



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

06/29/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 007-09

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, July 10, 2009

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

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

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

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

<paa> YA

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

DEPT OF

JUN 22 2009

LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Medford**

Local file number: **ZC-09-025**

Date of Adoption: **6/11/2009**

Date Mailed: **6/19/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 4/2/2009

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Consideration of a request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) on one parcel totaling 1.05 acres located on the corner of Columbus Avenue and Garfield Street.

Map and Tax Lot: 372W36CA 2300

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

Plan Map Changed from:

to:

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

to: **SFR-10**

Location: **Corner of Columbus Avenue & Garfield Street**

Acres Involved: **1**

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

New: **10 units / acre**

Applicable statewide planning goals:

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

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD FILE No 007-09(17481) [15574]

DLCD file No. See First Page

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

Local Contact: Sarah Sousa	Phone: (541) 774-2380	Extension:
Address: 200 S. Ivy Street	Fax Number: 541-774-2564	
City: Medford	Zip: 97501-	E-mail Address:
sarah.sousa@cityofmedford.org		

ADOPTION SUBMITTAL REQUIREMENTS

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

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

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.



CITY OF MEDFORD

PLANNING DEPARTMENT

June 12, 2009

Dale McLane
PO Box 669
Wilderville OR 97543

RE: FILE NO.: ZC-09-025

The Medford Planning Commission at its regular meeting of June 11, 2009, 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 – one dwelling unit per existing lot) to SFR-10 (Single Family Residential- 10 dwelling units per acre) on one parcel totaling 1.05 acres located on the northeast corner of Columbus Avenue and Garfield Street.

This request was granted as per Staff Report dated May 7, 2009.

The final date for filing an appeal is 21 days from the date of the decision. The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on July 2, 2009. Appeals must be filed in the form prescribed, and will be decided based upon Medford Code Sections 10.051-10.056 (copies available).



John W. Hoke
Interim Planning Director

kg
Enclosure: Staff Report/Final Order/Legal Description

cc: Scott Sinner Consulting, 4401 San Juan Dr. Ste G, 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-09-025 APPLICATION FOR A ZONE CHANGE SUBMITTED) **ORDER**
BY DALE MCLANE)

ORDER granting approval of a request for changing the zoning from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-10 (Single Family Residential- 10 dwelling units per acre) on one parcel totaling 1.05 acres located on the northeast corner of Columbus Avenue and Garfield Street.

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 – one dwelling unit per existing lot) to SFR-10 (Single Family Residential- 10 dwelling units per acre) on one parcel totaling 1.05 acres located on the northeast corner of Columbus Avenue and Garfield Street; 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 May 7, 2009, Applicant’s Findings – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 2W 36CA Tax Lot 2300

is hereby changed from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-10 (Single Family Residential- 10 dwelling units per acre) zoning district.

Accepted and approved this 11th day of June, 2009.

CITY OF MEDFORD PLANNING COMMISSION


Planning Commission Chair

ATTEST:


Planning Department Representative



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT

Date: May 7, 2009
To: Planning Commission
From: Kelly Akin, Senior Planner *KA*
By: Sarah Sousa, Planner III *SS*
Subject: McLane Zone Change (ZC-09-025)
Dale McLane, Applicant (Scott Sinner Consulting, Inc., Agent)

Background

Proposal

Consideration of a request for a change of zone from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to SFR-10 (Single Family Residential- 10 dwelling units per acre) on one parcel totaling 1.05 acres located on the northeast corner of Columbus Avenue and Garfield Street.

Subject Site Zoning, GLUP Designation and Existing Uses

The Medford General Land Use Plan (GLUP) Map designation for the subject property is UR (Urban Residential). The subject property is a vacant parcel of land.

Surrounding Property Zoning and Uses

North: Single family homes zoned SFR-10 (Single Family Residential -10 units per acre)

South: Single family homes, zoned SFR-10

East: Large, underdeveloped lot with a single family home zoned SFR-00 (Single Family Residential- 1 dwelling unit per existing lot)

West: New high school under construction zoned SFR-6 (Single-Family Residential – 6 units per acre)

Related Projects

A-78-094 (Annexed per Ordinance #84-5098)

Applicable Criteria

Section 10.227 of the Land Development Code (Exhibit B).

Issues/Analysis

Staff has reviewed the zone change request and found that it meets the approval criteria listed in *Medford Land Development Code* Section 10.227(d). It meets the locational criteria as it abuts SFR-10 zoning to the north and south. There are adequate infrastructure facilities available to serve the site with the exception of storm drainage. The Public Works Department requires the preparation of a report demonstrating controlled storm water release (Exhibit E).

RECOMMENDED ACTION

Direct staff to prepare a Final Order for approval of ZC-09-025 per the Staff Report dated May 7, 2009, including Exhibits A through L.

EXHIBITS

- A Conditions of Approval;
- B Approval Criteria;
- C Applicant's Findings of Fact received March 12, 2009;
- D Letter from Applicant's Agent regarding zoning received April 22, 2009;
- E Memorandum from the Medford Engineering Division dated April 16, 2009;
- F Memorandum from the Medford Water Commission dated April 20, 2009;
- G Memorandum from the Medford Fire Department dated April 21, 2009;
- H Memorandum from Jackson County Roads dated April 8, 2009;
- I Memorandum from Oregon Department of Transportation dated April 8, 2009;
- J City of Medford Zoning & General Land Use Maps;
- K Jackson County Assessor's Map
- L Aerial Photograph;
Vicinity Map

PLANNING COMMISSION AGENDA: MAY 14, 2009



CITY OF MEDFORD
PLANNING DEPARTMENT

EXHIBIT A
ZC-09-025
CONDITIONS OF APPROVAL
May 7, 2009

1. Comply with the memorandum from the Medford Public Works - Engineering Division Memo (Exhibit E).

CITY OF MEDFORD
EXHIBIT A
ZC-09-025



CITY OF MEDFORD

PLANNING DEPARTMENT

EXHIBIT B ZONE CHANGE CRITERIA Section 10.227

Medford Land Development Code

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

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

- (1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, a demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), and (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

- (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

EXHIBIT B
20-09-025

McLane Zone Change (ZC-09-025)
May 7, 2009

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;

- (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 THE CITY OF MEDFORD, OREGON:

IN THE MATTER OF AN APPLICATION FOR)
ZONE CHANGE OF PROPERTY IDENTIFIED) FINDINGS OF FACT
AS T37-R2W-36CA-TL 2300) AND
APPLICANT DALE McLANE) CONCLUSIONS
SCOTT SINNER CONSULTING INC.AGENT)

I. BACKGROUND INFORMATION

Agent: Scott Sinner Consulting
4401 San Juan Dr.
Medford, OR 97504
541-772-1494

Applicant: Dale McLane
PO Box 669
Wilderville, OR 97543

Property : 372W36CA 2300
Mark Gibson
US Bank Real Estate Management
PO Box 3168
Portland, OR 97208

Situs:
Adjacent to the west of 1200 Garfield St
Medford, OR 97501
1.05 Acres

Present Zoning: SR-2.5 (Jackson County Zoning)

Proposed Zoning: SFR-10 (City of Medford Zoning)

Present Use: Vacant

Proposed Use: Single Family Residential

Comp Plan: Urban Residential (UR)

Access: Garfield Street

Public Facilities:

Category A public facilities are currently available. These services include water service, sewer service, storm drainage, and streets and are detailed in these findings.

RECEIVED

MAR 12 2009

PLANNING DEPT

CITY OF MEDFORD

EXHIBIT # C

FILE # 70-09-025

FINDINGS OF FACT

Scope of Application:

This application will demonstrate compliance with the relevant criteria for a zone change to from Jackson County zoning district SR-2.5 to City of Medford zoning district, SFR-10.

Relevant Approval Criteria:

Medford Land Development Code (MLDC) Section 10.227 requires a request for zone change must demonstrate 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 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.**
- 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 I of the Comprehensive Plan "Public Facilities Element."**

Findings - 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

FINDINGS OF FACT

shall be consistent with regional TSPs and adopted elements of the state TSP"

The City of Medford has adopted TSP for the area. The TSP requires consideration of all modes of transportation including rapid transit, air, water, rail, highway, bicycle, and pedestrian.

A review of the Property determines water and rail transportation are not available to the Property. The Property takes has access on two streets, Columbus Avenue and Garfield Street. A third street, Peachwood Court is currently stubbed to the north property line. Further development of the subject property will include the completion of this stub to intersect with Garfield Street.

Columbus Avenue is classified in the TSP as a major arterial street, Garfield is classified as a minor arterial street and Peachwood Court is classified as a minor residential street.

Columbus Avenue and Garfield Street are unimproved per City standards, without curb gutter and sidewalks or bike lanes to facilitate pedestrian and bicycle transportation..

As a condition of future development (land division), the owner will be required to install sidewalks on the frontage to facilitate pedestrian travel, according to Steven Wadleigh of Medford Public Works.

Rapid transit is available from Rogue Valley Transportation District (RVTD) via Route 2 with a scheduled stop every ½ hour at the corner of Stewart Avenue and Columbus Avenue, a distance of approximately 1/4 mile.

Connection to Interstate 5 is approximately 1.6 miles from the subject site. Rogue Valley International Airport is approximately 4 miles from the Property.

Findings - 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 UR, Urban Residential. The General Land Use Plan contained in The Medford Comprehensive Plan specifies the requested Single Family Residential 10 (SFR-10) zoning district is appropriate within the Urban Residential (UR) designation.

This application is requesting the SFR-10 zoning district for the Property.

FINDINGS OF FACT

This request can be found to be appropriate and consistent with the GLUP designation.

Findings - Locational Standards

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).

(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.*

This application for a zone change to the SFR-10 zoning district must be consistent with one of the three subsections of section 10.227 (1) (b) of the Code.

The subject Property can be found to be consistent with section 10.227 (1) (b) (i), as the area to be rezoned abuts Property within the SFR-10 zoning district on the north, east and south boundaries.

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 an impact that was not anticipated by the Urban Residential designation indicated on the GLUP map.

As described in the Medford Land Development Ordinance, 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 10.0227 (1) (b) (i) requiring the rezoned parcel to be abut a property within the requested SFR-10 zoning district.

FINDINGS OF FACT

Relevant Approval Criteria - Category A Urban Services

(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." and the Transportation System Plan.

(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) if it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:

(a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or

(b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the

FINDINGS OF FACT

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:

Findings:

The Property is within the Crooked Creek Drainage Basin. According to Larry Beskow of City of Medford, A storm drain pipe has been extended to the northerly property line of TL 2300 in Peachwood Ct that will be able to serve the property with adequate storm drainage facilities for the purpose of this zone change. The City would require stormwater detention for future development (land division).

At the time the applicant proceeds with development, all development will be submitted to comply with all applicable City of Medford Drainage Master Plan and Building Division Codes, Area Codes, and Storm and Ground Water Drainage requirements of Chapter 11 of the Uniform Plumbing Code.

Conclusion:

The existing storm drainage system has capacity and meets the requirements for the City of Medford, and new development will comply with the requirements of the Code.

Sanitary Sewer Service:

Findings:

Rogue Valley Sewer Service (RVS) does not currently serve the Property for sanitary sewer service. RVS maintains 10" sanitary sewer line in Garfield Avenue. According to Carl Tappert of RVS, there is adequate capacity of the sanitary sewer facilities in the area.

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.

Conclusion:

The information above demonstrates currently existing sanitary sewage collection and treatment services and capacities are available for the proposed zone change for the Property.

FINDINGS OF FACT

Water Service:

Findings:

The Property is not currently connected to the water supply of the Medford Water Commission. Rodney Grehn of the Medford Water Commission (MWC) stated MWC does have adequate capacity to serve this parcel. There are no existing water meters that serve this parcel.

There is a 24" welded steel transmission line in Garfield Street, and a 8" water line stubbed to the north boundary of this parcel in Peachwood Court. There is also a 6" water line located in the existing public R/W to the east of this parcel. At time of future subdivision review the 8" water line will be conditioned to be extended southerly to the existing 24" line in Garfield Street.

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.

The Medford Water Commission stated there is adequate capacity for the proposed zone change.

Conclusion:

There is adequate capacity of water available to meet the projected demand for the proposed zone change.

Streets:

The property has frontage on Columbus Avenue, classified as a major arterial street with a 100' right of way. Garfield Street is classified as a minor arterial street with a 78' right of way. Peachwood Court is a minor residential street with a 55' right of way, is developed and stubbed to the north property line.

Future development will extend Peachwood Court the Garfield Street. This connection will eliminate one of the city's longer single access street circulation patterns and provide a significant improvement for access and public safety.

FINDINGS OF FACT

According to Larry Beskow, at the time of a land division, the applicant will need to dedicate 20 feet for additional right of way on Columbus and an additional 9 feet for Garfield right of way.

The applicant is in the process of preparing an application to vacate the platted section of Plum Street on the east property boundary of this development.

Traffic Impact Analysis:

The gross acreage of the Property for the proposed zone change including the one half of the rights-of-way for Columbus Avenue, Garfield Street and Plum Street 1.47 acres. Multiplying the gross acreage by the requested SFR-10 density equals 14 dwelling units possible on the Property.

According to Medford Public Works, 9.57 Average Daily Trips (ADT) are generated per dwelling unit for the single-family residential zoning district. The total ADT generated from the proposed zone change is 134 ADT.

Findings

The current policy of the Medford Public Works requires a Traffic Impact Analysis (TIA) if the approval of a land use action will generate over 250 new ADT. The approval of this application would generate 134 additional ADT. The traffic impact is not substantial, and a traffic impact analysis is not a required submittal with this application.

The Planning Commission can find there is adequate street capacity for the proposed zone change, and the Public Works Department has determined the traffic impact be found to be not substantial per the TSP.

Conclusion:

The street system has adequate capacity for the proposed zone change, and the traffic impact can be found to be not substantial as a result of approving this zone change request.

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 change to the transportation plan is not substantial as a result of approval of the

FINDINGS OF FACT

requested zone change.

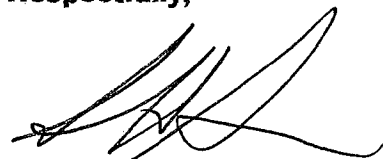
The requested zone change is consistent with the locational approval criteria 10.0227 (1) (b) (i) requiring the rezoned parcel to abut an existing SFR-10 zoning district. The Property meets the locational criteria, abutting an existing SFR-10 zoning district on the north, east and south boundaries of the Property.

As described in the Medford Land Development Ordinance, the requested Single Family Residential 10 units per acre (SFR-10) zoning district is an appropriate zoning district for the Urban Residential (UR) GLUP designation, and the Property 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, to adequately serve the Property with the permitted uses allowed under the proposed SFR-10 zoning district and the traffic impact is not substantial.

On behalf of the Applicant, I respectfully request the approval of this request for a zone change of the Property to the City of Medford SFR-10 zoning district.

Respectfully,



Scott Sinner
Scott Sinner Consulting



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

April 22, 2009

Sarah Sousa
Medford Planning Department
200 S Ivy
Medford, OR 97501

Re ZC-09-025

Sarah,

As we discussed today at the Land Development meeting for the referenced zone change, the findings of fact submitted with this application referenced the attached zoning map as reference for the current zoning of SR-2.5 Jackson County Zoning District.

It is my understanding the parcel was rezoned to the City of Medford SFR-00 zoning district. With the clarification of the current zoning district, I would request this letter be submitted in the record and function as a correction of the findings of fact of any reference of the current zoning at SR-2.5 is in fact SFR-00.

Thank you and please feel free to call if you have any questions.

Regards,



Scott Sinner, President
Scott Sinner Consulting, Inc.

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APR 22 2009

PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # D
File # ZC-09-025



4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone and Fax 541-772-1494
Cell 541-601-0917
Email scottsinner@yahoo.com

CITY OF MEDFORD

INTER - OFFICE MEMORANDUM

TO: Planning Department

FROM: Engineering Division

SUBJECT: Zone Change Request, File No. ZC-09-025

DATE: April 16, 2009

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:

Columbus Avenue, a designated Major Arterial Street, is paved without curb and gutter along the frontage of this zone change. The South Medford High School is currently constructing the west half plus 12-feet east of the centerline to City of Medford Standards.

Garfield Street, a designated Minor Arterial Street, is paved without curb and gutter along the frontage of this zone change.

Plum Street, a designated Standard Residential Street, is dedicated but not improved along the easterly frontage of this zone change.

B: Who has maintenance responsibilities:

Columbus Avenue, Garfield Street - Jackson County

Plum Street - is not maintained as it is only dedicated and not used.

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-10 (Single-Family Residential – 6 units per acre) on 1.05 acres (1.47 gross acres) has the potential to

develop up to 14 SFR dwelling units or generate 133 average daily trips (ADT). The net increase in ADT to the transportation system is 123 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 any necessary dedications and improvements on Columbus Avenue and Garfield Street along the frontages of this proposed zone.

3. Drainage:

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

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: ZC-09-0025
PROJECT: Consideration of a request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) on one parcel totaling 1.05 acres located on the corner of Columbus Avenue and Garfield Street; Dale McLane, Applicant (Scott Sinner Consulting Inc., Agent). Sarah Sousa, Planner

PARCEL ID: 372W36CA TL 2300

DATE: April 20, 2009

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does not exist to this property.
7. Access to MWC water lines for connection is available. A 24" water line is located in Garfield Street. There is an 8" water line stubbed to the north property line in Peachwood Court, and a 6" water line just east of this parcel in a 60' wide public right-of-way.

RECORDED
INDEXED
F
20-09-025



Medford Fire Department

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

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 04/22/2009

From: Kleinberg, Greg

Report Prepared: 04/21/2009

File #: ZC - 09 - 25

Site Name/Description:

Consideration of a request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-10 (Single-Family Residential - 10 dwelling units per gross acre) on one parcel totaling 1.05 acres located on the corner of Columbus Avenue and Garfield Street; Dale McLane, Applicant (Scott Sinner Consulting Inc., Agent).
Sarah Sousa, Planner

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

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

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

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

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

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

APPROVED
DATE: 6
2009-04-25



JACKSON COUNTY Roads

**JC Roads
Engineering**

Russell Logue
Construction & Development Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
loguera@jacksoncounty.org

www.jacksoncounty.org

April 8, 2009

Attention: Sarah Sousa
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RECEIVED

APR 10 2009

PLANNING DEPT.

RE: Zone Change off Garfield Street – a city-maintained road.
Planning File: ZC-09-025

Dear Sarah:

Thank you for the opportunity to comment on this request for a change of zone from SFR-00 (Single-Family Residential – one dwelling unit per existing lot) to SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) on one parcel totaling 1.05 acres located on the corner of Columbus Avenue and Garfield Street. Jackson County Roads has no comments.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,

Russell Logue
Construction & Development Manager

20-09-025

RECEIVED

APR 0

Sarah K. Sousa

PLANNING DEPT.

From: PYLES David [David.PYLES@odot.state.or.us]
Sent: Wednesday, April 08, 2009 4:28 PM
To: Sarah K. Sousa
Subject: ODOT notice acknowledgement: ZC-09-025 (McLane Zone Change)

Sarah:

The Oregon Department of Transportation received notice today of the proposed McLane Zone Change located at the northeast corner of the Columbus Avenue and Garfield Street intersection. We understand the applicant requests a change of zone from SFR-00 (Single Family Residential) to SFR-10 (Single-Family Residential - 10 dwelling units per acre) on one parcel totaling 1.05 acres. The subject property is described as Map 37-2W-36CA, Tax Lot 2300. Access to serve the property is proposed off of Garfield Street, a city street. The applicant's findings demonstrate the trip generation from the propose zone change is 134 average daily trips (ADT).

We have no comment. The proposed zone change can be reasonably expected to not create a Transportation Planning Rule 'significant affect" to state highway transportation facilities. Thank you for noticing the ODOT development review team. We look forward to working with the city of Medford on future development applications.

Kind regards,

David J. Pyles | Development Review Planner III

The ODOT Region 3 / District 8 | 100 Antelope Rd. | White City, OR 97503

☎: (541) 774.6399 | 📠: (541) 774.6349 | ✉: David.Pyles@odot.state.or.us

CITY OF MEDFORD

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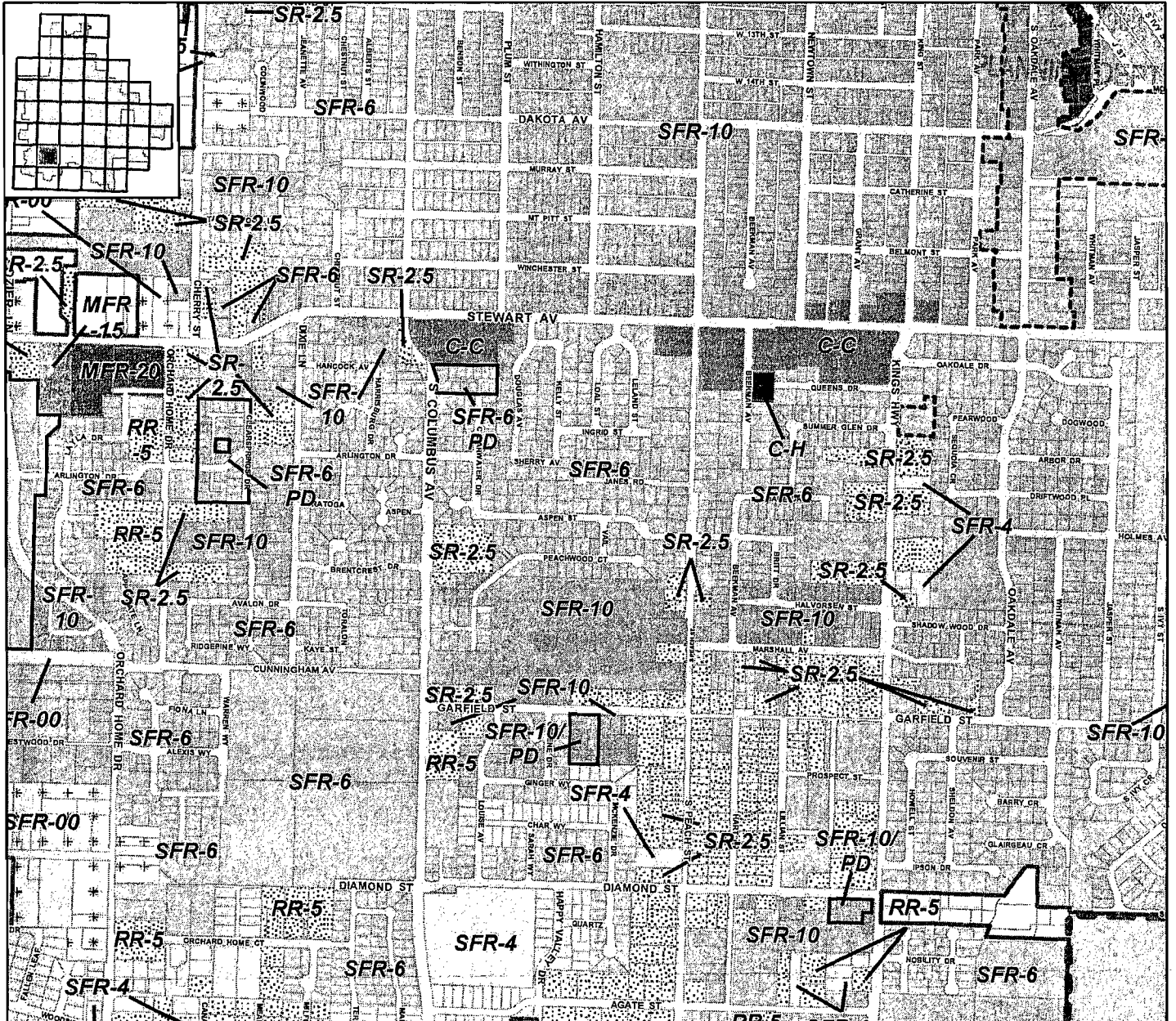
ZC-09-025

4/15/2009

CITY OF MEDFORD ZONING MAP

Township, Range and Section: 372W36

RECEIVED



	OVERLAYS AA - Airport Approach AR - Airport Radar CB - Central Business District F - Freeway H - Historic IO - Limited Industrial LS - Limited Service PD - Planned Development SE - Southeast Plan	Railroad City Limits UGB Outside UGB	No guarantee or warranty is expressed or implied in terms of data accuracy or legitimacy. This product is intended for use as public information and precise interpretations of the official record should be solicited from the Medford Planning Department.
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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

- | | |
|-----------------|------------------------------|
| Heavy (C-H) | Neighborhood (C-N) |
| Regional (C-R) | Service/Professional (C-S/P) |
| Community (C-C) | |

Industrial

- | |
|---------------|
| Heavy (I-H) |
| General (I-G) |
| Light (I-L) |

COUNTY ZONES IN MEDFORD

Residential

- | | |
|--------------------------------------|-------------------------------|
| Suburban - 1 Acre Minimum (SR-1) | Rural - 5 Acre Minimum (RR-5) |
| Suburban - 2.5 Acre Minimum (SR-2.5) | Farm - 5 Acre Minimum (F-5) |

Commercial

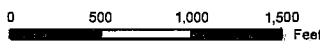
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|-------------------|
| General (GC) |
| Neighborhood (NC) |

Resource

- | |
|--------------------------|
| Exclusive Farm Use (EFU) |
| Open Space Reserve (OSR) |

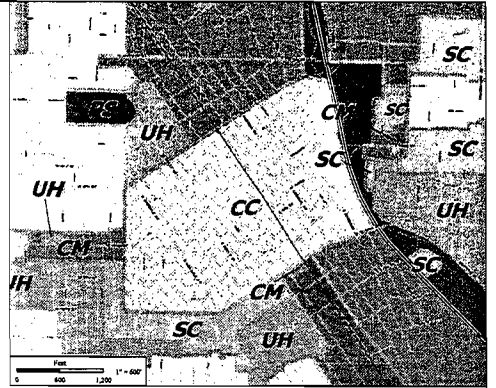
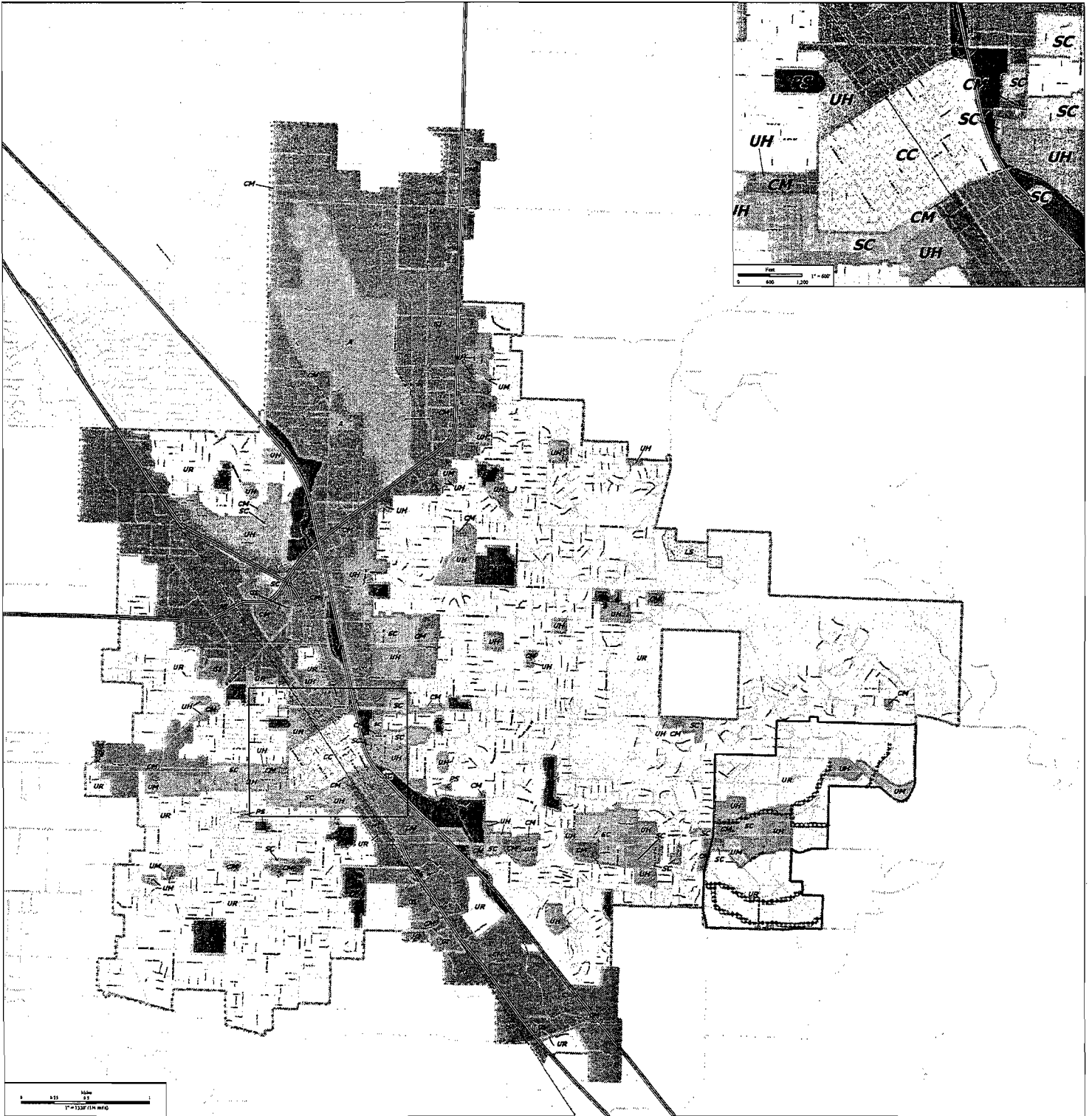
Industrial

- | |
|---|
| General (GI) |
| Light (LI) |
| Airport Development - Multi-Use (AD-MU) |



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MEDFORD GENERAL LAND USE PLAN MAP



LAND USE CLASSIFICATIONS		



Revised Through Ordinance 2007-101 Adopted May 17th, 2007

Map is not intended to be site specific



Southeast Plan Area



UGB

Map Date: 7/23/2007



CITY OF MEDFORD PLANNING DEPARTMENT

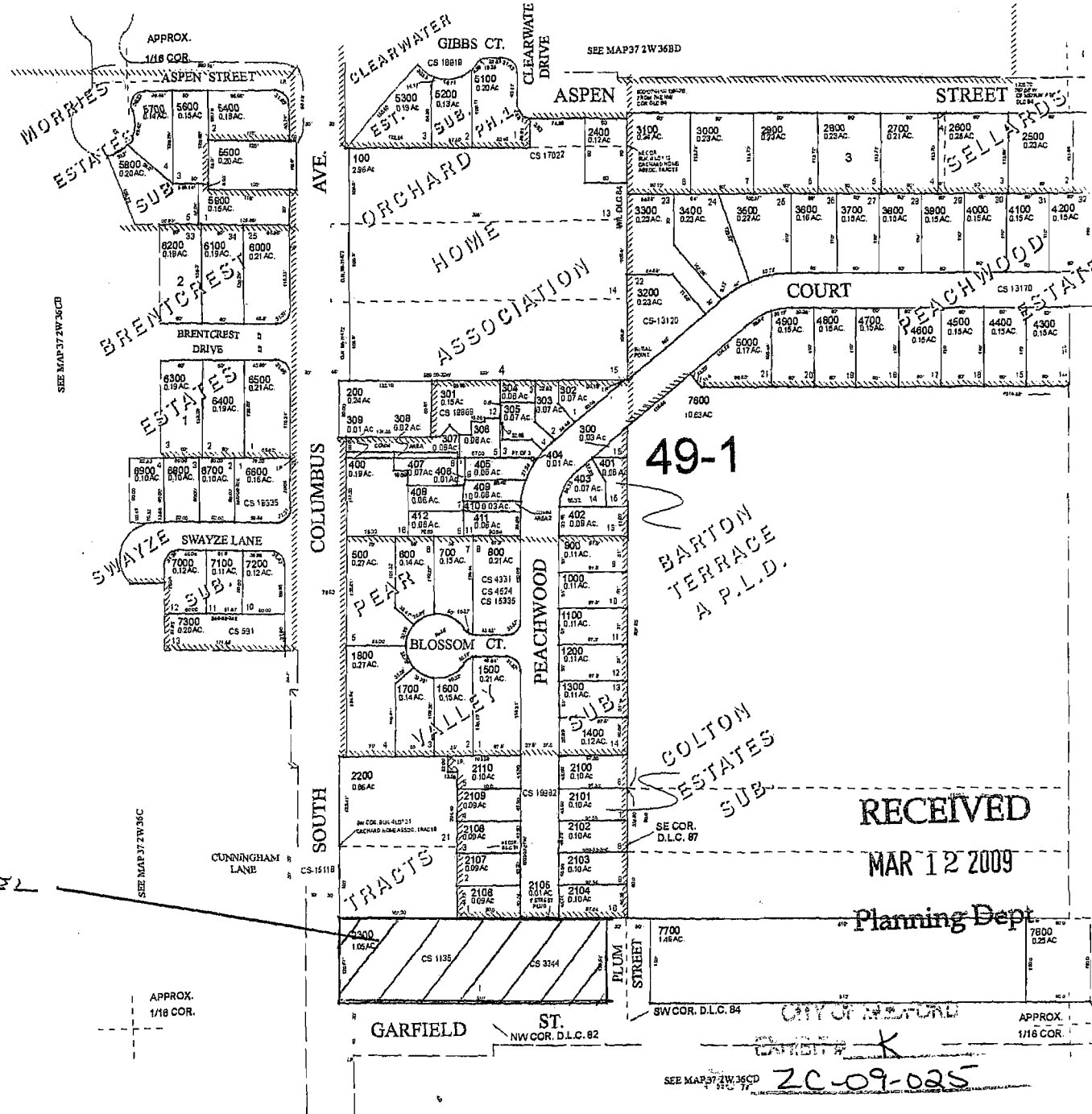
We warrant no accuracy or liability for use of this information or its application. This product is intended for use as a general informational tool. Any application of the data or its use is the responsibility of the user. Planning Department.

20-09-025

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FOR ASSESSMENT AND
TAXATION ONLY

SCANNED



SUBJECT PARCEL

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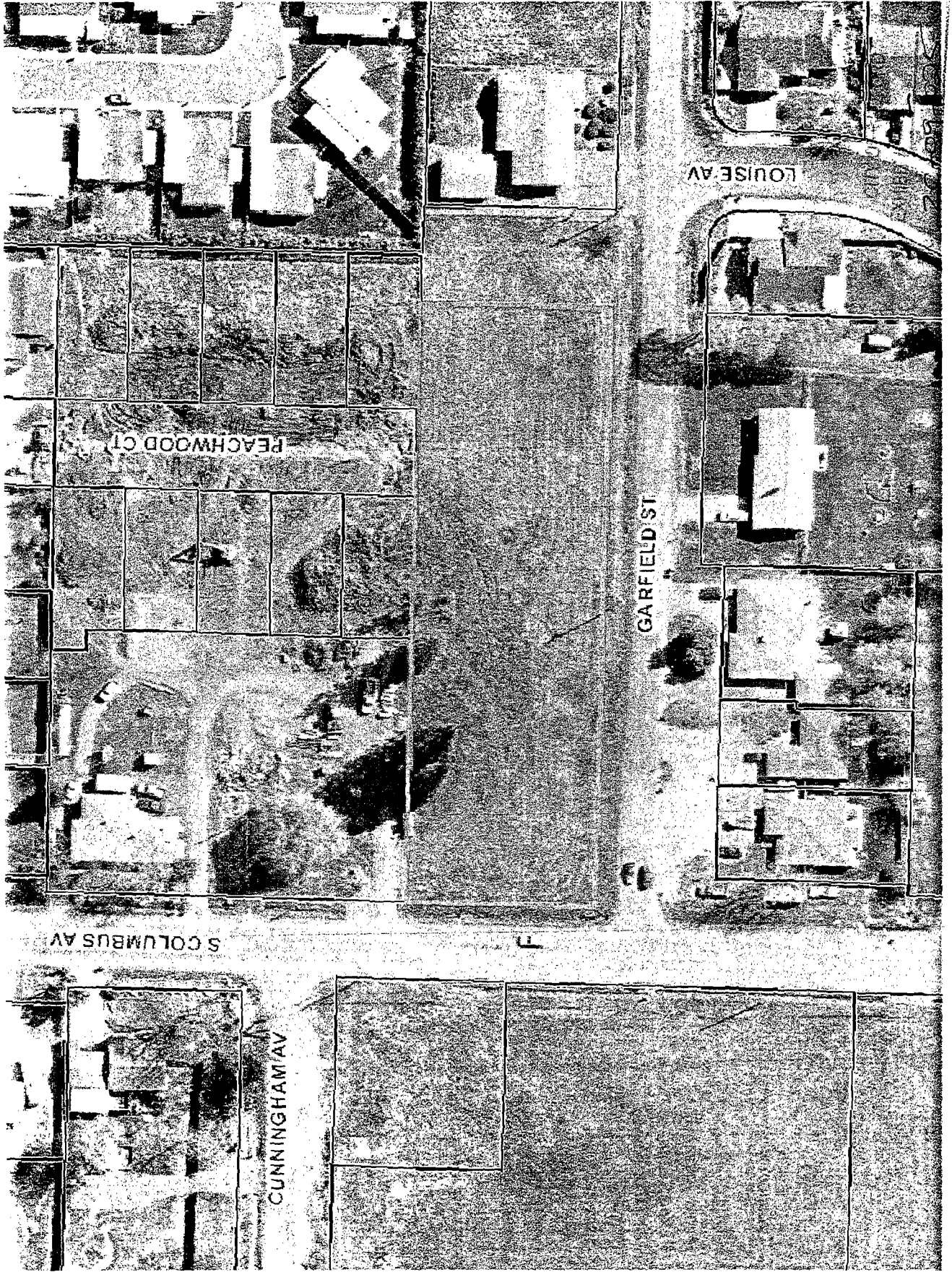
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Planning Dept.





CITY OF JACKSON

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








Aerial Photo
McLane Zone Change (ZC-09-025)
372W36CA TL 2300



Vicinity Map

-  Zoning Boundary
-  UGB
-  City Limits
-  Taxlots

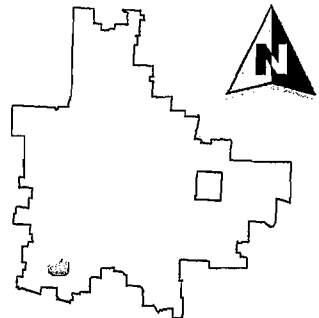
OVERLAY

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

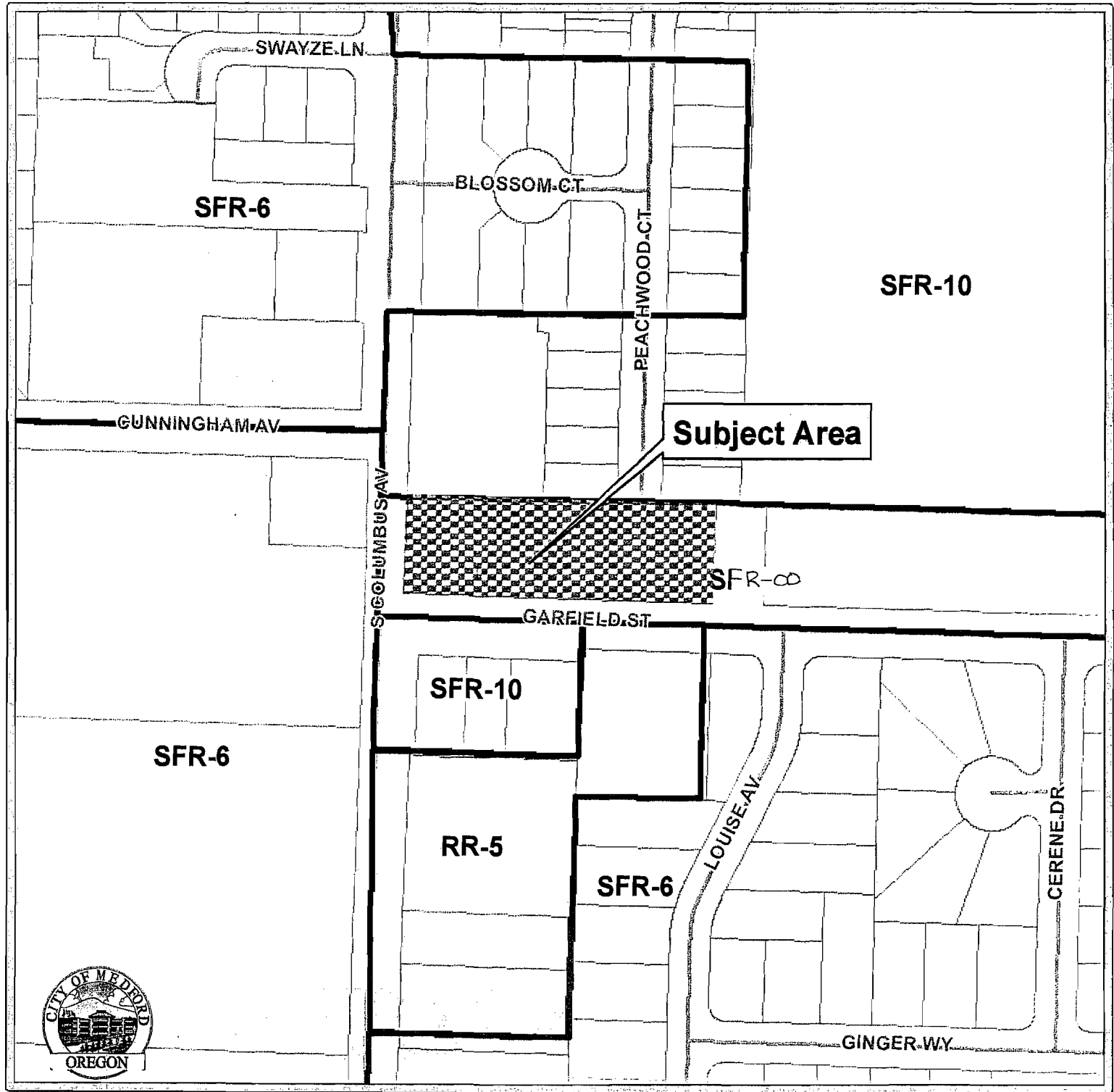
**FILE NUMBER:
ZC-09-025**

**APPLICANT:
Dale McLane**

Map: 372W36CA
TL: 2300



3/10/2009



Legal Description McLane Zone Change

All of the following: Lots 1 and 2 of Block 8 of ORCHARD HOME ASSOCIATION TRACTS, and Government Lot 2, in Section 36, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon.

EXCEPTING THEREFROM the North 100 feet.

ALSO, EXCEPTING THEREFROM: all that property described in Volume 463, Page 109, Jackson County, Oregon, Deed Records.

ALSO, EXCEPTING THEREFROM that part lying South of Garfield Street, as said Street is described in Volume 463, Page 109 of the Jackson County, Oregon, Deed Records.

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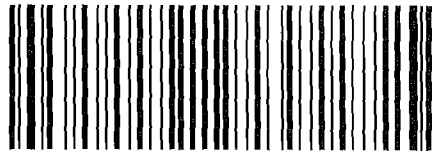
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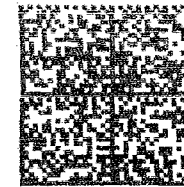
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Medford
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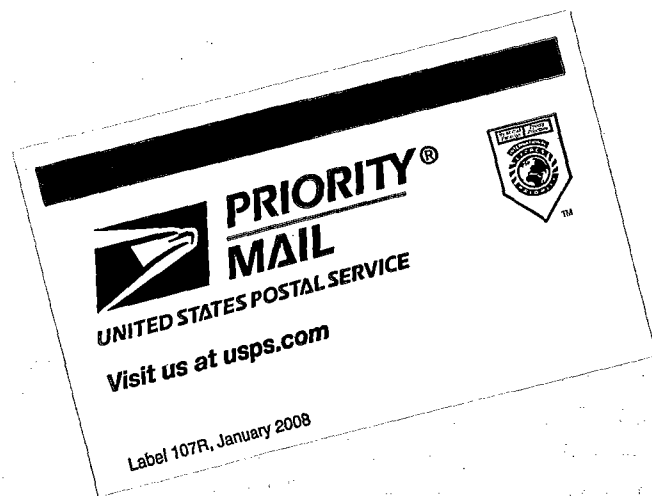
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Mailed From 97501
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ATTN: Plan Amendment Specialist
Dept. of Land Conser. & Develop.
635 Capitol St. NE, Ste. 150
Salem, Or 97301-2540

RETURN RECEIPT
REQUESTED