



# CITY OF EAGLE POINT

*"Gateway to the Lakes"*

OREGON

EAGLE POINT CITY COUNCIL  
17 BUCHANAN AVE. SOUTH, EAGLE POINT, OREGON

**AUGUST 14, 2012**

## **REGULAR MEETING AGENDA**

1. CALL TO ORDER – **7:00 P.M.**
2. FLAG SALUTE AND INVOCATION.
3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA.
4. PRESENTATIONS.
  - 4.1 Presentation by Civil West of Final Closeout Memorandum on 3.6MG Tank.
5. PUBLIC HEARINGS.
  - 5.1 **Ordinance 2012-02.** Public Hearing in the matter of amending the Eagle Point Comprehensive Plan to add a Regional Plan Element; amending the Comprehensive Plan Map to designate the Urban Reserve Areas; amending the Zoning Ordinance by adding Article XV-Agricultural Buffering & Mitigation; updating the Zoning Ordinance Table of Contents to include the new Article XV; and authorizing the City Administrator to sign an Urban Reserve Management Agreement between Jackson County and the City.
6. CONSENT CALENDAR.
  - 6.1 Presentation of Regular Meeting Minutes of July 24, 2012.
7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR.
8. PRESENTATION OF BILLS TO BE PAID.

9. OLD BUSINESS.

9.1 Discussion and decision regarding process for Performance Review for City Administrator.

10. NEW BUSINESS.

10.1 **Ordinance 2012-02.** In the matter of amending the Eagle Point Comprehensive Plan to add a Regional Plan Element; amending the Comprehensive Plan Map to designate the Urban Reserve Areas; amending the Zoning Ordinance by adding Article XV-Agricultural Buffering & Mitigation; updating the Zoning Ordinance Table of Contents to include the new Article XV; and authorizing the City Administrator to sign an Urban Reserve Management Agreement between Jackson County and the City.

10.2 Discussion regarding community day of service.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES.

12. STAFF REPORTS.

13. INFORMATION.

13.1 Letter from Jackson County Commissioner Don Skundrick.

13.2 Letter from Mayor Tsutsumi of Showa Village, Japan.

13.3 Eagle Point's Utility Bill Newsletter dated July 31, 2012.

13.4 Flyer for Eagle Point's 2<sup>nd</sup> Annual Street Dance, August 18, 2012.

13.5 Flyer for Little Butte Creek Watershed Festival, September 15, 2012.

14. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(e), To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

15. ADJOURN.

*AGENDA AND COUNCIL PACKETS ALSO AVAILABLE ON WEBSITE*



July 26, 2012

Mr. Robert Miller  
Public Works Director  
City of Eagle Point  
17 Buchanan Ave South  
Eagle Point, OR 97524

**RE: Final Closeout Memorandum on 3.6 MG Tank Project**

Dear Robert:

On behalf of Civil West, I want to thank you and the City of Eagle Point for the opportunity to provide engineering support on the recent project to address leakage and other deficiencies at the City's 3.6 MG tank. The purpose of this memorandum is to provide a final accounting of our success with the project, provide final recommendations, and generally closeout the project.

**Background**

Civil West and our team of subconsultants were directed to evaluate the City's 3.6 MG tank and make recommendations to improve the facility. This included determining its current ability to be in service as well as what can be done to reduce leakage from the tank and extend its useful life.

We completed two separate site visits to evaluate the inside and the outside of the tank. We observed some surface ground movement around the tank and cracking within the tank that was mostly isolated to the floor. We surveyed and monitored the conditions and used this information to complete an evaluation.

A Triage Memorandum was prepared and submitted to City Staff and the City Council in June 2012. The memorandum suggested the following actions regarding the tank:

1. The tank did not appear to be facing and catastrophic or progressive failure pattern. Nobody on our team could see any reason why the tank could not be placed back into service. This could alleviate some of the problems the City was having with system pressures in various parts of the community.
2. The emergency valve operators had been out of service for some time and their benefit was questionable. For the time being, it was not recommended that their replacement be a high priority.
3. Before placing the tank back online, the City should undertake a "seeding" process in an effort to "heal" the floor of the tank. The seeding process involved spreading raw, dry cement on the floor of the tank then filling the tank with water. The concept is that the cracks in the floor

would pull the cement into the cracks and the cement would bond in the cracks and heal the floor, thus reducing leakage.

- 4. The reason for the floor cracking was still not clear to our team though we had theories that may be confirmed with additional evaluations, testing, and monitoring.

A presentation was made to the City Council and the Council authorized the City to move forward with the seeding process as recommended.

**Report on Results of Seeding Effort**

The seeding effort was completed right around the middle of the month of June (2012) and the tank was allowed to heal for several days. The history on the leakage rates of the tank are roughly as follows:

- Initial leakage rates measured by City .....~35 gpm (~50,000 gal/day)
- Leakage after the crack sealing effort by Contech Services.....~17 gpm (~25,000 gal/day)
- Leakage rate immediately after "seeding" .....~2.5 gpm (~3,600 gal/day)
- Latest leakage rates reported after "seeding" .....~1.7 gpm (~2,500 gal/day)

Based on these measurements, the combined effort of seeding and crack sealing (performed before our involvement) has been an overwhelming success reducing leakage in the tank by 95%.

The City has been directed to monitor and record the leakage rate from the foundation drain twice weekly for an indefinite period. If there is a change if rate, turbidity, or other factor, we should be notified immediately.

While the rate of leakage should not be considered the only indicator for the health and viability of the tank, the results of this effort should be considered a success story.

**Follow Up on Tank Emergency Valve Operators/Actuators**

When originally constructed, the engineer included an electronically controlled valve on the outlet of the tank. It appears that the intent of this valve was to automatically close in the event of a downstream pipeline failure.

The pump station building, adjacent to the valve vault at the tank site, includes a PLC (programmable logic controller or computer) that controlled the automated valve. According to staff, the PLC would monitor the tank level and the rate at which the tank level changed. If the tank level fell a predetermined amount over a set period of time, the PLC would interpret that as a potential downstream pipe failure and would direct the valve to the closed position. Staff would have to reset the alarm condition to reopen the valve once the "all clear" was given.

The problem with this scenario or operation is that the PLC has no way of determining if there is a pipe failure, major leak, or major firefighting effort in the community. In fact, the smaller (200k gallon) tank has a similar system that would constantly alarm and close the emergency valve under normal peak operating conditions. This regular false alarm was a problem for operations personnel as they would have to reset the alarm to reopen the valve and get water to the system.

The vaults housing these valves and actuators were designed and constructed with a significant flaw. Neither vault (3.6 MG or 200k gallon) was designed or constructed with a method of removing water from within the vault. Normally, a vault would be constructed with a drain that would "daylight" to

gravity. If water would collect or leak into the vault, it would simply drain away. If a gravity drain is not possible, a vault should be designed with a sump and pumping system to remove water from the vault.

As neither vault had a system to remove water, they have, reportedly many times over the years, filled with water for one reason or another. When this happened, the electronic valve actuators got wet or were fully submerged. As they were not designed to be submerged, this caused both actuators to fail. It is unclear how long the actuators have been out of service, but it appeared to be for many years.

We considered several options to address the valve issue at each tank site. To summarize:

**Option 1: Do Nothing -** Under this option, we would acknowledge that the operating strategy of the valves is not very useful to the City. Without additional sophistication or metering, it is difficult to tell the difference between a major leak or pipe failure and a firefighting effort. It must also be acknowledged that the City has been operating for many years without this redundant safety system in place as the actuators were damaged by water many years ago.

Some communities install electronic control valves and tie them into seismic sensors with the idea that they would close in the event of a major earthquake. While this approach is more practical than the City's current operating strategy for alarms, there are few smaller communities in Oregon that utilize automated valves at their tanks.

Therefore, it is possible that the City could just do nothing and continue to operate without these automated valves at the tank sites.

**Option 2: Replace the Actuators:** Electronic actuators are very expensive pieces of equipment. Each actuator will cost the City between \$6,000 and \$8,000 to replace, not including installation. If additional upgrades are required for programming or electrical improvements, it is possible that a project to replace both damaged actuators could have a budget of \$25,000 or more.

Also, if the City went through the expense of installing new actuators, they should install a system to ensure that water does not build up again in the vault. This would include installing a new sump pump, running an electrical circuit for the pump, installing a redundant alarm to warn if the pump fails or cannot keep up with water in the vault, and piping to eject the water to the outside and downhill away from the vault. While sump pump systems are not necessarily expensive, the City should expect to pay a few thousand dollars.

Considering all things, a budget of around \$30k is recommended for this option if the City elects to replace both damaged valve actuators. For this amount, seismic sensors could be added to the controls to sense an earthquake and alarm under that condition also.

**Option 3: Combination:** Under this option, the City would choose to do nothing with the replacement of the actuators, but would install a sump pump system in each vault to facilitate operations and eliminate the need to pump the vaults manually when the crew needs to enter to do maintenance.

Under this option, the City should budget between \$4k-\$5k to install sump pump systems at both vaults. If the City utilizes in-house forces, the budgeted costs could be less.

**Recommendation:** Unless the City wishes to make a significant investment to increase the sophistication of the emergency valves to consider flow, seismic input, or more robust data feedback from the tank, the existing operating strategy has not served the City well. Therefore, it is not recommended that the City invest to restore the existing system. The City has operated for many years

without the emergency valves and they have not even noticed. We do not recommend the City invest in new valve actuation at this time. While it can always be added in the future, it does not appear to be the best use of City water funds at this time.

We do, however, recommend that the City install a sump pump system at each vault to prevent the buildup of water in the vault. It will pay dividends in both operating and capital costs by keeping the vaults free of water. The City should budget and install the sump pump systems as soon as they are able.

#### **Follow up on Internal Tank Sealing or Painting**

During the evaluation, we asked coating suppliers and application experts to inspect the inside and outside of the tank and provide their opinion on what they would recommend to eliminate leakage in the 3.6 MG tank. In addition to those that visited the tank site, we contacted several others to seek opinions and input on what has worked for other similar facilities.

We received a number of proposals and recommendations for coating systems. These ranged from thick rubberized coatings (Liquid Boot) to thinner flexible coatings like Sherflex from Sherwin Williams.

The general approach for each of the coating specialists was to coat all surfaces in the tank including the floor, walls, columns, and piping penetrations. Because we could not definitively identify the source of leakage, they recommended encapsulating everything.

The major problem with a coating system is that nothing is permanent. No matter how durable or reliable, a coating system becomes a maintenance item once it is applied.

It is the opinion of our team that concrete does not require a coating to be water tight. Therefore, our attention turned toward addressing the cracking in the floor as evidence suggested the cracks were actively leaking. The seeding effort was our recommendation rather than a coating system.

Based on the results of the seeding effort presented previously in this memo, no additional coating effort is required or recommended for the interior of the reservoir.

#### **Follow up on External Tank Painting and Maintenance**

The 3.6 MG tank was originally constructed in 1996. The exterior surface of the tank is finished with a stucco-like concrete or "shotcrete" surfacing that has a rough, popcorn-like texture. The surface was originally painted green for cosmetic reasons and to protect the concrete surface from the elements.

Over the past 16 years, the surface of the tank has weathered and is showing a need for some maintenance. The shotcrete surface has some minor cracking over the entire surface. This is likely a result of years of temperature differentials, weathering, and wet conditions. Though normal, the cracks should not be allowed to get wider or allow water to penetrate below the exterior surface as this could damage the wall section.

Larger cracks should be sealed with an appropriate caulk or silicone-type sealant to prevent water from penetrating below the surface. Within the next few years, the City should budget to recoat the surface of the tank with an appropriate and durable coating that is intended for concrete, stucco or other porous or rough surfaces.

A product such as Loxon XP, A24 Series from Sherwin Williams would be a good choice for the exterior coating of the tank. Loxon XP is available in a variety of colors and is widely used in this type of application.

When undertaken, the City should develop a performance specification that will include detailed requirements for preparation of the surface, application, and cleanup. There are a number of qualified painting contractors in the area capable of completing this task for the City.

The City should be prepared to undertake this project with a budget of around \$65,000 to undertake this maintenance project.

#### **Follow up on Other Tank Maintenance Issues**

During the evaluation, several other issues were noted or discussed regarding the tank site. Most notable is the movement of the fencing, gates, concrete stoop in front of the pump station, and other ground movement issues.

Generally speaking, we felt that most of these issues were a result of shallow ground movement or creep of the overlying soils caused by seasonal changes in moisture and other factors.

These items should be considered as maintenance items and addressed as the City has funding and time to do so. They do not, necessarily affect the operation of the reservoir unless the fencing no longer provides the level of security desired for the facility.

#### **Follow up on Water Modeling and General Water System Issues**

As part of this initial phase of evaluation, we completed some water modeling activities and evaluation of the existing water system. While just an initial evaluation, it is worthwhile to provide a report on the status of that effort at this time.

Water Model: The City's previous consultant had developed a computerized water model (WaterCAD) for the City's system. As part of this project, we met with the previous consultant and obtained a digital copy of the model and other materials that they felt would be useful to us during modeling.

With a little difficulty, we were able to convert the older file into the current WaterCAD format. In general, the model was in good condition though there were many parts of the City and newer subdivisions and piping systems that had not been entered into the model. It appeared that it had been several years since the model was updated.

We worked with staff to identify the missing areas and we updated the model to include all known piping sections, subdivisions, and facilities. We also corrected numerous errors or items that have changed in recent years due to projects and upgrades to the system.

Upon running the model, it was able to output several more errors or problems that we were able to correct. We are relatively confident now that the current model represents the existing system with a reasonable level of accuracy. This is important as the model can be used to evaluate the existing conditions as well as consider changes to the existing conditions and the effect (positive or negative) those changes would have if implemented.



The model is in a position now where it can be used as a tool for master planning and evaluation of the system. Working with hydraulic models can take a great deal of skill and insight but the benefits of "testing" the system in a digital environment are worth a great deal.

**Water Pressure and Pressure Zones:** It was very clear that the City experienced problems with system pressure while the 3.6 MG reservoir was offline. This was largely due to the fact that the system was operating via the 4.0 MG tank which sits approximately 30 feet lower than the 3.6 MG tank. That difference in elevation was enough to impact pressures throughout the system.

Once the 3.6 MG tank was placed back online, most of the pressure problems dissipated. However, the 4.0 MG tank is having difficulty with turnover as a result of its relationship with the higher tank.

This problem is fixable though more time needs to be spent in the model to determine what should be done to address the issue.

**Bellerive Pump Station Issues:** While the 4.0 MG tank was offline, the Bellerive Pump Station (BPS) experienced a number of operational problems. They could most accurately be described as low suction pressure or "pump starving" issues. Based on the preliminary system modeling, it is difficult to say exactly why the pump station is not operating properly. However, when the 3.6 MG was placed back online, the operational issues at the pump station dissipated as well.

**200,000-Gallon Tank and Service Area Issues:** During our preliminary evaluation, it was clear that the service area that is currently served by the 200k-gallon tank is too large for the reservoir. The demand placed on the reservoir is far greater than is reasonable from a water planning and operational perspective. This issue needs further evaluation and consideration of additional growth and expansion within the existing reservoir service area and the potential for growth to the north and west of the service area as the City is anticipating will take place.

**Distribution System Deficiencies:** During our preliminary evaluation, there were numerous missing "loop" closures and interconnections in the distribution system that would clearly enhance or improve the operation of the system. As part of a more refined evaluation, these deficiencies should be identified and recommendations developed to address them.

**Need for Updated Planning:** During the initial evaluation, we studied the Cities previous Water Master Plan (Hardie Engineering, 2002) in detail to learn what we could from the planning effort. There is little information or recommendations in the 2002 planning effort that are applicable to the City today. In general, the planning effort is no longer a useful or viable planning document.

Many of the issues mentioned above would best be evaluated in a new water master plan. The new plan should take an overall, holistic approach to the City's water issues from source, to distribution, to storage, to the end users. The new plan should include the following elements:

- Detailed evaluation of existing facilities and conditions
- Identification of existing demands and future projected demands and needs
- Identification of deficiencies that are existing and those that are projected
- Development of alternatives to address deficiencies
- Preparation of cost estimates for viable alternatives
- Recommendations of best alternatives to address deficiencies
- Assembly of a new capital improvement plan
- Evaluation of funding scenarios and potential impacts to rate payers



While these would be considered typical components of a water master plan, many communities seek to expand the planning effort to include optional or extended planning components such as the following:

- Water Management and Conservation Planning
- SDC Methodology Update
- Rate Study

Based upon the cursory review that was completed during this phase of planning for the City, it is apparent that updated and “big picture” planning is needed for the Eagle Point water system. In order to avoid “picking at the edges” of the problems, it is recommended that the City undertake a water master planning effort in the very near future. If desired, the optional or extended planning components can be added at a later date.

Given the work we have completed to date, Civil West is in an excellent position to provide these planning services to the City at this time. We would be pleased to prepare a more detailed scope of services and engineering proposal for this activity upon request.

#### **Follow up on Further Geotechnical and Structural Evaluations**

Our scope of work originally included an evaluation and study after the completion of the initial Triage Evaluation. The intent of the follow up evaluation was to undertake more detailed and specific structural and geotechnical evaluations in an effort to determine why the tank floor has cracked and if additional improvements are needed to ensure the viability of the tank for many more years to come.

The additional services that were planned included geotechnical drillings and borings of the soils around the tank, the installation of piezometers to monitor groundwater conditions over a year’s time, and inclinometers to monitor the movement of ground over a year’s period of time. Upon completion of these geotechnical explorations, a detailed geotechnical report would be produced with findings and more interpretation of the conditions and how they may have or may be affecting the tank.

In addition to the above geotechnical evaluation, the follow up study was to include additional structural calculations, evaluations, and investigations to further evaluate the structural issues related to the tank.

Based on the preliminary evaluation of the Triage Report and the success of the seeding project, the City has elected to postpone or, perhaps, completely eliminate these additional follow up steps and evaluations.

It is understood that there is no guarantee that these additional evaluations will result in any new information or hard evidence regarding the cause for the cracking of the tank floor or whether other movement or damage can be expected within the remaining life of the tank. We further understand that these additional evaluations are costly and those funds could be used in a variety of other ways. However, it must also be understood that conditions at the tank could worsen over time given the information we currently possess. The City should diligently monitor the leakage rates, ground movement, and survey the tank levels regularly to ensure that if something changes, the City can react in a timely manner.

The geotechnical and structural consultants on the project wished to provide final memorandums to clarify their positions and perspective regarding the importance of additional evaluation and testing. Copies of those letters have been provided with this memorandum for your consideration.

**Final Budget Status Summary**

Due to the elimination of the additional studies on the project and general project efficiencies, the project will be completed under budget. For the purposes of accounting for the budget status, the following final budget summary is provided: (note: final balances are approximate as of the completion of this memorandum)

- Original project budget .....\$80,102
- Amount earned to date (including subs).....\$33,450
- Amount under budget .....\$46,652

The remaining funds could be utilized by the City to complete water master planning, tank painting, or other water system improvements.

We are grateful for the opportunity to undertake this project for the City. We are pleased with the results and feel that the City is in an excellent position to move forward with additional planning and improvements for the Eagle Point water system.

Please feel free to contact me if there are any questions about this final memorandum or if Civil West can provide additional services to the City at this time with any of your infrastructure needs.

Respectfully,  
Civil West Engineering Services, Inc.



J. Garrett Pallo, PE  
Principal



**Attachments:**

1. PSE Final Memorandum
2. PBS Final Memorandum



Peterson Structural Engineers, Inc.

consulting structural engineers

Charles Gary Peterson, P.E.  
Erik W.B. Peterson, P.E.  
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J. Garrett Pallo, PE  
Civil West Engineering Services, Inc.  
486 E Street  
Coos Bay, OR 97420

6/20/12

File: Pse\12-073-06

Re: Eagle Point 3.6MG Reservoir Repair – Follow-Up Memorandum

Dear Garrett:

The following memorandum has been generated for the purpose of clarifying what we believe may have been a misunderstanding by the City regarding the initial results of the Triage memorandum we submitted on 6/7/12. The purpose of that memo was to provide information on initial findings and an allowance to put the reservoir back into service.

Clearly stated in that memo was that our findings were preliminary and that there is, indeed, something amiss that needs to be studied. We approached the tone of the memo with the understanding that the evaluation work for which we have been contracted was to be continued without interruption.

We understand that the reservoir is currently being filled and put back into service, that seeding has been performed and leak testing will be performed all per our recommendations. However we also understand that the City may be considering cancelling further investigations in the hopes that no further problems will occur.

We strongly recommend against postponing or cancelling further engineering study and submit that the City is accepting an unknown level of risk if they do so. Some unknown action has caused the floor to crack and at this point we do not know the level of risk that unknown action presents to the reservoir system.

We hope the City will reconsider their approach and continue with the study as scoped.

Thank you and please call if you have any questions.

Sincerely,

Erik Peterson, P.E.



EXPIRES 12/31/12

Submitted via e-mail: gpallo@civilwest.com



Engineering +  
Environmental

June 22, 2012

Civil West Engineering Services, Inc.  
Attn: J. Garrett Pallo, PE - Principal  
486 E Street  
Coos Bay, Oregon 97420

Re: Post Preliminary Geotechnical Observations Considerations  
3.6 MG Water Tank Rehab Project, Eagle Point, Oregon  
PBS Project No. 73022.000

Dear Mr. Pallo:

In response to your question concerning the importance of further geotechnical services for the Eagle Point 3.6 MG Water Tank we offer these considerations. We understand the desire of the City to defer expenditures that might be unrelated to issues regarding the safety of the tank. However, we should reiterate that our preliminary conclusions and recommendations presented in our June 11, 2012 letter were based upon very limited visual observations as described. Significant variations and incipient subsurface conditions can go undetected, even with extensive investigative programs. Nonetheless, the additional investigations recommended would be important to adding clarity to our understanding of the project issues and considerations.

Based upon our preliminary observations and the various sources of information described, we suspect that the parallel cracking may be the result of ground movement that probably occurred shortly following construction and initial filling of the tank. This movement may have been the result of the combination of consolidation settlement of the western sector of the tank combined with expansion of the subgrade soil in the deeper excavated sector of the tank. We further opined that there still remains a level of uncertainty regarding the cause(s) of the cracking. Consequently there remains a level of undefined risk concerning the expectation for satisfactory ongoing performance of the tank and appurtenant facilities. Therefore, we highly recommend that the proposed follow-on tasks be implemented immediately to confirm or clarify our preliminary observations and conclusions. And further, the recommended analyses would provide better insight into the cause(s) and their impact on the future performance of the tank and associated piping. The recommended instrumentation program is more sensitive and provides quantifiable data than provided merely by visual observations. The instrumentation centered monitoring program would provide early warning of changes that might be a harbinger of incipient failure. Breach of the tank integrity, or pipe failures, could have a catastrophic result down slope.

We are pleased to learn that the cement seeding program seems to have further reduced the volume of outfall from the subdrainage system. However, without a better understanding of the cause(s), flow volume should not be considered as the only indicator of the risk to the tank. Please keep in mind, though, that even by eliminating a possible explanation from further consideration provides a better understanding of the risks involved with future tank performance.

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Bend | Boise | Coquille | Eugene | Portland | Seattle | Tri-Cities | Vancouver

Mr. J. Garrett Pallo  
Re: Post Preliminary Geotechnical Observations Considerations  
June 22, 2012  
Page 2 of 2

**CLOSING REMARKS**

We appreciate this opportunity to participate with you on this important project. If you have any questions or wish to discuss our observations and recommendations, please contact me at 503.805.6071.

Sincerely,

PBS Engineering and Environmental Inc.



*Exp. 12/31/12*

Arlan H. Rippe, P.E., G.E., D.GE  
Chief Geotechnical Engineer

**BUSINESS OF THE CITY COUNCIL  
EAGLE POINT, OREGON**

**AGENDA STATEMENT**

**Item Number:** 5.1  
**Meeting Date:** August 14, 2012

**ITEM TITLE:** Ordinance 2012-02 amending the Eagle Point Comprehensive Plan to add a Regional Plan Element; amending the Comprehensive Plan Map to designate the Urban Reserve Areas; amending the Zoning Ordinance by adding Article XV – Agricultural Buffering & Mitigation; updating the Zoning Ordinance Table of Contents to include the new Article XV; and authorizing the City Administrator to sign an Urban Reserve Management Agreement between Jackson County and the City.

**PLANNING APPLICATION NUMBER:** 12-06: CPA/ZOA

**SUBMITTED BY:** Dick Converse, Principal Planner, Rogue Valley Council of Governments

**SUMMARY EXPLANATION:** Consideration of a Planning Commission recommendation to amend the Comprehensive Plan by adding a Regional Plan Element, revise the Comprehensive Plan Map to designate Urban Reserve Areas, amend the Zoning Ordinance to add Article XV – Agricultural Buffering & Mitigation, and authorize the City Administrator to execute an Urban Reserve Management Agreement.

**FINANCIAL IMPACT:** Not identifiable. This is a City-wide policy change.

**STAFF RECOMMENDATION:**

**I. BACKGROUND**

On November 23, 2011, the Jackson County Board of Commissioners adopted Ordinance No. 2011-14, (Attachment C, Board of County Commissioners Findings) approving the *Greater Bear Creek Valley Regional Plan (Regional Plan)*. The full version of the *Regional Plan* can be viewed at the County's website (<http://www.co.jackson.or.us>), and a hardcopy is also available for viewing at City Hall and the County office in Medford.

The Oregon Land Conservation and Development Commission (LCDC) preliminarily reviewed the *Regional Plan* at its March 12, 2012 meeting, and expressed support overall for it, while recommending eight revisions, several of which applied to specific cities; none of the comments specifically addressed Eagle Point. The recommendations for the plan that apply to all jurisdictions within the planning area include:

- The Board of County Commissioners must create an ad hoc Agricultural Task Force within six months of plan acknowledgement. The County proposed creating the task



force prior to the first Urban Growth Boundary (UGB) amendment, but LCDC felt the committee should convene earlier in the process to develop mitigation measures to offset any negative impacts of urban expansion.

- For the purpose of UGB amendments, the amount and type of parkland included shall be consistent with Oregon Administrative Rules (OAR) requirements or consistent with needs shown in acknowledged plans.
- Future UGB amendments will need to use the OAR definition of buildable land as those lands with a slope of less than 25 percent.
- The agricultural buffering standards may be re-evaluated to determine whether there are conflicts with state law. If conflicts are found, the buffering standards may be amended so long as the amendments do not reduce the effectiveness of the buffers.

The Board of County Commissioners voted to incorporate the DLCD recommendations into the *Regional Plan* at a public hearing on June 28, 2012. This is the final action of Jackson County and will be submitted with the individual city decisions for final LCDC review.

On July 17, 2012, the Eagle Point Planning Commission unanimously voted to recommend that the City Council amend the Comprehensive Plan by adding a Regional Plan Element, revise the Comprehensive Plan Map to designate Urban Reserve Areas, amend the Zoning Ordinance to add Article XV – Agricultural Buffering & Mitigation, and authorize the City Administrator to execute an Urban Reserve Management Agreement (see Attachment D, Planning Commission Resolution).

### **Regional Plan Element**

The Regional Plan Element (refer to the proposed Ordinance 2012-02, Exhibit A) follows a similar format for each participating community as a means of ensuring consistent application of the *Regional Plan*. The following portion of the report identifies each section, and includes comments as warranted.

#### **1. Introduction**

This section provides a brief history of the process and adopts the entire *Regional Plan* by reference. The LCDC decision date will be added after LCDC's final ruling on the *Regional Plan*.

#### **2. Regional Plan Goals and Policies**

The *Regional Plan* includes three goals and guiding policies that are the foundation for the plan. Each goal lists the problem to be solved and includes a group of implementing policies. The policies are not listed here, but can be viewed in Volume 1 of the *Regional Plan*.

Problem 1: Lack of a mechanism for coordinated regional growth planning.

Goal 1: Manage future regional growth for the greater public good.

Problem 2: Loss of valuable farm and forest land caused by urban expansion.

Goal 2: Conserve resource & open space lands for economic, cultural, and livability benefits.

Problem 3: Loss of community identity.

Goal 3: Recognize and emphasize the individual identity, unique features, and relative comparative advantages and disadvantages of each community within the Region.

### **3. Urban Reserve**

The *Regional Plan* contains city descriptions, city growth guidelines and policies, and information about each proposed Urban Reserve Area (see map included as Attachment A along with the Urban Reserve Selection Process included as Attachment B.) The primary reason for including relevant sections from the *Regional Plan* in the Eagle Point Comprehensive Plan is to provide enough information to reduce the need to refer to other documents.

### **4. Regional Obligations**

This brief section emphasizes that the performance indicators in Section 5 below cannot be unilaterally amended; any changes would need to be approved on a regional basis.

### **5. Performance Indicators**

This section includes twenty provisions that establish the obligations for the County and participating jurisdictions in implementing the *Regional Plan*. Some must be completed as part of the *Regional Plan* adoption process, while others must be in place before the City approves UGB amendments. The obligations are as follows:

- (1) Jackson County adopts the entire *Regional Plan* into its comprehensive plan.
- (2) Eagle Point adopts portions of the *Regional Plan* into its comprehensive plans and implementing ordinances.
- (3) Eagle Point adopts Urban Reserve Management Agreement (URMA) at the same time as it adopts the Regional Plan Element.
- (4) If inconsistencies exist between the URMA and the Urban Growth Boundary Management Agreement, the URMA will prevail. Staff did not find significant inconsistencies between the documents.
- (5) Eagle Point commits to residential densities of 6.5 units per gross acre through 2035, and 7.5 units thereafter. This requirement can be offset by increasing residential densities inside the present city limits. The later density of 7.5 units per acre is lower than what Oregon Administrative Rule 660-024-0040 “safe harbors” would require when expanding an urban growth boundary, and it does not mandate a specific mix of housing types. UGB expansions must be based on the adopted 20-year population forecast, and one of the safe harbor alternatives requires a city to assume that the density will increase by 25 percent over the average overall density of the developed residential land in the urban area at the time it initiated the expansion. Based on current assumed density of 5.2 units per acre, Eagle Point could expect a required density of 6.5 units per acre for UGB expansions, but after 20 years, the density would increase to 8.1 units per acre.
- (6) Eagle Point must achieve the Regional Transportation Plan Alternative Measure targets for 49 percent of dwelling units and 44 percent of employment to be in mixed

use/pedestrian-friendly areas. As with the committed densities in (5), this requirement can be offset by increasing the mix inside the city.

- (7) Eagle Point must adopt a Conceptual Transportation Plan for each URA prior to its addition to the UGB. The plan will include a general network of regionally significant arterials under local jurisdiction, transit corridors, bike and pedestrian paths, and associated projects to provide mobility throughout the area.
- (8) Eagle Point must also adopt a Conceptual Land Use Plan for each URA prior to its addition to the UGB, showing how the proposal is consistent with the general distribution of land uses in the *Regional Plan*, and how it will achieve the target residential densities and mixed use/pedestrian-friendly commitments listed in (6).
- (9) Urban Reserve Area EP-1A is restricted to Light Industrial uses.
- (10) The *Regional Plan* includes a regional agricultural buffering program in Volume 2, Appendix III that must be adopted as part of Eagle Point's decision to adopt the Regional Plan Element. Although the performance indicators state that the agricultural buffering standards need to be in place prior to a UGB amendment, cities are now required to adopt the standards as part of the Regional Plan Element adoption process. The draft standards are included as Exhibit C of the proposed Ordinance 2012-02.
- (11) This optional standard permits jurisdictions to retain separate identities by adopting Community Buffers to ensure that lands between cities remain in rural uses. Jackson County decided not to make this provision mandatory because of concerns that such a buffer could result in claims of compensable loss in value of the lands in the buffer areas.
- (12) Within five years after LCDC acknowledgment of the *Regional Plan*, participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region. These strategies will need to be created through a collaborative process.
- (13) This indicator is informational in nature, confirming that URAs designated in the *Regional Plan* are the first priority among lands to be added to a UGB.
- (14) Divisions within URA's are subject to several limitations, including a minimum lot size of 10 acres and other provisions to ensure they do not complicate eventual urbanization. The restrictions apply only to Jackson County because URA lands remain under County jurisdiction.
- (15) Another County obligation is the need to update its Population Element periodically to be consistent with the gradual implementation of the adopted *Regional Plan*.
- (16) The Rogue Valley Metropolitan Planning Organization (RVMPO) coordinates decisions about transportation improvement projects in the region. This indicator