



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

July 26, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Eagle Point Plan Amendment
DLCD File Number 007-05 A



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 9, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Bunny Lincoln, City of Eagle Point

<paa> ya/

FORM 2

DLCD NOTICE OF ADOPTION

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18

(See second page for submittal requirements)

Jurisdiction: EAGLE POINT

Local File No.: 05/06-03: ANY/ZCH
(If no number, use none)

Date of Adoption: 6.27.06
(Must be filled in)

Date Mailed: 7.19.06
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 12.27.05

- | | |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input checked="" type="checkbox"/> Other: <u>ANNEXATION</u> |

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

ANNEXATION & REZONING OF 10 ACRES

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same". If you did not give notice for the proposed amendment, write "N/A". SAME

Plan Map Changed from: _____ to: _____
Zone Map Changed from: COUNTY to: R1-B (SINGLE FAMILY)

Location: BARTON ROAD Acres Involved: 10

Specify Density: Previous: ∅ New: 5/AC.

Applicable Statewide Planning Goals: URBANIZATION & PUBLIC FACILITIES

Was an Exception Adopted? Yes: No:

Does Adopted Amendment affect the areas in unincorporated Washington County where the

Zoning Code applies? Yes No

DLCD File No.: 007-05A(14904)

DEPT OF

JUL 21 2006

LAND CONSERVATION
AND DEVELOPMENT

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: PANNY LINCOLN Area Code + Phone Number: 541-826-4212 xt. 111

Address: P.O. Box 779 City: EAGLE POINT

Zip Code+4: 97524-0779 Email Address: bunnylincoln@cityofeaglepoint.oreg

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO (2) Copies of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the ANotice of Adoption is sent to DLCD.
6. In addition to sending the ANotice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to Mara.Ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 2006-02

AN ORDINANCE AMENDING THE ZONING MAP AND ADOPTING SPECIFIC ZONING CLASSIFICATIONS FOR PROPERTY LOCATED IN THE CITY OF EAGLE POINT, OREGON.

WHEREAS, application has been made to the City of Eagle Point for the rezoning of certain property under its jurisdiction from a Jackson County designation to R1 (Single Family Residential), with payment of required planning fees; and

WHEREAS, said properties lie within the corporate boundaries of Eagle Point; and

WHEREAS, the application has been declared complete by the City; and

WHEREAS, all legally required notifications and advertisements have been made, with accompanying certifications; and

WHEREAS, the Planning Commission held a public hearing, June 20, 2006, in connection with said application and has forwarded its recommendation(s) for approval to the City Council; and

WHEREAS, the City Council held a public hearing, June 27, 2006; and

WHEREAS, both hearings provided a forum for public testimony on the proposed rezoning; and

WHEREAS, such rezonings are subject to the provisions of the **Eagle Point Zoning Ordinance, Article IX - Amendments, Section 9.070 (C) - Ordinance**, which requires that rezonings be effected by ordinance, including the adoption of related Findings of Fact, now, therefore,

THE CITY OF EAGLE POINT ORDAINS AS FOLLOWS:

Section 1 - Findings of Fact. The Council hereby adopts the Findings of Fact contained within the whole record, or as amended, with regard to the rezoning:

Section 2. - Approval Conditions. The following approval conditions are attached to the subject rezoning:

FUTURE DEVELOPMENT -

1. No new residential occupancy of the subject properties may occur until such time as the road connection between Crystal Drive and Barton Road has been completed and dedicated to the City.
2. Any residential development of this property shall comply with all relevant City rules and regulations. This shall include, but not be limited to, submittal of all required applications and payment of fees for same.
 - a. It shall be noted for the record that any future proposed development of this property may be subject to a traffic impact study, at the expense of the developer(s).

MISCELLANEOUS -

1. Any assessed development or SDC fees shall not be tied to any approvals for this project, but shall apply severally at the time each becomes payable per City ordinance. Fees may not be paid in advance.

EXAMPLES: If there are fee increases between development approval and the time any individual building permit is pulled, the increased fees shall be the amounts due. This may include, but not be limited to, building permit fees, park in lieu fees, water connection fees or Medford Water Commission, BCVSA and Eagle Point SDC's.

2. These conditions shall be binding upon and inure to the benefit of the heirs, successors and assigns of the applicants. These conditions are not personal, but are for the benefit of all the land herein described, and shall be binding upon the developer and all successive owners of all or part of said property.


Section 3 - Legal Description and Zoning Designation. The real property described as Tax Lots #800 and 900, JACO Assessor's Map 351W34, Barton Road, Eagle Point Oregon are hereby zoned R-1-8, in conformance with the Eagle Point Comprehensive Plan Land Use Map.

Section 4. Effective Date. The Ordinance amendment shall become effective thirty (30) days after formal adoption by the City Council.

PASSED by the Council and signed by me in open session in authentication of its passage this 27th day of June, 2006.


Presiding Officer

ATTEST:


Recorder

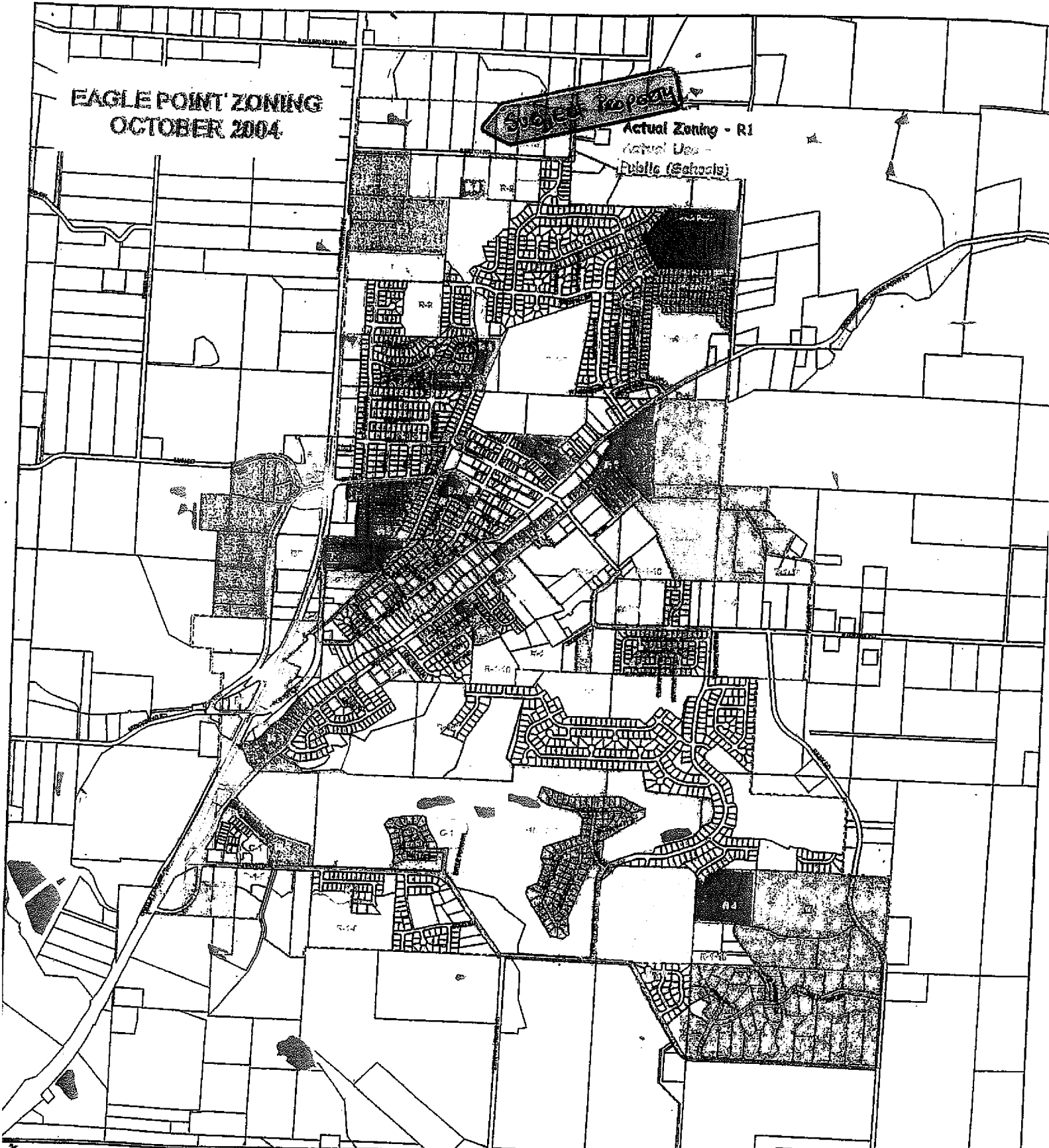
APPROVED by me this 27th day of June, 2006.

MAP(S)

**EAGLE POINT ZONING
OCTOBER 2004**

500' Easement

**Actual Zoning - R1
Actual Use -
Public (Schools)**



CITY OF EAGLE POINT
Prepared by
ACCURACY (LLC) ENGINEERS

CITY OF EAGLE POINT
Revised October 2004

City Limits		City Center		Residential		Commercial		Public	
City Limits	Water Boundary	R-1	R-2	R-1-20	R-1-22	R-2	R-2-20	R-2-22	Public



APPROVAL CRITERIA

Planning Application
Procedural and Approval Criteria

Sullivan - Lewis Rezone (Barton Road)

TYPE: REZONE

COMPREHENSIVE PLAN

COMPREHENSIVE PLAN LAND USE MAP

ZONING ORDINANCE

ARTICLE III - RESIDENTIAL ZONING DISTRICTS (R-1)

ARTICLE IX - AMENDMENTS (ZONING MAP)

- Section 9.010 *General*
- Section 9.020 *Initiation of Amendment*
- Section 9.030 *Application*
- Section 9.040 *Planning Commission Procedure*
- Section 9.050 *Planning Commission Action*
- Section 9.060 *City Council Procedure*
- Section 9.070 *City Council Action*

OTHERS RELEVANT



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

June 20, 2006

Region 3 Planning

100 Antelope Road
White City, OR 97503
Phone 541-774-6399
Fax 541-774-6349

Bunny Lincoln, City Planner
City of Eagle Point
17 Buchanan Ave. South / P.O. Box 779
Eagle Point, Oregon 97524

**Re: Lewis/Sullivan/Whittle Annexation & Zone Change: City file no. PA#05/06-03:
ZCH**

Ms. Lincoln:

The Oregon Department of Transportation (ODOT) appreciates the opportunity to comment on the Lewis / Sullivan / Whittle Zone Change project. We worked with the applicant [Whittle] and City of Eagle Point to develop substantial traffic evidence that complies with the Transportation Planning Rule, OAR 660-012-0060, *Plan and Land Use Amendments*, for the associated Pleasant Creek Hills land use amendment project on Barton Road.

The scope of the Pleasant Creek Hills *Highway 62 Capacity Analysis* report prepared by RDK Engineering, accounts for the proposed Lewis / Sullivan / Whittle zone change project. The Pleasant Creek Hills project's traffic analysis concludes Highway 62 intersections in Year 2006 "are operating at an acceptable level of service" consistent with City of Eagle Point and ODOT performance standards. In Year 2026, Highway 62 facilities "will continue to operate consistent with City and ODOT standards with the proposed project." We concur with the report's conclusions that the intersections of Crystal & OR-62; Lynn & OR-62; Nick Young & OR-62; and Barton & OR-62 operate acceptably in current and future years.

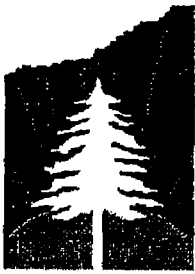
We note RDK's advisory conclusions stating, "the intersections [i.e. Crystal, Linn and Nick Young] will be operating at or near their capacity and any additional traffic impacts on Highway 62 may require mitigation measures."

Please enter this letter into the public hearing record, and send me a copy of the City's final decision and findings of facts. Please contact me at (541) 774-6399, or in writing, if you have questions regarding this correspondence. Thank you.

Respectfully,

David J. Pyles
Development Review Planner

Cc: ODOT Region 3
John Renz, DLCD Regional Representative



**JACKSON
COUNTY**
Oregon

**DEPARTMENT OF ASSESSMENT
DANIEL G. ROSS
Jackson County Assessor
10 South Oakdale Room 300
MEDFORD OR 97501**

Information	541-774-6059
Drafting	541-774-6095
Personal Property	541-774-6094
FAX	541-774-6701

April 5, 2006

*SULLIVAN, Lewis, J
WHITTLE*

City of Eagle Point
Budget Officer
PO Box 779
Eagle Point, OR 97524

Re: Taxing District Boundary Change (ORD 396-95)

Dear District:

Final approval for Annexation No. 2006-05 has been received from the Oregon Department of Revenue. Please remit to the Jackson County Department of Assessment the total amount due below. The annexation will be completed upon receipt of the amount due. Dates for district changes set by Oregon State law remain unchanged.

Number of tax lots involved	<u>3</u>
Annexation processing fee	<u>\$286.00</u>
Total Amount Due	<u>\$286.00</u>

**Please send remittance to: Department of Assessment
10 South Oakdale, Room 300
Medford, OR 97501**

Respectfully yours,

Ann E. Cacka

Ann E. Cacka
Cartography Manager

City of Eagle Point

P. O. Box 779

Eagle Point OR 97524

Phone: 541-826-4212

Fax: 541-826-6155

PLANNING & BUILDING
DEPARTMENTS

Memo

To: Affected Agencies
cc: Planning File
From: Bunny Lincoln, Planning Dept.
Date: 3/28/2006
Re: Adoption of Annexation Resolution

To whom it may concern,

After a public hearing held on February 28, 2006, the Eagle Point City Council adopted Resolution No. 2006-05, annexing certain property into the City limits.

The subject properties will be rezoned (by ordinance) to Single Family Residential, by the City Council, in April.

Please note the attached information for your records.



CERTIFIED
MAILING —
3.28.06



Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

Description and Map Approved
March 17, 2006
As Per ORS 308.225

City of Eagle Point
Budget Officer
PO Box 779
Eagle Point, OR 97524

Description Map received from: CITY
On: 3/13/2006

This is to notify you that your boundary change in Jackson County for

ANNEX TO CITY OF EAGLE POINT; WITHDRAW FROM ROGUE VALLEY TRANSIT DISTRICT

RES. #2006-05

has been: Approved 3/17/2006
 Disapproved

Notes:

Department of Revenue File Number: 15-1145-2006

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge
- Establishment of Tax Zone

RESOLUTION NO. 2006-05

A RESOLUTION PROVIDING FOR THE ANNEXATION OF CERTAIN LAND TO THE CITY OF EAGLE POINT, OREGON, AND ITS WITHDRAWAL FROM ROGUE VALLEY TRANSIT DISTRICT

WHEREAS, pursuant to ORS 222.125, 100% of the owners and electors of the territory to be annexed to the City of Eagle Point have consented in writing to said annexation and have filed a statement of such consent with the Council of the City of Eagle Point; and

WHEREAS, it is the judgment of the Council of the City of Eagle Point that said territory should be annexed to and become part of the City of Eagle Point, and that such annexation would be in conformance with its acknowledged Comprehensive Plan and otherwise in compliance with all statutory requirements governing annexation; and

WHEREAS, as it is currently developed, adequate public services are available to serve said properties; and

WHEREAS, the Council further determines that said property should be withdrawn from the boundaries of the Rogue Valley Transit District upon and as of the effective date of its annexation to the City, now, therefore,

THE CITY OF EAGLE POINT RESOLVES AS FOLLOWS:

Section 1. The Council hereby finds that the annexation of the real property hereinafter described meets the requirements of the ORS 222.125, et seq., governing the annexation of contiguous territory, that said annexation conforms to the acknowledged Comprehensive Plan for the City of Eagle Point, and that said annexation will provide benefit to the welfare of the City of Eagle Point and its residents.

Section 2. Having received written consent hereby sets the final boundaries of the area to be annexed as and by that legal description attached hereto as **Exhibit "A"** to the annexation by all the owners and electors of the lands to be annexed, pursuant to ORS 222.125, the Council, and accompanying map attached hereto as **Exhibit "B"** (**JACO Assessor's Map 351W34 Tax Lots 800, 900 and 1300**) and by this reference incorporated herein and made a part hereof, and proclaims the annexation there of to the City of Eagle Point.

Section 3. The real property described in said **Exhibit "A"**, is hereby withdrawn from Rogue Valley Transit District as of the effective date of this resolution.


Section 4. The real property described in said **Exhibit "A"**, shall be assigned City zoning as specified on the adopted Comprehensive Plan Land Use Map (Low Density Residential and Light Industrial), **by ordinance, (in compliance with Article IX – Section 9.070(c), EP Zoning Ordinance.)**

Section 5. The following conditions shall apply to the annexation:


- a. The annexation approval in no way constitutes approval for any development of these properties, or any portion thereof.
- b. Upon application for future land development approval(s), the City will again review and assess all existing public facilities as related to whatever proposals are submitted.

Section 6. Copies of this resolution shall be filed forthwith with the office of the Secretary Of State for the State of Oregon and with the County Assessor of Jackson County, Oregon.

PASSED by the Council and signed by me in open session in authentication of its passage this **28th** day of **February, 2006**.



Presiding Officer

ATTEST: 

Recorder

APPROVED by me this **28th** day of **February, 2006**.

DOR 15-P-154-2006
Description for annexation
To the City of Eagle Point
T35S-R1W-Tax Lots 800, 900, and 1300
Eagle Point Meadows Lots 20, 23 East and Lot 8

BEGINNING at the Southwest corner of Lot 8 of Eagle Point Meadows Subdivision, as recorded in Volume 5, Page 38 of the Plat Records of Jackson County, Oregon; thence along the West line of said Lot 8, North 00°11' East, 601.4 feet, to the Northwest corner of said Lot 8; thence continuing North 00°11' East, on a prolongation of said West line, 60.0 feet, to a point on the Northerly right-of-way line of Barton Road; thence along said right-of-way line, North 89°59' East, 525.4 feet to the Southwest corner of the Easterly Lot 23 of said subdivision; thence along the West line of said Lot, North 00°11' East, 696.0 feet to the Northwest corner of said Easterly Lot 23; thence North 89°59' East, 625.8 feet to the Northeast corner of Lot 20 of said subdivision; thence along the East boundary of said Lot, South 00°11' West, 696.0 feet to the Southeast corner of said Lot 20; thence along the Northerly right-of-way of Barton Road, South 89°59' West, 419.2 feet to a point on the Northerly right-of-way of Barton Road; thence South 00°11' West, 60.0 feet to the Northeast corner of Lot 9 of said subdivision; thence along the Southerly right-of-way of Barton Road, also being the North boundary of said Lot 9, South 89°59' West, 366.0 feet to the Northeast corner of Lot 8 of said subdivision; thence along the East boundary of said Lot 8, South 00°11' West, 602.8 feet to the Southeast corner of said Lot 8; thence along the South boundary of said Lot 8, North 89°54' West, 366.0 feet to THE POINT OF BEGINNING.

Prepared by: Farber Surveying
431 Oak Street
Central Point, Or. 97502
(541) 664-5599
Date; February, 2006

ANNEXATION
EXHIBIT
FOR
THE CITY OF
EAGLE POINT,
OREGON

--- HATCHING DENOTES ANNEXATION TRACTS

--- EAGLE POINT MEADOWS PLAT VOLUME 5, PAGE 38 OF THE PLAT RECORDS OF JACKSON COUNTY, DEPICTS TWO LOTS NUMBERED 23 AS SHOWN.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Herbert A. Farber

OREGON
JULY 26, 1985
HERBERT A. FARBER
2189

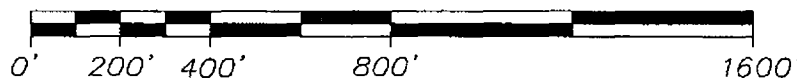
RENEWAL DATE 12-31-07

Prepared by:
FARBER & SONS, INC.
dba FARBER SURVEYING
431 Oak Street
Central Point, OR. 97502
(541) 664-5599

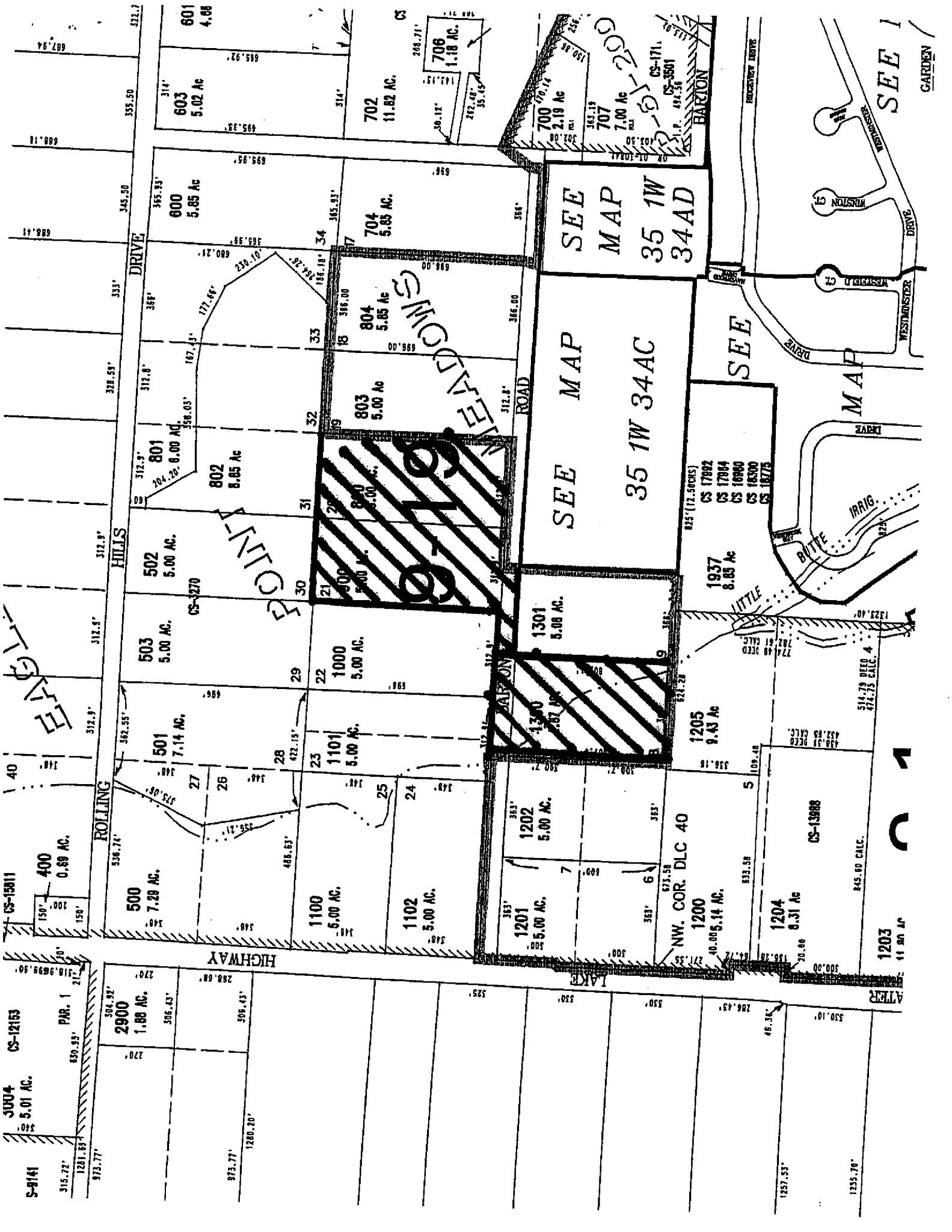
MARCH 9, 2006
JOB# 1413-06



SCALE: 1" = 400'



35 1W 34 TAX LOTS 800, 900 AND 1300



CS-12153
 5.01 AC.
 PAR. 1
 520.45'
 1281.69'
 313.77'

CS-15811
 400
 0.89 AC.
 150'
 150'

500
 7.29 AC.
 349'
 375.05'

501
 7.14 AC.
 348'
 375.05'

502
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 348'

503
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 348'

504
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505
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506
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507
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702
 11.82 AC.
 314'

703
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704
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705
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706
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707
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708
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709
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801
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1109
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 312.9'

1200
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 363'

1201
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 363'

1202
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1203
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1204
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1205
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1206
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1309
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 363'

1310
 5.08 AC.
 363'

1937
 8.85 AC.
 625' (12.50 ACES)

1938
 8.85 AC.
 625' (12.50 ACES)

1939
 8.85 AC.
 625' (12.50 ACES)

1940
 8.85 AC.
 625' (12.50 ACES)

1941
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 625' (12.50 ACES)

1942
 8.85 AC.
 625' (12.50 ACES)

1943
 8.85 AC.
 625' (12.50 ACES)

1944
 8.85 AC.
 625' (12.50 ACES)

1945
 8.85 AC.
 625' (12.50 ACES)

1946
 8.85 AC.
 625' (12.50 ACES)

CS-12153
 5.01 AC.
 PAR. 1
 520.45'
 1281.69'
 313.77'

CS-15811
 400
 0.89 AC.
 150'
 150'

CS-13688
 845.80 CALC.
 432.88 DEED
 432.88 DEED
 514.79 DEED
 472.75 CALC. 4

CS-17892
 CS-17894
 CS-16940
 CS-16300
 CS-16775

CS-1711
 CS-3501
 P. 192.56

CS-13688
 845.80 CALC.
 432.88 DEED
 432.88 DEED
 514.79 DEED
 472.75 CALC. 4

CS-13688
 845.80 CALC.
 432.88 DEED
 432.88 DEED
 514.79 DEED
 472.75 CALC. 4

CS-13688
 845.80 CALC.
 432.88 DEED
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 472.75 CALC. 4

CS-13688
 845.80 CALC.
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 514.79 DEED
 472.75 CALC. 4

CS-13688
 845.80 CALC.
 432.88 DEED
 432.88 DEED
 514.79 DEED
 472.75 CALC. 4