



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

### NOTICE OF ADOPTED AMENDMENT

October 20, 2006

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 005-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 1, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
John Renz, DLCD Regional Representative  
Steven Santos, DLCD Economic Development Planning Specialist  
Steve Oulman, DLCD Transportation Planner  
Suzanne Myers, City of Medford

<paa> ya/



**2 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

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A  
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**DEPT OF**  
**OCT 13**  
**LAND CONSERVATION**  
**AND DEVELOPMENT**  
For DLCD Use Only

Jurisdiction: Medford Local file number: CP-06-102

Date of Adoption: 10/5/2006 Date Mailed: 10/10/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 8/11/2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: \_\_\_\_\_

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
**A request for a minor amendment to the General Land Use Plan Map of the Medford Comprehensive Plan changing the designation from General Industrial to Urban High Density Residential on a site comprised of one parcel and a portion of a second, totaling 1.34 acres, in a Light Industrial zoning district, located 540' east of Crater Lake Ave. and north of the private street Forest Hills Drive.**

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".  
**SAME**

Plan Map Changed from: General Industrial to: Urban High Density Res.

Zone Map Changed from: NA to: NA

Location: East of Crater Lake Ave., NE Medford Acres Involved: 1.34

Specify Density: Previous: NA New: NA

Applicable Statewide Planning Goals: 1,2,9, 10-12, 14

Was and Exception Adopted?  YES  NO

DLCD File No.: 005-06  
(15456)



Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

- Forty-five (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

Affected State or Federal Agencies, Local Governments or Special Districts:

**DLCD, ODOT, RVTD**

Local Contact: **Suzanne Myers** Phone: **(541) 774-2380** Extension: **0**

Address: **20 S. Ivy** City: **Medford**

Zip Code + 4: **97501-3188** Email Address: **Suzanne.Myers@cityofmedford.**

### 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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
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 copy this form on to 8-1/2x11 green paper only; or 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.



CP-06-102

July 14, 2006

**STAFF REPORT**

**File No:** CP-06-102 - General Land Use Plan Map Amendment (Minor Class 'B', Quasi-Judicial)

**Applicant:** J.B.L. Venture, LLC.

**Agent:** Richard Stevens & Associates, Inc.

**Request:** Consideration of a request for a minor amendment to the General Land Use Plan Map of the Medford *Comprehensive Plan* changing the designation from General Industrial to Urban High Density Residential on a site totaling 1.34 acres, in a Light Industrial zoning district, located 540' east of Crater Lake Avenue and north of the private street Forest Hills Drive.

**Background:**

The subject site (Exhibit B) is comprised of one parcel (371W08CC 800) and a portion of a second (371W08CC 1100). Combined, these constitute 1.34 acres. The site has a General Industrial (GI) General Land Use Plan (GLUP) map designation and a Light Industrial (I-L) zoning district (Exhibits A and F). If this application to amend the GLUP map designation to Urban High Density Residential is approved, the site may be rezoned to MFR-20 (Multiple-Family Residential – 15 to 20 dwelling units per gross acre).

To the east, this vacant site abuts land with the Urban High Density Residential (UH) GLUP map designation in a Multiple-Family Residential 20 dwelling units per gross acre (MFR-20) zoning district. To the north and west, the subject site abuts Light Industrial zoning. The Rogue Valley Transit District's bus barns and yards are located to the north; Sears and Roebuck Product Repair Center and Water Pros spa shop are located to the west. Across Forest Hills Drive, to the south, there is a General Industrial zone with a Coca Cola Bottling Company on site.

The subject site is located in the southern portion of the planned North Medford TOD (transit-oriented district), an area of approximately 460 acres (Exhibit C). The City of Medford has identified four TOD districts where land uses and investments in alternative modes of transportation will ultimately reduce reliance on the automobile. In general, these districts will provide access to public transit and higher density residential opportunities mixed with commercial and other employment uses. The idea is to create environments where people can live, work, shop and play. The North Medford TOD is still to be thoroughly planned.

The subject site is also within the vicinity of the Highway 62 Corridor Solutions project, a project identifying alternatives for resolving traffic problems on Highway 62. This project of the Oregon



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Department of Transportation (ODOT) may result in significant changes to the Delta Waters Road and Crater Lake Highway intersection, as well as to Crater Lake Avenue. At this point in time, there is no way to predict exactly what will happen to the area. The Final Environmental Impact Statement, identifying the preferred solution, will not be available until June 2007.

**Approval Criteria for Minor *Comprehensive Plan* Amendments**

*Medford Land Development Code* Section 10.191, Application Form, requires findings that address the following:

- (1) *Consistency with applicable Statewide Planning Goals*
- (2) *Consistency with the goals and policies of the Comprehensive Plan*
- (3) *Consistency with the applicable provisions of the Land Development Code*

*The Medford Land Development Code* Section 10.192, Minor Comprehensive Plan Amendment Criteria refers to the Review and Amendment Section of the *Comprehensive Plan* text. The *Comprehensive Plan* text under "Map Designations" states that amendments shall be based on the seven factors listed below, three of which are essentially the same as those above from Section 10.191:

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*
2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*
3. *The orderly and economic provision of key facilities.*
4. *Maximum efficiency of land uses within the current urbanizable area.*
5. *Environment, energy, economic and social consequences.*
6. *Compatibility of the proposed change with other elements of the Comprehensive Plan.*
7. *All applicable Statewide Planning Goals.*

Compliance with the *Oregon Transportation Planning Rule* (OAR 660-12-060(1)) is also required, as follows:

*Amendments to ... acknowledged comprehensive plans, ... which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.*

**Findings:**

The applicant's Findings of Fact and Conclusions of Law, received July 17, 2006, are, by this reference, incorporated and attached hereto as Exhibit D. A discussion of the proposal relative to the above cited factors is included in the applicant's findings. All of the criteria will not be repeated here. Instead, some additional comments are included in the discussion that follows.

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**Project Review:**

The three most important issues to consider in determining whether or not to approve this General Land Use Plan Map Amendment are: 1) the effect the amendment would have on public facilities, particularly transportation facilities; 2) the effect it would have on the supply of General Industrial and Urban High Density Residential land; and, 3) the appropriateness of the site for the Urban High Density Residential land use designation.

*1) How will this change affect public facilities, particularly transportation facilities?*

The City of Medford *Land Development Code* Sections 10.460-10.461 require that a Traffic Impact Analysis (TIA) be prepared when a change in a *Comprehensive Plan* map designation creates the potential for more than 250 *additional* average daily trips (ADTs) to be generated. The Engineering Division has determined that the existing potential trip generation for the site is 268 ADTs. The requested change to Urban High Density Residential would increase the potential number of trips generated to 270 ADT, resulting in a net increase of 2 ADTs. Thus, no TIA is required (Exhibit E).

The intersection of Forest Hills Drive and Crater Lake Ave. is just north of the Delta Waters and Crater Lake Avenue intersection. Traffic in this area is congested and less safe, given that Crater Lake Avenue becomes a two-lane facility after the intersection with Delta Waters Road. Concerns for pedestrian and bicycle safety are particularly severe; there are no sidewalks north of Forest Hills Drive on Crater Lake Avenue, and there are no road shoulders. The establishment of a second multi-family development on Forest Hills Drive will increase the need for street improvements, including sidewalks and bike lanes along this segment of Crater Lake Avenue.

ODOT's jurisdiction of Crater Lake Avenue begins immediately south of the intersection with Ford Drive, the next street to the north of Forest Hills Drive. ODOT has informed the Planning Department that this change in GLUP map is not anticipated to have a "significant effect" on State transportation facilities, as defined by the Transportation Planning Rule (OAR 660-012-0060).

*2) How will this amendment affect the supply of General Industrial and Urban High Density Residential land?*

**General Industrial.** A plan map amendment of 1.34 acres will not have a significant effect on the supply of General Industrial land. According to Medford's August 2003 publication, "2001 and 2002 Year-End Report on Economic Development", there was an increase of almost 193 acres in land designated as General Industrial from 1993 through 2002. This increase resulted from comprehensive plan amendments, most of which were from Heavy Industrial to General Industrial. According to this report, there were a total of 556 vacant General Industrial acres, 535 within city limits and 21 in the Urban Growth Boundary.

**Urban High Density Residential.** The most recent residential land inventory of vacant and underutilized residential land inside the Urban Growth Boundary (UGB) is the "2000 Year-End



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Report on Residential Development Activities”, produced by the Medford Planning Department in September 2001. That study indicated that there were 3023 vacant/underutilized residential acres within the UGB. Of that total, however, only 11.8% were in Urban Medium Density (UM) or Urban High Density Residential (UHDR) categories. The remaining 88.2% were in the Urban Residential (UR) category which allows densities corresponding with the SFR-2 through SFR-10 zoning districts. Recommendations for new development within the Housing Element of the Medford Comprehensive Plan call for a mix of 65% single-family dwelling units and 35% multiple-family dwelling units. If one assumes that the UR lands develop at an average of six units per acre and the Urban Medium Density (UM)/Urban High Density (UH) residential lands develop at an average of 20 units per acre, the resulting mix would be 69% single-family and 31% multi-family, indicating a potential need for more UM and UH lands. This Plan amendment will provide additional UH lands to accommodate that need.

The *Medford Comprehensive Plan* “Housing Element” Policy 2-A states: *“The City of Medford shall strive to prevent sprawl and provide a compact urban form that preserves livability and adjacent resource lands. Its related strategy is Implementation 2-A (1): Prepare amendments to the GLUP Map for consideration by the City Council that provide for a minimum overall housing density of eight dwelling units per net acre of buildable land, including an increase in multiple-family housing types.”*

This Plan amendment supports the policy of a more compact urban form and constitutes an amendment to the GLUP Map that provides for higher densities. It encourages the use of fewer acres to produce residential opportunities, and may result in lower costs to the consumer and reduced urban sprawl.

**3) *Is this site appropriate for the Urban High Density Residential designation?***

The *Medford Comprehensive Plan* “Housing Element” Policy 3-C states: *“The City of Medford shall designate areas that are or will be conveniently located close to pedestrian, bicycle, and transit or high capacity transportation routes, and community facilities and services, for higher density residential development.”*

The subject site will indeed create high density residential close to a high capacity route, State Highway 62, and the commercial, industrial and other employment uses along that route. It must be noted, however, that the absence of shoulders and/or bike lanes on this segment of Crater Lake Avenue and the lack of continuous sidewalks to Forest Hills Drive present current safety issues for pedestrians and cyclists, as well as drivers. In the future, as the TOD concept is realized in this neighborhood, local circulation for bicycle and pedestrian modes will improve, as will public transit opportunities. It is also possible that the Highway 62 Corridor Solutions project will make investments in multi-modal improvements, since a Bicycle/Pedestrian Sub-committee is part of that process.

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The applicant posits that this site is no longer appropriate for industrial development. In the Findings of Fact (Exhibit D), the applicant supports this idea by pointing to the site's relatively small size, the location of the property off a private street and a two-lane segment of Crater Lake Avenue, and finally, the development constraints presented by the MFR-20 development to the east. Staff agrees with these findings.

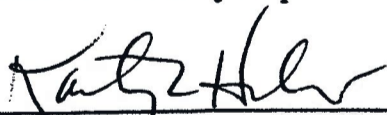
**Conclusion:**

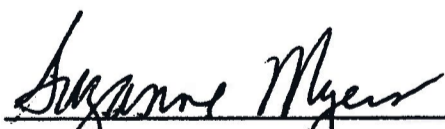
The requested change would increase the potential additional number of vehicular trips generated by 2 ADTs, not triggering the requirement for a TIA. At this level of review, no public facility deficiencies are pertinent. Concerns for pedestrian and bicycle safety remain, however, and may be appropriately addressed during the development application process. Changing the designation of this site from General Industrial to Urban High Density Residential would have no significant impact on the supply of General Industrial land and would provide more Urban High Density Residential land to meet that need. The subject site can be found to be appropriate for the Urban High Density Residential GLUP map designation based, in part, on its location within a Transit-Oriented District and its proximity to the employment uses along the Highway 62 corridor. This map amendment will support Housing Element Goal 2, Policy 2-A and Implementation 2-A (1) by providing for high density residential uses.

**Recommended Action:**

Forward a favorable recommendation to the City Council for CP-06-102 per the Staff Report dated July 14, 2006, including:

- Exhibit A - General Land Use Plan Map with Legend
- Exhibit B - Assessor's Map
- Exhibit C - Map with North Medford TOD Boundary
- Exhibit D - Applicant's Findings of Fact and Conclusions of Law received May 3, 2006
- Exhibit E - Public Works Dept. Memo Regarding Traffic Impact Analysis
- Exhibit F - Vicinity Map



  
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Kathy Helmer, Planner IV

  
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Reviewed by: Suzanne Myers, A.I.C.P., Senior Planner












**PLANNING COMMISSION AGENDA:** August 10, 2006



**Vicinity Map**

-  UGB
-  City Limits

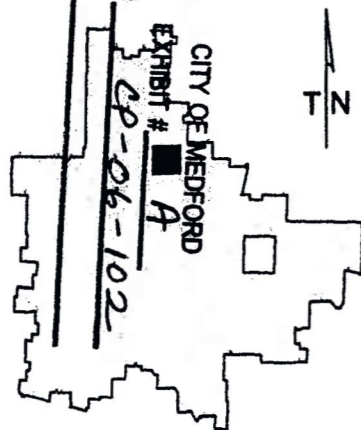
**OVERLAY**

-  Airport Approach
-  Airport Radar
-  Central Business
-  Exclusive Agricultural
-  Freeway
-  Historic Outline
-  Limited Industrial
-  Limited Service
-  Planned Development
-  Southeast
-  General Land Use Plan

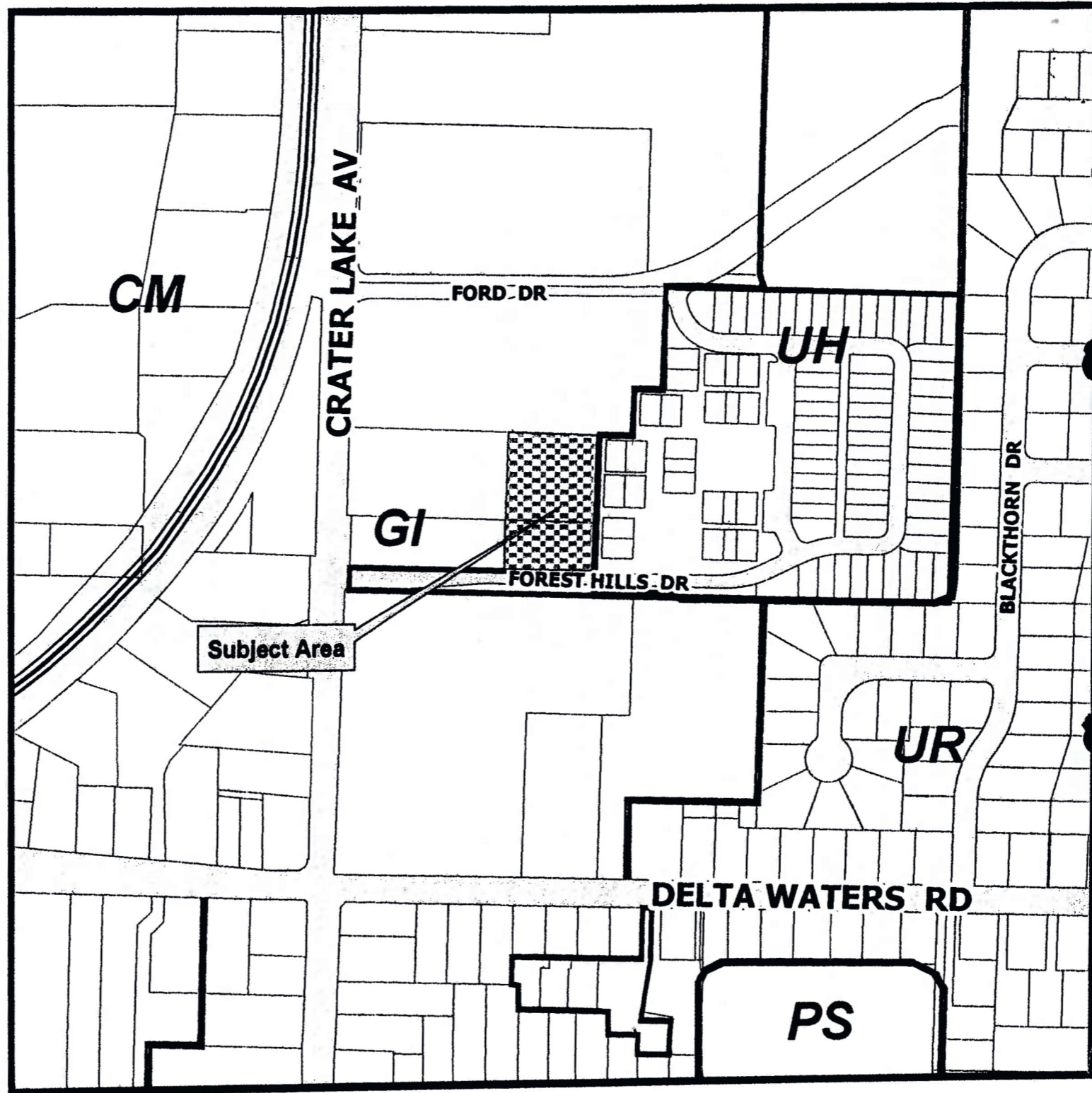
**FILE NUMBER:**  
CP-06-102

**APPLICANT:**  
JBL Venture, LLC

Map: 371W08CC  
T1800, 1100



DATE: 7/13/2006



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The applicant posits that this site is no longer appropriate for industrial development. In the Findings of Fact (Exhibit D), the applicant supports this idea by pointing to the site's relatively small size, the location of the property off a private street and a two-lane segment of Crater Lake Avenue, and finally, the development constraints presented by the MFR-20 development to the east. Staff agrees with these findings.

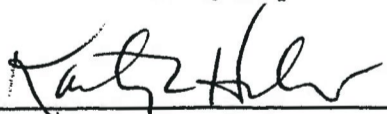
**Conclusion:**

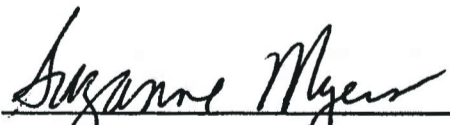
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**Recommended Action:**

Forward a favorable recommendation to the City Council for CP-06-102 per the Staff Report dated July 14, 2006, including:

- Exhibit A - General Land Use Plan Map with Legend
- Exhibit B - Assessor's Map
- Exhibit C - Map with North Medford TOD Boundary
- Exhibit D - Applicant's Findings of Fact and Conclusions of Law received May 3, 2006
- Exhibit E - Public Works Dept. Memo Regarding Traffic Impact Analysis
- Exhibit F - Vicinity Map

  
\_\_\_\_\_  
Kathy Helmer, Planner IV

  
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Reviewed by: Suzanne Myers, A.I.C.P., Senior Planner

**PLANNING COMMISSION AGENDA:** August 10, 2006

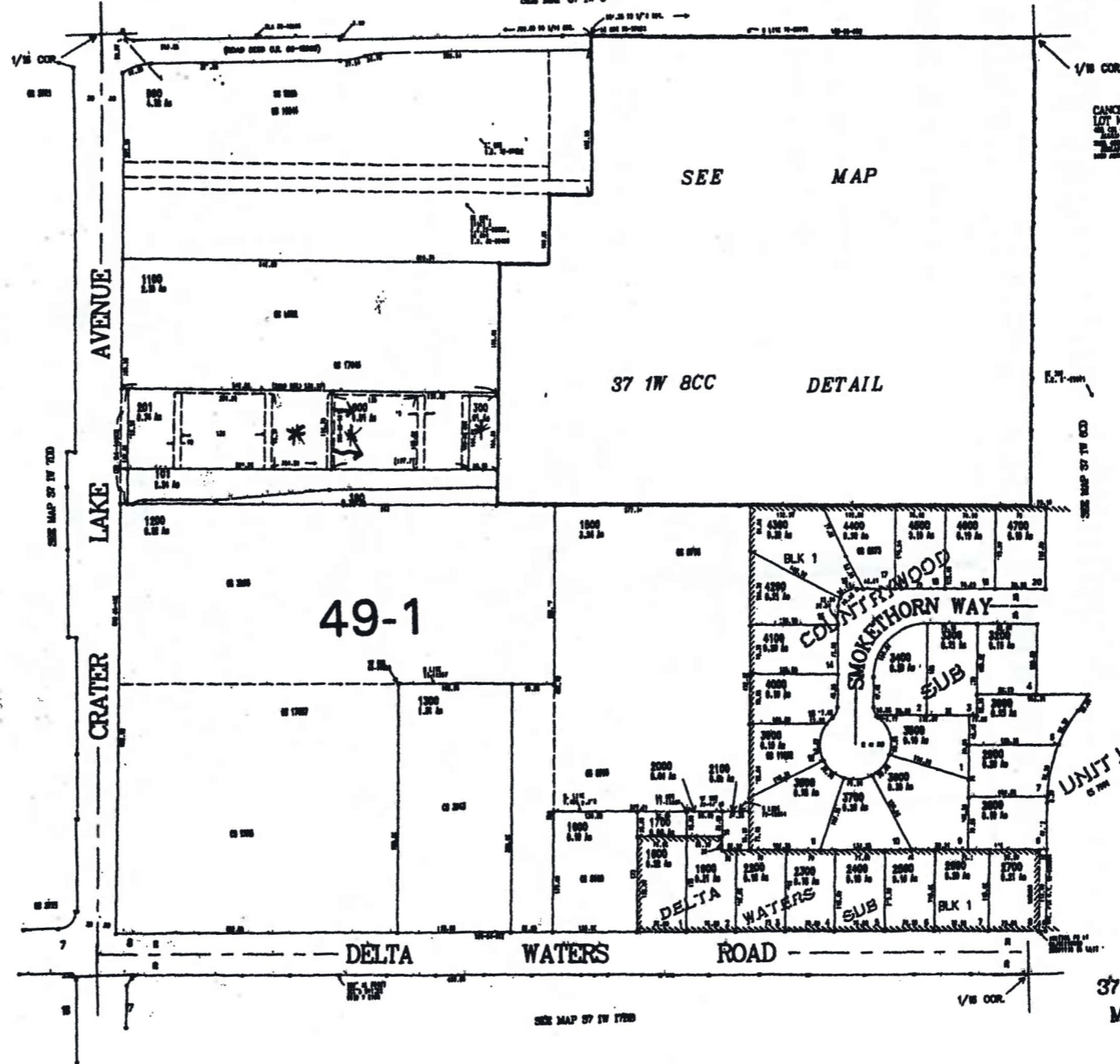


SW 1/4 SW 1/4 SEC. 8 T37S R1W W.M.  
JACKSON COUNTY

37 1W 8CC  
MEDFORD

IMPORTANT  
THIS MAP FOR ASSIGNMENT  
AND TAXATION PURPOSES  
ONLY

SCALE 1 INCH = 200 FEET  
SEE MAP OF 1W 8



CANCELLED TAX  
LOT NUMBERS  
43, 44, 45, 46, 47, 48  
BY  
RESOLUTION NO. 2003-01  
ON JUNE 24, 2003

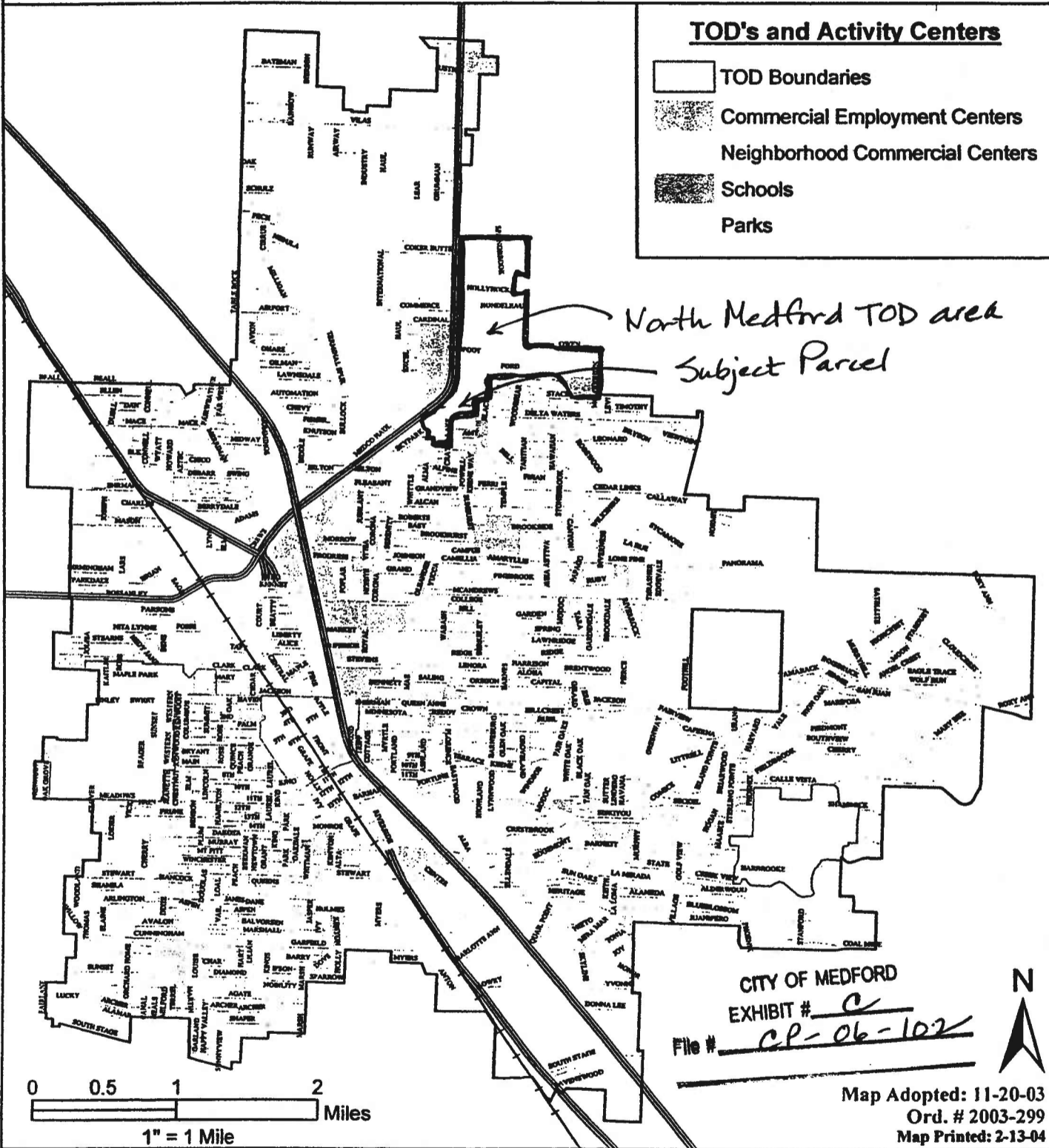
20.8, Page 7

37 1W 8CC  
MEDFORD

CITY OF MEDFORD  
EXHIBIT # B  
File # CP-06-102

MAP/PLAT/06/C/CR PLAT/ORA  
WEDNESDAY JUNE 24, 2003 8:08 AM By JOHNHOVER

# Figure 4-1: Medford Conceptual TOD Boundaries and Other Activity Centers



Other Streets  
 Highway  
 Railroad  
 UGB



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. THIS 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.



BEFORE THE PLANNING COMMISSION AND CITY COUNCIL

FOR THE CITY OF MEDFORD, OREGON:

IN THE MATTER OF A REQUEST FOR A MINOR GENERAL LAND USE PLAN MAP AMENDMENT FOR A TRACT OF 1.34 ACRES, DESCRIBED AS TAX LOTS 300, 800, AND A PORTION OF TAX LOT 1100, LOCATED IN T. 37S, R.1W, SECTION 8CC; AND LOCATED EAST OF CRATER LAKE AVENUE, NORTH OF FOREST HILLS DRIVE:

J.B.L. Venture, LLC, Applicants;                      Richard Stevens & Associates, Inc., Agents

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I. BACKGROUND INFORMATION FOR THE APPLICATION:

DATE:                      March 27, 2006; April 24, 2006; July 17, 2006

APPLICATION:            An application for a minor Amendment to the City of Medford Comprehensive Plan (General Land Use Plan) Map from General Industrial (G-I) to Urban, High Density Residential (UH) for approximately .1.34 acres located off Crater Lake Avenue, north of Delta Waters Road, in Medford, Oregon.

APPLICANT:              J.B.L. Venture, LLC (James K. Johnson, Bill Mansfield & Larry House)  
1424 Eagle Ridge Drive  
Mount Vernon, WA 98274  
(360) 848-8624

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

CURRENT PLAN  
DESIGNATION:            General Industrial (G-I);    Currently zoned Light Industrial (I-L)

PROPOSED PLAN  
DESIGNATION:            Urban, High Density Residential (UH);    Proposed zoning of MFR-20

CITY OF MEDFORD  
EXHIBIT # D  
File # CP-06-102

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RECEIVED  
JUL 17 2006  
PLANNING DEPT.

**II. FINDINGS OF FACT PERTAINING TO THE PROPERTY:**

**A) Legal Description and Ownership:**

The proposed GLUP (Comprehensive Plan Map) Amendment, from General Industrial (G-I) to Urban, High Density Residential (UH) is requested for a parcel of approximately 1.34 acres located off Crater Lake Avenue, north of Delta Waters Road. The property is described as Tax Lots 800 and 300 (*which the most recent assessor's maps have consolidated as a single tract with two tax accounts*) and A PORTION OF Tax Lot 1100, T. 37, Range 1 West, Section 08CC, Jackson County, Oregon.

Tax Lots 800 and 300 are owned by J.B.L. Venture, Inc; the portion of TL 1100 is under contract of sale to that organization pending the request to amend the GLUP Map designation. A copy of the contract is attached as Exhibit 1.

A copy of a metes and bounds legal description, as well as the appropriate plat maps prepared by Farber Surveying are attached as Exhibit 2 to these findings.

**B) Purpose:**

The purpose of this application is to change the GLUP map Designation on the property from G-I (General Industrial) to UH (Urban, High Density Residential) is to allow a subsequent zone change to MFR-20 from the current Light Industrial zone.

The UHDR/MFR-20 designation provides for greater flexibility in terms of the density issues facing the site arising from the fact that the abutting property to the east is also zoned MFR-20, and a PUD (Planned Unit Development) application was approved and constructed on site.

**C) Zoning:**

The area in question is currently zoned Light Industrial, which is a district defined in Section 10.330-1 of the Medford Code.



The proposal is to amend the GLUP map to allow for MFR-20 zoning, which is defined in Section 10.311 of the MLDC. This district provides for

*“...higher density townhouses and multiple-family dwellings, including duplexes and apartments and group quarters. It is suitable and desirable for locations near neighborhood activity centers or mass transit. The maximum number of dwelling units permitted per gross acre fall within the range of 15.0 to 20.0 /gross acre.”*

Properties in the vicinity are zoned in a mix of uses, such as I-L to the north, west and south; MFR-20 to the east, with SFR-4 to the southeast and southwest. The area to be changed has been developed to the extent that water, sewer, street improvements and other public facilities have already been extended to the area, and are in place.

The applicant simply wishes to coordinate development on his property consistent with the property immediately abutting his to the east, which is also zoned MFR-20, and located in an area that has fairly large numbers of both commercial and light industrial uses. The reasoning behind this request is (1) a relative abundance of I-L zoning in the vicinity, which has remained undeveloped for many years, and (2) a need for additional MFR-20 zoning in an area close to major transportation facilities and within the North Medford TOD (see below).

**D) Land Use:**

The subject property consists of a single tax lot (two tax accounts) and a surveyed portion of a third (TL 1100) as noted on the plat attached. The properties are currently the residual portions of a previously developed tract zoned I-L, (developed with the Sears shipping depot) but due to locational aspects, the tract is more compatible with the MFR-20 zone that abuts the site on the east. A review of the General Land Use Plan Map also indicates that this site is on “the cusp” of the line between the UH designation and the G-I designation, so this minor transition should not be a major planning issue.

As noted above, a PUD was prepared to address the development of the property immediately to the east, and approved uses on abutting sites include vacant lands, an SFR-20 PUD development, and an a number of I-L zoned parcels that are either vacant or only developed along the frontage of Crater Lake Avenue. The site is generally flat with little slope. The site is served by the City of Medford for streets, water, sewer and storm drainage.

**E) Sewerage:**

Sewage collection is provided by the City of Medford via an 8-inch collector line that lies in Crater Lake Avenue, and has been extended through the private drive abutting this property on the south. There are major collector lines in Crater Lake Avenue and on Crater Lake Highway. One of the motivations for the change is effective and efficient provision of sewer service.

**F) Wetlands:**

No wetlands exist; no review required from the Division of State Lands.

**G) Water Service:**

Water service is provided to the site via a City of Medford Water Commission main located in Crater Lake Avenue, which ties into both the private street extension that serves the MFR-20 development abutting this tract, and which loops to Blackthorn Drive. The system is looped to the extent of existing development, and the applicant stipulates to all conditions imposed from the Medford Water Commission for extension of water to this property.

**H) Storm Drainage:**

Storm Drainage is proposed also to be coordinated with the City of Medford, with appropriate development of on-site detention/retention consistent with City of Medford engineering requirements. Lone Pine Creek, south of this site, is part of the existing Medford Master Storm Drain system, and the potential exists to connect to that drainage.

The existing PUD project to the east of the subject property utilizes this system as part of the drainage for the site, and the applicant proposes to prepare a drainage plan that will coordinate with this project as well as intervening sites consistent with the Medford Master Storm Drain System.



**D Streets:**

Crater Lake Avenue in this vicinity is a major arterial, and as such no new traffic generators or driveways are allowed to encroach upon Crater Lake Avenue except at a controlled intersection. The intersection of the private drive that serves this property is not signaled, but was widened when the existing MFR-20 project was constructed several years ago. The applicants stipulate to paying their fair share of roadway improvements to insure adequate development of access and transportation system coordination under the provisions of the Medford TSP.

Traffic generation resulting from this change can be very generally calculated by the information obtained from the *Institute of Traffic Engineers TRIP GENERATION MANUAL, 6<sup>TH</sup> EDITION*, which allows for gross calculations based upon land use and SIC (Standard Industrial Classification) standards (see attached information from ITE Trip Generation Rates, Exhibit 3).

A review of the size of the tract, plus the letter from the Medford Engineering Department (Exhibit 4) indicates that this change is not significant enough to require a Traffic Impact Study (TIS).

In fact, the conversion of the property to residential from industrial may result in a very limited increase (2 ADT), pursuant to the evaluation of Engineering regarding the land uses. Thus, traffic generation and issues arising from transportation facility adequacy simply do not exist as a result of the requested change in the GLUP map designation.

**III. COMPLIANCE WITH THE CITY OF MEDFORD COMPREHENSIVE  
PLAN AND LAND DEVELOPMENT CODE:**

Section 10.102 of the Medford Land Development Code (MLDC) provides that a minor amendment to the Comprehensive Plan (GLUP) Map is a Class "B" action, and the City Council is the approving authority for Class "B" actions as noted in Section 10.111. Under Section 10.122, the Planning Commission is an advisory agency to the Council on all Comprehensive Plan Amendments.

Class "B" actions are defined in Section 10.185 of the MLDC, and the required findings are noted in Sections 10.191 and 10.192 of the MLDC. A review of these sections indicates that an application for a Comprehensive Plan amendment must contain the following:

1. *A vicinity map, identifying the proposed area to be changed on the General land Use Map;*
2. *Written Findings which address the following:*
  - A) *Consistency with all applicable Statewide Planning Goals;*
  - B) *Consistency with the applicable goals and policies of the Comprehensive Plan;*
  - C) *Consistency with the applicable provisions of the Land Development Code.*

The information submitted herein, and the enclosed attachments, will provide the City of Medford with adequate documentation to determine that the application is consistent with the requirements of the City of Medford for a minor map amendment.

**1. VICINITY MAP CONSISTENT WITH SECTION 10.191:**

In accordance with the provisions of Section 10.191 of the MLDC, an application for a minor Comprehensive Plan amendment must contain a vicinity map, drawn at a scale of 1"=1,000 feet, which identifies the proposed area to be changed on the General Land Use Plan Map.



**FINDING:**

**The Planning Commission and City Council find that the accompanying map meets the criteria for a vicinity map, as required by Section 10.191 of the MLDC.**

**2. WRITTEN FINDINGS:**

In accordance with the provisions of Section 10.191 of the MLDC, written findings are required to support an application for a minor Comprehensive Plan Amendment. In general, the most important issues to consider when reviewing an application for a GLUP map amendment are:

- (1) The effect the amendment would have on public facilities, particularly transportation, and,
- (2) The effect the amendment would have on the supply of lands dedicated for the various purposes noted in the plan; and, finally,
- (3) The appropriateness of the site for URHD uses.

The following information is submitted to demonstrate compliance with this section, and to address the issues above.

**A. CONSISTENCY WITH THE APPLICABLE STATEWIDE PLANNING GOALS:**

A review of the Statewide Planning Goals, and the relationship of those goals to the City of Medford Comprehensive Plan, indicates that Comprehensive Plans are required to be "consistent" with the Statewide Goals if the Plan is to be acknowledged by LCDC. By extension, if an application for an amendment is consistent with the Comprehensive Plan, it must also be consistent with the applicable Statewide Goals.

There are four Statewide Goals that apply in the case of a Class "B" Amendment, which is a change in the land use designation that is typically focused on a specific individual property or properties, and considered as a quasi-judicial land use application. These four goals are Goal 2, Land Use Planning, which sets forth the criteria for the planning process; Goal 10, the Housing Goal, Goal 11, Public Facilities and Services, and Goal 14, which is the Urbanization goal. These Statewide Goals are addressed below:

**Compliance with Statewide Planning Goal 2:**

The City of Medford has adopted a Comprehensive Plan that has been acknowledged by LCDC. The "Review and Amendment Procedures" as contained in that section of the Plan provides for various types of amendments, and specific criteria for adoption. Because "Review and Amendment Procedures" have already been acknowledged as being consistent with Goal 2 via the acknowledgment, demonstrated compliance with the procedures is prima facie evidence of compliance with Goal 2.

Minor Amendments to Comprehensive Plan designations must be based upon a comparison between the values established for the current level of land use, as well as the values anticipated to accrue from the proposed land use. While local governments are required to identify sites needed for industrial and commercial development to meet both long and short term land supply needs, the process is supposed to have adequate levels of flexibility to anticipate minor changes if necessary.

The proximity of the proposed UH area to the existing MFR-20 development to the east, combined with the scope and intensity of that development, essentially renders the easterly portions of the subject tract either marginally developable or completely undevelopable for industrial or commercial uses, primarily due to (a) the private character of Forest Hills Drive, and (b) the character of Crater Lake Avenue in this vicinity, which is NOT developed to the standard 4-lane roadway with a turn lane, as is the case for the area south of Delta Waters Road.

This proposal is supported by the most recent "**Report of Economic Development, August, 2003**" by the City of Medford, which notes clearly on the generalized land use plan map that the subject property is delineated as "vacant, underutilized lands" (Exhibit 5) during that review (2001-2002).



Based upon those factors, conversion of this site to UH (and the subsequent MFR-20 zoning) appears to reflect the need for additional higher-density lands, and also reflects the fact that more than adequate levels of I-L zoning exists. The applicants submit that this conversion of I-L land is consistent with Goal 2, in that the site is generally unsuitable for industrial uses; that the holding costs to private owners do not reflect a reasoned use of the property, and that the amount of I-L zoning in the community exceeds long range projections, and thus is consistent with Goal 2.

**Compliance with Statewide Planning Goal 9:**

Goal 9 is the "Economic" goal, and the basis for planning and delineating lands for commercial and industrial uses; those uses that are vital to diversification and strengthening the economic basis for the community. Planning for Goal 9 involves a review of the "comparative advantages" of the various parcels that are designated for commercial or industrial uses, taking into account the social, economic, energy and environmental issues that accrue. Also, plans should designate the type and level of public facilities and services that are appropriate to support the degree of economic development proposed in the plan.

In this case, the evaluation of Goal 9 involved a review of the "Industrial Lands Committee" Report to the governor (November, 2004) indicates that there a number of criteria that accrue to industrial and commercial lands. One of these criteria is "*being free from encroachment of incompatible uses*" (see attached excerpt, Exhibit 4).

In this case, the City can find that this site has been zoned I-L for a number of years, but has not been developed due to the location, as well as the character and orientation of the existing I-L uses along Crater Lake Avenue, the access, and finally, the level of development of URH properties in the vicinity, immediately to the east of the subject tract. For these reasons, the application can be found to be consistent with Goal 9.

**Compliance with Statewide Planning Goal 10:**

Goal 10 is the Housing Goal, which indicates that it is a statewide priority to provide for the housing needs of the citizens of the state. The subject property has long been in the City of Medford Light Industrial land use inventory, despite the marginal developmental status. When the abutting property was zoned and developed to an MFR-20 standard by the City of Medford under the provisions of Goal 10 several years ago, and a Final Order was adopted by the City that indicates that the city needed this property for higher density uses, as opposed to the original land use designation, the subject property was significantly affected.

As noted above, the subject site is on “the cusp” between the GLUP Map designations of G-I and UH. While the abutting MFR-20 development absorbed most of the UH area, the applicants are of the opinion that, due to the location, type of development in the vicinity, and the scope of the industrial uses on the frontage with Crater Lake Avenue, , the subject property is more effectively utilized as UH residential, due primarily to infrastructure (street) issues, but also since it is close to a large block of commercial and light industrial zoning, providing proximity for jobs and employment, is abutting existing MFR-20 zoning, and addresses a need for additional Multi-family development in the vicinity.

The request here is to allow for a certain flexibility in terms of location and density, which can be obtained by this application and a subsequent zone change from Light Industrial to MFR-20.

The City can find that this amendment is consistent with the overall priority to increase densities, but also necessary to address the density issue on a parcel that has been impacted by abutting development, and can utilize designs of that development to supplement and enhance the subject site. Again, the property is close to employment centers (Costco, Lowe’s, Sears, etc.) and has safe and adequate access; public facilities are to the site. The application is consistent with the provisions of Goal 10.

**Compliance with Statewide Planning Goal 11:**

Goal 11 requires a planning process that provides for a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural developments. In most cases, urban public facilities have been defined as water and sewer facilities, police and fire protection, storm drainage systems, streets, zoning, subdivision and community governmental services.



The subject property has long been within the City Limits, and as urban land, the public facilities have already been extended into the vicinity, and can easily be further extended to serve the subject site. In this case, as the development will not exceed 22 townhouse units (limited by the zoning and access issues) and as such is considered as an infill project that has adequate access to water, sewer, storm drainage facilities and streets, compliance with Goal 11 is clearly demonstrated.

The property is controlled by local governmental services, including planning, zoning, and subdivision control, all administered by the City of Medford. The City can find that there are adequate public facilities to serve the site; however, an efficient and effective extension of services is generally based upon higher densities and economies of scale. This request simply reiterates the basic approval criteria, in that there are existing water, sewer, drainage facilities and streets in the vicinity that serve the site, and that the developer will be responsible for extending those existing services to the subject property. The application is consistent with the provisions of Goal 11.

**Compliance with Statewide Planning Goal 14:**

The provisions of Goal 14 provide that an orderly and efficient transition from rural to urban land uses shall be developed, and that there should be a comparative analysis to review the needs for housing, employment opportunities and general liveability.

In this case, the site is within an existing City Limit, and has been determined to be urban land for some time. Facilities have been extended to the site, prima facie evidence that the application is consistent with Goal 14. .

**FINDING OF COMPLIANCE: STATEWIDE PLANNING GOALS:**

Based upon the information contained within these findings, and the attachments supporting the application, the City of Medford can find that this application is in conformance with the applicable Statewide Planning Goals and Guidelines, which are defined as Goals 2, 9, 10, 11 and 14. The site is within an incorporated city and UGB, and the amendment is minor in nature, allowing the development to occur to a different land use than originally planned due to development issues and existing infrastructure features. Development to a UH level is within the natural constraints of the site, while providing for needed housing in concert with adequate public facilities.

**B. COMPLIANCE WITH GOALS AND POLICIES OF THE CITY OF MEDFORD  
COMPREHENSIVE PLAN:**

**1. Review and Amendment Criteria:**

The City of Medford has an adopted Comprehensive Plan, which contains several criteria that are applicable in this case. In the "Review and Amendment" element of the Plan, minor plan amendments are discussed as "Class B" applications. This section also notes that there are seven specific criteria for amendments to Map Designations, in addition to the Goals and Policies. These are:

1. *A significant change in one or more Goal, Policy, or Implementation Strategy;*
2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities;*
3. *The orderly and economic provision of key public facilities;*
4. *Maximum efficiency of land uses within the current urbanizable area;*
5. *Environmental, energy, economic and social consequences;*
6. *Compatibility of the proposed change with other elements of the City Comprehensive Plan;*
7. *All applicable Statewide Planning Goals."*

**Discussion:**

A review of the General Land Use Plan Map of the City of Medford indicates that this specific site is designated on the General Land Use Plan Map as right "*on the line*" between "UH" or Urban High Density Residential, and "G-I", or General Industrial, which provides for both General and Light Industrial zoning.



The mapping designations contained in the General Land Use Plan Element of the Comprehensive Plan indicate that permitted zoning districts within the "High Density Residential" designation is limited to the "MFR-20 and MFR-30" zoning districts. Coupled with these actions, the City adopted *minimum* density standards for each district as well.

**Criteria #2** applies, since the project appears to be necessary to address urban housing needs, as compared to the need for industrial or commercial uses. The size, shape and location of the tract is more conducive to residential use, versus the fact the site has been vacant "industrial" land for over 20 years.

**Criteria #4 and #5** apply, as the development potential of this site represents the maximum efficiency of land use of this property, consistent with the need for housing and to provide a reasonable use of the property, since it's use as Light Industrial appears marginal at best. The application demonstrated above compliance with the Statewide Planning Goals, satisfying **Criteria #7** as well.

**Criteria #3 and #6** can be found to be satisfied, since the property owners have already extended public facilities and services to the site, and that was done consistent with other elements of the Comprehensive Plan.

**FINDING:**

**As the subject property lies within the Urban Growth Boundary and City Limits of the City of Medford, and found to be committed to Urban use, and specifically, can be delineated on the General Land Use Plan Map as UHDR, the city can find that this amendment, which is reviewed as clarification of the GLUP Map, can be found to be consistent with the criteria contained in the Map Designations section of the Comprehensive Plan "Review and Amendment" provisions.**

**2. Compliance with the Goals and Policies:**

Additionally, the provisions of the Comprehensive Plan and the MLDC requires compliance with applicable Goals and Policies of the Medford Comprehensive Plan. These are noted below:

**ENVIRONMENTAL ELEMENT:**

This element of the Medford Comprehensive Plan is a comprehensive delineation of the various physical attributes that make up the greater Medford urbanizable area, including topography, climate, air and water quality, historic areas and sites, and related features.

The Goals and Policies of this element are specifically oriented to insuring that urban land uses are planned, located, and conducted in such a manner as to minimize conflicts and potential hazards (flood, landslides, noise impacts, etc.)

In this case before the City, there are no identified hazards that apply to this site, in terms of topography, natural hazards, flood issues, slope or other negative physical attributes, as demonstrated by the mapping submitted with the application.

**FINDING:**

**The City of Medford finds that there are no physical hazards that apply to the site, and that no flood issues, slope problems or other physical issues are identified. The application is consistent with the Environmental Element.**

**ECONOMIC ELEMENT:**

The economic element is a set of policies and goals that are "narrow in focus" and are designed to address a community economic development plan by aggressively stimulating economic development and growth that will diversify and strengthen the mix of economic activity in the marketplace.

With the changes that have occurred in the Greater Medford area in terms of the change in orientation of the local economy, the focus of the City of Medford has shifted from a manufacturing based economy to one that is more service oriented. The proposed Map Amendment is consistent with the Economic Element, as it provides consistency with policy statements and implementation strategies for construction and development related activities that are essential to a part of the local economy.

The City of Medford has adopted goals and policies within the Economic Element of the Comprehensive Plan to assure that an adequate industrial and commercial land base exists to insure employment opportunities exist. **Policy 4, of Goal 1** in this element notes that



*“The City of Medford shall monitor and respond to growth and development patterns in the community to enable Medford to capitalize on its changing comparative advantages in the local and regional marketplace.”*

**Policy 5 of Goal 1** notes that

*“...the City of Medford shall monitor its land development requirements for industrial development, and remove any onerous restrictions and requirements.”*

**Goal 2** clearly provides that the City

*“...assure that an adequate commercial and industrial base exists to accommodate the type and amount of economic development and growth anticipated in the future, while encouraging efficient use of land and public facilities within the City of Medford.”*

**Policies 1 through 3 of Goal 2** clearly discuss the need to maintain an existing 5-year supply of commercial land, and maintain the supply of industrial land to insure employment opportunities exist. Finally, **Goal 3** specifically requires the City to develop locational criteria and site standards for commercial and industrial lands.

Finally, the City has also adopted an “industrial lands inventory” that demonstrates the scope and need for additional commercial and industrial lands in the City. The most recent of the inventories is contained in the 2003 Year End Report. The appropriate pages from that report pertaining to the Industrial lands Inventory are included as Exhibit 5.

In that inventory, the city notes clearly that the “General Industrial” land use designation, which includes both the General and Light Industrial zoning designations, notes clearly that there were 498.2 acres of developable light industrial land in the City of Medford.

**The report clearly notes (Page 8) that retail commercial development has been decreasing since 1994.** While industrial development has increased a bit, the need for land for residential purposes has outstripped the need for additional industrial development. For example, staff has noted that in 1994, the need was established for 265 gross acres for UHDR uses between 1994 and 2010. It is now 2006, and most of that inventory has been either built or committed. The most recent residential land use inventory conducted by the Planning Department (January, 2001) indicates that there were 279 acres of vacant UHDR land “...within the Urban Growth Boundary”, which results in a shortfall of 51 acres for the planning period. This amendment would provide additional land to accommodate that need.

With this information, it is clear that this proposed amendment is consistent with the applicable goals and policies, since (a) there is need for additional residential land; (b) there is a surplus of industrial land, particularly in this vicinity, and (c) the subject property is a response to the growth and development patterns in the vicinity. Since there is an additional need for residentially zoned properties, and that the amount of land involved in this application (1.34 acres) is not significant in terms of large industrial users, and since the land has been vacant for many years with constraints on the industrial development, this application will not have a significant impact on the ability of the City to maintain industrial or commercial land needs.

**FINDING:**

**The City of Medford can find that this application is consistent with the applicable Goals and Policies of the Economic Element, in that this change is not in conflict with the concern to stimulate economic development and growth that will diversify and strengthen the mix of economic activity in the local marketplace). The size, location, and development constraints on this property, from an employment/industrial perspective, are conducive to the proposed change.**

**HOUSING ELEMENT:**

The Housing Element provides for a comprehensive set of goals and policies to address housing need, superior residential developments, with a goal of emphasizing the unique natural setting of the community.

**Policy 1-A** notes the City

*“...shall promote a community design that emphasizes aesthetics, alternative transportation modes, and pedestrian scale development.”*

**Policy 1-C** provides that the City will encourage provision and conversion of open space throughout the community, and **Policy 1-D** requires the city to encourage innovative design in multiple family developments so that projects are aesthetically appealing. **Implementation Strategy 6-A(4)** discusses the public need for the UH designation, and to allow the MFR-20 zoning district.



**Goal 2**, which is to insure that residential development in the City of Medford is designed to minimize the consumption or degradation of natural resources, promote energy conservation, and reduce the potential effects of natural hazards, is implemented by several strategies. Policy 2-A discusses the need to prevent sprawl and provide for an urban compact form.

**Implementation Strategy 2-A(1)** indicates that

*“...GLUP Map changes should provide for a minimum overall density of eight dwelling units per acre, and include an increase in multiple-family housing types.”*

**Goal 3** clearly indicates that there is a balance between the provision of public services, the location of employment centers, and the production of appropriate housing in Medford., consistent with the requirements of **Goal 4**, which clearly requires the City to provide an

*“...equal opportunity for safe, decent, sanitary and affordable housing for all residents of the City of Medford...”*

**Policy Statement 3-C** notes that

*“The City of Medford shall designate areas that are, or will be conveniently located close to pedestrian, bicycle, and transit or high capacity transportation routes, and community facilities and services, for higher density residential development.”*

Finally, **Goal 6** discusses the need for opportunities for development in terms of the “fair share” of the housing need,

*“...with sufficient buildable land in the City to accommodate the need.”*

Under this Element, buildable lands for residential use are to be inventoried, and 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.

Again, in this case, the development considered for this property is more consistent with the UHDR designation due to topography and natural features, both of which are noted to be important parts of the Housing Element. The site is within a TOD (Transit Oriented District) and is close to not only employment areas, but is just off a major RVTD line and a major transportation route. The application, both on the surface and after in-depth evaluation, can be found to be consistent with the applicable Goals and Policies of the Housing Element.

**FINDING:**

**The application in this case provides for UHDR densities, consistent with the provisions of Goal 6 of the Housing Element and the applicable Implementation Strategies. As a means to address the various types and pricing in the Housing market, the UHDR and subsequent MFR-20 designation provides for several reasonable alternatives to the industrial designation, which appears to be limited in terms of the development potential on this site.**

**The need for additional multiple family housing has been established by the various studies submitted as exhibits to these findings, and the comparative analysis between the need for residential use versus industrial or commercial lands has been established. The application is consistent with the Goals and policies of the Housing Element.**

**PUBLIC FACILITIES ELEMENT:**

This element is designed to assure that development is guided and supported by appropriate types and levels of urban facilities and services, and provided in a timely, orderly, and efficient arrangement.

**Goal #1, Policy 1-A,** notes that the City of Medford shall provide, where feasible and as sufficient funds are available, to provide for water, sanitary sewer, storm water management, fire and emergency services, law enforcement, parks and recreation and, finally, planning, zoning and subdivision control.

**Goal #2** provides that GLUP designations and the development approval process remains consistent with the City's ability to provide adequate levels of essential public facilities and services. The City has also adopted specific goals and policies for implementation and provision of the public facilities noted above, which are, in fact statements of public policy, delineating how the City of Medford will realistically provide the various levels of service within the City Limits and UGB.

The traffic and street issues have generally been subordinated to comply with the Statewide Transportation Planning Rule, OAR 660-12-0060, and the Traffic Systems Plan. In this case, however, traffic generation, due to the size and scope of this application, should not create a significant issue. Anticipated traffic generation arising from this change has been estimated by Medford Engineering as two (2) ADT. This calculation is based upon a total of 40 units, according to the attached letter from the City Engineering staff. The applicant is proposing, after zoning, 22 townhouse units, and condominiums and townhouses generate less traffic than single family uses, according to the ITE .



In the application before the City, since this change is in an area that has been significantly developed over the years, and the proposal provides for what can be referred to as “infill”, public facilities such as water, sewer and storm drain systems exist in the immediate vicinity, and can efficiently and logically be extended to serve this site. The property takes access to Crater Lake Avenue (not completed to the full 4-lane standard in this immediate vicinity) via a private street.

**FINDING:**

**Based upon the fact the City of Medford has implemented the Goals and Policies of the Public Facilities Element, specifically by providing for adequate potable water, wastewater treatment, drainage and public safety, consistent with these Goals and Policies, the city can find the application is consistent with the Public Facilities Element.**

**The City of Medford finds that the application is consistent with those ongoing public facilities plans, and that the public facilities existing are adequate to serve the area.**

**The City finds that the area subject to the request for a GLUP map amendment has already been developed with public facilities including sewer, water and storm drainage, and that public safety considerations have been extended to the site; traffic will not be a significant issue from the change in the land use designation. The application is consistent with this Element.**

**COMPLIANCE WITH OAR 660, DIVISION 12: TRANSPORTATION, AND THE  
MEDFORD TRANSPORTATION SYSTEMS PLAN:**

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

*“A. Consider all modes of transportation including rapid transit, air, water, rail, highway, bicycle and pedestrian.*

*B. Inventory local, regional, and state transportation needs.*

*C. Consider the social consequences that would result from using different combinations of transportation modes.”*

- "D. Avoid total reliance upon any one mode of transportation.*
- E. Minimize adverse social, economic, and environmental impacts and costs;*
- F. Conserve energy;*
- G. Meet the needs of the transportation disadvantaged by improving service;*
- H. Facilitate the flow of goods and services so as to strengthen the local and regional economy;*
- I. Conform with local and regional comprehensive plans."*

More specifically, there are provisions within the chapter that apply specifically to Plan and Land Use Regulation Amendments. These provisions are contained in OAR 660-12-060, and state:

*"1) Amendments to functional plans, known as comprehensive plans, acknowledged comprehensive plans and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and level of service of the facility. This shall be accomplished by either:*

- a) Limiting allowed land uses to be consistent with the planned function, capacity and level of service of the transportation facility;*
- b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division; or,*
- c) Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes."*



*"2) A plan or land use regulation amendment significantly affects a transportation facility if it:*

*a) Changes the functional classification of an existing or planned transportation facility;*

*b) Changes standards implementing a functional classification system;*

*c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility,*

*d) Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP.*

*3) Determinations under sections 1 and 2 of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments."*

Discussion:

The City of Medford has prepared, and implemented, a Transportation Systems Plan. This plan has identified the Goals and Implementation strategies that are necessary to put the plan in place, the first of which is construction of "...an efficient arterial street system that provides good north-south and east west connectivity..."

As part of that plan, Figure 13-1 notes the planned Tier 1 Medford Transportation Improvements. Project ID Number 514 is noted as a Medium Range Street and intersection improvement, and is projected to be completed in 2009-2013. This project adds east and west-bound turn lanes, and protected movements.

Interestingly, Figure 1-1 of the TSP indicates that the intersection of Delta Waters and Crater Lake Avenue may be at a 2023 Level of Service "F", but currently does in fact meet LOS standards (Table 3-8 indicates that Crater Lake and Delta Waters Road has a "D" LOS, which is within the thresholds for such use).

Further, a review of the TSP indicates that the site is located within a TOD (Transit Oriented District) noted as existing from Delta Waters north to Coker Butte Road. By placing additional residential development within this TOD, the applicant anticipates to potentially reduce traffic issues to the extent possible, working within the TOD concept.

**I. Existing Transportation Facilities:**

An overview of existing transportation facilities that would provide service to the subject property indicates that ground transportation via existing state highways and city streets is the sole transportation facility that is affected by this amendment.

The parcel does NOT have access to rail, light rail, water, or other alternative transportation facilities or services. The development of the site will include additional improvements in the area pertaining to access. The site is currently accessible via Crater Lake Avenue and a private street that extends easterly from Crater Lake into the MFR zoned property to the east. That roadway connection also connects to Ford Drive, north of the abutting RVTD facility. Crater Lake Avenue in this vicinity is an arterial, and as such, no new direct access to the arterial street is permitted.

**II. Transportation Planning Issues:**

An evaluation of the subject properties and the orientation, location and size of the existing structural development, as well as the existing and historic uses of the properties, indicates that there are basically two transportation issues that should be addressed:

1. The first planning issue is access management, involving the size, location, orientation and control of the access to Crater Lake Avenue and the private access serving the property, and
2. Trip generation potential, and if that trip generation will result in a significant effect on the function, capacity, or level of service of either street.

**1. Access Management:**

The existing parcel is the result of development that has been created over a long period of time, under the various editions of the Medford Land Development Code. Access to the property is a paved private street (Forest Hills Drive) as well as a dedicated, but not developed public street (Ford Drive) that access the abutting MFR-20 zoning district as well as the subject site on the north.



Any new development of this site will be required to conform with all access management requirements of the City of Medford to insure adequate and effective Access Management, as noted in the TSP (Transportation Systems Plan).

The property lies within the North Medford TOD, and as such is near the existing Crater Lake Avenue/Delta Waters intersection, and close to existing developed light industrial and commercial uses. The concept of the TOD is to provide adequate housing in a manner consistent with TOD concepts (i.e., live where you work) and the application is consistent with this concept.

**2. Trip Generation:**

This issue has been detailed above, and all increased traffic that could be generated from this site can be adequately accommodated by the existing system. Public Works and Engineering have noted that the request does not trigger a Traffic Impact Study (TIS) and net traffic impacts are negligible.

**FINDING:**

**The City of Medford finds that this application is consistent with the intent of the Statewide Transportation Planning Rule, in that:**

- 1. The site is within an incorporated city with an adopted and acknowledged Comprehensive Plan. The property is located within the North Medford TOD and designed to be consistent with the provisions of that delineation.**
- 2. The Plan Amendment does not significantly affect the overall transportation capacity, or service levels of the existing transportation facility, as defined in OAR 660-12-060(2) since the proposed use will generate less than 250 additional ADT, and the net increase in traffic is insignificant. The potential that the GLUP map amendment may in fact reduce average daily trips has been noted by Engineering, since they have data that was not available to the applicant.**
- 3. The property has access via an existing private road, which was developed to serve this and other parcels, and the improvements to that roadway as part of the development are consistent with the proposal. Improvements to that roadway will be consistent with the requirements for access as noted by Engineering.**

**FINDING OF COMPLIANCE WITH THE COMPREHENSIVE PLAN:**

Based upon the information contained above, the City of Medford finds that the application has demonstrated consistency with the applicable Goals and Policies of the Comprehensive Plan as contained in the Review and Amendment Element of the Comprehensive Plan. Each applicable plan element has been discussed above, and the applicant has demonstrated how the application is consistent with those criteria.

**C. COMPLIANCE WITH THE APPLICABLE PROVISIONS OF THE MEDFORD LAND DEVELOPMENT CODE (MLDC):**

A review of the MLDC indicates that the applicable provisions have been discussed above, particularly in reviewing the provisions of Sections 10.185, 10.190 and 10.191. Section 10.191 (2), which discusses the written findings, notes that consistency with the applicable provisions of the MLDC must be addressed. Section 10.192 of the MLDC simply refers the applicant to the Review and Amendment Section of the Comprehensive Plan Text, which has been discussed above.

**FINDING OF COMPLIANCE, MLDC:**

The City of Medford finds that the applicant has addressed the applicable criteria contained in Sections 10.185, 10.190, 10.191 and 10.192. The application is consistent with the criteria contained in the Review and Amendment Element of the Comprehensive Plan Text, as noted above.

**CONCLUSORY FINDING:**

The Planning Commission and City Council find that this application for a change in the Comprehensive Plan designation from G-I (General Industrial) to UH (Urban, High Density Residential) is a class "B" amendment, and with the information presented in support of the application, is consistent with the criteria for submission as required above.



The application, accompanied with the applicable maps, the legal description of the area to be changed prepared by a local licensed surveyor, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and the above findings which are consistent with the requirements of Section 10.191 and 10.192 of the MLDC, as well as the Review and Amendment criteria of the Comprehensive Plan Text.

The application does not have a significant impact on transportation facilities, and does not have a negative impact on the overall acceptable levels of "need" for industrial lands, and is consistent with a need for additional residentially zoned lands.

**V. SUMMARY AND CONCLUSIONS:**

In order for an amendment to be approved, the Planning Commission and City Council must find that the applicant has made the requisite findings for a minor General Land Use Plan Map Amendment. A review of the application and supporting documentation will demonstrate that the application complies with the applicable elements of the Comprehensive Plan, and the Land Development Code.

With this in mind, the applicant respectfully requests that the Planning Commission and the City Council approve the Comprehensive Plan amendment from G-I to UH, to allow a subsequent zone change from Light Industrial to MFR-20.

RESPECTFULLY SUBMITTED:



RICHARD STEVENS & ASSOCIATES, INC.  
J. Michael LaNier, President

CITY OF MEDFORD  
INTER-OFFICE MEMO

DATE: April 19, 2006  
TO: Kathy Helmer, Planning Department  
FROM: David Jiao  
RE: Trip Generation for Comp Plan Amendment #06-012

This memo shall supersede the letter dated April 4, 2006 to Mike LaNier regarding the zone change on 1.34 acres south of Ford Dr and east of Crater lake Avenue.

The proposed zone change inquiry on Township 37 Range 1W Section 08CC Tax Lot 300, 800 and part of 1100 from General Industrial to Urban High Density Residential (UHDR) will not require a traffic impact analysis (TIA) to determine project impact to the transportation system. The current zoning has the potential to generate 268 ADT. The proposed zoning will allow developing 40 units or generating 270 ADT. The net increase in average daily trips (ADT) to the transportation system is 2 ADT. Based on this and code sections 10.460 and 10.461, a traffic impact analysis (TIA) will not be required.

CITY OF MEDFORD  
EXHIBIT # E  
File # CP-06-102

RECEIVED

APR 19 2006



11c

DATE: 9/29/2006



Map: 371W8CC  
 TL's: 800, 1100

APPLICANT:  
 JBL Venture, LLC.

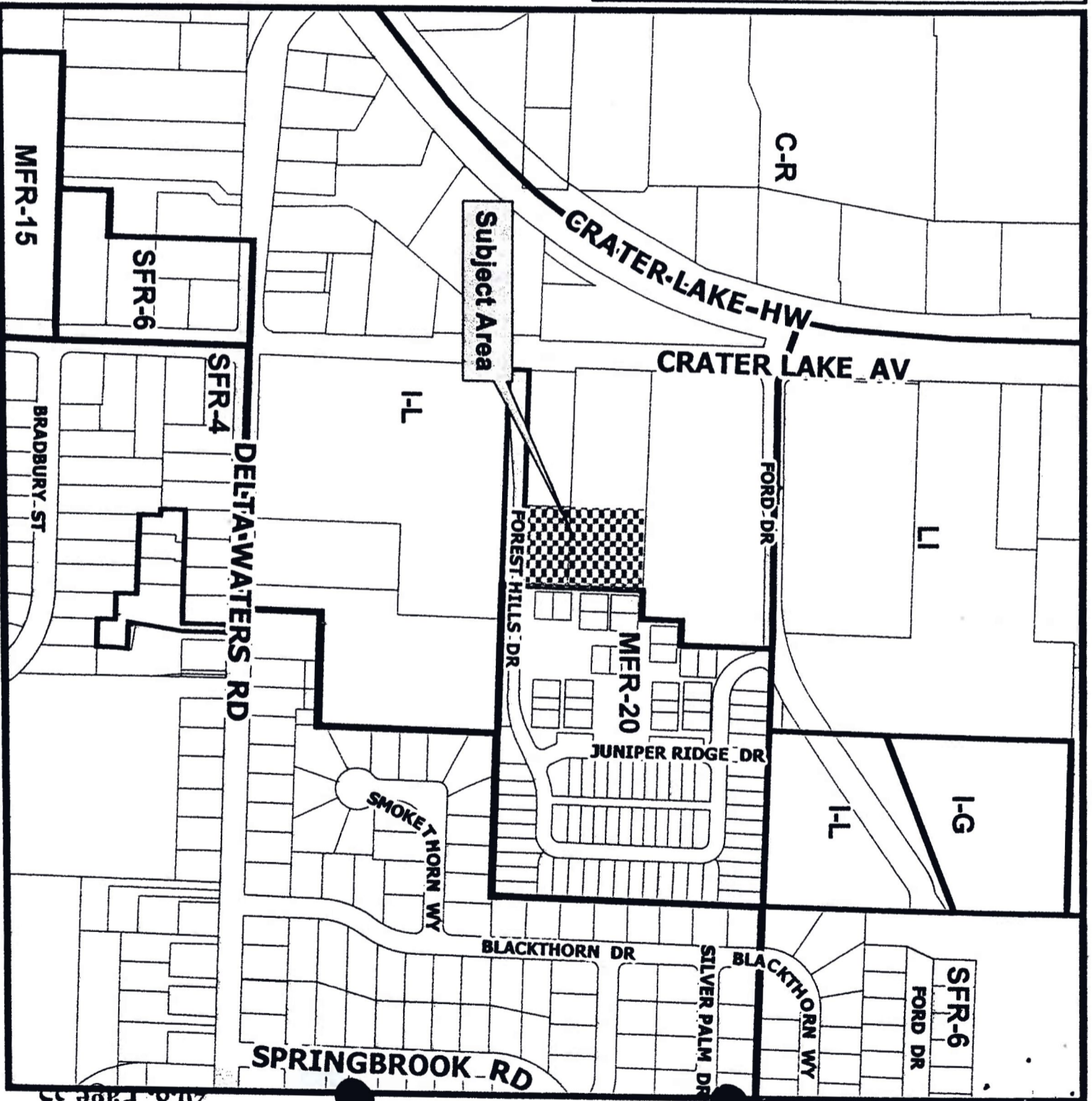
FILE NUMBER:  
 CP-06-102

**Vicinity Map**

- UGB
- City Limits

**OVERLAY**

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



**PLANNING COMMISSION MINUTES**

**AUGUST 10, 2006**

20.7 LDS-06-143 Final Order for approval of a tentative plat for Eden Estate, a 14-lot residential subdivision on two parcels totaling 4.08 gross acres located south of Sunset Drive, approximately 222-feet west of Orchard Home Drive, within a SFR-4 (Single-Family Residential – 4 units per acre) zoning district. Michael Deats – Solid Ground Development, Inc., Applicant (Stephen Terry, Agent).

20.8 CP-06-102 Consideration of a request for a minor amendment to the General land use Plan Map of the Medford Comprehensive Plan changing the designation from General Industrial to Urban High Density Residential on a site totaling 1.34 acres, in a Light Industrial zoning district, located 540' east of Crater Lake Avenue and north of the private street Forest Hills Drive. JBL Venture, LLC, Applicant (Richard Stevens & Associates, Inc., Agent).

20.9 PUD-03-124 Final Order for final PUD plan approval for Phase 2 (Stone Office Building) of Westridge Village, located on the southeast intersection of McAndrews Road and Vista Pointe Drive within the Vista Pointe Planned Unit Development, and an SFR-PD (Single Family Residential – 4 units per acre/Planned Unit Development) zoning district. Stone Office Building, Applicant, (Craig Stone & Associates, Inc., Agent).

The following consent calendar items were discussed:

20.5 LDS-06-120 Final Order for approval of a tentative plat for Sue May Subdivision, a 10-lot residential subdivision on two parcels totaling 2.41 acres located between Sunset Drive and Willow Brook Drive, approximately 790-feet west of Orchard Home Drive, within a SFR-4 (Single-Family Residential – 4 units per acre) zoning district. Christopher Lane, Applicant (Christopher Lane, Agent).

Commissioner Bartlett indicated there were replacement pages for the Staff Report which were included as a handout and requested that replacement pages 7 and 8 be inserted and placed into the record for 20.5.

20.6 LDS-06-126 & ZC—06-127 Final Order for approval of a consolidated review for tentative plat approval for Summerfield at Southeast Park Phases 12 & 13, a 28-lot residential subdivision and a zone change from SFR-4 (Single Family Residential – 4 units an acre) to SFR-6 (Single Family Residential – 6 units per acre) on 6.20 acres located at the southern terminus of Stanford Avenue, approximately 480 feet east of North Phoenix Road. Crystal Springs Development Group, Applicant (Craig Stone & Associates, Agent).

Commissioner Bartlett indicated there were replacement pages for the Staff Report which were included as a handout and requested that replacement pages 9 and 10 be inserted and placed into the record for 20.6.

20.10 PUD-04-179 Final Order for Final PUD Plan approval for Charles Point, a 551-unit multi-family residential and commercial planned unit development creating 49 lots with a common area, on a 29.21 acre site located on the east side of Highway 99 and the north side of Lowry Lane, within a C-H (Heavy Commercial) zoning district. Milo and Charles Smith, Applicants, (Craig A. Stone & associates, Ltd., Agent).

Senior Planner, Kelly Akin, advised that 20.10, PUD-04-179 was inadvertently placed on this agenda when it should have been placed on the August 24, 2006, agenda, and requested that it be removed from this agenda.

Motion: Approve the Consent Calendar as presented with the replacement pages to items #20.5 and #20.6 and removing #20.10 altogether as indicated above.



**PLANNING COMMISSION MINUTES**

**AUGUST 10, 2006**

Moved by: Commissioner Ruffing      Seconded by: Commissioner Tull

Voice Vote: 7-0-1    One Abstention – Commissioner Tony Cabler

**30. Minutes**

30.1 The Minutes of the regular meeting of July 27, 2006, were approved as submitted.

**40. Oral and Written Requests and Communications**

**50. Public Hearings**

**Request for Continuance**

50.1 PUD-06-092 & LDS-06-119 Consideration of a preliminary plan and tentative plat for West Main Estates, formerly known as Oak Grove Village, a planned unit development consisting of 48 apartments (within four 12-plex buildings), and 84 town homes on 6.43 acres located on the north side of West Main Street, approximately 720 feet east of Oak Grove Road, within a C-H (Heavy Commercial) zoning district. West Main Townhomes, LLC, Applicant (Neathamer Surveying, Inc., Agent).

Kelly Akin, Senior Planner, reported that a request for continuance of this matter to the August 24, 2006, meeting had been submitted by the applicant's agent, Neathamer Surveying. She also reported that the applicant is revising their findings, re-designing portions of the project to better address some staff concerns and will also be submitting a revised landscape plan. Staff recommends approval of the continuance requested.

The public hearing was opened for those present to give testimony. No one gave testimony at this time.

Motion: Continue the public hearing on PUD-06-092 to the August 24, 2006, Planning Commission meeting.

Moved by: Commissioner Ruffing      Seconded by: Commissioner Shean

Voice Vote: 8-0

50.2 LDS-06-089 Consideration of tentative plat approval for Stonegate Estates Phase 3, a 38-lot residential subdivision on 12.38 acres, located on the northeast corner of North Phoenix Road and Coal Mine Road, within an SFR-10/SE/PD (Single Family Residential - 10 units per acre/Southeast Overlay/Planned Development) zoning district. Mahar Brothers Construction, Co., Applicant (Hoffbuhr & Associates, Inc., Agent).

Kelly Akin, Senior Planner, reported that a request for continuance of this matter to the September 14, 2006, meeting had been submitted by the applicant's agent, Hoffbuhr & Associates, Inc. She also reported that a second extension to the 120-day waiver had been granted. Staff recommends approval of the continuance requested.

The public hearing was opened for those present to give testimony. No one gave testimony at this time.

Motion: Continue the public hearing on LDS-06-089 to the September 14, 2006, Planning Commission meeting.