



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

December 26, 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 007-06



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: January 8, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

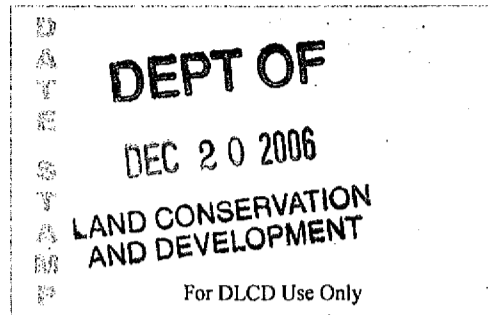
***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
John Renz, DLCD Regional Representative
Ken Skyles, Jackson County

<paa> ya/

FORM 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: LRP2006-00010

Date of Adoption: 12/13/2006 Date Mailed: 12/14/2006

Date original Notice of Proposed Amendment was mailed to DLCD: 7/10/2006

- 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".

Re-zone of land from White City Urban Residential 4 (4 dwellings per acre) to White City Urban Residential - 6 (6 dwellings per acre).

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".

Same

Plan Map Changed from: N/A to: N/A

Zone Map Changed from: WCUR-4 to: WCUR-6

Location: 3322, 3368, 3372 Ave. A, White City Acres Involved: 6.0

Specify Density: Previous: 4 per acre New: 6 per acre

Applicable Statewide Planning Goals: 1, 2, 6, 7, 9, 10, 11, 12, 13 and 14

Was and Exception Adopted? YES NO

DLCD File No.: 007-06 (15372)

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:

White City Improvement Assoc., Rogue Valley Sewer Service, Medford Water Commission, JA
CO Roads Dept., JA CO Fire Dist #3, JA CO School Dist #9, ODOT, DSL, DLCD, JA CA Special
& Economic Development, and JA CA Sheriff.

Local Contact: Ken Skyles Phone: (541) 774-6958 Extension: _____
Address: 10 S Oakdale Ave, Room 100 City: Medford
Zip Code + 4: 97504-2902 Email Address: skyleskd@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.

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. 2006-13 at a properly advertised public hearing on November 8, 2006, at 1:30 p.m., in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon 97502.

The ordinance will go into effect on February 11, 2007 (60 days from the date of adoption). A description of the ordinance follows:

Ordinance No. 2005-21 amends the official White City zoning map by changing the zoning designation from White City Urban Residential - 4 (WCUR-4) to WCUR-6 on 6.00 acres of land, legally described as township 36, range 1W, section 21C, tax lots 800, 900 and 1000. The subject properties are located at 3324, 3368 and 3372 Avenue A in White City, Oregon. File number LRP2006-00010.

This notice is being mailed to you on December 18, 2006, which is within five working days after the adoption date of the ordinance(s) as required by ORS 197.615. If you have any questions on the effect of this ordinance, please contact **Kenneth Skyles** at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 774-6958; Jackson County residents outside of Medford's local calling area 1-800-452-5021 and enter the next four digit extension 6958.

The ordinance is available for inspection at no cost and will be provided at reasonable cost, if requested, at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501, between the hours of 8:00 a.m. and 4:00 p.m., Monday, Tuesday, Thursday and Friday; and 1:00 p.m. to 4:00 p.m on Wednesday.

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 December 18, 2006, and the LUBA appeal period will expire on January 8, 2007. 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: Zoning Map
Notary Packet

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

ORDINANCE NO. 2006-13

AN ORDINANCE AMENDING THE OFFICIAL WHITE CITY ZONING MAP BY CHANGING THE ZONING DESIGNATION FROM WHITE CITY URBAN RESIDENTIAL - 4 (WCUR-4) TO WCUR-6 ON 6.00 ACRES OF LAND, LEGALLY DESCRIBED AS TOWNSHIP 36, RANGE 1W, SECTION 21C, TAX LOTS 800, 900 AND 1000. THE SUBJECT PROPERTIES ARE LOCATED AT 3324, 3368 AND 3372 AVENUE A IN WHITE CITY, OREGON. FILE NUMBER LRP2006-00010.

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 (JCCP) and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. Pursuant to Oregon Administrative Rule (OAR), Chapter 660, Division 22 (Unincorporated Communities), the Board of County Commissioners adopted Ordinance #2003-20 on September 17, 2003, which amended the White City Community Plan and established unique community-wide zoning regulations for the White City Urban Unincorporated Community. In accordance with Policy 9 of the Jackson County Urban Lands Element, the White City Community Plan provides "*the basis for guiding development within the White City Urban Unincorporated Community Boundary and acts as part of the Jackson County Comprehensive Plan.*"
3. The following year, the Board of County Commissioners adopted Ordinances # 2004-1, 2004-2, and 2004-3, which enrolled the White City Urban Unincorporated Community Plan into the county-wide comprehensive plan and Land Development Ordinance (LDO). These ordinances updated Jackson County's Comprehensive Plan, Land Development Ordinance, and the Jackson County Comprehensive Plan Map and Zoning Map. Ordinances #2004-1, 2004-2, and 2004-3 first went into effect on March 12, 2004 and were subsequently acknowledged by the State.
4. The criteria for re-designating land from one zoning district to another are contained in Chapter 3 of the State acknowledged Jackson County Land Development Ordinance, specifically Section 3.1.5(B) (Approval Criteria for a Type 4 review), and Section 3.7.3(D) (Approval Criteria for Minor Zoning Map Amendments). Additionally, Section 2.1.1 of the LDO lists Minor Map Amendments as a Type 4 land use decision, subject to compliance with all applicable criteria.
5. On July 5, 2006, the County accepted an application for an Minor Zoning Map Amendment to change the zoning designation from WCUR-4 to WCUR-6 on three parcels in three ownerships, totaling 6.00 acres, located at 3324, 3368 and 3372 Avenue A, in White City, Oregon.
7. The White City Planning Commission held a legally advertised public hearing on October 10, 2006 to consider the applications and receive evidence and testimony. After considering the

1-ORDINANCE; File LRP2006- 00010

evidence and testimony, the Planning Commission, by motion and vote, approved a recommendation to the Board of County Commissioners to amend the White City Urban Unincorporated Community Zoning Map by changing the zoning designation from WCUR-4 to WCUR-6 on properties described herein.

8. The Board of County Commissioners (BOC) held a legally advertised public hearing on November 8, 2006 to consider the applications and receive evidence and testimony. After considering the evidence and testimony, the Board of Commissioners, by motion and vote, approved an amendment to the White City Urban Unincorporated Community Zoning Map by changing the zoning designation from WCUR-4 to WCUR-6 on properties described herein.

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

SECTION 1. FINDINGS OF FACT

Based upon the evidence and argument presented, the Board makes the following findings of fact with respect to this application. Where factual conflicts arose, the Board has resolved them consistent with these findings.

1.1 The Board of Commissioners finds that proper public notice was given for the public hearings, and that no objections were raised concerning the hearing notice.

1.2 The Board of Commissioners hereby adopts, as its own, the Fact Pertaining to the Application contained in Section 1 of the White City Planning Commission's Recommendation dated October 24, 2005, attached hereto and incorporated herein as Exhibit "1".

1.3 The Board of Commissioners finds that number of parcels and acreage proposed for amendment were listed incorrectly in the title portion of the White City Planning Commission Recommendation. The Minor Zoning Map Amendment includes three parcels totalling 6.00 acres. The remaining portions of the White City Planning Commission Recommendation, including the Recommendation, indicate the correct information. All testimony given corresponded with the correct number of lots and acreage. No objections were raised concerning the error.

SECTION 2. LEGAL FINDINGS

2.1 The Board of Commissioners adopts, as its own, the Findings and Conclusions as contained in Sections 2 of the White City Planning Commission Recommendation dated October 24, 2006, attached hereto and incorporated herein as Exhibit "1".

2.2 The Board finds that the application complies with Chapter 3 of the Jackson County Land Development Ordinance, the Jackson County Comprehensive Plan, and the Statewide Planning Goals and related Oregon Administrative Rules.

SECTION 3. CONCLUSIONS

3.1 The Board of Commissioners concludes that proper public notice was given.

2-ORDINANCE; File LRP2006- 00010

3.2 The Board concludes that the application complies with the Jackson County Comprehensive Plan, the Statewide Planning Goals and related Oregon Administrative Rules, and the Jackson County Land Development Ordinance.

3.3 The Board concludes that even though the title of the White City Planning Commission Recommendation was incorrect, it did not pose any change in the analysis of the proposal and was not a substantive error.

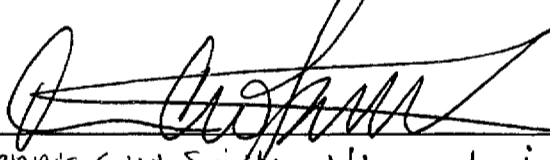
DECISION

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

1. Based on the record of the public hearing and the recommendation of the White City Planning Commission, attached hereto and incorporated herein as Exhibit "1", the Board of Commissioners approves an amendment to the Official Jackson County Zoning Map to change the zoning from WCUR- 4 to WCUR-6 on property legally described as Township 36, Range 1W, Section 21C, Tax Lots 800, 900 and 1000 as shown on the zoning map attached hereto, and incorporated herein, at Exhibit "2".
2. Invalidity of a section or part of this ordinance shall not affect the validity of the remaining sections or parts of sections.

APPROVED this 13th day of December, 2005, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS



Dennis C.W. Smith, Vice-chair

APPROVED AS TO FORM:

ATTEST:



County Counsel

Donna Bladik

By: Recording Secretary

The Board of County Commissioner's Ordinance is the final decision on this action. 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 December 18, 2006, ~~2005~~, and the LUBA appeal

Volume: _____ Page: _____

period will expire on January 11, 2007, ~~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.

EXHIBIT A

**BEFORE THE WHITE CITY
PLANNING COMMISSION
STATE OF OREGON, COUNTY OF JACKSON**

IN THE MATTER OF:

**WHITE CITY PLANNING COMMISSION FILE LRP)
2006-00010: AN APPLICATION TO AMEND THE)
OFFICIAL ZONING MAP OF WHITE CITY, OR,)
CHANGING THE ZONING DESIGNATION FROM)
WCUR-4 (Urban Residential, 4 units per acre) TO)
WCUR-6 (Urban Residential, 6 units per acre) ON)
SIX PARCELS, TOTALING 9.48 ACRES.)
)
APPLICANT: **Freel and Associates**)
)**

**RECOMMENDATION
FOR APPROVAL**

RECOMMENDATION FOR APPROVAL of an application for an Official Minor Zoning Map Amendment, changing the zoning designation from WCUR-4 to WCUR-6 on three parcels totaling 6.00 acres located at 3324, 3368 and 3372 Avenue A, White City, Oregon. The properties are mapped as Township 36, Range 1 West, Section 21C, Tax Lots 800, 900, and 1000.

RECITALS:

1. Pursuant to Chapters 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 Oregon Land Conservation and Development Commission.
2. Pursuant to Oregon Administrative Rule (OAR), Chapter 660, Division 22 (Unincorporated Communities), the Board of County Commissioners adopted Ordinance #2003-20 on September 17, 2003, which amended the White City Community Plan and established unique community-wide zoning regulations for the White City Urban Unincorporated Community. In accordance with Policy 9 of the Jackson County Urban Lands Element, the White City Community Plan provides *"the basis for guiding development within the White City Urban Unincorporated Community Boundary and acts as part of the Jackson County Comprehensive Plan."*
3. The following year, the Board of County Commissioners adopted Ordinances # 2004-1, 2004-2, and 2004-3, which enrolled the White City Urban Unincorporated Community Plan into the county-wide comprehensive plan and Land Development Ordinance (LDO). These ordinances updated Jackson County's Comprehensive Plan, Land Development Ordinance, and the Jackson County Comprehensive Plan Map and Zoning Map. Ordinances #2004-1, 2004-2, and 2004-3 first went into effect on March 12, 2004 and were subsequently acknowledged by the State.
4. The criteria for re-designating land from one zoning district to another are contained in Chapter 3 of the Jackson County Land Development Ordinance, specifically Section 3.1.5(B) (Approval Criteria for a Type 4 review), and Section 3.7.3(D) (Approval Criteria for Minor Map

Amendments). Additionally, Section 2.1.1 of the LDO lists Minor Map Amendments as a Type 4 land use decision, subject to compliance with all applicable criteria.

5. Policies 5, 6, 8 and 10 of the Transportation Element of the 1989 Comprehensive Plan apply to applications for zone changes or subsequent land divisions in the Avenue A corridor of White City. Policy 5 is specifically applicable to this zone change request.
6. On July 5, 2006, the County accepted an application for an Official Minor Zoning Map Amendment to change the zoning designation from WCUR-4 to WCUR-6 on three parcels in three ownerships, totaling 6.00 acres, located at 3324, 3368 and 3372 Avenue A, in White City, Oregon.
7. The White City Planning Commission held a legally advertised public hearing on October 10, 2006 to consider the applications and receive evidence and testimony. After considering the evidence and testimony, the Planning Commission, by motion and vote, approved a recommendation to the Board of County Commissioners to amend the White City Urban Unincorporated Community Zoning Map by changing the zoning designation from WCUR-4 to WCUR-6 on properties mapped as Township 36, Range 1 West, Section 21C, Tax Lots 800, 900, and 1000.

Now, therefore,

The White City Planning Commission finds, concludes, and RECOMMENDS as follows:

SECTION 1. FACTS PERTAINING TO THE APPLICATION: Based on the evidence and arguments, the White City Planning Commission determines the following facts apply with respect to this application:

1.1 Proper legal notice was sent to the applicant, agent, property owners within 250 feet of the subject property, and affected agencies on August 21, 2006. Legal notice was published in the Sunday, August 27, 2006 edition of the Medford Mail Tribune, and a copy was sent to the Ashland Daily Tidings and Upper Rogue Independent.

1.2 The subject property consists of three parcels totaling 6.00 acres located at 3324, 3368 and 3372 Avenue A, in White City. Based on assessment records and aerial photographs, the current uses of the properties include several single family dwellings. The remaining portions of the subject property are vacant land.

1.3 The subject property is mapped as Township 36, Range 1 West, Section 21C, Tax Lots 800, 900 and 1000. The White City Planning Commission further finds that Tax Lot 800 is currently owned by Betty Roberts; Tax Lots 900 is owned by Armando and Luz-Elena Valdez, and Tax Lot 1000 is owned by Lloyd and Sheryll Bowman.

1.4 All of the subject tax lots are legal parcels, as defined by the Land Development Ordinance. Tax Lots 800 and 900 were created prior to countywide land use regulations on September 26, 1969, through Document Number O.R. 69-09174 of the Official Records of Jackson County. Tax Lot 1000 was created prior to countywide land use regulations on March 24, 1959 through Volume 568, Page 505 of the Official Records of Jackson County.

1.5 This collection of properties is surrounded by properties that have been developed with single family housing. Lots range widely from 2.00 acre lots to recently approved medium

density residential lots. Medium density development is occurring to the east, west and north. Zoning to the south is outside of the UUCB across Highway 140 and is rural residential in nature. Surrounding zoning is consistent with the level of development being proposed for this property.

1.6 The property is currently zoned WCUR-4 (White City Urban Residential, 4 dwellings per acre) and is within the White City Urban Unincorporated Community Boundary. Parcels within 250 feet of the subject property are zoned WCUR-4 and WCUR-6.

1.7 According to the Natural Resources Conservation Service soils maps, the property is entirely comprised of the Agate-Winlo soils complex. This soil type carries a class IVs agricultural rating, a 0.00 cubic foot site class rating, and typical slopes of 0-5%. The property is neither irrigated nor does it have an irrigation assessment.

1.8 Storm drainage is provided via lines in Avenue A. New development would include facilities for storm drainage as part of the development plan.

1.9 Sewer service is provided by RVSS, who reviewed the information and materials for this application and indicated that connection to existing 8-inch diameter sewer lines in Avenue A and Cascade Court would be possible at time of development.

1.10 Water is provided by Medford Water Commission(MWC). MWC has verified that public water is available via 8-inch mains in Avenue A and sufficient to accommodate the proposal.

1.11 The subject property is within the Jackson County Fire District #3 boundary, which has a station located at 8333 Agate Road on the corner of Agate Road and Table Rock Road. Jackson County Fire District #3 had no comment, but will require that the Uniform Fire Code and related codes be met at the time of development.

1.12 Police protection is provided by the Jackson County Sheriff, which has a station nearby at the Rogue Family Center on Avenue C.

1.13 The subject property is within an Area of Special Concern, specifically the Jackson County Sportspark. A deed declaration will be recorded at the time of development that would restrict future owners or successors in interest from complaining about noise and other impacts arising from the Sportspark.

SECTION 2. FINDINGS AND CONCLUSIONS:

Based upon the evidence and arguments presented herein, the White City Planning Commission makes the following findings of fact and conclusions of law:

- 2.1 The White City Planning Commission concludes that proper public notice was given.
- 2.2 To recommend approval of a Comprehensive Plan amendment, the White City Planning Commission must find that the amendment is consistent with JCLDO Sections 3.1.4, 3.1.5, and 3.7.3(D), as well as applicable Comprehensive Plan Policies (e.g., the Transportation Element) in effect on the date of application.
- 2.3 Compliance with the Jackson County Land Development Ordinance, Section 3.1.4:
 1. *The proposal is in conformance with any applicable development approval criteria or*

standards:

Finding: The Planning Commission found that if the approval criteria made in the following sections and as outlined in Section II above show that the proposal is approvable and in compliance with the Jackson County Comprehensive Plan, then this approval criterion is also met.

2. *The proposal will cause no significant adverse impacts on existing or approved adjacent uses in terms of scale, site design, and operating characteristics (e.g., hours of operation, traffic generation, lighting, noise odor dust and other external impacts). In cases where there is overriding public interest, this criterion may be deemed met when significant incompatibility resulting from the proposal will be mitigated or offset to the maximum extent possible.*

Finding: The Planning Commission finds that the proposed density of the development is generally consistent with the remainder of the block. The parcels included in this proposal each contain at least one single family dwelling, two of which include two or more dwellings. The zoning of the property is for lower medium density residential development, but is proposed to be changed to WCUR-6, which is a medium density zoning. The property is bounded on three sides by public streets, by Avenue A to the north, by Lakeview Drive for a portion of the property to the west and by Highway 140 to the south. The property to the east contains the first phase of the Miracle Meadows Subdivision. Miracle Meadows, Phase 1 is a 26-lot planned unit development that is zoned WCUR-6. Lots range from 6,440 square feet in the west portion of the development to 10,307 square feet in the northeast portion of the development. Lots in Phase 1 that are adjacent to the subject property are between 6,440 and 6,900 square feet. The zoning for Phase 1 of Miracle meadows was amended from WCUR-4 to WCUR-6 as part of their development proposal.

Tax Lots 1100 and 1200 are located to the southwest of the subject property. Each contains a single manufactured dwelling. These parcels are zoned WCUR-4, which allows a maximum density of 4 dwellings per acre. The applicant was advised to include all properties within this block in the proposed amendment, but was unsuccessful in doing so.

The impacts of the proposed amendment, in terms of increased density on adjacent uses is related to two primary issues, that of public street access and street connectivity, and residential density. Where adequate public street access and street connectivity has been shown to be feasible, no impacts will result. Therefore, density is the only issue that would potentially create impacts on the area.

If approved, density on the subject parcels will increase from 4 to 6 dwellings per acre. This amounts to an increased in dwelling units from 24 to 36, or about 8 units. Maximum density with the WCUR-6 zoning district density is around 36 dwelling units, including existing or potential units on the lots that are part of the zoning map amendment, but not part of the proposed division. The proposed subdivision would yield 20 units. Seven dwellings already exist on the subject parcels. This reduces the number of potential additional dwellings farther. The existing units will not create any additional impacts on the surrounding area or infrastructure. Furthermore, while the potential exists for up to 8 additional units to be developed, lot configuration and access constraints may limit the number of lots that can feasibly be developed. The only real measurement of this difference in density besides aspects of livability related to proximity to one's neighbor, is the vehicle trips attributed to additional units. If we take the difference of 8 housing units this amounts to about 80 extra vehicle trips per day onto

the adjacent street network (WCUR-6 density vs. WCUR - 4 density). This number of trips is relatively small and is unlikely to impact the transportation system or liveability of the neighborhood.

It is found that the amendment to the zoning for the subject parcels from WCUR-4 to WCUR-6 would not represent a significant impact on surrounding adjacent properties or transportation systems. The proposed density of the development is generally consistent with the remainder of the block. It also provides a transition from the medium-high density of the WCUR-8 zoned lands to the east. The size of the lots proposed, while smaller than is not a significant change to the overall character of the area. Although lots to the north and west are lower in density, they are buffered from the proposed uses by public streets. This criterion is met.

3. *Adequate public facilities (e.g., transportation) are available or can be made available to serve the proposal.*

Finding: The Planning Commission finds that water and sewer can be readily supplied to this area and the increase in density would not appreciably impact the capacity of the current systems. Adequate street facilities can also be provided through construction of public streets and dedication of a right-of-way stub to the north property line. This criterion is met. Based on evidence in the record, both water and sewer services can be readily supplied to this property. The increase in density would not appreciably impact the capacity of current transportation systems as discussed below. Proposed transportation facilities extending 27th Street south and two new streets westerly to Lakeview would increase access options and improve traffic circulation in the Avenue A area. The applicant noted that there are only four vacant properties to the west that prevent the link to Lakeview, and that he has been in negotiations with two of them. The eventual extension of the two new streets appears to be feasible within a fairly short term. Since ODOT and the County Roads Department indicated the traffic generation from the development can be accommodated by existing facilities as well, this criterion is met.

4. *The proposal is not a conflicting use certified in an adopted Goal 5 ESEE applicable to the parcel, or if an identified conflicting use, one that can be mitigated to substantially reduce or eliminate impacts.*

Finding: The Planning Commission finds that County records indicate that Tax Lot 800 and 900 contain approximately 1.10 acres of *Altered Vernal Pools*, a form of wetland. Notice has been sent to the Department of State Lands. Department of State Lands response indicates that the property is clear of Vernal Pools. This criterion is met.

5. *The applicant has identified and can demonstrate due diligence in pursuing all Federal, State and local permits required for development of the property.*

Finding: The applicants will need to acquire approval from DEQ for grading and erosion control as well as obtain necessary local grading permits upon approval of any development proposal. No special permits are required as part of a Zoning Map Amendment. This criterion is met.

2.4 Compliance With Section 3.7.3(D) of the Jackson County Land Development Ordinance:

1. *Adequate public safety, transportation and utility facilities and services can be provided to the subject property. In the case of a minor zoning map amendment, adequate transportation facilities must exist or be assured.*

Finding: The Planning Commission finds that adequate transportation facilities can be provided through connection to existing and approved streets adjacent to the site. In addition, if the proposed site design provides for future connection of adjacent properties. This criterion is met

2. *The minor map amendment will not prevent implementation of any area of special concern, or restrictions specified for that area in Chapter 7 or the adopting ordinance creating it, or both.*

Finding: The Planning Commission finds that there is a Sports Park Overlay in White City which would be implemented through any subdivision and housing development. No other Areas of Special Concern exist over this property.

3. *On resource zoned lands outside urban growth boundaries, the entire parcel is included in the minor Comprehensive Plan map unless the purpose of the amendment conforms with the criteria of Policy 1 of the Comprehensive Plan Map Designations Element.*

Finding: The Planning Commission finds that the property is within an Urban Unincorporated Community. This criterion does not apply.

4. *Map amendments outside urban growth boundaries and urban unincorporated communities that will result in a minimum residential lot size smaller than 10 acres meet the requirements for an exception to Statewide Planning Goal 14.*

Finding: The Planning Commission finds that this criterion does not apply.

5. *Any minor Zoning Map amendment is consistent with the Comprehensive Plan Map designation.*

Finding: The Planning Commission finds that the White City Comprehensive Plan Map shows this area planned for Urban Residential zoning districts. The request is to move from one UR zone (WCUR-4) to another (WCUR-6), both of which are residential zones. This criterion is met.

6. *In the case of a minor Comprehensive Plan Map Amendment, community benefit as a result of the minor map amendment is clearly demonstrated.*

Finding: The Planning Commission finds that this is a zone change request only, and not a Comprehensive Plan Map Amendment. This criterion is not applicable.

7. *In determining the appropriateness of the proposed redesignation, the White City or Jackson County Planning Commission and Board of Commissioners will consider any factors relevant to the proposal, which may include topography, geology, hydrology, soil characteristics, climate, vegetation, wildlife, water quality, historical or archeological resources, scenic resources, noise, open space, existing site grading, drainage, adverse impacts on other property in the vicinity, and any other factors deemed to be relevant to the application.*

Finding: The Planning Commission finds that site is relatively flat with Agate Winlow soils. There are no special vegetative, wildlife, water quality, other significant resources listed that would impact the approval of this proposal. Site drainage and grading could be adequately

addressed in any development approved.

In addition, the applicant states that "housing is a significant issues in Jackson County. Growth in the County has doubled since the 1970's, and housing inventories have simply not kept up with growth. Combining high demand with a limited amount of developable land... has elevated prices to the point that an average home cost is over 2000 thousand dollars!" They continue, "The provisions of Goal 10, as well as the Housing Element of the Jackson County Comprehensive Plan are intended to ensure that there is 'a range of housing types and opportunities for all households in the county by location, type and size commensurate with the financial capabilities of local households and consistent with the environmental policies of the State and County.'" While it is understood that general provision of urban housing is to be within cities and urban growth boundaries, it is also recognized that White City can be developed at urban densities, as within city boundaries. Affordable housing may be developed within this unincorporated community. It can be found that higher densities are appropriate in this area of the community, recognizing that additional housing may be in the best interests of the White City and the County. This criterion is met.

SECTION 3. RECOMMENDATION:

The White City Planning Commission recommends the Jackson County Board of County Commissioners approve an amendment to the Official White Zoning Map (File LRP2006-00010), **changing the zoning designation from WCUR-4 to WCUR-6** on property mapped as Township 36 South, Range 1 West, Section 21C, Tax Lots 800, 900 and 1000, as illustrated on the zoning map attached hereto.

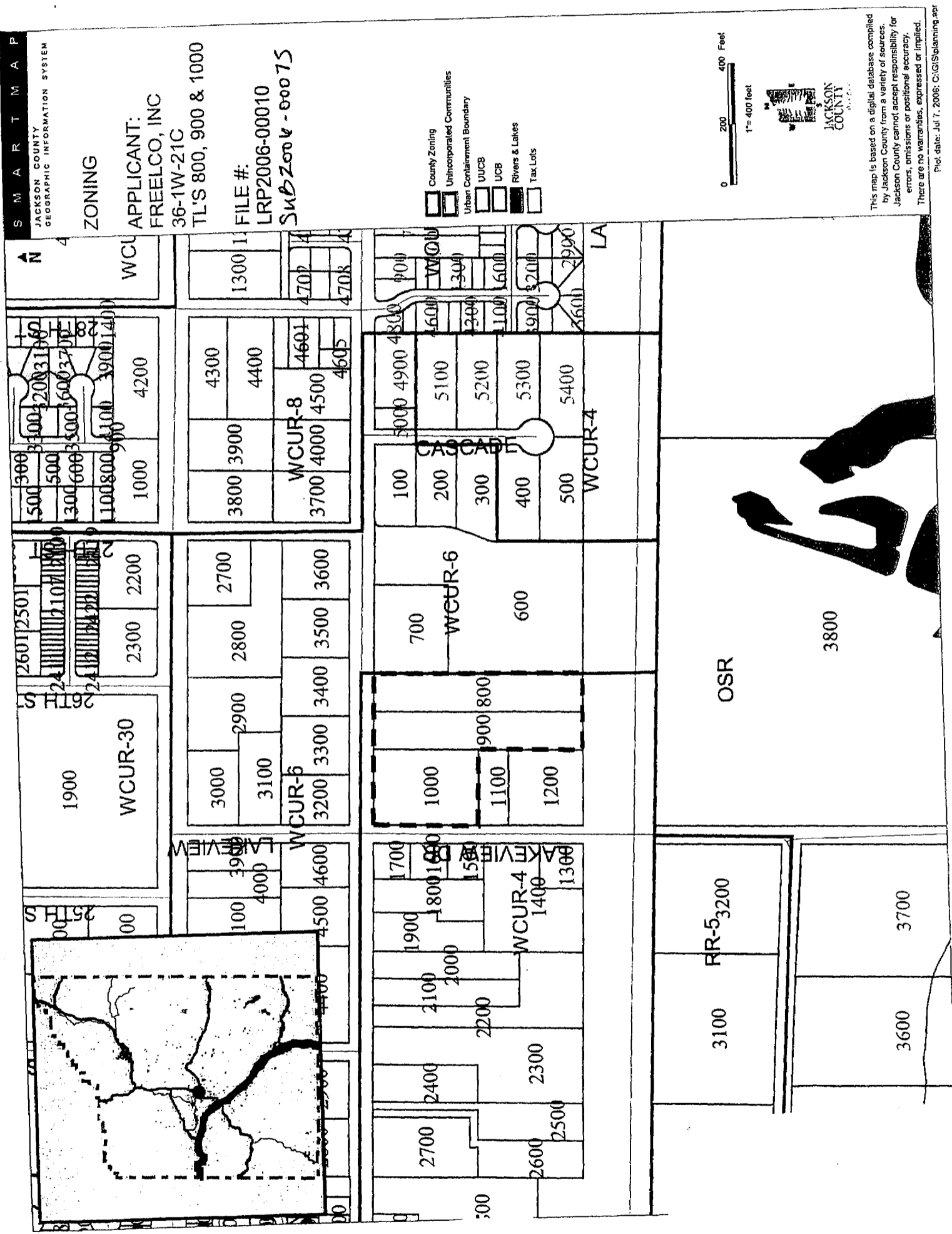
This recommendation for APPROVAL adopted this 24th day of OCTOBER, 2006, at White City, Oregon.

WHITE CITY PLANNING COMMISSION

<u>Clay Robinson</u> Clay Robinson, Chair	<u>Abstain</u>	<u>Charles Beck</u> (Y) Charles Beck, Vice Chair
<u>Stan Alexander</u> (Y) Stan Alexander, Commissioner		<u>Eric Johnson</u> (Y) Eric Johnson, Commissioner
<u>Mickey Hix</u> (N) Mickey Hix, Commissioner		

ATTEST:
Heather Couch
By: Heather Couch, Secretary

EXHIBIT B



This map is based on a digital database compiled by Jackson County from a variety of sources. Jackson County cannot accept responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied.

Plot date: Jul 7, 2006; C:\GIS\Planning.apr


1 color office grade paper

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. 2006-13 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)

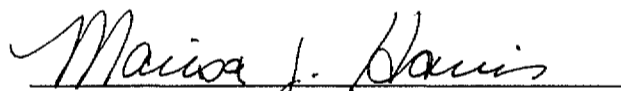
Each of said copies of the Notice were enclosed in a sealed envelope addressed to the persons at the addresses above set forth, with postage thereon fully prepaid and was deposited in the post office at Medford, Oregon, on December 18, 2006.



Signature

Personally appeared before me this 18th day of December, 2006, the above named Patricia A. Guida who acknowledged the foregoing affidavit to be her voluntary act and deed.





Notary Public for Oregon
My Commission Expires: 7/23/2010

NOTICE OF ADOPTION SENT TO: APPLICANT, AGENT AND INTERESTED PERSONS.

APPLICANT NAME: FREELCO

FILE NO: LRP2006-00010

FILE NO. LRP2006-00010
DECISION MAILING LIST
APPLICANT: FREELCO
DATE CREATED: 12/18/2006

APPLICANT
FREELCO
DAVID FREEL
PO BOX 587
SHADY COVE OR 97539

LRP2006-00010

AGENT
MIKE LANIER
RICHARD STEVENS & ASSOC
PO BOX 4368
MEDFORD OR 97501

LRP2006-00010

BOC CHAIRMAN LRP2006-00010

DAVE GILMOUR
COMMISSIONER

JACK WALKER
COMMISSIONER

LRP2006-00010

C.W. SMITH
COMMISSIONER

LRP2006-00010

STAFF LRP2006-00010

KEN SKYLES
PLANNER

STAFF LRP2006-00010
TOM BIZEAU
CURRENT PLANNING MANAGER

LRP2006-00010

STAFF LRP2006-00010
SUSAN LEE
PLANNING DIRECTOR

AGENCY LRP2006-00010

DOUG MCGEARY
COUNTY COUNSEL

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