



Oregon

Theodore R. Kubongski, 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

12/21/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: Jackson County Plan Amendment
DLCD File Number 002-09

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: Thursday, December 31, 2009

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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Josh LeBombard, Jackson County
Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Thomas Hogue, DLCD Regional Representative
Matt Crall, DLCD Regional Representative

<paa> YA

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

In person electronic mailed

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**LAND CONSERVATION
AND DEVELOPMENT**
For DLCD Use Only

Jurisdiction: **Jackson**

Local file number: **LRP2009-00004**

Date of Adoption: **12/9/09**

Date Mailed: **12/10/09**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 03/26/09

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Proposal to amend: 1) the text of the Whetstone Industrial Park Urban Overlay (Area of Special Concern 82-1; Section 7.3.2) of the Land Development Ordinance (LDO), 2) the Whetstone Industrial Park Urban Overlay map, 3) the Comprehensive Plan Map from Forestry/Open Space Land to Industrial, and 4) the Zoning Map from Open Space Reserve to General Industrial. File: LRP2009-00004.

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

Plan Map Changed from: **Forestry/Open Space**

to: **Industrial Land**

Zone Map Changed from: **Open Space Reserve**

to: **General Industrial**

Location: **Table Rock Rd & Kirkland Rd.**

Acres Involved: **~675**

Specify Density: Previous: **Mixed**

New: **Mixed**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

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

ODFW and DSL

Local Contact: **Josh LeBombard**

Phone: (541) 774-6944 Extension:

Address: **10 S. Oakdale Ave. #100**

Fax Number: **541-774-6791**

City: **Medford**

Zip: **97501-2902**

E-mail Address: **lebobjm@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 Complete Copies (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **larry.french@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **twenty-one (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **larry.french@state.or.us** - **Attention: Plan Amendment Specialist**.

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

IN THE MATTER OF AMENDMENTS TO)
LAND DEVELOPMENT ORDINANCE)
SECTION 7.3.2, AREA OF SPECIAL)
CONCERN 82-1 (ASC82-1), THE JACKSON)
COUNTY COMPREHENSIVE PLAN MAP AND)
THE JACKSON COUNTY ZONING MAP)
REGARDING THE WHETSTONE)
INDUSTRIAL PARK. THE AMENDMENT TO)
THE AREA OF SPECIAL CONCERN)
REPLACES THE EXISTING OVERLAY WITH)
TWO NEW OVERLAY MAPS IDENTIFIED AS)
ASC 82-1(a) AND ASC 82-1(b). THE)
AMENDMENT ALSO SERVES TO REVISE)
THE BOUNDARY OF THE WHETSTONE)
INDUSTRIAL PARK TO ALIGN THE)
BOUNDARY WITH EXISTING TAX LOT)
BOUNDARIES AND TO INCLUDE ONLY)
PROPERTY WITHIN THE WHITE CITY)
URBAN CONTAINMENT BOUNDARY.)
PROPERTIES AFFECTED INCLUDE)
TOWNSHIP 36 SOUTH, RANGE 2 WEST,)
SECTION 13 TAX LOT 1302, TOWNSHIP 36)
SOUTH, RANGE 2 WEST, SECTION 14, TAX)
LOTS 806 AND 807, TOWNSHIP 36 SOUTH,)
RANGE 2 WEST, SECTION 23, TAX LOTS)
102, 103, 104, 105, 106, 107, 108, AND 114,)
TOWNSHIP 36 SOUTH, RANGE 2 WEST,)
SECTION 24, TAX LOTS 300, 303, 304, 305,)
AND 307. FILE NO. LRP2009-00004.)

ORDINANCE NO. 2009-11

RECITALS:

1. Pursuant to Chapter 197 and 215 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, Jackson County's Transportation System Plan, Comprehensive Plan (JCCP), Land Development Ordinance (JLDO) and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. On March 18, 2009, the Jackson County Board of Commissioners held a discussion in the Jackson County Auditorium on Agenda Item 50.3 to consider initiating a review of the Land Development Ordinance Section 7.3.2 and the Whetstone Industrial Park Master Plan. #56-09 (BL #10809). The motion to initiate the review passed unanimously by roll call vote.
3. March 26, 2009, DLCD was mailed a notice regarding the review of the Whetstone ASC Development Ordinance.
4. On May 12, 2009, the White City Planning Commission held a properly advertised public hearing in the Jackson County Roads Auditorium in White City to consider the evidence and testimony on this application. Three alternative approaches were proposed for developing the revisions to LDO 7.3.2 Area of Special Concern ASC 82-1 Whetstone Industrial Park. The White City Planning Commission directed the Jackson County Planning Staff to proceed with developing *Alternative 1-Amend the Whetstone Industrial Park Overlay and Replace OSR Zoning*. The White City Planning Commission requested a work session be scheduled to review the proposed changes to the ASC language and maps following Alternative 1. The White City Planning Commission closed the public hearing and scheduled a study session for August 11, 2009.
5. On August 11, 2009, the White City Planning Commission met in study session and reviewed the proposed revision to the ASC language, revised map 82-1(a) and proposed new map 82-1(b). Planning Commission requested staff prepare a final draft of the proposed amended language and maps for a public hearing on September 22, 2009 for final review and recommendation.
6. On September 22, 2009, the White City Planning Commission held a properly advertised public hearing in the Jackson County Roads Auditorium in White City to consider the final proposed language and maps. The White City Planning Commission voted unanimously to recommend approval of all proposed amendments and concluded the public hearing.
7. On October 28, 2009, the Jackson County Board of Commissioners held a properly advertised public hearing in the Jackson County Auditorium to consider an application to amend: 1) the text of the Whetstone Industrial Park Urban Overlay (Area of Special Concern 82-1; Section 7.3.2) of the Land Development Ordinance (LDO); 2) the Whetstone Industrial Park Urban Overlay map; 3) the Comprehensive Plan Map from Forestry/Open Space Land to Industrial; and 4) the Zoning Map from Open Space Reserve to General Industrial. After public testimony and deliberations, the Board of Commissioners voted unanimously to accept the recommendations of the White City Planning Commission and concluded the public hearing.
8. Now, therefore, the Jackson County Board of Commissioners finds and concludes as follows:

SECTION 1. FINDINGS OF FACT:

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

- 1.1 The existing boundary of the Whetstone Industrial Park (WIP) overlaps two parcels identified by the County Assessor's office as Map 362W24 Tax Lots 303 and 305.
- 1.2 The existing boundary of the Whetstone Industrial Park overlaps the White City Urban Containment Boundary.
- 1.3 The proposed boundary for the Whetstone Industrial Park identified on Map 2b as 82-1(a) revises the boundary to contain only properties appropriately included as part of the Whetstone Industrial Park. Tax Lots 303 and 305 and property outside of the White City Urban Containment Boundary are excluded.
- 1.4 The minimum lot size allocations prescribed in the Whetstone Industrial Park Master Plan were based on an incorrect size for the Whetstone Industrial Park and on industrial land demand patterns from approximately 30 years ago when the Master Plan was adopted. The minimum lot sizes are to be replaced by minimum lot sizes consistent with current large scale industrial land demand.
- 1.5 Since its creation, a majority of the Whetstone Industrial Park has been encumbered with environmental constraints such as wetlands, vernal pools and federally listed species. These environmental constraints will continue to be addressed at the state and federal levels; however, the new minimum lot sizes have incorporated provisions for environmental stewardship or transfer of development rights to establish current and future alternatives for preservation purposes and to recognize the future need to transfer the industrial rights of the Whetstone Industrial Park elsewhere.
- 1.6 Portions of the existing ASC 82-1 JCLDO text require updating (e.g. the reference to the recording of a scenic easement which took place in 2001 and the access and circulation language which was written before West Antelope Road was extended).
- 1.7 The current text of ASC82-1 requires compliance with the Master Drainage and Landscape Plan which is an auxiliary document that is often unavailable for public use. The revised ASC text incorporates the unique requirements that were listed in this document, removing the need to refer or comply with this plan in the future.
- 1.8 The OSR zoning overlaying the Whetstone Creek Corridor restricts land divisions to 80 acres or more. This restriction was not in place when the area was originally zoned and impedes the rational division of the land within the WIP as there is only one parcel that has more than 80 contiguous acres of OSR land.
- 1.9 The proposed new Whetstone Creek Environmental Overlay identified on Map 4b as 82-1(b) is intended as a replacement for the OSR zoning within the Whetstone Industrial Park. Removing the OSR zone from the area within the revised WIP boundary and adopting the proposed new Whetstone Creek Corridor overlay, identified on Map 4b as 82-1(b), will provide a more flexible alternative while still providing the same level of environmental protections that were provided in the Master Drainage and Landscape Plan for Whetstone Industrial Park.
- 1.10 The existing OSR area surrounded by General Industrial (GI) zoning. Therefore, the current area zoned OSR within the revised WIP Boundary is to be rezoned as General Industrial to match the adjacent properties. The OSR zone is to remain on the property outside of the revised WIP and White City Urban Containment Boundaries.
- 1.11 Amending the Jackson Comprehensive Plan Map to support the revised zoning will also be required. Therefore, the area currently designated as Open Space/Forestry would be amended to General Industrial.

SECTION 2. LEGAL FINDINGS:

- 2.1 The Board of Commissioners finds that the proposed changes are in compliance with the Statewide Planning Goals, Oregon Administrative Rules, the Jackson County Comprehensive Plan, the Jackson County Transportation System Plan, and the Jackson County Land Development Ordinance.
- 2.2 The Board of Commissioners finds that proper legal notice was provided to the property owners within 750 feet of the subject property, and affected agencies, on April 21, 2009, for the public hearing. Legal notice was published in the Mail Tribune on May 3, 2009.
- 2.3 The Board of Commissioners finds that the procedures for a Type 4 legislative review have been properly followed.

SECTION 3. CONCLUSIONS:

Based on the findings of fact, legal findings, evidence in the record and testimony at the hearing, the Board of Commissioners concludes the text and map amendments sufficiently address and comply with the state and county plan and zoning criteria. The findings of fact, legal findings, evidence in the record and testimony at the hearing demonstrate the procedural requirements have been met. The Board of Commissioners concludes:

- 3.1 The boundary for the Area of Special Concern (ASC) 82-1 – Whetstone Industrial Park should be as depicted on Map 2b as identified as 82-1(a) Whetstone Industrial Park ASC.
- 3.2 The Comprehensive Plan Map should add 82-1(b) Whetstone Creek Environmental Overlay as a second map for this ASC as depicted on Map 4b.
- 3.3 The Comprehensive Plan map for this same area should be amended from Forestry/Open Space to General Industrial as depicted on Map 5.
- 3.4 The area identified on Map 6 within the new Whetstone Industrial Park boundary should be rezoned from OSR to GI.
- 3.5 The revised ASC82-1 Whetstone Industrial Park language should be adopted.

SECTION 4. DECISION:

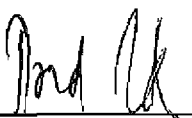
By the signatures below, the Jackson County Board of Commissioners hereby adopt this ordinance amending the Jackson County Land Development Ordinance (LDO) and Comprehensive Plan Map as follows:

- 4.1 The Jackson County Land Development Ordinance to be amended with the new text of the Whetstone Industrial Park Urban Overlay Area of Special Concern (ASC82-1 Section 7.3.2.) attached hereto and incorporated herein as Ordinance Exhibit A.
- 4.2 The Jackson County Land Development Ordinance and the Jackson County Comprehensive Plan Map to be amended to include Map 2b 82-1a Whetstone Industrial Park Urban Overlay Map, which depicts the boundary for the Area of Special Concern, attached hereto and incorporated herein as Ordinance Exhibit B, and Map 4b 82-1b Whetstone Creek Environmental Overlay Map, as a second map for the Area of Special Concern attached hereto and incorporated herein as Ordinance Exhibit C.

- 4.3 The Jackson County Comprehensive Plan Map for this area to be amended from Forestry/Open Space to Industrial within the new Whetstone Industrial Park boundary as depicted on Map 5 attached hereto and incorporated herein as Ordinance Exhibit D.
- 4.4 The Jackson County Zoning Map for this area to be amended from Open Space Resource to General Industrial within the new Whetstone Industrial Park boundary as depicted on Map 6 attached hereto and incorporated herein as Ordinance Exhibit E.


APPROVED this 9th day of December, 2009, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS




 David Gilmour, Chair

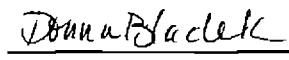

 Jack Walker, Commissioner



 Dennis C.W. Smith, Commissioner

APPROVED AS TO LEGAL SUFFICIENCY: ATTEST:


 _____ 11/7/2009
 County Counsel



 By: Recording Secretary

The Board of County Commissioners' 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 10, 2009 and the LUBA appeal period will expire on December 31, 2009. Please contact LUBA for specific appeal information. LUBA is located at 550 Capitol Street NE Suite 235, Salem, Oregon 97301-2552 and can be reached at (503) 373-1265.

ORDINANCE EXHIBIT A

Whetstone Industrial Park Urban Overlay Area of Special Concern (ASC82-1 Section 7.3.2)

7.3.2 Area of Special Concern, ASC 82-1 Whetstone Industrial Park

This section establishes requirements for development within the Whetstone Industrial Park (WIP), which is owned by the City of Medford. ASC 82-1 consists of two areas mapped as 82-1(a) and 82-1(b). Map 82-1(a) delineates the entire area of the WIP and Map 82-1(b) delineates the Whetstone Creek corridor. Sections A and B below apply to the entire WIP as mapped in 82-1(a). Section C below applies only to the area mapped in 82-1(b).

A) Lot Size

Development of the Whetstone Industrial Park will proceed according to the adopted master plan, as amended from time to time by Jackson County. If it can be demonstrated that, based on countywide industrial development patterns, there is a need for fully serviced industrial sites different from the adopted master plan, the Board of County Commissioners will review the plan and make appropriate changes, if necessary. Such a master plan revision may be initiated by the City of Medford acting as property owner. Minimum lot sizes are listed in Table 7.3.2-1 below.

Table 7.3.2-1 Minimum Lot Sizes for Whetstone Industrial Park

Use Category	Specific Use Criteria	Minimum Lot Size
Independent Industrial Use	<p>This category applies to the creation of a unit of land that is expected to operate independent of other units of land within the WIP. Units of land created under this category shall be subject to the following:</p> <ol style="list-style-type: none"> 1. A conceptual site plan depicting the intended use must be submitted along with findings demonstrating that the lot size is of adequate size to meet the needs of the intended use. 2. No more than six (6) underdeveloped units of land less than 50 acres in size may exist at one time. For the purposes of this section, an 'underdeveloped unit of land' is a unit of land with less than \$500,000 in physical improvements according to the Jackson County Assessor's real market value. A unit of land created under the environmental stewardship and/or TDR category is not considered 'underdeveloped'. 	15 acres
Integrated Industrial Use	<p>This category applies to the creation of a unit of land that is reasonably expected to operate in conjunction with another unit of land within the WIP for its routine operations. Units of land created under this category shall be subject to the following:</p> <ol style="list-style-type: none"> 1. A conceptual site plan depicting the intended use must be submitted along with findings demonstrating that the lot size is of adequate size to meet the needs of the intended use. 2. A deed declaration must be recorded, which restricts the use of the unit of land to the specified integrated use for a period of not less than six (6) years from the date of parcel or lot creation. 	7 acres

ORDINANCE EXHIBIT A

Whetstone Industrial Park Urban Overlay Area of Special Concern (ASC82-1 Section 7.3.2)

<u>Use Category</u>	<u>Specific Use Criteria</u>	<u>Minimum Lot Size</u>
<u>Environmental Stewardship and/or Transfer of Development Rights (TDR)</u>	<p><u>This category applies to the creation of a unit of land for environmental stewardship and/or TDR purposes. Units of land created under this category shall be subject to the following:</u></p> <ol style="list-style-type: none"> <u>1. Findings must be submitted demonstrating how the creation of the unit of land qualifies as environmental stewardship and/or TDR purposes.</u> <u>2. A legal instrument and/or other evidence must be recorded, which reasonably assures the long-term preservation of the unit of land.</u> 	<u>5 acres</u>
<u>Supporting Use</u>	<p><u>This category applies to the creation of a unit of land that will support industrial development within the WIP. Units of land created under this category shall be subject to the following:</u></p> <ol style="list-style-type: none"> <u>1. A conceptual site plan depicting the supporting use must be submitted along with findings demonstrating how the specified use supports the industrial development of the Whetstone Industrial Park.</u> <u>2. A deed declaration must be recorded, which restricts the use of the unit of land to the specified supporting use for a period of not less than ten (10) years from the date of parcel or lot creation.</u> 	<u>1 acre</u>
<u>Other Use</u>	<u>None</u>	<u>50 acres</u>

~~B) Access and Circulation~~

- ~~1) Interior roads designated as primary roads represent the minimum access needs of the subject site and are generally required at the time of initial site development;~~
- ~~2) Interior roads designated as secondary roads represent the planned extension of the interior circulation system, and may be required for future development; and~~
- ~~3) Access to all parcels within the subject site will be from the interior street system, unless a more efficient access is approved by the Jackson County Roads and Parks Services with the agreement of the Oregon Department of Transportation.~~

~~B)C) Development Standards~~

- ~~1) Landscaping and drainage improvements will comply with the approved Master Landscape Plan on file for the Whetstone Industrial Park;~~

ORDINANCE EXHIBIT A

Whetstone Industrial Park Urban Overlay Area of Special Concern (ASC82-1 Section 7.3.2)

- ~~2) Building setback from public street rights-of-way will be a minimum of one and one-half (1½) times building height (D=1.5H);~~
- ~~3) Any outdoor storage of equipment or materials will be screened from view from along all public streets and the Whetstone Creek riparian area; and~~
- ~~4) A scenic easement will be recorded on a portion of the Whetstone riparian district to ensure that the corridor will remain in open space use, and such easement will provide that it may not be removed or altered without the consent of the County.~~

Unless otherwise specified in this section, development within the WIP shall comply with the standards outlined in Chapters 9 and 12.

- 1) Improvements:
 - a. Building setback from public street rights-of-way will be a minimum of one and one-half (1½) times building height (D=1.5H);
 - b. Any outdoor storage of equipment or materials will be screened from view from along all public streets and the Whetstone Creek riparian area;
- 2) Drainage:
 - a. Developed areas are required to provide onsite detention, limiting runoff to 0.25 cfs per acre of development for the design year storm event
 - b. Drainage systems shall be designed by an Oregon Registered Engineer who shall certify that the design employs best management practices to maintain good water quality consistent with Oregon Department of Environmental Quality guidelines.
 - c. Surface waters leaving each site may drain to the roadside ditches or established drainage facilities.
 - d. Only stormwater will be allowed to drain to Whetstone Creek and other drainage channels. Industrial wastes shall connect to the sanitary sewer or else demonstrate necessary water quality permits from DEQ can feasibly be obtained.
- 3) Sewer:
 - a. All developments within the WIP will connect to the public sewer system. No septic systems are allowed.
- 4) Landscaping:
 - a. A minimum 20 foot xeriscape landscaped strip is required along all public street frontages (standards to match Section 12.12.4). If adequate irrigation can be provided, general White City General Landscape Standards (Section 12.12.3) may be applied at the discretion of the applicant.
 - b. No street trees are required per JCLDO Section 12.12.1.

ORDINANCE EXHIBIT A

Whetstone Industrial Park Urban Overlay Area of Special Concern (ASC82-1 Section 7.3.2)

- c. Parking area landscaping requirements may be adapted to meet Xeriscape standards of Section 12.12.4.
- d. All required landscaping within 20 feet of the Whetstone Creek Corridor shall be planted in native plantings identified and determined by an Oregon Registered Landscape Architect.

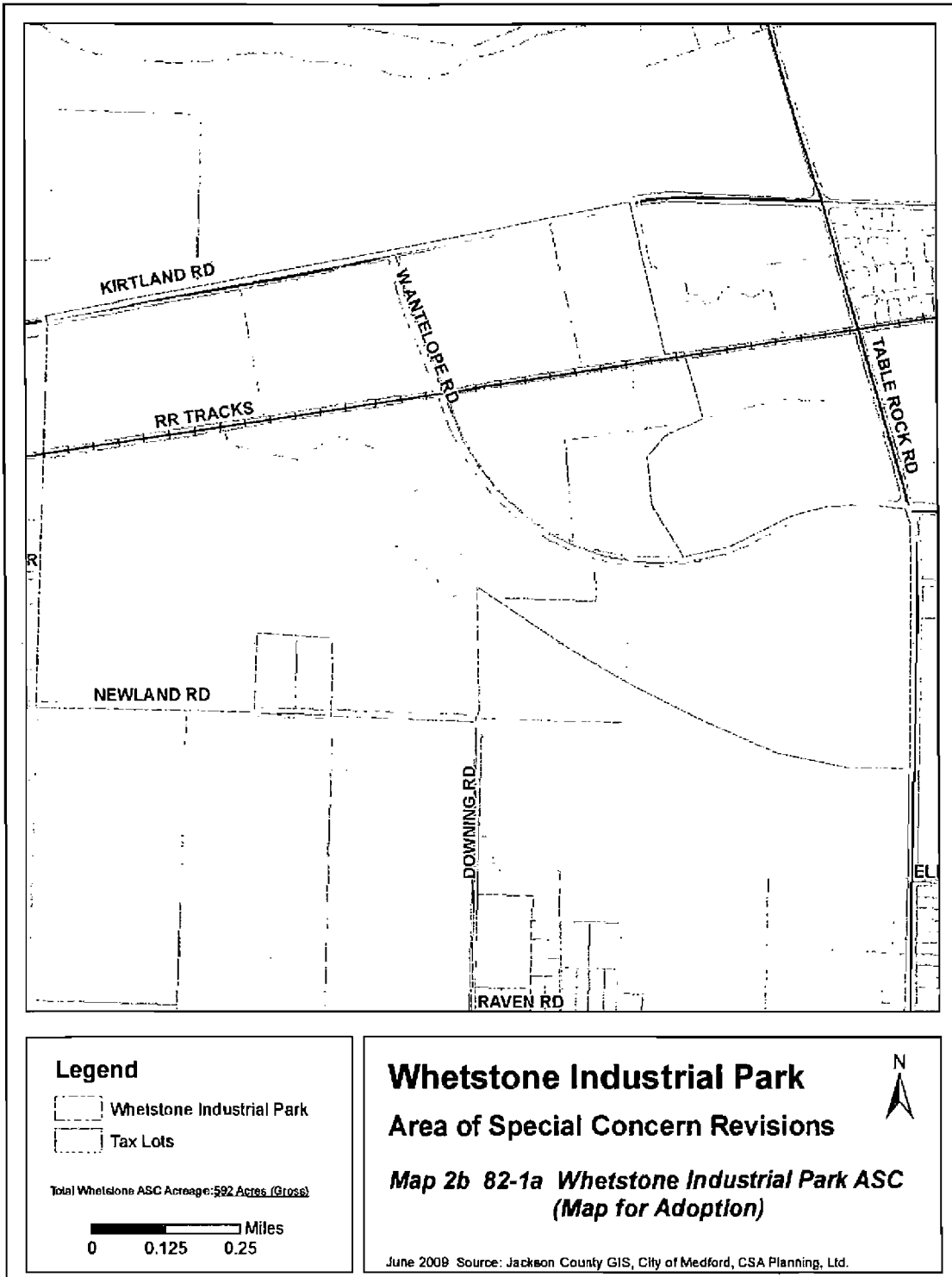
C) **Whetstone Creek Corridor Restrictions¹**

The Whetstone Creek corridor, defined by map 82-1(b), is restricted, as follows:

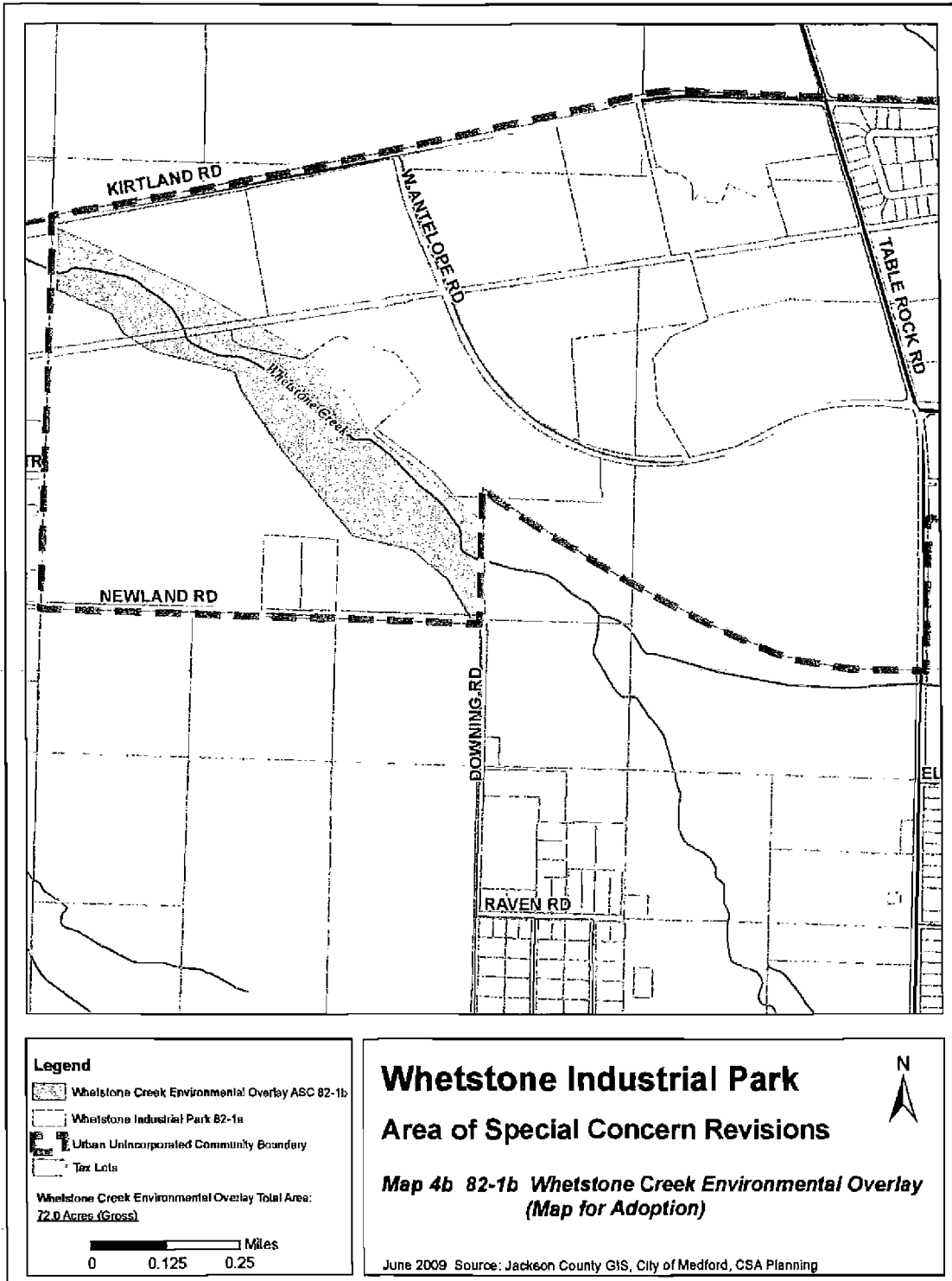
- 1) Structural development designed and permitted for human occupancy is not allowed.
- 2) All development shall comply with LDO Section 8.6, Stream Corridors and Riparian Habitat.

¹ A recorded scenic easement (OR 01-48429) contains additional restrictions for a portion of the Whetstone Creek Corridor.

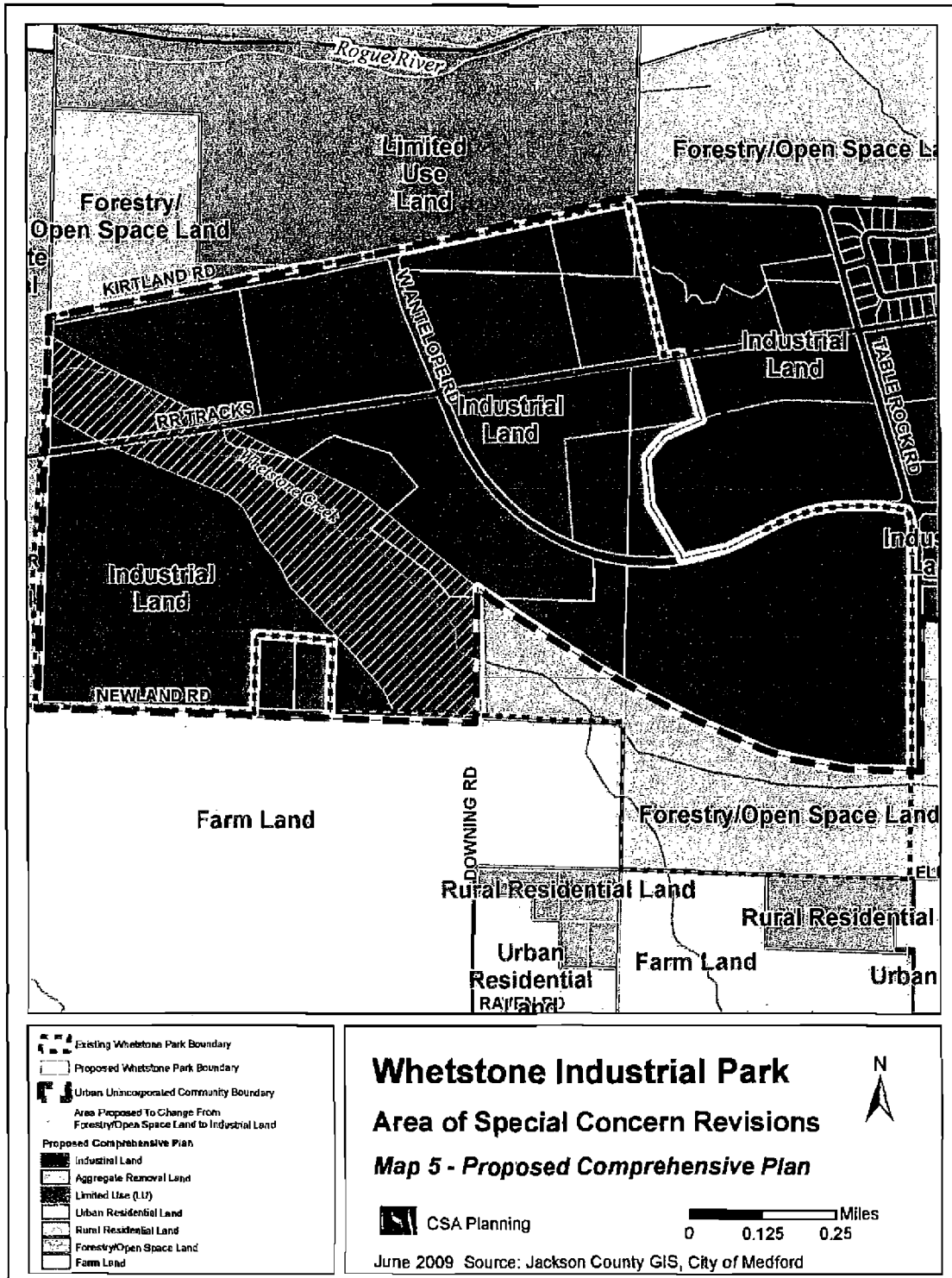
ORDINANCE EXHIBIT B
 Whetstone Industrial Park Urban Overlay Map 2b 82-1a



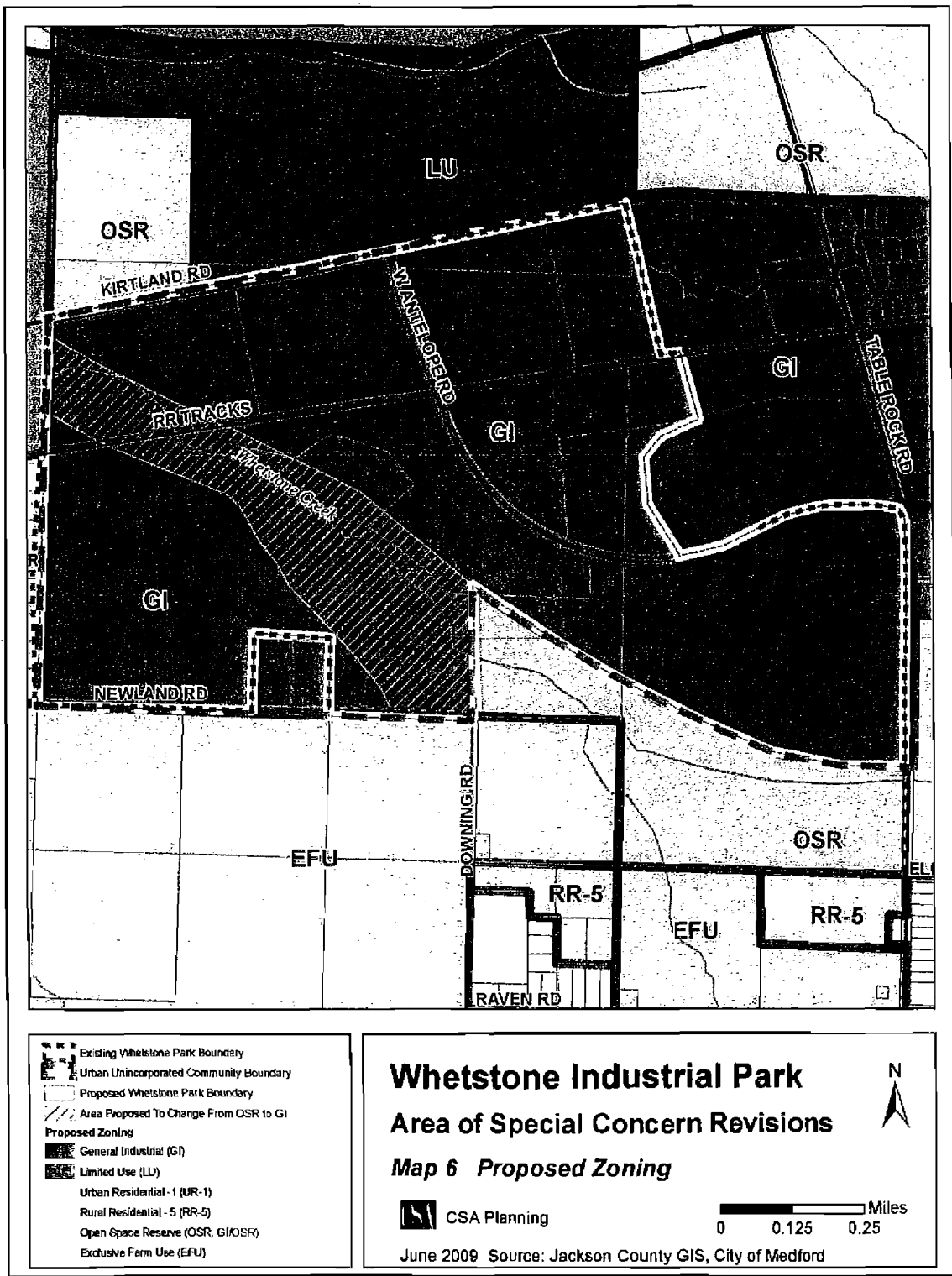
ORDINANCE EXHIBIT C
 Whetstone Creek Environmental Overlay Map 4b 82-1b



ORDINANCE EXHIBIT D
Whetstone Creek Industrial Park Jackson County Comprehensive Plan Map 5



ORDINANCE EXHIBIT E
 Whetstone Creek Industrial Park Jackson County Zoning Map 6





**JACKSON
COUNTY**
Oregon

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. 2009-11 at a properly advertised public hearing on December 9, 2009, 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 February 7, 2010 (60 days from the date of adoption). A description of the ordinance follows:

Ordinance No. 2009-11 amends the Jackson County Land Development Ordinance Section 7.3.2, Area of Special Concern 82-1 (ASC82-1), The Jackson County Comprehensive Plan Map and the Jackson County Zoning Map regarding the Whetstone Industrial Park. The amendment to the Area of Special Concern replaces the existing overlay with two new overlay maps identified as ASC 82-1(a) and ASC 82-1(b). The amendment also serves to revise the boundary of the Whetstone Industrial Park to align the boundary with existing tax lot boundaries and to include only property within the White City Urban Containment Boundary. Properties affected include Township 36 South, Range 2 West, Section 13 Tax Lot 1302, Township 36 South, Range 2 West, Section 14, Tax Lots 806 and 807, Township 36 South, Range 2 West, Section 23, Tax Lots 102, 103, 104, 105, 106, 107, 108, and 114, Township 36 South, Range 2 West, Section 24, Tax Lots 300, 303, 304, 305, and 307. File LRP2009-00004.

This notice is being mailed to you on December 10, 2009, 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 **Josh LeBombard** at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 774-6944; Jackson County residents outside of Medford's local calling area 1-800-452-5021 and enter the next four digit extension 6944.

You may review this ordinance, or you may purchase a copy for \$.25 for the first page and \$.10 for each additional page, 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 11:00 a.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 10, 2009, and the LUBA appeal period will expire on December 31, 2009. 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

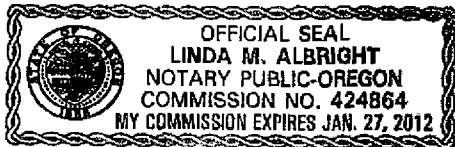
STATE OF OREGON)
)
COUNTY OF JACKSON)

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. 2009-11 by mailing a copy of the Notice of Adoption 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 10, 2009.

Patricia A. Guida
Signature

Personally appeared before me this 9th day of December, 2009, the above named Patricia A. Guida who acknowledged the foregoing affidavit to be her voluntary act and deed.



Linda M. Albright
Notary Public for Oregon
My Commission Expires: 1-27-2012

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

APPLICANT NAME: Whetstone Industrial Park
FILE NO: LRP2009-00004

FILE NO. LRP2009-00004
AGENDA MAILING LIST
APPLICANT: WHETSTONE
DATE CREATED: 12/01/2009

APPLICANT
CITY OF MEDFORD
411 WEST 8TH STREET
MEDFORD OR 97501

LRP2009-00004

AGENT
CSA PLANNING LTD
4497 BROWNRIDGE STE 101
MEDFORD OR 97504

LRP2009-00004

STAFF
KELLY MADDING
DEVELOPMENT SERVICES DIRECTOR

LRP2009-00004

STAFF
JOSH LEBOMBARD
PLANNER

LRP2009-00004

STAFF
LISA CANON
OFFICE ASSISTANT

LRP2009-00004

STAFF
RECEPTION DESK

LRP2009-00004

STAFF
FRANK HAMMOND
COUNTY COUNSEL

LRP2009-00004

BOC
DAVE GILMOUR, CHAIR
BOARD OF COMMISSIONERS

LRP2009-00004

BOC
DENNIS "C.W." SMITH
BOARD OF COMMISSIONERS

LRP2009-00004

BOC
JACK WALKER
BOARD OF COMMISSIONERS

LRP2009-00004

WCPC
STAN ALEXANDER, CHAIR
WHITE CITY PLANNING COMMISSION

LRP2009-00004

IP
CHERYL FOSTER
PACIFIC CREST TRANSFORMERS
300 W ANTELOPE RD
WHITE CITY OR 97503

LRP2009-00004

IP
GREG ALEXANDER
ODF
5286 TABLE ROCK RD
CENTRAL POINT OR 97502

LRP2009-00004

IP
DON HICKMAN
JACKSON CO FIRE DISTRICT 3
8383 AGATE RD
WHITE CITY OR 97503

LRP2009-00004

IP
RUSS LOGUE
JACKSON COUNTY ROADS

LRP2009-00004

IP
CRAIG HARPER
WILLIAM LEAVENS
RVCOG NATURAL RESOURCES PROGRAM
PO BOX 3275
CENTRAL POINT OR 97502

LRP2009-00004

LRP2009-00004 CCI Agenda
BARBARA DECKER
3303 N VALLEY VIEW RD
ASHLAND OR 97520

LRP2009-00004 CCI Agenda
WALTER FITZGERALD
PO BOX 3984
CENTRAL POINT OR 97502

LRP2009-00004 CCI Agenda
BRENT MITCHELL
4450 FERN VALLEY RD
MEDFORD OR 97504

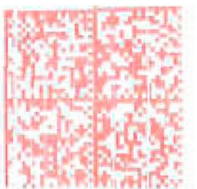
LRP2009-00004 CCI Agenda
KAREN BLAIR
32 N ORANGE ST
MEDFORD OR 97501

LRP2009-00004 CCI Agenda
ROY COOPER
1525 ANGELCREST DR
MEDFORD OR 97504

LRP2009-00004 CCI Agenda
ROSALIE LINDVIG
4415 INDEPENDENCE SCHOOL RD
MEDFORD OR 97501

Development Services

10 South Oakdale Ave., Room 100
Medford, Oregon 97501-2902



Hasler

016426515385
\$01.730
Mailed From 97500
US POSTAGE

DLCD
PLAN AMENDMENT SPECIAL
635 CAPITOL STREET NE STE 150
SALEM OR 97301-2540