



# Oregon

Theodore R. Kubongoski, 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

11/15/2010

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 006-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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: Friday, November 26, 2010

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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Sandra Johnson, City of Medford  
Gloria Gardiner, DLCD Urban Planning Specialist  
Ed Moore, DLC D Regional Representative  
Bill Holmstrom, DLCD Transportation Planner

<paa> YA



FORM **2**

**DLCD**

# Notice of Adoption

In person  electronic  mailed

**DEPT OF**  
**NOV 08 2010**  
**LAND CONSERVATION AND DEVELOPMENT**

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Medford**

Local file number: **ZC-10-010**

Date of Adoption: **10/28/2010**

Date Mailed: **11/3/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 03/19/10

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/S-E (Single-Family Residential, one dwelling unit per existing lot/Southeast Overlay) to SFR-4/S-E (Single-Family Residential – 4 dwelling units per acre/Southeast Overlay) on three parcels consisting of a total of approximately 42.76 acres on the north side of Coal Mine Road, approximately 3300 feet east of North Phoenix Road.

**371W34 2800, 2804, 2806**

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

Plan Map Changed from:

to:

Zone Map Changed from: SFR-00/S-E

to: SFR-4/S-E

Location: 4365 Coal Mine Rd.

Acres Involved: 42.76

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

New: **4 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. 006-10 (18193) [16400]

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

---

Please list all affected State or Federal Agencies, Local Governments or Special Districts:  
Jackson County Planning, Medford School District,  
Department of State Lands, Oregon Department of Fish and Wildlife

Local Contact: **Sandra Johnson**

Phone: **(541) 774-2380** Extension: **2385**

Address: **200 S. Ivy St.**

Fax Number: **541-618-1708**

City: **Medford**

Zip: **97501**

E-mail Address:

**Sandra.johnson@cityofmedford.org**

---

## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. **Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:**
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615 ).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845 ).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615 ).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

**BEFORE THE MEDFORD PLANNING COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF PLANNING COMMISSION FILE )  
ZC-10-10 APPLICATION FOR A ZONE CHANGE SUBMITTED ) **ORDER**  
BY SUNCREST HOMES LLC )

ORDER granting approval of a request for changing the zoning from SFR-00/SE (Single-Family Residential, one dwelling unit per existing lot/Southeast Overlay) to SFR-4/S-E (Single-Family Residential - 4 dwelling units per acre/Southeast Overlay) on three parcels consisting of a total of approximately 42.76 acres on the north side of Coal Mine Road, approximately 3300 feet east of North Phoenix Road.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from SFR-00/SE (Single-Family Residential, one dwelling unit per existing lot/Southeast Overlay) to SFR-4/S-E (Single-Family Residential - 4 dwelling units per acre/Southeast Overlay) on three parcels consisting of a total of approximately 42.76 acres on the north side of Coal Mine Road, approximately 3300 feet east of North Phoenix Road; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented hereby adopts the Planning Commission Report dated October 14, 2010, Applicant's Findings, and Legal Description attached hereto and hereby incorporated by reference; now, therefore,

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

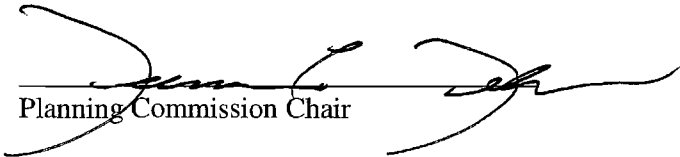
The zoning of the following described area within the City of Medford, Oregon:

37 1W 34 Tax Lots 2800, 2804, and 2806

is hereby changed from SFR-00/SE (Single-Family Residential, one dwelling unit per existing lot/Southeast Overlay) to SFR-4/S-E (Single-Family Residential - 4 dwelling units per acre/Southeast Overlay) zoning district.

Accepted and approved this 28th day of October, 2010.

CITY OF MEDFORD PLANNING COMMISSION

  
Planning Commission Chair

ATTEST:

  
Planning Department Representative



# **CITY OF MEDFORD**

---

# **PLANNING DEPARTMENT**

## **PLANNING COMMISSION REPORT**

Date: October 14, 2010

Subject: Suncrest Zone Change (ZC-10-010)  
Suncrest Homes, LLC (Jim Maize, Maize and Associates, Inc.)

---

### **BACKGROUND**

#### Proposal

Consideration of a request for a change of zone from SFR-00/S-E (Single-Family Residential, one dwelling unit per existing lot/Southeast Overlay) to SFR-4/S-E (Single-Family Residential – 4 dwelling units per acre/Southeast Overlay) on three parcels consisting of a total of approximately 42.76 acres on the north side of Coal Mine Road, approximately 3300 feet east of North Phoenix Road.

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

Zoning: SFR-00/SE (Single Family Residential-one unit per existing lot/Southeast Plan Overlay)

Southeast Plan Overlay: School, Park, and Standard Residential Lot Designations

General Land Use Plan Map: UR (Urban Residential)

Existing Uses: Two vacant parcels; the third contains a single family dwelling.

#### Surrounding Property Zoning and Uses

North County zoned property outside the Urban Growth Boundary; rural residential uses

South County zoned property outside the Urban Growth Boundary; rural residential uses

East County zoned property outside the Urban Growth Boundary; rural residential uses

West SFR-00/SE; rural residential and vacant parcels

*“Working with the Community to Shape a Vibrant and Exceptional City”*

Related Projects

none

Applicable Criteria

10.227 Zone Change Criteria

Corporate Names

According to the Secretary of State Business Name Registry, the registered agent of Suncrest Homes, LLC is Carlyle Stout, and the manager is Charles Hamilton.

**ISSUES/ANALYSIS**

The subject property abuts the southeastern edge of the city limits and the Urban Growth Boundary and is designated as sub areas 18, 19, and 20 within the Southeast Plan Overlay (Exhibit E). The southern tributaries of Larson Creek are located at the northwest corner and along the southern boundary of the subject property (Exhibit D). Per the Southeast Plan, the creeks are designated Greenways, and subject to Special Design and Development Standards per Section 10.384 of the Medford Land Development Code (*MLDC*).

*Transportation System Plan*

The applicant's Findings of Fact (Exhibit H) indicate the zone change is consistent with the *Transportation System Plan* (TSP) in that the applicant has provided a Traffic Impact Analysis (TIA), described later in this report.

*General Land Use Plan (GLUP) Map Designation*

The table on page 13 of the applicant's Findings of Fact illustrates the GLUP and zoning designations and the range of permitted densities for the subject property (Exhibit H). Staff concurs with the applicant's conclusion that the requested zone change to SFR-4 is consistent with the U-R (Urban Residential) GLUP designation. Additionally, the Southeast Plan sub areas 18, 19, and 20 all permit SFR-4 zoning designations.

**Category "A" Facilities**

*Sanitary Sewer*

The entire site can be serviced by an extension of the sanitary sewer at North Phoenix Road located 760 feet north of Juanipero Way, providing easements can be obtained from intervening property owners.

As an alternative, sanitary sewer can be extended from the intersection of North Phoenix Road and Juanipero Way, south along North Phoenix Road, and then east along Coal

Mine Road to the subject site. Per the report from the Engineering Section of the Public Works Department, capacity is limited to 120 dwelling units developed to SFR-4 standards; therefore, development in excess of 120 units would be restricted until capacity improvements are made to the down-stream gradient system (Exhibit J). The applicant's Findings of Fact include a stipulation that agrees to this option (Exhibit H, pg. 26). A condition is included that requires the applicant to record a restrictive covenant, in a form acceptable to the City Attorney, that specifies these development restrictions.

#### *Water Service*

The subject parcels lie within two separate water pressure zones, as illustrated by the map included with the memo from the Medford Water Commission (MWC) (Exhibit K). Pressure Zone 1 can be accessed for water service and fire protection at the intersection of North Phoenix Road and Juanipero Way, and has the capacity to serve approximately 25 acres of the subject property.

At a higher elevation, Pressure Zone 2 covers approximately 17 acres. However, the nearest available service is at the intersection of Lone Oak Drive and Calle Vista Drive; approximately one linear mile from the subject property. The applicant's Findings state the MWC staff has indicated a privately-constructed pumping system can bring water to the area (Exhibit H, pg. 16). Following the construction of a water reservoir to serve this area, the pumping system can be disconnected and connection to the gravity system be made.

#### *Transportation Facilities*

#### **Traffic Impact Analysis**

The applicant's Findings of Fact (Exhibit H) address consistency with Medford's *Transportation System Plan (TSP)*, specifically the Traffic Impact Analysis (TIA) required for this zone change request per Section 10.461(3) of the *MLDC*. Because of its bulk, the entire report is included by reference only and the Executive Summary is included as Exhibit I. The TIA indicates that development, based on the potential to develop up to 173 single family dwelling units, will generate approximately 175 peak hour trips. The following mitigation measures are recommended:

- 1) Development over 27 single family residences will require the construction of a center turn lane at the intersection of Juanipero Way and North Phoenix Road, as described in the report from the Public Works Department (Exhibit J). If the pending realignment and signalization of Coal Mine Road takes place prior to development, mitigation measures at the intersection of Juanipero Way and North Phoenix Road will not be required.
- 2) Development over 120 single family residences will require mitigation at Lone Pine Road and Foothills Road. The recommendation supported

by the Public Works Department includes a raised median be installed at that intersection to restrict east and westbound movements (Exhibit J).

The applicant has stipulated to these conditions in the Findings of Fact (Exhibit H, pg. 26), and the stipulations are consistent with the report from the Public Works Department (Exhibit J). As a condition of approval for this zone change request, the applicant is required to record a restrictive covenant, in a form acceptable to the City Attorney that specifies these development restrictions.

***Decision: To eliminate possible ambiguity between the conditions and the stipulations within the applicant's Findings of Fact, the applicant requested the removal of condition #5. The Commission agreed to remove stipulation #1 in the applicant's Findings of Fact to achieve the same goal.***

#### **Coal Mine Road**

Per the letter from Jackson County Roads Department, Coal Mine Road is a County-maintained facility with a 40-foot right-of-way (Exhibit N). Due to an inadequate structural section, the County Roads Department recommends the road should be brought up to City street standards upon development of the property.

No other issues were identified by staff.

#### **FINDINGS OF FACT**

Page 26 of the applicant's Findings of Fact includes stipulations the applicant agrees to as conditions of approval, in accordance with, and in order to insure that adequate transportation facilities are available to serve the subject property. Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibit H) and recommends that the Commission adopt the Findings as presented, ***with the exclusion of stipulation #1.***

#### **ACTION TAKEN**

Directed staff to prepare a Final Order for approval of ZC-10-010 per the Planning Commission Report dated October 14, 2010, including Exhibits A through P.

#### **EXHIBITS**

- A Conditions of Approval, dated October 6, 2010
- B Approval Criteria
- C Zoning Map, received February 16, 2010
- D General Land Use Plan Map, received February 16, 2010
- E Southeast Plan Map, received February 16, 2010
- F Southeast Plan Circulation Map, received February 16, 2010
- G Assessor's Map, received February 16, 2010
- H Applicant's Findings of Fact and Conclusions of Law, received February 16, 2010

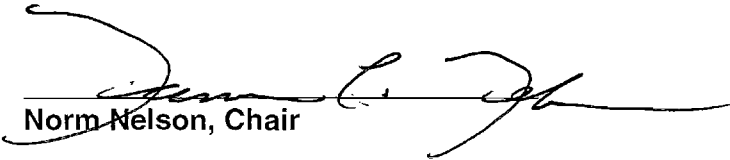


**Suncrest Homes, LLC  
Zone Change (ZC-10-010)  
Planning Commission Report**

**October 14, 2010**

- I Executive Summary, Traffic Impact Analysis, received February 16, 2010
- J Memorandum from the Engineering Division and Traffic Section, received September 27, 2010
- K Memorandum from the Medford Water Commission, received March 31, 2010
- L Report from the Medford Fire Department, received March 31, 2010
- M Letter from Jackson County Roads, received March 26, 2010
- N Email Correspondence from ODOT, received February 16, 2010
- O Legal Description, received February 16, 2010
- P Correspondence from Adjacent Property Owner, received October 11, 2010  
Vicinity Map

**MEDFORD PLANNING COMMISSION**

  
Norm Nelson, Chair

**PLANNING COMMISSION AGENDA:**

**SEPTEMBER 23, 2010  
OCTOBER 14, 2010  
OCTOBER 28, 2010**

**EXHIBIT A**

**ZC-10-010  
Suncrest Homes, LLC  
Conditions of Approval  
October 8, 2010**

1. Prior to approval of a Final Plat(s) for more than 27 dwelling units on the subject property, the applicant shall construct a center turn lane at the intersection of North Phoenix Road and Juanipero Way, in compliance with the Engineering Division Memorandum, received September 27, 2010. If Coal Mine Road is realigned and signalized at the intersection of North Phoenix Road and Juanipero Way prior to the development of the three subject parcels, then this mitigation (#1) is not required, per the Engineering Division Memorandum received September 27, 2010 (Exhibit J).
2. Prior to approval of a Final Plat(s) for more than 120 dwelling units on the subject property, the applicant shall construct a raised median at the intersection of Lone Pine Road and Foothill Road, per the Engineering Division Memorandum received September 27, 2010 (Exhibit J).
3. Prior to approval of a Final Plat(s) for more than 120 dwelling units on the subject property, capacity improvements shall be made to the down-stream gradient system of the sanitary sewer service, per the Engineering Division Memorandum received September 27, 2010 (Exhibit J).
4. The property owners shall record a restrictive covenant on the subject properties that contains the language of conditions 1, 2, and 3 associated with the approval of ZC-10-010. Prior to recordation, the restrictive covenant shall be submitted to the Planning Department for review and approval by the City. The recorded covenant shall be returned to the Planning Department within 60 days of the adoption of the Final Order approving Zone Change ZC-10-010.
5. The stipulations contained in the applicant's Findings of Fact are accepted (Exhibit H).

CITY OF MEDFORD  
EXHIBIT # A  
File # ZC-10-010

---

**EXHIBIT B  
SUNCREST HOMES LLC  
ZONE CHANGE ZC-10-047**

**ZONE CHANGE APPROVAL CRITERIA – SFR-00 to SFR-4  
FROM SECTION 10.227 OF THE MEDFORD LAND DEVELOPMENT CODE**

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 Transportation System Plan (TSP) and the General Land Use Plan Map designation. 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.

\*\*\*

- (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

- (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

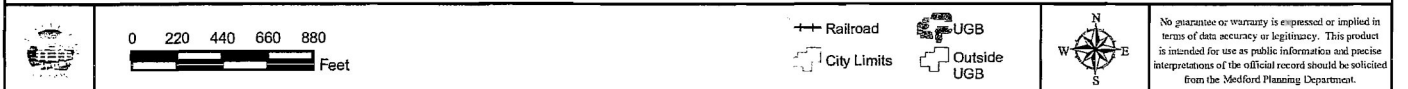
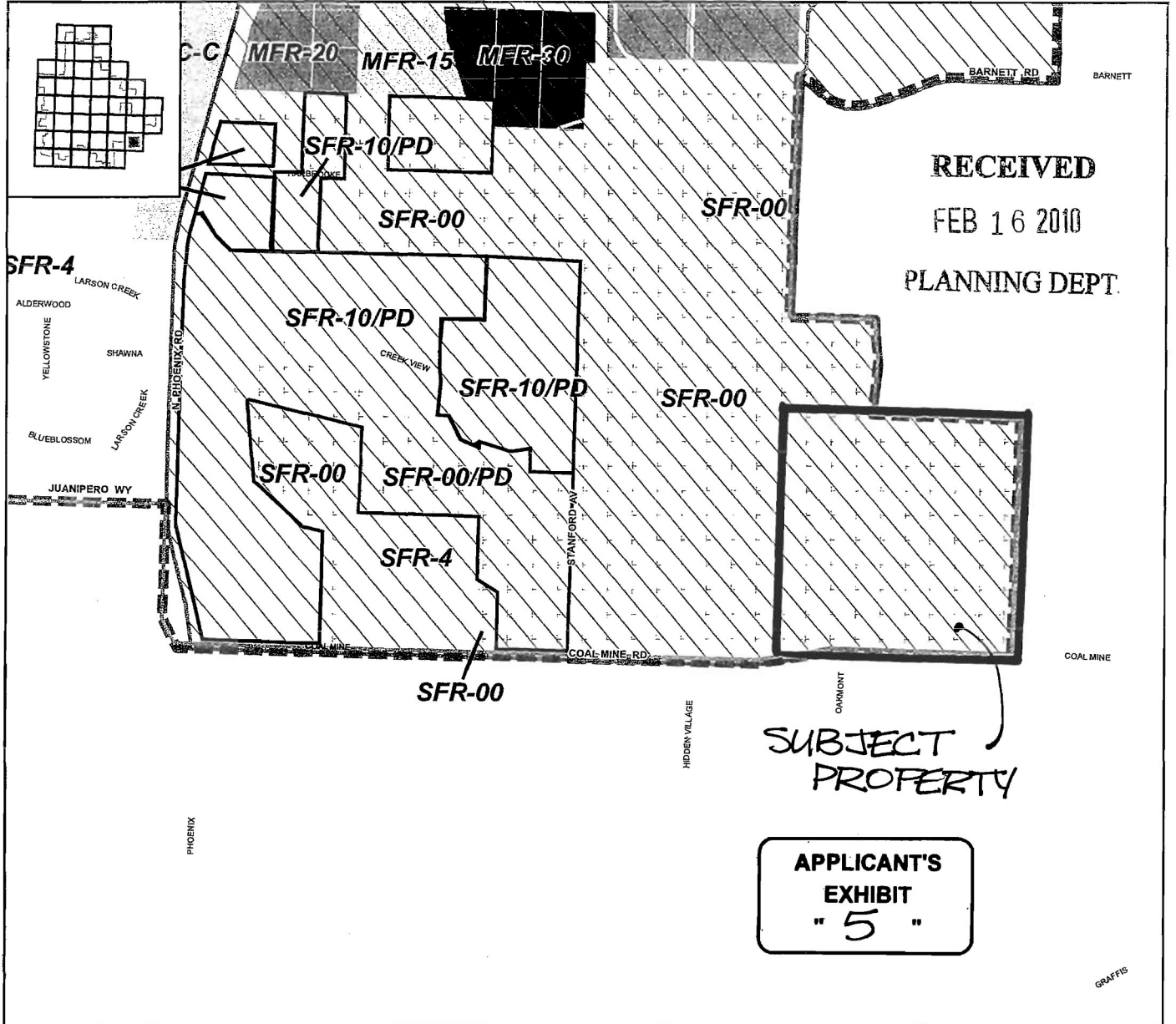
## Zone Change Approval Criteria – SFR-00 to SFR-4

- years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
- (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
  - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
  - (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
    - (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
    - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
    - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

[Amd. Ord. No. 7036, Dec, 5, 1991; Amd. Sec. 1, Ord. No. 1999-88, June 3, 1999; Amd. Sec. 1, Ord. No. 2003-37, Feb. 6, 2003; Amd. Ord. No. 2004-59, March 18, 2004; Amd. Sec. 13, Ord. No. 2008-236, Nov. 20, 2008; Amd. Sec. 2, Ord. No. 2009-207, Sept. 17, 2009.]

# CITY OF MEDFORD ZONING MAP

## Township, Range and Section: 371W34

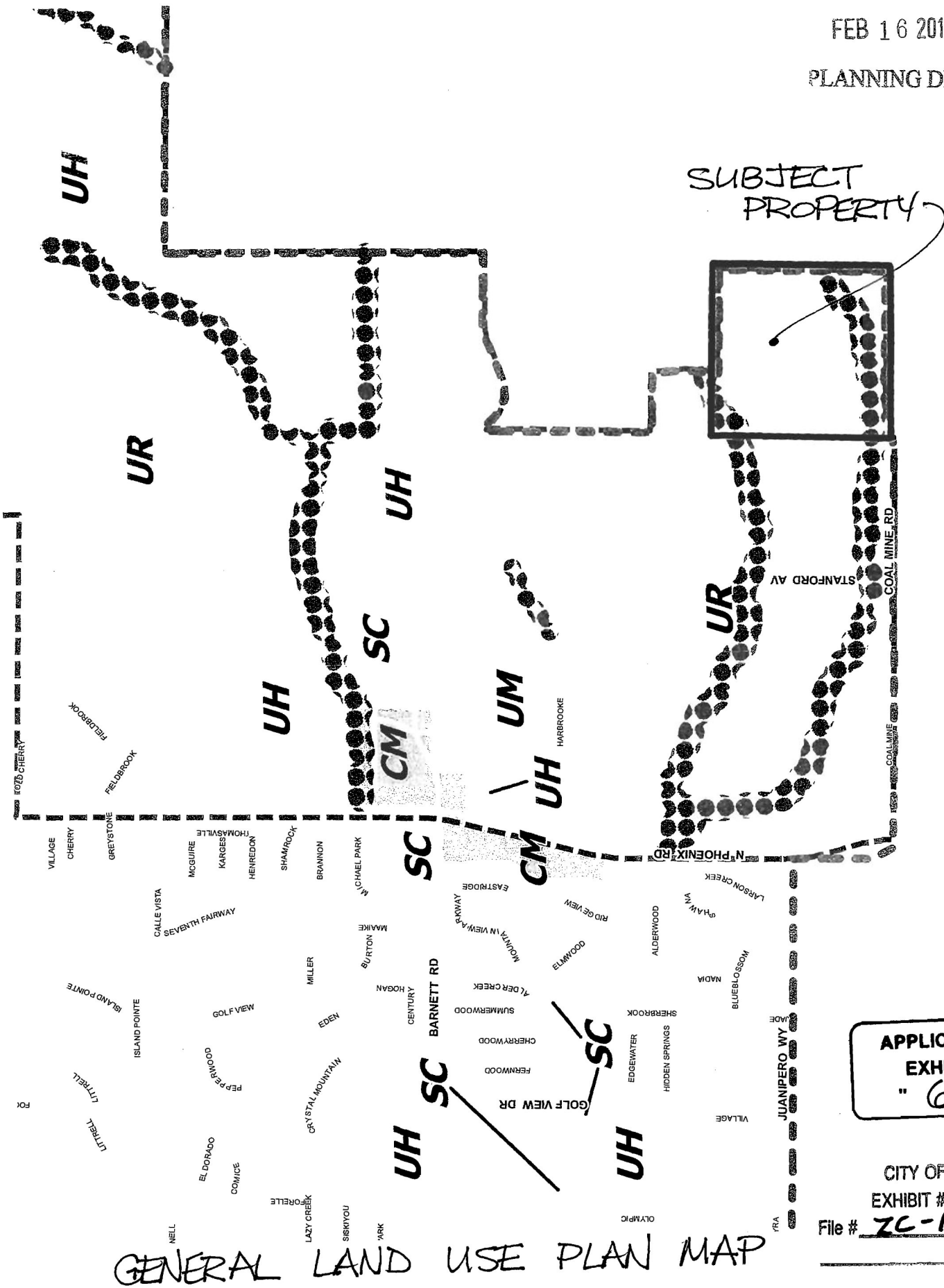


MEDFORD CITY ZONES		COUNTY ZONES IN MEDFORD	
<b>Residential</b>		<b>Residential</b>	<b>Commercial</b>
<ul style="list-style-type: none"> <li> Multi-Family - 30 Units/Acre (MFR-30)</li> <li> Multi Family - 20 Units/Acre (MFR-20)</li> <li> Multi-Family - 15 Units/Acre (MFR-15)</li> <li> Single Family - 10 Units/Acre (SFR-10)</li> <li> Single Family - 6 Units/Acre (SFR-6)</li> <li> Single Family - 4 Units/Acre (SFR-4)</li> <li> Single Family - 2 Units/Acre (SFR-2)</li> <li> Single Family - 1 Uni/Lot (SFR-00)</li> </ul>	<ul style="list-style-type: none"> <li> Suburban - 2.5 Acre Minimum (SR-2.5)</li> </ul>	<ul style="list-style-type: none"> <li> General (GC)</li> <li> Neighborhood (NC)</li> </ul>	
<b>Commercial</b>		<b>OVERLAYS</b>	
<ul style="list-style-type: none"> <li> Heavy (C-H)</li> <li> Regional (C-R)</li> <li> Community (C-C)</li> <li> Neighborhood (C-N)</li> <li> Service/Professional (C-SP)</li> </ul>	<ul style="list-style-type: none"> <li> Heavy (I-H)</li> <li> General (I-G)</li> <li> Light (I-L)</li> </ul>	<ul style="list-style-type: none"> <li> Airport Approach</li> <li> Airport Radar</li> <li> Central Business District</li> <li> Exclusive Agricultural</li> <li> Freeway</li> <li> Historic</li> <li> Limited Industrial</li> </ul>	<ul style="list-style-type: none"> <li> Limited Service</li> <li> Planned Development</li> <li> Southeast Plan</li> </ul>

RECEIVED

FEB 16 2010

PLANNING DEPT



APPLICANT'S  
EXHIBIT  
" 6 "

CITY OF MEDFORD  
EXHIBIT # D

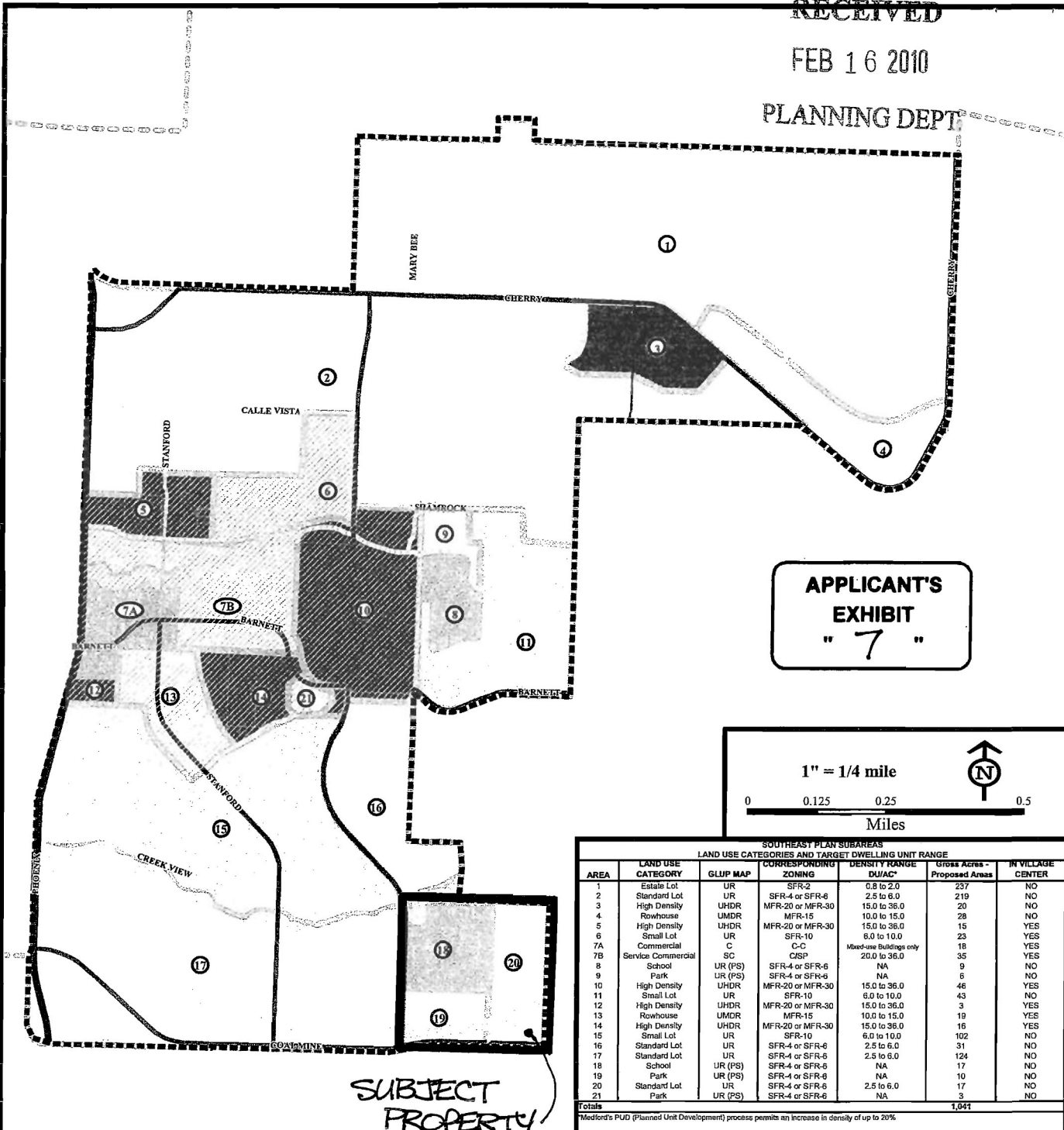
File # 76-10-10

GENERAL LAND USE PLAN MAP

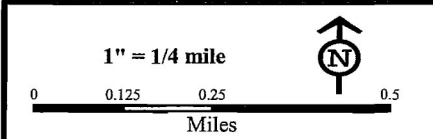
RECEIVED

FEB 16 2010

PLANNING DEPT



APPLICANT'S EXHIBIT " 7 "



SOUTHEAST PLAN SUBAREAS  
LAND USE CATEGORIES AND TARGET DWELLING UNIT RANGE

AREA	LAND USE CATEGORY	GLUP MAP	ZONING	DENSITY RANGE DU/AC*	Gross Acres - Proposed Areas	IN VILLAGE CENTER
1	Estate Lot	UR	SFR-2	0.8 to 2.0	237	NO
2	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	219	NO
3	High Density	UHDR	MFR-20 or MFR-30	15.0 to 36.0	20	NO
4	Rowhouse	UMDR	MFR-15	10.0 to 15.0	28	NO
5	High Density	UHDR	MFR-20 or MFR-30	15.0 to 36.0	15	YES
6	Small Lot	UR	SFR-10	6.0 to 10.0	23	YES
7A	Commercial	C	C-C	Mixed-use Buildings only	18	YES
7B	Service Commercial	SC	CSP	20.0 to 36.0	35	YES
8	School	UR (PS)	SFR-4 or SFR-6	NA	9	NO
9	Park	UR (PS)	SFR-4 or SFR-6	NA	6	NO
10	High Density	UHDR	MFR-20 or MFR-30	15.0 to 36.0	46	YES
11	Small Lot	UR	SFR-10	6.0 to 10.0	43	NO
12	High Density	UHDR	MFR-20 or MFR-30	15.0 to 36.0	3	YES
13	Rowhouse	UMDR	MFR-15	10.0 to 15.0	19	YES
14	High Density	UHDR	MFR-20 or MFR-30	15.0 to 36.0	16	YES
15	Small Lot	UR	SFR-10	6.0 to 10.0	102	NO
16	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	31	NO
17	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	124	NO
18	School	UR (PS)	SFR-4 or SFR-6	NA	17	NO
19	Park	UR (PS)	SFR-4 or SFR-6	NA	10	NO
20	Standard Lot	UR	SFR-4 or SFR-6	2.5 to 6.0	17	NO
21	Park	UR (PS)	SFR-4 or SFR-6	NA	3	NO
<b>Totals</b>					<b>1,041</b>	

\*Medford's PUD (Planned Unit Development) process permits an increase in density of up to 20%  
\*\*COMPLANNING DIV/Southeast Plan/SE Plan Table - Density SubAreas

ADOPTED December 16, 2004  
ORDINANCE #2004-258

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.

# SOUTHEAST PLAN MAP

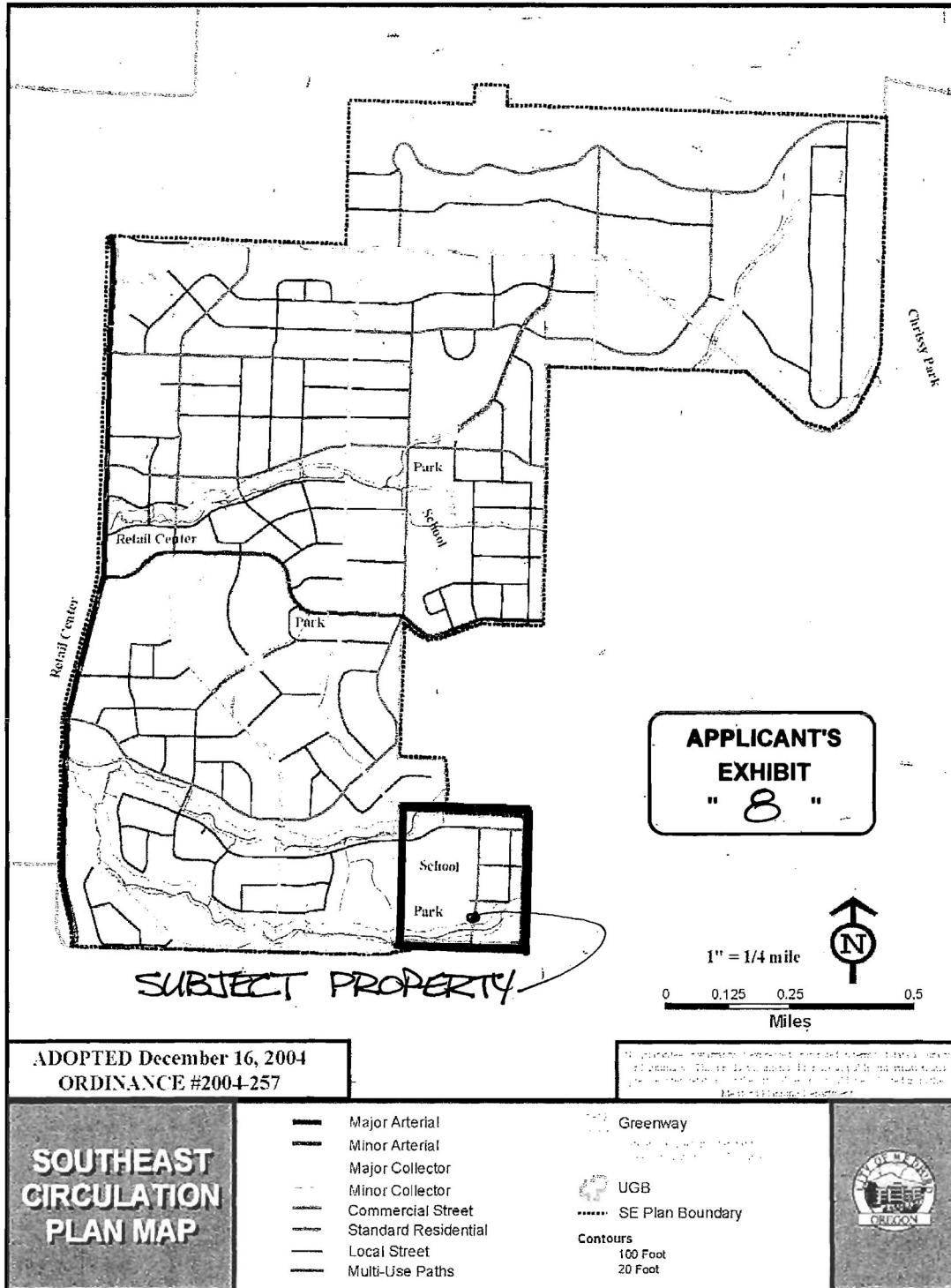
<ul style="list-style-type: none"> <li>--- UGB</li> <li>----- SE Plan Boundary</li> <li>//// Village Center TOD</li> <li>Existing Taxlots</li> <li>Greenway</li> </ul>	<ul style="list-style-type: none"> <li>Major Arterial</li> <li>Minor Arterial</li> <li>Major Collector</li> <li>Minor Collector</li> <li>Commercial Street</li> <li>Standard Residential</li> </ul>	<ul style="list-style-type: none"> <li>Estate Lot</li> <li>Standard Lot</li> <li>Small Lot</li> <li>Row House</li> <li>High Density</li> <li>Commercial</li> <li>Service Commercial</li> <li>Schools</li> <li>Parks</li> </ul>
--	---	--

Figure 1: Southeast Area Neighborhood Circulation Plan Map

RECEIVED

FEB 16 2010

PLANNING DEPT



APPLICANT'S EXHIBIT " 8 "

SUBJECT PROPERTY

ADOPTED December 16, 2004  
ORDINANCE #2004-257

SOUTHEAST CIRCULATION PLAN MAP

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Commercial Street
- Standard Residential
- Local Street
- Multi-Use Paths

- Greenway
- UGB
- SE Plan Boundary
- Contours
  - 100 Foot
  - 20 Foot



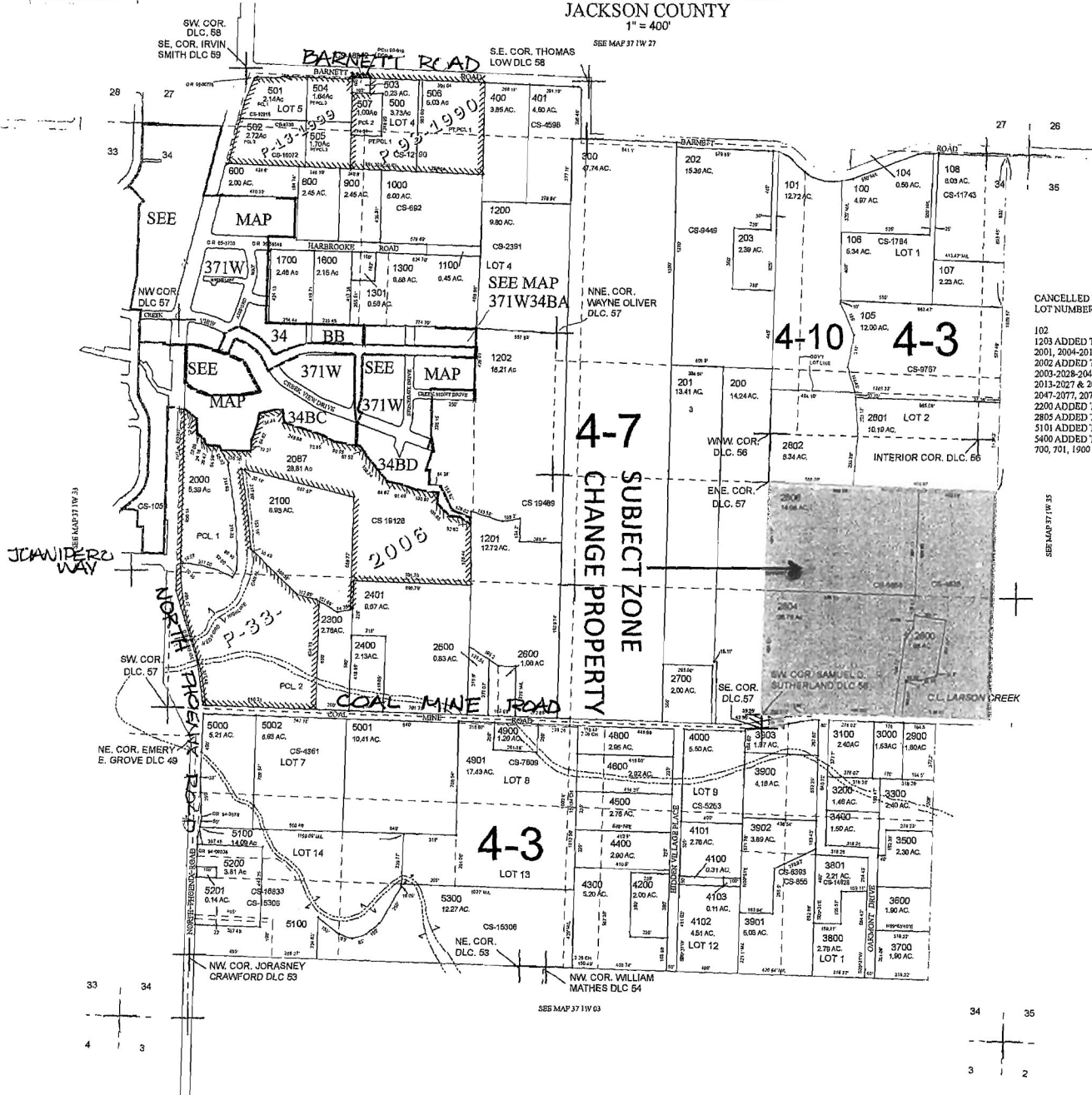
P: COMP PLANNING DIV Comprehensive Plan Adopted Comprehensive Plan Document Neighborhoods Adopted Circulation Plan 8x11



FOR ASSESSMENT AND TAXATION ONLY

SECTION 34, T.37S., R.1W., W.M.  
JACKSON COUNTY  
1" = 400'

37 1W 34  
MEDFORD



CANCELLED TAX LOT NUMBERS:

- 102
- 1203 ADDED TO 2001
- 2001, 2004-2012 & 2080 REMAPPED TO 391W34BA
- 2002 ADDED TO 2001
- 2003-2024-2046 & 2078 REMAPPED TO 371W34BC
- 2013-2027 & 2081-2083 REMAPPED TO 371W34BB
- 2047-2077, 2079 & 2084-2086 REMAPPED TO 371W34BD
- 2200 ADDED TO 1202
- 2805 ADDED TO 2804
- 5101 ADDED TO 4900
- 5400 ADDED TO 5100
- 700, 701, 1900 REMAPPED TO 371W34BB

JACKSON COUNTY  
ASSESSOR MAP

CITY OF MEDFORD  
EXHIBIT # **G**  
File # **ZC-10-10**

APPLICANT'S  
EXHIBIT  
"4"

RECEIVED  
FEB 16 2010  
PLANNING DEPT

37 1W 34  
MEDFORD  
DOR CONVERSION MAY 12, 1999  
REV MARCH 03, 2009

RECEIVED

FEB 16 2010

PLANNING DEPT.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**BEFORE THE MEDFORD PLANNING COMMISSION**

**IN THE MATTER OF APPROVAL OF AN APPLICATION FOR OF A CHANGE OF ZONE FROM A SFR-00/SE (SINGLE - FAMILY RESIDENTIAL - 1 DWELLING UNIT PER EXISTING LOT) SOUTHEAST MEDFORD OVERLAY ZONING DISTRICT, TO A SFR-4/SE (SINGLE - FAMILY RESIDENTIAL - 4 UNITS PER GROSS ACRE) SOUTHEAST MEDFORD OVERLAY ZONING DISTRICT**

**APPLICANT'S EXHIBIT 1**

**APPLICATION:** Request for a change of zone from City of Medford SFR-00/SE (Single-Family Residential - 1 dwelling unit per existing lot) Southeast Medford Overlay zoning district to City of Medford SFR-4 (Single-Family Residential - 4 units per gross acre) Southeast Medford Overlay zoning district on three parcels totaling approximately 42.76 acres located on the north side of Coal Mine Road, approximately 3360 feet east of North Phoenix Road.

**APPLICANT/  
OWNER:** Suncrest Homes, LLC  
P.O. Box 1313  
Talent, OR 97540

**AGENT:** Maize & Associates, Inc.  
P.O. Box 628  
Medford, OR 97501  
(541) 776-4142

**A. BACKGROUND AND PURPOSE OF APPLICATION**

The subject property of the zone change request is comprised of three existing tax lots, as shown in the table below. All three tax lots are situated within the SE Medford Plan Overlay district, and were annexed to the City in 2005. As shown on the table below, two of the subject parcels are vacant while one contains a single-family residence. The owners of the parcels are Charlie Hamilton and Michael Thirkill.

CITY OF MEDFORD  
EXHIBIT # H  
File # ZC-10-10

## SUBJECT PARCEL INFORMATION

	Map	Tax Lot	Acreage	SE Plan Subarea	Existing Status
Parcel #1	371W34	2800	1.95	20	one SFR
Parcel #2	371W34	2804	26.75	18, 19, 20	vacant
Parcel #3	371W34	2806	14.06	18, 20	vacant
<b>Total</b>			<b>42.76</b>		

The applicants propose to rezone the three parcels shown above, in accordance with the Land Development Code and the Medford Comprehensive Plan, to prepare the property for future development to urban standards in accordance with the prescribed land use designations.

### **B. SCOPE OF ZONE CHANGE APPLICATION**

The submitted Findings of Fact and Conclusions of Law below support the zone change from its present SFR-00/SE (Single-Family Residential – 1 dwelling unit per parcel) Southeast Medford Overlay to SFR-4/SE (Single-Family Residential – 4 dwelling units per acre) Southeast Medford Overlay.

### **C. APPLICANT’S SUBMITTALS**

- Exhibit 1 Findings of Fact and Conclusions of Law
- Exhibit 2 Traffic Impact Analysis, dated February 16, 2010, by Southern Oregon Transportation Engineering, LLC
- Exhibit 3 Legal Description of Area to be Rezoned
- Exhibit 4 Assessor’s Map showing Subject Area to be Rezoned
- Exhibit 5 City of Medford Zoning Map showing Subject Area
- Exhibit 6 General Land Use Plan Map showing Subject Area
- Exhibit 7 Southeast Medford Plan Map showing Subject Area
- Exhibit 8 Southeast Medford Circulation Plan Map showing Subject Area
- Exhibit 9 Email from David Pyles, Oregon Department of Transportation, of October 26, 2009

### **D. RELEVANT APPROVAL CRITERIA**

Section 10.227 of the Land Development Code states that the Planning Commission shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) of that section. The Oregon Transportation Planning Rule (OAR 660-012-0060) also contains criteria, which apply to approval of a zone change application. Both sets of criteria are listed below. Provisions, which do not apply, have been omitted, and are indicated by “\*\*\*”

## MEDFORD LAND DEVELOPMENT CODE

### ZONE CHANGE CRITERIA – SECTION 10.227

*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 Transportation System Plan (TSP) and the General Land Use Plan Map designation. 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.*
  - a. For zone changes to SFR-2, the zoning shall be approved under either of the following circumstances:*
    - i. if at least seventy percent (70%) of the area proposed to be rezoned exceeds a slope of fifteen percent (15%),*
    - ii. if other environmental constraints, such as soils, geology, wetlands, and flooding, restrict the capacity of the land to support higher densities.*
  - b. For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one (1) of the following conditions must exist:*
    - i. At least one (1) 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.*
  - c. For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:*
    - i. The overall area of the C-N zoning district shall be three (3) acres or less in size and within, or abutting on at least one (1) boundary, residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.*
    - ii. The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.*

- iii. *The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.*
    - iv. *The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.*
- d. *For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:*
  - i. *The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1)(e) below.*
  - ii. *The I-G zone may abut the Heavy Commercial (C-H), Light Industrial (I-L), and the Heavy Industrial (I-H) zones. The I-G zone is ordinarily considered to be unsuitable when abutting the other commercial and residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.*
  - iii. *The I-H zone may abut the General Industrial (I-G) zone. The I-H zone is ordinarily considered to be unsuitable when abutting other zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.*
- e. *For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:*
  - i. *The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one (1) zone;*
  - ii. *At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;*
  - iii. *At least fifty percent (50%) of the subject property's boundaries abut properties that contain one (1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or*
  - iv. *Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least sixty (60) feet in width.*

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 Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" And 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 (1) 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 specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.*

- c. *In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:*
  - i. *Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,*
  - ii. *Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,*
  - iii. *Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.*

## OREGON ADMINISTRATIVE RULES

### OREGON TRANSPORTATION PLANNING RULE - SECTION 660-012-0060

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

- (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*
2. *Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:*
    - a. *Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*
    - b. *Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.*
    - c. *Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.*
    - d. *Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*
    - e. *Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.*
  3. *Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:*
    - a. *The facility is already performing below the minimum acceptable performance standard identified in the TSP or comprehensive plan on the date the amendment application is submitted;*
    - b. *In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;*
    - c. *Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;*



- d. *The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and*
  - e. *For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (d) of this section.*
4. *Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.*
- a. *In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.*
  - b. *Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:*
    - (A) *Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.*
    - (B) *Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.*
    - (C) *Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.*
    - (D) *Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.*

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

## **E. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

### **ZONE CHANGE CRITERIA – SECTION 10.227**

The Planning Commission has considered the following facts to be pertinent to the application request:

#### **CRITERION NO. 1**

- 1. The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. 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.*

#### **CONSISTENCY WITH THE OREGON TRANSPORTATION PLANNING RULE (OAR 660)**

A Transportation System Plan (TSP) was adopted by the Medford City Council on November 20, 2003. The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the city's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long term.

The Medford TSP addresses the Oregon Statewide Planning Goal 12 and the Oregon Transportation Planning Rule (TPR), which directs cities and counties to develop balanced transportation systems addressing all modes of travel including motor vehicles, transit, bicycles and pedestrians. The TPR envisions development of local plans that will promote changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less to meet their daily needs.

Below are those policies and implementation strategies from Medford's TSP that are relevant to the subject application.

#### ***Overall Transportation System***

***GOAL 1:*** *To provide a multi-modal transportation system for the Medford planning area that supports the safe, efficient, and accessible movement of all people and goods, and recognizes the area's role as the financial, medical, tourism, and business hub of Southern Oregon and Northern California.*

***Policy 1-B:*** *The City of Medford shall use the Transportation System Plan as the legal basis and policy foundation for decisions involving transportation issues.*

**Implementation 1-B(6):** *Require Comprehensive Plan, Land Development Code, and Zoning Map amendments to contain findings that show how the action is in conformity with the adopted tenets of the Medford Transportation System Plan.*

### Findings of Fact

The City of Medford has recently revised the criteria for zone changes within the City, reflected in Section 10.227(1) of the Land Development Code, requiring that findings to be made showing consistency with the Transportation System Plan. The applicant, below, has addressed the policies and implementation strategies of the TSP that apply to the subject application for a change of zone from SFR-00 to SFR-4.

#### ***Street System***

**GOAL 2:** *To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.*

#### ***Street System – Transportation System Management and Safety***

**Policy 2-H:** *The City of Medford shall manage and maintain the transportation system in an efficient, clean, and safe manner.*

**Implementation 2-H(1):** *Require Traffic Impact Analyses (TIAs), as appropriate, in conjunction with development applications to assess impacts on the existing and planned transportation system, and require transportation system improvements that are identified through the TIA or by other Municipal Code requirements as a condition of approval of development permits and land use actions.*

### Findings of Fact

In accordance with the provisions of Section 10.461 of the Land Development Code, the City has required, and the applicant has provided a Traffic Impact Analysis (Exhibit “2”) in conjunction with the subject application. The Traffic Impact Analysis assesses the impacts on the existing and planned transportation system as discussed later in this document.

*The proposed zone change application is in compliance with the Medford Comprehensive Plan pursuant to Medford Land Development Code 10.227(1) and Goal No. 3, Policy 1 of the Public Facilities Element. Streets that serve the subject property will accommodate projected p.m. peak hour traffic volumes within acceptable levels of service with proposed mitigations or stipulations.*

## Conclusion of Law

The Planning Commission concludes that proposed zone change is consistent with the Transportation System Plan since Medford has adopted a Transportation System Plan and the application is consistent with that TSP. Separate findings have been included in this document, which address the Transportation Planning Rule.

## CONSISTENCY WITH GENERAL LAND USE PLAN MAP DESIGNATION

### Findings of Fact

The General Land Use Plan Map (Exhibit “6”) shows the land use designation of the subject property as *Urban Residential*. Section 10.372 of the Land Development Code (*Southeast Overlay Requirements*) provides however, that within the Southeast Medford Overlay District, “... *the General Land Use Plan (GLUP) Map is further refined by the Southeast Plan Map adopted as part of the Medford Comprehensive Plan. Within the S-E Overlay District, the Southeast Plan Map shall determine GLUP consistency for purposes of zoning and zone changes.*”

Applicant’s Exhibit “7” shows the subject site on the Southeast Plan Map, illustrating the three subareas of land use categories as 18, 19, and 20.

Table 10.373, shown below, illustrates the various subareas and the various City zoning districts permitted within each subarea.

The table shows that the permitted zoning allowed in Subareas numbers 18, 19, and 20 is either SFR-4 or SFR-6.

### ***General Land Use Plan Map, Southeast Plan Map, Zoning, and Residential Density, S-E – Section 10.373***

1. *General Land Use Plan Map Designations, Southeast Plan Map Land Use Categories, Zoning, and Residential Density.*

*The Sub-Areas, General Land Use Plan Map designations, Southeast Plan Map land use categories, zoning, and residential densities permitted in the S-E Overlay District are provided in Table 10.373. See Figure 10.373 for the location of Southeast Plan Map Sub-Areas.*

**TABLE 10.373: Southeast Sub-Area, General Land Use Plan Map, Southeast Plan Map, Zoning, and Residential Density**

Sub-Area	General Land Use Plan Map Designation	Southeast Plan Map Land Use Category <sup>1</sup>	Permitted Zoning	Permitted Residential Density Range Du/Ac <sup>3</sup> (PUD Du/Ac) <sup>4</sup>
1	UR	Estate Lot	SFR-2	0.8 to 2.0 (2.4) <sup>4</sup>
2, 16, 17, and 20	UR	Standard Lot	SFR-4 or SFR-6	2.5 to 6.0 (7.2) <sup>4</sup>
6, 11, and 15	UR	Small Lot	SFR-10 with alleys <sup>2</sup>	5.0 to 10.02 (12.0) <sup>4</sup>
			SFR-10 without alleys	6.0 to 10.0 (12.0) <sup>4</sup>
4 and 13	UMDR	Rowhouse	MFR-15	10.0 to 15.0 (18.0) <sup>4</sup>
3, 5, 10, 12, and 14	UHDR	High Density	MFR-20	15.0 to 20.0 (24.0) <sup>4</sup>
			MFR-30	20.0 to 36.0 (43.2) <sup>4</sup>
7A	Commercial	Commercial Center Core	C-C	Mixed Use Buildings only <sup>5</sup>
7B	Service Commercial	Commercial Center – Service/Office	C-S/P	20.0 to 36.0 (43.2) <sup>4</sup> 60.0 <sup>5</sup>
8 and 18	<b>Parks and Schools (UR Underlying)</b>	<b>School</b>	<b>SFR-4 or SFR-6</b>	<b>Not Applicable</b>
Sub-Area	General Land Use Plan Map Designation	Southeast Plan Map Land Use Category <sup>1</sup>	Permitted Zoning	Permitted Residential Density Range Du/Ac <sup>3</sup> (PUD Du/Ac) <sup>4</sup>
9, 19, and 21	<b>Parks and Schools (UR Underlying)</b>	<b>Park</b>	<b>SFR-4 or SFR-6</b>	<b>Not Applicable</b>
See SE Plan Map	Greenway	Greenway	Any	Not Applicable

**Table Footnotes:**

<sup>1</sup> Southeast Plan Map land use categories are derived from the study entitled *Southeast Medford Circulation & Development Plan*, August 1995, as amended.

<sup>2</sup> Special density provisions for SFR- 10.

<sup>3</sup> Du/Ac = Dwelling units per acre.

<sup>4</sup> The maximum residential densities with the twenty (20%) increase permitted by Section 10.230(I)(2) for PUDs are shown in parentheses.

## Conclusion of Law

The Planning Commission concludes that the zone change to SFR-4 is consistent with the Southeast Plan Map since the subject subareas 18, 19, and 20 all permit the requested SFR-4 zoning district. As the Southeast Plan Map is adopted as part of the Medford Comprehensive Plan and is a refinement of the General Land Use Plan Map, the Planning Commission concludes that the zone change request to SFR-4 is also consistent with the GLUP Map.

## CONSISTENCY WITH LOCATIONAL STANDARDS

### Findings of Fact

The Planning Commission finds that there are no location standards for zone changes to SFR-4 found in Medford Land Development Code Section 10.227(1), subsections a, b, c, or d.

### Conclusion of Law

The Planning Commission concludes that the need to be consistent with any additional locational standards does not apply to this application, as there are no locational standards for zone changes to the SFR-4 zoning district.

## CRITERION NO. 2

2. *It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element."*
  - a. *Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.*
  - b. *Adequate streets and street capacity must be provided in one of the following ways:*
    - i. *Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or*
    - ii. *Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or*
    - iii. *If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate*

*when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:*

- a. the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or*
- b. when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits. (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.*
- c. In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:*
  - i. Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,*
  - ii. Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,*
  - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.*

With respect to each of the above Category "A" public facilities, the Planning Commission considers the following facts:



## Findings of Fact

The *Public Facilities Element* of Medford's Comprehensive Plan lists two categories of Public Facilities. The four Category "A" facilities, the key minimum physical facilities necessary for urban development, are listed as:

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

### A. Water Service

Approximately 25 acres of the subject area is within Water Pressure Zone 1, and can be served by the extension of water lines in North Phoenix Road and Juanipero Way. The remainder of the subject area, lying above the elevation of 1650 feet, consisting of approximately 17 acres, is within Pressure Zone 2. The Medford Water Commission staff states that this portion of the subject area can be served with a privately-constructed pumping system. Following the construction of a water reservoir to serve this area, the pumping system can be disconnected and connection to the gravity system be made.

According to the Medford Water Commission, water supply to the City of Medford comes from two sources: Big Butte Springs and the Rogue River. The current (2008) combined capacity is approximately 71 million gallons per day (mgd), with current total water rights of 91 mgd.

According to the Medford Water Commission's Statistical Report for 2007, the Medford Water Commission's service population is approximately ± 130,000.

Based on current peak per capita water use rates, it is estimated that water rights held by the Medford Water Commission, and existing treatment plant design capacity can support a population of approximately 185,000 people. Water rights held by cities served by the Medford Water Commission will support additional population, the number which is currently under evaluation.

The Medford Water Commission staff states that water service is adequate in condition and capacity to accommodate development of the subject property with uses allowed in the proposed SFR-4 zone. The extension of water mains to the subject area can be made at the time of development.

## Conclusions of Law

Based upon the Findings of Fact, the Planning Commission concludes that the water system, which will serve the subject property, is adequately sufficient and available to provide water service to the subject property with development that is permitted under the proposed SFR-4 zoning.

### B. Sanitary Sewer and Treatment

According to Public Works Department staff, approximately 30 acres of the subject property can currently be served by the City of Medford in an existing 8-inch sanitary sewer line in Juanipero Way without any improvements to the existing sanitary sewer system.

The remaining acreage of the subject property (approximately 12 acres) can be served by the Juanipero Way sanitary sewer line, with the replacement of the existing 8-inch line with a 12-inch line, in an approximate 300-foot section east of Murphy Road.

There is also an 8-inch sanitary sewer line in Shawna Drive, which can serve the property that can be reached via North Phoenix Road. The sanitary sewer line to serve the subject property can run within the existing Coal Mine Road right-of-way to North Phoenix Road.

The City of Medford, along with several other regional municipalities, discharges its wastewater into the Rogue Valley Sewer Service (RVS) operated interceptor system, which transports the wastewater for treatment to the City of Medford operated Regional Water Reclamation Facility (RWRf), located adjacent to the Rogue River outside of Medford's Urban Growth Boundary.

The RWRf average daily dry weather (summer) influent flow for 2004 was 15.7 million gallons per day (mgd), while the yearly flow average for the last 3 years is 18.4 mgd. The 2000 RWRf Facilities Plan projected that the ultimate population to be served by the regional plant is estimated to be 190,000.

The City of Medford Public Works staff has determined that the sanitary sewer system is adequate in condition and capacity to accommodate development of the subject property with uses allowed in the proposed SFR-4 zone, provided that an improvement is made to an approximate 300-foot section of the existing Juanipero Way line which will provide service for the remaining approximate 12 acres of the subject property.

### Conclusions of Law

Based upon the Findings of Fact, the Planning Commission concludes that the sanitary sewer system and treatment facilities which will serve the subject property is adequately sufficient and available to provide sanitary sewer service to the subject property with development that is permitted under the proposed SFR-4 zoning, provided that mitigation measures included as stipulation #3 in Section "G".

- C. Storm Drainage – The subject site is located in the Larson Creek Drainage Basin and is currently served by roadside ditches. All storm drainage improvements are required to be consistent with the Medford Storm Drainage Master Plan.

According to the City of Medford Engineering Division, the current Medford Storm Drainage Master Plan indicates improvements are required in the downstream storm drainage system to meet current design standards for this basin. Therefore, prior to the issuance of a development permit or a building permit, plans will need to be approved by the City assuring that there will be a controlled storm water release of no more than 0.25 cubic feet per second per acres of development for the 10-year storm event.

The Engineering Department representative state that with the prescribed storm water detention, the subject property can be adequately served by the City's storm water drainage system.

### Conclusions of Law

Based upon the Findings of Fact, the Planning Commission concludes that the storm drainage system which will serve the subject property is adequately sufficient and available to provide storm drainage to the subject property with development that is permitted under the proposed SFR-4 zoning, provided that storm water detention is incorporated into the future development plans in accordance with City of Medford standards.

- D. Transportation Facilities – The subject property has frontage on Coal Mine Road, a designated Major Collector street, according to the Southeast Circulation Plan Map.

The acreage of the subject site is approximately 42.76 acres. In order to analyze the potential traffic impacts of the proposed zone change, the City of Medford utilizes the gross density of the parcel, which is calculated to be 43.37 acres, which includes one-half of the abutting Coal Mine Road right-of-way. Based upon the proposed SFR-4 zoning which will permit a maximum of 4 dwelling units per gross acre, the subject site proposed to be rezoned will allow a maximum of 173 dwelling units.

Based on the latest vehicular trip generation figures from *Trip Generation* (Institute of Transportation Engineers, 7<sup>th</sup> Edition) utilized by the City of Medford Public Works Department, detached single-family residential development generates 9.57 Average Daily Trips (ADT) per dwelling unit. The vehicular generation as a result of the proposed zone change is, therefore, a net increase of 1626.9 ADT.

Section 10.461(3) of the Land Development Code requires a Traffic Impact Analysis (TIA) when a zone change application shows the potential to generate more than 250 net ADT's, or if the Public Works Department has concerns due to operations or accident history. Because the proposed zone change will generate an increase of trips that exceeds 250 ADT, a Traffic Impact Study was performed by Southern Oregon Transportation Engineering, LLC and submitted as Exhibit "2" of this application.

According to the submitted Traffic Impact Analysis, the subject site will generate 175 vehicular trips during the p.m. peak hour. The distribution of those 175 p.m. trips to the street system created the area studied by the traffic analysis, consisting of the evaluation of 12 intersections to determine what impacts the proposed zone change will have on the transportation system.

According to Section 10.461(2) of the Land Development Code, intersections with an increase of less than 25 peak period trips, are deemed to be not substantially impacted.

Upon analysis of those City intersections showing an increase of 25 peak period or more trips, the Traffic Impact Study concludes that:

*The conclusions of the traffic impact analysis find that the proposed zone change from SFR-00 to SFR-4 can be accommodated on the existing transportation system with recommended mitigations or stipulations at two study area intersections. Mitigations and stipulations are provided as follows:*

**Juanipero Road / North Phoenix Road**

*The eastbound left turn movement on Juanipero Way at North Phoenix Road operates at a level of service "D" under adjusted-existing year 2010 conditions, but increases to a level of service "E" under both year 2015 no-build and year 2015 build conditions. Criterion for a center left turn lane on North Phoenix Road at Juanipero Way is shown to be met under year 2015 build conditions and this mitigation improves the level of service of the eastbound left turn movement from an "E" to a "C". Proposed mitigation, therefore, includes striping or constructing a center refuge lane on North Phoenix Road at Juanipero Way that provides a turn pocket for storage of at least two northbound left turning vehicles (50' reported from simulations) as well as a refuge lane north of the intersection for eastbound left turning vehicles.*

*With the proposed mitigation or adequate mitigation of another nature (such as realignment of Coal Mine Road with Juanipero Way and signalization) at Juanipero Way / North Phoenix Road, full development can occur. Prior to mitigation, up to 27 single family residential dwelling units of the proposed zone change development can occur before the intersection of Juanipero Way / North Phoenix Road is reached with 25 or more p.m. peak hour trips.*

### **Lone Pine Road / Foothill Road**

*The eastbound and westbound left turn movements on Lone Pine Road at Foothill Road operate at level of service "E" under adjusted-existing year 2010, year 2015 no-build, and year 2015 build conditions. Proposed mitigation at this intersection could include the striping of a center refuge lane on Foothill Road that provides a turn pocket for northbound and southbound left turning vehicles and a center refuge lane for eastbound and westbound left turn movements, or median control that restricts the intersection to right-in, right-out traffic movements. Both mitigations improve the eastbound and westbound left turn level of service to acceptable levels, but the intersection crash history revealed a fatality in 2008 between a southbound through and northbound left turning vehicle. This was likely caused by restricted sight distance to the north due to a vertical and horizontal curve. Based on the severity of the crash, restricting the intersection to right-in, right-out movements proves to be the safest mitigation until intersection realignment and improved sight distance can be achieved.*

*With the proposed mitigation at Lone Pine Road / Foothill Road or adequate mitigation of another nature, full development can occur. Prior to mitigation, up to 120 single family residential dwelling units of the proposed zone change development can occur before the intersection of Lone Pine Road / Foothill Road is reached with 25 or more p.m. peak hour trips.*

*The proposed zone change application is in compliance with the Medford Comprehensive Plan pursuant to Medford Land Development Code 10.227(1) and Goal No. 3, Policy 1 of the Public Facilities Element. Streets that serve the subject property will accommodate projected p.m. peak hour traffic volumes within acceptable levels of service with proposed mitigations or stipulations.*

The study finds that there will be no significant impacts upon the existing transportation facilities caused by the net traffic generation as a result of the proposed zone change until 27 dwelling units have been constructed. At that point, the Traffic Impact Analysis proposed mitigation measures to include the striping or construction of a center refuge lane on North Phoenix Road at Juanipero Way, which will improve the level of service for the eastbound left turning movement from LOS "E" to LOS "C".

Development of the subject area can then proceed without further mitigation until a total of 120 dwelling units have been constructed. At that point, the Traffic Impact Analysis proposes mitigation measures to Foothill Road at Lone Pine Road, including either the addition of a center refuge lane on Foothill Road, or median control that restricts the intersection to right-in/right-

out traffic movements. Because of a fatal accident in 2008, the Traffic Impact Analysis recommends that the latter mitigation restricting the intersection movements to be the safest until the intersection can be realigned and visibility at the intersection improved.

The Oregon Department of Transportation (ODOT) has reviewed the trip generation for the proposed zone change and as evidenced by Exhibit 9, ODOT states "... *this project will not require a traffic study to assess impacts to state facilities. ....Existing transportation modeling should account for the potential project traffic on state facilities.*"

### Conclusions of Law

Based upon the Findings of Fact, the Planning Commission concludes that the transportation facilities which will serve the subject property are adequately sufficient and available to provide transportation service to the subject property with development that is permitted under the proposed SFR-4 zoning, provided that stipulations #1 and #2 in Section "G" are followed prior to subdivision final plat approval.

### CONSISTENCY WITH THE OREGON TRANSPORTATION PLANNING RULE (OAR 660)

Chapter 660-012-0060 of the Oregon Administrative Rules function as relevant decisional criteria for Subsection (1) of the criteria in Section 10.227 of the Medford Land Development Code.

*Transportation Planning – Plan and Land Use Regulation Amendments Section 660-012-0060*

1. *Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
  - a. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
  - b. *Change standards implementing a functional classification system; or*
  - c. *As measured at the end of the planning period identified in the adopted transportation system plan:*

- (A) *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
  - (B) *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
  - (C) *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*
2. *Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:*
- a. *Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*
  - b. *Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.*
  - c. *Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.*
  - d. *Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*
  - e. *Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.*
3. *Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:*
- a. *The facility is already performing below the minimum acceptable performance standard identified in the TSP or comprehensive plan on the date the amendment application is submitted;*
  - b. *In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance*

*standard for that facility by the end of the planning period identified in the adopted TSP;*

- c. Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;*
  - d. The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and*
  - e. For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (d) of this section.*
- 4. Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.*
- a. In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.*
  - b. Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:*
    - (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.*
    - (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.*
    - (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.*



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

### Findings of Fact

The City of Medford and the State of Oregon interpret the language of Chapter 660-012-0060 to apply to application for not only changes to the City's Comprehensive Plan, but also applications for zone changes within the City.

Section 10.227(1) provides that *"a demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule."*

The applicant commissioned a Traffic Impact Analysis by Southern Oregon Transportation Engineering, LLC, which has been submitted as part of the zone change application addressing vehicular access to North Phoenix Road (Exhibit "2").

The study finds that there will be no significant impacts upon the existing transportation facilities caused by the net traffic generation as a result of the proposed zone change until 27 dwelling units have been constructed. At that point, the Traffic Impact Analysis proposed mitigation measures to include the striping or construction of a center refuge lane on North Phoenix Road at Juanipero Way, which will improve the level of service for the eastbound left turning movement from LOS "E" to LOS "C".

Development of the subject area can then proceed without further mitigation until a total of 120 dwelling units have been constructed. At that point, the Traffic Impact Analysis proposes mitigation measures to Foothill Road at Lone Pine Road, including either the addition of a center refuge lane on Foothill Road, or median control that restricts the intersection to right-in/right-out traffic movements. Because of a fatal accident in 2008, the Traffic Impact Analysis recommends that the latter mitigation restricting the intersection movements to be the safest until the intersection can be realigned and visibility at the intersection improved.

The applicant has included stipulations that the above improvements will be constructed prior to the approval of a final plat for a subdivision on the subject property.

The Oregon Department of Transportation (ODOT) finds that the proposed zone change will not significantly affect state highway facilities, per the Transportation Planning Rule (OAR 660-012-0060).

### Conclusion of Law

The Planning Commission concludes that with the two stipulations discussed above and included in the following Section "G", there will not be a significant affect on an existing or planned transportation facility and therefore, the application is consistent with the Oregon Transportation Planning Rule.

#### **F. ULTIMATE CONCLUSION**

Based upon the above Findings of Fact and Conclusions of Law, the Planning Commission concludes that the application for a change of zone from a City SFR-00/SE to a SFR-4/SE zoning district is consistent with the relevant decisional criteria found in Section 10.227 of Medford's Land Development Code and the Oregon Transportation Planning Rule (Section 660-012-0060 of the Oregon Administrative Rules), and the application can, therefore, be approved.


#### **G. STIPULATIONS**

In accordance with, and in order to insure that adequate transportation facilities serving the subject property are available, the applicant agrees to the following stipulations as conditions of approval.

1. Prior to approval of Final Plats for more than 27 dwelling units on the subject property, a center refuge lane shall be constructed on North Phoenix Road at Juanipero Way.
2. Prior to approval of Final Plats for more than 120 dwelling units on the subject property, intersection movements on Foothill Road at Lone Pine Road shall be restricted to right-in/right-out turning movements by the addition of traffic medians.
3. Approval of Final Plats for development of more than 30 acres of the subject property will require improvements to the existing sanitary sewer line in Juanipero Way east of Murphy Road.

Respectively Submitted,

Maize & Associates, Inc.



Jim Maize  
Agent for Applicants,

Dated: February 16, 2010

**RECEIVED**

FEB 16 2010

**PLANNING DEPT.**

## **I. EXECUTIVE SUMMARY**

### **Summary**

Southern Oregon Transportation Engineering, LLC prepared a traffic impact analysis for a proposed zone change from SFR-00 to SFR-4 (Single Family Residential) on Township 37 Range 1W Section 34, tax lots 2800, 2804 and 2806. The site includes 42.76 acres (43.37 gross acres) east of North Phoenix Road along the northern boundary of Coal Mine Road in Medford, Oregon. Refer to Figure 2 in Appendix A for a site location map.

Access to the site is provided from Coal Mine Road. Under SFR-4 zoning the site has the potential to develop up to 173 single family dwelling units. One-hundred-seventy-three dwelling units generate 175 trips during the p.m. peak hour, which has been determined to be the peak hour of the day. The distribution of 175 p.m. trips to the transportation system creates a study area that is bounded by the intersection of Coal Mine Road and North Phoenix Road to the south, Delta Waters Road and Foothill Road to the north, and Golf View Drive and Barnett Road to the west. Refer to Figure 1 in Appendix A for a vicinity map outlining the study area.

Twelve study area intersections were evaluated under existing year 2010 and build year 2015 conditions to determine what impacts the proposed zone change will have on the transportation system at full development under peak hour conditions.

### **Conclusions**

The conclusions of the traffic impact analysis find that the proposed zone change from SFR-00 to SFR-4 can be accommodated on the existing transportation system with recommended mitigations or stipulations at two study area intersections. Mitigations and stipulations are provided as follows:

#### **Juanipero Way / North Phoenix Road**

The eastbound left turn movement on Juanipero Way at North Phoenix Road operates at a level of service "D" under adjusted-existing year 2010 conditions, but increases to a level of service "E" under both year 2015 no-build and year 2015 build conditions. Criterion for a center left turn lane on North Phoenix Road at Juanipero Way is shown to be met under year 2015 build conditions and this mitigation improves the level of service of the eastbound left turn movement from an "E" to a "C". Proposed mitigation, therefore, includes striping or constructing a center refuge lane on North Phoenix Road at Juanipero Way that provides a turn pocket for storage of at least two northbound left turning vehicles (50' reported from simulations) as well as a refuge lane north of the intersection for eastbound left turning vehicles.

With the proposed mitigation or adequate mitigation of another nature (such as realignment of Coal Mine Road with Juanipero Way and signalization) at Juanipero Way / North Phoenix Road, full development can occur. Prior to mitigation, up to 27 single family residential dwelling units of the proposed zone change development can occur before the intersection of Juanipero Way / North Phoenix Road is reached with 25 or more p.m. peak hour trips.

CITY OF MEDFORD  
EXHIBIT # I  
File # ZC-10-010

### **Lone Pine Road / Foothill Road**

The eastbound and westbound left turn movements on Lone Pine Road at Foothill Road operate at level of service "E" under adjusted-existing year 2010, year 2015 no-build, and year 2015 build conditions. Proposed mitigation at this intersection could include the striping of a center refuge lane on Foothill Road that provides a turn pocket for northbound and southbound left turning vehicles and a center refuge lane for eastbound and westbound left turn movements, or median control that restricts the intersection to right-in, right-out traffic movements. Both mitigations improve the eastbound and westbound left turn level of service to acceptable levels, but the intersection crash history revealed a fatality in 2008 between a southbound through and northbound left turning vehicle. This was likely caused by restricted sight distance to the north due to a vertical and horizontal curve. Based on the severity of the crash, restricting the intersection to right-in, right-out movements proves to be the safest mitigation until intersection realignment and improved sight distance can be achieved.

With the proposed mitigation at Lone Pine Road / Foothill Road or adequate mitigation of another nature, full development can occur. Prior to mitigation, up to 120 single family residential dwelling units of the proposed zone change development can occur before the intersection of Lone Pine Road / Foothill Road is reached with 25 or more p.m. peak hour trips.

The proposed zone change application is in compliance with the Medford Comprehensive Plan pursuant to Medford Land Development Code 10.227(1) and Goal No. 3, Policy 1 of the Public Facilities Element. Streets that serve the subject property will accommodate projected p.m. peak hour traffic volumes within acceptable levels of service with proposed mitigations or stipulations.

CITY OF MEDFORD  
INTER - OFFICE MEMORANDUM

RECEIVED

SEP 27 2010

PLANNING DEPT.

TO: Planning Department

FROM: Engineering Division and the Traffic Section

SUBJECT: Zone Change Request, File No. ZC-10-010

DATE: September 27, 2010

1. Sanitary Services:

This zone change is within the City of Medford sewer service area. This property is best served by the extension of the 8-inch sanitary sewer located on the east side of North Phoenix Road, approximately 760 feet north of Juanipero Way. This sewer has capacity for the entire site, but prior to the zone change the applicant would be required to obtain a number of easements from the intervening properties for the extension of the sewer through private property.

The property is also serviceable via the extension of the 8-inch sanitary sewer located on the west side of North Phoenix Road and Juanipero Way. This sewer could be extended southerly on North Phoenix Road to Cole Mine Road, then easterly on Coal Mine Road to the site. This sewer has less capacity, but would have enough capacity to serve 120 single family dwelling units. Development should be restricted to 120 single family dwelling units until capacity improvements have been made to the down-stream gradient system. Alternatively, the developer may be able to show system capacity via another system to which access is not currently available.

2. Streets:

A. Current condition of nearest street:

Coal Mine Road, is designated a Major Collector Street, is paved without curb and gutter along the frontage of this proposed zone change.

B: Who has maintenance responsibilities:

Coal Mine Road - Jackson County

At the time of any site development, the City of Medford, in conjunction with Jackson County, will address the issue of right-of-way dedication and improvements along the frontage of this proposed zone change on Coal Mine Road.

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

Land Development Code Section 10.461 governs traffic impact analyses (TIA) required to determine development impacts on the street system. The proposed zone change from City SFR-00/SE (Single-Family Residential-1 unit per existing lot/Southeast Overlay) to City SFR-4/SE (Single-Family Residential – 4 units per acre/Southeast Overlay) on three lots totaling 42.76 acres (43.37 gross acres) has the potential to develop up to 173 SFR dwelling units or generate 1655 average daily trips (ADT). The increase exceeds 250 average daily trips, which is the code standard for when a TIA is required. Based on this and Code Sections 10.460 and 10.461, a traffic impact analysis (TIA) is required.

### 3. Traffic Impact Analysis:

The Traffic Impact Analysis (TIA) for the proposed Suncrest Homes Zone Change project was prepared by Southern Oregon Transportation Engineering, and submitted to Public Works for review. The 43.37 gross acre properties (371W34 2800, 2804, and 2806) are located east of N. Phoenix Road along the northern boundary of Coal Mine Road. The site contains approximately 42.76 buildable acres

Streets expected to be impacted by the proposed development were evaluated with Highway Capacity Manual (HCM) procedures. The study area was roughly bounded by Coal Mine Road, N. Phoenix Road, and Lone Pine Road.

The report finds that the 173 proposed single family residential dwelling units will generate 175 P.M. peak hour trips, which will significantly impact two intersections in the vicinity of the project.

The report recommends the following mitigation measures:

#### A. Juanipero Way & N. Phoenix Road

Construct a center turn lane on N. Phoenix Road, north of Juanipero Way, to receive eastbound left turn vehicles from Juanipero Way.

If Coal Mine Road is realigned and signalized at the intersection of N. Phoenix Road & Juanipero Way prior to the development of the subject three parcels then mitigation 1 is not required.

Prior to mitigation no more than 27 single family residential dwelling units may be constructed and occupied before the significant impact threshold is reached at this intersection.

#### B. Lone Pine Road & Foothill Road

Construct a raised median to restrict east and westbound movements to right-in right-out only

Prior to mitigation no more than 120 single family residential dwelling units may be constructed and occupied before the significant impact threshold is reached at this intersection.

Public Works, Engineering Division, Traffic Section agrees with the mitigation measures as stated.

#### 4. Drainage:

This site lies within the Larson Creek Drainage Basin. Development of this site will require storm drainage detention in accordance with Sections 10.486 and 10.729 of the Municipal Code.





# Staff Memo

**TO:** Planning Department, City of Medford

**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer

**SUBJECT:** ZC-10-010

**PARCEL ID:** 371W34 TL's 2800, 2804, 2806

**PROJECT:** Consideration of a request for a change of zone from SFR-00/S-E (Single-Family Residential, one dwelling unit per existing lot/Southeast Overlay) to SFR-4/S-E (Single-Family Residential – 4 dwelling units per acre/Southeast Overlay) on three parcels consisting of a total of approximately 42.76 acres on the north side of Coal Mine Road, approximately 3300 feet east of North Phoenix Road; Suncrest Homes, LLC., Applicant (Maize & Associates, Inc., Agent). Sandra Johnson, Planner

**DATE:** March 26, 2010

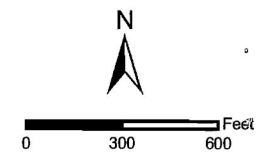
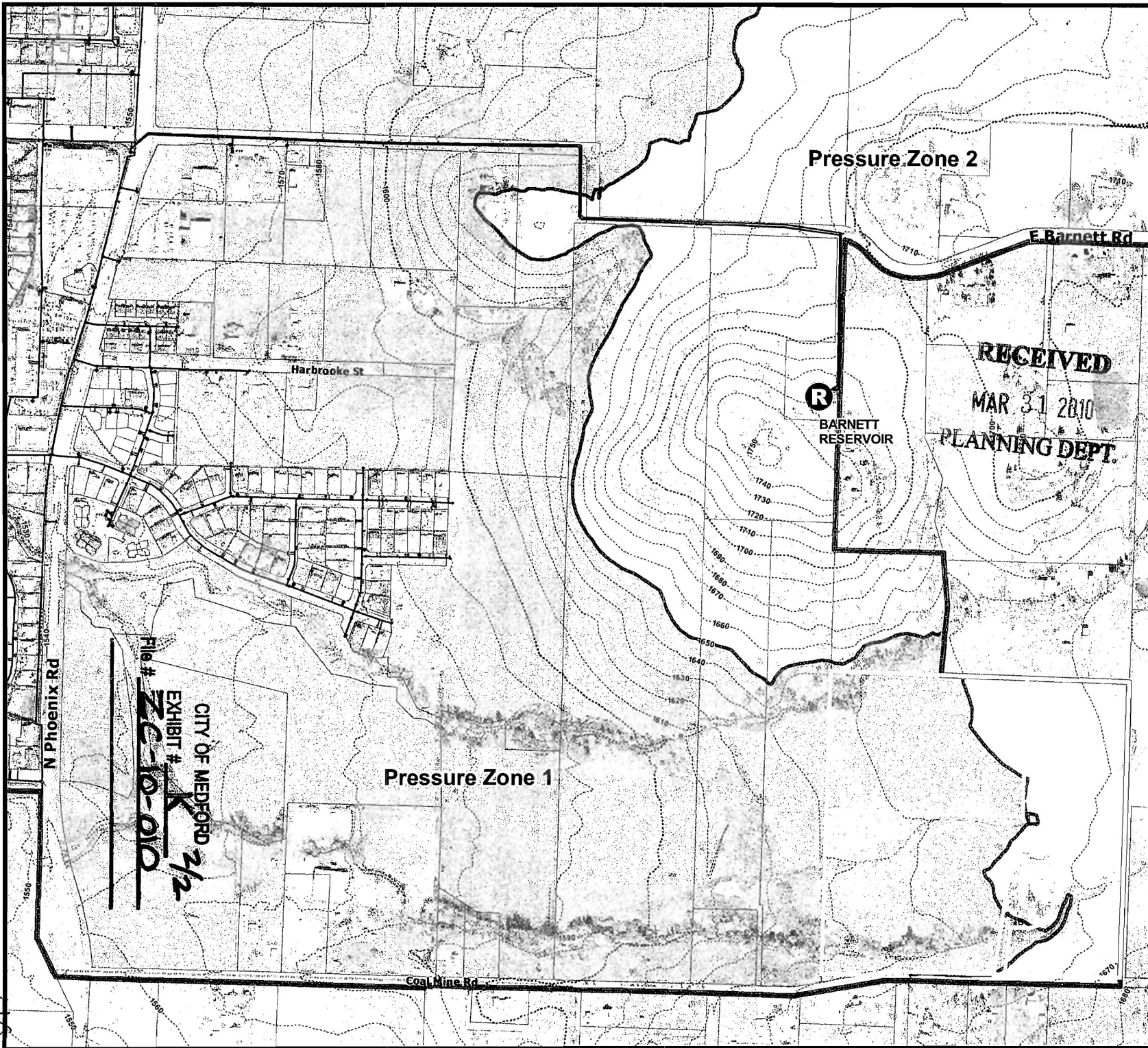
**RECEIVED**  
MAR 31 2010  
PLANNING DEPT.

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 time of future land development review.
5. On-site water facility construction will be required at time of future land development review.
6. MWC-metered water service does not exist to this property.
7. These parcels fall within two (2) water pressure zones, and will require water line extensions from existing water lines in each of the two zones. Pressure zone 1 serves 1500 feet to 1650 feet in elevation, and pressure zone 2 serves from 1650 feet to 1800 feet in elevation.
8. Access to MWC water lines for connection is available. The nearest water line for domestic water service and fire protection is located in North Phoenix Road and Juanipero Way where there is a 16-inch water line for Pressure Zone 1. The nearest water line for zone 2 is located in Lone Oak Drive and Calle Vista Drive; there are no other water lines in existence that can serve the portion of this property that lies within pressure zone 2.

CITY OF MEDFORD  
EXHIBIT # K 1/2  
File # ZC-10-010



**City of Medford  
Planning Application  
ZC-10-010**

**Legend**

- ⊙ Air Valve
- ⊙ Sample Station
- Fire Service
- ⊕ Hydrant
- ▲ Reducer
- ⊞ Blow Off
- ⊕ Plugs-Caps

**Water Meters:**

- ⊙ Active Meter
- ⊙ On Well
- ⊙ Unknown
- ⊙ Vacant

**Water Valves:**

- ⊙ Butterfly Valve
- ⊙ Gate Valve
- ⊙ Tapping Valve

**Water Mains:**

- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

**Boundaries:**

- ⊞ Urban Growth Boundary
- ⊞ City Limits
- Tax Lots

**MWC Facilities:**

- G** Control Station
- P** Pump Station
- R** Reservoir



This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission does not accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.  
Prepared by: gphm



# 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

RECEIVED

MAR 31 2010

PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Sandra Johnson

LD Meeting Date: 03/31/2010

From: Kleinberg, Greg

Report Prepared: 03/22/2010

File #: ZC - 10 - 10

### Site Name/Description:

Consideration of a request for a change of zone from SFR-00/S-E (Single-Family Residential, one dwelling unit per existing lot/Southeast Overlay) to SFR-6/S-E (Single-Family Residential - 6 dwelling units per acre/Southeast Overlay) on three parcels consisting of a total of approximately 42.76 acres on the north side of Coal Mine Road, approximately 3300 feet east of North Phoenix Road; Suncrest Homes, LLC., Applicant (Maize & Associates, Inc., Agent). Sandra Johnson, Planner

### DESCRIPTION OF CORRECTIONS

### REFERENCE

#### Approved as Submitted

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.

CITY OF MEDFORD

EXHIBIT # L

File # ZC-10-010



# 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

March 19, 2010

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

**RECEIVED**

MAR 26 2010

PLANNING DEPT.

RE: Zone Change off Coal Mine Road – a county-maintained road.  
Planning File: ZC-10-010

Dear Sandra:

Thank you for the opportunity to comment on this request for a change of zone from SFR-00/SE (Single-Family Residential – one dwelling unit per existing lot/Southeast Overlay) to SFR-6/SE (Single-Family Residential – 6 dwelling units per acre/Southeast Overlay) on three parcels consisting of a total of approximately 42.76 acres on the north side of Coal Mine Road, approximately 3300 feet east of North Phoenix Road. Jackson County Roads has the following comments:

1. Coal Mine Road is a county-maintained road with a forty foot right-of-way. Due to an inadequate structural section, the City of Medford should require the road to be brought up to City Street Standards upon development of the property.
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.

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

Sincerely,

Russell Logue  
Construction & Development Manager

CITY OF MEDFORD

EXHIBIT # M

File # ZC-10-010

RECEIVED

FEB 16 2010

Kim,

PLANNING DEPT

Thank you for your TIS scope of work request inquiry to our Rogue Valley Development Review Team. The purpose of this correspondence is to inform you that this project will not require a traffic study to assess impacts to state facilities. The proposed zone change appears consistent with the adopted Southeast Plan zoning designations within the City of Medford plan. Existing transportation modeling should account for the potential project traffic on state facilities.

Thank you for coordinating this project with ODOT. We look forward to working with you on future projects.

Kind regards,

David J. Pyles | Development Review Planner III

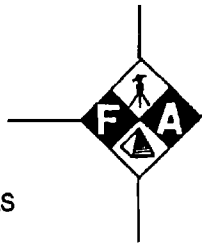
The ODOT Region 3 / District 8 | 100 Antelope Rd. | White City, OR 97503

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

CITY OF MEDFORD  
EXHIBIT # N  
File # ZC-10-010

APPLICANT'S  
EXHIBIT  
" 9 "

TELEPHONE  
541-772-2782



**L. J. FRIAR AND ASSOCIATES, P. C.**  
CONSULTING LAND SURVEYORS

FAX  
541-772-8465

JAMES E HIBBS, PLS

816 WEST 8TH STREET  
MEDFORD, OREGON 97501

ljfriar@charter.net

LEGAL DESCRIPTION

Beginning at the Southwest corner of Donation Land Claim No. 56, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along the West line thereof, North 00°08'00" East, 1377.06 feet to the East Northeast corner of Donation Land Claim No. 57, said Township and Range; thence along the North line of Tracts C & D described in Document No, 2004-058692, Official Records of Jackson County, Oregon, South 89°40'20" East, 1367.98 feet to the Northeast corner of said Tract C; thence along the East line of said Tract C, South 00°09'20" West, 1359.01 feet to the Southeast corner thereof; thence along the South line of Tracts A & C described in Document No, 2004-058692, said Official Records, North 89°35'25" West, 570.05 feet to the East line of Tract B described in Document No, 2004-058692, said Official Records, thence along said East line, South 06°30'00" West, 20.11 feet to the South line of said Claim No. 56; thence along said South line, North 89°35'25" West, 795.17 feet to the point of beginning. Containing 43.00 acres, more or less.

EXTERIOR OF 371W34 TL'S 2800, 2804 & 2806  
Suncrest Homes, LLC  
04-271  
February 4, 2010

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 17, 1986  
JAMES E. HIBBS  
2234

RENEWAL DATE 6-30-11

RECEIVED

FEB 16 2010

PLANNING DEPT.

APPLICANT'S  
EXHIBIT  
" 3 "

CITY OF MEDFORD

EXHIBIT # 0

File # ZC-10-10

Juan M. Castillo MD FACS  
4294 East Barnett Drive  
Medford, OR 97504

James E. Huber, AICP  
City of Medford Planning Department  
200 South Ivy Street  
Medford, OR 97501  
Re. Public Hearing on property 4365 Coal Mine road

RECEIVED  
OCT 11 2010  
PLANNING DEPT.

Attn. Sandra Johnson

To The Committee Members:

A letter of intent was recently sent to me regarding the proposed zone change of property 4365 Coal Mine Road in Medford, Oregon. I am writing this letter in opposition to the proposed zone change. I understand that this property is within the urban growth boundary of the City of Medford and can be rezoned to an SPF4 or higher. However, I as well as many of my neighbors have concerns with the proposed rezoning and its impact on the local community as well as the City of Medford.

I recently purchased the adjoining property on East Barnett Road to establish residence as well as a potential organic farm. My 10 acre residential EFU property abuts the property on Coal Mine Road. It has been brought to my attention that these properties existed in their natural form as a wetland. Therefore I am concerned that there is insufficient drainage to prevent any runoff from the property on Coal Mine Road to the surrounding farms. Thus before any consideration for rezoning occurs, I feel that soil sampling and drainage assessment should be performed to prevent damage to my property as well as the adjoining properties.

The proposed rezoning is also in direct conflict with Ordinance No.2010-59 appendix 2a Urbanization Planning Goal amended *Medford Comprehensive Plan* which states that...***Urban Development shall be encouraged to occur on undeveloped and underdeveloped land within the city limits prior to annexation and conversion of other land within the UGB.*** The urbanization process as set forth by the State of Oregon and the city of Medford is "To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities". Given the surplus of homes for sale in the area as well as undeveloped land within the city limits, the above proposal does not appear to be "orderly or efficient". The building of more single family units will only serve to worsen the current housing market and decrease the value of current owners whose houses will be devalued as a result of the surplus. This concern has been voiced by many residents in the city of Medford.

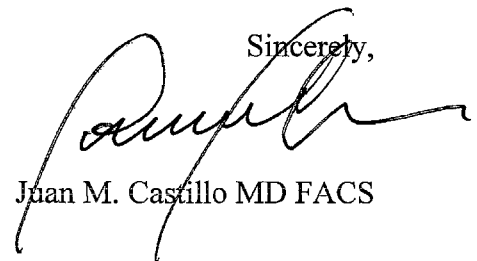
CITY OF MEDFORD  
EXHIBIT # P  
File # ZC-10-10

This land is also one of the few prime agricultural areas in Medford thus it would fall under the category outlined in the *Medford Comprehensive Plan* appendix 1, 14 which states that special consideration should be made for significant agricultural areas. Therefore using this property for single family residential units would destroy this valuable resource. The proposed rezoning land is also important in providing a buffer between Medford and the adjoining rural areas.

Finally the construction of 160 units as proposed by the developer cannot be supported by the current road conditions of Coal Mine Road. The impact on the local traffic patterns in the area has not been properly assessed. The current residents of Coal Mine Road have not been appraised of any restructuring of road(s) to accommodate such a large population. Therefore it would seem prudent to provide an impact statement on the local traffic patterns in this area of Medford before approval of the rezoning proposal.

I want to thank you for your time and consideration and hope that my concerns have been adequately represented. I would appreciate any advice the committee may have that will allow me to better represent my concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Juan M. Castillo', written in a cursive style.

Juan M. Castillo MD FACS



# Vicinity Map

Application Name/Description:

**Suncrest Homes**

Proposal: **Zone Change**

**SFR-00/SE to SFR-4/SE**

File no.

**ZC-10-010**

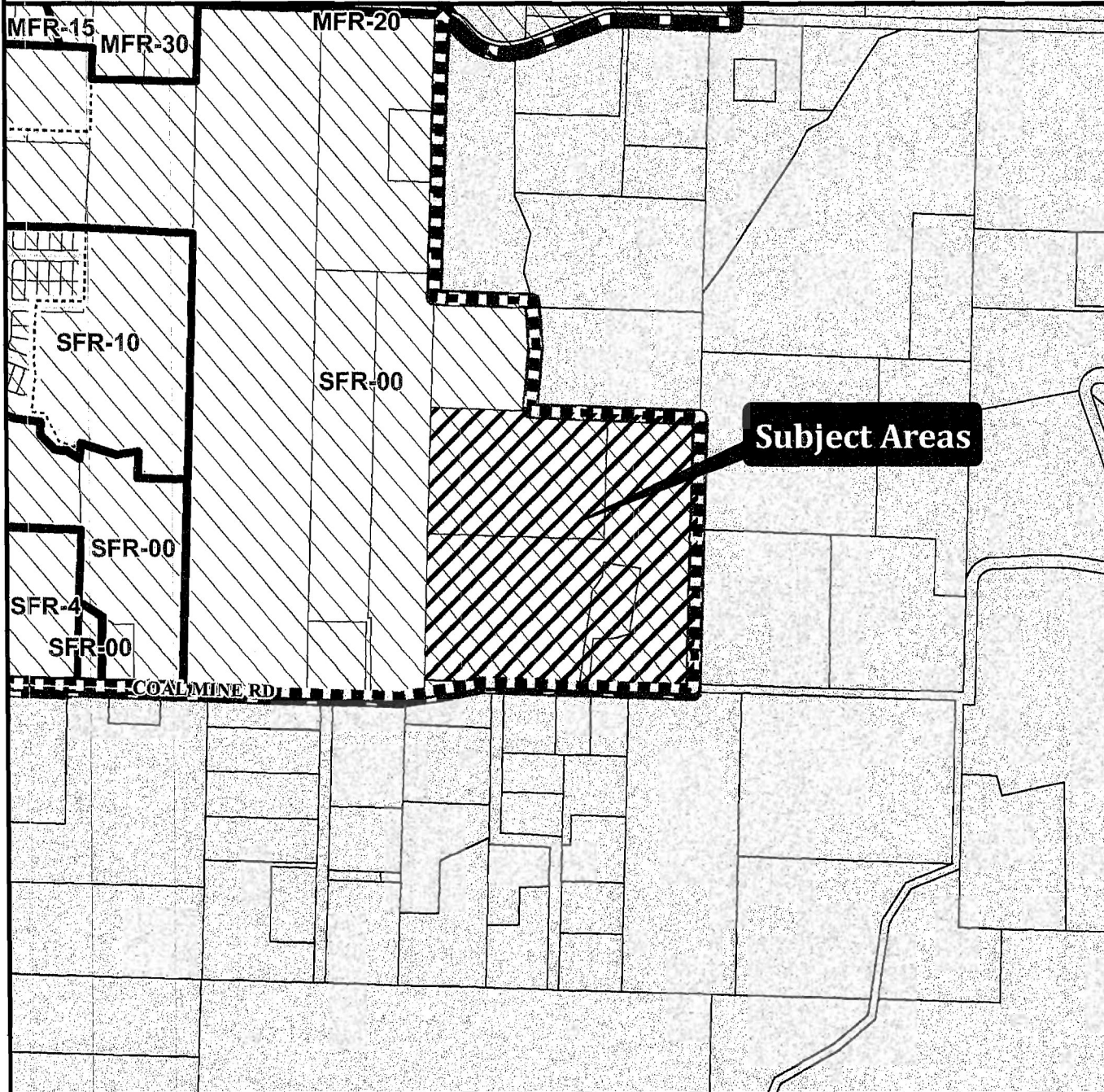
Applicant:

**Suncrest Homes, LLC**






Map/Taxlot nos.:

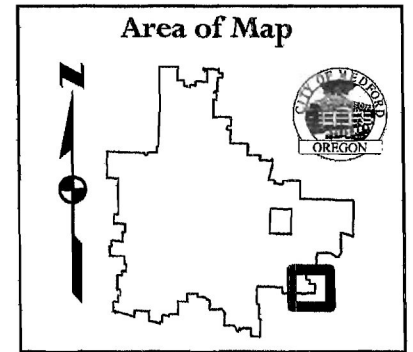
**371W34**

**TL's: 2800, 2804, 2806**

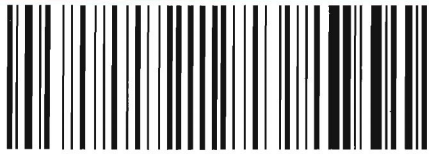


**Subject Areas**

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  SE
-  City Limits



2/22/2010



7007 0710 0001 0567 0377

City Of Medford  
Planning Department  
200 South Ivy Street  
Medford, OR 97501



Hasler

016H26507632

\$07.00

11/05/2010

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