



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



NOTICE OF ADOPTED AMENDMENT

10/26/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 018-11

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: Tuesday, November 08, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Marilyn Primm, City of Medford
Angela Lazarean, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

OCT 19 2011

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Medford**

Local file number: **A-10-026/ZC-10-044**

Date of Adoption: **October 6, 2011**

Date Mailed: **October 17, 2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 9/8/11

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".

Does the Adoption differ from proposal? **No**

Plan Map Changed from:

to:

Zone Map Changed from: **County GI/County EFU**

to: **City I-H/City SFR-00**

Location:

Acres Involved: **8.7**

Specify Density: Previous: **1 dwelling per parcel/EFU**

New: **1 dwelling per parcel SFR-00**

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 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 checked="" type="checkbox"/>	<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"/>

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. _____

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

Medford Rural Fire District No. 2

Charlotte Ann Water District

Local Contact: **Marilyn Primm**

Phone: **(541) 774-2380** Extension:

Address: **200 South Ivy Street**

Fax Number: **(541) 774-2564**

City: **Medford**

Zip: **97501**

E-mail Address: **marilyn.primm@cityofmedford.org**

DLCD File No 018-11 (18966) [16801]

ORDINANCE NO. 2011-195

AN ORDINANCE proclaiming annexation to the City of Medford of two (2) parcels plus associated street right-of-way and railroad right-of-way totaling 8.70 acres on the west side and including the railroad right-of-way, south of South Stage Road to the urban growth boundary, and South Pacific Highway south of South Stage Road to the urban growth boundary, and concurrent zone change from County GI (General Industrial) to City I-G/I-00 (General Industrial/Limited Industrial Overlay) and County EFU (Exclusive Farm Use) to City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot), and withdrawal of said properties from Medford Rural Fire District No. 2 and Charlotte Ann Water District, effective when notice is received from the Secretary of State.

WHEREAS:

1. The owner of the land in the territory to be annexed has consented in writing to the annexation, said consent having been heretofore filed with the City Recorder in the manner prescribed by law; letters were sent to surrounding property owners asking if they desired to be included in this annexation and no responses were received; and
2. The City Council by Resolution No. 2011-164 adopted September 1, 2011, dispensed with the elections submitting to the registered voters of the city the question of annexing said property and set 7:00 o'clock p.m. on the 6th day of October, 2011, in the Council Chambers of the City Hall in said city as the time and place of hearing thereon, together with a zone change to City I-G/I-00 and City SFR-00, and withdrawing said property from Medford Rural Fire District #2 and Charlotte Ann Water District, at which time and place the registered voters of the city and other interested parties were given an opportunity to be heard on the question; and
3. Notices of said public hearing were published and posted in the manner and for the time prescribed by law and the public hearing was duly held by and before the City Council as provided by law and by the terms of said resolution and the published notice, and it appears to be in the best interest of the city and of the area involved that it be annexed to the City of Medford, that the area be rezoned to City I-G/I-00 and City SFR-00, and that the area be withdrawn from Medford Rural Fire District #2 and Charlotte Ann Water District; and
4. The City Council finds and determines that the facts and conclusions in the Staff Report dated September 1, 2011, on file in the Planning Department and incorporated herein by reference, are true and correct and are hereby adopted as the findings of the council; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. The property described in Exhibit A, attached hereto and incorporated herein, shall be annexed to the City of Medford, Oregon, and rezoned to City I-G/I-00 and City SFR-00 as provided herein.

Section 2. The above-described property annexed to the City of Medford is hereby withdrawn from Medford Rural Fire District #2 and Charlotte Ann Water District at the effective date of annexation.

Section 3. The City Recorder shall submit to the Secretary of the State of Oregon a certified copy of this Ordinance. The City Recorder shall also, within ten days of the effective date of this annexation, send copies of this Ordinance to the County Clerk, County Assessor of Jackson County, Oregon, Medford Rural Fire District #2, and Charlotte Ann Water District.

PASSED by the council and signed by me in authentication of its passage this 6 day of October, 2011.

ATTEST: Glenda Wilson
City Recorder

Deputy Mayor
Mayor
Deputy Mayor
Mayor

APPROVED: Oct. 6, 2011.

EXHIBIT "A"

ANNEXATION A-10-26 DESCRIPTION

All that real property being located within a portion of Donation Land Claim Number 40 in the Southeast One-quarter of Section 5, Township 38 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon. The exterior boundary of said annexation is more particularly described as follows:

Commencing at the Northwest corner of Donation Land Claim Number 41 in said township and range; thence North 89°48'15" West, along the south boundary of said Claim Number 40, 253.45 feet to intersect the easterly right-of-way of the Southern Pacific Railroad, being the southwest corner of Parcel 3 of a plat recorded December 28, 1990, as Partition Plat Number P-159-1990 of the Record of Partition Plats in Jackson County, Oregon, (Index Volume 1, Page 159); thence North 35°05'12" West along said right-of-way and west boundary of Parcel 3, 810.80 feet to the northwest corner of said Parcel 3 and the **TRUE POINT OF BEGINNING**; thence South 20°15'48" West, along the projection of the northwesterly boundary of said Parcel 3, 182.34 feet to intersect the westerly right-of-way of the Southern Pacific Railroad; thence North 35°05'12" West, along said right-of-way 385.01 feet to an angle point on the southerly line of that tract of land described as Parcel 3 in Instrument Number 2002-040521 of the Official Records of Jackson County, Oregon; thence South 84°08'45" West, along said southerly line, 114.61 feet to the southwest corner thereof; thence North 35°05'12" West, along the west line of said tract and along the westerly right-of-way Southern Pacific Railroad, 554.31 feet to intersect the west line of said Donation Land Claim Number 40; thence South 00°19'51" West, along said claim line, 12.44 feet to the northeast corner of Parcel 1 of a plat recorded August 24, 1992, as Partition Plat No. P-83-1992 in the Record of Partition Plats, Jackson County, Oregon (Index Volume 3, Page 83); thence leaving said claim line, South 85°16'49" West, along the north line of said Parcel 1, 224.03 feet to the southeast corner of Parcel 2 of said Partition Plat Number P-83-1992; thence North 00°19'51" East, along the east line of said Parcel 2, 300.00 feet to intersect the southerly right-of-way of South Stage Road at the northeast corner of said Parcel 2; thence continuing North 00°19'51" East, on a projection of the east boundary of said Parcel 2, 60.23 feet to intersect the northerly right-of-way of South Stage Road; thence along said northerly right-of-way the following courses: North 85°16'49" East, 152.69 feet to intersect the westerly right-of-way of the Southern Pacific Railroad; thence North 85°23'17" East, 68.62 feet to intersect the easterly right-of-way of the Southern Pacific Railroad; thence North 85°32'25" East, 328.21 feet; thence North 21°21'17" East, 95.77 feet to intersect the westerly right-of-way of Rogue Valley Highway No 63 (U.S. Route 89), being a point on the westerly line of City of Medford Ordinance Number 1898-135; thence South 42°49'51" East, along said westerly ordinance line, 118.89 feet to an angle point thereof; thence North 47°10'09" East, 70.00 feet to intersect the westerly line of City of Medford Ordinance Number 7625 passed May 5, 1994; thence South 42°49'51" East, along last said westerly ordinance line and the westerly line of City of Medford Ordinance Number 8276 passed February 6, 1996, 923.24 feet, being at an angle point of aforesaid Rogue Valley Highway per Instrument Number 99-28299 of the Official Records of Jackson County, Oregon; thence South 47°10'09" West, 70.00 feet to intersect the westerly right-of-way of said Rogue Valley Highway; thence North 42°49'51" West, along said right-of-way, 855.64 feet to intersect the southerly right-of-way of said South Stage Road; thence South 85°32'25" West, along last said right-of-way, 450.16 feet to intersect the easterly right-of-way of the Southern Pacific Railroad; thence along last said railroad right-of-way the following courses: South 35°05'12" East, 991.93 feet; thence North 54°54'48" East, 60.00 feet; thence South 36°05'12" East, 124.20 feet to the Point of Beginning.

Containing 8.42 ACRES, more or less.

Basis of bearings for this description is Survey Number 19497 as filed in the office of the Jackson County Surveyor.

Prepared By: Neathamer Surveying, Inc.
3126 Stata Street, Suite 100
PO Box 1584
Medford, Oregon 97501
Phone: (541) 732-2869
FAX: (541) 732-1382
Project Number 06088

Date: December 6, 2010

REGISTERED
PROFESSIONAL
LAND SURVEYOR

CAEL E. NEATHAMER

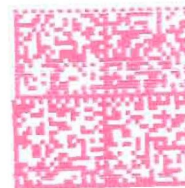
OREGON
JULY 09, 2001
CAEL E. NEATHAMER
LS 56545

RENEWAL: DEC. 31, 2010

DFORD
ARTMEN
STREET
R 97501



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10/18/2011

Mailed From 97501

US POSTAGE

ATTN: PLAN AMENDMENT SPECIALIST
DEPT. OF LAND CONSERVATION AND
DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540

RETURN RECEIPT
REQUESTED

