

CITY OF ROGUE RIVER

City Council Minutes

THURSDAY, JULY 27, 2023

CITY HALL COUNCIL CHAMBERS

CITY OF ROGUE RIVER, JACKSON COUNTY, OREGON

CALL TO ORDER The Regular Council meeting was called to order by Mayor Pam VanArsdale at 6:00 p.m.

**INVOCATION /
MOMENT OF
SILENCE** Mayor Pam VanArsdale called for a Moment of Silence

**PLEDGE OF
ALLEGIANCE** Mayor Pam VanArsdale led the Council and audience in the Pledge of Allegiance

QUORUM **COUNCIL MEMBERS PRESENT:**
Mayor Pam VanArsdale
City Councilor Sharie Davis
City Councilor Rick Kempa
City Councilor Barb Hilty
City Councilor Sherrie Moss

COUNCIL MEMBERS ABSENT:
City Councilor Barb Gregory

STAFF PRESENT:
Ryan Nolan, City Administrator
Carol Weir, City Recorder
Mike Bollweg, Public Works Director
Jim Williams, Chief of Police
Stephanie Madtson, Deputy Recorder
James Schireman, Contract Planner

MEDIA PRESENT:
Brian Mortensen, Rogue River Press

A quorum was present and due notice had been published.

COMMITTEE REPORTS:

Community Relations; Rogue River Chamber of Commerce: City Councilor Rick Kempa reported that they made about \$4,500 from the dinner held at the Live Oak Grange and they would be refunding the people who purchased the envelopes that were said to have contained \$100 gift cards but did not. The August Chamber Mixer would be held at the Rogue River Branch Library.

Community Relations; Rogue River Community Center: City Councilor Barb Hilty reported that the third Friday dinners had been canceled until September 2023; they were currently serving 70-families through the Food Bank; and, they were working on applying for some grants for the buildings.

Emergency Communication of Southern Oregon (ECISO): City Administrator Ryan Nolan reported that they would be holding their meeting in August 2023 and they would be discussing restructuring the dues for the 911 system.

Finance Committee: City Councilor Sherrie Moss reported that they had met twice during the month of May 2023 to review and approved bills as submitted and signed 73-checks totaling \$77,754.18 and for the month of June 2023 they met twice to review and approve bills as submitted and signed 87-checks totaling \$640,454.38.

Middle Rogue Metropolitan Planning Organization (MRMPO): Mayor Pam VanArsdale reported that they met and some good news was that there had been some left over money from a fund exchange between the Federal and State governments in the amount of \$270,000 and it had been decided to give that money to the City of Rogue River to help complete more sidewalk projects.

Personnel Committee: City Councilor Barb Hilty reported that they had a quick meeting and had nothing to report.

Planning Commission Liaison: Planning Commission Liaison Barb Gregory was excused and City Administrator Ryan Nolan reported that they had held a workshop where they reviewed the format of the public hearing scripts and they met to review a partition on Broadway where an applicant wanted to divide a piece of property that could have up to five lots but created to two lots and instead of putting in a public street it would have two flag poles next to each other. The City code did not allow two flag lots but the Planning Commission approved it allowing two flag lots and one driveway. Seemed to be an appropriate use of the property and utility connections would be required.

Rogue Valley Area Commission on Transportation (RVACT): Mayor Pam VanArsdale reported that they had met and heard presentations from the Oregon Department of Transportation (ODOT) in preparation of their 2027-2030 State Transportation Improvement Program (STIP). She commented that it would create more challenges for funding projects in the future because what costs \$1 today could be up to \$20 in the year 2030.

Rogue Valley Council of Governments: Mayor Pam VanArsdale reported that there was no meeting in July 2023.

Council Advisory Committee: Chair Francis Gilbert reported that they had been talking about the Soda Mountain Project where Jackson County had facilities which

were in very poor condition along with legal issues around the site; he commented that he had set in on the Bureau of Land Management (BLM) meeting and got himself on their mailing list for the real estate issues surrounding Soda Mountain and the building placement for Emergency Communication of Southern Oregon (ECISO); he had also spoken with Niki Murphy regarding her Wards Creek Restoration Project and their interest of Wildfire prevention; he commented that Alert California had 1,000 cameras and had split off from Oregon; and, the said the committee had an opinion on the 230 Wards Creek Road annexation and he was directed to sign in on the sign up sheet.

NEW BUSINESS:

AGENDA ITEM 1 **Council Bill No. 23-2467:** An Ordinance amending Rogue River Municipal Code Title 5.20, regulating Garage Sales for the City of Rogue River, Oregon.

MOVED (MOSS), SECONDED (HILTY) AND CARRIED TO ADOPT COUNCIL BILL NO. 23-2467.

AGENDA ITEM 2 **Council Bill No. 23-2468:** An Ordinance repealing Ordinances No. 07-336-O and 08-351-O, and replacing Rogue River Municipal Code 10.25 regulating the use of skateboards, skates, scooters, and similar devices for the City of Rogue River, Oregon.

MOVED (HILTY), SECONDED (KEMPA) AND CARRIED TO ADOPT COUNCIL BILL NO. 23-2468.

AGENDA ITEM 3 **Public Hearing:** The City Council held a Public Hearing to hear comments regarding a request to annex property located in the Urban Growth Boundary at 230 Wards Creek Road, Rogue River, and be rezoned to Residential High-Density (R-2). Applicant/Owner: J. Galt Properties.

Mayor Pam VanArsdale opened the public hearing by reading a prepared statement that is a permanent part of the record.

The hearing was conducted as a legislative hearing. Oregon land use law required that several items be read into the record at the beginning of each public hearing.

The hearing was on application for annexation. File ANS 2023-01, which was filed by Clark Stevens, on behalf of Carl Peugh. The applicant was requesting annexation and zoning designation for a 4.86 acre property located within the Urban Growth Boundary and contiguous to current city limits, The property was located at 230 Wards Creek Road , Rogue River, Oregon and legally described as Township 36 South, Range 4 West Section 22A, Tax Lot 200.

The applicable substantive criteria was contained in the Rogue River Municipal

Code, Chapter 18, Rogue River Ordinance No. 21-410-O, and, found in the Staff Report. Copies of the criteria were available for review and reference. All testimony and the Final Recommendation were based on that criteria. The City Council would approve, approve with conditions, deny the application, or continue the meeting to a later specific date and time.

Mayor Pam VanArsdale asked if any member of the City Council wished to declare ex-parte contact, site visit, or feel they may have a conflict of interest, bias, or other reason to be disqualified from participation in the hearing. None were heard.

Mayor Pam VanArsdale asked if anyone in the audience wished to challenge any of the City Councilor's qualifications to participate in the hearing. None were heard.

Mayor Pam VanArsdale informed anyone that wished to register evidence or comments could testify, the City Councilors could ask questions of staff members or others who provided testimony. When the need for public discussion ended the City Council would close the public hearing for deliberation. At that point no public testimony would be permitted during unless the City Council reopened the public hearing.

Contract Planner James Schireman presented the following Staff Report:

ANNEXATION REQUEST STAFF REPORT

OWNER: Carl Galt
Box 19,
Rogue River, OR,

FILE: ANX 2023-01

DATE: June 6, 2023

AGENT: Clark Stevens, Richard Stevens & Associates, Inc.
Box 4368
Medford, OR 97501

LEGAL DESCRIPTION: Township 36 South, Range 4 West, Section 22A, Tax Lot 200

ADDRESS: 230 Wards Creek Road, Rogue River

APPLICATION: Request to annex was submitted by Carl Galt for property located at 230 Wards Creek Road, more particularly described as Assessor's Map 36S-4W-22A TL 200. The applicant has requested that the property be annexed and rezoned to the Residential High Density District (R-2)

PLANNING COMMISSION RECOMMENDATION: Approval

1.0 BACKGROUND INFORMATION

- A. Parcel Size: 4.86 acres
- B. Zoning: Jackson County RR-2.5
Access: Access is currently off of Wards Creek Road, classified as Arterial Street B, per section 16.20.120
- C. Previous Land Use Actions:
 - 2014 - Lot in question created through partition, albeit 7.69 acres in size.
 - 2023 - Property line adjustment to decrease size of Tax Lot 200 to current form of 4.86

acres

- D. Current Land Use: Land is currently vacant. A few trees of large size occupy the center of the site, while a grove occupies the edge of the Southeast.
- E. Surrounding Land Uses:
 - 1. North 1: RR-2.5 residential use (County)
 - 2. North 2: Public Woodville Cemetery (City)
 - 3. East: RR-2.5 residential use (County)
 - 4. South: RR-residential use (County)
 - 5. West 1: R-2 High Density Residential (City)
 - 6. West 2: R-2 High Density Residential (City)
 - 7. West 3: R-2 High Density Residential (City)
 - 8. West 4: R-2 High Density Residential (City)

2.0 APPROVAL CRITERIA

- 2.1 Rogue River/Jackson County Urban Growth Boundary and Policy Agreement
- 2.2 Oregon Revised Statutes *ORS Chapter 222.005 – 222.183*
- 2.3 City of Rogue River Comprehensive Plan
- 2.4 Rogue River Municipal Code Chapter 18.10 (*Annexation Procedures*)
- 2.5 City of Rogue River Transportation System Plan
- 2.6 State of Oregon Transportation Planning Rule

2.1 CRITERIA & FINDINGS:

- 1. Rogue River/Jackson County Urban Growth Boundary and Policy Agreement “*Urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth, as allowed by the City Comprehensive Plan, prior to or concurrent with the land use changes.*”

Staff Response: Satisfied

All requirements of the Rogue River/Jackson County Urban Growth Boundary and Policy Agreement are being met through potential approval of this application for annexation. Specifically, urban facilities and services are in adequate condition and capacity to accommodate potential growth based on the new zoning.

- 2. Oregon Revised Statutes 222.111

Authority and procedure for annexation: (1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

Staff Response: Satisfied

The property proposed for is contiguous to the current city limits along the western property line.

- 3. City of Rogue River Comprehensive Plan – Goal 14 Policies

It is the policy of the City of Rogue River:

- A. *To assure that future annexations will be approved only if they can be shown to meet the following criteria:*
 - 1. *The property is within the Urban Growth Boundary.*
 - 2. *The property is contiguous to the City limits.*
 - 3. *City services and facilities are available and adequate to meet the needs of the areas to be annexed.*
 - 4. *Annexation is determined to be in the best interest of the City and would*

serve the general health safety and welfare of the City.

B. Planning Commission Response: Satisfied

The subject property is within the Urban Growth Boundary.

C. Planning Commission Response: Satisfied

The subject property is contiguous with City limits.

D. Planning Commission Response: Satisfied.

The proposed annexation fronts Wards Creek Road. While the road appears to be in a well maintained condition, proposed development on the site will likely require further improvements to ensure safe access and egress, as well support other modes of transportation. For the purposes of the annexation alone however, staff finds this aspect of criterion can be satisfied.

The applicant has proactively addressed sewer, water, and storm infrastructure by inquiring with neighboring properties about easement dedication and main extension.

For sewer, the applicant proposed that an existing 8 inch sewer mainline at the intersection of E. Main Street and Wards Creek Road, proceeding west towards Cluster Dr. The applicant states that a utility easement has been negotiated that will allow sewer service to be extended into the subject property.

Similarly for water, the applicant proposes extending an existing 8 inch water main near cluster drive to service the property.

Regarding storm water, the applicant has proposed that a connecting to the line near cluster drive, as well as ensuring that future development mitigates uphill/offsite flow onto adjacent development.

Overall, these initial plans indicate that the site will be served by adequate City services, meaning that staff can find this criterion satisfied.

E. Staff Response: City Council Determination Required

The proposed annexation poses that the 4.48 acre parcel be zoned R-2, Rogue River's densest residential zone, which conflicts with the land's comprehensive plan designation of Medium Density Residential. However, in the initial hearing before the Planning Commission, the applicant offered to implement a deed restriction so that its density was more in line with housing found in other Medium Density areas. Overall, the reasoning behind the zone change is so that the applicant can have duplexes be an allowed use on the property not to build a large scale apartment complex. To better understand the efficacy of the applicant's proposed density restriction, staff has calculated the following "zoned unit capacities" in respect to each potential zone's density maximum.

(105,508 - 4000) 2000 = Maximum number of R-2 units - 1
(101,850 - 2000) = Maximum number of R-2 units - 1
51.925 = Maximum number of R-2 units

Theoretically, by right the site has zoned capacity to feature up to 51.925 units. Conversely, the R-1 zone has various minimum lot sizes, but the nearby Third Street neighborhood features the R-1-8 zoning, requiring a minimum 8,000 square feet per unit. Both zones also feature the same lot coverage requirements, capping buildable

area at 50%. Therefore, the theoretical zoned capacity for the site if designated as R-1-8 can be calculated as follows:

$$(105,850 - 8000) = \text{Maximum number of R-1-8 units}$$
$$13.231 = \text{Maximum number of R-1-8 units}$$

Considering these factors, the applicant's offer to restrict the property to feature at 27-units at most offers a unique transition from high to low density housing. The proposed 27-unit cap is slightly below the average zoned capacity of both zones (32.578 units), but the applicant has stated the proposed development would feature duplexes as well. This density also makes contextual sense due to the surrounding higher density developments including the Brookside Village neighborhood, Cluster Drive neighborhood, Sunnyslope Apartments, Rogue Terrace apartments, Valerie Hills apartments, and the Morrow Heights Assisted Living development.

Ultimately, the proposed annexation of would hope ti develop a property that signifies the transition from high density to low density residential. Furthermore, because the City does not have the ability to implement arbitrary density caps, the applicant's cooperation and willingness to limit themselves to 27 units is an opportunity not typically available in annexation applications.

3.0 PUBLIC COMMENTS

During the review period for this application, the City of Rogue River received two agency comments, as well as numerous public comments regarding the proposed annexation.

3.1 Grants Pass Irrigation District:

The Grants Pass Irrigation District submitted a comment asking that any irrigation easements applicable to the subject property be preserved per instrument No. 01-43195.

3.2 Jackson County Roads:

Jackson County Roads provided comments addressing the potential impacts of increased traffic from the annexation site, noting a daily traffic count of 1,744 as of June 2021. So long as the road remains under county jurisdiction, all permits and inspections shall be performed by Jackson County, per their regulations and design requirements. The county has also requested to be notified and have an opportunity to comment on any future development occurring on the site, specifically a potential drainage and grading plan, traffic study, and overall site plan. Jackson County Road has recommended that the City of Rogue River request road jurisdiction over Wards Creek Road.

4.0 RECOMMENDATION

The proposed annexation meets all necessary requirements and criteria to follow requirements of the Oregon State Statutes. Public utilities and services are adequate to accommodate urban levels of development on the property. Development will be subject to compliance with City Ordinance Standards in effect when applications are submitted. Should the City Council agree with Staff's determination and recommendation from the Planning Commission that all applicable criteria have been satisfied and the proposed R-2 zoning makes contextual sense, the City Council may approve ANX 2023-01, whereupon the property more particularly described as Assessor's Map 36S-04W-22Am Tax Lot 200 shall be designated high Density Residential (R-2), subject to the following:

1. Per Grants Pass Irrigation District comment, the easement recorded with instrument No. 01-43195 shall be preserved.
2. Upon site development, Jackson County will be notified and given opportunity to comment on the hydraulic reports, proposed frontage improvements, traffic study, and overall site plan that may be required.
3. Any improvements to Wards Creek Road while under Jackson County jurisdiction shall

- adhere to their permitting and engineering requirements.
4. Development will not exceed 27 units and is restricted to single story.

Respectfully submitted, James Schireman, Contract Planner

Mayor Pam VanArsdale asked if there were any questions for staff.

City Councilor Barb Hilty asked if they could they could approve the annexation but still do further research if the zoning would be an R-2 or an R-1-8.

Contract Planner James Schireman stated that generally with an annexation you are required to designate a zone for the property.

City Councilor Barb Hilty if the development could be held to twenty-seven units, what was to guarantee that it didn't go to the fifty-one units.

Contract Planner James Schireman stated that the applicant had offered to do a deed restriction of twenty-seven units and that condition would stay with the property if sold.

Mayor Pam VanArsdale also commented that the property could be sold to some else but the restriction would stay with the property.

City Councilor Sherrie Moss asked if that was legally binding for the twenty-seven units or could they come back later and ask to add more.

City Administrator Ryan Nolan said that if it was written in the conditions of approval by the City and recorded the City would have the right to not permit any greater development. So if any new development proposal came to the City could deny it based on the condition of approval and the recorded deed tied to the property.

City Councilor Sherrie Moss asked if that was something that would be okayed by LUBA in case they filed an appeal.

City Administrator Ryan Nolan said if the applicant was agreeable to it, yes. Similarity if an easement was recorded to your property and recorded to the deed you wouldn't get permission to build a structure on an easement.

City Councilor Sharie Davis commented that she had seen a proposed plot map that showed for the houses and streets with eighteen-houses and already inching up to twenty-seven units.

Contract Planner James Schireman stated that the applicant's original submittal was actually a concept plan with some being single-family homes and some duplexes which could misrepresent the units on the site, but really, it would be capped at the twenty-seven units the applicant was offering. He explained that the code was

based on the density of lot sizes and not an arbitrary cap.

City Councilor Barb Hilty asked if all the duplexes were going to be single story level.

Contract Planner James Schireman said that was his understanding.

Mayor Pam VanArsdale commented that the questions were for the applicant, not for staff.

City Councilor Sherrie Moss expressed her concern with an evacuation plan with there only being one-way in and out.

Contract Planner James Schireman commented that the City's Transportation indicates a future access to Third Street to provide an alternate way of ingress, egress to the area though the issue was that it was a long range project. Probably being a multi million dollar project to develop the road and secure the public right-of-way, he agreed that it was a concern of the area dealing with emergency access.

City Councilor Barb Hilty commented that the City had recently had worries with water supply and with the new reservoir not even started yet asked if there was enough supply to support the project.

City Administrator Ryan Nolan commented that theoretically there was capacity right now however this was a proposal to annex, a further proposal would be a subdivision application proposing actual meter size and at that point the City would review capacity and hopefully at that time the City would be on track with the reservoir project which would greatly increase storage capacity. So in theory the City would be on track with the \$3.5 million dollar reservoir project but would review it more closely with an actual subdivision application.

City Councilor Sherrie Moss asked if all the zoning be R-2 if annexed into the City.

Contract Planner James Schireman commented that during the review process there was a lot of surrounding R-2 zoning consisting of apartments and senior living facilities. However the zoning outside the City was RR-2.5 meaning that the lots within the county were 2.5 acres but if annexed could actually go down to R-1 or R-1-8.

Mayor Pam VanArsdale asked what was to stop future annexations from going down to R-1-8 since this piece of property had been zoned R-2.

Contract Planner James Schireman commented that they would highlight the rational in the staff report and that the property was deed restricted.

City Councilor Barb Hilty asked if that was the last urban growth property on that side of the street.

Contract Planner James Schireman stated that there were more properties on that side of the street.

Mayor Pam VanArsdale asked how much further did the urban growth boundary go in that area.

City Administrator Ryan Nolan commented that from the cemetery there were quit a few more lots in the urban growth boundary.

City Councilor Rick Kempa asked if the City would have something in writing that guaranteed that the applicant would not be putting a lot more houses in there.

City Administrator Ryan Nolan commented that it would be set in the condition of the staff report.

Clark Stevens, with Richard Stevens and Associates, who was representing Carl Peugh as the property owner and applicant for the annexation and zone change to R-2 application. He said that the staff's presentation was very thorough and complete addressing the approval criteria and demonstrating how their application was in compliance with the criteria. Upon review of the findings the record demonstrated that the subject property met the criteria for an annexation within the urban growth boundary and abutting the city limits, therefore eligible for annexation. The applicant was also requesting the R-2 zoning district as part of the change of zoning on the subject property which was consistent with Rogue River's Comprehensive Plan as a medium density designation however a lot of the discussion showed there wasn't a lot of medium density zoning that was applicable in the code so it allowed for either R-1 lower density residential or R-2 medium density. However, within Rogue River's Municipal Code Section 17.25.020 the listing of uses of R-2 single-family dwellings, duplexes and multiple family giving their reason to allow for a mix of single-family homes with duplexes right next to multiple family projects. Typically in a lot or urban areas there are transitional zones from high density to medium density then onto lower density. As your going out of the city limits providing more houses closer to the downtown area and lower as you stretch out giving the rational of rezoning to R-2, being inclusive to provide detached single-family duplex's and multiple-family gives a wide-open slate. The applicant had agreed to maximize the dwelling units to twenty-seven which would provide for nine-detached single-family units and up to nine-duplex's for an additional 18-units as represented on the site plan provided in their application. Each lot would total 8,000 square-feet giving the density similar to the Morrow Heights units on Cluster Drive adjacent to their proposed development. The units would be single-story, not to ruin anybody's view going into play how the R-2 zoning could be applied. As mentioned in the staff report all public facilities were available. As expressed there was a concern of water

availability and that would fall in line with the City's capital improvement project of the new reservoir providing sufficient water capacity at the time of development. Sanitary and storm water was also suitable. The Oregon Department of Transportation had also reviewed the proposal and had no comments. As well as Jackson County Roads as far as the capacity were in agreement with exception to the two proposed roads being stubbed onto Wards Creek Road. They would be making frontage improvements on Wards Creek Road and as designated Jackson County had it as a minor collector and the City a minor arterial which would be a requirement to widen the street, install curb, gutter and sidewalk addressing pedestrian, vehicle and evacuation safety. An average of less than 250-daily trips onto the road system was not a concern of both agencies. They were also willing to guarantee the maximum of twenty-seven dwelling units as stated in the conditions unless in the future they came back to revise the project.

City Councilor Sherrie Moss asked if the single-story requirement was part of their agreement.

Representative Clark Stevens commented that it was part of the conditions that all the dwelling units would be single-story and it would be included when they come back with their subdivision application.

City Councilor Barb Hilty asked if they would be abiding with the required setbacks.

Representative Clark Stevens commented that they would be meeting the standard setbacks. They would be submitting for a subdivision in compliance with the City's requirements with no modifications to the code, not a planned unit development.

City Councilor Sharie Davis asked if they would have a home owner's association and open common areas or only the space allotted for each lot.

Representative Clark Stevens commented that at the time he would say no but if the potential exists with storm water retention treatment before being discharged into Wards Creek had not been determined at the time of their subdivision application whether the City maintains it or a home owner's association.

Mayor Pam VanArsdale asked if the developer proposed to the twenty-seven units with a deed restriction or was it part of the planning commission's request. There was a concern that if the property was zoned R-2 then it was sold what made the condition continued with the property.

Representative Clark Stevens commented that was part of their pre-application proposal and they would be fine with a deed restriction as a condition of approval. They would be more than happy to do a deed restriction of a covenant to insure that the twenty-seven dwellings were single-story.

City Councilor Sherrie Moss asked if this would be the first R-2 lot that would be in the city limits.

Mayor Pam VanArsdale responded no, it wasn't.

Mayor Pam VanArsdale asked for any proponents.

Property owner Carl Peugh stated that he wanted to share more information to put the City Councilors minds at ease or be thinking about because of the Facebook comments from residents on Wards Creek Road. He wanted it to be a project good for the community. The twenty-seven units at a ratio of 2.78 people would be potentially seventy-five people but felt it would be less and potentially 16.5 children that could be living there. There were one-thousand-forty-five kids in the Rogue River School District which would be a 1.5% increase. This increases both the school district and the City's revenue. The other concern of water usage the project would have a 3% increase on the facility usage. Traffic on the interstate would be increased by less than two-percent and fire evacuation would be increased by about five-percent. He said he lives above the subdivision and that was the reason for proposing twenty-seven units. He also stated that his drawing was not a concept, but it was what the City would be seeing when applying for a subdivision to make it a good fit for the community.

Chuck Nagle of Burbridge Drive commented that the group on Facebook had become very powerful and hoped that the City Council would take more and time to look into the annexation. They have a tight group and had developed a fire committee, water over the years had gotten very sparse, as far as the traffic goes it can get very congestive, there had been a lot of new homes built over the recent years. He was very concerned now that the lot next to the cemetery owned by the church had been put on the market and how they will want to develop. Even though they were not located in the City the people on Wards Creek shop in the City, they have friends here, and understand that they don't pay taxes.

Francis Guilbert representing the City's Council Advisory Committee said they were against the proposal of annexation. They didn't feel the criteria met the best interest of the general health, safety and welfare of the City had not been met. He had searched an evacuation tracking system and found that Rogue River's Wards Creek area was for 564-people with 269-vehicles would take five-hours and ten-minutes to evacuate. He expressed a concern about the City's cost to providing utility services.

Mayor Pam VanArsdale commented that if there was a possible evacuation to Sardine Creek, the infrastructure costs would all be on the applicant, not the City.

Representative Clark Stevens commented that all those concerns had been considered with their application. They have qualified across the board that the

property is eligible for annexation. As for the rezoning of the property they feel that with twenty-seven units verses the fifty-two units that could be built. He was not aware of the program that Mr. Guilbert had mentioned and could not dispute it. There will be improvements made to Wards Creek Road to help with evacuation issues.

Leon DeLaGrange of Ward Creek Road commented that he felt that the City's wells and water treatment plant were outdated. He reviewed traffic statistics from the Twin Bridge and Interstate-5 which showed that the City's interchange had to be changed. He asked if the applicant would be required to install a sidewalk to East Main Street intersection. He was concerned with the traffic in Rogue River.

City Administrator Ryan Nolan commented that the City could not require the applicant to extend the sidewalk to the intersection of Wards Creek Road and East Main Street but the City had applied for funding to do so.

Representative Clark Stevens commented that he had reviewed the adequacy of the City's water system and was aware of the improvement program that was in the works. His review of traffic had not shown a lot of increase over the last few years. During the planning commission hearings it was discussed of grant money available for the continuation of sidewalks from East Main Street to the city limits on Wards Creek Road and application was being made. They had relied on the expert's comments from Jackson County Road and Oregon Department of Transportation.

City Council Sherrie Moss asked how much widening of Wards Creek Road would be done.

Representative Clark Stevens commented that the widening would be the entire frontage of the property of approximately four-hundred-feet.

MOVED (HILTY), SECONDED (KEMPA) AND CARRIED TO CLOSE THE PUBLIC HEARING.

Mayor Pam VanArsdale declared the public hearing closed at 7:34 p.m. on July 27, 2023 and disclosed that it was time for the City Council to deliberate and discuss the compliance of the criteria, directing questions to staff members and ask the applicant for clarification but no new information to be received.

City Councilor Sherrie Moss commented that she realized that they had complied with the annexation criteria but was there any way that they could be required to rezone to R-1-8 due to safety issues. Her concern was that the property could be sold before development along with her other concerns with evacuation.

Mayor Pam VanArsdale said that the Planning Commission's recommendation was for R-2 zoning and the difference would be thirteen-homes to twenty-seven homes

and with a deed restriction the City would be protected once the subdivision development application was filed. As for evacuation the City has always been aware of the issues and knows that they need to find more ways to evacuate but that was another discussion for another time.

City Councilor Sherrie Moss asked if there was any way to open develop a road to the Sardine Creek area.

Mayor Pam VanArsdale said if she lived in the county she would be working with the Bureau of Land Management to get that an emergency road established. Hopefully the property owners would be willing to give access to their property for such an emergency route.

City Councilor Sherrie Moss asked if the designation of R-2 needed to be stipulated or could it be R-1-8 if other properties in the area wanted to annex into the City.

City Administrator Ryan Nolan responded that they did have the desecration to approve the annexation at the R-1-8 zoning level. The applicant has asked for R-2 and the Planning Commission and staff had both recommended that the R-2 zoning as appropriate. In the future if neighboring property were to request annexation there would be open discussion.

Mayor Pam VanArsdale commented that housing was needed in the State of Oregon and it's something that the City Council needed to consider. The applicant was not proposing as much as they could be allowed. In the future the City may need to look at medium density.

City Councilor Sharie Davis commented that hopefully the development would be provide housing that people can afford.

MOVED (HILTY), SECONDED (KEMPA) AND CARRIED TO APPROVE PLANNING FILE ANS 2023-01, A REQUEST FOR ANNEXATION AND ZONING DESIGNATION FOR A 4.86 ACRE PROPERTY LOCATED WITHIN THE URBAN GROWTH BOUNDARY AND CONTIGUOUS TO CURRENT CITY LIMITS. THE PROPERTY IS LOCATED AT 230 WARDS CREEK ROAD, ROGUE RIVER, OREGON; LEGALLY DESCRIBED AS TOWNSHIP 36 SOUTH, RANGE 4 WEST, SECTION 22A, TAX LOT 200, AS THIS APPLICATION CAN COMPLY WITH THE APPLICABLE CRITERIA AND WITH THE CONDITION AS READ IN THE STAFF REPORT AND WITH THE FOLLOWING CONDITIONS/MODIFICATION THAT A DEED COVENANT BE PLACED ONTO THE TITLE FOR TWENTY-SEVEN SINGLE FAMILY UNITS. City Councilor Sherrie Moss voted nay.

Mayor Pam VanArsdale called for a short recess at 7:46 p.m.

Mayor Pam VanArsdale declared the meeting back in session at 7:50 p.m.

AGENDA ITEM 4 **Appointment:** Consider the Mayor's recommendation to appoint Sharen Lea Rockefeller as an Alternate on the Planning Commission.

MOVED (HILTY), SECONDED (DAVIS) AND CARRIED TO APPROVE THE MAYOR'S RECOMMENDATION TO APPOINT SHAREN LEA ROCKEFELLER AS AN ALTERNATE ON THE PLANNING COMMISSION.

City Recorder Carol Weir administered the Oath of Office to Planning Commission Alternate Sharen Lea Rockefeller.

AGENDA ITEM 5 **Appointment:** Consider the Mayor's recommendation to appoint Lorrie Williams to Position No. 2 on the Councilors Advisory Committee.

MOVED (MOSS), SECONDED (DAVIS) AND CARRIED TO APPROVE THE MAYOR'S RECOMMENDATION TO APPOINT LORRIE WILLIAMS TO POSITION NO. 2 ON THE COUNCILORS ADVISORY COMMITTEE.

AGENDA ITEM 6 **Surplus Property:** Declare and direct staff to dispose of the following items as surplus property:

- Sound system component with wooden cabinet
- Used microphones and sound cables
- Small wheeled metal typewriter desk
- Media cart with television and VCR
- Printer stand with racks
- Retractable presentation screen

MOVED (HILTY), SECONDED (KEMPA) AND CARRIED TO DECLARE AND DIRECT STAFF TO DISPOSE OF THE FOLLOWING ITEMS AS SURPLUS PROPERTY AND DONATE TO THE ROGUE RIVER COMMUNITY CENTER AND LOCAL CHURCHES.

OTHER BUSINESS:

Mayor Pam VanArsdale commented that she had attended the Department of Land Conservation and Development Local Advisory Committee where they discussed Goal 10, Housing. In 2025 cities of more than 10,000 would be required to meet a Housing Goal and Production Target, perform a housing need analysis and have a plan of how many houses would need to be built within their cities.

Mayor Pam VanArsdale commented that she heard an interesting conversation about back in the seventies and urban growth boundaries were formed regardless if those properties would be able to be developed in the future. Cities can do a swap exchange of property for property with the Department of Land Conservation and Development. She said that Rogue River does have some property that could not be developed because of terrain issues.

City Councilor Barb Hilty asked if the property owned by the Mormon Church next to the cemetery was located in the urban growth boundary.

Contract Planner James Schireman responded that it was located within Rogue River's urban growth boundary but no contiguous to the City limits adding that it was 5.26-acres.

City Recorder Carol Weir announced that Deputy Recorder Stephanie Madtson had been with the City for one-year.

ADJOURN

There being no further business to come before the City Council and upon motion duly made (KEMPA), seconded (MOSS) and carried, the meeting adjourned at 8:02 p.m.

ATTEST:



Carol J. Weir, MMC
City Recorder