

JACKSON COUNTY PLANNING COMMISSION

PUBLIC MEETING

August 28, 2014

MINUTES

MEMBERS PRESENT: Don Greene
Joel Ockunzzi
Richard Thierolf Jr.
Brad Bennington

MEMBERS EXCUSED: Craig Prewitt

GUESTS PRESENT: Mike Savage; Craig Stone; John Vale, Mike Kuntz, Curt Weaver, Kathleen Cilker, Shirley Blanchard, Steve/Irene Shockey, Tim/Judy Taylor, Price/Terry Garner, Bob/Connie Eaton, Kenora Kell, Sally Metcalf, Jennifer Garner, Brian/Kelly Lambert, Andy McHugh, Marti/Ken Hawes, Sarah Wolverton & 4 other guests

STAFF PRESENT: Director Kelly Madding
Planner Mike Mattson
Office Assistant Laura Marshall

The meeting was called to order by Chair Don Greene at 9:04 a.m. The roll was called.

APPROVAL OF MINUTES:

A motion was made by Commissioner Richard Thierolf Jr and seconded by Commissioner Don Greene to approve the June 12, 2014 meeting minutes. The motion was approved by a unanimous "Aye" vote. Commissioner's Joel Ockunzzi and Brad Bennington abstained from vote.

POTENTIAL BUSINESS FROM THE AUDIENCE: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Public Hearing – Consideration of a narrow amendment to a previously approved Comprehensive Plan Map Amendment and Zoning Map Amendment, File LRP2012-00006, which is already effective. This proposal is an amendment to the approved Traffic Impact Study and will allow aggregate haul trucks to use Dry Creek Road, East

Antelope Road and Meridian Road for access to the aggregate site. File No. 439-14-00024-LRP.

The subject properties are the Dry Creek Landfill. The entrance to the landfill is approximately 2.8 miles east of the intersection of Hwy 62 and Hwy 140 on Hwy 140. The properties are described as 361W35, tax lot 300; 371W01, tax lots 300, 301, 302, and 303; 371W02, tax lots 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 122, 200, 201, 202; 371W12, tax lot 201. This application was submitted by Dry Creek Landfill Inc., PO Box 3187, Central Point, OR 97502 through their agent CSA Planning, 4497 Brownridge Terrace, Medford, OR 97504.

Commissioner Don Greene read application summary and admonishment. Commissioner Greene asked Planning Commissioner's if they have any ex-parte. No ex-parte from the Commissioners. Called on Staff for their presentation.

Mike Mattson, Jackson County Planner discussed the noticing requirements for aggregate mining and asked guests to sign the registration sheet for future noticing. Mike presented a Power Point presentation and reviewed the following topics:

- Review of prior applications LRP2012-00006 and SIT2013-00011
- Current application 439-14-00024-LRP – a narrow amendment to LRP2012-00006 and the approved Traffic Impact Study
- Amended Traffic Impact Study
- OAR 660-012-00060(1)(a-c) – Transportation Rule
 - Functional Classifications
 - Performance Standards
 - Findings by Applicant's Traffic Engineer
 - Findings by ODOT
 - Staff Findings
- OAR 660-023-0180(5)(b)(B) – Mineral & Aggregate Resources
 - Initial Traffic Impact Analysis looked at private haul road – Applicant indicates all aspects remain unchanged, except, request for potential use of Dry Cr Rd, E Antelope Rd and Meridian Rd to haul aggregate.
 - Conflicts analysis is limited to the potential traffic impacts – analysis adopted through Ordinance 2012-10 is not modified or amended through this review. Specifically talking about traffic impacts & no other conflicting use analysis other than ones identified in these criteria.
 - Applicant's Findings – Staff agrees with those findings.
- JC Transportation System Plan
 - Section 4.3.1-B©(i-iii) –
 - i) will not change functional classification of an existing or planned transportation facility nor change standards implementing the functional classification system

- ii) will not allow types or levels of land uses that would result in levels of travel or access inconsistent with the functional classification of a transportation facility
- iii) would not cause a facility to exceed the adopted performance standards for facilities used by the subject parcel.
- Applicant states no changes to functional classification of any roadways from aggregate hauling; levels of travel and access is consistent in all ways; & use of County road system to Hwy 140 will not cause the adopted performance standards of any of the studied roadways to be exceeded.
- Emphasized that 90% of trips to Hwy 140 will use Dry Creek Rd and E. Antelope Rd., 10% will use Meridian Rd.
- Section 4.3.1-B(d) – Section 4.3.1-B(d) is met – this section not applicable
- Section 4.3.1-D – Staff read the complete meaning. TIA addendum submitted by applicant conducted a Crash Data Analysis and Sight Distance Analysis to address the criterion.
 - Crash Data Analysis – 2 reported crashes at intersection of Hwy 140 & E. Antelope Rd/Riley Rd – property damage only and 1 intersection crash of Hwy 140 & Meridian Rd. that resulted in possible injury. Engineer determined no significant safety concerns were identified and no safety mitigations were recommended.
 - Site Distance Analysis – Engineer stated sight distance is adequate to accommodate the additional traffic generated or rerouted if private road was not used.
 - JC Roads & ODOT reviewed TIA – no safety problem or concern from the traffic generated from using Dry Cr Rd., E. Antelope Rd. & Meridian Rd.
 - Public concerns – danger to children, vehicles, pedestrians, bicyclists, pets, rocks falling onto vehicles/road, noncompliance with speed limits, narrow road, traffic entering from driveways, adverse effects on health/safety, intersection concern due to traffic speed on Hwy 140 and potholes created from trucks.
 - Commissioners must address the public's concerns as well as the findings & conclusions of applicant's traffic engineer with respect to this criterion.
- JC LDO Section 4.4.8(A)(4) – Written statement from Roads and/or ODOT submitted regarding adequate capacity and are, or will be, improved to a standard with will accommodate maximum potential level of use created.

Staff answered questions throughout presentation regarding the following:

- Complaints about hazards to personal property
- Minor collector roads & capacity – will have Roads Dept. talk more.
- Bicycle lanes

- Outcome if Commissioner's deny application

Commissioner Greene called on County Roads Staff for traffic information

John Vial, Director of Roads Dept. talked about what capacity is and addressed public concerns. Answered questions from Commissioner's regarding road standards/requirements, bicycle lanes, volume/capacity issue, trucks using public roads and axel weight difference.

Mike Kuntz, JC Roads Engineer talked about the volume/capacity ratio issue.

Kelly Madding, Planning Director – talked about the last two criteria mentioned by Staff, which is in the staff report, based on applicant's TIA, based on comments from ODOT and Roads Dept. – last two criteria have been met.

Commissioner Greene asked staff about the approval of the prior zone change/use of haul road and conflicts the amendment could have on the zone change. Discussion followed between Staff and Commissioner's regarding the zone change and this amendment.

Commissioner Thierolf wanted to know what happens if the Commissioner's deny the application and effect it would have on trucks using Dry Creek Rd. Staff responded and will defer to the applicant for more information. He also wanted to know who Dry Creek is and where aggregate is taken. Kelly deferred to Applicant's Agent for a response.

Commissioner Greene called for a 10 minute recess.

Commissioner Greene called the meeting back to order and opened the public hearing. He called on Applicant for their presentation.

Craig Stone, CSA Planning Ltd., 4497 Brownridge Terrace, Medford, 97504 Agent for Applicant gave a brief history of access and traffic surrounding Dry Creek Rd in connection with the landfill and aggregate operation. Discussed applicant's current proposal for use of Dry Creek Rd for emergencies. Their only concern is with the verbiage regarding temporary usage of Dry Creek Rd., which limits usage of Dry Creek Rd to 30 days. Discussion followed regarding:

- What constitutes an emergency
- Current status of haul road
- Who is Dry Creek Landfill
- Aggregate mining
- Length of time for an emergency
- Royalty agreement

- Reason for the change now of instead of when the stipulation was originally placed.

Commissioner Greene thanked Mr. Stone for his information and clearing up what the application is for.

Commissioner Bennington had a couple of suggestions asking them to think about what a reasonable time period is and what constitutes an emergency. Mr. Stone responded to suggestions.

Curt Weaver, 2480 Nieto Way, Medford OR 97504 background about development of haul road and how the 140 quarry came into existence. Opposed to application. Submitted written testimony. Answered questions from the Commissioners.

Shirley Blanchard, 1939 Dry Creek Rd, Eagle Point 97524 against approval of application for use of Dry Creek Rd on a permanent basis due to safety and air quality issues. Submitting written testimony.

Steve Shockey, 1601 Dry Cr. Rd. Eagle Point 97524, opposed to application and talked about what constitutes an emergency and temporary use. Answered questions from the Commissioners.

Tim Taylor 277 Dessery Dr, Eagle Point 97524 – Stated he did not get notice of application and talked about the conflicting numbers of trucks traveling, emergency usage of Dry Creek Rd and issues with access from private driveway, speed limit issues and the size/weight of the trucks used.

Price Gardner, 605 Meridian Rd, Eagle Point 97524 concerned about destruction of Meridian Rd, truck traffic, public safety and the intersection of Meridian Rd and Hwy140.

Leonora Kell 6550 Shadow Glen Dr. Eagle Point 97524 stated Dry Creek Landfill has tried to be a good neighbor and has concerns with trucks hauling rocks on Dry Creek Rd. and the safety of children/pedestrians. Encouraged Commissioners to grant a temporary use and not a permanent use of Dry Creek Rd.

Sally Metcalf 6544 Shadow Glen Dr., Eagle Point 97524 wanted to know if notification was sent to Parks and Recreation and if they had any input. Said she had received a call that the meeting had been cancel and has concerns about miss communications.

Andy McHugh 1600 Dry Creek Rd Eagle Point 97524 has concerns with the transition off of E. Antelope to Dry Creek Rd and the multiple use of the roads by the public. Requesting record be left open for a time period to submit additional information/video.

Marti Hawes, 426 Alpine Rd. Eagle Point 97524 stated that Dry Creek has been a good neighbor and wants to be make sure something is stipulated about temporary use of Dry Creek Rd.

Ken Hawes, 426 Alpine Rd. Eagle Point 97524 neighbors don't have a problem with temporary usage, wants it to stay temporary and talked about traffic issues.

Sara Wolverton, 7552 Torrey Pines Terrace, Eagle Point 97524 thinks the county could have done a better job of noticing property owners and discussed some of the concerns owners have about lack of shoulder, people riding horses on the road, Agate Lake access, property access, bicycle events held on the roads and Dry Creeks effort to minimize truck traffic on Dry Creek Rd.

Commissioner Greene commented on comments about Parks and others being noticed.

Kelly Madding addressed the issue of Noticing requirements.

Susan Cox 716 Riley Rd. Eagle Point 97524 the effect to property values if the application is approved and emergency time is open ended.

Commissioner Green called on CSA Planning for rebuttal.

Craig Stone, CSA Planning, rebuttal testimony. Will be submitting written rebuttal and is okay with record being left open and talked about the usage of Meridian Rd. Discussion followed amongst Commissioners and Mr. Stone about leaving the public hearing open or close it and leaving the public record open.

Commissioner Greene asked the Commissioners their thoughts about closing the public hearing, leaving the public hearing open or leave the public record open for a period of time. Discussion followed.

A motion was made by Commissioner Brad Bennington and seconded by Commissioner Richard Thierolf Jr. to close the public hearing leave the record open. Vote was as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Richard Thierolf Jr.			
Joel Ockunzzi			
			Craig Prewitt
Brad Bennington			
Don Greene			

Commissioner Greene wanted to make sure the audience is aware of the dates for the open record period. Kelly talked about time periods and when evidence will be

submitted. Discussion followed about what can be submitted and how long to leave the record open.

A motion was made by Commissioner Joel Ockunzzi and seconded by Commissioner Brad Bennington to amend the previous motion and leave the record open for three (3) seven (7) day periods. 1st seven day period ends on September 4th at 4 pm, 2nd seven day period ends on September 11th at 4 pm, 3rd seven day period ends on September 18th at 4 pm. Vote was as follows:

Yes No Abstain Absent

Richard Thierolf Jr.

Joel Ockunzzi

Craig Prewitt

**Brad Bennington
Don Greene**

CENTRAL POINT URBAN GROWTH BOUNDARY EXPANSION: Kelly Madding, discussed Central Point Urban Growth Boundary expansion and suggested dates for public hearings at County level and city of Central Point level. Discussion followed about dates and where meeting will be held.

BUSINESS FROM THE BOARD OF COMMISSIONERS:

None

BUSINESS FROM COMMISSION MEMBERS:

None

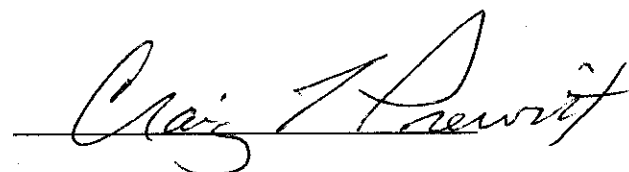
BUSINESS FROM THE PLANNING DIVISION:

Kelly talked about urban growth boundaries, technical advisory committee meeting regarding some of the mapping errors. Discussion followed.

The next regular meeting is scheduled for Thursday, September 11, 2014 at 9:00 a.m;

There being no further business, the meeting was adjourned at 12:53 a.m.

Respectfully submitted,



Craig Prewitt, Secretary

Laura Marshall

Laura Marshall, Recording Clerk

Approved this 25th day of September, 2014.
JACKSON COUNTY PLANNING COMMISSION

Don Greene

Don Greene, Chair

Note: An audio CD of this public hearing can be ordered and purchased from Development Services for a nominal fee. In order to listen to the CD, you will need access to a computer with an internet connection to download (free of charge) the program for the CD.

You may order the CD by phone (541-774 6907; Jackson County residents outside of Medford's local calling area use 1 800 452 5021 x.6907) or you may FAX your order to (541) 774 6791. Please allow seven (7) working days.

When you place your order, please indicate that you need a CD of a Jackson County Planning Commission Public Hearing, the date of the public hearing, the file number that relates to the public hearing, your name and your daytime telephone number. You will be notified when the CD is ready to pick up at the Zoning Counter in Room 100 of the County Offices, 10 South Oakdale. It will be your responsibility to pay for the CD when it is picked up.