Oregon
John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540
Phone: (503) 373-0050
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www.oregon.gov/LCD

NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: April 03, 2015

Jurisdiction: Jackson County

Local file no.: 14-00030-LRP

DLCD file no.: 005-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 03/30/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 40 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us

005-14 {22422}

DLCD FORM 2

NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received: MAR 30 2015
DEPT OF CONSERVATION AND DEVELOPMENT

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption**. (*See* OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: Jackson County

Local file no.: **439-14-00030-LRP**

Date of adoption: 03/25/2015 Date sent: 3/27/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1was submitted): 08/14/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? **No**

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Craig Anderson, Senior Planner

Phone: 541-774-6918 E-mail: anderscm@jacksoncounty.org

Street address: 10 S. Oakdale City: Medford Zip: 97501

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Legislative amendment to Jackson County/City of Central Point Urban Growth Management Agreement to address issues associated with the long-term planning of Gibbons/Forest Acres per requirements in Chapter 5, section 2.9.5 of the Bear Creek Valley RPS Plan.

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from	to	acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this change.

Location of affected property: Property in the vicinity of Interstate 5, Exit 35, per ODOT's adopted IAMP.

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:
Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:
Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: ODOT, Central Point

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

JACKSON COUNTY
Oregon

NOTICE OF ADOPTION

Pursuant to Oregon Revised Statutes (ORS) 197.615, you are hereby being notified that the Jackson County Board of Commissioners adopted Ordinance No. 2015-4 at a properly advertised public hearing on February 18, 2015, at 1:30 p.m., in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon 97501.

The ordinance will go into effect on May 24, 2015 (60 days from the date of adoption). A description of the ordinance follows:

> Ordinance 2015-4 approving a revision of the Urban Growth Boundary Management Agreement (UGBMA) between the City of Central Point and Jackson County to improve consistency with the Greater Bear Creek Valley Regional Plan and the City's Regional Plan Element primarily by adding Forest/Gibbon Acres, the Jackson County Expo & Fairgrounds, and the Seven Oaks Interchange area as "Areas of Mutual Planning Concern" to insure coordinated land use preservation and/or development. File No. 439-14-00030-LRP.

This notice is being mailed to you on March 27, 2015, which is within five working days after the adoption date of the ordinance(s) as required by ORS 197.615. If you have any questions on the effect of this ordinance, please contact **Craig Anderson** at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford (541) 774-6918; Jackson County residents outside of Medford's local calling area 1-800-452-5021 and enter the next four digit extension 6918.

You may review this ordinance, or you may purchase a copy for $.25 for the first page and $.10 for each additional page, at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501, between the hours of 8:00 a.m. and 4:00 p.m., Monday, Tuesday, Thursday and Friday; and 11:00 a.m. to 4:00 p.m. on Wednesday.

The Board of County Commissioner's Ordinances are the final decisions on this action. Pursuant to State law, Jackson County is hereby notifying all persons who participated in the hearings, either in writing or orally. This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). You must appeal this decision within 21 days of the date it is mailed. This decision is being mailed on March 27, 2015, and the LUBA appeal period will expire on April 17, 2015. Please contact LUBA for specific appeal information. They are located at DSL Building, 775 Capitol Street N.E. Suite 330, Salem, Oregon 97301-1283. They can be reached at (503) 373-1265.

Attachments: Notary Packet

NOTARY PAGE

STATE OF OREGON)
)
COUNTY OF JACKSON)

I, Patricia A. Guida, being first duly sworn, depose and say that on behalf of Jackson County Development Services, I gave notice of Board of Commissioners Ordinance No. 2015-4 by mailing a copy of the Notice of Adoption by regular mail to each of the following named persons at their respective last known addresses, to wit: (as attached)

Each of said copies of the Notice were enclosed in a sealed envelope addressed to the persons at the addresses above set forth, with postage thereon fully prepaid and was deposited in the post office at Medford, Oregon, on March 27, 2015.

Patricia A. Guida
Signature

Personally appeared before me this 27th day of March, 2015, the above named Patricia A. Guida who acknowledged the foregoing affidavit to be her voluntary act and deed.

OFFICIAL SEAL
LAURA A MARSHALL
NOTARY PUBLIC-OREGON
COMMISSION NO. 465603
MY COMMISSION EXPIRES FEBRUARY 06, 2016

Laura A Marshall
Notary Public for Oregon
My Commission Expires: 2-6-2016

NOTICE OF ADOPTION SENT TO: APPLICANT, AGENCIES AND INTERESTED PERSONS.

APPLICANT NAME: JA CO UGBMA - CITY OF CENTRAL POINT
FILE NO: 439-14-00030-LRP

FILE NO. 439-14-00030-LRP
ADOPTION LABELS
APPLICANT: JACKSON CO – CP UGBMA
DATE CREATED: 3/26/15

439-14-00030-LRP
JOEL BENTON
COUNTY COUNSEL

BOC 439-14-00030-LRP
DOUG BREIDENTHAL, CHAIR
BOARD OF COMMISSIONERS

BOC 439-14-00030-LRP
RICK DYER
BOARD OF COMMISSIONERS

BOC 439-14-00030-LRP
COLLEEN ROBERTS
BOARD OF COMMISSIONERS

STAFF 439-14-00030-LRP
KELLY MADDING, DIRECTOR
DEVELOPMENT SERVICES

STAFF 439-14-00030-LRP
CRAIG ANDERSON, PLANNER

COUNSEL 439-14-00030-LRP
JOEL BENTON
COUNTY COUNSEL

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JAY HARLAND
CSA PLANNING LTD
4497 BROWNRIDGE
MEDFORD OR 97504

IP 439-14-00030-LRP
ARNOLD STRITE
180 ESTHER WAY
CENTRAL POINT OR 97502

IP 439-14-00030-LRP
TOM HUMPHREY, DIRECTOR
COMMUNITY DEVELOPMENT
CITY OF CENTRAL POINT
140 S THIRD ST
CENTRAL POINT OR 97502

BEFORE THE BOARD OF COMMISSIONERS

STATE OF OREGON, COUNTY OF JACKSON

ORDINANCE NO. 2015-4

AN ORDINANCE APPROVING A REVISION OF THE URBAN GROWTH BOUNDARY MANAGEMENT AGREEMENT (UGBMA) BETWEEN THE CITY OF CENTRAL POINT AND JACKSON COUNTY TO IMPROVE CONSISTENCY WITH THE GREATER BEAR CREEK VALLEY REGIONAL PLAN AND THE CITY'S REGIONAL PLAN ELEMENT PRIMARILY BY ADDING FOREST/GIBBON ACRES, THE JACKSON COUNTY EXPO & FAIRGROUNDS, AND THE SEVEN OAKS INTERCHANGE AREA AS "AREAS OF MUTUAL PLANNING CONCERN" TO INSURE COORDINATED LAND USE PRESERVATION AND/OR DEVELOPMENT. FILE NO. 439-14-00030-LRP.

RECITALS:

1. Pursuant to Chapters 197 and 215 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, Jackson County's Comprehensive Plan and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).

2. On July 30, 2014, the Jackson County Board of Commissioners approved Order No. 163-14 initiating a text amendment to the Jackson County Comprehensive Plan through adoption of a revision to the Urban Growth Boundary Management Agreement (UGBMA) between the City of Central Point and Jackson County.

3. A notice of the proposed amendment was provided to DLCD on August 14, 2014, 98 days prior to the first evidentiary hearing. A notice was published on Sunday, November 9, 2014 in the Medford Mail Tribune that a joint hearing of the Central Point Planning Commission and the Jackson County Planning Commission was scheduled on Thursday, November 20, 2014 at 6:00 p.m. in the City of Central Point Council Chambers, 140 S. Third St., Central Point.

4. A public hearing was held on November 20, 2014 before the Jackson County Planning Commission in the City of Central Point Council Chambers. After considering the evidence and testimony submitted, the JCPC, by motion and vote, recommended that the Board of Commissioners (BOC) approve the application. The JCPC signed the Recommendation for Approval on November 20, 2014.

5. On February 18, 2015 the BOC held a properly advertised public hearing on the proposal. After considering the evidence and testimony submitted, including the record of the JCPC hearing, the BOC, by motion and vote, approved the proposal.

SECTION 1. FINDINGS OF FACT

Based on the evidence and arguments presented, the BOC makes the following findings of fact with respect to these proceedings. Where factual conflict arose, the Board has resolved them consistent with these findings:

1.1 The BOC finds that proper legal notice was provided to affected property owners and affected agencies on January 28, 2015 for a public hearing on this matter. Legal notice was published in the Sunday, February 8, 2015 edition of the Medford Mail Tribune.

1.2 The BOC finds that the JCPC's recommendations, are based upon following proper procedures and are consistent with evidence and testimony in the record of proceedings. The BOC hereby adopts, as its own, the Findings of Fact contained in the JCPC Recommendation for Approval.

SECTION 2. LEGAL FINDINGS

Based on the evidence and arguments presented, the BOC makes the following legal findings with respect to these proceedings. Where factual conflicts arose, the BOC has resolved them consistent with these findings:

2.1 The BOC hereby adopts, as its own, the Legal Findings contained in the JCPC Recommendation for Approval, along with the final "AGREEMENT BETWEEN THE CITY OF CENTRAL POINT, OREGON (CITY) AND JACKSON COUNTY, OREGON (COUNTY) FOR THE JOINT MANAGEMENT OF THE CENTRAL POINT URBAN GROWTH BOUNDARY" (UGBMA) attached hereto as Exhibit A; and Maps delineating Areas of Mutual Planning Concern as identified with the UGBMA, attached hereto as Exhibit B.

SECTION 3. CONCLUSIONS

3.1 The BOC concludes that proper public notice was given.

3.2 The BOC hereby adopts, as its own, the Conclusions contained in the JCPC's Recommendation for Approval, including attached Exhibits A and B identified in section 2.1, above. These conclusions demonstrate that the proposal is in compliance with the applicable Statewide Planning Goals, Oregon Administrative Rules, the applicable policies in the Jackson County Comprehensive Plan, and the applicable sections of the Jackson County Land Development Ordinance.

SECTION 4. DECISION

Now, therefore,

The Board of County Commissioners of Jackson County ordain as follows:

4.1 Based on the record of the public hearing, the BOC hereby approves a revision of the Urban Growth Boundary Management Agreement (UGBMA) between the City of Central Point and Jackson County to improve consistency with the Greater Bear Creek Valley Regional Plan and the City's Regional Plan Element. Principal revisions add Forest/Gibbon Acres, the Jackson County Expo & Fairgrounds, and the Seven Oaks Interchange Area as "Areas of Mutual Planning Concern" to insure coordinated land use preservation and/or development. File No. 439-14-00030-LRP.

ADOPTED this 25th day of March, 2015, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS

Doug Breidenthal, Chair

Rick Dyer, Commissioner

Colleen Roberts, Commissioner

ATTEST:

By: Recording Secretary

APPROVED AS TO LEGAL SUFFICIENCY:

County Counsel

The Board ofCommissioners' Ordinance is the final decision on this action. This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). You must appeal this decision within 21 days of the date it is mailed. This decision is being mailed on March 27, 2015, and the LUBA appeal period will expire on April 17, 2015. Please contact LUBA for specific appeal information. They are located at 550 Capitol Street N.E. Suite 235, Salem, Oregon 97301-2552. They can be reached at (503) 373-1265.

AGREEMENT BETWEEN THE CITY OF CENTRAL POINT, OREGON (CITY) AND JACKSON COUNTY, OREGON (COUNTY) FOR THE JOINT MANAGEMENT OF THE CENTRAL POINT URBAN GROWTH BOUNDARY

WHEREAS, under ORS 190.003 to 190.030, and 197.175, et seq. City and County are authorized to enter into intergovernmental agreements and are required to prepare and adopt Comprehensive Plans consistent with Statewide Planning Goals; and

WHEREAS, under ORS 197 - State Land Use Goal 14, Urbanization, the "Establishment and change of the boundary shall be a cooperative process between a city and the county or counties that surround it"; and

WHEREAS, City and County have adopted a Regional Plan which necessitates revisions to the previous agreement; and

WHEREAS, City and County recognize the importance of providing an orderly transition of urban services from County to City jurisdiction and administration as the Urban Reserve transitions from a rural to an urban character; and

WHEREAS, ORS 190.003, et seq. requires that an intergovernmental agreement relating to the performance of functions or activities by one unit of local government for another shall be adopted and shall specify the responsibilities between the parties;

NOW, THEREFORE, the City and County adopt the following urban growth policies which shall serve as the basis for decisions pertaining to development and land uses in the area between the City limits of Central Point and its urban-growth boundary, and other lands that are of mutual interest or are of significant importance to Central Point's long-range growth and development.

DEFINITIONS

1. Area of Mutual Planning Concern: A geographical area lying beyond the adopted urban growth boundary in which the City and County have an interest in terms of that area's types and levels of development, land uses, environment, agriculture, and other unique characteristics. The area is not subject to annexation within the current planning period but may be in the path of longer-range urban growth. Therefore, the City and County will fully coordinate land use activity within this area.

2. BOC: Jackson County Board of Commissioners.

3. Comprehensive Plan: State-acknowledged comprehensive plan adopted by City or County.

4. Contract Annexation: A process whereby the City, County, and other involved parties enter into a contract that permits:

   A) The parties to administer urban land use regulations on the development of property following an annexation decision while the property remains under County jurisdiction; and

   B) The City to annex property developed to City densities and uses, with the improvement to appear on the County tax rolls prior to the effective date of annexation, resulting in a greater benefit to the tax base of the community.

5. Council: City of Central Point City Council

6. Develop: To bring about growth or create new opportunities for growth; to cause the expansion of available lands; to extend public facilities or services; to construct, alter or expand a structure; to conduct a mining operation; to make a change in the use of appearance of land; to divide land into smaller parcels; to create or terminate rights of access, etc.

7. LDO: Jackson County's Land Development Ordinance.

8. Non-Resource Land: Land that is not subject to the statewide Goals listed in OAR 660-004-0010(1)(a) through (g) except subsections (c) and (d).

9. Planning Services: Legislative activities, such as adoption and amendment of comprehensive plan text and maps, adoption and amendment of land use regulations, and quasi-judicial processing of land use actions.

10. Resource Land: Land that *is* subject to the statewide Goals listed in OAR 660-004-0010(1)(a) through (g) except subsections (c) and (d).

11. Subdivide or Partition Land: The act of dividing the legal ownership of land into smaller units, as set forth in Oregon Revised Statutes 92.010.

12. Urban/Public Facilities and Services: Basic facilities that are planned for and provided by either the private or public sector, and are essential to the support of development in accordance with the City's Comprehensive Plan. Such facilities and services include, but are not limited to, police and fire protection, sanitary facilities, public water and storm drain facilities; planning, zoning, and subdivision controls; health services; recreation facilities and services; energy and communication services; and community governmental services including schools and transportation.

13. Urban Growth Boundary: A site specific line on the Official Plan and Zoning Map of Jackson County, which identifies and encompasses urban and urbanizable lands within the County, including:

A) URBAN LAND: Residential areas generally comprised of parcels smaller than one acre, or highly developed commercial and industrial areas which are within incorporated cities or which contain concentrations of persons who reside or work in the areas, including land adjacent to and outside cities, and which have supporting urban public facilities and services.

B) URBANIZABLE LAND: Areas within an officially adopted urban growth boundary which are needed for the expansion of that urban area, and which have been determined to be necessary and suitable for development as future urban land and which can be served with necessary urban public facilities and services.

14. Urban Reserve Areas (URA): Land outside of a UGB identified as highest priority (per ORS 197.298) for inclusion in the UGB when additional urbanizable land is needed in accordance with the requirements of Statewide Planning Goal 14.

INTENT AND PURPOSE OF AGREEMENT

The intent and purpose of this Agreement is for City and County to:

1. Enhance long-range planning in the Urban Growth Boundary and the Urban Reserve.

2. Maintain and improve coordination and communication between City and County.

3. Develop consistent policies and procedures for managing urban growth and development within the Urban Growth Boundary.

4. Minimize impacts to property owners, local governments and service providers related to the transition of property from within the Urban Growth Boundary to within the City Limits.

URBAN GROWTH POLICIES

1. The City of Central Point shall have primary responsibility for all future urban level development that takes place within the City and urban growth boundary area. Additionally:

   A) All urban level development shall conform to City standards, shall be consistent with the adopted City Comprehensive Plan, and shall meet all appropriate requirements of the City Zoning Ordinance and Map.

B) The term "urban level development" shall be generally defined, for purposes of this agreement, as any commercial or industrial development, and any residential development, partitioning, or subdivision that creates actual or potential densities greater than allowed by the City's Residential Low-density District (R-L). The expansion or major alteration of legally existing commercial or industrial use shall also be considered urban level development.

C) Urban level development proposals submitted through County processes must be accompanied by a contract to annex to the City.

2. A change in the use of urbanizable land from a use designated on the Jackson County Comprehensive Plan/Zoning Map to uses shown on the City Comprehensive Plan shall occur only upon annexation or contractual intent to annex to the City. Additionally:

A) Development of land for uses designated in the Comprehensive Plan shall be encouraged on vacant or underdeveloped lands adjacent to or within the City limits prior to the conversion of other lands within the urban growth boundary.

B) Urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth, as allowed by the Comprehensive Plan, prior to or concurrent with the land use changes.

C) The City may initiate annexation and zone changes of lands outside the City limits and within the UGB that are under a County "Exclusive Farm Use" designation or otherwise enjoying farm-related tax incentives when such lands are needed for urban development.

3. City annexation shall only occur within the framework of the City's Comprehensive Plan and within the Urban Growth Boundary.

4. Except as provided in Policy 11 of this agreement, specific annexation decisions shall be governed by the City of Central Point. The City will provide opportunities for the County and all affected agencies to respond to pending requests for annexation with the response time limited to sixty days to minimize any unnecessary and costly delay in processing.

5. The establishment of the Urban Growth Boundary does not imply that all lands within the Boundary must be annexed to the City.

6. Jackson County shall retain jurisdiction over any land use decisions, other than annexations, within the unincorporated urbanizable area, in conformance with these adopted policies. Additionally:

A) The City shall be requested to respond to pending applications for land use changes in the unincorporated urbanizable area. If no response is received within fourteen days, the County will assume the City has no objections to the request

B) The City will request that the County respond to pending applications for land use changes within the incorporated area which could affect land under County jurisdiction. If no response is received within fourteen days, the City will assume the County has no objections to the request.

C) Recognizing that unincorporated areas within the Urban Growth Boundary could ultimately become part of Central Point, the City's recommendations will be given due consideration. It is the intent of the County to administer a mutually adopted City/County policy in the urbanizable area until such time as the area is annexed.

7. Lands in the vicinity of the Seven Oaks Interchange, as delineated on Map 1 attached, are considered unique because of the transportation facilities present. The I-5 Interchange Area Management Plan (IAMP) for Exit 35 addresses the unique characteristics of the area and recommendations from the plan will be incorporated into the City and County Comprehensive Plans. Portions of this area are in Central Point's Urban Reserve while the remainder is designated an *Area of Mutual Planning Concern* and shall be protected from premature development. Additionally:

A) The County shall ensure that the area remains in a rural character so that a priority is placed on urban development within the UGB, as planned.

B) The Seven Oaks Interchange Area of Mutual Planning Concern shall retain its present County Comprehensive Plan and Zoning Map designation, or similar "rural" designation, until such time as the area can be shown to be needed for the City's urbanization, in accordance with the seven urbanization factors of Statewide goal 14 and the provisions of this agreement that pertain to City-initiated comprehensive plan amendments.

8. Lands in the vicinity of and including Forest/Gibbon Acres west of Table Rock Road, as delineated on Map 2 attached, are considered remote to Central Point at this time. Although located outside of any Urban Reserve, this area is designated an *Area of Mutual Planning Concern* and shall be protected from premature or more intense development. Additionally:

A) The County shall ensure that the area remains in a rural character so that a priority is placed on urban development within the UGB and URAs, as planned.

B) The Forest/Gibbon Acres *Area of Mutual Planning Concern* shall retain its present County Comprehensive Plan and Zoning Map designation, or similar "rural" designation, until such time as the area can be shown to be needed for the City's urbanization or for inclusion in Medford or in White City should it incorporate. Inclusion in a planning area will occur in accordance with the seven urbanization factors of Statewide goal 14 and the provisions of this agreement that pertain to City-initiated comprehensive plan amendments.

9. Lands under the ownership of Jackson County between Gebhard Road and Interstate-5 north of Pine Street, including the Jackson County Expo (fairgrounds) and property in the ownership of Jackson County adjacent to the Expo as delineated on Map 3 attached, are designated an *Area of Mutual Planning Concern* and shall be protected from uncoordinated land use development. Additionally:

A) The County shall ensure that all land use planning that occurs will be coordinated with the City so that a priority is placed on urban development within the UGB and URAs, as planned.

B) The Jackson County Expo *Area of Mutual Planning Concern* shall retain its present County Comprehensive Plan and Zoning Map designation, or designations unique to the fairground master plan, until such time as the area can be shown to be needed for the City's urbanization, in accordance with the seven urbanization factors of Statewide goal 14 and the provisions of this agreement that pertain to City-initiated comprehensive plan amendments.

C) During the first coordinated Periodic Review process for the Regional Plan, Jackson County shall consider including the land occupied by the Jackson County Expo to the City of Central Point Urban Reserve Area.

D) The impacts of County development upon City and Regional infrastructure shall be assessed and mitigated in order to obtain a mutually beneficial outcome to both entities.

10. Lands within the urbanizable area which currently support a farm use shall be encouraged, through zoning and appropriate tax incentives, to remain in that use for as long as is "economically feasible".

A) "Economically feasible", as used in this policy, shall be interpreted to mean feasible from the standpoint of the property owner. Implementation of this policy will be done on a voluntary basis.

B) "Exclusive Farm" or other appropriate low-intensity rural zoning designation shall be applied to areas within the UGB by the County for the

purpose of maintaining agricultural land uses and related tax incentives until such time as planned annexation and urban development occur.

C) "Suburban Residential" or other zoning designations that would permit non-agricultural land uses to develop prematurely could result in obstacles to future planned and coordinated growth and, therefore, should be restricted to only those areas that are already developed to such levels.

D) Agricultural zoning policies contained herein apply only to areas identified by the City or County as agricultural lands within the UGB, URA's or Seven Oaks Area of Mutual Planning Concern and shall not be used as a standard to review other land use applications within these areas.

11. The City and County acknowledge the importance of protecting agricultural lands. Therefore:

A) While properties are in agricultural use, the City will apply the below standards when adjacent lands are proposed for urban residential development:

i. To mitigate the potential for vandalism, the development's design should incorporate the use of visible public or semipublic open space adjacent to the agricultural lands.

ii. To mitigate nuisances originating from agricultural noise, odors, irrigation run-off, and agricultural spray drift, the development's design should incorporate:

a. The use of landscaping and berms where a positive buffering benefit can be demonstrated.

b. The orientation of structures and fencing relative to usable exterior space such as patios, rear yards and courts, such that the potential impacts from spray drift, dust, odors, and noise intrusion are minimized.

c. The design and construction of all habitable buildings, including window and door locations, should be such that the potential impact of spray drift, noise, dust, and odors upon interior living/working areas will be minimized.

d. Physical separation between agricultural lands and urban development shall be utilized to the greatest extent possible to minimize adverse impacts. Site design emphasizing the appropriate use of open space areas, streets, and areas not

designed specifically for public recreation or assembly shall be considered.

B) The City and County mutually agree herewith that the buffering standards established by the Jackson County Regional Plan and adopted by the City of Central Point have or can and will be met, prior to annexation or urban development of lands.

C) The City and County mutually agree to involve affected Irrigation Districts prior to annexation or when contemplating urban development of lands.

12. The City, County, and other affected agencies shall coordinate the expansion and development of all urban facilities and services within the urbanization area. Additionally:

A) Provisions for urban facilities and services shall be planned in a manner limiting duplication in an effort to provide greater efficiency and economy of operation.

B) A single urban facility or service extended into the urbanizable area must be coordinated with the planned future development of all other facilities and services appropriate to that area, and shall be provided at levels necessary for expected uses, as designated in the City's Comprehensive Plan.

13. All County road construction and reconstruction resulting from new development, redevelopment, or land division, in the urbanizable area shall be to urban standards, except that the term "reconstruction" does not include normal road maintenance by the County.

14. Except for URAs, no other land or non-municipal improvements located outside the Urban Growth Boundary shall be permitted to connect to the water line serving Erickson unless it is first included in the Urban Growth Boundary or a "reasons" exception is taken to applicable Statewide Land Use Planning Goals which allows such connection. The owners of such benefited property must sign an irrevocable consent to annex to the City of Central Point.

AMENDMENTS AND CORRECTIONS TO THE URBAN GROWTH BOUNDARY

The procedure for joint City and County review and amendment of urban growth boundary and urbanization policies are established as follows:

MAJOR REVISIONS

Major revisions in boundary or policies will be considered amendments to both the City and County comprehensive plans and, as such, are subject to a legislative review process. A major revision shall include any boundary change that has widespread and significant impact beyond the immediate area, such as quantitative changes allowing for substantial changes in population or significant increases in resource impacts; qualitative changes in the land use itself, such as conversion of residential to industrial use, or spatial changes that affect large areas of many different ownerships. Any change in urbanization policies is considered a major revision.

Major revisions will be considered by the City and County at periodic intervals in accordance with the terms of the mutually adopted urban growth boundary agreements between the County and each municipal jurisdiction. It is the intent of the governing bodies to review the urban growth boundary and urbanization policies for consistency upon completion of the City and County Comprehensive Plans.

A request for major revision can be initiated only by the County or City governing bodies or their respective planning commissions. Individuals, groups, citizen advisory committees, and affected agencies may petition the County or appropriate City in accordance with the procedural guidelines adopted by the jurisdiction for initiating major legislative amendments. The party who seeks the revision shall be responsible for filing adequate written documentation with the City and County governing bodies. Final legislative action on major revision requests shall be based on the factors stated in each mutually adopted urban growth boundary agreement. Generally these are:

A) Demonstrated need to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities;

B) The orderly and economic provision of public facilities and services;

C) Maximum efficiency of land uses within the current urbanizable area;

D) Environmental, energy, economic and social consequences;

E) Compatibility of the proposed change with other elements of the City and County comprehensive plans; and,

F) The other statewide planning goals.

Major revision proposals shall be subject to a mutual City and County review and agreement process involving affected agencies, citizen advisory committees, and the general public. The review process has the following steps:

A) CAC and planning commissions review and make recommendations to the City Council and Board of County Commissioners;

B) Proposal mailed to the affected agencies and property owners; and,

C) Proposal heard and acted upon by City Council and Board of County Commissioners.

MINOR BOUNDARY LINE ADJUSTMENTS

Minor adjustments to an urban growth boundary line may be considered subject to similar procedures used by the City and County in hearing zoning requests. A minor amendment is defined as focusing on specific individual properties and not having significant impacts beyond the immediate area of the change.

Application for a minor boundary line amendment can only be made by property owners, their authorized agents, or by a City or County governing body. Written applications for amendments may be filed in the office of the Jackson County Department of Planning and Development on forms prescribed by the County. The standards for processing an application are as indicated in the mutually adopted urban growth boundary agreement. Generally these are the same factors as for a major urban growth boundary amendment.

CORRECTION OF ERRORS

A. An error is generally considered to be a cartographic mistake, or a misprint, omission, or duplication in the text. They are technical in nature and not the result of new information or changing attitudes or policies.

B. If the City Council and Board of County Commissioners become aware of an error in the map(s) or text of this mutually-adopted urbanization program, both bodies may cause an immediate amendment to correct the error, after mutual agreement is reached.

C. Corrections shall be made by ordinance, following a public hearing conducted by both governing bodies, but hearings before the planning commissions shall not be required when an amendment is intended specifically to correct an error.

REVIEW, AMENDMENT AND TERMINATION OF AGREEMENT

A. This Agreement may be reviewed and amended at any time by mutual consent of both parties, after public hearings by the Council and the Board of Commissioners.

B. Any modifications to this Agreement will be consistent with City and County comprehensive plans and state law.

C. Staff from City and County will attempt to informally resolve any disputes regarding the terms, conditions, or meaning of this Agreement. For any disputes not resolved through this informal process, the Council and the BOC will meet jointly in an attempt to resolve those disputes. Either party may request the services of a mediator to resolve any dispute.

D. This Agreement may be terminated by either party subsequent to dissolution of a URA or an Area of Mutual Planning Concern. Such termination shall proceed through a properly noticed public hearing process.

This agreement supersedes the prior agreement between the parties on the same subject matter approved by the County on _____, 20___, and by the City on _____, 20___.

CITY OF CENTRAL POINT

_____
Hank Williams, Mayor DATE

ATTEST:

_____
City Administrator

JACKSON COUNTY
BOARD OF COMMISSIONERS

_____
Doug Breidenthal, Chair DATE

APPROVED AS TO FORM:

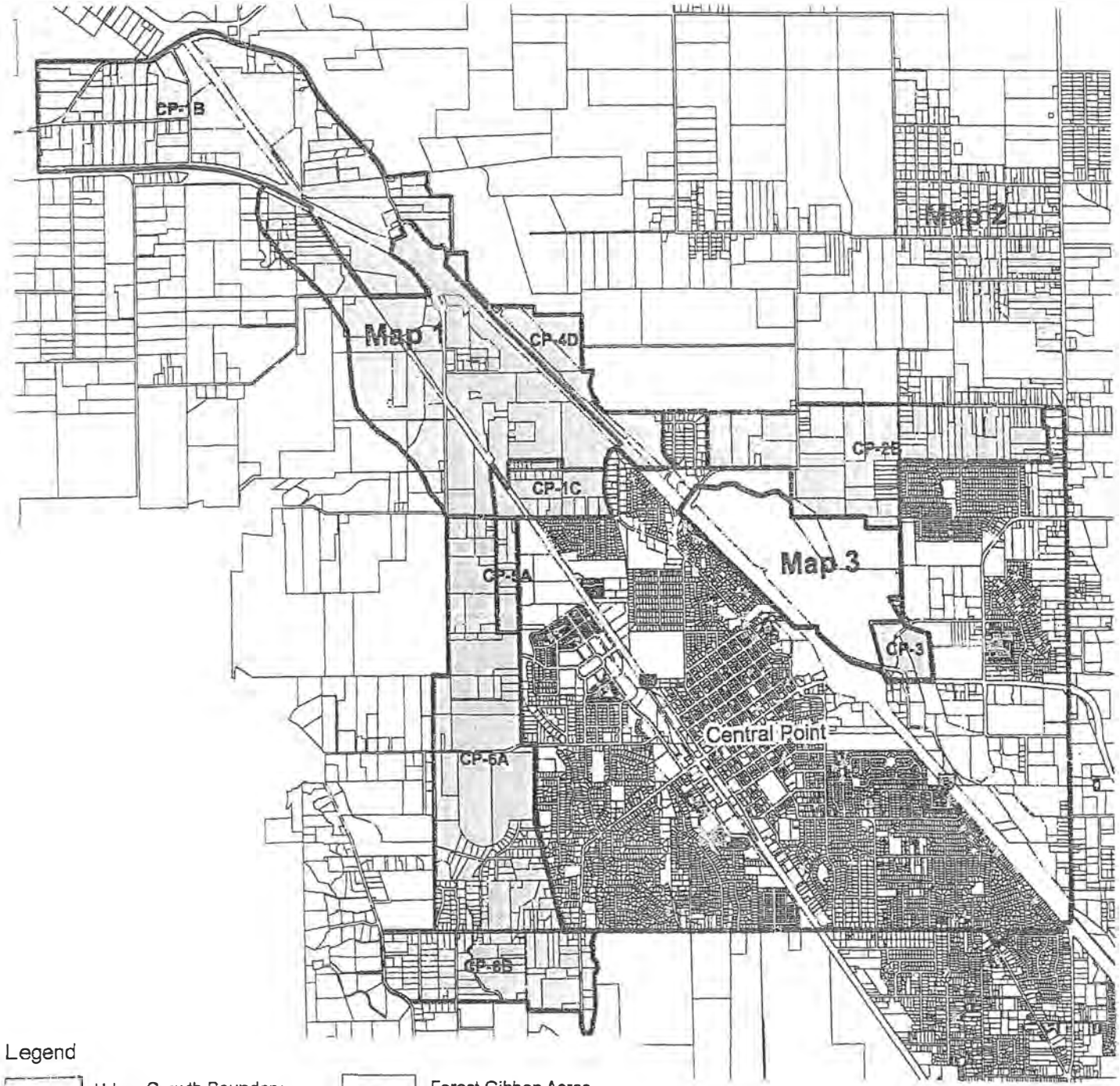
_____
County Counsel

ATTEST:

_____
Recording Secretary

EXHIBIT B

CENTRAL POINT



Legend

- Urban Growth Boundary
- Urban Reserve Areas
- Seven Oaks Interchange Area
- Forest Gibbon Acres
- Jackson County Expo Area

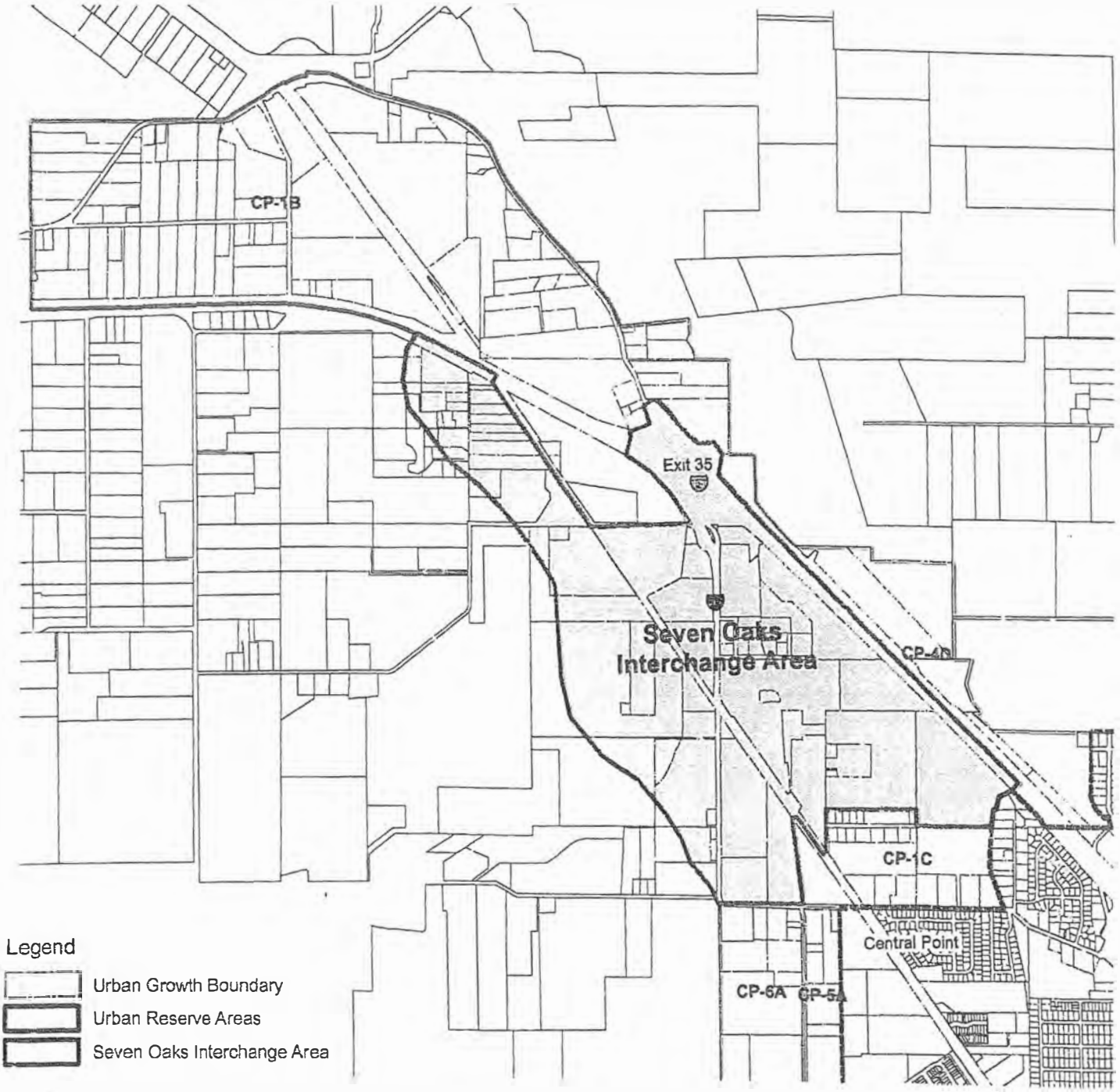
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Central Point

Urban Growth Boundary
Areas of Mutual Planning Concern
Index Map

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CENTRAL POINT



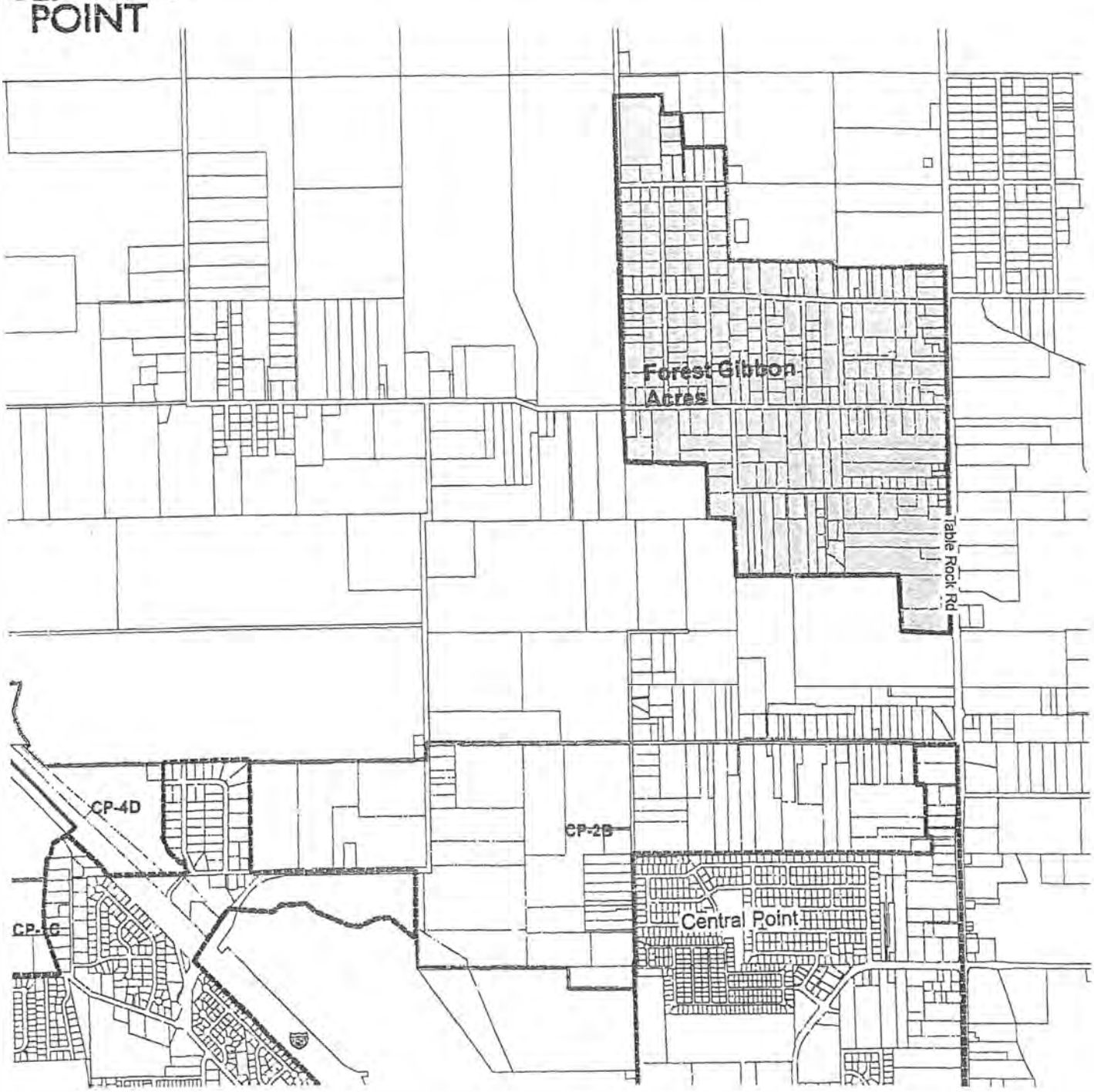
Central Point

Map 1

Urban Growth Boundary
Areas of Mutual Planning Concern
Seven Oaks Interchange Area

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CENTRAL POINT



Legend

Urban Growth Boundary

Urban Reserve Areas

Forest Gibbon Acres

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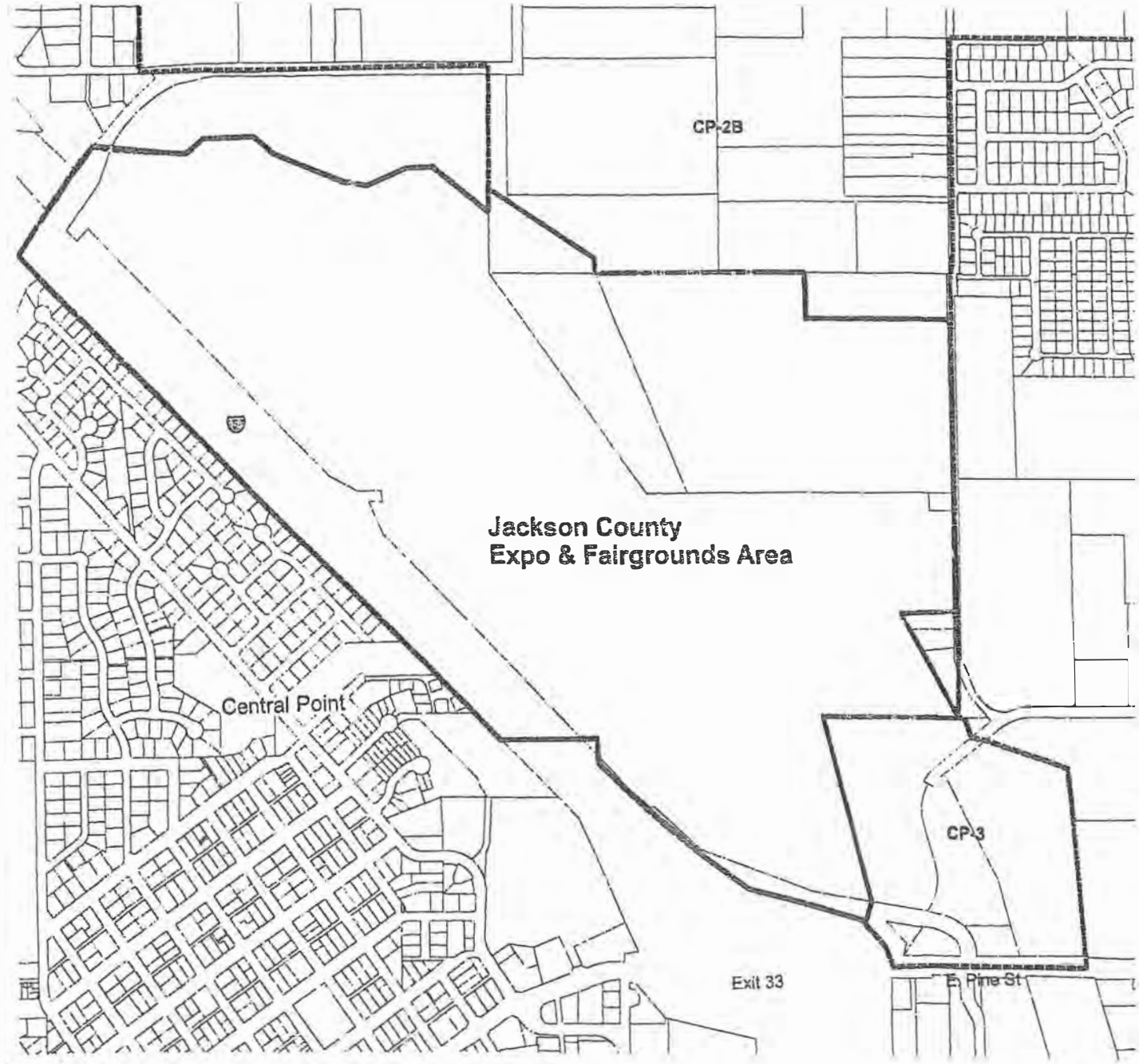
Central Point

Map 2

Urban Growth Boundary
Areas of Mutual Planning Concern
Forest Gibbon Acres

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CENTRAL POINT



Legend

- Urban Growth Boundary
- Urban Reserve Areas
- Jackson County Expo Area

N

Central Point

Map 3

Urban Growth Boundary
Areas of Mutual Planning Concern
Jackson County Expo Area

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Development Services

10 South Oakdale Ave., Room 100
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AND DEVELOPMENT

PLAN AMENDMENT SPECIALIST
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SALEM OR 97301-2540