



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

9/15/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 017-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, September 25, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Kathy Helmer, City of Medford
Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative

<paa> YA

FORM 2

DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

☐ In person ☐ electronic ☐ mailed

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DEPT OF

SEP 08 2009

For DLCD Use Only
LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: **Medford**

Local file number: **ZC-09-057**

Date of Adoption: **08/27/2009**

Date Mailed: **09/02/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: 7/16/09

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

A change of zone from SFR-6 (Single Family Residential - 6 dwelling units per gross acre) to SFR-10 (Single Family Residential - 10 dwelling units per gross acre) on a .32 acre parcel located on the northwest corner of Jeanette Avenue and Meadows Lane. Maplot#372W25CC3400.

Does the Adoption differ from proposal? No

Plan Map Changed from:

to:

Zone Map Changed from: **SFR-6**

to: **SFR-10**

Location: West Medford

Acres Involved: **.32**

Specify Density: Previous:

New:

Applicable statewide planning goals:

☒ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☒ 10 ☒ 11 ☒ 12 ☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17 ☐ 18 ☐ 19

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD: 017-09 (17679) [15708]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Kathy Helmer**

Phone: (**541**) **774-2380** Extension:

Address: **200 S. Ivy Street**

Fax Number: **541-774-2380**

City: **Medford**

Zip: **97501**

E-mail Address: **kchelmer@cityofmedford.org**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **larry.french@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **twenty-one (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **larry.french@state.or.us** - **Attention: Plan Amendment Specialist**.

Updated March 17, 2009



CITY OF MEDFORD

PLANNING DEPARTMENT

September 2, 2009

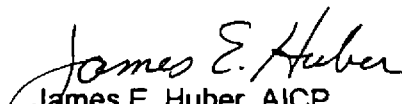
Gerald and Ann Ackles
7014 Griffin Lane
Jacksonville, OR 97530

RE: FILE NO.: ZC-09-057

The Medford Planning Commission at its regular meeting of August 27, 2009, approved the Final Order containing Findings of Fact relating to the approval of the following request: Changing the zoning from SFR-6 (Single-Family Residential - 6 dwelling units per gross acre) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) on approximately 0.32 acres located on the northwest corner of Jeanette Avenue and Meadows Lane.

This request was granted as per Staff Report dated August 20, 2009.

The final date for filing an appeal is 21 days from the date of the decision. The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on September 17, 2009. Appeals must be filed in the form prescribed, and will be decided based upon Medford Code Sections 10.051-10.056 (copies available).


James E. Huber, AICP
Planning Director

kg
Enclosure: Staff Report/Final Order/Legal Description

cc: Affected Agency
Interested Parties

Lausmann Annex • 200 South Ivy Street • Medford OR 97501
Phone (541)774-2380 • fax (541)774-2564
www.ci.medford.or.us

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)
ZC-09-057 APPLICATION FOR A ZONE CHANGE SUBMITTED) **ORDER**
BY GERALD AND ANN ACKLES)

ORDER granting approval of a request for changing the zoning from SFR-6 (Single-Family Residential - 6 dwelling units per gross acre) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) on approximately 0.32 acres located on the northwest corner of Jeanette Avenue and Meadows Lane.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from SFR-6 (Single-Family Residential - 6 dwelling units per gross acre) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) on approximately 0.32 acres located on the northwest corner of Jeanette Avenue and Meadows Lane; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented hereby adopts the Staff Report dated August 20, 2009, Applicant's Findings – Exhibit "A," and Legal Description – Exhibit "B" attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 2W 25CC Tax Lot 3400

is hereby changed from SFR-6 (Single-Family Residential - 6 dwelling units per gross acre) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) zoning district.

Accepted and approved this 27th day of August, 2009.

CITY OF MEDFORD PLANNING COMMISSION


Planning Commission Chair

ATTEST:


Planning Department Representative



CITY OF MEDFORD **PLANNING DEPARTMENT**

STAFF REPORT

Date: August 20, 2009
To: Planning Commission
From: Kelly Akin, Senior Planner *h.*
By: Kathy Helmer, Planner IV,
Subject: Ackles Zone Change (ZC-09-057)
Gerald and Ann Ackles, Applicants (Gerald Ackles, Agent)

BACKGROUND

Proposal

Request for a change of zone from SFR-6 (Single-Family Residential - 6 dwelling units per gross acre) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) on approximately 0.32 acres located on the northwest corner of Jeanette Avenue and Meadows Lane. (Maplot # 372W25CC3400)

Subject Site Zoning, GLUP Designation and Existing Uses

The subject parcel is zoned SFR-6; it has a comprehensive plan designation of Urban Residential (UR). There is one single family residence on the property (Exhibits B, D and J).

Surrounding Property Zoning and Uses

North: Residentially developed, zoned SFR-10.

South: Residentially developed, zoned SFR-6.

East: Residentially developed, zoned SFR-6.

West: Residentially developed, zoned SFR-6.

Related Projects

This land was annexed into the City of Medford on November 5, 1973, with Ordinance No. 1810.

Applicable Criteria

Zone changes are governed by the criteria in Section 10.227 of the *Medford Land Development Code* (Exhibit E).

ISSUES/ANALYSIS

Staff has reviewed the proposed zone change and has found that it meets the approval criteria listed in the *Medford Land Development Code* Section 10.227. The subject parcel abuts a parcel zoned SFR-10 to the north, thus it satisfies the locational criterion in Section 10.227(1)(b)(i). There are adequate infrastructure facilities available to serve the site, with the exception of storm drain, as discussed below. A traffic study was not required.

Storm Drainage

This parcel is within the Elk Creek Drainage Basin. Improvements are required in the downstream storm drainage system to meet current design standards. The owner shall submit a report to the Engineering Division as per the condition in Exhibit G.

No other issues were identified by staff.

RECOMMENDED ACTION

Direct staff to prepare a Final Order for approval of ZC-09-057 per the Staff Report dated August 20, 2009, including Exhibits A through I.

EXHIBITS

- A Conditions of Approval, dated August 20, 2009
- B Zoning Map
- C Assessor's Map
- D General Land Use Plan Map
- E Approval Criteria, dated August 20, 2009
- F Applicant's Findings of Fact and Conclusions of Law, received July 14, 2009
- G Memorandum from Engineering, dated July 28, 2009
- H Memorandum from Medford Water Commission, dated August 3, 2009
- I Memorandum from Medford Fire Department, dated July 30, 2009
- J Aerial Photograph

Vicinity Map

PLANNING COMMISSION AGENDA: AUGUST 27, 2009

Notes

Please include reference to the file number of this proposed zone change in all subsequent submittals to City of Medford departments.



CITY OF MEDFORD
PLANNING DEPARTMENT

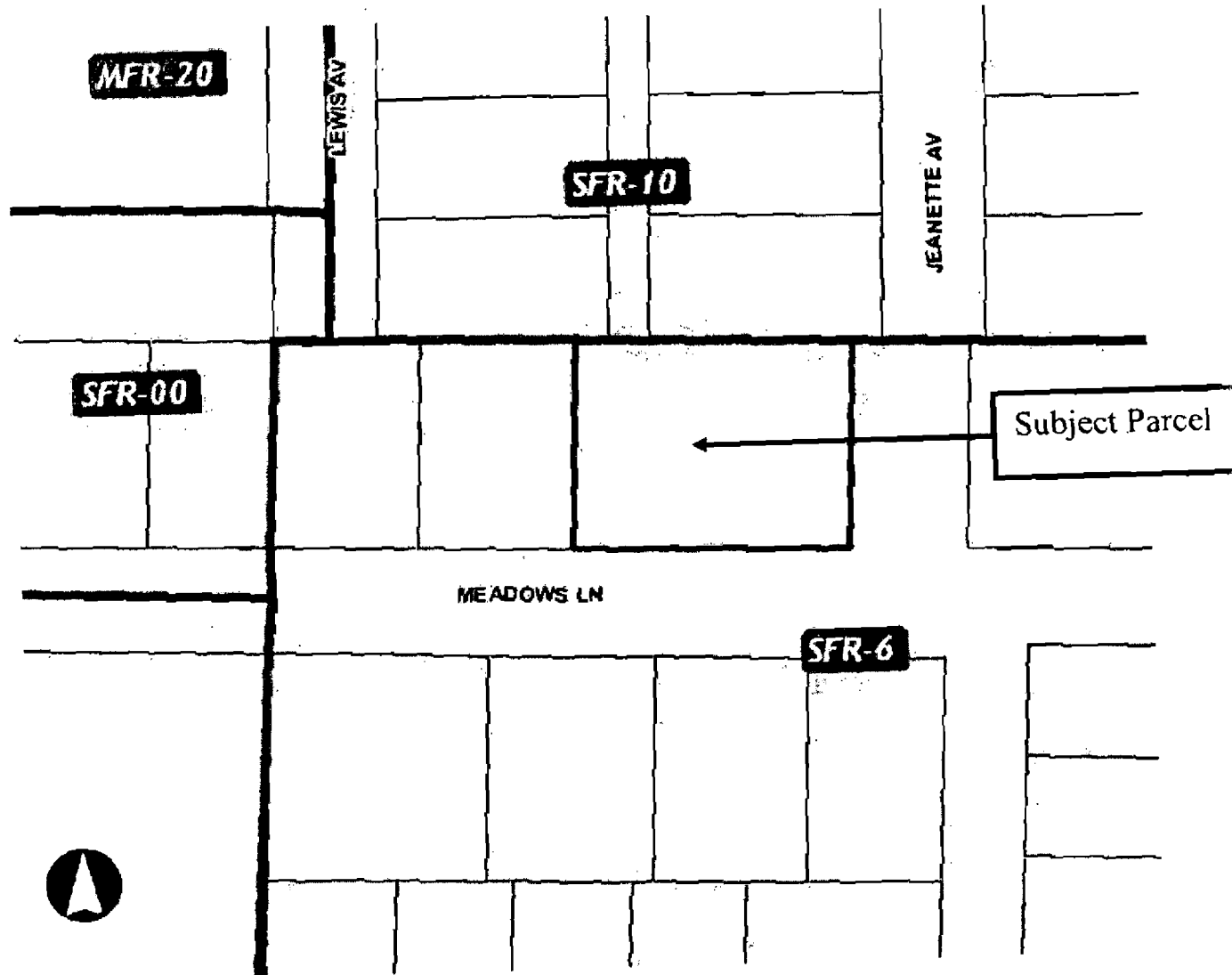
EXHIBIT A

ZC-09-057
CONDITIONS OF APPROVAL
August 20, 2009

1. Comply with the Memorandum from the Medford Engineering Division, dated July 28, 2009 (Exhibit G).

CITY OF MEDFORD
EXHIBIT # A
File # ZC-09-057

Zoning Map

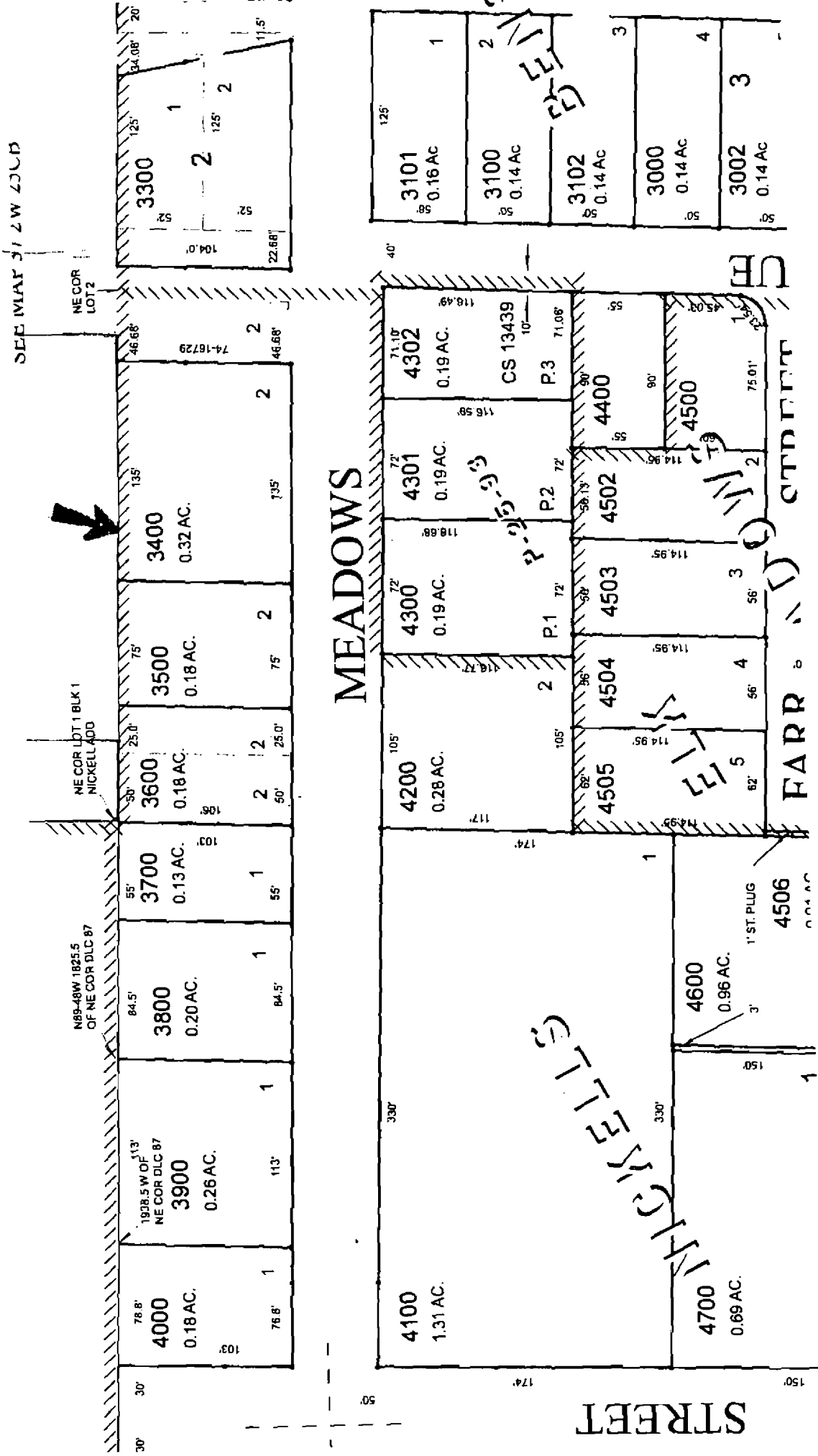


CITY OF MEDFORD
EXHIBIT # B
File # 26-09-057

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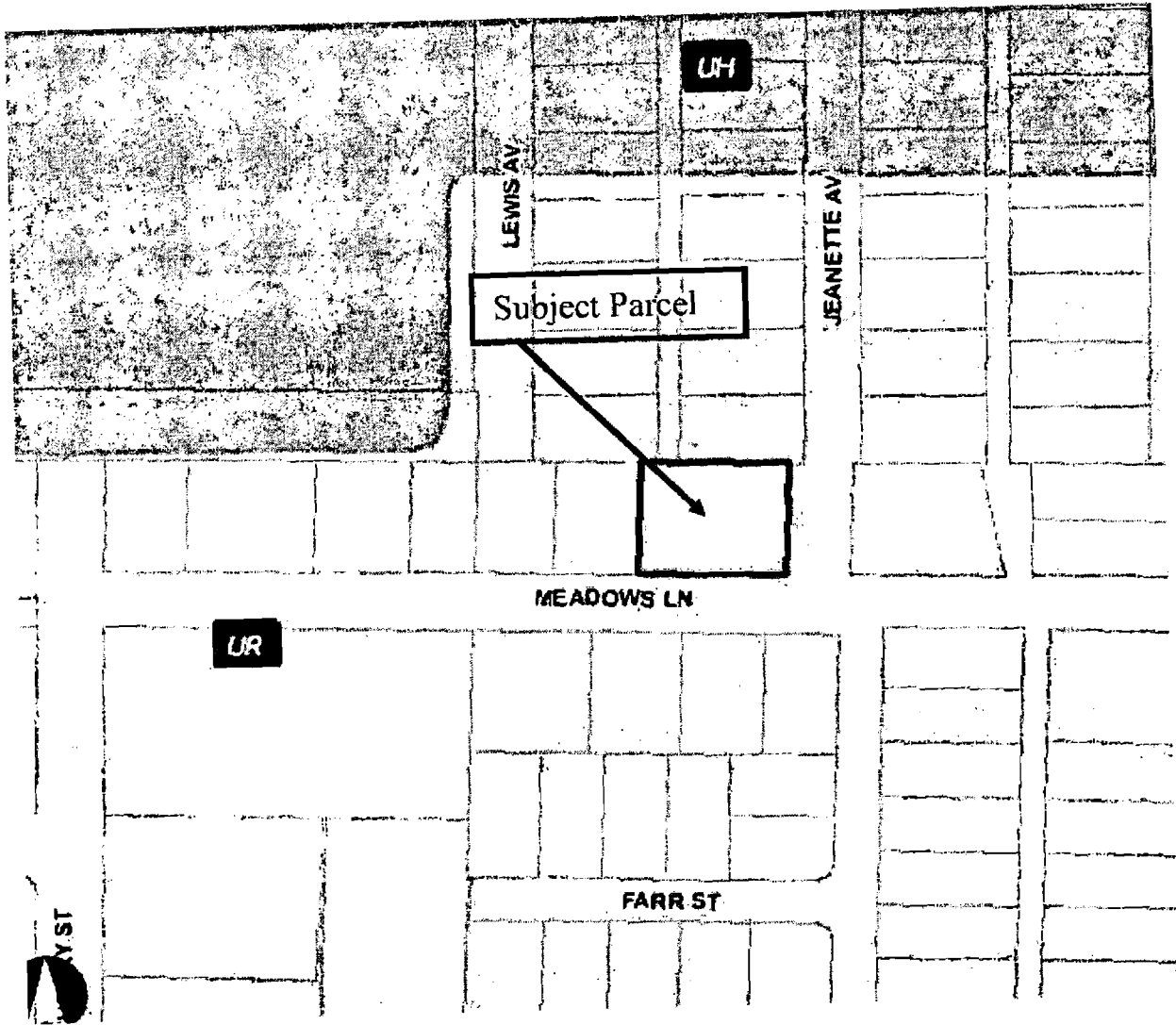


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EXHIBIT # C

File # ZC-09-057

General Land Use Plan Map



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EXHIBIT # D
File # 2C-09-051

**EXHIBIT E
ZC-09-057**

**ZONE CHANGE APPROVAL CRITERIA – SFR-6 AND SFR-10 ZONES
FROM SECTION 10.227 OF THE MEDFORD LAND DEVELOPMENT CODE
August 20, 2009**

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

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

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below:
 - (b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:
 - (i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or
 - (ii) The area to be rezoned is five (5) acres or larger; or
 - (iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.
- ***
- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the *Comprehensive Plan* "Public Facilities Element."
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or

CITY OF MEDFORD
EXHIBIT # E
File # ZC-09-057

Zone Change Approval Criteria – SFR-6 and SFR-10 Zones

- (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated 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 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 of 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.

[Amd. Ord. No. 7036, Dec, 5, 1991; Amd. Sec. 1, Ord. No. 1999-88, June 3, 1999; Amd. Sec. 1, Ord. No. 2003-27, Feb. 6, 2003; Amd. Ord. No. 2004-59, March 18, 2004.]

RECEIVED

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PLANNING DEPT.

Findings of Fact

RE: Ackles Zone Change (ZC-09—57)

Property owners Gerald Ackles & Ann Ackles
and applicant: 7014 Griffin Ln.
 Jacksonville, OR. 97530

Purpose: The purpose of the application is to change the zoning Designation on the property from City of Medford SFR 6 to city of Medford SFR 10 on one parcel described as T.37S-R.2W-25CC, TL 3400 totaling .32+ acres. This will allow applicant or others the ability to file a development plan on the property, consistent with the neighboring lands and the comprehensive Plan designation for the site, which is urban Residential.

Ownership of the property is by Gerald Ackles & Ann Ackles, also the applicants. A copy of the legal description for this property as Exhibit "A", as well as the appropriate Assessor's maps are attached as Exhibit "B" to these findings. Properties in the vicinity are zoned SFR-10 to the north, and east,

The site contains virtually flat lands with 1 welling present.

Findings:

The Planning Commission finds that this application for change in zoning designation from SFR-6 to SFR-10, with the information presented in support of the application, is consistent with the criteria for submission as required. Accompanied with the applicable maps, the legal description of the area to be changed, and the names and address of the adjacent properties within 200 feet, typed on mailing labels, and findings consistent with the requirements of Section 10.227.

Findings in Compliance with Section 10.227 of the Medford Land Development Code. Section 10.227 provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsection (1) and (2) below.

- (1) The proposed Zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land use Plan Map designation. Where applicable, the proposed zone shall be consistent with the additional locational standards of the below section (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.
- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with permitted uses allowed

CITY OF MEDFORD
EXHIBIT # F
FILE # ZC-09-051

under the proposed zoning, except as provided in subsection c, below. The minimum standards for category A services and facilities are contained in the MLDC and goal 3, Policy 1 of the comprehensive Plan "Public facilities element".

1. CONSISTENCY WITH OAR 660. DIVISION 12: TRANSPORTATION

Chapter 660, Division 12 of the Oregon Administrative Rules provides for implementation of the Statewide Transportation Goal (Goal 12). It is also designed to explain how local governments and state agencies responsible for transportation planning can demonstrate compliance with other statewide planning goals, and to identify how transportation facilities are provided on rural lands consistent with the goals.

The Transportation Planning Rule directs local governments to incorporate transportation planning processes that will:

- A. Consider all modes of transportation including rapid transit, air, water, rail, highway, bicycle and pedestrian.
- B. Inventory local, regional, and state transportation needs.
- C. Consider the social consequences that would result from using different combinations of transportation modes.
- D. Avoid total reliance upon any one mode of transportation.
- E. Minimize adverse social, economic, and environmental impacts and costs;
- F. Conserve energy;
- G. Meet the needs of the transportation disadvantaged by improving service;
- H. Facilitate the flow of goods and services so as to strengthen the local and regional economy;
- I. Conform with local and regional comprehensive plans.

More specifically, there are provisions within the chapter that apply specifically to Comprehensive Plan and Land Use Regulation Amendments.

These provisions are contained in OAR 660-012-0060, which states:

"1) Amendments to functional plans, acknowledged comprehensive plans and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and

performance standards (e.g. level of service, volume to capacity ratio, etc.) of service of the facility. This shall be accomplished by either:

- a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;
 - b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;
 - c) Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or,
 - d) Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multi-modal travel choices are provided.
- 2) A plan or land use regulation amendment significantly affects a transportation facility if it:
- a) Changes the functional classification of an existing or planned transportation facility;
 - b) Changes standards implementing a functional classification system;
 - c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
 - d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.
- 3) Determinations under subsections 1 and 2 of this section shall be coordinated with affected transportation facility and service providers and other affected local governments.

Discussion:

I. Existing Transportation Facilities:

An overview of existing transportation facilities that would provide service to the subject property indicates that ground transportation via existing City designated residential, collector and arterial streets is the sole transportation facility that is affected by this amendment.

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The site is accessible by motor vehicle from Jeannette or Meadows. **II. Transportation Planning Issues:**

An evaluation of the subject property and the orientation, location and size of the existing structural development, as well as the existing and historic uses of the properties, indicates that there is basically one transportation issue that should be addressed:

1. Trip generation potential, and if that trip generation will result in a significant effect on the function, capacity, or performance standards on Jeanette.

1. Access Management:

The subject property is located along Jeannette (designated as a residential street). The future development of this property will take access from Jeannette. The development plan for the site will conform with all access management and location requirements of the City of Medford and Jackson County to insure adequate and effective Access Management.

This issue will be addressed during the Tentative Plat/development review process. This change of zoning can generate approximately 32 additional ADT's onto the road system. The applicants submit that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

2. Trip Generation Potential:

Existing and potential uses on this property is in essence already documented, and the traffic counts on Jeannette and Meadows are such that the current capacity of the roadways will not be compromised by the additional dwelling units, or 32 additional trips generated from this site.

A comparison of the traffic capacity and the traffic counts of this immediate area, provided by the City of Medford, indicates that there is adequate capacity available to serve the subject site.

CONCLUSION:

The City of Medford concludes that based on the information contained herein this application is consistent with the intent of the Statewide Transportation Planning Rule, in that:

- 1 The site is within an incorporated city with an adopted,

and acknowledged Comprehensive Plan.

- 2 The property totals .32 net acres, located adjacent to a residential street, Jeannette. Uses proposed are consistent with the Comprehensive Plan and the requested zoning designation as SFR-10.
- 3 The zone change does not significantly affect the overall transportation capacity, including the 1-5 Interchanges and Highway 99, or performance standards of the existing transportation facility, as defined in OAR 660-012-0060 since the proposed use will be consistent with the maximum uses established for the site (SFR-10).

FINDING:

The City of Medford finds that this application for SFR-10 is consistent with the Transportation Planning Rule, and is in compliance with Section 10.227(1) MLDC. There are no adverse impacts contemplated on the 1-5 Interchanges, Highway 99 or the local street system.

Consistency with the General Land Use Plan Map:

A review of the General Land Use Plan Map of the City Of Medford indicates that this area of the City is designated on the General Land Use Plan Map as "Urban Residential". The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the "Urban Residential" Designation are SFR-2, SFR-4, SFR-6 and SFR-10, Consistent with the provision of Section 10.306 of the Medford Land Development Code.

The proposed zoning district for the subject property is SFR-10. This district is consistent with the Urban Residential designation as identified on the GLUP map.

Findings:

As the subject property lies within the Urban Growth Boundary and City limits of Medford, and delineated on the General Land Use Plan Map as Urban Residential, the SFR-10 zoning requested is found to be consistent with the General Land Use Plan Map. This application is in compliance with Section 10.227 (1) MLDC.

Consistency with the Locational Standards:

Subsection 10.227 (1) (b) MLDC is the applicable locational standards for this application requesting SFR-10 zoning. 10.227(1)(b) states:

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

- (i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or,
- (ii) The area to be rezoned is five(5) acres or larger”

Findings:

The City of Medford finds that the subject .32 acres abuts the property to the north, with a zoning of SFR-10, which meets the locational standards adopted by the city for zone change applications. This application is in compliance with Subsection 10.227 (1) (b) MLDC.

1. Compliance With Urban Services and Facilities

2.

The second criteria for a zone change is:

“Urban services and facilities are available to adequately serve the property, or will be made available upon development”

The Medford Comprehensive Plan, Public Facilities Element, Goal 3, Policy 1, provides the list of Category “A” services and facilities to be considered. These are:

**Sanitary Sewer,
Water,
Storm Drainage, and
Streets**

Sanitary Sewer. Fact: Sanitary Sewer is provided by Medford Sewer. There is currently an 8” line that runs through the property, that currently serves the site and residences in the vicinity. The Sanitary Sewer collection system is adequate to accommodate the proposed change in density. Additional sewer service connection will be extended to the proposed project by the owner/developer consistent with existing regulations.

Sewage treatment is provided by the City of Medford Regional Waste Water Treatment Plant. The plant presently serves approximately 115,000 persons. The treatment capacity of the plant is approximately 190,000 persons. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

The development of the property requires a system development charge which is dedicated to the expansion of the regional plant. This assures that the future sewage treatment of the plant remains available.

Water. Fact: Water service is provided by Medford Water Commission. There is currently an 8” water line located along Jeannette, that provides water to the site and

residences of the vicinity. Adequate service lines are available to serve the subject site upon urban development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 80,000 persons, with a present day maximum daily consumption of 45,000,000 gallons. Adequate water capacity exists to serve the subject site.

There is a fire hydrant on the corner of the subject property.

Storm drains. Fact : There is an existing storm drain of 15" that runs through Meadows and opens into an 18" that empties into Elk Creek Drainage Basin, serving the residence bordering the subject property.

Streets. Fact: The City of Medford Engineering Dept., have said that the change of zoning from SFR-6 to SFR-10 of the subject property, that the streets have ample capacity in their present form to accommodate the projected vehicle trips from development of the site.

Findings:

The City of Medford finds that there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as SFR-10.

CONCLUSION:

Based upon the information contained herein, the City of Medford concludes that there are adequate public facilities to supply potable water to the property, as water distribution system improvements have already been in place on the property; sanitary sewer service is available to the site and capacity at the Regional Treatment Plant is adequate to accommodate the area; that there is sufficient capacity on the existing local street system to accommodate the proposed use, and that the storm drainage facilities are adequate and will be in compliance with the Medford Master Storm Drain Plan.

FINDING:

The City of Medford finds that there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as SFR-10.

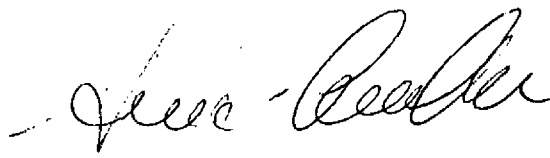
SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a change of

zoning. A review of the application and supporting documentation attached demonstrates that the application complies with the applicable standards of the Land Development Code, is consistent with GLUP map and is consistent with the Oregon Transportation Planning Rule.

With this in mind, the applicant respectfully requests that the City of Medford designate the subject property, T.37S-R.2W-25CC, TL 3400 as SFR-10 on the Official Zoning Map for the City of Medford, Oregon.
Respectfully Submitted,

Gerald Ackles



Date

7/14/09

Ann Ackles

Date

Exhibits

A . Legal Description

B. Assessor's Map

C. Traffic Impact Analysis Form

RECEIVED

MAY 19 2009

PLANNING DEPT

Exhibit A

34-08419

LEGAL DESCRIPTION EXHIBIT "A"

Beginning at the northwest corner of Lot Two (2) in Block One (1) of NICKELL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record; thence South, along the west line of said Lot, 106.0 feet, more or less, to the north line of the old Jacksonville Railroad right-of-way; thence Easterly along said right-of-way to its intersection with the east line of said Lot Two (2); thence North, along the east line of said Lot, to the northeast corner thereof; thence West, along the north line thereof, 330.0 feet to the point of beginning. EXCEPTING THEREFROM the following: Beginning at the northwest corner of Lot Two (2) in Block One (1) of NICKELL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record; thence East, on the north line of said Lot 2, a distance of 50.0 feet; thence South, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less to the northerly line of the old Jacksonville Railroad right-of-way; thence Westerly, along the northerly line of said right-of-way, to the west line of said Lot 2; thence North on the west line of said Lot 2, a distance of 106.0 feet, more or less, to the point of beginning. ALSO, EXCEPTING THEREFROM the following: Beginning at a point on the north line of Lot Two (2) in Block One (1) of the NICKELL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record, 50.0 feet East from the northeast corner thereof; thence East, on said north line, a distance of 102.0 feet; thence South, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the north line of the old Jacksonville Railroad right-of-way; thence West, along the north line of said right-of-way, a distance of 100.0 feet; thence North, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the point of beginning. ALSO, EXCEPTING THEREFROM the following: Beginning at the northeast corner of Lot Two (2) in Block One (1) of the NICKELL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record; thence South, along the east line of Lot 2, a distance of 106.0 feet to the northerly line of the old Jacksonville Railroad right-of-way; thence West, along the northerly line of said Railroad right-of-way, 46.68 feet; thence North 106.0 feet to the northerly line of said Lot 2; thence East, along the northerly line of said Lot 2, a distance of 46.68 feet to the point of beginning.

(Code 49-1, Account #1-40630-9, Map #372K25CC, Tax Lot #3400)

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

2:10 PM 04/19/09 PM

KATHLEEN S. BECKETT
CLERK and RECORDER

Kathleen S. Beckett

CITY OF MEDFORD

EXHIBIT #

File # ZC-09-057

SCANNED

8

Exhibit C

ZONE CHANGE APPLICATION

TRAFFIC IMPACT ANALYSIS FORM

- A. Form to be filled out and signed by a representative from the Public Works Department – Traffic Section prior to submittal of this Zone Change application.

Map and Tax Lot(s) 372W 5 CC 34-00
Current Zoning District: SFR 6
Proposed Zoning District: SFR 10
0.32 * 10 * 10 = 32 ADT

- B. Based upon the information submitted with this application:

- ☒ A Traffic Impact Analysis is not required
- ☐ A Traffic Impact Analysis is required and has been submitted to the Public Works – Traffic Section.
- ☐ Insufficient information to determine if TIA is required.

Peter T Mackprang
Printed Name

P.T. Mackprang
Signature

Assoc. Traffic Engineer
Title

CITY OF MEDFORD
INTER - OFFICE MEMORANDUM

TO: Planning Department

FROM: Engineering Division

SUBJECT: Zone Change Request, File No. ZC-09-057

DATE: July 28, 2009

1. Sanitary Services:

A. This zone change is within the City of Medford sewer service area. The sanitary sewer downstream issues were reviewed, and sufficient capacity exists for this zone change.

2. Streets:

A. Current condition of nearest streets:

Jeanette Avenue, a Standard Residential Street, is paved with curb and gutter along the frontage of this zone change.

Meadows Lane, a designated Standard Residential Street, is oil surfaced without curb and gutter, along the frontage of this zone change.

B: Who has maintenance responsibilities:

Jeanette Avenue - City of Medford

Meadows Lane – property owners fronting the street

C. Transportation analyses for the surrounding street system are stated below:

Land Development Code Section 10.461 governs traffic impact analyses (TIA) required to determine development impacts on the street system. The proposed zone change from City SFR-6 (Single-Family Residential – 6 units per acre) to City SFR-10 (Single-Family Residential – 10 units per acre) on 0.32 acres (0.47 gross acres) has the potential to develop up to 4 SFR dwelling units or generate 38 average daily trips (ADT). The net increase in ADT to the transportation system is 28 ADT. Based on this and code sections 10.460 and 10.461, a traffic impact analysis (TIA) will not be required.

3. Drainage:

This site lies within the Elk Creek Drainage Basin. The City's current Drainage Master Plan indicates improvements are required in the downstream storm drainage system to meet current design standards for this basin. As a zone change is not allowable without adequate storm drain facilities, the following criteria must be met prior to issuance of a development permit or a building permit:

- a) An engineer registered in the State of Oregon shall prepare a report which includes testing, plans and calculations necessary to demonstrate a controlled storm water release of no more than 0.25 C.F.S. per acre of development for the 10-year storm. The report shall be submitted to the City of Medford Engineering Division for review and approval



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: ZC-09-057
PARCEL ID: 372W25CC TL 3400
PROJECT: Request for a change of zone from SFR-6 (Single-Family Residential - six dwelling units per gross acre) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) on approximately 0.32 acres located on the northwest corner of Jeanette Avenue and Meadows Lane; Gerald and Ann Ackles, Applicant. Kathy Helmer, Planner
DATE: August 3, 2009

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. On-site water facility construction may be required depending on future land development review.
5. MWC-metered water service does exist to this property. There is a ¾" water meter near the northeast property corner that serves the existing home at 212 Jeanette Avenue.
6. Access to MWC water lines for connection is available. A 14" water line is located in Jeanette Avenue, and an 8" water line is located in Meadows Lane.



Medford Fire Department

200 S. Ivy Street, Room #257
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail: www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Kathy Helmer

LD Meeting Date: 08/05/2009

From: Kleinberg, Greg

Report Prepared: 07/30/2009

File #: ZC - 09 - 57

Site Name/Description:

Request for a change of zone from SFR-6 (Single-Family Residential - six dwelling units per gross acre) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) on approximately 0.32 acres located on the northwest corner of Jeanette Avenue and Meadows Lane; . Kathy Helmer, Planner

DESCRIPTION OF CORRECTIONS	REFERENCE
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Approved as Submitted

Meets Requirement: No Additional Requirements

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed and made servicable prior to the time of construction. Water supply for fire protection is required to be installed and made serviceable prior to the time of vertical combustible construction.

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

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

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

07/30/2009 15:58

CITY OF MEDFORD
EXHIBIT # I
File # ZC-09-057 Page 1
24

EXHIBIT J



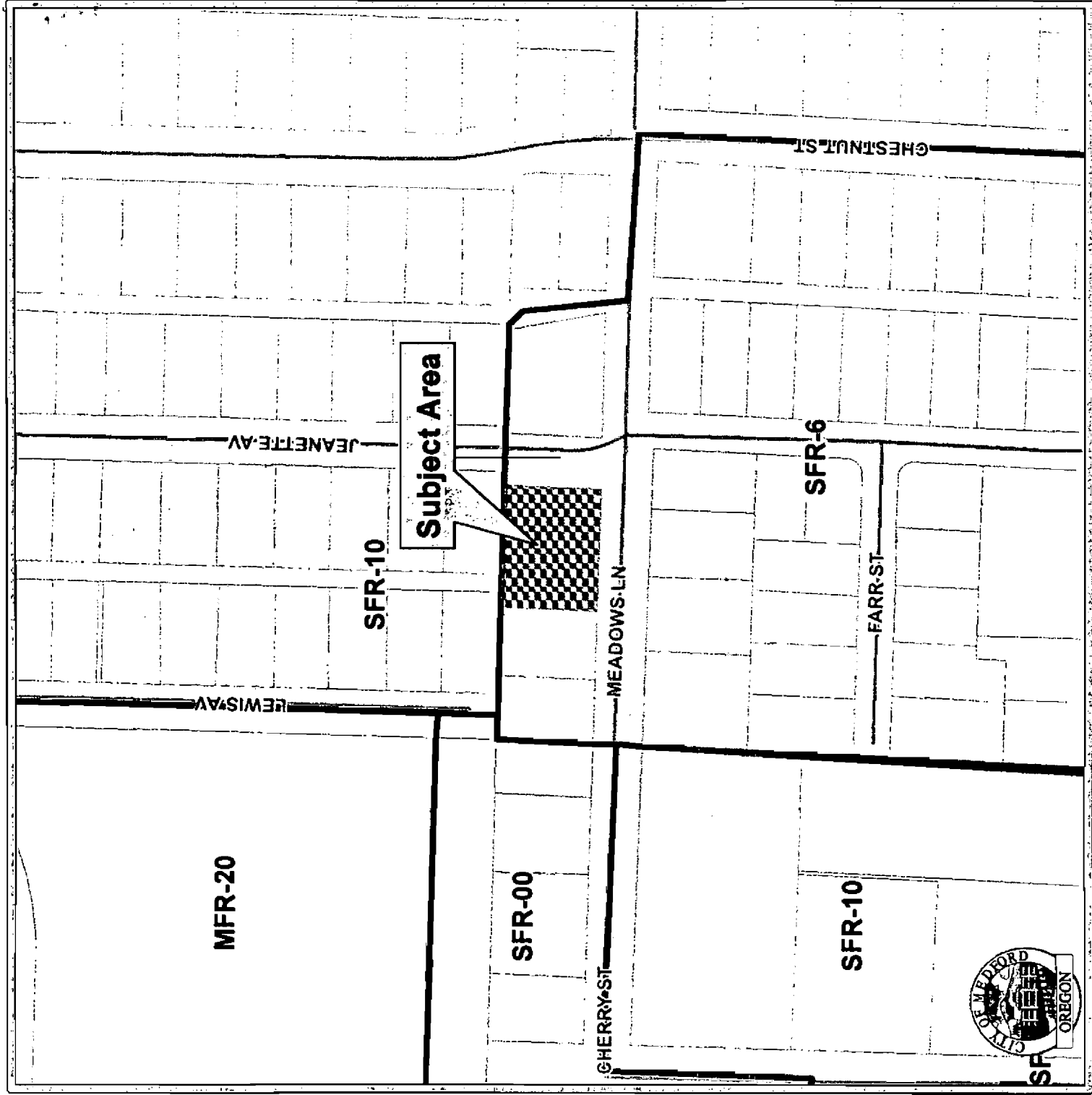
CITY OF MEDFORD
EXHIBIT # J
File # 2C-09-057

Vicinity Map

	Zoning Boundary
	UGB
	City Limits
	Taxlots

OVERLAY

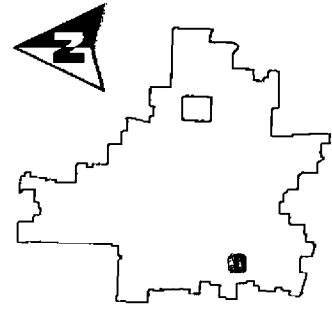
	Airport Approach
	Airport Radar
	Central Business
	Freeway
	Historic Outline
	Limited Industrial
	Limited Service
	Planned Development
	Southeast



FILE NUMBER:
ZC-09-057

APPLICANT:
Gerald and Ann Ackles

Map: 372W25CC
TL: 3400



5/22/2009

RECEIVED

MAY 19 2009

PLANNING DEPT

L-58623

94-08418

State of Oregon, County of Jackson SS
I, the undersigned, being a duly qualified and sworn
Recorder in and for the County of Jackson, Oregon,
do hereby certify that the foregoing is a true and
correct copy of the original as the same appears
from the records of said County.

By Debra A. Davis Deputy

Beginning at the northwest corner of Lot Two (2) in Block One (1) of the NICKEL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now on record; thence South, along the west line of said Lot, 106.0 feet, more or less, to the north line of the old Jacksonville Railroad right-of-way; thence East, along said right-of-way to its intersection with the east line of said Lot Two (2); thence North, along the east line of said Lot, to the northeast corner thereof; thence West, along the north line thereof, 130.0 feet to the point of beginning. EXCEPTING THEREFROM the following: Beginning at the northeast corner of Lot Two (2) in Block One (1) of the NICKEL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now on record; thence East, on the north line of said Lot 2, a distance of 50.0 feet; thence South, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less to the northerly line of the old Jacksonville Railroad right-of-way; thence West, along the northerly line of said right-of-way, to the west line of said Lot 2; thence North on the west line of said Lot 2, a distance of 106.0 feet, more or less, to the point of beginning. ALSO EXCEPTING THEREFROM the following: Beginning at the northeast corner of Lot Two (2) in Block One (1) of the NICKEL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now on record; thence East, on the north line of said Lot 2, a distance of 50.0 feet; thence South, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the north line of the old Jacksonville Railroad right-of-way; thence West, along the north line of said right-of-way, a distance of 100.0 feet; thence North, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the point of beginning. ALSO EXCEPTING THEREFROM the following: Beginning at the northeast corner of Lot Two (2) in Block One (1) of the NICKEL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now on record; thence East, on the north line of said Lot 2, a distance of 50.0 feet; thence South, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the north line of the old Jacksonville Railroad right-of-way; thence West, along the north line of said right-of-way, a distance of 100.0 feet; thence North, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the point of beginning. ALSO EXCEPTING THEREFROM the following: Beginning at the northeast corner of Lot Two (2) in Block One (1) of the NICKEL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now on record; thence East, on the north line of said Lot 2, a distance of 50.0 feet; thence South, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the north line of the old Jacksonville Railroad right-of-way; thence West, along the north line of said right-of-way, a distance of 100.0 feet; thence North, and parallel with the west line of said Lot 2, a distance of 106.0 feet, more or less, to the point of beginning.

(Code 49-1, Account #1-40K30-9, Map #372625C, New Lot #3400)

SUBJECT TO:

1. The effect of said property, or any part thereof, lying within the Medford Irrigation District, and subject to all water and irrigation rights, easements for ditches and canals, and all regulations of said District, including any and all assessment liens assessed, and to be assessed.

2. Right of way for ditches, canals and reservoir sites for irrigation purposes, constructed or which may be constructed by authority of the United States, reserved in deed from the State of Oregon to H. C. Barnett, recorded October 25, 1907 in Volume 61 page 500 of the 1903 Records of Jackson County, Oregon.

3. Easement for the construction and maintenance of a sewer, and rights in connection therewith, 10.0 feet in width, granted to the City of Medford, Oregon, a municipal corporation, by instrument recorded August 7, 1974 as No. 74-10041 of the Official Records of Jackson County, Oregon.

DEBRA A. DAVIS

Deputy

94-09-057



7007 0710 0001 0567 2470

ATTN: Plan Amendment Specialist
Dept. of Land Conser. & Develop.
635 Capitol St. NE, Ste. 150
Salem, Or 97301-2540



POSTNET

POSTNET
07/10/00