and the applicant has stipulated to make that happen.

The zone change related traffic improvements for the system wide capacity issues are to cap the trips enough to accommodate the full build out of this development. On examination from the traffic engineer, Jim Hanks, who is present this evening, there were concerns that there would be two left turn lanes heading northbound from the eastbound traffic coming off Barnett with the movement trying to turn into the shopping center that could create some issues plus the deceleration requirement was not conducive to the pedestrian oriented theme of the Southeast Plan.

The Southeast Plan is laid out in sectors. The driveway is essential for the first phase of the project to get built out. The applicant is agreeable that if the driveway is allowed to be built with design recommendations that Jim Hanks will explain and if the level of traffic starts to create the problems that Mr. MacNair explained, there will be a trip level to trigger that through an agreement, then the driveway would be closed down.

b. James Hanks, 3672 Riverpoint Drive, Eugene, Oregon, 97408. Mr. Hanks reported that the left turn movement into the site from east Barnett northbound will operate at Level of Service "A". The average delay is six seconds per entering vehicle.

The initial plan that Mr. Hanks thought would be workable is a continuous two-way left turn lane. Mr. MacNair has expressed a concern that there might be head-on collisions. Mr. Hanks showed two design suggestions. One is a back-to-back left turn pocket and the other is side-by-side left turn.

The applicant has agreed with the City that a provision to close off the driveway when there is an issue. The issue the applicant has with that is that there is no relationship between the construction of the intersection at Stanford and east Barnett Road. The applicant proposes the trigger for closing off the driveway would be traffic volumes westbound on east Barnett Road approaching access H of 230 vehicles per hour.

Vice Chair McFadden asked, does this analysis include buses; how buses would impact the area for the turning lane. Mr. Hanks reported that buses were not included in the analysis. The layout that he set up would not be impactful on the capacity of the roadway.

Vice Chair McFadden asked, do roundabouts in this location with the traffic flow and intersection lengths make it harder for the continuous traffic to cross through the intersections compared to a standard intersection? Mr. Hanks stated that it can. The roundabout has another feature that makes it less of a problem. The roundabout is at one end that slows traffic down and there is a signal at the other end that slows traffic down.

Commissioner McManus asked for clarification on the 500 vehicles going east. Mr. Hanks reported that they did the traffic analysis using the trips that are attributed to the area. They used the number of 500 vehicles of traffic for residential and 300 vehicles for commercial.

Mr. Woerner reserved rebuttal time.

Mr. MacNair addressed that Code Section 10.550 on driveways states that no driveway shall be allowed to arterials when access is available from a lower order street. In this case on the north side of the development is Michael Park Drive that is a local street. Public Works has agreed with the applicant there is a benefit to the system. Code Section 10.550 allows alternate access spacing and location when it shows there is a benefit to the transportation system. Having a driveway on Barnett provides a benefit. Primarily removing potential left turns out of the North Phoenix/Barnett intersection that would otherwise be required. Allowing two is what Public Works has an issue with primarily the one close to the intersection.

Mr. MacNair reported that Mr. Hanks mentioned they studied a lot of traffic that is not existing today in the form of pipeline trips. Pipeline trips come from approved zone changes, things that are zoned but have not yet built out the development making the trips non-existing on the system. The code does not require any analysis of some of the items submitted in the agenda packet. The additional areas have not yet been zoned that will be putting more traffic through the subject area.

The options that Mr. Hanks showed for the turn lanes is not a decision for zone change. That is for Public Works to review further down the road.

Public Works is concerned that the trip level trigger analysis is a model. It is not reality. It is showing there are potential problems with the ninety five percentile queue blocking the driveway. Long term, this is a poor location for a driveway.

Commissioner Mansfield reviewed what he thought Mr. MacNair reported. The City does not like driveway H but then he thought he heard Mr. MacNair say that if the Planning Commission allows the driveway then Public Works wants it to be removable. Mr. Hanks has reported they agree but only upon triggering it for 230 vehicles. Mr. MacNair just recently indicated that if there is another access it is not allowed at all. Is it possible that Mr. MacNair is agreeing it might be allowed but not permitted by the code? Mr. MacNair reported that the code does not allow either of the driveways without being supported by a traffic analysis.

Commissioner Mansfield asked, why does the City halfway agree allowing it to come in subject to being removed later? Mr. MacNair stated that Public Works condition is written to deny driveway H. He was trying to be proactive if the Planning Commission chose not to follow Public Works recommendation of denial so they wanted conditions on it.

Mr. Mitton reported that the Planning Commission addressing the issues before them is triggered by the language in Code Section 10.550 (c) (4) states: *"At an applicant's request, the approving authority will evaluate alternative access spacing and location on a project basis in conjunction with procedural Class C plan authorization."* A zone change is a Class C plan. It is not normally done at zone change because there is not enough known of what is going in to make an educated decision. This is an unusual situation that there is an idea of what is going in.

Mr. Hanks reported that there are a few things in the code that directly apply. Code Section 10.550 reads: *"... Where such plans are adopted, any conflict between the special area plan access and location standards and the standards in Section 10.550 (3) (a) and/or (b) above shall be resolved in favor of the special area plan provisions."* The driveway is in the special area plan.

Mr. Mitton reported that there is language underneath the wording that states that there are driveways shown but it still needs approval.

Mr. Hanks stated that the language requires a traffic impact analysis evaluating that access. There is also language that if the traffic engineer supports it, it can be done. If the Public Works Department disagrees with it then the approving authority decides. This is a decision for the Planning Commission.

Mr. Woerner reported that at the proceedings with the City Council, Public Works was concerned about the final analysis of the driveways. Driveways were reviewed from the aspect of how it delivered trips into the roundabout. This traffic study was initiated on the basis that the driveways be reviewed as part of the zone change because of the language in Chapter 4 of the Plan.

In Code Section 10.550 the applicant believes they fall under Subsection (3) for special area plans and not Subsection (4). The master plan that has been adopted and referenced as part of the development code states if there is a conflict the Plan supersedes. The only stipulation is that they have to have a traffic study to support the driveways on Barnett and the access points on North Phoenix.

Commissioner Mansfield rose to a point of order that it seems that Mr. Woerner has made good arguments and the Planning Commission has given them more time than they are entitled to. Mr. Woerner is not doing his rebuttal he is doing his original argument. He believes the Planning Commission has given him a decent hearing.

Mr. Mitton weighed in on what the caption means. There was a statement on page 59 of the agenda packet that reads: *"For this map in this master plan, any depicted access onto North Phoenix Road and Barnett Road shall not be approved until justified by a traffic impact analysis."* Does this mean when a traffic engineer states it is good then automatically they get those driveways or does it mean when the Planning Commission finds that the case has been made that it has been justified then the Planning Commission can approve it? Mr. Mitton's reading is the latter.

The Public Hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of ZC-17-168 and amending Discretionary Condition 1 of Exhibit A of ZC-15-041, per the staff report dated March 13, 2018, including Exhibits A-1 through N, and:

1. Remove the word "significant" from the second line of the second paragraph of section (III Transportation System) "...without mitigating the [significant] impact of the development traffic."
2. To find that driveway H has been justified and supported by the caption on page 59 and by the evidence presented. Allow driveway H with the condition that the developer enter into a deferred improvement agreement to remove driveway H when the traffic volume westbound at driveway H regularly exceeds 230 P. M. peak hour trips. The developer shall provide, as part of the required Transportation Demand Management Program reporting, an accounting of the westbound traffic volume until the driveway is removed or the reporting is determined to no longer be necessary by the City's Traffic Engineer.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Mansfield

Commissioner Mansfield reported this is a good project. The only issue is whether driveway H is allowed or not. He is going to vote against it for that reason.

Chair Miranda is inclined to vote no against driveway H because he lives on Poplar Drive. Turning off Highway 62 onto Poplar Drive there is the first driveway that goes into the parking lot of Fred Meyer behind Taco Bell. Down approximately 100 feet is a controlled intersection. This intersection close to the other intersection seems to be a congestion point.

Vice Chair McFadden is for the project because of the stipulation that driveway H can be removed.

Commissioner Culbertson is in support of the motion because the applicant has allowed and stipulated to a modification to remove driveway H if it fails.

Roll Call Vote: Motion passed, 4-3, with Commissioner Mansfield, Commissioner McManus, Chair Miranda voting no and Commissioner McKechnie recusing himself.

50.3 ZC-18-008 Consideration of a zone change on 1.06 acre parcel located south of East Barnett Road, approximately 530 feet east of Ellendale Drive from MFR-20 (Multi Family Residential – 15 to 20 dwelling units per gross acre) to MFR-30 (Multi-Family Residential – 20 to 30 dwelling units per gross acre) (371W32AB500). (Stylus Development LLC, Applicant; ORW Architecture, Agent; Steffen Roennfeldt, Planner).

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

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

Steffen Roennfeldt, Planner III, stated that the zone change criteria can be found in the Medford Land Development Code Section 10.227. The applicable criteria were included in the staff report, property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

The Public Hearing was opened.

a. Andrew Owen, ORW Architecture, 2950 East Barnett Road, Medford, Oregon, 97504. Mr. Wilkerson made himself available for questions if the Planning Commission has any.

Mr. Owen reserved rebuttal time.

The Public Hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of ZC-18-008, per the staff report dated March 13, 2018, including Exhibits A through I.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Roll Call Vote: Motion passed, 8-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural Commission met Friday, March 16, 2018. They heard and approved a proposal for the development of a single 1.7 acre lot consisting of the construction of a 4,485 square foot restaurant to be located at 1383 Center Drive. They also heard and approved construction of a 4-unit multiple-family complex on one parcel totaling 0.22 acres located southwest of the intersection of E. 10th Street and Portland Avenue.

60.2 Report of the Joint Transportation Subcommittee.

Chair Miranda reported that the Joint Transportation Subcommittee met Wednesday, February 28, 2018. They focused on evaluations of the projects. There are approximately 250 projects divided into Tier 1 and Tier 2 categories. There is \$75.4 million available for the projects. The projects are being split into 3 categories. The near category is 2018-2022 with \$37.7 million allocated. The mid category is 2023-2027 with \$11 million allocated. Long term category is 2028-2038 with \$24.6 million allocated. These are based on current dollars.

60.3 Planning Department

Kelly Akin, Assistant Planning Director, reported that the next Planning Commission study session is scheduled for Monday, March 26, 2018. Discussion will be on the Transportation System Plan list prioritization.

Thursday, March 29, 2018, there will be a joint study session with the City Council and Planning Commission to be held in the Prescott Room at the Police Department at 6:00 p.m. Dinner will be served at 5:30 p.m. Discussion will be on the Transportation System Plan. Commissioner Foley will not be able to attend.

The Planning Commission has business scheduled for Thursday, April 12, 2018, and Thursday, April 26, 2018.

At the Thursday, March 15, 2018, public hearing, the City Council heard and approved the Springbrook roundabout application. They also heard and approved just the west portion of 25 feet of Evergreen street vacation between Third and Fourth Streets. It will go to a second reading next week.

Next week the City Council will hear the GLUP amendment on Airport Road.

The City was awarded a Technical Assistant grant to help the work on the housing amendments.

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 7:30 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Rozzana
Recording Secretary

Patrick Miranda
Planning Commission Chair

Approved: April 12, 2018



STAFF REPORT

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

Project Marigold Enterprise - Zone Change
Applicant: Marigold Enterprises
Agent: Rogue Planning & Development Services

File no. ZC-18-018

To Planning Commission *for April 12, 2018 hearing*

From Dustin Severs, Planner III

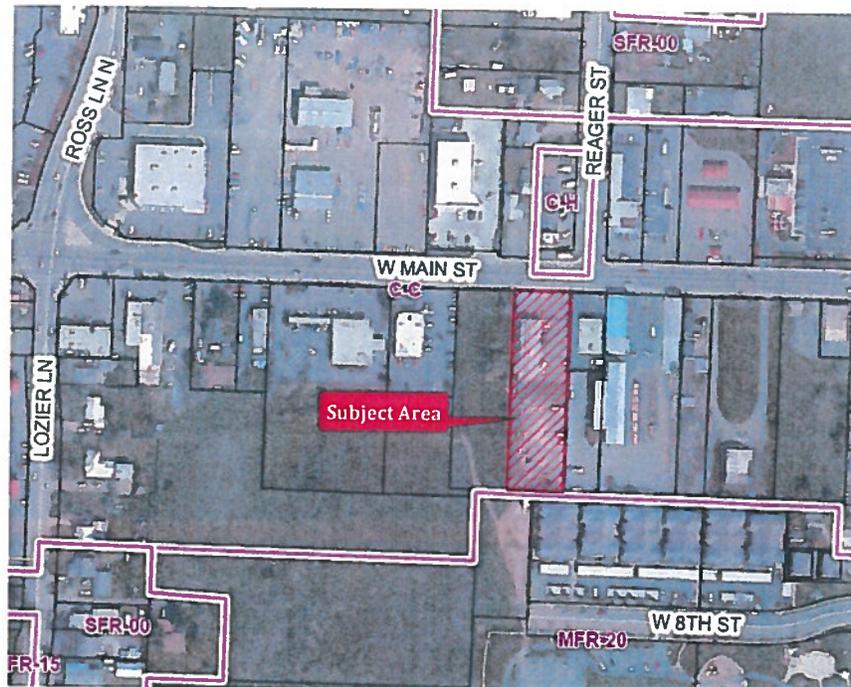
Reviewer Kelly Akin, Assistant Director

Date April 5, 2018

BACKGROUND

Proposal

Consideration of a request for a zone change of a 0.88-acre parcel located at 2131 W Main Street from Community Commercial (C-C) to Heavy Commercial (C-H) (372W26DA TL 400).



Subject Site Characteristics

Zoning Community Commercial (C-C)
GLUP CM (Commercial)
Overlay(s) None
Use Multi-tenant commercial building

Surrounding Site Characteristics

North Zone: C-C & Heavy Commercial (C-H)
Use(s): AutoZone, El Gallo Mexican Supermarket, United Rentals
South Zone: MFR-20 (Multiple Family, twenty dwelling units per gross acre)
Use(s): Parkside Village Apartments
East Zone: C-C
Use(s): Boost Mobile Premier Store, Hi-Way Lumber
West Zone: C-C
Use(s): Angelo’s Pizza Parlor, Wells Fargo Bank

Related Projects

A-07-032 Annexation into City
PA-17-119 Pre-application for subject request

Applicable Criteria

Inapplicable criteria have been omitted from this report. Omitted sections are identified by ***.

Medford Land Development Code §10.227, Zone Change Criteria

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) *The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.*

(c) *For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:*

(ii) The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.

(e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:

(i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one (1) zone;

(ii) At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;

(iii) At least fifty percent (50%) of the subject property's boundaries abut properties that contain one(1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or

(iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least sixty (60) feet in width.

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

(ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition

- and capacity, at the time building permits for vertical construction are issued; or*
- (iii) *If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:*
- (a) *the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or*
- (b) *when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.*
- (iv) *When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.*
- (c) *In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:*
- (i) *Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,*
- (ii) *Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,*

- (iii) *Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.*

ISSUES AND ANALYSIS

Background

The subject property currently contains an approximate 4,250 square foot multi-tenant commercial building. The building is divided into three tenant sections: The front unit is occupied by American Cannabis Company, a recreational marijuana retailer; the middle unit is used as a storage area; and the rear unit is currently vacant. The applicant's submitted Findings of Fact and Conclusions of Law (Exhibit A) state that the rear half of the property has historically been a storage yard for Hi-Way Lumber, which operates on adjacent properties to the east. It is the applicant's intent to rezone the entire property to C-H to allow for a potential future development of the rear half of the property as a secure RV/Auto/Boat storage yard – a use prohibited in the C-C zoning district, but allowed in the C-H zoning district.

Site Compliance

Existing use(s)

The site's commercial building is currently occupied by one tenant: American Cannabis Company, a recreational marijuana retailer. Per MLDC 10.839, marijuana retail is a permitted use in the C-H zoning district.

Lot dimensions

Per the site development standards found in MLDC 10.721, the subject 0.88-acre lot meets all of the minimum dimensional standards of the Code for the C-H zoning district: area, width, depth, and frontage.

Bulk standards

Per the site development standards found in MLDC 10.721, the site's existing commercial building complies with all bulk standards for the C-H zoning district: height, lot coverage, and setbacks.

Criteria Compliance

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject site is CM (Commercial). According to the General Land Use Plan Element of the *Comprehensive Plan*, the C-H zoning district is a permitted zone within its CM GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. It identifies both existing and future needs, and includes improvements to meet those needs. The TSP Functional Classification Plan identifies West Main Street as a Minor Arterial street. It is staff's view that the applicant's findings adequately

demonstrate that the proposed zone change is consistent with the goals outlined in the City's TSP, and accordingly, this demonstration of consistency assures compliance with the Oregon Transportation Planning Rule.

Locational Criteria

The subject zone change proposal requires an assessment of the locational criteria for the C-H zoning district. The locational criteria for the C-H zone as outlined in MLDC 10.227(c)(iv), reads as follows:

(iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

The subject site fronts upon West Main Street, which is classified as a Minor Arterial street; abuts commercially zoned properties along its northerly, westerly and easterly boundaries. However, the site does abut residentially zoned property (MFR-20) along its southerly border, which includes a vacant 0.5-acre lot owned by Ontrack, and a 1.5-acre lot containing a multi-family development (Parkside Village Apartments). MLDC 10.227(1)(e) reads as follows:

(e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:

(i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one (1) zone;

(ii) At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;

(iii) At least fifty percent (50%) of the subject property's boundaries abut properties that contain one (1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or

(iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least sixty (60) feet in width.

In compliance with criterion (ii) above, the subject property abuts commercially zoned properties along its northerly, easterly and westerly boundaries – all expressly allowed zones per MLDC 10.227(1)(c) - constituting approximately 89% of the subject property's boundaries.

Facility Adequacy

MLDC 10.227(2) requires demonstration that Category A facilities (storm drainage, sanitary sewer, water and streets) must already be adequate in condition, capacity and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction. The agency comments included in Exhibits D through G demonstrate that the Category A facilities are adequate.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit A) and recommends the Commission adopt the findings with the following modifications.

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the CM General Land Use Plan Map designation and the Transportation System Plan, and that the site meets the locational criterion for the C-H zoning district. The Commission can find that this criterion is satisfied.
- With regard to Criterion 2, the agency comments included as Exhibits D through G demonstrate that there are adequate Category A facilities available to serve the subject site.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-18-018 per the staff report dated April 5, 2018, including Exhibits A through G.

EXHIBITS

- A Applicant's Findings of Fact and Conclusions of Law, received February 15, 2018.
- B Jackson County Assessor's Map, received February 15, 2018.
- C Landscape Plan, received February 15, 2018.
- D Public Works Staff Report dated March 21, 2018.
- E Medford Water Commission Staff Memo and Map dated March 21, 2018.
- F Medford Fire Department Land Development Report dated March 21, 2018.
- G Rogue Valley Sewer Services (RVSS) Report, received March 9, 2018.
Vicinity Map

PLANNING COMMISSION AGENDA:

APRIL 12, 2018

February 12, 2018

Request for Zone Change

Property Address: 2131 W MAIN STREET
MEDFORD, OR 97501

Map & Tax Lots: 37S 2W 26DA; Tax Lot:400

Property Owner: Robert and Lorraine Lofgren
2895 Lisa Circle
Medford, OR 97504

Fallgreen Loving Trust
Donald and Nancy Trustees

Applicant: Marigold Enterprises
Attn: Doug Breidenthal
4505 Pinnacle Drive
Medford, OR 97504

Agent: Rogue Planning & Development Services
Amy Gunter
1424 South Ivy
Medford, OR 97520

**Comprehensive
Plan Designation:** Commercial

**Zoning:
Adjacent / Abutting Zones:** Community Commercial
Commercial Zones:
Heavy
Community
Urban Residential
(MFR-20)

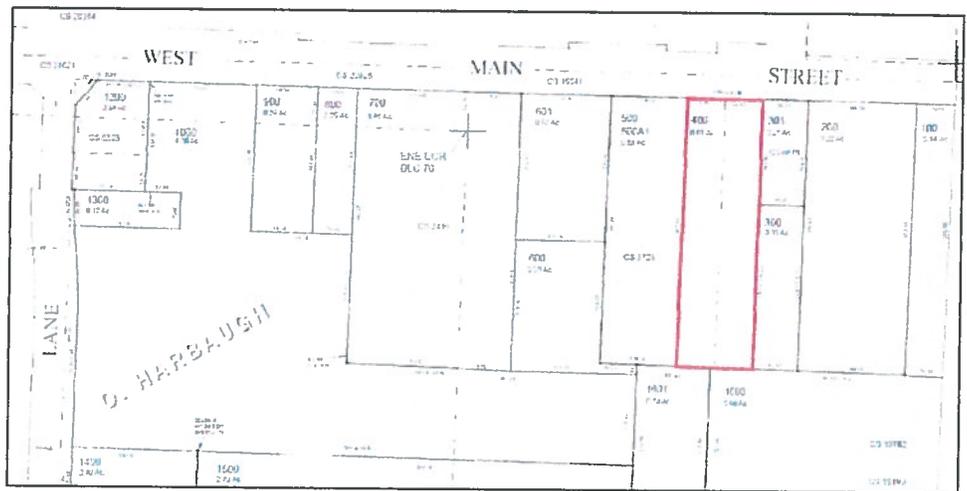
Request:

Request to re-zone the property at 2131 W Main Street from Community Commercial (C-C) to Heavy Commercial (C-H).

Property Description:

The subject lot is at 2131 W Main Street (37S 2W 26DA; Tax Lot 400). It is located on the south side of West Main Street, approximately 710 feet east of the Lozier Lane and West Main intersection. Reager Street intersects West Main across West Main to the northeast subject property. Lewis Avenue is 624.5 feet to the west.

The property is 104-feet wide along West Main Street and extends 367.13 feet south (property has not been surveyed). The lot is 38,178 square feet in area. The lot is occupied by a 3,040-square foot, single story, concrete block building. This building is located 51-feet south of the West Main Street right-of-way; eight-feet from the west property line, 208-feet from the south property line; 56-feet from the east property line.



A parking lot is present along the frontage of the property between the building and the street. There are twelve parking spaces in this parking lot. Presently a fence with a gate separates the west side of the property from the retail customers in the parking lot. There is asphalt parking and a driveway access that extends to the south. Presently the rear half of the property is fenced off from the front half of the property. A gate will be installed to provide access. This rear half of the property has historically been a storage yard for Hi-Way Lumber which operates on adjacent properties to the east.

The building is divided into three tenant sections. The front unit "A", is occupied by a retail establishment, the middle unit "B" is storage area and unit "C" is vacant.

The request to rezone to Heavy Commercial (C-H) is to allow the rear half of the property to be rezoned to allow for the potential future development of the rear half of the property as a secure storage facility with either mini-storage type of structures or as a secure RV/Auto/Boat storage yard.

Development plans for the property have not been prepared. A landscape buffer and screening wall plan has been provided with the application.

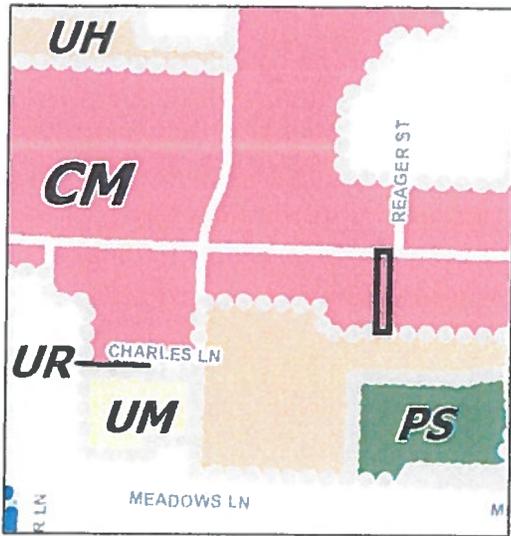


Figure 1: GLUP

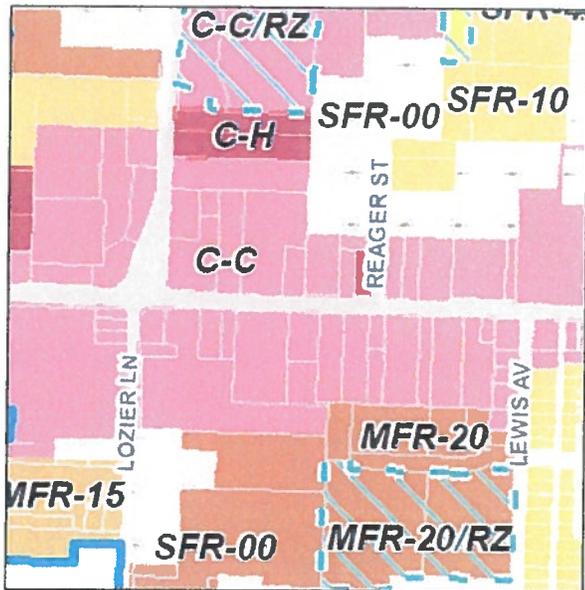


Figure 2: ZONING MAP

Medford Land Development Ordinance
10.227 Zone Change Criteria

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

Applicant's Finding:

The proposed zone Heavy Commercial (C-H) is consistent with the current Transportation System Plan (TSP) and the GLUP map designation.

West Main Street is designated as a Minor Arterial. The General Land Use Plan for the property is Commercial. The proposed (C-H) zone is consistent with the commercial zoning.

- (a) For zone changes to SFR-2, the zoning shall be approved under either of the following circumstances:
 - (i) if at least seventy percent (70%) of the area proposed to be rezoned exceeds a slope of fifteen percent (15%),
 - (ii) if other environmental constraints, such as soils, geology, wetlands, and flooding, restrict the capacity of the land to support higher densities.

Applicant's Finding:

N/A

- (b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one (1) of the following conditions must exist:
 - (i) At least one (1) parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or
 - (ii) The area to be rezoned is five (5) acres or larger; or
 - (iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.

Applicant's Finding:

N/A

(c) For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:

(i) The overall area of the C-N zoning district shall be three (3) acres or less in size and within, or abutting on at least one (1) boundary, residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.

Applicant's Finding:

N/A

(ii) The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.

Applicant's Finding:

N/A – property is presently zoned C-C. Request is to re-zone as C-H. There is more than three (3) acres for C-C area remaining following re-zone.

(iii) The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

Applicant's Finding:

N/A

(iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

Applicant's Finding:

The proposed zone of C-H complies with the standard. West Main Street is an Minor Arterial. There is C-H zoning to the north at the intersection of Reager Street and West Main. This C-H zone abuts the subject property. There is a residential zone. It can be found that the rezone is suitable pursuant to (1)(e).

(d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:

Applicant's Finding:

N/A

(i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1)(e) below.

(ii) The I-G zone may abut the Heavy Commercial (C-H), Light Industrial (I-L), and the Heavy Industrial (I-H) zones. The I-G zone is ordinarily considered to be unsuitable when abutting the other commercial and residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

(iii) The I-H zone may abut the General Industrial (I-G) zone. The I-H zone is ordinarily considered to be unsuitable when abutting other zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

(e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:

Applicant's Finding:

For the purposes of (1)(c) the zone change can be found suitable with respect to compliance with the criteria below.

(i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one (1) zone;

Applicant's Finding:

The GLUP allows for commercial zoning on the subject property.

(ii) At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;

Applicant's Finding:

More than 50 percent of the subject property's boundaries abut commercial zones. The entire front property line, east and west (side) property lines abut commercial zoned. The front property line abuts C-H zoning.

- (ii) At least fifty percent (50%) of the subject property's boundaries abut properties that contain one (1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or

Applicant's Finding:

The adjacent uses to the east are retail, lumber and building materials sales and storage yard areas, these uses are permitted in the C-H zone. The adjacent property to the west is vacant. The properties to the north, are zone C-C and C-H. The present uses are restaurants and retail establishment. These are permitted uses in the C-C and C-H zone.

- (iii) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least sixty (60) feet in width.

Applicant's Finding:

The rear property line abuts the Urban Residential GLUP designation. The property is developed as multi-family dwellings. It does not have a 60-foot right-of-way.

A Type A buffer with a six to eight-foot tall masonry / concrete block wall is property along the shared property line to buffer subject property from the adjacent residential property.

- (f) For zone changes to apply or remove the overlay zones (Limited Industrial, Exclusive Agricultural, Freeway, Southeast, Historic) the criteria can be found in the applicable overlay section (Sections 10.345 through 10.413).

Applicant's Finding:

N/A

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

Applicant's Finding:

The property is served by storm drainage, sanitary sewer and water facilities. To the applicant's knowledge, these facilities are adequate to service any new development consistent with the

requested zone.

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

Applicant's Finding:

West Main is a Minor Arterial Street and is adequate with curb, gutter, sidewalk, storm drainage and striping.

(ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or

Applicant's Finding:

It is the applicant's understanding that West Main Street is sufficient to meet the capacity of potential site development resulting from the rezone from C-C to C-H.

(iv) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:

Applicant's Finding:

N/A

(c) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or

Applicant's Finding:

N/A

(d) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed

prior to issuance of building permits.

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

Applicant's Finding:

N/A

(e) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:

(i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,

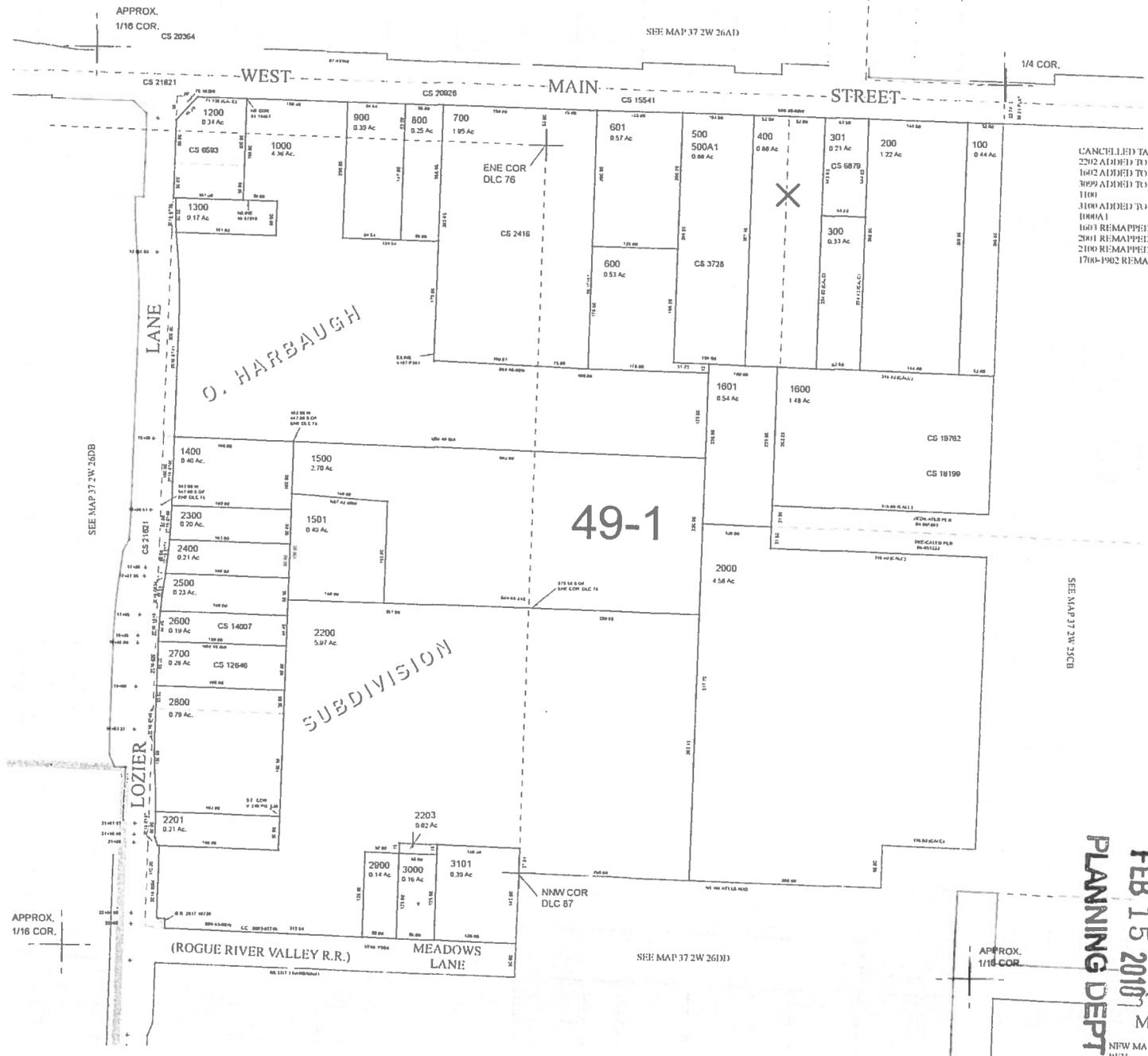
(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

Applicant's Finding:

N/A

N.E. 1/4 S.E. 1/4 SEC. 26 T. 37S. R. 2W. W.M.
JACKSON COUNTY
1" = 100'

FOR ASSESSMENT AND
TAXATION ONLY



CANCELLED TAX LOT NUMBERS
 2202 ADDED TO 3101
 1602 ADDED TO 1600
 3099 ADDED TO 3101
 1100
 3100 ADDED TO 3101
 1000A1
 1603 REMAPPED TO 372W25CB
 2901 REMAPPED TO 372W25CB
 2100 REMAPPED TO 372W25CB
 1700-1902 REMAPPED TO 372W25CB

RECEIVED
 FEB 15 2018
 PLANNING DEPT
 372W26DA
 MEDFORD
 NFW MAP February 16, 2011
 REV August 2, 2017



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 3/21/2018
File Number: ZC-18-018

PUBLIC WORKS DEPARTMENT STAFF REPORT
2131 West Main Street – Zone Change
American Cannabis Company

- Project:** Consideration of a request for a zone change of a 0.88-acre parcel.
- Location:** Located at 2131 W Main Street from Community Commercial (C-C) to Heavy Commercial (C-H) (372W26DA TL 400).
- Applicant:** Applicant, Marigold Enterprise, LLC; Agent, Rogue Planning & Development Services; Planner, Dustin Severs.

The Medford Land Development Code (MLDC), Section 10.227 (2) requires a zone change application demonstrate Category ‘A’ urban services and facilities are available or can and will be provided to adequately serve the subject property. The Public Works Department reviews zone change applications to assure the services and facilities under its jurisdiction meet those requirements. The services and facilities that Public Works Department manages are sanitary sewers within the City’s service boundary, storm drains, and the transportation system.

I. Sanitary Sewer Facilities

This site lies within the Rogue Valley Sewer Service (RVSS) area. The applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve this property under the proposed zoning.

II. Storm Drainage Facilities

This site lies within the Elk Creek Drainage Basin. The subject property currently drains to the northeast. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development.

III. Transportation System

No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn’t meet the requirements for a TIA, per Medford Municipal Code (MMC), Section 10.461 (3).

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

Prepared by: Doug Burroughs

The above report is based on the information provided with the Zone Change 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.

P:\Staff Reports\CP, DCA, & ZC\ZC only\2018\ZC-18-018 2131 W Main St (TL 400) Marigold Enterprise LLC\PA-18-018 Staff Report.docx Page 2

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

TELEPHONE (541) 774-2100
FAX (541) 774-2552



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-18-018

PARCEL ID: 372W26DA TL 400

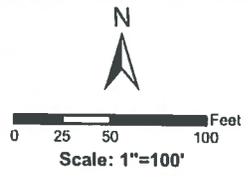
PROJECT: Consideration of a request for a zone change of a 0.88-acre parcel located at 2131 W Main Street from Community Commercial (C-C) to Heavy Commercial (C-H) (372W26DA TL 400); Applicant, Marigold Enterprise, LLC; Agent, Rogue Planning & Development Services; Planner, Dustin Severs.

DATE: March 21, 2018

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. There is an existing ¾-inch water meter approximately mid-lot along the south side of W Main Street.
7. Access to MWC water lines for connection is available. There is an existing 12-inch water line on the north side of W Main Street.



**Water Facility Map
for
ZC-18-018
March 21, 2018**

Legend

- ✦ Air Valve
- Sample Station
- Fire Service
- ◆ Hydrant
- ▲ Reducer
- Blow Off
- ✦ Plugs-Caps
- Water Meters:**
- ⊕ Active Meter
- On Well
- Unknown
- Vacant
- Water Valves:**
- ⊕ Butterfly Valve
- ⊕ Gate Valve
- ⊕ Tapping Valve
- Water Mains:**
- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line
- Boundaries:**
- ▭ Urban Growth Boundary
- ▭ City Limits
- ▭ Tax Lots
- MWC Facilities:**
- C** Control Station
- P** Pump Station
- R** Reservoir



This map is based on a 2018 aerial photo made by the Medford Water Commission from a variety of sources. Medford Water Commission is not responsible for any errors or omissions on this map and its use. There are no warranties or guarantees made by Medford Water Commission.



Medford Fire-Rescue Land Development Report

Review Info

Reviewed By: Kleinberg, Greg

Review Date: 3/9/2018
Meeting Date: 3/21/2018

LD #: ZC18018

Planner: Dustin Severs

Applicant: Applicant, Marigold Enterprise, LLC

Project Location: 2131 W Main Street

ProjectDescription: Consideration of a request for a zone change of a 0.88-acre parcel located at 2131 W Main Street from Community Commercial (C-C) to Heavy Commercial (C-H) (372 W26 DA TL 400); Applicant, Marigold Enterprise, LLC; Agent, Rogue Planning & Development Services; Planner, Dustin Severs

Specific Requirements for Access & Water Supply

Conditions

Reference	Description
Approved	Approved as submitted

General Information/Requirements

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

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only. Specific fire protection systems may be required in accordance with the Oregon Fire Code.

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

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

CITY OF MEDFORD
EXHIBIT # F
File # ZC-18-018



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

March 9, 2018

City of Medford Planning Department
200 S. Ivy Street
Medford, Oregon 97501

Re: ZC-18-018, Marigold Enterprise (372W26D – 400)
Ref: PA-17-119

ATTN: Dustin,

The subject property is within the RVSS service area. There is a 10 inch sewer main running east-west bisecting the property with two 4 inch laterals (south and north) tapped to the main. Currently, there is adequate system capacity for the proposed zone change. If an RVSS sewer easement does not currently exist on the property one must be provided per RVSS standards as a condition of development approval. Access to existing sewer facilities must be maintained at all times. From the proposed site plan it appears proposed a permanent block wall will be constructed over the existing sewer on the property. If this is the case, additional measures may be needed to maintain access to the existing sewer at all times. Future development must be reviewed for compliance with RVSS standards.

RVSS requests the following be conditions of approval for development on this property:

1. Development plans be submitted to RVSS for approval.
2. If additional fixtures are installed, architectural drawings must be submitted to RVSS for the calculation of sewer SDC fees.
3. Sewer easements for existing or future sewer mains must be provided.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\ZONE CHANGE\2018\ZC-18-018_MARIGOLD ENTERPRISE_372W26D TL400.DOC

CITY OF MEDFORD
EXHIBIT # G
File # ZC-18-018



Project Name:

Marigold Enterprise LLC

Map/Taxlot:

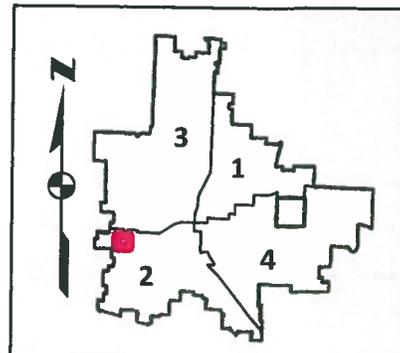
372W26DA TL 400



03/01/2018

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





STAFF REPORT

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

Project Ross/McAndrews Partition
 Applicant: Craig Horton; Agent: Richard Stevens & Associates

File no. LDP-18-015

To Planning Commission *for 04/12/2018 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Akin, Assistant Planning Director *ka*

Date April 3, 2018

BACKGROUND

Proposal

Consideration of a request for tentative plat approval of a proposed three-lot partition on a 0.45-acre parcel located at 403 North Ross Lane within the SFR-6 (Single-Family Residential – 4 to 6 dwelling units per gross acre) zoning district (372W26AA 3900).

Vicinity Map



Subject Site Characteristics

Zoning	SFR-6	Single-Family Residential - 4 to 6 dwelling units per gross acre
GLUP	UR	Urban Residential
Use	One single-family residential dwelling unit	

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot)
	Use:	Single-Family Residential
<i>South</i>	Zone:	SFR-00
	Use:	Single-Family Residential/Vacant
<i>East</i>	Zone:	SFR-00
	Use:	Single-Family Residential/Vacant
<i>West</i>	Zone:	SFR-00
	Use:	Single-Family Residential

Related Projects

ANNX-99-149	Annexation – 179.5 Acres (Ordinance No. 2002-192)
ZC-13-117	West Main Zone Change – County Zoning SR2.5 to City Zoning SFR-00
ZC-17-89	Zone Change – SFR-00 to SFR-6

Applicable Criteria

MLDC 10.270: Land Division Criteria

The approving authority (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 Article IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) 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 approving authority 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

Clark Stevens is the Registered Agent for Richard Stevens & Associates, Inc. according to the Oregon Secretary of State Business Registry. Clark Stevens is also listed as the President and Secretary.

ISSUES AND ANALYSIS

Background

The subject property was annexed into the City in 2002 as part of 99 parcels totaling 179.5 acres plus approximately 15 acres of right-of-way located generally on the north and south side of Jacksonville Highway/W Main Street east of Oak Grove Road to west of Lewis Avenue, on the north and south side of West McAndrews Road southwest of the intersection of Sweet Road and West McAndrews Road to west of Lozier Lane. At the time of annexation the property kept its County zoning designation of SR 2.5.

On January 14, 2014, the City Council adopted an ordinance authorizing a Class 'A' (major) amendment to the City of Medford Zoning Map to convert County zoning designations to City zoning designations for approximately 165 properties located in the West Main area. As part of this zone change application, the subject property's zoning was changed from SR 2.5 to SFR-00.

On September 28, 2017, the Planning Commission adopted a final order of approval for a zone change from SFR-00 to SFR-6 for the subject area.

Project Summary

The applicant requests approval of a three lot partition. Parcel 1 and 2 are proposed to house a duplex divided by a lot lot-line. Parcel 1 will be a single-family lot, with the existing single-family residence remaining on this parcel.

Density

The standard density calculation for the SFR-6 zone is between four and six dwelling units per gross acre. The permitted density range for the subject partition is between two and three dwelling units (Exhibit N). The parcel size is 0.45 acres and the gross parcel size, including fronting half-streets, is 0.60 acres. The applicant is proposing three lots (and three dwelling units). The partition meets density standards.

Site Development Standards

Detached Single Family Dwellings

The applicant intends to keep the existing single-family residence on the most easterly parcel (Parcel 3). All applicable detached single-family dwelling standards per Medford Land Development Code (MLDC) 10.710 are met except for the minimum street side yard building setback. See Street Dedications and Public Improvements below for more.

Detached Single-Family Dwellings Development Standards for SFR-6		
Development Standards	Required	Proposed
Lot Area Range (Square Feet)	4,500 to 12,500	4,979
Maximum Coverage Factor	45%	20.1%
Minimum Corner Lot Width	60 feet	61.3 feet
Minimum Lot Depth	90 feet	92.1 feet
Minimum Lot Frontage	30 feet	60.70 feet
Minimum Front Yard Building Setback	15 feet	47.5 feet
Minimum Street Side Yard Building Setback	10 feet	8.2 feet
Minimum Side Yard Building Setback	4 feet	4 feet
Minimum Read Yard Building Setback	4 feet	8 feet
Maximum Height	35 feet	Approximately 15 feet

Duplex Dwellings

Parcel 1 and 2 are proposed to be developed by one duplex divided by a lot line. The tentative partition plat submitted shows that all applicable standards per MLDC 10.713 are met:

Duplex Dwellings Development Standards for SFR-6		
Development Standards	Required	Proposed
Special Standards	A duplex shall be divided by a lot line	Proposed duplex construction will be divided by lot line
Lot Area Range (Square Feet)	6,000 to 12,500	6,000
Minimum Interior Lot Width	60 feet each half	66.10 & 66 feet
Minimum Lot Depth	90 feet	90.81 & 92.3 feet
Minimum Lot Frontage	15 feet each half	66.10 & 60 feet

Street Dedications and Public Improvements

North Ross Lane has an existing right-of-way of 64 feet; West McAndrews Road existing right-of-way is 44.4 feet. The Public Works Department Staff Report (Exhibit G) identifies that the developer’s surveyor shall verify the amount of additional right-of-way required. The applicant’s surveyor proposes to dedicate five feet along North Ross Lane and between 9.29 and 9.59 feet on West McAndrews Road. The developer shall also provide a 10-foot wide Public Utility Easement (PUE) adjacent to the street frontages of all three lots within this partition.

Once the proposed 5 feet are dedicated along North Ross Lane, the existing structure on Parcel 3 will not meet the required street yard setback of 10 feet per MLDC 10.710 and it will not be possible to provide a 10-foot PUE without a structure encroaching into the easement. It will be a condition of approval for the applicant to meet the standards set forth in MLDC 10.710 and to provide a 10-foot PUE per MLDC 10.471. In order to meet those standards, the applicant can follow up this application with an Exception request for street side yard requirements and PUE requirements, or the applicant can remove the covered porch facing North Ross Lane which would increase the distance of the structure to the proposed property line from approximately 8.2 feet to approximately 13 feet.

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff finds the partition plat consistent with the Comprehensive Plan and all applicable design standards set forth in Article IV and V. Furthermore, the partition will not prevent development of the remainder of the property under the same ownership or of adjoining land. Criteria 3 through 6 are not applicable to the subject development. Staff recommends that the Commission adopt the Applicant’s Findings of Facts (Exhibit E) as presented.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of LDP-18-015 per the staff report dated April 3, 2018, including Exhibits A through N.

EXHIBITS

- A Conditions of Approval, dated April 3, 2018
- B Tentative Partition Plat, received April 2, 2018
- C Conceptual Sewer & Water Plan, received February 13, 2018
- D Conceptual Grading & Drainage Plan, received February 13, 2018
- E Applicant's Findings of Fact, received February 13, 2018
- F Legal Description, received February 13, 2018
- G Public Works Staff Report, received March 21, 2018
- H Medford Water Commission Staff Memo, dated March 21, 2018
- I Building Department Memo, dated March 21, 2018
- J Medford Fire Department Memo, dated March 21, 2018
- K Oregon Department of Aviation E-Mail, received March 13, 2018
- L Jackson County Roads Memo, received March 9, 2018
- M Rogue Valley Sewer Services Memo, received March 9, 2018
- N Density Calculation, created March 20, 2018
Vicinity map

PLANNING COMMISSION AGENDA:

APRIL 12, 2018

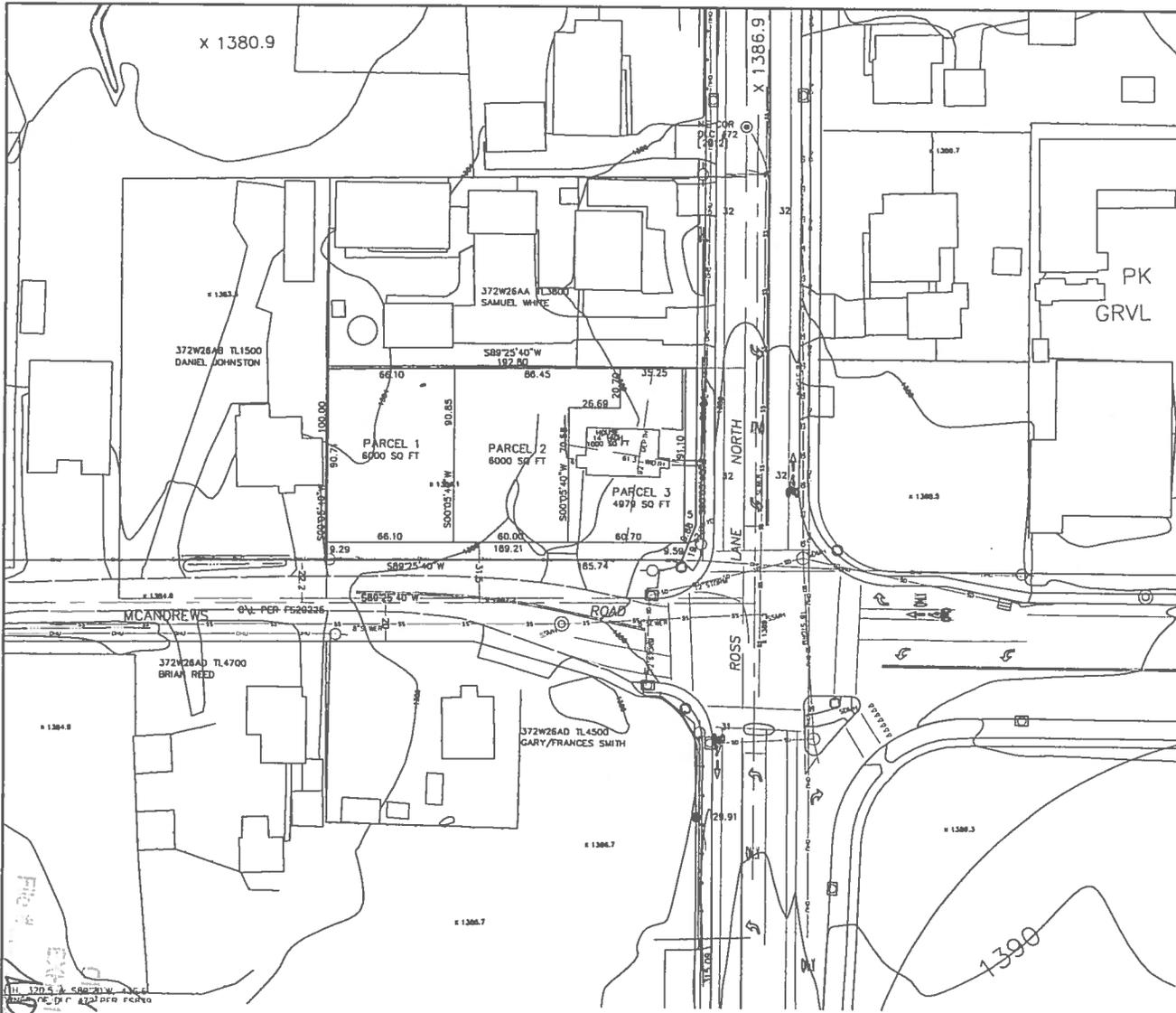
EXHIBIT A

Ross/McAndrews Partition
LDP-18-015
Conditions of Approval
April 3, 2018

CODE REQUIRED CONDITIONS

Prior to the approval of the final plat, the applicant shall:

1. Comply with Section 10.710 for Parcel 3 and provide a 10-foot public utility easement per MLDC 10.471 along North Ross Lane by either receiving Planning Commission approval of an Exception application or removing the covered front porch facing North Ross Lane.
2. Comply with all conditions stipulated by Medford Public Works Department (Exhibit G).
3. Comply with all conditions stipulated by the Medford Water Commission (Exhibit H).
4. Comply with all conditions stipulated by Rogue Valley Sewer Services (Exhibit M).



RECEIVED
 PROJECT SITE MAP
APR 2 2018
 PLANNING DEPT.
 WEST MAIN STREET
 COZER BUILDING
 COLUMBIUS AVENUE
 VICINITY MAP - N.T.S.

TENTATIVE PARTITION PLAT
 In the N.E. 1/4 of Section 26, T.37S, R.2W, W.M.
 & in the City of Medford Jackson County, Oregon



EXHIBIT "A"
 FILE NO.: _____ DATE: _____
 ASSESSOR'S PARCEL NO.: 372W26AA TL3900
 ZONING DISTRICT: SFH-8
 MIN. LOT SIZE: 4300 SF MAX. LOT SIZE: 12500 SF
 NO. OF PARCELS: 3
 MAPS TRACT: _____
 COMP. PLAN DESIGNATION: URBAN RESIDENTIAL
 RECEIVED BY: _____ DATE: _____
 REVIEWED BY: _____ DATE: _____

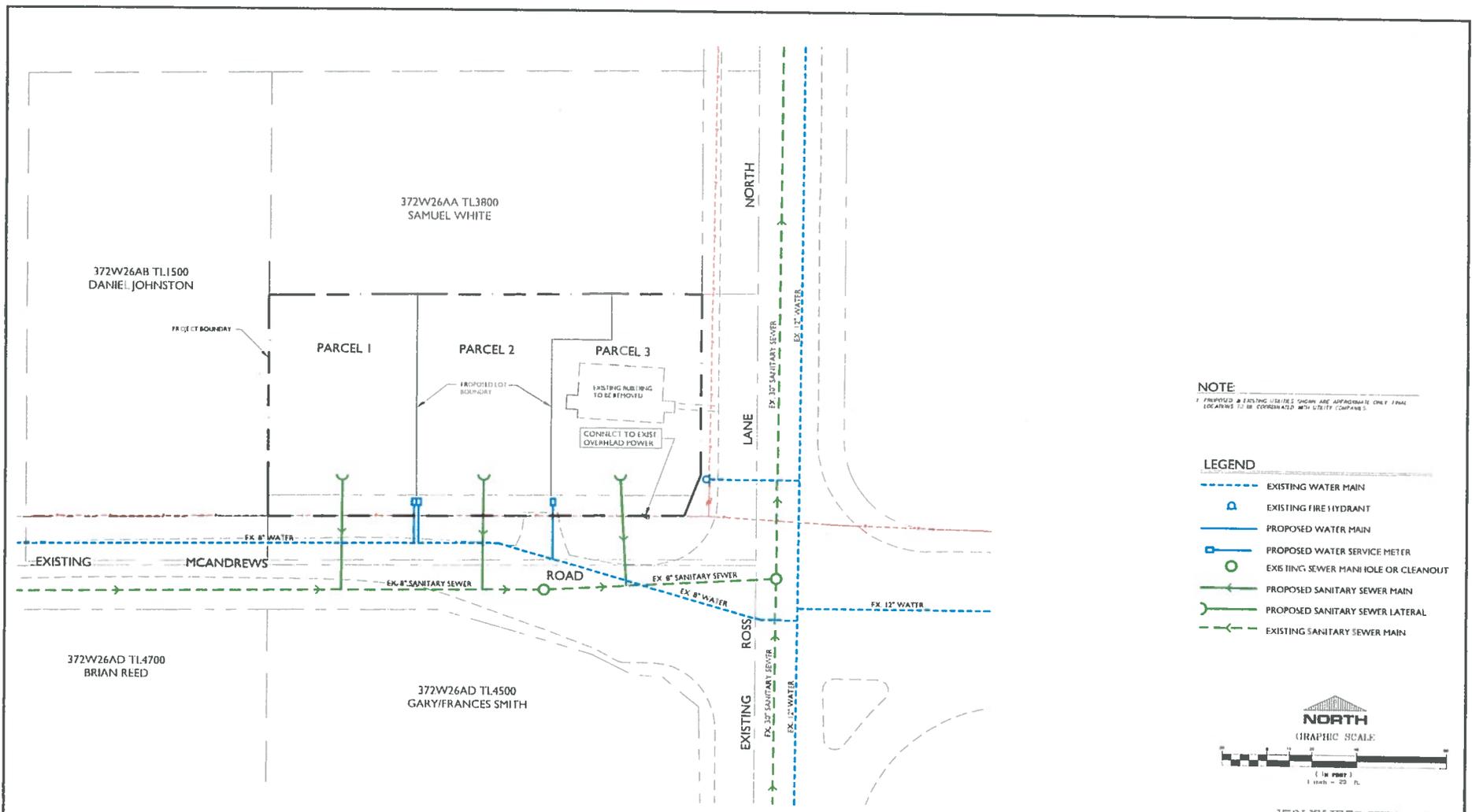
OF M-D-C
 # B
 # 18-015

UTILITY NOTE:
 UPON TENTATIVE PLAT APPROVAL, COMPREHENSIVE CIVIL IMPROVEMENT PLANS WILL BE PREPARED FOR CITY ENGINEERING APPROVAL WHICH WILL DETERMINE THE FINAL LOCATIONS OF UTILITIES AND SITE GRADING.

NOTES:
 SCHOOL DISTRICT: MEDFORD 549C
 IRRIGATION DISTRICT: M.I.D. (CURRENTLY BEING ASSESSED)
 TOTAL GROSS ACREAGE = 0.60 AC
 NET ACREAGE = 0.44 AC
 ALL BUILDINGS TO BE REMOVED UPON TENTATIVE PLAT APPROVAL.
 PUE=PROPOSED PUBLIC UTILITY EASEMENT.

TOPOGRAPHIC NOTE:
 TOPOGRAPHIC DATA SCALED FROM 2016 CITY OF MEDFORD AERIAL MAPPING.

REGISTERED PROFESSIONAL LAND SURVEYOR <i>James E. Hobbs</i> OREGON JULY 17, 1986 JAMES E. HOBBS 2234 RENEWAL DATE 8-30-18 © L.J. FRIAR & ASSOCIATES, P.C. 2017	TITLE: TENTATIVE PARTITION PLAT ASSESSOR'S MAP #: 372W26AA TL3900 OWNER & APPLICANT: CRAIG HORTON 1118 SPRING ST. MEDFORD, OR 97504	DATE: 2 APR 2018 SCALE: 1 inch = 40 feet DRAWN BY: JEH CDR BY: _____ CHECKED BY: _____ DATE: _____ TIME: 17:00PM
	L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1847, Medford, OR 97531 Phone: (541) 772-3782 Email: lfriar@friarpc.com	Sheet 1 of 1.



NOTE:
1. PROPOSED & EXISTING UTILITIES SHOWN ARE APPROXIMATE ONLY. FINAL LOCATIONS TO BE CORROBORATED WITH UTILITY COMPANIES.

- LEGEND**
- EXISTING WATER MAIN
 - EXISTING FIRE HYDRANT
 - PROPOSED WATER MAIN
 - PROPOSED WATER SERVICE METER
 - EXISTING SEWER MAIN HOLE OR CLEANOUT
 - PROPOSED SANITARY SEWER MAIN
 - PROPOSED SANITARY SEWER LATERAL
 - EXISTING SANITARY SEWER MAIN

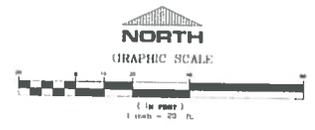
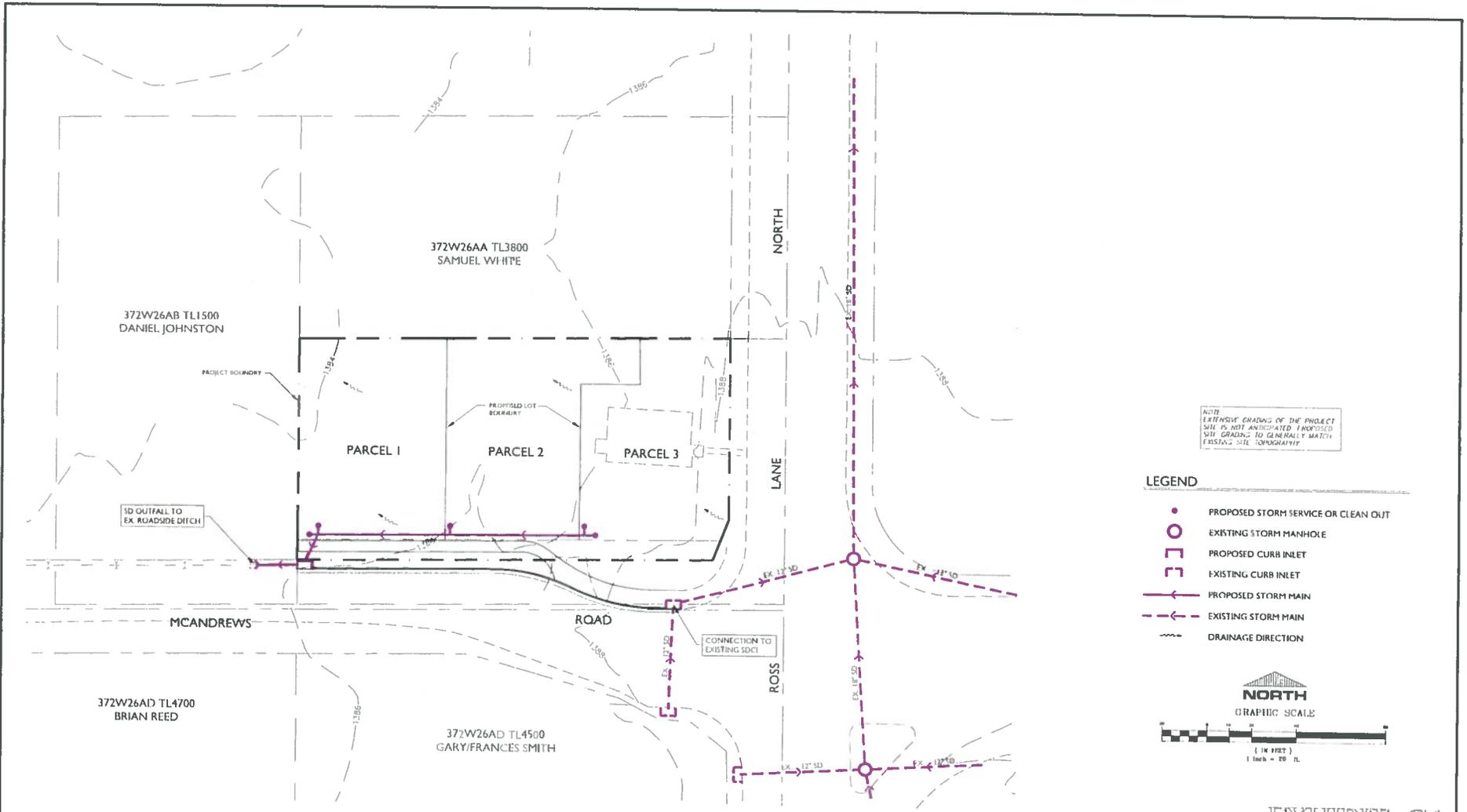


EXHIBIT C.2

		DRAWN BY: <u>ESD</u>	DATE: <u>01/24</u>	NO: <u>18-0209</u>	DATE: <u>01/24</u>	CITY OF MEDFORD HORTON PARTITION CONCEPTUAL SEWER & WATER PLAN	PROJECT NO: DRAWING NO:
		CHECKED BY: <u>MMR/ATSI</u>	DATE: <u>01/24</u>				
CALL 24 HOURS RESPOND YOU CAN		P.O. BOX 1724 • MEDFORD, OREGON 97501 PHONE: (541) 778-8228		CITY OF MEDFORD HORTON PARTITION CONCEPTUAL SEWER & WATER PLAN		PROJECT NO: DRAWING NO:	

CITY OF MEDFORD
EXHIBIT # C
File # LDP-18-015



LEGEND

- PROPOSED STORM SERVICE OR CLEAN OUT
- EXISTING STORM MANHOLE
- PROPOSED CURB INLET
- EXISTING CURB INLET
- PROPOSED STORM MAIN
- EXISTING STORM MAIN
- DRAINAGE DIRECTION



EXHIBIT C.1

		DRAWN BY: ERD DATE: 8/2/18	NO. REVISIONS DATE:	DATE:	SHEET NO.	TOTAL SHEETS		CITY OF MEDFORD	
		CHECKED BY: MMB/10/18 DATE:						PROJECT NO.	DRAWING NO.
P.O. BOX 1724 - MEDFORD, OREGON 97501 PH (541) 779-6266		HORTON PARTITION CONCEPTUAL GRADING & DRAINAGE PLAN							

CITY OF MEDFORD
 EXHIBIT # D
 File # LDP-18-015

RECEIVED

FEB 13 2018

PLANNING DEPT.

BEFORE THE PLANNING COMMISSION
CITY OF MEDFORD, OREGON

IN THE MATTER OF AN APPLICATION FOR)
)
A LAND DIVISION FOR 0.45 ACRES OF)
)
LAND, LOCATED ON THE NORTHWEST)
)
CORNER OF THE INTERSECTION OF)
)
ROSS LANE AND W MCANDREWS ROAD;)
)
CRAIG HORTON, APPLICANT; RICHARD)
)
STEVENS & ASSOCIATES, INC.: AGENTS)

FINDINGS OF FACT

RECITALS:

Property Owner: Craig Dean Horton Trustee
1118 Spring Street
Medford, OR 97504

Agents: Richard Stevens & Associates, Inc.
P.O. Box 4368
Medford, OR 97501
(541) 773-2646

Zoning- SFR-6

GLUP Map- UR

Area- 0.45 net acres and 0.67 gross acres

INTRODUCTION:

The subject property currently contains a detached single-family home. The proposed land division will create three separate parcels, with Parcels 1 and 2 being vacant and Parcel 3 containing the existing home. Parcels 1 & 2 will eventually be developed with a single duplex, with one-half of the duplex being located on each of the two parcels. The property is zoned SFR-6, which generally allows for development at a density of 4 to 6 dwelling units per acre.

CITY OF MEDFORD
EXHIBIT E -
File # LDP-18-015

LAND DIVISION:

The approval criteria for a land division is found in Section 10.270 MLDC. The approving authority (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:

Section 10.270(1): *Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, and all applicable design standards set forth in Article IV and V.*

FINDING:

The subject property is designated on the Medford Comprehensive Plan, General Land Use Plan map as Urban Residential (UR). The zoning on the subject area is SFR-6, which is consistent with the Comprehensive Plan. There are no "specific plans" relevant to the subject property or the proposed land division.

The subject property is approximately 0.45 net acres and 0.67 gross acres in size. The SFR-6 zone allows for a minimum density of 4 dwelling units per acre and a maximum density of 6 dwelling units per acre. Given its size, the subject property can have 3-4 dwelling units. The existing single-family dwelling will remain on Parcel 3 and Parcels 1 & 2 will be developed with a duplex. The 3 proposed dwelling units are within the permitted range for the zone.

The SFR-6 zone requires a minimum lot size of 4,500 square feet, a minimum lot depth of 90 feet, and a minimum lot width of 60 feet for exterior lots for detached single-family homes. The SFR-6 zone requires a minimum lot size of 6,000 square feet (each half), a minimum lot depth of 90 feet, and a minimum lot width of 60 feet for duplex dwellings. The tentative partition plat submitted with this application shows that all lot dimensional standards are met.

Section 10.270(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.*

FINDING:

The subject property is a corner lot with frontage on both Ross Lane and W McAndrews Road. The existing home on the subject property currently takes access from W McAndrews Road and will continue to

have access and frontage on W McAndrews Road after the proposed land division. Proposed Parcels 1 & 2 will have frontage on, and take access from, W McAndrews Road.

Section 10.270(3): *Bears a name that has been approved by the approving authority...*

FINDING:

The proposed land division is a land partition, not a subdivision, and therefore no name will be assigned to the plat. This criterion is not applicable.

Section 10.270(4): *Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary...*

FINDING:

Not applicable. The proposed land division does not include the creation of streets.

Section 10.279(5): *Has streets that are proposed to be held for private use...*

FINDING:

Not applicable. The proposed land division does not include the creation of streets.

Section 10.270(6): *Contains streets and lots which are oriented to make maximum effective use of passive solar energy.*

FINDING:

Not applicable. The proposed land division does not include the creation of streets.

Section 10.270(7): *Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU zoning district.*

FINDING:

Not Applicable. There are no abutting EFU lands.

CONCLUSION:

Based on the above Findings and the Tentative Plat for the proposed land division (3-parcel land partition), the City of Medford can conclude that this partition request meets the minimum requirements and standards for a land division found in Section 10.270, MLDC.

SUMMARY:

Based upon the above Findings and the Tentative Plat map submitted for review, the City of Medford finds that the proposed 3-parcel land partition meets or exceeds the minimum requirements for a Land Division application. The City of Medford finds that this application is consistent with the requirements for submission with the City and is in compliance with the Medford Land Development Code.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Richard Stevens', with a long, sweeping horizontal line extending to the right.

Richard Stevens & Associates, Inc.

RECEIVED

FEB 13 2018

PLANNING DEPT.

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94-27474

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that CRAIG D. HORTON and MARY JANE HORTON, husband and wife, hereinafter called "Grantor", for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Craig Dean Horton and Mary Jane Horton, Trustees of THE CRAIG DEAN and MARY JANE HORTON REVOCABLE TRUST, (Lawrence S. Horton, III is designated as Alternate Trustee) hereinafter called "Grantee", and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Jackson, State of Oregon, described as follows, to-wit:

Beginning at a point which is North 540.5 feet from the Southeast corner of the East half of Donation Land Claim No. 72 in Township 37 South, Range 2 West, Willamette Meridian, Jackson County, Oregon; and from said point running South 89° 20' West, 217.8 feet; thence North 120 feet; thence North 89° 20' East a distance of 217.8 feet, thence South 120 feet to the point of beginning.

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

The actual consideration consists of or includes other property or value given or promised which is the whole consideration.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON

AFTER RECORDING, RETURN TO: SEND ALL TAX STATEMENTS TO:

Grantland, Grensky & Blodgett
204 West Ninth Street
Medford, Oregon 97501

No Change

1 - BARGAIN AND SALE DEED

Law Offices of
GRANTLAND, GRENSKY & BLODGETT
204 West 9th St
Medford, OR 97501
(503) 773-8712

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CITY OF MEDFORD

FILED LDP-18-015



First American Title

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

geoAdvantage



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 3/21/2018
File Number: LDP-18-015

PUBLIC WORKS DEPARTMENT STAFF REPORT
Land Partition – 403 North Ross Lane
TL 3900

- Project:** Consideration of a request for tentative plat approval of a proposed three-lot partition on a 0.45-acre parcel.
- Location:** Located at 403 North Ross Lane within the SFR-6 (Single-Family Residential – 4 to 6 dwelling units per gross acre) zoning district (372W26AA 3900).
- Applicant:** Applicant, Craig Horton; Agent, Richard Stevens & Associates; 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

North Ross Lane is classified as a Major Collector street within the MLDC, Section 10.428(3). The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way for a Major Collector street, which is 37-feet. **The Developer’s surveyor shall verify the amount of additional right-of-way required.**

The developer will receive SSDC (Street System Development Charge) credits for the public right-of-way dedication on **North Ross Lane**, per the methodology established by the MLDC 3.815. **Should the developer elect to have the value of the land be determined by an appraisal, a letter to that effect must be submitted to the City Engineer within sixty (60) calendar days of the date of the Final Order of the governing Commission. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.**

West McAndrews Road is classified as a Standard Residential Street 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 of this development to comply with the half width of right-of-way, which is 31.5 feet. Dedication of right-of-way shall be based upon the centerline of West McAndrews Road. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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.

2. Public Improvements

a. Public Streets

North Ross Lane is classified as a Major Collector street within the MLDC, Section 10.428. Street section improvements have been completed, including pavement, curb and gutter and sidewalk (P1740D). Street lights were not included with the previous street improvements constructed by Jackson County. **Therefore, no additional improvements are required along the frontage of this development, except street lights as noted below.**

West McAndrews Road shall be improved to Standard Residential street standards, along the frontage of this development, in accordance with MLDC Section 10.430. The Developer shall improve the north half plus 12-feet south of the centerline, or to the far edge of the existing pavement, whichever is greater, along the entire frontage of this development.

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 the north half of McAndrews Road from a point 1-foot inside the existing edge of pavement.

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. 1 – Type R-100

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

A. None

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 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 this frontage to N Ross Lane or West McAndrews 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 to Public Street System

Driveway access to the proposed development site shall comply with MLDC 10.550. No driveway access shall be allowed to North Ross Lane.

f. Easements

Easements shall be shown on the final plat for all sanitary sewer and stormdrain mains or laterals, which cross lots, including any common area, other than those being served by said lateral.

3. Section 10.668 Analysis

To support a condition of development that an Applicant dedicates 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 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 dedication recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

North Ross Lane & West McAndrews Road

The additional right-of-way will provide the needed width for a future planter strip on North Ross Lane. North Ross Lane is a 30 mile per hour facility, which currently carries approximately 9,800 vehicles per day. The 10-foot planter strip moves pedestrians a safe distance from the edge of the roadway. North Ross Lane will be the primary route for pedestrians traveling to and from this development.

Local street right-of-way dedication and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

Dedication of the 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. The area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

The City assesses System Development Charges (SDCs) to help pay for acquisition of right-of-way and construction of additional Arterial & Collector street capacity required as a result of new development. Because a mechanism exists in the form of SDC credit for right-of-way dedication and street improvements in accordance with Medford Municipal Code (MMC) 3.815 and other applicable parts of the Code, to fairly compensate the applicant, the conditions of MLDC, Section 10.668 are satisfied.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Developer shall contact RVSS for conditions of connection to the sanitary sewer collection system.

C. STORM DRAINAGE

1. Hydrology

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. Please include engineering for the infiltration trenches.

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 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, unless it is within an already established drainage way. 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.

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 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.

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 proposed plans do not show any phasing.

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 sewer collection, treatment and street 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

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.

Prepared by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Land Partition – 403 North Ross Lane

TL 3900

LDP-18-015

A. Streets

1. Street Dedications to the Public:

- North Ross Lane – Dedicate additional right-of-way.
- West McAndrews Road – Dedicate additional right-of-way.

2. Improvements:

a. Public Streets

- North Ross Lane improvements have been completed.
- Improve West McAndrews Road to Standard Residential street standards.

b. Lighting and Signing

- Developer supplies and installs all street lights at own expense.

c. Access to Public Street System

- Driveway access to the proposed development site shall comply with MLDC 10.550. No driveway access shall be allowed to N. Ross Lane.

d. Other

- There is no pavement moratorium currently in effect along this frontage.
- Provide pavement moratorium letters.
- Provide soils report.
- Easements

B. Sanitary Sewer

- The site is situated within the RVSS area.

C. Storm Drainage

- Provide an investigative drainage report.
- Provide a comprehensive grading plan.
- Provide water quality and detention facilities, calculations and O&M Manual.
- Provide engineers certification of stormwater facility construction.
- Provide storm drain laterals to each tax lot.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Building permits will not be issued until after final plat approval.

- = City Code Requirement
- = 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.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDP-18-015

PARCEL ID: 372W26AA TL 900

PROJECT: Consideration of a request for tentative plat approval of a proposed three-lot partition on a 0.45-acre parcel located at 403 North Ross Lane within the SFR-6 (Single-Family Residential – 4 to 6 dwelling units per gross acre) zoning district (372W26AA 3900); Applicant, Craig Horton; Agent, Richard Stevens & Associates; Planner, Steffen Roennfeldt.

DATE: March 21, 2018

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meter located approximately mid lot along Ross Lane North shall serve the proposed home on proposed Parcel 3.
4. Proposed Parcel 1 and 2 are required to have a new metered water service installed. The "new" water meters shall be located along the north side of West McAndrews Road and shall be grouped together near the common property corner along W McAndrews Road for proposed Parcels 1 and 2. Water meters shall not be installed in proposed driveways.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. MWC-metered water service does exist to this property. One ¾" water meter serves the existing dwellings at 403 & 407 Ross Lane North, and can remain in place to serve the future home on Parcel 3.
4. Access to MWC water lines is available. There is an existing 8-inch water line in W McAndrews Road, west of Ross Lane North. There is an existing 12-inch water line in Ross Lane North.

File # *LDP-18-015*

Memo



To: Steffen Roennfeldt, Planning Department
From: Mary Montague, Building Department
CC: Craig Horton, Applicant; Richard Stevens & Associates, Agent
Date: March 21, 2017
Re: LDP-18-015; Ross/McAndrews Partition

Building Department:

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

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished.

CITY OF MEDFORD
E 1
File # LPP-18-015



Medford Fire-Rescue Land Development Report

Review Info

Reviewed By: Kleinberg, Greg

Review Date: 3/15/2018
Meeting Date: 3/21/2018

LD #: LDP18015

Planner: Steffen Roennfeldt

Applicant: Applicant, Craig Horton

Project Location: 403 North Ross Lane

ProjectDescription: Consideration of a request for tentative plat approval of a proposed three-lot partition on a 0.45-acre parcel located at 403 North Ross Lane within the SFR-6 (Single-Family Residential – 4 to 6 dwelling units per gross acre) zoning district (372 W26 AA 3900); Applicant, Craig Horton; Agent, Richard Stevens & Associates; Planner, Steffen Roennfeldt.

Specific Requirements for Access & Water Supply

Reference	Description	Conditions
Approved	Approved as submitted	

General Information/Requirements

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

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only. Specific fire protection systems may be required in accordance with the Oregon Fire Code.

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # 7
FILE # LPP-18-015

Steffen K. Roennfeldt

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Tuesday, March 13, 2018 3:02 PM
To: Steffen K. Roennfeldt
Subject: LDP-18-015 - ODA Comments

Steffen:

Thank you for allowing ODA to comment on the proposed 3-parcel partition located at 403 Ross Lane. ODA has reviewed the proposal and have the following comments:

The site is approximately 3 mile SW of the Rogue Valley Int'l airport. Due to the distance and the development property surrounding the site ODA finds that the applicant does not need to file a FAA form 7460-1 with ODA. ODA finds that the proposed development will not pose a hazard to air navigation.

Thank you again. Please feel free to contact me if you or the applicant have any questions.

Jeff

JEFF CAINES, AICP
OREGON DEPARTMENT OF AVIATION
AVIATION PLANNER / SCIP COORDINATOR

OFFICE 503-378-2529
CELL/TEXT 503-507-6965

EMAIL jeff.caines@aviation.state.or.us
WEBSITE www.oregon.gov/aviation



3040 25th Street SE, Salem, OR 97302

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

CITY OF MEDFORD
EXHIBIT # K
FILE # LDP-18-015



JACKSON COUNTY

Roads

Roads Engineering

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone (541) 774-6255
Fax (541) 774-6295
christke@jacksoncounty.org
www.jacksoncounty.org

March 9, 2018

Attention: Steffen Roennfeldt
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RE: Consideration of a tentative plat approval of a partition of a lot north of West McAndrews - a county maintain road
And west of Ross Lane North – a city maintained road
Planning File: LDP-18-015

Dear Steffen:

Thank you for the opportunity to comment on consideration of a request for tentative plat approval of a proposed three-lot partition on a 0.45 acre parcel within the Single Family Residential – 4 to 6 dwelling units per gross acre (SFR-6) in southwest Medford, (37-2W-26AA TL 3900). Jackson County Roads has the following comments:

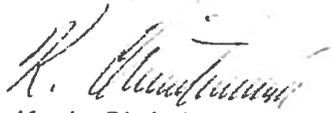
1. Any new or improved road approaches off West McAndrews Road shall be permitted and inspected by the City of Medford.
2. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.
3. West McAndrews Road is currently a County maintained Local Road with variable right-of-way. The Average Daily Traffic Count is not available for this road.
4. If frontage improvements are required on West McAndrews Road, they shall be permitted and inspected by the City of Medford.
5. We would like to be notified of future development proposals, as county permits may be required.
6. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to West McAndrews Road. Jackson County Roads recommends that the city request road jurisdiction.

CITY OF MEDFORD
EXHIBIT # L
FILE # LDP-18-015

7. Storm water should meet City of Medford requirements that also include water quality.
8. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.
9. We concur with any right-of-way dedications.
10. Please note that there are drainage problems in this area and the City of Medford maintains the storm water system.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,



Kevin Christiansen
Construction Manager



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

March 9, 2018

City of Medford Planning Department
200 S. Ivy Street
Medford, Oregon 97501

Re: LDP-18-015, Ross/McAndrews Partition (Map 372W26A, Tax Lot 3900)
Ref: ZC-17-089

ATTN: Steffen,

The subject property is within RVSS service area. There is a 30 inch sewer along North Ross Lane and two 4" sewer services currently extended to future Parcel #3. It must be determined if both are services are active. If both are active, the proposed planning action will not affect the services. If one service is inactive, the inactive service must be abandoned per RVSS standards.

Sewer service for proposed Parcels #1 & #2 can be had by connecting to the existing main along West McAndrews to the south.

Rogue Valley Sewer Services requests that approval of this application be subject to the following conditions:

1. If applicable, a no cost sewer abandonment permit be obtained from RVSS prior to abandoning sewer services.
2. Future sewer improvements must be designed and constructed in accordance with RVSS standards and submitted for approval.
3. Sewer tap permits must be obtained from RVSS.
4. The applicant must pay sewer system development charges owed to Rogue Valley Sewer Service prior to issuance of building permits.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer

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EXHIBIT # M
FILED LDP-18-015



City of Medford Planning Department

Vicinity
Map

File Number:
LDP-18-015



Project Name:

Horton Partition

Map/Taxlot:

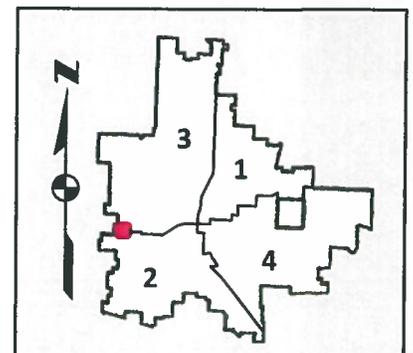
372W26AA TL 3900



03/01/2018

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





STAFF REPORT

for Class A legislative decisions: **Land Development Code Amendment and Major Zoning Map Amendment**, and Class-B quasi-judicial decisions: **Minor Comprehensive Plan and General Land Use Plan Map Amendment**

Project Public Parks Zoning Amendment
File no. DCA-16-072/CP-17-114/ZC-17-115
To Planning Commission *for April 12, 2018 hearing*
From Sarah Sousa, Planner IV
Reviewer Carla Angeli Paladino, Principal Planner
Date April 5, 2018

PROPOSAL

The proposal is a four part project that includes the following land use applications:

- 1) A **General Land Use Plan Map Amendment** to update the Comprehensive Plan Map by converting existing parks from their current GLUP designation to the Parks and Schools GLUP designation and make corrections to two other properties that are privately owned location on Merriman Road and Dillon Way;
- 2) A **Major Zoning Map Amendment** to create a new Public Parks (P-1) zoning district and convert existing publicly owned park properties from their current zoning designation of residential, commercial, or industrial to the new zoning designation;
- 3) A **Land Development Code Amendment** to amend various sections of Chapter 10 of the Municipal Code to add regulations, uses, and procedures associated with the new Public Parks (P-1) zoning district; and
- 4) A **Minor Comprehensive Plan Amendment** to update two elements of the Comprehensive Plan to reflect the new Public Parks (P-1) zoning district.

Overview

The proposal is to add a new Public Parks zoning district. This zone would be applied to all of the publicly owned parks and trails in Medford. A Code amendment is proposed with regulations for this new zoning district. A Minor Comprehensive Plan is proposed to add references to the new zoning district in two elements. Lastly, a General Land Use Plan map amendment is included to add the Parks and Schools designation to the newer parks in the system and to make two corrections.

Authority

This proposal includes a Class A Land Development Code Amendment and Major Zone Change and a Class-B quasi-judicial Comprehensive Plan Amendment and General Land Use Plan Map Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Land Development Code, Comprehensive Plan (including the General Land Use Plan map), and Zoning map under Medford Municipal Code Sections 10.102–122, 10.164-165, and 10.184-185.

PURPOSE

The purpose of this amendment is to create a new zone that more accurately reflects the use of the land as a public park or trail. Currently, the City designates parkland on the General Land Use Plan map as Parks & Schools. However, the corresponding zoning is residential or commercial, with some even being industrial, which is not a correct description of the use. Parks are not residential, commercial, or industrial in nature and this land should be given its own zone.

There are benefits to the City by having a Public Parks zone. The proposed amendment would create a land use type specific to parks without the requirement to determine if the use is allowable in the underlying residential, commercial, or industrial zone. By the time a park is being reviewed under the current conditional use process, the City has already purchased or accepted land for a park. The use has therefore been determined. The purpose of the land use process should be for public input and the mitigation of impacts, not a determination whether the park use is allowable.

Having a Public Parks zone would also help the City for tracking and reporting purposes as it would help differentiate parkland from the inventory of residential, commercial, and industrial lands. In fact, this is a good time to go forward with this amendment, especially because there are two large parks within the recently amended Urban Growth Boundary (pending State approval). Chrissy and Prescott Parks encompass over 1,800 acres. Having a Public Parks zone would allow the City to zone them as parks rather than residential land at the time of annexation.

BACKGROUND

The proposed amendment represents a compilation of work by City staff and input from the Planning Commission and the City Council. The Planning Commission discussed the proposal at three study sessions on July 25, 2016, October 9, 2017, and January 22, 2018. Four meetings with Planning and Park Department staff were held to discuss ideas and make revisions to the draft code language. This draft was presented to the City Council on March 8, 2018. With the City Council's support to move forward, staff is now seeking the Planning Commission's favorable recommendation on the project.

ANALYSIS

Major Zone Change

The proposal includes a Major Zone change to convert 144 properties from residential, commercial, or industrial zones to the new Public Parks zone. The criteria by which the properties were chosen include: 1) publicly owned, 2) designated as Parks and Schools on the General Land Use Plan map, or 3) developed as a park or trail or planned for a future park or trail.

Of the properties planned for conversion to the new zone, six are owned by Jackson County and ten are owned by the State of Oregon and are within the Bear Creek Greenway (Exhibits F & G). Both agencies were notified and have not filed any objections.

Code Amendment

The Code amendment adds the proposed Public Parks zone to the Land Development Code and includes permitted uses, site development standards, and a new land use application type by which the City reviews parks. Most of the proposed uses in the new zone are uses typically accessory to parks. Examples of site development requirements for this zone include setbacks, maximum building height, and landscape standards. Park properties with the Public Parks zone would no longer be subject to a Conditional Use Permit for new and expanded parks, but would fall under a new review called the Park Development Review. This process is similar to a Conditional Use Permit in that the Planning Commission will be the reviewing body with the authority to place conditions on the project to help mitigate impacts to surrounding properties.

General Land Use Plan Map Amendment

The plan includes changing newer park properties and trails (17 parcels total) from their current General Land Use Plan designation to the Parks and School designation. This group includes: Cedar Links Park, Pear Blossom Park, additions to Donahue Frohmayer Park, and segments of Lazy and Larson Creek Trails.

In addition, there are two corrections being made to the General Land Use Plan map. One property located at 1061 Dillon Way, is going from the Heavy Industrial to the General Industrial designation. This is in keeping with the current Light Industrial zoning on the property. The second correction is to 2801 Merriman Road, which has a Parks and Schools designation but is no longer owned by the Medford School District. It needs to be changed back to the Urban Residential designation to accommodate a new residential development planned on the property.

Minor Comprehensive Plan Amendment

The changes to the Comprehensive Plan are minor as references to the proposed new Public Parks zone are needed in two elements. The Parks, Recreation, and Leisure Services section of the Public Facilities Element would list the new zone associated with public parks. The General Land Use Plan element would also list the new zone associated with the Parks and Schools General Land Use Plan map designation.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments and major zoning map amendments are in Medford Municipal Code Section 10.184 (2) & (3). The criteria are rendered in italics; findings and conclusions in roman type.

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

10.184 (2) (a). Explanation of the public benefit of the amendment.

Findings – Major Zone Change

The proposed changes are intended to benefit the public. The new Public Parks zone would help to identify the location of parks throughout the city on the zoning map. This would be more transparent to the citizens of Medford as to the location of parks as well as the land use expected. The current zoning on parks is generally commercial or residential, which is not a clear indication of the actual use. The new zone would clarify that a park, not a commercial or residential operation, exists on these park properties.

Findings – Code Amendment

As to the changes to the Land Development Code, they describe the proposed new zone and add clear standards that apply to new development in that zone. Site development standards are clarified in regards to the setbacks, maximum height, signage allowance, and other requirements for properties with the new zone. These standards have been carefully analyzed to take into account surrounding residential uses. For example, the proposed code amendment requires a minimum of a 50-foot setback for noise producing sports courts in parks to the nearest residential property.

A new land use application type for reviewing parks is proposed called the Park Development Review, which is more specific to parks and trails. This process provides a public hearing process by which new parks and trails are reviewed while allowing the Planning Commission the authority to impose conditions that mitigate impacts to surrounding properties.

Conclusions

The proposal for a new Public Park zone clarifies the location of parks and trails in Medford by showing parkland on the zoning map. This helps the general public understand the location of parks and trails while also providing a more accurate description of how the land is being used. The associated code amendment spells out the standards that are applied to park development while continuing to allow for public input. This criterion is satisfied.

10.184 (2) (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 - Code Amendment

The goal below supports the proposed Development Code amendments.

Goal 4: To coordinate park and recreation planning, acquisition, maintenance, and development in the City of Medford to serve a broad spectrum of citizen and institutional interests.

The associated Code amendments support clear and objective site development standards for new parks and trails. It includes criteria specific for a park development review. The site development standards are measurable and easy to administer, such as setbacks and sign allowance. The amendment is also clear that the associated uses permitted in the zone should be subordinate to parks.

Findings – Major Zone Change

Within the Parks, Recreation, and Leisure Services section of the Public Facilities Element, there is a reference to Oregon Administrative Rule (OAR) 660-034-0040 related to planning for local parks. OAR 660-034-0040(1) (b) recommends cities adopt a local park zone. The proposed new zone is consistent with this State recommendation.

Conclusions

The proposed amendments address elements of the Parks, Recreation, and Leisure Services goals in the Comprehensive Plan. The new zone is intended to promote the location of parks consistent with the State recommendation. The associated code amendments create objective standards specific to park development. This criterion is satisfied.

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

Findings – Code Amendment & Major Zone Change

The proposal was provided to applicable referral agencies and departments identified in Section 10.146 of the Code as well as the Department of Land Conservation and Development. Meetings were held with Parks and Recreation Department staff to get input on the proposal. An initial concern was brought up by the Medford Water Commission related to landscape standards. This was addressed and resolved (Exhibit I). The final draft proposed reflects all provided input.

Conclusions

The proposal was provided to applicable referral agencies and departments. Issues raised were discussed and resolved. This criterion is satisfied.

3. *Public comments.*

Findings – Code Amendment & Major Zone Change

The Planning Commission provided feedback on the proposal over the course of three study sessions. No public comments have been received to date. This staff report will be posted on the City's website which may generate public comments.

Conclusions

Input has been received from the Planning Commission. Additional comments may be provided during the hearing process. This criterion is satisfied.

4. *Applicable governmental agreements.*

Findings – Code Amendment & Major Zone Change

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

Conclusions

This criterion is not applicable to this amendment.

Applicable Criteria – Minor Comprehensive Plan Amendment

For the applicable criteria, the Medford Municipal Code Section 10.184(1) 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, 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 (Goal and Policies) shall be based on the following [criteria 1–7]:

1. *A significant change in one or more conclusion.*

Findings – Minor Comprehensive Plan Amendment

Adding two references to the new Public Parks zoning in the Comprehensive Plan does not constitute a significant change. The Public Facilities element currently states that there is no specific zoning district associated with parks. With the adoption of the new Public Parks zone, there will be a zoning type associated with such a use. Also, the General Land Use Plan element needs a similar update. It does not list a specific zoning associated with the Parks and Schools General Land Use Plan designation. Again, if the new Public Parks zone is adopted, there will be a zone associated with this designation. The updates to the Comprehensive Plan are necessary to align with the proposed new zone.

Conclusions

The proposed changes to the Comprehensive Plan are minor and do not constitute a significant change in one or more conclusion. This criterion is satisfied.

2. *Information reflecting new or previously undisclosed public needs.*

Findings – Minor Comprehensive Plan Amendment

The City has completed an Urban Growth Boundary amendment to accommodate future land need and is waiting for formal adoption by the State. The analysis done through that process and the completion of an updated Leisure Services Plan has provided information regarding the need for more parkland as the city grows into the future. Within the amended Urban Growth Boundary there are two large parks (Chrissy and Prescott Parks) that encompass over 1,800 acres of land. Under the current process, these parks will be annexed and given a single family zone. This residential classification of over 1,800 acres assumes these areas will be developed to urban densities. This is clearly not the intent of parkland. Having a Public Parks zone will allow the City to annex these large parks and give them an appropriate park zone.

Conclusions

The amendment reflects a need for a park zone to accommodate future parkland to be brought into the City as part of the recent Urban Growth Boundary amendment process. It also more accurately reflects the amount and location of these types of land uses, which helps implement the Leisure Services Plan. This criterion is met.

3. *A significant change in community attitude or priorities.*

Findings – Minor Comprehensive Plan Amendment

Parks and trails provide for more livable cities with leisure and health benefits to citizens. Adding a new zone to help identify the location of these amenities is helpful to the community. The amendments proposed include a change in the process by which parks and trails will be reviewed. This new process provides a review that is more specific to parks, which have special requirements, unlike other types of development.

The Urban Growth Boundary amendment is a top priority for the City (still pending State approval). This process has identified needed future parkland, including two large parks to be brought into the Urban Growth Boundary. As discussed in Criterion 2 above, 1,800 acres of parkland will be brought into the City. This is a driving force behind the proposed amendments as this land should be brought into the city with park zoning as opposed to residential zoning.

Conclusions

One of the main reasons for this amendment is the Urban Growth Boundary expansion project. This process revealed that over 1,800 acres of parkland will be brought into the City in the future. Annexing this land and zoning it residential is not an accurate reflection of how this land is to be used. The proposed new zone will allow this land to be given an appropriate parks zone. In addition, this new zone will reveal parks and trails on the City's zoning map, which makes these locations more transparent to the community. This criterion is met.

4. *Demonstrable inconsistency with another Plan provision.*

Findings – Minor Comprehensive Plan Amendment

There are no identified inconsistencies in the Comprehensive Plan related to the amendment.

Conclusions

As stated above, there are no identified inconsistencies in the Comprehensive Plan related to the amendment. This criterion is satisfied.

5. *Statutory changes affecting the Plan.*

Findings – Minor Comprehensive Plan Amendment

There are no known statutory changes affecting the Plan related to the amendment.

Conclusions

As stated above, there are no known statutory changes affecting the Plan related to the amendment. This criterion is met.

6. *All applicable Statewide Planning Goals.*

Goal 1—Citizen Involvement

Findings – Minor Comprehensive Plan Amendment

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process, including participation in the quasi-judicial revision of the Comprehensive Plan. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes public review of proposed Comprehensive Plan amendments by the Planning Commission and City Council.

Conclusions

By following the standard notification and comment procedure, the City provided adequate opportunities for citizen input. Goal 1 is satisfied.

Goal 2— Land-use Planning

Findings – Minor Comprehensive Plan Amendment

The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code that comply with Goal 2. These are the bases for decisions and actions.

Conclusions

The proposed amendment adheres to the land use process identified in the City's code, which in turn complies with the Statewide Planning goal. Goal 2 is found to be satisfied.

Goal 3—Agricultural Lands does not apply in this case.

Goal 4—Forest Lands does not apply in this case.

Goal 5—Natural Resources, Scenic & Historic Areas, and Open Spaces does not apply in this case.

Goal 6—Air, Water, and Land Resources Quality does not apply in this case.

Goal 7—Areas Subject to Natural Hazards does not apply in this case.

Goal 8—Recreation Needs.

Findings – Minor Comprehensive Plan Amendment

The guidelines outlined in the statewide goal describe how to plan for recreational facilities. The new zone to be referenced in the Comprehensive Plan will promote the significance of parkland and provide additional awareness of this special type of land in the City.

Conclusions

Planning for recreational facilities is a vital part of the City's responsibilities to its citizens. This amendment is consistent with this goal as it sets forth a zone specific for these amenities. Goal 8 is found to be satisfied.

Goal 9—Economic Development does not apply in this case.

Goal 10—Housing does not apply in this case.

Goal 11—Public Facilities and Services

Findings – Minor Comprehensive Plan Amendment

Refer to findings under Goal 8 above.

Conclusions

Refer to conclusions under Goal 8 above.

Goal 12—Transportation does not apply in this case.

Goal 13—Energy Conservation does not apply in this case.

Goal 14—Urbanization does not apply in this case.

Goals 15–19 do not apply to this part of the State.

Applicable Criteria – Minor General Land Use Plan Map Amendment

For the applicable criteria the Medford Municipal Code Section 10.184(1) redirects to the criteria in the “Review and Amendments” chapter of the Comprehensive Plan. The applicable criteria in this action are those for map amendments. The criteria are set in *italics* below; findings and conclusions are in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Map Designations] shall be based on the following [criteria 1–7]:

- 1. A significant change in one or more Goal, Policy, or Implementation Strategy.*

Findings – Minor General Land Use Plan Map Amendment

There are 17 properties proposed to be changed from their current residential, commercial, or industrial designations to the Parks and Schools designation. These properties are all newly developed parks or recently acquired parkland. In the past, the Parks and Schools designation has been added to the General Land Use Plan map as new park properties are attained and developed by the City. It is now the Planning Department’s goal to add these designations through the proper land use procedure on an annual basis.

Also part of the annual addition of park properties to the Parks and Schools designation, it is an optimal time to make corrections to the General Land Use Plan map. Two corrections proposed at this time are for 2801 Merriman Drive and 1061 Dillon Way. The first one is more of an update to the Merriman property as it is no longer owned by the Medford School District and therefore needs the designation changed from Parks and Schools back to Urban Residential. This is consistent with the existing Single Family Residential – 6 dwelling units per gross acre zoning on the property. The second property on Dillon Way is zoned Light Industrial but has the Heavy Industrial General Land Use Plan map designation. This property was annexed to the City with County zoning. It was converted to the City’s Light Industrial zone in 2009 as part of the County to City Zoning Project (ZC-08-089). At that time, the City gave it the Light Industrial zone even though the General Land Use Plan map designation is Heavy Industrial. In order to fix this oversight, a change is required at this time to align the Light Industrial zoning with the correct General Industrial designation.

Conclusions

As the City obtains new parks properties, the Planning Department will go through the Minor General Land Use Plan map amendment process annually to change them to the Parks and Schools designation. The properties proposed for conversion are all newer parks or recently acquired parkland. They include Cedar Links Park, Pear Blossom Park, additions to Donahue Frohnmayer Park, and segments of Lazy and Larson Creek Trails. The other two changes are corrections needed to the General Land Use Plan map. Formalizing the process by which park properties are converted

to the Parks and Schools designation is consistent with the proper land use process. This criterion is met.

2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*

Findings – Minor General Land Use Plan Map Amendment

The proposed General Land Use Plan map amendments do not relate to unpredicted population trends, housing, or employment needs.

Conclusions

This criterion does not apply.

3. *The orderly and economic provision of key public facilities.*

Findings – Minor General Land Use Plan Map Amendment

Water, storm drainage, sewer, and transportation is available or will be made available to the existing sites under their current zoning. Trails and open spaces areas being converted are already developed as such and do not need to be served by utilities. The Public Works Department has reviewed the subject changes and have found that no additional impacts are being made to the system by the changes to the designations.

Conclusion

Sufficient facilities exist to accommodate the proposed classification change. This criterion is met.

4. *Maximum efficiency of land uses within the current urbanizable area.*

Findings – Minor General Land Use Plan Map Amendment

The subject park properties currently have General Land Use Plan map designations that do not accurately reflect the land use. The residential, commercial, and industrial designations these properties currently have does not demonstrate an efficiency of land uses. However, the Parks and Schools designation added to the park properties helps to distinguish them from the other land classes.

The property on Merriman Road is no longer being used as a school property. The Parks and Schools designation does not fit this particular site any more. The single family residential zoning clarifies that the most appropriate designation for the

property is Urban Residential. This will allow this property within the city to develop to its potential number of units, which is the most efficient use of the land.

The property on Dillon Way was part of the City's rezone project to ensure County zoned lots were given City zoning. However, the General Land Use designation of Heavy Industrial does not correspond with the Light Industrial zone. This error needs correction by the City.

Conclusions

Changing the newer park properties to the Parks and Schools General Land Use Plan map designation helps to clarify that this land is not developable in the inventory of land classes. Removing this same classification from the Merriman property, which is no longer used for school purposes, will allow it to develop to the residential densities under its current zoning. The property on Dillon Way is also a correction needed by the City. These changes promote maximum efficiency of land uses. This criterion is met.

5. *Environmental, energy, economic and social consequences.*

Findings – Minor General Land Use Plan Map Amendment

Environmental – Parks and trails provide for open space which aids in the protection of trees, riparian areas, wetlands, and other environmentally sensitive areas.

Energy – There are no discernable energy consequences related to the amendments.

Economic – There are no discernable economic consequences as a result of the proposed changes other than the property on Merriman Road. The Merriman Road property will likely develop into a multi-lot subdivision which will provide positive economic benefits for the owner and the City. The owner will be able to build/and or sell buildable lots. The City will benefit from additional housing, as well as receive additional revenue for system development charges, permits, property taxes, and utility fees.

Social – The additional changes to the General Land Use Plan map provides a more accurate description of the type of land use to occur on the properties. This designation of land is set aside for uses that benefit the public. There are no perceived social benefits to the changes to the Merriman Road or Dillon Way properties.

Conclusions

The changes proposed to the General Land Use Plan map do not have environmental or energy consequences. There are no known positive economic benefits to the amendments other than to the property on Merriman Road. The Merriman Road

property will be able to develop to Single Family Residential – 6 dwelling units per gross acre standards once the designation is changed back to Urban Residential. This will benefit the owner and the city economically. The only social impacts to the changes are positive in that the newer parks in the City will be designated as parks on the General Land Use Plan map. Parks provide aesthetic and recreational value to cities; therefore this land should have special designation. This criterion is met.

6. Compatibility of the proposed change with other elements of the City Comprehensive Plan.

Findings – Minor General Land Use Plan Map Amendment

The City's Comprehensive Plan describes the type of land under each General Land Use Plan map category. The Public Facilities Element and the General Land Use Plan Element both describe public parks under the Parks and Schools designation. Adding the newer parks to the inventory is in compliance with the Comprehensive Plan.

In regards to the privately owned properties being changed, their current General Land Use Plan designation no longer is relevant and needs to be updated. Changing the designation for the Merriman property is consistent with the Comprehensive Plan as this property is no longer used or owned by a school. The current zoning on the property (Single Family Residential – 6 dwelling units per gross acre) aligns with the Urban Residential designation, which is what is proposed with the amendment.

The property on Dillon Way is in need of correction in order to comply with the Comprehensive Plan. The Heavy Industrial designation does not correspond with the Light Industrial zoning. It is the City's responsibility to change this designation because the zoning on the property was changed in 2009 as part of the County to City Zoning Project. Changing the designation to General Industrial complies with the corresponding Light Industrial zone.

Conclusions

All of the proposed General Land Use Plan map amendments are consistent with what is prescribed in the City's Comprehensive Plan. This criterion is met.

7. All applicable Statewide Planning Goals.

The following demonstrate conformity with the applicable Statewide Planning Goals.

Goal 1—Citizen Involvement

Findings – Minor General Land Use Plan Map Amendment

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process,

including participation in the quasi-judicial revision of the Comprehensive Plan. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes public review of proposed General Land Use Plan map amendments by the Planning Commission and City Council.

Conclusions

By following the standard notification and comment procedure, the City provided adequate opportunities for citizen input. Goal 1 is satisfied.

Goal 2— Land-use Planning

Findings – Minor General Land Use Plan Map Amendment

The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code. These are the bases for decisions and actions.

Conclusions

The proposed amendment adheres to the land use process identified in the City's code, which in turn complies with the Statewide Planning goal. Goal 2 is found to be satisfied.

Goal 3—Agricultural Lands does not apply in this case.

Goal 4—Forest Lands does not apply in this case.

Goal 5—Natural Resources, Scenic & Historic Areas, and Open Spaces does not apply in this case.

Goal 6—Air, Water, and Land Resources Quality does not apply in this case.

Goal 7—Areas Subject to Natural Hazards does not apply in this case.

Goal 8—Recreation Needs

Findings- Minor General Land Use Plan Map Amendment

This goal relates to the City's responsibility for meeting the community's recreational needs today and into the future. The Leisure Services Plan within the Comprehensive Plan describes the number and types of parks and trails the City requires. The General Land Use Plan map changes to incorporate recently built parks or newly acquired parkland to the Parks and Schools designation is part of the process by which the City calculates the number of recreational acres within the City to ensure compliance with this goal.

Conclusions

The proposed changes support this goal. Goal 8 is satisfied.

Goal 9—Economic Development does not apply in this case.

Goal 10—Housing does not apply in this case.

Goal 11—Public Facilities and Services

Findings – Minor General Land Use Plan Map Amendment

Refer to findings under Goal 8 above.

Conclusions

Refer to conclusions under Goal 8 above.

Goal 12—Transportation does not apply in this case.

Goal 13—Energy Conservation does not apply in this case.

Goal 14—Urbanization does not apply in this case.

Goals 15–19 do not apply to this part of the State.

RECOMMENDED ACTION

Based upon the Findings and Conclusions that all of the approval criteria are met or are not applicable, initiate the amendment, and forward a favorable recommendation for approval of DCA-16-072, CP-17-114, and ZC-17-115 to the City Council per the staff report dated April 5, 2018, including Exhibits A through L.

EXHIBITS

- A Proposed General Land Use Plan Map
- B Proposed Zoning Map
- C Project Tax Lot Master List
- D Proposed Comprehensive Plan Changes
- E Proposed Code Amendment
- F State Owned Properties Map
- G Jackson County Owned Properties Map
- H Medford Fire Department Memo received February 7, 2018
- I Medford Water Commission Memo received February 7, 2018

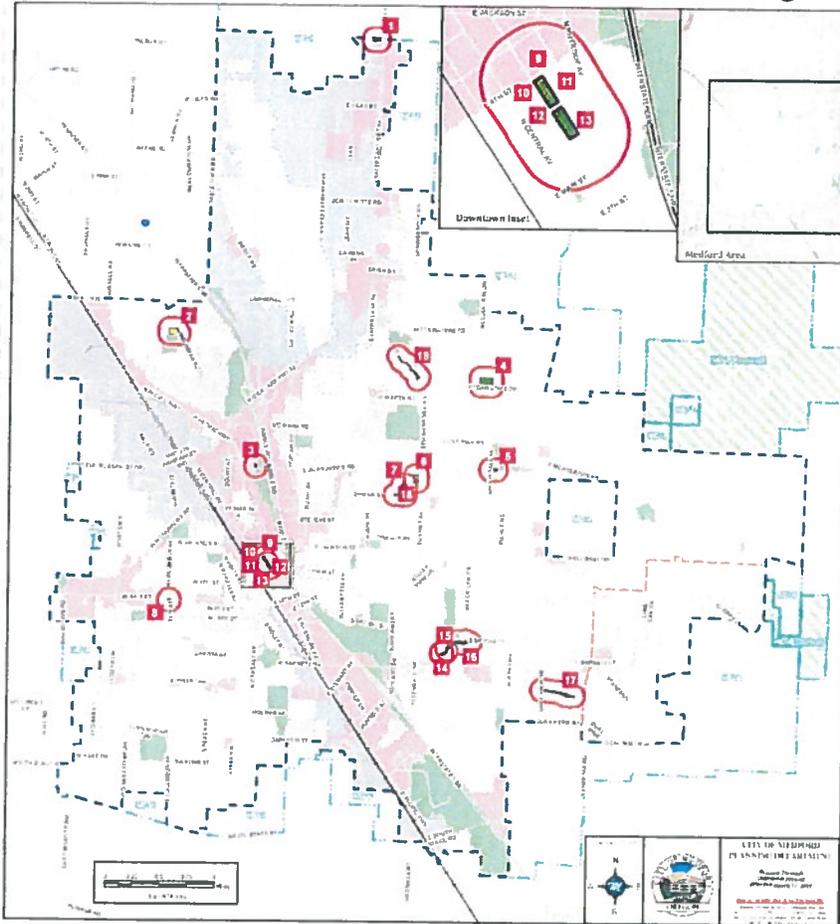
- J Planning Commission Study Session Minutes from July 25, 2016
- K Planning Commission Study Session Minutes from October 9, 2017
- L Planning Commission Study Session Minutes from January 22, 2018
Vicinity map for Merriman Road property
Vicinity map for Dillon Way property

PLANNING COMMISSION AGENDA: APRIL 12, 2018

Exhibit A

Proposed General Land Use Plan Map

DRAFT General Land Use Plan Map with Proposed Changes



LAND USE CLASSIFICATIONS

BOUNDARIES

- Urban Growth Boundary
- General Plan Area
- Urban Reserve

Proposed Changes

- Proposed GI (P) Change Location

Proposed GLUP Change

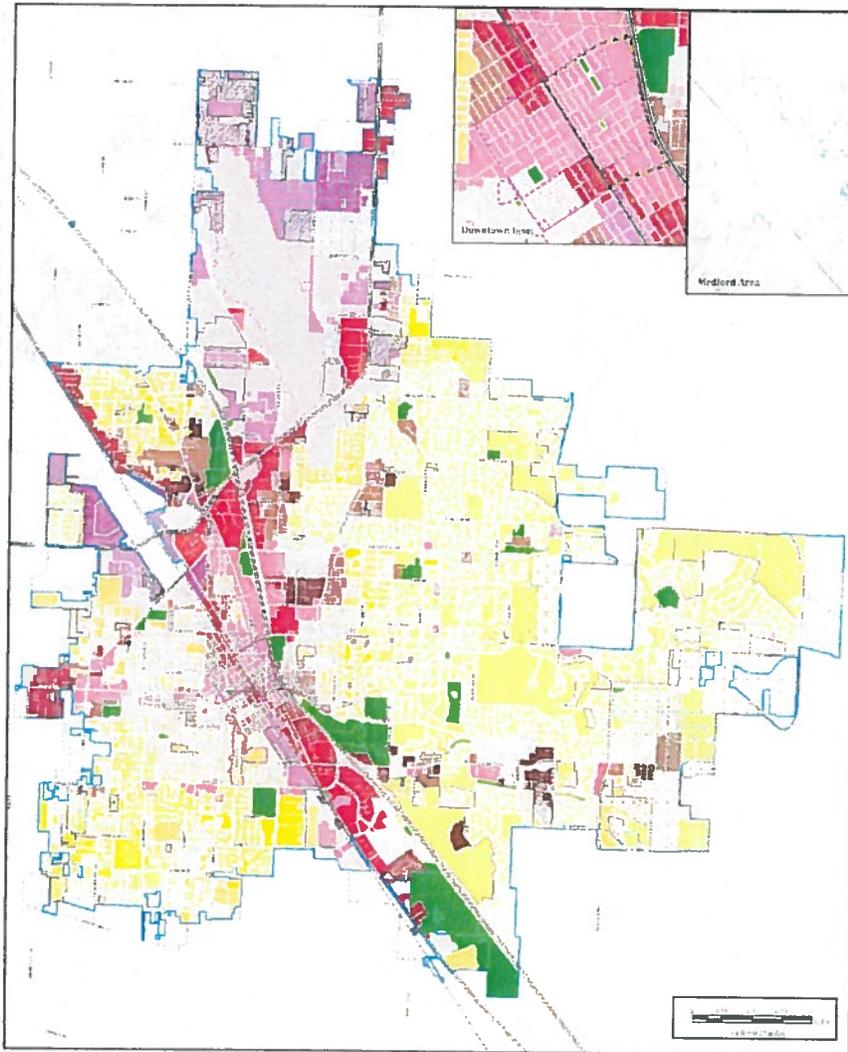
- Revises to PS
- HI to GI
- PS to UR
- Urban Reserve (P) & (A) to Future PS (GI) UP

ID	IMPACT	REVISIONS	Existing GLUP	Proposed GLUP	Description	Area
1	01-01-1-000	01-01-1-000	PS	PS	01-01-1-000	0.00
2	01-01-1-001	01-01-1-001	PS	PS	01-01-1-001	0.00
3	01-01-1-002	01-01-1-002	PS	PS	01-01-1-002	0.00
4	01-01-1-003	01-01-1-003	PS	PS	01-01-1-003	0.00
5	01-01-1-004	01-01-1-004	PS	PS	01-01-1-004	0.00
6	01-01-1-005	01-01-1-005	PS	PS	01-01-1-005	0.00
7	01-01-1-006	01-01-1-006	PS	PS	01-01-1-006	0.00
8	01-01-1-007	01-01-1-007	PS	PS	01-01-1-007	0.00
9	01-01-1-008	01-01-1-008	PS	PS	01-01-1-008	0.00
10	01-01-1-009	01-01-1-009	PS	PS	01-01-1-009	0.00
11	01-01-1-010	01-01-1-010	PS	PS	01-01-1-010	0.00
12	01-01-1-011	01-01-1-011	PS	PS	01-01-1-011	0.00
13	01-01-1-012	01-01-1-012	PS	PS	01-01-1-012	0.00
14	01-01-1-013	01-01-1-013	PS	PS	01-01-1-013	0.00
15	01-01-1-014	01-01-1-014	PS	PS	01-01-1-014	0.00
16	01-01-1-015	01-01-1-015	PS	PS	01-01-1-015	0.00
17	01-01-1-016	01-01-1-016	PS	PS	01-01-1-016	0.00
18	01-01-1-017	01-01-1-017	PS	PS	01-01-1-017	0.00
19	01-01-1-018	01-01-1-018	PS	PS	01-01-1-018	0.00
20	01-01-1-019	01-01-1-019	PS	PS	01-01-1-019	0.00

Exhibit B

Proposed Zoning Map

DRAFT ZONING MAP with Public Zoning



MEDFORD CITY ZONES Residential Multi-Family - 10 Units/Acre (MFR-10) Multi-Family - 20 Units/Acre (MFR-20) Multi-Family - 30 Units/Acre (MFR-30) Single-Family - 11 Units/Acre (SFR-11) Single-Family - 12 Units/Acre (SFR-12) Single-Family - 13 Units/Acre (SFR-13) Single-Family - 14 Units/Acre (SFR-14) Single-Family - 15 Units/Acre (SFR-15) Single-Family - 16 Units/Acre (SFR-16) Single-Family - 17 Units/Acre (SFR-17) Single-Family - 18 Units/Acre (SFR-18) Single-Family - 19 Units/Acre (SFR-19) Single-Family - 20 Units/Acre (SFR-20)		Commercial Heavy (C-H) Regional (C-R) Community (C-C) Neighborhood (C-N) Village (C-V)	Industrial Heavy (I-H) General (I-G) Light (I-L)	Public (Proposed) Public Parks (P-P)	ZONING OVERLAYS Airport Approach Airport Area Extension Airport Buffer Railway Protection Zone Central Business Medium Agriculture Transit Rural Limited Industrial Streetcar	
ADMINISTRATIVE MAPPING Target Area Downtown Parking Pool Planned Development Re-zoned Zoning						

Exhibit C

Project Tax Lot Master List

MAPLOT	Fee Owner	Existing Zone	Proposed Zone	Existing GLUP	Proposed GLUP	Description	Acres
371W198B2800	MEDFORD CITY OF	C-R	P-1	CM/PS	PS	Bear Creek Greenway McAndrews Trailhead Area	0.32
371W168C300	MEDFORD CITY	SFR-4	P-1	UR	PS	Cedar Links Park	5.42
371W208D2102	MEDFORD CITY OF	MFR-20	P-1	UH	PS	Donahue-Frohnmayr Park	2.50
371W208D800	MEDFORD PARKS & REC FOUNDATI	SFR-4	P-1	UR	PS	Donahue-Frohnmayr Park	1.34
371W208D199	CITY OF MEDFORD	SFR-4	P-1	UR	PS	Donahue-Frohnmayr Park	0.07
372W25CA1700	MEDFORD CITY OF	C-S/P	P-1	SC	PS	Elm/Main/Columbus Park	0.21
371W33A604	MEDFORD CITY OF	SFR4/10	P-1	UR	PS	Larson Creek Greenway	2.71
371W29DD5500	CITY OF MEDFORD	SFR-6	P-1	UR	PS	Lazy Creek Greenway	0.05
371W29DD400	MEDFORD CITY OF	SFR4/SFR6	P-1	UR	PS	Lazy Creek Greenway	0.51
371W29DD400	MEDFORD CITY OF	SFR-4	P-1	UR	PS	Lazy Creek Greenway	2.43
371W178D1700	CITY OF MEDFORD	MFR-20	P-1	UH	PS	Lone Pine Creek Future Greenway	1.02
371W21883000	CITY OF MEDFORD	SFR-4	P-1	UR	PS	McAndrews Greenway & Open Space	0.70
372W1388500	OWEN F B INC			PS	UR	Owen Property to UR GLUP	2.85
371W308B7500	MEDFORD URBAN RENEWAL AGENC	C-C	P-1	CC	PS	Pear Blossom Park Block 1	0.69
371W308B4900	MEDFORD URBAN RENEWAL AGENC	C-C	P-1	CC	PS	Pear Blossom Park Block 2	0.12
371W308B4800	MEDFORD URBAN RENEWAL AGENC	C-C	P-1	CC	PS	Pear Blossom Park Block 2	0.24
371W308B4700	MEDFORD URBAN RENEWAL AGENC	C-C	P-1	CC	PS	Pear Blossom Park Block 2	0.09
371W308B5000	MEDFORD URBAN RENEWAL AGENC	C-C	P-1	CC	PS	Pear Blossom Park Block 2	0.23
361W31A1800	SINGLER GRACE L TRUSTEE ET			HI	GI	Singler Property to GI GLUP	1.00
372W13DD1900	STATE OF OREGON-DEPT OF TRA	SFR-4	P-1			Adjacent to Railroad Park	0.09
372W25AD11900	MEDFORD CITY OF	C-S/P	P-1			Alba Park	1.51
372W12D8605	CITY OF MEDFORD	I-L	P-1			Bear Creek Greenway	0.32
372W13AA206	CITY OF MEDFORD	I-G	P-1			Bear Creek Greenway	0.30
372W13AA600	OREGON STATE OF	SFR-00	P-1			Bear Creek Greenway	0.41
372W13AA301	CITY OF MEDFORD	I-L	P-1			Bear Creek Greenway	0.52
372W12D8502	CITY OF MEDFORD	I-L	P-1			Bear Creek Greenway	0.66
371W198900	OREGON STATE OF	C-C	P-1			Bear Creek Greenway McAndrews Trailhead Area	3.29
371W198700	OREGON STATE OF	C-C	P-1			Bear Creek Greenway McAndrews Trailhead Area	2.70
371W198600	OREGON STATE OF	C-C	P-1			Bear Creek Greenway McAndrews Trailhead Area	3.83
371W19883000	OREGON STATE OF	C-R	P-1			Bear Creek Greenway McAndrews Trailhead Area	1.26
372W24AD8200	MEDFORD CITY OF	C-C	P-1			Bear Creek Greenway McAndrews Trailhead Area	0.53
371W198B2900	OREGON STATE OF	C-R	P-1			Bear Creek Greenway McAndrews Trailhead Area	1.82
371W30D3300	MEDFORD CITY OF	C-R	P-1			Bear Creek Little League Fields	8.68
371W30D400	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Little League Fields	16.76
371W30D88500	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	2.14
371W30D82500	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	3.83
371W30D82600	MEDFORD CITY OF	C-SP	P-1			Bear Creek Park	0.07
371W30D83001	MEDFORD CITY OF	C-SP	P-1			Bear Creek Park	0.41
371W30D82700	MEDFORD CITY OF	C-SP	P-1			Bear Creek Park	1.04
371W30D82900	MEDFORD CITY OF	C-SP	P-1			Bear Creek Park	0.14
371W30D89000	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	0.04
371W30D200	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	0.50
371W30DA13201	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	0.01
371W30DA13101	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	0.01
371W30DB2790	MEDFORD CITY OF	C-SP	P-1			Bear Creek Park	1.07
371W30D3500	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	0.58
371W29C1900	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	0.58
371W29C2000	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	23.12
371W29C4700	MEDFORD CITY OF	MFR-30	P-1			Bear Creek Park	2.40
371W29C4400	MEDFORD CITY OF	MFR-30	P-1			Bear Creek Park	1.61
371W29C4500	MEDFORD CITY OF	MFR-30	P-1			Bear Creek Park	3.39
371W29C4600	MEDFORD CITY OF	MFR-30	P-1			Bear Creek Park	3.76
371W29C4800	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	7.05
371W30D300	MEDFORD CITY OF	SFR-6	P-1			Bear Creek Park	22.20
371W32C2400	JACKSON COUNTY	SFR-00	P-1			Bear Creek Riparian Area	1.70
371W198B3300	MEDFORD CITY OF	C-R	P-1			Bear Creek Riparian Area	0.13
372W12D8401	CITY OF MEDFORD	I-G	P-1			Bear Creek Riparian Area	3.13

381W05601	JACKSON COUNTY	C-R	P-1			Bear Creek Riparian Area & Greenway	15.99
381W04C200	CITY OF MEDFORD	SFR-10	P-1			Bear Creek Riparian Area & Greenway	5.16
381W04202	JACKSON COUNTY	C-R	P-1			Bear Creek Riparian Area & Greenway	1.19
381W04C100	JACKSON COUNTY	SFR-00	P-1			Bear Creek Riparian Area & Greenway	11.28
381W04301	JACKSON COUNTY	SFR-00	P-1			Bear Creek Riparian Area & Greenway	57.82
372W13AD200	OREGON STATE OF	I-G	P-1			Bear Creek Riparian Area & Greenway	0.91
372W13AD102	CITY OF MEDFORD	I-G	P-1			Bear Creek Riparian Area & Greenway	0.63
372W24DB2200	MEDFORD CITY OF	C-H	P-1			Court and Central Triangle Park	0.30
371W20BD2101	CITY OF MEDFORD	SFR-4	P-1			Donahue-Frohnmayr Park	5.70
371W20BD2200	CITY OF MEDFORD	SFR-4	P-1			Donahue-Frohnmayr Park	4.29
n/a	Right-Of-Way	SFR-6	P-1			Earhart Park	1.58
n/a	Right-Of-Way	SFR-6	P-1			East Main Right of Way Park	0.27
371W31B101	MEDFORD CITY OF	SFR-6	P-1			Fitchner-Mainwaring Park	25.21
371W31B100	MEDFORD CITY OF	SFR-6	P-1			Fitchner-Mainwaring Park	5.45
371W30BA2100	MEDFORD CITY OF	C-S/P	P-1			Hawthorne Park	13.12
371W29DA800	MEDFORD CITY OF	SFR-4	P-1			Holmes Park	9.34
371W29AD3900	MEDFORD CITY OF	SFR-4	P-1			Holmes Park	8.71
372W13BB5801	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.24
372W13BB6400	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	1.30
372W13BC1801	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.72
372W13BB5800	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.01
372W13BB5700	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.53
372W13BB6500	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.79
372W13BB5900	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.23
372W13BC1601	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.38
372W13BC101	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	1.81
372W13BC1701	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.97
372W13BC4400	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.61
372W13BB7500	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	0.28
372W13BC4200	MEDFORD CITY OF	SFR-6	P-1			Howard School Park	1.27
371W29C1800	MEDFORD CITY OF	SFR-6	P-1			IOOF Cemetery	19.32
372W24CD9800	MEDFORD CITY OF	SFR-10	P-1			Jackson Park and Pool	0.71
372W24CD800	MEDFORD CITY OF	SFR-10	P-1			Jackson Park and Pool	7.14
371W17BA2900	CITY OF MEDFORD	SFR-4	P-1			Kennedy School Park	0.15
371W17BA2600	CITY OF MEDFORD	SFR-4	P-1			Kennedy School Park	3.26
371W17BA3401	MEDFORD CITY OF	SFR-4	P-1			Kennedy School Park	0.65
371W17BA3300	CITY OF MEDFORD	SFR-4	P-1			Kennedy School Park	3.49
371W32BA2100	MEDFORD CITY OF	SFR-10	P-1			Larson Creek Greenway	1.63
371W33B406	MEDFORD CITY OF	C-C	P-1			Lazy Creek Greenway	0.27
371W33B405	MEDFORD CITY OF	C-C/MFR-30	P-1			Lazy Creek Greenway	4.63
371W33BA4601	MEDFORD CITY OF	SFR-4	P-1			Lazy Creek Greenway	0.97
372W25CB12500	MEDFORD CITY OF	MFR-20	P-1			Lewis Park	3.69
372W26DA2000	MEDFORD CITY OF	MFR-20	P-1			Lewis Park	4.58
372W12D10301	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.35
372W12D10401	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.21
372W12D9801	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.28
372W12D9501	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.19
372W12D9601	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.14
372W12D9701	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.23
372W12D9901	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.17
372W12D10001	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.14
372W12D10101	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.25
372W12D10201	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.27
372W12D9401	MEDFORD CITY OF	I-L	P-1			Lone Pine Creek Greenway	0.43
371W21BA501	MEDFORD CITY OF	SFR-4	P-1			Lone Pine Park	4.38
372W25DA3500	MEDFORD CITY OF	C-S/P	P-1			Mayor's Fountain Park	0.26
371W21BA1300	MEDFORD CITY OF	SFR-4	P-1			McAndrews Greenway & Open Space	0.81
371W21BA503	MEDFORD CITY OF	MFR-20	P-1			McAndrews Greenway & Open Space	0.48
371W21BB2804	MEDFORD CITY OF	MFR-20	P-1			McAndrews Greenway & Open Space	3.19
371W21BA502	MEDFORD CITY OF	MFR-20	P-1			McAndrews Greenway & Open Space	2.02
371W21BA1200	MEDFORD CITY OF	SFR-4	P-1			McAndrews Greenway & Open Space	1.11

371W218B2803	MEDFORD CITY OF	MFR-20	P-1		McAndrews Greenway & Open Space	0.62
371W218A1101	MEDFORD CITY OF	MFR-20	P-1		McAndrews Greenway & Open Space	2.20
372W13DB101	MEDFORD CITY OF	SFR-4	P-1		Midway Park Area	5.55
372W13DA100	MEDFORD CITY OF	SFR-4	P-1		Midway Park Area	8.32
372W13DA300	OREGON STATE OF/DEPT TRANS	SFR-4	P-1		Midway Park Area	5.65
372W13AD303	MEDFORD CITY OF	SFR-10	P-1		Midway Park Area	3.74
372W13AD201	MEDFORD CITY OF	SFR-10	P-1		Midway Park Area	11.74
372W13AD101	MEDFORD CITY OF	SFR-10	P-1		Midway Park Area	0.46
372W13AD400	OREGON STATE OF/DEPT TRANS	I-G	P-1		Midway Park Area	1.10
371W22216	MEDFORD CITY OF	SFR-4	P-1		Oregon Hills Park	14.91
372W13DC100	MEDFORD CITY OF	MFR-20	P-1		Railroad Park	5.37
372W13DA200	MEDFORD CITY OF	SFR-4	P-1		Railroad Park	6.55
372W13DD200	MEDFORD CITY OF	SFR-4	P-1		Railroad Park	2.46
372W13DA200	AT&T WIRELESS SERVICES INC	SFR-4	P-1		Railroad Park	6.55
371W29AB9400	MEDFORD CITY OF	SFR-4	P-1		Ruhl Park	1.22
372W24CC3100	MEDFORD CITY OF	SFR-10	P-1		Santo Center	3.80
371W27BC4000	MEDFORD CITY OF	SFR-4	P-1		Summerfield Park	1.56
381W05A200	CITY OF MEDFORD	C-R	P-1		U.S. Cellular Community Park	2.64
381W04201	CITY OF MEDFORD	C-R	P-1		U.S. Cellular Community Park	3.87
381W05A100	CITY OF MEDFORD	C-R	P-1		U.S. Cellular Community Park	1.00
381W05106	CITY OF MEDFORD	C-R	P-1		U.S. Cellular Community Park	123.22
381W05107	CITY OF MEDFORD	C-R	P-1		U.S. Cellular Community Park	1.28
372W25CD10600	MEDFORD CITY OF	SFR-10	P-1		Union Park	0.27
372W25CD10700	MEDFORD CITY OF	SFR-10	P-1		Union Park	0.28
372W25CD10500	MEDFORD CITY OF	SFR-10	P-1		Union Park	1.38
371W31A1800	MEDFORD CITY OF	C-R	P-1		Veterans Park	1.94
371W30BC5500	MEDFORD CITY OF	C-C	P-1		Vogel Park	0.24

Exhibit D

Proposed Comprehensive Plan Changes

PUBLIC PARKS ZONING (DCA-16-072/CP-17-114/ZC-17-115) Comprehensive Plan Amendment

(Blue indicates proposed language / Red strikeouts indicate words to be removed)

PUBLIC FACILITIES ELEMENT

PARKS, RECREATION, AND LEISURE SERVICES

The City of Medford complies with ORS 660-034-0040(1)(a) and (b) through the adoption and implementation of a Parks and Schools designation on the *General Land Use Plan Map*, which depicts existing public parks and schools. There is no specific zoning district associated with this designation for schools. Instead, ~~parks and~~ schools are permitted conditionally in all single-family residential zones, multi-family residential zones, commercial and light industrial zones. ~~The City intends to pursue the development of objective land use and siting review criteria for parks. The corresponding zoning for parks is Public Parks (P-1).~~

GENERAL LAND USE PLAN ELEMENT

Parks and Schools This designation depicts existing and proposed public parks and schools. There is no specific zoning district associated with ~~this designation~~ schools. The zoning district associated with publicly owned parks is Public Parks (P-1).

GREENWAY GLUP MAP DESIGNATION

The General Land Use Plan designation of Greenway applies to certain stream corridors and waterways in the Southeast Plan Area, and to other locations within the Urban Growth Boundary. The designated Greenways are indicated on the General Land Use Plan (GLUP) Map. This designation denotes linear parklands, Riparian Corridors, or public or private open space, particularly those along stream corridors and waterways. The Environmental Element of the Medford *Comprehensive Plan* and the *Medford Parks, Recreation, and Leisure Services Plan* (~~1996~~ 2016, or as amended) identify the location of several existing and potential Greenways for parks, open space, habitat preservation, and recreational purposes. Based upon the *Comprehensive Medford Area Drainage Master Plan* (1996), some Greenways may require limited improvement for all-weather access by vehicles and equipment for storm drainage maintenance and storm observation. As long as the impact on the riparian area is minimized, such improvement can often include facilities for public pedestrian and bicycle circulation, fostering transportation goals simultaneously with storm water management.

Exhibit E

Proposed Code Amendment

PUBLIC PARKS ZONING AMENDMENT (Draft 4/4/18) (DCA-16-072/CP-17-114/ZC-17-115)

(Blue indicates proposed language / Red strikeouts indicate words to be removed)

ARTICLE I – GENERAL PROVISIONS

10.012 Definitions, Specific.

Public Park. An area or facility publicly owned which provides recreational opportunities for the general public. This includes future parkland as well as existing trails and paths, and mini-neighborhood, community, special use, and linear parks.

10.031 Exemptions from the Development Permit Requirement.

A. An exemption from the development permit requirement does not exempt the use or development from compliance with the applicable standards of this chapter, including but not limited to access, parking, riparian protection, and landscaping.

B. Exemptions under this section do not apply to uses subject to a conditional use permit or park development review or major modifications thereof.

ARTICLE II – PROCEDURAL REQUIREMENTS

10.102 Plan Authorizations.

A plan authorization is a specific planning and development review process which sets forth specific conditions for development consistent with the policies, standards and criteria of the Comprehensive Plan and this chapter. Plan authorizations are categorized as follows:

Class A

Comprehensive Plan Amendment, Major
Land Development Code Amendment
Zoning Map Amendment, Major

Class B

Annexation
Comprehensive Plan Amendment, Minor
Transportation Facility Development
Vacation

See Review & Amendments Chapter of the Comprehensive Plan for definitions of "major" and "minor" Class A and B authorizations.

Class C

Conditional Use Permit
Exception
Historic Review
Land Division

Planned Unit Development (PUD)
Site Plan and Architectural Review
Zoning Map Amendment, Minor (i.e., "Zone Change")
Park Development Review

10.122 Authority of the Planning Commission.

The Planning Commission is hereby designated as the approving authority for the following actions:

	Plan Authorization	Class
1.	Zone Changes, except when applied by the City concurrent with annexation	"C"
2.	Planned Unit Developments, Preliminary PUD Plan	"C"
3.	Conditional Use Permits	"C"
4.	Exceptions	"C"
5.	Land Divisions, Tentative Plats	"C"
6.	Park Development Review	"C"

10.146 Referral Agencies, Distribution.

This Chapter employs the use of referral agencies for the review of those plan authorizations indicated below, as shown on the Schedule which follows:

- A. Major Comprehensive Plan Amendment
- B. Land Development Code Amendment
- C. Minor Comprehensive Plan Amendment
- D. Annexation, except as provided in Section 10.199
- E. Vacation
- F. Zone Change, Major and Minor
- G. Conditional Use Permit
- II. Exception
- I. Planned Unit Development
- J. Land Division
- K. Site Plan and Architectural Review
- L. Transportation Facility Development
- M. Historic Review
- N. Administrative (Class D) plan authorization
- O. Park Development Review**

10.157 Notification, Publication and On-Site Posting.

(1) Publication. Unless otherwise indicated notification of all proposed actions shall be published in a newspaper of general circulation prior to the scheduled meeting date before the approving authority. The schedule of publication for each type plan authorization shall be as follows:

Plan Authorization Classification	Specific Type	Publication Schedule
A	All	No later than 10 days prior to the scheduled meeting date before the advisory agency. No later than 10 days prior to the scheduled public hearing date before the approving authority.
B	Annexation	Once each week for two successive weeks prior to the day of the hearing before the approving authority. Notice shall also be posted in four public places in the city for a like period.
B	Vacations	Once a week for two consecutive weeks prior to the date of the hearing before the approving authority. Within five days after publication of the first notice, the City Recorder shall cause to be posted at or near each end of the proposed vacation a copy of the notice which shall be headed "Notice of Street Vacation", "Notice of Plat Vacation" or "Notice of Plat and Street Vacation" as the case may be; the notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be not less than 14 days before the hearing.
B	Minor Comp. Plan Amendments [quasi-judicial], Transportation facility development	Shall be published in a newspaper of general circulation no later than 10 days prior to the scheduled meeting date before the approving authority.
C	Zone changes, Preliminary PUD plans, Conditional use permits, Exceptions, Land divisions, Park Development Review	Shall be published in a newspaper of general circulation no later than 10 days prior to the scheduled meeting date before the approving authority.
C	Site plan and architectural review, Historic review	Shall be posted in a public place no later than five days prior to the scheduled meeting date before the approving authority.
D		None

10.158 Notification, Affected Property Owners.

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

Plan Authorization Classification	Specific Types	Affected Property Owners
A		Generally not applicable to a legislative action unless it meets ORS 227.186 criteria (<i>i.e.</i> , the change effectively rezones property.)
B	Vacations	All property owners within the area of a plat vacation or all abutting property and all attached real property within 200 feet laterally and 400 feet beyond the terminus of each right-of-way to be vacated.
B	Annexations, Minor Comp. Plan Amendments (quasi-judicial), Transportation Facility Development	All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries.
C	Zone Changes, Conditional Use Permits, Exceptions, Site Plan and Architectural Review, Land Divisions, Historic Review, Park Development Review	All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries.
C	Preliminary PUD Plans	All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries. The owners of no less than seventy-five tax lots shall be notified. If seventy-five tax lots are not located within 200 feet of the exterior boundary of the PUD, the notification area shall be extended by successive 50-foot increments, until the minimum number of lots are included in the notification area. Owners of all tax lots within the extended notification area shall receive notice.
D		All owners of property within the project boundaries plus all property owners within 200 feet of the project boundaries.

10.295 Park Development Review

In order to ensure a harmonious transition between parkland and surrounding uses, a Park Development Review is required for new and expanded parks within the Public Parks zone. New or expanded trails and paths outside of a park and not within a riparian corridor are also subject to the Park Development Review. All park facilities, including paths and trails within the Public Parks zone, previously approved under a Condition Use Permit are subject to the Park Development Review process. Park Development Review is a procedural Class "C", quasi-judicial decision, with the Planning Commission as the approving authority.

The following uses are subject to a Conditional Use Permit:

1. New or expanded parks outside of the Public Parks zone
2. New or expanded trails and paths within a riparian corridor

A. Park Development Review Criteria

The approving authority (Planning Commission) shall approve a Park Development Review application if it can find the proposed park development conforms, or can be made to conform through the imposition of conditions, with all of the following criteria:

1. The proposed park or park building facility is located within the Public Park zone.
2. The proposal complies with the Leisure Services Plan of the Comprehensive Plan.
3. The proposal complies with all applicable provisions of all city ordinances or the Planning Commission has approved an exception as provided in Section 10.251.
4. The proposal addresses the mitigation of impacts as described in 10.295(B).

B. Special Conditions

In authorizing a Park Development Review approval, the Planning Commission may impose any of the following conditions to ensure compliance with the standards of the code, and to otherwise ensure the general welfare of the surrounding area and the community as a whole:

1. Modify the manner in which the park operates, including restricting the time an activity may occur, restraints to minimize noise, vibration, air pollution, glare, and odor;
2. Establish a special setback;
3. Modify the height, size, bulk, or location of a building or other structure; This can be accomplished with changes in: building orientation and articulation, surface materials, windows, doors, and other architectural features;
4. Designate the size, number, location, or nature of vehicular access points;
5. Modify the improvements within the street right-of-way;
6. Designate the size, location, screening, drainage, surfacing, or other improvement of the parking areas;
7. Designate the location, surfacing, or type of bicycle parking;
8. Limit or increase the number of vehicular and bicycle parking spaces;
9. Limit the number, size, location, height, or lighting of signs;
10. Limit the number, location, height, directional orientation, and intensity of exterior lighting;

11. Require the installation of landscaping, walls, or fences or other methods of screening and buffering; designate the size, height, location, or materials of fencing;
12. Increase or decrease the amount of landscaping on the site;
13. Protect, restore, and retain existing natural features.

C. Modifications of a Park Development Review.

1. Major Modification.

Any modification that is not a minor modification is a major modification. A request to substantially modify a Park Development Review shall be processed in the same manner as a request for a Park Development Review 10.295. The Planning Director may waive submittal requirements deemed unnecessary or inapplicable to the proposal.

2. Minor Modification.

A minor modification to an approved Park Development Review may be approved by the Planning Director provided the Planning Director determines that the modification does not constitute a major modification. The purpose of the determination is to assure that a modification does not significantly affect other property or uses; will not cause any deterioration or loss of any natural feature, nor significantly affect any public facility. A minor modification shall meet all of the following standards:

- (a) Meets all requirements of the Land Development Code and other legal requirements.
- (b) No relocation of vehicle access points and parking areas where the change will generate an impact that would adversely affect off-site or on-site traffic circulation.
- (c) No reduction or elimination of any significant natural resources (streams, creeks, landform).
- (d) Modifications to facilities and utilities conform to the adopted facility plans.
- (e) Modifications to any other components of the plan conform to standards of the Land Development Code.
- (f) New Accessory buildings are allowed that are no larger than 1,000 square feet.
- (g) New open-aired picnic shelters/canopies are allowed that are no larger than 1,500 square feet.
- (h) Paths or trails within existing parks, outside of the riparian area, are allowed.
- (i) No modification to any condition of approval.

D. Expiration of a Park Development Review.

(1) Within three (3) years following the final order date, substantial construction on the development shall be completed, or if a use, the use shall have commenced operation. If a request for an extension is filed with the planning department within three (3) years from the approval date of the final order, the approving authority (Planning Commission), may, upon written request by the applicant, grant a single extension of the expiration date for a period not to exceed two (2) years from the expiration date of the final order. An extension shall be based on findings that the facts upon which the Park Development Review was first approved have not changed to an extent sufficient to warrant refiling of the Park Development Review application.

(2) When it is the intent to complete an approved project in phases, the approving authority may authorize a time schedule for the issuance of building permits and for the commencement of phases for a period eight (8) years, but in no case shall the total time period be greater than five (8) years without having to resubmit a new application for Park Development Review.

ARTICLE III - ZONING DISTRICTS

It is the purpose of Article III to divide the City into zoning districts according to land use by type and intensity of development.

10.300 Establishment of Zoning Districts.

This Code separates the city into ~~four~~ ~~three~~ basic use classifications, ~~16~~ ~~17~~ zoning districts, nine overlay districts, and five administrative mapping categories as follows:

A. RESIDENTIAL

SFR-00	Single-Family Residential	-	(1 dwelling unit per existing lot)
SFR-2	Single-Family Residential	-	(2 dwelling units per gross acre)
SFR-4	Single-Family Residential	-	(4 dwelling units per gross acre)
SFR-6	Single-Family Residential	-	(6 dwelling units per gross acre)
SFR-10	Single-Family Residential	-	(10 dwelling units per gross acre)
MFR-15	Multiple-Family Residential	-	(15 dwelling units per gross acre)
MFR-20	Multiple-Family Residential	-	(20 dwelling units per gross acre)
MFR-30	Multiple-Family Residential	-	(30 dwelling units per gross acre)

B. COMMERCIAL

C-S/P Commercial, Service and Professional Office

C-N Commercial, Neighborhood

C-C Commercial, Community

C-R Commercial, Regional

C-H Commercial, Heavy

C. INDUSTRIAL

I-L Industrial, Light

I-G Industrial, General

I-H Industrial, Heavy

D. PUBLIC

P-1 Public Parks

~~D~~E. OVERLAY DISTRICTS

I-00 Limited Industrial

A-A Airport Approach

A-R Airport Radar

A-C Airport Area of Concern

C-B Central Business

E-A Exclusive Agriculture

F Freeway

S-E Southeast

H Historic

~~E~~F. ADMINISTRATIVE MAPPING CATEGORIES

Downtown Parking

Limited Service

P-D Planned Unit Development

R-Z Restricted Zoning

Airport Fence Line

It is the intent in establishing the above districts to implement the “General Land Use Plan Element” of the *Comprehensive Plan*, and to achieve compatibility of adjacent land uses.

10.314 Permitted Uses in Residential Land Use Classification.

The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed. (See Article I, Section 10.012, for the definition of each listed use.)

These symbols indicate the status of each listed use:

- “P” = Permitted Use.
- “C” = Conditional Use; permitted subject to approval of a Conditional Use Permit. (See Article II, Sections 10.246 - 10.250.)
- “X” = Prohibited Use .
- “s” = Special Use (See Article V, Sections 10.811- 10.900, Special Use Regulations)
- “EA” = Permitted only when within an EA (Exclusive Agriculture) overlay district.
- “PD” = Permitted Use if in a PD (Planned Unit Development).

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
6. NONRESIDENTIAL SPECIAL USES									
(a) Bed and Breakfast Inn	X	X	Cs	Cs	Cs	Ps	Ps	Ps	10.828
(b) Child Day Care Center	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.811
(c) Institutional Uses (Schools, Churches, Government Facilities—Excluding Storage or Repair Yards or Warehouses, Cemeteries, etc.)	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817
(d) Community Services Facilities (Parks, Recreation, etc.)	C	C	C	C	C	C	C	C	10.817
(e) Transit, Pedestrian, or Bicycle Facilities	P	P	P	P	P	P	P	P	10.747-810
(f) Utility Distribution Systems	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.830
(g)(i) Agriculture, Agricultural Building, Livestock, Farm	EA	EA	EA	EA	EA	EA	EA	EA	10.360-361
(g (ii) Conditional									

Agricultural-Related Activities (On-Site Farm Product Sales, Small Winery, Public/Private Events)	EA/C	10.362								
(h) Riding Stable or Paddock (Private)	EA	10.813								
(i) Temporary Contractor's Office and/or Construction Equipment Shed	Ps	10.840								
(j) Temporary Model Home	Ps	10.840								
(k) Temporary Real Estate Office	Ps	10.840								
(l) Wireless Communication Support Structure	Cs	10.824								
(m) Wireless Communication Facilities, other than Support Structure	Ps	10.824								
(n) Beekeeping	Ps	Ps	Ps	Ps	Ps	X	X	X	X	10.813(C)

10.325 Commercial, ~~and Industrial~~, and Public Land Use Classifications.

The City's commercial, ~~and industrial~~, and public land is divided into ~~nine~~ **eight (8)** ~~commercial and industrial~~ zoning districts as follows:

- (1) Service Commercial and Professional Office C-S/P
- (2) Neighborhood Commercial C-N
- (3) Community Commercial C-C
- (4) Heavy Commercial C-H
- (5) Regional Commercial C-R
- (6) Light Industrial I-L
- (7) General Industrial I-G
- (8) Heavy Industrial I-H
- (9) **Public Parks** **P-1**

10.333 Public Parks, (P-1)

The P-1 district provides land for publicly owned open space, parkland, and trails. It is intended for city parks, recreational facilities, trails, paths, and open space publicly owned within the city.

10.334 Uses Permitted in the Public Parks Zoning District

SIC #	USE	P=Permitted Ps = Special Use C=Conditional Use Cs=Conditional Use with special regulations	Additional Regulations Land Use Type
002	Public Parks, Recreation and Leisure Facilities and Services	P	PDR
0279	Beekeeping	Ps	The special use for beekeeping corresponds with Section 10.813
431	U S Postal Service	P	SPAC
481	Wireless Communication Support Structure	Cs	The special use references for Wireless Communication Support Structure and Wireless Communication Facilities, other than Support Structure, correspond with special uses 10.824
	Wireless Communication Facilities, other than Support Structure	Ps	
491	Electric Services	Ps	The special use references correspond with Section 10.830
492	Gas Production and Distribution	Ps	
493	Combination Utility Services	Ps	
494	Water Supply	Ps	
495	Sanitary Services	Ps	
5261	Christmas Tree Sales	Ps	The special use reference for the sale of Christmas trees corresponds with Section 10.840
543	Farmers Markets	P	
5814	Eating Place With Entertainment	P	SPAC
5815	Eating Place Without Entertainment	P	SPAC
5816	Outdoor Eating	Ps	Establishments with Outdoor Eating Areas correspond with Section 10.833

SIC #	USE	P=Permitted Ps = Special Use C=Conditional Use Cs=Conditional Use with special regulations	Additional Regulations Land Use Type
5817	Temporary Food Vendor	Ps	The special use reference for temporary food vendor corresponds with Section 10.840
5818	Small Food Vendor	Ps	Special Use for Small Food Vendors correspond with Section 10.823
703	Camps and Recreational Vehicle Parks	P	PDR
792	Producers, Orchestras, Entertainers	P	SPAC
794	Commercial Sports	P	SPAC
799	Misc. Amusement, Recreational Services	P	SPAC
821	Elementary and Secondary Schools	P	SPAC
829	Schools & Educational Services, nec	P	SPAC
835	Child Day Care Services	Ps	The special use reference for child day care services corresponds with section 10.811
841	Museums and Art Galleries	P	SPAC
842	Botanical and Zoological Gardens	P	SPAC
881	Dwelling Units	Ps	The special use reference for public and industrial zones corresponds with Section 10.835
9221	Public Order and Safety (Police Stations)	P	SPAC
9224	Public Order and Safety (Fire Stations)	P	SPAC

ARTICLE V – SITE DEVELOPMENT STANDARDS

10.720 Public Parks Site Development Standards.

The following standards apply to the Public Parks and development.

PUBLIC PARKS SITE DEVELOPMENT STANDARDS	
Development Standards	Parks
Minimum and Maximum Area for Zoning (Acres)	None
Lot Area Range (Square Feet)	
Maximum Coverage Factor (See 10.706)	
Minimum Lot Width	
Minimum Lot Depth	
Minimum Lot Frontage	
Minimum Front & Street Side Yard Building Setback	10 feet, except 20 feet for vehicular entrances to garages or carports
Minimum Side & Rear Yard Building Setback	4 feet except ½ foot for each foot in building height over 20 feet
Maximum Building Height (See 10.705)	35 feet (may be up to 55 feet if approved through the Park Development Review process)
<p><i>Courts for volleyball, basketball, tennis, or other noise producing sport activity must be located 50 feet from the nearest residential property unless the approving authority determines it is unnecessary.</i></p> <p><i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i></p>	

10.746 General Design Requirements for Parking.

(3) Parking Area Planters.

It is the purpose of this subsection to create shade and visual relief for large expanses of parking.

- a. Parking areas exceeding 24 parking spaces shall contain areas of interior landscaping, such as planter islands or planter projections into the parking area, which comply with the planting schedule provided in Subsection 10.746 (3)f. and Section 10.780, Landscape and Irrigation Requirements, and as approved by the approving authority.
- b. Planters shall be dispersed throughout the parking area and contain, at minimum, the

landscaping area square footage specified in the Planting schedule of Subsection 10.746 (3)f. Square footage of each parking area planter may vary; however, each parking area planter shall meet the soil volume requirements of Subsection 10.780 G(10)a.

c. Prior to installing plant materials in parking area planters, the developer shall remove detrimental construction materials and prepare the soil within the planters in accordance with Subsection 10.780 G(9). If structural soils are necessary, areas under planned impervious surfaces surrounding planters, shall be prepared in accordance with Subsection 10.780 G(10)(a).

d. So as to not obstruct driver vision, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of three (3) feet and eight (8) feet above the top of the curb. The property owner shall maintain shrub and tree growth in planter areas to ensure shrubs are kept lower than three (3) feet and tree canopies are maintained above eight (8) feet.

e. Trees planted in parking area planters shall have a moderate to broad spreading canopy.

f. The minimum landscaped area within parking area planters and number of required plants per 24 spaces is as follows:

Parking Area Planters
Planting Schedule

<i>Zoning District</i>	<i>Plants/ per 24 Spaces</i> <i>trees/shrubs</i>		<i>Sq. Ft./ per 24 Spaces</i>
Industrial Zones	2	4	325
SFR (Nonresidential uses only), MFR zones, Commercial Zones, *Public Zones	3	6	500

*Shrub and ground cover within the parking lot planter bays in parks may be substituted with non-living ground cover if allowed by the approving authority (artificial turf not allowed).

(9) Screening. Where parking, vehicle maneuvering, or loading areas abut a public street, there shall be provided a minimum ten (10) foot wide landscaping buffer.

Within public parks, shrub and groundcover within this area may be substituted with non-living ground cover if approved by the approving authority (artificial turf not allowed).

10.780 Landscape and Irrigation Requirements.

A. Purpose.

The purpose of this section is to help ensure the aesthetic environment of the entire community, and to enhance the quality of life for all citizens.

B. General Provisions.

(1) Landscaping shall provide a variety of plant sizes, shapes, texture and color while being

horticulturally compatible and minimizing irrigation reliance, thus conserving the public water supply.

(2) Landscaping shall be maintained in good health by the property owner in conformance with approved landscaping plans and shall not be reduced in area or number.

(3) Noncompliance with this section or approved plans is a violation of the Medford Land Development Code and is subject to a maximum fine of \$250 per day.

C. Applicability.

(1) The provisions of this section are applicable to all landscaping areas within commercial, industrial, institutional, or multiple-family developments and open space/landscaping tracts within all subdivisions, including single family residential.

a. Except as provided in subsection 10.780 C.(1)b., provisions of this section are not applicable to:

1. Single-family lots.
2. Duplex lots.
3. Individual townhome lots.
4. Public Parks
5. Future development sites, unless irrigated landscaping is placed thereon.
When irrigated landscaping is provided upon a future development site, all provisions of this section shall apply.

b. Covenants, Conditions and Restrictions (CC&Rs) recorded for private regulation of any development or subdivision, regardless of development type or zoning district, shall not establish any restriction inhibiting the use of water-conserving landscaping design, or require the installation of high water use landscape elements, as defined herein, upon property governed by the CC&Rs.

10.797 Street Frontage Landscaping Requirements.

A. This section establishes the minimum landscaping requirements along all street frontages outside of the public right-of-way. Plans submitted to comply with this section shall be approved by the approving authority.

(1) For land divisions with houses that do not face an arterial street, an arterial street frontage landscape plan shall be submitted showing a vertical separation feature that is a minimum of eight (8) feet in height. The separation feature shall create a solid visual screen. A fence or wall shall be engineered to stand straight. The separation feature shall be reduced in height where otherwise required in a front or side yard or clear vision triangle. The Planning Commission may allow adjustments to the above requirement in response to topography.

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

(3) Existing plant materials which meet the requirements of this code may be counted as contributing to the total landscaping required by this section. Interstate 5 and other highway frontages shall be treated the same as city street frontage.

(4) The following table specifies the type and number of plants required by this section.

Table 797-1. Frontage Landscaping—Materials and Quantities

<u>Zoning District</u>	<u>Number of plants required per 100 feet of street frontage less driveways</u>	
	Trees	Shrubs
SFR (nonresidential uses), MFR, C-N, C-S/P, C-C, C-R, C-H, P-1	4	25
I-L, I-G, I-H	3	15

Frontage landscaping shall not be required for areas in public parks that do not have buildings within 20 feet from the adjacent right-of-way unless the approving authority determines it is necessary to buffer specific park activities.

10.813 Agricultural Services and Animal Services

C. Beekeeping.

The City recognizes the many benefits of bees including pollination services and useable products such as honey and wax. The keeping of bees is permitted in the single-family residential districts, **and the commercial, and industrial districts, and the public parks districts** in the city limits subject to the following standards:

10.824 Wireless Communication Facilities.

B. Permitted Use.

Wireless Communication Facilities that do not include a Wireless Communication Support Structure are permitted in all commercial, **and industrial zones, and public parks zones** and on parcels that contain legally established nonresidential uses within the SFR and MFR zones, subject to the design standards in Section 10.824(D). Only concealed wireless communication facilities are allowed within a Historic (H) Overlay District or on parcels containing a use or structure on the National Historic Register, subject to approval of the Historic Commission per Section 10.406; and on parcels containing a residential use, subject to the design standards in Section 10.824(D).

10.833 Restaurants - Outdoor Eating Areas.

Outdoor eating areas shall be allowed for restaurants in all commercial, **and industrial, and public parks** zoning districts subject to the following:

- (1) Compliance with all other provisions of this Chapter.
- (2) Historic Review or Site Plan and Architectural Review as applicable and approval when the outdoor eating area includes seating for more than 15 patrons.
- (3) Where adjacent or abutting a residential zone, outdoor activity shall only be allowed between the hours of 8:00 a.m. and 9:00 p.m.

10.835 Residence for Caretaker or Watchman.

One single-family residence for a caretaker, owner, operator, manager, or security guard is allowed for any industrial ~~use~~ or public parks use for purposes of security and protection of the principle use.

10.840 Temporary Uses and Structures.

(3) Temporary Mobile Vendors.

a. Temporary Food Vendors (Outdoor).

1. Application Requirements.

- i. A business license pursuant to Chapter 8 shall be required.
- ii. In addition to the requirements of Chapter 8, the applicant shall submit a site plan drawn to scale indicating the following:
 - (a) Dimensions of the temporary food vendor unit.
 - (b) Location of the temporary food vendor unit on the site.
 - (c) Paved vehicular access, including driveway location(s).
 - (d) Off-street vehicular parking spaces.
 - (e) A trash receptacle located within ten (10) feet of the temporary food vendor unit.
 - (f) Dimensions of the area to be occupied by the temporary food vendor unit, including any table(s), seating, and other exterior items, if applicable; and
 - (g) Location of utility connections, if any.

2. Standards.

i. Locational and Size Standards.

- (a) Temporary food vendors are permitted in the following zoning districts: C-S/P, C-N, C-C, C-H, C-R, I-L, ~~and~~ I-G, and P-1.
 - (b) When within both the Central Business (C-B) and Historic Preservation (H) Overlays:
 - (1) The exterior length and width, when multiplied, shall be no more than 128 square feet, including any slide-outs, and excluding trailer tongue and bumper.
 - (2) Outdoor equipment, such as tables and chairs, shall not be permitted.
 - (c) In all other zones:
 - (1) The exterior length and width, when multiplied, shall be no more than 170 square feet, including any slide-outs, and excluding trailer tongue, and bumper.
 - (2) An additional 170 square feet is allowed for outdoor equipment.
 - (d) On City-owned property and right-of-way, temporary food vendor units shall obtain a permit pursuant to Chapter 2, and are exempt from the standards of 10.840(D)(3).
 - (e) At an Event of Public Interest, temporary food vendors per 10.840(D)(1) are exempt from the standards of 10.840(D)(3).
- ii. General Standards.**
- (a) If the temporary food vendor unit is located on or adjacent to a privately-owned walkway, the minimum remaining unobstructed walkway width shall be

- five (5) feet.
 - (b) All food must be in a ready-to-eat condition when sold.
 - (c) Required parking spaces or access to required parking spaces shall not be displaced or obstructed.
 - (d) The temporary food vendor unit shall be located outside any required setbacks.
 - (e) Attached awnings are permitted if smaller than the size of the temporary food vendor unit.
 - (f) The temporary food vendor unit and all outdoor equipment shall be located on an improved surface.
 - (g) Temporary food vendors shall comply with the Fire Department's Outdoor Food Vendor Safety Checklist.
 - (h) Any utility connections require a building permit from the Building Safety Department.
- b. Temporary Medical Services (Human or Animal) Vendors and Temporary Nonprofit Vendors (Outdoor).
- 1. Application Requirements.
 - i. A business license pursuant to Chapter 8 shall be required.
 - ii. In addition to the business license requirements of Chapter 8, the applicant shall submit a site plan drawn to scale, indicating the following:
 - (a) Dimensions of the temporary vendor unit.
 - (b) Location of temporary vendor unit on the site.
 - (c) Paved vehicular access, including driveway location(s).
 - (d) Off street vehicular parking spaces.
 - (e) Location of utility connections, if any.
 - 2. Standards.
 - i. Locational and Size Standards:
 - (a) Temporary vendors shall be permitted in the following zoning districts: C-S P, C-N, C-C, C-H, C-R, I-L, ~~and I-G~~, and P-1.
 - (b) When within both the Central Business (C-B) and Historic Preservation (H) Overlays, the exterior length and width of the temporary vendor unit, when multiplied, shall be no more than 128 square feet, including any slide-outs, and excluding trailer tongue and bumper.
 - (c) In all other zoning districts, the exterior length and width of the temporary vendor unit, when multiplied, shall be no more than 300 square feet, including any slide-outs, and excluding trailer tongue and bumper.
 - ii. General Standards.
 - (a) If the temporary vendor unit is located on or adjacent to a privately-owned walkway, the minimum remaining unobstructed walkway width shall be five (5) feet.
 - (b) The temporary vendor unit shall be located on an improved surface.
 - (c) Required parking spaces or access to required parking spaces shall not be displaced or obstructed.
 - (d) The temporary vendor unit shall be located outside any required setbacks.
 - (e) Attached awnings are permitted if smaller than the size of the

temporary vendor unit.

(f) Outdoor equipment such as tables and chairs shall not be permitted.

(g) Any utility connections require a building permit from the Building Safety Department.

ARTICLE VI - SIGNAGE

10.1022 Exceptions to Permit Requirements.

The provisions of Article VI shall not apply to:

(1) Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, and signs of a non-commercial nature required by public laws, ordinances or statutes.

(2) Signs on a truck, bus, car, boat, trailer or other motorized vehicle and equipment provided all the following conditions are adhered to:

(a) Primary purpose of such vehicle or equipment is not the display of signs.

(b) Signs are painted upon or applied directly to an integral part of the vehicle or equipment.

(c) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of a business/or use.

(d) Vehicles and equipment are not used as static displays, advertising a product or service, for more than two (2) days in any location, nor utilized as storage, shelter or distribution points for commercial products or services for the general public.

(e) During periods of inactivity exceeding five work days, such vehicle/equipment is not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and the on-premise storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.

(3) Signs on Temporary Portable Storage Containers permitted through Section 10.840.D(6), provided all of the following conditions are adhered to:

(a) The primary purpose of such vehicle or equipment is not the display of signs.

(b) Signs are painted upon or applied directly to an integral part of the vehicle or equipment (the "sign" is a regular part of the portable storage container). Hanging banners, roof signs and/or attached sign structures are not allowed.

(c) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of a business/or use. (This section (3) effective through June 30, 2015.)

(4) Signs not exceeding three (3) square feet in area located in a commercial or industrial zone not to exceed four (4) signs for each business frontage.

(5) Signs not exceeding six (6) square feet in area and an overall height of six (6) feet in the Single-Family Residential Zoning Districts - (SFR 2, 4, 6, 10), ~~and~~ the Multiple-Family Residential Districts - (MFR 15, MFR 20, MFR 30), **and the Public Parks Zoning District - (P-1)**, not to exceed two (2) signs per parcel.

(6) National and State flags. National and state flags shall be flown and displayed in a manner whereby they are not construed as attraction-gaining devices to advertise a product or use, or in a manner to otherwise draw attention of the traveling public to an establishment or sales office.

Such displays shall conform to the criteria established in House Document 209 of the 91st Session

of Congress.

(7) Signs Located in the Interior of any Building. Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings, which are designed and located to be viewed by patrons only. Such signs may be illuminated and are not subject to the provisions of this chapter.

(8) Change of face. Where an existing sign is modified by change of message or design on the sign face, without any change to size or shape of the sign framework or structure. In Historic Preservation Overlay Zoning Districts, only the message may be changed without Historic Review.

(9) Window Signs. Signs located in windows, if they are mounted or painted upon the inside of windows within all commercial or industrial zoning districts.

(10) These types of Temporary Signs, which are in addition to any of the signs in subsections 1-8 above:

(a) Holiday Displays. Decorations or displays celebrating the occasion of traditionally accepted patriotic or religious holidays.

(b) Real Estate Signs. Signs erected on private property for the period of time that a site or structure is for sale, lease or rent. In all residential zones such signs shall be limited to six (6) square feet in area and a maximum height of six (6) feet. In all commercial and industrial zones such signs shall be limited to thirty-two (32) square feet in area. Temporary real estate signs shall be limited to one (1) sign per frontage.

(c) Political Campaign Signs. Signs erected on private property no earlier than eight (8) weeks prior to any federal, state or local election and removed no later than seven (7) days after the applicable election. In all residential zones such signs shall be limited to six (6) square feet in area and a maximum height of six (6) feet per sign. In all commercial and industrial zones such signs shall be limited to thirty-two (32) square feet in area per sign.

(d) Signs not exceeding 32 square feet in area located in public parks advertising events. Such signs are limited to no more than one sign per street frontage.

(e) All other Temporary or Portable Signs require a permit.

10.1150 Signs in the Public Parks (P-1) Zoning District: Basic Regulations.

Signs shall be permitted only as follows in the P-1 zoning district:

(1) Ground Signs: Each parcel is permitted one (1) ground sign per vehicular entrance on a street, subject to the following limitations:

(a) Maximum Square Footage: 60 square feet per sign

(b) Maximum Height: 5 feet

(c) Minimum Setback: 15 feet from any property line

(d) Exempt: Ground signs within public parks and recreational facilities that are placed and located so as not to be viewed from the street are exempt from these provisions.

(e) Electronic Message Signs are permitted as a ground sign subject to the following limitations:

(i) Each parcel of land is permitted one (1) electronic message sign if the sign is 150 feet or farther from any residential zoning district. An electronic message sign located less than 150 feet from any lot in a residential zoning district shall require the approval of a Conditional Use Permit. Such sign must meet the other provisions of this section.

- ~~1-~~ (ii) All text displayed on an electronic message sign must be static for a minimum of five seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.
- ~~2-~~ (iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.
- (iv) The conversion of an existing, conforming ground sign to an electronic message sign is permitted.
- (v) The conversion of an existing, nonconforming ground sign to an electronic message sign is prohibited.

(2) Wall Signs:

- (a) Maximum Square Footage: 60 square feet per sign
- (b) Maximum Height: No part of any wall sign shall be higher than the building height as defined in Section 10.705.
- (c) Exempt: Wall signs within public parks and facilities which are placed and located so as not be viewed from the street are exempt from these provisions.

(3) Electronic Message Signs: Electronic message signs are permitted as a wall sign subject to the following limitations:

- (i) Each parcel of land is permitted one (1) electronic message sign if the sign is 150 feet or farther from any residential zoning district. An electronic message sign located less than 150 feet from any lot in a residential zoning district shall require the approval of a Conditional Use Permit. Such sign must meet the other provisions of this section.
- ~~3-~~ (ii) All text displayed on an electronic message sign must be static for a minimum of five seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.
- ~~4-~~ (iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.
- (iv) The conversion of an existing, conforming wall sign to an electronic message sign is permitted.
- (v) The conversion of an existing, nonconforming wall sign to an electronic message sign is prohibited.

10.1160 Public-Parks District (P-1): Additional Special Signs.

Additional Special Signs shall be permitted as follows:

(1) Freeway Signs:

- (a) Freeway signs shall be permitted only on parcels or portions thereof that are located within the Freeway Overlay District per Section 10.365, and as shown on the official zoning map of the City of Medford.
- (b) One (1) sign not exceeding 250 square feet in area and 50 feet in height shall be permitted on a parcel located within the Freeway Overlay District. Each parcel is also permitted one (1) sign not exceeding 150 square feet in area and 20 feet in height. Such signs are permitted in lieu of all ground signs permitted in the underlying zoning district, as listed under the Basic Regulations.

- (2) Construction Sign: One non-illuminated sign may be installed on each construction site after a building permit has been obtained for a construction project, and must be removed not later than

two years after issuance of the building permit or upon completion of the project, whichever occurs sooner. The sign shall not exceed 50 square feet in area, and 14 feet in height.

(3) Temporary Sign: One temporary sign on each street frontage is allowed. Display period is limited to 30 days and is renewable upon application, but shall not exceed four (4) permits in one (1) calendar year. The area of each temporary sign shall not exceed 32 square feet. No part of any sign shall be higher than the building height as defined in Section 10.705.

Exhibit F

State Owned Properties Map

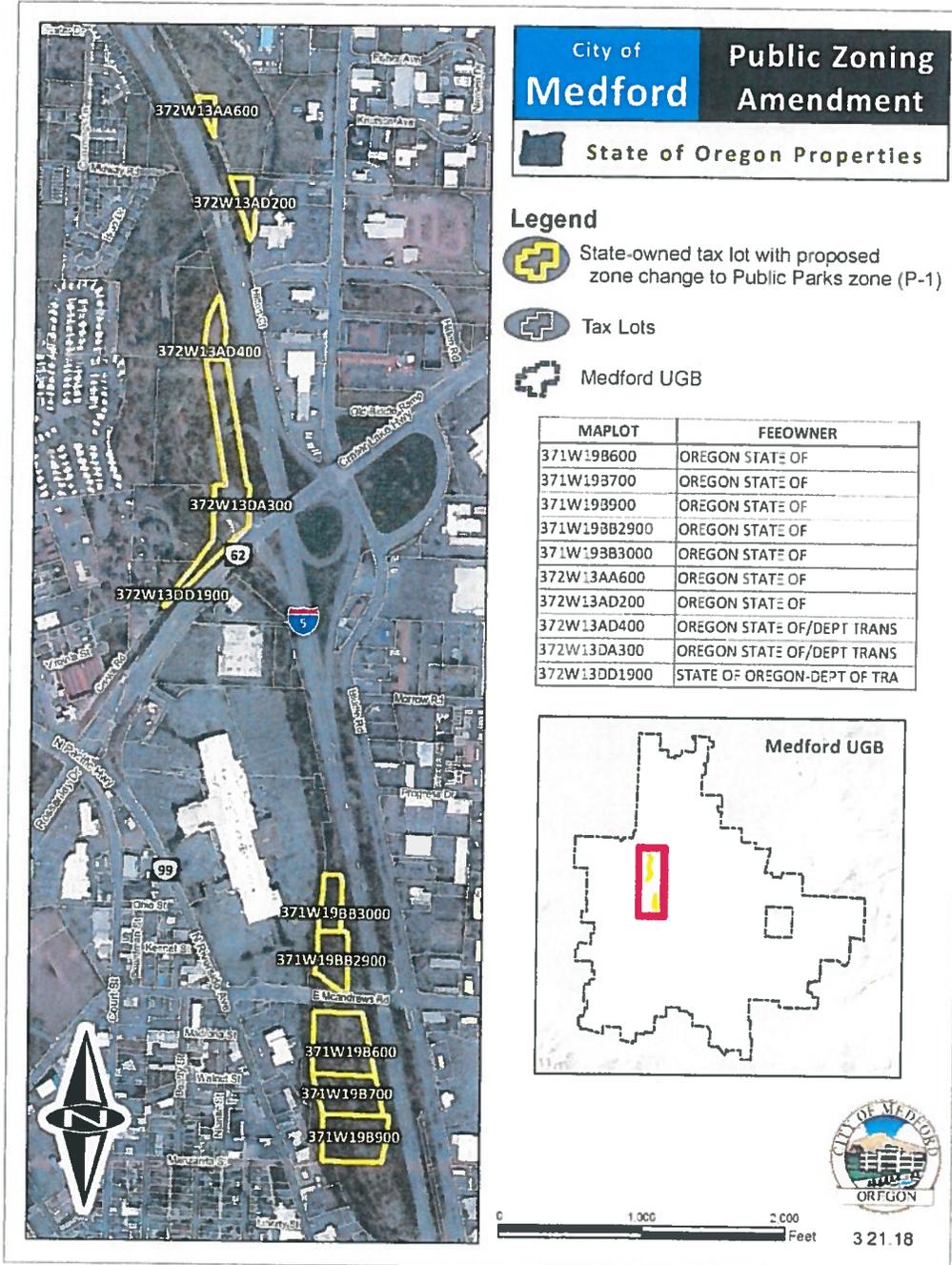


Exhibit G

Jackson County Owned Properties Map

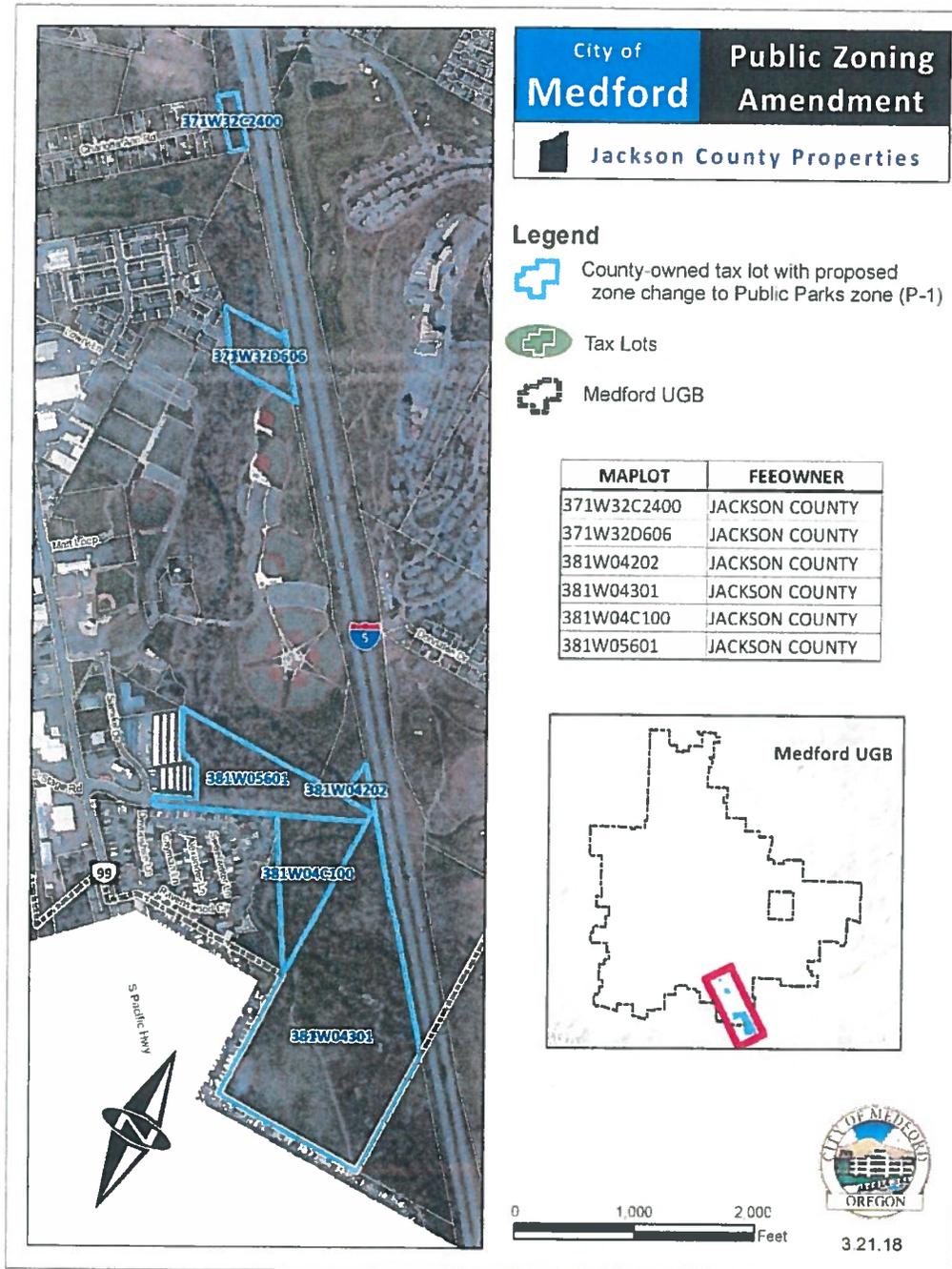


Exhibit H

Medford Fire Department Memo



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 02/07/2018

From: Fire Marshal Kleinberg

Report Prepared: 02/02/2018

File #: DCA - 17 - 72

Associated File #'s: CP - 17 - 114

ZC - 17 - 115

Site Name/Description:

A legislative amendment and major zone change to convert public park properties to proposed Public Parks zone. Comprehensive Plan Amendment to update two elements to reflect new Public Parks zone. General Land Use Plan Map amendment to change: 1) newer parks to the Parks and Schools designation, 2) 2801 Merriman Road from Parks and Schools to Urban Residential, and 3) 1061 Dillion Way from Heavy Industrial to General Industrial. Proposal also includes a Development Code Amendment to add regulations related to the Public Parks zone. Applicant, City of Medford, Planner, Sarah Sousa.

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.
Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.
Specific fire protection systems may be required in accordance with the Oregon Fire Code.
This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.
Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

Exhibit I

Medford Water Commission Memo



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

FROM: David Searcy Medford Water Commission Conservation Coordinator

SUBJECT: DCA-16-072/CP-17-114/ZC-17-115

PROJECT: A legislative amendment and major zone change to convert public park properties to proposed Public Parks zone. Comprehensive Plan Amendment to update two elements to reflect new Public Parks zone. General Land Use Plan Map amendment to change: 1) newer parks to the Parks and School designation, 2) 2801 Merriman Road from Parks and Schools to Urban Residential, and 3) 1061 Dillon Way from Heavy Industrial to General Industrial. Proposal also includes a Development Code Amendment to add regulations related to the Public Parks zone.

DATE: February 7, 2018

I have reviewed the above project application as requested. Comments are as follows:.

COMMENTS

Medford Water Commission (MWC) had initial concerns regarding Public Parks being exempted from Landscape and Irrigation Requirement code 10.780. However in a meeting with personnel of both Parks and Planning departments, MWC has been assured that the Parks Department internal planning governance to developing new areas is in line with the Landscape and Irrigation Requirement code.

Exhibit J

Planning Commission Study Session Minutes July 25, 2016



Planning Commission

Minutes

From Study Session on July 25, 2016

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

Commissioners Present

Patrick Miranda, Chair
David McFadden, Vice Chair
Tim D'Alessandro
Joe Foley
Bill Mansfield
Mark McKechnie
Jared Pulver

Commissioners Absent

David Culbertson, Excused Absence

Staff Present

Jim Huber, Planning Director
Bianca Petrou, Assistant Planning Director
Kelly Akin, Principal Planner
Kevin McConnell, Deputy City Attorney
John Adam, Principal Planner
Chris Olivier, GIS Coordinator
Sarah Sousa, Planner IV

Subject:

1. DCA-16-072 Public Zoning District Amendment

John Adam, Principal Planner, stated that this is just an early start and wanted feedback regarding the amendment.

Jim Huber, Planning Director, announced that this is Bianca Petrou, Assistant Planning Director, last meeting. She is retiring and her last day is Friday, July 29, 2016.

Sarah Sousa, Planner IV, reported that the public zoning district amendment will distinguish government facilities, schools and parks from all other zoning districts. The proposal will add two new zoning districts: 1) Public Government Facilities; and 2) Public Parks and Open Space.

The land that is being considered is owned and operated the federal, state and local governments. Included in the public zones are government offices, courthouses, fire and police stations, libraries, public schools, public parks, public open space (greenway), colleges and universities, utility facilities over 2 acres in area and the Rogue Valley International – Medford Airport. The public zones will not include public right-of-way, churches, fraternal orders, charter / private schools, utility sites less than 2 acres and special housing (Access / Housing Authority of Jackson County).

Some of the benefits are to identify on zoning map the location of government facilities, schools and parks and help differentiate these areas from the inventory of residential, commercial, and industrial land for city reporting purposes.

Planning Commission Study Session Minutes

July 25, 2016

In addition as staff moves forward they will be working with the Parks Department, Jackson County, Rogue Valley International – Medford Airport staff, utilities and others.

Other Code Sections will need to be revised and there will be a Comprehensive Plan amendment.

Staff used the model from the City of Bend schools and parks. Elementary and middle schools are permitted outright and high schools are conditional. Public parks are permitted outright and ball fields, sport complexes, and similar outdoor recreational that have night lighting or amplified sound systems are conditional.

This item will come back to the Planning Commission in another study session as a more complete package.

Commissioner McKechnie suggested clarifying as to whether or not all public parks are permitted outright and all ball fields, sport complexes, and similar outdoor recreational whether or not they have night lighting or amplified sound systems are conditional.

Mr. Adam stated that at this point the discussion is more centered on if there is zoning in place for parks does it need a conditional use permit or is the zoning enough that someday it will be developed as a park. The Parks Department does a lot of outreach beforehand. They invite neighbors to open houses and discuss what they are planning. Does the Planning Commission want two levels of a park, one with a playground and several ball fields that have no night lighting that would be a permitted use that goes through Site Plan and Architectural plan review, and then the ones that have lighting could be the conditional use permit? That is the differentiation that staff is asking their opinion on.

Commissioner Foley asked if the high schools were driven by the same thing? Mr. Adam replied yes.

Commissioner Mansfield stated that procedurally he assumes that if this goes into effect staff will need to do a zone change. Is that correct? Mr. Adam replied yes that staff would need to do zone change procedures.

Commissioner Pulver asked how do you determine the new zoning is consistent with the General Land Use Plan map? Mr. Adam stated they would define it that way. Define it as being anything that is commercial or residential can have public zoning when you define the parameters of the zoning.

The better way to think about this is the General Land Use Plan map is the future land use map. It does not necessarily reflect what is currently on the ground. The zoning map has the opportunity to have a more up-to-date and showing what is currently on the ground. That is as malleable and changeable as the ownership of the properties.

Planning Commission Study Session Minutes

July 25, 2016

Commissioner McKechnie stated that it would be the same thing as now. Whatever the zoning is now stays until an effort is made to change it. Is that correct? Mr. Adam stated that staff is proposing that the City undertakes the mass rezoning.

Vice Chair McFadden had concerns with the minimum and maximum area for zoning except two acres for utilities such as electrical substations or pump stations. It should also include reservoirs. Is the 2 acres minimum and what is the maximum? Private or public is not specified. Utility services are permitted in the government facilities but in the open space it is not. Actually open space is a place utilities often would want to go. He recommends that not being allowed in the open space be changed to permitted.

Mr. Adam stated the 2 acres is a minimum and there is no maximum. It depends on the size of the facility.

Commissioner Mansfield stated there is an Oregon statute that allows public utilities the right to use public street right-of-ways.

Commissioner Pulver needs help in understanding the true benefits of the amendment.

Mr. Adam reported that he is accustomed to seeing this in several other communities. He saw some benefits to it. It is his opinion that the undertaking is what gives everyone hesitation. It is the initial plunge but once it is on the map there is benefit to the public to be able to look at the map and tell where public utilities, parks etc. are located.

Commissioner Pulver commented that he does not think there are a lot of people spending time look at the zoning map. He is not opposed to the park designation with very limited uses associated with them. He struggles with the public facilities.

Commissioner Foley is concerned that there are no restrictions what you can do on the government property. If they own it they can do whatever permitted that may not be advantageous to the neighboring properties. The open space is good. Is the open space a quiet open space or a lot of activity i.e. ballfields, soccer fields etc.?

Chair Miranda stated that the designator on that is whether or not the facility is accessed during normal business or daylight hours or is it after hours where there will be lighting and sound for concerts and after school activities.

Chair Miranda reported that Mr. Adam mentioned that this would be an additional designation. For instance in residential there are multiple urban residential designations. This would be an additional designation that would be allowed in the residential districts? Mr. Adam replied yes and in commercial and industrial.

Commissioner McKechnie suggested making the 2 acre minimum to 1 acre minimum.

Planning Commission Study Session Minutes

July 25, 2016

Kelly Akin, Principal Planner, reported that where she came from government uses were permitted in any zoning district. It was a conditional use. Being able to site facilities wherever they are needed is a benefit to the community overall. As far as changing uses schools are conditional. The more problematic is what happens with surplus property that is now private.

Ms. Akin asked when talking about the open space is it just public open space or as we do the expansion areas the urban reserves will the 100 and 200 buffer yards also be designated as open space? Mr. Adam stated that they have talked about including them in the open space because they are not publically held but for a public purpose; the buffering. There might be some instances where they are publically held. They might be outlawed considering their size and the depth of them. They can be quite substantial. He is not sure if they are going there with them.

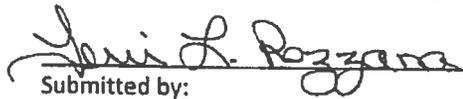
Staff is determined to get the parks zoning designation if nothing else at the end of the process.

Commissioner Pulver stated that the next time this comes to the Planning Commission he would like to see more dialogue in the table.

Mr. Huber reported that the findings for the Urban Growth Boundary will be before the City Council in a study session on Thursday, July 28, 2016. The City hired an attorney, Jeff Condit, to help review the findings. He will also be present at the study session. Assuming the City Council is content with the findings it will go be City Council at their public hearing on Thursday, August 18, 2016, for the adoption. After that it is submitted to the County.

Chair Miranda thanked Ms. Petrou for all her services and help she has given the Planning Commission. He has enjoyed working with her and hoped she enjoys her retirement.

The meeting was adjourned at 12:56 p.m.



Submitted by:
Terri L. Rozzana
Recording Secretary

Exhibit K

Planning Commission Study Session Minutes October 9, 2017



Planning Commission

Minutes

From Study Session on **October 9, 2017**

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
Jared Pulver

Staff Present

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

Commissioner Absent

Patrick Miranda, Chair, Unexcused Absence
E. J. McManus, Excused Absence
Alex Poythress, Excused Absence

Subject:

20.1 GF-17-122 Wholesale Marijuana In Community Commercial Zoning District
Kelly Akin, Assistant Planning Director, stated that there is now a poultry ordinance. It allows six hens in the City of Medford. Peacocks, ostrich, emu and turkeys are not allowed.

Ms. Akin reported that staff received a request from James Scott, who is present today, owner of Oregon Grown Cannabis in Medford at the end of August. Oregon Grown Cannabis operates on the south side of Stewart Avenue, located near Columbus Avenue. Fire Station 2 was recently completed next door. Mr. Scott is requesting a code amendment to allow the wholesale trade of marijuana in the Community Commercial (C-C) zoning district.

As currently written, wholesale trade of marijuana is not permitted in the C-C zoning district. In October 2015, the code was amended to include marijuana related uses including production, processing, wholesale, laboratory and dispensaries. Special use regulations were also adopted outlining specific conditions related to marijuana uses. In December 2016, the code was amended to permit retail sales of marijuana in specific zoning districts. The code was amended again in May of this year to allow marijuana production and the manufacture of sugar and confectionary products in the C-H zone.

Wholesale trade of non-durable goods is not permitted in the C-C zone district. When marijuana uses were first introduced into the code it was considered equal to tomatoes and classified the various related uses accordingly. In this case, staff used classes 512

Planning Commission Study Session Minutes

October 9, 2017

(Drugs, Proprietaries, and Sundries), 516 (Chemicals and Allied Products), and 519 (Miscellaneous Nondurable Goods) as a basis to determine the appropriate location of marijuana related uses. These are not allowed in the C-C zone district.

In researching other cities, Ashland does not allow wholesale uses in the commercial zones but does in the industrial zones. Central Point allows retail sales but staff could not find information on wholesale uses. Roseburg allows wholesale uses in their industrial zones.

The policy staff has been working under related to citizen requests. The policy states that the Commission will initiate no more than two citizen requested text amendments in a calendar year. The Planning Commission has already done that. Also, staff's focus is on the Urban Growth Boundary expansion project. Based on those two factors, staff is recommending that this amendment not be initiated. Staff will place this item on the Thursday, November 14, 2017 agenda for the Planning Commission's decision.

The Thursday, October 12, 2017, Planning Commission meeting has been cancelled due to no business. There are no business items for Thursday, October 26, 2017, Planning Commission so that meeting may be cancelled.

Commissioner Pulver asked, when this comes before the Planning Commission, is it for the Planning Commission to direct staff to research this or to process it because the Commission thinks it has validity? Ms. Akin stated that if the Planning Commission initiates this it is important enough to add it into staff's workload.

Commissioner McKechnie asked Mr. Scott, what is the difference between retail and wholesale? Mr. Scott reported that the retail sells to the consumer. The only reason he is requesting this is that he constructed an FDA approved bank vault which is considered wholesale storage inside this dispensary. There is one camera to the OLCC designated to one rack in the vault. Wholesale is that he sells for farms. There would be no more traffic than what is there now.

Commissioner McKechnie asked, does a farm bring Mr. Scott cannabis in bulk and then Mr. Scott sells that cannabis bulk to other cannabis stores? Mr. Scott replied yes.

Mr. Scott asked, is there a variance allowed on his location? Ms. Akin reported no. Under the code he cannot apply for a variance to the use tables.

20.2 DCA-16-072 / CP-17-114 / ZC-17-115 Public Zoning Amendment

Sarah Sousa, Planner IV, reported that in July of 2016 there was a study session on public zoning. At that time, staff proposed two public zones that included zoning for parks, schools, government facilities, utilities, and the airport. The Planning Commission agreed that there was no need to rezone government buildings as uses are already

Planning Commission Study Session Minutes

October 9, 2017

allowed in commercial zones. Same is true for the airport, the uses are allowed outright in the light industrial zone. Also, the Commission could not see any real purpose in rezoning utilities. Staff generally agreed with those conclusions.

Staff scaled that back and is now proposing one new zoning district, the Public Parks Zone. This zone would only be applied to publically owned park properties and trails in Medford.

This would distinguish parks from other zoning districts. The current zoning map of Medford shows a lot of yellow residential zoning and red/pink commercial zoning. It will be more transparent to the public as to where the parks are in Medford. There is a General Land Use Plan Map (GLUP) designation for parks but not a matching zone. There is a GLUP designation for residential, commercial and industrial with corresponding zoning. Having a parks zone will be consistent with handling the other designations.

Having a parks zone is also helpful for reporting purposes and help to further refine the types of land in Medford. Two large parks will eventually be brought in with the proposed Urban Growth Boundary. Chrissy and Prescott Parks are over 1800 acres and it does not seem appropriate to annex them to the City and give them residential zoning.

Vice Chair McFadden asked, would putting them in the parks zone drop them out of the calculations for City density? Ms. Akin stated it drops them out of the buildable lands inventory.

The project includes four land use actions:

1. General Land Use Plan Map Amendment
 - Add the Parks Designation to newer parks in the system
 - Change the designation on two other properties
2. Major Zone Change
 - Convert park properties to Public Parks Zone
3. Development Code Amendment
 - Add new zoning with site development standards and permitted uses
4. Comprehensive Plan Amendment
 - Add description of Parks zone

Moving forward, staff will continue to work with the Parks Department, refine the Land Development Code amendments and present to the Planning Commission and City Council by the end of this year or early next year.

Staff would like the Planning Commission to consider whether continue reviewing parks as conditional use permits or through another type of review. It could be through the

Planning Commission Study Session Minutes

October 9, 2017

Planning Commission or the Site Plan and Architectural Commission. Currently, parks require a conditional use permit in the residential and commercial zones. The Parks zoning will imply that parks are the permitted use in the zone. Staff wants to maintain a higher level of review for parks with more active recreation, amplified noise, and field lighting. With existing parking getting updated and smaller parks getting developed, would an administrative review or director's decision be more appropriate for those situations?

Commissioner Foley does not think it is a bad idea in general. A conditional use permit for the smaller parks is a pain. His concern is some of the permitted uses. It is his opinion they are over extensive. There are too many permitted uses in the park that would require no review. Ms. Sousa reported that should have been clarified more. It would still require a Site Plan and Architectural Commission review. It is distinguishing between conditional and permitted.

Commissioner McKechnie stated that developing a school or government building it is not a park it is a building. It should not be categorized as a park if it is publicly owned. To him a park is an open space with play equipment. The uses do not fit.

Bill Mansfield reported that conditional use permits cost the tax payer's money to process. Isn't that a time honored system of letting the local folks that could be affected come in and say their peace? It seems to him that if these are set out in standards there may be situations that are detrimental to neighboring properties. Carla Paladino, Principal Planner, stated that under the parks zoning and if the Parks Department wanted to build a standard park, they would submit a staff report with a site plan, and the uses are already permitted, neighbors would be notified and then it would go to the director for approval. There would not be a hearing but there would still be an opportunity for comments from the public.

Vice Chair McFadden stated that parks are terrible neighbors. He feels more comfortable with the conditional use permit version than just the code.

Commissioner McKechnie reported that parks are not usually developed in an existing neighborhood. The park land is designated long before something else is built around it.

Ms. Sousa stated that the Parks Department does have neighborhood meetings when they are developing parks.

Commissioner McKechnie asked, regarding Cedar Links, was there a requirement to develop a park when the golf course was created? Ms. Akin reported no. The Parks Department acquired that property as the original developers were losing the property.

Planning Commission Study Session Minutes

October 9, 2017

Commissioner McKechnie stated that if there was a development with a park component that would get deeded to the City. The zone change would require a public hearing.

Vice Chair McFadden responded that later there would be developmental conditions.

Commissioner McKechnie added that if they wanted to add a basketball court or lights then that would require public comment.

Staff had discussed how to initiate the changes. As the Parks Department acquires park land in the future those lands would need to be changed. Would that require the Parks Department to submit an application or would the Planning Department annually inquire of the Parks Department what land have they acquired in the past year. Then staff could do an annual GLUP and zone change combination that would come before the Planning Commission. Making it more of a routine. Staff could write in the standard that they would notify neighbors within 250 feet of the property that is being converted.

Commissioner McKechnie thinks it would be easier for the Planning Commission every time the Parks Department acquired park land for them to submit an application.

Commissioner Pulver does not think this is the solution for the problem. He thinks there are other ways to designate where a park is other than creating a zone.

Commissioner Culbertson asked, why did the property on Merriman and Mason get switched to urban residential? Ms. Sousa reported that the school district no longer owns that property so it will be changed from parks and schools back to urban residential. A developer purchased the property.

Ms. Paladino heard from a few of the Commissioners that they are not sure about staff creating a park zone. Is that the consensus of the rest of the Commissioners?

Commissioner Foley, Commissioner McKechnie and Commissioner Culbertson thinks it makes sense to have a park zone.

Commissioner Pulver thinks it is inappropriate for one person to make the decision. Parks are one thing in one's head and another in reality. Saying all parks are the same is wrong. They are not. One may get noticed and write a letter to complain but it is different than having one's voice heard. That is part of the reasons this body exists. He disagrees with this zone. Ms. Paladino stated that is the process piece and staff can work on that piece.

Commissioner Foley asked, is Commissioner Pulver's concerns other than not wanting to add another complexity to it, if there was the right criteria so that there was review if

Planning Commission Study Session Minutes

October 9, 2017

something weird was happening, would that work? Commissioner Pulver replied, sure. Why are we going down this path to being with? It is supposed to lessen the work load but it seems like a lot of work to create something, in his mind, that does not need to be created in the first place.

The issue for Commissioner McKechnie came up when they had schools. Every time the school wanted to do something they had to go through a conditional use permit process which was a lot of time and money on their part for something that seemed reasonable and obvious. He thinks that is the impotence of this.

Commissioner Mansfield brought out the point about getting hearings for the people and Ms. Sousa make a good point that the Planning Director will do so but Commissioner Pulver thinks it should come before the Planning Commission.

Commissioner Culbertson thinks everything bears merit. Why can't the burdensome applications that come for something as simple as adding a swing set to a park be a desk decision? Why do paperwork and take up time to pull somebody off something? Maybe it comes as a small application for a partition that will be rubber stamped because it fits the box that the land use planning has created. If it is well within inside the bounds of the box and no one can punch a hole in the box even if a neighbor did not like it, it should be desk approved. There is no reason to take up the Planning Commission's time.

Commissioner McKechnie reported that the first decision is appealable.

Ms. Akin stated that appeals only go before the City Council.

Ms. Akins observation is that they do not often hear testimony for new parks but almost always hear testimony when changing a park. When they want to add something or revise something they hear from the neighbors.

30. Adjournment

The meeting was adjourned at 12:56 p.m.



Submitted by:

Terri L. Rozzana

Recording Secretary

Exhibit L

Planning Commission Study Session Minutes January 22, 2018



Planning Commission

Minutes

From Study Session on January 22, 2018

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

Commissioners Present

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

Staff Present

Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Sarah Sousa, Planner IV

Commissioners Absent

Patrick Miranda, Chair, Excused Absence
E. J. McManus, Unexcused Absence
Alex Poythress, Unexcused Absence
Jared Pulver, Excused Absence

Subject:

20.1 ZC-17-115 / DCA-16-072 / CP-17-114 – Public Parks Zoning District Amendment
Sarah Sousa, Planner IV, stated that the Planning Department is proposing to add a new zoning district, the Public Parks Zone, to the City of Medford. The Public Parks zone would be applied to publicly owned and park properties and trails in the City of Medford.

The purpose of the proposal is to distinguish parks from the other zoning districts; corresponding zone to the General Land Use Plan designation, reporting purposes and zone parks that are annexed with a Parks Zone.

There are two large parks within the proposed Urban Growth Boundary. Chrissy and Prescott Parks encompass approximately 1,800 acres. Having a Public Parks zone will allow these properties to be annexed and zoned as parks rather than residential land.

Today is the third study session on this topic. In July of 2016 was the first study session that staff proposed multiple public zones. Feedback from the Commission was not favorable on creating multiple public zones.

The second Planning Commission study session was October 2017. Staff proposed Planning Director level review for smaller parks. Feedback from the Commission was mixed but not necessarily favorable to the idea. Staff has removed that option.

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The current proposal is to have new parks reviewed under a new land use application. It would be similar to a Conditional Use Permit. It would be a Class "C" plan authorization with a public hearing before the Planning Commission. Revisions to parks originally approved under a conditional use permit would go back through a conditional use process. Trails would also go through a conditional use process.

Uses permitted in this new zone would have to be accessory to a park. Since the last time the Planning Commission reviewed this draft staff as added site development standards such as:

- Vehicular and Bicycle parking
- Special setback for noise producing sports courts (such as basketball courts) to residential properties
- Clarified which landscaping standards apply to parks

The next steps would be that it goes to the Planning Commission public hearing on February 22, 2018; City Council study session on March 8, 2018; and City Council public hearing on April 5, 2018.

For consideration of Park development review criteria:

- The proposed park or park building facility is located within the Public Park zone.
- The proposal complies with setbacks, lot coverage, off-street parking, signage, lighting, concealment of HVAC and trash, block length, landscaping (parking area planters, parking lot screening, and frontage landscaping) and other site development standards of the Code.
- The proposal applies with all other applicable provisions of all city ordinances or the Planning Commission has approved an exception as provided in Section 10.251.

Commissioner Foley asked, why run the existing parks through the conditional use process? Eric Mitton, Deputy City Attorney, had a concern with an existing conditional use permit that allows certain conditions that is permitted in the new Parks zone may have inadvertent consistencies in terms of the old conditional use permit becoming a nonconforming use with the current zoning and both existing in tandem. Legally it could be done either way. It is a matter of preference. Whether it is easier administratively for the existing conditional use permit to keep amending or convert them getting rid of the conditional use permit and it is not existing as a prior nonconforming use. At that point they are part of the new amendment and follows those rules.

Commissioner McKechnie thinks where all the conditional use permits are amended to be consistent or nonconforming. The hardest thing to administer is something that has been grandfathered.

Commissioner Mansfield thinks that some of the permitted uses are strange like Christmas tree sales, live crab sales and gas production. Vice Chair McFadden

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commented that the gas company has had facilities in City parks. Commissioner McKechnie reported that the Farmer's Market is held in a public park.

Commissioner McKechnie asked, what happens with the "Ps"? Ms. Sousa reported that if the "P" has a little "s" it is referenced in another code section.

There was discussion on beekeeping as a permitted use. The Parks Department would have to approve beekeeping in a public park.

Mr. Mitton stated that the Parks Department has the ultimate discretion to say no to any use regarding public parks. It is a permitted use as a zoning issue. If a property owner wants to put a permitted use they have to go through the process.

Commissioner Culbertson suggested language in the new amendment that states the Parks Department has discretion with backing.

Commissioner McKechnie's opinion is that that the 150 feet setback for basketball courts. Is unreasonably restrictive. 10 feet should be enough.

Vice Chair McFadden asked, what if a person takes an empty lot and turns it into a park. Does there need to be control on residential parcels of property used as a park but is not a City park? Ms. Sousa stated they would need a conditional use permit.

Commissioner Culbertson asked, when the State reviews the Urban Growth Boundary amendment properties that will be allowed for annexation, any of the lands dealing with the parks or the possibility of Chrissy or Prescott parks, take way from the lands the City said were the first lands to take a look at? Ms. Paladino reported that Chrissy and Prescott parks are part of the amendment. That is another roughly 1,800 acres that is allocated for parks.

Commissioner Mansfield stated that the permitted use for camps and recreational vehicle parks he is not opposed to but the City of Ashland is engaged in a battle with the homeless people. The City of Ashland prohibits the parking of recreational vehicles in parks to prevent homeless people parking there at night. He wonders if the City of Medford wants to recreate that kind of prohibition or not.

Does the Commission like the idea of the park development review and getting away from the conditional use permit allowing the Commission to review the site plan portion? The consensus of the Planning Commission was in favor.

Commissioner McKechnie commented that there is always on-street parking for parks. The City, as a rule, does not count on-street parking. Maybe they should start doing that.

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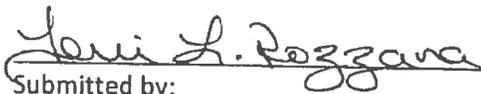
Commissioner Foley asked, what about bicycle parking? These are good goals to have but not necessarily right. Ms. Sousa stated that the Planning Commission would have the authority to apply the parking standard.

Commissioner Foley asked, is this tied to the Parks recommendation? Ms. Sousa reported this is from the Leisure Services Plan. She believes they will be in agreement. Staff will find out.

The Planning Commission is comfortable with where staff is going with this amendment.

30. Adjournment

The meeting was adjourned at 12:47 p.m.

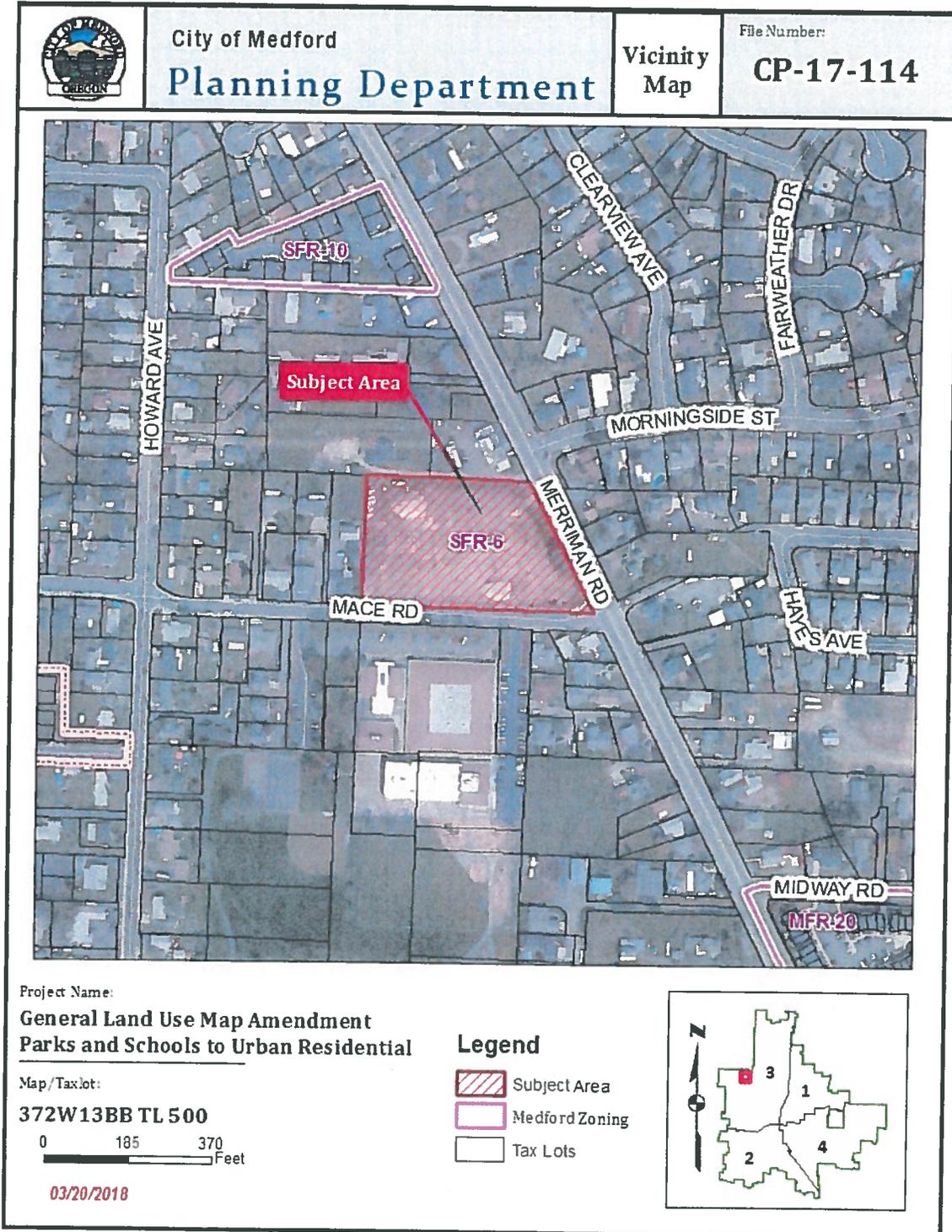


Submitted by:

Terri L. Rozzana

Recording Secretary

Vicinity Map for Merriman Road Property



Vicinity Map for Dillon Way Property

