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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Jurisdiction: City of Medford
Date of Adoption: 02/03/05
Date Mailed: 09/14/07

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Select one:
- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- 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:

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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
Address: 200 South Ivy Street
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 maraulloa@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 maraulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

http://www.lcd.state.or.us/LCD/forms.shtml

Updated November 27, 2006
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 ad 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          /s/Gary H. Wheeler
         City Recorder                Mayor

APPROVED  February 3rd, 2005.       /s/Gary H. Wheeler
                                      Mayor