Planning Commission Agenda April 23, 2020

MEDFORD
OREGON

Commission Members

David Culbertson

Joe Foley

David Jordan

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Jared Pulver

Jeff Thomas

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

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA

MEDFORD OREGON

April 23, 2020
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

Virtual Meeting information
To comply with Governor Brown's stay at home order, public hearings will be conducted via the internet. WRITTEN COMMENTS ARE STRONGLY ENCOURAGED. To join Webinar: https://zoom.us/j/544465115, Meeting ID: 544-465-115. For telephone: US: +1 669 900 6833 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782.

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).

20.1 CUP-18-148 Consideration of request for a one-year time extension of the approval of a Conditional Use Permit to allow storm water facilities within the Riparian Corridor of Lone Pine Creek, located approximately 300 feet from the intersection of Delta Waters Road and Crater Lake Highway (HWY 62) 1884-1862 Delta Waters Road (371W18AA TL 1200-1400). Applicant: Delta Waters Lenders; Agent; Bill Philp; Planner: Liz Conner.

30. Approval or Correction of the Minutes from March 12, 2020 hearing.

40. Oral Requests and Communications from the Audience
COMMENTS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

50. Public Hearings
COMMENTS ARE LIMITED TO A TOTAL OF 10 MINUTES FOR APPLICANTS AND/OR THEIR REPRESENTATIVES. YOU MAY REQUEST A 5-MINUTE REBUTTAL TIME. ALL OTHERS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

Continuance Request

50.1 PUD-20-032 / LDS-20-100 Consideration of a revised tentative plat and PUD Plan for the Springbrook Park Planned Unit Development in order to create nine additional lots at the southeast corner of the site. The subject site is contained within an approximate 1.50 acres of a 19.6-acre tract of land, and is located along Springbrook Road north of Owen Drive within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) zoning districts. Applicant, Springbrook Park, LLC. Agent, Steven Swartsley; Planner, Dustin Severs. **The applicant requests this item be continued to the Thursday, May 14, 2020, Planning Commission meeting.**

Old Business

50.2 LDS-20-025 Consideration of tentative plat approval for the Saddle Ridge Subdivision – Phase 4 & 5, a proposed 45-lot residential subdivision on two, contiguous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion. The property is located east of Cherry lane, north of Hillcrest Road, and is transected by Roxy Ann

Road; and is within the SFR-2 (Single-Family Residential, two dwelling units per gross acre) and SFR-00 (Single-Family Residential, one dwelling unit per lot) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping overlay (371W23DA1500 & 371W23101); Applicant, Michael Mahar; Agent, Neathamer Surveying, Inc.; Planner, Dustin Severs.

50.3 LDP-20-016 / ZC-20-017 Consideration of a request for tentative plat approval of a three lot land partition of a single parcel totaling 0.53 acres, including a request for a change of zone from SFR-4 (Single Family Residential, four dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre). The property is located at 2939 Bailey Avenue approximately 300 feet south of Delta Waters Road in the SFR-4 Zoning district (371W16BB TL 15800); Applicant, Richard Krebs; Agent, Scott Sinner Consulting Inc.; Planner, Liz Conner.

50.4 UP-19-003 Consideration of a Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for approximately 29.72 acres of property located at the northwest corner of South Stage Road and Kings Highway (Planning Unit MD-7c) (382W01AD1000 and 382W01D100); Applicants, KDA Homes LLC, Lazaro Ayala and Mark Knox; Agent, Scott Sinner, Scott Sinner Consulting Inc.; Planner, Carla Angeli Paladino, Principal Planner.

New Business

50.5 LDS-20-046 Consideration of tentative plat approval for Buettner Place, a proposed 4-lot residential subdivision on a single 0.84-acre parcel located at 1375 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35AD 800); Applicant, Barbara Buettner; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

50.6 LDS-20-050 / E-20-051 Consideration of tentative plat approval for a six-lot subdivision and an Exception pertaining to minimum lot frontage standards on one parcel of land, 22.38 acres in size, located at the northern terminus of McLoughlin Drive and the eastern terminus of Ford Drive within the SFR-6 (Single-Family Residential, 4 to 6 dwelling units per gross acre) and SFR-10 (Single-Family Residential, 6 to 10 dwelling units per gross acre) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping Overlay (371W081103); Applicant, Delta Waters Properties LLC; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

50.7 DCA-18-112 An amendment to Chapter 10 of the Medford Municipal Code to add standards for shared use paths. Applicant, City of Medford; Planner, Sarah Sousa.

60. Reports

60.1 Site Plan and Architectural Commission
60.2 Transportation Commission
60.3 Planning Department

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment

STAFF REPORT – EXTENSION OF TIME

Project	Delta Waters Self Storage Applicant: Delta Waters Lenders, LLC; Agent: Bill Philp	
File no.	CUP-18-148	
To	Planning Commission	*for 04/23/2020 hearing*
From	Liz Conner, CFM Planner II	
Date	April 16, 2020	

Request

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

Background

The Planning Commission adopted the Final Order granting approval of the project on February 14, 2019. The applicant is requesting an extension of time as allowed under Medford Land Development Code (MLDC) Section 10.184(F).

Project Review

Per MLDC Section 10.184(F), extensions shall be based on findings that the facts upon which the application was first approved have not changed to an extent sufficient to warrant refiling of the application. It can be found that neither the circumstances of approval nor applicable site development standards have changed to a degree that warrants refiling of the application. This is the only extension allowed under the Medford Land Development Code.

Recommended Action

Approve the one-year time extension to February 14, 2021 for CUP-18-148 per the Staff Report dated April 16, 2020.

Exhibits

A Letter requesting extension received January 27, 2020
B Approved site plan
Vicinity Map

Kelly Evans

From: Planning Department <planning@cityofmedford.org>
Sent: Monday, January 27, 2020 10:16 AM
To: Kelly Evans
Subject: FW: AC 18-147 (see attachment)
Attachments: Notice of Site Plan and Architectural Commission Action.PDF

From: Legal Department
Sent: Monday, January 27, 2020 8:32 AM
To: Eric B. Mitton <Eric.Mitton@cityofmedford.org>
Cc: Planning Department <planning@cityofmedford.org>
Subject: FW: AC 18-147 (see attachment)

Eric –

Can you respond to Mr. Huycke?

Kimberly Boutiette | Legal Secretary
City of Medford | Legal Department
411 W. 8th Street, Medford, OR 97501
Ph: 541-774-2020

From: Patrick Huycke [mailto:pathuycke@gmail.com]
Sent: Saturday, January 25, 2020 11:22 AM
To: Legal Department <legal@cityofmedford.org>; Planning Department <planning@cityofmedford.org>
Subject: AC 18-147 (see attachment)

<EXTERNAL EMAIL **Be cautious with links and attachments>**

Hello:

I apologize if this is duplicative of an email I sent earlier today, but I could not find the earlier email in my Sent box.

I would like to extend the land use approval for one year. I looked in the Code for an ordinance on extension requests or a reference to a form to use for this purpose, but I could not find either.

Please either: a) respond and indicate that the approval is extended for the additional year; or b) advise me of the proper procedure for requesting the extension.

Please communicate with me in this regard at your early convenience.

Thanks.

Delta Waters Lenders, LLC
By: Pat Huycke

EXHIBIT A CITY OF MEDFORD

EXHIBIT B
CITY OF MEDFORD

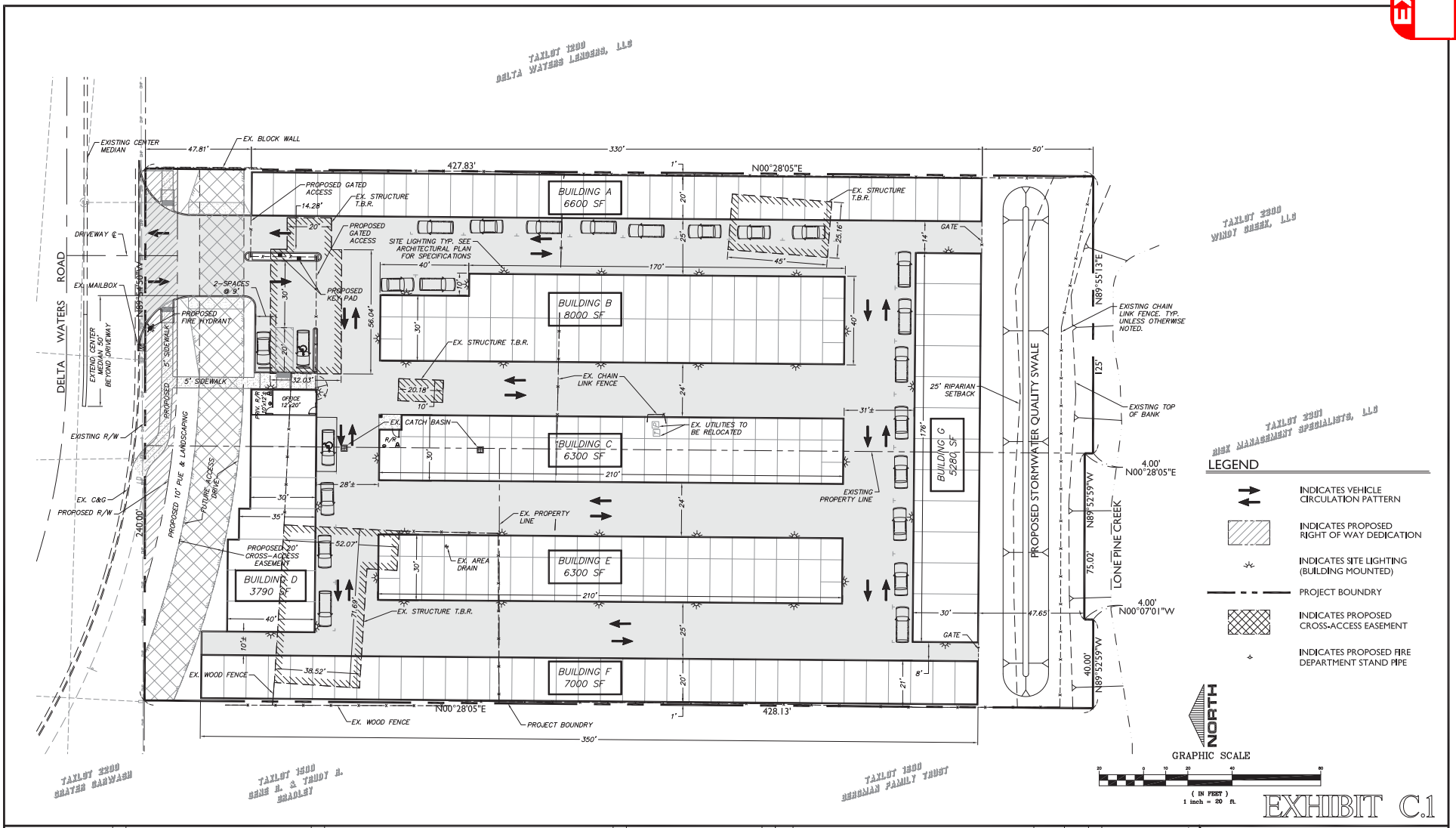


EXHIBIT C.1

CALL 48 HOURS BEFORE YOU DIG

CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 · MEDFORD, OREGON 97501
PH. (541) 779-5268

DRAWN BY: BRO	DATE: 02/18
CHECKED BY: MWK	DATE: 02/18
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

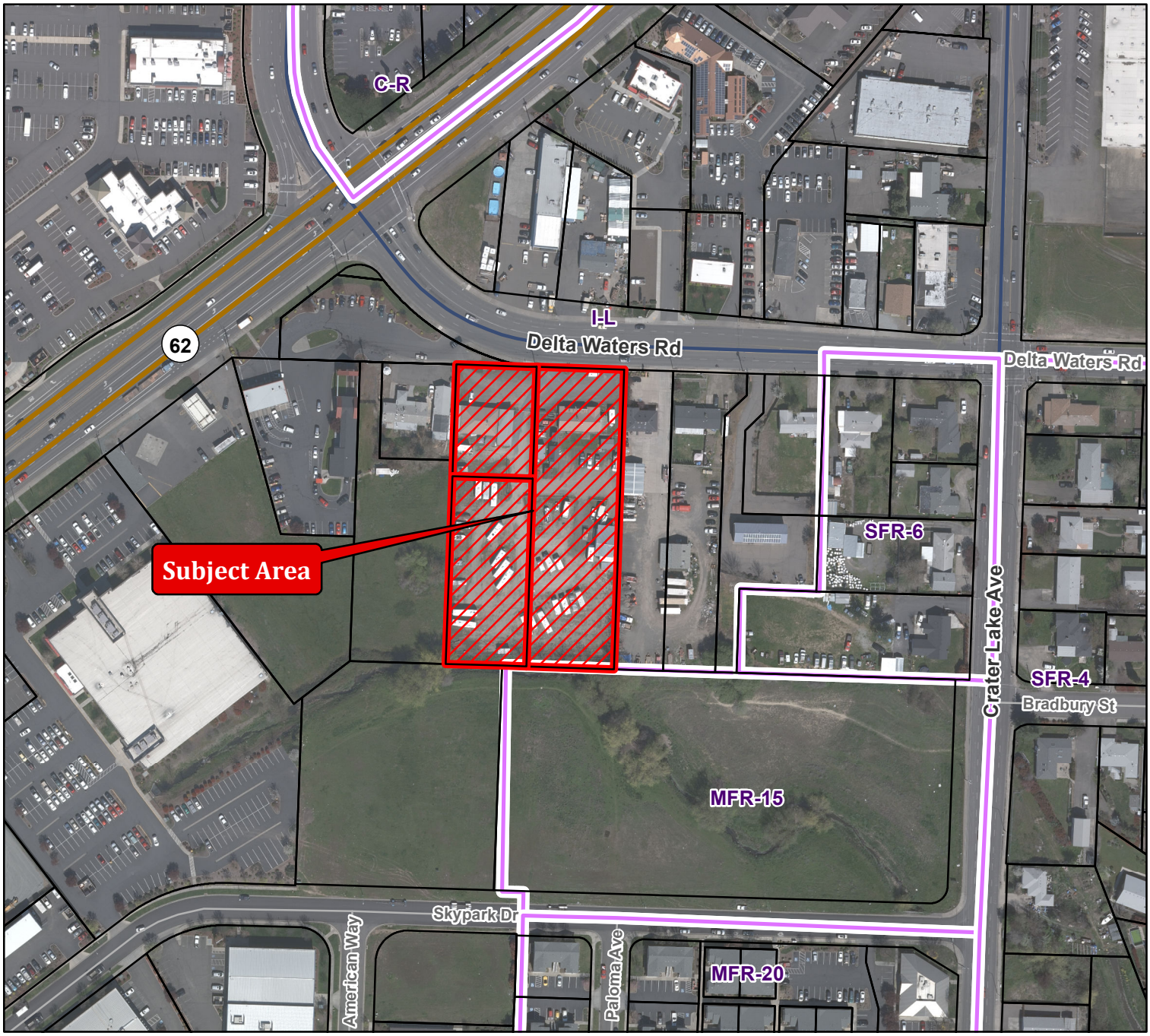
NO.	REVISION	DATE	BY

REGISTERED PROFESSIONAL ENGINEER
OREGON
ANTHONY M. BANKS
EXPIRES 12/31/19
NOT FOR CONSTRUCTION

CONSTRUCTION ENGINEERING CONSULTANTS, INC.
HUYCKE MINI-STORAGE
CIVIL IMPROVEMENTS
CONCEPTUAL SITE PLAN
PROJECT NO. –
DRAWING NO. –

HUY-CON-SITE.dwg PROJ.: 17-47 PLOT DATE: 9/10/18

City of Medford **Planning Department**	**Vicinity Map**	File Number: **CUP-18-148**



Project Name:

Delta Waters Lenders, LLC Self Storage

Map/Taxlot:

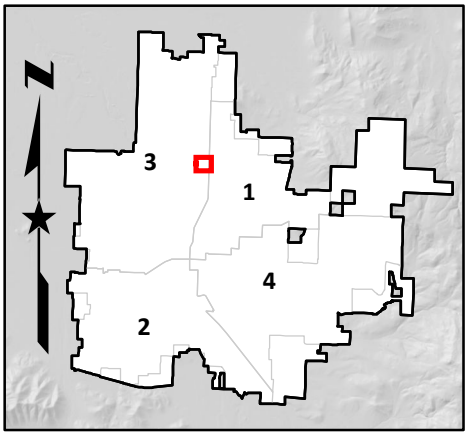
371W18AA TL 1200-1400

0 155 310 Feet

10/10/2018

Legend

- Subject Area
- Zoning Districts
- Tax Lots



PLANNING COMMISSION MINUTES

March 12, 2020
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
Bill Mansfield
David McFadden
E.J. McManus
Jared Pulver

Staff Present
Kelly Evans, Assistant Planning Director
Madison Simmons, Senior Assistant City Attorney
Terri Richards, Recording Secretary

Commissioners Absent
David Jordan, Excused Absence
Jeff Thomas, Unexcused Absence

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).
20.1 LDS-19-070 Final Order of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre). (371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400); Applicant, KOGAP Enterprises, Inc.; Agent, Maize & Associates Inc.; Planner, Dustin Severs.

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

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 7-0-0.

30. Approval or Correction of the Minutes from February 27, 2020 hearing
30.1 The minutes for February 27, 2020, were approved as submitted.

40. Oral Requests and Communications from the Public. None.

50. Public Hearings. None.

60. Reports
60.1 Site Plan and Architectural Commission.
Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, March 6, 2020. He deferred the report to Kelly Evans, Assistant Planning Director since he was not in attendance at that meeting.

60.2 Transportation Commission.
Commissioner Pulver reported that the Transportation Commission met on Wednesday, February 26, 2020. The bulk of the meeting was discussion on the Transportation Facility on South Stage Road. They also discussed 20 mile per hour speed limits and funding for the Mega Corridor. Their next meeting will be next Wednesday.

60.3 Planning Department
Ms. Evans reported that due to the corona virus the City is including language in the public hearing notices encouraging people to not attend the meetings but participate in writing.

There is a Planning Commission study session scheduled for Monday, March 23, 2020. Discussion will be on Shared Use Path amendment.

There is business scheduled for Thursday, March 26, 2020, Thursday, April 9, 2020, Thursday, April 23, 2020 and Thursday, May 14, 2020.

City Council at their last meeting approved the vacation for McDonald's on Barnett.

At the next City Council meeting they will consider the Transportation Facility on Foothill Road from Delta Waters to McAndrews Road and the Transportation Facility on South Stage Road west of North Phoenix Road.

This evening at the City Council study session they are discussing the 2020-2024 Consolidated Plan that is part of the Community Development Block Grant program and outdoor hemp. Hemp is not statutorily regulated the same as marijuana. There is discussion on whether or not the City Council wanted to address the odor issues that are inherent with hemp and marijuana.

Commissioner McFadden asked, is there general regulations that could cover both marijuana and hemp? Ms. Evans responded that industrial hemp is an agricultural product that is treated differently statutorily.

The Site Plan and Architectural Commission approved the construction of two multi-family apartment buildings located at the corner of Stewart Avenue and S. Columbus for Columbia Care Services to house veterans. They also approved a 10,000 square foot warehouse on Table Rock Road south of the airport.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks.

80.1 Ms. Simmons reported that with the corona virus precautions the City has been taking including the blurb in the public hearing notice encouraging people to submit written testimony that the Commission discuss it specifically on the record when making the motion.

This is Ms. Simmons' last meeting on the Planning Commission. She thanked the Commission for welcoming her and their time. Chair McKechnie thanked her for being on the Planning Commission and keeping them on the straight and narrow.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

101. The meeting was adjourned at approximately 5:38 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards	Mark McKechnie
Recording Secretary	Planning Commission Chair

Approved: April 23, 2020

STAFF REPORT – CONTINUANCE REQUEST

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

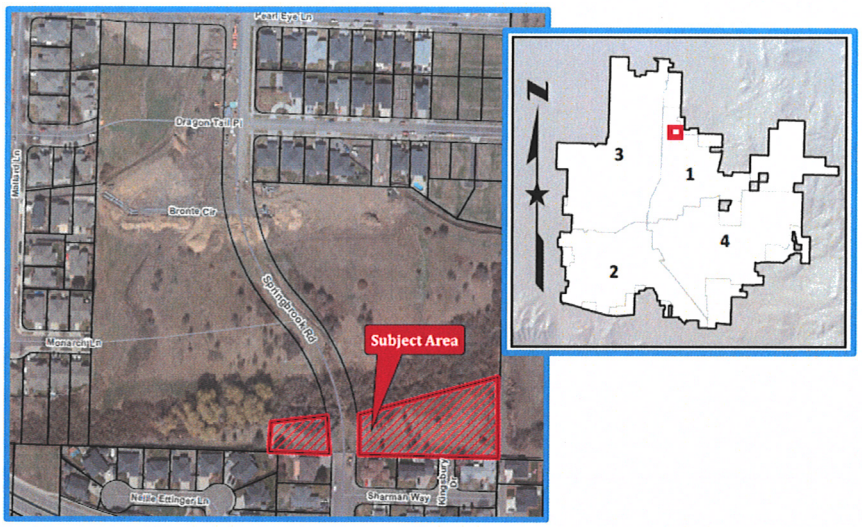
Project	Springbrook Park PUD Applicant: Springbrook Park LLC. Agent: Steven Swartsley	
File no.	PUD-20-032 / LDS-20-100	
To	Planning Commission	*for 4/23/2020 hearing*
From	Dustin Severs, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	April 16, 2020	

BACKGROUND

Proposal

Consideration of a revised tentative plat and PUD Plan for the Springbrook Park Planned Unit Development in order to create nine additional lots at the southeast corner of the site. The subject site is contained within an approximate 1.50 acres of a 19.6-acre tract of land, and is located along Springbrook Road north of Owen Drive within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) zoning districts.

Vicinity Map



Request

The applicant has requested that the item be continued to May 14, 2020.

EXHIBITS

A Continuance Request, received April 14, 2020.
Vicinity Map

COMMISSION AGENDA: **APRIL 23, 2020**

Dustin J. Severs

From: swartsley@charter.net
Sent: Tuesday, April 14, 2020 11:05 AM
To: Dustin J. Severs
Cc: 'Tom Becker'
Subject: Change of hearing date for 9 lots

<EXTERNAL EMAIL **Click Responsibly!>**

Dustin; I am fine with the changing of the hearing from April 23, 2020 to May 14, 2020. I am forwarding your other e-mail to Jim so he can meet your needs. Also, after you talk with Doug let me know the outcome. Steve

MEDFORD PLANNING

Vicinity Map

File Number:

PUD-20-032

Project Name:

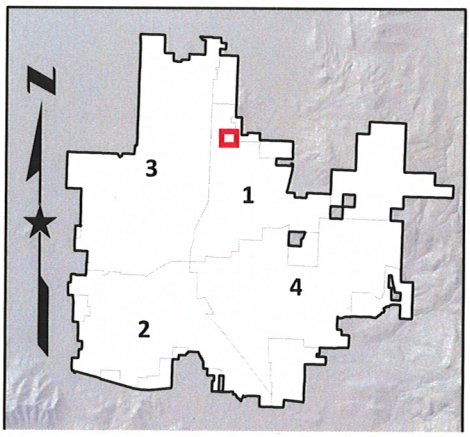
Kinsbury at Springbrook Park

Legend

Subject Area

Tax Lots

0 160 320 Feet



3/11/2020

MEDFORD
PLANNING

STAFF REPORT

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

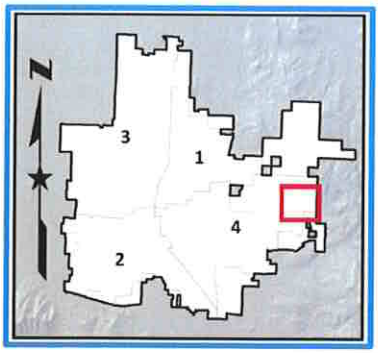
Project	Saddle Ridge Subdivision – Phases 4 & 5 Applicant: Michael Mahar; Agent: Neathamer Surveying, Inc.	
File no.	LDS-20-025	
To	Planning Commission	*for 4/23/2020 hearing*
From	Dustin Severs, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	April 16, 2020	

BACKGROUND

Proposal

Consideration of tentative plat approval for the Saddle Ridge Subdivision – Phases 4 & 5, a proposed 45-lot residential subdivision on two contiguous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion. The property is located east of Cherry Lane, north of Hillcrest Road, and is transected by Roxy Ann Road; and is within the SFR-2 (Single-Family Residential, two dwelling units per gross acre) and SFR-00 (Single-Family Residential, one dwelling unit per existing lot) zoning districts, and with the RZ (Restricted Zoning) Administrative Mapping overlay (371W23DA1500 & 371W23101).

Vicinity Map



Subject Site Characteristics

Zoning: SFR-2 & SFR-00

GLUP: UR (Urban Residential)

Overlay(s): RZ (Restricted Zoning)

Use(s): Vacant

Surrounding Site Characteristics

North Zone: SFR-2
Use(s): single-family residential

South Zone: SFR-6
Use(s): Saddle Ridge Subdivision Phases 2 & 3

East Zone: SFR-4
Use(s): single-family residential

West Zone: Jackson County Rural Residential
Use(s): single-family residential

Related Projects

LDS-02-032 Saddle Ridge Subdivision – Phases 1-3
LDS-08-035 Saddle Ridge Subdivision – Phases 4 & 5 (expired in 2013)

Applicable Criteria

MLDC 10.202(E): 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.

Issues and Analysis

Project Summary

Current Site

The subject site consists of two vacant contiguous parcels totaling 59.5 acres. Tax lot 101 totals 56 acres and is transected by the unimproved right-of-way of Roxy Ann Road. The zoning on this property is split with SFR-2 occupying the southerly half of the parcel, and SFR-00 occupying the northerly half. TL 1500, located at the southeasterly corner of the site, totals 3.45 acres, and is zoned SFR-2.

The subject site is contiguous to Phases 1 through 3 of the Saddle Ridge Subdivision, approved in 2002 for 128 lots. The majority of the lots in Phases 1 through 3 have been built out.

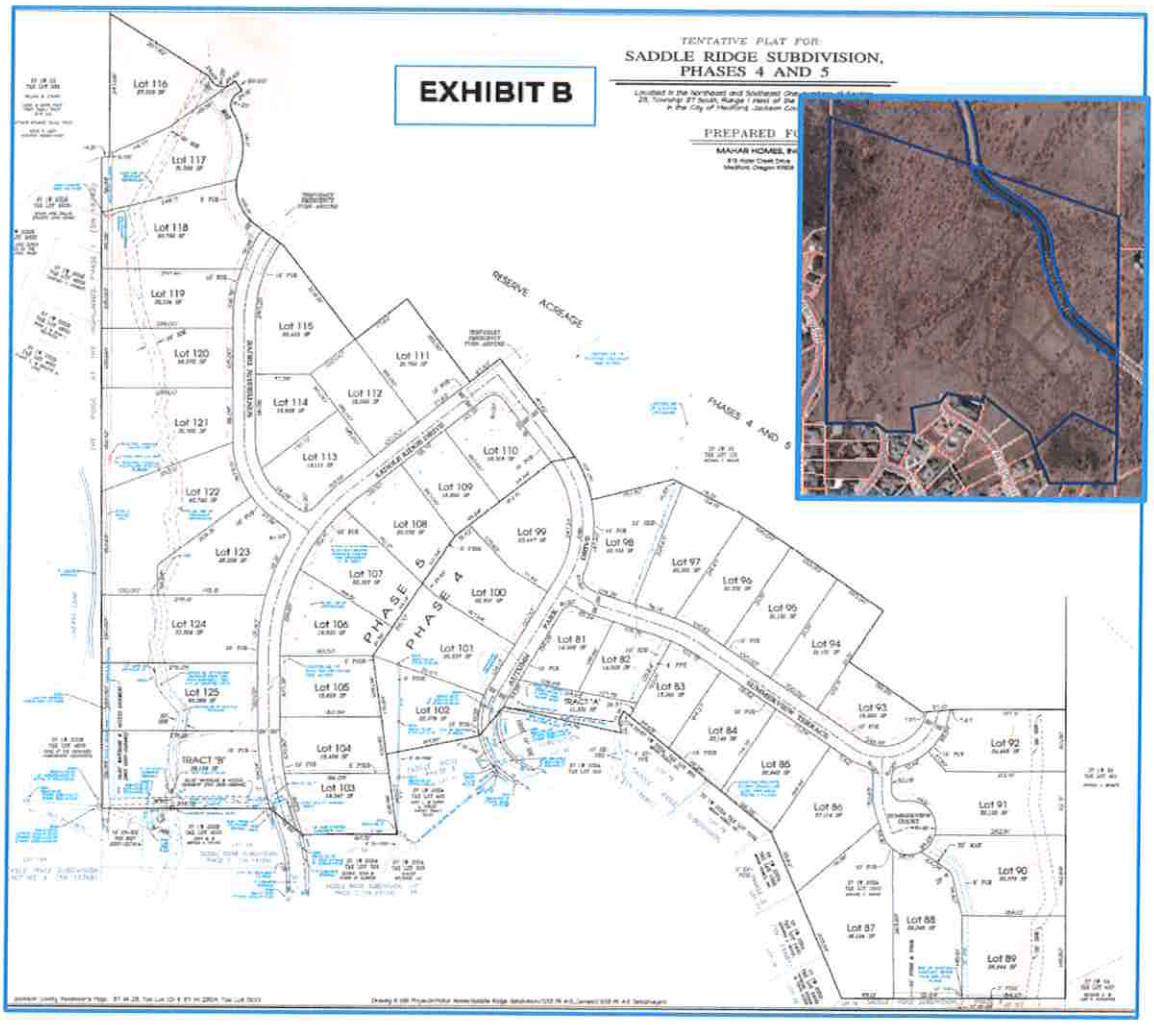
A tentative plat for the subject request was previously approved in 2008, but later expired in 2013.

The site contains significant slopes, with over 60% of the land containing

slopes exceeding 15%. A Hillside Slope analysis has been included with this application.

Proposal

The applicant is now proposing the extension of the Saddle Ridge Subdivision with Phases 4 & 5, consisting of 45 lots planned for single-family homes. The subject land division is a revision from the previously approved tentative plat for Phases 4 & 5, updated to reflect design changes to accommodate the amount of slope that exists on the property.



The submitted plat shows only the southerly half, approximately 30 acres, as part of the development, while the northerly half, also approximately 30 acres, is designated as Reserve Acreage, proposed for future development. All of the area proposed to be developed with the subject application are within the SFR-2 zoning district, while the remaining area, identified a reserve acreage, is zoned SFR-00. Since all areas zoned SFR-00 are located within reserve acreage portion of the plat, a zone change is not required with this application.

The submitted plat also shows two tracts of land, identified as Tracts A & B, to be utilized for storm detention and treatment purposes.

Two public streets are proposed to be extended with the subject request: Saddle Ridge Drive and Autumn Park Drive, both classified as Minor Residential streets, and both stubbed at the site's southern boundary. The subject request also includes the creation of three new streets: Summerview Terrace and Wintersun Drive, both to be constructed as Minor Residential streets; and Summerview Court, to be constructed as a residential lane and to terminate in a cul-de-sac.

The applicant is also proposing two minimum access easements, serving lots 89, 116, and 117, pursuant to MLDC 10.430(A)(1) and 10.450(1); and is proposing Summerview Court to terminate in a cul-de-sac, pursuant to MLDC 10.450(1).

The applicant has requested the maximum timetable of five years for the platting of the subdivision to be completed in phases, pursuant to MLDC 10.202(D)(2).

Density

Density Table

SFR-2 Minimum /Maximum Density	Allowed	Shown
0.8 to 2.0 dwelling units per gross acre	24 min. – 60 max.	45

As shown on the Density Table above, based on approximately 30 acres of land proposed for development, the creation of 45 lots, as identified on the tentative plat, falls within the minimum/maximum range permitted for the SFR-2 zoning district, as per MLDC 10.713.

Development Standards

Detached Single Family Dwellings

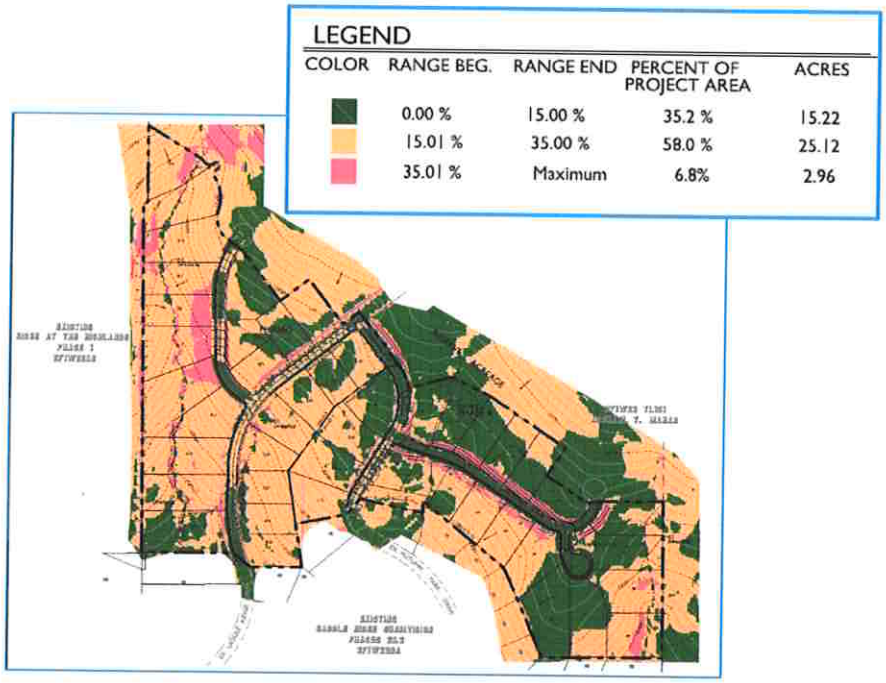
Site Development Table (MLDC 10.710)

SFR-2	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	14,000 to 55,000	50 feet	80 feet	90 feet	30 feet
Shown	14,008 (Lot 81) to 40,740 (Lot 122)	✔	✔	✔	✔

As shown in the Site Development Table above, it can be found that the 45 proposed lots, as identified on the submitted plat, meet all the dimensional standards for lots in the SFR-2 zoning district, as per MLDC 10.710.

Hillside Ordinance

Per MLDC 10.929 – 10.933, a Slope Analysis is required with applications proposing to develop on slopes greater than 15%. The applicant submitted a Hillside Slope Analysis (Exhibit G), prepared by Construction Engineering Consultants (CEC), consistent with the requirements outlined in MLDC 10.930. The analysis shows 2.96 acres, or 6.8% of the project area, with slopes in excess of 35%.



As required per MLDC 10.931(B), the applicant's Slope Analysis was reviewed and approved by the Public Works Department.

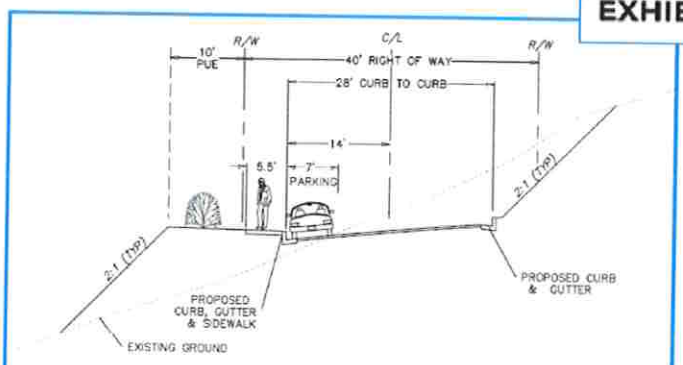
Modified Streets

Per the Hillside Ordinance (MLDC 10.931[E][2]), for streets other than arterial or collector streets in areas with slopes in excess of fifteen percent (15%), the approving authority may modify public street improvement standards to solve special hillside functional problems.

Pursuant to MLDC 10.937(E)(2)(a-g), the applicant has requested modifications to the minor residential street standards, as follows:

1. Narrower streets
    a. 40-foot right-of-way
    b. 28-foot paving curb-to-curb
    c. Parking only on downhill side of the street
2. Planter strip waiver for both sides of the street
3. Sidewalks only on the downhill side of the streets
4. Public utility easements only on the downhill side of the street

EXHIBIT D



MINOR RESIDENTIAL - SHED SECTION WITH 40' RIGHT-OF-WAY

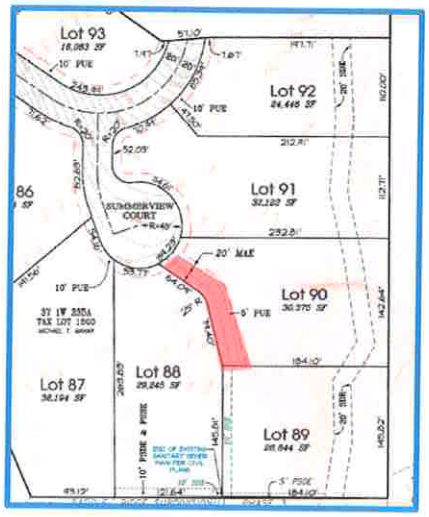
SUMMERVIEW TERRACE
SADDLE RIDGE DRIVE

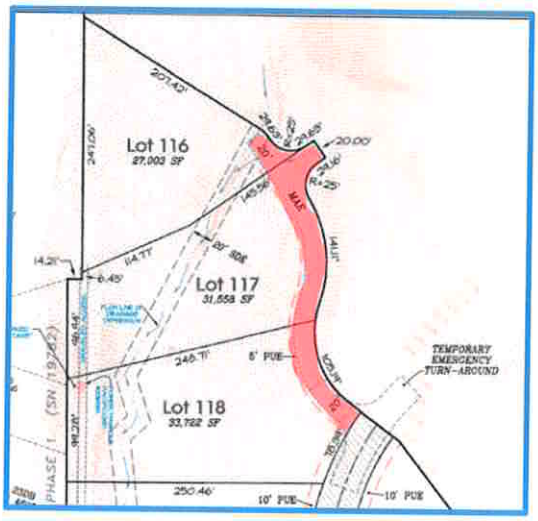
The applicant's findings state the requested modifications are needed due to the existing topographic conditions and the presence of steep slopes, as demonstrated in the submitted Hillside Slope Analysis. The submitted findings also state the reduced street widths will greatly lessen the impact of the volume of grading required onsite, and help minimize changes to the existing topography by limiting the grading to only what is necessary to provide a safe circulation for pedestrians and vehicular traffic while meeting the relevant design standards. Further, the reduction of impervious surface, as stated by the applicant, will also reduce the amount of stormwater run-off generated by the development, thus reducing the potential for erosion.

Minimum Access Easement (MAE) and Cul-de-sac

The applicant's plat shows two proposed MAEs: A MAE is shown coming off of Wintersun Drive and cutting through Lot 18, in order to serve Lots 116 and 117, which do not have direct street frontage; and a second MAE is shown off of Summerview Court, and serving Lots 89 and 90 (Lot 89 does not have direct street frontage).

The proposed Summerview Court is also shown as terminating in a cul-de-sac.





10.450 Cul-de-sacs, Minimum Access Easements and Flag Lots

(1) Cul-de-sacs, minimum access easements and flag lots shall only be permitted when the approving authority finds that any of the following conditions exist:

(a) One or more of the following conditions prevent a street connection: excess slope (15%) or more), presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, presence of a freeway or railroad.

(b) It is not possible to create a street pattern which meets the design requirements for streets.

(c) An accessway is provided consistent with the standards for accessways in Section 10.464 through Section 10.466.

Pursuant to MLDC 10.450, shown above, the construction of both a MAE and a cul-de-sac requires discretionary approval through the Planning Commission. The applicant has formally requested the approval of two MAEs and a cul-de-sac to be included as part of the subdivision plat.

The applicant's findings identifiy the existing topographic conditions and the presence of steep slopes, as demonstrated in the submitted Hillside Slope Analysis, as meeting condition (a) cited above. The applicant's findings further state that the proposed cul-de-sac meets all the design standards as outlined in MLDC 10.450(2), and the same steep slopes also prevents the construction of an accessway, as per MLDC 10.450(1)(c).

Staff has reviewed the applicant's submitted plat and findings, and is supportive of both the applicant's request for the construction of two MAEs, as well as the request

to construct a cul-de-sac at the terminus of Summerview Court, and without the construction of the pedestrian accessway.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits H-J), it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

Other Agency Comments

Jackson County Roads (Exhibit K)

In their submitted report, Jackson County Roads lists eight comments, including a request that the applicant provide a Traffic Impact Study.

The applicant will be required to comply with all requirement of Jackson County Roads prior to final plat approval.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Tentative Plat

Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Articles IV and V. Furthermore, the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land; bears a name (Saddle Ridge Subdivision), which has been reviewed and approved by the City's Address Technician; the plat includes the creation of public streets, which have are laid out consistent with existing and planned streets; and criteria 5 and 6 are inapplicable.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-20-025 per the staff report dated April 16, 2020, including:

- Exhibits A through M
- Modifications to residential street standards
- Approval of two Minimum Access Easements
- Approval of the proposed Summerview Court to terminate into a Cul-de-sac

- Granting of the maximum timetable of five years for the platting of the subdivision in phases

EXHIBITS

A Conditions of Approval, drafted April 16, 2020.
B Tentative Plat (2 of 2), received January 27, 2020.
C Conceptual Grading & Drainage Plan, received January 27, 2020.
D Conceptual Road Sections, received January 27, 2020.
E Conceptual Utility Plan, received January 27, 2020.
F Applicant's Findings of Fact & Conclusions of Law, received January 27, 2020.
G Applicant's Slope Analysis, received January 27, 2020.
H Public Works Staff Report, received March 12, 2020.
I Medford Water Commission memo & associated map, received March 12, 2020.
J Medford Fire Department Report, received March 12, 2020.
K Jackson County Roads, received February 21, 2020.
L City Address Technician memo, received March 4, 2020.
M Parks Department memo, received March 4, 2020.
Vicinity map

PLANNING COMMISSION AGENDA: **APRIL 23, 2020**

EXHIBIT A

Saddle Ridge Subdivision
LDS-20-025
Conditions of Approval
April 16, 2020

Discretionary Conditions

1. The Planning Commission authorizes the maximum five year approval period for phased subdivisions. No extension of time is permitted.

CODE REQUIRED CONDITIONS

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

1. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit H)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit I).
3. Comply with all conditions stipulated by the Medford Fire Department (Exhibit J).
4. Comply with all applicable requirements of Jackson County Road (Exhibit K).
5. Comply with requirements of City Address Technician (Exhibit L).

CITY OF MEDFORD
EXHIBIT # A
FILE # LDS-20-025

TENTATIVE PLAT FOR:

SADDLE RIDGE SUBDIVISION, PHASES 4 AND 5

Located in the Northeast and Southeast One-quarters of Section 23, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

MAHAR HOMES, INC
815 Akin Creek Drive
Medford, Oregon 97504

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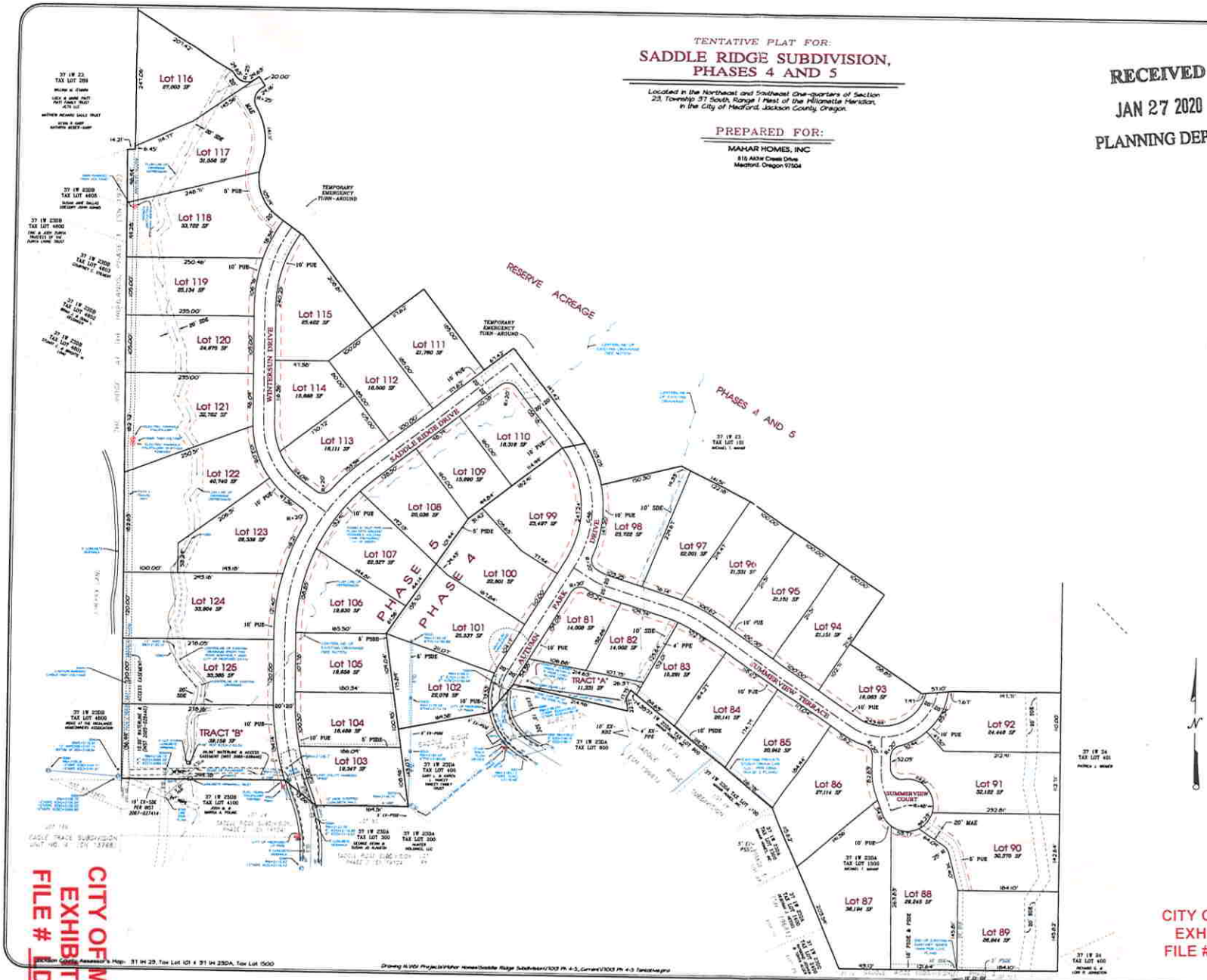


REDUCED SCALE

REGISTERED PROFESSIONAL LAND SURVEYOR

Cael E. Neathamer

OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545

Renewal Date 12/31/20

REFER TO SHEET 2 FOR TYPICAL STREET CROSS SECTIONS, ABBREVIATIONS, LEGEND, GENERAL NOTES AND BASIS OF SURVEY

PREPARED BY: Neathamer Surveying, Inc.
3126 State St, Suite 203
P.O. Box 1584
Medford, Oregon 97501
Phone (541) 732-2869
FAX (541) 732-1382

PLOT DATE: January 21, 2020 PROJECT NUMBER: 17013

Sheet 1 of 2

CITY OF MEDFORD
EXHIBIT # B (1 of 2)
FILE # LDS-20-025

CITY OF MEDFORD
EXHIBIT # _____
FILE # LDS-20-025

13

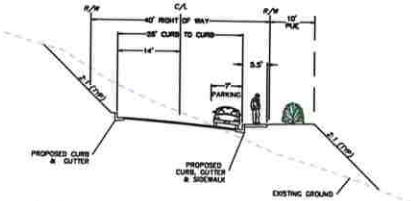
TENTATIVE PLAT FOR:

SADDLE RIDGE SUBDIVISION, PHASES 4 AND 5

Located in the Northeast and Southeast One-quarters of Section 28, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

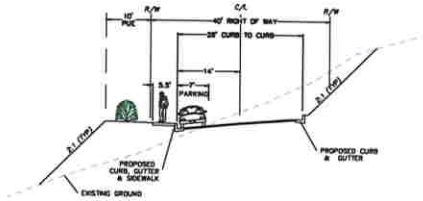
PREPARED FOR:

MAHAR HOMES, INC
815 Alder Creek Drive
Medford, Oregon 97504



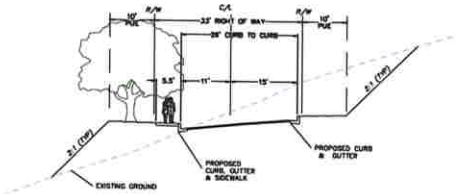
MINOR RESIDENTIAL - SHED SECTION WITH 40' RIGHT-OF-WAY

WINTERSUN DRIVE
AUTUMN PARK DRIVE
SADDLE RIDGE DRIVE



MINOR RESIDENTIAL - SHED SECTION WITH 40' RIGHT-OF-WAY

SUMMERVIEW TERRACE
SADDLE RIDGE DRIVE



RESIDENTIAL LANE - SHED SECTION WITH 33' RIGHT-OF-WAY

SUMMERVIEW COURT*

*SUMMERVIEW COURT CUL-DE-SAC CURB RADIUS = 38'
RIGHT-OF-WAY RADIUS = 48'

ABBREVIATIONS:

CLF+	Indicates a Chain Link Fence.
CMP+	Indicates an existing Corrugated Metal Pipe.
DWYC+	Indicates an existing concrete driveway.
EP+	Indicates the edge of a paved surface.
EX-RSZ+	Indicates an existing No-Build-Zone.
EX-PPE+	Indicates an existing Private Pedestrian Easement.
PPE+	Indicates an existing Polyvinyl Chloride pipe.
EX-PSDE+	Indicates a Proposed Pedestrian Easement.
PSDE+	Indicates an existing Private Storm Drainage Easement.
PVC+	Indicates a proposed Private Storm Drainage Easement.
RCP+	Indicates an existing Re-enforced Concrete Pipe.
SDCB+	Indicates an existing Storm Drain Catch Basin.
SDCD+	Indicates an existing Storm Drain Curtain Drain
SDCI+	Indicates an existing Storm Drain Curb Inlet.
SDCO+	Indicates an existing Storm Drain Cleanout.
EX-SDE	Indicates an existing Private Storm Drainage Easement.
SDE+	Indicates a proposed Private Storm Drainage Easement.
SDMH+	Indicates an existing Storm Drain Manhole.
EX-SSE+	Indicates an existing Private Sanitary Sewer Easement.
SSE+	Indicates a proposed Private Sanitary Sewer Easement.
SSCO+	Indicates an existing Sanitary Sewer Cleanout.
SSMH+	Indicates an existing Sanitary Sewer Manhole.
TBC+	Indicates the Top Back of a vertical Curb line.
TMH+	Indicates an existing Telephone Manhole.
TOBD+	Indicates an existing Top Bank of Ditch.
TOEH+	Indicates an existing Toe of Heater in a ditch.
TPED+	Indicates an existing Telephone Pedestal.
WBF+	Indicates a Wood Board Fence.
WPFL+	Indicates a White Painted Tag Line.
WV+	Indicates an existing Water Valve.
N, NE, SW	Indicates a general direction: northerly, northeasterly, southwesterly, etcetera.

LAND USE INFORMATION

SCHOOL DISTRICT:	549c
IRRIGATION DISTRICT:	MEDFORD
SANITATION DISTRICT:	CITY OF MEDFORD
GROSS AREA:	64.44 ACRES
NON-DEVELOPABLE AREA (NDA):	32.13 ACRES
EXISTING ZONING:	SFR-2
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL

Phase 4: 13.31 acres, with 32 lots plus Tract "A".
Phase 5: 13.31 acres, with 29 lots plus Tract "B".
Remaining acreage of Tax Lot 101 is 32.13 acres Reserve Area(s).

LEGEND:

- Indicates a utility marked natural gas line.
- Indicates an existing natural gas valve.
- Indicates an existing natural gas meter.
- Indicates an existing natural gas fiberglass pleasant.
- Indicates a typical 4' tall 3" diameter bollard.
- Indicates a utility marked sanitary sewer line.
- Indicates an existing sanitary sewer manhole.
- Indicates an existing sanitary sewer cleanout.
- Indicates an existing sanitary sewer lateral.
- Indicates a utility marked storm drain line.
- Indicates an existing storm drain manhole.
- Indicates an existing storm area drain.
- Indicates an existing mailbox.
- Indicates an existing streetlight pole.
- Indicates an existing electric service meter box.
- Indicates an existing electric pedestal.
- Indicates an existing electric meter box.
- Indicates an existing utility pole and guy anchor.
- Indicates an existing aerial utility line.
- Indicates an existing aerial electric line.
- Indicates a utility marked electric line.
- Indicates a utility marked cable tv line.
- Indicates a utility marked telephone line.
- Indicates an existing telephone pedestal.
- Indicates a utility marked water line.
- Indicates an existing water meter.
- Indicates an existing water valve.
- Indicates an existing fire hydrant.
- Indicates an existing water air release or blow off valve.
- Indicates an existing domestic irrigation box.
- Indicates an existing pop-up water sprinkler.
- Indicates a deciduous tree with dripline diameter drawn to scale.
- Indicates a non-deciduous tree with dripline diameter drawn to scale.
- ==1000' Indicates the elevation of the top of a valve nut for a water valve.
- Indicates centerline of an existing fence line as noted hereon.

GENERAL PROJECT NOTES:

Subject properties, are portions of those tracts of land described in Instruments Numbered 2001-62101 and 2005-006842 of the Official Records of Jackson County, Oregon (commonly known as Jackson County Assessor's Map No. 37 1W 28, Tax Lot 101, and 37 1W 28DA, Tax Lot 1500, being located in the Northeast and Southeast One-quarters of Section 28, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

Contours: 1-foot contour interval, 2-foot index contour interval.

All existing underground utilities, as depicted hereon, were located within the tolerance zone, as marked on the ground by affected agencies and utility companies. Oregon Administrative Rules Chapter 952, Division 1, Definitions, 952-001-0010 (25), states: "tolerance zone" means the area within 24 inches surrounding the outside dimensions of all sides of an underground facility.

BASIS OF SURVEY:

Linear unit for horizontal is International foot; Datum: NAD83 2011 (Epoch 2010.00); System/Zone: Oregon Reference Coordinate System, Grants Pass-Ashland zone (refer to ORS, Chapter 93.312 (2)).

Basis of Bearings: SADDLE RIDGE SUBDIVISION, PHASE 2, recorded on March 14, 2006, in Volume 52 of Plats at Page 24 of the Records of Jackson County, Oregon, and filed as Survey Number R104 in the office of the Jackson County Surveyor.

Basis of Elevations: City of Medford Benchmark No. A-261, with a published elevation of 2044.594 feet, being a found brass cap in the north curb line of Hillcrest Road, approximately 57 feet westerly of its intersection with Cherry Lane.

PREPARED BY: Neathamer Surveying, Inc.
3126 State St, Suite 203
P.O. Box 1584
Medford, Oregon 97501
Phone (541) 732-2869
FAX (541) 732-1382

PLOT DATE: January 21, 2020 PROJECT NUMBER: 17013

Sheet 2 of 2 © CN NK

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545
Renewal Date 12/31/20

Cael E. Neathamer

CITY OF MEDFORD
EXHIBIT # B(2of2)
FILE # LDS-20-023

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Jackson County Assessor's Map: 37 1W 28, Tax Lot 101 & 37 1W 28DA, Tax Lot 1500

Drawing N:\Dl Projects\Mahar Homes\Saddle Ridge Subdivision\17013 Ph 4-5_Carnell\17013 Ph 4-5 Tentative.pro

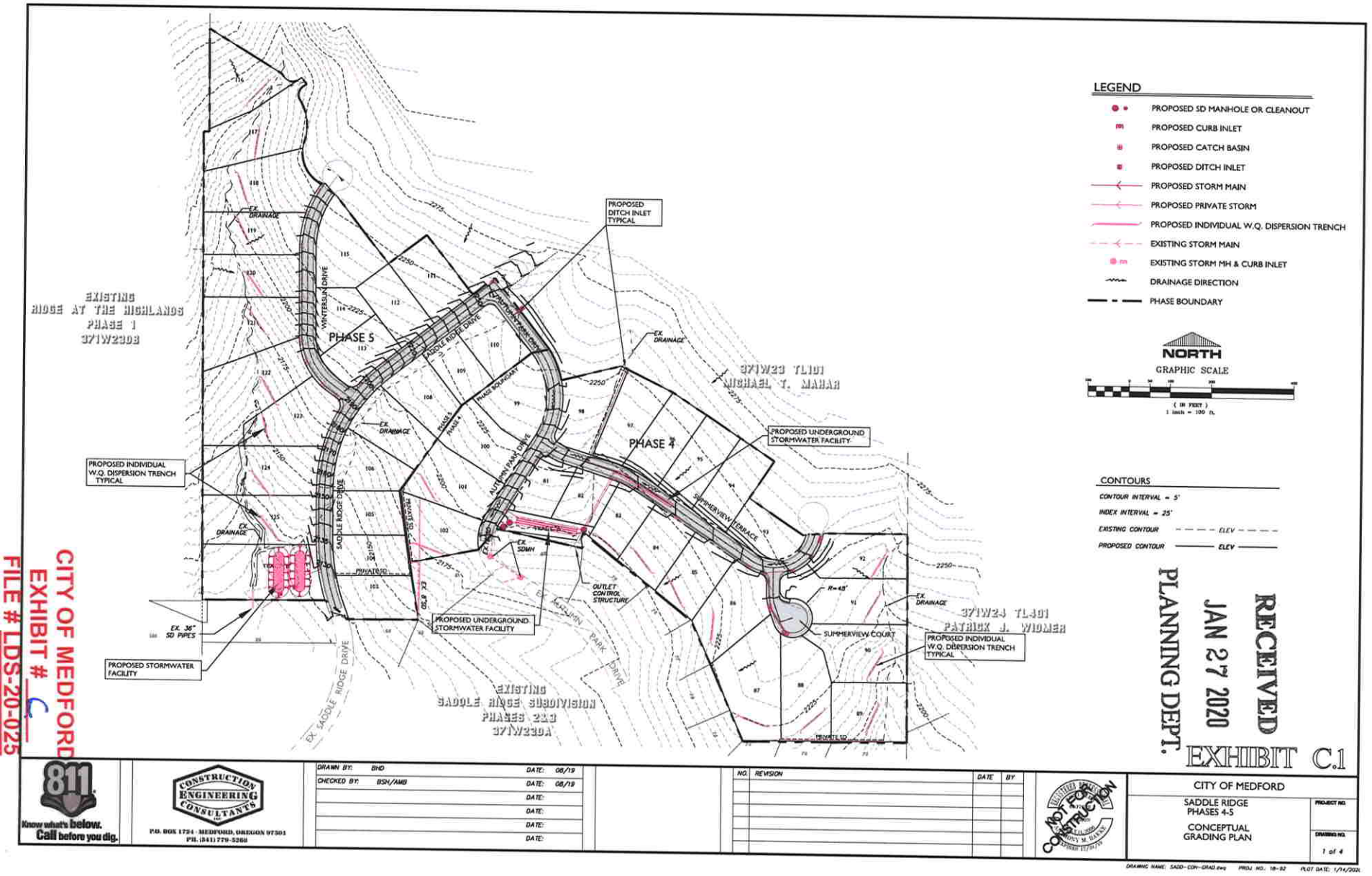
LEGEND
PROPOSED SD MANHOLE OR CLEANOUT
PROPOSED CURB INLET
PROPOSED CATCH BASIN
PROPOSED DITCH INLET
PROPOSED STORM MAIN
PROPOSED PRIVATE STORM
PROPOSED INDIVIDUAL W.Q. DISPERSION TRENCH
EXISTING STORM MAIN
EXISTING STORM MH & CURB INLET
DRAINAGE DIRECTION
PHASE BOUNDARY
NORTH
GRAPHIC SCALE
CONTOURS
CONTOUR INTERVAL = 5'
INDEX INTERVAL = 25'
EXISTING CONTOUR
PROPOSED CONTOUR
EXISTING RIDGE AT THE HIGHLANDS PHASE 1 371W23DB
PHASE 5
PHASE 4
PROPOSED DITCH INLET TYPICAL
PROPOSED INDIVIDUAL W.Q. DISPERSION TRENCH TYPICAL
PROPOSED UNDERGROUND STORMWATER FACILITY
PROPOSED STORMWATER FACILITY
EX. 36" SD PIPES
OUTLET CONTROL STRUCTURE
371W23 TL101 MICHAEL T. MAHAR
371W23 TL401 PATRICK J. WIDMER
SUMMERVIEW COURT
EXISTING SADDLE RIDGE SUBDIVISION PHASES 2&3 371W23DA
WINTERSUN DRIVE
SADDLE RIDGE DRIVE
AUTUMN PARK DRIVE
SUMMERVIEW TERRACE
EX SADDLE RIDGE DRIVE
PRIVATE RD
EX. SDMH
EX. DRAINAGE
PHASE BOUNDARY
R=45'
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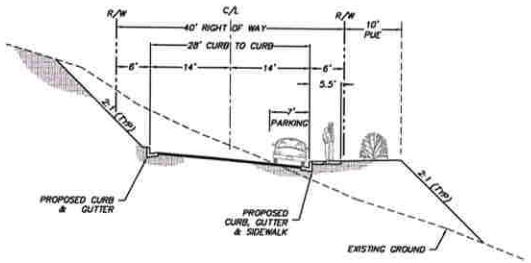
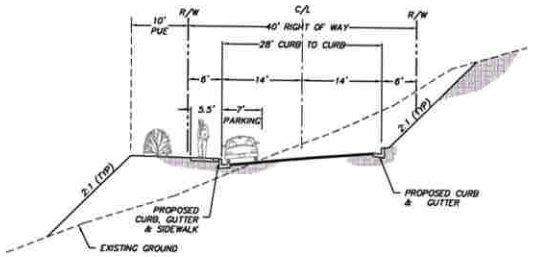
EXHIBIT C.1
CITY OF MEDFORD
EXHIBIT # C
FILE # LDS-20-025
811 Know what's below. Call before you dig.
CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1724 · MEDFORD, OREGON 97501
PH. (541) 779-5268
DRAWN BY: BHD DATE: 08/19
CHECKED BY: BSH/AMB DATE: 08/19
NO. REVISION DATE BY
NOT FOR CONSTRUCTION
CITY OF MEDFORD
SADDLE RIDGE PHASES 4-5
CONCEPTUAL GRADING PLAN
PROJECT NO.
DRAWING NO.
1 of 4
DRAWING NAME: SADD-CON-GRAD.dwg PROJ. NO.: 18-92 PLOT DATE: 1/14/2020



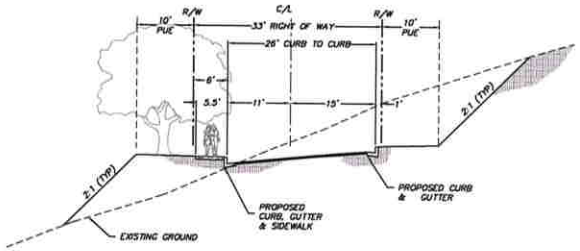
MINOR RESIDENTIAL - SHED SECTION WITH 40' RIGHT-OF-WAY

WINTERSUN DRIVE
AUTUMN PARK DRIVE
SADDLE RIDGE DRIVE



MINOR RESIDENTIAL - SHED SECTION WITH 40' RIGHT-OF-WAY

SUMMERVIEW TERRACE
SADDLE RIDGE DRIVE



RESIDENTIAL LANE - SHED SECTION WITH 33' RIGHT-OF-WAY

SUMMERVIEW COURT*

*SUMMERVIEW COURT CUL-DE-SAC CURB RADIUS = 38'
RIGHT-OF-WAY RADIUS = 48'

GEOTECHNICAL NOTES:

1. CUT AND FILL DAYLIGHT SLOPES NOTED ARE PER THE GEOTECHNICAL ENGINEERS RECOMMENDATIONS.
2. SEE GEOTECHNICAL REPORT FOR ADDITIONAL PROJECT GRADING REQUIREMENTS

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CITY OF MEDFORD
EXHIBIT # D
FILE # LDS-20-025

EXHIBIT C.3

811 Know what's below. Call before you dig.

CONSTRUCTION ENGINEERING CONSULTANTS INC
P.O. BOX 1724 · MEDFORD, OREGON 97501
PH. (541) 779-5268

DRAWN BY: MAC	DATE: 10/19		
CHECKED BY: BSH/AMB	DATE: 10/19		
	DATE:		
	DATE:		
	DATE:		
	DATE:		

NO.	REVISION	DATE	BY

PRELIMINARY NOT FOR CONSTRUCTION

CITY OF MEDFORD

SADDLE RIDGE
PHASES 4-5

CONCEPTUAL
ROAD SECTIONS

PROJECT NO.

DRAWING NO.
3 of 4

DRAWING NAME: SADD-CON-XSECS.dwg PROJ NO.: 18-82 PLOT DATE: 12/9/201

14

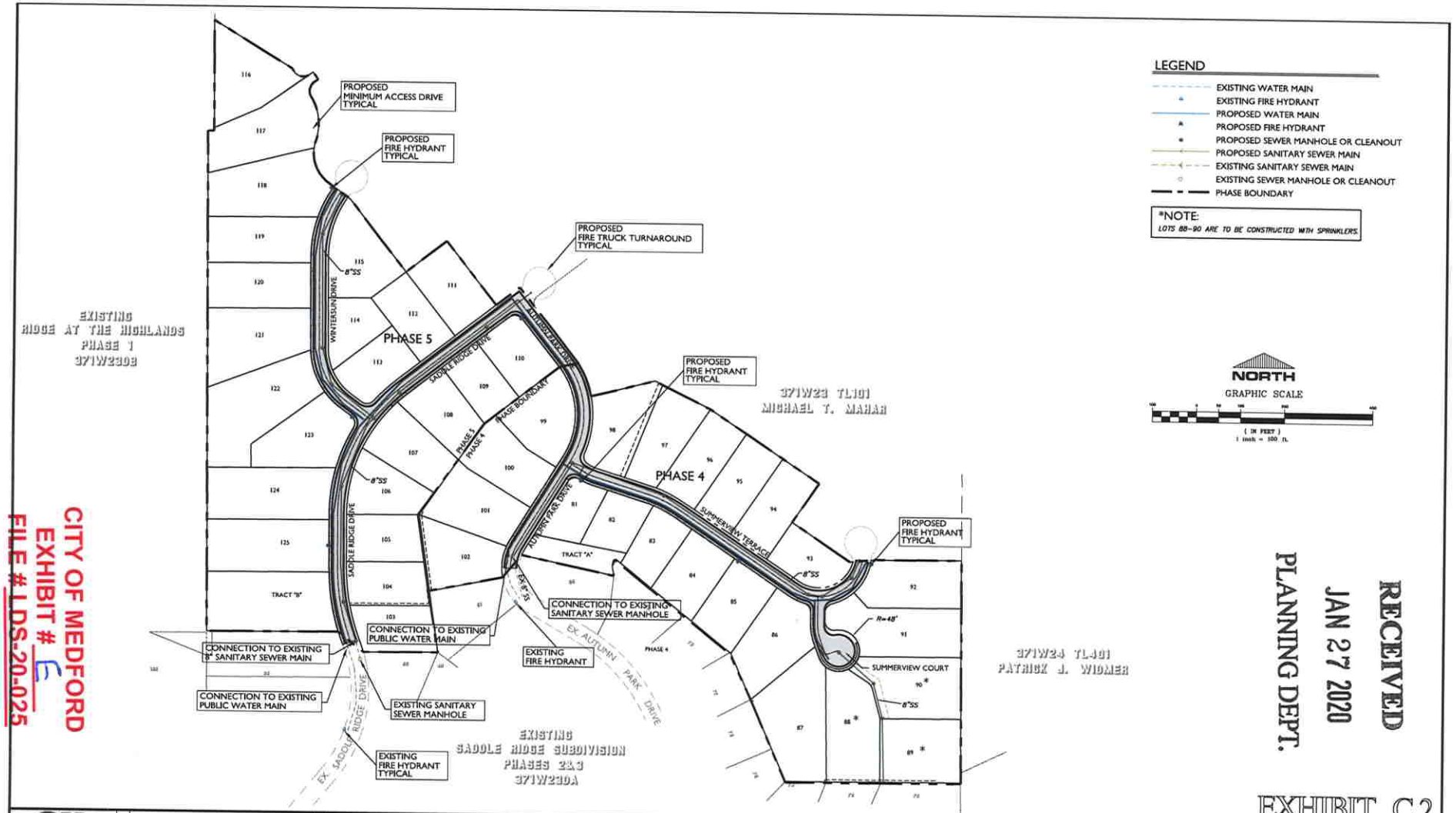

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EXHIBIT C.2

CITY OF MEDFORD
EXHIBIT # E
FILE # LDS-20-025

17

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION

IN THE MATTER OF AN APPLICATION FOR THE REVISED TENTATIVE PLAT APPROVAL OF SADDLE RIDGE SUBDIVISION PHASES 4 AND 5.

APPLICANT: Michael T. Mahar
815 Alder Creek Drive
Medford, OR 97504

AGENT: Neathamer Surveying, Inc.
P.O. Box 1584
Medford, OR 97501

A. BACKGROUND INFORMATION

The subject properties are located at Jackson County Assessor's Map Number 37 1W 23, Tax Lot 101 and 37 1W 23DA, Tax Lot 1500 with a General Land Use Plan Map (GLUP) designation of Urban Residential (UR). Tax Lot 101 has a split zoning of Single Family Residential – 2 units/acre (SFR-2) and Single Family Residential – 1 unit/acre (SFR-00), while Tax Lot 1500 is zoned entirely as (SFR-2). Both properties are within a Restricted Zoning (RZ) overlay. It should be noted that the proposed developed is completely contained within the existing SFR-2 zoning district.

The subject properties are undeveloped, open space lands without structures. Adjacent to the north are also undeveloped, open space lands. To the east are properties lying outside the City's Urban Growth Boundary (UGB), consisting mostly of rural, larger tract single-family residence. To the south are the applicant's previously developed subdivisions known as Saddle Ridge Subdivision Phase 2 and Phase 3 (LDS-02-032). The Planned Unit Development (PUD) known as The Ridge at the Highlands, Phase 1, surrounds the property along its westerly boundary.

A land division application for the property was submitted and approved with conditions on November 13, 2008 (File No. LDS-08-035/E-08-053). However, as the approval under LDS-08-035/E-08-053 was authorized for a period of five years, the approval expired on November 13, 2013.

The proposal contained herein is a revised land division application which has been updated to reflect design changes in order to accommodate the amount of slope that exists on the properties.

CITY OF MEDFORD
EXHIBIT # F
FILE # LDS-20-025

6

B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION

During the preparation of the application, it was discovered that the original layout submitted and approved under LDS-08-035/E-08-053 had design shortcomings related to the amount of slope. As such, the purpose of this application is for the approval of a revised Tentative Plat for Saddle Ridge Subdivision, Phases 4 and 5, which has been re-designed with a layout that will be able to be feasibly developed on the slopes present on the hillside.

Included in the proposal are 45 residential lots with detached, single-family dwelling units; two tracts of land to be utilized for storm detention and treatment purposes; and reserve acreage for the portion which is not being developed at this time.

Pursuant to the Medford Land Development Code (MLDC), Section 10.22(D)(2), the applicant respectfully requests the Planning Commission to authorize a five-year time period approval for the platting of Phases 4 and 5 of Saddle Ridge Subdivision.

C. APPROVAL CRITERIA

CITY OF MEDFORD LAND DEVELOPMENT CODE

SECTION 10.202 (E) – LAND DIVISION CRITERIA

Section 10.202 (E) of the Medford's Land Development Code (MLDC) states that:

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

1. *Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in 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.*

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

CRITERION NO. 1

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;*

FINDINGS OF FACT

The proposed use and development are consistent with the Comprehensive Plan and the existing/approved residential surrounding uses. Furthermore, the development is consistent with the relevant design criteria specified in Article IV and V of the MLDC.

There is not an adopted neighborhood circulation plan that applies to the subject property.

One of the major considerations during the re-design of the project was to layout the streets in such a way that provided access to the lots while minimizing the amount of grading that would be required to construct the streets. According to the Hillside Slope Analysis prepared by Construction Engineering Consultants (CEC), over 60% of the property contains slopes exceeding 15%. As such, the project is subject to the City's Hillside Ordinance. Section 10.931(E)(2-4) of the Hillside Ordinance states the following:

> *(2) For streets other than arterial or collector streets in areas with Slopes in excess of fifteen percent (15%), the approving authority may modify public street improvement standards to solve special hillside functional problems. Modifications may include:*

(a) Narrower streets;

(b) Streets that provide access to the downhill side only;

(c) Planter strip waivers;

(d) Modification of surface drainage treatment standards;

(e) Modification of sidewalk standards;

(f) Allowing through-lots abutting any street classification if the approving authority approves streets that provide access to the downhill side only; or,

(g) Placing utilities within the public right-of-way.

(3) Modifications to public street improvement standards shall comply with the following:

(a) Minimum curb-to-curb paved width for residential streets, with the exception of Residential Lanes, shall be no less than twenty-eight feet (28') if including parking on only one side of the street.

(b) When sidewalks are authorized to be provided on only one side of the street, they shall be provided on the side of the street where parking is provided.

(c) Street Slopes shall comply with standards in the 2004 American Association of State Highway Transportation Officials' manual, A Policy on Geometric Design of Highways and Streets, a copy of which is maintained on file in the Planning Department.

(4) To request modifications to street improvement standards, the applicant shall submit proposed findings addressing:

(a) Why the modifications are needed; and,

(b) How the proposed modifications are safe and function properly; and

(c) How the proposed modifications minimize soil erosion and protect the natural character of the site.

Pursuant to Section, 10.931(E)(2), the applicant is requesting the following modifications to the minor residential street standards. Proposed street cross-sections have been included on the Tentative Plat and the associated Conceptual Road Sections (prepared by CEC).

1. Narrower streets
    a. 40-foot right-of-way
    b. 28-foot paving curb-to-curb
    c. Parking only on downhill side of the street
2. Planter strip waiver for both sides of the street
3. Sidewalks only on the downhill side of the streets
4. Public utility easements only on the downhill side of the street

The modifications being requested are needed due to the existing topographic conditions and presence of steep slopes, as demonstrated on the attached Hillside Slope Analysis. The requested modifications will reduce the overall width of the street improvements which will greatly lessen the impact of the volume of grading required onsite.

The requested modifications will still provide a functional and safe circulation system and is in harmony with the intentions of the low-density, low traffic volume characteristics of the SFR-2 zoning district. Due to the low volume of traffic, the need for planter strips, which are intended to provide a buffer between pedestrians and traffic, is reduced. Additionally, as parking and sidewalks are being proposed on the downhill side of the minor residential streets, there is still a buffer from through-traffic and pedestrians. Lastly, the proposed streets all comply with the minimum standards specified by Section 10.931(E)(3), as stated above.

The requested modifications minimize soil erosion and protect the natural character of the site by reducing the quantity of cuts and fills required on the uphill and downhill sides of the streets. This reduction helps minimize changes to the existing topography by limiting the grading to only what is necessary to provide a safe circulation for pedestrians and vehicular traffic while meeting the relevant design standards. Furthermore, the reduction in impervious surfaces (by the removal of sidewalk on the uphill side of the streets) also reduces the amount of storm water run-off generated by the development, thus reducing the potential for erosion.

In addition to the requested modifications, a cul-de-sac is being proposed at the end of Summerview Court. Pursuant to Section 10.450(1) of the MLDC, a cul-de-sac can be permitted when the approving authority finds any of the following conditions:

> *(a) One or more of the following conditions prevent a street connection: excess slope (15%) or more), presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, presence of a freeway or railroad.*
>
> *(b) It is not possible to create a street pattern which meets the design requirements for streets.*

(c) An accessway is provided consistent with the standards for accessways in Section 10.464 through Section 10.466.

There are slopes which exceed 15% (refer to the attached Hillside Slope Analysis) surrounding the proposed location of Summerview Court, meeting the criteria to allow a cul-de-sac per 10.450(1)(a) as stated above. The proposed cul-de-sac meets the design requirements contained in Section 10.450(2), being a length less than 450 feet, having a radius of more than 45 feet and a minimum paved section of 37 feet. It should also be noted that due to the existing slopes and the absence of pedestrian circulation southerly of Summerview Court, a pedestrian access has not been included in the proposal.

CRITERION NO. 2

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;*

FINDINGS OF FACT

The proposed development provides a means of connectivity by extending the existing and proposed streets to adjacent lands. As a result, approval of the land division contained herein will not prevent the development of the remainder of the property under the same owner, or the adjoining lands.

CRITERION NO. 3

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;*

FINDINGS OF FACT

Saddle Ridge Subdivision Phases 4 and 5 are contiguous to the applicant's previously developed subdivisions known as Saddle Ridge Subdivision Phase 2 and Phase 3 (LDS-02-032). The phase numbers of this proposal are the next available, consecutive numbers.

CRITERION NO. 4

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;

FINDINGS OF FACT

The project is not located within an area that has an adopted circulation plan. Additionally, the proposed extensions of the adjoining streets, Autumn Park Drive and Saddle Ridge Drive, are designed to meet at the corresponding existing street centerlines and rights-of-way.

CRITERION NO. 5

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;*

FINDINGS OF FACT

There are no private streets or alleys that are proposed to be held for private use. However, there are two 20-foot minimum access easements being proposed. One of which is to be located across Lots 116-118 and the other to be located across Lot 90, as designated on the attached Tentative Plat.

CRITERION NO. 6

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.*

FINDINGS OF FACT

Adjoining to the very northeast corner of Tax Lot 101 are lands that are zoned Exclusive Farm Use (EFU). However, this portion of Tax Lot 101 is zoned SFR-00, designated as Reserve Acreage on the attached Tentative Plat and does not have any proposed development within the scope of this application; the nearest development is over 700 feet from the EFU lands. As such, it was determined that an Agricultural Impact Analysis Report was not applicable, and no further mitigation would be required.

CONCLUSION OF LAW

Based upon the submitted application materials and the above Findings of Facts, the Planning Commission concludes that the application complies with the applicable provisions of the city ordinances.

E. ULTIMATE CONCLUSION

The Planning Commission concludes that the revised application for Saddle Ridge Subdivision Phases 4 and 5 is consistent with the relevant criteria for a land division found in Section 10.202(E) of Medford's Land Development Code, and can therefore be approved.

Respectfully Submitted,

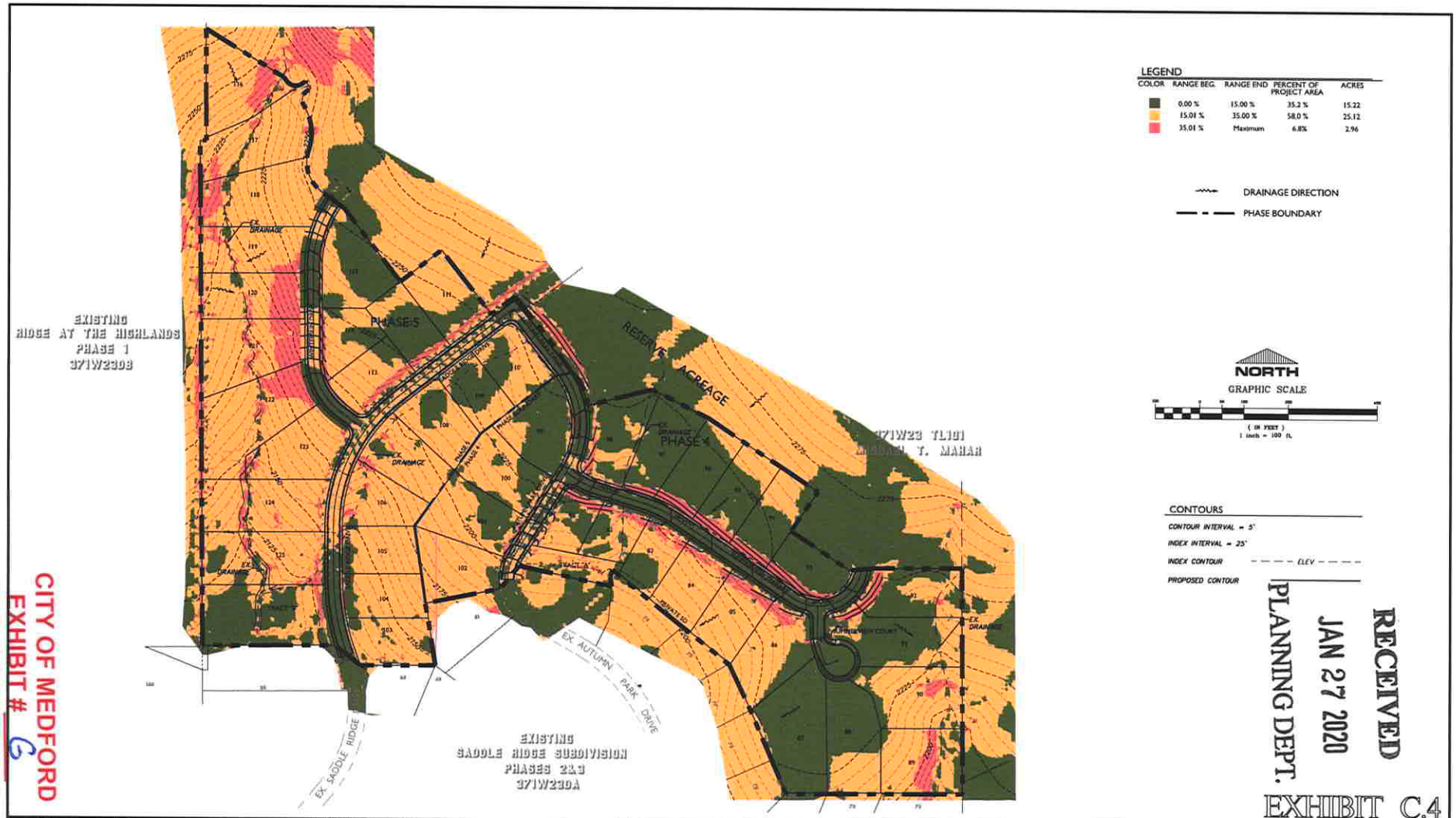
Neathamer Surveying, Inc.

Robert V. Neathamer, PLS

Robert V. Neathamer, President

Agent for Applicant:
Michael T. Mahar

Date: January 9, 2020



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JAN 27 2020
PLANNING DEPT.

EXHIBIT C.4

CITY OF MEDFORD
EXHIBIT # 6
FILE # LDS-20-025

811 Know what's below. Call before you dig.

CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5260

DRAWN BY: BSH/MAC	DATE: 08/19		
CHECKED BY: BSH/AMB	DATE: 08/19		
	DATE:		
	DATE:		
	DATE:		
	DATE:		

NO.	REVISION	DATE	BY

NOT FOR CONSTRUCTION

CITY OF MEDFORD
SADDLE RIDGE
PHASES 4-5
HILLSIDE SLOPE
ANALYSIS

PROJECT NO.
DRAWING NO. 4 of 4

DRAWING NAME: SADD-CON-SLOPES.dwg PROJ. NO.: 18-32 PLOT DATE: 1/9/2020

15

MEDFORD
PUBLIC WORKS

LD DATE: 3/4/2020
File Number: LDS-20-025

PUBLIC WORKS DEPARTMENT STAFF REPORT

Saddle Ridge Subdivision Phases 4 & 5
45-Lot Subdivision

Project: Consideration of tentative plat approval for the Saddle Ridge Subdivision – Phase 4 & 5, a proposed 45-lot residential subdivision on two, contiguous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion.

Location: The property is located east of Cherry lane, north of Hillcrest Road, and is transected by Roxy Ann Road; and is within the SFR-2 (Single-Family Residential, two dwelling units per gross acre) and SFR-00 (Single-Family Residential, one dwelling unit per lot) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping overlay (371W23DA1500 & 371W23101).

Applicant: Applicant, Michael Mahar; Agent, Neathamer Surveying, Inc.; Planner, Dustin Severs.

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)

CITY OF MEDFORD
EXHIBIT # H
FILE # LDS-20-025

A. STREETS

1. Dedications

Autumn Park Drive, Saddle Ridge Drive, Summerview Terrace and Wintersun Drive are proposed as a Minor Residential Streets with right-of-way widths of 40-feet, consistent with the standard prescribed by MLDC 10.430 and allowed by 10.931.

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

The **minimum access easement (MAE)** drives shall be private and constructed in accordance with MLDC Section 10.430A(1) and have a minimum width of 20-feet.

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

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

Public Utility Easements (PUE), 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

Autumn Park Drive, Saddle Ridge Drive, Summerview Terrace and Wintersun Drive shall be improved to Minor Residential Street standards in accordance with MLDC 10.430 and allowed by 10.931. The developer shall construct a 28-foot wide pavement section complete with curb and gutter on both sides, and a 5-foot curb-tight sidewalk along the downslope side of the section.

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

The proposed **Minimum Access Easement** drives shall be constructed to a minimum width of 18-feet with AC pavement per (MLDC) 10.430A. The minimum TI for the structural section shall be 3.5, the minimum AC section shall be 3" thick, and the base aggregate shall extend one foot beyond the edge of pavement.

The Minimum Access Easement shall be designed by a civil engineer licensed in the State of Oregon and plans submitted to the Public Works-Engineering Division for approval. A drainage system shall be incorporated into the paved access design to capture stormwater and direct it to the storm drain system.

b. Street Lights and Signing

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

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

A. 18 - Type R-100 LED

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

A. 4 – Street Name Signs
B. 1 – No Outlet Sign
C. 1 – Dead End Sign
D. 3 – Barricades

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

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

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

c. Pavement Moratoriums

There is a no pavement cutting moratorium currently in effect along the respective frontages.

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

d. Soils Report

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

e. Access and Circulation

Considering that the intersection of Cherry Lane and North Phoenix Road is now realigned and signalized, there are no remaining traffic stipulations on this development.

Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426.

f. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

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

3. Section 10.668 Analysis

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

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

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

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

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

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

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

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

Autumn Park Drive, Saddle Ridge Drive, Summerview Terrace, Summerview Court and Wintersun Drive:

In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications. The proposed development has 45 dwelling units and will improve approximately 3,232 lineal feet of roadway which equates to 71.8 lineal feet per dwelling unit. Also the development will dedicate approximately 128,160 square feet of right-of-way which equates to approximately 2,848 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was pervious phases of Summerfield Subdivision located between Stanford and Lone Oak and Cherry Lane and Shamrock and consisted of 152 dwelling units. The pervious development improved approximately 7,530 lineal feet of roadway and dedicated approximately 425,230 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 49.5 lineal feet of road per dwelling unit and approximately 2,800 square feet of right-of-way per dwelling unit.

a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 45 new Lots within the City of Medford and increase vehicular traffic by approximately 425 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

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

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

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

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

B. SANITARY SEWERS

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

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

C. STORM DRAINAGE

1. Hydrology

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.

2. Stormwater Detention and Water Quality Treatment

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

developed as open ponds for stormwater detention and treatment.

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

Prior to acceptance of the public improvements, the developer's design engineer shall provide verification that the stormwater quality and detention system is constructed per plan. Verification shall be provided to the Engineering Division on a form provided by the Engineering Division.

The City is responsible for operational maintenance of the public storm water facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer during the three year vegetation establishment period. The Developer shall establish vegetation per the Rogue Valley Stormwater Quality Design Manual. The Developer's engineer shall submit a draft agreement to this effect (provided by the City or in a form acceptable to the City) during plan review and shall execute the agreement prior to final plat.

3. Grading

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

4. Mains and Laterals

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

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.

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. Erosion Control set shall include a plan for site stabilization at time of Public Improvement Plan acceptance.

D. SURVEY MONUMENTATION AND PLAT REQUIREMENTS

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

The Tentative and Final Map should show the entire parcel being subdivided.

Tracts A and B do not have a declared purpose. Both tracts have significant possible encroachments according to the tentative map. If these tracts are to be designated for a public purpose the encroachments need to be remedied prior to final plat or as part of 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.

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

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

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

3. Phasing

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

4. Draft of Final Plat

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

5. 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 (SDCs)

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

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

7. Construction and Inspection

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

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
Saddle Ridge Subdivision Phases 4 & 5
45-Lot Subdivision

LDS-20-025

A. Streets

1. Street Dedications to the Public:

- Dedicate right-of-way (40') on **Autumn Park Drive, Saddle Ridge Drive, Summerview Terrace and Wintersun Drive.**
- Dedicate full width right-of-way (33') on **Summerview Court**.
- Dedicate Minimum Access Easements.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Construct **Autumn Park Drive, Saddle Ridge Drive, Summerview Terrace and Wintersun Drive**, to Minor Residential street standards.
- Construct **Summerview Court** full width to Residential Lane street standards, including the Cul-de-sac.
- Construct Minimum Access Easement drives.

Lighting and Signing

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

Access and Circulation

- Considering that the intersection of Cherry Lane and North Phoenix Road is now realigned and signalized, there are no remaining traffic stipulations on this development.
- Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426.

Other

- No pavement moratorium currently in effect along this developments respective frontages.
- Provide pavement moratorium letters.
- o Provide soils report.

B. Sanitary Sewer:

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

C. Storm Drainage:

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

D. Survey Monumentation and Plat Requirements

- Provide all survey monumentation.
- See additional comments above.

E. General Conditions

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

- ▪ = City Code Requirement
- o = Discretionary recommendations/comments

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

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-20-025

PARCEL ID: 371W23DA TL 1500 & 371W23101 TL 101

PROJECT: Consideration of tentative plat approval for the Saddle Ridge Subdivision – Phase 4 & 5, a proposed 45-lot residential subdivision on two, contiguous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion. The property is located east of Cherry lane, north of Hillcrest Road, and is transected by Roxy Ann Road; and is within the SFR-2 (Single-Family Residential, two dwelling units per gross acre) and SFR-00 (Single-Family Residential, one dwelling unit per lot) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping overlay (371W23DA1500 & 371W23101); Applicant, Michael Mahar; Agent, Neathamer Surveying, Inc.; Planner, Dustin Severs.

DATE: March 4, 2020

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. This proposed development is located within MWC's Pressure "Zone 5". There is a small portion of the proposed Lots are located partially in the lower portion of Pressure Zone 6 (above 2250 feet). There shall be no water services, or fire hydrants installed to serve proposed homes located above elevation 2250-feet within this Phase. Applicants Civil Engineer shall coordinate with MWC Engineering staff.

4. Installation of an 8-inch "Zone 5" water line is required in a short portion of Saddle Ridge Drive from the existing 8-inch water line on the south side of Tract 'B'. This 8-inch water line is required to extend northerly to Lot 104, where the 8-inch water line and 10-foot wide easement is required to extend across the south side of "future" Lot 104, and also across the south side of "future" Lot 102; where the water line is required to extend northeasterly in Autumn Park Drive to the north property line of Lot 99 and shall terminate until such time that Phase 5 is to be constructed. Upon completion of Phase 5, said 8-inch water main across Lot 104 and Lot 102 to be abandoned in place, coordinate with MWC Engineering and Operations Staff. A "temporary" easement shall be submitted for Lots 104 & 102.

CITY OF MEDFORD
EXHIBIT # I
FILE # LDS-20-025

5. Installation of an 8-inch "Zone 5" water line is required to be installed in Summerview Terrace between Autumn Park Drive and the intersection of Summerview Terrace and Summerview Court. The two branches at the east end of Summerview Terrace are required to be 4-inch water lines. Applicants civil engineer shall coordinate with MWC Engineering staff for termination points.

6. Dedication of a 10-foot wide (minimum) access and maintenance easement to MWC over all water facilities located outside of public right-of-way is required. Easement shall be submitted to MWC for review and recordation prior to construction.

7. Installation of a fire hydrant is required at the proposed Phase 4 & Phase 5 Boundary in Autumn Park Drive. Applicants civil engineer shall coordinate with Medford Fire Department for Fire Hydrant layout.

8. This Condition includes, but is not limited to:

    a. Phase 4 - Proposed Lots 91, 92, 93, 94, 95, 96, 97, 98, 99.

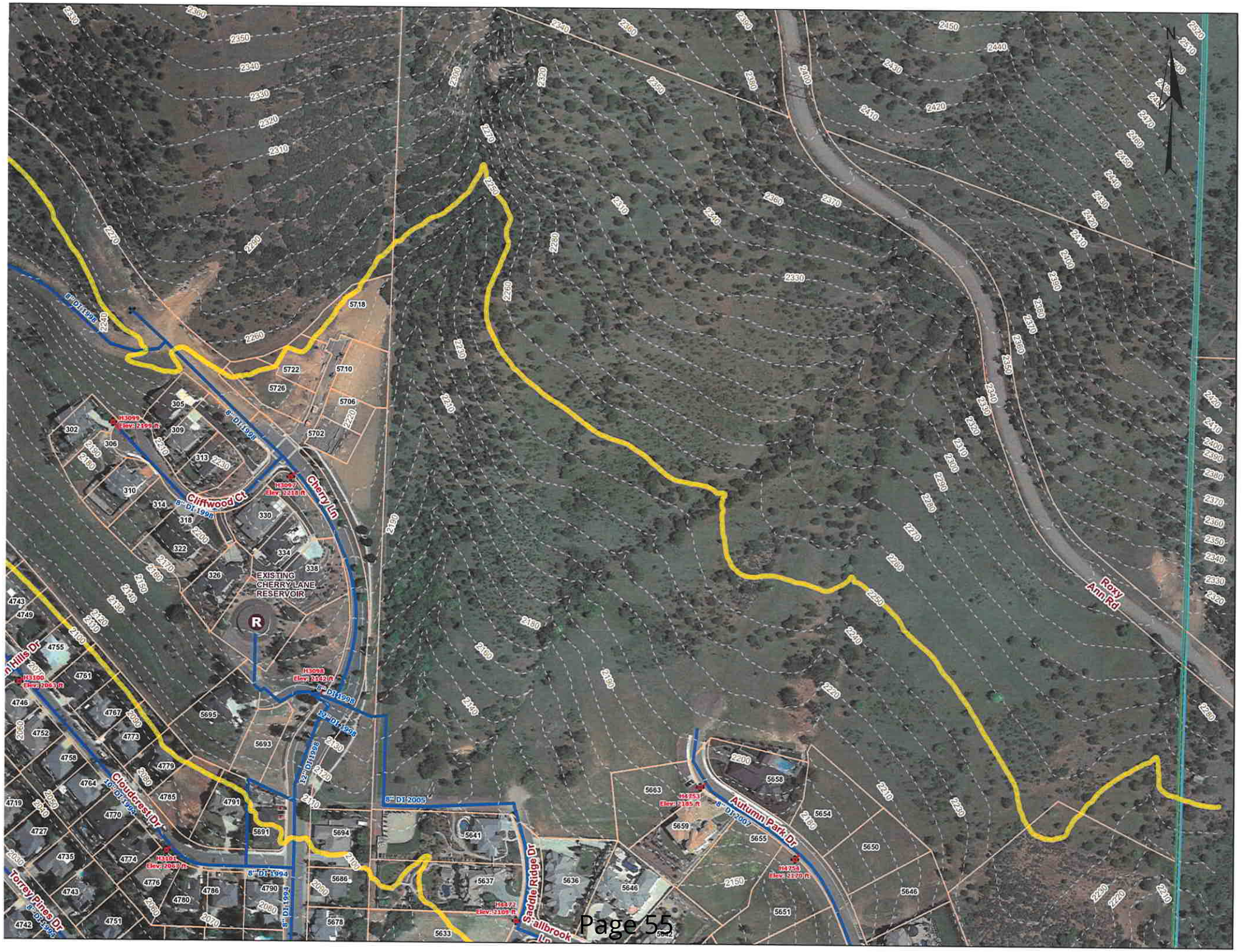
    b. Phase 5 - Proposed Lots 110, 111, 115, 116, 117, 118, 119.

    The Lots previously listed shall have "Private" independent (stand-alone) pumping/pressure water system to serve each residence. The "Private" water system shall have an aire-gap between the fill point and the private holding tank. Private pumps are NOT allowed to pump directly from MWC water system.

9. A hydraulic analysis is required to Phases 4 & 5. Coordinate with MWC Engineering staff.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Condition 4 & 5 above)
3. MWC-metered water service does not exist to proposed Phase 4 or Phase 5 at this time. (See Condition 4 above)
4. Access to MWC water lines is available. There is a Zone 5, 8-inch water line that is stubbed for extension at the existing end of Autumn Park Drive. There is also a Zone 5, 8-inch water line at the existing end of Saddle Ridge Drive for "future" Phase 5.


N
Cliffwood Ct
Cherry Ln
EXISTING CHERRY LANE RESERVOIR
R
Roxy Ann Rd
Autumn Park Dr
Saddle Ridge Dr
Cloudcrest Dr
Torrey Pines Dr
8" DI 1998
8" DI 2005
8" DI 2007
8" DI 1994
10" DI 1998
12" DI 1998
H3099 Elev: 2199 ft
H3097 Elev: 2218 ft
H3098 Elev: 2142 ft
H3100 Elev: 2067 ft
H3101 Elev: 2067 ft
H4753 Elev: 2185 ft
H4754 Elev: 2170 ft
H4872 Elev: 2109 ft

MEDFORD OREGON

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 2/26/2020
Meeting Date: 3/4/2020

LD File #: LDS20025

Planner: Dustin Severs

Applicant: Michael Mahar

Site Name: Saddle Ridge Subdivision – Phase 4 & 5

Project Location: East of Cherry lane, north of Hillcrest Road, and is transected by Roxy Ann Road

ProjectDescription: Consideration of tentative plat approval for the Saddle Ridge Subdivision – Phase 4 & 5, a proposed 45-lot residential subdivision on two, contiguous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion. The property is located east of Cherry lane, north of Hillcrest Road, and is transected by Roxy Ann Road; and is within the SFR-2 (Single-Family Residential, two dwelling units per gross acre) and SFR-00 (Single-Family Residential, one dwelling unit per lot) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping overlay (371W23DA1500 & 371W23101);

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
OFC 505	Minimum access address signs are required for lots 89-90 and 116-117.	The developer must provide a minimum access address sign. A pre-approved address sign can also be utilized. A brochure is available at: http://www.ci.medford.or.us/Files/Minimum%20Access%20Address%20Sign.pdf
OFC 508.5	Nine (9) fire hydrants are required for this project at the following locations: One on Saddle Ridge Drive in front of lot labeled "Tract B" (across from lots 103/104); One on Saddle Ridge Drive in front of lots 123/124; One on Saddle Ridge Drive in front of lot 108; One near the corner of Saddle Ridge Drive/Autumn Park Drive in front of lot 110; One on Wintersun Drive in front of lot 121; One on Wintersun Drive in front of lot 118; One near the corner of Autumn Park Drive/Summerview Terrace in front of lot 98; One on Summerview Terrace in front of lot 84; One near the corner of Summerview Terrace/Summerview Court in front of lot 91.	When fire hydrants are required, the approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. In addition, blue reflective fire hydrant markers are required to be installed on the road surface to identify fire hydrant locations at night. Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

CITY OF MEDFORD
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OFC D107	Due to only one access road serving this area, all the homes will be required to be protected with fire sprinkler systems.	D107.1. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3. Exceptions: 1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required. 2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses (D104.3).
OFC 503.5	Parking shall be posted as prohibited in the fire department turn-around areas.	Where parking is prohibited on public roads for fire department vehicle access purposes, NO PARKING signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around areas. The signs shall have red letters on a white background stating "NO PARKING". Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12). Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1). This restriction shall be recorded on the property deed as a requirement for future construction. Contact Public Works Transportation Manager Karl MacNair 541-774-2115 for further information.

OFC 503.4	Parking shall be posted as prohibited along both sides of the minimum access easement driveways and the fire department turn-around areas.	Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1). Where parking is prohibited for fire department vehicle access purposes, NO PARKING-FIRE LANE signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING-FIRE LANE" (See handout). For privately owned properties, posting/marking of fire lanes may be accomplished by any of the following alternatives to the above requirement (consult with the Fire Department for the best option): Alternative #1: Curbs shall be painted red along the entire distance of the fire department access. Minimum 4" white letters stating "NO PARKING-FIRE LANE" shall be stenciled on the curb at 25-foot intervals. Alternative #2: Asphalt shall be striped yellow or red along the entire distance of the fire department access. The stripes shall be at least 6" wide, be a minimum 24" apart, be placed at a minimum 30-60 degree angle to the perimeter stripes, and run parallel to each other. Letters stating "NO PARKING-FIRE LANE" shall be stenciled on the asphalt at 25-foot intervals. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12). This restriction shall be recorded on the property deed as a requirement for future construction. A brochure is available on our website at: http://www.ci.medford.or.us/Files/Fire%20Lane%20Brochure.pdf

MMC 10.430	The developer shall choose between option (a) and option (c) (Note: Option (b) is not an option because fire sprinklers are already required due to other access code requirements).	In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus on 28 feet wide minor residential streets, the developer shall choose from one of the following design options outlined in Medford Code section 10.430: (a) Clustered, offset (staggered) driveways, and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet. (b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet. (c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips. The developer shall choose one of the three options prior to the final plat. If the clustered-offset driveway option is chosen, submitted civil plans are required to show driveway locations which will be reviewed by the Fire Department and Engineering Department prior to development. If the fire sprinkler option is chosen, the developer shall notify the Fire Department prior to final plat. The Fire Department reserves the right to require parking restrictions with no parking signs in areas where the clustered-offset driveway option breaks down for short distances. Parking restrictions shall not be deemed as a separate option to the overall layout of the subdivision. If the developer by preference does not design the clustered/offset driveways into the overall design of the minor residential street, option (b) or (c) must be chosen. The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).
R327.4	Wildfire hazard zone exterior ignition-resistant construction requirements.	The homes in this subdivision are located in the wildfire hazard zone and are required to be built with ignition-resistant materials/features according to Oregon Residential Specialty Code section R327.4.

WHZ HIZ	Wildfire hazard zone vegetation recommendations.	This development is located in a wildfire hazard zone. It is recommended that landscaping planning include: 0-5 feet perimeter around home: make this a non-combustible zone (concrete or non-combustible ground covering). 0-30 feet perimeter around home: Utilize fire resistant vegetation (See Oregon State University's "Fire Resistant Shrubs and Trees in SW Oregon"). 0-100 feet perimeter around home: Plan so that fully grown tree crown positioning provides a minimum 10' horizontal clearance to chimneys or any part of structure, that fully grown tree crown positioning to provide a minimum 15' clearance to other fully grown tree crowns, and ladder fuels are considered (vegetation like taller shrubs below trees that will spread fire into tree crown).

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

JACKSON COUNTY
Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

February 21, 2020

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

RE: Consideration of a tentative plat approval for the Saddle Ridge Subdivision
Phases 4 & 5
East of Cherry Lane - a City maintained road north of
Hillcrest Road – a County maintained road East of Cherry Lane
Planning File: LDS-20-025

Dear Dustin:

Thank you for the opportunity to comment on this consideration of tentative plat approval for the Saddle Ridge Subdivision – Phases 4 & 5, a proposed 45-lot residential subdivision on two, continuous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion. The property is located east of Cherry Lane, north of Hillcrest Road and is transected by Roxy Ann Road; and is within the Single Family Residential, two dwelling per gross acre (SFR-2) zoning district and with a Restricted Zoning (RZ) Administrative Mapping overlay (37-1W-23DA TL 1500 & 37-1W-23 TL 101). Jackson County Roads has the following comments:

1. Jackson County Roads has requested a TIS that looks at the intersections of Cherry Lane & Hillcrest Rd., Saddle Ridge Dr. & Hillcrest Rd., & Roxy Ann Rd. & Hillcrest Rd. If mitigations are recommended they shall be required

2. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.

3. 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.

CITY OF MEDFORD
EXHIBIT # K
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4. We would like to be notified of future development proposals, as county permits may be required.

5. Hillcrest Road is a County Urban Local Road and is county-maintained. The Average Daily Traffic Count on the City of Medford 2016 Traffic Volume Map is 1,300.

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 Hillcrest Road. Jackson County Roads recommends that the city request jurisdiction of this road.

7. Storm water should meet City of Medford requirements that also include water quality.

8. Roads and Parks concur with any right-of-way dedication required by the City of Medford.

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

Sincerely,

Chuck DeJanvier, PE
Construction Engineer

MEDFORD
PUBLIC WORKS

MEMORANDUM

To: Dustin Severs

From: Jennifer Ingram

Date: March 4, 2020

Subject: LDS-20-025

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1. Per 10.458 of the Municipal Code, *Terrace* is no longer a permitted street suffix. Please change the suffix of the proposed street Summerview to a permitted suffix. I recommend *Drive* or *Way*, as it will be a curvilinear street.
2. Summerview Court is a duplicate street name. Also, there is a significant change in direction of the street, therefore the street name is required to change.

CITY OF MEDFORD
EXHIBIT # L
FILE # LDS-20-025

MEDFORD
PARKS, RECREATION AND FACILITIES

TO: Dustin Severs - Planning Department

FROM: Haley Cox – Parks Planner

SUBJECT: Saddle Ridge Subdivision – Phases 4 & 5

DATE: March 4th, 2020

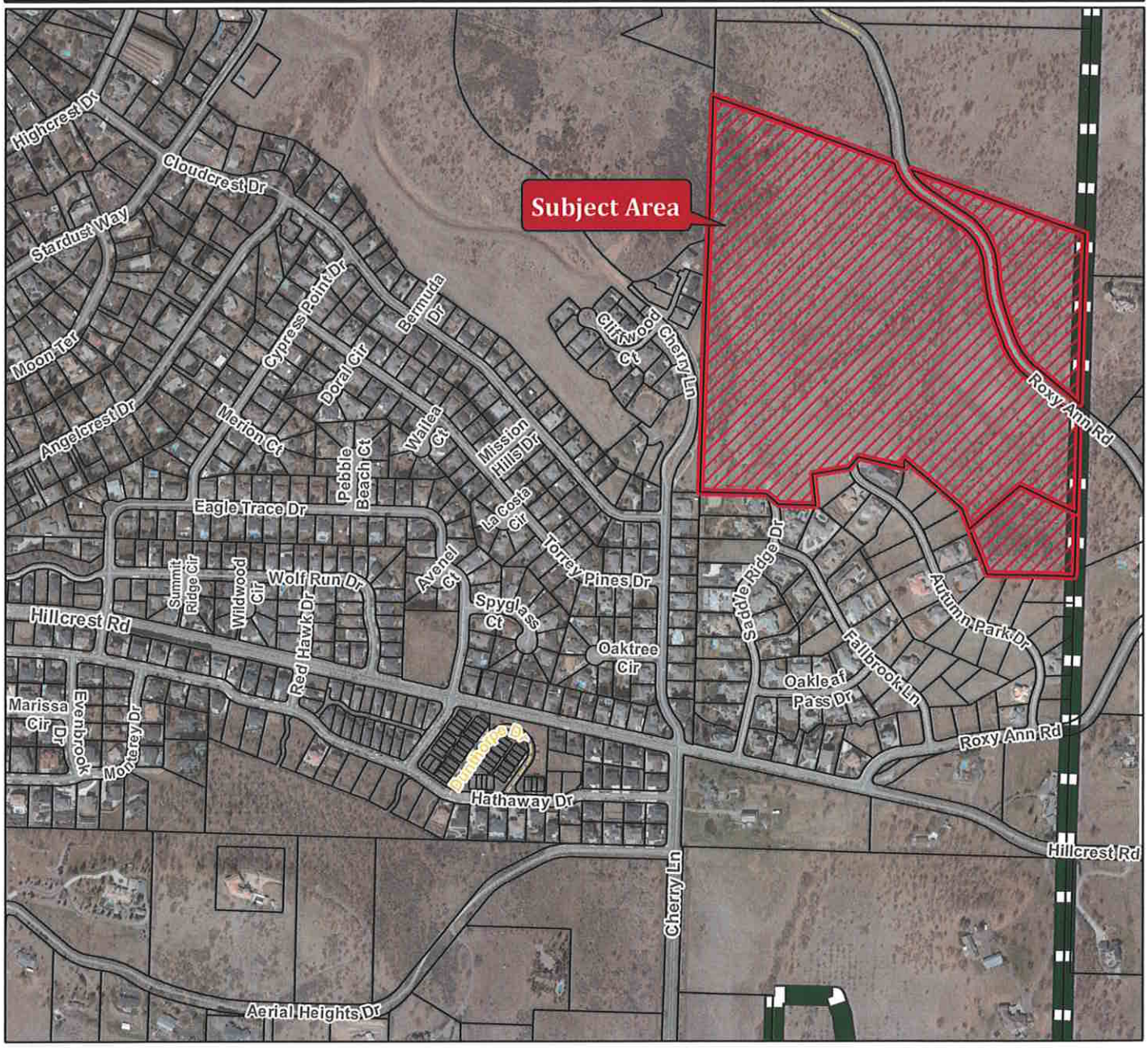
The Parks Department has reviewed the application for Saddle Ridge Subdivision Phases 4 & 5 and has the following comments:

The Leisure Services Plan indicates a 10-foot shared-use pathway through this area, roughly aligned with the drainage shown along Saddle Ridge Drive. The pathway provides pedestrian and bicycle circulation through the neighborhood, ultimately connecting nearby residents to Prescott Park via Roxy Ann Drive. The applicant has proposed exceptions to standard sidewalk and planter strip requirements to alleviate the challenge of developing this sloped hillside, and the Department would like to offer some suggestions to incorporate the pathway most efficiently in this circumstance.

There is an existing sidewalk shown along the east side of Cherry Lane, within the adjacent Highlands Subdivision, which is not proposed to be connected to this subdivision. The Department would recommend that the applicant provide a 10-foot pedestrian and bicycle accessway between these subdivisions. The LSP pathway could then be sited on the downhill side of Saddle Ridge Drive as it continues northward to the edge of proposed development. In this case, the sidewalk should be built 10-feet wide to serve as the pathway.

CITY OF MEDFORD
EXHIBIT # M
FILE # LDS-20-025

MEDFORD PLANNING	Vicinity Map	File Number: LDS20-025



Project Name:

Saddle Ridge Subdivision Phases 4 & 5

Map/Taxlot:

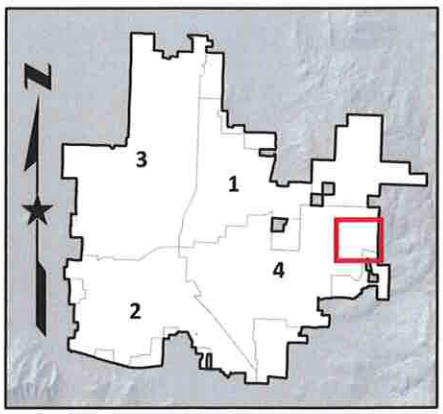
371W23 TL 101 & 371W23DA TL 1500

0 500 1,000 Feet

Legend

Subject Area

Tax Lots



1/28/2020

STAFF REPORT

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

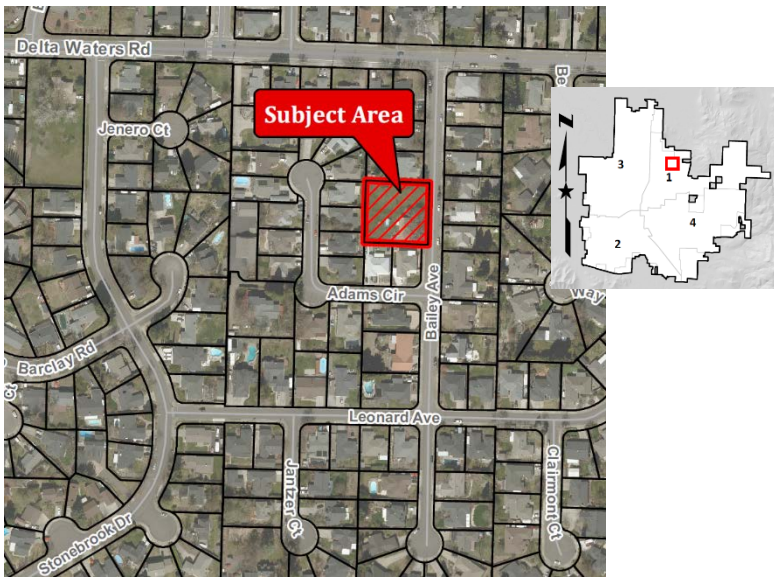
Project	Krebs Partitions Applicant: Richard Kreb; Agent: Scott Sinner Consulting Inc.	
File no.	LDP-20-016, ZC-20-017	
To	Planning Commission	*for April 23, 2020 hearing*
From	Liz Conner CFM, Planner II	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	April 16, 2020	

BACKGROUND

Proposal

Consideration of a request for tentative plat approval of a three lot land partition of a single parcel totaling 0.53 acres, including a request for a change of zone from SFR-4 (Single Family Residential, four dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre). The property is located at 2939 Bailey Avenue approximately 300 feet south of Delta Waters Road in the SFR-4 Zoning district (371W16BB TL 15800).

Vicinity Map



Subject Site Characteristics

GLUP	UR	Urban Residential
Zoning	SFR-4	Single Family Residential
Overlay	A-C	Airport Area of Concern
Use	One single family dwelling	

Surrounding Site Characteristics

North	Zone:	SFR-4
	Use:	Single family dwelling
South	Zone:	SFR-4
	Use:	Single family dwelling
East	Zone:	SFR-4
	Use:	Single family dwelling
West	Zone:	SFR-4
	Use:	Single family dwelling

Related Projects

None.

Applicable Criteria

ZONE CHANGE APPROVAL CRITERIA – SFR-6 ZONE
FROM SECTION 10.204(B) OF THE *MEDFORD LAND DEVELOPMENT CODE*

The Planning Commission shall approve a quasi-judicial, minor 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.

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(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.

***

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

(3) 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 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive 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 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 proposed or anticipated land use, 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 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 years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or

b. an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. 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 Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

(i) Restricted Zoning is a restriction of uses by type or intensity. 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 that 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.

PARTITION TENTATIVE PLAT APPROVAL CRITERIA

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

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

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

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

(3) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the

approving authority determines it is in the public interest to modify the street pattern;

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

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

Approval Authority

This is a Type III land use decision. The Commission is the approving authority under MLDC 10.110(D) and MLDC 10.114 Concurrent Land Use Review.

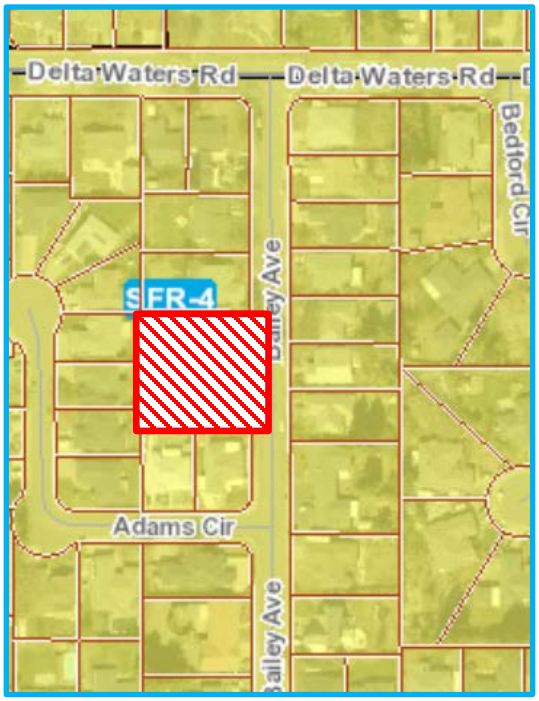
ISSUES AND ANALYSIS

Current Condition

The subject property is a single unit of land of approximately 0.62 gross acres. The site fronts Bailey Avenue and is developed with a single family dwelling. The applicant's intent is to demo the existing dwelling once the second single family dwelling in lieu of a duplex obtains its Certificate of Occupancy.

Zone Change

The property is currently zoned SFR-4 and is proposed to be rezoned to SFR-6. A maximum of two dwelling units may be constructed on this property under the current SFR-4 zoning. If approved, the request for a zone change to SFR-6 would allow a density range of two to four dwelling units.



CRITERIA COMPLIANCE

GLUP/TSP Consistency

The General Land Use Plan (GLUP) map designation for the subject parcel is UR (Urban Residential), and, according to the General Land Use Plan Element of the *Comprehensive Plan*, the SFR-6 zoning district is a permitted zone within the UR GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net

Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Public Works determined that a TIA was not required with the subject request.

Facility Adequacy

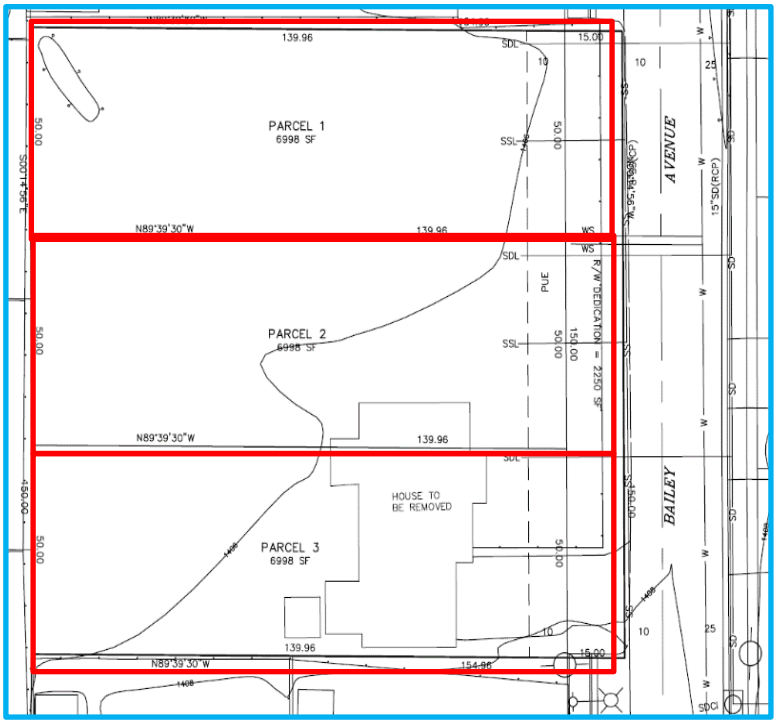
MLDC 10.204(3) requires demonstration that Category A facilities (storm drainage, sanitary sewer, water and transportation) must already be adequate in condition, capacity and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

The agency comments included in Exhibits F through I demonstrate that Category A facilities are adequate to serve the property at the time it is developed, with the exception of sanitary sewer.

The Public Works Department notes capacity constraints downstream at the Terminal Spur and contains options, including a stipulation from the applicant that total sewer flows will not exceed current zoning limitations. The applicant notes that duplexes are permitted outright in the current SFR-4 zone district. The site is currently developed with one unit, so three units are permitted under the current zoning. Planning staff does not object to the argument.

Tentative Plat Proposal (Exhibit B)

The applicant is proposing to partition the property into three lots equal in size. Each lot will have direct access from Bailey Avenue. The subject site has Flowers Subdivision platted in 1995 to the north and Delta Park Subdivision Unit No. 2 surrounding the remainder of the property. No new street connections are proposed.



Density

SFR-6 Minimum /Maximum Density	Allowed	Shown
4.0 to 6.0 dwelling units per gross acre	2 min – 4 max	3 lots

As shown on the Density Table above, based on the 0.62 gross acres, the creation of three lots falls within the minimum/maximum range permitted for the SFR-6 zoning district, as per MLDC 10.710.

Development Standards

Detached Single Family Dwellings

Site Development Table (MLDC 10.710)

SFR-6	Lot Area	Minimum Lot Width (Interior)	Minimum Corner Lot Width	Minimum Lot Depth	Minimum Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Shown	6,998	50	NA	139.6	50

Facility Adequacy

Per the agency comments submitted to staff (Exhibits G through M), it can be found that there are adequate facilities to serve the future development of the site.

Committee Comments

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

Public Comments (Exhibits N and O)

The Planning Department received an email from a neighbor at 2940 Bailey Avenue requesting the Planning Commission deny the zone change application. The request did not address the applicable criteria for zone change in MLDC 10.204(B). The email

states that the density allowed in SFR-6 is not conducive to the existing neighborhood. After communicating with the on-site resident, the objection was withdrawn.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibits D and E) and recommends the Commission adopt the findings as presented.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and adopt the final orders for approval of LDP-20-016 and ZC-20-017 per the staff report dated April 16, 2020, including Exhibits A through Q.

EXHIBITS

A Conditions of Approval, dated April 16, 2020
B Tentative Plat Partition submitted January 21, 2020
C Grading and Drainage Plan submitted January 21, 2020
D Applicant's Findings and Conclusions submitted January 21, 2020 – Zone Change
E Applicant's Findings and Conclusions submitted January 21, 2020 - Partition
F Applicant's Single Family Dwelling in Lieu of Duplex Letter submitted February 27, 2020
G Public Works Department Staff Report received February 26, 2020 – Zone Change
H Public Works Department Staff Report received February 26, 2020 - Partition
I Medford Water Commission memo submitted February 26, 2020
J Medford Fire Department report submitted February 26, 2020
K Medford Building Department memo submitted February 26, 2020
L Jackson County Roads Comments submitted February 18, 2020
M Oregon Department of Aviation email submitted February 24, 2020
N Regan Trapp email submitted March 13, 2020
O Regan Trapp email submitted March 18, 2020
P Density Calculation for SFR-4
Q Density Calculation for SFR-6
Vicinity map

PLANNING COMMISSION AGENDA: **APRIL 23, 2020**
MARCH 26, 2020

EXHIBIT A

Krebs Partition and Zone Change
LDP-20-016/ZC-20-017
Conditions of Approval
April 16, 2020

Zone Change

None.

Partition

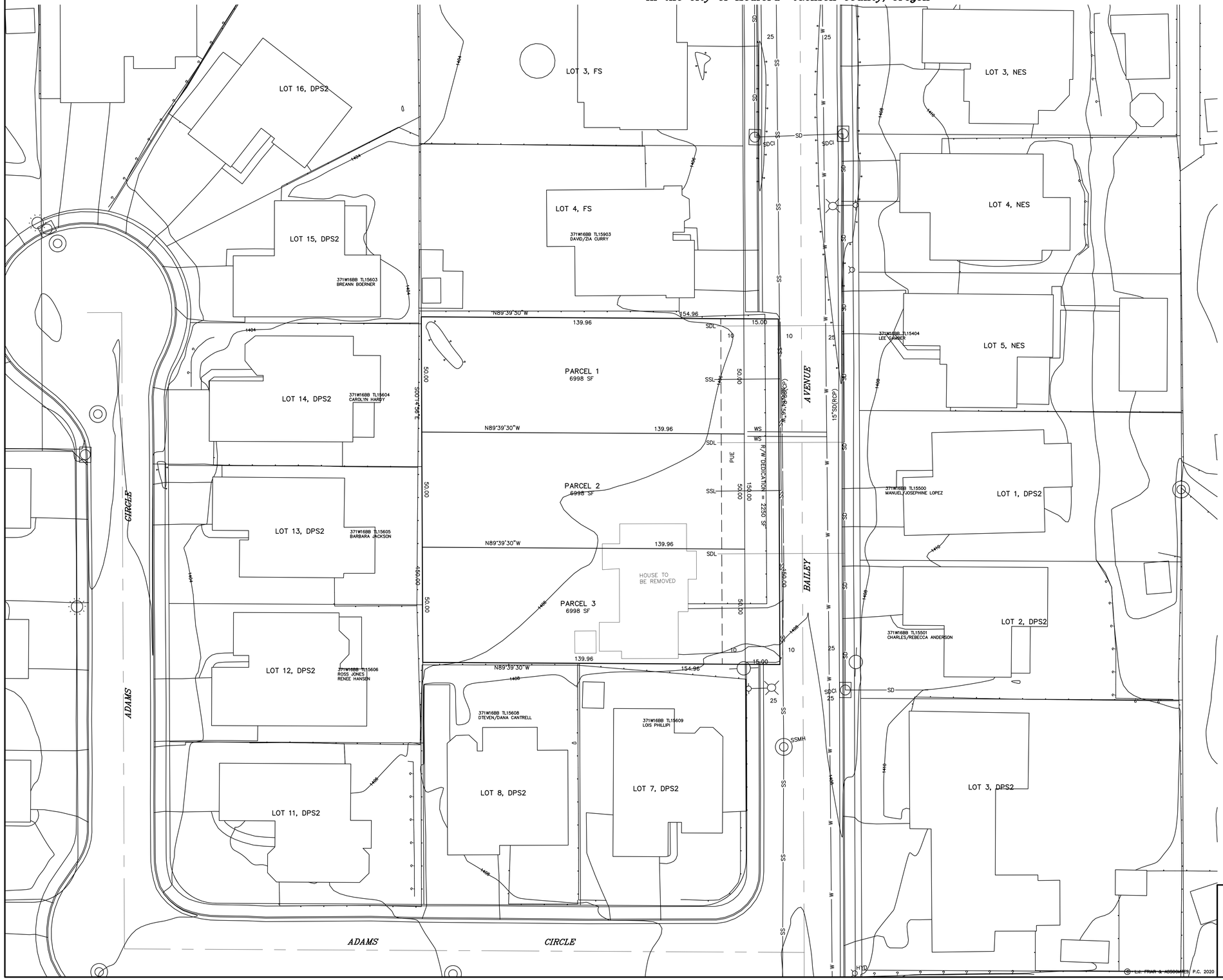
CODE REQUIRED CONDITIONS

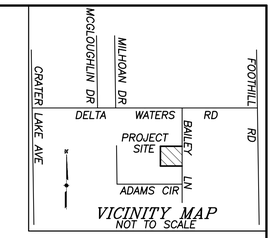
Prior to the approval of the final plat, the applicant shall:

1. Comply with all requirements of the Medford Public Works Department (Exhibit H)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit I).

TENTATIVE PARTITION PLAT

In the N.W. 1/4 of Sec. 16, T.37S., R.1W., W.M. &
in the City of Medford Jackson County, Oregon





VICINITY MAP
NOT TO SCALE

EXHIBIT "A"

FILE NO.: _____ DATE: _____

ASSESSOR'S PARCEL NO.: 371W16BB TL15800

ZONING DISTRICT: SFR-6 (PROPOSED)

MIN. LOT SIZE: 4500 SF MAX. LOT SIZE: 12500 SF

NO. OF LOTS: 3 PARCELS

MATS TRACT: _____

COMP. PLAN DESIGNATION: URBAN RESIDENTIAL

RECEIVED BY: _____ DATE: _____

REVIEWED BY: _____ DATE: _____

NOTES:

SCHOOL DISTRICT: MEDFORD 549C
IRRIGATION DISTRICT: M.I.D. (CURRENTLY NOT BEING ASSESSED)
TOTAL GROSS ACREAGE = 0.534 AC
TOPOGRAPHY SHOWN SCALED FROM CITY OF MEDFORD AERIAL DATA.
PUE=PROPOSED PUBLIC UTILITY EASEMENT.
SSL=PROPOSED SANITARY SEWER LATERAL.
SDL=PROPOSED STORM DRAIN LATERAL.
WS=PROPOSED WATER SERVICE.
FS=FLOWERS SUBDIVISION.
NES=NORFIELD ESTATES SUBDIVISION.
DPS2=DELTA PARK SUBDIVISION, UNIT NO. 2

N

0 10 20 40 60

EXHIBIT B
CITY OF MEDFORD

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

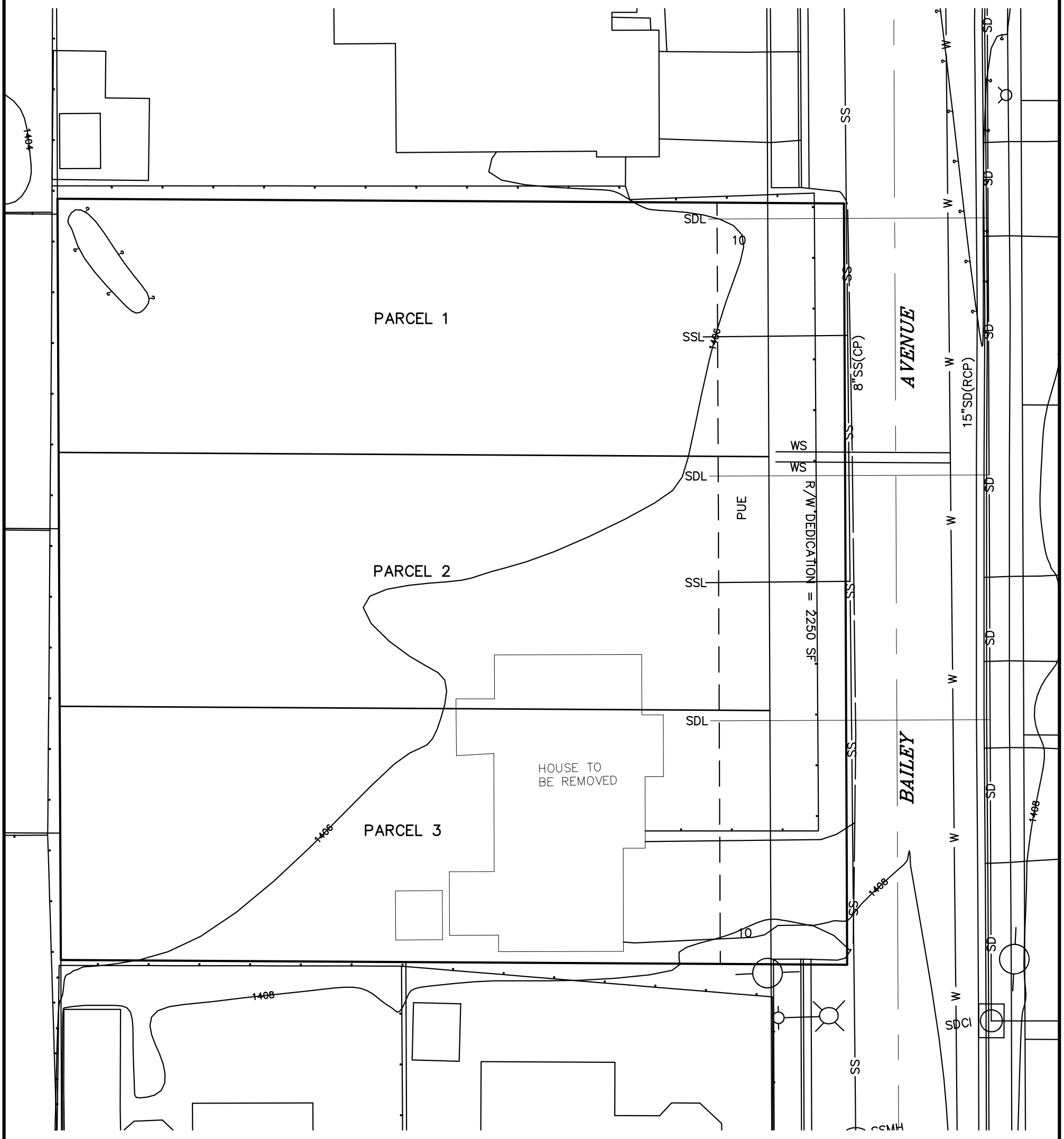
TITLE: TENTATIVE PARTITION PLAT
ASSESSOR'S MAP #: 371W16DD TL15800
APPLICANT & OWNER:
RICK & SUSAN KREBS
2939 BAILEY AVE.
MEDFORD, OR 97504

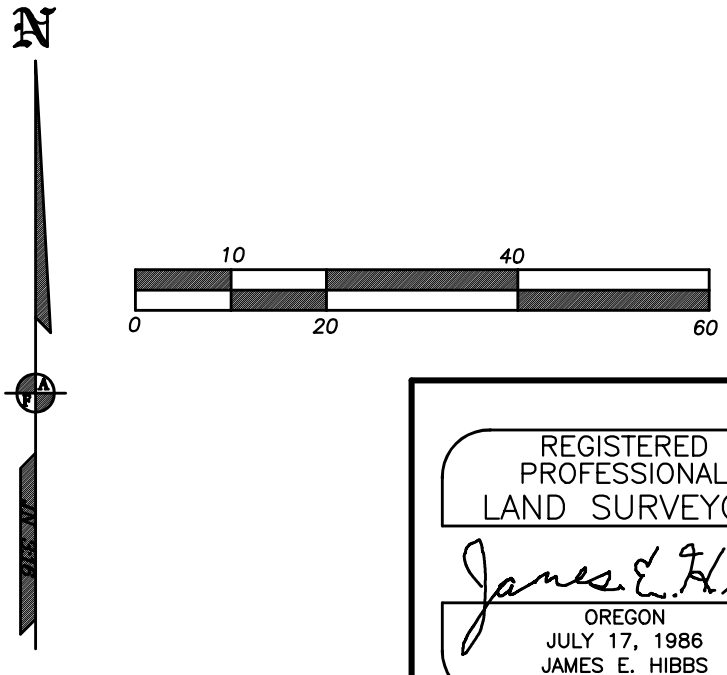
L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
PO Box 1947 Phoenix, OR 97535
Phone: (541) 772-2162
Email: ljfriarandassociates@charter.net

DATE: 17 JAN 2020
SCALE: 1 inch : 20 feet
DRAWN BY: JEH
CHK BY: JEH
ORIGIN:
ROTATION: 0°
JOB#: 19231FM
Sheet 1 of 1.

CONCEPTUAL DRAINAGE PLAN

In the N.W. 1/4 of Sec. 16, T.37S., R.1W., W.M. & in the City of Medford Jackson County, Oregon





NOTES:

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IRRIGATION DISTRICT: M.I.D. (CURRENTLY NOT BEING ASSESSED)
TOTAL GROSS ACREAGE = 0.534 AC
TOPOGRAPHY SHOWN SCALED FROM CITY OF MEDFORD AERIAL DATA.
PUE=PROPOSED PUBLIC UTILITY EASEMENT,
SSL=PROPOSED SANITARY SEWER LATERAL.
SDL=PROPOSED STORM DRAIN LATERAL.
WS=PROPOSED WATER SERVICE.
FS=FLOWERS SUBDIVISION.
NES=NORFIELD ESTATES SUBDIVISION.
DPS2=DELTA PARK SUBDIVISION, UNIT NO. 2

EXHIBIT C
CITY OF MEDFORD

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

TITLE: CONCEPTUAL DRAINAGE PLAN
ASSESSOR'S MAP #: 371W16DD TL15800
APPLICANT & OWNER:
RICK & SUSAN KREBS
2939 BAILEY AVE.
MEDFORD, OR 97504

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
PO Box 1947, Phoenix, OR 97535
Phone: (541) 772-2782
Email: ljfriarandassociates@charter.net

DATE: 17 JAN 2020
SCALE: 1 inch : 20 feet
DRAWN BY: JEH
CHK BY: JEH
ORIGIN:
ROTATION: 0°
JOB#: 19231FM
Sheet 1 of 1.

© L.J. FRIAR & ASSOCIATES, P.C. 2020

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

IN THE MATTER OF AN APPLICATION FOR A LAND DIVISION FOR THE PROPERTY IDENTIFIED AS T371W16BB TAX LOT 15800 RICHARD KREBS APPLICANT SCOTT SINNER CONSULTING, INC. AGENT	)))))	FINDING OF FACT AND CONCLUSIONS OF LAW

RECEIVED
JAN 21 2020
PLANNING DEPT.

I. BACKGROUND INFORMATION

Applicant:

Richard Krebs
266 Cambridge Terrace
Eagle Point, OR 97524

rickkrebs1@hotmail.com

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property:

37 1W 16BB TL 15800
Richard Krebs
2939 Bailey Avenue
Medford, OR 97504

.53 acres net
SFR-4 zoning district, SFR -6 zone change application submitted with the land division application

Project Summary:

The subject property is currently zoned SFR-4, an application for a partition has been consolidated with the application for a zone change.

The approval of the zone change, and land division application will create 3 parcels conforming to the lot design standards of the Medford Land Development Code (MLDC) for the SFR-6 zoning district.

EXHIBIT
D
CITY OF MEDFORD

CITY OF MEDFORD
EXHIBIT # D
FILE # LDP-20-016/ZC-20-017

10

Approval Criteria:

The relevant approval criteria for the requested land division is found within MLDC 10.204 as provided below:

10.204 Zone Change

(B) Zone Change Approval Criteria.
The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) 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.
(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d).
(3) 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 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive 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 accordance with Oregon Administrative Rule 660-012-0060, commonly referred to as the Transportation Planning Rule (TPR); approval under subsection (9) of the TPR is not allowed. The Public Works Department may require that planned improvements be constructed prior to issuance of building permits for reasons of public safety and, when possible, shall base findings for the required improvements on the safety review required by the Transportation Impact Analysis (TIA), see Section 10.461(E)(19). When a roadway's Average Daily Trip (ADT) values are shown to exceed the street functional classification as identified in the TSP, per Section 10.461 Transportation Impact Analysis (TIA), a Comprehensive Plan Amendment may be required.

Findings of Fact:

(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.*

The Oregon Transportation Planning Rule requires a jurisdiction considers all modes of transportation in a land use decision. A review of this property determines water and rail transportation are not available.

The subject property is 3 miles from the Rogue Valley International Airport, and 2.25 miles from Interstate Highway 5 (I-5). The subject property has frontage on Bailey Avenue.

RVTD bus route 60 is the closest route with a bus stop is located at on Hawaiian Avenue approximately .5 miles for the site.

The subject property is the last parcel on Bailey Avenue to be developed. Bailey Avenue was developed n the 1990's with a 50 foot right of way and curb tight sidewalks. This standard did not provide bicycle lanes. The street meets the definition for a legacy street as defined in the MLDC.

The Medford Transportation System Plan (TSP) is acknowledged, therefore also consistent with the Oregon Transportation Planning Rule.

The subject property is within the General Land Use Plan Map (GLUP) UR Urban Residential map designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR-10 zoning districts, and the applicant has applied for a zone change to be included in the SFR-6 zoning district. The requested zoning is consistent with the GLUP designation.

The City Council has not adopted a street circulation plan for the area of the subject parcel.

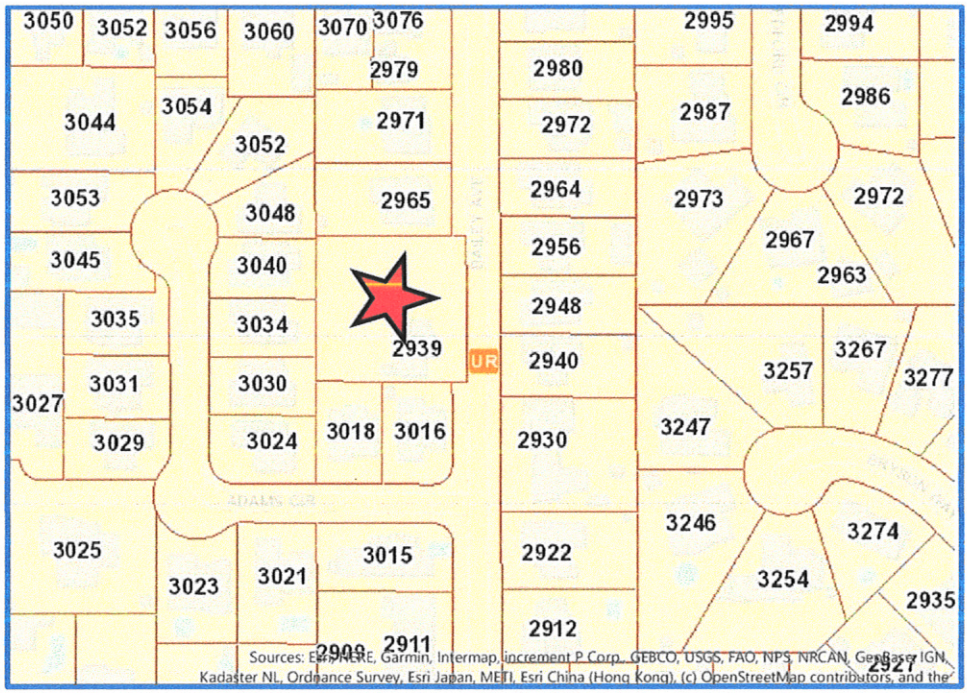
Conclusions of Law:

The Planning Commission can conclude this application is with the Comp Plan, the TSP and there are no neighborhood circulation plans. The application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-6 zoning district is appropriate within the UR GLUP designation.

Findings of Fact:

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d).

The MLDC does not have locational standards for the SFR-6 zoning district other than the property to be zoned SFR-6 must be within the Urban Residential GLUP designation.



Subject Property with UR GLUP

The property is within the UR GLUP designation.

Conclusions of Law:

The Planning Commission can conclude there are no locational standards for the SFR-6 zoning district and the property is within the Urban Residential GLUP Designation.

Findings of Fact:

(3) 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 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive 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 accordance with Oregon Administrative Rule 660-012-0060, commonly referred to as the Transportation Planning Rule (TPR); approval under subsection (9) of the TPR is not allowed. The Public Works Department may require that planned improvements be constructed prior to issuance of building permits for reasons of public safety and, when possible, shall base findings for the required improvements on the safety review required by the Transportation Impact Analysis (TIA), see Section 10.461(E)(19). When a roadway's Average Daily Trip (ADT) values are shown to exceed the street functional classification as identified in the TSP, per Section 10.461 Transportation Impact Analysis (TIA), a Comprehensive Plan Amendment may be required.

Storm Drainage

According to Roger Thom of the Public Works Department, there are existing storm drainage facilities in the public ROW of Bailey Avenue and the storm drainage system has adequate capacity for the uses allowed in the requested zone change from SFR-4 to SFR-6 zoning district.

Sanitary Sewer

According to Roger Thom of the Public Works Department, there are currently downstream capacity issues with the sanitary sewer system for the requested zone change.

The existing sanitary sewer system drains into a facility known and the terminal spur which is a piped facility crossing the airport property. The adopted sanitary sewer master plan has identified the facility and the terminal spur capacity issue is proposed for construction to resolve the capacity issues by 2022.

Roger Thom states the future development of the property would be limited to the number of dwelling units allowed in the SFR-4 zoning district.

The MLDC identifies lot design standards and permitted uses in the zoning district. The subject parcel is 150' feet in width and the lot design standards for a SFR-4 interior lot require a minimum lot width of 60 feet. In the SFR-4 zone, the property could be partitioned into 2 conforming lots.

The permitted uses in the SFR-4 zone include duplexes. Additionally, an outright permitted use in the SFR-4 zone is two detached single family dwellings on a single lot in lieu of an attached duplex. With two legal lots, the maximum density allowed by the MLDC is 4 dwelling units.

This application for a zone change is consolidated with an application for a partition to the standards of the SFR-6 zone. The minimum interior lot size for the SFR-6 zone is 50'. The parent parcel being 150' wide, the partition in the SFR-6 zone will allow 3 conforming parcels.

As a result of the sanitary sewer capacity issues identified with the terminal spur, the applicant stipulates to build no more than the four dwelling units that are currently permitted to be developed on the subject property in the SFR-4 zoning district and the approved uses and standards of the MLDC.

At the time the City resolves the capacity issues of the Terminal Spur, the stipulation would not be necessary and would not be a constraint on development.

Domestic Water

According to Rodney Grehn of the Medford Water Commission the property has two existing water meter taps, however the existing dwelling currently utilizes an onsite well for its domestic water supply.

Future development will require the developer to comply with current standards administrated by the Medford Water Commission.

Rodney stated there is adequate capacity of the domestic water supply to serve the requested SFR-6 zoning district.

Streets

The requested zone change would allow for an additional dwelling unit. The impact of an additional dwelling unit is less than 250 Average Daily Trips and the zone change will not require a Traffic Impact Analysis, and there is adequate capacity in the transportation system for the purposes of the requested zone change.

. Conclusions of Law:

The Planning Commission can conclude with the applicant's stipulation regarding sanitary sewer capacity the Category A facilities are adequate for the requested zone change.

Application Summary and Conclusion:

This application identifies the relevant approval criteria contained in the MLDC for a zone change.

The Findings of Fact demonstrate consistency with the Oregon Transportation Planning Rule, the Comprehensive Plan and the Medford Land Development Code

With the applicant's stipulation regarding sanitary sewer capacity, the Category A facilities are adequate for the requested zone change.

This application is consistent will all approval criteria contained in the MLDC for a zone change to the SFR-6 zoning district for the subject property.

On behalf of the applicant, I respectfully request the approval of this application.

Scott Sinner
Scott Sinner Consulting, Inc.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

IN THE MATTER OF AN APPLICATION FOR A LAND DIVISION FOR THE PROPERTY IDENTIFIED AS T371W16BB TAX LOT 15800 RICHARD KREBS APPLICANT SCOTT SINNER CONSULTING, INC. AGENT	)))))	FINDING OF FACT AND CONCLUSIONS OF LAW

RECEIVED
JAN 21 2020
PLANNING DEPT.

I. BACKGROUND INFORMATION

Applicant:

Richard Krebs
266 Cambridge Terrace
Eagle Point, OR 97524

rickkrebs1@hotmail.com

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property:

37 1W 16BB TL 15800
Richard Krebs
2939 Bailey Avenue
Medford, OR 97504

.53 acres net
SFR-4 zoning district, SFR -6 zone change application submitted with the land division application

Project Summary:

The subject property is currently zoned SFR-4, an application for a zone change to the SFR-6 zoning district has been consolidated with the application for a land division.

The approval of the zone change, and land division application will create 3 parcels conforming to the lot design standards of the Medford Land Development Code (MLDC) for the SFR-6 zoning district.

EXHIBIT
E
CITY OF MEDFORD

CITY OF MEDFORD
EXHIBIT # E
FILE # LDP-20-016/ZC-20-017

9

Approval Criteria:

The relevant approval criteria for the requested land division is found within MLDC 10.202 (E) as provided below:

(E) Land Division Approval Criteria.
The Planning Commission shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:

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

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

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

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

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

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

Findings of Fact:

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

The Oregon Transportation Planning Rule requires a jurisdiction considers all modes of transportation in a land use decision. A review of this property determines water and rail transportation are not available.

The subject property is 3 miles from the Rogue Valley International Airport, and 2.25 miles from Interstate Highway 5 (I-5). The subject property has frontage on Bailey Avenue.

RVTD bus route 60 is the closest route with a bus stop is located at on Hawaiian Avenue approximately .5 miles for the site.

The subject property is the last parcel on Bailey Avenue to be developed. Bailey Avenue was developed n the 1990's with a 50' right of way and curb tight sidewalks. This standard did not provide bicycle lanes. The street meets the definition for a legacy street as defined in the MLDC.

The Medford Transportation System Plan (TSP) is acknowledged, therefore also consistent with the Oregon Transportation Planning Rule.

The subject property is within the General Land Use Plan Map (GLUP) UR Urban Residential map designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR-10 zoning districts, and the applicant has applied for a zone change to be included in the SFR-6 zoning district. The requested zoning is consistent with the GLUP designation.

The City Council has not adopted a street circulation plan for the area of the subject parcel.

Conclusions of Law:

The Planning Commission can conclude this application is consistent with the Comp Plan, the TSP and there are no neighborhood circulation plans. The application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-6 zoning district is appropriate within the UR GLUP designation.

(1) 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;

Findings of Fact:

The partition plan submitted with this application proposes development of the entire parcel. All adjoining parcel are currently developed to urban densities.

Conclusions of Law:

The Planning Commission can conclude the entire property is proposed for development and the adjoining properties are not prevented from development.

(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;

Findings of Fact:

The proposed partition does not require a name, and none is provided.

Conclusions of Law:

The Planning Commission can conclude the application is consistent with the criteria as the proposed partition does not require a unique name.

(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;

Findings of Fact:

The partition fronts on Bailey Avenue. This is the last developable parcel on Bailey Avenue and no new public street will be created. The circulation pattern in the area established and will be unaffected by the approval of this application other than the last segment of Bailey Avenue will be completed with the development of this property.

The City Engineer reviewed and approved the applicant's request for this last segment of Baily Avenue to be considered a Legacy Street. The approval will result in this section being developed to the same section of the adjoining parcels.

The plat includes a 15' dedication and the property will be developed with a curb tight sidewalk.

Conclusions of Law:

The Planning Commission can conclude the proposed plat conforms with new and existing street patterns in the area.

(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;

This plat does not propose any new streets. The existing Bailey Avenue frontage will be completed and will be a public street.

Conclusions of Law:

The Planning Commission can conclude the tentative plat has provided public street.

(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.

Findings of Fact:

The subject parcel does not abut any properties in the County Exclusive Farm Use (EFU) zoning district.

Conclusions of Law:

The Planning Commission can conclude the subject property does not abut any properties or agricultural lands in the EFU zoning district and no mitigation is applicable.

Additional Criteria

Two additional criteria relevant to this application are the Hillside Ordinance and the Block Length Ordinance.

Hillside Ordinance

10.929 Hillside Ordinance, Purpose; Applicability

Sections 10.929 to 10.933 establish procedural requirements for development on Slopes in excess of fifteen percent (15%) to decrease soil erosion and protect public safety. Sections 10.929 to 10.933 apply in addition to all other requirements set forth by ordinance. In the case of conflict between Sections 10.929 to 10.933 and other requirements set forth by ordinance, Sections 10.929 to 10.933 shall govern.

The subject property is not located in a high slope area as identified or described in the MLDC. The requirements to comply with the hillside ordinance requirements, including the constraints analysis do not apply to this property and the current development application.

As required by the MLDC, this application contains the submittal the City of Medford Hillside Development Constraints Analysis Status Form.

Conclusions of Law

The Planning Commission can conclude the application complies with the requirements for compliance with the submittal requirements contained within the Medford Hillside Ordinance and the requirements of the relevant sections are not applicable to this application.

Block Length Ordinance

The MLDC includes the following Block Length sections to assure the City provides circulation and connectivity in land division applications.

10.426 Street Circulation Design and Connectivity

A. Street Arrangement Suitability.
The approving authority shall approve or disapprove street arrangement. In determining the suitability of the proposed street arrangement, the approving authority shall take into consideration:

1. *Adopted neighborhood circulation plans where provided; and*
2. *Safe, logical and convenient access to adjoining property consistent with existing and planned land uses; and*
3. *Efficient, safe and convenient vehicular and pedestrian circulation along parallel and connecting streets; and*

4. *Compatibility with existing natural features such as topography and trees; and*
5. *City or state access management standards applicable to the site.*

B. *Street Connectivity and Formation of Blocks Required.*

1. *Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.*

2. *Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below. When a development proposes a cul-de-sac, minimum access easement or flag lot to address such factors, the provisions of Section 10.450 apply.*

3. *Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.*

4. *Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.*

C. *Maximum Block Length and Block Perimeter Length.*

1. *Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2.*

MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH Table 10.426-1		
Zone or District	*Block Length*	*Block Perimeter Length*
a. Residential Zones	*660'*	*2,100'*
b. Central Business Overlay District	*600'*	*1,800'*

c. Transit Oriented Districts (Except SE Plan Area)	*600'*	*1,800'*
d. Neighborhood, Community, and Heavy Commercial Zones; and Service Commercial-Professional Office Zones	*720'*	*2,880'*
e. Regional Commercial and Industrial Zones	*940'*	*3,760'*

2. *The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site:*

    a. *Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10,426 C.1.,*
    b. *Environmental constraints including the presence of a wetland or other body of water,*
    c. *The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet*
    d. *Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,*
    e. *The subject site is in SFR-2 zoning district,*
    f. *Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,*
    g. *The proposed use is a public or private school, college or other large institution,*
    h. *The proposed use is a public or private convention center, community center or arena,*
    i. *The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.*
    j. *When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section.*

3. *Block lengths are permitted to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426 A or B or D,*

4. *When block perimeters exceed the standards in accordance with the10.426 C.2. above, or due to City or State access management plans, the land division plat or site plan shall provide blocks divided by one or more public accessways, in conformance with Sections 10.464 through 10.466.*

D. Minimum Distance Between Intersections.
Streets intersecting other streets shall be directly opposite each other, or offset by at least 200 feet, except when the approving authority finds that utilizing an offset of less than 200 feet is necessary to economically develop the property with the use for which it is zoned, or an existing offset of less than 200 feet is not practical to correct.

Findings of Fact

10.426 (2)(d) recognizes the constraints of existing development on circulation.

The proposed application develops the last redevelopable parcel on Bailey Avenue and the existing development in the vicinity prevents any changes to the street circulation patterns in the area.

Conclusions of Law

The Planning Commission can conclude the application is consistent with the block length ordinance contained in the MLDC.

Application Summary and Conclusion:

This application identifies the relevant approval criteria contained in the MLDC for a land division.

The Findings of Fact demonstrate consistency with the Oregon Transportation Planning Rule, the Medford Transportation System Plan and the General Land Use Plan Map.

The Tentative Plat will not prevent development of the remainder of the subject parcel or any adjoining parcels.

The partition plat does not require a unique name.

This application is consistent will all approval criteria contained in the MLDC for a land division. On behalf of the applicant, I respectfully request the approval of this application.

Scott Sinner
Scott Sinner Consulting, Inc.

Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

February 27, 2020

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

Re: LDP-20-016

Liz,

I would like to confirm our telephone call today regarding the development on the subject property.

The existing parcel is currently developed with a single family dwelling, occupied by a relative of the owner. The proposed lot line between parcels 2 and 3 is under this dwelling.

Mr. Krebs is planning to build a single family dwelling on the proposed Parcel 1 for the relative in the existing dwelling. The timing of the demolition and replacement of the dwelling was identified in the Land Development Committee meeting for the project.

The current code section 10.713 allows a duplex dwelling on a SFR-4 parcel and also allows two detached single family dwellings in lieu of a an attached duplex. The applicant is actively designing a single family detached dwelling to comply with all setback standards that would be applicable to development on the proposed Parcel 1 and will be submitting plans for construction.

Since 10.713 allows for the two single family dwellings on the same parcel, the applicant will be able to be in compliance with the code and would be able to proceed with the street improvements to be required with the tentative plat approval.

The existing dwelling does not have a paved driveway. Since the existing dwelling will be removed prior to final plat, and the future driveway for a dwelling on that parcel is not yet determined, that applicant requests that there would be no condition of approval to pave the existing access for the dwelling to be removed. The new dwellings on all parcels would, of course, meet all the current codes and standards.

Please feel free to call if you have any questions.
Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.

EXHIBIT
F
CITY OF MEDFORD

4401 San Juan Drive, Suite G
Medford, Oregon 97504

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

LD DATE: 2/26/2020
File Number: ZC-20-017

PUBLIC WORKS DEPARTMENT STAFF REPORT

2939 Bailey Avenue (TL 15800)
SFR-4 to SFR-6 (Krebs)

Project: Consideration of a request for tentative plat approval of a three lot land partition of a single parcel totaling 0.53 acres, including a request for a change of zone from SFR-4 (Single Family Residential, four dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre).

Location: The property is located at 2939 Bailey Avenue approximately 300 feet south of Delta Waters Road in the SFR-4 Zoning district (371W16BB TL 15800).

Applicant: Applicant, Richard Krebs; Agent, Scott Sinner Consulting Inc.; Planner, Liz Conner.

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

The proposed zone change has the potential to increase flows to the sanitary sewer system. The downstream sanitary sewer system currently has capacity constraints. Based on this information, the Public Works Department recommends this zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitation, or the Developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints, or the Developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.

EXHIBIT G CITY OF MEDFORD

II. Storm Drainage Facilities

This site may 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

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: Jodi K Cope
Reviewed 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.

LD DATE: 2/26/2020
Revised 3/17/2020
File Number: LDP-20-016

PUBLIC WORKS DEPARTMENT STAFF REPORT

2939 Bailey Avenue (TL 15800)
3- Lot Partition (Krebs)

Project: Consideration of a request for tentative plat approval of a three lot land partition of a single parcel totaling 0.53 acres, including a request for a change of zone from SFR-4 (Single Family Residential, four dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre).

Location: The property is located at 2939 Bailey Avenue approximately 300 feet south of Delta Waters Road in the SFR-4 Zoning district (371W16BB TL 15800).

Applicant: Applicant, Richard Krebs; Agent, Scott Sinner Consulting Inc.; Planner, Liz Conner.

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

EXHIBIT H CITY OF MEDFORD

1. Dedications

Bailey Avenue is considered Legacy Street per Medford Land Development Code (MLDC) 10.427(D). Proposed conditions of approval for land use actions which contain legacy streets shall be subject to review and recommendation by the City Engineer. The applicant shall be required to have a conference with the City Engineer prior to submitting land use applications containing legacy streets; the City Engineer shall produce a memorandum summarizing the meeting and legacy street standards that would apply to the land use

application and this memorandum shall be submitted as an exhibit with the land use application. If a deviation from the City Engineer's recommendation is requested by the applicant, the applicant shall provide written findings (see criteria under MLDC 10.427(D)(1)(a-e).

Bailey Avenue is classified as a Standard Residential Street within the MLDC, Section 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 31.5-feet, or as an option, may dedicate enough to provide a 24-foot half width as recommended through the Legacy Street conference to accommodate a 5-foot curbtight sidewalk. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Public Utility Easements (PUE), 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

Bailey Avenue shall be improved to Standard Residential Street standards in accordance with the MLDC, Section 10.430. The Delta Park Unit II Subdivision and Northfield Estates Subdivision, project (P1003D) completed partial improvements to the east half plus 8-feet west of centerline to Bailey Avenue along the frontage of this development. Therefore, the Developer shall improve the remaining west half to provide an 18-foot half street width along the frontage of this development. This shall include saw cutting the existing east edge of pavement back a minimum of 1-foot to ensure structural integrity and to provide cross slopes that meet current standards as required. As an option, the Developer may construct the 5-foot sidewalk curbtight as recommended through the Legacy Street conference.

b. Street Lights and Signing

No additional street lights are required.

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 by the Developer.

c. Pavement Moratoriums

There is a no pavement cutting moratorium currently in effect along this frontage.

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

Driveways shall comply with MLDC 10.550.

f. Easements

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the Developer and the burden of the development on public facilities and services so 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. <u>Nexus to a legitimate government purpose</u>
   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. <u>Rough proportionality between the dedications and improvements, and the impacts of development.</u>
   No mathematical formula is required to support the rough proportionality analysis. Furthermore, benefits to the development resulting from the dedication and improvements when determining "rough proportionality" have been considered, including but not limited to: increased property values, intensification of use, as well as connections to municipal services and the transportation network.

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

<u>Bailey Avenue</u>:

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.

The benefits of the public right-of-way improvements include: providing access and

transportation connections at urban level of service standards, on street parking, improved connectivity reducing all modes of trips generated, decreased emergency response times, benefits from using right-of-way to provide public utility services, the additional traffic that is being generated by this proposed land division and the necessity to provide connections for all modes of trips generated

Dedication of the Public Utility Easement (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated 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.

B. SANITARY SEWERS

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

C. STORM DRAINAGE

1. Drainage Plan

The Developer shall provide a comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

A Site/Utility Plan shall be submitted with the building permit application to show the location of the existing or proposed stormdrain lateral/s for the site.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

2. Grading

The Developer shall provide a comprehensive grading plan showing the relationship between adjacent property and the proposed development. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an

adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. Detention and Water Quality

Provide stormwater quality and detention facilities in accordance with MLDC Sections 10.481 and 10.729, and 10.486.

4. Mains and Laterals

All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each parcel prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing property other than the one being served by the lateral. If a private storm drain system is being used to drain this site, the applicant shall provide a joint use maintenance agreement.

5. Erosion Prevention and Sediment Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the DEQ. Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

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, 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. 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.

4. Easements

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

5. Permits

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 (SDCs)

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

This development is also subject to storm drain system development charges. The 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 (including street lights), 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.

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
2939 Bailey Avenue (TL 15800)
3- Lot Partition

LDP-20-016

A. Streets

1. Street Dedications to the Public:
   - **Bailey Avenue** – Dedicate additional right-of-way unless otherwise recommended through the Legacy Street conference.
   - Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets
- Improve **Bailey Avenue** west half to Standard Residential Street standards, unless otherwise recommended through the Legacy Street conference.

Lighting and Signing
- No additional street lights are required.

Access to Public Street System
- Driveways shall comply with MLDC 10.550.

Other
- No pavement moratorium currently in effect along this frontage.
- Provide pavement moratorium letters.
- ○ Provide soils report.

B. Sanitary Sewer:
- Provide a private lateral to each lot.
- Provide easements as necessary.

C. Storm Drainage:
- Provide an investigative drainage report, with future development.
- Provide a comprehensive grading plan, with future development.
- Provide water quality and detention facilities, with future development.
- Provide storm drain laterals to each tax lot, with future development.

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-20-016 & ZC-20-017

PARCEL ID: 371W16BB TL 15800

PROJECT: Consideration of a request for tentative plat approval of a three lot land partition of a single parcel totaling 0.53 acres, including a request for a change of zone from SFR-4 (Single Family Residential, four dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre). The property is located at 2939 Bailey Avenue approximately 300 feet south of Delta Waters Road in the SFR-4 Zoning district (371W16BB TL 15800); Applicant, Richard Krebs; Agent, Scott Sinner Consulting Inc.; Planner, Liz Conner.

DATE: February 26, 2020

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. Adequate capacity is available to serve this proposed development.

4. There are two (2) existing water meters that were previously installed to these properties. These water meters are required to be abandoned.

5. Installation of three (3) water services is required; one for each of the proposed Parcels per MWC Standards.

6. If a well is located on this parcel it will be required to be abandoned per State of Oregon water Resources Department regulations per Oregon Water Resources Department Chapter 690 Division 220.

COMMENTS

1. Off-site water line installation is not required.

2. On-site water facility construction is not required.

Continued to Next Page

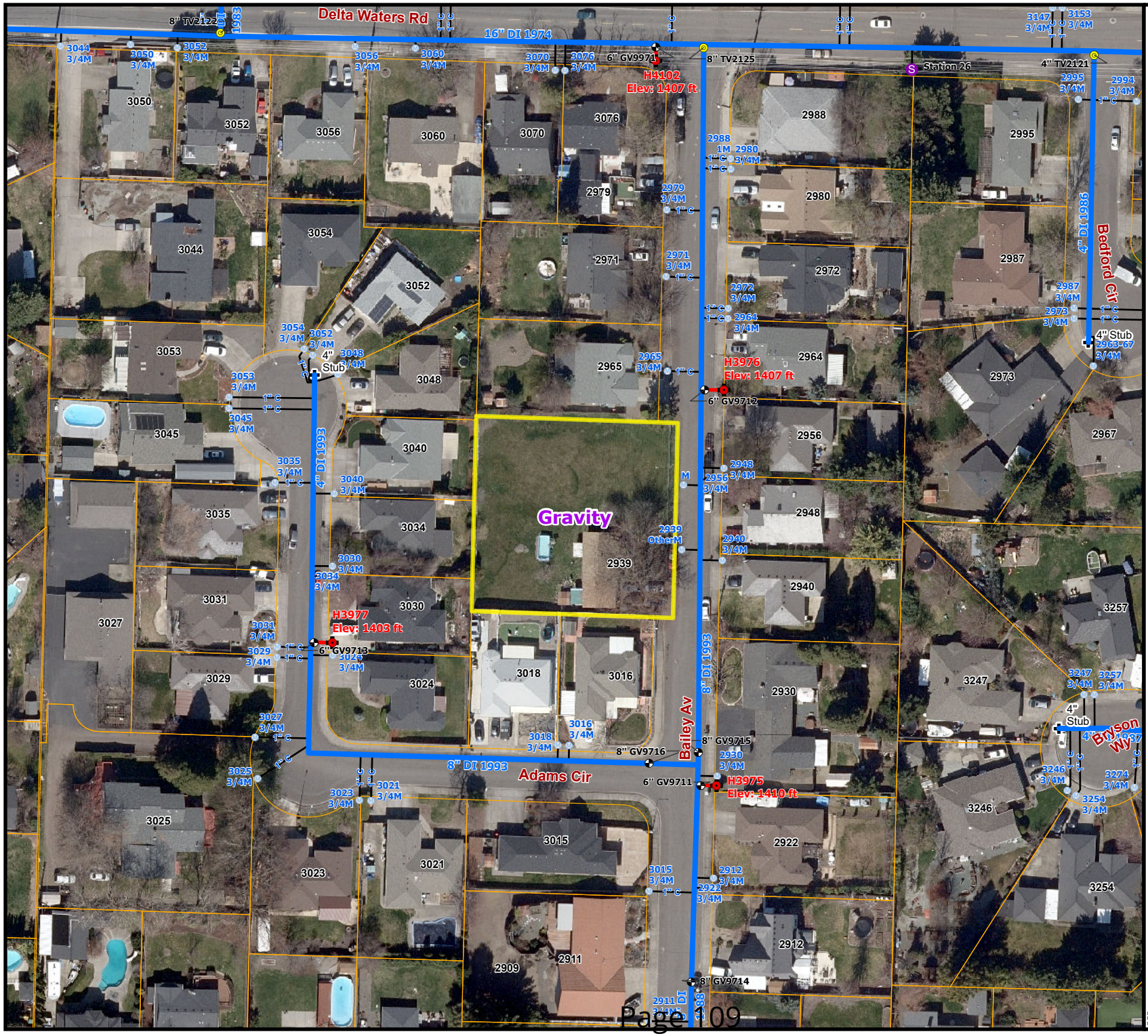
EXHIBIT I CITY OF MEDFORD

Continued from Previous Page

3. Static water pressure is approximately 78 psi.

4. MWC-metered water service does exist to this property. There are two (2) existing water meters currently installed across the frontage of Bailey Avenue. The locations of these two (2) water meters may not work with the Lot configuration. (See Condition 3 above)

5. Access to MWC water lines is available. There is an existing 8-inch water line in Baily Avenue.



Water Facility Map
City of Medford
Planning Application:
LDP-20-016 ZC-20-017
(371W16BB15800)
Feb 26, 2020

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:

- Control Station
- Pump Sta
- Reservoir

EXHIBIT I
CITY OF MEDFORD

MEDFORD WATER COMMISSION

This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

Date: 2/13/2020
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Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 2/18/2020
Meeting Date: 2/26/2020

LD File #: LDP20016 **Associated File #1:** ZC20017

Planner: Liz Conner

Applicant: Richard Krebs; Agent, Scott Sinner Consulting Inc.

Site Name: N/A

Project Location: The property is located at 2939 Bailey Avenue approximately 300 feet south of Delta Waters Road.

ProjectDescription: Consideration of a request for tentative plat approval of a three lot land partition of a single parcel totaling 0.53 acres, including a request for a change of zone from SFR-4 (Single Family Residential, four dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre).

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

EXHIBIT J CITY OF MEDFORD

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Liz Conner, Planning Department

From: Mary Montague, Building Department

CC: Richard Krebs, Applicant; Scott Sinner Consulting, Inc., Agent

Date: February 26, 2020

Subject: LDP-20-016_ZC-20-017_2939 Bailey Ave_Krebs Partition Zone Change

---

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.

General Comments:

1. 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.

Comments:

5. Provide a letter to the building official per Section R401.4 indicating if expansive soils are present or not. If expansive soils are present then a site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section 403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.

EXHIBIT K CITY OF MEDFORD

JACKSON COUNTY
Roads

JC Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

February 18, 2020

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

RE: Request a tentative plat approval for a 3-lot partition and zone change on Bailey Avenue – a city-maintained road.
Planning File: LDP-20-016/ZC-20-017

Dear Liz:

Thank you for the opportunity to comment on this request for tentative plat approval of a three-lot land partition of a single parcel totaling 0.53-acres, including a request for a change of zone from Single Family Residential, four dwelling units per gross acre (SFR-4) to Single Family Residential, six dwelling units per gross acre (SFR-6). The property is located at 2939 Bailey Avenue approximately 300 feet south of Delta Waters Road in the SFR-4 Zoning District (37-1W-16BB TL 15800). Jackson County Roads has no comments.

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

Sincerely,

Chuck DeJanvier
Construction Engineer

EXHIBIT
L
CITY OF MEDFORD

Kelly Evans

From: THOMPSON Seth <Seth.THOMPSON@aviation.state.or.us>
Sent: Monday, February 24, 2020 3:26 PM
To: Liz A. Conner
Subject: ODA No Comment: LDP-20-016/ZC-20-017

Thank you for providing the opportunity for the Oregon Department of Aviation to comment on LDP-20-016/ZC-20-017. The ODA has no comment.

Best regards,

Seth Thompson
OREGON DEPARTMENT OF AVIATION
AVIATION PLANNER

OFFICE 503-378-2529 **CELL** 503-507-6965
EMAIL
seth.thompson@aviation.state.or.us
3040 25TH STREET SE, SALEM, OR 97302
WWW.OREGON.GOV/AVIATION

EXHIBIT M CITY OF MEDFORD

Kelly Evans

From: Planning Department
Sent: Thursday, March 12, 2020 8:23 AM
To: Liz A. Conner
Subject: FW: Krebs partition

From: regan trapp [mailto:regan06052002@yahoo.com]
Sent: Wednesday, March 11, 2020 9:28 AM
To: Planning Department
Subject: Re: Krebs partition

Hello,
Could you please confirm receipt of this letter and make sure it is entered into the record. Thank you!

On Wednesday, March 11, 2020, 09:18:41 AM PDT, regan trapp <regan06052002@yahoo.com> wrote:

Hello,
I am writing in regards to the Krebs partition at 2939 Bailey Ave (LDP-20-016/ZC-20-017). Please consider denying the zone change to SFR-6. The density of the area is not conducive to SFR-6. I love the idea of that lot getting developed as the house has been an eyesore for quite some time but disagree with the density that the SFR-6 would allow. Please keep the lot at SFR-4 to allow for only 2 lots.

Thank you for your time,

Regan Trapp
2940 Bailey Ave
Medford, OR 97504

EXHIBIT
N
CITY OF MEDFORD

Kelly Evans

From: Kelly Evans
Sent: Wednesday, March 18, 2020 4:24 PM
To: Liz A. Conner
Subject: FW: Krebs Partition

Kelly Evans | *Assistant Planning Director*
City of Medford, Oregon | Planning Department
Mailing address: 411 W 8th Street, Medford, Oregon 97501
Office location: 200 S Ivy Street, Second Floor
Ph: 541-774-2380 | F: 541-618-1708

From: regan trapp [mailto:regan06052002@yahoo.com]
Sent: Wednesday, March 18, 2020 4:14 PM
To: Kelly Evans <Kelly.Evans@cityofmedford.org>
Subject: Re: Krebs Partition

<EXTERNAL EMAIL **Click Responsibly!>**

Thank you Kelly! I spoke with Gail Gibson, who is living in the house at that address. I no longer have concerns as she stated there will only be a single family home on each lot. Thank you and totally understood that you are shutting down public meetings. We are doing that here at City of Ashland. We have closed our building to the public as well.

Thank you!

On Wednesday, March 18, 2020, 04:10:19 PM PDT, Kelly Evans <kelly.evans@cityofmedford.org> wrote:

Hi there, Regan –

First, thank you for your comments on the Krebs partition. They will be entered into the record and you will have standing to appeal should you choose to do so.

I wanted to let you know that we are canceling the March 26 Planning Commission meeting because of COVID-19. We will move this item, likely to the April 23 meeting. We will be sending out a new public hearing notice when the date has been confirmed.

You do not need to re-send your comments unless you have something new to add. Please let Liz or me know if you have any questions.

EXHIBIT O CITY OF MEDFORD

Thanks!

Kelly Evans

Kelly Evans | *Assistant Planning Director*

City of Medford, Oregon | Planning Department

Mailing address: 411 W 8th Street, Medford, Oregon 97501

Office location: 200 S Ivy Street, Second Floor

Ph: 541-774-2380 | F: 541-618-1708

DENSITY CALCULATION FORM

For all residential LDP, LDS, PUD, and AC Application Files

SQ FT		6969.6
AC	0.16	0

File No.	LDP-20-016 ZC-20-017
Planner	Liz Conner
Date	March 13, 2020

GROSS ACREAGE

Tax Lot Numbers		
371W16BB15800	0.53	AC
		AC
		AC
		AC
		AC
		AC
Existing ROW to Centerline	0.09	AC
Gross Acres	0.62	AC
Effective Acres (Gross - Subtracted)	**0.62**	

SUBTRACTED ACREAGE

Large Lots for Existing Development		AC
Reserved Acreage		AC
Other[1]		
		AC
		AC
		AC
		AC
		AC
Subtracted Acres	-	AC

DENSITY RANGE

Zoning District		SFR-4
Density Range		
Minimum		2.5
Maximum		4
No. DU Proposed		
No. DU Permitted Min.		**2**
No. DU Permitted Max.		**2**
Minimum	1.54	
Maximum	2.46	
Percentage of Maximum		**0.00%**

EXISTING R-O-W CALCULATION

Street Name	LF	Width	SF	Acreage
Bailey Ave	150.00	25.00	3,750.00	0.09
			-	-
			-	-
		-	-	-
			3,750.00	**0.09**

EXHIBIT P CITY OF MEDFORD

[1] Such as future ROW dedication, resource protection areas, common open space, other dedication areas, etc.

5/06

DENSITY CALCULATION FORM

For all residential LDP, LDS, PUD, and AC Application Files

SQ FT		6969.6
AC	0.16	0

File No.	LDP-20-016 ZC-20-017
Planner	Liz Conner
Date	March 13, 2020

GROSS ACREAGE

Tax Lot Numbers		
371W16BB15800	0.53	AC
		AC
		AC
		AC
		AC
		AC
Existing ROW to Centerline	0.09	AC
Gross Acres	0.62	AC
Effective Acres (Gross - Subtracted)	**0.62**	

SUBTRACTED ACREAGE

Large Lots for Existing Development		AC
Reserved Acreage		AC
Other[1]		
		AC
		AC
		AC
		AC
		AC
Subtracted Acres	-	AC

DENSITY RANGE

Zoning District		SFR-6
Density Range		
Minimum		4
Maximum		6
No. DU Proposed		
No. DU Permitted Min.		**2**
No. DU Permitted Max.		**4**
Minimum	2.46	
Maximum	3.70	
Percentage of Maximum		**0.00%**

EXISTING R-O-W CALCULATION

Street Name	LF	Width	SF	Acreage
Bailey Ave	150.00	25.00	3,750.00	0.09
			-	-
			-	-
		-	-	-
			3,750.00	**0.09**

EXHIBIT Q CITY OF MEDFORD

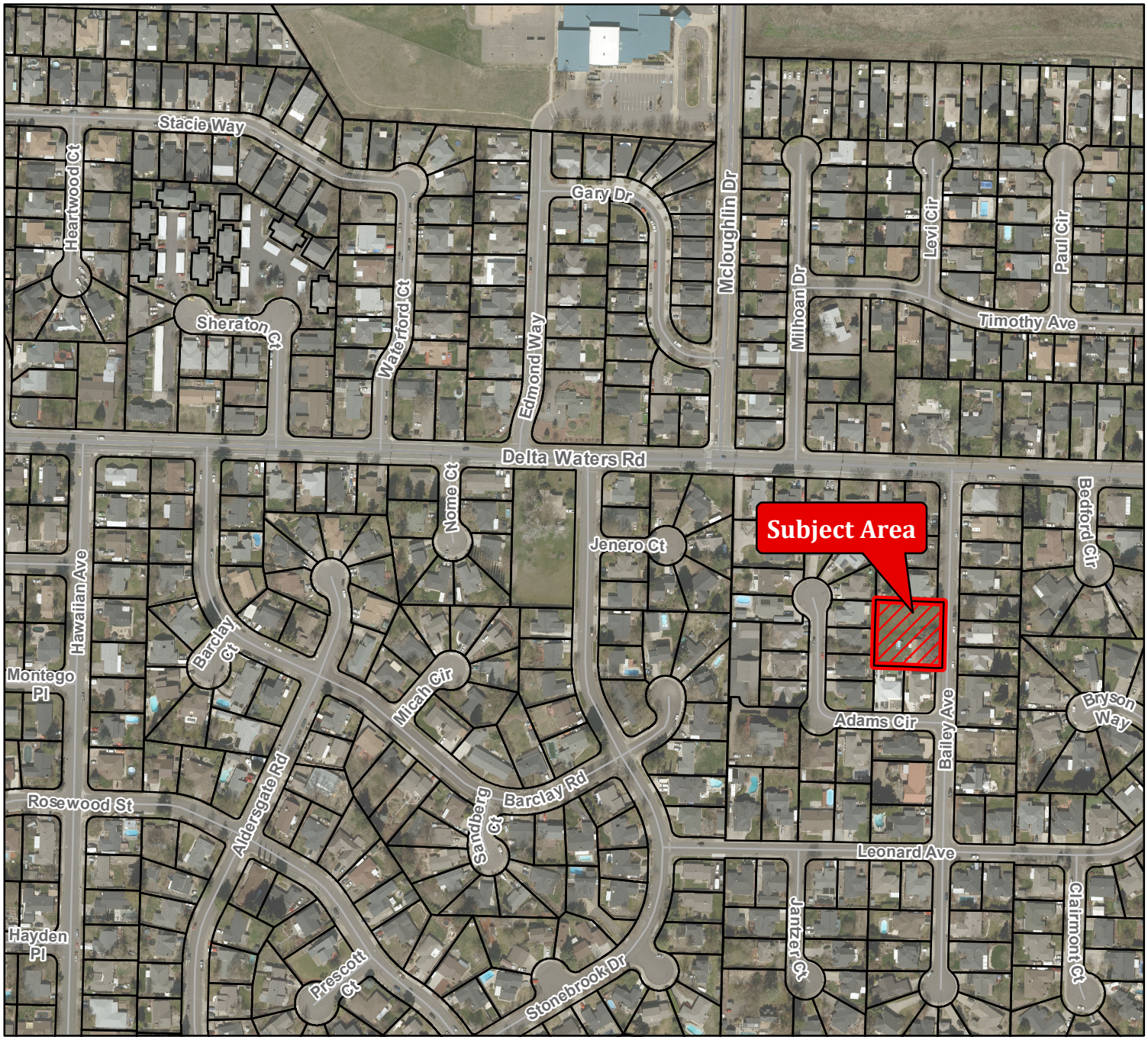
[1] Such as future ROW dedication, resource protection areas, common open space, other dedication areas, etc.

5/06

MEDFORD PLANNING

Vicinity Map

File Number:
LDP20-016
ZC20-017



Project Name:

2939 Bailey Avenue Krebs Partition & Zone Change

Map/Taxlot:

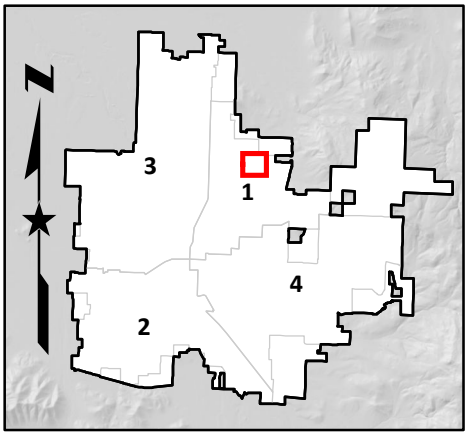
371W16BB TL 15800

0 255 510 Feet

Legend

Subject Area

Tax Lots

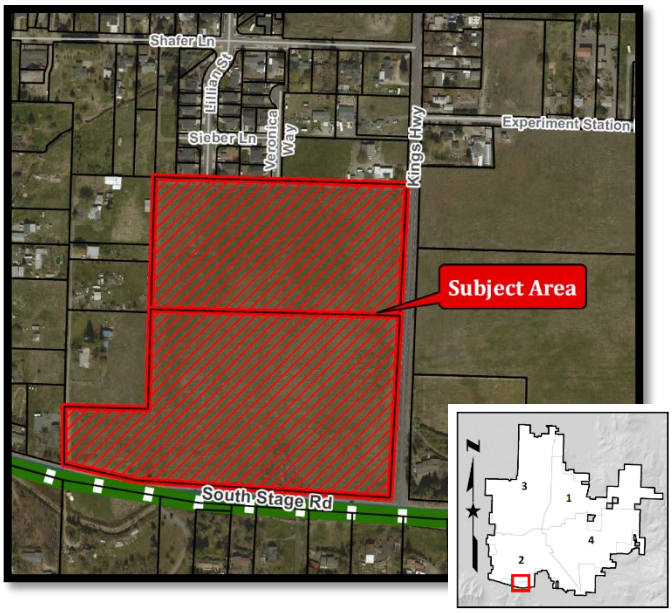


STAFF REPORT for a Type IV legislative decision: **Comprehensive Plan Amendment - Urbanization Plan**

Project	Urbanization Plan for Planning Unit MD-7c (NW corner of Kings Highway and South Stage Road)
Applicant:	KDA Homes, LLC Lazaro Ayala and Mark Knox
Agent:	Scott Sinner, Scott Sinner Consulting, Inc.
File no.	UP-19-003
To	Planning Commission *for 04/23/2020 hearing*
From	Carla Angeli Paladino, Principal Planner, Long Range Division
Reviewer	Matt Brinkley, AICP CFM, Planning Director
Date	April 16, 2020 (project originally scheduled for 03/26/2020)

BACKGROUND

Proposal



A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan (**See Exhibit B-1**) for property totaling approximately 29.72 acres located at the northwest corner of Kings Highway and South Stage Road (382W01AD 1000 and 382W01D 100). (**See Exhibits A, B, C, and D**)

The Urbanization Plan is filed in conjunction with an annexation request for the above tax lots plus adjacent right-of-way along the street frontages (ANNX-19-002).

Urbanization Plan Details

Open Space Requirement	Minimum Residential Density	Street Extensions
13% or 3.86 acres of the total planning unit	106 dwelling units in Urban Residential GLUP	Lillian Street Unnamed east/west Street along Urban Residential/Commercial GLUP boundary

Subject Site Characteristics

Planning Unit: MD-7c

Zoning: Exclusive Farm Use (EFU)

GLUP: Urban Residential (15 acres) and Commercial (14 acres)

Uses on site: Vacant land

Acreage: 29.72 acres

Surrounding Site Characteristics

North Zone: City SFR-6 and County Rural Residential-5
Use(s): Residential

South Zone: County Rural Residential- 2.5
Use(s): Residential

East Zone: County Exclusive Farm Use
Use(s): Some residences; mostly vacant

West Zone: County Rural Residential-5
Use(s): Residential

History

In June 2018, the Department of Land Conservation and Development acknowledged the City of Medford's proposed Urban Growth Boundary (UGB) amendment providing for the inclusion of 1,658 acres of buildable land to be developed. Following the adoption of the UGB, the City established the Urbanization Planning process in order to provide a regulatory framework for ensuring specific development goals are met as land converts from rural to urban uses. The land included in the UGB was categorized into distinct planning units and coded with a specific numbering and lettering system (e.g. MD-7c). Each planning unit must adopt an Urbanization Plan prior to or in conjunction with a proposal for annexation. The Urbanization Plans are high level master plans intended to show conformance with the Regional Plan and transportation plan requirements.

Property owners of and within planning units are required to conduct a pre-application conference with planning staff and other internal and external review agencies to discuss the proposal prior to submitting a formal application. A pre-application review was held for the subject property on May 29, 2019.

In addition, property owners are required to hold a neighborhood meeting with surrounding neighbors and property owners in order to provide an opportunity to explain the proposal and provide for questions and answers. A neighborhood meeting was held for this project on October 19, 2019.

Planning Unit MD-7c was approved with two General Land Use Plan (GLUP) designations: Urban Residential and Commercial. The property is one legal parcel identified as two separate tax lots. The property is located in southwest Medford and is bordered by Kings Highway on the east and South Stage Road on the south. The proposal was initiated by the property owner who is the sole owner of the entire planning unit.

The property owner has requested concurrent annexation of the land. The City Council set the hearing date for annexation for May 7, 2020. The review and decision on the Urbanization Plan and Annexation will be held on the same evening.

Related projects

ANNX-19-002: Annexation request for subject parcels and adjacent rights-of-way

CP-14-114: Urban Growth Boundary Amendment

CP-16-075: Urbanization Planning Comprehensive Plan Amendments

Authority

This proposed plan authorization is a Type IV legislative Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.102–10.122, 10.214, and 10.220.

ANALYSIS

Planning unit MD-7c was adopted into the City's Urban Growth Boundary in 2016 and acknowledged by the State in 2018 to help accommodate the needs of a growing City. The site is located in southwest Medford and provides nearly a 50/50 split of Urban Residential and Commercial land uses. The property is bordered by two minor arterials, Kings Highway on the east and South Stage Road on the south. The site is in close proximity to downtown and other nearby commercial centers making it a prime location for new urban development.

The proposal as outlined below meets the plan requirements/criteria for incorporation into the Neighborhood Element of the Comprehensive Plan. The plan provides the framework for future development of the property by establishing the minimum residential units required to be built, the percentage of open space to be provided, and the street network to be constructed. All of these elements together help show compliance with the goals of the Urban Growth Boundary amendment and Regional Plan obligations.

A letter of support for the Urbanization Plan was submitted by Mark Knox on April 15, 2020 (**See Exhibit O**).

FINDINGS AND CONCLUSIONS

Applicable criteria

For the applicable criteria the Medford Municipal Code §10.220(B)(4) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for an Urbanization Plan found in Sections 5 and 6 in the Urbanization Planning Chapter of the Neighborhood Element. The criteria are set in *italics* below; findings and conclusions are in roman type.

The applicant's project summary and findings of fact address each of the criteria in detail and are attached as **Exhibit E**.

Section 5 - PLAN CONTENTS

Criterion 5.1 *RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:*

> ***5.1.1*** *Specify residential zoning districts for certain areas.*
>
> ***5.1.2*** *Commit to specific quantities of residential development in commercial areas.*

The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.

The text below also includes findings that demonstrate compliance with Goal 10 (Housing).

Findings

The Regional Plan Element of the Comprehensive Plan was adopted in August 2012 and established the minimum residential densities each of the participating jurisdictions agreed to achieve. For Medford, the minimum target density is 6.6 dwelling units per gross acre until 2035, then the density increases to 7.6 dwelling units per gross acre. Gross acreage in the City of Medford includes the total area of the properties' boundaries plus any adjacent right-of-way measured to the center line multiplied by the zoning districts minimum and maximum density factors.

The subject property has two General Land Use Plan (GLUP) designations: Urban Residential and Commercial. The Urban Residential portion of the

property is approximately 15 acres in size (17.56 approximately including the right-of-way). The Urban Residential General Land Use Plan designation accommodates four of the City's low density residential zoning districts. The lowest density zoning district, SFR-2, is applicable to sites with environmental constraints such as steep slopes or flood issues. Because such constraints do not exist on the subject property, this zoning designation would not be considered for this site. The zoning districts include minimum and maximum density factors at the following dwelling units per acre (du/acre):

Zoning	SFR-2	SFR-4	SFR-6	SFR-10
Minimum Density	0.8	2.5	4.0	6.0
Maximum Density	2.0	4.0	6.0	10.0

The applicant has indicated in the application that the proposed zoning district for the Urban Residential portion of the property will be Single-Family Residential 10 (SFR-10) which provides for a minimum of six dwelling units and a maximum of 10 dwelling units per acre. Based on 15 acres, the applicant has calculated a minimum of 99 dwellings units required using 6.6 as the minimum factor and 150 dwelling units using 10 as the maximum factor. The applicant describes the future housing types as a mix of single family detached and single family attached.

Using a detailed spreadsheet to standardize how residential density is calculated for each of the planning units, the Planning Department has calculated 106 dwelling units as the minimum number of dwelling units needed to meet the minimum committed residential density for the UR-designated land. (**See Exhibit F for calculation summary**) The applicant will be required to demonstrate that it can reach this target through future zoning and land division applications.

The Commercial GLUP designation accommodates the City's Commercial zoning districts. The applicant will seek Community Commercial zoning in future applications. This zone provides for a wide range of commercial and office uses as well as multi-family residential. The applicant does not propose any specific residential uses within this zoning district as a means to meeting the residential density on the property. If the applicant decides

to construct residential uses on the commercial designation then additional housing units will be provided above the required minimum.

Conclusions

Satisfied. The minimum residential density requirement as calculated by Planning staff for the Urban Residential portion of the property is 106 dwelling units (based on 17.56 gross acres). The applicant proposes the Single-Family Residential 10 (SFR-10) zoning district to accommodate this minimum density calculation. The re-zoning of the property and future development will be required to meet the minimum residential densities as an obligation of meeting the Regional Plan elements. The applicant has not indicated a need to use the Commercial GLUP designations in order to satisfy the minimum residential density. Additional residential units can be provided in the Commercial GLUP increasing the overall number of dwelling units on the property.

The City has an adopted Housing Element (2010) that describes the housing needs of the City through 2029. The housing mix allocations assumed roughly two thirds of the dwelling units to be constructed as single family detached homes, single-family attached homes, manufactured homes, and two-family attached homes (duplexes). The remaining one third would accommodate multi-family homes (3 or more attached units). The overall needed density in the Housing Element was calculated as 6.3 dwellings per gross acre.

The Regional Plan (2012) imposes a density standard that exceeds that outlined in the Housing Element at a minimum density of 6.6 dwelling units per gross acre. The City has committed to this density until 2035, and then the density factor increases to 7.6 dwelling units per gross acre from 2036 through 2050. Land use changes made as part of the Urban Growth Boundary Phase I (Internal Study Areas 2014) project increased the supply of medium and high density residential designations within the City limits and reallocated lower density residential into the expansion areas. The Urbanization Planning (2018) process was established in order to establish minimum residential density standards and track housing production within each planning unit as the land develops. This process helps ensure land within the Urban Growth Boundary is being used to its maximum capacity to ensure needed housing of all types is being constructed. This criterion is satisfied.

Criterion 5.2 *Transportation Planning: A neighborhood circulation plan map showing:*

> ***5.2.1*** *Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.*
>
> *The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.*
>
> *The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.*
>
> *Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.*
>
> *Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.*

<u>Findings</u>

The subject property is bordered by Kings Highway on the east and South Stage Road on the south. Kings Highway and South Stage Road are both higher order streets and are classified as minor arterial streets. There are no new proposed higher order streets (collectors and arterials) to be extended within this property as identified in Figure 18 (Roadway Functional Classification) of the 2018 Transportation System Plan.

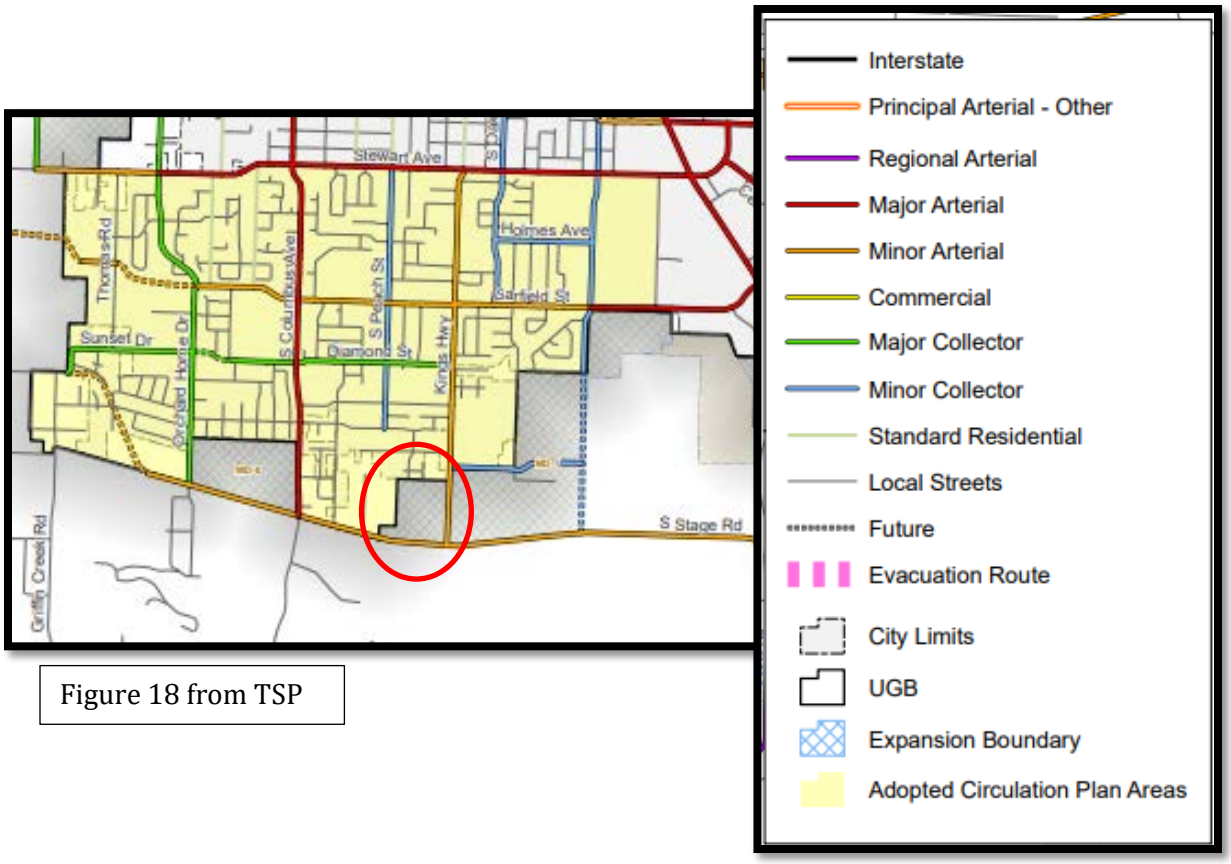
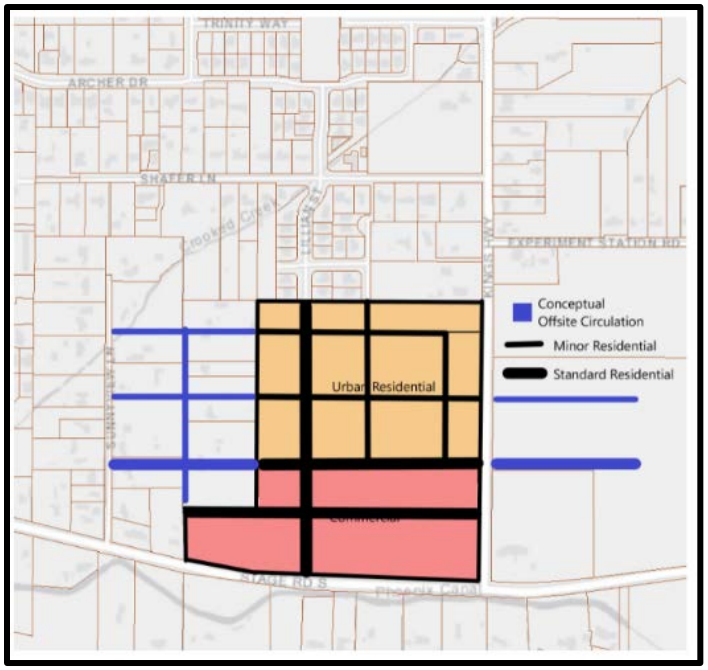


Figure 18 from TSP

The applicant proposes to extend Lillian Street (north/south), a standard residential street from its current northern terminus to South Stage Road. Two additional east/west standard residential streets are proposed, one splits the Urban Residential and Commercial GLUP designations and the other bisects the Commercial GLUP designation. Four additional minor residential streets, two running north/south (one being the extension of Veronica Way) and two running east/west are proposed within the property to create a gridded street pattern to serve the residential, commercial, and open space uses.



Conclusions

Satisfied. There are no required higher order street extensions per the Transportation System Plan that must be extended within this planning unit. The applicant proposes a gridded street pattern of standard residential and local access streets to accommodate future development of the land. This criterion is satisfied.

Criterion 5.3 *Compliance with the open space allocation for an urban reserve area. Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:*

5.3.1 *Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.*

5.3.2 *Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.*

5.3.3 *Riparian corridors shall be counted.*

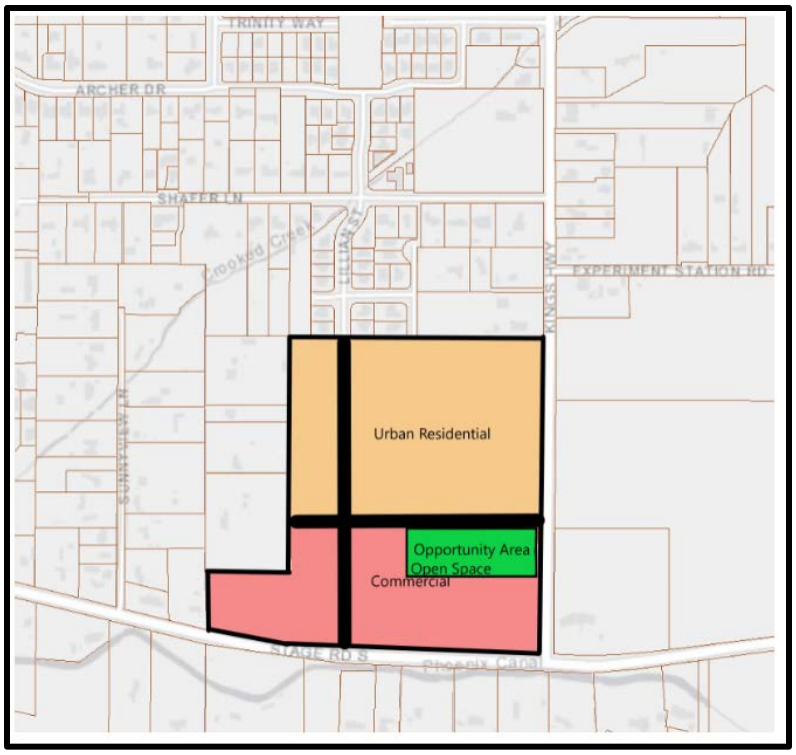
5.3.4 *Areas under an "open space" tax assessment shall be counted.*

5.3.5 *Locally significant wetlands and any associated regulatory buffer shall be counted.*

5.3.6 *Slopes greater than 25 percent*

Findings

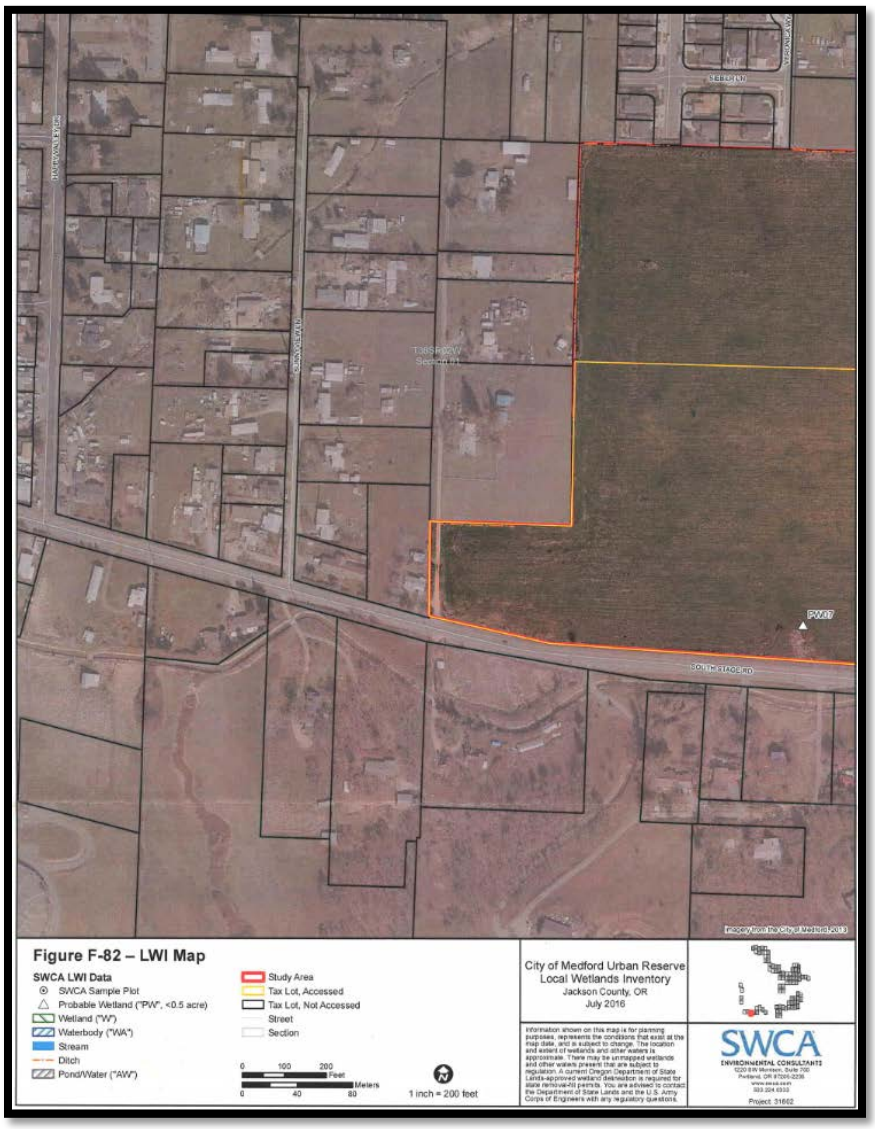
The Regional Plan allocated employment, residential and open space land use requirements within each of the planning units. In MD-7c, 13 percent of the land or 3.86 acres must be set aside for open space uses. The applicant has acknowledged this requirement and plans to meet this obligation. To date, the applicant proposes meeting the open space requirement by working with the Parks and Recreation Department to create a neighborhood park site on the property. The details on this acquisition by the City is still pending and under discussion but the proposed location of the park is identified below. Public parks are identified as acceptable forms of meeting the open space requirement.



The use of agricultural buffers is not required on this property as the land to the west, north, and east are either already within the city limits or within the Urban Growth Boundary. The properties to the south are within the County and zoned Rural Residential – 2.5 (RR-2.5) which also does not require an agricultural buffer.

The site does not contain a mapped riparian corridor and is not subject to an open space assessment.

The State approved the City's Local Wetlands Inventory for the Urban Growth Boundary expansion areas in 2017. The subject property was not identified to contain any locally significant wetlands. One probable wetland location was flagged on the site as noted in the aerial map below.



There are no slopes greater than 25 percent that can be counted as open space.

Conclusions

Satisfied. The owner/applicant is subject to a 13 percent open space requirement on the property which equates to 3.86 acres of land. The potential for a public park site and the acquisition of the land by the Parks and Recreation Department is currently in discussions but is not solidified. The applicants acknowledge the requirement for meeting the open space requirement in their findings and the requirement will be identified in the Comprehensive Plan for this planning unit. This criterion is satisfied.

Criterion 5.4 *Compliance with the requirements of Regional Plan Element, Section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.*

Findings

Section 4.1.6 of the Regional Plan Element points to the 2020 benchmark targets identified in the most recent Regional Transportation Plan (RTP-2017) for number of dwelling units and new employment in mixed-use and pedestrian friendly developments or activity centers. Activity centers are defined in the RTP as:

- Areas of development that contribute to achieving mixed-use, pedestrian friendly development;
- Neighborhood commercial and employment centers, parks, and schools;
- Downtown areas;
- Transit Oriented Developments; and
- Development that is vertically or horizontally mixed-use

The 2020 target for new dwelling units in the RTP is identified as 49 percent and for new employment in activity centers is 44 percent. Data from 2001 indicated that Medford was already exceeding these targets at 61 percent and 48 percent respectfully. The City is required to continue meeting or exceeding these targets as required by the Regional Plan.

The intent of the mix of land uses distributed throughout each of the planning units within the Urban Growth Boundary Expansion areas is to continue this trend of providing housing, employment, and open space in close proximity to one another. In MD-7c, the mix of residential and commercial provides an ideal situation to create housing and employment/service opportunities in a new neighborhood setting that is close to existing schools, the downtown core, and recreational amenities on and off site.

The applicant is required to meet minimum density requirements (106 dwelling units) for the Urban Residential portion of the plan. The Commercial portion provides versatility with the type of permitted uses including multi-family residential, retail, and office uses that can be developed in order to compliment the proposed mix of residential units.

The proposed gridded street pattern provides a transportation connection to tie all of the uses together and provide multi-modal access to internal and external development.

Conclusions

Satisfied. MD-7c has the necessary mix of land uses, proposed transportation network, and commercial use flexibility to help meet the Regional Plan requirements related to housing and employment in activity centers. This criterion is satisfied.

Criterion 5.5 *Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.*

> ***5.5.1*** *Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.*

Findings

The adoption of an urbanization plan provides a framework for the types of land uses and street network proposed within the planning unit. The applicant is responsible for coordinating and discussing public utility needs and challenges that may exist for the site in order to better prepare for the future development of the property. At this stage, no utilities are being extended to serve the property and utility provider comments are informational.

During the Land Development meeting held on February 26, 2020, comments were received from Medford Public Works (**Exhibit G**), Jackson County Roads (**Exhibit H**), Rogue Valley Sewer Services (**Exhibit I**), and the Medford Water Commission (**Exhibit J**). Medford Fire-Rescue (**Exhibit K**) provided standard comments but no specific conditions for consideration at this time. The installation of off-site and on-site utilities will be coordinated with future development phases of the property.

Generally, the property can be served by the extension of water and sewer facilities based on line sizes and pressure zone requirements. Gravity sewer to the main in South Stage Road is likely not possible due to grade differences.

Jackson County Roads provided comments related to the annexation and jurisdictional transfer of the roadways, storm drain management

becoming the responsibility of the City upon annexation, and access limitations on South Stage Road.

Medford Public Works understands that South Stage Road and Kings Highway will become the responsibility of the City upon jurisdictional transfer of the roadways. Both streets are minor arterial streets that will be upgraded to city standards upon development of the property. The future construction of the internal public roadway system will also be maintained by the City. The applicant's interior circulation map identifies a gridded network of streets. Future system development charges and utility fees will apply as construction occurs and upon annexation.

Conclusions

Satisfied. Utility providers have reviewed the urbanization plan and have provided preliminary comments that the applicant can use and apply to the next stage of development for the property. This criterion is satisfied.

Criterion 5.6 *Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.*

Findings

The subject property is currently vacant. The site does not contain any identified riparian corridors. The City's Local Wetlands Inventory shows a probable wetland on the south side of the property. Further investigation by a wetland professional is needed to determine the status of this probable wetland prior to development of the property.

Conclusions

Satisfied. Except for the location of a probable wetland on the south side of the property, the site does not contain structures or riparian corridors that need to be addressed with the proposal. This criterion is satisfied.

Criterion 5.7 *Compliance with applicable provisions of the Urban Growth Management Agreement.*

Findings

The property is currently within the Urban Growth Boundary and is subject to the provisions in the Urban Growth Management Agreement (UGMA).

As outlined in the UGMA amended by both the City and County in 2016 and 2017 respectively, the City agrees to request surrender of South Stage Road west of Kings Highway and along Kings Highway abutting both property frontages. Annexation shall occur for the full width of the road right-of-way along these segments as outlined in the agreement. In addition, the City shall request surrender of jurisdiction of these roadways regardless of when and how the road became a County road and transfer is taken without compensation or conditions by the City.

Because of the regional significance of South Stage Road, and the short segment of this project, the jurisdictional exchange of this roadway will come upon request by the County. At such request, the City will agree to take it over. If the extension of Lillian Street to South Stage Road occurs prior to the City taking over jurisdiction of South Stage Road, the County will limit movement from Lillian Street to right-in and right-out only.

The applicant has identified the full width rights-of-way along these street frontages to be annexed under a separate annexation application. The City Council will consider annexation at the May 7th public hearing.

Development of these lands are intended to comply with City requirements and the provisions of the Regional Plan.

Conclusions

Satisfied. The applicant has proposed annexation of the full width rights-of-way along South Stage Road and Kings Highway abutting the property frontages in accordance with the Urban Growth Management Agreement. Development of the property is subject to City regulations and the requirements outlined in the Regional Plan. County review and regulations may be applicable depending on when the roadways are transferred. The Urbanization Planning process and the proposed annexation are the first steps in meeting the requirements of the UGMA. This criterion is satisfied.

Criterion 5.8 *Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.*

Findings

The annexation policies and Urban Growth Management Agreement as outlined in the Comprehensive Plan did not include special agreements or

provisions for this planning unit. There were no stipulations included in the agreement for the inclusion of MD-7c into the Urban Growth Boundary.

Conclusions

Not Applicable. The applicant is not subject to additional requirements as outlined in the annexation and Urban Growth Management Agreement policies for the inclusion land into the Urban Growth Boundary. This criterion is not applicable to this planning unit.

Criterion 5.9 *Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.*

Findings

As noted under Criterion 5.3 above, the applicant is responsible for providing 13 percent open space or 3.86 acres of land as a requirement of the Regional Plan. The applicant has discussed the possibility of the City acquiring park land on this property for the development of a future neighborhood park. Because the property is located within a park walkshed gap, as identified in the City's Leisure Services Plan, the Parks and Recreation Department will consider acquisition of parkland in this area.

The Parks Department was given a preliminary plan for the park site which included using portions of the land for storm water detention. In their comments, the Parks Department noted concerns with the applicant's concept proposal to site a storm water detention facility within the park site and suggests the applicant explore other ways to manage storm water on the site without impacting the developable area of a future park. The applicant followed up with a separate letter acknowledging this concern and indicating the park uses and storm water facilities would be separated providing for an unrestricted potential park site (**See Exhibit N**). The applicant and Parks and Recreation Department staff will continue to discuss and work through the details of this proposal (**See Exhibit L**).

In addition, the Leisure Services Plan indicates a proposed shared-use pathway along South Stage Road. The new arterial cross section adopted by the Transportation System Plan provides for off-road bicycle facilities which helps achieve the installation of a pathway system along South Stage Road and Kings Highway.

The Parks and Recreation Department will be responsible for the maintenance of the vegetation located within the planter strips along both higher order streets. The Department will require landscape and irrigation plans to be reviewed and approved at future stages of development of this property.

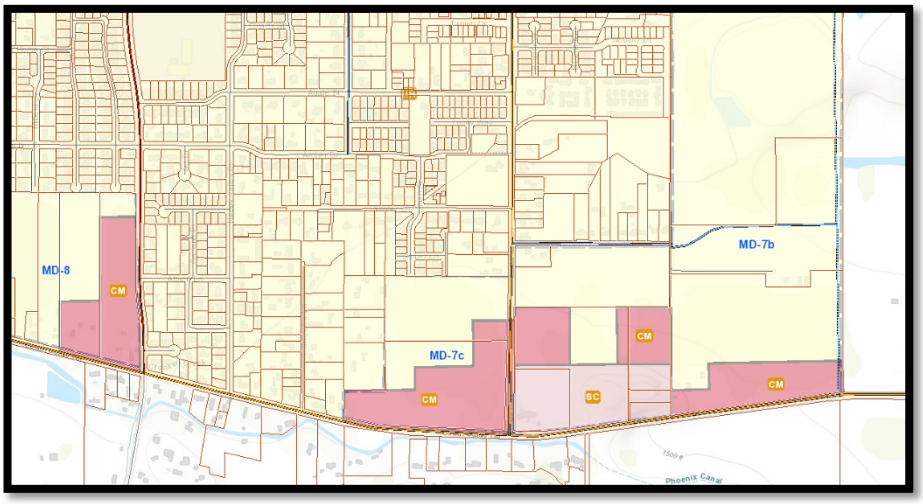
Conclusions

Satisfied. The applicants are working with the Parks and Recreation Department to outline the details for the acquisition of a future park site on the property. The applicants understand their responsibility to provide for open space on the site and street improvements along South Stage Road and Kings Highway. The adopted cross section for these streets provides off road bicycle facilities which can be used to accommodate the noted trail system in the Leisure Services Plan along South Stage Road. This criterion is satisfied.

Criterion 5.10 *Vicinity map including adjacent planning units and their General Land Use Plan designations.*

Findings

A vicinity map showing adjacent planning units and General Land Use Plan (GLUP) designations has been provided by the applicant. Land to the west and north have GLUP designations of Urban Residential. Across Kings Highway on the east, is planning unit MD-7b, which has a mix of Urban Residential, Commercial, and Service Commercial GLUP designations.



The proposed street circulation for the subject property provides for future connectivity to the west and east (see Secondary Streets with Conceptual Offsite Circulation Map under criterion 5.2 above).

Conclusions

Satisfied. The applicant has provided maps showing the subject property in relationship to the adjacent and adjoining properties to the west, north, and east. This criterion is satisfied.

Criteria 5.11 *Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.*

Findings

The applicant has provided a map showing the property lines of the subject property and topographic survey of the site (**See Exhibit M**). The applicant's circulation plan provides for the extension of future streets to serve land to the west and align future streets to the east.

Conclusions

Satisfied. The information requested has been provided by the applicant. This criterion is satisfied.

Criteria 5.12 *Existing easements of record, irrigation canals, and structures.*

Findings

A topographic survey showing contour lines, fence lines, property lines, recorded document numbers, and existing utilities was submitted with the application. The documented easements include a recorded access easement on the western side of the property that serves four parcels located north of South Stage Road. The applicant plans to dedicate and improve the portion of the easement on the subject property into a future street segment for use by the neighboring property owners. Also noted on the plan is an easement for well and water

pipe lines, however the location of the well was not found on site.

Planning staff and the applicant's agent were invited to discuss the project with the property owner (Robert Stahler) at 914 South Stage Road. During the site visit, Mr. Stahler identified some existing open water canals (running along the northwestern property line) and other water sources along the north and south sides of the property to be aware of as future development occurs. Irrigation water is being provided to Mr. Stahler and other neighboring properties. No formal comments have been received from the irrigation district regarding this application.

Picture of open water flowing on eastern side of 914 South Stage Road

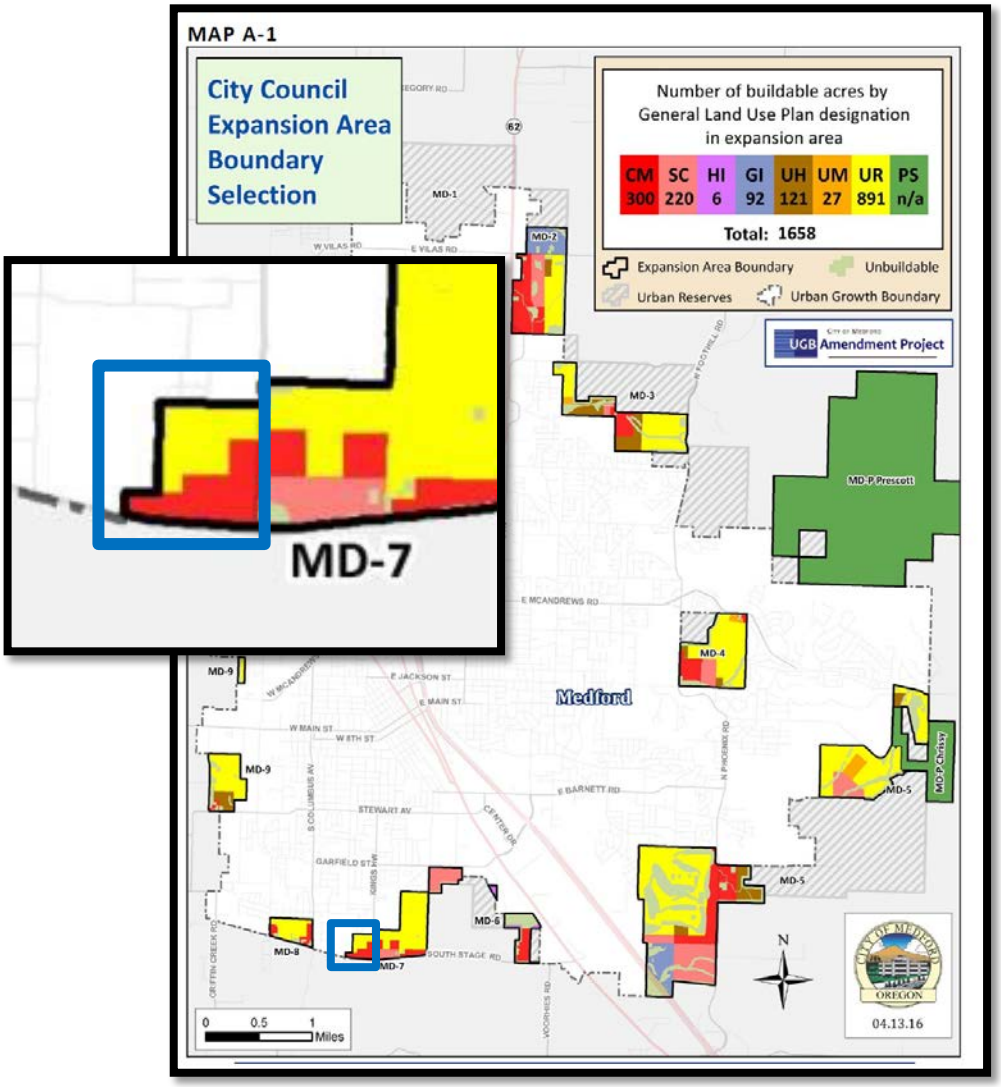
Conclusions

Satisfied. The applicant has provided documentation of existing easements on the property. Discussions with the irrigation district will be needed at the next stages of development to address open water sources and access to irrigation water. There are no existing structures on the property. This criterion is satisfied.

Criterion 5.13 *Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.*

Findings

Below is Map A-1 which is part of the Urban Growth Boundary Amendment project report adopted by City Council on August 18, 2016. The subject properties are outlined in the blue boxes below. The map does not reference any unbuildable areas for the subject properties. In addition, no agricultural buffers are required as the properties are adjacent to land in the Urban Growth Boundary on the west, city limits and Urban Growth Boundary on the north, future expansion areas and Urban Growth Boundary on the east, and land zoned County Rural Residential 2.5 (RR-2.5) on the south.



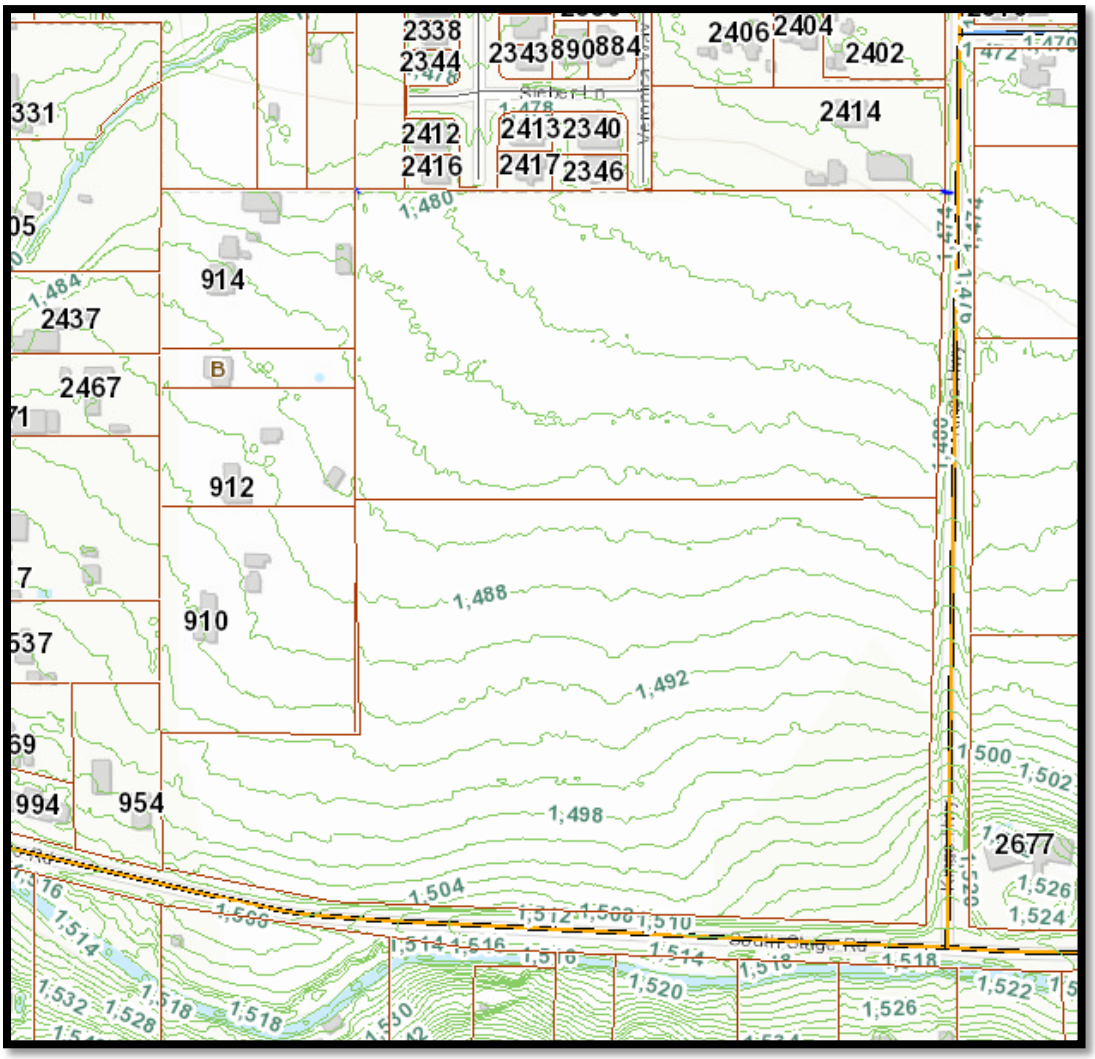
Conclusions

Satisfied. There are no identified unbuildable areas or required agricultural buffers within MD-7c that must be accounted for as part of the urbanization plan for this planning unit. This criterion is satisfied.

Criterion 5.14 *Contour lines and topography.*

Findings

The contour lines of the property start at 1,480 feet at the north side and increase to 1,506 feet along the southern end of the property at South Stage Road. The applicant has submitted a topographic survey of the site. The property has approximately a 2.4 percent slope from north to south with South Stage Road rising above the subject property.



Conclusions

Satisfied. The applicant has provided a contour map showing the grade changes for the property. There are no identified steep slopes. South Stage Road represents the highest point of the property on the south side. This criterion is satisfied.

Criterion 5.15 *In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:*

5.15.1 *Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.*

5.15.2 *Limitations on development due to facility capacity shortfalls.*

5.15.3 *Architectural details.*

5.15.4 *Specifics about building types and building placement.*

5.15.5 *Access and internal circulation on prospective lots or development sites.*

Findings

The applicant does not propose any deviations from the code, limitations on development due to capacity shortfalls, architectural details, building types or placement, or access points.

Conclusions

Satisfied. The proposed urbanization plan does not contain any of the above listed deviations or details that are inappropriate at this level of the planning stage. This criterion is satisfied.

Section 6 - GLUP AMENDMENTS
Criteria

6.1.1 *Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.*

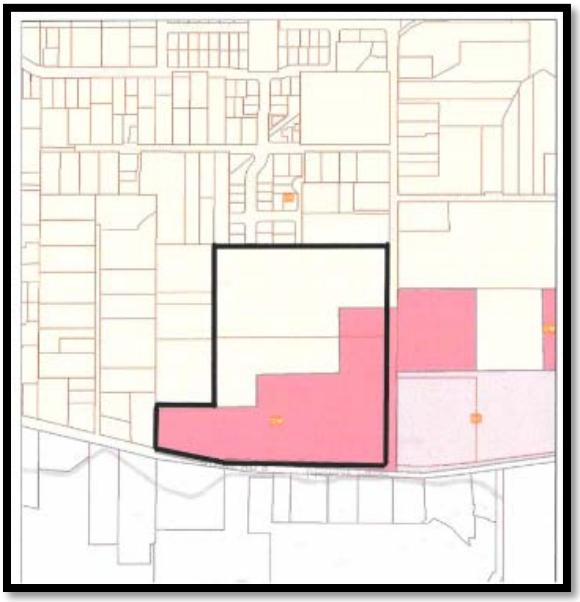
6.1.2 *Moderate Spatial Adjustments: If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the*

total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.

6.1.3 *Complex Spatial Adjustments: More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with all applicable provisions of the Regional Plan for the area specifically and the City as a whole.*

Findings

The approval of the Urban Growth Boundary amendment provided a jigsaw configuration of the Urban Residential and Commercial GLUP designations on the land within this planning unit. The applicant proposes to straighten out the boundary between both of the GLUP designations in order to more efficiently develop the property. The change is considered a Minor Spatial Adjustment because the acreage of each GLUP designation is not significantly changing. The new alignment does not warrant additional analysis to evaluate its impact on the land inventory. Upon approval by City Council, the City's General Land Use Plan map will be updated to reflect this modification to the Urban Residential and Commercial boundaries.



GLUP locations per UGB approval

Applicant's Proposed GLUP changes

Conclusions

Satisfied. The applicant proposes to modify the location of the GLUP designations within the planning unit as proposed in the application and the above map. The approval of the Urbanization Plan provides for this GLUP adjustment without the need for a separate GLUP Amendment process. The changes represent a Minor Spatial Adjustment that the City Council can approve with this application. This criterion is satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forward a favorable recommendation to the City Council per the staff report dated April 16, 2020, including Exhibits A through O for approval of UP-19-003, and adopting Exhibit B-1 into the Neighborhood Element of the Comprehensive Plan.

EXHIBITS

A Current General Land Use Plan (GLUP) Map
B Proposed GLUP and Primary Circulation Map
B-1 Comprehensive Plan – Neighborhood Element Amendments
C Proposed Secondary Streets with conceptual offsite circulation Map
D Proposed Open Space opportunity area
E Applicant's Project Summary and Findings of Fact
F Residential Density Spreadsheet Calculator
G Public Works Comments dated 2/26/2020
H Jackson County Roads Comments dated 2/4/2020
I Rogue Valley Sewer Services Comments dated 2/3/2020
J Medford Water Commission Comments dated 2/26/2020
K Medford Fire-Rescue Comments dated 2/19/2020
L Parks and Recreation Department Comments dated 2/26/2020
M Topographic Map and Site Plan
N Letter dated 03/09/2020 from Scott Sinner Consulting regarding park site
O Letter from Mark Knox dated April 15, 2020
Vicinity map

PLANNING COMMISSION AGENDA: APRIL 23, 2020

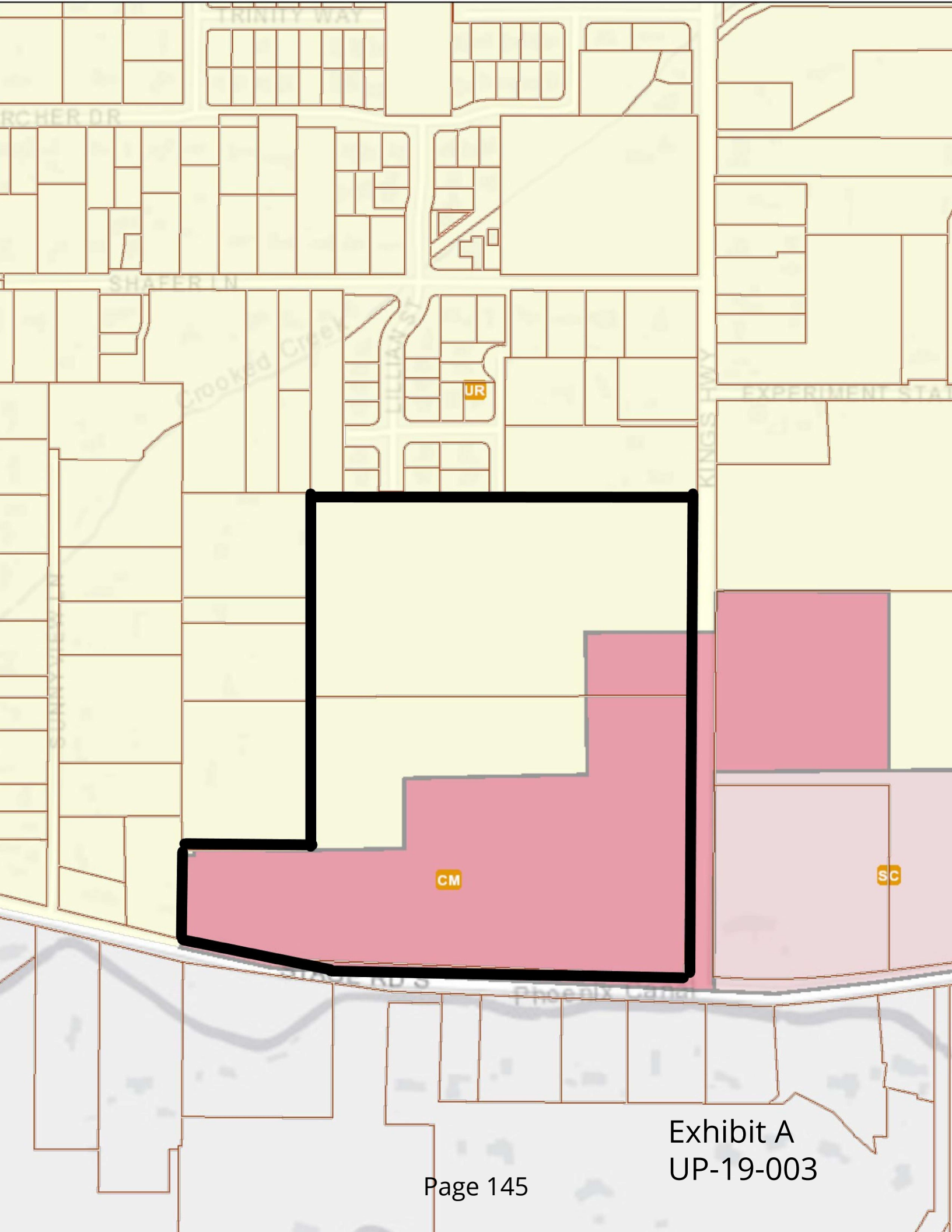


Exhibit A
UP-19-003

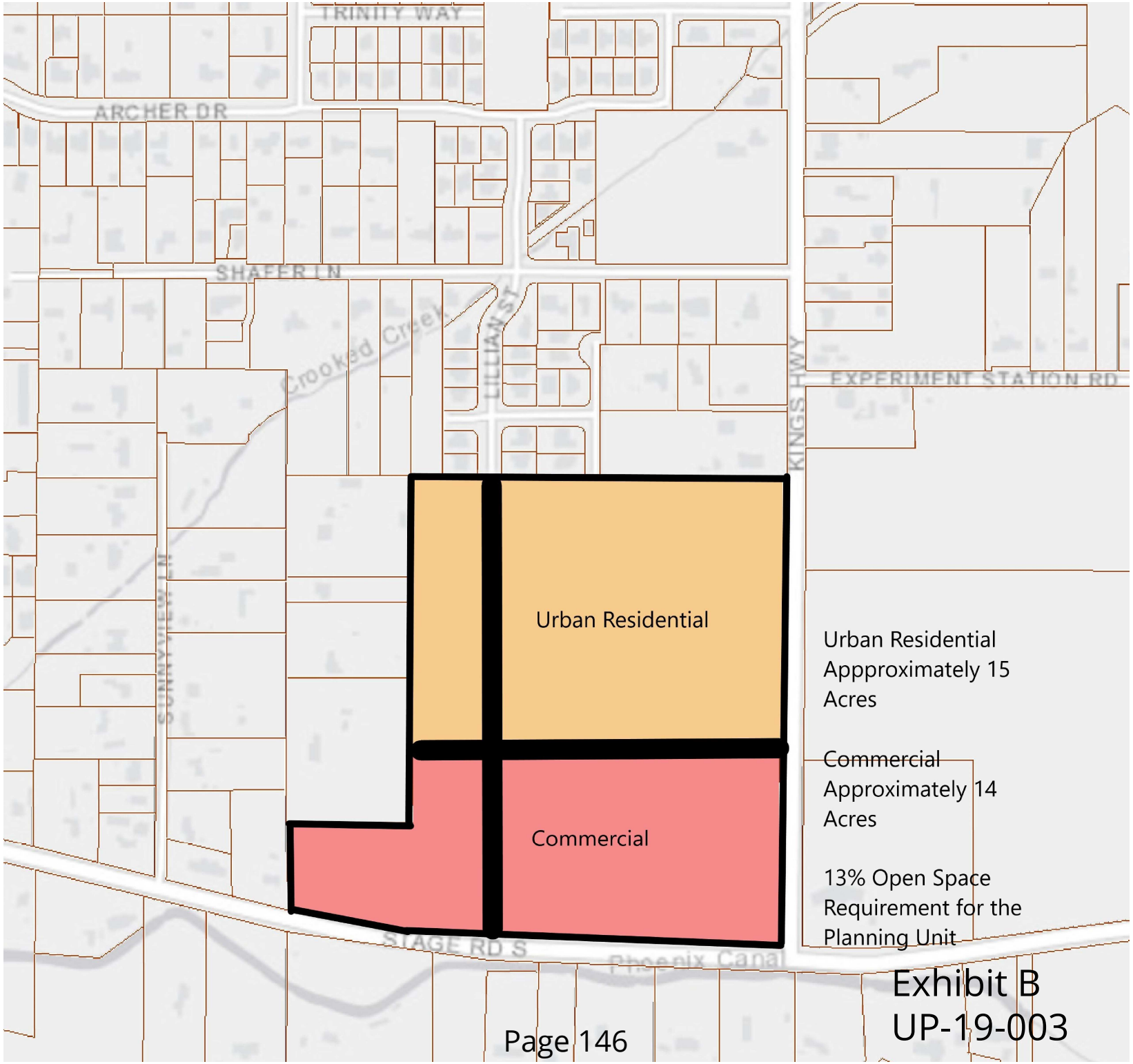


Exhibit B
UP-19-003

Medford Comprehensive Plan
Chapter 10

Neighborhood Element

Introduction

The divisions of this chapter are special area plans that have been adopted by the Council. Two plans are incorporated by reference; three others are incorporated into this document.

Contents

Introduction 1

10.1 Southeast Plan 2

10.2 Southeast Circulation Plan 17

10.3 Bear Creek Master Plan 40

10.4 Urbanization Planning 41

10.5 Liberty Park Neighborhood Plan 52

10.6 Adopted Urbanization Plans

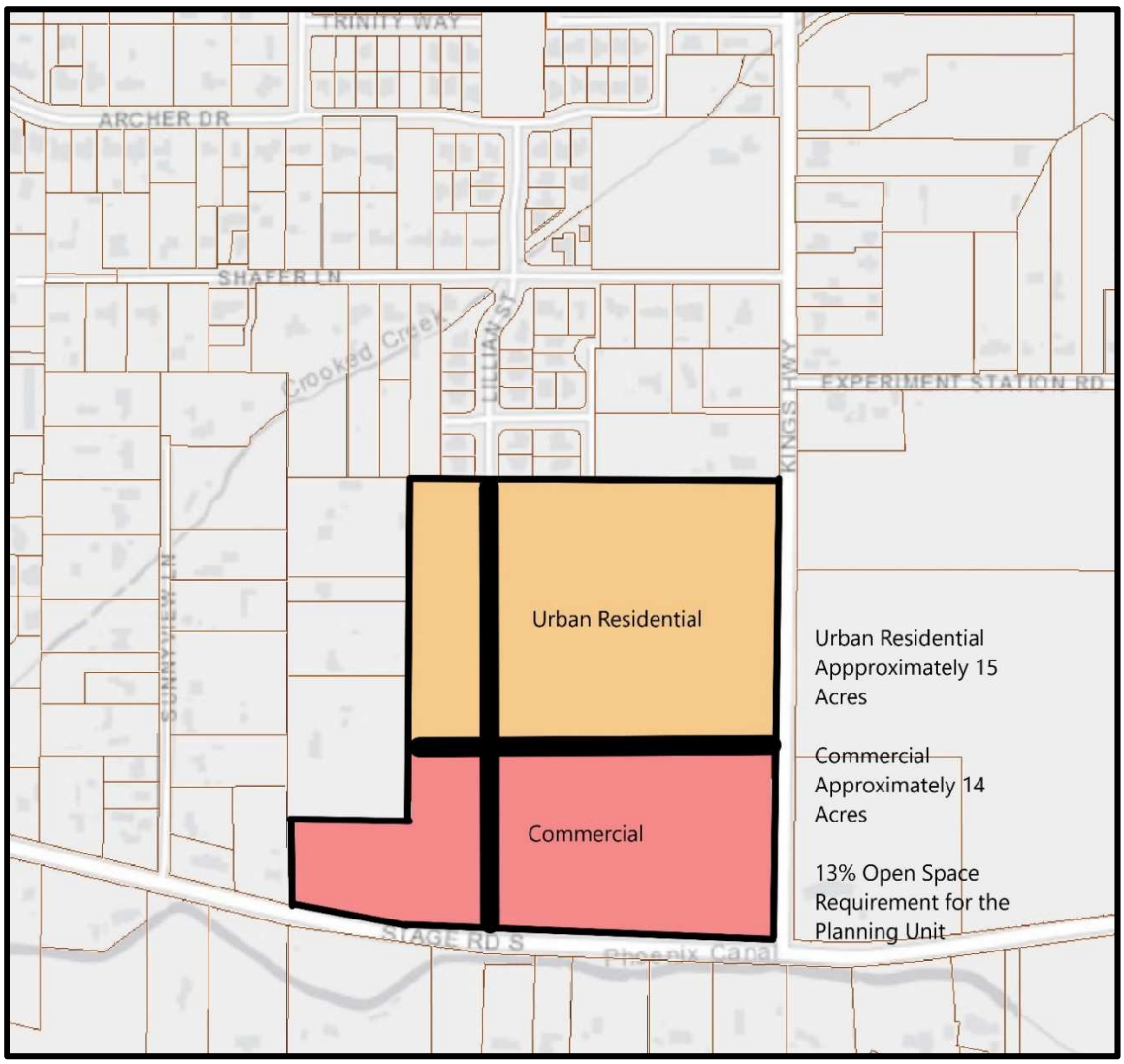
1. Planning Unit MD-7c (NW corner of South Stage Road and Kings Highway)

Exhibit B-1
UP-19-003

Section 10.6

ADOPTED URBANIZATION PLANS

URBANIZATION PLAN FOR PLANNING UNIT MD-7c



PROJECT DETAILS:

The planning unit is approximately 29.72 acres in size located at the northwest corner of South Stage Road and Kings Highway. The property has a General Land Use Plan (GLUP) Designation of approximately 15 acres of Urban Residential (UR) and 14 acres of Commercial (CM). The open space requirement for the planning unit is 13 percent. The minimum residential density to be met in the Urban Residential GLUP is 106 dwelling units. Two standard residential streets are planned to bisect the planning unit, one is the north-south extension of Lillian Street and the other is an unnamed east-west street to be located along the Commercial and Urban Residential GLUP boundary.

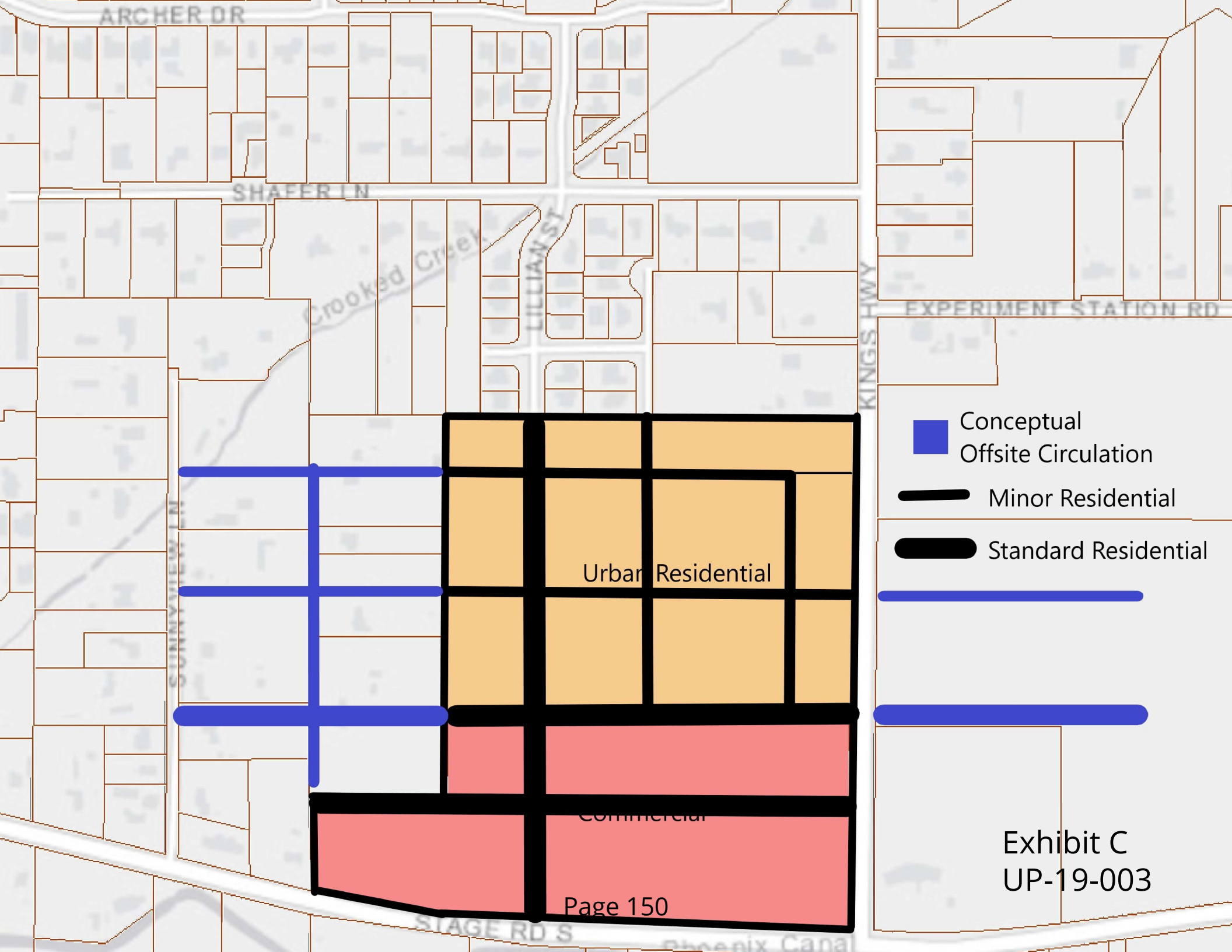


Exhibit C
UP-19-003

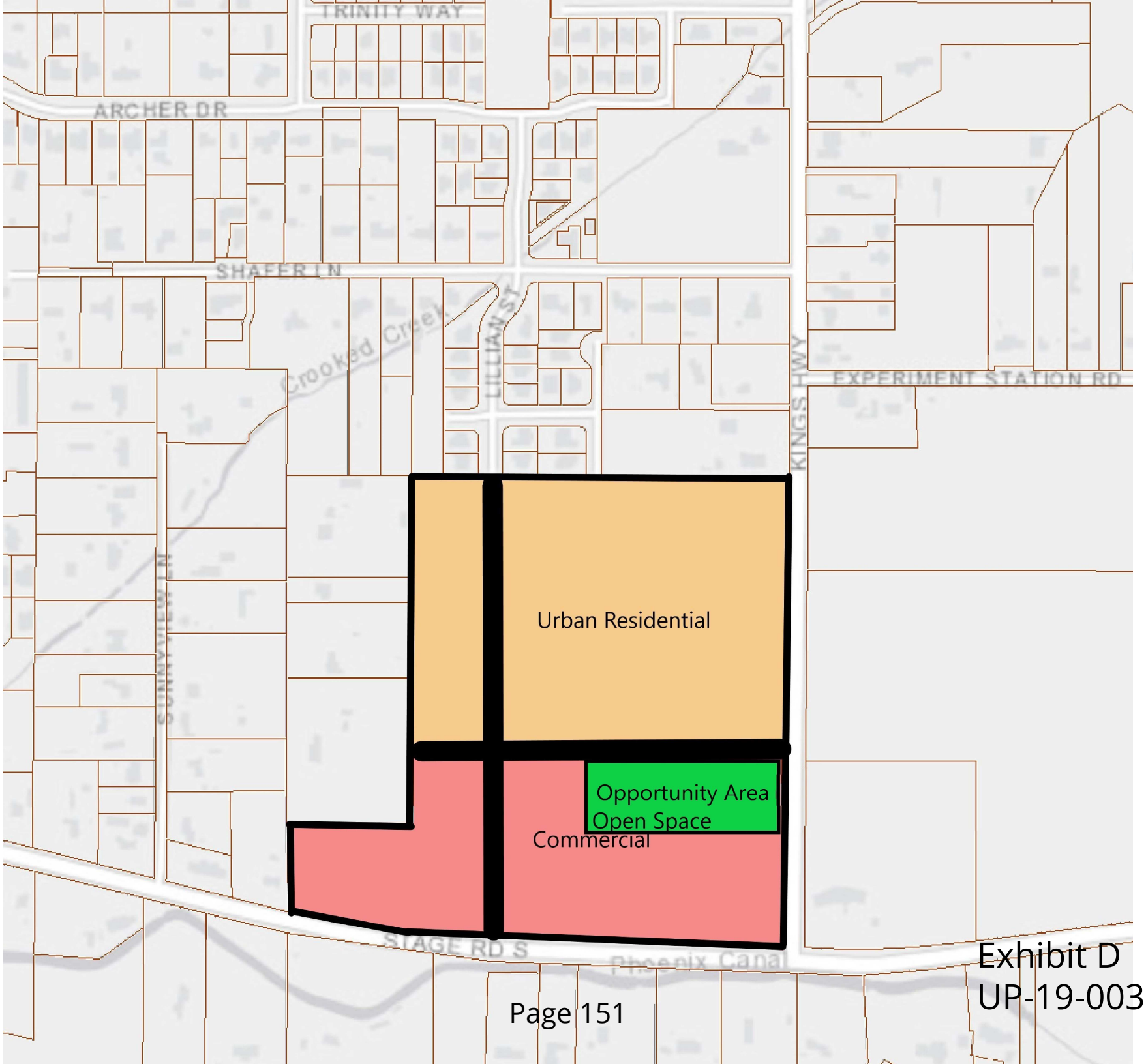


Exhibit D
UP-19-003

URBANIZATION PLAN FOR MD7-C

Project Summary:

The Planning Unit is a 29.72 acre parcel located at the north west corner of South Stage Road and Kings Highway and has been identified as Planning Unit MD7c. The property has a GLUP designation of approximately 15 acres of Urban Residential (UR) and 14 acres of Commercial (CM) with an Open Space requirement of 13%.

MD-7c GLUP Map and Circulation Plan

This Urbanization Plan proposes a minor adjustment of the GLUP designation configuration to retain the same percentages of each designation in a layout aligned with a new east west standard residential street bisecting the property. The existing Lillian Street is proposed to continue through the development to South Stage Road.

Exhibit E
UP-19-003

The applicant has identified an Opportunity Area for a 3 plus acre site to meet the majority of the open space requirements of the Planning Unit. The applicant has been coordinating with City Staff to provide a public park consistent with the adopted Medford Leisure Services Plan for a Neighborhood Park. The park is configured to provide a focal point for the development in a central location for the uses allowed in both GLUP designations.

The proposed Circulation Plan will allow for a neo traditional development pattern of a grid street pattern with internal circulation for pedestrians and vehicles and connectivity and the extension of Category A Facilities to adjacent properties in the vicinity.

Future development on the site will embrace the adopted street standards designed to promote attractive pedestrian scale development with planter strips, street trees, and connected sidewalks.

The Applicant is conceptualizing a mixture of housing types in the Urban Residential designation to promote owner occupied single family detached and attached housing opportunities for the residents of the development.

The Commercial designation will be zoned Community Commercial to allow a variety of uses. The primary permitted use is anticipated to be multifamily residential development with the potential of future small scale commercial and retail uses.

The Opportunity Area indicated above will provide at least 3 acres of attractive walkable outdoor recreation space for not only the residents of this development but all residents in the vicinity.

Existing General Land Use Plan (GLUP) Designation(s)	Approximate Acres/ GLUP	Open Space % Acreage Requirement for Planning Unit	Acreage Totals(s)	% of Total GLUP	Target Residential Density Units/Acre	Anticipated Zoning Designation(s)
Urban Residential	15	13%	15	51%	6.6	SFR-10
Commercial	14	13%	14	49%	N/A	Community Commercial

This Urbanization Plan application is consolidated with an application for annexation into the City limits. The Applicant is currently preparing applications for a zone change and land division.

The UR property will be zoned SFR-10 to allow for residential development of at lease 6.6 dwelling units per acre and the Community Commercial zoning provides a wide variety of commercial, retail, and multifamily uses.

BEFORE THE CITY COUNCIL FOR THE CITY OF MEDFORD:

IN THE MATTER OF AN APPLICATION FOR AN URBANIZATION PLAN FOR THE PROPOERTIES IDENTIFIED AS T382W01AD TAX LOT 1000 AND T382W01D TAX LOT 100 SCOTTSINNER CONSULTING, INC. AGENT	)))))	FINDING OF FACT AND CONCLUSIONS OF LAW

BACKGROUND INFORMATION

Applicant:

KDA Homes, L.L.C.
Laz Ayala, Managing Member
Mark Knox, Member
604 Fair Oaks Court
Ashland, OR 97520
Mark Knox <knox@mind.net>

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property 1:

38 2W 01AD TL 1000
Lazaro Ayala Family Trust
11.84 Acres

Property 2:

38 2W 01D TL 100
Lazaro Ayala Family Trust
17.88 Acres

Project Summary:

The subject property is identified on two assessors' maps; however, the properties are a single legal lot with the approval of a property line adjustment (439-18-00050-SUB) while under Jackson County jurisdiction.

The applicant completed the required pre application (pre app) process with PA-19-048.

The pre app report indicated an Urbanization Plan is a Type IV Major Comprehensive Plan Amendment and the proposed Urbanization Plan must be found to be in compliance with the Regional Plan and the Section 5, Plan Contents, of the Urbanization Planning Chapter of the Neighborhood Element of the Comprehensive Plan.

The Medford Land Development Code (MLDC) and the Comprehensive Plan indicate an application for the approval of an Urbanization plan may be consolidated with an annexation and a zone change. The applicant has prepared a consolidated application to include:

1. Urbanization Plan
2. Annexation to the City Limits of Medford

The applicant will submit these applications as a consolidated application. A zone change application will follow in a separate application.

URBANIZAION PLAN

4. PROCEDURE

Prior to or concurrently with annexation, urbanization plans must be submitted for each planning unit added to the UGB from the urban reserve. An urbanization plan shall be submitted for the identified planning units. The individual identified planning units are the smallest geography the City will evaluate for urbanization planning. The City may review multiple planning units concurrently.

4.1 Pre-Applications: A pre-application meeting is required. The purpose of the meeting is for staff of various departments and agencies to convey objectives and warn of obstacles or concerns before applicant has begun significant work on plans. All property owners within the planning unit shall be notified of the pre-application conference date, time, and location.

4.2 Urbanization Plan Administration: Submittal of an urbanization plan is a Major Comprehensive Plan amendment application.

4.2.1 An urbanization plan is a special area plan that refines the existing GLUP map, therefore it is not subject to the General Land Use Plan map amendment criteria in the Review & Amendments chapter. The applicable criteria are established within sections 5 and 6, below.

4.2.2 A property owner initiated urbanization plan application must contain the written consent of at least 50 percent of the property owners representing at least 50 percent of the total property area for each planning unit. Urbanization plans that demonstrate coordination and consensus with all the property owners within a planning unit may be prioritized for review.

4.2.3 The urbanization plans will be adopted as appendixes to the Neighborhood Element of the Comprehensive Plan.

4.2.4 The submittal requirements are outlined in Chapter 10 Section 10.220(C) of the Municipal Code.

4.2.5 Applicants must conduct a neighborhood meeting in accordance with Section 10.194 of the Municipal Code

4.3 Land Supply Categories: There are alternative approaches to land supply for urbanization planning described generally below. Urbanization plans should identify which approach to land supply is being pursued:

4.3.1 No Spatial Changes: No significant GLUP map changes are proposed from those established for the planning unit at the time the planning unit was included in the UGB.

4.3.2 Minor Spatial Adjustments: GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed.

4.3.3 Moderate Spatial Adjustments: Some GLUP map amendments are proposed but the total acreage for each GLUP Map designation within the applicable MD area and inside the UGB has not changed. Spatial exchanges of land use designations proposed under 4.3.3 shall be coordinated with other planning units in the MD; it is recommended that urbanization plans proposed under 4.3.3 be reviewed in a coordinated manner.

4.3.4 Complex Spatial Adjustments: More complex land supply changes are proposed in the urbanization plan such as spatial exchanges of GLUP designations outside the applicable MD elsewhere within the UGB or concept plan refinements for lands not yet included in the UGB within a specific MD. Urbanization plans of this type would typically require extensive city-wide and/or regional plan land supply analyses.

4.4 Exemptions. Areas that have only industrial or open space designations are not required to develop urbanization plans. In the 2016 expansion those areas are MD2a, MD-5h, Md-6b, and Prescott and Chrissy parks.

5. PLAN CONTENTS In order to adopt an urbanization plan, the City Council shall be satisfied that the plan substantially conforms to the performance measures outlined in the Regional Plan Element and the submitted plan adequately demonstrates each of the following:

5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:

5.1.1 Specify residential zoning districts for certain areas.

5.1.2 Commit to specific quantities of residential development in commercial areas. The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.

5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations. The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes. The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other

environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity. Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths. Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

5.3 Compliance with the open space allocation for an urban reserve area (see land use distribution table in RPE or Table 9-1 below). Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:

5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.

5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.

5.3.3 Riparian corridors shall be counted.

5.3.4 Areas under an "open space" tax assessment shall be counted. 5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.

5.3.6 Slopes greater than 25 percent

5.4 Compliance with the requirements of Regional Plan Element, section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.

5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.

> *5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.*

5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.

5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.

5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.

5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.

5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations.

5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.

5.12 Existing easements of record, irrigation canals, and structures.

5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.

5.14 Contour lines and topography.

5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:

5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.

5.15.2 Limitations on development due to facility capacity shortfalls.

5.15.3 Architectural details.

5.15.4 Specifics about building types and building placement.

5.15.5 Access and internal circulation on prospective lots or development sites.

6. GLUP AMENDMENTS

6.1.1 Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.

6.1.2 Moderate Spatial Adjustments: If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.

6.1.3 Complex Spatial Adjustments: More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with all applicable provisions of the Regional Plan for the area specifically and the City as a whole.

FINDINGS OF FACT

4. PROCEDURE

Prior to or concurrently with annexation, urbanization plans must be submitted for each planning unit added to the UGB from the urban reserve. An urbanization plan shall be submitted for the identified planning units. The individual identified planning units are the smallest geography the City will evaluate for urbanization planning. The City may review multiple planning units concurrently.

This Urbanization Plan is submitted for the Planning Unit identified as MD7c. The general location of the site is the north west corner of South Stage Road and Kings Highway.

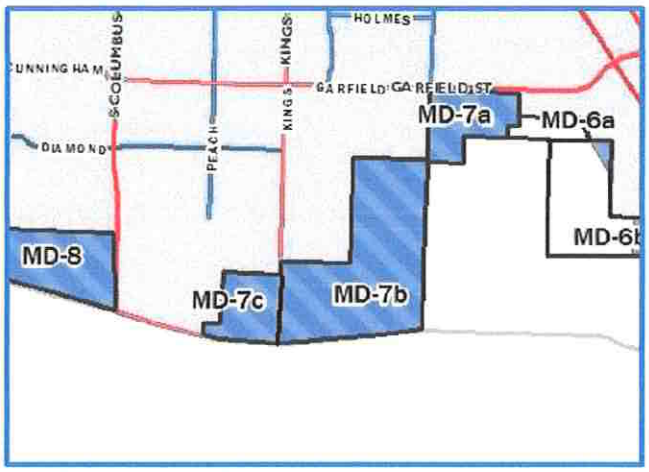


Figure 1 Medford Planning Units

The Planning Unit is a single tax lot identified on two assessor's maps as 382W01AD Tax Lot 1000 and 382W01D TL 100.

TL 1000 is 11.84 net acres and TL 100 is 17.88 net acres. The total acreage of MD7c is 29.72 acres.

The subject property is in a single ownership and the owner is the applicant.

This application includes an application for annexation into the city limits of Medford. This application is limited to MD7c and does not involve any other planning units.

The City Council is the approving authority for the Urbanization Plan and the annexation, and the Planning Commission will have the opportunity to provide a recommendation to the Council for the Urbanization Plan and the Annexation.

Conclusions of Law

The City Council can conclude this application for an Urbanization Plan is for an entire Planning Unit, MD7c, and an application for annexation is consolidated with the Urbanization Plan as provided in the Comprehensive Plan.

FINDINGS OF FACT

4.1 Pre-Applications: A pre-application meeting is required. The purpose of the meeting is for staff of various departments and agencies to convey objectives and warn of obstacles or concerns before applicant has begun significant work on plans. All property owners within the planning unit shall be notified of the pre-application conference date, time, and location.

The applicant submitted an application for a pre application meeting. Staff provided a summary report, including referral agencies, of the meeting under PA-19-048 dated May 29, 2019.

The written report provided an outline of the procedures required to initiate development of the property. The applicant has submitted the required applications using the pre app summary as a framework.

The applicant is the only property owner in the MD7c Planning Unit.

Conclusions of Law

The City Council can conclude the applicant completed the required Pre application meeting prior to the submittal of this application for an Urbanization Plan.

4.2 Urbanization Plan Administration: Submittal of an urbanization plan is a Major Comprehensive Plan amendment application.

4.2.1 An urbanization plan is a special area plan that refines the existing GLUP map, therefore it is not subject to the General Land Use Plan map amendment criteria in the Review & Amendments chapter. The applicable criteria are established within sections 5 and 6, below.

4.2.2 A property owner initiated urbanization plan application must contain the written consent of at least 50 percent of the property owners representing at least 50 percent of the total property area for each planning unit. Urbanization plans that demonstrate coordination and consensus with all the property owners within a planning unit may be prioritized for review.

4.2.3 The urbanization plans will be adopted as appendixes to the Neighborhood Element of the Comprehensive Plan.

4.2.4 The submittal requirements are outlined in Chapter 10 Section 10.220(C) of the Municipal Code.

4.2.5 Applicants must conduct a neighborhood meeting in accordance with Section 10.194 of the Municipal Code.

Findings of Fact

GLUP Designations

This image is a detail of the existing GLUP map for the subject property. The property is highlighted in blue. The light area is the Urban Residential (UR) designation and the pink is the Commercial (CM) designation. The area of the UR is +-15 acres and the CM is +-14 acres.

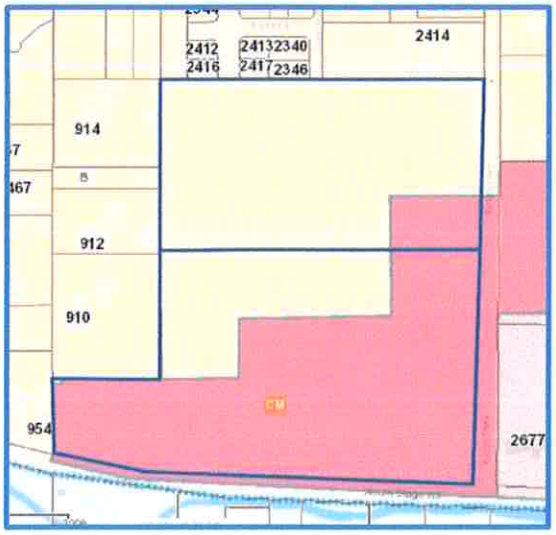


Figure 2 Existing GLUP Designations

The UR designation is suitable for the single family residential zoning districts, SFR-2, SFR-4, SFR-6 and SFR-10. The RPS process mandates a residential density of 6.6 dwelling units per acre, and the applicant intends to submit a zone change application requesting the SFR-10 zoning for the UR designated areas.

The CM designation is suitable for Neighborhood Commercial, Community Commercial, Regional Commercial and Heavy Commercial zoning districts, however the locational standards for each commercial zoning district may not allow all commercial zones at this location.

The applicant intends to submit a zone change application for the CM propery to the Community Commercial zoning district.

The development applications submitted propose a minor adjustment to the current GLUP designation as presented in the next section below. The total acerage of each proposed GLUP designation are virtually the same as the existing designations.

The Medford Comprehensive Plan Urbanization Plans element discusses GLUP amendments:

6. GLUP AMENDMENTS

6.1.1 Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.

6.1.2 Moderate Spatial Adjustments: If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.

6.1.3 Complex Spatial Adjustments: More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with all applicable provisions of the Regional Plan for the area specifically and the City as a whole.

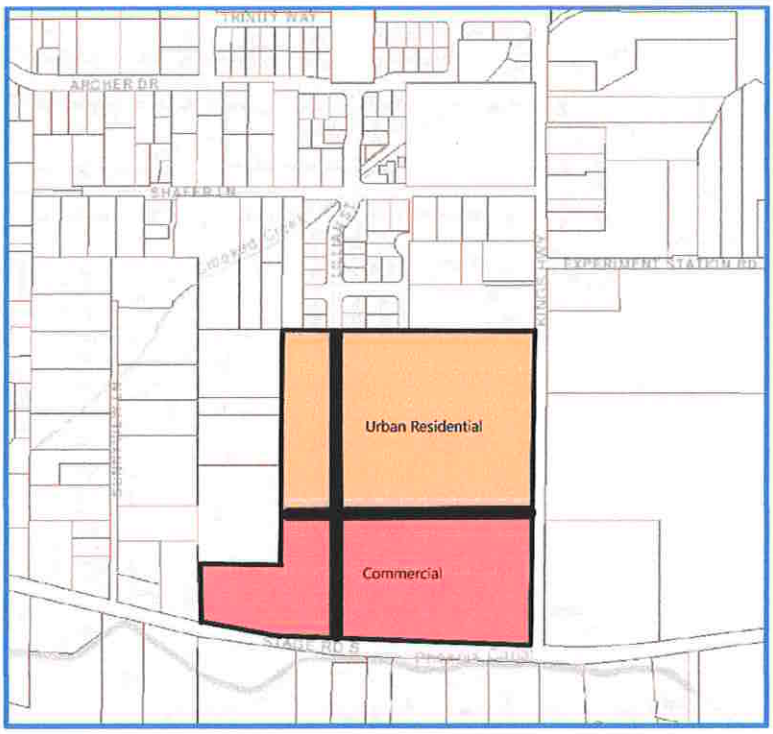


Figure 3 GLUP Adjustment with Circulation Plan

The existing GLUP designations are spatially staggered across the site. The staggered boundary between the two designations on the site result in an increased area of potential land use conflicts and mitigation requirements that are not beneficial for urban development.

The proposed adjustment to the GLUP designations is virtually the same acreage as the existing GLUP designations. The proposed adjustments are within the same Planning Unit.

The minor adjustment resulting in essentially the same GLUP designation areas, and within the same planning unit meet the requirements of 6.1.1 Minor Spatial Adjustment.

The proposed adjustment places the boundary of the GLUP designations on the primary public street for the development.

This adjustment will reduce the interface between the two GLUP designation by nearly 40% and allow for improved efficiencies for urban development with less potential for conflicts between uses.

Conclusions of Law

The City Council can conclude the adjustments to the GLUP map proposed with this application are contained the one planning Unit, and the resulting areas are essentially unchanged and the request is considered a 4.3.2 Minor Spatial Adjustment: GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed.

4.4 Exemptions. Areas that have only industrial or open space designations are not required to develop urbanization plans. In the 2016 expansion those areas are MD2a, MD-5h, Md-6b, and Prescott and Chrissy parks.

Findings of Fact

The subject property is not in an exemption area and is required to submit an Urbanization Plan.

Conclusions of Law

The City Council can conclude the subject property is not in an exemption planning unit and an Urbanization Plan is required.

5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The

urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:

5.1.1 Specify residential zoning districts for certain areas.

5.1.2 Commit to specific quantities of residential development in commercial areas. The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.

Findings of Fact

The subject Planning Unit is comprised of two GLUP designations, Urban Residential (UR) and Commercial (CM).

Existing General Land Use Plan (GLUP) Designation(s)	# of Acres/ GLUP	Open Space % Acreage Requirement & Acreage Number	Acreage Totals(s)	% of Total GLUP	Target Residential Density Units/Acre	Anticipated Zoning Designation(s)
Urban Residential	15	0.13	15	51	6.6	SFR-10
Commercial	14	0.13	14	49	N/A	Community Commercial

The Urban Residential (UR) designation allows for appropriate low density residential development. The UR portions of the subject parcel must meet a residential density of 6.6 units per acres with a development application.

The Applicant is preparing a zone change for submission to the City. The Zone Change application will demonstrate compliance with the standards for the SFR-10 zoning district. The SFR-10 zoning district requires a residential density of 6 to 10 dwelling units per acre.

The SFR-10 zone requires a minimum of 6 units per acre and a maximum of 10 units per acre. Assuming the RPS density requirements of 6.6 units per acre as the minimum density for the development and the 15 acres proposed for the SFR-10 zone at a minimum of 6.6 units per acre results in a minimum of 99 dwelling units and at 10 units per acre the maximum density would be approximately 150 dwelling units.

The applicant intends to meet the density objectives of the RPS and zoning district with a combination of housing types that are permitted in the SFR-10 zoning district. Conceptual plans in development include a mixture of single family detached and attached townhouse dwellings.

The applicant understands the 6.6 units per acre density requirement and future development will comply with the density requirement for the property within the UR designation.

The Commercial GLUP designation allows multiple commercial zones and the zone change application submitted will provide finding of fact demonstrating compliance with the Community Commercial zoning district.

Existing General Land Use Plan (GLUP) Designation(s)	# of Acres/ GLUP	Open Space % Acreage Requirement & Acreage Number	Acreage Totals(s)	% of Total GLUP	Target Residential Density Units/Acre	Anticipated Zoning Designation(s)
Urban Residential	15	0.13	15	51	6.6	SFR-10
Commercial	14	0.13	14	49	N/A	Community Commercial

The Community Commercial zoning district allows for a variety of commercial uses, retail, offices, as well as multifamily development at MFR-30 standards. The versatility of the commercial GLUP Designation and permitted uses in the commercial zoning district will promote mixed uses within the planning unit.

The Applicant has commissioned a Traffic Impact Analysis and the study is underway and will be included with the separate zone change application when complete.

Conclusions of Law

The City Council can conclude the applicant proposes a zoning district appropriate to meet the required residential densities of the Planning Unit. The Council can also conclude the commercial GLUP designation allow for a variety of commercial, retail and high density residential uses to promote mixed use development.

5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations. The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes. The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity. Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths. Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

Findings of Fact

Circulation Plan / Connectivity

The property abuts Kings Highway on the east and South Stage Road on the South, both streets are classified as minor arterial streets in the adopted Medford Transportation System Plan (TSP).

The proposed annexation of the subject property will include the entire existing rights of way on the property frontage for both Kings Highway and South Stage Road. The annexation of these rights of way will allow the City of Medford Street standards to be applied in the development process.

Currently the property has two improved rights of way stubbed to the north property line. Lillian Street is currently a standard residential street with a 63' right of way. Veronica Way is currently a minor residential street with a 55' right of way.

Both streets have domestic water, storm water and sanitary sewer lines stubbed to the property, these will be extended on to the subject property with future development. The sanitary sewer facilities are within the Rogue Valley Sewer Service jurisdiction.

The proposed Circulation Plan provides extensions of both existing street connections. Lilian Street is proposed as a standard residential street and is proposed to connect to South Stage Road.

The property has two General Land Use Plan Map (GLUP) designations, Urban Residential (UR) and Commercial (CM). A new east / west street is proposed at the proposed GLUP boundary between the UR and CM designations. This is the main access to the property from Kings Highway.

Lillian Street will extend from the existing stub on the north to South Stage Road. Jackson County Roads provided comments at the pre application meeting indicating Lillian would not be allowed to connect to South Stage Road. This would conflict with the requirements of the Medford Land Development Code for circulation, connectivity, and block length.

Since the South Stage Road right of way will be annexed into the City the City will have jurisdiction and the proposed circulation plan will be in conformance with the City standards.

The west property line at the South Stage frontage is currently developed with a private access serving multiple properties adjacent to the subject parcels under the attached document 1950 Volume 329 Page 391.

The future development of the subject property will provide a new public street connection to provide access to the properties served by the referenced easement to assure those affected property owners will continue to have access to their properties.

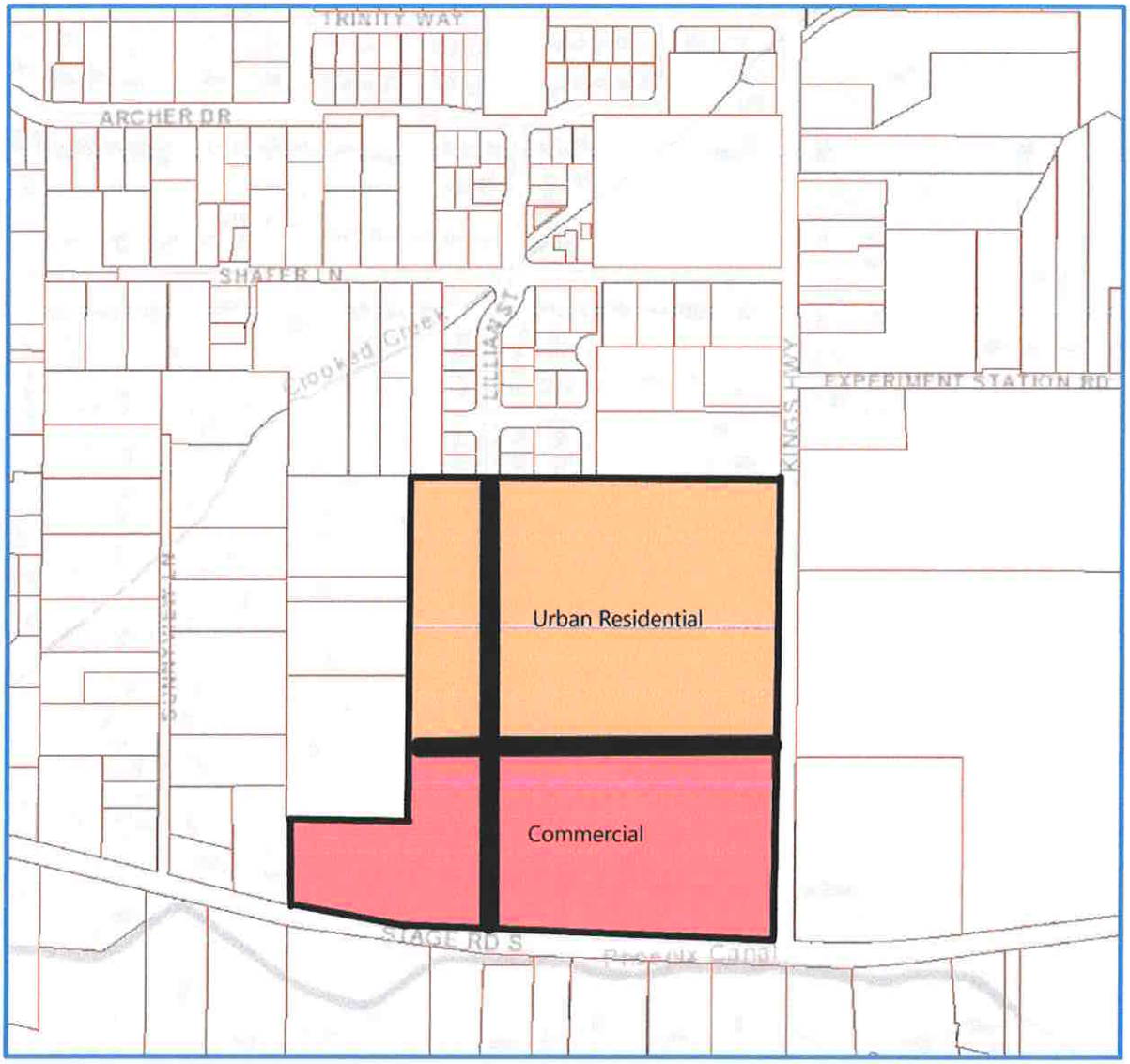


Figure 4 GLUP Map with Circulation Plan

As with the functional street Classification Map contained in the Medford Transportation System Plan, the proposed circulation plan, to be included in the Medford Comprehensive Plan, is general in nature and only shows the standard residential streets. This will allow some flexibility in locations of the minor residential streets serving as access for the future development of the property.

The proposed circulation plan will allow for compliance with all elements of the MLDC for block length, circulation, and connectivity with adjoining properties and will limit lower order street intersections on the higher order, minor arterial, streets.

To demonstrate the potential connectivity and block length for the development, the following image illustrates the potential minor residential street pattern to provide residential and commercial access for the property.

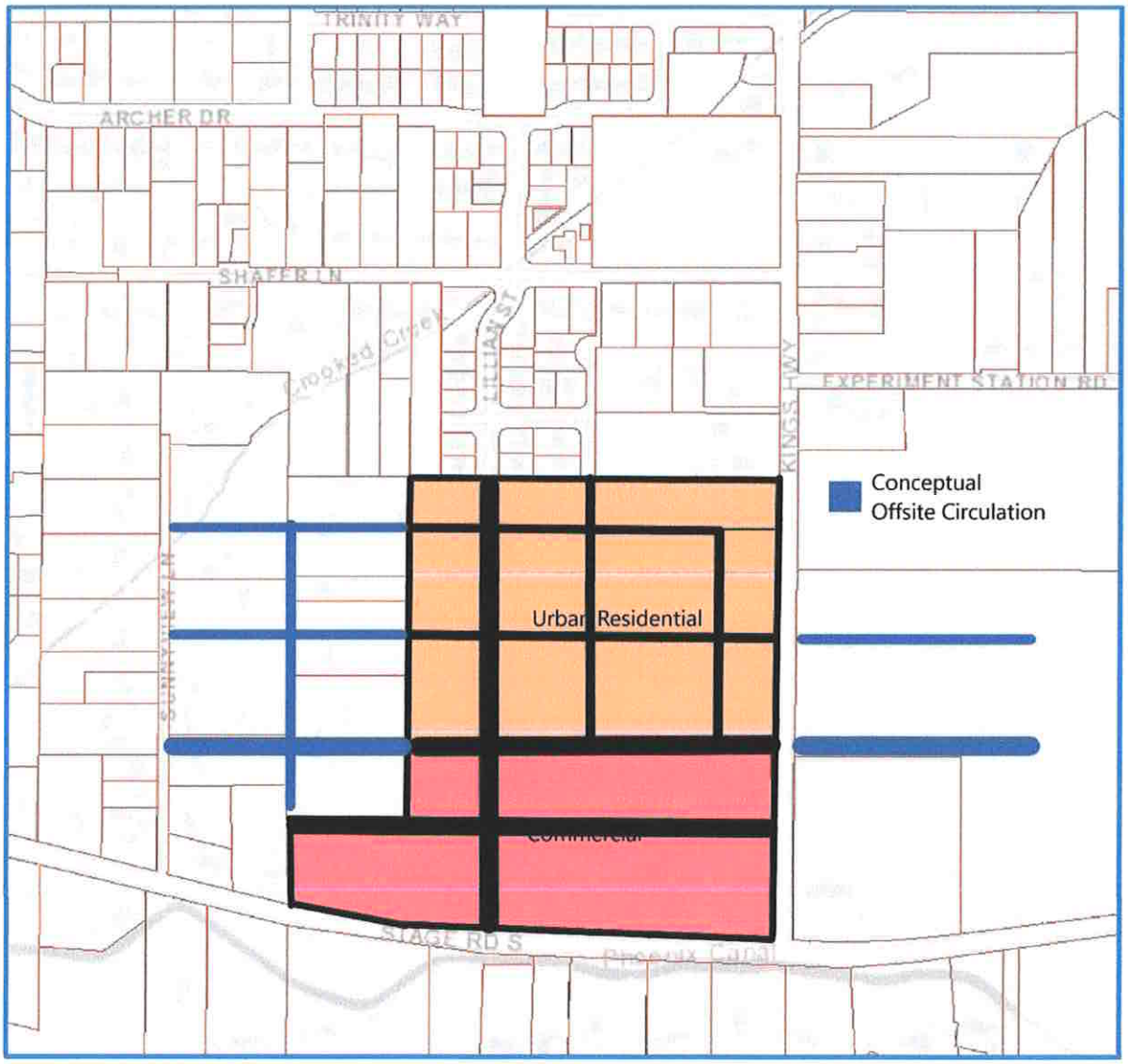


Figure 5 Conceptual Secondary Street Pattern

Conclusions of Law

The City Council can conclude the proposed street pattern allows for connectivity with existing street patterns and street classifications.

5.3 Compliance with the open space allocation for an urban reserve area (see land use distribution table in RPE or Table 9-1 below). Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:

5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.

5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.

5.3.3 Riparian corridors shall be counted.

5.3.4 Areas under an "open space" tax assessment shall be counted. 5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.

5.3.6 Slopes greater than 25 percent

5.4 Compliance with the requirements of Regional Plan Element, section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial

GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.

Findings of Fact

The subject property is identified as MD-7c. The Comp Plan maps for the area indicate the UR and CM GLUP designations for the site.

Existing General Land Use Plan (GLUP) Designation(s)	# of Acres/ GLUP	Open Space % Acreage Requirement & Acreage Number	Acreage Totals(s)	% of Total GLUP	Target Residential Density Units/Acre	Anticipated Zoning Designation(s)
Urban Residential	15	0.13	15	51	6.6	SFR-10
Commercial	14	0.13	14	49	N/A	Community Commercial

The open space requirements for the development are identified in the Comp Plan as indicated below.

9. OPEN SPACE REQUIREMENTS BY PLANNING UNIT The open space requirements for each of the designated MD areas is identified in the Regional Plan. The percentages have also been identified for each of the planning units below. It is understood that development constraints will prevent strict adherence to the exact number of acres required based on the percentages in Table 9-1. Therefore, the Open Space proposed by an Urbanization Plan may not vary more than 1 percent from the required percentage. Table 9-1 Planning Unit Number Regional Plan Open Space Percentage Planning Unit Number Regional Plan Open Space Percentage.

MD-7c 13%

Existing General Land Use Plan (GLUP) Designation(s)	# of Acres/ GLUP	Open Space % Acreage Requirement & Acreage Number	Acreage Totals(s)	% of Total GLUP	Target Residential Density Units/Acre	Anticipated Zoning Designation(s)
Urban Residential	15	13%	15	51	6.6	SFR-10
Commercial	14	13%	14	49	N/A	Community Commercial

The applicant has met with the City to discuss the potential for a Public Park to meet the open space requirements for the project.

Figure 6 Potential Opportunity Area for Public Neighborhood Park

The site is a total of 29.72 acres. The 13% open space requirement is 3.86 acres. The applicant has been discussing the location of MD-7c and the Open Space requirements with the City to determine if the site is a suitable location for a public park and if a park in the approximate size required would meet the needs for a Neighborhood Park as defined by the City's adopted Leisure Plan.

As indicated in section 5.3.1 above, the following image is an *Opportunity Area* for a potential public community park.

This graphic is included as *a potential method* of meeting the Open Space requirement for the Planning Unit and is presented as one potential method of meeting the open space

requirements of the Planning Unit and is not the only option available to both the applicant and the City.

In the event a neighborhood park moves forward, the 13% open space is proposed to meet the requirement for both GLUP designations in this Planning Unit.

This graphic is intended to be a potential method of meeting the open space requirements for the subject property, however this option does not bind the City or the Applicant to this option as either party may determine another option is preferred for this development.

This discussion is intended to acknowledge the requirement for open space without binding either the City or the applicant to a specific plan.

5.3.2 Agricultural buffers...

Agricultural buffers are designed to prevent land use conflicts between active agricultural operations and urban development.

The subject property is bounded by properties either in the City limits or within the current Urban Growth Boundary (UGB) on the north east and west.

The properties to the south are outside the UGB, however these properties within the Rural Residential 2.5 (RR-2.5) zoning district and agricultural buffering is not required.

The property to the east is currently within the Urban Growth Boundary for the City of Medford, identified as Planning Unit MD-7B and is not in any form of active agricultural use. There are no requirements for buffering for the property to the east.

5.3.3 Riparian corridors shall be counted.

The property does not contain any Riparian Corridors.

5.3.4 Areas under an "open space" tax assessment shall be counted.

Not applicable.

5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.

A review of the City of Medford Wetlands overlay indicates there are no locally significant wetlands on the property.

5.3.6 Slopes greater than 25 percent

The subject property does not contain any slopes greater than 25%.

5.4 Compliance with the requirements of Regional Plan Element, section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.

From the Comp Plan:

> *4.1.6. Mixed-Use/Pedestrian-Friendly Areas. For land within an urban reserve and for land currently within a UGB but outside of the existing City Limit, each city shall achieve the 2020 benchmark targets for the number of dwelling units (Alternative Measure no. 5) and employment (Alternative Measure no. 6) in mixed-use/pedestrian-friendly areas as established in the 2009 Regional Transportation Plan (RTP) or most recently adopted RTP. Beyond the year 2020, cities shall continue to achieve the 2020 benchmark targets, or if additional benchmark years are established, cities shall achieve the targets corresponding with the applicable benchmarks. Measurement and definition of qualified development shall be in accordance with adopted RTP methodology. The requirement is considered met if the city or the region overall is achieving the targets or minimum qualifications, whichever is greater. This requirement can be offset by increasing the percentage of dwelling units and/or employment in the City Limit. This requirement is applicable to all participating cities.*

The subject Planning Unit is comprised of two GLUP designations, Urban Residential and Commercial.

The Urban Residential (UR) designation allows for appropriate low density residential development. The UR portions of the subject parcel must meet a residential density of 6.6 units per acres with a development application.

The Applicant is preparing a zone change for submission to the City. The Zone Change application will demonstrate compliance with the standards for the SFR-10 zoning district. The SFR-10 zoning district requires a residential density of 6 to 10 dwelling units per acre.

The applicant understands the 6.6 units per acre density requirement and future development will comply with the density requirement for the property within the UR designation.

Existing General Land Use Plan (GLUP) Designation(s)	# of Acres/ GLUP	Open Space % Acreage Requirement & Acreage Number	Acreage Totals(s)	% of Total GLUP	Target Residential Density Units/Acre	Anticipated Zoning Designation(s)
Urban Residential	15	0.13	15	51	6.6	SFR-10
Commercial	14	0.13	14	49	N/A	Community Commercial

The Commercial GLUP designation allows multiple commercial zones and the zone change application submitted will provide finding of fact demonstrating compliance with the Community Commercial zoning district.

The Community Commercial zoning district allows for a variety of commercial uses, retail, offices, as well as multifamily development at MFR-30 standards. The versatility of the commercial GLUP Designation and permitted uses in the commercial zoning district will promote mixed uses within the planning unit.

The Application has commissioned a Traffic Impact Analysis and the study is underway and will be included with the zone change application when complete.

Conclusions of Law

The City Council can conclude the applicant has acknowledged the requirement for open space to comply with the Open Space requirements for the development and the existing GLUP designation will promote mixed use development for the planning unit.

5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.

5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.

Findings of Fact

The applicant participated in the required pre application meeting and the subject property. The site was identified, and the City routed the pre application to the referral agencies for comments and those comments were fundamental in preparing this application.

Comments for the pre application meeting indicated Category A facilities are currently at or near the site and can be extended to serve the future development of the property.

The referral agencies will have multiple opportunities to comment and condition any approvals to assure compliance with current city standards.

There is no existing infrastructure on site. The site is bounded by Kings Highway and South stage Road. Lillian Street and Veronica way are stubbed to the north property line and services are within those public rights of way. Future development of public streets on the site will allow for the extension of public facilities to adjoining properties including the large vacant property on the east side of Kings Highway.

Conclusions of Law

The City Council can conclude the applicant is coordinating with referral agencies and utility providers to assure orderly development in the future.

5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.

Findings of Fact

The site is vacant, there are no structures, improvements, creeks with riparian corridors, wetlands, historic structures or habitat areas.

The site is ready for development.

Conclusions of Law

The City Council can conclude the site is vacant and unimproved and there are no environmental constraints.

5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.

Findings of Fact

The Urban Growth Management Agreement between the City of Medford and Jackson County established a methodology for urban development in the areas surrounding the City, the Urban Growth Boundary, and the areas identified for urban expansion as Planning Units.

The agreement assures development in the urban fringe and in County jurisdiction will not inhibit future development at urban standards.

The subject property is within the Medford UGB and has been evaluated and approved as a Planning Unit for an expansion area. The process used to evaluate the property and the procedures established for Urbanization Plans and annexation was developed to comply with the Urban Growth Management Agreement.

The procedures established for the development of Planning Units and annexations of Planning Units was designed to comply with the Urban Growth Management Agreement and a complete application following all procedures and submittal requirements will be determined to comply with all requirements.

Conclusions of Law

The City Council can conclude this application complies with the requirements of the Urban Growth Management Agreement.

5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.

Findings of Fact

The applicant / landowner did not make any special agreements as part of the basis for including the subject property in the Urban Growth Management Agreement.

Conclusions of Law

The City Council can conclude the applicant / landowner made no special agreements as a basis of inclusion in the Urban Growth Management Agreement.

5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.

Findings of Fact

The MD-7c Planning Unit has a requirement for 13% open space for both the UR and CM GLUP Designations. 13% of the 29.81 acres is 3.8 acres of required open space.

The applicant's representatives have met multiple times with staff of the Parks and Recreation, Planning, Public Works departments and the City Manager to discuss the opportunity for a neighborhood park on the site.

According to the adopted Leisure Service Plan, a neighborhood part is typically at least 3 acres and is designed to serve the public within ½ mile of the park.

The preliminary discussions with the City have been very encouraging as the possibility of a 3+ acre park on the site is within the size requirements for a neighborhood park and the location of the site would meet the locational needs for the residents in this area of the City.

Conclusions of Law

The City Council can conclude the applicant is coordinating with Staff to comply with the Leisure Services Plan.

5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations.

Findings of Fact

The subject property is the entire MD-7c Planning Unit. As seen in the following two figures there are several other Planning Units in the South West section of the City.

The GLUP designations in the area are generally also comprised of Urban Residential and Commercial GLUP designations with varying requirements for open space.

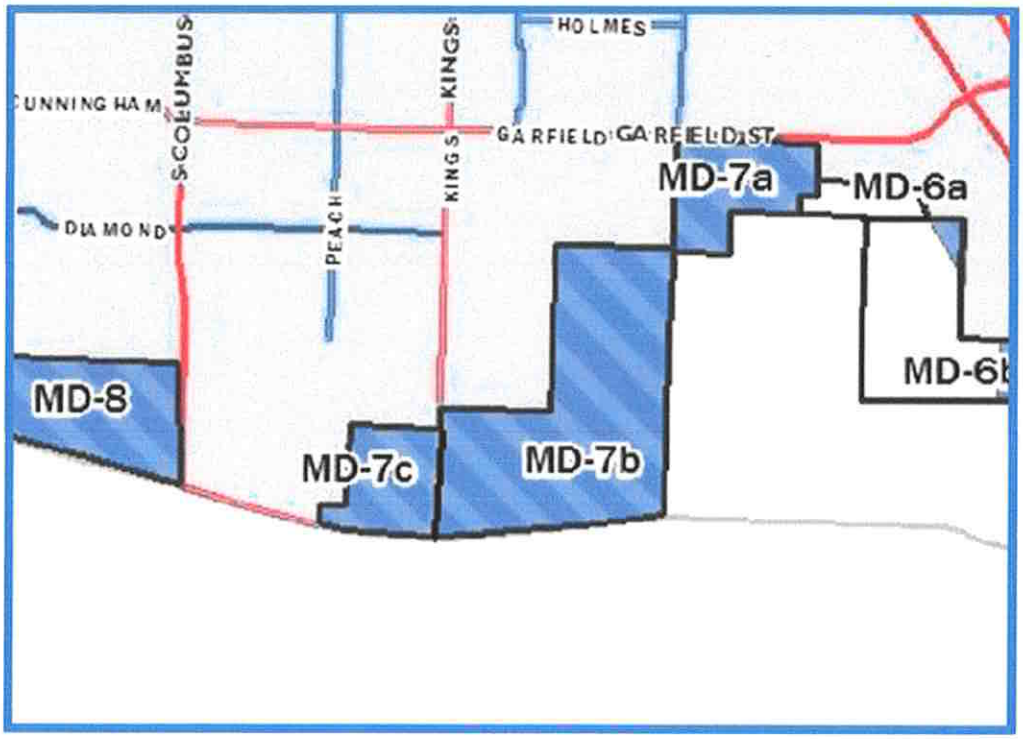


Figure 7 Vicinity Map of Planning Units. Subject property is MD-7c

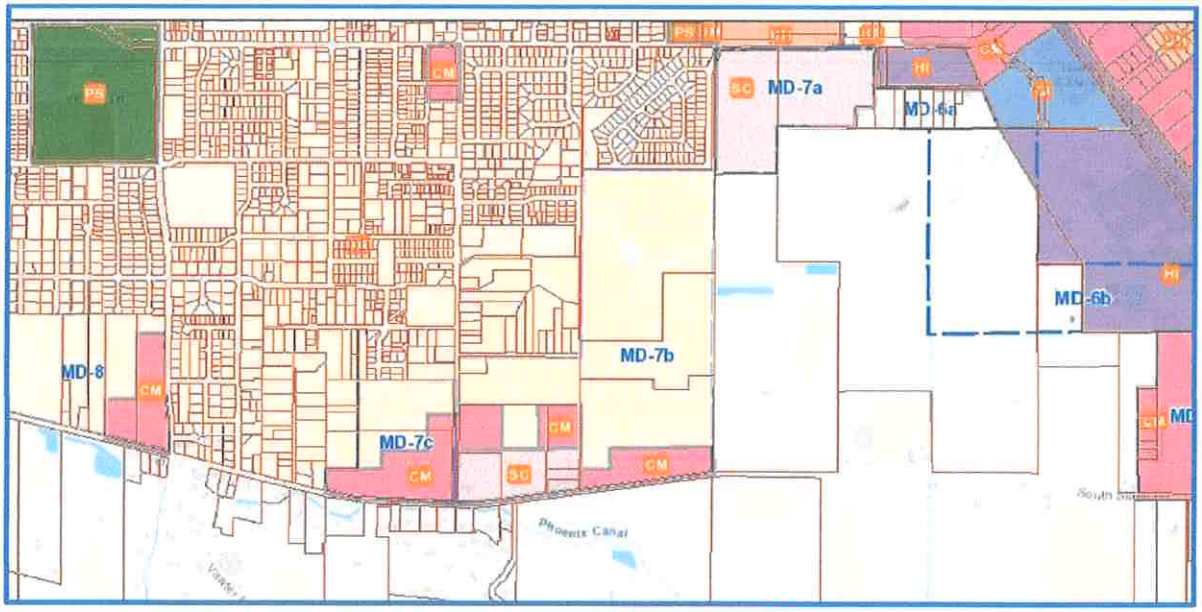


Figure 8 GLUP designations for vicinity Planning Units. Subject property is MD-7c

5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.

Findings of Fact

This application includes a large scale topographic survey exhibit of the property with property lines and the adjacent properties. The figure below provides a conceptual street circulation plan to allow for the extension of Category A services to adjacent properties.

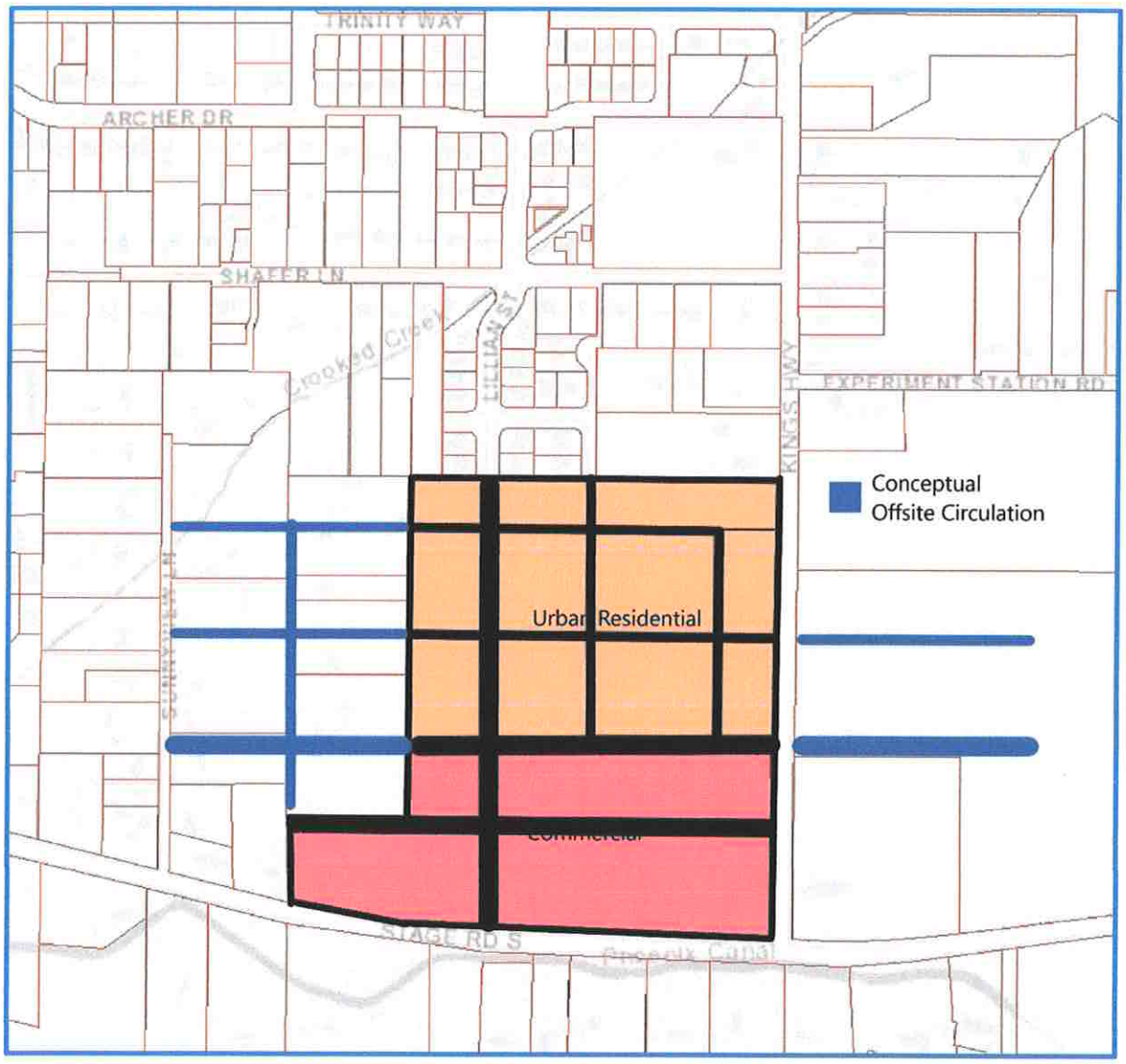


Figure 9 Conceptual Circulation with secondary streets

5.12 Existing easements of record, irrigation canals, and structures.

Findings of Fact

The required information is indicated on the large format topographic survey.

5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.

Findings of Fact

The subject property does not contain any unbuildable areas designated in the Urban Growth Boundary City Council report. It's just a great piece of development property.

5.14 Contour lines and topography.

Findings of Fact

The Topographic Survey of the property is attached. The Planning Unit generally slopes from south to north and there are no steep slope areas in the property.

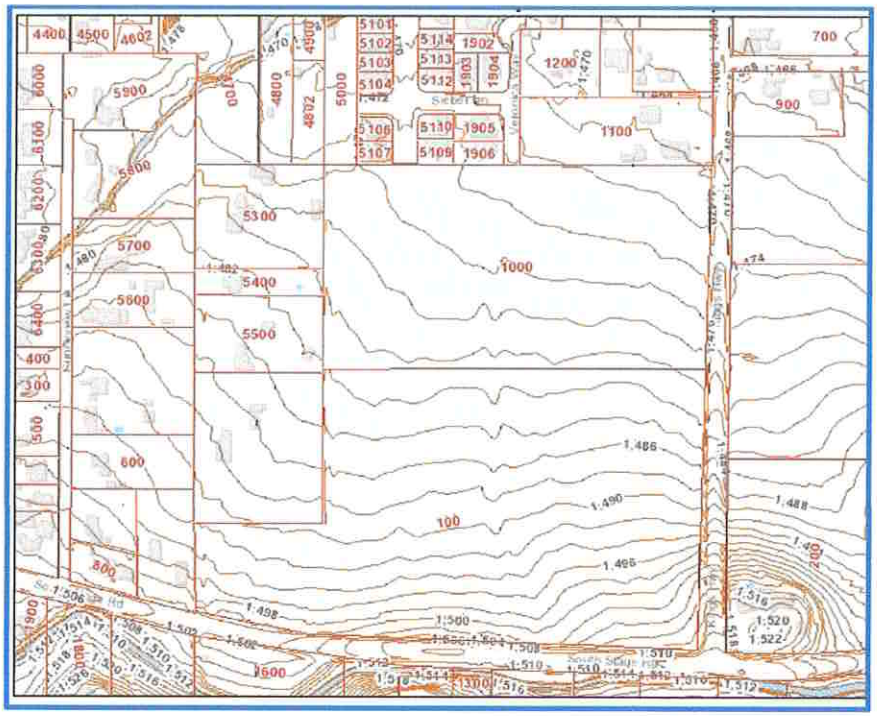


Figure 10 2' Contours

5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:

5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.

5.15.2 Limitations on development due to facility capacity shortfalls.

5.15.3 Architectural details.

5.15.4 Specifics about building types and building placement.

5.15.5 Access and internal circulation on prospective lots or development sites.

Findings of Fact

OK, the detail of development will be submitted in future land use applications and will be subject to review and approval by the City.

Application Summary and Conclusion:

This application for the Urbanization Plan for the subject property and is intended to provide an overview of the general development plans for the property and demonstrate consistency with the requirements of the Comprehensive Plan, the Transportation System Plan and the Medford Land Development Code.

This application is submitted with an application for the annexation of the property into the City.

This application proposes a minor adjustment to the General Land Use Plan Map as provided in the Medford Comprehensive Plan Urbanization Plans element section 6.1.1, and a circulation plan with the primary streets indicated to demonstrate connectivity and

for the property and surrounding properties. The circulation plan is intended to be general in nature and allows flexability for future development.

The Planning Unit has a requirement for 13% open space and the applicant has been in discussions with the City to identify an Opportunity Area for a public neighborhood park consistent with the standards identified in the City's Leisure Services Plan.

This application identifies the requirement for a target density of 6.6 dwelling units per acre and the method of achieving the required density with a futrue zone change to the SFR-10 zoning distirct. The Urban Residential designation allows for the SFR-10 zoning distirct and that zoneing distirct for a density range of 6-10 dwelling units per acre and a mixture of housing types that can meet the density requirements.

The Commercial GLUP designation will allow for a zoning distirct that will allow various commercial uses including retail and multifamily uses to promote a mixed use development contemplated with the Comprehensive Plan.

The property is not encumbered with steep slopes or natural barriers and is not adjacent to active resource lands that would limit development potential.

The City Council can conclude this application is consistent with the requirements for approval of an Urbanization Plan for a Planning Unit as identified in the Comprehensive Plan, is consitent with the Transportation System Plan, and the the Medford Land Development Code.

On behalf of the applicant, I respectfully request the approval of this application.

Scott Sinner
Scott Sinner Consulting, Inc.

Urbanization Plan Density Calculator

3/19/2020

Urbanization Plan Name:__Ayala _____

MD-_7c_____

SCENARIO RESULTS	Dwelling Units
Supply of Dwelling Units for the Planning Area from the UGB Process from UGB_DUscalcs sheet	**68**
Minimum Number of Dwelling Units Regulatorily Required by the Urbanization Plan from UrbanizationPlanDUcalcs sheet	**106**
Density Compliance expressed as Dwelling Unit Difference (Subtract Row 3 from Row 4)	**38**
Urbanization Plan Density Compliance - Criterion 5.1?	**Yes**

Exhibit F
UP-19-003

MEDFORD
PUBLIC WORKS

LD DATE: 2/26/2020
File Number: UP-19-003/ANNX-19-002

PUBLIC WORKS DEPARTMENT STAFF REPORT

Urbanization Plan & Annexation Request for Planning Unit MD-7c Kings Highway at South Stage Road (TLs 100 & 1000)

Project: A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for approximately 29.72 acres of property located at the north-west corner of South Stage Road and Kings Highway (382W01AD1000 and 382W01D100).

Applicant: Applicant: Lazaro Ayala Family Trust, Agent: Scott Sinner Consulting.

Planner: Carla Paladino, Principal Planner – Long Range Division

The Urbanization Plan is filed in conjunction with an annexation request of the above properties plus adjacent right-of-way along South Stage Road and Kings Highway. The County zoning designation of Exclusive Farm Use (EFU) will be change to the City Single Family Residential- 1unit/acre (SFR-00) zoning district. The property will be removed from Medford Rural Fire Protection District #2.

A. STREETS

Kings Highway and South Stage Road are classified as a Minor Arterial streets and are both maintained by Jackson County. Both streets are paved without curb and gutter, sidewalks or street lights. In accordance with the City's Urban Reserve Management Agreement, the County will surrender jurisdiction of Kings Highway and South Stage Road and the City will assume jurisdiction at the time of annexation.

All other potential future Commercial and/or Minor/Standard Residential internal connection streets shall be public and will be maintained by the City of Medford.

B. SANITARY SEWERS

The area of this proposed annexation lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer accessibility and capacity adequacy.

C. STORM DRAINAGE

Future development on this parcel will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual.

D. TRANSPORTATION SYSTEM

The map titled, "Secondary Streets with Conceptual Offsite Circulation" shall be adopted as the circulation plan in the City of Medford Comprehensive Plan. Showing the detail will not lock in the location of streets but does make a commitment to the overall level of connectivity needed (per MLDC 10.426.B.1).

The applicant shall submit a revised circulation plan showing the locations of the higher order streets in accordance with Subsection 5.2 of Chapter 10.4 of the City of Medford Comprehensive Plan. The revised circulation plan shall also include a key identifying what types of streets the different line types on the map represent.

No comments on the annexation.

E. SYSTEM DEVELOPMENT CHARGES

Future development/buildings within this parcel will be subject to System Development Charges (SDC). These SDC fees shall be assessed at the time individual building permits are reviewed.

This development is also subject to Storm Drain System Development Charges. A portion of the storm drain system development charge shall be collected at the time of the approval of a final plat, as applicable.

F. UTILITY FEES

Upon annexation, this parcel will be subject to City of Medford monthly utility fees as applicable.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

JACKSON COUNTY
Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

February 4, 2020

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

RE: Urbanization Plan & Annexation request for Planning Unit MD-7c
South Stage Road - a County maintained road at this location
and Kings Highway – a County maintained road at this location
Planning File: UP-19-003 & A-19-002

Dear Carla:

Thank you for the opportunity to comment on a Comprehensive Plan Amendment to Adopt an Urbanization Plan into the Neighborhood Element for approximately 29.72 acres located at the northwest corner of Kings Highway and South Stage Road (38-2W-01D tax lot 100 and 38-2W-01AD TL 1000). Jackson County Roads has the following comments:

1. As provided in the Urban Reserve Management Agreement (URMA) between City and County, please expand the annexation to include the remainder of Kings Highway right-of-way. Then, following annexation, City is required to request jurisdiction of this portion of Kings Highway. As provided in the URMA, the request for jurisdiction shall conform to ORS 373.270, except that conditions and compensation allowed by ORS 373.270(6) are not allowed.

2. As provided in the URMA, storm drain management within the annexed areas (including road rights-of-way) become the responsibility of City, upon annexation.

3. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.

4. South Stage Road is a County Minor Arterial and is maintained by the County. The Average Daily Traffic count was 5,744 on July 24, 2018, 225' east of King Highway.

5. Kings Highway is a County Minor Arterial and is maintained by the County. The Average Daily Traffic count was 2,679 on July 24, 2018, 150' north of South Stage Road.

6. All access points will be from Kings Highway. No accesses will be permitted from South Stage Road.

7. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.

8. We would like to be notified of future development proposals, as county permits may be required.

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

Sincerely,

Chuck DeJanvier, PE
Construction Engineer

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

February 3, 2020

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

Re: UP-19-003 & A-19-002, Urbanization Plan & Annexation (382W01AD – 1000 & 382W01D - 100)
Ref: PA-19-048

ATTN: Carla,

The subject property is within the RVSS service area. There are existing 8 inch sewer mains along Lillian St, Veronica Way, and Kings Highway extended to or very near the north property boundary of TL 1000. The existing downstream sewer system has adequate capacity to serve the proposed annexation.

Sewer service for any development on the property will require a sewer main extension from one or a combination of the existing mains north of the property. It should be noted that there is an existing 8 inch main along South Stage Road to the south. However, it appears the existing topography would prohibit a standard gravity sewer connection to this main.

Rogue Valley Sewer Services requests that any development be subject to the following conditions:

1. All sewer design and construction must be performed in accordance with RVSS standards and submitted to RVSS for review and approval.
2. The applicant must pay sewer system development charges to Rogue Valley Sewer Service prior to construction.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNG\ANNEXATION\2019\A-19-002_URBANIZATION PLAN_KINGS HWY & SOUTH STAGE.DOC

Exhibit I
UP-19-003

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: UP-19-003/ANNX-19-002

PARCEL ID: 382w01AD TL 1000 & 382W01D TL 100

PROJECT: A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for approximately 29.72 acres of property located at the north-west corner of South Stage Road and Kings Highway (382W01AD1000 and 382W01D100). The Urbanization Plan is filed in conjunction with an annexation request of the above properties plus adjacent right-of-way along South Stage Road and Kings Highway. The County zoning designation of Exclusive Farm Use (EFU) will be change to the City Single Family Residential- 1unit/acre (SFR-00) zoning district. The property will be removed from Medford Rural Fire Protection District #2. Applicant: Lazaro Ayala Family Trust, Agent: Scott Sinner Consulting, Planner: Carla Paladino.

DATE: February 26, 2020

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. Expansion of MWC's "Southwest" Zone is required to serve the proposed Commercial portion of this project. The Applicant and their Civil Engineer shall meet with MWC engineering staff to review this pressure zone expansion project, and associated fees involved.

4. Applicants civil engineer shall submit a master plan of proposed "on-site" utilities.

5. "Off-site" water line installation is required.

    a. Installation of a 12-inch water line is required in South Stage Road between the existing "Southwest" Pressure Zone 16-inch water reservoir fill/drain line located on the west side of S. Columbus Avenue. This 12-inch water line is required to extend to Kings Highway.

    b. Installation of a 12-inch water shall extend northerly in Kings Highway from the above conditioned 12-inch water line in South Stage Road. This 12-inch water line shall extend north in Kings Hwy to the north boundary of the "Commercial" property.

6. "On-site" Commercial water line installation construction will be required.

Continued to Next Page

Exhibit J
UP-19-003

Continued from Previous Page

a. Installation of a looped "on-site" 12-inch water line will be required through the "Commercial" portion of this proposed development. This 12-inch water line shall be used for "future" fire hydrants, fire services, and water meters for the proposed commercial properties.

b. Easements will be required for all "on-site" water facility installations.

7. "On-site" Residential water line installation is required.

   a. Installation of 8-inch water lines will be required in the proposed residential streets, including portions of Lillian Street and Veronica Way.

COMMENTS

1. MWC-metered water service does not exist to these properties.

2. On-site Static water pressure will be between 95 psi – 115 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

3. System Development Charges (SDC's) will be required for this proposed development. A proposed Site Plan with all proposed water facilities shall be provided to MWC engineering staff for review. Medford Water Commission to review additional acreage being added to the existing Southwest Pressure Zone to determine required system development charges for this project.

4. Access to MWC water lines is available. There are existing water lines (former "Kings Hwy Water District") in these existing streets:

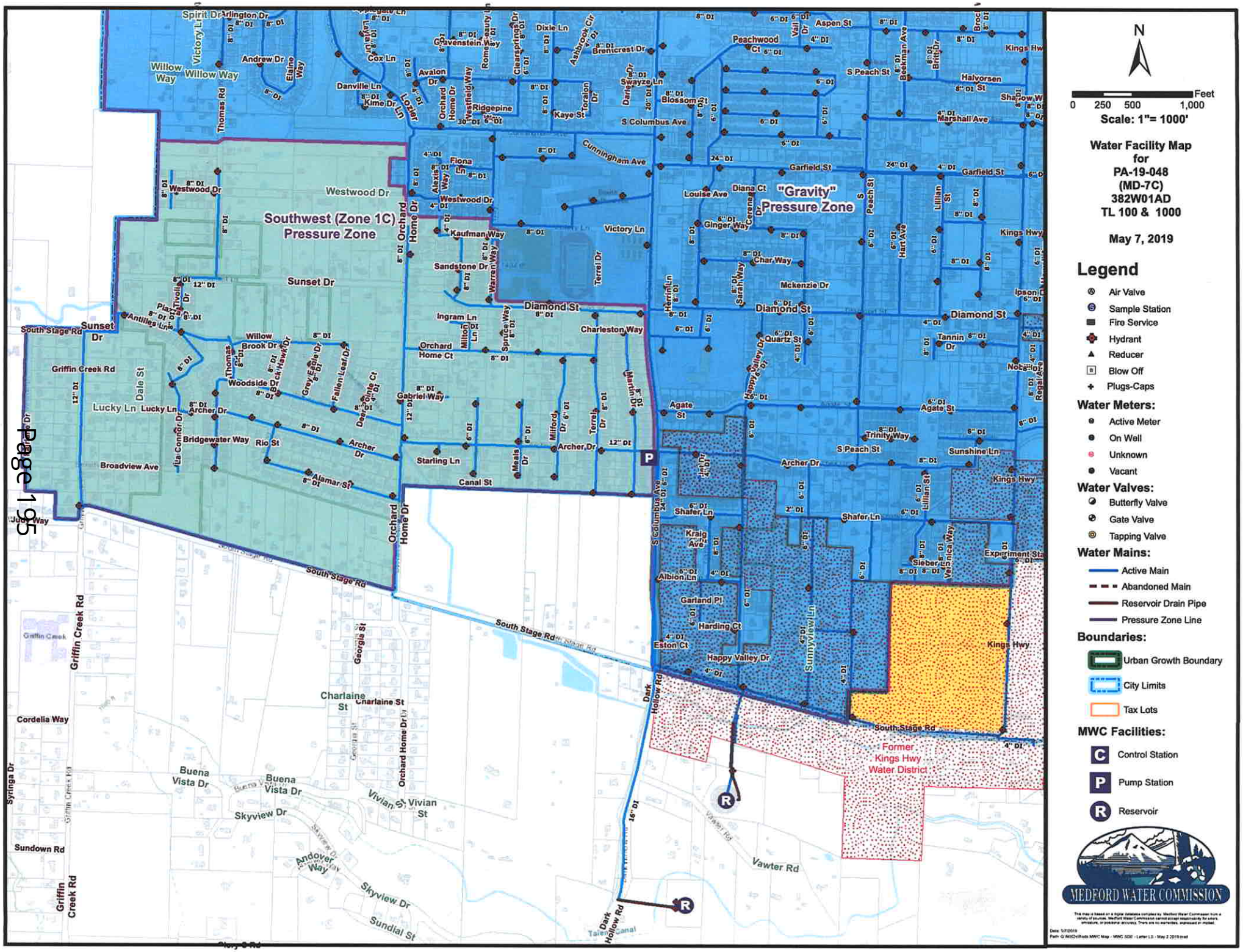
   a. There is a 6-inch water line in South Stage Road between S Columbus Avenue and Kings Hwy.

   b. There is a 6-inch water line in Kings Highway.

   c. There is an 8-inch water line in Lillian Street.

   d. There is an 8-inch water line in Veronica Way.

   e. The "Private" Street located near the southwesterly property line of TL 100 has a 6-inch water line that serves the four (4) existing homes located on the east side of "private" street.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Scale: 1"= 1000'
Water Facility Map
for
PA-19-048
(MD-7C)
382W01AD
TL 100 & 1000
May 7, 2019
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:
Control Station
Pump Station
Reservoir
MEDFORD WATER COMMISSION
Southwest (Zone 1C) Pressure Zone
"Gravity" Pressure Zone
Former Kings Hwy Water District
Westwood Dr
Sunset Dr
Diamond St
Orchard Home Dr
Griffin Creek Rd
South Stage Rd
Kings Hwy
Dark Hollow Rd
Vawter Rd
Buena Vista Dr
Skyview Dr
Vivian St
Charlaine St
Sundown Rd
Cordelia Way
Syringa Dr
Andover Way
Sundial St
Tale Canal

BUILDING SAFETY DEPARTMENT
ROOM 277

CITY OF MEDFORD
LAUSMANN ANNEX
200 SOUTH IVY STREET
MEDFORD, OREGON 97501

TELEPHONE (541) 774-2350
FAX (541) 774-2575
E-MAIL:
bldmed@ci.medford.or.us

Policy on Installation of Pressure Reducing Valves

August 5, 2014

Section 608 of the 2011 Edition of the Oregon Plumbing Specialty Code requires a pressure regulator (commonly called a Pressure Reducing Valve or PRV) where the static pressure in the water supply piping exceeds 80 psi. Although this section gives limited guidance as to installation, it does require the device to be

> *"...accessibly located above ground or in a vault equipped with adequate means to provide drainage and shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping."*

"Accessible" and "readily accessible" are defined in chapter 2.

To assure uniform and appropriate installation of these devices within Medford, the following standards have been agreed to by the City of Medford Building Safety Department and the Medford Water Commission:

1. The need for these devices will be based on pressure information provided by the Medford Water Commission, and can be verified on-site with a pressure gage. While factory settings of these devices may be adjusted, MWC recommends that the regulated pressure be set no higher than 65 psi.
2. PRVs shall NOT be installed when static pressure is less than 50 psi, except for limited specific equipment-based needs.
3. The PRV shall be installed outside the street right of way as close as practical to the water meter.
4. No expansion tank is necessary.
5. No fixture, device or system is permitted between the meter and the PRV.
6. The PRV must NOT be direct buried nor installed in a crawl space.
7. PRVs shall be installed within a readily accessible valve box / vault following the same standard as used for double check backflow assemblies, as follows:
   "On new installations, at least 12-inches clearance will be required as per section 603.3.4. When replacing an existing assembly, the 12-inch clearance requirement can be waived as long as there is at least 3-inches clearance between the bottom of the assembly and the ground, and the device is tested and serviced from the top."

Sam Barnum

Building Safety Director

N

0 55 110 220 Feet

Scale: 1:2,400

Water Facility Map
City of Medford
Planning Application:
UP-19-003 ANNX-19-002
(382W01D100,
382W01AD1000)
Feb 26, 2020

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

MEDFORD WATER COMMISSION

This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

Date: 1/30/2020
Path: \\medfordwater.org\pubdc\File Shares\Departments\GIS\Mapping\Projects\LD Map Maker\LD Map Maker.aprx

MEDFORD OREGON

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 2/19/2020
Meeting Date: 2/26/2030

LD File #: UP190003 **Associated File #1:** ANNX19002

Planner: Carla Paladino

Applicant: Lazaro Ayala Family Trust

Site Name: N/A

Project Location: North-west corner of South Stage Road and Kings Highway (382W01AD1000 and 382W01D100)

ProjectDescription: A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for approximately 29.72 acres of property located at the north-west corner of South Stage Road and Kings Highway (382W01AD1000 and 382W01D100).
The Urbanization Plan is filed in conjunction with an annexation request of the above properties plus adjacent right-of-way along South Stage Road and Kings Highway. The County zoning designation of Exclusive Farm Use (EFU) will be change to the City Single Family Residential- 1unit/acre (SFR-00) zoning district. The property will be removed from Medford Rural Fire Protection District #2.

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

Exhibit K
UP-19-003

TO: Carla Paladino - Planning Department

FROM: Haley Cox – Parks Planner

SUBJECT: UP-19-003/ANNX-19-002

DATE: February 26, 2020

The Parks Department has reviewed the application for urbanization of the MD-7c parcels and has the following comments:

This project will bring almost 30 acres of developable land into the City limits of Medford, and with that over 3 acres of open space land is proposed for a public park. This "Open Space Opportunity Area" is identified in the application adjacent to Kings Highway and north of Stage Road, separated by a block of commercially zoned land. The Department has met with the applicant to discuss consistency with the Leisure Services Plan, and because this is within a park walkshed gap, the Department will consider acquisition of parkland in this area.

A park of the size proposed would be classified as a Neighborhood Park. The Department has some concern with the applicant's proposal to site a stormwater detention facility within this parkland area, because this use is not always compatible with recreational goals, especially in an area this small. The applicant is encouraged to explore creative ways to manage stormwater in other parts of the site, so as not to impact the recreational potential of the Open Space Opportunity Area.

The Leisure Services Plan also indicates a shared-use pathway along Stage Road, which will be substantially achieved by implementing the preferred cross section for minor arterials. Kings Highway is also classified as a minor arterial, so the Department will be responsible for maintenance of the ROW vegetation along residential frontages. As such, the Department will need to approve the landscaping and irrigation plans and specifications prior to installation.

Exhibit L
UP-19-003

SITE PLAN

In the S.E. 1/4 & N.E. 1/4 of Sec. 1, T.38S., R.2W., W.M. & in the City of Medford Jackson County, Oregon

BASIS OF BEARINGS
SURVEY NO. 17235 AS SHOWN HEREON.

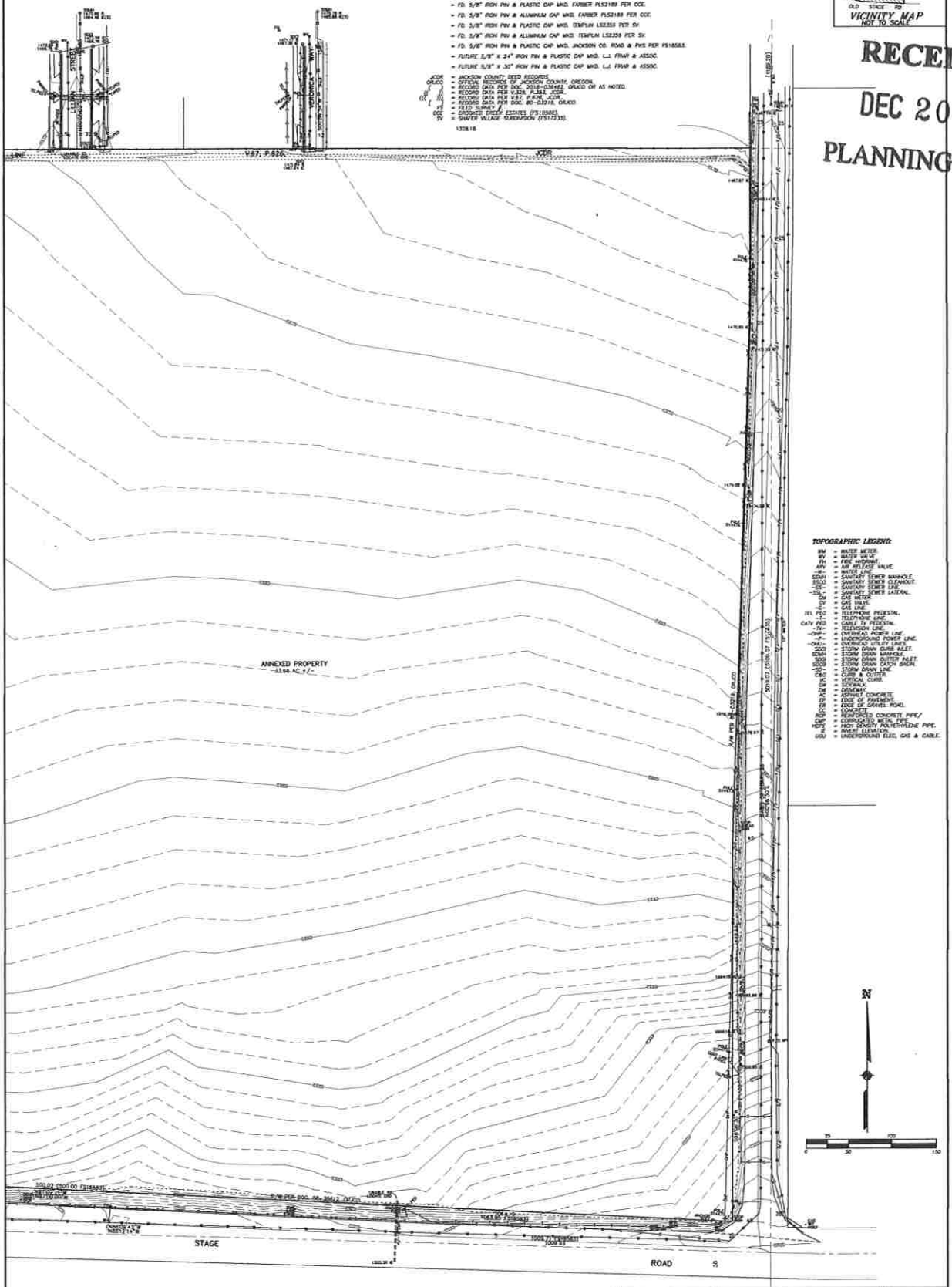
UNIT OF MEASUREMENT = FEET SCALE: 1" = 50'

LEGEND:

- = F.D. COUNTY SURVEYOR BRASS CAPPED MONUMENT PER [YEAR] RE-ESTAB.
- = F.D. 1" IRON PIPE PER V.329, P.353, JCDR.
- = F.D. 5/8" IRON PIN PER FS3913.
- = F.D. 5/8" IRON PIN & PLASTIC CAP MKD. FARBER PLS2189 PER CCE.
- = F.D. 5/8" IRON PIN & ALUMINUM CAP MKD. FARBER PLS2189 PER CCE.
- = F.D. 5/8" IRON PIN & PLASTIC CAP MKD. TEMPLIN LS2359 PER SV.
- = F.D. 5/8" IRON PIN & ALUMINUM CAP MKD. TEMPLIN LS2359 PER SV.
- = F.D. 5/8" IRON PIN & PLASTIC CAP MKD. JACKSON CO. ROAD & PWS PER FS18583.
- = FUTURE 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- = FUTURE 5/8" X 30" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.

JCDR = JACKSON COUNTY DEED RECORDS
ORLCD = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.
(R) = RECORD DATA PER DOC. 2018-034442, ORLCD OR AS NOTED.
(R) = RECORD DATA PER V.329, P.353, JCDR.
(R) = RECORD DATA PER V.87, P.826, JCDR.
(R) = RECORD DATA PER DOC. 80-23218, ORLCD.
F = FIELD SURVEY
CCE = CROOKED CREEK ESTATES (FS18586).
SV = SHAFER VILLAGE SUBDIVISION (FS17233).

1328.18



TOPOGRAPHIC LEGEND:

WM = WATER METER.
WV = WATER VALVE.
FH = FIRE HYDRANT.
APV = AIR RELEASE VALVE.
-W- = WATER LINE.
SSMH = SANITARY SEWER MANHOLE.
SSCO = SANITARY SEWER CLEANOUT.
-SS- = SANITARY SEWER LINE.
-SS- = SANITARY SEWER LATERAL.
GM = GAS METER.
GV = GAS VALVE.
-G- = GAS LINE.
TEL PED = TELEPHONE PEDESTAL.
-T- = TELEPHONE LINE.
CATV PED = CABLE TV PEDESTAL.
-TV- = TELEVISION LINE.
-OHP- = OVERHEAD POWER LINE.
-P- = UNDERGROUND POWER LINE.
-OHU- = OVERHEAD UTILITY LINES.
SDCI = STORM DRAIN CURB INLET.
SDMH = STORM DRAIN MANHOLE.
SDGI = STORM DRAIN GUTTER INLET.
SDCB = STORM DRAIN CATCH BASIN.
-SD- = STORM DRAIN LINE.
C&G = CURB & GUTTER.
VC = VERTICAL CURB.
DW = DRIVEWAY.
DW = DRIVEWAY.
AC = ASPHALT CONCRETE.
EP = EDGE OF PAVEMENT.
EGR = EDGE OF GRAVEL ROAD.
CC = CONCRETE.
RCP = REINFORCED CONCRETE PIPE/
CMP = CORRUGATED METAL PIPE.
HDPE = HIGH DENSITY POLYETHYLENE PIPE.
± = INVERT ELEVATION.
UGU = UNDERGROUND ELEC, GAS & CABLE.

ELEVATION DATUM:
NGVD 29 (UNADJUSTED) PER CITY OF MEDFORD BM #C-215, JACKSON COUNTY BRASS CAP IN S. END OF N. HEADWALL ON BRIDGE #279 ON HARPY VALLEY DRIVE APROX 150' N. OF OLD STAGE ROAD. ELEV. 1483.545

EXCEPTIONS PER PUBLIC RECORD REPORT FOR NEW SUBDIVISION

5. EASEMENT FOR WELL & WATER PIPE LINE PER V.211, P.384 & V.226, P.253, JCDR. NO SPECIFIC LOCATION GIVEN AND NO WELL WAS FOUND ON PROPERTY.
6. EASEMENT FOR PRIVATE RIGHT OF WAY PER V.329, P.351 & V.344, P.193, JCDR. SHOWN.
7. EASEMENT FOR PRIVATE RIGHT OF WAY PER DOC. 02-23734, ORLCD. SHOWN

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REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON JULY 15, 1986 JAMES E. HILLS 2214

FILE: SITE PLAN
ASSESSOR'S MAP & TAX LOT: 382W01AD TL1000/382W01D TL100
OWNER & APPLICANT: KDA HOMES, INC.
SURVEYOR: L.J. FRIAR & ASSOCIATES P.C.
DATE: 22 JULY 2019
SCALE: 1 inch = 50 feet
DRAWN BY: JCH
CHK BY: JEH
Sheet 1 of 2

RECEIVED
DEC 20 2019
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # M
FILE # UP-19-003/
ANNX-19-002

Exhibit M
UP-19-003

22

SITE PLAN

In the S.E. 1/4 & N.E. 1/4 of Sec. 1, T.38S, R.2W., W.M. & in the City of Medford Jackson County, Oregon

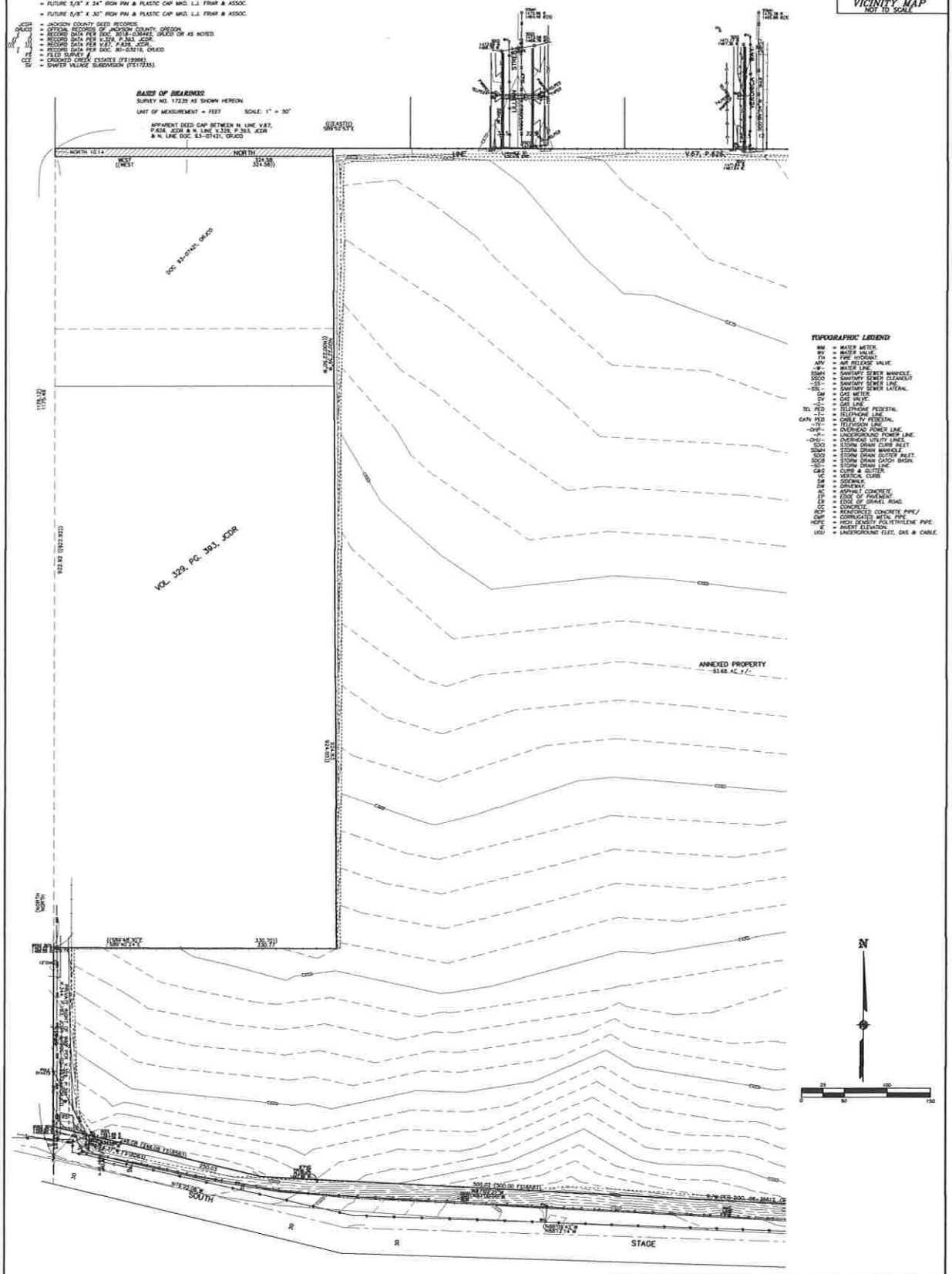
LEGEND:

- = FD. COUNTY SURVEYOR BRASS CAPPED MONUMENT PER [YEAR] RE-ESTAB.
- = FD. 1" IRON PIPE PER V.326, P.393, JCDR.
- = FD. 5/8" IRON PIN PER FS3913.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. FARBER PLS2189 PER CCE.
- = FD. 5/8" IRON PIN & ALUMINUM CAP MKD. FARBER PLS2189 PER CCE.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. TEMPLIN LS2358 PER SV.
- = FD. 5/8" IRON PIN & ALUMINUM CAP MKD. TEMPLIN LS2358 PER SV.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. JACKSON CO. ROAD & PWS PER FS18583.
- = FUTURE 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- = FUTURE 5/8" X 30" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.

JCDR = JACKSON COUNTY DEED RECORDS.
OR,CO = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.
(R) = RECORD DATA PER DOC. 2013R-03462, OR,CO OR AS NOTED.
(R) = RECORD DATA PER V.328, P.393, JCDR.
(R) = RECORD DATA PER V.67, P.626, JCDR.
(R) = RECORD DATA PER DOC. 83-07419, OR,CO.
FS = FILED SURVEY.
CCE = CROSSED CREEK ESTATES (FS19996).
SV = SHAFER VILLAGE SUBDIVISION (FS17233).

BASIS OF BEARINGS:
SURVEY NO. 17235 AS SHOWN HEREON.
UNIT OF MEASUREMENT = FEET SCALE: 1" = 50'

APPARENT DEED GAP BETWEEN N. LINE V.67, P.626, JCDR & N. LINE V.328, P.393, JCDR & N. LINE DOC. 83-07421, OR,CO



TOPOGRAPHIC LEGEND:

WM = WATER METER.
WV = WATER VALVE.
FH = FIRE HYDRANT.
APV = AIR RELEASE VALVE.
-W- = WATER LINE.
SSMH = SANITARY SEWER MANHOLE.
SSCO = SANITARY SEWER CLEANOUT.
-SS- = SANITARY SEWER LINE.
-SSL- = SANITARY SEWER LATERAL.
GM = GAS METER.
GV = GAS VALVE.
-G- = GAS LINE.
TEL PED = TELEPHONE PEDESTAL.
-T- = TELEPHONE LINE.
CATV PED = CABLE TV PEDESTAL.
-TV- = TELEVISION LINE.
-OHP- = OVERHEAD POWER LINE.
-UP- = UNDERGROUND NO POWER LINE.
-OHU- = OVERHEAD UTILITY LINES.
SDCO = STORM DRAIN CLEANOUT.
SDMH = STORM DRAIN MANHOLE.
SDGI = STORM DRAIN GUTTER INLET.
SDCB = STORM DRAIN CATCH BASIN.
-SD- = STORM DRAIN LINE.
C&G = CURB & GUTTER.
VC = VERTICAL CURB.
SW = SIDEWALK.
DW = DRIVEWAY.
AC = ASPHALT CONCRETE.
EP = EDGE OF PAVEMENT.
EG = EDGE OF GRAVEL ROAD.
CC = CONCRETE.
RCP = REINFORCED CONCRETE PIPE/
CMP = CORRUGATED METAL PIPE.
HDPE = HIGH DENSITY POLYETHYLENE PIPE.
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ELEVATION DATUM:
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EXCEPTIONS PER PUBLIC RECORD REPORT FOR NEW SUBDIVISION

5. EASEMENT FOR WELL & WATER PIPE LINE PER V.211, P.384 & V.228, P.253, JCDR, NO SPECIFIC LOCATION GIVEN AND NO WELL WAS FOUND ON PROPERTY.
6. EASEMENT FOR PRIVATE RIGHT OF WAY PER V.328, P.391 & V.344, P.193, JCDR, SHOWN.
7. EASEMENT FOR PRIVATE RIGHT OF WAY PER DOC. 02-35734, OR,CO, SHOWN.

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REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON JULY 15, 1988 JAMES E. HIBBS 2232
RENEWAL DATE 6-30-21

TITLE: SITE PLAN
ASSESSOR'S MAP & 382W01AD TL1000/382W01D TL100
OWNER & APPLICANT: KDA HOMES, INC. 604 FAIR OAKS CT. ASHLAND, OR 97520
L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS
DATE: 25 JULY 2016
SCALE: 1 inch = 50 feet
DRAWN BY: JCH
CHK BY: JCH
CHECK
REVISION: 7 JUNE 19:00 PM
Sheet 2 of 2

Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

March 9, 2020

Haley Cox
Medford Parks Department
701 N Columbus Avenue
Medford, OR 97501

Haley,

Thank you for your time today to meet to discuss the potential of a park design that would also provide some stormwater component.

It is clear to us the best procedure to consider the 3 acre block for a potential neighborhood park is the separate the storm water component and move the process forward as an unrestricted property for the park.

As we are developing a neighborhood on this site, we have a vested interest in the design of the park and look forward to the opportunity to be involved in the design process.

We would like to move the process forward and let me know what you would need to continue with the acquisition process.

Thank you and feel free to call if you have any questions.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.

Exhibit N
UP-19-003

4401 San Juan Drive, Suite G
Medford, Oregon 97504

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

URBAN DEVELOPMENT SERVICES, LLC

LAND USE PLANNING AND DEVELOPMENT SERVICES

April 15, 2020

Medford Planning Commission
Attn: Carla Angeli Paladino, Principal Planner
200 South Ivy Street
Medford, OR 97501

Subject: UP-19-003; Urbanization Plan for Planning Unit MD-7c

This letter is written to the Medford Planning Commission in support of the subject application, UP-19-003, a request for a legislative amendment to Annex 29.72 acres into the City of Medford and for the adoption of an Urbanization Plan into the Neighborhood Element of the City's Comprehensive Plan.

As the Planning Commission is likely aware, the subject property was considered highly favorable during the City's extensive process of identifying viable candidate lands to include into the City's Urban Growth Boundary. At that time, the Council noted within their August 18th, 2016, adopted Findings of Fact, MD-7 was:

….."well suited to provide the kinds of mixed-use/walkable neighborhoods required by the Regional Plan and to help provide needed affordable housing. The relatively close proximity of these areas to the city core, the fact that much of this area is relatively flat, and the existing network of gridded streets increase the likelihood of well integrated mixed-use/walkable neighborhoods developing in these locations. The Housing Element identified a large need for affordable housing but it did not identify a solution for meeting the need. These portions of the urban reserve can help to meet the need for affordable housing by providing land with relatively low development costs. These areas are fairly flat, they are well connected to existing development, and they score well on serviceability for water, sewer, and transportation compared to other areas."

The Council's analysis, as well as the then Planning Commission's, was supported by a voluminous amount of evidence in the Record and supported by detailed Findings of Fact. As a

Exhibit O
UP-19-003

Land Use Planner here in the Rogue Valley for roughly 28 years, I concurred with the Planning Commission and City Council's conclusions.

I remain supportive and contend the proposed Urbanization Plan, as well as various other stipulations and guiding policies noted in the adopted Regional Plan Element, Urbanization Element and Medford Land Use Code, provide the basic fundamentals in order to generate a desirable and healthy neighborhood in south Medford. These include a property that will:

- Provide for a range of housing opportunities and choices which include single-family detached, single-family attached, multi-family housing, cottage and mixed-use housing;
- Comfortably yield the minimum densities established under the adopted Urban Reserve Management Agreement (URMA) due to its relatively level topography;
- Be developed with a network of streets, alleys and walking paths allowing for various options of travel and interconnections with existing and future neighborhoods;
- Be developed under the City's adopted Street Standards which will produce tree canopied streets, parkrows and sidewalks;
- Integrate with the existing neighborhood for relatively straightforward infrastructure connections and a prudent use of existing public investment;
- Include open spaces that provide recreational and spatial opportunities for residents as well as neighboring areas with challenging constraints;
- Will be provide for life-long housing and relatively affordable construction opportunities due to the site's relatively level topography.

Overall, this particular property will provide for an orderly urbanization expansion and integrate seamlessly with existing neighborhoods and infrastructure systems. As such, I would respectfully request the Medford Planning Commission recommend approval of the proposed Annexation and Urbanization Plan.

Sincerely,

Mark Knox, Principal Planner
Urban Development Services, LLC

MEDFORD
PLANNING

STAFF REPORT
for a type-III quasi-judicial decision: **Land Division**

Project	Buettner Place Applicant: Barbara Buettner Agent: Scott Sinner Consulting, Inc.
File no.	LDS-20-046
To	Planning Commission *for 4/23/2020 hearing*
From	Dustin Severs, Planner III
Reviewer	Kelly Evans, Assistant Planning Director
Date	April 16, 2020

BACKGROUND

Proposal

Consideration of tentative plat approval for Buettner Place, a proposed 4-lot residential subdivision on a single 0.84-acre parcel located at 1375 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35AD 800).

Vicinity Map

Subject Site Characteristics

Zoning:	SFR-6 (Single-Family Residential, six dwelling units per gross acre)
GLUP:	UR (Urban Residential)
Overlay(s):	None
Use(s):	Single-family residence

Surrounding Site Characteristics

North	Zone:	SFR-00 (Single family residential, one dwelling per lot)
	Use(s):	single-family residential
South	Zone:	SFR-00
	Use(s):	single-family residential
East	Zone:	SFR-6
	Use(s):	single-family residential
West	Zone:	SFR-6
	Use(s):	single-family residential

Related Projects

PA-19-071	Pre-application to discuss subject proposal
ZC-97-043	Zone change to SFR-6

Applicable Criteria

MLDC 10.202(E): 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.

Issues and Analysis

Project Summary

Current site

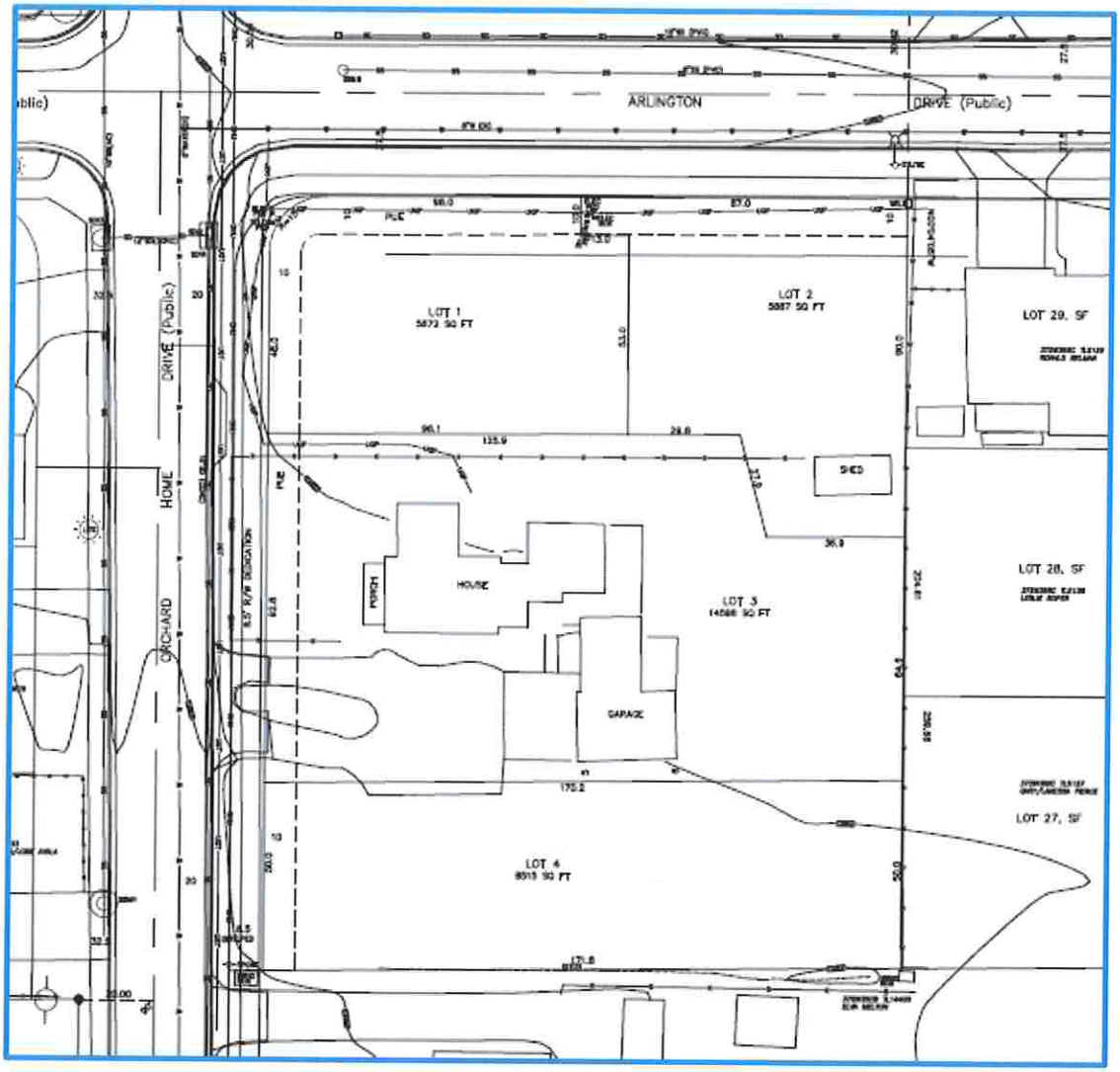
The subject site consists of a single 0.84-acre parcel, containing a single-family home with a detached garage, and small shed located to the northeast of the lot. The parcel is a corner lot, with Arlington Drive, a Minor Residential street, fronting the parcel along its northerly boundary, and Orchard Home Drive, a Standard Residential street, fronting its westerly boundary. Abutting the property along its southerly boundary is a strip of public right-of-way containing an irrigation ditch.

Vehicular access to the existing residence is provided by a driveway off of Orchard Home Drive. All street section improvements have been completed on both streets with the exception of sidewalk and planter strip.

Proposal

The applicant is proposing to subdivide the property, creating a 4-lot residential subdivision—Buettner Place Subdivision. The existing single-family house and two detached structures (located on Lots 2 and 3) are proposed to remain with the future development of the site.

Both Arlington Drive and Orchard Home Drive are currently improved with pavement, curb and gutter; however, neither contains a sidewalk or planter strip. With the approval of the subdivision, the applicant will be required to construct a sidewalk with a planter strip along both street frontages.



Density

Density Table

SFR-6 Minimum /Maximum Density	Allowed	Shown
4.0 to 6.0 dwelling units per gross acre	4 min. – 6 max.	4 lots

As shown on the Density Table above, based on 1.064 gross acres of land, the creation of four lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-6 zoning district, as per MLDC 10.713.

Development Standards

Detached Single Family Dwellings

Site Development Table (MLDC 10.710)

SFR-6	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Shown	Lot 1: 5,872 Lot 2: 5,887 Lot 3: ***14,598*** Lot 4: 8,515	Lot 1: NA Lot 2: 70 Lot 3: 92.8 Lot 4: 50	Lot 1: 63 Lot 2: NA Lot 3: NA Lot 4: NA	Lot 1: 96.1 Lot 2: 90 Lot 3: 170.2 Lot 4: 171.8	Lot 1: 63 Lot 2: 70 Lot 3: 92.8 Lot 4: 50

As shown in the Site Development Table above, it can be found that the four proposed lots, as identified on the submitted plat—with the exception of lot 3—meet all the dimensional standards for lots in the SFR-6 zoning district, as per MLDC 10.710.

Lot 3, proposed to include the existing house and detached accessory structure, exceeds the maximum lot area allowed in the SFR-6 zoning district. Pursuant to MLDC 10.702(3)(a), however, the creation of a new residential lot may exceed the maximum lot area when there is an existing residence.

Block Length

The block surrounding the subject parcel exceeds the maximum block perimeter length as outlined in MLDC 10.426(1). The Planning Commission may approve block length and/or perimeter lengths that exceed the maximum required, contingent on the applicant's findings effectively demonstrating that certain constraints exist which make street connections impractical or inappropriate.

The applicant's findings state the following:

> *The subject property is constrained by existing development on the east and additional streets would not comply with the intersection spacing standards of the Code.*

Staff concurs with the applicant's findings, as the construction of a public street and/or a public accessway—pursuant to MLDC 10.426(1) and 10.464—is impractical due to the abutting existing development in the surrounding area, and, pursuant to MLDC 10.426(2)(f), future development on adjoining property can feasibly satisfy block length.

Existing structures

The existing single-family house and detached garage (located on proposed Lot 3) will remain with the subject development. The submitted plat also identifies an existing structure (shed) on Lot 3; however, per MLDC 10.012, an accessory structure is only permitted when located on the same lot as the principal structure.

As a condition of approval, the structure identified on Lot 3 will be required to be removed prior to final plat approval.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits E-H), it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

Other Agency Comments

Rogue Valley Sewer Services (Exhibit H)

The subject property is within RVSS service area. There is an existing 10-inch sewer along Orchard Home Drive and a 4-inch lateral serving the existing property.

In their submitted report, RVSS requires that the applicant must obtain required tap permits from RVSS and pay related fees, and the applicant must pay sewer system development charges to RVSS prior to issuance of building permits.

As a condition of approval, the applicant will be required to comply with the applicable conditions of RVSS.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Tentative Plat

Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Articles IV and V. Furthermore, the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land; bears a name (Buettner Place), which has been reviewed and approved by the City's Address Technician; the plat does not include the creation of a public street; and criteria 5 and 6 are inapplicable.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-20-046 per the staff report dated April 16, 2020, including:

- Exhibits A through I.
- Granting of relief from creating a public street connection and/or public accessway in order to satisfy block length requirments.

EXHIBITS

A Conditions of Approval, drafted April 16, 2020.
B Tentative Plat, received February 18, 2020.
C Conceptual Grading & Drainage Plan, received February 18, 2020.
D Applicant's Findings of Fact & Conclusions of Law, received February 18, 2020.
E Public Works Staff Report, received April 1, 2020.

F Medford Water Commission memo & associated map, received April 1, 2020.
G Medford Fire Department Report, received April 1, 2020
H RVSS report, received March 19, 2020.
I Jackson County Roads report, received April 13, 2020.
Vicinity map

PLANNING COMMISSION AGENDA: **APRIL 23, 2020**

EXHIBIT A

Buettner Place
LDS-20-046
Conditions of Approval
April 16, 2020

CODE REQUIRED CONDITIONS

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

1. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit E)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit F).
3. Comply with all conditions stipulated by the Medford Fire Department (Exhibit G).
4. Comply with all applicable requirements of Rogue Valley Sewer Services (Exhibit H).
5. Comply with all applicable requirements of Jackson County Road (Exhibit I).
6. Remove the existing structure (shed) identified on Lot 3.

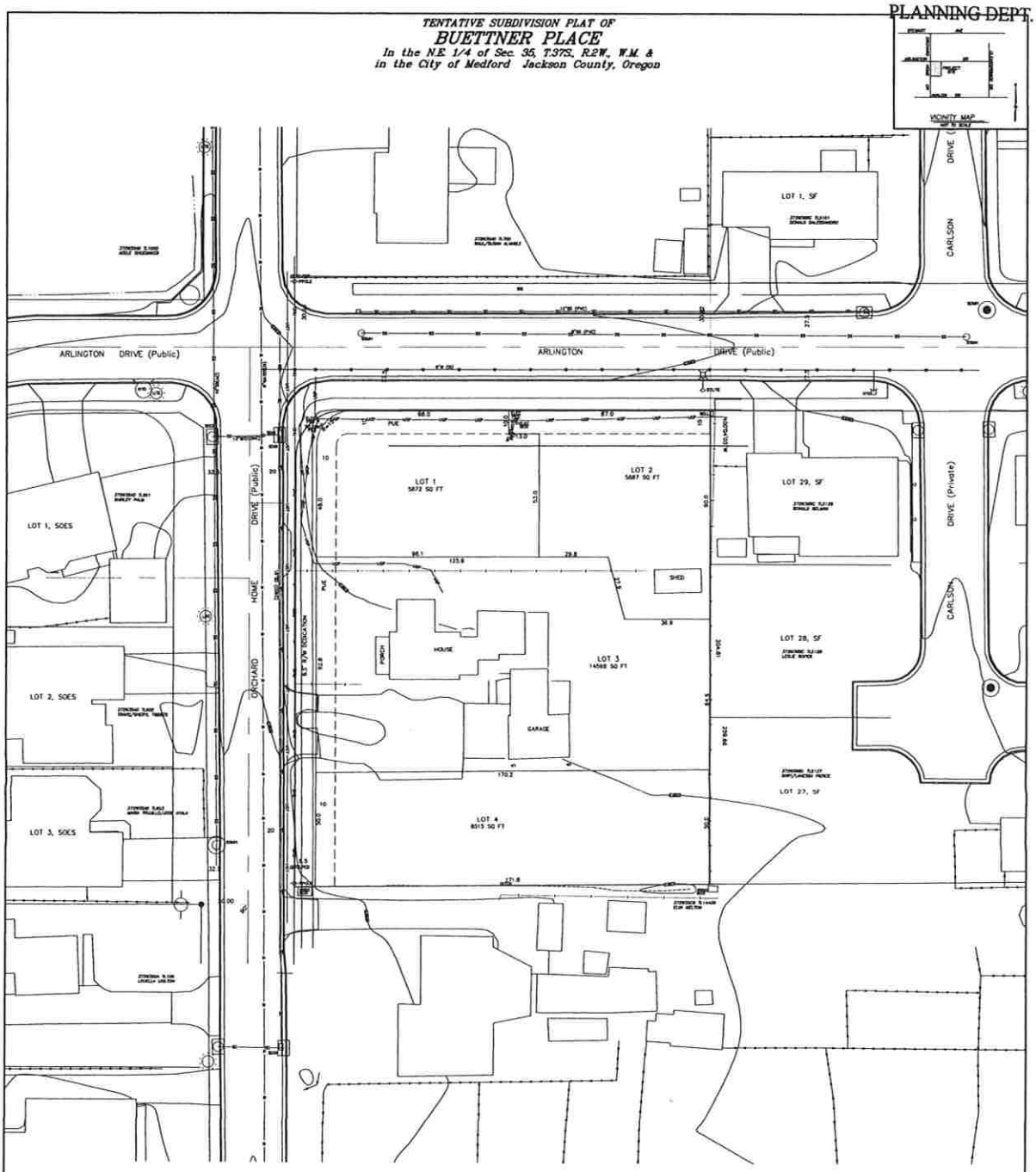
CITY OF MEDFORD
EXHIBIT # A
FILE # LDS-20-046

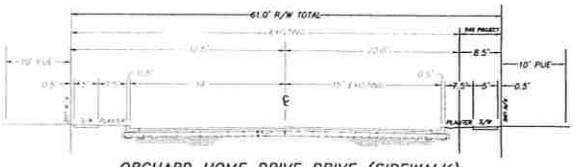
RECEIVED
FEB 18 2020
PLANNING DEPT.

TENTATIVE SUBDIVISION PLAT OF

BUETTNER PLACE

In the N.E. 1/4 of Sec. 35, T.37S., R.2W., W.M. &
in the City of Medford Jackson County, Oregon





ORCHARD HOME DRIVE DRIVE (SIDEWALK)
NOT TO SCALE

GENERAL NOTES

SCHOOL DISTRICT: MEDFORD 549C
IRRIGATION DISTRICT: M.I.D. (NOT BEING ASSESSED)
TOTAL GROSS ACREAGE: 1.064 AC.
NET ACREAGE: 0.842 AC.
TOPOGRAPHY FROM 2016 MEDFORD AERIAL MAPPING.
SQ FT = SQUARE FEET.
PROPOSED 10' PUE ALONG WEST PROPERTY LINES.

LEGEND:
SF = SHELTERFIELD SUBDIVISION.
SOES = SOUTH ORCHARD ESTATES SUBDIVISION.
PUE = PROPOSED PUBLIC UTILITY EASEMENT.

REGISTERED PROFESSIONAL LAND SURVEYOR
JAMES E. HIBBS
OREGON
JULY 13, 1988
JAMES E. HIBBS
2534
RENEWAL DATE 6-30-21

TITLE: TENTATIVE SUBDIVISION PLAT
ASSESSOR'S MAP & 372W35AD TL800
OWNER: BARBARA BUETTNER
4422 SW BEACH AVE., #4
LINCOLN CITY, OR 97367
L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
DATE: 17 FEB 2020
SCALE: 1 inch = 20 feet
DRAWN BY: JEH
CHK BY:
DRAWN:
REVISION #
JOB#: 1920-016
Sheet 1 of 1

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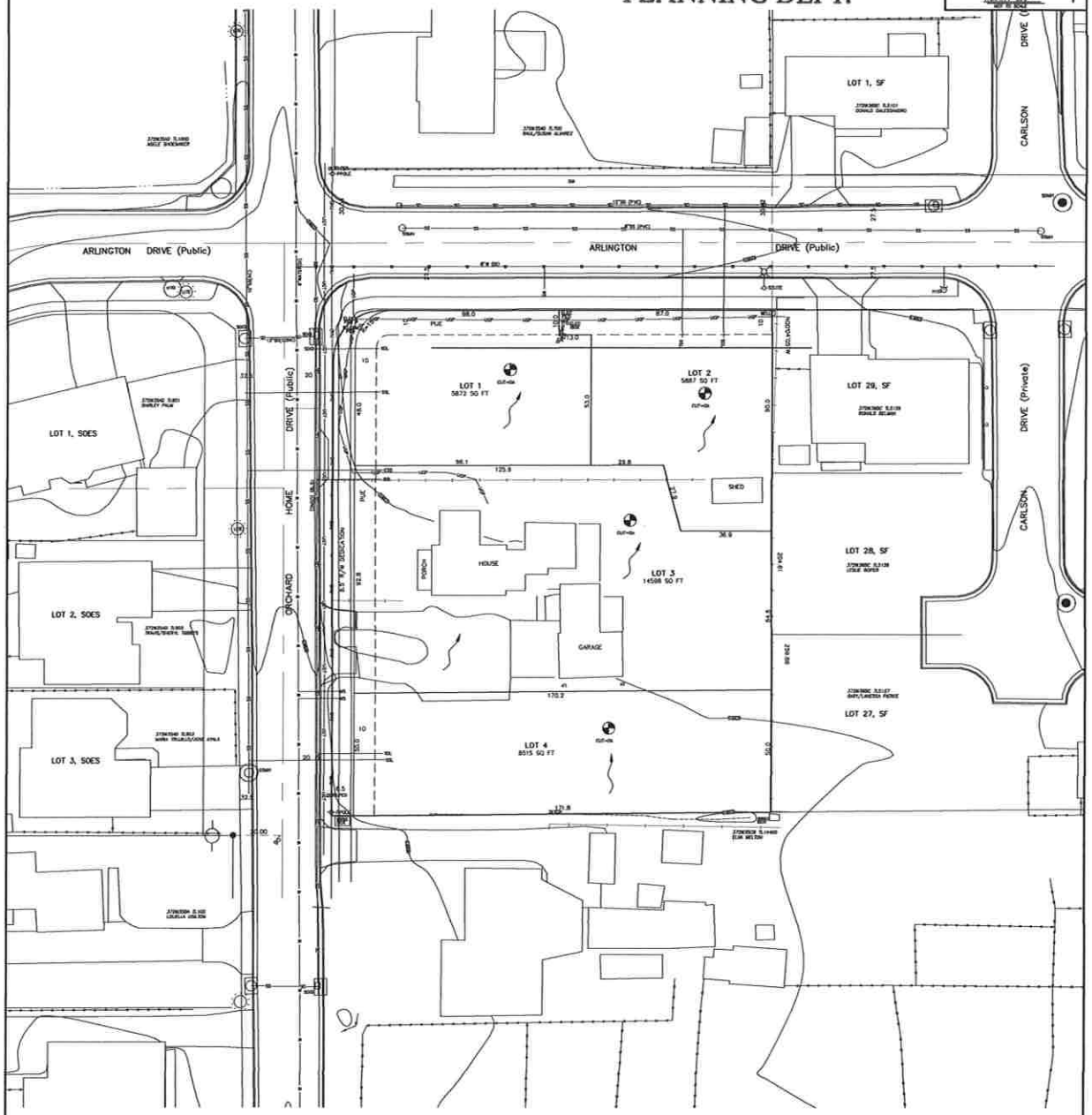
CITY OF MEDFORD
EXHIBIT #
FILE # LDS-20-046

CITY OF MEDFORD
EXHIBIT # B
FILE # LDS-20-046

9

RECEIVED
FEB 18 2020
PLANNING DEPT.

CONCEPTUAL GRADING & DRAINAGE PLAN FOR
BUETTNER PLACE
In the N.E. 1/4 of Sec. 35, T.37S, R.2W, W.M.
in the City of Medford Jackson County, Oregon



DRAINAGE NOTES:

UPON DEVELOPMENT, EXCESS SPOILAGE WILL BE REMOVED BY THE CONTRACTOR FROM THE PROJECT IF, IN FACT, IT WILL CREATE AREAS OF DRAINAGE INTO EXISTING PROPERTIES.

ROOF DRAINS WILL BE DIRECTED INTO EXISTING STORM DRAINS.
SDL = PROPOSED STORM DRAIN LATERAL.
SSL = PROPOSED SANITARY SEWER LATERAL.
BM = EXISTING WATER METER PER MWC RECORDS.
WS = PROPOSED WATER SERVICE.
ESS = APPROX LOCATION EXISTING SANITARY SEWER LATERAL

REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2361

TITLE: CONCEPTUAL GRADING & DRAINAGE PLAN
ASSESSOR'S MAP #: 372W35DA TL201
FOR: REEDER KNOUFF THOMAS LLC
PO BOX 3005
CENTRAL POINT, OR 97502
L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
DATE: 17 FEB 2020
SCALE: 1 INCH = 20 feet
DRAWN BY: JFF
CHK BY:
REVISION #
JOB#: 19134a
Sheet 1 of 1

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CITY OF MEDFORD
EXHIBIT # C
FILE # LDS-20-046

10

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

RECEIVED
FEB 18 2020
PLANNING DEPT.

IN THE MATTER OF AN APPLICATION FOR A LAND DIVISION FOR THE PROPERTY IDENTIFIED AS T372W35AD TAX LOT 800 BARBARA BUETTNER APPLICANT SCOTT SINNER CONSULTING, INC. AGENT	)))))	FINDING OF FACT AND CONCLUSIONS OF LAW

I. BACKGROUND INFORMATION

Applicant:

Barbara Buettner
4422 SW Beach Ave Apt 4
Lincoln City, OR 97367
midnite5484@hotmail.com

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property:

372W35AD TL 800
1375 Orchard Home Drive
Medford, OR 97501

.084 acres net
1.064 acres gross
SFR-6 zoning district
UR GLUP designation

Project Summary:

The subject property is within the SFR-6 zoning district and Urban Residential (UR) GLUP designation.

The approval of the requested Land Division will create 4 lots conforming to the standards of the Medford Land Development Code (MLDC). The proposed Lot 2 contains the existing dwelling and improvements which will remain.

CITY OF MEDFORD
EXHIBIT # D
FILE # LDS-20-046

7

Approval Criteria:

The relevant approval criteria for the requested land division is found within MLDC 10.202 (E) as provided below:

(E) Land Division Approval Criteria.
The Planning Commission shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:

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

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

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

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

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

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

Use) zoning district.

Findings of Fact:

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

The Oregon Transportation Planning Rule requires a jurisdiction considers all modes of transportation in a land use decision. A review of this property determines water and rail transportation are not available.

The subject property is 6 miles from the Rogue Valley International Airport, and 2.5 miles from Interstate Highway 5 (I-5). The subject property has frontage on Bailey Avenue.

RVTD bus route 25 is the closest route with a bus stop is located at on 1 block north of the site

The subject property has street frontage on Orchard Home Drive and Arlington Drive. Orchard Home Drive is a standard residential street and is currently improved with a paved section, curb and gutter on the east side. Currently there are not sidewalks on the subject parcel.

Arlington Drive is a minor residential street with fully improved curb to curb. There are no sidewalks on the frontage of the subject property.

There are no bike lanes on the existing rights of way.

The Medford Transportation System Plan (TSP) is acknowledged, therefore also consistent with the Oregon Transportation Planning Rule.

The subject property is within the General Land Use Plan Map (GLUP) UR Urban Residential map designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR-10 zoning districts. The property is currently in the SFR-6 zone

The City Council has adopted the Southwest Medford Circulation Plan and the site is in the area of the plan. This application does not create any new streets and the existing street pattern is as indicated on the plan.

Conclusions of Law:

The Planning Commission can conclude this application is consistent with the Comp Plan, the TSP and the Southwest Circulation plan. The application is consistent with the

adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-6 zoning district is appropriate within the UR GLUP designation.

(1) 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;

Findings of Fact:

The partition plan submitted with this application proposes development of the entire parcel.

This property will have no impact on adjoining parcels ability to develop, The property to the south is redevelopable and there is an existing street pattern in the vicinity that will allow for this adjoining parcel to redevelop at urban densities.

Conclusions of Law:

The Planning Commission can conclude the entire property is proposed for development and the adjoining properties are not prevented from development.

(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;

Findings of Fact:

The subdivision is proposed as Buettner Place, a unique name in the jurisdiction.

Conclusions of Law:

The Planning Commission can conclude the is no other Buettner Place subdivisions in the jurisdiction, and the name is unique.

(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;

Findings of Fact:

The proposed plat does not propose any new streets. Orchard Home Drive and Arlington Drive are existing public streets, and no new streets will be created with the approval of this application.

The City Engineer reviewed the application and has determined Orchard Home Drive is a Legacy Street. The existing paved section with curb and gutter will remain.

The proposed plat provides an 8-1/2' dedication of right of way sufficient to provide a planter strip and sidewalk on the Orchard Home Drive frontage, and the existing right of way on Arlington will not require additional right of way.

Conclusions of Law:

The Planning Commission can conclude the proposed plat conforms with new and existing street patterns in the area.

(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;

This plat does not propose any new streets, public or private.

Conclusions of Law:

The Planning Commission can conclude the tentative plat has identified the two existing public streets on the plat.

(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.

Findings of Fact:

The subject parcel does not abut any properties in the County Exclusive Farm Use (EFU) zoning district.

Conclusions of Law:

The Planning Commission can conclude the subject property does not abut any properties or agricultural lands in the EFU zoning district and no mitigation is applicable.

Additional Criteria

Two additional criteria relevant to this application are the Hillside Ordinance and the Block Length Ordinance.

Hillside Ordinance

10.929 Hillside Ordinance, Purpose; Applicability

Sections 10.929 to 10.933 establish procedural requirements for development on Slopes in excess of fifteen percent (15%) to decrease soil erosion and protect public safety. Sections 10.929 to 10.933 apply in addition to all other requirements set forth by ordinance. In the case of conflict between Sections 10.929 to 10.933 and other requirements set forth by ordinance, Sections 10.929 to 10.933 shall govern.

The subject property is not located in a high slope area as identified or described in the MLDC. The requirements to comply with the hillside ordinance requirements, including the constraints analysis do not apply to this property and the current development application.

As required by the MLDC, this application contains the submittal the City of Medford Hillside Development Constraints Analysis Status Form.

Conclusions of Law

The Planning Commission can conclude the application complies with the requirements for compliance with the submittal requirements contained within the Medford Hillside Ordinance and the requirements of the relevant sections are not applicable to this application.

Block Length Ordinance

The MLDC includes the following Block Length sections to assure the City provides circulation and connectivity in land division applications.

10.426 Street Circulation Design and Connectivity

A. Street Arrangement Suitability.
The approving authority shall approve or disapprove street arrangement. In determining the suitability of the proposed street arrangement, the approving authority shall take into consideration:

1. *Adopted neighborhood circulation plans where provided; and*
2. *Safe, logical and convenient access to adjoining property consistent with existing and planned land uses; and*
3. *Efficient, safe and convenient vehicular and pedestrian circulation along parallel and connecting streets; and*
4. *Compatibility with existing natural features such as topography and trees; and*
5. *City or state access management standards applicable to the site.*

B. *Street Connectivity and Formation of Blocks Required.*

1. *Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.*

2. *Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below. When a development proposes a cul-de-sac, minimum access easement or flag lot to address such factors, the provisions of Section 10.450 apply.*

3. *Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.*

4. *Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.*

C. *Maximum Block Length and Block Perimeter Length.*

1. *Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2.*

MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH Table 10.426-1		
Zone or District	*Block Length*	*Block Perimeter Length*
a. Residential Zones	*660'*	*2,100'*
b. Central Business Overlay District	*600'*	*1,800'*
c. Transit Oriented Districts (Except SE Plan Area)	*600'*	*1,800'*
d. Neighborhood, Community, and Heavy Commercial Zones; and Service Commercial-Professional Office Zones	*720'*	*2,880'*
e. Regional Commercial and Industrial Zones	*940'*	*3,760'*

2. *The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site:*

    a. *Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10,426 C.1.,*
    b. *Environmental constraints including the presence of a wetland or other body of water,*
    c. *The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet*
    d. *Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,*
    e. *The subject site is in SFR-2 zoning district,*
    f. *Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,*
    g. *The proposed use is a public or private school, college or other large institution,*
    h. *The proposed use is a public or private convention center, community center or arena,*

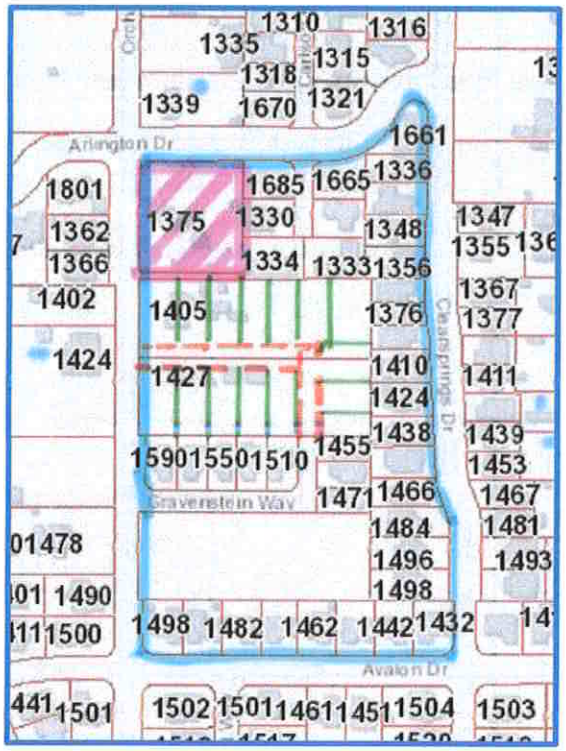
i. The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.

j. When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section.

3. Block lengths are permitted to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426 A or B or D,

4. When block perimeters exceed the standards in accordance with the10.426 C.2. above, or due to City or State access management plans, the land division plat or site plan shall provide blocks divided by one or more public accessways, in conformance with Sections 10.464 through 10.466.

D. Minimum Distance Between Intersections.
Streets intersecting other streets shall be directly opposite each other, or offset by at least 200 feet, except when the approving authority finds that utilizing an offset of less than 200 feet is necessary to economically develop the property with the use for which it is zoned, or an existing offset of less than 200 feet is not practical to correct.



Findings of Fact

The existing block length of Orchard Home Drive, Arlington Drive, Clearsprings Drive and Avalon drive is approximately 3,100 feet. MLDC Table 10.426-1 indicates the maximum block length for Residential zones is 2,100 feet.

The subject property is constrained by existing development on the east and additional streets would not comply with the intersection spacing standards of the Code.

The approval and development of the properties on Clear Springs Drive in 2006 eliminated any opportunities for a street connection. This subdivision predated the current Block Length Ordinance.

The development of Gravenstein Way allows for the potential street pattern indicated on the figure above. While this conceptual development will not reduce the existing block length in the area it does demonstrate redevelopment at urban densities is very conceivable.

The existing development in the area precludes the potential for new street connections as identified as a constraint on the block length.

Conclusions of Law

The Planning Commission can conclude the application is consistent with the block length ordinance contained in the MLDC.

Application Summary and Conclusion:

This application identifies the relevant approval criteria contained in the MLDC for a land division.

The Findings of Fact demonstrate consistency with the Oregon Transportation Planning Rule, the Medford Transportation System Plan and the General Land Use Plan Map.

The Tentative Plat will not prevent development of the remainder of the subject parcel or any adjoining parcels.

The subdivision plat is submitted with a unique name for the jurisdiction.

This application is consistent will all approval criteria contained in the MLDC for a land division. On behalf of the applicant, I respectfully request the approval of this application.

Scott Sinner
Scott Sinner Consulting, Inc.

MEDFORD
PUBLIC WORKS

LD DATE: 4/1/2020
File Number: LDS-20-046

PUBLIC WORKS DEPARTMENT STAFF REPORT

Buettner Place Subdivision (TL 800)
4-Lots

Project: Consideration of tentative plat approval for Buettner Place, a proposed 4-lot residential subdivision on a single 0.84-acre parcel.

Location: Located at 1375 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35AD 800).

Applicant: Applicant, Barbara Buettner; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

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

Orchard Home Drive is classified as a Standard Residential street, and in accordance with MLDC Section 10.430, it requires a total right-of-way width of 63-feet. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to accommodate a 5-foot sidewalk with an 8-foot planter strip, plus 0.5-foot

CITY OF MEDFORD
EXHIBIT # LDS-20-046
FILE # E

for survey monumentation behind sidewalk. **The Developer's surveyor shall verify the amount of additional right-of-way.**

Arlington Drive is classified as a Minor Residential street within the MLDC, Section 10.430. **No additional right-of-way is required.**

Public Utility Easements (PUE), 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

Orchard Home Drive – All street section improvements, with the exception of a planter strip and sidewalk, have been completed in close conformance with current standards, including pavement, curb and gutter. **No additional improvements are required except for sidewalk with a planter strip.**

Arlington Drive – All street section improvements, with the exception of a planter strip and sidewalk, have been completed in close conformance with current standards, including pavement, curb and gutter. **No additional improvements are required except for sidewalk with a planter strip.**

b. Street Lights and Signing

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

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

A. 1 – Type R-100 (LED) – Arlington Drive

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

A. NONE

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards. 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 by the Developer, as required.

c. Pavement Moratoriums

There is a no pavement cutting moratorium currently in effect along this developments respective frontages to Orchard Home Drive or Arlington Drive.

d. Access to Public Street System

Driveways shall be per MLDC 10.550.

e. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless:
(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so 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. <u>Nexus to a legitimate government purpose</u>

The purposes for these dedications 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. <u>Rough proportionality between the dedications and improvements, and the impacts of development.</u>

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.

<u>Orchard Home Drive and Arlington Drive:</u>

In determining rough proportionality, the City averaged the square footage of right-of-way per dwelling unit for dedications. The development will dedicate approximately 1,615 square feet of right-of-way, which equates to approximately 403 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Silky Oaks Subdivision Phase 1 & 2 southwest of this development on the north side of Maple Park Drive and consisted of 19 dwelling units. The previous development dedicated approximately 19,690 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 1,036 square feet of right-of-way per dwelling unit.

a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 4 new Lots within the City of Medford and increase vehicular traffic by approximately 38 average daily trips.

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

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

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer connections. A separate individual sanitary sewer lateral shall be constructed to each lot prior to approval of the Final Plat.

C. STORM DRAINAGE

1. Drainage Plan

Future development shall provide a comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

With future development, the Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

A Site/Utility Plan shall be submitted with the future building permit application to show the location of the existing or proposed stormdrain lateral/s for the site.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

2. Grading

Future development shall provide a comprehensive grading plan showing the relationship between adjacent property and the proposed development. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. Detention and Water Quality

Provide stormwater quality and detention facilities in accordance with MLDC Sections

10.481 and 10.729 and 10.486.

4. Mains and Laterals

With future development, all roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each parcel prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing property other than the one being served by the lateral. If a private storm drain system is being used to drain this site, the applicant shall provide a joint use maintenance agreement.

5. Erosion Prevention and Sediment Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

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. Phasing

The proposed plans do not show any phasing.

2. 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.

3. System Development Charges (SDCs)

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

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

4. Construction and Inspection

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

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
Buettner Place Subdivision (TL 800)
4-Lots

LDS-20-046

A. Streets

1. Street Dedications to the Public:
   - **Orchard Home Drive** – Dedicate additional right-of-way.
   - **Arlington Drive** – No additional right-of-way required.
   - Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets
- **Orchard Home Drive** – No improvements are required, aside from 5-foot sidewalk with planter strip.
- **Arlington Drive** – No improvements are required, aside from 5-foot sidewalk with planter strip.

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

Access and Circulation
- Driveways shall be per MLDC 10.550.

Other
- No pavement moratorium currently in effect along this frontage.

B. Sanitary Sewer:
- The site is situated within the RVSS area. Provide private laterals to each lot.

C. Storm Drainage:
- Provide an investigative drainage report.
- Provide a comprehensive grading plan.
- Provide water quality and detention facilities, if required by code.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.

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.

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-20-046

PARCEL ID: 372W35AD TL 800

PROJECT: Consideration of tentative plat approval for Buettner Place, a proposed 4-lot residential subdivision on a single 0.84-acre parcel located at 1375 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35AD 800); Applicant, Barbara Buettner; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

DATE: April 1, 2020

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 ¾-inch water meter located approximately at the northeast property corner along Arlington Drive can be utilized to serve the proposed home on Lot 2. (See Comment 3 below)

4. Proposed parcels 1, 3, and 4 are required to have a new water service installed. The water meters for adjacent Lots shall be located at a common property corner. Water meters shall not be installed in existing or proposed driveways. Applicants Civil Engineer shall coordinate with Medford Water Commission engineering staff for approved location of water meters for proposed Lot 1, Lot 3, and Lot 4.

COMMENTS

1. Off-site water line installation is not required.

2. On-site water facility construction is not required.

3. Static water pressure in this area is approximately 55 psi.

4. MWC-metered water service does exist to this property. A ¾" water meter serves the existing dwelling located at 1375 Orchard Home Drive.

5. Access to MWC water lines is available. There are existing 8-inch water lines in both Arlington Drive & Orchard Home Drive.

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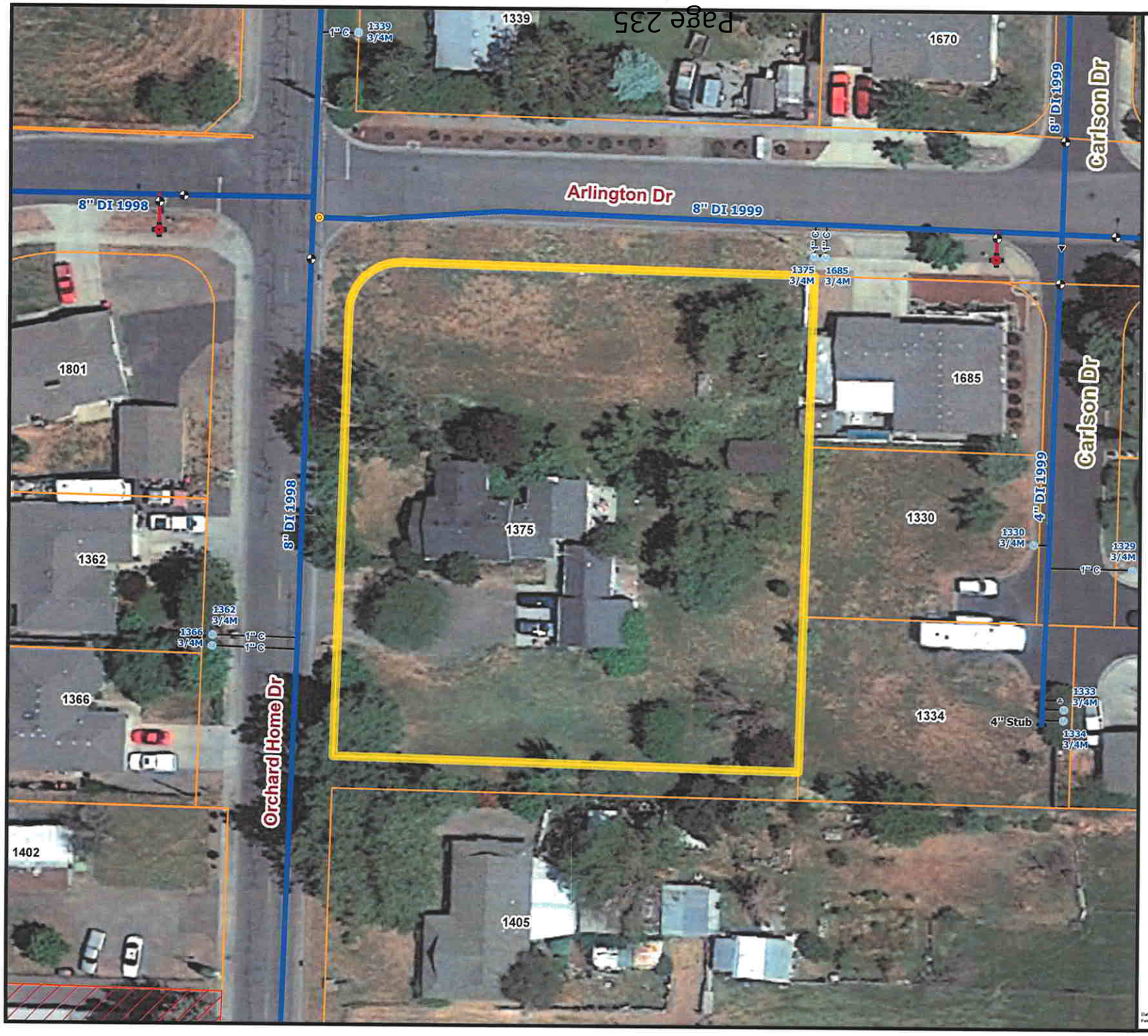

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Feet
0 12.5 25 50
Scale: 1"= 50'

Water Facility Map for LDS-20-046

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

MEDFORD WATER COMMISSION

MEDFORD OREGON

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 3/20/2020
Meeting Date: 4/1/2020

LD File #: LDS20046

Planner: Dusin Severs

Applicant: Barbara Buettner

Site Name: n/a

Project Location: 1375 Orchard Home Drive

ProjectDescription: Consideration of tentative plat approval for Buettner Place, a proposed 4-lot residential subdivision on a single 0.84-acre parcel located at 1375 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35AD 800);

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
MMC 10.430	For Arlington Drive and Orchard Home Drive, the developer shall cluster/offset the driveways.	In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus on 28 feet wide minor residential streets, the developer shall choose from one of the following design options outlined in Medford Code section 10.430: (a) Clustered, offset (staggered) driveways, and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet. (b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet. (c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips. The developer shall choose one of the three options prior to the final plat. If the clustered-offset driveway option is chosen, submitted civil plans are required to show driveway locations which will be reviewed by the Fire Department and Engineering Department prior to development. If the fire sprinkler option is chosen, the developer shall notify the Fire Department prior to final plat. The Fire Department reserves the right to require parking restrictions with no parking signs in areas where the clustered-offset driveway option breaks down for short distances. Parking restrictions shall not be deemed as a separate option to the overall layout of the subdivision. If the developer by preference does not design the clustered/offset driveways into the overall design of the minor residential street, option (b) or (c) must be chosen. The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

Construction General Information/Requirements

CITY OF MEDFORD
EXHIBIT # G
FILE # LDS-20-046

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

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

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

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

www.medfordfirerescue.org

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 19, 2020

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

Re: LDS-20-046, Buettner Place Subdivision (372W35AD 800)

ATTN: Dustin,

The subject property is within the RVSS service area. There is an existing 10 inch sewer along Orchard Home Drive to the west and a 4 inch lateral serving the existing house on the property. There are two additional services extended to the lot from the 8 inch main along Arlington Drive to the north. The sewer service for proposed Parcel 3 will not be affected by the partition. Sewer service for Parcels 1 & 2 can be had by connecting to the existing services along Arlington Drive if they are found to be in good working condition. A new tap and service will be required to serve proposed Parcel 4. Tap permits are issued by RVSS and sewer connection permits will be issued by the City of Medford. New connections will require the payment of system development fees to RVSS.

Rogue Valley Sewer Services requests that the proposed development be subject to the following conditions:

1. Prior to construction, the applicant must obtain required tap permits from RVSS and pay related fees.
2. The applicant must pay sewer system development charges to Rogue Valley Sewer Services prior to the issuance of building permits.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNG\LAND SUB\2020\LDS-20-046_BUETTNER PLACE SUBDIVISION.DOC

CITY OF MEDFORD
EXHIBIT # H
FILE # LDS-20-046

JACKSON COUNTY
Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

April 13, 2020

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

RE: Tentative plat approval for a proposed 4-lot partition on Orchard Home Drive–a County maintained road.
Planning File: LDS-20-046-Revision 1

Dear Dustin:

Thank you for the opportunity to comment on this consideration of tentative plat approval for Buettner Place, a proposed 4-lot residential subdivision on a 0.84-acre parcel located at 1375 Orchard Home Drive in the SFR-6 (Single-Family Residential, 6 dwelling units per gross acre) zoning district (37-2W-35AD TL 800). Jackson County Roads has the following comments:

1. 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 Orchard Home Drive. Jackson County Roads recommends that the city request road jurisdiction.

2. 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.

3. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.

4. If frontage improvements are required along Orchard Home Drive, they shall be permitted and inspected by City of Medford. Jackson County Roads does not maintain planter strips.

CITY OF MEDFORD
EXHIBIT # I
FILE # LDS-20-046

5. Storm water should meet City of Medford requirements that also include water quality.

6. Any new or improved road approaches off Orchard Home Drive shall be permitted and inspected by the City of Medford.

7. We would like to be notified of future development proposals, as county permits may be required.

8. We concur with any right-of-way dedications.

9. Orchard Home Drive is a County Local road and is county-maintained. The Average Daily Traffic Count on the 2016 Medford Traffic Volume Map is 3,300.

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

Sincerely,

Chuck DeJanvier
Construction Engineer

CC: Doug Burroughs

MEDFORD PLANNING	Vicinity Map	File Number: LDS-20-046

Project Name:

Buettner Place Subdivision
1375 Orchard Home Drive

Map/Taxlot:

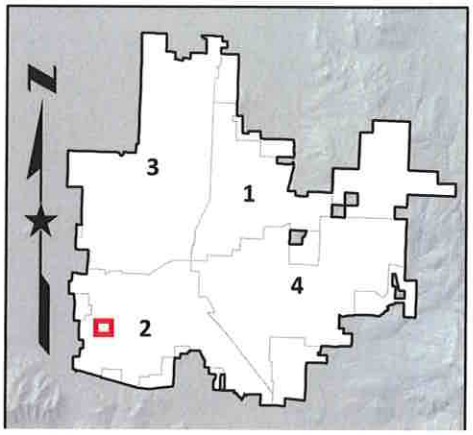
372W35AD TL 800

0 160 320 Feet

Legend

Subject Area

Tax Lots



2/24/2020

MEDFORD
PLANNING

STAFF REPORT

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

Project	Delta Waters Properties Subdivision Applicant: Delta Waters Properties LLC Agent: CSA Planning Ltd.	
File no.	LDS-20-050 & E-20-051	
To	Planning Commission	*for 04/23/2020 hearing*
From	Steffen Roennfeldt, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	April 16, 2020	

BACKGROUND

Proposal

Consideration of tentative plat approval for a six-lot subdivision and an Exception pertaining to minimum lot frontage standards on one parcel of land, 22.38 acres in size, located at the northern terminus of McLoughlin Drive and the eastern terminus of Ford Drive within the SFR-6 (Single-Family Residential, 4 to 6 dwelling units per gross acre) and SFR-10 (Single-Family Residential, 6 to 10 dwelling units per gross acre) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping Overlay (371W081103)

Vicinity Map

Subject Site Characteristics

GLUP	UR	Urban Residential
Zoning	SFR-10	Single-family residential – 6 to 10 dwelling units per gross acre
	SFR-6	Single-family residential – 4 to 6 dwelling units per gross acre
Overlay	R-Z	Restricted Zoning
	A-C	Airport Area of Concern
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	SFR-6 & Jackson County EFU (Exclusive Farm Use) zoning
	Use:	Agricultural land
South	Zone:	SFR-4
	Use:	Abraham Lincoln Elementary School
East	Zone:	EFU County Zoning
	Use:	Agricultural Land
West	Zone:	SFR-6
	Use:	Delta Estates Subdivision

Related Projects

ZC-10-078	Zone Change
PLA-17-072	Property Line Adjustment
LDP-18-023	3-lot Partition
LDS-19-009	Delta Estates Subdivision Phases 6 to 9 including 166 lots
ZC-19-010	Zone Change for Phases 6 to 8 from SFR-10 to SFR-6
E-19-011	Exception to intersection distance requirement

Applicable Criteria

MLDC 10.202(E): 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.

MLDC 10.186(B) – Exception Criteria

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

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

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

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the

standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

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

Approval Authority

This is a Type III land use decision. The Planning Commission is the approving authority under MLDC 10.110(D).

Corporate Names

James Root is listed as the Registered Agent, Member & Manager for Delta Waters Properties LLC according to the Oregon Secretary of State.

ISSUES AND ANALYSIS

Project Summary

Site History

File #	Description
ZC-10-078	**Zone change for 65.5 acre parcel**
LDP-13-086	**Final Plat Approval for Delta Estates Phase 1, 2 & 3**
CUP-16-084	**Conditional Use Permit approval for new wireless cell tower in northeastern corner of subject property**
ZC-16-089, LDS-16-090 & E-16-091	**Final Plat Approval for Delta Estates Phases 4 & 5, and zone change for Phases 2 through 5 to SFR-6.**
PLA-17-072	**Reconfigured Parcels 2 and 3 from LDP-13-086**
LDP-18-023	**Final Plat approval for a 3-lot partition including the subject site**

File #	Description
LDS-19-008, ZC-19-009 & E-19-010	**Tentative Plat approval for Delta Estates Phases 6 to 9 including Zone Change from SFR-10 to SFR-6 for Phase 6 to 8 and Exception to intersection distance requirement**
PLA-19-075	**Adjusted boundaries between Parcels 2 and 3 to correspond with Phases 6 to 9 of LDS-16-090**

The subject site consists of one parcel totaling 22.38 acres, located on the edge of City limits, and is part of the larger Delta Estates subdivision.

Current Proposal

The applicant is requesting to create six parcels from a 22.38 parcel including five residential 'reserve acreage' lots and one non-residential lot containing an existing cell-tower facility.

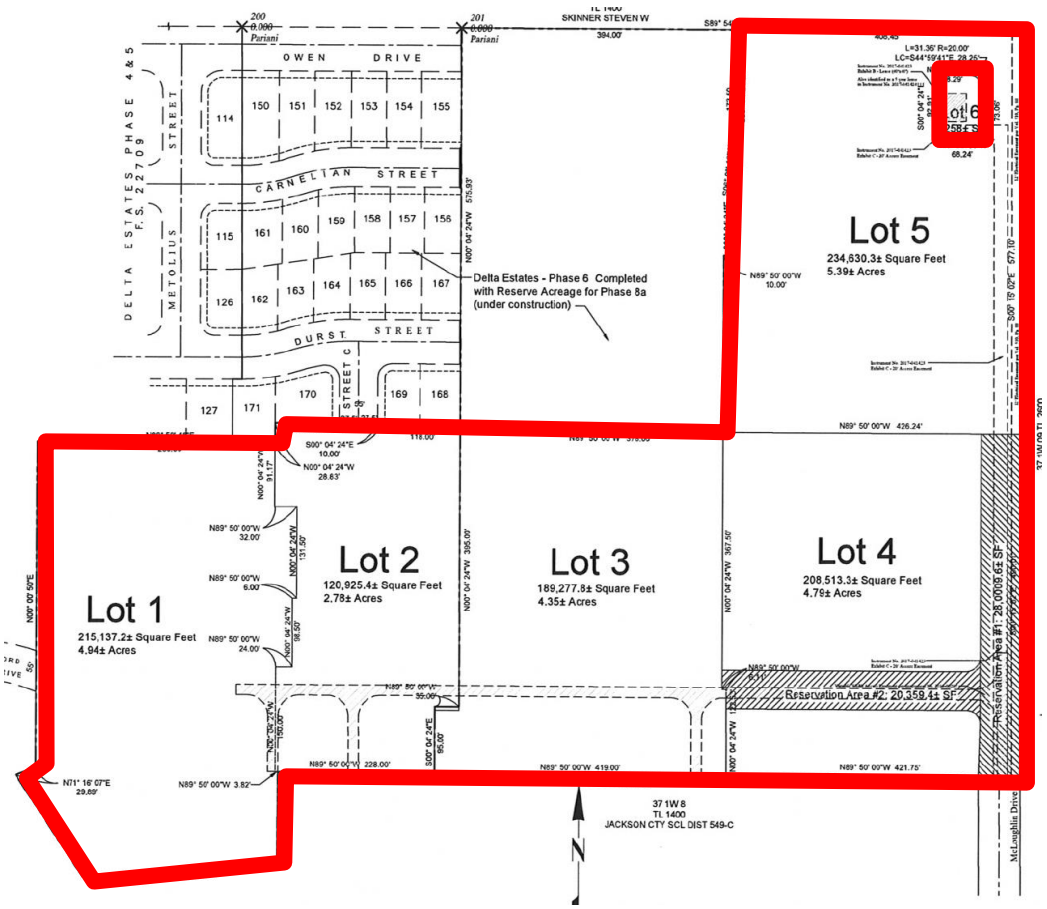


Figure 1 - Proposed 6-lot subdivision

As mentioned above, the subject property received tentative plat approval in 2019 for 125 lots included in Phases 7A, 7B, 8B, and 9 of the Delta Estates subdivision (File No. LDS-19-008). The proposed new lot lines are aligned with the previously approved phases. In addition, Lot 5 (Phase 8B) is proposed to be divided into two lots in order to create a separate lot around the existing cell tower (Lot 6).

Per the applicant, the purpose of the subdivision is for business and estate planning purposes only and no development will result from approval of this application.

Development Standards

Single Family Residential Site Development Table (MLDC 10.710)

SFR-6 & SFR-10	Lot Area (Square Feet)	Minimum Lot Width (Interior)	Minimum Corner Lot Width	Minimum Lot Depth	Minimum Lot Frontage
Required	4,500 to 12,500 (SFR-6) 3,600 to 8,125 (SFR-10)	50 feet (SFR-6) 40 feet (SFR-10)	60 feet (SFR-6) 50 feet (SFR-10)	90 feet (SFR-6 & SFR-10)	30 feet (SFR-6 & SFR-10)
Shown	189,277 to 234,630	All lots comply	All lots comply	All lots comply	Lot 1, 2 and 4 comply (55 to 79.82 feet) Exception required for lots 3, 5 & 6

As shown in the Site Development Table above, it can be found that the proposed reserve acreage lots on the tentative plat meet most dimensional standards for both the SFR-6 and SFR-10 zoning district.

Lots 1 through 5 do exceed the maximum lot size; however, reserve acreage lots are allowed to exceed the maximum lot size if they can be separately developed at a later time. In this case, all proposed parcels will eventually meet the required lot sizes as part of future development as the subject site already has tentative plat approval for the development of 166 lots.

An Exception is requested for the street frontage requirements for Lots 3, 5 and 6. It can also be found that the cell-tower lot (Lot 6) does meet all dimensional standards as found in Article V of the Medford Land Development Code.

Cell Tower (Lot 6)

The cell tower was approved with a Conditional Use Permit (CUP-16-084) in 2017 and was constructed in 2019. No setbacks were required at the time of approval as there were no surrounding structures existing and the land was still zoned EFU at the time.

The proposed Lot 6 aligns with the tentatively approved boundaries of Lot 223 from Phase 8B of the Delta Estates Subdivision.

Figure 2 - Tentatively approved Lot 223

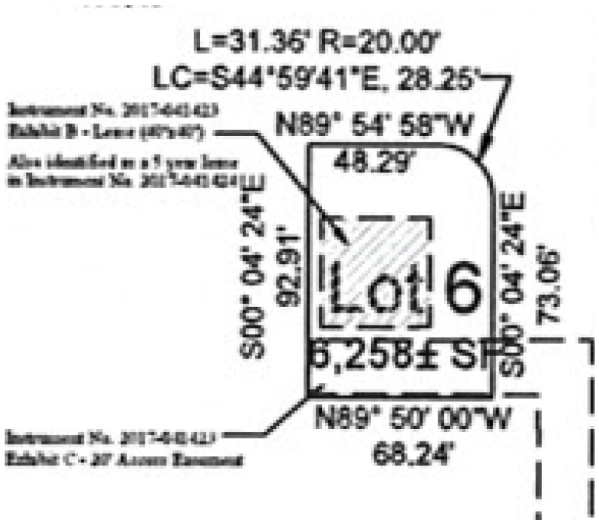


Figure 3 - Proposed Lot 6

Per the applicant, the distance of the cell tower to the nearest residential property line is 61.8 feet (41.8 feet plus 20-foot future accessway) to the South, 15.2 feet to the West. The distance to the nearest subject property boundary line is 39.8 feet plus 63-foot right-of-way to the North, and 39.8 feet plus 54.8–foot right-of-way. The design criteria found in MLDC10.824 – Wireless Communication facilities are not applicable, as this is not a new cell tower.

Agricultural Buffering

MLDC 10.801(B) – Applicability of Agricultural Buffering in Non-Urban Reserve Areas states that only the first application of a development which requires City approval shall be required to demonstrate compliance with the provisions of Chapter 10.801. As pointed out by the applicant, this is the fifth application for land division for the subject property and the agricultural buffering standards and mitigation measures were approved with File No. LDS-19-008. This application is in compliance with MLDC 10.801.

Exception Request

As stated above, the applicant is seeking an exception to minimum lot frontage requirements for Lots 3, 5 and 6 which will not have frontage on a public street at the time they are created.

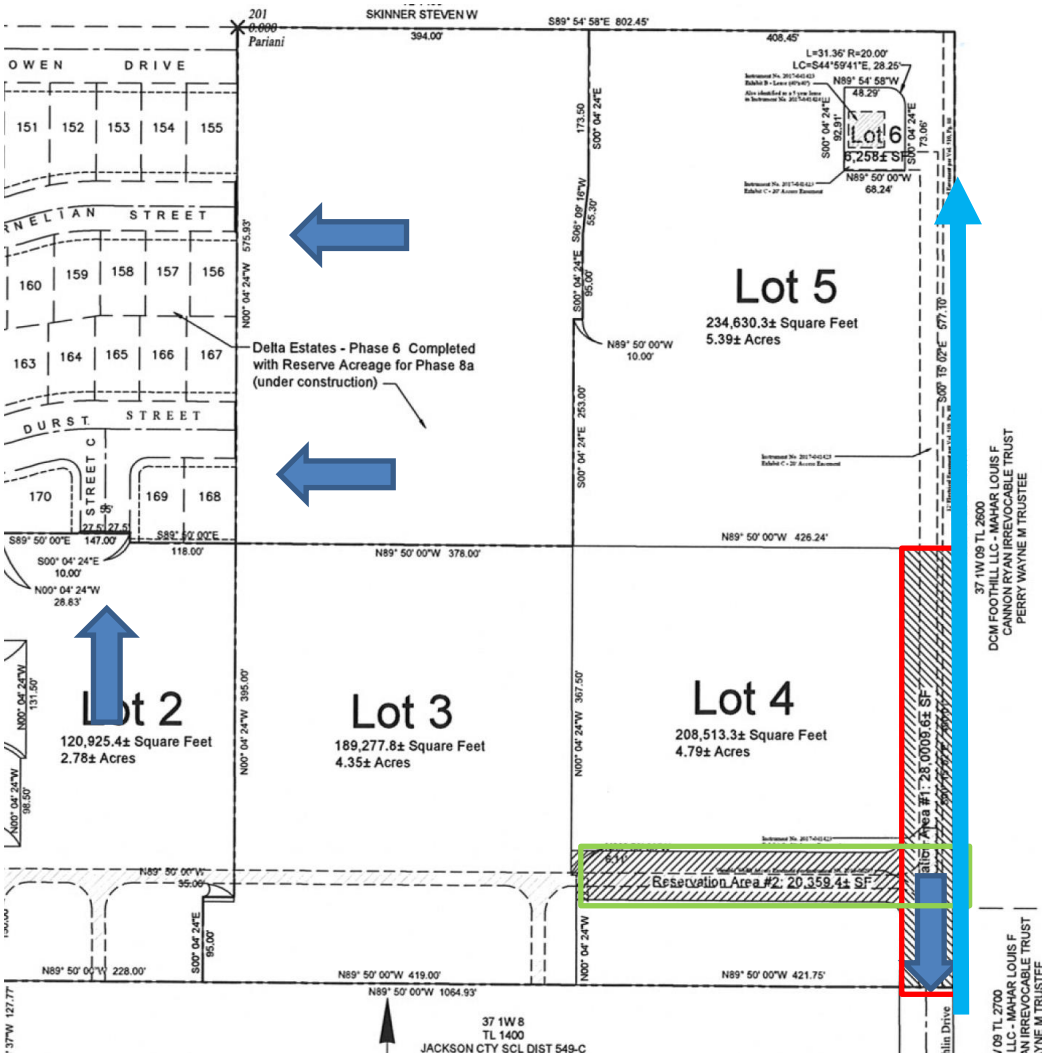


Figure 2 - Proposed lots with street frontage, reservations and easements

Existing Street Frontages2

Proposed Extinguishable Reservation #1

Proposed Extinguishable Reservation #2

Existing access easement

The applicant is proposing to utilize extinguishable reservations and an existing access easement to provide access and frontage to the new lots.

The reservations will encompass the street areas approved under LDS-19-008 which are to be dedicated for the future extension of McLoughlin Drive (Reservation No. 1) and Ford Drive (Reservation No. 2) as part of Delta Estates subdivision Phase 9.

Per the applicant, the reservations will be extinguished one the intervening phases (Phases 8A or 9B) are platted and each lot has legal street frontage. The Lot 6 easement will remain in place until the McLoughlin Drive frontage has been improved.

Other Agency Comments

Department of State Lands

The Department of State Lands submitted commented (Exhibits W and X) that any future fill, removal or movement of material on these lots, in excess of 50 cubic yards, for the purpose of site development, would likely trigger the need for permit consultation with, and permit issuance from the Department of State Lands.

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Land Division

Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Article IV and V. Furthermore, the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land; and the subdivision will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU zoning district; Criteria 3, 4 & 5 are not applicable.

Exception
Staff finds that the approval of the exception is in harmony with the general purpose and intent of the SFR-6 and SFR-10 zoning districts, and will not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources; will not permit the establishment of a use which is not permitted in the SFR-6 or SFR-10 zoning districts; requiring right-of-way dedications

for the rights to simply create economic units of land which will ultimately develop represents a peculiar, exception and undue hardship; and the need for the exception is not the result of an illegal act.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of LDS-20-050 & E-20-051 per the staff report dated April 16, 2020 including:

- Exhibits A through X;
- Adoption of the applicant's stipulations as stated in the submitted Findings of Fact and Conclusions of Law (Exhibit O).

EXHIBITS

A Conditions of Approval, dated April 16, 2020
B Tentative Plat, received February 25, 2020
C Approved Tentative Plat, received February 25, 2020
D Map of Survey, received February 25, 2020
E Cover Sheet, received February 25, 2020
F Grading Plans, received February 25, 2020
G Utility Plans, received February 25, 2020
H Zoning Map, received February 25, 2020
I GLUP Map, received February 25, 2020
J Circulation Plan, received February 25, 2020
K Hydrological Features Plan, received February 25, 2020
L Assessor Map, received February 25, 2020
M Cell Tower Site, received February 25, 2020
N Site Photos, received February 25, 2020
O Findings of Fact and Conclusions of Law, received February 25, 2020
P Public Works Staff Report, dated April 1, 2020
Q Medford Water Commission Report, dated April 1, 2020
R Building Department Report, dated March 30, 2020
S Fire Department Report, dated March 24, 2020
T Jackson County Road Letter, dated March 23, 2020
U Parks & Recreation Department Memo, dated April 1, 2020
V Rogue Valley Sewer Services Memo, dated March 13, 2020
W Wetland Land Use Notification Response, received March 27, 2020
X Follow-up email for WLUN, received March 30, 2020
Vicinity map

PLANNING COMMISSION AGENDA: **APRIL 23, 2020**

EXHIBIT A

Delta Estates
LDS-20-050 & E-20-051
Conditions of Approval
April 16, 2020

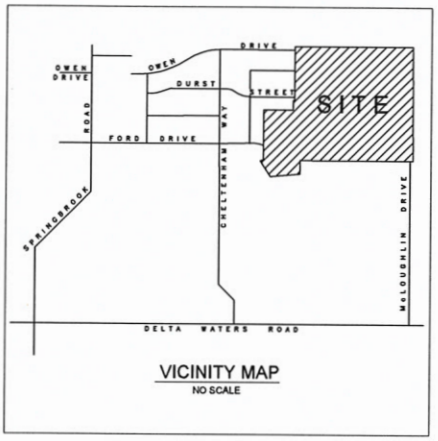
DISCRETIONARY CONDITIONS

1. The Commission accepts the applicant's stipulations as stated in the submitted *Findings of Fact and Conclusions of Law* (Exhibit O), and applies them as conditions. The stipulations are as follows:
    a. To record as part of the final plat an extinguishable access reservation covering the entire width of McLoughlin Drive where it is crossing Delta Water Estate Subdivision Phase 9 as approved on the tentative plat to benefit Lot 5 of this application;
    b. To record as part of the final plat an extinguishable access reservation covering the entire width of Ford Drive where it is crossing Delta Waters Estates Subdivision Phase 9 as approved on the tentative plat to benefit Lot 3 of this application;
    c. To record a deed restriction requiring the owner of Lot 5 to install street frontage improvements on the north and east side of Lot 6 to match the standards required of the developer of Delta Waters Estate Subdivision Phase 8B.

CODE REQUIRED CONDITIONS

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

2. Comply with all requirements of the Medford Public Works Department (Exhibit P)
3. Comply with all conditions stipulated by the Medford Water Commission (Exhibit Q).
4. Comply with all requirements of the Medford Fire Department (Exhibit S).
5. Comply with all requirements of the Medford Parks Department (Exhibit U).
6. Comply with all requirement of the Oregon Department of State Lands (Exhibit W).



VICINITY MAP
NO SCALE

Tentative Plat for DWP Subdivision

Located In:
Southeast Quarter of Section 8,
Township 37 South, Range 1 West,
Willamette Meridian,
in the City of Medford, Jackson County, Oregon

RECEIVED
FEB 25 2020
PLANNING DEPT.

Owner:
Delta Water Properties, LLC
P.O. Box 430
Medford, Oregon 97501

Survey For:
Hayden Homes, LLC
2464 SW Glacier Place, Suite 110
Redmond, Oregon 97756

Survey By:
Pariani Land Surveying
10558 Hwy 62, Suite B-1
Eagle Point, Oregon 97524

Property Data:
Tax Lot 1103 located in the Southeast Quarter of Section 8, Township 37 South, Range 1 West, Willamette Meridian, City of Medford, Jackson County, Oregon.

Legal description/deed: Adjusted Parcel 3 PLA No.. P-19-079, 2-19-PLA

Survey Datum: Horiz - Delta Estates - Phase I.

Medford Irrigation/Rogue River Valley Irrigation facility exists throughout.

Property is located within the Medford School District.

Virtually all of this property is covered with non-irrigated hay crops.

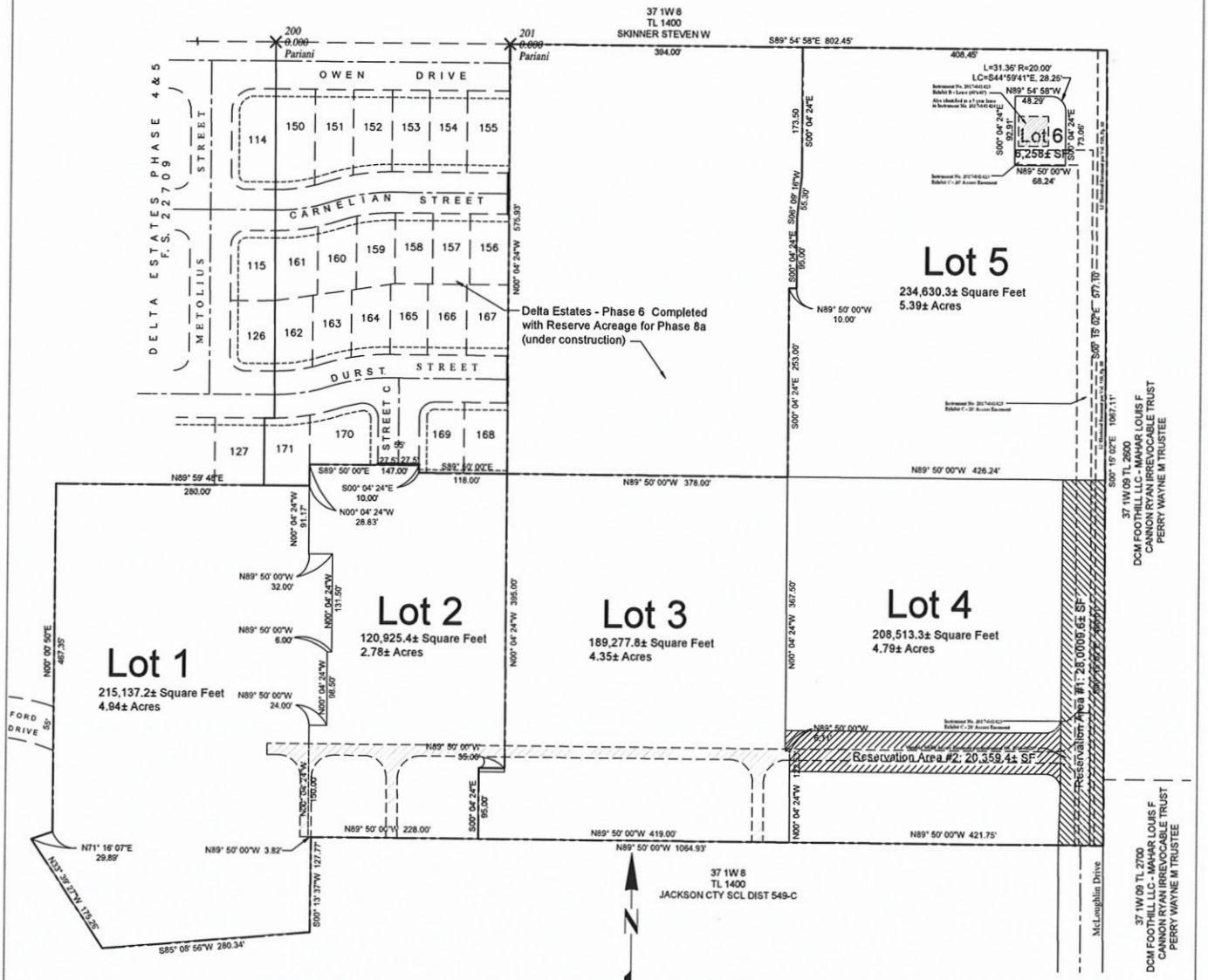
Public Storm Water Easement from across Lot 2, Lot 3 and 4.

10' and 15' Storm Drain Easement along the southerly line of Lot 1.

Lots:
Lot 1: 215,137.2± S.F. / 4.94± Acres
Lot 2: 120,925.4± S.F. / 2.78± Acres
Lot 3: 189,277.8± S.F. / 4.35 ± Acres
Lot 4: 208,513.3± S.F. / 4.79 ± Acres
Lot 5: 234,630.3± S.F. / 5.39 ± Acres
Lot 6: 6,257.9± S.F. / 0.13 ± Acres

Total Lots: 6 22.38± Acres

Basis of Bearing:
Filed Survey 21884 filed with the Jackson County Surveyor's Office.



REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JOHN R. PARIANI
Renewal: December 31, 2020

Pariani Land Surveying
10558 Crater Lake Hwy, Suite B-1
Eagle Point, Oregon 97524
541-890-1131

Date:	Scale:	Job No.:	Sheet:
February 24, 2020	1" = 100'	2015-261	1 of 1

EXHIBIT B
CITY OF MEDFORD

CITY OF MEDFORD
EXHIBIT #
FILE # LDS-20-050/E-20-051

23

EXHIBIT 7

RECEIVED
FEB 20 2020
PLANNING DEPT.

Owner:
Delta Water Properties, LLC
P.O. Box 430
Medford, Oregon 97501

Survey For:
Hayden Homes, LLC
246x SW Glacier Place, Suite 110
Redmond, Oregon 97756

Survey By:
Pariani Land Surveying
10558 Hwy 62, Suite B-1
Eagle Point, Oregon 97524

Basis of Bearing:
Filed Survey 21884 filed with the Jackson County Surveyo's Office.

Property Data:
Tax ed 1101 located in the Southeast Quarter of Section I, Township 37 South, Range 1 West, Willamette Meridian City of Medford, Jackson County, Oregon.

Legal description/deed: Parcel 2, Partition Plat No. P-24-2018; 11.89± Acrs.

Legal description/deed: Parcel 3 Partition Plat No. P-24-2018; 19.76± Acres.

Survey Datum: Horiz - Delta Estates - Phase I.

Medford Irrigation/Rogue River Valley Irrigation facility exiss throughout.

Property is located within the Medford School District.

Virtually all of this property is covered with non-irrigated hay crops.

Sanitary Sewer mains are located along Cheltenham Street and Torrent Street.

Public Storm Water Easement from Parcel I & 2, across entire Parcel 3 (P-26-2014).

10' and 15' Storm Drain Easement along the southerly line of Phase 7A.

Phases:
Phase 6: 22 Lots, 161,613 S.F. / 4.17± Acres
Phase 7A: 26 Lots, 215,137 S.F. / 4.94± Acres
Phase 7B: 14 Lots, 120,926 S.F. / 2.78 ± Acres
Phase 8A: 24 Lots, 222,243 S.F. / 5.10 ± Acres
Phase 8B: 19 Lots, 240,893 S.F. / 5.53 ± Acres
Phase 8: 54 Lots, 367,765 S.F. / 8.11 ± Acres

Total Lots: 159

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JOHN R. PARIANI
#91382
Renews: December 31, 2020

Delta Estates - Phases 6 through 9

Pariani Land Surveying
10558 Crater Lake Hwy, Suite B-1
Eagle Point, Oregon
541-826-1110

Date:	Scale:	Job No.:	Sheet:
Mar. 2019	1" = 60'	2015-261	1 of 1

CITY OF MEDFORD
EXHIBIT #
FILE # LDS-20-050/E-20-051

20

EXHIBIT C
CITY OF MEDFORD

22947

EXHIBIT 6

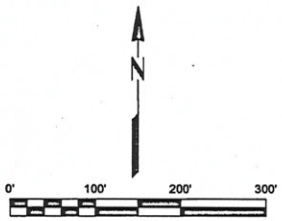
Map of Survey

for
Property Line Adjustment
Located at:
the Southeast Quarter of Section 8,
Township 37 South, Range 1 West, Willamette Meridian,
in the City of Medford, Jackson County, Oregon

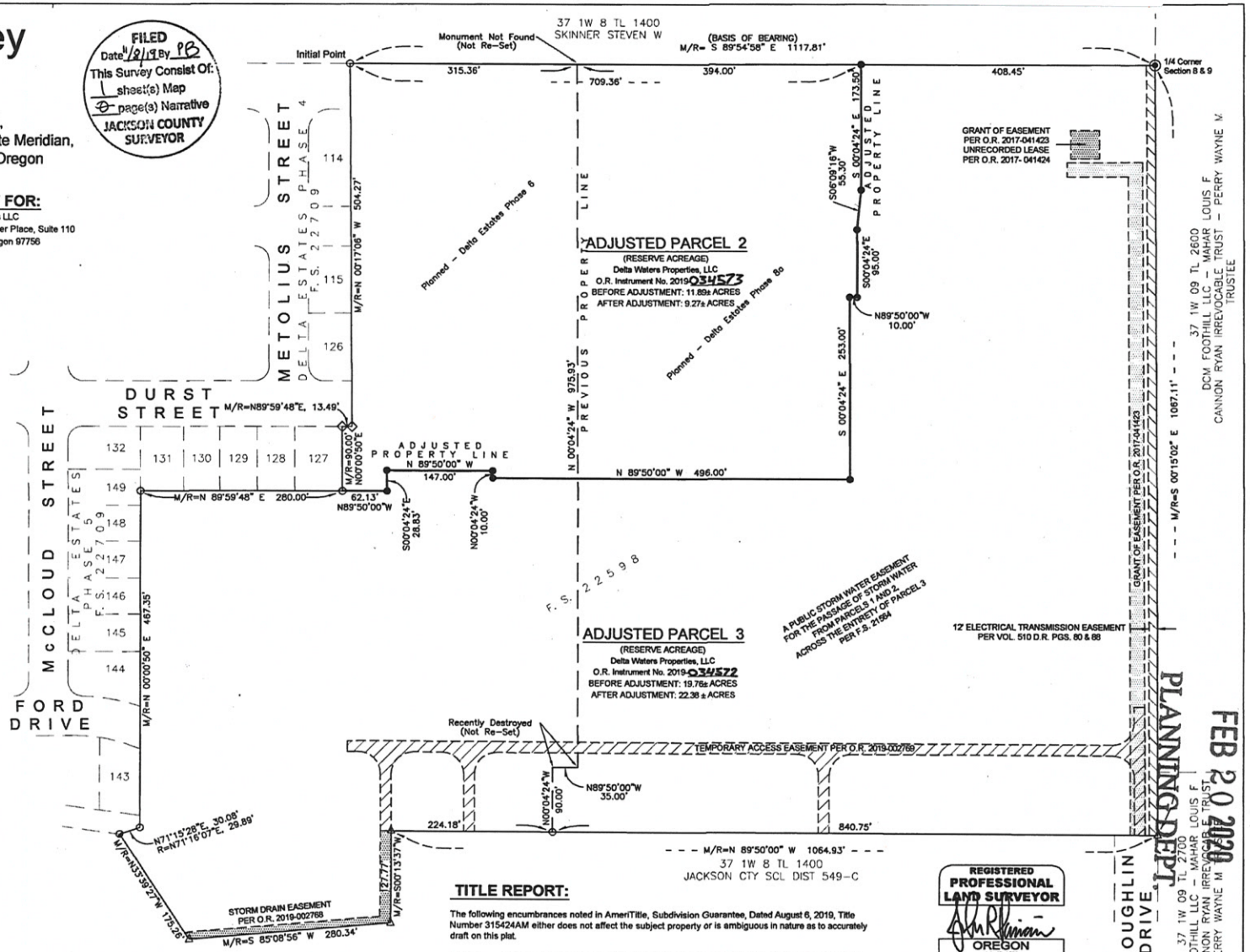
FILED
Date 11/8/19 By PB
This Survey Consist Of:
1 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

SURVEY BY:
Pariani Land Surveying
P.O. Box 551
Shady Cove, Oregon 97539

SURVEY FOR:
Hayden Homes LLC
2464 SW Glacier Place, Suite 110
Redmond, Oregon 97756



SCALE: 1" = 100'



BASIS OF BEARINGS:

The Basis of Bearing for this survey is the East - West Centerline of Section 8, having a record bearing of South 89°54'58" East, as shown on that Filed Survey 22598 with the Jackson County Surveyor's Office.

LEGEND:

- Found 3" Brass Cap per F.S. 11857.
- Found 5/8" Rebar w/Cap "Boyden RLS281" per F.S. 12834.
- Found 1" Camshaft per F.S. 12834.
- Found 5/8" Iron Rebar w/Cap Marked "D. MINNECI LS 2349" per F.S. 22598.
- Found 5/8" Iron Rebar w/Cap Marked "PARIANI LS 51382" per F.S. 22709.
- Set 5/8"x24" Iron Rebar w/Cap Marked "PARIANI LS 51382".
- D.R. Deed Records, Jackson County Clerk's Office.
- F.S. Filed Survey, Jackson County Surveyor's Office.
- O.R. Official Records, Jackson County Clerk's Office.
- M/R= Measure matches Record data per F.S. 22598
- Boundary Line
- Previous Property Line
- Adjusted Property Line

APPROVALS:

Planning File No. PLA 19-075
Examined and approved this 31st day of October, 2019.
By: _____ Planning Director

Examined and approved this 30 day of Oct, 2019.
By: _____ City Surveyor

SURVEY NARRATIVE:

PURPOSE:
The purpose of this survey is to adjust the line common between these Parcel 2 and Parcel 3 of Partition Plat P-24-2018 in preparation of a proposed Phase(s) of a planned subdivision, Delta Estates, Phases 6 and 8a.

PROCEDURE:
Utilizing Filed Survey 22598, Land Partition Survey, Partition Plat No. P-24-2018 as the basis of bearings and Parcel 2 and 3 as the outbounds for this property line adjustment, the common line between said Parcel 2 and Parcel 3 was adjusted per my client's request and as depicted on the face of this map.

Equipment used: Trimble: S6, Robotic Total Station
Field word was performed in August, 2019.

TITLE REPORT:

The following encumbrances noted in AmeriTitle, Subdivision Guarantee, Dated August 6, 2019, Title Number 315424AM either does not affect the subject property or is ambiguous in nature as to accurately draft on this plat.

Item 6: Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Medford Irrigation District.

Item 7: Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Rogue River Valley Irrigation District.

Items 8: Easement(s) for transmission and distribution of electricity - Book 257, Page 458. (Not Shown)

Item 10: Restrictive Covenant - Instrument No. 2014-024351 & 2014-024352.

Item 11: Public storm water easement - Partition Plat No. P-26-2014.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
July 13, 1999
JOHN R. PARIANI
#51382
Renews: December 31, 2020

Pariani Land Surveying
P.O. Box 551
Shady Cove, OR 97539
541-890-1131

Date:	Scale:	Job No.:	Sheet:
October 25, 2019	1" = 100'	2015-261	1 of 1

22947

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EXHIBIT D
CITY OF MEDFORD

15

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FOR INFORMATION ONLY

EXHIBIT 11a

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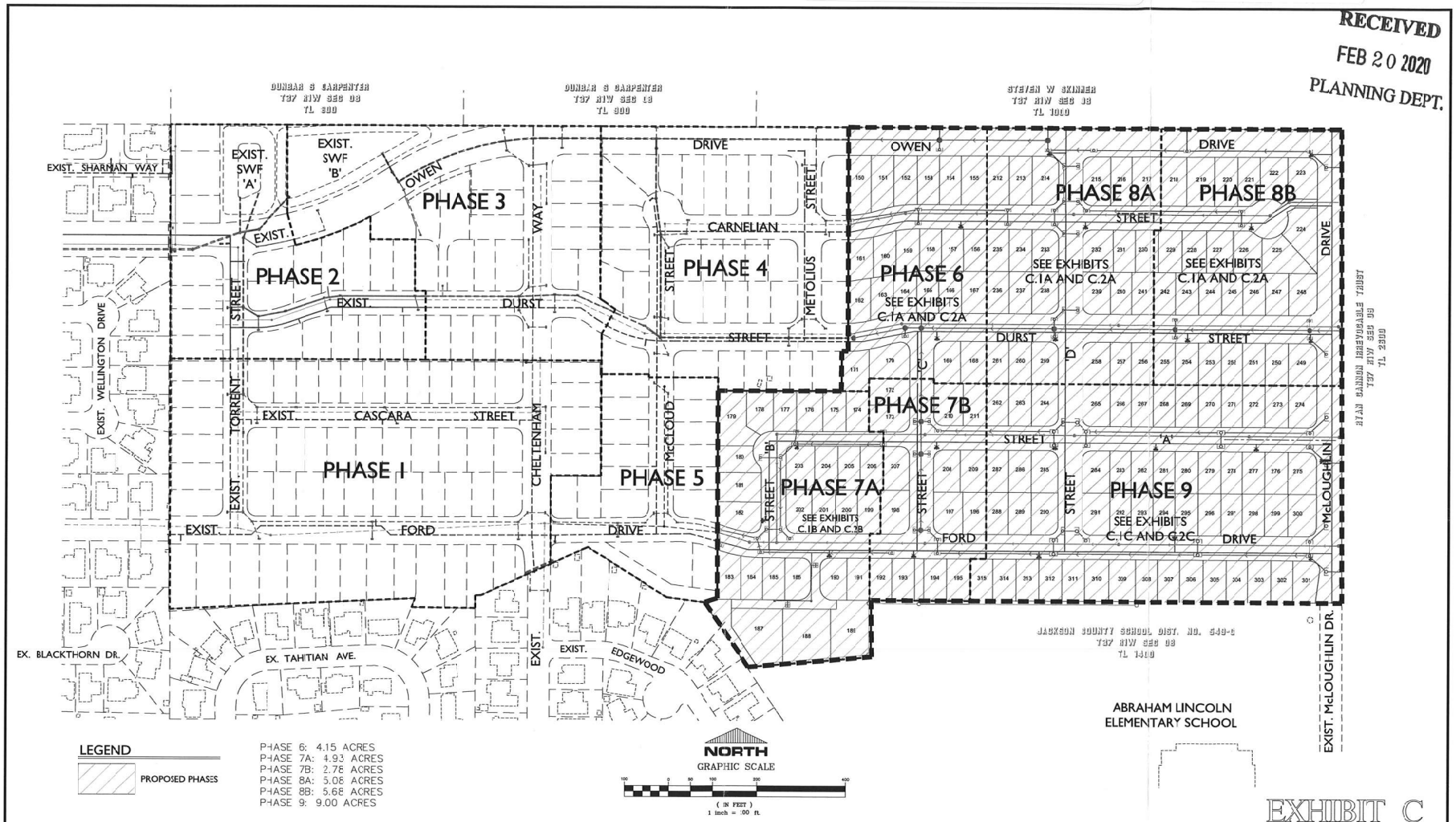

EXHIBIT C

CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5268

DRAWN BY: BHD	DATE 03/19	
CHECKED BY: MWK, AMB	DATE 03/19	
	DATE	
	DATE	
	DATE	
	DATE	

NO.	REVISION	DATE	BY

CONSTRUCTION ENGINEERING CONSULTANTS

DELTA ESTATES
PHASES 6, 7, 8 & 9

INDEX COVER SHEET

PROJECT NO.

DRAWING NO.

DRAWING NAME: DELTA ESTATES INDEX COVER SHEET

EXHIBIT
E
CITY OF MEDFORD

CITY OF MEDFORD
EXHIBIT #_____
FILE # LDS-20-050/E-20-051

18

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EXHIBIT 11b
3 of 3

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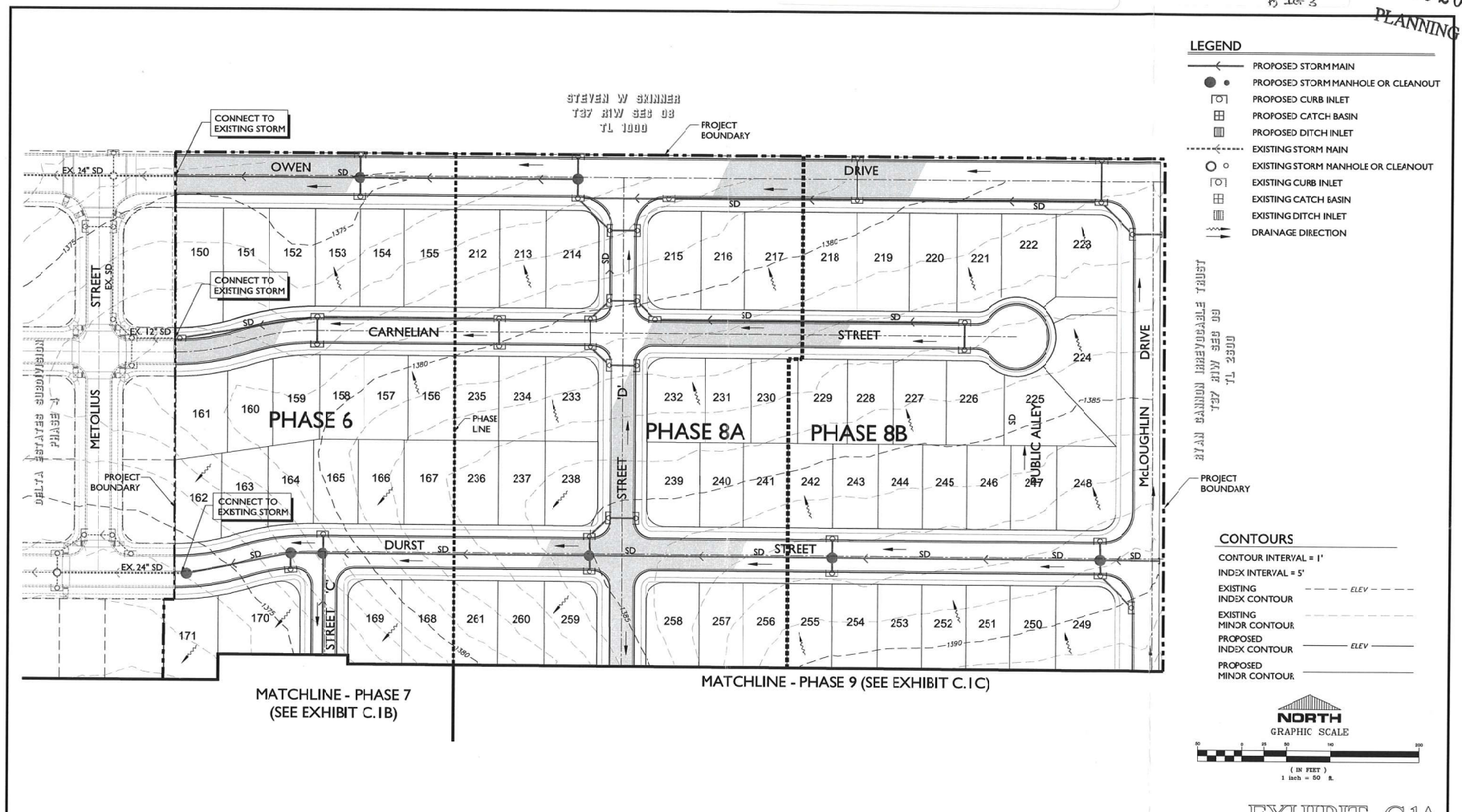

EXHIBIT C.1A

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	DATE:
	DATE:
	DATE:

NO.	REVISION	DATE	BY

CONSTRUCTION ENGINEERING CONSULTANTS

DELTA ESTATES
PHASES 6, 7, 8 & 9

CONCEPTUAL GRADING & DRAINAGE PLAN

PROJECT NO. –

DRAWING NO.

DRAWING NAME: DELTA-CONC-GRAD1.DWG PROJ. NO.: 18-76 PLOT DATE: 03/20/19

EXHIBIT F
CITY OF MEDFORD

LDS 19-008 APPROVAL
FOR INFORMATION ONLY

PG 2 of 3

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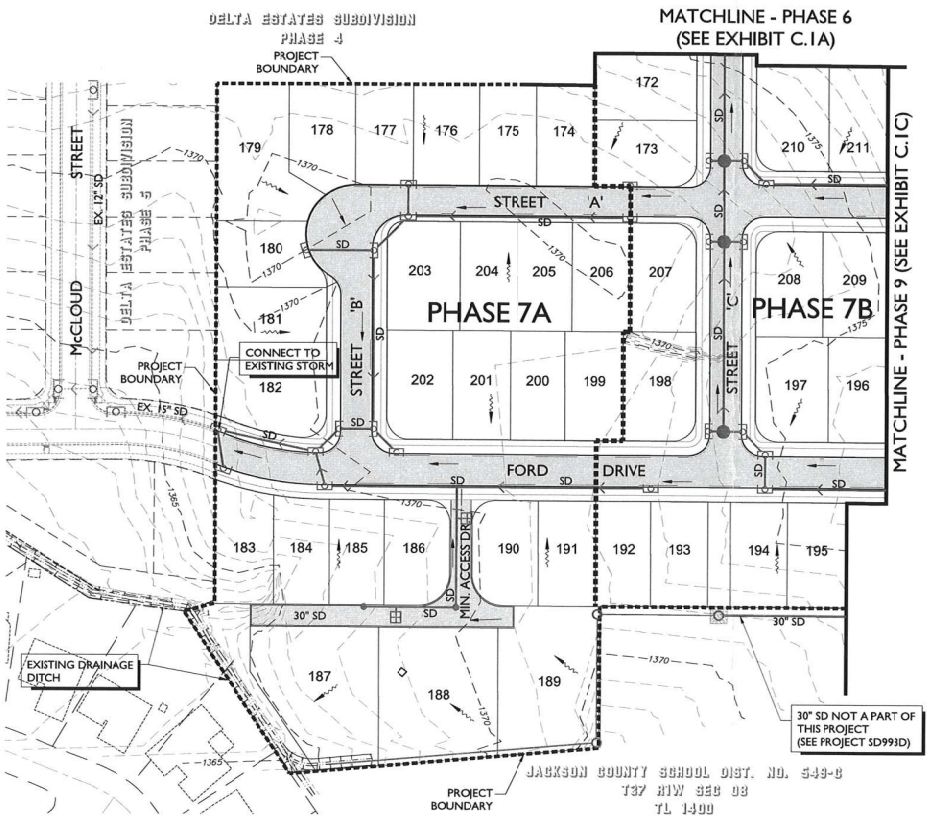

LEGEND

- PROPOSED STORM MAIN
- PROPOSED STORM MANHOLE OR CLEANOUT
- PROPOSED CURB INLET
- PROPOSED CATCH BASIN
- PROPOSED DITCH INLET
- EXISTING STORM MAIN
- EXISTING STORM MANHOLE OR CLEANOUT
- EXISTING CURB INLET
- EXISTING CATCH BASIN
- EXISTING DITCH INLET
- DRAINAGE DIRECTION

CONTOURS

CONTOUR INTERVAL = 1'
INDEX INTERVAL = 5'

EXISTING INDEX CONTOUR — ELEV —
EXISTING MINOR CONTOUR
PROPOSED INDEX CONTOUR — ELEV —
PROPOSED MINOR CONTOUR

NORTH
GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

EXHIBIT C.1B

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CONSTRUCTION ENGINEERING CONSULTANTS INC
P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5268

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CHECKED BY: MWK, AMB	DATE: 03/19	
	DATE:	
	DATE:	
	DATE:	
	DATE:	

NO.	REVISION	DATE	BY

NOT FOR CONSTRUCTION

CONSTRUCTION ENGINEERING CONSULTANTS

DELTA ESTATES
PHASES 6, 7, 8 & 9

CONCEPTUAL GRADING & DRAINAGE PLAN

PROJECT NO. –
DRAWING NO.

DRAWING NAME: DELTA-CONC-GRADZ.DWG PROJ. NO.: 18-76 PLOT DATE: 03/20/19

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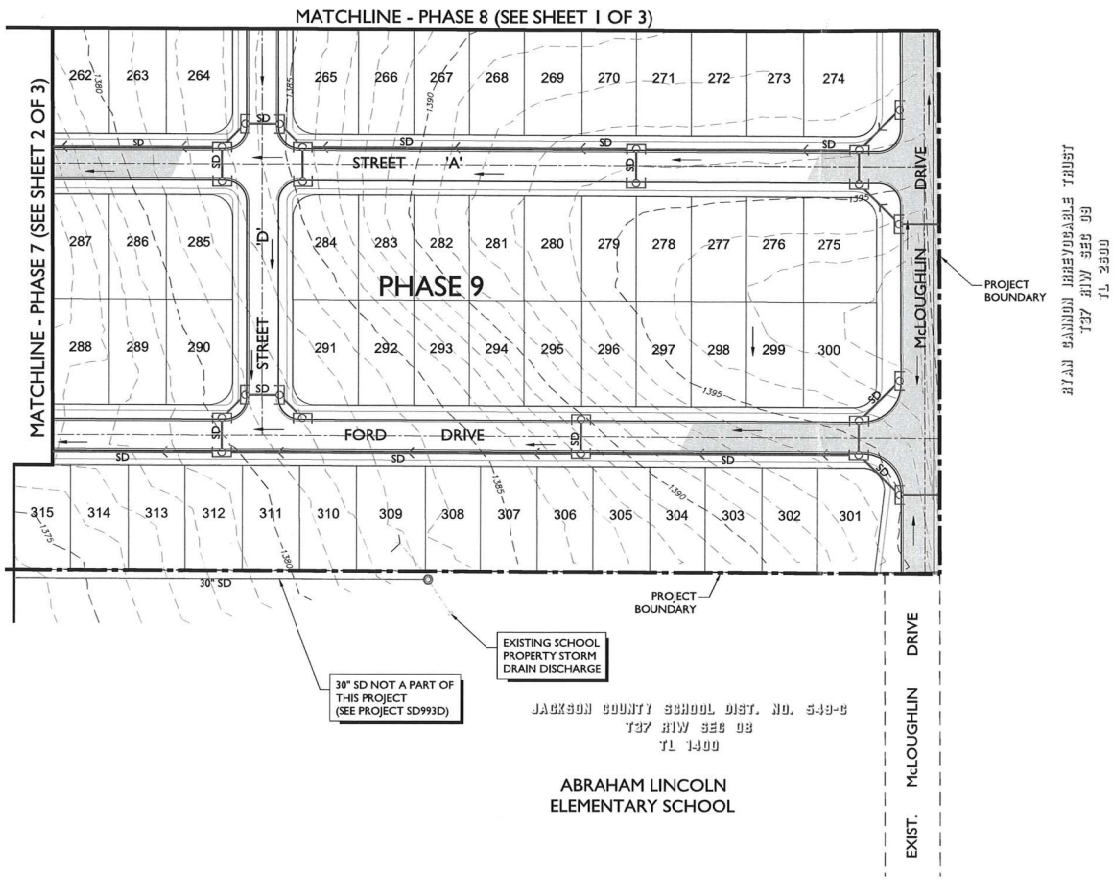

LEGEND

- PROPOSED STORM MAIN
- PROPOSED STORM MANHOLE OR CLEANOUT
- PROPOSED CURB INLET
- PROPOSED CATCH BASIN
- PROPOSED DITCH INLET
- EXISTING STORM MAIN
- EXISTING STORM MANHOLE OR CLEANOUT
- EXISTING CURB INLET
- EXISTING CATCH BASIN
- EXISTING DITCH INLET
- DRAINAGE DIRECTION

CONTOURS

CONTOUR INTERVAL = 1'
INDEX INTERVAL = 5'

EXISTING INDEX CONTOUR — ELEV
EXISTING MINOR CONTOUR
PROPOSED INDEX CONTOUR — ELEV
PROPOSED MINOR CONTOUR

NORTH
GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

EXHIBIT C.1C

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CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5268

DRAWN BY: BHD	DATE: 03/19	NO.	REVISION	DATE	BY
CHECKED BY: MWK, AMB	DATE: 03/19				
	DATE:				
	DATE:				
	DATE:				
	DATE:				

REGISTERED PROFESSIONAL ENGINEER — OREGON — JULY 11, 2008 — ANTHONY M. BANKS — EXPIRES 12/31/19
NOT FOR CONSTRUCTION

CONSTRUCTION ENGINEERING CONSULTANTS

DELTA ESTATES
PHASES 6, 7, 8 & 9

CONCEPTUAL GRADING & DRAINAGE PLAN

PROJECT NO. -
DRAWING NO.

DRAWING NAME: DELTA-CONC-GRAD3.DWG PROJ. NO.: 18-76 PLOT DATE: 03/20/19

LDS 19-008 APPROVAL
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EXHIBIT 11c
pg 1 of 3

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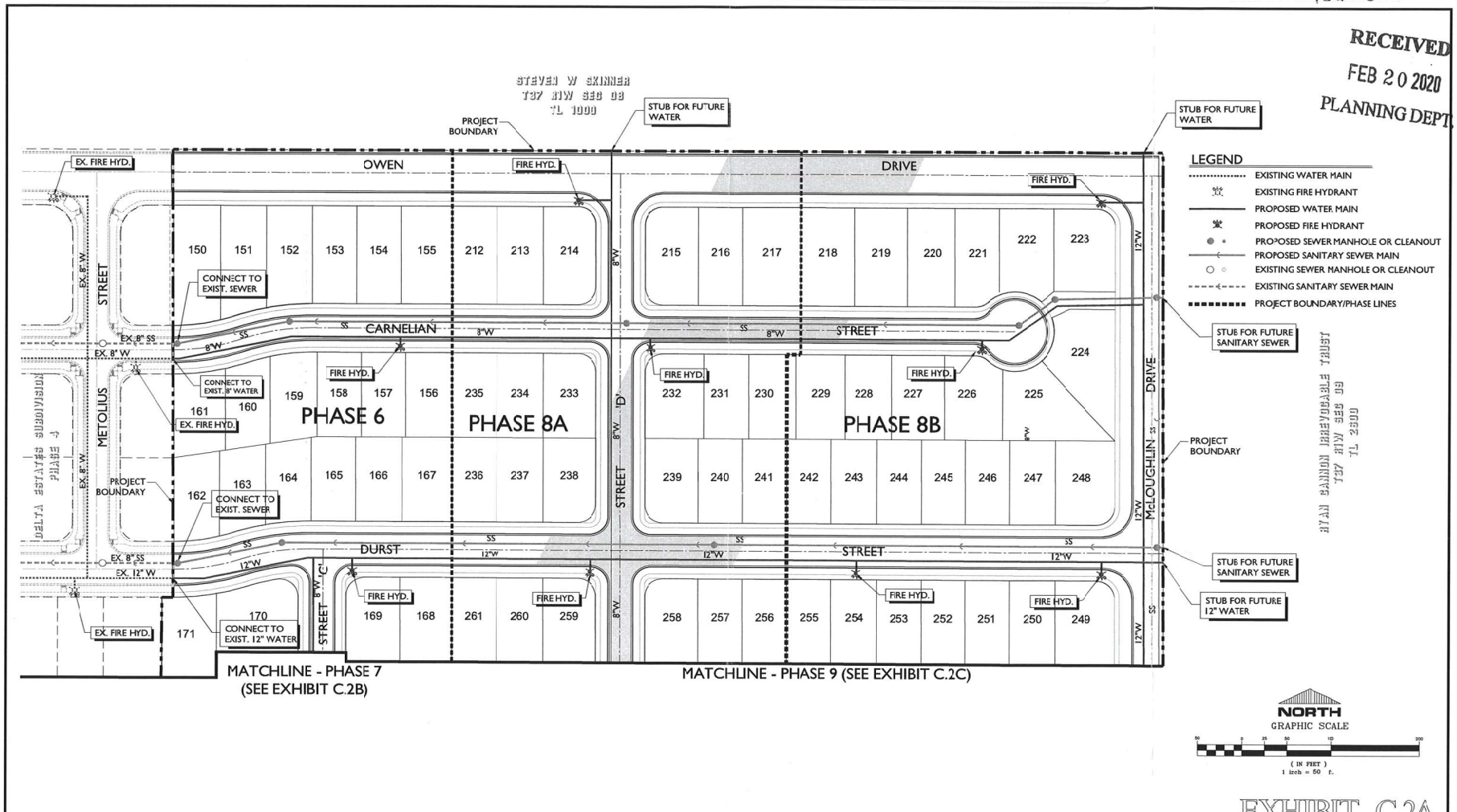

EXHIBIT C.2A

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P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5268

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CONSTRUCTION ENGINEERING CONSULTANTS

DELTA ESTATES
PHASES 6, 7, 8 & 9

CONCEPTUAL UTILITY PLAN

PROJECT NO.

DRAWING NO.

DRAWING NAME: DELTA--CO... 03/20/19

CITY OF MEDFORD
EXHIBIT #_____
FILE # LDS-20-050/E-20-051

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EXHIBIT G
CITY OF MEDFORD

LDS 19-008 APPROVAL
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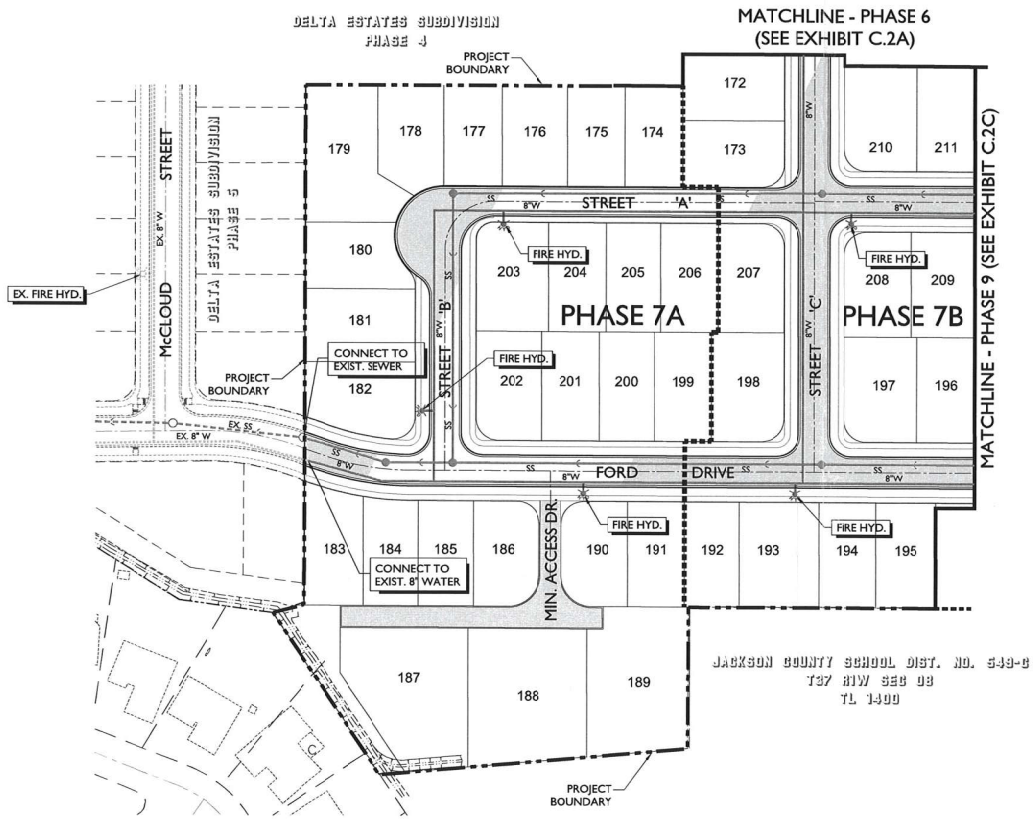

LEGEND

- EXISTING WATER MAIN
- EXISTING FIRE HYDRANT
- PROPOSED WATER MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED SEWER MANHOLE OR CLEANOUT
- PROPOSED SANITARY SEWER MAIN
- EXISTING SEWER MANHOLE OR CLEANOUT
- EXISTING SANITARY SEWER MAIN
- PROJECT BOUNDARY/PHASE LINES

NORTH
GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

EXHIBIT C.2B

CALL 48 HOURS BEFORE YOU DIG

CONSTRUCTION ENGINEERING CONSULTANTS
P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5266

DRAWN BY: BHD	DATE: 03/19	NO.	REVISION	DATE	BY	
CHECKED BY: MWK, AMB	DATE: 03/19					
	DATE:					
	DATE:					
	DATE:					
	DATE:					

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CONSTRUCTION ENGINEERING CONSULTANTS

DELTA ESTATES
PHASES 6, 7, 8 & 9

CONCEPTUAL UTILITY PLAN

PROJECT NO. –

DRAWING NO.

DRAWING NAME: DELTA-CONC-UTL2.DWG PROJ. NO.: 18-76 PLOT DATE: 01/20/19

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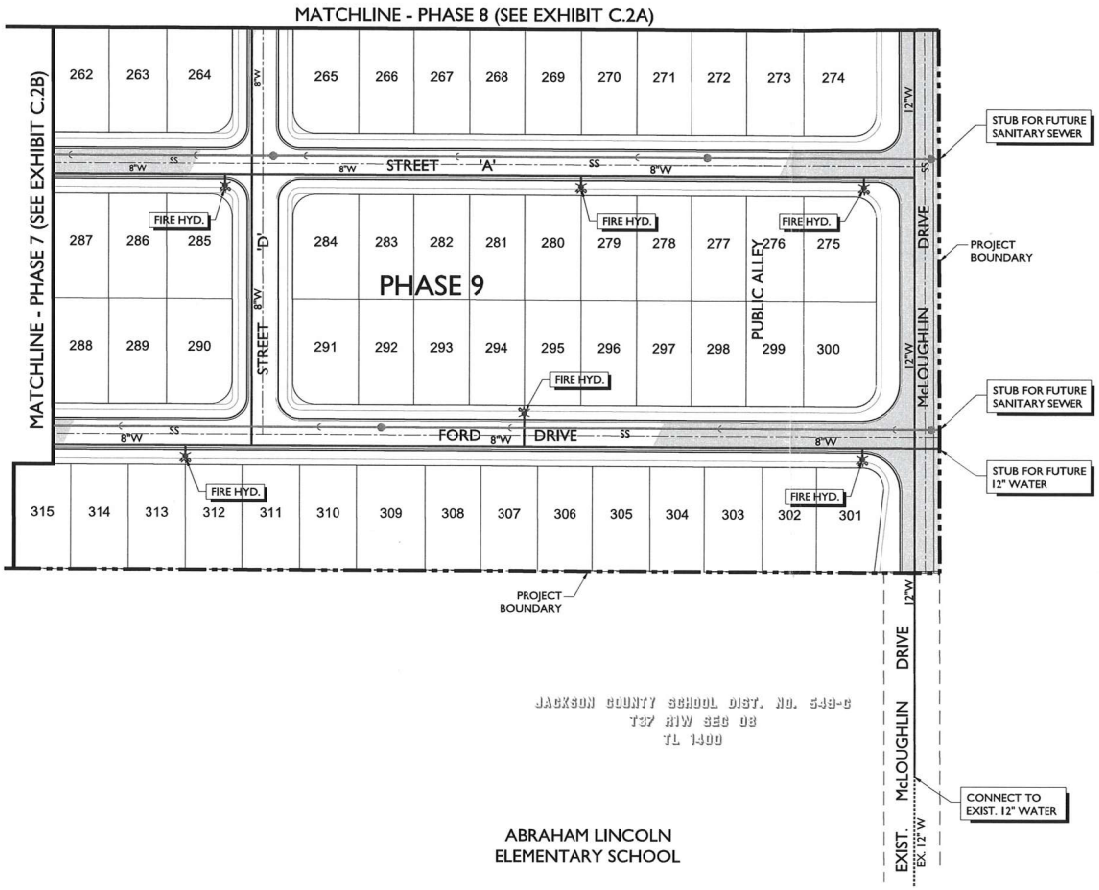

LEGEND

- EXISTING WATER MAIN
- EXISTING FIRE HYDRANT
- PROPOSED WATER MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED SEWER MANHOLE OR CLEANOUT
- PROPOSED SANITARY SEWER MAIN
- EXISTING SEWER MANHOLE OR CLEANOUT
- EXISTING SANITARY SEWER MAIN
- PROJECT BOUNDARY/PHASE LINES

NORTH
GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

EXHIBIT C.2C

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CONSTRUCTION ENGINEERING CONSULTANTS INC
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PH. (541) 779-5268

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	DATE:	

NO.	REVISION	DATE	BY

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CONSTRUCTION ENGINEERING CONSULTANTS

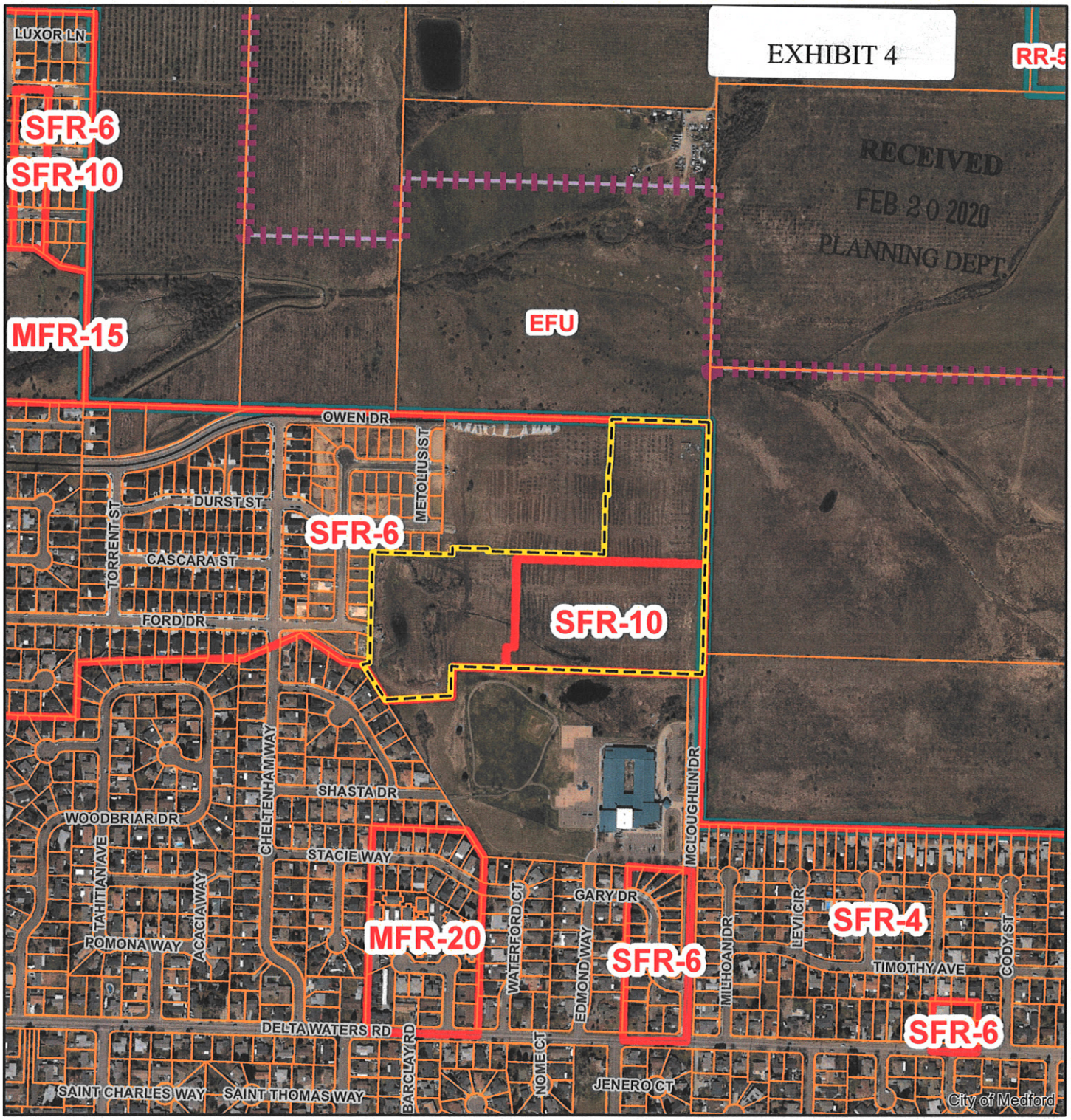
DELTA ESTATES
PHASES 6, 7, 8 & 9

CONCEPTUAL UTILITY PLAN

PROJECT NO. –

DRAWING NO.

DRAWING NAME: DELTA-CONC-UTLS.DWG PROJ. NO.: 18-76 PLOT DATE: 03/20/19



Subject

Tax Lots

Urban Growth Boundary

Medford Zoning

County Zoning

Zoning on Aerial

Delta Waters Properties, LLC
Subdivision
37-1W-08 tax lot 1103

2019 Aerial

CITY OF MEDFORD
EXHIBIT #_____
FILE # LDS-20-050/E-20-051

600 300 0 600 Feet

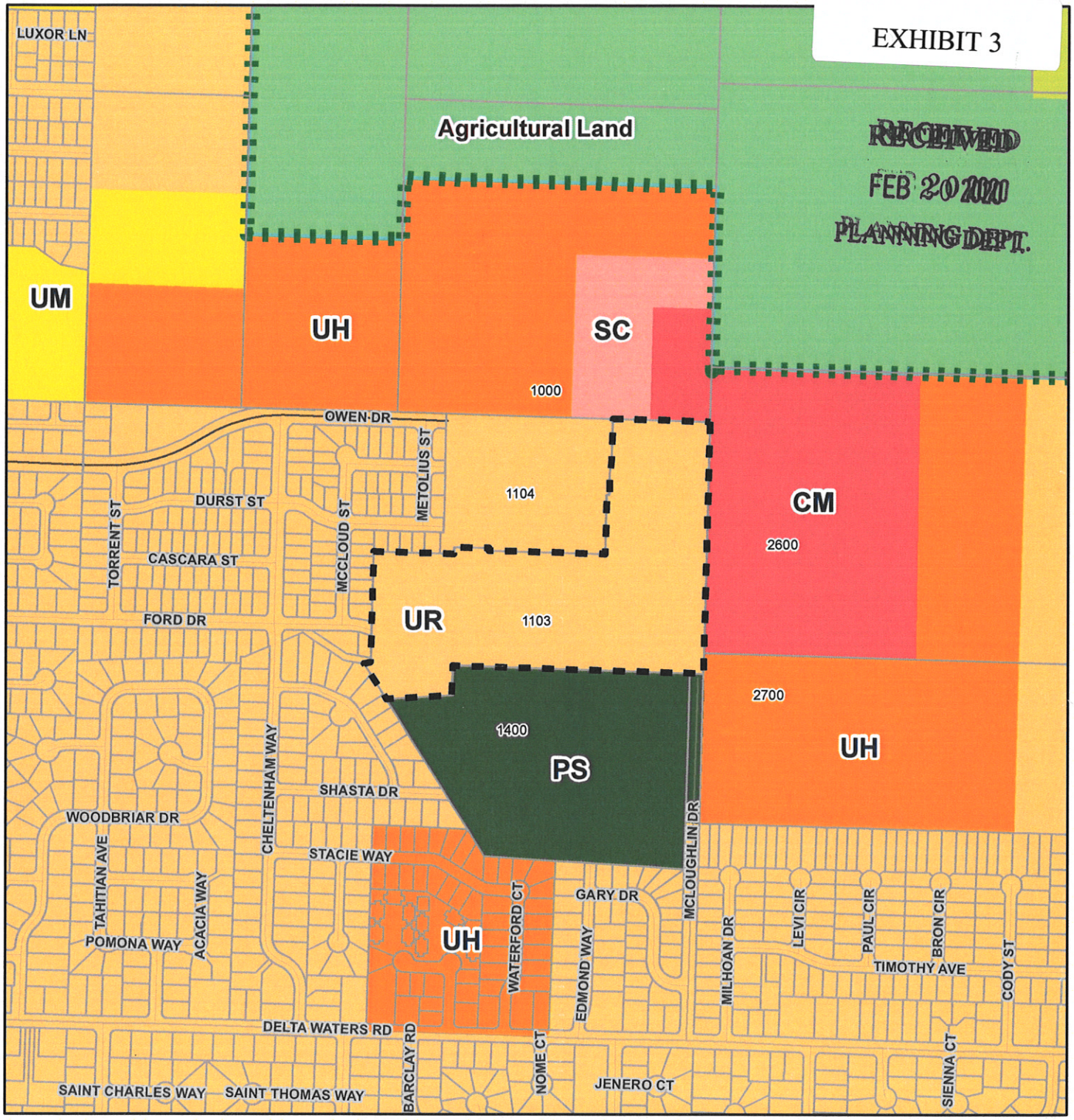
CSA Planning, Ltd.

February 2020 Source: City of Medford GIS; Jackson County GIS; CSA Planning, Ltd.

EXHIBIT H CITY OF MEDFORD

12

EXHIBIT 3



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Subject
Tax Lots
Urban Growth Boundary

County Comp Plan

Agricultural Land
Rural Residential Land

GLUP

CM
PS
SC
UH
UM
UR

General Land Use Plan (GLUP) Map

Delta Waters Properties, LLC
Subdivision
37-1W-08 tax lot 1103

N W E S

CSA Planning, Ltd.

600 300 0 600 Feet

CITY OF MEDFORD
EXHIBIT #
FILE # LDS-20-050/LE-20-051

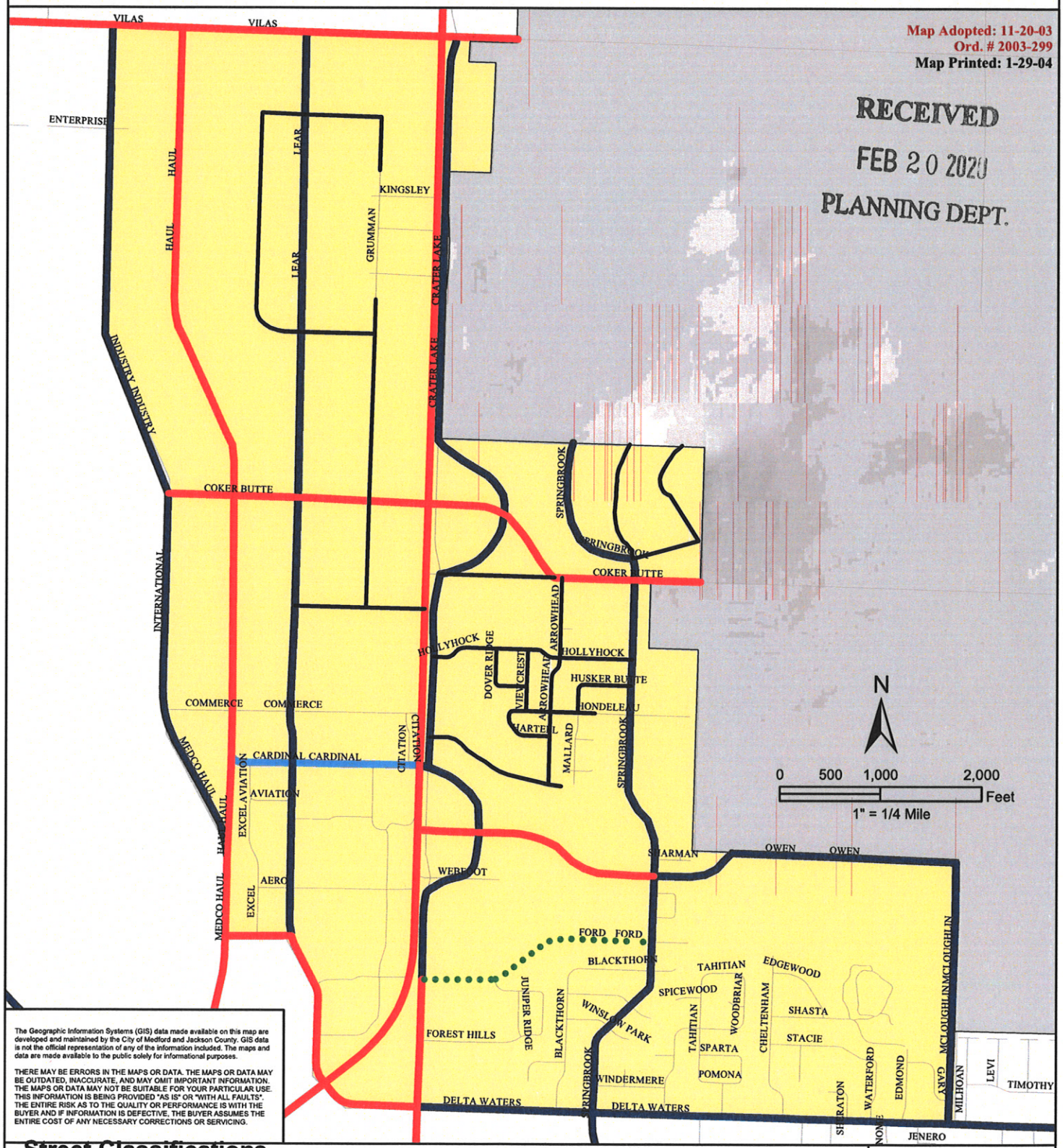
February 2020 Source: City of Medford GIS, Jackson County GIS, CSA Planning, Ltd.

EXHIBIT
I
CITY OF MEDFORD

13

EXHIBIT 13

Adopted North Medford Circulation Plan



I:\Project Files\Planning\Circulation Plans\Southwest\Southwest Circulation Plan.mxd

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EXHIBIT #_____
FILE # LDS-20-050/E-20-051

EXHIBIT J CITY OF MEDFORD

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EXHIBIT 12

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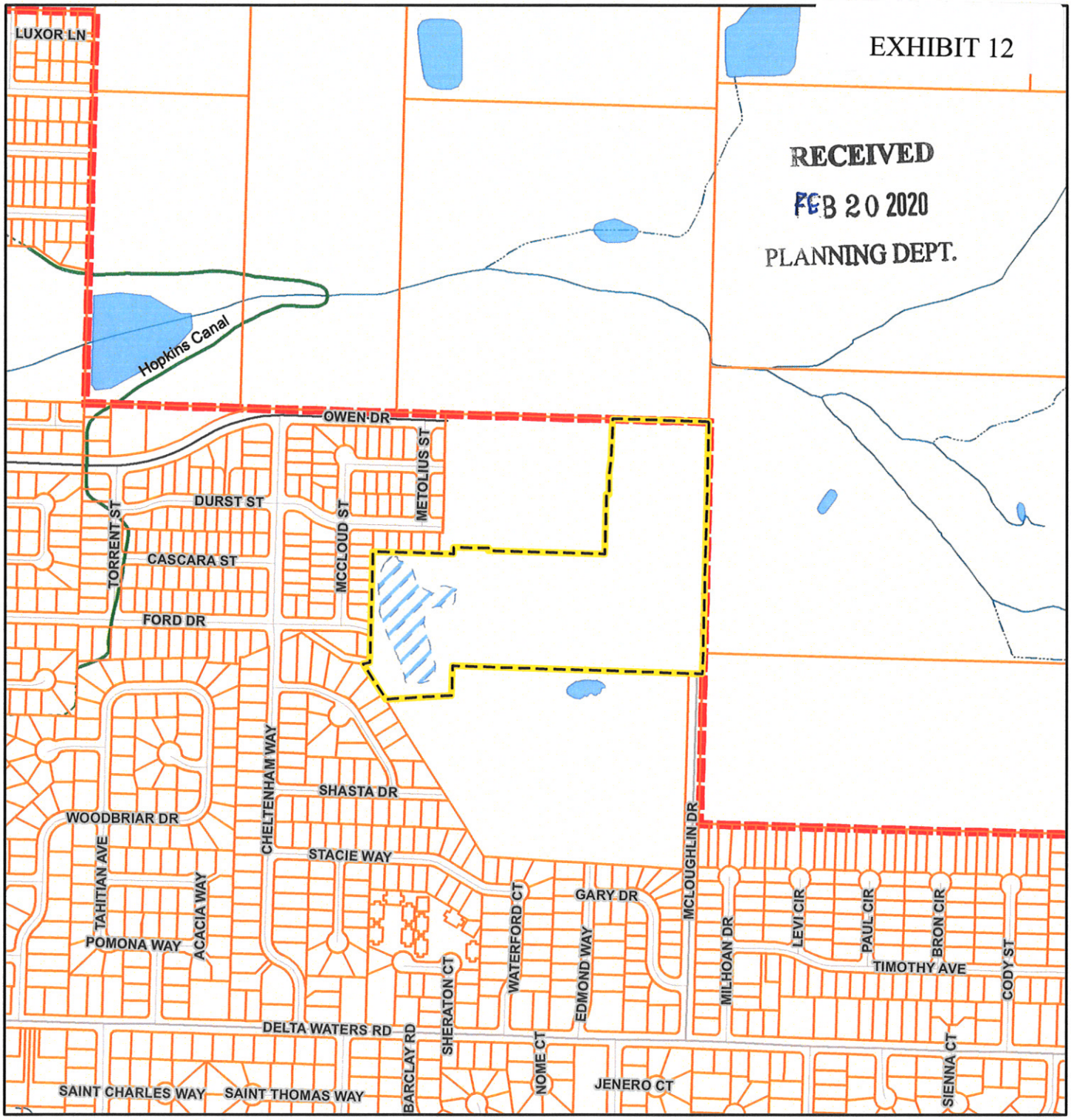


- Subject
- Tax Lots
- City Limits
- Lakes & Ponds
- Subject Former Farm Pond
- Minor Streams
- Intermittent Streams
- Underground Streams
- Ditches
- Tunnels / Siphons

Hydrological Features

Delta Waters Properties, LLC
Subdivision
37-1W-08 tax lot 1103

N W E S

CSA Planning, Ltd.

600 300 0 600 Feet

February 2020 Source: City of Medford GIS; Jackson County GIS; CSA Planning, Ltd.

EXHIBIT
K
CITY OF MEDFORD

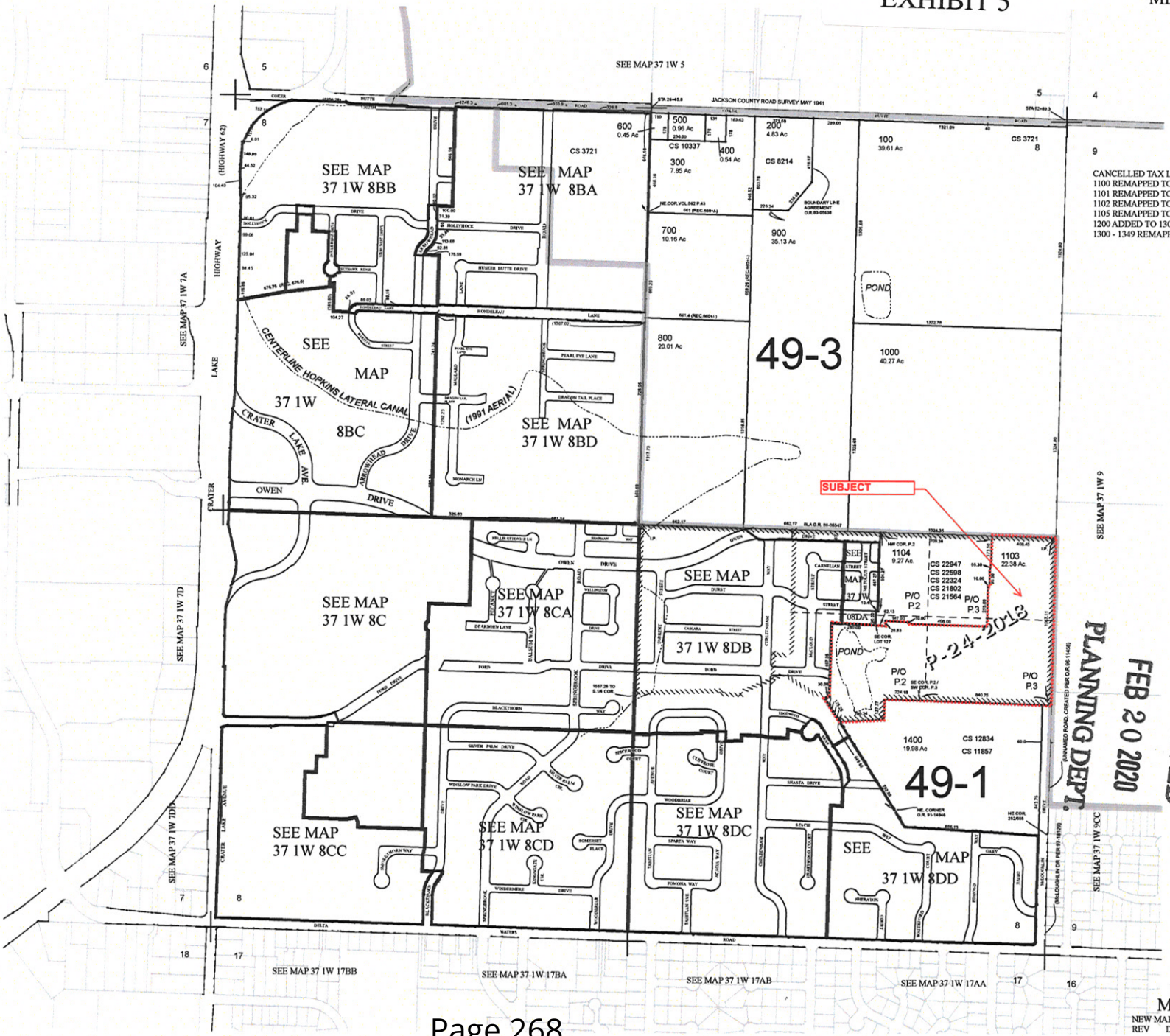
CITY OF MEDFORD
EXHIBIT #
FILE # LDS-20-050/E-20-051

FOR ASSESSMENT AND TAXATION ONLY

SECTION 8 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 400'

371W8
& INDEX
MEDFORD

EXHIBIT 5



CANCELLED TAX LOT NUMBERS
1100 REMAPPED TO 371W08DB
1101 REMAPPED TO 371W08DB
1102 REMAPPED TO 371W08DB-3400
1105 REMAPPED TO 371W08DA
1200 ADDED TO 1300
1300 - 1349 REMAPPED

371W8
& INDEX
MEDFORD
NEW MAP November 4, 1992
REV December 2, 2019

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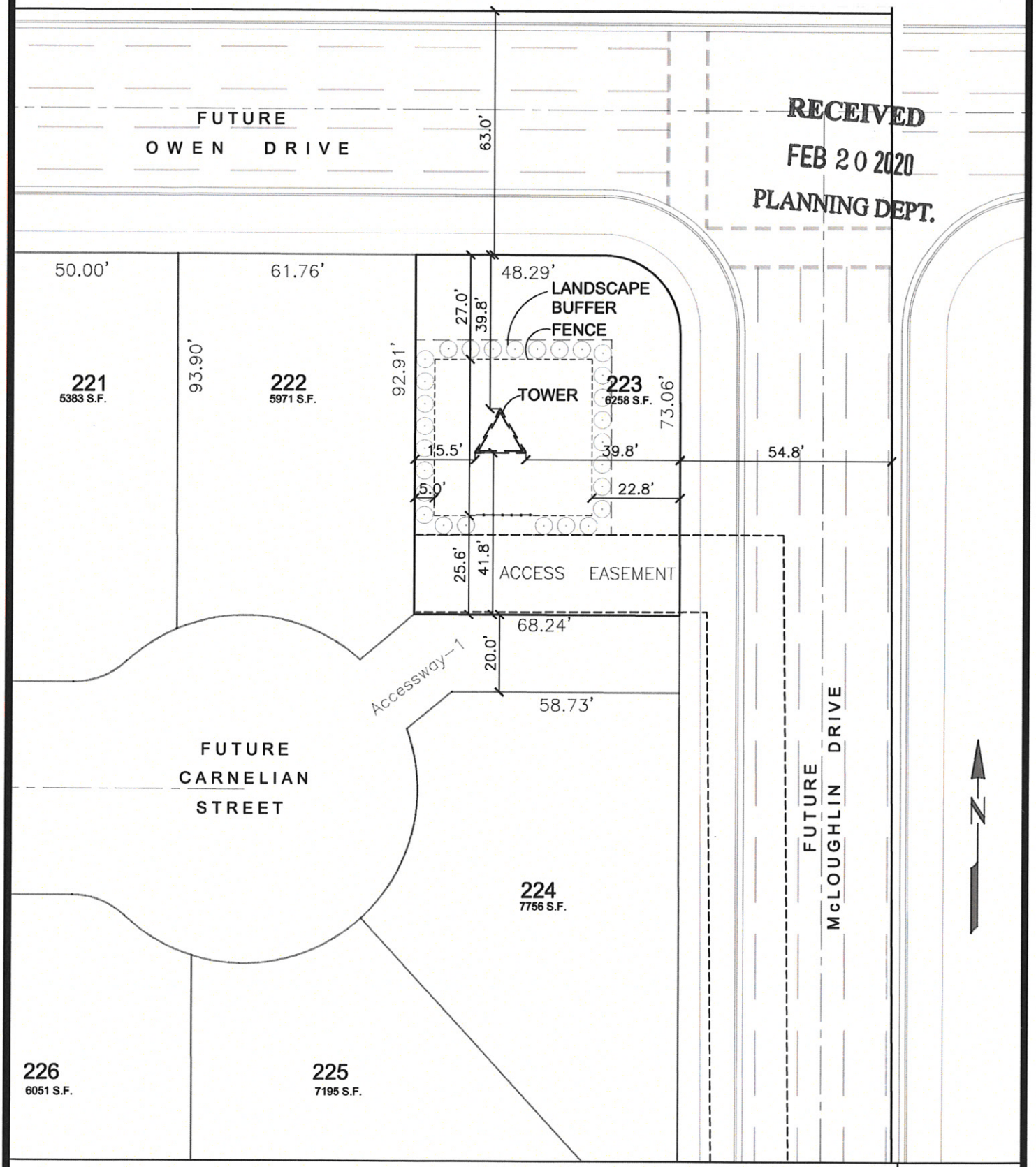
P-24-2013

CITY OF MEDFORD
EXHIBIT #
FILE # LDS-20-050/E-20-051

GIS DATA
12/02/2019 11:30:45 AM: bosmanjb

EXHIBIT
L
CITY OF MEDFORD

EXHIBIT 9



CELL TOWER SETBACKS

SCALE: NTS

DATE: 6/19/19

DELTA PROPERTIES LLC

TENHAM WAY, MEDFORD, OR

CSA

EXHIBIT M CITY OF MEDFORD

CITY OF MEDFORD
EXHIBIT #
FILE # LDS-20-050/E-20-051

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EXHIBIT 10

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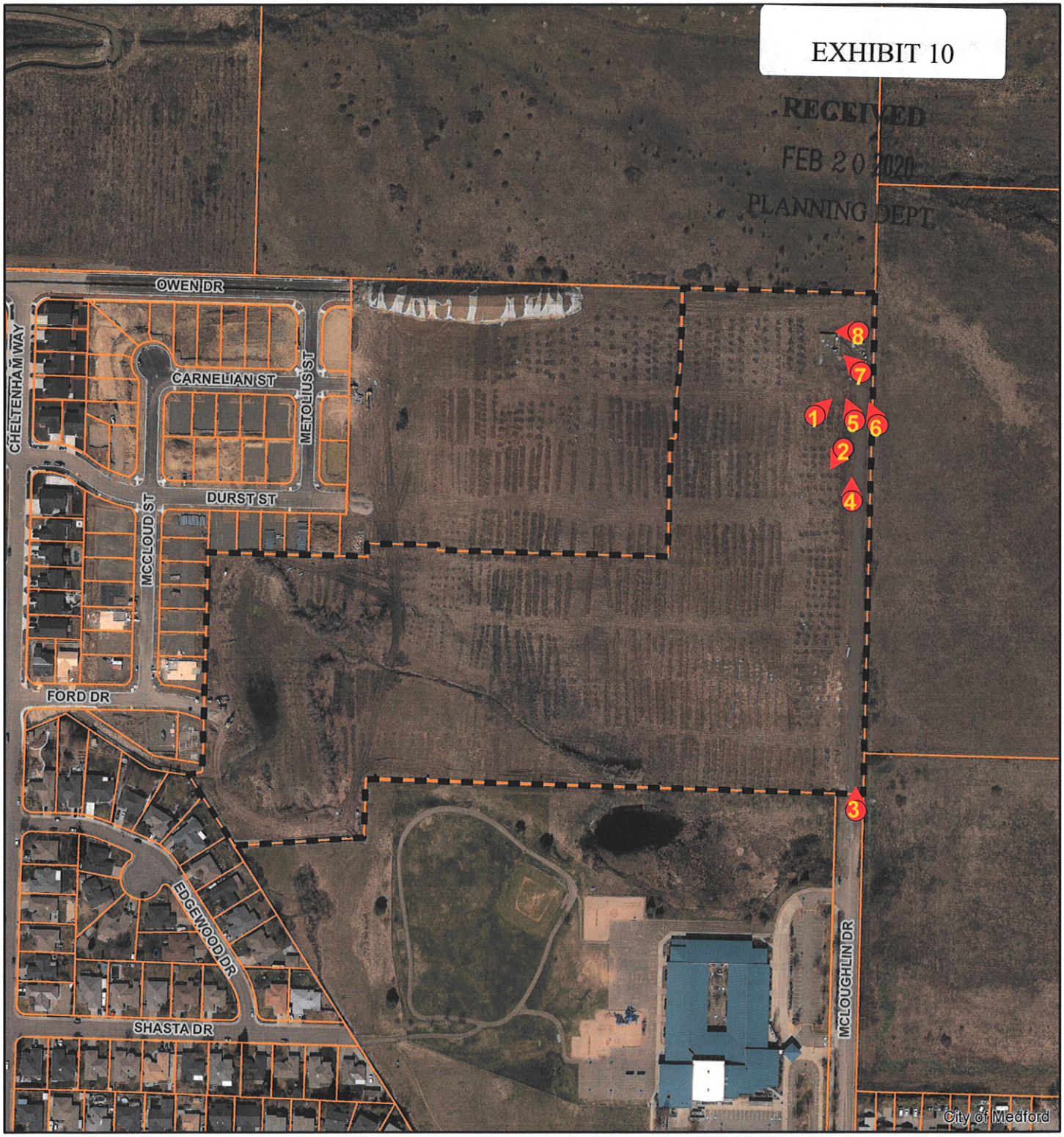

Subject

Tax Lots

Photo Location & Direction

Photo Key Map

2019 Aerial

Delta Waters Properties, LLC
Subdivision
37-1W-08 tax lot 1103

CSA Planning LTD

300 150 0 300 Feet

February 2020 Source: CSA Planning Ltd, City of Medford GIS, Jackson County GIS

CITY OF MEDFORD
EXHIBIT #
FILE # LDC-20-050/E-20-051

EXHIBIT
N
CITY OF MEDFORD

10

EXHIBIT 10

1 **Looking northeast from Subject Property**

2 **Looking South across Subject Property**

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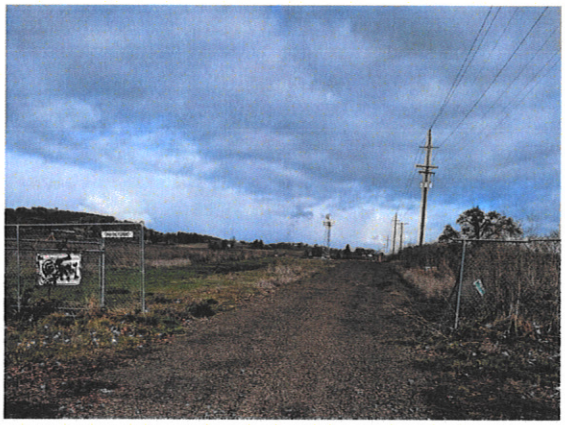
PLANNING DEPT.



3 **Looking north across Subject Property from south property line**

4 **Looking north toward Cell Tower**

Legend

2 Photo ID Number

Site Photos

Subdivision

Delta Waters Properties LLC

37-1W-08-1103

CSA Planning, Ltd

February 5, 2020

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PLANNING DEPT.

5 **Top of Cell Tower**

6 **South side of Cell Tower**

7 **Enclosure at base of Tower**

8 **Landscape buffer at base**

Legend

2 Photo ID Number

Cell Tower Photos

Subdivision

Delta Waters Properties LLC

37-1W-08-1103

CSA Planning, Ltd

February 5, 2020

RECEIVED
FEB 20 2020
PLANNING DEPT.

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF AN APPLICATION FOR APPROVAL OF A SIX-LOT TENTATIVE SUBDIVISION PLAT AND AN EXCEPTION PERTAINING TO MINIMUM LOT FRONTAGE STANDARDS. SUBJECT PROPERTY IS ONE PARCEL OF LAND CONTAINING 22.38 ACRES LOCATED AT THE NORTHERN TERMINUS OF McLOUGHLIN DRIVE AND THE EASTERN TERMINUS OF FORD DRIVE WITHIN THE CORPORATE LIMITS OF THE CITY OF MEDFORD, OREGON	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** ***Applicant's Exhibit 2***
Applicant/ **Owner:** Delta Waters Properties LLC **Agent:** CSA Planning, Ltd.	

I

SUMMARY AND SCOPE OF APPLICATION

Applicant Delta Water Properties LLC seeks a Subdivision Tentative Plat approval to create 1 non-residential lot and 5 "reserve lots" on a 22.38-acre parcel. The purpose of the subdivision is for business and estate planning purposes and no development will result from approval of this application. The subject property already has tentative plan approval for 125 lots for Phases 7A and B, 8B and Phase 9 of the Delta Estates subdivision, see Planning File No. LDS-19-008, approved on April 25, 2019. The new lot boundaries are aligned with these phases of the Delta Estates Subdivision. In addition, Phase 9 area is proposed to be divided into two lots. The non-residential lot, identified in Phase 8B on the subdivision tentative plat as Lot 223, will contain an existing cell tower.

Half of the proposed lots currently have street frontage. Lot 1 has frontage at the current eastern terminus of Ford Drive. Lot 2 has frontage on the southern terminus of Corden Lane. Lot 4 has frontage at the current northern terminus of McLoughlin Drive. Lots 3, 5 and 6 would not have frontage on a public street. To address the frontage issue, an Exception is requested to allow extinguishable right-of-way reservations and an existing easement to provide temporary access and frontage until such time as the streets approved under LDS-19-008 are platted and constructed. Reservation #1 covers the of the future northward extension of McLoughlin Drive to provide frontage for Lot 5. Reservation #2 will start at the McLoughlin Extension and run

over the future westward extension of Ford Drive to provide frontage for Lot 3. These reservations would encompass the areas that were approved under LDS-19-008 to be dedicated for the future extension of each of these streets. Lot 6 has an existing access easement which provides access to only that lot. These reservations and easement will be extinguished as the intervening phases of the LDS-19-008, Delta Estates subdivision, are platted and street frontage and associated access becomes available to each lot.

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II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant herewith submits the following evidence with its application for Land Division and Exception:

Exhibit 1. Signed and Completed Land Division and Exception Application Forms with Authorization from the property owner, Delta Waters Properties LLC.

Exhibit 2. The proposed Findings of Fact and Conclusions of Law (this document) demonstrating how the Land Division and Exception application complies with the applicable substantive criteria of the MLDC

Exhibit 3. City of Medford GLUP Map

Exhibit 4. Current City of Medford Zoning Map on Aerial

Exhibit 5. Jackson County Assessor plat map 37-1W-08, which contains and depicts the subject property

Exhibit 6. Map of Survey of Property Line Adjustment- PLA-22947

Exhibit 7. Approved LDS-19-008 Delta Estates Phases 6-9 Tentative Plat

Exhibit 8. Proposed Tentative Subdivision Plat

Exhibit 9. Lot 6 - Cell Tower Site Plan

Exhibit 10. Subject Property Photos and Map

Exhibit 11. Future Subdivision Civil Plans - LDS-19-008
a. Overall Plan- C
b. Conceptual Grading and Drainage Plans- C.1A, B, & C
c. Conceptual Utility Plans- C.2 A, B, & C

Exhibit 12. Hydrological Map

Exhibit 13. Adopted North Medford Circulation Plan

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which the application for Subdivision Tentative Plat must be approved are in Section 10.202, of the Medford Land Development Code (MLDC). The approval criteria are recited verbatim below and again in Section V, where each are followed by the conclusions of law:

City of Medford Approval Criteria

LAND DIVISION

10.202 Subdivision Tentative Plat

(E) Land Division Approval Criteria.

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

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

EXCEPTION

10.253 Criteria for an Exception

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

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception

request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

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

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

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

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AGRICULTURAL BUFFERING

MLDC10.801 Agricultural Buffering in Non-Urban Reserve Areas

B. Applicability.

The provisions of this Section apply to the development permit applications listed below in this subsection where land proposed for urban development is not in an urban reserve (see Regional Plan Element) and abuts and has a common lot line with other land which is zoned Exclusive Farm Use (EFU) or Exclusive Agriculture (EA). However, development which requires City approval for more than one of the below development permit applications for the same development shall be required to demonstrate compliance with the provisions of this Section only in the first such application.

(1) Land Divisions.

(2) Planned Unit Developments.

IV

FINDINGS OF FACT

The Planning Commission reaches the following facts and finds them to be true with respect to this land use application:

1. **Subject Property Ownership:** Delta Waters Properties LLC, owns the subject property and is the Applicant. CSA Planning Ltd. has a limited power of attorney authorizing them to represent Delta Waters Properties LLC for this application. *See*, Exhibit 1.

2. **Property Location**: The property is located at the northern terminus of McLoughlin Drive and the eastern termini of Ford Drive. When Phase 8A of the Delta Waters Subdivision is platted, the subject property will also have frontage on the eastern terminus of Durst Street, Carnelian Street. and Owen Drive. The property is within the corporate limits of the City of Medford and its adopted and acknowledged urban growth boundary. *See,* Exhibit 3.

2. **Property Description and Acreage**: The property is identified by the Jackson County Assessors as Tax Lot 1103 on Map 37 1W 08. The property is identified on Survey No. 22947as Adjusted Parcel 3. The parcel that has approximately 22.38 acres. *See,* Exhibit 6.

3. **Previous Land Use Approvals:**

    a. **PLA-19-075** - *Approved October 8, 2019*. Adjusted boundaries between Parcels 2 and 3 from PLA-17-072 that correspond with Phases 6 to 9 of LDS-16-090.

    b. **LDS-19-008/ ZC-19-009/ E-19-010** *Approved April 25, 2019* Partial Zone change to SFR-6 and Tentative plat for Phases 6 to 9 of the Delta Estates subdivision.

    c. **PLA-17-072** - *Approved July 5, 2017*. Created reconfigured Parcels 2 and 3 from LDP-13-086.

    d. **ZC-16-089/LDS-16-090/ E-16-091** *Approved November 10, 2016*. Zone change to SFR-6 and Tentative plat for Phases 2 through 5 of the Delta Estates subdivision.

    e. **CUP-16-084** *Approved January 26th, 2017.* CUP for new wireless cell tower in northeastern corner of subject property.

    f. **LDP-13-086** *Approved November 14, 2013*. Three lot partition of 65.5-acre parent parcel.

    g. **ZC-10-078** *Approved February 10, 2011*. Zone change for 65.5-acre parent parcel.

4. **Comprehensive Plan Map Designation**: The property is designated Urban Residential on the Medford Comprehensive Plan Map.[1] *See,* Exhibit 3.

[1] Medford often refers to its comprehensive plan map as the Generalized Land Use Plan or GLUP map.

5. **Zoning Map Designation**: Phases 7A and B and 8B are zoned SFR-6. Phase 9 is zoned SFR-10. *See,* Exhibit 4.

6. **Existing Land Use**: The property is vacant, except for a cell tower located in the northeastern corner of the subject property. *See,* Exhibit10.

7. **Future Land Use**: The property is planned to be developed as a phased residential development project as approved under LDS-19-008. *See,* Exhibit 7.

8. **Application Proposal:** Subject property includes the area of Phases 7A & B, 8B, and 9 of the Delta Estates subdivision approved under LDS-19-008. This application proposes to divide the subject property along the phase lines of each of these phases. Each of these lots are identified as reserve lots. In addition, the Phase 9 area is to be split into 2 reserve lots- Lots 3 and 4, and, the area of Lot 223 in Phase 8B on the Tentative Map is a non-residential lot to accommodate the existing cell tower. The non-residential lot is identified Lot 6 of this subdivision, but will later be renumbered as Lot 223.

PROPOSED LOTS				
Lot Number	**Phase Number**	**Zone**	**SF/ Acres**	**Lot Type**
1	7A	SFR-6		Reserve
2	7B	SFR-6		Reserve
3	9A	SFR-10		Reserve
4	9B	SFR-10		Reserve
5	8B	SFR-6		Reserve
6	8B- Lot 223	SFR-6		Non-residential

9. **Conformance with Lot size and Frontage Development Standards:** MLDC 10.710

DETACHED SINGLE-FAMILY DWELLINGS			
Standard	**SFR-6**	**SFR-10**	**Compliance**
Minimum and Maximum Density Factor Range	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre	No dwelling units proposed
Lot Area Range (Square Feet)	4,500 to 12,500 SF	3,600 to 8,125 SF	Lots 1 - 5 – Reserve Lots allowed to exceed maximum Lot 6 - Complies
Minimum Interior Lot Width	50 feet	40 feet	All lots comply
Minimum Corner Lot Width	60 feet	50 feet	All lots comply
Minimum Lot Depth	90 feet		All lots comply

DETACHED SINGLE-FAMILY DWELLINGS			
Standard	**SFR-6**	**SFR-10**	**Compliance**
Minimum Lot Frontage	30 feet, EXCEPT Flag Lots which shall be 20 feet		Lot 1 – 79.82'- Complies Lot 2 – 55.00'- Complies Lot 3 – None; *see Exception* Lot 4 – 60.00' - Complies Lot 5 – None; *see Exception* Lot 6 – None; *see Exception*
Minimum Side Yard Building Setback	12 feet for 31 feet or taller building height		Applicable to Lot 6- Complies
Minimum Rear Yard Building Setback	The rear yard is equal to the greater of the side yard setbacks calculated in §10.705(C), and not less than 4 feet. EXCEPTION: If the rear property line abuts a collector or arterial street, or the parcel is a through lot, then the setback is a minimum of 10 feet.		Potentially Applicable to Lot 6- Complies
Maximum Height (See 10.705)	35 feet		No structures on Lots 1-5. 84 foot high Cell tower on Lot 6 is exempt per MLDC10.705 (1)B.(2)

Proposed lots comply with most standards, with the exception of lot frontage for lots 3, 5, and 6. Lots 1-5 exceed the maximum lot size, but reserve lots are allowed to exceed the maximum lot size provided they will eventually meet the required lot sizes as part of future development (which in this case already has tentative plat approval). Lot 6 complies with minimum and maximum lot area requirements. Lots 1 to 5 are to be reserve acreage lots under this application as they include portions of the project site which is not intended to be developed at this time. These lots exceed the maximum lot area due to the fact that their borders are congruent with phases approved under LDS-19-008 and each encompasses multiple future lots. In addition, Lots 3, 5 and 6 do not currently have street frontage and as such an Exception is sought to address this standard.

10. **Wireless Communication Tower Setbacks for Lot 6**: Lot 6 is proposed as a Non-residential Lot to accommodate a cell tower that was constructed after the Delta Estates Phases 6-9 subdivision (LDS-19-008) was approved in April of 2019. The tower, while approved through a CUP in 2017, was delayed multiple times and was not actually constructed until the summer of 2019. The design of the tower is a 3-sided open web tower with an ornamental metal windmill on top. (*See,* Exhibit 10). No setbacks were required at the time of approval as it was on land that was still zoned EFU. A 5-foot landscape buffer around the enclosing fence was required.

    Proposed Lot 6 is congruent with the boundaries of Lot 223 from Phase 8B of the Delta Estates subdivision. Lot 223 is located at the southwest corner of what will be the intersection of Owen Drive and McLoughlin Drive. The lot shares only one boundary with a residential lot. Now that the cell tower is constructed it is possible to confirm the distance from the cell tower structure to the approved Lot 223 boundaries. The relationship of the existing tower to the approved subdivision is as follows:

    Distance to the nearest residential property line:

South: 61.8 feet (41.8 feet plus 20-foot future accessway)
West: 15.2 feet

Distance to the nearest Subject Property boundary line:
North: 39.8 feet plus 63-feet ROW (Future right-of-way 75-feet total)
East: 39.8 feet plus 54.8-feet ROW (Future right-of-way 74-feet total)

Tower Height: 84 feet

As the tower is existing, the *additional* setbacks required for new wireless communication structures under MLDC 10.824 are not applicable. This is not the situation where a new tower is being constructed in an existing neighborhood, rather one where the neighborhood will be built around an existing tower. If this was a new tower proposal, additional setbacks or 84 feet are required from residential property lines except where the Planning Commission approves measures that mitigate visual impacts. MLDC 10.824(F) makes clear that minimum structural setbacks must be maintained. In this case, that minimum structure setback from the property line is 12 feet and the tower complies with the minimum. This minimum setback is exceeded on all sides and a landscape buffer with trees has been planted around the outside of the fence.

11. Street Frontage and Improvements:

a. **Subdivision Lot Street Frontage:**

This application is intended only to divide the property for business purposes. No roads are proposed as part of this application. As such, Lots 3, 5 and 6 will not have frontage on a public street at the time they are created. An Exception is requested to utilize extinguishable reservations and an existing access easement to provide access and frontage for the new lots.

i. Extinguishable Reservation #1 will run over the future northward extension of McLoughlin Drive to provide frontage for Lot 5.

ii. Extinguishable Reservation #2 will run over the future westward extension of Ford Drive from McLoughlin Drive to provide frontage for Lot 3.

iii. The cell tower that will be on Lot 6 has an existing access easement. The lot is non-residential and no further development is planned on that lot. This being the case, the easement will provide sufficient access for maintenance until such time as McLoughlin and Owen Drives are constructed and platted providing frontage for the lot.

These reservations will encompass the street areas approved under LDS-19-008 to be dedicated for the future extension of McLoughlin Drive and Ford Drive on Phase 9. These reservations will be extinguished once the intervening phases, Phases 8A or 9B are platted and each lot has legal street frontage. The Lot 6 easement will remain in place until the McLoughlin Drive frontage has been improved.

b. **Street Improvements:** No street improvements are proposed as no streets are proposed as part of this subdivision. Lots 1 to 5 are reserve lots and will be further subdivided. Lot 6, however, is proposed as a small non-residential lot in its final configuration which will eventually have frontage at the corner of Owen Drive and McLoughlin Road upon the completion of Phase 8B of the Delta Estates Subdivision.

Typically street improvements are required when a lot is proposed in its final configuration. In this case, completing the normally required street improvements at this time would be out of sequence with the construction of the rest of the surrounding streets. Therefore, the Applicant proposes to stipulate to a deed restriction requiring the owner of Lot 5 to complete the street improvements for this lot at the time when the Owen/McLoughlin intersection is being constructed. Required improvements will match what is required of the developer of Phase 8B on adjacent parcels.

12. **Surrounding Land Uses**: The GLUP map (Exhibit 3) and Zoning Map which is overlaid on an aerial photo (Exhibit 4) accurately depict the pattern of land partitioning and development in the surrounding area. The property is located on Medford's urban boundary with urban uses to the south and west and agricultural uses to the east and north. The land uses that surround the subject property are further described as follows:

    A. **East**: Lands to the east were recently brought into the Medford Urban Growth Boundary and are zoned Exclusive Farm Use (EFU). The properties are owned by DCM Foothill LLC et al. The land contains some low intensity agricultural and rural uses. The majority of the property is designated Medford GLUP Urban Residential, plus some areas of High and Medium Urban Residential designation and small areas of Commercial.

    B. **South**: The adjacent property to the south is within the corporate boundary of the City of Medford and contains Abraham Lincoln Elementary School which fronts on McLoughlin Drive. Beyond and to the west there are Urban Residential lands zoned SFR-4. These lands are developed with single-family dwellings constructed in the early 1980s through the mid-1990s.

    C. **West**: To the west are Urban Residential lands within the corporate boundary of the City of Medford that are zoned SFR-6. These lands include earlier Phases of the Delta Estates Subdivision, plus Unit 2 of the Owen Park Subdivision that was constructed in the 1990's. Beyond the residential lands are commercial and industrial lands along Highway 62. Lands to the west also contain Owen Drive which is an urban arterial west of Crater Lake Avenue and a major collector east of Crater Lake Avenue. Owen Drive is planned to be extended across the subject property in the future.

    D. **North:** Land to the north of the subject property are part of the MD-3a Planning Area that was recently brought into the Medford Urban Growth Boundary. The land abutting the property on the north is owned by Steven Skinner and is planned by Medford to contain primarily high-density residential use with a small area of commercial uses. Midway/Garrett Creek runs across the middle of the property and is planned as open space. Additional MD-3a lands to the northwest are planned for low, medium and high-density residential uses as well as open space. The lands currently contain some low intensity agricultural and rural uses. Lands to the northeast are still in the county and are zoned EFU.

9. **Agricultural Buffering:** MLDC 10.801 states that if a development requires more than one Land Division for the same development, only the first application is required to demonstrate compliance. This is the fifth application for land division for the subject property. The third application, LDS-19-008, approved April 25, 2019, addressed the agricultural buffering standards and included mitigation measures that were approved.

The Planning Commission found the proposed subdivision to be in compliance with agricultural buffering requirements. This application changes nothing that was proposed under LDS-19-008, therefore this application is in compliance with MLDC 10.801.

10. **Wetlands; Floodplain**: According to Medford and Jackson County Geographical Information System (GIS) data bases taken from the U.S. National Wetland Inventory, the subject property had contained a farm pond for irrigation water storage in the southwestern corner of the subject property. The farm pond is not a locally significant wetland protected by an adopted and acknowledged program to achieve Goal 5. *See,* Exhibit 12.

11. **Topography/Hillside Ordinance**: The property slopes gently down from the east to the west at one to two percent grade. The topography does not represent a significant constraint for urban utilization of the property. The one area identified as a slope in excess of 15% on Medford's Slope Map was a drainage ditch related to the farm pond. Per the Definitions in Section MLDC10.930 of the Hillside Ordinance, slope analysis is not required as this was a man-made feature:

    Slope Analysis.

    (4) Man-made features including, but not limited to, ditches, canals, existing retaining walls, and existing buildings, which necessarily will be relocated, placed underground, or otherwise removed as part of future urban development, shall not be included in the Slope Analysis.

    The pond is being structurally filled in to support future structures and this ditch has been removed as part of the infilling of the pond.

12. **Police and Fire Protection:** The property is served by the Medford Fire Department from its Fire Station 5. Emergency fire response is estimated to be approximately 4 minutes. Police protection is from the City of Medford Police Department.

13. **Essential (Category "A") Public Facilities**: The comprehensive plan defines Category "A" public facilities as: (1) Sanitary sewage collection and treatment; (2) Storm Drainage; (3) Water Service; (4) Transportation Facilities. The Planning Commission finds the following facts with respect to each of the Category "A" public facilities:

    (1) **Sanitary Sewer Service (Collection)**: The property is in the area served by City of Medford. Existing 8-inch sanitary sewer lines are adjacent to the property in several locations. Based the findings adopted for the SFR-10 zone change, there exist some downstream deficiencies for full development of the originally zoned SFR-10 area, but the zone change established that there is adequate sewer capacity for up to 380 dwelling units without the need for additional mitigation. The first five phases of Delta Estates included 149 dwelling units. The recent zone change from SFR-10 to SFR-6 for Phases 6 to 8 reduced the sanitary sewer demand for those areas. The tentative plat in this application shows a total of 315 dwelling units for full build-out of the area of the original zone change (Planning File ZC-10-078), which will be 65 units less than the sewer facilities constraint threshold originally imposed.

    (2) **Sanitary Sewer Service (Treatment)**: According to representatives of the Medford Engineering Department, sewage wastewater collected and transported by the Bear Creek Interceptor is treated at the Medford Regional Water Reclamation Plant, which is located near Bybee Bridge where Table Rock Road crosses the Rogue River. The

plant serves the Rogue Valley Sewer Services (RVSS)[2] and the cities of Central Point, Jacksonville, Medford, Phoenix and Eagle Point. A portion of the service charges levied on customers is allocated to treatment costs. The Regional Rate Committee as established in the September 23, 1985 Regional Sewer Agreement is authorized to set treatment charges and rates for the regional system. The Regional Rate Committee reviews the charges and rate structures annually, and rate adjustments are made as necessary. Systems development charges are allocated to plant expansion. Monthly service charges levied on customers are allocated to treatment costs, equipment repair and replacement, and plant upgrades to meet changing regulations.

- The Vern Thorpe Regional Water Reclamation Facility, more commonly known as the Medford Regional Water Reclamation Facility (RWRF), was built in 1970 by the City of Medford as a regional facility to treat sewage from the cities of Central Point, Jacksonville, Medford, Phoenix, Talent and rural areas of Jackson County served by Rogue Valley Sewer Service (RVSS). The original RWRF capacity was 10 million gallons per day (MGD) average dry weather flow
- RWRF capacity was doubled between 1980 and 1990 through several incremental expansions. In 1992 the RWRF was permitted for a 20 MGD average dry weather flow, and 60 MGD wet weather flow. Subsequent to 1992 several more projects have been constructed to improve plant operating reliability, energy efficiency, and bio-solids handling capabilities, as well as increase the reliable wet weather flow handling capacity to 80 MGD.
- The average daily influent flow for 2004 was 15.7 mgd, an increase from 13.2 mgd in 1988 and 14.1 mgd in 1994.
- In 2012, West Yost Associates updated the Medford Regional Water Reclamation Facility Master Plan. Table 4-8 states that the Peak Wet Weather Flow (PWWF) at the plant is currently 91 MGD. The plan lays forth the capital improvements to the plant that are planned over the next ten years specifically and subsequent 10 years more generally. The planned improvements are funded by rate payers and systems development charges and will increase the capacity of the plan to handle a PWWF of 118 MGD by 2030 to serve a future 2030 City of Medford population of 115,286.
- The proposed zone change from SFR-10 to SFR-6 for Phases 6 through 8 will reduce the demand for sewer treatment.

C. **Water Supply**: According to the Medford Water Commission Website, the Medford water system presently serves a population of ±136,000. The present maximum daily use is 45 million gallons per day, (MGD). The present source and distribution system has an existing capacity of 56.5 MGD. There is an additional water source capability of 35 MGD available. The Water Commission expects present facilities will be adequate to accommodate growth until around the Year 2050.

D. **Water Distribution Lines**: Water is available to the property via multiple water lines that are gravity served by the Capital Hill water reservoir. A 12-inch water line is

[2] Formerly Bear Creek Valley Sanitary Authority (BCVSA)

available at the termini of McLoughlin Drive and Durst Street. 8-inch water lines are available at the termini of Ford Drive and Carnelian Street.

E. **Storm Drainage**: Two storm water detention ponds were constructed to the west as part of Phases 2 and 3, north of Owen Drive, with sufficient capacity to provide detention for the subject property. In addition, there is an existing minor drainage ditch along the southwestern border.

   Stormwater from an existing wetland on the school property to the south of the subject property used to be piped to the former farm pond on the property. A new pipe has been installed across the school property and the southern part of the subject property to direct runoff into the existing minor drainage ditch. A recorded temporary access easement, as shown on the tentative plat, provides access for maintenance until the overlaying streets have been constructed and dedicated.

F. **Streets and Traffic**: No new streets are proposed as part of this project. Current access to the subject property is from McLoughlin Drive, a major collector street that connects to Delta Waters Road, a major arterial to the south. Ford Drive, a residential street abuts the western boundary and connects to Springbrook Road and Cheltenham Way. In the future Owen Drive, a minor arterial, and residential streets Ford Drive, Durst Street, and Carnelian Street will be extended east through the new phases of the subdivision to meet with McLoughlin Drive as it is extended northward. The North Medford Circulation Plan shows Owen Drive eventually connecting Foothill Road to Crater Lake Highway (Hwy 62) once future connections to the east and west beyond this property are completed.

V

CONCLUSIONS OF LAW

Based upon the evidence in enumerated in Section II and summarized in the Section IV Findings of Fact, the Planning Commission reaches the following Conclusions of Law with respect to this matter:

City of Medford Approval Criteria
Medford Land Development Code (MLDC)

TENTATIVE SUBDIVISION PLAT

10.202 Subdivision Tentative Plat

(E) Land Division Approval Criteria.

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

Subdivision Criterion 1

(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;

Conclusions of Law; Consistency with the Comprehensive Plan: In *Bennett vs. City of Dallas* 17 Or LUBA 450, aff'd 96 Or App 645 (1989), the Oregon Court of Appeals held that quasi-judicial land use criteria that require compliance with a comprehensive plan do not automatically transform all plan Goals, Policies and Implementation Strategies into decisional criteria; only the Goals, Policies and Implementation Strategies that contain language that, read in context, were intended to function as decisional criteria are in fact criteria. Based upon its review of the Comprehensive Plan, the Planning Commission holds that the Comprehensive Plan contains no goals or policies that by their language and context were intended to function as approval standards for the subject land division application.

Conclusions of Law; Applicable Specific Plans: The subject property is covered by a Neighborhood Circulation Plan — the adopted and acknowledged *North Medford Circulation Plan* which contemplates the extension of Owen Drive west along the north boundary of the subject property. A copy of the Adopted North Medford Circulation Plan is shown at Exhibit 13.

Conclusion of Law; Consistency with MLDC Articles IV and V: MLDC Article IV governs public improvements by establishing standards for their construction. As this application involves a land division which does not require the extension of streets or other public facilities and services, MLDC Article IV contains no standards or other , provisions that apply to this application, except for the street improvements approved through LDS-19-008 along the frontage of Lot 6 which is stipulated herein to remain the responsibility of the subdivider of Phase 8b (being Lot 5 of the proposed subdivision).

MLDC Article V establishes standards for site development, including standards for lot size and density. MLDC 10.702 prescribes the Lot Area and Dimension Requirements, as follows:

10.702 Lot Area and Dimensions

Each lot shall have an area, width, frontage, and depth consistent with that prescribed in this Article for the housing type, or commercial or industrial district in which the development, or the portion thereof, is situated, except in the following situations:

...

(3) A new residential lot may exceed the maximum lot area only under the following circumstances:

(a) When an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area; or,

(b) When a portion of the lot is unbuildable for a reason beyond the control of the developer (i.e., due to creeks, oversized easements, etc.), the additional acreage, or fraction thereof, may not exceed the amount of unbuildable area.

Land Division Criterion #2 is specifically formulated to assure future urban development of all resulting parcels can feasibly meet urban development standards of the City of Medford. The central question related to lot area is found in the introductory language of 10.702 which specifies that the lot area is prescribed by the housing type in which the development or portion thereof is situated. This particular application for subdivision is not a development unto itself. The purpose of this division is to make the property development ready, thus there is no particular lot area that is properly applied to the subject partition provided that the division does not create a circumstance where the configuration would violate Land Division Criterion #2.

One might assert, that 10.702(3) is problematic for this interpretation. However, such a reading is out of context with the Article in its entirety which should properly be applied pursuant to the overarching introductory language in 10.702 which specifically references the Article V in its entirety. Maximum lot sizes only apply to single family residential lots as is plainly stated in the tables depicted in MLDC 10.710 to 10.714 and therefore 10.702(3) is only properly applied to a development proposing single family residential uses. This subdivision application does not prescribe a particular housing type one way or the other because the purpose of the division is to ready this large property for future development.

MLDC 10.708 prescribes how density is to be calculated as well as defines Non-Developmental Areas as follows:

10.708 Residential Density **(non-pertinent provisions omitted)**

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

A. Definitions.

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

(3) Non-Development Areas (NDAs). Those areas that may be removed from the density calculation, at the discretion of the developer.

(a) Reserve acreage. That portion of the project site which is not intended to be part of the development and can be separately developed at a later time.

(b) Natural Unbuildable Areas. Those natural areas unsuitable for building [e.g., wetlands, slopes over 30 percent, and creeks (from top-of-bank to top-of-bank)]. Does not include man-made non-buildable areas such as setbacks.

(c) Oversize Residential Lots. Lots with an existing house and yard, that exceed the maximum lot area as allowed in Section 10.702(3)(a).

(d) Stormwater Detention and Treatment Facilities, including access to the facility.

The Applicant asserts in the first instance that 10.708 may not apply because the subject application does not permit any new dwelling units, minimum or maximum. Applicant will stipulate that no new dwelling units may be constructed on the resulting lots unless and until a subsequent plan authorization is issued by the City of Medford that will result in dwelling unit counts that are between the minimum and maximum under the applicable zoning district standard.

If the Planning Commission concludes that MLDC 10.708 must be applied to the subject application, notwithstanding that no new residential development is permitted as a result of the subdivision, Applicant argues that such application may still reasonably be permitted because MLDC 10.708(A)(3) lists Non-Development Areas (NDAs) that may be removed from the calculation *at the discretion of the developer*. If the Planning Commission concludes that MLDC 10.708 must be applied, then the Applicant herewith declares that five of the resulting parcels to be reserve acreage and the sixth parcel to be non-residential due to the existing cell tower on the parcel. Under this declaration, the gross acreage available for residential development is zero acres and when multiplied by the minimum and maximum density the project is consistent with the density calculation because it will permit no new dwellings and the same is equal to the maximum and minimum resulting calculation of zero permitted dwellings. Based on the above discussion, the Planning Commission concludes this application is therefore consistent with the requirements of Subdivision Criterion 1.

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Subdivision Criterion 2

(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;

Discussion; Conclusions of Law: Based upon the Evidence in Section II and the Findings of Fact in Section IV, the Planning Commission finds the Applicant owns no other adjoining lands and that all other adjoining lands have existing street access. This subdivision will not prevent the development of any other adjoining land or of access thereto as this subdivision no development is proposed. This subdivision layout is based on the phases of the approved residential subdivision LDS-19-008, which includes new streets that will provide additional street connections for the future development of the undeveloped properties to the north and east. Based on the above, the Planning Commission concludes this application is therefore consistent with the requirements of Subdivision Criterion 2.

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Subdivision Criterion 3

(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;

Conclusions of Law: Based upon the Evidence in Section II and the Findings of Fact in Section IV, the Planning Commission concludes that no name is proposed as this subdivision

is not proposed for development. Therefore, the Planning Commission concludes that Criterion 3 is met by reason of inapplicability.

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Subdivision Criterion 4

(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;

Conclusions of Law: Based upon the Evidence in Section II and the Findings of Fact in Section IV, the Planning Commission finds that no streets or alleys are to be created as part of this subdivision. Therefore, the Planning Commission concludes that Criterion 4 is met by reason of inapplicability.

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Subdivision Criterion 5

(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;

Conclusions of Law: Based upon the Evidence in Section II and the Findings of Fact in Section IV, the Planning Commission finds this application does to involve the extension or creation of any private street or alley. Therefore, the Planning Commission concludes that this criterion is met by reason of inapplicability.

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Subdivision Criterion 6

(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.

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV, the Planning Commission finds that all adjoining EFU land has been brought into the UGB and that there is passive agriculture on these properties that are now urbanizable by virtue of being included in the UGB. The Commission further observes that no development is proposed as part of this subdivision and as such no conflicts are anticipated. At such time as the phases of LDS-19-008 Delta Waters Subdivision adjacent to the EFU lands are constructed, the mitigation measures that were required as part of that approval will then be applied. The Planning Commission concludes this application is therefore consistent with the requirements of Subdivision Criterion 6.

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EXCEPTION

10.253 Criteria for an Exception

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority (Planning Commission/Site Plan and Architectural Commission) having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards

are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

Exception Criterion 1

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

Discussion; Conclusions of Law: Per Section IV Findings of Fact, the Applicant is requesting an Exception to the Minimum Lot Frontage standard, under MLDC 10.710- Detached Single-Family Dwellings, for Lots 3, 5 and 6. S*ee,* Exhibit 8. The MDLC minimum lot frontage standard's purpose is to ensure that every residential lot will have frontage on a street for access. In this case, the lots are not proposed for use for residential development and do not need access in the same way as a lot containing a residence would require. The Planning Commission therefore concludes that approving alternative means for meeting the lot frontage requirements is in harmony with the code for this zoning district and will not be injurious or detrimental to the general welfare of the area if appropriate conditions are imposed.

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Exception Criterion 2

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

Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV, the Planning Commission concludes that granting this exception related to street frontage will not establish a use that is not permitted within the SFR-6 or SFR-10 zoning district. Therefore, the Planning Commission concludes that this exception is consistent with Exception Criterion 2.

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Exception Criterion 3

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

Discussion; Conclusions of Law: This application is intended to create developable blocks of land that conform to the subdivision phase layout approved under LDS-19-008. However, a peculiar hardship exists in that the subject property is not surrounded on all sides by public streets, and creating lots following the approved phase layout leaves Lots 3, 5, and 6 without frontage on a public road until such time as the phases approved under LDS-19-008 are platted and the streets providing frontage are created.

Moreover, the nature of the exception is extremely narrow because the condition requiring the exception is ephemeral and will cease to exist once roads are constructed in accordance with the already approved tentative plat for LDS-19-008. Requiring right-of-way dedications for the rights to simply create economic units of land in which to transact, and ultimately develop,

represents a peculiar, exceptional and undue hardship on an owner who is taking actions to implement the City's Comprehensive Plan for the area.

As the streets needed to provide frontage are planned and approved, this peculiar hardship can be remedied through an alternative interim method for providing frontage for Lots 3, 5, and 6. The Applicant proposes to stipulate to recording extinguishable reservations, one over the approved extension of McLoughlin Drive to provide frontage for Lot 5 and one over the approved extension of Ford Drive to provide frontage for Lot 3. These reservations will be extinguished once the intervening phases approved under LDS-19-008 are platted and the street providing frontage for each lot is created. The Planning Commission concludes that this proposal is an acceptable and reasonable alternative means for meeting the frontage standards under MLDC 10.710 as no residential development is proposed and that a condition requiring the described reservations would remedy this hardship.

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Exception Criterion 4

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

Conclusions of Law: The Planning Commission concludes that the need for this exception results from the nature of the site configuration and lack of surrounding roads, it is not the result of any illegal act, and the need for the exception is suffered directly by the property in question. The condition that necessitates the exception is irrelevant from the standpoint of profit. Therefore, the Planning Commission concludes that this exception is consistent with Exception Criterion 4.

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VI

STIPULATIONS OFFERED BY APPLICANTS

If made a condition attached to the approval of these land use applications, Applicant herewith agrees to stipulate:

1. To record as part of the final plat an extinguishable access reservation covering the entire width of McLoughlin Drive where it is crossing Delta Water Estates Subdivision Phase 9 as approved on the tentative plat to benefit Lots 5 of this Application.
2. To record as part of the final plat an extinguishable access reservation covering the entire width of Ford Drive where it is crossing Delta Water Estates Subdivision Phase 9 as approved on the tentative plat to benefit Lot 3 of this Application.
3. To recording a deed restriction requiring owner of Lot 5 to install street frontage improvements on the north and east side of Lot 6 to match the standards required of the developer of Delta Water Estates Subdivision Phase 8B.

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VII

ULTIMATE CONCLUSIONS

Based upon the Evidence in Section II and the Findings of Fact in Section IV, the Planning Commission concludes that the case for Subdivision is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) 10.202 as hereinabove enumerated and addressed. And, based upon the evidence in Section II and the Findings of Fact in Section IV, the Planning Commission concludes that the case for the Exception to lot frontage requirements is satisfied and meets the criterion of the Medford Land Development Code (MLDC) 10.253 as hereinabove enumerated and addressed.

Respectfully submitted on behalf of Applicant Delta Waters Properties, LLC:

CSA PLANNING, LTD.

Jay Harland
Consulting Planner

Dated: February 18, 2019

LD DATE: 4/1/2020
File Number: LDS-20-050/E-20-051
Reference: LDP-18-023 and LDS-19-008/ZC-19-009/E-19-010

PUBLIC WORKS DEPARTMENT STAFF REPORT

Delta Estates Properties Subdivision *Reserve Acreage & Non-Residential Lots* 6 Lots

Project: Consideration of tentative plat approval for a six-lot subdivision and an Exception pertaining to minimum lot frontage standards on one parcel of land, 22.38 acres in size.

Location: Located at the northern terminus of McLoughlin Drive and the eastern terminus of Ford Drive within the SFR-6 (Single-Family Residential, 4 to 6 dwelling units per gross acre) and SFR-10 (Single-Family Residential, 6 to 10 dwelling units per gross acre) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping Overlay (371W081103).

Applicant: Applicant, Delta Waters Properties LLC; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

Applicability: The Medford Public Works Department's conditions of Approval for Delta Estates Subdivision were adopted by Order of the Medford Planning Commission (LDP-18-023 and LDS-19-008/ZC-19-009/E-19-010 Phases 6-9) on May 20th, 2018 and April 25th, 2019 respectively. The adopted conditions of this action which have not expired shall remain in full force as originally adopted except as amended or added to below.

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

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

A. STREETS

1. Dedications

An **exception request** has been submitted requesting to allow extinguishable right-of-way reservations and an existing easement to provide temporary access and frontage until such a time as the streets approved under LDS-19-008 are platted and constructed. If the exception request is denied, dedications shall be submitted as outlined below for McLoughlin Drive, Owen Drive and Ford Drive.

McLoughlin Drive *(along the frontage of Lots 4, 5 and 6)* is classified as a Major Collector street within the Medford Land Development Code (MLDC) 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width (37-feet) of right-of-way plus 13-feet or more as needed to provide for the proposed street as shown on the tentative plat for Delta Estates Phases 6-9, LDS-19-008. The proposed centerline alignment at the southerly end of this street shall transition to the existing right-of-way in accordance with AASHTO standards.

Owen Drive *(along the frontage of Lot 6)* is classified as a Minor Arterial street within the MLDC, Section 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along this portion of Owen Drive to comply with the width needed to construct the full improvements except the planter strip and sidewalk to the north side. This area shall include any additional width necessary to accommodate any cut or fill slopes. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Ford Drive *(along the frontage of Lot 4)* is proposed as Minor Residential streets within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the respective frontages to comply with the full width of right-of-way, which is 55-feet.

The Developer will receive SSDC (Street System Development Charge) credits for the public right-of-way dedication on **McLoughlin Drive** and **Owen Drive** only along the portion fronting the future alignment, 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 Planning Commission. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.**

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

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the

remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

Public Utility Easements (PUE), 10-feet in width, shall be dedicated along the any right-of-way dedications 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

An **exception request** has been submitted as noted above. If the exception request is denied, McLoughlin Drive and Owen Drive shall be constructed as outlined below including street lights. If the exception request is approved then no additional improvements will be required at this time.

McLoughlin Drive *(along the frontage of Lots 4 and 5)* shall be improved to Major Collector street structural standards. The Developer shall improve a 22-foot wide paved section. This includes the portion where McLoughlin Drive is not improved along the northeast corner of 371W08-1400.

McLoughlin Drive *(along the frontage of Lots 6)* shall be improved to Major Collector street standards in accordance with MLDC 10.428. The Developer shall improve the west half plus 8-feet east of the centerline, as requested, as it is practical to require additional dedication and improvements from the adjacent property as it is within the Urban Growth Boundary and is undeveloped.

Owen Drive *(along the frontage of Lot 6)* shall be improved to Minor Arterial street standards, along the frontage of this development, in accordance with MLDC 10.428. The developer shall improve the south half plus the north 22-feet including the curb & gutter. This shall provide the full paved section curb to curb and the south planter and sidewalk.

The Developer shall receive Street System Development Charge credits for the public improvements on McLoughlin Drive and Owen Drive along the portion fronting lot 6 per the

value established by the Medford Municipal Code, Section 3.815.

b. Street Lights and Signing

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

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

A. 1 – Type C-250 (LED)

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

A. 2 – Dead End Barricades
B. 2 – Stop Signs
C. 2 – Street Name Signs

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

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

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

c. Pavement Moratoriums

There is a no pavement cutting moratorium currently in effect along the developments respective frontages.

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given

the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

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

e. Access and Circulation

Driveway access shall be per MLDC 10.550.

f. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

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

3. Section 10.668 Analysis

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

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

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

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

1. Nexus to a legitimate government purpose

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

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

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

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

McLoughlin Drive is classified as a Major Collector and **Owen Drive** is classified as a Minor Arterial street per the adopted Circulation Plan. McLoughlin Drive is the primary connector between Owen Drive and Delta Waters Road. Owen Drive is the primary connector between future McLoughlin Drive and Torrent Street. As a Major Collector and a Minor Arterial, McLoughlin Drive and Owen Drive will have one travel lane in each direction, a center-turn median, bike lanes in each direction, and sidewalks. It will provide safe travel for vehicles, bicycles, and pedestrians.

As a higher order street, it is eligible for street SDC credits for both the right-of-way and roadway improvements, per MMC, Section 3.815 (5). Street SDCs credits offset costs to the developer and is the mechanism provided by the City of Medford to fairly compensate the applicant for the excess burden of dedicating for and constructing higher order streets.

Ford Drive

a. Dedication will ensure that new development and density intensification provides the current level of urban services.

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

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

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

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

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer shall provide one service lateral to each buildable lot prior to approval of the Final Plat. If the exception request is approved then no additional improvements will be required at this time.

If street improvements are required, then public sanitary sewer mains shall be extended on their courses to the limits of the street improvements, such that future development can extend service without having to excavate back into the improvements provided by this subdivision.

C. STORM DRAINAGE

1. Hydrology

If street improvements are required, Then 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.

2. Stormwater Detention and Water Quality Treatment

If street improvements are required, then 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.

Prior to acceptance of the public improvements, the developer's design engineer shall provide verification that the stormwater quality and detention system is constructed per plan. Verification shall be provided to the Engineering Division on a form provided by the Engineering Division.

The City is responsible for operational maintenance of the public storm water facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer during the three year vegetation establishment period. The Developer shall establish vegetation per the Rogue Valley Stormwater Quality Design Manual. The Developer's engineer shall submit a draft agreement to this effect (provided by the City or in a form acceptable to the City) during plan review and shall execute the agreement prior to final plat.

3. Grading

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

4. Mains and Laterals

If street improvements are required, then 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.

If street improvements are required, then a storm drain lateral shall be constructed to lot 6 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.

5. Erosion Control

If street improvements are required, then 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

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

covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

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

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

3. Phasing

The 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 (SDCs)

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

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

7. Construction and Inspection

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

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
Delta Estates Properties Subdivision *Reserve Acreage & Non-Residential Lots*
6 Lots LDS-20-050/E-20

A. Streets

1. Street Dedications to the Public:
   - Dedicate right-of-way on **McLoughlin Drive**, **Owen Drive** and **Ford Drive** unless otherwise approved with the requested exception.
   - Dedicate 10-foot public utility easements (PUE) if right-of-way is dedicated.

2. Improvements:

   Public Streets
   - Construct **Owen Drive** to Minor Arterial street standards, unless otherwise approved with the requested exception.
   - Construct **McLoughlin Drive** to Major Collector street standards, unless otherwise approved with the requested exception.

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

   Access and Circulation
   - Comply with access and circulation conditions outlined above.

   Other
   - No pavement moratorium currently in effect along this developments respective frontages.
   - Provide pavement moratorium letters if street construction is required.
   - Provide soils report if street construction is required.

B. Sanitary Sewer:
   - Provide a private lateral to lot 6 if street construction is required.
   - Provide easements as necessary.

C. Storm Drainage:
   - Provide an investigative drainage report if street construction is required.
   - Provide water quality and detention facilities if street construction is required.
   - Provide Engineers verification of stormwater facility construction if street construction is required.
   - Provide a comprehensive grading plan if street construction is required.
   - Provide storm drain laterals to lot 6 if street construction is required.
   - Provide Erosion Control Permit from DEQ if street construction is required.

D. Survey Monumentation
   - Provide all survey monumentation.

E. General Conditions
   - Provide public improvement plans and drafts of the final plat if street construction is required.

- = 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: LDS-20-050 & E-20-051

PARCEL ID: 371W08 TL 1103

PROJECT: Consideration of tentative plat approval for a six-lot subdivision and an Exception pertaining to minimum lot frontage standards on one parcel of land, 22.38 acres in size, located at the northern terminus of McLoughlin Drive and the eastern terminus of Ford Drive within the SFR-6 (Single-Family Residential, 4 to 6 dwelling units per gross acre) and SFR-10 (Single-Family Residential, 6 to 10 dwelling units per gross acre) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping Overlay (371W081103); Applicant, Delta Waters Properties LLC; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

DATE: April 1, 2020

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. Please refer to City of Medford Water Commission Staff Memo for LDS-19-008, ZC-19-009, and E-19-010 dated February 27, 2019 for Conditions of Development.

COMMENTS

1. No additional comments.

EXHIBIT Q CITY OF MEDFORD

N

0 50 100 200 Feet

Scale: 1"= 200'

Water Facility Map for LDS-20-050 & E-20-051

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:

- Control Station
- Pump Station
- Reservoir

MEDFORD WATER COMMISSION

This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

Date: 3/31/2020

Path: R:\Departments\GIS\MXDs\Rods MXDs\Rods ArcGIS Pro - Multi-Layout - 3-13-20.aprx

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Steffen Roennfeldt, Planning Department

From: Mary Montague, Building Department

CC: Delta Wates Properties, LLC, Applicant; CSA Planning Ltd, Agent

Date: March 30, 2020

Subject: LDS-20-050_E-20-051_Delta Waters Properties Subdivision McLoughlin Dr.

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.

General Comments:

1. 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 from the building department required to develop, install utilities prior to final plat. (Attached)

4. Demo Permit is required for any buildings being demolished.

Comments:

5. Minimum access signs for lots per addressing and fire department. (Attached)

6. Provide a letter to the building official per Section R401.4 indicating if expansive soils are present or not. If expansive soils are present then a site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain

EXHIBIT R CITY OF MEDFORD

information per Section 403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.

7. This area is in the Hillside Ordinance area. Must follow guidelines as set forth in the Municipal code Section 10.929 – 10.933.

8. Water pressure is over 80 psi per water department. A separate 'pressure reducing valve' permit is required.

Minimum Access Address Signs

min. 7' 0"

SIGN:

Two sign faces (each minimum 0.080" thick aluminum) of engineering grade reflectivity, sandwiching the post facing perpendicular to the direction of traffic. The sign face shall have a white rounded border ½" wide centered ¾" from the sign edge.

NUMBERS:

Numbers shall be white on green; numbers shall be four inches (4") as specified by the Federal Highway Administration (HTO-20). The message shall be centered on a 12" x 24" sign blank and shall be oriented with the long axis vertical. There shall be a maximum of four (4) digits horizontally. Multiple addresses shall be placed vertically on the sign.

BOLTS:

Mounting holes shall be 3/8" diameter located along the vertical axis, and centered 1 ½" from the top and bottom edge. Bolts shall be 3/8" diameter with sufficient length to properly secure signs to the posts. Properly sized steel rivets may be substituted for bolts.

LOCATION of SIGN:

- Install sign at the junction of the provider street and the minimum access street/driveway.
- Locate sign at the back of sidewalk (as much as is practical) and outside the right of way if sidewalk does not exist.
- Sign shall be installed to the City of Medford Operations Division standards, and utility companies shall be notified 48 hours before digging by calling Rogue Basin Utilities at: 1-800-332-2344.

POST:

Galvanized steel square post, pre-punched, 2" square by 10'0" long.

SLEEVE:

Square 2 1/8" by 30" long galvanized steel square, pre-punched with 3/8" holes on 1" centers, anchor inserted into a 2 ¼" by 18" long square, pre-punched, galvanized steel sleeve forming a two piece anchor. The sleeve and the breakaway anchor are driven into the ground so that only 1- 2" of the top is sticking out of the ground. The sleeve and breakaway anchor are then driven into the ground with a sledgehammer. A 3/8" bolt is used to secure post to sleeve.

Medford Fire-Rescue, 200 S. Ivy Street Room #257, Medford, OR Phone: (541) 774-2300; Fax (541) 774-2514

BUILDING SAFETY DEPARTMENT
ROOM 277
www.ci.medford.or.us

CITY OF MEDFORD
LAUSMANN ANNEX
200 SOUTH IVY STREET
MEDFORD, OREGON 97501

TELEPHONE (541) 774-2350
FAX (541) 774-2575
E-MAIL: bldmed@ci.medford.or.us

WHEN GRADING PERMITS ARE REQUIRED

An Excavation and Grading Permit is required if your project is:

- An excavation that: (1) is more than 2 feet in depth or (2) creates a cut slope greater that 5 feet in height and steeper than 1 unit vertical in 1 ½ units horizontal.
- A fill more than 1 foot in depth and placed on natural terrain with a slope steeper than 1 unit vertical in 5 units horizontal.
- A fill more than 3 feet in depth.
- A fill intended to support structures.
- A fill that exceeds 50 cubic yards on any lot.
- The fill obstructs a drainage course.
- Grading in an area that may create a danger to private or public property.
- **Clearing and Grading**: Clearing and Grading Permits are required if changes to the topography and landscaping are completed prior to the review and issuance of building permits.

REQUIRED ELEMENTS OF REGULAR GRADING

Grading of less than 5,000 cubic yards that it is determined by the Building Official not to have special conditions and unusual hazards shall be considered "regular grading."

Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information:

- General vicinity of the proposed site.
- Limiting dimensions and depth of cut and fill.
- Location of any building or structures where work is to be performed, and the location of any buildings or structures within 15 feet of the proposed grading.

The building official may require professional inspection and testing by a soils engineer. When the building official has cause to believe that geologic factors may be involved, the grading will be required to conform to "engineered grading."

REQUIRED ELEMENTS OF ENGINEERED GRADING

Grading in excess of 5,000 cubic yards shall be performed in accordance with the approved grading plans prepared by a *civil engineer*, and shall be designated as "engineered grading."

You will need 2 copies of the grading plan. The following must be included on the plan.

Note: A certified land surveyor, certified architect, or professional civil engineer licensed in the State of Oregon is required to prepare and seal the grading plan. The plan sheet size must be 18" X 24" min. and the scale must be 1"=50' or larger.

CONSTRUCTION DOCUMENTS

- Site plan
- Site utility plan
- Grading plan
- Erosion control plan
- Utility vault location and details

SUPPORTING DOCUMENTS

- Geotechnical/soil engineer report
- Storm water calculations
- Site retaining wall structural detail and calculations
- Assurance of compliance with environmental rules
- Floodplain limits, if present
- Signature and seal of the licensed professional (land surveyor, engineer, or architect)

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 3/24/2020
Meeting Date: 4/1/2020

LD File #: LDS20050 **Associated File #1:** E20051

Planner: Steffen Roennfeldt

Applicant: Delta Waters Properties LLC

Site Name: n/a

Project Location: Northern terminus of McLoughlin Drive and the eastern terminus of Ford Drive

ProjectDescription: Consideration of tentative plat approval for a six-lot subdivision and an Exception pertaining to minimum lot frontage standards on one parcel of land, 22.38 acres in
size, located at the northern terminus of McLoughlin Drive and the eastern terminus of Ford Drive within the SFR-6 (Single-Family Residential, 4 to 6 dwelling units per gross acre) and SFR-10 (Single-Family Residential, 6 to 10 dwelling units per gross acre) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping Overlay(371W081103);

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
OFC 508.5	When the streets are improved, fire hydrants shall be provided.	When fire hydrants are required, the approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. In addition, blue reflective fire hydrant markers are required to be installed on the road surface to identify fire hydrant locations at night. Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

EXHIBIT S CITY OF MEDFORD

MMC 10.430	When the streets are improved, the developer shall choose on of the options for 28' wide residential streets.	In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus on 28 feet wide minor residential streets, the developer shall choose from one of the following design options outlined in Medford Code section 10.430: (a) Clustered, offset (staggered) driveways, and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet. (b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet. (c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips. The developer shall choose one of the three options prior to the final plat. If the clustered-offset driveway option is chosen, submitted civil plans are required to show driveway locations which will be reviewed by the Fire Department and Engineering Department prior to development. If the fire sprinkler option is chosen, the developer shall notify the Fire Department prior to final plat. The Fire Department reserves the right to require parking restrictions with no parking signs in areas where the clustered-offset driveway option breaks down for short distances. Parking restrictions shall not be deemed as a separate option to the overall layout of the subdivision. If the developer by preference does not design the clustered/offset driveways into the overall design of the minor residential street, option (b) or (c) must be chosen. The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

JACKSON COUNTY
Roads

JC Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

March 23, 2020

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

RE: Tentative plat approval and Exception for Delta Waters Properties Subdivision
McLoughlin Drive – a city-maintained road
Planning File: LDS-20-050 / E-20-051

Dear Steffen:

Thank you for the opportunity to comment on the consideration of tentative plat approval for a 6-lot subdivision and an Exception pertaining to minimum lot frontage standards on one parcel of land, 22.38 acres in size, located at the northern terminus of McLoughlin Drive and the Eastern terminus of Ford Drive within the SFR-6 (Single-Family Residential, 4 to 6 dwelling units per gross acres) and SFR-10(Single-Family Residential, 6 to 10 dwelling units per gross acres) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping Overlay (37-1W-08 TLs 1103). Jackson County Roads has no comments.

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

Sincerely,

Chuck DeJanvier
Construction Engineer

EXHIBIT
T
CITY OF MEDFORD

TO: Steffen Roennfeldt - Planning Department

FROM: Haley Cox – Parks Planner

SUBJECT: Delta Waters Subdivision

DATE: April 1, 2020

The Parks Department has reviewed the proposal for the Delta Waters Subdivision and has the following comments:

Owen Drive is classified as a Minor Arterial street, and the code requires construction of a five- to ten-foot planter strip between the curb and sidewalk. McLoughlin Drive is classified as a Major Collector street, but is currently improved with 10- foot sidewalks and 5-foot planters, an exception to the standard cross-section. The Parks Department would support continuing with the reduced planter strip and widened sidewalk on McLoughlin, which is within close proximity to a school.

Planter strips on these higher-order streets will be maintained by the Parks Department in residential areas, so the developer must submit landscaping and irrigation plans that are consistent with the Parks Department Landscape and Irrigation Specifications and the City Approved Street Tree List. Plans must be approved by the Parks Department and Medford Water Commission prior to installation, and the Department encourages collaboration with City staff throughout development of the plans.

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 13, 2020

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

Re: Braun Brush (Map 372W24, TL 701)

ATTN: Liz,

The subject property is within the RVSS service area. There is an 8 inch sewer main adjacent to the property along Central Avenue and six 4 inch services stubbed to lot. Sewer service for proposed development can be had by connecting to the existing service fronting the proposed development. The sewer connection permit will be issued by the City of Medford. However, Sewer System Development Charges will be owed to RVSS.

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

1. All development must be designed and constructed per RVSS standards.
2. The applicant must submit architectural drawings to RVSS for the calculation of System Development Charges.
3. The applicant must pay related development fees prior to the issuance of building permits.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

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EXHIBIT V
CITY OF MEDFORD

Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN# *

WN2020-0203

Responsible Jurisdiction

Staff Contact	Jurisdiction Type	Municipality
Steffen Roennfeldt	City	Medford

Local case file #	County
LDS-20-50	Jackson

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
37S	01W	08		1103

Street Address

3292 McLoughlin Dr

Address Line 2

City	State / Province / Region
Medford	OR

Postal / Zip Code	Country
97504	Jackson

Latitude	Longitude
42.366	-122.838

Wetland/Waterway/Other Water Features

- [x] There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- [x] The National Wetlands Inventory shows wetland, waterway or other water features on the property
- [x] Local Wetlands Inventory shows wetland, waterway or other water features on the property
- [x] The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Your Activity

EXHIBIT W CITY OF MEDFORD

☑ It appears that the proposed project **will** impact wetlands and **requires** a State Permit.

Applicable Oregon Removal-Fill Permit Requirement(s)

☑ A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information

Additional Comments

This response is for Tax Lots 1103 & 1104. While only lot 1103 was labeled as the subject property on the Wetland Land Use Notification, the proposed 6-lot subdivision includes both lots 1103 and 1104. Based on review of mapping submitted and review of agency records regarding the subject properties, the proposed project ("6 lot subdivision to create phases for future subdivisions") does not appear to impact jurisdictional wetlands, waters, or waterways of the state on Tax Lot 1103. The proposed parcel division may create a lot that is largely wetland and thus create future development problems.

However, in a revised concurrence letter (dated May 2, 2019) for Wetland Delineation (WD2016-0404), DSL noted that there were two jurisdictional waters on Tax Lot 1104 (Ditch 1 and Pond as labeled on submitted "Figure 3a. Wetland Delineation Map-Overview, Root Pond Project Site: S&A #2669" (Date: 4/23/2019)). The ditch and pond fall within the boundaries of proposed lots 1 and 2 on your map labeled "Tentative Plat for DWP Subdivsion". The jurisdictional pond and ditch 1 comprise the majority of acreage of proposed Lot 1. Proposed Lot 2 contains the eastern portion of the jurisdictional pond. Therefore, while a lot division does not directly impact these jurisdictional waters, any future fill, removal or movement of material on these lots, in excess of 50 cubic yards, for the purpose of site development, would likely trigger the need for permit consultation with, and permit issuance from, DSL.

Please discuss permitting requirements with Lauren Brown (DSL): lauren.brown@state.or.us

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf

Response Date

3/27/2020

Response by:

Grey Wolf

Response Phone:

503-986-5321

Steffen K. Roennfeldt

From: WOLF Grey <grey.wolf@state.or.us>
Sent: Monday, March 30, 2020 8:43 AM
To: 'Jay Harland'
Cc: Steffen K. Roennfeldt
Subject: RE: WN2020-0203 Response to Local Case File #LDS-20-50

Importance: High

<EXTERNAL EMAIL **Click Responsibly!>**

Good morning Jay,

Thank you for the information. It is understood that physical land development was not authorized under the current submittal. However, a permit would be required from DSL for any impacts equal to or greater than 50 cubic yards to the mapped jurisdictional pond and ditch on proposed Parcels 1 & 2 .

Best,
Grey

Grey F. Wolf, M.En.
Jurisdictional Coordinator
Aquatic Resource Management Program
Oregon Department of State Lands | 775 Summer Street, NE, Ste. 100, Salem, Oregon 97301-4844
503.986.5321 | Grey.Wolf@state.or.us

From: Jay Harland <jay@csaplanning.net>
Sent: Friday, March 27, 2020 2:12 PM
To: WOLF Grey <Grey.Wolf@dsl.state.or.us>
Cc: Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>
Subject: RE: WN2020-0203 Response to Local Case File #LDS-20-50

Mr. Wolf,

Just an FYI – this subdivision just creates future "development lots" that are reserve acreage. It does not actually allow any physical development to occur.

Physical subdivision development was approved through a prior land use application for this site though.

Jay Harland

EXHIBIT X CITY OF MEDFORD

President
CSA Planning Ltd.
4497 Brownridge, Suite 101
Medford, Oregon 97504
(541) 779-0569

From: grey.wolf@state.or.us <grey.wolf@state.or.us>
Sent: Friday, March 27, 2020 2:08 PM
To: Jay Harland <jay@csaplanning.net>
Subject: WN2020-0203 Response to Local Case File #LDS-20-50

We have completed our review of the Wetland Land Use Notification that was prepared for Properties LLC Delta Waters - Properties LLC Delta Waters The WLUN form was submitted to the Department for review/response and given the file number WN2020-0203

The results and conclusions from that review are explained in the attached pdf documents. If the attached documents are illegible or difficult to open, you may contact the Department and request paper copies. Otherwise, please review the attachments carefully and direct any questions or comments to Jurisdiction Coordinator, Grey Wolf at 503-986-5321 or Grey.Wolf@dsl.state.or.us. Thank you for your interest in the project.

Additional resources that may be helpful:
DSL Coordinator List

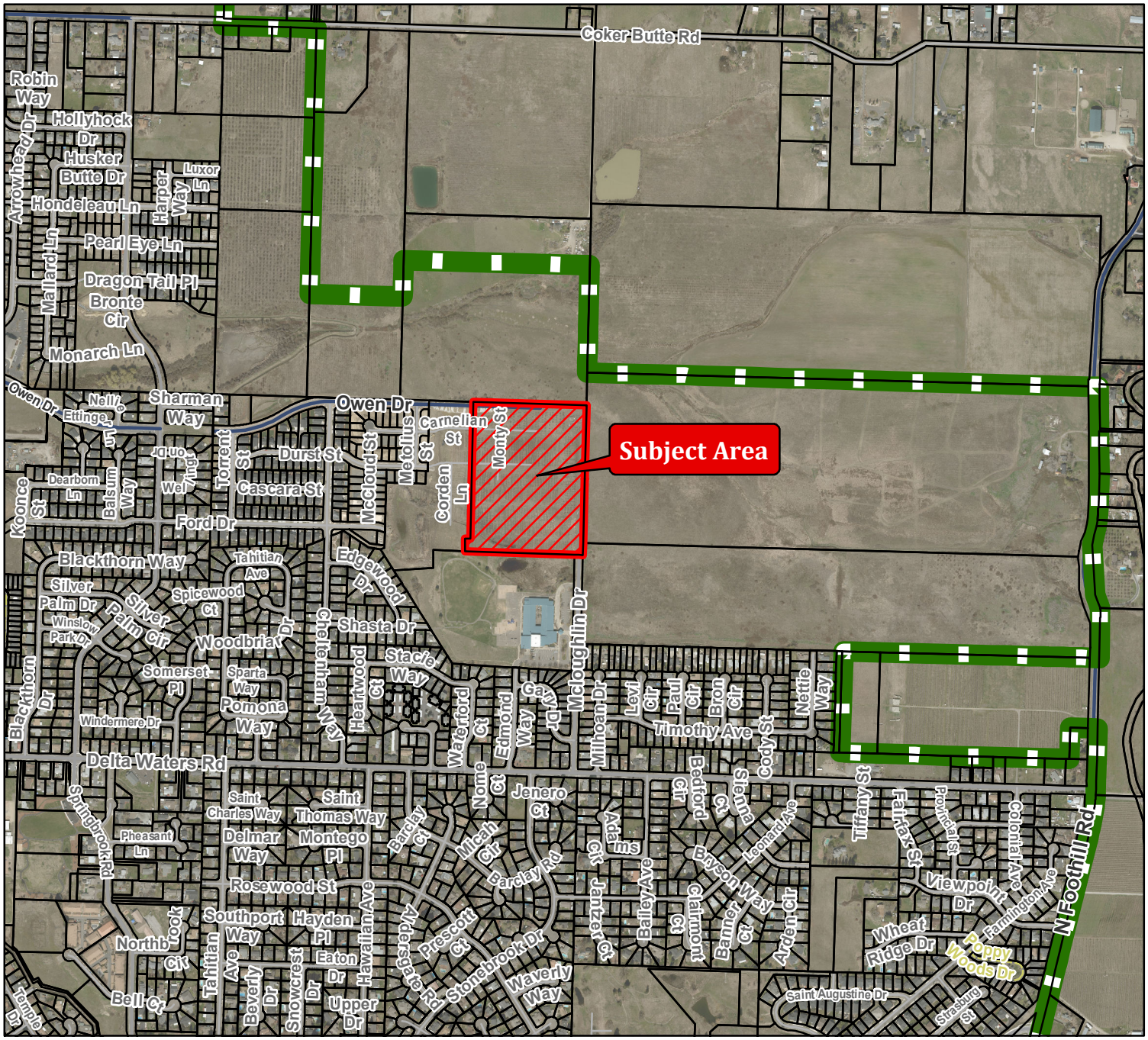
R/F Fee Schedule

Aquatic Resource Management Program
Oregon Department of State Lands
775 Summer St. NE, Ste. 100
Salem, OR 97301-1279
Fax: (503) 378-4844
www.oregon.gov/dsl

MEDFORD PLANNING

Vicinity Map

File Number:
LDS-20-050
E-20-051



Project Name:

Delta Waters Properties Subdivision
McLoughlin Drive

Map/Taxlot:

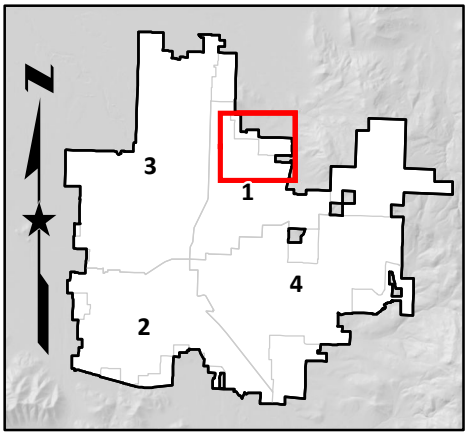
371W08 TL 1103

0 750 1,500 Feet

Legend

Subject Area

Tax Lots



2/26/2020

STAFF REPORT for a Type-IV legislative decision: Development Code Amendment

Project	Shared-Use Path Amendment	
File no.	DCA-18-112	
To	Planning Commission	*for 04/23/2020 hearing*
From	Sarah Sousa, Planner IV	
Reviewer	Carla Angeli Paladino, Principal Planner	
Date	April 16, 2020	

BACKGROUND

Proposal

A legislative code amendment to Chapter 10 of the Medford Municipal Code to add standards for shared-use paths.

History

On March 17, 2017, the Planning Commission initiated a code amendment to create new development code language to address shared use paths. The Parks and Recreation Facilities Department hired a planning firm to work on draft language to accommodate this amendment. Once this draft was complete, Planning and Parks Department staff began revising the standards to be consistent with the language of the Code, City policies, and other regulations. The proposed amendment was discussed with both the Planning Commission and City Council.

Authority

This proposed plan authorization is a Type IV legislative Code Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Medford Municipal Code per Sections 10.214 and 10.218.

ANALYSIS

The City has a system of paths and trails identified in the Comprehensive Plan within the Parks Leisure Services Plan and also the Transportation System Plan. Currently, there are special design standards in the Code for greenways within the Southeast Overlay only. The proposed changes incorporate standards for paths city-wide. These paths are currently required to be installed as part of development projects. The new regulations clarify what is necessary to be installed.

Project Summary

The new regulations provide clear and objective standards relating to the following.

- Definition – A definition of shared use paths has been created.

- Public Improvement Standards and Plans – Shared use paths have been added to the list of public improvements. Construction drawing requirements have been included requiring that the drawings are consistent with the associated land use review and specifying that an Oregon licensed landscape architect must prepare the landscape and irrigation plans.

- Design Standards – Standards have been included that integrate: connections between pathways, safety features, maintenance and emergency vehicle access, and designs appropriate for the geotechnical conditions and terrain.

- Construction Specifications – Specifications have been added that detail the path base and materials, and clarify the location in proximity to waterways.

- Cross Sections – New cross sections are included that visually detail typical and riparian pathways.

- Sidewalks in lieu of pathways – Language is incorporated to describe when sidewalks may be installed in the street right-of-way in lieu of a pathway in an exclusive corridor due to topography or other physical constraints.

- Landscaping Standards – Landscaping standards have been added that specify the requirement of trees for typical greenways and native vegetation for riparian greenways. This section also clarifies that trees are required to be installed in the park strips for shared-use path sidewalks, which must be chosen from the *Official List of City of Medford Approved Street Trees.* The

timing of the landscape installation is based upon the type of land use review associated with the shared-use path.

- Riparian Corridor Pathways – The Riparian Corridor section of the Code is amended to clarify that shared-use paths do not require a conditional use permit when associated with another land use review.

FINDINGS AND CONCLUSIONS

Applicable criteria

The applicable criteria for Land Development Code Amendments is found in Medford Municipal Code Section 10.218. The criteria are set in *italics* below; findings and conclusions are in roman type.

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

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

Findings

As stated in the city's Leisure Services Plan, "paths, trails, and greenways provide recreational opportunities and links in Medford's transportation system." This system provides healthy outdoor recreation while also connecting people to the places they need to go. The system is an important benefit to the public. Making sure these pathways get built is a vital part of the city's review at the time of development. This amendment creates standards by which these pathways should be built to serve the public.

The proposed code amendment also helps to improve the Land Development Code by clarifying the requirements for shared-use path amendments. Clear and objective standards make it easier for the development community to understand and plan for necessary public improvements including shared-use paths. The existing code language only covers paths when within the Southeast area of Medford. The new language will cover all of the city. It specifies public improvement plans standards, design standards, construction specifications, and landscape requirements. The proposal gives the option for wider sidewalks in the street right-of-way when site conditions do not allow for a typical pathway. It also changes the procedure for allowing shared-use paths in riparian areas via most land use reviews without the need for an additional conditional use permit.

Conclusions

Requiring shared-use path installation with development is not a new City requirement. Most of the developments with shared-use paths have been in the Southeast area of town. The Code language has been established for shared-use paths in that area since 2004. However, the City's Transportation Plan and the City's Parks and Leisure Services Plan shows a grid of existing and proposed trails and paths throughout the entire city. The proposed code amendment clarifies what the installation requirements are for the development community for the whole city, not just in the Southeast area.

These pathways are built to serve the public. Creating standards ensure these get built to City specifications for use by the public. This criterion is found to be satisfied.

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

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

Findings

The goal and policy within the Public Facilities Element – Parks, Recreation, and Leisure Services section below support the proposed code amendment.

Goal 3: To provide recreational opportunities within parks and connectivity to parks through a path and trail system that is well integrated with the community.

Policy 3-A-2. Integrate the siting of proposed path and trail segments into the development review process; require development projects along designated routes to be designed to incorporate path and trail segments as part of the project.

As part of development review, staff identifies paths that are shown on the maps of both the Parks and Leisure Services Plan and the Transportation System Plan. Once this is determined, the installation of a shared-use path becomes a condition of land use approval. If such property is outside of the Southeast Area of Medford, there are no specific standards to apply. In those situations the Parks and Recreation Department staff has to provide requirements on a case-by-case scenario. The proposed code amendment provides clarity and consistency so that it is clear what standards will be applied for all required shared-use paths.

Conclusions

This amendment conforms to Comprehensive Plan Goal 3 and Policy 3-A-2 by setting standards for shared-use paths that can be applied during the development review process. This criterion is found to be satisfied.

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

Findings

The proposed code amendment has been reviewed by representatives from multiple city departments and outside agencies. The language was sent out to the City's Land Development Committee and reviewed at a meeting on March 11, 2020.

The Fire Department, Building Department, Public Works Department, and Medford Water Commission provided official "no comments" for the record.

Conclusions

No concerns from applicable referral agencies have been brought up in regards to the proposed code amendment. This criterion is found to be satisfied.

3. Public Comments

Findings

The members of the Bicycle and Pedestrian Advisory Committee (BPAC) reviewed the proposed amendment at a meeting on March 9, 2020. The group did not have any specific objections to the proposal.

The proposal was made available to the planning firm that originally worked on the draft. The only concern brought up from that was regarding the conditional use permit process for paths in the riparian areas. The previous draft kept the regulation in place that if a path was to be placed within a riparian area, a conditional use permit would be required. Based upon the feedback from the planning firm, the draft has been modified to eliminate the conditional use permit requirement for riparian pathways when reviewed in conjunction with another land use review. This prevents a duplicate review.

The code amendment will be available on the city's website under the Planning Commission's agenda packet for the upcoming meeting on April 23, 2020. The public will also have a chance to review the amendment and report on the website as part of the City Council's agenda packet for a meeting in May 2020. As a result, there may be more public comments.

Conclusions

The code amendment has been made available to the public via the public hearing notice in the newspaper, to the Bicycle and Pedestrian Advisory Committee, and to members of a local planning firm. Comments have been addressed. This criterion is found to be satisfied.

4. Applicable governmental agreements.

Findings

There are no governmental agreements that apply to the proposed amendment.

Conclusions

This criterion is not applicable to the proposed amendment.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forward a favorable recommendation for approval of DCA-18-112 to the City Council per the staff report dated April 16, 2020, including Exhibits A.

EXHIBITS

A Proposed Code Language

PLANNING COMMISSION AGENDA: APRIL 23, 2020

SHARED USE PATH STANDARDS AMENDMENT (DCA-18-112)

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

ARTICLE I - GENERAL PROVISIONS

10.012 **Definitions, Specific**.

Shared-Use Path. A facility designed for travel and recreation by non-motorized users that is improved with a hard surface and separated from motor vehicle traffic.

ARTICLE II – PROCEDURAL REQUIREMENTS

10.185 **Park Development Review.**

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

~~The following uses are subject to a Conditional Use Permit:~~

~~1. New or expanded parks, trails, and paths outside of the Public Parks zone~~

~~2. New or expanded trails and paths within a riparian corridor~~

Outside of the Public Parks Zone, the following is required.

(1) New or expanded parks outside of the Public Parks zone require a Conditional Use Permit.
(2) New or expanded trails or shared-use paths outside of the Public Parks zone may be reviewed in conjunction with another land use review, such as a Land Division, Site Plan & Architectural Commission Review, Traffic Facility, or Planned Unit Development. If the trail or path is a standalone project, outside of the Public Park zone, a Conditional Use Permit is required.

ARTICLE IV -- PUBLIC IMPROVEMENT STANDARDS AND CRITERIA

10.421 **General Development Design Standards and Criteria.**

The developer shall design and improve all required public right-of-way elements, including streets, bicycle facilities ~~lanes~~, sidewalks, planter strips, street lights, alleys, storm drains, sanitary sewers, waterlines, accessways, shared-use paths, and public easements which are a part of the development~~.~~. ~~and t~~Those off-site public improvements necessary to serve the development consistent with the Comprehensive Plan or any specific plan thereof, and such other public

improvements as required by this chapter in accord with the standards and criteria set forth herein ~~and~~ shall thereafter warrant the materials and workmanship of said improvements for a period of one (1) year from the date of completion. Such improvements as set forth herein shall be considered necessary for the general use of the property owner(s) of the development, the local neighborhood and the city's traffic and drainage needs including without limitation grading and surfacing of streets and accessways, installation of facilities to supply domestic water, construction of storm and sanitary drainage and treatment facilities, all other improvement work as hereafter set forth. All improvement work shall be at the sole cost and expense of the developer unless otherwise specifically provided herein.

10.482 **Public Improvement Plan Requirements.**

A. Prior to the issuance of a development permit and prior to commencement of improvement work, plans and specifications for all public improvements shall be prepared by a professional engineer registered in the State of Oregon in accordance with the design and improvement standards of this Code, and shall be submitted to and reviewed by the City Engineer~~,~~; water system plans which shall be submitted to and reviewed by the Medford Water Commission.

B. All public improvements shall be constructed and completed under the inspection of and with the approval of the City Engineer.

C. Without limiting the foregoing, and using City data, public improvement plans shall include typical cross sections and proposed finished grades of all streets together with a profile showing the relationship between finished grade and existing ground elevations, and the lengths, sizes, grades, and type of all pipes, culverts, and other structures.

D. Public improvement plans and specifications shall contain performance data reviewed by the developer's engineer demonstrating compliance with all design requirements of this Code. City and Water Commission personnel who check and/or approve public improvement plans and specifications are authorized to accept such performance data at face value without independently verifying the accuracy thereof.

E. Public improvement plans and specifications for shared-use paths shall also include the location of the centerline of the path on the final construction drawings that is substantially consistent with the location approved in the land use review. A landscape and irrigation plan, if applicable, shall be prepared by an Oregon licensed landscape architect and submitted with the final construction drawings. In the case of a City-initiated shared-use path, the landscape plan may be prepared by Parks Recreation and Facilities Department staff.

10.503 Shared-Use Paths

Shared-Use Paths shall be required of new developments located on sites that are identified for a planned path within the City's Comprehensive Plan including, but not limited to, the Parks and Recreation Leisure Services Plan, Transportation System Plan, Neighborhood Plan or other adopted special area plan. Where there is a difference between standards, the requirements in an adopted special area plan shall apply.

Land intended for shared-use paths shall be dedicated for public use and/or ownership following the installation of the required improvements. However, the City, at its sole discretion, may permit the dedication of easements in lieu of fee-simple land dedication.

(A) Shared-Use Path Design Standards

Shared-use paths shall:

(1) Integrate connections with existing and planned path and trail networks and accessways;
(2) Incorporate safety features at street intersections and at mid-block pathway crossings;
(3) Maintain grades at no more than five percent and cross slopes at no more than two percent unless otherwise approved by the Parks Recreation and Facilities Director or designee;
(4) Maintain a minimum vertical clearance of 10 feet;
(5) Allow for maintenance and emergency vehicles, including turning radiuses;
(6) Provide a design in accordance with the latest addition of the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities with an appropriate design speed for the terrain;
(7) Provide a paved width of at least 10 feet with 2 foot shoulders, unless otherwise recommended by the Parks Recreation and Facilities Director (wider paths may be needed where higher volume use is anticipated).

(B) Shared-Use Path Construction Specifications, Non-Street Right-of-Way.

Shared-use paths shall be constructed in accordance with the following specifications.

(1) Materials: Shared use pathways shall be constructed with asphalt concrete according to the Parks Department standard specification. Other surfaces, including concrete, bricks, flagstones, or compacted aggregate may be approved by the Parks Recreation and Facilities Director.

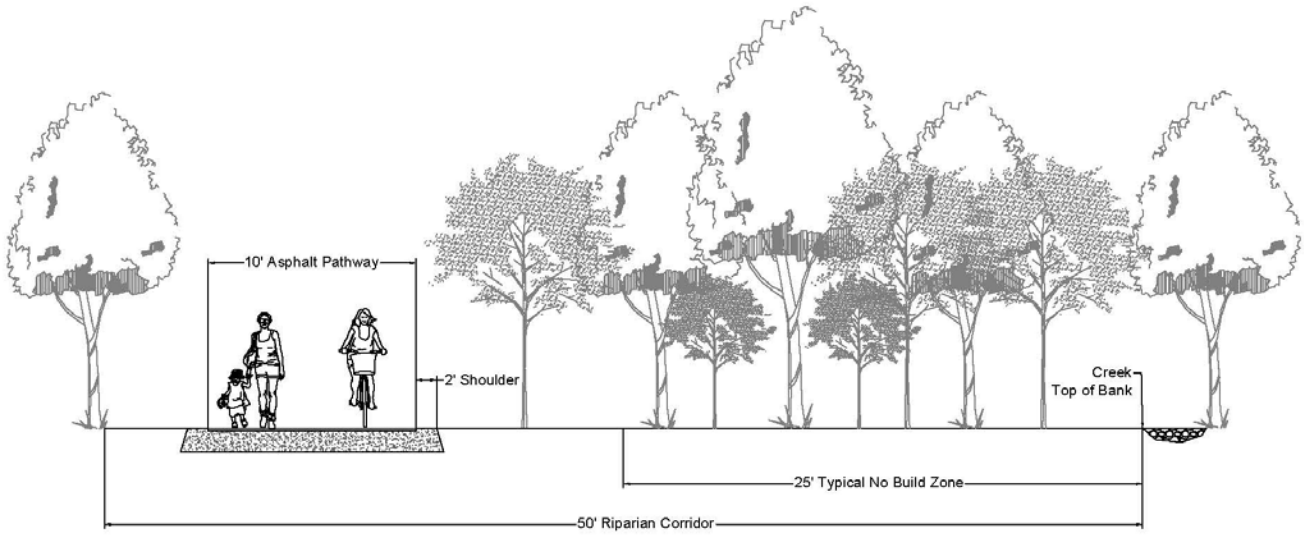
(2) Construction Details: The asphalt concrete surface shall be a minimum of 2 ½ inches thick, placed upon a 12 inch layer of compacted ¾ inch minus base with geotechnical fabric. If constructed in concrete or other materials, the structural section must provide compression strength equal to or better than standard sidewalks.

(3) Location: Shared-use paths shall be sited to provide non-motorized connectivity as shown in the Comprehensive Plan. The approving authority may approve paths to deviate from such locations if the new location will provide the equivalent connectivity and functionality. The following typologies apply to shared-use pathways.

(a) Pathways within a riparian corridor: Shared use pathways shall be constructed a minimum of 25 feet from top of bank as per Section 10.503C(1). The approving authority may approve an alternate location based upon site conditions.
(b) Pathways, other: Shared use pathway corridors outside a riparian area, shall be a minimum of 20 feet in width as per Section 10.503C(2).
(c) Special Circumstances: Where shared use pathways provide access to storm drainage facilities or other public facilities, additional conditions may be required by the utility provider.

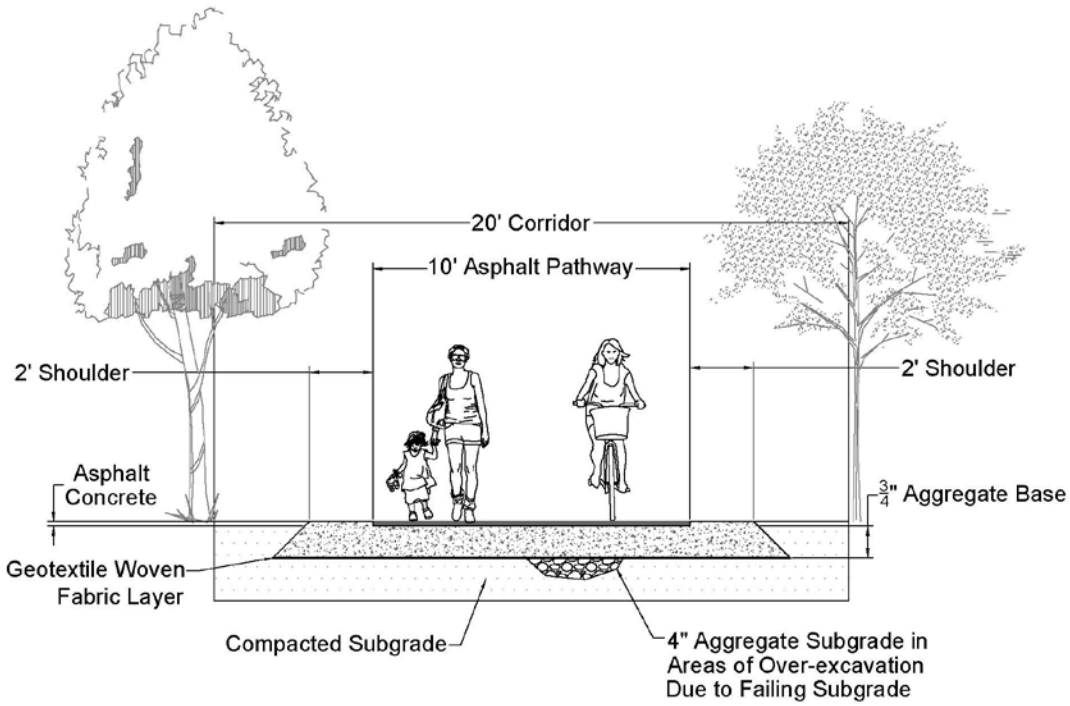
(C) Shared-Use Path Cross Sections, Non-Street Right-of-Way

(1) Typical Section, Riparian Shared-Use Path



TYPICAL SECTION
RIPARIAN CORRIDOR PATHWAY

(2) Typical Section, Other Shared-Use Path



TYPICAL SECTION

SHARED USE PATH

(D) Sidewalks, in lieu of pathways, within Street Right-of-Way

Where it is not feasible to designate a dedicated corridor due to topography or other constraints, sidewalks may be installed within the public right-of-way, in lieu of a standard pathway, if approved by the Parks and Recreation Department and the Public Works Department. Sidewalks in lieu of pathways shall also be considered where an adopted City plan shows a path parallel to a public street. They shall not be used where there are frequent driveway crossings.

Sidewalks, in lieu of pathways, shall be built as per the Public Works Department specifications and require signage and/or striping to be installed indicating the shared-use function by both bicycles and pedestrians.

Shared-use paths on arterial streets shall follow the cross-sections with separated bicycle facilities in Section 10.428(1), unless modified by the approving authority. On all other streets, the planter

strip may be reduced on one or both sides of the street in order to accommodate a 10-foot wide sidewalk, if approved by the approving authority.

(E) Shared-Use Path Installation and Timing

Shared-use paths shall be installed in accordance with the approved plan prior to final plat for land division approvals, prior to issuance of the certificate of occupancy for building permits for Site Plan & Architectural Commission approvals, and prior to certificate of occupancy for building permits or the commencement of use for Conditional Use Permits and Park Development Reviews unless otherwise approved by the approving authority.

The City will accept the dedication and maintenance of the shared-use path upon the satisfactory completion of the installation of the path and required landscaping per the approved construction drawings and landscape plan.

(F) Shared-Use Path Landscaping Design and Improvement

(1) Landscaping requirements for shared-use paths shall be in accordance with the following requirements.

(a) Riparian Greenways: A plan shall be submitted demonstrating protection of native vegetation, along with restoration and enhancement plantings. Such plan shall be submitted to the Oregon Department of Fish & Wildlife for review and approval. Landscaping and irrigation shall be required along both sides of a shared-use path unless the approving authority determines it is not necessary due to topography, existing vegetation, or other existing conditions.

(b) Shared-use pathway, other: Trees offset at 50-foot intervals shall be required on both sides of the shared-use path to provide adequate shading. Enhanced landscaping is not required but may be approved if a maintenance agreement is accepted by the Parks Recreation and Facilities Director. Landscaping and irrigation shall be required along both sides of a shared-use path unless the approving authority determines it is not necessary due to topography, existing vegetation, or other existing conditions.

(c) Sidewalk in lieu of pathway: Trees and irrigation shall be required within the adjacent planter strip next to the sidewalk. For residential zoning districts, trees shall be installed to provide not less than 100 percent canopy cover over the sidewalk at the time of tree maturity. Street trees within all the other zoning districts shall be installed to provide not less than 70 percent canopy cover over the sidewalk at tree maturity. Canopy cover shall be based upon tree maturity and growth habit data provided in the *Official List of City of Medford Approved Street Trees*, a copy of which is on file in the City of Medford Parks Department. Street trees shall not be located within 50 feet of the corner of an intersection of two streets measured at the curb line.

(2) Landscape Installation and Timing

(a) Landscaping shall be installed in accordance with the approved landscape plan prior to final plat for land division approvals, prior to issuance of the certificate of occupancy for building permits for Site Plan & Architectural Commission approvals, and prior to certificate of occupancy

for building permits or the commencement of use for Conditional Use Permits and Park Development Reviews. The developer shall record a maintenance agreement, reviewed and approved by the City Parks Department, ensuring an 85 percent survival of all new landscaping within a two year period after the installation of landscaping.

(G) Shared-Use Path, Short Segments

Where a section of a planned shared-use path is 300 feet or less through a development, the City may delay the installation of the path. Dedication of the land for the shared-use path shall be shown on the final plat or recorded separately as part of another land use review application. In those cases, the City shall require security for future construction of the shared-use path and associated landscaping. The security may be in the form of a bond or other method acceptable to the City. The amount of the security shall be 125 percent of the engineer's cost estimate of the shared-use path construction and 125 percent of a landscape architect's cost estimate for landscape installation, including irrigation. The 300-foot length for implementation of this section shall not apply to individual phases of a larger development.

10.924 **Permitted Activities within Riparian Corridors.**

A. Any use, sign, or structure, and the maintenance thereof, lawfully existing on the date of adoption of the provisions herein, is permitted within a riparian corridor. Such use, sign, or structure may continue at a similar level and manner as existed on the date of adoption of the provisions herein. The maintenance and alteration of pre-existing ornamental landscaping is permitted within a riparian corridor as long as no additional riparian vegetation is disturbed. The provisions of this section shall not be affected by any change in ownership of properties containing a riparian corridor.

B. The following activities, and maintenance thereof, are permitted within a riparian corridor, subject to obtaining applicable permits, if any, from the Oregon Department of State Lands and the U.S. Army Corps of Engineers. All plans for development and/or improvements within a riparian corridor shall be submitted to the Oregon Department of Fish and Wildlife for a habitat mitigation recommendation pursuant to O.A.R. 635-415 "Fish and Wildlife Habitat Mitigation Policy."

(1) Waterway restoration and rehabilitation activities such as channel widening, realignment to add meanders, bank grading, terracing, reconstruction of road crossings, or water flow improvements.

(2) Restoration and enhancement of native vegetation, including the addition of canopy trees; cutting of trees which pose a hazard due to threat of falling if the tree is left in the riparian area after felling; or removal of non-native vegetation if replaced with native plant species at the same amount of coverage or density.

(3) Normal farm practices, other than structures, in existence at the date of adoption of the provisions herein, on land zoned for Exclusive Farm Use.

(4) Normal flood control channel maintenance practices within a waterway, other than structures, necessary to maintain flow.

(5) Replacement of a permanent legal nonconforming structure in existence at the date of adoption of the provisions herein with a structure in the same location, if it does not disturb additional riparian area, and in accordance with the provisions of Sections 10.032 through 10.037 "Non-Conformities."

(6) Expansion of a permanent legal nonconforming structure in existence at the date of adoption of the provisions herein, if the area of the expansion is not within the riparian corridor, and in accordance with the provisions of Sections 10.032 through 10.037 "Non-Conformities."

(7) Perimeter mowing and other cutting necessary for hazard prevention.

(8) Improvements to, and maintenance of, the Medford International Airport and its runway protection zone, to meet the Federal Aviation Administration's regulations, advisory circulars, and guidelines.

(9) Shared-use pathways or greenways, accessways, trails, picnic areas, interpretive and educational displays and overlooks, including benches and outdoor furniture, may be permitted when reviewed in conjunction with a land use review, such as a Park Development Review, Land Division, Site Plan & Architectural Commission review, Traffic Facility, or Planned Unit Development.

C. New fencing may be permitted subject to consideration by the Planning Director or designee in consultation with the Director of Public Works and applicable state and federal agencies. An application for new fencing within a riparian corridor shall contain a to-scale drawing that clearly delineates the top-of-bank and riparian corridor boundary on the entire parcel or parcels, and shall indicate why the proposal is necessary and how it minimizes intrusion into the riparian corridor.

10.925 **Conditional Uses within Riparian Corridors.**

The following activities, and maintenance thereof, are allowed within a riparian corridor if compatible with Section 10.920, "Riparian Corridors, Purposes," and if designed to minimize intrusion. Such activities shall be subject to approval of a Conditional Use Permit which may be considered separately or in conjunction with another land use review. The approving authority must determine that the proposal complies with at least one of the Conditional Use Permit criteria. Applicable permits, if any, from the Oregon Department of State Lands and the U.S. Army Corps of Engineers shall subsequently be obtained. All development and improvement plans shall be submitted to the Oregon Department of Fish and Wildlife for a habitat mitigation recommendation pursuant to O.A.R. 635-415 "Fish and Wildlife Habitat Mitigation Policy."

(1) Water-related or water-dependent uses, such as drainage facilities and irrigation pumps.

(2) Utilities or other public improvements.

(3) Streets, roads, or bridges where necessary for access or crossings.

(4) ~~Multi-use paths~~Shared-use paths, accessways, trails, picnic areas, or interpretive and educational displays and overlooks, including benches and outdoor furniture. A conditional use permit shall not be required for these items when reviewed in conjunction with a land use review, such as a Park Development Review, Land Division, Site Plan & Architectural Commission Review, Traffic Facility, or Planned Unit Development.