

City of Grants Pass



May 23, 2013

Larry Bayless
101 Calvert Drive
Grants Pass, OR 97526

RE: UGB and Property at 1150 NE Hillcrest / Vertical Drive

Dear Mr. Bayless,

Thank you for your continued involvement in the UGB process. I wanted to take this opportunity to follow-up on some of our previous conversations in writing regarding your family's property on Hillcrest and Vertical Drive, your request for inclusion of the property, and reasons it was not in the recommendations for inclusion in the UGB. I would be happy to meet with you if you would like to further discuss the information below or any other items regarding the property. Please give me a call if you would like to meet. My direct number is (541) 450-6072.

The UGB review includes consideration and balancing of a wide variety of issues, including public policy, technical, and long-term financial considerations for provision of public facilities and services, together with input from citizens and property owners. The following is excerpted from the UGB Steering Committee's final recommendation memo:

Ultimately, the committee sought to balance community-wide issues (technical, financial, and other tangible and intangible issues) with individual property issues. It would be ideal if there was broad agreement that the citizens and individual property owners most strongly supported the options that coincide with the best technical and cost-of-service options. However, those don't all coincide in all cases.

When public policy considerations and property owner preferences match, the recommendations for areas were easier to make. However, in many cases, the balancing of issues was much more challenging, and the recommendations reflect the best attempt to balance issues that best meet public policy objectives and property owner desires. Ultimately, the City Council and Board of Commissioners make the final decision, and they decide whether they agree with how the issues were balanced in the recommendations, and whether properties are included.

Throughout the UGB evaluation process, your property and other property in this area was reviewed, evaluated, and re-evaluated for inclusion when making recommendations. Your correspondence and testimony at meetings was also reviewed and given consideration and reconsideration at several points during the review. I have compiled the information from different phases of the review process that relates to this area and your property if you would like to review more detail than is summarized here.

You have noted several factors that are favorable when considering inclusion of your property in the boundary. These include the presence of sewer lines, water lines, and fire hydrants already present in Vertical Drive along the frontage of the property. There is also existing urban development on the east side of Vertical Drive across from the property. Further, during one of the hearings, there was discussion about whether some of the public cost issues associated with a pump station could be addressed by having a privately funded pump station built at the time of development that could then be dedicated to the public. You have also noted the desire to eliminate the configuration where the property is split by the UGB and split-zoned. Finally, you have also submitted a copy of an annexation agreement for the property.

The main issues that were unfavorable when considering whether the property should be recommended for inclusion are:

- the prevalence of steep slopes,
- issues with municipal water service to the property for both domestic use and fire flows,
- some related issues of urban/wildland interface and fire protection.

In evaluating and recommending lands to meet residential needs, there were other areas suitable to meet future residential land needs where the above issues didn't exist, and where public facilities and services could be provided more cost-effectively to serve future development. That is why other areas were recommended for inclusion and properties in this area were not.

Also, in preparing this letter, I reviewed your property file and your previous subdivision application. It appeared that there were some issues associated with sewer that couldn't be addressed through gravity flow and would require pumping for some portions of the property that don't slope down to the sewer line in Vertical Drive. There is no sewer in Hillcrest Drive along the property's frontage or to the west, so there is no opportunity to gravity flow to the west in Hillcrest Drive. I don't know if this issue would also apply to the remainder of the property which is outside the UGB, but it appears that at least a noncontiguous portion of it also slopes to the west.

I would like to provide some additional detail for you on each of these issues.

- 1. Steep Slope.** There are a number of issues associated with urban intensity development in steep slope areas. Different communities define and regulate steep slopes differently. The Grants Pass Development Code defines 15-25% as moderate slope and 25% and over as steep slope. Materials submitted with your earlier subdivision pre-application and application for the portion of the property inside the UGB show about half of that area has slopes of 35% and greater, and about an additional quarter of the area has slopes of 15-35%. The portion of the property outside the UGB has an elevation change of approximately 200 feet from the lowest to the highest point. Much of the property outside the UGB is also in steep slopes, including topography comparable to the steep slopes portions inside the UGB. There is also a natural drainage that becomes more channelized and steep, which crosses that portion of the property and continues south onto the portion already within the UGB. (There is also information and a letter in the file about some of this being graded and filled without a permit, grading plan, or erosion

control measures. These are some of the issues that can be associated with development in steep slope areas). Also, the Development Code limits street grades to 18% slope for fire truck access.

To facilitate development, codes often have an option for clustering of homes through a Planned Unit Development (PUD) or similar provision, which means development can occur on less steep portions of a property at higher densities while steeper areas are dedicated to permanent open space. Grants Pass has similar code provisions. However, for the portion of your property outside the UGB, due the prevalence of steep slopes, there doesn't appear to be a significant flatter 'receiving' area where development could be clustered at a higher density, other than limited areas on the upper ridge and near the northeast corner of the property between two natural drainages. Therefore, most of the development would have to occur in areas that are in steeper slopes. This is less of an issue at rural densities, but becomes more challenging at urban densities.

For reference, the subdivision to the east is flatter, nearly all less than 25% slope, and it is entirely within water pressure zones 3 and 4).

- 2. Municipal Water for Domestic Use and Fire Flows.** Municipal water service and pressures are planned based on service elevations that establish water pressure zones. Each water pressure zone requires its own facilities, to fall within an acceptable range of water pressure for domestic use and firefighting. The elevation bands and pressure zones are much narrower in steeper areas. Your property includes elevations within Pressure Zones 3, 4, and 5. The portion of this property inside the UGB is mostly in Zones 3 and 4, with a small portion in Zone 5. The portion outside the UGB is in Zones 4 and 5.

This area has unique water service issues. It is a dead-end area that is above the Hefley pump station, where it is not interconnected with the rest of the water system through a looped system. Most of the property to the west is also very steep, and even those lots in the UGB with homes are on wells and septic systems, with lot sizes closer to rural densities. The area above the Hefley pump station is served with an existing water storage tank (Tank 13) which serves Zone 4. The easterly portion of your property outside the UGB is in Zone 4. Public Works noted that Tank 13 doesn't have additional capacity to serve additional development at this time, but there is a plan to replace it at a new location near the end of Vertical Drive, and it could be designed with additional capacity. The Zone 4 portion of the property outside the UGB could be served fairly cost-effectively once this occurs, although including only the Zone 4 portion would still result in the property being split by the UGB and split-zoned. (The Zone 4 portion of the property also contains significant areas of steep slopes).

There is currently no water service to Zone 5 or above, and no provision in the water master plan to serve Zone 5 or above. The westerly portion of your property outside the UGB is in Zone 5. It would be the only contiguous area in Zone 5, and it isn't large enough to serve with a water storage tank, so the water master plan would need to be updated to include facilities to serve Zone 5. This would require a separate pump station to serve your property, since it isn't large enough to justify a water storage tank.

Due to domestic and fire service considerations, lack of emergency storage, and long-term operations and maintenance costs, staff has generally advised against including areas in the UGB that must be permanently served with smaller localized pump stations that serve a relatively small number of lots. Each new small pump station is an additional facility the City will be responsible for operating and maintaining forever. Most of the current pump stations are regional in nature, although some smaller ones have been unavoidable. Without attention to water service issues, there is the potential for a substantial increase in the number of pump stations required to serve the UGB. There is also the potential that many of these could be small pump stations each serving a small number of lots, but with each requiring redundant pumps, emergency generators, etc. and capacity for both domestic water and fire flow. If residential land needs can be met in other locations that don't have the same issues, staff has recommended including those areas instead.

Staff has generally advised including areas that can be served with water storage tanks, or with larger regional pump stations if unavoidable. Staff has recommended inclusion of areas that would require small pump stations only in very limited situations, usually where they are needed on a phased basis to address incremental property development, where the area can ultimately be served with a water storage tank or regional pump station upon future build-out of the area. To avoid a series of small pump stations if numerous properties included in the UGB might have small portions in a higher pressure zone (to avoid splitting a parcel), staff suggested a possible policy specifying that the city wouldn't provide water service above the pressure zone boundary, but homes could be clustered within the serviceable pressure zone.

3. **Urban/Wildland Fire Interface.** To an extent, the steep forested property in this area presents risk of rapid spread of wildfire, and additional urban development in the vicinity further changes the fire response from one focused on containing the fire to one focused on protecting life and property from a fire. There is already some development in this area exposed to this risk, and the question becomes whether additional urban intensity development should be added to the UGB where this risk is already present.

Additional considerations associated with the above issues are also summarized as part of a more general technical memo regarding water service. These considerations include the City's ISO rating which affects the cost of homeowners' insurance policies.

Property Split by UGB. I also wanted to clarify that there is nothing in state law (or local law) that makes it illegal to have a property split by an Urban Growth Boundary. State law only requires, "Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location." There are some situations with larger properties, provision of public facilities, and/or geographical considerations where there may be reasons for a property to be split by a UGB. However, the City Council and Board of County Commissioners have requested that the UGB expansion proposals avoid creating additional situations where properties are split by the UGB.

Options for Use of Property Now. You also have options for how you can use the property now. In its current configuration, you can use the property consistent with the applicable city and county land use regulations, for the portions inside and outside the UGB, respectively. In addition, if you would like to partition the property along the UGB line so you have two parcels rather than one divided by the UGB, that is also an option. If you would like further information on these options, I would be happy to meet with you and coordinate with other city and county staff to provide further information.

Annexation Agreement. Finally, you provided a copy of the annexation agreement for your property. The annexation agreement for the property was signed in 1981 when the City agreed to provide municipal water service to the existing home on the property which is located outside the UGB. The home would have been served using a private booster pump to achieve adequate pressure. This is something that couldn't occur for the upper pressure zone for a subdivision at urban densities. The city is required to provide a minimum service pressure at the public main to meet standards for domestic and fire flow purposes.

A September 23, 2003 letter from the Public Works Director notes that the property owner disconnected from city water without notifying the city and began using a well for domestic water. The Public Works Director notified the owner that the water service agreement would be nullified if the well continued to be used for domestic water, and the owner chose to continue use of the well. While this doesn't affect whether the property should be included within the UGB, the purpose of an annexation agreement is to provide consent for future annexation when a property receives public facilities or services in advance of being annexed. With the property owner's decision to disconnect from municipal water, the property no longer receives any municipal service that necessitates an annexation agreement.

Again, the City Council and Board of Commissioners will ultimately decide which properties are included in the UGB. I wanted to provide this information so you would have a better understanding of the analysis and evaluation that led to the recommendations that were presented to them.

I have also attached some maps for reference. Please contact me if you have any questions or if you would like to meet to discuss this information or anything else regarding the property.

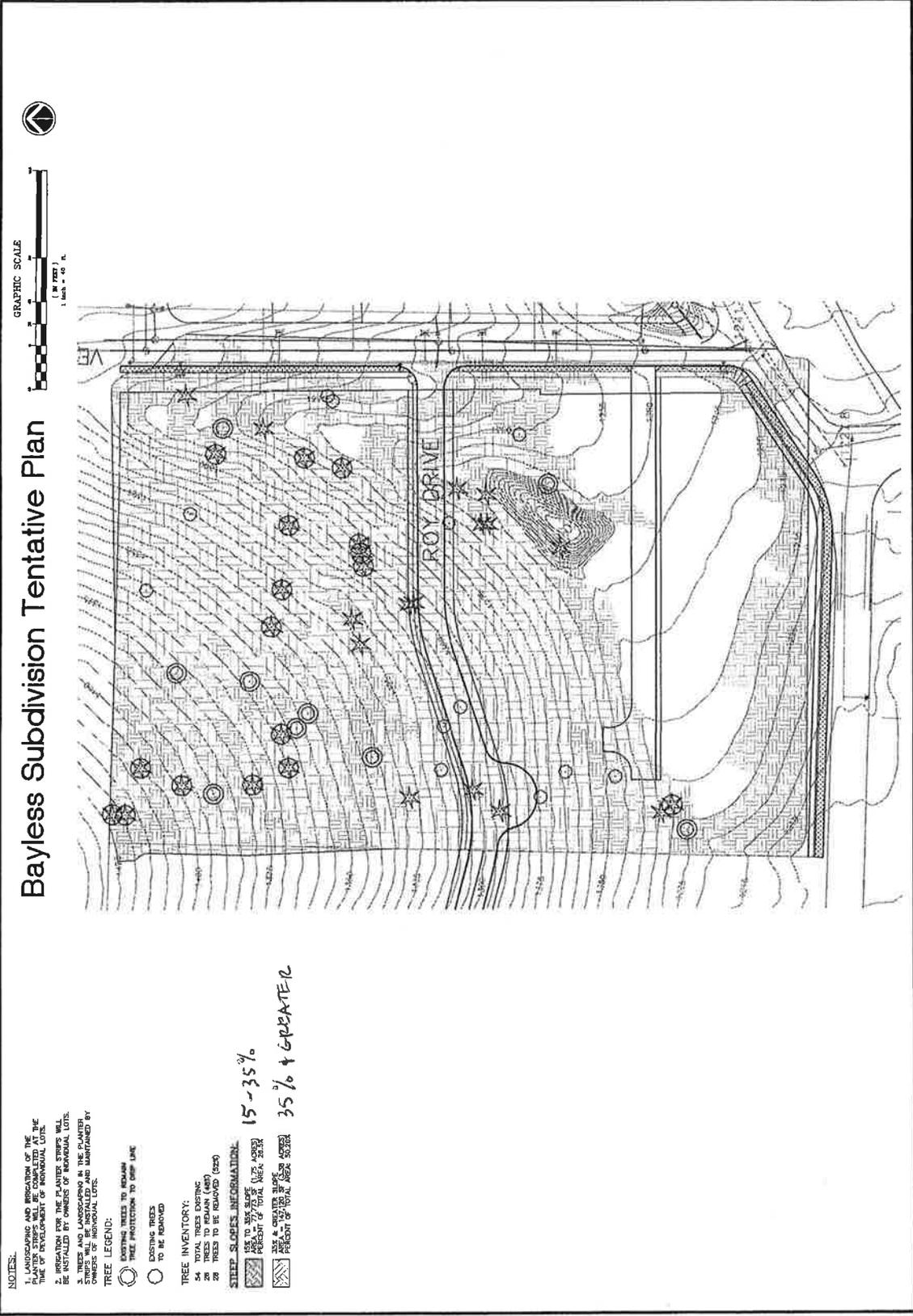
Sincerely,



Tom Schauer
Senior Planner

Enc.

cc: Mayor Fowler and Members of the Grants Pass City Council
Aaron Cubic, Michael Black, Carla Angeli Paladino, Terry Haugen, Dave Wechner



NOTES:
 1. LANDSCAPING AND IRRIGATION OF THE SITE SHALL BE THE RESPONSIBILITY OF THE OWNER OF EACH INDIVIDUAL LOT.
 2. IRRIGATION FOR THE PLANTER STRIPS SHALL BE INSTALLED BY OWNERS OF INDIVIDUAL LOTS.
 3. TREES AND LANDSCAPING IN THE PLANTER STRIPS SHALL BE MAINTAINED AND WATERED BY OWNERS OF INDIVIDUAL LOTS.

TREE LEGEND:
 (Symbol: Circle with cross) EXISTING TREES TO REMAIN
 (Symbol: Circle) EXISTING TREES TO BE REMOVED
 (Symbol: Star) TREE PROTECTION TO KEEP LINE
 (Symbol: Hexagon) TREES TO BE REMOVED (20%)

TREE INVENTORY:
 54 TOTAL TREES EXISTING
 28 TREES TO REMAIN (48%)
 26 TREES TO BE REMOVED (20%)

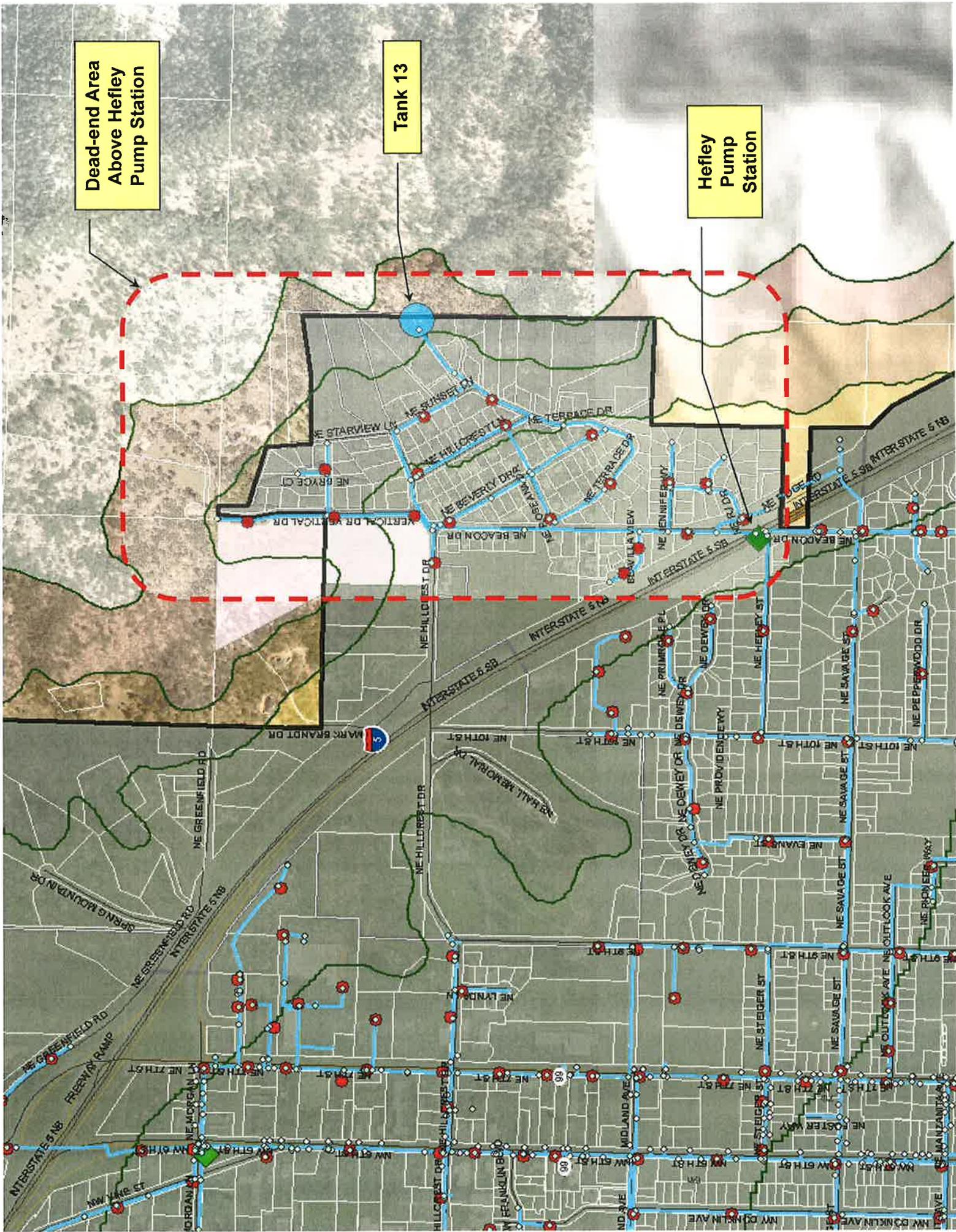
STEEP SLOPE INFORMATION:
 15% TO 35% SLOPE (AREA 20%)
 35% & GREATER SLOPE (AREA 20%)
 PERCENT OF TOTAL AREA 40%



Dead-end Area
Above Hefley
Pump Station

Tank 13

Hefley
Pump
Station



2' Contours





6/22/2013 7:55 am



© 2013 Google
Data © 2013
NDIA, U.S. Navy, NOAA, GEBCO
Image © 2013 TerraMetrics

Images Date: 6/22/2012 42°27'55.220" N 122°34'30.781" W Elev: 1552 ft Eye Alt: 2344 ft



- Dark Blue = UGB
- Light Blue = Property Boundary
- Red = Water Pressure Zone Boundary

1,140'

~1,202'

1,280'

1,420'

1,560'

~1,304'

~1,506'

OVER ZONE 5

ZONE 5

ZONE 4

ZONE 3

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 Data SIO, NOAA, U.S. Navy, NGA, GEBCO
 Imagery © 2013 TerraMetrics

Imagery Date: 6/25/2012
 42°27'35.23" N, 123°19'50.76" W, elev: 1,352 ft, eye alt: 2,344 ft

