



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

01/31/2012

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 020-11

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: Wednesday, February 15, 2012

This amendment was submitted to DLCD for review 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 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: John Adam, City of Medford
Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DEPT OF

JAN 27 2012

LAND CONSERVATION
AND DEVELOPMENT

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

For Office Use Only

Jurisdiction: **City of Medford**

Local file number: **DCA 11-111**

Date of Adoption: **1/19/2012**

Date Mailed: **1/24/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 10/18/2011

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".

Consideration of a Class-A legislative code amendment to eliminate a loophole that exempts certain kinds of development from review that should have the opportunity for public input including, in particular, conditional uses, which are different from the set of uses that are standard within zoning districts.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **n/a**

Acres Involved: **0**

Specify Density: Previous: **n/a**

New: **n/a**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. 020-11 (19021) [16916]

DLCD file No. _____

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

None.

Local Contact: **John Adama, Planner IV**

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

Address: **200 South Ivy Street**

Fax Number: **541-618-1708**

City: **Medford, OR**

Zip: **97501-**

E-mail Address: **john.adam@ci.medford.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011

ORDINANCE NO. 2012-16

AN ORDINANCE amending Section 10.031 of the Medford Code pertaining to exemptions from the development permit requirement.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. Section 10.031 of the Medford Code is amended to read as follows:

10.031 **Exemptions from** ~~Exceptions to~~ the Development Permit Requirement.

A. An exemption from the development permit requirement does not exempt the use or development from compliance with the applicable standards of this chapter, including but not limited to access, parking, riparian protection, and landscaping.

B. Exemptions under this section do not apply to uses subject to a conditional use permit.

C. The following uses or developments do not require a development permit.

(1) Parking lots and parking lot additions, when not associated with building construction required to be reviewed by the Site Plan and Architectural Commission, unless located within a Historic Overlay.

(2) Construction of a new building if it does not increase motor vehicle trip generation by more than ten (10) average daily trips, unless located within a Historic Overlay.

(3) A building addition similar to the existing building in architectural style and exterior building materials and that is no more than a 20 percent or 2,500 square-foot increase in gross floor area, whichever is less, unless located within a Historic Overlay.

~~(2) Building construction which does not cause an increase in trip generation of greater than ten (10) average daily trips, or building additions, of similar architectural style and exterior building materials, which represent no more than a 20 percent increase in building gross floor area, unless located within a Historic Overlay.~~

(43) An emergency measure resulting from fire, an act of God, or a public enemy or other calamity, which is necessary to protect and save property and lives; .

(54) The reconstruction of a legal main structure or legal accessory structure which has been destroyed by fire, an act of God, or a public enemy or other calamity, and restoration is started within one (1) year from such destruction and is diligently pursued to completion.

(65) Temporary uses as identified in Article V, Section 10.841–10.851~~858~~, “Temporary Uses.”

(76) The establishment, construction or termination of a public utility service facility that is being developed to provide service to development authorized by this chapter.

(87) Detached single-family residential development on a lot within a final platted land division or on an otherwise legally created lot, unless located within a Historic Overlay.

~~An exemption to the development permit requirement does not exempt the use or development from compliance with the applicable standards and criteria of this chapter.~~

///

PASSED by the Council and signed by me in authentication of its passage this 19 day of January, 2012.

ATTEST: Stenda Wilson
City Recorder

[Signature]
Mayor

APPROVED January 19 2012.

[Signature]
Mayor

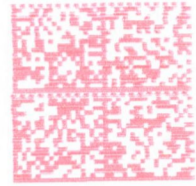
NOTE: Matter in **bold** in an amended section is new. Matter ~~struck-out~~ is existing law to be omitted.

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DEPT OF
JAN 27 2012
LAND CONSERVATION
AND DEVELOPMENT

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

RETURN RECEIPT
REQUESTED

