



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

06/02/2011

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 006-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, June 15, 2011

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

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

**\*NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Kenneth Skyles, Jackson County  
Jon Jinings, DLCD Community Services Specialist  
Ed Moore, DLCD Regional Representative

<paa> N

FORM 2

# DLCD

## 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: **LRP2010-00005**

Date of Adoption: **March 30, 2011**

Date Mailed: **April 5, 2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 12/10/10

- |  |   |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment     | <input checked="" type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> New Land Use Regulation           | <input type="checkbox"/> Other:                           |

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

**A Zoning Map Amendment, rezoning 4.00 acres of land within the White City Urban Unincorporated Community Boundary from White City Urban Residential - 4 (WCUR-4) (4 dwellings per acre maximum density) to White City Urban Residential - 6 (WCUR-6) (6 dwellings per acre maximum density) for development of a 22-lot residential subdivision.**

Does the Adoption differ from proposal? No

Plan Map Changed from:

to:

Zone Map Changed from: **WCUR-4**

to: **WCUR-6**

Location: **2588, 2666, 2698 Avenue A, White City**

Acres Involved: **4.0**

Specify Density: Previous: **4 per acre**

New: **6 per acre**

Applicable statewide planning goals:

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

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. 006-10 (18644) [16658]

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

**Medford Water Commission, Department of Environmental Quality, US Postal Service, Rogue Valley Sewer Service, Fire District #3, Rogue Valley Council of Governments, Jackson County Roads Division, Oregon Department of Transportation, Rogue Valley Transit Authority, Jackson County Economic and Special Development, White City Improvement Association, Pacific Power and Light, Us West Communications, Avista Utilities, Jackson County Sheriff**

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Local Contact: **Kenneth Skyles**

Phone: **(541) 774-6958** Extension:

Address: **10 S Oakdale Ave., Room 100**

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

City: **Medford**

Zip: **97501**

E-mail Address: **skyleskd@jacksoncounty.org**

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## **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](mailto: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](mailto:larry.french@state.or.us)** - **Attention: Plan Amendment Specialist**.

Updated March 17, 2009





**JACKSON  
COUNTY**  
*Oregon*

**DEPT OF**

**MAY 27 2011**

**LAND CONSERVATION  
AND DEVELOPMENT**

## **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. 2011-6 at a properly advertised public hearing on February 23, 2011, 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 May 29, 2011 (60 days from the date of adoption). A description of the ordinance follows:

Ordinance No. 2011-6 amends the Jackson County Zoning Map, changing the zoning designation from WCUR-4 (Urban Residential, 4 dwellings per acre) to WCUR-6 (Urban Residential, 6 dwellings per acre) on two parcels totalling 4.00 acres and described as Township 36 South, Range 1 West, Section 20DB, Tax Lots 400 and 500. Bob Fellows Construction LLC, Applicant. File No. LRP2010-00005.

This notice is being mailed to you on April 1, 2011, 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 **Ken 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.

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 April 1, 2011, and the LUBA appeal period will expire on April 22, 2011. 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

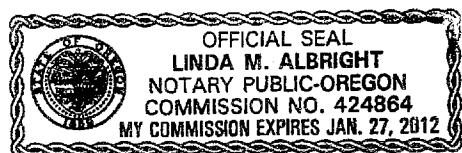
STATE OF OREGON    )  
                                  )  
COUNTY OF JACKSON )

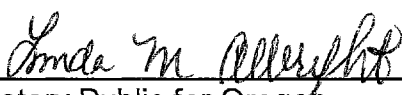
I, Patricia A. Guida, being first duly sworn, depose and say that on behalf of Jackson County Development Services, I gave notice of Board of Commissioners Ordinance No. 2011-6 by mailing a copy of the Notice of Adoption by regular mail to each of the following named persons at their respective last 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 April 1, 2011.

  
\_\_\_\_\_  
Signature

Personally appeared before me this 1st day of April, 2011, 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: 1-27-2012

NOTICE OF ADOPTION SENT TO: AGENCIES, PROPERTY OWNERS AND INTERESTED PERSONS.

APPLICANT NAME: BOB FELLOWS CONSTRUCTION LLC  
FILE NO: LRP2010-00005

FILE NO. LRP2010-00005  
DECISION MAILING LIST  
APPLICANT: FELLOWS  
DATE: 04/01/2011

APPLICANT LRP2010-00005  
BOB FELLOWS CONSTRUCTION LLC  
2950 PHILLIPS WAY  
CENTRAL POINT OR 97502

AGENT LRP2010-00005  
RICHARD STEVENS & ASSOC. INC  
PO BOX 4368  
MEDFORD OR 97501

OWNER  
DAVID & HOPE BRUCE  
7449 DIVISION RD  
WHITE CITY OR 97503

LRP2010-00005

DENNIS C.W. SMITH, CHAIR  
BOARD OF COMMISSIONER

LRP2010-00005

DON SKUNDRICK  
BOARD OF COMMISSIONER

LRP2010-00005

JOHN RACHOR  
BOARD OF COMMISSIONER

LRP2010-00005

STAFF  
KELLY MADDING, DIRECTOR  
DEVELOPMENT SERVICES

LRP2010-00005

STAFF  
KEN SKYLES, PLANNER  
DEVELOPMENT SERVICES

LRP2010-00005

AGENCY  
FRANK HAMMOND  
COUNTY COUNSEL

LRP2010-00005

AA-B5  
CHUCK ROOT  
RVSS  
PO BOX 3130  
CENTRAL POINT OR 97502

LRP2010-00005

AA-B8  
LARRY RAINS, MANAGER  
MEDFORD WATER COMMISSION  
200 S IVY ST RM 177  
MEDFORD OR 97501

LRP2010-00005

AA-C2  
HUGH HOLDEN, FIRE MARSHAL  
JACKSON CO FIRE DIST #3  
8383 AGATE RD  
WHITE CITY OR 97503

LRP2010-00005

AA-G1  
DEVELOPMENT REVIEW PLANNER  
ODOT REGION 3  
100 ANTELOPE RD  
WHITE CITY OR 97503

LRP2010-00005

IP  
ROBYNNE WHITAKER  
361 SCENIC DR  
ASHLAND OR 97520

LRP2010-00005

IP  
RONALD FOREMAN  
2550 AGATE MEADOWS CT  
WHITE CITY OR 97503

LRP2010-00005

IP  
ERICA A FRIEND-HUBER  
7432 STONEFIELD DR  
WHITE CITY OR 97503

LRP2010-00005

IP  
PAMELA J TAYLOR  
7406 GREYSTONE DR  
WHITE CITY OR 97503

LRP2010-00005

Approved: 3/30/2011  
Effective: 5/29/2011

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

IN THE MATTER OF FILE NO. )  
LRP2010-00005, AN APPLICATION TO )  
AMEND THE JACKSON COUNTY ZONING )  
MAP, CHANGING THE ZONING )  
DESIGNATION FROM WCUR-4 (URBAN )  
RESIDENTIAL, 4 DWELLINGS PER ACRE) )  
TO WCUR-6 (URBAN RESIDENTIAL, 6 )  
DWELLINGS PER ACRE) ON TWO )  
PARCELS TOTALING 4.00 ACRES AND )  
DESCRIBED AS TOWNSHIP 36 SOUTH, )  
RANGE 1 WEST, SECTION 20DB, TAX )  
LOTS 400 AND 500. BOB FELLOWS )  
CONSTRUCTION LLC, APPLICANT. )

ORDINANCE NO. 2011-6

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 3.7.3(D) (Approval Criteria for Minor Map Amendments) and Sections 4.3.1-B and 4.3.1-D of the Jackson County Transportation System Plan. Additionally, Section 2.1.1 of the LDO lists Minor Zoning Map Amendments as a Type 4 land use decision, subject to compliance with all applicable criteria.

**PROCEDURAL FINDINGS:**

1. A notice of the proposed amendment was provided to the Department of Land Conservation and Development (DLCD) on December 9, 2010, 47 days prior to the first evidentiary hearing. A notice was published on Sunday, January 16, 2011 in the Medford Mail Tribune that a first evidentiary hearing was scheduled before the White City Planning Commission on Tuesday, January 25, 2011 at 6:00 p.m in the Jackson County Roads Department Auditorium.
2. On January 25, 2011, the White City Planning Commission (WCPC) held a properly advertised public hearing to consider the evidence and testimony on this application. After considering the evidence and testimony submitted, the WCPC, by motion and vote, recommended that the Board of Commissioners approve the application. The WCPC signed the Recommendation for Approval on January 25, 2011.
3. On February 23, 2011 at 1:30 p.m., the Jackson County Board of Commissioners held a properly advertised public hearing to consider the evidence and testimony for this application. After considering the evidence and testimony submitted, the Board of Commissioners, by motion and vote, approved the application.

***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 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 Board of Commissioners finds that proper legal notice was provided to the applicant, property owners within 250 feet of the subject property, and affected agencies, on February 3, 2011 for a public hearing on this matter. Legal notice was published in the Sunday, February 13, 2011 edition of the Medford Mail Tribune.
- 1.2 The Board of Commissioners finds that the WCPC's recommendations are based upon following proper procedures and are consistent with available evidence. The Board of Commissioners hereby adopts, as its own, the Findings of Fact contained



in the WCPC Recommendation for Approval, incorporated herein and attached as Exhibit "A".

- 1.3 The Board of Commissioners finds that a Staff Report was prepared for the initial public hearing before the WCPC and that this Staff Report is attached to the WCPC's Recommendation. The Board of Commissioners hereby adopts, as its own, the Staff Report.

**SECTION 2. LEGAL FINDINGS:**

- 2.1 The Board of Commissioners hereby adopts, as its own, the Legal Findings contained in the WCPC's Recommendation for Approval, incorporated herein and attached as Exhibit "A".

**SECTION 3. CONCLUSIONS:**

- 3.1 The Board of Commissioners concludes that proper public notice was given.
- 3.2 The Board of Commissioners hereby adopts, as its own, the Conclusions contained in the WCPC's Recommendation for Approval, incorporated herein and attached as Exhibit "A". These conclusions demonstrate that the application is in compliance with the applicable Statewide Planning Goals, Oregon Administrative Rules, the applicable policies in the Jackson County Comprehensive Plan, and the applicable sections of the Jackson County Land Development Ordinance, including Section 3.7.3(C) which relates to Minor Zoning Map Amendments.

**SECTION 4. DECISION:**

***Now, therefore,***

*The Board of County Commissioners of Jackson County ordains as follows:*

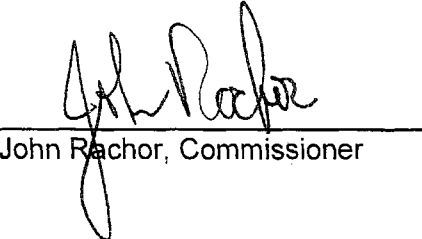
- 4.1. Based on the record of the public hearing and the recommendation of the White City Planning Commission, attached hereto and incorporated herein as Exhibit "A", the Board of Commissioners approves a Minor Zoning Map Amendment to change the zoning district from White City Urban Residential (WCUR-4, 4 dwellings per acre) to White City Urban Residential (WCUR-6, 6 dwellings per acre) on 4.00 acres described as Township 36 South, Range 1 West, Section 20DB, Tax Lots 400 and 500.

APPROVED this 30<sup>th</sup> day of March, 2011, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS


  
Dennis C. W. Smith, Chair

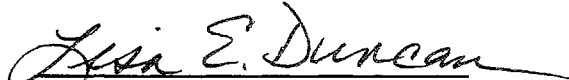
  
Don Skundrick, Commissioner

  
John Racher, Commissioner

APPROVED AS TO  
LEGAL SUFFICIENCY:

ATTEST:

  
County Counsel

  
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 April 1, 2011, 2011, and the LUBA appeal period will expire on April 22, 2011, 2011. 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 A JACKSON COUNTY AN )  
APPLICATION TO AMEND THE JACKSON )  
COUNTY ZONING MAP, CHANGING THE )  
ZONING DESIGNATION FROM WCUR-4 )  
(URBAN RESIDENTIAL, 4 DWELLINGS PER )  
ACRE) TO WCUR-6 (URBAN RESIDENTIAL, 6 )  
DWELLINGS PER ACRE) ON TWO PARCELS )  
TOTALING 4.00 ACRES. FILE NO. LRP2010- )  
00005. )  
)  
APPLICANT: BOB FELLOWS CONST LLC )

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 two parcels totaling 4.00 acres located at 2588, 2666 and 2698 Avenue A, White City, Oregon. The properties are mapped as Township 36, Range 1 West, Section 20DB, Tax Lots 400 and 500.

**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 3.7.3(D) (Approval Criteria for Minor Map Amendments) and Sections 4.3.1-B and 4.3.1-D of the Jackson County Transportation System Plan. 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 November 8, 2010, 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 one ownership, totaling 4.00 acres, located at 2588, 2666 and 2698 Avenue A, in White City, Oregon.
7. The White City Planning Commission held a legally advertised public hearing on January 25, 2011 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 20DB, Tax Lots 400 and 500.

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 January 5, 2011. Legal notice was published in the Sunday, January 16, 2011 edition of the Medford Mail Tribune.
- 1.2 The subject property consists of two parcels totaling 4.00 acres located at 2588, 2666 and 2698 Avenue A, in White City, Oregon. Based on assessment records and aerial photographs, the current uses of the properties include several single family dwellings.
- 1.3 The subject property is mapped as Township 36, Range 1 West, Section 20DB, Tax Lots 400 and 500. The White City Planning Commission further finds that Tax Lots 400 and 500 are owned by Bob Fellows Construction, LLC.
- 1.4 All of the subject tax lots are legal parcels, as defined by the Land Development Ordinance. Tax Lots 400 and 500 were created prior to countywide land use regulations on August 27, 1956 as Lots 10 and 11 of the Agate Subdivision, Block 1.
- 1.5 This collection of properties is surrounded by properties that have been developed with single family housing. Medium density development is occurring to the north, east and west. 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, WCUR-6 and WCUR-30.

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 Agate Meadows 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 Agate Meadows 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 Avenue G. 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 Sports Park. 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 Sports Park.

## **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 3.7.3(D), as well as applicable Comprehensive Plan Policies (e.g., the Transportation Element) in effect on the date of application.
- 2.3 The Planning Commission adopts the findings in the Staff Report as a basis for this recommendation. These findings demonstrate that the application is in compliance with the Statewide Planning Goals, Oregon Administrative Rules, the Jackson County Comprehensive Plan, and the Jackson County Land Development Ordinance.
- 2.4 The deliberations resulted in a motion to recommend approval of the application. The Planning Commission voted unanimously (4-0) in favor.



**SECTION 3. RECOMMENDATION:**

The White City Planning Commission recommends the Jackson County Board of County Commissioners approve an amendment to the Official Jackson County Zoning Map (File LRP2010-00005), **changing the zoning designation from WCUR-4 to WCUR-6** on property mapped as Township 36 South, Range 1 West, Section 20DB, Tax Lots 400 and 500, as illustrated on the zoning map attached hereto.


This recommendation for APPROVAL adopted this 25th day of January, 2011, at White City, Oregon.

**WHITE CITY PLANNING COMMISSION**

  
\_\_\_\_\_  
Stan Alexander, Chair

  
\_\_\_\_\_  
Mickey Hix, Commissioner

  
\_\_\_\_\_  
Frank Williams, Commissioner

  
\_\_\_\_\_  
Nancy Randolph, Commissioner

\_\_\_\_\_  
Vacant, Commissioner

ATTEST:

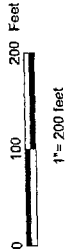
  
\_\_\_\_\_  
By: Kelly Madding, Secretary



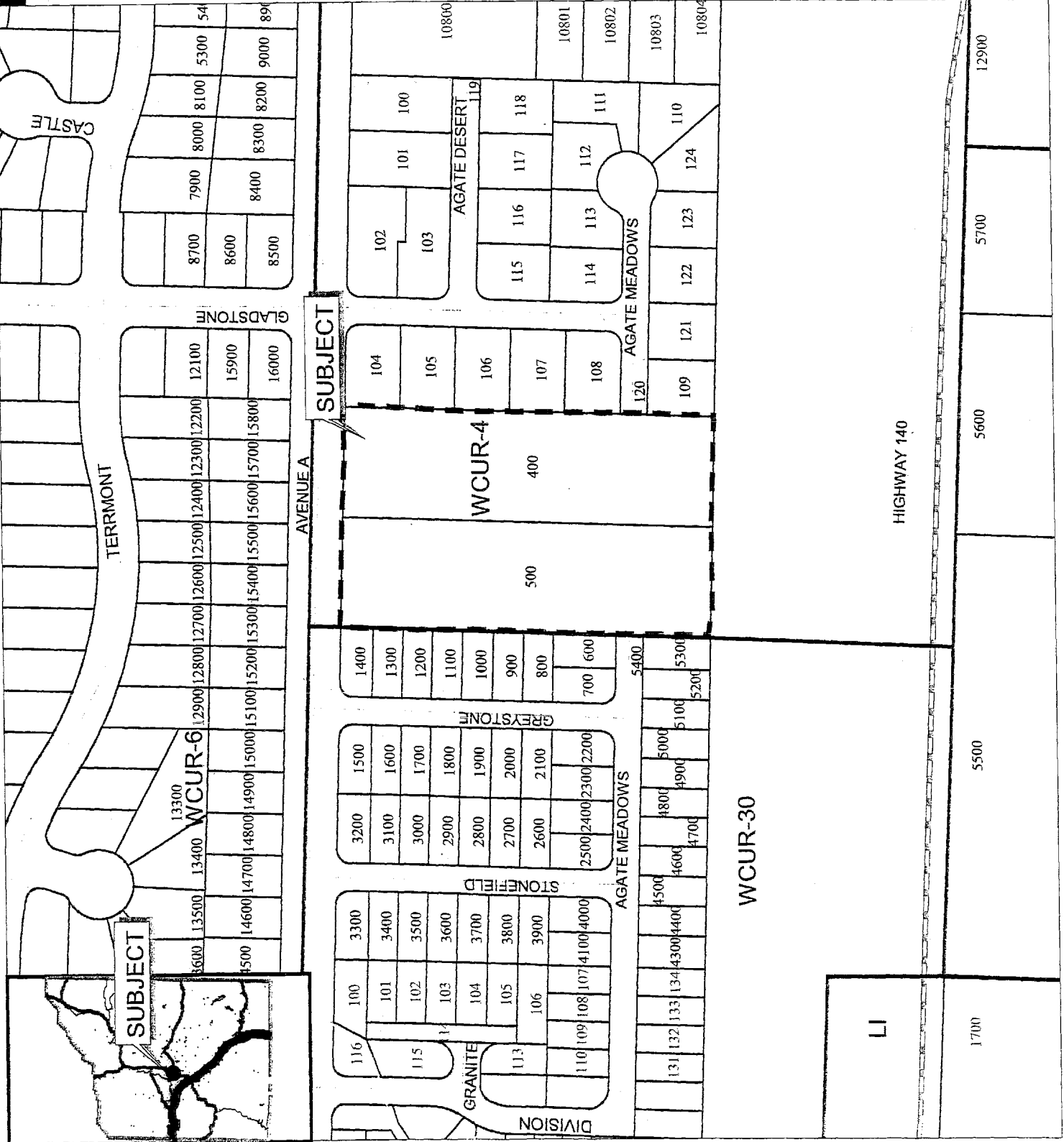
ZONING

APPLICANT:  
 FELLOWS  
 36-1W-20DB  
 TL 400 & 500  
 LRP2010-00005

- County Zoning
- 500 Kv Line
- Streams & Ditches
- Applegate, Rogue & Bear Creek
- Major Rivers & Streams
- Named Streams
- Minor Streams
- Intermittent Streams
- Underground Streams
- Ditches
- Ditches - Tunnels / Siphons
- Minor Ditches
- Minor Ditch - Underground
- Urban Containment Boundary
- UUUCB
- UCB



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: Sep 10, 2010; HGIS\PLANNING\APR



**Development Services**

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



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MAY 27 2011

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AND DEVELOPMENT

**DEPT OF**

MAY 28 2011

LAND CONSERVATION  
AND DEVELOPMENT

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