



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

September 21, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 008-04



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: October 5, 2007

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
Robert O. Scott, City of Medford

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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

In person electronic mailed

DATE
STAMP

DEPT OF
SEP 17 2007
**LAND CONSERVATION
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: City of Medford

Local file number: DCA-04-T41

Date of Adoption: 02/03/05

Date Mailed: 09/14/07

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date:

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

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

Creates a Limited Industrial Overlay so the City can apply City zoning to County zoned Industrial land with the Overlay and avoid increasing the need for additional public facilities above that required under previous County zoning.

Does the Adoption differ from proposal? Please select one

Same

Plan Map Changed from: --

to: --

Zone Map Changed from: --

to: --

Location: --

Acres Involved: --

Specify Density: Previous: --

New: --

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 008-04(14018)

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: Robert O. Scott Phone: (541)774-2380 Extension:
Address: 200 South Ivy Street Fax Number: 541-774-2564
City: Medford Zip: 97501 E-mail Address: rob.scott@cityofmedford.org

Enclosures: Ordinance No. 2005-13

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 Complete Copies** (documents and maps) 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. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
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 Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice 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 now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also 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. 2005-13

AN ORDINANCE amending Chapter 10 of the Code of Medford by adding Section 10.348 to create a new I-00 (Limited Industrial) overlay district.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 10.348 of the Code of Medford is added to read as follows:

10.348 Limited Industrial Overlay District, I-00.

The purpose of the Limited Industrial Overlay District is to limit the number of vehicle trips in the City industrial zones to that which would be generated under the comparable County industrial zoning designations. This shall be accomplished by disallowing commercial uses that are otherwise permitted in the City industrial zones until the appropriate facility adequacy tests have been completed. Once facilities have been shown to be adequate or have been made adequate to support the types of commercial uses permitted by the underlying City industrial zone, the Limited Industrial Overlay may be removed according to the zone change procedure outlined in Section 10.225 through 10.227.

The following uses, as listed in MLDC Section 10.337, shall not be permitted within the Limited Industrial Overlay District:

- 523 Paint Glass and Wallpaper Stores
- 554 Gasoline Service Stations
- 581 Eating and Drinking Places, excluding Temporary Food Vendors and Small Food Vendors
- 60 Banking
- 61 Credit Agencies Other than Banks
- 62 Security, Commodity Brokers and Services
- 63 Insurance Carriers
- 64 Insurance Agents, Brokers, and Service
- 65 Real Estate
- 67 Holding and other Investment Offices
- 726 Funeral Service and Crematories
- 731 Advertising
- 736 Personnel Supply Services
- 737 Computer and Data Processing Services
- 751 Automotive Rentals, without drivers
- 794 Commercial Sports
- 799 Misc. Amusement, Recreational Services
- 807 Medical and Dental Laboratories
- 82 Educational Services
- 86 Membership Organizations
- 87 Engineering, Accounting, and Miscellaneous Professional and Management Services

- 89 Miscellaneous Services
- 94 Administration of Human Resources
- 95 Administration of Environmental Quality and Housing

PASSED by the Council and signed by me in authentication of its passage this 3rd day of February, 2005.

ATTEST: /s/Glenda Owens
City Recorder

/s/Gary H. Wheeler
Mayor

APPROVED February 3rd, 2005.

/s/Gary H. Wheeler
Mayor