



# 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

October 3, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Jackson County Plan Amendment  
DLCD File Number 002-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 17, 2006**

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.

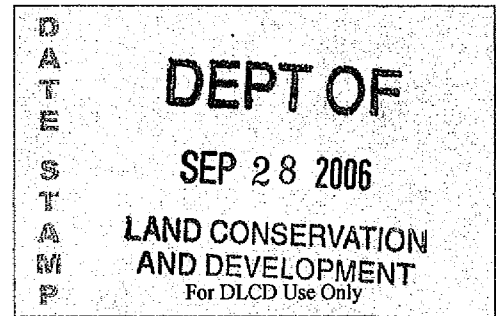
**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
John Renz, DLCD Regional Representative  
Melissa Anderson, Jackson County

<paa> ya

**2** 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



Jurisdiction: Jackson County Local file number: LRP2005-00008  
Date of Adoption: 9-20-2006 Date Mailed: 9-26-2006  
Date original Notice of Proposed Amendment was mailed to DLCD: 3-27-2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: \_\_\_\_\_

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
Amend the Comprehensive Plan and Land Development Ordinance to: 1) expand the uses allowed in the Rural Use (RU) Plan Designation and Zoning District; 2) establish minimum densities of 10, 15, 20, 30 and 40 acres in the RU zone; and 3) modify the criteria for designation to RU and determination of density.

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".  
The adopted amendment differs from the proposed amendment by: 1) eliminating the clustering density bonus; 2) providing 10-acre lots, in addition to 15, 20, 30 and 40 acre lot minimums; and 3) amending the criteria for designation to RU and determination of density. These changes primarily affect the Comprehensive Plan text.

Plan Map Changed from: NA to: NA  
Zone Map Changed from: NA to: NA  
Location: NA Acres Involved: up to 8,000 acres  
Specify Density: Previous: existing- no division New: 10, 15, 20, 30 and 40 acres  
Applicable Statewide Planning Goals: 1, 2, 3, 5, 6, 7, 8, 14

Was and Exception Adopted?  YES  NO

DLCD File No.: 002-06 (15120)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

**Forty-five (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

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

DLCD, DSL, DEQ, DOA, Jackson County cities

Local Contact: Melissa Anderson Phone: (541)774-6918 Extension: \_\_\_\_\_

Address: 10 S. Oakdale Ave., Room 100 City: Medford, OR

Zip Code + 4: 97501 - Email Address: andersma@jacksoncounty.org

## 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 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 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.

Volume: \_\_\_\_\_ Page: \_\_\_\_\_

**BEFORE THE BOARD OF COMMISSIONERS  
STATE OF OREGON, COUNTY OF JACKSON**

**ORDINANCE NO. 2006-8**

**AN ORDINANCE AMENDING THE MAP DESIGNATIONS ELEMENT OF THE JACKSON COUNTY COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT ORDINANCE TO MODIFY THE RURAL USE MAP DESIGNATION AND ZONING DISTRICT (FILE LRP2005-00008)**

**RECITALS:**

1. Pursuant to Chapter 197 and 215 of the Oregon Revised Statutes and in conformance with the Statewide Planning Goals, Jackson County's Comprehensive Plan and implementing ordinances have been acknowledged by the Land Conservation and Development Commission (LCDC).
2. The acknowledged 2004 Land Development Ordinance (Ord. 2004-2RM) added a new zoning district, Rural Use. That amendment was accompanied by modifications to the Jackson County Comprehensive Plan Map Designations Element, which added a Rural Use Plan Category (Ordinance 2004-1).
3. On May 11, 2006, following media and public notice in accordance with the Jackson County Land Development Ordinance and State law, the Board of County Commissioners ("Board") convened a joint public hearing with the Jackson County Planning Commission ("Planning Commission") to consider proposed Rural Use Plan Category and Zoning District amendments.
4. The May 11, 2006 public hearing on the matter concluded with the Board of Commissioners determining they preferred to continue the matter, delaying their deliberations until they received the Planning Commission's written recommendation.
5. On August 2, 2006 the Jackson County Board of Commissioners held a properly noticed land use hearing on the proposed Rural Use amendments. At the public hearing the Board reviewed the Planning Commission recommendation for APPROVAL, the record of the proceedings, and accepted additional oral and written testimony.
6. The Board concluded their public hearing on August 2, 2006, closing the oral and written record, and deliberated to a decision. At that time, by motion and majority vote, and based on substantial evidence in the whole record of the proceedings, the Board; (1) accepted all exhibits into the record and, (2) APPROVED amendments to the Comprehensive Plan Map Designations Element and Land Development Ordinance related to the Rural Use Plan Category and Zoning District. The approved amendments are shown in "Exhibit A and Exhibit B", attached hereto.
7. On August 2, 2006, the Board further directed staff to prepare additional written findings reflecting their deliberation (Exhibit C) and to prepare an adopting ordinance for first reading on August 30, 2006.

8. The Notice of the Board's final public hearing and second reading of this ordinance on September 20, 2006 was published in the Medford Mail Tribune on Sunday, September 3, 2006. Notice of the final public hearing was sent to interested parties and affected agencies on August 29, 2006.

**Now Therefore**, the Board of County Commissioners of Jackson County hereby makes the following findings and conclusions:

### **SECTION 1. FINDINGS**

- 1.1 The Board finds that proper public notice was given to the Mail Tribune for publication in the Legal Notices Section of the July 23, 2006 edition.
- 1.2 The Board finds that substantial evidence in the whole record of the proceedings, particularly the Findings made by the Planning Commission in their July, 2006 recommendation for APPROVAL and the letter from Craig Stone and Associates dated July 19, 2006, support the amendments to the Rural Use Plan Category and Zoning District shown in Exhibit A and Exhibit B.
- 1.3 The Board further finds that Exhibit C, which contains supplemental Findings of Fact and Conclusions of Law developed during their deliberations on the matter, provides additional justification for the amendments.

### **SECTION 2. CONCLUSION**

- 2.1 The Board concludes that proper public notice was given.
- 2.2 The Board concludes the amendments demonstrate compliance with applicable statewide planning goals and Oregon administrative rules.
- 2.2 The Board further concludes that adoption of a revised Rural Use Plan Category and Zoning District is consistent with the goals and policies of the Comprehensive Plan and related standards contained in the 2004 Land Development Ordinance.

### **SECTION 3. DECISION**


**Now, Therefore**, the Board of County Commissioners of Jackson County ordains as follows:

- 3.1 The Board of Commissioners hereby adopts revised Rural Use provisions in the Map Designations Element of the Comprehensive Plan and Jackson County Land Development Ordinance.
- 3.2 In accordance with Section 14(8) of the Jackson County Charter, this ordinance will go into effect 60 days after it is signed.

3.3 Invalidity of a section or part of this ordinance shall not affect the validity of the remaining sections or parts of sections.

APPROVED this 20<sup>th</sup> day of September, 2006, at Medford, Oregon.

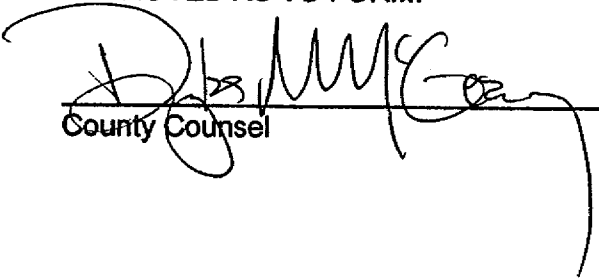
**JACKSON COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Dave Gilmour, Chair no


  
\_\_\_\_\_  
Jack Walker, Commissioner yes

  
\_\_\_\_\_  
Dennis C.W. Smith, Commissioner yes

APPROVED AS TO FORM:

  
\_\_\_\_\_  
County Counsel

ATTEST:

  
\_\_\_\_\_  
By: Recording Secretary

**MAP DESIGNATIONS ELEMENT  
RURAL USE  
August 2006**

Comprehensive Land Use Designations	Implementing Zoning Districts
Forestry/Open Space Land	Forest Resource (FR), Woodland Resource (WR), and Open Space Reserve (OSR)
Agricultural Land	Exclusive Farm Use (EFU)
Aggregate Resource Land	Aggregate Removal (AR) District
Rural Use	RU-10, RU-15, RU-20, RU-30, RU-40
Rural Residential Land	RR-2.5, RR-5, RR-5(A), RR-10 and RR-00
Urban Residential Land	UR-1, UR-4, UR-6, UR-8, UR-10, and UR-30
White City Urban Residential Land	WCUR-4, WCUR-6, WCUR-8, WCUR-10, WCUR-30
Urbanizable Area	Mutually adopted zoning districts administered by a City pursuant to an urban growth boundary management agreement.
Limited Use	Limited Use (LU)
Commercial Land	General Commercial (GC), Interchange Commercial (IC), Neighborhood Commercial (NC), Rural Service Commercial (RS), and Unincorporated Communities Rural Service Commercial (ARS, RRS, SVRS)
Industrial Land	General Industrial (GI), Light Industrial (LI), and Rural Limited Industrial (RLI)

## RURAL USE

1) Purpose:

The Rural Use designation is provided for lands outside urban growth boundaries or unincorporated community boundaries that are not deemed to be Forestry/Open Space or Agricultural lands as set forth in this Comprehensive Plan and Statewide Planning Goals 3 and/or 4. This designation is only applied where very low intensity rural development is found to be appropriate over the foreseeable future due to topographic, environmental, natural hazard, public access, or needed public service constraints. This designation is not intended for exception areas established pursuant Statewide Planning Goal 2 where Goals 3, 4 or 14 would otherwise be applicable.

2) Map Designation Criteria:

In the existing Agricultural Land and Forestry/Open Space Comprehensive Plan map designations, Statewide Planning Goals 3 and/or 4 apply to the areas so designated unless the applicant can demonstrate otherwise. The burden is on the applicant to demonstrate to the County that Goals 3 and 4 are inapplicable based on all of the following criteria:

- A) NRCS soils mapping or a level 1 soils survey completed by an ARCPACS certified soils scientist indicates the proposed Rural Use area does not meet the definitions of "Agricultural Land" and "Forest Lands" contained in the Statewide Planning Goals, and as set forth in the Definitions Element, Map Designations Element, Agricultural Lands Element, and the Forest Lands Element of the Jackson County Comprehensive Plan.
- B) When further land division could feasibly occur, the proposed Rural Use area will be located within a rural fire protection district or where a rural fire protection district has agreed to provide service by contract.
- C) Essential public services are available to support uses allowed in the Rural Use zoning district.
- D) Where the area proposed for Rural Use includes or adjoins identified Goal 5 resources, or is otherwise mapped within a Goal 5 impact area, the County shall adopt a site-specific ESEE analysis sufficient to satisfy Goal 5. As part of a quasi-judicial application requesting Rural Use, the application shall provide site-specific information and data on the quality and quantity of the resource from qualified professionals; the application shall also include a draft ESEE analysis for the County's consideration. When a quasi-judicial Comprehensive Plan Amendment request is consolidated with a zone change and development plan, the ESEE analysis and results shall be based upon such plan as approved. A site specific ESEE that relies on the County's adopted Goal 5 protection program and provides a comparable level of protection that existed under the previous Comprehensive Plan designation shall be deemed to meet this criterion.
- E) Other factors such as NRCS soils classifications, slope, wildlife habitat and any other Federal, State or local concerns may be considered in a determination as to



the appropriateness of the Rural Use designation.

3) Establishment of Zoning District:

Rural Use zoning districts may be established on the Jackson County Zoning Maps following Plan map designation as Rural Use. The Land Development Ordinance establishes permissible density, uses and development standards consistent with the purpose statement in Section (1) above.

4) Determination of Appropriate Density:

When a right to develop more than one residence on Rural Use designated land is requested, the plan amendment proposal must be coupled with a request for an appropriate zoning district to assure that future development will be appropriate to the area. Allowable density will be established based on an analysis of nearby development patterns and land suitability factors. A binding site development plan is required when a Rural Use area is proposed for subsequent land division. Density may be set on a minimum parcel size basis in accordance with Land Development Ordinance Chapter 8 provisions, or based on a total number of units to be developed in the area designated Rural Use (e.g., cluster or PUD development, see LDO Chapter 5). Factors that may be considered in establishing appropriate density in Rural Use areas include the following:

- A) Mean parcel sizes within a 2000 acre area surrounding the subject parcel. Mean parcel size will be determined based on an analysis of all parcels within the 2000 acre study area that are 80 acres or less in size. If no parcels in the study area are 80 acres or less in size, the maximum density of the Rural Use designation will be 20 acres.
- B) Where the proposed area includes or adjoins identified Goal 5 resources, or is otherwise mapped within a Goal 5 impact area, the proposed density shall be consistent with the site-specific ESEE adopted by the County as part of the Comprehensive Plan.
- C) Fire service protection needed to serve the development is available or can be made available; and
- D) A water supply that meets applicable health standards and is sufficient for the reasonably foreseeable needs of the proposed development is available or can be made available.

**CHAPTER 2. REVIEW AND DECISION-MAKING**

**TABLE 2.1-1: ORDINANCE ADMINISTRATION AND REVIEW ROLES**

Procedure	Cross Reference Chapters	Planning Division	Hearings Officer	Planning Commissions[1] Jackson Co.	White City	Board of Commissioners
Type 1 Permits	3.1.2	Decision [2]	-	-	-	-
Type 2 Permits [5]: <ul style="list-style-type: none"> <li>• Site Development Plan</li> <li>• Public Park Minor Alteration/Expansion</li> <li>• Partition</li> <li>• Property Line Adjustment</li> <li>• Administrative Adjustment</li> <li>• Historic Property Minor Alteration/Noncompatible Property/Parcel Area Reduction</li> </ul>	3.1.3 3.2 3.2.10 3.3.2 3.4 3.12 7.1.1(F) 8.9	Decision Decision	Hearing/Decision [3]	-	Hearing/Decision [3, 4]	-
Type 2 Permits [5] <ul style="list-style-type: none"> <li>• Written Interpretations</li> </ul>	3.9	Decision	-	-	-	Hearing/Decision (if appealed)
Type 3 Permits [5]: <ul style="list-style-type: none"> <li>• Partition with roads</li> <li>• Variances</li> <li>• Historic Property New Construction/Major Alteration/Allowable Use Permit</li> </ul>	3.1.4 3.3.2 3.11 7.1.1(F)	Decision	Hearing/Decision [3]	-	Hearing/Decision [3, 4]	
Type 4 Permits: <ul style="list-style-type: none"> <li>• Solid Waste Disposal</li> <li>• Public Road Creation Without Land Division</li> <li>• Sewer Extension</li> <li>• Comprehensive Plan or Zoning Text Amendment</li> <li>• Comprehensive Plan or Zoning Map Amendment</li> <li>• UGB/Urban Fringe/Urban Buffer Amendment</li> <li>• JCPP</li> <li>• Historic Property Designation/Moving/Demolition</li> </ul>	3.1.5 3.2.9 3.10 3.6 3.7.1 3.8 3.7.3(E) 3.7.4 3.7.5/ 7.1.1(F)	Recommendation	-	Hearing/Recommendation	Hearing/Recommendation	Hearing/Decision

TABLE 2.1-1: ORDINANCE ADMINISTRATION AND REVIEW ROLES

Procedure	Cross Reference Chapters	Planning Division	Hearings Officer	Planning Commissions[1]	Board of Commissioners
				Jackson Co.	White City
Type 4 Permits: <ul style="list-style-type: none"> <li>• Subdivision</li> <li>• Planned Unit Development and Cluster Development*</li> <li>• Destination Resort</li> </ul>	3.3.2 3.5 7.1.5	Recommendation	-	Hearing/Decision	Hearing/Decision (if appealed)

\*In rural residential areas outside urban growth or urban unincorporated community boundaries, the proposed development complies with the standards of Section 6.3.2(D)(2) and OAR 660-004-0040(7)(e)(A) through (H).

## **CHAPTER 3. APPLICATION REVIEW AND DECISION**

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### **3.5 PLANNED UNIT DEVELOPMENT (PUD) AND CLUSTER DEVELOPMENT PERMITS**

#### **3.5.1 Purpose and General Concept**

Traditional zoning establishes zone boundaries, permitting specific uses of land within the various zones, and setting general conditions for those uses. Sometimes, however, land may be more effectively developed in planned unit developments (PUDs) or cluster developments that allow imaginative site design techniques through limited modification of the general standards of this Ordinance. This Section sets forth a procedure for developing PUDs and cluster developments, in order to achieve the following objectives:

- A) To ensure the creation of attractive, healthful, and efficient environments for housing, commerce, and industry;
- B) To permit flexibility in the application of this Ordinance in order to achieve more efficient and aesthetic development that harmonizes with adjoining uses;
- C) To encourage variety in site design through creative location of buildings, open spaces, off-street parking areas, and street alignment;
- D) To promote shared community facilities and sustainable development;
- E) To capitalize on the potential of special site features such as geography, topography, size, or shape, and
- F) To preserve open space for aesthetic, environmental and resource management purposes.

#### **3.5.2 Authorization and Applicability**

The County may authorize PUDs and cluster developments as set forth in this Section. Such developments will be subject to all conditions imposed by the County and may be exempted from other provisions of this Ordinance only to the extent specified in the development approval. Uses allowed in a PUD or cluster development are limited to those that may be permitted in the zoning district(s) in which the development is to be located.

#### **3.5.3 Procedures**

Applications for PUDs and cluster developments will follow the Type 4 standard review procedure set forth in Section 3.1.5, with the following modifications:

- A) **Application**  
The application will include a preliminary development plan for the entire project and supporting materials as specified in the User's Guide. The preliminary development plan may propose phased development.
- B) **Planning Staff Recommendation**  
The Planning Staff will prepare a written staff report, based upon the approval criteria set forth in Section 3.5.4, for review by the Planning Commission. The staff report will recommend approval, approval with conditions/modifications, or denial of the preliminary development plan based on those criteria.
- C) **Decision on Preliminary Development Plan**
- 1) After a quasi-judicial public hearing, the Planning Commission and, if an appeal from the Planning Commission is filed, the Board of Commissioners will issue a written decision approving, approving with conditions or modifications, or denying the preliminary development plan based on the criteria set forth in Section 3.5.4.
  - 2) Modifications or conditions which may be imposed by the approval authority include, but are not limited to, the following:
    - a) View-obscuring shrubbery, walls, or fences along property lines and around unsightly areas such as trash and equipment storage areas, and industrial and heavy commercial activities;
    - b) Retention of and setbacks from specified trees, rock outcroppings, ponds or water courses, and other natural features;
    - c) Sidewalks, dedicated rights-of-way for streets and pedestrian ways, and easements for utilities, waterways, or slopes;
    - d) Type and placement of lights used for pedestrian circulation and parking facilities;
    - e) On-site fire hydrants, with protective barricades if specified;
    - f) Height restrictions or increased setbacks;
    - g) Environmental and/or economic impact studies; and
    - h) Dedication of right-of-way needed for public use.

D) ***Final Development Plan and Platting Requirements***

Upon final approval of the preliminary development plan, the applicant will comply with the standards and conditions set forth by the County in the approval and will prepare a final development plan according to the procedures set forth below. In addition, when a PUD includes a land division, the final development plan must be accompanied by a final plat that satisfies the requirements of Section 3.3.2.

- 1) Within 12 months following the approval of the preliminary development plan, the applicant must submit the final plan to the County for review under a Type 1 procedure, along with any deed restrictions or deed declarations or land division plats needed to conform with the preliminary development plan approval. The final development plan and any land division plat required will contain the information required by the preliminary development plan approval, and will be reviewed by the County in accordance with Section 3.3.2(D);
- 2) The permit will be null and void if the above deadline is not met, unless an extension request is filed and approved in compliance with Section 2.6.8;
- 3) The final development plan and plat, if any, must conform to the preliminary development plan, as approved by the County and any additional conditions that were imposed. The final plan will be prepared according to User's Guide specifications;
- 4) If the final development plan does not conform with the approved preliminary development plan including any conditions or modifications imposed, the County will not approve the final plan or plat, if any, and the applicant will be advised to submit an application for amendment of the PUD, which will be processed and considered in the same manner as an original application;
- 5) Any and all improvement work, including construction and inspection of County roads by Roads and Parks Services, will be the responsibility of the applicant prior to submission of a final development plan or plat. Where the applicant intends to post a bond or provide other assurances in lieu of completing the improvements, pursuant to Section 10.6,

such bond or assurances will be to the satisfaction of the Director or other administrative official of the applicable agency or utility company, as a condition of final approval by the County; and

- 6) Development will be initiated within two (2) years of recordation of the final development plan and plat, if any. However, the County may grant a one (1) year extension as it deems appropriate.

E) ***Changes to a Planned Unit Or Cluster Development Subsequent to Its Completion***

The final development plan will continue to control the PUD or cluster development after it is completed. Section 3.12 (Administrative Adjustments) does not apply to PUD approvals, and no change will be made in development contrary to the approved final development plan without approval of an amendment, as described in Section 3.5.3(D), except as follows:

- 1) Minor modifications of existing buildings or structures may be authorized by the Director through a Type 1 review process if they are consistent with the purposes and intent of the final plan and do not significantly modify the square footage of a building or structure.
- 2) A building or structure that is totally or substantially destroyed may be reconstructed without approval of an amended planned unit development if it is in compliance with the final development plan.

No modification or amendment to a completed PUD or cluster development may be approved that would violate a deed declaration limiting the use of the land, buildings, structures, and improvements within the area of the planned unit development.

**3.5.4 Approval Criteria**

The objectives of Section 3.5.1 must demonstrably be met by the proposed PUD or cluster development plan. In addition, a PUD or cluster development may be approved only if it complies with all of the following criteria:

- A) There will be no significant adverse effects on the project site or surrounding areas, in terms of water quality, public facilities, public

safety, natural hazards, or scenic quality labeled as such within an Area of Special Concern;

- B) Adequate circulation facilities are provided in and around the project so that existing and planned development is not impeded, and no areas of undue congestion are created;
- C) The development will not require publicly maintained roads, streets, or County services beyond those that would otherwise be required by this Ordinance; and
- D) There are adequate provisions for ongoing maintenance of open space and common areas, and if development is to occur in phases, early phases will have the same or higher ratio of amenities as proposed in later phases of the development; and

## **CHAPTER 5. ZONE DISTRICTS**

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### **5.3 RURAL RESIDENTIAL ZONING DISTRICTS**

The purposes of the rural residential zoning districts are set forth below. The allowed uses for each of the districts are set forth in Table 6.2-1. All uses must comply with the applicable development standards of this Ordinance.

#### **5.3.1 ~~Rural Use (RU) District~~ RESERVED**

~~The purpose of this district is to provide a designation for lands that are not urban or urbanizable, and either do not meet the state definitions of agricultural or forest land, or qualify for an exception to Statewide Planning Goals 3 and/or 4. Designation as a Rural Use zoning district is subject to a binding site development plan review in accordance with the development standards of this Ordinance (e.g., Chapters 7 through 10).~~

#### **5.3.2 Rural Residential (RR-2.5, RR-5, RR-5(A), RR-10, RR-00)**

The purpose of the rural residential zoning districts is to provide for large-lot residential areas, consistent with the predominant rural character of the area and the physical capability of the land. The RR-00 district is established for areas where there are physical limitations in water, or land resources or service availability, or for areas where rural residential divisions could inhibit future urban development.

### **5.7 SITE-SPECIFIC ZONING DISTRICTS**

#### **5.7.1 Limited Use (LU), a Type 4 review**

The purpose of this district is to limit uses and activities to those justified in a Comprehensive Plan Amendment "Reasons" exception statement adopted by the County and acknowledged by the state pursuant to ORS 197.732(1)(c) as



required by OAR 660-004-0018(4)(a), or to recognize existing lawfully established nonconformities as permitted uses (see Section 13.3). A Comprehensive Plan Amendment "Reasons" exception adopted by the County, and acknowledged by the State pursuant to OAR 660-004-0022(1), may or may not include a minor map amendment to designate the property LU at the County's discretion. Similarly, a rezone to LU to recognize the continued existence of a legal nonconforming use may be approved where the use is:

- A) Of a non-industrial nature,
- B) The use has continuously existed for 20 or more years, and
- C) No citations have been issued by the County against the use.

It is intended that uses and activities in a Limited Use district will be those uses and activities specified in the Ordinance adopting the LU designation, together with other similar, related, accessory and supplemental uses consistent with the acknowledged Ordinance adopting the designation for the property. In no event will the predominant use in an LU district be industrial. Uses in the LU district will be subject to other applicable standards, statutes, and rules governing sewage disposal, noise, and air and water quality.

#### **5.7.2 Rural Limited Industrial (RLI), a Type 4 review**

The purpose of this district is to provide for industrial uses that rely on site-specific natural resources for their processes and activities, or create a byproduct of substantial direct benefit to resource-producing lands or uses. Such uses are more appropriately located outside an urban growth boundary. Natural resources associated with the RLI use must be located on the subject parcel or lands immediately adjacent to it. Such industrial uses are inappropriate in an urban industrial setting because of the nature of their operating characteristics, but can be made compatible with rural land uses. A Comprehensive Plan Amendment Goal exception adopted by the County, and acknowledged by the State may or may not include a minor map amendment to designate the property RLI at the County's discretion.

#### **5.7.3 Rural Use (RU) District**

The purpose of this district is to provide a designation for lands that are not urban or urbanizable, and either do not meet the state definitions of agricultural or forest land, or qualify for an exception to Statewide Planning Goals 3 and/or 4. Designation as a Rural Use zoning district is subject to a binding site development plan review in accordance with the development standards of this Ordinance (e.g., Chapters 7 through 10).

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## **CHAPTER 6. USE REGULATIONS**

### **6.1 APPLICABILITY**

### 6.1.1 Resource Districts

Uses established in the resource districts set forth in Chapter 4 are generally not required to comply with the provisions of this Chapter 6, unless such compliance is expressly indicated in the text of Chapter 4.

### 6.1.2 All Other Districts

Uses established in any of the other general use districts, apart from the resource districts, will comply with all regulations set forth in this Chapter.

### 6.1.3 Overlay Districts

All uses established in overlay districts must comply with requirements described for each district as set forth in Chapter 7. Uses of the base zoning district continue to apply unless otherwise specifically stated in Chapter 7. General Use and Resource District development standards continue to apply for all uses except when superseded by more restrictive standards established in the overlay district.

## 6.2

### TABLE OF PERMITTED USES

Table 6.2-1 sets forth the uses permitted within all base zoning districts, except for the resource districts. Uses allowed within the resource districts are set forth in Chapter 4 and those allowed in overlay districts are set forth in Chapter 7. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require a Type 2, 3, or 4 review, unless otherwise specified in Table 6.2-1.

#### 6.2.1 Explanation of Table Abbreviations

A) **Type 1**

A "1" in the Table indicates that a use type is allowed by-right in the respective zoning district, subject to review and approval of a plot plan showing compliance with all other applicable regulations of this Ordinance, including the Development Standards set forth in Chapter 9. Some uses may also require approval of a site development plan pursuant to Section 3.2.

B) **Type 2**

A "2" in the Table indicates that a use type is subject to administrative review and approval, in accordance with the Type 2 review procedures of Section 3.1.3. Some uses may also require approval of a site development plan pursuant to Section 3.2.

C) **Type 3**

A "3" in the Table indicates that a use type is conditionally allowed only if reviewed and approved in accordance with the Type 3 review procedures of Section 3.1.4. Some uses may also require approval of a site development plan pursuant to Section 3.2.

- D) **Type 4**  
A "4" in the Table indicates that a use type is subject to review and approval by the Planning Commission and Board of Commissioners, as applicable, in accordance with the Type 4 review procedures of Section 3.1.5. In addition, Type 4 land use permits require a site development plan pursuant to Section 3.2.
- E) **Uses Not Allowed**  
A dash ( - ) indicates that the use type is not allowed in the respective zoning district, unless it is otherwise expressly allowed by other regulations of this Ordinance.
- F) **Numerical References**  
The references contained in the "See Also" column are references to additional standards and requirements that apply to the use type listed. The regulations are set forth immediately following the table, in Section 6.3, or as otherwise specified. Standards referenced in the See Also column apply in all zoning districts unless otherwise expressly stated. Uses are also subject to applicable standards of Chapters 7, 8 and 9.
- G) **Use Categories/Use Types**  
All of the major use categories listed in Table 6.2-1 are described in Section 13.2 "Use Classifications." "Specific uses" are listed in the second column of the table. The use categories are intended to be mutually exclusive. If a use type is specifically listed in the table, that use type is allowed only in the districts indicated, not within the districts that allow the broader classification. If a use type is not listed, then the County will, upon the request of any interested party and pursuant to the procedures set forth in Section 6.2.3, "Procedure for classifying Unlisted Uses" make a determination within which use category, if any, such use type should be included.
- H) **Uses**  
See Section 13.2 "Use Characteristics", and Section 6.2.3 "Procedure for Classifying Unlisted Uses."

**6.2.2**

**Use Table for Base Zoning Districts<sup>1</sup>**

**Note:** The urban residential zoning districts noted below include all urban residential and White City urban residential districts described in Section 5.4 of this Ordinance. Split use types may not be completely consistent with the "See Also" notes.

CATEGORY	SPECIFIC USE	ZONING DISTRICTS												SEE ALSO
		RURAL RESIDENTIAL			URBAN RESDL.			COMMERCIAL			INDUSTRIAL			
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	U R C 3 0	G C C	I C C	N C C	R S S	A R S	R R S	V R S	G I I	
<b>RESOURCE USES (FARM, FOREST, AGGREGATE, NATURAL RESOURCES)</b>														
Agriculture	Horse boarding & riding facilities	1	3	-	-	-	-	-	-	-	-	-	-	6.3.1(A)
	Intensive livestock	2	3	-	-	-	-	-	-	-	-	-	-	6.3.1(A)
	Non intensive agriculture	1	1	1	1	1	1	1	1	1	1	1	1	6.3.1(A); 5.5.3; 12.3.1
Forestry	Plant nursery	1	3	3	-	-	2	-	-	2	2	2	2	6.3.1(B) 6.4.4(D)
	Manage, grow, harvest, process timber & forest products	1	1	1	-	-	-	-	-	-	-	-	-	

<sup>1</sup>Ordinance 2004-12, effective 2-6-2005; Ordinance 2004-2RM, effective 1-30-2005; Ordinance 2004-14, effective 2-13-2005



**TABLE 6.2-1: USE TABLE FOR BASE ZONING DISTRICTS**  
 1 = Type 1 Permit 2 = Type 2 Permit 3 = Type 3 Permit 4 = Type 4 Permit

CATEGORY	SPECIFIC USE	ZONING DISTRICTS												SEE ALSO
		RURAL RESIDENTIAL			URBAN RESDL.			COMMERCIAL			INDUSTRIAL			
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	
	Single-family dwelling, two or more (attached or detached)	2	2	2	-	-	-	-	-	-	-	-	-	6.3.2(D)
Group Living	Convent or monastery	2	3	3	-	-	-	-	-	-	-	-	-	3.2
	Farm labor housing	1	3	-	-	-	-	-	-	-	-	-	-	
	Nursing home	-	3	3	3	3	-	-	-	-	-	-	-	
	Residential facility	-	3	3	3	1	-	-	-	-	-	-	-	ORS 197.660
	Residential home/in-home day care	1	1	1	1	1	1	1	1	1	1	1	1	ORS 197.660; 6.3.3(K); 12.3.1
	Substance abuse rehabilitation	-	3	-	-	-	-	-	-	-	-	-	-	3.2
<b>COMMERCIAL/OFFICE USES</b>														
Agricultural Sales and Service	Agriculture produce stand	1	3	3	-	-	-	-	-	-	2	2	2	6.3.3(A)

TABLE 6.2-1: USE TABLE FOR BASE ZONING DISTRICTS

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CATEGORY	SPECIFIC USE	ZONING DISTRICTS													SEE ALSO		
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL					INDUSTRIAL						
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR 3 0	G C	I C	N C	R S	A R S	R R S	S V R S	G I	L I			
	Farm equipment repair	3	-	-	-	2	-	-	2	2	3	2	2	2	2		
	Farm equipment sales	3	-	-	-	2	-	-	-	-	-	2	2	2	2	6.3.4(C)	
	Farm equipment storage	1	-	-	-	-	-	-	-	-	-	-	-	2	2	6.3.4	
	Firewood retail sales	1	2	2	-	2	-	-	-	-	-	-	-	2	2	6.3.3(M)	
	Stock auction yard	3	-	-	-	-	-	-	-	-	-	-	-	3	-		
	Winery, tasting room	1	3	3	-	3	-	-	-	-	3	3	3	2	2	6.4.4(E)	
Animal Sales and Service	Small animal clinic/hospital	-	3	-	-	-	-	-	2	-	3	3	2	-	3	6.3.3(B)	
	Large/livestock/exotic animal clinic/hospital	3	3	3	-	-	-	-	-	-	-	-	-	2	2	6.3.3(B)	
	Kennel	2	3	-	-	-	-	2	-	-	2	-	-	-	2	6.3.3(B)	
	Pet shop	-	-	-	-	-	-	2	-	2	-	-	-	-	-		





**TABLE 6.2-1: USE TABLE FOR BASE ZONING DISTRICTS**  
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CATEGORY	SPECIFIC USE	ZONING DISTRICTS												SEE ALSO						
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL						INDUSTRIAL								
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR	U	G	I	N	R	A	R	S		V	R	S	G	I	L
	Grocery store	-	-	-	-	2	-	-	2/3	2/3	2	2	2	2	-	-	-	-	-	6.3.3(P)
	Wine shop	-	-	-	-	2	-	-	2/3	2/3	2	2	2	2	-	-	-	-	-	5.5.3;6.3.3(X)
Landscaping Sales/Service	Landscaping contracting	2	-	-	-	2	-	-	3	3	3	3	3	2	2	2	2	2	-	-
Medical Services	Emergency medical center	-	3	3	3	2	-	-	2	2	2	2	2	2	2	2	2	2	-	-
	Hospital	-	-	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Medical/dental/optical clinic	-	3	3	3	2	-	-	2	2	2	2	2	2	2	2	2	2	-	-
Office	Studio: broadcasting/recording	-	3	-	-	2	-	-	3	3	3	3	3	3	3	3	3	3	-	-
	Business or professional office	-	-	-	-	2	-	-	3	2	2	2	2	2	2	2	2	2	-	-
Personal Service	Studio: art/dance/music/skills	-	-	-	-	2	-	-	2	2	2	2	2	2	2	2	2	2	-	-
	Barber or beauty shop	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2	2	-	6.3.3(F)
	Laundromat or dry cleaner	-	-	-	-	2	-	-	3	3	3	3	3	3	3	3	3	3	-	5.5.3;6.3.3(S)

TABLE 6.2-1: USE TABLE FOR BASE ZONING DISTRICTS

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CATEGORY	SPECIFIC USE	ZONING DISTRICTS												SEE ALSO			
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL						INDUSTRIAL					
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR-30	G C	I C	N C	R S	A R S	R S	S R S	G I		L I		
	Mortuary	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-
	Tanning salon	-	-	-	-	2	-	2	-	-	-	2	-	-	-	-	-
Recreation and Entertainment	Amusement establishment (indoor)	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-
	Amusement establishment (outdoor)	-	-	-	-	3	-	-	-	-	-	-	-	-	-	-	6.3.7(C)
	Theater (indoor)	-	-	-	-	2	-	2	-	-	-	-	-	-	-	-	-
Retail Sales	Auction service, commercial	-	-	-	-	2	-	-	-	-	-	-	-	-	2	-	6.3.3(D)
	Auction service, temporary	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	6.3.3(E); 12.3.1
	Feed/seed store	-	-	-	-	2	-	-	2	2	3	2	-	-	-	-	-
	Flea market	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	6.3.3(N)
	Florist/garden shop, drug store, or bake shop	-	-	-	-	2	-	2	2/3	2/3	3	2	-	-	-	-	5.5.3;6.3.3(X)



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CATEGORY	SPECIFIC USE	ZONING DISTRICTS												SEE ALSO	
		R U	RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL					INDUSTRIAL			
			RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR 30	G C	I C	N C	R S	A R S	S V R S	G I		L I
	Small engine repair, machine, welding shop	-	-	-	-	2	-	-	3	3	3	2	-	2	
	Other (e.g., well driller, cabinet shop, sanitary service installer, upholstery)	-	-	-	-	2	-	-	3	3	3	3	-	2	
Vehicles and Equipment	Body/fender shop	-	-	-	-	3	-	-	-	-	-	-	2	2	6.3.3(G)
	Manufactured dwelling, mobile home, & RV sales	-	-	-	-	2	-	-	-	-	-	-	-	-	
	Motor vehicle impound	-	-	-	-	3	-	-	-	-	-	-	2	2	
	Motor vehicle sales and rental	-	-	-	-	2	-	-	-	-	-	-	2	2	6.3.3(T)
	Motor vehicle service & repair	-	-	-	-	2	-	3	3	3	2	2	2	2	6.3.3(T)
	Motor vehicle storage	-	-	-	-	2	-	-	-	-	-	2	2	2	6.3.3(U)



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CATEGORY	SPECIFIC USE	ZONING DISTRICTS													SEE ALSO	
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL					INDUSTRIAL					
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR-3	UR-0	G C	I C	N C	R S	A R S	R S	S V R S	G I		L I
	Outdoor storage areas	-	-	-	-	-	-	-	-	-	-	-	-	2	2	6.3.4
	Wrecking/salvage or junk yard	-	-	-	-	3	-	-	-	-	-	-	-	2	2	6.3.4(E)
Industrial Service	Industrial service, low-impact	-	-	-	-	-	-	-	-	-	-	-	-	2	2	6.3.4
	Industrial service, high-impact	-	-	-	-	-	-	-	-	-	-	-	-	2	-	6.3.4
	Laundry/dry cleaning plant	-	-	-	-	-	-	-	-	-	-	-	-	2	2	
Manufacturing & Production	Firewood processing/sales	2	-	-	-	-	-	-	-	-	-	-	-	2	-	
	Manufacturing and production, low-impact	-	-	-	-	-	-	-	-	-	-	-	-	2	2	6.3.4
	Manufacturing and production, high-impact	-	-	-	-	-	-	-	-	-	-	-	-	2	2	6.3.4

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CATEGORY	SPECIFIC USE	ZONING DISTRICTS													SEE ALSO	
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL					INDUSTRIAL					
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR-3	UR-0	G C	I C	N C	R S	A R S	R S	S V R S	G I		L I
	Manufacturing paper and allied products	-	-	-	-	-	-	-	-	-	-	-	-	3	-	6.3.4
	Manufacturing petroleum by-product	-	-	-	-	-	-	-	-	-	-	-	-	3	-	6.3.4
Warehouse and Freight Movement	Feed mills/elevators/granaries	-	-	-	-	-	-	-	-	-	-	-	-	2	2	6.3.4
	Mini-warehouse	-	-	-	-	-	-	2	-	-	-	-	2	2	6.3.4(D)	
	Truck terminal, freight forwarding facility, or yard	-	-	-	-	-	3	-	-	-	-	-	-	2	2	
	Warehouse, food storage	-	-	-	-	-	-	-	-	-	-	-	-	-	2	6.3.4

**TRANSPORTATION USES**

Aviation	Airport/heliport	-	-	-	-	-	-	-	-	-	-	-	-	2	2	6.3.5(A)
Bike Paths	All types	2	2	2	2	2	2	2	2	2	2	2	2	2	2	6.3.5(B) Ch. 9
Public Transportation	Station only	-	-	-	-	3	-	-	2	2	3	-	-	-	-	3.2





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CATEGORY	SPECIFIC USE	ZONING DISTRICTS														SEE ALSO	
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL						INDUSTRIAL					
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR 30	G C	I C	N C	R S	A R S	R S	S V R S	G I	L I			
	Minor utility facilities	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	6.3.6(B)
	Small scale energy producing facility	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	6.3.6(B)
Waste-Related Use	Composting plant	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6.3.6(C)
	Incinerator	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Modification of waste related use	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	6.3.6(D)
	Recycle drop-box	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	5.5.3;6.3.6(C)
	Recycling plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6.3.6(C)
	Sanitary landfill	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6.3.6(C)
	Slaughter house/tannery/animal tallow/rendering plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6.3.6(C)
	Solid waste transfer station	4	-	-	-	3	-	-	-	-	-	-	-	-	-	3	6.3.6(C); 3.2

**PARKS/PUBLIC/QUASI-PUBLIC USES**

**TABLE 6.2-1: USE TABLE FOR BASE ZONING DISTRICTS**  
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CATEGORY	SPECIFIC USE	ZONING DISTRICTS												SEE ALSO	
		R U	RURAL RESIDENTIAL			URBAN RESDL.			COMMERCIAL			INDUSTRIAL			
			RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10	UR-1, UR-4 to UR-10		UR-1, UR-4 to UR-10
Cemetery	Cemetery (incl. animals)	1	3	3	-	-	3	-	-	-	2	-	-	-	12.4.1(H)
Library	All types	2	3	3	3	2	3	3	3	2	2	2	2	2	6.3.7(B); 12.4.1(H)
Museum	All types	2	3	3	-	2	-	2	2	2	-	-	-	-	12.4.1(H)
Parks and Recreation	Campground/RV (new)	3	-	-	-	3	3	-	3	3	-	3	-	-	6.3.7(C); 12.4.1(H)
	Campground/RV (expand existing)	2	3	3	-	-	-	-	-	-	-	-	-	-	12.4.1(H)
	Country club	-	3	3	-	-	-	-	-	-	-	-	-	-	6.3.7(C); 12.4.1(H)
	Fairgrounds or rodeo grounds	-	3	-	-	-	-	-	-	-	-	-	-	-	12.4.1(H)
	Firearm training or shooting range	3	-	-	-	3	-	-	-	3	-	-	3	-	6.3.7(A); 12.4.1(H)
	Golf course	3	3	3	-	-	-	-	-	-	-	-	-	-	12.4.1(H)
	Park/playground	2	2	2	2	2	2	2	2	2	2	2	2	2	6.3.7(C); 12.4.1(H)
	Recreation/sports club, private	3	3	3	3	2	-	2	-	-	-	-	2	2	12.4.1(H)

**TABLE 6.2-1: USE TABLE FOR BASE ZONING DISTRICTS**

1 = Type 1 Permit 2 = Type 2 Permit 3 = Type 3 Permit 4 = Type 4 Permit

CATEGORY	SPECIFIC USE	ZONING DISTRICTS												SEE ALSO		
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL						INDUSTRIAL				
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	UR-3	UR	GC	IC	INCS	RRS	ARRS	RRS	SVRS		GLI	
	Recreation/sports club, public	2	3	3	2	2	2	2	-	2	-	-	-	2	2	12.4.1(H)
Post Office	Post office substation	-	-	-	-	-	2	2	2	2	2	2	2	2	-	5.5.3; 12.4.1(H)
Public Assembly	Community/town hall/grange	2	3	3	3	2	2	2	2	2	2	2	2	2	2	12.4.1(H)
	Convention and exhibit hall	-	-	-	-	2	-	-	-	-	-	-	-	2	2	12.4.1(H)
Public Works	Public works buildings & facilities	2	3	3	3	2	2	3	3	3	3	3	2	2	2	6.3.7(D); 12.4.1(H)
Religious	Religious assembly, house of worship (church)	1	2	2	2	2	2	2	-	2	2	2	2	2	-	2.7.4(C) 12.4.1(H)
	Seminary	-	3	3	-	-	-	-	-	-	-	-	-	-	-	12.4.1(H)
Safety Services	Emergency medical, ambulance service, fire/police stations	-	3	3	3	2	2	2	2	2	2	2	2	2	2	12.4.1(H)
Schools	Commercial or business school	-	-	-	-	3	2	3	-	3	-	-	-	2	2	12.4.1(H)

**TABLE 6.2-1: USE TABLE FOR BASE ZONING DISTRICTS**

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CATEGORY	SPECIFIC USE	ZONING DISTRICTS											SEE ALSO				
		RURAL RESIDENTIAL		URBAN RESDL.		COMMERCIAL					INDUSTRIAL						
		RR 00 & 10	RR-5 RR-2.5 & RR-5A	UR-1, UR-4 to UR-10	U	G C	I C	N C	R S	A R S	R R S	S V R S		G I	L I		
	College/university	-	-	3	3	-	-	-	-	-	-	-	-	-	-	-	12.4.1(H)
	Public or private school (K thru 12)	1	3	3	3	-	-	-	-	1	-	-	-	-	-	-	12.4.1(H)
	Satellite campus	-	3	3	3	2	-	2	2	2	3	2	2	2	2	2	12.4.1(H)

## CHAPTER 8. DIMENSIONAL STANDARDS, MEASUREMENTS AND ADJUSTMENTS

### 8.1 APPLICABILITY

All new development and redevelopment in the resource districts described in Chapter 4 or any of the other zoning districts described in Chapter 5 will comply with the dimensional requirements set forth in this Chapter. See also Section 1.7 and Chapter 11 for regulations relating to preexisting uses, and nonconformities.

### 8.2 TABLE OF DENSITY AND DIMENSIONAL STANDARDS

All primary and accessory structures are subject to the density and dimensional standards set forth in Table 8.2-1. Any lot that is created through land division will meet the minimum lot area and lot width requirements set forth in Table 8.2-1 for the zoning district in which it is located, unless created pursuant to the requirements of Section 8.9. Footnoted regulations are referenced in italicized brackets, and in the final column of the Table. Rules of measurement and reductions are set forth in Sections 8.3 and 8.5. These standards may be further modified by other applicable sections of this Ordinance, including the overlay district standards set forth in Chapter 7. *(Amended by Ordinance 2004-12, effective 2-6-2005)*

**TABLE 8.2-1: TABLE OF DENSITY AND DIMENSIONAL STANDARDS**

District	Minimum Lot/Parcel Dimensions		Max. Gross Density [2] (dwelling units/acre)	Minimum Setbacks (ft) [3]			Max. Height (ft)	See Also
	Area	Width (ft)		Front	Side	Rear		
<b>RESOURCE DISTRICTS</b>								
EFU, FR,WR, OSR, AR	80 acres [2]	600	1/80	30	30	30	35	8.5.3(C)
<b>RURAL RESIDENTIAL ZONING DISTRICTS</b>								
RR-5, RR-5(A)	5 acres	300	1/5	30	20	20	35	8.4.1
RR-10	10 acres	300	1/10	30	20	20	35	8.4.1
RR-00	N/A	N/A	1 per parcel	30	20	20	35	8.4.1
RR-2.5	2.5 acres	175	1/2.5	30	20	20	35	8.4.1

<sup>2</sup>See Section 4.3.11 and 4.4.9 for special regulations for land divisions in resource districts.

<sup>2</sup>Temporary medical hardship dwellings, accessory dwelling units, and farm help dwellings are not subject to density standards.

<sup>3</sup>All development may be subject to additional setback requirements beyond those set forth in this table, including irrigation ditch/canal setbacks (Section 8.5.3), stream setbacks (Section 8.6), or fuelbreak requirements (Section 8.7).

**TABLE 8.2-1: TABLE OF DENSITY AND DIMENSIONAL STANDARDS**

District	Minimum Lot/Parcel Dimensions		Max. Gross Density [2] (dwelling units/acre)	Minimum Setbacks (ft) [3]			Max. Height (ft)	See Also
	Area	Width (ft)		Front	Side	Rear		
<b>URBAN RESIDENTIAL ZONING DISTRICTS (See Chapter 12 for White City UUC Special Regulations)</b>								
UR-1 WCUR-1*	1 acre	100 [4] (1:2.5 width to depth ratio for divisions)	1/1	25	10 side & rear, plus addl. ½ ft for each ft bldg height exceeds 25 ft	35		
UR-4 WCUR-4*	10,000 sq ft	60	4/1	20	10 side & rear, plus addl. ½ ft for each ft bldg height exceeds 25 ft	35	8.4.2	
UR-6 WCUR-6*	7,200 sq ft	60	6/1	20	6 side & 10 rear, plus addl. ½ ft for each ft bldg height exceeds 25 ft	35	8.4.2	
UR-8 WCUR-8*	5,400 sq ft	50	8/1	20/15 [5]	6 side & 10 rear, plus addl. ½ ft for each ft bldg height exceeds 25 ft	35		
UR-10 WCUR-10*	4,300 sq ft	45	10/1	15/20	5 side & 10 rear, plus addl. ½ ft for each ft bldg height exceeds 25 ft	35		
UR-30 WCUR-30*	6,000 sq ft for first SFD or SFA; 10,000 sq ft min. for 3 or more DU per parcel/lot	30	30/1 Mfd dwellings in mfd parks: 9/1	20	10 side & rear, plus addl. ½ ft for each ft bldg height exceeds 25 ft	45	8.4.2 8.4.3	
<b>COMMERCIAL ZONING DISTRICTS</b>								

\*Within WCUUB, width may be reduced to 80 feet provided a 1:2.5 width to depth ratio is maintained.

\*Within WCUUB, 15 ft. for face of house with 20 ft. minimum for garage face.

**TABLE 8.2-1: TABLE OF DENSITY AND DIMENSIONAL STANDARDS**

District	Minimum Lot/Parcel Dimensions		Max. Gross Density [2] (dwelling units/acre)	Minimum Setbacks (ft) [3]			Max. Height (ft)	See Also
	Area	Width (ft)		Front	Side	Rear		
GC	Dimensional standards for commercial divisions will be based on location and type of use. New parcels may only be created for an existing use or a use approved through the site development or Type 3 review procedures. New parcels must have adequate area for setbacks, parking, access, landscaping, and any other requirements of this Ordinance [6]. See Ch. 10 for land division.			20	30 side & rear [7] if adjacent to residential district		60	8.3.2 8.4.3
IC	The dimensional standards for commercial divisions will be based on location and type of use. Residential development in accordance with UR-30 standards may be allowed in conjunction with commercial uses. New parcels may only be created for an existing use or a use approved through the site development or Type 3 review procedures. New parcels must have adequate area to provide for setbacks, parking, access, landscaping, and any other requirements of this Ordinance. See Ch. 10 for land division.			20	30 side & rear if adjacent to residential district		45	8.3.2 8.4.3
NC	The dimensional standards for commercial divisions will be based on location and type of use. Residential development in accordance with UR-30 standards may be allowed in conjunction with commercial uses. New parcels may only be created for an existing use or a use approved through the site development or Type 3 review procedures. New parcels must have adequate area to provide for setbacks, parking, access, landscaping, and any other requirements of this Ordinance. See Ch. 10 for land division.			20	20 side & rear if adjacent to residential district		35	8.3.2 8.4.2 8.4.3
ARS				20	25 side & rear if adjacent to residential district		35 (ARS: 2 stories)	8.3.2, 8.4.3 Commercial use bldgs 2,500 sq ft max. (4,000 sq ft for Type 3 use). Limit applies to parcel, not use.
RS, RRS, SVRS	The dimensional standards for commercial divisions will be based on the location and type of use. New parcels may only be created for an existing use or a use approved through the site development or Type 3 review procedures. The new parcel must have adequate area to provide for setbacks, parking, access, landscaping, and any other requirements of this Ordinance. See Ch. 10 for land division.			20	25 side & rear if adjacent to residential district		Type 3 use if over 25	See Sections 8.3.2, 8.4.3
				20	25 side & rear if adjacent to residential district		Type 3 use if over 25	Commercial use bldgs will not exceed 4,000 sq ft floor space.

<sup>6</sup>Within WCUUB new parcels may be created for an existing use or commercial subdivision purposes, provided all new vacant lots created are a minimum of 20,000 sq. ft. New parcels with existing development must provide for setbacks, parking, access, landscaping, and any other requirements of this Ordinance. See Sec. 12.4 for White City regulations.

<sup>7</sup>Within WCUUB, side yard setbacks 10 ft., and rear yard setbacks 20 ft; if abutting a residential zone, buffer yard standards must be met.

**TABLE 8.2-1: TABLE OF DENSITY AND DIMENSIONAL STANDARDS**

District	Minimum Lot/Parcel Dimensions		Max. Gross Density [2] (dwelling units/acre)	Minimum Setbacks (ft) [3]			Max. Height (ft)	See Also
	Area	Width (ft)		Front	Side	Rear		
<b>INDUSTRIAL AND SITE-SPECIFIC ZONING DISTRICTS</b>								
LI	The dimensional standards for industrial divisions will be based on the location and type of use. New parcels may only be created for an existing use or a use approved through the site development plan review (Sec. 3.2) or Type 3 review procedures. The new parcel must have adequate area to provide for setbacks, parking, access, landscaping, and any other requirements of this Ordinance [7]. See Ch. 10 for land division.			30	20 side & rear if adjacent to residential district [8]		60	See Sections 8.3.2, 8.4.3, and 8.5.3
GI				30	20 side & rear if adjacent to residential district [7]		60	See Sections 8.3.2, 8.4.3, and 8.5.3
RLI	New parcels may only be created for an existing use or a use approved through site plan review (Sec. 3.2) and/or Type 3 review procedures. The new parcel(s) must have adequate area to provide for setbacks, parking, access, landscaping, and any other requirements of this Ordinance [7].			30	20 side & rear if adjacent to residential district [7]		60	See Sections 8.3.2, 8.4.3, and 8.5.3
LU				20	10 side & rear		45	See Sections 8.3.2, 8.4.3, and 8.5.3
RU-10	10 acres**	N/A	1/10	30	20	20	35	See Sections 3.5, 8.4.1, 8.9.3
RU-15	15 acres**	N/A	1/15	30	20	20	35	See Sections 3.5, 8.4.1, 8.9.3
RU-20	20 acres**	N/A	1/20	30	20	20	35	See Sections 3.5, 8.4.1, 8.9.3
RU-30	30 acres**	N/A	1/30	30	20	20	35	See Sections 3.5, 8.4.1, 8.9.3
RU-40	40 acres**	N/A	1/40	30	20	20	35	See Sections 3.5, 8.4.1, 8.9.3

**8.3 HEIGHT, LOT/PARCEL MEASUREMENTS AND REQUIREMENTS**

<sup>8</sup>In WCUUB, minimum parcel size will be 20,000 sq. ft., side yard setbacks of 5 ft. when adjacent to industrial zone.

<sup>\*\*</sup>In the RU zones land division to create lots smaller than the minimum lot size permitted by Table 8.2-1 may be permitted in combination with a cluster or planned unit development in accordance with Section 3.5 and 8.9.3.



### **8.3.1 Definition/Measurement**

- A) The height of a building will be measured as the vertical distance from the average slope of the natural grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the average height of the highest gable of a pitch or hip roof. For purposes of this Section, "natural grade" is defined as the elevation of the ground level at the building site in its natural state, before construction, filling, or excavation.
- B) Lot area is calculated as the total area of a lot or parcel within the lot boundary lines, measured in a horizontal plane. When a road lies within the boundaries of a lot, it is included for the purpose of determining the area contained in the lot or parcel.
- C) In cases of existing irregularly shaped lots or parcels, average lot width or depth is used to determine compliance with the setback requirements of this Ordinance. Average lot width/depth is determined by measuring the diameter of the largest circle that can be wholly contained within the boundaries of the lot or parcel.

### **8.3.2 General Requirements**

- A) Building height limits specified in Table 8.2-1 apply to all development unless specified otherwise in the Airport Approach (AA), Airport Concern (AC), overlay district regulations of Sections 7.2.1 and 7.2.2.
- B) Minimum lot/parcel area dimensions specified in Table 8.2-1 apply to all development unless otherwise specified in this Ordinance. A lawfully created lot or parcel that does not meet the minimum area dimensions specified in Table 8.2-1 is entitled to the same rights that such a lot or parcel would otherwise have if it met the minimum area dimension requirements.
- C) Within urban growth or urban unincorporated community boundaries, all accessory buildings and structures will be built to the rear or side of the principal structure, and will meet the minimum setbacks for the zone.

### **8.3.3 Exclusions/Exemptions**

Except in airport zoning districts (AA or AC), height limitations will not apply to barns, silos, water towers, or other farm structures, or projections such as chimneys, domes, spires, elevator shaft housings, towers, aerials, flagpoles, and other similar objects not used for human occupancy.

## **8.4 ADDITIONAL REGULATIONS**

### **8.4.1 Rural Residential Zoning Districts**

All development within the Rural Use and Rural Residential districts is subject to the following:

- A) A deed declaration, which acknowledges and accepts customary farm and

forest practices, and irrigation rights as provided by the County, will be recorded prior to the issuance of permits.

- B) All Type 2-4 applications within the RR-5(A) District will be reviewed by each permitting agency having jurisdiction prior to issuance of development permits, as indicated by the agency's sign-off on a checklist.

## 8.9 PARCEL AREA REDUCTIONS

### 8.9.1 Purpose and Scope

The County may approve a parcel area reduction in any residential or resource zone as a Type 1 permit for the purpose of dividing land to separate preexisting dwellings onto individual parcels, subject to the land division requirements of this Ordinance and compliance with the following: (OAR 660-004-0040, 7(h) or (8)(g))

- A) The parcel to be divided contains two (2) or more permanent habitable dwellings;
- B) The dwellings were lawfully established before April 3, 2001, except in forest zones where they must have lawfully existed prior to November 4, 1993;
- C) Each new parcel created by the partition contains at least one (1) of the permanent habitable dwellings;
- D) The partition will not create any vacant parcels or lots; and
- E) If the parcel to be divided is within one (1) mile of the Ashland, Central Point or Medford urban growth boundary (i.e., the urban fringe), the resulting parcels will also comply with the provisions of OAR 660-004-0040(7)(h) or (8)(g).

See Chapter 4 for additional requirements concerning multiple dwellings located on land zoned Exclusive Farm Use or Forest Resource. Site-Specific (i.e., LU, RLI and RU) zoning districts are not eligible for land division in accordance with this subsection (See Section 8.9.3, below).

### 8.9.2 Approval Criteria

Applications will be processed under the Type 2 procedures of Section 3.1.3, unless otherwise specified in this Ordinance, and may only be approved when all of the following criteria are met:

- A) The requested adjustment will not have an appreciable adverse impact on the health, safety, or welfare of surrounding property owners or the general public;
- B) The requested adjustment does not interfere with accepted farming practices on adjacent lands devoted to farm use and, does not adversely alter the stability of the overall land use pattern of the area;

- C) If the requested adjustment is to the minimum lot size, the applicant has demonstrated that all reasonable efforts to obtain the requisite amount of additional land needed to conform with the minimum lot size requirement through purchase, partitioning, or lot line adjustment are unfeasible; and
- D) Nonconforming lots or parcels created pursuant to this subsection must meet the access requirements of this Ordinance. To the extent possible nonconforming lots or parcels created pursuant to this subsection will meet setback and area requirements. If, however, any of the setback and area requirements are found to be physically impossible to meet, then the proposed division must maintain the maximum feasible distance between buildings and the new lot lines. Except as indicated above, divisions made under this Section will comply with all other land division procedures and standards set forth in this Ordinance.

**8.9.3 Cluster and Planned Unit Developments in Rural Use Districts**

The County may approve land division of parcels zoned Rural Use (RU) based on either:

- (1) The minimum density prescribed by Table 8.2-1 (i.e., 1 unit per 10, 15, 20, 30 or 40 acres, respectively), or
- (2) As planned unit or cluster development of the property subject to a Type 4 review (see Section 3.5). When a cluster or planned unit development is approved, the non-residential portion of the parcel will be dedicated for open space use through a deed dedication, conservation easement or plat restriction.

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## **CHAPTER 13. DEFINITIONS**

### **13.3 TERMS DEFINED**

The definitions contained in this Section apply to terms used throughout this Ordinance. In some cases, more than one (1) definition may appear because a specific meaning is to be used in the context of a particular situation or implementation of a land use regulation. When a term is defined within a subset of a numbered term (e.g., "expansion" under AGGREGATE AND MINERAL RESOURCES) the subset definition is the one used in determinations relating to that numbered term.

###) CLUSTER DEVELOPMENT: A subdivision in which lot sizes are reduced below those normally required in the zoning district and that concentrates buildings in specific areas in order to provide permanent open space, preserve historically or environmentally sensitive features, or to mitigate for hazardous site conditions (e.g., steep slopes, wildfire hazard areas).

#### **ALTERNATIVE DEFINITION:**

###) CLUSTER DEVELOPMENT: A residential development pattern in which the uses are grouped or "clustered" through a density transfer, rather than spread evenly throughout the parcel as in conventional lot-by-lot development. The County may authorize such

development by permitting smaller lot sizes if a specified portion of the land is kept in permanent open space to provide natural habitat or open space uses through public or private dedication.

**SUPPLEMENTAL FINDINGS**  
**BY THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY**  
**IN THE MATTER OF AMENDMENTS TO THE RURAL USE PLAN CATEGORY**  
**AND ZONING DISTRICT**

Based on the evidence and arguments presented at their May 11, 2006 and August 2, 2006 public hearings on the matter, the Board of Commissioners makes the following findings with respect to Comprehensive Plan and Land Development Ordinance amendments related to the Rural Use Plan Category and Zoning District:

- 1.1 Oregon land use laws focus on protecting resource lands outside Urban Growth Boundaries. Lands that do not qualify for resource protections under Statewide Planning Goals 3, 4 and 5 are sometimes mis-designated as resource lands by local governments for lack of an alternative plan category. The creation of the Rural Use plan category and zoning district in 2004 provided an alternative for Jackson County property owners who own rural land that is neither productive farm nor forest land.
- 1.2 Because of uncertainty about the possible ramifications of allowing land divisions within areas that might qualify for Rural Use zoning, the County initially adopted a Rural Use plan category and zoning district that provided for a dwelling by right but did not allow land division. This strategy did not provide an opportunity to restore significant rights to property owners, which was an objective of the Board of Commissioners in establishing the Rural Use Plan category and Zoning district.
- 1.3 Based on an extensive GIS analysis by Jackson County staff, the Board concluded that a range of densities between 10 and 40 acre minimums would provide the maximum flexibility in future quasi-judicial decisions about where Rural Use zoning districts are appropriate. In this way, protection of Goal 5 resources and the availability of public facilities and services can be considered on a case by case basis.
- 1.4 Until such time as ASC 90-1 (Deer and Elk Winter Range) is revised by Jackson County, the Board finds there is limited opportunity for land divisions below a 40 acre minimum lot size in areas that might qualify for Rural Use zoning. The anticipated level of land division would not significantly alter or destabilize resource management on productive farm and forest lands, nor detrimentally impact Deer and Elk Winter Range areas.
- 1.5 Goal 5 resources will continue to be protected by the acknowledged Goal 5 Program or by requiring site specific Economic, Social, Environmental and Energy (ESEE) consequences analysis at the time individual properties are considered for conversion to the Rural Use designation. Site specific ESEE analysis will ensure Goal 5 compliance consistent with OAR 660 Division 23 requirements. Site specific ESEE analyses will be encouraged to rely on the County's acknowledged Goal 5 resource protections. In the alternative, a comparable level of protection will need to be demonstrated before an alternative Goal 5 protection program will be approved as part of a quasi-judicial decision to redesignate property as Rural Use.

- 1.6 Because residential development in Rural Use zoning categories will be limited to 1 unit per 10 acres or greater, the level of potential development will not reach the threshold identified in OAR 660-004-0040 (the "Rural Residential Rule") as urban or potentially urban. Therefore, Goal 14 (Urbanization) exceptions will not be needed to establish Rural Use zoning on individual parcels. Similarly, Goal 12 exceptions will not be needed to redesignate lands as Rural Use because the amendments are consistent with Goal 12(B)(1), which states; "... *The planning and development of transportation facilities in rural areas should discourage urban growth while providing transportation service necessary to sustain rural and recreational uses in those areas so designated in the Comprehensive Plan.*"
- 1.7 Because Rural Use zoning opportunities will likely be limited to discrete areas outside Deer and Elk Winter Range, potential transportation impacts will similarly be limited. At this time, there is no way to determine whether, or if, lands in Jackson County will be redesignated for Rural Use through quasi-judicial Comprehensive Plan and Zoning map amendments. OAR 660, Division 12 (the Transportation Planning Rule) is therefore not applicable to this legislative action because no changes of existing comprehensive plan or zoning designations will occur as a result of adoption of an amended Rural Use Plan category or Zoning district. Transportation impact analysis would appropriately occur at the time specific properties apply for the designation.
- 1.8 In addition, the Jackson County Transportation System Plan, Policy 4.3.1-B provides that cumulative impacts of quasi-judicial amendments will be monitored by the County and Traffic Impact Studies will be required when necessary to ensure the transportation system is not compromised over time. Specifically, Policy 4.3.1-B states:

*Plan amendments, zone changes and type 3 and 4 land use permits need to demonstrate that adequate transportation planning has been done to support the proposed land use.*

**Strategies:**

- c. *Ensure that quasi-judicial comprehensive plan changes, zone changes and type 3 and 4 land use permits will not result in land uses that are incompatible with the public transportation facilities they will use. To meet this requirement, criteria "i, ii and iii" below must be demonstrated to be met through a Transportation Impact Study (TIS) completed by a registered professional engineer with expertise in transportation. Compliance with criteria "i, ii and iii" will be considered sufficient to demonstrate compliance with the Transportation Planning Rule. The TIS requirement may be waived if the Planning Director and the County Engineer administratively concur in writing that sufficient specific evidence is provided from affected transportation management agencies that the cumulative effect of approving the proposed plan amendment, zone change or type 3 or 4 land use permit, along with the potential for similar approvals on similarly situated parcels within 2 miles (.75 miles*

*in the MPO) of the subject parcel (or portion of the parcel that is requesting the land use change or permit), will not significantly affect a transportation facility identified in State, regional or local transportation plans (RTP 6-1).*

- i. Approval of the proposed changes and the cumulative impact of the potential for similar approvals on parcels within 2 miles (.75 miles in the MPO) of the subject parcel would not change the functional classification of an existing or planned transportation facility nor would it change standards implementing the functional classification system (unless the change can be made in conjunction with a TSP amendment pursuant to policy 4.3.3-D).*
- ii. Approval of the proposed changes and the cumulative impact of the potential for similar approvals on parcels within 2 miles (.75 miles in the MPO) of the subject parcel would not allow types or levels of land uses that would result in levels of travel or access inconsistent with the functional classification of a transportation facility (unless a functional class change is made pursuant to policy 4.3.3-D).*
- iii. Approval of the proposed land use changes and the cumulative impact of the potential for similar approvals on parcels within 2 miles (.75 miles in the MPO) of the subject parcel would not cause a facility to exceed the adopted performance standards for facilities used by the subject parcel. A facility used by the subject parcel is defined as any facility where approval of the proposed land use changes and the cumulative impact of the potential for similar approvals on parcels within 2 miles (.75 miles in the MPO) of the subject parcel would increase traffic on a facility by more than 3% of the total capacity for collectors and/or 2% of the total capacity for arterials and state highways. ODOT may determine that the subject parcel, beyond this definition and in accordance with the Oregon Highway Plan, will use additional state facilities.*

- 1.9 Because the amendments to the Rural Use Plan category and Zoning district contained in Exhibit 1 are less restrictive than current regulations, there is no need for an individual property owner notice in accordance with ORS 215.503. Therefore, no such notice has been provided prior to the final public hearing and second reading of this ordinance.
- 1.10 Likewise, because the amendments are less restrictive no liability for compensation of property owners under ORS 197.532 (Measure 37) is created by these changes.

## JACKSON COUNTY NOTICE OF ADOPTION

Pursuant to Oregon Revised Statutes (ORS) 197.615, you are hereby being notified that the Jackson County Board of Commissioners adopted Ordinance No. 2006-8 at a properly advertised public hearing on September 20, 2006, at 1:30 p.m., in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon 97501.

The ordinance will go into effect on November 19, 2006 (60 days from the date of adoption). A description of the ordinance follows:

Ordinance No. 2006-8 will amend the Jackson County Comprehensive Plan and Land Development Ordinance to expand uses and development densities permitted in the Rural Use Plan Designation and Zoning District. File LRP2005-00008.

This notice is being mailed to you on September 26, 2006, which is within five working days after the adoption date of the ordinance as required by ORS 197.615. This ordinance is available for inspection at Development Services at no cost and will be provided at reasonable cost, if requested. If you have any questions on the effect of this ordinance, please contact **Melissa Anderson** at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 774-6918; Jackson County residents outside of Medford's local calling area 1-800-452-5021 and enter the next four digit extension 6918.

The Board of County Commissioner's Ordinances are the final decisions on this action. Pursuant to State law, Jackson County is hereby notifying all persons who participated in the hearings, either in writing or orally. This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). You must appeal this decision within 21 days of the date it is mailed. This decision is being mailed on September 26, 2006, and the LUBA appeal period will expire on October 17, 2006. Please contact LUBA for specific appeal information. They are located at 550 Capitol Street N.E. Suite 235, Salem, Oregon 97301-2552. They can be reached at (503) 373-1265.

Attachments: Notary Packet



NOTARY PAGE

STATE OF OREGON )  
 )  
COUNTY OF JACKSON )

I, Patricia A. Guida, being first duly sworn, depose and say that on behalf of Jackson County Development Services, I gave notice of Board of Commissioners Ordinance No. 2006-8 by mailing a copy of the Notice of Adoptions by regular mail to each of the following named persons at their respective last known addresses, to wit: (as attached)

Each of said copies of the Notice were enclosed in a sealed envelope addressed to the persons at the addresses above set forth, with postage thereon fully prepaid and was deposited in the post office at Medford, Oregon, on September 26, 2006.

Patricia A. Guida  
Signature

Personally appeared before me this 26th day of September, 2006, the above named Patricia A. Guida who acknowledged the foregoing affidavit to be her voluntary act and deed.



Laura Marshall  
Notary Public for Oregon  
My Commission Expires: 2-16-2008

NOTICE OF ADOPTION SENT TO: INTERESTED PERSONS.

APPLICANT NAME: JACKSON COUNTY

FILE NO: LRP2005-00008

BOARD OF COMMISSIONERS  
RU Plan Designation & Zoning Dist.  
ORDINANCE #2006-8  
MAILED: 9-26-2006

**COMMISSIONERS:**

LRP2005-00008 DECISION  
DAVID GILMOUR  
BOARD OF COMMISSIONERS

LRP2005-00008 DECISION  
JACK WALKER  
BOARD OF COMMISSIONERS

LRP2005-00008 DECISION  
C W SMITH  
BOARD OF COMMISSIONERS

**PLANNING COMMISSION:**

LRP2005-00008 DECISION  
REEVE HENNION  
3232 LITTLE APPLGATE RD  
JACKSONVILLE OR 97530

LRP2005-00008 DECISION  
DON GREENE  
PO BOX 516  
ASHLAND OR 97520

LRP2005-00008 DECISION  
BYRON WILLIAMS  
8615 RAMSEY RD  
GOLD HILL OR 97525

LRP2005-00008 DECISION  
RICHARD THIEROLF  
2 NORTH OAKDALE AVE  
MEDFORD OR 97501

LRP2005-00008 DECISION  
ELIZABETH FUJAS  
5126 SOUTH PACIFIC HWY  
PHOENIX OR 97535

**COUNTY STAFF:**

LRP2005-00008 DECISION  
DOUG McGEARY  
COUNTY COUNSEL

LRP2005-00008 DECISION  
KELLY MADDING  
DEVELOPMENT SERVICES DIRECTOR

LRP2005-00008 DECISION  
SUSAN LEE  
PLANNING DIRECTOR

LRP2005-00008 DECISION  
TOM BIZEAU  
CURRENT PLANNING MANAGER

LRP2005-00008 DECISION  
MELISSA ANDERSON  
PLANNER

LRP2005-00008 DECISION  
RECEPTION DESK

LRP2005-00008 DECISION  
ALWIN TURIEL  
PLANNING CONSULTANT

**INTERESTED PARTIES:**

LRP2005-00008 DECISION  
MARY-KAY MICHELSEN  
2810 DIANE ST  
ASHLAND OR 97520

LRP2005-00008 DECISION  
JOHN RENZ/DLCD  
PO BOX 3275  
CENTRAL POINT OR 97502

LRP2005-00008 DECISION  
RAUL WOERNER  
712 CARDLEY AVE  
MEDFORD OR 97504

LRP2005-00008 DECISION  
PORTER LOMBARD  
2425 E MAIN  
MEDFORD OR 97504

LRP2005-00008 DECISION  
DAVID PYLES/ODOT  
100 ANTELOPE RD  
WHITE CITY OR 97503

LRP2005-00008 DECISION  
JOHN GRAVES  
1975 HOUSTON RD  
PHOENIX OR 97535

LRP2005-00008 DECISION  
JAY HARLAND  
712 CARDLEY AVE  
MEDFORD OR 97504

LRP2005-00008 DECISION  
ERIC STARK  
201 W MAIN ST #1B  
MEDFORD OR 97504

LRP2005-00008 DECISION  
LORI COOPER  
2255 CHINA GULCH RD  
RUCH OR 97530

LRP2005-00008 DECISION  
JOHN MORRISON, MAYOR  
CITY OR ASHLAND  
20 E MAIN ST  
ASHLAND OR 97520

LRP2005-00008 SIERRA CLUB, ROGUE GROUP KRISTEN BIECHLER 84 4 <sup>TH</sup> ST ASHLAND OR 97520	DECISION	LRP2005-00008 MR & MRS CHARLIE BIELCHER 1100 STERLING CREEK RD JACKSONVILLE OR 97530	DECISION	LRP2005-00008 PAT KELLOG 1190 SLAGEL CREEK RD GRANTS PASS OR 97527	DECISION
LRP2005-00008 DONNIE MC GREW 5525 ABBIE LN GOLD HILL OR 97525	DECISION	LRP2005-00008 GENE JOHNSON 2973 LINDEN LN CENTRAL POINT OR 97502	DECISION	LRP2005-00008 BRENT THOMPSON PO BOX 201 ASHLAND OR 97520	DECISION
LRP2005-00008 VICTOR AYALA PO BOX 1387 JACKSONVILLE OR 97530	DECISION	LRP2005-00008 RONALD CULL 1712 STEVENS RD EAGLE POINT OR 97524	DECISION	LRP2005-00008 RONALD BJORK 2960 BROWNSBORO HWY EAGLE POINT OR 97524	DECISION
LRP2005-00008 OTIS SWISHER PO BOX 1582 MEDFORD OR 97501	DECISION	LRP2005-00008 FRIENDS OF JACKSON COUNTY ART BULLOCK PO BOX 1443 PHOENIX OR 97535	DECISION	LRP2005-00008 WALTER FITZGERALD PO BOX 3984 CENTRAL POINT OR 97502	DECISION
LRP2005-00008 DEAN WEITMAN 4344 ROGUE RIVER DR EAGLE POINT OR 97524	DECISION	LRP2005-00008 JOHN RAMSEY 1255 WORTHINGTON RD EAGLE POINT OR 97524	DECISION	LRP2005-00008 PATRICIA BATES PO BOX 264 JACKSONVILLE OR 97530	DECISION
LRP2005-00008 SUSAN MILBURN MILLS WATSON PO BOX 600 TALENT OR 97540	DECISION	LRP2005-00008 ART GLOCKLER PO BOX 329 GOLD HILL OR 97525	DECISION	LRP2005-00008 ROCKY WARDLE 9495 E EVANS CREEK ROGUE RIVER OR 97537	DECISION
LRP2005-00008 ALVA DOTY PO BOX 379 EAGLE POINT OR 97524	DECISION	LRP2005-00008 JUDSON PARSONS 490 95 <sup>TH</sup> AVE NE SALEM OR 97317	DECISION	LRP2005-00008 KATHLEEN DONHAM 3776 DEVILS GARDEN DR MEDFORD OR 97504	DECISION
LRP2005-00008 HAROLD HAUGEN 4300 LOWER RIVER RD GRANTS PASS OR 97526	DECISION	LRP2005-00008 JOE FORT 4994 DARK HOLLOW RD MEDFORD OR 97501	DECISION	LRP2005-00008 BRYAN BAUMGARTNER 6345 N FOOTHILL RD CENTRAL POINT OR 97502	DECISION
LRP2005-00008 KATE JACKSON 359 KEARNEY ST ASHLAND OR 97520	DECISION	LRP2005-00008 WILLIAM ORR 1288 WORTHINGTON RD EAGLE POINT OR 97524	DECISION	LRP2005-00008 L M JONES 575 HARTLEY RD PHOENIX OR 97535	DECISION
LRP2005-00008 AL ROSECRANS 5094 KANE CREEK RD CENTRAL POINT OR 97502	DECISION	LRP2005-00008 PAT ACKLIN 270 SCENIC DR ASHLAND OR 97520	DECISION	LRP2005-00008 TRAUTE MOORE 2700 QUAIL RUN RD TALENT OR 97540	DECISION

LRP2005-00008  
DOROTHY JONES  
14308 45<sup>TH</sup> AVENUE CT NW  
GIG HARBOR WA 98332-9190

DECISION

LRP2005-00008  
ROBERT MYERS  
PO BOX 658  
GOLD HILL OR 97525

DECISION

LRP2005-00008  
CYNTHIA SCALE  
6632 DARK HOLLOW RD  
MEDFORD OR 97501

DECISION

LRP2005-00008  
GAYLENE HURLEY  
2158 TERREL DR  
MEDFORD OR 97501

DECISION

LRP2005-00008  
JOHN J ROTAR  
1390 HAMMEL RD  
EAGLE POINT OR 97524

DECISION

LRP2005-00008  
GREGG ADAMS  
PO BOX 1337  
MEDFORD OR 97501

DECISION

LRP2005-00008  
CATHY SHAW  
886 OAK ST  
ASHLAND OR 97520

DECISION

LRP2005-00008  
MARY KAY MICHELSEN  
2810 DIANE ST  
ASHLAND OR 97520

DECISION

LRP2005-00008  
ED VAUGHN  
1014 OLD STAGE RD  
CENTRAL POINT OR 97502

DECISION

LRP2005-00008  
LYNDA STEVENSON  
2101 WOODLAWN DR  
MEDFORD OR 97504

DECISION

LRP2005-00008  
KATY MALLAMS  
2855 HERITAGE RD  
CENTRAL POINT OR 97502

DECISION