Planning Commission
October 8, 2020

MEDFORD
OREGON

Commission Members

David Culbertson

Joe Foley

David Jordan

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Jared Pulver

Jeff Thomas

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

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA

MEDFORD OREGON

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

10. Roll Call

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

20.1 LDS-19-029 Consideration of request to modify Lots 1, 2 and 3 of the approved tentative plat, change the approved street names, and extend the approval period for one year for Ione's View Subdivision, an 11 lot subdivision on approximately 2 acres located on the north side of Sunset Drive approximately 415 feet west of Thomas Road within the SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district,. (372W35DC 3300). Applicant: River Lane Homes, Inc.; Agent Neathamer Surveying, Inc.; Planner: Kelly Evans.

30. Approval or Correction of the Minutes from September 24, 2020 hearing.

40. Oral Requests and Communications

COMMENTS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

50. Public Hearings

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

Continuance Request

50.1 LDS-20-219 Consideration of tentative plat approval for Cherry Meadows Subdivision Phase II a 15-lot residential subdivision with reserve acreage on a 2.68 acre parcel located on the west side of Cherry Street approximately 400 feet north of Stewart Avenue within an SFR-10 (Single Family Residential - 10 units per acre 372W35AA819) zoning district. Agent: Angela Hibbard; Planner: Liz Conner. **The applicant requests this item be continued to the Thursday, October 22, 2020 Planning Commission meeting.**

New Business (Taken Out of Order)

50.2 ZC-20-256 Consideration of City-initiated zone changes of six parcels located on Westwood Drive, Orchard Home Drive, and Stewart Avenue including the following: A change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-15 (Multi-Family Residential -15 dwelling units per gross acre) for Tax Lots 202, 300, 400, & 900 of Jackson County Assessor's map 372W35DD; A change from SFR-6 to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on Tax Lot 1500 of Jackson County Assessor's map 372W35DA; and A change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to MFR-20 on Tax Lot 1400 of Jackson County Assessor's map 372W35AA. Planner: Sarah Sousa.

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.

50.3 UP-20-209 A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 224 acres of property located at the northeast corner of North Foothill Road and Hillcrest Road (371W21D TL 101, 300, and 301 and 371W22 TLs 500 and 501). Applicants: Cogswell Limited Partnership and Rocky Knoll LLC; Agent: Raul Woerner, CSA Planning; Planner: Carla Angeli Paladino, Principal Planner

50.4 DCA-20-127 An amendment to portions of Chapter 10 to enable broader use of pad lots and to create more permissible development standards for residential development. Planner: Kyle Kearns.

Old Business (Taken Out of Order)

50.5 DCA-20-243 A legislative amendment to modify the Temporary Shelter provisions in Chapter 10 and add provisions for (permanent) Shelters. Planner: Carla Angeli Paladino.

60. Reports

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

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment

WRITTEN COMMUNICATION STAFF REPORT

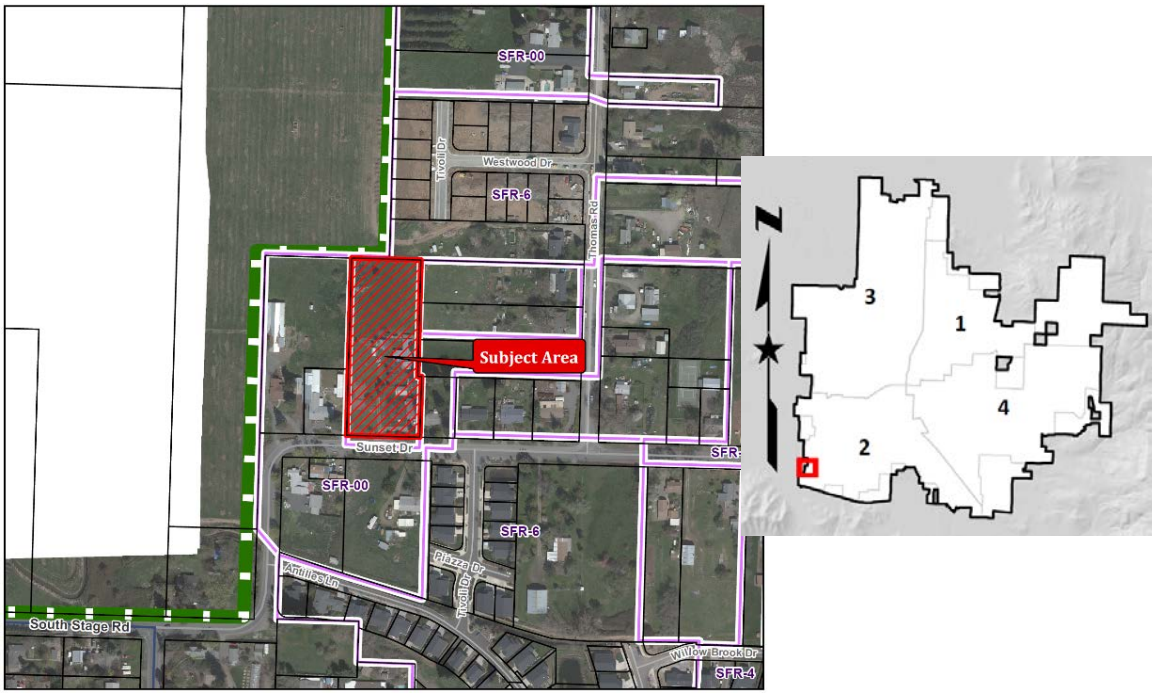
Project	Ione's View Subdivision Applicant: River Lane Homes, Inc.; Agent: Neathamer Surveying
File no.	LDS-19-029
To	Planning Commission *for meeting of 10/08/2020*
From	Kelly Evans, Assistant Planning Director
Date	October 1, 2020

BACKGROUND

Proposal

Consideration of request to modify Lots 1, 2 and 3 of the approved tentative plat, change the approved street names, and extend the approval period for one year for Ione's View, an 11 lot subdivision on approximately 2 acres located on the north side of Sunset Drive approximately 415 feet west of Thomas Road within the SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district,. (372W35DC 3300)

Vicinity Map



Applicable Criteria

Medford Municipal Code §10.202(E). Subdivision Tentative Plat Approval Criteria

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

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

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

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

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

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

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

Corporate Names

The Oregon Secretary of State website lists Laura Knapp as Registered Agent and President of River Lane Homes, Inc. Dustin Knapp is the Secretary.

ISSUES AND ANALYSIS

Background

The Planning Commission adopted the final order approving Ione's View subdivision on July 11, 2019. The current owner acquired the project shortly after the Planning Commission decision and is now in the process of final project design.

The applicant is requesting approval to reconfigure Lots 1, 2 and 3; to rename the streets; and of a one-year extension of time.

Several Type III application types have processes that allow the Planning Director to approve minor modifications; however, no such language exists for tentative plats. ORS 92 and our own Land Development Code require substantial consistency between the tentative and final plats. Without the Planning Commission's acknowledgement of the proposed lot configuration, staff would not be able to make the required finding of consistency.

It is staff's opinion that the proposed changes are minor and do not rise to the level of a public hearing process. Those agencies that participated in the original decision were asked to review the proposal and revise any conditions of approval if needed. None were identified. The agency comments are included as Exhibits E through H.

Proposed Changes

Extension of Time

The Planning Commission adopted the Final Order granting approval of the project on July 11, 2019. The applicant is requesting an extension of time as allowed under Medford Land Development Code (MLDC) Section 10.202(D)(1).

Per MLDC Section 10.202(D), extensions shall be based on findings that the facts upon which the application was first approved have not changed to an extent sufficient to warrant refiling of the application. It can be found that neither the circumstances of approval nor applicable site development standards have changed to a degree that warrants refiling of the application. This is the only extension allowed under the Medford Land Development Code.

Street Name Change

The applicant proposes to change the name of McFar Lane, the north-south street on the west side of the project, to Dulcimer Lane. Ione Street, the east-west street on the north end of the site, is proposed to be changed to Calico Lane. The City's Address Technician has approved the names (Exhibit H).

Storm Drain Facility

The most significant change is the reconfiguration of Lots 1, 2 and 3 and the stormwater detention and treatment area on the north end of the site.

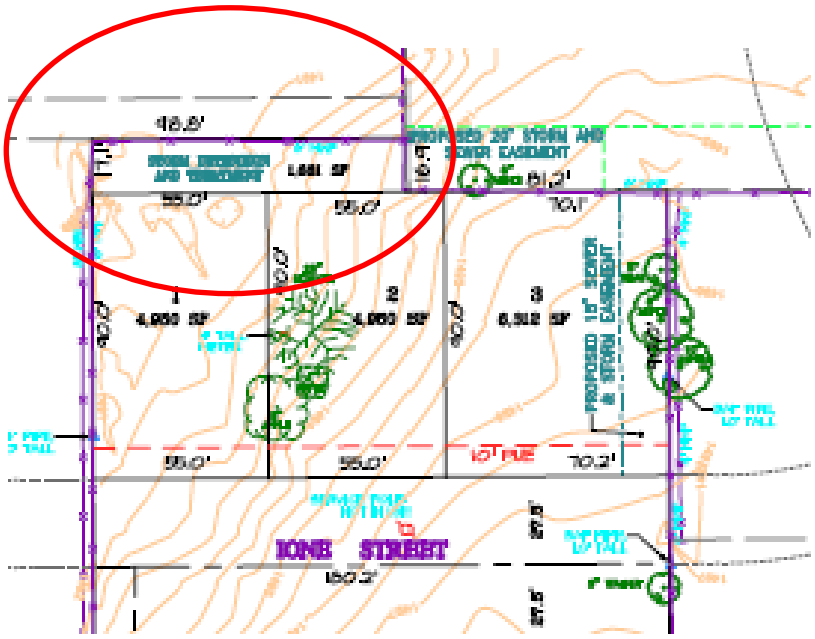


Figure 1 – Approved Tentative Plat

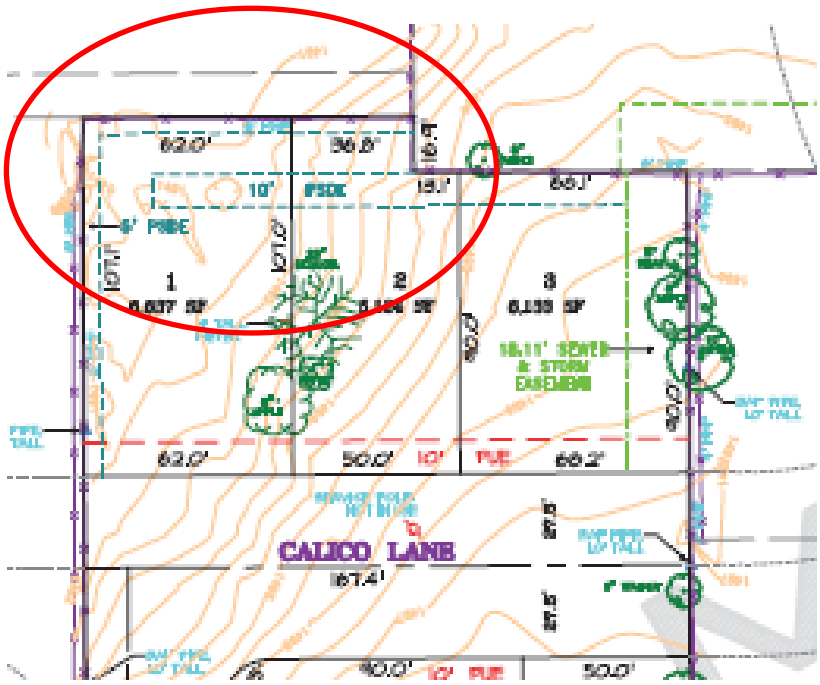


Figure 2 - Proposed Revision

The approved plat shows a storm detention and treatment area that is impractical. It is landlocked and a separate lot. The applicant is now proposing to incorporate the landlocked area in Lots 1 and 2 and employ private storm drain easements.

Development Standards

Single Family Residential Site Development Table (MLDC 10.710)

SFR-6 Zone	Lot Area (Square Feet)	Minimum Interior Lot Width (feet)	Minimum Corner Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Frontage (feet)
Required	4,500 to 12,500	50	60	90	30
Proposed Lot 1	6,637	62	n/a	107	62
Proposed Lot 2	5,124	90	n/a	90	50
Proposed Lot 3	6,133	n/a	68	90	68

The proposed configuration of Lots 1, 2 and 3 meets the site development standards in MLDC 10.710.

Findings and Conclusions

Staff has reviewed the proposed revisions and the Planning Commission's findings and conclusions from the 2019 decision (Exhibit D). The Commission can find that the proposed changes do not cause any change to the Commission's findings. No changes are proposed to the conditions of approval.

Recommended Action

Adopt the findings as recommended by staff and approve the proposed revisions to Lots 1, 2 and 3, street name changes, and extension of time to July 11, 2020, for LDS-19-029 per the Written Communication staff report dated October 1, 2020, including Exhibits A through H.

Exhibits

A Applicant's Request
B Proposed Revised Tentative Plat
C Approved Tentative Plat

D Planning Commission's 2019 Findings
E Public Works email received September 29, 2020
F Medford Water Commission email received September 21, 2020
G Building Safety Department memorandum dated September 17, 2020
H Addressing memorandum dated September 16, 2020
Vicinity Map

NEATHAMER SURVEYING, INC.

September 15, 2020

Honorable Members
City of Medford Planning Commission
Attn: Kelly Evans, Assistant Planning Director
Lausmann Annex, 200 South Ivy Street
Medford, Oregon 97501

Re: Ione's View, LDS-19-029
Tentative Plat Revisions

Dear Commissioners,

The referenced land division was approved by this body per the Final Order adopted on July 11, 2019, and signed by Commission Chairman Mark McKechnie.

On August 3, 2020, the project was purchased by River Lane Homes, Inc, an Oregon corporation, hereinafter as Owner. The Owner has engaged the services of a professional engineer to prepare construction drawings for required improvements for the project. The engineer's design of the storm water detention and treatment system, needed fill on Lots 1 and 2, necessitated a change to the configuration of proposed Lots 1-3, and the sanitary sewer and storm water easement on proposed Lot 3. Private storm drain easements were also added to Lots 1-3 to provide rear lot storm drainage.

Additionally, Owner is requesting to rename the proposed streets and obtain approval for an extension of time to install the required improvements and file the Final Plat.

Based on the design changes and street renaming, the Owner requested this office to prepare a revised Tentative Plat, copy attached. The City of Medford Address Technician has approved the requested street name changes.

On behalf of the Owner, this office requests the City of Medford Planning Commission to approve this written communication requesting to reconfigure Lots 1-3, rename the proposed streets and extend the approval date to complete the project.

Sincerely,

Neathamer Surveying, Inc.

By: Robert V. Neathamer, PLS
Robert V. Neathamer, President

CC: River Lane Homes, Inc.

Attachments: Revised Tentative Plat

EXHIBIT A

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

IONE'S VIEW
REVISED TENTATIVE PLAT

Located within Donation Land Claim No. 41 in the Southwest One-quarter and the Southeast One-quarter of Section 35, Township 37 South Range 2 West, of the Willamette Meridian, in the city of Medford, Jackson County, Oregon.

PREPARED FOR:

RIVER LANE HOMES, LLC.
1070 Plaza Avenue
Ashland, OR 97520

SURVEY REFERENCE NOTES:

Linear unit (horizontal): International Foot (IFt).
Linear unit (vertical): U.S. Survey Foot (USft).
Vertical datum: City of Medford Vertical Datum (NGVD29)
Geodetic Information:
Datum: North American Datum (NAD) of 1983 (2011) epoch 2010.00
System: Oregon Coordinate Reference System
Zone: Grants Pass-Ashland
Projection: Transverse Mercator
Latitude of grid origin: 41°45'00" N
Longitude of central meridian: 123°20'00" W
Northing at grid origin: 0.000 m
Easting at central meridian: 50,000.000 m (164,041.995 IFt)
Scale factor on central meridian: 1.000 043 (exact)

All bearings and distances shown hereon are projected (grid) values based on the projection definition herein and above. This projection was utilized in order to minimize the difference between projected (grid) distances and horizontal (ground) distances at the topographic surface within the design area of this coordinate system.

The basis of bearings for this survey is Geodetic North. Note that the grid bearings shown or implied hereon do not equal Geodetic North due to meridian convergence.

Orthometric heights (elevations) are referenced to the City of Medford Vertical Datum (reported to be on NGVD29). Elevations were originally established via GPS measurement utilizing the ORGN (Oregon Real-Time Network), thence via classical terrestrial methods with elevations being based on the NAVD88 datum. From which, made ties to the City of Medford benchmarks and applied a constant adjustment of -3.937 feet to convert from NAVD88 to the City of Medford Vertical Datum.

This survey was conducted utilizing the Global Navigation Satellite System (GNSS) referenced to the National Spatial Reference System (NSRS). NSRS coordinate values were established via Trimble R10 GPS equipment, a Trimble TSC3 data collector with Trimble Access software, and RTK methods in conjunction with the ORGN (Oregon Real-time GPS Network).

Established primary control and ties to found monuments utilizing said R10, RTK methods, said ORGN and redundant ties. From which, utilized terrestrial methods with a Trimble S6 robotic instrument and a Trimble TSC3 data collector with Access software to establish all remaining control, monument ties and topographic locations.

GENERAL SURVEY NOTES:

The property and right-of-way lines depicted hereon, are based on limited ties to found monuments and record subdivision plats. Said lines are approximate locations only and are not to be construed or utilized for their true locations.

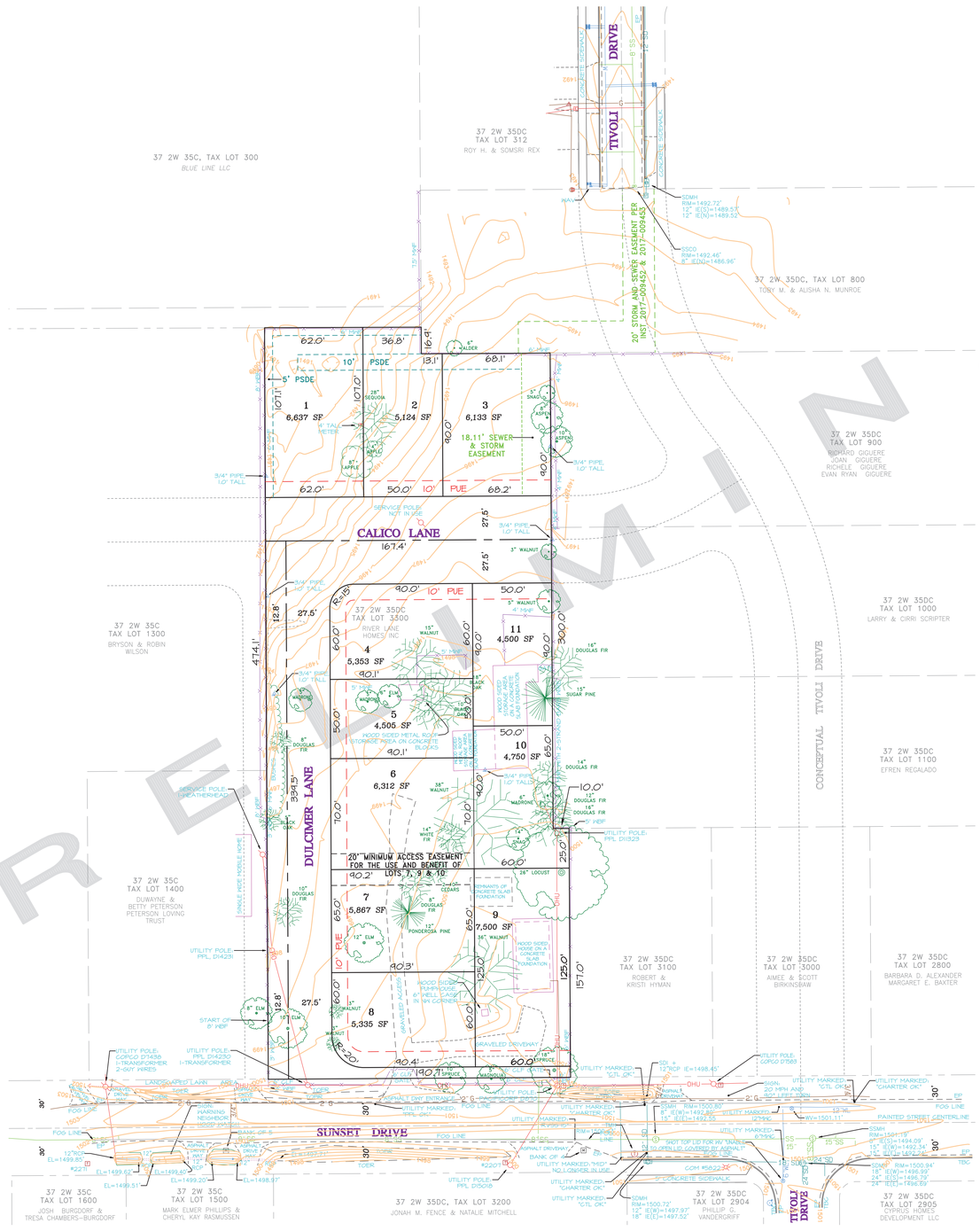
Contours: 1-foot contour interval; 1-foot index contour interval.

All existing underground utilities, as depicted hereon, were located with reasonable accuracy, as marked on the ground by affected agencies and utility companies. Oregon Admin -istrative Rules Chapter 952, Division 1, Definitions, 952-001 0010 (21), states: "reasonable accuracy" means location, within 24 inches, of the outside lateral dimensions of both sides of an underground facility.

All structures onsite including current pump house, to be removed during the future development.

PROJECT INFORMATION:

SCHOOL DISTRICT:	549c
IRRIGATION DISTRICT:	MEDFORD / TALENT
SANITATION DISTRICT:	ROGUE VALLEY SEWER SERVICES
PROJECT AREA (GROSS):	2.10 ACRES
PROJECT AREA (NET):	1.97 ACRES
EXISTING ZONING:	SFR-6
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL



VICINITY MAP

NOT TO SCALE

ABBREVIATIONS:

CLF=	Indicates a chain link fence.
CMP=	Indicates an existing corrugated metal pipe.
EP=	Indicates the edge of a paved surface.
MWF=	Indicates a mesh wire fence.
PSDE=	Indicates a proposed private storm drain easement.
PVC=	Indicates an existing polyvinyl chloride pipe.
RCP=	Indicates an existing re-enforced concrete pipe.
SDCB=	Indicates an existing storm sewer catch basin.
SDCI=	Indicates an existing storm sewer curb inlet.
SDCO=	Indicates an existing storm sewer cleanout.
SDMH=	Indicates an existing storm sewer manhole.
SSCO=	Indicates an existing sanitary sewer cleanout.
SSMH=	Indicates an existing sanitary sewer manhole.
TBC=	Indicates the top back of a curb line.
TMH=	Indicates an existing telephone manhole.
TOER=	Indicates an existing toe of road.
TOBR=	Indicates an existing top bank of road.
WBF=	Indicates a wood board fence.
WPFL=	Indicates a white painted fog line.
WV=	Indicates an existing water valve.
WS=	Indicates an existing water spigot.
N, NE, SW	Indicates a general direction: northerly, northeasterly, southwesterly, etcetera.

LEGEND:

—G—	Indicates a utility marked natural gas line.
	Indicates an existing natural gas valve.
	Indicates an existing natural gas meter.
	Indicates an existing natural gas fiberglass placard.
—SS—	Indicates a utility marked sanitary sewer line.
	Indicates an existing sanitary sewer manhole.
	Indicates an existing sanitary sewer cleanout.
	Indicates an existing sanitary sewer lateral.
—SD—	Indicates a utility marked storm drain line.
	Indicates an existing storm drain manhole.
	Indicates an existing storm area drain.
	Indicates an existing mail box.
	Indicates an existing street light.
	Indicates an existing electric pedestal.
	Indicates an existing electric outlet box.
	Indicates an existing utility pole and guy anchor.
—OHU—	Indicates an existing aerial utility line.
—OHE—	Indicates an existing aerial electric line.
—E—	Indicates a utility marked electric line.
—TV—	Indicates a utility marked cable tv line.
—T—	Indicates a utility marked telephone line.
	Indicates an existing telephone pedestal.
—W—	Indicates a utility marked water line.
	Indicates an existing water meter.
	Indicates an existing water valve.
	Indicates an existing fire hydrant.
	Indicates an existing water spigot.
	Indicates an existing domestic irrigation box.
	Indicates a deciduous tree with drip-line diameter drawn to scale.
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wv=1000'	Indicates the elevation of the top of a valve nut for a water valve.
—x—	Indicates centerline of an existing fence line as noted hereon.

N

SCALE 1" = 40'
0 40 80 120

EXHIBIT B

REGISTERED PROFESSIONAL LAND SURVEYOR
PRELIMINARY
OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675
Renewal Date 12/31/20

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

PLOT DATE: August 19, 2020 PROJECT NUMBER: 20047

Sheet 1 of 1 © CN MN

Jackson County Assessor's Map No: 37 2W 35DC, Tax Lot 3300

Drawing N:\NSI Projects\River Lane Homes, LLC\20047 Ione's View Sub\20047 FP-CS.pro

PRELIMINARY

TENTATIVE PLAT
IONE'S VIEW

Located within Donation Land Claim No. 41 in the Southwest One-quarter and the Southeast One-quarter of Section 35, Township 37 South Range 2 West, of the Willamette Meridian, in the city of Medford, Jackson County, Oregon.

PREPARED FOR:

TIM AND GARY MCFARLANE
2214 Sunset Drive
Medford, OR 97504

SURVEY REFERENCE NOTES:

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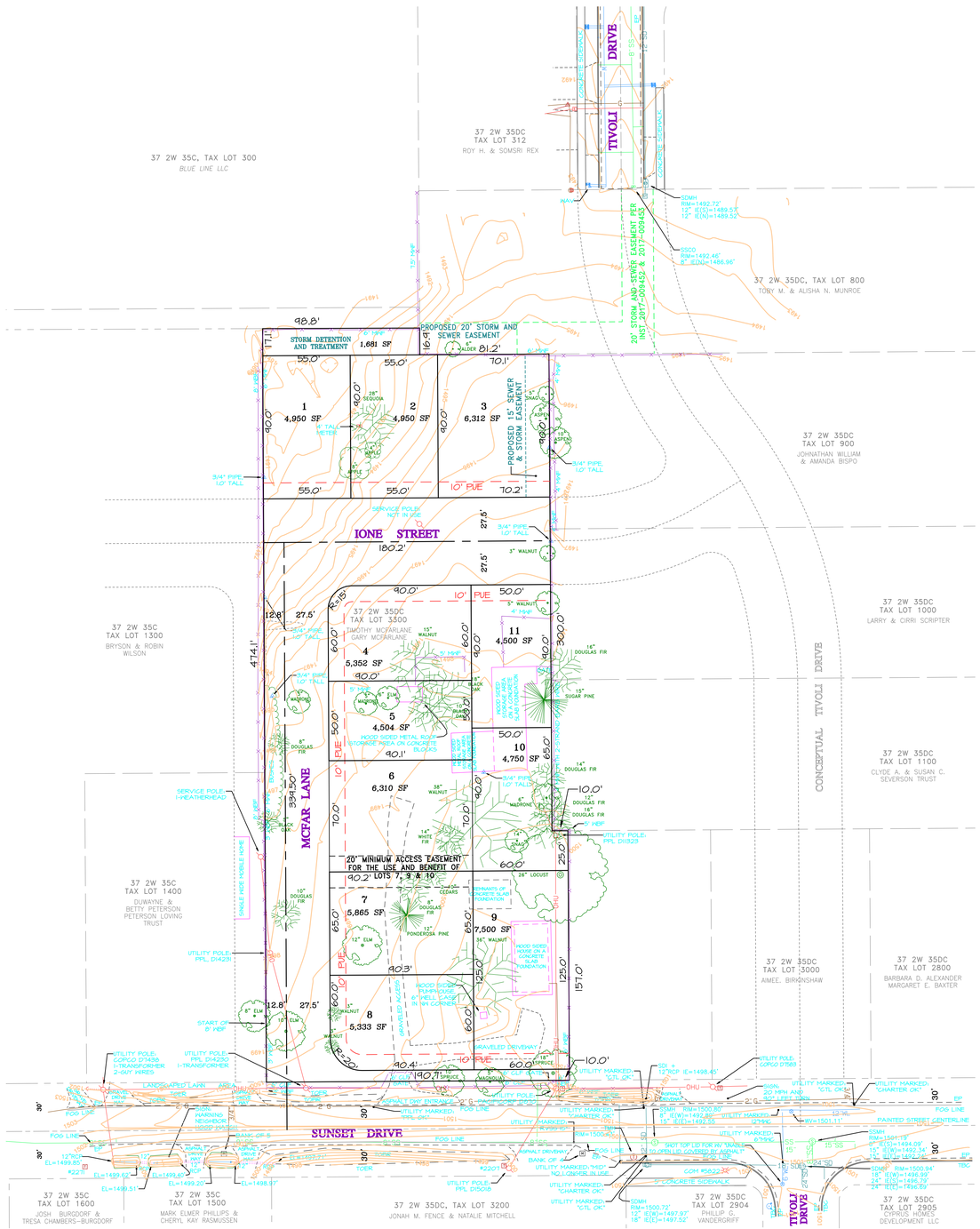
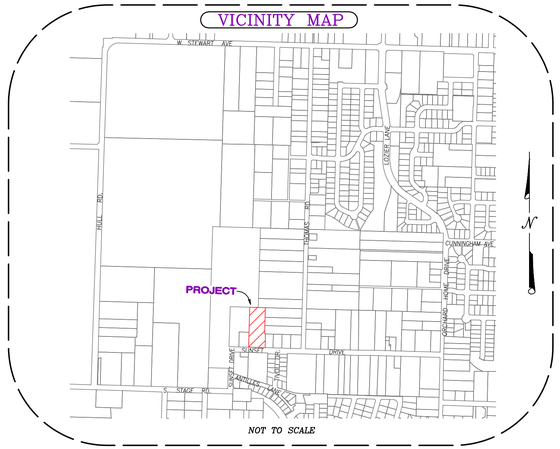


VICINITY MAP



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- Indicates an existing water valve.
- Indicates an existing fire hydrant.
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EXHIBIT C

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675
Renewal Date 12/31/20

SUBMITTED FOR REVIEW

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

PLOT DATE: *February 12, 2019* PROJECT NUMBER: *17016*

Sheet 1 of 1 © CN MN

Jackson County Assessor's Map No: 37 2W 35DC, Tax Lot 3300

Drawing N:\NSI Projects\McFarlane, Tim & Gary\17016_ Bdy Sur_Tent Plat\17016 Tent.pro

FINDINGS OF FACT AND CONCLUSIONS OF LAW

BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION

RECEIVED
FEB 13 2019
PLANNING DEPT.

IN THE MATTER OF AN APPLICATION FOR THE TENTATIVE PLAT APPROVAL OF IONE'S VIEW.

APPLICANT: Gary McFarlane and Tim McFarlane
2214 Sunset Drive
Medford, OR 97501

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

A. BACKGROUND INFORMATION

The subject property is located at 2214 Sunset Drive (Jackson County Assessor's Map Number 37 2W 35DC, Tax Lot 3300), being northerly of Sunset Drive and westerly of Thomas Road. The property is zoned Single Family Residential - 6 units/acre (SFR-6), has a General Land Use Map (GLUP) designation of Urban Residential (UR) and has a gross acreage of 2.10 acres.

The property currently contains a single existing residence and accessory structures, all of which will be removed during the construction of the proposed subdivision.

Surrounding the subject site are mostly single-family residences and some vacant lands. The northwesterly portion of the property is coincident with EFU lands.

There are no other applications associated with the proposed development at this time.

B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION

The purpose of this application is for the approval of a Tentative Plat for an 11-lot residential subdivision consisting of detached, single-family dwelling units.

EXHIBIT D
CITY OF MEDFORD
EXHIBIT # E
FILE # LDS-19-029

C. APPROVAL CRITERIA

CITY OF MEDFORD LAND DEVELOPMENT CODE

SECTION 10.270 – LAND DIVISION CRITERIA

Section 10.270 of the Medford's Land Development Code (MLDC) states that:

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.*

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

CRITERION NO. 1

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

FINDINGS OF FACT

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

While the property is located within the Adopted Southwest Medford Circulation Plan, there are not designated streets located on the subject site. Additionally, there are no local wetlands or riparian areas identified on the subject property.

Pursuant to the Medford Slope Map, there are no slopes identified on the subject property that exceed 15%.

CRITERION NO. 2

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

FINDINGS OF FACT

The proposed tentative application includes the development of the property in its entirety, no remainder is being proposed. Also, access is being provided to the lands to the east by the creation of McFar Lane and Ione Street. As such, the approval of the land division contained herein will not prevent the development of the remainder of the property under the same owner, or the adjoining lands.

CRITERION NO. 3

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

FINDINGS OF FACT

The name of the subdivision, Ione's View, is a name that has been approved by the Jackson County Surveyor on August 6, 2018. No new subdivision name is being proposed.

CRITERION NO. 4

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

FINDINGS OF FACT

The project is located within the Adopted Southwest Medford Circulation plan. However, there are not any planned streets that affect the proposed development. Ione Street will eventually intersect the future extension of Tivoli Drive. A conceptual future intersection has been included on the associated Tentative Plat that demonstrations the feasibility of the street layout.

While there are not slopes in excess of 15%, there are steeper slopes located near the intersection of McFar Lane and Ione Street. Section 10.443 of the MLDC states the following:

> *Upon written request by the developer at the time of development permit application, half streets plus eight (8) feet may be approved where essential to the reasonable development of a parcel when in conformity with the other requirements of these regulations, and subject to the approving agency's findings that it will be practical to require dedication of the other half when the adjoining property is developed; the other half of the street shall be platted within the adjacent tract.*

Due to the steeper slopes and pursuant to Section 10.443, the applicant requests McFar Lane to be improved to half street plus 8 feet standards, in order to accommodate the vertical relief in the area.

Additionally, the applicant is requesting the approval of parking bays along the east side of McFar Lane. The parking bays would provide additional parking while still maintaining a minimum 22-foot traveled way. A full design will be contained in the proposed construction plans to be submitted by CEC Engineering.

It should also be noted that the minimum access easement proposed across Lots 6 and 7 will provide access to Lots 7, 9 and 10. Access for Lot 6 will be provided by a separate driveway.

CRITERION NO. 5

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

FINDINGS OF FACT

There are no private streets or alleys that are proposed to be held for private use.

CRITERION NO. 6

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

FINDINGS OF FACT

Adjoining to the northwest of the subject project are lands that are zoned Exclusive Farm Use (EFU). Said EFU lands were actively farmed this past season for cannabis crops. As such, an Agricultural Impact Analysis Report included as part of the application submittal. Please refer to said report for further analysis and documentation.

CONCLUSION OF LAW

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

E. ULTIMATE CONCLUSION

The Planning Commission concludes that the application for Ione's View is consistent with the relevant criteria for a land division found in Section 10.270 of Medford's Land Development Code, and can therefore be approved.

Respectively Submitted,

Neathamer Surveying, Inc.

Robert V. Neathamer

Robert V. Neathamer, President

Agent for Applicants:
Gary McFarlane and Tim McFarlane

Dated: January 28, 2019

Kelly Evans

From: Douglas E. Burroughs <DEBurroughs@cityofmedford.org>
Sent: Tuesday, September 29, 2020 3:47 PM
To: Kelly Evans
Cc: Roger E. Thom; Karl H. MacNair; Alex T. Georgevitch
Subject: Re: Ione's View LDS-19-029

Hi Kelly,
We don't have any comments and are fine with the proposed changes.
Thanks,
Doug

From: Kelly Evans
Sent: Tuesday, September 29, 2020 8:56 AM
To: Douglas E. Burroughs
Subject: FW: Ione's View LDS-19-029
Doug, do you have any comments on this? I've attached the PW report FYI.
I'll publish Thursday for PC next week. Please let me know.
Thanks!
Kelly Evans | *Assistant Planning Director*
City of Medford, Oregon | Planning Department
Mailing address: 411 W 8th Street, Medford, Oregon 97501
Office location: 200 S Ivy Street, Second Floor
Ph: 541-774-2380 | F: 541-618-1708

From: Kelly Evans
Sent: Wednesday, September 16, 2020 1:39 PM
To: Douglas E. Burroughs ; Chase A. Browning ; Mary E. Montague ; Jennifer L. Ingram ; 'Brian E. Runyen' ; CoatesN@jacksoncounty.org
Subject: FW: Ione's View LDS-19-029
All –
We received a request for a minor revision to the approved Ione's View subdivision (our file LDS-19-029). The Planning Commission approved the tentative plat July 11, 2019. The changes are related to the storm drain treatment on the north end of the site that results in lot reconfiguration and elimination of a separate (landlocked) detention basin. They're also asking to change the street names.
These are relatively minor changes. My thought is to take this to the Planning Commission as a written communication (not a public hearing) for a blessing. If the proposal causes significant changes to your conditions, that could change my approach.
The request letter, proposed plat, and approved tentative plat are attached. Please take a look and see what you think. I'd appreciate comments by the end of next week (September 25).
If you have any questions, please let me know.
Thanks!
Kelly
Kelly Evans | *Assistant Planning Director*
City of Medford, Oregon | Planning Department
Mailing address: 411 W 8th Street, Medford, Oregon 97501
Office location: 200 S Ivy Street, Second Floor
Ph: 541-774-2380 | F: 541-618-1708
From: Bob Neathamer [mailto:bob@neathamer.com]
Sent: Tuesday, September 15, 2020 4:21 PM

EXHIBIT E

To: Kelly Evans <Kelly.Evans@cityofmedford.org>
Subject: Ione's View LDS-19-029
Hello Kelly,
Attached is a scanned copy of a request for revision letter and preliminary Tentative Plat, both in a .pdf format, for the subject project. Please review and comment, thank you.

Robert V. Neathamer | *President* | Neathamer Surveying, Inc.

Professional Land Surveyor – Water Right Examiner – NSPS Oregon Director

☎ **(541) 732-2869 |** 🗎 **(541) 732-1382 |** ✉ **bob@neathamer.com**
3126 State St., Suite 203 | Medford, OR 97504 | www.neathamer.com

Kelly Evans

From: Brian E. Runyen <brian.runyen@medfordwater.org>
Sent: Monday, September 21, 2020 10:14 AM
To: Kelly Evans
Subject: RE: Ione's View LDS-19-029

MWC Engineering has no additional comments or conditions because of the proposed changes. If you need this as a formal letter please let me know.
-Brian
Brian Runyen, P.E. (Texas)
Staff Engineer
Medford Water Commission
200 S. Ivy St. Rm. 177, Medford, OR 97501
Phone Direct: 541-774-2428
Email: Brian.Runyen@medfordwater.org

From: Kelly Evans
Sent: Wednesday, September 16, 2020 1:39 PM
To: Douglas E. Burroughs ; Chase A. Browning ; Mary E. Montague ; Jennifer L. Ingram ; Brian E. Runyen ; CoatesN@jacksoncounty.org
Subject: FW: Ione's View LDS-19-029
All –
We received a request for a minor revision to the approved Ione's View subdivision (our file LDS-19-029). The Planning Commission approved the tentative plat July 11, 2019. The changes are related to the storm drain treatment on the north end of the site that results in lot reconfiguration and elimination of a separate (landlocked) detention basin. They're also asking to change the street names.
These are relatively minor changes. My thought is to take this to the Planning Commission as a written communication (not a public hearing) for a blessing. If the proposal causes significant changes to your conditions, that could change my approach.
The request letter, proposed plat, and approved tentative plat are attached. Please take a look and see what you think. I'd appreciate comments by the end of next week (September 25).
If you have any questions, please let me know.
Thanks!
Kelly
Kelly Evans | *Assistant Planning Director*
City of Medford, Oregon | Planning Department
Mailing address: 411 W 8th Street, Medford, Oregon 97501
Office location: 200 S Ivy Street, Second Floor
Ph: 541-774-2380 | F: 541-618-1708
From: Bob Neathamer [mailto:bob@neathamer.com]
Sent: Tuesday, September 15, 2020 4:21 PM
To: Kelly Evans <Kelly.Evans@cityofmedford.org>
Subject: Ione's View LDS-19-029
Hello Kelly,
Attached is a scanned copy of a request for revision letter and preliminary Tentative Plat, both in a .pdf format, for the subject project. Please review and comment, thank you.

Robert V. Neathamer / *President* / Neathamer Surveying, Inc.

Professional Land Surveyor – Water Right Examiner – NSPS Oregon Director

☎ (541) 732-2869 | 🗎 (541) 732-1382 | ✉ bob@neathamer.com
3126 State St., Suite 203 | Medford, OR 97504 | www.neathamer.com

EXHIBIT F

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Kelly Evans, Planning Department

From: Mary Montague, Building Department

CC: River Lanes Homes, Inc., Applicant; Neathamer Surveying, Inc. Agent

Date: September 17, 2020

Subject: LDS-19-029_Ione's View_372W35DC TL3300

BUILDING DEPARTMENT:

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

General Comments:

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

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

3. Site Excavation permit from the building department required to develop, install utilities prior to final plat.

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

Comments:

5. No Additional Comment for revision. All previous comments remain in effect.

EXHIBIT G

MEDFORD
PUBLIC WORKS

MEMORANDUM

To: Kelly Evans

From: Jennifer Ingram, Address Technician

Date: September 16, 2020

Subject: LDS-19-029 Revised Plat

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1. Both street names, Dulcimer Lane and Calico Lane, are acceptable.
2. If the existing residence at 2214 Sunset Drive is to remain, it will need to be readdressed off Dulcimer Lane at time of final plat.

EXHIBIT H

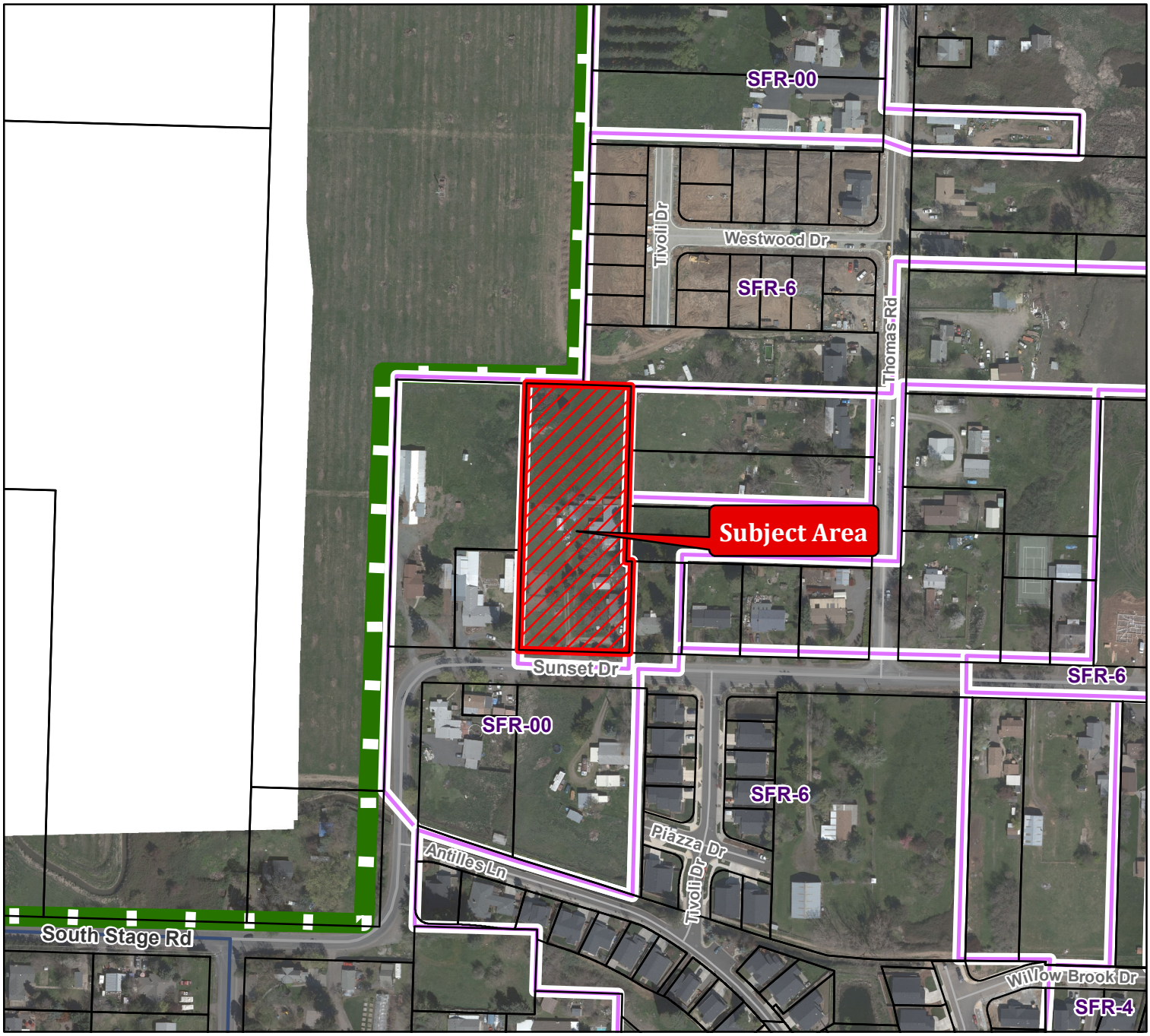
City of Medford

Planning Department

Vicinity Map

File Number:

LDS-19-029



Project Name:

Ione's View Subdivision

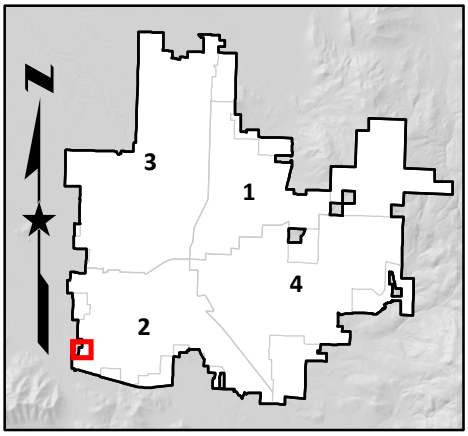
Map/Taxlot:

372W35DC TL 3300

0 185 370 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots



03/12/2019

PLANNING COMMISSION MINUTES

September 24, 2020
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

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

Commissioners Present
Joe Foley, Vice Chair
David Culbertson
David Jordan
Bill Mansfield
David McFadden
E.J. McManus
Jared Pulver
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Chase Browning, Deputy Fire Marshal
Terri Richards, Recording Secretary
Carla Paladino, Principal Planner
Steffen Roennfeldt, Planner III

Commissioner Absent
Mark McKechnie, Chair, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications.

20.1 LDS-20-201 Final Order of tentative plat approval for Phases 22C and 22D for Summerfield at South East Park Subdivision, a proposed 14-lot residential subdivision and one reserve acreage tract on five parcels totaling 16.16 acres located south of Cherry Lane and east of Calle Vista Drive in the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district and the Southeast Plan Overlay (371W27AD100 & 200, and 371W27DA400, 500 & 600); Applicant: Mahar Homes; Agent: Neathamer Surveying; Planner: Steffen Roennfeldt.

20.2 LDS-20-207 / CUP-20-208 Final Orders of tentative plat approval for a six-lot subdivision, along with a request for Conditional Use Permit in order to construct a driveway crossing, as well as locate a multi-use path and drainage facilities within the riparian corridor of Lone Pine Creek. (The proposed requests are running concurrent with AC-20-205, a proposed 84-unit multi-family development.) The property consists of a single parcel totaling 4.76 acres, and is located at the corner of Skypark Drive and Crater Lake Avenue (1971 Skypark Drive). The property is zoned MFR-15 (Multiple Family Residential, 15 dwelling units per gross acre) (371W18AA TL 2300). Applicant: Windy Creek LLC; Agent: Slaughter Consulting; Planner: Dustin Severs.

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

Moved by: Commissioner Culbertson Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 8-0-0.

30. Approval or Correction of the Minutes from September 10, 2020 hearing
30.1 The minutes for September 10, 2020, were approved as submitted.

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

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

50. Public Hearings.

Continuance Request
50.1 LDS-20-219 Consideration of tentative plat approval for Cherry Meadows Subdivision Phase II a 15-lot residential subdivision with reserve acreage on a 2.68 acre parcel located on the west side of Cherry Street approximately 400 feet north of Stewart Avenue within an SFR-10 (Single Family Residential - 10 units per acre 372W35AA819) zoning district. Agent: Angela Hibbard; Planner: Liz Conner. **The applicant requests this item be continued to the Thursday, October 8, 2020 Planning Commission meeting.**

Vice-Chair Foley stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the October 8th hearing, please come forward to the podium and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on October 8th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued LDS-20-219 per the applicant's request to the Thursday, October 8, 2020 Planning Commission meeting.

Moved by: Commissioner Culbertson Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 8-0-0.

50.2 ZC-20-216 / LDS-20-218 Consideration of a zone change from SFR-00 (Single Family Residential, one dwelling unit per lot/parcel) to SFR-10 (Single Family Residential, 6 to 10 dwelling units per gross acre) and consideration of tentative plat for an eight-lot subdivision on a 1.21 acre parcel located at 1210 Sweet Road approximately 400 feet west of the intersection of West McAndrews Road and Sweet Road. Applicant: Sweet Homes Development LLC; Agent: Jay Harland, CSA Planning Ltd; Planner: Liz

Conner. **The applicant requests this item be continued to the Thursday, October 22, 2020 Planning Commission meeting.**

Vice-Chair Foley stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the October 22nd hearing, please come forward to the podium and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on October 22nd. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued ZC-20-216 and LDS-20-218 per the applicant's request to the Thursday, October 22, 2020 Planning Commission meeting.

Moved by: Commissioner Culbertson Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 8-0-0.

Old Business

50.3 CUP-20-232 Request for a Conditional Use Permit (CUP) in order to implement several minor modifications as well as a 345,000 square foot hospital tower addition to the Rogue Valley Medical Center Campus within the C-S/P (Service Commercial and Professional Offices) zoning district (371W28CC109, 110, 111, 112, 113, 114, 116, 200, 302, 309 & 401). Applicant, PKA Architects; Agent, Jacobs; Planner, Steffen Roennfeldt.

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

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

Steffen Roennfeldt, Planner III reported that the Conditional Use Permit approval criteria can be found in the Medford Land Development Code Section 10.184(C). The applicable criteria were addressed in the staff report, included in the property owner notice and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

Vice-Chair Foley asked, is the condition of the westerly driveway onto Barnett to be closed included if the Planning Commission adopts the final order this evening. Mr. Roennfeldt replied yes.

Alex Georgevitch, City Engineer clarified that on page 144 of the agenda packet item 3 states that in the future the western most driveway on Barnett Road close due to its proximity to Black Oak Drive. Public Works is not recommending closure at this time. The recommendation is included in the staff report if the Planning Commission adopts the final order this evening.

Commissioner Pulver asked, was the Traffic Impact Analysis and Transportation Demand Management Plan included by the applicant in the agenda packet? Mr. Georgevitch responded that conditional uses are more challenging. It looks at impacts to the surrounding community. The development will have impacts to the surrounding intersections. The question is are these impacts different than if it were Service Commercial. Every use has different peak hours and travel patterns. The idea is to review this specific use to see if it contradicts the general use that would normally occur. If so, Public Works would request mitigation. There is no mitigation proposed specifically for intersections. They are not looking at the level of service. They are looking at operations like is traffic backing up to far, closing a driveway or installing a median.

Commissioner Pulver asked, is a lot of that focused on peak hour traffic that is primarily employee whereas customer traffic is coming off Siskiyou and spread throughout the day at non-peak times? Mr. Georgevitch stated that the general hospital will have traffic spread out throughout the day. A business will have a distinct a.m. peak, lunch peak and p.m. peak. In this particular case there will be employees coming and going in different shifts and people coming and going for emergency services, doctor's appointments, etc.

The public hearing was opened.

a. Josh Kolberg, PKA Architects, 6800 SW Hampton Avenue, Portland, Oregon, 97223. Mr. Kolberg reported that present this evening is Keith Russell, Director of Real Estate as well as Matt Bell with Kittelson and Associates. This application is to update the record to include the parking structure, extension to the parking structure, demolition of the building and the pavilion building.

Mr. Kolberg reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and adopts the Final Order for approval of CUP-20-232 per the Revised Staff Report dated September 17, 2020, including Exhibits A through M.

Moved by: Commissioner Culbertson Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 8-0-0.

New Business

50.4 DCA-20-243 A legislative amendment to modify the Temporary Shelter provisions in Chapter 10 and add provisions for (permanent) Shelters. Planner: Carla Angeli Paladino.

Carla Paladino, Principal Planner reported that the Development Code Amendment can be found in the Medford Land Development Code Section 10.184(2). The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Paladino reported that additional revisions to the amendment adding items related to the operational permit will be submitted into the record as Exhibit G. It was emailed to the Planning Commission earlier in the week. Ms. Paladino gave a staff report.

Commissioner Culbertson asked, is it prudent to move this forward at this time without the Housing Advisory Commission reviewing it and needs more revisions? Ms. Paladino's concern is that staff would like to have it adopted before winter. It is scheduled to go to the City Council October 15, 2020. If staff could get a recommendation at the next Planning Commission meeting they could get it to the City Council the first of November.

Commissioner Pulver asked, is permanent shelters already permitted and separating it out as a separate SIC code? Ms. Paladino replied it is not a separate SIC code. The code references SIC code as a three digit number that was updated to a four digit number.

Commissioner Pulver asked, is it currently permitted in all the zones being proposed? Ms. Paladino reported that it is permitted in all commercial zones, not light industrial, which is being added.

Commissioner Pulver asked, do requirements exist? Ms. Paladino replied no. It is only Building and Fire Code.

Commissioner Culbertson asked, if the Housing Advisory Commission had major modifications or concerns would staff table the amendment and bring the modifications back to the Planning Commission if they were able to move it forward today? Ms. Paladino reported yes.

Vice-Chair Foley asked, how did staff arrive at the 15 and 16 guests? Ms. Paladino stated they based it on the residential facility requirements.

Vice-Chair Foley thinks they should be allowed in general and heavy industrial zones. Comments from the providers makes sense.

Vice-Chair Foley asked, does the tents and yurts involve the permenant and temporary? Ms. Paladino replied both. These amendments do not relate to anything in a temporary structure. Either temporary shelters or non-temporary shelters have to be in an existing or new building. They are not permitted in tents or yurts. Vice-Chair Foley is trying to reconcile that comment and the development on Biddle Road.

Mr. Mitton explained that the Biddle Road facility and the temporary expansion of the Kelly Center are under the City's emergency powers under Chapter 12. Due to the COVID emergency and now

the fire emergency in order to temporarily increase stable housing the City has the ability through emergency powers and City Manager action to allow tents. After the emergencies passed it is expected temporary shelters be inside a fixed structure.

Ms. Paladino added that there are state provisions for urban campgrounds that is separate from these specific land uses.

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

Ms. Paladino commented that this amendment would be going to the City Council on October 15 and to the Housing Advisory Commission on October 14. Ms. Paladino would have to give the City Council a verbal update. If the Planning Commission is not comfortable with that staff can move the City Council meeting to November and give the Planning Commission an opportunity to revisit this on October 8 (October 22 was noted in error).

Kelly Evans, Assistant Planning Director stated that another alternative may be for the Planning Commission to make their recommendation, staff bring the Housing Advisory Commission's decision in a report and City Council's action back to the Planning Commission.

Motion: The Planning Commission, based on the findings and conclusions that all of the approval criteria are either satisfied or not applicable, forwarded a favorable recommendation for adoption of DCA-20-243 to the City Council per the staff report dated September 17, 2020, including Exhibits A through G; and allow staff to make final edits to the draft related to the operational permit requirements, inspection requirements, and application materials.

Moved by: Commissioner Culbertson Seconded by: Commissioner McFadden

Commissioner Pulver has a lot of concerns about this. There is code in place that allows for non-temporary shelters to be created. A Conditional Use Permit is the appropriate mechanism. He is not comfortable with them being a Type I approval. He does not think a neighborhood meeting and Planning Director approval is the appropriate course. Citizens need to come and let their voice be heard by a greater body than one. It is hard to argue these will not have an impact wherever they land, residential, commercial or industrial. It needs to be studied and taken time with. It requires thought and process for people to understand as opposed to them being dropped all over the place. They have detrimental impacts. He is not compelled to believe the public benefit criteria is met. He thinks it is opening the door for more homelessness to accommodate in our area and it is not for the greater good. The first question is what is a more comprehensive solution to homelessness and how can these shelters be a part of that. Not creating a whole bunch of homeless shelters and then figure out what to do with the people later on. That is not right. He has broad based objections to this and will be voting no to the motion on the table.

Vice-Chair Foley has been working with the Red Cross on the fire project. He has heard that 7,000 homes have been lost in the state of Oregon. Two thousand six hundred are in this area. They have partnered with states that have already had a big challenge with housing. He thinks the City is going to need these going forward. He does not know for how long. Continue to work with the partners the City has been working with. Those partners are focusing on getting the people in the shelters out and into permanent solutions.

Commissioner McManus appreciates Commissioner Pulver's comments. He reviewed the minutes from the Planning Commission study session related to this amendment. There are questions with the review from the Housing Advisory Commission that could be beneficial to the Planning Commission to digest. He is not up to speed how many applications have been submitted for these types of shelters. Changing it to a Type I to make it more efficient under these circumstances they need to evaluate what is effective comprehensively by not going through a public hearing process. He does not see how that is as effective. At this point he will be voting no. As this is has come up because of responding to some of the policies that need more clarity it is a result of again feeling as a reactive mode. Even getting into extreme weather conditions they need to take extra time to make sure this is operationally effective for staff and citizens. He would not be comfortable voting in favor.

Commissioner Culbertson also expressed at the study session that his office is in proximity to one of the shelters. It has a lasting impact when people are showering at their front door and sleeping in the flower beds. When they are in the shelters at night there are no problems. It is the draw of when they are in the neighborhoods. He agrees with Commissioner Pulver there are policies on the books that does need some tweaking but he also agrees it needs to be a process not a fast track. Voices of the citizens if they are going to be directly impacted need to be heard and put on the record rather than just submitting letters. He agrees with Commissioner Pulver. Although he made the motion because it is in the script in front of him he will not be supporting the motion.

Commissioner McFadden agrees with Commissioner Pulver and Commissioner Culbertson. He is not sure the amendment is needed or bad to have on the books. He is encouraged that it is not dealing with temporary structures. People are more productive when they are gainfully employed. He is in favor of moving this forward to the City Council and thinks they will approve the amendment.

Commissioner Thomas does not disagree with the strategy of the amendment. He is going to vote no because he is uncomfortable every time of trying to cut the public out coming to speak. He is not in favor of one person having a meeting with the neighbors and then making a decision. These types of meetings should always be in front of a pubic body and on the record.

Commissioner Jordan also recognizes this is a societal issue and needs further clarification. He is also uncomfortable with taking away public input for the areas that might be impacted and provide feedback. He is conflicted because he sees the need but will vote against the amendment.

Commissioner McFadden commented that they could make it where the current City Council President attend the meetings instead of a City employee.

Mr. Mitton suggested that given the feedback focused on the issue of Type I review versus Conditional Use Permit amend the motion not supporting that particular change but supporting the rest of the changes such as language in terms of policy, etc. as opposed to a no vote on the entire project.

Commissioner Culbertson commented that the question would be does the no votes satisfy the public hearing portion? He gets a sense from Commissioner Pulver it is not. Commissioner Culbertson is comfortable with the process as long as it goes to a hearing and not a staff review. He would be comfortable with that type of an amendment.

Vice-Chair Foley asked, if they do not do the Type I review does it go to a Conditional Use Permit process or is there something in between those two that is simpler than the complications of a Conditional Use Permit process? Ms. Evans responded that a Type I is an administrative process without notice. The applicant does a neighborhood meeting. Type II process is an administrative review with notice. Type III would come to the Planning Commission. It would be appropriate as a Conditional Use Permit unless there is new construction then it would go before the Site Plan and Architectural Commission.

Ms. Paladino commented that staff could change the non-temporary shelters in existing buildings back to a Type III review. Temporary shelters would go back to a Type III review and there would be no distinguishing. They would all be Conditional Use Permits.

Commissioner Mansfield stated that it is obvious this is going to fail primarily because of the Conditional Use Permit removal. He is probably the only one to vote in favor. He suggested proceeding to record that vote then if there are additional motions to be made to resurrect part of the amendment then do so at that time.

Commissioner McFadden commented that normally it works the other way. There are amendments to the motion to clarify the motion before taking a vote. Commissioner Mansfield stated the motion on the table is going to fail. Kill it then make new motions to resurrect part of it.

Vice-Chair Foley recommended to see if there was a Commissioner that wishes to make an amendment to delete the Type I review to do it now, vote on it then go to the main motion.

Amended motion: The procedure on all the reviews shall be a Type III Conditional Use Permit process to the Planning Commission.

Moved by: Commissioner McFadden Seconded by: Commissioner Pulver

Commissioner Pulver asked, with the amended motion on the table are the amendments primarily housekeeping or are there any substantive changes left? His read on it is based on the amended motion that temporary shelters continue to be a Conditional Use Permit in all the zones that are permitted currently. Ms. Paladino stated earlier that permanent shelters were already permitted and added them to be allowed in Light Industrial. They added a limitation that temporary shelters cannot be any closer than 500 feet. Ms. Paladino stated that the proximity is for all zones and already in the code. Staff is changing that it is only 500 feet between shelters in residential zones. Temporary shelters in all commercial and light industrial zones would be permitted with special standards. New structures would go before the Site Plan and Architectural Commission and the Planning Commission. It would be a double process. Ms. Evans reported that is correct. If it was new construction it would still be a Conditional Use Permit much like a church. The Planning Commission would have the authority to send it to the Site Plan and Architectural Commission. Ms. Paladino reported that with the amended motion everything would be a Conditional Use Permit temporary and non-temporary.

Commissioner Pulver asked his original question again. Does Ms. Paladino view this as more of a housekeeping item? Ms. Paladino reported the entire amendment was housekeeping. It was also directed by City Council with specific questions and looking at changing the conditional use provisions to permitted.

Commissioner McFadden commented that agencies will be submitting their applications and will have to pay the Conditional Use Permit fee. They have raised the dollar amount bar without necessarily affecting the outcome. The Planning Commission has not seen a lot of these applications come through.

Mr. Mitton addressed Commissioner McFadden's comment about the Conditional Use Permit fee stating there is a provision in the temporary shelter provision where the Planning Director has authority to reduce or waive application fees or other fees required by the Planning Department.

Vice-Chair Foley commented that helped because he was going to vote against this amendment but that particular provision makes a difference to him. He is supportive of the public hearing part. He is going to vote to support the amendment.

Commissioner McManus responded to staff's clarification on making the changes as a housekeeping direction. The 500 feet distance changing to residential is more material than clarification of what it applies. He does not feel pushed to a strenuous timeline. He would still vote no. He would like being able to have follow up comments or recommendations from the Housing Advisory Commission as well as the City Council.

Commissioner Pulver echoed that and Commissioner Culbertson's earlier comments. It seems that staff was pushing this with seasonality in mind. Granted the Planning Commission is not the final

decision making body. He would be in favor of this being tabled for two weeks and having the amendment cleaned up more before they make a motion. He focused on a couple of items that may be rectified but he is not sure.

Amended Motion Roll Call Vote: Motion passed, 6-2-0, with Commissioner Mansfield and Commissioner McManus voting no.

Amended Motion #2: Table this agenda item to the next Planning Commission meeting to allow staff to make adjustments based on the amended motion and any other cleanup they feel necessary.

Moved by: Commissioner Pulver Seconded by: Commissioner McManus

Commissioner Thomas stated that he did not think the Commission could table something they just passed.

Commissioner Mansfield commented that such a motion is in order.

Mr. Mitton replied that Commissioner Mansfield is correct and clarified that you cannot make a motion when the main motion is pending, however, a motion to table can be made while the main motion is pending.

Amended Motion #2 Roll Call Vote: 7-1-0, with Vice-Chair Foley voting no.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural me Friday, September 18, 2020. They had a continuance and immediately jumped into a study session discussing modifying the code to where car washes and gas stations can be placed, proximity and exceptions.

60.2 Transportation Commission.

Commissioner Pulver reported that the Transportation Commission met yesterday, Wednesday, September 23, 2020. They have been trying to put forth a six year transportation project list to City Council. The TSP identifies approximately thirty Tier 1 projects in the next twenty five years. They were trying to prioritize what they thought should be accomplished in the next six years. Over the six year window the budget is $3 million. It is troubling that approximately thirty projects over the next twenty five years and there is not enough money to complete one in the next six. Revenues are not going up but expenses are. The Engineering Director stated that a big driver of that is $10 million of that is committed to the Mega Corridor.

60.3 Planning Department
Ms. Evans reported that there is a Planning Commission study session scheduled for Monday, September 28, 2020. Discussion will be on Housing Needs Analysis and Housing Production Strategy update.

There is business scheduled for Thursday, Thursday, October 8, 2020, and Thursday, October 22, 2020.

Last week City Council approved the Annexation and Urbanization Plan for MD-5e.

The Oregon Chapter of the American Planning Association is conducting a virtual conference October 14 through October 16, 2020. If Commissioner's are interested please let staff know. Commissioner McFadden commented that in the past it has been a good conference with different interesting contacts. There are meetings and topics that are covered that the Planning Commission typically does not see. They have excellent speakers that could be worthwhile.

Ms. Evans reported that the Mayor and City Council declared an emergency and the City Manager signed an executive order that allowed anyone to live in RV's on residential properties and right-of-ways in front of homes. The placement of more than one RV on industrial properties larger than a half-acre. Staff is also working on assembling a list of potential sites for longer term transitional housing solutions. These would accommodate FEMA trailers or various other temporary types of dwellings. The City partnered with Rogue Retreat to open another urban campground. City Council authorized Rogue Retreat to add tents behind Hope Village. Staff is also working on example site plans for different types of temporary facilities. Staff has been working closely with cities in the Valley and County. The City will continue to participate in the effort. There are a lot of short term issues and a lot of medium and long term solutions that staff is looking for.

Commissioner McManus commented that there are a lot of follow up communications in these types of situations. He suggested so that the Planning Commission is aware of all the things staff, Mayor and City Council are doing, an email summary might be helpful to the Commission so they can relay that information to their constituents.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission.
90.1 Commissioner McFadden stated that with the recent devastation of the fires he knows everybody is helping as much as they can and with the people that need help. He is hoping the sister cities to the south will take the opportunity to help envision what their city should be rebuilt to look

like. He urged people to be patient and work with their cities to make those envisions ending up with a better Valley than we had before.

100. Adjournment

100.1 The meeting was adjourned at approximately 6:56 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

_____	_____
Terri L. Richards	Joe Foley
Recording Secretary	Planning Commission

Approved: October 8, 2020

STAFF REPORT – CONTINUANCE REQUEST

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

Project	Cherry Meadows Phase II Applicant: RD Properties Oregon LLC; Agent: Angela Hibbard	
File no.	LDS-20-219	
To	Planning Commission	*for October 8, 2020 hearing*
From	Liz Conner CFM, Planner II	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	October 1, 2020	

BACKGROUND

Proposal

Consideration of tentative plat approval for Cherry Meadows Subdivision Phase II a 15-lot residential subdivision with reserve acreage on a 2.68 acre parcel located on the west side of Cherry Street approximately 400 feet north of Stewart Avenue within an SFR-10 (Single Family Residential - 10 units per acre 372W35AA819) zoning district.

Request

The applicant has requested that the item be continued to October 22, 2020, in order to address General Land Use Plan designation.

EXHIBITS

A Continuance request received September 30, 2020
Vicinity map

PLANNING COMMISSION AGENDA: **OCTOBER 8, 2020**
SEPTEMBER 24, 2020

DigiSign Verified: D5124AD0-CA74-4EE8-9BB2-FCF4FEA2E848

Continuance Request

To: ☐ Landmarks and Historic Preservation Commission
☐ Planning Commission
☐ Site Plan and Architectural Commission

RE: Project Name: **Cherry Meadows Phase 2**

File No(s): **LDS-20-219 Cherry Meadows**

I am the ☐applicant ☑ authorized agent for the above referenced project. Please continue the public hearing for the above referenced file to the following date:

October 22nd, 2020

Reason for request: **To allow time for continued review and discussion on project with planning and other parties involved**

This request is made pursuant to ORS 222.178(5):

> *The 120-day period set in subsection (1) of this section may be extended for a specified period of time at the written request of the applicant. The total of all extensions, except as provided in subsection (11) of this section for mediation, may not exceed 245 days.*

I understand that this request extends the 120-day period equal to the number of calendar days between hearings (i.e., April 10 to May 8 = 28 days).

Signature Angela Hibbard

Date 09-29-2020

Angela Hibbard
Print Name

MEDFORD PLANNING

Vicinity Map

File Number:

LDS-20-219

Project Name:

Cherry Meadows

Map/Taxlot:

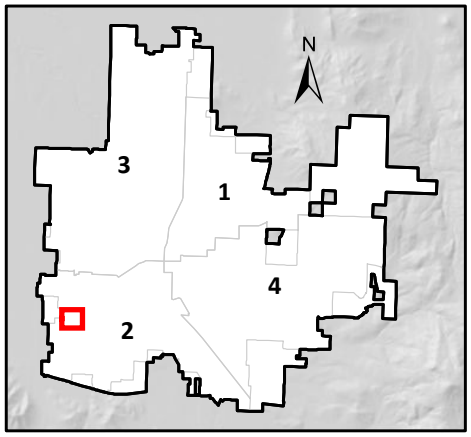
372W35AA TL 819

0 250 500 Feet

Legend

Subject Area

Tax Lots



Date: 8/4/2020

MEDFORD
PLANNING

STAFF REPORT

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

Project	Westwood Drive/Orchard Home Drive/Stewart Avenue Zone Changes	
File no.	ZC-20-256	
To	Planning Commission	*for 10/8/2020 hearing*
From	Sarah Sousa, Planner III	
Reviewer	Carla Angeli Paladino, Principal Planner	
Date	October 1, 2020	

BACKGROUND

Proposal

Consideration of City-initiated zone changes of six parcels located on Westwood Drive, Orchard Home Drive, and Stewart Avenue including the following:

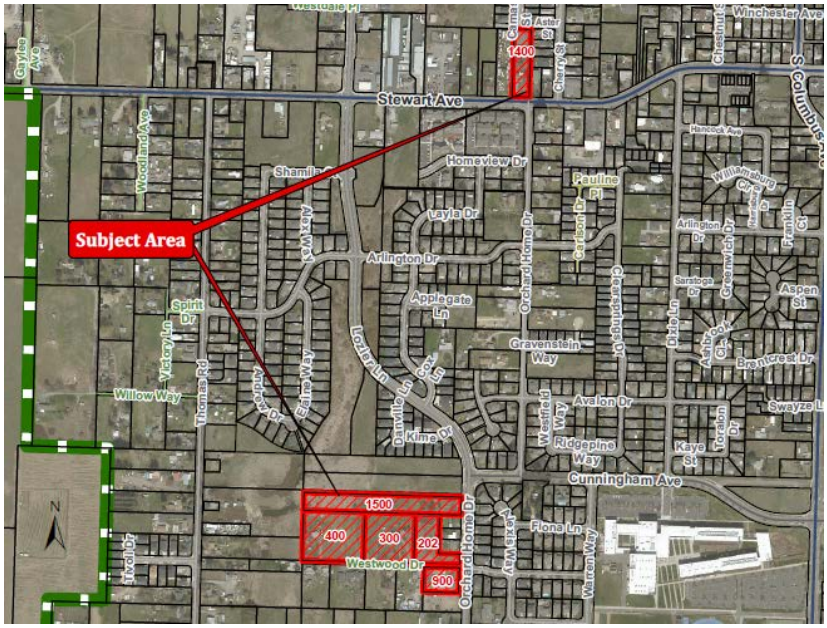
- A change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-15 (Multi-Family Residential -15 dwelling units per gross acre) for Tax Lots 202, 300, 400, & 900 of Jackson County Assessor's map 372W35DD;

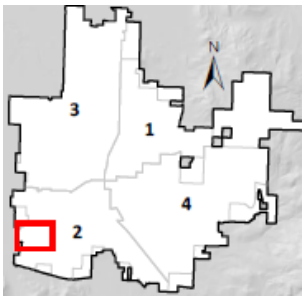
- A change from SFR-6 to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on Tax Lot 1500 of Jackson County Assessor's map 372W35DA; and

- A change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to MFR-20 on Tax Lot 1400 of Jackson County Assessor's map 372W35AA.

All of the owners of the above properties have consented in writing to the subject zone change.

Vicinity Map





Subject Site Characteristics

Property	GLUP	Existing Zone	Proposed Zone	Existing Use	Acreage	Owner
1928 Stewart Avenue	UH	SFR-00	MFR-20	Single family home	0.91	Mark Taylor
372W35DA1500 On Orchard Home Drive	UH	SFR-6	MFR-20	Vacant	2.26	Housing Authority of Jackson County
372W35DD202 NW Corner of Westwood Drive and Orchard Home Drive	UM	SFR-6	MFR-15	Vacant	1.14	Nations Lending, LLC
1980 Westwood Drive	UM	SFR-6	MFR-15	Single Family Home	1.99	Nations Lending, LLC
2068 Westwood Drive	UM	SFR-6	MFR-15	Single Family Home	2.43	Westwood Partners, LLC
1935 Westwood Drive	UM	SFR-6	MFR-15	Single Family Home	0.71	HRP, LLC

Surrounding Site Characteristics to Westwood Drive & Orchard Home Drive properties

North Zone: MFR-20
Use(s): Vacant Land

South Zone: SFR-00 & SFR-6
Use(s): Larger properties with single family homes

East Zone: SFR-6
Use(s): Single family homes within the Orchard Meadows Subdivision

West Zone: SFR-6
Use(s): Large properties with single family homes

Surrounding Site Characteristics to property on Stewart Avenue

North Zone: SFR-10 (Single Family Residential – 10 dwelling units per gross acre)
Use(s): Single family homes within Cherry Meadows Subdivision

South Zone: MFR-20
Use(s): Multi-Family Apartments

East Zone: SFR-00
Use(s): Single family homes

West Zone: SFR-00
Use(s): Large properties with single family homes

Related Projects

CP-13-032 UGBA Phase 1: Internal GLUP Amendment

Approval Authority

This is a Type III land use decision. The Planning Commission is the approving authority under Medford Land Development Code (MLDC) Section 10.108(1).

ISSUES AND ANALYSIS

Background

As part of the Urban Growth Boundary Amendment process, the City changed the General Land Use Plan designations of approximately 500 acres of Selected Area Lands (SALs) in order to improve land use efficiency in 2014. General Land Use Plan

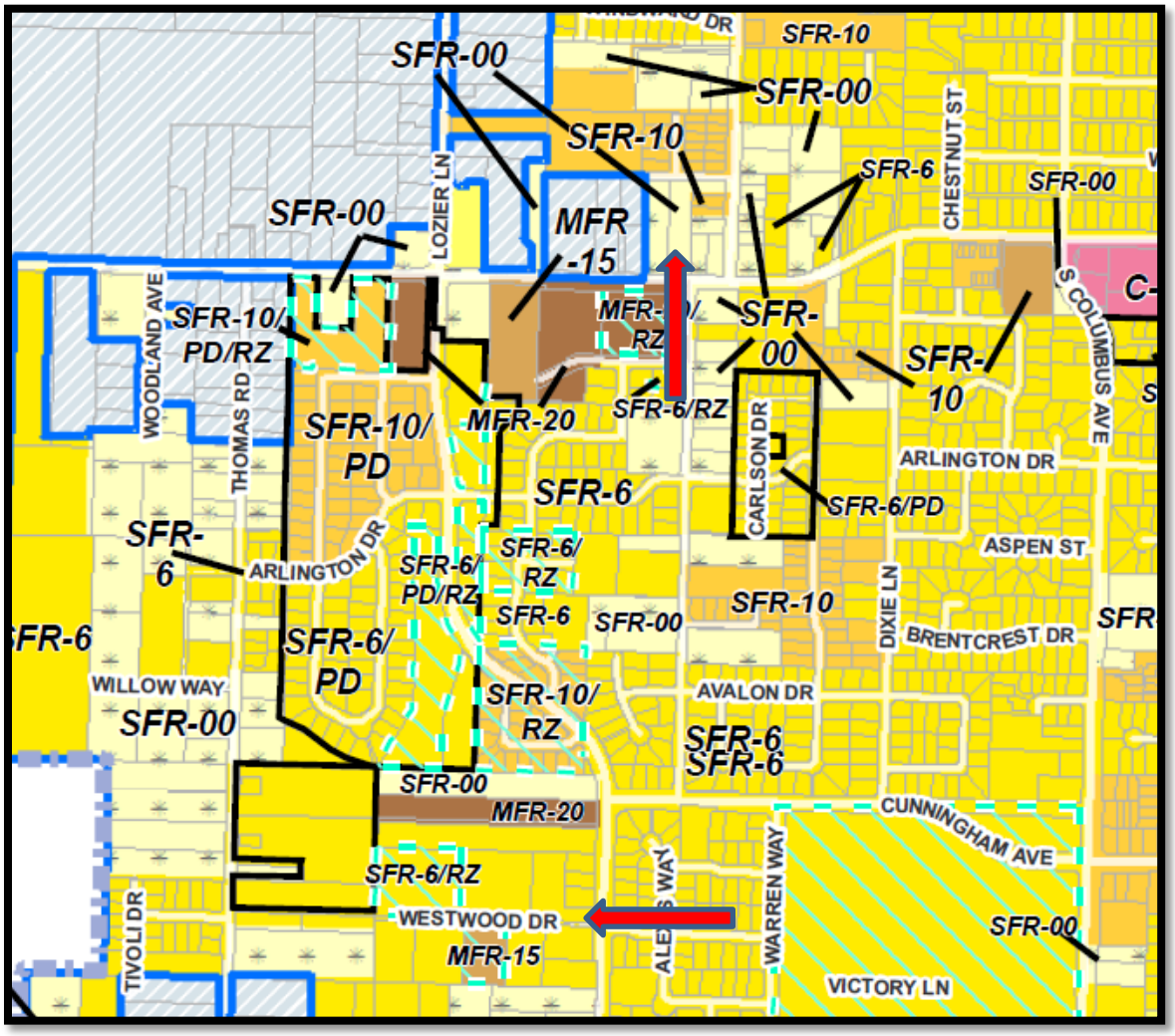
map changes were made to re-classify lands, initially known as Internal Study Areas or ISAs. The changes were primarily from Industrial to Commercial or from low density residential to medium or high density residential. Each of the subject properties were included in that process as follows.

- 1928 Stewart Avenue was included in ISA 670b, an 8.3 acre area that changed from Urban Residential to Urban High Density Residential.
- Westwood properties (372W35DD 202, 300, 400, & 900) were included in ISA 630b, a 30.4 acre area that changed from Urban Residential to Urban Medium Density Residential.
- The property on Orchard Home Drive (372W35DA 1500) was included in ISA 630a, an 8.5 acre area that changed from Urban Residential to Urban High Density Residential.

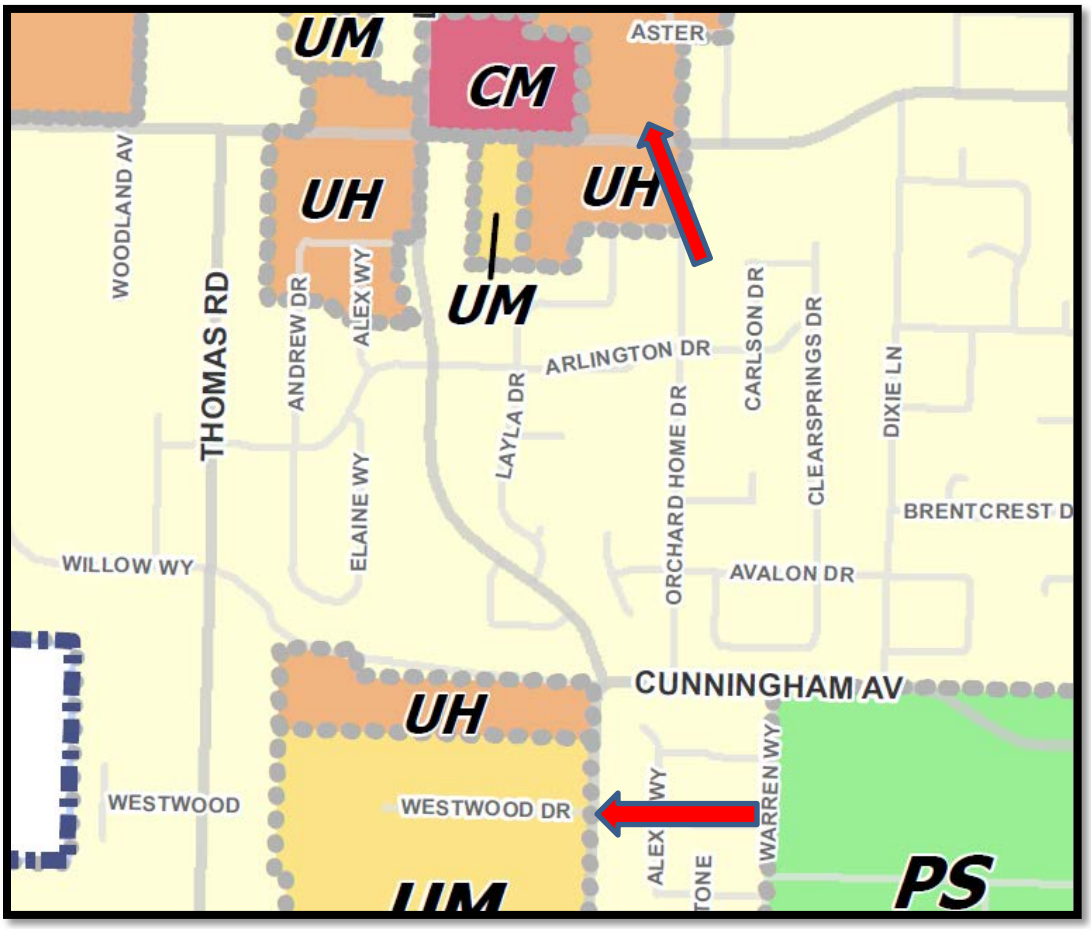
This process did not include zone changes corresponding to the new General Land Use Plan designations.

In order to promote more housing, the City initiated a program to process zone changes on behalf of consenting property owners that were included in the Selected Area Lands. This program is aimed at smaller properties that were given a Medium or High Density Residential General Land Use Plan designation. This is the first round of these City-initiated zone changes that include five grouped properties within an area of Westwood Drive and Orchard Home Drive and one property off of Stewart Avenue.

Zoning Map


SFR-00
SFR-10
SFR-00
SFR-10
SFR-6
SFR-00
CHESTNUT ST
SFR-00
LOZIER LN
MFR -15
SFR-00
SFR-10/ PD/RZ
WOODLAND AVE
THOMAS RD
MFR-20
SFR-6/RZ
SFR-00
SFR-10
S COLUMBUS AVE
SFR-10/ PD
SFR-6
CARLSON DR
ARLINGTON DR
SFR-6/PD
SFR-6
ARLINGTON DR
SFR-6/ PD/RZ
SFR-6/ RZ
SFR-6
SFR-00
SFR-10
ASPEN ST
DIXIE LN
BRENTCREST DR
SFR-6
SFR-6/ PD
WILLOW WAY
SFR-00
SFR-10/ RZ
AVALON DR
SFR-6
SFR-6
SFR-00
MFR-20
CUNNINGHAM AVE
SFR-6/RZ
WARREN WAY
WESTWOOD DR
MFR-15
SFR-00
TIVOLI DR
VICTORY LN

GLUP Map



Analysis

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject areas are UM (Urban Medium Density Residential) and UH (Urban High Density Residential). According to the General Land Use Plan Element of the *Comprehensive Plan*, the MFR-15 and MFR-20 zoning districts are permitted zones within those designations.

A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT). Based upon the increase of vehicle trips that would be generated by the proposed new zoning, an analysis was required and submitted with the application. The Public Works Department reviewed the analysis and submitted comments are discussed below.

Locational Criteria

Zone changes to multi-family zones do not include locational criteria.

Facility Adequacy

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

The agency comments included in Exhibits C-I, demonstrate that Category A facilities are adequate to serve the properties at the time of development, other than storm drainage facilities on four lots (372W35DD 202, 300, 400 & 372W35DD 1500). A condition is placed on these four properties that stipulates development cannot exceed the current zoning densities until easements are obtained or improvements made to connect to existing storm drainage facilities.

Committee Comments

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Applicable Criteria MLDC Section 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.

<u>Findings</u>

Medford's Transportation System Plan (TSP) provides a framework for the implementation of the statewide Transportation Goal (Goal 12). It explains how government agencies are responsible for transportation planning to address all modes of travel and identifies existing and future transportation needs.

Land Development Code Sections 10.460 and 10.461 identifies when a traffic impact analysis is needed based upon proposed development. An analysis is required when the proposed zoning on property has the potential to generate more than 250 net average daily vehicle trips beyond the existing zoning. Under the current zoning, the

subject properties totaling 9.44 acres are expected to generate 519 average daily trips. The proposed zoning is expected to generate 1,215 average daily trips, an increase of 696 average daily trips. Since this is in excess of 250 average daily trips, a traffic impact analysis was required to be submitted. An analysis was performed by Southern Oregon Transportation Engineering. The report shows no significant impact to the transportation system (Exhibit I). The Medford Public Works Department – Traffic Engineering Division reviewed the traffic impact analysis and agreed with that conclusion.

In regards to the properties on Westwood Drive (372W35DD 202,300,400, & 900), the proposed MFR-15 zoning is consistent with the properties underlying General Land Use Plan designation of UM. In regards to the property on Stewart Avenue and on Orchard Home Drive (372W35AA 1400 & 372W35DA 1500), the MFR-20 zoning is consistent with those properties underlying General Land Use Plan designation of UH.

Conclusions

Satisfied. The net increase in vehicle trips generated with the proposed zone changes required a traffic impact analysis to be submitted. A traffic impact analysis was submitted that found no significant impact to the transportation system.

The subject properties General Land Use Plan designations are UM and UH. The MFR-15 zoning is found to be consistent with the UM designation and the MFR-20 is allowable under the UH designation. The Commission can find this criterion is satisfied.

(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.

Findings

There are no additional locational standards for the multi-family zones. Also, none of the subject properties are located in a special plan area.

Conclusions

Not Applicable. No locational criteria exist for the proposed multi-family zones and none of the properties are located in a special plan area. The Commission can find this criterion is not applicable.

(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 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.

Findings

The Public Facilities Element of the Medford Comprehensive Plan provides a list of Category "A" services and facilities to be considered, which include: water service, sanitary sewer, storm drainage, streets & transportation facilities. Below is a discussion of each.

Water Service

According to the Medford Water Commission, there is adequate capacity to serve all of the subject properties with water (Exhibit F). There is a 12-inch water main at the intersection of Orchard Home Drive and Orchard Home Court which can be extended to serve the properties on Westwood Drive and Orchard Home Drive. A 16-inch water line exists on the north side of Stewart Avenue that serves the property at 1928 Stewart Avenue.

Sewer Service

The subject properties on Westwood Drive and Orchard Home Drive are within the Rogue Valley Sewer Services (RVSS) area. There is a 10 inch sewer main along Orchard Home Drive and an 8 inch main along Westwood Drive. In regards to the property on Stewart Avenue, there is a 12-inch sewer main on Stewart Avenue. According to RVSS, there is adequate system capacity for the proposed zone changes (Exhibit H).

Storm Drainage

The subject properties are within the Elk Creek Drainage basin. According to the Medford Public Works Department, the subject properties on Westwood Drive and Orchard Home Drive (372W35DD 202, 300, 400 & 372W35DD 1500), currently drain to the northwest. The proposed zone changes have the potential to increase storm drainage flows to down gradient properties. The Public Works Department recommends the owners of the above mentioned tax lots stipulate to only develop to the total storm drainage flows on the current SFR-6 zoning limitation. This will be a condition of the zone change. This restriction can be lifted once easements are obtained or improvements can be made to connect to existing storm drainage facilities as described in the Public Works Report (Exhibit C).

In regards to the subject property on the southwest corner of Westwood Drive and Orchard Home Drive as well as the property on Stewart Avenue, there are existing storm drainage facilities in the area. These two sites would be able to connect to those facilities at the time of development. These two properties would not be required to stipulate to a condition restricting development to existing densities.

Transportation

Orchard Home Drive serves five of the subject properties. North of Westwood Drive, Orchard Home drive is a major collector street under City jurisdiction, designed with bike lanes, sidewalks, curbs and gutters. South of Westwood Drive, Orchard Home Drive is a County minor arterial road, under the jurisdiction of Jackson County.

Westwood Drive is a local access road, and is an unpaved gravel roadway without curbs, gutters, or sidewalks. It is currently maintained by the property owners. Future development will require improvements to the road to City of Medford standards.

One of the properties is located on Stewart Avenue, just west of Cherry Street. Stewart Avenue is classified as a Major Arterial street. This section of Stewart Avenue is an 80-foot right –of-way and the north side does not have a curb, gutter, parkstrip, or sidewalk.

Rogue Valley Transportation District (RVTD) provides transit services within the vicinity of the subject properties. In regards to the Westwood Drive and Orchard Home properties, a transit stop is available in front of the South Medford High School campus, approximately 1,200 feet from the intersection of Westwood Drive and Orchard Home Drive. In regards to the property on Stewart Avenue, a transit stop is

approximately 980 feet to the east on Stewart Avenue. In regards to air travel, the Medford Jackson County International Airport is located less than six miles from all the subject properties.

The Public Works Department reviewed the traffic impact analysis submitted from Southern Oregon Transportation Engineering. The analysis evaluated street and intersection capacity, sight distance, queuing, turn lane criteria, and crash history. The summary of that study states that the zone changes can be approved without causing adverse impacts on the transportation system. The Public Works Department memo concurs with that analysis.

Conclusions

Satisfied. The agency comments included in Exhibits C-I, demonstrate that Category A facilities are adequate to serve the properties at the time of development, other than noted restrictions regarding storm drainage facilities. A condition is placed on four of the properties that stipulates development not exceed the current zoning densities until easements can be obtained or improvements made to connect to existing storm drainage facilities. The Commission can find that this criterion is met.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of ZC-20-256 per the staff report dated October 1, 2020, including Exhibits A through I.

EXHIBITS

A Conditions of Approval
B Assessor's Maps for subject properties
C Public Works Department Memo dated September 16, 2020
D Medford Building Department Memo dated September 15, 2020
E Medford Fire Department Memo dated September 8, 2020
F Medford Water Commission Memo dated September 8, 2020
G Jackson County Roads Memo dated September 8, 2020
H Rogue Valley Sewer Services Memo dated
I Traffic Impact Analysis Summary
Vicinity Map

PLANNING COMMISSION AGENDA: OCTOBER 8, 2020

EXHIBIT A

Westwood Drive / Orchard Home Drive / Stewart Avenue Zone Changes
ZC-20-256
Conditions of Approval
October 1, 2020

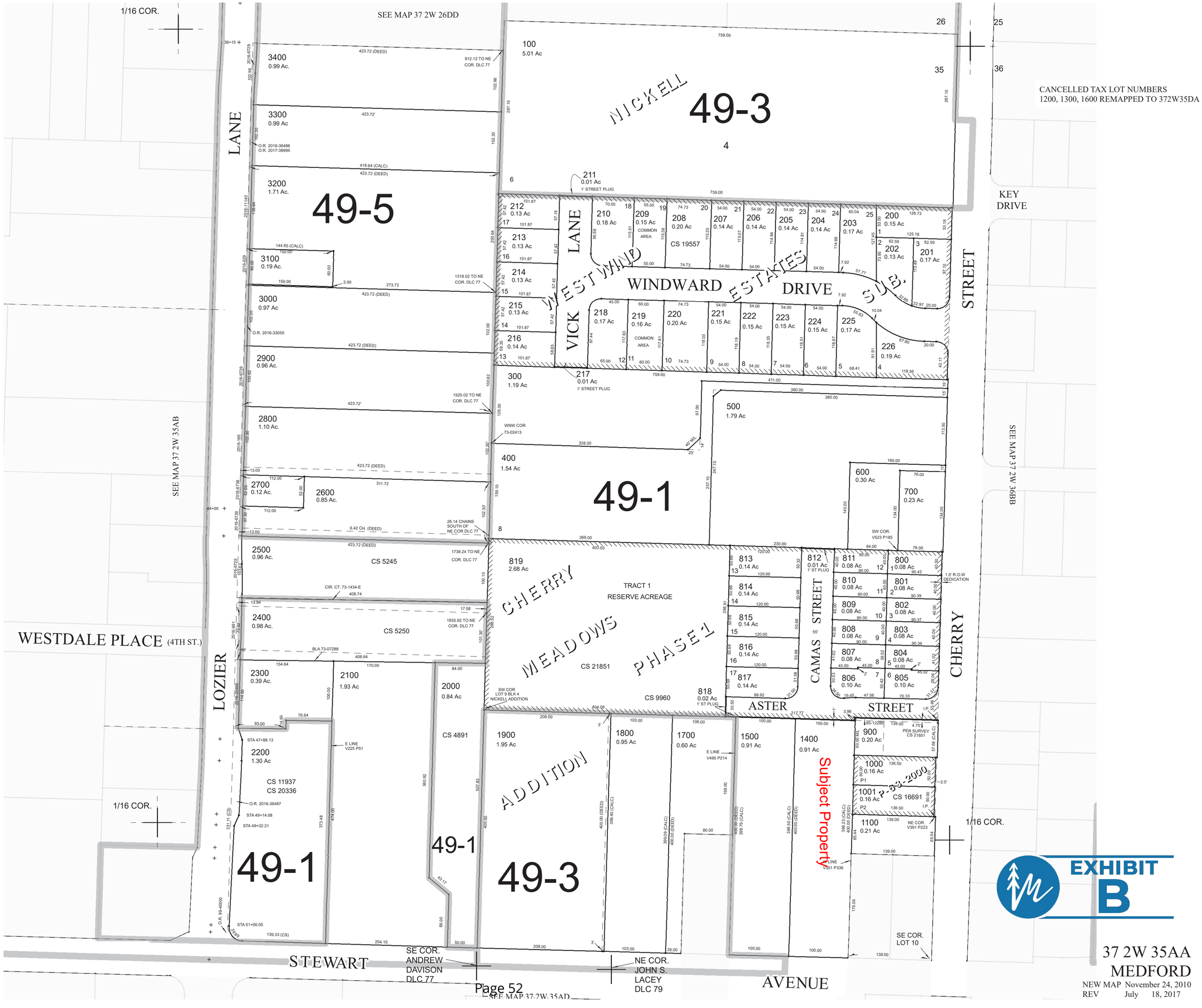
CODE CONDITIONS

1. Comply with the Public Works Department Staff Report dated September 16, 2020 (Exhibit C).
2. A deed restriction or covenant in a form acceptable to the City Attorney must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department within 30 days of the zone change becoming effective. The deed restriction shall stipulate that the following properties develop to the total storm drainage flows within the current zoning limitation only. This shall apply to the properties 372W35DD tax lots 202, 300, 400, and 372W35DA tax lot 1500.

FOR ASSESSMENT AND TAXATION ONLY

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

37 2W 35AA
MEDFORD



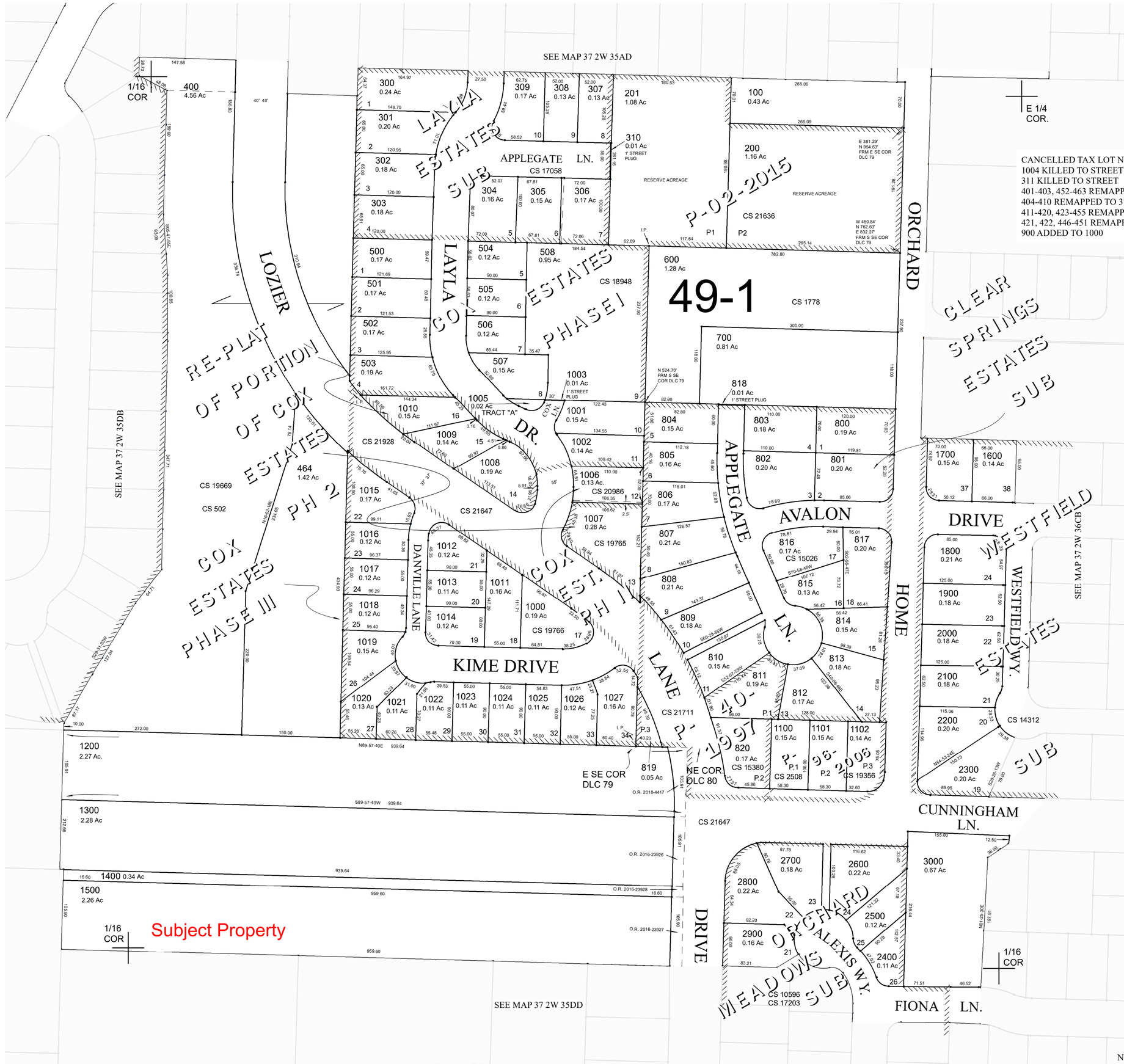
GIS DATA
08/20/2020 1:21:35 PM: thompsam

37 2W 35AA
MEDFORD
NEW MAP November 24, 2010
REV July 18, 2017

FOR ASSESSMENT AND TAXATION ONLY

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

372W35DA
MEDFORD



GIS DATA
05/15/2018 4:25:06 PM: bosmanjb

372W35DA
MEDFORD
NEW MAP August 10, 2007
REV May 2, 2018

FOR ASSESSMENT AND TAXATION ONLY

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

37 2W 35DD
MEDFORD

CANCELLED TAX LOT NUMBERS:

2700 ADDED TO 2800
4400 KILLED TO STREET
5900 ADDED TO 1100

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

37 2W 35DD
MEDFORD

NEW MAP AUGUST 09, 2007
REV JULY 21, 2017

LD DATE: 9/16/2020
File Number: ZC-20-256

PUBLIC WORKS DEPARTMENT STAFF REPORT

Westwood Dr/Orchard Home Dr/Stewart Ave Zone Changes
(City of Medford Initiated)

Project: Consideration of City-initiated zone changes of six parcels located on Westwood Drive, Orchard Home Drive, and Stewart Avenue.

Location: Westwood Drive/Orchard Home Drive: A change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-15 (Multi-Family Residential – 15 dwelling units per gross acre) for Tax Lots 202, 300, 400, & 900 of Jackson County Assessor's map 372W35DD;

Orchard Home Drive: A change from SFR-6 to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on Tax Lot 1500 of Jackson County Assessor's map 372W35DA; and

Stewart Avenue: A change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to MFR-2

Applicant: The Planning Department will process the zone changes on behalf of the property owners; Planner: Sarah Sousa.

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

These sites 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.

EXHIBIT C

II. Storm Drainage Facilities

The subject properties identified at 372W35DD tax lots 202, 300, 400 & 372W35DA1500 currently drain to the northwest. The proposed zone change to MFR-15 has the potential to increase storm drainage flows to down gradient properties. Based on this information, the Public Works Department recommends this zone change be denied for these tax lots, or the applicant stipulate to only develop so the total storm drainage flows do not exceed current zoning limitation, or the zone change for these tax lots be conditioned that storm drain easements to Little Elk Creek be provided on 372W35DA tax lots 1300, 1400 & 1500 for the benefit of the tax lots noted above.

For the subject properties identified as 372W35AA1400 and 372W35DD900, the City of Medford has existing storm drain facilities in the area. These sites would be able to connect to these facilities at the time of development.

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

III. Transportation System

Public Works received a Transportation Impact Analysis (TIA) from Southern Oregon Transportation Engineering LLC, dated August 11, 2020, titled "Westwood Drive SFR-00 & SFR-6 to MFR-15 & MFR-20 Zone Change", and an addendum report dated August 30, 2020.

The existing zoning on the 5 parcels totaling 9.44 acres is expected to generate 519 average daily trips. The proposed zoning is expected to generate 1,215 average daily trips.

The report shows no significant impact to the transportation system.

This is not a condition of the Zone Change but future development along Westwood Drive will need to align Westwood Drive across Orchard Home Drive to the maximum extent feasible so as not to leave Westwood Drive as an offset intersection.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

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

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Sarah Sousa, Planning Department

From: Chad Wiltrout, Building Department (541) 774-2363

CC: Sarah Sousa, City of Medford, Applicant/Agent

Date: September 15, 2020

Subject: ZC-20-256_Westwood_Orchard Home_Stewart Ave Zone Change

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Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2019 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

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

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

3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.

4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

1. No building purposed, no comments at this time.

EXHIBIT D

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Browning, Chase

Review Date: 9/8/2020
Meeting Date: 9/16/2020

LD File #: ZC20256

Planner: Sarah Sousa

Applicant: City of Medford

Site Name: Westwood/Orchard Home/Stewart Zone Changes

Project Location: Multiple locations, see description below.

ProjectDescription: Consideration of City-initiated zone changes of six parcels located on Westwood Drive, Orchard Home Drive, and Stewart Avenue including the following:

Westwood Drive/Orchard Home Drive: A change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-15 (Multi-Family Residential -15 dwelling units per gross acre) for Tax Lots 202, 300, 400, & 900 of Jackson County Assessor's map 372W35DD;

Orchard Home Drive: A change from SFR-6 to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on Tax Lot 1500 of Jackson County Assessor's map 372W35DA;

Stewart Avenue: A change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to MFR-20 on Tax Lot 1400 of Jackson County Assessor's map 372W35AA.

Additional Project Consideration

Notes: Approved as submitted with no additional conditions or requirements at this time.

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

EXHIBIT E

MEDFORD WATER COMMISSION

Staff Memo

TO: Planning Department, City of Medford

FROM: Brian Runyen, P.E.(TX), Water Commission Staff Engineer

SUBJECT: ZC-20-256

PROJECT: Westwood/Orchard Home/Stewart Ave Zone Change
Consideration of City-initiated zone changes of six parcels located on Westwood Drive, Orchard Home Drive, and Stewart Avenue including the following:

- Westwood Drive/Orchard Home Drive: A change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-15 (Multi-Family Residential -15 dwelling units per gross acre) for Tax Lots 202, 300, 400, & 900 of Jackson County Assessor's map 372W35DD;

- Orchard Home Drive: A change from SFR-6 to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on Tax Lot 1500 of Jackson County Assessor's map 372W35DA; and

- Stewart Avenue: A change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to MFR-20 on Tax Lot 1400 of Jackson County Assessor's map 372W35AA

The Planning Department will process the zone changes on behalf of the property owners.

MEMO DATE: September 8, 2020 **LAND DEVELOPMENT COMMITTEE DATE:** September 16, 2020

COMMENTS

1. Development of the parcels may be further Conditioned at time of future development applications.

2. MWC has adequate capacity to serve the properties with water.

END COMMENTS

EXHIBIT F

200 S. Ivy Street, Room 177
Medford, Oregon 97501
Phone (541) 774-2430
www.medfordwater.org
water@medfordwater.org
Fax (541) 774-2555

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

September 8, 2020

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

RE: Zone Change of six parcels located on
Orchard Home Drive - a County maintained road.
Westwood Drive - a Local Access road.
and Stewart Avenue - a City maintained road.

Planning File: ZC-20-256

Dear Sarah:

Thank you for the opportunity to comment on consideration of zone changes of six parcels located on Westwood Drive, Orchard Home Drive and Stewart Avenue

• Westwood Drive/Orchard Home Drive: A change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR15 (Multi-Family Residential -15 dwelling units per gross acre) for Tax Lots 202, 300, 400, & 900 of Jackson County Assessor's map 372W35DD;
• Orchard Home Drive: A change from SFR-6 to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on Tax Lot 1500 of Jackson County Assessor's map 372W35DA; and
• Stewart Avenue: A change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to MFR-20 on Tax Lot 1400 of Jackson County Assessor's map 372W35AA.

Jackson County Roads has the following comments:

1. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to Sweet Road. Jackson County Roads recommends that the city request jurisdiction of this road.

2. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on-site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the

EXHIBIT G

drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.

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

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

5. If frontage improvements are required off Orchard Home Drive, they shall be permitted and inspected by the City of Medford.

6. Roads recommends that all new approaches take access from Westwood Drive. No road approaches off Orchard Home Drive shall be permitted.

7. Per Oregon Revised Statute 209.140, any survey monuments of record removed, disturbed or destroyed within the project area must be referenced prior to construction and replaced after construction by a registered professional land surveyor. All costs associated with this surveying work are the responsibility of the permit holder.

8. Orchard Home Drive is a County Minor Arterial and is county-maintained. The Average Daily Traffic Count was 2,361 on July 24, 2018, 100 feet south of Sunset Drive.

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

Sincerely,

Chuck DeJanvier, PE
Construction Engineer

ROGUE VALLEY SEWER SERVICES

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

September 28, 2020

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

Re: ZC-20-256, Westwood/Orchard Home/Stewart Ave (372W35AA 1400, 372W35DA 1500, 372W35DD 202, 300, 400, 900)

ATTN: Sarah,

The subject property is within the RVSS service area. There is a 10 inch sewer main along Orchard Home Drive, an 8 inch main along Westwood Drive, and a 12 inch main along Stewart Avenue. 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, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNG\ZONE CHANGE\2020\ZC-20-256_WESTWOOD-ORCHARD HOME.DOC

EXHIBIT H

I. EXECUTIVE SUMMARY

Summary

Southern Oregon Transportation Engineering, LLC prepared a traffic impact analysis for a proposed zone change from Single Family Residential SFR-00 and SFR-6 to Multifamily Residential MFR-15 and MFR-20 in Medford, Oregon. The subject parcels are located along Westwood Drive (372W35DA tax lot 1500 and 372W35DD tax lots 202, 300, 400, and 900) and Stewart Avenue (372W35AA tax lot 1400).

Two of the six parcels have single family dwelling units on them, and the remaining four parcels are vacant. Access is provided from Westwood Drive for five parcels and from Aster Street, north of Stewart Avenue for one parcel.

Nine study area intersections were evaluated under existing year 2020, design year 2022 no-build and build conditions, and future year 2038 no-build and build conditions. Five study area intersections were evaluated to address Jackson County performance standards during the a.m. and p.m. peak hours, and five (including one overlapping intersection at Westwood Drive / Orchard Home Drive) intersections to address City of Medford facility adequacy standards during the p.m. peak hour.

Conclusions

The findings of the traffic impact analysis conclude that the proposed zone change from SFR-00 and SFR-6 to MFR-15 and MFR-20 can be approved without causing adverse impacts on the transportation system. The analysis evaluated street and intersection capacity, sight distance, queuing, turn lane criteria, and crash history. A summary of results is provided below.

City of Medford

1. Study area intersections are shown to meet facility adequacy standards under existing, design year 2022, and future year 2038 no-build and build conditions during the p.m. peak hour.
2. 95th percentile queue lengths are shown to stay within available link distances, with the exception of the southbound and westbound left turn movements at Lozier Lane / Stewart Avenue and eastbound left turn movement at Main Street / Lozier Lane under future year 2038 conditions with and without development. Nearby driveways will potentially be blocked at times during peak conditions as a result of background growth. No mitigation is shown to be necessary.
3. Turn lanes were evaluated on Cherry Street at Aster Street and on Orchard Home Drive at Westwood Drive under design year and future year build conditions. None were shown to be warranted. A center turn lane exists on Orchard Home Drive and is shown to be adequate to support development queue lengths.
4. Crash history was addressed at study area intersections for the most recent five-year period. No safety concerns were identified that would require mitigation.

Jackson County

1. Study area intersections are shown to meet performance standards under existing, design year 2022, and future year 2038 no-build and build conditions during the a.m. and p.m. peak hours.

2. 95th percentile queue lengths are shown to stay within available link distances at all study area intersections through the future year 2038 planning horizon.
3. A center turn lane currently exists on Orchard Home Drive at Westwood Drive. Right turn lane criterion was evaluated and not shown to be met on Orchard Home Drive northbound or southbound under any analysis scenarios during either peak hour.
4. Crash history was addressed at study area intersections for the most recent five-year period. No safety concerns were identified that would require mitigation.

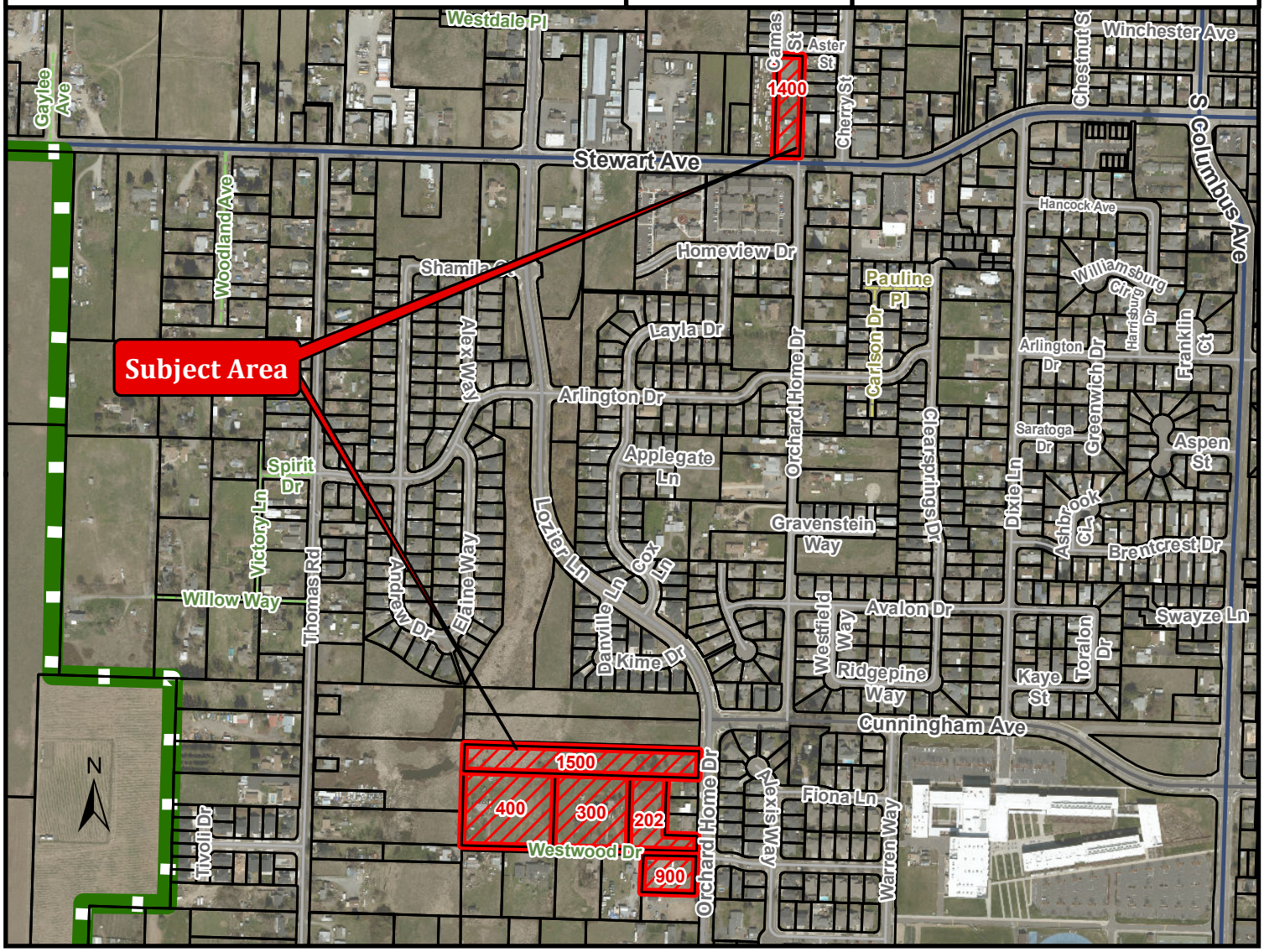
This analysis was undertaken to address issues of compliance with the City of Medford Comprehensive Plan, Land Development Code, and Oregon Transportation Planning Rule (TPR) in Oregon Administrative Rules (OAR) Chapter 660, Division 012. The analysis was equally undertaken to address issues of compliance with the Jackson County Transportation System Plan (TSP). Based upon our analysis of streets and intersections within the study area, it is concluded that the proposed zone change can be approved without significantly affecting any existing or planned transportation facility under City of Medford or Jackson County jurisdiction.

MEDFORD PLANNING

Vicinity Map

File Number:

ZC-20-256



Project Name:

Westwood/Orchard Home/Stewart Avenue Zone Changes

0 250 500 Feet

Date: 8/31/2020

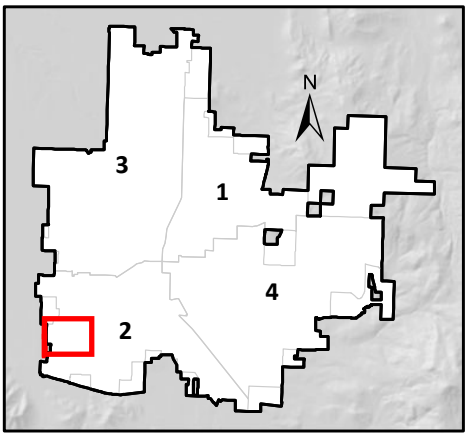
Map/Taxlot:

372W35AA TL 1400;
372W35DA TL 1500;
372W35DD TL 202, 300, 400, 900

Legend

Subject Area

Tax Lots



MAPLOT	FEEOWNER	ExZone	PropZone
372W35AA1400	TAYLOR MARK L	SFR-00	MFR-20
372W35DA1500	HOUSING AUTHORITY JACKSON C	SFR-6	MFR-20
372W35DD202	NATIONS LENDING LLC	SFR-6	MFR-15
372W35DD300	NATIONS LENDING LLC	SFR-6	MFR-15
372W35DD400	KAIMIE CHARLES T TRUSTEE ET	SFR-6	MFR-15
372W35DD900	CEDAR FAMILY LLC	SFR-6	MFR-15

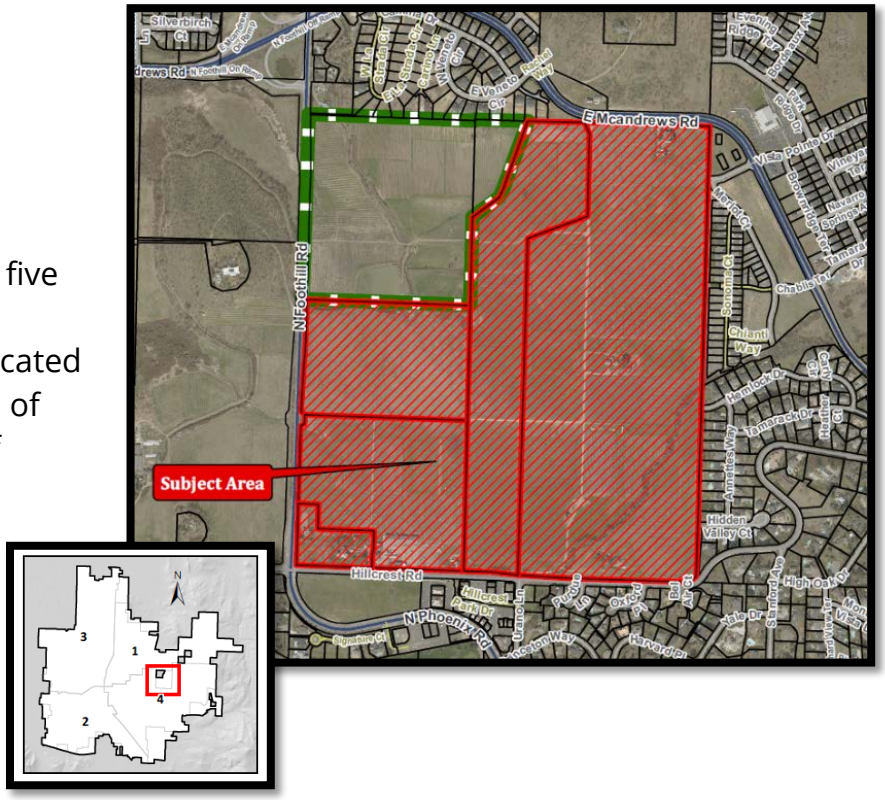
STAFF REPORT for a Type IV legislative decision: **Comprehensive Plan Amendment - Urbanization Plan**

Project	Urbanization Plan for Planning Unit MD-4 (Hillcrest Orchards)
Applicant:	Cogswell Limited Partnership & Rocky Knoll LLC
Agent:	Raul Woerner, CSA Planning Ltd.
File no.	UP-20-209
To	Planning Commission *for 10/08/2020 hearing*
From	Carla Angeli Paladino, Principal Planner, Long Range Division
Reviewer	Matt Brinkley, AICP CFM, Planning Director
Date	October 1, 2020

BACKGROUND

Proposal

A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for five properties totaling approximately 224 acres located east of Foothill Road, north of Hillcrest Road and south of McAndrews Road (371W21D 101, 300, & 301; 371W22 500 and 501) (**See Exhibit A**)



The Urbanization Plan is filed in conjunction with an annexation request for the above tax lots plus adjacent public property owned by Jackson County and right-of-way along Hillcrest Road and McAndrews Road (totaling approximately 230.75 acres). (ANNX-20-210)

The applicants have also filed for a property line adjustment with Jackson County to amend the property boundary to match the Urban Growth Boundary. (File No. 439-20-00035-SUB and 439-20-00036-SUB). In addition, a petition for the proposed vacation of a portion Hillcrest Road was submitted to the County by the Cogswell Limited Partnership on September 22, 2020.

Urbanization Plan Details

Open Space Requirement	Minimum Residential Density	Street Extensions
Required:15% of the total planning unit or 33.6 acres	Regulatory Minimum 746 dwelling units Applicant's Committed Residential Minimum 750 dwelling units ▪ 560 (UR) ▪ 61 (UM) ▪ 129 (UH)	Spring Street (Minor Collector) Bemis Parkway (Minor Collector) Hemlock Drive (Local Street) Vista Pointe Drive (Standard Residential)

Subject Site Characteristics

Planning Unit: MD-4

Zoning: Exclusive Farm Use (EFU); County parcel (371W22 303) is zoned Open Space Reserve

GLUP: Urban Residential, Urban Medium Density Residential, Urban High Density Residential, Service Commercial, and Commercial

Uses on site: Multiple dwellings, barns, a packinghouse, storage outbuildings, and a winery production building; Site is actively farmed with pasture land, field crops, vineyards and fruit tree orchards

Acreage: 224 acres

Surrounding Site Characteristics

North Zoning: City SFR-2 and SFR-4; County EFU (Urban Reserve area), RR-5, and Open Space Reserve
Use(s): Residential

South Zoning: City C-C, C-S/P, and SFR-4
Use(s): Hillcrest Business Park (medical and business offices, bank, and coffee shop) and Residences

East Zoning: City SFR-2 and SFR-4
Use(s): Residences

West Zoning: City SFR-00/Exclusive Agricultural overlay
Use(s): Agricultural and two residences

History

In June 2018, the Department of Land Conservation and Development acknowledged the City of Medford's proposed Urban Growth Boundary (UGB) amendment providing for the inclusion of 1,658 acres of buildable land to be developed. Following the adoption of the UGB, the City established the Urbanization Planning process in order to provide a regulatory framework for ensuring specific development goals are met as land converts from rural to urban uses. The land included in the UGB was categorized into distinct planning units and coded with a specific numbering and lettering system (e.g. MD-5f). Each planning unit must adopt an Urbanization Plan prior to or in conjunction with a proposal for annexation. The Urbanization Plans are high level master plans intended to show conformance with the Regional Plan and transportation plan requirements. This proposal is the fifth urbanization plan reviewed in 2020.

Property owners of and within planning units are required to conduct a pre-application conference with planning staff and other internal and external review agencies to discuss the proposal prior to submitting a formal application. A pre-application conference was held to discuss the subject properties on August 28, 2019.

In addition, property owners are required to hold a neighborhood meeting with surrounding neighbors and property owners in order to provide an opportunity to explain the proposal and provide for questions and answers. A neighborhood meeting was held for this project on December 9, 2019.

Planning Unit MD-4 was approved with five General Land Use Plan (GLUP) designations: Urban Residential, Urban Medium Density Residential, Urban High Density Residential, Service Commercial, and Commercial. The planning unit consists of five tax lots. The property is located in northeast Medford and is bordered by McAndrews Road on the north, Foothill Road on the west, and Hillcrest Road on the south. The proposal was initiated by Cogswell Limited Partnership and Rocky Knoll LLC, the two property owners of the entire planning unit.

The property owners have requested concurrent annexation of the land. The City Council is scheduled to set a hearing date of November 5, 2020, for annexation through Resolution No. 2020-125. The review and decision on the Urbanization Plan and Annexation will be held on the same evening.

Related projects

ANNX-20-210: Annexation request for subject parcels and adjacent rights-of-way

CP-16-075: Urbanization Planning Comprehensive Plan Amendments

CP-14-114: Urban Growth Boundary Amendment

Authority

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

ANALYSIS

Planning unit MD-4 was adopted into the City's Urban Growth Boundary in 2016 and acknowledged by the State in 2018 to help accommodate future growth. The site is located in northeast Medford and will provide a range of housing densities within the three residential general land use plan (GLUP) designations as well as proximity to commercial uses to serve the planning unit and larger community. The applicant does not propose to modify any of the GLUP designations or locations at this time. Development of the property will be subject to the land use regulations afforded within the Land Development Code including the use of the planned unit development or subdivision provisions outlined.

As described below, this proposal meets the plan requirements/criteria for incorporation into the Neighborhood Element of the Comprehensive Plan. The plan provides for higher order street connectivity with the extensions of Spring Street easterly and Bemis Parkway southerly. Both are minor collector streets. Other local, standard residential, and commercial streets are proposed in the conceptual circulation layout to create a gridded street network to serve future development. Open space is provided through the creation of a town square, garden space, three park sites, a future school opportunity site, the historic district site, and two trail networks as well as an agricultural buffer. The planning unit provides the opportunity for a mix of residential, educational, historic, and commercial uses within its borders.

FINDINGS AND CONCLUSIONS

Applicable criteria

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

The applicant's findings of fact, conclusions, and attachments address each of the criteria in detail and are attached as **Exhibits B1-B18**.

Section 5 - PLAN CONTENTS

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

5.1.1 *Specify residential zoning districts for certain areas.*

5.1.2 *Commit to specific quantities of residential development in commercial areas.*

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

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

Findings

The applicant has provided a detailed technical analysis of the applicable density requirements for the planning unit (**See Exhibit B3**). By imposing a minimum density factor for each residential GLUP designation, 750 dwelling units can be achieved. The minimum density factor the applicant proposes for future development is as follows:

- Urban Residential (<15% slope): 4.5 dwelling units/acre
- Urban Residential (>15% slope): 0.8 dwelling units/acre
- Urban Medium Density Residential: 12 dwelling units/acre
- Urban High Density Residential: 16 dwelling units/acre

The Regional Plan Element of the Comprehensive Plan was adopted in August 2012 and established the minimum residential densities each of the participating jurisdictions agreed to achieve. For Medford, the minimum target density is 6.6 dwelling units per gross acre until 2035, then the density increases to 7.6 dwelling units per gross acre in 2036. Gross acreage in the City of Medford includes the total area of the properties' boundaries plus any adjacent right-of-way measured to the center line multiplied by the zoning districts minimum and maximum density factors. The density requirement can be offset by increasing density in the City limit.

The City's Housing Element indicates 15,050 dwelling units are needed between 2009 and 2029. Of that total, the need for single-family detached (for both owners and renters) is 9,034 units, single-family attached units is 384 dwelling units, and multi-family units include 651 duplexes and 4,586 multi-units.

The applicant proposes to accommodate 560 dwelling units within the Urban Residential GLUP, 61 dwelling units in the Urban Medium Density Residential GLUP, and 129 dwelling units in the Urban High Density Residential GLUP designation to accommodate the 750 units within the planning unit. The proposed dwelling units will contribute to meeting the two greatest needs outlined in the Housing Element, the detached single family and multi-family dwelling type categories.

Conclusions

Satisfied. The minimum regulatory residential density requirement was calculated at 746 dwelling units. The applicant proposes to supply a minimum of 750 dwelling units within the residential GLUP designations in the planning unit.

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

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

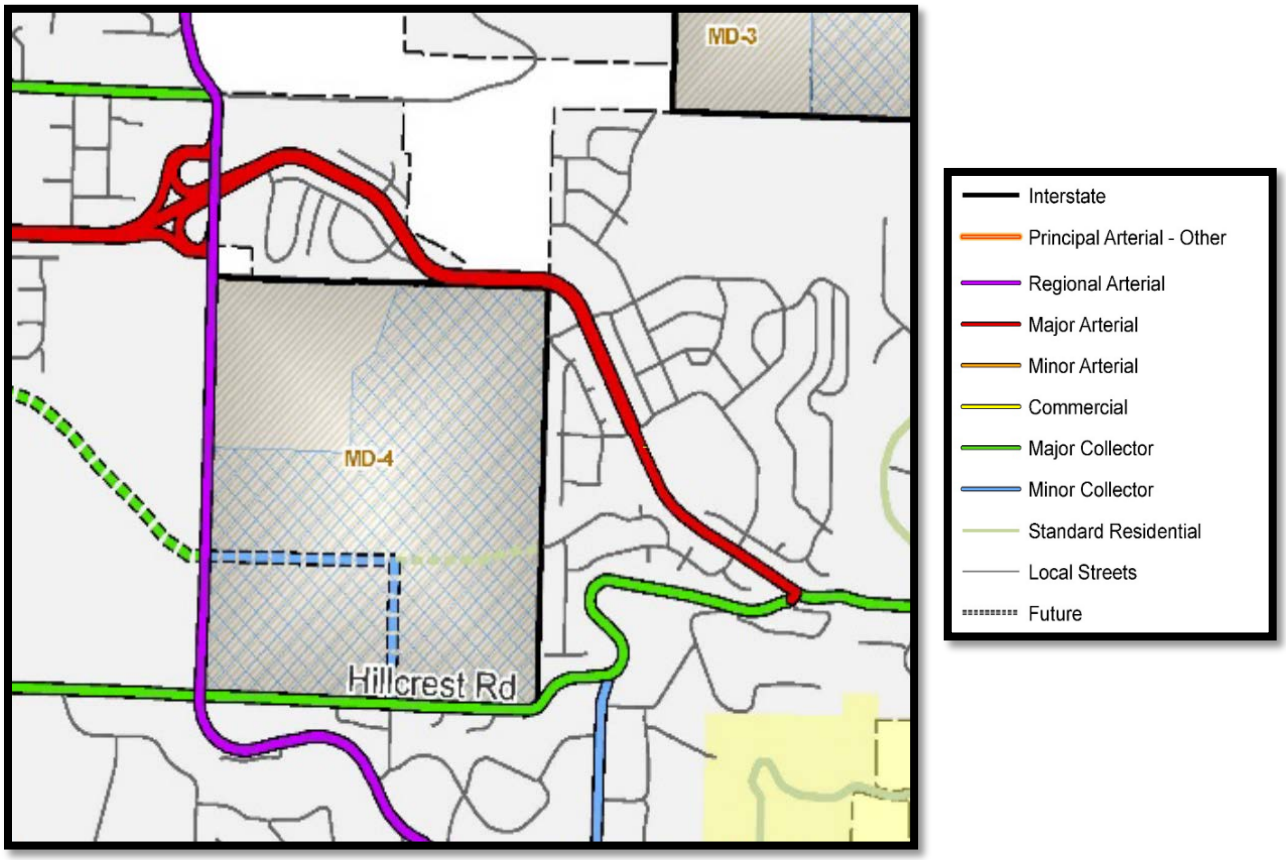
This process helps ensure land within the Urban Growth Boundary is being used efficiently to ensure needed housing of all types is being constructed and the City's obligations under the Regional Plan are being met to the extent possible. This criterion is satisfied.

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

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

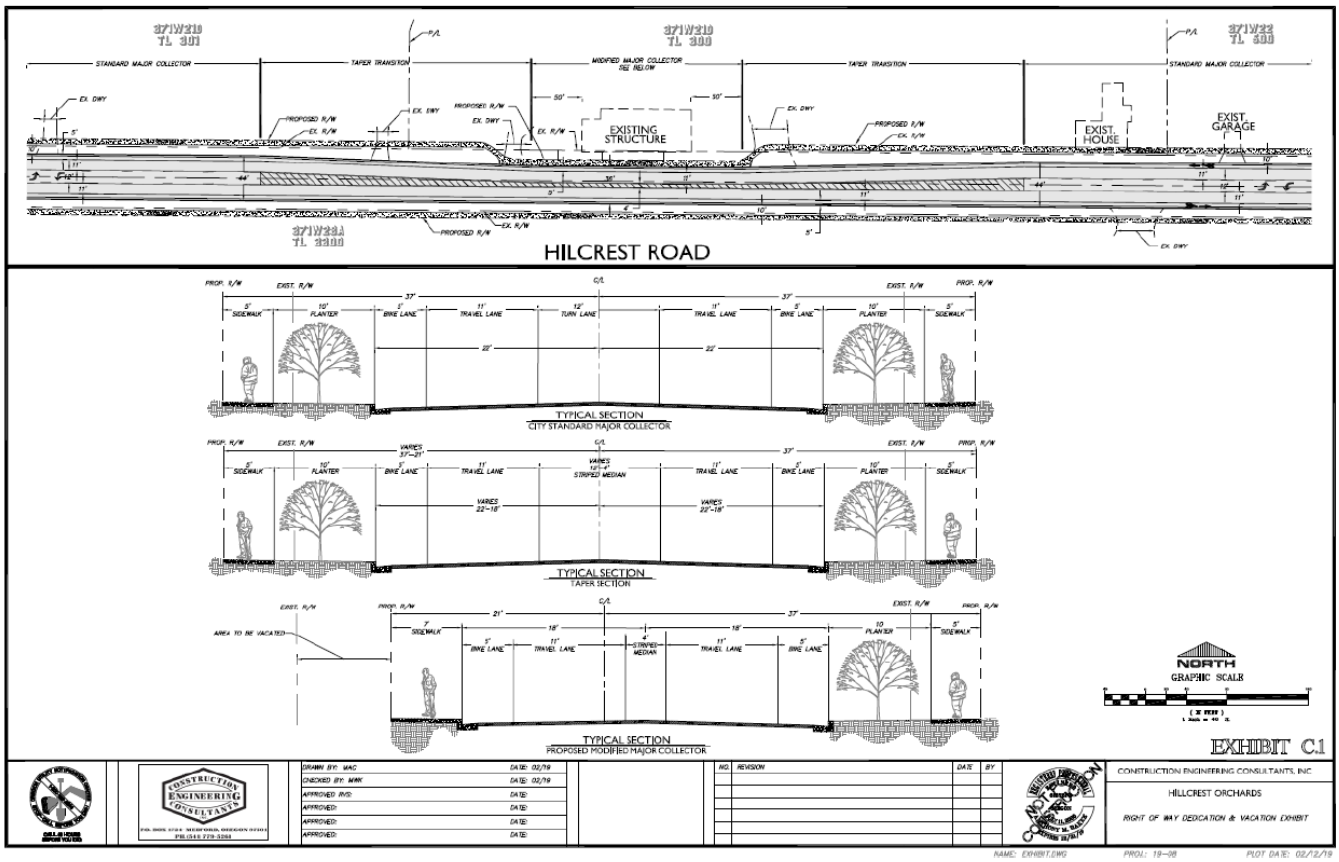
<u>Findings</u>

The subject properties are bordered by existing higher order streets including Foothill Road (Regional Arterial), McAndrews Road (Major Arterial), and Hillcrest Road (Minor Collector). Per the Transportation System Plan (TSP) as identified in Figure 18 (Roadway Functional Classification map), Spring Street (Minor Collector) will be extended east into the property and then turns ninety degrees and extends south where it will connect with Hillcrest Road. The extension of Hemlock Drive is proposed to extend northwest from its existing terminus and connect into the extension of Vista Pointe Drive, a slight deviation from Figure 18.



Portion of Figure 18 from TSP

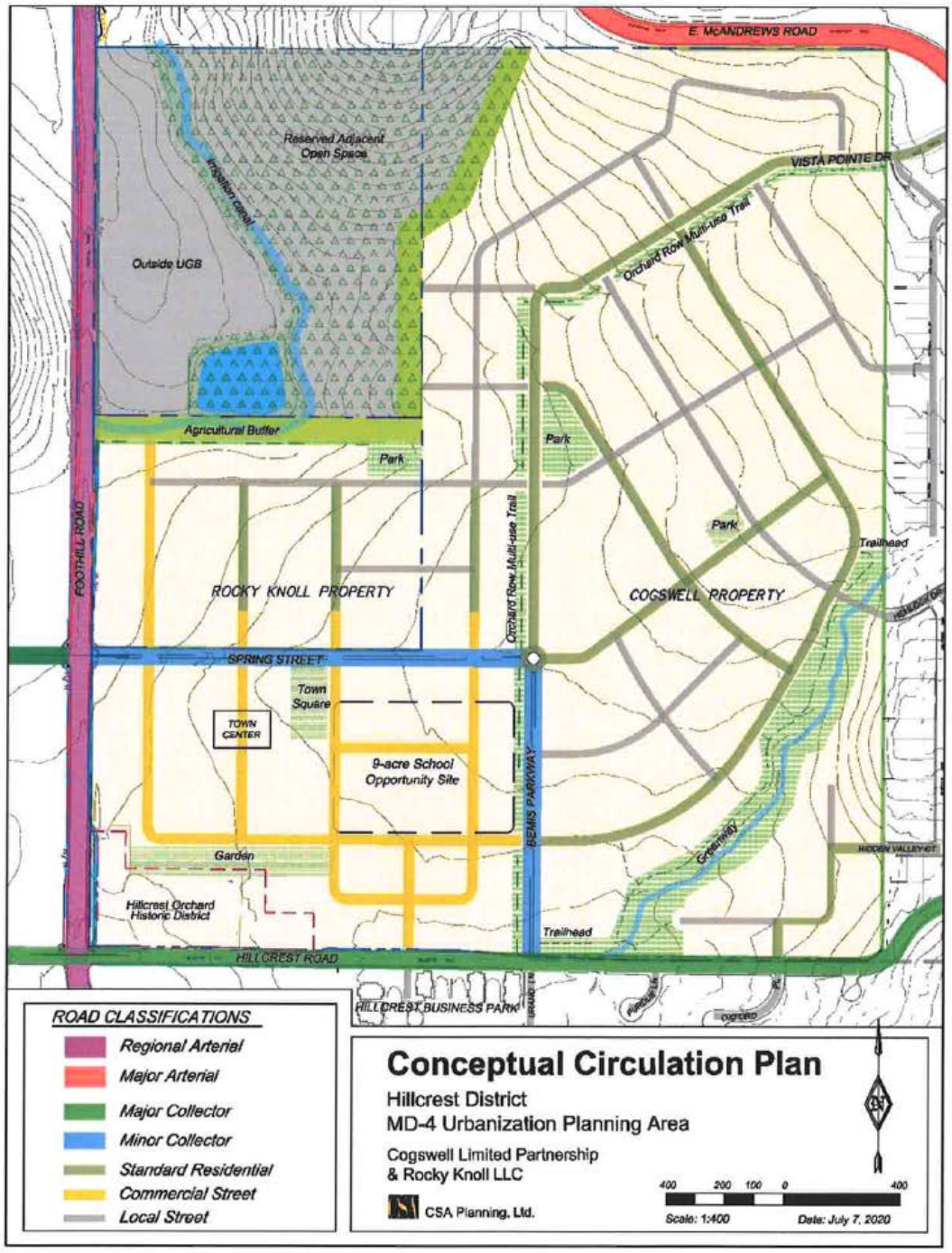
The applicant with concurrence from Medford Public Works - Engineering has proposed to modify portions of the Hillcrest Road cross section in order to accommodate unique site constraints related to the historic structures on the property. Using the legacy street provisions, the cross sections below will be used for portions of Hillcrest Road. The modified cross sections include 1) a tapered section that includes a varied width striped median, and 2) a modified section that includes curb tight sidewalk on the north side of the road where the existing dock extends into the right-of-way and a four foot striped median in the center.



The applicant has requested to vacate the portion of Hillcrest Road right-of-way where the existing structure encroaches into the right-of-way. This request is being reviewed by Jackson County.

The applicants' conceptual circulation plan includes a network of local, standard residential, and commercial streets that extend and connect the planning unit together. Hemlock Drive is the one street proposed to cross Lazy Creek. Vista Pointe Drive in the northeast is proposed to extend west and south and connect with Bemis Parkway (minor collector). Three streets are stubbed to the urban reserve portion of the property to accommodate future development.

4. NEIGHBORHOOD CIRCULATION PLAN MAP



Conclusions

Satisfied. The extension of Spring Street and Bemis Parkway follow the higher order street configuration proposed in the Transportation System Plan. The connection of Spring Street with Hemlock Drive is reconfigured with a slightly different alignment as noted in the circulation plan. The lower order street network provides a series of connections that link throughout the planning unit and facilitate connections to access higher order streets on three sides. The proposal conforms to the Transportation System Plan with slight modifications. This criterion is satisfied.

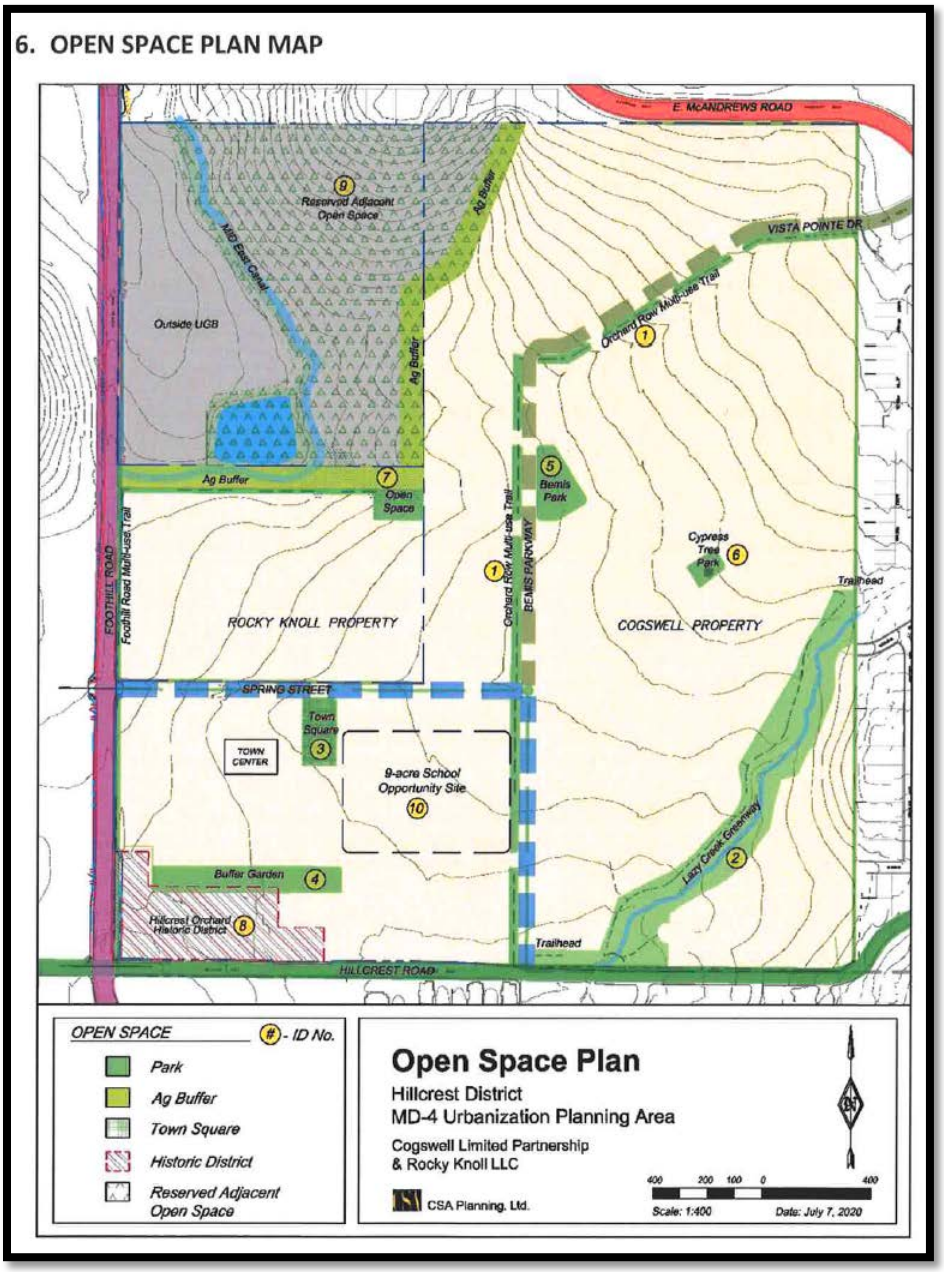
Criterion 5.3 *Compliance with the open space allocation for an urban reserve area. Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:*

> ***5.3.1*** *Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.*
>
> ***5.3.2*** *Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.*
>
> ***5.3.3*** *Riparian corridors shall be counted.*
>
> ***5.3.4*** *Areas under an "open space" deed restriction shall be counted.*
>
> ***5.3.5*** *Locally significant wetlands and any associated regulatory buffer shall be counted.*
>
> ***5.3.6*** *Slopes greater than 25 percent*

Findings

The Regional Plan allocated employment, residential and open space land use requirements within each of the planning units. For the MD-4 planning unit, 15 percent of the land is designated to open space. Based on the 224

acres located within the Urban Growth Boundary, a 15 percent requirement would yield 33.6 acres of open space on the site. The applicants have a unique situation where the remaining portion of MD-4 within the urban reserve is under the same ownership. The steeper slope areas within the urban reserve, the existing pond, and the agricultural buffer are proposed to be reserved as future open space. The proposed open space areas are identified below.



The identification numbers noted in the open space map above correspond to the acreages in the following table.

HILLCREST DISTRICT OPEN SPACE FEATURES							
ID	Type	Features	Current Ownership	Future Ownership	Medford GLUP	Approx. Acres	Total Acres
Public Greenways & Trails							13.39
1	*Orchard Row Multi-use Path*	Trees, Multi-use Path for pedestrians and bicyclists, potentally storm detention.	Cogswell Ltd Partnership	City of Medford	UR, SC	3.56	
2	*Lazy Creek Greenway*	Trails for pedestrians, creek crossing	Cogswell Ltd Partnership	City of Medford	UR, UH	9.83	
Private Parks							8.43
3	*Town Square*	Gathering space for shoppers and commerical area users.	Cogswell Ltd Partnership	Hillcrest District Town Center Assn	CM	1.01	
4	*Buffer Garden*	Large ornamental garden providing a landscaped buffer between Town Center and Historic District	Cogswell Ltd Partnership	Cogswell Ltd Partnership	CM	1.91	
5	*Bemis Park*	Neighborhood park or potentially a community garden	Cogswell Ltd Partnership	Hillcrest District Homeowners Assn	UR	1.19	
6	*Cypress Tree Park*	Neighborhood park to preserve existing large Cypress tree	Cogswell Ltd Partnership	Hillcrest District Homeowners Assn	UR	0.04	
7	*Ag Buffer & Wetlands open space inside UGB*	Ag buffer over East Canal plus additional park area to hold wetlands & buffer planting	Rocky Knoll LLC	Hillcrest District Homeowners Assn	UR, UH	4.29	
Historic District							6.61
8	*Hillcrest Historic District*	Main historic residence and accessory buildings, historic barn with the Roxy Ann Winery Tasting Room, Packinghouse and other historic structures	Cogswell Ltd Partnership	Cogswell Ltd Partnership	CM	6.61	
						TOTAL OPEN SPACE INSIDE UGB	28.43
TOTAL ACRES MD-4 PLANNING AREA		*224.27*				*Open Space Percentage WITHOUT Opportunity Site*	*12.7%*
Open Space land needed from reserved acreage outside UGB to meet 15%							5.21
9	*Minimum additional acres needed for Open Space from Reserved Acreage outside UGB*		Cogswell Ltd Partnership	Cogswell Ltd Partnership or City of Medford	UR	5.21	
						TOTAL OPEN SPACE INSIDE & OUTSIDE UGB	33.64
TOTAL ACRES MD-4 PLANNING AREA		*224.27*				*Open Space Percentage with Reserve Acres*	*15.0%*
IF OPPORTUNITY SITE IS USED FOR SCHOOL OR CIVIC USE						ADDS	9.00
10	*Opportunity Site*	New School OR Civic Use	Cogswell Ltd Partnership	School or Civic User	CM	9.00	
						TOTAL OPEN SPACE INSIDE UGB	37.43
TOTAL ACRES MD-4 PLANNING AREA		*224.27*				*Percentage WITH Opportunity Site & NO Reserve Acres*	*16.7%*

Areas 1-8 in the table account for 21.82 acres, Area 6 is the Hillcrest Historic District which is 6.61 acres, and Area 10 is the school or civic opportunity site which is proposed at 9 acres for a total of 37.44 acres. Area 9 at 5.21 acres is located outside of the urban growth boundary but is proposed to account for the needed acreage if Area 9 is not developed as noted. In order to maintain consistency with open space requirements in other planning units, Areas 1-8 and 10 are being counted toward the open space

percentage in order to meet the open space requirement in the planning unit. If Area 9 is needed, the applicants would need to identify a mechanism (e.g. a deed restriction or agreement) to secure this open space for use with this planning unit. The proposed open space in the urban reserve is not a part of the urbanization plan and proposed use of the land could change over time without some safe guards to identify specific areas to be used for open space use. That being said, it is recognized that the additional open space being proposed in the urban reserve coupled with the open space in the urbanization plan has the potential to double the amount of open space required within the overall MD-4 planning unit. The applicants propose to record a deed declaration for the remaining open space land within the urban reserve prior to rezoning the land within the existing urbanization plan.

Two agricultural buffers are identified along the northwest corner of the property.

The State approved the City's Local Wetlands Inventory (LWI) for the Urban Growth Boundary expansion areas in 2017. A 1.83 acre wetland (not locally significant) was identified southeast of the existing pond within portions of the urban reserve and urban growth boundary. Figures F-50 through F-53 within the LWI identify the wetland, probable wetlands, canals, water bodies, and ditches throughout the properties (**See Exhibit C1- C4**).

The applicant has not identified any slopes greater than 25 percent to be counted as open space.

<u>Conclusions</u>

Satisfied. The property owner is subject to a 15 percent open space requirement on the properties which equates to 33.6 acres. The applicants propose a mix of parks, trail networks, agricultural buffers, a school/civic opportunity site, and gardens and land associated with the historic designation on the site to provide the needed acreage. Additional open space is contemplated within the urban reserve area of MD-4 with plans to deed restrict that future land prior to the rezoning of the subject parcels. This criterion is satisfied.

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

Findings

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

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

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

MD-4 is well suited to provide a mixed use, pedestrian friendly community based on the combination of residential and commercial GLUP designations dispersed throughout the planning unit. The conceptual street layout provides connectivity and accessibility through various modes including walking, biking, and driving. Commercial development is envisioned around a town center, park site, potential school site, and the retention and incorporation of an active historic site that connects old with new. Long term transit plans with Rogue Valley Transportation District include Route 31 that will connect north Medford at Delta Waters to the City of Phoenix via Foothill/North Phoenix Road (Exhibit X-15) providing transit opportunities to this planning unit. Park sites and multi-use paths are proposed throughout the site with path connections along Foothill Road, Bemis Parkway/Vista Pointe Drive, and Lazy Creek. Bicycle lanes will be incorporated on higher order streets (Foothill Road, Spring Street, Bemis

Parkway, and Hillcrest Road) that will provide connections into and out of the site and provide connections to the lower order streets serving the residential components of the development. The application notes that new dwellings will be located within a quarter mile distance from employment areas and higher density residential units are situated closest to the commercial activity centers.

Conclusions

Satisfied. Neighborhood centers ideally provide for a commercial core, surrounded by higher density residential, close proximity to green space, complete streets, and lower density residential extending outward from the multi-family units. Transit access is also a key component. The layout of the street network, the arrangement of the GLUP designations, open space areas, and future transit as proposed in the MD-4 urbanization plan will accomplish the Regional Plan's vision for mixed use and pedestrian friendly neighborhoods. This criterion is satisfied.

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

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

Findings

The property owners began preliminary discussions with the utility providers last year during the pre-application conference in August 2019. The applicants have attached and referenced those comments in their findings for information. (**See Exhibit B13a-B13e**)

The urbanization plan currently under review was routed to internal and external agencies for comments and a Land Development meeting was held on September 23, 2020, to discuss the proposal and answer any questions of the applicants.

The guidance and information provided at this stage is informational only and serves to guide the applicant with future development plans. No utilities are being extended to serve the property during the urbanization planning process.

Comments have been received from the following agencies:

- Medford Public Works Engineering (**Exhibit D**),
- Jackson County Roads (**Exhibit E**),
- Medford Water Commission (**Exhibit F**)
- Medford Building (**Exhibit G**),
- Medford Parks, Recreation, and Facilities (**Exhibit H**)
- Medford Fire Department (**Exhibit I**) provided standard comments but no specific conditions for consideration at this time. As the site develops, additional comments and conditions may apply.

Public Works Engineering comments discuss the classification and future maintenance of the higher order streets of Foothill Road and Hillcrest Road. The portion of Foothill Road along the subject properties has already been annexed into the City but is being maintained by Jackson County. The City will assume maintenance jurisdiction of the road and request a jurisdictional transfer to be completed. Hillcrest Road is maintained by Jackson County and will continue as such until a jurisdictional transfer is completed. The applicants have filed for a vacation of right-of-way along Hillcrest Road with the County where the existing historic structure encroaches into the right-of-way. The internal streets of Spring Street, Bemis Parkway, Vista Pointe Drive, Hidden Valley Court, and Oxford Place will be constructed to city standards and maintained by the city. Capacity constraints are noted with sanitary sewer in this location. System development charges will be assessed at the time of building permits and utility fees will be applicable upon annexation.

Jackson County Roads provided comments related to the jurisdictional transfer, access restrictions, and storm drain requirements of Foothill Road and Hillcrest Road.

Medford Water Commission (MWC) has noted that the properties can be served with water once annexation occurs. The properties fall within two pressure zones. The MWC will be installing a new 24 inch water transmission line in Foothill Road as part of the road improvement project. The existing 12 inch line will be abandoned with the project. The applicant will be required to install missing segments of 12 inch water line in Hillcrest Road between Foothill Road and Urano Lane. Future plans need to be

designed in accordance with MWC regulations and coordinated with MWC Engineering staff.

Building Department staff has identified applicable codes and permits needed at the time of development. The easterly portion of the site is located in the wildfire High Risk area and subject to R327. Portions of the property are also within the Hillside Ordinance area and must adhere to applicable Chapter 10 code requirements.

Parks comments are noted in Criterion 5.9 below.

Conclusions

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

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

Findings

The applicant has identified each of these resources in detail in their submitted findings. Lazy Creek is located in the southeast corner of the site and is noted as a future open space feature and trail location in the plan. The creek, as noted by the applicants, is not fish bearing and there are no current riparian corridor boundaries along its boundary however the applicants seek to provide ample buffering to protect this resource. Existing farm crossings will be retained as pedestrian connections and only one street crossing is proposed to minimize impacts.

Wetlands have been addressed above in Criterion 5.3.

The Hillcrest Orchard Historic District has been on the National Register of Historic Places since 1984. The district encompasses 6.6 acres of the site and contains structures in the Period Colonial Style designed by architect Frank C. Clark. The complete nomination form is attached. (**See Exhibit B16**) The City's historic overlay will be applied upon annexation. Future changes to the historic structures will be subject to the City's historic regulations as applicable.

Conclusions

Satisfied. The findings and maps detail the extent of the natural and historic resources on the site. This criterion is found to be satisfied.

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

Findings

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

As outlined in the UGMA amended by both the City and County in 2016 and 2017 respectively, under Policy 2, the City agrees to request surrender of the full width road right-of-way along North Foothill Road for the segments bordering the subject property. Another city initiated annexation (ANNX-20-285) is in process that will annex the remaining segments of Foothill Road north of the subject properties to Delta Waters Road.

Hillcrest Road and McAndrews Road are also proposed for annexation. Hillcrest Road is not specifically identified in the UGMA and the portion of McAndrews Road is already maintained by the City.

Other policies in the UGMA include the protection of agricultural land zoned Exclusive Farm Use (EFU) outside of the Urban Growth Boundary. The portion of MD-4 within the Urban Reserve is zoned EFU and will be protected with an agricultural buffer on two sides as development occurs.

Conclusions

Satisfied. The segments of Foothill Road along the subject properties has already been annexed into the City. Jurisdictional transfer is requested per the Urban Growth Management Agreement. Protection of the remaining agricultural land to the northeast will be surrounded by an agricultural buffer as outlined in the agreement. This criterion is satisfied.

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

Findings

The annexation policies in the Urbanization Element (2.1.7(6)(e)) include a list of commitments to be met as offered by land owners during the Urban Growth Boundary expansion process. There are no special agreements related to MD-4.

Conclusions

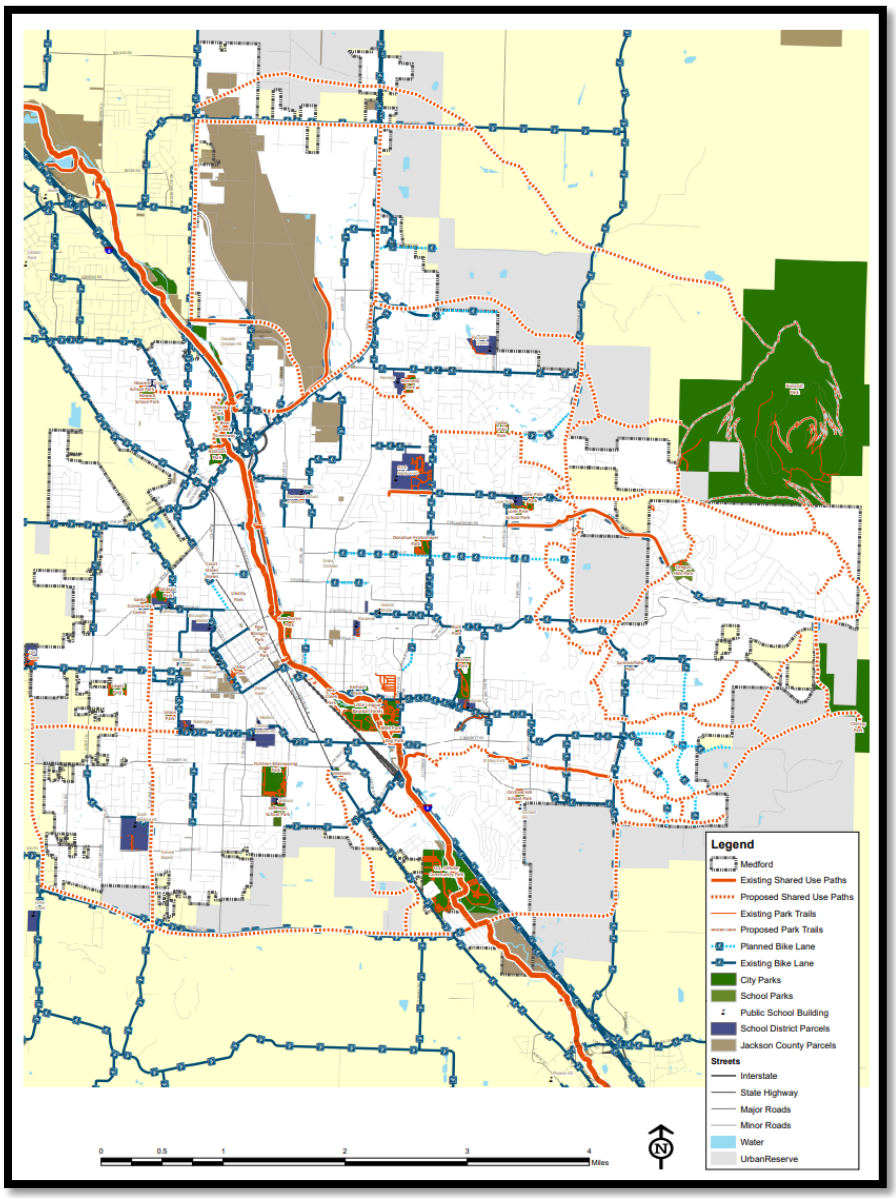
Not Applicable. The Comprehensive Plan does not include any special agreements for this planning unit. This criterion is not applicable to the proposal.

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

Findings

The Leisure Services Plan (Proposed Path & Trail Network Map –shown below) includes proposed shared use pathways along Foothill Road and Hillcrest Road as well as along Lazy Creek. The improvements to Foothill Road will include a multi-use path, sidewalks, and on-road bicycle facilities to provide connectivity along this corridor. Hillcrest Road includes some right-of-way constraints due to the retention of a historic structure. Modifications to the cross section through the legacy street standards will be implemented in order to accommodate this encroachment. The City standard for shared-use pathways is ten feet wide asphalt in a dedicated greenway corridor or within the street r-o-w as widened sidewalk. The path on Hillcrest Road should be sited on the north side of the road to provide a continuous connection from Foothill to the Lazy Creek Greenway. Discussions with Parks and Engineering on how best to accommodate the legacy street cross section and a pathway will be needed in the future in order to identify solutions to provide that connection.

In addition, the applicants propose to construct a trail network along Lazy Creek as identified in the Leisure Services Plan.



Currently, the Parks Department does not have specific plans to acquire and develop parkland with this planning unit but is open to future discussions and opportunities as they unfold.

Conclusions

Satisfied. There are currently no plans for the City to acquire land within this planning unit for open space. A number of smaller parks, green spaces, and trail networks are being proposed by the applicant to be dispersed throughout the project. The shared use path network identified in the

Leisure Services Plan will be accommodated along Foothill Road, Hillcrest Road (with some adjustments) and Lazy Creek. This criterion is satisfied.

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

Findings

A vicinity map (**Exhibit B6)** showing adjacent planning units and General Land Use Plan (GLUP) designations has been provided by the applicant. The surrounding land uses are mostly residential with Urban Medium Density Residential and Commercial GLUP designations located directly to the west of Foothill Road and south of Hillcrest Road.

Conclusions

Satisfied. The applicant has included a vicinity map showing the GLUP designations for the subject site and surrounding properties. Aside from the northwest corner of MD-4 which is within the Urban Reserve, the planning unit is surrounded by the city limits. This criterion is satisfied.

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

Findings

The applicant has provided multiple maps identifying the extent of the property boundaries and surrounding street connections. (**See Exhibits B4 though B6, B8 through B10**)

Conclusions

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

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

Findings

The specific locations of easements, existing irrigation canals and structures have been provided by the applicant. (**See Exhibits B11 and B12**) The site includes a number of structures including several historic buildings and some existing residences.

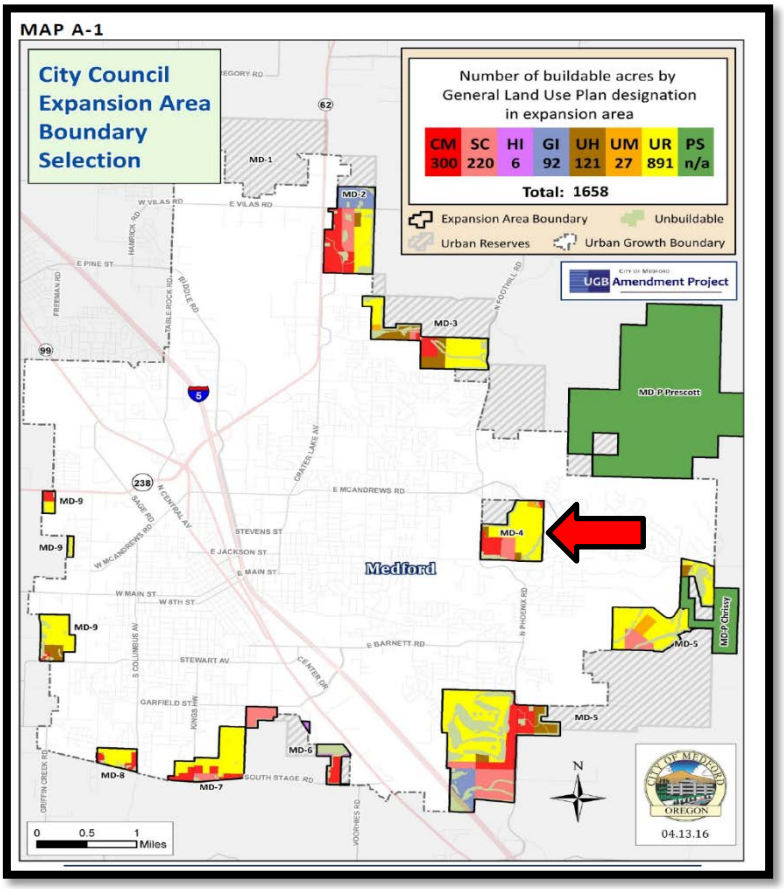
Conclusions

Satisfied. The applicant has provided documentation of existing easements and shown the location of existing buildings on the property. This criterion is satisfied.

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

Findings

Below is Map A-1 (Applicant's **Exhibit B17**) which is part of the Urban Growth Boundary Amendment project report adopted by City Council on August 18, 2016. The subject properties are identified by the red arrow. The map outlines the unbuildable areas (green/grey color) identified on the properties including agricultural buffers, the historic buildings and structures along Hillcrest Road, and portions of Lazy Creek.



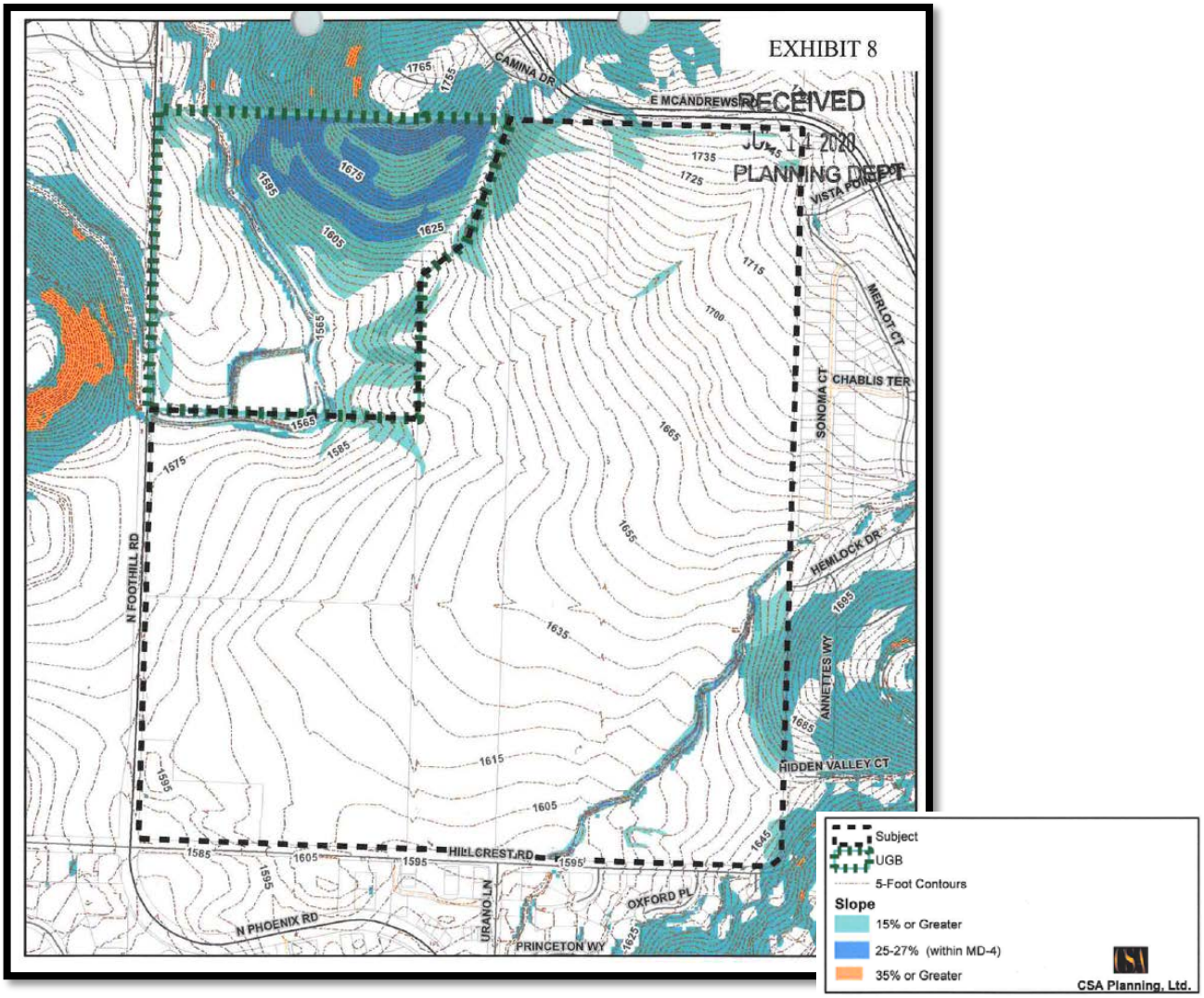
Conclusions

Satisfied. The applicant has included a copy of Map A-1 in the submittal materials. The proposed urbanization plan identifies the unbuildable areas noted on the map. This criterion is satisfied.

Criterion 5.14 *Contour lines and topography.*

Findings

The contour lines range from 1,745 feet at the northeast portion of the property to 1,595 feet near the southwest portion of the property. The applicant's submitted topographic/contour map is below (**Exhibit X-8**). The majority of the property is less than 15% slope with segments along the north and southeast that are greater than 15%.



Conclusions

Satisfied. The applicant has provided a contour map with 5 foot intervals of the site. A majority of the site is below 15% slope. This criterion is satisfied.

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

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

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

5.15.3 *Architectural details.*

5.15.4 *Specifics about building types and building placement.*

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

Findings

The applicant's urbanization plan does not include any of the five items listed above which are applicable at the time of development of the properties.

Conclusions

Satisfied. The proposal does not contain any deviations from the Municipal Code provisions, limitations on development due to facility capacity shortfalls, architectural details, building types or placement, or access/internal circulation for lots or sites as these details are too specific for this stage of the planning process. This criterion is satisfied.

Section 6 - GLUP AMENDMENTS
Criteria

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

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

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

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

Findings

The proposal does not include any adjustments to the General Land Use Plan configurations on the properties (**See Exhibit B4 for GLUP map**).

Conclusions

Not Applicable. The applicant has not requested any adjustments to the General Land Use Plan map. The designations and locations as adopted by the Urban Growth Boundary process are unchanged. This criterion is not applicable.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forward a favorable recommendation to the City Council per the staff report dated October 1, 2020, including Exhibits A through I for approval of UP-20-209, and adopting Exhibit B2 into the Neighborhood Element of the Comprehensive Plan.

EXHIBITS

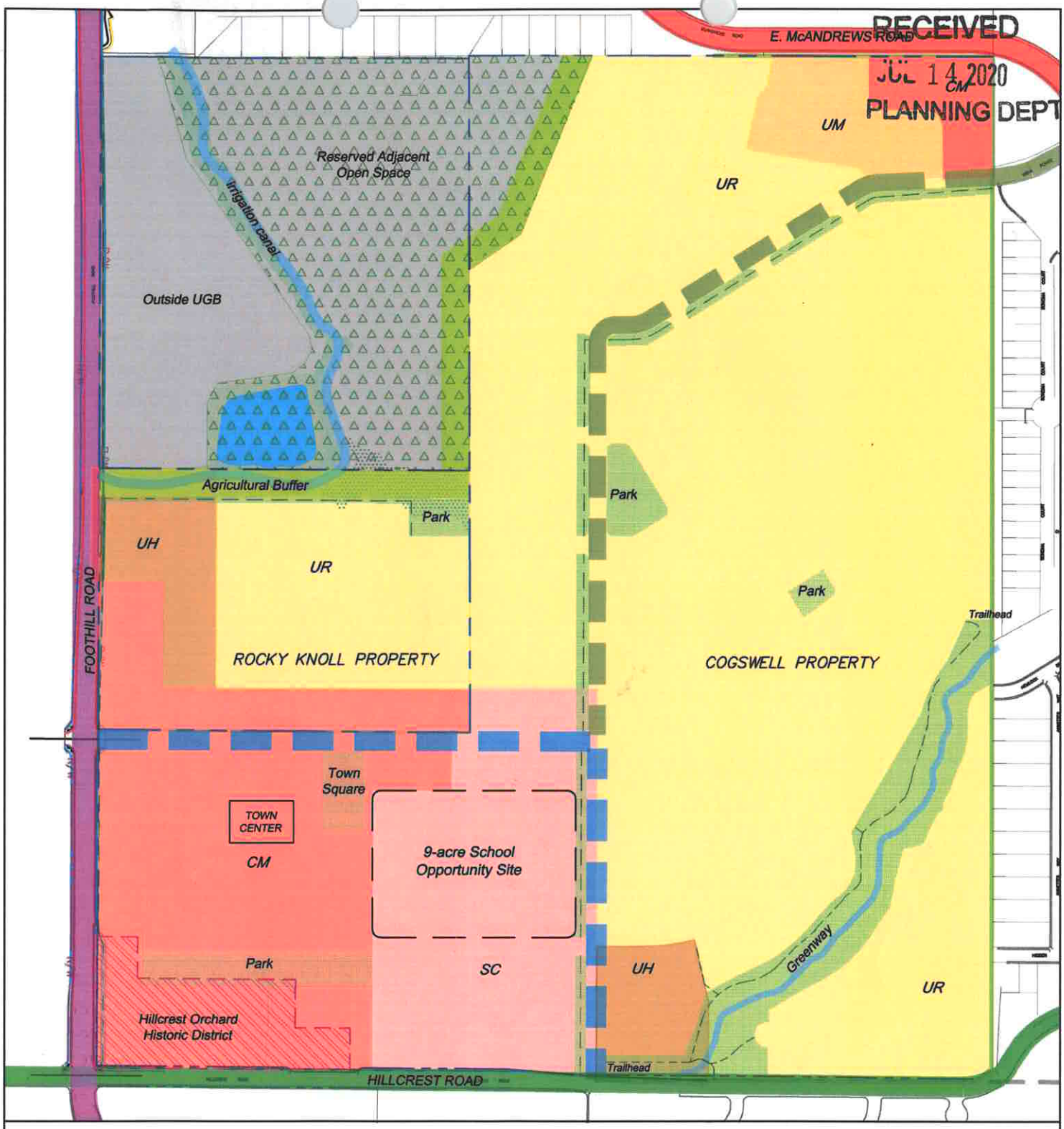
A Urbanization Plan

B (1) Applicant's Findings of Fact and Conclusions of Law
(2) Proposed Hillcrest District (MD-4) Urbanization Plan
(3) Technical Memo and spreadsheets – Residential Density Calculation
(4) Current General Land Use Plan (GLUP) Map
(5) Current Zoning Map on Aerial

(6) Vicinity Map with Existing GLUP Map Designations
(7) Local Wetland Inventory Information for MD-4
(8) Topography Map
(9) Assessor's Plat Maps
(10) Hydrology Map
(11) Record Boundary and Easements Map
(12) Partition Plan Map P-04-2019
(13) Agency Comments (from Pre-application)
(14) Neighborhood Meeting Information
(15) RVTD Transit Master Plan – Foothill Road Route Information
(16) National Historic Register Information
(17) Map A- 1 from UGB report dated 8/16/2016
(18) Power of Attorney for property owners

C Local Wetland Inventory Maps (C1-C4)
D Public Works – Engineering comments dated 9/23/2020
E Jackson County Roads comments dated 9/11/2020
F Medford Water Commission comments dated 9/17/2020
G Medford Building Department comments dated 9/23/2020
H Parks, Recreation and Facilities Department comments dated 9/23/2020
I Medford Fire Department comments dated 9/16/2020
Vicinity Map

PLANNING COMMISSION AGENDA: OCTOBER 8, 2020



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PLANNING DEPT

GLUP DESIGNATIONS		OVERLAYS	
UR	Urban Residential		Historic Overlay
UM	Urban Medium Density		Open Space Plan Overlay
UH	Urban High Density		
CM	Commercial		
SC	Service/Professional Commercial		

Urbanization Plan

Hillcrest District
MD-4 Urbanization Planning Area

Cogswell Limited Partnership
& Rocky Knoll LLC

CSA Planning

CITY OF MEDFORD
EXHIBIT
File # UP-19
EXHIBIT A

BEFORE THE CITY COUNCIL

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF AN APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT TO ADOPT AN URBANIZATION PLAN INTO THE NEIGHBORHOOD ELEMENT FOR PLANNING UNIT MD-4 (THE HILLCREST DISTRICT) LOCATED AT THE NORTHEAST CORNER OF FOOTHILLS ROAD AND HILLCREST ROAD IN TOWNSHIP 37 SOUTH, RANGE 01 WEST, SECTIONS 21D AND 22 WITHIN THE CITY OF MEDFORD'S URBAN GROWTH BOUNDARY IN UNINCORPORATED JACKSON COUNTY, OREGON	**PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Applicants' Exhibit 1** **Hillcrest District (MD-4) Urbanization Plan**
Owners/Applicants: Cogswell Limited Partnership and Rocky Knoll LLC	
Agent: CSA Planning, Ltd.	

I

SCOPE AND NATURE OF APPLICATION

Cogswell Limited Partnership and Rocky Knoll LLC (henceforth Applicants), being the only two owners of all property located within the planning area, request that the City initiate a legislative amendment to its comprehensive plan and approve the proposed Hillcrest District Urbanization Plan for the MD-4 Urbanization Area in Township 37 South, Range 1 West, Sections 21D and 22. The portion of the urban reserve area located within the urban growth boundary includes approximately 224 acres of private property located at the northeast corner of North Foothill Road and Hillcrest Road (371W21D-Tax Lots 101, 300 & 301, 371W22- Tax Lots 500 & 501).

The proposed Urbanization Plan is filed in conjunction with an annexation request for all the MD-4 properties above plus adjacent rights-of-way located within the urban growth boundary. A property line adjustment application is also being processed through Jackson County in order to modify an existing property line to match the urban growth boundary line.

* * * * * * * * * * * * * * *

EXHIBIT B-1

II

EVIDENCE SUBMITTED WITH THE APPLICATION

Applicants have submitted the following evidence in support of the land use application:

Exhibit 1. Applicants' Proposed Findings of Fact and Conclusions of Law (this document)

Exhibit 2. Proposed Hillcrest District (MD-4) Urbanization Plan

Exhibit 3. Tech Memo and Spreadsheets – Residential Density Calculations

Exhibit 4. Current General Land Use Plan (GLUP) Map

Exhibit 5. Current Zoning Map on Aerial

Exhibit 6. Vicinity Map with Existing GLUP Map Designations

Exhibit 7. Local Wetland Inventory Information for MD-4

Exhibit 8. Topography Map

Exhibit 9. Assessor's Plat Maps 371W21A, 21D and 22

Exhibit 10. Hydrology Map

Exhibit 11. Record Boundary and Easements Map

Exhibit 12. Partition Plat Map P-04-2019

Exhibit 13. Agency Comment
- a) Medford Building Department
- b) Medford Fire Department
- c) Medford Water Commission
- d) Medford Parks & Recreation
- e) Medford Public Works

Exhibit 14. Neighborhood Meeting Information

Exhibit 15. RVTD Transit Master Plan – Foothill Road Route Information

Exhibit 16. National Historic Register Information – Hillcrest Orchard Historic District

Exhibit 17. City Council Expansion Area Boundary Selection Map A-1 -August 18, 2016

Exhibit 18. Completed Urbanization Plan Application with limited Power of Attorney for CSA Planning, Ltd. from Cogswell Limited Partnership and Rocky Knoll LLC

* * * * * * * * * * * * * * *

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The following are the relevant code sections and substantive criteria prerequisite to approving an Urbanization Plan. The criteria are recited verbatim below and addressed specifically in Section IV of this document:

MEDFORD LAND DEVELOPMENT CODE

10.220 Major Type IV Amendments

(A) Major Type IV Amendments are those land use changes that have widespread and significant impact beyond the immediate area, such as changes capable of producing large volumes of traffic, changes to the character of the land use itself, or changes that affect large areas or involve many different ownerships. Major Type IV Amendments include:

****

(8) Urbanization Plan

(B) Major Type IV Amendment Approval Criteria.

Refer to the Review and Amendment section of the Comprehensive Plan, except in the case of the following four actions:

****

(4) Urbanization Plan. Refer to Sections 5 and 6 in the Urbanization Planning Chapter in the Neighborhood Element.

(C) Urbanization Plan Application Form.

An application for an Urbanization Plan shall contain the following items:

(1) Written consent of the owner(s) within the planning unit per the Urbanization Planning requirements in the Comprehensive Plan.

(2) Urbanization Plan map(s) drawn to scale that includes the Plan Contents found in Section 5 in the Urbanization Planning Chapter in the Neighborhood Element (20 copies).

(3) One reduced copy of each size plan (8.5" x 11" and 11" x 17").

(4) Electronic files in dwg format or shapefiles.

(5) Vicinity map including other adjacent planning units and their General Land Use Plan designations.

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

(7) Existing easements of record, irrigation canals, and structures.

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

(9) Written or graphical representation of compliance with the Plan Contents found in Section 5 of the Urbanization Planning Chapter in the Neighborhood Element.

(10) Written findings showing compliance with the Regional Plan requirements

(11) Contour lines and topography

(12) Property owners' names, addresses, and map and tax lot numbers within 200 feet of the project boundaries, typed on mailing labels.

(13) Documentation that a neighborhood meeting was conducted in accordance with Section 10.194.

* * *

MEDFORD COMPREHENSIVE PLAN

Neighborhood Element

10.4 Urbanization Planning

. . .

4. PROCEDURE

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

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

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

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

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

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

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

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

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

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

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

4.4 Exemptions. Areas that have only industrial or open space designations are not required to develop urbanization plans. In the 2016 expansion those areas are MD-2a, MD-5h, Md-6b, and Prescott and Chrissy parks.

5. PLAN CONTENTS

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

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

5.1.1 Specify residential zoning districts for certain areas.

5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

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

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

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

5.3.3 Riparian corridors shall be counted.

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

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

5.3.6 Slopes greater than 25 percent

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

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

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

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

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

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

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

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

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

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

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

5.14 Contour lines and topography.

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

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

5.15.2 Limitations on development due to facility capacity shortfalls.

5.15.3 Architectural details.

5.15.4 Specifics about building types and building placement.

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

6. GLUP AMENDMENTS

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

***

9. OPEN SPACE REQUIREMENTS BY PLANNING UNIT

The open space requirements for each of the designated MD areas is identified in the Regional Plan. The percentages have also been identified for each of the planning units below. It is understood that development constraints will prevent strict adherence to the exact number of acres required based on the percentages in Table 9-1. Therefore, the Open Space proposed by an Urbanization Plan may not vary more than 1 percent from the required percentage.

Table 9-1

Planning Unit Number	Regional Plan Open Space Percentage
MD-4	15%

* * * * * * * * * * * * * * *

IV

FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Property Description and Ownership**: The MD-4 urbanization area contains approximately 224.27 acres under two ownerships. Applicants Cogswell Limited Partnership and Rocky Knoll LLC own 100 percent of the total land area in the MD-4 urbanization area as shown in Table 1 below.

Table 1
Property Description & Ownership[1]

MD-4 HILLCREST PARCEL OWNERSHIP						
Tax Lot No.	Address	Ownership	Current Use	Current Zone	Medford GLUP	Parcel Acres
Map 37 1W 21D						
101	Foothill Rd	Rocky Knoll LLC	Agriculture	EFU	UR, UH, CM	29.27
300	3285 & 3303 Hillcrest Rd	Cogswell Ltd Partnership	Agriculture, Winery, Farm dwelling, Historic District	EFU	CM	33.06
301	3277 Hillcrest Rd	Cogswell Ltd Partnership	Historic District, Residence	EFU	UR, SC	5.02
Map 37 1W 22						
500	3345, 3347, 3351, 3353, 3405 Hillcrest Rd	Cogswell Ltd Partnership	Agriculture, Farm dwellings	EFU	UR, UM, UH, CM	113.83
501	Hillcrest Rd	Cogswell Ltd Partnership	Agriculture	EFU	UR, UM, UH, CM	43.09
					TOTAL	224.27

2. **Existing Development:** The subject property is currently developed with multiple dwellings and farm-related structures including barns, the old packinghouse, storage out-buildings and a winery production building. The majority of the acreage is in farm use as pasture, field crops, planted vineyards and fruit tree orchards.

3. **Land Uses on Abutting Properties and Surrounding Area**:

   East: Adjacent to the Northeast Quarter of MD-4 are several recently constructed phases of the Vista Pointe neighborhood that take primary access from East McAndrews, the central arterial for the area. Vista Pointe is a mixed-use PUD that includes a commercial component and retirement living (cottages and congregate care)

[1] Acreage indicated for TL 501 is that part of the parcel that is within the UGB. The balance (4.26 acres – Surveyor approximation) of the 47.35 acre TL 501 is outside the UGB. Applicant Cogswell Ltd. Partnership owns both TL 501 and the adjoining 46.29 acre parcel (371W21A-1400) located within MD-4 that is outside the UGB line. The common property line will be adjusted to match the UGB boundary.

in the area adjacent to the Hillcrest District. An agricultural buffer runs along the common line between that neighborhood and MD-4. Adjacent to the Southeast Quarter of MD-4 and south of Lazy Creek is the Greyson Heights single family residential neighborhood that was constructed in the late 1990's and early 2000's.

North: The Bella Vista neighborhood to the north is a planned unit development of single family homes and a private park. Access is from E. McAndrews Road. Abutting lots cover the crown and north side of the hill that rises from the northern portion of the Hillcrest District. A 50-foot agricultural buffer separates the houses from the Hillcrest property.

West: To the west across N. Foothill Road is a large tract of land owned by Rocky Knoll LLC. It includes 116 acres within the EA overlay for agricultural cultivation. Prominent knolls are located on the northeast and southeast corners of the tract. The tract is designated as urban residential, medium density residential and commercial land on the GLUP Map. The commercial and medium density map designations were applied during the "internal" review phase of the most recent urban growth boundary review, and they were purposely arranged to be complementary with a future town center within the Hillcrest District. Beyond the Rocky Knoll tract are established single family neighborhoods near the Rogue Valley Country Club (to the southwest).

South: Across Hillcrest Road to the southeast is the Bel Air Heights neighborhood that was constructed in the early 1980's. Due south of the District is the Hillcrest Business Park (medical and business offices, bank, coffee shop, etc.). To the Southwest is a vacant 10.12 acre parcel owned by the Cogswell Limited Partnership that is C-C for commercial use. This area prior to inclusion in the city was part of the Hillcrest farm known as "Block 17". Southwest across N. Phoenix Road is an older single family residential neighborhood that borders the Rogue Valley Country Club beyond.

4. **Stream, Floodplain and Riparian**: Lazy Creek crosses the southeastern corner of the planning area. This reach of the creek is approximately 0.6 miles northeast of the portion identified as fish bearing on the Riparian Corridors Map in the Medford Comprehensive Plan. There are currently two farm road crossings over the creek – a bridge over the lower reach near Hillcrest Road and a culvert over the upper reach north of Hemlock Drive. These will be retained to provide pedestrian and bike crossings as part of the trail system. One street crossing is proposed to extend Hemlock Drive to the west.

5. **Irrigation Canal and Pond, Wetlands**: The Medford Irrigation District's East Canal and a large irrigation pond are located in the northwestern corner of the MD-4 Urban Reserve. The pond is outside the urban growth boundary. The irrigation canal crosses into the UGB just east of the pond and continues westerly just inside the UGB from there. The wetland areas are identified on Map G2 in Medford's Local Wetland Inventory. Wetland ID W61 is a 1.83 acre area that is crossed by the current UGB line. The portion within the UGB is on property owned by Rocky Knoll LLC, and the portion outside the UGB to the north is on property owned by Cogswell Ltd. Partnership. The LWI Report determined that this is <u>not</u> a Locally Significant Wetland. *See,* Applicants' Exhibit 7 – Local Wetland Inventory Information. Five

"probable wetlands" shown on the inventory map (PW06, PW27 and PW28) are outside the UGB and one (PW73 and PW 74) inside the UGB. PW73 is just east of Wetland W61 and PW74 is to the east of Lazy Creek. The "probable wetlands" are all mapped as points which means they are less than 0.5 acre each pursuant to LWI Report Section 3.2.1 (Off-Site Inventory Procedures). The LWI Report explains at Page 17: *"Ninety five PWs were identified in the study area and are depicted in Figure Series F and G, Appendix F. PW66 has the potential to be a locally significant wetland if future on-the-ground investigation at this location were to delineate wetlands larger than 0.5 acre in size."* PW 66 is not a wetland located within the MD-4 area. None of the other 94 PWs in the inventory were found to have the potential to be locally significant, so PWs 06, 27, 28 and 73 in the MD-4 urban reserve area are not subject to Goal 5 significant natural resource protection. However, as noted at Page 18 of the report, all wetlands may still be regulated by the Department of State Lands and the Army Corps of Engineers. The LWI inventory maps also show location of artificial wetlands which are not regulated as natural wetlands. The irrigation pond in MD-4 is identified as "AW18". Drainage ditches and irrigation canals were not assigned inventory codes and are simply mapped as blue lines. All natural wetlands in MD-4 along with the pond and canal are included in the current and future open space areas of the proposed Hillcrest District Urbanization Plan.

6. **Topography and Hillside Overlay/Slopes Map Analysis:** The Hillcrest District is generally situated at the toe of Roxy Ann peak and, for the most part, is gently to moderately sloped with a southwesterly aspect. Except for the knoll in the northwest quarter of MD-4 and approaching Greyson Heights in the southeast quarter above Lazy Creek, the majority of the Hillcrest District has slopes less than 15 percent. The steepest area is the knoll outside of the urban growth boundary - being the only area having slopes greater than 25 percent. *See,* Applicants' Exhibit 8 – Topography Map.

7. **Urbanization Plan Compliance:** The Hillcrest District Urbanization plan has been developed through the cooperative planning efforts by the two landowners Cogswell Limited Partnership and Rocky Knoll LLC.

   a. **RPS Density Requirements**: A Technical Memo prepared by CSA Planning, Ltd. at Applicants' Exhibit 3 analyzes the applicable density requirements for the project, and the same is herewith incorporated. The analysis shows that the residential area designated within MD-4 on the GLUP Map, if allowed to develop at the lowest available densities available within the respective GLUP area, would yield only 423 dwelling units – which fall far short of the amount expected to be provided in MD-4 in the City's UGB residential land supply analysis. The analysis further shows that adopting the alternative minimum densities for each GLUP designation as proposed in Section 3.3.1 of the Hillcrest District Urbanization Plan will yield a minimum of 750 dwellings (four more than required). Policy HD3-1 in the proposed Hillcrest District plan will require that all zone change application demonstrate that the minimum density obligations in Section 3.3.1 are met.

   b. **Transportation**: The Hillcrest District Urbanization Plan includes a Circulation Plan Map at Section 4 and an explanation of the key street, bicycle, transit and pedestrian facilities - which is herewith incorporated. The circulation plan

corresponds the functional classifications and alignments indicated for this area in the Medford Transportation System Plan with one minor adjustment on the future standard residential street connection between Spring Street (a future minor collector) and Hemlock Drive (an existing minor residential street stubbed from Greyson Heights to the east line of MD-4. The rationale for the adjustment is set forth in Section 5.2.1, and the modification does not reduce the level of connectivity. A Legacy Street Determination from Medford Public Works is included in Section 9 of the plan concerning the portion of Hillcrest Road along the Hillcrest Orchard Historic District boundary. The approved legacy street design provides for the preservation of the historic packing house which encroaches within the right-of-way.

c. **Open Space Compliance:** The Open Space Plan Map located at Section 6 in the Hillcrest District Urbanization Plan and Section 7 discussion of the open space elements are incorporated herewith. The MD-4 Urban Reserve area as described in the Regional Plan was projected to include 15 percent of the total area as open space. That amounts to about 41.5 acres over the entire 277 MD-4 urban reserve. Cogswell Ltd. Partnership owns all land in the MD-4 urban reserve that remains outside the UGB (~52 acres) and also owns most of land that is now within the UGB.

The concept for the entire MD-4 urban reserve area is to provide a large park including the prominent knoll at the north end, the pond to the south, and the area in between. Most of this area is currently outside the UGB. At such time as the City further expands the urban growth boundary, the higher residential density commitment of the latter part of the Regional Plan period will either be in effect or much closer to being in effect. The lower area to the west between N. Foothill Road and the irrigation canal will, if included in the UGB, likely need to accommodate higher density residential housing, employment land, or a mix. Reserving an ample amount of open space in that quadrant is an important part of the overall urban reserve concept plan. About 35 acres is reserved for that purpose in the plan by function of Policies HD4-1 and HD4-2. Policy HD4-2 requires the property owner to record a deed declaration for the reserved open space (~35 acres) prior to rezoning land within the current UGB area.

The policy also provides for ability to adjust the reserve acreage upon inclusion in the UGB to balance with the 15% commitment of the Regional Plan. For example, inside the existing UGB there is a nine-acre School Opportunity Site that would be counted as open space if a school or community/civic use is established. But the site may alternatively be developed for commercial uses in accordance with the SC GLUP Map designation. Table 2 below provides approximate acreages for the planned open space elements, a brief description of each, and calculates some possible combinations that may occur with the reserve acreage and the school opportunity site.

Table 2

Open Space Acreage

HILLCREST DISTRICT OPEN SPACE FEATURES							
ID	Type	Features	Current Ownership	Future Ownership	Medford GLUP	Approx. Acres	Total Acres
Public Greenways & Trails							**13.39**
1	*Orchard Row Multi-use Path*	Trees, Multi-use Path for pedestrians and bicyclists, potentally storm detention.	Cogswell Ltd Partnership	City of Medford	UR,SC	3.56	
2	*Lazy Creek Greenway*	Trails for pedestrians, creek crossing	Cogswell Ltd Partnership	City of Medford	UR, UH	9.83	
Private Parks							**8.43**
3	*Town Square*	Gathering space for shoppers and commerical area users.	Cogswell Ltd Partnership	Hillcrest District Town Center Assn	CM	1.01	
4	*Buffer Garden*	Large ornamental garden providing a landscaped buffer between Town Center and Historic District	Cogswell Ltd Partnership	Cogswell Ltd Partnership	CM	1.91	
5	*Bemis Park*	Neighborhood park or potentially a community garden	Cogswell Ltd Partnership	Hillcrest District Homeowners Assn	UR	1.19	
6	*Cypress Tree Park*	Neighborhood park to preserve existing large Cypress tree	Cogswell Ltd Partnership	Hillcrest District Homeowners Assn	UR	0.04	
7	*Ag Buffer & Wetlands open space inside UGB*	Ag buffer over East Canal plus additional park area to hold wetlands & buffer planting	Rocky Knoll LLC	Hillcrest District Homeowners Assn	UR, UH	4.29	
Historic District							**6.61**
8	*Hillcrest Historic District*	Main historic residence and accessory buildings, historic barn with the Roxy Ann Winery Tasting Room, Packinghouse and other historic structures	Cogswell Ltd Partnership	Cogswell Ltd Partnership	CM	6.61	
						TOTAL OPEN SPACE INSIDE UGB	**28.43**
TOTAL ACRES MD-4 PLANNING AREA		***224.27***		***Open Space Percentage WITHOUT Opportunity Site***			***12.7%***
Open Space land needed from reserved acreage outside UGB to meet 15%							**5.21**
9	*Minimum additional acres needed for Open Space from Reserved Acreage outside UGB*		Cogswell Ltd Partnership	Cogswell Ltd Partnership or City of Medford	UR	5.21	
						TOTAL OPEN SPACE INSIDE & OUTSIDE UGB	**33.64**
TOTAL ACRES MD-4 PLANNING AREA		***224.27***		***Open Space Percentage with Reserve Acres***			***15.0%***
IF OPPORTUNITY SITE IS USED FOR SCHOOL OR CIVIC USE						ADDS	9.00
10	*Opportunity Site*	New School OR Civic Use	Cogswell Ltd Partnership	School or Civic User	CM	9.00	
						TOTAL OPEN SPACE INSIDE UGB	**37.43**
TOTAL ACRES MD-4 PLANNING AREA		***224.27***		***Percentage WITH Opportunity Site & NO Reserve Acres***			***16.7%***

The interim supply of open space area planned within the current UGB would be about 12.7% of the total acres now in the UGB if the nine-acre School Opportunity Site is not counted and would be 16.7% if all nine acres in the School Opportunity Site are used. In the event that none of the opportunity site is counted, then the 15% could be achieved with 5.21 acres of the reserved open space. The open space reserve acreage outside the UGB is more than ample enough to assure that the overall 15% commitment will be satisfied in either case. If all open space areas shown throughout the entire 277-acre urban reserve are counted (~73 acres), it

would amount to 26% of MD-4. Whether that amount can be allowed ultimately need not be resolved at this stage. What is certain is that there will be enough open space land reserved to meet the required 15% allocation – the overage will provide more options to consider later.

d. **Mixed-use Pedestrian Friendly Development:** The GLUP Map Designations in the Hillcrest District are arranged to provide for a mix of single-family residential uses, multi-family residential uses, and commercial uses around the Town Center. RVTD plans to provide transit service along Foothill Road (Route 31) which will follow the regional arterial from the City of Phoenix to the north Medford. *See,* Applicants' Exhibit 15 – RVTD Transit Master Plan Information. Sidewalks will be provided throughout the district and the City's block standards will assure appropriate local street connectivity. Multi-use paths also are planned to support both pedestrian and bicycle use along Foothill Road, "Orchard Row" connecting McAndrews Road to the town center and Hillcrest Road, and the Lazy Creek Greenway. Hillcrest Road and Spring Street are planned to have dedicated bike lanes. Also, every new dwelling in the Hillcrest District will be located within a quarter mile distance from an employment area with higher density residential areas arrayed closest to activity centers.

e. **Coordination with Public Utility Providers:** Consistent with the City of Medford UGB/ Urbanization policies, the urbanization area will be eligible for extension of services upon annexation. At the Pre-Application Meeting that was held on August 28, 2019, the Applicants met with and received memos from Planning, Building, Public Works, Medford Water Commission, and Medford Fire and Rescue.

f. **Statewide Planning Goal 5 (Natural and Historic Resources):**

Historic: The Hillcrest Historic Orchard District was entered into the National Register of Historic Places Inventory in 1984. The historic district is a 6.6 acre portion of the original orchard property containing an ensemble of buildings in the Period Colonial Style designed by architect Frank C. Clark for Reginald Parsons and his family.[2] *See,* Applicants' Exhibit 16 – National Historic Registry Information. The barn has been repurposed as the tasting room for the Roxy Ann Winery. The wine processing facility itself is housed in a modern building adjacent but outside the historic district boundary. Upon annexation, the City of Medford's Historic Overlay District will be applied to correspond with the NHR historic district as indicated on the urbanization plan maps and at Applicants' Exhibit 16.

Riparian: Lazy Creek, as established above, is not a fish bearing stream in this reach subject to Goal 5 for riparian habitat protection. However, the Hillcrest District preserves it as a neighborhood open space amenity with sufficient buffering area to meet the Goal 5 safe harbor standards for a fish bearing stream.

Wetlands: As also established here above, the only wetland areas in the district are not locally significant according to the City's adopted and state-acknowledged

[2] Reginald Parsons married Maude Bemis, daughter of Judson M. Bemis, founder of the Bemis Brothers Bag Company. Bemis Parkway and the adjacent Orchard Row linear park will connect the historic district along Hillcrest Road northward through the neighborhood plan area. This element also honors the Bemis family historic connection.

Local Wetland Inventory report. Only locally significant wetlands are required to be protected under Statewide Planning Goal 5. Nonetheless, the Hillcrest District plan preserves those areas as open space elements.

Other: No other inventoried or potential Goal 5 resources are found to exist within the planning area.

g. **UGMA Compliance:** The UGMA provides that annexations shall only occur within the adopted UGB, that the City Council is to request that the County surrender jurisdiction of certain roads upon annexation (including Foothill Road within MD-4)[3], and establishes policies and limitations on how unincorporated land within the UGB will be administered by the County and service districts until land is annexed. In this case, an annexation application has been submitted concurrently with the Urbanization Plan. Subject to approval of the annexation request, no MD-4 land within the currently adopted UGB will remain unincorporated. The UGMA provisions pertaining to future UGB adjustments, notice and coordination regarding uses and development at the UGB periphery, and consideration of impacts on agricultural and rural uses outside the UGB will continue to apply.

h. **Special Agreements Compliance:** No special agreements were required at the time of the UGB approval.

i. **Parks and Recreation:** Applicants have coordinated with Medford Parks and Recreation regarding the areas proposed for acquisition for public use. Further discussion as the District is developed will determine which facilities will become part of the public rather that privately held parks.

8. **Proposed GLUP Amendment Narrative:** No GLUP Amendments are requested. The Applicants owners propose to pursue the "No Spatial Changes" approach to land supply (i.e., general distribution of land uses) pursuant to Urbanization Plans Section 4.3.1 (Medford Comprehensive Plan Neighborhoods Element, Division 4).

9. **Public Facilities and Services:** Comments from public facility and utility providers were provided at the pre-application conference and applicants have continued to coordinate with the providers in finalizing the Hillcrest District Urbanization Plan.

a. **Medford Building Department** comments included at Applicants' Exhibit 13a indicate there will be special standards applied for development within identified natural hazard areas (i.e., flood, wildfire, hillside, and expansive soils).

b. **Medford Fire Department** comments included at Applicants' Exhibit 13b also note that the portion of the Hillcrest District is within the Wildfire Hazard overlay and provided a construction guide for mitigation.

c. **Medford Water Commission** comments included at Applicants' Exhibit 13c identify that the Hillcrest District is partially within pressure zone 1A and partially within Zone 2. The comments further inform that a new 24-inch water transmission

[3] The Foothill Road right-of-way area is already inside the city limits along MD-4. The adjacent rights of way of Hillcrest Road and McAndrews Roads are currently outside the city limits and are included in the proposed annexation area. The list of roadways in the UGMA requiring jurisdictional transfer does not list either Hillcrest Road or McAndrew Road. McAndrews Road is already fully improved to city standard; Hillcrest Road is not.

line is being installed in Foothill Road in conjunction with the City's Foothill Road Improvement Project, that the existing 12-inch water line will be abandoned, that a 12-inch water line will be needed within Hillcrest Road to complete the loop between Urano Lane and Foothill Road, and that off-site water line installation is not required. On-site water facility construction, of course, will be required as development proceeds within the Hillcrest District.

d. **Medford Parks Department** comments included at Applicants' Exhibit 13d note that the Department does not have specific plans to acquire and develop a parkland within the Hillcrest District but that the area is within a park walkshed gap so the Department is open to identifying opportunities. The comments include information on the City standard for shared-use pathways and recognize constraints associated with the Historic District may require modifications in some areas. A Legacy Street design alternative has since been approved by Public Works which includes sidewalk and bicycle lane along the historic district segment of Hillcrest Road.

e. **Medford Public Works** comments included at Applicants' Exhibit 13e provide information on existing and planned streets, note that there are sanitary and stormwater sewer system constrains that will need to be addressed at time of zone change, and provide information on street and trail maintenance responsibilities and about Systems Development Charges. Also, as noted above, Applicants have since coordinated with Public Works to obtain approval of a legacy street design for Hillcrest Road to preserve the historic buildings adjacent to that street.

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V

CONCLUSIONS OF LAW

The following conclusions of law are reached with respect to each of the relevant substantive criteria:

MEDFORD MUNICIPAL CODE - LAND DEVELOPMENT CODE "MLDC"

10.220 Major Type IV Amendments

(A) Major Type IV Amendments are those land use changes that have widespread and significant impact beyond the immediate area, such as changes capable of producing large volumes of traffic, changes to the character of the land use itself, or changes that affect large areas or involve many different ownerships. Major Type IV Amendments include:

****

(8) Urbanization Plan

(B) Major Type IV Amendment Approval Criteria.

Refer to the Review and Amendment section of the Comprehensive Plan, except in the case of the following four actions:

****

(4) Urbanization Plan. Refer to Sections 5 and 6 in the Urbanization Planning Chapter in the Neighborhood Element.

Findings and Conclusions: In accordance with the above, adoption of an urbanization plan is a Major Type IV Amendment subject to approval criteria established in Sections 5 and 6 of the Urbanization Planning Chapter in the Neighborhood Element of the Medford Comprehensive Plan. Compliance with each of those criteria are addressed and established here below. Accordingly, it is concluded that the urbanization plan satisfies the approval criteria of MLDC §10.220(B).

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MEDFORD COMPREHENSIVE PLAN

NEIGHBORHOODS ELEMENT

10.4 Urbanization Planning

4. PROCEDURE

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

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

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

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

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

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

Finding: Applicants Cogswell Partnership, Ltd. and Rocky Knoll LLC together comprise 100 percent of the owners of property located within the MD-4 planning unit. All information outlined in MLDC 10.220(C) has been provided with the application, including documentation that a neighborhood meeting was conducted on December 9, 2019 in accordance with MLDC Section 10.194. Therefore, the application represents a coordinated plan with full property owner consensus and is properly before the city in accordance with the above procedure for consideration under the applicable criteria of section 5 and 6 below for adoption as an appendix to the Neighborhood Element of the Comprehensive Plan.

* * *

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

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

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

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

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

Finding: The Hillcrest District (MD-4) urbanization plan has been prepared in accordance with subsection 4.3.1 "No Spatial Changes". The urbanization plan as proposed corresponds to the current GLUP map designations – no changes are proposed.

* * *

4.4 Exemptions. Areas that have only industrial or open space designations are not required to develop urbanization plans. In the 2016 expansion those areas are MD-2a, MD-5h, Md-6b, and Prescott and Chrissy parks.

Finding: The MD-4 planning unit includes residential and commercial designations and, therefore, is not exempt from the requirement to develop an urbanization plan.

* * * * * * * * * * * * * * * *

Urbanization Plan Criterion 5.1

5. PLAN CONTENTS

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

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

5.1.1 Specify residential zoning districts for certain areas.

Discussion; Conclusions of Law: As established in Section IV (Findings of Fact) herein above, the proposed urbanization plan for the Hillcrest District (MD-4) imposes alternate minimum densities for the residential GLUP map areas to assure that development will meet or exceed the density expected to be achieved for MD-4 in the UGB residential land supply analysis. Accordingly, it is concluded that the proposed Hillcrest District (MD-4) urbanization plan complies with criterion 5.1.

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Urbanization Plan Criterion 5.2

5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

Discussion; Conclusions of Law: A Neighborhood Circulation Plan Map is included at Section 4 in the Hillcrest District Urbanization Plan. Section 5 of the plan discusses the key street, bicycle, transit and pedestrian facilities. The circulation plan map depicts a well-connected street arrangement following natural contours in the hillside areas. The City's code already provides for flexibility of street connectivity standards to minimize disturbance of natural features. The plan proposes one new crossing of Lazy Creek for the extension of Hemlock Drive and retains two existing farm crossing that will be limited for trail use. Increase in block street block length is also appropriate to preserve pond and the wetland area adjacent to the urban growth boundary and to avoid the historic district.

Based upon the foregoing discussion, the Evidence in Section II and the Findings in Section IV, it is hereby concluded that the Plan complies with Criterion 5.2.

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Urbanization Plan Criterion 5.3

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

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

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

5.3.3 Riparian corridors shall be counted.

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

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

5.3.6 Slopes greater than 25 percent

Discussion; Conclusions of Law: Discussion; Conclusions of Law: The Open Space percentage requirement for MD-4 is 15%. Included in the Open Space areas are agricultural buffers, park and open space areas. An opportunity site of nine acres is also available for school or civic use as described in the plan. Potential wetland areas and riparian corridors are also included within the proposed open space areas. Slopes greater than 25% are present in the reserve acreage outside of the UGB that will become permanent open space.

The interim supply of open space area planned within the current UGB would be about 12.7% of the total acres now in the UGB if the nine acre School Opportunity Site is not counted and would be 16.7% if all nine acres are used. *See,* Table 2 in Section IV above. Applicant Cogswell proposes to record a deed restriction to reserve sufficient area immediately outside of the Urban Growth Boundary to ensure that the 15% total commitment for the MD-4 Urban Reserve is met and maintained. Therefore, it is concluded that Criterion 5.3 is satisfied.

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Urbanization Plan Criterion 5.4

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

Discussion; Conclusions of Law: As established in the Findings of Fact in Section IV and the Hillcrest District Urbanization Plan, the arrangement of commercial and residential uses has been designed support future mixed-use development and a town center. High

density and medium density residential areas are arranged adjacent to commercial activity areas to promote mixed-use development. The plan is pedestrian friendly in the following ways:

- Development of a Town Center for the District will provide easily accessible services and restaurants to the neighborhood and the surrounding neighborhood and businesses, encouraging residents to walk rather than to drive.
- Middle and high density residential areas are planned adjacent to the Town Center and the commercial node in the Northeast Quarter of the District. Housing density decreases as the distance increases from the commercial areas. All of the neighborhood population will reside within a quarter mile of the Town Center or the Northeast Quarter.
- Having employment and commercial services adjacent to the housing areas will overall reduce the number trips leaving the site.

Based upon the foregoing discussion, the Evidence in Section II and the Findings in Section IV, it is hereby concluded that the Plan complies with Criterion 5.4.

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Urbanization Plan Criterion 5.5

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

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

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Hillcrest District Urbanization Plan, it is concluded that the plan has been coordinated with the applicable public utility providers.

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Urbanization Plan Criterion 5.6

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

Discussion; Conclusions of Law: The Hillcrest Orchard Historic District is listed in the National Register of Historic Places. The 6.6 acre historic district will be subject to the Medford Historic Overlay Zone regulations to preserve that resource. The wetland areas and Lazy Creek are inventoried as significant resources subject to Statewide Planning Goal 5 protections, but the plan does preserve those natural areas as park and greenway elements. Therefore, it is concluded that the Hillcrest District Neighborhood Plan provides for adequate protection for all of these known or potential Goal 5 elements.

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Urbanization Plan Criterion 5.7

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

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Hillcrest District Urbanization Plan, it is concluded that the proposed Urbanization Plan is

consistent in all ways with the Urban Growth Management Agreement (UGMA) and that the concurrent application for annexation is also consistent with the UGMA.

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Urbanization Plan Criterion 5.8

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

Discussion; Conclusions of Law: No special agreements between the landowners and other public entities were required as part of the UGB process for the MD-4 area. The UGMA does provide that the City Council shall request that Jackson County surrender jurisdiction of the N. Foothill Road right-of-way along MD-4. That matter is already coordinated through the N. Foothill Road improvement project. Therefore, it is concluded that Criterion 5.8 is met.

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Urbanization Plan Criterion 5.9

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

Discussion; Conclusions of Law: The Findings of Fact here above in Section IV and the Hillcrest District Urbanization Plan document that Applicants have coordinated with the Medford Parks and Recreation Department. The Parks and Recreation Department's pre-application conference comments indicate that the proposed open space/Lazy Creek Greenway area is consistent with the Leisure Services Plan for the area. A multi-use pathway adjacent to Hillcrest Road was recommended with the recognition that constraints associated with the Historic District may require modifications in some areas. A Legacy Street design alternative has since been approved by Public Works which includes sidewalk and bicycle lane along the historic district segment of Hillcrest Road. The location of historic structures would not Coordination with parks will continue as future development plans are prepared. Therefore, the it is concluded that Criterion 5.9 is met.

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Urbanization Plan Criterion 5.10-5.14

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

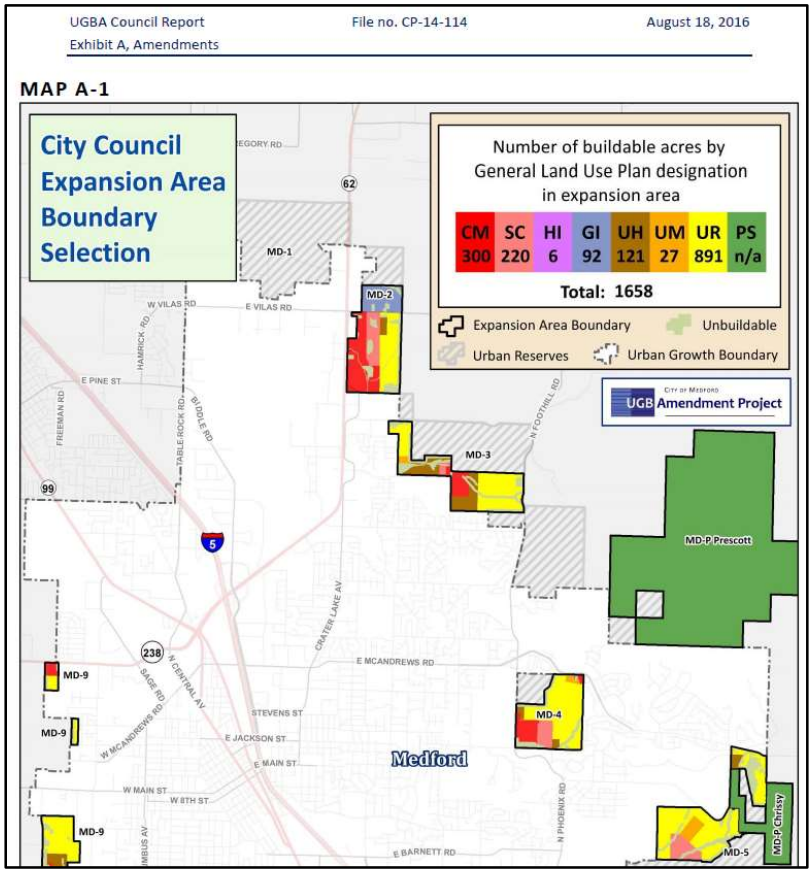
5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.

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

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

5.14 Contour lines and topography.

Conclusions of Law: The vicinity map is included at Applicants' Exhibit 6. Property lines are shown in multiple plans and maps (e.g., Applicants' Exhibits 2, 4-6, and 8-10). Applicants' Exhibits 11 and 12 show the existing easements of record, irrigation canals and structures. The below figure is from Map A-1 referenced in criterion 5.13:



The areas designated as unbuildable on Map A-1, Exhibit 17, are the historic district, Lazy Creek and the agricultural buffering along the UGB which are all addressed in the open space plan. The Hillcrest District Urbanization Plan (Applicants' Exhibit 2) includes the required topography map at Section 9.3. The map, which is also provided at Applicants' Exhibit 8, shows 5-foot interval contours. It is thus concluded that the above required information are in the record for the proceedings and are sufficient in all ways for review and adoption of the Hillcrest District Urbanization Plan.

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Urbanization Plan Criterion 5.15

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

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

5.15.2 Limitations on development due to facility capacity shortfalls.

5.15.3 Architectural details.

5.15.4 Specifics about building types and building placement.

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

Conclusions of Law: Based upon the Findings of Fact in Section IV and the Hillcrest District Urbanization Plan, the follow conclusions are reached:

1. No deviations to the municipal code (including exceptions to Chapter 10) are requested as part of the plan. For the record, the Hillcrest Road legacy street design is not a deviation from the Municipal Code provisions and requires no exception to Chapter 10. Rather, Municipal Code Section 10.427(D) provides that context sensitive design of legacy streets shall be required as a condition of land use review. The code includes specific standards applicable legacy streets which were applied in coordinating the design with Medford Public Works. Section 9.1 of the urbanization plan documents the City Engineer's legacy street determination and support for the same.
2. No specific facility capacity analysis has been performed or is required and no development limitations are proposed as part of the urbanization plan.
3. No architectural details are provided or required.
4. No specifics about building types or building placement are proposed.
5. No individual lot accesses or internal circulation is depicted for prospective lots or development sites. For the record, the legacy street design addresses an existing historic resource rather than a prospective lot or development site. The historic resource is required to be protected in accordance with state and local historic preservation policies and regulations. Also, any agency comment that may suggest the urbanization plan contain specific access or internal circulation cannot appropriately applied pursuant to criterion 5.15.5 but are considered advisory as to conditions that may be expected to be applied at the time of development. Over the course of time, any related code changes that may occur will be applied in review of development plans submitted thereafter.

Therefore, it is concluded the that Criterion 5.15 is satisfied in its entirety.

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Urbanization Plan Criterion 6.1.1

6. GLUP AMENDMENTS

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

Discussion; Conclusions of Law: No GLUP Map amendments are proposed. Accordingly, it is concluded that Criterion 6.1.1 is not implicated.

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VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for MD-4, Hillcrest District Urbanization Plan under each of the applicable substantive criteria has been substantiated on the basis of facts and evidence contained in the whole record. Therefore, it is concluded that the Urbanization Plan is in full compliance with the City of Medford's Comprehensive Plan and all relevant laws and regulations of the City and the State of Oregon.

Respectfully submitted on behalf of the Owners, Cogswell Limited Partnership and Rocky Knoll LLC,

CSA Planning, Ltd.

Raul G. Woerner
Principal

Dated: July 8, 2020

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1. HILLCREST DISTRICT OVERVIEW

1.1. PREFACE

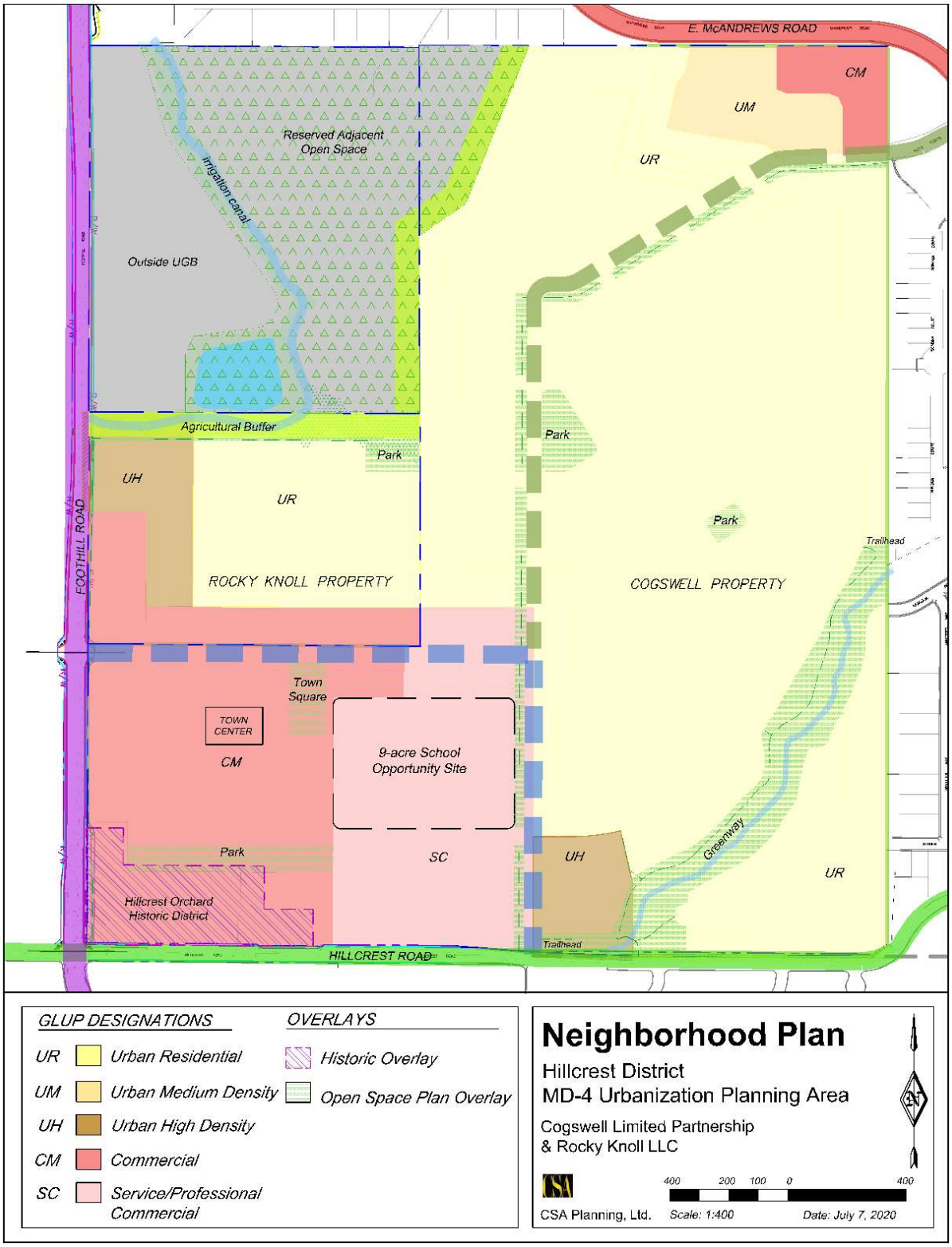
The Hillcrest District Neighborhood Plan is the urbanization plan for Planning Unit Map MD-4. This planning map unit includes approximately 224 acres located in East Medford north of Hillcrest Road and east of Foothill Road. The district is part of Urban Reserve Area MD-4 which has approximately 277 acres in total and is the only urban reserve area in Jackson County that is surrounded on all sides by an incorporated city. As described in the Regional Plan Element, Medford envisions this district as a master planned mixed-use area with residential and commercial uses, including a town center to support higher densities.

1.2. URBANIZATION PLAN DESIGN RATIONALE

The Hillcrest District Urbanization Plan design rationale begins with the need to provide a town center as envisioned in the Regional Plan Element. The Hillcrest Orchard Historic District, a 6.62 acre site designated in the National Historic Register, is an activity center along the intersection of Hillcrest Road and Foothill/North Phoenix Road which will be the focal point of the town center. The City's Historic Preservation Overlay zone will be applied to the historic district and a park is planned along the north side of the historic site to provide a transitional buffer from adjacent commercial uses. The town center location is also appropriate given that there are nearby existing and planned commercial areas to the south and west and there is a medium density residential area planned to the west. High density residential areas are designated in the Hillcrest District nearby to the north and east of the town center. Streets and trails, including a greenway along Lazy Creek and a 40-foot wide park strip ("Orchard Row") with a multi-use path connecting through from Hillcrest Road to Vista Pointe, will connect activity centers throughout the district to the town center and the surrounding neighborhoods. The land use arrangement also includes a node of commercial and medium-density residential in the northeast corner of the district adjacent to a commercial use area within the Vista Pointe Planned Unit Development.

The overall land use arrangement is intended to be compatible with adjacent neighborhoods, to foster a pedestrian friendly mixed-use community (every new home in the district will be within one-quarter mile of planned employment and neighborhood activity centers), and to preserve natural and historic resources. The plan also ensures compatibility with farm use of the approximately 52 acres of urban reserve land remaining outside the urban growth boundary. This land is in common ownership with the majority of the property now within the UGB and, as such, the urbanization plan includes a commitment to reserve the easterly half of the for open space/park use when brought into the urban growth boundary. The area will continue to be farmed as EFU zoned land and protected with interim agricultural buffering. Eventually, when the city absorbs the remainder of the urban reserve, a contiguous area of over 30 acres including the pond will be reserved as a park to serve the community.

2. HILLCREST NEIGHBORHOOD PLAN MAP



3. LAND USE DESIGNATIONS

3.1. CURRENT GENERAL LAND USE DESIGNATIONS

Land use designations depicted on the Hillcrest District Urbanization Plan correspond in location and configuration to the current base GLUP Map Designations as were adopted when the MD-4 planning area was included in the city's urban growth boundary.

3.2. OVERLAYS

3.2.1. OPEN SPACE PLAN OVERLAY

An open space plan overlay is added to identify planned open space elements to be reserved such as a greenway along the creek, a town square, and several parks.

3.2.2. HISTORIC OVERLAY

The Hillcrest Historic District boundary corresponds to the legal description at Item 10 in the National Register of Historic Places Inventory Nomination Form, being approximately 6.6 acres in the southwest corner of the planning area. The district includes an ensemble of fifteen historic buildings that are architecturally significant as the only documented example of agricultural work by Rogue Valley architect Frank Chamberlain Clark. The Roxy Ann Winery Tasting Room is located in the Historic Barn. The area will be separated from the commercial area to the north by a park or buffer garden, which will function as a transitional space between the historical district and the Town Center. Medford's Historic Preservation Overlay District will be applied the NHR boundary as a zoning overlay. Also, a legacy street plan will be applied to Hillcrest Road along the historic district to protect the historic structures that would otherwise have to be removed to accommodate widening to the full major collector street standard

3.2.3. SCHOOL OPPORTUNITY SITE

The opportunity site identified on the urbanization plan is approximately nine acres in area on level terrain that would be well positioned to site a school or other community service facility for the planned and existing neighborhoods nearby. It was anticipated that the Medford School District would need a site to fill the gap between Lone Pine Elementary and a planned site in the Southeast Neighborhood area. While the school district did not elect to identify this as a potential school site when it updated its long-range facility plan, it remains marked as an opportunity site on the urbanization plan to promote consideration for school or community service facility use given its ideal location for the same. In the alternative, development of the site will be allowed in accordance with the Service Commercial GLUP Map designation.

3.3. RESIDENTIAL AREAS AND DENSITY REQUIREMENTS

The Hillcrest residential neighborhood is arranged to provide for higher density housing near the town center, gradually getting less dense as the neighborhoods climb up the slopes to the east and north. Some medium density housing will be combined with a smaller commercial node at the northeast corner of the district adjacent to a mixed-use planned unit development (Vista Pointe).

3.3.1. Residential Density Obligations

Expressed in dwelling units, the UGB amendment process assumed that the MD-4 area would provide at least 734 dwelling units. An addition of 12 dwelling units (for a total of 746 dwellings) is a necessary adjustment to maintain density given that a portion of the agricultural buffer provided by this urbanization plan will be outside the UGB rather than inside as was assumed in the UGB amendment process. To ensure that at least 746 dwelling units are provided, the following minimum residential density requirements for each residential GLUP Map Designation within the Hillcrest District (MD-4) are hereby established which will yield a minimum of 750 dwelling units:

UH - Urban High Density:	16 dwelling units per acre
UM - Urban Medium :	12 dwelling units per acre
UR - Urban Residential:	4.5 dwelling units per acre (Slopes up to 15%)
	0.8 dwelling units per acre (Slopes greater than 15%)

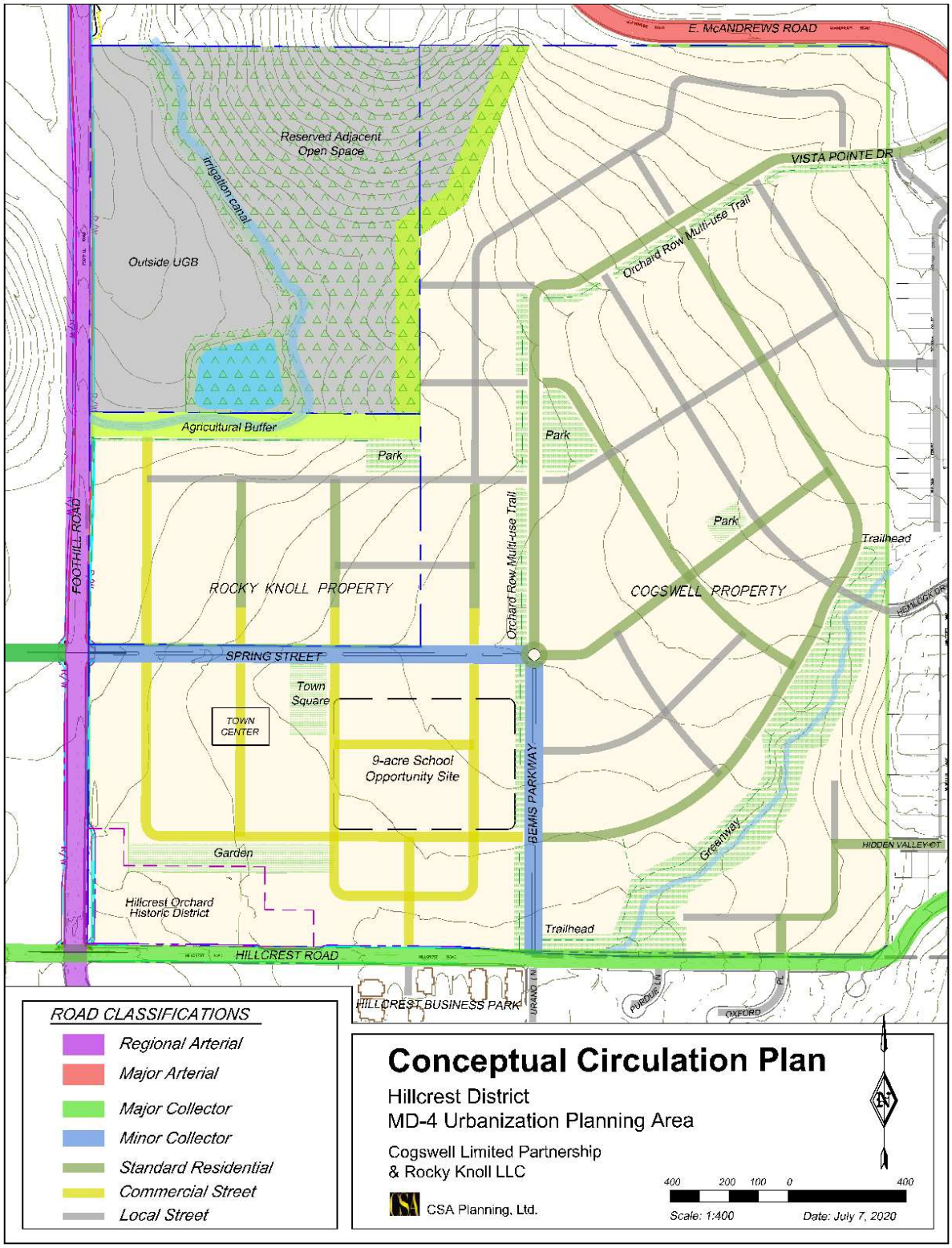
3.4. Agricultural Buffers

Agricultural buffering will be provided along the urban growth boundary as shown on the Hillcrest District urbanization plan. All of the area remaining area outside and adjacent to the urban growth boundary is EFU zoned land within the MD-4 urban reserve area.

The agricultural buffer area along the northern boundary of the Rocky Knoll LLC property includes a portion of the irrigation canal and, east of the canal, most of the 1.83 acre wetland area (Wetland ID W61, determined to be "not significant" within the Medford Local Wetlands Inventory Report). Although this wetland was not determined to be locally significant in the City's LWI, it may still be regulated by the Oregon Division of State Lands and the U.S. Army Corps of Engineers. Therefore, the agricultural buffer area will need to be designed to appropriately integrate the irrigation canal and the wetland area. The urbanization plan concept anticipates that this area will be retained as open space and is planned to become part of the future parkland that will extend north onto the Cogswell property. The plan also includes a smaller park to be provided inside the current UGB at the northeast corner of the Rocky Knoll LLC property, where Wetland ID W61 extends more than 100-feet south of the UGB line.

The land along both sides of urban growth boundary extending north from the Rocky Knoll LLC tract is all owned by the Cogswell Limited Partnership. That being the case, the owner has elected to establish a 100-foot wide agricultural buffer along the outside of the urban planning area property line. This agricultural buffer will be designed as an interim (mid-term) mitigation area to be maintained while the land to the west remains outside the UGB and continues to be farmed. This buffer area itself will remain in agricultural use until such time as the urban property adjacent to the buffer is developed. At that time it will be planted as required for vegetative screening within a 100 foot agricultural buffer. At such time in the future as the City may include the remainder of the MD-4 urban reserve area into the urban growth boundary, the portion between the irrigation canal and the existing urban growth boundary is reserved to provide the balance of the 15 percent overall supply of open space as required in the Regional Plan Element for the MD-4 urban reserve area. The interim/mid-term agricultural buffer will then convert to a bordering element of the open space plan.

4. NEIGHBORHOOD CIRCULATION PLAN MAP



5. NEIGHBORHOOD CIRCULATION PLAN

The MD-4 urban reserve is a 277-acre enclave around which the City of Medford has already grown. All but 52 acres of the urban reserve is now within the city's urban growth boundary. The key facilities shown on the circulation plan for this district will fill in connections between the surrounding neighborhoods and within the district itself. Final local street layout may differ insofar as a similar level of connectivity is achieved in accordance with city requirements. Key facilities to be provided are discussed below.

5.1. Higher Order Streets

5.1.1. North Foothill Road

North Foothill Road along the western boundary of the district is classified as a Regional Arterial to be widened with a five-lane cross section and a multi-use path. Access will be limited to the existing intersection with Hillcrest Road and the planned intersection with Spring Street. A local street located parallel to the east of North Foothill Road will provide access to individual properties. A possible connection of the frontage street is projected to ultimately connect through the remaining urban reserve area to the north should that area be included in the UGB in the future.

5.1.2. Hillcrest Road

Hillcrest Road is a classified as a major collector which will be improved to include a three-lane section with bicycle lanes, planter strips and sidewalks. A legacy street design is planned to preserve the historic Hillcrest packing house. The design modifies the major collector standard cross section to bring the sidewalk "curb tight" where adjacent to the historic packing house. The legacy street design is incorporated as a necessary component of the Hillcrest District Neighborhood Circulation Plan to comply with the requirement to preserve historic resources.

5.1.3. Bemis Parkway

Bemis Parkway will be a new street that begins at Hillcrest Road, opposite of the end of Urano Lane. It is classified as a minor collector where it bounds the commercial area from Hillcrest Road to its intersection with Spring Street. It then continues northward as a Standard Residential street terminating at its intersection with Vista Pointe Drive. A 40-foot wide linear park ("Orchard Row") will be provided on the west side of the entire length of the street. The parkway will include a 10-foot multi-use path for pedestrians and bicycles as well as potential storm detention areas. The circulation plan map depicts a possible roundabout intersection with Spring Street. Final intersection configuration will be subject to City approval based on design and traffic analysis.

5.1.4. Spring Street Extension

The Medford Transportation System Plan (TSP) depicts the extension of Spring Street as a major collector from Pierce Road, approximately one-half mile to the northwest, to North Foothill Road just to the west of the Hillcrest District. Spring Street will extend due east through the Hillcrest District Town Center as a Minor Collector to Bemis Parkway.

5.2. Lower Order Streets/Connections

5.2.1. Spring Street and Hemlock Drive Connection

East of Bemis Parkway, Spring Street will extend to the northeast as a Standard Residential street. The TSP shows Spring Street connecting directly to Hemlock Drive, a narrow (50-foot wide) street currently stubbed out from the Greyson Heights neighborhood to the east boundary of the Hillcrest District. The Neighborhood Circulation Plan alters the local street connection slightly to instead show Hemlock Drive extending westerly to cross Lazy Creek at a narrow point and then intersecting with Spring Street. The modification is intended to slow traffic through both Greyson Heights and the Hillcrest District by avoiding a straight downhill direct through connection as depicted on the TSP.

5.2.2. Vista Pointe Drive

The extension of Vista Pointe Drive west into the Hillcrest District is planned as Standard Residential street. The "Orchard Row" linear park will run on the southeast side of the street and will include a 10-foot multi-use path for pedestrians and bicycles.

5.2.3. Hidden Valley Court

Hidden Valley Court, an existing minor residential street, will be extended from the Greyson Heights neighborhood to connect with new residential streets southeast of Lazy Creek.

5.3. Transit, Bicycle and Pedestrian Facilities

5.3.1. Transit

The Hillcrest District Town Center is designed as a nodal development adjacent to the North Foothill Road regional arterial connection. The Rogue Valley Transit District (RVTD) 2040 Transit Master Plan identifies a new Foothill Road route as part of the mid-term (2037) preferred system. Route 31 will connect east Medford to Phoenix with stops to be spaced approximately 1/3 mile apart. As planned, the route will operate at 15 to 30 minute frequencies every day of the week.

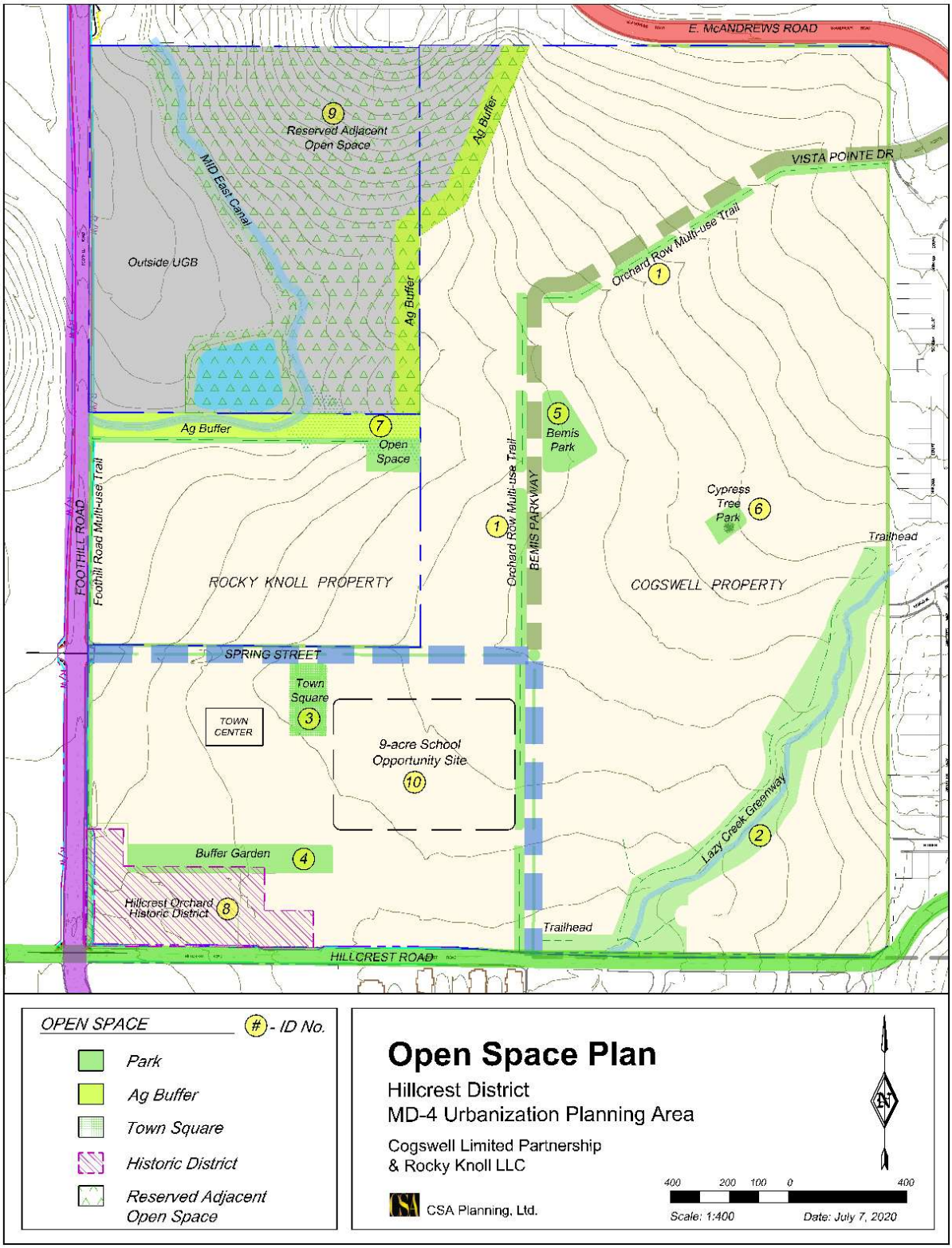
5.3.2. Bicycle Facilities

A 10-foot wide multi-use path is planned as part of the "orchard row" feature to support bicycle travel from Hillcrest Road to McAndrews Road. Bicycle lanes are also planned for the Spring Street extension and along Hillcrest Road, including the legacy street portion. In addition, the City of Medford has planned to install a multi-use path along Foothill Road when the road is widened. A multi-use trail is also to be provided in the greenway along Lazy Creek. Being located along the creek, that trail will be generally free of street intersection conflicts as Hemlock Drive will be the only new street crossing of the creek.

5.3.3. Pedestrian Facilities

In addition to standard sidewalks, the "orchard row" multi-use path is also available to pedestrians. A multi-use greenway trail is planned along Lazy Creek with trailheads at the upper and lower reach at the creek crossings. The southern trailhead is located next to an existing farm road crossing which will be retained for trail use only. The north trailhead is adjacent to the new Hemlock Drive crossing.

6. OPEN SPACE PLAN MAP



7. OPEN SPACE AND PARKS

None of land within the MD-4 area was designated specifically by the City as Parks and Schools (PS) or as Greenway. Therefore, parks and open space are to be provided in accordance with the Regional Plan's open space allotment of 15 percent for the entirety of the MD-4 urban reserve area. That allotment equates to just over 41.5 acres for the entire 277 acre urban reserve. Regional Plan methodology assumed that areas with natural features and constraints would be set aside as open space. The 52-acre portion of MD-4 that was not included in the recent urban growth boundary expansion happens to be where the steeply sloped knoll, irrigation canal and pond are located. The Hillcrest District Urbanization Plan reserves approximately 35 contiguous acres including the pond, the knoll and the moderately sloped area between these features as a future park. The final size of the park will be adjusted to meet the balance of the remaining open space allotment established by the Regional Plan at the time of inclusion into the urban growth boundary. Parks and open space areas are also planned throughout the district within the urban growth boundary. Any parks not accepted by the city for public use are to be maintained by private property owner associations for community use. Key open space elements are described in this section.

7.1. Lazy Creek Greenway

A greenway area along Lazy Creek will include a multi-use trail located along the entire reach of the west bank. The greenway includes an area at least 50 feet from each top of bank to assure protection of the stream, plus additional areas at the trailheads. The final configuration of the greenway may be adjusted to accommodate the stream and the final trail design.

7.2. Orchard Row Parkway

"Orchard Row", a linear park, is proposed to provide a pedestrian and bicycle link from Hillcrest Road to where Vista Point Drive intersects the northeast corner of the Hillcrest District (near East McAndrews Road). This parkway is to be planted as a 40-wide strip with ornamental pear and apple trees reminiscent of the past orchard use on the property. The park will include a 10-foot multi-use path for pedestrians and bicycles, and could potentially include areas for storm water treatment.

7.3. Foothill Road Multi-use Path

The Foothill multi-use path is part of the city's Regional Arterial improvement plan and its commitment to creating bicycle and pedestrian connections throughout the eastern part of the city. The path will meander through an easement at the southwest corner of the district so as to avoid disturbance of existing trees within the historic boundary and then continue north within the widened street right-of-way and past the district boundary to East McAndrews Road. Bicycle paths on Spring Street and Hillcrest will connect that path to both the Lazy Creek Greenway and Orchard Row.

7.4. Town Square

The 1-acre town square is envisioned to be the gathering place for the neighborhood fronting on Spring Street in the middle of the shops and restaurants.

7.5. Hillcrest Orchard Historic District

The Hillcrest Orchard Historic District discussed in Section 3.2.2 above is a 6.6 acre site in the southwest corner of the planning area which is listed on National Register of Historic Places. The district includes an

ensemble of fifteen historic buildings that are architecturally significant as the only documented example of agricultural work by Rogue Valley architect Frank Chamberlain Clark. The City's Historic Protection Overlay District will be applied to the site. The site will be zoned for commercial use as may be appropriately accommodated. For example, an historic barn on the property currently has been adapted for use as a commercial winery tasting room.

7.6. Buffer Garden

An ornamental buffer garden is planned to provide a transitional space between the commercial town center and the historic district and winery.

7.7. School Opportunity Site

The opportunity site discussed in Section 3.3 above is approximately nine acres in area on level terrain that would be well positioned to site a school or other community service facility for the planned and existing neighborhoods nearby. If developed as a school or community service/civic use, the grounds would be counted toward the overall open space allotment.

7.8. Residential Parks

A one-acre triangular park is planned along Bemis Parkway. Its location functions as an active park node along the Orchard Row linear park. Another small park is planned to the east is intended to preserve the large cypress tree in that location. A park will also be provided at the northeast corner of the Rocky Knoll property adjacent the agricultural buffer and wetland. A 20-foot wide park strip is to extend westerly from that park alongside the agricultural buffer. This strip may include a path to provide a connection to the multi-use path along North Foothill Road.

7.9. Adjacent Open Space

The area between the UGB line on the east and the irrigation canal on the west was identified as future open space/park for the MD-4 urban reserve. The irrigation pond would also be included with the park. The northeastern portion of this area is quite steep. The area to be reserved for future park/open space would be 30 acres, more or less. Farm use under EFU zoning effectively maintains the remainder MD-4 area as open space in the interim. Interim (mid-term) agricultural buffering will be provided along the urban growth boundary. The remaining area will continue in agricultural use until brought into the city through a future UGB amendment when it is planned to become permanent open space for the district. Adjustment to the amount of land reserved as "Adjacent Open Space" may be made at such time as that area is included in the UGB to ensure that the overall open space allotment for the Hillcrest District (MD-4) does not vary by more than 1 percent below the required 15 percent by the Regional Plan Element. For example, if the full nine acres of the school opportunity site is developed as a qualifying open space area, the amount of Adjacent Open Space needed could be reduced. Enough Adjacent Open Space area is being reserved to accommodate flexibility in final design of open space areas elsewhere within the district.

8. HILLCREST DISTRICT GOALS AND POLICIES

Goal HD1: **Create a master planned mixed-use area with residential and commercial uses, including a town center to support higher densities.**

Policy HD1-1: The Hillcrest District Town Center shall be located in the southwest corner of the district as shown on the Hillcrest Neighborhood Plan Map.

Policy HD1-2: The Town Square, parks and open space elements depicted in the urbanization plan maps shall be provided and be connected by a network of sidewalks, trails and multi-use paths.

Policy HD1-3: Continue to coordinate with the Rogue Valley Transit District to extend transit service to the Hillcrest District Town Center.

Goal HD2: **Preserve Natural and Historic Resources.**

Policy HD2-1: The Historic Preservation Overlay District shall be applied to correspond with the Hillcrest Orchard Historic District (Reference Document Section 9.2).

Policy HD2-2: Improvement and widening of Hillcrest Road adjacent to the Hillcrest Orchard Historic District shall be in accordance with the approved Legacy Street design (Reference Document 9.1)

Policy HD2-3: A greenway extending at least 50-feet from both banks of Lazy Creek and generally as depicted on the urbanization plan maps shall be preserved for natural open space and a multi-use trail.

Goal HD3: **Achieve the Residential Density Commitments of the Regional Plan Element.**

Policy HD3-1: The minimum residential density requirements of Section 3.3.1 of the Hillcrest District Urbanization Plan shall be applied to the residential GLUP Map Designations. Zone Change Applications within the residential areas shall demonstrate that the minimum density obligations will be met by the zoning plans.

Goal HD4: **Preserve natural and historic areas and provide open space and parks throughout the Hillcrest District**.

Policy HD4-1: Provide open space in in accordance with the Hillcrest District Open Space Plan.

Policy HD4-2: The Adjacent Permanent Future Open Space outside the UGB area shall be reserved in the interim for farm use and agricultural buffering. Upon future inclusion into the UGB, the amount of permanent open space area can be adjusted to match the remaining amount needed to meet the overall 15 percent open space allocation for the MD-4 Urban Reserve, based on the amount delivered within the current UGB area. A reservation to this effect shall be recorded as a deed declaration to the affected property prior to rezoning land within the UGB in the Hillcrest District.

9. HILLCREST NEIGHBORHOOD URBANIZATION PLAN REFERENCE DOCUMENTS:

The following reference documents are appended to the Hillcrest Neighborhood Urbanization Plan:

9.1. LEGACY STREET DETERMINATION FOR HILLCREST ROAD -N. PHOENIX TO URANO

(Medford Public Works Memorandum Dated March 27, 2020)

MEDFORD
PUBLIC WORKS

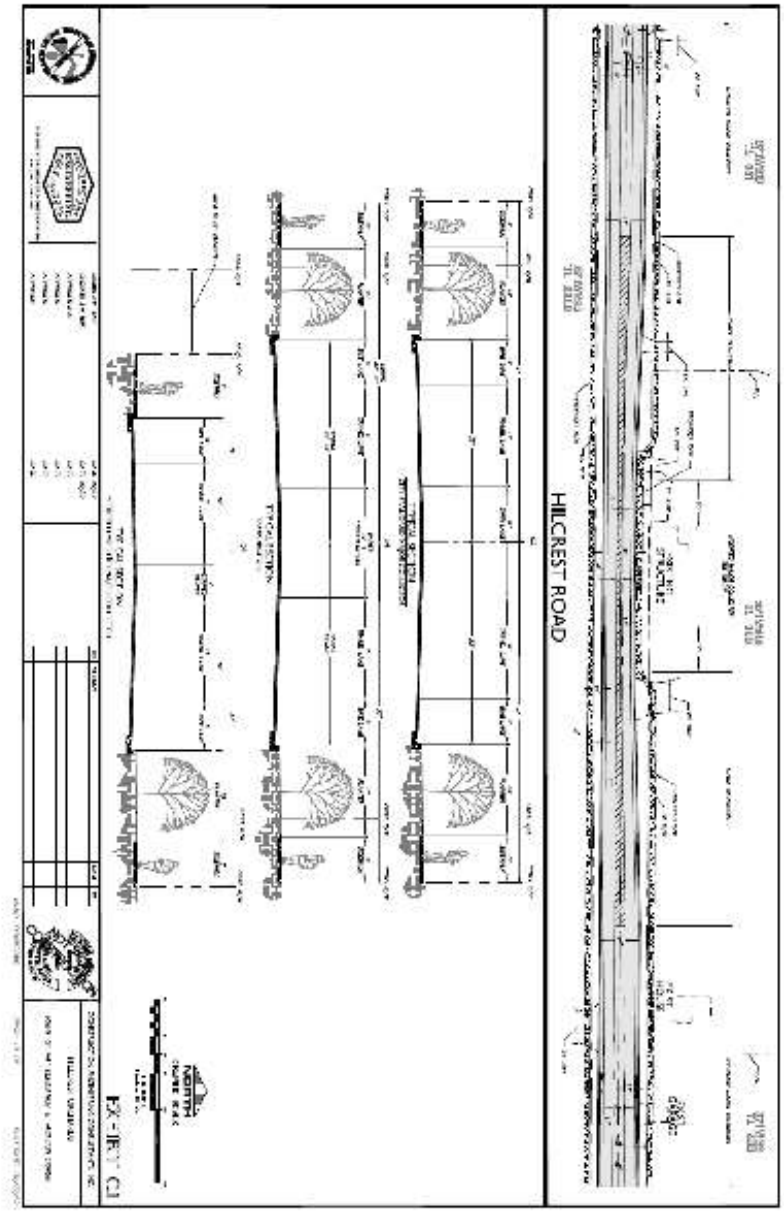
MEMORANDUM

To:	**Raul Woerner**
From:	**Alex Georgevitch, PE, Deputy Public Works Director**
CC:	**Planning Department**
	Doug Burroughs, Development Services Manager
Date:	**March 27, 2020**
Subject:	**Legacy Street Determination for Hillcrest Road – N. Phoenix to Urano**

Hillcrest Road from North Phoenix Road to Urano is a County road with a minor section built to City standards along the south side of the road west of Urano. The north side of the road is a historic district known as Hillcrest Orchards and a portion of one of the significant buildings is in the existing right-of-way.

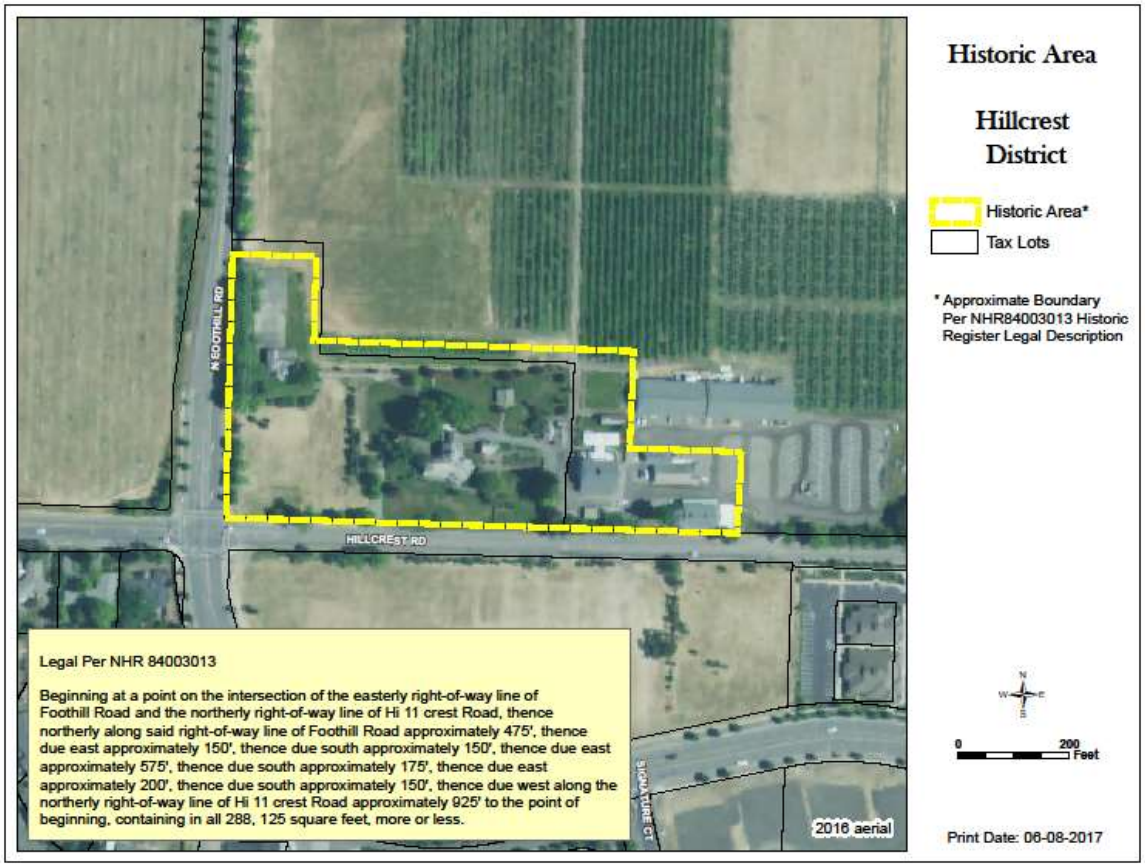
A legacy street definition is supported for a portion of this section of roadway per MLDC 10.427(D). In order to meet the context sensitive design for this neighborhood the developer shall dedicated enough right-of-way and construct improvements to support the cross sections shown on the attached exhibit.

City of Medford | 200 South Ivy Street, Medford, OR 97501 | 541-774-2100 | cityofmedford.org

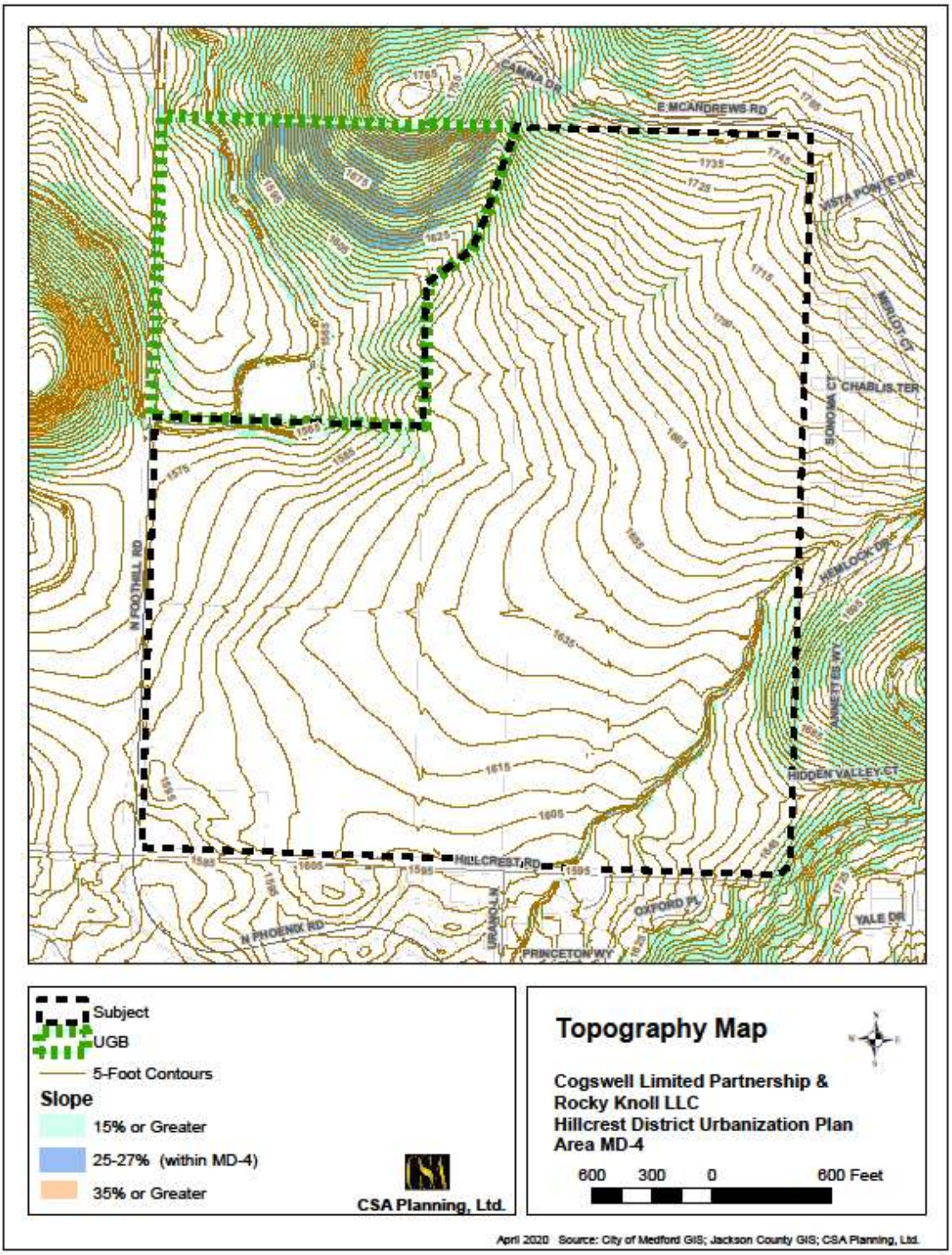

HILLCREST ROAD

9.2. Hillcrest Orchard Historic District Boundary Map on Aerial

with National Historic Register Legal Description (Nomination No. 84003013)



9.3. Hillcrest District Topography Map



Technical Memorandum

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541.779.0569
Fax 541.779.0114

Raul@CSAplanning.net

To: City of Medford Planning

Date: June 23, 2020

Subject: Hillcrest District (MD-4) Urbanization Plan
Residential Density Calculations

BACKGROUND:

This memorandum is provided to document that the Hillcrest District Urbanization Plan (for the MD-4 planning unit) complies with the Regional Plan Element's Committed Residential Density performance measure for housing. Section 4.1.5 of the Regional Plan Element provides that land within an Urban Growth Boundary (UGB) but outside of the existing City Limit shall be built to a minimum density of 6.6 dwelling units per gross acre (for Medford) within the 2010-2035 Planning Period. After 2036, the minimum density is to increase to 7.6 units per gross acre. Section 4.1.5 further provides that the requirement can be offset by increasing the residential density in the City Limit.

In the initial phase of the most recent UGB amendment, the City of Medford conducted an review of its existing land base and adopted "internal" GLUP Map amendments to increase efficiencies of the base land supply. The City then selected land for inclusion into the UGB and applied specific GLUP Map designations of varying densities throughout the expansion area to accommodate the City's projected residential land need for a variety of housing types and to demonstrate that the committed residential performance measure was achievable. The Urbanization Plan Process was then adopted to ensure, among other things, that each planning area will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. *[Criterion 5.1, Division 4 (Urbanization Plans) of the Neighborhoods Element, City of Medford Comprehensive Plan]*.

Expected residential densities for each GLUP map designation used in the UGB land supply analysis were derived from Table 39 in the acknowledged Housing Element of the Medford Comprehensive Plan. Adjustments were factored into the analysis to account for unbuildable areas, public and semi-public land needs, and areas subject to specific commitments in the Regional Plan. Thus, each area is not expected to have exactly 6.6 dwelling units per gross area. Instead, a mix of needed housing types will be accommodated at varied densities throughout the entire land supply.

CSA has, in coordination with the City's Planning staff, developed a spreadsheet that provides a step-by-step calculation method to show how the density requirements for Criterion 5.1 may be met based on particular density strategies chosen. The strategy used for the Hillcrest District is to set density requirements (Section 3.4.1 of the plan) high enough by GLUP Map area to yield at least as many housing units as expected in the urban growth boundary analysis. The Hillcrest District Plan Policy is included to require zone change applications within the residential areas to demonstrate that the minimum density obligations will be met by the zoning plans. Detailed analysis including a descriptions of the steps/instructions are included in the attached spreadsheet as prepared for the Hillcrest District.

DENSITY ANALYSIS

Yield of dwelling units within the planning area is used as the common unit of comparison between the UGB assumptions and the proposed Urbanization Plans. Urbanization Plans are more refined than the city-wide analysis. Measurements, while at the neighborhood level, are more exact than the city-wide measures. A refinement of "total gross acreage" changes the denominator in the density ratio equation. It is more straight-forward to identify how many dwelling units were expected within a planning area at the time of inclusion in the growth boundary and then assure that the urbanization plans will assure at least that yield of dwellings will be achieved. Yield of dwelling units is then converted to Urbanization Plan densities based on the more refined measurement at this level of planning. Each urbanization

EXHIBIT B-3

plan then adopts the selected strategies to ensure the required number of dwelling units are provided as the neighborhood develops.

DENSITY CALCULATION

The Hillcrest District (MD-4) spreadsheet for density calculations is attached. The equation itself is straightforward:

DUs projected to be supplied in UGB Analysis = *DUs for Urbanization Plan with accounting for spatial changes from UGB process*

The left-hand side of the equation is calculation starts with the GLUP acreage assigned during the UGB Analysis(from the City's GIS shapefiles). Then, the unbuildable acres and the "shared-out" Public/Semi-Public lands from the buildable acres in each GLUP are subtracted. The resulting acres in each GLUP are then multiplied by the assumed densities per acre from the UGB process to arrive at the DUs assumed from the UGB process.

In the case of MD-4, the planning area starts with 147.1 acres of UR land, 5.0 acres of UM land, and 9.7 acres of UH land. After subtracting for unbuildable areas and its proportion of expected Public/Semi-Public land consumption, MD-4 is left with 119.8, 3.4, and 6.4 acres respectively for each GLUP designation. Multiplying these numbers by the assumed densities of the UGB amendment process yields the minimum dwelling units required: 734 dwelling units must be provided the Hillcrest District.

The right-hand side of the equation is calculated by taking the proposed gross area by GLUP designation, subtracting out the unbuildable areas, and then multiplying the resulting buildable acreage for each Urbanization Plan area by the plan established minimum density for the associated GLUP Map Designation. The spreadsheet performs these calculations and adjusts for changes to buildable lands assumptions that may affect density. For example, a portion of the agricultural buffering for the Hillcrest District is to be located adjacent and outside the easterly UGB line rather than inside, as was assumed for the UGB analysis. The adjustment equates to approximately 2.4 acres of additional UR land on moderate (less than 15 percent) slope and 1.5 acres of UR land on slope over 15 percent. This area would accommodate 12 additional units using the UGB analysis assumptions. Accordingly, the urbanization plan will require that at least 746 dwellings be provided rather than 734.

Spreadsheets for two scenarios are attached. The "Standard Densities" spreadsheet shows what would happen if the least intensive residential zones available by GLUP are applied with an assumption that the zoned area develop at minimum standard densities rather than at the expected "needed density" multiplier from the Housing Element as used in the UGB amendment process. In that scenario, standard minimum densities would yield only 423 dwelling units, which would far short of expected yield by 317 dwelling units.

The "Alternative Densities" spreadsheet shows the result of imposing minimum density factors by GLUP (as proposed in Section 3.3.1 of the urbanization plan). The strategy yields 750 dwellings (four more than expected in the UGB land supply analysis). Policy HD3-1 as proposed provides that the minimum residential density requirements of Section 3.3.1 shall be applied to the residential GLUP Map Designations and that Zone Change Applications within the residential areas shall demonstrate that the minimum density obligations will be met by the zoning plans.

CSA Planning, Ltd.

Raul Woerner

Attachments: Urban Plan Density Calculator Spreadsheets

- Scenario 1 – Standard Densities by GLUP
- Scenario 2 – Proposed Alternative Densities by GLUP

Urbanization Plan Density Calculator

GLUP

Hillcrest Urbanization Plan

w/Alternate Densities

SCENARIO RESULTS	Dwelling Units
Minimum Required Supply of Dwelling Units for the Planning Area from the UGB Process	734
Minimum Number of Dwelling Units Supplied by the Urbanization Plan	750
Dwelling Units Added through changes to Ag Buffer location	12
Density Compliance expressed as Dwelling Unit Difference	4
Does Urbanization Plan Density Comply with Criterion 5.1?	Yes

UGB Process Density Calculator

INPUT COLUMN DESCRIPTION

Column	Title	Units	Description
1	**Total Gross Acreage by GLUP Map (before any amendments proposed in Urbanization Plan)**	**Acres**	Input **current GLUP areas.**
2	**Gross Buildable Acreage Identified on Urbanization Plan**	**Acres**	Input the **gross buildable acreage from the UGB Amendment** GIS shapefiles
3	**Committed specific nonresidential development areas from UGB process**	**Acres**	Input **additional land commitments** that were not inventoried as unbuildable during the UGB process - (549c School District Commitment in MD-2 for example)
4	**Special Circumstance Dwelling Unit Adjustment Column**	**Dwelling Units**	If applicable, input **dwelling unit adjustments** due to special circumstances.

UGB Process Density Calculator

INPUT SHEET 6/29/2020

FROM UGB PROCESS	1 Total Gross Acreage by Current GLUP	2 Gross Buildable Acreage from UGB Amendment	3 Committed Areas of Non-residential Development Identified in Plan	4 Special Circumstance Dwelling Unit Adjustment Column
Data Source/Calculation Description:	**Input Acres**	**Input Acres**	**Input Acres**	**Input # of Dwelling Units**
INPUT ACREAGE BY GLUP				
Urban Residential	147.1	130.2	0.0	0.0
Urban Medium Density	5.0	4.7	0.0	0.0
Urban High Density	9.7	8.1	0.0	0.0
Totals	161.9	142.9	0.0	0.0

Urbanization Plan Density Calculator

INPUT COLUMN DESCRIPTION

Column	Title	Units	Description
A	**Gross Acres of Planned Residential Land Use on Urbanization Plan**	**Acres**	Input gross acres of each GLUP or Zone. Include the area **to the centerlines of adjacent city rights of way at outer boundaries** of the planning area as required to calculate Medford density. Note: this means that the acreage of the residential areas in the urbanization plan could be larger than the acreage for the "same area" from the UGB process.
B	**Unbuildable Acreage Identified on Urbanization Plan**	**Acres**	Input acreage of specific areas where residential development and other intensive urban development is not allowed under the Urbanization Plan such as: **wetlands, riparian setbacks, built lands, steep lands, ag buffers, etc.** These areas will typically overlap significantly with the unbuildable acreage from UGB process
C	**Planned Areas of Non-residential Development**	**Acres**	Input acres for specific areas where residential development will not occur in that area of the Urbanization Plan **due to non-residential uses are proposed like churches, schools, etc.**
D	**Difference in amount of Ag Buffer Land (more land in UGB is positive number)**	**Acres**	Input **acres that have been "reclaimed" for residential use by putting Ag Buffer outside of UGB**
E	**Additional Dwelling Units Committed to on Commercial Lands**	**Dwelling Units**	Option to meet required units through committing to providing a number of residential units on Commercial Lands within the Urbanization area. **Input total number of units guaranteed in Commercial Areas of Urbanization Plan.**
F	**Proposed Urbanization Plan Changes to Density Factors**	**Acres**	Option to increase density in GLUP areas through commitment to higher minimum density by GLUP area. **Input minimum number of units required for each GLUP with planned increase.**

Urbanization Plan Density Calculator

INPUT SHEET 6/29/2020

FROM PROPOSED PLAN	A	B	C	D	E	F
	Gross Acres by Planned Land Use on Urbanization Plan	Unbuildable Acreage Identified on Urbanization Plan	Areas of Non-residential Development Identified in Plan	Difference in amount of Ag Buffer Land (more land in UGB is positive number)	Additional Dwelling Units Committed to on Commercial Lands	Proposed Urbanization Plan Changes to Density Factors
Data Source/Calculation Description:	**Input Acres**	**Input Acres**	**Input Acres**	**Input Acres**	**Input # of Dwelling Units**	**Minimum Density Allowed under Urbanization Plan**
INPUT ACRES EITHER BY GLUP DESIGNATIONS OR BY ZONES- NOT BOTH					0.0	
INPUT ACREAGE BY GLUP						
UR<15% slope -Urban Residential	140.8	15.1	0.0	2.4		4.5
UR >15% slope -Urban Residential	7.4	0.0	0.0	1.5		0.8
UM- Medium Density Residential	5.1	0.0	0.0	0.0		12.0
UH - High Density Residential	10.1	2.0	0.0	0.0		16.0
INPUT ACREAGE BY ZONE						
SFR-2						
SFR-4						
SFR-6						
SFR-10						
MFR-15						
MFR-20						
MFR-30						

	Total Gross Acreage by GLUP Map (before any amendments proposed in Urbanization Plan)	Gross Buildable Acreage from UGB Amendment Shapefiles for the Urbanization Planning Area to start calculation process	Public and Semi-Public (PSP) Nonresidential Land Consumption Factor	Calculate proportionate PSP acreage assumed in the UGB process	Calculate Acres of Non-PSP land that is not subject to additional specific commitments	Committed specific nonresidential development areas from UGB process	Calculate Additional Specific PSP Acreage Commitments
Plan Designation	**Input Acres from GIS**	**Input Acres from GIS**	**Factor from UGB Process**	**Multiply PSP Factor from Column D with Column C**	**Subtract Column E from Column C**	**Input Acres from GIS**	**Subtract Column G from Column E (cannot be negative number)**
Urban Residential	147.1	130.2	8%	10.4	119.8	0.0	0.0
Urban Medium Density	5.0	4.7	27%	1.3	3.4	0.0	0.0
Urban High Density	9.7	8.1	21%	1.7	6.4	0.0	0.0
Commercial Lands D-Unit Commitments in UGB Process							
Totals	161.9	142.9		13.4	129.6	0	0.0
Notes/Comments	This is not used in any calculations because the structure of the UGB shapefiles was to make separate polygons for buildable vs. unbuildable acreage. This column is for information purposes only.		These share-out percentages are from the UGB amendment process. See UGB analysis record documents for more background information			This would only include specific additional land commitments that were not inventoried as unbuildable during the UGB process - (549c School District Commitment in MD-2 for example)	Set to zero if negative number, because if no additional PSP was committed or the amount was less than the "share-out" a negative number will add a negative and then "create" land that does not exist.

Calculate Non-PSP gross residential acreage	Assumed Development Density factor during UGB Amendment Process	UGB Process Density Commitment Calculation expressed in Dwelling Units from UGB	Additional Dwellings Committed or Assumed in Commercial Areas during UGB Process	Special Circumstance Dwelling Unit Adjustment Column	Minimum Dwelling Unit Supply Commitment for the Urbanization Planning Area
Subtract Column H from Column F	**Units per Acre Factor**	**Multiply Column I by Column J**	**Dwelling Unit Count from UGB**	**Separate Spreadsheet Calculation Expressed in Dwelling Units**	**Sum of Column K and Column L and Column M**
119.8	4.8	575.0	N/A	0.0	575.0
3.4	12.8	43.6	N/A	0.0	43.6
6.4	18.1	115.3	N/A	0.0	115.3
			0		0.0
129.6		129.6		0	733.9
This is the acreage that was assumed to be available for residential development during the UGB amendment		This is the dwelling unit obligation subtotal column prior to other site specific factors calculated to the right in columns L through P	This dwelling Count (if any) would only be input in the "Total" row because it is not associated with individual residential GLUP designations	This column is a placeholder. The UGB analysis resolution is city-wide. Adjustments could be explained through a dedicated spreadsheet and findings explaining the adjustment calculations, examples could be instances where the "Open Space %" requirement from RPS is dramatically greater than the combined Unbuildable Lands & calculated PSP acreage	The total dwelling unit obligation for the Urbanization Planning Area

	Gross Acres by Urbanization Planned Land Use	Urbanization Plan Unbuildable Acreage that is Spatially Established in Plan	Urbanization Plan Non-residential development acreage Acreage Spatially Identified in Plan	Spatially "Floating" non-residential acreage identified in Urbanization Plan that does not have a specifically planned location	Unique Circumstance Non-residential Acreage	Calculate Residential Development Acres	Standard Density Factor
Data Source/Calculation Description:	**Input Acres**	**Input Acres**	**Input Acres**	**Calculated from Urbanization Plan Text**	**Special Calculations**	**Sum Columns C to F and Subtract from Column B**	**Minimum Regulatory Density in Zoning Code**
Urban Residential (unspecified zone in Urbanization Plan- <15% slope)	140.8	15.1	0.0	0.0	0.0	125.7	2.0
Urban Residential (unspecified zone in Urbanization Plan - >15% slope)	7.4	0.0	0.0	0.0	0.0	7.4	0.8
Urban Medium Density (unspecified zone in Urbanization Plan)	5.1	0.0	0.0	0.0	0.0	5.1	10.0
Urban High Density (unspecified zone in Urbanization Plan	10.1	2.0	0.0	0.0	0.0	8.1	15.0
SFR-2	0.0	0.0	0.0	0.0	0.0	0.0	0.8
SFR-4	0.0	0.0	0.0	0.0	0.0	0.0	2.0
SFR-6	0.0	0.0	0.0	0.0	0.0	0.0	4.0
SFR-10	0.0	0.0	0.0	0.0	0.0	0.0	6.0
MFR-15	0.0	0.0	0.0	0.0	0.0	0.0	10.0
MFR-20	0.0	0.0	0.0	0.0	0.0	0.0	15.0
MFR-30	0.0	0.0	0.0	0.0	0.0	0.0	20.0
Commercial Lands Dwelling Unit Commitments (see Plan)							
Totals	163.4	17.2	0.0	0.0	0.0	146.2	
Notes/Comments	This should be calculated **to the centerlines of adjacent rights of way at the boundaries** of the planning area that are also within the City because this is how Medford calculates density. Thus the acreage of the residential areas in the urbanization plan could be larger than the acreage for the "same area" from the UGB process.	This should be specific areas where residential development and other types of intensive urban development will not occur as a regulatory function of the Urbanization Plan: **wetlands, riparian setbacks, built lands, steep lands, ag buffers, etc. This will typically overlap significantly with unbuildable acreage from UGB process**	This should be specific areas where residential development will not occur as a regulatory function of the Urbanization Plan **where non-residential uses are proposed like churches, schools, etc.**	These acreages would typically be bound, regulatorily, by the Urbanization Plan to be developed for non-residential uses but the precise location is not established in the Plan. These may be identified as **"opportunity sites"** in the Urbanization Plan.	Not sure what this might be, but special conditions sometimes arise when the planning resolution is increased (i.e. from UGB-wide analysis to the more detailed urbanization planning areas). Should be done with separate detailed calculation and findings explanation		This is the minimum density stated in the zoning code

Urbanization Plan Specific Density Factor	Calculate Minimum Dwelling Units to be Delivered by Urbanization Plan in Residential Zones	Difference in Land Inventoried as Ag Buffer Land (more land in UGB is positive number)	Calculate Minimum Dwelling Units to be Delivered by Ag Buffer Acreage Change	Calculate Minimum Dwelling Units Adjustment for Urbanization Plan from Ag Buffer Changes in Urbanization Plan
Minimum Regulatory Density under the Urbanization Plan	**Multiply Column H by the larger of Column I or Column J**	**Input Acres**	**Multiply Column M by the larger of Column I or Column J**	**Subtract Column N from Column L**
4.5	565.6	2.4	10.8	554.8
0.8	5.9	1.5	1.2	4.7
12.0	61.0	0.0	0.0	61.0
16.0	129.1	0.0	0.0	129.1
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
	0.0			
	761.6	3.9	12.0	749.6
This is a factor where the Urbanization Plan imposes a higher minimum density than the MLDC typically requires. For example, are area where the Urbanization Plan requires 8 units to the acre in an area planned for SFR-10 zoning. Enter 0 or leave blank if using standard density; otherwise enter proposed density	This is the regulatory number of dwelling units to be delivered in residentially planned and zoned areas + addition of any dwelling unit commitments in residential areas. Add commercial units to cell that is not "blacked out" elsewhere in the spreadsheet.	This is to prevent account for reduction of overall average densities throughout the planning area by relocating Ag buffers outside the UGB or planning different ag buffer widths than assumed in the UGB calculations. It should be net difference between land inventoried as Ag Buffer in the UGB process subtracted from the Ag buffer in the Urbanization Plan. The sign will be negative for areas	While these relocated Ag Buffer areas might have Plan designations, the UGB process did not assume they were supply therefore these areas should default to the RPS density commitment	This math will seem counterintuitive. The dwelling unit count will go down for areas that added buildable land by reducing Ag Buffer land (by relocating outside UGB for example). The point is to make a proper comparison to the UGB process, which means Urbanization Plans must have DUs from lands made "buildable" deducted from areas not assumed to be supply in the UGB process.

Urbanization Plan Density Calculator

GLUP

Hillcrest Urbanization Plan

w/Standard Densities

SCENARIO RESULTS	Dwelling Units
Minimum Required Supply of Dwelling Units for the Planning Area from the UGB Process	734
Minimum Number of Dwelling Units Supplied by the Urbanization Plan	423
Dwelling Units Added through changes to Ag Buffer location	6
Density Compliance expressed as Dwelling Unit Difference	(317)
Does Urbanization Plan Density Comply with Criterion 5.1?	No

UGB Process Density Calculator

INPUT COLUMN DESCRIPTION

Column	Title	Units	Description
1	**Total Gross Acreage by GLUP Map (before any amendments proposed in Urbanization Plan)**	**Acres**	Input **current GLUP areas.**
2	**Gross Buildable Acreage Identified on Urbanization Plan**	**Acres**	Input the **gross buildable acreage from the UGB Amendment** GIS shapefiles
3	**Committed specific nonresidential development areas from UGB process**	**Acres**	Input **additional land commitments** that were not inventoried as unbuildable during the UGB process - (549c School District Commitment in MD-2 for example)
4	**Special Circumstance Dwelling Unit Adjustment Column**	**Dwelling Units**	If applicable, input **dwelling unit adjustments** due to special circumstances.

UGB Process Density Calculator			INPUT SHEET	6/29/2020
	1	2	3	4
FROM UGB PROCESS	Total Gross Acreage by Current GLUP	Gross Buildable Acreage from UGB Amendment	Committed Areas of Non-residential Development Identified in Plan	Special Circumstance Dwelling Unit Adjustment Column
Data Source/Calculation Description:	Input Acres	Input Acres	Input Acres	Input # of Dwelling Units
INPUT ACRES EITHER BY GLUP DESIGNATIONS OR BY ZONES- NOT BOTH				
INPUT ACREAGE BY GLUP				
Urban Residential	147.1	130.2	0.0	0.0
Urban Medium Density	5.0	4.7	0.0	0.0
Urban High Density	9.7	8.1	0.0	0.0
Totals	161.9	142.9	0.0	0.0

Urbanization Plan Density Calculator

INPUT COLUMN DESCRIPTION

Column	Title	Units	Description
A	**Gross Acres of Planned Residential Land Use on Urbanization Plan**	**Acres**	Input gross acres of each GLUP or Zone. Include the area **to the centerlines of adjacent city rights of way at outer boundaries** of the planning area as required to calculate Medford density. Note: this meants that the acreage of the residential areas in the urbanization plan could be larger than the acreage for the "same area" from the UGB process.
B	**Unbuildable Acreage Identified on Urbanization Plan**	**Acres**	Input acreage of specific areas where residential development and other intensive urban development is not allowed under the Urbanization Plan such as: **wetlands, riparian setbacks, built lands, steep lands, ag buffers, etc.** These areas will typically overlap significantly with the unbuildable acreage from UGB process
C	**Planned Areas of Non-residential Development**	**Acres**	Input acres for specific areas where residential development will not occur in that area of the Urbanization Plan **due to non-residential uses are proposed like churches, schools, etc.**
D	**Difference in amount of Ag Buffer Land (more land in UGB is positive number)**	**Acres**	Input **acres that have been "reclaimed" for residential use by putting Ag Buffer outside of UGB**
E	**Additional Dwelling Units Committed to on Commercial Lands**	**Dwelling Units**	Option to meet required units through committing to providing a number of residential units on Commercial Lands within the Urbanization area. **Input total number of units guaranteed in Commercial Areas of Urbanization Plan.**
F	**Proposed Urbanization Plan Changes to Density Factors**	**Acres**	Option to increase density in GLUP areas through commitment to higher minimum density by GLUP area. **Input minimum number of units required for each GLUP with planned increase.**

Urbanization Plan Density Calculator

INPUT SHEET 6/29/2020

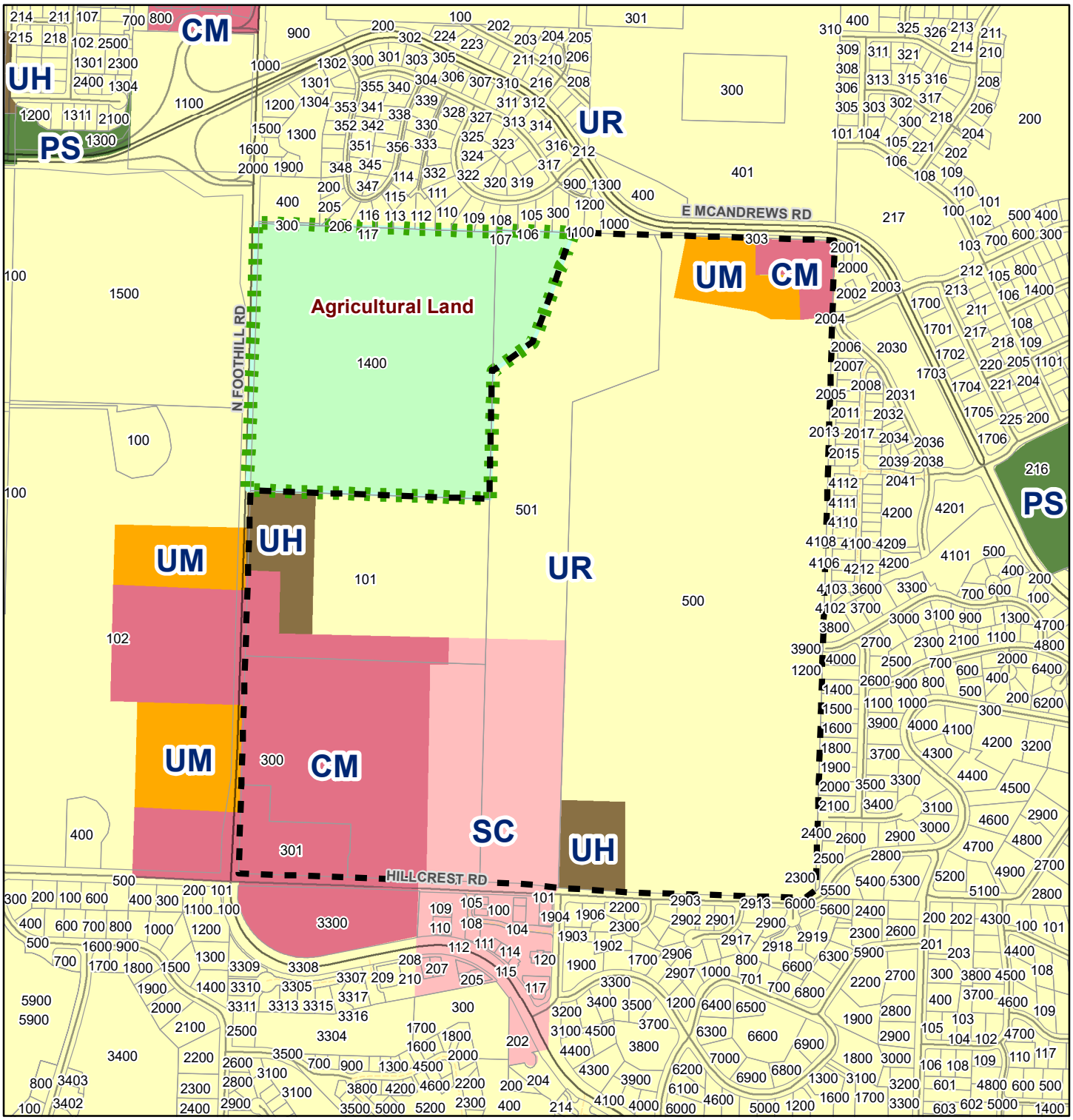
FROM PROPOSED PLAN	A	B	C	D	E	F
	Gross Acres by Planned Land Use on Urbanization Plan	Unbuildable Acreage Identified on Urbanization Plan	Areas of Non-residential Development Identified in Plan	Difference in amount of Ag Buffer Land (more land in UGB is positive number)	Additional Dwelling Units Committed to on Commercial Lands	Proposed Urbanization Plan Changes to Density Factors
Data Source/Calculation Description:	**Input Acres**	**Input Acres**	**Input Acres**	**Input Acres**	**Input # of Dwelling Units**	**Minimum Density Allowed under Urbanization Plan**
INPUT ACRES EITHER BY GLUP DESIGNATIONS OR BY ZONES- NOT BOTH					0.0	
INPUT ACREAGE BY GLUP						
UR<15% slope -Urban Residential	140.8	15.1	0.0	2.4		
UR >15% slope -Urban Residential	7.4	0.0	0.0	1.5		
UM- Medium Density Residential	5.1	0.0	0.0	0.0		
UH - High Density Residential	10.1	2.0	0.0	0.0		
INPUT ACREAGE BY ZONE						
SFR-2						
SFR-4						
SFR-6						
SFR-10						
MFR-15						
MFR-20						
MFR-30						

	Total Gross Acreage by GLUP Map (before any amendments proposed in Urbanization Plan)	Gross Buildable Acreage from UGB Amendment Shapefiles for the Urbanization Planning Area to start calculation process	Public and Semi-Public (PSP) Nonresidential Land Consumption Factor	Calculate proportionate PSP acreage assumed in the UGB process	Calculate Acres of Non-PSP land that is not subject to additional specific commitments	Committed specific nonresidential development areas from UGB process	Calculate Additional Specific PSP Acreage Commitments
Plan Designation	**Input Acres from GIS**	**Input Acres from GIS**	**Factor from UGB Process**	**Multiply PSP Factor from Column D with Column C**	**Subtract Column E from Column C**	**Input Acres from GIS**	**Subtract Column G from Column E (cannot be negative number)**
Urban Residential	147.1	130.2	8%	10.4	119.8	0.0	0.0
Urban Medium Density	5.0	4.7	27%	1.3	3.4	0.0	0.0
Urban High Density	9.7	8.1	21%	1.7	6.4	0.0	0.0
Commercial Lands D-Unit Commitments in UGB Process							
Totals	161.9	142.9		13.4	129.6	0	0.0
Notes/Comments	This is not used in any calculations because the structure of the UGB shapefiles was to make separate polygons for buildable vs. unbuildable acreage. This column is for information purposes only.		These share-out percentages are from the UGB amendment process. See UGB analysis record documents for more background information			This would only include specific additional land commitments that were not inventoried as unbuildable during the UGB process - (549c School District Commitment in MD-2 for example)	Set to zero if negative number, because if no additional PSP was committed or the amount was less than the "share-out" a negative number will add a negative and then "create" land that does not exist.

Calculate Non-PSP gross residential acreage	Assumed Development Density factor during UGB Amendment Process	UGB Process Density Commitment Calculation expressed in Dwelling Units from UGB	Additional Dwellings Committed or Assumed in Commercial Areas during UGB Process	Special Circumstance Dwelling Unit Adjustment Column	Minimum Dwelling Unit Supply Commitment for the Urbanization Planning Area
Subtract Column H from Column F	**Units per Acre Factor**	**Multiply Column I by Column J**	**Dwelling Unit Count from UGB**	**Separate Spreadsheet Calculation Expressed in Dwelling Units**	**Sum of Column K and Column L and Column M**
119.8	4.8	575.0	N/A	0.0	575.0
3.4	12.8	43.6	N/A	0.0	43.6
6.4	18.1	115.3	N/A	0.0	115.3
			0		0.0
129.6		129.6		0	733.9
This is the acreage that was assumed to be available for residential development during the UGB amendment		This is the dwelling unit obligation subtotal column prior to other site specific factors calculated to the right in columns L through P	This dwelling Count (if any) would only be input in the "Total" row because it is not associated with individual residential GLUP designations	This column is a placeholder. The UGB analysis resolution is city-wide. Adjustments could be explained through a dedicated spreadsheet and findings explaining the adjustment calculations, examples could be instances where the "Open Space %" requirement from RPS is dramatically greater than the combined Unbuildable Lands & calculated PSP acreage	The total dwelling unit obligation for the Urbanization Planning Area

	Gross Acres by Urbanization Planned Land Use	Urbanization Plan Unbuildable Acreage that is Spatially Established in Plan	Urbanization Plan Non-residential development acreage Acreage Spatially Identified in Plan	Spatially "Floating" non-residential acreage identified in Urbanization Plan that does not have a specifically planned location	Unique Circumstance Non-residential Acreage	Calculate Residential Development Acres	Standard Density Factor
Data Source/Calculation Description:	**Input Acres**	**Input Acres**	**Input Acres**	**Calculated from Urbanization Plan Text**	**Special Calculations**	**Sum Columns C to F and Subtract from Column B**	**Minimum Regulatory Density in Zoning Code**
Urban Residential (unspecified zone in Urbanization Plan- <15% slope)	140.8	15.1	0.0	0.0	0.0	125.7	2.0
Urban Residential (unspecified zone in Urbanization Plan - >15% slope)	7.4	0.0	0.0	0.0	0.0	7.4	0.8
Urban Medium Density (unspecified zone in Urbanization Plan)	5.1	0.0	0.0	0.0	0.0	5.1	10.0
Urban High Density (unspecified zone in Urbanization Plan	10.1	2.0	0.0	0.0	0.0	8.1	15.0
SFR-2	0.0	0.0	0.0	0.0	0.0	0.0	0.8
SFR-4	0.0	0.0	0.0	0.0	0.0	0.0	2.0
SFR-6	0.0	0.0	0.0	0.0	0.0	0.0	4.0
SFR-10	0.0	0.0	0.0	0.0	0.0	0.0	6.0
MFR-15	0.0	0.0	0.0	0.0	0.0	0.0	10.0
MFR-20	0.0	0.0	0.0	0.0	0.0	0.0	15.0
MFR-30	0.0	0.0	0.0	0.0	0.0	0.0	20.0
Commercial Lands Dwelling Unit Commitments (see Plan)							
Totals	163.4	17.2	0.0	0.0	0.0	146.2	
Notes/Comments	This should be calculated **to the centerlines of adjacent rights of way at the boundaries** of the planning area that are also within the City because this is how Medford calculates density. Thus the acreage of the residential areas in the urbanization plan could be larger than the acreage for the "same area" from the UGB process.	This should be specific areas where residential development and other types of intensive urban development will not occur as a regulatory function of the Urbanization Plan: **wetlands, riparian setbacks, built lands, steep lands, ag buffers, etc. This will typically overlap significantly with unbuildable acreage from UGB process**	This should be specific areas where residential development will not occur as a regulatory function of the Urbanization Plan **where non-residential uses are proposed like churches, schools, etc.**	These acreages would typically be bound, regulatorily, by the Urbanization Plan to be developed for non-residential uses but the precise location is not established in the Plan. These may be identified as **"opportunity sites"** in the Urbanization Plan.	Not sure what this might be, but special conditions sometimes arise when the planning resolution is increased (i.e. from UGB-wide analysis to the more detailed urbanization planning areas). Should be done with separate detailed calculation and findings explanation		This is the minimum density stated in the zoning code

Urbanization Plan Specific Density Factor	Calculate Minimum Dwelling Units to be Delivered by Urbanization Plan in Residential Zones	Difference in Land Inventoried as Ag Buffer Land (more land in UGB is positive number)	Calculate Minimum Dwelling Units to be Delivered by Ag Buffer Acreage Change	Calculate Minimum Dwelling Units Adjustment for Urbanization Plan from Ag Buffer Changes in Urbanization Plan
Minimum Regulatory Density under the Urbanization Plan	**Multiply Column H by the larger of Column I or Column J**	**Input Acres**	**Multiply Column M by the larger of Column I or Column J**	**Subtract Column N from Column L**
0.0	251.4	2.4	4.8	246.6
0.0	5.9	1.5	1.2	4.7
0.0	50.8	0.0	0.0	50.8
0.0	121.1	0.0	0.0	121.1
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0	0.0
	0.0			
	429.1	3.9	6.0	423.1
This is a factor where the Urbanization Plan imposes a higher minimum density than the MLDC typically requires. For example, are area where the Urbanization Plan requires 8 units to the acre in an area planned for SFR-10 zoning. Enter 0 or leave blank if using standard density; otherwise enter proposed density	This is the regulatory number of dwelling units to be delivered in residentially planned and zoned areas + addition of any dwelling unit commitments in residential areas. Add commercial units to cell that is not "blacked out" elsewhere in the spreadsheet.	This is to prevent account for reduction of overall average densities throughout the planning area by relocating Ag buffers outside the UGB or planning different ag buffer widths than assumed in the UGB calculations. It should be net difference between land inventoried as Ag Buffer in the UGB process subtracted from the Ag buffer in the Urbanization Plan. The sign will be negative for areas	While these relocated Ag Buffer areas might have Plan designations, the UGB process did not assume they were supply therefore these areas should default to the RPS density commitment	This math will seem counterintuitive. The dwelling unit count will go down for areas that added buildable land by reducing Ag Buffer land (by relocating outside UGB for example). The point is to make a proper comparison to the UGB process, which means Urbanization Plans must have DUs from lands made "buildable" deducted from areas not assumed to be supply in the UGB process.



Subject Area
Tax Lots
UGB

GLUP

- CM
- PS
- SC
- UH
- UM
- UR

County Comp Plan

- Agricultural Land

CSA Planning, Ltd.

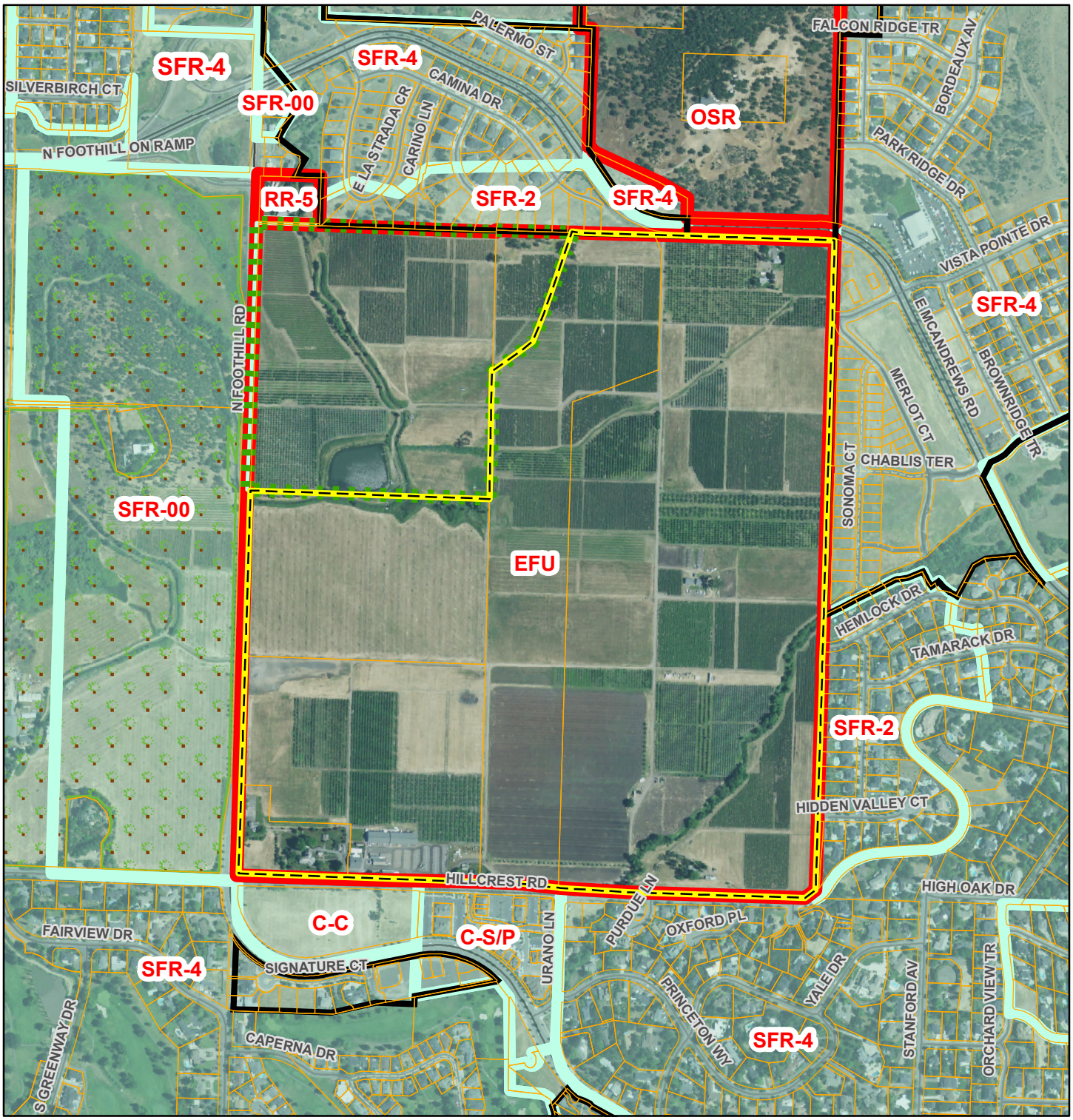
General Land Use Plan (GLUP)

Cogswell Limited Partnership & Rocky Knoll LLC
Hillcrest District Urbanization Plan Area MD-4

800 400 0 800 Feet

April 2020 Source: City of Medford GIS; Jackson County GIS; CSA Planning, Ltd.

Exhibit B4



Subject Area
Tax Lots
UGB
County Zoning
Medford Zoning
Planned Development
Exclusive Agricultural
Medford City Limits

Zoning on Aerial

Cogswell Limited Partnership & Rocky Knoll LLC
Hillcrest District Urbanization Plan Area MD-4

2016 Aerial

N W E S

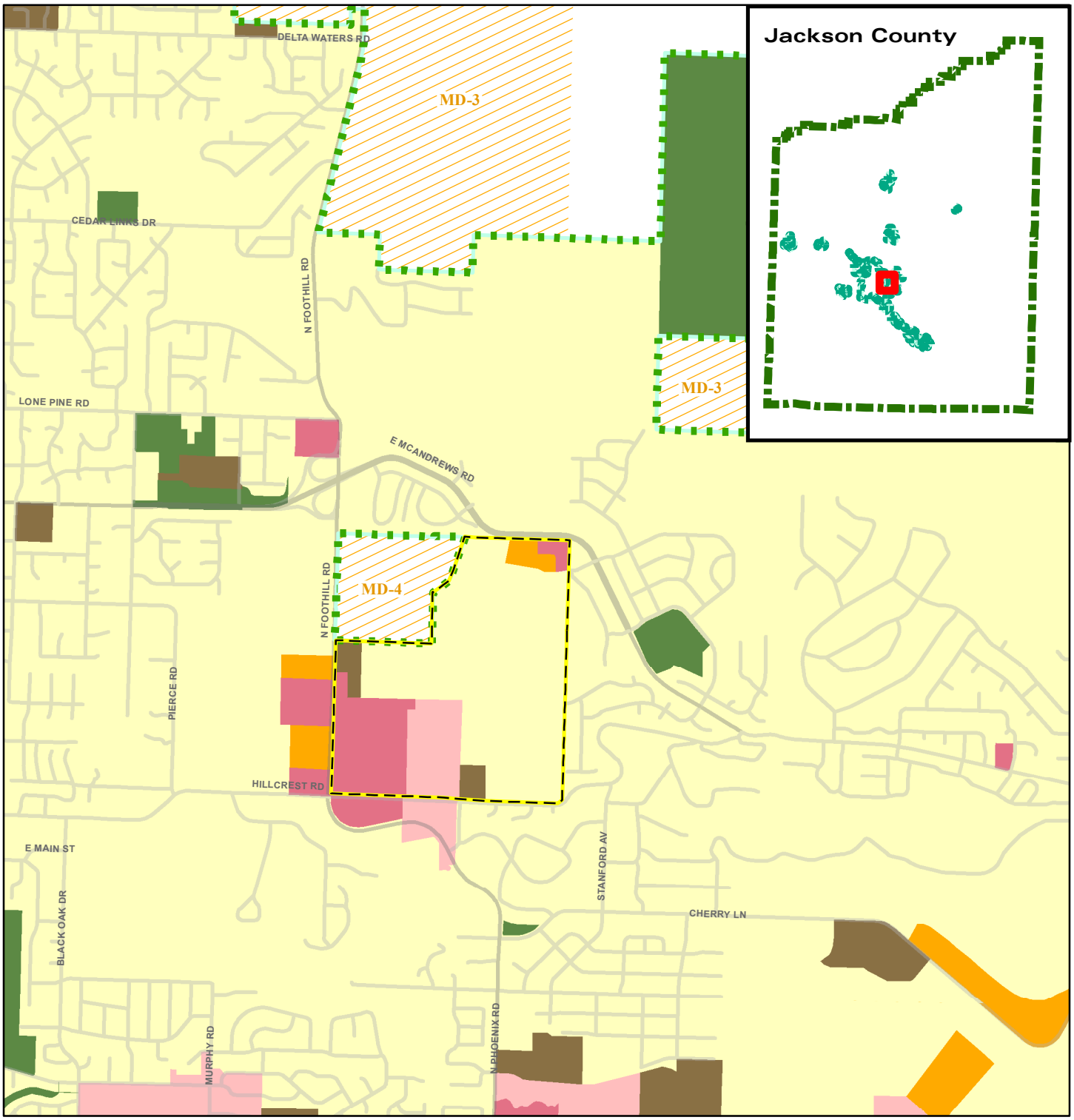
CSA

CSA Planning, Ltd.

800 400 0 800 Feet

April 2020 Source: City of Medford GIS; Jackson County GIS; CSA Planning, Ltd.

Exhibit B5



Subject Area
UGB
Urban Reserve Area

GLUP
CM
PS
SC
UH
UM
UR

Vicinity Map

Cogswell Limited Partnership & Rocky Knoll LLC
Hillcrest District Urbanization Plan Area MD-4

CSA Planning, Ltd.

2,000 1,000 0 2,000 Feet

April 2020 Source: City of Medford GIS; Jackson County GIS; CSA Planning, Ltd.

Exhibit B6

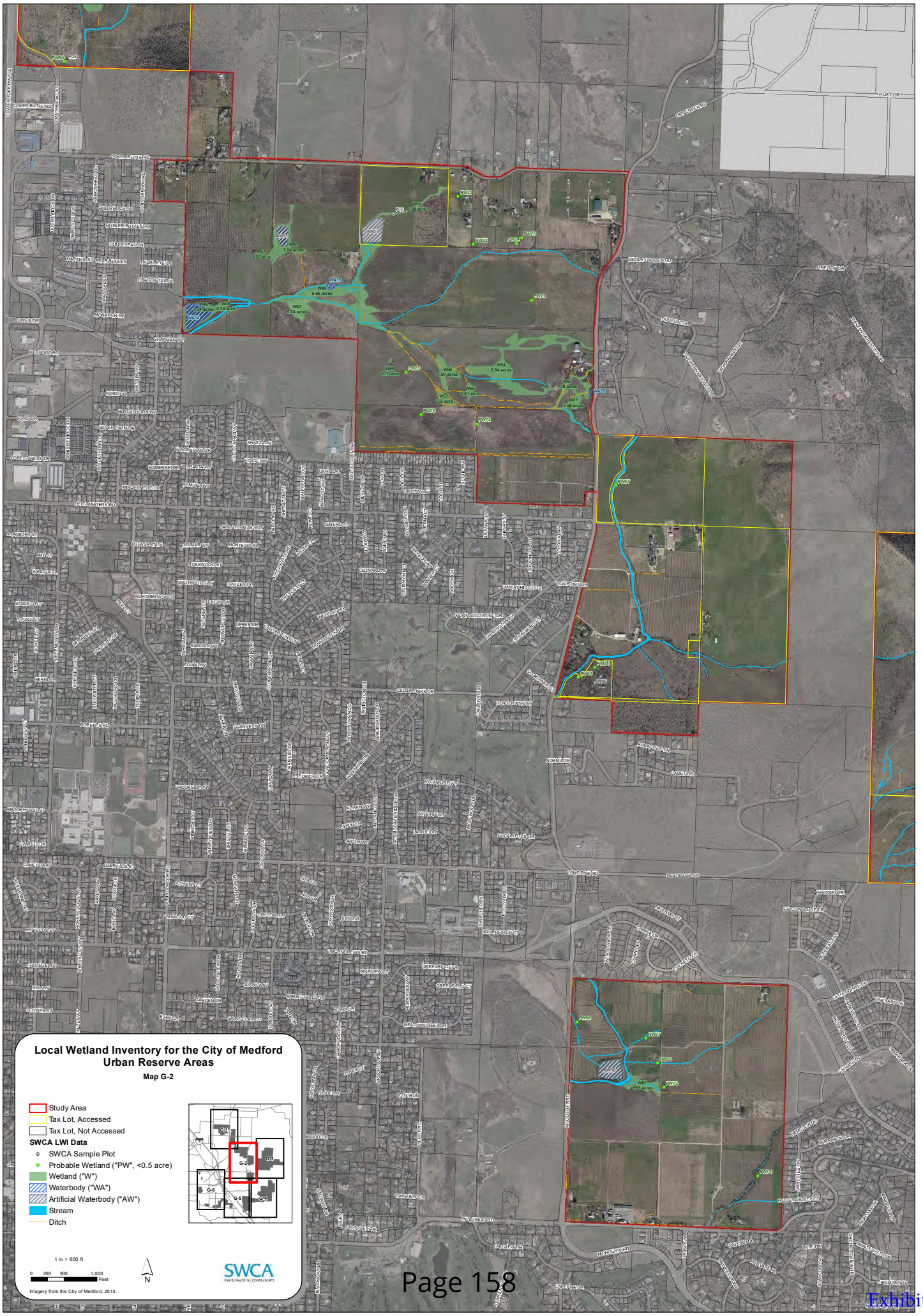

Local Wetland Inventory for the City of Medford
Urban Reserve Areas
Map G-2
Study Area
Tax Lot, Accessed
Tax Lot, Not Accessed
SWCA LWI Data
SWCA Sample Plot
Probable Wetland ("PW", <0.5 acre)
Wetland ("W")
Waterbody ("WA")
Artificial Waterbody ("AW")
Stream
Ditch
G-1
G-2
G-3
G-4
G-5
G-6
1 in = 600 ft
0 250 500 1,000
Feet
N
SWCA
ENVIRONMENTAL CONSULTANTS
Imagery from the City of Medford, 2013.

Exhibit B7

MEDFORD URBAN RESERVE LOCAL WETLANDS INVENTORY SUMMARY SHEET

(A) Wetland ID: W61

OFWAM Grouping Code: LPC-1

(B) Wetland Location (Centroid): Lat: 42.3368 Long: -122.819 **Figure Number:** F-50

(C) Location: Tax Lot(s): 371W21A1400, 371W22500

T, R, S(s): T37S R01W Section 21A, 21D

QQ(s): NESE

(D) Wetland Size (acres): 1.83 **(E) Cowardin Class:** PEMh/PSSh

(F) HGM Class: RI

Cowardin breakdown if multiple = PEM: 90% PSS: 10%

(G) Mapped Soil Units: Coker clay

(H) Watershed Boundary (6th Field HUC): Larson Creek-Bear Creek

(I) Sample Plot Numbers (if any): N/A
Plot date (if any): N/A
Method: USACE; WMVC supplement

(M) If no plot - Visually confirmed? No
Visual date (if any):
Method (if any):

(J) DSL determination / delineation number (if any): N/A

(K) Dominant Vegetation (Common and Scientific Name)

Tree

Shrub

willow Salix species (likely)

Herb

not field verified

(L) Primary hydrology sources: Irrigation canal, and other irrigation ditches

(N) Locally Significant Wetland Determination: LSW? No **LSW Criteria:** none

(O) Comments that describe the wetland, including topographic position, land uses and significant alterations (including agricultural).

A small PSS component, likely with Salix sp. (willow), exists within this wetland. It is surrounded by intensive agriculture, orchards and pasture. Connected to the Phoenix Canal.

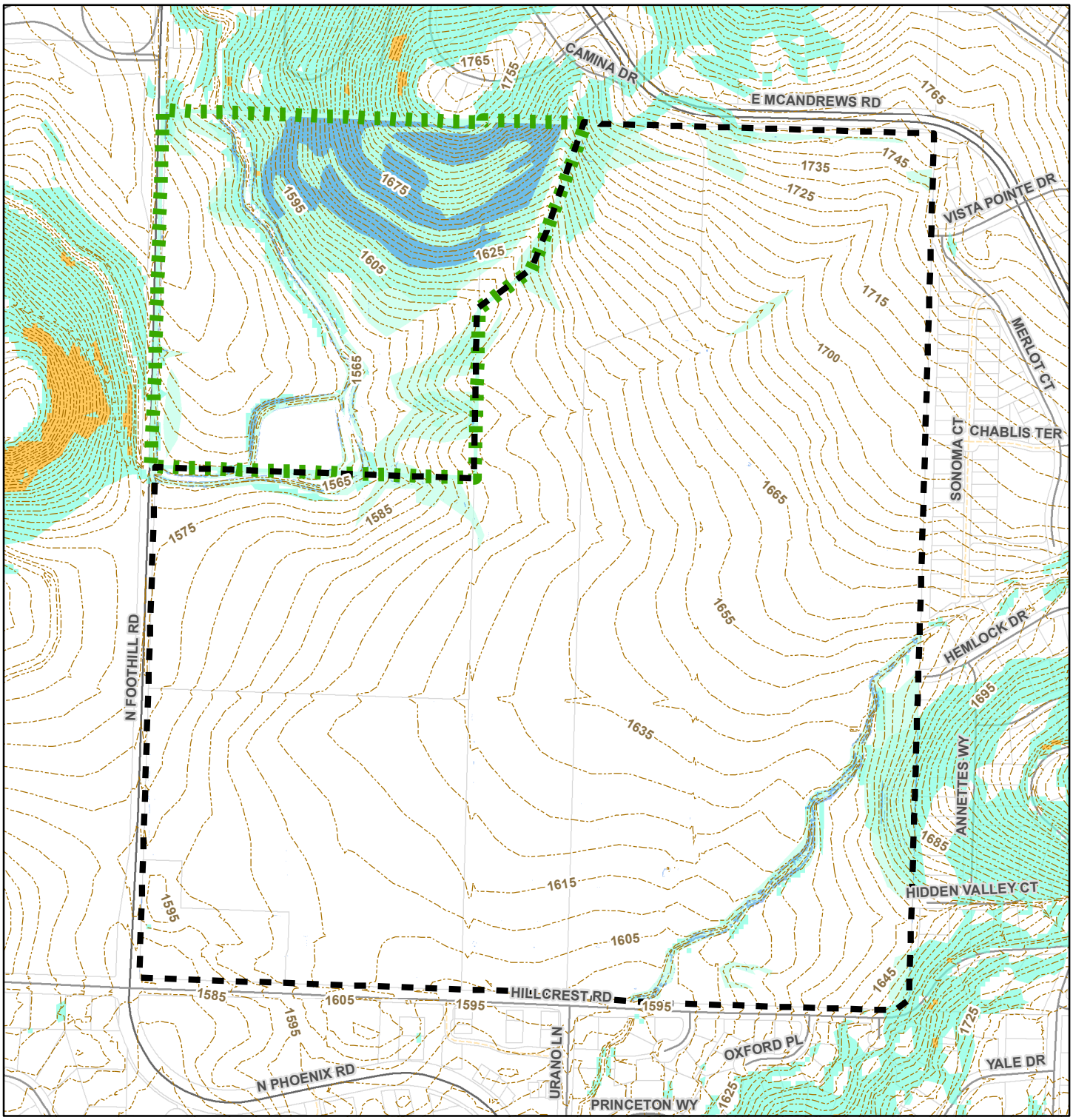
Table 8. Summary of Wetlands Delineated within the Study Area

OFWAM Grouping*	Unique Identifier	Cowardin Class†	HGM Class‡	Visually Confirmed	Size (acres)	LSW Determination	DSL File Number
N/A	W44	PEMC	SV	No	0.15	N/A	None
N/A	W45	PEMCx	RI	No	0.16	N/A	None
MWC-6	W46	PABHh	DO	No	1.34	Yes	None
MWC-6	W47	PEMBd	RFT	No	5.74	Yes	None
MWC-6	W48	PSSC1h	RFT	No	0.39	Yes	None
MWC-6	W49	PSS1Cd/PEMC	RFT	No	6.96	Yes	None
MWC-6	W50	PUBHx/PSS1Bh	SV	Yes	2.04	Yes	None
MWC-6	W51	PSS1Bh/PEMB	SV	No	0.52	Yes	None
MWC-6	W53	PEMBd	SV	Yes	1.18	Yes	None
MWC-6	W54	PEMB	SV	Yes	8.84	Yes	None
MWC-6	W55	PEMBd	SV	Yes	0.51	Yes	None
MWC-6	W56	PEMBd	SV	No	1.87	Yes	None
MWC-6	W57	PEMBd	SV	No	0.65	Yes	None
LPC-1	W61	PEMh/PSSh	RI	No	1.83	No	None
LSC-4	W62	PSS1d	RFT	No	0.72	No	None
LSC-3	W63	PEMBh	DCNP	No	2.31	No	None
LSC-3	W64	PEMBh	DCNP	Yes	5.19	No	None
BCS-11	W66	PEMCd	RFT	Yes	0.79	Yes	None
BCS-3	W68	PEMB	SV	No	0.73	No	None
N/A	W69	PUBFx	SV	No	0.16	N/A	None
BCS-4	W70	PSS1Cd	RI	Yes	2.32	Yes	WD2015-0492
BCS-4	W71	PEMC	SV	No	2.51	Yes	None
BCS-4	W72	PEMC	SV	No	2.28	Yes	None
BCS-10	W74	PEMC	SV	No	5.83	Yes	None
DRC-1	W78	PEMC	RFT	No	1.32	Yes	None
BCS-5	W79	PFO1B/R3UB	RFT	Yes	2.82	Yes	None
N/A	W81	PEMB	SV	No	0.09	N/A	None
MWC-7	W82	PEMA	Flats	Yes	37.33	Yes	None
MWC-2	W85	PSS1C/PEMC	RFT	Yes	0.71	Yes	None
MWC-2	W86	PSS1C/PEMC	RFT	No	1.87	Yes	None
MWC-2	W87	PEMC/PSS1C	RFT	No	0.42	Yes	WD2002-0010
MWC-2	W88	PSS1C/PEMC	RFT	No	0.35	Yes	None
N/A	W89	PEMC	SV	No	0.11	No	None
N/A	W90	PEMC	SV	No	0.10	No	None

* OFWAM assessment codes: MDW = Midway Creek Drainage; BCS = Bear Creek South Drainage, DRC = Dry Creek Drainage; LSC = Larson Creek Drainage; LPC = Lone Pine Creek Drainage; N/A = Below the 0.5 acre minimum threshold for OFWAM assessment

† Class descriptions are provided in Table 9. Water regime and special modifiers are described in Appendix B3.

‡ HGM Classification codes: SV = slope valley; RI = riverine impounding; RFT = riverine flow-through; DCNP = depressional closed nonpermanent; DCP = depressional closed permanent; SH = slope headwater; DO = depressional outflow. Refer also to Appendix B4.



Subject

UGB

5-Foot Contours

Slope

15% or Greater

25-27% (within MD-4)

35% or Greater

CSA Planning, Ltd.

Topography Map

Cogswell Limited Partnership & Rocky Knoll LLC
Hillcrest District Urbanization Plan Area MD-4

600 300 0 600 Feet

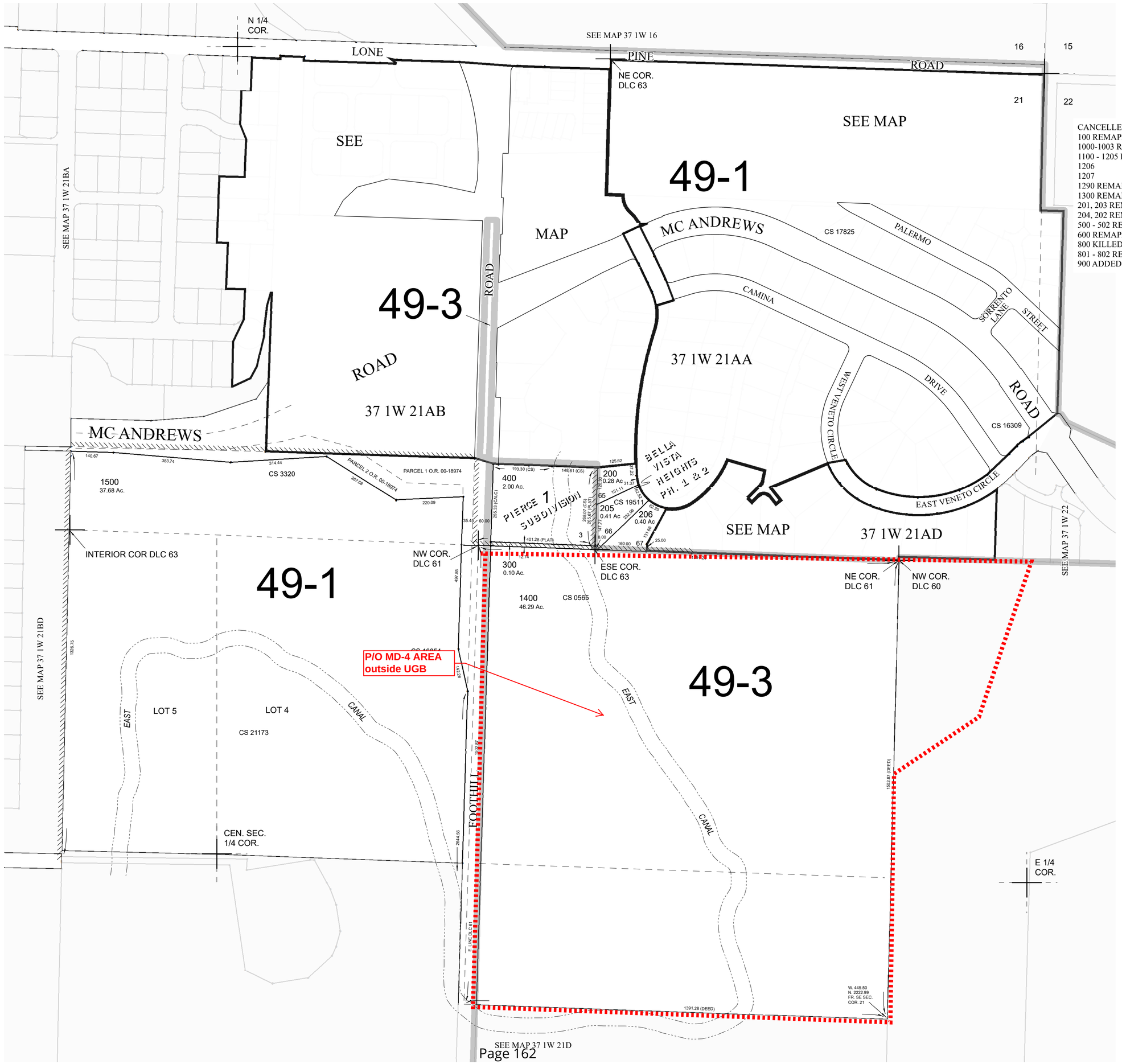
April 2020 Source: City of Medford GIS; Jackson County GIS; CSA Planning, Ltd.

Exhibit B8

FOR ASSESSMENT AND TAXATION ONLY

N.E.1/4 SEC.21 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 200'

371W21A
& INDEX
MEDFORD



CANCELLED TAX LOT NUMBERS
100 REMAPPED TO 371W21AA
1000-1003 REMAPPED TO 371W21AB
1100 - 1205 REMAPPED TO 371W21AB
1206
1207
1290 REMAPPED TO 371W21AB
1300 REMAPPED TO 371W21AB
201, 203 REMAPPED TO 371W21AA
204, 202 REMAPPED TO 371W21AD
500 - 502 REMAPPED TO 371W2AB
600 REMAPPED TO 371W21AB
800 KILLED TO ROAD
801 - 802 REMAPPED TO 371W21AB
900 ADDED TO 1000

GIS DATA
04/29/2019 12:57:54 PM: bosmanjb

Exhibit B9

371W21A
& INDEX
MEDFORD

NEW MAP April 29, 2019

FOR ASSESSMENT AND TAXATION ONLY

S.E.1/4 SEC.21 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 200'

371W21D
MEDFORD

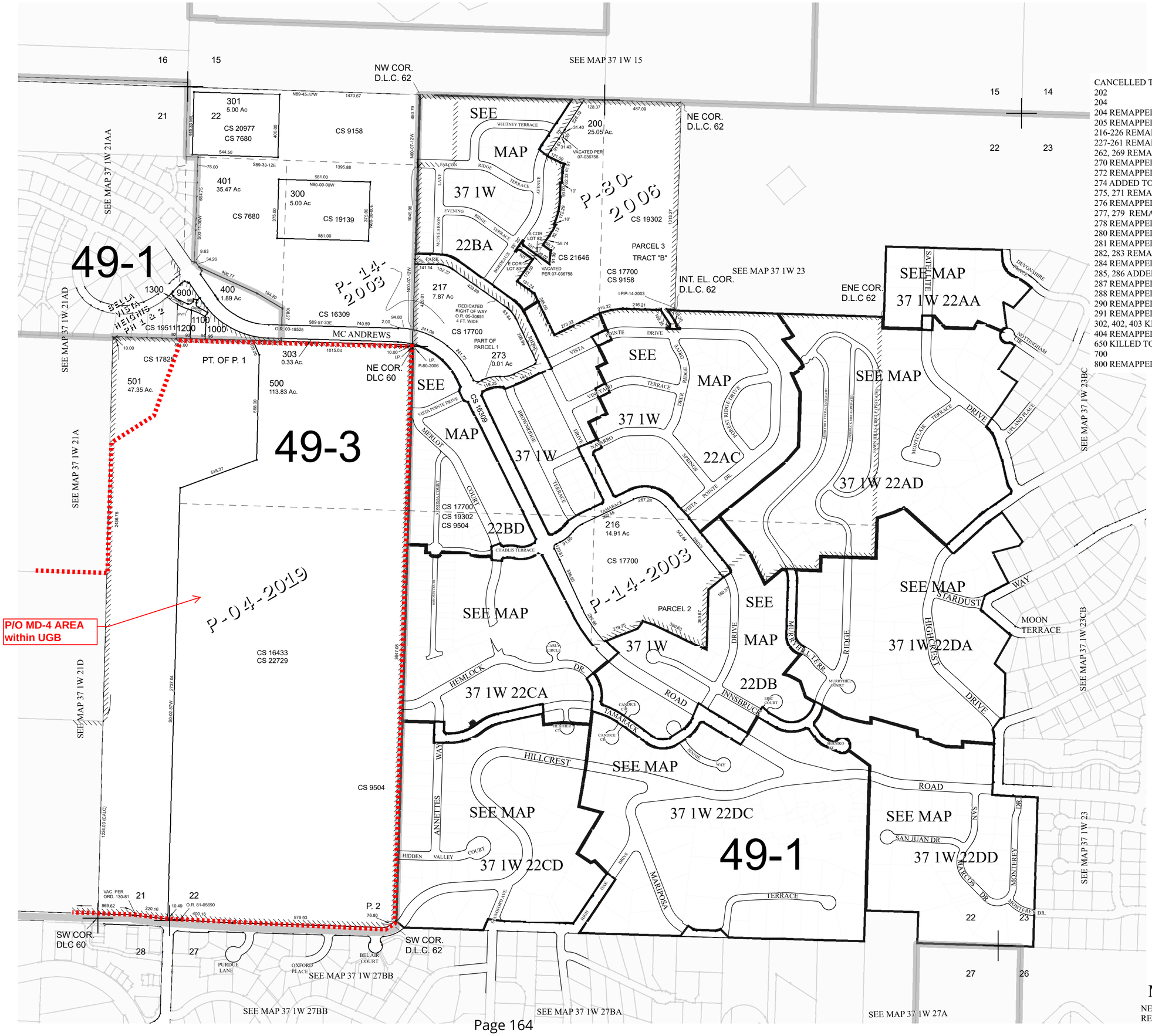
GIS DATA
04/29/2019 1:54:09 PM: bosmanjb

371W21D
MEDFORD
NEW MAP February 19, 2019
REV February 20, 2019

FOR ASSESSMENT AND TAXATION ONLY

SECTION 22 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 400'

371W22
& INDEX
MEDFORD



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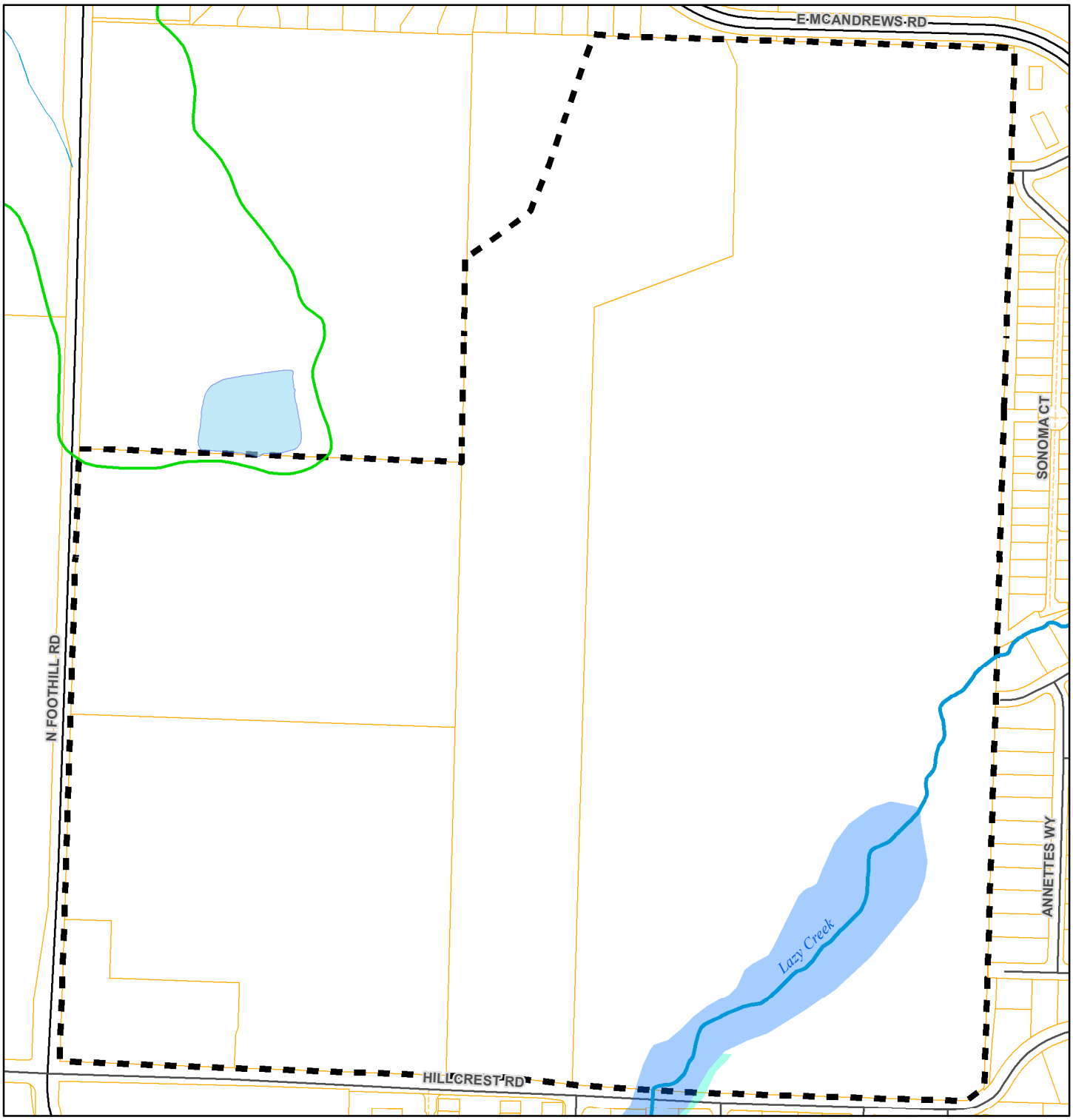
371W22
& INDEX
MEDFORD

NEW MAP May 29, 2003
REV June 7, 2019



Subject Area
Tax Lots
Lakes & Ponds

Rivers, Streams & Ditches

Named Streams
Minor Streams
Ditches

FEMA Flood Zones

100-Year
500-Year

CSA Planning, Ltd.

Hydrology

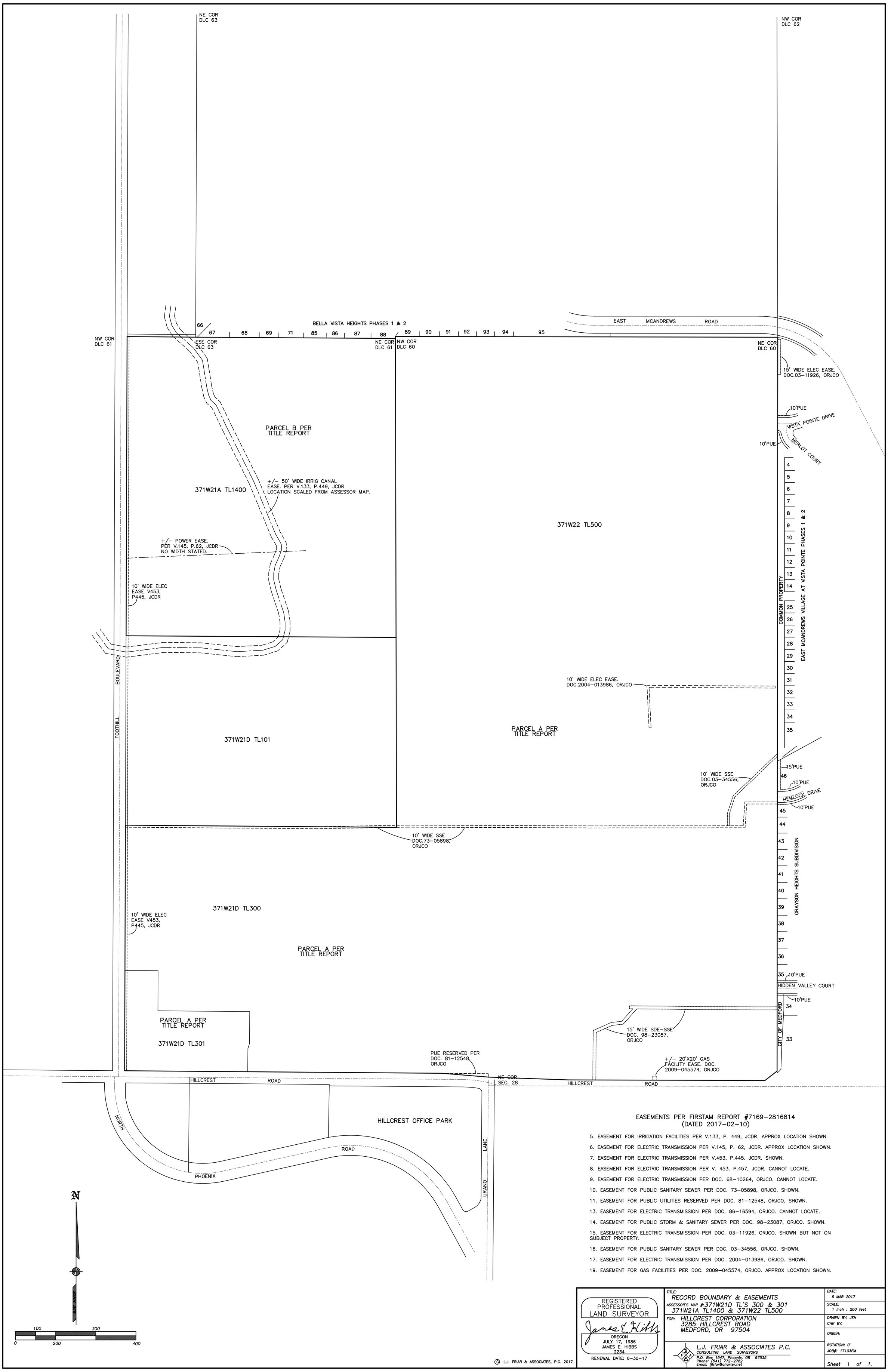
Cogswell Limited Partnership & Rocky Knoll LLC
Hillcrest District Urbanization Plan Area MD-4

N W E S

500 250 0 500 Feet

April 2019 Source: City of Medford GIS; Jackson County GIS; CSA Planning, Ltd.

Exhibit B10



EASEMENTS PER FIRSTAM REPORT #7169-2816814
(DATED 2017-02-10)

5. EASEMENT FOR IRRIGATION FACILITIES PER V.133, P. 449, JCDR. APPROX LOCATION SHOWN.
6. EASEMENT FOR ELECTRIC TRANSMISSION PER V.145, P. 62, JCDR. APPROX LOCATION SHOWN.
7. EASEMENT FOR ELECTRIC TRANSMISSION PER V.453, P.445. JCDR. SHOWN.
8. EASEMENT FOR ELECTRIC TRANSMISSION PER V. 453. P.457, JCDR. CANNOT LOCATE.
9. EASEMENT FOR ELECTRIC TRANSMISSION PER DOC. 68-10264, ORJCO. CANNOT LOCATE.
10. EASEMENT FOR PUBLIC SANITARY SEWER PER DOC. 73-05898, ORJCO. SHOWN.
11. EASEMENT FOR PUBLIC UTILITIES RESERVED PER DOC. 81-12548, ORJCO. SHOWN.
13. EASEMENT FOR ELECTRIC TRANSMISSION PER DOC. 86-16594, ORJCO. CANNOT LOCATE.
14. EASEMENT FOR PUBLIC STORM & SANITARY SEWER PER DOC. 98-23087, ORJCO. SHOWN.
15. EASEMENT FOR ELECTRIC TRANSMISSION PER DOC. 03-11926, ORJCO. SHOWN BUT NOT ON SUBJECT PROPERTY.
16. EASEMENT FOR PUBLIC SANITARY SEWER PER DOC. 03-34556, ORJCO. SHOWN.
17. EASEMENT FOR ELECTRIC TRANSMISSION PER DOC. 2004-013986, ORJCO. SHOWN.
19. EASEMENT FOR GAS FACILITIES PER DOC. 2009-045574, ORJCO. APPROX LOCATION SHOWN.

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

TITLE: RECORD BOUNDARY & EASEMENTS
ASSESSOR'S MAP #: 371W21D TL'S 300 & 301
371W21A TL1400 & 371W22 TL500
FOR: HILLCREST CORPORATION
3285 HILLCREST ROAD
MEDFORD, OR 97504

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

DATE: 6 MAR 2017
SCALE: 1 inch : 200 feet
DRAWN BY: JEH
CHK BY:
ORIGIN:
ROTATION: 0°
JOB#: 17103FM
Sheet 1 of 1.

© L.J. FRIAR & ASSOCIATES, P.C. 2017

Exhibit B11

22729

PARTITION PLAT NO. P-04-2019

Of Parcel 2 per Partition Plat No. P-14-2000 & located in Sections 21 & 22, T.37S., R.1W., W.M. Jackson County, Oregon (County File No. 439-17-00060-SUB)

* * * * * * APPROVALS * * * * * *

FILE NO. 439-17-00060-SUB
EXAMINED AND APPROVED by Jackson County Development Services.
this 7th day of February, 20 19.

Attest: [signature]
Planning Director

EXAMINED AND APPROVED as required by ORS 92.100 as of January 29, 20 19.

[signature]
County Surveyor

EXAMINED AND APPROVED as required by ORS 92.100 (d) and Oregon Laws 2015 Chapter 96 as of February 11th, 20 19.

[signature], Agent
Assessor, Department of Assessment

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES as required by ORS 92.095 have been paid as of February 11, 20 19.

Carol Elkins - Deputy
Tax Collector

* * * * * DECLARATION * * * * *

Know all men by these presents that COGSWELL LIMITED PARTNERSHIP, a Washington Limited Partnerhip, is the owner in fee of the lands shown on this Partition Plat, more particularly described in the Surveyor's Certificate and have caused the same to be Partitioned into the Parcels as shown on Sheet 2 & 3.

Carole Hashimoto
CAROLE HASHIMOTO, PRESIDENT
HILLCREST CORPORATION, GENERAL PARTNER
COGSWELL LIMITED PARTNERSHIP

STATE OF OREGON)
)ss
COUNTY OF JACKSON)

PERSONALLY appeared the above named Carole Hashimoto and acknowledged the foregoing instrument to be her voluntary act and deed and was signed on behalf of Hillcrest Corporation as General Partner of Cogswell Limited Partnership.

Dated this 14th day of January, 20 19.

[signature]
Ryan Bock — Notary Public – Oregon
Commission No. 947114
My Commission Expires 02/17/2020

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.
[signature]
SURVEYOR

SURVEY FOR:
HILLCREST CORPORATION
3285 HILLCREST ROAD
MEDFORD, OR 97504

SURVEY BY:
L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OR 97535
PHONE: (541) 772-2782
EMAIL: LJFRIAR@CHARTER.NET
WWW.FRIARANDASSOCIATES.COM

DATE:
DECEMBER 26, 2018

SHEET INDEX
1 = SIGNATURES
2 = SOUTHERLY PORTION
3 = NORTHERLY PORTION

* * * * * RECORDING * * * * *

Filed for record this 11th day of February, 20 19 at 1:43 o'clock p m., and recorded as Partition Plat No. P-04-2019 in "Record of Partition Plats" of Jackson County, Oregon.
Index Volume 30, Page 04. Document No. 2019-3635, ORJCO.

Christine D. Walker — County Clerk
Naiobi Foote — Deputy

County Surveyor File No. 22729.

* * * * * SURVEYOR'S CERTIFICATE * * * * *

I, JAMES E. HIBBS, A REGISTERED LAND SURVEYOR OF THE STATE OF OREGON, HEREBY CERTIFY THAT THIS PLAT MADE BY ME COMPLIES WITH THE REGULATIONS FOR PARTITIONS AND REPRESENTS LAND, THE EXTERIOR OF WHICH BEING ACCURATELY DESCRIBED AS FOLLOWS:

PARCEL 2 AS SHOWN ON THE PARTITION PLAT FILED IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR AS NO. 16433 AND RECORDED AS PARTITION PLAT NO. P-14-2000 OF "RECORD OF PARTITION PLATS" IN JACKSON COUNTY, OREGON.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE: 6-30-19

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

PURPOSE: To survey and monument two parcels created through a land partition. See JCDS File No. 439-17-00060-SUB.

PROCEDURE: The exterior of the parent tract was created and is shown on FS16433. Using Trimble R8 G.P.S. receivers made ties to the monuments shown hereon to control the exterior of the subject parcel. The missing corners around the subject property were positioned using plat record data per PP #P-14-2000. Using data provided by the client I computed the line between the two new parcels and set monuments as shown on Sheets 2 & 3.

FILED
Date 2/11/19 By PB
This Survey Consists Of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

371W22 TL500/371W21D TL300

THIS PLAT WAS PREPARED USING AN EPSON SC-T5200 WITH EPSON T6925 INK ON CONTINENTAL JPC4M2 POLYESTER FILM.

SHEET 1 OF 3
17103FM

Exhibit B12 22729

22729

SURVEY FOR:
HILLCREST CORPORATION
3285 HILLCREST ROAD
MEDFORD, OR 97504

SURVEY BY:
L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OR 97535
PHONE: (541) 772-2782
EMAIL: LJFRIAR@CHARTER.NET
WWW.FRIARANDASSOCIATES.COM

DATE:
DECEMBER 26, 2018

PARTITION PLAT NO. P-04-2019

Of Parcel 2 per Partition Plat No. P-14-2000 &
located in Sections 21 & 22, T.37S., R.1W., W.M.
Jackson County, Oregon
(County File No. 439-17-00060-SUB)

LEGEND:

- = FD. COUNTY SURVEYOR'S BRASS CAPPED MONUMENT PER <YEAR> RE-ESTAB'S.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. MINNECI LS2349 PER FS16433 OR 16367.
- = FD. 5/8" IRON PIN & ILLEGIBLE PLASTIC CAP. SEE FS21889.
- = FD. 5/8" IRON PIN & PER FS9504.
- ○ = SET 5/8" X 30" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- = SET 2" BRASS WASHER MKD. L.J. FRIAR & ASSOC. & 5" MAG NAIL IN P
- JCDR = JACKSON COUNTY DEED RECORDS.
- ORJCO = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.
- FS = FILED SURVEY #.
- SSE = SANITARY SEWER EASEMENT.
- SDE = STORM DRAINAGE EASEMENT.
- PUE = PUBLIC UTILITY EASEMENT.
- RST = SET 5/8" X 30" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.

BASIS OF BEARINGS:
FS16433 AS SHOWN HEREON.

UNIT OF MEASUREMENT = FEET SCALE: 1" = 200'

EASEMENTS PER FIRSTAM REPORT #7169-3144173
(DATED 2018-10-24).

5. EASEMENT FOR ELECTRIC TRANSMISSION PER V.453, P.445. JCDR. SHOWN.
6. EASEMENT FOR ELECTRIC TRANSMISSION PER V. 453. P.457, JCDR. CANNOT LOCATE.
7. EASEMENT FOR ELECTRIC TRANSMISSION PER DOC. 68-10264, ORJCO. CANNOT LOCATE.
8. EASEMENT FOR PUBLIC SANITARY SEWER PER DOC. 73-05898, ORJCO. SHOWN.
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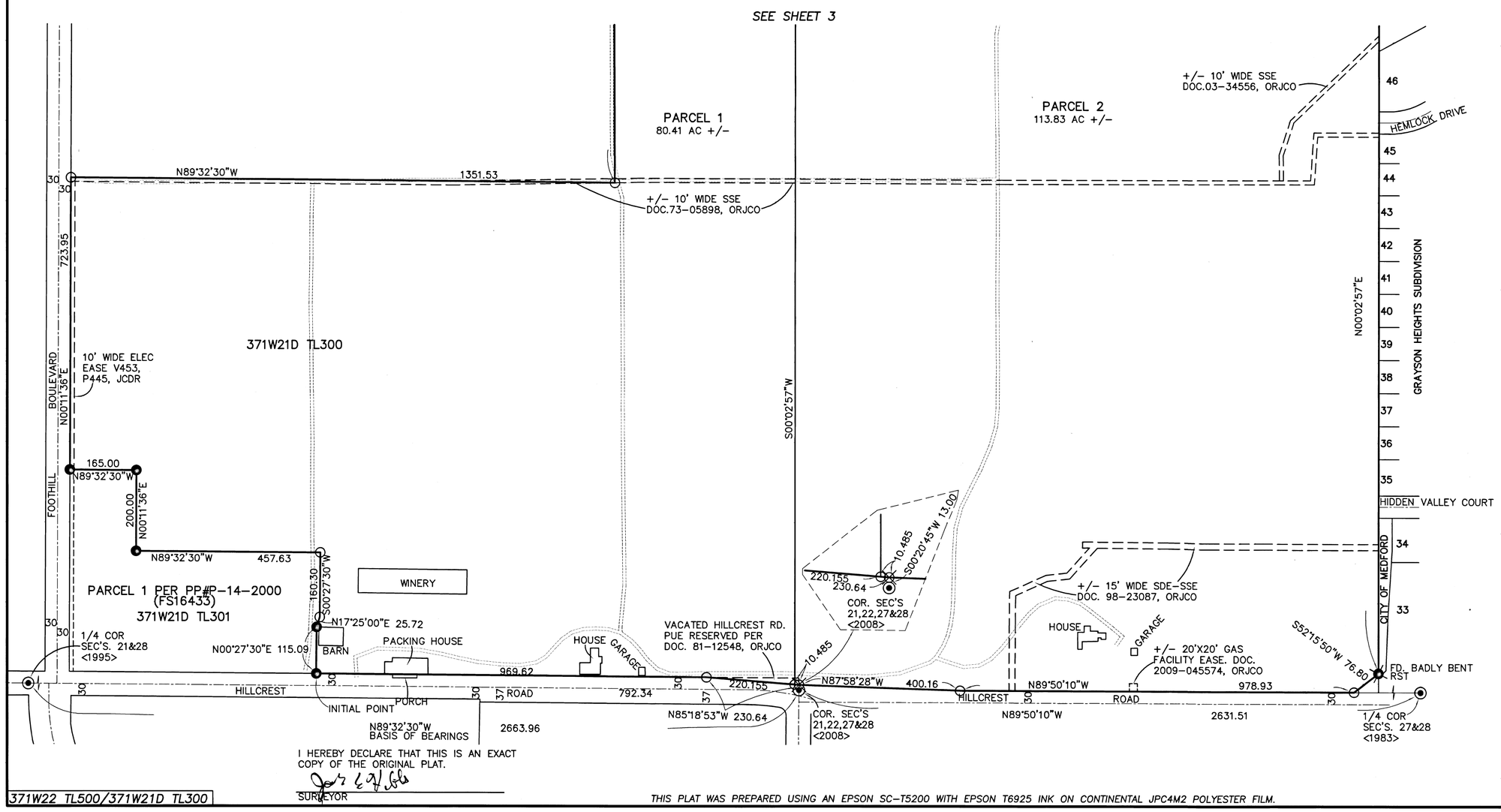


I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE: 6-30-19

FILED
Date 2/11/19 By PB
This Survey Consists Of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

THIS PLAT WAS PREPARED USING AN EPSON SC-T5200 WITH EPSON T6925 INK ON CONTINENTAL JPC4M2 POLYESTER FILM.

SHEET 2 OF 3
17103FM

22729

22729

SURVEY FOR:
HILLCREST CORPORATION
3285 HILLCREST ROAD
MEDFORD, OR 97504

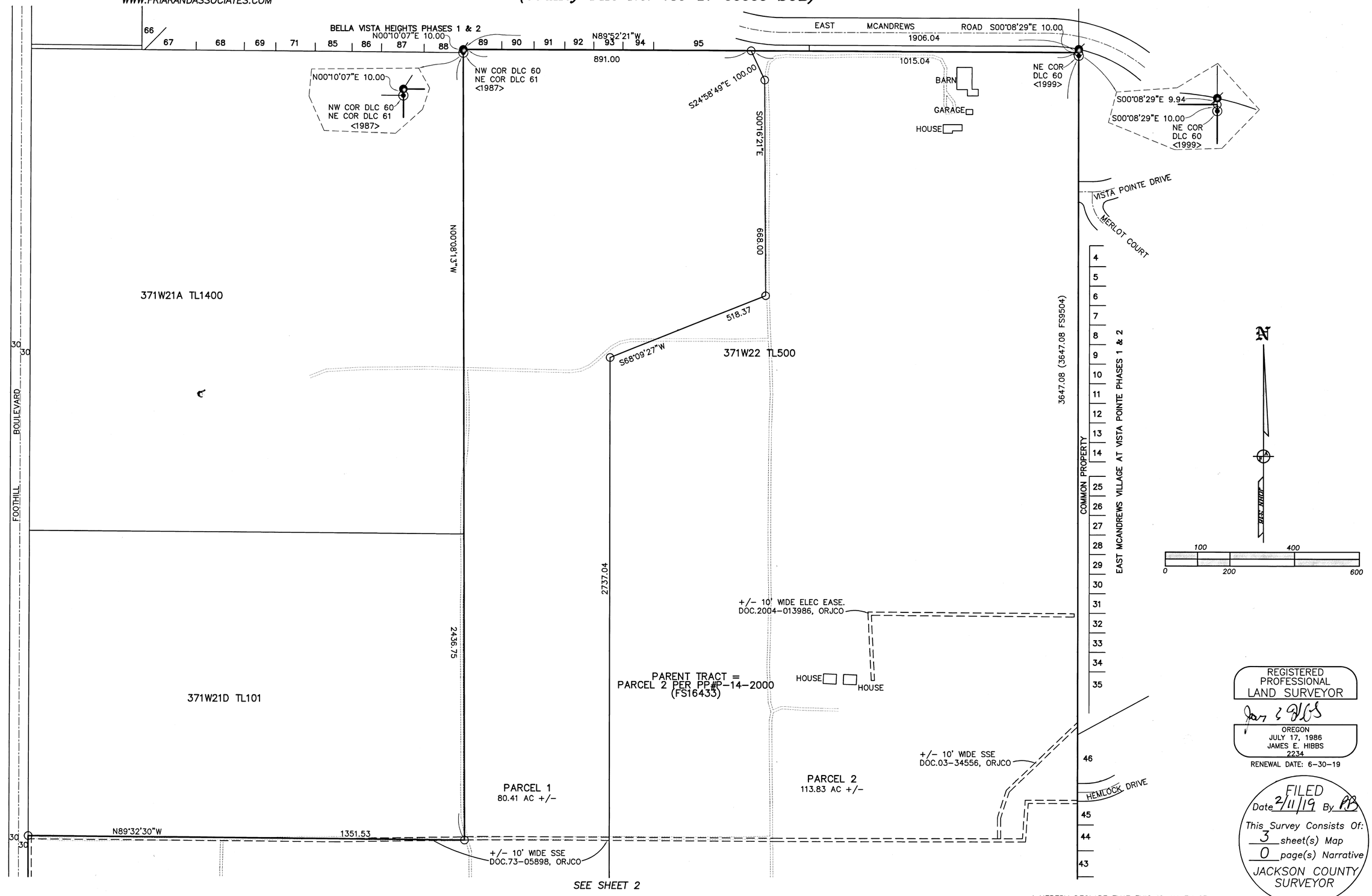
SURVEY BY:
L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OR 97535
PHONE: (541) 772-2782
EMAIL: LJFRIAR@CHARTER.NET
WWW.FRIARANDASSOCIATES.COM

DATE:
DECEMBER 26, 2018

PARTITION PLAT NO. P-04-2019

Of Parcel 2 per Partition Plat No. P-14-2000 &
located in Sections 21 & 22, T.37S., R.1W., W.M.
Jackson County, Oregon
(County File No. 439-17-00060-SUB)

SEE SHEET 2 FOR LEGEND AND EASEMENT LIST



REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE: 6-30-19

FILED
Date 2/11/19 By PB
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0 page(s) Narrative
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SURVEYOR

371W22 TL500/371W21D TL300

THIS PLAT WAS PREPARED USING AN EPSON SC-T5200 WITH EPSON T6925 INK ON CONTINENTAL JPC4M2 POLYESTER FILM.

SHEET 3 OF 3

17103FM

22729

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Carla Angeli Paladino, Planning Department

From: Mary Montague, Building Department

CC: Applicant, Cogswell Limited Partnership and Rocky Knoll, LLC;
Agent, CSA Planning, Ltd. – Raul Woerner

Date: August 28, 2019

Subject: PA-19-062_Cogswell Limited Partneship

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. For commercial see website.

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.

5. Any properties located within the 100 year Flood Plain requires a permit. All buildings will require a flood elevation certificate.

6. A site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section R403.1.9 and R403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.

7. Areas within the Wildfire High Risk area should reference Section R327.

8. Some areas are within the Hillside Ordinance area. Must follow guidelines as set forth in the Municipal code Section 10.929 – 10.933.

9. Any buildings that are kept and are non-conforming will not be able to do any improvements. Refer to planning code.

Exhibit B13a-e

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/28/2019
Meeting Date: 8/28/2019

LD File #: PA19062

Planner: Carla Paladino

Applicant: Cogswell Limited Partnership and Rocky Knoll LLC

Project Location: east of Foothill Road, north of Hillcrest Road, and south of McAndrews Road

ProjectDescription: A pre-application conference to discuss the urbanization and annexation of five properties located in the expanded Urban Growth Boundary (MD-4) located east of Foothill Road, north of Hillcrest Road, and south of McAndrews Road (371W21D TL 300/301; 371W22 TL 500/501; 371WD TL 101). The conference will focus on the applicant's submitted questions and comments provided by referral agencies.

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
WUI	Part of this project is located in a wildfire hazard zone. New homes built may be subject to new ignition-resistant construction requirements (See handout).	This development is located in a wildlfire risk zone. A minimum fire resistant rated Class A or B rated roof is required. In addition, it is recommended that the following measures be taken to reduce the possibility of home ignition during a wildfire: Fire Resistant Structure Planning including: Non-combustible siding Vent screening using corrosion resistant maximum 1/8" grid wire mesh Non-combustible rain gutters Solid skirting around the bottom of decks Non-combustible fencing attached to house Landscaping Planning including: 0-5 feet perimeter non-combustible zone (concrete or non-combustible ground covering) Utilize fire resistant vegetation (See Oregon State University's "Fire Resistant Shrubs and Trees in SW Oregon") Fully grown tree crown positioning to provide a minimum 10' horizontal clearance to chimneys or any part of structure Fully grown tree crown positioning to provide a minimum 15' clearance to other fully grown tree crowns Consider ladder fuels (vegetation like taller shrubs below trees that will spread fire into tree crown)
OFC 508.5	Fire hydrant requirements.	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 shall choose one of the three design options for 28' wide minor residential streets.	In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus on 28 feet wide minor residential streets, the developer shall choose from one of the following design options outlined in Medford Code section 10.430: (a) Clustered, offset (staggered) driveways, and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet. (b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet. (c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips. The developer shall choose one of the three options prior to the final plat. If the clustered-offset driveway option is chosen, submitted civil plans are required to show driveway locations which will be reviewed by the Fire Department and Engineering Department prior to development. If the fire sprinkler option is chosen, the developer shall notify the Fire Department prior to final plat. The Fire Department reserves the right to require parking restrictions with no parking signs in areas where the clustered-offset driveway option breaks down for short distances. Parking restrictions shall not be deemed as a separate option to the overall layout of the subdivision. If the developer by preference does not design the clustered/offset driveways into the overall design of the minor residential street, option (b) or (c) must be chosen. The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

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: **PA-19-062**

PARCEL ID: Refer to MD-4

PROJECT: A pre-application conference to discuss the urbanization and annexation of five properties located in the expanded Urban Growth Boundary (MD-4) located east of Foothill Road, north of Hillcrest Road, and south of McAndrews Road (371W21D TL 300/301; 371W22 TL 500/501; 371WD TL 101). The conference will focus on the applicant's submitted questions and comments provided by referral agencies.

DATE: August 28, 2019

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

PRE-APP CONDITIONS

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

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

3. The Applicants civil engineer shall coordinate with MWC Engineering staff for approved Water Facility Layout, and water line sizing for the two Water Pressure Zones that are located on these properties. (See provided Pressure Zone Map)

PRE-APP COMMENTS

1. Medford Water Commission will be installing a new 24-inch water transmission line in Foothill Road in conjunction with the City of Medford Foothill Road Improvement project between Hillcrest Road and Lone Pine Road.

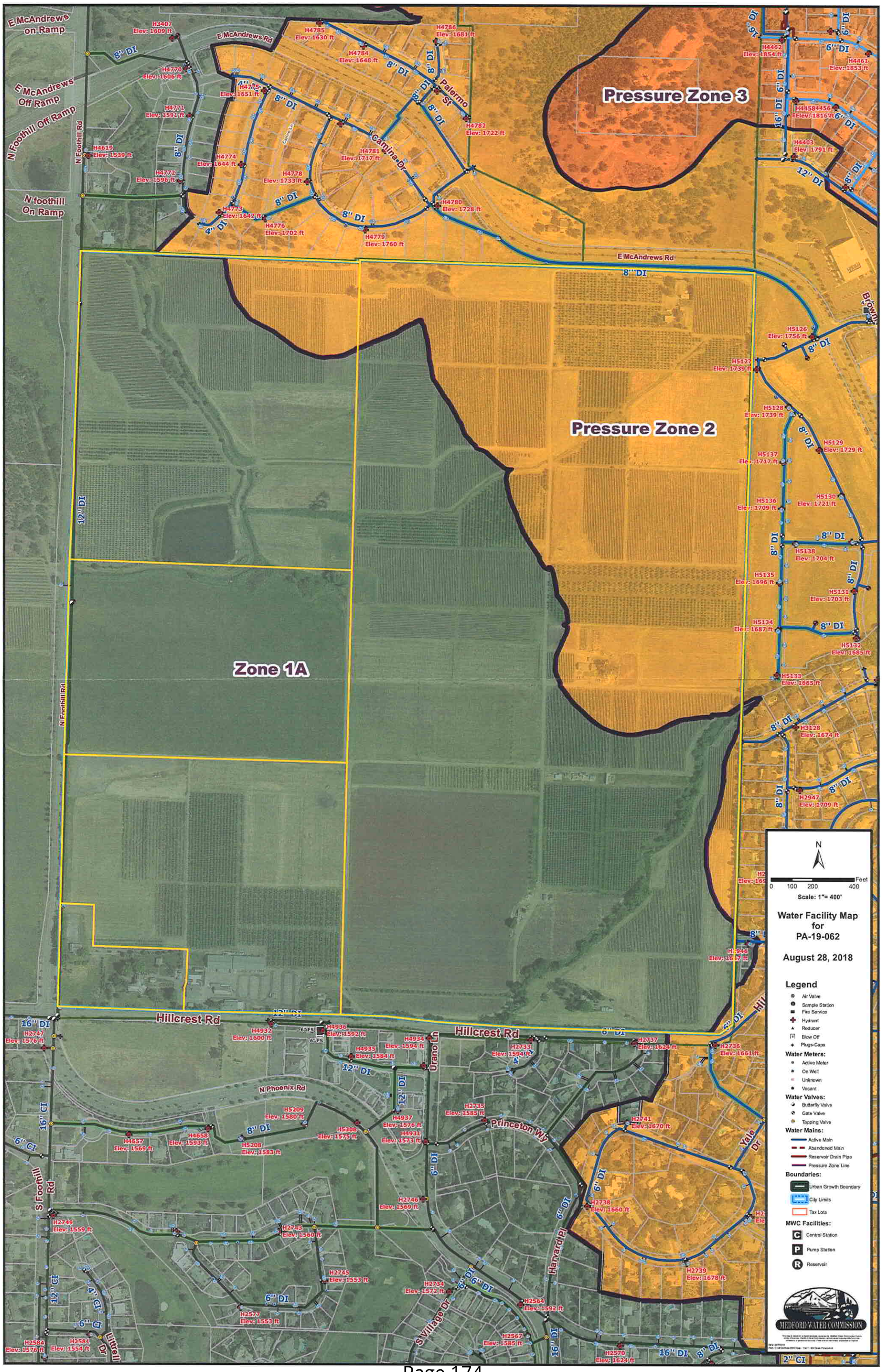
2. The existing 12-inch water line on the east side of existing Foothill Road will be abandoned with the Cities Foothill Road Improvement project.

3. There is two sections within Hillcrest Road that will require the installation of 12-inch water line to complete a "loop" between Urano Lane and Foothill Road.

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

5. On-site water facility construction will be required.

6. MWC-metered water service does exist to this property. There is an existing 2-inch water meter serving the existing building located at 3285 Hillcrest Road


Pressure Zone 3
Pressure Zone 2
Zone 1A
E McAndrews on Ramp
E McAndrews Off Ramp
N Foothill Off Ramp
N foothill On Ramp
E McAndrews Rd
N Foothill Rd
Palermo St
Camina Dr
Hillcrest Rd
N Phoenix Rd
Princeton Wy
Urano Ln
S Foothill Rd
S Village Dr
Harvard Pl
Yale Dr
Littrell Dr
Scale: 1"= 400'
Water Facility Map for PA-19-062
August 28, 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

TO: Carla Paladino - Planning Department

FROM: Haley Cox – Parks Planner

SUBJECT: MD-4 Urbanization Plan

DATE: August 28, 2019

The Parks Department has reviewed the application for urbanization of the MD-4 parcels and has the following comments:

1. According to the Regional Plan Element and as noted in the application, this urbanization area is required to allocate 15% (33.6 acres) to Open Space uses. The Parks Department does not have specific plans to acquire and develop parkland here, however, this area is within a park walkshed gap, and as such the Department remains open to identifying strategic opportunities.

   The Parks Department prefers to acquire park areas greater than 3 acres, as there are limited recreational opportunities and relatively high levels of maintenance needed to keep smaller open spaces safe and clean. Neighborhood parks that serve residents within ½ mile are ideally 3-15 acres, and community parks serving residents within a 2 mile radius are ideally greater than 15 acres. The applicant's Open Space Plan does not indicate the acreage of proposed park/garden areas, but as shown, these would need to be privately developed and maintained.

2. The Leisure Services Plan does indicate a shared-use pathway on Hillcrest Road that would connect to another along Lazy Creek. The City standard for shared-use pathways is 10' wide asphalt. Due to the site constraints associated with the Historic District, the Parks Department understands that this standard may need to be modified in some areas. Lazy Creek may require a riparian setback of 50' on each side, and the Parks Department recommends placement of pathways in the outer 25'.

3. The Parks Department can advise the applicant on irrigation design and tree species selection for higher-order ROW planter strips. More information can be found on the City's website: Information for Architects, Approved Street Tree List, and City Tree Planting Detail.

EXHIBIT 13e

RECEIVED
JUL 14 2020
PLANNING DEPT

MEDFORD
PUBLIC WORKS

LD DATE: 8/28/2019
File Number: PA-19-062

PUBLIC WORKS DEPARTMENT STAFF REPORT

Hillcrest District Urbanization Plan and Annexation for MD-4
Hillcrest Road at Foothill Road (TLs 300/301, 500/501, 101)

Project: A pre-application conference to discuss the urbanization and annexation of five properties located in the expanded Urban Growth Boundary (MD-4) located east of Foothill Road, north of Hillcrest Road, and south of McAndrews Road (371W21D TL 300/301; 371W22 TL 500/501; 371WD TL 101).

Applicant: Cogswell Limited Partnership and Rocky Knoll LLC; Agent, CSA Planning, Ltd. Raul Woerner

Planner: Carla Paladino, Principal Planner – Long Range Division

The conference will focus on the requirements needed to submit a formal Urbanization Plan and annexation package. An Urbanization Plan is approved by the City Council and is adopted as part of the Neighborhood Element of the Comprehensive Plan. It is a high level master plan that ensures compliance with the Regional Plan and meets the applicable standards in the Comprehensive Plan.

A. STREETS

North Foothill Road is classified as a Regional Arterial street and is maintained by Jackson County. North Foothill Road is paved without curb and gutter, and has partial street lights and sidewalk (at the intersection with Hillcrest Road). North Foothill Road will continue to be maintained by Jackson County unless a jurisdictional transfer is completed.

Hillcrest Road is classified as a Major Collector street and is maintained by Jackson County. Hillcrest Road is paved without curb and gutter, and has partial street lights and sidewalk (at the intersection with North Foothill Road). Hillcrest Road will continue to be maintained by Jackson County unless a jurisdictional transfer is completed.

Future Urano Lane (from Hillcrest Road north to future intersection with Spring Street) is classified as a Minor Collector street and will be maintained by the City of Medford.

Future Spring Street (from Foothill Road east to future intersection with Urano Lane) is classified as a Minor Collector street and will be maintained by the City of Medford.

Future Urano Lane (north of intersection with future Spring Street) is a Standard Residential street and will be maintained by the City of Medford.

Future Vista Pointe Drive (west to connection with extension of Future Urano Lane) is a Standard Residential street and will be maintained by the City of Medford.

Future Hidden Valley Court and Oxford Place are Standard Residential streets and will be maintained by the City of Medford.

B. SANITARY SEWERS

There are capacity constraints in the sanitary sewer system that will need to be addressed prior to acceptance of a zone change on any of the properties.

C. STORM DRAINAGE

There are capacity constraints in the storm drainage system that will need to be addressed prior to acceptance of a zone change on any of the properties.

Future development on this parcel will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual.

D. TRANSPORTATION SYSTEM

- The Spring Street extension shall be the only intersection with Foothill Road in order to preserve the capacity of Foothill Road.
- The applicant shall extend local streets from the urbanization area to the boundary of the Urban Growth Boundary (UGB) to serve this urban reserve area in the future. None are currently shown. Streets should be stubbed in accordance with MLDC 10.426. Connections to Foothill Road will not be allowed for future development of this area.
- The submitted Open Space Plan shows planted medians in the Minor Collector streets. There is no median in the Minor Collector street cross section in MLDC 10.428. Public Works is not approving any modifications to these cross sections through the urbanization process.

- The existing driveways within the taper transition areas on the Hillcrest Road modification exhibit shall be closed when these improvements are built. The facilities currently served by these areas shall be served via the local street network.
- The planted center median shown on the Spring Street and Urano Lane extensions will not be maintained by Public Works. The developer shall establish a mechanism to have these maintained by a licensed landscape maintenance company that is pre-qualified with the City of Medford.
- The trails will not be maintained by Public Works and shall be placed on private property. The developer shall establish a mechanism to maintain the trails and the property on which they will be built.
- There is a green circle shown in the middle of the intersection of Spring Street and Urano Lane that is not identified in the key or described in the findings. The developer shall coordinate with Public Works for any proposed intersection treatments. No intersection treatment will be approved without a design and traffic analysis.
- The Standard Residential street in the southeast corner of the Cogswell property shall be aligned to create a four-leg intersection at Oxford Place and Hillcrest Road.

E. SYSTEM DEVELOPMENT CHARGES

Future development/buildings within this parcel will be subject systems development charges (SDC). These SDC fees shall be paid at the time individual building permits are taken out, or you may apply for the SDC Deferral Program if your development qualifies.

This development is also subject to storm drain system development charges. A portion of the storm drain system development charge shall be collected at the time of the approval of the final plat, as applicable.

F. UTILITY FEES

Upon annexation, this parcel will be subject to City of Medford monthly utility fees as applicable.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541.779.0569
Fax 541.779.0114

INVITATION TO NEIGHBORHOOD MEETING

Date: December 9, 2019
Time: 5:30 pm
Location: Roxy Ann Grange
1850 Spring Street, Medford, OR
(entrance is from Valley View Dr)

Dear Neighborhood Residents,

Pursuant to Medford Land Development Ordinance 10.194, a neighborhood meeting is scheduled for Monday, December 9, 2019.

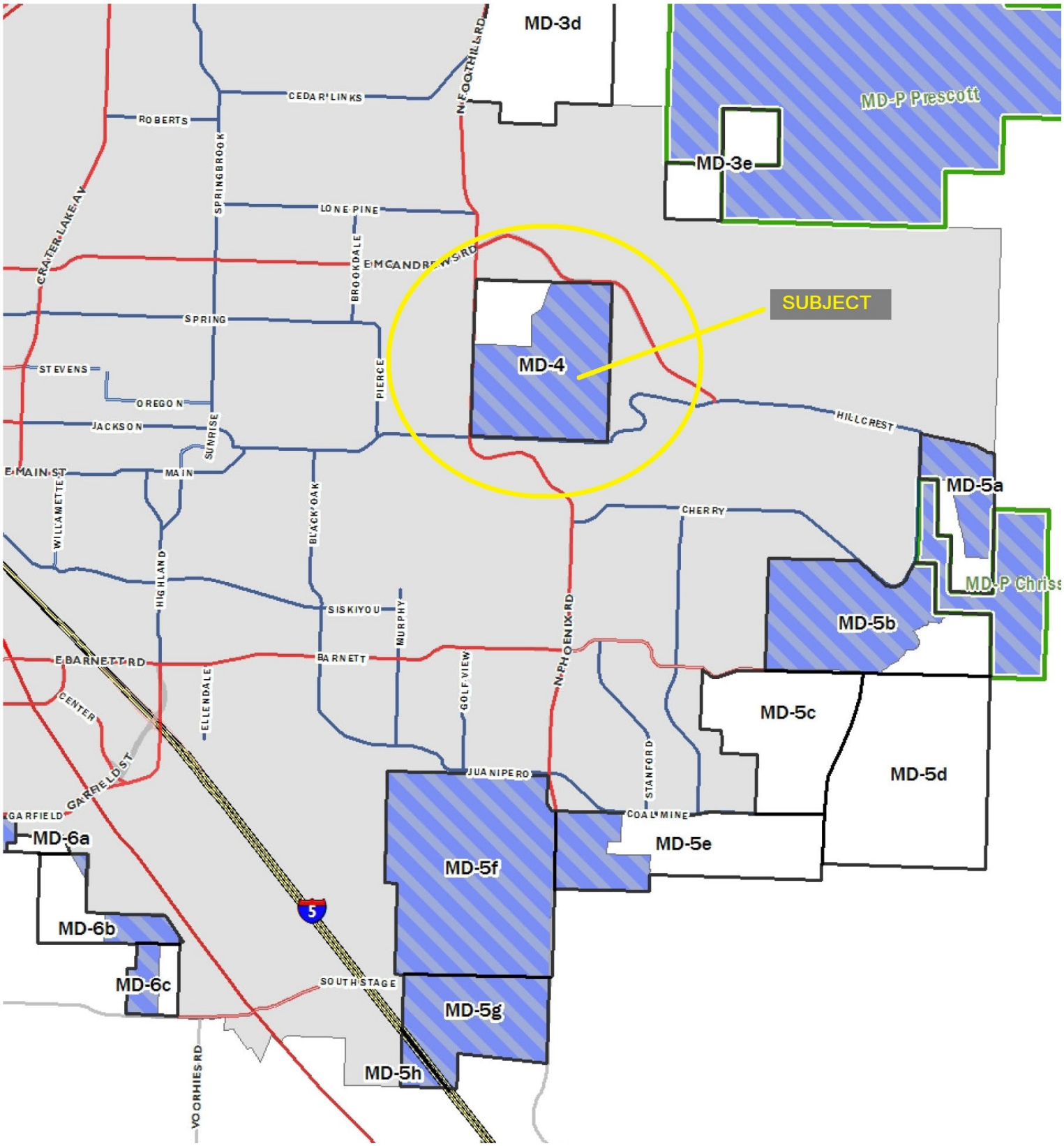
The general purpose of this meeting is to inform nearby landowners of the proposed Concept Plan for Medford Urbanization Planning Area MD-4. Urbanization Planning Area MD-4 is located between Hillcrest Road, North Phoenix Road and E. McAndrews Road as illustrated on the enclosed maps.

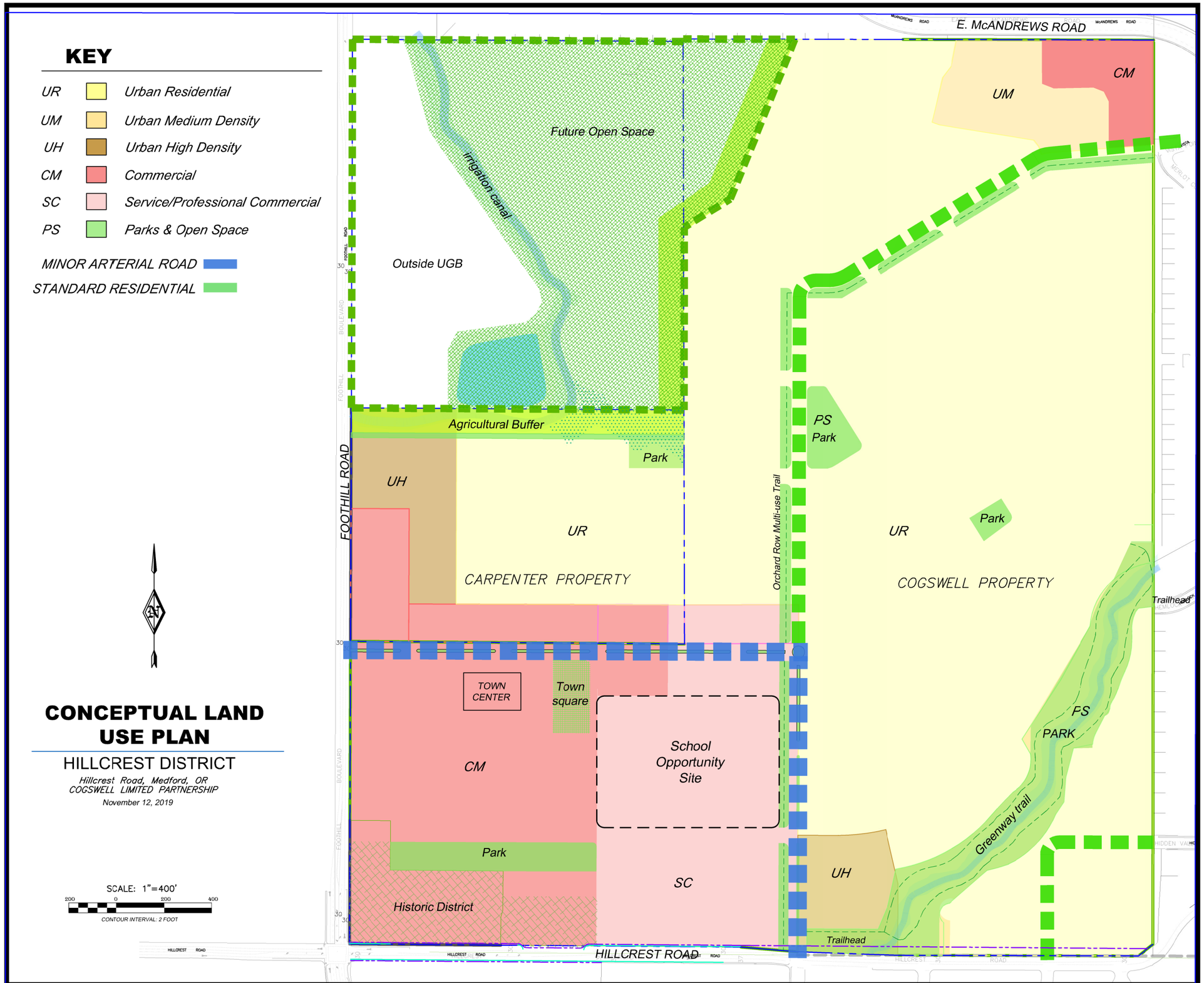
We extend this invitation to answer any questions you might have. The meeting will be informal and discussion will be led by our firm representative, Raul Woerner.

Please RSVP your attendance by Friday, December 6, 2019 to Lori at (541) 779-0569

Note: attendance at the neighborhood meeting does not give legal standing to appeal to the City Council, the Land Use Board of Appeals, or Circuit Court. The neighborhood meeting is intended to ensure neighborhood knowledge of proposed development and to provide an opportunity for direct communication prior to finalizing the proposal and submitting the application to the City Planning Department. Notice of formal public hearing(s) to be held by the City will be mailed after the application is actually filed.

8.2 Areas MD-4 through MD-5 (southeast)




KEY
UR Urban Residential
UM Urban Medium Density
UH Urban High Density
CM Commercial
SC Service/Professional Commercial
PS Parks & Open Space
MINOR ARTERIAL ROAD
STANDARD RESIDENTIAL
CONCEPTUAL LAND USE PLAN
HILLCREST DISTRICT
Hillcrest Road, Medford, OR
COGSWELL LIMITED PARTNERSHIP
November 12, 2019
SCALE: 1"=400'
200 0 200 400
CONTOUR INTERVAL: 2 FOOT
E. McANDREWS ROAD
FOOTHILL ROAD
HILLCREST ROAD
Future Open Space
Irrigation canal
Outside UGB
Agricultural Buffer
Park
UH
UR
CARPENTER PROPERTY
Orchard Row Multi-use Trail
UM
CM
PS
Park
Park
UR
COGSWELL PROPERTY
Trailhead
TOWN CENTER
Town square
CM
School Opportunity Site
Park
SC
Historic District
UH
Trailhead
PS
PARK
Greenway trail

SIGN-IN SHEET

NEIGHBORHOOD MEETING: CONCEPT PLAN-MEDFORD URBANIZATION PLANNING AREA MD-4
DATE: MONDAY, DECEMBER 9, 2019
TIME: 5:30PM
PLACE: ROXY ANN GRANGE

NAME	ADDRESS	PHONE NUMBER OR EMAIL (optional)
Sue Haumes	849 Sonoma Court	541 7723926
MIKE MONTERO	4491 BROWNRIDGE 97504	541-779-0771
Beverly Strauss	857 Sonoma Ct.	541-890-7800
Dana Brian Winkler	492 E. Veneto Ct.	541-890-3338
John Pierce	Lot 95" Camia Dr.	541-772-1170
Jerry & Betsy Manuel	837 Sonoma Ct	541-944-1766
Don Cline	832 Sonoma Ct	541-941-1522
Karen Allan, Stuart Allan	2895 Hellcrest Rd	541-773-4409
Terri Knapp	863 Sonoma Ct.	541-261-3666
Steve Bingham	484 E. Veneto Circle	206-818-1710
Emily Mostue	612 Pierce Rd	emostue@charter.net
DAVE & SUSAN WALKER	3841 ANNETTES WAY	DAVESUZE@CHARTER.NET
Carol & Steve Schogen	3849 Annettes Way	714-813-9944
Dave Presch	4100 Hidden Valley Ct.	541-840-1283

SIGN-IN SHEET

NEIGHBORHOOD MEETING: CONCEPT PLAN-MEDFORD URBANIZATION PLANNING AREA MD-4
DATE: MONDAY, DECEMBER 9, 2019
TIME: 5:30PM
PLACE: ROXY ANN GRANGE

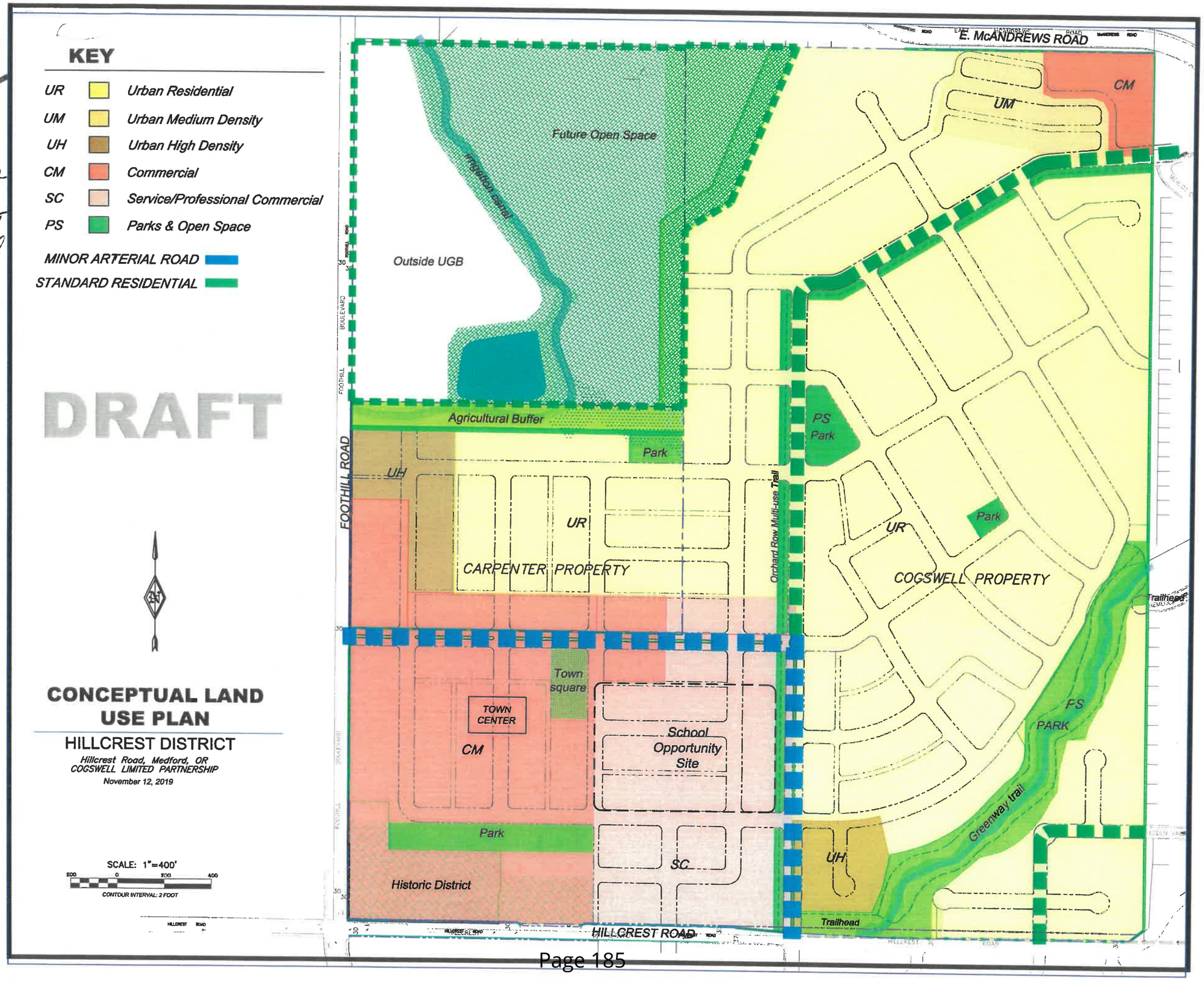
NAME	ADDRESS	PHONE NUMBER OR EMAIL (optional)
David + Judy Whitney	3845 Annettes Way	541-773-4424
Aaron & Jessica Dremert	476 E Veneto Cir	541-944-2057
Jean Foley	3817 Annettes Way	650 353 1710
Janet Woodbury	843 Sonoma Ct	808 896-0375
Jeff Brooks	1624 E Main st (556 La Strada)	541 973 0555
Bill Roon	1570 Foothill	541 772 8649
Guy Roon	1570 Foothill	541- 772 8649

We are quite unhappy with this entire plan as we purchased our property bordering the vineyard specifically due to the EFU zoning which allows us to have a lack of buildings on a view lot within the city

The orchard & vineyard are an iconic part of East Medford. The loss of this property will negatively affect the city & destroy the charm of our neighborhood.

COMMENTS

Agree with the concept that Hemlock NOT be an arterial road.

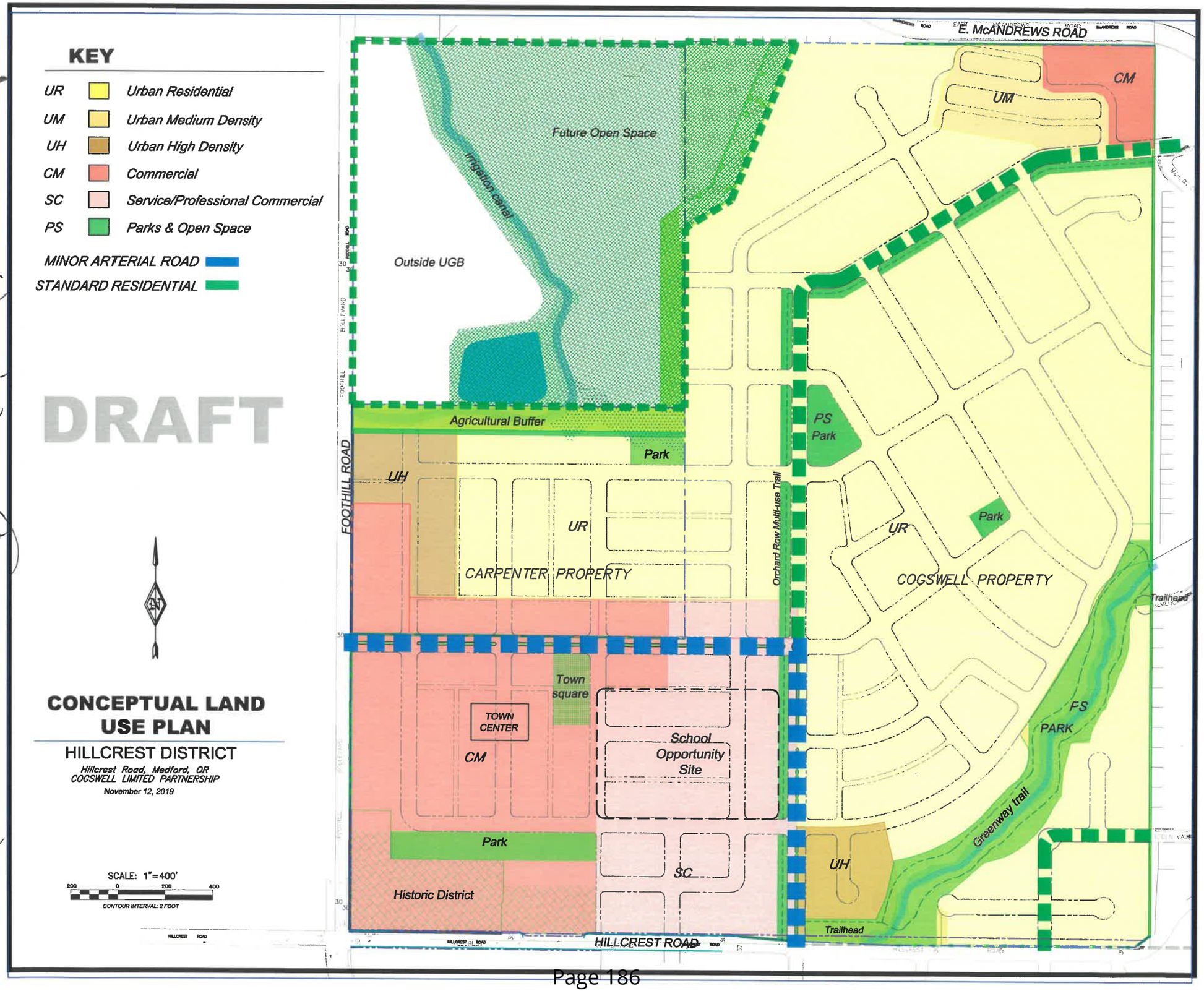


COMMENTS

NO HEMP!

I don't agree with this growth. I think keeping a historic icon in Medford is important to our community (Roxy Anne Winery) why not build at into the hills of Medford. So much open land.

All of the surrounding home owners built and bought their homes for the view of the vineyard and wildlife.



S. FOOTHILL ROAD (ROUTE 31)

Project Description and Location: The Foothill Road route is identified as part of the mid-term 2037 preferred system. It is a 16.4-mile bus route that connects east Medford to Phoenix. The route has stops that are spaced approximately1/3 mile apart, has an approximate runtime of 66 minutes, and would operate at 15- to 30-minute frequencies every day of the week.

Opportunities: The Foothill Road route has an opportunity to serve large elderly populations and populations with disabilities in eastern Medford, as well as the transit-oriented development in southeast Medford and employment in northeast Phoenix. The near-term East Medford and mid-term Phoenix Circulator routes intersect with the Foothill Road route, allowing for greater transit mobility in eastern Medford and to/from Phoenix.

Constraints: The surrounding development has a more suburban pattern of short dead-end streets .

Land Use Considerations: Land uses along the Foothill Road route consist of residential and some commercial.

Modifications: None currently planned.

Criteria	Mid-term	Long-term
Ridership/Demographics Within ¼ Mile		
Projected Daily Ridership	N/A[1]	
Population[2]	2,478	
Employment[2]	605	
Minority Population[2]	19.6%	
Low Income (Poverty 100%)[2]	9.5%	
Access to One Vehicle or Less[2]	N/A	
No Access to Vehicles[2]	6.0%	
Poverty 200%[2]	28.1%	
Population with Disabilities[2]	15.3%	
Number of Essential Destinations[3]	4	
Service Details		
Distance Roundtrip[2]	16.4 miles	
Trip Time Roundtrip[2]	66 minutes	
Frequency[2]	M-F: 15-30 minutes Sat-Sun: 30 minutes	
Service Span[2]	M-F: 13 hours Sat-Sun: 11 hours	
Annual Hours[1]	15,095 hours	15,095 hours
Number of Vehicles Required[1]	5	5
Additional Capital Cost[1]	$3,398,400	-
Total Annual O&M Cost[1]	$1,358,600	$1,358,600

1. This route was added to the preferred systems after modeling efforts were completed to forecast ridership
2. Data from Remix
3. Data calculated using ArcMap

Exhibit B15

NPS Form 10-900
(3-82)

OMB No. 1024-0018
Exp. 10-31-84

United States Department of the Interior
National Park Service

National Register of Historic Places Inventory—Nomination Form

For NPS use only
received JAN 19 1984
date entered

See instructions in *How to Complete National Register Forms*
Type all entries—complete applicable sections

1. Name

historic: Hillcrest Orchard Historic District

and/or common: Hillcrest Orchard

2. Location

street & number: 3285 Hillcrest Road — N/A not for publication

city, town: Medford — N/A vicinity of: Fourth Congressional District

state: Oregon — code: 41 — county: Jackson — code: 029

3. Classification

Category	Ownership	Status	Present Use	
X district	___ public	X occupied	X agriculture	___ museum
___ building(s)	X private	___ unoccupied	___ commercial	___ park
___ structure	___ both	___ work in progress	___ educational	X private residence
___ site	**Public Acquisition**	**Accessible**	___ entertainment	___ religious
___ object	N/A in process	X yes: restricted	___ government	___ scientific
	___ being considered	___ yes: unrestricted	___ industrial	___ transportation
		___ no	___ military	___ other:

4. Owner of Property

name: Hillcrest Corporation — c/o Mr. Judson M. Parson, Hillcrest Orchard

street & number: 1218 Third Ave., Suite 2303 — 3285 Hillcrest Rd., Medford, OR 97520

city, town: Seattle — N/A vicinity of — state: Washington 98101

5. Location of Legal Description

courthouse, registry of deeds, etc.: Jackson County Courthouse

street & number: Eighth and Oakdale Street

city, town: Medford — state: Oregon 97501

6. Representation in Existing Surveys

title: Jackson County Survey and Inventory — has this property been determined eligible? ___ yes X no

date: June - December 1978 — ___ federal ___ state X county ___ local

depository for survey records: Jackson County Department of Planning and Development

city, town: 32 W. 6th St., Medford — state: Oregon 97501

Exhibit B16

7. Description

Condition		Check one	Check one
X excellent	___ deteriorated	___ unaltered	X original site
___ good	___ ruins	X altered	___ moved date N/A
___ fair	___ unexposed		

Describe the present and original (if known) physical appearance

The ensemble of buildings which comprise Hillcrest Orchard is located approximately two-and-one-half miles east of the business center of Medford, Oregon. The property included in this nomination lies along the northern border of Hillcrest Road, an early Jackson County route that runs from the town toward the foothills to the east. Foothill Road, a north-south route, borders the land on the west. Additional orchard property surrounds the nominated portion on the north and east. The buildings and trees all lie in Township 37 South, Range 1 West, Section 21. Included in the ensemble, all part of a functioning orchard operation, is a packing house, wagon shed, plumbed toilet, wash rack, old barn, fire house, cow barn, main garage, electric garage, dog house, wood shed, guest house, office, residence, and recreation house. (Please see enclosed maps with building locations.) With the exception of the old barn and the wood shed, all the structures, designed by architect Frank C. Clark, retain their integrity of function and Period Colonial style.

The agricultural purposes for which the buildings were planned remains consistent although equipment or use has been modernized. The packing house never functioned as such, for shortly after its construction, pears were transported to the railroad district for reasons of efficiency. The building was used for general farming purposes and is used in the same way today. The wagon shed houses farm vehicles, the fire house contains the fire equipment; the garages function for the use that was planned for them. With the exception of the Y-shaped house and the irregularly shaped recreation house, all other structures are rectangular in shape. All buildings with the exception of the packing house with tile wall construction, are of wood frame wall construction. The primary window pattern in all buildings is multi-light over one, with some variations. Gabled roofs of varying pitches cover the structures, and their roofing material is either asbestos or composition shingle. The environmental attributes of the property are considerable. The two-hundred acres purchased by Reginald Parsons has been increased by fifty acres and is almost completely planted to pears. Approximately ten acres have been given to improvements. The foothills of the Cascades lie to the east, additional orchard property to the west, and land of rural character to the north and east. Land to the south is semi-rural in character with some residential growth. The property maintains complete integrity within its own boundaries, as road patterns and pear block divisions have not been altered through the years. (Please see enclosed maps.) Roxy Ann Creek, named like the prominent hill to the east, runs southwest-northeast through Hillcrest Orchard. Approximately 250 acres are planted to Bartlett, Bosc, D'Anjou and Comice pears. Other buildings scattered over the orchard include the superintendent's house, an earlier orchard manager's house, a spray house, shed, and some employee residences in the northern portion of the property. The buildings included in the nomination are those functionally involved in the orchard operation; historically, and at the present. Buildings are described here in order. Sources for alterations as well as construction dates are included in the Reginald Parsons Collection at the University of Oregon, and in photographs, and are listed in Item 8.

HILLCREST ORCHARD BUILDING DESCRIPTION

No. 1 Packing House — Contributing

Construction Date: 1926
Architect: Frank C. Clark
Contractor: Elmer Childers
Description: Rectangular in shape; approximately 90' x 32'' interlocking tile wall construction; two stories-main packing house, two and one-half stories-adjoining residence, one-story addition on east end; medium-pitch gable on main block, steeply-pitched gable

8. Significance

Period	Areas of Significance—Check and justify below			
___ prehistoric	___ archeology-prehistoric	___ community planning	___ landscape architecture	___ religion
___ 1400–1499	___ archeology-historic	___ conservation	___ law	___ science
___ 1500–1599	X agriculture	___ economics	___ literature	___ sculpture
___ 1600–1699	X architecture	___ education	___ military	___ social/ humanitarian
___ 1700–1799	___ art	___ engineering	___ music	___ theater
___ 1800–1899	X commerce	___ exploration/settlement	___ philosophy	___ transportation
X 1900–	___ communications	___ industry	___ politics/government	___ other (specify)
		___ invention		

Specific dates c. 1900 - c. 1930 **Builder/Architect** Frank Chamberlain Clark/Unknown

Statement of Significance (in one paragraph)

The Hillcrest Orchard Historic District, located two-and-one-half miles east of Medford is significant under the following Criteria for Evaluation:

1) Criterion A - The property and operations have been significantly associated with the development of the fruit growing industry in Southern Oregon since the late 1880s.

2) Criterion B - The property has been significantly associated with the Stewart, Persins and Parsons families. These persons were closely associated with the creation and growth of the commercial fruit industry in the Rogue River Valley. Additionally, the Parsons family was prominently associated with other commerical and philanthropic enterprises in Oregon and Washington states.

3) Criterion C - In its current configuration, the property is significant as an intact type representative of an agricultural technology and is equally important as a stylistic architectural ensemble designed by prominent Rogue River Valley architect Frank Chamberlain Clark.

The orchard property is associated with prominent northwest financier and philanthropist Reginald Hascal Parsons and his family. Mr. Parsons was involved as co-owner and executive in the purchase of Hillcrest Orchard in 1908. Shortly after he became owner, Mr. and Mrs. Parsons and their children established a yearly pattern of dual residency between Seattle, Washington and Medford, Oregon, and spent approximately six months, or as many possible, on their Medford orchard land. Reginald Parsons organized the Parsons Investment Company of Seattle, directed the Seatle Chamber of Commerce in 1919, was a founding director of the Seattle Symphony Orchestra, and national executive of the Boy Scouts of America. In the Rogue Valley, Mr. Parsons helped organize the Rogue Valley Country Club and the University Club, and began the Pinnacle Packing Company and the Rogue River Fruit and Produce Association. Reginald Parsons retained his position of managaer of Hillcrest Orchard through the years, until his death in 1955.[1]

His son, George H. Parsons took over leadership of the Hillcrest Orchard organization, and in 1964, Judson M. Parsons, grandson of Reginald Parsons, became orchard superintendent.

Hillcrest Orchard is significant agriculturally as a unique example of orcharding from the early twentieth century to the present day. The ensemble of meticulously planned and executed structures is without duplicate in the southern Oregon area. Included in the building group are the necessary farming structures such as barns, a packing house, wash rack, and for a resident orchardist, a home, office, and guest facilities. Hillcrest Orchard was developed at the height of the fruit "boom" period near the beginning of the twentieth century and has grown agriculturally as technology and public expectations have changed through the years. The existence of some of the few remaining nineteenth century Comice pear trees, further enhances Hillcrest's position as a unique orchard property.

9. Major Bibliographical References

See continuation sheet

10. Geographical Data

Acreage of nominated property 6.614 acres

Quadrangle name Medford **Quadrangle scale** 1:62,500

UTM References

	Zone	Easting	Northing		Zone	Easting	Northing
A	10	514675	4686500	B	10	514975	4686500
C	10	514975	4686350	D	10	514675	4686350
E				F			
G				H			

Verbal boundary description and justification

See continuation sheet.

List all states and counties for properties overlapping state or county boundaries

state	None	**code**	**county**		**code**
state	None	**code**	**county**		**code**

11. Form Prepared By

name/title Gail E. H. Evans
~~Kay Atwood~~

organization **date** December 15, 1982

street & number P. O. Box 1154
102 S. Pioneer Street **telephone** 1-503-482-8714

city or town Port Angeles, Washington 98362
Ashland, **state** Oregon 97520

12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

___ national ___ state X local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

State Historic Preservation Officer signature

title Deputy State Historic Preservation Officer **date** January 12, 1984

For NPS use only

I hereby certify that this property is included in the National Register

Entered in the National Register **date** 2/16/84

Keeper of the National Register

Attest: **date**

Chief of Registration

with gable roof dormers on attached residence, low pitch on east addition; roof sheathed with asbestos shingles; exterior wall plastered; bands of multi-light, projected casement windows and double-wide wood doors across north and south ground floor of packing house, primarily six-over-one, double-hung sash windows in adjoining residence, dormer windows on residence have intersecting tracery in upper window sash; poured concrete foundation; two shed roof proches extend across north and south walls of main block; screened in, hip roof porch extends across west wall of adjoining residence; two louvered cupolas on ridge of packing house; broken return pedimented gables on packing house and residence; Period Colonial style.

Alterations: One story addition on east end of Packing House replaced an earlier smaller attachment, in 1956-57.

The Packing House an adjoining residence replaced an earlier wood frame packing house that stood on the same site and was removed in 1926.

No. 2 Wagon Shed Contributing
Construction Date: c. 1912
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 65' x 27'; wood frame wall construction ; one story; medium pitch gable roof over major block with parallel gable roof sections extending from the east end; roof sheathed with composition shingles; exterior wall sheathed with channel drop siding; no windows; main facade is several bays wide with sliding wood doors; three sliding wood doors on rear wall to allow pass through of vehicles; no foundation, dirt floors; Period Colonial style.

Alterations: none known

No. 3 "Plumbed Toilet" Contributing
Construction Date: c. 1925
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 4' x 5'; wood frame wall construction; gable roof; roof sheathed with asbestos shingles; channel drop siding on exterior walls; no windows; decorative cut louvers in vents and fascia boards at gable ends of building; no foundation; Period Colonial style.

Alterations: none known

No. 4 Wash Rack Contributing
Construction Date: c. 1923
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 10' x 12'; wood frame wall construction, open on all sides; one story; low pitched gable roof; roof covered with composition shingles; paired, square, wood posts with diagonal wood braces support roof at corners; vertical wood boards at gable ends; lattice work on south side of building; concrete pier foundation; Period Colonial style.

Alterations: none known

No. 5 "Old" Barn Contributing
Construction Date: c. 1900
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 50' x 35'; wood frame wall construction; two stories; medium pitch gable roof; roof sheathed with composition shingles; channel drop siding on exterior walls; four-light casement windows on north and south walls; wide, sliding wood doors on ground floor at east and west gable ends; concrete slab under some portions of building; also concrete piers under other sections; louvered cupola at roof ridge; shed roof attachments extend across both north and south walls of building; Period Colonial style.

Alterations: Original vertical board exterior walls sheathed with channel drop siding about 1910; shed roof attachments on north wall added before 1925; rectangular opening cut in east end of east wall above main door in the 1950s.

This major structure in the Hillcrest Orchard building ensemble is the oldest standing building in the group.

No. 6 Fire House Contributing
Construction Date: c. 1910
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 5' x 4'; wood frame wall construction; one-half story; gable roof; roof covered with asbestos shingles; exterior sheathed with channel drop siding; no windows; double-leaf wood door on south elevation; concrete slab foundation; Period Colonial style.

Alterations: Possible recovering of roof

No. 7 Cow Barn Contributing
Construction Date: 1910
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 28' x 10'; wood frame wall construction; one story; medium pitch gable roof; roof sheathed with asbestos shingles; exterior walls sided with channel drop siding; open walled on three sides of west end of building; multi-casement windows on east portion; poured concrete foundation under east end of building.

Alterations: Upper portion of west third was added about 1920

No. 8 Main Garage Contributing
Construction Date: c. 1912
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 25' x 17'; wood frame wall construction; one story; medium pitch gable roof with broken return pediment in gable ends; louvered cupola at roof ridge; roof covered with asbestos shingles; walls sheathed with channel drop siding; double-leaf doors on south end; single-light casement windows; concrete slab foundation; Period Colonial style.

Alterations: Possible concrete slab foundation added later

NO. 9 *"Electric" Garage ("Maid's House) Contributing
Construction Date: 1911
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 25' x 10'; wood frame wall construction; one story; medium pitch gable roof with return pediment in gable ends; louvered cupola at roof ridge; roof sheathed with asbestos shingles; exterior wall sheathed with channel drop siding; single-light casement windows; paired doors under small shed roof porch on west side of building; concrete foundation under north end of building; attached to Main Garage at east wall; Period Colonial style.

Alterations: South portion of building converted to residence probably in 1930s; double-leaf wood doors replaced with wall, and paired windows at that time; interior remodeled around 1973 and new concrete porch built; one window on west wall converted to sliding glass window in 1981; building probably moved from original site just west of main house in 1917

*First named the "electric garage" because it was used to house an electric car owned by Reginald Parsons.

NO. 10 "Dog House" Contributing
Construction Date: c. 1925
Architect: Unknown
Contractor: Unknown
Description: Rectangular in shape; approximately 10' x 6'; wood frame wall construction; one-half story; gable roof with asbestos shingels; exterior sheathed with channel drop siding; no windows; one wood door on east side of building; poured concrete foundation; Period Colonial style.

Alterations: none known

No.11 Wood Shed (portable) Contributing
Construction Date: 1981
Architect: None
Contractor: None
Description: Rectangular in shape; approximately 6' x 5'; wood frame with open lattice on three sides; open on south side; shed roof; no windows or doors; concrete pier foundation.

Alterations: none known

No.12 Guest House ("Boys House") Contributing
Construction Date: 1926
Architect: Frank Clark
Contractor: (?) Pattrick
Description: Rectangular in shape; approximately 20' x 18'; wood frame wall construction; one story; medium pitch gable roof sheathed with asbestos shingles; return pediments on gable ends; eaves extend beyond pediment return on sides; elongated monitor vent along roof ridge; exterior wall sheathed with wood shingles; groupings of one-over-one, double-hung sash windows; elliptical windows in gable ends; two front doorways on south elevation; porch across main facade supported by paired square posts; poured concrete foundation; Period Colonial style.

Alterations: Concrete blocks placed under front porch c. 1980

This building replaced tent platform for wall tent used by Reginald Parsons young sons.

No.13 Office Contributing
Construction Date: 1917
Architect: Frank Clark
Contractor: Unknoww (possible Frank Salter, W. E. Weaver or N. E. Childers)
Description: Rectangular in shape: approximately 15' x 20'; wood frame construction for walls; one story; medium pitch gable roof with asbestos shingles; return pediments at gable ends; exterior sheathed with wood shingles; primarily

six-over-one double-hung sash windows; polygonal by a window on east elevation; entry doors on south and west walls; shed roof porches supported by lattice work posts over both doorways; elliptical louvered vents in gable ends; broad, rubble sandstone and mortar chimney on north wall; poured concrete foundation; Period Colonial style. Interior walls and ceiling paneled with Southern red gum veneer paneling; brick and mortar faced fireplace hearth; original ceiling and wall light fixtures.

Alterations: No known exterior changes; interior oak flooring overlaid with square tiles probably in the 1930s

No. 14 Reginald and Maude Pasons House Contributing
Construction Date: 1917/1926
Architect: Frank Clark
Contractor: Unknown (possible Frank P. Salter)
Description: Y-shaped in plan; each arm of the Y is between 20' and 30' in length; wood frame wall constructtion; two stories; medium pitch gable with boxed cornice and return pediment gable ends over all sections of the Y; square, louvered cupola on ridge of north arm of the Y; roof sheathed with wood shingles; exterior walls sheathed with wood shingles; one story, shed roof, screened-in porches surround the house on nearly all sides; primiarily sox-over-one double-hung sash windows; louvered wood shutters at windows on second floor; elliptical windows at east and west gable ends; louvered window openings on second floor sleeping proches; main doorway on south facade, and several French doors open onto porches; rubble sandstone and mortar chimney on end wall of east arm of Y; poured concrete foundation.

Interior: First floor rooms include, entry and stair halls, dining room, living room, kitchen, pantry, laundry room and several closests; second floor rooms include master bedroom, daughter's bedroom, guest bedroom, three additional bedarooms, a dressing room, three sleeping porches and two bathrooms; oak flooring on ground primarily wall papered on second floor; inside walls of sleeping proches sheathed with pine shingles; throughout the house original woodwork including five panel doors, built-in cabinets, window moulding, picture and floor moulding in first floor rooms; original light fixtures throughout the house; fireplaces in three bedrooms, all with ceramic tile hearths; fireplaces in both living and dining room with large square ceramic tile hearths; Dutch door at front, main entrance; French doors open onto screened porches from living and dining rooms; furnished with furniture of Reginald and Maude Parsons.

Alterations: Second floor extended over porte cochere at rear, north side of house in 1926 (plans done by Frank Clark); "breakfast porch" slightly enlarged in 1930; one window added and one proch door moved, both at rear of house, probably in the 1920s; kitchen remodeled in 1950s; kitchen counters resurfaced in 1980.

The Reginald and Maude Parsons House was constructed on the site of a previous house. Materials from this earlier house, such as plumbing pipes, window blinds and some lumber were used in constructing the Parsons' 1917 House.

No. 15 Recreation House Contributing
Construction Date: 1919/1925
Architect: Frank Clark
Contractor: Frank P. Salter (1919) (?) Merrit (1925)
Description: Irregular in shape; overall dimensions approximately 45' x 42'; wood frame wall construction; one story; medium pitch gable roof sheathed with asbestos shingles; early roof skylights on portions of roof; exterior sheathed with wood shingles; multi-light casement windows; elliptical windows in gable ends; main door on east facade; broad, rubble sandstone and mortar chimney on east wall; shed roof porch on north wall; tennis court immediately to the north of the building; poured concrete foundation; Period Colonial style.

Interior rooms include a billiard room, with veneer wood wall panelling up to the picture moulding, a handball court with a narrow viewing balcony, and a swimming pool room.

Alterations: Swimming pool room extended and handball court shortened in 1925; roof pitch over handball court section raised and skylights added in roof over handball court in 1925. Plans for all alterations in 1925 done by Frank Clark and executed by contractor (? Merritt.) Roof reshingled in 1930.

As mentioned previously, the Significance section of the nomination traces the history of the development of the orchard, and cites sources for the described history of the buildings. Alterations which have occurred during the years do not compromise the architectural or historical integrity of the orchard buildings. With a few exceptions, alterations took place over fifty years ago. Hillcrest Orchard remains an outstanding and intact example of orcharding in the Rogue River Valley from the first decade of the century to the present time.

Mature trees which border the Hillcrest property along Hillcrest Road and Foothill Road contribute to the definition and appearance of the orchard and improvements. Pin oaks predominate along both roadways. Chestnut trees stand just west of the entrance from Hillcrest Road to the main house area.

Economically, Hillcrest Orchard is significant as a representative of one of two major industries which have provided an economic base for the southern Oregon area during this century. (The other is lumber.) Early successful orchardists such as Reginald Parsons were responsible, in part, for the arrival of hundreds of others, and orchards provided a primary reason for the development of land patterns and use which exist today in Jackson County. On thousands of acres of orchard land a few large corporations now raise the fruit which fifty years ago was grown by individual orchardists numbering in the hundreds. A significant number of individuals still are provided their yearly incomes as a result of the production on this acreage. Local residents and those who come strictly for the work, still prune, spray, pick and pack the fruit through the seasons.

Hillcrest Orchard is architecturally significant as the only documented example of agricultural work by Rogue Valley architect, Frank Chamberlain Clark.[2] The complex remains the only one of its kind in the area. Although other orchards had necessary outbuildings, none were planned in this meticulous and unified manner. All buildings are designed in the Period Colonial style, and all are contributing components of the ensemble. Although technology has changed, the orchard buildings still function for the purposes for which they were planned. Hillcrest Orchard remains the only agricultural complex designed and maintained with such integrity of style and function.

The Hillcrest Orchard ensemble retains integrity of location, design, setting, materials and workmanship. The buildings maintain the relationship to each other that existed when the property was developed by Reginald Parsons. The orchard retains its integrity of relationship to the city of Medford. The Rogue Valley Country Club lies to the south. Hillcrest Road, formerly a county road, borders the property on the southern edge. Veritas, the former Leonard Carpenter orchard, lies to the west. Land to the north and east remains partially agricultural with some residential development. Alterations to the orchard buildings have been minor and are articulated in Item Seven. Alterations do not compromise the character or feeling of the ensemble.

The earliest settler families discovered southern Oregon to be an hospitable region for raising fruit. By 1860 several small orchards were scattered throughout the valley. Apples, pears and cherries were produced in quantity each year as the young trees developed. For thirty years the production and consumption of fruit was limited primarily to valley residents. In 1887 the completion of the north-south Oregon-California Railroad made it possible to consider shipping produce out of the area. By the end of the decade a small fruit industry was established. One observer wrote:

"Everybody, young and old, rich and poor, saint and sinner, is engaged in picking, drying, packing or shipping fruit."[3]

In February, 1885, Joseph H. Stewart, a nurseryman and fruit grower from Missouri, arrived in the Rogue Valley with his family. He planted a large orchard of apples, pears, prunes and almonds a few miles southwest of Medford. His pear trees became a commercial orchard in 1890 when Stewart shipped the first railroad carload of fruit to outside markets. In 1894 the first Winter Nelis trees were planted, the seedlings were budded to Comice, and the young trees set out in the spring of 1897. Budwood from these trees was taken to produce many of the large orchards such as Hollywood, Hillcrest and Oakdale. . . .[4] W. H. Stewart, son of Joseph Stewart quite probably transported some of these young trees across town to his orchard land two and one-half miles east of Medford to land eventually known as Hillcrest Orchard.

By 1900 Medford's population had reached 1,791 residents, almost doubling the 1890 population count of 967.[5] As the fruit industry grew, so did the institutions, businesses and services in the community. Banks, schools, fraternal buildings and churches all increased in number during this time. By 1902 thousands of acres of Bartlett, Bosc, Comice, D'Anjou and Winter Nelis pears had been planted. Scientists from Oregon State College spent four months in Jackson County in 1907 examining orchards and orchard practices. They reported 473 orchards with the average size of commercial orchards at 25.3 acres and 9,675 acres planted to fruit tres.[6]

On the first day of October, 1907, Mrs. Potter Palmer of Chicago, accompanied by her son, Honore Palmer, visited Medford for several days. Before she left, Mrs. Palmer and her son had purchased a fruit orchard and enthusiastically departed for Chicago to proclaim the qualities of the Rogue Valley. Many orchardists arrived during the next few years as a result of her description. By 1910, two years after the Parsons family had purchased Hillcrest Orchard, Medford's population had reached 8,840 residents.[7] In the winter of 1910 the local paper had announced:

"New residents are arriving in such numbers that there are not enough accommodations. A tent city of fifty tents is put up for housing."[8]

During the decade of 1910 to 1920 the trees continued to grow slowly and crop production was erratic due to the lack of a regular water supply. For years local farmers had existed on much of the land without irrigation. A great number were dry-land farmers who raised crops which could be brought to harvest with the moisture each particular year provided. But the deep-rooted trees had different needs.[9] Almost ten years passed before the forming of irrigation districts brought sufficient dependable amounts of water through a wide system of canals to allow large scale fruit production. The achievement of irrigation in 1919 began the next decade with increased fruit production. The autumn of 1929 brought the

finest fruit crop produced to date, and every orchardist remembered the shock of the stock market crash in October, 1929. Dr. Clifford Cordy reported that many growers lost their orchards during the Depression years. The number of independent growers quickly declined as tracts were bought or taken over and incorporated into packing and cold storage businesses.

> "The trees were just reaching their prime when the Depression hit. A lot of the orchardists were getting old and the Depression lasted from 1930 to 1942, until we were in the war. . . the orchards were just abandoned. . .[10]

Through the last thirty years orchard land has increasingly come under the ownership and management of several large corporations. Technological advances in fruit growth and handling have been made in the Medford areas as growers and scientists have cooperated to solve the problems of weather, water and disease. The industry remains a vital part of the character and economy of southern Oregon.

Hillcrest Orchard is comprised, in a large part, of land originally known as Donation Land Claim Number 60. Samuel Bowen, a young blacksmith from Indiana, arrived in southern Oregon in August, 1853 and secured his claim on October 10, 1853.[11] He constructed the required improvements and farmed a portion of the land in order to receive title to the property. Bowen and his wife, Elisabeth, lived on Donation Land Claim Number 60 until September, 1868, when they sold the 159.96 acre farm to Jesse Richardson, for $150.00.[12] The Bowens apparently left Jackson County and do not appear in the United States Federal Census for 1870. Jesse Richardson, a widower with three sons, purchased Donation Land Claim Number 61 in addition to the Bowen claim and developed an extensive farm over the next twenty years. Richardson donated an acre of land for a rural schoolhouse in 1887, for the use of his younger children and families of his neighbors. On January 23, 1889, William Renkin, a native of Germany, purchased Donation Land Claim Number 60 from Jesse Richardson. Renkin became chronically ill soon after and spent the next and last four years of his life in the care of Jacksonville doctors and individuals who cared for him.[13] He died on December 6, 1893. Appraisors listed his real and personal property at a worth of $2800.00. Three years earlier William Renkin had mortgaged his property to orchardist Joseph H. Stewart for $1750.00 and at Renkin's death Joseph H. Stewart asked to be appointed as administrator, claiming that the estate still owed him a large sum of money. In June, 1894, J. H. Stewart made arrangements to sell the William Renkin property for $3000.00. The new owner was Dillon R. Hill, a son-in-law of J. H. Stewart.[14] Items listed in Probate File #1016 indicate that Dillon Hill received a wheat farm consisting of stored bushels of wheat, a growing crop of grain, plows wagons and horses. Soon after purchase, Dillon Hill and his wife sold the farm to William H. Stewart, J. H. Stewart's only son, for $3500.00.[15]

William H. Stewart came from Missouri with his father in 1885 and settled just west of Medford. He assisted J. H. Stewart with the producton of the first railroad car

of commercial fruit that left Medford in 1890 and on Christmas Day of the same year married Ida Barneburg, daughter of local pioneer family, whose father, Henry Barneburg had planted the first Bartlett pear trees along the Hillcrest-Pheonix Road in 1855.[16]

When the couple acquired the land comprising Claim Number 60, they made plans for a fine apple and pear orchard and within approximately two years had set out the first young trees.[17] In 1903 William H. Stewart added about forty acres to the fruit ranch with a purchase from J. N. Hockersmith, their neighbor to the west.[18] The following year W. H. Stewart sold his orchard land just as many of the trees were coming into bearing. Twenty acres were planted to Comice pears and between fifty and sixty acres were planted to other fruit.[19] Julian Wells Perkins of Portland, Oregon, paid $21,500.00 for the Stewart land.[20] William Stewart planted other orchard property and continued to live in the Medford area until his death in January, 1917. His obituary read, in part:

> "William H. Stewart, one of the most prominent orchardists of the valley. . . died at his Medford residence, January nineteenth. His father, the late Joseph H. Stewart, was the pioneer commercial orchardist of the valley and planted the Burrell and other famous orchard tracts, and his son followed the same occupation, planting the Hillcrest Orchard. . .[21]

The new owner, J. W. Perkins, received an orchard with most of the fruit trees bearing successfully. The local paper announced the arrival of the purchaser of the Stewart orchard:

> "J .W . Perkins, the gentleman who purchased the Will Stewart fruit orchard, and his family, arrived in Medford last week and this week his household effects have arrived and are being taken to their new home."[22]

Julian Perkins, born October 27, 1870, in Meriden, Connecticut, became branch manager of the family company, the E. C. Atkins Saw Manufacturing Company in Portland, Oregon in 1900. In 1902 he married Ethel Sherman of Portland and two years later decided to purchase the Stewart Orchard in Medford, and move there to recover his health following a severe illness.[23] He and his wife chose not to live in the Stewart home on the northern part of the property and built a new residence near Hillcrest Road. Julian Perkins planted fifty-four acres of Newton apples and forty acres in pears in addition to the trees planted by W. H. Stewart. He called his orchard and ranch Hillcrest, and for two successive years his fruit sold at world record prices at auction in New York City.[24] In 1907, Mr. Perkins was elected to the Oregon State Legislature from Jackson County on the Republican ticket. In February, 1908, he returned from a political trip to Washington, D.C. and denied local rumors that Hillcrest Orchard was for sale:

". . . there is not truth in the statement that I am cutting my orchard into small tracts. The place is not for sale, and if water comes, never will be."[25]

Apparently within the next month he changed his mind, for on March 31, 1908, Mr. Perkins made a contract with Allen Sander of the state of Washington, giving Sander first option to purchase the property. The property was described as: ". . . that a certain fruit ranch known as the Hillcrest Orchard. . . with all buildings, improvements, implements, horses and mules."[26] The total amount of the sale was to be $76,000.00. J. W. Perkins' faith in his foreman, James Daily, was such that the contract stipulated that Daily was to be retained as foreman until at least $50,000.00 of the payment had been completed.[27] Mr. Sander did not take up the option and on July 1, 1908, J . W. Perkins signed an agreement with the Hillcrest Orchard Company, described in the agreement as a "Washington corporation."[28] J. W. Perkins and his family left Medford that year and moved to Roseburg, Oregon, where Mr Perkins entered the development business and constructed the Perkins Building in 1912, described in a biographical publication as "the finest building of its kind, outside of Portland."[29]

The president of the Hillcrest Orchard Company was Reginald Haskall Parsons of Seattle, Washington. John A. Torney was vice-president, Howard S. Dudley was secretary and Worrell Wilson was listed as treasurer. The office of the corporation was at 116 East Main Street, Medford, Oregon.[30] Mrs. John Day, daughter of Reginald H. Parsons, recalled that her father had first become interested in the southern Oregon orchard, when his friend, W. F. Gwin of the Seattle law firm of Gwin, White and Prince, highly recommended the area from which he had regularly been buying fruit.[31] Reginald Parsons immediately took a leading interest in development of Hillcrest Orchard and the Medford Mail Tribune devoted a front page article to the outstanding orchard operation:

> . . . The new owners immediately began on improvements. Money was spent like water until today there is no finer orchard in all the valley. . . The approach to the buildings is along a well kept road hemmed in on either side by well kept fences. . . Not only is the house such a one that could stand on any city street. . . but the barns, yards, bunk house and other buildings all tell a tale of thrift. . . The Hillcrest orchards contain 174 acres in all planted, leaving but 26 acres upon which to grow feed. Of the 174 acres there are 17 acres of Bartletts, Howells and Bosc in one tract, 20 acres of Comice, seven and one half acres of Bosc, three acres of young Bartletts, seven and one half acres of Johathans, 13 acres of Newtowns and Spitzenbergs, 54 acres of young Newtowns, 40 acres of d'Anjous, and 12 acres devoted to cherries, peaches and Bartletts."[32]

All major improvements had been instituted under Reginald H. Parsons' leadership during a six month period between purchase and the article's date of November 17,

1908. James Daily, who had worked as foreman, since his hire in 1901 by W. H. Stewart, was retained permanently by the Hillcrest organization and Reginald Parsons.[33] Within two years Mr. Parsons took over controlling interest in Hillcrest Orchard and referred thereafter to himself as owner and manager. He and his family began a life long pattern of frequent visits and longer summer stays at Hillcrest Orchard. Their enthusiasm about southern Oregon was communicated to friends such as Leonard and Alfred Carpenter of Colorado Springs. The two brothers arrived in the Rogue Valley in 1909 and bought land just west of the Hillcrest Orchard. Leonard Carpenter, interviewed at the age of 98 years, in 1979 remembered:

> "When I arrived the only thing you could see up there where my place was, was rocks. The ground was thick with rocks. . . Two parts of that sixty acres were absolutely wild. Nothing had been there before. Thirty acres across the road, next to Hillcrest, had some six year old apple trees. . ."[34]

Reginald Hascall Parsons was born at Flushing, New York on October 3, 1873. He counted among his ancestors John Bradford, the first governor of Massachusetts, and John Winthrop, governor of Connecticut. Samuel Parsons, grandfather of Reginald Parsons, was an American horticulturist of note during the mid-nineteenth century. George Howland Parsons, father of Reginald Parsons was born March 17, 1849, and graduated from Columbia University in 1872 with a degree in mining. He joined his father, Samuel Parsons, and a brother, as members of the Parsons, Sons, and Co., landscape architects and horticulturists. In 1880, George H. Parsons, his wife Lorraine Hascall Parsons and son, Reginald, moved to Colorado Springs, Colorado. George Parsons served there as general manager of the Colorado Springs Company, which founded the community, and assisted in planning and landscaping Colorado Springs. He also served as head of the Colorado Forestry Association, as chairman of the Citizens Committee in the Cripple Creek Miners' War, and as participant in many community endeavors.

Reginald Parsons entered Moses Brown School in Providence, Rhode Island at the age of fifteen. He interrupted college for three years to work, from 1890 to 1892, on a reconnaissnace team for the Rio Grande Western Railway. After one year of development and real estate work in Colorado Springs, he entered the University of California, Berkeley in 1894. Reginald Parsons remained there two years and returned to assist his father, who was ill, in Colorado Springs. George H. Parsons died in 1898, and Reginald Parsons joined the firm of W. P. Bonbright and Co., stock brokers and investment bankers at Colorado Springs, working as a floor trader there until 1900. His next professional association was with the Bemis Brother Bag Co., and he served in both St. Louis, Missouri and San Francisco, California. On January 31, 1901, Reginald Parsons married Maude Bemis of Colorado Springs, daughter of Judson M. Bemis, founder of the Bemis Brother Bag Company. Founded in St. Louis, Missouri in 1858, the Bemis Brother Bag Co., became the largest importer of burlap and manufacturer of burlap and cotton bags in the United States.[35] In August, 1904, Reginald Parsons and his wife moved to Seattle, Washington, to open a

branch of the company there. He became manager and held the post for five years, until the decision was made to purchase the Hillcrest Orchard property.

Reginald H. Parsons' life as a "financier and philanthropist" as he was called in his obituary in the New York Times of June 16, 1955, was full, and his contributions to both Washington and Oregon communities were great. Major business involvements include the founding of the Mountcrest Ranch in northern California in 1911, where purebred Hereford cattle, Southdown sheep and Morgan horses were raised. The ranch, located on the former Cole Ranch, and bisected by the California-Oregon border, was also used as a wintering place for the orchard animals from southern Oregon.[36] Mr. Parsons organized the Nethow Valley livestock corporation in 1914 with extensive properties in Okanogan County, Washington. He was responsible for the forming of the Rogue River Fruit and Produce Association for the collective handling and marketing of produce of local firms. In 1920 he began the Parsons Investment Company of Seattle, and in 1925 established the firm of Parsons, Hart and Co., Investment Brokers. In 1922 he was appointed one of two Seattle representatives of a permanent organization to plan development of the Columbia River Basin Project. In Medford, Reginald Parsons organized the Pinnacle Packing Company for whom a building was constructed in 1917. He owned many properties in Medford, both in the main business district and in residential areas. The Pinnacle Packing building burned in 1954, and none of the other properties retain associations with Reginald Parsons or his family.

Reginald Parsons served as director of the Northern Life Insurance Company of Seattle, as chairman of the board of the Seattle Trust Company, president of the Seattle Chamber of Commerce in 1919, as northwest committeeman to the Olympic Games in 1924, and on the Whitman College Board of Trustees for many years. He received an honorary degree of Doctor of Laws from that institution in 1934. Mr. Parsons served as president of the Seattle Symphony Orchestra and with his wife, Maude Bemis Parsons, was co-founder of the Art Institute of Seattle. Reginald Parsons organized the Seattle Community Fund and served as president. He was a member of the Rainier Club, the University Club of Seattle, the Rogue Valley Golf Club of Medford, and the Arlington Club of Portland, Oregon.

Maude Bemis Parsons was educated at Miss Wheeler's School in Providence, Rhode Island, and after her marriage to Mr. Parsons, joined him in the many civic involvements which they would both sustain during their lifetimes. Mrs. Parsons organized the Children's Orthopedic Hospital in Seattle and served on the Board of Directors for many years. She was responsible for drawing up plans for the first buildings of the hospital complex. She and Reginald Parsons were the parents of five children; Alice Lorraine, (d.1905) Anne, Reginald Bemis, George Howland II and Mary Bowne.

Both Maude and Reginald Parsons took an active interest in the planning of buildings at Hillcrest Orchard. As it became necessary for efficient operation,

structures were changed and upgraded. A barn, referred to now as the "Old Barn," is the only structure remaining from the pre-1908 purchase of Hillcrest Orchard. (Building #5) The family lived in the home built by J. W. Perkins for nine years.[37] The Cow Barn, (Building #7) was constructed c. 1910, and the Wagon Shed (Building #2) was built c. 1912.[38] In 1911, the "Electric Garage" (Building #9) was raised to serve as shelter for a fine electric car owned by Reginald Parsons.[39] The Main Garage was constructed c. 1912. (Building #8) The Parsons family made a major committment to their establishment in southern Oregon when Mrs. Parsons drew sketches and then hired Medford architect Frank C. Clark to complete plans for a large new residence. (Building #14) Portions of the older residence were used, and the new home was completed in 1917. By mid-June of that year, Reginald Parsons wrote to Mr. Clark:

> "Mrs. Parsons and the children are writing their friends of their keen pleasure and enjoyment of the house at Hillcrest. This means a great deal to me and I am simply delighted to have them pleased with it all."[40]

Mr. Clark designed the Office (Building #13) in 1917.[41] In 1919 he completed plans for the Recreation House (Building #15) and for the Guest House (Building #12) in 1926.[42] Two minor buildings, Number 10, the Dog House and the Wash Rack, Number 4, were constructed c. 1925. The Fire House (Building #6) was built c. 1920.[43] The Plumbed Toilet, (Building #3) was built c. 1925, and the Packing House replaced an older one and was constructed in 1926 from designs by Frank Clark. (Building #1)[44] Building #11, the Woodshed, was built in 1981. Through the years the addition and changing of orchard buildings reflected the changing needs of the growing family and the developing orchard industry in a time of technicological and procedural changes in orcharding.

Two primary periods of building were 1917 to 1919 when three major structures, the house, office and recreation room were completed, and 1925 to 1926 when the packing house, wash rack, plumbed toilet, dog house, guest house and addition to the main house were executed. The orchard operation continued into the Depression and the Parsons family was able to keep employees working and trees in healthy condition. During post World War II years Hillcrest Orchard continued its regular pattern of fruit production. The children and grandchildren of the Parsons continued to gather periodically at Hillcrest, live in the house and to enjoy various outbuildings. In 1951, Hillcrest became a family corporation. Reginald Parsons died in June, 1955, and his wife, Maude Bemis Parsons, died one month later in July, 1955. George H. Parsons, the son of Mr. and Mrs. Parsons, became president of the corporation on the death of his father. In 1964, Judson M. Parsons, grandson of Reginald and Maude Parsons became Orchard Superintendent and continues in that capacity. His tenure sustains a 75 year consistency of family management of Hillcrest Orchard.

Architecturally, the buildings designed for the orchard property are consistent in style, materials and color. The Period Colonial style is reflected in both major and minor buildings. All except the oldest barn and the moveable wood shed were completed within a fifteen year period. The architect responsible for plans for major buildings is Frank Chamberlain Clark, prominent Rogue Valley architect, between 1903 and 1957. A recently completed survey of Clark's work has documented over 260 residences, commercial, institutional and agricultural structures as his. Hillcrest Orchard contains the only buildings for agricultural purposes documented to be designed by Frank Clark in the Rogue River Valley,[45] Frank Clark was born in Greene, New York, December 27, 1872. He attended the Cooper Union for two years and afterwords served in the offices of Arthur Curtis Longyear and Oscar S. Teale of New York, Robert Williams Gibson of New York, and briefly in 1896 with McKim, Mead and White. Clark came to the west coast for a respite in late 1896 and later worked two years with Frederich Roehrig. He opened his own office in 1899 and went to Arizona to execute projects in Prescott, Tucson and Jerome. He moved to Ashland, Oregon, in 1903 and executed plans for an administration building for the State Normal School. His practice in the valley continued for another fifty years.

Although Frank Clark and Reginald Parsons were less than a year apart in age, the younger man became something of a patron for the other. Through the years Clark did a good deal of design for Reginald Parsons, including a cold storage plant in Medford, vacation cabins at Howard Prairie Lake east of the Rogue Valley, buildings at Mountcrest Ranch in northern California and for Washington properties. At one point when Clark despaired of work in the Rogue Valley during a depressed period, Reginald Parsons offerd him several design projects in Seattle. Although Clark apparently did not go, his answer, in a letter dated September 24, 1918 read:

> "The struggle here is not worth the time. . . there is not the right spirit here to progress. A few see things as they ought to be, but they cannot accomplish everything single handed. So I shall be glad, indeed, of the opportunity to change.[46]

The Hillcrest Orchard residence is one of forty-one residences rated as primary structures out of the total eighty-three documented Clark residences in the Atwood/Evans Frank Clark Architectural Survey. The other categories, secondary and minor, reflect primarily loss of integrity, or less significant buildings. Frank Clark executed designs for other orchard residences, but none are part of a complex of buildings such as Hillcrest Orchard contains. Others have no extant outbuildings, or include a minor structure, such as a garage. As stated earlier, the concept of a unified complex of agricultural buildings is, in itself, unusual in the Rogue River Valley. Hillcrest Orchard is a fine and unique example.[47]

The inclusion of a small portion of early pear trees demonstrates the reason for the existence of the complex, and the purpose for which so much work has been expended in this century. The trees are part, too, of the particularly vital

agricultural economic base in Jackson County. They are old trees, and they are as important naturally, as the man-made structures which stand near and among them. Roadways, paths, and drives throughout the orchard complex retain the original pattern laid out in 1908.[48] The orchard blocks follow a proscribed pattern which has not been altered, and the relationship of the buildings ot each other, as well as their function, remains consistent. Hillcrest Orchard exists in all ways, as a significant agricultural, economic and architectural participant in the life of the Rogue River Valley.

FOOTNOTES

[1]New York Times, Obituary, Reginald H. Parsons, June 16, 1955, p. 31:4.

[2]Atwood/Evans, Frank C. Clark Architectural Survey, 1982.

[3]Wallace D. Farnham, "The Development of an Oregon Coutny, 1852-1890, Mines, Farms, and a Railroad," The Pacific Historical Review, XXV, No. 1, p.44.

[4]Clifford B. Cordy, "History of the Rogue Valley Fruit Industry," Medford, Oregon, 1977, p. 2.

[5]"Population of Oregon Cities and Counties and Metropolitan Areas, 1850-1897," Oregon State University: Bureau of Municipal Research and Service, Information Bulletin No. 106, p.4.

[6]C. I. Lewis, "Orchard Survey of Jackson County," Corvallis: Oregon Agricultural College Bulletin, 101, 1908, p.30.

[7]"Population of Oregon."

[8]Medford Mail Tribune, January 2, 1910.

[9]Kay Atwood, Blossoms and Branches, Medford, Oregon, 1908, p.44.

[10]Ibid., p. 92.

[11]Jackson County Donation Land Claim Records, Vol. III.

[12]Jackson County Deed Records, Vol. 5, p. 81.

[13]Jackson County Probate File #1016 (William Renkin) Jesse Richardson received $4800.00 from William Renkin for the land.

[14]Jackson County Deed Records, Vol. 27, p. 519.

[15]Jackson County Deed Records, Vol. 31, p. 59.

[16]Clifford B. Cordy, "History of The Rogue Valley Fruit Industry," Medford, Oregon, 1977, p. 1.

[17]Orchard Planting History, Hillcrest Orchard Files.

[18]Jackson County Deed Records, Vol. 47, p. 112.

[19]Medford Mail Tribune, November 17, 1908.

[20]Jackson County Deed Records, Vo. 49, p. 321.

[21]Medford Mail Tribune, January 19, 1917.

[22]Medford Mail Tribune, March 25, 1904.

[23]Joseph Gaston, The Centennial History of Oregon 1811-1912, Chicago: S. J. Clarke Publishing Co., 1912, p. 461.

[24]Medford Mail Tribune, November 17, 1908.

[25]Medford Mail Tribune, February 7, 1908.

[26]Jackson County Deed Records, March 31, 1908, Vol. 66, p. 298, Exhibit A.

[27]Ibid.

[28]Jackson County Deed Records, Vol. 66, p. 298.

[29]Joseph Gaston, Centennial History of Oregon, p. 461.

[30]Polk's Jackson, Josephine and Douglas County Directory, 1910.

[31]Interview, Mrs. John Day, Southern Oregon Historical Society Collection, Tape #92.

[32]Medford Mail Tribune, November 17, 1908.

[33]James Daily published an article about Hillcrest Orchard entitled, "How to Handle an Orchard In The Rogue River Valley," in the Encyclopedia of Practical Horticulture, Vol. 3, Lowman and Hanford Co., Seatttle, 1914, pp. 1510-1514.

[34]Interview with Leonard Carpenter. Blossoms and Branches, A Gathering of Rogue Valley Orchard Memories, Medford, Oregon, 1980, p. 52.

[35]Winfield Scott Downs, Encyclopedia of Northwest Biography, American Historical Co., 1941.

[36]Warren C. Bayliss, "History of Mountcrest Ranch," Siskiyou Pioneer, Vol. 4, No. 8, 1975, pp. 78-82.

[37]Photograph Collection, Hillcrest Orchard.

[38]Sources for both construction dates are contained in the Reginald Parsons Collection at the University of Oregon, Eugene.

[39]Manuscript in Hillcrest Office.

[40]letter from R. H. Parsons to F. C. Clark, June 26, 1917. Reginald Parsons Collection at the University of Oregon, Eugene.

[41]Architecats files, Hillcrest Orchard.

[42]#15, Letter from R.H.P. to F. C. Clark, 6/5/19; #12, Plans, Hillcrest Collection.

[43]Parsons' Collection, University of Oregon, Eugene.

[44]#3, Parsons'Collection, University of Oregon, Eugene; #1 Architect's Plans, Hillcrest Orchard Collection.

[45]Atwood/Evans, Frank C. Clark Architectural Survey, 1980.

[46]Letter from Frank C. Clark to Reginald Parsons. Reginald H. Parsons Collection, University of Oregon, Eugene.

[47]Among buildings for which Frank Clark is noted are the Chappell-Swedenburg House, the George Taverner House and the E. V. Carter House in Ashland; the Henry Van Hoevenberg House, the Delroy Getchell House in Medford; the Ashland and Medford Elk's Buildings, Medford Senior High School, Central Point Presbyterian Church, the Hotel Medford, Holly Theatre and Bear Creek Orchards Building in Medford, Oregon.

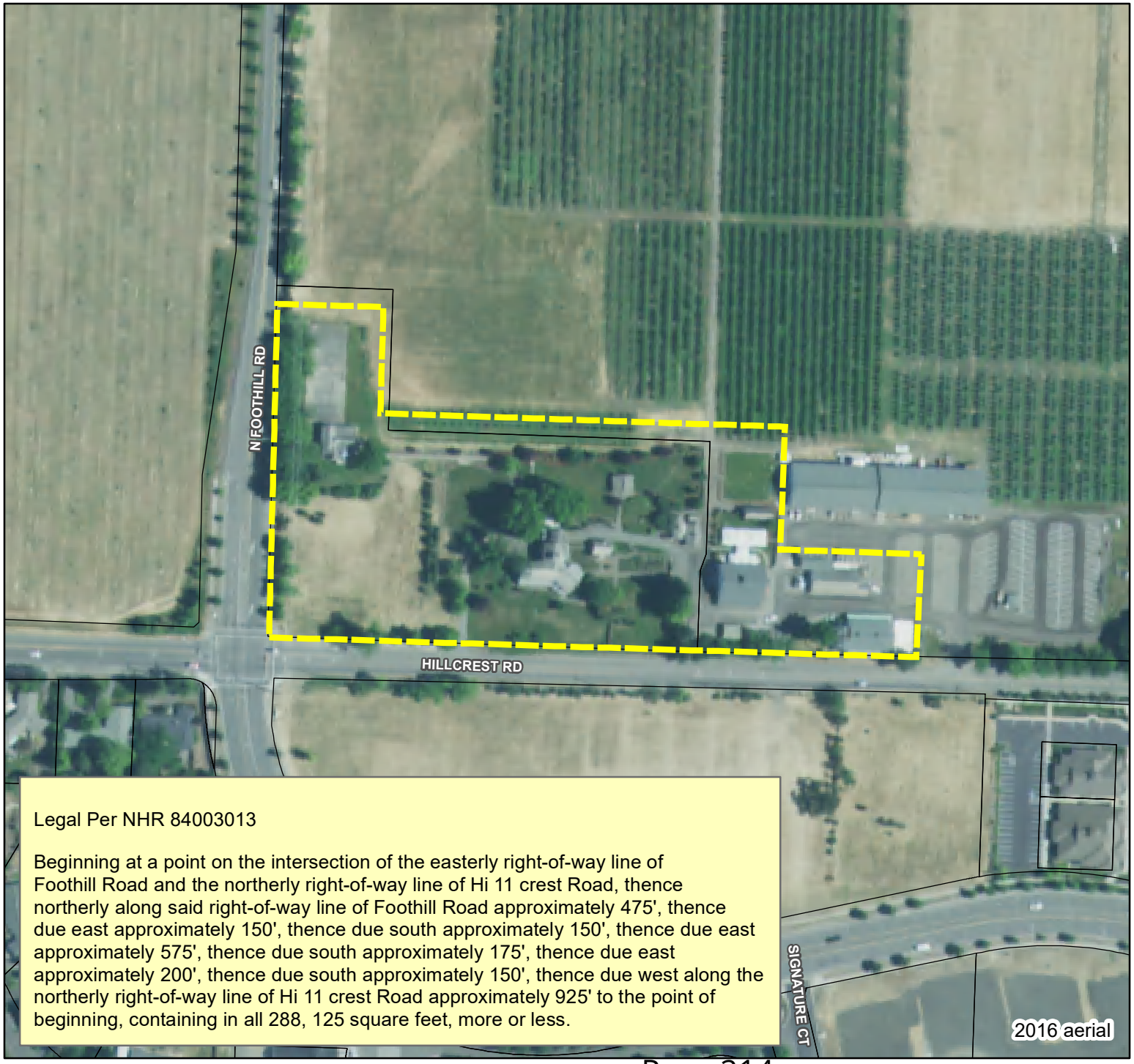
[48]Interview, George H. Parsons, December 16, 1982, Hillcrest Orchard.

Atwood, Kay. Blossoms and Branches, Medford, Oregon: 1980, p.44.
Atwood, Kay/Evans, Gail. Frank C. Clark Architectural Survey, 1982.
Bayliss, Warren C. "History of Mountcrest Ranch," Siskiyou Pioneer, Vol. 4, No. 8, 1975, pp. 78-82.
Carpenter, Leonard. Interview, Blossoms and Branches, Medford, Oregon: 1980, p. 52.
Cordy, Clifford B. "History of the Rogue Valley Fruit Industry," Medford, Oregon: 1977, p. 2.
Daily, James. "How to Handle An Orchard in The Rogue River Valley," Encyclopedia of Practical Horticulture, Vol. 3, Lowman and Hanford Company, Seattle: 1914, pp. 1510-1514.
Day, Mary Parsons. Interview, Southern Oregon Historical Society Collection, Tape No. 92.
Deluxe Supplement to the History of Seattle, Chicago-Seattle: The S. J. Clarke Publishing Co.: 1916 p. 185-186.
Farnham, Wallace D. "The Development of an Oregon County, 1852-1890, Mines, Farms, and a Railroad," The Pacific Historical Review, XXV, No. 1, p.44.
Gaston, Joseph. The Centennial History of Oregon, 1811-1912, Chicago: The S. J. Clarke Publishing Co., 1912.
Hillcrest Orchard Files and Photograph Collection.
Jackson County Donation Land Claim Records.
Jackson County Deed Records.
Jackson County Probate Records.
Lewis, C. I. "Orchard Survey of Jackson County," Corvallis, Oregon: Agricultural College Bulletin, 101, 1908, p. 30.
Medford Mail Tribune, March 25, 1904, February 7, 1908, May 13, 1908, May 14, 1908, November 17, 1908.
Parsons, George H. Interview, December 16, 1982, Hillcrest Orchard.
Parsons, Judson Parsons, Interviews.
Parsons, Reginald H. Collection, University of Oregon Library, 1989-1950. The collection is estimated at 28,000 letter, 93 volumes of corporation records, and ledgers. Especially pertinent are Reginald H. Parsons Correspondence, 1907-1925, Box 18 2 folders, Frank C. Clark, architect, Medford, Oregon 1917-1929, Boxes 23-30. Hillcrest Orchard Vols., 1911-1940.
Polk's Jackson, Josephine, and Douglas County Directory, 1910.

"Population of Oregon Cities and Counties and Metropolitan Areas, 1850-1897, "Oregon State University; Bureau of Municipal Research and Service, Information Bulletin No. 106, p. 4.

Winfield, Scott Downs, Encyclopedia of Northwest Biography, American Historical Company, 1941.

Beginning at a point on the intersection of the easterly right-of-way line of Foothill Road and the northerly right-of-way line of Hillcrest Road, thence northerly along said right-of-way line of Foothill Road approximately 475', thence due east approximately 150', thence due south approximately 150', thence due east approximately 575', thence due south approximately 175', thence due east approximately 200', thence due south approximately 150', thence due west along the northerly right-of-way line of Hillcrest Road approximately 925' to the point of beginning, containing in all 288, 125 square feet, more or less.



Legal Per NHR 84003013

Beginning at a point on the intersection of the easterly right-of-way line of Foothill Road and the northerly right-of-way line of Hi 11 crest Road, thence northerly along said right-of-way line of Foothill Road approximately 475', thence due east approximately 150', thence due south approximately 150', thence due east approximately 575', thence due south approximately 175', thence due east approximately 200', thence due south approximately 150', thence due west along the northerly right-of-way line of Hi 11 crest Road approximately 925' to the point of beginning, containing in all 288, 125 square feet, more or less.

Historic Area

Hillcrest District

Historic Area*

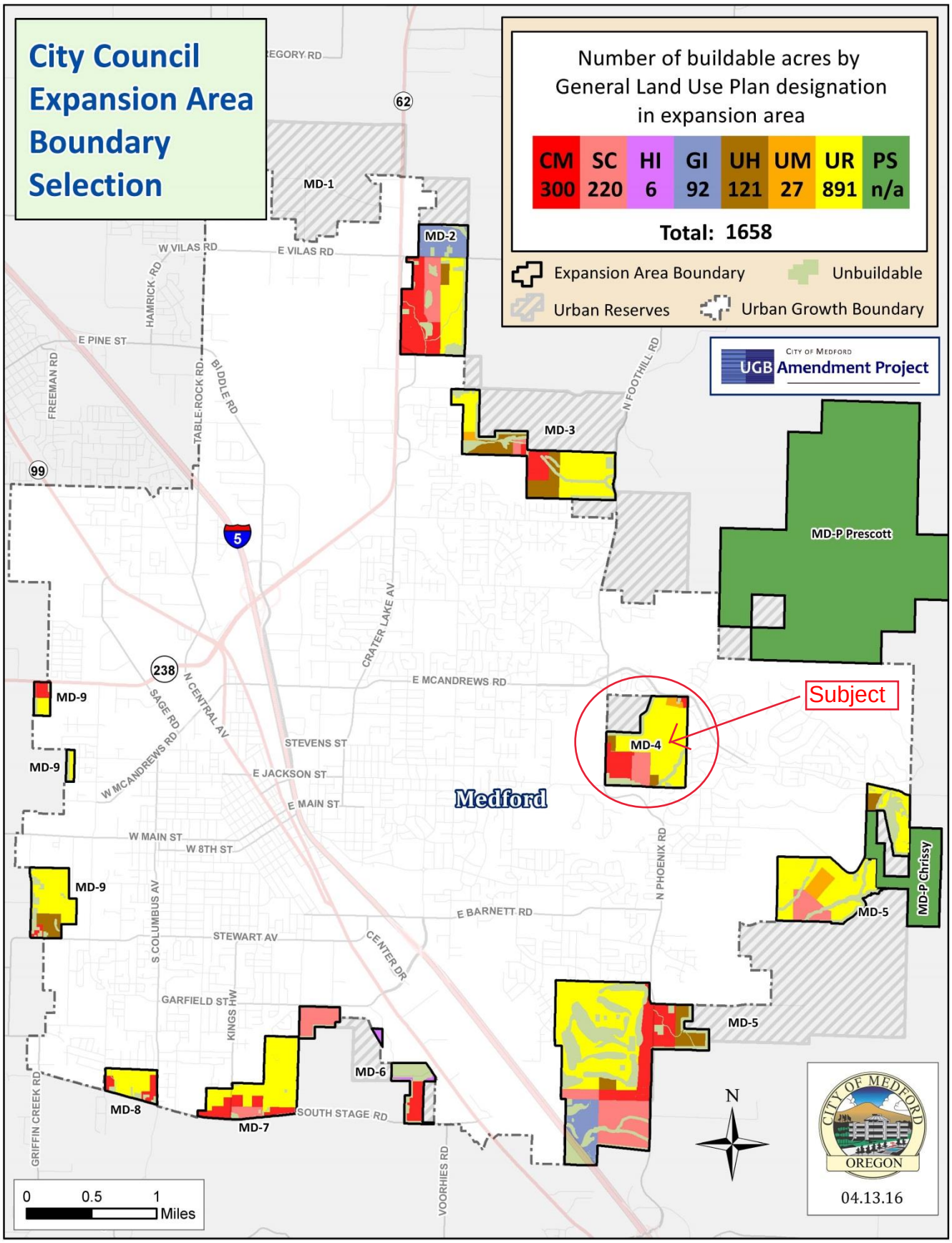
Tax Lots

* Approximate Boundary Per NHR84003013 Historic Register Legal Description

N
W E
S

0 200 Feet

Print Date: 06-08-2017


City Council Expansion Area Boundary Selection
Number of buildable acres by General Land Use Plan designation in expansion area
CM 300
SC 220
HI 6
GI 92
UH 121
UM 27
UR 891
PS n/a
Total: 1658
Expansion Area Boundary
Unbuildable
Urban Reserves
Urban Growth Boundary
City of Medford
UGB Amendment Project
MD-1
MD-2
MD-3
MD-4
MD-5
MD-6
MD-7
MD-8
MD-9
MD-P Prescott
MD-P Chrissy
Subject
Medford
W VILAS RD
E VILAS RD
HAMRICK RD
E PINE ST
FREEMAN RD
TABLE ROCK RD
BIDDLE RD
N FOOTHILL RD
CRATER LAKE AV
E MCANDREWS RD
W MCANDREWS RD
SAGE RD
N CENTRAL AV
STEVENS ST
E JACKSON ST
E MAIN ST
W MAIN ST
W 8TH ST
S COLUMBUS AV
STEWART AV
GARFIELD ST
KINGS HW
E BARNETT RD
N PHOENIX RD
CENTER DR
SOUTH STAGE RD
GRIFFIN CREEK RD
VOORHIES RD
0 0.5 1 Miles
N
City of Medford Oregon
04.13.16

RECEIVED
JUL 14 2020
PLANNING DEPT

URBANIZATION PLAN APPLICATION

WRITTEN CONSENT OF OWNER(S)

Property Address: None (fronts on N. Foothill Road)

Property Acreage: 28.9

I, Rocky Knoll, LLC (an Oregon registered LLC), the property owner of Tax Lot(s) 101 on Jackson County Assessor Map 371W21D, hereby consent to the filing of an application for Urbanization Plan on said property, and will allow CSA Planning, Ltd. to represent me before the City of Medford Approving Authority.

Print Name: Karen C. Allan

Signature: Karen C Allan Dated: July 9, 2020

Member, Rocky Knoll, LLC
Authorized Representative

Print Name: —

Signature: — Dated: —

Exhibit B18

CITY OF MEDFORD
EXHIBIT #
File # UP-20-209

13

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lots 300 and 301 on Jackson County Assessor's Map 37-1W-21D; Tax Lots 500 and 501 on Jackson County Assessor's Map 37-1W-22; and Tax Lot 1400 on Jackson County Assessor's Map 37-1W-21A.

LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of Cogswell Limited Partnership, the owner/applicant of the above described real property who, by this instrument, does hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through the City of Medford and the County of Jackson as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned applicant and shall expire on December 31, 2020, but may be extended by the mutual consent of the parties.

Done and dated this 2 day of July, 2019.

Carole Hashimoto
Authorized Representative

President
Title

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lot 101 on Jackson County Assessor's Map 37-1W-21D.

LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of Rocky Knoll LLC, an Oregon registered Domestic Limited Liability Company and the owner/applicant of the above described real property who, by this instrument, does hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through the City of Medford and the County of Jackson as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned applicant and shall expire on December 31, 2021 but may be extended by the mutual consent of the parties.

Done and dated this 9th day of July, 2020.

x Karen C Allan
Authorized Representative

Member, Rocky Knoll, LLC
Title

Figure F-50 – LWI Map

SWCA LWI Data

- SWCA Sample Plot
- Probable Wetland ("PW", <0.5 acre)
- Wetland ("W")
- Waterbody ("WA")
- Stream
- Ditch
- Pond/Water ("AW")

- Study Area
- Tax Lot, Accessed
- Tax Lot, Not Accessed
- Street
- Section

Artificial Waters Purpose Key:
D- Orchard irrigation

0 100 200 Feet
0 40 80 Meters
1 inch = 200 feet

City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
July 2016

Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

SWCA
ENVIRONMENTAL CONSULTANTS
1220 SW Morrison, Suite 700
Portland, OR 97205-2235
www.swca.com
503 224 0333

Project 31802

EXHIBIT C

Figure F-51 – LWI Map

SWCA LWI Data

- SWCA Sample Plot
- Probable Wetland ("PW", <0.5 acre)
- Wetland ("W")
- Waterbody ("WA")
- Stream
- Ditch
- Pond/Water ("AW")
- Study Area
- Tax Lot, Accessed
- Tax Lot, Not Accessed
- Street
- Section

0 100 200 Feet
0 40 80 Meters

1 inch = 200 feet

City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
July 2016

Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

SWCA
ENVIRONMENTAL CONSULTANTS
1220 SW Morrison, Suite 700
Portland, OR 97205-2235
www.swca.com
503 224 0333

Project 31602

Figure F-52 – LWI Map

SWCA LWI Data

- SWCA Sample Plot
- Probable Wetland ("PW", <0.5 acre)
- Wetland ("W")
- Waterbody ("WA")
- Stream
- Ditch
- Pond/Water ("AW")

- Study Area
- Tax Lot, Accessed
- Tax Lot, Not Accessed
- Street
- Section

0 100 200 Feet
0 40 80 Meters
1 inch = 200 feet

City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
July 2016

Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

SWCA
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503 224 0333

Project 31602

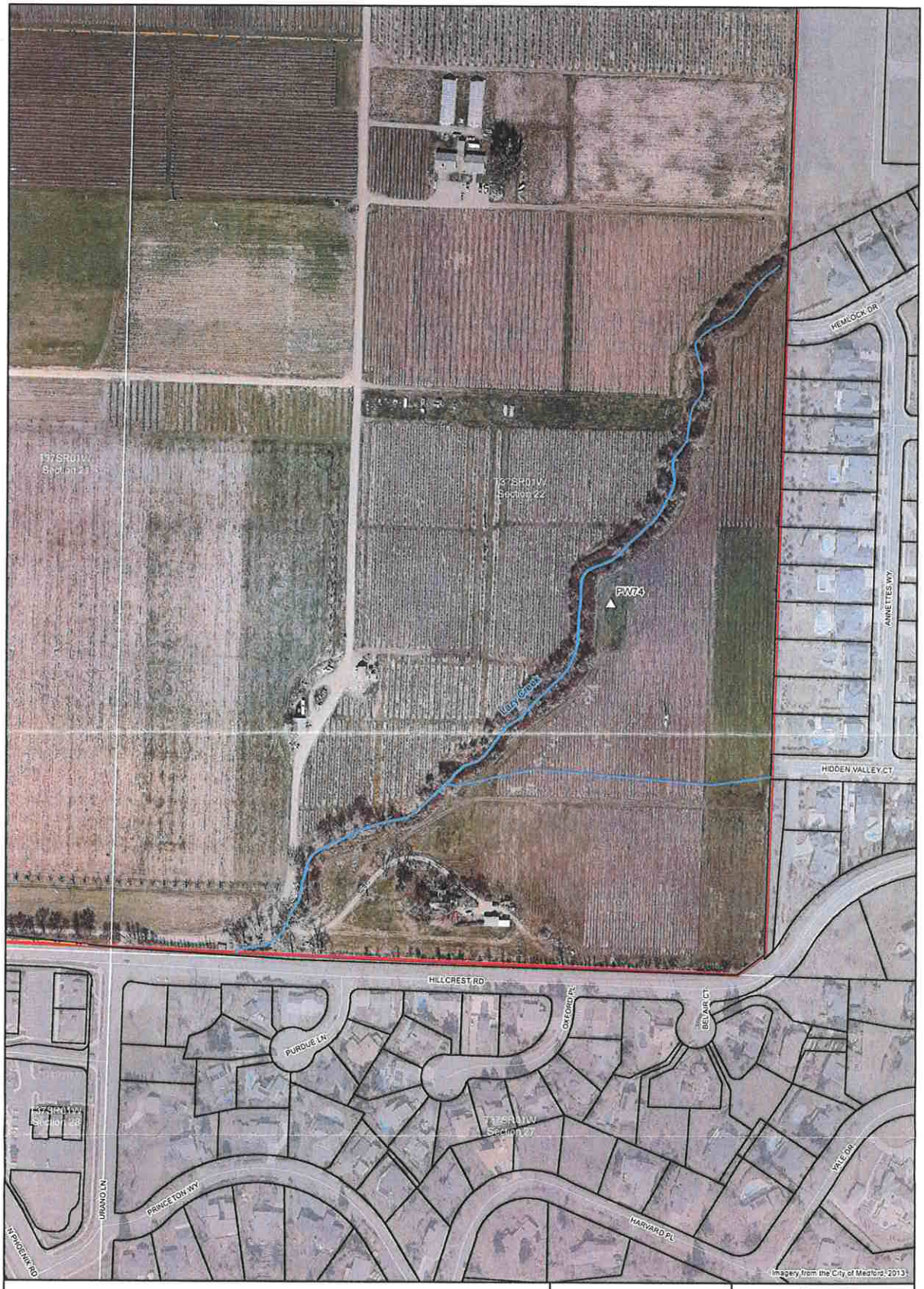

Figure F-53 – LWI Map

SWCA LWI Data

- SWCA Sample Plot
- Probable Wetland ("PW", <0.5 acre)
- Wetland ("W")
- Waterbody ("WA")
- Stream
- Ditch
- Pond/Water ("AW")
- Study Area
- Tax Lot, Accessed
- Tax Lot, Not Accessed
- Street
- Section

0 100 200 Feet
0 40 80 Meters

1 inch = 200 feet

City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
July 2016

Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

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www.swca.com
503 224 0333

Project 31602

MEDFORD
PUBLIC WORKS

LD DATE: 9/23/2020
Revised Date: 9/24/20
File Number: UP-20-209

PUBLIC WORKS DEPARTMENT STAFF REPORT

Hillcrest District Urbanization Plan for MD-4

Hillcrest Road at North Foothill Road (TLs 300/301, 500/501, 101)

Project: A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for approximately 224 acres of property located at the northeast corner of North Foothill Road and Hillcrest Road (371W21D TLs 101, 300, & 301 and 371W22 TLs 500 & 501).

Applicant: Applicants: Cogswell Limited Partnership and Rocky Knoll LLC; Agent: CSA Planning Ltd;

Planner: Carla Paladino, Principal Planner – Long Range Division

An Urbanization Plan is approved by the City Council and is adopted as part of the Neighborhood Element of the Comprehensive Plan. It is a high level master plan that ensures compliance with the Regional Plan and meets the applicable standards in the Comprehensive Plan.

A. STREETS

North Foothill Road is classified as a Regional Arterial street and is maintained by Jackson County. North Foothill Road is paved without curb and gutter, and has partial street lights and sidewalk (at the intersection with Hillcrest Road). In accordance with the City's Urban Reserve Management Agreement, the City will assume maintenance jurisdiction of this road at the time of annexation and will request that a jurisdictional transfer be completed.

Hillcrest Road is classified as a Major Collector street and is maintained by Jackson County. Hillcrest Road is paved without curb and gutter, and has partial street lights and sidewalk (at the intersection with North Foothill Road). Hillcrest Road will continue to be maintained by Jackson County unless a jurisdictional transfer is completed. Hillcrest Road will require a vacation of the right-of-way along the portion where the existing building is encroaching. The vacation will need to be approved by the County or the existing building, or a portion thereof, shall be relocated or removed, respectively, with future development.

EXHIBIT D

Future **Bemis Parkway** (from Hillcrest Road north to future intersection with Spring Street) is classified as a Minor Collector street and will be maintained by the City of Medford.

Future **Spring Street** (from Foothill Road east to future intersection with Bemis Parkway) is classified as a Minor Collector street and will be maintained by the City of Medford.

Future **Bemis Parkway** (north of intersection with future Spring Street) is a Standard Residential street and will be maintained by the City of Medford.

Future **Vista Pointe Drive** (west to connection with extension of Future Bemis Parkway) is a Standard Residential street and will be maintained by the City of Medford.

Future **Hidden Valley Court** and **Oxford Place** are Standard Residential streets and will be maintained by the City of Medford.

All other potential future Commercial and/or Minor/Standard Residential internal connection streets shall be public and will be maintained by the City of Medford.

B. SANITARY SEWERS

There are capacity constraints in the sanitary sewer system that will need to be addressed prior to acceptance of a zone change on any of the properties.

C. STORM DRAINAGE

Development on this parcel will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual.

D. TRANSPORTATION SYSTEM

The Spring Street extension shall be the only intersection with North Foothill Road in order to preserve the capacity of North Foothill Road.

Additional local streets from the urbanization area to the boundary of the Urban Growth Boundary (UGB) may be required at the time of development in accordance with MLDC 10.426.

The existing driveways within the taper transition areas on the Hillcrest Road modification exhibit may be restricted when these improvements are built due to the lack of a center turn lane. The final configuration shall be determined by future development.

A possible roundabout is shown at the intersection of Spring Street and Bemis Parkway. Final intersection treatments will be determined by future traffic analysis.

Public Works takes no exception to the Spring Street and Hemlock Drive Connection as shown.

E. SYSTEM DEVELOPMENT CHARGES

Future development/buildings within this parcel will be subject to System Development Charges (SDC). These SDC fees shall be assessed at the time individual building permits are reviewed.

This development is also subject to Storm Drain System Development Charges. A portion of the storm drain system development charge shall be collected at the time of the approval of a final plat, as applicable.

F. UTILITY FEES

Upon annexation, this parcel will be subject to City of Medford monthly utility fees as applicable.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

JACKSON COUNTY
Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

September 11, 2020

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

RE: Hillcrest Urbanization & annexation for MD-4 (Hillcrest Orchard) at the northeast corner of Foothill Road - a County maintained road at this location
And Hillcrest Road- a County maintained road at this location
and South of McAndrews Road – a City maintained road at this location
Planning File: UP-20-209 & ANNX-20-210

Dear Carla:

Thank you for the opportunity to comment on a Comprehensive Plan Amendment to Adopt an Urbanization Plan into the Neighborhood Element for approximately 224 acres located at the northeast corner of Foothill Road and Hillcrest Road. The Urbanization Plan is filed in conjunction with an annexation request of the properties plus adjacent public property/right-of-way (totaling 230.75 acres) along Hillcrest Road and McAndrews Road. The County zoning designations of Exclusive Farm Use (EFU) and Open Space Reserve (OSR) will be changed to the City's Single Family Residential -1dwelling unit per existing lot (SFR-00) holding zone along with the Exclusive Agricultural (E-A) overlay. The Historic Preservation Overlay shall be applied to the 6.6 acres that comprise the Hillcrest Orchard Historic District as listed on the National Register of Historic Places. The properties will be removed from the Medford Rural Fire Protection District #2 (37-1W-21D tax lot 101, 300 & 301; 37-1W-22 TL 500 & 501). Jackson County Roads has the following comments:

1. As provided in the Urban Reserve Management Agreement (URMA) between City and County, please expand the annexation to include the remainder of Foothill Road and Hillcrest Road right-of-way. Then, following annexation, City is required to request jurisdiction of this portion of Foothill Road and Hillcrest Road. As provided in the URMA, the request for jurisdiction shall conform to ORS 373.270, except that conditions and compensation allowed by ORS 373.270(6) are not allowed.

2. Without a jurisdictional transfer of Foothill and Hillcrest Roads to the City of Medford, Jackson County will require the following:

    a. Upon development, all existing road approaches from the property to Foothill Road will be closed and new approaches will not be allowed.

EXHIBIT E

b. Upon development, all existing road approaches from the property to Hillcrest Road will be closed. New approaches to Hillcrest Road will only be allowed if a traffic impact study, as required below, can demonstrate that new or replacement approaches will operate safely and effectively. Additional access to the site should be considered from Vista Point Drive, Chablis Terrance, Hemlock Drive or other lessor order public roads.

c. Prepare a traffic impact study to be reviewed and approved by the County. This study shall address the safety aspects of new or altered road approaches to Hillcrest Road and impacts to Hillcrest Road including stopping sight distance, traffic queuing, storage lengths, need for dedicated turn lanes or a median turn lane, and impacts to the Hillcrest Road and Foothill Road intersection. The study shall also address impacts to Vista Point Drive, Chablis Terrance, Hemlock Drive or other lessor order public roads if access is provided to these facilities. Mitigation measures for each identified issue should be provided and will be reviewed and approved by Jackson County.

d. As provided in the URMA, storm drain management within the annexed areas (including road right-of-way) become the responsibility of the City upon annexation.

3. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.

4. Foothill Road is a County Urban Minor Arterial and is maintained by the County. The Average Daily Traffic count was 11,700 on the 2016 Medford Traffic Volumes Map between Hillcrest Road and East McAndrews Road.

5. Hillcrest Road is a County Urban Local road and is maintained by the County. The Average Daily Traffic count between Foothill Road and Urano Lane was 3,100 ADT; between Urano Lane and Stanford Avenue was 2200 ADT; and between Stanford Avenue and E. McAndrews Road was 3,100 ADT on the 2016 Medford Traffic Volumes Map.

6. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk.

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

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

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

Sincerely,

Chuck DeJanvier, PE
Construction Engineer

MEDFORD WATER COMMISSION

Staff Memo

TO: Planning Department, City of Medford

FROM: Brian Runyen, P.E.(TX), Water Commission Staff Engineer

SUBJECT: UP-20-209 / ANNX-20-210
Urbanization Plan and Annexation for MD-4

RELATED CASE: PA-19-062

PARCEL ID: 371W21D TLs 101, 300, & 301 and 371W22 TLs 500 & 501

PROJECT: UP-20-209: A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for approximately 224 acres of property located at the northeast corner of North Foothill Road and Hillcrest Road (371W21D TLs 101, 300, & 301 and 371W22 TLs 500 & 501).

Applicants: Cogswell Limited Partnership and Rocky Knoll LLC; Agent: CSA Planning Ltd; Planner: Carla Angeli Paladino

ANNX-20-210: The Urbanization Plan is filed in conjunction with an annexation request of the above properties plus adjacent public property/right-of-way (totaling approximately 230.75 acres) along Hillcrest Road and McAndrews Road. The County zoning designations of Exclusive Farm Use (EFU) and Open Space Reserve (OSR) will be changed to the City's SFR-00 (Single Family Residential -1 dwelling unit per existing lot) holding zone along with the E-A (Exclusive Agricultural) overlay. The Historic Preservation Overlay shall be applied to the 6.6 acres that comprise the Hillcrest Orchard Historic District as listed on the National Register of Historic Places. The properties will be removed from Medford Rural Fire Protection District #2.

Applicants: Cogswell Limited Partnership and Rocky Knoll LLC; Agent: CSA Planning Ltd; Planner: Carla Angeli Paladino

MEMO DATE: September 17, 2020 **LAND DEVELOPMENT COMMITTEE DATE:** September 23, 2020

I have reviewed the above project application as requested. Comments and Conditions for approval are as follows:

EXHIBIT F

COMMENTS

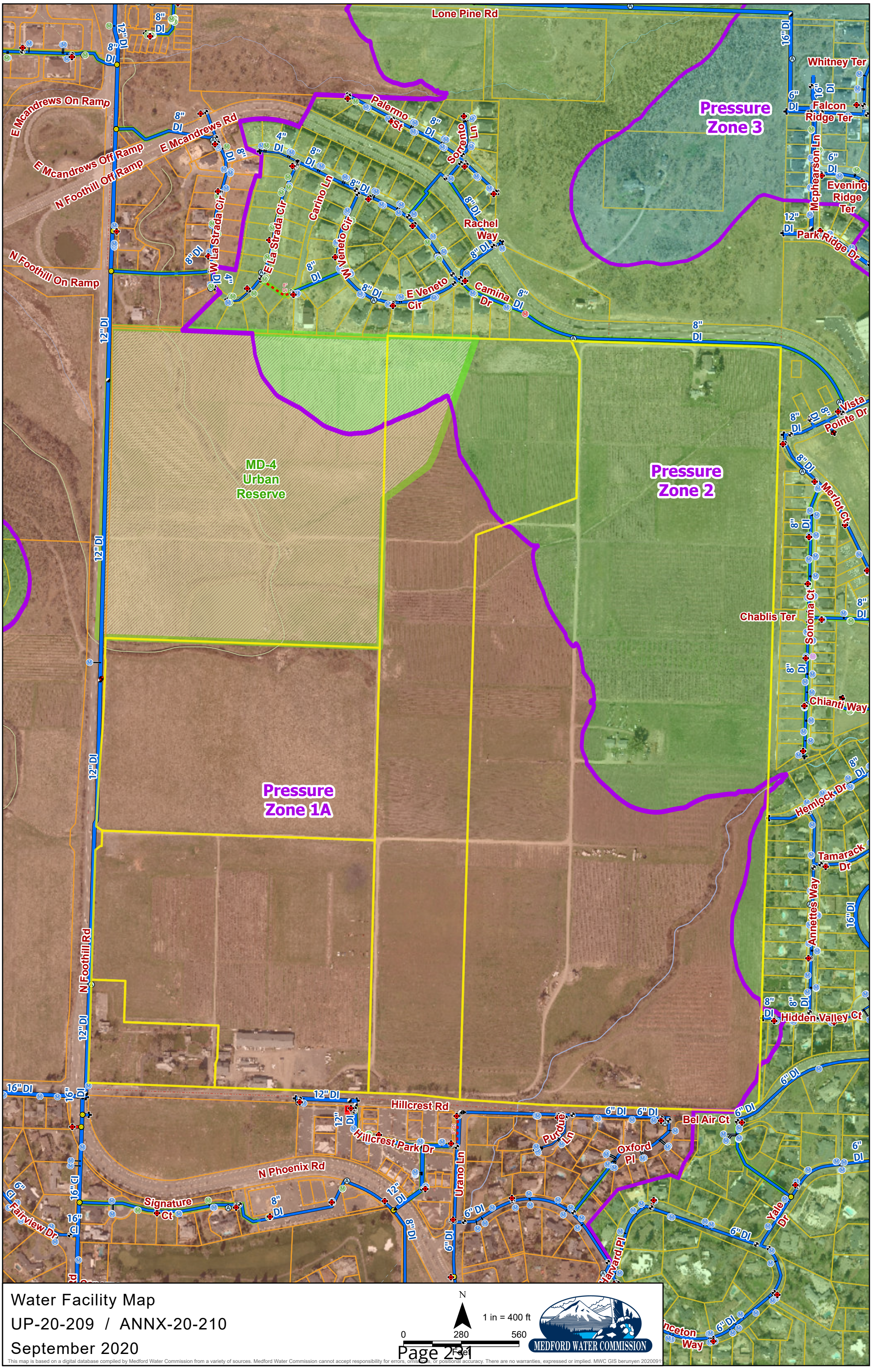
1. The project will be further "Conditioned" at time of future development applications. Expect additional Comments and Conditions once plans are available for review.
2. MWC can serve the property with water once annexed. The land is within both MWC's Zone "1A" and Zone "2" Pressure Zones. See attached water facility map.

200 S. Ivy Street, Room 177
Medford, Oregon 97501
Phone (541) 774-2430
www.medfordwater.org
water@medfordwater.org
Fax (541) 774-2555

3. As part of the City of Medford Foothill Road Improvement project, MWC is installing a new 24" water transmission line in N Foothill Road. The existing 12" water line on the east side of Foothill Road will be abandoned with that project.
4. Missing segments of 12" water line will need to be constructed in Hillcrest Road to complete the water line loop from N Foothill Road to Urano Lane.

CONDITIONS

1. Water facility planning / design / construction process will be done in accordance with the current Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities / Fire Protection Systems / Backflow Prevention Assemblies"
2. The applicant's Civil Engineer shall coordinate with MWC Engineering staff for development of an approved Water Facility Master Plan.
3. Applicant's Civil Engineer shall coordinate with MWC Engineering, along with our Hydraulic Modeling Consultant (Jacobs Engineering Group) to have this proposed development modeled within our existing hydraulic model. This modeling effort will confirm adequate pressure and water quality and will ensure that adequate looping of water lines is provided.



Water Facility Map

UP-20-209 / ANNX-20-210

September 2020

N

1 in = 400 ft

0 280 560

Feet

MEDFORD WATER COMMISSION

This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied. MWC GIS berunyen 20200911

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Carla Angeli Paladino, Planning Department

From: Mary Montague, Building Department

CC: Cogswell Limited Partnership and Rocky Knoll LLC, Applicants;
CSA Planning Ltd, Agent

Date: September 23, 2020

Subject: UP-20-209_Urbanization for MD-4 and ANNX-20-210_Annexation for MD-4

BUILDING DEPARTMENT:

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

General Comments:

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

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

3. Site Excavation permit from the building department required to develop, install utilities prior to final plat.

4. Demo Permit is required for any buildings being demolished that remain at time of annexation.

EXHIBIT G

Comments:

5. A site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section R403.1.9 and R403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.

6. This area is in the Wildfire High Risk area and should reference Section R327.

7. This area is in the Hillside Ordinance area. Must follow guidelines as set forth in the Municipal code Section 10.929 – 10.933.

TO: Carla Paladino - Planning Department

FROM: Haley Cox – Parks Planner

SUBJECT: MD-4 Urbanization Plan

DATE: September 23, 2020

The Parks Department has reviewed the Urbanization application for MD-4 and has the following comments:

1. According to the Regional Plan Element and as noted in the application, this urbanization area is required to allocate 15% of the total area to Open Space uses. The Parks Department does not have specific plans to acquire and develop parkland here, however, this area is within a park walkshed gap, and as such the Department remains open to identifying strategic opportunities.

   As shown on the conceptual plan, several parks are proposed at less than two acres, which would have to be privately developed and maintained. The orchard row multi-use trail, historic district buffer garden, and any other enhanced parkways that deviate from the City Street standards would also need to be privately maintained.

2. The Leisure Services Plan indicates shared-use pathways along Foothill Road, Hillcrest Road and the Lazy Creek corridor in this area, which provide low-stress connections for cyclists and pedestrians to traverse the neighborhood and access other commercial and recreational opportunities in the area. The Foothill Road segment should be completed through the City-initiated road widening project. The applicant has shown a greenway designation along Lazy Creek including a pathway that is consistent with the LSP. The applicant has also indicated that Hillcrest Road may be eligible for Legacy Street consideration- the pathway should be sited on the north side so as to provide a continuous connection between Foothill Road and the Lazy Creek Greenway. The City standard for shared-use pathways is 10' wide asphalt in a dedicated greenway corridor, or within the street ROW.

3. The Parks Department can advise the applicant on irrigation design and tree species selection for higher-order residential ROW planter strips that will be maintained by the City. More information can be found on the City's website: Information for Architects, Approved Street Tree List, and City Tree Planting Detail.

EXHIBIT H

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Fairrington, Tanner

Review Date: 9/16/2020
Meeting Date: 9/23/2020

LD File #: ANNX20210 **Associated File #1:** UP-20-209

Planner: Carla Angeli Paladino

Applicant: Cogswell Limited Partnership and Rocky Knoll LLC

Site Name: Annexation for MD-4

Project Location: Along Hillcrest Road and McAndrews Road

ProjectDescription: The Urbanization Plan is filed in conjunction with an annexation request of the above properties plus adjacent public property/right-of-way (totaling approximately 230.75 acres) along Hillcrest Road and McAndrews Road. The County zoning designations of Exclusive Farm Use (EFU) and Open Space Reserve (OSR) will be changed to the City's SFR-00 (Single Family Residential -1 dwelling unit per existing lot) holding zone along with the E-A (Exclusive Agricultural) overlay. The Historic Preservation Overlay shall be applied to the 6.6 acres that comprise the Hillcrest Orchard Historic District as listed on the National Register of Historic Places. The properties will be removed from Medford Rural Fire Protection District #2.

Additional Project Consideration

Notes: Based on the limited information provided, this project is approved as submitted with no additional conditions or requirements at this time. As the site is developed, additional comments and conditions will likely apply.

Construction General Information/Requirements

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

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

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

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

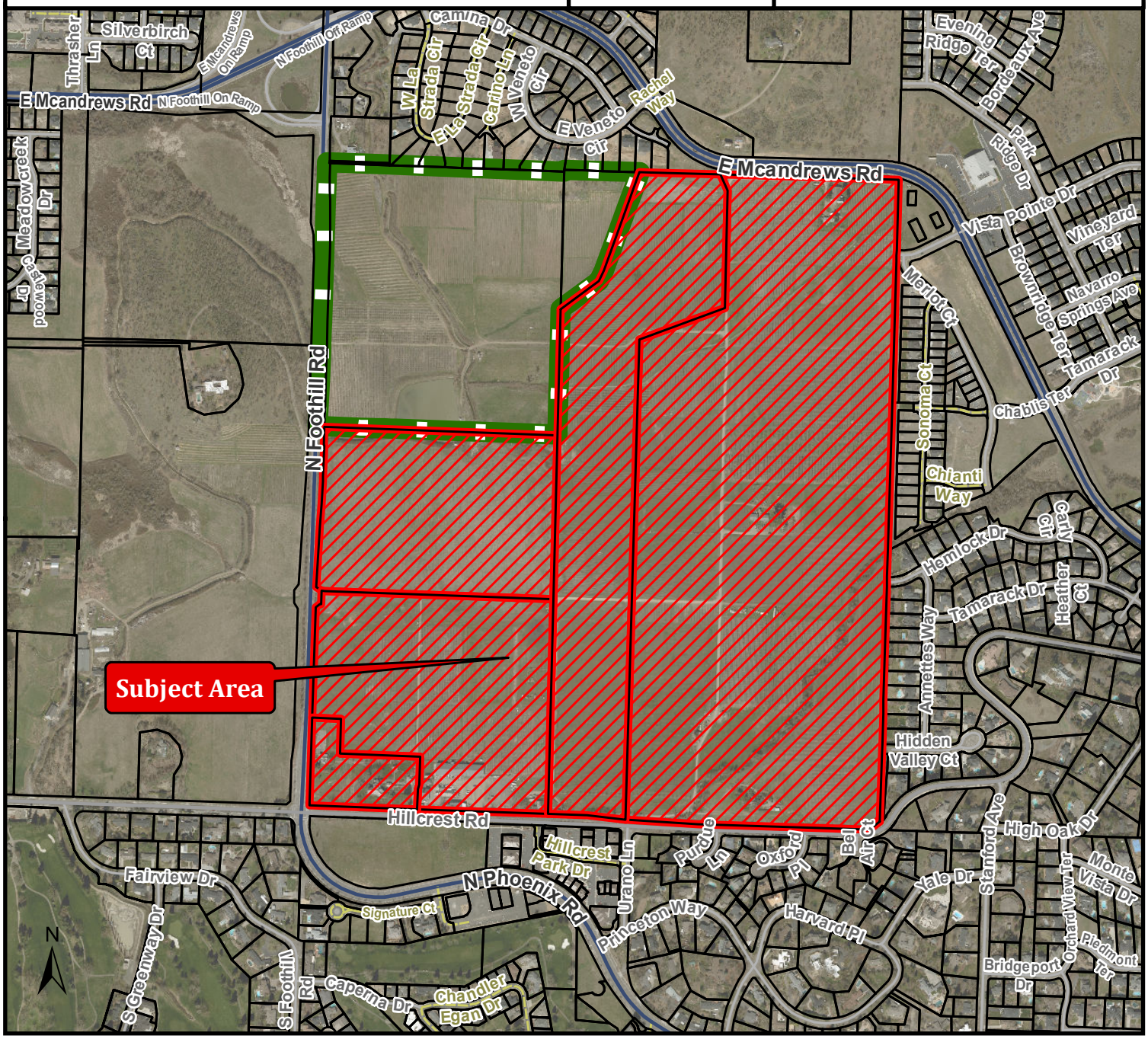
www.medfordfirerescue.org

EXHIBIT I

MEDFORD PLANNING

Vicinity Map

File Number:
UP-20-209
ANNX-20-210



Project Name:

Cogswell/Rocky Knoll MD-4
Urbanization Plan/Annexation

Map/Taxlot:

371W21D TL 101;
371W21D TL 300, 301 &
371W22 TL 500, 501

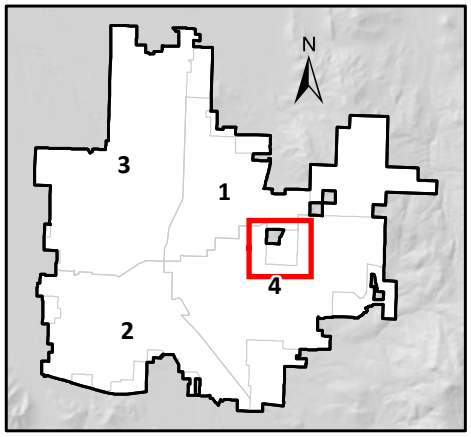
Legend

Subject Area

Tax Lots

0 500 1,000 Feet

Date: 8/10/2020



STAFF REPORT

for a Type-IV legislative decision: **Development Code Amendment**

Project	Residential Pad Lot & Multi-Family Development Standards Update	
File no.	DCA-20-127	
To	Planning Commission	*for 10/08/2020 hearing*
From	Kyle Kearns, AICP, Planner II	
Reviewer	Carla Angeli Paladino, Principal Planner	
Date	October 1, 2020	

Proposal

An amendment to portions of Chapter 10 to enable broader use of pad lots and to create more permissible development standards for multi-family residential development.

History

In order to continue to build on the Housing Strategies goal, outlined by the Medford City Council's 2019-2021 biennium goals (Exhibit B), long-range planning staff is continuing to propose development code amendments (DCA). Project DCA-20-127 relates to specific regulatory strategies recommended by the City's Housing Advisory Commission (HAC). Those strategies are:

- #4 – Review lot sizes for multi-family residential
- #7 – Increase building height in the multi-family residential (MFR) zones
- #12 – Allow pad lot development for multi-family residential

Each regulatory strategy is considered a high priority item. The majority of the amendment addresses strategy #12. The Planning Commission has reviewed this item twice at a study session and the City's Housing Advisory Commission has recommended approval of DCA-10-127. It is staff's conclusion that this guidance, paired with staff's findings, is sufficient support for the approval of the amendment (Exhibit A).

Authority

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

ISSUES AND ANALYSIS

Background

Regulatory reform, to increase available and affordable housing, has been a consistent item on the Planning Department's work plan since 2017. Additional research and reports have been commissioned regarding housing in Medford and have proposed ways in which the City could alter its land use code in order to increase availability and affordability of housing. Reports include policy recommendations from ECONorthwest and Opticos Design. In addition, Johnson Economics prepared a report in 2019 on Medford's residential housing market, highlighting the market potential for affordable and market-rate attached housing. Lastly, the Medford City Council has included "housing strategies" as their first goal in their 2019-2021 biennial goals, as stated above.

This report will summarize the proposal, outline the issues that would be resolved with the adoption of Exhibit A and the research prepared by staff to support the proposal, including the findings and conclusions.

Proposal Summarized

<u>10.012 Definitions, Specific</u>

Amending condominium reference and defining what a pad/pad lot and parent parcel are. Parent parcel is currently referenced within the MLDC, without a definition in 10.012. Parent parcels contain pads (pad lots), making up a pad lot development (already defined).

<u>Article II Changes, New Section 10.171</u>

Procedural Requirements for the MLDC are contained in Article II. Staff is proposing creating a tentative plat process for a Pad Lot Development, similar to that of a partition (creation of three or less parcels); these changes are proposed throughout Article II including the proposed new section 10.171. Prior to applying for a tentative plat of a pad lot development, the proposed development would need Site Plan and Architectural Review approval. Attached dwellings, three net acres or less being reviewed administratively, more than that as a Type III, quasi-judicial public hearing.

All other proposed changes in Article II are intended to create consistency with the proposed pad lot standards.

10.702 Lot Area and Dimensions

Housekeeping, no substantive change.

10.703 Pad Lot Development

Amended the pad lot standards (MLDC § 10.703) to include the townhouse, duplex and multi-family dwelling housing types (including mixed-use buildings). Within 10.703, the requirement to obtain Site Plan and Architectural Review approval is outlined. Thus, the proposed standards in 10.703 are focused on location of property lines and what is to be considered private open space. The proposed standards for pads within a pad lot development are as follows:

- Property line within 10 feet of the building wall
- Pads may include eaves, patios, porches and private open space
- Require a minimum of 60 square feet of private open space

The pad lot standards for cottage clusters are to remain the same. Additionally, staff is proposing leaving the requirements for Covenants, Conditions and Restrictions (CC&Rs).

10.714 Multi-Family Dwellings

Items proposed within this section are aimed at enabling smaller lot sizes, with taller and larger building sizes to enable existing densities to be maximized. Proposed changes are only for the zones that allow attached housing types of three or more units, these zones include the SFR-10, MFR-15, MFR-20 and MFR-30 zones. Standards proposed to change are as follows:

Lot Area: (square feet)**:** SFR-10 – 15,000 to 5,400 | MFR-15 –9,000 to 4,000 | MFR-20 – 8,000 to 5,000.

The changes for the SFR-10 and MFR-20 zones are comparable with minimum sizes for a duplex in the same zone; the MFR-15 changes allow for lots about 1,500 square feet less than that of duplexes. Staff is not changing the MFR-30 lot area per the direction of Planning Commission.

Maximum coverage: Increase MFR-15, MFR-20, MFR-30 from 50% to 60%, 65% and 70%, respectively. SFR-10 to remain 50%.

Interior Lot Width: Decrease from 80 feet for all zones to 36, 55 and 60 for the SFR-10, MFR-15, and MFR-20 & 30 zones, respectively. These changes are comparable with minimum lot sizes for townhouse or duplex dwellings in Medford.

Minimum Corner Lot Width: Removing, allowing lot depth and interior lot width to manage this dimension.

Minimum Lot Depth: SFR-10 zone from 120 feet to -90; MFR zones from 100 to 85 feet.

Front Yard Setback: Reduced from 20 feet to 10; still require 20 feet when there is a vehicular entrance.

Street Side Yard Setback: Made consistent for all (10 feet, 20 where vehicle entrance).

Side Yard Setback: Reduced from 10 to 8 in the SFR-10 zone, amended the MFR zone to have a 10 foot maximum setback, consistent with Fire Department comments (Exhibit C).

Rear Yard Setback: Reduced from 20 to 8 in SFR-10 zone; amended the MFR zone to have a 10 foot maximum setback, consistent with Fire Department comments.

Maximum Building Height: Maintained 35 feet for height in the SFR-10 zone, per Planning Commission direction. In the MFR-15, the height was increased from 35 to 45 feet; in the MFR-20 and MFR-30 zone the height is proposed at 55 feet, from 35. Additionally, the Planning Commission directed a 35 foot height restriction near other zones that only allow a 35 foot height limit.

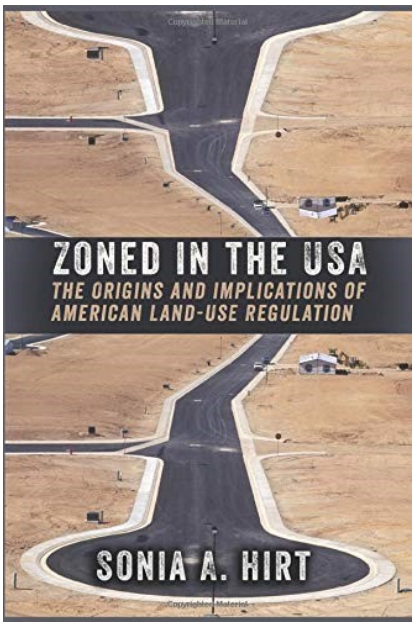
Issues Addressed by DCA-20-127

The underlying goals addressed with the amendments pertain to enabling increased residential development of multi-family zoned parcels within the City of Medford and ownership of multi-family developments; while the former is to address supply of housing, the latter is intended to address financing and ownership of multi-family developments.

Zoning Critiques & Issues

Staff had previously provided an analysis for project DCA-19-012 (Flexible Development Standards) in regards to the impacts the City's minimum parking standards have on development; that analysis is provided in Exhibit D. When accounting for public space, parking and various other code requirements (i.e. garbage, walkways, landscaping, ROW dedication) between 70-75% of the land is required to be occupied by a use other than a structure. Increasing building height and lot coverage increases the allowable building footprint vertically and horizontally. In the same regard, decreasing lot area and setbacks needed to develop in a zoning district enable smaller lots to achieve maximum density more efficiently and set the development pattern at a smaller scale as opposed to large tract, large building multi-family developments. Amending development standards to do these four things allows a municipality to increase a parcel's development potential (i.e. unit output) without increasing the zoning district's underlying density.

A common critique of zoning is that it has built in limitations, intentionally or unintentionally, that limit market potential. Sonia A. Hart in their book titled *Zoned in the USA: The Origins and Implications of American Land-Use Regulation* outlines the common critiques of American zoning. Hart goes on to state the following:



> "Traditional zoning...has been under fire since the 1950s. Calls for its demise date back at least to the 1960s (Jacobs 1961; Reps 1964). Since then several broad streams of critique have emerged: libertarian, economic, social, environmental, and aesthetic."

Hart goes on to identify the limiting affects zoning standards can have on density, siting that "...standard zoning has been blamed for favoring built forms that are lower-density..."[1]. As reviewed in Exhibit D staff has already identified the impacts that the City's development standards can have on a site's ability to produce housing of both an affordable price and reasonable size for housing a range of household sizes and types. For example, constructing a two story building to maximum density (i.e. 31 units/47 parking spaces on .83 acres with MFR-20 zoning) at the site reviewed in Exhibit D yields a per-unit square footage of approx. 543 sq. ft. per unit. It isn't without increased building height, lot coverage or a reductions in minimum parking that the maximum densities can achieve dwelling units sizes that are both comfortable for families and individuals and also affordable for varying incomes at or near the median income for Medford (approx. $50,000) as identified in the Findings and Conclusions.

This means that when a developer is considering development of affordable, market-rate or higher-income housing they are left with determining the unit size they'd like to sell and then the rent or price for which the will rent or sell. As identified in Exhibit D it isn't until units of 700 square feet or smaller are being constructed that the price that is considered profitable for development and affordable for Medford's demographic align. This was determined by applying the rents identified in Table 3 and the rents considered affordable at the median incomes of families and households in the City according to the Census; see staff's Findings.

Without smaller units, subsidies or policy intervention affordable housing doesn't present itself as a lucrative option for a developer looking to construct multi-family housing. Johnson Economics states that the most profitable form of attached residential development is that of a three story building with a surface parking lot (see

[1] "How the System Works." Zoned in the USA: the Origins and Implications of American Land-Use Regulation, by Sonia Hirt, Cornell University Press, 2015, pp. 44.

Findings and Conclusions). Medford's current restriction of 35 feet in the multi-family zones restricts the zones ability to provide three-story buildings. This is an example of changing policy to enable housing. Additionally, without subsidy or smaller unit sizes, a for-profit developer would not have incentive to develop housing rented at affordable housing levels as they could produce less housing at a cheaper cost and larger unit size, then in turn rent the dwelling units for higher rents.

Medford's multi-family zoning districts – as a result of the City's development standards – are constraining development of smaller parcels and the development of maximum densities. This is consistent with Hart's critiques above, but it also leads to many of the other critiques of zoning that Hart identified.

Hart also goes on to outline social arguments against zoning stating that zoning's "…categorizing and separating [of] housing types, by establishing large residential districts that permit only large homes on large lots, segregates people by class." If the standard development pattern enabled by the City's zoning code is low-density, market rate housing, then housing considered affordable to lower income levels will continue to be concentrated in areas with land large enough to accommodate the parking at maximum density and/or undeveloped due to the aforementioned standards setting the residential market in the City. By amending the development standards to enable more residential units through increased lot coverage and building height and/or decreased lot areas and decreased setbacks, the City's current zones will function better in enabling more units to be constructed under the current density maximums and more distributed throughout the City.

Additional social issues include access to services as "…the very young and the elderly have limited access to automobiles."[2] By enabling the zoning districts maximum densities to be better achieved, more units can be developed in areas of the City most likely to benefit from increased density (i.e. the multi-family zones often walkable, near transit, commercial services and downtown). Since these areas are walkable and often near areas built before 1950, they lend themselves to "Naturally Occurring Retirement Communities" or "Age-Friendly Communities" as defined by the American Association of Retired Persons (AARP).[3] In short, the proposed changes to the multi-family site development standards are aimed at alleviating the aforementioned critiques of zoning.

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[2] [2]"How the System Works." Zoned in the USA: the Origins and Implications of American Land-Use Regulation, by Sonia Hirt, Cornell University Press, 2015, pp. 45

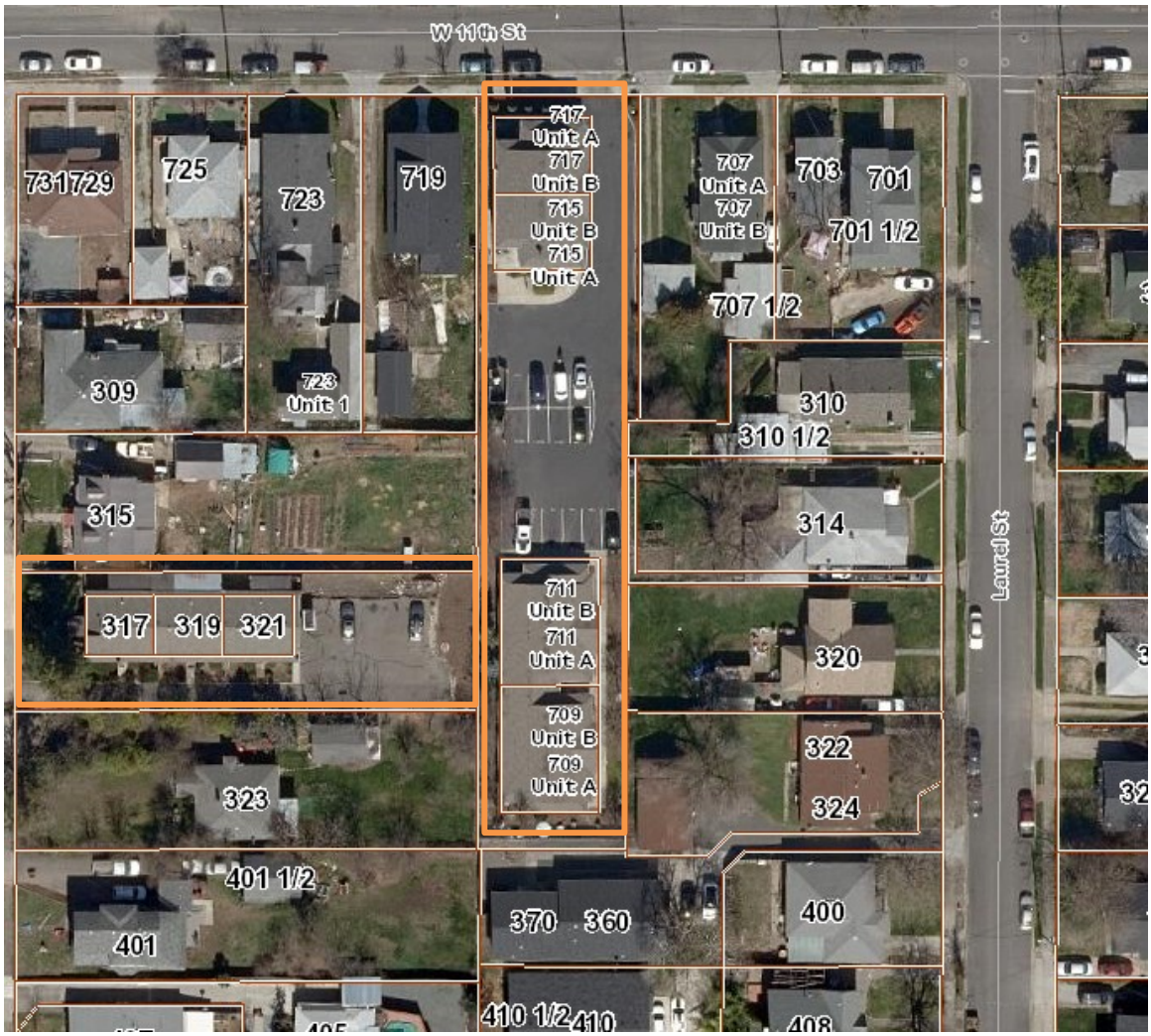
[3] Speck, Jeff. "Jeff Speck on Why Walkable Communities Are the Best Communities for Older Adults." AARP, Oct. 2018, www.aarp.org/livable-communities/livable-in-action/info-2018/walkable-communities-jeff-speck.html.

Multi-Family Residential and Pad Lot Development

The majority of the proposed amendments within DCA-20-127 are focused on creating the process for platting a pad lot development for multi-family housing. In 2006, the City amended the land use code to restrict this form of development to commercial development only. In 2019, the City amended the MLDC to allow pad lots for cottage housing. Staff is proposing pad lots be permitted with multi-family development, broadly, as it was previously.

Previous restrictions of pad lot development were created due to poorly designed multi-family projects. However, with the adoption of the multi-family design standards in 2018 (see MLDC 10.715-10.719) and then the proposed standards in Exhibit A [see 10.703], the concern for inadequate design is no longer warranted.

An example of pad lot developments are shown in the below image off of W. Eleventh, plat example Exhibit F.



The creation of a pad lot platting process creates an additional opportunity to enable multiple financers in a larger project or easier individual home-ownership in smaller developments. In the case of financing, mortgages administered by the Federal Housing Administration (FHA) for single-family loans can be used for attached units of four or less units. In larger projects, pad lot developments would enable multiple financers to own a building with multiple units within a larger multi-family development, providing additional options for financing and development across partnerships. In short, pad lot development is about ownership of land in multi-family development.

FINDINGS AND CONCLUSIONS

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

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

§ *10.218(A). Explanation of the public benefit of the amendment*.

Findings

Federal housing policy sets the rent threshold, for what is considered affordable, to be 30% of one's income. While the validity of this method has been argued and defended, it is the metric used.[4] To understand affordable housing in Medford, the communities' incomes need to be reviewed.

According to the American Community Survey, conducted by the US Census Bureau, the median household income in 2018 for the City of Medford was $47,567 for a household and for families it was $55,974 (adjusted for inflation)[5]. Using this metric and the above median incomes, the amount of money that should be spent on housing a month in Medford is $1,189 for a household and $1,399 for a family.

According to Zillow's Market Report from October of 2018, the median rental listing was $1,522,[6] and as of August 4, 2020 Zillow had that number listed at $1,651. Additionally, the City of Medford contracted with Johnson Economics to prepare a residential market study for downtown housing in 2019. The

[4] Matthews, Chris. "Why Should You Only Spend 30% of Your Income on Housing?" Fortune, Fortune, 4 Aug. 2015, fortune.com/2015/08/04/housing-30-percent-rule/.
[5] U.S. Census Bureau.; American Community Survey, 2018: ACS 5-Year Estimates Subject Tables, Table ID S1903,
[6] Zillow Medford Metro Market Report, October 2018

report, while focused on downtown housing, reviewed the larger socioeconomic and housing trends of Medford and the Rogue Valley and stated the following:

> "The residential markets in the City of Medford are currently tight… Rental apartments in the Medford area have consistently reported vacancy rates below 3.0%. A vacancy rate around 5.0% typically represents a healthy supply-demand balance where rent increases keep in line with wage and income growth. Because of the undersupply of vacant units in Medford, rents have escalated more rapidly than incomes over this period. In terms of annual rent growth, the peak was at nearly 9.0% in 2016, when the vacancy rate was 0.2%. Since then, the vacancy rate has increased to 1.8% and rent growth has moderated to 3.2% per year as of mid-2019." [7]

Johnson Economics reviewed income growth in Jackson County since 2006 and found that the "annual wage growth never decreased over any annual period and has remained high…" finishing at 2.08% in 2018. Rents and wages have continued to rise, but rent at a faster rate. Those who have the means to spend more of their income on rent, will continue to pay for higher rents. This will keep rents higher without a significant increase in housing supply.

Additionally within the report, Johnson Economics determined achievable and profitable market-rate housing and the dwelling types. Applying those pricing points broadly, the following prices for attached housing could be developed and sold or rented as shown in Table 3.

Table 3- Summary of Medford's Market-Rate Housing Potential[6]

Housing Type	Unit Size (sq. ft.)	Price Per Sq. Ft.	Cost per unit	Achievable Rents ($1.75-$1.90, per sq. ft.)
Attached townhomes	1,200	$199-$244	**$238,800 – $292,800**	**$2,100 - $2,280**
Condominium flats	900	$220-$325	**$198,000 – $292,500**	**$1,575 - $1,710**
	700		**$154,000 – $227,500**	**$1,225 - $1,330**

Assuming new construction, it isn't until units of 700 sq. ft. are constructed that the achievable rents are within the affordable housing price range. As

[7] Johnson Economics, LLC, 2019, pp. 1–61, Downtown Housing and Residential Market Analysis.

noted above affordable rent in Medford is $1,189 for a household and $1,399 for a family. Furthermore, the ACS estimates, that in 2018, 47.4% of renters (25.8% of mortgage holders) are paying more than 35% of their income on housing.[8] Meaning more than a third of Medford's residents are considered rent-burdened. A household or family is considered rent-burdened when they spend more than 30% of their income on housing. Because of the characteristics of Medford's housing market (i.e. low supply and low vacancy rates) rents and home values have remained above the affordable threshold and any new constriction is going to be profitable, for sale or rent, at a price above the affordable threshold for any unit larger than 700 sq. ft.

Conclusions

The focus of the amendment is two-fold. First, it is to enable the City's multi-family zones to produce more units without increasing districts underlying densities. More units could be developed in the MFR zones by increasing allowable height and lot coverage while simultaneously decreasing required lot areas and setbacks. The amendments to 10.714 increase the buildable area permitted which will enable more residential development.

Second, is to increase finance and ownership opportunities in multi-family development. This is accomplished by enabling ownership of multi-family development to split up among buildings, or "pads" through the proposed amendments in Section 10.703. This presents opportunity for multiple finances in larger developments, lowering financial risk and needed equity. Or, in the case of smaller attached housing development, FHA single-family mortgages are eligible to be used in buildings of four or less, attached units. However, FHA single-family loans are only eligible for use when the unit can be owned. Pad lot developments would enable more ownership opportunities across the City's MFR zones.

Both areas of focus are aimed at making housing more affordable for Medford's community, a direct benefit to the public.

The criterion has been satisfied.

[8] U.S. Census Bureau.; American Community Survey, 2018: ACS 5-Year Estimates Subject Tables, Table ID DP04.

§ *10.218(B). The justification for the amendment with respect to the following factors:*

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

Findings

The proposed code amendment supports the goals, policies, and action items of the following Comprehensive Plan Elements; they are as follows:

Housing Element

Policy 1: The City of Medford shall assess the housing needs of current and prospective residents, including the elderly, disabled, active retirees, and other groups with special housing needs, to determine development priorities and to formulate specific strategies and activities to meet those needs.

Implementation 1-A: When considering changes to the Medford Comprehensive Plan or Land Development Code, base such changes on the Housing Element adopted on December 2, 2010, particularly:

Housing Need Projection in Table 31 (Exhibit E)
Forecast of Needed Housing Units in Table 37 (Exhibit E)

Implementation 1-C: Assess policies, regulations, and standards affecting residential development and pursue amendments as needed to meet Policy 1. Assess factors such as:

a) Residential development standards...
e) Assuring a mix of income levels and dwelling types, including multi-family, group, affordable, and assisted housing, throughout the City.

Policy 3: In planning for needed housing, the City of Medford shall strive to provide a compact urban form that allows efficient use of public facilities and protects adjacent resource lands.

Implementation 3-A: Assess policies, regulations, and standards affecting residential development and pursue amendments as needed to meet Policy 3. Consider actions such as:

d) Requiring redevelopment to be at the same or higher density as the previous development;

f) Assuring land division design standards and approval criteria encourage efficient use of public facilities.

Environmental Element

Goal 10: To assure that urban land use activities are planned, located, and constructed in a manner that maximizes energy efficiency.

Policy 10-A: The City of Medford shall plan and approve growth and development with consideration to energy efficient patterns of development, utilizing existing capital infrastructure whenever possible, and incorporating compact and urban centered growth concepts.

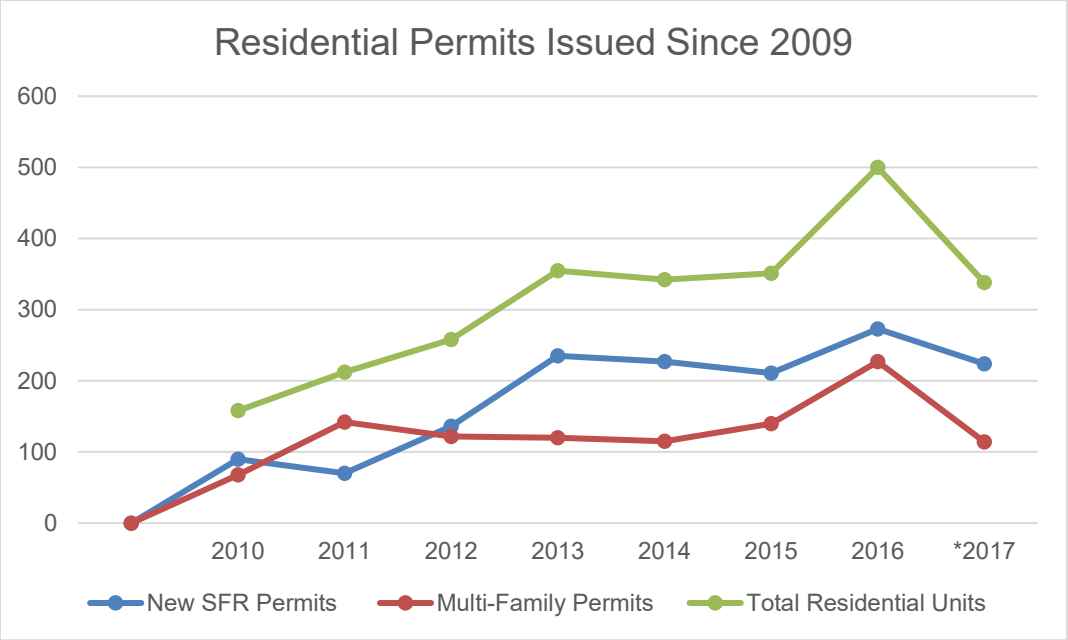
Implementation 10-A (3): Provide examples for developers to follow which reduce motor vehicle transportation needs by using mixed uses, urban infill projects, etc

Conclusions

According to the annual reporting required by House Bill (HB) 4006, the City has reported the production of the following housing types since 2018:

Year	2018	2019
TOTAL RESIDENTIAL UNITS PRODUCED	371	335
TOTAL SINGLE-FAMILY UNITS PRODUCED	311	197
Single-Family Detached	282	176
Single-Family Attached	16	5
Duplex -total number of units	4	4
Accessory Dwelling Unit	7	9
Manufactured Home	2	3
TOTAL MULTI-FAMILY UNITS PRODUCED	54	82
Triplex -total number of units	0	0
Fourplex -total number of units	20	4
Building with five or more units -total number of units	34	78

The Housing Element identified a need of 15,050 total residential units (i.e. "needed housing") and an annual need of 753 units, per table 31 (Exhibit E). In the past two years the residential development in the City has had a shortage of 382 and 418 units in 2018 and 2019, respectively. This pace is below the pace needed to provide new housing units in Medford that creates a healthy housing supply. Looking back to the end of the Great Recession (2009), approximately when the Housing Element was adopted, the development in Medford has not provided for the number of needed dwelling units as adopted by the Comprehensive Plan. This conclusion is drawn in reviewing the number of residential permits since 2009. The last five years (2015-2020) has been the peak in new residential development since 2009 (see graph below).



As indicated above, 2018-19 had less than the yearly needed amount of residential units constructed. In 2016, the highest recorded year for residential permits, there was still a shortage of 253 residential units; meaning residential development has lagged behind the amount of needed housing as identified in the Comprehensive Plan. The Housing Element then gives guidance in Policy 1 and Implementation Items 1-A and 1-C to assess "...policies, regulations and standards affecting residential development..." and that these "...changes to the...Land Development Code...[be based on the]...Housing Need Projection in Table 31 [&] Forecast of Needed Housing Units Table 37."

Additionally, the Housing Element directs the City to "...provide a compact urban form that allows efficient use of public facilities..." [Policy 3]. This is accomplished by lowering the lot area needed to develop and increasing the allowable buildable area (i.e. lot coverage) on MFR zoned parcels. The implementation items of Policy 3 further direct the City to "Requiring redevelopment to be at the same or higher density as the previous development," and "Assuring land division ...encourage efficient use of public facilities." Amendments proposed in DCA-20-127, in particular to the MFR lot dimensions (§10.714) and pad lot allowances (§10.703), will enable infill and development of smaller lots in the City's MFR districts.

However it is not just the City's Housing Element that supports the increased efficiency of public facilities. The Environmental Element directs the City to "...maximize energy efficiency," by "...incorporating compact and urban centered growth concepts." The amendments proposed in DCA-20-127 promote compact development in setting smaller lot area minimums,

increased buildable area, and increased building height thus enabling increased density. As noted above, this increased density is without changing the underlying density in the City's zoning districts. Increased urban density has been shown to be more effective and promotes overall more energy efficient development.[9]

The criterion has been satisfied.

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

Findings

Staff took the proposal to the Land Development Committee (LD) meeting on September 2, 2020. The intent of LD meetings is to solicit comment from applicable agencies who review development in the City. Official "No Comment" memorandums were received from the following departments/agencies:

Medford Water Commission
Medford Public Works, Engineering
Medford Building Department

The Medford Fire Department provided comments on the setbacks proposed at the LD meeting (Exhibit C). At the LD meeting the setbacks were proposed as eight feet for the side yard and five feet in the rear yard for the SFR-10 zone, in the MFR zones the setbacks for both rear and side yard setbacks were set at five feet. Planning staff proposed removing the standard that stated "1/2 foot for each foot in building height over 15 feet" which, for a 35 foot building would require a 14 foot setback.

Medford Fire proposed an alternative which maintains the same setbacks for the MFR zones, but sets a maximum setback of 10 feet. In the SFR-10 zone, Medford Fire proposed an increased side yard setback to eight feet and a decreased rear yard setback from 10 feet to eight. The feedback of the Fire Department was incorporated into Exhibit A.

[9] Güneralp, Burak, et al. "Global Scenarios of Urban Density and Its Impacts on Building Energy Use through 2050." Proceedings of the National Academy of Sciences, vol. 114, no. 34, 2017, pp. 8945–8950., doi:10.1073/pnas.1606035114.

Conclusions

The proposal has incorporated the applicable agency comments as noted above.

This criterion is found to be satisfied.

3) Public comments.

Findings

Staff solicited public comment from a group of local professionals, experts, developers, non-profit organizations and other agencies affected by changes to the Medford Land Development Code. This list is in excess of 45 individual persons. In conjunction with the aforementioned solicitation, staff conducted a live webinar event on September 29, 2020 to provide details on the proposal (Exhibit A) to the aforementioned list and allow for comments and questions. Staff presented the proposal and attendees were provided a chance to provide feedback. Lastly, public notice was provided on the City website and in local news publications.

In addition to public outreach, staff has presented Exhibit A to the Planning Commission and Housing Advisory Commission which comprises members of the public. Planning Commission reviewed the proposal at two study sessions July 13 and August 24, 2020; the HAC reviewed the proposal at their August 12, 2020 meeting. The minutes can be found in Exhibits G through I.

Conclusions

Comments received from the webinar that revised the amendment include:

- Add "...physical improvements..." to list of 10.703(B)(2)(a)
- Remove eaves from 10.703(B)(2)(b)
- List required land use approvals in 10.703(D)

Comments from the webinar event not included but worth Planning Commission consideration include adding a staggered, or step-down, building height setback as set in 10.714. The comment received suggested allowing a building height of 35 feet within 50 feet of an SFR zone; 45 feet within 100 feet; and 55 feet within 150 feet.

The Planning Commission directed the lot sizes in the MFR-30 zone remain the same, SFR-10 building heights stay the same and that a height buffer be incorporated into the changes proposed in 10.714. Staff has amended Exhibit

A to be consistent with the Planning Commission's direction. The HAC provided a favorable recommendation of the proposal through a vote of 5-0 in favor. Considering the input from the webinar and the City's Commissions, staff has concluded public comment has been incorporated.

This criterion (criterion three) is found to be satisfied.

4. Applicable governmental agreements.

Findings

No agreements are proposed to change.
Staff provided "Goal 10 Findings" in Exhibit J.

Conclusions

This criterion is found to be not applicable.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are either satisfied or not applicable, forward a favorable recommendation for approval of DCA-20-127 to the City Council per the staff report dated October 1, 2020, including Exhibits A through K

EXHIBITS

A Proposed amendment – DCA-20-127
B Medford City Council Biennium Goals 2019-2021 - Resolution 2019-63
C Medford Fire-Department Comment – LD Meeting September 2, 2020
D Multi-Family Development Analysis from DCA-19-012 Staff Report
D.1 Scenario 2 – MFR-20 Minimum Density Development – Full Page Image
D.2 Scenario 2.1 – MFR-20 Maximum Density Development – Full Page Image
E Housing Element Tables 31 & 37
F Pad Lot Subdivision Plat Example
G Planning Commission Study Session Minutes – July 13, 2020
H Planning Commission Study Session Minutes – August 24, 2020
I Housing Advisory Commission Meeting Minutes – August 12, 2020
J Goal 10 Findings
K Medford Lot Areas Compared to Other Cities

Exhibit A
Proposed Text DCA-20-127

~~Deleted Text~~ New Text

ARTICLE I - GENERAL PROVISIONS

* * *

10.012 **Definitions, Specific**.
When used in this chapter, the following terms shall have the meanings as herein ascribed:
* * *

Condominium. A type of ownership of units, and common ownership of open space and other facilities, and which is regulated by ORS 100.

Condominium unit. A part of the ~~property~~ condominium consisting of a building or one or more rooms occupying one or more floors of a building or a part or parts thereof, intended for any type of independent ownership, the boundaries of which are described pursuant to ORS ~~94.029(1,c)~~100 and with direct exit to a public street or to a common area or areas leading to a public street.
* * *

Pad Lot Development. A type of land division that ~~provides~~ creates ~~tax~~ lots within and/or adjacent to a common area where the lot-lines of ~~such~~ ~~tax~~ pad -lots are located near and/or adjacent to common or exterior building walls, shared or private open spaces, patios, porches yards, eaves and other building projections..

Pad/pad lot. An individual parcel (i.e. lot) created from a pad lot development, not the parent parcel. Pad lots are not considered condominium's per ORS Chapter 100.
.

Parent Parcel. The lot or parcel from which individual condominiums, cottages or pad lots share common space or ownership with.
* * *

ARTICLE II - PROCEDURAL REQUIREMENTS

* * *
* * *

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
*	*	*	*	*
Tentative Plat, Pad Lot Development	II	10.171	Planning Director	Yes
Tentative Plat, Partition	II	10.170	Planning Director	Yes
Tentative Plat, Subdivision	III	10.202	Planning Commission	Yes

10.110 **Designation and Duties of Approving Authorities**.

* * *

(Q) Planning Director Authority. The Planning Director is hereby designated as the approving authority for Type I and II land use reviews as well as issuance of the Development Permit. This includes the following land use reviews:

Land Use Review
De Minimis Revision(s) to Approved PUD Plan
Final PUD Plan
Final Plat, Pad Lot Development, Partition, &~~/~~Subdivision
Major Modifications to Site Plan and Architectural Review
Minor Historic Review
Minor Modification to Conditional Use Permit
Minor Modification to a Park Development Review
Minor Modification to Site Plan and Architectural Review
Nonconformities
Pre-Application
Property Line Adjustment
Riparian Corridor Reduction or Deviation
Site Plan and Architectural Review (SPAR) – Type II
Sign Permit
Tentative Plat, Pad Lot Development
Tentative Plat, Partition
Wireless Communication Facilities in Public Right-of-Way

* * *

10.142 **Type I Land Use Actions.**

Type I land use actions comprise the following land use reviews:

Type I Land Use Actions
De Minimis Revision(s) to an Approved PUD Plan
Final PUD Plan
Final Plat, Pad Lot Development, Partition,~~/~~& Subdivision
Minor Historic Review
Minor Modification to Conditional Use Permit
Minor Modification to a Park Development Review

Minor Modification to a Site Plan and Architectural Review
Nonconformities
Pre-Application
Property Line Adjustment
Riparian Corridor Reduction or Deviation
Sign Permit
Wireless Communication Facilities in Public Right-of-Way

* * *

10.162 **Pad Lot Development, Subdivision and Partition Final Plats**.

(A) Final Plat Approval Required.

No person shall cause or permit the sale or development of any real property under their ownership or control, nor shall any development permit be issued for such development, until final approval therefor has been granted by the Planning Director in accordance with this chapter, and an approved final plat has been recorded with the Jackson County Recorder. The requirements of this section shall not be applicable to any of the following which are exempt from such provisions:

(1) Where final plat approval for the identical lot or site has been previously obtained from the City within 10 years prior to the date of application for a building permit, in accord with such ordinance requiring plat approval which was in effect at that time, and such final plat is of record evidencing such plat approval;

(2) Developments made solely for the purpose of opening or widening a public street or alley, or those involving conveyance, transfer, access, sewer, water, or public utility, provided that no partitions or parcels of land are created other than those directly caused by such action.

(3) Developments made solely because of the acquisition of lands by government agencies for freeways, parks, public buildings, flood control channels, or other public

purposes, or for the sale of minor remnant parcels by such agencies to adjacent property owners where such land involved in the sale is not designated in the City's Comprehensive Plan as a recreational facility. In connection with the sale of any such minor remnant parcel, the person acquiring the property shall consolidate the acquired remnant parcel with his existing contiguous ownership;

(4) Developments involving land dedicated for cemetery purposes; or

(5) Developments caused by a conveyance for the purpose of adding land to one parcel by deducting it from another contiguous parcel, where such does not reduce the area of the parcel from which such portion is taken below the minimum area, frontage, width or depth prescribed for the zoning district in which said parcel is located, nor reduce any of the required yard spaces surrounding any structure or use on such parcel below the minimum prescribed for such zoning district.

(B) Final Plats, General.

The form and content of a final plat shall be in accord with the provisions of ORS 92.050 through 92.080, and this code. Final plats not submitted in accord with this code shall not be considered for approval.

(C) Form of Final Plat and Data to Appear Thereon.

Where identified by an "X" in table 10.162-1, the final plat of subdivisions, pad lot developments and partitions shall conform to the following provisions:

Final Plat Form and Data – Table 10.162-1		
Final Plat Provisions	Include on Pad Lot Development & Subdivision Final Plat	Include on Partition Final Plat

* * *

10.168 **Type II Land Use Actions.**

(A) Type II actions comprise the following land use reviews:

Land Use Actions
Partition, Tentative Plat
Pad Lot Development, Tentative Plat
Portable Storage Containers
Major Modifications to a Site Plan and Architectural Review
Site Plan and Architectural Review (SPAR)

* * *

10.171 **Pad Lot Development, Tentative Plat**

(A) Application

The land division associate with a pad lot development is a Type II administrative decision with notice and the Planning Director is the approving authority; cottage cluster developments shall be reviewed as a Type III quasi-judicial decision as identified in Section 10.818A. Final plat for pad lot development is a Type I ministerial action which relies on compliance with the requirements established at the time of tentative plat approval, and on the requirements set forth in Section 10.162.

(B) Application for Pad Lot Development Tentative Plat. See Section 10.202(B).

(C) Form of Tentative Plat and Accompanying Data. See Section 10.202(C).

(D) Pad Lot Development Tentative Plat Approval Criteria.

The Planning Director shall not approve any tentative plat for a pad lot development unless they can determine that the proposed land division, together with the provisions for its design and improvement meet the following:

(1) Is consistent with the standards as outlined in Section 10.703 and as required in the underlying zoning district.

(2) 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;

(3) 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;

(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 partition and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

(E) Expiration of Pad Lot Development Tentative Plat Approval.

Approval of a tentative pad lot development plat application shall take effect on the date the Planning Director's decision is signed, unless appealed, and shall expire two years from the effective date unless the final plat has been approved by the Planning Director pursuant to Sections 10.162. If a request for an extension of a tentative pad lot development plat application approval is filed with the Planning Department within two years from the date of the Planning Director's decision, an extension not to exceed one additional year shall be granted. Extensions shall be based on findings that the facts upon which the tentative pad lot development plat application was first approved have not changed to an extent sufficient to warrant refiling of the application.

* * *

10.202 **Subdivision Tentative Plat.**

(A) Application.

The subdividing of land shall be subject to the application requirements as herein set forth and shall include both the tentative and final platting requirements. The approval of a tentative plat is a Type II or Type III procedure~~,~~ with the Planning Director or Planning Commission, respectively, being the approving authority; Type II tentative plats shall include Partitions and Pad Lot Developments and Type III tentative plats shall include Subdivisions. Final plat approval is a Type I ministerial procedure which relies on compliance with the requirements established at the time of tentative plat approval, and on the requirements set forth in Section

* * *

ARTICLE V – SITE DEVELOPMENT STANDARDS

10.702 **Lot Area and Dimensions.**

Each lot shall have an area, width, frontage, and depth consistent with that prescribed in this Article for the housing type, or commercial or industrial district in which the development, or the portion thereof, is situated, except in the following situations:

(1) Within a planned unit development, a condominium project, as defined by ORS 100.005, or a pad lot development, as defined herein, the approving authority ~~(Planning Commission)~~ may permit ~~tax~~ lots and common areas to be of an area, width, frontage, or depth different from such prescribed minimum or maximum lot area or dimensions of the underlying zone. .

(2) For a condominium project, as defined by ORS 100.005, the minimum lot area and dimensions shall apply to the parent parcel only.

(3) A new residential lot may exceed the maximum lot area only under the following circumstances:

(a) When an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area; or,

(b) When a portion of the lot is unbuildable for a reason beyond the control of the

developer (i.e., due to creeks, oversized easements, etc.), the additional acreage, or fraction thereof, may not exceed the amount of unbuildable area.

* * *

10.703 **Pad Lot Development.**

(A)~~.~~ Purpose. It is the purpose of this Section to provide a process for the creation of lots within a common area ~~for non-residential uses and for certain residential uses~~ as specified below. This Section is not intended to provide relief from the strict standards elsewhere established in this Code.

(B)~~.~~ Development Standards.

Pad lot developments shall contain a parent parcel from which pad lots and common area are platted.

(1) A ~~residential~~ pad lot development shall ~~only~~ be permitted for the following development types:

(a) Commercial and Industrial development, including mixed-use buildings, pursuant to Section 10.721

(b) Duplex Dwellings pursuant to Section 10.713

(c) Multi-family Dwellings pursuant to Section 10.714.

(d) Cottage Cluster Development pursuant to Section 10.818A.

(2) **For non-residential uses, duplex dwellings, multi-family dwellings and mixed-use buildings only:**

(a) all lot-lines created within the ~~common area~~parent parcel shall be located along a common or exterior building wall, or within ~~four (4)~~ ten (10) feet of an exterior building wall. ~~, unless~~ T~~t~~he approving authority ~~(Planning Commission) allows~~shall allow a greater distance for special purposes due to development constraints related to environmental resources and existing structures and physical improvements.

(b) Pads, at a minimum, shall include building walls, patios, porches, and any private open space associated with the commercial or dwelling unit.

(3) For residential dwellings only; each pad shall contain a minimum of 60 square feet of private open space, excluding the area associated with the roof eaves.

(4) **For Cottage Cluster Developments only:** where the cottage units will be owned in fee simple, all pad lots created within the ~~common area~~parent parcel shall include the building footprint, roof eaves, and any required private open space area.

(C) Common Ownership Required

~~(4) All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative plat application being accepted for review by the Planning Commission.~~

(~~5~~1) A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and recorded. The recorded CC&Rs shall provide:

(a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share ~~equitable~~equitably in the cost of such upkeep.

(b) An association for the purpose of governing the operation of the common interests.

(c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.

(d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.

(2) Ownership shall include fee simple lots (i.e. pad lot) with an association holding common areas.

(D) Land Use Review

(1) Pad lot developments shall not be exempt from other applicable land use processes as established by the MLDC, including but not limited to:

(a) Cottage Cluster Development – Type III

(b) Exception – Type III

(c) Historic Reviews – Type I, II & III

(d) Site Plan and Architectural Review (SPAR) Type II

(e) Site Plan and Architectural Commission (SPAC) Review – Type

(2) Tentative plat application shall be in accordance with Section 10.171.

(3) Final plat application shall be in accordance with Section 10.162

(E) Planned Unit Developments (PUD). Pad lot developments considered as a part of a PUD (see sections 10.190-10.198) shall not be subject to the standards of 10.703(D).

* * *

10.714 **Multiple-Family Dwellings.**

The following standards apply to the development of multiple-family dwellings within the various residential districts. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

MULTIPLE-FAMILY DWELLINGS Three or more attached dwelling units.				
Development Standards	**SFR-10**	**MFR-15**	**MFR-20**	**MFR-30**
Special Standards	See sections 10.715A – 10.719 for Multiple-Family Dwelling Special Development Standards			
Minimum and Maximum Density Factor Range (See 10.708)	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
Minimum Lot Area (Square Feet)	5,400~~15,000~~	~~9~~4,000	5,000	8,000
Maximum Coverage Factor (See 10.707)	50%	60%	65%	~~50~~70%

MULTIPLE-FAMILY DWELLINGS Three or more attached dwelling units.				
Development Standards	**SFR-10**	**MFR-15**	**MFR-20**	**MFR-30**
Minimum Interior Lot Width	~~80~~ 36 Feet	55 feet	60 feet	
~~**Minimum Corner Lot Width**~~	~~90 feet~~			
Minimum Lot Depth	~~120~~ 90 feet	~~100~~85 feet		
Minimum Lot Frontage	30 feet			
Minimum Front Yard Setback	~~20~~ 10 feet EXCEPT ~~15~~ 20 feet IF vehicular access to the garage is parallel to the street			
Minimum Street Side Yard Setback	~~15 feet~~ ~~EXCEPT 20 feet for vehicular entrances to garages or carports~~ 10 feet EXCEPT 20 feet for vehicular entrances to garages or carports			
Minimum Side Yard Setback	~~10~~ 8 feet	~~4 feet~~ ~~PLUS 1/2 foot for each foot in building height over 15 feet~~ 4 feet for 0–15 feet building height 6 feet for 16–20 feet building height 8 feet for 23–26 feet building height 10 feet for 27– 30+ feet building height ~~4 feet PLUS 1/2 foot for each foot in building height over 15 feet EXCEPT 10 feet IF the rear property line abuts a collector or arterial street~~		
Minimum Rear Yard Setback	~~20~~ 8 feet			
Maximum Height (See 10.705)	35 feet	45 feet	55 feet	
Maximum Height Standard	EXCEPT 35 feet for the portions of a structure within 150 feet of the following residential zoning districts – SFR-00, SFR-2, SFR-4, SFR-6 and SFR-10 zone. When proposed development is adjacent to a lot with the SFR-00 zoning and the underlying General Land Use Plan designation of the lot is Commercial (CM), Service Commercial (SC), General Industrial (GI), Heavy Industrial (HI), Urban Medium Density Residential (UM) or Urban High Density Residential (UH) the above building height restrictions shall not apply.			

* * *

RESOLUTION NO. 2019-63

A RESOLUTION adopting 2019-21 Biennial Goals for the City of Medford.

WHEREAS, on May 30, 2019 the following Biennial Goals were defined and approved at a City Council study session:

- **Housing Strategies**: Enhancing livability for all residents by providing and safeguarding a range of housing choices in Medford.
    - Review and approve changes to development standards
    - Adopt new parking policies that encourage downtown redevelopment
    - Review and consider staff recommendations:
        - Utilizing City owned surplus property for affordable housing units
        - System Development Charge credits for housing and Accessory Dwelling Units
        - Regulatory reforms recommended by the Housing Advisory Commission
        - Awards for affordable and workforce housing through the Housing Opportunity Fund
        - Identify infrastructure constraints that discourage residential development
    - Set priorities for Community Development Block Grants and General Fund Grants

- **Community & Employee Engagement**: Bring community stakeholders together to discuss common vision for what Medford is going to strive to accomplish. Engagement includes involving and informing citizens about the Vision, Mission and Goals for the City. Expand engagement to include employees who will become knowledgeable about all aspects of City services and provide leadership growth opportunities
    - Develop a broad-based vision with community stakeholders
    - Community Engagement
        - Implementation of the Strategic Communications and Marketing Plan
    - Government Partnership Engagement
        - Mayor and Council to invite and participate in collaboration with RCC, SOU,
          Jackson County, RVCOG, Medford School District and additional agencies
    - Employee Engagement
        - Deliver consistent, relevant, and timely communications to our employees

- **Public Infrastructure:** Proactively plan for and respond to identified infrastructure needs by providing facilities essential for citizens and visitors to live, work and play in a manner that is financially and environmentally sustainable.
    - Bear Creek Master Plan
        - Continue with implementation on publicly owned property
    - Determine Feasibility of an Aquatic/Event Center
    - Citywide Space Needs Assessment
        - Public Works InfrastructureCouncil to review and approve recommendation from the Transportation Commission on prioritization of a 6-year capital improvement plan for street projects
    - Create a City Wayfinding Program
    - Address I-5 Viaduct Design and Noise Issues with Oregon Department of Transportation
    - Aquatic facility analysis and direction

- **Economic Development:** The City will play an active role in maintaining and enhancing Medford's diverse economy with an emphasis on family wage jobs.
    - Mayor and Council will participate in the development of a Regional Economic Development Strategy in partnership with SOREDI
        - Review implementation strategies specific for Medford
        - Adopt into the Medford Comprehensive Plan
    - Develop a Policy Framework for Triple Bottom Line
        - Integrate economic health, social sustainability and environmental stewardship for planning, development, and infrastructure opportunities
    - Identify and Remove Barriers to Economic Development

- **Downtown & Redevelopment:** The City will seek opportunities to assist with the development and redevelopment opportunities within the downtown core area.
    - Liberty Park Plan – Council/MURA Board to identify and prioritize projects and amend the City Center Revitalization Plan to incorporate those projects
    - Reimagine Parking District
        - Updated strategy to provide both public and private parking opportunities
    - Seismic Retrofit Program implementation
    - Public/Private Partnerships
        - Seek partnerships for the development of City and privately owned properties for housing and/or retail

- **Health and Safety:** The City will develop and implement programs that

address safety and livability issues that impacts residents' and visitors' lives.

- Neighborhood Livability Partnership
- Address Livability Issues
  - Implementation of the Livability Team that will focus on issues around the Bear Creek Greenway, Downtown, and nuisance properties
- Homeless System Action Plan
  - Council to adopt and set priorities outlined in the plan
- Public Safety Level of Service
  - Council to adopt Level of Service and Strategic Plans for both Fire & Rescue and Police Departments. Identify resources if additional staffing is needed for future biennium
  - Emergency ManagementCouncil to adopt an updated City of Medford Emergency Operations Plan and complete all necessary National Incident Management System trainings.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON,
that the 2019-21 Biennial Goals listed above, are hereby adopted.

PASSED by the Council and signed by me in authentication of its passage this 20th day of June, 2019.

ATTEST: Karen Spoonts — City Recorder

Gary Wheeler — Mayor

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Parks, Steve

Review Date: 8/28/2020
Meeting Date: 9/2/2020

LD File #: DCA20127

Planner: Kyle Kearns

Applicant: n/a

Site Name: n/a

Project Location: n/a

ProjectDescription: An amendment to portions of Chapter 10 to enable broader use of pad lots and to create more permissible development standards for residential development.

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
Other	Based on concern over increased building to building fire risk when structures are moved closer together, we propose the following revisions to the proposed side and rear setback dimensions in the Multiple Family Dwellings Table in 10.714: 1. SFD-10 increase proposed rear setback from 5 ft to 8 ft. 2. MFR: Retain current requirement of 4 ft minimum plus 1/2 foot for every foot in building height over 15 foot, but limit setback distance to 10 ft maximum.	.

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

Based on concern over increased building to building fire risk when structures are moved closer together, we propose the following revisions to the proposed side and rear setback dimensions:

Land Development Committee Meeting September 2, 2020
DCA-20-127

MULTIPLE-FAMILY DWELLINGS Three or more attached dwelling units.				
Development Standards	**SFR-10**	**MFR-15**	**MFR-20**	**MFR-30**
Minimum Street Side Yard Setback		~~15 feet EXCEPT 20 feet for vehicular entrances to garages or carports~~ 10 feet EXCEPT 20 feet for vehicular entrances to garages or carports		
Minimum Side Yard Setback	~~10~~ 8 feet	PLUS 1/2 foot for each foot in building height over 15 feet, with up to maximum 10 ft setback 4 ~~4 – 5~~ feet ~~PLUS 1/2 foot for each foot in building height over 15 feet~~		
Minimum Rear Yard Setback	8 ~~20-5~~ feet	PLUS 1/2 foot for each foot in building height over 15 feet, with up to maximum 10 ft setback 4 ~~4 – 5~~ feet ~~PLUS 1/2 foot for each foot in building height over 15 feet~~ ;EXCEPT 10 feet IF the rear property line abuts a collector or arterial street		
Maximum Height (See 10.705)	35 feet	45 feet	55 fee	
Maximum Height Standard	EXCEPT 35 feet for the portions of a structure within 150 feet of the following residential zoning districts – SFR-00, SFR-2, SFR-4, SFR-6 and SFR-10 zone. When proposed development is adjacent to a lot with the SFR-00 zoning and the overlying General Land Use Plan designation of the lot is Commercial (CM), Service Commercial (SC), General Industrial (GI), Heavy Industrial (HI), Urban Medium Density Residential (UM) or Urban High Density Residential (UH) the above building height restrictions shall not apply.			

* * *

Page 9 of 10 ~~Deleted Text~~ New Text

Exhibit D
Multi-Family Development Analysis from DCA-19-012 Staff Report

Scenario 2 – MFR-20 Minimum Density Development – Full Page Image Exhibit D.1

In order to better understand the impacts that a reduction in parking could provide, staff has prepared a hypothetical, attached-residential development for a parcel zoned Multi-Family Residential – Twenty Dwelling Units per gross acre (MFR-20). The minimum density for this .83 acre (36,154 sq. ft.) parcel is 22 units. The minimum required off-street parking is 33 spaces. The private street provides for 13 of the 33 required spaces; the street is built to the minor residential standard (MLDC §10.430([B]).

DEVELOPMENT STANDARD USED IN SCENARIO 2 ABOVE	MFR-20 MLDC STANDARD	PROPOSAL
LOT AREA (SQ. FT.)	8,000	36,154
LOT COVERAGE	50.00%	28.47%
MIN. DENSITY	22	22
MIN. PARKING STANDARD	1.5 PER UNIT	33 SPACES
LAND DEVOTED TO WALKWAYS/PUBLIC SPACE, STREET, BUFFERYARD AND PARKING (% OF LOT)	N/A	25,189 SQ.FT. (70%)
LAND DEVOTED TO PARKING AND STREET (INCLUDES ON-STREET PARKING ON PRIVATE STREET, 13 SPACES)	N/A	11,836 SQ. FT. (33%)

<u>Scenario 2.1 – MFR-20 Maximum Density Development – Full Page Image Exhibit D.2</u>
The maximum density for this .83 acre (36,154 sq. ft.) parcel is 31 units. The minimum required off-street parking is 47 spaces. The private streets provide for 24 of the 47 required spaces; Street A is built to the minor residential standard (MLDC §10.430([B]) and Street B is built to the residential lane MLDC §10.430([C], with parking on one side.

DEVELOPMENT STANDARD USED IN SCENAIRO 2.1	MFR-20 MLDC STANDARD	PROPOSAL
LOT AREA (SQ. FT.)	8,000	36,154
LOT COVERAGE	50.00%	24.75%
MAX. DENSITY	31	31
MIN. PARKING STANDARD	1.5 PER UNIT	47 SPACES
LAND DEVOTED TO WALKWAYS/PUBLIC SPACE, STREET, BUFFERYARD AND PARKING (% OF LOT)	N/A	27,204 SQ.FT.(75%)
LAND DEVOTED TO PARKING AND STREET (INCLUDES ON-STREET PARKING ON PRIVATE STREETS, 24 SPACES)	N/A	15,105 SQ. FT. (41%)

DCA-19-012 and Impacts on Parking and Development

As noted in the Findings and Conclusions, the most profitable and realistic pattern of attached residential development in Medford is a three-story attached building, with surface parking. Using this as a metric and the building footprints of buildings a and b above, you can begin to see what type of unit square footage could be made available using the current Land Development Code and the aforementioned development type. In Scenario 2, the building floor area for Building "a" is 4,652 and Building "b" is 5,643 square feet. In Scenario 2.1 the building footprints are 4,083 sq. ft. and 4,867 for Buildings "a" and "b", respectively. This represents a 13% decrease in building square footage.

TABLE – 1	
GROSS FLOOR AREA, PER UNIT SHARE MINIMUM DENSITY – EXHIBIT E	
GROSS FLOOR AREA(BUILDING A & B)	**MIN. DENSITY (22 UNITS)**
2-STORY, PER UNIT (20,590 SQ. FT.)	**935.91**
3-STORY, PER UNIT (30,885 SQ. FT.)	**1,403.86**

The development in Scenario 2 could yield residential units that rage in size from 900-1,400 sq. ft. of habitable floor area; in Scenario 2.1 the units would range in size of 540-870 sq. ft. with the proposed design pattern. Staff determined this by multiplying the building footprint by number of stories and assuming that surfaced parking was the method of parking provided.

TABLE – 2	
GROSS FLOOR AREA, PER UNIT SHARE MAXIMUM DENSITY – EXHIBIT F	
GROSS FLOOR AREA(BUILDING A & B)	**MAX. DENSITY (31 UNITS)**
2-STORY, PER UNIT (17,900 SQ. FT.)	**542.42**
3-STORY, PER UNIT (26,850 SQ. FT.)	**866.13**

At minimum densities, opportunity for use of the cheapest form of parking, surface parking, can be provided at a profitable development pattern. It is important to note that in Exhibit E, only 33% of the land is devoted to parking.

If a proposed multi-family development wanted to achieve maximum density on this parcel, it would require approximately 15,000 sq. ft. of parking with a similar design pattern. In this case, staff proposes a second private street to provide for the additional parking demand. In this case, the new parking in scenario 2.1 requires 41% of the land, or a 9% increase in lot coverage.

While these numbers are high-level in scope (they don't factor in building codes or habitable space calculations, making them generous estimates that are likely too large) the difference in area available for residential units is sizeable. Developers are then left with a choice to build only to minimum density to meet the code or seek exceptions to the land use code to achieve the parcel's maximum density. It is a limitation on the parcels permitted densities. To provide relief to this, staff is proposing alternatives in DCA-19-012 that enable applicants to reduce parking (by no more than 50% of the minimum). If DCA-19-012 were adopted the allowable parking minimums for Scenario 2 would be reduced from 33 to 16 spaces; for Scenario 2.1 the parking reduced from 47 to 23 spaces. In each case, on-street parking is being counted towards the parking. Therefore, in Scenario 2 there would be 22 spaces for 21 units and 29 spaces for 31 units for Scenario 2.1.

Parcel Information

Tax Lot: 372W24CD7900

Size: .83 acres
(36,154 sq. ft.)

Min. Density: 22 units
Max Density: 31 units

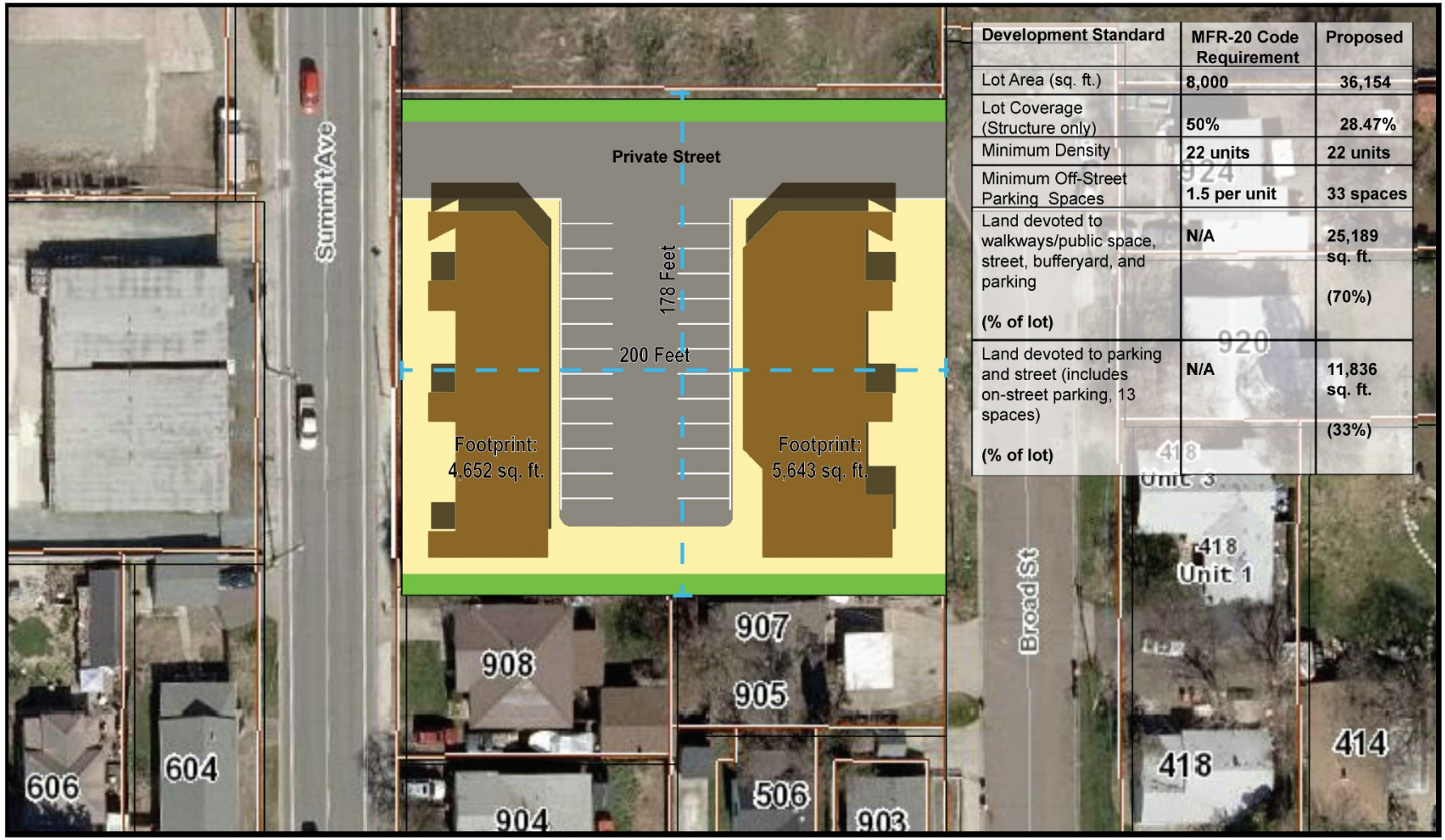
Project Narrative (not to scale)

Hypothetical attached residential development, meeting the minimum parking requirements to provide for the minimum density (i.e. 22 units) and meeting the development standards as outlined in the MLDC.

The private street provides for 13 of the 33 required spaces; the street is built to the minor residential standard (MLDC §10.430([B]).

Legend

- 20' — **Dimensions**
- **Buffer/Landscaping**
- **Walkways & public space**



Development Standard	MFR-20 Code Requirement	Proposed
Lot Area (sq. ft.)	8,000	36,154
Lot Coverage (Structure only)	50%	28.47%
Minimum Density	22 units	22 units
Minimum Off-Street Parking Spaces	1.5 per unit	33 spaces
Land devoted to walkways/public space, street, bufferyard, and parking (% of lot)	N/A	25,189 sq. ft. (70%)
Land devoted to parking and street (includes on-street parking, 13 spaces) (% of lot)	N/A	11,836 sq. ft. (33%)

Parcel Information

Tax Lot: 372W24CD7900

Size: .83 acres
(36,154 sq. ft.)

Min. Density: 22 units
Max Density: 31 units

Project Narrative (not to scale)

Hypothetical attached residential development, meeting the maximum parking requirements to provide for the maximum density (i.e. 31 units) and meeting the development standards as outlined in the MLDC.

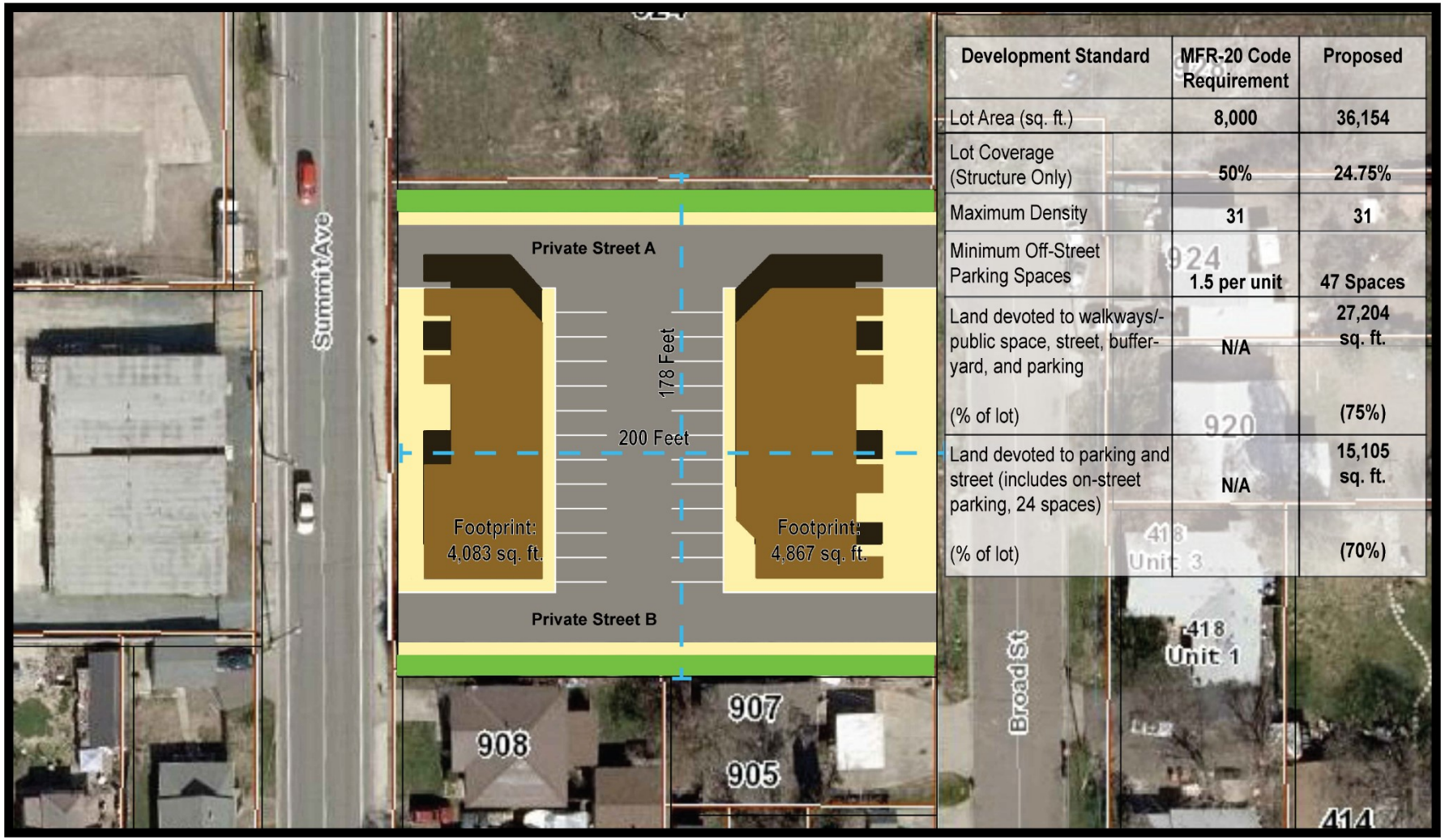
The private streets provide for 24 of the 47 required spaces; street a is built to the minor residential standard (MLDC §10.430([B]) and street b is built to the residential lane MLDC §10.430([C], with parking on one side.

Legend

20' **Dimensions**

Buffer/Landscaping

Walkways & public space



Development Standard	MFR-20 Code Requirement	Proposed
Lot Area (sq. ft.)	8,000	36,154
Lot Coverage (Structure Only)	50%	24.75%
Maximum Density	31	31
Minimum Off-Street Parking Spaces	1.5 per unit	47 Spaces
Land devoted to walkways/-public space, street, buffer-yard, and parking	N/A	27,204 sq. ft.
(% of lot)		(75%)
Land devoted to parking and street (includes on-street parking, 24 spaces)	N/A	15,105 sq. ft.
(% of lot)		(70%)

Exhibit E
Housing Element Tables

TABLE 31 - HOUSING NEED PROJECTION, 2009 TO 2029
CITY OF MEDFORD UGB

Variable	Estimate of Housing Units (2009-2029)
Change in persons	35,591
minus Change in persons in group quarters	712
equals Persons in households	34,879
Average household size	2.45
New occupied DU	14,266
times Aggregate vacancy rate	5.5%
equals Vacant dwelling units	785
Total needed new dwelling units (2009-2029)	**15,050**
Totals	
equals Total new occupied dwelling units	14,266
Aggregate household size (persons/occupied DU)	2.45
plus Vacant dwelling units	785
***equals* Total new dwelling units**	**15,050**
Dwelling units needed annually	753

TABLE 37 - FORECAST OF NEEDED HOUSING UNITS BY TYPE AND DENSITY, 2009-2029
CITY OF MEDFORD

Housing Type	New DU	Percent	Density (DU/net res ac)	Net Res. Acres	Net to Gross Assumption
Single-family types					
Single-family detached	9,034	60%	5.8	1,552	23%
Manufactured in parks	395	3%	7.0	56	15%
Single-family attached	384	3%	12.5	31	12%
Subtotal	9,813	65%	6.0	1,639	
Multi-family					
Duplex	651	4%	14.0	47	12%
Multi-Unit	4,586	30%	22.5	204	10%
Subtotal	5,237	35%	20.9	250	
Total	***15,050***	***100%***	***8.0***	***1,890***	

19517

SURVEY FOR:
ROGER MCFADDEN
3220 WESTOVER BLVD.
CENTRAL POINT, OR 97502

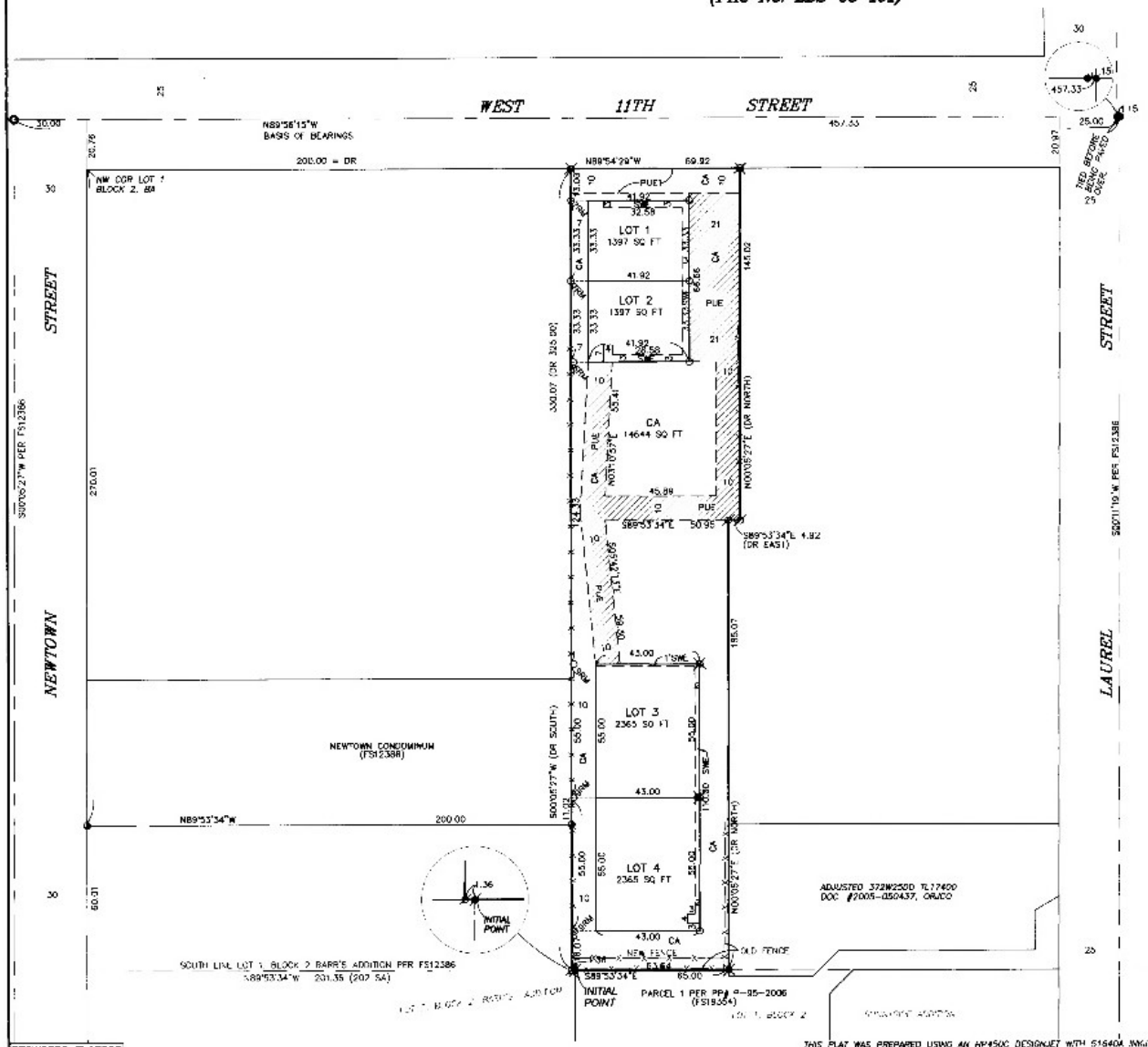
SURVEY BY:
L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
816 WEST EIGHTH STREET
MEDFORD, OREGON 97501
PHONE: (541) 772-2782
EMAIL: ljfriar@charter.net

DATE:
OCTOBER 24, 2006

WESTBURY ESTATES

A SUBDIVISION

In the S.E. 1/4 of Sec. 25, T.37S., R.2W., W.M.
& in the City of Medford
Jackson County, Oregon
(File No. LDS-06-191)



LEGEND:

- = FD. NUB & TACK IN MONUMENT WELL PER CITY OF MEDFORD 1912 SURVEY.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. HIBBS PLS2334 PER FS12386.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. PLS638 PER FS5885.
- = FD. 5/8" IRON PIN PER FS2154.
- = FD. BRASS TAG MKD. L.J.FRIAR & ASSOC. PER FS19354.
- = SET 5/8" X 30" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- = SET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- = SET BRASS TAG MKD. L.J. FRIAR & ASSOC. IN LEAD PLUG IN CONCRETE.

FS = FILED SURVEY #.
PUE = PUBLIC UTILITY EASEMENT PER THIS PLAT.
-X- = FENCE LINE
UE = NON-EXCLUSIVE PRIVATE UTILITY EASEMENT FOR LOTS 1-4, INCLUSIVE & CA.
CA = COMMON AREA & UE.
ORUCO = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.
FD = FOUND.
MKD. = MARKED.
SWE = PRIVATE SIDEWALK EASEMENT.
PUE1 = PUBLIC UTILITY EASEMENT PER DOC. 2005-049862, ORUCO.
BRM = REFERENCE MONUMENT N89°54'13"W 6.00 FROM TRUE CORNER
TRM = REFERENCE MONUMENT N89°54'33"W 7.00 FROM TRUE CORNER
SRM = REFERENCE MONUMENT N89°54'33"W 9.00 FROM TRUE CORNER.
DR = DEED RECORD DATA PER DOC. 02-39901, ORUCO.
PP# = PARTITION PLAT NO.
BA = BARR'S ADDITION.
SA = SUNNYSIDE ADDITION.

BASIS OF BEARINGS:
SURVEY NO. 12386 AS SHOWN HEREON
UNIT OF MEASUREMENT = FEET SCALE: 1" = 30'

NOTE REQUIRED BY PLANNING COMMISSION:
NO PARKING IS ALLOWED IN FIRE DEPARTMENT ACCESS ROADS AND TURNAROUNDS.

LOTS 1-4 BEARING NOTE:
EAST-WEST BEARINGS: S89°54'33"E
NORTH-SOUTH BEARINGS: N00°05'27"E

COMMON AREA NOTE:
CA & UE IS ALL PROPERTY LYING OUTSIDE OF LOTS 1-4, INCLUSIVE

EASEMENTS PER SUBDIVISION GUARANTEE
PROPERTY IS SUBJECT TO BUILDING SITE IMPROVEMENT AGREEMENT PER DOC 2005-049861, ORUCO.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON JULY 7, 1988 JAMES E. HIBBS 2334
EXPIRES 6-30-07

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT
SURVEYOR

* * RECEIVED * *
DATE 2-14-07 BY
This survey consists of:
2 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

SHEET 2 OF 2

THIS PLAT WAS PREPARED USING AN HP450C DESIGNJET WITH 51640A INKJET INK ON CONTINENTAL JPC4462 POLYESTER FILM.

19517

PLANNING COMMISSION STUDY SESSION MINUTES

July 13, 2020
12:00 P.M.
Zoom Webinar, Medford, Oregon

The study session of the Planning Commission was called to order in a Zoom webinar at 12:00 p.m. in Medford, Oregon on the above date with the following members and staff in attendance:

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

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Terri Richards, Recording Secretary
Kyle Kearns, Planner II

Commissioner Absent
Jeff Thomas, Unexcused Absence

20. Subject

20.1 DCA-20-127 Pad Lot and Multi-Family Development Standards

Kyle Kearns, Planner II reported that City Council adopted regulatory strategies recommended by the Housing Advisory Committee to address regulatory barriers to affordable and available housing. The goal is to increase the potential for ownership opportunities in multi-family residential developments and decreasing multi-family zone development standard minimums to increase the potential for available and affordable housing.

High priorities recommended by the Housing Advisory Committee are to review lot sizes for multi-family residential; increasing building height in multi-family family zone; allow pad lot developments for multi-family; and different ways to achieve density.

Prior to establishing a public hearing schedule and reaching out to the local development community, staff is seeking direction from the Planning Commission. Does the Commission support the proposal? Does the Commission want to see any changes made? Does the Commission want to schedule an additional study session before the public hearings are scheduled and outreach begins?

Pad lot development is a land division that permits the division of individual pads from a parent parcel. Pad lots were previously permitted for residential development under an acre. It was amended in 2006 for commercial only.

As proposed, pad lot developments require, prior to tentative plat Site Plan and Architectural Review (SPAR) approval. The land use review process for a land division associated with a pad lot development is set as a Type II administrative review for multi-family of 3 net acres or less. Type III approval for multi-family larger than 3 net acres, commercial development or cottage clusters.

Pad lot development can be applied for once site plan architectural review is approved. The tentative plat relies on existing land division procedures.

Multi-family zone updates is intended to make existing zones and required densities function better by decreasing lot dimension minimums and increasing allowable building height. The proposed lot area changes are for SFR-10 from 15,000 to 5,400; MFR-15 from 9,000 to 4,000; MFR-20 from 8,000 to 5,000; and MFR-30 from 8,000 to 5,000. The current code mandates larger, block-scale attached units. The proposed code enables smaller, house-scaled attached units.

Multi-family changes proposed a maximum coverage update from 50% to MFR-15 to 60%; MFR-20 to 65%; and MFR-30 to 70%. Proposed a maximum height update from 35 feet to SFR-10 and MFR-15 to 45 feet; MFR-20 to 55 feet and MFR-30 to 65 feet.

Commissioner McFadden thinks there should be a setback procedure for pad lots and design is key to making it work.

Chair McKechnie asked, are there changes or leave alone the section in the code that states regardless of the height of the building in the zone, the height cannot be more than 35 feet within 150 feet of a residential zone? Carla Paladino, Principal Planner replied that is in the commercial and industrial zone.

Chair McKechnie stated that putting a four-story building next to a single family neighborhood would look out of place. There needs to be a transition of density.

Commissioner Pulver commented that there are a lot of objections to multi-family from people in SFR neighborhoods. He is not supportive of changing the height from 35 feet. He sort of understands the lot size change. He struggles with the coverage issue. Limiting the coverage forces developers to lose amenities that would be beneficial to the residents of the development as well as the neighbors immediately adjacent to the residents of the City. He is not a fan to a lot of the proposed changes.

Vice Chair Foley agrees with comments made by Commissioner McFadden and Chair McKechnie. He is not concerned with large development going up 10 extra feet. He is concerned about a single building closer to normal residential housing. Making these changes he is nervous now about the proposal recently to not go through Site Plan and Architectural under three acres. Getting creative needs to have a review to make sure it fits to where it is going as opposed to not. Increasing the ability to put people in zones that previously was not able due to lot coverage etc. will run into open space issues. Is there a conscious effort for open space requirements?

Commissioner McFadden referenced last week's application for Dellwood that the lot was approximately 4,000 to 5,000 square feet. Putting a tall building on that lot would not fit the neighborhood.

Mr. Kearns summarized what he heard for direction. There is a preference to staggered height when near SFR zones. Consensus from the Commission was in agreement. There was general discussion and reservations on height and coverage changes. Would keeping 35 feet for SFR-10, 45 feet in MFR-15, 55 feet in MFR-20 and MFR-30 be more appropriate?

Commissioner McFadden does not have a good reference of what it takes to build a decent functional building. Are the heights reasonable?

Chair McKechnie reported that parking would be the limitation on how dense a project can be built. A thirty-five foot building allows two-stories plus a little roof coverage. Forty-five feet allows three-stories with a little roof coverage. Fifty-five is five stories and sixty-five is six stories. Anything over 35 feet would require an elevator. Two story walkups are rentable or sellable. Three story walkups in Medford would probably not be sellable or rentable. Anything over that would require an elevator. Practical elevators are five stories. Six is complicated and expensive. It is his opinion that MFR-30 needs to be a 15,000 square foot site and

30 to 50 feet from the property edge before allowed height of the zone. That would eliminate small lot development higher than 35 feet regardless of the zoning.

Commissioner McFadden asked, would parking be a reason to increase the height and coverage? Does the first floor become parking to live on top of it? Chair McKechnie responded that is a practical consideration but it is an expensive project and the City wants to do parking at grade.

Mr. Kearns reiterated that staff needs to work on the coverage and height to bring the multifamily changes forward. He also heard that MFR-30 would be better served with larger lot sizes. Another consideration would be a smaller height under a certain square footage. There is a substantial difference in housing that goes into infill and established neighborhoods compared to Greenfield large lot developments.

Commissioner Pulver struggles with some of this. He does not feel development is being turned away because of not accommodating people's needs. He does not think there are that many projects that need to exceed the proposed heights. They seem unnecessary changes because of a consultant's suggestion from other municipalities. He does not see the need and does not see that it is helping the City and citizens. He is opposed to height adjustment at this point. He thinks the current code allows for MFR and commercial zones to be taller.

Mr. Kearns agreed with Commissioner Pulver that the City does not see that type of development here. The code sets the minimums. Setting the standard at a lower minimum for height and coverage would make the standard more permissive, not change the market. It is all speculative but review of the code is that the current density does not function with the current standards.

Commissioner McFadden commented that pushing the elevation up will cost more. It is opposite of the cluster cottages.

Mr. Kearns stated this is not forcing anything it is creating more opportunity. The market will determine what is feasible for development.

Chair McKechnie commented that the change for cottage housing will have more of an impact than what is being discussed today especially for infill development. It would be interesting for staff to do a couple of hypothetical test cases or run these changes by developers that do small scale infill development for multifamily to see if any of them have an impact.

Commissioner McFadden remembers when the City removed pad lots but does not remember why. He thinks it was because of too tight developments. It would

be interesting to know. Staff that was around during that time is no longer with the City.

Kelly Evans, Assistant Planning Director reported that staff removed residential pad lots because they were permissible for single family and were problematic for small single family. Staff saw weird infill patterns that were inefficient and problematic for the owners. Developers decided to redraft property boundaries illegally. Staff intended to remove them but did not anticipate the impact.

Mr. Kearns stated that in the past single family pad lots were limited to an acre or less. In a PUD it is an acre or more. The proposed pad lot text states for smaller pad lots that it would not have to be a PUD to do creative lot design or pad lots themselves. An applicant would have to go through the PUD process for larger scale pad lots.

Commissioner Pulver has discomfort with the Site Plan and Architectural Commission reviewing some of this. He thinks administrative review would be better to review pad lots.

Mr. Kearns reported there could be some value putting that with pad lots given the acreage is with the PUD otherwise it is making a lot of administrative review PUDs. Ms. Evans does not agree with that. She agrees if doing straight single family as a pad lot. The proposed is for multifamily and has to go through a Type III review. It has to go through the Site Plan and Architectural Commission. The pad lots become a matter of drawing lines and ownership. It is not a project design question. She suggested they be a Type II because there is no point in taking the ownership piece through a public hearing when that work has already been done at the Site Plan and Architectural Commission level.

Commissioner Pulver hears what staff is saying on Site Plan and Architectural Commission review. It falls back where the Planning Commission gets asked to be the role of the Site Plan and Architectural Commission. He does not know whether they get a lot out of a review for a subdivision depending on how murky they are or not. Yes, they are dividing ownership but it falls in that same category where the Planning Commission would review a subdivision from a functionality point for the owners which is not what the Site Plan and Architectural Commission would typically review.

Mr. Kearns reported that staff provided reading material from The Strong Towns organization, a non-profit focused on building resilient communities. One of the big take away from the article *The 5 Immutable Laws of Affordable Housing* was their third rule that "*If your zoning and building code mandates expensive housing, housing will be expensive*." Most zoning codes place minimums on the size of

dwelling units, the size of lots, and countless other factors that affect the cost of building housing. Unfortunately, these minimums don't generally envision affordable construction types, even in the most progressive and challenged of housing markets. One of the rules they suggested is to reduce minimum lot sizes and relax density restrictions in single-family zones.

Mr. Kearns summarized the direction given from the Planning Commission. They cannot make the decision today on whether they support the proposal. Changes to the proposal is stagger the height within or near SFR zones. Height and coverage were too far. Keep MFR-30 lots larger. Run the changes past the development community and staff needs to run visuals and renderings so the Commission can see what it looks like. Yes, the Commission wants an additional study session before a public hearing.

Chair McKechnie thinks Mr. Kearns gave a good synopsis and it would be helpful to have another study session especially with examples of what the proposal looks like.

100. <u>Adjournment</u>

101. The meeting was adjourned at approximately 12:48 p.m.

Submitted by:

Terri L. Richards
Recording Secretary

PLANNING COMMISSION STUDY SESSION MINUTES

August 24, 2020
12:00 P.M.
Zoom Webinar, Medford, Oregon

The study session of the Planning Commission was called to order in a Zoom webinar at 12:00 p.m. in Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Jordan
Bill Mansfield
Jared Pulver

Staff Present
Matt Brinkley, Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Terri Richards, Recording Secretary
Kyle Kearns, Planner II
Liz Conner, Planner II
Sarah Sousa, Planner III

Commissioner Absent
David Culbertson, Unexcused Absence
David McFadden, Unexcused Absence
E.J. McManus, Unexcused Absence
Jeff Thomas, Unexcused Absence

20. Subject

20.1 DCA-20-127 Pad Lot and Multifamily Standards

Kyle Kearns, Planner II reported that staff has continued drafting development code amendments to implement regulatory changes proposed by the 2017 Housing Advisory Committee, adopted by the City Council in 2018.

DCA-20-127 had been previously reviewed by the Planning Commission at the July 13, 2020 study session and by the Housing Advisory Committee at the August 12, 2020 meeting. The direction provided by the Planning Commission on July 13 was to limit the building height and coverage increases and the lot area increase in the

MFR-30 zone. Staff did not amend the lot coverages proposed as parking, right-of-way and landscaping contribute to restricting lot coverage. In increasing lot coverage, structures could then be built over parking enabling better utilization of the available land.

Staff is seeking whether the Commission wants any more changes or options brought forward prior to the public hearing. The public hearings are scheduled for September 24th for the Planning Commission and November 5th for City Council. Staff will conduct a live webinar event to solicit feedback from the development community in early September.

Pad lot development is a land division that permits the division of individual pads from a parent parcel. Pad lots were previously permitted for residential development under an acre. It was amended in 2006 for commercial only.

As proposed, pad lot developments require, prior to tentative plat Site Plan and Architectural Review (SPAR) approval. The land use review process for a land division associated with a pad lot development is set as a Type II administrative review for multi-family of 3 net acres or less. Type III approval for multi-family larger than 3 net acres, commercial development or cottage clusters.

The multifamily zone updates are intended to make existing zones and required densities function better by decreasing lot dimension minimums and increasing allowable building height. Multi-family changes proposed a maximum coverage update from 50% to MFR-15 to 60%; MFR-20 to 65%; and MFR-30 to 70%. Proposed a maximum height update from 35 feet to SFR-10 to 35 feet; MFR-15 to 45 feet and MFR-20 and MFR-30 to 55 feet.

Chair McKechnie confirmed that the 150 feet height limitation still exists when a multifamily parcel is adjacent to residential. Mr. Kearns responded that is correct.

* * *

100. <u>Adjournment</u>

101. The meeting was adjourned at approximately 12:45 p.m.

Submitted by:

Terri L. Richards

Terri L. Richards
Recording Secretary

HOUSING ADVISORY COMMISSION SPECIAL MEETING MINUTES

August 12, 2020
12:00 P.M. – 1:30 P.M.
Virtual Meeting
*Office of the Governor Executive Order No. 20-16 requires that the governing body of a public body (as defined by ORS 192.610(3) and (4)) shall hold public meetings and hearings by telephone, video or through some other electronic or virtual means whenever possible. To attend virtually, click **HERE**.*

10. Roll Call

The regular meeting of the Housing Advisory Commission (HAC) was called to order at 12:10 P.M. virtually on the above date with the following members and staff in attendance:

Commissioners Present	Staff Present
Jason Elzy, Vice Chair	Angela Durant, Staff Liaison
Debra Lee	Aleia Fletcher, Staff Liaison
John Michaels	Kyle Kearns, Staff Liaison
Matthew Stranahan	Carla Paladino, Staff Liaison
Paul Tanner	Richard Whitlock, Legal Staff Liaison

Commissioners Absent	Staff Absent
Randell Embertson, Chair	Clay Bearnson, City Council Liaison
Steven Erb	Matt Brinkley, Staff Liaison
Randy Jones	Harry Weiss, Staff Liaison

20. Public Comments

None.

30. Approval of Minutes

N/A

40. DCA-20-127: Amendment to portions of Chapter 10 to enable broader use of pad lots and create more flexible development standards for residential development (R)

Planner II Kyle Kearns provided background, reviewed, and sought Commission direction regarding DCA-20-127: proposed amendment to portions of Chapter 10 to enable broader use of pad lots and create more

flexible development standards for residential development—see PowerPoint slides for additional detail.

The HAC previously recommended regulatory strategies to City Council in 2017; the following items were listed as high priority: #24 – Review lot sizes for multi-family residential; #27 - Increasing building height in multi-family zones; and #32 - Allow pad lot developments for multi-family housing. Additionally, support for DCA-20-127 also comes from #23, which concerns reviewing different ways to increase density.

The Planning Commission direction provided through a study session on July 27, 2020, requesting an additional study session before the public hearing and providing input to limit the proposed height and lot coverage increases in Multi-Family Residential (MFR) zones and to maintain current MFR-30 lot areas.

The proposal also included pad lot development, which is a land division process that permits the division of individual "pads" from one parent parcel. In 2006, pad lot development was limited for commercial use only due to subpar residential development. Pad lots could be helpful for residential development in order to enable different financing opportunities and allow for multiple financers to be involved in one particular project. Pad lots are currently permitted for commercial development and cottage clusters; staff is proposing attached housing types be added.

Staff outlined the process. Prior to a pad lot tentative plat application, pad lot developments require a Site Plan and Architectural Review (SPAR) approval, which is either a Type II approval (through staff) for multi-family of 3 net acres or less or a Type III approval for multi-family development larger than three net acres or involving commercial development or cottage clusters that requires approval through the Site Plan and Architectural Commission (SPAC). Following this, once the site plan has been approved, then a tentative plat can be applied for, which relies on existing land division procedures. This proposal seeks to utilize a Type II land use review since SPAR approval is already sought prior to application for a tentative plat. Through the proposed process, all pad lot development would continue to first obtain SPAR approval, but from there, they would apply for a tentative plan through a Type II approval and then, have a Type I review for final plat approval, which would lead to pad lot development.

In addition to the proposed changes regarding the pad lot development process, the amendment seeks to make existing zones and required densities function better by decreasing lot dimension minimum and increasing allowable building height. Mr. Kearns review the proposed lot area changes, which would shift required lot areas as follow: for SFR-10 (Single Family Residential – 10), from 15,000 sq. ft. to 5,400 sq. ft; for MFR-15, 9,000 sq. ft. to 4,000 sq. ft.; for MFR-20, 8,000 sq. ft. to 5,000 sq. ft.; and having MFR-30 remain

the same at 8,000 sq. ft. By decreasing the requirement for lot areas, this helps to allow for production of more units. Additionally, the proposal seeks to increase building height from 35 ft., as follows: 35 ft. for SFR-10; 45 ft. for MFR-15; and for MFR-20 and MFR-30 to 55 ft.

Motion: To approve the proposed amendment, as presented.

Moved by: Debra Lee **Seconded by:** John Michaels

Voice Vote: Motion passed, 5-0

* * *

130. Adjourn

Meeting adjourned at 1:03 P.M.

Exhibit J - MEMORANDUM

To: Planning Commission and City Council

From: Kyle Kearns, AICP | Planner II

CC: Matt Brinkley, Planning Director;
Kelly Evans, Assistant Planning Director

Date: October 1, 2020

Subject: DCA-20-127 Public Record – Statewide Planning Goal 10 Findings – Exhibit J

Proposal

An amendment to portions of Chapter 10 to enable broader use of pad lots and to create more permissible development standards for residential development.

Goal 10 Impacts, Issues and Analysis

Section 10.214 of the Medford Land Development Code and the *Review and Amendments* section of the Medford Comprehensive Plan require that amendments to the Land Development Code, comply with Statewide Planning Goals, ORS 197.303 – 307 and Division 8 of Oregon Administrative Rule (OAR) 660, or simply "Goal 10."

OAR 660-008-0015(1) allows for local governments to "adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay."

OAR 660-008-0015(3) further explains that "[...] this rule does not infringe on a local government's prerogative to:(a) Set approval standards under which a particular housing type is permitted outright;(b) Impose special conditions upon approval of a specific development proposal; or (c) Establish approval procedures."

In reviewing the proposed amendment contained within DCA-20-127, the question is whether or not the proposal has the "[...] effect, either themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay [?]" As outlined in the staff report dated October 1, 2020, the proposal is intended to make the City's zones, that permit attached residential, more permissible for development Staff is proposing to enable more permissible development by increasing the buildable area

permitted by decreasing setbacks and increasing lot coverage and building height. Staff reviewed the affect the City's current development standards have on multi-family development and determined that maximum densities are constrained by the existing development standards in the MLDC. Standards reviewed include parking [MLDC § 10.741-10.743], setbacks, building height & lot dimensions [MLDC § 10.714], and walkways & right-of-way dedication [MLDC Article IV] have on the ability to produce attached housing (see exhibit __).

In addition, the proposed process of for the creation of a pad lot subdivision (Exhibit A) mirrors that of the City's land division process for partitions and subdivisions. The creation of a pad lot subdivision allows for the division of ownership on a parcel dividing "pads" from a "parent parcel;" pad lot subdivisions are about ownership of land not the site development standards. The underlying zoning district's development standards would still apply, as would any applicable land use review process such as the Site Plan and Architectural Review.

Further review of Goal 10, specifically 660-008-0015(2), states "…a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if the option to retain approval under the clear and objective standards is maintained. The creation of a pad lot development is not a requirement and is considered an optional land use process that is at the option of a land owner or developer and is in addition to existing clear and objective processes that exist within the Medford Land Development Code.

Conclusions of Law

Staff has concluded that DCA-20-127 complies State law including Oregon Revised Statute (ORS) 197.307 and OAR 660-008-0015 (i.e. Goal 10). The proposed amendments to the City's zoning districts that allow attached housing will remove barriers that are currently "…effect[ing], either themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay." Due to the constraints the MLDC development standards have inadvertently placed on the City's SFR-10 and MFR zones, it is staff's conclusion that DCA-20-127 is consistent with this provision of Goal 10.

In addition, staff has concluded that the process to create a pad lot development is optional and "…a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if the option to retain approval under the clear and objective standards is maintained." Therefore the applicant retains the right to work with

existing land use processes that are clear and objective as it pertains to land divisions, condominiums or other established procedures that separate land by ownership. Furthermore, staff has concluded that the proposed standards for pad lot development are clear and objective and therefore would meet both the clear and objective requirement and alternative approval process standards contained within ORS 197.307.

The proposed language provides for less barriers to a needed housing type {i.e. multi-family housing/attached housing) and increased opportunities for alternative review processes of land tenure. Staff concludes that DCA-20-127 is consistent with Goal 10.

Minimum lot area, in square feet (**sq. ft.**) for Comparable Zones in Applicable Cities							
Medford Zone	**Medford (Existing)**	Bend	Grants Pass	Central Point	Hillsboro	Ashland	Eugene
SFR10	**15,000**	4,000	5,000-5,500	6,000	4,500	5,000	4,500
MFR-15	**9,000**	4,000	5,000	6,000	9,000	9,000	4,500
MFR-20	**8,000**	4,000	5,000	6,000	6,000	9,000	4,500
MFR-30	**8,000**	None	5,000	6,000	6,000	8,000	4,500

MEDFORD PLANNING

STAFF REPORT
for a Type IV legislative decision: **Development Code Amendment**

Project	Temporary and Non-Temporary Shelters	
File no.	DCA-20-243	
To	Planning Commission	*for 10/08/2020 hearing*
From	Carla Angeli Paladino, Principal Planner, Long Range	
Date	October 1, 2020	

BACKGROUND

Proposal

A legislative code amendment to modify the Temporary Shelter provisions in Chapter 10 and add provisions for Non-Temporary Shelters. (**See Exhibit A for updated draft**)

The project was discussed during the September 24, 2020 hearing and was continued until October 8, 2020, for staff to make refinements to the draft including changing the procedure type for all temporary and non-temporary shelters to conditional use permits.

History

Over the course of the past few years, the City has actively been pursuing actions to address homelessness in the City of Medford. Examples include the designation of Hope Village, amendments to Chapter 10 to allow new land uses (i.e. temporary and emergency shelters), the hiring of Lesar Development Consultants to prepare the Homeless System Action Plan, direct participation in the Jackson County Continuum of Care (CoC) and other outreach efforts to the City's faith based and non-profit community. Early in 2019 Council directed staff to begin drafting policies and procedures in regards to declaring emergencies and providing emergency shelters.

At the March 14, 2019 Council study session staff reviewed the current ordinances, policies and procedures in place for providing temporary and emergency shelters. Staff identified current barriers that exist, one barrier being the requirement for a conditional use permit (CUP) for temporary shelters. It was at this time that Council

directed staff to prepare provisions for emergency shelters (subsequently named "Severe Event Shelters), that would not require a conditional use permit.

On November 7, 2019 Council adopted land use ordinances to allow for severe event shelters to operate during declared severe weather events. Through this process, and in particular at the October 24, 2019 City Council study session, the usefulness and benefit of the CUP for temporary shelters was discussed. At the study session, the need for an alternative for this process was identified. However, it was determined by staff that the CUP for temporary shelters was not within the scope of the severe event shelter code amendment (DCA-19-004, Ord. 2019-119), and provided Council with the option to direct staff to follow up with a subsequent review of temporary shelters and the conditional use permit.

On December 12, 2019 Council held a study session to discuss proposed changes to the temporary shelter provisions. Of the options outlined by staff, Council concurred with making updates to the temporary shelter standards as reflected in the Temporary Shelter Policy (**See Exhibit B**), and modifying the land use process for temporary shelters located in commercial and industrial zones from a conditional use permit to a use permitted by right with standards. To a lesser degree, questions were raised about modifying the provisions for temporary shelters (as accessory uses to institutional uses) in residential zones for those with 15 or fewer guests from a conditional use permit to a use permitted by right with special standards.

On August 13, 2020 Council reviewed draft language proposed by staff. Council requested feedback from the Planning Commission and Housing Advisory Commission regarding the proposed changes, with particular interest in the Commissions thoughts on allowing non-temporary shelters in the general industrial and heavy industrial zoning districts and modifying the land use process for temporary shelters in residential zones with 15 or fewer guests.

On September 8, 2020 a meeting was held among city staff (Building, Legal, Fire, and Planning) and community partners (Rogue Retreat) to discuss the draft. A copy of the draft and an invitation to the meeting was e-mailed to staff and 16 community partners on August 31, 2020. Comments were received prior to and after the meeting from Connie Wilkerson, Jackson County Continuum of Care, Rick Whitlock (City Attorney) and Tanner Fairrington (Deputy Fire Marshal).

A Land Development meeting was held on September 16, 2020 to receive additional staff input. Comments from two of the community partners supported allowing non-temporary shelters in the general industrial and heavy industrial zones if the operator can describe how transportation needs and access to social services would be provided to guests. Comments from Fire staff suggested leaving fire and building

code requirements within the (Temporary) Shelter Policy and not including them in the code. This allows for more flexibility and eliminates the requirement to revise Chapter 10 when changes occur to building and fire codes such as amendments to definitions or other provisions. Items such as definitions, number of representatives, and shelter capacity currently in the code have been removed.

On September 14, 2020 Planning Commission met during a study session to discuss the proposal (**See Exhibit C** for minutes). Of the five commissioners in attendance, 3 agreed with modifying the land use process for temporary shelters in residential zones for 15 or fewer guests. Four of the commissioners indicated that adding non-temporary shelters in the general industrial and heavy industrial zones was not an appropriate use based on conflicting uses, lack of public transportation options, and distance to needed services for the guests.

Comments received from service providers (Rogue Retreat and County CoC) suggested adding non-temporary uses in those two zones and requiring providers show how transportation and needed services will be provided to guests.

The Housing Advisory Commission is scheduled to review the proposal at their October 14, 2020 meeting.

Planning Commission Hearing

On September 24, 2020, the Planning Commission held a hearing on the shelter proposal. The discussion was leaning toward a recommendation for denial of the amendment based on concerns with changing the land use process for certain types of shelters, specifically temporary shelters with less than 15 guests in residential zones, temporary shelters in commercial and industrial zones, and non-temporary shelters, to a permitted use with special standards rather than a conditional use permit. Many Commissioners voiced strong concerns with removing the hearing process for these uses. In a vote of 6-2, it was recommended that staff modify the proposal and amend the land use procedure for all shelter types to a conditional use permit. The hearing was continued until October 8, 2020 for staff to modify the draft language.

Related projects

DCA-17-062 Temporary Shelters amendment

DCA-19-004 Emergency Shelters (Severe Event Shelters)

Authority

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

ANALYSIS

In 2018, the Municipal Code was amended to outline land use requirements for the establishment of temporary shelters to house the homeless. Currently, in residential zones, temporary shelters (as accessory uses to institutional uses (e.g. churches, schools, etc.) must be approved through a conditional use permit (CUP). Likewise, temporary shelters proposed in commercial and industrial zones also must be approved through the same process. A set of standards outlined requirements such as shelter operations, inspections, reporting, and closure procedures.

In early 2019, discussions began about creating a different category of shelters to assist with severe weather events or other calamities that would necessitate a quicker response to house persons in need of shelter. The severe event shelter provisions were created in Chapter 10 that were accompanied by a Temporary Shelter Policy to outline building and fire code regulations and procedures to ensure safety and compliance prior to operating. Conversations related to severe event shelters led to discussions about the existing temporary shelter regulations and possible changes to align provisions within the Policy and the code. Adding regulations related to non-temporary shelters were also raised.

The amendment proposed during the September 24th hearing sought to accomplish several different objectives:

1) Revise the land use process for temporary shelters located within residential zones for 15 or fewer guests and shelters located in commercial or industrial zones by allowing them as permitted uses with special standards rather than as a conditional use permit.

2) Separately categorize non-temporary shelters within the use table as a standalone use in the commercial and light industrial zoning districts and incorporate the use into the special standard provisions.

3) Original drafts also included adding definitions and provisions from the Temporary Shelter Policy into the code. Discussions with Fire Department staff involved in the creation of the Policy suggest against this action. The Policy provides for an outline of building and fire code provisions that can easily be adapted or changed in order to

address different circumstances that may arise. The document is more easily amended because it is not located with the code and can be modified and approved by signature of the City Manager. The need to add building and fire code regulations into the land use chapter is unnecessary as those are separate regulations already in place and required to be met.

The revised draft makes the following changes:

1) Modifies the land use process for all shelter types (temporary and non-temporary) to be approved through a conditional use permit

2) Clarifies and updates the shelter provisions by moving existing language to different sections, removes provisions better suited for the Shelter Policy document (Administrative Regulation 708), and updates the submittal requirements

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.184(2). The criteria are rendered in italics; findings and conclusions in roman type.

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

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

Findings

Over the past several years, the City of Medford has prioritized working with community partners to find solutions to house those experiencing homelessness. Recent examples of legislation include adoption of severe event shelter provisions and adoption of the Homeless System Action Plan. In addition, the City approved the Livability Team, dedicated police and code enforcement officers dedicated to downtown and the Bear Creek Greenway, who aid in finding solutions to help those who are homeless, address issues of blight, and chronic nuisance houses. This summer, property was leased and an urban campground established in close proximity to the greenway to assist with relocating homeless individuals.

Based on information from the Jackson County Continuum of Care website, 719 individuals were identified in 2019 (point in time data) as being homeless throughout the county. Having shelters and safe places to house the homeless are important needs in the community. Non-profits and faith based organizations who run these important facilities benefit when regulations are streamlined in order to get shelters up and running in a timely manner.

The temporary shelter regulations were adopted in 2018. Two conditional use permits for temporary shelters were approved in early 2019 and a new non-temporary shelter opened in late 2019.

The proposal amends the existing provisions by incorporating non-temporary shelters into the standards, removes items better suited for the Shelter Policy document, and revises the land use procedure for all shelters to a conditional use permit process.

Conclusions

Satisfied. As noted in prior findings (DCA-17-062), providing shelter to otherwise unsheltered individuals has larger implications for the public benefit most immediately being the improved quality of life for shelter users, improved quality of life for the community as a whole, and cost savings of tax dollars (e.g. less emergency service calls).

The proposal makes adjustments to provide for a unified land use process and amends provisions without sacrificing any building and safety regulations that are essential to operating a shelter.

This criterion is found to be satisfied.

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

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

   Findings

   The following goals, policies, and implementation measures:

   Housing Element:

   Policy 8: The City of Medford shall assist regional housing agencies, nonprofit organizations, private developers, and other entities in their efforts to provide affordable housing, opportunities for minorities, low- and moderate income people, and people in protected classes to gain access to housing.

   Population Element:

   Goal 1: To accept the role and responsibilities of being the major urban center in a large and diverse region that includes portions of southwest Oregon and northern California.

Public Facilities Element:

Health Services Goals, Policies, and Implementation Measures

Goal 1: To support the provision of adequate health services and facilities to meet the needs of the people within the Medford Urban Growth Boundary and the region.

> **Policy 1-B:** The City of Medford shall encourage cooperation among local, state, federal, and private agencies in planning and providing for health and related social services.

Conclusions

Satisfied. Homelessness is tied in most directly with the Housing and Population Elements of the Comprehensive Plan and addressing the housing needs of the residents of the community. The need for services (health, social, or other) are necessary and important complimentary provisions that go along with providing assistance to those experiencing homelessness. The Comprehensive Plan goals and policies identified are broad strokes at addressing this topic.

Most recent efforts to address homelessness directly are outlined within the action items of the Homeless System Action Plan adopted by Council in November 2019 and the overall plan approved this summer (2020). Though not directly adopted into the Comprehensive Plan, it is a current and detailed analysis of homelessness within the City and a blue print of implementation strategies to confront this issue. The 2020-2024 Consolidated Plan for Housing and Community Development is another approved document that addresses housing and homelessness. Support for regulatory reforms, such as this amendment, to help in this arena are identified actions in both plans.

This criterion is found to be satisfied.

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

Findings

The proposal has been distributed to internal and external agencies for review and comment. A draft was provided to 16 service providers and community partners directly interested in this topic and a meeting was held to discuss the amendment with staff and the service providers on September 8, 2020. A member from Rogue Retreat attended the meeting.

Comments were received by e-mail from Jackson County Continuum of Care staff, Connie Wilkerson (**See Exhibit D**). A final draft of the amendment (included in the September 24th packet) was e-mailed to those originally contacted regarding this proposal.

Comments have been received by Building, Fire (**See Exhibit E**), Legal, and Planning, as well as official no comments from Public Works-Engineering, Medford Water Commission, and Jackson County Roads. Changes to the proposal have been made based on those comments.

The City Council has held two study sessions on the topic (December 2019 and August 2020). The Planning Commission held a study session on September 14th and the Housing Advisory Commission is scheduled to discuss the topic on October 14th.

A public hearing before the Planning Commission was held on September 24th. There was no public testimony provided.

Conclusions

Satisfied. Meetings, e-mails, and conversations have taken place or been received regarding updates to this proposal. Modifications have been made to the text based on that feedback.

This criterion is found to be satisfied.

3. *Public comments.*

Findings

See Criterion 2 above.

Conclusions

Satisfied. Staff contacted service providers directly involved with this topic and provided opportunities for comments and discussion on the topic. Additional public comments may be received prior to or during the public hearings. Service providers will be sent a link to the revised amendment scheduled for discussion at the October 8th meeting.

This criterion is found to be satisfied.

4. *Applicable governmental agreements.*

Findings

There are no known governmental agreements that relate to this amendment.

Conclusions

Not Applicable. This criterion is found to be not applicable as no known governmental agreements are impacted by this proposal.

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 adoption of DCA-20-243 to the City Council per the staff report dated October 1, 2020, including Exhibits A through F.

EXHIBITS

A Proposed amendment – Draft #6_2020-09-30
B Temporary Shelter Policy
C Planning Commission Study Session Minutes, September 14, 2020
D E-mail from Connie Wilkerson, Jackson County Continuum of Care, September 4, 2020
E E-mail from Tanner Fairrington, Deputy Fire Marshal, September 15, 2020
F Previous amendment – Draft #5 (for reference)

PLANNING COMMISSION AGENDA: OCTOBER 8, 2020

Draft Code Amendment

Shelters and Temporary Shelter Provisions

10.012 **Definitions, Specific.**

Non-Temporary Shelters. A permanent use within a building or buildings, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless.

10.108 **Land Use Review Procedure Types.**

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Non-Temporary Shelters (Use of Existing Building)	III	10.184; 10.819(A)	Planning Commission	Yes
Non-Temporary Shelters (New Construction)	III	10.184; 10.819(A)	Planning Commission	Yes
Temporary Shelters as Accessory Uses	III	10.184; 10.819(A)	Planning Commission	Yes
Temporary Shelters in Commercial/Industrial Zones	III	10.184; 10.819(A)	Planning Commission	Yes

EXHIBIT A

10.314 **Permitted Uses in Residential Land Use Classification.**

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
6. NONRESIDENTIAL SPECIAL USES									
(c) Institutional Uses	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817
(c)(i) Temporary Shelters as Accessory Uses	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.816-817 & 10.819A
(c)(ii) Severe Event Shelters~~,~~ as Accessory Uses	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.825

10.337 **Uses Permitted in Commercial and Industrial Zoning Districts.**

SIC USE ZONING DISTRICT

O. USES NOT CLASSIFIED. This major group includes uses not covered in the Standard Industrial Classification (SIC) Manual, 1987 Edition.

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
~~004~~	~~Temporary Shelter~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~

~~See section 10.819A for special use regulations for Temporary Shelters.~~

83 SOCIAL SERVICES. This major group includes establishments providing social services and rehabilitation services to those persons with social or personal problems requiring special services and to the handicapped and disadvantaged.

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
832	Individual and Family Social Services	P	P	P	P	P	X	X	X
8322	Non-Temporary Shelter	Cs	Cs	Cs	Cs	Cs	Cs	X	X
	Temporary Shelter	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs

—See Section 10.819A for special use regulations for Temporary and Non-Temporary Shelters

10.819A **Temporary and Non-Temporary Shelters.**

(A) Purpose and Intent.

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

(B) Definitions Pertaining to Temporary and Non-Temporary Shelters.

When used in Chapter 10 in reference to temporary or non-temporary shelters, the following terms shall have the meanings as herein ascribed~~:~~. Other applicable definitions are described in the Shelter Policy (Administrative Regulation #708).

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

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

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

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

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

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

(C) ~~Temporary Shelter~~ Permit Requirements.

(1) Land Use Applicability and Site Standards:

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

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

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

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

(e) Tents, yurts, and similar temporary structures are not allowed to be used.

(f) Upon request by the applicant, the Planning Director may reduce or waive the land use application fees and any other fees required by the Planning

Department. In evaluating such a re-quest, the Director will consider the financial hardship to the applicant and other information relevant to the cost of processing the application and/or the applicant's ability to pay the fees.

(2)Building and Fire Code Applicability:

(a2) An operator of a temporary or non-temporary shelter shall comply with all applicable local, state, and federal laws, rules, and regulations (e.g. Building and Fire Department approvals) unrelated to land use applications/reviews, unless waived by the appropriate approving authority/official.

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

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

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

(c6) The applicant shall receive approval from the City, in writing, prior to the start of operations. All applicable permits must be approved prior to the start of operations.

(d7) As applicable, Eeach temporary or non-temporary shelter shall adhere to the Temporary Shelter Policy (Administrative Regulation #708), as established by the City, including any future amendments.

(D) General Standards for Temporary and Non-Temporary Shelters

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

(1) Operational Requirements. Except for paragraph (c) of this subsection, Tthe operator shall be required to meet the following standards pertainings to shelter operations:

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

(b) Operations Plan. An operations plan shall be required for a temporary

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

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

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

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

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

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

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

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

(e~~h~~) The sleeping area restrictions ~~Operational Requirements~~ stated in subsection (c) of this Section may be imposed as conditions of approval as deemed necessary by the approving authority.

(2) Operational Period for Temporary Shelters.

(a) The use of a temporary shelter shall not exceed 90 days within a 12 month period, unless otherwise permitted by this code. The operational period shall start on the first day of operations in which individuals were provided shelter and shall end once shelter has been provided for 90 days within a 12 month period or 12 months after the first day of operations, whichever occurs sooner.

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

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

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

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

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

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

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

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

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

(3) Reporting Requirements. Within 30 days after ~~of~~ the end of the operational period, and/or upon application for an extension to the operational period pursuant to S~~s~~ection 10.819A(D)(2)(e) for temporary shelters and annually for non-temporary shelters, the operator shall submit a report to the Planning Department for routing to the Housing Advisory Commission (HAC). At a minimum, the report shall include the following information regarding the applicable operational period:

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

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

iii. Services provided to the clients of the ~~temporary~~ shelter, if applicable

iv. Number of nights spent at full capacity (if applicable)

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

The operator shall coordinate the reporting requirement with the Medford, Ash-

land/Jackson County Continuum of Care using the industry standard software (e.g. Homeless Management Information System) in place at the time of reporting.

(4) Standards for Closing~~/Suspending~~ ~~Temporary~~ Shelters

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

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

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

ii. More than 20~~40~~ valid emergency service calls within 30 calendar days are made regarding activity in or associated with ~~near~~ the temporary shelter.

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

iv. Any violation of the building or fire permits or land use decision, Medford Municipal Code and/or state or federal law occurs.

(b) Clients of a shelter, the operator, and the property owner shall be given seven calendar days to remove shelter components, and for clients to vacate the location of the shelter. In cases of emergency or threat to human health or life safety, less than seven days' notice may be given. The owner or operator shall not be required to remove components utilized for the shelter that are also part of the owner or operator's other routine operations on the property.

(c) The City Manager's decision to close a shelter shall be effective immediately and shall specify the duration of the closure. Appeals shall be made to the City Council.

(d) Additional Provisions for Temporary Shelters.

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

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

~~(d) Clients of a temporary shelter, the operator, and the property owner shall be given seven calendar days for the operator and owner to remove temporary shelter components, and for clients to vacate the location in which a shelter operates, once the use has been terminated. In cases of emergency~~

~~or threat to human health or life safety, less than seven days' notice may be given. The owner or operator shall not be required to remove components utilized for the temporary shelter that are also part of the owner or operator's routine operations.~~

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

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

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

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

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

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

i. Building Department

ii. Planning Department

iii. Police Department

iv. Fire~~-Rescue~~ Department

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

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

(E) ~~Site Standards~~Application Materials ~~-~~for ~~Temporary~~ Shelters.

An application for a Temporary or Non-Temporary Shelter shall contain the following: ~~The following standards shall apply to the development and use of temporary shelters.~~

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

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

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

(1) The submittal requirements for a Conditional Use Permit in accordance with Section 10.184(G).

(2) Written findings identifying how the standards in 10.819A(D)(1) through (D)(3) and 10.819A(D)(5) are satisfied or will be satisfied.

(3) A site plan including the following at a minimum:

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

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

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

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

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

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

(c) Location of buildings access point(s)

(d) Location(s) of trash receptacle(s); including points of entry that do not block the public right of way and are large enough for times of intake

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

(f) Space identified for client's personal items which does not displace required parking per Sections 10.741-10.751.

(g) Points of ingress and egress into the site shall be provided for emergency vehicles and personnel

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

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

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

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

Title: Temporary Shelters

Purpose:

These policies have been established in coordination with other City of Medford departments including Building, Planning, Police, and Fire to provide a safe solution for providing shelters for sleeping purposes. Many of these policies are based on the Oregon State Fire Marshal's Technical Advisory for Temporary Shelters (OSFM TA 14-12). These policies allow a building not normally designated as a Residential "R" Occupancy to be used as a shelter (Residential use of a building, or a portion thereof, for temporary living and sleeping purposes). **These requirements apply to *Temporary Shelters* and *Severe Event Shelters*, unless noted otherwise.** These requirements are intended to be a starting point. Every shelter will be different, and these requirements are intended to provide a reasonable level of life safety. Therefore, some requirements will be on a case-by-case basis and **may be modified, if approved**.

City of Medford municipal code requirements for Temporary and Severe Event Shelters shall take precedence when in conflict with these requirements.

Application:

This policy will be applied by multiple departments and stakeholders, including:

- City Management will declare a Severe Event
- The Building Safety Department, Fire Department, Planning Department and other City of Medford departments to review and approve the use of shelters
- Stakeholders in the community dedicated to or affected by providing shelters for those in need.

Definitions:

Incapable of Self-Preservation (OFC Section 202): Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment cannot respond as an individual to an emergency situation.

Individual Area: An individual space or area provided per person (occupant) for sleeping purposes. Unless approved otherwise, the minimum dimensions shall be as follows:

- 4 ft x 7 ft if no storage area is provided. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.
- 3 ft x 7 ft if a separate storage area is provided. This area does not include area required for means of egress. This is the minimum individual area to be provided when adequate storage space is provided for storage of personal belongings. The occupants may have small items within their individual space, such as a purse or small bag. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.

Limited Assistance: Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment require limited verbal or physical assistance while responding to an emergency situation.

Marking of Sleeping Area: Markings, such as tape or another approved method, shall be provided to designate and define the exit access including aisles, and exits. Markings may also be used, and are encouraged, for *Individual Areas*. The purpose of these markings is to maintain clear egress paths at all times

Severe Event: from City of Medford Municipal Code Section 10.012 – An act of nature or unforeseen circumstance that constitutes an uninhabitable living experience for individuals or groups.

Severe Event Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide relief during a Severe Event to individuals or groups who are homeless or are at risk of exposure to a severe event.

Note: Rather than overwhelm Temporary Shelter resources, the intent of allowing Severe Event Shelters is to supplement Temporary Shelters by providing respite during Severe Events.

Sleeping Area: Space or area that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Temporary Shelter: from City of Medford Municipal Code Section 10.012 – A temporary use within a building, typically not used as a residence, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless.

- Note: a Temporary Shelter is a place or area within a building that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Policy:

USE OF SHELTERS:

Approval Requirements:

Prior to approval for use of a shelter, the following items are required:

- All Shelters (Temporary Shelters and Severe Event Shelters)
  - Approval from the Medford Building Department
  - An approved Operational Permit through Medford Fire-Rescue
    - If not included in the application, please request a Business Safety Checklist for common fire hazards.
    - Note: Consultations/inspections for pre-approval will generally be provided at no cost. Fees may be required if a significant number of consultations or inspections are requested.
  - Inspection and approval from a fire code official and building code official prior to opening.
- Temporary Shelters:
  - Approval from the Planning Department for use of a location, including a Conditional Use Permit (CUP)
- Severe Event Shelters:
  - Conditional Use Permit (CUP) is not required
  - Locations are subject to zoning regulations
  - Shall only be operated during a declared Severe Event

Severe Event Declarations:

The Mayor or City Manager, or their designee, may consider declaring a Severe Event based on the following factors and criteria:

- Cold Weather
  - Forecasted low temperatures of 25 degrees Fahrenheit or less.
  - Forecasted temperatures at 32 degrees Fahrenheit or less, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to cold, including:
    - Precipitation
    - Wind
    - Humidity, including dense fog
    - Sustained temperature, including during the day
    - Consecutive days (cumulative effects)
    - Overall weather patterns (e.g. precipitation, then drop in temperature)
    - Special alert such as warning or watch
- Hot Weather
  - Forecasted high temperature of 102 degrees Fahrenheit or more

- Forecasted temperatures of 80 Fahrenheit degrees or more, and additional factors and considerations that would reasonably cause a person to be at increased risk of exposure to heat, including:
    - Precipitation
    - Humidity
    - Wind
    - Duration and potential for cumulative effects (hours per day, consecutive days)
    - Overall weather patterns

- Air Quality
    - Air Quality index of "very unhealthy" or more
- Other conditions that result in a Severe Event, such as:
    - Chemical spill or release

LOCATION PLANNING AND REQUIREMENTS:

Occupancy Requirements:

How each occupant responds during an emergency can affect the risk of all occupants. Considerations that can influence the ability to respond correctly to an emergency include, but are not limited to, mental and physical abilities. For this reason, there are more strict requirements for locations where some of the occupants require physical or verbal assistance to respond to an emergency including fire protection, staffing, training, etc. As such, the following requirements apply to all shelters:

- (OFC 1101.1) Persons who are Incapable of Self-Preservation shall not be permitted to stay at a shelter.
- (OFC 104.8, 1101.1) Shelters may allow persons requiring Limited Assistance to sleep at the shelter when approved. Considerations for approval include, but are not limited to:
    - The number of persons requiring limited assistance.
    - The presence of fire protection systems such as an automatic sprinkler system
    - Staffing
    - Staff training
    - Modifications to the Emergency Evacuation Plan.
    - Provisions for moving individuals who require limited assistance to a different location when the maximum number is exceeded.
- Locations may be approved to shelter persons who are Incapable of Self-Preservation and/or require Limited Assistance when sufficient fire and life safety features are provided. Approval will be on a case-by-case basis.
- Shelter Operations Plans shall include procedures for moving persons who are incapable of self-preservation to a location that can safely meet their needs.

Fire Protection Requirements:

The following life-safety requirements apply to buildings used as a shelter:

- (OFC 1101.1, 104.8) Automatic Sprinkler System. Buildings used as shelters shall be protected throughout with and approved Automatic Sprinkler System, with the following exceptions:
    - *Temporary Shelters:* Approval through Medford Fire-Rescue and the Building Department is required in order to locate a Temporary Shelter in a building not protected throughout with a fire sprinkler system. For shelters not protected throughout to be approved, the sleeping areas and shelter operations shall be limited to the ground floor with a minimum of two (2) exits directly to the outside at ground level.
    - *Severe Event Shelters:* An automatic fire sprinkler system is not required for Severe Event Shelters that are located on the ground floor with a minimum of two (2) exits directly to the outside at ground level. Severe Event Shelters shall meet the other requirements of this Policy.
- Fire extinguishers with a minimum rating of 2-A:10-B:C shall be provided within 75 feet of travel, and within 10 feet of exits. A minimum of 2 fire extinguishers shall be provided unless approved otherwise.

Means of Egress (Exiting – OFC Chapter 10):

The following requirements apply to all shelters, unless noted otherwise. All means of egress (exit) paths shall be maintained free of obstructions at all times.

- Exits from sleeping areas within buildings protected throughout by an automatic sprinkler system shall be as follows;
    - Sleeping areas located on the ground floor of a shelter with an occupant load of 49 (i.e. persons using shelter) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
    - All other floor levels (other than the ground floor) used as Temporary Shelter sleeping areas that have an occupant load of 10 or more shall have two (2) exits from the area.
    - The exits serving the areas shall be separated by a distance equal to at least 1/3 of the longest diagonal distance of the area.
- Exits from sleeping areas within buildings NOT protected throughout by an automatic sprinkler system:
    - For *Temporary Shelters* and *Severe Event Shelters* that are approved without an automatic fire suppression system, the sleeping areas shall only be located on the ground floor, and a minimum of 2 exits shall be provided for occupant loads of 10 or more.

    - Shelters approved without a fire suppressions system with an occupant load of nine (9) or less shall have at least one (1) exit and at least one (1) window qualifying as an escape or rescue window as defined by the building code.
    - The exits serving the areas shall be separated by a distance equal to at least 1/2 of the longest diagonal distance of the area.
- Doors shall operate properly. The intent of this is that doors are easily opened and closed, even for people with limited strength and mobility.
- Emergency egress lighting shall be provided. This lighting may be the plug-in type with battery backup.
- Egress for *Sleeping Areas*:
    - *Sleeping areas* shall be grouped in single (1) or double (2) rows of *Individual Areas*.
    - The total number of *Individual Areas* provided shall not exceed the maximum occupant load minus the minimum staffing.
    - A 36" min. aisle (OFC 1017.5) shall be provided on both sides of rows of *Individual*, except that:
        - An aisle may be provided on one side of a single row of *Individual Areas* against a wall.
    - Egress paths shall be marked (such as with tape on the floor) and shall be maintained clear at all times.
- (OFC 1007.1) Accessibility: An accessible egress path shall be provided, unless approved otherwise.

Maximum Number of Occupants Allowed:

(OFC 104.8, 1004.1.2) The maximum number of allowable shelter occupants will be approved by both a building code official and a fire code official on a case-by-case basis.

An occupant load sign shall be posted in a clear and obvious location near the entrance showing the maximum number of occupants in the shelter.

PLEASE NOTE: Additional requirements will apply when the occupant load exceeds 49 people in sprinklered shelters, and 9 people in unsprinklered shelters.

Smoke Alarms and Detection (OFC 907.2):

- All shelter sleeping areas shall be provided with approved smoke alarms or a complete approved smoke detection system.
- All other areas of the building used for shelter operations shall be equipped with smoke alarms or a smoke detection system as required by the local fire code official.
- Smoke alarms may be battery-powered.

Carbon Monoxide (CO) Alarms and Detection (OFC 908.7):

- All shelter sleeping areas shall be provided with approved carbon monoxide alarms or an approved Carbon Monoxide detection system
- Carbon monoxide alarms may be battery-powered.

Cooking Facilities:

(OFC 609.1 and 904.11) Shelters where food is provided may have to meet requirements for new construction for cooking equipment. This will be determined on a case-by-case basis.

Storage:

(OFC Section 315, Chapter 10) Provisions for storage shall be provided in order to maintain egress paths and allow storage of items that are not permitted within the shelter.

Sanitation:

Toilets, hand washing, and trash disposal shall be provided. Provisions for bathing are typically recommended, but not required.

OPERATIONAL (USE) REQUIREMENTS:

Operational Permit:

An Operational Permit through Medford Fire-Rescue will be required. A plan / layout shall be submitted as part of operation permit. The following shall be shown on the plan:

- Location, size and occupant load for all areas including sleeping areas, kitchen, bathroom, storage, etc.
- Access points
- Trash cans
- Lighting
- Emergency vehicle access
- Etc.

These items may be shown on the building floor plan required as part of the Emergency Evacuation Plan as long as the plan is legible and reasonably useful. A separate building floor plan may be required as part of the Emergency Evacuation Plan in order to provide only critical information needed during an emergency.

Staffing:

A minimum ratio of staff per occupants shall be provides as follows:

- Unless approved otherwise in rare circumstances, a minimum of 3 people shall staff a shelter at all times:
    - A minimum of 1 staff per 25 occupants, but not less than 2
    - A person dedicated to Fire Watch in addition the staffing required for the occupants

Recommended Staff:

- Shelter Liaison – Represents the owner(s) of the shelter location
- Shelter Coordinator – Directs and leads the shelter operation.
    - Shelter Host – Responsible for operations under the direction of the Shelter Coordinator
    - Meal Coordinator – Arranges meals, if provided
    - Logistics Coordinator – Necessities, transportation, etc.

Notification:

Temporary Shelters:

- First Opening: A fire inspection shall be completed and final approval shall be received prior to opening a shelter for the first time.
- Subsequent Openings: The fire code official (Fire Marshal or Deputy Fire Marshal) shall be notified 48 hours minimum prior to each anticipated non-consecutive use of a shelter. The fire code official may require a fire inspection prior to the shelter being used.

Severe Event Shelters:

- Pre-Authorization: a location shall be approved by a building code official and fire code official prior to use as a *Severe Event Shelter*. A free inspection should be requested a minimum of 2 months prior to anticipated use. The shelter shall not be used until a final inspection has been completed and approval for been provided.
- Approval Prior to Opening: The fire code official and operators will work together to schedule/conduct a fire inspection prior to use of a *Severe Event Shelter*. This is intended to be a follow-up inspection in addition to the fire inspection required prior to approval of a *Severe Event Shelter* location.

Time limits:

Temporary Shelters:

- A building may be used as a *Temporary Shelter* for a maximum of ninety days (90) within any twelve (12) month period of time beginning on the first (1st) day of occupancy or as approved by the local authority having jurisdiction.
- Additionally, Temporary uses exceeding a six month (180 day) time period beginning on the first (1st) day of occupancy require approval from the Building Code Official.

Severe Event Shelters:

- *Severe Event Shelters* shall only be operated during a *Severe Event.*

Emergency Evacuation Plan (OFC Chapter 4):

An approved emergency evacuation plan addressing the evacuation of all occupants in an emergency event shall be available at all times at the shelter location (not a remote location). The plan shall be reviewed a minimum of once per year, and shall be revised when needed. At a minimum, the emergency evacuation plan shall contain the following:

- Emergency Response Plan: complete and review with a fire code official
- Occupant log: A log of all occupants for each night must be maintained and made available to the emergency personnel in the event of a fire or incident.
- Building floor plans: Building floor plans for each floor of the shelter shall be posted throughout the shelter, and shall include:
  - *Sleeping Areas* clearly identified.
  - Room size: the square footage of all rooms within the shelter.
  - Evacuation Routes: the primary and secondary egress (exit) paths from all areas of the shelter shall be shown.
  - Accessible egress routes: locations shall be shown on the building floor plans.
  - Life-safety systems: include locations for fire sprinkler system including riser room, fire alarm panel and controls, etc.
  - Manual Fire Alarm Pull Boxes, if present
  - Fire Extinguishers
  - AED (Automated External Defibrillator), if present

Documentation:

Documentation of all fire safety requirements including copies of an Emergency Plan and a Shelter Operational Plan shall be maintained on site and shall be immediately available for review if requested by the fire code official.

Fire Watch:

A fire watch shall be maintained continuously. See fire watch packet for additional requirements. A fire watch shall be maintained during sleeping hours at a minimum, and may be required at other times. This means at least one responsible person shall be awake and assigned this responsibility. The intent is that if one person cannot survey all areas of the shelter, then additional persons will be required. Fire watch personnel are dedicated to this task and shall not be responsible for other duties such as serving food. This duty may be rotated among a number of responsible adults. The fire watch personnel shall be familiar with the building, the emergency plan, and shall be trained on procedures during an emergency. They have the responsibility for a continuous patrol of the shelter for the purpose of detecting fire or other emergencies and transmitting an immediate alarm to the Fire Department and occupants. If a fire alarm system is not present, fire watch personal shall have a manual device such as a whistle or bell for alerting occupants and a cell phone for alerting the fire department and other Fire Watch personnel.

General Safety Requirements:

- Alcohol and drugs shall not be in possession or used
- (OFC 310) No smoking inside. Outside smoking, if allowed, shall be in designated locations and non-combustible containers filled with water shall be provided. Smoking shall be a minimum of 10 ft away from entrances, exits, windows, ventilation intakes, etc.
- (OFC 305) Potential fire ignition sources such as lighters and candles shall not be allowed in shelters, unless stored in supervised or locked storage areas.
- Use of portable heaters or unvented fuel-fired heaters shall be prohibited inside. Outside use may be approved.
- Separate locations or areas for different populations including families, single men, etc. shall be required, unless approved otherwise.

Responsibilities:

The Building Safety Department, Fire Department, Planning Department and other City of Medford departments will be responsible for:

- Review of shelters
- Approval of shelters
- Developing and maintaining a Shelter Team with stakeholders from City departments and the community

The City of Medford will not be responsible for:

- Providing staffing for Temporary Shelters or Severe Event Shelters
- Providing locations for Temporary Shelters or Severe Event Shelters

The Shelter Team will be responsible for:

- Developing partnerships within the community
- Revising policies and practices related to shelters

For Severe Events, The Mayor or City Manager, or their designee, will be responsible for:

- Ensuring the procedures are followed where possible
- Declaring a Severe Event
- Providing early warning of a Severe Event Declaration as soon as possible (ideally 48 hours) by:
    - Communicating Severe Events to Provider Network and City Departments,
    - Conducting media out reach

Severe Event Procedures:

- Prepare for Severe Events:
    - Engage and partner with stakeholders to
        - Share information
        - Pre-authorize shelter locations
        - Develop processes and policies ahead of events
- Identify a Severe Event threat
    - Communicate that a warning that a Severe Event may be declared
        - Notify stakeholders as soon as possible (48 hours is preferred)
    - Coordinate with providers and stakeholders to:
        - Estimate need (# of beds, population type etc.)
        - Identify available resources
- Declare Severe Event
    - Communicate resources and shelter locations (media, provider network, 211info, etc.)
- Monitor the event
    - Communicate anticipated end of Severe Event
- Declare and end to the Severe Event
    - Communicate end of Severe Event
    - Shelter Team Review event and communicate ways to improve

Approved:

Brian Sjothun, City Manager — **11/07/2019** **Date**

Legal Reference(s):
Oregon Fire Marshal's Technical Advisory 14-12
Oregon Fire Marshal's Technical Guidelines (OFC)
Medford Municipal Code 10.012

PLANNING COMMISSION STUDY SESSION MINUTES

MEDFORD OREGON

September 14, 2020
12:00 P.M.
Zoom Webinar, Medford, Oregon

The study session of the Planning Commission was called to order in a Zoom webinar at 12:00 p.m. in Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present
Mark McKechnie, Chair
David Culbertson
David Jordan (arrived at 12:11 p.m.)
David McFadden
Jared Pulver

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Terri Richards, Recording Secretary

Commissioner Absent
Joe Foley, Vice Chair, Excused Absence
Bill Mansfield, Unexcused Absence
E.J. McManus, Excused Absence
Jeff Thomas, Unexcused Absence

20. Subject

20.1 Permanent and Temporary Shelters

Carla Paladino, Principal Planner reported that on September 20, 2018 the City Council adopted the code amendment for temporary shelters. November 19, 2019 the City Council adopted the code amendment for severe event shelters to operate during declared severe weather events. Staff had a study session with the City Council in December 2019 regarding changes for temporary shelters. The draft language is based on the City Council's recommendation.

The code summary is four parts: 1) Carry over "Temporary Shelter Policy" requirements into code; 2) Make temporary shelters a permitted use by right with special standards in commercial and industrial zones rather that a Conditional Use Permit; 3) Add special standards for permanent shelters; and 4) Allow temporary shelters serving 15 or few individuals in residential zones with special standards.

There will be new terms in the code. Currently the code does not define shelters related to permanent uses. Definitions added from the Temporary Shelter Policy will be incapable of self-preservation, individual area, limited assistance, marking of sleeping area, sleeping areas and temporary shelter (updated).

EXHIBIT C

Land use review options for permanent shelters within commercial and light industrial zones using existing building would be a Type I procedure with the approving authority of the Planning Director. New construction of permanent shelters would be a Type III procedure with Site Plan and Architectural Commission review. Temporary shelters would be a Type I procedure with the approving authority of the Planning Director.

Temporary shelters in residential zones with 16 or more guests would be a Type III Conditional Use Permit procedure with the Planning Commission as the approving authority. Fifteen or fewer guests would be a Type I procedure with the Planning Director as the approving authority with a neighborhood meeting, There was discussion at the City Council level on whether or not to allow temporary shelters in General and Heavy Industrial zones.

Temporary shelters with fifteen or fewer guests in residential zones would require a neighborhood meeting and submit documentation only for Type I applications. Request that a business safety checklist with inspections and approvals from Fire and Building officials prior to opening. Also, only require a 500 foot distance between shelters in residential zones.

Staff and community partners discussed this draft last week. Some items to update are: Rename Permanent Shelters to Non-Temporary Shelters; Move temporary shelters SIC code with permanent shelters; Modify definitions adding reference to building code and; Merge standards for temporary and permanent shelters.

Staff will work on final edits to the language and send out revised draft to staff and community partners. On September 23, 2020 review with the Housing Advisory Commission will occur. Hearing scheduled for the Planning Commission on September 24, 2020 and City Council on October 15, 2020.

Staff would like the Planning Commission's thoughts on separating out temporary shelters (as accessory uses to institutional uses) in residential zones with less than 15 versus 16 plus guests. Thought on allowing permanent shelters in I-G and I-H zoning districts.

Chair McKechnie asked, are temporary shelters allowed anywhere without a Conditional Use Permit? Ms. Paladino responded no, not temporary shelters.

Chair McKechnie asked, are the definitions going to define temporary shelters versus non-temporary shelters? Ms. Paladino replied yes. Temporary is a time frame. It is 90 days or with an extension up to 180 days.

Chair McKechnie asked, is the 90 days for the occupants? Ms. Paladino stated it is for the days of operation.

Chair McKechnie suggested that it would be good to get Commissioner's Foley input on the definitions since he works in this realm.

Eric Mitton, Deputy City Attorney clarified that Chair McKechnie asked whether temporary referred to the occupants. It refers to the shelter's operation being temporary not that the occupant is there temporarily. Ms. Paladino replied that is correct. It is 90 days of temporary use for that site.

Chair McKechnie asked, if it is extended past the 90 days or even the 180 day extension would it be a non-temporary shelter? Ms. Paladino responded that is correct. Temporary shelters are limited to 180 days, non-temporary shelters are approved to be open year round.

Chair McKechnie asked, is there a definition that defines what a shelter is compared to single family house, apartment or any other permanent style of living per the building code requirements for residential? Ms. Paladino replied there is a specific definition for temporary shelters housing people that are currently homeless and providing them services. The other definitions are separate.

It sounds to Chair McKechnie that a shelter is a shelter and is either temporary or non-temporary depending on how long it is in existence. There needs to be a definition that defines shelter specifically more in building code terms as opposed to what the building code requires residences to have. Like running water, temperature control, electricity, sewer, etc. versus what a shelter may or may not need. Ms. Paladino reported that the current definition of temporary shelter is a temporary use within a building typically not used as a residence meant to provide overnight sleeping accommodations and related services to individuals or groups who are homeless. Staff was not planning on diving into types of services that are there. That is part of the standards. Chair McKechnie is more concerned about the physical structure. There needs to be language that the shelter meets the requirements of the Oregon Specialty Code. Ms. Paladino reported that the Oregon Specialty Code will be brought into one of the definitions.

All the dots do not connect for Commissioner Pulver. The temporary shelters were put in place to manage homelessness in extreme weather events and the smoke situation would qualify. Shelters to him is a bigger picture. He is going to have a hard time getting on board with that until there is a more comprehensive plan. There could be some real determent of loitering or congregating of those types of folks. There has been a major issue with it at Hawthorne Park. He does not know if there is a huge demand to open a lot of shelters. There is a huge need for them. He is uncomfortable with what is being proposed. He is not in favor of Planning Director approval and limiting the Conditional Use Permit requirements. He would be more in favor with shelters being allowed in heavier industrial uses potentially but there is an issue of security for neighboring properties. He has concerns on the lower commercial spectrum as well. Neighborhood commercial and C-S/P zones are intended to be reasonably better neighbors to residential and if this is an outright permitted use next door there will be a ton of uproar from neighbors. He has a lot of reservations.

Commissioner Culbertson echoes Commissioner Pulver's comments. His commercial building is on the corner of Oakdale and Main Street. There are two shelters close by. He is constantly having agents call him (as principal brokers) saying that there is someone sleeping at the front door and they have clients that are trying to come in or they are using faucets on the outside of the building to shower. The question is after they are displaced from the shelter the loitering or what they bring back to that neighborhood is a concern. He is all for someone getting out of the heat, cold, smoke, food but he does not know how to tackle the balance. It is a poor situation at his office and he is only a block from City Hall.

It feels to Commissioner McFadden that they are putting the cart before the horse. With all the fires there could be a real need for these shelters. Are there applications coming in that are waiting for this change? He agrees with what everyone is saying. He does not have an answer. He thinks it is out of the realm for the Planning Commission.

Chair McKechnie likes the idea of requiring a neighborhood meeting anytime there is a Planning Director decision on these. He also likes the idea of the 500 feet separation. It should be a requirement of every zone. The only types of housing downtown are either temporary or low income. It is not what citizens want downtown. That is the best way to kill a downtown. In fact the separation should be 1000 feet. There should be a limitation on where these shelters can go. He does not have an issue with the 15 guests as long as it is an accessory to an institutional use in a residential zone. He does not think they should be put in the I-G and I-H zoning. Doing other limitations like the 1000 feet and requiring a neighborhood meeting will help.

Commissioner Pulver asked, was the Police Department involved in staff's phone call last week? Ms. Paladino commented that they are included on the routing for Wednesdays Land Development Committee meeting but they were not on last week's phone call. Police has been working hard helping with all of this. They have been spearheading along with the City Manager's Office the new urban campground off Biddle and Midway. They are a part of getting a solution started.

Commissioner Pulver thinks there are different categories of homeless people in the community. There are some down on their luck and need help and others that have a range of issues that need more than a roof over their head to deal with their problems. He falls back on what is the bigger picture solution? Then there are the ones that are incapable of help. Members of the Police Department that he talks to know these guys by name, they break the law, they take them to the Police station process them, they are out and back on the street the same day and the Police see them again for another issue the same day if not the same week. There is a fine line between providing too much support for homelessness and not enough. We do not want to encourage more homeless people to come here.

Ms. Paladino clarified that the 500 foot rule is currently in place. It is required that shelters be 500 feet regardless of zone. The proposed change would be that the 500 feet would only be required in residential zones.

Ms. Paladino commented that temporary shelters are all Conditional Use Permits. The Planning Commission is involved in reviewing them. These are real issues that staff is trying to make code around that will help the situation. Most of this is in the books. This is tweaking some of the things that are allowed. She is hearing that some of the Commissioner's do not want to change allowing them outright. There are requirements to allow these shelters. It is being directed by the City Council to make these changes.

Commissioner McFadden asked, does staff want the Commission to give their thoughts regarding separating out temporary shelters (as accessory uses to institutional uses) in residential zones less than 15 guests versus 16 or more guests and; allowing Permanent Shelters in I-G and I-H zoning districts? Ms. Paladino commented that would be great.

Commissioner McFadden thinks the less than 15 versus 16 plus guests makes sense. He gets nervous about the residential zone. He would separate them out depending on size. He agrees with Chair McKechnie that in the I-G and I-H zones there are large trucks, traffic patterns and far from where the homeless want to be. He does not see at this point to include those zoning districts in this discussion.

Commissioner Culbertson concurs with Commissioner McFadden.

Commissioner Jordan concurs with Commissioner Culbertson and Commission McFadden.

Ms. Paladino asked, is September 24, 2020 doable to bring this to Planning Commission public hearing? Chair McKechnie commented that it is her call.

100. <u>Adjournment</u>

101. The meeting was adjourned at approximately 12:38 p.m.

Submitted by:

_____

Terri L. Richards
Recording Secretary

From: Connie Wilkerson
To: Carla G. Paladino
Subject: Feedback on Shelter and Temporary Shelter Code Amendment
Date: Friday, September 4, 2020 10:50:18 AM
Attachments: image003.jpg

Hi Carlea,
I thank you and the Planning Department for your diligence and expertise. The document looks thorough; I only have a few comments/questions.
On page 1, the individual area is stated as 4 feet x 7 feet or 3 feet x 7 feet, this spacing does not allow for the recommended social distancing during COVID. The most recent recommendations from the Center for Disease Control (updated August 5th) still stipulate 6 feet between each mat/bed and for clients to be aligned to sleep head to toe. Scroll down to "facility layout considerations" in this link for more detail:
https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/plan-prepare-respond.html
I realize that you are making generic space requirements, but I believe even when COVID is no longer a looming reality, the mat/bed space for health and hygiene purposes should be at least six feet apart. In conversations with others around the state, many shelters have stated that they are planning to maintain the 6 foot distancing when it is no longer mandated.
I think the recommendations to distinguish between 15 or fewer people and 16 or more people is helpful.
Can you speak to why the number of on-duty representatives was raised from 2 to 3? (Page 7). I know that some of the temporary shelters now operate with only 2 reps during sleep hours (one of which keeps fire watch). I don't know if organizations will have the staff or volunteer base to always have 3 persons available during sleep hours. Many of the organizations utilize more staff or volunteers during certain times of the day, such as meal prep and assistance with laundry and showers, but they operate with a reduced crew starting at 8 pm or 9 pm and running until around 6 am when breakfast prep begins.
In your email, you asked for feedback on modifying the standards to allow for permanent shelters in General Industrial and Heavy Industrial zoning districts. When siting shelters, it is always important to think about proximity to bus lines and social service agencies and health facilities. Many of the shelter residents will need to rely on public transportation or walking to access support. If the support services provided by the social service agencies are not located nearby, the clients may perceive their distance as too great of a barrier to overcome. I think that allowing shelters in General Industrial and/or Heavy Industrial needs to be allowed with the caveat that barriers to accessing employment, public transportation and social services is addressed prior to the shelter becoming operational.
Page 14 – the CoC will train new shelter providers and their staff on the HMIS software and set up their software licenses, etc. The CoC does not have funds available to cover the cost of the software, so each shelter must have the funds to cover those fees on its own behalf. The CoC does not receive any portion of the software fees, it passes all those to the agency that oversees the statewide implementation of HMIS. (Carla, I'm just providing this brief background in case the cost of the software is raised. I'm happy to provide cost estimates for shelters and help the shelters come on-

EXHIBIT D

line with HMIS.)
Please reach of if you have questions or what to discuss any of these items in more detail. I'm sorry I have a scheduling conflict and can't attend your zoom meeting on Tuesday.
All the best,
Connie

Constance S. Wilkerson
Continuum of Care Manager
P: (541) 414-0306
www.jacksoncountycoc.org

ACCESS is the CoC's lead agency. To better serve our community, effective July 1, 2020, ACCESS is changing its operating hours to 7:30 am to 6:00 pm Monday through Thursday. ACCESS will be open regular hours on Fridays from 8:00 am to 4:30 pm.

Carla G. Paladino

From: Tanner R. Fairrington
Sent: Tuesday, September 15, 2020 9:35 AM
To: Carla G. Paladino
Cc: Chase A. Browning
Subject: Fire Comments for 9-16-20 LD Meeting - PA-20-00246
Attachments: DCA-20-243 LDC Fire Comments TF.PDF

Carla,

Here are fire's comments for the subject meeting and LD File.

This document as updated comments, including additional comments for Section 10.819B for shelters.

One new comment for both the temporary shelter section and the shelter section includes removing the requirement for an inspection prior to commencing operations. This should be a policy, but not a strict code requirement. There are limited circumstances where it would be helpful to have the flexibility to allow a shelter to open without all violations being completed and/or be able to open and delay the required inspection. I recommended changing the requirement for the shelter to be "approved" prior to opening, and then we can decide what "approved" means functionally on a case by case basis.

Also, as requested, we are summarizing the intent behind the request to remove items from the municipal code, and place them in a policy. Based on previous coordination with stakeholders, including city council, shelter operators, and city staff, there was a general understanding and agreement to limit the requirements in the code to allowing shelters to occur, and placing specific operational requirements in a policy rather than code. The purpose of this was to be able to adapt the policies quickly to the changing needs of shelters. City council was supportive of this concept based on the agreement that we would form a shelter committee or work group that would include stakeholders including shelter operators and the city. The current team includes one of the city councilors. As an example, if a shelter operator identifies and requests a change from a minimum area of 3 ft x 7 ft for a sleeping area to 3 ft x 6.5 ft, this could require a 2 to 3 month process to amend the municipal code. However, a policy change could be discussed by the shelter team, and a revised version would need to be signed by the city manager. The intent of that process would not be to exclude city council. There will always be an opportunity for city council to be represented on the shelter team, and for the city manager to coordinate with city council members prior to signing a revised policy.

Hopefully this helps!

Thank you,

Tanner Fairrington, P.E. | *Deputy Fire Marshal*
City of Medford, Oregon | *Medford Fire-Rescue*
200 S. Ivy Street, Rm. #180, Medford, OR 97501
Ph: 541-774-2318
Website | Facebook | Twitter

EXHIBIT E

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Fairrington, Tanner

Review Date: 9/15/2020
Meeting Date: 9/16/2020

LD File #: DCA20243

Planner: Carla Paladino

Applicant: City of Medford

Site Name: Muni Code - Shelters

Project Location: n/a

ProjectDescription: A legislative amendment to modify the Temporary Shelter provisions in Chapter 10 and add provisions for (permanent) Shelters.

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
Other	Please see attached Fire Comments and markups related to the proposed municipal code language for shelters.	.

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

Draft Code Amendment

Shelters and Temporary Shelter Provisions

10.012 **Definitions, Specific.**

Incapable of Self-Preservation (OFC Section 202). Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment cannot respond as an individual to an emergency situation.

Individual Area. An individual space or area provided per person (occupant) for sleeping purposes. Unless approved otherwise, the minimum dimensions shall be as follows:

- 4 feet by 7 feet (if no storage area is provided) The occupants and operators shall be responsible for maintaining egress paths free from obstructions.
- 3 feet by 7 feet (if a separate storage area is provided) This area does not include areas required for means of egress. This is the minimum individual area to be provided when adequate storage space is provided for storage of personal belongings. The occupants may have small items within their individual space, such as a purse or small bag. The occupants and operators shall be responsible for maintaining egress paths free of obstructions.

Limited Assistance. Persons who because of age, physical limitation, mental limitations, chemical dependency, or medical treatment require limited verbal or physical assistance while responding to an emergency situation.

Marking of Sleeping Area. Markings, such as tape or another approved method, shall be provided to designate and define the exit access including aisles, and exits. Markings may also be sued, and are encouraged, for *Individual Areas*. The purpose of these markings is to maintain clear egress paths at all times.

Shelters. A permanent use within a building or buildings, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless.

Sleeping Areas. Space or area that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas*.

Temporary Shelters. A temporary use within a building, typically not used as a residence, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless. A Temporary Shelter is a place or area within a building that includes, but is not limited to, exit access including aisles, and a row or rows of *Individual Areas.*

Summary of Comments on DCA-20-243 LDC Fire Comments TF.pdf

Page: 4

Number: 1 Author: trfairrington Subject: Highlight Date: 9/15/2020 10:59:09 AM

Number: 2 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 10:59:32 AM

Suggest removing these items, and maintain as part of the Policy. Based on previous coordination with stakeholders including shelter operators and city council, keeping these items in policies rather than code allows us to quickly adapt the requirements to changing shelter needs quickly rather than a potentially long delay for the code amendment process. Additionally, some of these items are based on building codes that are subject to change as codes change.

Number: 3 Author: trfairrington Subject: Highlight Date: 9/15/2020 10:59:31 AM

Number: 4 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 10:59:59 AM

Suggest removing these items, and maintain as part of the Policy.

Number: 5 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:00:09 AM

Number: 6 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:00:05 AM

Suggest removing from code, and possibly placing in policy.

194.

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

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

(54) In order to begin operating a temporary shelter, an operator shall apply for and receive an approved Temporary Shelter Operational Permit from the Medford Fire-Rescue Department for each operational period. The applicant shall request a Business Safety Checklist for common fire hazards.

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

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

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

(9) Inspection and approval from a fire code official and building code official is required prior to opening.

(D) General Standards for Temporary Shelters

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

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

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

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

(c) Supervision. There shall be a minimum of threetwo on-duty representatives of the temporary shelter at any time, unless approved otherwise. The representative(s) contact information shall be clearly posted at the shelter's

Page: 10

Number: 1 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:00:36 AM

Number: 2 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:00:26 AM

Suggest removing from code. This requirement is sometimes but not always applied as part of the operational permit process.

Number: 3 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:00:48 AM

Number: 4 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:00:38 AM

Suggest removing this language. We ready require the permits to be approved (item 6 above) and that typically requires an inspection. Placing a retirement for an inspection in the code would not allow for rare situations where an inspection may not be needed or may be delayed.

Number: 5 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:00:55 AM

Number: 6 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 8:39:36 AM

Suggest removing from code, and placing in policy.

Number: 7 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:01:00 AM

Number: 8 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:01:53 AM

Suggest removing from code. This is covered in the policy.

access point each day. The representative may be a volunteer, hired employee, or otherwise competent and responsible adult.

i. ~~When required by Medford Fire-Rescue,~~ A~~a~~ person dedicated to F~~f~~ire W~~w~~atch shall be in place in addition to any on-duty representative(s).

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

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

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

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

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

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

(2) Operational Period.

(a) The use of a temporary shelter shall not exceed 90 days within a 12 month period, unless otherwise permitted by this code. The operational period shall start on the first day of operations in which individuals were provided shelter and shall end once shelter has been provided for 90 days within a 12 month period or 12 months after the first day of operations, whichever occurs sooner.

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

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

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

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

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

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Number: 1 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:01:50 AM

Number: 2 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:02:10 AM

Continuation of previous comment:
Suggest removing from code. This is covered in the policy.

Number: 3 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:02:31 AM

Number: 4 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:02:28 AM

Suggest removing from code. This is covered in the policy.

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

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

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

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

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

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

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

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

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

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

i. Building Department
ii. Planning Department
iii. Police Department
iv. Fire-Rescue Department

(c) Each ~~operator~~user ~~-~~ of temporary shelter must sign a waiver and give

Page: 13

Number: 1 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:02:52 AM

Number: 2 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 8:49:34 AM

Requiring an inspection in the code limits our flexibility in special circumstances. Recommend changing the language to something similar to:"Shelters shall not open unless approved. Inspections may be required by the following City departments...

Number: 3 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:02:59 AM

Number: 4 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:02:56 AM

In the original discussions, legal (Eric) recommended that the users sign this, not just the operators. It may be worth asking legal if this requirement should apply to the operator or the users.

the temporary shelter land use.

10.819B **Shelters**

(A) Purpose and Intent.
Shelters are permanent locations that provide homeless individuals and families with sleeping accommodations and other services within a building or buildings. It is the intent of these standards to mitigate any conflicts associated with shelters and the surrounding land uses through special use regulations set forth in this section.
(B) Definitions.
When used in Chapter 10 in reference to shelters, the following terms shall have the meanings as herein ascribed:

(1) Access Point: The main point of entry and exit for a shelter where users, visitors, and other persons must sign in and out to maintain security within a shelter.
(2) Client(s): Person or persons who receive services from an operator of a shelter which shall include overnight sleeping, and may include other items established per the shelter's operations plan as required in Section 10.819B(D)(1)(b).
(3) Operator: The organization in charge of daily operations of a shelter. The operator shall be a civic, non-profit, public, religious, membership based, or otherwise competent organization and shall be the applicant for the applicable land use review of a shelter.
(4) Operations Plan: The guiding document for an operator to use in determining the standards clients must adhere to in a shelter.
(6) User(s): See 10.819B(B)(2) client(s).

(C) Permit Requirements.

(1) Shelters are permitted as primary or accessory uses with special regulations in the commercial zones and the Light-Industrial (I-L) zone. The use of an existing building or buildings shall be reviewed as a Type I land use action. The construction of a new building or buildings shall be reviewed as a Type III land use action.
(2) Prior to submitting a Type I land use action, the applicant shall conduct a neighborhood meeting in accordance with Section 10. 194.
(3) An operator a shelter shall comply with all applicable local, state, and federal laws, rules, and regulations (e.g. Building and Fire Department approvals) in addition to the land use applications/reviews, unless waived by the appropriate approving authority/official.
(4) Upon request by the applicant, the Planning Director may reduce or waive the land use application fees and any other fees required by the Planning Department. In evaluating such a request, the Director will consider the financial hardship to the applicant and other information relevant to the cost of processing the application and/or the applicant's ability to pay the fees.
(5) In order to begin operating a shelter, an operator shall apply for and receive an approved Shelter Operational Permit from the Medford Fire-Rescue Department.
(6) All applicable permits and conditions of approval must be approved prior to the

Page: 15

Number: 1 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:03:30 AM

Number: 2 Author: trfairrington Subject: Sticky Note Date: 9/14/2020 2:20:11 PM

Remove for consistency?

initial date of operations.

(7) Each shelter shall adhere to the Temporary Shelter Policy as[CGP2] established by the City.

(D) General Standards.

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

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

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

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

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

i. A person dedicated to Fire Watch shall be in place in addition to any on-duty representative(s).

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

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

(e) Areas for Sleeping. Shelters may have separately designated areas for sleeping categorized by groups such as male only, female only, and family only sleeping areas.

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

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

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

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Number: 1 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:03:37 AM

Number: 2 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 8:44:48 AM

Suggest removing from code, and placing in policy.

Number: 3 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:03:42 AM

Number: 4 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 8:45:14 AM

Suggest removing from code. This requirement is already in the policy.

Number: 5 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:03:46 AM

Number: 6 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 8:45:31 AM

Suggest removing from code. This requirement is already in the policy.

minutes notice prior to inspection to allow for the privacy needs of individuals who may be using the facilities.

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

i. Building Department
ii. Planning Department
iii. Police Department
iv. Fire-Rescue Department

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

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

(E) Site Standards for Shelters

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

(1) A written narrative outlining how the standards of Section 10.819B will be met.

(2) A scaled site plan shall be submitted depicting the following:

(a) Building footprint(s) of the building or buildings on the site in which the shelter will be operated.

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

i. The total size of the shelter;

ii. Label the location and size of other areas used in conjunction with the shelter (e.g. common areas, kitchens, bathrooms, client's personal items or offices).

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

(c) Location of building(s) access point(s) and queuing areas that do not block public right of way

(d) Location(s) of trash receptacle(s) on site and during times of intake

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

(f) Required parking spaces in accordance with Sections 10.741-10.751

(g) Vehicular access points

(3) Documentation that a neighborhood meeting was conducted in accordance with Section 10.194.

(4) Tents, yurts, and similar pliable structures are not allowed to be used as shelters.

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Number: 1 Author: trfairrington Subject: Highlight Date: 9/15/2020 11:03:59 AM

Number: 2 Author: trfairrington Subject: Sticky Note Date: 9/15/2020 11:04:02 AM

Requiring an inspection in the code limits our flexibility in special circumstances. Recommend changing the language to something similar to:"Shelters shall not open unless approved. Inspections may be required by the following City departments...

Draft Code Amendment

Shelters and Temporary Shelter Provisions

10.012 **Definitions, Specific.**

Non-Temporary Shelters. A permanent use within a building or buildings, meant to provide overnight sleeping accommodations and related services for individuals or groups who are homeless.

10.108 **Land Use Review Procedure Types.**

Table 10.108-1. Land Use Review Procedures				
Land Use Review Type	Procedural Type	Applicable Standards	Approving Authority	Subject to 120 Day Rule (ORS 227.178)?
Non-Temporary Shelters (Use of Existing Building)	I	10.819(A)	Planning Director	No
Non-Temporary Shelters (New Construction)	III	10.200; 10.819(A)	SPAC	Yes
Temporary Shelters as Accessory Uses (16 or more guests) in Residential Zones	III	10.184; 10.819(A)	Planning Commission	Yes
Temporary Shelters as Accessory Uses (15 or fewer guests) in Residential Zones	I	10.819(A)	Planning Director	No

PRIOR DRAFT

EXHIBIT F

Temporary Shelters in Commercial/Industrial Zones	I	10.819(A)	Planning Director	No

Section 10.110

***

(Q) Planning Director Authority. The Planning Director is hereby designated as the approving authority for Type I and II land use reviews as well as issuance of the Development Permit. This includes the following land use reviews:

Land Use Review
De Minimis Revision(s) to Approved PUD Plan
Final PUD Plan
Final Plat, Partition/Subdivision
Major Modifications to Site Plan and Architectural Review
Minor Historic Review
Minor Modification to Conditional Use Permit
Minor Modification to a Park Development Review
Minor Modification to Site Plan and Architectural Review
Nonconformities
Pre-Application
Property Line Adjustment
Riparian Corridor Reduction or Deviation
Non-Temporary Shelters (in existing building)
Sign Permit
Temporary Shelter (15 or fewer guests in Residential Zones; or when located in Commercial and Industrial Zones)
Tentative Plat, Partition
Wireless Communication Facilities in Public Right-of-Way

PRIOR DRAFT

10.314 **Permitted Uses in Residential Land Use Classification.**

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
6. NONRESIDENTIAL SPECIAL USES									
(c) Institutional Uses	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817
(c)(i) Temporary Shelters as Accessory Uses (16 or more guests)	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.816-817 & 10.819A
(c)(ii) Temporary Shelters as Accessory Uses (15 or fewer guests)	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.816-817 & 10.819A
(c)(iii) Severe Event Shelters, Accessory Uses	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.825

PRIOR DRAFT

10.337 **Uses Permitted in Commercial and Industrial Zoning Districts.**

SIC	USE	ZONING DISTRICT							
		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
~~004~~	~~Temporary Shelter~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~	~~Cs~~

~~See section 10.819A for special use regulations for Temporary Shelters.~~

83 SOCIAL SERVICES. This major group includes establishments providing social services and rehabilitation services to those persons with social or personal problems requiring special services and to the handicapped and disadvantaged.

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
832	Individual and Family Social Services	P	P	P	P	P	X	X	X
8322	Non-Temporary Shelter	Ps	Ps	Ps	Ps	Ps	Ps	X	X
	Temporary Shelter	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps

—See Section 10.819A for special use regulations for Temporary and Non-Temporary Shelters

PRIOR DRAFT

10.816 **Churches, Hospitals, or Other Religious or Charitable Institutions in a Residential District.**

***

(4) Temporary shelters (for 16 or more guests) shall be conditionally permitted as an accessory use to all churches, hospitals, religious, or charitable institutions as permitted per Section 10.314(6)(c)(i). Temporary shelters (for 15 or fewer guests) shall be permitted with special use regulations as an accessory use to all churches, hospitals, religious, or charitable institutions as permitted per Section 10.314(6)(c)(ii).

10.817 **Community Buildings, Social Halls, Lodges, Fraternal Organizations, and Clubs in a Residential District.**

***

(4) Temporary shelters (for 16 or more guests) shall be conditionally permitted as an accessory use to all community buildings, social halls, lodges, fraternal organizations, and clubs as permitted per Section 10.314(6)(c)(i) of this Code. Temporary shelters (for 15 or fewer guests) shall be permitted with special use regulations as an accessory use to all community buildings, social halls, lodges, fraternal organizations, and clubs as permitted per Section 10.314(6)(c)(ii).

10.819A **Temporary and Non-Temporary Shelters.**

(A) Purpose and Intent.

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

(B) Definitions Pertaining to Temporary and Non-Temporary Shelters.

When used in Chapter 10 in reference to temporary or non-temporary shelters, the following terms shall have the meanings as herein ascribed. Other applicable definitions are described in the Temporary Shelter Policy (Administrative Regulation #708).

PRIOR DRAFT

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

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

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

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

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

(~~6~~5) User(s): See 10.819A(B)(2) client(s).

(C) ~~Temporary Shelter~~ Operational Permit Requirements.

(1) Land Use Applicability and Site Standards:

(~~1~~-a) A Type III conditional use permit is required for Temporary Shelters as accessory uses in residential zones serving 16 or more guests. The land use approval ~~conditional use permit (CUP) as required by Sections 10.314(6)(c)(i) and~~

~~10.337 of this Code~~ shall run with the lot(s), tract(s), or parcel(s) of land on which a temporary shelter was conditionally permitted. Unless modifications to the original CUP are made, a new CUP shall not be required for each new operational period.

(b) All other Temporary or Non-Temporary Shelters are permitted uses with special standards reviewed as a Type I decision. Approval of an application for shelter operation as a Type I decision shall result in the issuance of an Operational Permit. Temporary Shelters as accessory uses in residential zones serving 15 or fewer guests ~~Prior to submitting a Type I land use action as required by Section 10.314(6)(c)(ii), the applicant~~ shall conduct a neighborhood meeting in accordance with Section 10.194 prior to submitting the application.

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

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

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

(g) Tents, yurts, and similar temporary structures are not allowed to be used.

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

PRIOR DRAFT

(2)Building and Fire Code Applicability:

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

~~(b3) Upon request by the applicant, the Planning Director may reduce or waive the land use application fees and any other fees required by the Planning Department. In evaluating such a re-quest, the Director will consider the financial hardship to the applicant and other information relevant to the cost of processing the application and/or the applicant's ability to pay the fees.~~

(b4) In order to begin operating a temporary or non-temporary shelter, an operator shall apply for and receive an approved ~~Temporary Shelter~~ Operational Permit from the Medford Fire~~-Rescue~~ Department. ~~for each operational period. The applicant shall request a Business Safety Checklist for common fire hazards.~~

c) Special Provisions for Temporary Shelters: Each temporary shelter shall adhere to the Temporary Shelter Policy as established by the City, including any future amendments. ~~(5)~~ Temporary ~~s~~Shelters operating with extensions, granted per Section 1~~1~~0.819A(D)(2)(e), shall be required to perform all improvements, acquire

all permits, and fulfill all other requirements of the Medford Municipal Code, unless waived by the appropriate approving authority.

(d~~6~~) The applicant shall receive approval from the City, in writing, prior to the start of operations. ~~All applicable permits must be approved prior to the initial date start of operations.~~

~~(f7) Each temporary shelter shall adhere to the Temporary Shelter Policy (Administrative Regulation #708) as established by the City.~~

~~(9) Inspection and approval from a fire code official and building code official is required prior to opening.~~

(D) General Standards for Temporary and Non-Temporary Shelters

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

(1) Operational Requirements. Except for paragraph (b) of this subsection, ~~T~~the operator shall be required to meet the following standards ~~as it~~ pertaining~~s~~ to shelter operations:

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

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

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

~~i. When required by Medford Fire-Rescue, Aa person dedicated to Ffire Wwatch shall be in place in addition to any on-duty representative(s).~~

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

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

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

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

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

(e~~h~~) The sleeping area restrictions ~~Operational Requirements~~ stated in subsection (b) of this Section may be imposed as conditions of approval as deemed necessary by the approving authority.

(2) Operational Period for Temporary Shelters.

(a) The use of a temporary shelter shall not exceed 90 days within a 12 month period, unless otherwise permitted by this code. The operational period shall start on the first day of operations in which individuals were provided shelter and shall end once shelter has been provided for 90 days within a 12 month period or 12 months after the first day of operations, whichever occurs sooner.

(b) The intended timeframe in which an operational period is to take place shall be clearly stated in the land use application and the Operational Permit or CUP. ~~an operations plan.~~ This shall include one of the following:

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

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

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

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

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

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

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operations.

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

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

(3) Reporting Requirements**.** Within 30 days after ~~of~~ the end of the operational period, and/or upon application for an extension to the operational period pursuant to S~~s~~ection 10.819A(D)(2)(e) for temporary shelters and annually for non-temporary shelters, the operator shall submit a report to the Housing Advisory Commission (HAC). At a minimum, the report shall include the following information regarding the applicable operational period:

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

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

iii. Services provided to the clients of the ~~temporary~~ shelter, if applicable

iv. Number of nights spent at full capacity (if applicable)

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

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

(4) Standards for Closing~~/Suspending~~ ~~Temporary~~ Shelters

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

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

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

ii. More than 20~~40~~ valid emergency service calls within 30 calendar days are made regarding activity in or associated with ~~near~~ the temporary shelter.

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

iv. Any violation of the Operational Permit, the Conditional Use Permit, Medford Municipal Code and/or state or federal law occurs.

(b) Clients of a shelter, the operator, and the property owner shall be given seven calendars to remove shelter components, and for clients to vacate the location of the shelter. In cases of emergency or threat to human health or life safety, less than seven days' notice may be given. The owner or operator shall

not be required to remove components utilized for the shelter that are also part of the owner or operator's other routine operations on the property.

(c) The City Manager's decision to close a shelter shall be effective immediately and shall specify the duration of the closure. Appeals shall be made to the City Council.

(d) Additional Provisions for Temporary Shelters.

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

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

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

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

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

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

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

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

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

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to operations commencing:

i. Building Department
ii. Planning Department
iii. Police Department
iv. Fire~~-Rescue~~ Department

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

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

(E) ~~Site Standards~~Application Materials ~~-~~for ~~Temporary~~ Shelters.

An application for a Temporary or Non-Temporary Shelter shall contain the following: ~~The following standards shall apply to the development and use of temporary shelters.~~

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

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

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

(1) Temporary Shelters as Accessory Uses in residential zones with 16 or more guests

(a) The submittal requirements for a Conditional Use Permit in accordance with Section 10.184(G), and the requirements noted below in (E)(4).

(2) Temporary Shelters as Accessory Uses in residential zones with 15 or fewer guests

(a) Documentation that a neighborhood meeting was conducted in accordance with Section 10.194, and the requirements noted below in (E)(4).

(3) Non-Temporary Shelters newly constructed

(a) The submittal requirements for a Site Plan and Architectural Review in accordance with Section 10.200(J), and the requirements noted below in (E)(4).

(4) All other Temporary and Non-Temporary Shelters in existing buildings

(a) Written findings identifying how the standards in Section 10.819A are satisfied.

(b) A site plan including the following:

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

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

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

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

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

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

(iii~~c~~) Location of buildings access point(s)

(iv~~d~~) Location(s) of trash receptacle(s); including at points of entry that do not block the public right of way and are large enough for times of intake

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

(vi) Space identified for client's personal items which does not displace required parking per Sections 10.741-10.751.

(vii) Points of ingress and egress into the site shall be provided for emergency vehicles and personnel

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

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

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

~~(8) Documentation that a neighborhood meeting was conducted in accordance with Section 10.194.~~

~~(9) Tents, yurts, and similar temporary structures are not allowed to be used for the temporary shelter land use.~~

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