



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

March 13, 2008



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 023-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 25, 2008

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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Tom Hogue, DLCD Economic Development Planning Specialist
Bill Holmstrom, DLCD Transportation Planner
Sandra Johnson, City of Medford

<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

DATE
STAMP

DEPT OF

MAR 06 2008

LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Medford**

Local file number: **ZC-07-272**

Date of Adoption: **2/28/2008**

Date Mailed: **3/3/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 12/14/2007

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".

Order granting approval of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on three parcels totaling 12.4 acres located on the east side of Crater Lake Highway, approximately 515 feet north of Coker Butte Road.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **I-G**

to: **I-L**

Location: **371W05 1000, 1002, 1100**

Acres Involved: **12**

Specify Density: Previous: **na**

New: **na**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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 # 023-07 (16591)

DLCD file No. _____

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

Local Contact: **Sandra Johnson, Planner II**

Phone: (541) 774-2380 Extension: 2385

Address: **411 W. 8th St.**

Fax Number: 541-774-2564

City: **Medford**

Zip: **97501-**

E-mail Address:

sandra.johnson@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, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@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 **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)
ZC-07-272 APPLICATION FOR A ZONE CHANGE SUBMITTED) **ORDER**
BY TABLE ROCK HOLDINGS LLC)

ORDER granting approval of a request for changing the zoning from I-G (General Industrial) to I-L (Light Industrial) on three parcels totaling 12.4 acres located on the east side of Crater Lake Highway, approximately 515 feet north of Coker Butte Road.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from I-G (General Industrial) to I-L (Light Industrial) on three parcels totaling 12.4 acres located on the east side of Crater Lake Highway, approximately 515 feet north of Coker Butte Road; 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 Planning Commission Report dated February 14, 2008, 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 areas within the City of Medford, Oregon:

37 1W 05 Tax Lot 1000, 37 1W 05 Tax Lot 1002, and 37 1W 05 Tax Lot 1100

is hereby changed from I-G (General Industrial) to I-L (Light Industrial).

Accepted and approved this 28th day of February, 2008.

CITY OF MEDFORD PLANNING COMMISSION



Planning Commission Chair

ATTEST:



Planning Department Representative



CITY OF MEDFORD

PLANNING DEPARTMENT

PLANNING COMMISSION REPORT

Date: February 14, 2008

Subject: Table Rock Zone Change (ZC-07-272)
Table Rock Holdings, LLC (CSA Planning, Agent)

BACKGROUND

Proposal

Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on three parcels totaling 12.4 acres located on the east side of Crater Lake Highway, approximately 515 feet north of Coker Butte Road.

Subject Site Zoning, GLUP Designation and Existing Uses

The subject site is currently zoned I-G (General Industrial), and carries a G-I (General Industrial) classification on the General Land Use Plan (GLUP) Map. The property is further identified as tax lots 1000, 1002, and 1100 on the Jackson County Assessors map 371W05. Rogue Disposal currently uses the site for warehousing and the storage of equipment and vehicles.

Surrounding Property Zoning and Uses

North The property to the north is within the city limits, is zoned SFR-00 (Single Family – 1 unit per lot), and contains a residence.

South Tax lots 1200 and 1600 to the south of the subject property are within the city limits and retain the County zoning designation L-I (Light Industrial). Tax lot 1200 is designated GI (General Industrial) on the GLUP map, and tax lot 1600 is designated UR (Urban Residential).

East To the east lies a large parcel that is outside the city limits, and is designated UR (Urban Reserve) on the GLUP map. It is County zoned RR-5 (Rural Residential – 5 acre minimum). To the southeast is a parcel within the city limits zoned I-L (Light Industrial) and developed with mini-storage units.

West The parcel is adjacent to Crater Lake Avenue and Crater Lake Highway (Hwy 99) on the western boundary, and is across from the intersection of the western portion of Coker Butte with Crater Lake Highway. The newly constructed Lithia Motors Automall is west of this project, on parcels zoned I-L (Light Industrial).

Related Projects

There are no related projects.

Applicable Criteria

Zone Change Criteria §10.277 (Exhibit C)

Corporate Names

Eric Stark is the registered agent of Table Rock Holdings, LLC, and Steve Gambie is listed as a member.

ISSUES/ANALYSIS

Staff has reviewed the zone change request and found that it meets the approval criteria listed in *Medford Land Development Code* Section 10.227(1)(d)(i). The subject parcel abuts Light Industrial (I-L) zoned land on the south and west sides, and can therefore be found "suitable" per that section (Exhibit C). There are adequate infrastructure facilities available to serve the site, with the exception of the storm drainage as noted below.

Storm Drainage:

This site lies within the Swanson 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. Per the report from the Engineering Division of the Public Works Department (Exhibit E-1), prior to issuance of a development permit or building permit, 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.

Circulation Plan and Street Functional Classification:

The subject property is within the adopted North Medford Circulation Plan, which illustrates a future re-alignment of both Coker Butte Road and Crater Lake Avenue (Exhibit I). According to the Circulation Plan, both roads will bisect the parent parcel;

ZC-07-272 Table Rock Holdings, LLC
Planning Commission Report
February 14, 2008

Crater Lake Avenue as a Major Arterial with a width of 100 feet, and Coker Butte Road as a Major Collector with a width of 75 feet.

Traffic Impact Analysis (TIA)

Pages eight and nine of the applicant's findings (Exhibit D) discuss the street and traffic issues that pertain to this application. To mitigate potential impacts, the applicant stipulates to a trip cap at the levels generated under the existing I-G zone, or as described on page 15 of the findings, to not more than 2,480 ADT (average daily trips). A traffic impact analysis was performed and submitted for this zone change as required by section 10.461 of the *Land Development Code*. The memorandum from the Engineering Division of the Public Works Department (Exhibit E-1) recommends approval of this zone change with this same trip limitation of 2,480 ADT.

As of this writing, staff has yet to receive a written comment from the Oregon Department of Transportation (ODOT) regarding the TIA. The report, when received, will be included as an addendum to this report. Verbal communication with ODOT indicates the report will include a recommendation for approval with the trip cap of 2,480 ADT and a limitation of building size to 200,000 square feet.

This report includes a condition that a trip cap of 2,480 ADT be imposed upon the development of the property

Decision: The report from the Oregon Department of Transportation was received after the agenda was published, and is thus submitted as Exhibit J. David Pyles, ODOT, conceded to a condition requiring I.T.E. code-based methodology for determining trip caps in lieu of a square-footage limitation.

No other issues were identified by staff.

ACTION TAKEN

Directed staff to prepare a Final Order for approval of ZC-07-272 per the Planning Commission Report dated February 14, 2008, including Exhibits A through J.

EXHIBITS

- A-1 Conditions of Approval dated February 14, 2008;
- B Zoning and General Land Use Plan Maps
- C Approval Criteria
- D Applicant's Findings of Fact and Conclusions of Law received November 21, 2007;
- E-1 Report from Engineering Division of Public Works, dated February 14, 2008;
- F Memo from Medford Water Commission, dated December 26, 2007;
- G Report from Medford Fire Department, dated January 2, 2008;
- H Report from Rogue Valley Sewer Services, dated December 21, 2007;



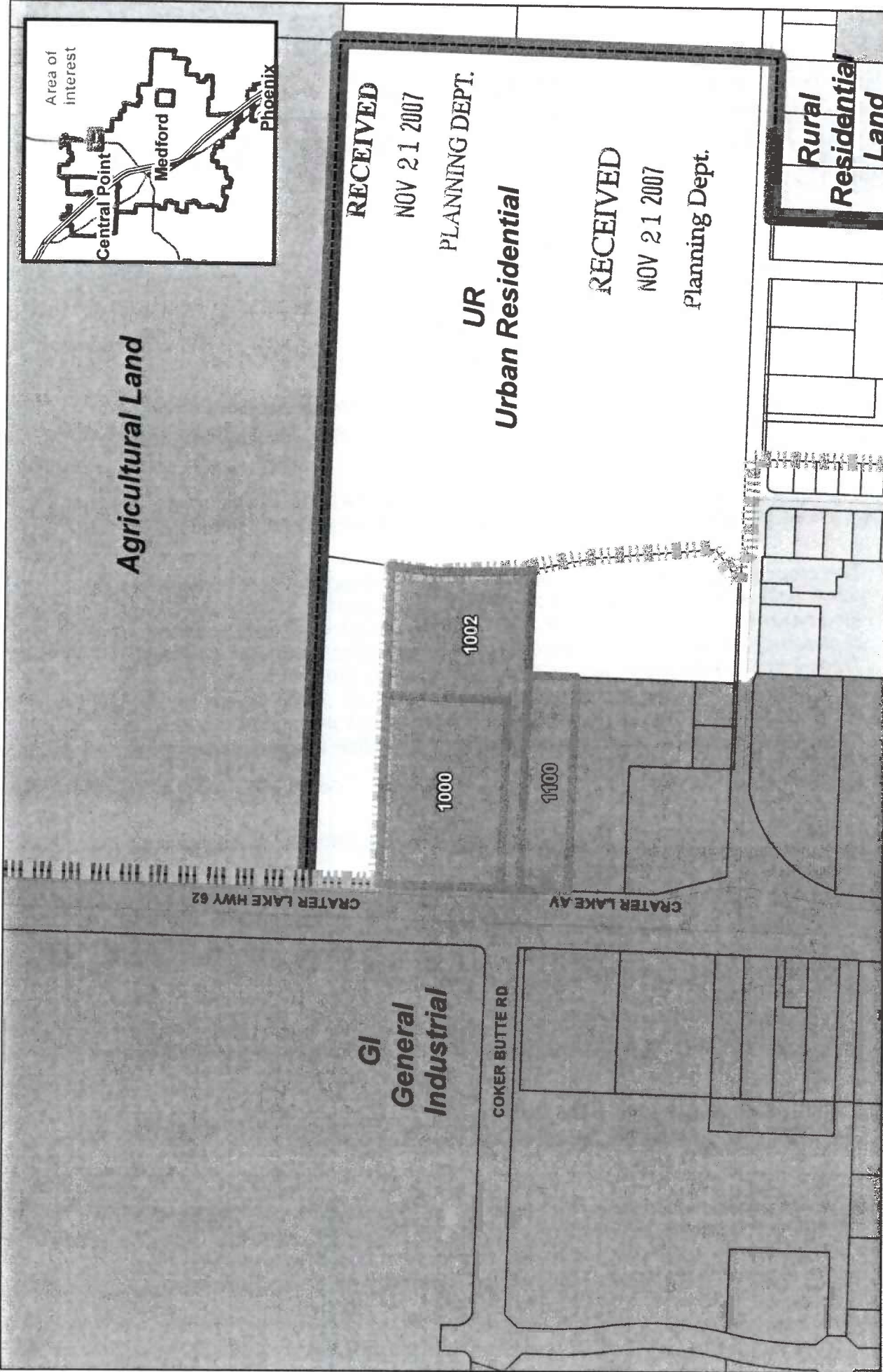
CITY OF MEDFORD
PLANNING DEPARTMENT

EXHIBIT A-1

ZC-07-272
Table Rock Holdings, LLC
CONDITIONS OF APPROVAL
February 14, 2008

CODE REQUIREMENTS

1. Comply with the Memorandum from the Engineering Division of the Public Work Department, dated February 14, 2008 (Exhibit E-1).
2. Comply with the Memorandum from the Medford Water Commission, dated December 26, 2007 (Exhibit F).
3. The applicant shall calculate the trip cap for future development on this property using I.T.E. code-based methodology.



RECEIVED
NOV 21 2007
PLANNING DEPT.

UR
Urban Residential

RECEIVED
NOV 21 2007
Planning Dept.

Rural Residential Land

Agricultural Land

GI
General Industrial

COKER BUTTE RD

CRATER LAKE HWY 62

CRATER LAKE AV

1000

1002

1100

Legend

- Subject Property
- Tax Lots
- UGB
- City Limits

Exhibit 5
Comprehensive Plan & GLUP Map
Table Rock Holdings, LLC
Highway 62/Coker Butte Zone Change
November 20, 2007
Source: City of Medford and Jackson County GIS Services

1 inch equals 400 feet

0 200 400 600 800 1,000 Feet

CITY OF MEDFORD
EXHIBIT # B 2 of 2
File # ZC-07-072

CSA Planning, Ltd.



CITY OF MEDFORD

PLANNING DEPARTMENT

EXHIBIT C ZC-07-272

Section 10.227 ZONE CHANGE CRITERIA *Medford Land Development Code*

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation. Section 10.227 of the Land Development Code states the following:

"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 Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, 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), and (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.*

- (d) *For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:*

- (i) *The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1)(e) below.*

- (e) *For purposes of (1)(c) and (1)(d) above, a zone change may be found to be 'suitable' where compliance is demonstrated with one or more of the following criteria:*

- (i) *The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows for only one zone;*

- (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*

- (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."*

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

RECEIVED

NOV 21 2007

PLANNING DEPT.

IN THE MATTER OF A MINOR ZONING)
MAP AMENDMENT FROM GENERAL)
INDUSTRIAL (I-G) TO LIGHT INDUSTRIAL)
(I-L) FOR TAX LOTS 1000, 1002, and)
1100; 12.4 ACRES LOCATED EAST OF)
CRATER LAKE AVENUE AND CRATER)
LAKE HWY 62, NORTH OF COKER)
BUTTE ROAD WITHIN THE CORPORATE)
LIMITS OF THE CITY OF MEDFORD,)
JACKSON COUNTY, OREGON)
Owner/Applicant: Table Rock Holdings, LLC)

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

Applicants' Exhibit 1

I

NATURE AND SCOPE OF APPLICATION; BACKGROUND

Table Rock Holdings, LLC ("Applicant") seeks to obtain Light Industrial (I-L) zoning in a manner consistent with the Medford Comprehensive Plan. The proposed zoning map amendment affects three parcels and adjacent right-of-way. The property is situated north of Coker Butte Road, east of Crater Lake Highway 62, and east of Crater Lake Avenue. The amendment will change the zoning of the subject property from General Industrial (G-I) to Light Industrial (I-L) which is in accordance with the existing comprehensive plan map ("GLUP") designation for the subject properties.

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant herewith submits the following evidence in support of approval of this zone change application:

Exhibit 1. The proposed findings of fact and conclusions of law (this document), which demonstrates how this proposed zone change complies with the applicable substantive criteria of the City of Medford and State of Oregon

Exhibit 2. A completed zone change application form and powers of attorney duly executed by the owners of the subject property



20-07-272

- Exhibit 3.** Jackson County Assessor plat map 37-1W-05 which contains and depicts the subject property
- Exhibit 4.** Medford Zoning Map which depicts the subject properties
- Exhibit 5.** Comprehensive Plan (GLUP) Map which depicts the subject properties
- Exhibit 6.** Wetlands Map
- Exhibit 7.** Map Data from Rogue Valley Sewer Services (RVSS) dated November 1, 2007
- Exhibit 8.** Map of Existing Water Lines from the Medford Water Commission
- Exhibit 9.** Preliminary Storm Drainage Calculations, Prepared by HBH Consulting Engineers
- Exhibit 10.** Transportation Impact Analysis, prepared by Group McKenzie
- Exhibit 11.** Letter from ODOT regarding the Transportation Impact Study scope of work dated August 13, 2007
- Exhibit 12.** The current deed of record for the subject properties (O.R. 2006-049563 and O.R. 2007-044962)
- Exhibit 13.** Metes and Bounds Legal Description of the zone change area

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The approval criteria for a Class 'C' zone change are in MLDC 10.227. Additional approval standards are in the Oregon Transportation Planning Rule at OAR 660-012-0060. The criteria are recited verbatim below and addressed in Sections IV and V herein below:

City of Medford Approval Criteria

MLDC 10.227 ZONE CHANGE CRITERIA (Inapplicable Criteria Omitted)

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 Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, 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.



- ...
- (d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought: (i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1)(e) below. (ii) The I-G zone may abut the Heavy Commercial (C-H), Light Industrial (I-L), and the Heavy Industrial (I-H) zones. The I-G zone is ordinarily considered to be unsuitable when abutting the other commercial and residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below. (iii) The I-H zone may abut the General Industrial (I-G) zone. The I-H zone is ordinarily considered to be unsuitable when abutting other zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.
 - (e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one or more of the following criteria: (i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows for only one zone; (ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above; (iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or (iv) Notwithstanding the definition of "abutting" in MLDC 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.

Article III Zoning Districts

10.300 Establishment of Zoning Districts

This Code separates the city into three (3) basic use classifications, sixteen (16) zoning districts, and eight (8) special overlay districts as follows:

III. INDUSTRIAL

- (a) I-L Industrial, Light
- (b) I-G Industrial, General
- (c) I-H Industrial, Heavy

10.330 Light Industrial District, I-L

The I-L district provides land for warehouse, office, and low intensity industrial uses in areas near residential and commercial zones. It is intended for industrial uses which involve the lowest level of noise, vibration, air pollution, radiation, glare, or fire and explosive hazards. This district is not intended to be retail customer-oriented, and retailing shall be permitted as an accessory use only or as specifically allowed. Because of the locational character and proximity of the I-L district to residential lands, restrictive performance standards shall be imposed to limit the physical effects of industrial activities to levels as per the performance standards set forth in Article V.



State of Oregon Approval Criteria

OREGON TRANSPORTATION PLANNING RULE **Oregon Administrative Rules Chapter 660, Division 12**

660-012-0060 Plan and Land Use Regulation Amendments

SECTION 660-012-0060 (1)

- (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to 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 the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or 2 comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

SECTION 660-012-0060 (2)

- (2) Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:
- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division. Such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement or service will be provided by the end of the planning period.
 - (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes
 - (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
 - (e) Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.



Findings of Fact and Conclusions of Law

Zone Change Application

Table Rock Holdings, LLC: Applicant

SECTION 660-012-0060 (3)

Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

- (a) The facility is already performing below the minimum acceptable performance standard identified in the TSP or comprehensive plan on the date the amendment application is submitted;
- (b) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;
- (c) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures.
- (d) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and
- (e) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (d) of this section.

SECTION 660-012-0060 (4)

- (4) Determinations under sections (1) – (3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.
- (a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.
- (b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:
 - (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.
 - (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.
 - (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.
 - (D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.



Findings of Fact and Conclusions of Law

Zone Change Application

Table Rock Holdings, LLC: Applicant

- (E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.
- (c) Within interstate interchange areas, the improvements included in (b) (A)-(C) are considered planned facilities, improvements and services, except where:
 - (A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or
 - (B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.
- (d) As used in this section and section (3):
 - (A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;
 - (B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and
 - (C) Interstate interchange area means:
 - (1) Property within one-half mile of an existing or planned interchange on an Interstate Highway as measured from the center point of the interchange; or
 - (2) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.
 - (e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b) (A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).
- (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
 - (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



Findings of Fact and Conclusions of Law

Zone Change Application

Table Rock Holdings, LLC: Applicant

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.

IV

FINDINGS OF FACT

The Planning Commission reaches the following facts and finds them to be true with respect to this matter. The below Findings of Fact support the Conclusions of Law in Section V.

1. **Property Location:** The property consists of three tax lots, located north of Coker Butte Road, east of Crater Lake Highway 62, and east of Crater Lake Avenue. The properties are within the corporate limits of the City of Medford and its adopted and acknowledged urban growth boundary.
2. **Subject Property Description, Acreage and Ownership:** The subject properties are identified in the records of the Jackson County Assessor as Tax Lots 1000, 1002, and 1100 on Assessor's map 37-1W-05. The property has approximately 12.4 acres and is owned in fee by Table Rock Holdings.
3. **Existing Land Use:** The subject properties are currently used by Rogue Disposal for the storage of vehicles and equipment and warehousing.
4. **Comprehensive Plan (GLUP) Map Designation; Zoning, Existing and Proposed:** The subject properties are designated General Industrial on Medford's Comprehensive Plan Map (also known as its General Land Use Plan (GLUP) Map). The Medford Comprehensive Plan makes clear that both its I-G and I-L zones are consistent with the General Industrial GLUP Map designation. A zoning map amendment to change the zoning from General Industrial (I-G) to Light Industrial (I-L) is sought. Applicant has expressed its intention to develop the property with light industrial uses.
5. **Topography:** The site does not contain significant relief and there are no topographic constraints present.
6. **Surrounding Land Uses:** The zoning map accurately depicts the pattern of land partitioning and development in the surrounding area. *See*, Exhibit 4. Existing land uses that surround the properties are:



- A. **North:** Rural Residential (RR-5) zoned land that is developed with a residence.
 - B. **East:** Rural Residential (RR-5) zoned land that is developed as mini-storage units.
 - C. **South:** Developed General Industrial (I-G) and Light Industrial (I-L) zoned land.
 - D. **West:** Crater Lake Highway 62 and Crater Lake Avenue separate the Light Industrial (I-L) zoned lands to the west.
7. **Essential (Category "A") Public Facilities:** The *Public Facilities Element* of the Comprehensive Plan defines Category "A" public facilities as follows: (1) Water Service; (2) Sanitary sewage collection and treatment; (3) Storm Drainage; and (4) Transportation Facilities. The Planning Commission finds the following facts with respect to each of the Category "A" public facilities:
- A. **Water Distribution Lines:** Water is available to the site via an 8-inch water line in Crater Lake Avenue, an 8-inch water line that serves Tax Lot 1002, and an 8-inch water line that serves the mini-storage on Tax Lot 1600 (Exhibit 8).
 - B. **Water Supply:** According to the Medford Water Commission Manager, the Medford water system presently serves a population of $\pm 80,000$. The present maximum daily use is 45 million gallons per day, (MGD). The present source and distribution system has an existing capacity of 56.5 MGD. There is an additional water source capability of 35 MGD available. The Water Commissioner expects present facilities will be adequate to accommodate growth until around the Year 2050.
 - C. **Sanitary Sewer Service (Collection):** The subject site is served by Rogue Valley Sewer Services (RVSS). There is an existing 10-inch sewer line in Crater Lake Avenue (Exhibit 7).
 - D. **Storm Drainage:** The Preliminary Storm Drainage Calculations prepared by HBH Consulting Engineers state that there is an existing ditch along Highway 62 that is served by a 24-inch culvert. *See*, Exhibit 9.
 - E. **Streets and Traffic:** The following facts pertain to streets, access and traffic as proposed in this project and based upon Applicant's Traffic Impact Analysis in Exhibit 10:
 - a. **Access:** The subject property has existing access from Crater Lake Avenue. Access to the site will be from either Crater Lake Avenue and/or Coker Butte Road and will be determined at the time of future site plan review consistent with the access permitting requirements of the agency with jurisdiction of the roadway.



- b. Street Functional Classification and Standards:** The portion of Crater Lake Avenue, at the subject site, is functionally classified as a Major Collector in the Medford's Transportation System Plan. The standard right-of-way for a Major Collector street is 75 feet. The portion of Coker Butte Road, at the subject site, is functionally classified as a Major Arterial Medford's Transportation System Plan. The standard right-of-way for a Major Arterial Street is 100 feet.
- c. Pre-Development Traffic Loading:** The application includes a Transportation Impact Analysis (TIA) prepared by Group McKenzie. *See*, Exhibit 10. The baseline traffic information used in the analysis is depicted in Figure 7 for peak hour trips as identified for analysis; 2011 is utilized in the analysis as the build-out year for the site. The pre-development intersection volumes for 2011 were estimated in accordance with the City of Medford Traffic Analysis Scoping Letter and MLDC 10.460 to 10.462
- d. Trip Generation (Light Industrial I-L):** Where a zone change does not accompany a specific development proposal, the City of Medford applies a generalized trip generation rate for City of Medford General Industrial zones (I-G) of 200 average daily trips per net acre versus 300 average daily trips for the Light Industrial (I-L) zone. This figure accounts for *pass-by* and *diverted-link* trips; peak hour trips are assumed to equal ten percent of the total ADT. Based upon this City of Medford Public Works developed methodology, net change in the trip generation of the site is calculated by Applicant's traffic engineer to equal 288 P.M. Peak Hour trips or 40 additional peak hour trips.
- e. Capacity Analysis:** Medford has consistently interpreted the term "peak hour traffic" to equal ten percent of total average daily traffic, and, similarly, peak hour street capacity is equal to ten percent of the total average daily street capacity. The capacity analysis performed by Group McKenzie assumes the additional trips generated at the site would be added in 2011 and then the analysis is repeated with increases to background traffic predicted by the Regional Transportation Model for year 2023.
- The subject property is located in a congested corridor and the traffic analysis determined that several intersections would fail or be made worse by the zone change.
- f. Mitigation:** Physical mitigation such as system improvements are impractical and could not pass the Dolan test for such a small increase in potential trip generation of the site. For this reason, the Applicant proposes a trip cap to the levels calculated to be generated under the existing I-G zoning. The zone change is then effectively a zone change to allow office uses currently prohibited by the I-G zoning, but will not increase potential trip generation of the site.



- 8. Police and Fire Protection:** The property is within the jurisdiction of the City of Medford. The nearest fire station is located at 2124 Roberts Road. Emergency response is estimated to be approximately five minutes. Police protection is by the City of Medford Police Department.

V

CONCLUSIONS OF LAW

The Planning Commission reaches the following conclusions of law with respect to this matter:

MLDC 10.227 ZONE CHANGE CRITERIA

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

Criterion 1

- (1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, 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.

Conclusions of Law (Criterion 1): Subsection 1 of the applicable zone change criteria is twofold. The first being consistency with the Oregon Transportation Planning Rule and consistency with the General Land Use Plan (GLUP) Map. The Planning Commission addresses the Oregon Transportation Planning Rule as follows:

State of Oregon Approval Criteria

The following provisions of the Oregon Transportation Planning Rule (OAR 660-012-0060) operate as approval criteria for zone changes:

SECTION 660-012-0060 (1)

- (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to 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 the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or



Findings of Fact and Conclusions of Law

Zone Change Application

Table Rock Holdings, LLC. Applicant

- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
- (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Continued Conclusions of Law (Criterion 1): The Planning Commission concludes the proposed zone change would not change the functional classification of an existing or planned transportation facility nor does it propose to change standards implementing a functional classification system. The Planning Commission concludes the requested zone change would not allow levels of travel or access that are inconsistent with the functional classification of a transportation facility. The Planning Commission concludes the requested zone change has the potential to reduce the performance of existing and/or planned transportation facilities below the minimum acceptable performance standard and/or worsen the performance of intersections that were otherwise projected to fail without imposition of measure pursuant to Section 2 of this rule. However, the Planning Commission further concludes that, based upon the foregoing findings of fact and the TIA prepared by Group McKenzie, that the stipulated trip cap, pursuant to Section 2(e) of this rule, the requested zone change will not reduce the performance of existing and/or planned transportation facilities below the minimum acceptable performance standard and/or worsen the performance of intersections that were otherwise projected to fail.

SECTION 660-012-0060 (2)

- (2) Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:
- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division. Such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement or service will be provided by the end of the planning period.
 - (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes
 - (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
 - (e) Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.



Continued Conclusions of Law (Criterion 1): The Planning Commission concludes, pursuant to OAR 660-012-0060(2)(e), that the Applicant has stipulated to a condition of approval that will institute a transportation system management measure in the form of a trip cap that will prevent a significant effect on the transportation system and the stipulated condition is herewith made a condition in fact by the Planning Commission.

Consistency with General Land Use Plan Map

Continued Conclusions of Law (Criterion 1): As evidenced in Sections II and IV herein above, the subject property has a GLUP Map designation of General Industrial, which corresponds to both the I-G and I-L zoning districts. Moreover, MLDC 10.330 states:

Light Industrial (I-L) Zoning district provides land for warehouse, office, and low intensity industrial uses in areas near residential and commercial zones. It is intended for industrial uses which involve the lowest level of noise, vibration, air pollution, radiation, glare, or fire and explosive hazards. This district is not intended to be retail customer-oriented, and retailing shall be permitted as an accessory use only or as specifically allowed. Because of the locational character and proximity of the I-L district to residential lands, restrictive performance standards shall be imposed to limit the physical effects of industrial activities to levels as per the performance standards set forth in Article V.

The Planning Commission further concludes that I-L zoning is appropriate for this land as the subject property is currently developed with rather low intensity industrial uses. Any future development will be consistent with the Light Industrial (I-L) zoning and the uses permitted therein.

Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Criterion 1 because this zone change application is consistent with Medford's GLUP Map and the Oregon Transportation Planning Rule.

* * * * *

Criterion 2

- (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



Findings of Fact and Conclusions of Law

Zone Change Application

Table Rock Holdings, LLC: Applicant

- (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
- (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated 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.

Conclusions of Law (Criterion 2): Goal 3 and Policy 1 of the Public Facilities Element (as cited in above Criterion 2) were removed from the comprehensive plan and no longer exist as minimum standards for Category 'A' public facilities; the zone change criteria for determining adequacy of Category A public facilities, consistent with the Public Facilities Element, now reside solely in MLDC 10.227(2). The Planning Commission reaches the following conclusions of law with respect to each of the four Category "A" infrastructure components:

Wastewater Collection and Treatment: Based upon the findings of fact in Section IV, the Planning Commission concludes that wastewater collection and treatment facilities are sufficient to serve potential development consistent with the proposed I-L zoning district to accommodate projected peak flows for that specific gravity flow



service area as determined by the city engineer, and that these facilities are available to adequately serve the property.

Storm Drainage System: Based upon the findings of fact in Section IV, the Planning Commission concludes that the storm drainage system is sufficient to serve the anticipated development consistent with the proposed I-L district and to accommodate projected peak flows for that specific service area as determined by the *Comprehensive Medford Area Drainage Master Plan* (1996), and that these facilities are available to adequately serve the property.

Water System: Based upon the findings of fact in Section IV, the Planning Commission concludes that the water system is sufficient to provide the subject property with a permanent water supply having adequate water pressure and volume for projected commercial and fire control needs consistent with the GLUP designation as determined by the water utility manager, and that these facilities are available to adequately serve the property under the proposed I-L zoning.

Streets and Transportation: Based upon the TIA prepared by Group McKenzie and the findings of fact in Section IV and conclusions of law pursuant to the Transportation Planning Rule, the Planning Commission concludes the trip cap proposed by the Applicant will limit the trip generating intensity of uses to levels that are considered insignificant under the MLDC and on this basis concludes the streets are adequate. In reaching this conclusion, the Planning Commission has identified no ways in which this trip cap would cause a resulting development pattern to preclude future development, or intensification of development, on the subject property or adjacent parcels.

* * * * *

Criterion 3

- (d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought: (i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1)(e) below. (ii) The I-G zone may abut the Heavy Commercial (C-H), Light Industrial (I-L), and the Heavy Industrial (I-H) zones. The I-G zone is ordinarily considered to be unsuitable when abutting the other commercial and residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below. (iii) The I-H zone may abut the General Industrial (I-G) zone. The I-H zone is ordinarily considered to be unsuitable when abutting other zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

Conclusions of Law (Criterion 3): Based upon the Exhibit 4 Zoning Map, the subject property abuts only residential (county Rural Residential (RR-5)), General Industrial (I-G) and properties zoned Light Industrial (I-L). As such, the Planning Commission concludes that this zone change is consistent with the Criterion 3.



VI

APPLICANT'S STIPULATIONS

Applicant herewith agrees to stipulate to the following matters to which the company agrees to be bound, if the same are incorporated as conditions to the approval of this zone change application:

1. Future development of the site shall demonstrate that the ITE projected trip generation for the proposed uses and development will not cumulatively generate more than 2,480 ADT and/or 248 peak hour trips (whichever is less).


VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, the Planning Commission ultimately concludes that, the case for a zone change from existing General Industrial (I-G) to proposed Light Industrial (I-L) is consistent with all of the relevant substantive criteria in MLDC 10.227 because: 1) the proposed change is consistent with the comprehensive plan (GLUP) map, 2) the Category "A" urban services and facilities are available to adequately serve the property, and 3) the zone change has been found to be compliant with the Oregon Transportation Planning Rule (OAR 660-012-0060).

Respectfully submitted on behalf of applicant Table Rock Holdings, LLC.

CSA PLANNING, LTD.



Craig A. Stone
Consulting Urban Planner

Dated: November 21, 2007



CITY OF MEDFORD
INTER - OFFICE MEMORANDUM

RECEIVED

FEB 17 2008

PLANNING DEPT

TO: Planning Department

FROM: Engineering Division

SUBJECT: Zone Change Request, File No. ZC-07-272

DATE: February 14, 2008

1. Sanitary Services:

A. This site lies within the Rogue Valley Sewer Service area. Contact Rogue Valley Sewer Service for sanitary sewer issues.

2. Streets:

A. Current condition of nearest streets:

Crater Lake Avenue, an existing Major Collector Street is paved with curb and gutter along the frontage of this site.

B: Who has maintenance responsibilities: Oregon Department of Transportation

C: Traffic analysis including potential impact of nearby and anticipated improvements required:

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 I-G (General Industrial) to City I-L (Light Industrial), on 12.4 acres has the potential to generate 3720 average daily trips (ADT) or produce a net increase of 1240 ADT to the transportation system. Based on this and code sections 10.460 and 10.461, a traffic impact analysis (TIA) will be required.

A Traffic Impact Analysis (TIA) for Rogue Disposal Zone Change was prepared by Group Mackenzie and submitted to Public Works on November 21, 2007 for review. After Public Works review, a comment letter regarding the TIA was sent to Group Mackenzie on December 14, 2007.

The study analyzed Year 2007 existing, Year 2011 no-built, Year 2011 built-out under current zoning, and Year 2011 built-out under proposed zoning. The study shows that two

intersections under City's jurisdiction will operate below the accepted LOS (LOS D): the intersection of Crater Lake Avenue / Delta Waters Road at LOS E, and the intersection of Delta Waters Road / Springbrook Road, south at LOS F. The study also stipulates that the trip generation for the proposed development shall be limited to 2,480 ADT.

Based on the traffic impact analysis, Public Works recommends the approval with following conditions:

- The proposed development's trip generation shall be limited to (capped at) 2,480 ADT.

At the time of any site development the City of Medford will recommend, in conjunction with Oregon Department of Transportation, any necessary improvements and/or dedications along this proposed zone change's frontage on Crater Lake Avenue.

3. Drainage:

This site lies within the Swanson Creek Drainage Basin. This basin drains outside the City limits to areas the City has no jurisdiction. 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 for vertical construction:

- 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

RECEIVED

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: ZC-07-272
PROJECT: Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on three parcels totaling 12.4 acres located on the east side of Crater Lake Highway, approximately 515 feet north of Coker Butte Road; Table Rock Holdings, LLC., Applicant (CSA Planning, Ltd., Agent). Sandra Johnson, Planner

JAN 02 2008

PLANNING DEPT.

PARCEL ID: 371W05 TL's 1000, 1002, and 1100

DATE: December 26, 2007

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. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. One 2" water meter serves the existing business on TL 1100.
7. Access to MWC water lines for connection is available. An 8" water line is stubbed to the south property line of TL 1002, an 8" waterline exists in a portion of the "flag pole" of TL 1002, and an 8" waterline is located in Crater Lake Avenue.

RECEIVED
F
ZC-07-272



City of Medford

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

RECEIVED

JAN 02 2008

PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: Sandra Johnson

LD Meeting Date: 01/02/2008

From: Patterson, John

Report Prepared: 01/02/2008

File #: ZC - 07 - 272

Site Name/Description:

Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on three parcels totaling 12.4 acres located on the east side of Crater Lake Highway, approximately 515 feet north of Coker Butte Road; Table Rock Holdings, LLC., Applicant (CSA Planning, Ltd., Agent). Sandra Johnson, Planner

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> 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.

G
ZC-07-272



ROGUE VALLEY SEWER SERVICES

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

December 21, 2007

City of Medford Planning Department
411 West 8th Street
Medford, Oregon 97501

RECEIVED

JAN 02 2008

PLANNING DEPT.

Re: ZC-07-272, Table Rock Holdings, LLC Zone Change (371W05-1000, 1002, 1100)

ATTN: Sandra

The subject properties are currently served by connections to the 10 inch sewer main along Crater Lake Highway. The proposed zone change will not affect these services. The sewer main has adequate capacity to serve the proposed increased density.

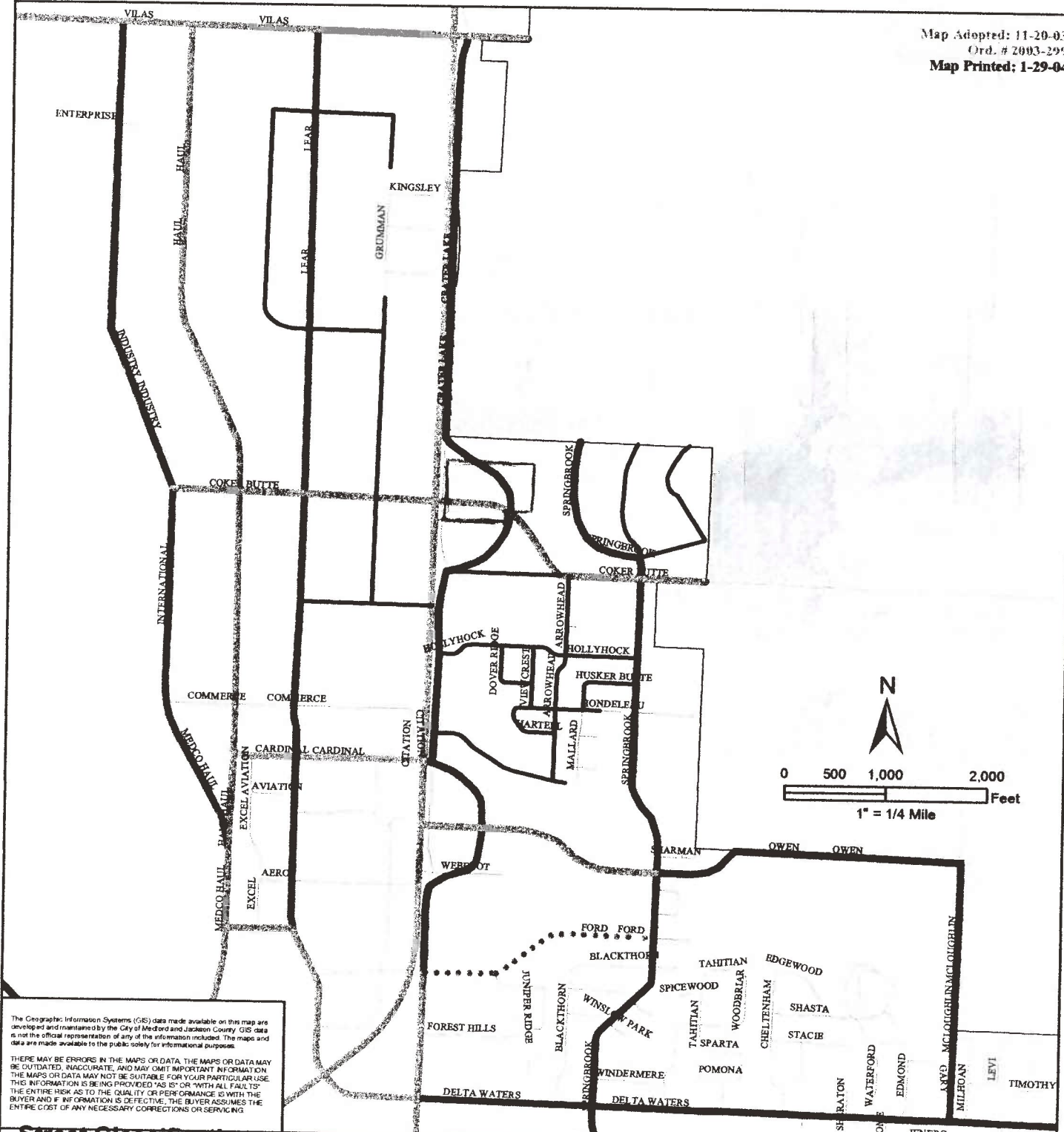
Sincerely,

Carl Tappert, PE
District Engineer

CITY OF MEDFORD
H
ZC-07-272

Adopted North Medford Circulation Plan

Map Adopted: 11-20-03
 Ord. # 2003-299
 Map Printed: 1-29-04



The Geographic Information Systems (GIS) data made available on this map are developed and maintained by the City of Medford and Jackson County. GIS data is not the official representation of any of the information included. The maps and data are made available to the public solely for informational purposes.

THERE MAY BE ERRORS IN THE MAPS OR DATA. THE MAPS OR DATA MAY BE OUTDATED, INACCURATE, AND MAY OMIT IMPORTANT INFORMATION. THE MAPS OR DATA MAY NOT BE SUITABLE FOR YOUR PARTICULAR USE. THE INFORMATION IS BEING PROVIDED "AS IS" OR "WITH ALL FAULTS". THE ENTIRE RISK AS TO THE QUALITY OR PERFORMANCE IS WITH THE BUYER AND IF INFORMATION IS DEFECTIVE, THE BUYER ASSUMES THE ENTIRE COST OF ANY NECESSARY CORRECTIONS OR SERVICING.

Street Classifications

	Major Arterial		Major Collector		Local Streets		UGB
	Minor Arterial		Minor Collector		Other Streets		Adopted Circulation Plan Area



I:\Project Files\Planning\Circulation Plans\Southwest\Southwest Circulation Plan.mxd

CITY OF MEDFORD
 EXHIBIT # I
 20-07-272



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Region 3 Planning

100 Antelope Road
White City, OR 97503
Phone 541-774-6399
Fax 541-774-6349

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February 5, 2007

Commissioner David McFadden, Chairperson
City of Medford Planning Commission
Lausmann Annex
200 South Ivy Street
Medford, OR 97501

**Re: Proposed Rogue Disposal / Table Rock Holdings Zone Change: City I-G to City I-L
(city file no. ZC-07-272)**

Dear Chairman McFadden & Fellow Planning Commissioners:

The Oregon Department of Transportation (ODOT) appreciates the opportunity to review and comment on the Rogue Disposal / Table Rock Holdings proposal for a zone change from City I-G (General Industrial) to City I-L (Light Industrial) use on approximately 12.4 acres located east of Crater Lake Highway (OR-62) and Crater Lake Avenue, and north of Coker Butte Road in Medford, OR. The subject property is described as Map 37-1W-05, Tax Lots 1000, 1002, and 1100. We offer the following comments based on our review of the applicant's traffic study conducted by Group MacKenzie (received December 3, 2007). *The ODOT supports the proposed zone change, with conditions adopted in the approving ordinance, requiring the applicant's stipulation to a vehicular trip cap of 2,480 average daily traffic (ADT), and a maximum building development cap of 200,000 square feet of gross floor area (GFA), not to exceed either development cap.* Please enter this letter into the project record.

BACKGROUND

The subject property is located within the OR-62 @ Coker Butte Road / OR-62 @ Owens Drive improvement project area. The projects were recently combined as one State Transportation Improvement Project (STIP), key number 15514. Based on project representations by the applicant, we understand the applicant proposes to donate the necessary subject property right-of-way for the Coker Butte Road realignment project - i.e., the east-side realignment of the OR-62 / Coker Butte Road intersection to a four-legged intersection, and "bulb-out" improvement at the intersection of Crater Lake Avenue and Coker Butte Road. Implementation of this project will significantly benefit traffic safety and operations in this vicinity.

ODOT REVIEW OF APPLICANT'S TRAFFIC IMPACT ANALYSIS (TIA)

We appreciate the applicant's coordination with the ODOT regarding the scoping of an admittedly complex traffic study, and the analysis conducted to support the proposed zone change. Table 4 - Intersection Operations, in Group MacKenzie's analysis shows no significant further degradation of highway facilities in

CITY OF MEDFORD

EXHIBIT # **J**

file # **ZC-07-272**

ODOT comments: 02/05/08

Year 2023, with or without the proposed land use amendment. Concerning mitigation (improvement) of impacted facilities with the proposed zone change, the TIA concludes:

"...the proposed zone change impacts existing and planned transportation facilities. Many of the intersections on, and around, the OR-62 corridor are failing with or without the proposed zone change. Further, it is not possible to mitigate the development impacts at all analysis locations. Therefore, development trip generation for the proposed I-L zone designation is proposed to be limited to that of the current I-G zone designation.

With the current I-G zone designation, the 12.4-acre site is 'vested' at 200 trips per acre [utilizing the city's trip generation method] resulting in total site trip generation of 2,480 ADT. Therefore, to mitigate proposed I-L zone designation impacts, it is proposed future development trip generation be limited to (capped) 2,480 ADT" (emphasis added).

The ODOT understands the applicant stipulates to a "trip cap" (i.e., a maximum number of allowed average vehicular trips) of 2,480 daily trips. This amount represents the equivalent trips currently allowed under the existing I-G zone, per the city's analysis method to compare traffic generated between the existing and proposed zone districts.

We accept the applicant's stipulated trip cap of 2,480 ADT. Our interests therefore, are in the city's method and mechanism to adequately enforce the maximum amount of traffic on the rezoned subject property under the I-L zone district and the zone's allowed uses. Our interest also is to respect the applicant's flexibility to propose future site development consistent with the I-L zone allowed uses based on their economic interests and development goals.

We assert the following rationale, in our determination and recommended condition of a maximum "building GFA cap" of 200,000 maximum square feet of development, as compliment to the identified total ADT cap. An identified maximum not to exceed ADT and maximum GFA will work to effectively and efficiently simplify the city's enforcement in the future issuance of vertical construction permits, while allowing flexibility to the applicant/owner to develop based on market forces.

Our interest at the time of future development is to apply an ITE-based (Institute of Transportation Engineers) method to determine and track the amount of trips generated, linked to the total square feet of development within the proposed allowed uses of the city's I-L zone. We understand traffic studies are not required outright by code for development applications, and may or may not be required based on professional judgment applied on a case-by-case basis. We recognize flexibility in the applicant's ability to propose one major development project, or a phased development approach, is likely desired. Using the ITE Office Park code #750, and the trip cap of 2,480 ADT, we derive a reasonable 200,000 maximum square feet as the appropriate "building GFA (gross floor area) cap." We derive this maximum GFA based on a review of potentially applicable ITE codes (e.g., Light-Industrial #130, Business Park #770, or Office Park #750). The Office Park ITE code #750 for average trip ends vs. acres on a weekday – i.e., an average rate of approximately 195 trips per acre – most closely aligns and equates with the city's alternative blanket method of applying 200 ADT per gross acre allowed ("vested") under the existing I-G zone district. However, any one ITE code rate table can be limited its individual context, based on the relationship of desired average trip ends per employees, per 1000 square feet of gross floor area, or per acres. Therefore, our determination to reach a maximum of 200,000 GFA adjusts for the 5 trip per acre difference, by making reasonable assumptions in averaging the values across several rate tables and ranges of the Office Park

code. We recommend the city adopt by condition, the building cap in addition to the trip cap, as a means to passively enforce the development caps via established city permitting processes.

ODOT SUPPORT FOR ZONE CHANGE WITH CONDITIONED DEVELOPMENT CAPS

We support the Medford Planning Commission's approval of the applicant's requested land use amendment from I-G to I-L, with the condition outlined herein. We recommend the following condition of approval be adopted in the city's decision:

- ❖ The applicant shall stipulate to a maximum vehicle trip cap of 2,480 ADT (average daily trips); and to a maximum building GFA (gross floor area cap) of 200,000 square feet, not to exceed either development cap. The development caps shall run with the land, and shall only be amended by city ordinance in a land use decision.

Passive enforcement of the development caps will occur naturally under the existing city building permit (vertical construction permit) process. We request notice of future site plan review applications on the subject property based on our interests as an affected transportation service provider (e.g., traffic safety and operations of state highway facilities within the influence area of the new Coker Butte realignment, stormwater drainage and water quality management of state drainage facilities, and access, utility and/or landscaping permitting authorities for State rights-of-way, as applicable).

We request this letter be included in the Rogue Disposal / Table Rock Holdings Zone Change public hearing record. Please send me a copy of the city's final decision on the proposed land use amendment.

Please contact me at (541) 774-6399, if you have questions regarding this letter and its recommendation. Thank you.

Respectfully,



David J. Pyles

Development Review Planner III

Attachment: ODOT Technical Memorandum: *Rogue Disposal TIA Mitigation Recommendation (01/23/08)*

Cc: Mike Montero, Montero & Associates (consultant to applicant)
Sandy Johnson, Medford Planning
Alex Georgevitch, Medford Traffic Manager
ODOT Region 3



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Region 3, District 8 Traffic

100 Antelope Road
Medford, OR 97503
Phone 541-864-8816
Fax 541-774-6349

TECHNICAL MEMORANDUM

TO: David Pyles – Planner; Region 3, District 8

FROM: David A. Fletcher – Development Review Engineer

DATE: January 23, 2008

SUBJECT: Rogue Disposal TIA Mitigation Recommendation

This technical memorandum summarizes ODOT's traffic engineers' review of the Rogue Disposal Traffic Impact Analysis (TIA) dated November 19, 2007 and the TIA supplemental information dated January 10, 2008. Region 3's Traffic Section has deemed this TIA and supplemental information as technically sufficient to be used as best available traffic evidence that meets state standards for state highway facilities. The TIA and supplemental information traffic mitigations shall be part of the City's Conditions of Approvals for this development.

The developer has stated that they will be donating 2.8 acres of their site for the new alignment of Coker Butte Road. This would leave them 9.6 acres as a remainder to develop.

The proposed mitigation for this zone change is to cap the trips produced from the development of this site. The following are the allowable trip generations for the current and proposed zoning;

Current Zoning allows 200 ADT per acre developed.

- ❖ 12.4 acres = 2,480 ADT (248 peak trips).
- ❖ 9.6 acres = 1,920 ADT (192 peak trips).

Proposed Zoning allows 300 ADT per acre developed.

- ❖ 12.4 acres = 3,720 ADT (372 peak trips).
- ❖ 9.6 acres = 2,880 ADT (288 peak trips).

As mitigation for the zone change the developer is offering to cap the trips at the current zoning of the full 12.4 acres for a trip cap of 2,480 ADT. This will be 400 ADT less than if they developed under the proposed zoning after the donation of 2.8 acres.

It is the Traffic Sections recommendations that this development have a trip cap of 2480 ADT. This trip cap will need to be documented in a way that it can be tracked in the future when development of the property begins.



David A. Fletcher

Development Review Eng / Access Management Project Coordinator

Cc: John Vial
Art Anderson
Shyam Sharma
Jayne Randleman
Debbie Timms
File

Vicinity Map

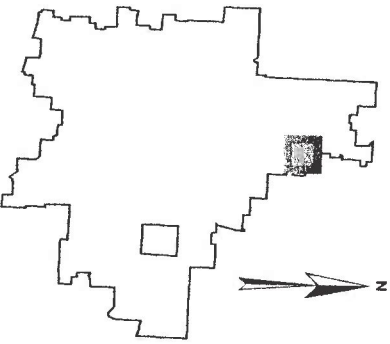


- OVERLAY**
- Airport Approach
 - Airport Radar
 - Central Business
 - Exclusive Agricultural
 - Freeway
 - Historic Outline
 - Limited Industrial
 - Limited Service
 - Planned Development
 - Southeast

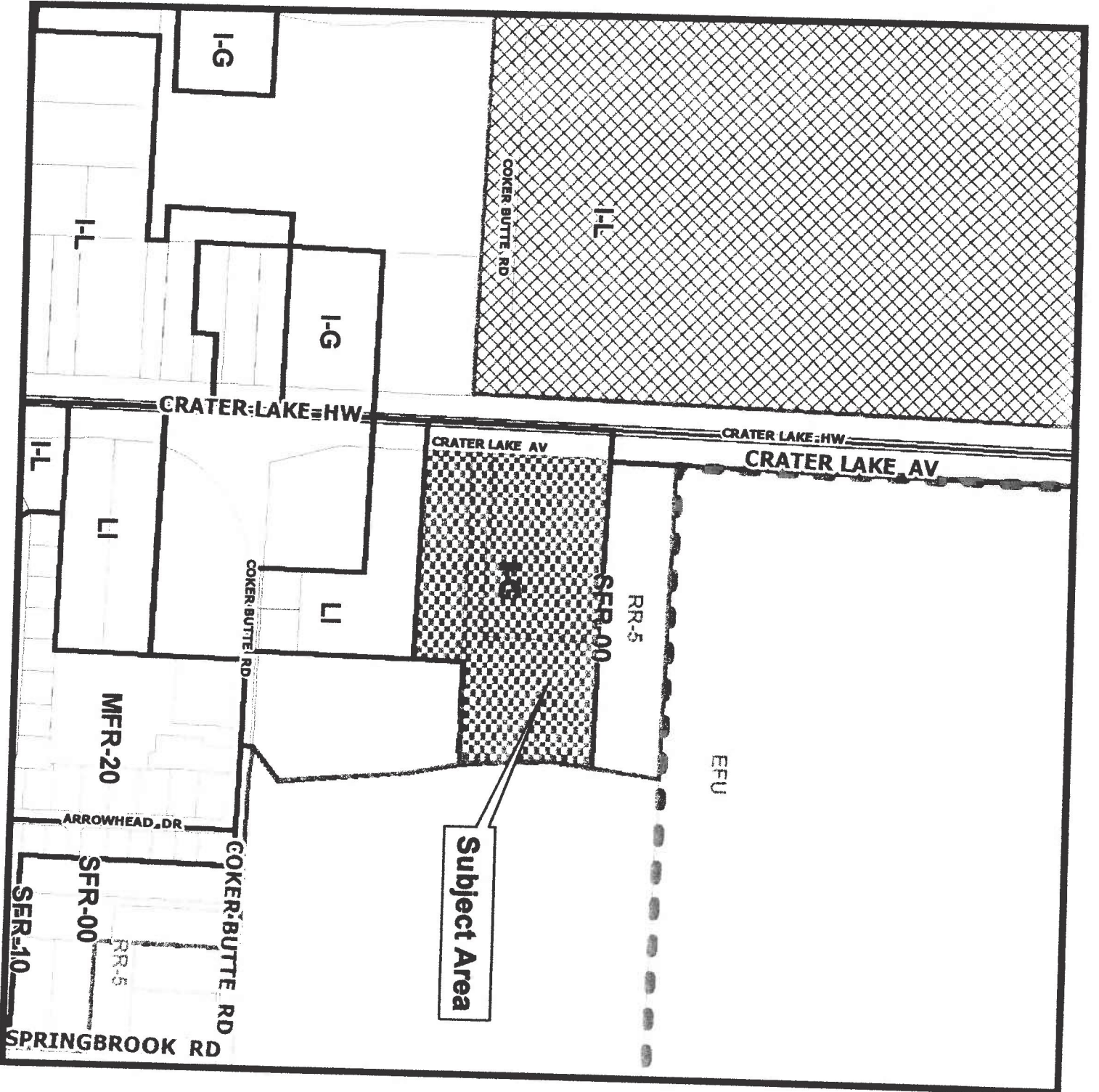
FILE NUMBER:
ZC-07-272

APPLICANT:
Table Rock Holdings, LLC.

Map: 371W05
TL's: 1000, 1002 & 1100



DATE: 12/4/2007



Legal Description

COMMENCING AT A POINT THAT IS 679.38 FEET NORTH AND 1,621.99 FEET WEST OF THE QUARTER CORNER COMMON TO SECTIONS 5 AND 8, TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE NORTH 89°58'30" WEST, 997.49 FEET; THENCE NORTH 89°58'30" WEST, 108.52 FEET MORE OR LESS TO THE CENTER LINE OF CRATER LAKE HIGHWAY AT APPROXIMATE ENGINEERS STATION 2244+80; THENCE NORTHERLY ALONG SAID CENTER LINE, 60.00 FEET, MORE OR LESS; THENCE SOUTH 89°58'50" EAST, LEAVING SAID CENTER LINE AT APPROXIMATE ENGINEERS CENTER LINE STATION 2244+20, 108.52 FEET MORE OR LESS; THENCE SOUTH 89°58'50" EAST, 587.33 FEET; THENCE NORTH 00°02'20" WEST, 376.45 FEET; THENCE SOUTH 89°59'38" EAST, 409.96 FEET; THENCE SOUTH 06°25'10" WEST, 133.15 FEET; THENCE SOUTH 02°31'10" EAST, 279.31 FEET; THENCE SOUTH 13°07'50" EAST, 25.80 FEET TO THE POINT OF BEGINNING.

(T37SR1WS05TL1002)

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Legal Description

COMMENCING AT A POINT THAT IS 680.20 FEET NORTH AND 1,952.70 FEET WEST OF THE QUARTER CORNER COMMON TO SECTIONS 5 AND 8, TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE SOUTH 00°03'30" EAST, 150.67 FEET; THENCE NORTH 89°58'30" WEST, 666.89 FEET; THENCE NORTH 89°58'30" WEST, 108.47 FEET, MORE OR LESS, TO THE CENTER LINE OF CRATER LAKE HIGHWAY AT APPROXIMATE ENGINEERS STATION 2246+51; THENCE NORTHERLY ALONG SAID CENTER LINE, 150.78 FEET, MORE OR LESS; THENCE SOUTH 89°58'30" EAST, LEAVING SAID CENTER LINE AT APPROXIMATE ENGINEERS CENTER LINE STATION 2244+80, 108.47 FEET MORE OR LESS; THENCE SOUTH 89°58'30" EAST 187.98 FEET; THENCE NORTH 00°01'30" EAST 4.00 FEET; THENCE SOUTH 89°58'30" EAST, 45.00 FEET; THENCE SOUTH 00°01'30" WEST, 4.00 FEET; THENCE SOUTH 89°58'30" EAST, 433.86 FEET TO THE POINT OF BEGINNING.

(T37SR1WS05TL1100)

Legal Description

COMMENCING AT A POINT THAT IS 739.62 FEET NORTH AND 2,032.21 FEET WEST OF THE QUARTER CORNER COMMON TO SECTIONS 5 AND 8, TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE NORTH 89°58'50" WEST, 587.33 FEET; THENCE NORTH 89°58'50" WEST, 108.58 FEET MORE OR LESS TO THE CENTER LINE OF CRATER LAKE HIGHWAY AT APPROXIMATE ENGINEERS STATION 2244+20; THENCE NORTHERLY ALONG SAID CENTER LINE, 376.31 FEET, MORE OR LESS; THENCE SOUTH 89°58'50" EAST, LEAVING SAID CENTER LINE AT APPROXIMATE ENGINEERS CENTER LINE STATION 2240+44, , 108.47 FEET MORE OR LESS; THENCE SOUTH 89°58'50" EAST, 587.33 FEET; THENCE SOUTH 00°02'20" EAST, 376.45 FEET TO THE POINT OF BEGINNING.

(T37SR1WS05TL1000)

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RETURN RECEIPT
REQUESTED

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



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