

# PLANNING COMMISSION AGENDA MAY 14, 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

The meeting may be viewed on Charter  
Channel 181, streamed on the City  
website [www.cityofmedford.org](http://www.cityofmedford.org) or on  
RVTV at [rvtv.sou.edu](http://rvtv.sou.edu)



May 14, 2020

5:30 P.M.

Zoom Virtual Meeting

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**Virtual Meeting information**

Office of the Governor Executive Order No. 20-16 require that the governing body of a public body [as defined by ORS 192.610(3) and (4)] shall hold public meetings and hearings by telephone, video or through some other electronic or virtual means whenever possible. To attend virtually, tune into Charter Channel 181 or live stream at the City website [www.cityofmedford.org](http://www.cityofmedford.org) or on RVTV at [rvtv.sou.edu](http://rvtv.sou.edu).

**10. Roll Call**

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

**20.1 LDS-20-046** Final Order 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, [dustin.severs.cityofmedford.org](mailto:dustin.severs.cityofmedford.org).

**20.2 LDS-20-050 / E-20-051** Final Orders 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, [steffen.roennfeldt@cityofmedford.org](mailto:steffen.roennfeldt@cityofmedford.org).

**30. Approval or Correction of the Minutes from April 23, 2020 hearing.**

**40. Oral Requests and Communications**

The Planning Commission is only accepting written comments and not verbal comments, with the exception of land use applicants, who will be given the opportunity to attend the meeting electronically. Public comments will be accepted via first class mail or email until noon on May 14, 2020. Please email general comments to [terri.richards@cityofmedford.org](mailto:terri.richards@cityofmedford.org). Public hearing testimony pertaining to the agenda items should be sent to the project planner's email listed by each agenda item.

**50. Public Hearings**

Comments are limited to a total of 10 minutes for applicants and/or their representatives.

**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, [dustin.severs.cityofmedford.org](http://dustin.severs.cityofmedford.org). **The applicant requests this item be continued to the Thursday, May 28, 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, [dustin.severs.cityofmedford.org](http://dustin.severs.cityofmedford.org).

**New Business**

**50.3 DCA-19-010** A legislative code amendment to modify the electric fence regulations found in Sections 9.560-9.561 and Sections 10.732 and 10.839(4) of the Municipal Code. Applicants, Greg Lemhouse and Michael Pate; Agent, City of Medford; Planner, Carla Paladino, [carla.paladino@cityofmedford.org](mailto:carla.paladino@cityofmedford.org).

**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**

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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF \_\_\_\_\_ )  
BUETTNER PLACE \_\_\_\_\_ [LDS-20-046] \_\_\_\_\_ ) **ORDER**

ORDER granting approval of a request for tentative plat for *Buettner Place*, described as follows:

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).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *Buettner Place*, as described above, with the public hearing a matter of record of the Planning Commission on April 23, 2020.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat for *Buettner Place*, as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *Buettner Place*, stands approved per the Planning Commission Report dated April 23, 2020, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated April 23, 2020.

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

Accepted and approved this 14th day of May, 2020.

CITY OF MEDFORD PLANNING COMMISSION

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Department Representative



## PLANNING COMMISSION REPORT

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

**Project** Buettner Place  
Applicant: Barbara Buettner  
Agent: Scott Sinner Consulting, Inc.

**File no.** LDS-20-046

**Date** April 23, 2020

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### 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.*

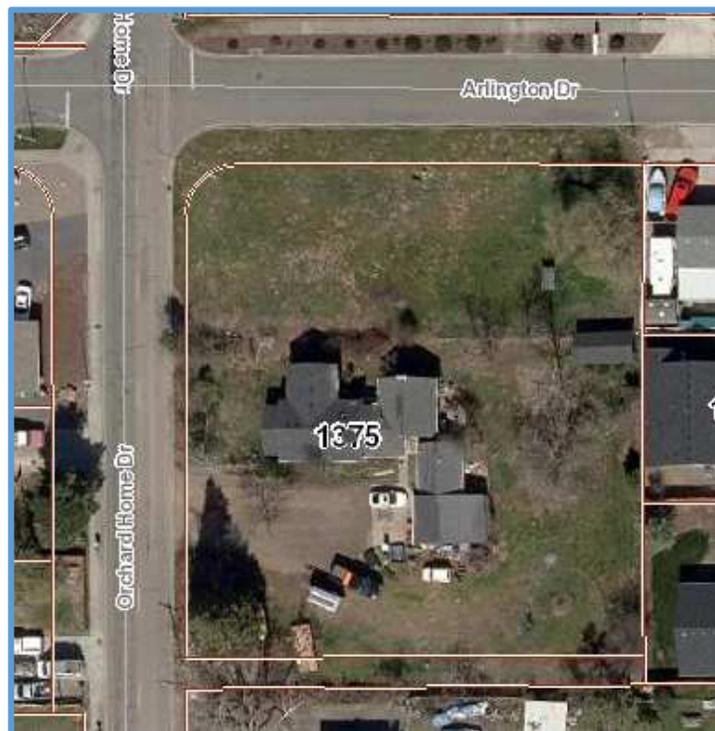
## **Issues and Analysis**

### **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.

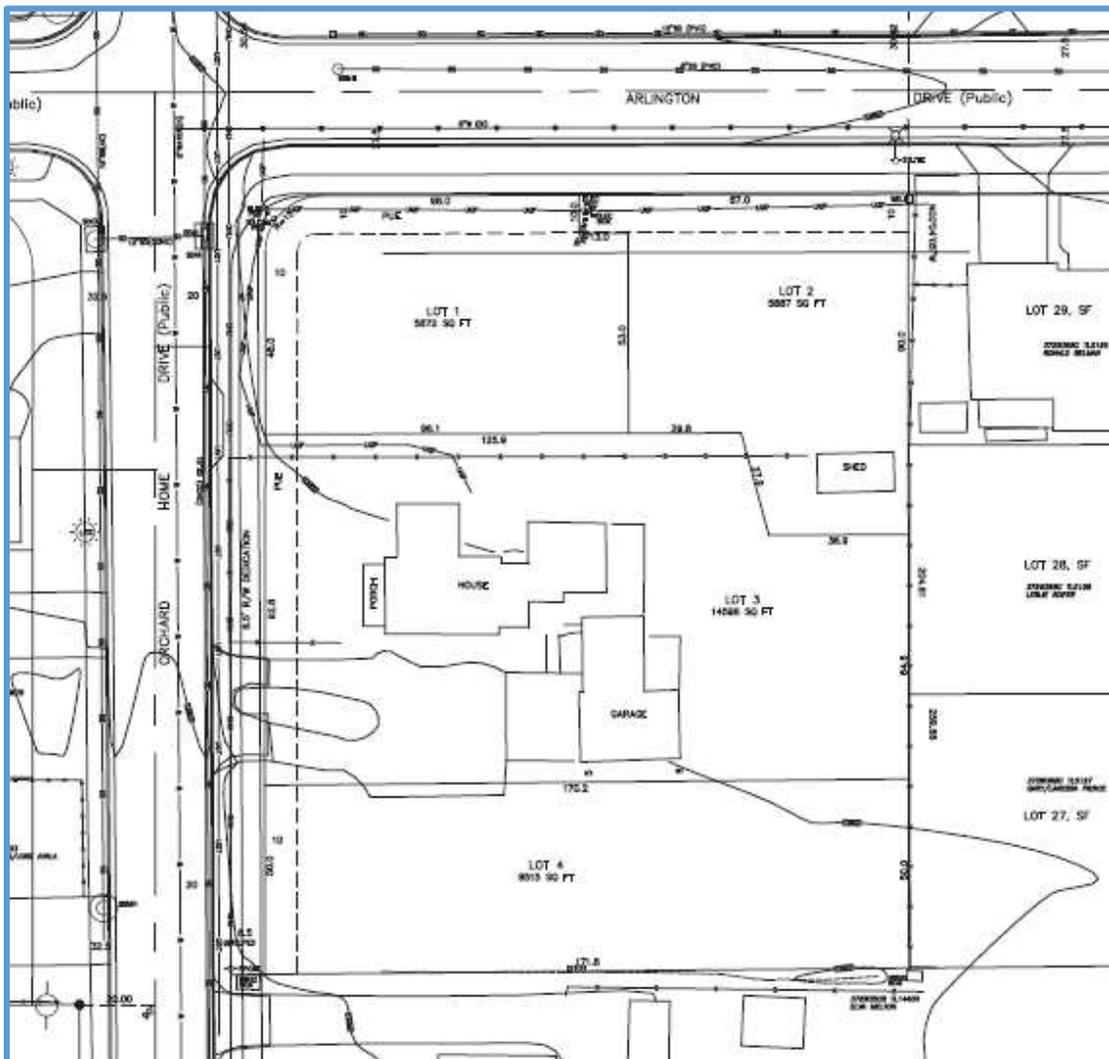
Vehicular access to the existing residence is provided by a driveway off of Orchard Home Drive. All street section improvements have been completed on both streets with the exception of sidewalk and planter strip.



*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
<b>Required</b>	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
<b>Shown</b>	Lot 1: 5,872 Lot 2: 5,887 Lot 3: <b>14,598</b> 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 2) 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 2 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.

### **DECISION**

At the hearing held on April 23, 2020, the Commission voted unanimously to approve the request, while revising condition #6, a condition requiring that the applicant remove the existing structure (shed) identified on Lot 2. The revised condition states that the subject structure shall not be used until a building permit for the construction of a dwelling unit for Lot 2 has been issued.

### **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.

### **ACTION TAKEN**

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-20-046 per the Planning Commission report dated April 23, 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 requirements.

## **EXHIBITS**

- A-1 Conditions of Approval (revised), drafted April 23, 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

## **MEDFORD PLANNING COMMISSION**

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**Mark McKechnie, Chair**

**PLANNING COMMISSION AGENDA:**

**APRIL 23, 2020  
MAY 14, 2020**

**EXHIBIT A-1**

Buettner Place  
LDS-20-046  
Conditions of Approval  
April 23, 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).

**Prior to the issuance of a building permit for the construction of a dwelling unit on Lot 2:**

6. **The existing accessory structure (shed) shall not be used.**



Project Name:

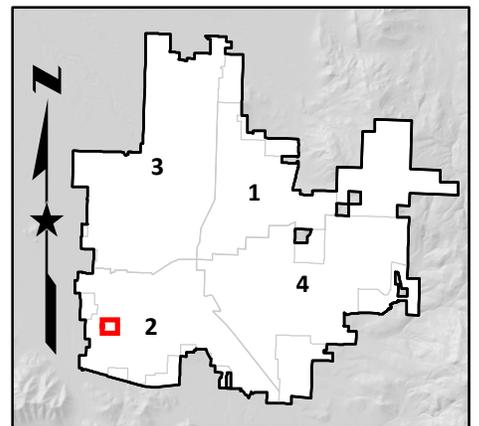
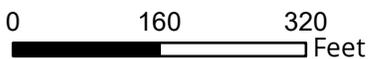
**Buettner Place Subdivision**  
**1375 Orchard Home Drive**

Map/Taxlot:

**372W35AD TL 800**

**Legend**

-  Subject Area
-  Tax Lots



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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF DELTA WATERS PROPERTIES        )  
SUBDIVISION \_\_\_\_\_ [LDS-20-050] \_\_\_\_\_)   **ORDER**

ORDER granting approval of a request for tentative plat for *Delta Waters Properties Subdivision*, described as follows:

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).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *Delta Waters Properties Subdivision*, as described above, with the public hearing a matter of record of the Planning Commission on April 23, 2020.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat for *Delta Waters Properties Subdivision*, as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *Delta Waters Properties Subdivision*, stands approved per the Planning Commission Staff Report dated April 16, 2020, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Staff Report dated April 16, 2020.

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

Accepted and approved this 14th day of May, 2020.

CITY OF MEDFORD PLANNING COMMISSION

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Department Representative

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR )  
DELTA WATERS PROPERTIES SUBDIVISION [E-20-051] ) ORDER

ORDER granting approval for a request of an exception for *Delta Waters Properties Subdivision*, as described below:

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).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.186(B); and
2. The Medford Planning Commission has duly held a public hearing on the exception for *Delta Waters Properties Subdivision*, as described above, with the public hearing a matter of record of the Planning Commission on April 23, 2020.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception for *Delta Waters Properties Subdivision*, as described above, stands approved per the Planning Commission Staff Report dated April 16, 2020, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Planning Commission Staff Report dated April 16, 2020.

BASED UPON THE ABOVE, the Planning Commission determined that the exception is in conformity with the provisions of law and Section 10.186(B) criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 14th day of May, 2020.

CITY OF MEDFORD PLANNING COMMISSION

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Department Representative

# PLANNING COMMISSION MINUTES



April 23, 2020  
5:30 P.M.  
Virtual Meeting

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The regular meeting of the Planning Commission was called to order at 5:30 PM as a virtual meeting in 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  
David Jordan  
Bill Mansfield  
David McFadden  
E.J. McManus  
Jared Pulver  
Jeff Thomas

### Staff Present

Matt Brinkley, Planning Director  
Kelly Evans, Assistant Planning Director  
Carla Paladino, Principal Planner  
Eric Mitton, Deputy City Attorney  
Alex Georgevitch, City Engineer  
Greg Kleinberg, Fire Marshal  
Terri Richards, Recording Secretary  
Dustin Severs, Planner III  
Steffen Roennfeldt, Planner III  
Sarah Sousa, Planner IV

## 10. Roll Call

### 20. Consent Calendar / Written Communications

**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.

Commissioner Foley requested a short presentation on this agenda item.

Kelly Evans, Assistant Planning Director reported that the applicant is requesting a one-year time extension on the Conditional Use Permit. He is planning to start work this summer.

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

Moved by: Vice Chair Foley

Seconded by: Commissioner McManus

Roll Call Vote: Motion passed, 9-0-0.

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

30.1 The minutes for March 12, 2020, were approved as submitted.

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

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

50. **Public Hearings.**

**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.**

Chair McKechnie stated that if there are members in the audience that have joined to testify on this agenda item and cannot attend the May 14th hearing, please raise your hand and when your microphone is unmuted the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on May 14th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued PUD-20-032 and LDS-20-100, per the applicant's request to the Thursday, May 14, 2020 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner Mansfield

Commissioner Culbertson will be abstaining from the vote. He previously financially represented Mr. Swartsley in purchase and sale of the property listed.

Roll Call Vote: Motion passed, 8-0-1, with Commissioner Culbertson abstaining.

**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. **The applicant has requested to continue this time to the Thursday, May 14, 2020 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have joined to testify on this agenda item and cannot attend the May 14th hearing, please raise your hand and when your microphone is unmuted the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on May 14th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued LDS-20-025, per the applicant's request to the Thursday, May 14, 2020 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner Mansfield

Roll Call Vote: Motion passed, 9-0-0.

### Old Business

**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.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Chair McKechnie disclosed that Scott Sinner is his neighbor but that would not influence his decision on this application.

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

Kelly Evans, Assistant Planning Director reported that two new exhibits were sent to the Commission today that will be entered into the record. Exhibit R is a letter from Fair Housing Council of Oregon and Housing Land Advocates and Exhibit S is the Planning Department response memorandum. The Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204(B). The applicable criteria were addressed in the staff report and included in the property owner notices. Ms. Evans gave a staff report and addressed the letter from the Fair Housing Council of Oregon. It expresses concern regarding the lack of Goal 10 findings in the staff report and that the Commission should defer adoption of the proposed amendment until Goal 10

findings have been clarified. Staff does not agree that findings of compliance with the Statewide Planning Goals are required at the time of zone change. Rather, a finding of compliance with the Comprehensive Plan is the standard.

Chair McKechnie asked, if the lot was left as an SFR-4 could the applicant put two dwelling units plus two ADU's? Ms. Evans responded that is correct, although ADU's do not count in density per the statute.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504. Mr. Sinner reported that this is an infill development. It is the last remaining parcel to be development on Bailey Avenue. The 15 foot dedication right-of-way is a legacy street and the applicant is requesting the curb tight sidewalk that would match the rest of Bailey Avenue.

Mr. Sinner reserved rebuttal time.

b. Lee Gamber, 2956 Bailey Avenue, Medford, Oregon, 97504. Mr. Gamber asked, was Mr. Sinner going to address the unstable land on the north section of the property from the old irrigation ditch? The consensus of the neighbors is to split the property into two parcels not three. They are concerned of the street traffic and property values.

Mr. Sinner reported that the change from SFR-4 to SFR-6 is still a low density single family detached development. He is confident it will be a nice development.

Vice Chair Foley requested that Mr. Sinner address the stability issue that Mr. Gamber raised. Mr. Sinner responded that it is not a criteria for the zone change or the land division. He is not aware of any problems. It will be addressed in the construction and building permitting process.

The public hearing was closed

Motion: The Planning Commission adopts the findings as recommended by staff and adopts the final orders for approval of LDP-20-016 and ZC-20-017 per the Planning Commission report dated April 23, 2020, including Exhibits A through S.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

The public hearing was reopened.

c. Susan Van Hoose, 2972 Bailey Avenue, Medford, Oregon, 97504. Ms. Van Hoose agrees with Mr. Gamber regarding the neighbors. A lot of them may not know how to get on Zoom. She also thinks three houses on the subject property will be too tight. There will be a lot more traffic.

Commissioner McFadden commented that often staff follows up with a letter regarding a testimony and their issues. He does not know if that should be expounded on. The application being proposed is allowed.

Alex Georgevitch, City Engineer reported that a single family dwelling generates approximately ten trips per day. During peak hours it is one additional vehicle. This is insignificant on this street. They do not see high levels of traffic so there are no concerns from the City's Traffic Department.

Mr. Sinner thinks this project will be complimentary to the neighborhood.

The public hearing was closed.

Chair McKechnie is opposed to the arbitrary spot zoning. He thinks this is bad planning and will vote no.

Commissioner Pulver asked, is Chair McKechnie going to cite a criterion for his no vote? Chair McKechnie responded it is incompatible with the neighborhood and sets a bad precedent.

Commissioner Pulver commented that Chair McKechnie mentioned previous criteria that spoke to consistency with neighboring lots. Is that true or no longer applies? Ms. Evans reported that last year the approval criteria were changed to remove the locational standard for SFR-6 zones. She pointed out that the size of these lots at 7,000 square feet is larger than the minimum for the SFR-4 zone. There is not a compatibility criterion.

Roll Call Vote: Motion passed, 8-1-0, with Chair McKechnie voting no.

**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.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Pulver's business does real estate work occasionally for Mr. Ayala but he has no specific ties to this property and feels his independence can be maintained. Chair McKechnie's business does a lot of work for Mr. Ayala and Scott Sinner is his neighbor. He has no stakes in this project and will abstain from the vote. Commissioner Jordan

and Mark Knox serve on another non-profit board together. He does not think it conflicts him to make a decision on this application.

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

Carla Paladino, Principal Planner reported that the Comprehensive Plan Amendment approval criteria can be found in the Medford Land Development Code Sections 10.102-10.122, 10.214, and 10.220. The applicable criteria were addressed in the staff report and included in the property owner notices. Ms. Paladino gave a staff report and reported that Exhibit P was a new exhibit sent to the Planning Commission last week that will be submitted into the record. Also, a letter was received from Ed Snyder regarding access will be submitted into the record as Exhibit Q.

Commissioner McFadden asked, did Ms. Paladino state earlier that there is a decrease in density being requested? He is surprised that South Stage Road is considered a minor collector street. He has discomfort with the intersection at Lillian and South Stage Road. Ms. Paladino reported that the overall density requirement for the City is 6.6 dwelling units per acre. The calculation estimated 86 dwelling units needed to meet the urban growth boundary requirements. The applicant will be requesting SFR-10. That will be increasing the number of units on the property to 106 which is the minimum for that zone. South Stage and Kings Highway are both minor arterial streets. Jackson County Roads was not in favor of the Lillian Street connection to South Stage. However, they have indicated that if it does get extended in the future they would likely ask for a right-in right-out only.

Commissioner Pulver asked, when does the issues with the parks, open spaces, trails and bike paths connectivity get finalized? Ms. Paladino responded that the application and land is required to provide the open space that will be adopted into the Comprehensive Plan. The trails and bike paths will be part of the Off-road Network.

Commissioner Pulver asked, will the issue of access in Exhibit Q be resolved at time of subdivision? Ms. Paladino replied yes.

Commissioner Culbertson stated that in one of the study sessions when they talked about these applications coming before the Planning Commission one of the concerns was to make sure there were not major deviations. The previous application that was submitted is not here so there is no reference of whether or not it is a deviation. He remembers seeing a master plan that was very detailed. There is a reduction in commercial land that was previously allocated. Ms. Paladino reported that MD-7B and MD-7C each have their own neighborhood plans that were submitted with the urban growth boundary. The City Council did not adopt or require any specific elections or whatever was noted in those plans to be carried forward as they did in other areas.

Vice Chair Foley asked, is staff recommending that the Planning Commission not move the circulation plan forward? He feels it may add clarity to the surrounding properties. Ms. Paladino stated that staff did not want to necessarily have this in the Comprehensive Plan and at a later date shift lines. Staff could caveat the plan as conceptual and add language that details in the development code will need to be met at time of subdivision.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504. Mr. Sinner reported that the applicant would like to do a minor GLUP amendment within the property boundary to facility development on the commercial and low density. Exhibit B-1 is the applicant's preferred circulation plan. Further development will be a zone change and subdivision.

Regarding Mr. Snyder's letter on the southwest corner of the property, two properties on the west uses a private road and access off South Stage Road. The private road is an easement for the first 250 feet. When the applicant develops the commercial area they will develop the half street improvement on that private road that will eventually become a public road.

The applicant has on-going discussions with the Parks Department of providing a three plus acre Public Park. The three acres is consistent with the Leisure Services Plan. Jackson County Roads does not want any more streets coming onto South Stage Road. It was the applicant's intent to bring Lillian through. Discussions with Public Works and the County that indicated upon annexation of this property the roadways would be brought into City jurisdiction and standards. The applicant's proposed Lillian location is approximately 700 feet from Kings Highway intersection that will be adequate for travel. It will be reviewed further at time of land division.

The urban residential will probably consist of single family detached and single family attached (townhouses). There are no plans at this time for the commercial area.

Commissioner McFadden asked, was there any discussion of using the commercial area, within this development, as a buffer by the use of a park space from the busy streets around it and extend the commercial along Kings Highway and South Stage Road, concentrating residential to the northwest? Mr. Sinner responded that they have had extensive discussions along those lines but it did not go anywhere. It was determined that an opportunity for open space in this arrangement would be a good fit.

Vice Chair Foley asked, what implications will the commercial property extending into the adjacent land have in the future? Mr. Sinner reported that Kings Highway is a minor arterial and when fully developed it will provide a substantial buffer.

Mr. Sinner reserved rebuttal time.

b. Marta Schulenburg, 721 South Stage Road, Medford, Oregon, 97501. Ms. Schulenburg has requested in writing and verbally consideration of the residents on South Stage Road about commercial across the street from them. Her suggestion with help from one of the developers for wording was that there would be no commercial closer than 1,000 feet from the center line of the right-of-way on South Stage Road to the existing homes. She is upset that commercial is still be considered in front of her.

Vice Chair Foley suggestion Ms. Schulenburg make her concerns known to the City Council since they will be making the final decision on this application.

c. Jay Harland, CSA Planning, Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Harland requested that the conceptual circulation plan not be put in the Comprehensive Plan. It is valuable to look at. There are different uses that could affect the street layout. He would prefer this be a reference document through this kind of adoption process but not adopted.

Commissioner Culbertson commented that he found the original conceptual plan. It identified 13.8 acres of commercial, 7.5 acres residential and 3.5 acres of open space. The commercial has been decreased and increased the residential.

Commissioner McFadden stated that in other areas the commercial area is slow to develop and get dramatically reduced in size. He does not know how the percentage process figures into that. Ms. Paladino responded that the Regional Plan designates the open space percentage for each of the planning units. It does not give the acreage. There are specific acreages allocated for residential and commercial / industrial as part of the urban growth boundary process. Specific open space in each of the planning units was not adopted.

Chair McKechnie asked, is there a rule for the amount of commercial land area versus residential? Ms. Paladino does not believe there was a ratio. She would have to review the Regional Plan to see how the distribution worked.

Mr. Sinner stated that he recalls Ms. Schulenburg's letter. He does not see how there could be a 1,000 foot buffer between her house, the commercial development, planning unit or the proposal. He hopes because of the topography in that area will help with some of her concern.

The public hearing was closed.

Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forwards a favorable recommendation to the City Council per the staff report dated April 16, 2020, including Exhibits A through Q for approval of UP-19-003.

Moved by: Vice Chair Foley

Seconded by: Commissioner Mansfield

Commissioner Mansfield asked, does the motion include or exclude adopting Exhibit B-1 into the Neighborhood Element of the Comprehensive Plan? Vice Chair Foley stated that his motion excluded adopting Exhibit B-1 into the Neighborhood Element of the Comprehensive Plan.

Ms. Paladino clarified that Exhibit B-1 is staff's recommendation of adopting into the Neighborhood Element of the Comprehensive Plan. Staff would like direction on whether the Planning Commission wants to add the circulation plan or not.

Amended motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forwards a favorable recommendation to the City Council per the staff report dated April 16, 2020, including Exhibits A through Q for approval of UP-19-003, and adopting Exhibit B-1 into the Neighborhood Element of the Comprehensive Plan. Excluding the circulation plan.

Commissioner McFadden commented that he thought Mr. Harland made a great recommendation on dropping plans that show streets. However, he is not sure if he would like to see more or less detail. He was hoping for something different.

Roll Call Vote: Motion passed, 6-2-1, with Commissioner Culbertson, Commissioner McFadden voting no and Chair McKechnie abstaining.

### **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.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Chair McKechnie disclosed that Mr. Sinner is his neighborhood but would not affect his decision on this matter.

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

Dustin Severs, Planner III reported that staff received two new exhibits this week that were emailed to the Planning Commission and will be submitted into the record. Exhibit J is a letter from the applicant's surveyor concerning the strip of land along the subject parcel's southern boundary that is not a public right-of-way. It is part of the property south of the subject site. Exhibit K is an email received from the applicant's agent, Scott Sinner, requesting that condition #6, regarding the removal of the site's accessory structure, be removed as a condition of approval. The Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The

applicable criteria were addressed in the staff report and included in the property owner notices. Mr. Severs gave a staff report.

Mr. Mitton reported that an accessory building needs to be subordinate to a principal structure or a principal use. An alternative option is to impose a condition that the building cannot be used until a residence is built on that lot.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504. Mr. Sinner reported that this is a shed. The applicant has over \$3,000 in the slab under the shed. It does add value. It is an accessory structure for the primary use and the primary use is single family residential. The applicant is going to develop a structure on this parcel and the shed would be a nice asset.

Chair McKechnie asked, did Mr. Sinner hear the language that Mr. Mitton cited? Mr. Sinner replied the applicant would be happy with Mr. Mitton's option.

Mr. Sinner reserved rebuttal time.

The public hearing was closed

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the final order for approval of LDS-20-046 per the Planning Commission report dated April 23, 2020, including Exhibits A through K, granting relief from creating a public street connection and/or public access way in order to satisfy block length requirements and modifying condition #6 to leave the accessory structure that cannot be used until a residence is built on that lot.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 9-0-0.

**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.

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

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

Steffen Roennfeldt, Planner III reported that the Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The Exception approval criteria can be found in the Medford Land Development Code Section 10.186(B). The applicable criteria were addressed in the staff report and included in the property owner notices. Mr. Severs gave a staff report.

Commissioner McFadden asked, is it correct that if a cell tower was developed in a subdivision there are certain distance requirements? Mr. Roennfeldt responded that is correct. Commissioner McFadden stated In this case it is reversing that situation. Is it safe to assume that the distances have been met by the creation of lot 6? Mr. Roennfeldt that is correct.

The public hearing was opened.

a. Jay Harland, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Harland reported that this action is about creating lots that can secure financing for individual developments between the seller and developer.

Mr. Harland requests that the Exception be approved because with the reservation of right-of-way it could extend streets to McLoughlin Drive and get city street access.

Mr. Mitton questioned the additional setbacks required for new wireless communication facilities are not applicable because they are for new towers to existing houses. With a new tower next to an existing house it would be 84 feet but the findings read there is a 61.8 foot setback to the south, 15.2 feet to the west and 39.8 feet to the north and east. Is he reading that wrong? Mr. Harland replied no, Mr. Mitton is reading that correctly. He may have misunderstood Commissioner McFadden's question. Those are the setbacks to the property line.

Mr. Georgevitch asked, with the exception stipulation for improvements on Lot 6 fall on any portion of Lot 5 because it is a 5 acre parcel and could be phased? That intersection will be critical allowing development to move through the intersection as well as developed to the east since expansion of the urban growth boundary. What is the stipulation envisioning? Mr. Harland would be comfortable with language of vertical construction or any further division of Lot 5. The owner of Lot 5 knows it is their responsibility to build a street around it. They do not have an issue with it. It will be recorded before closing. The City will review it before recording.

Mr. Harland reserved rebuttal time.

The public hearing was closed

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the final orders for approval of LDS-20-050 and E-20-051 per the staff report dated April 16, 2020, including Exhibits A through X, and adoption of the applicant's stipulations as stated in the submitted Findings of Fact and Conclusions of Law (Exhibit O).

Moved by: Vice Chair Foley

Seconded by: Commissioner Jordan

Roll Call Vote: Motion passed, 9-0-0.

**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.

Sarah Sousa, Planner IV reported that the Land Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218. The applicable criteria were addressed in the staff report. Ms. Sousa gave a staff report.

Commissioner McFadden is curious about the fiber optics cable near the path along Siskiyou Park. Is there language in this amendment allowing similar installations along other sections of the path? Ms. Sousa responded that it is not written in the current draft but language could be added if the Commission thinks it is needed. If the Parks Department does not have an issue Ms. Sousa does not see why they could not add installation of utilities language to the draft amendment.

Ms. Evan stated that the City has franchise agreements with different entities that provide services through the City. Placing facilities like that in a public right-of-way will be part of that agreement.

Commissioner McKechnie added that unless it specifically prohibits it, it would allow it by omission.

The public hearing was opened and there being no testimony the public hearing was closed.

Vice Chair Foley lost connection.

Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forwards a favorable recommendation for approval of DCA-18-112 to the City Council per the staff report dated April 16, 2020, including Exhibit A.

Moved by: Commissioner Culbertson

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-1-0, with Chair McKechnie voting no.

**60. Reports**

**60.1 Site Plan and Architectural Commission.**

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, April 3, 2020 and Friday, April 17, 2020. On April 3<sup>rd</sup> they had two applications. They approved a gas station and convenience store located at the South Medford Center on Center Drive. The second application was a 3,000 square foot office building within the existing foundation footprint located at 629 Franquette Street at the intersection of Franquette Street and Earhart Street. That item was continued to the April 17, 2020, meeting and then continued again to the May 15, 2020, meeting. On Friday, April 17, 2020, they approved a 3,500 square foot restaurant and 12 multiple family dwelling units located at 2217 & 2301 E Barnett Road, including an Exception request to the parking standards for multiple family residential dwellings. They also approved a 33,600 square foot metal commercial storage and office facility located at 1170 Knutson Avenue and a 7,500 square foot single story warehouse located at 1525 N Central Avenue.

Rick Whitlock stepped down from the Site Plan and Architectural Commission because he is now the City Attorney.

**60.2 Transportation Commission.**

Commissioner Pulver reported that the Transportation Commission has not met because they have been deemed non-essential, He mentioned that Ms. Evans may want to speak to that.

**60.3 Planning Department**

Ms. Evans reported that the only bodies that have been meeting are the Site Plan and Architectural Commission, Landmarks and Historic Preservation Commission, Planning Commission and City Council.

Ms. Evans welcomed back Mr. Mitton to the Planning Commission. She is delighted to have Mr. Whitlock as the City Attorney.

There is a Planning Commission virtual study session scheduled for Monday, April 27, 2020. Discussion will be on the electric fence code amendment.

There is business scheduled for Thursday, May 14, 2020, Thursday, May 28, 2020, Thursday, June 11, 2020, and Thursday, June 25, 2020. The meeting on May 14, 2020 will be virtual.

On Thursday, May 7, 2020, the City Council will discuss the urbanization plan and annexation on South Stage Road that the Planning Commission heard this evening, the Consolidated Plan for 2020-2024 Action Plan, and the General Fund Grant Program award recommendations from the Housing Commission. May is National Historic Preservation month. Staff will ask the Mayor to proclaim it as such.

Vice Chair Foley was reconnected into the meeting.

Ms. Evans asked the Commissioner's to stay online for a few minutes in order to get a picture of all the Commissioners.

**70. Messages and Papers from the Chair.**

70.1 Chair McKechnie stated the Commission survived the Corona Virus and their first virtual meeting so they can survive anything.

**80. City Attorney Remarks.**

80.1 Mr. Mitton reiterated that Mr. Whitlock is now the City Attorney. They are excited to have him on board. Mr. Whitlock will now be sitting on the City Council which puts Mr. Mitton back on the Planning Commission. He is pumped to be back.

**90. Propositions and Remarks from the Commission. None.**

90.1 Commissioner Pulver noted to staff that the issue of density comes up a lot. He thinks the mandate from the State on a blanket level is not appropriate. He thinks every city should make its own determination as to what they want to be and what they want to look like in terms of density. It should not be mandated from Salem, Portland or anywhere else. He is particularly concerned that the City's density requirement jumps into the seven units per acre in 2030. It warrants discussion.

Urbanization plans may be a good discussion for a study session since they saw the first one this evening. Commissioner Culbertson had good comments that need to be revisited in general about what was discussed by property owners, developers, etc. when their various pitches were made to be included in the urban growth boundary expansion. What they promised back then versus what they bring forward now.

Also to be revisited is the issue of allocation of lands between residential, employment, industrial, and open space. It would be a good refresher course with more urbanization plans coming forward in the upcoming months.

Chair McKechnie agrees.

**100. Adjournment**

101. The meeting was adjourned at approximately 8:25 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Richards  
Recording Secretary

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Mark McKechnie  
Planning Commission Chair

Approved: May 14, 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 5/14/2020 hearing*

**From** Dustin Severs, Planner III

**Reviewer** Kelly Evans, Assistant Planning Director

**Date** May 7, 2020

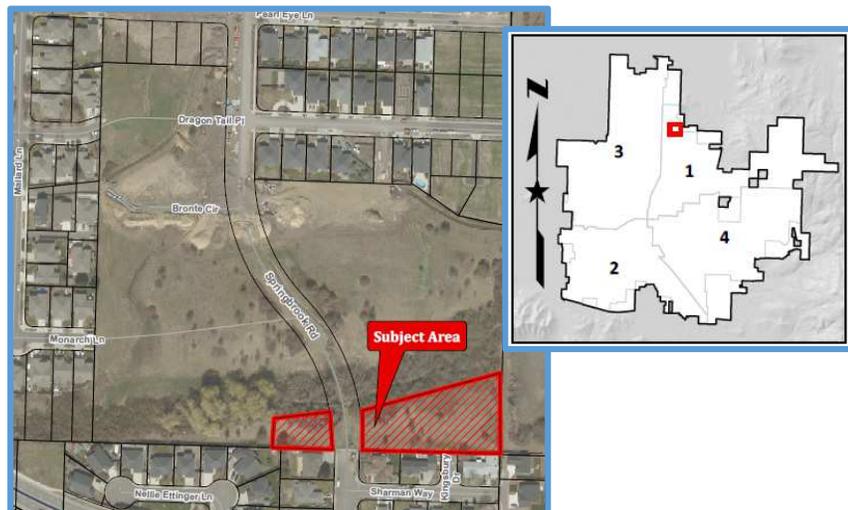
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### BACKGROUND

#### 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 28, 2020.

**EXHIBITS**

A Continuance Request, received May 5, 2020.  
Vicinity Map

**COMMISSION AGENDA:**

**APRIL 23, 2020  
May 14, 2020**

**Terri L. Richards**

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**From:** swartsley@charter.net  
**Sent:** Tuesday, May 5, 2020 8:21 AM  
**To:** Dustin J. Severs; 'Tom Becker'  
**Subject:** Continue

Dustin; please take this as a formal request to continue the hearing before the planning commission for Phase 6 of Springbrook Park from May 14, 2020 to May 28, 2020. This request is necessitated because of some issues that arose on May 4, 2020 and which will take a week to resolve. Thank you, Steve Swartsley



Project Name:

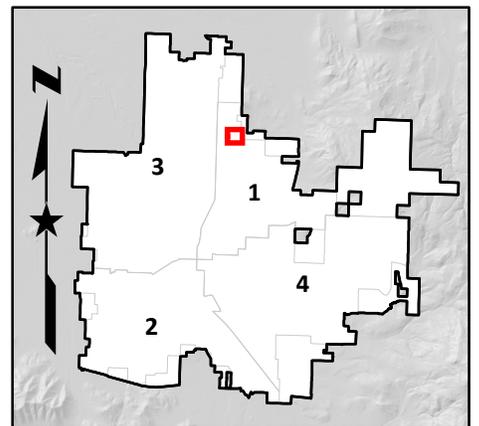
**Kinsbury at  
Springbrook Park**

**Legend**

-  Subject Area
-  Tax Lots



3/11/2020





## 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 5/14/2020 hearing*

**From** Dustin Severs, Planner III

**Reviewer** Kelly Evans, Assistant Planning Director

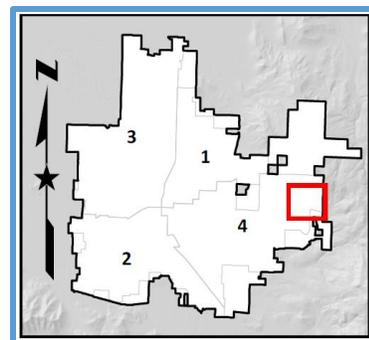
**Date** May 7, 2020

### 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**

ZC-00-159 Zone Change  
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.

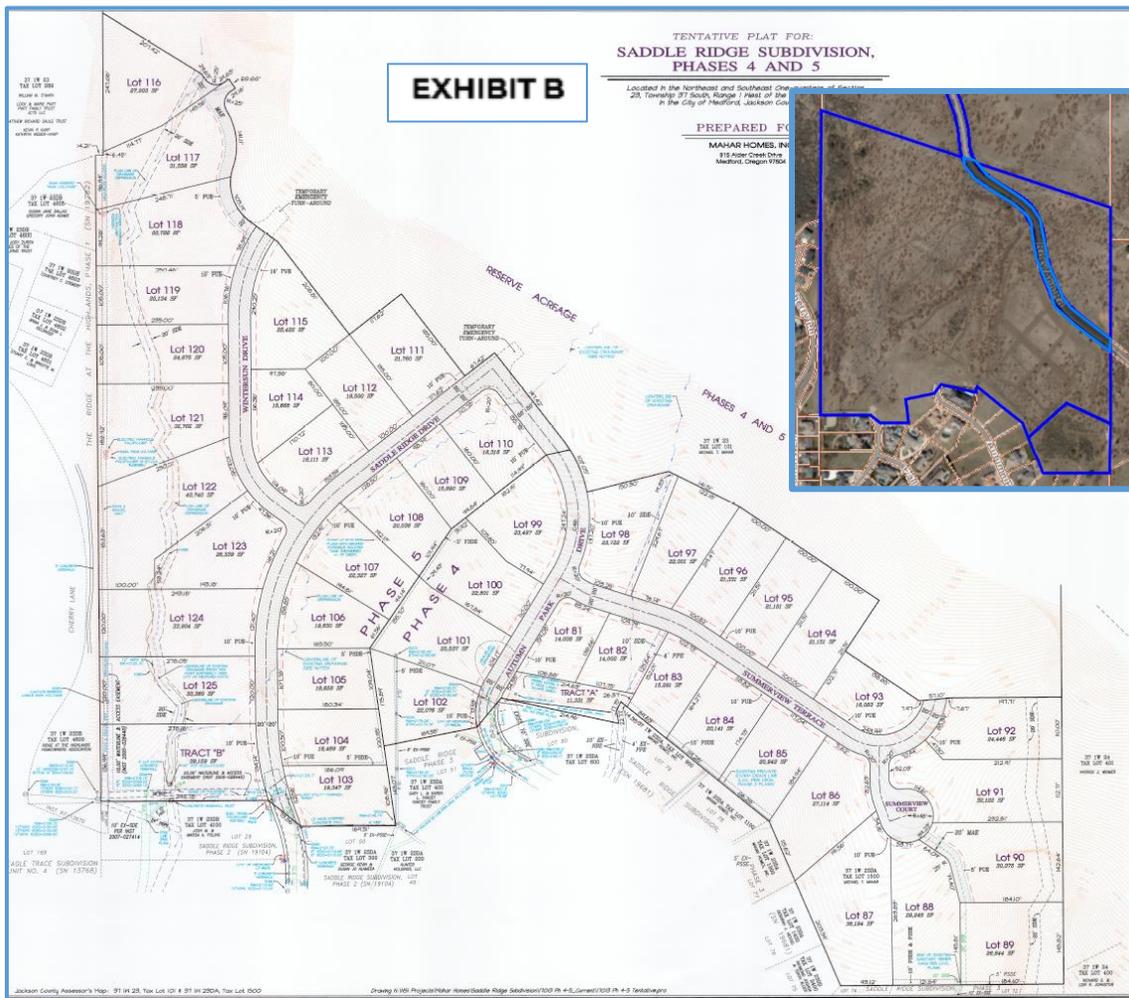
A tentative plat for the subject request was previously approved in 2008, but expired in 2013.



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 as a reserve acreage portion of the plat, 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**

<b>SFR-2 Minimum /Maximum Density</b>	<b>Allowed</b>	<b>Shown</b>
<b>0.8 to 2.0 dwelling units per gross acre</b>	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.

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**Development Standards**

**Detached Single Family Dwellings  
 Site Development Table (MLDC 10.710)**

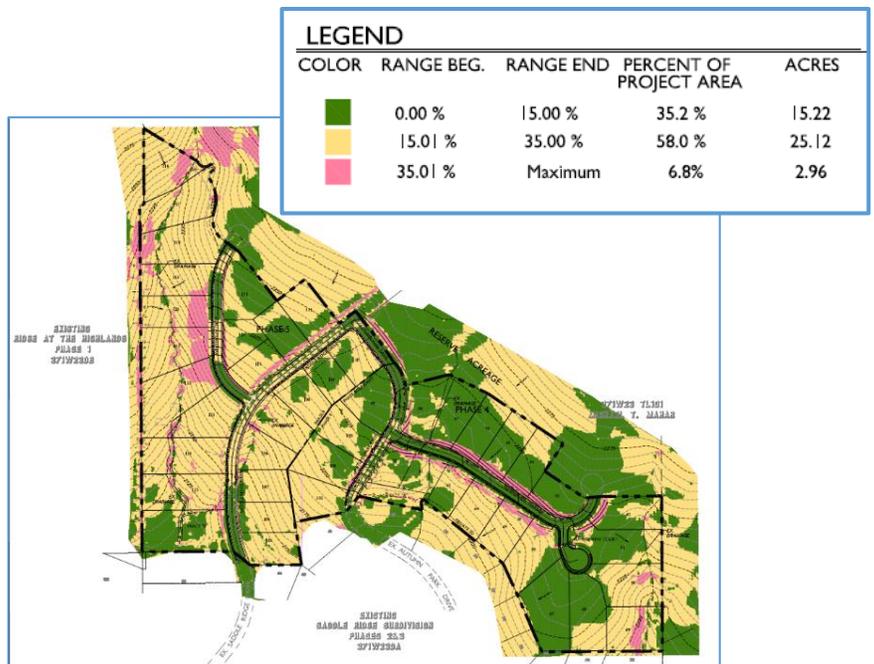
SFR-2	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
<b>Required</b>	14,000 to 55,000	50 feet	80 feet	90 feet	30 feet
<b>Shown</b>	14,008 (Lot 81) to 40,740 (Lot 122)	✓	✓	✓	✓

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.



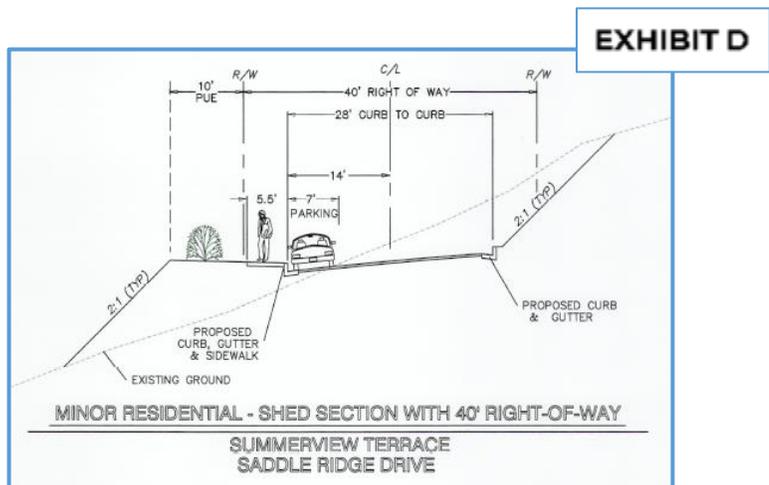
## Modified Streets

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

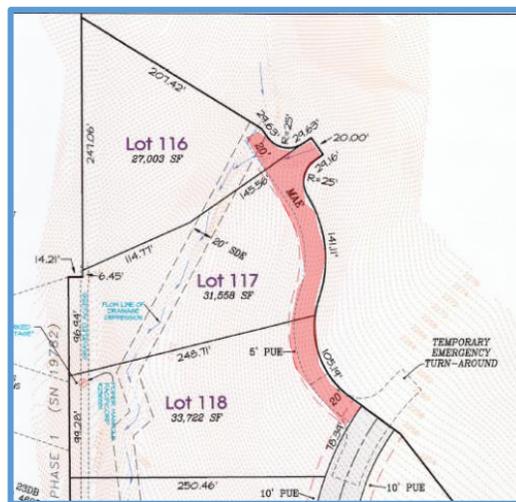
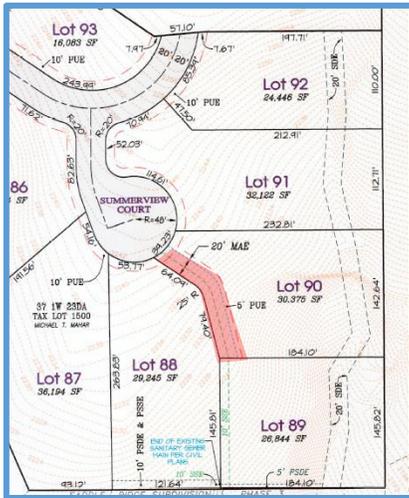
The applicant's findings state the requested modifications are needed due to the existing topographic conditions and the presence of steep slopes, as demonstrated in the submitted Hillside Slope Analysis. The submitted findings also state the reduced street widths will greatly lessen the impact of the 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 118, 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 identify 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.

### **Transportation**

In 2001, the subject site was approved for a rezone (ZC-00-159), which included a traffic study submitted by the applicant. The traffic study included with the application concluded that improvements at the intersection of North Phoenix Road and Cherry Lane were necessary to maintain an adequate level of service. Accordingly, the applicant stipulated to limit traffic generation to a maximum of 925 ADT for the subject area until improvements were completed at the North Phoenix/Cherry Lane intersection. With the approval of the zone change request, a Restricted Zoning (RZ) Administrative Mapping overlay was applied to the subject site.

Per the Public Works staff report (Exhibit H), the intersection of North Phoenix Road and Cherry Lane is now realigned and signalized, and there are no remaining stipulations on this development.

At the time of this writing, staff is reviewing a request by the applicant (submitted on April 22, 2020) requesting the removal of the RZ overlay applied to the site, pursuant to MLDC 10.413(B).

### **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 (TIS).

On April 30, 2020, staff received an email from the applicant's agent, Robert Neathammer (Exhibit Q), requesting the removal of items 1 and 3—requests for a TIS and a hydraulic report, respectively—listed in Jackson County's report. In the letter, Mr. Neathammer states that a Traffic Study is unwarranted, as traffic capacity issues are within the approval criteria of a zone change, and all traffic stipulations established with ZC-00-159 have been satisfied. In regards to comment #3 in the Jackson County Roads' report, Mr. Neathammer states that all proposed drainage, detention and associated improvements will adhere to City of Medford standards, and therefore an additional review and approval from another jurisdictional body is unnecessary.

Staff concurs with the applicant that a TIS is unwarranted, as a Traffic Study was submitted with ZC-00-159, and all stipulations have been satisfied. In regards to Jackson County's request to review and comment on the applicant's hydraulic report (listed as item 3 in Jackson County's report), it is staff's view that such a request is warranted. The subject site abuts Jackson County land along its easterly boundary, and the site's drainage could potentially impact adjacent facilities under Jackson County's jurisdiction. The applicant submitted a hydraulic plan with the subject application (Exhibit O), and the report was reviewed and approved by the City's Engineer. The applicant will be required to forward the hydraulic plan to Jackson County Roads for their review.

As a discretionary condition of approval, staff requests that the applicant be required to comply with all requirements listed in the report submitted by Jackson County Roads, with the exception of the request that the applicant submit a Traffic Impact Study, as included in comment #1.

### **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 May 7, 2020, including:

- Exhibits A through Q;
- 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 May 7, 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.
- N Applicant’s Geotechnical report, received on January 27, 2020.
- O Applicant’s Hydrology and Grading report, received on January 27, 2020.
- P Constraints analysis form, signed by City Engineer on January 22, 2020.
- Q Applicant’s letter, received April 30, 2020.  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**APRIL 23, 2020**  
**MAY 14, 2020**

## EXHIBIT A

Saddle Ridge Subdivision  
LDS-20-025  
Conditions of Approval  
May 7, 2020

### Discretionary Conditions

1. The Planning Commission authorizes the maximum five year approval period for phased subdivisions. No extension of time is permitted.
2. Comply with all requirements of Jackson County Roads (Exhibit K), with the exception of item #1, requesting that the applicant provide a Traffic Impact Study.

### CODE REQUIRED CONDITIONS

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

3. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit H)
4. Comply with all conditions stipulated by the Medford Water Commission (Exhibit I).
5. Comply with all conditions stipulated by the Medford Fire Department (Exhibit J).
6. Comply with requirements of City Address Technician (Exhibit L).

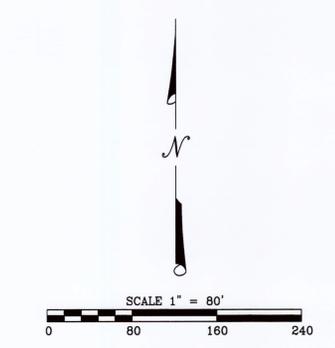
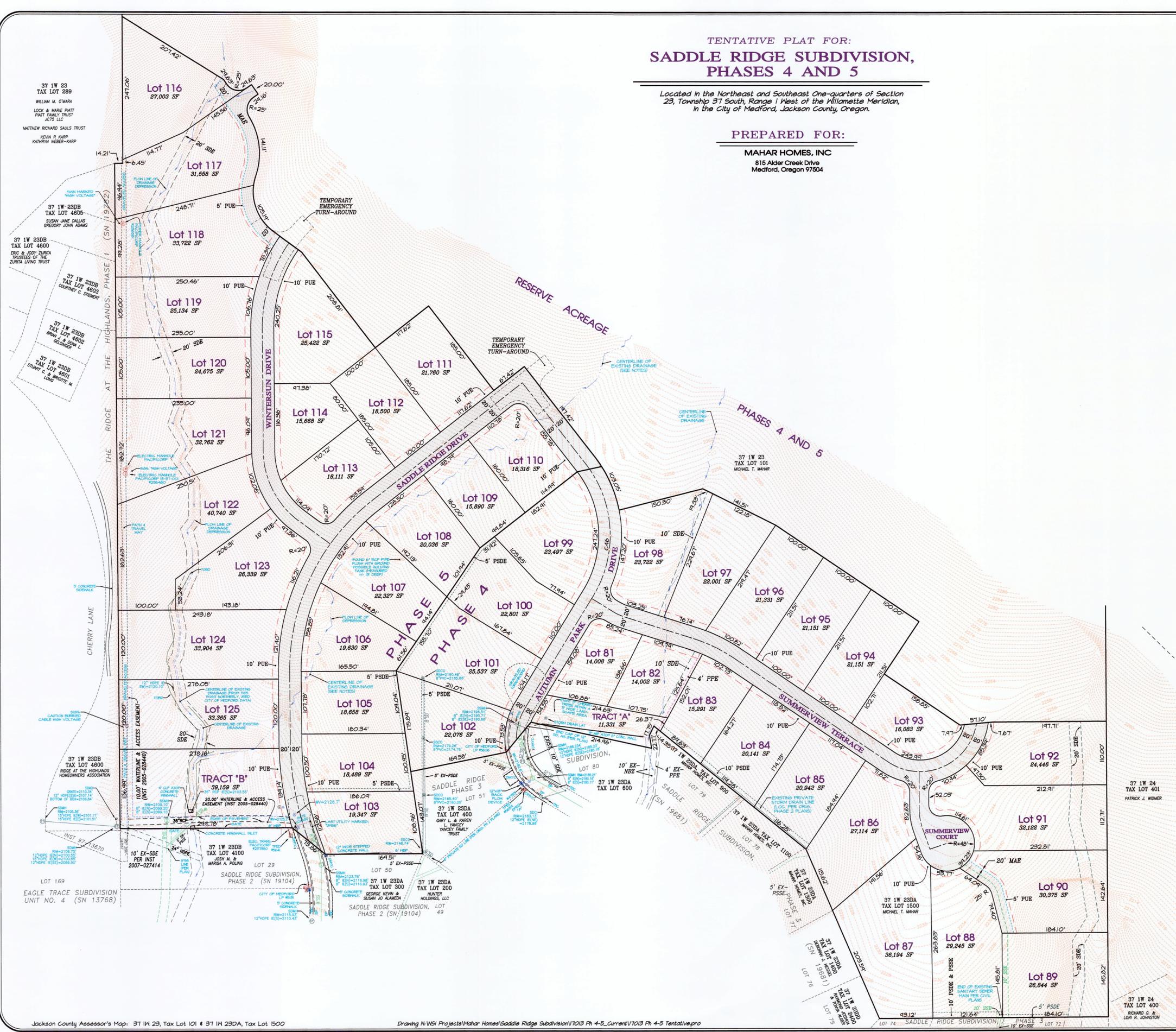
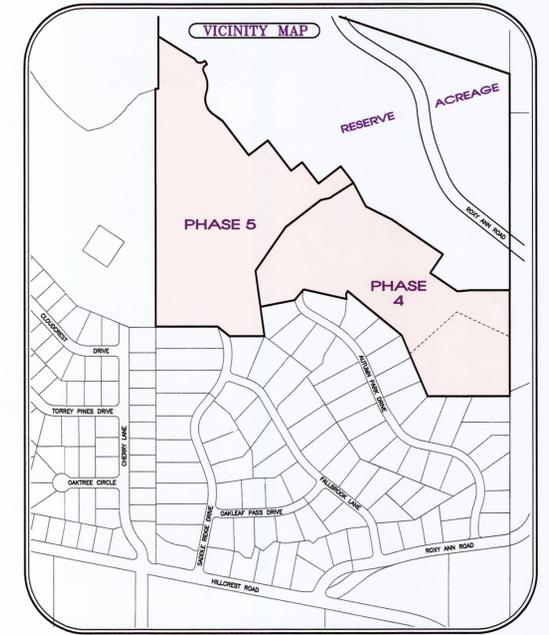


TENTATIVE PLAT FOR:  
**SADDLE RIDGE SUBDIVISION,  
 PHASES 4 AND 5**

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 Alder Creek Drive  
 Medford, Oregon 97504



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

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

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

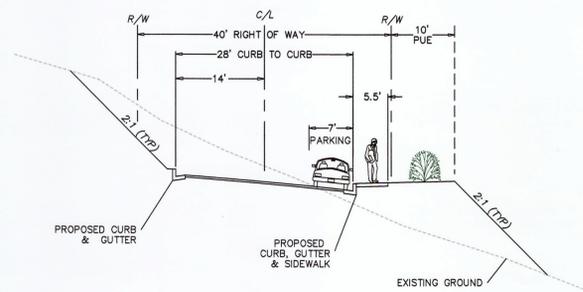


TENTATIVE PLAT FOR:  
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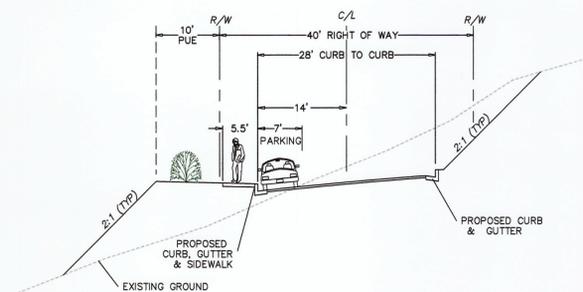
PREPARED FOR:

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



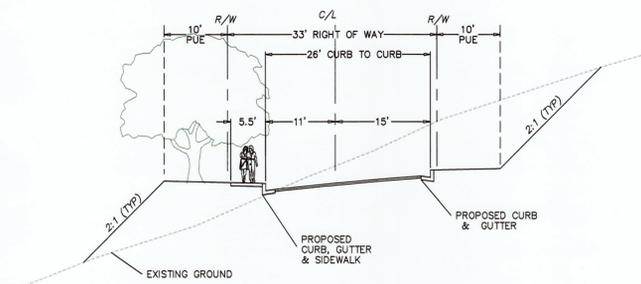
MINOR RESIDENTIAL - SHED SECTION WITH 40' RIGHT-OF-WAY

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-NBZ= Indicates an existing No-Build-Zone.
- EX-PFE= Indicates an existing Private Pedestrian Easement.
- PFE= 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.
- TOEW= Indicates an existing Toe of Water in a ditch.
- TPED= Indicates an existing Telephone Pedestal.
- WBF= Indicates a Wood Board Fence.
- WPFL= Indicates a White Painted fog Line.
- WV= Indicates an existing Water Valve.
- N, NE, SW Indicates a general direction: northerly, northeasterly, southwesterly, etcetera.

LAND USE INFORMATION

SCHOOL DISTRICT:	544c
IRRIGATION DISTRICT:	MEDFORD
SANITATION DISTRICT:	CITY OF MEDFORD
GROSS AREA:	61.49 ACRES
NON-DEVELOPABLE AREA (NDA):	32.73 ACRES
EXISTING ZONING:	SFR-2
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL
Phase 4: 13.34 acres, with 22 lots plus Tract "A".	
Phase 5: 15.31 acres, with 23 lots plus Tract "B".	
Remaining acreage of Tax Lot 101 is 32.73 acres (Reserve Acreage).	

LEGEND:

- G— Indicates a utility marked natural gas line.
- N— Indicates an existing natural gas valve.
- ⊠ Indicates an existing natural gas meter.
- ⊙ Indicates an existing natural gas fiberglass placard.
- Indicates a typical 4' tall 3" diameter bollard.
- SS— 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.
- SD— 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.
- OHU— Indicates an existing aerial utility line.
- OHE— Indicates an existing aerial electric line.
- E— Indicates a utility marked electric line.
- TV— Indicates a utility marked cable tv line.
- T— Indicates a utility marked telephone line.
- ⊠ Indicates an existing telephone pedestal.
- W— 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.
- wm=1000' Indicates the elevation of the top of a valve nut for a water valve.
- X— Indicates centerline of an existing fence line as noted hereon.

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 43.312 (2)).

Basis of Bearings: SADDLE RIDGE SUBDIVISION, PHASE 2, recorded on March 14, 2006, in Volume 32 of Plats at Page 24 of the Records of Jackson County, Oregon, and filed as Survey Number 19104 in the office of the Jackson County Surveyor.

Basis of Elevations: City of Medford Benchmark No. A-261, with a published elevation of 2044.544 feet, being a found brass cap in the north curb line of Hillcrest Road, approximately 57 feet westerly of its intersection with Cherry Lane.

GENERAL PROJECT NOTES:

Subject properties, are portions of those tracts of land described in Instruments Numbered 2001-62101 and 2003-081642 of the Official Records of Jackson County, Oregon (commonly known as Jackson County Assessor's Map No. 31 IW 23, Tax Lot 101, and 31 IW 23DA, Tax Lot 1500, being 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.

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.

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

CAEL E. NEATHAMER

OREGON  
 JULY 9, 2001  
 CAEL E. NEATHAMER  
 56545

Renewal Date 12/31/20

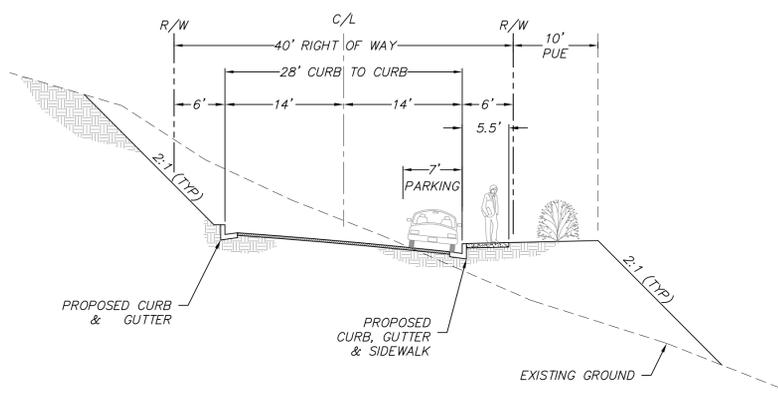
PREPARED BY: Neathamer Surveying, Inc.  
 3126 State St, Suite 203  
 P.O. Box 1584  
 Medford, Oregon 97501  
 Phone (541) 732-2869  
 FAX (541) 732-1382

PLOT DATE: January 21, 2020 PROJECT NUMBER: 17013

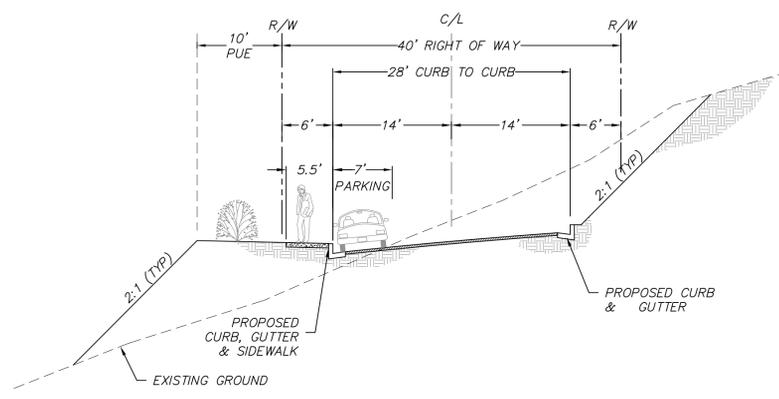
Sheet 2 of 2 © CN MN



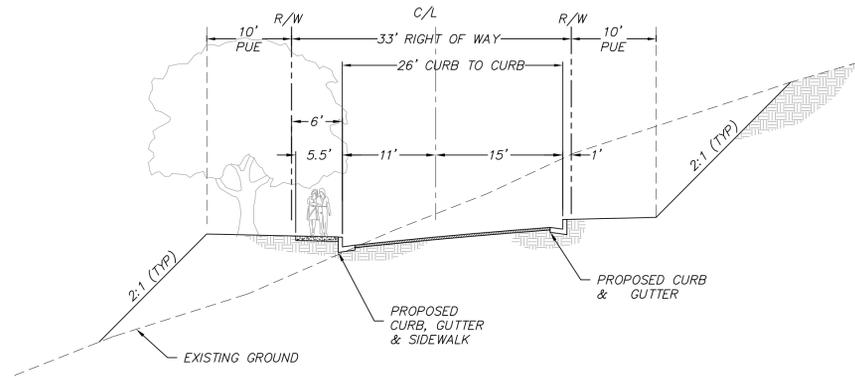
**GEOTECHNICAL NOTES:**  
 1. CUT AND FILL DAYLIGHT SLOPES NOTED ARE PER THE GEOTECHNICAL ENGINEERS RECOMMENDATIONS.  
 2. SEE GEOTECHNICAL REPORT FOR ADDITIONAL PROJECT GRADING REQUIREMENTS



**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'

**EXHIBIT C.3**



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:	

NO.	REVISION	DATE	BY



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.: 18-92 PLOT DATE: 12/9/201





# 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.

## 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, President

Agent for Applicant:  
Michael T. Mahar

Date: January 9, 2020



**LEGEND**

COLOR	RANGE BEG.	RANGE END	PERCENT OF PROJECT AREA	ACRES
Green	0.00 %	15.00 %	35.2 %	15.22
Yellow	15.01 %	35.00 %	58.0 %	25.12
Pink	35.01 %	Maximum	6.8 %	2.96

--- DRAINAGE DIRECTION  
 - - - PHASE BOUNDARY



**CONTOURS**  
 CONTOUR INTERVAL = 5'  
 INDEX INTERVAL = 25'  
 INDEX CONTOUR - - - ELEV - - -  
 PROPOSED CONTOUR \_\_\_\_\_

**EXHIBIT C.4**

**811**  
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**CONSTRUCTION ENGINEERING CONSULTANTS**  
 P.O. BOX 1724 - MEDFORD, OREGON 97501  
 PH. (541) 779-3268

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

NO	REVISION	DATE	BY



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

PROJECT NO.  
 DRAWING NO.  
 4 of 4

DRAWING NAME: SADD-COV-SLOPES.dwg PROJ. NO.: 18-92 PLOT DATE: 1/9/2020



## **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.

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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

**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:

Street Lighting – Developer Provided & Installed:

- A. 18 - Type R-100 LED

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

- 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

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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 previous phases of Summerfield Subdivision located between Stanford and Lone Oak and Cherry Lane and Shamrock and consisted of 152 dwelling units. The previous 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

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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. Storm Drainage Conditions**

Developer to provide a 20-foot storm drainage easement for any open channel.

Developer needs US Army Corps of Engineers concurrence to pipe any existing drainage channels.

#### **3. 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

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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.

#### **4. 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.

#### **5. 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.

#### **6. Erosion Control**

Subdivisions of one acre and greater require a run-off and erosion control permit from DEQ. The approved permit must be submitted to the Engineering Division prior to public improvement plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. 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.

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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  
Revised by: Jodi K Cope

# 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.
  - 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.
  - Comply with Storm Drainage Conditions outlined above.
- 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
- = 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-20-025

**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.





BOARD OF WATER COMMISSIONERS

**Staff Memo**

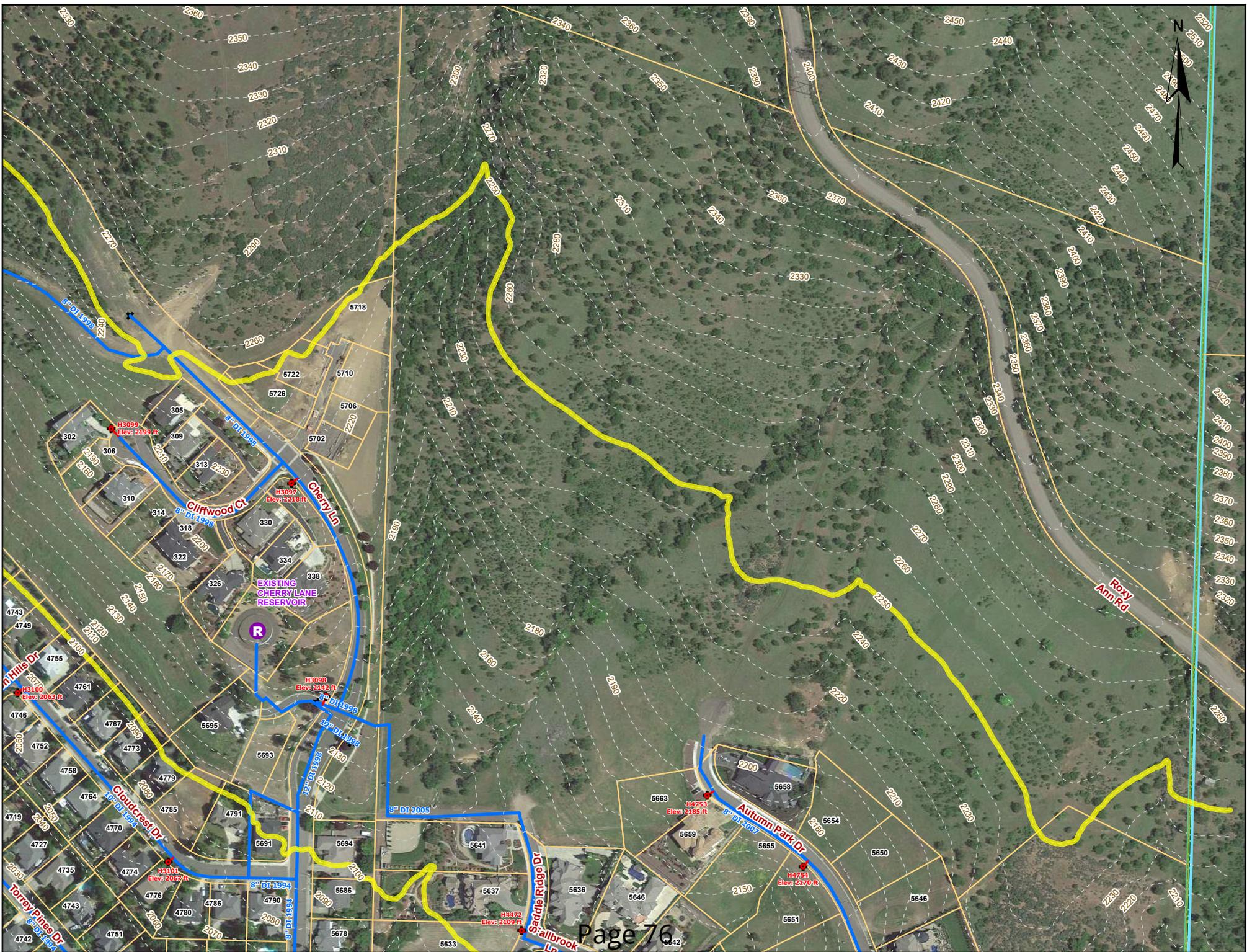
5. Installation of an 8-inch "Zone 5" water line is required to be installed in Summerview Terrace between Autumn Park Drive and the intersection of Summerview Terrace and Summerview Court. The two branches at the east end of Summerview Terrace are required to be 4-inch water lines. Applicants civil 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 air-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.



## 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

Reference	Comments	<u>Conditions</u>	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:  <a href="http://www.ci.medford.or.us/Files/Minimum%20Access%20Address%20Sign.pdf">http://www.ci.medford.or.us/Files/Minimum%20Access%20Address%20Sign.pdf</a>
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).



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/marketing 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.

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, Mechanical Codes and applicable NFPA Standards.

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

**[www.medfordfirerescue.org](http://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:

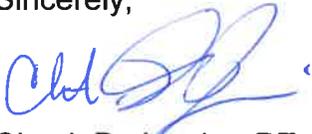
Thank you for the opportunity to comment on this consideration of tentative plat approval for the Saddle Ridge Subdivision – Phases 4 & 5, a proposed 45-lot residential subdivision on two, continuous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a 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.

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



**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 4<sup>th</sup>, 2020

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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

December 16, 2019

Mahar Homes Inc.  
815 Alder Creek Drive  
Medford, OR 97504

**SUBJECT: GEOTECHNICAL AND GEOLOGIC INVESTIGATION, SADDLE RIDGE  
PHASES 4 AND 5, MEDFORD, OREGON**

At your request, Applied Geotechnical Engineering and Geologic Consulting LLC (AGEGC) has conducted a geotechnical investigation for the proposed Saddle Ridge Phases 4 and 5 residential development in east Medford, Oregon. The general location of the site is shown on the Vicinity Map, Figure 1. Our investigation consisted of subsurface explorations, laboratory testing, and engineering analyses. This report summarizes our work and provides our conclusions and recommendations for suitably founding the new residential development on this property.

**SITE DESCRIPTION**

The site is bound on the northeast by Roxy Ann Road, on the south by earlier phases of Saddle Ridge, and on the west by Cherry lane. Site vegetation includes grasses, scattered scrub oaks and brush.

Based on our observations at the site and available topographic information for the site, the site is located on the south side of a large ridge line that is oriented roughly east-west. In general, the site slopes down to the south/southwest; however, there are local seasonal drainages and topographic high points that slope in other directions. Indications of large-scale and/or deep-seated slope instability were not observed on the property.

The site has two relatively large seasonal drainages located along the east and west sides of the property. Both drainages are oriented roughly north to south and have moderate to steep side slopes. A smaller seasonal drainage is located near the center of the property running northeast to southwest. During our site visit on October 25, 2019, groundwater seepage or springs were not observed in the proposed area of development.

**GEOLOGY**

Based on our experience with other projects in this area, we anticipate that the site is mantled with Highly expansive, low strength black clayey silt soils over weathered sandstone and siltstone. The sandstone can be relatively hard and difficult to excavate. Groundwater typically occurs at depths of greater than 20 ft; however, perched groundwater will occur seasonally at the top of the siltstone and sandstone.

## PROJECT DESCRIPTION

We understand the project will consist of development of roadways and utilities for 47 new single-family residential lots. Public improvements include construction of minor residential and standard residential roadways to access the lots, underground utilities and stormwater detention structures. Based on the existing topography, we anticipate that cuts and fills of up to 15 ft may be required for site grading.

## SUBSURFACE CONDITIONS

On October 25, 2019, eight test pits were excavated at the site to evaluate subsurface conditions. The locations of the test pits were staked by the project surveyor prior to our work. The test pits were completed using a rubber-tired backhoe provided and operated by Central Pipeline. The excavations were observed by a geotechnical engineer from our firm who maintained a detailed log of the conditions and materials encountered. Representative soil samples were collected and stored in air-tight containers for transfer to our laboratory. The test pit excavations were backfilled with uncompacted, on-site soils at the conclusion of our fieldwork.

The logs of the test pits are provided in Appendix A at the end of this report. The terms used to describe the materials encountered in the test pits are provided in Tables 1A and 2A in Appendix A.

**Soils.** All eight test pits encountered a surficial layer of black clayey silt soil. The clayey silt soils encountered in the test pits varied between 0.5 and 6.0 ft thick. The clayey silt soils have a high expansive index (typically greater than 90) and a low shear strength. These soils have significant desiccation cracks in late summer and early fall.

In test pits TP-2 and TP-3, brown silt was encountered below the black clayey silt layer. The silt is typically medium stiff and contains variable clay content. Both test pits were terminated in the brown silt at a depth of 5.5 and 7.0 ft, respectively.

In test pit TP-4, siltstone was encountered below the clayey silt soil. The siltstone is soft (RH-1) and severely weathered. The siltstone is relatively weak and is prone to slope movements on moderate to steep slopes. In addition, the siltstone locally has thin coal seams that are very weak and can cause slope stability issues when daylighted. The test pit was terminated in siltstone at a depth of about 8.5 ft.

Five of the test pits (test pits TP-1, TP-5, TP-6, TP-7 and TP-8) encountered sandstone below the surficial expansive clayey silt soils. The sandstone is typically medium hard (RH-2) with close fractures. In general, the weathering of the sandstone decreases with depth and the hardness increases with depth. Test pits TP-1, TP-7, and TP-8 were terminated at practical refusal of the excavator in the sandstone at depths of 1 to 5.5 ft.

**Groundwater.** Groundwater was not observed in any of the test pits. We anticipate that groundwater typically occurs at a depth of greater than 20 ft; however, perched groundwater will occur at the top of the sandstone during periods of extended and/or heavy rainfall.

## CONCLUSIONS AND RECOMENDATIONS

Based on the results of this investigation and our experience with similar projects, it is our opinion that the site is suitable for the proposed development, from a geotechnical standpoint. In our opinion, the most important geotechnical considerations associated with the planned development are moderately steep slopes, large areas of shallow hard sandstone, areas of weak siltstone, and the potential for seasonally shallow (perched) groundwater.

In our opinion, if our recommendations for development of the site are followed, there is no significant increased risk of slope instability on the property. The site is underlain by competent rock at shallow depths and groundwater seepage or springs were not observed in the area to be developed.

**Rock Excavation.** Competent sandstone was encountered in five of the eight test pits. Practical refusal of the backhoe was encountered in three of these test pits. Based on our experience in this area and the results from the test pits, we anticipate that hard sandstone underlies significant portions of the site. It should be anticipated that the depth of weathering in the underlying sandstone is variable. Based on our observations at the site and the results of our previous explorations at similar sites, we anticipate that cuts into sandstone will require rock excavation methods, such as ripping or hoe-ram. In addition, utility trenches deeper than 5 ft below existing grades in sandstone areas will also require rock excavation techniques, such as a hoe-ram or rock saw.

**Site Preparation.** The ground surface within the footprint of cut and fill areas should be stripped of surficial organics and severely desiccated clayey silt soils. We anticipate that stripping to a depth of 9 to 12 in. will be required, depending on the time of year. Locally deeper stripping will be required to remove stumps and roots up to 1 in. in size, and to remove severely desiccated soils. The site strippings are not suitable for use as structural fill and should be removed from the site.

Site stripping should be completed using a trackhoe equipped with a smooth-lipped bucket.

Exposed subgrade should be observed by the geotechnical engineer to identify areas of soft or loose soil that may require overexcavation. Proof rolling with a loaded 10 yd<sup>3</sup> dump truck may be part of the evaluation. Soft areas that exhibit pumping or rutting should be overexcavated and replaced with structural fill as described below. During and following stripping and excavation, the contractor should use care to protect the subgrade from disturbance by construction activities. If the subgrade is disturbed during construction, soft, disturbed soils should be overexcavated to firm soil and backfilled with structural fill.

Past experience has indicated that the silt soils are sensitive to moisture content. Typically, when these soils are in excess of 4 to 5% of their optimum moisture content, construction traffic will remold, rut, and soften the subgrade soils and limit its use as a subgrade material for roads, parking areas, slabs, or foundations. For this reason, we recommend that, if practical, all site preparation and earthwork be

accomplished during the dry summer months, typically extending from mid-May to mid-October of any given year.

**Cuts and Fills.** Final grades for the site have not been provided; however, we anticipate that significant cuts and fills may be required for site grading (anticipated up to 15 ft high).

The toe of all structural fills should be embedded into existing grades using a keyway excavated along the toe of the fill slope. The keyway should be a minimum of 12 ft wide (at least 1.5 times the width of the compactor used to construction of the structural fill) and be established completely in competent soil and/or rock along the base of the keyway. As the fill is placed, the uphill edge of the fill should be benched into the existing slope to provide an irregular contact between the fill and the native soils. Depending on the height of the fill slope and the location, subsurface drainage may be necessary to reduce the risk of slope movements due to saturation of the fill for the graded slope. The locations of the subsurface drains should be determined by the geotechnical engineer during construction of the fill slopes.

Final grades for cut and fill slopes should be excavated no steeper than 2H:1V

Structural fills should be overbuilt 2 ft and trimmed back to final grades using a smooth-lipped excavation bucket.

Structural fills for mass grading of the roadways for this project may be constructed using on-site materials without deleterious materials (including wood debris and organic soils). All lifts should be compacted to at least 95% of the maximum dry density within 3% of the optimum moisture content as determined by ASTM D 698. To provide adequate compaction to the silt soil and rock pieces, we recommend use of a large segmented pad compactor (such as a CAT 815K segmented pad compactor or larger). On-site soils and excavated rock can only be used to construct structural fills during relatively dry summer and fall months when the moisture content of the fills can be reasonably controlled (wetted and/or dried as needed).

**Utilities.** Utility trench excavations within 3 ft of concrete flatwork and pavement areas should be backfilled with granular material, such as sand, sand and gravel, or crushed rock with a maximum size of up to 2 in., and with not more than 5% passing the No. 200 sieve (washed analysis). The granular backfill should be compacted to at least 95% of the maximum dry density as determined by ASTM D 698. Flooding or jetting the backfilled trenches with water to achieve the recommended compaction should not be permitted. Where utility trenches occur in slopes over about 10%, check dams may be required to prevent migration of water along the utility trenches. Check dams can consist of structural concrete placed perpendicular to the trench and a minimum of 2 ft wide, extending from the bottom of the trench to the base of the roadway aggregate base section.

**Pavement Sections.** Past experience has indicated that the surficial soils at the site are sensitive to the moisture content and can pump and rut when wet of the optimum moisture content. Disturbed (pumping

and/or rutting, and moderately to severely desiccated) soils are not suitable for support of the new roadway and should be overexcavated and replaced with structural fill.

As a minimum, the upper 9 in. of soil under pavements and sidewalk areas should be stripped. Locally deeper stripping may be required to remove old stumps, construction debris, non-structural fill soils, desiccated soils, and other deleterious materials. Site stripping should be completed using a trackhoe equipped with a smooth-lipped bucket. The site strippings should be removed from the site.

Excavation for the roadway should be completed using a trackhoe equipped with a smooth-lip bucket. The subgrade should be covered with geotextile fabric and the rock section as soon as practical after the excavation is completed to design subgrade elevation. Construction traffic should not be allowed to traffic on the exposed silt subgrade soils.

For design purposes, the silt subgrade soils can be assumed to have an R-value of 2.

Based on the above design consideration, we recommend the following pavement section for the new roadways:

<u>Pavement Use</u>	<u>Asphaltic Concrete Thickness, in.</u> <u><math>\frac{3}{4}</math>-in.-minus Crushed Rock Base, in.</u>
Residential	3 / 20
Minor Residential	3 / 18

The road section should be underlain by a woven geotextile (5 oz minimum weight).

The rock section ( $\frac{3}{4}$ -in.-minus crushed rock) should be placed in a single lift then compacted using a moderate-sized smooth-drum vibratory compactor. The rock should be compacted to at least 95% of the maximum dry density as determined by ASTM D 698. We anticipate that a minimum of 4 passes will be required (a pass includes both the forward and reverse trips over the rock section by the compactor).

The subgrade soils and road section should be evaluated by a qualified geotechnical engineer or qualified inspector designated by the City of Medford prior to placement of the woven geotextile and prior to paving.

During winter and spring construction (when the subgrade soils are still relatively wet or saturated, the aggregate base rock section should be increased to a minimum of 24 in. to allow some trafficking of construction equipment on the aggregate base rock section. The thicker rock section will decrease the risk of damage to the subgrade due to construction activity.

Except for the ADA ramps, the rock section under sidewalks should be 12 in. thick. This section does not allow trafficking of equipment on the sidewalk. To reduce the risk of differential movements between the roadways and flatwork for the ADA ramps, the ADA ramps should have the same rock section as the roadways. The rock should extend past the edge of sidewalk about 6 in. and beyond the edge of ADA ramps by 12 in.

Aggregate rock sections may need to be adjusted in the field based on subgrade conditions, including desiccation of expansive soils, uncontrolled fills, sandstone rock subgrade, and organic zones.

All workmanship and materials should conform to the applicable standards of the current Oregon Department of Transportation (ODOT) Standard Specifications for Highway Construction.

**Preliminary Residential Design Recommendations.** Based on our observations at the site, the proposed lots are suitable for development with the proposed residential properties. Due to the steep slopes on the property, we recommend that the geotechnical engineer of record work with the home builder on each lot during construction and grading of each home. The geotechnical engineer should evaluate site grades, building subgrade, and lot drainage.

Based on the results of our investigation and our understanding of the proposed buildings, it is our opinion that foundation support for the buildings can be provided by conventional wall-type (continuous) spread-footing foundations. Pad foundations should not be used.

The building pads for the homes will require a layer of crushed rock to protect the subgrade soils. The thickness and type of crushed rock should be determined during construction. The intent of the granular structural fill under the buildings is to reduce the risk of damage to the buildings due to differential movement. Structural fill for support of the structure (and associated overexcavation of the unsuitable soils) should extend at least 3 ft beyond the edge of the building foundations.

Spread footing foundations for the homes should be oriented perpendicular to slopes.

Footings should be established at a minimum depth of 18 in. below the lowest adjacent finished grade for exterior footings. The width of footings should not be less than 12 in. for continuous wall footings. All footing excavations should be observed by a qualified geotechnical engineer prior to placement of rebar and concrete.

Foundations should be set back a horizontal distance of at least 10 ft from any slope downslope of the home. This set back may be obtained by embedment of the foundations (on a 2H:1V slope, the foundations must be embedded a minimum of 5 ft below final grades).

**Design Review and Construction Services.** We welcome the opportunity to review and discuss construction plans and specifications as they are being developed. In addition, AGE GC should be retained

to review all geotechnical-related portions of the plans and specifications to evaluate whether they are in conformance with the recommendations provided in our report. Additionally, to observe compliance with the intent of recommendations, design concepts, and the plans and specifications, we are of the opinion that all construction operations dealing with earthwork and foundations should be observed by an AGEGC representative. Our construction-phase services will allow for timely design changes if site conditions are encountered that are different from those described in this report. If we do not have the opportunity to confirm our interpretations, assumptions, and analyses during construction, we cannot be responsible for the application of our recommendations to subsurface conditions that are different from those described in this report.

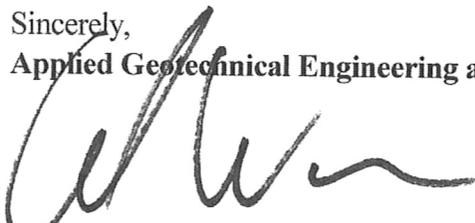
### LIMITATIONS

This report has been prepared to aid the design team in the completion of this project. The scope is limited to the specific project and location described herein, and our description of the project represents our understanding of the significant aspects of the project relevant to the design and construction of the earthwork, utilities, and pavement. In the event that any changes in the design and location of the site grading and utilities as outlined in this report are planned, we should be given the opportunity to review the changes and to modify or reaffirm the conclusions and recommendations of this report in writing.

The conclusions and recommendations submitted in this report are based on the data obtained from the explorations made at the locations determined by AGEGC and staked in the field by the project surveyor. In the performance of subsurface investigations, specific information is obtained at specific locations at specific times. However, it is acknowledged that variations in soil conditions may exist between test pit locations. This report does not reflect any variations that may occur between these explorations. The nature and extent of variation may not become evident until construction. If, during construction, subsurface conditions different from those encountered in the explorations are observed or encountered, we should be advised at once so that we can observe and review these conditions and reconsider our recommendations where necessary.

Sincerely,

**Applied Geotechnical Engineering and Geologic Consulting, LLC**

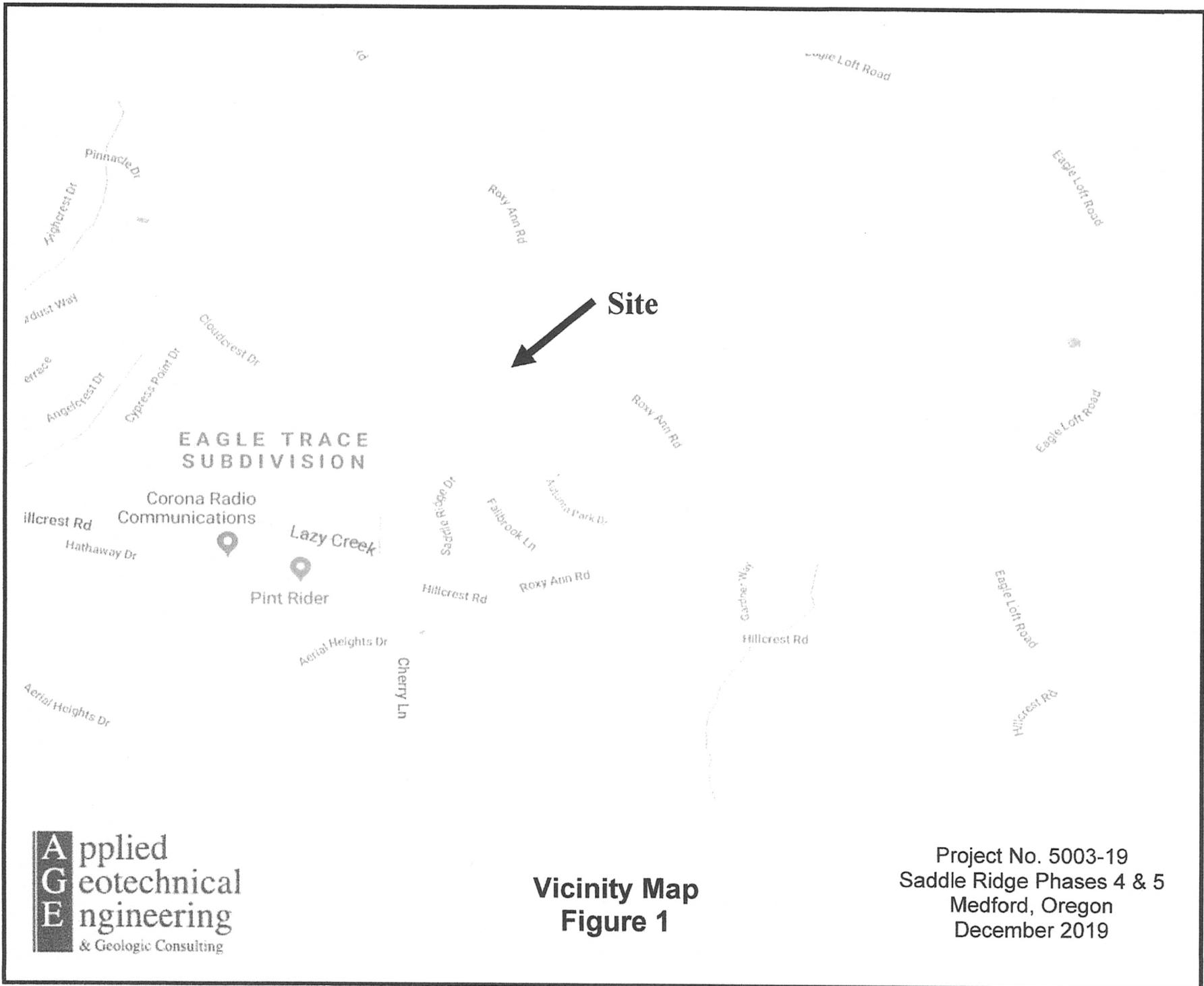


Robin L. Warren, P.E., G.E., R.G.  
Principal



Renewal: June 2020





**Vicinity Map  
Figure 1**

## APPENDIX A

The subsurface conditions and materials at the site were investigated on October 25, 2019, with eight test pits, designated TP-1 through TP-8. The test pit locations were staked in the field by the project surveyor prior to our fieldwork.

The test pits were excavated to depths ranging from 1.0 to 8.5 ft below the ground surface using a rubber-tired backhoe with a 2-ft-wide rock bucket. All field explorations were observed by an experienced geotechnical engineer/geologist provided by our firm, who maintained a detailed log of the materials disclosed during the course of the work. Representative soil samples were saved in airtight sample containers that were returned to our laboratory for further examination and physical testing. The test pits were backfilled with the excavation spoils at the completion of our fieldwork.

Logs of the test pits are provided below. Each log presents a descriptive summary of the various types of material encountered in the test pits and notes the depths where the materials and/or characteristics of the material change. The terms used to describe the materials encountered in the test pits are defined in Tables 1A and 2A.

### Test Pit TP-1 (53373)

- 0.0 to 2.0 ft Medium stiff, black Clayey SILT, moderately to highly expansive, rooted zone to a depth of about 9 in.  
 2.0 to 4.0 ft Hard (RH-3), brown SANDSTONE; slightly weathered, close fractures, becomes RH-4 below 4.0 ft.

Practical refusal on hard sandstone at a depth of 4.0 ft.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

### Test Pit TP-2 (54325)

- 0.0 to 4.5 ft Medium stiff, black Clayey SILT, moderately to highly expansive, rooted zone to a depth of about 9 in.

4.5 to 5.5 ft Medium stiff, brown SILT; some clay to clayey, scattered rock debris.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

### Test Pit TP-3 (54324)

- 0.0 to 2.5 ft Medium stiff, black Clayey SILT, moderately to highly expansive, rooted zone to a depth of about 9 in.

2.5 to 7.0 ft Medium stiff, brown SILT; some clay.

Hard (RH-3/RH-4) rock outcrop exposed in bottom of ravine near test pit location.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

**Test Pit TP-4 (53374)**

0.0 to 6.0 ft Medium stiff, black Clayey SILT, moderately to highly expansive, rooted zone to a depth of about 9 in.

6.0 to 8.5 ft Soft (RH-1), gray SILTSTONE; highly weathered, thin coal seam about 6 in. thick.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

**Test Pit TP-5 (53372)**

0.0 to 1.0 ft FILL: Pit-run rock.

1.0 to 3.0 ft Medium stiff, black Clayey SILT, moderately to highly expansive.

3.0 to 4.5 ft Medium hard (RH-2), brown SANDSTONE; slightly to moderately weathered, close fractures.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

**Test Pit TP-6 (53375)**

0.0 to 1.0 ft Medium stiff, black Clayey SILT, moderately to highly expansive, rooted zone to a depth of about 9 in.

1.0 to 4.0 ft Medium hard (RH-2), brown SANDSTONE; slightly to moderately weathered, close fractures.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

**Test Pit TP-7 (53376)**

0.0 to 0.5 ft Medium stiff, black Clayey SILT, moderately to highly expansive, rooted zone to a depth of about 6 in.

0.5 to 1.0 ft Hard (RH-3), brown SANDSTONE; slightly weathered, close fractures, becomes RH-4 below 1.0 ft.

Practical refusal on hard sandstone at a depth of 1.0 ft.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

**Test Pit TP-8 (54323)**

0.0 to 4.5 ft Medium stiff, black Clayey SILT, moderately to highly expansive, rooted zone to a depth of about 9 in.

4.5 to 5.5 ft Medium hard (RH-2), brown SANDSTONE; slightly weathered, close fractures, becomes RH-3/RH-4 below 5.5 ft.

Practical refusal on hard sandstone at a depth of 5.5 ft.

Groundwater seepage not observed.

No significant caving of test pit sidewalls.

Completed October 25, 2019.

**TABLE A: SOIL DESCRIPTION TERMINOLOGY**

<u>Coarse-Grained Soils (Sand Size and Larger)</u>	
<u>Relative Density</u>	<u>Standard Penetration Resistance (N-Values)</u>
Very Loose	0-4
Loose	4-10
Medium Dense	10-30
Dense	30-50
Very Dense	Over 50

<u>Fine-Grained (Cohesive) Soils</u>			
<u>Consistency</u>	<u>Standard Penetration Resistance (N-Value)</u>	<u>Torvane Undrained Shear Strength, tsf</u>	<u>Field Identification</u>
Very Soft	2	Less than 0.125	• Easily penetrated by fist.
Soft	2-4	0.125-0.25	• Easily penetrated by thumb.
Medium Stiff	5-8	0.25-0.50	• Penetrated by thumb with moderate effort.
Stiff	9-15	0.50-1.0	• Readily indented by thumb but penetrated only with great effort.
Very Stiff	16-30	1.0-2.0	• Readily indented by thumbnail.
Hard	Over 30	Over 2.0	• Indented with difficulty by thumbnail.

<u>Grain Shape</u>	
<u>Term</u>	<u>Description</u>
Angular	Corners and edges sharp.
Subangular	Corners worn off, angles not worn off
Subrounded	Corners and angles worn off, flat surfaces remain.
Rounded	Worn to almost spherical shape.

<u>Grain Size Classification</u>	
Boulders	6 to 36 inches
Cobbles	3 to 6 inches
Gravel	¼-¾ inch (fine) ¾-3 inches (coarse)
Sand	No. 200-No. 40 sieve (fine) No. 40-No. 10 sieve (medium)
Silt/Clay	No. 10-No. 4 sieve (coarse) Pass No. 200 sieve

<u>Modifier for Subclassification</u>	
<u>Adjective</u>	<u>Percentage of Other Material in Total Sample</u>
Clean	0 - 1.5
Trace	1.5 - 10
Some	10 - 30
Sandy, Silty, or Clayey	30 - 50

**TABLE 2A: ROCK DESCRIPTION TERMINOLOGY**

<u>Relation of RQD and Rock Quality</u>	
<u>RQD (Rock Quality Designation)%</u>	<u>Description of Rock Quality</u>
0-25	Very Poor
25-50	Poor
50-75	Fair
75-90	Good
90-100	Excellent

$$\text{RQD} = \frac{\text{Sum of Pieces Greater than 4 in.}}{\text{Total Length Cored}}$$

$$\text{Recovery} = \frac{\text{Total Length Recovered}}{\text{Total Length Cored}}$$

<u>Descriptive Terminology for Joint/Fracture Spacing</u>	
<u>Spacing of Joints/Fracture</u>	<u>Descriptive Terms</u>
Less than 2 in.	Very Close
2 in. to 1 ft.	Close
1 ft. to 3 ft.	Moderately Close
3 ft. to 10 ft.	Wide
Greater than 10 ft.	Very Wide

<u>Scale of Rock Hardness (After Panama Canal Company, 1959)</u>		
RH-1	Soft	Slightly harder than very hard over-burden, rock-like character, but crumbles or breaks easily by hand.
RH-1	Medium Soft	Cannot be crumbled between fingers but can be easily picked with light blows of the geology hammer.
RH-2	Medium Hard	Can be picked with moderate blows of geology hammer. Can be cut with knife.
RH-3	Hard	Cannot be picked with geology hammer but can be chipped with moderate blows of the hammer.
RH-4	Very Hard	Chips can be broken off only with heavy blows of the geology hammer.



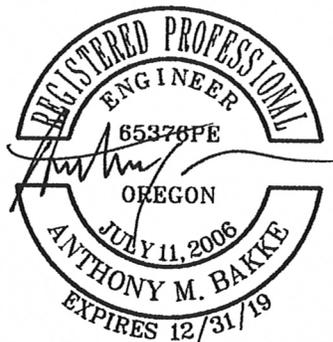
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P.O. BOX 1724 • MEDFORD, OR 97501 • PH (541) 779-5268

# Planning Preliminary Hydrology and Grading Report for Saddle Ridge Phases 4 & 5 Medford, Oregon

**Prepared by:**  
Anthony Bakke, P.E.,  
Construction Engineering Consultants, Inc.

**Date:**  
December 6, 2019



CITY OF MEDFORD  
EXHIBIT # 0  
FILE # LDS-20-025

## Project Description & Information

The proposed project is comprised of 49 single family residential units. The development is in East Medford located at the base of Roxy Ann Peak. Saddle Ridge is bounded by residential developments to the South and South East.

Project Type: Single Family & Multi Family Residential Development

Zoning: SFR-2

Project Location: City of Medford, Jackson County, Oregon

Legal Description: Map 37-1W-23AD, TL 1500 & Map 37-1W-23, TL 101

Total Site Area: 28.58 Acres

### 1) Hydrologic Conditions:

Slopes within this development range from 0% to 35%. The soils on site should be considered SCS hydrologic soil group Type-D. Additional soil information can be found in the Geotechnical Engineering report by Applied Geotechnical Engineering and Geologic Consulting.

There are existing seasonal drainages that extends through the project from North East to South West. The drainage receives stormwater run-off from portions of the properties to the North East.

### 2) Determination of Effect of Hydrologic Conditions:

The post development hydraulic conditions, as compared to predevelopment conditions, will effect this development by creating impervious surfaces which will increase the storm water runoff.

Runoff from the proposed site is planned to be conveyed though a public stormdrain system to a proposed storm water quality and detention facility, before re-entering the natural drainage path. Offsite flows from the area to the North East will be conveyed in a bypass system or through culvert crossings to maintain the natural flow path of the basin.

Onsite public stormdrain pipes are to be sized for the 10 year event. Offsite post development pass through flows shall be considered in pipe sizing calculations.

### 3) Determination of Hydrologic and Erosion Hazards:

There are no anticipated hydrologic or erosion hazards with this project. Prior to construction a DEQ 1200-C permit will be obtained. The permit requires that erosion and sediment control best management practices (BMPs) be installed, inspected and maintained during construction. Additionally, the permit requires that the site be stabilized with permanent BMPs after construction is completed.

### 4) Grading Plan: See attached conceptual grading plan.

TENTATIVE PLAT, LAND DIVISION (Partitions - Type II & Subdivisions - Type III)

HILLSIDE DEVELOPMENT CONSTRAINTS ANALYSIS STATUS FORM

A Constraints Analysis is required for all Land Division applications where development is proposed on slopes greater than 15%.

The Constraints Analysis must be deemed complete by the Public Works Department prior to submittal of the Land Division Application to the Planning Department. This form, signed by the Public Works Department, must accompany the Land Division application submittal to the Planning Department. After review, Public Works will mail this form to the Agent and forward a copy to Planning.

SECTION A: To be filled out by the applicant prior to submittal to the Public Works Department

Document Title Geotechnical and Geologic Investigation, Saddle Ridge Phases 4 and 5, Medford, Oregon

Subject Tax Lots 37 1W 23, Tax Lot 101 & 37 1W 23DA, Tax Lot 1500

Agent Name Applied Geotechnical Engineering and Geologic Consulting, LLC

Address: 1314-B Center Drive #452

City: Medford State: OR Zip Code: 97501

Email: robin.warren@agegc.com Telephone: 541-226-6658

SECTION B: To be filled out by the Public Works Department at time of submittal

Date Submitted: 1.22.20

Public Works Signature: [Signature]

SECTION C: To be filled out by Public Works after review of the Constraints Analysis

Based upon the information submitted with this application:

- The Constraints Analysis dated 12.16.19 is deemed complete.
- The Constraints Analysis is deemed incomplete.

ALEX GEORGEVICH  
Printed Name

[Signature]  
Signature

CITY ENGINEER  
Title

1.22.20  
Date





## NEATHAMER SURVEYING, INC.

April 23, 2020

Sent via email only to: [Dustin.Severs@cityofmedford.org](mailto:Dustin.Severs@cityofmedford.org)

### **CITY OF MEDFORD: PLANNING DEPARTMENT**

Attn: Dustin Severs, Planner III  
200 South Ivy Street, Lausmann Annex  
Medford, OR 97501

*Re: Saddle Ridge Subdivision, Phases 4 and 5  
City of Medford File No. LDS-20-025  
Jackson County Assessment Map No.  
371W23, Tax Lot 101 & 371W23DA, Tax Lot 1500*

Dear Dustin,

On behalf of my client and applicant, Michael T. Mahar, the intent of this letter is to address the comments numbered one and three in the letter from Jackson County Roads dated February 21, 2020, and identified as Exhibit "K" in Staff Report for File No. LDS-20-025. The following numbered comments correspond to those in said letter, a copy of which has been attached for reference.

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.

Traffic capacity issues are outside the scope of the approval criteria for a land division, as outlined in Section 10.202(E) of the Medford Land Development Code (MLDC). However, such matters are within the approval criteria for a zone change per MLDC Section 10.204(3)(b). Traffic considerations for the proposed development have already been addressed when the property was re-zoned to the Single Family Residential - two units per acre (SFR-2) zoning district under File No. ZC-00-159.

Pursuant to the Planning Commission Staff Report for ZC-00-159, dated June 14, 2001, it was determined the intersection of North Phoenix Road and Cherry Lane would only be able to accommodate a maximum of 925 Average Daily Trips (ADT). As a result, the zone change was approved and the Restricted Zoning (RZ) overlay was applied to the property until such time said intersection was signalized. Since then, the subject intersection has been realigned and signalized, thus satisfying the condition of approval per ZC-00-159.

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.



There are no new streets or drainage improvements to existing streets that are located within the jurisdiction of Jackson County. Furthermore, all proposed drainage, detention and other associated improvements will adhere to the City of Medford standards and will be subject to the review, inspection and approval of the city. Therefore, the requirement for an additional review and approval from another jurisdictional entity, who is not the governing body for the property in question, is unnecessary.

It is worth noting that the subject land division application is a re-submittal for File Nos. LDS-08035 and E-08-053 which expired on November 13, 2013. Contained in the original approval package is a letter from Jackson County Roads Department dated April 4, 2008 (Exhibit "I"), which states, "Jackson County Roads has no comments." Furthermore, the proposal contained in LDS-20-025 has even lessened the traffic and drainage impacts by reducing the number of proposed single-family lots from 49 to 45. The recent comments from Jackson County Roads stated hereinabove are inconsistent from the original review without having reason to substantiate the change.

Based on the above information, this office does not believe there is evidence to suggest that the requests being made in the subject comments are warranted. Therefore, I am respectfully requesting those items be removed from the proposed conditions of approval for LDS-20-025.

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

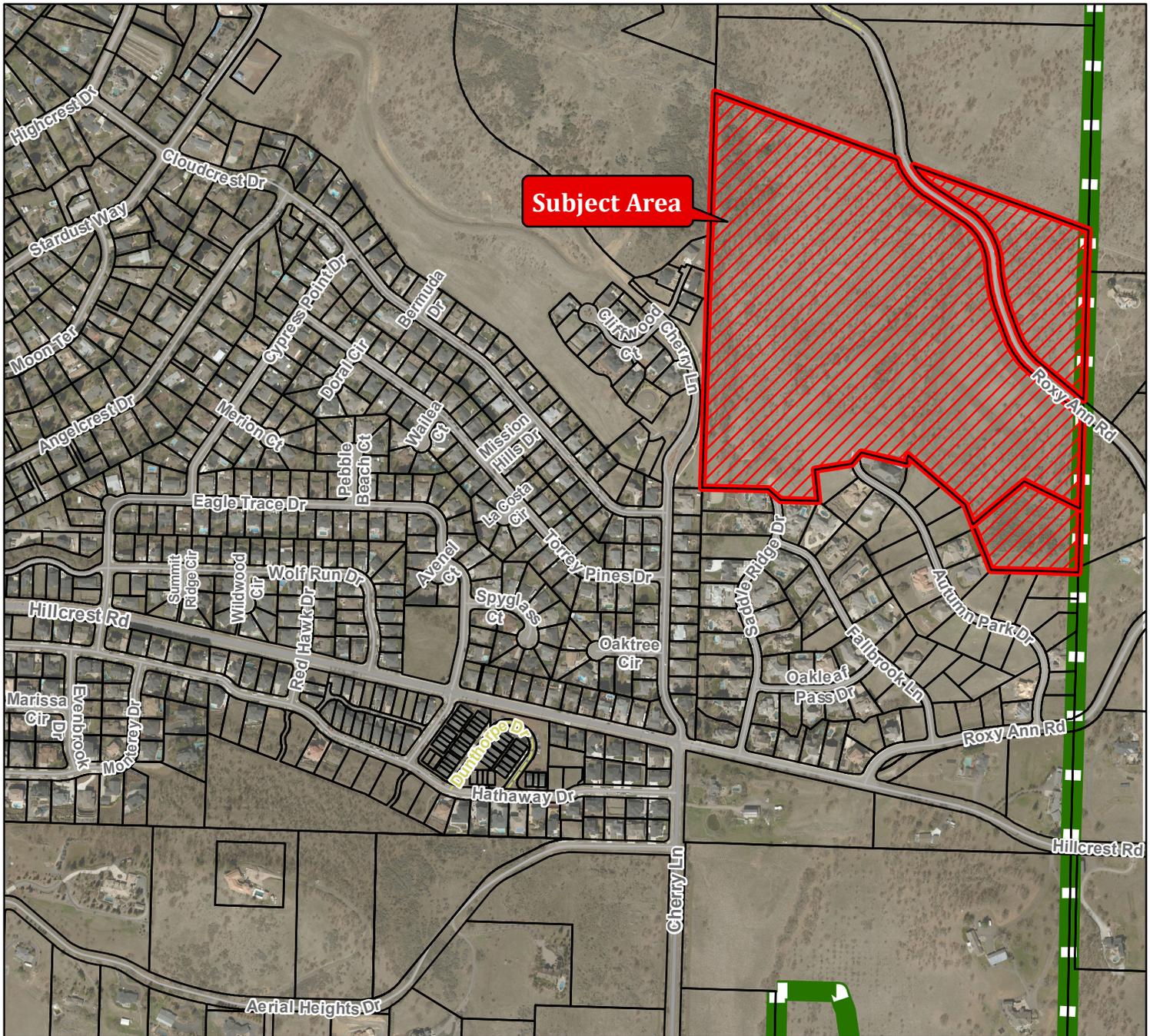
Respectfully,

Neathamer Surveying, Inc.

By:   
Robert V. Neathamer, President

Enclosures: 1

cc: Kelly Evans, Assistant Planning Director

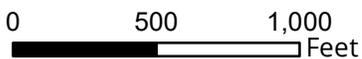


Project Name:

**Saddle Ridge Subdivision  
Phases 4 & 5**

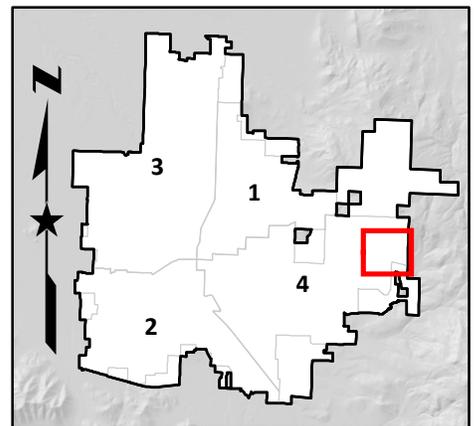
Map/Taxlot:

**371W23 TL 101 &  
371W23DA TL 1500**



**Legend**

-  Subject Area
-  Tax Lots





The applicant’s request was forwarded to the Planning Commission for formal discussion and initiation at their September 12, 2019 public hearing. The Commissioners voted 6-1 in favor of initiating the amendment. The amendment was added to the Long Range Division’s 2020 work tasks. The applicant paid for the amendment in October 2019.

Planning and Fire-Rescue staff began drafting changes to Chapter 9, where the bulk of the regulations are housed, in March and April 2020. The majority of the changes proposed were agreed upon by staff and the applicant. The remaining topic of where to permit and prohibit electric fences became the focus of the discussion and proposed changes. Planning staff drafted three options for consideration by the Planning Commission and City Council. Study sessions were held by both the Planning Commission and City Council on April 27th and April 30th. Of the three Options, Options #1 and #3 provided for the most discussion and analysis. A breakdown of the two options is below.

**Option #1**

**Permitted uses**

Identified 7 distinct uses that would permit electric fences

**Heavy Construction  
 Equipment Rental and  
 Leasing**

**Auto Dismantlers &  
 Metal Recyclers**

**Trucking Establishments**

**Towing Companies**

**Outdoor Storage areas**

**Auto repair, Services,  
 and Garages**

**Control of livestock**

**Prohibited Areas**

Listed distinct areas and zoning districts, *plus when adjacent to residential zones,*

Central Business overlay  
 Liberty Park Plan Area  
 Southeast Plan Area

**Option #3**

**Permitted uses**

Allow in 5 zoning districts regardless of the use on the property

**Community Commercial**

**Heavy Commercial**

**Light Industrial**

**General Industrial**

**Heavy Industrial**

**Prohibited Areas**

Same list as Option #1 *minus the adjacency requirements*

Central Business Overlay  
 Liberty Park Plan Area  
 Southeast Plan Area

<i>residential uses in commercial zones, and Public Parks zone</i>	When adjacent to residential dwelling units built in any commercial zoning district  Neighborhood Commercial and Service Commercial/Professional  Single-family and Multi-family zones or when adjacent to these zones  In the Public Parks zoning district or when adjacent to this zone	Neighborhood Commercial and Service-Commercial/Professional  Single-family and Multi-family zones  Public Parks zone
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Based on discussions with both the Planning Commission and City Council, Option #3 was identified as the preferred option.

Authority

This proposed plan authorization is a legislative amendment of Chapter 9 and Chapter 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code Sections 10.214 and 10.218.

**ANALYSIS**

Prior to 2015, electric fences were prohibited unless used for the control of livestock and when located inside of an existing fence. Therefore, the current regulations adopted five years ago are relatively new and are limited in scope. Available data from the City on the location and number of permits issued since 2015 is sparse, potentially meaning the City does not have a large number of these types of fences installed to date. Amarok, the applicant for this code amendment, reviewed their database and provided the location of five electric fence installations within the City (one of the locations is not permitted because of the zoning).

Amarok has been an electric fence security system provider since the 1990s and provides this type of fencing to businesses across the country. The request to review and modify the current regulations stems from interested customers within Medford unable to have this type of system because of limitations on where these types of fences can be located.

Overall a review and update to the electric fence requirements is positive because it provides an opportunity to revise standards that are identified in building codes, clarify fence details, update emergency access provisions, and incorporate new language that was not previously addressed such as hours of operation and surveillance.

Specifically, the main topic of discussion for this amendment focuses on where electric fences should be permitted and where they should be prohibited. As noted previously, the allowance of electric fences in a broader context (in more zoning districts) has only occurred over the last five years. The current amendment as proposed opens up that allowance even further causing concern for possible aesthetic and compatibility issues with residential uses and commercial centers. In response, the amendment identifies specific plan areas and zoning districts where electric fences are prohibited, providing a balance on the topic.

The finer point of this issue is in locations where commercial or industrial uses are adjacent to residential zones, residential uses, or commercial centers. These specific circumstances are unique land use situations where a residential home may share a property line with a commercial or industrial use, and which property owner's right for safety, security, and livability carries more weight? The residential property owner does not have the right to install an electric fence whereas the commercial/industrial property owner does. This potential conflict can be addressed through adherence of the bufferyard standards already available in Chapter 10 of the development code. Protections are in place for these very scenarios and if they are installed will help reduce the visual appearance of an electric fence through use of fences or walls along property lines, landscaping, and setbacks. The proposal seeks to use these existing buffer standards to help reduce the potential visual conflicts for the residential owner while still allowing for a business owner to install an electric fence security system.

Electric fence security systems, such as those provided by Amarak, provide business owners with a multi-layer protection barrier (fencing, warning signs, non-lethal shock, and alarms) that would cause a potential trespasser to rethink invading the premise. The proposal allows business owners within the five zoning districts outlined to determine if this type of protection is necessary for their property and the requirements that must be followed in order to install an electric fence. The amendment also tries to be mindful of areas like the downtown core and residential and neighborhood-scale commercial zoning districts by prohibiting electric fences in these locations. The proposal seeks to balance competing interests.

## FINDINGS AND CONCLUSIONS

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

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

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

### Findings

**Satisfied.** The use of electric fence security system is voluntary and provides a business owner the ability to choose a heightened defense system to protect their goods and property from theft and crime. At a high level, such protection and monitoring may benefit the City's law enforcement by reducing the number of calls made to the police department and allowing for officers to focus on more serious types of crimes. Properties that were once targets may no longer be and criminal activity in a particular location may be reduced or stop because of these systems.

Generally, the proposal provides an opportunity to update standards, add provisions, and clarify regulations that are out of date, no longer apply, or are relevant to enhance the topic being evaluated. In this case, Planning and Fire-Rescue staff coordinated to amend the electric fence language to better align with building and fire code provisions, emergency access needs, and simplify text to make the rules more understandable.

### Conclusions

The provisions provide another means for business and property owners to protect their sites. Additional protections to properties may assist by reducing the City's case load on theft crimes. The regulations are updated to ensure access by emergency personnel is safe and efficient. Overall, the amendment reflects needed changes to better understand and enforce the code related to electric fences. This criterion is satisfied.

*10.184 (2) (b). The justification for the amendment with respect to the following factors:*

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

### Findings

**Satisfied.** The amendments to the electric fence regulations most closely align with the goals and policies found in the Fire Emergency Services and Law Enforcement provisions of the Comprehensive Plan. Specifically the following statements:

**Fire Emergency Services Policy 3-C:** The City of Medford Fire Department shall provide staff to adequately review development proposals for compliance with the Uniform Fire Code.

**Implementation 3-C(1):** Review development proposals to assure adequate and timely access for all necessary fire apparatus.

Staff from Fire-Rescue were co-writers of the proposed electric fence amendments. Their involvement provided changes to ensure the safety of emergency personnel and vehicles to access properties with an electric fence security system and important updates related to fire and building codes, warning signs, and permit and inspection requirements.

**Law Enforcement Goal 1:** To provide a safe and secure environment for people and property in the City of Medford.

**Policy 1-A:** The City of Medford Police Department shall strive to provide rapid and timely response to all emergencies.

Issues with theft and burglary are a problem in the City of Medford as noted in the e-mail from Chief Clauson. Electric fence security systems provide business owners with another tool they can use to defend against crime occurring on their properties.

### Conclusions

The City's first responders are an important consideration in the proposal to ensure they can safely and easily gain access to properties armed with an electric fence security system in the event of an emergency. In addition, Fire and Police staff are in support of the provisions to help mitigate impacts of crime on business owners. The Comprehensive Plan broadly relates to the proposal. This criterion is satisfied.

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

### Findings

**Satisfied.** The proposal was drafted by both Planning and Fire-Rescue staff and reviewed and coordinated closely with Building Safety and Legal staff. The proposal was distributed to internal and external referral agencies for review and comments. A Land Development committee meeting was held on April 29, 2020, to discuss the proposal. The following partners provided emails or memorandums with official no comments on the subject: Oregon Department of Aviation, Public Works-Engineering, Medford Water Commission, and Fire-Rescue.

Following the City Council study session, Police Chief Scott Clauson was e-mailed the draft proposal to gain insights from the law enforcement perspective on the need for these types of fences. The e-mail from Chief Clauson is attached to the record. (**See Exhibit B**)

#### Conclusions

The proposal was coordinated with internal city agencies to capture applicable Building and Fire Code requirements and updates. The amendment was discussed with Police Chief Clauson in order to better understand the issues businesses are facing with theft and burglary and the impact additional protection of an electric fence could provide. Referral agencies were provided the opportunity to review the amendment and provide comments. This criterion is satisfied.

### 3. *Public comments.*

#### Findings

**Satisfied.** The proposal has been discussed during three public study sessions. To date, only one public comment via e-mail has been received on the topic from Robert Shand. (**See Exhibit C**) The proposal will be posted on the City's website for review by the public and will be provided to the Planning Departments' interested parties list for code amendments.

The proposal will be discussed and deliberated on at two scheduled public hearings on May 14th and June 18th providing opportunities for additional public input and testimony.

#### Conclusions

The development and review of code amendments is conducted in a public setting providing opportunities for citizens to engage and provide input throughout the process. The upcoming public hearings are additional avenues for residents to participate in the legislative code amendment process. This criterion is satisfied.

### 4. *Applicable governmental agreements.*

#### Findings

**Not Applicable.** There are no established governmental agreements between the City and another jurisdiction associated with electric fence provisions.

#### Conclusions

This criterion is found to be not applicable to this proposal.

### **RECOMMENDED ACTION**

Based on the findings and conclusions that all of the applicable criteria are either satisfied or not applicable, forward a favorable recommendation for approval of DCA-19-010 to the City Council based on the staff report dated May 7, 2020, including Exhibits A through D.

### **EXHIBITS**

- A Proposed amendment
- B E-mail dated May 1, 2020 from Chief Scott Clauson
- C E-mail dated April 30, 2020 from Robert Shand
- D Planning Commission Study Session Minutes, April 27, 2020

### **PLANNING COMMISSION AGENDA: MAY 14, 2020**

(Deleted language is ~~struck through~~ and new language is red underlined)

### 9.560 Fences and Walls

Pursuant to and in conjunction with Medford Code Sections 10.731 – 10.733, the following shall be prohibited.

(1) ~~Electric- Electrified~~ fencing, except as regulated by Section 9.561;

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### 9.561 Electric Electrified Fences

It shall be unlawful for any person to install, maintain or operate an electric\_ electrified fence in violation of this section. The construction and use of electric\_ electrified fences shall be allowed in the city only as provided in this section, and sections 10.731 through 10.735, subject to the following standards.

#### Definition:

Electrified Fence – Any fence, barrier or enclosure partially or totally enclosing a building, field or yard, carrying any electrical pulse or charge through any part, section or element thereof.

(1) Permitted. Electric fences shall ~~only~~ be permitted ~~around outdoor storage areas including vehicle storage areas~~ in the following zones: C-C, C-H, I-L, I-G, and I-H or where needed to control livestock.

(2) Prohibited. Electrified fences are prohibited in the following locations:

- a. Central Business overlay district;
- b. Liberty Park Plan Area;
- c. S-E Plan Area;
- d. The Neighborhood Commercial (C-N) and Service-Commercial/Professional (C-S/P) zoning districts;
- e. All of the Single Family and Multi-Family zones (SFR-00 through SFR-10, MFR-15, MFR-20, and MFR-30);
- f. In the Public Parks (P-1) zoning district

(3) Permits Required. ~~Electric- Electrified~~ fences shall only be installed under a permit issued by the Building Safety Department, and if an alarm is included, shall also have a Burglar Alarm permit issued under Medford Municipal Code 8.605 through 8.695. Prior to initially energizing an electrified fence, the property owner or owner's agent shall contact the Fire Department to ensure fire officials inspect the premise for compliance and the location is added to the Fire Department's electrified fence registration list.



~~(43)~~ Electrification. The electric charge produced by the fence upon contact shall be non-lethal, and shall not exceed the energizer characteristics set forth in the International Electro-technical Commission (IEC) Standard No. 60335-2-76, ~~2002-2018~~ edition. All electrical components shall bear the label of a testing agency recognized by the State of Oregon Department of Consumer and Business Services, Building Codes Division. The electrified fence shall be installed and used in accordance with the Oregon Electrical Specialty Code and Oregon Structural Specialty Code, the listing, and the manufacturer's installation instructions.

~~(43.1)~~ The energizer for ~~electric-electrified~~ fences ~~must-shall~~ be driven by a commercial storage battery or batteries not to exceed 12 volts DC. The storage battery~~(ies)~~ may be charged either by a solar panel, or a commercial trickle charger, or a combination of both. AC current shall not be used to energize any electrified fence.

~~(54)~~ Fence Details. Electrified fences shall be constructed in the following manner:

(5.1) Maximum Height. Electrified fences shall not exceed 10 feet in height.

(5.2) Perimeter Fence. No electrified fence shall be installed or used unless it is completely surrounded by a non-electrified perimeter fence in order to separate the electrified fence from the abutting property line and right-of-way. The non-electrified perimeter fence shall be installed under the regulations and height limitations in Medford Municipal Code 10.731 through 10.735. The minimum height of the non-electrified perimeter fence shall be six feet. The electrified and non-electrified perimeter fence shall be separated by no more than 10 inches.

(5.3) Setbacks. Electrified fences shall not be located in the front yard setback, required landscaping, or bufferyard requirements as set forth in Chapter 10. No electrified fence shall be installed within 24 inches of a property line.

(5.4) Fence Standards in conjunction with a Bufferyard. When a bufferyard exists, the applicant shall provide photographs of the existing fence or wall and vegetation. The installation of the non-electrified perimeter fence and electrified fence shall be outside of the bufferyard and built in accordance with Section 5.2. When a bufferyard does not exist, the non-electrified fence or wall shall be of solid construction (e.g. wood, concrete, masonry block) and the minimum height shall be eight feet.

~~No electric fence shall be installed or used unless it is separated from the abutting property or right-of-way by a non-electric fence or wall. When abutting a residential property, the non-electric fence or wall shall be of solid construction.~~

~~(4.1) The non-electric fence shall be installed under the regulations and height limitations in Medford Municipal Code 10.731 through 10.735.~~

~~(4.2) The non-electric fence shall be a height equal to, or greater than the highest level of electrification, but in no case less than 6 feet in height. Electric fences shall not exceed the height of the legally permitted non-electric surrounding fence. Electric fences shall not be located in the front yard setback.~~

~~(4.3) A separation shall be maintained between the electric fence and a surrounding non-electric fence or wall, adequate to allow maintenance of landscaping, but no less than 12 inches, and no electric fence shall be installed within 24 inches of a property line.~~

~~(4.4) When an electric fence is installed within a required buffer yard as defined in Medford Municipal Code 10.790, the non-electric fence shall be shall be constructed of a material and design that is sight-obstructing, and compatible with adjacent uses, per the standards of that section. The installation of the electric fence shall not interfere with or cause the removal of the required buffer yard plantings.~~

~~(65) Warning Signs. Electric- Electrified fences shall be clearly identified with warning signs in English and in Spanish that read: "Warning-Electric Fence" or an equivalent, together with a pictorial warning, and include the international symbol for an electrical hazard at intervals of not to exceed forty thirty feet. The warning signs shall be mounted on both sides of the electrified fence. The signs shall be reflective with a minimum two-inch letter height, minimum stroke of one-half inch and with a contrasting background.~~

~~(76) Emergency Access. Fire Department access shall be provided in accordance with the Fire Code and the Oregon Structural Specialty Code. When a vehicle gate opens automatically, it shall open using a sensing device approved by the Fire Department. The vehicle gate shall provide a means for the Fire Department to egress through the gate. Power to the electrified fence, excluding gate opening controls, shall be deactivated upon automatic Fire Department access through the gate. In addition, an approved Knox key box or approved equivalent shall be provided at an exterior location for any keyed locks or keyed gates for immediate emergency access necessary for life-saving or fire-fighting purposes. An approved method to manually disconnect electrical power to all portions of the fence and gates, such as a "Knox Remote Shunt Control Station", shall be provided at an exterior location. The method and location of both the key box and the electrical disconnect shall be approved by the Medford Fire Marshal Fire Code Official.~~

~~(8) Hours of Operation. An electrified fence shall only be energized during the hours when the general public does not have legal access to the protected property, unless when used to control livestock.~~

~~(9) Surveillance. Electrified fences shall be part of a functioning security system and monitored 24 hours a day.~~

(107) Compliance. Failure to maintain an ~~electric electrified~~ fence in conformance with the standards set forth in this section shall result in the fence being declared a public nuisance subject to abatement under Medford Municipal Code 5.530.

[Added, Sec. 2, Ord. No. 2015-88, Sept. 3, 2015.]

## Chapter 10 Adjustments

### 10.732 Fencing of Lots.

(4) All fencing shall comply with Sections 9.560 (Fences and Walls) and 9.561 (Electrified Fences), ~~Hazardous Fences Prohibited~~, of the City Code.

### 10.839 Marijuana-Related Businesses

(4) The ~~hazardous fence and wall~~ provisions in Sections 9.560 (Fences and Walls) and 9.561 (Electrified Fences) apply.

Friday 5/1/2020 11:39 a.m  
E-mail from Scott A. Clauson  
Re: Electric Fences

Hi Carla,

Thank for soliciting my feedback. I have been very interested in this project since the first time you mentioned it several months ago.

Business owners, in particular, are very frustrated about the chronic theft that occurs at their sites regularly. We recommend good lighting, fencing, cameras, cars that get locked up and heavy duty locks on storage units. Despite these recommendations, thieves continue to break in and generally cause thousands of dollars' worth of damage for mere pennies. Unfortunately, Southern Oregon is afflicted with rampant substance abuse and lack of jail space which fuels theft from businesses. So needless to say, I am very supportive of an additional measure that business owners can take to protect their property.

I have a different perspective on 9.561 (2d) (2f). I believe the fences should be allowed. These commercial locations remain vulnerable next to residential areas. A recent example, from two weeks ago was the Medford School District yard that was getting hit almost nightly by thieves. This fenced area is adjacent to a residential area. This theft was very difficult to stop even with cameras and lighting, which resulted in thousands of dollars' worth of tools being taken. We hid some police cameras and finally obtained some footage that lead to an arrest. This is just one example of how difficult it is for property owners to protect their valuables. This type of theft occurs nightly in Medford.

I would argue that they should be allowed on (2g) as well, but I would like to get your input. I am sure there is good reason for prohibiting this.

I hope that helps. I would gladly come to the next meeting and offer my insight if needed.

Scott Clauson | *Chief of Police*  
City of Medford, Oregon | Police Department  
219 S. Ivy Street, Medford, Oregon 97501  
Ph: 541.774.2209 | Fax: 541.774.2570  
[Website](#) | [Facebook](#) | [Twitter](#)

**From:** Robert Jr. Shand [<mailto:robertcshand@gmail.com>]

**Sent:** Wednesday, April 29, 2020 7:28 AM

**To:** Kay E. Brooks <[Kay.Brooks@cityofmedford.org](mailto:Kay.Brooks@cityofmedford.org)>; Mayor and Council <[mayor@cityofmedford.org](mailto:mayor@cityofmedford.org)>

**Subject:** Thank you for your representation and a suggestion on electric fences

Hi Kay, Thank you for sharing my concerns re: the MURA/Maslow camp ground on Central Ave. at this past council meeting. The single agenda item for tomorrows 4/30/2020 study session with regards to electric fencing and if and how it may be incorporated in areas of commercial/residential proximities. Bartlett St. Between the Starr shop and The Bartlett St. Apts. would be a good example. Initially there is/was a chain link fence. Then, an electrified fence was placed behind it complete with warning signs. The aesthetics were that of Stalag 13. the view was improved some what by the installation of privacy slats. I personally would take it a step further and add some living greenery. My suggestion would be: At locations of commercial/residential or downtown ,that there would be an aesthetically appropriate fence or barrier in front of an electrified fence thus softening the appearance of the electric/security fence. This would also help with the safety issue of accidental contact by children, pets or others. Thank you again for your representation of Ward 3. Kindest regards. Bob Shand



# PLANNING COMMISSION STUDY SESSION MINUTES



**MEDFORD**  
OREGON

April 27, 2020

12:00 P.M.

Lausmann Annex, Room 151

200 S. Ivy Street, Medford, Oregon

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The regular meeting of the Planning Commission was called to order in a Zoom webinar at 12:00 noon in 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  
David Jordan  
Bill Mansfield  
David McFadden  
Jared Pulver

**Staff Present**

Kelly Evans, Assistant Planning Director  
Carla Paladino, Principal Planner  
Eric Mitton, Deputy City Attorney

**Commissioners Absent**

E.J. McManus, Excused Absence  
Jeff Thomas, Unexcused Absence

**Guests**

Greg Lemhouse, United Strategies  
Michael Pate – Amarak Ultimate Perimeter Security

**20. Subject**

**20.1 DCA-19-010 Electric Fence Amendment**

Carla Paladino, Principal Planner reported that staff is seeking direction from the Planning Commission on draft language for electrified fences and consideration for a preferred option where electric fences are permitted and prohibited.

Amarok (formerly Electric Guard Dog) initiated the amendment seeking code changes in expanding the zoning districts where electric fences are permitted. The company has been approached by local Medford businesses to install this type of fencing and is finding limitations based on existing code provisions.

The current provisions permit electric fences around outdoor storage areas, including vehicle storage areas in C-H (Heavy Commercial), I-L (Light Industrial), I-G (General Industrial), and I-H (Heavy Industrial) or where needed to control livestock.

The proposal seeks to modify the title of Section 9.561 from Electric Fences to Electrified Fences. A definition for electrified fence has been added. A person seeking to install an electrified fence must receive a permit from the Building Safety Department, and if an alarm is included, then a burglar alarm



permit is needed. Prior to turning on the fence, applicant or agent must contact the Fire Department for an inspection and add the location to the Fire Department to the electrified fence registration list. The electric charge produced by the fence shall be non-lethal and comply with the IEC (International Electro technical Commission) standard, 2018 edition. The fence shall be installed and used in accordance with the Oregon Electrical Specialty Code and the Oregon Structural Specialty Code and the manufacturer's installation instructions. Energizer for the fence shall be through use of commercial storage batteries, the use of an AC current is not permitted.

Warning signs will be in English and Spanish with international symbol for electrical hazard. Signs to be placed at intervals or 30 feet or less on both sides of the fence. Signs shall meet reflectivity standards, letter height with a contrasting background. Fire Department access to the premises shall be in accordance with Fire Code OSSC requirements. Automatic gates must open using a sending device approved by the Fire Department. Power to the electrified fence excluding the gate opening controls shall be deactivated upon automatic Fire Department access. Knox key box or equivalent shall be provided at an exterior location for any keyed locks or gates for immediate emergency access. The fence shall only be electrified during hours when the general public does not have access. The fence shall be part of a functioning security system and monitored 24 hours per day.

The maximum height of the electric fence is 10 feet. Non-electrified fence required is a minimum of 6 feet surrounding outer perimeter. Fences must comply with setbacks, landscape yards and buffer yard requirements.

By adding the SIC codes and Zones within the text, it clearly identifies for the citizen and staff reviewing the regulations what the use is and where it is permitted based on Chapter 10 guidance. Staff suggests adding five new category of uses which expands the allowance for electrified fences into additional Commercial zoning districts.

Options #1 and #2 for where electrified fences are permitted are the same from the existing allowance (Outdoor Storage Areas and Control of Livestock). The proposed additions are heavy construction equipment rental and leasing; auto dismantlers and metal recyclers; trucking establishments, towing companies; and auto repair, services and garages.

Option #1 prohibits electrified fences in the Central Business overlay district; Liberty Park Plan area, Southeast Plan area; when adjacent to residential in Commercial zones; Neighborhood Commercial and Service Commercial Professional; SFR and MFR zones or when adjacent; and Public Parks zone or when adjacent. Option #2 prohibits electrified fences in the Central Business overlay district.

Option #3 is the same list as one and two but proposes to add the allowance for electrified fences to the Community Commercial Zoning district.

Option #3 prohibited areas are the Central Business overlay district; Liberty Park Plan area; Southeast Plan area; Neighborhood Commercial and Service Commercial Professional; SFR and MFR zones; and Public Parks zone.

Commissioner Mansfield asked, is the industry requesting Option #3 and is staff recommending Option #1? Ms. Paladino replied, that is correct.

Commissioner Mansfield asked, why does staff object to Option #3? Ms. Paladino reported that the issue with Option #3 for permitting is that Outdoor storage does not permit that use in Community Commercial. Staff feels that if an electrified fence is adjacent to a commercial or residential area it is not compatible.

Vice Chair Foley asked, would a solid wall come into play if the Commission chose Option #3? Ms. Paladino responded that it would.

Commissioner Pulver asked, are the proposed allowed uses not permitted in Community Commercial? Ms. Paladino replied just in Option #3.

Commissioner Pulver asked, if the uses were permitted in Community Commercial but not allowing electric fences, would it create an inconsistency in the Code? Ms. Paladino stated that it would. It would need to be called out specifically.

Commissioner Mansfield commented that he does not think safety is an issue. The issue is choosing either Option #1 or Option #3. Ms. Paladino responded that the next step would be to hear from the Commissioners on the entire draft.

Ms. Paladino reported that the draft will be presented to the City Council at their Thursday, April 30, 2020 study session. Presented to the Planning Commission at their May 14, 2020 public hearing and City Council public hearing on June 18, 2020. What Ms. Paladino hears today from the Planning Commission will be passed on to the City Council.

Vice Chair Foley asked, is the Central Business overlay district included or excluded in Option #3? Ms. Paladino responded that in the Central Business overlay an electric fence is prohibited.

Commissioner Mansfield asked, with Option #3 would it be difficult to modify Chapter 9 in order to avoid the awkwardness she described? Ms. Paladino stated staff would add language talking about electric fences being permitted in the Community Commercial zone.

Chair McKechnie asked, are electric fence details in the code or is it new language. Ms. Paladino replied that it is modified language. The difference is to expand the uses.

Chair McKechnie asked, has staff heard from the Police Department or anyone else that need electric fences that were being overrun with theft and mayhem on properties that needs consideration of this option or is it being driven by the applicant? Ms. Paladino responded it is at the applicant's request. She has not heard from the Police Department. Fire has a concern to update the language so they can access appropriately.

Chair McKechnie asked, does staff think the language in the code are sufficient for electric fences? Ms. Paladino stated that the new changes are appropriate. It is benefiting Building and Fire.

Commissioner Pulver having electric fences in some areas may discourage crime. He does not think residential uses in commercial areas needs to be an exclusion. He could see electric fences along the Greenway. Ms. Paladino responded that Commissioner Pulver's comments regarding electric fences providing a security feature and helping to deter unwanted activity is what the applicant would say. From an aesthetics and livability standpoint staff is trying to control where electrified fences are going and for specific uses.

Chair McKechnie thought staff's proposal for the electric fences were only in Heavy Commercial and the three industrial zones. Ms. Paladino responded that staff's proposal is Option #1 that electrified fences are permitted in the existing allowance (Outdoor Storage Areas and Control of Livestock). The proposed additions are heavy construction equipment rental and leasing; auto dismantlers and metal recyclers; trucking establishments, towing companies; and auto repair, services and garages. This expands into some of the commercial zones. In conjunction staff is proposing to prohibit them in certain areas and adjacent to certain zones so that the limitation is more.

Chair McKechnie asked, can it be done in such a way that electrified fences are not permitted in Community Commercial zones? Ms. Paladino replied that uses would have to be removed or specifically state in the code it is not permitted in that zone. That is Chair McKechnie's preference.

Commissioner McFadden commented that there is an auto repair shop on the corner of Jackson and North Central that goes to North Bartlett Street east. He is not sure of the zoning. Ms. Paladino believes it is Community Commercial. Commissioner McFadden continued that they currently have an electric fence. He is concerned with the visibility of those types of uses in some areas and Community Commercial might be one of them. Ms. Paladino responded that in that case it would be difficult because there used to be an auto dealership then converted to auto repair. The requirements for the buffer yards do not apply when changing the use.

Commissioner McFadden asked, could the fence visibility be dealt with on a new application? Ms. Paladino replied yes. She thinks it is noted in the commercial standards that outside storage requires site obscuring fence. Ms. Evans can correct her if she is wrong. Kelly Evans, Assistant Planning Director stated that it varies by zone. In Industrial zones items can be outside behind a

site obscuring fence. In commercial zones all uses except those customarily conducted outdoors must be located within an enclosed building. Outdoor storage is limited in commercial zones. The code does not allow slates for screening purposes. It is an interesting balance being able to see in. If one can see into an area where things are desirable does it make sense to put an electrified fence behind a view obscuring fence? It is an interesting question especially in a commercial zone.

Commissioner Mansfield favors Option #3. He does not share the belief that the site of the fence is that objectionable.

Chair McKechnie thinks electrified fences should not be allowed in community commercial zones because the lots can be particularly small. Whereas, in heavy commercial and industrial zones they have a larger minimum size requirement. The chance of having an electrified fence up tight to something else is more likely to occur in a community commercial zone. If it is not too much trouble for staff to have it in the four heavy industrial and commercial zones and not in the community commercial zone. Personally he does not see the need for electrified fences.

Commissioner Pulver asked, would there be an option to say no to the changes or recommend an option or an option with changes when this comes before the Planning Commission public hearing? Ms. Paladino replied absolutely. These are just three options staff came up with.

Vice Chair Foley agrees with Commissioner Mansfield. He is leaning towards Option #3.

Commissioner McFadden agrees with Chair McKechnie however, in terms of the visibility of the fence he agrees with Commissioner Mansfield. If there more of a need he could go with Option #3 but that is not a big call for electrified fences.

Commissioner Pulver would choose Option #2 with modifications and not allow in community commercial zones.

Commissioner Jordan asked, is the additional industries of heavy construction equipment, auto dismantlers and others coming from the industry? Ms. Paladino stated that came from looking at the applicant's website and where they cater most.

Commissioner Culbertson is leaning towards Option #3. He is not entirely convinced the community commercial zoning is that problematic about being permitted. He would like to see visuals of what the fences look like going forward.

Greg Lemhouse, United Strategies reported that in his experience in law enforcement property crimes are crimes of convenience. Harder targets with security systems deter crime. If there is an area secured and deters crime that keeps the criminal element from coming in that area which enhances livability in that area. They can provide a great deal of information on what the product

looks like. This is a security system that is inside and existing fence line. Most people do not see them when driving by.

Michael Pate, Amarok (formerly Electric Guard Dog) stated that they do not care about the outdoor storage zoning designation. United Rentals contacted Amarok to install the electric guard dog at their property. United Rentals is allowed in the C-C zones. They only care about the C-C zone and whatever is allowed in that zone at this time, not expanding the allow-ability of types of businesses within that zone. They would like to see these types of businesses use the devices but that is doing an exclusion of some groups that may like to secure their property. They just want to include one more zone. The devices are difficult to see. Solid walls make it hard to see someone hiding behind. It is better, as a security issue, that there is an open space that can be visually inspected. They are requesting Option #3. They can supply a list of properties that have the device that the Commissioners can drive by and see.

Ms. Paladino summarized that she heard Option #3 from Commissioner Mansfield, Vice Chair Foley and potentially from Commissioner Culbertson. Option #2 with modifications to the C-C zone from Commissioner Pulver. Chair McKechnie is no in favor of anything in the C-C zone. She did not get an option from Commissioner McFadden and Commissioner Jordan.

Commissioner Jordan has interest in Option #3.

Commissioner McFadden does not have a preference at this time.

Ms. Paladino reported that City Council will hear this Thursday. Does the Planning Commission want to hear back from what the City Council decided or have staff put everything together and present it at the Planning Commissions public hearing on May 14, 2020? Chair McKechnie responded that he would be interested but Ms. Paladino could send it in an email.

**100. Adjournment**

101. The meeting was adjourned at approximately 12:56 p.m.

Submitted by:

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Terri L. Richards  
Recording Secretary