

**CITY OF CENTRAL POINT
City Council Meeting Agenda
May 8, 2014**

**Central Point
City Hall
541-664-3321**

City Council

Mayor
Hank Williams

Ward I
Bruce Dingler

Ward II
Kelly Geiger

Ward III
Ellie George

Ward IV
Allen Broderick

At Large
David Douglas
Rick Samuelson

Administration
Chris Clayton, City
Manager
Deanna Casey, City
Recorder

**Community
Development**
Tom Humphrey,
Director

Finance
Bev Adams, Director

Human Resources
Barb Robson, Director

**Parks and Public
Works**
Matt Samitore,
Director
Jennifer Boardman,
Manager

Police
Kris Allison Chief

Next Res. 1394
Next Ord. 1988

I. REGULAR MEETING CALLED TO ORDER – 7:00 P.M.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PUBLIC APPEARANCES - *This time is reserved for citizens to comment on items that are not on the agenda.*

VI. CONSENT AGENDA

- | | |
|------------|--|
| Page 2 – 7 | A. Approval of April 10, 2014 Council Minutes |
| 8 | B. Approval to Cancel May 22, 2014 Regular Council meeting |
| 9 - 10 | C. Approval of OLCC Application for Astro Express Mart |
| 11 – 17 | D. Acceptance of the Quarterly Financial Statements |

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. PUBLIC HEARING, ORDINANCES, AND RESOLUTIONS

- | | |
|---------|---|
| 19 - 21 | A. Ordinance No. _____, Deleting Section 9.54.020 Drunkenness of the Central Point Municipal Code (Allison) |
| 22 - 78 | B. Public Hearing - First Reading of an Ordinance Amending CPMC 17.05, Applications and Types of Review Procedures; Chapter 17.08, Definitions; Chapter 17.10, Zoning Map and Text Amendments and Chapter 17.96 Amendment to the Comprehensive Land-use Plan (Humphrey) |

- 79 - 81 C. Public Hearing - Resolution No. _____, Approving a Supplemental Budget for the 2013/2014 Fiscal Year (Adams)
- 83 - 84 D. Resolution No. _____, A Resolution and Notice of Intent to move to a Biennial Budget (Adams)
- 86 - 164 E. Resolution No. _____, A Resolution Approving the Seven Oaks Interchange Area Management Plan (IAMP35) Adopted by the Oregon Transportation Commission (OTC)

IX. BUSINESS

- A. Planning Commission Report (Humphrey)

X. MAYOR'S REPORT

XI. CITY MANAGER'S REPORT

XII. COUNCIL REPORTS

XIII. DEPARTMENT REPORTS

XIV. EXECUTIVE SESSION

The City Council may adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XV. ADJOURNMENT

Consent Agenda

**CITY OF CENTRAL POINT
City Council Meeting Minutes
April 10, 2014**

I. REGULAR MEETING CALLED TO ORDER

Mayor Williams called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL: Mayor: Hank Williams
Council Members: Allen Broderick, Bruce Dingler, Kelly Geiger, Rick Samuelson, and David Douglas were present. Ellie George was absent.

City Manager Chris Clayton; City Attorney Sydnee Dreyer; Police Chief Kris Allison; Community Development Director Tom Humphrey; and City Recorder Deanna Casey were also present.

IV. PUBLIC APPEARANCES - None

V. CONSENT AGENDA

- A. Approval of March 27, 2014 City Council Minutes
- B. Approval of OLCC Application for Schmizza Pub and Grill

Bruce Dingler moved to approve the Consent Agenda as presented. David Douglas seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- A. **Ordinance No. 1985, Amending CPMC Chapter 5.40.040 Medical Marijuana Dispensaries License Registration Required and Declaring an Emergency**

Community Development Director Tom Humphrey and City Attorney Sydnee Dreyer explained that with direction from the Council in regards to enacting a moratorium staff felt a clause needed to be included in Chapter 5.40.040. The proposed Ordinance states that a license will not be issued for this type of business while a moratorium is in place. The ordinance includes an Emergency Clause and will be enacted upon adoption.

Mayor Williams opened the Public Hearing. No one came forward and the Public Hearing was closed.

Allen Broderick made a motion to approve Ordinance No. 1985, Amending CPMC Chapter 5.40.040 Medical Marijuana Dispensaries License Registration Required and Declaring an Emergency. David Douglas seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

B. Ordinance No. 1986, An Ordinance of the City of Central Point Declaring a Moratorium on Medical Marijuana Facilities, and Declaring an Emergency

City Attorney Sydnee Dreyer explained that the rights of local government and their ability to regulate or ban Medical Marijuana Dispensaries has been an issue for the a few months. The State originally declared that cities could not ban the facilities, they agreed to allow moratoriums for one year. The intent of the moratorium is to allow the city time to determine the best way to regulate such facilities, and to determine whether the legislature will provide further clarification or laws with regard to the city's right to ban such facilities.

The proposed Ordinance will temporarily prohibit the operation of these facilities. The state is allowing the cities and counties to enact a moratorium but it must be approved by May 1, 2014 with a sunset clause of no later than May 1, 2015. The city may remove the moratorium prior to the end date. This Ordinance has an emergency clause so that the moratorium will be in effect by the May 1st deadline.

City Manager Chris Clayton explained that currently 47 cities and several counties have declared a moratorium on the Dispensaries. Enacting the moratorium allows the cities time to make adjustments if the state makes changes during the May legislative session.

Mayor Williams opened the Public Hearing. No one came forward and the Public Hearing was closed.

Bruce Dingler made a motion to approve Ordinance No. 1986, An Ordinance of the City of Central Point Declaring a Moratorium on Medical Marijuana Facilities, and Declaring an Emergency. Kelly Geiger seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

C. Ordinance No. 1987, Amending CPMC Chapter 10.04.100 Parking Prohibitions and 10.04.112 Mobile Home, Motor Home, Camper, Van, Car or Truck Parking Prohibitions.

Police Chief Kris Allison explained the amount of calls the city has received regarding vehicles such as motor homes being parked on the street. The current code allows parking on the street for 72 consecutive hours without being cited. There are a few individuals that move their vehicle at the 71st hour, and avoiding

a citation, yet still storing their vehicle in the public right-of-way. There is currently a loophole in our code and the citations get dismissed in court. The recommended ordinance states that it is no defense that the vehicle has been moved from one place to another, as long as it is left on the street, alley, or other right-of-way more than the 72 hrs. She explained that the Community Service Officer will have the ability to make a judgment call for extenuating circumstances. There is a provision allowing for persons that are temporarily residing in the vehicle to stay for two weeks in any one calendar year.

Kelly Geiger made a motion to approve Ordinance No. 1987, Amending CPMC Chapter 10.04.100 Parking Prohibitions and 10.04.112 Mobile Home, Motor Home, Camper, Van, Car or Truck Parking Prohibitions. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

D. First Reading – An Ordinance Deleting Section 9.54.020 Drunkenness of the Central Point Municipal Code

Police Chief Allison explained that recently Honorable Judge Joe Charter stated that CPMC 9.54.020 was in violation of ORS 430.402(1). In short this ORS states that local government cannot make public intoxication against the law. Judge Charter stated that any person who is intoxicated or under the influence of controlled substances in a public place may be taken or sent home or transported to a treatment facility by the police.

City Attorney Dreyer agreed with Judge Charter's decision and recommended deleting section 9.54.020 Drunkenness from the Central Point Municipal Code. This change will not stop the enforcement of intoxicated people who are a danger to themselves or others. It does not limit the ability of the Central Point Police Department from assisting citizens to their homes or a treatment facility.

Allen Broderick moved to second reading An Ordinance Deleting Section 9.54.020 Drunkenness of the Central Point Municipal Code. Rick Samuelson seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

VIII. BUSINESS

A. Discussion regarding Comprehensive Plan Amendments

Mr. Humphrey explained that a public hearing notice was posted for this meeting to discuss amendments to the Central Point Municipal Code in regards to Urban Growth Boundary (UGB) expansion. The Planning Commission would like to discuss those changes at their May 6th meeting before sending a recommendation to the Council. Mr. Humphrey explained that this item was added to the agenda in the event citizens interested in the process were in attendance and wished to speak at the public hearing.

He stated that the municipal code amendments will clarify and update code language relative to changes in the state land use law. Jackson County brought a few inconsistencies to our attention upon the submission of an Urban Growth Boundary Amendment. Changes need to be made in order for the process to move forward and to minimize the possibility for appeal.

There was discussion regarding the limited amount of property available within the current UGB. The first expansion request will be for employment lands. When that has been approved, the city will begin the process for residential property to be included in the UGB.

The first reading and public hearing of the ordinance will be brought before the Council on May 8th. A motion is recommended to continue this item to date specific.

Allen Broderick made a motion to continue the discussion regarding Comprehensive Plan Amendments to the Council meeting on May 8, 2014.

Kelly Geiger seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

B. Planning Commission Report

Mr. Humphrey presented the Planning Commission Report from April 1, 2014:

- The Commission conducted a public hearing to consider a resolution forwarding a favorable recommendation to the City Council to approve Municipal Code Amendments to Chapters 17.05 Applications and Types of Review Procedure, Chapter 17.08 Definitions, Chapter 17.10 Zoning Map and Text Amendments and Chapter 17.96 Amendments to the Comprehensive Plan and the Zoning Code. They discussed minor revisions to review at their May meeting before making a final recommendation to the City Council.
- The Commission was given an update about the Council's decision to impose a moratorium on Medical Marijuana Dispensaries and to postpone action on amendments to Chapter 17 adding dispensaries as a conditional use in the C-2M, C-4 and C-5 zoning districts.
- Police Chief Allison made a presentation about her departments position on regulating medical marijuana grow sites in the city limits. The Commission raised a question about this at a previous meeting and wondered what authority, if any, the city had in regulating this.
- The Commission was informed about the expiration of two phases in the North Village Subdivision in Twin Creeks. It is expected that CLOMR approval and revisions to the Twin Creeks Master Plan later this year will result in a new subdivision configuration. Mr. Clayton explained the current process with the CLOMR and the Twin Creeks Rail Crossing. The deadline for submitting the CLOMR is June 15th, after that is done the

maps can be formally changed to take properties out of the flood way, then the master plan can be amended.

IX. MAYOR'S REPORT

Mayor Williams reported that he attended the Medford Water Commission. They talked about the Cities Coalition Study on conservation and was told that the cities were not following the conservation recommendations. Mr. Clayton addressed the commission on this issue stating that the cities are doing what was recommended as they can make the changes. Mayor Williams also attended the Central Point Chamber Auction Dinner.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported that the city received a request for street closure this week. There will be a Block Party on Oak Street between 3rd and 4th Streets. A request was submitted by Rick Deetes for Council approval. There will not be another meeting in April and a motion is required for this type of street closure.

Allen Broderick made a motion to approve the street closure request for Oak Street between 3rd and 4th Street for May 3rd. Kelly Geiger seconded. Roll call: Hank Williams, yes; Bruce Dingler, yes; Kelly Geiger, yes; Allen Broderick, yes; David Douglas, yes; and Rick Samuelson, yes. Motion approved.

XI. COUNCIL REPORTS

Council Member Allen Broderick reported that he attended the City Park Tour with the Parks Commission.

Council Member Kelly Geiger reported that he attended the Central Point Chamber Auction Dinner and attended a SOREDI meeting. SOREDI is working on the new program and getting good donation pledges.

Council Member Rick Samuelson reported that he attended the Central Point Chamber Auction Dinner.

Council Member Bruce Dingler had no report.

Council Member David Douglas reported that he attended the Chamber Auction.

XII. DEPARTMENT REPORTS

Police Chief Kris Allison reported that:

- The suspect for the florist robberies in February has been charged with several other crimes and is now behind bars.
- The DARE kids are currently working on their essays and the DARE Graduation and Daze will be in May. Council members are invited to attend both events.

- There will be a Reserve Officer Graduation in May, Council members are encouraged to attend.

Community Development Director Tom Humphrey updated the Council on the Destination Business Marketing program going on in Central Point. There has been a lot of interest from our local business owners.

XIII. EXECUTIVE SESSION – ORS 192.660(2)(h)

Rick Samuelson moved to adjourn to Executive Session under ORS 192.660(2)(h) to receive Legal Opinion. Kelly Geiger seconded. All said “aye” and the meeting adjourned to executive session at 8:13.

Council returned to regular session at 9:12. No action was taken.

XIV. ADJOURNMENT

Kelly Geiger moved to adjourn, Rick Samuelson seconded, all said “aye” and the Council Meeting was adjourned at 9:13 p.m.

The foregoing minutes of the April 10, 2014, Council meeting were approved by the City Council at its meeting of May 8, 2014.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Staff Report



Administration Department
Chris Clayton, City Manager
Deanna Casey, City Recorder

TO: Honorable Mayor and City Council
FROM: Deanna Casey, City Recorder
SUBJECT: Cancellation of May 24, 2014 Council Meeting
DATE: May 8, 2014

May 24, 2014 Meeting Cancellation

Due to light agenda items and proximity to the Memorial Day Holiday staff is recommending and prepared to cancel the May 24, 2014 City Council meeting.

The Study Session on May 19th will be at the City of Medford for FEMA Executive Training.

RECOMMENDED MOTION:

Approve the Consent agenda as presented.



155 South Second Street • Central Point, OR 97502

Ph: (541) 664-5578 • Fax: (541) 664-2705 • www.centralpointoregon.gov

Kristine Allison

Chief

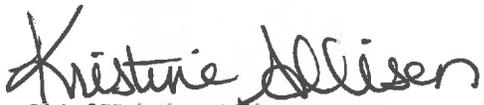
Date: 04/11/2014

From: Chief Kristine Allison
To: Honorable Mayor Williams
Subject: Request for OLCC License

RE: Astro Express Mart #240 / Persons associated therewith

Files of the Central Point Police Department contain no information pertinent to the request.

Respectfully,


Chief Kristine Allison
Central Point Police Department



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

MASTERFILE Perm # 19133

Application is being made for:		CITY AND COUNTY USE ONLY	
LICENSE TYPES	ACTIONS	Date application received: <u>4/7/14</u>	
<input type="checkbox"/> Full On-Premises Sales (\$402.60/yr)	<input checked="" type="checkbox"/> Change Ownership	The City Council or County Commission:	
<input type="checkbox"/> Commercial Establishment	<input type="checkbox"/> New Outlet	<u>Central Point</u>	
<input type="checkbox"/> Caterer	<input type="checkbox"/> Greater Privilege	(name of city or county)	
<input type="checkbox"/> Passenger Carrier	<input type="checkbox"/> Additional Privilege	recommends that this license be:	
<input type="checkbox"/> Other Public Location	<input type="checkbox"/> Other _____	<input type="checkbox"/> Granted	<input type="checkbox"/> Denied
<input type="checkbox"/> Private Club		By: _____	
<input type="checkbox"/> Limited On-Premises Sales (\$202.60/yr)		(signature) (date)	
<input checked="" type="checkbox"/> Off-Premises Sales (\$100/yr)		Name: <u>Henry Williams</u>	
<input checked="" type="checkbox"/> with Fuel Pumps		Title: <u>Mayor</u>	
<input type="checkbox"/> Brewery Public House (\$252.60)			
<input type="checkbox"/> Winery (\$250/yr)			
<input type="checkbox"/> Other: _____			
90-DAY AUTHORITY		OLCC USE ONLY	
<input checked="" type="checkbox"/> Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority		Application Rec'd by: <u>[Signature]</u>	
APPLYING AS:		Date: <u>4.2.14</u>	
<input type="checkbox"/> Limited Partnership	<input checked="" type="checkbox"/> Corporation	90-day authority: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Individuals		

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① WSCO Petroleum Corp. ③ _____
 ② _____ ④ _____

2. Trade Name (dba): Astro Express Mart #240

3. Business Location: 16 N Front Street Central Point Jackson Oregon 97502
 (number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 2929 NW 29th Avenue Portland Oregon 97210
 (PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: (541) 664-4495
 (phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Bi-Mor Stations, Inc. Type of License: Off-Premises Sales

8. Former Business Name: Bi-Mor Texaco

9. Will you have a manager? Yes No Name: Darrell Looney
 (manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Central Point
 (name of city or county)

11. Contact person for this application: Phil Boitz (503) 243-2929 x123 or (503) 347-3275
 (name) (phone number(s))
2929 NW 29th Avenue, Portland, OR 97210 (503)234-7874 philb@wscocorp.com
 (address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date Mar 24, 2014 ③ _____ Date _____
 ② _____ Date _____ ④ _____ Date _____



Staff Report

Finance Department
Bev Adams, Finance Director

To: Mayor & Council
From: Bev Adams, Finance Director *BA*
Date: May 8, 2014
Subject: Quarterly financial statements

Background:

Attached are the City of Central Point's financial statements as of March 31, 2014. At this date we were three-quarters (75%) through the 2013/14 budget year.

Pages 1 thru 5 are the Revenue and Expenditure statements; and page 6 is a Budget Compliance report which recaps expenses by department. In review of page 6 please note that total city operations are 69.21% of budget, well within the acceptable range and target for this time period.

Two areas where expenses appear unusually high in comparison to the budget, the High Tech Crime Fund (133.48%) and Street SDC Improvements (132.78%), are due to unanticipated events that qualify for a supplemental budget. A supplemental budget request has been prepared and will be presented to the Council for their consideration this evening.

Other than items that will be addressed within the supplemental budget, revenues and expenses throughout the funds are appropriate, are in line with budgeted expectations, and on track to meet year end carryover projections. We will continue to monitor revenues and will make adjustments in expenditures as much as possible (those expenses within our control) to meet the carryover needed for the new 2015 budget year.

Recommended Action:

That Council review and accept the March 31, 2013 financial statements.

City of Central Point
Council Financial Statements
For period ending March 31, 2014

Fiscal Year to date 75.00%

	2013/14 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
General Fund - 10				
Revenues				
Taxes	\$5,928,500	\$5,295,261	\$633,239	89.32%
Licenses & Fees	52,670	49,285	3,385	93.57%
Intergovernmental	653,400	382,482	270,918	58.54%
Charges for Service	816,500	622,355	194,145	76.22%
Fines and Forfeitures	147,500	94,855	52,645	64.31%
Interest Income	30,000	23,476	6,524	78.25%
Miscellaneous	141,100	38,325	102,775	27.16%
Transfers In	0	0	0	0.00%
Total Revenues	7,769,670	6,506,039	1,263,631	83.74%
Expenditures by Department				
Administration	668,600	467,147	201,453	69.87%
City Enhancement	199,000	123,216	75,784	61.92%
Technical Services	555,500	351,241	204,259	63.23%
Mayor & Council	59,750	41,147	18,603	68.87%
Finance	870,900	586,100	284,800	67.30%
Parks & Recreation - Parks	785,400	521,752	263,648	66.43%
Parks & Recreation - Recreation	495,350	264,975	230,375	53.49%
Planning	462,800	281,306	181,494	60.78%
Police	4,010,440	2,873,605	1,136,835	71.65%
Interdepartmental	236,000	120,265	115,735	50.96%
Transfers Out	98,500	98,500	0	100.00%
Contingency	150,000	0	150,000	0.00%
Total Expenditures by Department	8,592,240	5,729,255	2,862,985	66.68%
Net Change in Fund Balance		776,784		
Beginning Fund Balance	2,518,770	2,553,192	34,422	
Ending Fund Balance	1,696,200	3,329,976	1,633,776	

	2013/14 Budget	Revenues & Expenditures	Difference	Percentage Received/Used
High Tech Crime Task Force Fund				
Revenues				
Intergovernmental Revenue	\$50,000	\$230,586	(\$180,586)	461.17%
Charges for Services	0	0	0	0.00%
Miscellaneous	0	4,000	(4,000)	0.00%
Interfund Transfers	20,000	20,000	0	100.00%
Total Revenues	70,000	254,586	(184,586)	363.69%
Expenditures				
Operations	96,500	128,813	(32,313)	133.48%
Capital Outlay	0	0	0	0.00%
Contingency	0	0	0	0.00%
Total Expenditures	96,500	128,813	(32,313)	133.48%
Net Change in Fund Balance		125,773		
Beginning Fund Balance	35,200	62,800	27,600	
Ending Fund Balance	8,700	188,573	179,873	

**City of Central Point
Council Financial Statements
For period ending March 31, 2014**

Fiscal Year to date 75.00%

	2013/14 Budget	Revenues & Expenditures	Difference	Percentage Received/Used
Street Fund - 20				
Revenues				
Franchise Tax	\$105,000	\$91,010	\$13,990	86.68%
Charges for Services	487,500	467,417	20,083	95.88%
Intergovernmental Revenue	1,413,000	1,179,132	233,868	83.45%
Interest Income	15,000	7,366	7,634	49.11%
Miscellaneous	3,000	3,746	(746)	124.87%
Transfers In	0	0	0	0.00%
Total Revenues	2,023,500	1,748,672	274,828	86.42%
Expenditures				
Operations	2,030,800	\$1,668,679	362,121	82.17%
SDC	247,700	328,887	(81,187)	132.78%
Contingency	100,000	0	100,000	0.00%
Total Expenditures	2,378,500	1,997,566	380,934	83.98%
Net Change in Fund Balance		(248,894)		
Beginning Fund Balance	1,897,500	1,964,675	67,175	
Ending Fund Balance	1,542,500	1,715,781	173,281	
Housing Fund - 25				
Revenues				
Interest Income	\$0	\$0	\$0	0.00%
Loan Principal Payments	10,000	0	10,000	0.00%
Total Revenues	10,000	0	10,000	0.00%
Expenditures				
Materials and Services	0	1,490	(1,490)	0.00%
Transfers Out	0	0	0	0.00%
Total Expenditures	0	1,490	(1,490)	0.00%
Net Change in Fund Balance		(1,490)		
Beginning Fund Balance	0	0	0	
Ending Fund Balance	10,000	(1,490)	(11,490)	
Capital Improvement Fund - 30				
Revenues				
Intergovernmental	\$50,000	\$0	\$50,000	0.00%
Charges for Services	60,000	95,178	(35,178)	158.63%
Interest Income	760	489	271	64.37%
Total Revenues	60,760	95,667	15,093	157.45%
Expenditures				
Parks Projects	37,000	0	37,000	0.00%
Parks Projects - SDC	52,000	15,002	36,998	28.85%
Transfers Out	65,000	65,000	0	0.00%
Total Expenditures	154,000	80,002	73,998	51.95%
Net Change in Fund Balance		15,665		
Beginning Fund Balance	88,940	117,955	29,015	
Ending Fund Balance	45,700	133,620	87,920	

City of Central Point
Council Financial Statements
For period ending March 31, 2014

		<i>Fiscal Year to date</i>		<u>75.00%</u>
	2013/14 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
Reserve Fund- 35				
Revenues				
Interest	\$4,000	\$2,093	\$1,907	52.33%
Transfers In	80,000	80,000	0	100.00%
Total Revenues	84,000	82,093	0	97.73%
Net Change in Fund Balance		82,093		
Beginning Fund Balance	487,500	487,096	(404)	
Ending Fund Balance	<u>571,500</u>	<u>569,189</u>	<u>(2,311)</u>	
Debt Service Fund- 40				
Revenues				
Charges for Service	\$591,500	\$175,262	\$416,238	29.63%
Interest Income	250	88	162	35.03%
Intergovernmental	162,900	162,864	36	99.98%
Special Assessments	60,050	47,318	12,732	78.80%
Transfers In	198,800	198,800	0	100.00%
Total Revenues	1,013,500	584,331	429,169	57.65%
Expenditures				
Debt Service	1,009,650	536,964	472,686	53.18%
Total Expenditures	1,009,650	536,964	472,686	53.18%
Net Change in Fund Balance		47,367		
Beginning Fund Balance	21,900	47,016	25,116	
Ending Fund Balance	<u>25,750</u>	<u>94,383</u>	<u>68,633</u>	
Building Fund- 50				
Revenues				
Charges for Service	\$119,000	\$134,541	(\$15,541)	113.06%
Interest Income	1,500	715	785	47.67%
Miscellaneous	0	65	(65)	0.00%
Total Revenues	120,500	135,322	(14,822)	112.30%
Expenditures				
Personal Services	157,000	124,495	32,505	79.30%
Materials and Services	14,100	9,643	4,457	68.39%
Contingency	2,500	0	2,500	0.00%
Total Expenditures	173,600	134,138	39,462	77.27%
Net Change in Fund Balance		1,183		
Beginning Fund Balance	156,800	137,823	(18,977)	
Ending Fund Balance	<u>103,700</u>	<u>139,006</u>	<u>35,306</u>	

City of Central Point
Council Financial Statements
For period ending March 31, 2014

Fiscal Year to date 75.00%

	2013/14 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
Water Fund - 55				
Revenues				
Charges for Services	\$2,779,500	\$2,163,820	\$615,680	77.85%
Interest Income	10,000	4,510	5,490	45.10%
Miscellaneous	5,000	153,621	(148,621)	3072.42%
Total Revenues	2,794,500	2,321,951	472,549	83.09%
Expenditures				
Operations	2,657,500	1,943,943	713,557	73.15%
SDC Improvements	5,000	0	5,000	0.00%
Contingency	145,000	0	145,000	0.00%
Total Expenditures	2,807,500	1,943,943	863,557	69.24%
Net Change in Fund Balance		378,008		
Beginning Fund Balance	1,242,400	1,299,427	57,027	
Ending Fund Balance	1,299,900	1,677,435	377,535	
Stormwater Fund - 57				
Revenues				
Charges for Services	\$838,000	\$643,852	\$194,148	76.83%
Interest Income	5,000	2,695	2,305	53.89%
Miscellaneous	0	105	(105)	0.00%
Total Revenues	843,000	646,652	196,348	76.71%
Expenditures				
Operations	686,750	515,698	171,052	75.09%
SDC	41,500	13,558	27,942	32.67%
Contingency	43,000	0	43,000	0.00%
Total Expenditures	771,250	529,256	241,994	68.62%
Net Change in Fund Balance		117,396		
Beginning Fund Balance	606,300	662,025	55,725	
Ending Fund Balance	576,050	779,421	203,371	

**City of Central Point
Council Financial Statements
For period ending March 31, 2014**

Fiscal Year to date 75.00%

	2013/14 Budget	Year to Date Revenues & Expenditures	Difference	Percentage Received/Used
Internal Services Fund - 60				
Revenues				
Charges for Services	\$1,157,300	\$879,434	\$277,866	75.99%
Intergovernmental	0	0	0	0.00%
Interest Income	2,500	1,214	1,286	48.58%
Miscellaneous	5,000	14,751	(9,751)	295.01%
Total Revenues	1,164,800	895,399	269,401	76.87%
Expenditures				
Facilities Maintenance	284,000	140,588	143,412	49.50%
PW Administration	685,750	454,258	231,492	66.24%
PW Fleet Maintenance	294,800	234,752	60,048	79.63%
Contingency	0	0	0	0.00%
Interfund Transfers	80,000	80,000	0	0.00%
Total Expenditures	1,344,550	909,598	434,952	67.65%
Net Change in Fund Balance		(14,199)		
Beginning Fund Balance	314,800	233,315	(81,485)	
Ending Fund Balance	<u>135,050</u>	<u>219,116</u>	<u>84,066</u>	

City of Central Point
Budget Compliance Report
For period ending March 31, 2014

Fiscal Year to date 75.00%

		2013/14 Budget	Year to Date Expenditures	Percent Used	Difference
General	Administration	\$668,600	\$467,147	69.87%	\$201,453
	City Enhancement	199,000	123,216	61.92%	75,784
	Technical Services	555,500	351,241	63.23%	204,259
	Mayor and Council	59,750	41,147	68.87%	18,603
	Finance	870,900	586,100	67.30%	284,800
	Parks & Recreation - Parks	785,400	521,752	66.43%	263,648
	Parks & Recreation - Recreation	495,350	264,975	53.49%	230,375
	Community Development	462,800	281,306	60.78%	181,494
	Police	4,010,440	2,873,605	71.65%	1,136,835
	Interdepartmental	236,000	120,265	50.96%	115,735
	Transfers	98,500	98,500	100.00%	0
	Contingency	150,000	0	0.00%	150,000
		8,592,240	5,729,255	66.68%	2,862,985
HTCTF	Materials and Services	96,500	128,813	133.48%	(32,313)
		96,500	128,813	133.48%	(32,313)
Street	Operations	2,030,800	1,668,679	82.17%	362,121
	SDC Improvements	247,700	328,887	132.78%	(81,187)
	Contingency	100,000	0	0.00%	100,000
		2,378,500	1,997,566	83.98%	380,934
Housing	Materials and Services	0	1,490	0.00%	(1,490)
	Transfers	0	0	0.00%	0
		0	1,490	0.00%	(1,490)
Capital Projects	Park Projects	37,000	0	0.00%	37,000
	Park Projects - SDC	15,000	15,002	100.01%	(2)
	Transfers	65,000	65,000	0.00%	0
		117,000	80,002	68.38%	36,998
Debt Service	Debt Service	1,009,650	536,964	53.18%	472,686
Building	Personnel Services	157,000	124,495	79.30%	32,505
	Materials and Services	14,100	9,643	68.39%	4,457
	Contingency	2,500	0	0.00%	2,500
		173,600	134,138	77.27%	39,462
Water	Operations	2,657,500	1,943,943	73.15%	713,557
	SDC Improvements	5,000	0	0.00%	5,000
	Contingency	145,000	0	0.00%	145,000
		2,807,500	1,943,943	69.24%	863,557
Stormwater	Operations	686,750	515,698	75.09%	171,052
	SDC Improvements	41,500	13,558	32.67%	27,942
	Contingency	43,000	0	0.00%	43,000
		771,250	529,256	68.62%	241,994
Internal Services	Facilities Maintenance	284,000	140,588	49.50%	143,412
	PW Administration	685,750	454,258	66.24%	231,492
	PW Fleet Maintenance	294,800	234,752	79.63%	60,048
		1,264,550	829,598	65.60%	434,952
	Total City Operations	\$17,210,790	\$11,911,026	69.21%	\$5,299,764

Ordinance

Deleting Section

9.54.020

Drunkennness

STAFF REPORT

To: The Honorable Mayor and City Council

From: Kris Allison, Chief of Police

SUBJECT: Amendment to Delete Section 9.54.020 Drunkenness from the CPMC

Date: April 10, 2014

Executive Summary:

During a recent municipal court appearance regarding a citation for public drunkenness, Honorable Judge Joe Charter dismissed a citation issued by one of our officers and stated that the defendant had correctly pointed out that ORS 430.402(1) provides “a political subdivision in this state shall not adopt or enforce any local law or regulation that makes any of the following an offense, a violation or the subject of criminal penalties or sanctions of any kind: (a) public intoxication.”

Judge Charter’s decision stated that CPMC 9.54.020 was in violation of ORS 430.402(1) which provides that any person who is intoxicated or under the influence of controlled substances in a public place may be taken or sent home or to a treatment facility by the police.

This decision/opinion was sent to our city attorney and she agreed with Judge Charter’s decision and that the City would need to remove 9.54.020 Drunkenness as to not violate the above mentioned statute.

It is my recommendation that we delete CPMC 9.54.020 from the Central Point Municipal Code to be consistent with Oregon Revised Statutes.

With the deletion of this section, this does not limit the officer’s ability to be effective with the issues of intoxicated individuals in our city. The officers have a wide variety of options that they can utilize at their discretion such as referenced in ORS 430.402 (1).

ORDINANCE NO. _____

AN ORDINANCE DELETING SECTION
9.54.020 DRUNKENNESS OF
THE CENTRAL POINT MUNICIPAL CODE

Recitals:

A. Words ~~lined through~~ are to be deleted and words **in bold** are added.

B. Deleting Central Point Municipal Code 9.54.020 to remove section Drunkenness from the Central Point Municipal Code due to this section violating existing state statute.

**THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS
FOLLOWS:**

Section 1. Section 9.54.020 of the Central Point Municipal Code is deleted and amended to read:

Chapter 9.54
INTOXICATION

Sections:

- 9.54.010 Drinking in public places.
- ~~9.54.020 Drunkenness~~
- 9.54.030 Dealings with intoxicated persons.

9.54.010 Drinking in public places.

It is unlawful for any person to drink any intoxicating liquor upon any street or in any public place; provided, however, that nothing contained in this section applies to the drinking of any intoxicating liquor in any establishment or its associated sidewalk cafe wherein the same may be sold for premises consumption under the laws of the state.

Ordinance No. _____ (041014)

Sections: ~~9.54.020 Drunkenness~~

~~It is unlawful for any person to be found in an intoxicated or drunken condition on any street or in any public place.~~

9.54.030 Dealings with intoxicated persons.

It is unlawful for any pawnbroker, junk dealer, chattel-loan broker or any person to purchase property from any person who is in an intoxicated condition or under the influence of any narcotic drug, or to advance or to loan money to such person or to have any dealings with any such person respecting the title of property.

Passed by the Council and signed by me in authentication of its passage this _____ day of _____, 20____.

Mayor Hank Williams

ATTEST:

City Recorder

Pg. 2 Ordinance No. _____ (___/___/___)

Ordinance

Chapter 17 Amendments



STAFF REPORT

May 8, 2014

AGENDA ITEM: File No. 14002

First Reading of Municipal Code Amendments to Chapters 17.05 Applications and Types of Review Procedure, 17.08 Definitions, 17.10 Zoning Map and Text Amendments, and 17.96 Amendments to the Comprehensive Land-Use Plan.

Applicant: City of Central Point.

STAFF SOURCE:

Tom Humphrey, Community Development Director

BACKGROUND:

At the March 4, 2014 meeting the Planning Commission reviewed proposed amendments to the above referenced Chapters. The Community Development Department introduced these municipal code amendments to clarify and update language relative to changes in the state land use law. Inconsistencies with the City's code were brought to our attention upon the submission of an Urban Growth Boundary (UGB) Amendment to Jackson County. Changes should be made in order for our two processes to coincide and to minimize the possibility for appeal. At their April 1, 2014 meeting the Planning Commission conducted a public hearing and reviewed the proposed amendments. Some revisions were discussed at the meeting and the Commission wanted to see the changes again before making a recommendation of approval to the City Council. The public hearing was closed and final consideration was continued to the May 6th Planning Commission meeting at which time staff was directed to respond to the following.

The restated questions and staff response (*italic*) are:

1. Page 3, "such as reference" some concerns about not addressing a broader range of what ifs.

Response: *The "such as reference" is a direct quote from the Statewide Planning Goals & Guidelines, Goal 2: Land Use Planning, Part 3 - Use of Guidelines, Subsection 1 Major Revisions*

2. Page 3, Annexation as a Type III is ok, but there may be times when a Type IV is needed (large areas).

Response: *An additional category for legislative annexations was added to Table 17.05.1. (Yellow Hi-Lite)*

3. Page 17, ix should be viii. There was some confusion relative to the requirement that DLCD be noticed.

Response: *Appropriately renumbered. Notice to DLCD is stated as an option per ORS 197.763(2)(C)(c). (Yellow Hi-Lite)*

4. Page 20, Section 1.d replace “shall” with “may”

Response: Replaced the term “shall” with “may” giving the Planning Commission the discretion to continue a public hearing, or not. (Yellow Hi-Lite)

5. Page 33, 120-day rule conflict.

Response: The 120-day rule only applies to limited land use decisions per ORS 197. Limited Land Use Decisions are identified in Table 17.05.1.

6. Page 47, Section 17.10.400.3, concern regarding findings for Type III zone changes that services are available, or will be available within five years.

Response: Replaced the specific time reference with “or planned for construction in the City’s public facilities master plans;” (Yellow Hi-Lite)

7. Page 50, Section 17.96.500.C, same concern as above.

Response: Replaced the specific time reference with “or planned for construction in the City’s public facilities master plans;” (Yellow Hi-Lite)

ISSUES:

None. The corrections are pending review and a recommendation of approval by the Planning Commission and are expected to pass. The proposed changes were also sent to the Department of Land Conservation and Development (DLCD) who had no comment in favor of or opposition to the code changes. The Council will conduct its own public hearing but staff expects there to be no further changes.

EXHIBITS/ATTACHMENTS:

Attachment “A – Proposed Amendments”, dated May 6, 2014. Ordinance No. ____ An Ordinance Amending CPMC Chapter 17.05, Applications and Types of Review Procedures; Chapter 17.08, Definitions; Chapter 17.10, Zoning Map and Text Amendments and Chapter 17.96, Amendment to the Comprehensive Land-Use Plan

ACTION:

Consider proposed amendments and 1) forward the ordinance to a second reading, 2) make revisions and forward the ordinance to a second reading or 3) deny the ordinance.

RECOMMENDATION:

Discuss ordinance proposal and forward ordinance and amendments to a second reading.

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

ORDINANCE NO.

AN ORDINANCE AMENDING CPMC CHAPTER 17.05, APPLICATIONS AND TYPES OF REVIEW PROCEDURES; CHAPTER 17.08, DEFINITIONS; CHAPTER 17.10, ZONING MAP AND TEXT AMENDMENTS AND CHAPTER 17.96 AMENDMENT TO THE COMPREHENSIVE LAND-USE PLAN

RECITALS:

- A.** Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B.** On May 6, 2014, the Central Point Planning Commission recommended approval of a code amendment to CPMC Chapter 17.05; Chapter 17.08 and Chapter 17.10 (zoning) clarifying the procedures for Comprehensive Plan Amendments and Application Review.
- C.** On May 8, 2014, the City of Central Point City Council held a property advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Municipal Code Amendment.
- D.** Words ~~lined through~~ are to be deleted and words underlined are added.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Amendments to Chapter 17.05; Chapter 17.08 and Chapter 17.10 adds language to the zoning code to clarify procedures for Comprehensive Plan Amendment and Application Review.

**Chapter 17.05
APPLICATIONS AND ~~TYPES OF DEVELOPMENT PERMIT~~ REVIEW
PROCEDURES**

Sections:

- 17.05.100 Purpose and applicability of review procedures.
- 17.05.200 Type I procedure (administrative).
- 17.05.300 Type II procedure (administrative).
- 17.05.400 Type III procedure (quasi-judicial).
- 17.05.500 Type IV procedure (legislative).

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

17.05.600 General provisions--One-hundred-twenty-day rule--Time computation--
Pre-application conferences--Acceptance and review--~~Planning
official's~~Community Development Director's duties--Amended
~~applications~~Decision Process--~~Resubmittal~~ Process--City Council
Review.

17.05.700 Special procedures.

17.05.800 Reserved

17.05.900 Traffic impact analysis.

17.05.100 Purpose and applicability of review procedures.

A. Purpose. The purpose of this chapter is to establish standard decision-making procedures that will enable the city, the applicant, and the public to review development permit applications and participate in the local decision-making process in a timely and effective way consistent with the Citizen's Involvement Element of the comprehensive plan. Table 17.05.1 provides a key for determining to identify the review procedures, applicable regulations, and the decision-making body approving authority for particular approvalsdevelopment permit applications.

B. Applicability of Review Procedures. All ~~land use and~~ development permit applications ~~and approvals~~identified in Table 17.05.1, except building permits, shall be decided by using the appropriate procedures contained in ~~this~~ chapter 17.05. The procedural ~~le~~ "type"Type assigned to each development permit application governs the decision-making process for that permit ~~or approval~~. There are four ~~types~~ "Types" of ~~permit/approval~~ procedures: Type I, II, III, and IV, which are ~~These procedures are~~ described as follows: in subsections (B)(1) through (4) of this section. Table 17.05.1 lists all of the city's land use and development approvals and their required review procedure(s):

1. Type I ~~Procedure (Administrative)~~. Type I ~~decisions~~ procedures are apply to administrative decisions made by the community development director or designee without public notice and without a public hearing. ~~The~~ Type I procedures is are used only when there are clear and objective approval standards and criteria, the application of which does not require the use of discretion ~~and applying city~~ standards and criteria requires no use of discretion;

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

A Type I decision is the City's final decision. There are no appeals to a Type I procedural decision.

2. Type II ~~Procedure (Administrative)~~. Type II ~~decisions-procedures~~ apply to administrative decisions that involve clear and objective approval standards and criteria the application of which requires the use of limited discretion. Type II decisions ~~and~~ are made by the community development director or designee with public notice, and an opportunity for a public hearing if appealed. The appeal of a Type II decision is treated as a Type III procedure, except that the scope of the hearing is limited as provided in Section 17.05.100(B)(3), and is considered heard ~~by the planning commission, who makes~~ the city's final decision.

3. Type III ~~Procedure (Quasi-Judicial)~~. Type III ~~decisions-procedures~~ are quasi-judicial decisions that involve the application of existing policies. Type III decisions generally use discretionary approval criteria, and do not have a significant effect beyond the immediate area of the application. Type III decisions are based on special studies or other information which will serve as the factual basis to support the decision. Type III decisions, when made by the planning commission, may be appealed to the city council.

~~made by the planning commission after a public hearing, with appeals reviewed by the city council. Type III decisions generally use discretionary approval criteria.~~

4. Type IV ~~Procedure (Legislative)~~. Type IV ~~procedures~~ decisions apply to are legislative matters ~~decisions that establish by law general policies and regulations for future land use decisions, such as the adoption or revision of the comprehensive plan, and revisions to the zoning and the land division ordinance. Legislative matters involve the creation, revision, or large scale implementation of public policy (e.g., that have widespread and significant impact beyond the immediate area, i.e. quantitative changes producing large volumes of traffic, or a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many different ownerships, adoption of land use regulations, zone changes, and comprehensive plan amendments that apply to entire districts, rather than just one property).~~

EXHIBIT “A – PROPOSED AMENDMENTS”

Dated: May 6, 2014

Unless otherwise noted all Type IV decisions are considered initially by the citizens advisory committee and the planning commission, with final decisions made by the city council. ~~Type IV matters are considered initially by the planning commission with final decisions made by the city council.~~

Table 17.05.1 provides a key to identify the review procedure for each land development permit.

TABLE 17.05.1				
<u>LAND DEVELOPMENT PERMIT*</u>	<u>PROCEDURAL TYPE</u>	<u>APPLICABLE REGULATIONS</u>	<u>APPROVING AUTHORITY</u>	<u>LIMITED LAND USE DECISION</u>
<u>Annexation</u>				
<u>Quasi-Judicial</u>	<u>Type III</u>	<u>Chapter 1.20</u>	<u>City Council</u>	<u>No</u>
<u>Legislative</u>	<u>Type IV</u>	<u>Chapter 1.20</u>	<u>City Council</u>	<u>No</u>
<u>Comprehensive Plan & UGB Amendments</u>				
<u>Major</u>	<u>Type IV</u>	<u>Chapter 17.96</u>	<u>City Council</u>	<u>No</u>
<u>Minor</u>	<u>Type III</u>	<u>Chapter 17.96</u>	<u>City Council</u>	<u>No</u>
<u>Conditional Use Permit</u>	<u>Type III</u>	<u>Chapter 17.76</u>	<u>Planning Commission</u>	<u>No</u>
<u>Conversion Plan</u>	<u>Type II</u>	<u>Chapter 16.32</u>	<u>Director</u>	<u>Yes</u>
<u>Extensions</u>				
<u>Type I Procedures</u>	<u>Type I</u>	<u>Chapter 17.05.200(G)</u>	<u>Director</u>	<u>No</u>
<u>Type II Procedures</u>	<u>Type II</u>	<u>Chapter 17.05.300(H)</u>	<u>Director</u>	<u>No</u>
<u>Home Occupation</u>	<u>Type I</u>	<u>Chapter 17.60.190</u>	<u>Director</u>	<u>No</u>
<u>Land Division</u>				
<u>Tentative Plan, Partition</u>	<u>Type II</u>	<u>Chapter 16.36</u>	<u>Director</u>	<u>Yes</u>
<u>Tentative Plan,</u>	<u>Type III</u>	<u>Chapter 16.10</u>	<u>Planning</u>	<u>Yes</u>

EXHIBIT “A – PROPOSED AMENDMENTS”

Dated: May 6, 2014

<u>Subdivision</u> <u>Final Plat</u>	<u>Type I</u>	<u>Chapter 16.12</u>	<u>Commission</u> <u>Director</u>	<u>No</u>
<u>Property Line</u> <u>Adjustment/Consolidation</u>	<u>Type I</u>	<u>Chapter 16.50</u>	<u>Director</u>	<u>Yes</u>
<u>Modification of Approval</u> <u>Major</u>	<u>Type III</u>	<u>Chapter 17.09.300</u>	<u>Planning</u> <u>Commission</u>	<u>Yes</u>
<u>Minor</u>	<u>Type II</u>	<u>Chapter 17.09.400</u>	<u>Director</u>	<u>Yes</u>
<u>Non-Conforming Use</u> <u>Designation</u>	<u>Type III</u>	<u>Chapter 17.56.040</u>	<u>Planning</u> <u>Commission</u>	<u>No</u>
<u>Planned Unit Development</u>	<u>Type III</u>	<u>Chapter 17.68</u>	<u>Planning</u> <u>Commission</u>	<u>Yes</u>
<u>Right-of-Way Vacation</u>	<u>Type III</u>	<u>Chapter 12.28</u>	<u>City Council</u>	<u>No</u>
<u>Site Plan and Architectural</u> <u>Review</u> <u>Minor</u>	<u>Type I</u>	<u>Chapter 17.72</u>	<u>Director</u>	<u>Yes</u>
<u>Major</u>	<u>Type II</u>	<u>Chapter 17.72</u>	<u>Director</u>	<u>Yes</u>
<u>TOD District/Corridor Master</u> <u>Plan</u>	<u>Type III</u>	<u>Chapter 17.66</u>	<u>Planning</u> <u>Commission</u>	<u>Yes</u>
<u>Tree Removal</u>	<u>Type II</u>	<u>Chapter 12.36</u>	<u>Director</u>	<u>Yes</u>
<u>Variance</u> <u>Class A</u>	<u>Type II</u>	<u>Chapter 17.13.300</u>	<u>Director</u>	<u>Yes</u>
<u>Class B</u>	<u>Type III</u>	<u>Chapter 17.13.400</u>	<u>Planning</u> <u>Commission</u>	<u>Yes</u>
<u>Class C</u>	<u>Type III</u>	<u>Chapter 17.13.500</u>	<u>Planning</u> <u>Commission</u>	<u>Yes</u>
<u>Zoning Map and Zoning and</u> <u>Land Division Code Text</u> <u>Amendments</u> <u>Minor</u>	<u>Type III</u>	<u>Chapter 17.10</u>	<u>City Council</u>	<u>No</u>
<u>Major</u>	<u>Type IV</u>	<u>Chapter 17.10</u>	<u>City Council</u>	<u>No</u>

EXHIBIT “A – PROPOSED AMENDMENTS”

Dated: May 6, 2014

Table 17.05.1		
Approvals*	Review Procedures	Applicable Regulations
Annexation	Type IV	Chapter <u>1.20</u>
Code Interpretation	Type II	Chapter <u>17.11</u>
Code Amendment	Type IV	Chapter <u>17.10</u>
Comprehensive Plan Text Amendment	Type IV	Chapter <u>17.96</u>
Conditional Use Permit	Type III	Chapter <u>17.76</u>
Extension Request	Type I	Chapter <u>17.05</u>
Home Occupation	Type I	Section <u>17.60.190</u>
Planned Unit Development	Type III	Chapter <u>17.68</u>
Modification to Approval	-	-
- Minor	Type II	Chapter <u>17.09</u>
- Major	Type III	Chapter <u>17.09</u>
Plan Amendment or Zone Change	-	-
- Quasi-Judicial	Type III	Section <u>17.12.030</u>
- Legislative	Type IV	Chapter <u>17.96</u>
Property Line Adjustments and Lot Consolidations	Type I	-
Transit Oriented District/Corridor Review	Type III	Chapter <u>17.66</u>
Nonconforming Use	Type II	Chapter <u>17.56</u>
- Partition	-	-
- Tentative Plan	Type II	Chapter <u>16.36</u>
- Final Plat	Type I	Chapter <u>16.12</u>
Land Use Review	Type I	-
Site Plan, Landscaping and Construction Plan Review	Type II	Chapter <u>17.72</u>
- Subdivision	-	-

EXHIBIT “A – PROPOSED AMENDMENTS”

Dated: May 6, 2014

- Tentative Plan	Type III	Chapter <u>16.10</u>
- Final Plat	Type I	Chapter <u>16.12</u>
Right-of-Way Vacation	Type IV	Section <u>12.28.020</u>
Tree Removal	Type II	Chapter <u>12.36</u>
Variance	Type II or III	Chapter <u>17.13</u>
- Zoning, Major	Type III	Chapter <u>17.13</u>
- Zoning, Minor	Type II	Chapter <u>17.13</u>
- Subdivisions, Major	Type III	Chapter <u>17.13</u>
- Subdivisions, Minor	Type II	Chapter <u>17.13</u>
Conversion Plan Review	Type II	Chapter <u>16.32</u>
Uncategorized Decision	Type II	-

* An applicant may be required to obtain approvals from other agencies, such as the Oregon Department of Transportation, or Rogue Valley Sewer. The city may notify other agencies of applications that may affect their facilities or services.

(Ord. 1941 §§1, 2, 3, 2010; Ord. 1874 §1(part), 2006).

17.05.200 Type I procedure ~~(administrative)~~.

A. Pre-Application Conference. A pre-application conference is not required for a Type I permit application.

B. Application Requirements.

1. Application Forms. Type I permit applications shall be made on forms provided by the planning department.

2. ~~Application Submittal~~ Requirements. Type I applications shall include:

a. ~~Include the~~The information requested on the application form;

b. Findings addressing ~~Address~~ the Applicable Regulations per Table 17.05.1 ~~criteria in sufficient detail for review and action~~; and

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

c. ~~Be filed with the~~The required fee.

~~BC.~~ Administrative ~~Decision~~ Requirements. The community development director's or designee's decision shall address all ~~relevant of the~~ approval criteria and standards. Based on the Applicable Regulations (Table 17.05.1) criteria and the facts contained within the record, the community development director or designee shall approve or deny the requested permit ~~or action~~. A written record of the decision shall be provided to the applicant and kept on file at City Hall in the Community Development Department.

~~CD.~~ Final Decision. A decision on a Type I ~~decision permit application~~ is the final decision of the city and may not be appealed ~~further~~.

~~DE.~~ Effective Date. A Type I decision is final on the date it is made per Section 17.05.200(C), and unless construction has been started and diligently pursued shall expire one-year from the decision date.

F. Appeal. A decision on a Type I application may not be appealed.

~~EG.~~ Extensions. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one-year extension of the original or last extension approval period; provided ~~that~~:

1. The land development permit authorizes extensions;
2. No changes are made to the original application as approved by the city;
23. There have been no changes in the zoning, land division code, or applicable comprehensive plan provisions on which the approval was based. In the case where the plan conflicts with a code or comprehensive plan change, the extension shall be either:

a. Denied; or

b. At the discretion of the community development director the request for extension maybe re-reviewed as a modification per Section 17.09.300;

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~~34.~~ The extension request is ~~made filed on or~~ before ~~the~~ expiration of the original ~~or latest extension~~ approval ~~per Section 17.05.200(E)plan;~~

~~45.~~ If the time limit expired and no extension ~~request~~ has been ~~filedgranted~~, the application shall be void. (Ord. 1941 §4, 2010; Ord. 1874 §1(part), 2006).

17.05.300 Type II procedure ~~(administrative).~~

A. Pre-Application Conference. A pre-application conference is optional for a Type II ~~reviews~~ permit application. The requirements and procedures for a pre-application conference are described in Section 17.05.600(C). ~~(Pre-application conference requirements and procedures are found in Section 17.05.600(C).)~~

B. Application Requirements.

1. Application Forms. Type II applications shall be made on forms provided by the planning department for the land development permit requested.

2. Submittal ~~Information~~ Requirements. ~~The A Type II permit~~ application shall include:

- a. ~~Include the~~ The information requested on the application form;
- b. ~~Include a narrative statement that Findings addressing the Applicable Regulations per Table 17.05.1 explains how the application satisfies each of the relevant criteria and standards in sufficient detail for review and decision-making.~~ Note: at the discretion of the community development director additional information may be required during the application process ~~under the specific applicable requirements for each approval as referenced in Table 17.05.1;~~
- c. ~~Include one~~ One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in subsection C of this section. The records of the Jackson County assessor's office are the official records for determining ownership. The applicant shall

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produce the notice list using the most current Jackson County assessor's real property assessment records to produce the notice list. The city shall mail the notice of application; and

d. ~~Be accompanied by the~~The required fee.

3. Notice of Acceptance. Within fourteen (14) days of submittal the community development director or designee shall notify the applicant in writing of:

a. The procedural type used for the application. In some circumstances, a Type II application may be referred to a Type III procedure. When such a referral is made it shall be made at the time of Notice of Acceptance, after which the application shall be processed as a Type III application. When a Type II application is referred to a Type III application no new application is required: and

b. Acceptance of the application; or

c. Non-acceptance of the application with an itemization of the deficiencies and deadline for correction of the deficiencies;

C. Notice of Application for Type II ~~Administrative~~ Decision.

1. Before making a Type II ~~administrative~~ decision, the community development director or designee shall mail notice to:

a. All owners of record of real property within a minimum of one hundred (100) feet of the exterior boundaries of the subject site;

b. All city-recognized neighborhood groups or associations whose boundaries include the site;

c. Any person who submits a written request to receive a notice; and

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d. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the county or ODOT, and the rail authority, when there is a proposed development abutting or within one hundred (100) feet of an affected transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application.

~~2. The purpose of the notice is to give nearby property owners and other interested people the opportunity to submit written comments about the application before the Type II decision is made. The goal of this notice is to invite affected persons to participate early in the decision-making process.~~

32. Notice of a pending Type II administrative decision shall:

- a. Provide a fourteen-~~day~~ (14) day period for submitting written comments before a decision is made on the permit;
- b. List the relevant approval criteria by name and number of code sections;
- c. State the place, date and time the comments are due, and the person to whom the comments should be addressed;
- d. Include the name and telephone number of a contact person regarding the administrative decision;
- e. Describe the proposal and identify the specific permits or approvals requested;
- f. Describe the street address or other easily understandable reference to the location of the site;
- g. State that, if any person fails to address the relevant approval criteria with enough detail, they may not be able to appeal to the land use board of appeals

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or circuit court on that issue and that only comments on relevant approval criteria are considered relevant evidence;

h. State that all evidence relied upon by the community development director or designee to make this decision is in the public record, available for public review. Copies of this evidence may be obtained at a reasonable cost from the city;

i. State that, after the comment period closes, the community development director or designee shall issue a Type II administrative decision, and that the decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice;

j. Contain the following notice: "Notice to mortgagee, lien holder, vendor, or seller: The City of Central Point Land Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."

D. Administrative Decision Requirements. The community development director or designee shall make a Type II written decision addressing all of the relevant approval criteria and standards. Based upon the criteria and standards, and the facts contained within the record, the community development director or designee shall approve, approve with conditions, or deny the requested permit or action.

~~In some circumstances, a Type II application may be referred to a Type III procedure. When such a referral is made, the application shall be processed as a Type III application, including the requirements for a hearing and notice of decision.~~

E. Notice of Decision.

1. Within five (5) days after the community development director or designee signs the decision, a notice of decision shall be sent by mail to:

a. The applicant and all owners or contract purchasers of record of the site that is the subject of the application;

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b. Any person who submitted a written request to receive notice, or provides comments during the application review period;

c. Any city-recognized neighborhood group or association whose boundaries include the site; and

d. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city, and other agencies that were notified or provided comments during the application review period.

2. The community development director or designee shall cause an affidavit of mailing the notice to be prepared and made a part of the file. The affidavit shall show the date the notice was mailed and shall demonstrate that the notice was mailed to the parties above and was mailed within the time required by law.

3. The Type II notice of decision shall contain:

a. A description of the applicant's proposal and the city's decision on the proposal (i.e., may be a summary);

b. The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area, where applicable;

c. A statement of where [a copy of](#) the city's decision may be obtained;

d. The date the decision shall become final, unless appealed;

e. A statement that all persons entitled to notice may appeal the decision; and

f. A statement briefly explaining how to file an appeal, the deadline for filing an appeal, and where to obtain further information concerning the appeal process.

F. ~~Final Decision and~~ Effective Date. A Type II ~~administrative~~ decision is final for purposes of appeal when [the Notice of Decision per Section 17.05.300\(E\)](#) is mailed by

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the city and becomes. ~~A Type II administrative decision is effective on the day ten (10) days from the date of mailing of the Notice of Decision after the appeal period expires.~~ If an appeal is filed within the ten (10) day period, the decision ~~is~~ does not become effective ~~when~~ until the appeal is decided.

G. Appeal. A Type II ~~administrative~~ decision may be appealed to the planning commission as follows:

1. Who May Appeal. The following people have legal standing to appeal a Type II ~~administrative~~ decision:

- a. The applicant or owner of the subject property;
- b. Any person who was entitled to written notice of the Type II ~~administrative~~ decision;
- c. Any other person who participated in the proceeding by submitting written comments.

2. Appeal Filing Procedure.

a. Notice of Appeal. Any person with standing to appeal, as provided in ~~subsection Section 17.05.300(G.)(1) of this section~~, may appeal a Type II ~~administrative~~ decision by filing a notice of appeal according to the following procedures;

b. Time for Filing. A notice of appeal shall be filed with the community development director or designee within ~~fourteen~~ ten (10) days ~~of from~~ the date the notice of decision was mailed;

c. Content of Notice of Appeal. The notice of appeal shall contain:

- i. An identification of the decision being appealed, including the date of the decision;
- ii. A statement demonstrating the person filing the notice of appeal has standing to appeal;

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- iii. A statement explaining the specific issues being raised on appeal;
- iv. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period; and
- v. The applicable filing fee.

3. Scope of Appeal. The appeal of a Type II ~~administrative~~ decision by a person with standing shall be a hearing before the planning commission. The appeal shall be limited to the application materials, evidence and other documentation, and specific issues raised in the Type II ~~administrative~~ review.

4. Appeal Procedures. Type III notice, hearing procedures, and decision process shall ~~also~~ be used for all Type II ~~administrative~~ appeals, as provided in Sections [17.05.400](#) (C) through (E);

5. Final Decision. The decision of the planning commission regarding an appeal of a Type II ~~administrative~~ decision is the final decision of the city. (Ord. 1874 §1(part), 2006).

H. Extensions. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one-year extension of the original or last extension approval period; provided:

1. The land development permit authorizes extensions;

2. No changes are made to the original application as approved by the city;

3. There have been no changes in the zoning, land division code, or applicable comprehensive plan provisions on which the approval was based. In the case where the plan conflicts with a code or comprehensive plan change, the extension shall be either:

a. Denied; or

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b. At the discretion of the community development director the request for extension maybe re-reviewed as a modification per Section 17.09.300;

4. The extension request is filed on or before the expiration of the original or latest extension approval per Section 17.05.300(F);

5. If the time limit expired and no extension request has been filed, the application shall be void..

17.05.400 Type III procedure ~~(quasi-judicial)~~.

A. Pre-Application Conference. A pre-application conference is required for all Type III applications. The requirements and procedures for a pre-application conference are described in Section [17.05.600\(C\)](#).

B. Application Requirements.

1. Application Forms. Type III applications shall be made on forms provided by the community development director or designee for the land development permit requested. ; however, if a Type II application is referred to a Type III hearing, either voluntarily by the applicant or staff, or upon appeal, no new application is required.

2. Submittal ~~Information~~Requirements. When a Type III application is required, it shall include:

a. ~~Include the information requested on the application form~~A completed application form with required attachments;

b. ~~Be filed with one~~One copy of a narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: additional information may be required under the specific applicable regulations for each approval as referenced in Table 17.05.1;

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- c. ~~Be accompanied by the~~The required fee; and
- d. ~~Include one~~One set of pre-addressed mailing labels for all real property owners of record who will receive a notice of the application as required in Sections 17.05.400(C), (1)(a)(i), (ii), (iv) and (v). The records of the Jackson County assessor's office are the official records for determining ownership. The applicant shall produce the notice list using the most current Jackson County assessor's real property assessment records to produce the notice list. The city shall mail the notice of application. The failure of a property owner to receive notice as provided in Section 17.05.400(C) shall not invalidate such proceedings provided the city can demonstrate by affidavit that such notice was given.

C. ~~Notice of Hearing~~Notification Requirements.

1. Mailed Notice. The city shall mail the notice of the Type III ~~action~~hearing. ~~The records of the Jackson County assessor's office shall be the official records for determining ownership.~~ Notice of a Type III ~~application~~-hearing ~~or Type II appeal hearing~~ shall be given by the community development director or designee in the following manner:

- a. At least twenty (20) days before the hearing date, or if two or more hearings are allowed, ten (10) days before the first hearing, notice shall be mailed to:
 - i. The applicant and all owners or contract purchasers of record of the property on the most recent property tax assessment role that is the subject of the application;
 - ii. All property owners of record on the most recent property tax assessment role within one-hundred (100) feet of the site, including tenants of a mobile home or manufactured dwelling park;
 - iii. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may

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notify other affected agencies. The city shall notify the county road authority, or ODOT, and rail authority ~~and owner for applications that are when there is a proposed development~~ abutting or affecting their transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application.

iv. Owners of airports in the vicinity shall be notified of a proposed zone change in accordance with ORS 227.175;

v. Any neighborhood or community organization recognized by the city council and whose boundaries include the property proposed for development;

vi. Any person who submits a written request to receive notice;

vii. For appeals, the appellant and all persons who provided testimony in the original decision; and

~~viii. For a land use district change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175.~~

viii. At the applicants discretion notice may also be provided to the Department of Land Conservation and Development.

b. The community development director or designee shall prepare an affidavit of notice and the affidavit shall be made a part of the file. The affidavit shall state the date that the notice was mailed to the persons who were sent notice.

~~e. At least fourteen business days before the hearing, notice of the hearing shall be printed in a newspaper of general circulation in the city as well as on the city's website. The newspaper's affidavit of publication of the notice shall be made part of the administrative record.~~

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2. Content of Notice. Notice ~~of appeal of a Type II administrative decision or notice~~ of a Type III hearing ~~shall~~ be mailed ~~and published~~ per ~~subsection~~ Section 17.05.400(C)(4) of this section ~~and~~ shall contain the following information:

- a. ~~An explanation of the~~ The nature of the application and the proposed land use or uses that could be authorized for the property;
- b. The applicable criteria and standards from the zoning and subdivision development code(s), and comprehensive plan that apply to the application;
- c. The street address or other easily understood geographical reference to the subject property;
- d. The date, time, and location of the public hearing;
- e. A statement that the failure to raise an issue in person, or in writing at the hearing, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue prior to the close of the final hearing, means that an appeal based on that issue cannot be raised at the State Land Use Board of Appeals;
- f. The name of a city representative to contact and the telephone number ~~and email address~~ where additional information on the application may be obtained;
- g. A statement that a copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at the city of Central Point City Hall at no cost and that copies shall be provided at a reasonable cost;
- h. A statement that a copy of the city's staff report and recommendation to the hearings body shall be available for review at no cost at least seven (7) days before the hearing, and that a copy shall be provided on request at a reasonable cost;

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- i. A general explanation of the requirements to submit testimony, and the procedure for conducting public hearings; and
- j. The following notice: "Notice to mortgagee, lien holder, vendor, or seller: The City of Central Point Land Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."

D. Conduct of the Public Hearing.

1. At the commencement of the hearing, the hearings body shall state to those in attendance:

a. The applicable approval criteria and standards that apply to the application or appeal;

b. A statement that testimony and evidence shall be directed at the approval criteria described in the staff report, or other criteria in the comprehensive plan or land use regulations that the person testifying believes to apply to the decision;

c. A statement that failure to raise an issue with sufficient detail to give the hearings body and the parties an opportunity to respond to the issue means that no appeal may be made to the State Land Use Board of Appeals on that issue;

d. Before the conclusion of the first evidentiary hearing, any participant may ask the hearings body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The hearings body ~~shall~~ grant the request by scheduling a date to finish the hearing (a "continuance") per Section 17.05.400(E)(1), or by leaving the record open for additional written evidence or testimony per Section 17.05.400(E)(2).

2. If the ~~planning commission~~ hearings body grants a continuance, the ~~completion of the~~ hearing shall be continued to a date, time, and place at least seven (7) days after the date of the first evidentiary hearing. An opportunity shall be provided at the second hearing for persons to present and respond to new

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written evidence and oral testimony. If new written evidence is submitted at the second hearing, any person may request, before the conclusion of the second hearing, that the record be left open for at least seven (7) additional days, so that they can submit additional written evidence or testimony in response to the new written evidence;

3. If the ~~planning commission~~ hearings body leaves the record open for additional written evidence or testimony, the record shall be left open for at least seven (7) days after the hearing. Any participant may ask the city in writing for an opportunity to respond to new evidence submitted during the period that the record was left open. If such a request is filed, the hearings body shall reopen the record to allow rebuttal evidence.

a. If the hearings body reopens the record to admit new evidence or testimony, any person may raise new issues that relate to that new evidence or testimony;

b. An extension of the hearing or record for a limited land use granted pursuant to Section 17.05.400(E) is subject to the limitations of ORS 227.178 ("one-hundred-twenty-day rule"), unless the continuance or extension is requested or agreed to by the applicant;

c. If requested by the applicant, the hearings body shall allow the applicant at least seven (7) days after the record is closed to all other parties to submit final written arguments in support of the application, unless the applicant expressly waives this right. The applicant's final submittal shall be part of the record but shall not include any new evidence. For limited land use decisions the seven (7) day period shall not be subject to the limitations of ORS 227.178 and ORS 227.179;

d. The record shall contain all testimony and evidence that is submitted to the city and that the hearings body has not rejected;

e. In making its decision, the hearings body may take official notice of facts not in the hearing record (e.g., local, state, or federal regulations; previous

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city decisions; case law; staff reports). The review authority must announce its intention to take notice of such facts in its deliberations, and allow persons who previously participated in the hearing to request the hearing record be reopened, if necessary, to present evidence concerning the noticed facts;

f. The city shall retain custody of the record until the city issues a final decision and all appeal deadlines have passed.

4. Participants in a Type III hearing are entitled to an impartial review authority as free from potential conflicts of interest and pre-hearing ex parte contacts (see Section 17.05.400(D)(5) of this section) as reasonably possible. However, the public has a countervailing right of free access to public officials. Therefore:

a. At the beginning of the public hearing, hearings body members shall disclose the substance of any pre-hearing ex parte contacts (as defined in Section 17.05.400(D)(5) of this section) concerning the application or appeal. He or she shall also state whether the contact has impaired their impartiality or their ability to vote on the matter and shall participate or abstain accordingly. Hearing participants shall be entitled to question hearing body members as to ex parte contacts and to object to their participation as provided in Section 17.05.400(D)(5)(b) of this section;

b. A member of the hearings body shall not participate in any proceeding in which they, or any of the following, has a direct or substantial financial interest: their spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner, any business in which they are then serving or have served within the previous two (2) years, or any business with which they are negotiating for or have an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the hearing where the action is being taken;

c. Disqualification of a member of the hearings body due to contacts or conflict may be ordered by a majority of the members present and voting. The person who is the subject of the motion may not vote on the motion to disqualify;

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d. If all members of the hearings body abstain or are disqualified, the city council shall be the hearing body. If all members of the city council abstain or are disqualified, a quorum of those members present who declare their reasons for abstention or disqualification shall be re-qualified to make a decision;

e. Any member of the public may raise conflict of interest issues prior to or during the hearing, to which the member of the hearings body shall reply in accordance with this section.

5. Ex Parte Communications.

a. Members of the hearings body shall not:

i. Communicate directly or indirectly with any applicant, appellant, other party to the proceedings, or representative of a party about any issue involved in a hearing without giving notice per Section 17.05.400(C);

ii. Take official notice of any communication, report, or other materials outside the record prepared by the proponents or opponents in connection with the particular case, unless all participants are given the opportunity to respond to the noticed materials.

b. No decision or action of the hearings body shall be invalid due to ex parte contacts or bias resulting from ex parte contacts, if the person receiving contact:

i. Places in the record the substance of any written or oral ex parte communications concerning the decision or action; and

ii. Makes a public announcement of the content of the communication and of all participants' right to dispute the substance of the communication made. This announcement shall be made at the first hearing following the communication during which action shall be considered or taken on the subject of the communication.

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c. A communication between city staff and the hearings body is not considered an ex parte contact.

6. Presenting and Receiving Evidence.

a. The hearings body may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant or personally derogatory testimony or evidence;

b. No oral testimony shall be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing only as provided in Section 17.05.400(D)(3);

c. Members of the hearings body may visit the property and the surrounding area, and may use information obtained during the site visit to support their decision, if the information relied upon is disclosed at the beginning of the hearing and an opportunity is provided to dispute the evidence under Section 17.05.400(D)(5)(b).

F. The Decision Process.

1. Basis for Decision. Approval or denial ~~of a Type II administrative appeal or~~ of a Type III application shall be based on standards and criteria in the development code. The standards and criteria shall relate approval or denial of a discretionary development permit application to the development regulations and, when appropriate, to the comprehensive plan for the area in which the development would occur and to the development regulations and comprehensive plan for the city as a whole;

2. Findings and Conclusions. Approval or denial shall be based upon the criteria and standards considered relevant to the decision. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts;

3. Form of Decision. The ~~planning commission~~ hearings body shall issue a final written order containing the findings and conclusions stated in ~~subsection~~ Section

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17.05.400 (E)(2) of this section, which either approves, denies, or approves with specific conditions. The ~~planning commission~~ hearings body may also issue appropriate intermediate rulings when more than one permit or decision is required. ~~If the application is for a quasi-judicial zone change, the planning commission~~ hearings body shall issue a denial as a final written order. However, if the planning commission ~~hearings body decides in favor of the zone change, it shall issue written recommendation to the city council, which shall hold a hearing and adopt either an order denying the zone change or an ordinance approving the zone change.~~

4. Decision-Making Time Limits. A final written order for any ~~Type II administrative appeal or~~ Type III action shall be filed with the community development director or designee within ten ~~(10) business~~ days after the close of the deliberation;

5. Notice of Decision. Written notice of a ~~Type II administrative appeal decision or a~~ Type III decision shall be mailed to the applicant and to all participants of record within ten ~~(10) business~~ days after the hearings body decision. Failure of any person to receive mailed notice shall not invalidate the decision; provided, that a good faith attempt was made to mail the notice.

6. Final Decision and Effective Date. The decision of the hearings body on any ~~Type II appeal or any~~ Type III application is final for purposes of appeal on the date it is mailed by the city. The decision is effective on the day after the appeal period expires. If an appeal of a Type III decision is filed, the decision becomes effective on the day after the appeal is decided by the city council. An appeal of a land use decision to the State Land Use Board of Appeals must be filed within twenty-one ~~(21)~~ days of the city council's written ~~decision~~ decision is mailed by the city.

G. Appeal. A Type III decision made by the planning commission may be appealed to the city council as follows:

1. Who May Appeal. The following people have legal standing to appeal a Type III decision:

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- a. The applicant or owner of the subject property;
- b. Any person who was entitled to written notice of the Type III decision;
- c. Any other person who participated in the proceeding by submitting written comments.

2. Appeal Filing Procedure.

- a. Notice of Appeal. Any person with standing to appeal, as provided in ~~subsection~~ Section 17.05.400(F)(1) of this section, may appeal a Type III decision by filing a notice of appeal according to the following procedures;
- b. Time for Filing. A notice of appeal shall be filed with the community development director or designee within ten (10) days of the date the notice of decision was mailed;
- c. Content of Notice of Appeal. The notice of appeal shall contain:
 - i. An identification of the decision being appealed, including the date of the decision;
 - ii. A statement demonstrating the person filing the notice of appeal has standing to appeal;
 - iii. A statement explaining the specific issues being raised on appeal;
 - iv. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period; and
 - v. The applicable filing fee.

3. Scope of Appeal. The appeal of a Type III decision is limited to the issues and evidence in the record before the ~~planning commission~~ hearing body ~~shall be limited to the application materials, evidence and other documentation, and specific issues raised in the Type II administrative review.~~

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4. Appeal Procedures. Type III notice, hearing procedure and decision process shall also be used for all Type III appeals, as provided in Sections~~subsections~~ 17.05.400(C) through (E) ~~of this section~~;

5. Final Decision. The decision of the city council regarding an appeal of a Type III decision is the final decision of the city. (Ord. 1874 §1(part), 2006).

H. Extensions. The community development director shall, upon written request by the applicant and payment of the required fee, grant a written one-year extension of the original or last extension approval period; provided:

1. The land development permit authorizes extensions;

2. No changes are made to the original application as approved by the city;

3. There have been no changes in the zoning, land division code, or applicable comprehensive plan provisions on which the approval was based. In the case where the plan conflicts with a code or comprehensive plan change, the extension shall be either:

a. Denied; or

b. At the discretion of the community development director the request for extension maybe re-reviewed as a modification per Section 17.09.400;

4. The extension request is filed on or before the expiration of the original or latest extension approval per Section 17.05.400(F)(6);

5. If the time limit expired and no extension request has been filed, the application shall be void.

17.05.500 Type IV procedure ~~(legislative)~~.

A. Pre-Application Conference. A pre-application conference is required for all Type IV applications initiated by a party other than the city of Central Point. The requirements and procedures for a pre-application conference are described in ~~Section~~ 17.05.600(C).

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B. Timing of Requests. Acceptance timing varies for Type IV applications (see Table 17.05.1 for applicable section reference).~~The city accepts plan map amendment and annexation applications twice yearly, on January 30th and June 30th; provided, that the city council may initiate its own such proposals at any time.~~

C. Application Requirements.

1. Application Forms. Type IV applications shall be made on forms provided by the community development director or designee.

2. Submittal Information. The application shall contain:

a. The information requested on the application form;

b. A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);

c. The required fee; and

d. One copy of a letter or narrative statement (findings and conclusions) that explains how the application satisfies each and all of the relevant approval criteria and standards applicable to the specific Type IV application.

D. Notice of Hearing.

1. Required Hearings. A minimum of two hearings, one before the planning commission and one before the city council, are required for all Type IV applications, ~~except annexations and Measure 37 claims where only a hearing by the city council is required.~~

2. Notification Requirements. Notice of public hearings ~~for the request~~ shall be given by the community development director or designee in the following manner:

a. At least ~~twenty-ten (10)~~ (10) days, but not more than forty ~~(40)~~ (40) days, before the date of the first hearing ~~on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that~~

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~~proposes to rezone property, a notice, shall be prepared in conformance with ORS 227.175 shall be and~~ mailed to:

~~i. Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment) shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment;~~

~~iii. Any affected governmental agency;~~

~~iiii. Any person who requests notice in writing;~~

~~iv. For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;~~

~~v. Owners of airports shall be notified of a proposed zone change in accordance with ORS 227.175.~~

b. At least ten (10) days before the ~~first scheduled planning commission~~ public hearing date, and fourteen (14) days before the city council hearing date, public notice shall be published in a newspaper of general circulation in the city.

c. The community development director or designee shall:

i. For each mailing of notice, file an affidavit of mailing in the record as provided by ~~Sections subsection 17.05.500(D)(2)(a) of this section;~~ and

ii. For each published notice, file in the record the affidavit of publication in a newspaper that is required in ~~Sections subsection 17.05.500(D)(2)(b) of this section.~~

d. The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments within the time period prescribed by DLCD ~~at least 45 days~~

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~~before the first public hearing at which public testimony or new evidence will be received.~~ The notice to DLCD shall include a DLCD Certificate of Mailing.

~~e. Notifications for annexation shall follow the provisions of this chapter.~~

3. Content of Notices. The mailed and published notices shall include the following information:

- a. The number and title of the file containing the application, and the address and telephone number of the community development director or designee's office where additional information about the application can be obtained;
- b. The proposed site location, if applicable;
- c. A description of the proposal in enough detail for people to determine what change is proposed, and the place where all relevant materials and information may be obtained or reviewed;
- d. The time(s), place(s), and date(s) of the public hearing(s); a statement that public oral or written testimony is invited; and a statement that the hearing will be held under this title and rules of procedure adopted by the council and available at City Hall (see ~~subsection E of this section~~ Section 17.05.500(E)); and

~~e. Each mailed notice required by subsection D of this section shall contain the following statement: "Notice to mortgagee, lien holder, vendor, or seller: The Central Point Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."~~

~~4. Failure To Receive Notice. The failure of any person to receive notice shall not invalidate the action, providing:~~

- ~~a. Personal notice is deemed given where the notice is deposited with the United States Postal Service;~~

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~~b. Published notice is deemed given on the date it is published.~~

E. Hearing Process and Procedure. Conduct of Public Hearing

1. Unless otherwise provided in the rules of procedure adopted by the city council:

a. The presiding officer of the planning commission and of the city council shall have the authority to:

- i. Regulate the course, sequence, and decorum of the hearing;
- ii. Direct procedural requirements or similar matters;
- iii. Impose reasonable time limits for oral presentations; and
- iv. Waive the provisions of this chapter so long as they do no prejudice the substantial rights of any party.

b. No person shall address the commission or the council without:

- i. Receiving recognition from the presiding officer; and
- ii. Stating his or her full name and address.

c. Disruptive conduct such as applause, cheering, or display of signs shall be cause for expulsion of a person or persons from the hearing, termination or continuation of the hearing, or other appropriate action determined by the presiding officer.

2. Unless otherwise provided in the rules of procedures adopted by the council, the presiding officer of the commission and of the council shall conduct the hearing as follows:

a. The presiding officer shall begin the hearing with a statement of the nature of the matter before the body, a general summary of the procedures, a summary of the standards for decision-making, and whether the decision which will be made is a preliminary decision, such as a recommendation to the city council or the final decision of the city;

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- b. The community development director or designee's report and other applicable staff reports shall be presented;
- c. The public shall be invited to testify;
- d. The public hearing may be continued to allow additional testimony or it may be closed; and
- e. The body's deliberation may include questions to the staff, comments from the staff, and inquiries directed to any person present.

F. Continuation of the Public Hearing. The planning commission or the city council may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time.

G. Decision-Making Criteria Decision Process. The recommendations by the citizen advisory committee, the planning commission and the decision by the city council shall be based on the applicable criteria as referenced in Table 17.05.1. following factors:

- ~~1. Whether the request is consistent with the applicable statewide planning goals;~~
- ~~2. Whether the request is consistent with the comprehensive plan; and~~
- ~~3. If the proposed legislative change is particular to a particular site, the property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.~~

H. Approval Process and Authority.

- 1. The citizen advisory committee and planning commission shall:

~~The planning commission shall:~~

- a. ~~The citizens advisory committee, after~~ After notice and discussion at a public ~~hearing~~meeting, vote on and prepare a recommendation to the city

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council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

b. The planning commission, after notice and a public hearing, vote on and prepare a recommendation to the city council to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative; and

b. Within ~~fourteen~~ ten (10) ~~business~~ days of adopting a recommendation, the presiding officer shall sign the written recommendation, and it shall be filed with the community development director or designee.

2. Any member of the citizen advisory committee or planning commission who votes in opposition to the ~~planning commission's~~ majority recommendation may file a written statement of opposition with the community development director or designee before the council public hearing on the proposal. The community development director or designee shall send a copy to each council member and place a copy in the record;

3. If the citizen advisory committee or planning commission does not adopt a recommendation to approve, approve with modifications, approve with conditions, deny the proposed change, or adopt an alternative proposal within sixty (60) days of its first public hearing on the proposed change, the community development director or designee shall:

a. Prepare a report to the city council on the proposal, including noting the citizens advisory committee's or planning commission's actions on the matter, if any; and

b. Provide notice and put the matter on the city council's agenda for the city council to hold a public hearing and make a decision. No further action shall be taken by the citizen advisory committee or planning commission.

4. The city council shall:

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- a. Consider the recommendation of the citizen advisory committee and planning commission; however, the city council is not bound by the committee's or the commission's recommendation;
- b. Approve, approve with modifications, approve with conditions, deny, or adopt an alternative to an application for legislative change, or remand the application to the planning commission for rehearing and reconsideration on all or part of the application; and
- c. If the application ~~for legislative change~~ is approved, the council shall act by ordinance, which shall be signed by the mayor after the council's adoption of the ordinance.

I. Vote Required for a Legislative Change.

1. A vote by a majority of the qualified voting members of the citizens advisory committee present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.
2. A vote by a majority of the qualified voting members of the planning commission present is required for a recommendation for approval, approval with modifications, approval with conditions, denial or adoption of an alternative.
23. A vote by a majority of the qualified members of the city council present is required to decide any motion made on the proposal.

J. Notice of Decision. Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development, within five ~~(5) business~~ days after the city council decision is filed with the community development director or designee. ~~The city shall also provide notice to all persons as required by other applicable laws.~~

K. Final Decision and Effective Date. A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance, or if not approved, upon the date of mailing of the notice of decision to the applicant.

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L. Record of the Public Hearing.

1. A verbatim record of the proceeding shall be made by stenographic, mechanical, or electronic means. It is not necessary to transcribe an electronic record. The minutes and other evidence presented as a part of the hearing shall be part of the record;
2. All exhibits received and displayed shall be marked to provide identification and shall be part of the record;
3. The official record shall include:
 - a. All materials considered and not rejected by the hearings body;
 - b. All materials submitted by the community development director or designee to the hearings body regarding the application;
 - c. The verbatim record made by the stenographic, mechanical, or electronic means; the minutes of the hearing; and other documents considered;
 - d. The final decision;
 - e. All correspondence; and
 - f. A copy of the notices that were given as required by this chapter. (Ord. 1874 §1(part), 2006).

17.05.600 General procedural provisions ~~— One hundred twenty day rule—Time computation—Pre-application conferences—Acceptance and review—Planning official's duties—Amended applications—Resubmittal.~~

A. One-Hundred-Twenty-Day (120) Rule. ~~In accordance with ORS 227.178 the~~ The city shall take final action on all limited land use decisions as identified in Table 17.05.1, including resolution of all appeals ~~Type I, II, and III permit applications that are subject to this chapter, including resolution of all appeals,~~ within one hundred twenty (120) days from the date the application is deemed as complete, unless the applicant requests an extension in writing. ~~The; however, the~~ total of all extensions may not exceed two

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hundred forty-five (245) days. Any exceptions to this rule shall conform to the provisions of ORS 227.178. ~~(The one hundred twenty day rule does not apply to Type IV legislative decisions—plan and code amendments—under ORS 227.178.)~~

B. Time Computation. In computing any period of time prescribed or allowed by this chapter, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday or legal holiday, including Sunday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday.

C. Pre-Application Conferences.

1. Participants. When a pre-application conference is required, the applicant shall meet with the community development director or his/her designee(s) and such other parties as the community development director deems appropriate;
2. Information Provided. At such conference, the community development director or designee shall:
 - a. Cite the comprehensive plan policies and map designations that appear to be applicable to the proposal;
 - b. Cite the ordinance provisions, including substantive and procedural requirements that appear to be applicable to the proposal;
 - c. Provide available technical data and assistance that will aid the applicant;
 - d. Identify other governmental policies and regulations that relate to the application; and
 - e. Reasonably identify other opportunities or constraints concerning the application.
3. Disclaimer. Failure of the community development director or designee to provide any of the information required in Section~~by this subsection C of this~~

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~~section 17.05.600(C)~~ shall not constitute a waiver of any of the standards, criteria or requirements for the application;

4. Changes in the Law. Due to possible changes in federal, state, regional, and local law, the applicant is responsible for ensuring that the application complies with all applicable laws.

D. Acceptance and Review of Applications.

1. Initiation of Applications.

a. Applications for approval under this chapter may be initiated by:

i. Order of city council;

ii. Resolution of the planning commission;

iii. The community development director or designee;

iv. A record owner of property (person(s) whose name is on the most recently recorded deed), or contract purchaser with written permission from the record owner.

b. Any person authorized to submit an application for approval may be represented by an agent authorized in writing to make the application on their behalf.

2. Consolidation of Proceedings. When an applicant applies for more than one type of land use or development permit (e.g., Type II and III) for the same one or more parcels of land, the proceedings may, at the option of the applicant, be consolidated for review and decision.

a. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the respective approval authority having ~~original~~ jurisdiction over each type procedure ~~one of the applications in the following order of preference: The council, the commission, or the community development director or designee.~~

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b. When proceedings are consolidated:

- i. The notice shall identify each application to be ~~decided~~consolidated;
- ii. The decision on a plan map amendment shall precede the decision on a proposed land use district change and other decisions on a proposed development. Similarly, the decision on a zone map amendment shall precede the decision on a proposed development and other actions; and
- iii. Separate findings shall be made ~~on~~for each consolidated application.

3. Check for Acceptance and Completeness. In reviewing an application for completeness, the following procedure shall be used:

a. Acceptance. When an application is received by the city, the community development director or designee shall immediately determine whether the following essential items are present. If the following items are not present, the application shall not be accepted and shall be immediately returned to the applicant:

- i. The required form;
- ii. The required fee;
- iii. The signature of the applicant on the required form and signed written authorization of the property owner of record if the applicant is not the owner.

b. Completeness.

i. Review and Notification. After the application is accepted, the community development director or designee shall review the application for completeness. If the application is incomplete, the community development director or designee shall notify the applicant in writing of exactly what information is missing within thirty (30) days

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of receipt of the application and allow the applicant one hundred eighty (180) days to submit the missing information.

ii. Application deemed complete for review. In accordance with the application submittal requirements of this chapter, the application shall be deemed complete upon the receipt by the community development director or designee of all required information. The applicant shall have the option of withdrawing the application, or refusing to submit further information and requesting that the application be processed notwithstanding any identified incompleteness. For the refusal to be valid, the refusal shall be made in writing and received by the community development director or designee.

iii. If the applicant does not submit all of the missing information or provide written notice that no further information will be provided (whether some of the additional information has been provided or not) within one hundred eighty (180) days of the date the initial submittal was accepted per 17.05.600(3)(a), the application is void.

iv. Standards and Criteria That Apply to the Application. Approval or denial of the application shall be based upon the standards and criteria that were applicable at the time it was first accepted, unless the application is for a change to the comprehensive plan or land use regulations.

v. Coordinated Review. The city shall also submit the application for review and comment to the city engineer, road authority, and other applicable county, state, and federal review agencies.

4. Changes or Additions to the Application ~~During the Review Period~~. Once an application is deemed complete per 17.05.600(3)(b):

a. All documents and other evidence relied upon by the applicant shall be submitted to the community development director or designee at least seven days before the notice of action or hearing is mailed. Documents or other

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evidence submitted after that date shall be received by the community development director or designee, and transmitted to the hearings body, but may be too late to include with the staff report and evaluation;

b. When documents or other evidence are submitted by the applicant during the review period but after the notice of action or hearing is mailed, the assigned review person or body shall determine whether or not the new documents or other evidence submitted by the applicant significantly change the application;

c. If the assigned reviewer determines that the new documents or other evidence significantly change the application, the reviewer shall include a written determination to the approving authority that a significant change in the application has occurred as part of the decision. In the alternate, the reviewer may inform the applicant either in writing, or orally at a public hearing, that such changes may constitute a significant change, and allow the applicant to withdraw the new materials submitted, in order to avoid a determination of significant change;

d. If the applicant's new materials are determined to constitute a significant change in an application that was previously deemed complete, the city shall take one of the following actions, at the choice of the applicant:

i. Suspend the existing application and allow the applicant to submit a revised application with the proposed significant changes. Before the existing application can be suspended, the applicant must consent in writing to waive the one-hundred-twenty ~~(120)~~-day rule (~~subsection 17.05.600(A)A of this section~~) on the existing application. If the applicant does not consent, the city shall not select this option;

ii. Declare the application, based on the significant change, a new application and reprocess accordingly.

e. If a new application is submitted by the applicant, that applicant shall pay the applicable application fee and shall be subject to a separate check for

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acceptance and completeness and will be subject to the standards and criteria in effect at the time the new application is accepted.

E. Community Development Director's Duties. The community development director or designee shall:

1. Prepare application forms based on the criteria and standards in applicable state law, the city's comprehensive plan, and implementing ordinance provisions;
2. Accept all development applications that comply with this section;
3. Prepare a staff report that summarizes the application(s) and applicable decision criteria, and provides findings of conformance and/or nonconformance with the criteria. The staff report may also provide a recommended decision of: approval; denial; or approval with specific conditions that ensure conformance with the approval criteria;
4. Prepare a notice of the proposal decision:
 - a. In the case of an application subject to a Type I or II review process, the community development director or designee shall make the staff report and all case-file materials available at the time that the notice of the decision is issued;
 - b. In the case of an application subject to a public hearing (Type III or IV process), the community development director or designee shall make the staff report available to the public at least seven (7) days prior to the scheduled hearing date, and make the case-file materials available when notice of the hearing is mailed, as provided by ~~Sections 17.05.300(C)~~ (Type II), 17.05.400(C) (Type III), or 17.05.500(D) (Type IV);
5. Administer the application and hearings process;
6. File notice of the final decision in the city's records and mail a copy of the notice of the final decision to the applicant, all persons who provided comments or

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testimony, persons who requested copies of the notice, and any other persons entitled to notice by law;

7. Maintain and preserve the file for each application for the time period required by law. The file shall include, as applicable, a list of persons required to be given notice and a copy of the notice given; the affidavits of notice, the application and all supporting information, the staff report, the final decision (including the findings, conclusions and conditions, if any), all correspondence, minutes of any meeting at which the application was considered, and any other exhibit, information or documentation which was considered by the decision-maker(s) on the application; and

8. Administer the appeals and review process.

F. Amended Decision Process.

1. The purpose of an amended decision process is to allow the community development director or designee to correct typographical errors, rectify inadvertent omissions and/or make other minor changes that do not materially alter the decision.

2. The community development director or designee may issue an amended decision after the notice of final decision has been issued but before the appeal period has expired. If such a decision is amended, the decision shall be issued within fourteen (14) business days after the original decision would have become final, but in no event beyond the one-hundred-twenty-day (120) period required by state law. A new ten-day (10) appeal period shall begin on the day the amended decision is issued.

3. Notice of an amended decision shall be given using the same mailing and distribution list as for the original decision notice.

4. Modifications to approved plans or conditions of approval requested by the applicant shall follow the procedures in ~~Chapter~~ [17.09](#). All other changes to

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decisions that are not modifications under ~~Chapter 17.09~~ shall follow the appeal process.

G. Resubmittal of Application Following Denial. An application or proposal that has been denied, or that was denied and on appeal or review has not been reversed by a higher authority, including the Land Use Board of Appeals, the Land Conservation and Development Commission or the courts, may not be resubmitted as the same or a substantially similar proposal for the same land for a period of at least twelve months from the date the final city action is made denying the same, unless there is substantial change in the facts or a change in city policy that would change the outcome, as determined by the community development director or designee.

H. City Council Review. The city council shall have the authority to call up any Type II or Type III application for review. The decision to call up an application may occur at any time after the application is filed until the decision is otherwise final. When the city council calls up an application, the council shall, in its order of call up, determine the procedure to be followed, including the extent of preliminary processing and the rights of the parties. At a minimum, the council shall follow the procedures in Section ~~17.05.400(F)~~, regarding appeals from Type III decisions. (Ord. 1874 §1(part), 2006).

17.05.700 ~~Special procedures~~ Expedited Land Divisions.

~~A. Expedited Land Divisions.~~ An expedited land division (ELD) shall be defined and may be used as provided under ORS 197.360 through 197.380.

1. Selection. An applicant who wishes to use an ELD procedure for a partition, subdivision or planned development instead of the regular procedure type assigned to it, must request the use of the ELD in writing at the time the application is filed, or forfeit his/her right to use it;

2. Review Procedure. All applications for expedited land divisions shall comply with ORS 197.360 through 197.380 and the Central Point comprehensive plan; ORS 197.360 through ORS 197.380 details the criteria, application and notice requirements, and action and appeal procedures for expedited land divisions.

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3. Appeal Procedure. An appeal of an ELD shall follow the procedures in ORS 197.375. (Ord. 1874 §1(part), 2006).

17.05-800 Reserved

17.05.900 Traffic impact analysis.

The purpose of this section of the code is to assist in determining which road authorities participate in land use decisions, and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the city to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities.

This chapter establishes the standards for when a development proposal must be reviewed for potential traffic impacts; when a traffic impact analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a traffic impact analysis; and who is qualified to prepare the study.

A. When a Traffic Impact Analysis is Required. The city shall require a traffic impact analysis (TIA) as part of an application for development, a change in use, or a change in access in the following situations:

1. If the application includes residential development, a TIA shall be required when the ~~land~~ development application involves one or more of the following actions:

- a. A change in zoning or a plan amendment;
- b. An increase in site traffic volume generation by two hundred fifty (250) average daily trips or more;
- c. An increase in peak hour volume of a particular movement to and from the State highway by twenty (20) percent or more; or
- d. An increase in use of adjacent streets by vehicles exceeding the twenty thousand (20,000) pounds gross vehicle weights by ten (10) vehicles or more per day;

2. If the application does not include residential development, a TIA shall be required when a land use application involves one or more of the following actions:

- a. A change in zoning or a plan amendment designation;

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- b. Any proposed development or land use action that a road authority, including the city, Jackson County or ODOT, states may have operational or safety concerns along its facility(ies);
- c. An increase in site traffic volume generation by two hundred fifty average (250) daily trips (ADT) or more;
- d. An increase in peak hour volume of a particular movement to and from the State highway by twenty (20) percent or more;
- e. An increase in use of adjacent streets by vehicles exceeding twenty thousand (20,000) pounds gross vehicle weight by ten (10) vehicles or more per day;
- f. The location of the access driveway does not meet minimum sight distance requirements, as determined by the city engineer, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the state highway, creating a safety hazard in the discretion of the community development director; or
- g. A change in internal traffic patterns that, in the discretion of the community development director, may cause safety problems, such as back-up onto a street or greater potential for traffic accidents.

B. Traffic Impact Analysis Preparation. A traffic impact analysis shall be prepared by a traffic engineer or civil engineer licensed to practice in the state of Oregon with special training and experience in traffic engineering. The TIA shall be prepared in accordance with the public works department's document entitled "Traffic Impact Analysis." If the road authority is the Oregon Department of Transportation (ODOT), consult ODOT's regional development review planner and OAR 734-051-180. (Ord. 1874 §1(part), 2006).

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Chapter 17.08

DEFINITIONS

"Development" means making a material change in the use or physical appearance of a structure or land, dividing land into two or more parcels, including partitions and subdivisions as provided in ORS 92.010 to 92.285, and creating or terminating a right of access. ~~the physical development of land, including but not limited to partitions, subdivisions, building construction, and infrastructure.~~

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Chapter 17.10 ZONING MAP AND ZONING CODE TEXT AMENDMENTS

Sections:

17.10.100 ~~Amendments~~ Purpose.

17.10.200 ~~Legislative Initiation of Amendments~~ amendments.

17.10.300 ~~Major and Minor Amendments~~ Quasi-judicial amendments.

17.10.400 ~~17.10.400 Approval Criteria~~ Conditions of approval on quasi-judicial amendments.

17.10.500 ~~Record of amendments~~ Conditions of Approval.

17.10.600 ~~Record of Amendments~~ Transportation planning rule compliance.

17.10.100 ~~Amendments~~ Purpose.

The purpose of this chapter is to provide standards and procedures for ~~legislative-major~~ and ~~quasi-judicial-minor~~ amendments to this Code ~~and/or~~ the Central Point city zoning map (zoning map), ~~herein~~. ~~These will be~~ referred to as "map ~~and/or~~ text amendments." ~~Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.~~ (Ord. 1874 §3(part), 2006).

17.10.200 Initiation of Amendments.

A proposed amendment to the Code or zoning map may be initiated by either:

A. A resolution by the planning commission to the city council;

B. A resolution of intent by the city council; or for zoning map amendments

C. An application by one or more property owners (zoning map amendments only), or their agents, of property affected by the proposed amendment. The amendment shall be accompanied by a legal description of the property or properties affected; proposed findings of facts supporting the proposed amendment, justifying the same and addressing the substantive standards for such an amendment as required by this chapter and by the Land Conservation and Development Commission of the state.

17.05.300 Major and Minor Amendments

There are two types of map and text amendments:

A. ~~Legislative-Major~~ amendments.

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~~Legislative Major~~ amendments are legislative policy decisions ~~made by city council that establish by law general policies and regulations for future land use decisions, such as revisions to the zoning and land division ordinance that have widespread and significant impact beyond the immediate area.~~ They Major amendments are reviewed using the Type IV procedure in Section 17.05.500 and shall conform to the ~~statewide planning goals, the Central Point comprehensive plan, the Central Point zoning ordinance and the transportation planning rule provisions in Section 17.10.600, as applicable.~~ (Ord. 1874 §3(part), 2006).

~~B. 17.10.300 Quasi-judicial~~ Minor amendments.

~~A. Applicability of Quasi-Judicial Amendments.~~ Quasi-judicial Minor amendments are those that involve the application of adopted policy to a specific development application ~~or code revision~~, and not the adoption of new policy (i.e., ~~through legislative decisions~~ Major Amendments). Quasi-judicial Minor zoning map amendments shall follow the Type III procedure, as ~~governed set forth in by Section 17.05.400, using standards of approval in subsection B of this section.~~ The approval authority shall be ~~as follows:~~ the City Council after review and recommendation by the Planning Commission.

- ~~1. The planning commission shall review and recommend land use district map changes that do not involve comprehensive plan map amendments;~~
- ~~2. The planning commission shall make a recommendation to the city council on an application for a comprehensive plan map amendment. The city council shall decide such applications; and~~
- ~~3. The planning commission shall make a recommendation to the city council on a land use district change application that also involves a comprehensive plan map amendment application. The city council shall decide both applications.~~

~~B17.10.400: Approval~~ Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a ~~quasi-judicial text or map~~ amendment shall be based on written findings and conclusions that address all of the following criteria:

1. Approval of the request is consistent with the applicable statewide planning goals (Major amendments only);
2. Approval of the request is consistent with the Central Point comprehensive plan (Major and Minor amendments);

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

3. ~~If a zoning map amendment findings demonstrating that adequate public services and transportation networks to serve the property are either available, or identified for construction in the City's public facilities master plans; and as evidenced in the City's Public Facilities Plan (Major and Minor amendments); The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and~~

~~4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application; and~~

~~4. If an annexation findings demonstrating that adequate public services and transportation networks to serve the property are either available, or identified for construction in the City's public facilities master plans; and (Major and Minor amendments);~~

~~54. The amendment conforms to the transportation planning rule provisions under Section 17.10.600 complies with OAR 660-012-0060 of the Transportation Planning Rule. (Ord. 1874 §3(part), 2006).~~

17.10.400-500 Conditions of approval ~~for quasi-judicial amendments.~~

~~A. Major amendments decisions may only be approved or denied.~~

~~B. A quasi-judicial Minor amendments decision may be for denial, approval, or approval with conditions. Conditions shall be based on applicable regulations and factual evidence in the record. A legislative amendment may only be approved or denied. (Ord. 1874 §3(part), 2006).~~

17.10.500-600 Record of amendments.

The city recorder shall maintain a record of amendments to the text of this code and the zoning map in a format convenient for public use. (Ord. 1874 §3(part), 2006).

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

Chapter 17.96

AMENDMENT TO COMPREHENSIVE LAND-USE PLAN, COMPREHENSIVE PLAN AND URBAN GROWTH BOUNDARY AMENDMENTS

Sections:

~~17.96.010~~—~~17.96.100~~ ~~Procedure~~ Amendments – Purpose

~~17.96.200~~ Initiation of Amendments

~~17.96.020~~—~~17.96.300~~ ~~Initiation of amendments~~ Major Revisions and Minor Changes.

~~17.96.030~~—Major revisions and minor changes—~~Time for hearing~~. ~~17.96.400~~ Submittal Timing of Proposals

~~17.96.040~~—Schedule of public hearings.

~~17.96.050~~—~~17.96.500~~ ~~Substantive standards~~ Approval Criteria.

~~17.96.060~~—~~17.96.600~~ ~~Action by city council~~ Record of Amendments

~~17.96.010-100~~ Amendments - Purpose ~~Procedure~~.

~~The purpose of this chapter is to provide procedures for amendments to the city's comprehensive plan, including amendments to the urban growth boundary, that may be necessary from time to time as the public necessity and convenience and general welfare requires. Amendments may be made to the comprehensive plan by following the procedural requirements set forth in 17.05.500 and this chapter.~~

~~The comprehensive land use plan of the city may be amended by changing the text, the boundaries of districts therein, or by changing the urban growth boundary, subject to approval by the Land Conservation and Development Commission of the state, whenever the public necessity and convenience and general welfare requires such amendment, by following the procedure of this chapter. (Ord. 1436 §2(part), 1981).~~

~~17.96.020-200~~ Initiation of amendments.

~~A proposed amendment~~ Amendment to the comprehensive plan or urban growth boundary may be initiated by either:

A. ~~A resolution~~ Resolution of intention ~~by~~ of the planning commission to the city council;

B. ~~A resolution~~ Resolution of intention ~~by~~ the city council; or

C. ~~An application~~ Application by one or more property owners, or their agents, of property affected by the proposed amendment. ~~The amendment shall be accompanied by a legal description of the property or properties affected and all properties within a radius of three hundred feet of the exterior boundaries~~

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

~~thereof; proposed findings of facts supporting the proposed amendment, justifying the same and addressing the substantive standards for such an amendment as required by this chapter and by the Land Conservation and Development Commission of the state.~~ (Ord. 1436 §2(part), 1981).

17.96.~~030-300~~ Major revisions and minor changes ~~—Time for hearing.~~

~~In accordance with state wide planning goal two, proposed~~ Proposed amendments to the comprehensive plan, including urban growth boundary amendments, shall be categorized as either major ~~revisions or~~ minor ~~changes amendments as defined in 17.05.100.4 under the goal two definitions of said terms.~~

Proposals for major revisions shall be processed as a Type IV procedure per 17.05.500, ~~as provided for in this chapter, not more than every January of even numbered years, and, proposals~~ Proposals for minor changes shall ~~likewise be processed as a Type III procedure per 17.05.400. not more frequently than each January. Notwithstanding the schedule set forth in this section, applications for plan amendments may be processed concurrently with applications for annexation under Chapter 1.20.~~ (Ord. 1615 §60, 1989; Ord. 1436 §2(part), 1981).

17.96.~~040-400~~ ~~Schedule of public hearings~~ Submittal Timing of Proposals. Applications for an amendment to the comprehensive plan, or urban growth boundary, may be submitted at any time. Once accepted proposals shall be scheduled by the city council by resolution of intent. The applications and review thereof shall conform to the provisions of 17.05 of this code and all applicable laws of the state.

~~All proposals for amendment to the comprehensive plan, including major revisions and minor changes, shall be scheduled for public hearing before the citizens advisory committee, the city's planning commission and the city council, on dates to be scheduled by the city council by resolution, which dates may be set by the resolution of intent. The applications and review thereof shall conform to the provisions of Chapter 17.05 of this code and all applicable laws of the state.~~ (Ord. 1533A(part), 1984; Ord. 1436 §2(part), 1981).

17.96.~~050-500~~ ~~Substantive standards~~ Approval Criteria.

A recommendation or a decision to approve or to deny an application for an amendment to the comprehensive plan, or urban growth boundary shall be based on written findings and conclusions that address the following criteria:

A. Approval of the request is consistent with the applicable statewide planning goals;

B. Approval of the request is consistent with the Central Point comprehensive plan;

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

C. For urban growth boundary amendments findings demonstrate that adequate public services and transportation networks to serve the property are either available, or identified for construction in the City's public facilities master plans as evidenced in the City's Public Facilities Plan (Major and Minor amendments); and

D. The amendment complies with OAR 660-012-0060 of the Transportation Planning Rule.

~~The citizens' advisory committee, the planning commission and the city council, in reviewing a proposed amendment to the comprehensive plan, shall address the public need and justification for the proposed change, and shall make specific findings, reciting the evidence in support thereof, for each of the state-wide planning goals as the same apply to the proposed change.~~

~~B. The findings adopted by the citizens' advisory committee, following a public hearing on the proposal, shall be forwarded to the city planning commission prior to the public hearing at the planning commission level. The findings adopted by the planning commission following public hearing shall be forwarded to the city council prior to the public hearing at the council level. (Ord. 1436 §2(part), 1981).~~

~~17.96.060 Action by city council.~~

~~A. Following receipt of the findings of the citizens' advisory committee and planning commission on the proposed amendment, receipt of any staff reports, and all evidence received at the public hearing held at the city council level, the city council shall render its decision within sixty days after said hearing, and said decision shall include findings as required in Section 17.96.050. If the council proposes to adopt an amendment that is substantially altered from that recommended by the citizens' advisory committee or the planning commission, the council may refer said proposed amendment back to the citizens' advisory committee or the planning commission for report and recommendation prior to adoption.~~

~~B. When adopted, any changes shall be suitably noted in a prominent place in the city's comprehensive plan, filed with the city recorder, and copies thereof shall be made available to the public.~~

C. In the event a petition for an amendment to the comprehensive plan is denied by the council, said petition shall not be eligible for resubmission until the next date scheduled for review of proposed amendments to the comprehensive plan. (Ord. 1436 §2(part), 1981).

17.96.600 Record of amendments.

EXHIBIT "A – PROPOSED AMENDMENTS"

Dated: May 6, 2014

The city recorder shall maintain a record of any amendments to the comprehensive plan in a format convenient for public use.

PASSED by the Council and signed by me in authentication of its passage this ____ day of May 2014.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution

Supplemental

Budget



To: Mayor & Council
From: Bev Adams, Finance Director *BA*
Date: May 8, 2014
Subject: 2013/14 Supplemental budget

Background:

The High Tech Crime Unit fund has received approximately \$150,000 more in Federal Operating Grant money than anticipated. The original budget for this grant line item is \$20,000; we have now received just over \$170,000. We are requesting that the Council appropriate an additional \$150,000 to the Federal Operating Grant revenue line item, and \$150,000 additional to the Federal Grant Expense line item.

In accordance with Oregon budget law (ORS 294.480), when funds are made available by another unit of federal, state, or local government and the funds were not known for certain at the time the budget was prepared, we may add the appropriation by supplement budget. Because the grant amount is more than 10% of the High Tech Crime Fund adopted expenditure total, it requires a public hearing prior to adoption of the supplemental budget

The Highway 99 Beautification project also requires additional appropriation. This Street Fund project, beginning in fiscal year 2012/13 and continuing into fiscal year 2013/14, did not progress on schedule. Due to unforeseen weather conditions and a right-of-way acquisition issue, the project was delayed in 2012/13 resulting in higher expenses this fiscal year than budget for. We are requesting that Council appropriate an additional \$110,000 into the Street capital outlay and \$85,000 into the Street SDC capital outlay to cover final expenses on the Highway 99 Beautification project. The revenue to offset these increases will come from the Street Fund carryover as there are no new revenues associated with this project.

The Street SDC portion of the supplemental budget also exceeds 10% of the appropriated balance; therefore, according to Oregon budget law this must also be included in the public hearing prior to the adoption of the addition.

A resolution to adopt and appropriate these changes is attached.

Recommendation:

That Mayor and Council appropriate the fiscal year 2013/14 supplemental budget.

**A RESOLUTION TO APPROVE A SUPPLEMENTAL BUDGET
FOR THE 2013/14 FISCAL YEAR**

RECITALS:

- A. The City of Central Point’s High Tech Crime Unit (HTCU) received \$150,000 more in Federal Operating Grant funds than unanticipated when the 2013/14 budget was adopted.
- B. The Highway 99 Beautification project beginning in fiscal year 2012/13 and continuing into fiscal year 2013/14 did not progress on schedule. Due to unforeseen weather conditions and a right-of-way acquisition issue, the project was delayed resulting in higher expenses than budgeted for in the 2013/14 fiscal year.

The City of Central Point resolves:

To amend the 2013/14 budget in accordance with ORS. 294.480.

As such, the budget changes will appear as follows:

Section 1.

Summary of Proposed Budget Changes

High Tech Crime Fund			
<u>Resource</u>	<u>Amount</u>	<u>Expenditure</u>	<u>Amount</u>
Federal Grant Revenue	\$150,000	Federal Grant Expense	\$150,000
Revised Total Fund Resources	<u>\$275,200</u>	Revised Total Fund Resources	<u>\$275,200</u>
Street Fund			
<u>Resource</u>	<u>Amount</u>	<u>Expenditure</u>	<u>Amount</u>
Carryover Balance	\$195,000	Capital/Hwy 99 Project	\$150,000
		SDC Capital/Hwy 99 Project	85,000
Revised Total Fund Resources	<u>\$4,116,000</u>	Revised Total Fund Resources	<u>\$4,116,000</u>

Passed by the Council and signed by me in authentication of its passage this _____ day of May, 2014.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution

Intent to go to Biennial Budget



Staff Report

Finance Department
Bev Adams, Finance Director

To: Mayor & Council
From: Bev Adams, Finance Director *BA*
Date: May 8, 2014
Subject: Biennial budget consideration

Background:

In recent years several Oregon cities and districts have moved from an annual budget cycle to a biennial cycle. This March at the Oregon Municipal Officers Association (OMFOA) conference I had the opportunity to sit in a presentation on biennial budgeting and to hear from several finance officers about their personal experience with a two-year budget. The consensus of those on the biennial cycle was overwhelming positive. These are a few of the benefits discussed with us that day:

- Encourages long range financial planning
- Longer term stability of operations
- More flexibility for capital projects
- Avoids the time and workload associated with an annual budget
- Oregon state government and PERS budget is biennial
- Increased time to focus on service and program management
- Cost savings in budget notices, documents and meetings

The legal requirements for our City to move to a biennial budget are:

- Council declares the intent by resolution
- Citizen appointments to the budget committee become 4 year terms
- The City's municipal code references to an annual budget will need to be modified

One of the questions that I asked was "what is the downside of a biennial budget?" The overwhelming response from the presenters and others was "none". Granted, it will require additional work and a period of transition for staff for to adapt worksheets, software and processes to accommodate a two year budget - and I was assured that it is worth the effort.

Recommendation:

That Mayor and Council favorably consider moving to a biennial budget and adopt the attached "resolution of intent" to do so.

Resolution No. _____

**A RESOLUTION AND NOTICE OF INTENT
TO MOVE TO A BIENNIAL BUDGET**

RECITALS:

- A. Enacted in 2001 and beginning in 2003, the State of Oregon by legislative action provided local governments the option of preparing either an annual or a two year (biennial) budget.
- B. The Mayor and City Council have considered the benefits of a biennial budget and are hereby stating their intention to move from the annual budget to a biennial budget.

The City of Central Point resolves:

To direct City staff to prepare the budget for the City on a biennial basis beginning with the 2014/15 budget year.

Passed by the Council and signed by me in authentication of its passage this _____ day of May, 2014.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution

**Seven Oaks
Interchange
IAMP35**



STAFF REPORT

May 8, 2014

AGENDA ITEM: File No. 14005

Consideration of Oregon Department of Transportation Interchange Area Management Plan for the Seven Oaks Interchange Area (IAMP35); **Applicant:** City of Central Point.

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

Over the course of several years the Oregon Department of Transportation (ODOT) has been preparing an Interchange Area Management Plan for the Seven Oaks/I-5 interchange (IAMP35). Although ODOT is not required to obtain city approval for IAMP35 they did coordinate their findings and proposed plans with the City. The final draft of IAMP35 has been reviewed by the City and determined to be consistent with what has been discussed in the past. In September of 2013 the Oregon Transportation commission adopted IAMP35.

As a condition of the City's Regional Plan Element it is necessary that the City "adopt" IAMP35 prior to the expansion of the Central Point's urban growth boundary into CP-1B. The City has received an application to expand the UGB into CP-1B which includes approximately 50 acres. As a pre-requisite to the City's final action on the UGB expansion it is necessary that the City and County 'adopt' IAMP35. The Regional Plan conditions do not specify how adoption should occur so staff is advocating approval of the attached resolution (Attachment "A") with Council direction to incorporate IAMP35 into the City's Transportation System's Plan (TSP) at a later date.

The purpose of IAMP35 is to improve the performance and safety of the Interstate Highway and to protect the function of the interchange during the foreseeable future (2034). A copy of IAMP35 is attached (Attachment "B"). IAMP35 concludes with a "Preferred Alternative" (IAMP35, page 27). The Preferred Alternative includes a list of proposed improvements to the:

- I-5 Interchange;
- Blackwell/Kirkland Rd. intersection;
- Local street network north and south of the interchange; and
- OR 140

The IAMP35 addresses actions to be undertaken by ODOT, Jackson County, and the City. For the City there will be the following road improvements that need to be made as development occurs:

1. Two new streets paralleling Blackwell Road,
2. The rerouting of Dean Creek Road.
3. Closure of the Seven Oaks RR-Xing and improvement of a local street network to serve the area.

The Planning Commission has recommended in favor of adopting IAMP35 and of incorporating it into the City's TSP during fiscal year 2014-15 (Attachment "C"). The improvements and relevant policies in IAMP 35 may be discussed at the Council meeting.

ISSUES:

IAMP35 is an ODOT document. There are no issues relative to the City's approval of IAMP35. It is recommended in the near future (one year) that the City amend its Transportation System Plan (TSP) to include IAMP35.

EXHIBITS/ATTACHMENTS:

Attachment "A – Resolution No. ___ A Resolution Approving the Seven Oaks Interchange Area Management Plan (IAMP35) Adopted by the Oregon Transportation Commission (OTC)"

Attachment "B – IAMP35, ODOT Memo and Exhibits"

Attachment "C – Planning Commission Resolution No. 801" (Distributed at Council meeting)

ACTION:

Consider proposed Resolution No. ___ and 1) approve the resolution, 2) make revisions and approve the resolution or 3) deny the resolution.

RECOMMENDATION:

Approve Resolution No. ___ A Resolution Approving the Seven Oaks Interchange Area Management Plan (IAMP35) Adopted by the Oregon Transportation Commission (OTC).

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE SEVEN OAKS INTERCHANGE AREA
MANAGEMENT PLAN (IAMP35) ADOPTED BY THE OREGON TRANSPORTATION
COMMISSION (OTC)**

WHEREAS, in September 2013, the Oregon Transportation Commission (OTC) adopted the I-5, Interchange 35 (Seven Oaks) Interchange Area Management Plan (IAMP35); and

WHEREAS, the City has participated in the preparation of IAMP35 and has reviewed the final document; and

WHEREAS, as a condition of the Regional Plan Element of the City of Central Point it is required that IAMP35 be adopted by the City prior to the expansion of the City’s urban growth boundary (UGB) into Urban Reserve Area CP-1B; and

WHEREAS, the City has a pending application to expand its UGB into CP-1B;

NOW, THEREFORE, THE CITY OF CENTRAL POINT RESOLVES AS FOLLOWS, that the City Council approves and adopts the I-5, Interchange 35 (Seven Oaks) Interchange Area Management Plan (IAMP35).

BE IT FURTHER RESOLVED that the City Council directs the City Manager and the Community Development Department to amend the Central Point Transportation Systems Plan (TSP) during fiscal year 2014-15 to include the projects, policies and development standards set forth in IAMP35.

PASSED by the City Council and signed by me in authentication of its passage this _____ day of _____, 2014.

Mayor Hank Williams

ATTEST:

City Recorder

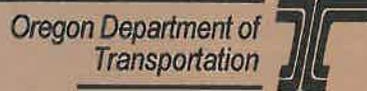
I-5 Interchange 35 (Seven Oaks) Interchange Area Management Plan Volume I



Prepared by:



Prepared for:



I-5 Interchange 35 (Seven Oaks)

Jackson County

Interchange Area Management Plan

Prepared for

Oregon Department of Transportation, Region 3
3500 NW Stewart Parkway
Roseburg, Oregon 97470

Prepared by

David Evans and Associates, Inc.
2100 SW River Parkway
Portland, Oregon 97201

September 2013

ACKNOWLEDGMENTS

The development of this Interchange Area Management Plan has been the collective effort of the following people:

Technical Advisory Committee Members

John McDonald, Region 3 Planner
Mike Kuntz, Jackson County Roads
Kelly Madding, Planning Director, Jackson County
Don Burt, City of Central Point
Tom Humphrey, City of Central Point
John McDonald, ODOT Region 3
Kent Belleque, ODOT Preliminary Design Unit
Ron Hughes, ODOT Region Access Management Engineer

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Christine Immroth



DAVID EVANS
ASSOCIATES, INC.

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IAMP VOLUME 2: REFERENCE MATERIAL (COMPANION DOCUMENT)

- Technical Memorandum #1: Definition and Background
- Technical Memorandum #2: Review of Plans and Policies
- Technical Memorandum #3: Existing Traffic Conditions
- Technical Memorandum #4: Future Baseline Traffic Conditions
- Technical Memorandum #5: Concept Development
- Technical Memorandum #6: Interchange Management Actions

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1. INTRODUCTION

The Oregon Department of Transportation (ODOT) encourages the development of Interchange Area Management Plans (IAMPs) to maintain and improve highway performance and safety by improving system efficiency and management before adding capacity. The development of this Interchange Area Management Plan is intended to protect the function of the interchange for the foreseeable future.

1.1. Interchange Function

Interchange 35 (Seven Oaks) is principally a rural interchange that connects Interstate 5 (I-5) with Oregon Highway (OR) 99 to the south and Blackwell Road to the north. OR 99 is a district-level highway that serves the nearby community of Central Point to the south. Blackwell Road serves some employment lands northeast of the interchange and provides a connection with White City to the southeast. Blackwell Road serves significant truck trips between the interchange and White City, and is part of the OR 140 Freight Route connecting OR 62 and I-5.

The intended function of Interchange 35 is to safely and efficiently accommodate future traffic demands. Typically, the traffic demands are based on the current rural and limited future employment land uses in the interchange vicinity. However, as a result of the Greater Bear Creek Valley Regional Plan (GBCVRP), the interchange improvements outlined in this IAMP are designed to accommodate proposed future development as well. This IAMP is NOT intended to facilitate major commercial or residential development in the interchange area.

1.2. Problem Statement

Interchange 35 includes the Blackwell Road overpass on I-5, which was found to be functionally obsolete and structurally deficient. The safety and function of both the overpass and the connections with OR 99 and Blackwell were recently improved at the interchange. In addition to the Blackwell Road overpass replacement, the southbound off-ramp was reconfigured as a loop ramp connecting to OR 99 from the east. The other ramps were also constructed to meet highway design standards and improve spacing between ramps. With this investment in interchange improvements, a plan to assist Jackson County (the County), the City of Central Point (the City), and ODOT with the long-term transportation system management in the area around the interchange is critical.

Although Interchange 35 is a rural interchange, it currently serves as the north access to the City of Central Point and also provides freeway access to the Tolo employment area. Additionally, it connects to White City via Blackwell and Kirtland Roads. In the future, traffic demand at the interchange is expected to increase as a result of nearby development as well as growth from the City of Central Point to the south.

The current Central Point population is approximately 17,275¹ residents. By the year 2030, Central Point's population is estimated to be almost 26,000,² making it the second largest city in the Rogue Valley. Interchange 35 will be affected by growing traffic volumes on OR 99 and more traffic destined for I-5.

The Tolo employment area lies primarily north of Interchange 35. Although the development density is currently low, its nearby access to I-5 makes this area more desirable in the future. The development potential for the interchange area is documented in the GBCV Regional Plan. In the long term, it is expected that this area will become part of the City of Central Point, functioning as an intermodal employment hub, with increasing demand at the interchange and the interchange area's higher order streets.

Interchange 35 also functions as the western terminus of OR 140, which connects OR 62 in White City and I-5. A corridor plan has been developed for this statewide freight route that identifies short- and long-term improvements to facilitate traffic flow and accommodate future growth. Over time, more traffic will be accessing the interchange from the north via Blackwell Road. Not only will the freight route increase demand at the interchange, but the potential for conflicts with access to adjacent employment land will become a greater concern.

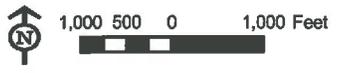
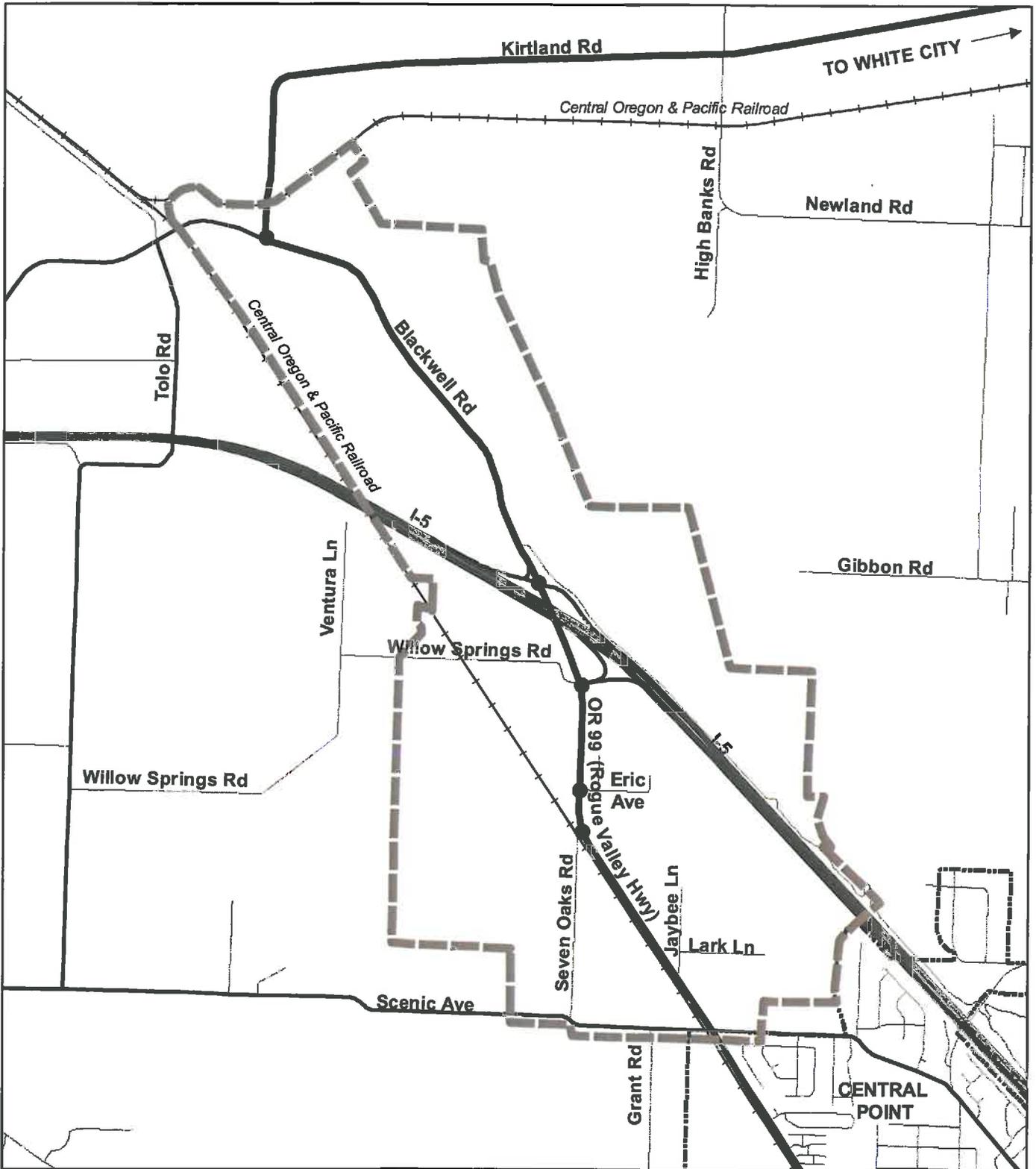
1.3. IAMP Study Area

The IAMP study area delineates the vicinity in which transportation facilities, land uses, and approaches may affect operations at the interchange. The study area includes the existing interchange, the immediate surrounding area where the new ramps were constructed, commercial and industrial parcels immediately north and west of the interchange, and the area south of the interchange that is of mutual concern to Jackson County and the City of Central Point. The IAMP study area is partially located within the City of Central Point's Urban Reserve Area CP-4D and Urban Reserve Area CP-1B. See Volume 2 for maps of Central Point's Urban Reserve Areas. Although the IAMP study area is under County jurisdiction, development within the urban reserves will be coordinated in accordance with an Urban Reserve Management Agreement (URMA) and the Urban Growth Boundary Management Agreement adopted by the City and County as part of the GBCV Regional Plan.

The IAMP study area is roughly bound by Bear Creek to the east, Scenic Avenue to the south, and Kirtland Road to the north. North of the interchange, the western boundary is the CORP railroad line. South of the interchange, the western boundary is approximately 2,700 feet west of OR 99. Figure 1 shows the IAMP study area.

¹ Population Estimate, Portland State University, July 1, 2012

² City of Central Point Transportation System Plan, 2008 to 2030, Draft July 18, 2008, page 14.



Source: Jackson County GIS

Map Prepared By:



- Legend**
-  IAMP Study Area
 -  Central Point UGB
 -  Study Intersections

Figure 1
IAMP Study Area and Street Network
 I-5 Interchange 35 (Seven Oaks)
 Interchange Area Management Plan

1.4. IAMP Goals and Objectives

The goal of this IAMP is to maintain the function of Interchange 35 and maximize the utility of the recent investment in upgrading the interchange.

The objectives of the IAMP are to:

- Protect the function of the interchange as specified in the Oregon Highway Plan (OHP) and Jackson County Transportation System Plan (TSP).
- Provide safe and efficient operations on I-5 and OR 99 as specified in the OHP and Jackson County TSP.
- Identify system improvements and management techniques that would not preclude connection of the newly designated OR 140 to the OR 62/140 junction.
- Develop an access management plan that provides for safe and acceptable operations on the transportation network, and meet OHP requirements and the access spacing standards in Oregon Administrative Rule (OAR) 734-051.
- Incorporate the Greater Bear Creek Valley Regional Plan into the design and management systems for Interchange 35, including recommended strategies for land use control.
- For areas outside of the Greater Bear Creek Valley Regional Plan, identify future land uses that would be inconsistent with the operation and safety of the new interchange and develop strategies for recommended land use controls.

1.5. Planning Process

The IAMP for Interchange 35 was developed through a series of technical analyses.

Key elements of the process include:

- Evaluation of baseline conditions, such as existing and future traffic operations, environmental constraints, land use designations, and community facilities (Evaluation of Baseline Conditions); and evaluation of the projected URA impacts within the planning horizon
- Alternatives development and evaluation (Concept Development and Analysis)
- Creation of the IAMP, including access management and local system improvements (Management Strategies)
- Implementation measures (Summary of Recommended Actions)

This document provides a summary of each of these elements. A second volume provides the detailed analysis and supporting documentation that led to the development of the plan.

Three advisory committee meetings were held for Interchange 35 that included technical, citizen, and City staff. ODOT and the City of Central Point provided technical representation. The meetings included graphic presentations and facilitated discussion to solicit input. The meetings occurred on January 16, 2009, February 24, 2009, and September 23, 2009.

Consistency with the OR 140 Corridor Plan was also an element of the planning process because the study areas overlap between the intersection of Blackwell/Kirtland Road and Interchange 35. Technical, citizen advisory and public meetings were conducted as part of the OR 140 Corridor Plan project and focused on alternatives, the freight route status and designation throughout the corridor, and safety. These meetings included representatives from ODOT, Department of Land Conservation Department (DLCD), Rogue Valley Metropolitan Planning Organization (RVMPO), and Jackson County, the City of Central Point, Oregon Department of Fish and Wildlife (ODFW), and Rogue Valley Transit District (RVTD).

2. EVALUATION OF BASELINE CONDITIONS

This section summarizes baseline conditions in the IAMP study area including an overview of the regulatory framework that guides the process. Land use within the study area is presented and potential land use or environmental constraints are identified. Existing transportation system and traffic conditions in the study area are evaluated to identify deficiencies. Future traffic operations and safety are then assessed to determine how conditions may worsen.

2.1. Overview of the Regulatory Framework

State and local regulations, policies, and transportation and land use plans provided the legal framework for preparing the IAMP. (For a complete list of the guiding framework, refer to the summary description of all relevant plans and policies included in Technical Memorandum #2 in Volume 2 of this IAMP.) The language contained within these documents provides guidance to the state and local jurisdictions on how to manage transportation facilities and land uses in the study area to protect the interchange function, provide for safe and efficient operations, and minimize the need and expense for making major improvements to the interchange through the 2034 planning horizon.

The operational standards for study area roadway facilities designated by ODOT and Jackson County, and the access management standards designated by ODOT are all discussed below.

2.1.1. Operational Standards

The Oregon Highway Plan (OHP)³ has established several policies that enforce general objectives and approaches for maintaining highway mobility. Of these policies, the Highway Mobility Policy (Policy 1F) establishes mobility targets for peak hour operating conditions for all highways in Oregon based on the location and classification of the highway segment being examined. These targets are based on the volume-to-capacity (v/c) ratio, where volume is the traffic demand and capacity is maximum throughput. The OHP policy also specifies that the v/c ratio standards be maintained for ODOT facilities through a 20-year horizon. For the concept evaluation, the Highway Design Manual (HDM)⁴ was used.

A v/c ratio of less than 1.00 indicates that the volume is less than capacity. When it is closer to 0.00, traffic conditions are generally good with little congestion and low delays for most intersection movements. As the v/c ratio approaches 1.00, traffic becomes more congested and unstable with longer delays. Another standard for measuring traffic capacity and quality of service of roadways at intersections is level of service (LOS). Six standards have been

³ Table 6: Volume to Capacity Targets for Peak Hour Operating Conditions, 1999 Oregon Highway Plan, OHP Policy 1F Revisions Adopted by Oregon Transportation Commission: December 21, 2011, Oregon Department of Transportation.

⁴ Table 10-1: 20 Year Design-Mobility Standards (Volume/Capacity [V/C] Ratio), Highway Design Manual, Oregon Department of Transportation, Salem, OR, 2003.

established ranging from LOS A where there is little or no delay, to LOS F, where there is delay of more than 50 seconds at unsignalized intersections, or more than 80 seconds at signalized intersections.

The applicable target for the freeway (I-5) is a maximum v/c ratio of 0.85, but the freeway ramps are guided by requirements of the intersecting roadway system. The Interchange 35 ramps intersect with two state highways—OR 140 and OR 99. OR 140 begins at the northbound ramp terminal and runs northward along Blackwell Road as a statewide highway and designated freight route. Between the ramp terminals, OR 99 is classified as a statewide highway and designated freight route. South of the southbound ramp terminal, OR 99 is a district highway. The interchange is located just outside the Urban Growth Boundary (UGB) for the City of Central Point but lies within the City's urban reserve area, and the Rogue Valley Metropolitan Planning Organization (RVMPO) boundaries.

For interchange ramp terminals, the OHP states the maximum v/c ratio shall be the smaller of the v/c ratio of the crossroad or 0.85. The v/c ratio in the OHP for a statewide highway (freight route) is 0.85. The applicable standard for both the ramp terminals is 0.85.

2.1.2. Applicable Access Management Standards

Managing access to the roadway system around the interchange protects the public investment in the interchange facilities, thus the OHP devotes an entire section⁵ to the discussion of access management for state facilities and the surrounding roadways. More detailed requirements, definitions of actions, and the access spacing standards for state highways are specified in OAR 734-051 (Division 51): Highway Approaches, Access Control, Spacing Standards, and Medians.⁶ Ideally, a project will include provisions by which access within the project limits can be made fully compliant with Division 51. In many instances, however, access needed for existing development will not allow these standards to be met. When the requirements and standards cannot be met, progress toward meeting the applicable standards must be demonstrated by increasing access spacing closer to the standard in Division 51.

Interchange 35 is located outside of a UGB and thus is subject to the rural spacing standards. On the freeway, the desired spacing between interchanges (ramp-to-ramp) is 2 miles. On the intersecting roadway, the desired spacing between the interchange ramps and the next closest access is ¼ mile (1,320 feet). Private accesses (driveways) are generally subject to the same spacing standards as public accesses, with exceptions for those grandfathered in (legally constructed prior to 1949) or where a right of access has been given through a reservation of access or a grant of access.

⁵ Appendix C: Access Management Standards, 1999 Oregon Highway Plan, Technical Amendment 06 - 21 to include changes adopted as Amendments 04 - 13 and 05 - 16, Oregon Department of Transportation.

⁶ A complete copy of Division 51 can be found online at:
http://www.oregon.gov/ODOT/HWY/ACCESSMGT/docs/DIVISION_51.pdf

2.2. Land Use

Existing and planned land uses affect traffic patterns and the operations of transportation facilities.

2.2.1. Existing Land Uses

Land use in the immediate vicinity of the interchange is mostly agricultural-based except for Erickson Air-Crane, which is located west of the interchange and north of Willow Springs Road. The area east of Blackwell Road in the study area is used for rural uses, agricultural, and rural residential. West of Blackwell Road, rural uses, agricultural, and rural residential still dominate; however, there are small areas of industrial uses.

2.2.2. Existing Land Use Designations and Zoning

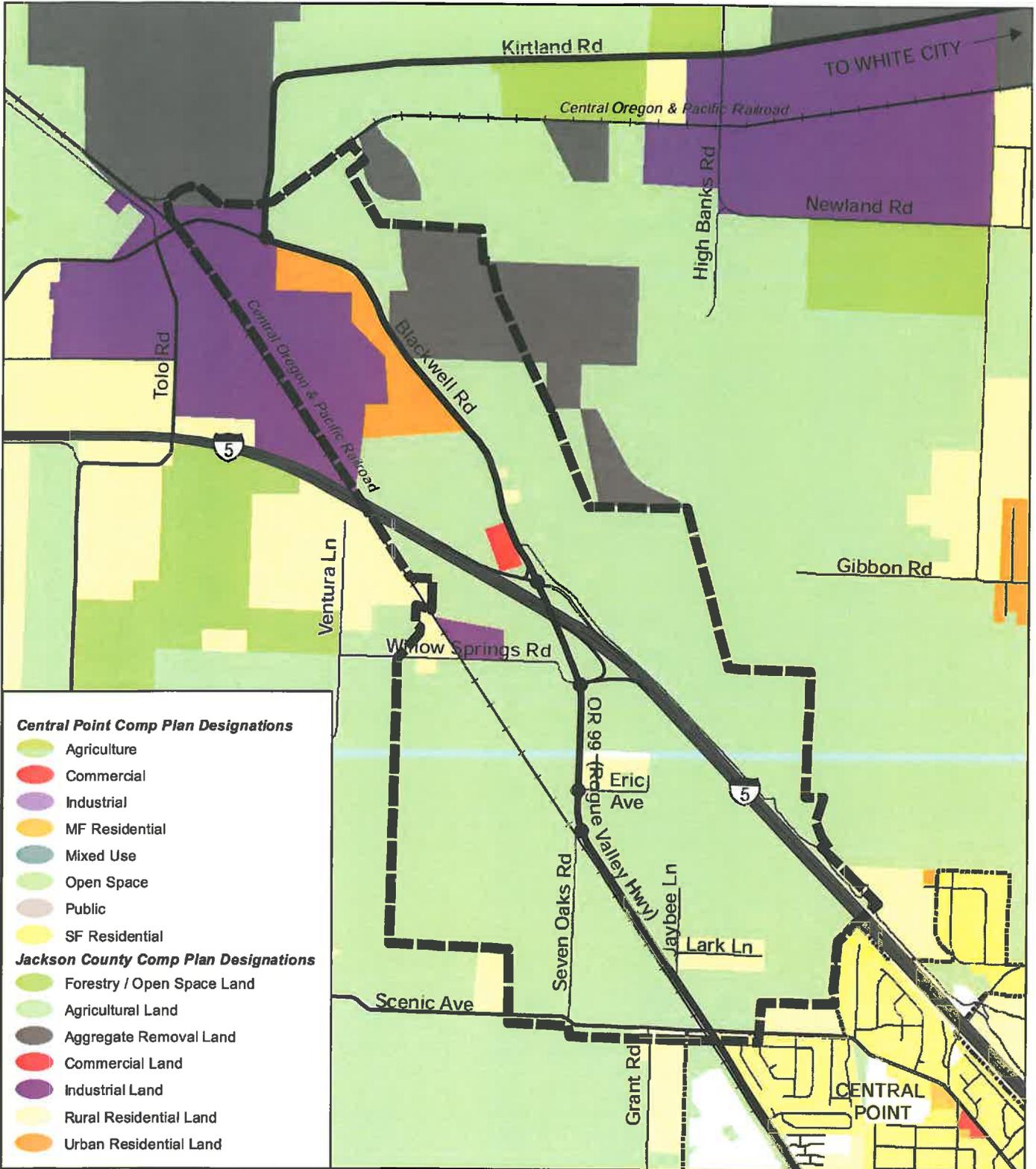
The Jackson County Comprehensive Plan map identifies most of the parcels immediately around the interchange as Agricultural (see Figure 2). Just north of the interchange, between I-5 and Blackwell Road, there is a small pocket of parcels designated Commercial. The Erickson Air Crane property is designated Industrial, as is the majority of land north of I-5 on both sides of the railroad line (and Gold Ray Road). Farther north of the interchange, there are lands designated Agricultural west of Blackwell Road and lands designated Aggregate Resource east of Blackwell Road.

Jackson County zoning immediately surrounding the interchange is primarily Exclusive Farm Use (EFU), except for a small pocket north of the interchange that is zoned Interchange Commercial (IC) (see Figure 3). The remaining parcels in the study area are designated EFU, Open Space Reserve, Woodland Resource, Aggregate Resource, and Urban Residential 1. There are three clusters of parcels zoned Rural Residential (RR-5) within the study area. One is west of Erickson Air Crane, one is east of OR 99 and north of Eric Avenue, and the third is off of Lark Lane. There are clusters of parcels zoned Urban Residential (UR-1) west of Blackwell Road. The Erickson Air Crane property and a portion of the area east of Tolo Road north of the interchange are zoned General Industrial (GI). East of Blackwell Road and south of the railroad tracks are parcels zoned Aggregate Removal.

2.2.3. Future Jackson County Land Use

The Greater Bear Creek Valley Regional Plan (GBCVRP) identifies the Tolo area as an urban reserve designated for future employment lands (CP-1B) and open space lands (CP-4D). Figure 4 shows the Urban Reserve Area (URA) boundaries for CP-1B and CP-4D, and the existing Jackson County designations and development patterns.

There have been discussions between ODOT and property owners regarding commercial uses ancillary to and supportive of industrial land. Any future commercial uses will need to go through the local approval process and ODOT will provide comment at that time.



Source: Jackson County GIS
 Map Prepared By:



- Legend**
- IAMP Study Area
 - Study Intersections
 - Central Point UGB

Figure 2
Jackson County
Comprehensive Plan
 I-5 Interchange 35 (Seven Oaks)
 Interchange Area Management Plan

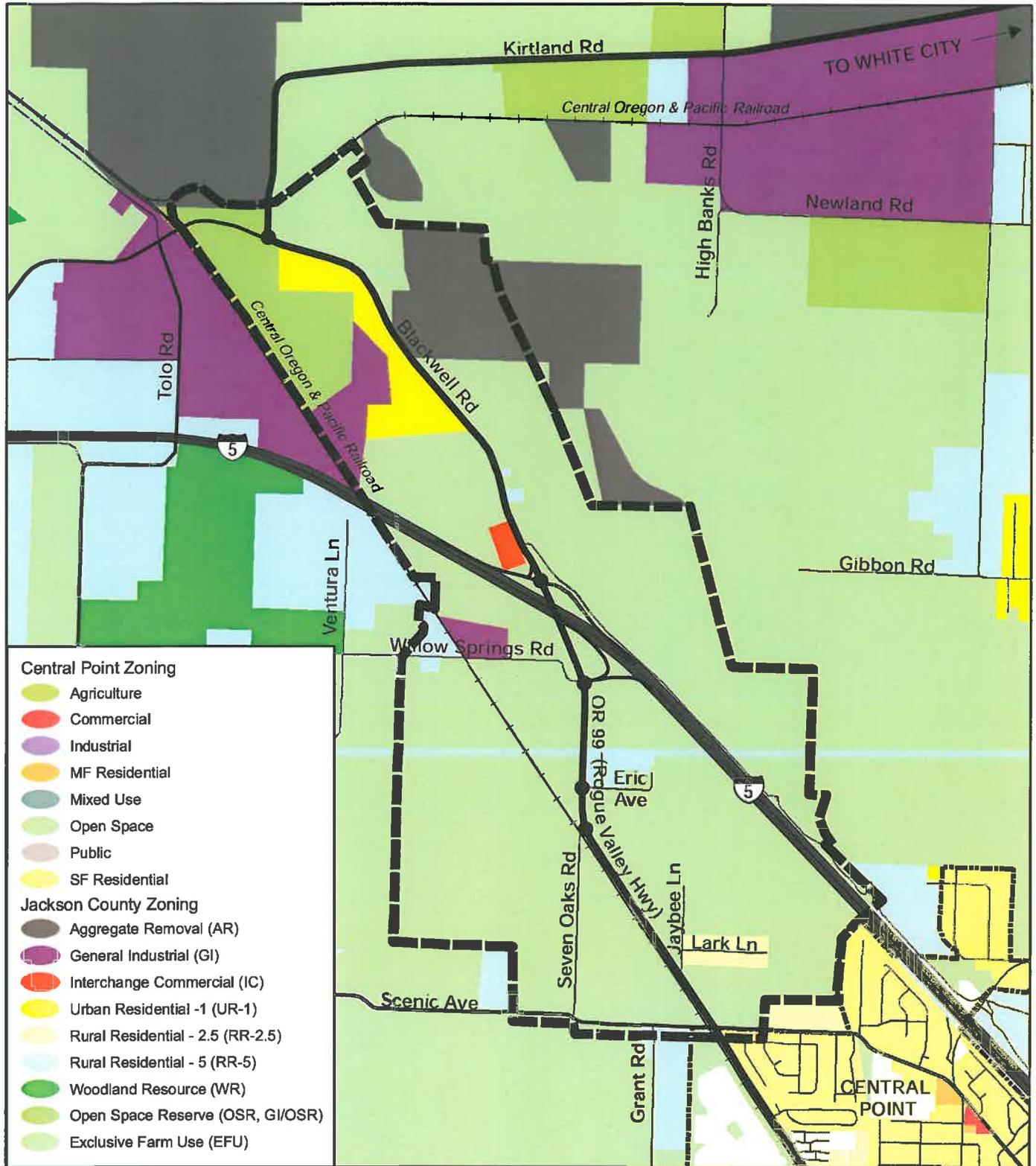


Figure 3

**Jackson County
Zoning Designations**

I-5 Interchange 35 (Seven Oaks)
Interchange Area Management Plan

925 462.5 0 925 Feet

Source: Jackson County GIS

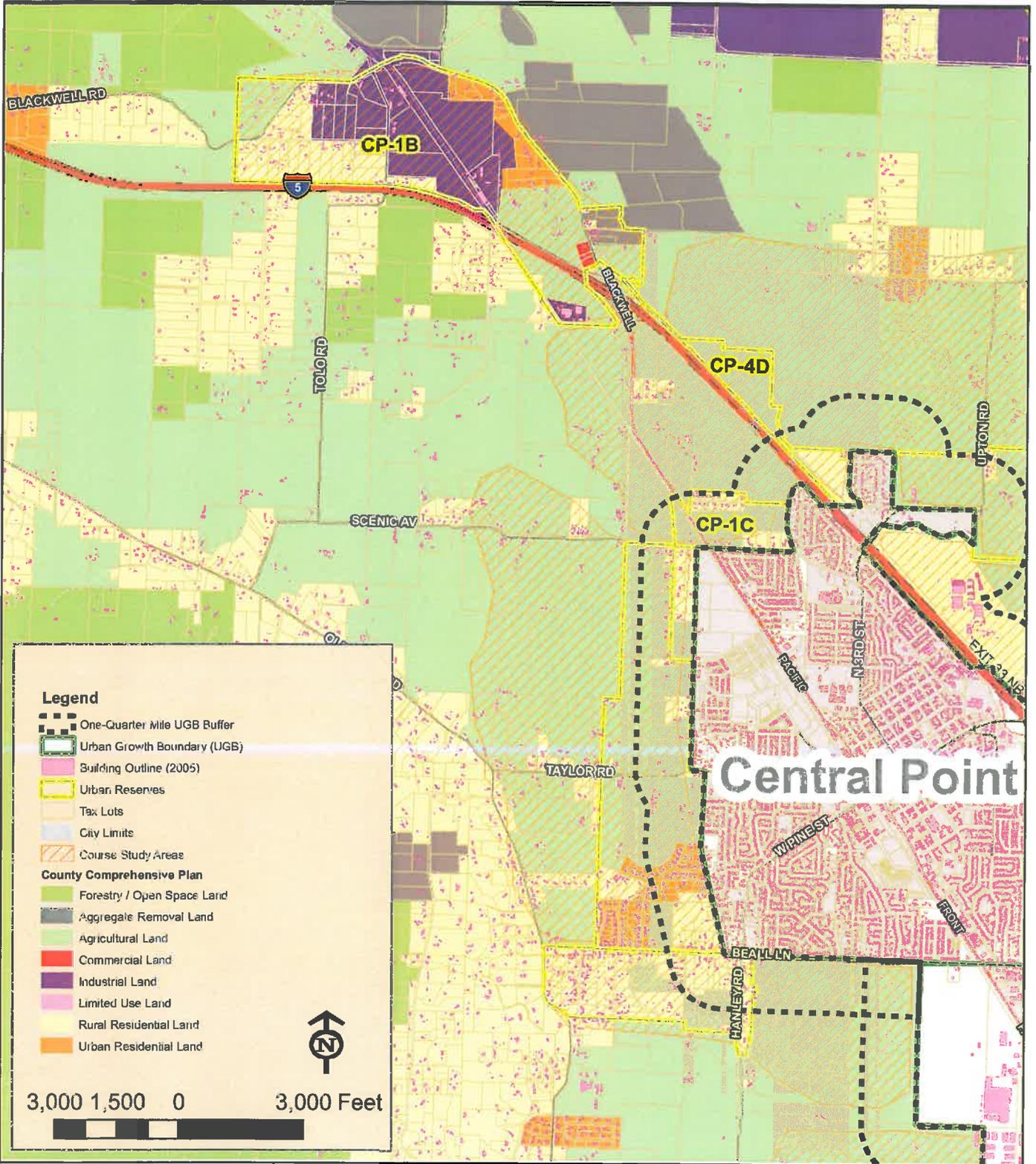
Map Prepared By:



DAVID EVANS
& ASSOCIATES

Legend

- IAMP Study Area
- Study Intersections
- Central Point UGB



Source:
 Greater Bear Creek Valley Regional Plan.
 Existing Development Patterns Map,
 Central Point. November 2009.

Map Prepared By:



Figure 4
**Existing Development
 Patterns Map**

I-5 Interchange 35 (Seven Oaks)
 Interchange Area Management Plan

The City of Central Point is in the process of amending its UGB and annex this land area, likely through multiple UGB updates. The GBCVRP designates 100 percent of the 521 net acres (544 gross) in Central Point Urban Reserve CP-1B (Tolo area) for employment, and 100% of CP-4D is designated for open space.. “Employment land” includes three categories: retail, industrial, and public. However, the GBCVRP envisions the Tolo area employment land as primarily designated for industrial uses similar to those in an industrial park:

Consequently, and subject to the above IAMP condition, CP-1B was found to be suitable for Urban Reserve designation as it will efficiently accommodate identified urban land needs, has reasonable access to public facilities and services including sewer and water (Atlas, Map 5 – Water and Sewer), and is and will continue to be predominately devoted to industrial uses in a manner compatible with nearby agricultural and forest activities [emphasis added]. Regional buffering standards will improve the current situation. Also, designation of the Tolo Area CP-1B will provide a substitute land base for the previously adopted Seven Oaks Interchange Area of Mutual Planning Concern which will be retained as Agricultural land rather than preserved for future Industrial use.

The current City of Central Point Industrial designations (M-1, Industrial District and M-2, Industrial General District) allow a broad range of uses and have no site area (size) requirements. The districts are sufficiently flexible to accommodate industrial development. In addition, the districts conditionally permit “business offices and commercial uses that are compatible with and closely related in their nature of business to permitted uses in the M-1 district, or that would be established to serve primarily the uses, employees, or customers of the M-1 district.” The Tolo area is identified to serve as a strategic transportation hub (the convergence of railroad, OR 99, and I-5) and potentially to include a nearby truck-train freight transfer site.

2.3. Environmental, Community, and Cultural Resources

In 2005, a narrative⁷ was prepared summarizing existing environmental, community, and cultural resources in the vicinity of Interchange 35 to help inform the development of conceptual alternatives for the Blackwell Road overpass and the associated interchange improvements. The narrative is based on previous work⁸ prepared as part of the Oregon Transportation Investment Act (OTIA) III that focused on replacing deficient bridges across the state.

⁷ Existing Soils, Agriculture, and Natural Resources Narrative, David Evans and Associates, Inc., 2004.

⁸ Environmental Baseline Report for the OTIA III Statewide Bridge Delivery Program, Jackson County, ODOT Region 3, Southern Oregon Coastal Basin, Oregon Highways 99 and 66, Interstate 5, Parametric, 2004, and a Supplemental Environmental Baseline Report, Mason, Bruce & Girard, 2004.

The narrative addressed the following resources:

- Aquatic resources
- Botanical protected species habitat
- Anadromous fish
- Hazardous materials
- Noxious weeds
- Section 4(f) and Section 6(f) resources
- Historical and archaeological resources
- Sensitive noise receptors
- Water quality
- Wetlands
- Floodplains
- Wildlife

Potential resource issues identified because of the proximity of the resources to the study area include:

- Bear, Willow, and Dean Creeks flow through the IAMP study area and support various fish species. Bear Creek supports the Southern Oregon/Northern California Coasts Evolutionarily Significant Unit coho salmon, Chinook salmon, steelhead, and resident fish species (rainbow trout and sculpin). It is also highly likely that the creeks support the federal and state species of concern Pacific lamprey.
- Two resources were identified as “Eligible” in the Oregon Historic Sites Database for National Register listing in the study area between Blackwell Road and I-5 just north of the interchange.
- Three single-family residences were identified as Sensitive Noise Receptors.
- Two hazardous materials sites were identified near the interchange.

Design of the interchange and Best Management Practices (BMPs) minimize and mitigate impacts to resources. Additionally, construction associated with the IAMP will follow all applicable federal and local regulatory processes and permitting associated with protection of environmental, community, and cultural resources.

2.4. Existing Transportation Conditions

This section summarizes existing (2008) PM peak hour intersection operations and safety issues. At the time of the existing conditions analysis, Interchange 35 was completing construction to replace the functionally obsolete and structurally deficient Blackwell Road overpass. The newly constructed overpass includes reconfiguration of the southbound ramp terminal to provide a looping southbound off-ramp and a standard diamond on-ramp. The northbound terminal remains in the standard diamond configuration. The overpass is a three-lane structure with bicycle lanes. I-5 runs underneath with two travel lanes each in the northbound and southbound directions. These improvements were assumed to be completed

for the existing analysis. (Detailed discussions of existing conditions can be found in Technical Memorandum #3 in Volume 2 of this IAMP.)

2.4.1. Roadway Inventory

The roadways within the Interchange 35 study area are largely rural in nature, with no sidewalks and few bike lanes. The major roadways in the study area include I-5, OR 99, OR 140, Blackwell Road, Kirtland Road, Willow Springs Road, Seven Oaks Road, and Scenic Avenue. Table 1 presents an inventory of study area roadways and their general characteristics.

Table 1. IAMP 35 Study Area Roadway Inventory

Roadway	State Functional Classification	County Functional Classification	Posted Speed (mph)	Right-of-Way Width (feet)	Paved Width (feet)	Shoulder Width (feet)	No. of Travel Lanes
ODOT Jurisdiction							
I-5	Interstate Highway		65	250	NB: 38 SB: 38	NB: 6 SB: 6	4
OR 99 South of I-5 SB Ramps	District Highway	Arterial	45 ¹ /55 ²	105 ¹ /80 ²	48 ¹ /60 ²	6	3 ¹ /4 ²
OR 99 Between I-5 Ramps	Statewide Highway/ Freight Route	Arterial	45	105	48	6	3
Blackwell Rd/OR 140	Statewide Highway/ Freight Route	Minor Arterial	45	60 ⁴	30-32	3-4	2
Kirtland Rd/OR 140	Statewide Highway/ Freight Route	Minor Arterial	45	60 ⁴	26	1-2	2
Jackson County Jurisdiction							
Blackwell Rd (west of Kirtland Road)	Rural Major Collector	Minor Arterial	45	60	32	4	2
Willow Springs Rd	Local	Local	not posted ³	60	26	2	2
Seven Oaks Rd	Local	Local	not posted ³	60	26	2	2
Scenic Ave	Minor Collector	Minor Collector	45	60	26	2	2

Notes:

1. From Interchange 35 to Mile Point (MP) 0.51 (approximately 0.13 miles north of Eric Avenue).
2. From MP 0.51 to southern boundary of IAMP study area.
3. Basic Rule applies: Motorist must drive at speed that is reasonable and prudent at all times by considering other traffic, road, and weather conditions, dangers at intersections, and any other conditions that affect safety and speed.
4. Widths may vary at realigned Blackwell Road/Kirtland Road intersection.

I-5 runs northwest to southeast through the study area. For the purposes of the IAMP, I-5 is assumed as an east-west facility. Parallel facilities to the north include Kirtland Road and to the south Willow Springs Road, Eric Avenue, Seven Oaks Road, and Scenic Avenue. Blackwell Road, also known as OR 99 (between the ramp terminals and south) and as OR 140 (north of the interchange), provides access to the interchange and also serves north-south travel through the study area. The interchange is the northernmost I-5 access to the City of Central Point, connected by OR 99. Additionally, Interchange 35 connects to the White City area and many industrial developments via OR 140.

2.4.2. Existing Access Inventory

The OHP standards for access locations are two miles between interchange ramps on I-5, and 1,320 feet (¼ mile) between on- and off-ramps and roadway intersections or driveways. This ¼-mile area is called the Influence Area of the interchange. Along the statewide section of OR 99

and OR 140 the access spacing standard is 990 feet.⁹ The district highway section between the interchange and Eric Avenue is 500 feet,¹⁰ while south of Eric Avenue the district highway spacing standard is 700 feet.¹¹

Interchange 35 spacing on I-5 currently meets access spacing standards. It is approximately 2 miles from the next full interchange to the south (Interchange 33) and approximately 5 miles from the next full interchange to the north (Interchange 40).

At the southbound ramps, Willow Springs Road connects to OR 99 opposite the southbound on-and off-ramps. The connection was actually rebuilt with the construction of the interchange improvements but does not meet OHP standards, which prohibit local road connections at ramp terminals.

North of the interchange, multiple driveways and roadways in the study are closer to the ramp terminals than ODOT's standards (see Figure 5). North of I-5, the first access point is the realigned Dean Creek Frontage Road, which is located approximately 600 feet away and does not meet the spacing standard of 1,320 feet. The Dean Creek Frontage Road provides access to farm parcels and a residence but has been under consideration for higher intensity development by a number of developers. Between the realigned intersection of Blackwell/Kirtland Road and Dean Creek Frontage Road on the west side, there are 17 driveways with an average access spacing of 360 feet. In this same section on the east side, there are 20 driveways with an average access spacing of 315 feet. In this section of roadway, neither side meets the ODOT access spacing standard of 990 feet.

South of the interchange, there are four driveways along OR 99 (three to the west and one to the east) within 1,320 feet of the southbound ramps that provide single-family residential, farm, and commercial access. Average spacing between these driveways is approximately 370 feet, compared to the standard of 500 feet. Eric Avenue is located approximately 1,500 feet from the southbound ramps.

Because Willow Springs Road connects to OR 99 opposite the southbound ramp terminals, accesses along this county road were also inventoried. There are four access points (three to the north, one to the south) along Willow Springs Road providing single-family residential, farm, and business access (Erickson Air Crane) to the interchange. The average access spacing is approximately 300 feet; however, there is no ODOT spacing standard along Willow Springs Road.

⁹ Posted speed is 45 miles per hour north of Interchange 35.

¹⁰ Posted speed is 45 miles per hour south of Interchange 35.

¹¹ Posted speed is 55 miles per hour south of Eric Avenue.



I-5 Interchange 35 (Seven Oaks) IAMP

Access Locations

- Private
- Public

Note: Side of call out does not indicate side of access location.

Figure 5
Existing Access Inventory



2.4.3. Existing Traffic Volume Development

Traffic counts were collected prior to construction of the interchange improvements (year 2008) and seasonally adjusted to correspond to traffic volumes that are seen in the peak months of the year (July/August), also known as the Design Hourly Volume (DHV). The ODOT Transportation Planning Analysis Unit (TPAU) procedures were followed. After peak hour count data was seasonally adjusted, volumes were balanced to achieve a uniform dataset for analysis. These volumes, including percentages of trucks (heavy vehicles), are illustrated in Figure 6.

Note that volumes at the interchange were rerouted to reflect the interchange improvements that were under construction in 2008. However, designation of the OR 140 extension and construction of the Blackwell Road/Kirtland Road intersection improvements had not begun, thus the existing conditions analysis reflects the lane configuration in 2008.

2.4.4. Existing Intersection Operations

Table 2 summarizes the analysis results for all study area intersections and Figure 6 shows volumes and lane configurations.

Table 2. Existing 2008 PM Peak Hour Traffic Operations Analysis Results

Intersection	Critical Movement ¹	V/C Ratio ²	Delay (seconds) ²	LOS ³	Mobility Standard ⁴
Signalized Intersections					
I-5 Southbound Ramps at OR 99/Willow Springs	Overall	0.67	23.0	C	0.85
Unsignalized Intersections					
Kirtland Road at Blackwell Road	SB L/R	>1.00	82.0	F	0.85
I-5 Northbound Ramps at Blackwell Road	WB LT/R	0.58	17.0	D	0.85
OR 99 at Eric Avenue	WB L	0.02	5.0	B	0.95
OR 99 at Seven Oaks Road	EB L	0.04	8.0	B	0.95

Acronyms: NB = northbound, SB = southbound, EB = eastbound, WB = westbound, L = left-turn movement, T = through movement, R = right-turn movement. Two or more travel movements permitted in one lane group are indicated with a slash.

Notes:

1. At signalized intersections, the critical movement is represented by the overall intersection operations. At unsignalized intersections, the critical movement was identified as the stopped movement with the worst v/c ratio.
2. The v/c ratios and levels of service (LOS) are calculated from the Synchro macrosimulation analysis, which cannot account for the influence of signalized intersections on unsignalized intersection operations or reflect the effects of queue spillover from adjacent lanes or nearby intersections.
3. The delay is based on the SimTraffic microsimulation analysis and reflects the effects of queuing from upstream intersections.
4. The applicable mobility standards are 0.85 for OR 140 (statewide, freight route in MPO) and 0.95 for OR 99 (district highway in MPO) based on the 1999 Oregon Highway Plan.

Shaded results indicate where mobility standards are not met.

Source: Synchro HCM Intersection Analysis Report and SimTraffic microsimulation

With the exception of the Kirtland/Blackwell Road intersection, all study area intersections meet applicable operational standards. The southbound Kirtland Road approach at Blackwell Road is calculated to operate with a v/c ratio greater than 1.00 with substantial delay and queuing. However, this intersection has subsequently been reconstructed and has no significant operational issues at this time.

Legend

CM = Critical Movement
v/c = Critical volume-to-capacity ratio (unsignalized)
 Intersection volume-to-capacity ratio (signalized)
Del = Critical movement control delay (unsignalized)
 Intersection average control delay (signalized)
LOS = Critical movement level of service (unsignalized)
 Intersection level of service (signalized)
HV = Percent Heavy Vehicles

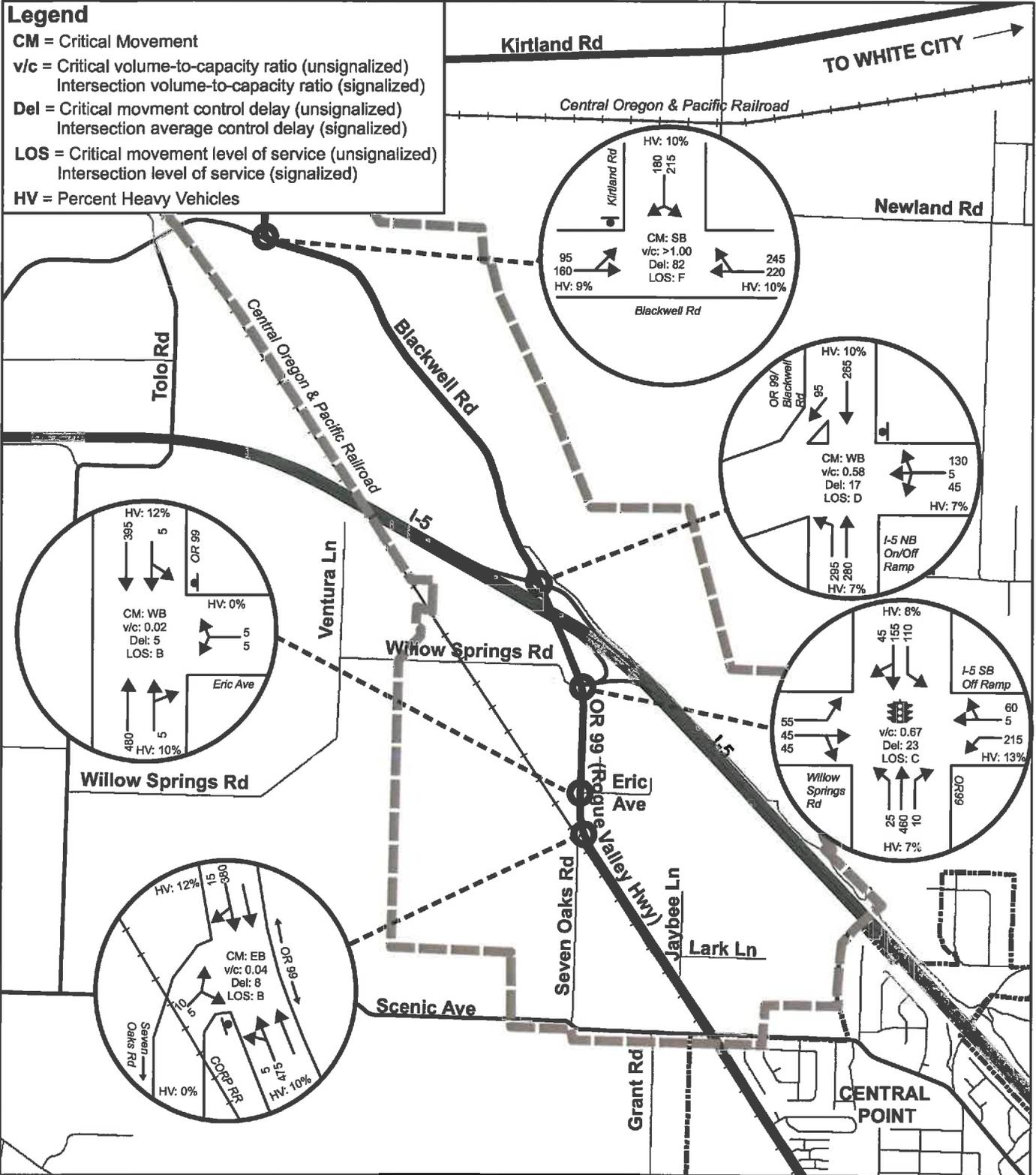
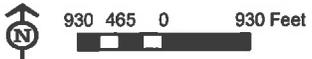


Figure 6

*Year 2008 PM
 Peak Hour Conditions*

I-5 Interchange 35 (Seven Oaks)
 Interchange Area Management Plan



Source: Jackson County GIS
 Map Prepared By:



DAVIS EVANS
 AND ASSOCIATES, INC.

Legend

- IAMP Study Area
- Central Point UGB
- Study Intersections
- Stop Control
- Traffic Signal

2.4.5. Crash History Analysis

A crash history analysis was conducted to determine whether any significant, documented safety issues exist within the study area. The summary includes data from years 2003 through 2007. The crash patterns presented in this summary for the southbound ramps at OR 99/Willow Spring Road and Kirtland Road/Blackwell Road intersections do not reflect the recent modifications because construction was either underway or had not yet begun at the time the analysis was completed. With the possible exception of the OR 99/Scenic Avenue intersection, it appears that no safety countermeasures are necessary beyond those that were recently constructed.

Of the 53 total crashes reported during this five-year period of analysis, there was one fatality along Blackwell Road, and 33 injury-related crashes. The intersection with the greatest number of crashes was OR 99 and Scenic Avenue, which accounted for over a quarter of the crashes in the study area. Six fixed-object collisions, one rollover fatality, and three rear-end collisions occurred on Blackwell Road between the interchange and the Kirtland Road intersection. An evaluation of the circumstances surrounding each of the crashes reveals no consistent pattern. Most of the crashes occurred on curved sections and were caused by motorists driving too fast for conditions.

There are no 2008 Top 10% Safety Priority Index System (SPIS) locations on either I-5 or OR 99 near Interchange 35.

2.4.6. Alternative Modes

The Bear Creek Greenway runs through the study area. The intersection of Blackwell/Kirtland Road was recently reconfigured with a pedestrian tunnel under OR 140 to provide for the safe movement of bicyclists and pedestrians.

2.5. Future Baseline Conditions

The analysis of future baseline conditions examines long-term operational and safety concerns of the financially constrained Regional Transportation Plan (RTP) system for two land use scenarios. (Detailed discussions of existing conditions can be found in Technical Memorandum #4 in Volume 2 of this IAMP.)

2.5.1. Land Use Scenarios

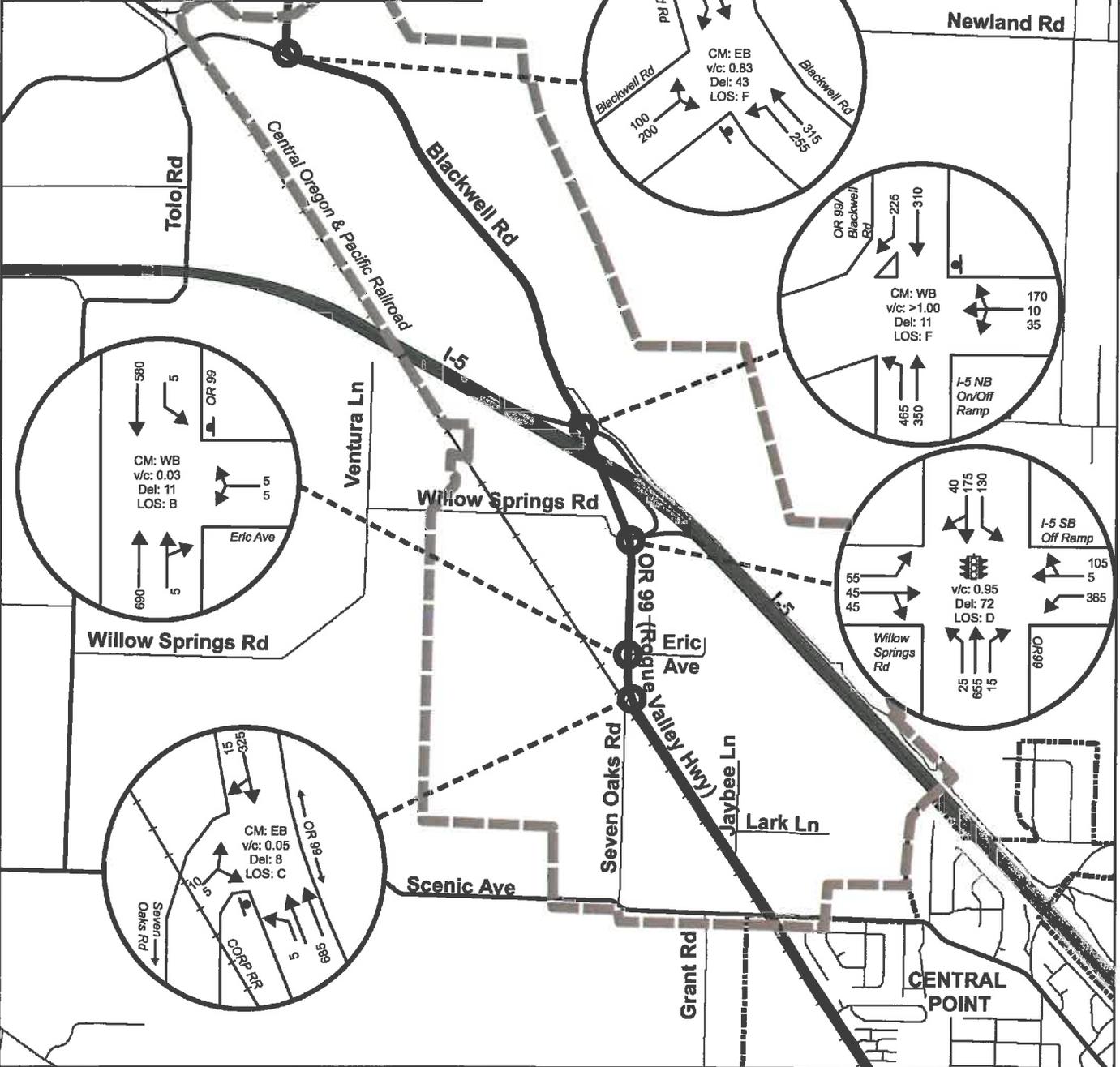
The future baseline analysis is based on two land use scenarios. One of the land use scenarios for the future baseline analysis is consistent with the Rogue Valley Metropolitan Planning Organization (RVMPO) RTP forecasts through the year 2034. The second land use scenario examines the long-term impact of potential development in the area based on the Greater Bear Creek Valley Regional Plan (GBCVRP).

2.5.2. Future Baseline Peak Hour Traffic Volumes

Turning movement traffic forecasts for the study area intersections were developed from the 2006 and 2034 forecasting models and the 2008 existing traffic data. The process followed the procedures in ODOT's APM.

The resulting volumes are shown in Figure 7 for the 2034 RTP Scenario and Figure 8 for the GBCVRP Scenario. Note that the GBCVRP scenario does not have a specific forecast year but is assumed to occur sometime beyond the 2034 forecast year for the RTP Scenario.

Legend
CM = Critical Movement
v/c = Critical volume-to-capacity ratio (unsignalized)
 Intersection volume-to-capacity ratio (signalized)
Del = Critical movement control delay (unsignalized)
 Intersection average control delay (signalized)
LOS = Critical movement level of service (unsignalized)
 Intersection level of service (signalized)



Source: Jackson County GIS

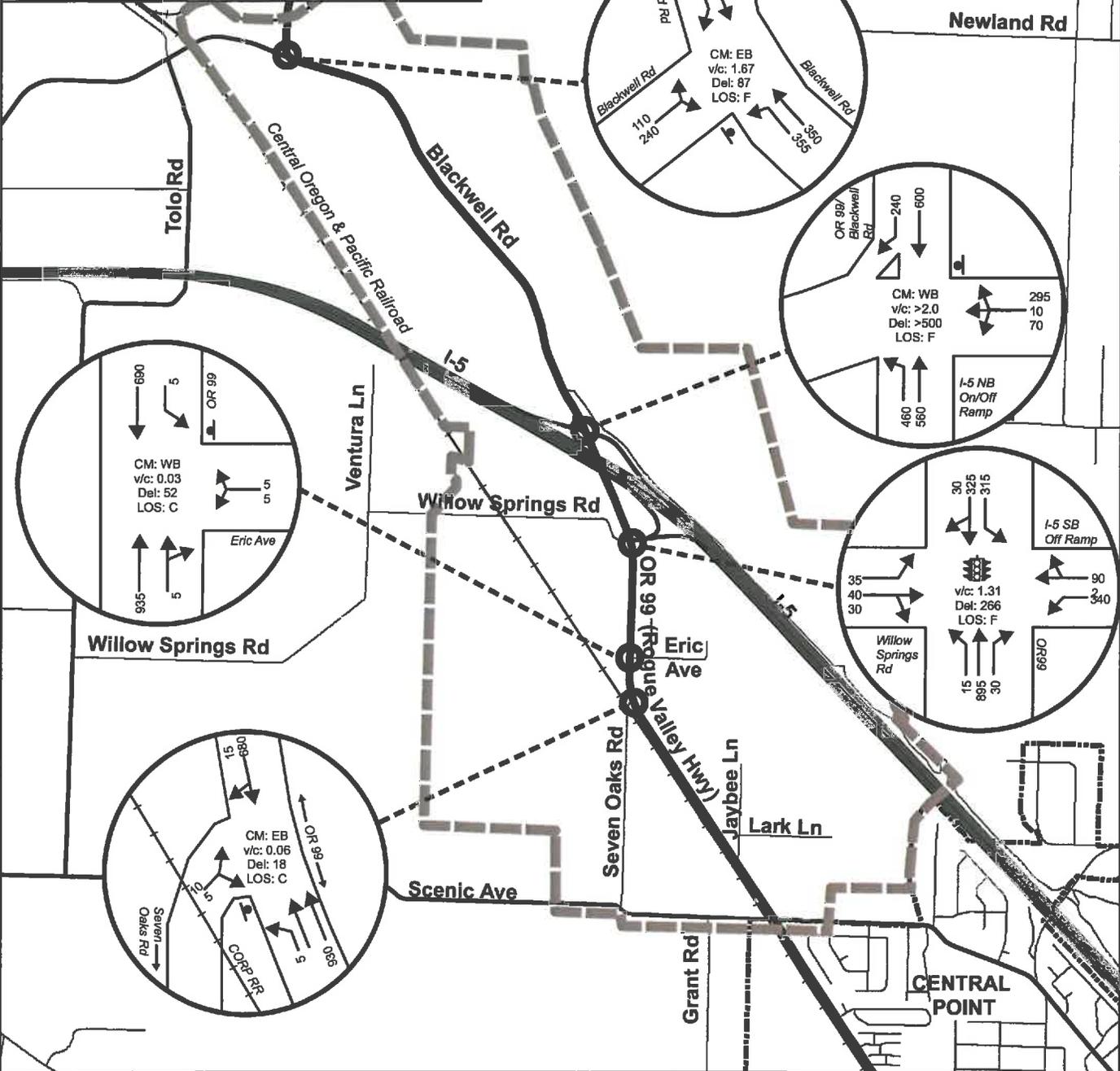
Map Prepared By:



Legend
 IAMP Study Area
 Central Point UGB
 Study Intersections
 Stop Control
 Traffic Signal

Figure 7
Future Baseline Conditions
2034 RTP Scenario
PM Peak Hour
 I-5 Interchange 35 (Seven Oaks)
 Interchange Area Management Plan

Legend
CM = Critical Movement
v/c = Critical volume-to-capacity ratio (unsignalized)
 Intersection volume-to-capacity ratio (signalized)
Del = Critical movement control delay (unsignalized)
 Intersection average control delay (signalized)
LOS = Critical movement level of service (unsignalized)
 Intersection level of service (signalized)



Source: Jackson County GIS

Map Prepared By:



Legend

- IAMP Study Area
- Central Point UGB
- Study Intersections
- Stop Control
- Traffic Signal

Figure 8
Future Baseline Conditions
GBCVRP Scenario
PM Peak Hour

I-5 Interchange 35 (Seven Oaks)
 Interchange Area Management Plan

2.5.3. Future Intersection Operations - 2034 RTP Scenario

The 2034 RTP Scenario future baseline traffic analysis results are summarized below. Table 3 presents the operational analysis results for all major study area intersections. Figure 7 shows volumes and lane configurations for the 2034 RTP Scenario. The future condition assumes the completed Blackwell Road/Kirtland Road intersection reconfiguration.

Table 3. Traffic Operations – 2034 RTP Scenario – Future Baseline Conditions

Intersection	Critical Movement ¹	V/C Ratio ²	LOS ²	Average Delay ³	Mobility Standard ⁴
Signalized Intersections					
I-5 Southbound Ramps at OR 99/Willow Springs	Overall	0.95	D	72 sec	0.85
Unsignalized Intersections					
Blackwell Road at OR 140 (Kirtland/Blackwell Road)	EB L/R	0.83	F	43 sec	0.85
I-5 Northbound Ramps at Blackwell Road (OR 140)	WB L/T/R	1.33	F	11 sec	0.85
OR 99 at Eric Avenue	WB L/R	0.03	B	11 sec	0.95
OR 99 at Seven Oaks Road	EB L/R	0.05	C	8 sec	0.95

Acronyms: NB = northbound, SB = southbound, EB = eastbound, WB = westbound, L = left-turn movement, T = through movement, R = right-turn movement. Two or more travel movements permitted in one lane group are indicated with a slash.

Notes:

1. At signalized intersections, the critical movement is represented by the overall intersection operations. At unsignalized intersections, the critical movement was identified as the stopped movement with the worst v/c ratio.
2. The v/c ratios and levels of service (LOS) are calculated from the Synchro macrosimulation analysis, which cannot account for the influence of signalized intersections on unsignalized intersection operations or reflect the effects of queue spillover from adjacent lanes or nearby intersections.
3. The delay is based on the SimTraffic microsimulation analysis and reflects the effects of queuing from upstream intersections.
4. The applicable mobility standards are 0.85 for OR 140 (statewide, freight route in MPO) and 0.95 for OR 99 (district highway in MPO) based on the 1999 Oregon Highway Plan.

Shaded results indicate where mobility standards are not met.

Source: Synchro HCM Intersection Analysis Report and SimTraffic microsimulation

Under future baseline conditions, two of the study area intersections would not meet mobility standards:

- The I-5 southbound ramps at OR 99/Willow Springs Road would operate with a v/c ratio of 0.95 and at LOS D during the peak hour for the 2034 RTP Scenario. Moderate queuing in the northbound direction and minimal queuing in the southbound direction are anticipated.
- The estimated v/c ratio of 1.33 for the I-5 northbound ramps at Blackwell Road would exceed the OHP mobility standard as well as the capacity of the intersection. The intersection is expected to exceed the OHP mobility standard within the next five years. However, traffic simulations indicate that average delays for the westbound left-turn movement would average about 11 seconds, which is generally considered acceptable. Simulations also show that queues would remain relatively short, although they would increase delays for vehicles turning right. ODOT's preliminary traffic signal warrants do not support the need for a traffic signal at this location for the next 20 years.

The analysis above assumes the new Blackwell Road/Kirtland Road intersection which is STOP-controlled on the eastbound (Blackwell Road) approach with free-flowing movements on the

northbound (Blackwell Road) and southbound (Kirtland Road) approaches. Future traffic operations analysis indicates that the eastbound left-turn movement would experience some congestion during peak conditions; however, the extent of that congestion depends on how drivers execute the left-turn movement. Some drivers turn left directly into the northbound travel lane while others may be using the center median refuge to execute a “two-stage” left turn. A two-stage turn is made when the eastbound driver at the STOP sign seeks a gap in the southbound traffic and turns left into the median, waits for a gap in the northbound traffic, then pulls into the northbound travel lane. If drivers take advantage of the center median refuge, the forecast v/c could be below 0.50. A survey of driver behavior at this location has not been conducted, so the number of left turns that are executed in the two-stage method is not available.

2.5.4. Future Intersection Operations - GBCVRP Scenario

The GBCVRP Scenario future baseline traffic analysis results are summarized below. Table 4 presents the operational analysis results for all major study area intersections. Figure 8 shows volumes and lane configurations for the GBCVRP Scenario.

Table 4. Traffic Operations – GBCVRP Scenario – Future Baseline Conditions

Intersection	Critical Movement ¹	V/C Ratio ²	LOS ²	Average Delay ³	Mobility Standard ⁴
Signalized Intersections					
I-5 Southbound Ramps at OR 99/Willow Springs	Overall	1.31	F	266 sec	0.85
Unsignalized Intersections					
Blackwell Road at OR 140(Kirtland/Blackwell Road)	EB L/R	1.67	F	87 sec	0.85
I-5 Northbound Ramps at Blackwell Road (OR 140)	WB L/T/R	> 2.0	F	> 500 sec	0.85
OR 99 at Eric Avenue	WB L/R	0.03	C	52 sec	0.95
OR 99 at Seven Oaks Road	EB L/R	0.06	C	18 sec	0.95

Acronyms: NB = northbound, SB = southbound, EB = eastbound, WB = westbound, L = left-turn movement, T = through movement, R = right-turn movement. Two or more travel movements permitted in one lane group are indicated with a slash.

Notes:

1. At signalized intersections, the critical movement is represented by the overall intersection operations. At unsignalized intersections, the critical movement was identified as the stopped movement with the worst v/c ratio.
2. The v/c ratios and levels of service (LOS) are calculated from the Synchro macrosimulation analysis, which cannot account for the influence of signalized intersections on unsignalized intersection operations or reflect the effects of queue spillover from adjacent lanes or nearby intersections.
3. The delay is based on the SimTraffic microsimulation analysis and reflects the effects of queuing from upstream intersections.
4. The applicable mobility standards are 0.85 for OR 140 (statewide, freight route in MPO) and 0.95 for OR 99 (district highway in MPO) based on the 1999 Oregon Highway Plan.

Shaded results indicate where mobility standards are not met.

Source: Synchro HCM Intersection Analysis Report

The results show that, future baseline conditions with the GBCVRP Scenario would significantly worsen at three study area intersections. All three intersections would exceed capacity and mobility standards:

- The I-5 southbound ramps at OR 99/Willow Springs Road would operate with a v/c ratio of 1.31 and at LOS F during the peak hour for the GBCVRP Scenario. Significant queuing on all approaches is anticipated, and southbound queues would interfere with

operations at the northbound ramps. The northbound queues would extend southward through the OR 99 intersections with Eric Avenue and Seven Oaks Road.

- The eastbound Blackwell Road approach to the realigned Kirtland/Blackwell Road (OR 140) is calculated to operate with a v/c ratio of 1.67, with substantial delay and queuing under future baseline conditions with the GBCVRP Scenario.
- The estimated v/c ratio for the I-5 northbound ramps at Blackwell Road would worsen considerably under the GBCVRP Scenario and future baseline conditions. The v/c ratio is expected to exceed 2.0. A review of delay and queuing indicates that LOS F conditions would prevail for the critical westbound left-turn movement on the ramp, and queues would worsen, likely impacting mainline I-5 travel. Traffic simulations support this finding.

3. CONCEPT DEVELOPMENT AND ANALYSIS

This section summarizes the development of alternatives to address long-range deficiencies at Interchange 35 and at the Kirtland/Blackwell Road intersection, as well as local street system alternatives to support future development and address access in the vicinity of the interchange. The improvements were developed to meet the identified goals and objectives of this plan, and specifically address issues identified in the problem statement. (Detailed discussions of concept development can be found in Technical Memorandum #5 in Volume 2 of this IAMP.)

Further improvements east of the interchange are identified in the OR 140 Corridor Plan.

3.1. Preliminary Concepts to Address Operational Deficiencies

After evaluating existing and future baseline conditions, an initial list of solutions was created to address operational deficiencies. These solution concepts were to provide an understanding of the diverse range of actions that could be implemented. Concepts initially targeted improvements unique to individual intersections knowing that different combinations of improvements could be paired together.

Three intersections were identified as having deficiencies under either the 2034 RTP Scenario or with the longer-range forecast for the GBCVRP scenario. The concepts considered for each intersection include:

I-5 Southbound Ramps (SR) at OR 99/Willow Springs:

- SR Concept 1a - Slip Ramp without Willow Springs Connection
- SR Concept 1b - Flyover Ramp with Willow Springs Connection
- SR Concept 2a - Dual Lefts without Willow Springs Connection
- SR Concept 2b - Dual Lefts with Willow Springs Connection
- SR Concept 3a - Northbound Through without Willow Springs Connection
- SR Concept 3b - NB Through with Willow Springs Connection

I-5 Northbound Ramps (NR) at Blackwell Road:

- NR Concept 1 - Left-Turn Lane
- NR Concept 2 - Traffic Signal
- NR Concept 3 - Signal and Left-Turn Lane

Blackwell Road (BK) at OR 140 (Kirtland/Blackwell Road):

- BK Concept 1 - Traffic Signal
- BK Concept 2 - Roundabout

Operational analyses were performed at key intersections for some of the concepts to help determine their efficacy in addressing deficiencies. In addition, right-of-way needs, concept resource impacts, and preliminary-level cost estimates were prepared to compare the concepts to each other.

Finally, the preferred alternative was developed by combining the most promising concepts for intersection and local street improvements, as described later in this section.

3.2. Local Street System Concepts

One of the elements of an Interchange Area Management Plan (IAMP) is an access management plan and policy that preserve the functionality of the interchange, protecting its ability to accommodate traffic volumes safely and efficiently into the future. Access to the roads connecting to the interstate system is vital to the adjacent property owners who need access for their businesses and residences. It has also been shown, however, that a proliferation of driveways and minor street intersections near a ramp terminal can drastically increase conflicts, causing operational problems, decreasing the capacity of the intersections, and generally degrading service for all system users.

Several local street system concepts were developed to support future development and address access in the vicinity of the interchange. These concepts would likely be implemented over time as additional interchange improvements are implemented or as future development begins to occur.

On the north side of the interchange, one local network concept was developed by ODOT in cooperation with local property owners for the north side of the interchange through discussions between ODOT staff and local property owners. The north side concept was built around two new parallel streets that connect with Blackwell Road (OR 140) at locations at least ¼ mile north of the interchange ramps.

On the south side of the interchange, four local network concepts were initially developed around the idea of closing the non-conforming Willow Springs Road connection to OR 99 opposite the southbound ramps. Four street network concepts were developed for the area south of the interchange to address this closure. One element of all four concepts is the closure of the Seven Oaks Road rail crossing.

3.3. Preferred Alternative

The Preferred Alternative was developed as a result of screening the intersection and local street network concepts with the City of Central Point. The Preferred Alternative addresses deficiencies at each ramp terminal, the Blackwell/Kirtland Road intersection as well as local street networks, while limiting the impacts to nearby Willow Springs Road.

3.3.1. Preferred Alternative Improvements

The improvements that have been incorporated into the Preferred Alternative are intended to address future capacity issues at three of the study area intersections, preserve the functionality of the interchange, and protect its ability to accommodate traffic volumes safely and efficiently into the future. The Preferred Alternative includes elements of the following intersection concepts: SR Concept 3b, NR Concept 3, BK Concept 1. Phased implementation has been identified for some of the improvements.

The proposed improvements are summarized below and are organized by the deficiency or issue they address. Additionally, benefits of the improvement and options for future consideration are also included. Figure 9 shows the proposed improvements. Two of the three preferred alternatives shown have been constructed.

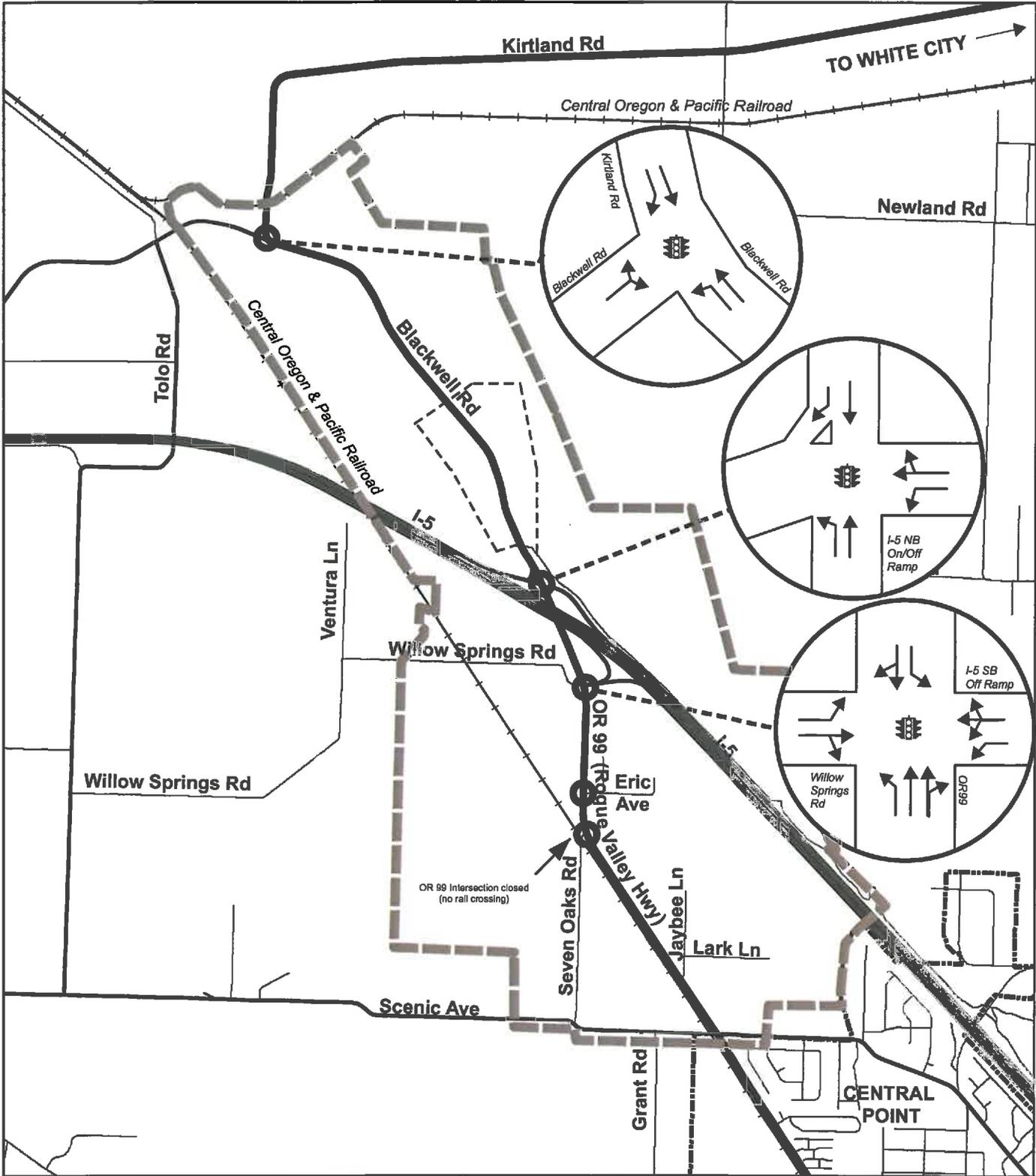


Figure 9

Preferred Alternative

I-5 Interchange 35 (Seven Oaks)
Interchange Area Management Plan



Source: Jackson County GIS
Map Prepared By:



- Legend**
- IAMP Study Area
 - Central Point UGB
 - Study Intersections
 - Traffic Signal

I-5 Southbound Ramp Improvements

Description:

- Maintain the Willow Springs Road connection in its current configuration.
- Widen the north leg of intersection to receive two northbound through lanes, tapering to a single lane prior to the bridge structure.
- Restripe to add additional westbound left-turn capacity to the east leg of the intersection (southbound loop off-ramp).
- Restripe/widen south leg of intersection to receive dual westbound left-turn movements from the southbound loop off-ramp and restripe northbound right-turn lane to shared through-right lane.

Benefits and Considerations:

- Operational benefits are similar to installing the slip ramp but without requiring closure of Willow Springs Road which would impact existing businesses.
- Operations would meet OHP mobility standards for the 2034 RTP Scenario and would also meet the Highway Design Manual (HDM) v/c ratios for roadway improvements.
- Operations would be below capacity with the longer term GBCVRP scenario.
- Improvements could be phased.
- Preliminary costs were lower than other alternatives, including the slip ramp with closure of Willow Springs Road.

Phasing and Triggers:

- Phase 1: Construct the extra northbound through lane capacity when overall intersection operations exceed applicable mobility standards. Based on straightline growth between existing and future analysis years, mobility standards will likely be met or exceeded within the next 10 to 15 years.
- Phase 2: Restripe the southbound off-ramp and restripe/widen the south leg of the intersection when the Phase 1 improvements are no longer adequate to meet mobility standards. This is not expected to occur within the next 20 years unless substantial development in the Tolo area occurs.

I-5 Northbound Ramp Improvements

Description:

- Widen the northbound off-ramp to provide a designated westbound left-turn lane with a minimum storage distance of 200 feet.
- Install a traffic signal.

Benefits and Considerations:

- Queue length on the northbound off-ramp would be reduced by providing extra storage for the left-turning vehicles.
- Improvements could be phased.
- Signal warrants are not currently met at the intersection and may not be met unless substantial development in the Tolo area occurs. (Meeting preliminary signal warrants

does not guarantee placement of a traffic signal; rather, approval of the State Traffic Engineer would be needed.)

- Signal timing can be coordinated between the ramp terminals.
- The OR 140 Corridor Plan may consider widening Blackwell Road to three or more lanes in the future. Coordination will be required. This project has been identified in the Draft 2015 STIP.

Phasing and Triggers:

- Phase 1: Construct a left-turn lane when the intersection operations exceed mobility standards or queue lengths along the off-ramp no longer provide safe stopping distance for traffic exiting I-5. Based on straightline growth between existing and future analysis years, mobility standards could be exceeded within the next 5 years. However, with the drop in traffic volumes and slow recovery, standards may not be exceeded for 5 to 10 years.
- Phase 2: Install the traffic signal when warrants are met or when queue lengths along the off-ramp no longer provide safe stopping distance for traffic exiting I-5. This is not expected to occur within the next 20 years unless substantial development in the Tolo area occurs.

Blackwell/Kirtland Road (OR 140) Intersection Improvements

Description:

- Investigate striping modifications to facilitate two-stage left turns from the eastbound STOP-controlled approach.¹²
- Install a traffic signal, but no additional lane capacity.

Benefits and Considerations:

- Use of the median for two-stage left turns is apparent from tire track patterns visible in the roadway but it is not yet confirmed whether or not restriping to indicate travel movements are legally permitted in the median can be implemented.
- If roadway striping can be modified to encourage the two-stage left-turn maneuver and drivers adjust, sufficient capacity may be available with the current STOP-controlled configuration under the 2034 RTP Scenario.
- Signal warrants are not currently met at the intersection, though preliminary signal warrants indicate that the intersection would meet warrants within the planning horizon. (Meeting preliminary signal warrants does not guarantee placement of a traffic signal; rather, approval of the State Traffic Engineer would be needed.)
- The OR 140 Corridor Plan may consider widening Blackwell Road to three or more lanes in the future. Coordination will be required.

Phasing and Triggers:

¹² This improvement was identified in the OR 140 Corridor Plan Concept Development.

- Phase 1: Modify striping to facilitate the two-stage left turns from the eastbound STOP-controlled approach. This should occur when the crash rate elevates this to a SPIS site, traffic growth warrants, or substantial development in the Tolo area occurs.
- Phase 2: Install the traffic signal when warrants are met. This may occur within the next 20 years especially if substantial development in the Tolo area occurs.

Local Network Circulation Improvements North of the Interchange

Description:

- Construct a local road parallel and east of Blackwell Road to serve development with connections to Blackwell Road that meet the minimum ¼-mile access spacing from the interchange as well as spacing standards for a statewide freight route (OR 140).
- Construct a local road parallel and west of Blackwell Road to serve development with connections to Blackwell Road that meet the minimum ¼-mile access spacing from the interchange as well as spacing standards for a statewide freight route (OR 140).
- Extend existing Dean Creek Frontage Road to connect with the local road east of Blackwell Road. Coordinate with Jackson County to close or restrict access at the current connection immediately north of the interchange should safety or operational conditions warrant, and upon completion of the eastside local road network that has been accepted for operations by a public agency.
- Orient new driveway connections along these newly created parallel routes north of the interchange.

Benefits and Considerations:

- This north side local street network would meet access management spacing standards and provide a local street network to serve adjacent land use and accommodate the forecast demand.
- This north side local street network concept would generally improve safety by consolidating driveways but it may result in some out-of-direction travel.
- This north side local street network concept could be developed to minimize impacts to properties, developable acreage, and resource lands (until the Tolo area is rezoned).
- This north side local street network concept could impact area resources including, but not limited to, Willow Creek and a potentially eligible historic property.
- Consideration will need to be given to new driveway requests along Blackwell Road before this concept is implemented.
- The OR 140 Corridor Plan may consider widening Blackwell Road to three or more lanes in the future. Coordination will be required.

Phasing and Triggers:

- Construction of the local road network will most likely occur incrementally as adjacent properties develop or redevelop and phasing will depend on development patterns rather than specific volume triggers.

Local Network Improvements South of the Interchange

Description:

- Maintain Willow Springs Road connection with OR 99 (opposite the southbound ramps).
- Close Seven Oaks Road railroad crossing and connection to OR 99.

Benefits and Considerations

- This concept will not improve access spacing south of the interchange but existing access points are all low volume driveways with little potential to develop to higher trip generators.

Phasing and Triggers:

- Close the Seven Oaks Road railroad crossing and connection to OR 99 when the Twin Creeks railroad crossing is constructed and the Scenic Road railroad crossing and connection to OR 99 is improved. These projects are independent of the IAMP. These projects may require multiple phase funding and may need to be constructed independently.

OR 140 Corridor Plan Improvements

During development of the IAMP a corridor plan was developed for the OR 140 corridor, extending from the Interchange 35 to a point approximately four miles east of the OR 140 connection with OR 62.

The OR 140 Corridor Plan recommends the following improvements in the Interchange Management Area:

- Widen Blackwell Road to three (3) lanes, and provide a setback for five (5) lanes.
- Install a traffic signal at the Kirtland Road intersection with OR 140.
- Install additional roadway delineation, such as textured striping or rumble strips.

For a complete explanation of the recommended improvements, see the OR 140 Corridor Plan.

3.3.2. Future (2034) Operations with Preferred Alternatives

The Preferred Alternative network includes phased improvements at three intersections as well as local street network improvements. The evaluation uses future traffic volumes from the 2034 RTP and GBCVRP land use scenarios to confirm that the combined concepts would address operational deficiencies identified under baseline conditions.

It must be noted that the GBCVRP land use scenario is historic, and that development patterns may not occur precisely as envisioned. Future traffic studies may be needed to determine the exact impact of an individual development, and whether and to what degree any of the preferred alternatives are required to be implemented.

The Preferred Alternative results were compared to the mobility standards set forth in the HDM; however, a design exception can be supported for improvements that meet the OHP mobility targets. The applicable HDM standard for the v/c ratio for statewide freight route is

0.85 and the standard for a district highway is 0.85. The operational results for the Preferred Alternative are presented in Table 5.

The Preferred Alternative results do not include the OR 140 Corridor Plan improvements.

Table 5. Future Conditions Preferred Alternative Peak Hour Traffic Operations

Intersection	Critical Movement ¹	2034 RTP Scenario		GBCVRP Scenario	
		V/C Ratio ²	LOS ²	V/C Ratio ²	LOS ²
I-5 Southbound Ramps at OR 99/Willow Springs					
Phase 1 – Add Northbound Through Lane	Overall	0.71	C	1.00	E
Phase 2 – Add Westbound Left-Turn Lane	Overall	0.59	C	0.90	F
I-5 Northbound Ramps at Blackwell Road (OR 140)					
Phase 1 – Add Westbound Left-Turn Lane	WB L	0.92	F	>2.0	F
Phase 2 – Add Traffic Signal	Overall	0.62	B	0.86	C
BK Concept 1 – Traffic Signal					
Phase 1 – Stripe Two-Stage Left-Turn Lane ³	EB L	0.46	C	0.56	c
Phase 2 – Add Traffic Signal	Overall	0.46	A	0.58	B
OR 99 at Eric Avenue (No Changes)	WB L/R	0.03	B	0.03	C
OR 99 at Seven Oaks Road (Closed)	--	--	--	--	--

Acronyms: NB = northbound, SB = southbound, EB = eastbound, WB = westbound, L = left-turn movement, T = through movement, R = right-turn movement. Two or more travel movements permitted in one lane group are indicated with a slash.

Notes:

1. At signalized intersections, the critical movement is represented by the overall intersection operations.
2. The v/c ratios and levels of service (LOS) are calculated from the Synchro macrosimulation analysis.
3. The v/c ratio and delay estimate for the two-stage left-turn is dependent on the portion of users that opt to use the median lane to execute left-turns. The range shown reflects high usage to low usage.

Shaded results indicate where HDM mobility standard of 0.75 (statewide freight route) or 0.85 (district highway) is not met.

Source: David Evans and Associates, Inc.

When all phases of the identified intersection improvements are implemented, the Preferred Alternative would result in adequate operations for study area intersections. However, there is an operational challenge for the Preferred Alternative, which includes meeting signal warrants at the northbound ramp terminal and at Blackwell/Kirtland Road intersection.

3.3.3. Phasing Options

Table 6 summarizes the phased improvements in Preferred Alternative. For each phase, recommendations for timing of the improvements or triggers for the need are identified. Whether or not the phase is contingent upon other phases or development is also identified.

Table 6. Preferred Alternative (IAMP Improvements) Phasing Summary

Description	Phase Timing/Trigger
I-5 Southbound Ramp Improvements	
Phase 1: <ul style="list-style-type: none"> ▪ Restripe northbound right-turn lane to a through-right lane ▪ Widen the north leg of intersection to receive two northbound through lanes, tapering to a single lane prior to the bridge structure. 	<ul style="list-style-type: none"> ▪ Implement when traffic volumes increase resulting in substandard operations ▪ Estimated need in 10-15 years
Phase 2: <ul style="list-style-type: none"> ▪ Restripe southbound off-ramp (westbound approach) to include one left-turn lane and a shared left-turn/through/right-turn lane ▪ Widen/restripe the south leg of the intersection for additional southbound receiving lane capacity 	<ul style="list-style-type: none"> ▪ Implement when Phase 1 improvements no longer meet mobility standards or queue lengths on the off-ramp no longer provide safe stopping distance for traffic exiting I-5 ▪ Not needed in 20-year planning horizon unless the Tolo area begins to develop
I-5 Northbound Ramp Improvements	
Phase 1: <ul style="list-style-type: none"> ▪ Widen northbound off-ramp to add a left-turn lane ▪ Retain STOP-control 	<ul style="list-style-type: none"> ▪ Implement when traffic volumes increase resulting in substandard operations or when queue lengths along the off-ramp no longer provide safe stopping distance for traffic exiting I-5 ▪ Estimated need in 5-10 years
Phase 2: <ul style="list-style-type: none"> ▪ Install traffic signal 	<ul style="list-style-type: none"> ▪ Implement when traffic signal warrants are met or when queue lengths along the off-ramp no longer provide safe stopping distance for traffic exiting I-5 ▪ This is not expected to occur within the next 20 years unless substantial development in the Tolo area occurs.
Kirtland/Blackwell Road Improvements	
Phase 1: <ul style="list-style-type: none"> ▪ Restripe median on north side of intersection to encourage two-stage left-turn from eastbound STOP-controlled approach 	<ul style="list-style-type: none"> ▪ Implement when traffic volumes increase resulting in substandard operations, or when the crash rate results in this becoming a SPIS site.
Phase 2: <ul style="list-style-type: none"> ▪ Install traffic signal 	<ul style="list-style-type: none"> ▪ Implement when traffic volumes increase resulting in substandard operations and traffic signal warrants are met.
OR 140 Corridor Plan*: <ul style="list-style-type: none"> ▪ Widen to provide a 3-lane rural section (with setbacks for 5 lanes) and modify curves for higher design speed 	<ul style="list-style-type: none"> ▪ Implement when crash rates, traffic growth, or development of the CP-1B area warrants.
OR 140 Corridor Plan*: <ul style="list-style-type: none"> ▪ Install additional roadway delineation such as textured striping or rumble strips 	<ul style="list-style-type: none"> ▪ Implement when there occurs a pattern of run-off-the-road crashes.

*See the OR 140 Corridor Plan for a detailed description of the improvement and analysis.

3.3.4. Cost Estimates

Cost estimates were developed for the Preferred Alternative. These estimates were broken out by the location of the deficiency being addressed by the improvements. Phasing of these improvements, where identified, would assist with funding limitations and allow improvements to be made as they are needed, in response to growth and development in the area. Estimates

are preliminary and include engineering and construction. The estimates include a contingency factor but do not include right-of-way costs, and may change as the design is refined. In addition, the estimates do not account for utility costs or the potential costs of environmental analyses or environmental mitigation. Cost estimates are shown in Table 7.

Table 7. Preferred Alternative Preliminary Cost Estimates

Concept	Cost (2011 \$)	ODOT	County	City	Private
I-5 Southbound Ramp at OR 99 Improvements	\$1,200,000	Whether and to what degree the state, County, City, or private development contributes to improvements will need to be determined as traffic volumes increase or safety conditions warrant. Cost allocations based on development will need to be negotiated at the time of improvement.			
I-5 Northbound Ramp at Blackwell Road (OR 140) Improvements	\$1,100,000				
Blackwell/Kirtland Road Intersection Improvements	\$500,000				
Local Street Network Enhancements North of the Interchange	\$6,800,000				
Local Street Network Enhancements South of the Interchange	\$50,000				
TOTAL	\$ 9,650,000				

4. MANAGEMENT STRATEGIES

An integral part of the IAMP process is providing a strategy and plan to protect the function of the interchange and its influence area. Management actions can extend the life of the interchange and provide for incremental implementation of Interchange 35 area improvements, allowing individual components to be funded and built when needed. Given the funding constraints and statewide demand for interchange improvements, it will likely require several years for ODOT, The Rogue Valley Metropolitan Planning Organization, Jackson County, and the City of Central Point to develop a funding package and construct all the improvements recommended in the IAMP.

4.1. Access Management Plan

Access management is an essential tool for protecting the operation of interchange, access to and from the interchange, and maintaining capacity, traffic flow, and safety in the vicinity of the interchange. Implementation of access management measures has the effect of protecting the public investment in an interchange and enabling it to accommodate traffic volumes safely and efficiently into the future while ensuring circulation necessary for good access to the freeway. The IAMP acknowledges the vital need of adjacent and nearby property owners to maintain roadway access to their businesses and residences. However, driveways and minor street intersections near a freeway ramp terminal can increase conflicts, causing operational problems, reducing the capacity of the intersections, and generally degrading service for all system users. Hence, the IAMP must balance the competing needs for compatible land uses, private access, and the function of the transportation system.

This access management measures for this IAMP form an **Access Management Plan**, which represents medium-/long-term measures that may be triggered as land use changes occur (new development or redevelopment), as future improvements are implemented, or as safety and operational issues arise. It includes access management actions that can be taken by ODOT, and Jackson County and the City of Central Point to protect the facilities.

4.1.1. Access Management Plan and Enhanced Local Network

The IAMP calls for local street network enhancements to the north and south of the interchange. This new configuration will greatly increase the distance between the access points and the ramp terminals, thus reducing access conflicts and improving safety at the Interchange 35. Figure 10 shows the IAMP improvements and ¼-mile influence area for the interchange, excluding ODOT right-of-way.

A draft concept plan for a frontage road was developed and is contained in Volume 2. Although the nature and pace of development may require changes, the concept frontage road plan provides a snapshot of what ODOT believes will be required as congestion and safety issues occur.

Access Management Measures:

- A. Consolidate/close driveways along Blackwell Road (between the northbound ramp terminal and ¼ mile north) as properties redevelop and alternative access becomes available
- B. Limited/no new access to Blackwell Road between the northbound ramp terminal and the Blackwell/Kirtland intersections
- C. Consolidate/close driveways along OR 99 (between the southbound ramp terminal and Eric Avenue) as properties redevelop and alternative access becomes available
- D. Close access from OR 99 to Seven Oaks Road and Railroad crossing
- E. Limited/No new access to OR 99 between the southbound ramp terminal and Eric Avenue

Enhance Local Street Network:

- 1. Develop a local road network north of the interchange to the east and west of Blackwell Road to provide access to undeveloped parcels as well as developed parcels adjacent to Blackwell Road
- 2. New developments north of the interchange should be accessed via a network of new streets linked to Blackwell Road
- 3. Extend and reroute the existing Dean Creek Road north ¼ mile



Prepared By:



DAVID EVANS
and ASSOCIATES, INC.

Legend

- Access consolidation/closure
- New street connections
- Limited/no new direct access
- ✕ Close Access/RR Crossing



Figure 10

Access Management Plan and
Enhanced Local Street Network
I-5 Interchange 35 (Seven Oaks)
Interchange Area Management Plan

4.1.2. Access Management Actions

The following actions are recommended as part of the IAMP and will be included in local TSPs when adopted:

- Construct a local road parallel and east of Blackwell Road to serve development with connections to Blackwell Road that move toward meeting a ¼-mile access spacing from the interchange as well as spacing standards for a statewide freight route (OR 140). However, meeting the ¼-mile access spacing from the interchange may be neither feasible or necessary and the exact location of the access will need to be determined as part of a collaborative effort between ODOT, Jackson County and property owners.
The local road network will be developed in increments as property is developed .
- Construct a local road parallel and west of Blackwell Road to serve development with connections to Blackwell Road that move toward meeting a ¼-mile access spacing from the interchange as well as spacing standards for a statewide freight route (OR 140). However, meeting the ¼-mile access spacing from the interchange may be neither feasible or necessary and the exact location of the access will need to be determined as part of a collaborative effort between ODOT, Jackson County and property owners.
The local road network will be developed in increments as property is developed .
- Extend existing Dean Creek Frontage Road to connect with the new local road east of Blackwell Road. Coordinate with Jackson County to identify an alternative access for the current connection immediately north of the interchange should operational or safety issues warrant.
Extension should occur concurrently with adjacent development and should be coordinated with other network improvements.
- Orient new driveway connections along these newly created parallel routes north of the interchange.
Modifications to driveways may occur with construction of local network improvements or as properties redevelop.
- Close the Seven Oaks Road connection to OR 99.
Closure should occur when the Twin Creeks railroad crossing is constructed and the Scenic Road railroad crossing and connection to OR 99 is improved. These projects are independent of the IAMP.

In addition to these specific actions, driveway consolidation or closure within ¼-mile of the interchange should be considered as properties in the vicinity of the interchange are either developed or redeveloped.

4.2. Transportation Demand Management Measures

Transportation Demand Management (TDM) measures are designed to reduce vehicle demand, especially for commuter trips in the peak periods. Goals and policies of the State of Oregon, the

Rogue Valley Metropolitan Planning Organization (RVMPO), Jackson County, and the City of Central Point contain provisions that embrace TDM measures.

TDM measures include strategies that shift modes like carpooling, vanpooling, transit, bicycling, and walking programs; strategies that shift trips to non-peak periods, such as flexible work schedules and off peak shifts; and telecommuting, which eliminates trips. TDM strategies are most effective in areas with high concentrations of employment and where a robust transit system exists. Generally, the strategies are easiest to implement where there are large employers or where a transportation management association (TMA) has been established to pool the efforts of many smaller employers. The Rogue Valley TMA, encompassing the Medford metropolitan area (including the City of Central Point) was established in 2002 but has been inactive in recent years. Funds for the program are identified in the RTP and are programmed in the current Metropolitan Transportation Improvement Program (MTIP). The funding would come from a Congestion Mitigation and Air Quality grant.

The current low density development in the vicinity of Interchange 35 does not support many TDM measures; however, with development of the Tolo area, as identified in the GBCVRP, some TDM strategies should be considered for implementation as development occurs in the vicinity of the interchange.

4.3. Transportation System Management Measures

Transportation System Management (TSM) measures are designed to make maximum use of existing transportation facilities. A number of TSM measures have been included in the preferred alternative including traffic control, restriping, and additional turn lanes needed to address future operational deficiencies at the interchange. Traffic signal optimization and coordination between signals were assumed for the future analysis of the interchange study area.

Facility management measures, such as ramp meters, preferential lanes, and signal priority, will not likely be considered at Interchange 35 in the short term since freeway congestion is not expected to be a concern in 2030. If I-5 should become congested in the future, metering of interchange ramp terminals throughout the Rogue Valley region may become necessary.

In addition to these TSM measures, coordination with the Rogue Valley Intelligent Transportation Systems (RVITS) plan is recommended. Completed in 2004, the RVITS plan is a 20-year plan that identifies advanced technologies and management techniques that can relieve traffic congestion, enhance safety, provide services to travelers, and assist transportation system operators in implementing suitable traffic management measures.

4.4. Summary of Recommended Actions

The implementation of the Interchange 35 IAMP will require the following actions by ODOT, Jackson County, and the City of Central Point.

ODOT Actions

- Coordinate with Jackson County and the City of Central Point to plan for local road improvements to maintain and enhance access and protect the operation of the interchange as development occurs.

Improving the local street network in the vicinity of the interchange is essential to maximizing the life of Interchange 35. To the north, two new streets that parallel Blackwell Road (OR 140) and the rerouting of Dean Creek Frontage Road to the east are identified. To the south, a new local network may be needed for the closure of the Seven Oaks Road railroad crossing. Local street development will be incremental, as properties are developed.

- Apply TSM measures when adding new traffic signals to the state highway or local road network in the vicinity of the interchange.

Signal interconnect, coordination, and optimization should be included when future signals (Interchange 35 north ramp terminal and Blackwell/Kirtland Road) are designed and constructed.

- Include Interchange 35 in the implementation of the RVITS Plan.

Interchange 35 should be included in the implementation of the RVITS Plan, and ramp metering should be considered at Interchange 35 as part of the long-term management of the freeway system. The ultimate decision about the deployment of ramp metering and other ITS measures would belong to ODOT, but would benefit from the cooperation of Jackson County and the City of Central Point.

- Encourage the use of and incorporate by reference ODOT Practical Design policies and guidelines by all agencies.

Jackson County Actions

- Require the improvement of the local street network by future development to support future development and address access in the vicinity of the interchange and coordinate the planning, design, and construction of these improvements with ODOT and the City of Central Point.

Improving the local street network in the vicinity of the interchange is essential to maximizing the life of Interchange 35. To the north, two new streets that parallel Blackwell Road (OR 140) and the rerouting of Dean Creek Frontage Road to the east are identified. To the south, no new local network is needed for the closure of the Seven Oaks Road railroad crossing.

Local street development will be incremental, as properties are developed.

- Consider and Implement, as needed, TDM strategies in coordination with ODOT and the City of Central Point for the local road network in the vicinity of the interchange.

TDM strategies that encourage the use of carpools, vanpools, bicycling, and walking should be continued. Reactivation of the Transportation Management Association (RVTMA) should be pursued to promote travel options, coordinate shared rides, obtain

grants, advocate for transit service, and provide incentives to participants. Jackson County and the City of Central Point may wish to establish a mechanism by which employers of a certain size are required to participate in a TMA, or provide incentives to employers who choose to participate in a TMA.

- Approve and adopt the IAMP.

GBCVRP Performance Indicator 2.9.1 CP-1B requires that, prior to the expansion of the Central Point Urban Growth Boundary into the CP-1B area, ODOT, Jackson County, and the City of Central Point shall adopt an Interchange Area Management Plan (IAMP) for the Seven Oaks Interchange Area.

City of Central Point Actions

- Coordinate with ODOT and Jackson County, as applicable, the planning and design of improvements to the local street network to support future development and address access issues in the vicinity of the interchange.

Improving the local street network in the vicinity of the interchange is essential to maximizing the life of Interchange 35. To the north, two new streets that parallel Blackwell Road (OR 140) and the rerouting of Dean Creek Frontage Road to the east are identified. To the south, no new local network is needed for the closure of the Seven Oaks Road railroad crossing. It is anticipated that Jackson County will maintain ownership and control of the Dean Creek Frontage Road and access.



Oregon

John A. Kitzhaber, MD, Governor

Department of Transportation

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

DATE: September 4, 2013

TO: Oregon Transportation Commission

FROM: Matthew L. Garrett
Director

SUBJECT: Agenda F– Adopt the Interstate 5, Exit 35 Interchange Area Management Plan (IAMP)

Requested Action

Request to adopt the Interstate 5, Exit 35 Interchange Area Management Plan as an element of the Oregon Highway Plan and adopt the findings in support of this action. The adoption of this plan implements Policy 3C of the Oregon Highway Plan. Findings in support of this action are found in Exhibit B. Adoption of the plan will constitute an amendment to the Oregon Highway Plan.

Background

The plan was prepared in coordination with the City of Central Point, Jackson County and the Rogue Valley Metropolitan Planning Organization (MPO). The Oregon Department of Transportation (ODOT) worked with these jurisdictions to develop a plan that protects the function of the system and identifies needed improvements. The county is in the process to adopt the IAMP into its comprehensive plan and implement ordinances into its land use code. A notice of intent to adopt and a copy of the plan were sent to Jackson County and the Rogue Valley MPO. No comments were received. Region planning staff contacted Department of Land Conservation and Development (DLCD), which indicated support for the plan; however, no written correspondence was received.

Attachments:

- Exhibit A – Staff Report
- Exhibit B – Findings
- Exhibit C – Contact Information
- Location and Vicinity Maps
- PowerPoint Presentation

Copies (w/attachments) to:

Jerri Bohard	Dale Hormann	Patrick Cooney	Lisa Martinez
Paul Mather	Erik Havig	McGregor Lynde	Mike Baker
Frank Reading	Kelly Jacobsen		



**Exhibit A
Staff Report**

**I-5, Exit 35 Interchange Area Management Plan (IAMP)
September 2013**

Requested Action

Region 3 requests that the OTC adopt the I-5, Exit 35 Interchange Area Management Plan (IAMP) to implement Policy 3C of the Oregon Highway Plan.

Background

This Interchange Area Management Plan (IAMP) for interchange 35, is a follow-up to the Interstate-5 (I-5) *Interchange 35 (Seven Oaks) Improvement Project Interchange Area Study* (Int. 35 IAS).

This project summarizes information contained in the prior study, develops new traffic baselines for current year conditions and forecast traffic conditions, identifies system problems and solutions, develops a local street network, and other measures necessary to ensure the safety and mobility of traffic on and around interchange 35 through the planning horizon.

The IAMP was developed with in coordination with the City of Central Point and Jackson County.

Jackson County is in the process of adopting the IAMP. Notices of Intent to Adopt and consistency determination requests were sent to Jackson County and DLCD, and no responses were received.

Plan Purpose and Function

Interchange 35 (Seven Oaks) is principally a rural interchange that connects Interstate 5 (I-5) with Oregon Highway (OR) 99 to the south and Blackwell Road to the north. OR 99 is a district level highway that serves the nearby community of Central Point to the south. Blackwell Road serves some employment lands northeast of the interchange and provides a connection with White City to the southeast. Blackwell Road serves significant truck trips between the interchange and White City, and is part of the OR 140 highway connecting OR 62 and I-5.

The intended function of Interchange 35 is to safely and efficiently accommodate future traffic demands. Typically, the traffic demands are based on the current rural and limited future employment land uses in the interchange vicinity. However, as a result of the Greater Bear Creek Valley Regional Plan (GBCVRP), the interchange improvements outlined in this IAMP are designed to accommodate proposed future development as well. This IAMP is not intended to facilitate major commercial or residential development in the interchange area.

Plan Goals and Objectives

The goal of this IAMP is to maintain the function of Interchange 35 and maximize the utility of the recent investment in upgrading the interchange.

The objectives of the IAMP are to:

- Protect the function of the interchange as specified in the Oregon Highway Plan (OHP) and Jackson County Transportation System Plan (TSP).
- Provide safe and efficient operations on I-5 and OR 99 as specified in the OHP and Jackson County TSP.
- Identify system improvements and management techniques that would not preclude connection to the newly designated OR 140 to the OR 62/140 junction.
- Develop an access management plan that provides for safe and acceptable operations on the transportation network, and meet OHP requirements and the access spacing standards in Oregon Administrative Rule (OAR) 734-051.
- Incorporate the Greater Bear Creek Valley Regional Plan into the design and management systems for Interchange 35, including recommended strategies for land use control.
- For areas outside of the Greater Bear Creek Valley Regional Plan, identify future land uses that would be inconsistent with the operation and safety of the new interchange and develop strategies for recommended land use controls.

Traffic Analysis

The IAMP examined year 2008 and year 2034 traffic and safety conditions within the IAMP Study Area.

Management Measures

The following management measures were developed:

- ODOT shall coordinate with Jackson County and the City of Central Point to plan for local road improvements to maintain and enhance access and protect the operation of the interchange as development occurs.
- Apply Transportation System management measures as needed.
- Include Interchange 35 in the implementation of the RVITS plan.
- Require the improvement of the local street network as development occurs.
- Consider and implement Transportation Demand Management strategies.

Access Management Measures

The access management plan provides the framework for ODOT decisions to permit approach roads within the interchange management area. It inventories existing approach roads and identifies minimum spacing standards for future approaches. The OR 140 and OR 99 standards were based on existing approach roads, driveways and local street connections that existed when Jackson County jurisdictionally transferred OR 140 to ODOT. Future approach roads or driveways will be consistent with or move in the direction of current standards.

The access management plan met the spirit and intent of Senate Bill 408 by ensuring that affected property owners and Jackson County were aware of the planning concepts, including implications to private approach roads, driveways and local street connections. Property/business owners and Jackson County staff participated in the planning process. Additionally, ODOT staff sent a direct mailing inviting property owners abutting OR 140 to the public open house, advising them that some of the planning concepts may impact their approach roads or driveways including, but not limited to, closure, consolidation or realignment.

Public Involvement

The IAMP public involvement process utilized the standing City of Central Point Citizens Advisory Committee. Staff made regular presentations to the Committee regarding the IAMP and recommended measures. All meetings were advertised, open to the public and held at an ADA-accessible facility.

The IAMP was presented to the public at three open houses, providing information and soliciting opinions on the IAMP measures.

Staff met personally with property and business owners and/or their representatives regularly during development of the IAMP. This included meetings with representatives of Erickson Air-Crane and Consolidated Freight.

Summary of Draft Findings

ODOT's State Agency Coordination Agreement requires that the OTC adopt findings of fact when adopting facility plans (OAR 731-015-0065). Pursuant to these requirements, ODOT has developed findings to support the OTC adoption of the I-5, Exit 35 IAMP. For all applicable policies, the plan has been found to be compliant with adopted state and local policies.

Exhibit B Findings of Compliance for the plan is attached and address compatibility and/or compliance with state and local plans, policies, and ordinances/statutes/rules.

Exhibit B Findings

I-5, Exit 35 Interchange Area Management Plan September 2013

The adoption of facility plans is governed by Oregon Administrative Rule (OAR) 731-015-0065, Coordination Procedures for Adopting Final Facility Plans. A “facility plan” is defined by OAR 731-015-0015 as “... a plan for a transportation facility...”. This I-5, Exit 35 Interchange Area Management Plan (IAMP) is a long-range management plan for the Interchange 35 transportation facility. As such, it meets the definition of OAR 731-015-0015, and OAR 731-015-0065 applies.

OAR 731-015-0065 Coordination Procedures for Adopting Final Facility Plans

- (1) Except in the case of minor amendments, [ODOT] shall involve Department of Land Conservation and Development (DLCD) and affected metropolitan planning organizations, cities, counties, state and federal agencies, special districts and other interested parties in the development of amendment of a facility plan. This involvement may take the form of mailings, meetings or other means that [ODOT] determines are appropriate for the circumstances. [ODOT] shall hold at least one public meeting on the plan prior to adoption.
- (2) [ODOT] shall provide a draft of the proposed facility plan to planning representatives of all affected cities, counties and metropolitan planning organization and shall request that they identify any specific plan requirements which apply, any general plan requirements which apply and whether the draft facility plan is compatible with the acknowledged comprehensive plan. If no reply is received from an affected city, county or metropolitan planning organization within 30 days of [ODOT’s] request for a compatibility determination, [ODOT] shall deem that the draft plan is compatible with that jurisdiction’s acknowledged comprehensive plan. [ODOT] may extend the reply time if requested to do so by an affected city, county, or metropolitan planning organization.
- (3) If any statewide goal or comprehensive plan conflicts are identified, [ODOT] shall meet with the local government planning representative to discuss ways to resolve the conflicts. These may include:
 - a) Changing the draft facility plan to eliminate the conflicts;
 - b) Working with the local governments to amend the local comprehensive plans to eliminate the conflicts; or
 - c) Identifying the conflicts in the draft facility plan and including policies that commit [ODOT] to resolving the conflicts prior to the conclusion of the transportation planning program for the affected portions of the transportation facility.
- (4) [ODOT] shall evaluate and write draft findings of compatibility with acknowledged comprehensive plans of affected cities and counties, findings of compliance with any statewide planning goals which specifically apply as determined by OAR 660-030-0065(3)(d), and findings of compliance with all provisions of other statewide planning goals that can be clearly defined if the comprehensive plan of an affected

- city or county contains no conditions specifically applicable or any general provisions, purposes or objectives would be substantially affected by the facility plan.
- (5) [ODOT] shall present to the Transportation Commission the draft plan, findings of compatibility with the acknowledged comprehensive plans of affecting cities and counties and findings of compliance with applicable statewide planning goals.
 - (6) The Transportation Commission shall adopt findings of compatibility with the acknowledged comprehensive plans of affected cities and counties and findings of compliance with applicable statewide planning goals when it adopts the final facility plan.
 - (7) [ODOT] shall provide copies of the adopted final facility plan and findings to DLCD, to affected metropolitan planning organizations, cities, counties, state federal agencies, special districts and to others who request to receive a copy.

Findings of Compliance with OAR 731-015-0065

Pursuant to the requirements of OAR 731-015-0065. ODOT provides the following findings to support the OTC adoption of the IAMP.

Requirement: OAR 731-015-0065(1)

Except in the case of minor amendments, [ODOT] shall involve DLCD and affected metropolitan planning organizations, cities, counties, state and federal agencies, special districts and other interested parties in the development of amendment of a facility plan. This involvement may take the form of mailings, meetings or other means that [ODOT] determines are appropriate for the circumstances. [ODOT] shall hold at least one public meeting on the plan prior to adoption.

Finding:

To develop the IAMP ODOT established a Technical Advisory Committee (TAC) composed of local and state staff, utilized the established City of Central Point Citizens Advisory Committee for public input, met individually with affected businesses and property owners and provided opportunities to comment to local and state agencies.

The TAC included representatives of Jackson County, the City of Central Point, the Rogue Valley Metropolitan Planning Organization (RVMPO) and ODOT. The TAC met regularly to review and comment on materials, provide direction and oversight for the plan, and to reach consensus on system improvements and recommended measures.

Regular public presentations and opportunities for input were made to the established City of Central Point Citizens Advisory Committee. Committee meetings were advertised, open to the public and held in an ADA-accessible facility.

The IAMP was presented to the public at a series of open houses for both the IAMP and OR 140 Corridor Plan, on 7/27/11, 11/16/11 and 11/15/12. The open houses including graphic presentations and a Spanish-language translator.

ODOT staff met several times with affected business and property owners and their representatives, including Erickson Air-Crane and Consolidated Transport. The meetings provided information to ODOT staff that reduced the impact to business and property owners.

ODOT staff provided copies of the draft IAMP to Jackson County, the City of Central Point, DLCD and affected business and property owners. Comments received were addressed prior to finalizing the IAMP.

A copy of the final IAMP, request for consistency determination and notice of intent to adopt were sent to Jackson County and DLCD. No comments were received from DLCD. Jackson County requested that one policy be removed, and it was. After removing the policy Jackson County had no further comments.

Requirement: OAR 731-015-0065(2)

[ODOT] shall provide a draft of the proposed facility plan to planning representatives of all affected cities, counties and metropolitan planning organization and shall request that they identify any specific plan requirements which apply, any general plan requirements which apply and whether the draft facility plan is compatible with the acknowledged comprehensive plan. If no reply is received from an affected city, county or metropolitan planning organization within 30 days of [ODOT's] request for a compatibility determination, [ODOT] shall deem that the draft plan is compatible with that jurisdiction's acknowledged comprehensive plan. [ODOT] may extend the reply time if requested to do so by an affected city, county, or metropolitan planning organization.

Finding:

ODOT provided draft IAMPs to Jackson County, the City of Central Point, the RVMPO and DLCD, along with a notice of intent to adopt and a request for a determination that the draft IAMP is compatible with the acknowledged comprehensive plan.

One comment was received from Jackson County regarding a proposed notification procedure that would require Jackson County to coordinate with ODOT and land use proposals and zone changes. It was determined that the proposed procedure was already addressed by the Transportation Planning Rule and that the proposed procedure was therefore redundant. The proposed procedure was removed and is not included in the final IAMP.

Requirement: OAR 731-015-0065(3)

If any statewide goal or comprehensive plan conflicts are identified, [ODOT] shall meet with the local government planning representative to discuss ways to resolve the conflicts. These may include:

- (1) Changing the draft facility plan to eliminate the conflicts;
- (2) Working with the local governments to amend the local comprehensive plans to eliminate the conflicts; or
- (3) Identifying the conflicts in the draft facility plan and including policies that commit [ODOT] to resolving the conflicts prior to the conclusion of the

transportation planning program for the affected portions of the transportation facility.

Finding:

No conflicts were identified with any statewide planning goals or acknowledged comprehensive plans.

Requirement: OAR 731-015-0065(4)

[ODOT] shall evaluate and write draft findings of compatibility with acknowledged comprehensive plans of affected cities and counties, findings of compliance with any statewide planning goals which specifically apply as determined by OAR 660-030-0065(3)(d), and findings of compliance with all provisions of other statewide planning goals that can be clearly defined if the comprehensive plan of an affected city or county contains no conditions specifically applicable or any general provisions, purposes or objectives would be substantially affected by the facility plan.

Finding:

The IAMP will be adopted as an amendment to the Jackson County Transportation System Plan, an element of the Jackson County Comprehensive Plan. As part of the OTC adoption process, Jackson County Planning Department staff conducted a compatibility determination, determined the IAMP compatible with the Jackson County Comprehensive Plan and will recommend adoption by the Jackson County Board of Commissioners.

Compliance with Statewide Planning Goals which specifically apply as determined by OAR 660-030-0065(3)(d): “A state agency shall adopt findings demonstrating compliance with the statewide goals for an agency land use program or action if ... a statewide goal or interpretive rule adopted by the [Land Conservation and Development Commission] under OAR chapter 660 establishes a compliance requirement directly applicable to the state agency or its land use program ...”.

Findings of compliance with all provisions of other statewide planning goals that can be clearly defined if the comprehensive plan of an affected city or county contains no conditions specifically applicable or any general provisions, purposes or objectives would be substantially affected by the facility plan

Findings:

Statewide Planning Goal 1 – Citizen Involvement

The IAMP was prepared in collaboration with Jackson County, the only other transportation provider in the interchange management area. Regular updates were provided to the City of Central Point Citizens Advisory Committee regarding the IAMP, proposed transportation system improvements and measures. The City of Central Point Citizens Advisory Committee meetings are advertised, open to the public and held in an ADA-accessible facility.

Targeted outreach was conducted to local business and property owners, including Erickson Air-Crane and Consolidated Transport. Regular meetings and correspondence were held with representatives to ensure a minimal impact of the IAMP recommendations.

Statewide Planning Goal 2 – Land Use Planning

The IAMP is not a land use planning document. The IAMP relied upon the Jackson County Comprehensive Plan, Land Use and Development Ordinance, and zoning plan for all land use assumptions. The IAMP does not recommend any land use changes.

Statewide Planning Goal 3 – Agricultural Lands

The IAMP relied upon the Jackson County Comprehensive Plan and zoning map to identify agricultural lands within the interchange management area. The IAMP recommendations have no impact to Agricultural Lands.

Statewide Planning Goal 4 – Forest Lands

The IAMP relied upon the Jackson County Comprehensive Plan and zoning map to identify forest lands within the interchange management area. The IAMP recommendations have no impact to Forest Lands.

Statewide Planning Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

The IAMP includes an inventory of natural resources, scenic and historic areas and open spaces in the interchange management area. Transportation system improvements recommended in the IAMP avoided all natural resources, scenic and historic areas and open spaces.

Statewide Planning Goal 6 – Air, Water and Land Resources Quality

This Statewide Planning Goal addresses waste and process discharges from future and current development. The IAMP does not contribute to waste and process discharges. Prior to implementation of improvements identified in the IAMP, the appropriate ODOT business line will secure all necessary permits relative to this goal.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards

Interchange 35 was not identified as an area subject to natural hazards. The IAMP was developed in collaboration with Jackson County and was determined by Jackson County staff to be compatible and consistent with the Jackson County Comprehensive Plan.

Statewide Planning Goal 8 – Recreational Needs

This Statewide Planning Goal addresses the quantity, quality and location of recreational areas. There is one recreational-type facility in the interchange management area: the Bear Creek Greenway, a bicycle/pedestrian path extending from the southern to northern boundaries of the Rogue Valley. The measures and improvements proposed in the IAMP do not impact the Bear Creek Greenway.

Statewide Planning Goal 9 – Economic Development

The IAMP identifies transportation system deficiencies and improvements to correct those deficiencies through the planning horizon. The IAMP identified deficiencies based on land use assumptions contained in the Jackson County Comprehensive Plan, which itself identified those lands necessary for the economic development of the area. The improvements identified in the IAMP therefore accommodate the economic development being proposed in the interchange management and surrounding area as expressed through the Jackson County Comprehensive Plan.

Statewide Planning Goal 10 – Housing

The IAMP identifies transportation system deficiencies and improvements to correct those deficiencies through the planning horizon. The IAMP identified deficiencies based on land use assumptions contained in the Jackson County Comprehensive Plan, which itself identified those lands necessary for the housing in the area. The improvements identified in the IAMP therefore accommodate the housing types being proposed in the interchange management and surrounding area as expressed through the Jackson County Comprehensive Plan.

Statewide Planning Goal 11 – Public Facilities and Services

This Statewide Planning Goal concerns public facilities that are not transportation. Non-transportation public facilities are outside the scope of the IAMP. See Statewide Planning Goal 12 for transportation public facilities.

Statewide Planning Goal 12 – Transportation

The IAMP is a transportation plan addressing the transportation deficiencies and improvements for Interchange 35 through the planning horizon. The IAMP considered all modes of transportation available in the interchange management area, including auto, bicycle and pedestrian. The IAMP is based on and is determined by Jackson County staff to be compatible and consistent with the Jackson County Comprehensive Plan, Land Use Development Ordinance, zoning maps and population and employment growth rates. The IAMP inventoried lands and population, but found no concentrations of transportation disadvantaged people in the interchange management area. The IAMP avoids reliance on one mode of transportation (auto) by referring to the Oregon Bicycle and Pedestrian Plan standards in the provision of transportation facilities. The IAMP identifies a series of low-cost improvements that may be phased in over time as funding allows. The IAMP has no impact on energy. The IAMP improvements are shown by traffic analysis to preserve the operations and safety of the interchange through the planning horizon and facilitating the flow of goods and services thereby. The IAMP complies with the Jackson County Comprehensive Plan, as evidenced by the local determination of compatibility.

The Transportation Planning Rule implements Statewide Planning Goal 12. The following provisions apply to the state transportation plan, including facility plans such as this IAMP.

OAR 660-012-0030 – Determination of Transportation Needs

The Jackson County Comprehensive Plan identifies land uses through the planning horizon. The Jackson County Comprehensive Plan and population and employment growth rates were used to determine transportation needs at the interchange through the planning horizon. Transportation needs includes the need to accommodate motor vehicle traffic, which includes meeting state and local transportation needs for the movement of goods and services to support industrial and commercial development. They also include the needed improvements to bicycle and pedestrian facilities.

The improvements to Interchange 35 are based on the 20-year forecasts of motor vehicle traffic which are based on 20-year forecasts of population and employment. These forecasts are consistent with the Jackson County Comprehensive Plan.

OAR 660-012-0035 – Evaluation and Selection of Transportation System Alternatives

The IAMP evaluated improvements to system alternatives and identified a series of phased improvements that accommodate anticipate transportation needs through the planning horizon. The IAMP evaluated new facilities, and included an expansion of the southbound ramp terminal and enhancements to the local street network as necessary future system improvements. The IAMP evaluated transportation system management measures, and identified improvements to the local street network that were forwarded to Jackson County Planning Department for consideration in the next transportation system plan update. The IAMP evaluated transportation demand management measures but, given the rural nature and low population near the interchange, determined none to be of benefit. The IAMP evaluated a no-build alternative but found it did not meet the transportation needs of the anticipated users through the planning horizon.

The IAMP supports urban and rural development by providing a transportation facility appropriate to the anticipated land uses and population and employment needs through the planning horizon and as expressed in the Jackson County Comprehensive Plan.

Interchange 35 is not located in an urban fringe.

Statewide Planning Goal 13 – Energy Conservation

This Statewide Planning Goal concerns land uses and land use planning which are outside the scope of the IAMP. However, the IAMP relied upon the Jackson County Comprehensive Plan, Land Use Development Ordinance, zoning maps, and population and economic forecasts for all land use assumptions.

Statewide Planning Goal 14 – Urbanization

This Statewide Planning Goal concerns the shift from rural to urban land and is therefore outside the scope of the IAMP. However, the IAMP relied upon the Jackson County Comprehensive Plan, Land Use Development Ordinance, zoning maps, and population and economic forecasts for all land use assumptions, including those lands that are expected to be urbanized through the planning horizon.

Further, the IAMP relied on the local Regional Problem Solving assumptions and requirements. Specifically, the requirement that an IAMP be developed for interchange 35 prior to any proposed urbanization.

Statewide Planning Goal 15 – Willamette River Greenway
Interchange 61 is not located within the Willamette River Greenway.

Statewide Planning Goal 16 – Estuarine Resources
Interchange 61 is located inland, far removed from estuarine resources.

Statewide Planning Goal 17 – Coastal Shorelands
Interchange 61 is located inland, far removed from coastal shorelands.

Statewide Planning Goal 18 – Beaches and Dunes
Interchange 61 is located inland, far removed from beaches or dunes.

Statewide Planning Goal 19 – Ocean Resources
Interchange 61 is located inland, far removed from ocean resources.

Requirement: OAR 731-015-0065(5)

[ODOT] shall present to the Transportation Commission the draft plan, findings of compatibility with the acknowledged comprehensive plans of affected cities and counties and findings of compliance with applicable statewide planning goals.

Finding:

This Exhibit B constitutes ODOT's findings of compatibility with acknowledged comprehensive plans of affected cities and counties and findings of compliance with applicable statewide planning goals. The specific findings are listed immediately below, in Requirement: OAR 731-015-0065(6).

Requirement: OAR 731-015-0065(6)

The Transportation Commission shall adopt findings of compatibility with the acknowledged comprehensive plans of affected cities and counties and findings of compliance with applicable statewide planning goals when it adopts the final facility plan.

Finding:

This requirement will be completed upon adoption of the facility plan and findings by the Oregon Transportation Commission.

Requirement: OAR 731-015-0065(7)

[ODOT] shall provide copies of the adopted final facility plan and findings to DLCD, to affected metropolitan planning organizations, cities, counties, state federal agencies, special districts and to others who request to receive a copy.

Finding:

This requirement will be completed upon adoption of the facility plan and findings by the Oregon Transportation Commission.

Coordination Procedures for Adopting Final Facility Plans

(1) Except in the case of minor amendments, the Department shall involve DLCD and affected metropolitan planning organizations, cities, counties, state and federal agencies, special districts and other interested parties in the development or amendment of a facility plan. This involvement may take the form of mailings, meetings or other means that the Department determines are appropriate for the circumstances. The Department shall hold at least one public meeting on the plan prior to adoption.

Finding:

The IAMP was prepared in collaboration with Jackson County, the only other transportation provider in the interchange management area. Regular updates were provided to the City of Central Point Citizens Advisory Committee regarding the IAMP, proposed transportation system improvements and measures. The City of Central Point Citizens Advisory Committee meetings are advertised, open to the public and held in an ADA-accessible facility.

Targeted outreach was conducted to local business and property owners, including Erickson Air-Crane and Consolidated Transport. Regular meetings and correspondence were held with representatives to ensure a minimal impact of the IAMP recommendations.

Finding: The interchange lies within the jurisdiction of Jackson County. Jackson County was sent a Notice of Intent to Adopt and consistency determination request. No comments were received.

A copy of the IAMP was sent to the Department of Land Conservation and Development Planning Coordinator and Region 3 Field Representative requesting a determination that the plan was compatible with statewide plan. No comments were received.

(3) If any statewide goal or comprehensive plan conflicts are identified, the Department shall meet with the local government planning representatives to discuss ways to resolve the conflicts. These may include:

(a) Changing the draft facility plan to eliminate the conflicts;

(b) Working with the local governments to amend the local comprehensive plans to eliminate the conflicts; or

(c) Identifying the conflicts in the draft facility plan and including policies that commit the Department to resolving the conflicts prior to the conclusion of the transportation planning program for the affected portions of the transportation facility.

Finding: No statewide goal or comprehensive plan conflicts have been identified with the draft Facility Plan.

(4) The Department shall evaluate and write draft findings of compatibility with acknowledged comprehensive plans of affected cities and counties, findings of compliance with any statewide planning goals which specifically apply as determined by OAR 660-030-0065(3)(d), and findings of compliance with all provisions of other statewide planning goals that can be clearly defined if the comprehensive plan of an affected city or county contains no conditions specifically applicable or any general provisions, purposes or objectives that would be substantially affected by the facility plan.

Finding: These draft findings are submitted for the Commission's consideration. These findings address compliance with applicable statewide planning goals and the comprehensive plan of the affected county. (See findings in Section 2 below).

(5) The Department shall present to the Transportation Commission the draft plan, findings of compatibility with the acknowledged comprehensive plans of the affected cities and counties and findings of compliance with applicable statewide planning goals.

Finding: The Final Draft Facility Plan is attached for the Commission's consideration. These findings address compliance with applicable statewide planning goals (See Section 2 below).

(6) The Transportation Commission shall adopt findings of compatibility with the acknowledged comprehensive plans of affected cities and counties and findings of compliance with applicable statewide planning goals when it adopts the final facility plan.

Finding: These draft findings are submitted for the Commission's consideration and adoption. These findings address compliance with applicable statewide planning goals and compatibility with the local comprehensive plan of the affected cities.

(7) The Department shall provide copies of the adopted final facility plan and findings to DLCD, to affected metropolitan planning organizations, cities, counties, state and federal agencies, special districts and to others who request to receive a copy.

Finding: The Department will provide copies of the Adopted IAMP, including all required findings, to DLCD, the affected local jurisdiction and others who request a copy.

The remaining findings are organized into three categories:

- Compatibility

- Jackson County Transportation System Plan
- Compliance
 - Statewide Planning Goals which specifically apply
 - Other Statewide Planning Goals that can be clearly defined
- Consistency
 - Oregon Transportation Plan
 - Oregon Highway Plan
 - Highway Design Manual

2. Compatibility with Acknowledged County and City Comprehensive Plans

The Draft IAMP was sent to Jackson County and the RVMPO.

Jackson County Comprehensive Plan

The Jackson County Comprehensive Plan is the official long-range land use policy document for Jackson County. The plan sets forth general land use planning policies and allocates land uses to resource, residential, commercial, and industrial categories. The plan serves as the basis for coordinated development of physical resources and the development or redevelopment of the county based on physical, social, economic and environmental factors. The comprehensive plan establishes the purpose, map designation, criteria and the basis for determining the appropriate zoning for each land use.

The Jackson County Transportation System Plan (TSP) establishes a system of transportation facilities and mobility standards that is adequate to meet the County's transportation needs. The Jackson County TSP includes a determination of future transportation needs for road, transit, bicycle, pedestrian, air, water, rail and pipeline systems; policies and regulations for the implementation of the Jackson County TSP; and a transportation funding program.

Finding: The IAMP used the Jackson County Comprehensive Plan current and future land uses and zoning designations in identifying future traffic volumes and transportation facility needs. The IAMP preferred bridge configuration and future improvements are tailored to the planned land uses contained within the Jackson County Comprehensive Plan.

The proposed improvements are consistent with the Jackson County Comprehensive Plan. The only aspect of the IAMP implicating the Jackson County TSP is the enhanced local road network. Identification and inclusion of the enhanced local road network was developed in coordination with Jackson County Planning and Roads Departments staff.

3. Compliance with Applicable Statewide Planning Goals

Relevant statewide planning goals adopted by the Land Conservation and Development Commission (LCDC) include: Goal 1 (Citizen Involvement); Goal 2 (Land Use

Planning); Goal 11 (Public Facilities Planning); Goal 12 (Transportation); and Goal 14 (Urbanization).

Goal 1: Citizen Involvement.

Requirement: “the opportunity for citizens to be involved in all phases of the planning process.”

Finding: The Exit 35 IAMP process used an open and ongoing public and agency involvement process which included the City of Central Point, Jackson County and numerous interested citizens. An integrated, interdepartmental (local and state) planning and decision-making procedure completed the public process. Public information and involvement were project priorities, as evidenced by public meetings, TAC committee, and meetings with business and property owners.

Committees

During development of this IAMP a Technical Advisory Committee (TAC) was utilized. The TAC, which was composed of key staff members from the Oregon Department of Transportation, City of Central Point, Jackson County, and the Rogue Valley Metropolitan Planning Organization was established specifically to guide this study. The committee provided guidance on both technical issues and policy issues.

During development of this IAMP the established City of Central Point Citizens Advisory Committee was utilized. The committee provided guidance on policy issues and served as the primary mechanism for public input. All meetings were advertised, open public and held in an ADA-accessible facility.

Property Owner Outreach

ODOT staff met regularly with local business and property owners, including Erickson Air-Crane and Consolidated Transport.

Goal 2: Land Use Planning.

Requirements: “Establish a land use planning process and policy framework as the basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.”

Findings: The only potential impacts to land uses are those related to the preferred interchange design, and those related to recommended future transportation improvements.

Land use planning in the IAMP was the coordinated efforts of ODOT, Jackson County and the RVMPO. Further, and as noted above, public input on the plan was solicited at a series of public meetings. The IAMP document contains all information required for implementation, with supporting documentation in appendices.

Preparation of the IAMP was based on a series of broad phases, from the general to the specific. The first phase was development of a project description, and purpose, goals, and objectives for the interchange.

The second phase entailed an examination of the regulatory framework within which the interchange operates. An IAMP study area was set pursuant to OAR 734-051, with consideration of the local street network and local land uses. Further, state and local regulations, plans and policies were examined to ensure the plan was developed to be compatible, compliant, or consistent, as appropriate.

The third phase consisted of assembling existing conditions. Conditions inventoried include: transportation facilities operations; geometric conditions; safety and crash analyses; land uses near the interchange; and natural and historic resources.

The first three phases laid the foundation for the land use and transportation planning.

The fourth phase detailed planning area improvements and developed future transportation forecasts. The methodology for the IAMP included a multi-step approach. The first was to evaluate approximate development potential by land use category. The second involved approximating the peak hour traffic generation potential of those areas. The third step involved comparing the trip generation potential with the traffic growth indicated in the Rogue Valley Regional Transportation Model. The last step was to conduct a sensitivity analysis that illustrates the effect of different growth rates on the need to implement various capacity-increasing improvements. Land use decisions and actions were based upon the land use planning and input from affected local jurisdictions and citizens.

The fifth phase dealt strictly with access management. Standards were culled from OAR 734-051 and the OHP. Existing accesses and permits were inventoried. Finally, an access management plan was developed.

The final phase identified necessary future improvements to the transportation network to accommodate anticipated future traffic growth within the interchange influence area.

Goal 11: Public Facilities and Services.

Requirements: “a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.”

Findings: The stated goal of the IAMP is to preserve the investment being made in the new interchange facility and to maintain the interchange’s intended function, which is to safely and efficiently accommodate future traffic demands associated with current and planned land uses consistent with the Jackson County Comprehensive Plan over the planning period.

The IAMP documents the current and future transportation needs in the vicinity of Interchange 35 and identifies a design alternative that details appropriate future improvements to meet these needs.

Identified transportation improvements were based on population and employment forecasts, growth rates, vacant and underdeveloped, and site specific growth in the interchange management area. Transportation improvements were designed to be adequate to serve the future needs of Jackson County and the Rogue Valley urban and urbanizable land uses, while conforming to the requirements of the OHP and either conforming to or moving in the direction of the requirements of OAR 734-051.

Goal 12: Transportation.

Requirements: “Provide and encourage a safe, convenient and economic transportation system.”

Findings: The IAMP documents existing and future conditions for Interchange 35 and identifies deficiencies. The IAMP includes an access management plan (recommended medium- and long-term actions) to ensure the safe and efficient operation of the transportation system in the vicinity of the interchange.

Improvements to the interchange area were initially focused upon the interchange ramp terminals. The proposed improvement addresses deficiencies and will address other operational deficiencies within the interchange area. The improvement will enhance safe and efficient access to particular undeveloped industrial sites supporting the long term economic goals of the area. In developing these plans ODOT analyzed current and future safety conditions. The safety analysis shows that none of the intersections in the study area has a crash rate significantly greater than that of the surrounding area or average State Highway Crash Rates. Further, the IAMP proposes an enhanced local road network that will provide greater access management and ensure safe and efficient movement of vehicles in the interchange management area.

The IAMP documents the current and future transportation needs in the vicinity of Interchange 35 and identifies future build transportation improvements to meet these needs. These adopted improvements allow for phased implementation to provide capacity as needed.

Goal 14: Urbanization.

Requirements: an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, ensuring efficient use of land, and providing for livable communities.

Findings: Interchange 35 is located within rural Jackson County, with the City of Central Point approximately two miles south. As noted in the IAMP, the land is identified in the Rogue Valley Regional Problem Solving Plan as future industrial.

The IAMP identified transportation improvements necessary to ensure the adequate provision of transportation facilities supportive of uses identified in the Jackson County Comprehensive Plan and Rogue Valley Regional Problem Solving Plan.

4. Consistency with the Oregon Transportation Plan and applicable modal plans, and the Highway Design Manual

Oregon Transportation Plan

The Oregon Transportation Plan (OTP) is a policy document developed by ODOT in response to the federal and state mandates for systematic planning for the future of Oregon's transportation system. The OTP is intended to meet statutory requirements (ORS 184.618(1)) to develop a state transportation policy and comprehensive long-range plan for a multi-modal transportation system that addresses economic efficiency, orderly economic development, safety, and environmental quality.

Findings: The OTP does not specifically address improvements to interchange 35, but offers a broad policy framework and standards for improving state highway systems. The IAMP has been developed to be consistent with the OTP, specifically the Oregon Highway Plan, which is an element of the OTP (see section below).

Oregon Highway Plan

Goal 1: System Definition

Policy 1A – Highway Classification

This policy calls for ODOT to apply the state highway classification system to guide priorities for system investment and management.

Finding: The interchange is located on Interstate 5, which is part of the NHS interstate system. The interchange connects OR 140, OR 99 and Interstate 5. The IAMP includes recommendations for improvements to interchange 35 consistent with the highway classifications in the OHP to determine mobility performance standards applicable to the intersections, and then incorporates improvements to achieve compliance of the planning period. The performance mobility standards and the Access Management Plan are based on the classifications.

Policy 1B – Land Use and Transportation

This policy recognizes the role of both the State and local governments related to the state highway system and calls for a coordinated approach to land use and transportation planning.

Finding: The IAMP has been prepared with the participation of Jackson County, The City of Central Point, the RVMPO, ODOT and with input from a variety of stakeholders and the general public. During development of this IAMP a Technical Advisory Committee (TAC) was utilized to provide technical guidance and oversight. The TAC

was composed of key staff members from Jackson County, the City of Central Point, ODOT, and the RVMPO.

Policy 1C – State Highway Freight System

This policy recognizes the need for the efficient movement of freight through the state. I-5 is listed as a Designated Freight Route.

Finding: Interchange 35 is located on I-5, which is listed in the OHP as a Designated Freight Route. The IAMP includes recommended improvements to Interchange 35 that will improve safety and mobility for freight movement. The proposed improvements meet Highway Design Mobility standards with future anticipated traffic volumes and modern design standards. The IAMP includes an Access Management Plan that maximizes and improves operations at the interchange by minimizing conflicts from traffic operations at nearby driveways and intersections with nearby streets. The IAMP includes future recommended improvements to the roadway to accommodate anticipated traffic volumes that ensure the future efficient movement of freight.

Policy 1D – Scenic Byways

This policy is intended to preserve and enhance scenic byways.

Finding: There are no scenic byways within the interchange influence area.

Policy 1E – Lifeline Routes

This policy is intended to provide a secure lifeline of transportation routes that facilitate emergency services response and support rapid economic recovery after a disaster.

Finding: The recommended system improvements improve the safety and efficiency of the interchange and local road network. The improved safety and efficiency of the transportation system facilitates improved emergency services response and support economic recovery after a disaster.

Policy 1F – Highway Mobility Standards

This policy addresses the state highway performance expectations, providing guidance for managing access and traffic control systems related to interchanges. This policy sets mobility targets for ensuring a reliable and acceptable level of mobility on the highway system by identifying necessary improvements that would allow the interchange to function in a manner consistent with the OHP. The OHP sets volume-to-capacity ratio targets that are not to be exceeded for state highways.

Finding: The interchange design and future recommended improvements meet the volume-to-capacity ratio and mobility targets through the 20-year planning horizon.

Policy 1G – Major Improvements

This policy directs ODOT to maintain highway performance and improve safety by improving system efficiency and management before adding capacity.

Finding: Given the rural nature of the interchange influence area, and the lack of developable commercial property near the interchange, land use and access management measures were determined to have an insignificant impact on the efficiency and safety of the preferred interchange alternative.

The enhanced local road network improves system efficiency and safety by shifting the first full access away from the northbound ramp terminal, and moves the closest full access point in the direction of Division 51.

Policy 1H – Bypasses

This policy provides guidance to ODOT and local governments in determining whether a bypass is justified.

Finding: Traffic analysis shows that interchange 35 primarily serves intra-regional, commuter traffic and industrial uses in the surrounding areas. Further, interchange 35 serves as a connector to OR99 and OR140. Given the primary functions of interchange 35, a bypass is not justified and was not examined.

Goal 2: System Management

Policy 2A – Partnerships

This policy directs ODOT to establish cooperative partnerships with state and federal agencies, regional governments, cities, counties, tribal governments and the private sector to make more efficient and effective use of limited resources to develop, operate, and maintain the highway and road system.

Finding: The exit 35 IAMP process used an open and ongoing public and agency involvement process which included Jackson County, the City of Central Point, the RVMPO, ODOT, an established local citizen involvement committee, and interested business and property owners. An integrated, interdepartmental (local and state) planning and decision-making procedure was used to complete the process.

Policy 2B – Off-System Improvements

This policy identifies when the State of Oregon should provide financial assistance to local jurisdictions to develop, enhance, and maintain improvements to local transportation systems when they are a cost-effective way to improve the operation of the state highway system.

Finding: There are no improvements to the local road system that are likely to require state funding. The proposed enhancements to the local road network are recommended to be funded and constructed by property owners and developers as development of individual parcels occurs.

Policy 2C – Interjurisdictional Transfers

This policy provides standards for considering interjurisdictional transfers of roads and/or roadway segments between the State of Oregon and local governments.

Finding: There are no roads or roadway segments proposed by the IAMP for interjurisdictional transfer.

Policy 2D – Public Involvement

This policy provides standards for ensuring that citizens, businesses, regional and local governments, state agencies, and tribal governments have opportunities to have input into decisions that impact the state highway system.

Finding: The exit 35 IAMP process used an open and ongoing public and agency involvement process which included Jackson County, the City of Central Point, the RVMPO, ODOT, an established local citizen involvement committee, and interested business and property owners. An integrated, interdepartmental (local and state) planning and decision-making procedure was used to complete the process.

Policy 2E – Intelligent Transportation Systems

This policy provides standards for the consideration of Intelligent Transportation Systems to improve system efficiency and safety in a cost-effective manner.

Finding: One of the standards for consideration of Intelligent Transportation Systems is that they should be used in “corridor and transportation system plans and [Intelligent Transportation Systems] proposals in the Statewide Transportation Improvement Program process...”

This IAMP considers a single interchange within the Rogue Valley. The IAMP study area does not include an area large enough for the consideration of Intelligent Transportation Systems.

Policy 2F – Traffic Safety

This policy directs the continual improvement of safety for all users of the highway system using solutions involving engineering, education, enforcement, and emergency medical services.

Finding: IAMP planning processes do not include education and enforcement analysis.

The IAMP preferred interchange alternative included improvements to operations and safety for all users. Traffic engineering identified a preferred lane configuration for through traffic. Providing a wide shoulder on the bridge, consistent with the Oregon Bicycle and Pedestrian Plan, for bicyclists and pedestrians. Finally, by using traffic engineering to examine different stop-control options for the northbound and southbound ramp terminals that took into account the needs of all users. Improvements to operations and safety of the interchange enhance the ability of emergency medical services’ response times.

Policy 2G – Rail and Highway Compatibility

This policy directs the improvement of safety and transportation efficiency through the reduction and prevention of conflicts between railroad and highway users.

Finding: There are no railroads within the interchange management area.

Goal 3: Access Management

Policy 3A – Classification and Spacing Standards

This policy addresses the location, spacing and type of road and street intersections and approach roads on state highways. The adopted standards can be found in Appendix C of the Oregon Highway Plan. It includes standards for each highway's importance or as posted speed increases.

Finding: The IAMP compared existing spacing to the standards in the OHP for the specific roadways based on their classification. The interchange is located on Interstate 5, which is part of the NHS system. The IAMP includes recommendations for improvements consistent with the standards set for Interstate 5 and Local Interest Roads.

Specifically, the future improvements and access management plan directs the development of an enhanced local street network. Once the local street network is completed, it will provide the first full access at a point further from the interchange than currently exists. The IAMP provides that the local street network will be constructed over time, by individual developers and property owners as development occurs.

Policy 3B – Medians

This policy directs the management and placement of medians and the location of median openings to enhance the safety and efficiency of the highways and support land use development patterns that are consistent with approved transportation system plans.

Finding: Traffic analysis conducted for the IAMP did not find a need for medians.

Policy 3C – Interchange Access Management Areas

This policy addresses the need to plan for and manage grade-separated interchange areas to ensure safe and efficient operation between connecting roadways.

Finding: The IAMP identifies specific measures to manage access within the interchange influence area.

The IAMP future improvements include the expansion of the southbound ramp terminal to provide for safe and efficient operations, and the development of a local street network to provide for improved access.

Policy 3D – Deviations

This policy provides for the management of requests for state highway approach permits that require deviations from the adopted access management spacing standards and policies.

Finding: This policy does not apply to the IAMP. Any deviations required for the identified future improvements will be acquired prior to construction.

Policy 3E – Appeals

This policy provides for the management of appeals for denied requests for approach roads and/or deviations.

Finding: This policy does not apply to the IAMP. The IAMP does not prescribe alternate standards for the denial of a request for approach and/or deviation.

Goal 4: Travel Alternatives

Policy 4A – Efficiency of Freight Movement

This policy emphasizes the State’s role in managing access to highway facilities in order to maintain functional use, safety and to preserve public investment.

Finding: The IAMP includes recommended improvements to the interchange and local road network that will provide for the safe and efficient movement of freight. The recommended improvements have been analyzed and compared to mobility targets and safety standards.

Policy 4B – Alternative Passenger Modes

This policy advances and supports alternative passenger transportation systems where travel demand, land use, and other factors indicate the potential for successful and effective development of alternative passenger modes.

Finding: Interchange 35 is located within rural Jackson County. The interchange influence area currently has no major attractors or generators of traffic. For those reasons, land uses and travel demands near the interchange do not support alternate travel modes.

Policy 4C – High Occupancy Vehicle (HOV) Facilities

This policy promotes the utilization of HOV facilities to improve the efficiency of the highway system in locates where travel demand, land use, transit, and other factors are favorable to their effectiveness.

Finding: Interchange 35 is located within rural Jackson County. The interchange influence area currently has no major attractors or generators of traffic. For those reasons, land uses and travel demands near the interchange do not support HOV facilities.

Policy 4D – Transportation Demand Management

This policy supports the efficient use of the state transportation system through investment in transportation demand management strategies.

Finding: Interchange 35 is located within rural Jackson County. The interchange influence area currently has no major attractors or generators of traffic. For those reasons, land uses and travel demands near the interchange do not support Transportation

Demand Management measures. However, there is a policy in the IAMP providing that Jackson County should review Transportation Demand Management measures as development occurs.

Policy 4E – Park-and-Ride Facilities

This policy encourages the efficient use of the existing transportation system and seeks cost-effective solutions to the highway system’s passenger capacity through development of park-and-ride facilities.

Finding: Interchange 35 is located within rural Jackson County. The interchange influence area currently has no major attractors or generators of traffic. For those reasons, land uses and travel demands near the interchange do not support Park-and-Ride facilities.

Goal 5: Environmental and Scenic Resources

Policy 5A – Environmental Resources

This policy supports the natural and built environment by establish standards for the design, construction, operation and maintenance of the state highway system.

Finding: This policy does not apply to the IAMP, as the IAMP does not include design, construction, operation or maintenance of the state highway system. Further, the IAMP is not a “corridor plan”, as the term is used in Action 5A.17.

Policy 5B – Scenic Resources

This policy provides for scenic resources management.

Finding: IAMP does not include transportation facility designs, and therefore does not include transportation facility aesthetics. Further, no scenic resources were identified.

Oregon Bicycle and Pedestrian Plan

The Oregon Bicycle and Pedestrian Plan implements the Actions recommended by the Oregon Transportation Plan, guide ODOT and local governments in developing bikeway and walkway systems, explains the laws pertaining to the establishment of bikeways and walkways, fulfills the requirements of the Transportation Planning rule, and provides standards for planning, designing, and maintaining bikeways and walkways.

Finding: The intended function of the interchange is to safely and efficiently accommodate future vehicle, bicycle, and pedestrian traffic demands generated by population and employment growth in the region.

Interchange 35 is located in rural Jackson County, and the interchange influence area has a small population. The Oregon Bicycle and Pedestrian Plan identifies wide shoulders as an appropriate bicycle and pedestrian facility in sparsely populated rural areas. The improvements identified in the plan includes wide shoulders for bicyclists and pedestrians.

Highway Design Manual

The Highway Design Manual (HDM) implements OHP policies and is a multi-modal design manual. Chapter 9, *Intersection and Interchange Design*, covers the design standards, guidelines, and processes for designing road approaches, signalized and unsignalized at-grade intersections, and interchanges for State Highways. Chapter 10, *Special Design Elements*, prescribes planning standards for highway facilities.

Finding: The HDM was used in alternatives analysis and development of the preferred alternative and future improvements. The preferred alternative and future improvements meet mobility performance standards prescribed in the HDM through the planning horizon.

Exhibit C
Contact Information
I-5, Exit 35 Interchange Area Management Plan (IAMP)

Copies of the I-5, Exit 35 Interchange Area Management Plan can be obtained by downloading:

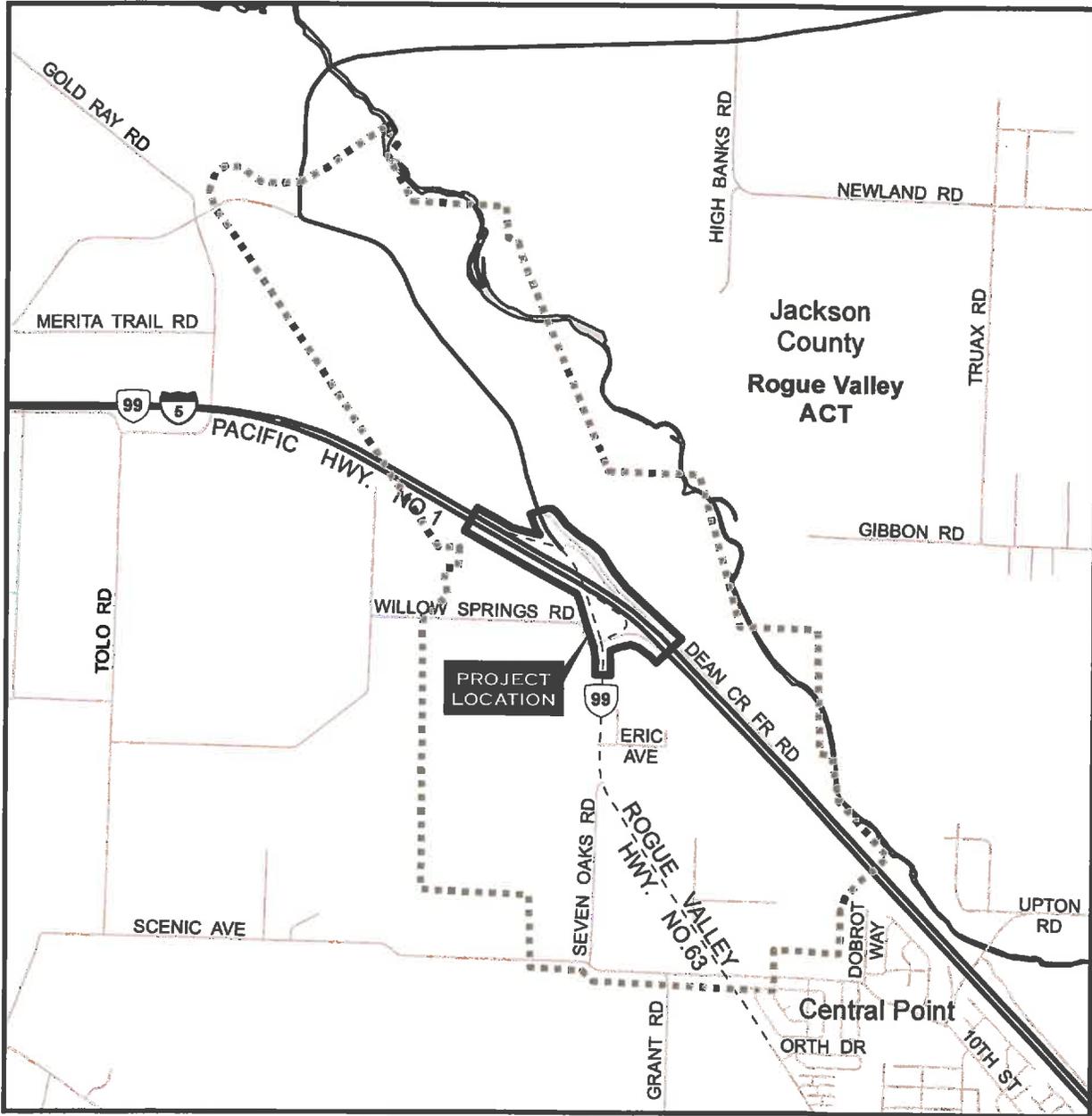
ftp://ftp.odot.state.or.us/outgoing/OTC_September13

or contacting:

John McDonald
Planning and Programming Unit
ODOT Region 3
3500 NW Stewart Parkway
Roseburg, OR 97470
541-957-3688
john.mcdonald@odot.state.or.us

PROJECT LOCATION

ODOT REGION 3

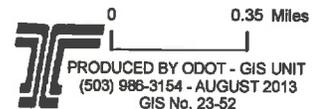


LEGEND

- PROJECT
- SITE
- STATE HIGHWAY CLASSIFICATION
- INTERSTATE
- STATEWIDE
- REGIONAL / DISTRICT
- REGIONAL BOUNDARY
- COUNTY BOUNDARY
- ACT BOUNDARY

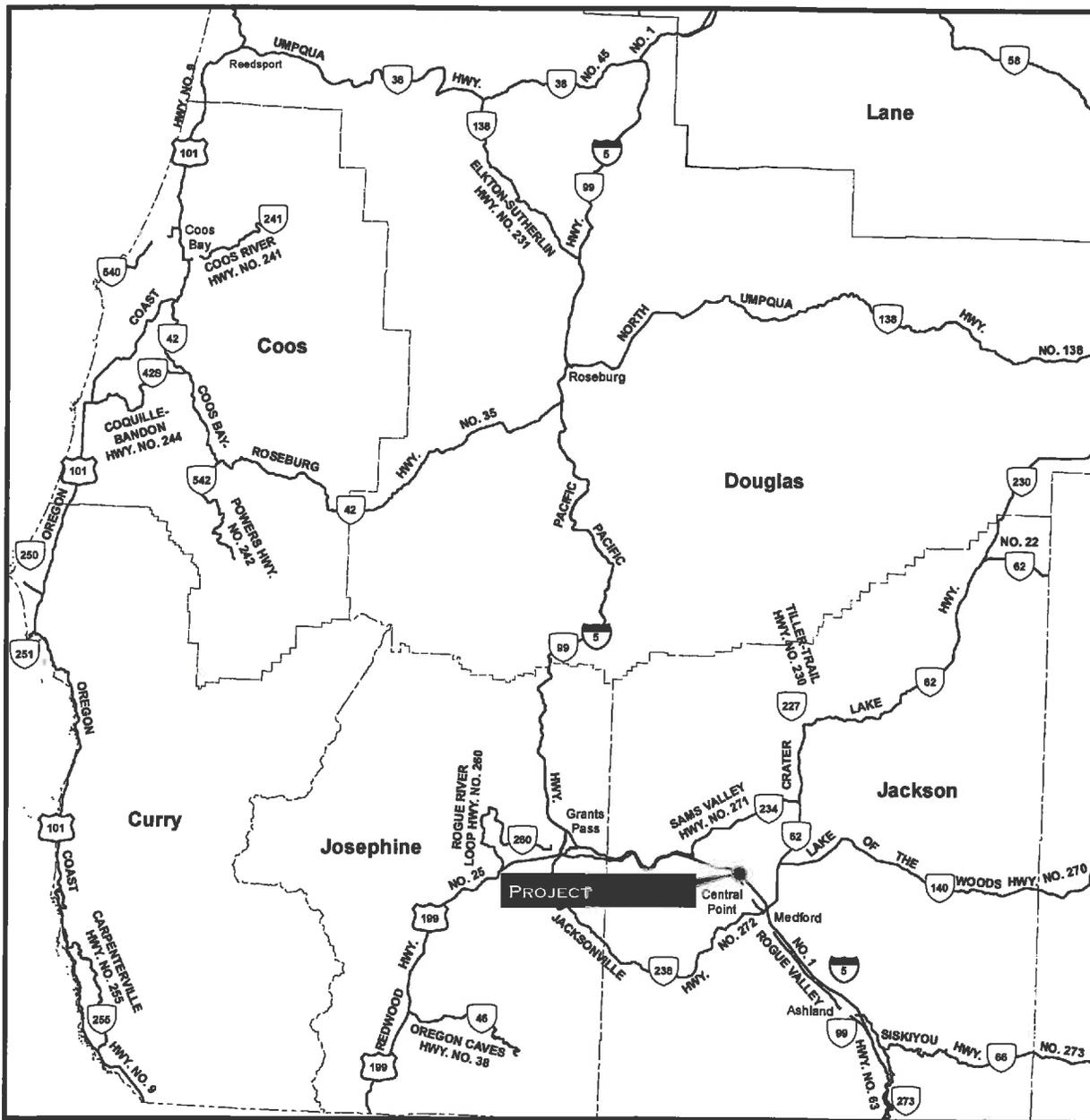
I-5 EXIT 35 INTERCHANGE AREA MANAGEMENT PLAN

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information."



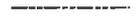
PROJECT VICINITY

ODOT REGION 3



I-5 EXIT 35 INTERCHANGE AREA MANAGEMENT PLAN

LEGEND

-  PROJECT LOCATION
-  STATE HIGHWAY
-  COUNTY BOUNDARY
-  STATE BOUNDARY

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(503) 988-3154 - AUGUST 2013
GIS No. 23-52