



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/18/2013

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 005-13

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, August 02, 2013

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-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: Kathy Helmer, City of Medford
Gordon Howard, DLCD Urban Planning Specialist
Josh LeBombard, DLCD Regional Representative

<paa> YA



FORM **2**

DLCD

Notice of Adoption

DEPT OF

JUL 15 2013

LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **20-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: **Medford**

Local file number: **ZC-13-045**

Date of Adoption: **6/27/2013**

Date Mailed: **7/11/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **6/4/2013**

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".

A request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, four dwellings per gross acre) on a parcel of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway.

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

Plan Map Changed from: **NA**

to: **NA**

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

to: **SFR-4**

Location: **South Medford**

Acres Involved: **0**

Specify Density: Previous: **1 per lot**

New: **4 per gross acre**

Applicable statewide planning goals:

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

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. _____

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

City of Medford

Local Contact: **Kathy Helmer**

Phone: (541) 774-2375 Extension: 0

Address: **20 South Ivy Street**

Fax Number: 541-618-1708

City: **Medford**

Zip: **97501-**

E-mail Address:

kathy.helmer@cityofmedford.org

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working 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 the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

Vicinity Map

Application Name:

Magen Fong

Proposal:

**Zone Change from
SFR-00 to SFR-4**

File Number:

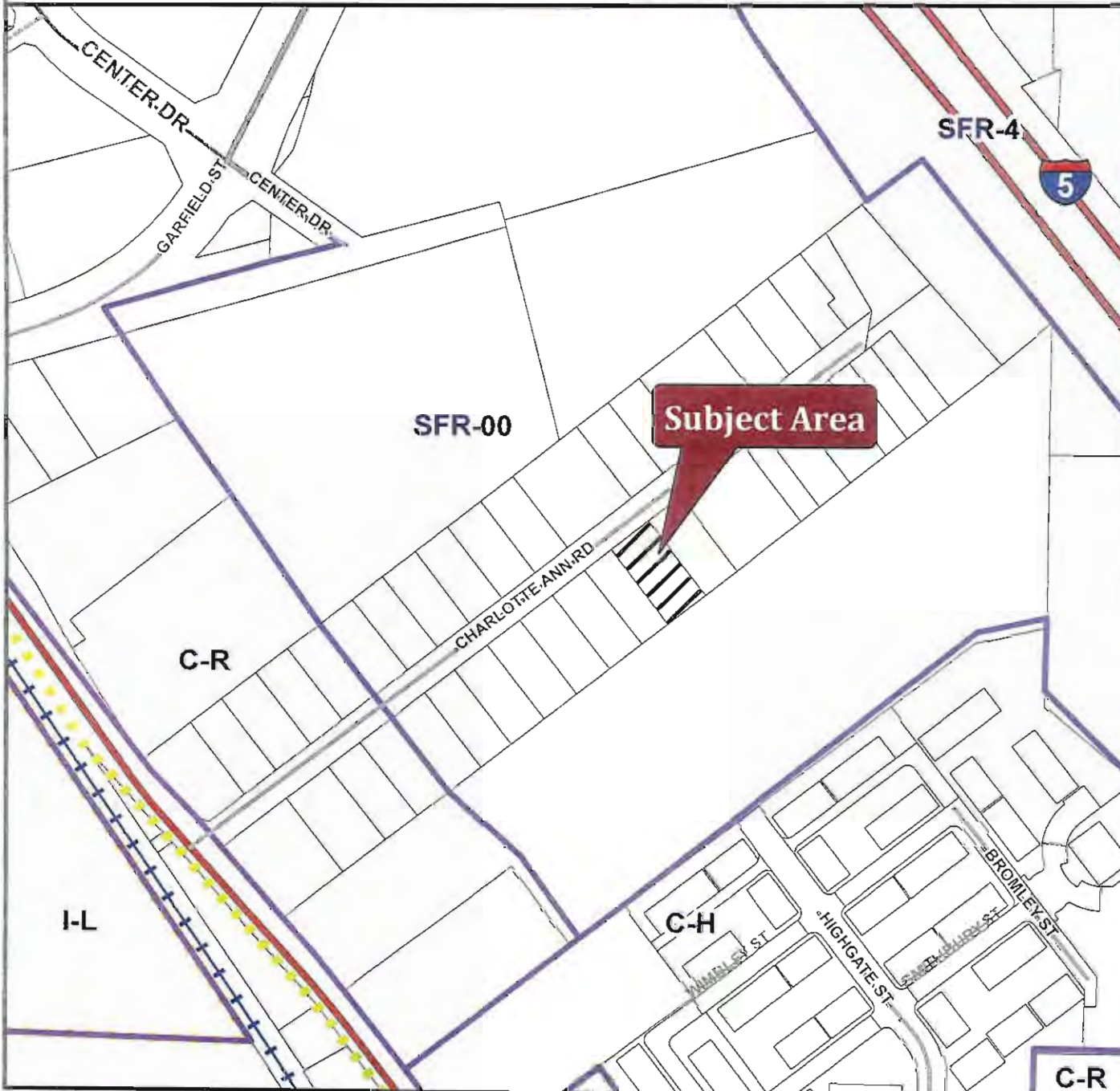
ZC-13-045

Applicant:

Magen Fong

Map/Taxlot:

371W32C TL 3500



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

Area of Map

The inset map shows the city of Medford, Oregon, with a red square in the southern part of the city indicating the location of the subject area. A north arrow is located to the left of the map, and the City of Medford logo is in the top right corner.

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)
ZC-13-045 APPLICATION FOR A ZONE CHANGE SUBMITTED) ORDER
BY MEGAN FONG)

ORDER granting approval of a request for changing the zoning from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, 4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, 4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Staff Report dated June 19, 2013, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 1W 32C Tax Lot 3500

is hereby changed from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, 4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway..

Accepted and approved this 27th day of June, 2013.

CITY OF MEDFORD PLANNING COMMISSION



Planning Commission Chair

ATTEST:



Planning Department Representative



CITY OF MEDFORD

PLANNING DEPARTMENT

STAFF REPORT

Date: June 19, 2013, for the Public Hearing on June 27, 2013

To: Planning Commission

From: Kelly Akin, Principal Planner *KA*

By: Kathy Helmer, Planner IV

Subject: Fong Zone Change (ZC-13-045)
Magen Fong, Applicant (Jacob Brown, Agent)

Background

Proposal

Consideration of a request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway.

Subject Site Zoning, GLUP Designation and Existing Uses

The Medford General Land Use Plan (GLUP) Map designation for the subject property is UR (Urban Residential). The property is developed with three structures, namely a single-story, 600 square foot residence and detached shed built in 1942 and a partially constructed, one-story, 800 square foot storage structure which will likely become a residence.

Surrounding Property Zoning and Uses

North: SFR-00, single-family residential

South: SFR-00, golf course

East: SFR-00, golf course

West: SFR-00, vacant

Related Projects

A-04-184 Nash Annexation – Enclave

Applicable Criteria

MLDC 10.227 (Exhibit A)

Issues/Analysis

Given the zoning in the vicinity of the subject parcel, a request for SFR-4 zoning in this location may appear unusual. The property is close to Regional Commercial zoning on State Highway 99. A development of multiplex residential dwelling units, Charles Point, is being completed in a Heavy Commercial zoning district south of the golf course abutting the subject parcel. It is approximately 300 feet from properties owned or leased by the Coquille Tribe where the Tribe proposes to establish a gaming center.

What is more, the subject parcel is within the boundaries of Internal Study Area #510 where the Planning Department is studying the feasibility of changing the General Land Use Plan (GLUP) designation from Urban Residential (UR) to Urban High Density Residential (UH). It will be some time before we know the outcome of this work. If the Study Area GLUP designation were to change to UH, the subject property would have residential zone change options at much higher densities, namely MFR-20 and MFR-30.

Under current conditions, however, SFR-4 zoning is the only feasible zone for this parcel. Three of the four zones allowed in UR have locational criteria which this parcel would not be able to meet. SFR-4 zoning would best meet the needs of the applicant who wishes simply to divide the two structures on the subject parcel.

Public Works has determined that the proposed change of zone would create an additional 19.5 average daily trips. Thus, the proposed change of zone does not require a Traffic Impact Analysis which is triggered by the generation of 250 average daily trips. The agency reports in Exhibits C through G demonstrate that Category A Urban Facilities are available or can and will be made available to serve the site.

FINDINGS OF FACT

This request satisfies all criteria for a zone change. Staff has reviewed the applicant's Findings of Fact (Exhibit B) and recommends that the Commission adopt the Findings, along with the following supplemental information:

- 1) This zone change is consistent with the subject parcel's General Land Use Plan Designation of Urban Residential and the Transportation System Plan and, by extension with the Transportation Planning Rule;
- 2) No locational criteria apply to a change of zone from SFR-00 to SFR-4, thus this is not of pertinent to this application;

- 3) As confirmed by the information contained in Exhibits C through G, Category A Urban Services and Facilities are available or can and will be provided, to adequately serve the subject property with the permitted uses allowed under the proposed zoning.

RECOMMENDED ACTION

Direct staff to prepare a Final Order for approval of ZC-13-045 per the Staff Report dated June 19, 2013, including Exhibits A through K.

EXHIBITS

- A Approval Criteria;
- B Applicant's Findings of Fact, received May 7, 2013;
- C Memorandum from the Medford Public Works Department, received June 5, 2013;
- D Memorandum from the Medford Water Commission, received June 4, 2013;
- E Memorandum from the Medford Fire Department, received June 5, 2013;
- F Memorandum from Rogue Valley Sewer Services, received June 5, 2013;
- G Memorandum from Jackson County Roads, received May 29, 2013;
- H Email from the Oregon Department of Transportation, received June 4, 2013;
- I Memorandum from the Building Department, received June 5, 2013;
- J Medford General Land Use Plan Map, received;
- K Jackson County Assessor's Map, received May 7, 2013;
Vicinity Map

PLANNING COMMISSION AGENDA: JUNE 27, 2013

**ZONE CHANGE APPROVAL CRITERIA – ALL ZONES
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.

(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.

CITY OF MEDFORD
EXHIBIT # A
File # ZC-13-045

Zone Change Approval Criteria – All Zones

- (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 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

Zone Change Approval Criteria – All Zones

- (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 (1) 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 (1) 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 (2) 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.

Zone Change Approval Criteria – All Zones

- (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.

[Amd. Ord. No. 7036, Dec, 5, 1991; Amd. Sec. 1, Ord. No. 1999-88, June 3, 1999; Amd. Sec. 1, Ord. No. 2003-27, 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.]

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Zone change application

Approval Criteria, §10.227

(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 be met:
 - 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 change to any **commercial zoning district**, the following criteria shall be met for the applicable zoning sought:
Not Applicable
- d. For zone changes to any **Industrial zoning district**, the following criteria shall be met for the applicable zoning sought:
Not Applicable
- 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:

(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

DATE OF REVIEW
BY: **B**
No: **ZC-13-045**

Land Development Code and Goal 3, Policy 1 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.

Facilities are adequate. Adequate storm drainage in front of property with culverts. Sanitary sewer: 12" concrete adequate via Rogue Valley Sewer Service. Water facilities: 6" water line adequate via Medford Water Commission.

- 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
Streets which serve the subject property have adequate capacity, per Traffic Impact Analysis Form.
 - 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
Not Applicable
 - iii. If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) 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.
Not Applicable
 - 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.
Not Applicable
- 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.

Not applicable. No restrictions or current special development conditions attached to zone change request. Current zoning is SFR-00. Requesting SFR-04.

- ii. Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
Not applicable. No restrictions or current special development conditions attached to zone change request. Current zoning is SFR-00. Requesting SFR-04.
- iii. Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools
Not applicable. No restrictions or current special development conditions attached to zone change request. Current zoning is SFR-00. Requesting SFR-04.

JUN 05 2013

Report Date: June 5, 2013
ZC-13-045

PLANNING DEPT

PUBLIC WORKS DEPARTMENT STAFF REPORT

for a proposed Zone Change from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family, 4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway.

Magen L. Fong, Applicant

I. Sanitary Sewer Facilities

This site lies within the Rogue Valley Sewer Service area. Contact Rogue Valley Sewer Service for sanitary sewer accessibility and capacity adequacy.

II. Storm Drainage Facilities

This site lies within the Bear Creek South Drainage Basin. Adequate storm drainage is provided by a road side ditch in Charlotte Ann Road. Prior to a future land division plat approval, a storm drain lateral shall be provided to each lot and roof and foundation drains of the existing single family residence shall be connected to the new storm drain lateral for that parcel.

III. Streets, Street Capacity, and Access

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per MMC 10.461 (3).

Charlotte Ann Road is a 60 foot wide right-of-way that is unimproved and currently maintained by Jackson County.

Charlotte Ann Road is classified as a minor residential street. No additional right-of-way dedication is required for a minor residential classification in accordance with Section 10.428 of the Municipal Code.

The City's current standard for a minor residential street is 55 ft. of right-of-way, 28 ft. wide pavement curb to curb, 5 ft. wide sidewalks, and 8 ft. wide planter strips.

CITY OF MEDFORD
EXHIBIT # C
File # ZC-13-045

2

At the time of future land division, Public Works will condition the developer to improve their frontage on Charlotte Ann Road to the City's current standard. The developer's share will be half width of a minor residential street plus 8 feet on the north side of the centerline of Charlotte Ann Road. Improvements shall include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strip on the south side. The improvements may be deferred and a financial deposit accepted if the criteria for a deferral per MMC 10.432 are met.

At the time of development review for a land division, Public Works will condition the developer to provide a public utility easement ten feet in width adjoining all lot lines abutting a street, per MMC 10.471.

Prepared by: Dorothy Hicks (5/28/13)

Approved by:



Staff Memo

RECEIVED

JUN 04 2013

PLANNING DEPT

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: ZC-13-045
PARCEL ID: 371W32C TL 3500
PROJECT: Consideration of a request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, 4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway; Magen L. Fong, Applicant. Kathy Helmer, Planner
DATE: June 4, 2013

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. This parcel is served domestic water via a 3/4-inch water meter along the Charlotte Ann Road frontage.
7. Access to MWC water lines for connection is available. A 6-inch water line is located in Charlotte Ann Road.

CITY OF MEDFORD
EXHIBIT # D
File # ZC-13-045



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Kathy Helmer

LD Meeting Date: 06/05/2013

From: Kleinberg, Greg

Report Prepared: 05/23/2013

File #: ZC - 13 - 45

Site Name/Description:

Consideration of a request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, 4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway; Magen L. Fong, Applicant. Kathy Helmer, 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 prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

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 # E

File # ZC-13-045



ROGUE VALLEY SEWER SERVICES

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

JUN 05 2013

PLANNING DEPT

June 5, 2013

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

Re: ZC-13-045, Magen L. Fong, LLC (371W32C, TL 3500)

ATTN: Kathy,

The subject property is currently served by an existing 4 inch service line connected into the 12 inch mainline within Charlotte Ann Road. Excess capacity exists within the 12 inch mainline to meet the demands of SFR-4 zoning.

Rogue Valley Sewer Services request the above named planning action be subject to the following conditions:

- Each separate tax lot will need to be served by a separate service lateral.
- System Development Charges will be due to Rogue Valley Sewer Services prior to connection into the sanitary sewer.
- All sanitary sewer design and construction must comply with Rogue Valley Sewer Services and State Plumbing Code specifications.

Feel free to contact me directly with any additional questions.

Sincerely,

Wade Denny,
PE

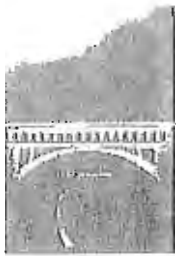
Digitally signed by Wade Denny, PE
DN: cn=Wade Denny, PE, o=Rogue Valley
Sewer Services, ou=District Engineer,
email=wdenny@rvss.us, c=US
Date: 2013.06.05 11:08:00 -0700

Wade Denny, PE
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\ZONE CHANGE\2013\ZC-13-045- FONG.DOC

CITY OF MEDFORD
EXHIBIT # F
File # ZC-13-045

20



JACKSON COUNTY Roads

Roads
Engineering

Russ Logue
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6266
Fax: (541) 774-6295
loguera@jacksoncounty.org

www.jacksoncounty.org

RECEIVED
MAY 20 2013
PLANNING DEPT.

May 28, 2013

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

RE: Zone change off Charlotte Ann Road -- a county maintained road.
Planning File: ZC-13-045.

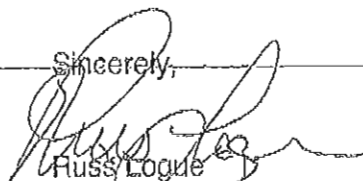
Dear Kathy:

Thank you for the opportunity to comment on the request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-4 (Single-Family Residential, 4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road, consisting of approximately 0.51 acres on the south side of Charlotte Ann Road, approximately 1,113 feet northeast of the intersection with South Pacific Highway. Jackson County Roads has the following comments:

1. All proposed access roads or frontage improvements off Charlotte Ann Road shall be permitted and inspected by the City of Medford.
2. Future construction plans shall be submitted to Jackson County Roads, so we may determine if county permits will be required.
3. Charlotte Ann Road is a County Local road and is county-maintained.

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

Sincerely,


Russ Logue
Construction Manager

CITY OF MEDFORD
EXHIBIT # 6
FILE # ZC-13-045

24

Kathy C Helmer

From: GUEVARA Thomas <Thomas.GUEVARA@odot.state.or.us>
Sent: Monday, June 03, 2013 10:48 AM
To: 'kathy.helmer@cityofmedford.org'
Subject: Fong SFR-4 Zone Change (ZC-13-045)

7/02/2013
JUN 04 2013
PLANNING DEPT

Thank you for sending agency notice of a proposed zone change from SFR-00 (one dwelling unit per existing lot) to SFR-4 (4 dwelling units per gross acre) on one parcel located at 410 Charlotte Ann Road (Map 37-01W-32C Tax lot 3500). We reviewed the proposed project and determined it does not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

Thomas Guevara Jr. | ODOT Planning & Finance Section
Region 3 3500 NW Stewar Parkway | Roseburg, OR 97470
Phone: 541-957-3692 | Fax: 541-672-6148 | Thomas.Guevara@odot.state.or.us

CITY OF MEDFORD
EXHIBIT # H
File # ZC-13-045

24



Memo

To: Kathy Helmer, Planning Department
From: Mary Montague, Building Department
CC: Magen L. Fong
Date: 6/5/2013
Re: ZC-13-045

Building Department:

Please Note: This is not a plan review. These are general notes based on general information provided. Plans need to be submitted and will be reviewed by a commercial plans examiner to determine if there are any other requirements for this occupancy type. Please contact the front counter for fees.

1. Applicable Building Codes 2011 ORSC; 2010 OSSC; ICC/ANSI A117.1-2003 Edition; 2010 ADA Standards for Accessible Design (2010 Standards); and 2010 OEEESC (Energy Code).
2. Property is in the 100 year Flood Plain. Any construction requires a Flood Plain Permit and a building permit.
3. Any change of occupancy requires a permit.
4. CET (Construction Excise Tax) for school district applies to all habitable spaces \$1.11 sf.

04

PS

LR

Subject Site

SW

CI

H

PS

200m
600ft

CITY OF MEDFORD
EXHIBIT # J
File # KC-13-045

CENTER DRIVE

BELKNAP ROAD

49-1

CS-11001

INT NW COR
DLC 46

ROAD

CHARLOTTE ANN

UNIFIED DIVISION

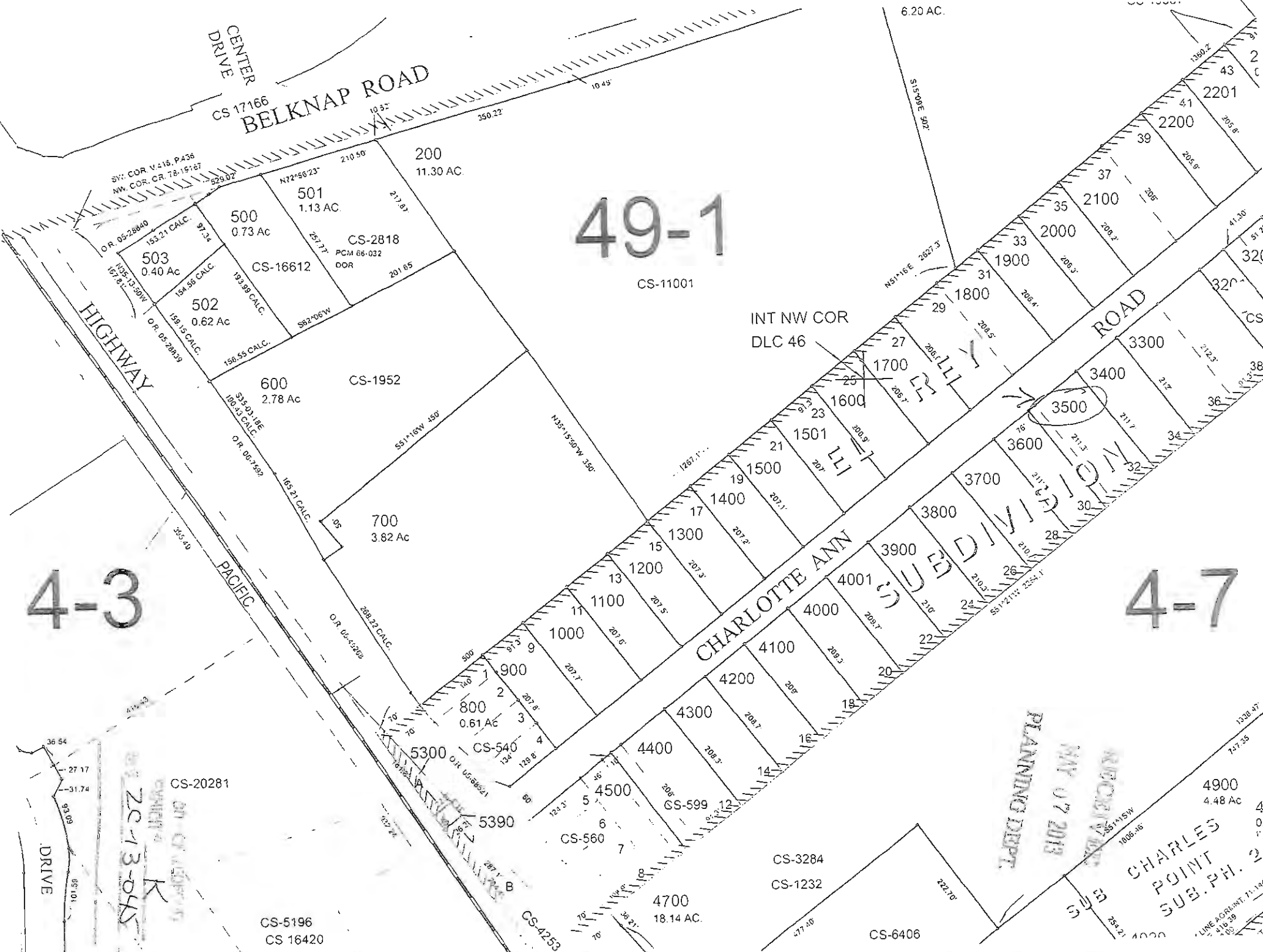
4-3

4-7

CS-20281
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K
2C-13-045

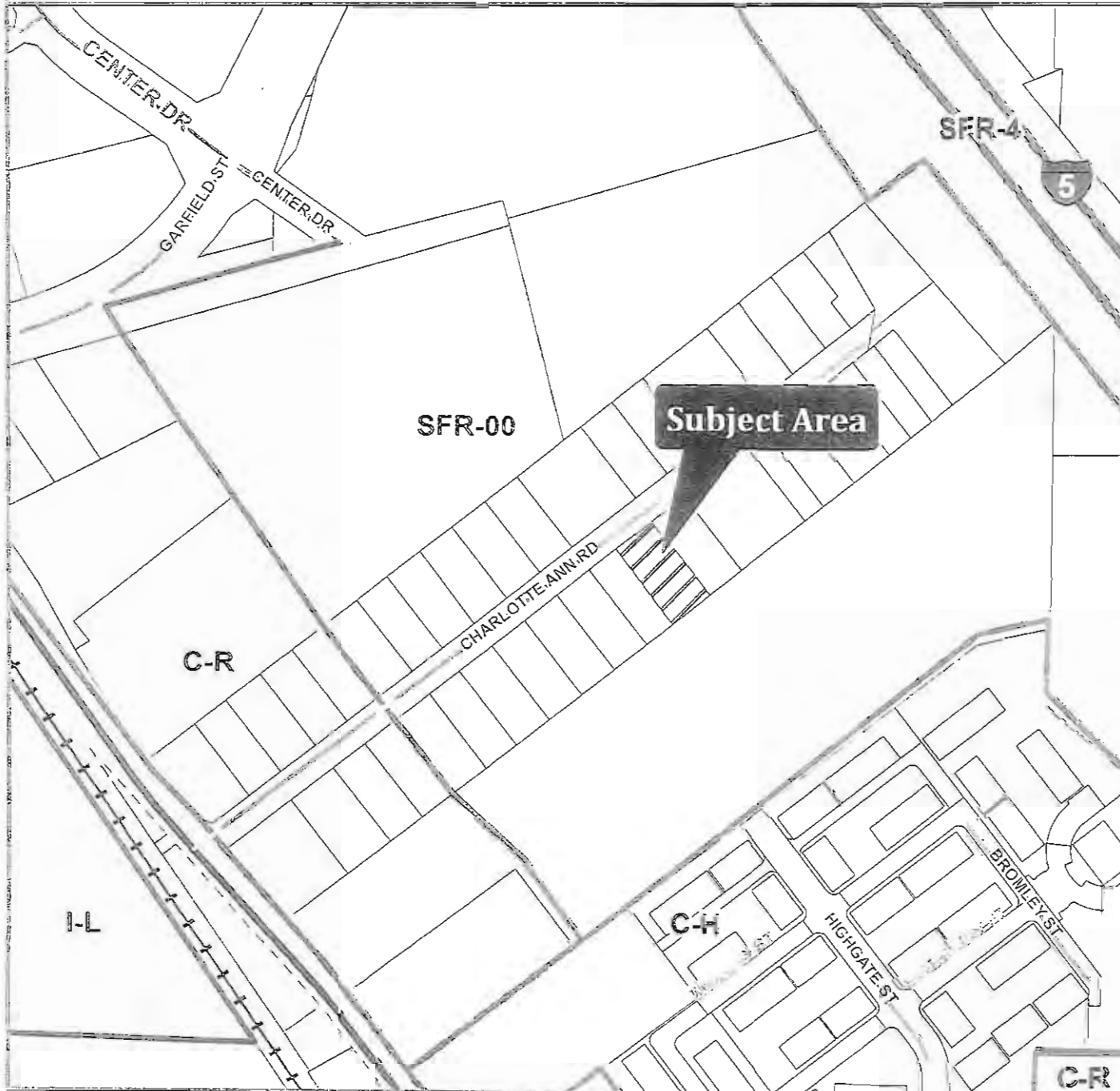
PLANNING DEPT
MAY 07 2013

CHARLES POINT
SUB.PH. 2



CITY OF MEDFORD PLANNING DEPARTMENT

Vicinity Map



Application Name:
Magen Fong

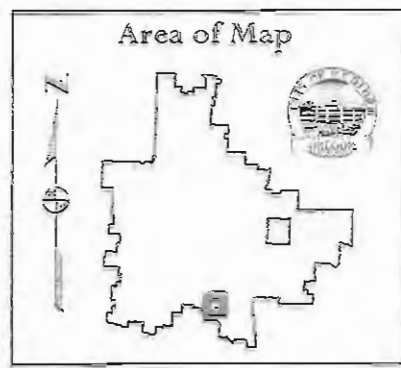
Proposal:
**Zone Change from
SFR-00 to SFR-4**

File Number:
ZC-13-045

Applicant:
Magen Fong

Map/Taxlot:
371W32C TL 3500

	Medford Zoning
	Subject Area
	UGB
	Tax Lots
	City Limits



5/20/2013

RD
RTMENT
TREET
7501



7010 2780 0000 5866 5618



U.S. POSTAGE PITNEY BOWES

ZIP 97501 \$ 006.57⁰
02 1W
0001380149 JUL 12 2013

ATTN: PLAN AMENDMENT SPECIALIST
DEPT. OF LAND CONSERVATION AND
DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540

DEPT OF
JUL 15 2013
LAND CONSERVATION
AND DEVELOPMENT