PLANNING COMMISSION AGENDA

SEPTEMBER 27, 2018

Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

Alex Poythress

Jared Pulver

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

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

Planning Commission

Agenda

Public Hearing
September 27, 2018
5:30 PM
Council Chambers, City Hall, Room 300
411 West Eighth Street, Medford, Oregon

10. Roll Call

20. Consent Calendar/Written Communications (voice vote)

20.1 **LDS-18-085 / E-18-086** Final Orders of a tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300). The project includes an Exception request to the right-of-way dimensions and reduced sidewalks width (382W02AA TL200 & 300). Applicants: Joshua and Shawna Wallace & Michael and Heather Johnson; Agent: Scott Sinner Consulting, Inc.; Planner: Steffen Roennfeldt.

20.2 LDS-16-025 Determination of whether splitting Cascade Terrace at Cedar Landing Phase 5 into two sub-phases is substantially consistent with the approved tentative plat for Cascade Terrace at Cedar Landing Phases 1 through 5. The approved tentative plat creates 97 residential lots on the north side of Cedar Links Drive at Longstone Drive within the SFR-4/PD (Single Family Residential – 4 dwelling units per gross acre/Planned Development Overlay) zone. Applicant: CA Galpin; Planner: Kelly Evans, Assistant Planning Director.

30. Minutes

30.1 Consideration for approval of minutes from the September 13, 2018, hearing.

40. Oral and Written Requests and Communications
Comments will be limited to 3 minutes per individual or 5 minutes if representing an organization. **PLEASE SIGN IN.**

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

New Business

50.1 **ZC-18-097** Consideration of a request for a change of zone of a 3-acre parcel located at 503 Airport Road from Light Industrial (I-L) to Regional Commercial (C-R) (372W12A502). Applicant: Columbia Care, Inc.; Agent: Richard Stevens & Associates; Planner: Dustin Severs.

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

50.2 **ZC-18-101** Consideration of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) on a 0.87 acre lot located at 1919 Orchard Home Drive (372W35DD2000). Applicant: Sterling Homes, LLC.; Agent: Valente Sosa; Planner: Steffen Roennfeldt.

50.3 **LDS-18-109** Consideration of a tentative plat for a 17-lot subdivision on approximately 2.85 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located northwest of the Merriman Road and Mace Road intersection (372W13BB 500). Applicant: F.B. Owen, Inc.; Agent: Richard Stevens & Associates, Inc.; Planner: Steffen Roennfeldt.

50.4 **CP-18-063** A Comprehensive Plan Amendment to incorporate the 2017 City of Medford Natural Hazards Mitigation Plan into the Environmental Element of the Comprehensive Plan, and update the Goals, Policies, and Implementation Strategies. Applicant: City of Medford; Planner: Seth Adams.

60. Reports

60.1 Site Plan and Architectural Commission

60.2 Joint Transportation Subcommittee

60.3 Planning Department

70. Messages and Papers from the Chair

80. Remarks from the City Attorney

90. Propositions and Remarks from the Commission

100. Adjournment

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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF)
) **ORDER**
COPLEY SQUARE [LDS-18-085])

ORDER granting approval of a request for tentative plat for *Copley Square,* described as follows:

A tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300). The project includes an Exception request to the right-of-way dimensions and reduced sidewalks width (382W02AA TL200 & 300).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and

2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *Copley Square,* as described above, with the public hearing a matter of record of the Planning Commission on September 13, 2018.

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 *Copley Square,* 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 *Copley Square,* stands approved per the Planning Commission Report dated September 13, 2018, 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 September 13, 2018.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.270 Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 27th day of September, 2018.

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)
) **ORDER**
COPLEY SQUARE [E-18-086])

ORDER granting approval for a request of an exception for *Copley Square*, as described below:

Requesting an exception to the right-of-way dimensions and reduced sidewalks width on an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.251 and 10.252; and

2. The Medford Planning Commission has duly held a public hearing on the exception for *Copley Square*, as described above, with the public hearing a matter of record of the Planning Commission on September 13, 2018.

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 *Copley Square*, as described above, stands approved per the Planning Commission Report dated September 13, 2018, 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 Report dated September 13, 2018.

BASED UPON THE ABOVE, the Planning Commission determined that the exception is in conformity with the provisions of law and Section 10.253 criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 27th day of September, 2018.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

COMMISSION REPORT

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

PROJECT	Copley Square Applicant: Heather Johnson & Joshua Wallace Agent: Scott Sinner Consulting, Inc.
FILE NO.	LDS-18-085 & E-18-086
DATE	September 13, 2018

BACKGROUND

Proposal

Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 gross acres (1.88 net acres) within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300). The project includes an Exception request to the right-of-way dimensions and reduced sidewalk width.

Vicinity Map

Figure 1: Vicinity Map

Subject Site Characteristics

Zoning:	SFR-6 (Single Family Residential (4 to 6 dwelling units per gross acre)
GLUP:	UR (Urban Residential)
Overlay(s):	None
Use(s):	Two Single Family Residences

Surrounding Site Characteristics

North	Zone: SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) Use(s): Low Density Residential
South	Zone: SFR-00 Use(s): Low Density Residential
East	Zone: SFR-6 Use(s): Low Density Residential
West	Zone: SFR-00 Use(s): Low Impact Commercial

Related Projects

A-03-217	Copley Annexation
ZC-04-175	Zone Change (Withdrawn)
ZC-04-258	Zone Change from SFR-00 to SFR-6
LDP-05-86	Partition (Withdrawn)
LDS-05-204	Copley Square Subdivision (Expired)
E-05-314	Copley Square Exception (Expired)
PLA-07-101	Property Line Adjustment
PA-17-156	Pre-Application for Subdivision application

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

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

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

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

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

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

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

MLDC 10.253: CRITERIA FOR AN EXCEPTION

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for

which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Corporate Names

Scott Sinner is the Registered Agent, President, & Secretary for Scott Sinner Consulting, Inc. according to the Oregon State Business Registry.

ISSUES AND ANALYSIS

Background

On March 23, 2006, the Planning Commission granted approval to the tentative plat and an exception request for a 10-lot residential subdivision on the subject parcels.

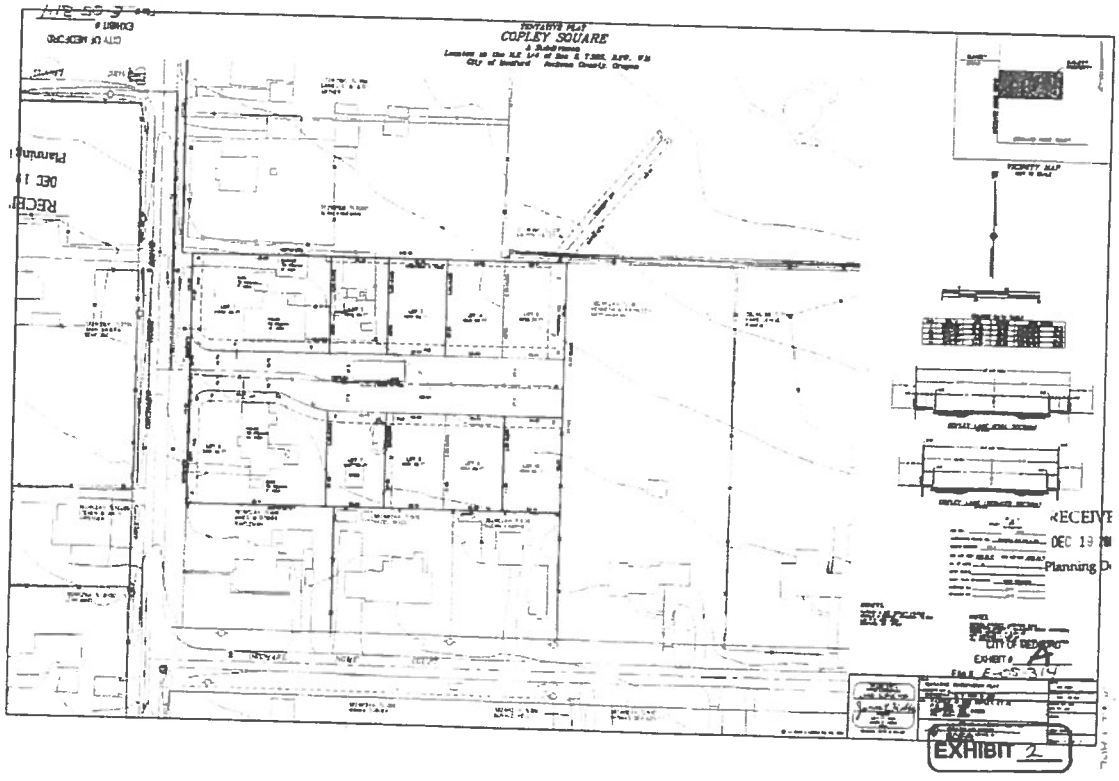

Figure 2: LDS-05-204 & E-05-314 Tentative Plat

Both applications, LDS-05-204 & E-05-314, ultimately expired as the Final Plat was never submitted.

Project Summary

The submitted tentative plat is relatively similar to the approved subdivision request in 2006. The lot sizes are slightly different in size and form and an eleventh lot, serving as the stormwater detention area for the subdivision, is included in this application.

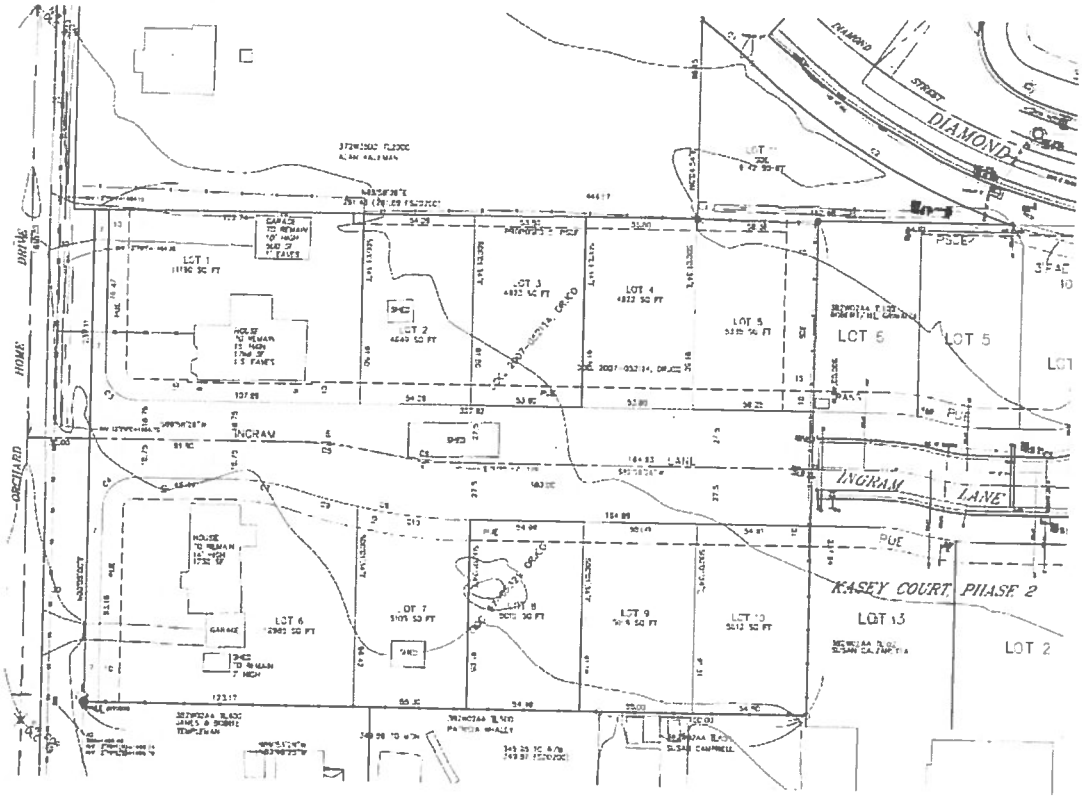

Figure 3: Proposed Tentative Plat

The two existing single-family residences are proposed to remain on Lot 1 and Lot 6.

The land division application is accompanied by an Exception application to request approval of a reduced right-of-way width to allow a street to be extended between the two structures.

Ingram Lane, which was developed as part of the adjacent Kasey Court subdivision, is proposed to connect to said subdivision to the east and to Orchard Home Drive to the west. The completion of Ingram Lane will also aid the pedestrian connection from Orchard Home Drive to Diamond Street via an existing pedestrian accessway from nearby Milton Lane.

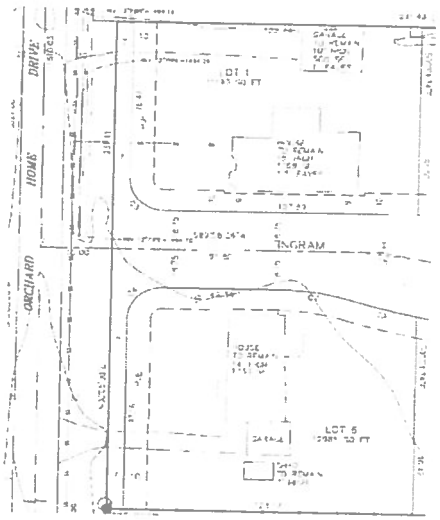

Figure 4: Proposed reduced right-of-way

Density

Density Table (Exhibit L)

SFR-6 *6.0 to 10.0 dwelling units per gross acre*	**Allowed**	**Proposed**
382W02AA200	5 d.u. min 7 d.u. max	6 d.u. (75% of maximum)
382W02AA300	4 d.u. min 6 d.u. max	5 d.u. (82% of maximum)
Total	**9 d.u. min** **13 d.u. max**	**11 d.u.** **(85% of maximum)**

As shown on the Density Table above, based on a total of 2.08 gross acres of land, the creation of eleven lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-6 zoning district as per MLDC 10.710.

Development Standards

Site Development Table

SFR-6	**Lot Area (square feet)**	**Min. lot Width (Interior)**	**Min. lot Width (Corner)**	**Min. lot Depth**	**Min. Lot Frontage**
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Proposed	4,922 to 12,985	53.80 feet *(lowest)*	60 feet *(Lot 3)*	97.6 feet *(lowest)*	40 feet *(lowest)*

Site Development Table for Existing Buildings

SFR-6	**Min. Front Yard Building Setback**	**Minimum Street Yard Building Setback**	**Min. Side Yard Building Setback**	**Min. Rear Yard Building Setback**	**Max. Height**
Required	15 feet	10 feet	4 feet	4 feet	35 feet
Proposed	Lot 1: 42 feet Lot 6: 39 feet	Lot 1: 10 feet Lot 6: 12 feet	Lot 1: 40 feet Lot 6: 29 feet	Lot 1: 28 feet Lot 6: 48 feet	Lot 1: 15 feet Lot 6: 14 feet

As shown in the Site Development Tables above, it can be found that the eleven proposed lots identified on the submitted tentative plat meet all the dimensional standards for the SFR-6 zoning district as found in Article V of the Medford Land Development Code, with one exception: Lot 6 is proposed to be 12,985 square feet; while this exceeds the required lot area range of 4,500 to 12,500 square feet required, an exception request is not required as per MLDC 10.702(3)(a) which states:

> *A new residential lot may exceed the maximum lot area only under the following circumstances: when an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area....*

It can be found that the existing house and landscaping on proposed Lot 6 occupies an area larger than the code requirement and, therefore, is governed by MLDC 10.702(3)(a).

Facility Adequacy

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

Other Agency Comments

Rogue Valley Sewer Services (RVSS) (Exhibit K)

The subject property is within RVSS service area, which requires that future sewer improvements be designed and constructed in accordance with RVSS standards. As a condition of approval, the applicant will be required to comply with the conditions of RVSS.

Committee Comments

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

Requested Exceptions Discussion

Right-of-Way Reduction

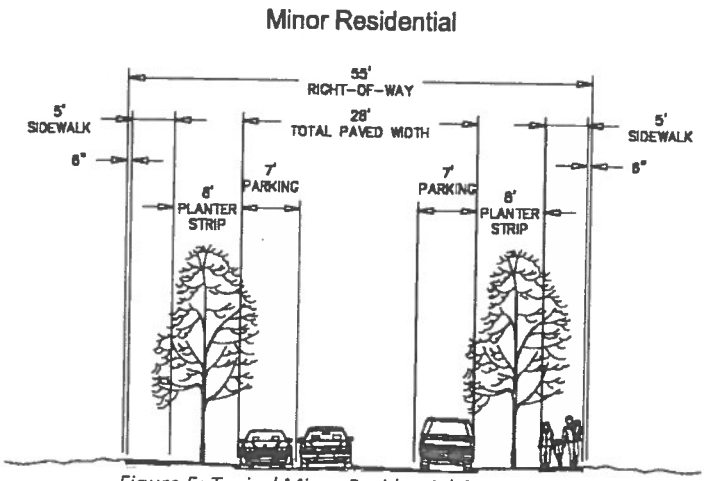

Figure 5: Typical Minor Residential Cross Section

An exception is requested to allow a reduction of standard right-of-way for a proposed Minor Residential Street (Ingram Lane) from the code requirement of 55-feet to the requested 37.5-feet between proposed lots 1 and 6. This reduction of right-of-way would affect approximately 150 feet of Ingram Lane, east of its intersection with Orchard Home Drive. This exception is requested in order to retain the existing homes on proposed lots 1 and 6.

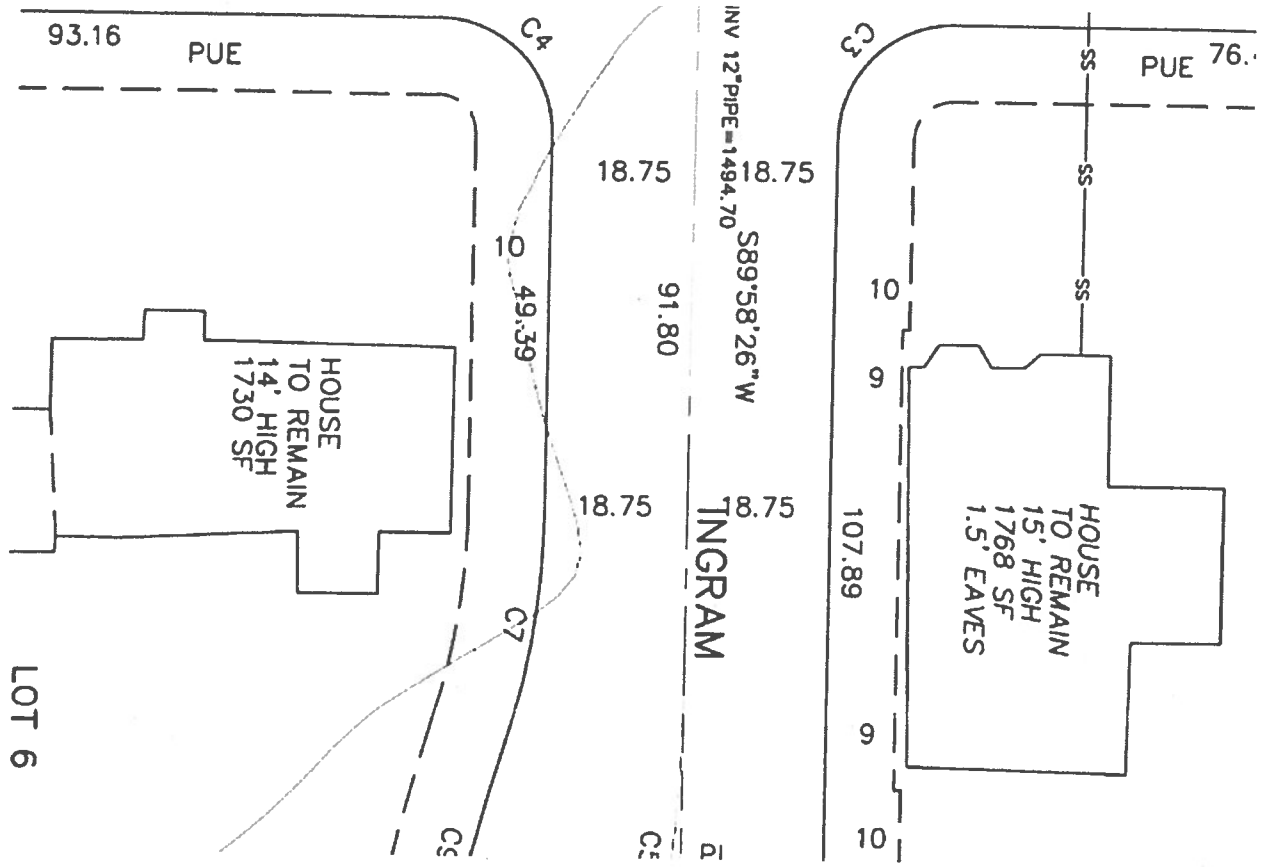

Figure 6: Close-up view of proposed reduced right-of-way

Ingram Lane is proposed to be developed to the code required 55-feet along the remaining lots to the western boundary of the subject site. As indicated in the applicant's findings (Exhibit D & E), the specific right-of-way width reduction request includes a reduction of the Public Utility Easement by one foot on the north side of Ingram Lane. The reduced section would consist of two 4-foot sidewalks and two 14-foot travel lanes plus curbs and gutters for a total width of 37.5-feet of right-of-way. This reduction of right-of-way width will eliminate the planter strip, but not the sidewalks.

Decision: The Commission denied the request for reduced sidewalk widths but recommended that adjoining Public Utility Easements be adjusted (reduced) accordingly where necessary to allow for five foot sidewalks. MLDC 10.471 gives the City the opportunity to reduce PUEs, if deemed necessary.

Driveway Relocation

The applicant is also requesting an exception to the standard contained in MLDC 10.550(3)(a)(1) which states that *no driveway access to an Arterial or Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street or has legal right of access to any street via any abutting parcel(s).*

Both existing developments are oriented and addressed on Orchard Home Drive and, as can be seen in Figure 3 and 4, abvoe, both existing driveways take access from Orchard Home Drive which is classified as a Major Collector. A strict application of MLDC 10.550 would require the access for both parcels to come from newly created Ingram Lane, a lower order minor residential street.

Figure 7: Photos of Existing Driveways

As can be seen above, both driveways are currently graveled only and, if to remain, will have to be paved per MLDC 10.746.

Per the revised Public Works Staff Report, dated September 5, 2018, Public Works recommends denial of this portion of the exception request. *The findings contend that relocating the driveways for the existing houses to Ingram Way is an undue hardship on the development. Based on visits, neither of the areas identified as a garage on the site plan are currently used for vehicle parking and do not gave garage doors, which reduces this potential impact. The findings also contend that the driveways being placed on the narrow portion of Ingram Way could impact congestion in the subdivision. Since the narrow section of Ingram Way is proposed to eliminate planter-strips and reduce sidewalk width, not to reduce the curb-to-curb width, placing the driveways on Ingram Way will not impact congestion in the subdivision any more than the other driveways in the subdivision. However, placing the driveways on Orchard Home Drive will impact congestion on a Major Collector roadway. If the exception is approved and driveway access is allowed to Orchard Home Drive then the SDC Credits for the right-of-way dedication and the associated street improvements to this street shall be reduced in accordance with the City of Medford's Administrative Guidelines for Street SDC Fees and Credits.*

Decision: The Commission granted the exception request regarding the driveways off of Orchard Home Drive. The two existing gravel driveways will have to be paved and improved with a turnaround per Conditions 1.f and 1.g.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibits D & E) and recommends that the Commission adopt the findings with the following modification:

Deny the portion of the Exception that requested for Lots 1 and 6 to not take access via Ingram Way per the revised Public Works Staff Report, page 4.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-18-085 and E-18-086 per the Planning Commission Report dated September 6, 2018, including Exhibits A through L; reduced width dimensions of Ingram Way as presented; denied the reduction of sidewalks and to accomplish that recommended Public Utility Easements adjusted accordingly where necessary to allow a five foot sidewalk; honored the original approved (expired) approval of this project; allowed the two driveways to remain off of Orchard Home Drive and included Condition of Approval 1.g.

EXHIBITS

A-1	**Conditions of Approval, drafted September 13, 2018**
B	Tentative Plat, received June 22, 2018
C	Conceptual Drainage Plan, received June 22, 2018
D	Applicant's Findings of Fact, received June 22, 2018
E	Additional Exception Findings of Fact, received September 5, 2018
F-2	**Public Works Staff Report, revised September 14, 2018**
G	Medford Water Staff Memo, dated July 25, 2018
H	Building Department Memo, dated July 24, 2018
I	Medford Fire Land Development Report, dated July 24, 2018
J	Jackson County Roads Memo, dated July 16, 2018
K	Rogue Valley Sewer Services Memo, dated July 13, 2018
L	Density Calculations, dated July 18, 2018
	Vicinity map

PLANNING COMMISSION AGENDA: **SEPTEMBER 13, 2018**
SEPTEMBER 27, 2018

EXHIBIT A-1

Copley Square
LDS-18-085 & E-18-086
Conditions of Approval
September 13, 2018

CODE CONDITIONS

1. The applicant shall:

   a. Comply with the revised Public Works Staff Report dated September 5, 2018 (Exhibit F).

   b. Comply with the Medford Water Commission Staff Memo dated July 25, 2018 (Exhibit F).

   c. Comply with the Fire Department Report, received July 24, 2018 (Exhibit H).

   d. Comply with the Jackson County Roads Comments dated July 16, 2018 (Exhibit I).

   e. Comply with the Rogue Valley Sewer Services Memo dated July 13, 2018 (Exhibit J)

   f. Pave all new and existing driveways per MLDC 10.746

   g. Provide paved driveway turn-around for driveways on Orchard Home Drive to prevent vehicles from backing-out into traffic per MLDC 10.746(11).

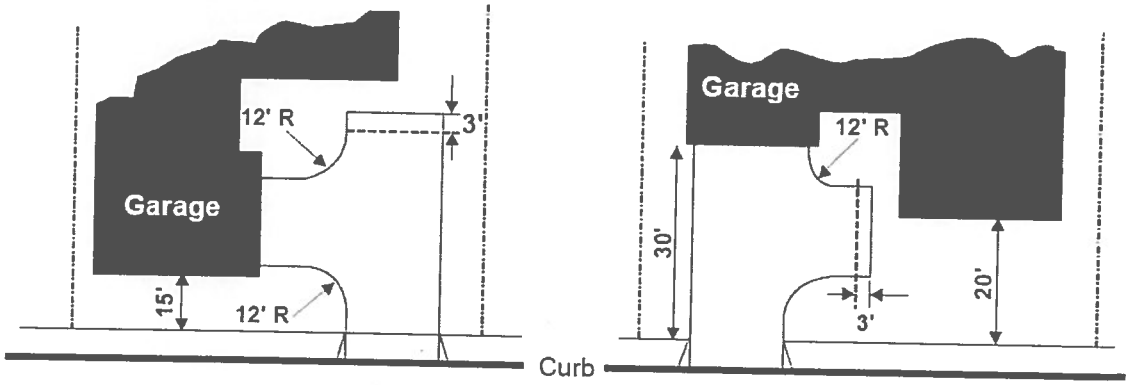

Figure 1: MLDC1.746(11)

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CITY OF MEDFORD

LD Date: 7/25/2018
Commission Update: 9/14/2018
File Numbers: LDS-18-085/E-18-086
Reference: PA-17-156/PA-17-057

PUBLIC WORKS DEPARTMENT STAFF REPORT

Copley Square

1945/1965 Orchard Home Drive
TLs 200 & 300

Project: **Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district.**

Location: **Located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300).**

Applicant: **Applicants: Joshua and Shawna Wallace & Michael and Heather Johnson; Agent: Scott Sinner Consulting, Inc.; Planner: Steffen Roennfeldt.**

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

- Approval of Final Plat:
  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)

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

CITY OF MEDFORD
EXHIBIT # F-2
File # LDS-18-085
E-18-086

A. STREETS

1. Dedications

Diamond Street is classified as a Minor Collector street within the Medford Land Development Code (MLDC), Section 10.428. Additional right-of-way has already been dedicated as part of the Warren Park Subdivision Phase II, P-1842D. **No additional right-of-way is required.**

Orchard Home Drive is classified as a Major Collector street within the MLDC 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width (37-feet) of right-of-way. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

This development shall extend **Ingram Lane**, in accordance with MLDC 10.426, from its current terminus at the eastern property line west to Orchard Home Drive. The Developer shall dedicate full width right-of-way (55-feet), consistent with the standard prescribed by MLDC 10.430. The Developer has **requested an Exception** to reduce the right-of-way width from 55-feet to 37.5-feet between Lots 1 and 6 where the existing homes are proposed to remain. If the Planning Commission denies the Exception, then the standards for a Minor Residential Street classification shall apply, and the Developer shall dedicate a right-of-way width of 55-feet.
Commission Update: The Exception to reduce the right-of-way width was revised to a width of 39.5-feet to allow for 5-foot curb tight sidewalks on both sides

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

Public Utility Easements, 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471).
Commission Update: The PUE may be reduced as required to accommodate an existing structure to a width acceptable to the City Engineer (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.

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2. **Public Improvements**

a. **Public Streets**

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

Orchard Home Drive shall be improved to Major Collector street standards, in accordance with MLDC 10.428. The Developer shall improve the east half plus 12-feet west of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

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

The Developer shall receive Street System Development Charge credits for the public improvements on Orchard Home Drive per the value established by the Medford Municipal Code, Section 3.815.

Ingram Lane shall be constructed to Minor Residential street standards, along the frontage of this development, in accordance with MLDC 10.430. The Developer has **requested an Exception** to reduce the right-of-way width from 55-feet to 37.5-feet, eliminating the planter strip on either side, reducing the sidewalk from 5-feet to 4-feet, and reducing the right-of-way behind the sidewalk from 0.5-feet to 0.25-feet. If the Exception request is denied, Ingram Lane shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430. **Commission Update:** The Exception to reduce the right-of-way width was revised to a width of 39.5-feet to allow for 5-foot curb tight sidewalks on both sides.

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. Orchard Home Drive

a. 1 – Type C-250

NOTE: Possible power source would be the existing Base Mounted Cabinet (BMC) conduit system to the south of this project located at 2029 Orchard Home Drive. If not, a new BMC will be required.

B. Ingram Lane

a. 2 – Type R-100

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

a. 1 – Stop Sign
b. 1 – Street Sign
c. 1 – Speed Sign

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

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

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

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this frontage to Orchard Home Drive. **There is a pavement cutting moratorium currently in effect along Diamond Street, which is set to expire February 15th, 2021.**

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

d. Soils Report

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

e. Access to Public Street System

Driveways shall comply with MLDC 10.550. In accordance with MLDC 10.550, Lots 1 and 6

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shall take access via Ingram Lane.

The Developer has **requested an Exception** to the requirement that Lots 1 and 6 take access via Ingram Way because there are existing driveways on Orchard Home Drive. **Public Works recommends denial of this portion of the exception request.** The findings contend that relocating the driveways for the existing houses to Ingram Way is an undue hardship on the development. Based on site visits, neither of the areas identified as a garage on the site plan are currently used for vehicle parking and do not have garage doors, which reduces this potential impact. The findings also contend that the driveways being placed on the narrow portion of Ingram Way could impact congestion in the subdivision. Since the narrow section of Ingram Way is proposed to eliminate planter-strips and reduce sidewalk width, not to reduce the curb-to-curb width, placing the driveways on Ingram Way will not impact congestion in the subdivision any more than the other driveways in the subdivision. However, placing the driveways on Orchard Home Drive will impact congestion on a Major Collector roadway. If the exception is approved and driveway access is allowed to Orchard Home Drive then the SDC Credits for the right-of-way dedication and the associated street improvements to this street shall be reduced in accordance with the City of Medford's Administrative Guidelines for Street SDC Fees and Credits.

Commission Update: The exception request to allow access to Orchard Home Drive for lots 1 and 6 was approved. SDC Credits will be reduced as prescribed in the City of Medford's Administrative Guidelines for Street SDC Fees and Credits.

f. Easements

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

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

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

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

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

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

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

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

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

Ingram Lane: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 11 lots and will improve approximately 350 lineal feet of roadway which equates to 31 lineal feet per dwelling unit. Also the development will dedicate approximately 16,975 square feet of right-of-way, which equates to approximately 1,543 square feet per dwelling unit.

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To determine proportionality a neighborhood with similar characteristics was used. The development used was Orchard Court Subdivision just southwest of this development between Diamond Street and Orchard Home Court and consisted of 7 dwelling units. The previous development improved approximately 430 lineal feet of roadway and dedicated approximately 10,800 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 61 lineal feet of road per dwelling unit and approximately 1,543 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 11 new Lots within the City of Medford and increase vehicular traffic by approximately 188 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

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

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

d. Dedication of connecting streets will decrease emergency response times and provide emergency vehicles alternate choices in getting to an incident and reducing miles traveled.

e. 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.

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

B. SANITARY SEWERS

This site lies within the Rogue Valley Sanitary Sewer (RVSS) service area. Contact RVSS for availability and connection. A separate individual sanitary sewer lateral shall be constructed to each lot prior to approval of the Final Plat.

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C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

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

Upon completion of the project, the Developer's design engineer shall provide written certification to the Engineering Division that the construction of the controlled storm water release drainage system was constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to certificate of occupancy of the new building.

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

3. Grading

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

4. Mains and Laterals

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

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Plans.

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

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

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

5. Erosion Control

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

6. Medford Irrigation District Ditch

A Medford Irrigation District (MID) ditch is located on the northerly boundary of this development, running parallel, and south of, Diamond Street. The Developer shall coordinate with MID as to any conditions of development that they may require.

D. SURVEY MONUMENTATION

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

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.

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

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

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

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

3. Phasing

The proposed plans do not show any phasing.

4. Draft of Final Plat

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

5. Easements

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

6. Permits

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

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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.

7. System Development Charges (SDCs)

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

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

8. Construction and Inspection

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

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

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

Prepared by: Doug Burroughs
Updated by: Doug Burroughs

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SUMMARY CONDITIONS OF APPROVAL

Copley Square - 1945/1965 Orchard Home Drive (TLs 200 & 300) LDS-18-085/E-18-086

A. Streets

1. Street Dedications to the Public:

- **Diamond Street** – No additional right-of-way is required.
- Dedicate additional right-of-way on **Orchard Home Drive**.
- Dedicate full width right-of-way (55') on **Ingram Lane,** unless approved otherwise through the Exception request. **CU: Exception Approved**
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- **Diamond Street** – Street improvements have been completed.
- Improve **Orchard Home Drive** to Major Collector street standards.
- Construct **Ingram Lane** to Minor Residential street standards, unless approved otherwise through the Exception request. **CU: Exception Approved**

Lighting and Signing

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

Other

- No pavement moratorium currently in effect along this frontage to Orchard Home Drive.
- **Pavement cutting moratorium currently in effect along Diamond Street, which expires 2/15/2021.**
- Provide pavement moratorium letters.
- o Provide soils report.
- Driveways shall comply with MLDC 10.550. Lots 1 and 6 shall take access via Ingram Lane, unless approved via the exception request. **CU: Exception Approved**

B. Sanitary Sewer

- The site is situated within the RVSS area. Provide private laterals to each lot.

C. Storm Drainage

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.
- o Coordinate with Medford Irrigation District regarding irrigation ditch.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

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

- = City Code requirement.
- o = Discretionary recommendations/comments.

CU = Commission Update

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

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WRITTEN COMMUNICATION

Project	Cascade Terrace at Cedar Landing Phase 5 Applicant: CA Galpin
File no.	LDS-16-025
To	Planning Commission *for meeting of September 27, 2018*
From	Kelly Evans, Assistant Planning Director
Date	September 20, 2018

REQUEST

Determination of whether splitting Cascade Terrace at Cedar Landing Phase 5 into two sub-phases is substantially consistent with the approved tentative plat for Cascade Terrace at Cedar Landing Phases 1 through 5. The approved tentative plat creates 97 residential lots on the north side of Cedar Links Drive at Longstone Drive within the SFR-4/PD (Single Family Residential – 4 dwelling units per gross acre/Planned Development Overlay) zone.

BACKGROUND

The Planning Commission adopted the Final Order granting approval of the project on July 28, 2016. Staff is bringing this issue to the Commission for a determination because it is a minor revision, but the Land Development Code does not contain a process for such revisions. The Final Plat process found in Medford Land Development Code (MLDC) Section 10.162(E)(2) requires the Planning Department to determine consistency between the approved Tentative Plat and the Final Plat.

PROJECT REVIEW

Cascade Terrace Phase 5 is adjacent to the north and east of the future Cedar Links Park site, which Medford Parks and Recreation Department acquired several years ago. The Planning Commission approved terminating the 5.47 acre park site from the PUD on April 14, 2011, and the Conditional Use Permit for Cedar Links Park on December 14, 2017. On June 14, 2018, the Planning Commission authorized the maximum five year approval period; the tentative plat expires on July 28, 2021.

As approved, Phase 5 contains 31 lots. The applicant is proposing two sub-phases: Phase 5a, which will include seven lots and the improvement of Longstone Drive from Cedar Links Drive to the alley north of Delorraine Drive; and Phase 5b, which includes 24 lots and the improvement of the northerly portion of Longstone Drive, Mount Thielson Drive, and Deschutes Drive.

The purpose of creating two phases within Cascade Terrace Phase 5 is to accommodate the construction of Longstone Drive, which will provide access to the future Cedar Links Park. This action will allow the construction of Longstone Drive in Phase 5a ahead of the balance of the public improvements in Phase 5b.

The Public Works Department, Fire Department and Medford Water Commission were the only agencies with conditions of approval applied to the subject subdivision LDS-16-025. They have reviewed the proposal and have recommended no changes to the conditions of approval.

This decision will not change the expiration date of December 14, 2022. The conditions of approval will remain in effect.

RECOMMENDED ACTION

Approve the phasing plan as a minor modification and find that the proposed Cascade Terrace at Cedar Landing Phases 5a and 5b is substantially the same as the previously approved tentative plat for LDS-16-025 per the Staff Report dated September 20, 2018.

EXHIBITS

A Revised Tentative Plat received September 12, 2018
B Tentative Plat approved July 28, 2016
C Agency comments received September 18, 2018
Vicinity Map

RECEIVED

SEP 1 2 2018

PLANNING DEPT.

CEDAR LANDING P.U.D.

NORTH SIDE OF CEDAR LINKS

PHASING EXHIBIT

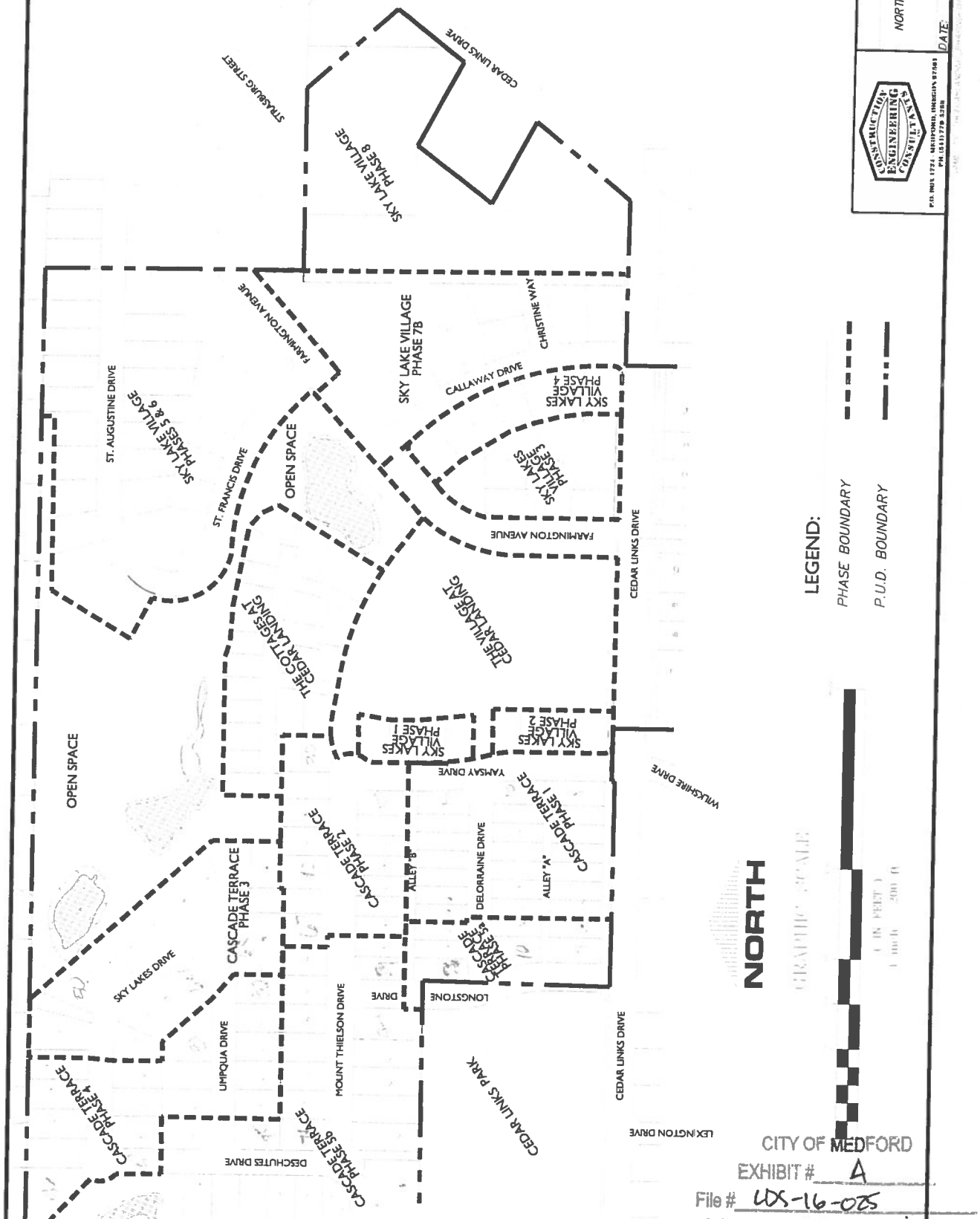
DATE: 09/11/2018

DRAWING 1 OF 1

CONSTRUCTION ENGINEERING CONSULTANTS

P.O. BOX 1724 - MEDFORD, OREGON 97501

PH. (541) 779-3580



LEGEND:

PHASE BOUNDARY

P.U.D. BOUNDARY

CITY OF MEDFORD

EXHIBIT # A

File # LDS-16-025

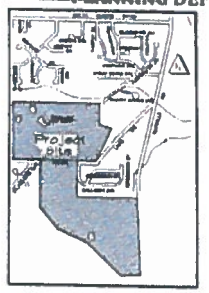
MINOR MODIFICATION

RECEIVED
MARCH 4, 2016
PLANNING DEPARTMENT

TENTATIVE PLAT
FOR
CASCADE TERRACE AT CEDAR LANDING PHASE 1
CASCADE TERRACE AT CEDAR LANDING PHASE 2
CASCADE TERRACE AT CEDAR LANDING PHASE 3
CASCADE TERRACE AT CEDAR LANDING PHASE 4
CASCADE TERRACE AT CEDAR LANDING PHASE 5

(A PLANNED COMMUNITY)
SITUATED IN
THE NE 1/4 OF SECTION 16
TOWNSHIP 37 SOUTH, RANGE 1 WEST W.M.
IN THE CITY OF MEDFORD
JACKSON COUNTY, OREGON

VICINITY MAP



APPLICANT
CEDAR INVESTMENT GROUP LLC
2728 WEST MAIN STREET
MEDFORD, OR. 97501

OWNER
C A GALPIN
744 CARDLEY AVE 100
MEDFORD, OR. 97504

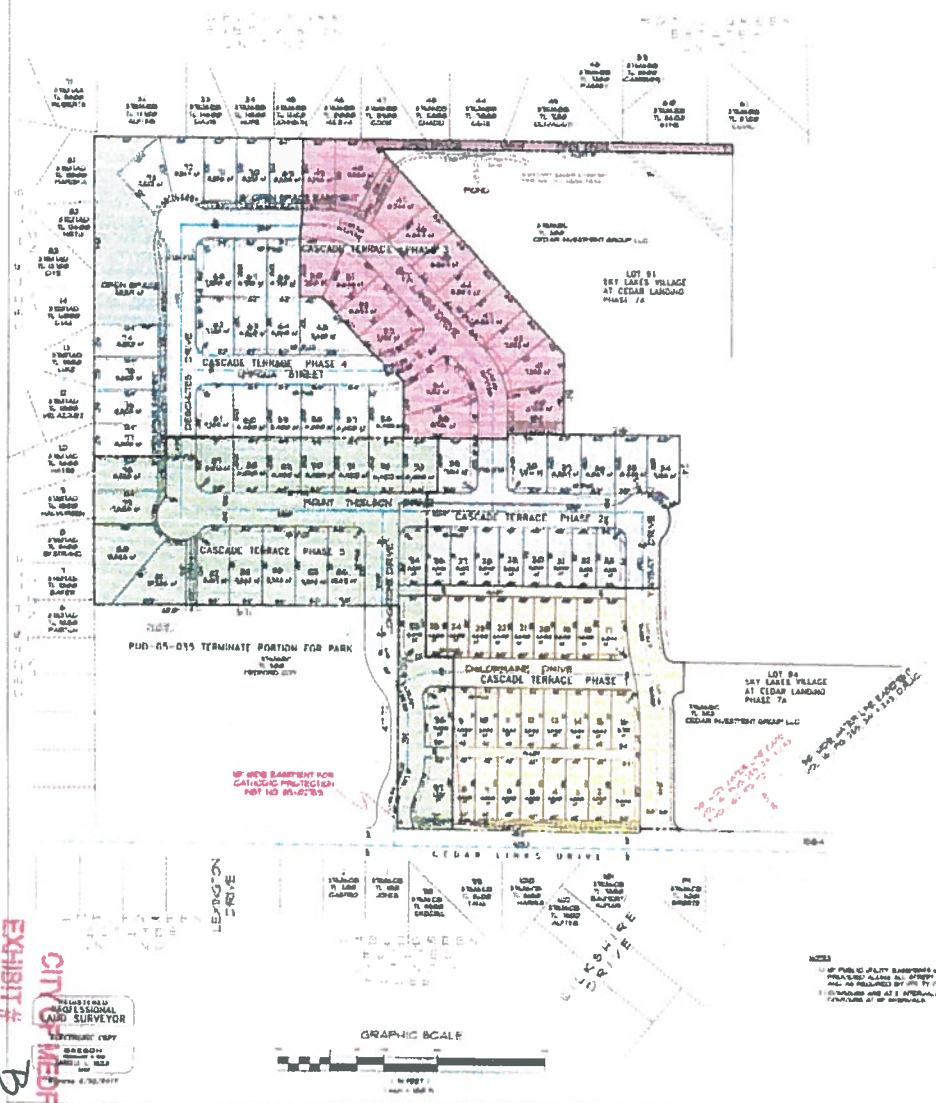
SURVEYOR
HOFFBUHR & ASSOCIATES, INC.
880 GOLF VIEW DRIVE SUITE 201
MEDFORD, OR. 97504
(541) 779-4841

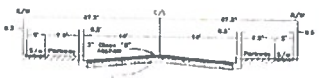
SCHOOL DISTRICT 549C
IRRIGATION DISTRICT: RID
SANITATION DISTRICT: CITY OF MEDFORD
AREA: 27.11 AC. (GROSS)
ZONING: SFR-4
EXISTING USE: COMMERCIAL
PROPOSED USE: RESIDENTIAL/COMMERCIAL

EXHIBIT
FILE NO.
DATE
ASSESSORS PARCEL NO. 371W12CA TL 11200, 371W12 TL 800, 1400 & 371W12CD TL 200, 300, 400
ZONING DISTRICT: SFR-4
MIN. LOT SIZE: 9,000 SF
MAX. LOT SIZE: 10,500 SF
NO. OF LOTS: 281
COMP PLAN DESIGNATION:
RECEIVED BY: DATE:
REVIEWED BY: DATE:

NOTE:

THE PHASES 1 THROUGH 5 OF CASCADE TERRACE WAS PREVIOUSLY SUBMITTED AND RECEIVED TENTATIVE APPROVAL AS SKY LAKES PHASE 1 (FILE NO. LDS-14-137) AND THE VILLAGE PHASE 1 (FILE NO. LDS-14-138).
THIS SUBMITTAL FOR TENTATIVE APPROVAL DOES NOT CHANGE THE NUMBER OF LOTS NOR LOT CONFIGURATIONS AS WERE APPROVED BY LDS-14-137 AND LDS 14-138. THIS SUBMITTAL ONLY CHANGES THE NAME TO CASCADE TERRACE AND ESTABLISHES A REVISED PHASING PLAN FOR THE LOTS THAT WERE ORIGINALLY APPROVED BY PLANNING COMMISSION ACTION.



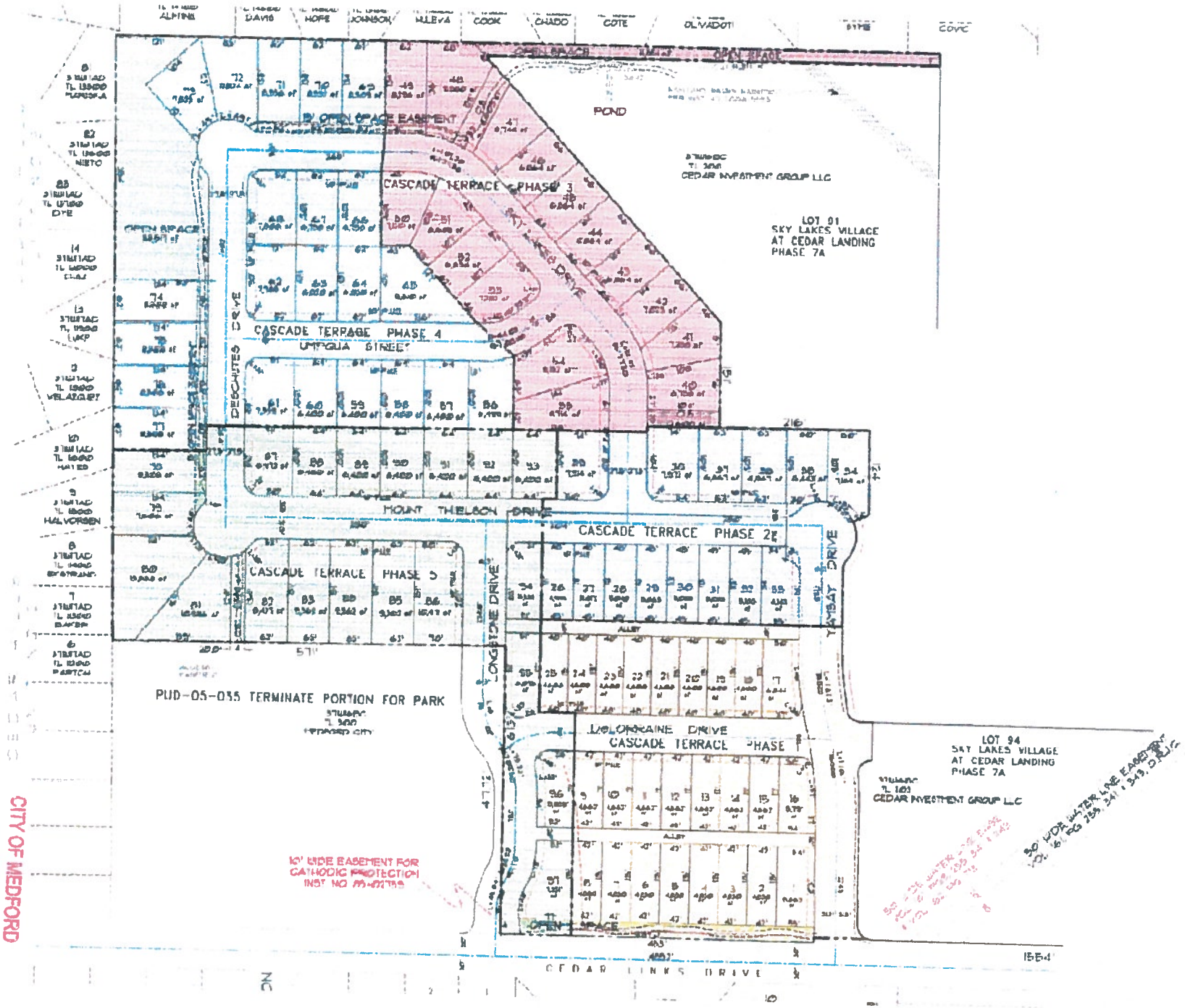


HOFFBUHR & ASSOCIATES, INC.
PROJECT: CEDAR LANDING
PROJECT NO. 14-082
DRAWING FILE NO. 14082 tent cascade ph 1-5.dwg
SCALE: 1" = 100'
REVISION DATE: DECEMBER 16, 2015
SHEET 1 OF 1
STATUS OF RECORD: SKY LAKES VILLAGE PH 7
ELEVATION DATUM:
DRAWN BY:
REVIEWED BY:

CITY OF MEDFORD
EXHIBIT # 7
File # LDS-16-025

CITY OF MEDFORD
EXHIBIT # B
File # LDS-16-025
Minor Modification

Page 32



CITY OF MEDFORD
EXHIBIT # B 2 of 2
File # LDS-16-025
Minor Modification

Kelly A. Akin

From: Greg G. Kleinberg
Sent: Tuesday, September 18, 2018 8:12 AM
To: Kelly A. Akin
Subject: RE: Cedar Landing - Cascade Terrace Ph 5

Kelly,

This does not change our comments.

Thank You,

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

From: Kelly A. Akin
Sent: Monday, September 17, 2018 5:04 PM
To: Douglas E. Burroughs <Douglas.Burroughs@cityofmedford.org>; Greg G. Kleinberg <John.Kleinberg@cityofmedford.org>; 'Rodney L. Grehn' <rodney.grehn@medfordwater.org>
Subject: Cedar Landing - Cascade Terrace Ph 5

All –

The applicant is wondering if they can divide Cascade Terrace Phase 5 into Phases 5a and 5b. This is a Planning Commission decision, but I thought I'd try an approach other than the regular 90-day process. My thought is that if there are not changes to conditions the Commission could approve the change to phasing without a public hearing.

Attached are your reports for LDS-16-025 and the proposed phasing plan. Please take a look and let me know if you see issues with the proposal or changes to your conditions the proposal triggers. My goal is to have this before the PC on September 27, so please return comments to me by mid-day Wednesday.

Thanks!

Kelly

CITY OF MEDFORD
EXHIBIT # C 1 OF 3
File # LDS-16-025
MINOR MODIFICATION

Kelly A. Akin

From: Douglas E. Burroughs
Sent: Tuesday, September 18, 2018 9:20 AM
To: Kelly A. Akin; Greg G. Kleinberg; 'Rodney L. Grehn'
Subject: RE: Cedar Landing - Cascade Terrace Ph 5

Hi Kelly,
Public Works does not have any additional comments.
Thanks,
Doug

From: Kelly A. Akin
Sent: Monday, September 17, 2018 5:04 PM
To: Douglas E. Burroughs <Douglas.Burroughs@cityofmedford.org>; Greg G. Kleinberg <John.Kleinberg@cityofmedford.org>; 'Rodney L. Grehn' <rodney.grehn@medfordwater.org>
Subject: Cedar Landing - Cascade Terrace Ph 5

All –

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Thanks!

Kelly

CITY OF MEDFORD
EXHIBIT # C 2 OF 3
File # LDS-16-025
LDS-16-025 MODIFICATION

Kelly A. Akin

From: Rodney L. Grehn <rodney.grehn@medfordwater.org>
Sent: Tuesday, September 18, 2018 11:56 AM
To: Kelly A. Akin
Cc: Eric C. Johnson
Subject: RE: Cedar Landing - Cascade Terrace Ph 5

Kelly,

I reviewed this request with Eric here in our office, and MWC has no problem with them splitting Phase 5 into Phase 5A and 5B.

Thanks,

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

From: Kelly A. Akin <Kelly.Akin@cityofmedford.org>
Sent: Monday, September 17, 2018 5:04 PM
To: Douglas E. Burroughs <Douglas.Burroughs@cityofmedford.org>; Greg G. Kleinberg <John.Kleinberg@cityofmedford.org>; Rodney L. Grehn <rodney.grehn@medfordwater.org>
Subject: Cedar Landing - Cascade Terrace Ph 5

All –

The applicant is wondering if they can divide Cascade Terrace Phase 5 into Phases 5a and 5b. This is a Planning Commission decision, but I thought I'd try an approach other than the regular 90-day process. My thought is that if there are not changes to conditions the Commission could approve the change to phasing without a public hearing.

Attached are your reports for LDS-16-025 and the proposed phasing plan. Please take a look and let me know if you see issues with the proposal or changes to your conditions the proposal triggers. My goal is to have this before the PC on September 27, so please return comments to me by mid-day Wednesday.

Thanks!

CITY OF MEDFORD
EXHIBIT # C 3 OF 3
File # LDS-16-025
MWC MODIFICATION

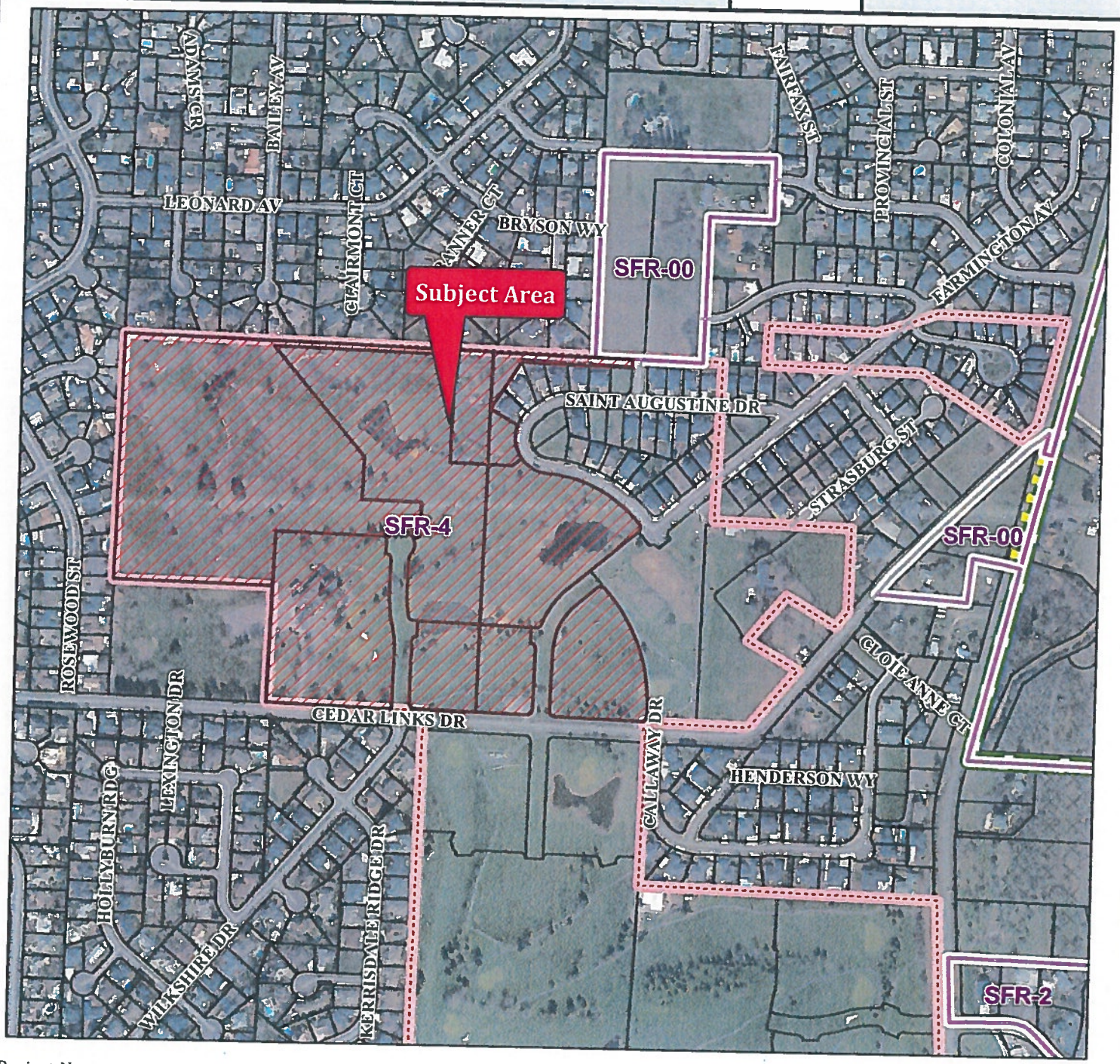
City of Medford

Planning Department

Vicinity Map

File Number:

LDS 16-025



Project Name:

Cascade Terrace

Map/Taxlot:

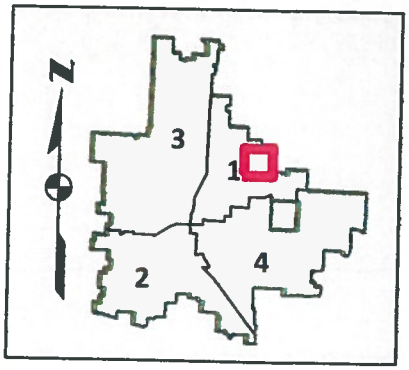
371W16BD TL 200, 211, 214, 238
371W16BC TL 100, 200, 201, 202, 203

0 125 250 500 750 1,000 Feet

03/10/2016

Legend

- Subject Area
- Medford Zoning
- Tax Lots
- Streets
- PUD



Minutes

From Public Hearing on **September 13, 2018**

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

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

Staff Present
Kelly Evans, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Greg Kleinberg, Fire Marshal
Terri Richards, Recording Secretary
Steffen Roennfeldt, Planner III

10. Roll Call

20. Consent Calendar/Written Communications.
20.1 ZC-18-087 Final Order for request of approval for a zone change on a 0.69 acre parcel zoned C-C (Community Commercial) to C-H (Heavy Commercial) located at 111 N Fir Street between West Fifth Street and West Sixth Street with in the Downtown Historic District and Central Business District (372W25AD TL 100). Applicant: Rosebud Media LLC; Agent: Ausland Group; Planner: Liz Conner.

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

Moved by: Vice Chair McFadden Seconded by: Commissioner Foley

Voice Vote: Motion passed, 9-0.

30. Minutes
30.1. The minutes for August 23, 2018, were approved as submitted.

40. Oral and Written Requests and Communications. None.

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

50. Public Hearings – **New Business**

50.1 LDS-18-085 / E-18-086 Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300). The project includes an Exception request to the right-of-way dimensions and reduced sidewalks width (382W02AA TL200 & 300). Applicants: Joshua and Shawna Wallace & Michael and Heather Johnson; Agent: Scott Sinner Consulting, Inc.; Planner: Steffen Roennfeldt.

Chair Miranda inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner McKechnie disclosed that Scott Sinner is his neighbor.

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

Steffen Roennfeldt stated that staff received a revised Public Works staff report this afternoon. It corrected a minor typographical error on page 3 of the agenda packet. It was emailed to the Planning Commission and will be entered into the record as Exhibit F-1. The Subdivision Tentative Plat 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, property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

Commissioner McKechnie asked, is Lot #6 large enough to subdivide in the future? Mr. Roennfeldt replied yes as is Lot #1. Minimum lot size for a single family dwelling in SFR-6 is 4,500 square feet.

Vice Chair McFadden asked, is the exception for the roadways all together; sidewalks, PUE road width and driveways; technically approving four separate exceptions? Mr. Roennfeldt replied yes. The Planning Commission could approve them separately.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504-9343. Mr. Sinner reported that the issue that the applicants have is the recommendation for denial on retaining the existing driveways.

When designing the project to the east Mr. Sinner stated that he pointed Ingram Lane at these two properties at the property line in order to have the ability to develop conforming lots at the time they chose. It completes a circulation pattern for the

neighborhood. It is important for vehicle access and more importantly for pedestrian access. There will be sidewalks if the application is approved.
Currently there are four access points. With the approval of the exception request they would be improving the driveways at the far side of the development. They are stipulating to provide the turnaround that allows onsite maneuvering to enter traffic on Orchard Home Drive in a forward manner.

b. Joshua Wallace, 1945 Orchard Home Drive, Medford, Oregon, 97501. Mr. Wallace pointed out that he parks in his carport that is situated so it is accessible from Orchard Home Drive. His front door is also accessible from Orchard Home Drive. If he was to have his driveway come off Ingram Lane his front door would be in his backyard. Again, if he was to have his driveway come off Ingram Lane his carport would not work and his driveway would be in his current backyard where his bedrooms are. It is not close to his entries.

c. Heather Johnson, 1265 Sterling Creek Road, Jacksonville, Oregon, 97530. Ms. Johnson has the same concerns as Mr. Wallace. Moving the driveway onto Ingram Lane side of her house is not functional. The house butts up to Ingram Lane and that is the side where the bedrooms and bathrooms are located. They have no entry from that side of the house. Moving the driveway to Ingram Lane their address, front entrance and porch stays on Orchard Home Drive. They would have the same problem that their front door would be in their backyard and their driveway would not be consistent with their address. It would be confusing and frustrating for not only them but for people coming to their home. They plan to reclaim the garage and extend it to the right. The paved area in front of the garage will accommodate the larger garage and allow them to have more parking, a turnaround area as well as a basketball hoop.

Mr. Sinner reported that this is not just a profit motive. It is a financial hit with retaining the driveways on the street. It is a collector and the development is subject to SDC reimbursement. Retaining access reduces the SDC credits.

Vice Chair McFadden asked, how many parking spaces do they expect along the frontage with the driveways staying off Orchard Home Drive? Mr. Sinner reported no on-street parking on Orchard Home Drive. Vice Chair McFadden asked, and none on Ingram Lane? So all the parties will have to park in the driveway? Mr. Sinner stated there is no parking allowed on a major collector. There is no on-street parking on Orchard Home Drive. Both the sites can accommodate additional parking. They meet the two spaces per dwelling unit parking on Orchard Home Drive. They are still providing the 28 foot paved width of Ingram Lane; even in the reduced right-of-way area. With the public works and fire report the applicant is required to meet the conditions that are either staggered offset driveways to limit parking across from each other to create reduced right-of-way width. Or sprinkling the dwellings is also an option. They will comply with the code standards. Both lots are re-developable.

Vice Chair McFadden asked, did the original property extend off the northeast corner into now where the roadway is on the Wallace property? Mr. Sinner reported that it was a remnant piece from the improvement of the Diamond right-of-way. He believes is was a property line adjustment adjoining the Wallace property. It currently has some storm facilities and will have the applicant's storm facility and dedicated. Vice Chair McFadden asked, is there a storm drainage easement? Mr. Sinner replied there will be.

Commissioner McKechnie asked, would the owners object to installing "No Parking" signs on the narrow part of Ingram Lane? Mr. Sinner stated they would not object. They could stipulate now for "No Parking" signs on one side and if two sides are necessary.

Mr. Sinner reported that this project was approved and expired. The exceptions were approved on the prior approval as well. The exception included allowing driveways as the applicants are proposing.

Mr. Sinner reserved rebuttal time.

Alex Georgevitch, City Engineer, reported that traffic control devices are not the purview of the Planning Commission. The City Traffic Engineer and Fire Department work on how to deal with parking on minor residential streets. "No Parking" signs would have to be requested through the Transportation Manager.

In the exception there is a request for 4 foot sidewalks. The Public Works report does not discuss this. The City Engineer has the right to reduce the PUE. If the applicants go with 4 foot sidewalks it is acceptable per the American Disability Act (ADA) but free and clear of any obstructions. That may be challenging. They may want to consider 5 foot sidewalks and reducing the PUE by a foot. It is an option that Public Works supports. Maintaining that type of access through that area is important. There should be plenty room for most utilities within a 9 foot versus a 10 foot PUE. The applicant is also requesting a quarter foot instead of a half foot between the property line and the back of the sidewalk. There will be an encroachment but it is an option. He has not discussed this until now.

This area of Orchard Home is not developed to urban standards. There will be an increase in traffic along Orchard Home and safety concerns with having direct driveways. The City has recently extended Orchard Home connecting to Lozier and now is the de-facto west side bypass. It goes from South Stage to Highway 238 when the City finishes the work on Lozier. It has significance for west Medford.

Commissioner Mansfield asked, is it the basis that Mr. Georgevitch stated the proposed removal of the two direct accesses onto Orchard Home Drive are based on traffic safety considerations? Mr. Georgevitch replied that is the basis. Commissioner Mansfield

asked, does Mr. Georgevitch consider removal of those to make it safer for the traveling public? Mr. Georgevitch stated that is correct.

Commissioner McKechnie asked, what is the minimum distance from the corner if the applicants put a driveway at the front side of the two residences onto Ingram Lane? Mr. Georgevitch reported that code requirement for a driveway is 35 feet from the property line. There are several in town that are closer. Through a process that the applicants work with the City Engineer and Transportation Manager to move it closer. Commissioner McKechnie asked, would it be possible to put the driveway in front of the two houses heading to Ingram Lane? Mr. Georgevitch replied yes.

Commissioner Culbertson agrees that they could be moved to Ingram Lane but he is not sure how that would be a safer method with people coming off Orchard Home Drive onto Ingram Lane to a blind driveway. Mr. Georgevitch reported that concern is on every single residential street off every high order street in the City. They do not have a crash history suggesting there would be a problem with it. Having a 28 foot street out there is probably a positive to create a nice community to move traffic nice and slow. It does not go far. It extends to the east through two phases of the same subdivision then turns south. There are not a lot of homes on this road. Long term goal is to have Diamond connecting which is the east/west collector that will serve the majority of the traffic in the area.

Commissioner Culbertson asked, does Public Works have crash history off Orchard Home Drive for the existing homes? Mr. Georgevitch does not.

Mr. Mitton raised the question about the 4 foot sidewalk versus a 5 foot sidewalk. Are there any plans for mailboxes or something that reduces the 4 foot sidewalk potentially creating an ADA issue? Mr. Sinner reported that it would depend on where the driveways are. He suggested leaving the mailboxes where they are currently located.

Mr. Sinner stated that 5 foot sidewalks on both sides is a great enhancement. He asked Planning and Public Works staff that the applicant is proposing a 37 ½ foot right-of-way width. Would they be looking at a 39 ½, 1 foot each side and a 9 foot PUE?

Vice Chair McFadden stated that the section under City required PUEs states a 5 foot wide easement but utilities has always requested 10 for residential and 15 in commercial areas. If it is still 5 feet then going down to 8 feet is no problem.

Mr. Sinner stated the City Engineer has the flexibility to recommend less. They would have two options to accommodate the 5 foot sidewalks. One would be a 1 foot sidewalk easement and leave the right-of-way width which would not be his first choice. His first choice would be to add a 1 foot to each side with no pedestrian easement required.

Mr. Mitton reported that under Section 10.471 the default for PUEs is 10 feet in width.

Mr. Sinner reported that the applicants would like to be able to provide the 5 foot sidewalks and keep the mailboxes on Orchard Home Drive for the two existing dwellings. They are eliminating two existing driveways and keeping the accesses far as possible from the intersection. They are removing the stipulation for no parking because that would have to go through Public Works.

Commissioner Mansfield stated as a matter of procedure he presumes there will be a split on the question of direct access to Orchard Home Drive. He thinks each Commissioner is entitled to vote on it. He proposes that the motion be made either specifying one way or the other. Then the opponents will have the opportunity to amend and that issue will be decided on the motion to amend. Chair Miranda agreed.

Mr. Georgevitch clarified that the code allows for a reduction or as otherwise required. Therefore they can reduce it. He understands Vice Chair McFadden's concerns for utilities. The City has reduce is several locations down to as low as 5 feet. This would be a short distance before going to full width. He encouraged that if there is going to be a 5 foot sidewalk that it be in right-of-way to protect the interest of the property owners as opposed to having an easement.

Commissioner McKechnie stated that the plan looks like the PUE and sidewalk on the north side can remain as is. The encroachment would only be on Lot #6 on the south side. Mr. Georgevitch reported that existing structures are normally reduced. In this particular case they would reduce in any place they can maintain full easement.

Commissioner Pulver reported that from time to time this body may over extend its power. He wants to understand where lines are drawn in the ability to require things like driveway locations and more specifically the turnarounds on Lots #1 and #6. Are those things the Planning Commission would stipulate as part of their approval or is it even in their purview? Second question, if there was the ability to put a deed restriction on redevelopment if the lots were split? Kelly Evans, stated that the turnaround is a requirement of the code. They do not have the ability to give away unless there are findings to make the exception. She does not think a stipulation on redevelopment would be necessary because when they apply they will be subject to the standards that apply at that time.

Vice Chair McFadden commented that he does not think Mr. Sinners drawing of the possible turnarounds were still available but whether it comes off Orchard Home Drive or the side street it shows an example of the type of turnaround. You cannot have a turnaround that utilizes two driveways. Ms. Evans stated that it is limited to none if there are options on higher order streets. On page 20 of the agenda packet is the diagram out of code Section 10.746(11) of what the turnarounds look like.

The public hearing was closed.

Commissioner McKechnie asked, can they look at each exception individually and look at the overall project as one action? Chair Miranda reported that they will do one main motion and handle the exception separately.

Mr. Mitton asked procedurally, is the Planning Commission proposing to make the main motion then dealing with each exception as a friendly amendment or having a motion, voting on the main project and then dealing with the exceptions as a separate vote? Chair McFadden stated make the main motion, if someone has a concern with one, pull it, discuss it and handle it as a separate amendment to the main motion.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Orders for approval of LDS-18-085 and E-18-086 per the staff report dated September 6, 2018, including Exhibits A through L, replacing Exhibit F with Exhibit F-1; reduce width dimensions of Ingram Way as presented; deny the reduction of sidewalks and to accomplish that recommend PUEs adjusted accordingly where necessary to allow a 5 foot sidewalk; honor the original approved (expired) approval of this project; the two driveways can be taken off of Orchard Home Drive, to do that include Condition of Approval item 1-G.

Moved by: Vice Chair McFadden Seconded by: Commissioner Mansfield

Motion to amend: Follow the recommendation of staff. Change the driveways to Ingram Way from Orchard Home Drive.

Moved by: Commissioner Mansfield Seconded by: Commissioner McKechnie

Roll Call Vote for the Amendment: Motion failed, 4-5, with Commissioner Culbertson, Commissioner Poythress, Commissioner Pulver, Vice Chair McFadden and Chair Miranda voting no.

Roll Call Vote for the Main Motion: Motion passed: 9-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural Commission meeting scheduled for Friday, September 7, 2018 was cancelled.

60.2 Report of the Joint Transportation Subcommittee.

Chair Miranda reported that the Joint Transportation Subcommittee has not met since July. They plan to meet the end of this month.

60.3 Planning Department

Ms. Evans, reported that the Monday, September 24, 2018 is the joint study session with City Council. Discussion will be on accessory dwelling units, cottages and urbanization plan. It will be held at 6:00 p.m. in the Prescott Room. The regular noon Planning Commission study session will be canceled.

The Planning Commission will have a study session on Monday, October 8, 2018. Discussion will be housing, house-keeping amendments and wetlands inventory and regulations.

There is business scheduled for the Planning Commission on Thursday, September 27, 2018, Thursday, October 11, 2018 and Thursday, October 25, 2018.

Last week the City Council approved the interim design standards. They made several changes requiring 15% glazing, retained the building length limitation, and retained the restriction allowing parking and maneuvering area between buildings and street. They stated that if the projects meets the design standards it can be a director's decision with property owner notice. Appeals would go to the City Council. If the proposal did not meet the design standards it would go to the Site Plan and Architectural Commission and be subject to the 120-day rule. They approved as recommended by the Planning Commission the small cell facilities ordinance except they required a Conditional Use Permit process for facilities located in residential zones.

Next week the City Council will hear cooling and warming shelters.

Tonight at the City Council study session they will hear Urbanization Plans and Wetlands Regulations.

70. Messages and Papers from the Chair. None.

80. Remarks from the City Attorney. None

90. Propositions and Remarks from the Commission. None.

100. Adjournment

The meeting was adjourned at 6:36 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards
Recording Secretary

Patrick Miranda
Planning Commission Chair

Approved: September 27, 2018

STAFF REPORT

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

Project	Columbia Care Services - Zone Change Applicant: Columbia Care Services, Inc. Agent: Richard Stevens & Associates
File no.	ZC-18-097
To	Planning Commission *for September 27, 2018 hearing*
From	Dustin Severs, Planner III
Reviewer	Kelly Evans, Assistant Director
Date	September 20, 2018

BACKGROUND

Proposal

Consideration of a request for a change of zone of a 3-acre parcel located at 503 Airport Road from Light Industrial (I-L) to Regional Commercial (C-R) (372W12A502).

Subject Site Characteristics

Zoning: Light Industrial (I-L)

GLUP: Commercial (CM)

Overlay(s): Airport Area of Concern (AC)

Use: Vacant building (previously occupied by Premier West Bank)

Surrounding Site Characteristics

North Zone: C-R (Regional Commercial)
Use(s): Vacant industrial building (proposed future site of Grace Elementary)

South Zone: I-L (Light Industrial)
Use(s): Pepsi Bottling Group

East Zone: C-R (Regional Commercial)
Use(s): Vacant industrial building (proposed future site of Grace Elementary)

West Zone: I-L (Light Industrial)
Use(s): Columbia Distribution

Related Projects

CP-17-154 GLUP change from GI (General Industrial) to CM (Commercial)

Applicable Criteria

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

Medford Land Development Code §10.204, Zone Change Criteria

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

***

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

***

(iii) The overall area of the C-R zoning district shall be over three acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

***

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

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

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

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

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

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

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

(b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the

improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

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

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

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

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

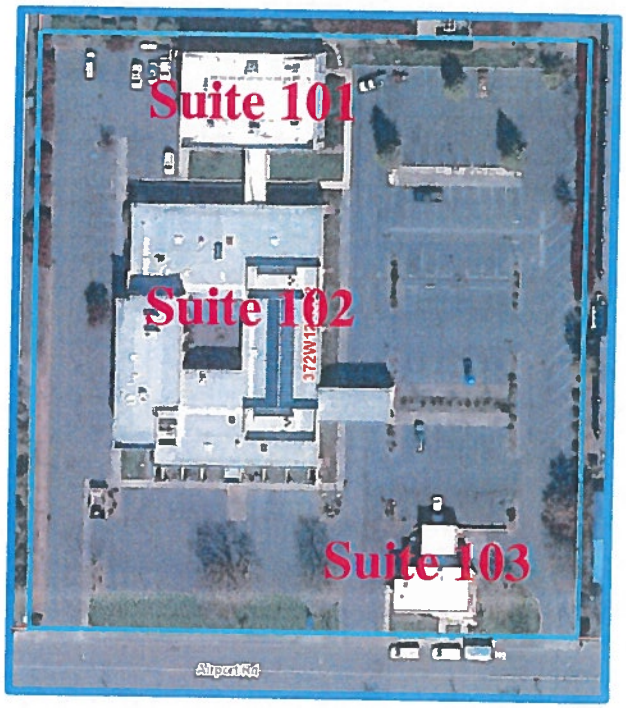
(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

The subject site consists of a single 3-acre parcel containing three buildings (developed in 1990) totaling 30,827 square feet, and owned by Columbia Care Services, Inc. The parcel was approved in April of 2018 for a GLUP map amendment, changing the site's GLUP designation from GI to CM. With the subject application, Columbia Care is seeking to complete the reclassification of the parcel to commercial, requesting the site's underlying zoning classification to be changed from I-L – a zoning classification incompatible with its current GLUP designation – to C-R, which is consistent with its recently acquired CM GLUP designation. With

approval of the subject request, Columbia Care intends to use two of the existing buildings for their mental health care services and programs – uses that are prohibited in industrial zones, but allowed in commercial zones.



Site Compliance

Existing use(s)

The subject site currently contains three buildings: Suites 101 and 102, consisting of two vacant buildings (connected by a breezeway) previously occupied by Premier West Bank, which will be used for Columbia Care's mental health care services and programs upon approval of the subject request; and Suite 103, a single detached building located to the southeast of the site, currently occupied by Redemption Ridge, which will continue to lease the space from the applicant for their administrative offices.

Lot dimensions

Per the site development standards found in MLDC 10.721, the subject 3-acre parcel meets all of the minimum dimensional standards of the Code for the C-R zoning district: area, width, depth, and frontage.

Bulk standards

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

Criteria Compliance

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject site is CM (Commercial), which was recently changed from GI to CM with the approval of CP-17-154. According to the General Land Use Plan Element of the *Comprehensive Plan*, the C-R zoning district is a permitted zone within the CM GLUP designation. Approval of the subject zone change will complete the process of making the property available for commercial uses, as was the intent and purpose in approving the Comprehensive Plan amendment earlier this year.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. It identifies both existing and future needs, and includes improvements to meet those needs. Public Works received a Traffic Impact Report (Exhibit I)

from Southern Oregon Transportation Engineering in November of 2017, which was submitted as part of the Comprehensive Plan Map Amendment (CP-17-154) and included an analysis of the impacts of a zone change from I-L to C-R. The report shows that the intersection of Crater Lake Hwy 62 and Poplar Drive / Bullock Drive is currently exceeding both City of Medford and ODOT operational performance standards and that 25 or more peak hour trips would reach this intersection from the property. This would constitute significant impact to the intersection per MLDC 10.461.

The developer proposes a trip cap consisting of the allowable trips under the existing I-L zoning (900 Average Daily Trips), plus 249 Average Daily Trips, totaling 1,149 Average Daily Trips.

Public Works recommends that the following condition be imposed on the zone change:

> *Trip generation on the property shall not exceed 1149 ADT. The developer shall submit a trip accounting with any subsequent development applications showing that trip generation from the proposal will not cause the total trip generation of the subject three acres to exceed 1149 ADT.*

It can be found that the applicant's findings, combined with the submitting Traffic Impact Report, adequately demonstrates that the proposed zone change is consistent with the goals outlined in the City's TSP, and accordingly, this demonstration of consistency assures compliance with the Oregon Transportation Planning Rule.

Locational Criteria

The subject zone change proposal requires an assessment of the locational criteria for the C-R zoning district. The locational criteria for the C-R zone as outlined in MLDC 10.204(c)(iii), reads as follows:

> *The overall area of the C-R zoning district shall be over three acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.*

The subject property alone totals 3 acres in size. With the abutting properties to the east (TL 500 & 503) recently rezoned from I-L to C-R (ZC-18-055), the combined total area of all three properties total 13.21 acres, exceeding the minimum 3-acre total as cited above.

The 13.21 tract of C-R land fronts an arterial street, Biddle Road, which is classified as a Major Arterial Street; the subject site can be found to constitute a centralized location, as the site is located between two higher order streets (Biddle Road to the east and Table Rock Road to the west) and the total area of the site abuts the Rogue Valley International–Medford Airport to the east; and the site does not constitute a neighborhood shopping center or part thereof.

It can be found that the proposed zone change meets all the applicable locational criteria for the C-R zone as outlined in MLDC 10.204(c)(iii).

Facility Adequacy

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

The agency comments included in Exhibits F-H demonstrate that, with the imposition of the stipulated trip cap, Category A facilities are adequate.

Other Agency Comments

Jackson County Roads (Exhibit I):

Jackson County Roads submitted comments suggesting conditions related to the development of the subject property; however, a condition of approval requiring compliance with Jackson County Roads is not included as no improvements are proposed with the subject zone change request.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit B) and recommends the Commission adopt the findings as modified by staff below:

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the CM General Land Use Plan Map designation and the Transportation System Plan, and that the site meets the locational criterion for the C-R zoning district. The Commission can find that this criterion can be met with the imposition of the condition of approval included in Exhibit A.
- With regard to Criterion 2, there is adequate evidence in the record to demonstrate that the proposal meets the locational criteria.
- With regard to Criterion 3, the agency comments included as Exhibits F-H demonstrate that, with the imposition of the stipulated trip cap, there are adequate Category A facilities available to serve the subject site. The Commission can find that this criterion can be met with the imposition of the condition of approval included in Exhibit A.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-18-097 per the staff report dated September 20, 2018, including Exhibits A through J.

EXHIBITS

A Conditions of Approval, drafted September 20, 2018.
B Applicant's Findings of Fact and Conclusions of Law, received July 25, 2018.
C Jackson County Assessor's Map, received July 25, 2018.
D Current Zoning Map, received July 25, 2018.
E Current GLUP Map, received July 25, 2018.
F Public Works Staff Report dated August 29, 2018.
G Medford Water Commission Staff Memo and Map dated August 29, 2018.
H Medford Fire Department Land Development Report dated August 29, 2018.
I Jackson County Roads report, received August 27, 2018.
J Traffic Impact Analysis summary, submitted November 1, 2017
Vicinity Map

Planning Commission Agenda: **September 27, 2018**

EXHIBIT A

Columbia Care – Zone Change
ZC-18-097
Conditions of Approval
September 20, 2018

CODE REQUIRED CONDITIONS

1. As per Public Works (Exhibit F), trip generation on the property shall not exceed 1149 ADT. The developer shall submit a trip accounting with any subsequent development applications showing that trip generation from the proposal will not cause the total trip generation of the subject three acres to exceed 1149 ADT.

CITY OF MEDFORD
EXHIBIT # A
FILE # ZC-18-097

BEFORE THE PLANNING COMMISSION
FOR THE CITY OF MEDFORD, OREGON:

RECEIVED
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IN THE MATTER OF AN APPLICATION FOR A CHANGE IN ZONING DESIGNATION FOR 3 ACRES OF LAND, LOCATED ON THE NORTH SIDE OF AIRPORT ROAD, BETWEEN TABLE ROCK ROAD AND BIDDLE ROAD; COLUMBIA CARE, APPLICANTS; RICHARD STEVENS & ASSOCIATES, INC., AGENTS	FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

APPLICANTS: Columbia Care Services, Inc.
3587 Heathrow Way
Medford, OR 97504

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

PURPOSE OF APPLICATION:

The applicant is requesting a change of Zoning designation from City of Medford Light Industrial (I-L) to City of Medford Regional Commercial (C-R) zoning for 3 acres of land located at 503 Airport Road and described as T-37 R-2W SEC-12A, Tax Lot 502, within the Medford city limits. The General Land Use Plan (GLUP) map designation for the subject property was recently changed from General Industrial (GI) to Commercial (CM) based in part on the following: 1) the most recent use of the property (as a bank), 2) the proximity to properties with a commercial designation, and 3) the need for more commercial land in the City. The recently approved CM GLUP designation allows for the proposed C-R zoning designation and the proposed change of zone will complete the process of making the property available for commercial uses.

CITY OF MEDFORD
EXHIBIT # B
FILE # ZC-18-097

Ownership of the property is by Columbia Care Services, Inc., also the applicant.
Attachments:

Exhibit A: A copy of the legal description (Deed) for this property
Exhibit B: An assessor's map with the site indicated
Exhibit C: A current zoning map for the vicinity
Exhibit D: A current GLUP map for the vicinity
Exhibit E: Traffic analysis letter

II. APPLICABLE CRITERIA:

In order to approve a Zoning Amendment and change the Zoning Map, the applicant must submit findings addressing Sections 10.204 of the Land Development Code. A review of Section 10.204(D) indicates that an application for a Zone Change must contain the following:

1. A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.

2. An Assessor's map with the proposed zone change area identified.

3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.

4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.

5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.204(B), Zone Change Criteria.

FINDING:

This application for a change in zoning designation from I-L to C-R, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area to be changed, the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the criteria requirements of Section 10.204(B).

III. FINDINGS IN COMPLIANCE WITH SECTION 10.204(B) OF THE MEDFORD LAND DEVELOPMENT CODE:

Section 10.204(B) provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

In addition, 10.204(B)(3) states:

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

10.204(B)(1) CONSISTENCY WITH TRANSPORTATION SYSTEM PLAN AND THE GENERAL LAND USE PLAN MAP DESIGNATION

TSP Discussion:

The adopted Medford Transportation Plan (TSP) addresses Chapter 660, Division 12 of the Oregon Administrative Rules which provides for implementation of the Statewide Transportation Goal (Goal 12), Transportation Planning Rule (TPR). It is also designed to explain how local governments and state agencies are responsible for transportation planning to address all modes of travel including vehicles, transit, bicycles and pedestrians. The TPR envisions development of local plans that will provide changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less.

The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs. Like other portion of the Comprehensive Plan, the TSP is implemented through the Development Code. Section 10.460 and 10.461 address the requirement for a traffic analysis letter (TIA) when an application has the potential of generating more than 250 net average daily trips.

A traffic analysis letter has been submitted with this application. According to the analysis performed by Southern Oregon Transportation Engineering, LLC., the requested change of zoning designation from I-L to C-R would result in a net increase of 3,600 Average Daily Trips (ADT) to the transportation system. The analysis also showed that an additional 45 p.m. peak hour trips would reach the intersection of OR

62 and Poplar Drive. Impacting this intersection with 25 or more peak hour trips would require some form of mitigation to meet facility adequacy requirements. In the alternative, the applicant has chosen to pursue the option of requesting a trip cap stipulation.

When unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, the City of Medford Land Development Code, Section 10.461(1) and Section 10.461(5)(n) allows trip stipulations to reduce traffic. For this application, the maximum trip stipulation would include the base zoning ADT (I-L) plus up to 249 ADT, which is 1,149 ADT (or an equivalent 114 p.m. peak hour trips). A trip cap stipulation of 1,149 ADT (or an equivalent 114 p.m. peak hour trips) is, therefore, proposed for this application.

GLUP Discussion:

A review of the General Land Use Plan Map for the City of Medford indicates that this area of the City is designated on the General Land Use Plan Map as "Commercial" (CM). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the Commercial designation are: C-N, C-C, C-R, and C-H, consistent with the provisions of Section 10.325 of the Medford Land Development Code.

FINDING:

A trip cap stipulation of 1,149 ADT (or an equivalent 114 p.m. peak hour trips) is proposed for this application. With the proposed trip cap stipulation, the proposed change in zoning designation from I-L to C-R is found to be consistent with the adopted Transportation System Plan as the zone change does not significantly affect the overall transportation capacity.

The subject property is shown on the General Land Use Plan Map as Commercial and the C-R zoning requested is found to be consistent with the General Land Use Plan Map.

10.204(B)(2) CONSISTENCY WITH ADDITIONAL LOCATIONAL STANDARDS:

Section 10.204(2)(c)(iii) contains additional locational standards applicable to zone changes to C-R. This section states:

(iii) The overall area of the C-R zoning district shall be over three areas in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

Discussion:

Over 3 acres in size: The subject property (TL 502) alone is 3 acres in size. The abutting properties (TLs 500 & 503) to the east were recently rezoned to C-R from I-L through City file number ZC-18-055. The combined total area of the three properties is 13.21 acres, exceeding the minimum 3-acre area requirement.

Front upon an arterial street or state highway: Through the proposed zone change, the subject property (TL 502) will be added to the existing C-R zoning district in the vicinity to form a 13.21-acre area fronting on both Airport Road and Biddle Road. Biddle Road is classified as a major arterial street, satisfying this locational criterion.

Centralized location: The subject property is located between Table Rock Road (a minor arterial street) to the west, and Biddle Road (a major arterial street) to the east. The Rogue Valley International–Medford Airport is located across Biddle Road from the subject property. Over the past several years this area (generally bound by Biddle Road to the north, the airport to the east, Lone Pine Creek to the south, and Table Rock Road to the west) has been developing with predominately commercial uses, some of which are permitted in the industrial zone (e.g. banks and business offices) and others that are only permitted in commercial zone or through an approved Planned Unit Development (PUD) (e.g. hotels and medical offices). This area is a centralized service and employment area centered around the airport.

Not a neighborhood shopping center: The property is not a neighborhood shopping center and no portion of the abutting C-R zoning district is a neighborhood shopping center.

Not abutting residential zones: Neither the subject property nor any portion of the abutting C-R zoning district abut a residential zone.

FINDING:

The subject property meets the additional locational standards applicable to zone changes to the C-R zone found in Section 10.204(2)(c)(iii), as follows:

- **The sum of the contiguous properties to be zoned C-R exceeds 3 acres in total area;**
- **The overall zoning area will abut Table Rock Road, a major arterial street;**
- **This C-R zoning district is in a centralized location;**
- **The C-R zoning district does not contain a neighborhood shopping center; and**
- **The C-R zoning district does not abut a residential zone.**

10.204(B)(3) COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The Medford Comprehensive Plan, Public Facilities Element, provides the list of Category "A" services and facilities to be considered. These are:

Water Service
Sanitary Sewer and Treatment
Storm Drainage and
Streets, Transportation Facilities

The property was developed in 1990 with approximately 30,827 square feet of office space in three buildings which were used for years as a branch location, executive office space, and data hub for a bank.

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject property and vicinity. There is an existing 6-inch main line located just south of the north right-of-way line of Airport Road and there is an existing 24-inch water transmission line along the south right-of-way line. The site is fully developed with 30,827 square feet of office space which will be reused/repurposed with commercial uses permitted in the C-R zone. There is a 2-inch water meter that serves the large building on the site and a 1-inch water meter that serves the small building near the southeast corner of the property. Adequate water service lines are available to continue to serve future commercial uses on the subject site.

Water service for fire protection is also currently available on the site. There is an existing hydrant near the southwest corner of the property along Airport Road and another hydrant located at the southeast corner of the intersection of Airport Road and Avion Drive.

Sanitary Sewer:

Sanitary sewer service is provided by Rogue Valley Sewer Service. The subject property is served by a 4-inch service connection to an existing 8-inch sewer main in Airport Road. An additional 10-inch main currently runs south to north along the west property line. The site is fully developed with 30,827 square feet of office space which will be reused/repurposed with commercial uses permitted in the C-R zone. The sanitary sewer collection system is adequate to accommodate the types of uses permitted in the proposed C-R zone. The sewer system is available in condition, capacity and location for the continued use of the system for commercial uses.

Storm Drainage:

The subject property and surrounding area have been developed to urban standards and have improved urban storm drain facilities. There is an existing 18-inch storm water mainline to the south on Airport Road. The property is already fully improved and developed to urban standards and the proposed change of zone will have no greater impact on the availability of storm water facilities in the vicinity. There is sufficient capacity in the existing storm water drainage system to serve the subject property.

Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time any new development is proposed.

Transportation:

A traffic analysis letter has been submitted with this application. According to the analysis performed by Southern Oregon Transportation Engineering, LLC., the requested change in GLUP map designation, and eventual zone change from I-L to C-R, would result in a net increase of 3,600 Average Daily Trips (ADT) to the transportation system. The analysis also showed that an additional 45 p.m. peak hour trips would reach the intersection of OR 62 and Poplar Drive. Impacting this intersection with 25 or more peak hour trips would require some form of mitigation to meet facility adequacy requirements. In the alternative, the applicant has chosen to pursue the option of requesting a trip cap stipulation.

When unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, the City of Medford Land Development Code, Section 10.461(1) and Section 10.461(5)(n) allows trip stipulations to reduce traffic. For this application, the maximum trip stipulation would include the base zoning ADT (I-L) plus up to 249 ADT, which is 1,149 ADT (or an equivalent 114 p.m. peak hour trips). A trip cap stipulation of 1,149 ADT (or an equivalent 114 p.m. peak hour trips) is, therefore, proposed for this application.

FINDING:

Based upon the information contained herein, including the requested trip cap stipulation, there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as C-R.

IV. SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a change of zoning. A review of the application, the above Findings of Fact with the supporting documentation attached, demonstrates that this application complies with the applicable standards of the Land Development Code, is consistent with GLUP map and is consistent with the Medford TSP.

With this in mind, the applicant respectfully requests that the City of Medford designate the subject property, T.37S-R.2W-SEC.12A, Tax Lot 502 as C-R on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

Richard Stevens & Associates, Inc.

Exhibit B: Assessor's Map

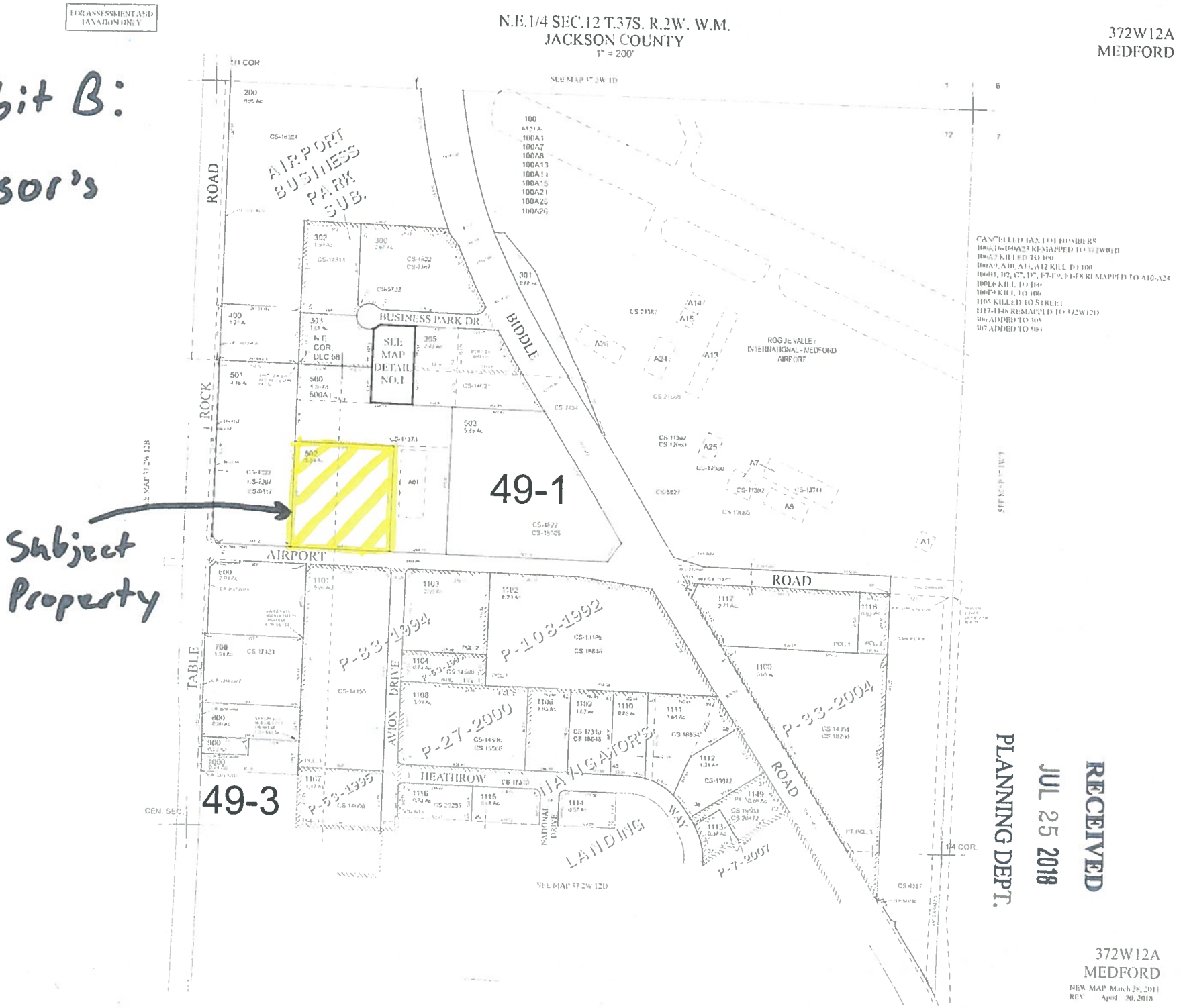

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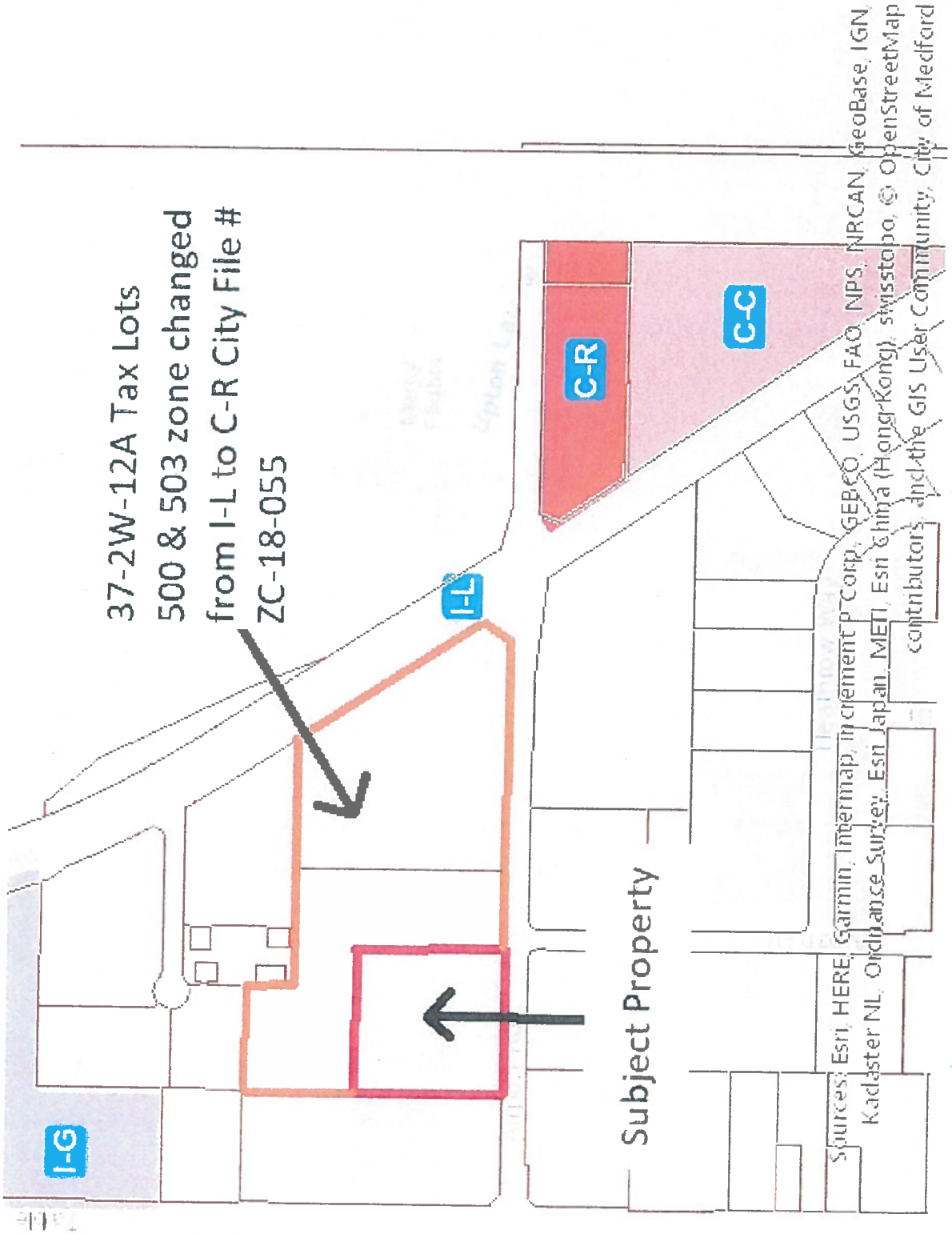
Exhibit C: Current Zoning map for the vicinity



CITY OF MEDFORD
EXHIBIT # D
FILE # ZC-18-097

Exhibit D: Current GLUP map for the vicinity

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CITY OF MEDFORD
EXHIBIT # 2
FILE # ZC-18-097

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 8/29/2018
File Number: ZC-18-097

PUBLIC WORKS DEPARTMENT STAFF REPORT
503 Airport Road
(TL 502)

Project: Consideration of a request for a change of zone of a 3-acre parcel.

Location: Located at 503 Airport Road from Light Industrial (I-L) to Regional Commercial (C-R) (372W12A502).

Applicant: Applicant, Columbia Care, Inc.; Agent, Richard Stevens & Associates; Planner, Dustin Severs.

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

I. Sanitary Sewer Facilities

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

II. Storm Drainage Facilities

This site lies within the Lone Pine Creek Drainage Basin. The City of Medford has existing storm drain facilities in the area.

III. Transportation System

Public Works received a Traffic Impact Report from Southern Oregon Transportation Engineering, dated November 1, 2017 and titled, "GI and I-L to CM and C-R Comprehensive Plan Map Amendment and Zone Change Analysis" for the property Identified as 372W12A502. The report studies the impact of a Zone Change from I-L Light Industrial to Regional Commercial on 3.0 acres.

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

CITY OF MEDFORD
EXHIBIT # F
FILE # ZC-18-097

The report shows that the intersection of Crater Lake Hwy 62 and Poplar Dr / Bullock Dr is currently exceeding both City of Medford and ODOT operational performance standards and that 25 or more peak hour trips would reach this intersection from the property. This would constitute significant impact to the intersection per Medford Municipal Code section 10.461.

The developer proposes a trip cap consisting of the allowable trips under the existing I-L Zoning on a 3.0 acre parcel; 900 ADT (average daily trips), plus the maximum allowable trips per code prior to onset of significant impact to a failing intersection; 249 ADT. The trip cap would be for a maximum of 1149 ADT.

Public Works recommends that the following condition be imposed on the Zone Change:

Trip generation on the property shall not exceed 1149 ADT. The developer shall submit a trip accounting with any subsequent development applications showing that trip generation from the proposal will not cause the total trip generation of the subject three acres to exceed 1149 ADT.

Prepared by: Doug Burroughs

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

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MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-18-097

PARCEL ID: 372W12A TL 502

PROJECT: Consideration of a request for a change of zone of a 3-acre parcel located at 503 Airport Road from Light Industrial (I-L) to Regional Commercial (C-R) (372W12A502); Applicant, Columbia Care, Inc.; Agent, Richard Stevens & Associates; Planner, Dustin Severs.

DATE: August 29, 2018

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

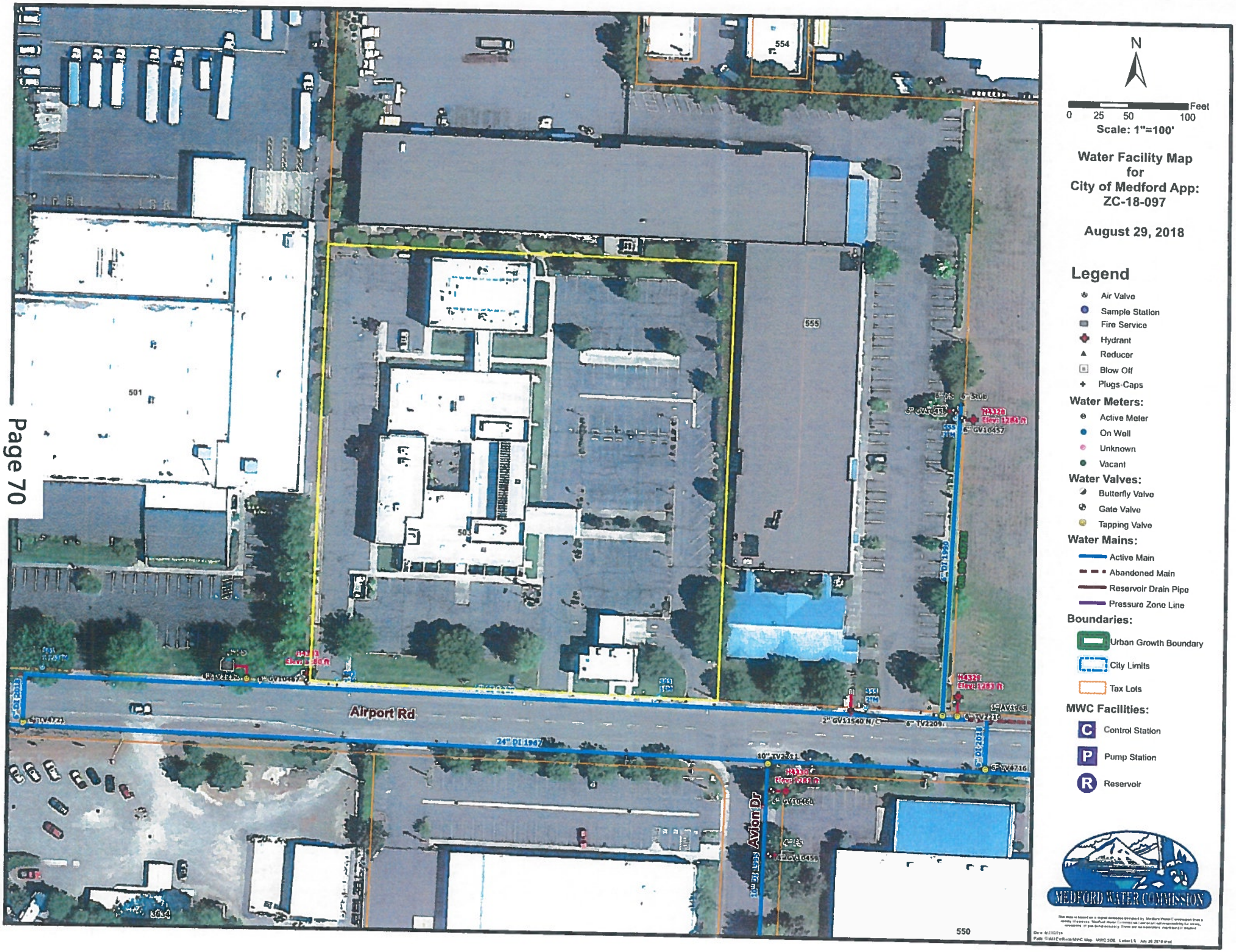
3. The MWC system does have adequate capacity to serve this property.

4. Static water pressure at this site is approximately 95 psi. Installation of Pressure Reducing Devices is advised if not already installed.

5. MWC-metered water service does exist to this property. There is an existing 2-inch water meter near the west side of property along Airport Road. There is also an existing 1-inch water meter just west of the easterly driveway. (See Condition 3 above)

6. Access to MWC water lines is available. There is an existing 6-inch water line of the north side of Airport Road. There is also a 24-inch water transmission main located along the south side of Airport Road.

CITY OF MEDFORD
EXHIBIT # 9
FILE # ZC-18-097


N
0 25 50 100 Feet
Scale: 1"=100'
Water Facility Map
for
City of Medford App:
ZC-18-097
August 29, 2018
Legend
Air Valve
Sample Station
Fire Service
Hydrant
Reducer
Blow Off
Plugs-Caps
Water Meters:
Active Meter
On Wall
Unknown
Vacant
Water Valves:
Butterfly Valve
Gate Valve
Tapping Valve
Water Mains:
Active Main
Abandoned Main
Reservoir Drain Pipe
Pressure Zone Line
Boundaries:
Urban Growth Boundary
City Limits
Tax Lots
MWC Facilities:
Control Station
Pump Station
Reservoir
MEDFORD WATER COMMISSION
Airport Rd
Avion Dr
554
555
501
550

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/24/2018
Meeting Date: 8/29/2018

LD #: ZC18097

Planner: Dustin Severs

Applicant: Columbia Care, Inc. Agent Richard Stevens

Project Location: 503 Airport Road from Light Industrial (I-L) to Regional Commercial (C-R) (372W12A502)

ProjectDescription: Consideration of a request for a change of zone of a 3-acre parcel

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # 11
FILE # ZC-18-097

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

August 27, 2018

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

RE: Zone Change off Airport Road – a county maintained road.
Planning File: ZC-18-097.

Dear Steffen:

Thank you for the opportunity to comment on the consideration of a request for an Exception for a Zone Change of a 3.0 acre property located at 503 Airport Road from I-L (Light Industrial) to C-R (Regional Commercial). Jackson County Roads has the following comments:

1. Any new or improved road approaches off Airport Road shall be permitted and inspected by the City of Medford.

2. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.

3. Airport Road is a County Minor Collector and is county-maintained. The Average Daily Traffic Count between Table Rock Road and Biddle Road was 3,100 on the Medford 2016 Traffic Volumes Map

4. If frontage improvements are required, they shall be permitted and inspected by the City of Medford.

5. We would like to be notified of future development proposals, as county permits may be required.

6. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for

CITY OF MEDFORD
EXHIBIT # I
FILE # ZC-18-097

improvements to Airport Road. Jackson County Roads recommends that the city request road jurisdiction.

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

8. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.

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

Sincerely,

Chuck DeJanvier
Construction Engineer

Exhibit E

RECEIVED
JUL 25 2018
PLANNING DEPT.

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC
319 Eastwood Drive - Medford, Or. 97504 – Phone (541) 941-4148 – Email: Kim.parducci@gmail.com

November 1, 2017

Karl MacNair, Transportation Manager
City of Medford
Public Works/Engineering Division
200 South Ivy Street, Lausmann Annex
Medford, Oregon 97501

RE: GI and I-L to CM and C-R Comprehensive Plan Map Amendment and Zone Change Analysis

Dear Karl,

Southern Oregon Transportation Engineering, LLC evaluated trip generations for a proposed comprehensive plan map amendment (GI to CM) and subsequent zone change (I-L to C-R) on 3.00 acres at Township 37S Range 2W Section 12A tax lot 502. The subject parcel is located west of Avion Drive along the north side of Airport Road in Medford.

Background

The subject parcel is estimated to generate 900 average daily trips (ADT) under I-L (Light Industrial) zoning (using the City of Medford I-L trip generation of 300 ADT/net acre) with 90 trips occurring during the p.m. peak hour. Regional Commercial (C-R) is estimated (using the City of Medford C-R trip generation of 1,500 ADT/net acre) to generate 4,500 ADT, with 450 trips occurring during the p.m. peak hour. This results in a net increase of 3,600 ADT to the transportation system. The City's land development code requires a traffic impact analysis for any proposed land use action which generates a net increase of 250 ADT or more to the transportation system. Based on this, a traffic analysis is shown to be required.

Analysis and Recommendations

For the analysis, 10% of the City's 1,500 ADT/net acre trip generation rate for C-R was used to determine an equivalent volume of p.m. peak hour trips. This produced 450 p.m. peak hour trips with 225 inbound and 225 outbound. Existing traffic patterns and volumes along Airport Road, Table Rock Road, Biddle Road, and Lawnsdale Road were used to determine trip distributions to and from the subject parcel. This resulted in approximately 14% to/from the northwest on Biddle Road and Table Rock Road, 45% to/from the southwest on Table Rock Road, and 41% to/from the southeast on Biddle Road and Lawnsdale Road (Bullock Road). From here roughly 11% reached OR 62 at Bullock Road and Poplar Drive. These percentages resulted in 45 p.m. peak hour trips at the intersection, which is considered a "substantial amount" of peak hour trips. The intersection of OR 62 and Poplar Drive is shown under adjusted year 2017 conditions to exceed the City and State's operational performance standard during the p.m. peak hour. Impacting this intersection with 25 or more peak hour trips will require some form of mitigation to meet facility adequacy requirements. Since this is known up front, the applicant would like to pursue the alternate option of requesting a trip cap stipulation.

CITY OF MEDFORD
EXHIBIT # J
FILE # ZC-18-097

When an unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, the City of Medford Municipal Land Development Code (MLDC) 10.461(1) allows trip stipulations to reduce traffic. For this application, the maximum trip stipulation would include the base zoning ADT (I-L) plus up to 249 ADT, which is 1,149 ADT (or an equivalent 114 p.m. peak hour trips). A trip cap stipulation of 1,149 ADT (or an equivalent 114 p.m. peak hour trips) is, therefore, proposed for this application.

If you have any questions or concerns please feel free to contact me.

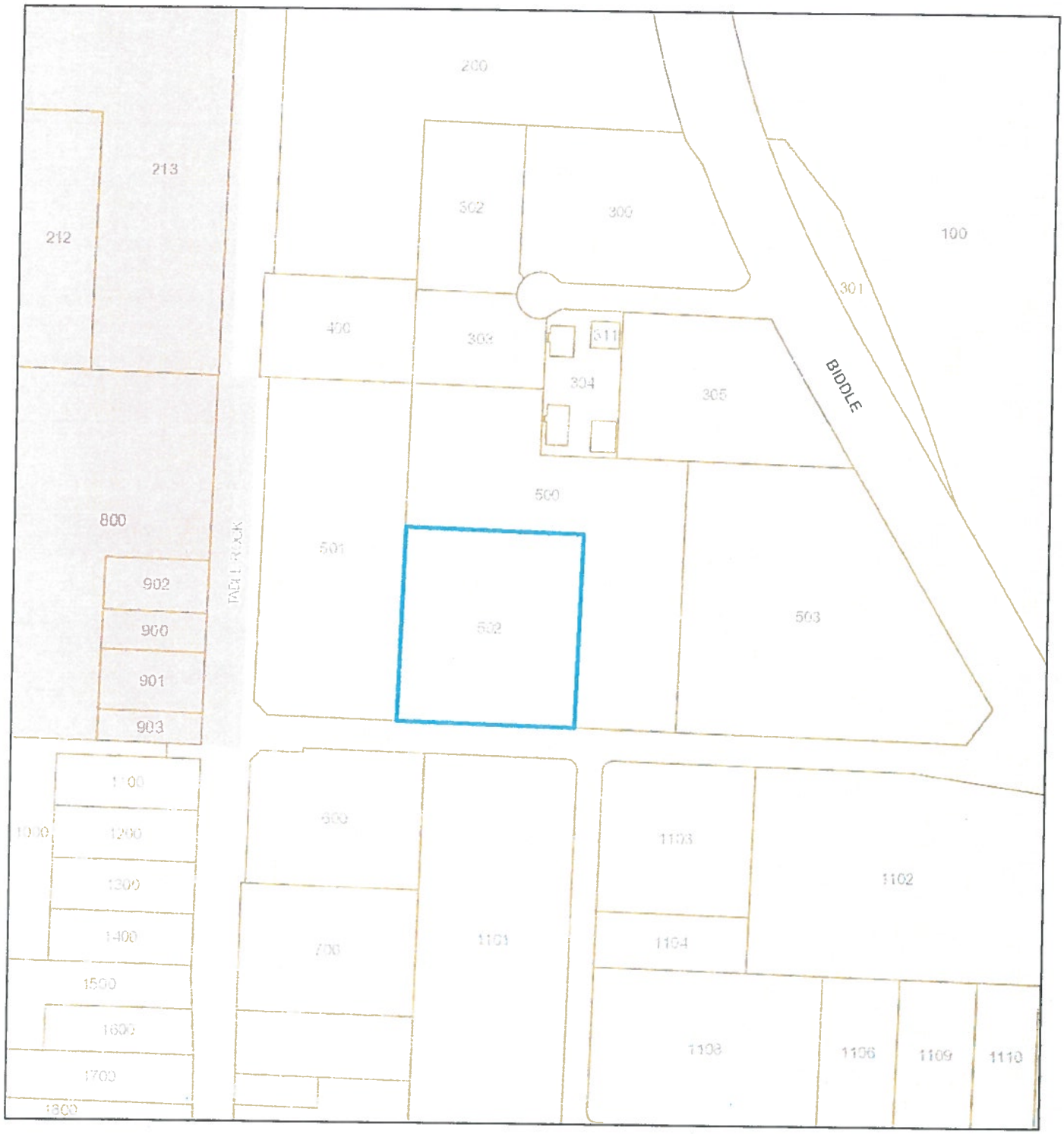
Sincerely,

Kimberly Parducci PE, PTOE
SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

Attachments: Parcel Vicinity Map
Trip Distributions and Assignments
Synchro Output
Medford Land Development Code
Scoping Letter

Cc: Peter Mackprang, Medford Engineering
Joe Slaughter, Richard Stevens & Associates, Inc.
Client

Jackson County GIS



October 17, 2017

1:3,228

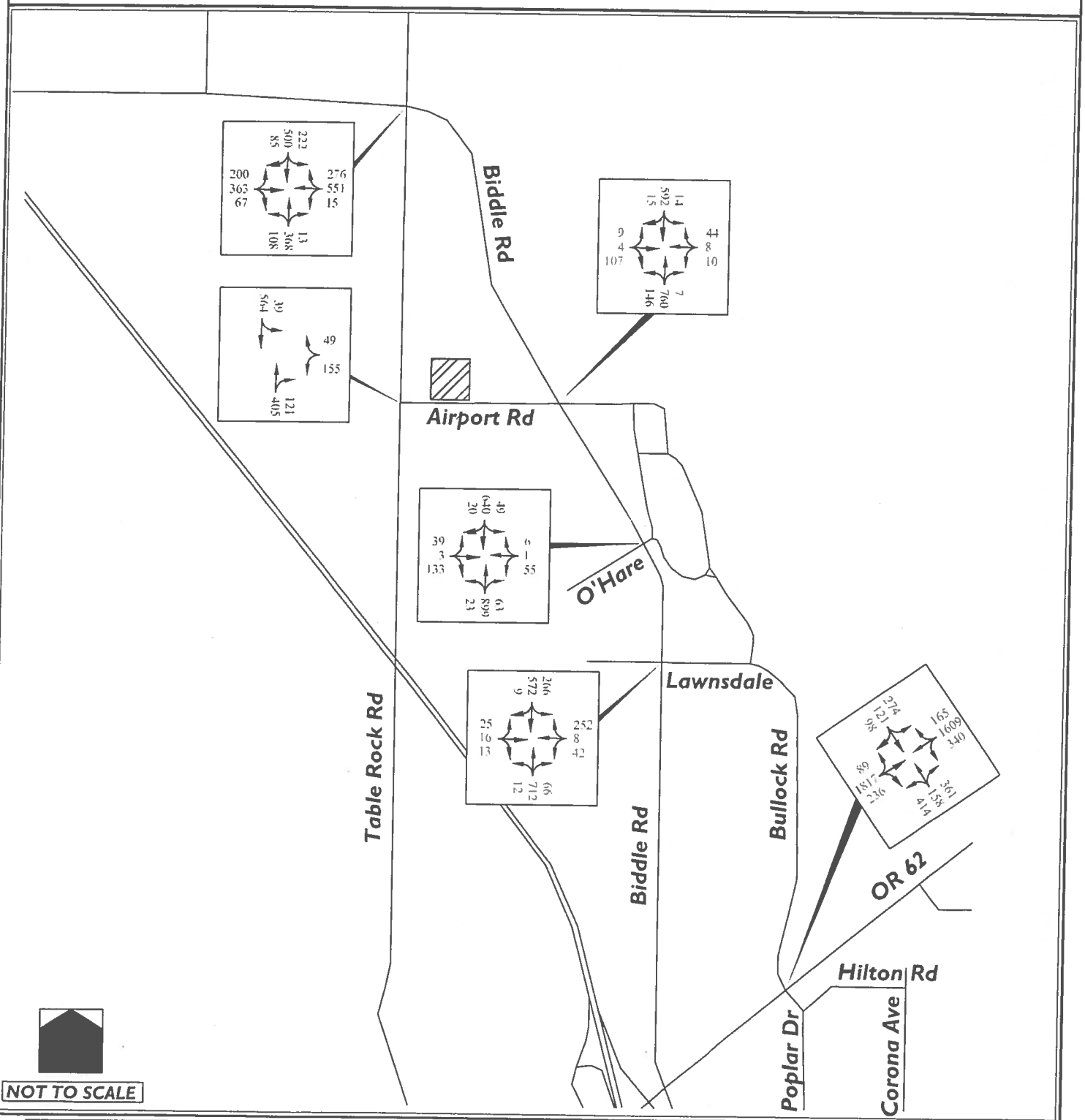
0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

- County Line
- Streets - Label Only
- Taxlots
- Ashland
- Butte Falls
- Central Point
- Eagle Point
- Gold Hill
- Jacksonville
- Medford
- Phoenix
- Rogue River
- Shady Cove
- Talent

Jackson County Gis
© Jackson County 2017

Figure 1 : Raw Year 2015 Count Data, PM Peak Hour

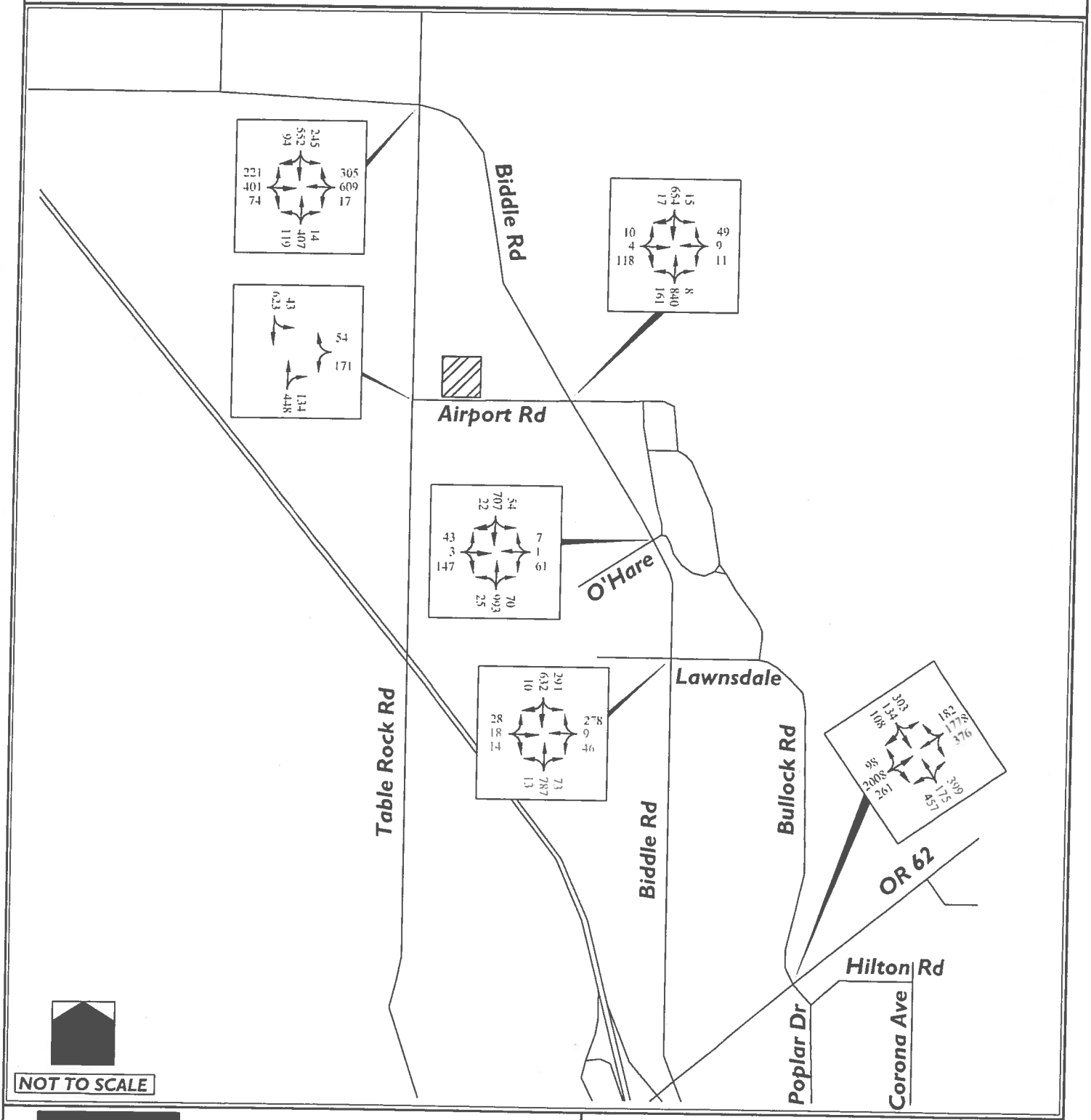


SOUTHERN OREGON
TRANSPORTATION ENGINEERING, LLC

Medford, Oregon 97504
ph 541.608.9923 fax 541.535.6873
email: Kim.parducci@gmail.com

GI & I-L to CM & C-R
GLUP & Zone Change
Traffic Impact Analysis
Medford, Oregon

Figure 2 : Adjusted Year 2017 Traffic Volumes, PM Peak Hour



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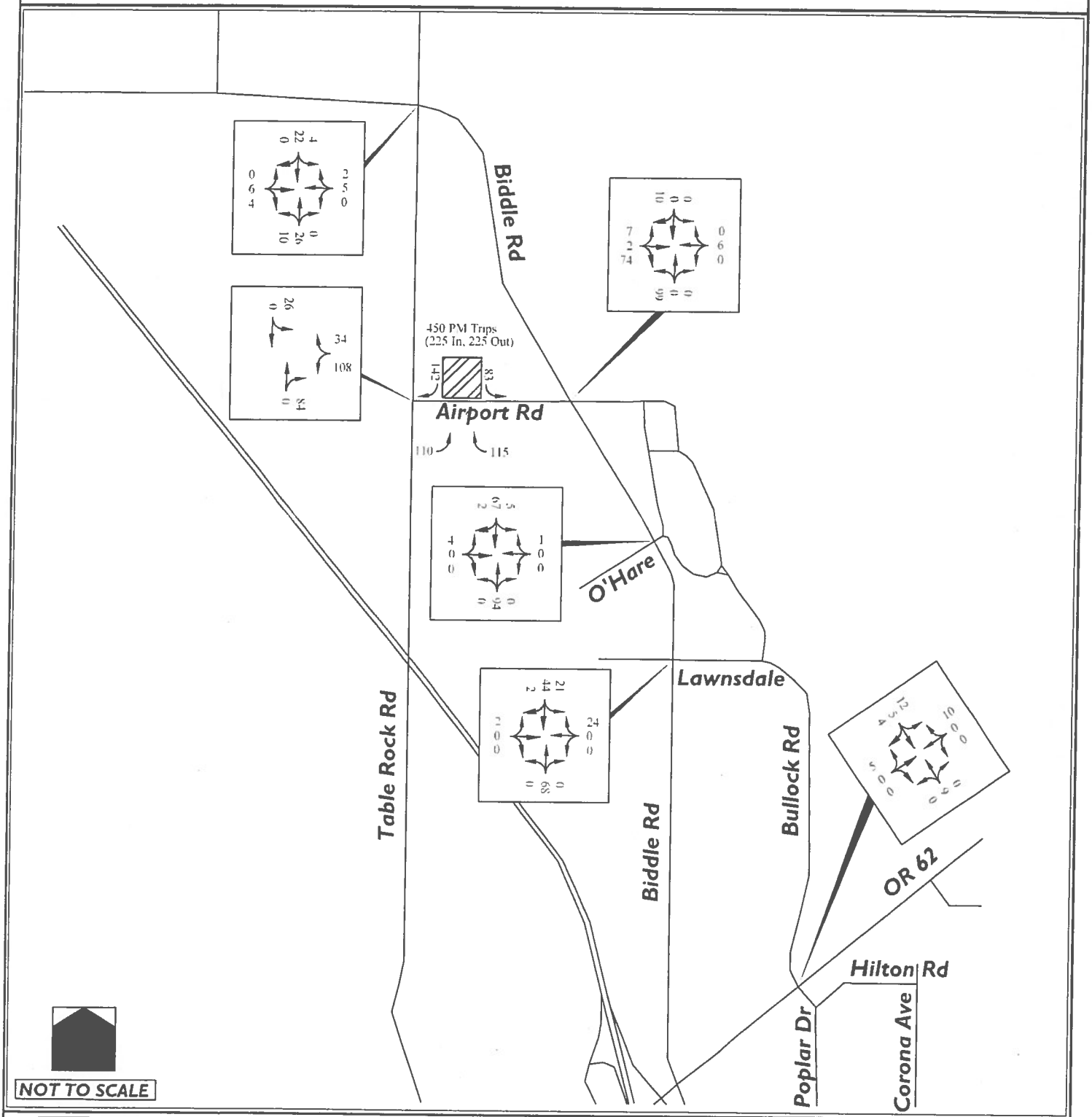
GI & I-L to CM & C-R
GLUP & Zone Change
Traffic Impact Analysis
Medford, Oregon

Figure 3 : Trip Assignment, PM Peak Hour



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GI & I-L to CM & C-R
GLUP & Zone Change
Traffic Impact Analysis
Medford, Oregon

HCM Signalized Intersection Capacity Analysis
77: Highway 62 & Poplar

10/18/2017

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBU	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	303	134	108	457	175	399	98	2008	261	10	376	1778
Future Volume (vph)	303	134	108	457	175	399	98	2008	261	10	376	1778
Ideal Flow (vphpl)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost time (s)	5.5	5.0	4.5	4.5	4.5	5.5	4.5	5.5			5.5	5.5
Lane Util. Factor	0.97	1.00	1.00	*0.94	1.00	1.00	1.00	*0.99			0.97	*0.94
Frpb, ped/bikes	1.00	1.00	0.99	1.00	1.00	1.00	1.00	1.00			1.00	1.00
Flpb, ped/bikes	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.98			1.00	0.99
Flt Protected	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00			0.95	1.00
Satd. Flow (prot)	3285	1800	1464	3183	1731	1515	1629	5147			3315	4861
Flt Permitted	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00			0.95	1.00
Satd. Flow (perm)	3285	1800	1464	3183	1731	1515	1629	5147			3315	4861
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00
Adj. Flow (vph)	303	134	108	457	175	399	98	2008	261	11	376	1778
RTOR Reduction (vph)	0	0	65	0	0	110	0	13	0	0	0	8
Lane Group Flow (vph)	303	134	43	457	175	289	98	2256	0	0	387	1938
Confl. Peds. (#/hr)			8						3			
Heavy Vehicles (%)	1%	0%	3%	1%	4%	1%	5%	2%	1%	3%	0%	3%
Turn Type	Prot	NA	custom	Prot	NA	Perm	Prot	NA		Prot	Prot	NA
Protected Phases	7		5	3	8		5	2		1	1	
Permitted Phases		4	4			8						6
Actuated Green, G (s)	14.9	25.3	35.4	17.6	28.5	28.5	10.1	51.8			15.6	57.3
Effective Green, g (s)	13.9	25.3	35.4	17.6	28.5	27.5	10.1	51.8			14.6	57.3
Actuated g/C Ratio	0.11	0.19	0.27	0.14	0.22	0.21	0.08	0.40			0.11	0.44
Clearance Time (s)	4.5	5.0	4.5	4.5	4.5	4.5	4.5	5.5			4.5	5.5
Vehicle Extension (s)	2.5	2.5	2.5	2.5	2.5	2.5	2.5	4.2			2.5	4.2
Lane Grp Cap (vph)	351	350	399	431	380	320	126	2054			372	2145
v/s Ratio Prot	0.09		0.01	c0.14	0.10		0.06	c0.44			c0.12	
v/s Ratio Perm		0.07	0.02			c0.19						c0.40
v/c Ratio	0.86	0.38	0.11	1.06	0.46	0.90	0.78	1.10			1.04	0.90
Uniform Delay, d1	57.0	45.5	35.4	56.1	44.0	49.8	58.7	39.0			57.6	33.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			1.00	1.00
Incremental Delay, d2	19.0	0.5	0.1	60.2	0.6	27.0	24.6	52.6			57.5	6.0
Delay (s)	76.0	46.0	35.4	116.3	44.6	76.8	83.3	91.6			115.1	39.7
Level of Service	E	D	D	F	D	E	F	F			F	D
Approach Delay (s)		60.6			88.9			91.2				52.2
Approach LOS		E			F			F				D

Intersection Summary			
HCM 2000 Control Delay	73.7	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	1.06		
Actuated Cycle Length (s)	129.8	Sum of lost time (s)	21.0
Intersection Capacity Utilization	112.3%	ICU Level of Service	H
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	168
Future Volume (vph)	168
Ideal Flow (vphpl)	1800
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	1.00
Adj. Flow (vph)	168
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	4
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

10.461 Applicability

(1) The level of detail and scope of a traffic impact analysis (TIA) will vary with the size, complexity, and location of the proposed application. Prior to any TIA, the applicant shall submit sufficient information to the City for the Public Works Department to issue a scoping letter. If stipulations to reduce traffic are requested by an applicant, it must first be shown by means of an analysis that an unconditional approval is not possible without some form of mitigation to maintain an adequate LOS. This will determine whether a stipulation is necessary.

(2) Extent of Study Area:
The study area shall be defined by the Public Works Department in the scoping letter and shall address at least the following areas:
(a) All proposed site access points;
(b) Any intersection where the proposed development can be expected to contribute 25 or more trips during the analysis peak period. Impacts of less than 25 peak period trips are not substantial and will not be included in the study area. This volume may be adjusted, at the discretion of the Public Works Department, for safety or unusual situations; and
(c) Any intersections directly adjacent to the subject property. The Public Works Department may, at its discretion, waive the study of certain intersections when it is concluded that the impacts are not substantial.

(3) When required:
If a proposed application has the potential of generating more than 250 net average daily trips (ADT) or the Public Works Department has concerns due to operations or accident history, a TIA will be required to evaluate development impacts to the transportation system. The Public Works Department may waive a TIA if it is concluded that the impacts are not substantial.

(4) Submittals: Provide two copies of the TIA for Public Works Department to review.

(5) Elements of Analysis: A TIA shall be prepared by a Traffic Engineer or Civil Engineer licensed to practice in the State of Oregon with special training and experience in traffic engineering. The TIA shall be a thorough review of the effects a proposed use will have on the transportation system. The study area shall include all streets and intersections in the analysis, as defined in subsection (2) above. Traffic generated from a proposed site will be distributed throughout the transportation system using existing count data or the current transportation model used by the City. Any alternate distribution method must be based on data acceptable to the Public Works Department. The following checklist outlines what a TIA shall contain. Incomplete reports shall be returned to the applicant for completion without review:
(a) The scoping letter as provided by the Public Works Department;
(b) The Final TIA shall be signed and stamped by a Professional Civil or Traffic Engineer registered in the State of Oregon;
(c) An executive summary, discussing the development, the major findings of the analysis, and the mitigation measures proposed;
(d) A vicinity map of the proposed site and study area;
(e) Project characteristics such as zoning, potential trip generations (unless stipulated to less than potential), proposed access(s), and other pertinent factors;
(f) Street characteristics within the study area including functional classification, number of travel lanes, lane width, shoulder treatment, bicycle path corridors, and traffic control at intersections;
(g) Description of existing transportation conditions including transit accessibility, accident history, pedestrian facilities, bicycle facilities, traffic signals, and overall traffic operations and circulation;
(h) Peak period turning movement counts of at least two-hour minimums at study area intersections, less than 2 years old. These counts shall be adjusted to the design year of the project and consider seasonal traffic adjustments when required by the scoping letter;
(i) A "Figure" showing existing peak period (AM, noon, or PM, whichever is largest) turning movement volumes at study area intersections, as shown in Example 1. Approved applications obtained from the City that have not built out but will impact study area intersections shall be included as pipeline traffic. An appropriate adjustment factor shall be applied to existing count data if counts were taken during the off-peak season;

Continuous Improvement Customer Service

CITY OF MEDFORD

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

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

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

October 17, 2017

Southern Oregon Transportation Engineering
319 Eastwood Drive
Medford, OR. 97504

Changing zoning from I-L (Light Industrial) to CM (Commercial) and C-R (Regional Commercial) on 372W12A502 (3.00 acres) will require a traffic impact analysis (TIA) to determine project impacts to the transportation system. The existing I-L zoning is expected to generate 900 ADT. The Commercial zone would generate 4,500 ADT. The difference between these two proposals is 3,600 ADT, which exceeds 250 ADT, which is the code standard beyond which a TIA is required. The analysis must be prepared by a licensed engineer in the State of Oregon and follow our current TIA methodology. The general format is as follows and pertains to City of Medford and Jackson County facilities that involve collector and arterial streets: (ODOT facilities should be addressed with ODOT using ODOT criteria.)

1. A TIA should always analyze the potential traffic generation of a parcel(s) with the following exceptions:
    a. A Planned Unit Development (PUD) is being proposed with a site plan that the traffic analysis will be based on and stipulated to.
    b. The potential traffic generation of the parcel(s) cannot be supported by the transportation facilities and a stipulation (trip cap) is being proposed.

2. All trip distributions into and out of the transportation system must reflect existing traffic count data for consistency or follow the current transportation model used by the City. If alternate splits are used to distribute traffic, then justification must be provided and approved by the Public Works Director prior to first submittal of the TIA.

3. Any intersection where the proposed development can be expected to contribute 25 or more trips during the analysis peak period shall be analyzed. Intersections having less than 25 peak period trips are not substantially impacted and will not be included in the study area.

4. Pipeline traffic must be considered into the existing count data before the impacts of project traffic are evaluated. Once the study area is defined by the applicant's traffic engineer and a written request is received, Public Works will supply all necessary pipeline information within one week.

5. The TIA shall determine all improvements or mitigation measures necessary to maintain facility adequacy at study area intersections. Mitigation measures may include stipulations and/or construction of necessary transportation improvements and shall be required to bring transportation facilities to operate at an acceptable level of service (LOS) with the addition of project traffic.

6. Peak period turning movement counts must be at least two-hour minimums and capture the peak period. Counts must be less than two years old and adjusted to the design year of the project. A seasonal traffic adjustment is required on study area streets if counts were not prepared during the peak period of the year and count data shows a 10% increase in traffic volumes.

7. All LOS analyses shall follow operational procedures per the current Highway Capacity Manual. Ideal saturation flow rates greater than 1800 vehicles per hour per lane should not be used unless otherwise measured in the project vicinity. Queue lengths shall be calculated at the 95th percentile where feasible. Peak hour factors shall be assumed to be 1.00 for all analysis.

8. Unsignalized intersections shall be evaluated for signal warrants if the level of service (LOS) is determined to be below standard minimums. Channelization requirements, such as left and right turn lanes, shall also be evaluated where failing facilities are identified and none are currently provided.

9. Signalized intersection analyses shall be in accordance with the City's timing sheets. Analyses will follow either pre-timed, actuated-coordinated, or actuated-uncoordinated timing plans, as applicable to each location. Once the study area is defined by the applicant's traffic engineer and a written request is received, Public Works will supply all timing information within one week.

10. Comprehensive Plan Amendment application, including a Zone Change, requires a Year 2023 analysis that includes an analysis of the TSP project list. If additional projects are required, then a financial analysis shall also be included. The application shall also include Year of Build analysis and mitigation.

11. This scoping letter shall be included as an appendix in the initial study and subsequent revisions.

12. This scoping letter and any traffic impact analysis will expire after 180 days. It is the applicant's responsibility to resubmit the scoping letter request if the traffic impact analysis is not submitted during 180 days period.

The City's complete TIA methodology can be found in the Medford Land Development Code, section 10.461. Any TIA that is not in accordance with this methodology will be returned to the applicant without review. If you have any questions, feel free to contact me at 774-2121

Sincerely,

Peter Mackprang
Associate Traffic Engineer

Cc: Karl MacNair, Transportation Manager
Planning Department

City of Medford

Planning Department

Vicinity Map	File Number: ZC-18-097

Project Name:

503 Airport Road

Map/Taxlot:

372W12A TL 502

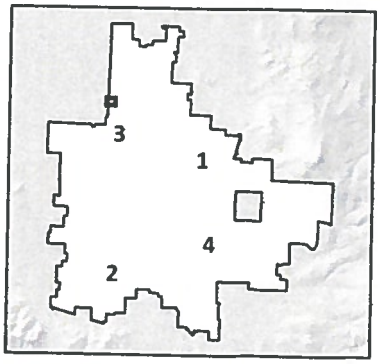
0 90 180 Feet

0813/2018

Legend

- Subject Area
- Zoning Districts
- Tax Lots

N W E S



STAFF REPORT

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

Project	Valente Sosa Zone Change Applicant/Agent: Valente Sosa
File no.	ZC-18-101
To	Planning Commission *for September 27, 2018 hearing*
From	Steffen Roennfeldt, Planner III
Reviewer	Kelly Evans, Assistant Planning Director
Date	September 18, 2018

BACKGROUND

Proposal

Request for a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) on a 0.87 acre lot located at 1919 Orchard Home Drive (372W35DD2000).

Vicinity Map

Figure 1: Vicinity Map

Subject Site Characteristics

Zoning	SFR-00	Single-family Residential (one dwelling unit per lot)
GLUP	UR	Urban Residential
Use	One single family dwelling	

Surrounding Site Characteristics

North	Zone:	SFR-00
	Use:	Low density residential
South	Zone:	SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre)
	Use:	Single family dwelling. Future Copley Square Subdivision
East	Zone:	SFR-6
	Use:	Diamond Street right-of-way
West	Zone:	SFR-00
	Use:	Low density residential

Related Projects

None

Applicable Criteria

Medford Municipal Code §10.204 Zone Change Criteria

ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.204

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation and noted by ***.

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

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

***

(b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:

(i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or

(ii) The area to be re-zoned is five acres or larger; or

(iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five acres.

***

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

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

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

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

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

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

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

b. an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

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

(c) In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

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

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

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

ISSUES AND ANALYSIS

Staff has reviewed the zone change request and finds that it meets the approval criteria in Medford Land Development Code Section 10.204.

The proposed SFR-6 zone district is permitted within the UR GLUP designation, and the proposal is consistent with the Transportation System Plan (TSP).

The subject property is bordered by SFR-6 zoned parcels to the south and east, therefore satisfying the locational criterion listed in MLDC 10.204 (2)(b)(i).

In regards to facility adequacy criteria contained in MLDC 10.204 (3), the agency reports in Exhibits D, E, H and L demonstrate that Category "A" Urban Services and Facilities are available or can and will be made available to serve the site at the time of issuance of building permits.

FINDINGS AND CONCLUSIONS

Staff has reviewed the Applicant's Findings (Exhibit A) and recommends the Commission adopt the findings as presented.

RECOMMENDED ACTION

Adopt the Findings as recommended by staff and direct staff to prepare the Final Order for approval of ZC-18-101 per the staff report dated September 18, 2018, including Exhibits A through L.

EXHIBITS

A Applicants Findings of Fact and Conclusions, received July 30, 2018
B Aerial Image, received July 30, 2018
C Assessor Map, received July 30, 2018
D Public Works Department Staff Report, dated August 29, 2018
E Medford Water Commission Staff Memo, dated August 29, 2018
F Building Department Memo, dated August 29, 2018
G Medford Fire-Rescue Land Development Report, dated August 24, 2018
H Rogue Valley Sewer Services Memo, dated August 22, 2018
I City Surveyor Memo, dated August 15, 2018
J Legal Description, received July 30, 2018
K Notice of proposed zone change to DLCD, dated August 28, 2018
L E-mail from Public Works Engineering re: Storm Drain System, received July 30, 2018
Vicinity map

PLANNING COMMISSION AGENDA: **SEPTEMBER 27, 2018**

RECEIVED
JUL 30 2018
PLANNING DEPT.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:	FINDING OF FACT PLANNING DEPT AND CONCLUSIONS OF LAW
IN THE MATTER OF AN APPLICATION FOR A ZONE CHANGE FOR THE PROPERTY IDENTIFIED AS T372W35DD TAX LOT 2000 STERLING HOMES LLC OWNER VALENTE SOSA AGENT	

BACKGROUND INFORMATION

[1]Applicant:

Sterling Homes LLC, Valente Sosa 6734 Webber RD Central Point, OR 97502
Sterling1homes@gmail.com

Agent:

Valente Sosa 6734 Webber Rd Central Point, OR 97502

Property 1:

37 2W 35 DD TL 2000 1919 Orchard Home Dr Medford, OR 97501 SFR-00 current zoning .87 net acreage

Project Summary:

The subject property is currently zoned SFR-00. This application seeks a zone change to the SFR-6 zoning district. The net acreage of the subject property totals .87 acres and the gross acreage is .87 acres.

The General Land Use Plan Map designation for the property was changed from Urban Residential (UR). The requested SFR-6 zoning district is appropriate for the UR GLUP designation. The approval of this application would rezone the property to the SFR-6 zoning district.

Approval Criteria:

[1] Sterling Homes LLC 541 890 1518 Zone Change page 1 of 9

CITY OF MEDFORD
EXHIBIT # A
FILE # ZC-18-101

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The relevant approval criteria for the requested zone change from SFR-10 to MFR-20 are within MLDC 10.227 as provided below:

10.227 Zone Change Criteria

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

(1) The proposed zone is consistent with the Transportation System Plan

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

(b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one (1) of the following conditions must exist:

[2](i) At least one (1) parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or

(ii) The area to be rezoned is five (5) acres or larger; or

(iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.

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

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

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

---

[2] Sterling Homes LLC 541 890 1518 Zone Change page 2 of 9

or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:

(i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject [4] property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,

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

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

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.)

Findings of Fact:

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

The subject properties are 4.74 miles from the Rogue Valley International Airport, and 2.46 miles from Interstate Highway 5 (1-5). The subject property has frontage on Orchard Home Dr.

Referring to the adopted Transportation System Plan (TSP), Orchard Home Dr is classified as a Major Collector street, when fully improved to the standards identified in the MLDC will include bicycle lanes and sidewalks to promote both bicycle and pedestrian modes of transportation.

At the time of submitting this application, there are no plans to improve Orchard Home Dr.

The General Land Use Plan Map (GLUP) map designation for the subject properties is the UR Urban Residential designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR10 zoning districts. The requested zone change proposed with

[4] Sterling Homes LLC 541 890 1518 Zone Change page 4 of 9

this application is the SFR-6 zoning district and is consistent with the GLUP designation.

Conclusions of Law:

The Planning Commission can conclude this application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and **the SFR-6 zoning district is appropriate within the UR GLUP designation.**

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

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

Findings of Fact:

In preparing this application the Medford Public Works Department was contacted to determine the ability to access the existing public storm drainage facilities in the area. The subject parcel has frontage on Orchard Home Dr. Orchard Home Dr is undeveloped and a public stormwater facility is not currently installed. The current storm drain system installed are driveway culverts.

Future development will be subject to the current City requirements for stormwater control and treatment and there is adequate capacity for the proposed zone change.

The subject property is within the Rogue Valley Sewer Service (RVS) territory. [5] According to Shannon Hertel Development Specialist of RVS there is an 10" sanitary sewer line in the Orchard Home Dr right of way. The sanitary sewer facilities have adequate capacity for the purposes of the requested zone change. **Future development of the property will require the extension of facilities in accordance with the standards for development at the time of development.**

Eric Johnson of the Medford Water Commission indicated the Medford Water

[5] Sterling Homes LLC 541 890 1518 Zone Change page 5 of 9

Commission provides municipal water for this area and there is adequate capacity for the requested zone change.

There is a 12" waterline in the right of way. According to Eric there is adequate capacity and access to the water supply at the site for the purposes of this zone change. Future development will comply with the current standards for development.

Conclusions of Law:

The Planning Commission can conclude the subject property has access to public facilities for stormwater, sanitary sewer, and domestic water, and these facilities have adequate capacity for the approval of the proposed zone change.

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

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

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

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

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

(b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be [6] 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this

[6] Sterling Homes LLC 541 890 1518 Zone Change page 6 of 9

paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

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

Findings of Fact:

The subject property has frontage on Orchard Home Dr. Orchard Home Dr is classified as a major collector and is currently undeveloped.

The subject parcel is .87 gross acres. The requested SFR 6 zoning district would allow a maximum of 6 dwelling units on the property which is an increase of 5 dwelling units. The ITE standard of 9.44 Average Daily Trips (ADT) per dwelling units results of an impact of 49 ADT, less than 250 ADT and therefore no additional Traffic Impact Analysis is required for this application.

Attached with this application is the required Traffic Impact Analysis Form completed by Public Works Department. The form indicates there are no requirements for an additional Traffic Impact Analysis.

Further development of the property will included conditions to improve the public street frontages to the current standards contained in the MLDC and the TSP.

The higher order streets in the vicinity are improved or have adequate capacity as defined by MLDC 10.225 (2) (b) (i) and the frontage streets will be improved to the current city standards with future development consistent with MLDC 10.225 (2)(b)(ii).

Conclusions of Law

The Planning Commission can conclude the streets in the vicinity of the requested zone change have adequate capacity as defined in MLDC 10.227 (2).

(c) In determining the adequacy of Category A facilities, the approving authority [7]

[7] Sterling Homes LLC 541 890 1518 Zone Change page 7 of 9

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

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

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

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

Findings of Fact:

In preparing this application for a zone change from the SFR-00 zoning district to the SFR-6, the agencies were queried and the replies indicated any limitations identified in MLDC 10.227 (2) (c) will not be necessary as the facilities are available for the requested zone change from SFR-OO to SFR-6.

Conclusions of Law

The Planning Commission can conclude the Category A public facilities are available without limitations or restrictions for the requested zone change.

Application Summary and Conclusion:

This application identifies the relevant approval criteria contained in the MLDC for a zone change from the SFR-00 zoning district to the SFR-6 zoning district.

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

The Category A Facilities are currently available or can be made available as described in the MLDC for the purposes of approval of the requested zone change.

On behalf of the applicant, I respectfully request the approval of this [8] application.

[8] Sterling Homes LLC 541 890 1518 Zone Change page 8 of 9

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Valente Sosa 6734 Webber Rd Central Point OR 97502,

Sterling Homes LLC

541 890 1518

9

[9] Sterling Homes LLC 541 890 1518 Zone Change page 9 of 9

1919 Orchard Home Dr, Medford OR

37 2W 35DD
MEDFORD

S.E.1/4, S.E.1/4, SEC.35, T.37S., R.2W., W.M.
JACKSON COUNTY
1" = 100'

FOR ASSESSMENT AND TAXATION ONLY

RECEIVED
JUL 30 2018
PLANNING DEPT.

37 2W 35DD
MEDFORD
NEW MAP AUGUST 09, 2007
REV JULY 21, 2017

CITY OF MEDFORD
EXHIBIT # C
FILE # ZC-18-101

GIS DATA
08/09/2017 8:43:25 AM johnsown

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 8/29/2018
File Number: ZC-18-101

PUBLIC WORKS DEPARTMENT STAFF REPORT
1919 Orchard Home Drive
(TL 2000)

Project: Consideration of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) on a 0.87 acre lot.

Location: Located at 1919 Orchard Home Drive (372W35DD2000).

Applicant: Sterling Homes, LLC., Applicant; Valente Sosa, Agent; Steffen Roennfeldt, Planner.

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

I. Sanitary Sewer Facilities

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

II. Storm Drainage Facilities

This site lies within the Crooked Creek Drainage Basin. The City of Medford has existing storm drain facilities in the area.

III. Transportation System

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

Prepared by: Doug Burroughs

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

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

CITY OF MEDFORD
EXHIBIT D
File # ZC-18-101

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-18-101

PARCEL ID: 372W35DD TL 2000

PROJECT: Consideration of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) on a 0.87 acre lot located at 1919 Orchard Home Drive (372W35DD2000). Sterling Homes, LLC., Applicant; Valente Sosa, Agent; Steffen Roennfeldt, Planner.

DATE: August 29, 2018

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

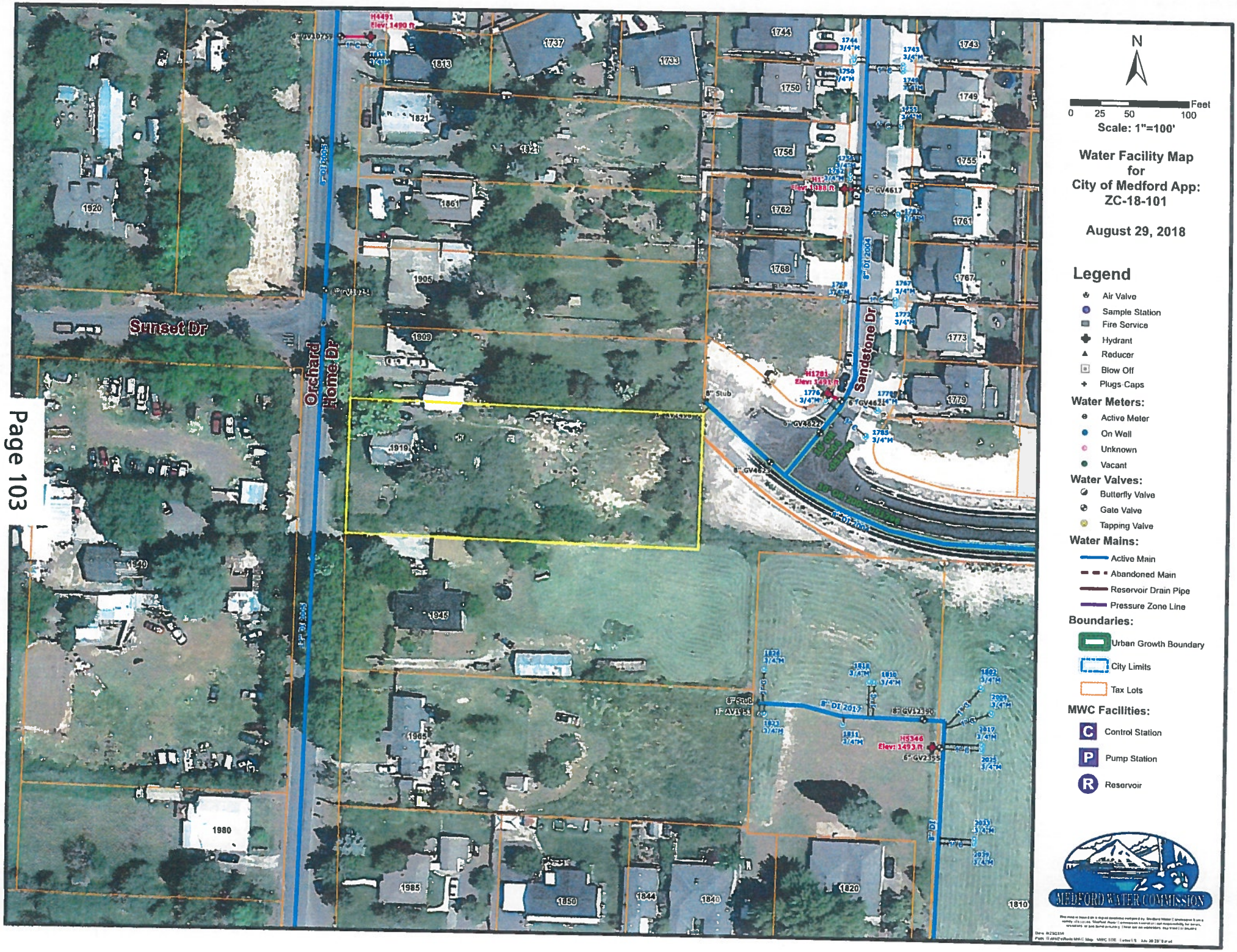
3. The MWC system does have adequate capacity to serve this property.

4. Static water pressure at this site is approximately 105 psi. Installation of Pressure Reducing Devices is required per City of Medford Building Department requirements if not already installed.

5. MWC-metered water service does not exist to this property currently.

6. Access to MWC water lines is available. There is an existing 12-inch water line in Orchard Home Drive.

CITY OF MEDFORD
EXHIBIT # E
File # ZC-18-101


N
0 25 50 100 Feet
Scale: 1"=100'
Water Facility Map
for
City of Medford App:
ZC-18-101
August 29, 2018
Legend
Air Valve
Sample Station
Fire Service
Hydrant
Reducer
Blow Off
Plugs Caps
Water Meters:
Active Meter
On Well
Unknown
Vacant
Water Valves:
Butterfly Valve
Gate Valve
Tapping Valve
Water Mains:
Active Main
Abandoned Main
Reservoir Drain Pipe
Pressure Zone Line
Boundaries:
Urban Growth Boundary
City Limits
Tax Lots
MWC Facilities:
Control Station
Pump Station
Reservoir
Sunset Dr
Orchard Home Dr
Sandstone Dr
MEDFORD WATER COMMISSION

Memo

To: Steffen Roennfeldt, Planning Department

From: Mary Montague, Building Department

CC: Sterling Homes, LLC, Applicant; Valente Sosa, Agent

Date: August 29, 2018

Re: ZC-18-101

Building Department:

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

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.

3. No comments at this time regarding the zone change.

4. Site Excavation permit required to develop, install utilities.

5. Demo Permit is required for any buildings being demolished.

6. There is currently a permit on Hold for a building permit.

CITY OF MEDFORD
EXHIBIT # F
ZC-18-101

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/24/2018
Meeting Date: 8/29/2018

LD #: ZC18101

Planner: Steffen Roennfeldt

Applicant: Sterling Homes, LLC.

Project Location: 1919 Orchard Home Drive (372W35DD2000).

ProjectDescription: Consideration of a zone change from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) on a 0.87 acre lot

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
Exhibit 6
File # ZC-18-101

ROGUE VALLEY SEWER SERVICES

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

August 22, 2018

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

Re: ZC-18-101, Valente Sosa (372W35D – 2000)

ATTN: Steffen,

The subject property is within the RVSS service area. There is a 10 inch sewer main running along Orchard Home Drive to the west with a 4 inch service extended to the subject property. Currently, there is adequate system capacity for the proposed zone change. Future development must be reviewed for compliance with RVSS standards.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNG\ZONE CHANGE\2018\ZC-18-101_VALENTE SOSA.DOC

CITY OF MEDFORD
EXHIBIT # H
File # ZC-18-101

City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject	Legal Description
File no.	ZC-18-101
To	Jon Proud, Engineering
From	Steffen Roennfeldt, Planning Department
Date	August 15, 2018

Please verify the attached legal description covering the below subject at your earliest convenience. See attached map.

1. ZC-18-101-
   Applicant: Valente Sosa

STEFFEN, THE ATTACHED description MATCHES Subject AREA SHOWN ON ATTACHED VICINITY MAP PLUS APROX. 1/2 OF ORCHARD HOME DR.

THE PROPERTY HAS BEEN DESCRIBED THE SAME SINCE at LEAST 1948 ACCORDING J.C. FRONT COUNTER

cp

Attachments:

Vicinity Map, Legal description

THANKS, JON

8/17/18

CITY OF MEDFORD
EXHIBIT # I
File # ZC-18-101

RECEIVED
JUL 30 2018
PLANNING DEPT.

1919 Orchard Home Dr, Medford Oregon 97501

Real Property in the County of Jackson, State of Oregon, described as follows:

Beginning at the Southwest corner of Lot 8 in Block 5 of the Orchard Home Association Tract in Jackson County, Oregon, according to the official plat thereof, recorded in Volume 1, Page 67 of plat records; thence East 320.5 feet to the West line of Block 6 of said Tract; thence North along said line 125.75 feet; thence West 320.5 feet to the West line of said Lot 8 and thence South 125.75 feet to the point of beginning.

CITY OF MEDFORD
EXHIBIT # 7
FILE # ZC-18-101

Steffen K. Roennfeldt

From: DLCD Plan Amendments <plan.amendments@state.or.us>
Sent: Tuesday, August 28, 2018 10:45 AM
To: Steffen K. Roennfeldt
Subject: Confirmation of PAPA Online submittal to DLCD

Medford

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.
Local File #: ZC-18-101
DLCD File #: 015-18
Proposal Received: 8/28/2018
First Evidentiary Hearing: 9/27/2018
Final Hearing Date: 9/27/2018
Submitted by: Roenne80

If you have any questions about this notice, please reply or send an email to plan.amendments@state.or.us.

CITY OF MEDFORD
EXHIBIT # K
File # ZC-18-101

Gmail

Valente Chavez <sterling1homes@gmail.com>

1919 Orchard Home Dr Storm Drain Info

1 message

Andrew J. Hislop <Andrew.Hislop@cityofmedford.org>
To: "sterling1homes@gmail.com" <sterling1homes@gmail.com>

Thu, Jul 26, 2018 at 2:50 PM

RECEIVED
JUL 30 2018
PLANNING DEPT.

Good Day,

Attached is a map from our GIS program showing the approximate location of the storm drain (green) system in the vicinity of 1919 Orchard Home Dr. As you thought the sanitary sewer system is managed by RVSS (541/779-4144).

This section of Orchard Home Dr is undeveloped so the only storm drain system installed are driveway culverts.

To the east of this property is a development that has storm drain infrastructure so I have also included the relevant pages from the construction plans for your reference.

Please call or email if you have any questions or require further information.

Andrew Hislop

541-774-2112

City of Medford

Public Works, Engineering

2 attachments

1919 Orchard Home Dr SD Info.pdf
1892K

Pages from P1842D.PDF
7100K

CITY OF MEDFORD
EXHIBIT # 1-
FILE # ZC-18-101

City of Medford

Planning Department

Vicinity Map

File Number:

ZC-18-101

Project Name:

1919 Orchard Home Drive Zone Change

Map/Taxlot:

372W35DD TL 2000

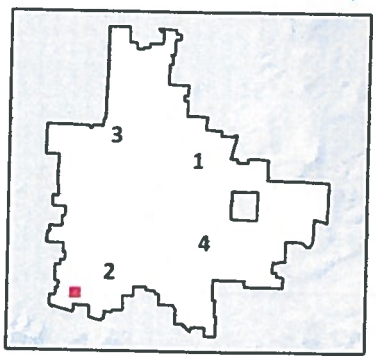
0 75 150 Feet

08/14/2018

Legend

- Subject Area
- Zoning Districts
- Tax Lots

N W E S



STAFF REPORT

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

Project	Howard View Subdivision Applicant: F.B. Owen, Inc.; Agent: Richard Stevens & Associates, Inc.
File no.	LDS-18-109
To	Planning Commission *for September 27, 2018 hearing*
From	Steffen Roennfeldt, Planner III
Reviewer	Kelly Evans, Assistant Planning Director
Date	September 18, 2018

BACKGROUND

Proposal

Consideration of a tentative plat for a 17-lot subdivision on approximately 2.85 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located northwest of the Merriman Road and Mace Road intersection (372W13BB 500).

Vicinity Map

Figure 1: Vicinity Map

Subject Site Characteristics

Zoning	SFR-6	Single Family Residential – 4 to 6 dwelling units per gross acre
GLUP	UR	Urban Residential – 1 to 10 dwelling units per gross acre
Use	Storage	

Surrounding Site Characteristics

North	Zone:	SFR-6
	Use:	Low density residential & low impact commercial
South	Zone:	SFR-6
	Use:	Howard Elementary School
East	Zone:	SFR-6
	Use:	Low density residential
West	Zone:	SFR-6 & P-1 (Public Park)
	Use:	low density residential & Howard School Park

Related Projects

None.

Applicable Criteria

LAND DIVISION APPROVAL CRITERIA
FROM SECTION 10.202(E) OF THE MEDFORD LAND DEVELOPMENT CODE

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

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

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

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

the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

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

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

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

Corporate Names

According to the Oregon Secretary of State Business Registry, Fred T. Owen is listed as the Registered Agent and President of F.B. Owen, Inc. Clark Stevens is the Registered Agent, President and Secretary for Richard Stevens & Associates, Inc.

ISSUES AND ANALYSIS

Background

The subject site was previously owned by the Medford School District and developed with approximately 23,500 square feet of various office buildings and workshops. The aerial image below (Figure 2) was taken in 2010.

As can be seen in Figure 3, all improvements were demolished in the meantime. The parcel was subsequently sold in 2016 to the applicant of this land division application.

Figure 2: Aerial 2010

Figure 3: Aerial 2017

Project Summary

The submitted tentative plat identifies 17 single-family residential lots and "Tract A", which will be developed with a detention and water quality pond to serve the proposed subdivision.

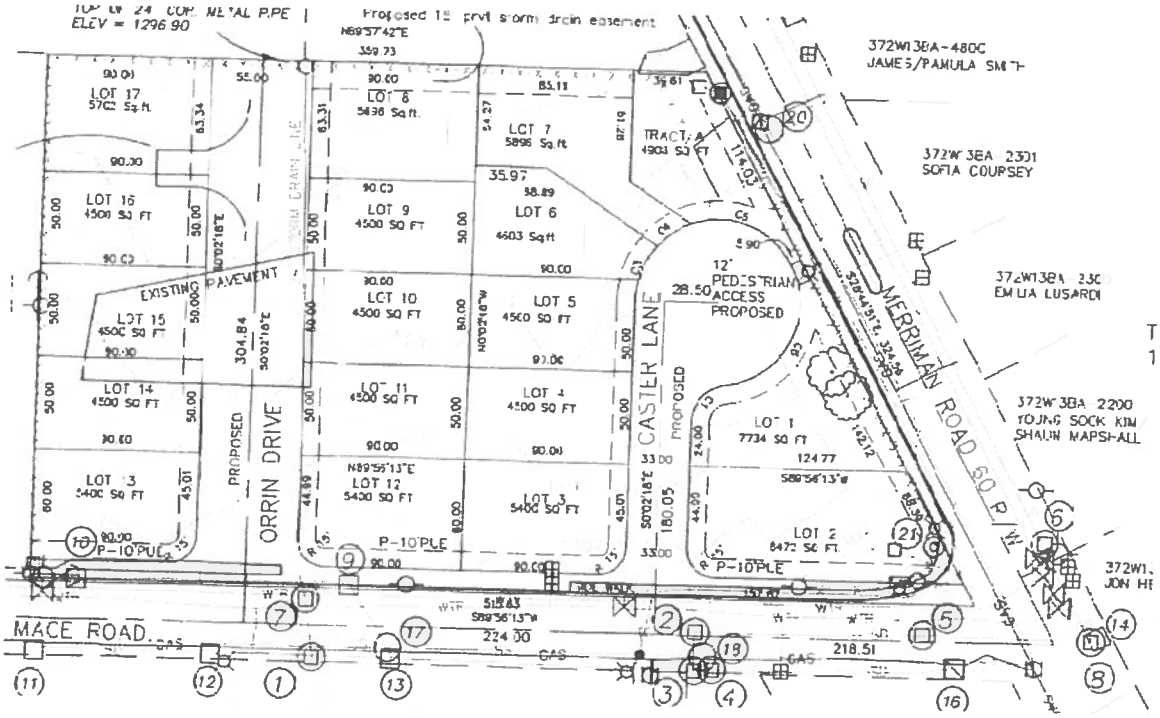


Figure 4: Submitted Tentative Plat

Density

Density Table

SFR-6 *6.0 to 10.0 dwelling units per gross acre*	Allowed	Proposed
372W13BB500	13 d.u. min 19 d.u. max	17 d.u. (86% of maximum)

As shown on the Density Table above, based on a total of 3.29 gross acres of land, the creation of 17 lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-6 zoning district as per MLDC 10.710.

Development Standards

Site Development Table

SFR-6	Lot Area (square feet)	Min. Lot Width (Interior)	Min. Lot Width (Corner)	Min. Lot Depth	Min. Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet *(Regular)* 20 feet *(Flag Lot)*
Proposed	4,500 to 8,472	50 feet *(shortest)*	60 feet *(shortest)*	90 feet *(shortest)*	31.90 feet *(shortest)* 26.49 feet *(Lot 7 – Flag Lot)*

As shown in the site development table above, it can be found that all proposed 17 lots meet all the dimensional standards for the SFR-6 zoning district as found in Article V of the Medford Land Development Code.

Flag Lot

Lot 7 is shown to be developed as a Flag Lot per MLDC 10.450(3). Per the applicant's findings, the Commission can find that the flag lot can be permitted based on MLDC 10.450(1)(b) *which states that 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: (b) It is not possible to create a street pattern which meets the design requirements for streets.*

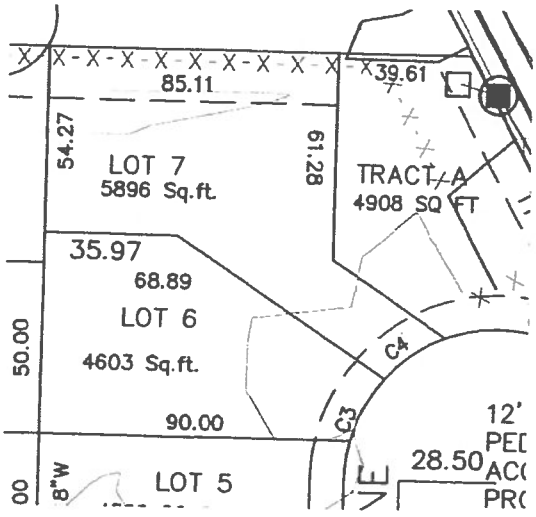


Figure 5: Flag Lot (Lot 7)

Through Lots

Lots 1 and 2 are considered through lots per MLDC 10.704 which states *that through lots shall be permitted in all zones when one of the abutting streets is a collector or arterial street.* Merriman Road is classified as a Major Collector and, per the applicant's findings, both lots will have their designated front yard facing Caster Lane.

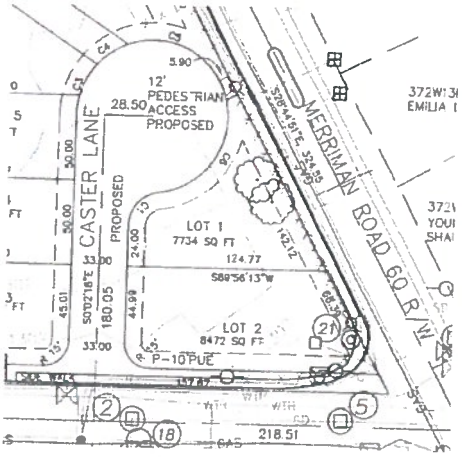


Figure 6: Through Lots (Lots 1 and 2)

Street Circulation

The tentative plat shows two new streets to be created with this subdivision. Caster Lane will be developed with a cul-de-sac at its terminus and will provide access for future lots 1 through 7 and including Tract A.

The tentative plat shows a second new street, Orrin Drive providing a future connection to the north to Morningside Street.

The street layout is consistent with MLDC Section 10.426 (B) Street Circulation Design and Connectivity for block length.

Figure 7: Proposed streets (solid) and future street connections (dashed)

Per the Public Works Staff Report (Exhibit G), both proposed streets will be required to be improved to City standards. Orrin Drive is proposed as a Minor Residential Street and Caster Lane is proposed to be improved to a Standard Residential street standard.

Temporary Vehicle Turnaround

As required by the Fire Department Land Development Report (Exhibit J), the tentative plat shows the proposed location for a temporary vehicle turnaround on Orrin Drive within the boundaries of Lots 16 and 17. The turnaround will be established by easement with the recorded document number reflected on the Final Plat.

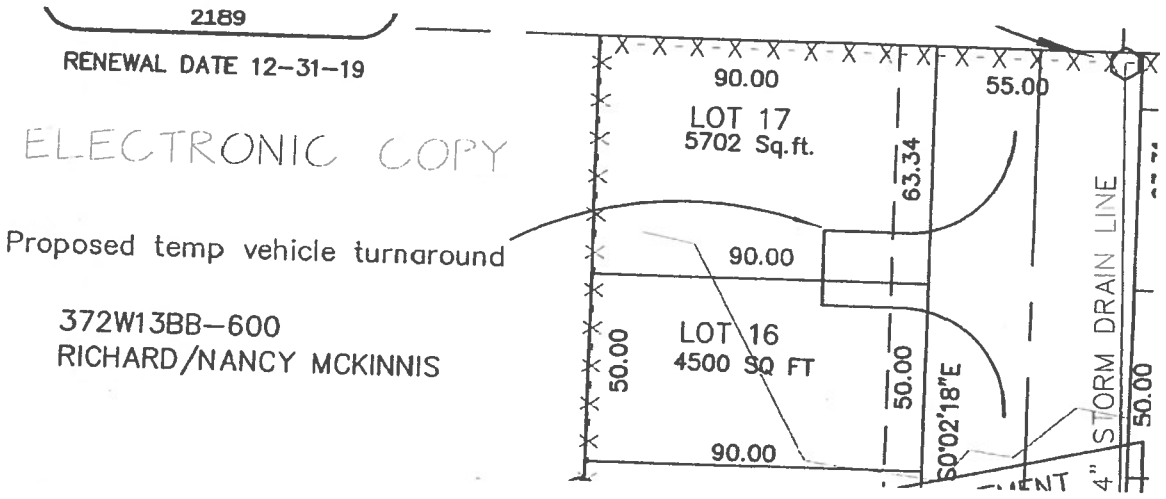


Figure 8: Temporary vehicle turnaround location

Phasing

A Phasing Plan was not submitted with this application. The entire subdivision will be developed as one phase. However, the applicant requested that the Planning Commission grant an extension of the tentative plat for one additional year for a total of three years. MLDC 10.202(D).

Facility Adequacy

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

Other Agency Comments

Rogue Valley International Airport (Exhibit L)

Rogue Valley International Airport requests an Avigation, Noise and Hazard Easement to be required as part of the permit process. In the 2010 LUBA decision on Michelle Barnes vs. City of Hillsboro and the Port of Portland, Nollan/Dolan findings are required to

support the request (LUBA No. 2010-011). None were provided; therefore, a condition requiring compliance with the airport's request for an Avigation, Noise and Hazard Easement has not been included.

FINDINGS AND CONCLUSIONS

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

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of LDS-18-109 per the staff report dated September 18, 2018, including Exhibits A through Q.

EXHIBITS

A	Conditions of Approval, dated September 18, 2018
B	Tentative Plat, received August 2, 2018
C	Conceptual Grading & Drainage Plan, Exhibit C1, received September 18, 2018
D	Conceptual Sewer & Stormwater Plan, Exhibit C2
E	Zoning Map, received August 2, 2018
F	Applicant's Findings of Fact and Conclusions, revised September 18, 2018
G	Public Works Department Staff Report, revised September 5, 2018
H	Board of Water Commissioners Staff Memo, dated September 5, 2018
I	Building Department Memo, dated August 31, 2018
J	Medford Fire-Rescue Land Development Report, dated September 4, 2018
K	Jackson County Roads Memo, dated August 28, 2018
L	Rogue Valley International Medford Airport E-Mail, received August 31, 2018
M	Oregon Department of Aviation E-Mail, received August 29, 2018
N	Rogue River Valley Irrigation District Land Use Agency Response Form, received August 27, 2018
O	Legal Description, received August 2, 2018
P	Subdivision and Condominium Plat Name Approval Request Form, received August 2, 2018
Q	Density Calculation, produced September 4, 2018
	Vicinity map

PLANNING COMMISSION AGENDA: **SEPTEMBER 27, 2018**

EXHIBIT A

LDS-18-109
Conditions of Approval
September 18, 2018

DISCRETIONARY REQUIREMENTS

1. The Planning Commission authorizes a one year extension of the tentative plat from the date of the final order as allowed under MLDC 10.202(D)(1).

CODE REQUIREMENTS

2. Prior to Final Plat approval, the applicant shall comply with the:

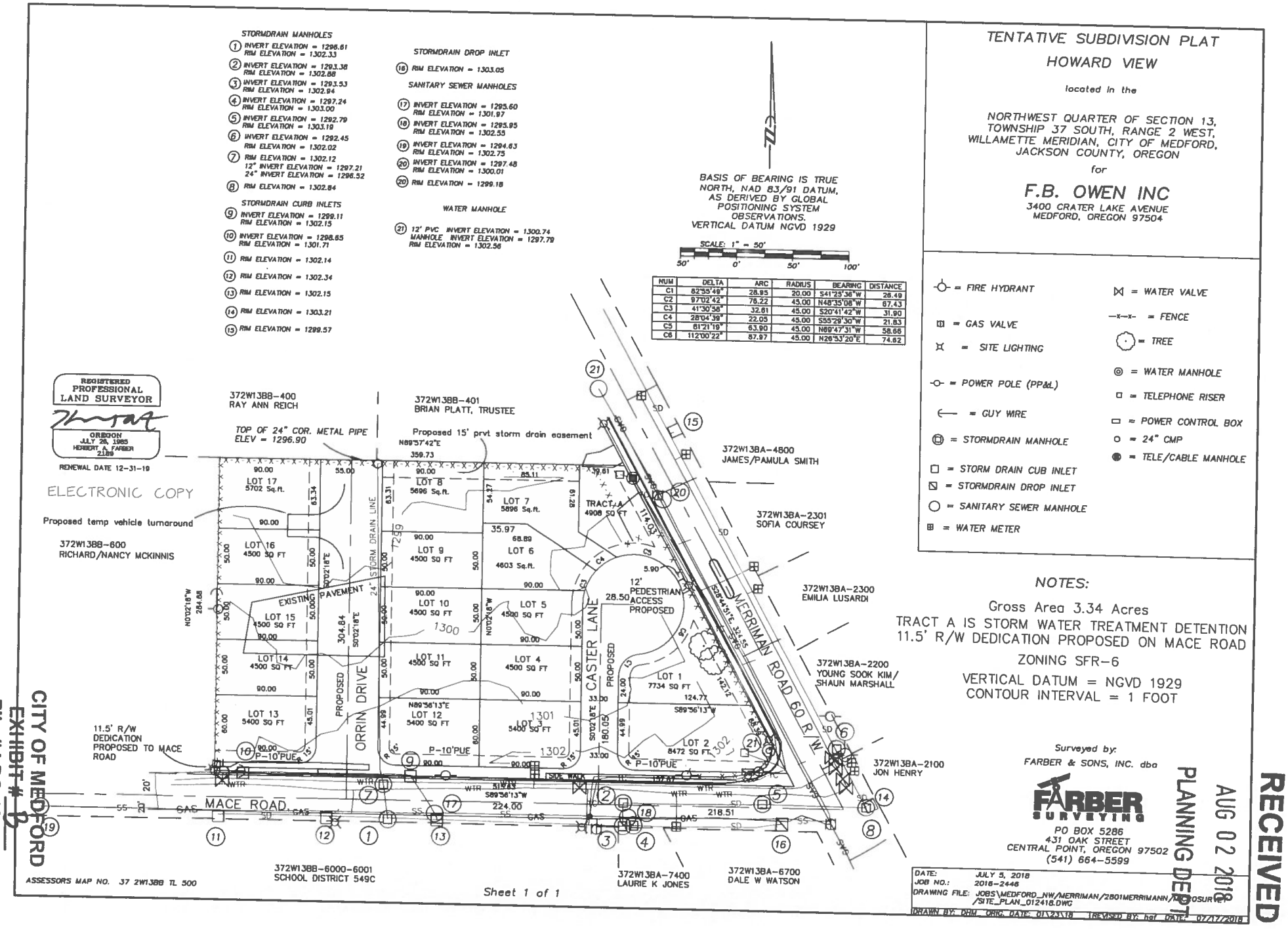
   a. Public Works Department Staff Report dated September 5, 2018 (Exhibit G).

   b. Medford Fire Department Report dated September 4, 2018 (Exhibit J)

   c. Medford Water Commission Memo dated September 5, 2018 (Exhibit H)

   d. Rogue River Valley Irrigation District Form dated August 27, 2018 (Exhibit N)

   e. Submit to the City documentation of an easement for the temporary vehicle turnaround recorded in the official records of Jackson County per the conditions found in the Medford Fire Department Report (Exhibit J). The recorded document number shall be referenced on the final plat.



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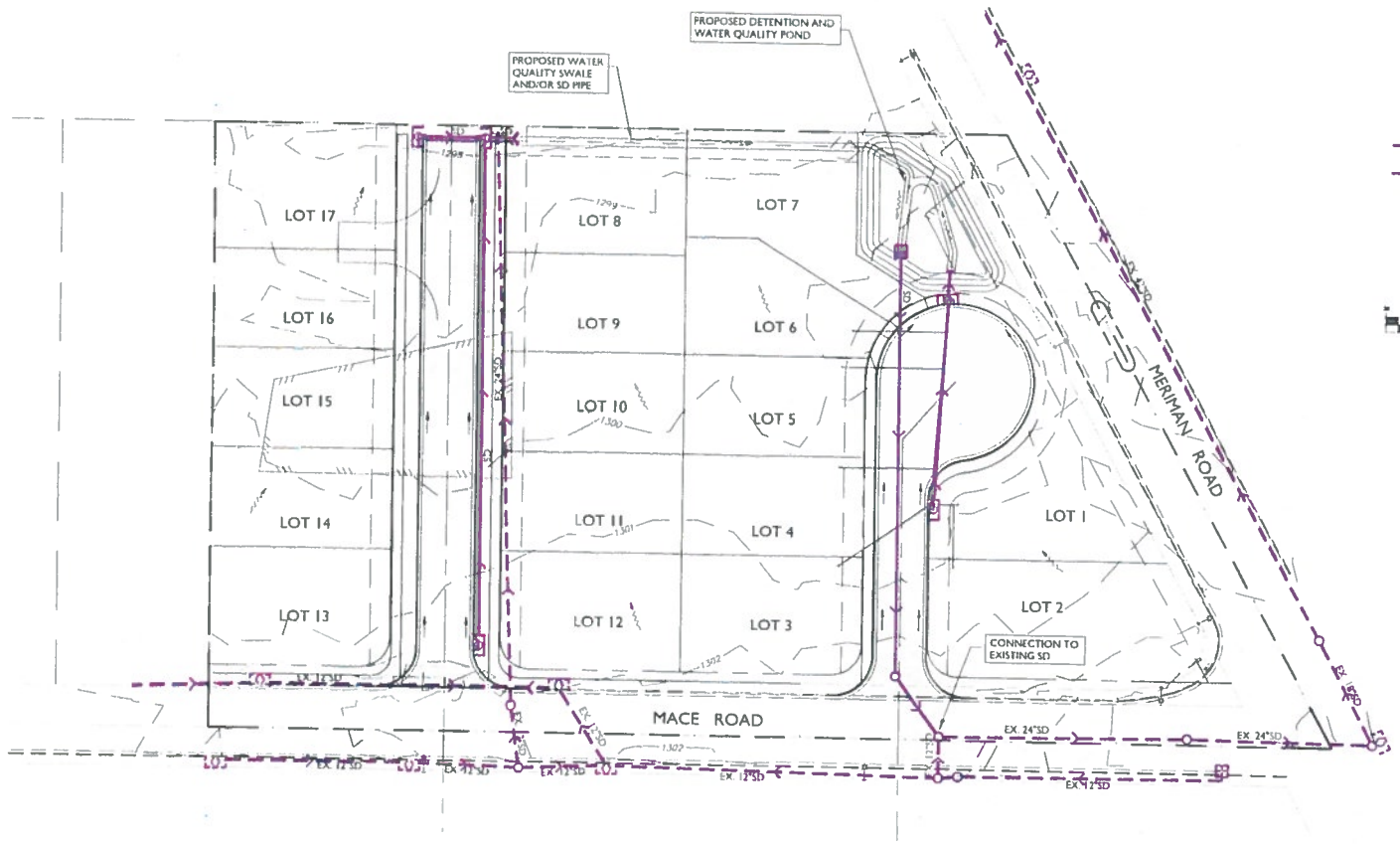
PLANNING DEPT

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



LEGEND

- PROPOSED STORM MANHOLE OR CLEANOUT
- EXISTING STORM MANHOLE
- PROPOSED CURB INLET
- EXISTING CURB INLET
- PROPOSED CATCH BASIN
- EXISTING CATCH BASIN
- PROPOSED DITCH INLET
- PROPOSED STORM MAIN
- EXISTING STORM MAIN
- DRAINAGE DIRECTION

NORTH

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

CONTOURS

CONTOUR INTERVAL = 1'
INDEX INTERVAL = 5'
INDEX CONTOUR — — ELEV — —

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

CALL 48 HOURS BEFORE YOU DIG

CONSTRUCTION ENGINEERING CONSULTANTS INC
P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5285

DRAWN BY	BHO	DATE	02/18
CHECKED BY	AMB	DATE	02/18
		DATE	
		DATE	
		DATE	
		DATE	

NO.	REVISION	DATE	BY

NOT FOR CONSTRUCTION

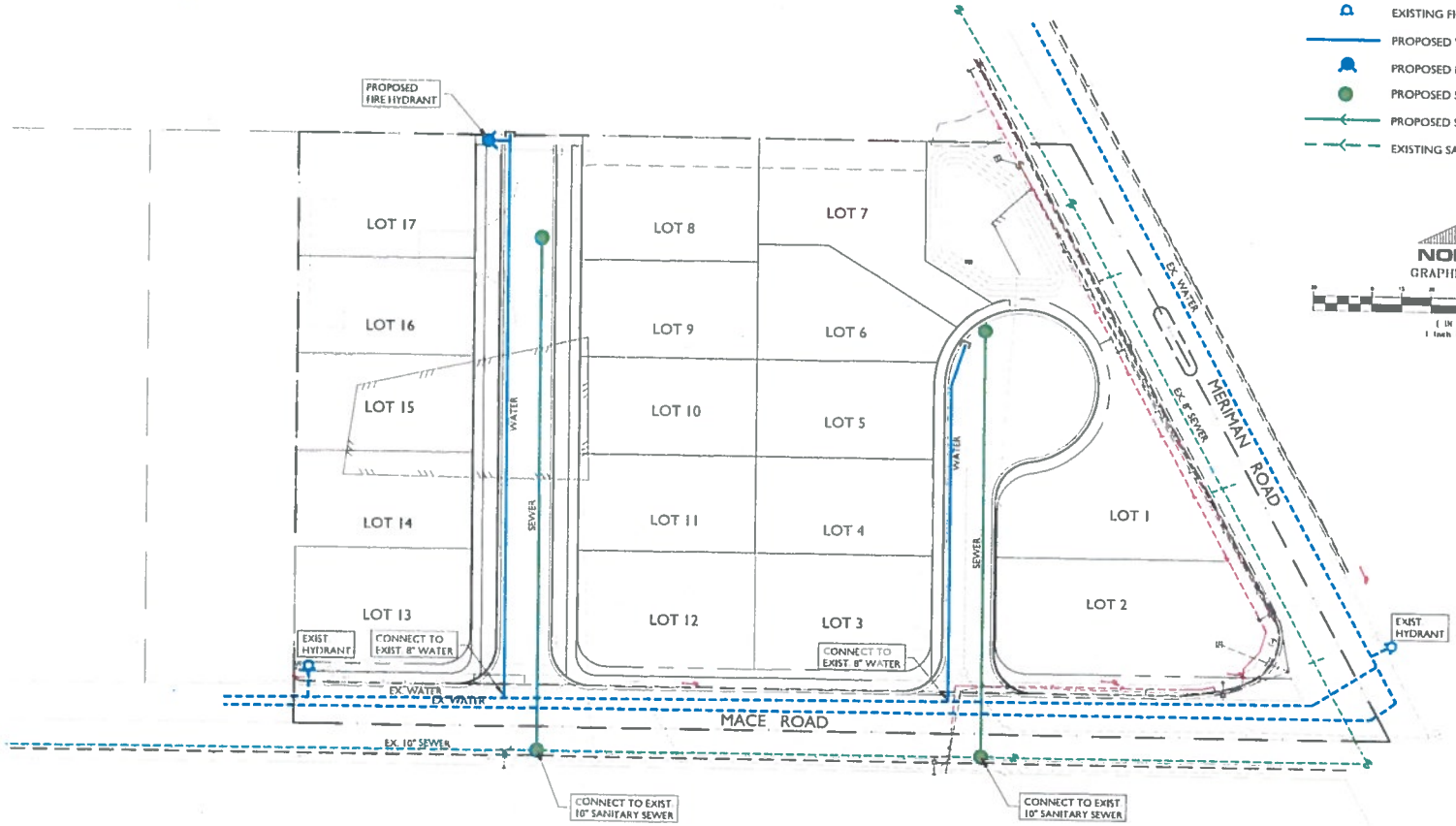
CITY OF MEDFORD
HOWARD VIEW SUBDIVISION
CONCEPTUAL
GRADING & DRAINAGE PLAN

PROJECT NO.
DRAWING NO.

DRAWING NAME HOW CON LDS-18-109 PROJECT 17-06 PLOT DATE 9/17/18

EXHIBIT C.1

RECEIVED
SEP 18 2018
PLANNING DEPT.



CONSTRUCTION ENGINEERING CONSULTANTS INC
P.O. BOX 1724 - MEDFORD, OREGON 97501
PHONE (541) 770-6288

DRAWN BY MHO DATE 07/18
CHECKED BY AMH DATE 07/18

NO	REVISION	DATE	BY

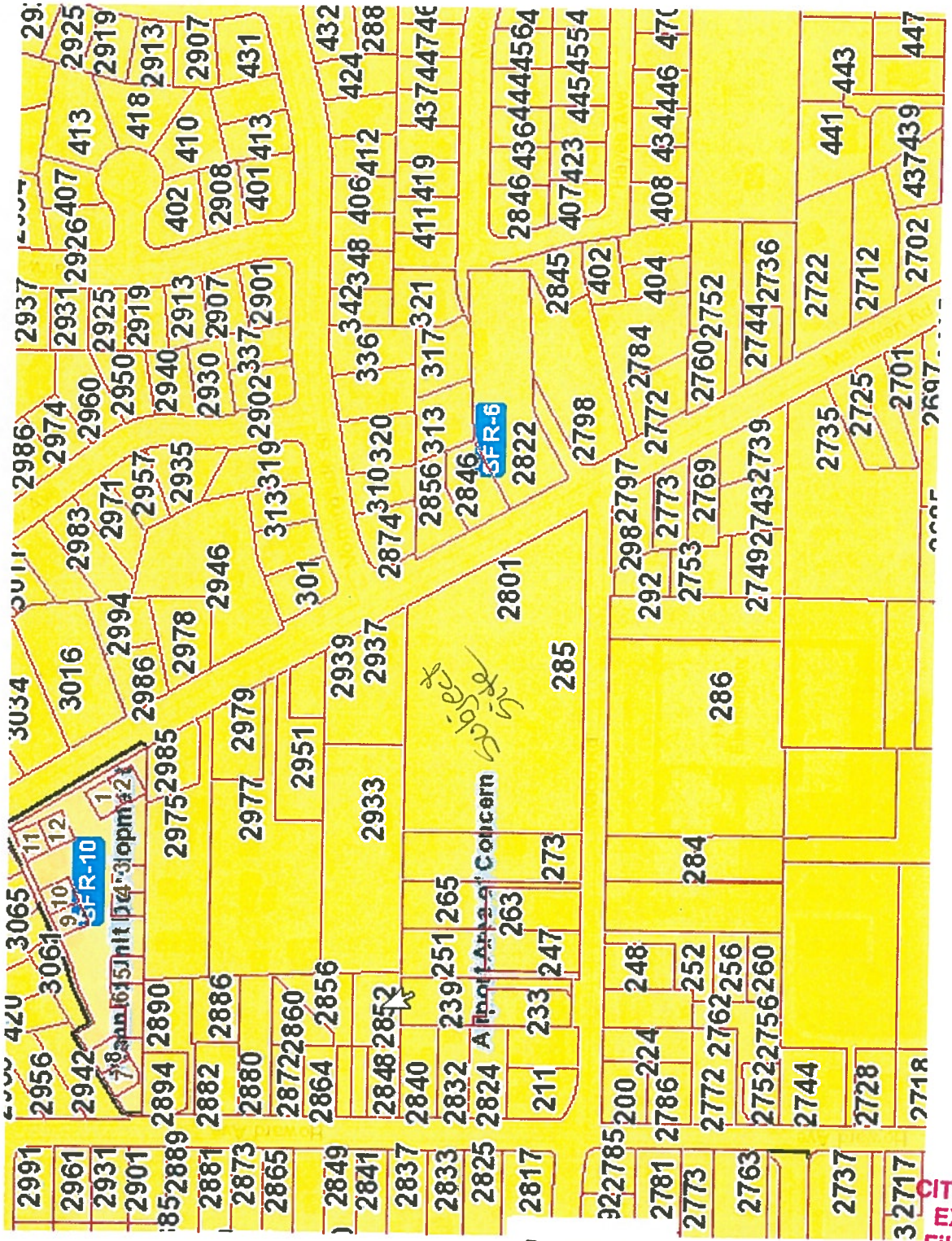
CITY OF MEDFORD
HOWARD VIEW
CONCEPTUAL SEWER & WATER PLAN

RECEIVED
SEP 18 2018
PLANNING DEPT.

EXHIBIT C

CITY OF MEDFORD
EXHIBIT # 7
File # LDS-18-104

RECEIVED
AUG 02 2018
PLANNING DEPT.



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

RECEIVED
SEP 18 2018
PLANNING DEPT.

BEFORE THE PLANNING COMMISSION
CITY OF MEDFORD, OREGON

IN THE MATTER OF AN APPLICATION FOR A LAND DIVISION FOR 2.85 ACRES OF LAND, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF MACE ROAD AND MERRIMAN ROAD; DESCRIBED AS T.37S-R.2W-S.13BB, TAX LOT 500; F. B. OWEN, INC., APPLICANT; RICHARD STEVENS & ASSOCIATES, INC., AGENTS

FINDINGS OF FACT

RECITALS:

Property Owner:	F. B. Owen, Inc 3400 Crater Lake Ave Medford, OR 97504
Agents:	Richard Stevens & Associates, Inc. P.O. Box 4368 Medford, OR 97501 (541) 773-2646
Zoning-	SFR-6
GLUP Map-	UR, Urban Residential
Area-	2.86 net acres 3.34 gross acres

INTRODUCTION:

This land division application for Howard View Subdivision is submitted by the property owner / applicant to demonstrate consistency with Section 10.202 of the Medford Land Development Code (MLDC) for a detached single family dwelling development. The applicant is not proposing any phasing with the development of Howard View Subdivision. In addition, the applicant requests that the Planning Commission grant an extension of the tentative plat for one additional year consistent with Section 10.202(D).

The subject property is located at the northwest corner of Mace Road and Merriman Road (285 Mace Road, Medford, OR).

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

SUBDIVISION TENTATIVE PLAT:

The application materials, information and approval criteria for a subdivision are found in Section 10.202 MLDC. The approval criteria for a subdivision is found in Section 10.202(E), which states:

> *"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:"*

Section 10.202(E)(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:*

FINDING:

The subject property is designated on the Medford Comprehensive Plan, General Land Use Plan map as Urban Residential (UR). The zoning on the subject area is SFR-6, which is consistent with the Comprehensive Plan. The minimum density for the site is 13 Dwelling Units and the maximum density for the site is 20 Dwelling Units. Howard View Subdivision is proposing 17 detached single family lots meeting the density standards of the Code.

The subdivision Tentative Plat has been designed to meet the needs of the future residents in the City of Medford. There are no Neighborhood Street Circulation Plans adopted for this area of the City. This application is also in compliance with Section 10.426 for block length and block perimeter length. Using the center line of Merriman Road, Mace Road, Orrin Drive and the potential extension of Morningside Street it is calculated to have approximately 1417-feet of block perimeter length, consistent with Table 10.426-1.

Lots 1 and 2 are defined as through lots within Section 10.704. These lots will take access and have the front yard from Caster Lane. Merriman Road is designated as a collector street and has restricted access. The applicant agrees to not have vehicular access onto Merriman Road and will maintain street side setbacks as prescribed in Section 10.710, MLDC.

This proposed land division for Howard View Subdivision meets the standards required in Articles IV and V, of the Code for public improvement standards and site development standards.

Section 10.202(E)(2): *Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter:*

FINDING:

The design of Howard View was planned for the entire site under the applicant's ownership; therefore, this application will not prevent the development of the remainder of the property under the same ownership. Sufficient street frontage with street stubs are provided to ensure future development and street circulation for the abutting properties to the north.

The surrounding lands to the west are developed to urban standards and the property to the south is developed as Howard Elementary School. The properties to the east are across Merriman Avenue and are provided with street frontage and access from Merriman Road. This land division application does not prevent access or appropriate development on the adjacent surrounding lands.

Section 10.202(E)(3): *Bears a name that has been approved by the approving authority...*

FINDING:

The name of the subdivision "Howard View" has been accepted by the Jackson County Surveyor's office, which meets this standard.

Section 10.202(E)(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 plats of land division already approved for adjoining property, unless the approving authority determines it is in the public interest to modify the street pattern:*

FINDING:

As identified on the subdivision tentative plat, the proposed street system conforms with the street design and connectivity standards to the greatest extent, consistent with Section 10.426, MLDC. There are no alleys proposed with this application.

Howard View Subdivision is proposing to use Caster Lane as a residential lane public street with a cul-de-sac. Cul-de-sacs are allowed with the provisions of Section 10.450, MLDC. Due to the configuration of the parcel

with the dimensions of the parcel, the location of existing intersections on Merriman Road and the existing adjacent parcel sizes and development it was not feasible to create a street system that connects Caster Lane and meet the minimum density standards for the SFR-6 zoning district.

Numerous attempts in the design to provide street connectivity resulted with the proposed layout of lots and street locations that was thoughtfully planned.

The parking and sidewalk is proposed on the west side of Caster Lane with the sidewalk connecting to the pedestrian accessway for connection to Merriman Road, consistent with Section 10.450, MLDC.

This subdivision application is consistent with Sections 10.426, 10.450 & 10.550, MLDC for street design, connectivity and access.

Section 10.202(E)(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...*

FINDING:

There is a flag lot, Lot 7, proposed with this application. The standards in Subsection 10.450(3) are applicable and the design of the flag pole does have a minimum 20-foot width and lot frontage. The applicant agrees to provide the required approach width and front yard setback from the lot frontage. The flag lot design meets the standards in Section 10.450.

Section 10.202(E)(6): *Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU zoning district:*

FINDING:

Not Applicable. There are no abutting EFU lands.

CONCLUSIONS:

Based on the above Findings and the Tentative Plat for Howard View Subdivision, the City of Medford can conclude that this subdivision request meets the minimum requirements and standards for a land division found in Section 10.202, 10.426 and 10.450, MLDC. This application is also in compliance with the GLUP map UR designation and the SFR-6 development standards in Section 10.710, MLDC.

SUMMARY:

Based upon the above Findings and the Tentative Plat map submitted for review, the City of Medford can find that the proposed subdivision for Howard View Subdivision meets or exceeds the minimum requirements for a Land Division application. The City of Medford can also find that this application is consistent with the requirements for submission with the City and is in compliance with Articles IV & V of the Medford Land Development Code.

Respectfully Submitted,

Richard Stevens & Associates, Inc.
Clark Stevens

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

Revised Date: 9/5/2018
File Number: LDS-18-109

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

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

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

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

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

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

A. STREETS

1. Dedications

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

Mace Road is classified as a Standard Residential Street within the MLDC 10.430. The

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552D

EXHIBIT # G
File # LDS-18-109

Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

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

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

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

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

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

2. **Public Improvements**

   a. **Public Streets**

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

Mace Road – All street section improvements, with the exception of a planter strip, have been completed in close conformance with current standards, including pavement, curb and gutter,

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ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
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TELEPHONE (541) 774-2100
FAX (541) 774-2552

street lights, and partial sidewalks. **However, a 5-foot wide sidewalk with a planter strip will be required along this developments frontage.**

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

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

b. Street Lights and Signing

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

Street Lighting – Developer Provided & Installed:

A. 3 – Type R-100

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

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

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

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

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

c. Pavement Moratoriums

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

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and

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property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

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

e. Access and Circulation

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

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

f. Easements

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

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

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

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

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

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

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

To determine proportionality a neighborhood with similar characteristics was used. The development used was Silky Oaks Subdivision Phase 1 & 2 just south of this development on the north side of Maple Park Drive and consisted of 19 dwelling units. The previous development improved approximately 351 lineal feet of roadway and dedicated approximately 19,690 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 18 lineal feet of road per dwelling unit and approximately 1,036 square feet of right-of-way per dwelling unit.

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

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

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residents that will live in this neighborhood.

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

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

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

B. SANITARY SEWERS

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

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

C. STORM DRAINAGE

1. Hydrology

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

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

2. Stormwater Detention and Water Quality Treatment

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

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

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

3. Grading

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

4. Mains and Laterals

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

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

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

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

5. Erosion Control

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

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

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

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

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

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

3. Phasing

The proposed plans do not show any phasing.

4. Draft of Final Plat

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

5. Easements

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

6. Permits

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

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

7. System Development Charges (SDCs)

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

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

8. Construction and Inspection

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

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

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SUMMARY CONDITIONS OF APPROVAL

Howard View Subdivision TL 7900) LDS-18-109

A. Streets

1. Street Dedications to the Public:

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

2. Improvements:

Public Streets

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

Lighting and Signing

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

Access and Circulation

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

Other

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

B. Sanitary Sewer:

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

C. Storm Drainage:

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

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

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

- = City Code Requirement
- ○ = Discretionary recommendations/comments

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

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MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-18-109

PARCEL ID: 371W30AC TL 2500

PROJECT: Consideration of a tentative plat for a 17-lot subdivision on approximately 2.85 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located northwest of the Merriman Road and Mace Road intersection (372W13BB 500). Applicant: F.B. Owen, Inc.; Agent: Richard Stevens & Associates, Inc.; Planner: Steffen Roennfeldt.

DATE: September 5, 2018

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

3. Installation of an 8-inch "on-site" water line is required in the westerly north-south street that extends from Mace Road to the north property line of this parcel.

4. Installation of an 8-inch water line is required in the easterly proposed cul-de-sac. The installation of an on-site fire hydrant is required at the north end of this water line for flushing and water quality purposes

5. The existing 2-inch water service on the north side of Mace Road is required to be abandoned. There will be a SDC credit for the 2-inch water meter that will be applied to the project to offset water meter installation expenses for this proposed subdivision.

6. Proposed Parcel 1 is required to have a new water service installed. The water meter shall be located on the south side of the new access driveway to parcel 1. Water meters shall not be installed in existing or proposed driveways.

COMMENTS

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

Continued to Next Page

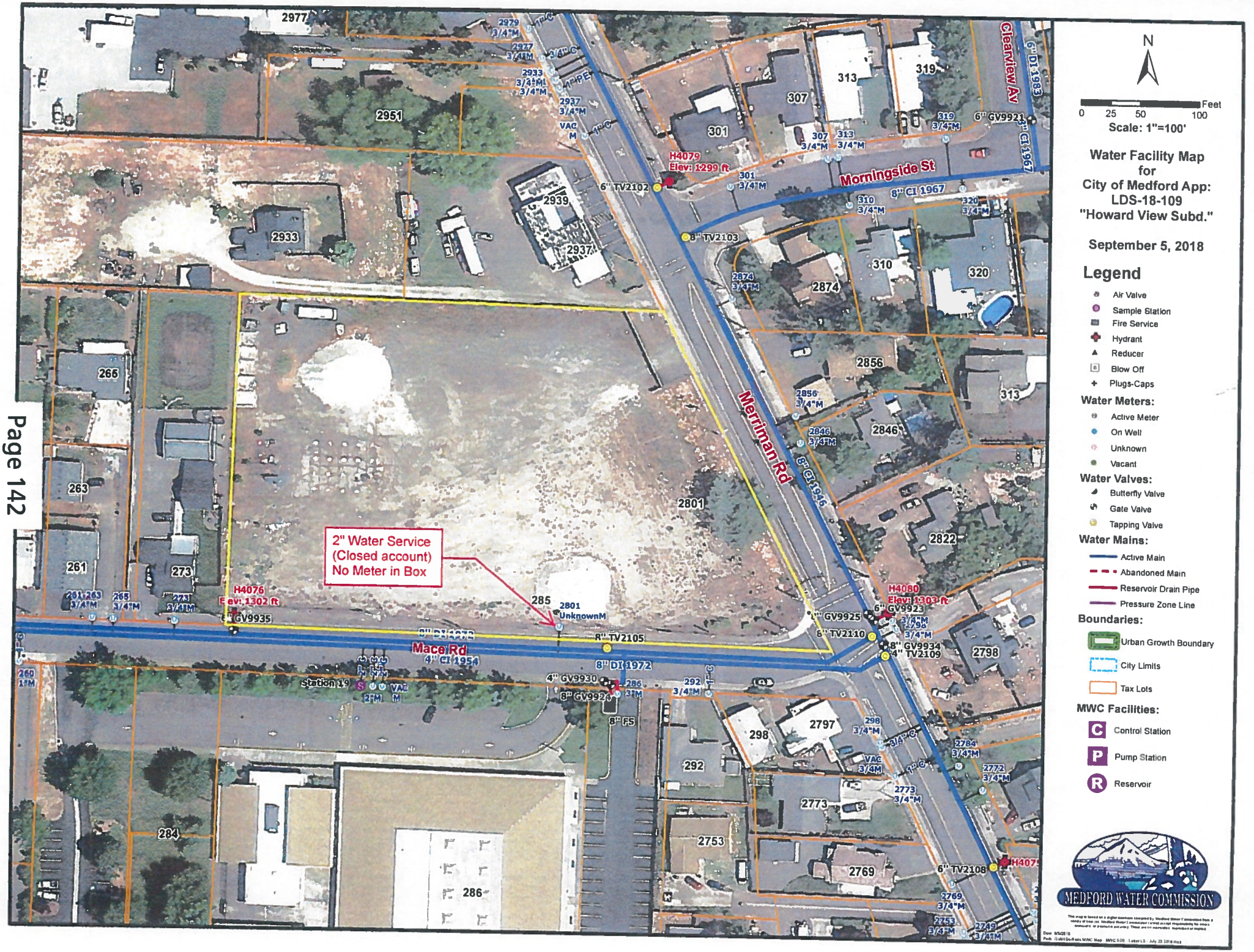
CITY OF MEDFORD
EXHIBIT # H
File # LDS-18-109

Continued from Previous Page

2. On-site water facility construction is required. (See Condition 3 & 4 above)

3. MWC-metered water service does exist to this property. There is a "vacant" existing 2-inch copper water service located approximately mid-lot along the north Mace Road. There is no water meter in this box as account has been closed. (See Condition 5 above)

4. Access to MWC water lines is available. There is an existing 8-inch water line on the west side of Merriman Road, and there is also a 4-inch and 8-inch water line located in Mace Road.


2" Water Service
(Closed account)
No Meter in Box
Mace Rd
Merriman Rd
Morningside St
Clearview Av
H4076
Elev: 1302 ft
H4079
Elev: 1299 ft
H4080
Elev: 1303 ft
Station 19
N
Feet
0 25 50 100
Scale: 1"=100'
Water Facility Map
for
City of Medford App:
LDS-18-109
"Howard View Subd."
September 5, 2018
Legend
Air Valve
Sample Station
Fire Service
Hydrant
Reducer
Blow Off
Plugs-Caps
Water Meters:
Active Meter
On Well
Unknown
Vacant
Water Valves:
Butterfly Valve
Gate Valve
Tapping Valve
Water Mains:
Active Main
Abandoned Main
Reservoir Drain Pipe
Pressure Zone Line
Boundaries:
Urban Growth Boundary
City Limits
Tax Lots
MWC Facilities:
Control Station
Pump Station
Reservoir
MEDFORD WATER COMMISSION

Memo

To: Steffen Roenfeldt, Planning Department

From: Mary Montague, Building Department

CC: F.B. Owen, Inc., Applicant; Richard Stevens & Associates, Inc., Agent.

Date: August 31, 2018

Re: LDS-18-109; Howard View Subdivision; 2801 Merriman Rd.

Building Department:

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

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.

3. Site Excavation permit required to develop, install utilities.

4. Demo Permit is required for any buildings being demolished. There was a demo permit issued and did not have a final inspection and has expired. Permit #15-540.

CITY OF MEDFORD
EXHIBIT # 1
File # LDS-18-109

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 9/4/2018
Meeting Date: 9/5/2018

LD #: LDS18109

Planner: Steffen Roennfeldt

Applicant: F.B. Owen, Inc

Project Location: Northwest of the Merriman Road and Mace Road intersection (372W13BB 500)

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

Specific Development Requirements for Access & Water Supply

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

Conditions

Reference	Comments	Description
OFC 508.5	Two fire hydrants will be required for this project: One fire hydrant will be required near the corner of Mace Road and Caster Lane and one fire hydrant will be required on Orrin Drive in front of Lots 9/10.	Fire hydrants with reflectors will be required for this project. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. 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).
MMC 10.430	The developer must pick one of the three options for Orrin Drive. If the clustered/offset driveway option is chosen, the clustered/offset driveway locations must be shown on the civil plans.	Section 10.430 of the Medford Code states the following: In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus, the developer shall choose from one of the following design options: (a) Clustered, offset (staggered) driveways (see example) (design approved by Fire Department), 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 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). When the clustered-offset driveway option is chosen, a note indicating driveway locations shall be included on the final plat. In areas where the clustered-offset option cannot be utilized because of lot layout, parking restrictions may apply in certain areas and no parking signs may be required.
OFC 503.5	Parking shall be posted as prohibited along one side of the 26' wide Caster Lane and the fire department turn-around area on Orrin Drive.	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 505	Required for Lot #7.	The developer must provide a minimum access address sign. A pre-approved address sign can also be utilized. A brochure is available at: http://www.ci.medford.or.us/Files/Minimum%20Access%20Address%20Sign.pdf
OFC 503.2.5	A fire department turn-around is required on Orrin Drive. As an option, in lieu of the fire department turn-around, the homes built on Lot 8 and Lot 17 will be required to be protected by home fire sprinkler systems.	Dead-end Fire Apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. The Fire department turn-around area must be posted with "NO PARKING-FIRE LANE" signs. These signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's.

Construction General Information/Requirements

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

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org

JACKSON COUNTY
Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

August 28, 2018

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

RE: Tentative plat approval of a proposed 17-lot subdivision on Merriman Road & Mace Road – both City maintained roads.
Planning File: LDS-18-109

Dear Steffen:

Thank you for the opportunity to comment on this request for a tentative plat for a 17-lot subdivision on 2.85 acre parcel within the Sigle-Family-Residential-4 to 6 dwelling units per gross acre (SFR-6) zoning district, located northwest of Merriman Road and Mace Road intersection. (37-2W-13BB TL 500). Jackson County Roads has no comment.

Sincerely,

Chuck DeJanvier
Construction Engineer

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

I:\Engineering\Development\CITIES\MEDFORD\2018\LDS-18-109.doc

Steffen K. Roennfeldt

From: Amber Judd <JuddAJ@jacksoncounty.org>
Sent: Friday, August 31, 2018 3:11 PM
To: Steffen K. Roennfeldt
Subject: File No. LDS-18-109 Project Name: Howard View Subdivision

Steffen,

The Airport requests an Avigation, Noise and Hazard Easement be a requirement of this project.

Thank you,

Amber Judd

Deputy Director-Administration
Rogue Valley International-Medford Airport (MFR)
JACKSON COUNTY
1000 Terminal Loop Parkway, Suite 201
Medford, Oregon 97504
541-776-7222

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

Steffen K. Roennfeldt

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Wednesday, August 29, 2018 12:19 PM
To: Steffen K. Roennfeldt
Subject: Howard View Subdivision - ODA Comments

Steffen:

Thank you for allowing ODA to comment on the proposed Howard View Subdivision (LDS-18-109). ODA has reviewed the proposed development and has the following comments:

The site is approximately 1.25 miles west of the Rouge Valley Int'l airport. The airport has a listed elevation of 1,335-feet AMSL while the subdivision is approximately 1,300-feet AMSL. In addition, Interstate 5 and development exist between the proposed development and the airport.

With the difference in elevation and existing development ODA finds that the proposed subdivision will not pose a hazard to air navigation.

Therefore, no FAA form 7460-1 will be required to be filed with ODA.

Thank you again for allowing ODA to comment.

If you or the applicant have any questions please feel free to contact me.

Jeff

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

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

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

3040 25th Street SE, Salem, OR 97302

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

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

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

ROGUE RIVER VALLEY IRRIGATION DISTRICT
LAND USE AGENCY RESPONSE FORM

3139 Merriman Road
Medford OR 97540
Email: rrvid@rrvid.org
Phone: 541-773-6127
Fax: 541-773-5

RECEIVED
AUG 2 7 2018
PLANNING DEPT.

NAME OF ENTITY REQUESTING RESPONSE: City of Medford Planning
ENTITY REFERENCE NUMBER: LDS-18-109
MEETING REVIEW DATE: September 5th
PROPERTY
MAP DESCRIPTION: 372w13BB 5no ADDRESS: 285 Mace Road

☐ NO COMMENT OF LAND USE ISSUE (IF NOT MARKED, CONTINUE BELOW)

NO COMMENT	IF CHECKED COMMENTS ARE APPLICABLE
☑	**A. WATER RIGHT ISSUES**
☑	1. Water rights need to be sold to someone or transferred back to RRVID. Number of Irrigated Acres: _____
☑	2. Must have District approval for water rights to remain in place on Subject's property. Comments: _____
☑	**B. EASEMENTS**
	DISTRICT EASEMENTS
☑	1. Easement needs to remain clear. No permanent structures or deep-rooted plants will be allowed within the easement limits. Comments: _____
☑	2. If facility is to be relocated or modified, specifications must meet the District's Standards and be agreeable to the District. A new written and recorded easements must be conveyed to the District. Comments: _____
☑	3. If a written and recorded easement does not exist for an existing facility, then one must be provided in favor of the District. Comments: _____
	PRIVATE EASEMENTS
☑	1. Property may have private facilities (ditch or pipeline) that the District does not manage. Arrangements may need to be made to provide continued service through the subject property for down stream water users. Comments: _____

CITY OF MEDFORD
EXHIBIT # N 1
File # LDS-18-109

ENTITY REQUESTING RESPONSE: City of Medford Planning

ENTITY REFERENCE NUMBER: LDS-18-109

NO COMMENT	IF CHECKED COMMENTS ARE APPLICABLE

☑ **C. FACILITES** (including but not limited to pipelines, ditches, canals, control checks or boxes)

☑ 1. Upgrades to District facilities may be required to support any land use changes or developments, such as pipe installations or encasing existing pipe under roads or concrete.

Comments: _____

☑ **D. DRAINAGE / STORM WATER**

☑ The District relies on the Bureau of Reclamation's Storm Water Policy. No urban storm water or point source flows will be allowed into the District's facilities without going through the Bureau of Reclamation process. (Developments in historically agricultural areas need to be aware of agricultural run off water and take appropriate action to protect the development from upslope water.)

Comments: _____

GENERAL COMMENTS:

1. No interruptions to irrigation water deliveries will be allowed.
2. R.R.V.I.D. is a Federal Project and some facilities and/or easement issues may need Bureau of Reclamation approval.
3. The developer/sub-divider will take all appropriate actions to ensure the reliability and protection of original function of the District's facilities.

As required by ORS 92.090(6) the entity must receive a certification form the District before approval of the final plat.

Brian Hampson
Rogue River Valley Irrigation
3139 Merriman Road
Medford OR 97501

Date Signed: 8-27-18

RECEIVED
AUG 02 2018
PLANNING DEPT.

Jackson County Official Records 2016-012096
R-WD
Stn=12 BARROWCK 04/22/2016 11:11:09 AM
$15.00 $11.00 $10.00 $8.00 $20.00 $64.00

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

470316045239AC

TICOR TITLE

RECORDING REQUESTED BY:

Ticor Title Company of Oregon
1555 E. McAndrews, Suite 100
Medford, OR 97504

GRANTOR:
RNN Properties, LLC
2640 E. Barnett Rd No E-431
Medford, OR 97504

GRANTEE:
F.B. Owen, Inc.
3400 Crater Lake Avenue
Medford, OR 97504

SEND TAX STATEMENTS TO:
F.B. Owen, Inc.
3400 Crater Lake Avenue
Medford, OR 97504

AFTER RECORDING RETURN TO:
F.B. Owen, Inc.
3400 Crater Lake Avenue
Medford, OR 97504

Escrow No: 470316045239-TTJA37

372W13BB 500 / 10488355

2801 Merriman Road
Medford, OR 97501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

RNN Properties, LLC, Grantor, conveys and warrants to

F.B. Owen, Inc., Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Jackson, State of Oregon:

Lots 1, 2, 3 and 4 of MACE SUBDIVISION, in Jackson County, Oregon according to the official plat thereof now of record. EXCEPTING THEREFROM the West 77.52 feet of LOTS 2 and 4 (record, a strip of land 155.03 feet of the entire west end of said Lots 2 and 4) of Mace Subdivision in Jackson County, Oregon, according to the official plat thereof now of record.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS $340,000.00. (See ORS 93.030)

Subject to and excepting: Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and easements of Record, if any.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY

(1)

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

ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 4/18/16

RNN Properties, LLC

BY: _____
Richard Jackson
Member

BY: _____
Nisha Jackson
Member

State of _____

County of _____

This instrument was acknowledged before me on _____, 20___ by Richard Jackson and Nisha Jackson as Members of RNN Properties, LLC

_____
Notary Public - State of _____

My commission expires: _____

Please see attached CA Acknowledgment

470316045239-TTJA37
Deed (Warranty-Statutory)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

On 4-18-16 (Date) before me, Matt W Black - Notary Public (Here Insert Name and Title of the Officer)

personally appeared Richard Jackson
Nisha Jackson
(Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

MATT W. BLACK
Commission # 2041226
Notary Public - California
Riverside County
My Comm. Expires Sep 13, 2017

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Statutory Warranty Deed Document Date: 4-18-16
Number of Pages: 2 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Richard Jackson
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☒ Other: Member
Signer Is Representing: RMN Properties LLC

Signer's Name: Nisha Jackson
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☒ Other: Member
Signer Is Representing: RMN Properties LLC

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3

RECEIVED

AUG 0 2 2018

PLANNING DEPT.

JACKSON COUNTY Oregon

Subdivision and Condominium Plat Name Approval Request Form

Surveyor's Office
10 S. Oakdale Ave., #318
Medford, OR 97501
surveyor@jacksoncounty.org

This form must be submitted to the Jackson County Surveyor for subdivision and condominium plat name approval. This document may be submitted by email in PDF file format. Before the plat name is approved a $100 processing fee must be paid.

PROPOSED NAME: Howard View

ALTERNATE NAME: Carden Valley Estates

Applicant/ Organization Name: Richard Stevens & Associates

Map and Tax Lot Number: 37 2W 13 BB TL 500

Address: 2801 Merriman Rd & 285 Mace Rd

Phone Number: 541 773 2646

Location in City/County: in City of Medford

Signature of Applicant: _____ Date

Property Owner's Name and Address:

Owen FB Inc
3400 Crater Lake Ave
Medford OR 97504

Surveyor/Engineer Name/Address:

Richard Stevens & Associates / Farber Surveying
PO Box 4368 / PO Box 5286
Medford OR 97501 / Central Point OR 97502

This Plat name will be reserved for a period of two years after which it will automatically expire. This form is a result of Oregon Revised Statutes Chapters 100.105 (5) & (6) and 92.090 (1) which states: ORS 92.090 Approval of subdivision plat names: requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party filed and record the consent of the party that platted the contiguous subdivision bearing that name. **ORS 100.105 Contents of declaration; property name; variable property description.** (5) The name of the property shall include the word "condominium" or condominiums" or the words "a condominium." (6) A condominium may not bear a name which is the same as or deceptively similar to the name of any other condominium located in the same county.

Plat Name Approved: Howard View

Jackson County Surveyor _____ Date 1/17/17

Date Fee Paid: 12/28/16

Invoice Number 1375

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

DENSITY CALCULATION FORM

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

File No.	LDS-18-109
Planner	Steffen Roennfeldt
Date	September 4, 2018

GROSS ACREAGE

Tax Lot Numbers		
372W13BB500	2.85	AC
		AC
		AC
		AC
		AC
		AC
xisting ROW to Centerline	0.44	AC
ross Acres	3.29	AC
ffective Acres (Gross - Subtracted)	**3.29**	

SUBTRACTED ACREAGE

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

DENSITY RANGE

Zoning District		SFR-6
Density Range		
Minimum		4
Maximum		6
No. DU Proposed		**17**
No. DU Permitted Min.		**13**
No. DU Permitted Max.		**19**
Minimum	13.17	
Maximum	19.75	
Percentage of Maximum		**86.08%**

EXISTING R-O-W CALCULATION

Street Name	LF	Width	SF	Acreage
Mace Road	515.00	20.00	10,300.00	0.24
Merriman Road	325.00	27.50	8,937.50	0.21
		-	-	-
		-	-	-
			#####	**0.44**

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

CITY OF MEDFORD
EXHIBIT # 9
File # LDS-18-109

City of Medford

Planning Department

Vicinity Map

File Number:

LDS-18-109

Project Name:

Howard View Subdivision Land Division

Map/Taxlot:

372W13BB TL 500

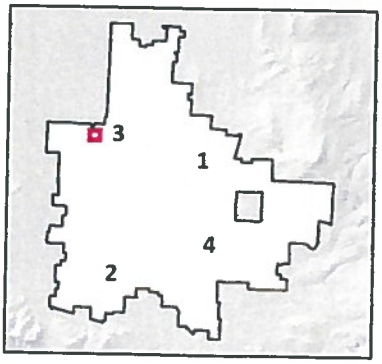
0 125 250 Feet

08/14/2018

Legend

- Subject Area
- Zoning Districts
- Tax Lots

N W E S



STAFF REPORT

for a Type IV Land Use Action: **Comprehensive Plan Amendment**

Project	2017 Natural Hazards Mitigation Plan - Comprehensive Plan Amendment
File no.	CP-18-063
To	Planning Commission *for 09/27/2018 hearing*
From	Seth Adams, AICP, Planner III
Reviewer	Carla Angeli Paladino, Principal Planner
Date	September 20, 2018

PROPOSAL

Overview

CP-18-063 is a legislative amendment to incorporate by reference the 2017 City of Medford Natural Hazards Mitigation Plan (NHMP) into the Environmental Element of the Comprehensive Plan, and to make related updates to the Conclusions, Goals, Policies and Implementation Strategies.

Authority

This proposal is a Type IV land use action to amend the Comprehensive Plan. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.214 and 10.220.

BACKGROUND

Goal 7 (Areas Subject to Natural Hazards) of the *Statewide Planning Goals* requires local governments to consider natural hazards in their land use planning, and to adopt inventories, policies, and implementing measures in order to reduce the risk to people and property from natural hazards. As a result, the following natural hazards are currently identified and discussed in the Environmental Element of the Comprehensive Plan:

- Air Quality
- Flooding
- Landslides

- Earthquakes
- Wildland Fires

These same natural hazards are also found, and much more extensively analyzed, in the City's *Natural Hazards Mitigation Plan* (NHMP). In addition, the NHMP also analyzed the potential for natural hazards related to severe weather, volcanic eruptions, and emerging infectious diseases.

The NHMP was first adopted in 2004 as a requirement of the Disaster Mitigation Act of 2000 which is implemented by the Federal Emergency Management Agency (FEMA). A stipulation of the law is that in order to receive pre- and post-disaster mitigation funds from FEMA, local governments must have a current, FEMA-approved NHMP. The City updated its NHMP in 2010, and then undertook an extensive analysis and re-writing of it between June 2016 and August 2017 in order to incorporate current scientific information, recent hazard event data, and other more current information. The process included a substantial amount of public outreach and participation, including local and regional input from a 19-person steering committee, community events and notices, interviews, an open house, and study sessions with the Planning Commission and City Council.

The new NHMP was adopted by the City Council on September 7, 2017 per Resolution No. 2017-105, and approved by FEMA on September 13, 2017. With FEMA's approval of the plan, the City maintains its eligibility for federal disaster mitigation funds, as well as additional points under the National Flood Insurance Program's Community Rating System (CRS). The adopted and approved Plan is effective through September 12, 2022.

ANALYSIS

Preparation of the 2017 NHMP involved a significant amount of analysis and new information which included mitigation plans for eight natural hazards. Similar to what was been done in the past with the Leisure Services Plan, the proposed amendment would incorporate (by reference) the 2017 NHMP into the Comprehensive Plan (Environmental Element), and would update various sections of the Environmental Element with the information on the natural hazards analyzed in the NHMP (e.g. the Comprehensive Plan's section on Air Quality has not been updated for many years and therefore contains some factually incorrect information). Finally, the amendment updates the Comprehensive Plan's Conclusions, Goals, Policies and Implementation Strategies related to Disasters and Hazards.

FINDINGS AND CONCLUSIONS

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

Comprehensive Plan, Review and Amendments chapter: Amendments [to Conclusions] shall be based on the following:

1. *A change or addition to the text, data, inventories, or graphics which substantially affects the nature of one or more conclusions.*

   Findings

   The 2017 Natural Hazards Mitigation Plan (NHMP) has been updated to replace the prior plan completed in 2010, and includes current information on the natural hazards most likely to affect Medford and the Rogue Valley. Steady improvements in air quality over past decades has resulted in a change in the Medford-Ashland Air Quality Maintenance Area (AQMA) status from non-attainment to attainment, and the air pollutants of concern have changed in the time since the last update to the Environmental Element of the Comprehensive Plan. In addition, the number of potential natural hazards analyzed in the 2017 NHMP includes hazards that were not previously contemplated or discussed in the Comprehensive Plan.

   Conclusions

   The text and data related to Air Quality and Disasters and Hazards have been updated to reflect the current status of the Medford-Ashland AQMA and current pollutants of concern, and to acknowledge all of the hazards analyzed in the 2017 NHMP. The conclusions sections for Air Quality and Disasters and Hazards have been updated to reflect these updates. This criterion is satisfied.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Goals and Policies] shall be based on the following [criteria 1-6]:

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

   Findings

   The conclusions section for Disasters and Hazards has been reviewed and revised to reflect all of the potential natural hazards that were analyzed and accounted for in the 2017 Natural Hazards Mitigation Plan (NHMP). In addition, the conclusions section for Air Quality has been revised to reflect the fact that the Medford-Ashland Air Quality Management Area has been in compliance with the federal carbon monoxide (CO) and particulate matter (PM_{10}) standards since 1991 and 1994, respectively; and, that Medford was re-designated as an attainment area by the Environmental Protection Agency in 2002. In the time since then, pollutants of

concern in the Medford-Ashland AQMA have changed to particulate matter ($PM_{2.5}$), ozone, and air toxics.

Conclusions

The conclusions section for Air Quality has been revised to acknowledge the change in status of the Medford-Ashland AQMA, as well as the current air quality pollutants of concern. The conclusions section for Disasters and Hazards has also been revised to include all of the natural hazards analyzed in the 2017 NHMP. This criterion is satisfied.

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

Findings

The 2017 Natural Hazards Mitigation Plan (NHMP) analyzed a total of eight natural hazards that are foreseeable as posing risk to the city. Of the eight hazards analyzed in the 2017 NHMP, three were not previously identified and/or included in the Disasters and Hazards section of the Environmental Element of the Comprehensive Plan. Information on these three natural hazards (severe weather, emerging infectious diseases, and volcanic eruptions) have been incorporated into the Comprehensive Plan, and the entirety of the 2017 NHMP is incorporated by reference.

Conclusions

The Environmental Element of the Comprehensive Plan has been revised to incorporate the 2017 NHMP by reference, and it includes updates and information on all eight of the natural hazards analyzed in the NHMP. This criterion is satisfied.

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

Findings

The amendments to the Comprehensive Plan do not result from a change in community attitudes or priorities. Discussion of, and planning for natural hazards has always been part of the City's Comprehensive Plan. The amendment serves to incorporate the adopted Natural Hazards Mitigation Plan into the Comprehensive Plan for the first time.

Conclusions

This criterion does not apply.

4. *Demonstrable inconsistency with another Plan provision.*

Findings

The amendment addresses inconsistencies between information in the 2017 Natural Hazards Mitigation Plan (NHMP), and the Disasters and Hazards and Air Quality sections of the Environmental Element of the Comprehensive Plan. The inconsistencies are due to the fact that the information in the Comprehensive Plan has not been updated in many years and is thus out of date.

Conclusions

As part of the incorporation of the 2017 NHMP into the Comprehensive Plan, the summary, goals, policies, and conclusions sections of the Environmental Element have been revised to ensure consistency between the two documents. This criterion is satisfied.

5. *Statutory changes affecting the Plan.*

Findings

A stipulation of The Disaster Mitigation Act of 2000 is that in order to receive pre- and post-disaster mitigation funds from FEMA, local governments must have a current, FEMA-approved Natural Hazards Mitigation Plan (NHMP), and the plans must be updated and re-approved every five years. While there is no legal requirement to incorporate the NHMP into the Comprehensive Plan, it makes practical sense to do so and to ensure that both plans are consistent with one another.

Conclusions

The summary, goals, policies, and conclusions sections of the Environmental Element have been revised to incorporate the information contained in the City's most current NHMP. This criterion is satisfied.

6. *All applicable Statewide Planning Goals.*

Goal 1 - Citizen Involvement

Findings

The City has an adopted Citizen Involvement Element in compliance with Statewide Planning Goal 1. Notice of the amendment was provided to the Department of Land Conservation and Development for review and comment. The review bodies (Planning Commission and City Council) will consider and vote on the proposed amendment during televised public hearings, providing an additional forum to discuss the proposal.

Citizen input and involvement were also at the cornerstone for updating the Natural Hazards Mitigation Plan. At the start of the update the City formed a steering committee comprised of City staff, governmental agencies, community groups, and

members of the public. Outreach was performed using a variety of methods during the update process, including email, website postings, printed flyers, community events, interviews, briefings to the Planning Commission and City Council, and an open house.

Conclusions

Based on the public engagement conducted during the update of the NHMP and the adoption of the amendment, Goal 1 is found to be satisfied.

Goal 2 – Land Use Planning

Findings

Goal 2 requires consistency between various plans and the Comprehensive Plan. The 2017 Natural Hazards Mitigation Plan (NHMP) reflects the most up to date discussion and analysis of the natural hazards most likely to impact Medford, and establishes a coordinated process to implement actions to reduce the impacts of those natural disasters. The plan has been reviewed and portions of the plan incorporated into the Environmental Element of the Comprehensive Plan. The entirety of the 2017 NHMP plan will be incorporated by reference into the Comprehensive Plan.

Conclusions

By incorporating the 2017 NHMP into the Comprehensive Plan, Goal 2 is found to be satisfied.

Goal 3 – Agricultural Lands, does not apply in this case.

Goal 4 – Forest Lands, does not apply in this case.

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

Goal 6 – Air, Water and Land Resources Quality

Findings

Goal 6 requires Comprehensive Plans to provide for the maintenance and improvement of air resources. Air Quality and its effects on the City of Medford are analyzed in the 2017 Natural Hazards Mitigation Plan (NHMP) and the Environmental Element of the Comprehensive Plan. The NHMP is being incorporated into the Comprehensive Plan by reference, and portions of the Comprehensive Plan that directly address air quality have been updated to be consistent with the NHMP and to acknowledge the change in status of the Medford-Ashland AQMA, as well as the current air quality pollutants of concern.

Conclusions

By incorporating the 2017 NHMP into the Comprehensive Plan and updating the portions of the Comprehensive Plan addressing air quality, Goal 6 is found to be satisfied.

Goal 7 – Areas Subject to Natural Hazards

Findings

Goal 7 requires local governments to adopt comprehensive plans to reduce risk to people and property from natural hazards. The 2017 Natural Hazards Mitigation Plan (NHMP) reflects the most up to date discussion and analysis of the natural hazards most likely to impact Medford, and establishes a coordinated process to implement actions to reduce the impacts of natural disasters. The plan has been reviewed and portions of the plan incorporated into the Environmental Element of the Comprehensive Plan. The addition of the entire 2017 NHMP plan will be incorporated by reference into the Comprehensive Plan.

Conclusions

By incorporating the 2017 NHMP into the Comprehensive Plan, Goal 6 is found to be satisfied.

Goal 8 – Recreational Needs, does not apply in this case.

Goal 9 – Economic Development, does not apply in this case.

Goal 10 – Housing, does not apply in this case.

Goal 11 – Public Facilities and Services, does not apply in this case.

Goal 12 – Transportation, does not apply in this case.

Goal 13 – Energy Conservation, does not apply in this case.

Goal 14 – Urbanization, does not apply in this case.

Goals 15-19 do not apply to this region of the state.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Implementation Strategies] shall be based on the following [criteria 1-6]:

1. *A significant change in one or more Goal or Policy.*

   Findings

   The Goals, Policies, and Implementation Strategies for Disasters and Hazards have been revised to reflect all of the natural hazards analyzed in the 2017 Natural Hazards

Mitigation Plan, which is being incorporated into the Comprehensive Plan by reference.

Conclusions

By incorporating the 2017 NHMP into the Comprehensive Plan and revising the Goals, Policies, and Implementation Strategies to be consistent with the information in the NHMP, this criterion is found to be satisfied.

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

Findings

It is noted in the 2017 Natural Hazards Mitigation Plan that, due in large part to advances in motor vehicle technology, the Medford-Ashland AQMA is now under a maintenance plan for carbon monoxide (CO) and particulate matter (PM_{10}) and that the current pollutants of concern are $PM_{2.5}$, ozone, and air toxics. In addition, recent fire seasons allude to more active wildfires in the future, and those fires are likely to increase air pollution even as emissions from industry and motor vehicles have fallen. In acknowledging these changes, the plan highlights the need for continued monitoring of risks from natural hazards and the pursuit of mitigation strategies.

Conclusions

By incorporating the 2017 NHMP into the Comprehensive Plan and revising the Goals, Policies, and Implementation Strategies for consistency, this criterion is found to be satisfied.

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

Findings

The Natural Hazards Mitigation Plan was last updated in 2010. In order to ensure and maintain a coordinated process to implement actions to reduce the impacts of natural disasters, the plan has been updated. This is no finding that the present strategies were ineffective.

Conclusions

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

4. *Statutory changes affecting the Plan.*

Findings

This criterion has been addressed in Criterion 5 above.

Conclusions

This criterion is found to be satisfied based on the findings noted in Criterion 5 above.

5. *Demonstrable budgetary constraints in association with at least one of the above criteria.*

Findings

There are no specific budgetary constraints associated with the incorporation of the 2017 Natural Hazards Mitigation Plan into the Comprehensive Plan.

Conclusions

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

6. *All applicable Statewide Planning Goals.*

Findings

The relevant Statewide Planning Goals have been addressed in detail under Criterion 6 above. The plan is found to be in compliance with the goals.

Conclusions

The Statewide Planning Goals have been addressed above. This criterion is found to be satisfied.

RECOMMENDED ACTION

Based on the Findings and Conclusions that all of the approval criteria are either satisfied or not applicable, forward a favorable recommendation for approval of CP-18-063 to the City Council per the staff report dated September 20, 2018, including Exhibits A through G.

EXHIBITS

A 2017 City of Medford Natural Hazards Mitigation Plan*
B Amended Environmental Element
C Amended Conclusions, Goals, Policies and Implementation Strategies
D Excerpt of Planning Commission Study Session Minutes, September 10, 2018
E Excerpt of Planning Commission Study Session Minutes, February 27, 2017
F Excerpt of City Council Study Session Minutes, August 25, 2016
G Excerpt of Planning Commission Study Session Minutes, August 22, 2016

*The Natural Hazards Mitigation Plan can also be found on the Planning Department's "Document Center" webpage.

PLANNING COMMISSION AGENDA: **SEPTEMBER 27, 2018**

ENVIRONMENTAL ELEMENT

~~Prepared by~~
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Revised by
MEDFORD CITY COUNCIL
~~February 4~~XXXXXXXX, 201~~6~~8
Ordinance No. 201~~6~~8-~~020~~

INTRODUCTION

PURPOSE

An issue in many Northwest communities is the declining environmental quality that accompanies urban growth. The Bear Creek Valley has an abundance of diverse natural resources that provide recreation, wildlife habitat, and valuable urban open space, and contribute to the quality of life in Medford. Urbanization has negatively impacted the valley's natural resources, and, therefore, our quality of life. Diminishing supplies of developable land have forced many communities such as Medford to face the difficult challenge of balancing natural resource protection with the needs and rights of property owners and competing land uses. The impacts of development on the natural environment and its scenic values are evident. Cities, farms, drainage projects, dams, channelized streams, and roads have shaped the local landscape. In many instances, development has out-stepped environmental planning efforts.

This "Environmental Element" of the *Medford Comprehensive Plan* provides goals, policies, and implementation strategies for improving and maintaining environmental quality in Medford, while accommodating continued growth. The *Statewide Planning Goals* that oversee the protection and conservation of natural resources in Oregon are *Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources*, and Goal *6: Air, Water and Land Resources Quality*. Consistent with the objectives of Goals 5 and 6, the "Environmental Element" is a guiding document that strives to protect the natural environment and ensure that long-term growth does not adversely affect the natural resources that contribute to Medford's livability. Other *Statewide Planning Goals* that are pertinent to the "Environmental Element" include *Goal 3: Agricultural Lands*; *Goal 7: Areas Subject to Natural ~~Disasters and~~ Hazards*; and *Goal 13: Energy Conservation*. Most of these *Statewide Planning Goals* are also addressed in other elements of the *Comprehensive Plan*, such as in the "Public Facilities Element," and in related plan documents such as the *Medford Parks, Recreation, and Leisure Services Plan*, and the *City of Medford Natural Hazards Mitigation Plan*.

An overriding concept in the goals, policies, and implementation strategies in this element is to incorporate *preventive*, rather than *corrective* measures in land use planning. The goals, policies, and implementation strategies emphasize the importance of developing and maintaining an integrated open space system that incorporates parks and recreation, biological resources, agriculture, and waterways. They must be evaluated and updated regularly, with new information added to the "Environmental Element" as necessary.

* * *

NATURAL RESOURCES

Goal 6 of Oregon's *Statewide Planning Goals*, "Air, Water, and Land Resources Quality," strives *"to maintain and improve the quality of the air, water, and land resources of the state."* This section of the "Environmental Element" discusses Medford's natural resources, including air quality, water quality, wetlands, wildlife habitat, soils, and energy, and presents the conclusions, goals, policies, and implementation strategies pertinent to these factors. Because water quality, wetlands~~, and~~, and wildlife habitat are interrelated, their Conclusions and Goals, Policies and Implementation Measures are combined.

AIR QUALITY

Statewide Planning Goal 6 requires Comprehensive Plans to provide for the maintenance and improvement of air resources. In air sheds, such as Medford's, that are *"described or included in state environmental quality statutes, rules, standards and implementation plans"* air emissions *"shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources."*[1]

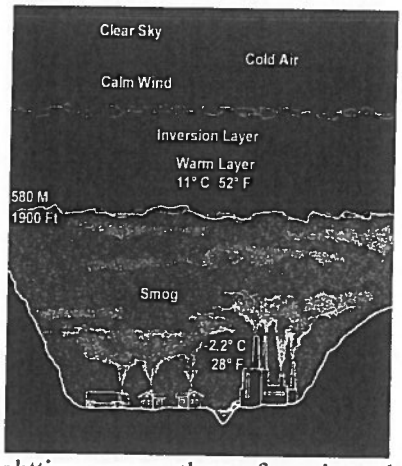
In the past, the largest sources of air pollution in the region included industry and wood stoves, which emit particulate matter and carbon monoxide. Substantial efforts (discussed below) have been made to reduce these emissions. More recently, concerns for air quality arise when smoke from regional wildfires either blows through the valley or becomes trapped during inversions. ~~motor vehicle emissions have become the major source of air pollution. According to one source, "Motor vehicles are the single largest source of ozone and carbon monoxide emissions in the United States today. Cars, buses, and trucks are responsible for 50 percent of the smog, and 90 percent of the carbon monoxide that exists in urban areas."[2]~~ Wood stove, industrial, and motor vehicle emissions continue to be a major source of air pollution. A definite contributing factor to traffic congestion is Medford's role as a regional retail, health, and service center. ~~Medford is prone to accumulations of air pollution from motor vehicle emissions.~~ As noted previously, Medford provides services to an estimated population of 400,000 to 450,000, thereby exacerbating traffic congestion and the accumulation of air pollution from motor vehicle emissions. The ~~high~~ number of commuters traveling to Medford for work, services, education, and recreation will continue to increase in the future, especially from outlying communities such as Ashland, Grants Pass, and ~~even~~ Yreka, California~~, affecting Medford's air quality~~.

~~As noted in the *Physical Characteristics* section, historically,~~ Given its bowl-like shape, the Rogue Valley~~, from Ashland to Grants Pass, has had a high propensity toward~~experiences periods of air stagnation and atmospheric temperature inversions that trap pollution, particularly during the

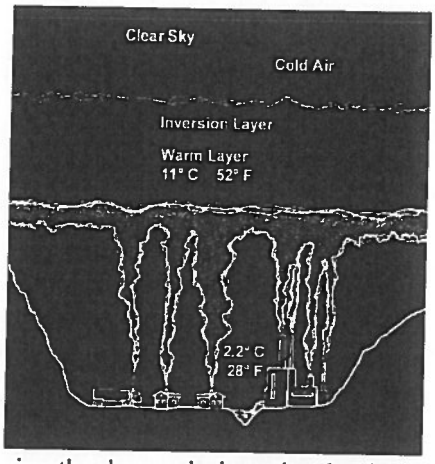
[1] *Oregon's Statewide Planning Goals and Guidelines, ~~1995~~2010 Edition*, Oregon Department of Land Conservation and Development.

~~[2] *Clean Air Act: Law and Explanation*, Commerce Clearing House, Inc., 1990.~~

months of November, December, January, and February. During these months, the temperature near the ground decreases rapidly toward sunset. As the surface air cools, it flows down the mountain slopes, forming a pool of cold air on the valley floor with the warmer air above acting as a lid. The cooling within this layer typically produces fog, and, as air pollutants are discharged, they become trapped. During these stagnant conditions, the fog and trapped air can remain under this "lid" for several days, becoming increasingly polluted. **Figure 1** illustrates the temperature inversion process.

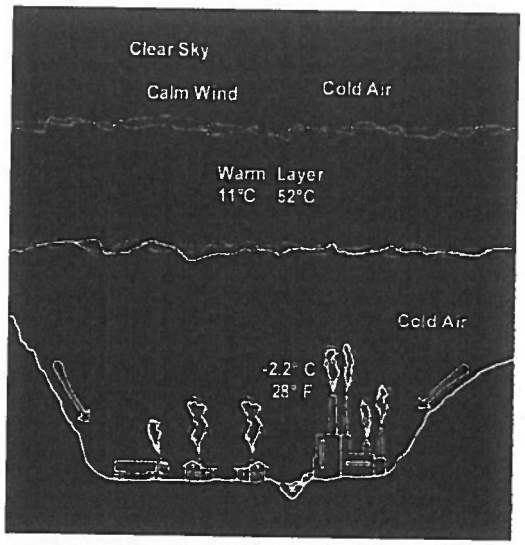


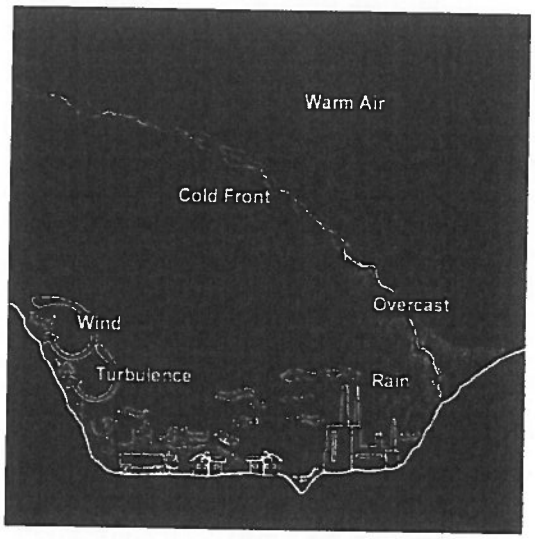
As nighttime comes, the surface air cools and moves down into the valley.



During the day, emissions rise, but become trapped by the warm air layer above.

Figure 1: Temperature Inversion





Since there is no wind to carry the emissions away, the pollution remains under the "lid" of warmer air, accumulating until the inversion layer is broken up.

Breakup of the inversion layer may come from increased temperatures during the day, which increases the depth of the mixing layer, or from the arrival of a new air mass accompanied by stronger wind and precipitation.

~~Currently, local and state agencies are working to develop an air quality plan for the region that will not only maintain federal air quality standards, but continue to improve air quality, while satisfying the provisions of the *Statewide Planning Goals*. The City of Medford has also begun undertaking preventive strategies to reduce motor vehicle emissions. For example, mixed residential and commercial development, which lessens the number and length of auto trips for work or shopping, is being required in areas such as Southeast Medford.~~

~~The Rogue Valley Transportation District (RVTD) is one of the local agencies who is active in air quality issues through their efforts to reduce single occupancy vehicle trips and their use of compressed natural gas to fuel their buses. Mass transit vehicles operating on compressed natural gas are virtually non-polluting. Other public and private entities in the Medford-Ashland AQMA have turned to use of compressed natural gas as a fuel source, including Jackson County and Avista Utilities Company.~~

FEDERAL AND STATE REGULATIONS

~~Federal "Clean Air" legislation began in 1950s, and has undergone subsequent amendments, including revisions in 1960s, 1970s, and 1990s. While initial legislation concentrated on satisfying federal air quality standards, more recent revisions have incorporated the critical role of transportation planning in maintaining and improving air quality. In 1955, Congress took the first step in implementing regulations to improve air quality by passing the *Air Pollution Act*, which authorized the first federally funded air pollution research. Later, the passage of the *Motor Vehicle Pollution Control Act of 1965* expanded federal activity to include setting emission standards for automobiles.~~

~~In 1967, the *Air Quality Act* became law, followed in 1969 by the *National Environmental Policy Act* (NEPA), which established the Council on Environmental Quality.~~ The *Clean Air Act of 1970* established the existing system of national air quality standards, and issued a generalized compliance schedule to all states. ~~In the 1970 amendments,~~ It requires the Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. ~~were developed for seven major pollutants.~~ The EPA has set NAAQS for seven~~seven~~ principal pollutants, which are called "criteria" air pollutants. The seven "criteria" pollutants are: carbon monoxide (CO), particulate matter (PM_{10} and $PM_{2.5}$), ozone (O_3), ~~assigned NAAQS were total suspended particulate (TSP),~~ sulfur dioxide~~s~~ (SO_{x2}), ~~carbon monoxide (CO), hydrocarbons (HC),~~ nitrogen dioxide (NO_2), ~~photochemical oxidants (O_x),~~ and lead (Pb). As part of the *Clean Air Act*, states were required to develop State Implementation Plans (SIPs) for attaining and maintaining the NAAQS.

The federal Environmental Protection Agency (EPA) is responsible for approving or disapproving SIPs. Although the 1970 *Clean Air Act* established the NAAQS, many jurisdictions concentrated on attaining standards through emission controls, instead of fully addressing the prevention of air pollution and maintenance of air quality on a broad, regional level. In the early 1970s, the EPA disapproved all SIPs because many lacked effective mechanisms for maintaining federal standards. The EPA required states to identify areas that had air quality problems or where future growth rates would result in exceeding the NAAQS as "Air Quality Maintenance Areas" (AQMAs). The Medford-Ashland area was designated as an AQMA in 1974, encompassing the communities of Medford, Ashland, Central Point, Phoenix, Talent, White City, Eagle Point, and Jacksonville (228 square miles). The Oregon Department of Environmental Quality (DEQ) was given primary responsibility for enforcing air quality standards in Oregon.

An AQMA that does not meet the NAAQS for a particular pollutant is labeled a "non-attainment area" for that pollutant. ~~**Figure 2** illustrates the steps in developing a SIP in a non-attainment area under the *Clean Air Act*.~~ Strategies for bringing the AQMA into compliance are required as a component of the SIP, as is a detailed analysis of the impact of projected future growth on air quality. Where the analysis indicates that an area may not maintain the NAAQS for the ten years after attainment, the state is required to submit an Air Quality Maintenance Plan.

~~Comprehensive amendments to the *Clean Air Act* in 1977 mandated significant involvement by local governments and elected officials in the development, implementation, and enforcement of plans to attain the NAAQS. The increased responsibility of local governments was identified specifically for areas subject to transportation related photochemical oxidants (ozone or "smog") and carbon monoxide standards that would not be met before 1979. In 1978, the Jackson County Board of Commissioners was identified as the lead agency responsible for controlling mobile air pollution sources in Jackson County. They appointed an Air Quality Advisory Committee to make recommendations on transportation related air quality control measures for the Medford-Ashland AQMA.~~

~~Congress again amended the *Clean Air Act* in 1990, resulting in stricter standards and deadlines for compliance for non-attainment areas, with tougher sanctions for those areas that did not comply. A more recent requirement for non-attainment areas in Oregon is the *Oregon Transportation Conformity Rule*, approved by the state Environmental Quality Commission in April 1995. The *Transportation Conformity Rule* requires jurisdictions to consider air quality in transportation planning, or risk suffering a loss of federal funding and potentially violating the NAAQS in the future. For example, a "particulate matter conformity determination" must be made for future, regionally significant transportation projects in Jackson County. In 1998, additional amendments to the *Clean Air Act* set new standards for particulate matter and ozone.~~

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Figure 2
Steps to Developing a State Implementation Plan (SIP) Under the Clean Air Act

(1) National Ambient Air Quality Standards (NAAQS) promulgated by Environmental Protection Agency (EPA).

(2) States and EPA collect/evaluate ambient air quality data.

(3) EPA/states designate and classify areas based on NAAQS attainment status. *If area in attainment, no new SIP required.*

(4) If area found in non-attainment for one or more pollutant, SIP required.

(5) States develop emissions inventory.

(6) States develop SIP, consisting of rules, mobile source strategies, etc., to attain standards by *Clean Air Act* deadline.

(7) States demonstrate to EPA that SIP works, usually through modeling.

(8) States hold public hearing, adopt SIP, and submit to EPA for review and approval.

(9) SIP completeness determined by EPA within six months.

(10) If incomplete, SIP sent back to state to revise and re-submit; *OR*, if complete, EPA must approve, disapprove, or develop Federal Replacement SIP.

Source: Rogue Valley Council of Governments, 1997

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AIR QUALITY MAINTENANCE AREA STATUS

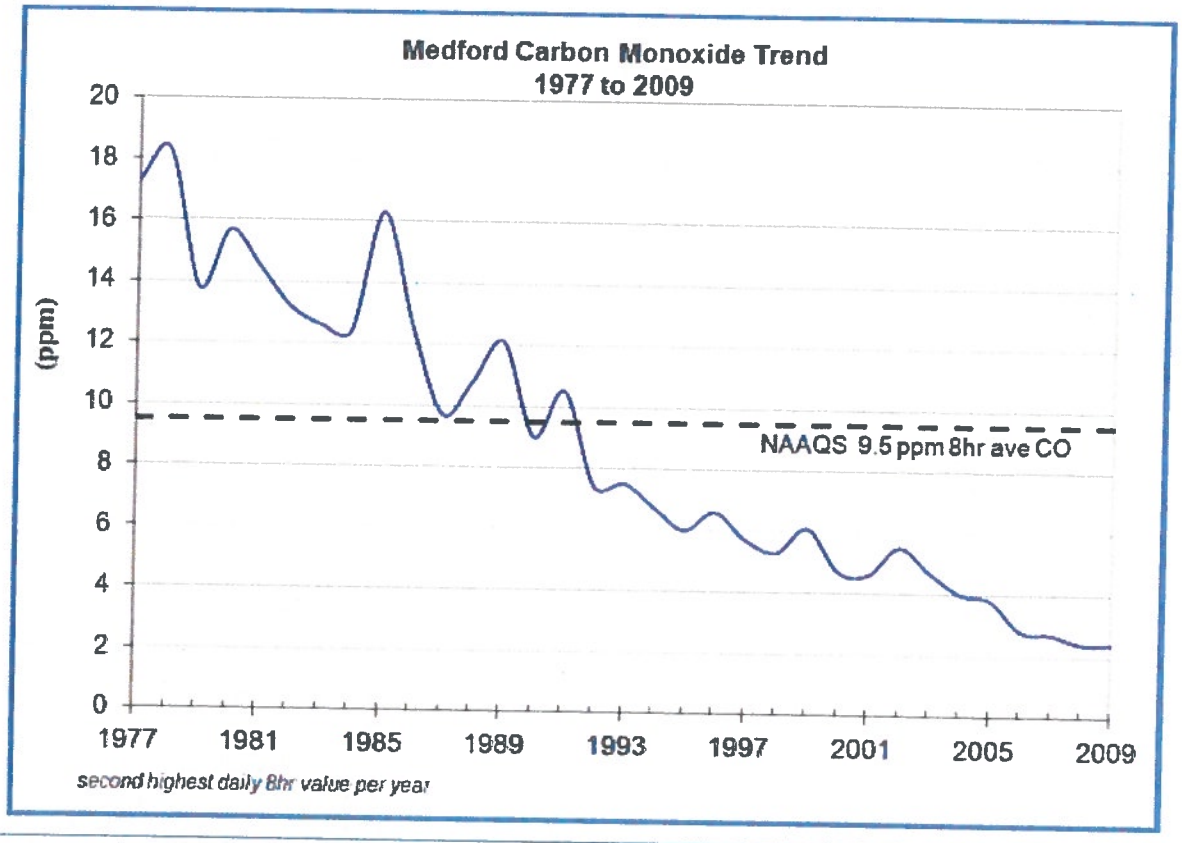
The Medford UGB was established as the non-attainment boundary for carbon monoxide (CO) in 1978, and, in 1987, the Medford-Ashland AQMA was designated as the non-attainment boundary for particulate matter (PM_{10}). As required by federal law, SIPs were prepared for these two pollutants that exceeded the NAAQS in the Medford-Ashland AQMA.

Carbon Monoxide (CO)

Carbon monoxide is a colorless, odorless gas that decreases the oxygen carrying capacity of the blood. High concentrations can severely impair the function of oxygen-dependent tissues, including the brain, heart, and muscle. Prolonged exposure to even low levels can aggravate existing conditions in people with heart disease or circulatory disorders. High levels of CO have traditionally been caused by emissions from motor vehicles.

Largely due to improvements in modern vehicle emission control systems, ~~A SIP for CO was developed in 1982 by Jackson County, and later approved by the EPA~~CO levels have progressively improved in the years since the designation of the Medford-Ashland AQMA, and Medford has not violated the CO standard since 1991. In 2001 the State of Oregon submitted a ten-year CO Maintenance Plan to EPA and requested that Medford be re-designated to attainment. EPA approved the request as a revision to the SIP of September 23, 2002, and a second ten-year CO Maintenance Plan has been prepared by DEQ indicating how Medford will continue to maintain the CO standard through September 23, 2022. **Figure 2** depicts the trend in carbon monoxide levels in Medford between the years 1977 and 2009. The majority (72%) of the CO air emissions in the Medford UGB can be attributed to motor vehicles, residential wood combustion, and prescribed burning.~~However, the SIP for PM_{10}, developed in 1991, was not approved, and has been withdrawn.~~

Figure 3
Medford Carbon Monoxide Trend 2nd highest 8-hour average, 1977-2009



Source: *Medford Carbon Monoxide Limited Maintenance Plan, December 2015*, Oregon Department of Environmental Quality

The CO Maintenance Plan relies on the following control measures for continued attainment of the NAAQS:

- Federal motor vehicle emission standards for new motor vehicles
- Use of Best Available Control Technology (BACT) for new or expanding major industry
- Oregon Vehicle Inspection Program (i.e. emissions testing and inspection) for vehicles up to 20 years old
- Emission certification for new wood stoves, wood stove change-out programs, and a voluntary curtailment program to reduce wood burning during stagnant weather periods.

Particulate Matter (PM_{10})

There have been several PM_{10} plans developed for the Medford-Ashland AQMA. The initial Attainment Plan adopted in 1991 contained a suite of emission reduction strategies that brought the area into compliance with PM_{10} standards by the required Clear Air Act deadline of December 31, 1994. The Attainment Plan was again updated in 1998 and 2004. The 2004 Plan included a PM_{10} Maintenance Plan for the AQMA, the objective of which is to continue the successful PM_{10} strategies for the AQMA in order to ensure continued compliance with PM_{10} standards. The ~~A revised SIP for PM_{10} and an Air Quality Maintenance Plan for CO are currently being developed. Representatives from industry, government, and public interest organizations comprise the local working group (Medford-Ashland Air Quality Advisory Committee) overseeing the development of these two plans.~~

~~The original emission control measures in the PM_{10} SIP included the following:~~

- ~~Mandatory woodstove curtailment program~~
- ~~Industrial source control technology requirements~~
- ~~Local open burning ordinances~~
- ~~Slash burning restrictions on "red days"~~
- ~~Cleaner road sanding materials~~

~~New~~ emission control measures ~~recommended by~~contained in the SIP for PM_{10} in ~~the~~ the Medford-Ashland Air Quality ~~Advisory Committee include~~Maintenance Area are:

- ~~Unified woodstove curtailment program for all jurisdictions in the AQMA~~A mandatory woodstove curtailment program.
- ~~Roadway paving projects in Medford and White City~~Emission limit standards for existing industrial processes.
- ~~Education program regarding "track out"[3] for orchard owners~~
- ~~Unified "track out" ordinance for all jurisdictions in the AQMA~~
- ~~Improved street vacuuming programs in Medford and White City~~
- ~~New industrial toxic air emission control standards~~
- Enhanced road cleaning program in Medford and White City.
- Management of prescribed forestry burning year round, and special protection for the Rogue Valley during the winter months.

The plan also continues the strictest requirements for managing emissions growth from future new and expanding major industry under the New Source Review (NSR) program. These include:

- A very low emission threshold level (5 tons/year) for triggering NSR.
- The requirements to install state-of-the-art emission control technology.
- The requirement to obtain emission offsets and demonstrate an air quality benefit (20% improvement in air quality).

NATIONAL AMBIENT AIR QUALITY STANDARDS

Air pollution reduction efforts have succeeded in reducing emissions in the Medford-Ashland AQMA due to increased public awareness and proactive programs, but the potential to revert to previous conditions still exists. The topography of the Rogue Valley, the abundance of motor vehicles, and the continued growth in population in the region are all factors that contribute to the potential for poor air quality.
~~Moreover, the 1998 revisions to the *Clean Air Act*, making the NAAQS stricter for both ozone and PM_{10}, could result in future violations.~~

[3] ~~Track-out describes dirt and mud deposited onto streets and roads from equipment and vehicle tires.~~

Federal air quality standards were developed to address health, safety, and welfare concerns. The NAAQS are divided into two levels, "primary" and "secondary." *Primary* standards are designed to protect the public health with a built-in margin of safety. *Secondary* air quality standards, which are more stringent than primary standards, are designed to protect the public welfare from adverse effects, such as injury to crops and livestock, decreased visibility, deterioration of materials and property, and other types of environmental damage. Oregon's air pollution control strategies are directed to meet the more stringent *secondary* air quality standards. Where the secondary standard is identical to the primary standard, the primary standard is also protective of public welfare. **Figure 3** displays the ambient air quality standards currently in effect in Oregon.

Figure 3
State and National Ambient Air Quality Standards

Pollutant	Average Time	Primary (Health)	Secondary (Welfare)	Proposed Standard
Carbon Monoxide (CO)	8 hours 1 hour	9 ppm 35 ppm	9 ppm 35 ppm	NA
Lead (Pb)	Calendar Quarter	1.5 mg/m^3	1.5 mg/m^3	NA
Nitrogen Dioxides (NOx)	Annual Arithmetic Mean	.053 ppm	.053 ppm	NA
Ozone (O_3)	1 hour	.12 ppm	.12 ppm	.08 ppm
Sulfur Oxides (SOx)	Annual Arithmetic Mean 24 hours 3 hours	.03 ppm .14 ppm .50 ppm	.02 ppm .10 ppm .50 ppm	NA
Particulate Matter (PM_{10})	Annual Arithmetic Mean 24 hours	- -	50 mg/m^3 150 mg/m^3	15 mg/m^3 [2] 65 mg/m^3 [2]
Total Suspended Particulate (TSP)	Annual Geometric Mean 24 hours	NA NA	60 mg/m^3 150 mg/m^3	NA

Pollutant	Averaging Time	National Ambient Air Quality Standard (NAAQS) Violation Determination	Primary NAAQS Exceedance Level	Secondary NAAQS Exceedance Level
Carbon monoxide	1-hour	Not to be exceeded more than once/year.	35 ppm	-
	8-hour	Not to be exceeded more than once/year.	9 ppm	-
Lead	Three Months	Rolling 3 Month Average	0.15 µg/m³	0.15 µg/m³
Nitrogen dioxide	Annual	Annual arithmetic mean	53 ppb	53 ppb
	1-hour	3yr average of the maximum daily 98th percentile one hour average.	100 ppb	-
Ozone	8-hour	3-year average of the annual 4th highest daily maximum 8-hour average.	0.070 ppm	0.070 ppm
PM2.5	24-hour	3-year average of the 24 hour average daily 98th percentile.	35 µg/m³	35 µg/m³
	Annual Average	3-year average of the annual arithmetic mean	12 µg/m³	12 µg/m³
PM10	24-hour	Not to be exceeded more than once per year on average over 3 years.	150 µg/m³	150 µg/m³
Sulfur dioxide	1-hour	3yr average of the maximum daily 99th percentile one hour average.	75 ppb	-
	3-hour	Not to be exceeded more than once per year.	-	0.5 ppm

Notes: **µg/m³** = *micrograms of pollutant per cubic meter of air*
ppm = *parts per million*
ppb = *parts per billion*

Source: ~~1995~~ 2016 Oregon Air Quality Annual ~~Data Summary~~Report, *Oregon Department of Environmental Quality~~, Air Quality Division~~*

~~Notes: Oregon standards are the same as the federal secondary standards.~~
~~ppm = parts per million~~
~~mg/m3 = micrograms per cubic meter~~
~~NA = not applicable~~
~~[a] These are the new standards for $PM_{2.5}$. It is expected that there will be stricter standards developed for PM_{10} as well.~~

While there are NAAQS for seven pollutants, there are currently three pollutants of significant concern for Medford: ozone, ~~carbon monoxide, and~~ particulate matter ($PM_{2.5}$), and air toxics. At present, the DEQ does not have any air toxics monitors in SW Oregon.

Ozone (O_3)

Ozone is part of the ozone layer in the earth's stratosphere. Ozone is harmful outside of the ozone layer in the lower atmosphere, and at that point it is often referred to as ~~(~~smog, ground level ozone, or ozone pollution. Ozone ~~)~~typically forms on days when the temperature ~~exceeds 95 degrees and there is a high volume of motor vehicle traffic~~is warm and stable, typical conditions during the summer in Medford. ~~According to data in the *Jackson County Air Quality Annual Report, 1995-1996*, the annual average ozone level in Medford was below the proposed new higher standard of~~

~~.08 parts per million (ppm) for several years; however, several days in July and September of 1998 exceeded the existing standard of .12 ppm. Continued population growth and its accompanying traffic increases could lead to more violations of the federal and state standards in the future~~Ground level ozone is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NO_x) and volatile organic compounds (VOC) in the presence of sunlight. Emissions from industrial facilities and electric utilities, motor vehicle exhaust, gasoline vapors, and chemical solvents are some of the major sources of NO_x and VOC. Breathing ozone can trigger a variety of health problems, particularly for children, the elderly, and people of all ages who have lung diseases such as asthma. Ground level ozone can also have harmful effects on sensitive vegetation and ecosystems. While ozone levels have declined in Medford since 2007, a slight uptick was measured in the 2013-2015 timeframe.

~~**Carbon Monoxide (CO)**~~

~~The NAAQS for carbon monoxide was exceeded throughout most of the 1980s in Medford, yet levels have decreased in recent years. CO, a colorless, odorless, deadly gas that interferes with the body's ability to use oxygen, is produced by all forms of combustion, including motor vehicle internal combustion engines. Between 1991 and 1999, CO standards were exceeded in the AQMA only once (in 1994) due to a car rally event in Medford. This was not considered a violation because it occurred only once. Sources of CO emissions include mobile "non-road" and "on-road" sources. *Non-road* sources include equipment, off-road vehicles, aircraft, and railroads. *On-road* sources are gas and diesel vehicles and trucks driven on roads. "Light duty gas vehicles" (generally cars) account for nearly 66% of CO emissions within the Medford AQMA, and most CO emissions occur on arterial streets.[4] Monitoring systems for CO have been installed by the DEQ in Medford at two highly congested areas - near the Rogue Valley Mall and at Main Street and Central Avenue.~~

Particulate Matter (~~PM_{10} and~~ $PM_{2.5}$)

The *Clean Air Act* requires the EPA to review and revise air quality standards to ensure that citizens are protected from the harmful effects of air pollution. "Particulate matter" comes mostly from smoke, dust, and vehicle exhaust. ~~The current standard for particulate set i~~In 1987, standards were established by the EPA for particulate matter particles ~~covers particles that~~ that are 10 microns or less in diameter (PM_{10}). A comprehensive review of the human health effects of PM_{10} revealed that the standards were not sufficient to protect human health. Health studies show harmful effects from breathing particles as small as 2.5 microns in diameter ($PM_{2.5}$). This smaller particle is inhaled deeper into the lungs and can potentially cause more damage than larger particles. Standards for ~~The new~~ $PM_{2.5}$ were established in 1997 for 24 hour and annual levels, and in 2006 the $PM_{2.5}$ levels for daily average levels were significantly reduced from 65ug/m^3 to 35ug/m^3. Medford trends close to the $PM_{2.5}$ standard in both daily and annual average levels. ~~standard will require new monitoring equipment to collect data. According to the Oregon DEQ, any population center in the state may potentially violate the new $PM_{2.5}$ standards. Particular areas of concern include Bend, Eugene-Springfield, La Grande, Portland, Grants Pass, and Medford. Areas designated as out of compliance will have up to ten years to attain the new standards.[5]~~

~~[4] *Oregon 90 SIP: Introduction and Overview*, Draft Plan.~~

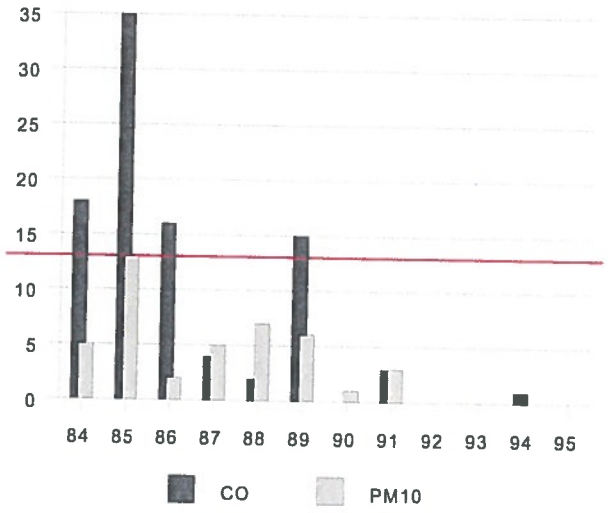
~~[5] *Proposed New Air Standards and How They Might Affect Oregon Communities*, U.S. Environmental Protection Agency, December, 1996.~~

In 1989, Jackson County began programs to improve PM_{10} levels, including regulating industry, outdoor burning, and wood stoves to reduce the regional smoke problem. The most heavily polluted areas had more than double the hazardous level of PM_{10}.[6] The more populated areas, such as Medford, were especially affected, although all portions of Jackson and Josephine Counties were affected to some degree. The severity of the wood smoke problem has decreased in recent years because of the smoke reduction measures and a decline in the wood products industry. PM_{10} levels have been drastically reduced, to roughly 12.5% of their 1989 levels. The last exceedance of the 24-hour PM_{10} standard in the Medford area occurred in 1991. The more recent standards for $PM_{2.5}$ will create further challenges for the Medford-Ashland AQMA, however.

Land use strategies, implemented through the *Land Development Code* and *Comprehensive Plan*, such as those that reduce vehicle miles traveled (VMT) and retain vegetation can assist in achieving and maintaining compliance with the new standards. The present primary contributor of PM_{10} is road dust from use by motor vehicles (55%), although industry (24%) could once again become a significant contributor according to DEQ.

Figure 4 lists a history of the air quality status of the two pollutants (CO and PM10) in violation of the NAAQS in the Medford-Ashland AQMA. While the reduction in the number of days of NAAQS violations is notable, the region is still considered a non-attainment area, since the AQMA has no federally approved SIP for PM_{10}.

Figure 4
Number of Days Exceeding the NAAQS for CO and PM_{10}
Medford-Ashland AQMA, 1984-1995



[6] *Jackson County Air Quality 1995-96 Annual Report*, Jackson County Environmental Health Division.

~~Source: *Jackson County Air Quality Annual Report, 1995-96.*~~

Air Toxics

There are 188 air toxics, about 50 of concern, in Oregon. DEQ has monitored for air toxics in Medford in the past, but this monitoring was only temporary and is moved around the state. According to DEQ, air toxics include diesel soot, benzene, polycyclic aromatic hydrocarbons (tar-like by-products from auto exhaust and other sources), and metals including manganese, nickel and lead. Air toxics come from a variety of sources including cars and trucks, all types of burning (including fireplaces and wood stoves), businesses, and consumer products. Air toxics are air pollutants known or suspected to cause cancer or other serious health problems. National and state studies indicate that Oregonians are exposed to a number of air toxics at potentially harmful levels.

~~AIR QUALITY IMPROVEMENT PROGRAMS~~

~~As noted, air quality in the Medford-Ashland AQMA has improved dramatically in recent years, due, in part, to programs implemented in Medford and the Rogue Valley to reduce emissions and bring the area into attainment with the NAAQS. Although air quality has improved, there is a continuing need for the programs, especially with the arrival of the EPA's stricter 1998 provisions. Each air quality improvement program is briefly described in the following section.~~

- ~~Vehicle Inspection and Maintenance (I & M) Program~~
- ~~Oxygenated Fuel Program~~
- ~~Small Business Assistance Program~~
- ~~Woodstove Certification Program~~
- ~~Woodstove Replacement Program~~
- ~~Liaison Activities~~
- ~~Daily Wood Stove Advisory~~
- ~~Outdoor Burning Regulations~~
- ~~Public Education~~
- ~~Congestion Mitigation and Air Quality Improvement Program (CMAQ)~~
- ~~Traffic Signal Timing Program~~

~~Vehicle Inspection and Maintenance (I & M) Program~~

~~All motor vehicles, with few exceptions, belonging to residents of the Medford-Ashland AQMA are required to be tested for excessive emissions through the state Vehicle Inspection and Maintenance (I & M) Program. The vehicles must meet specific standards each time licensing is required.~~

Oxygenated Fuel Program

In 1992, the *Clean Air Act* began requiring the sale of oxygenated fuel during the winter in Jackson County, Grants Pass, and Klamath Falls, along with Multnomah, Clackamas, Washington, and Yamhill Counties, to reduce CO emissions. CO comes chiefly from motor vehicle exhaust, and can reduce the ability of the human body to process oxygen. The "oxy-gas" program is in effect from November 1 through February 28, the season with typically the worst air quality conditions.

Small Business Assistance Program

The Small Business Assistance Program provides information and technical assistance to small businesses regarding air quality regulations and related environmental issues. Small businesses that produce air emissions, such as dry cleaners, auto body shops, printers, and small manufacturers, must address regulations in the *Clean Air Act*, and this program is designed to help them meet the most recent emission standards. The program, administered by the Oregon DEQ, is educational and informational in nature, and does not provide any direct financial assistance to the businesses.

Oregon's Wood Stove Certification Program

In 1983, the Oregon legislature mandated a Wood Stove Certification Program to assure use of wood stoves that were less polluting. By 1986, only wood stoves certified as meeting new emission standards were permitted to be sold in Oregon. The certification program required new stoves to achieve a 50% reduction in emissions by 1986, and an approximate 75% reduction by 1988. Later, the EPA adopted nationwide standards for wood stove emissions. In 1991, the sale or installation of uncertified stoves by private parties was banned in Oregon, and uncertified stoves were required to be removed upon sale of a home in a PM_{10} non-attainment area. Few installation permits are now issued in the City of Medford for new wood stoves, and weatherization of the home is required when a new wood stove is installed. Most new fireplaces are equipped with natural gas, with more of a decorative purpose than as a heating source. Some communities, such as the City of Ashland, issue rebates for the removal of wood stoves to expedite the elimination of uncertified stoves, and provide financial incentives to low-income residents.

Wood Stove Replacement Program

The Housing Authority of Jackson County administers programs for lower income households that replace wood stoves used as a sole source of home heating. Most are replaced with natural gas furnaces. The Housing Authority receives federal Community Development Block Grant (CDBG) funds through the City of Medford for such "emergency" repairs. These programs replaced 253 wood stoves in Medford since 1989, and 305 wood stoves countywide.

Liaison Activities

Medford is part of the *Interagency Air Quality Team*, consisting of representatives from Ashland, Central Point, Jackson County, ACCESS, Inc., the Housing Authority of Jackson County, Pacific Power, Avista Natural Gas, and the Oregon DEQ. The Jackson County Environmental Health Division conducts training for air quality staff to reduce duplication of services, and to provide a consistent unified approach to monitoring, surveying, and education. Medford's Air Quality Technicians operate out of the Jackson County office, and participate in joint activities. This cooperation indicates the practicality and cost-effectiveness of a regional approach to air quality issues in the Rogue Valley. Survey activities are conducted throughout the AQMA to obtain information concerning excessive wood smoke emissions. Specific areas have been surveyed

every year since 1985. These surveys indicate a decrease in the number of households using wood as a heating source. The increased use of heat sources such as natural gas and electric heat pumps has contributed to the reduction in homes heated by wood stoves.

Wood Burning Curtailment and Enforcement Activities

The Wood Burning Advisory program is used to permit or prohibit smoke emissions in the *Critical PM_{10} Curtailment Area*. It serves to inform the public of the status of PM_{10} levels in the atmosphere relative to federal standards. The Jackson County Environmental Health Division staff establishes the daily advisory by 6:00 a.m. each day from November 1 through February 28. The familiar *green*, *yellow*, or *red* day status indicators are broadcast on most television and radio stations in the region, are published in local newspapers, and are available by phone. Green indicates that PM_{10} levels are low and good air circulation is predicted. Yellow indicates that PM_{10} levels are rising and poor air circulation is predicted, and red indicates that PM_{10} levels are approaching an unhealthy level and stagnant air conditions are predicted.

On *yellow* and *red* days during the wood burning season, generation of smoke is restricted and enforcement monitoring takes place. Technicians are dispatched to observe smoke emissions. Violators are contacted by mail and targeted for special programs to aid in reducing or eliminating their wood smoke emissions. The winter of 97-98 marked the seventh consecutive winter with no *red* days. Like CO, PM_{10} is considered a wintertime issue. The cold, stagnant air characteristic to the season traps pollution in the Rogue Valley, accumulating to unhealthy levels. While the Medford-Ashland AQMA once regularly violated federal standards for PM_{10} and CO due to excessive wood smoke, the standards have not been exceeded for a number of years (See Figure 4.). A key factor, according to air quality experts, is public cooperation in pollution reduction programs.

Outdoor Burning Restrictions

Outdoor burning is not permitted within the City of Medford, and, in Jackson County, is permitted only when the *predicted afternoon ventilation index* is 400 or greater. From November 1 through February 28, all outdoor burning within the Medford-Ashland AQMA is prohibited. Special allowances have been made for agricultural burning to control diseases and pests. These allowances, mostly for orchard prunings, have been renewed annually as alternate disposal methods for pruned material are investigated. Further restrictions on outdoor burning occur during the fire season, resulting in outdoor burn "windows" in the AQMA outside of cities only in the spring and fall. The City of Medford also administers a fall leaf pick-up program throughout the city to reduce the need for fall burning.

Public Education

Educating the public about ways that individuals can help improve and maintain air quality in the Rogue Valley is one of the most effective means of improving air quality. Public education involves a mix of newspaper, radio, and television announcements and advertising, field and phone contacts, brochure distribution, and community and classroom presentations. The goal of these educational programs is to teach residents that continued compliance with air quality improvement programs is necessary, and that air quality continues to improve because of public cooperation.

Congestion Mitigation and Air Quality Improvement Program

The federal Congestion Mitigation and Air Quality Improvement (CMAQ) Program has provided

~~considerable funding to jurisdictions within the Medford-Ashland AQMA for dust and motor vehicle emission reduction programs. More than $4.7 million was apportioned from the CMAQ program between 1992 and 1997. The City of Medford was allocated funds to pave alleys, install curbs, gutters, sidewalks, and bicycle lanes, and enhance street sweeping. Additional funds have extended the Bear Creek Greenway multi-use path, and aided in the construction of a park-n-ride lot and transit transfer station at the South Gateway Shopping Center for the Rogue Valley Transportation District (RVTD) and a compressed natural gas fueling station in Medford.~~

~~Traffic Signal Timing System~~

~~The City of Medford has implemented a computerized traffic signal control system designed to minimize overall delay for motorists. Inefficient traffic movement produces increased CO emissions from idling automobiles. As population and vehicle use increases, traffic control has become more critical in maintaining standards for CO. Main arterial streets are favored by the system, so that high traffic streets move vehicles more efficiently. Traffic studies are used to engineer changes within the system. The system has the capability of having "real time" traffic monitoring and dynamic traffic controls that change in response to demand in the future. One innovation in use in Medford, designed to minimize waiting times at signals, and, thereby, air emissions from idling vehicles, is the Protective/Permissive Left Turn Indicator. This feature allows motorists to make a *protected* left turn at intersections when the left arrow is green, and a *permissive* left turn when the light is green *and* oncoming traffic permits.~~

NATURAL RESOURCES - AIR QUALITY - CONCLUSIONS

1. Medford's location in the Rogue Valley below substantial mountain ranges (the Cascades, the Siskiyous, and the Coast Range) increases the difficulty of maintaining federal air quality standards. Medford's climate is influenced by atmospheric inversion layers in the fall and winter months which trap air emissions in the valley.

2. The City of Medford has little influence on the air pollution emissions caused by travelers and freight shippers traveling through the planning area on state highways such as Interstate 5.

3. ~~The Medford-Ashland Air Quality Maintenance Area (AQMA) is a "non-attainment area" for carbon monoxide (CO) and the Medford Urban Growth Boundary is a "non-attainment area" for particulate matter (PM_{10}).~~Largely due to improvements in modern vehicle emission control systems, carbon monoxide (CO) level progressively improved in the years since the designation of the Medford-Ashland AQMA, and Medford has not violated the federal CO standard since 1991. As a result, Medford was re-designated an "attainment" area for CO in 2002. Similarly, Medford has been in compliance with federal particulate matter (PM_{10}) standards since 1994. Maintenance plans for the AQMA have been approved by the EPA to help ensure continued compliance with the federal standards for these two pollutants.

4. While Medford's air quality has improved due to proactive Air Quality Maintenance Area (AQMA) programs and increased public awareness, particularly relating to wood smoke, the potential to revert to previous poor air quality conditions exists. The Rogue Valley's topography, its many motor vehicles, and continued population growth have the potential to further degrade Medford's air quality in the future.

5. Pollutants of concern in the Medford-Ashland AQMA are particulate matter ($PM_{2.5}$), ozone, and air toxics (although the DEQ does not presently have any air toxics monitors in SW Oregon). While ozone levels have declined in Medford since 2007, there was a slight uptick measured in the 2013-2015 timeframe. Medford trends close to the $PM_{2.5}$ standards in both daily and annual average levels. ~~The *State Implementation Plan* (SIP) for PM_{10} for the Medford-Ashland Air Quality Maintenance Area (AQMA) is being revised to meet the *National Ambient Air Quality Standards* (NAAQS), including new, stricter standards for particulate matter (PM_{10} and $PM_{2.5}$).~~

NATURAL RESOURCES - AIR QUALITY
GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Goal 3: To enhance the livability of Medford by achieving and maintaining compliance with National Ambient Air Quality Standards (NAAQS).

Policy 3-A: The City of Medford shall continue to provide leadership in developing, adopting, and implementing regional air quality improvement strategies to achieve compliance with the

National Ambient Air Quality Standards (NAAQS).

Implementation 3-A (1): Continue to participate, along with state and local agencies involved in air quality attainment, in the preparation and implementation of the applicable *Air Quality Management Plans* (AQMP's) and *State Implementation Plans* (SIP's) for the Medford-Ashland Air Quality Maintenance Area (AQMA).

Implementation 3-A (2): Continue to participate, along with Jackson County and other affected agencies, in administering air quality public education and smoke reduction programs.

Implementation 3-A (3): Implement strategies from sources such as the *Medford Transportation System Plan,* the *State Implementation Plans* (SIPs) and the *Oregon Transportation Planning Rule* (TPR) that reduce emissions or improve air quality, such as increasing the use of alternative modes of transportation and use of alternative motor vehicle fuels, such as compressed natural gas and electricity, and propose amendments to the *Medford Land Development Code* for consideration by the City Council where necessary to assure compliance with such plans or rules.

See also the policies of the *Medford Transportation System Plan*, and Policy 9 of the "Urbanization Element."

Policy 3-B: The City of Medford shall continue to require a well-connected circulation system and promote other techniques that foster alternative modes of transportation, such as pedestrian-oriented mixed-use development and a linked bicycle transportation system.

See also Goal 1 of the *Southeast Plan* section of the "General Land Use Plan Element."

Implementation 3-B (1): Promote the use of incentives by Medford's larger employers to induce employees to use alternative modes of transportation or work at home in an effort to reduce motor vehicle emissions.

* * *

DISASTERS AND HAZARDS

This section of the "Environmental Element" discusses potential disasters and hazards in Medford, *including natural* and *human-caused*, and the city's emergency management efforts, and presents the conclusions, goals, policies, and implementation strategies pertinent to these factors.

EMERGENCY MANAGEMENT PLANNING

The City of Medford has an *Emergency ~~Management~~ Operations Plan* (E~~M~~OP) to guide efforts in mitigating, preparing for, responding to, and recovering from major emergencies and disasters. The E~~M~~OP is part of a *Comprehensive Emergency Management Program* that coordinates federal,

state, and local governmental agencies in an operating partnership. The responsibility for maintaining the E~~M~~OP is borne by the city's Emergency Management Coordinator though the Emergency Management Planning Team. The Coordinator is responsible for all emergency planning activities, including periodic reviews of the Plan, planning and conducting disaster training exercises, coordinating mitigation efforts, and assisting in acquisition of state and/or federal assistance for these efforts.

All disaster mitigation and preparedness activities are coordinated by the Emergency Management Planning Team, which consists of the City Manager and various department heads, including the Fire Chief, Police Chief, Public Works Director, Building Safety Official, and the Emergency Management Coordinator. The City of Medford's primary Emergency Command Center (ECC) is located in the City Hall Lausmann Annex at 200 South Ivy Street, with a backup ECC ~~in the Jackson County Building, 10 South Oakdale Street~~located at the County Emergency Operations Center at 400 Pech Road. The city responds to disasters within the city, within Medford Rural Fire Protection District #2, and at other city-owned facilities when the response will benefit the City.

Mitigation and preparedness planning include advance preparations to minimize public risk from potential disasters, to reduce the likelihood of a major emergency or disaster, and to reduce the anticipated damage. Mitigation can reduce loss of life and property damage through land use regulations and construction practices. Identifying the types, magnitude, and probability of hazards to which an area is susceptible over a significant length of time (hazard risk analysis) is necessary, as well as assessing the degree of hazard risks that the jurisdiction finds acceptable. The cost of mitigating certain risks may be more than a community can afford. Risk standards should be formally adopted as public policy by the local legislative body through comprehensive planning, land development ordinances, permit review, and fire/building safety codes.

NATURAL DISASTERS AND HAZARDS

Goal 7 of the *Statewide Planning Goals*, "Areas Subject to Natural Disasters and Hazards," requires land use planning in Oregon to consider known areas of natural disasters and hazards. It requires plans to be based on an inventory of such natural hazard areas. Although one of the State of Oregon's main focuses is on flooding, ~~other~~ there are a number of additional natural hazards that have the potential to disrupt life and commerce in Medford, including earthquakes and wild-land urban interface fires, volcanic eruptions, severe weather, emerging infectious diseases, air quality, and landslides. (Air quality and l~~L~~andslides ~~and soil related problems~~ were discussed previously under "Air Quality" and "Soils.")

The natural hazards identified and summarized in this section are thoroughly inventoried and analyzed in the *2017 Medford Natural Hazards Mitigation Plan* which was adopted by City Council in September 2017, and is hereby incorporated by reference into the Comprehensive Plan. The City adopted its first *Natural Hazards Mitigation Plan* in 2004 and updated it in 2010. The *2017 Medford Natural Hazards Mitigation Plan* has been reviewed and approved by the Oregon Office of Emergency Management (OEM) and the Federal Emergency Management Agency (FEMA). As a result of those approvals the City is eligible to receive pre- and post-disaster mitigation funds from FEMA.

FLOODING

Over the past 50 years, major floods occurred in the Rogue Valley in 1955, 1962, 1964, 1974, and, more recently, in 1997. These floods threatened public health, safety, and welfare by destroying or isolating structures, disrupting transportation systems, polluting water supplies, and destroying basic public facilities, such as sewerage and electric services. Recent incidences of record rainfall and flooding across Oregon have renewed concerns about the potential for flooding in the Medford UGB, and have rekindled interest in preparing for potential floods. To minimize the hazards posed by floods, the City of Medford should continue to implement the recommendations of the *Comprehensive Medford Area Drainage Master Plan* and the *2017 Medford Natural Hazards Mitigation Plan* through revisions to Medford's *Comprehensive Plan* and *Land Development Code,* in addition to implementing state and federal regulations.

Floodplain Mapping

The sale of federal flood insurance in Medford, through the *National Flood Insurance Act of 1968*, was authorized in 1974. The Federal Emergency Management Agency (FEMA) developed a 100-year or *base flood* for use in mapping floodplains as part of the national flood insurance program. Federal law requires the first floor of a new building to be *at* or *above* the 100-year flood level, while Oregon law is more restrictive, requiring the first floor of a new building to be one foot *above* the line. Stricter development restrictions can be imposed by cities and counties, such as zoning restrictions that limit vulnerable land uses in floodplains, and programs developed to inform property owners of the hazards posed by waterways. Specialists in natural hazards planning note that the 100-year designation is only a tool, and does not guarantee that flooding will occur only within this floodplain designation.

Floodplains can be delineated according to topography, vegetation, soils, or the extent of past floods.[7] When defined according to geomorphic features, the floodplain includes the low-lying land along the stream, the outer limits of which may be marked by steep slopes or valley walls. See **Figure 12** for a graphic representation of a floodplain as defined by FEMA. The *regulatory floodway* is the lowest part of the floodplain where most frequent flood flows occur. This area is not eligible for federal flood insurance. The *floodway fringe* is the area that would be lightly inundated by a 100-year flood, and is eligible for flood insurance if flood proofing has been undertaken. Of all the features of a river valley, the floodplain is the most important from a planning standpoint for three reasons. First, excluding the stream channel itself, the floodplain is the lowest part of the stream valley, and consequently, prone to flooding. Second, floodplain soils are often poorly drained because of the high water tables and saturation by flood waters. Third, floodplains are formed by incremental erosion and deposition that accompany the meandering of streams through valleys.

As a prerequisite to obtaining federal flood insurance, the City of Medford was required to identify flood hazard areas, and to control development in floodplains. In Medford, flood hazard areas are located along Bear Creek and most other waterways. Federal Insurance Rate Maps (floodplain

[7] *Landscape Planning: Environmental Applications*, William M. Marsh, 1991.

maps) are available in the Medford ~~Building Safety~~ Planning Department. In 1974, the City Council established a review process to assure that proper construction methods and utility locations were undertaken in flood hazard areas. For example, new and replacement water and sanitary sewer systems are required to be designed to minimize or eliminate the infiltration of flood waters into the systems, and discharge from the systems into flood waters.

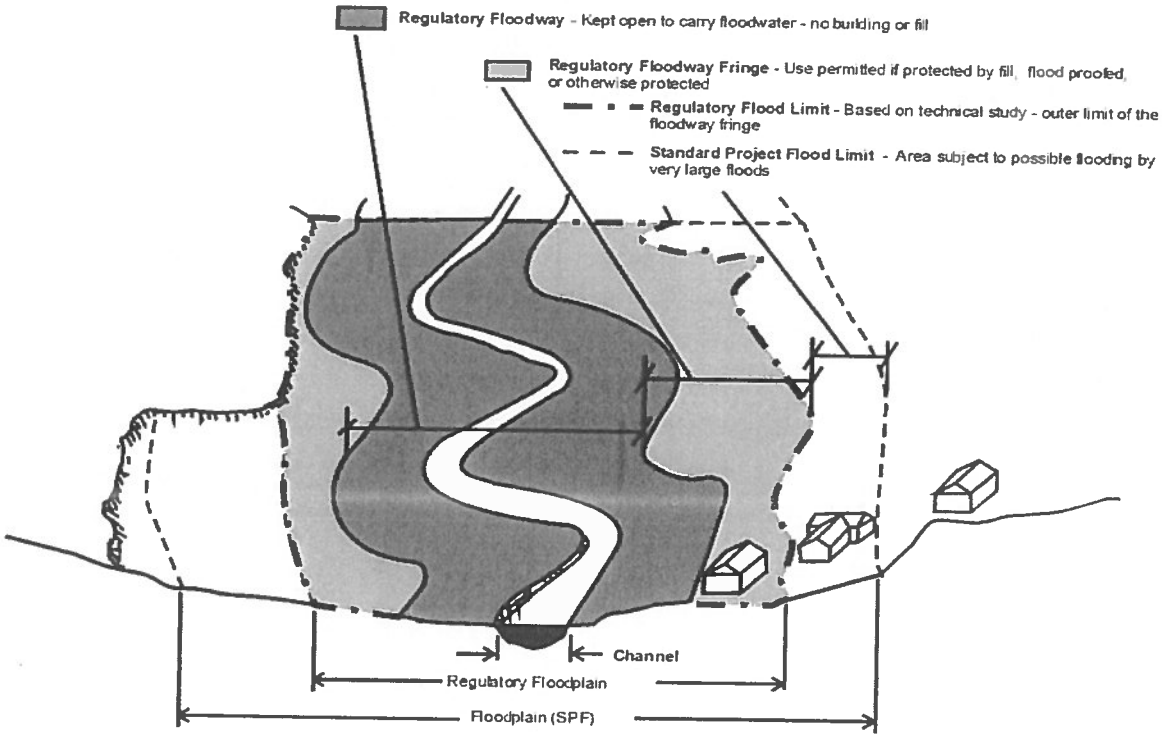


Figure 12
U.S. National Flood Insurance Program
100-Year Floodplain

Source: *Landscape Planning: Environmental Applications*, 2nd Edition, William M. Marsh, 1991.

While floodplain maps are helpful, Oregon's short recorded weather history and changing climatic conditions make flood estimating unpredictable. Additionally, the state's expanding population and fast rate of development continue to alter the landscape and natural waterways.[8] As a result, many floodplain maps are outdated. A FEMA expert noted in a 1997 *Oregonian* article, that many watersheds in Oregon have changed since floodplains were mapped, and, that *"(n)ew houses and pavement in the place of fields and woods mean quicker runoff into streams. 'We're seeing a lot more urban flooding than was occurring in past decades.'"*

Medford is similar to many Northwest communities located in valleys prone to flooding that were formerly used for agriculture. As the FEMA expert noted, *"Many streams in rural areas weren't seen as priorities when maps were being drawn and weren't included in the studies. Now*

[8]Ibid.

communities have sprouted on former pastures. In addition to areas that need to be restudied, there are many areas that we have not yet studied at all. So just because you don't live in an area that we say is subject to a 100-year flood, it may mean that we haven't gotten around to studying it."[9] The State of Oregon has requested that FEMA place a high priority on updating Oregon's floodplain maps.

Flood Damage Reduction

The City of Medford is one of the few Oregon communities to take part in the Community Rating System (CRS) program, which is intended to aid in reducing flood losses, to facilitate accurate insurance ratings, and to promote awareness of flood insurance. The program provides flood insurance premium discounts as an incentive for cities to develop extra flood protection measures beyond what the national program requires. Communities can qualify for up to a 45% discount. ~~In 1999, Medford qualified for a 5% discount in premiums.~~ The discount is based on a point system. A high number of additional points can be earned through such activities as collecting and maintain flood data, protecting open space, stormwater management, higher regulatory requirements, and acquisition/relocation or retrofitting of flood prone properties or structures. As of 2017 Medford has a Class 6 rating under the CRS program. This rating provides discounts of 20% on flood insurance to properties within the FEMA-identified Special Flood Hazard Area (SFHA), and 10% outside the SFHA.

The *Medford Municipal Code* section entitled "Flood Damage Prevention Regulations and Flood Insurance Maps" states that to accomplish its purposes it includes methods and provisions to: ~~*It is the purpose of these sections to minimize public and private losses due to flood conditions in specific areas by methods and provisions designed for:*~~

(1) ~~*(1)*~~ *Require development that is vulnerable to floods, including structures and facilities necessary for the general health, safety and welfare of citizens, to be protected against flood damage at the time of initial construction;*

(2) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion; Control filling, grading, dredging and other development which may increase flood damage or erosion; ~~*Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;*~~

(3) Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or that may increase flood hazards to other lands;

(4) Preserve and restore natural floodplains, stream channels, and natural protective barriers which carry and store floodwaters, and;

(5) Coordinate with and supplement provisions of State of Oregon Specialty Codes enforced by the State of Oregon Building Codes Division.

~~*(1)*~~

~~(2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;~~

[9] Ibid.

~~(3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;~~
~~(4) Controlling filling, grading, dredging, and other development which may increase flood damage; and~~
~~(5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.~~

While Medford's infrastructure handled the most recent (1997) flood well, there was damage in some areas along Bear Creek and Larson Creek, emphasizing the continuing need to update and refine the city's floodplain regulations. Development and redevelopment should be highly scrutinized when located in floodplains. The ~~proposed~~ riparian corridor and wetland building setback requirement will aid in reducing future flood damages to structures and improvements. Existing and proposed requirements for on-site detention of stormwater will aid in regulating storm water flows during peak events.

Some of the recommendations of the Oregon Office of Emergency Management *Interagency Mitigation Team Report* made in response to the 1997 floods in Oregon include the following:

- Strengthen the public facility planning review process to encourage consideration of stormwater system limitations and coordinate plans with a regional perspective, including upstream and downstream communities. Systems often become inadequate because of growth beyond anticipated levels (i.e., increased amount of impervious surface increases runoff). This growth often occurs without subsequent increases to stormwater capacity or recognition of system limitations.
- Water storage through various means, such as creation of wetlands, retention areas, detention basins, and dams can assist in flood control. Encourage flood control projects and development of local flood mitigation plans. These plans should incorporate regional concerns and should consider the watershed as a whole. Encourage the establishment of drainage management plans.
- Where appropriate, allow rivers to reclaim floodplain areas, allowing waterways room to naturally meander and expand. This can be accomplished using conservation easements, land acquisition, riparian trust, and creating wetlands and retention/detention areas, especially in headwater areas.

EARTHQUAKES

While historically, California has been perceived as the most earthquake-prone state in the west, awareness of seismic risk in Oregon has increased significantly since the 1980s, and ~~recently~~ seismologists and geo-scientists have recognized that ~~Oregon~~the state, as well as the entire Pacific Northwest, may be subject to earthquakes of substantial magnitude. Oregon had not experienced a substantial earthquake for almost a century until 1993, when the state suffered three significant quakes: the first near Salem, in Scotts Mills (magnitude 5.6 on the Richter scale), and two earthquakes later in Klamath Falls (magnitudes 5.9 and 6.0) felt in Medford. Researchers in geo-science have also become more aware of the potential for moderate earthquakes in Oregon, and, during the last decade, have noted the likelihood of an earthquake of great magnitude striking

offshore.

Four types of ~~E~~earthquakes ~~that occur in Oregon~~affect Medford and the surrounding region: (a) shallow ~~are typically~~ crustal events, (b) deep intra-plate events, (c) the offshore Cascadia Subduction Zone (CSZ) Fault, and (d) earthquakes associated with renewed volcanic activity.~~or great subduction earthquakes.~~ Medford's risk from earthquakes is related to its location between two active fault areas as well as its regional importance as a transportation, freight distribution, communications, and service hub. To the east is the fault zone in the Klamath Falls area, and to the west is the CSZ along the coast, which is the chief earthquake hazard for Southwest Oregon. The region is particularly vulnerable due to the large area susceptible to earthquake-induced landslide, liquefaction, and ground shaking.

~~*Crustal* earthquakes are most common, and occur along relatively shallow faults, normally within 10 miles of the earth's surface. *Intraplate* earthquakes occur at greater depths, approximately 20 to 40 miles beneath the surface. *Great subduction* earthquakes occur along an offshore fault that parallels the Oregon and Washington coasts.[10]~~

The 1993 Salem and Klamath Falls earthquakes were crustal earthquakes, which occur along short, shallow faults that are commonly visible at the earth's surface. Historically, these earthquakes have ~~rarely exceeded magnitude 6.0~~been in the Richter scale 3.0 to 5.0 range, but the historic record is too short to provide a true representation of the probable threats of crustal quakes. ~~Many geo-scientists maintain that, while rare, faults exist in Oregon that could produce earthquakes as large as magnitude 6.5 to 7.0.[11]~~ Crustal earthquakes are relatively common in the Portland area and the northern Willamette Valley, off the southern coast of Oregon, in northeastern Oregon, and in scattered areas throughout southeastern Oregon. In areas east of the Cascades, the majority of the earthquakes originate in crustal faults.

Intraplate earthquakes occur within the remains of the ocean floor that have subducted beneath North America. ~~It is believed that this type of earthquake could occur anywhere beneath the Coast Range or the western Willamette Valley with a magnitude as large as 7.0 to 7.5.[12]~~ Ground shaking from such earthquakes would be very strong near the epicenter and strong ground shaking would be felt throughout Medford. ~~In 1949, and later in 1965, intra plate earthquakes severely rocked Washington's Puget Sound region.~~

Great subduction earthquakes occur worldwide in subduction zones, where continent-sized pieces of the earth's crust are shoved deep into the earth, and are consistently the most powerful type of earthquake recorded, often registering magnitude 8.0 or 9.0. The Cascadia Subduction Zone (CSZ), a ~~750~~620 mile fault located off the West Coast, from British Columbia to Northern California, has not experienced any large earthquakes during the short 200-year recorded history of earthquakes. ~~However, a variety of studies over the past decade indicate that these earthquakes~~

~~[10] *Earthquakes Hazard Maps for Oregon, 1996,* Oregon Department of Geology and Mineral Industries, Donald Hull, State Geologist and I. P. Madin and M.A. Mabey.~~

~~[11] Ibid.~~

~~[12] Ibid.~~

~~occurred repeatedly in the past, every 350 to 500 years.[13] According to available evidence, the last major subduction zone earthquake occurred off the Oregon coast approximately 300 years ago. According to seismologists, should the entire subduction zone rupture, a magnitude 9.0 earthquake would result, similar to a 1960 Chilean subduction zone earthquake that resulted in nearly 5,000 deaths~~According to 2015 data from Oregon Department of Land Conservation and Development (DLCD), there were 18 magnitude 8.8-9.1 megathrust earthquakes in the last 10,000 years that affected the entire subduction zone. The return period for the largest earthquakes is 530 years, and the probability of the next such event occurring in the next 50 years ranges from 7 to 12%. An additional 10 to 20 smaller, magnitude 8.3-8.5 earthquakes affected only the southern half of Oregon and northern California. The average return period for these is about 240 years, and the probability of a small or large subduction earthquake occurring in the next 50 years is 37 to 43%. ~~. **Figure 13** indicates earthquakes 5.0 or greater on the Richter Scale felt during Oregon's brief recorded history.~~

~~Western Oregon is the most likely region of the state to be severely affected by substantial earthquakes in the future, particularly near the southern coastal town of Brookings. State geologists maintain that *"Brookings and the entire coast are the most likely to have peak ground acceleration because of the subduction zone."*[14] The Cascadia Subduction Zone houses the oceanic Juan de Fuca Plate, which plunges under the continental North American Plate approximately 60 to 150 miles offshore.[15] The North American and Juan de Fuca plates are in constant motion, and, if the plates lock up as they move past each other, the stored energy released could result in an earthquake of magnitude 8.0 or 9.0.[16]~~

Because the Cascadia Subduction Zone could produce a very large earthquake affecting nearly all of western Oregon, land use planning and development must incorporate principles of earthquake preparedness and up-to-date seismic construction standards. A subduction earthquake would significantly damage residences, educational buildings, and government, industrial and commercial buildings in Jackson County. In Medford, the unreinforced masonry buildings in the downtown core and other areas would be especially vulnerable.

~~Medford was rated by the Oregon Department of Geology and Mineral Industries at approximately 26-28 on a scale of potential damage from earthquakes, with zero being the lowest possible score and 115 being the highest. Moving westward the potential for damage increases dramatically. Grants Pass, only 29 miles northwest of Medford, received a rating of 36, and Brookings, the highest at 85.~~

~~[13]Ibid.~~

~~[14]Ibid.~~

~~[15]"Experts Deliver Earthshaking News", *The Oregonian*, Richard Hill, April 23, 1996.~~

~~[16]"Quakes: Mapping the Hazards", *The Oregonian*, Richard L. Hill, November 14, 1996.~~

Figure 13
Earthquakes Centered or Felt in Oregon
Magnitude 5.0 or Greater on the Richter Scale

Sep. 20, 1993	An earthquake of magnitude 6.0 centered about 10 miles northwest of Klamath Falls caused light damage to buildings.
Sep. 20, 1993	An earthquake of magnitude 5.9 centered 15 miles northwest of Klamath Falls closed some highways and bridges.
Mar. 25, 1993	An earthquake of magnitude 5.6 centered near Woodburn rocked most of the state, and caused damage to bridges and the State Capitol Building in Salem.
Feb. 13, 1981	An earthquake of magnitude 5.5 centered near Mount St. Helens shook the Portland area.
May 30, 1968	An earthquake of magnitude 5.1 hit the Adel Warner Lakes area near Lakeview in south central Oregon.
Apr. 29, 1965	An earthquake of magnitude 6.5 centered between Seattle and Tacoma, Washington was felt in the Portland area.
Oct. 1, 1964	An earthquake of magnitude 5.3 hit Portland's Sauvie Island in the Columbia River.
Nov. 5, 1962	An earthquake of magnitude 5.5 centered in Vancouver, Washington, was the largest quake then recorded in the immediate vicinity of Portland.
Dec. 16, 1953	An earthquake of magnitude 5.6 hit the Portland area.
Apr. 13, 1949	An earthquake of magnitude 7.1 centered between Olympia and Tacoma, Washington caused damage in Portland.
Jul. 16, 1936	An earthquake of magnitude 6.1 was centered in the Milton Freewater area.
May 13, 1916	An earthquake of an estimated magnitude of 5.7 was centered in Richland, Washington.
Mar. 7, 1893	An earthquake of an estimated magnitude of 5.7 was centered in Umatilla.
Feb. 4, 1892	An earthquake of an estimated magnitude of 5.6 hit the Portland area.
Oct. 12, 1897	An earthquake of an estimated magnitude of 6.7 shook the Gresham area.
Nov. 23, 1873	An earthquake of an estimated magnitude of 6.3 was centered in the Crescent City, California area.

Source: DOGAMI

Since 1993, when the Seismic Zone rating of Oregon was revised from Zone 2 to Zone 3, new buildings in Oregon have been required to meet more stringent seismic construction standards; however, local jurisdictions can designate seismic standards for existing structures. State and local government buildings and facilities are required to be inspected and meet higher standards. In 1995, the Oregon Legislature created a task force to examine and develop recommendations concerning the threat of earthquakes to structures. The task force recommendations address unreinforced masonry buildings, where the greatest amount of upgrading is required to meet current standards. Downtown Medford, like the downtowns of many Oregon cities, is especially prone to earthquake damage, due to the large number of these structures.

WILDLAND-URBAN INTERFACE -FIRES

Nationally, more and more homes are being constructed in or adjacent to wildland areas. A desire for a rural or suburban living environment on the fringe of urban areas has increased the risks in what is termed the ~~urban/~~wildland-urban interface. The interface is the area where residential development comes into contact with areas of natural vegetation that can contribute to rapid fire spread and additional fuel loading. Although Medford has few of these types of areas, the hazard will increase as the City grows farther into the eastern foothills. Some of the fire protection problems that can occur in ~~urban/~~wildland-urban interface areas include use of combustible exterior construction materials, inadequate access for fire apparatus, lack of fire protection water, lack of residential sprinkler systems, inadequate fuel breaks around structures, driveways that are not clearly addressed, and lack of knowledge by property owners regarding how to act when a fire threatens.

Areas within the Medford UGB that could be susceptible to wildland fires include the far eastern section of the community on the southern and western slopes of Roxy Ann Butte, and generally in the area east of North Phoenix Road wherever steep slopes and thick natural vegetation exist. The City of Medford, Jackson County, and the Oregon Department of Forestry respond in these areas according to the location of the fire and mutual aid agreements.

Wildland fires often require special equipment, such as four-wheel drive vehicles, to reach inaccessible areas that are typical of wildland areas. The City has specialized equipment designed specifically for wildland terrain, including four and six-wheel drive vehicles; and employs a combination of standard firefighting equipment with forces of fire fighters on the ground to fight wildland fires effectively. Jackson County has identified areas outside UGBs where the interface exists, prepared a program to inform the public of the special conditions that may threaten public safety and property, and adopted interface fire protection principles into enforceable codes.

VOLCANIC ERUPTIONS

In Oregon, awareness of the potential for volcanic eruptions greatly increased with the 1980 eruption of Mount St. Helens in Washington State which killed 57 people. The eastern boundary of Jackson County coincides with the crest of the Cascade Mountains, a volcanic range that has a number of still active volcanoes that stretch from Northern California to British Columbia. While questions remain regarding when and to what extent volcanic activity in the Cascades will occur, the *2015 Oregon Natural Hazards Mitigation Plan* states that Jackson County is at some risk from volcano-associated hazards, however remote. According to the Oregon Department of Geology and Mineral Industries, Crater Lake and Mount Shasta are the two biggest volcanic hazards known for Medford, both of which are composite, active volcanoes relatively near the city; however, Mt. McLoughlin, Three Sisters, Newberry Volcano, and Mt. Lassen could also impact Medford if they were to erupt.

While there are several potential hazards associated with volcanic eruptions, the one deemed most likely to affect Medford is that of ashfall. Ashfall occurs when explosive eruptions blast rock fragments into the air. Such blasts may include solid and molten rock fragments called tephra. The largest rock fragments generally fall within two miles of the eruption event, and smaller ash fragments less than 0.1 inches typically rise into the area forming a huge eruption

column. In very large eruptions, ashfalls may total many feet in depth near the vent and extend for hundreds or even thousands of miles downwind. Modest production of ashfall would pose chiefly non-life-threatening hazards to nearby communities, including Medford.

Hazards associated with ashfall include:

- Reduced sunlight and visibility;
- Respiratory problems for at-risk populations such as the elderly, young children, and persons with pre-existing respiratory conditions;
- Impacts on public water supplies drawn from surface waters;
- Electric power outages from ash-induced short circuits in distribution lines and substations;
- Disruptions of air traffic;
- Clogging of filters, abrasion and corrosion, and other damages to heating, ventilation, and air-conditioning systems;
- Collapse of roof and structures due to the weight of wet ash;
- Clean-up and ash removal from the transportation network.

SEVERE WEATHER

Severe weather is the most frequently occurring natural hazard in Medford. Severe weather includes winter storm events such as heavy rain, wind, snow and ice; other severe weather events are thunderstorms, hail, lightning strikes, tornadoes, and drought/heat waves. In Medford, high winds and periods of extreme cold and heat are common. Less common incidents include snow and ice storms generated in the Siskiyou Mountains which create hazardous driving conditions and may lead to power outages. Typically, storms are short-term in nature, lasting one to two days, and can be managed with local emergency response resources.

Most common from October through April, snowstorms and windstorms can disrupt the region's utilities, telecommunications and roadway systems. Damage from wind storms is typically related to the hazard of falling trees and limbs, and the consequent downing of utility infrastructure and power outages. Fallen limbs and uprooted trees can also block roadways, disrupting the transportation network. Late summer and early fall wind storms, occurring during the dry season, often increase wildfire risks, and heavy rains followed by strong winds often result in the falling of shallow-rooted trees. Jackson County also has extended hot and dry weather conditions during the summer and early fall months, and sequential years of below normal rainfall over winter months can result in severe drought conditions as seen in 1939, 1976-1981, 1987-1994, 2001, and 2013-2015.

It is important to note that severe weather events are often the result of events that affect large geographic areas in Oregon and the Pacific Northwest. As such, it is difficult to make regional severe weather probability assessments. While severe weather events have been more frequent in winter months, climate change is resulting in probabilities becoming a moving target. While history provides insight on past severe weather patterns, in reality, all persons and critical facilities are at risk from severe weather impacts, especially those that result in power outages.

EMERGING INFECTIOUS DISEASES

Medford is home to the largest, most concentrated population in Region 4 of Oregon's NHMP Natural Hazard Regions. As a regional employment, recreational, residential, retail and health care hub, Medford draws many non-residents on a daily basis into the area, multiplying the opportunities for further disease exposure and transmission among both visitors and residents. Recognizing this expanse of exposure is important; it is possible that a disease related issue could impact a large portion of the region's population.

Disease is a sickness, illness, or loss of health, and terms such as disease outbreaks, epidemics, and pandemics are often used to describe situations where multiple cases of infection are identified and the amount of disease in a community rises above the expected level. The following definitions are from The Centers for Disease Control and Prevention (CDC):

- **Epidemic** refers to an increase, often sudden, in the number of cases of a disease above what is normally expected in that population in that area.
- **Outbreak** carries the same definition of epidemic, but is often used for a more limited geographic area.
- **Cluster** refers to an aggregation of cases grouped in place and time that are suspected to be greater than the number expected, even though the expected number may not be known.
- **Pandemic** refers, to an epidemic that has spread over several countries or continents, usually affecting a large number of people.

Diseases are identified, researched, and managed as much as possible by public health agencies. In Medford, the agency that provides surveillance, investigates reportable disease, infections or conditions, and carries out appropriate control measures is Jackson County Public Health. Oregon Health Authority may provide assistance in these investigations.

Emerging infectious diseases have been identified in the top five hazard vulnerabilities within our healthcare systems, and overall it is probable a person will have one or more during their lifetime. The diseases identified in the *2017 Medford Natural Hazards Mitigation Plan* are not the only diseases that exist or could potentially impact Medford, and the vulnerabilities and impacts to people, property, and the environment vary widely. People with access and functional needs (e.g. the elderly, the very young and medically fragile persons) are more susceptible to impacts, as are critical facilities such as hospitals, airports, and fire and police forces. Furthermore, water, air, and land can be contaminated by emerging infectious diseases. When this happens in localized or broad scale situations, many people as well as plants and animals can suffer greatly. While the potential impacts are difficult to quantify in dollar amounts, it is clear that widespread illness, disability, and death impacts the economy.

* * *

DISASTERS AND HAZARDS CONCLUSIONS

1. The Medford Urban Growth Boundary contains streams and waterways that have a history of flooding occasionally.

2. The *National Flood Insurance Program* is available in communities that implement comprehensive floodplain regulations to reduce flood damage. As a participant in this

program, Medford adopted regulatory provisions to minimize flood losses through development controls such as building codes and development regulations that place restrictions on new construction or improvements to flood-prone structures.

3. According to seismologists, the likelihood of an earthquake of serious magnitude in the Northwest is high. Medford is at risk for potential earthquake damage because many older buildings have not been built or upgraded to current earthquake standards. Medford's emergency management planning recognizes this possibility.

4. The threat of wildland-urban interface fires within the Medford Urban Growth Boundary ~~is relatively slight, but~~ will increase as development abuts or increases in areas prone to wildland fire dangers, such as steep slopes, dense natural vegetation, etc.

5. The threat of loss of life and/or property damage in areas that may be impacted by wildland-urban interface fires can be reduced through the use of ~~less combustible~~ ignition-resistant construction methods/materials, adequate fire response apparatus, availability of fire protection water, adequate fuel breaks surrounding structures, appropriate road widths to accommodate fire fighting vehicles, and response and evacuation plans that are understood by the residents of these areas.

6. The eastern boundary of Jackson County coincides with the crest of the Cascade Mountains, a volcanic range that has a number of still active volcanoes. According to the Oregon Department of Geology and Mineral Industries, Crater Lake and Mount Shasta are the two biggest volcanic hazards known for Medford, both of which are composite, active volcanoes relatively near the city.

7. While there are several potential hazards associated with volcanic eruptions, the one deemed most likely to affect Medford is that of ashfall. Likely hazards associated with ashfall include respiratory problems, impacts on transportation networks, power outages, and damage to building air filtration systems.

8. Severe weather is the most frequently occurring natural hazard in Medford. Typically, storms are short-term in nature, lasting one to two days, and can be managed with local emergency response resources.

9. Snowstorms and windstorms can disrupt the region's utilities, telecommunications and roadway systems. Damage from wind storms is typically related to the hazard of falling trees and limbs, and the consequent downing of utility infrastructure and power outages. Late summer and early fall wind storms, occurring during the dry season, often increase wildfire risks.

10. Climate change is resulting in severe weather event probabilities becoming a moving target. While history provides insight on past patterns, in reality, all persons and critical facilities are at risk from severe weather impacts, especially those that result in power outages.

11. Emerging infectious diseases have been identified in the top five hazard vulnerabilities within our healthcare systems, and overall it is probable a person will have one or more

during their lifetime. People with access and functional needs (e.g. the elderly, the very young and medically fragile persons) are more susceptible to impacts, as are critical facilities such as hospitals, airports, and fire and police forces. Furthermore, water, air, and land can be contaminated by emerging infectious diseases.

12. As a regional employment, recreational, residential, retail and health care hub, Medford draws many non-residents on a daily basis into the area, multiplying the opportunities for further disease exposure and transmission among both visitors and residents.

13. The most common noise sources in Medford are transportation-related, and include automobiles, trucks, motorcycles, railroads, and aircraft. Motor vehicle noise is a pressing concern, because it often occurs in areas sensitive to noise exposure, such as residential areas, and continues to increase with urban growth and increasing numbers of motor vehicles.

~~7.~~

14~~7~~. The City of Medford has adopted noise reduction strategies in the *Land Development Code* to mitigate the harmful effects of noise, including a noise ordinance, which regulates the level of commercial and industrial noise based on the proximity to noise-sensitive properties; bufferyards, which use setbacks, fencing/walls/berms, and vegetation to mitigate adverse impacts between adjacent land use types, and agricultural buffering, in which Medford and Jackson County jointly implement policies to minimize the impacts of urban development on abutting agricultural uses.

~~8~~15. Airports can adversely impact residential and other sensitive development through noise and accident hazards. Future airport expansion plans could create land use conflicts as flights increase.

DISASTERS AND HAZARDS
GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Goal 12: To protect the citizens of Medford from the potential damage caused by hazards such as flooding, earthquakes, ~~noise,~~ wildland-urban interface fires, volcanic eruptions, severe weather, emerging infectious diseases, ~~and~~ noise, and airport hazards.

Policy 12-A: The City of Medford shall assure that hazard mitigation standards are formally adopted as public policy through comprehensive planning, land development ordinances, permit review, and fire/building safety codes.

Implementation 12-A (1): Continue to conduct hazard risk analysis, including identifying the types, magnitude, and probability of hazards which the Medford Urban Growth Boundary is susceptible to over the long term, including assessing the degree of risk that the citizens find acceptable.

Policy 12-B: The City of Medford shall ensure that the potential impacts of flooding are adequately analyzed when considering development projects.

Implementation 12-B (1): Maintain and, when necessary, update the city's requirements for development in floodplains, consistent with federal and state regulations, and the *Uniform Building Code* (UBC).

Implementation 12-B (2): Adhere to the policies outlined in the *Medford Comprehensive Drainage Master Plan* to minimize flood losses through development controls.

Implementation 12-B (3): Encourage the re-mapping of flood-prone areas in Medford using data from the most recent flood(s) of record.

Implementation 12-B (4): Consider flood hazards when installing public improvements such as parks and paths in flood-prone areas. Design these amenities to withstand a certain flood level.

See also the Policies of the *Storm Water Drainage* section of the "Public Facilities Element."

Policy 12-C: The City of Medford shall continue to utilize building and development standards to mitigate the potentially damaging effects of earthquakes. New construction is required to meet the standards of seismic zone 3 of the *Uniform Building Code* (UBC).

Policy 12-D: The City of Medford shall strive to upgrade all city-owned buildings and facilities to meet earthquake standards.

Policy 12-E: The City of Medford shall continue to update and enforce noise attenuation strategies.

Implementation 12-E (1): Periodically review the city's noise ordinances for adequacy.

Policy 12-F: The City of Medford shall strive to minimize the loss of life and property resulting from wildland-urban interface fires within the Urban Growth Boundary.

Implementation 12-F (1): Undertake efforts to educate the public in wildland-urban interface fire safety.

Implementation 12-F (2): Develop and adopt fire safety performance standards for development in those areas identified as being at risk of wildland-urban interface fires.

Policy 12-G: The City of Medford shall designate future residential areas in coordination with the *Rogue Valley International-Medford Airport Master Plan* to minimize conflicts with flight patterns, hazard areas, and airport expansion areas.

* * *

Exhibit C

CONCLUSIONS, GOALS, POLICIES, AND IMPLEMENTATION STRATEGIES

City of Medford
411 West Eighth Street
Medford, Oregon 97501
~~plnmed@ci.medford.or.us~~planning@cityofmedford.org

~~Last~~ Revised by
MEDFORD CITY COUNCIL
~~January 7~~XXXXXXXXX, 201~~86~~
Ordinance No. 201~~68~~8-~~08~~

* * *

NATURAL RESOURCES—AIR QUALITY—CONCLUSIONS

1. Medford's location in the Rogue Valley below substantial mountain ranges (the Cascades, the Siskiyous, and the Coast Range) increases the difficulty of maintaining federal air quality standards. Medford's climate is influenced by atmospheric inversion layers in the fall and winter months which trap air emissions in the valley.

2. The City of Medford has little influence on the air pollution emissions caused by travelers and freight shippers traveling through the planning area on state highways such as Interstate 5.

3. Largely due to improvements in modern vehicle emission control systems, carbon monoxide (CO) level progressively improved in the years since the designation of the Medford-Ashland AQMA, and Medford has not violated the federal CO standard since 1991. As a result, Medford was re-designated an "attainment" area for CO in 2002. Similarly, Medford has been in compliance with federal particulate matter (PM_{10}) standards since 1994. Maintenance plans for the AQMA have been approved by the EPA to help ensure continued compliance with the federal standards for these two pollutants. ~~The Medford-Ashland Air Quality Maintenance Area (AQMA) is a "non-attainment area" for carbon monoxide (CO) and the Medford Urban Growth Boundary is a "non-attainment area" for particulate matter (PM_{10}).~~

4. While Medford's air quality has improved due to proactive Air Quality Maintenance Area (AQMA) programs and increased public awareness, particularly relating to wood smoke, the potential to revert to previous poor air quality conditions exists. The Rogue Valley's topography, its many motor vehicles, and continued population growth have the potential to further degrade Medford's air quality in the future.

5. Pollutants of concern in the Medford-Ashland AQMA are particulate matter ($PM_{2.5}$), ozone, and air toxics (although the DEQ does not presently have any air toxics monitors in SW Oregon). While ozone levels have declined in Medford since 2007, there was a slight uptick measured in the 2013-2015 timeframe. Medford trends close to the $PM_{2.5}$ standards in both daily and annual average levels. ~~The *State Implementation Plan* (SIP) for PM_{10} for the Medford-Ashland Air Quality Maintenance Area (AQMA) is being revised to meet the *National Ambient Air Quality Standards* (NAAQS), including new, stricter standards for particulate matter (PM_{10} and $PM_{2.5}$).~~

NATURAL RESOURCES—AIR QUALITY—GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Goal 3: To enhance the livability of Medford by achieving and maintaining compliance with National Ambient Air Quality Standards (NAAQS).

Policy 3-A: The City of Medford shall continue to provide leadership in developing, adopting, and implementing regional air quality improvement strategies to achieve compliance with the National Ambient Air Quality Standards (NAAQS).

> **Implementation 3-A(1):** Continue to participate, along with state and local agencies involved in air quality attainment, in the preparation and implementation of the applicable Air Quality Management Plans (AQMP's) and State Implementation Plans (SIP's) for the Medford-Ashland Air Quality Maintenance Area (AQMA).
>
> **Implementation 3-A(2):** Continue to participate, along with Jackson County and other affected agencies, in administering air quality public education and smoke reduction programs.
>
> **Implementation 3-A(3):** Implement strategies from sources such as the *Medford Transportation System Plan*, the State Implementation Plans (SIPs) and the Oregon Transportation Planning Rule (TPR) that reduce emissions or improve air quality, such as increasing the use of alternative modes of transportation and use of alternative motor vehicle fuels, such as compressed natural gas and electricity, and propose amendments to the *Medford Land Development Code* for consideration by the City Council where necessary to assure compliance with such plans or rules.

See also the policies of the Medford Transportation System Plan, Policy 9 of the "Urbanization Element."

Policy 3-B: The City of Medford shall continue to require a well-connected circulation system and promote other techniques that foster alternative modes of transportation, such as pedestrian oriented mixed-use development and a linked bicycle transportation system.

See also Goal 1 of the Southeast Plan section of the "General Land Use Plan Element."

> **Implementation 3-B(1):** Promote the use of incentives by Medford's larger employers to induce employees to use alternative modes of transportation or work at home in an effort to reduce motor vehicle emissions.

* * *

DISASTERS AND HAZARDS—CONCLUSIONS

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2. The *National Flood Insurance Program* is available in communities that implement comprehensive floodplain regulations to reduce flood damage. As a participant in this program, Medford adopted regulatory provisions to minimize flood losses through development controls such as building codes and development regulations that place restrictions on new construction or improvements to flood-prone structures.

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714. The City of Medford has adopted noise reduction strategies in the *Land Development Code* to mitigate the harmful effects of noise, including a noise ordinance, which regulates the level of commercial and industrial noise based on the proximity to noise-sensitive properties; bufferyards, which use setbacks, fencing/walls/berms, and vegetation to mitigate adverse impacts between adjacent land use types, and agricultural buffering, in which Medford and Jackson County jointly implement policies to minimize the impacts of urban development on abutting agricultural uses.

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DISASTERS AND HAZARDS—GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Goal 12: To protect the citizens of Medford from the potential damage caused by hazards such as flooding, earthquakes, ~~noise,~~ wildland-urban interface fires, volcanic eruptions, severe weather, emerging infectious diseases, noise, and airport hazards.

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Implementation 12-B(4): Consider flood hazards when installing public improvements such as parks and paths in flood-prone areas. Design these amenities to withstand a certain flood level.

See also the Policies of the Storm Water Drainage section of the "Public Facilities Element."

Policy 12-C: The City of Medford shall continue to utilize building and development standards to mitigate the potentially damaging effects of earthquakes. New construction is required to meet the standards of seismic zone 3 of the *Uniform Building Code* (UBC).

Policy 12-D: The City of Medford shall strive to upgrade all city-owned buildings and facilities to meet earthquake standards.

Policy 12-E: The City of Medford shall continue to update and enforce noise attenuation strategies.

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Policy 12-F: The City of Medford shall strive to minimize the loss of life and property resulting from wildland-urban interface fires within the Urban Growth Boundary.

Implementation 12-F(1): Undertake efforts to educate the public in wildland-urban interface fire safety.

Implementation 12-F(2): Develop and adopt fire safety performance standards for development in those areas identified as being at risk of wildland-urban interface fires.

Policy 12-G: The City of Medford shall designate future residential areas in coordination with the *Rogue Valley International-Medford Airport Master Plan* to minimize conflicts with flight patterns, hazard areas, and airport expansion areas.

Vice Chair McFadden commented that one gains public support by showing Medford is moving forward to solve the traffic problem that people in the community feel exists.

Commissioner McKechnie feels that the HB2017 funds should be a mix. The way he understands the scenarios is that there are two choices. Either raise the utility fees to cover all the maintenance money or use all the gas tax money and do not raise the fees. Scenario #3 is all the gas tax money goes into projects and an equivalent amount is raised in utility fees. Scenario #4 does the opposite. It does not raise the utility fees and all the gas tax money goes into maintenance. He thinks a scenario that would be justified is not do Scenario #4. Do the annual grant funding on $3 million and if it turns out $1.5 million is approved then raise the utility fee just to cover the other $1.5 million. He also noticed on Scenario #3 there were 6 undesignated location projects To Be Determined (TBD). That says they do not know where they are going to spend the money. Scenario #4 toned that down and had definite locations for the money. Utility fees may need to be raised a little but they would not need to be raised to the level staff was discussing with the City Council.

Mr. MacNair stated that the 6 TBD is that there is a difference between the costs of signalization versus a street improvement project. As traffic patterns change sometimes there could be a need for a traffic signal. In the last TSP signalizations in so many locations were To Be Determined. It is a good idea for planning at this level.

Carla Paladino reported that staff is updating the draft document, updating the maps and putting in Scenario #5. City Council directed staff to bring this to the Planning Commission and other committees providing all the scenarios. If the Planning Commission chooses to pick a different scenario as their recommendation, staff will move that forward to the City Council. Staff is proposing to go to Planning Commission hearing October 11, 2018.

Vice Chair McFadden asked, is staff wanting a consensus today or is it going to hearing for a vote on which one of the six scenarios they support? Ms. Paladino reported that on Thursday, October 11, 2018 staff will present the draft with Scenario #5 but the City Council made it very clear that they wanted the Planning Commission to decide if they wanted something different. If they choose Scenario #3 then the Planning Commission would do that as part of the hearing process.

Chair Miranda stated that his direction based on the discussion is Scenario #4 as well. Commissioner McKechnie agreed.

Commissioner Pulver stated that super CAC is going to weigh in at the end of the month. Then staff will take all the information from the different bodies to the City Council. There needs to be feedback at the hearing on October 11, 2018.

20.2 CP-18-063 Natural Hazards Mitigation Plan Comprehensive Plan Amendment

Seth Adams, Planner III, reported that staff is asking the Planning Commission for direction on identifying any necessary changes to the proposal.

The proposed amendment incorporates the 2017 Natural Hazards Mitigation Plan (NHMP) into the Comprehensive Plan.

The proposed hearing schedule is Thursday, September 27, 2018 to the Planning Commission and November 1, 2018 to the City Council.

The Comprehensive Plan Environmental Element currently discusses wild land fires, air quality, flooding, landslides and earthquakes. A lot of this information has not been updated since the 1990's. Last year the City Council approved the 2017 Natural Hazards Mitigation Plan then FEMA subsequently approved it. The Plan is effective through September 12, 2022.

The Natural Hazard Mitigation Plan contains analysis of the previous hazards but now it also includes severe weather, volcanic eruption, emerging infectious diseases. The amendment incorporates (by reference) the Natural Hazards Mitigation Plan into the Environmental Element of the Comprehensive Plan. The amendment includes discussions of severe weather, volcanic eruption and emerging infectious diseases. It reflects the current information in the NHMP and condenses existing text. Finally, it updates the conclusions, goals, policies, and implementation strategies of the Comprehensive Plan.

20.3 CP-16-075 & DCA-18-120 Urbanization Plans

Carla Paladino, Principal Planner reported that the urbanization plan is a requirement that came out of the adoption of the Urban Growth Boundary expansion.

This will be a new land use process. It would adopt specific and adoptable concept plans for the new expansion areas. Help regulate and ensure compliance with the Regional Plan.

The process would be adopted as a major Comprehensive Plan amendment into the Neighborhood Element.

Land Use Actions Needed:

- Major Comprehensive Plan Amendment
  - Neighborhood Element
  - Review and Amendment Section
- Development Code Amendment
  - Articles I and II in Chapter 10

Urbanization Plan – Objective

- Adopt maps that comply with the Regional Plan
- Regional Plan requires:
  - Minimum Density (6.6 du/acre)
  - Mixed-use, Pedestrian Friendly
  - Land Use Mix

Minutes

From Study Session on **February 27, 2017**

The study session of the Medford Planning Commission was called to order at noon in the Lausmann Annex Room 151-157 on the above date with the following members and staff in attendance:

Commissioners Present
Patrick Miranda, Chair
David McFadden, Vice Chair
Joe Foley
Bill Mansfield
Mark McKechnie
Jared Pulver

Staff Present
Matt Binkley, Planning Director
Kevin McConnell, Deputy City Attorney
Larry Masterman, Emergency Mgt. Coordinator
Carla Paladino, Principal Planner
Chris Olivier, GSI Coordinator
Kyle Kearns, Planner II

Commissioners Absent
David Culbertson, Excused Absence
E. J. McManus, Excused Absence

Guests
Tricia Sears
Jay Harland

Subjects:

20.1 Natural Hazards Mitigation Plan

Carla Paladino, Principal Planner reported that the City is currently updating the Natural Hazards Mitigation Plan. It is a five year plan. Natural Hazards include earthquakes, floods, disease epidemics, severe weather, etc. Staff would like to see the City Council approve the Plan when it is finished this summer. The Environmental Element of the Comprehensive Plan will be updated with the Natural Hazards Mitigation Plan.

Ms. Paladino introduces Larry Masterman, Emergency Management Coordinator. He has been the lead on this project. There is a grant through DLCD. Tricia Sears is a Natural Hazard Planner with the State. She has been helping coordinate the steering committee and the written element of the update. Chris Olivier, GSI Coordinator, with the Planning Department. He took over co-chairing the steering committee with Mr. Masterman after Jim Huber retired last year.

Ms. Sears gave an overview of the process in the role of the State. She is with the Oregon Department of Land Conservation Development (DLCD). DLCD and the City of Medford are collaborating to update the existing Natural Hazard Mitigation Plan. She is responsible for managing the project including providing information, coordinating and writing the entire Plan with the assistance from the steering committee. It is important to DLCD that Medford and other jurisdictions integrate the planning and emergency management aspect of these Natural Hazard Mitigation Plans. Medford is

demonstrating a lot of innovation with this plan because Mr. Masterman and Mr. Olivier are the co-chairs of the Natural Hazard Mitigation Plan committee. The timeline is fast. It started in June of last year and will be completed by June of this year. There is a draft of the Natural Hazard Mitigation Plan out for public review. The plan is to have a revised plan of that in March. The week of April 3-7 is the targeted timeline to turn the Plan into the Oregon Office of the Emergency Management (OEM) and Federal Emergency Management Agency (FEMA). In May or June, they hope to receive an approval pending adoption letter that comes from FEMA and OEM. Then it goes to the City Council to get approval for adoption of the Natural Hazard Mitigation Plan. After that, FEMA sends an approved letter to the OEM and then provided to Medford a letter alerting them of the approval. The Plan is valid for five years.

Medford is following along the Jackson County Natural Hazard Mitigation Plan. They are in the process of updating their Plan. Ultimately, after Medford is approved it will become an annex to the Jackson County Plan.

Having a Natural Hazard Mitigation Plan is required to be able to receive both pre and post disaster funds from the Federal Emergency Management Agency. It is not required to have a Natural Hazard Mitigation Plan but it carries a big part in getting funds from FEMA in case of a disaster.

Mr. Masterman gave an overview and update on what the committee has been doing. Mr. Masterman distributed a list of the 19 members on the steering committee. Several weeks ago the City hosted a FEMA course on local Hazard Mitigation planning. It was a two day course. Twenty-one people were graduated from around the state. There was an open house that was part of the community outreach. FEMA is big on these projects involving a lot of public input.

Several geologists came and gave a tour of the most vulnerable land.

They had three separate panels at the open house. There were approximately thirty-seven people in attendance. The Mail Tribune published the wrong start time. It ran from 4:00 p.m. to 7:00 p.m. with the Mail Tribune publishing start time at 7:00 p.m. The panelists stayed for another hour. Great input from the community.

Chris Olivier, GSI Coordinator, presented fifteen draft maps. A lot of different agencies have provided data for the maps. There is a map for landslide hazard, people with access and functional needs, bridges, schools, dam inundation. There are three dams that could affect the Bear Creek Valley. Immigrant Lake dam will affect the UGB.

The Hazard Analysis Summary is updated from the fall summary. An earthquake is more likely than anything else generate hundreds or even thousands of causalities. The Cascadia Earthquake could be a magnitude of 9 or bigger. Here it might be 7 or 8. It will last four or five minutes. The amount of shaking, damage and disruptions to our systems will be tremendous. We need to plan for that.

Commissioner Mansfield asked, is the Planning Commission going to make a decision for recommendation or is it for useful information? Ms. Paladino reported that after the Plan is adopted by the City Council, staff will amend the Comprehensive Plan incorporating the Natural Hazard Mitigation Plan. The Planning Commission will forward a recommendation to the City Council on that aspect.

Commission Pulver asked, how does the ranking and scoring come into play in terms of it is utilized? Does it impact dollar allocation? Is importance put on certain preventative measures in building or design standards? Mr. Masterman stated that is what these plans are all about. It is steering all those things. Setting priorities for funding and policy regulations.

20.2 Greenway Trails Amendment Initiation

This request came out of the City's Parks and Recreation Department seeking changes. Jay Harland with CSA Planning is on a retainer with the Parks Department to help with the code amendment.

Currently the code does not talk about trail implementation, construction, maintenance, and dedication.

Mr. Harland reported that the City has stated where they would like the trails. Trails are in the City's Comprehensive Plan. Developers have shown them on their plans and it is usually a condition of approval. Moving forward, after the trails are built the Parks Department will maintain them.

Ms. Paladino stated the 2016 Leisure Services Plan has a complete chapter on paths and trials. Nationally, over the past ten years hiking and walking are basically top outdoor recreation activity that people are saying they want to do more of. Locally, it is the same trend. Eighty-one percent of respondents of the community survey indicated a need for City wide trails and improved connectivity. Seventy-four percent identified the need for bicycle facilities. The Plan indicates that residents want enhancements such as lighting, benches, line of site, etc. The Leisure Services Plan will be incorporated into the Comprehensive Plan.

There was a slide presentation of examples of trail segments.

The next steps would be that on March 9, 2017, the Planning Commission would initiate the amendment under the consent calendar. CSA Planning will begin their work. Drafts will be brought forward for review and comment. Hearing process begins.

Commissioner McKechnie stated that the developers have to pay a fee to the Parks Department. Where does that money go? Matt Brinkley, Planning Director, stated that they are SDC fees that get spent for Parks and Recreation facilities.

Medford City Council Study Session

Exhibit F

Minutes

August 25, 2016
Medford City Hall, Medford Room
411 West Eighth Street, Medford, Oregon

The Medford City Council Study Session was called to order at 12:00 p.m. in the Medford Room of the Medford City Hall on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Clay Bearnson, Daniel Bunn, Tim Jackle, Eli Matthews, Kevin Stine

City Manager Pro Tem Alison Chan; Deputy City Manager Bill Hoke, City Attorney Lori Cooper; Deputy City Recorder Winnie Shepard; Water Commission Manager Larry Rains; Planning Director Jim Huber, DLCD Natural Hazards Planner Tricia Sears; Emergency Management Coordinator Larry Masterman

Councilmembers Corcoran, Gordon and Zarosinski were absent.

Water Commission Update on Lead Issues

Water Commission Manager Larry Rains spoke regarding the status of lead issues in Medford's water.

- In May, two lead pigtails were found. A "pigtail" is a service pipe used back in the early 1900's as a flex coupling
- The Commission doesn't have records regarding pigtail locations in Medford; but began looking at every house along the waterlines on the 1946 map, approximately 5,000 meters. Staff reviewed by digging to visually determine if the pipe has a pigtail
- Some locations require a "pothole" to gain access to visually inspect the joint
- So far, 4,760 locations were walked and examined, resulting in 264 possible pothole locations. To date, the Commission has dug 47 of these locations, found 13 lead pigtails, of which 11 have been removed and the other two will be removed shortly
- The goal is to complete inspections by the end of 2016 and to find and eliminate all lead pigtails
- Testing is conducted at the tap after the water has sat for 6 hours; it is not required to test at the pigtail
    - For the first test, the pigtail was disturbed and washed. This caused the lead level to test higher than normal
- It costs approximately $15 to examine each meter; replacement fees are paid from the general maintenance fees. Each pothole costs $1,000. If a pigtail is found, it is another $5,000 to remove
- The QBS corrosion study will cost an estimated $250,000

Natural Hazard Mitigation Plan

Planning Director Jim Huber provided the background of the Natural Hazard Mitigation Plan and noted it will come back before Council for approval. Emergency Management Coordinator Larry Masterman noted the 2017 version of this plan will be the City's "go to resource" for natural hazards. It analyzes the natural hazards in our area and how to handle each of them.

- Required by FEMA to obtain grants for earthquakes, response & recovery funds
- Medford's first plan was created in 2004, was updated in 2010 and sunset last year
- City began working with the DLCD on the new plan about two years ago
- This process is very transparent and is geared to receive public involvement
- Medford, the surrounding cities and the County all have their own plans

Tricia Sears, National Hazards Planner with the Oregon Department of Land Conservation and Development, noted the following:

- Delays in beginning between FEMA and the Oregon Legislature
- The goal is to have this completed by June 2017
- She is responsible for managing the project and writing the plan
- Local jurisdictions should incorporate this plan into their core policies together with land use planning and emergency management
- A website has been created for public to submit comments
- A draft plan is expected in early October, containing the community profile and the risk assessment
- An open house is planned for January of 2017
- Ms. Sears will seek an approval letter from FEMA in May
- The Plan keeps community flood insurance costs lower and assists in obtaining FEMA grants

City Manager Pro Tem Alison Chan explained this plan should help the City receive federal help in the event of an emergency.

The meeting adjourned at 12:32 p.m.

Winnie Shepard
Deputy City Recorder

Planning Commission Minutes

From Study Session on **August 22, 2016**

The study session of the Medford Planning Commission was called to order at noon in the City Hall Medford Room 330 on the above date with the following members and staff in attendance:

Commissioners Present
Patrick Miranda, Chair
David McFadden, Vice Chair
Tim D'Alessandro
David Culbertson
Joe Foley
Bill Mansfield
Mark McKechnie
Jared Pulver

Guest
Tricia Sears, Oregon Department of Land Conservation and Development

Staff Present
Jim Huber, Planning Director
Eric Mitton, Senior Assistant City Attorney
John Adam, Principal Planner
Larry Masterman, City Emergency Management Coordinator
Chris Olivier, GIS Coordinator
Carla Paladino, Planner IV

Subject

1. **National Hazards Mitigation Plan**

Jim Huber, Planning Director stated there are three items on today's agenda. The National Hazards Mitigation Plan, Wetland Regulations and time permitting a discussion on the resolution that City Council adopted regarding transitional housing.

Mr. Huber introduced Tricia Sears, National Hazards Planner with the Oregon Department of Land Conservation and Development (DLCD) and Larry Masterman, City of Medford Emergency Management Coordinator.

This subject is part of the public outreach program. This is a plan that will be adopted by the City Council. In the Comprehensive Plan is the Environmental Element. In the Environmental Element there is a section called Disasters and Hazards. The three areas that overlap are floods, earthquakes and wildfires. The Environmental Element also has a section on noise and airport hazards. The National Hazards Mitigation Plan will continue further such as severe weather, air quality, landslides, volcanic eruptions and disease outbreaks. In the future this section in the Comprehensive Plan may need updating to include some information from the National Hazards Mitigation Plan and may want to adopt it by reference into the Comprehensive Plan. It is not mandatory.

Larry Masterman, City of Medford, Emergency Management Coordinator reported that the National Hazards Mitigation Plans are a relatively recent opportunity from FEMA. It is as a lot of other emergency preparedness mitigation response program driven by funding. The National Hazards Mitigation Plan is a requirement for a number of mitigation grant programs and a condition for some federal reimbursement for emergency response recovery mitigation activities.

Medford did its first mitigation plan in 2004 under federal regulations. An approved plan has to be updated every five years. It was approved again in 2010 and that plan sunset last year. Staff has been talking with DLCD for approximately two years about their partnership and updating the plan. DLCD obtained a grant from FEMA to help Medford and several other jurisdictions in the State updating their plans.

The County has a separate version of the same plan. They will be updating their plan next year and the City will roll into that. The City of Medford will have an annex to that County plan. The City does not have a lot of hazards shared by the rest of the County and vice versa. The City does not have as much flood risks as many parts of the County.

Under the Federal guidance this needs to be an inclusive program with a lot of public input. The steering committee includes members of the public. There are people on the steering committee from the City. The US Army Corps of Engineers operates the Lost Creek Dam. The steering committee also includes the American Red Cross and Eric Dittmer, retired professor from SOU in earth sciences and seismology. He is the "go-to" person on earthquakes and geological issues. There is a nice cross section of participation.

Why do this at all? This will not prevent most disasters. Mitigation is all things one does for and during an event to reduce the impacts, loss of life, damage to property and economic impacts. Where the Planning Commission is concerned it might include changing land use especially when talking about repetitive loss areas that keep getting flooded. The federal funds are not going to continue rebuilding. They want to reduce or eliminate the long term risks and maintain eligibility for both the pre-disaster and post-disaster funding. FEMA will reimburse the City for a residentially declared disaster. They will reimburse 75% of the extraordinary expense costs over time.

One of the discussions regarding the land use was the amount of development that has occurred on slopes of 25% or greater between 2009 to present.

Tricia Sears, Oregon Department of Land Conservation and Development reported that it is important to DLCD element that local jurisdictions are integrating planning aspects through emergency management of the National Hazards Mitigation Plan.

Ms. Sears is responsible for collecting a lot of information and writing the Plan. The goals and mission is to accomplish this by June 30, 2017. The goals are from the 2010 Plan that is being used to update the Plan.

Ms. Sears emphasized that this updated National Hazards Mitigation Plan will keep Medford eligible for the pre and post mitigation funding which is valuable in terms of money provided to the City in times of need. It also helps the flood community rating systems. It keeps the City eligible for the flood plains which is also critical.

The first draft is expected in early October.

Commissioner D'Alessandro commented that he is happy to hear that this is a collaborative effort that Medford and Jackson County will be pooling their resources towards a common goal. In reviewing the list there is a great mix of people and diversity. He does not see public transportation as represented as part of the steering committee. It is his opinion that transportation would be a large part of the solution in a lot of the scenarios. Mr. Huber reported that currently the group is looking at the Transportation Element with the help of the Engineering Department. It would not be a bad idea to put RVTD on the steering committee.

Mr. Huber stated that regarding the schedule they are speaking to the news and City Council on Thursday, August 25, 2016. The community profile and risk assessment portion of the Plan will be done by the end of October. The mitigation strategy and plan maintenance will be completed by January 31 and a draft by the end of March. It is an aggressive timeframe.

2. Wetland Regulations

Carla Paladino, Planner IV, reported that in May of 2016, the Planning Commission reviewed changes to the Environmental Element of the Comprehensive Plan regarding wetlands. The report went to the State last November. It was reviewed by the State and sent back to the consultants for changes and updates. It was resubmitted to the State in July of this year. Staff is waiting for the approval of a Local Wetland Inventory for the entire Medford Urban Reserve.

The City Council in March agreed to the locations of the urban growth boundary expansion areas. Last week the City Council approved the findings and ordinance. As part of the requirements for Goal 5, reviewing natural resources, wetlands and historic sites, staff is conducting updates to the Comprehensive Plan and Wetland Regulations.

The existing riparian corridor regulations have been modified to include wetlands. Part of the discussion today is how this works when a development is submitted and the changes are proposed.

- Updated definitions
- Revisions to the purpose statements
- Extensions of riparian corridors along identified creeks