

**CITY OF SHADY COVE**  
**PLANNING COMMISSION PUBLIC HEARING**

**CITY HALL, 22451 HIGHWAY 62**

**Thursday, December 12, 2019 at 6:00 p.m.**

Agenda

**I. Call to Order**

- A. Roll call.
- B. Announcements by Presiding Officer.
  - 1. This meeting is being digitally recorded.
  - 2. The next regularly scheduled Planning Commission meeting will be December 26 at 6:00 p.m. in the City Council Chamber.

**II. Public Hearings**

A) Public Hearing to Consider a Zone Change to Low Density Residential.

Open Public Hearing.

A Public Hearing to accept public testimony and consider proposed Comprehensive Plan amendment from Commercial to Low Density Residential and change of zone from AC (Airpark Commercial) to R-1-20 (Low Density Residential) for property located at 6673 Rogue River Drive, Shady Cove. Assessor's Map and Tax Lot: 34-1W-21BA 100. Owner/Applicant: Matthew Prince. File Number: ZC 19-01.

- 1. Read Public Hearing Opening Statement.
- 2. If you would like to speak before the Commission, please sign the sheet on the table.
- 3. Jurisdiction Question.
- 4. Conflict of Interest.
- 5. Ex Parté Contact.
- 6. Site Visit.
- 7. Staff Comments. (Nolan)
- 8. Applicants' Testimony/Proponents' Testimony/Commission Questions.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

9. Opponents' Testimony/Commission Questions.
10. Rebuttal
11. Final Staff Comments.
12. Close/Continue Hearing.
13. Deliberations/Discussion/Decision

B) Public Hearing to Consider a Zone Change to Low Density Residential.

Open Public Hearing.

A Public hearing to accept public testimony and consider proposed amendments to the Shady Cove Code of Ordinances Chapters 95 and 153 in order to; clarify the city's street standards, refine standards for shared private drives and allow improvement of existing city streets using alternate street standards when approved by the Planning Commission. Planning File No: CPA 19-03

1. Read Public Hearing Opening Statement.
2. If you would like to speak before the Commission, please sign the sheet on the table.
3. Jurisdiction Question.
4. Conflict of Interest.
5. Staff Comments. (Converse)
6. Proponents' Testimony/Commission Questions.
7. Opponents' Testimony/Commission Questions.
8. Final Staff Comments.
9. Close/Continue Hearing.
10. Deliberations/Discussion/Decision

**III. Department Reports**

- A. Planning Technician Report

**IV. Commissioner Comments**

**V. Adjournment**



**CITY OF SHADY COVE PLANNING COMMISSION PACKET  
PLANNING FILE NO. ZC 19-01**

**CONSIDER PROPOSED COMPREHENSIVE PLAN AMENDMENT FROM COMMERCIAL TO LOW DENSITY RESIDENTIAL AND CHANGE OF ZONE FROM AC (AIRPARK COMMERCIAL) TO R-1-20 (LOW DENSITY RESIDENTIAL) FOR PROPERTY LOCATED AT 6673 ROGUE RIVER DRIVE, SHADY COVE, OREGON**

**PUBLIC HEARING: THURSDAY DECEMBER 12, 2019, 6:00 P.M.**

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**Type IV Staff Report  
Comprehensive Plan Amendment and Zone Change**

**Date: December 4, 2019**

**Application No: ZC 19-01**

Owner / Applicant: Matthew Prince

Proposal: Comprehensive Plan Amendment from Commercial to Low Density Residential and a Change of Zone from AC (Airpark Commercial) to R-1-20 (Low Density Residential).

Address: 6673 Rogue River Drive, Shady Cove, OR 97539

Legal Description of Property: 34-1W-21BA, Tax Lot 100

Acreage: .33 acres

Zoning: Airpark Commercial

The City of Shady Cove planner has reviewed an application for Comprehensive Plan Amendment and Zone Change to permit residential uses on the property described above.

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Section 154.439 establishes the following criteria:

*1. The proposal shall be consistent with the City's adopted goals and policies pertaining to land use, growth, and development.*

Pertinent policies identified by the applicant and staff are as follows (Letters and numbers are not chronological because they reflect the format of the Comprehensive Plan):

**C. Economic Development**

*Policy #3: the City of Shady Cove shall continue to review and refine its Land Use Regulations to ensure that they are reasonably and accurately reflect the goals and objectives of the community.*

*Policy #5: The City of Shady Cove shall work with landowner and developers through the Site Plan Review process to ensure that Plan concepts and actual development plans are in accordance with the City's Plans and Zoning.*

*Policy #9: New commercial and industrial development shall be supported by an adequate transportation system.*

**Finding:** The property is zoned Airpark Commercial, reflecting its unique former use as the site of the Cable Television Utility Operations Building, a commercial building. “The purpose of the Airpark Commercial District is to provide the city a commercial-light industrial area not requiring a large amount of public exposure with airport related uses being of primary concern.” Now that the cable company no longer operates in Shady Cove, the current comprehensive plan and zoning designations are not appropriate. The proposed residential designation allows the existing structure to be retrofitted to allow residential occupation and will align more fluidly with the surrounding properties which are entirely R-1-20 zoned. The property is located along Rogue River Drive and is currently accessed via an existing driveway. The current zoning designation was approved due to a unique situation with an existing cable utility structure. The lot is not contiguous to the larger Airpark Commercial District and is problematic when considering future allowed uses in the AC zone. This is a small lot surrounded by residential properties and heavier commercial uses would likely be problematic with buffering, access, and parking limitations. The existing building appears to easily be retrofitted to accommodate low density residential uses and the site appears appropriately sized to accommodate associated low density residential use.

#### **F. Public Facilities and Services**

*Policy #1: The City of Shady Cove will continue improving its wastewater disposal system, consistent with recommendations in the June 1998 Wastewater Collection and Treatment System Facility Update Plan prepared by Carollo Engineers.*

**Finding:** The City completed updates to its wastewater treatment plant and collection system to accommodate future growth. The present treatment plant can accommodate approximately 2,597 EDUs. Rogue Valley Sewer Services provided no concerns about the proposed zone change.

*Policy #3: The availability and quality of public services, especially streets, sewers, and water, will be considered in approval or denial of comprehensive plan amendments, zoning map changes, and land partitioning.*

**Finding:** Chapter 7 of the Local Street Network Plan includes several policies and strategies for improving transportation systems in Shady Cove. Those that pertain to the application are listed here.

**Implementation Strategy 2.3.D** Identify and minimize conflict points between transportation modes (pedestrians, bicycles and vehicles) and

vehicle purposes (commercial vehicles, traffic operating on residential streets and through traffic).

Policy 4.4 Protect current transportation systems and accommodate future transportation needs by balancing transportation systems with land uses. Land use ordinances and zoning codes shall reflect the purpose of the adjoining transportation system.

**Implementation Strategy 4.4.A** Ensure that development proposals assess and mitigate the direct and cumulative impacts of a project on the transportation system.

**Finding:** The current application is for a comprehensive plan amendment and zone change. The property fronts and has access off of Rogue River Drive, a County Road. Jackson County Roads provided comment to include; they may require engineered storm drain calculations for further development of the site, applicant shall obtain all required county permits, a Road Approach Permit is required prior to any driveway approach improvement, and also voiced concern related to sight line issues with the current driveway. The applicant may contact Jackson County Roads with any questions.

## H. Land Use

*Policy #3: Zoning regulations will include clear and objective standards for the review of conditional uses, site plans and variances.*

**Finding:** The R-1-20 zone contains several standards for new development. Any new development will be subject to findings of compliance with Development Review and Site Design Review standards in Section 154.038 and Section 154.200 of the Code of Ordinances.

*Policy # 6: The availability and quality of public services, especially streets, sewers, storm drains, and water, will be considered in approval or denial of comprehensive plan amendments, zoning map changes.*

**Finding:** See finding under Public Facilities element.

*Policy # 8: In areas designated commercial or public, new developments, substantial modifications, or changes of use will be subject to site plan review.*

**Finding:** Site review may be required for new or modified uses of the property.

*Policy #11: The zoning regulations will contain specific requirements for off-street parking.*

**Finding:** The site appears large enough to accommodate the two parking spaces required in Section 154.337 of the Code of Ordinances.

2. *The proposal shall be consistent with all applicable statewide planning goals.*

- Goal 6: Air, Water and Land Resources Quality: The purpose of this goal is to ensure that discharges from development do not 1) exceed the carrying capacity of air, water and land resources; 2) degrade such resources; or 3) threaten the availability of such resources.

**Finding:** Runoff from the property will be strictly controlled and must be designed to not exceed pre-development flows.

- Goal 11: Public Facilities and Services: The Goal is to plan and develop a timely, orderly and efficient arrangement of public facilities to serve as a framework for urban and rural development.

**Finding:** Agencies providing public facilities and services were notified of the proposal.

3. *A conceptual or specific development plan shall accompany the application to show how the site will be developed and to show that property facilities, services and utilities can be provided by the developer or other provider to serve the site needs.*

**Finding:** The site is developed and the applicant is proposing to remodel the building to meet all residential building code and to meet zoning standards of Shady Cove. The site has adequate area to provide parking and landscaping to increase the aesthetics of the site.

**Conclusion:** The proposed comprehensive plan and zone change reflect the owner's desire to convert a property previously occupied by a commercial use to one that accommodates low density residential use. The current Airpark Commercial designation no longer applies because the specific use as a cable utility operations center is no longer needed in Shady Cove, and the property appears to support the purposes of the Low Density Residential District.

Staff recommends approval of the proposed Comprehensive Plan Amendment from Commercial to Low Density Residential and a change of zone from AC (Airpark Commercial) to R-1-20 (Low Density Residential).



Ryan Nolan, CFM, City Planner

CITY OF SHADY COVE  
ZONE CHANGE APPLICATION

Comprehensive Plan Amendment

**OFFICE USE:**

Application No. ZC 19-01 Received By D. Germain Date 4-5-19  
Amount Paid \$2500.00 Receipt No. 26971 Hearing Date 12/12/19

**TO BE COMPLETED BY APPLICANT:**

Name of Property Owner(s): Matthew Prince / Gabriella Prince (Ellie)

Property Street Address: 6673 Rogue River Dr

Between Deer Park Dr and Orchard Ln streets.

County Assessor's Map & Tax Lot Number: 341WZIBA-100

Current Zoning: Airpark Commercial Adjacent Zoning: residential, R1-20

Request is for a Zone Change to: residential

**MATERIALS REQUIRED** (Application must include all required supplemental materials and application form at the time of filing.)

- 1) Attach a copy of recorded covenants, conditions or deed restrictions, if any, concerning the present use of this property.
- 2) Attach a copy of property plat map.
- 3) Attach a copy of a plot plan indicating the existing property lines and the proposed use. (Conceptual Plan)
- 4) Attach a list with the names and addresses of adjacent property owners within 200 feet of any boundary of the property.
- 5) Attach a metes and bounds description of the property.

**CERTIFICATION**

I hereby certify that the information given above and attached hereto is true and correct, that the property owner is aware of and agrees with this application, and that falsification of fact will result in invalidation of the application. I understand that any approval given is valid for the specific project only, and is subject to all applicable laws, regulations and conditions. Further, I understand that the fee paid at the time of submitting this application does not cover any professional, legal, or consulting fees incurred by City and that I am responsible for all costs incurred by the City of Shady Cove in connection with processing this application.

APPLICANT'S SIGNATURE [Signature]

ADDRESS 3396 New Ray Rd PHONE NUMBER 541324 9367, or  
Central Point OR 97502 (4002)

PURSUANT TO ORS 227, THIS APPLICATION IS CONSIDERED COMPLETE WHEN REVIEWED, DATED AND SIGNED BY THE CITY

PLANNER OR HIS/HER DESIGNATE

Complete  Incomplete

Signature [Signature]

Date 4-16-19



CITY OF SHADY COVE  
ZONE CHANGE APPLICATION  
Page 2, Findings

Attach additional sheets as necessary

The proposed change is in conformance with the comprehensive land use plan of the City of Shady Cove in that:

It is ~~not~~ currently surrounded on all sides by other Residential neighborhoods.

There is a need for this type of property as follows:

Its currently an eyesore to the neighborhood, Renovating this structure to be a usable single family dwelling would both fit where its located ~~and~~ would remove the "odd duck" from the neighborhood

This property meets the public need best by:

Making this change will help clean up Shady Cove and will take an abandoned vacant property and change it to a usable, livable property.

The proposed use will not be detrimental to the public health, safety and general welfare in that:

Its quite the opposite. It will remove old, unused satellite dishes <sup>from the yard</sup> and other electronic equipment from inside the building. I will also remove any wanderers who were sneaking into the building through the opening for the air conditioning unit.

To Whom it may concern:

I am the current, New owner of 6673 Rogue River Dr in Shady Cove, OR. I am requesting to have the zoning of the property changed from Air Park Commercial to a residential single family dwelling. Currently 6673 has remained abandoned for several years, and has been and eyesore for the neighbors. This property desperately needs a renovation, and it would not make sense to renovate this structure to fit its current zoning specifications being that this property is located several blocks from the aripark.

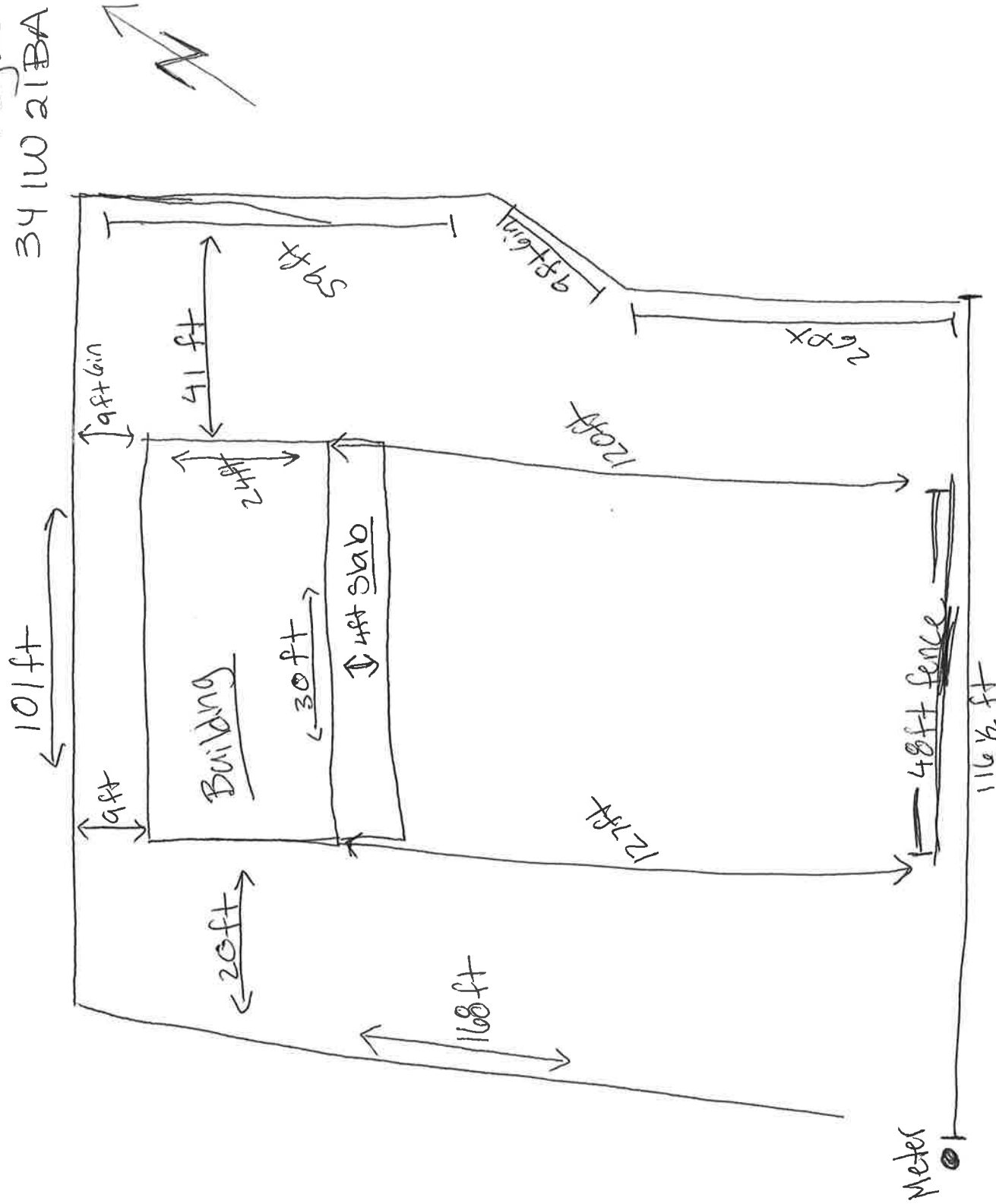
If you go to the property, you will see that it is surrounded on all sides by quiet neighborhoods, and family dwellings that are all zoned Residential. 6673 is currently an eye sore to the neighborhood that it's in. It would benefit the neighborhood to have this property cleaned up, and all the satellite dishes removed from the lot. It would be an appreciated addition to the neighborhood once finished.

I had heard after I purchased the property, that people had been sneaking in to the property through the opening in the wall for the air conditioning unit. Converting this structure to be a residential structure, would also benefit the area by removing any wanderers who may know how to gain access into this building

Your time and consideration in this matter are appreciated. I don't think it will be a difficult decision to make, based on not only its surroundings and location but also its potential benefit to both the neighborhood and Shady Cove alike.

Thank you Sincerely,  
The Princes and Rogue Renovations

6673 Rogue River Dr  
341W 21BA 100



Rogue River Drive

## Debby Jermain

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**From:** Debby Jermain  
**Sent:** Friday, August 02, 2019 8:43 AM  
**To:** Debby Jermain  
**Subject:** FW: Rogue river dr zone change

-----Original Message-----

**From:** Ellie Prince [<mailto:ellie@dellco.net>]  
**Sent:** Monday, May 06, 2019 1:35 PM  
**To:** [planning@shadycove.net](mailto:planning@shadycove.net)  
**Subject:** Rogue river dr zone change

To whom it may concern:

My husband and I are the new owners of 6655 or 6673 Rogue River Dr in Shady Cove. We would like to postpone the zone change proceedings until September, as we will not have the ability to attend electronically while we're out of town. Consideration to this matter is appreciated.

Sincerely

Ellie prince  
5413249367



**NOTICE OF A PROPOSED CHANGE  
TO A COMPREHENSIVE PLAN OR  
LAND USE REGULATION  
FORM 1**

<b>FOR DLCD USE</b>
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing.** (See [OAR 660-018-0020](#) for a post-acknowledgment plan amendment and [OAR 660-025-0080](#) for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Shady Cove**

Local file no.: **ZC 19-01**

Please check the type of change that best describes the proposal:

- Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- UGB amendment** over 100 acres by a metropolitan service district
- Urban reserve designation**, or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- Periodic review task** – Task no.:
- Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): **Debby Jermain, Planning Technician**

Phone: **541-878-8204** E-mail: **djermain@shadycove.org**

Street address: **22451 Hwy 62 City: Shady Cove Zip: 97539**

**Briefly summarize the proposal** in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

**The AC zone applies to land of a commercial-light industrial use with airport related uses. The proposal includes rezoning to a low density residential zone (R-1-20 minimum 20,000 square feet residential lots) to allow for the conversion of an existing structure to residential use. The staff report will be available at City Hall one week before the hearing.**

Date of first evidentiary hearing: **12/12/2019**

Date of final hearing: **01/16/2020**

This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- Comprehensive Plan text amendment(s)
- Comprehensive Plan map amendment(s) – Change from Airpark Commercial to Low Density Residential  
Change from                      to
- New or amended land use regulation
- Zoning map amendment(s) – Change from AC (Airpark Commercial) to R-1-20 (Low Density Residential)  
Change from                      to
- An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- Acres affected by map amendment: **.33**

Location of property, if applicable (site address and T, R, Sec., TL): 6673 Rogue River Dr, Shady Cove, OR 97539 and 34-1W-21BA TL 100

List affected state or federal agencies, local governments and special districts: Jackson County Fire District #4, DLCD, Rogue Valley Sewer Services (RVSS), Jackson County Roads

# NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

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1. Except under certain circumstances,<sup>1</sup> proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist  
Dept. of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/CPU/Pages/Plan-Amendments.aspx>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us) with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at <http://www.oregon.gov/LCD/CPU/Pages/PAPA-Submittals.aspx>.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0000 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

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<sup>1</sup> 660-018-0022 provides:

(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

**If you have any questions** or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0000 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**Notice checklist. Include all that apply:**

- Completed Form 1
- The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- A map of the affected area showing existing and proposed plan and zone designations
- A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- Any other information necessary to advise DLCD of the effect of the proposal





*Mayor*  
Lena Richardson

*Councilors*  
Steve Mitchell  
Dick McGregor  
Shari Tarvin  
Hank Hohenstein

## CERTIFICATE OF MAILING

I hereby certify that on November 22, 2019, I provided a copy of the PUBLIC HEARING NOTICE REQUEST FOR AGENCY COMMENT, PLANNING FILE NO. ZC 19-01 by first class mail to the following (list attached):

  
\_\_\_\_\_  
Debby Jermain, Planning Technician

*"The City of Shady Cove is an equal opportunity provider."*

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226  
E-Mail: [djermain@shadycove.org](mailto:djermain@shadycove.org) ♦ Web Site: [www.shadycove.org](http://www.shadycove.org)

Ted Zuk  
Jackson County  
10 S Oakdale, Room 100  
Medford, OR 97501

Carl Tappert, PE  
District Manager, RVSS  
PO Box 3130  
Central Point, OR 97502

JJ  
Hiland Water  
PO Box 699  
Newburg, OR 97132

Thomas Corrigan  
City Administrator

Mike Kuntz  
Jackson County Roads  
200 Antelope Rd  
White City, OR 97503

Greg Winfrey  
Fire District #4  
PO Box 1400  
Shady Cove, OR 97539

Matthew Prince  
3396 New Ray Rd  
Central Point, OR 97502



Mayor  
Lena Richardson

## NOTICE OF PUBLIC HEARING REQUEST FOR AGENCY COMMENT

Councilors  
Steve Mitchell  
Dick McGregor  
Shari Tarvin  
Hank Hohenstein

The City of Shady Cove Planning Commission will hold a Public Hearing at 6:00 p.m. on Thursday, December 12, 2019 in the City Hall Council Chamber, 22451 Hwy 62, Shady Cove, Oregon. The purpose of the hearing is consideration of a Zone Change and Comprehensive Plan Amendment. Possible Planning Commission actions include a recommendation to approve or deny the request.

Proposed Comprehensive Plan Amendment from Commercial to Low Density Residential and a Zone Change from AC (Air Park Commercial) to R-1-20 (Low Density Residential) for property located at 6673 Rogue River Drive, Assessor's Map No. 34-1W-21BA Tax Lot 100. Planning File No. ZC 19-01. Applicant: Mathew Prince.

Oral and written public testimony regarding this matter will be accepted at the public hearing. Written statements are encouraged and may be submitted at any time, but must be received by *December 4, 2019, to be included in the staff report*. Mail written comments to Planning Department, City of Shady Cove, PO Box 1210, Shady Cove, OR 97539, via fax at 541-878-2226, or via E-mail at [djermain@shadycove.org](mailto:djermain@shadycove.org).

The proposed zone change and file information are available for public review at City Hall, 22451 Hwy 62, Shady Cove during regular office hours or for purchase if requested. For additional information call Shady Cove Planning Department at 541-878-8204.

Failure to raise an issue at a hearing, in person or in writing, accompanied by statements or evidence sufficient to afford the decision maker and the applicant an opportunity to respond to the issue, shall preclude appeal to the Oregon State Land Use Board of Appeals based on that issue. All testimony and evidence must be directed towards specific criteria, copies of which are available at City Hall.

### **NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

Current



proposed





# JACKSON COUNTY

## Roads

### Roads Engineering

Chuck DeJanvier  
Construction Engineer

200 Antelope Road  
White City, OR 97503  
Phone: (541) 774-6255  
Fax: (541) 774-6295  
[DeJanvCA@jacksoncounty.org](mailto:DeJanvCA@jacksoncounty.org)  
[www.jacksoncounty.org](http://www.jacksoncounty.org)

November 27, 2019



Attention: Debby Jermain  
City of Shady Cove Planning  
22451 Highway 62  
Shady Cove, OR 97539

RE: Planning File: ZC-19-01 & CPA; 34-1W-21BA, Tax Lot 100.  
A Comprehensive Plan Amendment & Zone Change  
off Rogue River Drive – a County maintained road.

Dear Debby:

Thank you for the opportunity to comment on this application for a Comprehensive Plan Amendment & Zone Change a 0.33 acre property in a Shady Cove Air Park Commercial (AC) to a Low Density Residential (R-1-20) zoning district. The property is located at 6673 Rogue River Drive 34-1W-21BA Tax Lot 100. Jackson County. Roads has the following comments:

1. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to Rogue River Drive. Jackson County Roads recommends that the city request road jurisdiction.
2. If county storm drainage facilities are utilized, the applicant's registered engineer shall verify that the drainage system has adequate capacity to accept additional runoff from this development. Jackson County Roads shall review, comment and approve the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant.
3. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
4. We would like to be notified of future development proposals, as county permits may be required.
5. Prior to issuing permits, a Road Approach Permit from Jackson County Roads is required to upgrade any approach to Rogue River Drive.
6. Jackson County Roads has concerns there may be sight line issues with the location of the driveways on Rogue River Drive. The approach permit may contain special requirements to address these issues.

November 27, 2019  
Page 2 of 2

7. Utility Permits are required from Roads for any utility work within the county road right-of-way.
8. Please note Rogue River Drive is a County Major Collector and is county-maintained. The Average Daily Traffic count was 1,664 on August 7 2017, 100 feet west of Deer Park Lane. As a comparison of capacity for Rogue River Drive, the capacity of a two lane rural road with ten foot lanes and no shoulders is 5,888 ADT.

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

Sincerely,



Chuck DeJanvier  
Construction Engineer

## PUBLIC NOTICE

The City of Shady Cove Planning Commission will hold a Public Hearing at 6:00 p.m. on Thursday, December 12, 2019 in the City Hall Council Chamber, 22451 Hwy 62, Shady Cove, Oregon. The purpose of the hearing is consideration of a Zone Change and Comprehensive Plan Amendment. Possible Planning Commission actions include a recommendation to approve or deny the request.

Proposed Comprehensive Plan Amendment from Commercial to Low Density Residential and a Zone Change from AC (Air Park Commercial) to R-1-20 (Low Density Residential) for property located at 6673 Rogue River Drive, Assessor's Map No. 34-1W-21BA Tax Lot 100. Planning File No. ZC 19-01. Applicant: Mathew Prince.

Oral and written public testimony regarding this matter will be accepted at

the public hearing. Written statements are encouraged and may be submitted at any time, but must be received by December 4, 2019, to be included in the staff report. Mail written comments to Planning Department, City of Shady Cove, PO Box 1210, Shady Cove, OR 97539, via fax at 541-878-2226, or via E-mail at [djermain@shadycove.org](mailto:djermain@shadycove.org).

The proposed zone change and file information are available for public review at City Hall, 22451 Hwy 62, Shady Cove during regular office hours or for purchase if requested. For additional information call Shady Cove Planning Department at 541-878-8204.

Failure to raise an issue at a hearing, in person or in writing, accompanied by statements or evidence sufficient to afford the decision maker and the applicant an opportunity to

respond to the issue, shall preclude appeal to the Oregon State Land Use Board of Appeals based on that issue. All testimony and evidence must be directed towards specific criteria, copies of which are available at City Hall.

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).





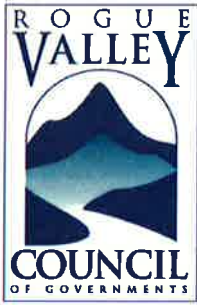


**CITY OF SHADY COVE PLANNING COMMISSION PACKET  
PLANNING FILE NO. CPA 19-03**

**CONSIDER PROPOSED AMENDMENTS TO THE SHADY COVE CODE OF ORDINANCES CHAPTERS 95 AND 153 IN ORDER TO; CLARIFY THE CITY'S STREET STANDARDS, REFINE STANDARDS FOR SHARED PRIVATE DRIVES, AND ALLOW IMPROVEMENT OF EXISTING CITY STREETS USING ALTERNATE STREET STANDARDS WHEN APPROVED BY THE PLANNING COMMISSION**

**PUBLIC HEARING: THURSDAY DECEMBER 12, 2019, 6:00 P.M.**

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**ROGUE VALLEY**  
Council of Governments

155 N. First St.  
P.O. Box 3275  
Central Point, OR 97502  
(541) 664-6674  
FAX (541) 664-7927

**MEMORANDUM**

**Date:** December 4, 2019  
**To:** Shady Cove Planning Commission  
**From:** Ryan Nolan, Planner  
**Subject:** City Street Standards

The Planning Commission has been looking into Street Standard issues within the City of Shady Cove Code of Ordinances. This review has clarified that developers of new subdivisions are responsible for constructing new City Streets to City street standards. Further, it has been clarified that Partitions may be approved only after installing street improvements or with Deferred Development Agreements requiring developers to pay a percentage of future street improvement fees. These agreements are based on the City's estimated street improvement costs (which should be updated). It has also been clarified that individual lots may be developed (ex. Single family home construction) with only a Waiver of Remonstrance (an agreement that the property owner will not contest costs of future street improvement). The Planning Commission has recommended some clarifications to the Code to provide shared private drive standards, and to allow improvement to existing City Streets that do not meet City street standards.

The following are three sections of the Code of Ordinances with proposed deletions shown with strikeout font and proposed additions shown with red font and underlined. It is staff's intention that these amendments would clarify the City's street standards and allow alternate street improvement of existing City streets that do not meet City standards when approved by the Planning Commission.

## **CHAPTER 95: STREETS AND SIDEWALKS**

### **§ 95.03 STREETS AND PEDESTRIAN WAYS.**

(A) All streets, ~~and~~ alleys, and shared private drives serving more than one tax lot shall be:

(1) Cut to the grade and cross-section design approved by the City Engineer, having due regard to drainage, the grade of adjoining streets and properties, making allowance for required base and paving material;

(2) Improved by the placing of an adequate rock base of sufficient depth on the portion designed for vehicular traffic; and

(3) Paved with a minimum of three inches of asphalt concrete.

(B) Where the Planning Commission determines that the public interest requires it, the Planning Commission may require asphalt surfacing of all or any part of any street or alley, whether or not the same is already required.

(C) All street improvements shall be constructed to city standards for permanent street and alley construction. Catch basins shall be installed and connected to drainage leading to storm sewers or drainage ways as approved by the City Engineer. Upon completion of the street improvement, monuments shall be reestablished.

(D) The Planning Commission may approve street improvements alternate to the standards found in Table 6.B.1 when deemed appropriate. (Ord. 223, passed 11-18-2004)

#### **§ 95.61 TRANSPORTATION STANDARDS.**

(A) *Development standards.* No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of §§ 95.30 through 95.33, and the following standards are met.

(1) Streets within or adjacent to a development shall be improved in accordance with the provisions of this section.

(2) Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section and public streets shall be dedicated to the city.

(3) New streets and drives connected to a collector or arterial street shall be paved.

(4) The city may accept a future improvement guarantee (e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exist:

(a) A partial improvement may create a potential safety hazard to motorists or pedestrians;

(b) Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;

(c) The improvement would be in conflict with an adopted capital improvement plan; or

(d) The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.

(B) *Variances.* A variance may be granted under this section only if a required improvement is not feasible due to topographic constraints or constraints posed by sensitive lands.

(C) *Creation of rights-of-way for streets and related purposes.* Streets shall be created through the approval and recording of a final subdivision or partition plat; except, the city may approve the creation of a street by acceptance of a deed; provided that, the street is deemed essential by the City Council for the purpose of implementing the Comprehensive Plan/Transportation Plan, and the deeded right-of-way conforms to the standards of this chapter. All deeds of dedication shall be in a form prescribed by the City Administrator and shall name "the public" as grantee.

(D) *Creation of access easements.* The city may approve and access easement established by deed when the easement is necessary to provide for access and circulation in conformance with §§ 95.30 through 95.33. Access easements shall be created and maintained in accordance with the Uniform Fire Code, § 10.207.

(E) *Street location, width and grade.* Except as noted below, the location, width and grade of all streets shall conform to an approved street plan or subdivision plat. Street location, width and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety and in appropriate relation to the proposed use of the land to be served by the streets:

(1) Street grades shall be approved by the City Engineer in accordance with approved design standards; and

(2) Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:

(a) Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this section; or

(b) Conform to a street plan adopted by the City Council/Planning Commission, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. A plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets and the need for public convenience and safety.

(F) *Minimum rights-of-way and street sections.* Street rights-of-way and improvements shall be the widths in the table below. A variance shall be required to vary the standards in this table. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:

- (1) Street classification;
- (2) Anticipated traffic generation;
- (3) On-street parking needs;
- (4) Sidewalk and bikeway requirements based on anticipated level of use;
- (5) Requirements for placement of utilities;
- (6) Street lighting;
- (7) Minimize drainage, slope and sensitive lands impacts;

- (8) Street tree location;
- (9) Protection of significant vegetation;
- (10) Safety and comfort for motorists, bicyclists, and pedestrians;
- (11) Street furnishings, (e.g., benches, lighting, bus shelters and the like), when provided;
- (12) Access needs for emergency vehicles; and
- (13) Transition between different street widths (i.e., existing streets and new streets), as applicable.
- (14) Table 6.B.1 (Right-of-way and Street Design Standards) *insert Table 6.B.1 in full here* of Ord. ~~223~~ is adopted by reference as if appearing in total and made a part hereof.

TABLE 6.B.1 – Right-of-Way and Street Design Standards

Type of Street	Ave. Daily Tips (ADT)	Right of Way Width	Curb-to-Curb Pavement Width	Within Curb-to-Curb Area			Curb on both sides	Planting Strip on both sides	Sidewalks on both sides
				Motor Vehicle Travel Lanes	Bike Lane on both sides	On Street Parking			
Arterial Streets Boulevards: 2-Lane Boulevard	8,000 to 30,000 ADT	61'-87'	34'	11'	2 at 6' each	8' bays	6"	7'-8' <sup>1</sup>	6'-10' <sup>2</sup>
Avenue: 2-Lane Avenue	3,000 to 10,000 ADT	59'-86'	32-33'	10'-10.5'	2 at 6' each	8' bays	6"	7'-8'	6'-10'
Collector Streets Residential	1,500 to 5,000 ADT								
No Parking		49'-51'	22'	11'	NA <sup>3</sup>	None	6"	8'	5'-6'
Parking One Side		50'-56'	25'-27'	9'-10'		7' lane	6"	7'-8'	5'-6'
Parking Both Sides		57'-63'	32'-34'	9'-10'		7' lanes	6"	7'-8'	5'-6'
Commercial:									
Parallel Parking One Side		55'-65'	28'	10'		8' lane	6"	7'-8'	6'-10'
Parallel Parking Both Sides		63'-73'	36'	10'		8' lanes	6"	7'-8'	6'-10'
Diagonal Parking One Side		65'-74'	37'	10'		Varies	6"	7'-8'	6'-10'
Diagonal Parking Both Sides		81'-91'	54'	10'		Varies	6"	7'-8'	6'-10'
Local Residential Streets <sup>4</sup>	Less than 1,500 ADT								
Parking One Side		47'-51'	22'	15'		One 7'	6"	7'-8'	5'-6'
Parking Both Sides		50'-57'	25'-8'	11'-14' Queuing		Two 7' lanes	6"	7'-8'	5'-6'
Alleys	NA	16'-20'	12'-16' paved width, 1'-2' strips on both sides	NA	NA	none	none	none	none
Accessways & Multi-Use Paths	NA	10'-18'	6'-10' paved width, 2'-4' strips on both sides	NA	NA	none	none	none	none
Private Drives serving 2-6 lots	NA	NA	20'	NA	NA	NA	6"	None	None

<sup>1</sup> Hardscape planting strip with tree wells shall be used in commercial and mixed-use development areas (where on-street parking is provided);

<sup>2</sup> 5'-6- Sidewalk shall be installed in residential areas, 8'-10' sidewalk shall be installed in commercial areas;

<sup>3</sup> Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (less than 25 mph) streets;

<sup>4</sup> Option for residential street with 22-feet of pavement width, and 4-foot wide sidewalks or pathways, separated from roadway by drainage swale (no curb).

[Sidewalks may not be required on some existing local streets when existing and future traffic volumes are low; e.g. less than 500 ADT, or 10 dwellings].

(G) *Traffic signals and traffic calming features.*

(1) Traffic-calming features, such as traffic circles, curb extensions, narrow residential streets and special paving may be used to slow traffic in neighborhoods and areas with high pedestrian traffic.

(2) Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the *Highway Capacity Manual* and *Manual of Uniform Traffic Control Devices*. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The developer's cost and the timing of improvements shall be included as a condition of development approval.

(H) *Future street plan and extensions of streets.*

(1) A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within 400 to 600 feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather, it is intended to show potential future street extensions with future development.

(2) Streets shall be extended to the boundary lines of the parcel or tract to be developed, when the Planning Commission determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to divisions (H)(2)(a) through (c) below.

(a) These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.

(b) A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the city or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.

(c) Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length.

(I) *Street alignment and connections.*

(1) Staggering of streets making "T" intersections at collectors and arterial shall not be designed so that jogs of less than 300 feet on the streets are created, as measured from the centerline of the street.

(2) Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.

(3) All local and collector streets which abut a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns or compliance with other standards in this chapter. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is

considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographical constraint precludes some reasonable street connection.

(4) Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas and transit facilities.

(5) In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to §§ 95.30 through 95.33, and the maximum block length shall not exceed:

- (a) Six hundred feet in the Residential District;
- (b) Four hundred feet in the Downtown/Main Street District;
- (c) Not applicable to the General Industrial District; and
- (d) Six hundred to 800 feet in the Light Industrial District.

(J) *Sidewalks, planter strips, bicycle lanes.* Sidewalks, planter strips and bicycle lanes shall be installed in conformance with the standards in the table above, applicable provisions of the Transportation Plan, the Comprehensive Plan and adopted street plans. Maintenance of sidewalks, curbs and planter strips is the continuing obligation of the adjacent property owner.

(K) *Intersection angles.* Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:

- (1) Streets shall have at least 25 feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;
- (2) Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and
- (3) Right-of-way lines at intersections with arterial streets shall have a corner radius of not less than 20 feet.

(L) *Existing rights-of-way.* Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development.

(M) *Cul-de-sacs.* A dead-end street shall be no more than 200 feet long, shall not provide access to greater than four dwelling units, and shall only be used when environmental or topographical constraints, existing development patterns or compliance with other standards in this chapter preclude street extension and through circulation.

(1) All cul-de-sacs shall terminate with a circular or hammer-head turnaround. Circular turnarounds shall have a radius of no less than 30 feet, and not more than a radius of 40 feet (i.e., from center to edge of pavement); except that turnarounds may be larger when they contain a landscaped island or parking



bay in their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width; and

(2) The length of the cul-de-sac shall be measured along the centerline of the roadway from the nearside of the intersecting street to the farthest point of the cul-de-sac.

(N) *Grades and curves.* Grades shall not exceed 10% on arterial, 12% on collector streets or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet), and:

(1) Centerline curve radii shall not be less than 700 feet on arterial, 500 feet on major collectors, 350 feet on minor collectors or 100 feet on other streets; and

(2) Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging 5% or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.

(O) *Curbs, curb cuts, ramps and driveway approaches.* Concrete curbs, curb cuts, wheelchair, bicycle ramps and driveway approaches shall be constructed in accordance with the most recent ODOT/APWA standards and meet the standards shown in §§ 95.30 through 95.33.

(P) *Alleys, public or private.* Alleys shall conform to the standards in the table above. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.

(Q) *Private streets.* Private streets shall not be used to avoid connections with public streets. Design standards for private streets shall conform to the provisions of the table above.

(R) *Street names.* No street name shall be used which will duplicate or be confused with the names or existing streets in the city, except for extensions of existing streets. Street names, signs and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers.

(S) *Survey monuments.* Upon completion of a street improvement and prior to acceptance by the city, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the city that all boundary and interior monuments shall be reestablished and protected.

(T) *Street signs.* The city, county or state jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

(U) *Mail boxes.* Plans for mail boxes to be used shall be approved by the United States Postal Service.

(V) *Street light standards.* Street lights shall installed in accordance with city standards.

(W) *Street cross-sections.* The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final city acceptance of the roadway and within one year of the conditional acceptance of the roadway unless otherwise approved by the City Engineer.

(1) Sub-base and leveling course shall be of select crushed rock;

(2) Surface material shall be of Class C or B asphaltic concrete;

(3) The final lift shall be Class C asphaltic concrete as defined by the most recent ODOT/APWA standard specifications; and

(4) No lift shall be less than one and one-half inches in thickness.

(Ord. 223, passed 11-18-2004)

## CHAPTER 153: SUBDIVISION REGULATIONS

### § 153.14 SHARED PRIVATE DRIVES.

When the size and shape of the lot makes separate drives impossible, the ~~Director~~ Planning Commission may approve shared drives when the following conditions are met:

(A) The private drive does not serve more than six ~~dwelling units~~ tax lots.

(B) A homeowner's association, or other mechanism found acceptable to the ~~Director~~ Planning Commission, is created to maintain the drive.

(C) All utilities, except the private drive, shall have separate connections to the public system, or if shared utilities are allowed; an access agreement shall be secured to allow public access on the drive for operation and maintenance of the utilities.

(D) Any utilities or facilities shared by two or more property owners shall meet established city standards.

(E) Shared private drives shall have street signs that read, "Private Drive, Non-City Maintained". Signage shall be the responsibility of the private land owners and not the City.

(F) Shared private drives shall be constructed to City Street Standards as outlined in Table 6.B.1. Pre-existing shared private drives shall not be required to meet City Standards regarding surfacing.

(G) The City of Shady Cove shall not be responsible for maintenance of shared private drives or related private improvements such as catch basins, culverts, or ditches.

(H) Notwithstanding the foregoing, partitions which propose access to newly created lots via pre-existing shared private drives shall only be approved if the pre-existing shared private drive is brought up to City street standards as outlined in Table 6.B.1.

(Ord. 224, passed 12-2-2004)

The following pages include the Notice and Certificate of Mailing to property owners within the Shady Cove city limits. The list is included in the record, but not copied in the staff report because of its size.

## NOTICE OF PUBLIC HEARING

**This is to notify you that the City of Shady Cove has proposed a land use regulation that may affect the permissible uses of your property and other properties.**

The City of Shady Cove has proposed an ordinance to amend the Code of Ordinances Chapters 95 and 153 in order to; clarify the City's street standards, refine standards for shared private drives, and allow improvement of existing City streets using alternate street standards when approved by the Planning Commission. The City has determined that adoption of this proposed ordinance may affect the permissible uses of your property, and/or may change the value of your property. This notice, including the above statement, is required by Oregon state law (ORS 227.186).

NOTICE IS HEREBY GIVEN that the Shady Cove Planning Commission will conduct a public hearing on **Thursday, December 12, 2019, at 6:00 p.m.** in the City Hall Council Chamber, 22451 Hwy 62, Shady Cove, Jackson County, Oregon. The purpose of the hearing is to adopt amended street standards. Possible Planning Commission actions include a recommendation to approve the text as written, approve alternate text, denial, or continuance. The Shady Cove City Council will conduct a public hearing on **Thursday, January 2, 2020, at 6:00 p.m.** in the City Hall Council Chambers to consider the recommendation of the Planning Commission. Possible City Council actions include approval of the text as written, approval of alternate text, denial or continuance. Planning File No. CPA 19-03.

The proposed street standards are available for review at the City of Shady Cove, 22451 Hwy 62, Shady Cove, OR from 8:00 a.m. to 5:00 p.m. Copies of the proposed ordinance and file information are available for purchase if requested or may be viewed on the city's website [www.shadycove.org](http://www.shadycove.org). For additional information concerning this proposed ordinance, call the Shady Cove Planning Department at 541-878-8204.

Oral and written public testimony regarding this matter will be accepted at the public hearing. Written statements are encouraged and may be submitted at any time, but must be received by **December 4, 2019, to be included in the staff report.** Mail written comments to City Planner, City of Shady Cove, PO Box 1210, Shady Cove OR 97539, via FAX at 541-878-2226, or via E-mail at [djermain@shadycove.org](mailto:djermain@shadycove.org).

This notice is not a determination the regulations will affect your property, but that the regulations may affect your property depending on various factors.

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at 541-878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II ).



*Mayor*  
Lena Richardson

*Councilors*  
Steve Mitchell  
Dick McGregor  
Shari Tarvin  
Hank Hohenstein

## CERTIFICATE OF MAILING

I hereby certify that on November 21, 2019, I provided a copy of the NOTICE OF PUBLIC HEARING, PLANNING FILE NO. CPA 19-03 by first class mail to the following (list attached):

  
Debby Jermain, Planning Technician

*"The City of Shady Cove is an equal opportunity provider."*

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226  
E-Mail: [djermain@shadycove.org](mailto:djermain@shadycove.org) ♦ Web Site: [www.shadycove.org](http://www.shadycove.org)

## Debby Jermain

---

**From:** Debby Jermain  
**Sent:** Friday, November 22, 2019 10:58 AM  
**To:** 'Deputy State Fire Marshall (mike.shaw@state.or.us)'; 'Greg Winfrey'; 'Pingle, Scott'; 'Zuk, Ted'; 'kuntzm@jacksoncounty.org'  
**Cc:** Tom Corrigan; Ryan Nolan  
**Subject:** Request for Agency Comment  
**Attachments:** 0 Request for Agency Comment.pdf; Memorandum City Street Standards 10 10 19.pdf

Please find attached the City of Shady Cove's Request for Agency Comment and the Memorandum City Street Standards.

Please note my new email address: [djermain@shadycove.org](mailto:djermain@shadycove.org) and our new website: [www.shadycove.org](http://www.shadycove.org).

*Debby Jermain  
Planning Technician*

### **City of Shady Cove**

22451 Hwy 62  
PO Box 1210  
Shady Cove, OR 97539  
Tel (541) 878-8204  
[djermain@shadycove.org](mailto:djermain@shadycove.org)  
website: [www.shadycove.org](http://www.shadycove.org)

*This email transmission is official business of the City of Shady Cove, and is subject to Oregon Public Records Law for disclosure and retention. If you have received this message in error, please contact me at (541) 878-8204. Thank you.*

Ted Zuk  
Jackson County  
10 S Oakdale, Room 100  
Medford, OR 97501

Greg Winfrey  
Fire District #4  
PO Box 1400  
Shady Cove, OR 97539

Scott D Pingle, PE, SE  
KAS & Associates, Inc  
304 S Holly Street  
Medford, OR 97501

~~Kevin Christiansen~~  
*Mike Kuntz*  
Jackson County Roads  
200 Antelope Rd  
White City, OR 97503

Mike Shaw  
Deputy State Fire Marshal  
5375 Monument Drive  
Grants Pass OR 97526

Thomas Corrigan  
Spencer McMahan  
NO ENVELOPE



Mayor  
Lena Richardson

Councilors  
Steve Mitchell  
Dick McGregor  
Shari Tarvin  
Hank Hohenstein

**PUBLIC HEARING NOTICE  
REQUEST FOR AGENCY COMMENT**  
Public Hearing December 12, 2019 at 6:00 P. M.

Date: November 20, 2019  
File No: CPA 19-03  
To: Agency

The City of Shady Cove has proposed an ordinance to amend the Code of Ordinances **Chapters 95 and 153 in order to; clarify the City's street standards, refine standards for shared private drives, and allow improvement of existing City streets using alternate street standards when approved by the Planning Commission.** The proposed Ordinance language is attached. Please return this form with your comments to this office by December 4, 2019 so that your comments may be included in the Planning Commission public hearing. Contact Debby Jermain at 541-878-8204 if you have any questions.

- We have no comment.
- We recommend approval with no special conditions.
- This property is not within our jurisdiction.
- Please address the following concerns:

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- We encourage denial of this proposal because:

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Agency Representative (print)

Phone #

Signature of Agency Representative

Date

Note to Agencies: If your proposed conditions of approval include the dedication of land for public use or the provision of public improvements, please submit written findings with supporting data or information that justify the requirements. **Specifically, the findings must show that there is an essential connection between your requirements and a legitimate government purpose and that there is a rough proportionality between the burden of the requirement of the developer and the impacts of the proposed development on public facilities and services.**





# JACKSON COUNTY

## Roads

**Roads  
Engineering**

**Chuck DeJanvier**  
*Construction Engineer*

200 Antelope Road  
White City, OR 97503  
Phone: (541) 774-6255  
Fax: (541) 774-6295  
[DeJanvCA@jacksoncounty.org](mailto:DeJanvCA@jacksoncounty.org)  
[www.jacksoncounty.org](http://www.jacksoncounty.org)



November 25, 2019

Attention: Debbie Jermain  
Planning Department  
City of Shady Cove  
22451 Highway 62  
Shady Cove, OR 97539

RE: Comprehensive Plan Amendment to amend the Code of Ordinances Chapters 95 and 153 in order to clarify the City's street standards, refine standards for shared private drives and allow improvements of existing street using alternate street standards when approved by the Planning Commission.  
Planning File: CPA-19-03

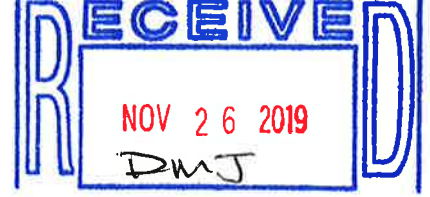
Dear Debbie:

Thank you for the opportunity to comment on the request for Comprehensive Plan Amendment to amend the Code of Ordinances Chapters 95 and 153 in order to clarify the City's street standards, refine standards for shared private drives and allow improvements of existing street using alternate street standards when approved by the Planning Commission. Jackson County Roads has no comment.

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

Sincerely,

Chuck DeJanvier  
Construction Engineer



Street Standards Ordinance

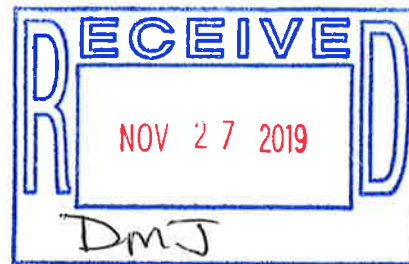
1. Requires that shared private drives (new driveways serving 2 – 6 lots) be built to City street standards as found in Table 6.B.1 (20 feet of pavement and curbs on both sides)
2. Allows the Planning Commission to approve improvements to existing streets that do not currently meet code utilizing alternate improvement standards such as chip sealing or other alternative standards. (Current code requires any improvement to meet full City Street Standards)
3. Inserts Table 6.B.1 into the City Code so that City Street Standards are easily identifiable.
4. Clarifies that shared private drives may serve up to six tax lots and no more.
5. Shared private drives shall have street signs that read, “Private Drive, Not City Maintained”. Signage shall be the responsibility of the private land owners and not the City.
6. Clarifies that the City is not responsible for private drives or private storm drain.
7. Requires that partitions creating new lots on pre-existing shared private drives shall only be approved if the pre-existing shared private drive is brought up to current City street standards.

1. Do we have profiles of these standards;
2. Does top of curb count for side walk width;
3. Can we set <sup>time</sup> requirement for installation improvements;
4. Can we require a completion bond for any delayed work;
5. are all existing common private drives grandfathered;
6. See 6 above ~~we~~ should have some check on storm drains; and
7. see 1, 2 & 3 for timing?
8. What estimate do we use for residential ADT's?

## Debby Jermain

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**From:** scott kasinc.com <scott@kasinc.com>  
**Sent:** Wednesday, November 27, 2019 2:21 PM  
**To:** Debby Jermain  
**Cc:** Tom Corrigan  
**Subject:** RE: Request for Agency Comment  
**Attachments:** Street Standard Comments.PDF



Debby and Tom:

Here are my comments on the Street Standards. The other real question I have on Street Standards is WHO determines what street section goes on Which Street? Is this always supposed to go through the Planning Commission?

We are currently working on the Design of Schoolhouse Lane from Highway 62 to Nork Street and it only has a sidewalk on one side of the street, no planting strip and is 36' wide curb to curb. The section shows two 12' travel lanes and one 6' bike lane on each side of the street and a 5' sidewalk on the north (school) side of the street. This proposed section is different than anything on the proposed Table 6.B.1. Do we need Planning Commission approval for this alternate street section we are proposing and that was approved of for the SCA Grant?

**Scott D. Pingle, P.E., S.E.**



304 S. Holly St.  
Medford OR 97501  
541-772-5807

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**From:** Debby Jermain <djermain@shadycove.org>  
**Sent:** Friday, November 22, 2019 10:55 AM  
**To:** Deputy State Fire Marshall ([mike.shaw@state.or.us](mailto:mike.shaw@state.or.us)) <[mike.shaw@state.or.us](mailto:mike.shaw@state.or.us)>; Greg Winfrey <[gregw@jcf4.com](mailto:gregw@jcf4.com)>; scott kasinc.com <[scott@kasinc.com](mailto:scott@kasinc.com)>; Zuk, Ted <[zuktj@jacksoncounty.org](mailto:zuktj@jacksoncounty.org)>; [kuntzm@jacksoncounty.org](mailto:kuntzm@jacksoncounty.org)  
**Cc:** Tom Corrigan <[tcorrigan@shadycove.org](mailto:tcorrigan@shadycove.org)>; Ryan Nolan <[Rnolan@rvcog.org](mailto:Rnolan@rvcog.org)>  
**Subject:** Request for Agency Comment

Please find attached the City of Shady Cove's Request for Agency Comment and the Memorandum City Street Standards.

Please note my new email address: [djermain@shadycove.org](mailto:djermain@shadycove.org) and our new website: [www.shadycove.org](http://www.shadycove.org).

*Debby Jermain  
Planning Technician*



Mayor  
Lena Richardson

Councilors  
Steve Mitchell  
Dick McGregor  
Shari Tarvin  
Hank Hohenstein

**PUBLIC HEARING NOTICE**  
**REQUEST FOR AGENCY COMMENT**  
Public Hearing December 12, 2019 at 6:00 P. M.

Date: November 20, 2019  
File No: CPA 19-03  
To: Agency

The City of Shady Cove has proposed an ordinance to amend the Code of Ordinances Chapters 95 and 153 in order to; clarify the City's street standards, refine standards for shared private drives, and allow improvement of existing City streets using alternate street standards when approved by the Planning Commission. The proposed Ordinance language is attached. Please return this form with your comments to this office by December 4, 2019 so that your comments may be included in the Planning Commission public hearing. Contact Debby Jermain at 541-878-8204 if you have any questions.

- We have no comment.
- We recommend approval with no special conditions.
- This property is not within our jurisdiction.
- Please address the following concerns:

TABLE G.B.1 - PRIVATE DRIVES GENERALLY DO NOT HAVE CURBS

• ARE THERE EXCEPTIONS TO ELIMINATE PLANTING STRIPS AND HAVING SIDEWALKS ON ONLY ONE SIDE?

- We encourage denial of this proposal because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY ENGINEER  
Agency Representative (print)

Scott D. Knight  
Signature of Agency Representative

541-772-5807

Phone #

11-22-19

Date

Note to Agencies: If your proposed conditions of approval include the dedication of land for public use or the provision of public improvements, please submit written findings with supporting data or information that justify the requirements. Specifically, the findings must show that there is an essential connection between your requirements and a legitimate government purpose and that there is a rough proportionality between the burden of the requirement of the developer and the impacts of the proposed development on public facilities and services.

## PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Shady Cove Planning Commission will conduct a public hearing on Thursday, December 12, 2019 at 6:00 p.m., in the City Hall Council Chamber, 22451 Hwy 62, Shady Cove, Oregon. The purpose of the hearing is to adopt amended street standards. Possible Planning Commission actions include a recommendation to approve the text as written, approve alternate text, deny or continue. The Shady Cove City Council will conduct a public hearing on Thursday, January 2, 2020 at 6:00 p.m., in the City Hall Council Chamber to consider the recommendation of the

Planning Commission. Possible City Council actions include approval of the text as written, approve alternate text, deny or continue. Planning File No. CPA 19-03

The proposed amendments are available for review at the City of Shady Cove, 22451 Hwy 62, Shady Cove, OR from 8:00 a.m. to 5:00 p.m. Copies of the proposed ordinance and file information are available for purchase if requested or may be viewed on the city's website [www.shadycove.org](http://www.shadycove.org).

Please mail comments to City of Shady Cove, PO Box 1210, Shady Cove, OR 97539. The staff report will be

available for inspection seven days prior to the hearing. Additional information is available by contacting the Planning Department at 541-878-8204.

The public is invited to attend and comment at these public hearings.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

11/13/19 Through 12/06/19 Planning and Building Activities

**BUILDING PERMITS**

YEAR Permit No.	DATE	NAME	TYPE	ADDRESS	MAP	TAX LOT
19-45	11/14/19	Kim Thurman	Encroachment Permit	Mailboxes Entrance Rene Dr		
19-46	11/14/19	RVSS	Encroachment Permit	111 Edgewood Park Dr		Repair Sewer Main
19-47	11/14/19	RVSS	Encroachment Permit	615 Kinworthy Dr		Repair Sewer Main
19-48	11/14/19	RVSS	Encroachment Permit	201 Schoolhouse Lane		Repair Sewer Main
19-49	11/14/19	RVSS	Encroachment Permit	124 Fawn Circle		Repair Sewer Main
19-50	11/20/19	Greg Winfrey	<b>New Home</b>	478 Yew Wood	16DD	3017
19-51	11/21/19	Mark Degner	<b>New Home</b>	87 Kee Lane	21AA	3401
19-52	11/25/19	Mark Tomasello	Replacement MH	22071 Hwy 62 #22	15BB	6500
19-53	12/2/19	RVSS	Encroachment Permit	10 Kelley Ct		Repair Sewer Main
19-54	12/2/19	RVSS	Encroachment Permit	475 Rogue Air Drive		Repair Sewer Main

**FLOODPLAIN CLEARANCE FOR PERMIT**

JC FPA	11/21/2019	11/26/2019	15BA 1801	Michael Martin	965 Old Ferry Rd	Mechanical/fireplace
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