



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: January 27, 2016
Jurisdiction: City of Medford
Local file no.: CP-11-007/GLUP-11-008, ZC
DLCD file no.: 014-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 01/26/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 62 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

014-11

File No.: {18547}

Received: 1/26/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Medford

Local file no.: CP-11-007 & GLUP-11-008

Date of adoption: 1/7/16 Date sent: 1/26/16

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

☒ Yes: Date (use the date of last revision if a revised Form 1 was submitted): 11/20/15☐ NoIs the adopted change different from what was described in the Notice of Proposed Change? ☐ Yes ☒ No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Praline McCormack, Planner II

Phone: 541-774-2397 E-mail: praline.mccormack@cityofmedford.orgStreet address: 200 S Ivy Street, 2nd Floor City: Medford Zip: 97501-**For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Public Facilities Element, General Land Use Plan Element

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from SFR-4/LS to SFR-4. 34.11 acres. ☐ A goal exception was required for this change.Change from SFR-2/LS to SFR-2. 2.26 acres. ☐ A goal exception was required for this change.Change from to acres. ☐ A goal exception was required for this change.Change from to acres. ☐ A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 50 parcels totalling 36.37 acres (see attached).

If the change is a UGB amendment including over 50 acres by a city with a population greater than 2,500, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

If the change is an urban reserve establishment or amendment, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from to . Acres:

Change from to . Acres:

Change from to . Acres:

Change from to . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: Limited Service. Acres added: . Acres removed: 36.37

Location of affected property (T, R, Sec., TL and address): see attached map

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

1. Signed Ordinance
2. Minutes from City Council hearing 1/7/16
3. List of Properties with Limited Service Overlay
4. Agenda Item Commentary for 1/7/16 hearing
5. Commission Report dated 12/14/15 including Exhibits A through G

ORDINANCE NO. 2016-08

AN ORDINANCE approving a minor amendment to the General Land Use Plan (GLUP) Map and the Public Facilities Element of the *Medford Comprehensive Plan* by removing the Limited Service Area overlay designation from 50 parcels totaling approximately 36 acres in the Lone Pine & Foothills area.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a minor amendment to the GLUP Map of the *Medford Comprehensive Plan* to remove the Limited Service Area overlay designation from 50 parcels totaling an approximately 36 acres in the Lone Pine & Foothills area is hereby approved.

Section 2. That a minor amendment to the Public Facilities Element removing the text identifying and justifying the Lone Pine/Foothill Limited Service Area is hereby approved.

Section 3. The approval is based upon the Findings of Fact and Conclusions of Law included in the Commission Report dated December 14, 2015, attached as Exhibit A and incorporated herein.

PASSED by the Council and signed by me in authentication of its passage this 7 day of January, 2016.

ATTEST: Winnie Shepard
Deputy City Recorder

APPROVED January 7, 2016.

Ray D. White
Mayor
Ray D. White
Mayor

Minutes

January 7, 2016

12:00 Noon and 7:00 p.m.

Medford City Hall, Council Chambers

411 West Eighth, Medford, Oregon

The regular meeting of the Medford City Council was called to order at 12:00 noon in the Council Chambers of the Medford City Hall on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Clay Beamson, Daniel Bunn, Chris Corcoran, Dick Gordon, Tim Jackle, Eli Matthews, Kevin Stine, Michael Zarosinski*

City Manager Pro Tem Bill Hoke; City Attorney Lori Cooper; City Recorder Karen Spoons; Deputy City Recorder Winnie Shepard

*Michael Zarosinski arrived at 12:04 p.m.

Mayor Wheeler noted the passing of Andy Mauer and Mary Jane Dellenback and their contributions to the area during their lifetimes.

60. Ordinances and Resolutions

60.5 COUNCIL BILL 2016-05 A resolution initiating the vacation of a public alley located in between Park and Oakdale Avenues beginning at Dakota Avenue and running northerly 402 feet. (SV-15-160)

Councilmember Bunn asked how and why this vacation was initiated. Mr. Crebbin provided the history of this vacation, explaining that approximately 10-15 years ago a study session was conducted resulting in a list of 33 alleys planned for vacation. Public Works began with the easiest and have continued working the list. Councilmember Stine noted this issue was discussed during a Landmarks and Historic Preservation Commission meeting and asked why a person would object. Mr. Crebbin had not heard of any specific reasons. Citizens were utilizing the alleys for personal use and were not actually used as alleys. Councilmember Gordon clarified that the property would still retain the City's utilities easements. Mr. Crebbin confirmed the City's easements would remain.

Motion: Approve the resolution initiating the vacation of a public alley located in between Park and Oakdale Avenues beginning at Dakota Avenue and running northerly 402 feet.

Moved by: Kevin Stine

Seconded by: Eli Matthews

Roll call: Councilmembers Beamson, Bunn, Corcoran, Gordon, Jackle, Matthews, Stine, and Zarosinski voting yes.

Resolution 2016-05 was duly adopted.

EVENING SESSION

7:00 P.M.

The regular evening session of the Medford City Council was called to order at 7:10 p.m. in the Council Chambers of the Medford City Hall on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Clay Bearnson, Daniel Bunn, Chris Corcoran, Dick Gordon, Eli Matthews, Kevin Stine, Michael Zarosinski

City Manager Pro Tem Bill Hoke; City Attorney Lori Cooper; City Recorder Karen Spoons and Deputy City Recorder Winnie Shepard

Councilmember Tim Jackle was absent.

120. Public Hearings

120.2 COUNCIL BILL 2016-07 An ordinance vacating an approximate 10,379 square feet of public right-of-way located at the southwest corner of the intersection of South Holly Street and Garfield Street; reserving easements. (SV-15-114) Land Use, Quasi-Judicial

City Attorney Lori Cooper read a statement on conducting quasi-judicial land use hearings.

Planning Director Jim Huber provided a staff report. Councilmember Bunn asked for clarification on the type of land. Mr. Huber explained it is a combination of earth and asphalt. Councilmember Bunn questioned whether old Holly Street had been removed. Mr. Huber responded that for the most part, it had been. Councilmember Gordon questioned the location of the driveway and asked for more information. Mr. Huber explained the location of the driveway and indicated it on the map. Once the property was vacated, the City would provide an easement to this driveway.

Public Works Director Cory Crebbin, representing the applicant, noted the easement's location for the driveway and explained the easement would be maintained as part of the vacation. Councilmember Bunn clarified that when property is vacated it usually reverts back to the two houses to the west of the property. Mr. Crebbin clarified that the property would revert to the two houses abutting the vacated right-of-way. Councilmember Corcoran noted it was not equal amounts of property. Mr. Crebbin again indicated on the map the location of the property division. The north property would receive significantly more property than the property on the South.

Mr. Huber continued with the staff report and outlined staff's recommendation to approve the vacation.

Councilmember Stine asked whether the City owned the land. Mr. Huber responded that it is public right-of-way. Councilmember Stine asked whether there was value to the land. Mr. Crebbin clarified that public right-of-way is a master easement which provides jurisdiction to the City, but the land doesn't belong to the City. Mr. Crebbin noted there are water and utility easements on the property and explained the Council had directed the vacation of this right-of-way.

Public hearing opened.

No one spoke.

Public hearing closed.

Motion: Adopt the ordinance vacating an approximate 10,379 square feet of public right-of-way located at the southwest corner of the intersection of South Holly Street and Garfield Street; reserving easements.

Moved by: Clay Bearnson

Seconded by: Chris Corcoran

Roll call: Councilmembers Bunn, Bearnson, Corcoran, Gordon, Matthews, Stine and Zarosinski voting yes.

Motion carried and so ordered.

120.3 COUNCIL BILL 2016-08 An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map and the Public Facilities Element of the *Medford Comprehensive Plan* by removing the Limited Service Area overlay designation from 50 parcels totaling approximately 36 acres in the Lone Pine and Foothills area. (CP-11-007/GLUP-11-008) Land Use, Quasi-Judicial

Principal Planner John Adam provided the staff report. He noted it would remove the limited service overlay applied in 1992, because City water could not reach this area. Now that the area is receiving City water, the overlay is no longer necessary. Councilmember Bunn asked if there were other overlays; Mr. Adam noted this is the only overlay. Councilmember Corcoran asked if this was in the Urban Growth Boundary (UGB). Mr. Adam confirmed.

Public hearing opened.

No one spoke.

Public hearing closed.

Motion: An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map and the Public Facilities Element of the *Medford Comprehensive Plan* by removing the Limited Service Area overlay designation from 50 parcels totaling approximately 36 acres in the Lone Pine and Foothills area. (CP-11-007/GLUP-11-008) Land Use, Quasi-Judicial

Moved by: Kevin Stine

Seconded by: Daniel Bunn

Roll call: Councilmembers Bunn, Bearnson, Corcoran, Gordon, Matthews, Stine and Zarosinski voting yes.

Ordinance 2016-08 was duly adopted.

Properties with the Limited Service Area Overlay Designation

ZONING	ACRES	ITE MAPLOT	FEEDOWNER	ADDRESS1	CITY	STATE	ZIPCODE
SFR-4	0.34	✓ 371W15800	JANTZEN DARRIN W	PO BOX 531	SHADY GROVE	OR	97539
SFR-4	0.43	✓ 371W1601100	FRANK MATTHEW J	3295 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.43	✓ 371W160900	FORDYCE TRUSTEES C/O LAW OFCS C	311 S HOLLY ST	MEDFORD	OR	97501
SFR-4	0.73	✓ 371W1603100	FRIESEN SCOTT A/KERL L	3101 NORMAL TERR	MEDFORD	OR	97504
SFR-4	4.64	✓ 371W160500	DEBOER TRUSTEES, REGAL FAMILY TR	PO BOX 249	ASHLAND	OR	97520
SFR-4	0.68	✓ 371W160800	HYATT TRUSTEE, DUBS TRUSTEE	3551 E BARNETT RD, 105	MEDFORD	OR	97504
SFR-4	0.45	✓ 371W1602400	LATHROP GREGORY M/JUDITH A	3384 CADET DR	MEDFORD	OR	97504
SFR-4	0.46	✓ 371W1602500	BERRY GEORGE W/MARY L	3334 NORMAL TERR	MEDFORD	OR	97504
SFR-4	0.31	✓ 371W1601412	O SHEA TRUSTEES	3442 CADET DR	MEDFORD	OR	97504
SFR-4	0.35	✓ 371W1601413	PAGNINI MIKE/CAROL	3438 CADET DR	MEDFORD	OR	97504
SFR-4	0.35	✓ 371W1601414	SURDAL KJETRUSILVIA P	3434 CADET DR	MEDFORD	OR	97504
SFR-4	0.35	✓ 371W1601415	WALLACE DUANE HADRIENNE M	3430 CADET DR	MEDFORD	OR	97504
SFR-4	0.34	✓ 371W1601416	FITZSIMMONS KELLY/JENETTE	3396 CADET DR	MEDFORD	OR	97501
SFR-4	0.01	✓ 371W1601420	MEDFORD CITY OF	NO ADDRESS SUPPLIED	MEDFORD	OR	97501
SFR-4	0.46	✓ 371W1601600	HENDERSON PATRICK/CAROL	3386 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.4	✓ 371W1601700	BEYER MELVIN E	3368 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.45	✓ 371W1601800	WION KENNETH M TRUSTEE	3344 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.38	✓ 371W1601408	MILLER TRUSTEES/LIVING TRUST	2956 LAPINE AVE	CENTRAL POINT	OR	97502
SFR-4	0.38	✓ 371W1601407	BARTHOLOMEW DAVIS LINDA L	3395 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.38	✓ 371W1601406	BUDGE LOUIS J	PO BOX 758	MEDFORD	OR	97501
SFR-4	0.26	✓ 371W1601409	MAYO DONALD M/CINDY K	PO BOX 358	MEDFORD	OR	97501
SFR-4	0.5	✓ 371W1602500	LATHROP GREGORY M/JUDITH A	3384 CADET DR	MEDFORD	OR	97504
SFR-4	0.01	✓ 371W1601421	MEDFORD CITY OF	NO ADDRESS SUPPLIED	MEDFORD	OR	97501
SFR-4	0.55	✓ 371W1602600	SCOTT LUKE M/REBECCA A	3378 CADET DR	MEDFORD	OR	97504
SFR-4	0.38	✓ 371W1602000	PICKREL JEREMIAH A/MELISSA	3343 CADET DR	MEDFORD	OR	97504
SFR-4	0.48	✓ 371W1601900	GRIMLAND TRUSTEES	3333 NORMAL TERR	MEDFORD	OR	97504
SFR-4	0.4	✓ 371W1602800	ANDERSON KENNETH W SR/SANDR	3354 NORMAL TERR	MEDFORD	OR	97504
SFR-2	2.26	✓ 371W1603205	VAN SLACK DON	100 HARDY WAY	GOLD HILL	OR	97525
SFR-4	4.01	✓ 371W160301	DEBOER TRUSTEES, REGAL FAMILY TR	PO BOX 249	ASHLAND	OR	97520
SFR-4	0.37	✓ 371W1602700	MAUDIN JAMES EDWIN TRUSTEES	3360 CADET DR	MEDFORD	OR	97504
SFR-4	2.08	✓ 371W1603201	SIMPSON LORI/LINAE TRUSTEES	3291 NORMAL TERR	MEDFORD	OR	97504
SFR-4	0.26	✓ 371W1601411	K & L PREMIUM PROPERTIES LLC	3378 CADET DR	MEDFORD	OR	97504
SFR-4	0.31	✓ 371W1601417	HOLMGREN CHARLES A/MOGEDAH CA	2345 BROWLEY ST 9	MEDFORD	OR	97501
SFR-4	0.83	✓ 371W1603000	SIMPSON LORI/LINAE TRUSTEES	3291 NORMAL TERR	MEDFORD	OR	97504
SFR-4	0.46	✓ 371W1602300	JANKOWSKI PAUL/P D HOYECKI	932 H ST	PORT TOWNSEND WA	WA	98368
SFR-4	0.26	✓ 371W1601410	NELSON DANIEL G/GIBBEN PEGGY A	C/O JONES & ASSOC, 24361	MEDFORD	OR	97501
SFR-4	0.33	✓ 371W1601418	BOL PROPERTIES LLC	PO BOX 758	MEDFORD	OR	97501
SFR-4	0.46	✓ 371W1602200	BEHNKE FRANK/CHERYL	711 MEDFORD CTR 198	MEDFORD	OR	97504
SFR-4	0.4	✓ 371W1602100	GUYER LANNY EUGENE/SUSAN L	3367 CADET DR	MEDFORD	OR	97504
SFR-4	0.38	✓ 371W1601404	SOKOLOWSKI WALTER P/PENNY K	3383 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.34	✓ 371W1601402	NEMMEYER TROY ELISA D	3477 POPPYWOODS DR	MEDFORD	OR	97504
SFR-4	0.38	✓ 371W1601405	PLUMMER LOVING TRUST ET AL	3387 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.37	✓ 371W1601403	MULLER LIVING TRUST	2956 LAPINE AVE	CENTRAL POINT	OR	97502
SFR-4	0.31	✓ 371W1601400	VIXO DARCY/LUANNA	659 WOODLARK DR	MEDFORD	OR	97501
SFR-4	0.52	✓ 371W1601300	BROTON JEFFREY M TRUSTEE ET	3367 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.34	✓ 371W1601419	PALPANT JEFFREY L	4671 EAGLE TRACE	MEDFORD	OR	97504
SFR-4	0.46	✓ 371W1601500	GARDNER DAVID G/SYLVIA B ET	3390 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	0.49	✓ 371W1601700	SUPPRESSION #53	3365 ANNAPOLIS DR	MEDFORD	OR	97504
SFR-4	1.25	✓ 371W15900	JANTZER MIKE W TRUSTEE ET A	1701 PANORAMA DR	MEDFORD	OR	97504
SFR-4	4.54	✓ 371W15207	VAN WEY WAYNE	PO BOX 841	MEDFORD	OR	97501
	36.37	ACRES					



CITY OF MEDFORD
AGENDA ITEM COMMENTARY
www.ci.medford.or.us

Item No: 120.3

DEPARTMENT: Planning
PHONE: 541-774-2380
STAFF CONTACT: James E. Huber, AICP, Planning Director

AGENDA SECTION: Public Hearings
MEETING DATE: January 7, 2016

COUNCIL BILL 2016-08

An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map and the Public Facilities Element of the *Medford Comprehensive Plan* by removing the Limited Service Area overlay designation from 50 parcels totaling approximately 36 acres in the Lone Pine and Foothills area.

ISSUE STATEMENT & SUMMARY:

Consideration of an ordinance to remove the Limited Service Area Overlay designation from 50 parcels totaling approximately 36 acres in the Lone Pine/Foothills area. (CP-11-007/GLUP-11-008).

BACKGROUND:

A. Council Action History
None.

B. Analysis
The Limited Service Area Overlay was placed on these parcels in 1982 due to a lack of water service. Water service is now in place and of adequate capacity to serve the parcels at urban densities. There is no longer the need for the designation in this area.

C. Financial and/or Resource Considerations
No land use regulatory impacts to City funds anticipated.

D. Timing Issues
None. This action has been a low priority for a few years, but has been revived recently.

STRATEGIC PLAN:

Theme: Healthy Economy

Goal 6: Maintain and enhance community livability.

Objective 6.2: Ensure that the City's codes enable developers, for-profit and non-profit housing providers to meet the housing needs of the residents of Medford.

Action 6.2a: Remove unnecessary local regulatory impediments to providing needed housing.

COUNCIL OPTIONS:

1. Approve the ordinance as recommended by the Planning Commission.
2. Modify the ordinance.
3. Deny the ordinance.

STAFF RECOMMENDATIONS:

The Planning Commission recommends approval of the ordinance as presented. Staff concurs with the recommendation of the Commission.

SUGGESTED MOTION:

I move to approve the ordinance removing the Limited Service Area Overlay from the 50 parcels in the Lone Pine/Foothills area.

EXHIBITS:

Ordinance

Commission report dated December 14, 2015



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

COMMISSION REPORT

to City Council for a Class-B quasi-judicial decision: **Minor Comprehensive Plan Amendments to the Public Facilities Element, General Land Use Plan Element, and the General Land Use Plan Map.**

Project Remove Limited Service Area Overlay from Lone Pine/Foothills Area
File no. CP-11-007/GLUP-11-008
To Mayor and City Council *for January 7, 2016 hearing*
From Praline McCormack, Planner II
Reviewer John Adam, Principal Planner
Date December 14, 2015

BACKGROUND

Proposal

Quasi-judicial amendments to elements of the City's Comprehensive Plan including the Public Facilities Element, the General Land Use Plan Element, and the General Land Use Plan (GLUP) map to remove the Limited Service Area Overlay from 50 parcels totaling approximately 36 acres in the Lone Pine/Foothill area.

History

The General Land Use Element describes the Limited Service Area Overlay designation as being intended for areas that are not presently serviced with adequate public facilities or other services required for development to urban densities. When the designation is applied the City must provide a development management program that will eventually facilitate the provision of the necessary facility or service. The Limited Service Area Overlay limits development to one single-family home and one accessory dwelling unit per parcel until facilities are built to serve the parcels at urban densities.

In 1982 the Limited Service Area Overlay was placed on 50 parcels in the Lone Pine/Foothill area due to a lack of water service. Several years ago the Fordyce Water Association built a water tank and brought water to the area up to the 1,950 foot elevation. Due to residential development in the area, the Fordyce Water Association was then able to hook up to the Medford Water Commission system. Water service is now available and has adequate capacity. The Limited Service Area Overlay is no longer necessary.

The Planning Department began working on this project in 2011. Other projects of higher priority came to the forefront and this project was postponed. Staff has been able to pick it up again and presents it to you now for consideration.

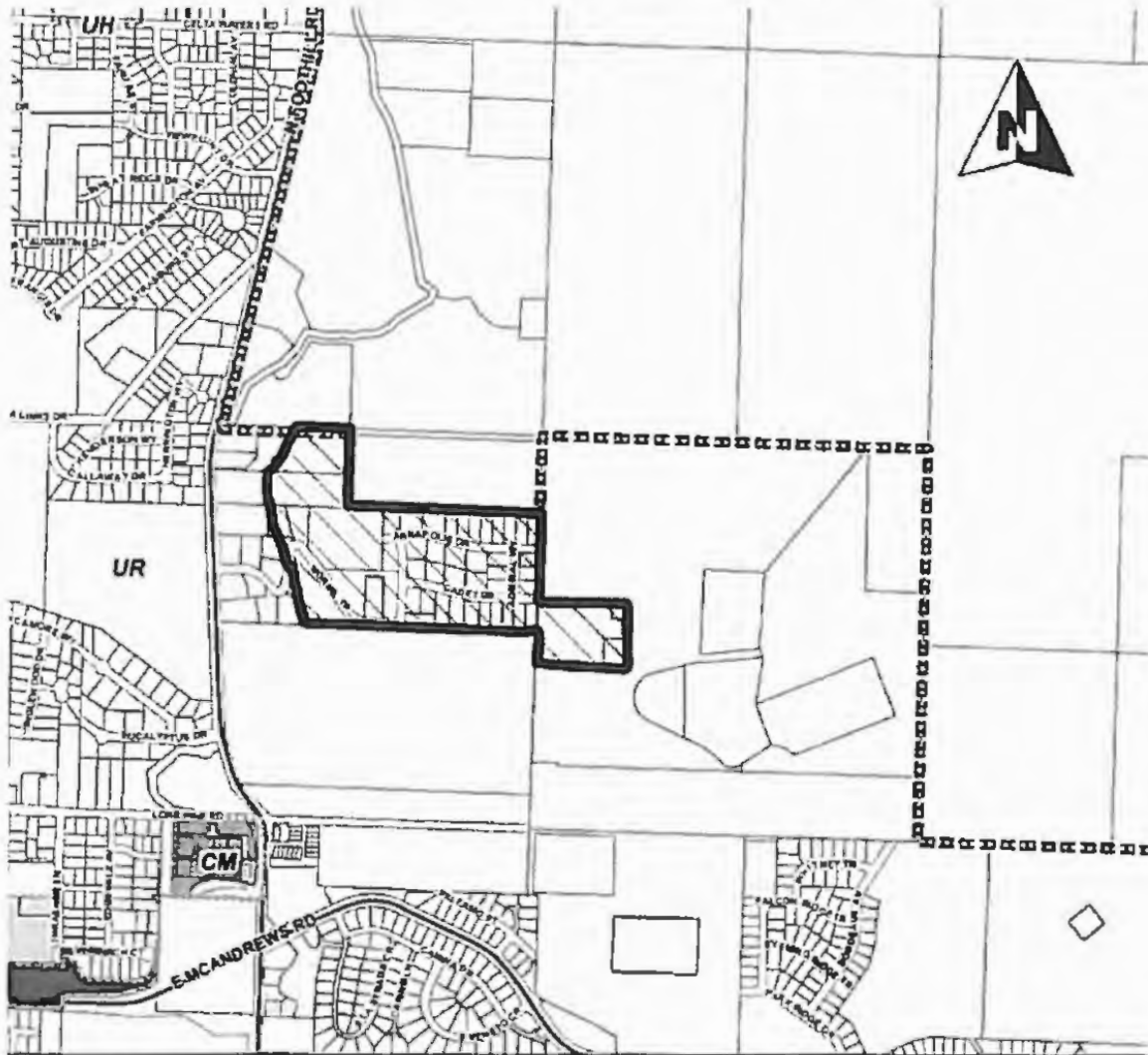


Figure 1. Proposal location and vicinity

A Planning Commission study session occurred on April 8, 2013. At that time, Planning staff was considering removal of the Limited Service Area Overlay in the Lone Pine/Foothill area, and application of the Overlay to a new area north of Satellite Drive and east of Panorama Drive above the 1,950-foot elevation contour where sewer service is not available. Planning has not yet received a request for Public Works to apply the Overlay to any new areas. Planning staff also considered eliminating the Overlay entirely due to the presence of other zoning designations that would possibly result in the same limit on development until adequate facilities/services were available. However, staff determined that the Overlay is the best method to deal with inadequate facilities or services.

More recently, there was a Planning Commission study session on November 23, 2015 in which the current proposal was presented and discussed.

The Planning Commission held a hearing on December 10, 2015. The Commission vote was 9-0 to recommend the proposed amendments.

Related projects

CP-82-028 – Comprehensive Plan amendment that applied the Limited Service Area Overlay to the Lone Pine/Foothills area.

Authority

Due to its limited scope, this proposed land use action is a Class-B Minor Quasi-Judicial Comprehensive Plan Amendment. The Planning Commission is authorized to initiate and recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code Sections 10.102, 10.110, 10.111, 10.122, 10.165, 10.185, and 10.186.

ANALYSIS

Subject site characteristics

Zoning	SFR-4 (49 parcels)	Single-family residential, 4 units/acre
	SFR-2 (1 parcel)	Single-family residential, 2 units/acre
GLUP Use	Urban Residential (UR) with Limited Service Area Overlay (LS) Residential	

Surrounding site characteristics

North	Outside city limits	
South	Outside city limits	
East	SFR-00	Residential
West	SFR-00/SFR-4	Residential

The need for the Limited Service Area Overlay in the Lone Pine/Foothill area is no longer applicable. Water facilities have been built and water is adequate to serve the area. Removing the Overlay will encourage under-developed parcels to develop to urban densities, and in a small way contribute to the larger need for urban residential land. Staff concludes that the proposed Comprehensive Plan amendments are supportable.

FINDINGS AND CONCLUSIONS

Applicable Criteria

For the applicable criteria the Medford Municipal Code Section 10.184(1) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for conclusions, goals and policies, and map amendments. The criteria are set in *italics* below; findings and conclusions are in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments to Conclusions shall be based on the following:

- 1. A change or addition to the text, data, inventories, or graphics which substantially affects the nature of one or more conclusions.*

Findings

Water service is now available and has adequate capacity to serve the Lone Pine/Foothill area up to the 1,950-foot elevation.

Conclusions

In the Public Facilities Element, Water Service Conclusion #4 identifies the Lone Pine/Foothill area as having limited water service. This is no longer applicable, so the conclusion is being removed.

Comprehensive Plan, Review and Amendments chapter: Amendments to Goals and Policies, and Map Designations shall be based on the following:

- 1. A significant change in one or more Goal, Policy, or Implementation Strategy.*

Findings

Now that water is available and there is adequate capacity to serve the Lone Pine/Foothill area, all of the Lone Pine/Foothill Limited Service Area Goals and Policies in the Water Service section of the Public Facilities Element are no longer applicable.

Conclusions

In the Public Facilities Element, Water Service section, all of the Lone Pine/Foothill Limited Service Area Goals and Policies are no longer applicable and are being removed.

- 2. Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*

Findings

The proposed amendments do not accommodate unpredicted population trends, or assure adequate employment opportunities. They will, in a small way, satisfy urban housing needs. The Housing Element, adopted 12/2/10, projects a 465-acre need

for low-density urban residential (UR) land. Removal of the Limited Service Area Overlay will enable 13 under-developed (half an acre or larger) parcels totaling 30 acres, to develop to urban densities. The remaining 37 parcels have already been subdivided and built to urban densities.

Conclusions

By removing the Limited Service Area Overlay designation from these properties, this proposal will enable 13 under-developed parcels to develop to urban densities thus contributing 6% to the 465-acre need for low-density UR land.

3. The orderly and economic provision of key public facilities.

Findings

Transportation, water, and sewer utilities are available to these parcels with sufficient capacity to meet the needs of development at urban densities. The GLUP designation was applied to the parcels in 1982 due to a lack of water service. That issue has been resolved and water service is now available.

Conclusions

Sufficient facilities exist to accommodate the proposed change.

4. Maximum efficiency of land uses within the current urbanizable area.

Findings

The Urban Residential (UR) GLUP designation allows for low- to medium-density residentially-zoned properties. The Limited Service Area Overlay limits development to one dwelling unit and one accessory dwelling unit per parcel. Where development has not occurred in this area due to the lack of water service, the removal of the designation will encourage development

Conclusions

Removal of the Limited Service Area Overlay will result in a more efficient use of residential buildable land within the current city limits.

5. Environmental, energy, economic, and social consequences.

Findings

The subject parcels are inside the urban growth boundary and have already met the test concerning environmental impacts. No energy consequences are discernable. The removal of the Limited Service Area Overlay designation will, in a very small way, help to address a deficit in residential land. When the under-developed parcels

are built to urban densities it will stimulate economic development due to the jobs generated and the materials purchased.

Conclusions

There are no adverse environmental impacts since the subject properties have long been identified for urban development. In addition, there are no energy consequences as a result of the proposed amendments. The City has a deficit of urban residential land. A small amount of under-developed urban residential land in the Lone Pine/Foothill area will be able to develop to urban densities as a result of the removal of the Limited Service designation. A small degree of economic development will be seen as those properties begin to develop.

6. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*

Findings

General Land Use Plan Element

Goal 1: To maintain and update the City of Medford General Land Use Plan Map.

Policy 1-A: The City of Medford General Land Use Plan shall be reviewed at least every five years, and may be amended whenever it is determined that a change is warranted...

Conclusions

Now that water facilities are adequate for the area, a change to the GLUP Map to remove the Limited Service designation is warranted.

7. *All applicable Statewide Planning Goals.*

Goal 1—Citizen Involvement

Findings

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process, including participation in the quasi-judicial revision of the Comprehensive Plan. Goal 1 requires provision of the opportunity to review proposed amendments prior to a public hearing, and recommendations must be retained and receive a response from policy-makers. The rationale used to reach land use decisions must be available in the written record. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes review of proposed Comprehensive Plan amendments by the Planning Commission and City Council. Affected agencies and departments are invited to review and comment on such proposals, and hearing no-

tices are published in the local newspaper. This process has been adhered to in this proposed amendment. The proposal was made available for review on the City of Medford website and at the Planning Department. It was considered by the Planning Commission and the City Council during televised public hearings.

Conclusions

By following the standard notification and comment procedure, the City provided adequate opportunities for citizen input.

Goal 2— Land-use Planning

Findings

The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code that comply with Goal 2. These are the bases for decisions and actions.

Conclusions

There is an adequate factual basis for the proposed designation change.

Goal 3—Agricultural Lands does not apply.

Goal 4—Forest Lands does not apply.

Goal 5—Natural Resources, Scenic & Historic Areas & Open Spaces does not apply.

Goal 6—Air, Water, and Land Resources Quality does not apply.

Goal 7—Areas Subject to Natural Hazards does not apply.

Goal 8—Recreation Needs does not apply.

Goal 9—Economic Development

Findings

Thirty-seven of the subject parcels are already subdivided and built out. One-quarter of the subject parcels are greater than one-half an acre and if not vacant then the Limited Service designation has restricted them to only one home. Once the Limited Service designation is removed the property owners will be able to develop to urban densities. Development of these parcels will spur a small amount of economic development through construction job creation and material procurements

Conclusions

A small degree of economic development can be anticipated as a result of the proposed amendments.

Goal 10—Housing

Findings

Goal 10 requires that “plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.” The proposed change would remove the limit on development in the subject area and replace it with a potential for a greater number of housing units.

Conclusions

The removal of the Limited Services Area Overlay will result in a greater number of housing units, thus complying with Goal 10.

Goal 11—Public Facilities and Services

Findings

Refer to the findings under Criterion 3, above.

Conclusions

Refer to the conclusion under Criterion 3 above.

Goal 12—Transportation does not apply.

Goal 13—Energy Conservation does not apply.

Goal 14—Urbanization does not apply.

Goals 15–19 do not apply to this part of the State.

ACTION TAKEN

The Planning Commission recommends adopting the proposed amendments based on the analyses, findings, and conclusions in the Commission Report dated December 14, 2015, including Exhibits A through G.

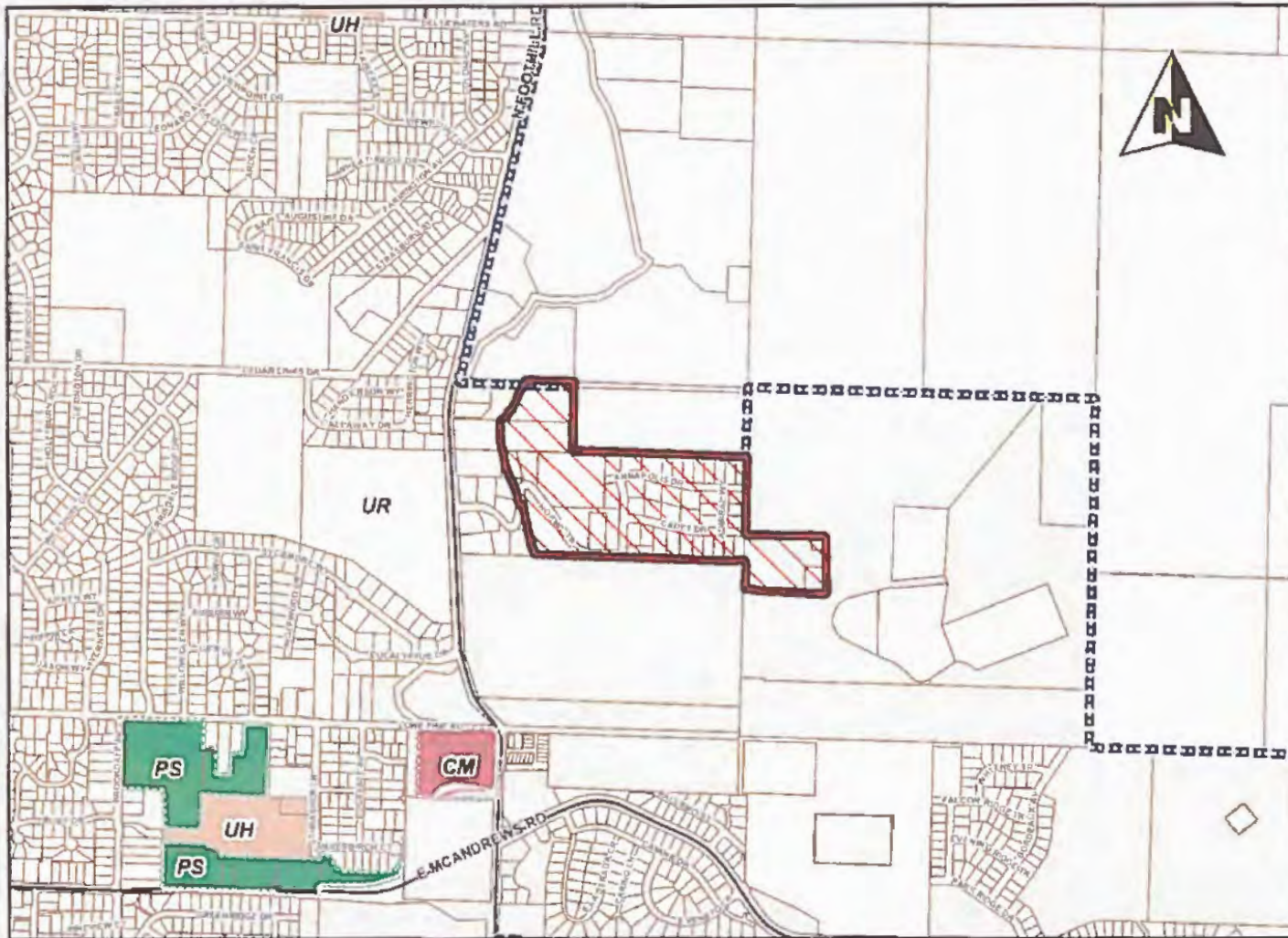
EXHIBITS

- A Map of Limited Service Area Overlay to be Removed.
- B Proposed revisions to Public Facilities Element.
- C Proposed revisions to General Land Use Plan Element.
- D Letter from Mike Jantzer dated July 10, 2015
- E Minutes, Planning Commission Study Session, April 8, 2013
- F Minutes, Planning Commission Study Session, November 23, 2015
- G Minutes, Planning Commission Hearing, December 10, 2015

Removal of Limited Service Area Overlay

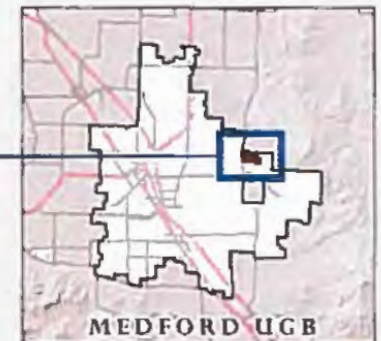
GLUP-11-008

Medford GLUP
Map Update

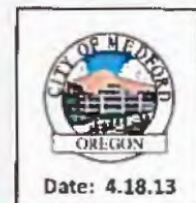


LEGEND

- Removal of Limited Service Overlay
- Urban Growth Boundary
- Tax Lots
- GLUP (labeled w/ bkgd color)



0 1,000 2,000
Feet



CITY OF MEDFORD

EXHIBIT # A

File # CP-11-007/GLUP-11-008

I. INTRODUCTION

The fundamental purpose of the Public Facilities Element is to establish and maintain a general but timely view of where, when, and how public facilities and services will be provided to support planned urban growth within Medford's Urban Growth Boundary. Each year, decisions are made to commit considerable funds for acquisition, construction, expansion, and repair of public facility systems. One important role of this *Comprehensive Plan* element is to describe the principles and criteria underlying these decisions and to integrate them with the overall land use planning process.

Public facilities elements are required by state law (ORS 1197.175 and OAR 660-011) for all cities with a population greater than 2,500. The Public Facilities Element implements Statewide Planning Goal 11, which is intended to assure that cities plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development. This element was written in accordance with Oregon Administrative Rules (OAR) 660-011 (Public Facilities Planning).

Public Facilities Categories

Public facilities and services are divided into two categories.

Category "A" includes:

- Water Service
- Sanitary Sewer and Treatment
- Storm Drainage
- Transportation Facilities*

*Transportation will be temporarily covered in this element until adoption of the new Transportation Element when Medford's Transportation System Plan (TSP) is completed.

These are the key minimum physical facilities necessary for urban development and are those for which specific documentation is required by state rule.

Category "B" include:

- Fire Protection
- Law Enforcement
- Parks and Recreation
- Solid Waste Management
- Schools
- Health Services

Category "B" public facilities and services enhance and protect development within the city and are provided in response to development that occurs. Because of this they will generally be discussed in less intensive detail than Category "A" facilities. The division of public facilities into these two categories is useful when determining facility adequacy prior to development.

CITY OF MEDFORD
EXHIBIT # B
File # CP-11-007/GLUP-11-008

PUBLIC FACILITIES ELEMENT

categories complies with OAR 660-011. This document identifies Category "A" facilities and the improvements to city infrastructure and services that are necessary to support land uses allowed by the *Comprehensive Plan*. Because this plan element also describes potential funding mechanisms, the plan is essential to long range financial planning of capital facilities, and provides general guidance for the cost and location of future facilities.

* * *

Service Areas

Each facility system serves different geographic sub-areas of the City. While facilities such as parks and schools relate more to neighborhoods defined by population size and travel time/distance, systems such as sewers, water, and storm water drainage are more logically defined by topography, soils, and other natural constraints. Such disparities can interfere with coordination of planning for public facilities, affecting different client populations.

To help overcome these barriers, the "Public Facilities Element" is organized, where possible, in relation to a common set of geographic sub-areas. These sub-areas are the nine Drainage Basins as defined in the 1996 *Comprehensive Medford Area Drainage Master Plan*.

Limited Service Areas

The timely provision of essential urban facilities and services is a policy of the City of Medford. The City's ability to provide public facilities and services relates directly to the location and type of the new development being served. In cases, where the timely provision of essential urban facilities and services cannot be accomplished so as to achieve minimum adequate service levels, then that portion of the city subject to inadequate facilities or services is designated a **Limited Service Area** and any or all development may be restricted until threshold levels of essential urban services can be achieved. Limited Service Areas are considered as priority areas for public facility planning subject to other growth and development factors. Timely provision of essential urban facilities and services mean that such services will be provided in adequate condition and capacity prior to or concurrent with development of the subject area.

~~The area identified as the Lone Pine/Foothill Limited Service Area on the General Land Use Plan Map represents those parcels either within the city or the urban growth boundary that are unable to obtain public water as required for development at urban densities. Identification of this area as a limited service area provides notice to those concerned that the Lone Pine/Foothill Limited Service Area is subject to development restrictions as specifically set forth in the Lone Pine/Foothill Limited Service Area policies.~~

* * *

Conclusions, Goals, Policies, and Implementation Strategies

Each section of the "Public Facilities Element" contains its own conclusions, goals, policies, and implementation strategies. The conclusions are drawn from the information assembled and analyzed in each section. These conclusions are then used as a basis for the goals, policies, and implementation strategies.

PUBLIC FACILITIES ELEMENT

General Public Facilities Conclusions

* * *

5. In areas of the Medford Urban Growth Boundary where the timely provision of essential urban facilities and services cannot be accomplished so as to achieve minimum established service levels, a "Limited Service Area" is designated. Development within a designated Limited Service Area may be restricted until threshold levels of essential urban services can be achieved.

General Public Facilities Goals, Policies, and Implementation Measures

* * *

Goal 2: *To assure that General Land Use Plan (GLUP) designations and the development approval process remain consistent with the City of Medford's ability to provide adequate levels of essential public facilities and services.*

Policy 2-A: In cases where the timely provision of essential urban facilities and services cannot be accomplished so as to achieve minimum adequate service levels, that portion of the Medford urban growth area subject to inadequate services shall be designated **limited service area**, and any or all development may be restricted until threshold levels of essential services can be achieved. Limited service areas should be considered as priority areas for public facility planning subject to other growth and development factors. "Timely provision of essential urban facilities and services" shall mean that such services can be provided in adequate condition and capacity prior to or concurrent with development of the subject area. "Essential urban facilities and services" shall mean sanitary sewers, water systems, stormwater management facilities, and transportation facilities. A determination of minimum adequate service levels for essential urban facilities and services shall be based on the following:

* * *

Sanitary Sewers – Sufficient to serve any proposed development consistent with the General Land Use Plan (GLUP) designation. Sanitary sewer facilities shall be considered adequate if they are consistent with the adopted sewer plan document, as interpreted by the City Engineer.

Domestic Water – Sufficient to serve any proposed development with a permanent urban domestic water system capable of supplying minimum pressure and volume for projected domestic and fire control needs consistent with the General Land Use Plan (GLUP) designation. Water facilities shall be considered adequate if they are consistent with the adopted water system plan documents, as interpreted by the Water Commission Manager.

Storm Drainage Facilities – Sufficient to serve any proposed development consistent with the General Land Use Plan (GLUP) designation. Stormwater management facilities shall be considered adequate if they are consistent with the adopted storm drainage plan document, as interpreted by the City Engineer.

II. CATEGORY "A" FACILITIES

WATER SERVICE

Level of Service

* * *

~~There is one area in the UGB where the MWC is able to provide only limited service, north of Lone Pine Road and east of Foothill Road. This area has been designated as a Limited Service Area, and the Fordyce Water Association provides water service in this area. This area consists of about 16 households and a number of undeveloped parcels, all above the elevation of 1,650 feet. The Fordyce Water Association has a metered pump on a MWC line. The water is pumped up to a cedar holding tank for all the households in the area. In return for being allowed to tap into the MWC system, the Fordyce Water Association has agreed to hook up to the MWC system when the MWC is able to provide full service to this area. With increasing residential development in this area, it is expected that the Fordyce Water Association will be able to hook up to the MWC system within five to ten years.~~

* * *

Water Service Conclusions

* * *

- ~~4. There is one area in the Medford Urban Growth Boundary, located north of Lone Pine Road and east of Foothill Road above the 1,650 foot elevation contour, where the Medford Water Commission is able to provide only limited service. This area is designated as a Limited Service Area in the Medford Comprehensive Plan.~~

5.4. The Medford Water Commission has begun water conservation efforts to facilitate improved conservation efficiencies over time.

6.5. The "Water Fund" is the general operating fund of the Medford Water Commission, and is generated from the sale of water, the income from the sale of service extensions and improvements, and system development charges (SDCs) applied to new customers.

Water Service Goals, Policies, and Implementation Measures

* * *

~~Lone Pine/Foothill Limited Service Area Goals and Policies~~

~~Goal 1: To identify the specific geographic area that is affected by the lack of a sufficient public water system as required to develop to urban densities. The area identified includes parcels that are all or partially above the 1,650 foot elevation contour in the Lone Pine/Foothill Area and within the Medford Urban Growth Boundary.~~

PUBLIC FACILITIES ELEMENT

~~**Policy 1-A:** The 1,650 foot elevation contour represents the Medford Water Commission's present service boundary for the Lone Pine/Foothill Limited Service Area. This particular boundary identifies the Water Commission's present service limits for providing urban water service based on existing storage and distribution facilities.~~

~~**Goal 2:** To manage the development of the Lone Pine/Foothill Limited Service Area in an acknowledged manner conducive to the ultimate provision of a public water system meeting urban service requirements as per the "Water System Plan for the City of Medford Water Commission, September 1999."~~

~~**Policy 2-A:** Within the Medford City limits, existing parcels on January 1, 1983 designated as in the Lone Pine/Foothill Limited Service Area, are permitted to develop at a density of one single-family residence per existing tax lot. All such new development shall be serviced by an on site private well, and, prior to the issuance of building permits, the property owner shall sign and record an agreement which runs with the land and commits same to participate in a local improvement district for the development of a public water system.~~

~~**Policy 2-B:** Final plats for land divisions within the City of Medford in the Lone Pine/Foothill Limited Service Area shall not be approved until a local improvement district for the development of a public water system is formed and construction commenced. However, tentative plats will be reviewed, and can be approved subject to the property owner(s) signing an agreement per Policy 2-A above. All tentative plats shall identify thereon, using City datum, the 1,650-foot elevation contour. A licensed land surveyor shall certify said contour line.~~

~~**Policy 2-C:** Those parcels within the Lone Pine/Foothill Limited Service Area that are only partially above the 1,650 foot elevation contour shall be permitted to subdivide and record a final plat as per City of Medford standards provided that the following is complied with:~~

- ~~a) — Lots that are not serviceable by a public water system due to their proximity to the 1,650-foot elevation contour shall be identified on the tentative plat, and separated from the serviceable lots by a phase line drawn and identified in a manner prescribed by the Planning Director.~~
- ~~b) — Prior to final plat approval for the serviceable phase of a subdivision, a final partition plat shall be prepared segregating the serviceable phase from the unserviceable phase of the subdivision as per the tentative plat. This final partition plat must be approved by the City and recorded with the Jackson County Recorder in conjunction with an agreement per Policy 2-A.~~

~~**Policy 2-D:** Lone Pine/Foothill Limited Service Area land located outside the Medford City limits, but within the Urban Growth Boundary, may subdivide and develop as per Jackson County regulations. Such development proposals that exceed RR 5 (Rural Residential 5-acre minimum lot size) density are not permitted.~~

PUBLIC FACILITIES ELEMENT

~~Policy 2-E: As a prerequisite to urban development within the Lone Pine/Foothill Limited Service Area, annexations may be approved subject to the Limited Service Area designation and policies. Upon annexation, existing County zoning may remain in effect and be administered by the City.~~

GLUP MAP DESIGNATIONS

The GLUP Map has 13 different land use designations, as listed below.

* * *

12. **Limited Service Area Overlay** This overlay designation represents those areas within the Urban Growth Boundary (UGB) that are not presently serviced with adequate public facilities or other services required for development to urban densities. The fundamental objective of distinguishing such areas is to provide development management programs that will eventually facilitate the provision of necessary facilities and services. ~~One such area is identified on the GLUP Map. The "Lone Pine/Foothills Limited Service Area," located in the northeast part of the city, lacks a sufficient water system. (See the Public Facilities Element for additional information regarding this area.)~~
13. **Urban Growth Boundary** The City of Medford and Jackson County have established an Urban Growth Boundary (UGB), which delineates Medford's urban and urbanizable areas. Following the 1990 UGB amendment there was a total of 17,889 acres (27.95 square miles) within the UGB including that land within the City. The UGB is site specific. Since the GLUP Map does not indicate lot lines, the UGB is also specified on the City of Medford Zoning Map, a map having lot lines, so that the location of specific parcels inside or outside of the UGB can be determined.

CITY OF MEDFORD
EXHIBIT C
File # CP-11-007/GLUP-11-008

RECEIVED

JUL 10 2015

Planning Dept.

Mike W Jantzer
1701 Panorama Dr.
Medford, Or 97504

July 10, 2015

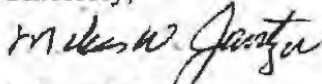
James E Huber, A.I.C.P.
Planning Director
City of Medford Planning Department
Lausmann Annex, 200 S. Ivy Street
Medford, Or 97501

Re: 371W150000400

Dear Mr. Huber:

I own tax lot 400, 63.43 acres, off of Panorama Drive in East Medford. It seems that the property is still designated as a limited service district. We brought water into the property several years ago and it has pressure to the upper property line at 1950 feet. Eric Johnson of the MWC said he has confirmed this with your department. I would like to request removal of tax lot 400 from the limited service designation.

Sincerely,



Mike W. Jantzer

CITY OF MEDFORD
EXHIBIT D
File # CP-11-007/G4UP-11-008



MINUTES
PLANNING COMMISSION STUDY SESSION
April 8, 2013

The study session of the Medford Planning Commission was called to order at 12:00 p.m. in Room 151 of the Lausmann Annex on the above date with the following members and staff in attendance:

Commissioners: Tim Jackle, Norman Fincher, Robert Tull, Patrick Miranda, Brita Entenmann, David McFadden and Michael Zarosinski.

Staff: Bianca Petrou, Suzanne Myers, Carly Guillory, Praline McCormack, Kelly Akin, Terri Rozzana, Larry Beskow and Lori Cooper.

Guests: Adam Mueller, Systems Administrator, Technology Services

Subject:

1. DCA-12-074 Temporary Uses and Vendors Code Amendment
2. CP-11-007 Initiation of Limited Services Overlay Elimination

Chair Jackle stated that Adam Mueller, Systems Administrator, Technology Service was in attendance to answer any questions that the Commissioners may have regarding their iPads.

Commissioner Miranda asked about the capability of printing from the iPad. Mr. Mueller responded that the City does not currently have the capability of printing from the iPad. The devices can print using an AirPrint enabled printer connected to the same Wi-Fi network but the City does not have any of those systems.

Kelly Akin, Principal Planner, reported that the Parks and Recreation Commission has been tasked with naming the park blocks at the Lithia Commons. The Resolution states that they need to form a subcommittee composed of a member from several groups. One of those groups named in the Resolution is the Planning Commission. This subcommittee will make recommendations to the Parks and Recreation Commission. Ms. Akin asked if any Commissioners would be interested in participating in this process. The subcommittee will most likely hold one or two meetings that will be noticed and held either at the Santo Center or the Carnegie Building. The meetings would start around 5:30 p.m. and would be approximately an hour in length. Commissioner Fincher agreed to be on the naming committee.

1. DCA-12-074 Temporary Uses and Vendors Code Amendment

Carly Guillory, Planner II, reported that on February 2, 2012, City Council heard an appeal on the denial of the business license for Speedy Vets. The business license was denied because Medford Land Development Code does not currently allow mobile veterinary services in the city limits. At that meeting, City Council voted to temporarily allow the business license and requested that staff bring forward a Medford Land Development Code amendment to allow the use. Staff developed four options that were presented to the Planning Commission at their June 25, 2012 study session. The Planning Commission made a recommendation that the code amendment remain specific to mobile medical service only allowing mobile veterinary services in all commercial and industrial zoning districts. Staff consulted the City Manager and City Council, and received direction to move forward with a code amendment to allow all medical services for humans, animals and non-profit organizations. There are three elements to the proposal: 1) add mobile vendor language; 2) reorganize temporary use section; and 3) update all references.

CITY OF MEDFORD

EXHIBIT # E

File # CP-11-007/GMP-11-008

Commissioner Tull stated that Ms. Guillory mentioned in her presentation that the vendor needs to provide a site plan. What is involved in that with something mobile? Ms. Guillory replied that the vendor would provide the dimensions of the mobile unit, where on site the unit is located, locations of trash receptacles and outdoor equipment. It is a matter of identifying that the unit is not going to displace required parking or be located in a required driveway.

Commissioner Tull asked if it is assumed that the unit will be in the same place each time it is utilized? Ms. Guillory replied yes.

Commissioner Tull asked if a non-profit organization wanted to be in different locations on different weekends, how would that site plan requirement work out? Ms. Guillory stated they would need to provide one per site.

Praline McCormack, Planner II, stated that they would need a different business license for each site and a site plan for each site.

Commissioner Tull suggested that the amendment needs to include language that requires documentation be provided giving permission to utilize whatever site, public or private to the vendor.

Commissioner Miranda stated that he does not see how a government agency should be able to dictate what transpires between two business owners. That would be their agreement. If they applied and received a permit but they have not agreed with the property owners for that use then they may be using the City's approval to go back to the property owner and negotiate. They may not have that agreement going into it, but they may have it afterwards. He does not see as a government regulation they have to make that agreement.

Commissioner Tull asked how does this relate to established public uses like the farmer's market? If a non-profit organization wanted to put a mobile unit adjacent to or involved with the farmer's market, how does that coordinate?

Bianca Petrou, Assistant Planning Director, responded that the Grower's Market needs a conditional use permit. If the non-profit organization was part of the conditional use permit then it would be permitted. If they come in separate to locate near it then they would need to get their own business license.

Commissioner Tull asked whether there is anything in the Code that restricts the possibility of someone agreeing with the organizers of the Grower's Market that they can have an area for their mobile unit?

Kelly Akin, Principal Planner, stated that the Code states that the Grower's Market is an association of five or more local agriculturalists organized for the purpose of providing a single location for the sale of locally grown produce and crafts directly to the consumer.

2. CP-11-007 Initiation of Limited Services Overlay Elimination

Praline McCormack, Planner II, gave a brief background for the new Commissioners on the Limited Services Overlay and how it came into being. The Limited Service Area designation was created in 1975 because some new areas within the City were not economically serviceable with Category A Public Facilities. The designation was created in order to provide notice to those concerned that the area was subject to development restrictions even though it had City zoning in many cases. In 1983 the designation was applied to the Lone Pine/Foothills area due to lack of water facilities and in 1984 the designation was applied in Southwest Medford due to traffic issues and lack of storm drainage facilities. The Southwest Limited Service Area was removed in 1994. The Lone Pine/Foothill Limited Service Area remains although water facilities are now available in that area. The Limited Service Area designation needs to be removed. The new area that the Limited Service Area designation would apply is lacking sewer service. Staff believes that the Limited Service Area designation has become redundant. A number of procedures have been adopted that serve the same purpose as the Limited

Service Area designation. Zone change criteria were amended to assure that properties meet facility adequacy tests. Now there is SFR-00 zoning designation for newly annexed properties, which allows development at levels comparable to County zones and can be applied without the need for facility adequacy tests. Also, now there are I-00 zoning designations in order to limit the number of trips and to apply City industrial zoning without requiring facility adequacy tests.

Ms. McCormack asked the Commissioners if they had enough information that they could initiate an amendment to eliminate the Limited Service Overlay and whether they would like staff to initiate it in a public hearing and come back in a separate public hearing with the amendment or does the Commissioners prefer staff to present the amendment and initiation at the same public hearing?

The Commission unanimously agreed to have staff present the amendment and initiation at the same public hearing.

Larry Beskow, City Engineer, asked regarding the new Limited Service Overlay that if someone was in the Urban Growth Boundary and wanted to annex but the City cannot serve them; is there a look at that in some point in time? There is a piece of property in the new Limited Service Overlay that is in the City but Public Works cannot serve them. Does staff look at the annexation and let the applicant know the City will not be able to serve them and will not be able to develop?

Ms. Akin commented that the Planning Department routes the information to Public Works for comment and there is the Land Development meeting that would be another opportunity to comment.

The meeting was adjourned at 12:50 p.m.


Submitted by:

Terri L. Rozzana, Recording Secretary



Planning Commission

Minutes

from Study Session on November 23, 2015

The study session of the Medford Planning Commission was called to order at noon in the Lausmann Annex Room 151-157 on the above date with the following members and staff in attendance:

Commissioners Present

David McFadden, Chair
Joe Foley
Bill Mansfield
Mark McKechnie
Jared Pulver

Staff Present

Jim Huber, Planning Director
Bianca Petrou, Assistant Planning Director
John Adam, Principal Planner
Praline McCormack, Planner II

Commissioner Absent

Patrick Miranda, Vice Chair, Excused Absence
Tim D'Alessandro, Excused Absence
David Culbertson, Excused Absence
Norman Fincher, Unexcused Absence

Subject:

1. CP-11-007, CP-11-008 Limited Services Overlay Plan Revision

John Adam, Principal Planner explained the file number dates. When Suzanne Myers was in charge of long range planning this had been started then got buried. There was a property owner inquiring why the designation was still in place. Staff revived this and is now moving forward.

Praline McCormack, Planner II, reviewed what zoning, overlay, and administrative mapping category are.

Zoning is based on the GLUP (General Land Use Plan) map designation. Zoning dictates the types of uses and housing types that are permitted. There are sixteen zoning districts.

An Overlay is based on location. There are eight overlays (Airport Approach (A-A), Central Business (C-B), Exclusive Agriculture (E-A), Historic (H), Freeway (F), Airport Radar (A-R), South East (S-E), and Limited Industrial Overlay (I-00). Usually, overlays have additional regulations and use permissions or restrictions.

Commissioner Mansfield asked how do they differ from zoning? Ms. McCormack stated they would add on to or if they are in conflict, the overlay takes precedent.

CITY OF MEDFORD
EXHIBIT # F
File # CP-11-007/644P-11-008

Administrative Mapping Category is fairly new. It was created approximately a year or two ago. This is for tracking and mapping of parcels located in a unique area consisting of four categories (Downtown Parking, Limited Service, PUD and Restricted Zoning).

If a parcel has not be tested for service adequacy it is given the SFR-00 Zone or I-00 Overlay. SFR-00 is a holding zone. If a parcel has been tested and found inadequate facility/service there are several options. One option is that the area can be deemed Limited Service Administrative Mapping Category. Another option is that a parcel with inadequate facility/service can be deemed a Restricted Zoning Administrative Mapping Category can be imposed. The third option is to deny a zone change request.

The SFR-00 zone is applied for at the time of annexation. It applies to properties that are changing from County to City zoning and have not yet been tested for facility adequacy. It is a holding zone that restricts development to only one dwelling unit plus one accessory unit per parcel until tested for facility adequacy.

Commissioner Pulver stated that he does not fully understand the concept.

Chair McFadden reported that when someone is in the County surrounded by the City around them the City can change their zoning to City zoning in order to match everything around them.

Mr. Adam stated that some people are taking advantage of it. They want to get the property annexed to make it saleable.

Commissioner Mansfield asked how long does adequacy take? Bianca Petrou, Assistant Planning Director stated that it is mostly the expense. They have to show the facilities are adequate that a lot of the time requires a Traffic Impact Analysis that is expensive.

Jim Huber, Planning Director, stated that SFR-00 is nonconforming. It can continue plus if it is a vacant lot one can build a house and ADU. It is not taking away all use from the property.

Commissioner Foley asked if the City was at risk with changing the urban growth boundary? Mr. Adam reported that it depends on the percentage of lots that apply for SFR-00 and how many get the zoning that is permitted.

The I-00 zone is applied for at the time of annexation. It applies to properties that are changing from County industrial to City Industrial zoning but have not yet been tested for transportation facility adequacy or such facilities have been found inadequate. It prohibits uses normally allowed in order to limit vehicle trips until facilities have been found adequate or necessary improvements have been funded and completed.

Limited Service Administrative Mapping Category is applied at time of annexation to areas that are not presently serviced with adequate public facilities or services required for development to urban densities. It limits development until facilities/services are adequate.

Commissioner Foley asked how this would apply to new areas brought into the City? Mr. Adam reported that it is a good moratorium tool. The City is updating their Sewer Master Plan. He is not sure if the Water Commission will be updating their Plan soon. Some of the problem areas would show up and would be getting recommendations of designating the area in the expanded urban growth boundary as Limited Service.

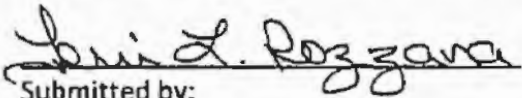
Restricted Zoning (aka Conditional Zone Change) Administrative Mapping Category is applied at time of zone change. The Planning Commission places conditions or stipulations on the property with the zone change approval. Once the conditions are met, restricted zoning designation can be removed.

Commissioner Mansfield asked that during the interim period while waiting for the conditions to be met, is the zoning changed or is it not changed? Mr. Adam reported that it is changed.

Mr. Adam stated that as soon as the urban growth boundary amendment is completed then the most important thing is to get all the facilities plans done.

This amendment will be coming to the Planning Commission on Thursday, December 10, 2015.

The meeting was adjourned at 12:54 p.m.



Submitted by:

Terri L. Rozzana, Recording Secretary

Moved by: Vice Chair Miranda

Seconded by: Commissioner McKechnie

Voice Vote: Motion passed, 9-0.

30. Minutes

30.1. The minutes for November 12, 2015, were approved as submitted.

40. Oral and Written Requests and Communications. None.

John Hutt, Deputy City Attorney, read the Quasi-Judicial Statement.

50. Public Hearings – Continuance Request

50.1 **LDS-15-118** Consideration of a tentative plat application for a mixed-use development to be known as West Meadows Village, consisting of a total of 15 lots on 9.14 acres within a SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) and MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) with PUD (Planned Unit Development) Zoning Overlay. Subject tentative plat consists of 5 Single-family lots, 5 duplex lots, 2 commercial lots and 3 multi-family lots. The site is generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane. (David & Elahe Young Family Trust, Applicant; Richard Stevens & Associates, Agent)

Kelly Akin, Principal Planner, stated that the applicant is requesting additional time to perfect the proposed street alignments. They have requested to continue the item to the January 28, 2016, Planning Commission meeting.

Chair McFadden stated that if there was anyone in the audience that would not be able to make the January 28, 2016, Planning Commission meeting could testify at tonight's meeting. No one came forward.

Motion: Continue LDS-15-118, as per the applicant's request, to the January 28, 2016, Planning Commission meeting, to allow time to perfect the proposed street alignments.

Moved by: Vice Chair Miranda

Seconded by: Commissioner Foley

Voice Vote: Motion passed, 9-0.

New Business

50.2 **CP-11-007 / CP-11-008** Consideration of Class "B" minor quasi-judicial amendments to the General Land Use Plan Element, the Public Facilities Element and the General Land Use Plan Map of the Comprehensive Plan to remove the Limited Service Area Overlay from 50 parcels totaling approx. 36 acres in the Lone Pine/Foothill area. (City of Medford, Applicant).

CITY OF MEDFORD

EXHIBIT # G

File # CP-11-007/GLUP-11-008

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

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

Praline McCormack, Planner II, reviewed the history, read the **comprehensive plan amendment** criteria and highlighted the findings.

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

Motion: Based on the findings and conclusions that all of the approval criteria are met or are not applicable, the Planning Commission initiates this amendment and forwards a favorable recommendation for approval of CP-11-007 and CP-11-008 to the City Council per the Staff Report dated December 3, 2015, including Exhibits A through D.

Moved by: Vice Chair Miranda

Seconded by: Commissioner D'Alessandro

Roll Call Vote: Motion passed, 9-0.

50.3 SV-15-114 Request for the vacation of 10,379 square feet of public street right-of-way at the southwest corner of the intersection of South Holly Street and Garfield Street. (City of Medford Public Works Department, Applicant)

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

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

Jennifer Jones, Planner III, read the street vacation criteria and gave a staff report.

Chair McFadden asked

The public hearing was opened.

a. Nancy Hemstreet, 1646 Dove Lane, Medford, Oregon, 97501. Ms. Hemstreet is in favor of the project

Mr. Huttli stated that the Planning Commission

b. Ester Clemence, 215 Garfield, Medford, Oregon, 975-1wants a private driveway

Alex Georgevitch, City Engineer clarified that the alignment