



# 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](http://www.lcd.state.or.us)

## AMENDED NOTICE OF ADOPTED AMENDMENT

January 16, 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 017-07



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

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 30, 2008**

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  
Praline McCormack, City of Medford

<paa> ya

NR07 **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

JAN 11 2008

LAND CONSERVATION  
AND DEVELOPMENT  
For DLCD Use Only

Jurisdiction: **City of Medford**

Local file number: **ZC-07-239**

Date of Adoption: **12/27/2007**

Date Mailed: **1/7/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 10/25/2007

- |                                                            |                                                           |
|------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment     | <input checked="" type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> New Land Use Regulation           | <input type="checkbox"/> Other:                           |

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

ORDER granting approval of a request for changing the zoning from SFR-00 (Single-Family Residential – 1 unit per lot) to SFR-6 (Single-Family Residential – 6 units per acre) on one parcel totaling 0.75 acres located on the west side of Thomas Road, at the northeast corner of Victory Lane and Willow Way. (372W35DB 1400)

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

Plan Map Changed from:

to:

Zone Map Changed from: **SFR-00**

to: **SFR-6**

Location: **1540 Thomas Road, Medford, OR**

Acres Involved: **0**

Specify Density: Previous: **1 unit/lot**

New: **6 units/gross acre**

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                           | <b>12</b>                           | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <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 # 017-07 (16495)



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DLCD file No. \_\_\_\_\_

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

DEPT OF

JAN 1, 2008

LAND CONSERVATION  
AND DEVELOPMENT

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Local Contact: **Praline McCormack, Planner II**

Phone: (541) 774-2380 Extension:

Address: 200 S. Ivy Street

Fax Number: 541-774-2564

City: Medford

Zip: 97501-

E-mail Address:

**praline.mccormack@cityofmedford.org**

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### 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.



# Planning Department

*Continuous Improvement – Customer Service*

City Hall – Lausmann Annex • Room 240 • 200 South Ivy Street • Medford, Oregon 97501

January 2, 2008

William and Connie Smith  
Fred and Ann Ilacqua  
140 Willow Bend Way  
Central Point, OR 97502

Re: File No.: ZC-07-239

The Medford Planning Commission at its regular meeting of December 27, 2007, approved the Final Order containing Findings of Fact relating to the approval of the following request: Changing the zoning from SFR-00 (Single-Family Residential – 1 unit per lot) to SFR-6 (Single-Family Residential – 6 units per acre) on one parcel totaling 0.75 acres located on the west side of Thomas Road, at the northeast corner of Victory Lane and Willow Way.

This request was granted as per Staff Report dated November 29, 2007.

The final date for filing an appeal is 21 days from the date of the decision. The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on January 17, 2008. Appeals must be filed in the form prescribed, and will be decided based upon Medford Code Sections 10.051-10.056 (copies available).

A handwritten signature in black ink, appearing to read "Robert O. Scott".

Robert O. Scott, AICP  
Planning Director

kg

Enclosure: Staff Report/Final Order/Legal Description

cc: Stephen Terry, PO Box 8083, Medford, OR 97504  
Affected Agency  
Interested Parties



**BEFORE THE MEDFORD PLANNING COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF PLANNING COMMISSION FILE )  
ZC-07-239 APPLICATION FOR A ZONE CHANGE SUBMITTED ) **ORDER**  
BY WILLIAM & CONNIE SMITH, FRED & ANN ILACQUA )

ORDER granting approval of a request for changing the zoning from SFR-00 (Single-Family Residential – 1 unit per lot) to SFR-6 (Single-Family Residential – 6 units per acre) on one parcel totaling 0.75 acres located on the west side of Thomas Road, at the northeast corner of Victory Lane and Willow Way.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from SFR-00 (Single-Family Residential – 1 unit per lot) to SFR-6 (Single-Family Residential – 6 units per acre) on one parcel totaling 0.75 acres located on the west side of Thomas Road, at the northeast corner of Victory Lane and Willow Way; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented hereby adopts the Staff Report dated November 29, 2007, Applicant's Findings – Exhibit "A," and Legal Description – Exhibit "B" attached hereto and hereby incorporated by reference; now, therefore,

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

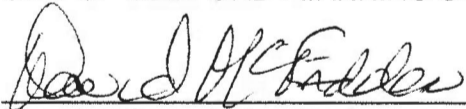
The zoning of the following described area within the City of Medford, Oregon:

37 2W 35DB Tax Lot 1400

is hereby changed from SFR-00 (Single-Family Residential – 1 unit per lot) to SFR-6 (Single-Family Residential – 6 units per acre) zoning district.

Accepted and approved this 27th day of December, 2007.

CITY OF MEDFORD PLANNING COMMISSION

  
\_\_\_\_\_  
Planning Commission Chair

ATTEST:

  
\_\_\_\_\_  
Planning Department Representative



# City of Medford

## STAFF REPORT

Date: November 29, 2007  
To: Planning Commission  
From: Kelly Akin, Senior Planner *ka*  
By: Praline McCormack, Planner II *pm*  
Subject: Smith/Ilacqua Zone Change (ZC-07-239)  
William & Connie Smith, Fred & Ann Ilacqua, Applicants (Stephen Terry,  
Agent)

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### **Background**

#### Proposal

Consideration of a request for a change of zone from SFR-00 (Single-Family Residential – 1 unit per lot) to SFR-6 (Single-Family Residential – 6 units per acre) on one parcel totaling 0.75 acres located on the west side of Thomas Road, at the northeast corner of Victory Lane and Willow Way. (372W35DB 1400)

#### Subject Site Zoning, GLUP Designation and Existing Uses

The subject property is zoned City SFR-00 and is developed with a single-family residence and several outbuildings (Exhibit "I"). The property is identified as Tax Lot 1400 of Jackson County Assessor's Map 37-2W-35DB (Exhibit "B"). The Medford General Land Use Plan (GLUP) Map designation for the subject property is UR (Urban Residential) (Exhibit "B").

#### Surrounding Property Zoning and Uses

*North:* Residentially developed, zoned SFR-00

*South:* Residentially developed, zoned SFR-00

*East:* Residentially developed, recently approved Lacey Field 5-lot residential subdivision (LDS-07-163), zoned SFR-6 and residentially developed, zoned SFR-00



*West:* Residentially developed, zoned SFR-00

Related Projects

The subject parcel was annexed into the City in January 2007, per Ordinance #2006-292.

Applicable Criteria

*Medford Land Development Code* Section 10.227 (Exhibit "C")

**Issues/Analysis**

Staff has reviewed the proposed zone change and has found that it meets the approval criteria listed in the *Medford Land Development Code* Section 10.227. There are adequate infrastructure facilities available to serve the site, with the exception of storm drain as discussed below. A traffic study was not required.

Locational Standards

The subject property abuts SFR-6 zoning to the east (Exhibit "B"). Therefore, the proposed zone change meets the locational criteria in Section 10.227(1)(b)(i), which states that an area being rezoned to SFR-6 must abut at least one parcel that is zoned the same as the proposed zone.

Storm Drainage

The subject sites lie within the Elk Creek Drainage Basin. The current Drainage Master Plan for the City of Medford indicates improvements are required in the downstream storm drainage system to meet current design standards for this basin (Exhibit "E"). The standard storm drain condition is included.

No other issues were identified by staff.

**Recommended Action**

Direct staff to prepare a Final Order for **approval** of ZC-07-239 per the Staff Report dated November 29, 2007, including Exhibits A through H.

**Exhibits**

- A Conditions of Approval dated November 29, 2007
- B Maps: Tax Assessors Map, Zoning Map and GLUP Map
- C Approval Criteria
- D Applicant's *Findings of Fact* received October 5, 2007
- E Memorandum from Engineering dated November 6, 2007

ZC-07-239

November 29, 2007

- F Memo from Medford Water Commission dated November 12, 2007
- G Letter from Rogue Valley Sewer Service dated November 2, 2007
- H Letter from Jackson County Roads dated November 2, 2007
- I Aerial Photograph

**Planning Commission Agenda: December 13, 2007**

**Notes**

Prior to development, the applicants will need to contact the City of Medford Engineering Division, and Jackson County Roads, to address any necessary permits, improvements, and/or right-of-way dedications along the frontages of the subject property.

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



ZC-07-239

November 29, 2007



**EXHIBIT "A"**  
**Conditions of Approval**

**CODE REQUIREMENTS**

1. Prior to issuance of a development permit or a building permit, the applicant shall:
  - a. Comply with the Memorandum from the Medford Engineering Division (Exhibit "E").

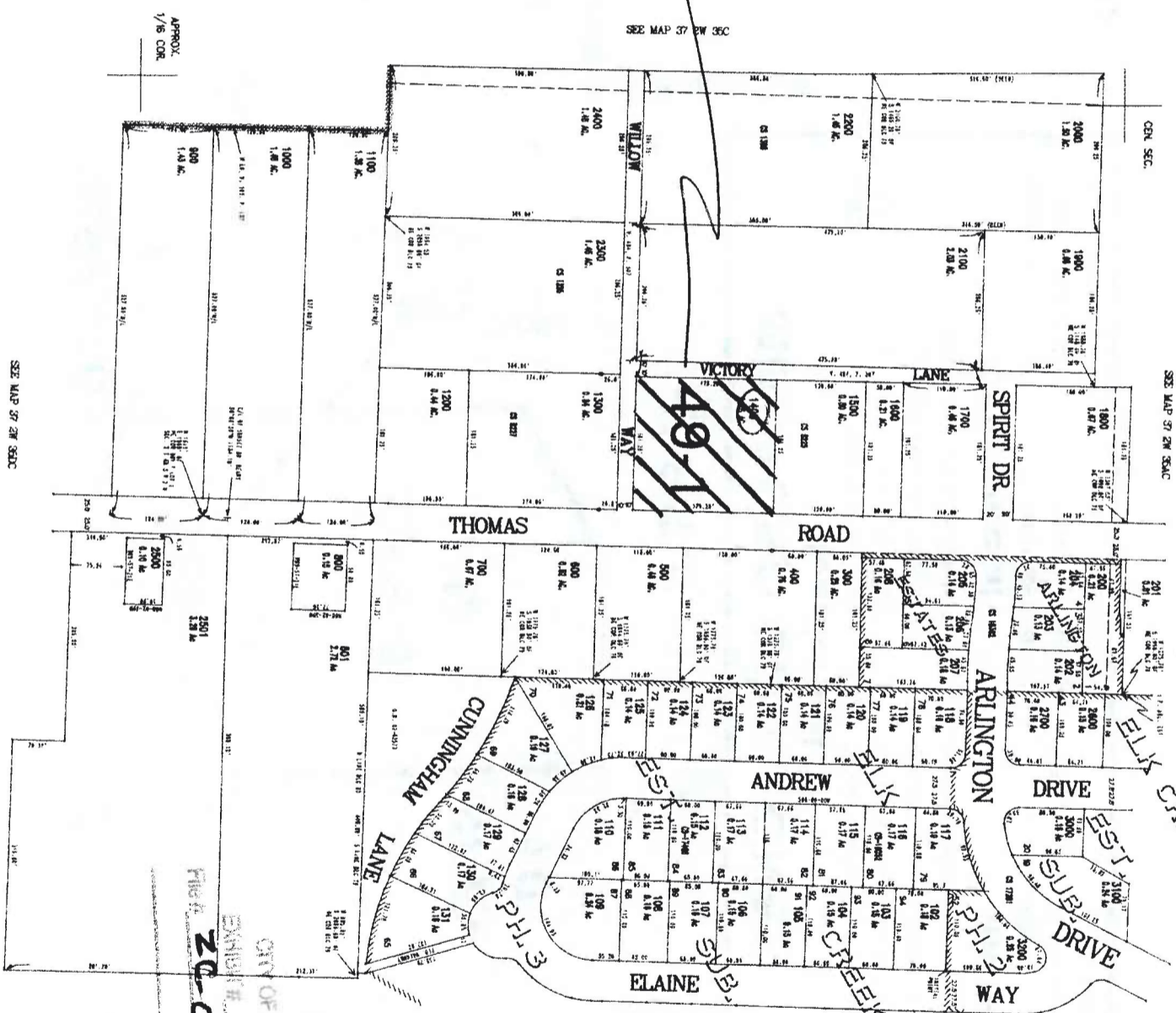
A  
ZC-07-239

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

NW1/4 SEC 4 SEC 36 T37S R2W, W.M.  
JACKSON COUNTY

37 2W 35DB  
MEDFORD

SUBJECT  
ZONE CHANGE



APPROX. 1/8 COR.

SEE MAP 37 2W 35A

APPROX. 1/8 COR.

CANCELLED TO BE CLARIFIED TO SHOW THE 300' BOUNDARY TO BE SHOWN AND CALLED TO SHOW THE 300' BOUNDARY TO BE SHOWN

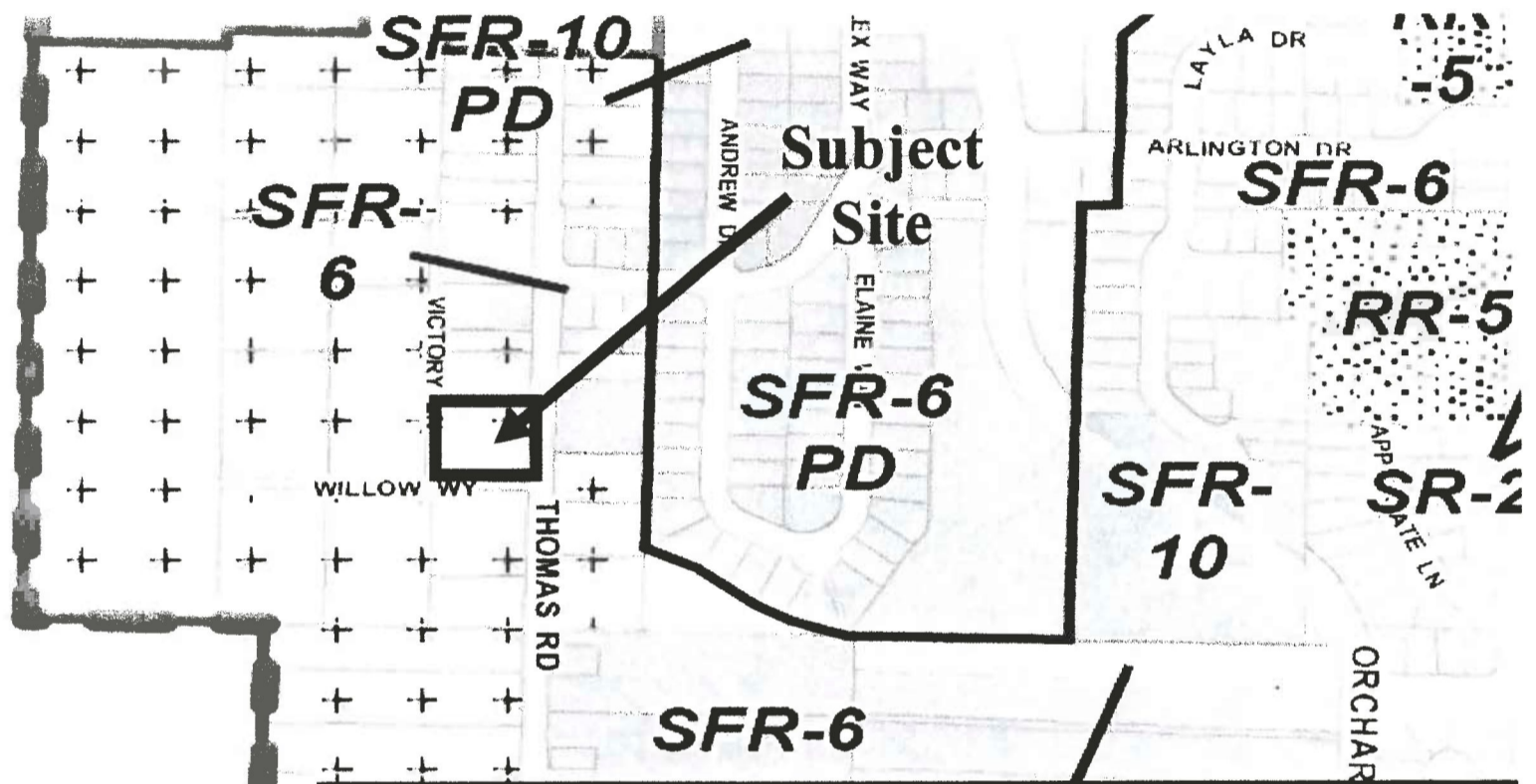
RECEIVED  
OCT 05 2007  
Planning Dept.

CITY OF MEDFORD  
EXHIBIT # B-1/3  
FILE # ZC-07-239

APPROX. 1/8 COR.

37 2W 35DB  
MEDFORD

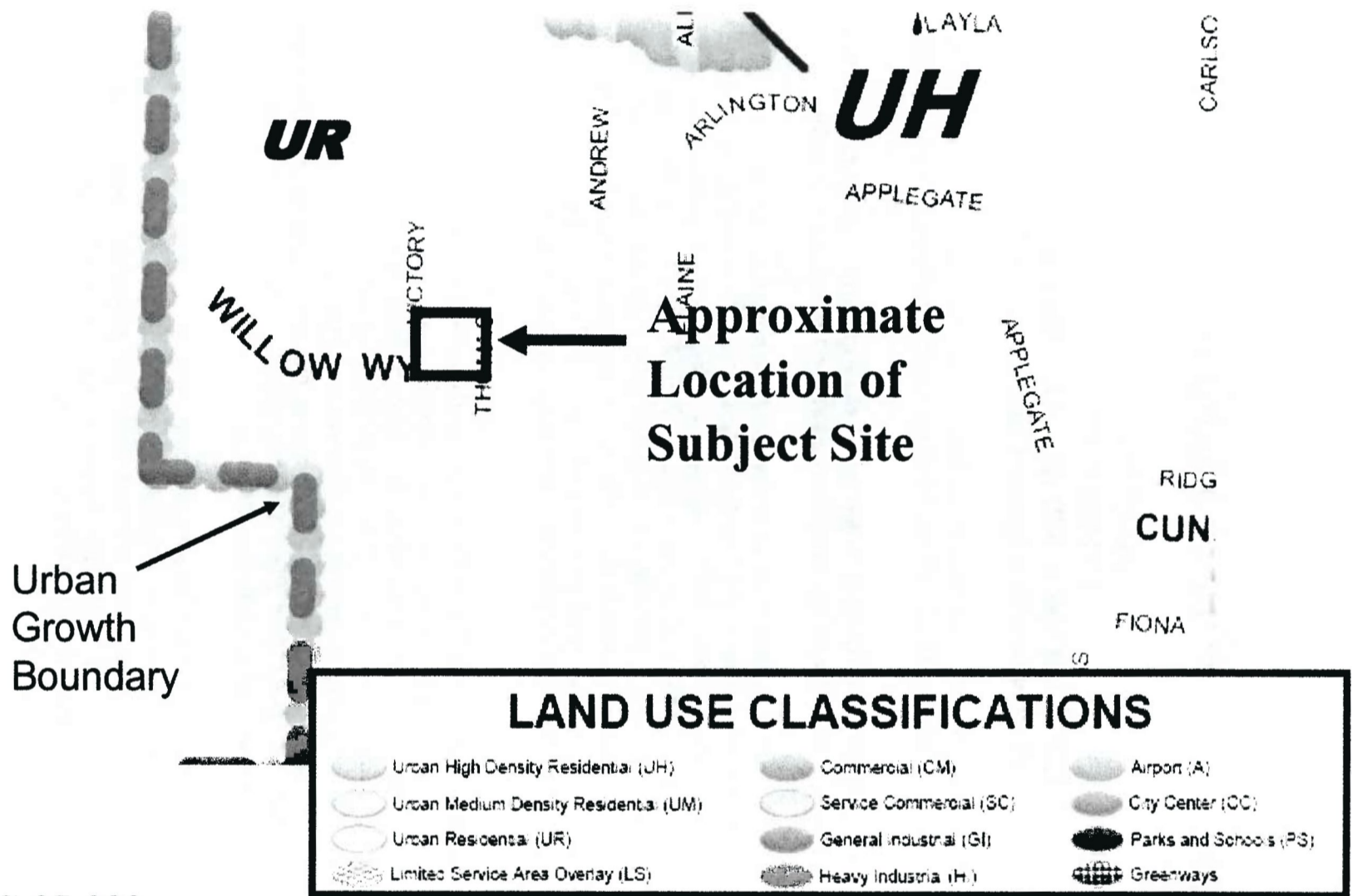




MEDFORD CITY ZONES			
Residential			
	Multi-Family - 30 Units/Acre (MFR-30)		Single Family - 6 Units/Acre (SFR-6)
	Multi Family - 20 Units/Acre (MFR-20)		Single Family - 4 Units/Acre (SFR-4)
	Multi-Family - 15 Units/Acre (MFR-15)		Single Family - 2 Units/Acre (SFR-2)
	Single Family - 10 Units/Acre (SFR-10)		Single Family - 1 Unit/Lot (SFR-00)
Commercial		Industrial	
	Heavy (C-H)		Heavy (I-H)
	Regional (C-R)		General (I-G)
	Community (C-C)		Light (I-L)
	Neighborhood (C-N)		
	Service/Professional (C-S/P)		

ZC-07-239  
Zoning Map

B-2/3  
ZC-07-239



**ZC-07-239**  
**General Land Use Plan (GLUP) Map**

CITY OF...  
 B-3/B  
 ZC-07-239



## City of Medford

ZC-07-239

EXHIBIT "C"

### ZONE CHANGE APPROVAL CRITERIA

*Medford Land Development Code Section 10.227*

The zone change criteria that is not relevant to this application is hereby omitted from the following citation. Section 10.227 of the *Medford Land Development Code* (MLDC) 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), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.*

\*\*\*

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

- (i) *At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or*
- (ii) *The area to be rezoned is five (5) acres or larger; or*
- (iii) *The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.*

\*\*\*

(2) *It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan 'Public Facilities Element.'*

(a) *Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or*



*otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.*

*(b) Adequate streets and street capacity must be provided in one of the following ways:*

*(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or*

*(ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or*

*\*\*\**

*(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.”*

*\*\*\**

**FINDINGS OF FACT BEFORE THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, OF AN APPLICATION FOR A ZONE CHANGE OF PROPERTY DESCRIBED ON THE JACKSON COUNTY ASSESSORS MAP AS:**

**T37-R2W-35DB Tax Lot 1400 and located on the northwest corner of the intersection of Thomas Road and Willow Way approximately 300 feet south of the west terminus of Arlington Drive.**

**APPLICANTS:** William S. and Connie L. Smith and  
Fred C. and Ann R. Ilacqua  
140 Willow Bend Way  
Central Point, Oregon 97502

**AGENT:** Stephen Terry  
POB 8083  
Medford, Oregon 97504

RECEIVED

OCT 05 2007

Planning Dept.

**I. BACKGROUND INFORMATION**

**Acreage: 0.75 acres**

**Current Zoning: City SFR-00(Single-Family Residential - 1 unit per parcel)**

**Proposed Zoning: City SFR-6 (Single-Family Residential - 6 units per acre)**

**Present Use: Suburban Residential. The subject property is developed with a single-family dwelling and accessory outbuildings.**

**Proposed Use: SFR-6. The owners intend to develop this property at urban residential densities.**

**Comprehensive Plan Designation: Urban Residential (UR)**

**Access: Thomas Road.**

**Scope and Purpose of the Application.**

This application will demonstrate compliance with the relevant zone change criteria for a zone change from City of Medford zoning district SFR- 00 (Single-Family Residential – 00- 1 dwelling unit per parcel) to City of Medford zoning district SFR- 6 (Single-Family Residential -6 units per acre) consistent with the requirements of City of Medford Land Development Code Section 10.227.

**Development Background:**

The subject property was recently annexed into the corporate city limits of Medford. The subject property was previously developed consistent with the development requirements of Jackson County. There is a single family residence with accessory structures.

**Public Facilities:**

The properties have access to the full spectrum of public facilities. These findings detail the availability of Category "A" public facilities and compliance with the Oregon Transportation Planning Rule.

**II. RELEVANT APPROVAL CRITERIA:**

Medford Land Development Code (MLDC) Section 10.227 requires that a request for zone change must demonstrate that the request conforms to the following criteria prior to approval by the Planning Commission.

**The Criteria for approval are:**

1. The proposed zone is consistent with the Oregon Transportation Rule (OAR 660) and the General Land Use Plan Map Designation. Where applicable, the proposed zone shall also be consistent with the additional locational standards. Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria.
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. The minimum standards for Category "A" services and facilities are contained in the MLDC and Goal 3, Policy I of the Comprehensive Plan "Public Facilities Element."

**Finding -Oregon Transportation Rule**

The proposed zone must be consistent with the Oregon Transportation Rule (OAR 660 Division 12). OAR 660 is designed to assure local agencies comply with State goals and regulations regarding transportation issues and provides an explanation to local agencies to demonstrate compliance with a Transportation System Plan (TSP).

"Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning jurisdiction in compliance with this division: Local TSPs shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with regional TSPs and adopted elements of the state TSP"



The City of Medford has approved a TSP consistent with the requirements of the State of Oregon. The TSP requires all modes of transportation be considered including rapid transit, air, water, rail, highway, bicycle and pedestrian.

A review of the subject property has determined that water and rail transportation are not available. This property has frontage on Thomas Road, Victory Lane and Willow Way. Thomas Road is designated as a standard residential street. Victory Lane is located on the west of the subject property. It is anticipated that Victory Lane will be developed as a minor residential street in the future. Willow Way will be developed in the future as the extension of Cunningham Lane. Cunningham Lane is designated as an arterial street and will be extended to the west and east in the future as development proceeds.

Thomas Road was developed as a county road and does not have sidewalks and is not designated as a bicycle transportation facility. It is anticipated that as Thomas Road is developed to City of Medford standards, that curbs and gutters with other ancillary improvements will be made. At the time of development, Cunningham Lane will be constructed as an arterial street consistent with arterial street standards. Victory Lane will be developed consistent with minor residential street standards.

Rapid transit may be available from Rogue Valley Transportation District. It should be noted that due to continuous changing in routing by the transportation district, stops may be added or discontinued depending on district planning.

Interstate 5 is approximately 3 miles from the subject property. Rogue Valley International Airport is approximately 5 miles from the subject property.

#### **General Land Use Plan Map Designation**

"The proposed zone is consistent with the Oregon Transportation Rule (OAR 660) and the General Land Use Plan Map Designation.

The General Land Use Plan Map (GLUP) designation for the subject property is Urban Residential (UR). The General Land Use Plan contained in The Medford Comprehensive Plan specifies the requested SFR- 6 (Single-Family Residential -10 units per acre) zoning district is appropriate within the Urban Residential (UR) designation. A GLUP map is included as part of this application.

This application is requesting the SFR-6 for the subject property. This request can be found to be appropriate and consistent with the GLUP designation.

#### **Locational Standards**

Where applicable, the proposed zone shall also be consistent with the City of Medford Land Development Code Section 10.227 (1)(b)(i) states:

*"At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively."*

**Finding/Conclusion**

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660 Division 12). As required in the TPR, the Planning Commission can find the change to the transportation plan is not substantial as a result of approval of the requested zone change.

Approval of the proposed zone change will not create a negative impact that was not anticipated by the Urban Residential designation indicated on the GLUP map.

As described in the Medford Land Development Code, the requested SFR-10 zoning district is an appropriate zoning district for the Urban Residential (UR) GLUP designation. The requested zone change is consistent with the approval criteria 10.227 (1)(b)(i) of the City of Medford Land Development Code requiring that a rezoned parcel to abut a parcel within the requested zoning district. The subject parcel abuts the SFR- 6 zoning designation to the east.

**Relevant Approval Criteria -Category "A" Urban Services**

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 properties with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan " Public Facilities Element. "

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

(b) Adequate streets and street capacity must be provided in one of the following ways:

- (i) Streets which serve the subject property, as defined in Section 10-461(2), presently exist and have adequate capacity, or
- (ii) Existing and new streets that will serve the subject property will be improved and or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued, or



- (iii) 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.

### **Findings- Category "A" Urban Services**

#### **Storm Drainage:**

The property is within the Elk Creek Drainage Basin. The subject property is currently served by a drainage ditch at the property frontage on Thomas Road. According the City of Medford Engineering Department the existing storm drainage facilities will be required to meet the City's storm sewer requirements. At the time for development the applicants shall demonstrate that the following conditions can be met:

- A. Downstream facilities shall be improved to carry the additional flows resulting from the development under the new zoning district; or



- B. An engineer licensed in the State of Oregon shall perform a study, including modeling and/or calculations subject to the approval of the City of Medford Engineering Division, to demonstrate that the downstream facilities are adequate to accommodate the additional flows from the development; or
- C. An engineer licensed in the State of Oregon shall prepare a report, which includes testing, plans and calculations necessary to demonstrate post-construction runoff would be limited to the current or predeveloped runoff rate. The report shall be submitted to the City of Medford Engineering Division for review and approval.

Future development conditions for the subject property will include a drainage plan to comply with all City of Medford Drainage Master Plan, Medford Building Division, and Ground Water Drainage requirements, ordinances, and codes.

**Finding/Conclusion:**

At the time of development, conditions will be required in compliance with all applicable City of Medford Drainage Master Plan and Building Division Codes, and Storm and Ground Water Drainage requirements of Chapter 11 of the Uniform Plumbing Code.

**Sanitary Sewer Service:**

The subject property is served by the Rogue Valley Sewer Service via an existing 15-inch sanitary sewer line located in Thomas Road and an 8-inch line in Victory Lane. Future development will require connection to either of these facilities. It is anticipated that as the property develops that additional sanitary sewer lines may be constructed to the specifications of Rogue Valley Sewer Service requirements.

The City of Medford Regional Waste Water Treatment Plant provides sewage treatment. The plant presently serves approximately 115,000 persons. The treatment capacity of the plant is 190,800 persons at 20 million gallons per day.

**Finding/Conclusion:**

The property is currently served by a 15-inch sanitary sewer line in Thomas Road and an 8-inch line in Victory Lane with adequate capacity by Rogue Valley Sewer Services. Sanitary sewage collection and treatment is adequate for the purpose of the proposed zone change.

**Water Service:**

The subject property is not currently served by the Medford Water Commission. Future development will require connection to an 8-inch water line located in the Thomas Road right-of-way.

According to the Medford Water Commission, future development of the subject property will be able to connect to this water line.

Water supply from the Medford Water Commission is adequate to meet the needs of the region. This is based on a service population of 100,000 persons with a present maximum daily consumption of 50 million gallons daily (summer months) and 20 million gallons daily (winter months). The present system has a capacity of 56.4 million gallons of treated gallons per day and 91 million untreated gallons per day. Water is provided from Big Butte Springs. The Rogue Treatment Plant provides water for the summer month's consumption.

**Finding/Conclusion:**

The Medford Water Commission has an adequate supply of water and requisite facilities to serve the subject property at the time of development.

**Streets:**

The property currently takes access from Willow Way. According to the City of Medford Traffic Department, Thomas Road is classified as a standard residential street. Future development of Cunningham Lane will occur over what is now called Willow Way. Victory Lane is designated as a minor residential street. The Engineering Department has indicated that adequate street capacity exists to serve the subject property at the time of zone change and future development. Future development of the area may necessitate dedication of right-of-way on street frontages to conform to the street right-of-way requirements.

**Finding/Conclusion:**

According to the City of Medford Engineering Department, the street system has adequate street capacity for the zone change and future development of the subject properties.

**Traffic Impact Analysis**

The gross acreage of the property totals (0.75 acres plus 0.18 acres of the Thomas Road, Willow Way and Victory Lane rights-of-way) for a total of 0.93 acres. Therefore, the gross acreage would yield a maximum of 5 units that would generate approximately (5 units x 9.57 ADT/unit) = 48 ADT. Typically, a traffic impact analysis is required for more than 250 average daily trips per day. Because the number of vehicles does not



exceed the requirement of 250 ADT threshold, a traffic study is not required. A form provided as part of the requirement for application for a zone change with the required signature by a representative of the City of Medford, is provided as part of this application indicating that a traffic study is not required.

**Finding/Conclusion:**

The street system has adequate street capacity for the zone change and future development of the subject property.

**Finding/Conclusion:**

The Planning Commission can find that the applicant has demonstrated that Category "A" urban services and facilities are currently available, or will be available at the time of development, to adequately serve the subject parcel with the permitted uses allowed under the proposed SFR-6 zoning designation.

**Summary and Conclusion**

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660 Division 12). Approval of the proposed zone change will not create an impact that was not anticipated by the Urban Residential designation indicated on the GLUP map.

As required in the TPR, the Planning Commission can find the impacts to the transportation plan are not substantial as a result of approval of the requested zone change.

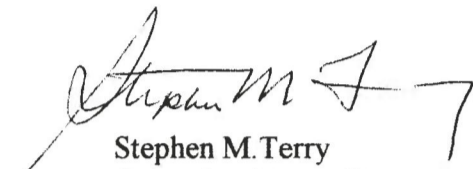
The requested zone change is consistent with the locational approval criteria 10.227 (1)(b)(i) requiring the rezoned parcel to abut a parcel within the requested zoning district of SFR-6. The subject parcel abuts the SFR-6 zoning district to the east across Thomas Road.

As described in the Medford Land Development Code, the requested Urban Residential zoning district is an appropriate zoning district for the Urban Residential (UR) GLUP designation. The subject parcel is within the UR designation.

The Planning Commission can also find the applicant has demonstrated that Category "A" urban services and facilities are currently available, or can be made available at the time of development, to adequately serve the subject properties with the permitted uses allowed under the proposed SFR-6 zoning district and the traffic impact is not substantial.



I respectfully request the approval of this request for a zone change of the subject properties to the City of Medford SFR-6 (Single-Family Residential -6 units per acre) zoning district as demonstrated in the findings included with this application.



Stephen M. Terry  
Agent for the Applicants

CITY OF MEDFORD  
INTER - OFFICE MEMORANDUM

TO: Planning Department  
FROM: Engineering Division  
SUBJECT: Zone Change Request, File No. ZC-07-239  
DATE: November 6, 2007

RECEIVED  
NOV 14 2007  
PLANNING DEPT.

1. Sanitary Services:

A. This zone change is within the Rogue Valley Sewer Service area. Contact the Rogue Valley Sewer Service for sanitary sewer issues.

2. Streets:

A. Current condition of nearest streets:

Thomas Road, an existing Standard Residential Street, is paved without curbs and gutters along the frontage of this zone change.

Willow Way, a future Minor Residential Street, is unpaved along the frontage of this site.

Victory Lane, a future Minor Residential Street, is unpaved along the frontage of this site.

B: Who has maintenance responsibilities:

Thomas Road - Jackson County

Willow Way and Victory Lane - These are County designated Local Access Roads and are maintained by the residences that front on the roads.

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

Land Development Code Section 10.461 governs traffic impact analyses (TIA) required to determine development impacts on the street system. The proposed zone change from City SFR-00 (Single-Family Residential – 1 unit per existing lot) to City SFR-6 (Single-Family Residential – 6 units per acre) on 0.75 acres (0.94 gross acres) has the potential to develop up to 5 SFR dwelling units or generate 47 average daily trips (ADT). The net increase in ADT to the transportation system is 47 ADT. Based on this and code sections 10.460 and 10.461, a traffic impact analysis (TIA) will not be required.

At the time of site development the City of Medford will recommend, in conjunction with Jackson County, any necessary dedications and improvements on Thomas Road, Willow Way and Victory Lane along this proposed zone change frontage.

3. Drainage:

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

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





BOARD OF WATER COMMISSIONERS

## Staff Memo

**RECEIVED**

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** ZC-07-239  
**PROJECT:** Consideration of a request for a change of zone from SFR-00 (Single-Family Residential – 1 unit per lot) to SFR-6 (Single-Family Residential – 6 units per acre) on one parcel totaling 0.75 acres located on the west side of Thomas Road, at the northeast corner of Victory Lane and Willow Way; William/Connie Smith & Fred/Ann Ilacqua, Applicants (Stephen Terry, Agent). Praline McCormack, Planner

NOV 14 2007

PLANNING DEPT.

**PARCEL ID:** 372W35DB TL 1400

**DATE:** November 12, 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 will be required at future land development review. The existing 8" waterline to the north will be conditioned to be extended across the frontage of this parcel to the projection of the south property at time of 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 not exist to this property.
7. Access to MWC water lines for connection is available. An 8" waterline is located approximately 110 feet north of the north property line of this parcel.

F  
ZC-07-239



## 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

November 2, 2007

City of Medford Planning Department  
411 West 8<sup>th</sup> Street  
Medford, Oregon 97501

**RECEIVED**

NOV 14 2007


PLANNING DEPT.

**Re: ZC-07-239, Smith/Ilacqua Zone Change (372W35DB-1400)**

**ATTN: Praline**

The subject property is currently served by a connection to the 8 inch sanitary sewer on Willow Way. There is also a 15 inch sewer main on Thomas road that could serve this property. Both sewer mains have adequate capacity to serve the proposed zoning.

Sincerely,

  
Carl Tappert, PE  
District Engineer

G  
ZC-07-239



# JACKSON COUNTY

Roads

**Roads**

Mike Kuntz, PE  
Interim County Engineer  
200 Antelope Road  
White City, OR 97503  
Phone: 541-774-6228  
Fax: 541-774-6295  
kuntzm@jacksoncounty.org  
www.jacksoncounty.org

November 2, 2007

Praline McCormack  
Planning Department  
City of Medford  
200 S. Ivy Street, Lausmann Annex, Room 240  
Medford, OR 97501

**RECEIVED**

NOV 09 2007

PLANNING DEPT.

RE: Zone Change off Thomas Road - a county-maintained road.  
Planning File: ZC-07-239.

Dear Praline:

Thank you for the opportunity to comment on this request for a change of zone from SFR-00 (Single-Family Residential - 1 dwelling unit per lot) to SFR-6 (Single-Family Residential - 6 dwelling units per acre) on one parcel totaling 0.75 acre located on the west side of Thomas Road at the northeast corner of Victory Lane and Willow Way. Roads has the following comments:

1. Thomas Road is a county-maintained road with a sixty-foot right-of-way along this section of the road. The Average Daily Traffic Count fifty yards south of Stewart Avenue was 2,489 on September 2004.
2. All proposed access roads, or frontage improvements shall be permitted and inspected by the City.
3. Future construction plans shall be submitted to Roads, so we may determine if county permits will be required.
4. Victory Lane and Willow Way are both City of Medford roads.

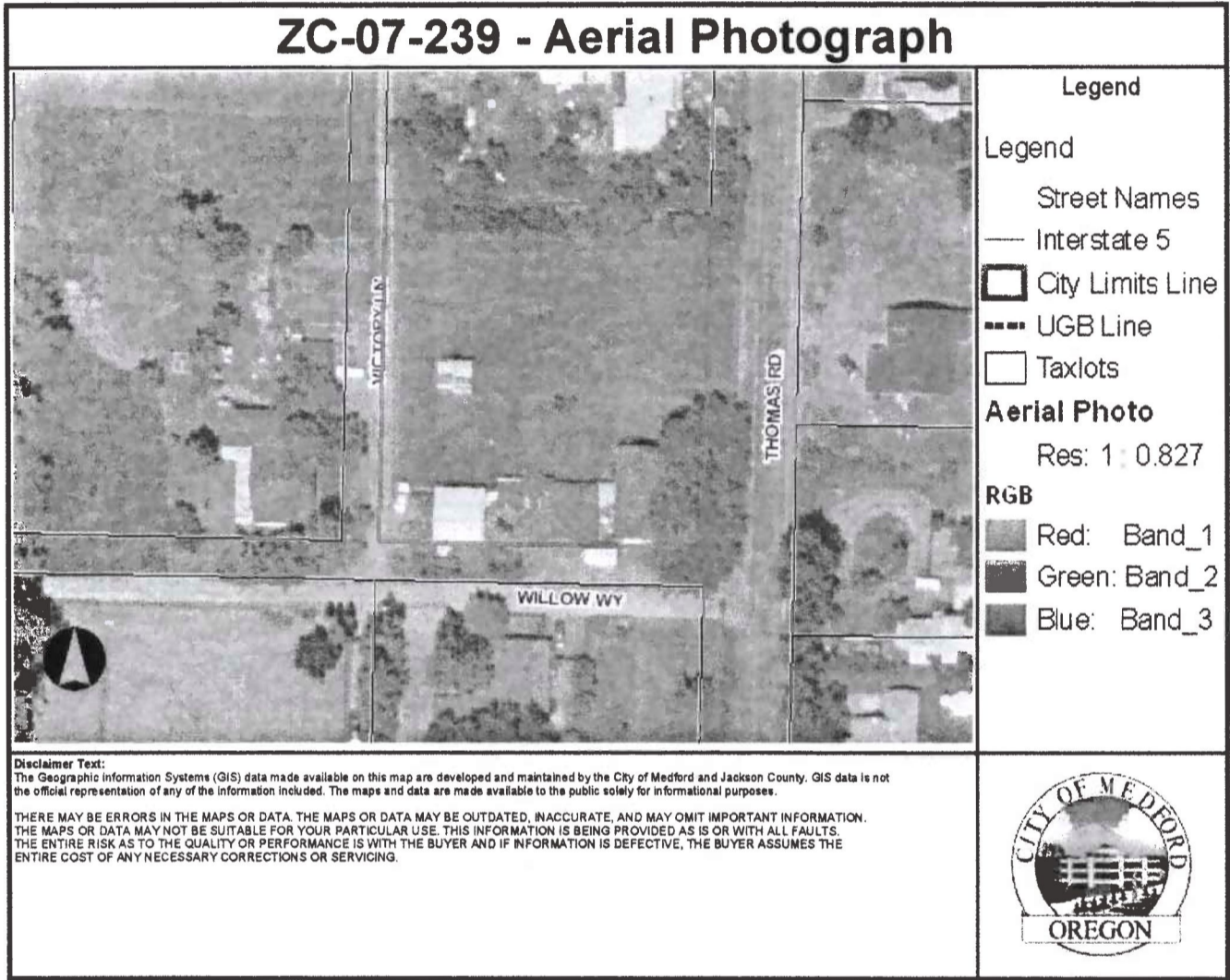
If you have any questions or need further information feel free to call me at 774-6228.

Sincerely,

Mike Kuntz, PE  
Interim County Engineer

H  
ZC-07-239





I  
ZC-07-239

**Vicinity Map**

- UGB
- City Limits

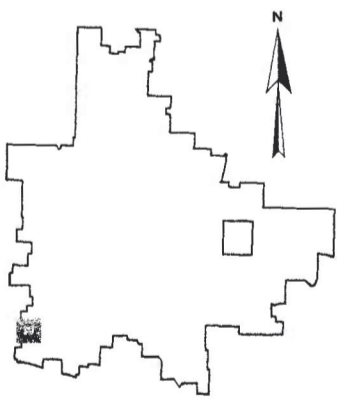
**OVERLAY**

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

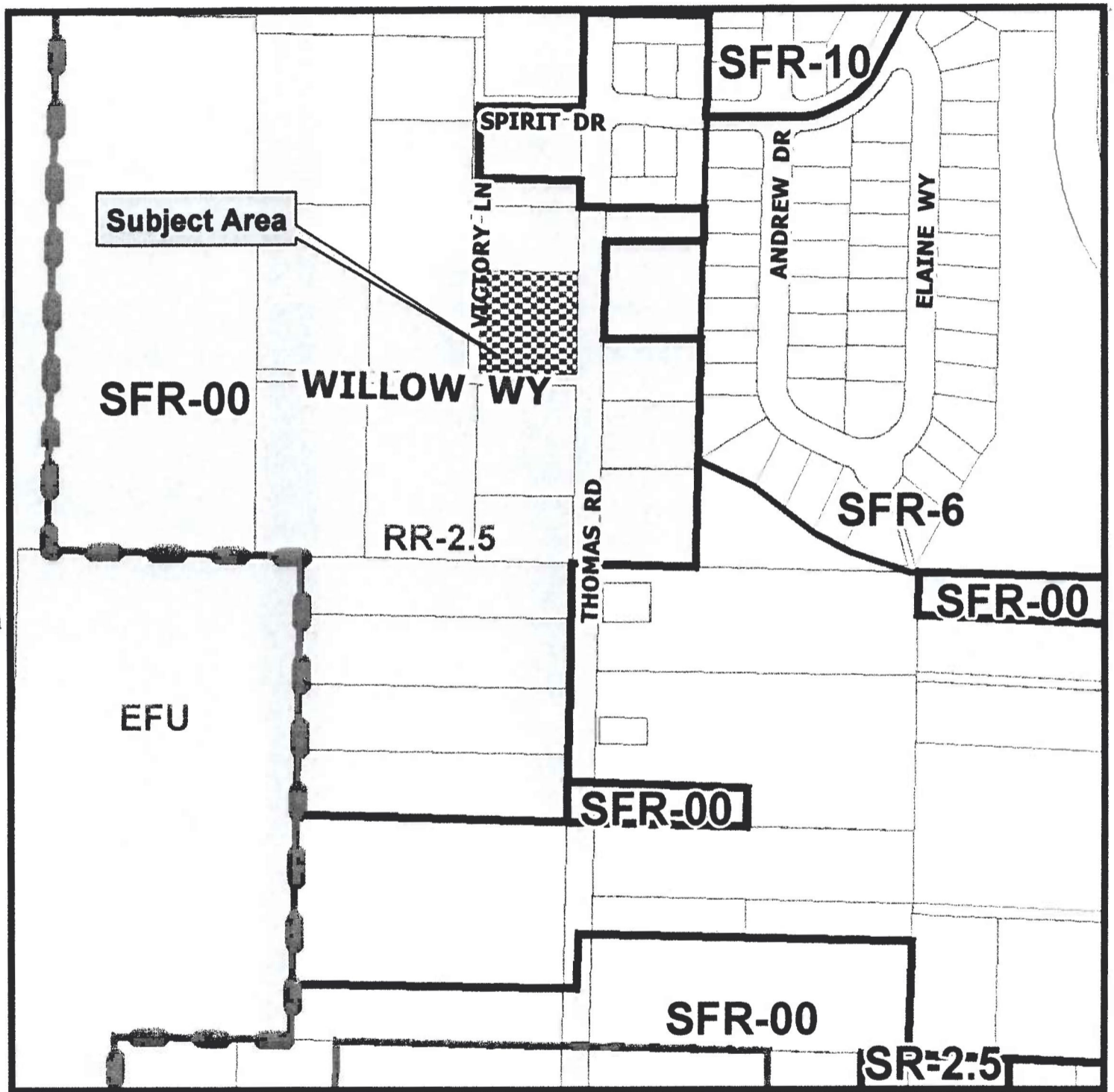
**FILE NUMBER:**  
**ZC-07-239**

**APPLICANTS:**  
**William & Connie Smith**  
**& Fred & Ann Ilacqua**

Map: 372W35DB  
TL: 1400



DATE: 10/11/2007



1275.78  
**EXHIBIT A**

Beginning at a point which is West 19.33 chains, South 19.0 feet, West 231.25 feet and South 1559.8 feet from the northeast corner of Donation Land Claim No. 79 in Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence South 189.2 feet; thence West 181.25 feet; thence North 189.2 feet; thence East 181.25 feet to the point of beginning. EXCEPTING THEREFROM that portion conveyed to Jackson County, Oregon, by instrument recorded in Volume 494, page 307 Deed Records of Jackson County, Oregon.

(Code 49-03, Account #1-043966-8, Map #372W35DB, Tax Lot #1400)

SUBJECT TO:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Rogue Valley Sewer Services.
2. The effect of said property, or any part thereof, lying within the Medford Irrigation District, and subject to all water and irrigation rights, easements for ditches and canals, and all regulations of said District, including any and all assessments, liens and charges assessed, and to be assessed.



ORD  
ARTMENT  
STREET  
7501

OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7007 0710 0001 0566 7414



Hasler

016H26507632  
**\$06.45<sup>0</sup>**  
01/09/2008  
Mailed From 97501  
US POSTAGE

RETURN RECEIPT  
REQUESTED

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