



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2540

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www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: 02/13/2015
Jurisdiction: Jackson County
Local file no.: 439-14-00028-LRP
DLCD file no.: 006-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/09/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 45 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us

NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION



FOR DLCD USE
DEPT OF
File No.:
Received: **FEB 09 2015**

LAND CONSERVATION
AND DEVELOPMENT

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: Jackson County

Local file no.: **439-14-00028-LRP**

Date of adoption: January 28, 2015

Date sent: 2/5/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 10/3/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Mike Mattson

Phone: 541-774-6937

E-mail: mattsomw@jacksoncounty.org

Street address: 10 S. Oakdle Ave.

City: Medford

Zip: 97501-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

N/A

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from Commercial Land to White City Urban Residential 5.12 acres.

Change from _____ to _____ acres.
Goal Exception not needed

Change from _____ to _____ acres. A goal exception was required for this change.

Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 361W16CB-200, 8400 Division Rd., White City, OR

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from General Commercial	to WCUR-30	Acres: 5.12
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: N/A Acres added: N/A Acres removed: N/A

Location of affected property (T, R, Sec., TL and address): 361W16CB-200, 8400 Division Rd., White City, OR

List affected state or federal agencies, local governments and special districts: ODOT, Veterans Administration at White City Veterans Administration Domiciliary.

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

The property is within the White City Urban Unincorporated Community Boundary. A goal exception was not required for this zone change.

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

ORDINANCE NO. 2015-1

AN ORDINANCE AMENDING THE JACKSON COUNTY COMPREHENSIVE PLAN MAP AND ZONING MAP TO CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FROM COMMERCIAL LAND TO WHITE CITY URBAN RESIDENTIAL LAND AND THE ZONING MAP DESIGNATION FROM GENERAL COMMERCIAL (GC) TO WHITE CITY URBAN RESIDENTIAL (WCUR-30) ON 5.12 ACRES DESCRIBED AS TOWNSHIP 36 SOUTH, RANGE 1 WEST, SECTION 16CB, TAX LOT 200, 8400 DIVISION ROAD, WHITE CITY, OR. FILE 439-14-00028-LRP.

RECITALS:

1. This Ordinance is adopted 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 which have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. A Minor Comprehensive Plan Map and Zoning Map Amendment application to change the Comprehensive Plan Map designation from Commercial Land to White City Urban Residential Land and the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30) was submitted to Jackson County by the applicant's agent, Scott Sinner Consulting Inc., on August 13, 2014. Planning staff deemed the application incomplete on August 22, 2014. Following information submitted by the agent, staff deemed the application complete on September 17, 2014.
3. A notice of the proposed amendment was submitted to the Oregon Department of Land Conservation and Development (DLCD) on Sept 30, 2014, 72 days prior to the first evidentiary hearing. A notice was published on Sunday, November 30, 2014 in the Medford Mail Tribune that a first evidentiary hearing was scheduled before the Jackson County Planning Commission on Thursday December 11, 2014 at 9:00 a.m. in the Jackson County Auditorium. Written notice was provided to surrounding property owners entitled to notice.
4. A properly noticed public hearing before the Jackson County Planning Commission was scheduled for December 11, 2014. The hearing was opened on December 11, 2014.

Following testimony, arguments and evidence regarding this application, the Planning Commission voted unanimously to recommend approval of file 439-14-00028-LRP.

5. A properly noticed public hearing before the Jackson County Board of Commissioners was scheduled for January 7, 2015. Following testimony, arguments and evidence regarding this application, the Board of Commissioners deliberated and voted unanimously to approve the Comprehensive Plan Map and Zoning Map Amendment to change the Comprehensive Plan Map from Commercial Land to White City Urban Residential Land and the Zoning Map from General Commercial (GC) to White City Urban Residential (WCUR-30).

NOW, THEREFORE, the Board of County Commissioners of Jackson County ORDAINS 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 conflict arose, the Board of County Commissioners has resolved them consistent with these findings:

- 1.1 The Board of Commissioners finds that proper legal notice was sent to the Applicant, Affected Agencies, Interested Parties and Property Owners within a 250 foot radius of the parcel, consistent with and pursuant to the Noticing requirements of JCLDO 2.7.6(D).
- 1.2 The subject property has potential access from both Avenue H and Division Road, County owned and maintained public roads.
- 1.3 The subject property is within Jackson County Fire District No. 3.
- 1.4 The property is currently vacant
- 1.5 The current Comprehensive Plan Map designation is Commercial Land and the Zoning Map designation is General Commercial (GC).
- 1.6 The Board of Commissioners finds that the following agencies responded with comments to this application and their comments were considered by the Planning Commission: Jackson County Roads Department, ODOT, Sheriff's Office, Avista Utilities, Veterans Administration Domiciliary, Rogue Valley Sewer Services and Medford Water Commission. Agency comments were considered by the Board of Commissioners.
- 1.7 The Board of Commissioners finds that property owners were notified but no comments were received.

SECTION 2. LEGAL FINDINGS

To approve the Comprehensive Plan Map and Zoning Map Amendment to change the Comprehensive Plan Map designation from Commercial Land to White City Urban Residential Land and the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30).

Residential (WCUR-30), the Board of Commissioners must conclude that all relevant and substantive criteria have been identified and there is substantial evidence in the record demonstrating such criteria are satisfied. The Board of Commissioners concludes that all applicable legal requirements have been satisfied, and where factual conflicts arose, the Board of Commissioners has resolved them consistent with the following specific findings:

- 2.1 The Board of Commissioners herewith incorporates and adopts as its own those legal findings that pertain to the Comprehensive Plan amendment and Zoning Map amendment in Section 2 of the Planning Commission recommendation, attached hereto as Exhibit A.

SECTION 3. CONCLUSIONS

Based upon the evidence included in the record, the Board of Commissioners concurs with the Planning Commission recommendation attached hereto as Exhibit A in its conclusion that the proposed amendment is in compliance with the Jackson County Land Development Ordinance, Statewide Planning Goals, and the Jackson County Comprehensive Plan. Consistent with this concurrence, the Board of Commissioners hereby incorporates and adopts as its own the conclusions that pertain to the Comprehensive Plan Map amendment and Zoning Map amendment as set forth in Section 3 of the Planning Commission recommendation, attached hereto as Exhibit A.

SECTION 4. DECISION

Based on the evidence in the record and testimony at the public hearing, the Board of Commissioners hereby approves Planning File 439-14-00028-LRP and ordains the following:

- 4.1 Change the Comprehensive Plan Map designation for the subject property from Commercial Land to White City Urban Residential Land.
- 4.2 Change the Zoning Map designation for the subject property from General Commercial (GC) to White City Urban Residential (WCUR-30).
- 4.3 The subject property is described as Township 36 South, Range 1 West, Section 16CB, tax lot 200, as shown the map attached hereto as Exhibit B.

ADOPTED this 4 day of February, 2015, at Medford, Oregon.

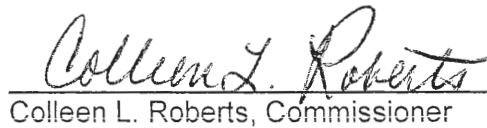
JACKSON COUNTY BOARD OF COMMISSIONERS



Doug Breidenthal, Chair



Rick Dyer, Commissioner



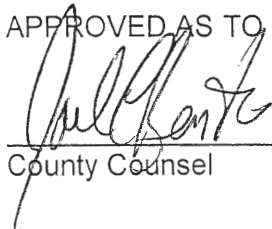
Colleen L. Roberts, Commissioner

ATTEST:



By: Recording Secretary

APPROVED AS TO LEGAL SUFFICIENCY:



County Counsel

The Board of 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 February 5, 2015, and the LUBA appeal period will expire on February 26, 2015. Please contact LUBA for specific appeal information. They are located at 775 Capitol Street N.E. Suite 330, Salem, Oregon 97301-1265. They can be reached at (503) 373-1265.

BEFORE THE JACKSON COUNTY PLANNING COMMISSION
STATE OF OREGON, COUNTY OF JACKSON

IN THE MATTER OF CONSIDERATION OF A)
COMPREHENSIVE PLAN MAP AMENDMENT)
AND ZONING MAP AMENDMENT TO CHANGE)
THE COMPREHENSIVE PLAN MAP)
DESIGNATION FROM COMMERCIAL LAND TO)
WHITE CITY URBAN RESIDENTIAL LAND AND)
THE ZONING MAP DESIGNATION FROM)
GENERAL COMMERCIAL (GC) TO WHITE CITY)
URBAN RESIDENTIAL (WCUR-30) ON A)
PROPERTY DESCRIBED AS TOWNSHIP 36)
SOUTH, RANGE 1 WEST, SECTION 16CB, TAX)
LOT 200. HOUSING AUTHORITY OF)
JACKSON COUNTY, APPLICANT. FILE NO.)
439-14-00028-LRP.)

RECOMMENDATION
FOR APPROVAL

1. **Jackson County Planning Commission:** Recommends approval of a Comprehensive Plan Map and Zoning Map Amendment to change the Comprehensive Plan Map designation from Commercial Land to White City Urban Residential Land and the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30) on a property described as Township 36 South, Range 1 West, Section 16CB, tax lot 200.

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. A notice of the proposed amendment was submitted to the Oregon Department of Land Conservation and Development (DLCD) on Sept 30, 2014, 72 days prior to the first evidentiary hearing. A notice was published on Sunday, November 30, 2014 in the Medford Mail Tribune that a first evidentiary hearing was scheduled before the Jackson County Planning Commission on Thursday December 11, 2014 at 9:00 a.m. in the Jackson County Auditorium. Written notice was provided to surrounding property owners entitled to notice.
3. The application to change the Comprehensive Plan Map designation from Commercial Land to White City Urban Residential Land and the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30) was submitted to Jackson County by the applicant’s agent, Scott Sinner Consulting Inc., on August 13, 2014. Planning staff deemed the application incomplete on August 22, 2014. Following information submitted by the agent, staff deemed the application complete on September 17, 2014.

4. A public hearing before the Jackson County Planning Commission was scheduled for December 11, 2014. The hearing was opened on December 11, 2014. Following testimony, arguments and evidence regarding this application, the Planning Commission voted to recommend approval of file 439-14-00028-LRP.

Now, therefore,

The Jackson County Planning Commission finds, concludes, and RECOMMENDS as follows:

SECTION 1, FINDINGS:

Based upon the evidence and arguments presented, the Planning Commission makes the following findings of fact with respect to this application.

- 1.1 The Planning Commission finds that proper legal notice was sent to Applicant, Affected Agencies, Interested Parties and Property Owners within a 250 foot radius of the parcel, consistent with and pursuant to the Noticing requirements of JCLDO 2.7.6(D).
- 1.2 The subject property has potential access from both Avenue H and Division Road, County owned and maintained public roads.
- 1.3 The subject property is within Jackson County Fire District No. 3.
- 1.4 The subject property is currently vacant.
- 1.5 The current Comprehensive Plan Map designation is Commercial Land and the Zoning Map designation is General Commercial (GC).
- 1.6 The Planning Commission finds that the following agencies responded with comments to this application and their comments were considered by the Planning Commission: Jackson County Roads Department, ODOT, Sheriff's Office, Avista Utilities, Veterans Administration Domiciliary, Rogue Valley Sewer Services and Medford Water Commission. Agency comments were considered by the Planning Commission.
- 1.7 The Planning Commission finds that property owners were notified but no comments were received.

SECTION 2, LEGAL FINDINGS:

To recommend approval of a Comprehensive Plan Map and Zoning Map Amendment to change the Comprehensive Plan Map designation from Commercial Land to White City Urban Residential Land and the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30), the Planning Commission must conclude that all relevant and substantive criteria have been identified and there is substantial evidence in the record demonstrating such criteria are satisfied.

The Planning Commission herewith incorporates and adopts Findings in the Staff Report at JCPC Record Exhibit 9, Record Pages 22-41 attached hereto as Exhibit 1. These findings and conclusions demonstrate that the application is in compliance with the Statewide Planning Goals, the Jackson County Comprehensive Plan, and the Jackson County Land Development Ordinance. Where factual conflicts

2-File No. 439-14-00028-LRP

Scott Sinner Consulting Inc., Agent; Housing Authority of Jackson County., Applicant

arose, the Jackson County Planning Commission has resolved them consistent with the following specific findings:

- 2.1 Based upon evidence in the record and testimony at the public hearing, the Planning Commission finds the proposed amendment adequately addresses a need for rental housing units available to low income residents within Jackson County.
- 2.2 Based upon evidence in the record and testimony at the public hearing, the Planning Commission finds that the change from General Commercial (GC) to White City Urban Residential (WCUR-30) zoning will not have a significant effect on the availability of commercial lands for development in the White City area and the County.

SECTION 3, CONCLUSION:

Based upon the evidence included in the record and testimony at the public hearing, the Planning Commission concludes that the proposed amendment is in compliance with the Jackson County Land Development Ordinance, Statewide Planning Goals, and the Jackson County Comprehensive Plan. Where factual conflicts arose, the Jackson County Planning Commission has resolved them consistent with these conclusions.

- 3.1 **Statewide Planning Goals:** The Planning Commission concludes that this application complies with Statewide Planning Goals. Discussion of compliance is contained in Section IV of the staff report at JCPC Record Exhibit 9, Record Pages 35-37, and in the Type 4 Application, JCPC Record Exhibit 10, Record Pages 77-88.
- 3.2 **The Jackson County Comprehensive Plan:** The Planning Commission concludes this application complies with the Jackson County Comprehensive Plan. Discussion of compliance with Comprehensive Plan is contained in Section III of the staff report at JCPC Record Exhibit 9, Record Pages 24-35 and in the Type 4 Application, JCPC Record Exhibit 10, Record Pages 60-76 and Pages 96-97.
- 3.3 **Jackson County Land Development Ordinance:** The Planning Commission concludes this application complies with the Jackson County Land Development Ordinance. Discussion of compliance with the JCLDO is contained in Section V of the staff report at JCPC Record Exhibit 9, Record Pages 37-41 and in the Type 4 Application, JCPC Record Exhibit 10, Record Pages 89-93.

SECTION 4, RECOMMENDATION:

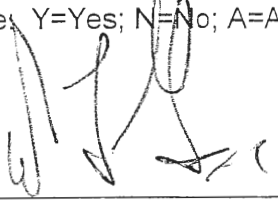
- 4.1 Based on the evidence in the record and testimony at the public hearing, the Planning Commission recommends the Board of Commissioners adopt an ordinance to approve Planning File 439-14-00028-LRP and to ordain the following:
 - 4.1.1 Change the Comprehensive Plan Map designation for the subject property from Commercial Land to White City Urban Residential Land.
 - 4.1.2 Change the Zoning Map designation for the subject property from General Commercial (GC) to White City Urban Residential (WCUR-30).

4.1.3 The subject property is described as Township 36 South, Range 1 West, Section 16CB, tax lot 200, as shown the map attached hereto as Exhibit 2.

This recommendation for APPROVAL adopted this 11 day of December, 2014, at Medford, Oregon.


JACKSON COUNTY PLANNING COMMISSION

(Vote: Y=Yes; N=No; A=Abstain)



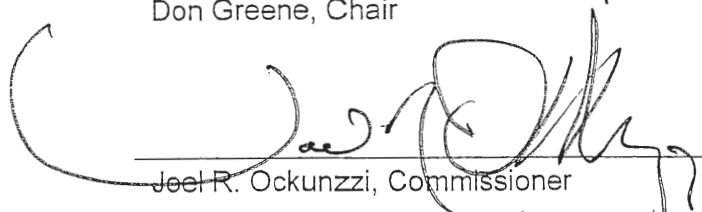
Don Greene, Chair

yes



Richard B. Thierolf, Jr., Vice-Chair

(Y)



Joel R. Ockunzzi, Commissioner

yes



Brad Bennington, Commissioner

(yes)



Craig Prewitt, Commissioner

-A

ATTEST:



Kelly Madding, Development Services Director

JCPC Exhibit 1: Staff Report
JCPC Exhibit 2: Map of subject parcel

**JACKSON COUNTY DEVELOPMENT SERVICES
COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT
STAFF REPORT
439-14-00028-LRP**

APPLICANT: Housing Authority of Jackson County **FILE:** 439-14-00028-LRP
2251 Table Rock Road
Medford, OR 97501

AGENT: Scott Sinner Consulting, Inc. **OWNER:** Steven Root & Gregory Hornecker
4401 San Juan Drive 3248 Marvin Drive
Medford, OR 97504 Eugene, OR 97404

MAP DESCRIPTION: Twp: 36 Range: 1W Section: 16CB Tax Lot: 200

PROPOSAL: Minor Comprehensive Plan Map and Zoning Map Amendment to change the Comprehensive Plan Map designation from Commercial Land to White City Urban Residential Land and change the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30) on 5.12 acres.

LOCATION: The western edge of the property is at the intersection of Avenue H and Division Road. The address of the property is 8400 Division Road.

BACKGROUND: A Minor Comprehensive Plan Map and Zoning Map Amendment application was submitted to Jackson County by the property owners' agent, Scott Sinner Consulting, Inc., on August 13, 2014. Staff deemed the application incomplete on August 22, 2014. Following information submitted by the agent Staff deemed the application complete on September 17, 2014. A first evidentiary public hearing before the Jackson County Planning Commission has been scheduled for December 11, 2014.

The applicant has indicated this application includes a conceptual plan for 54 dwelling units and the site plan is submitted to provide context of the development the Housing Authority of Jackson County seeks to construct. Should this application be approved, a Site Plan Review would be submitted to Jackson County for a review and decision.

KEY ISSUES:

Determine if the property is more appropriately zoned White City Urban Residential (WCUR-30).

Determine if there is substantial evidence to determine the Comprehensive Plan Map designation should be changed from Commercial Land to White City Urban Residential Land.

Determine if there is substantial evidence to change the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30).

I. **FINDINGS OF FACT**

A. **Access:** This property has potential access from both Avenue H and Division Road.

B. **Acreage:** The acreage for this property is 5.12 acres.

C. **Lot Legality:** This parcel was created as Parcel 4 through an approved Major Partition, file #2001-2-MJP.

D. **Fire Protection:** This property is within the boundary of Jackson County Fire District No. 3.

E. **Irrigation:** No evidence that irrigation is available to the subject property has been submitted.

F. **Zoning:** This property is currently zoned General Commercial. Adjacent properties are zoned as follows:

North: General Commercial (GC)

West: General Commercial (GC)

South: White City Urban Residential (WCUR-6)

East: White City Urban Residential (WCUR-8)

G. **Land Use:** The property is currently vacant.

H. **Utilities:** Connection to water and sewer is possible. All other utilities are available to this property.

I. **Site Characteristics:** This property is flat with very little vegetation.

K. **Water:** Water is available within the White City Urban Unincorporated Community Boundary.

L. **Wetlands and Riparian Areas:** This property is considered developed vernal pool habitat.

M. **Soils:** The soils on this property are Agate-Winlo Complex.

N. **Urban Growth Boundary, Unincorporated Community, Urban Fringe:** This property is within the White City Urban Unincorporated Community

O. **Areas of Special Concern:** This property is within Area of Special Concern 2003-2 (ASC 2003-2), Jackson County Sports Park Overlay. The property is also within ASC 93-2, Transit Oriented Development, because it is within 1,000 feet of a Rogue Valley Transit District (RVTD) transit route and transit facility.

P. **Agency and Property Owner Comments:** Requests for Comment were sent to property owners within 250 feet of the property boundaries and to agencies who may have concerns about the proposed zone change and development.

II. APPLICABLE CRITERIA

In order to approve this proposal, Jackson County must find the application is consistent with:

- A. Jackson County Comprehensive Plan: Map Designations Element, White City Urban Residential Land; Environmental Quality Element, Policy 2; Housing Element, Policies 1, 2, 3, 6 & 8; Natural Hazards Element, Policy 4; Public Facilities and Services Element, Policies 1, 8 & 15; Urban Lands Element, Policies 1 & 3; White City Transportation System Plan, Section 4.3.1(A & D)
- B. Jackson County Land Development Ordinance: Section 3.7.3(C); Section 7.1.1(L); Section 7.3.3(A)
- C. Statewide Planning Goals: Goal 1, Citizen Involvement; Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources; Goal 6, Air, Water and Land Resources Quality; Goal 7, Areas Subject to Natural Hazards; Goal 10, Housing; Goal 11, Public Facilities and Services; Goal 12, Transportation; Goal 14, Urbanization

III. JACKSON COUNTY COMPREHENSIVE PLAN

A. Map Designations Element, White City Urban Residential:

1) Purpose:

White City Urban Residential areas provide for urban levels of residential development where adequate public facilities and services exist. The zoning districts established for these areas provide opportunities primarily for single family, multi-family, and manufactured dwelling development. Creative design is encouraged through such means as planned unit developments, variable lot sizes, and a wide range of densities. The actual allowable density or zoning will be determined by existing use, overall land use patterns in the area, and the capacity of public facilities serving the area.

2) Map Designation Criteria:

- A) *Lands which are located within the White City Urban Unincorporated Community Boundary; and,*
- B) *Lands for which urban public facilities and services are available and adequate to serve the existing and potential development, including potable water, sewer, storm drains, police, fire protection, and transportation facilities. Services which should be considered include medical services, recreation facilities and schools; and,*
- C) *Where the proposed area includes or adjoins identified Goal 5 resources, or is otherwise mapped within a Goal 5 impact area, a conflicting use analysis must be provided in accordance with the*

Goal 5 process to support the proposed Plan designation.

3) *Establishment of Zoning Districts:*

- A) *White City Urban Residential zoning districts will be established on the White City Zoning Maps and permissible development standards will be established in the Jackson County Land Development Ordinance. These districts will provide residential densities ranging between four (WCUR-4), six (WCUR-6), eight (WCUR-8), ten (WCUR-10), and thirty (WCUR-30) dwellings per acre.*
- B) *Within the White City Urban Unincorporated Community Boundary, the WCUR-8 and the WCUR-30 zoning districts may also include nodes of neighborhood commercial uses that primarily serve neighboring residential areas, as described in the implementing ordinances.*

FINDING: The subject parcel is within the White City Urban Unincorporated Community Boundary (UUCB) (Section 2(A)). The applicant states there are adequate public facilities and services which are available to the subject parcel (Section 2(B)). They include as follows:

- A 12" sanitary sewer line within the Avenue H improvement. Rogue Valley Sewer Services submitted a letter stating the sewer line north of the subject property has adequate capacity to facilitate the proposed zone change.
- The improvements within the public right-of-way include storm water facilities.
- There are 12" water lines within both the Avenue H and Division Road rights-of-way which can adequately supply any proposed uses allowed with the proposed zone change.
- The street frontages on Avenue H and Division Road are fully developed to current standards including sidewalks.
- Jackson County Roads has signed a waiver to the White City Transportation System Plan requirements indicating there is adequate capacity any proposed development associated with the zone change and the proposed development will not create or worsen a traffic safety problem.
- The Table Rock Elementary School is located within approximately 5/8 mile. The White Mountain Middle School is on the adjacent property to the east.
- There are two medical clinics and chiropractor within ¼ mile of the subject property.
- Parks and school sites are within ½ mile of the subject property. There is a golf course for veterans within ¼ mile and two public courses within 4 miles. The Jackson County Sports Park is within 3 miles and a County managed Off Highway Vehicle (OHV) Park is within 2 miles.

There are vernal pool wetlands identified on this parcel (Section 2(C)). These wetlands are identified as developed vernal pools. The applicant states this site has been graded and filled beginning in the 1940's when this area was developed as Camp White. These wetlands are within the jurisdiction of the Oregon Department of State Lands. The applicant has submitted a recent Wetland Determination report to the County and the

Department of State Lands. The report concludes the vernal pool classification for the property is “developed” and no mitigation is proposed for the developed vernal pools. The Department of State Lands has not responded to Jackson County’s Request for Comments.

The adjacent parcel to the east is identified as having intact, severely altered and developed vernal pools. This parcel has White Mountain Middle School as the development. The applicant concludes any future development on the subject parcel will have no impact on the vernal pools adjacent to the subject parcel.

The property across Avenue H to the north has intact vernal pools identified (Section 2(C)). Because the parcel is separated from the subject parcel by Avenue H, any future development on the subject parcel will have no impact on the vernal pool habitat.

Regarding findings for Section 3, *Establishment of Zoning Districts*, the applicant has provided findings and conclusions in other elements of the Comprehensive Plan and these findings and conclusions will be reviewed by staff through these other Comprehensive Plan elements.

Staff finds the applicant has included substantial evidence and findings to conclude the Map Designations Element criteria are met.

B. Environmental Quality Element, Policy 2

Since the quality and quantity of the county's air resources are finite and limited, and man is dependent upon clean air to support basic life- sustaining needs, the management, wise utilization, and improvement of this resource in a manner conducive to ensuring its long-term availability and high quality is in the best interests of county residents. This is basically accomplished by adoption and implementation of the total County Comprehensive Plan, which places emphasis on urban centered growth, improved transportation flows and diversity of transit modes, and control measures on pollutant discharge sources.

POLICY: THE COUNTY SHALL MANAGE AND IMPROVE THE QUALITY OF ITS AIR RESOURCES.

IMPLEMENTATION STRATEGIES:

C) *Review of discretionary land development actions and uses should consider the threshold of the county's air resource qualities within the parameters set by the statewide implementation plan and the Medford-Ashland Air Quality Maintenance Area Off-set Rule, as applicable.*

FINDING: The applicant concludes this proposal is consistent with this criteria based upon the following:

- The proposal to rezone the property from General Commercial (G) to White City Urban Residential (UR-30) reduces the Average Daily Trips (ADT) by 4,829 ADT from the highest and best use in the GC zoning district when compared to the highest and best use in the WCUR zoning district. The applicant indicates this reduction in ADT will have significant positive impact on air quality.

- Division Road and Avenue H are improved with curb, gutter and sidewalks and residents of this site will have direct access to existing pedestrian connections.
- There are currently retail and commercial opportunities with walking distance of the site, including banking, medical services, storage, a convenience market, Goodwill Industries, restaurants and an auto parts store. All of these businesses are within ¼ mile of the site.
- The Housing Authority of Jackson County is proposing to build a multi-family project with a significant percentage of dwelling units dedicated to serving the veteran population. The proximity to the Veterans Administration Domiciliary will provide a further reduction on automobiles as a primary transportation mode. The site is approximately 800 feet from the front gate of the VAD via Avenue H. The Hwy 62-Avenue H intersection is currently signalized and there are existing pedestrian facilities on both sides of Hwy 62.
- Avenue H currently has east and westbound bicycle travel lanes. Division Road, south of Avenue H, is improved with bicycle lanes.
- The proposed multi-family development will include provision for bicycle parking to insure convenient bicycle transportation is promoted as a multimodal transportation.
- The subject property is located 125 feet from an existing RVTD transit stop connecting Medford and White City. The applicant indicates the success of mass transit relies on a certain level of population density and convenience for riders and states "The proposed development of approximately 54 dwelling units and the existing proximity to an existing transit stop is an ideal scenario for improved mass transit ridership.

Staff agrees with the applicant's findings and conclusion and finds this criterion is met.

C. Housing Element, Policies 1, 2, 3, 6 and 8

1. *POLICY 1*

The availability of adequate housing refers to both the amount of land suitable and available for residential development purposes, and the amount of existing housing available to meet current needs. Both represent a physical constraint to the provision of housing availability and affordability affected by a number of public and private sector obstacles such as: availability of appropriately zoned lands, utilities, facilities and services; construction costs; and conventional private financing, to name only a few. Indicators of housing availability include vacancy rates, number of building permits issued, sales and growth trends, existing supply versus demand, and population increases. Generally, these indicators reveal that the number of residential units available is not keeping pace with population growth or household information.

All cities and the County have the responsibility of providing for a wide range of housing opportunities including low and moderate income housing. The County's responsibility can only be met in so far as vacant land exists within urban containment boundaries. The zoning/plan designations within the containment boundaries can be increased to provide additional housing opportunities but the primary area for providing "needed housing", as the term is used within Statewide Planning Goal

#10, is within urban growth boundaries. The problem has typically been that most municipalities are unresponsive to these needs. The purpose of fair share allocation plans is to provide localities with a general measure of local responsibility for addressing a fair share of the market area housing need. Fair share allocation can provide each locality with a presumptive identification of housing needs for which adequate provision must be made in each housing element.

POLICY: THE COUNTY SHALL ASSURE THE PROVISION OF AVAILABLE LANDS IN SUITABLE LOCATIONS TO ACCOMMODATE THE NEED OF AN ADEQUATE HOUSING SUPPLY AND CHOICE OF HOUSING OPPORTUNITIES.

IMPLEMENTATION STRATEGIES:

- E) *Assure, and encourage cities to assure, for the provision of a wide variety and availability of lot and parcel sizes, housing types, and price ranges in suitable locations. This would best be accomplished through a "fair share" housing allocation plan administered through either the County, the Housing Authority of Jackson County, or the Rogue Valley Council of Governments.*

FINDING: The applicant has submitted analysis regarding this criterion. Staff summarizes that analysis as follows:

- There are approximately 64 acres zoned WCUR-30 in the White City Urban Unincorporated Community Boundary.
- 58% of the WCUR zoned land that has a completed Jackson County Development review and received a final subdivision plat to provide a townhouse housing type. This type of housing does provide an important housing opportunity for home ownership.
 - Townhouses are an affordable housing type for home ownership, however, this platted land is not well suited for a "for rent" apartment development.
- 28% of the WCUR zoned land currently developed to urban densities.
- 5% or approximately 3 acres of the WCUR zoned land is vacant and another 9% can possibly be redeveloped.
- Approval of this application would add 5.12 acres or approximately 8% of the total land in the zoning district to the available lands.

The also indicates the conceptual site plan submitted with this application is a 54 dwelling unit complex. Of the total units, approximately 19 dwelling units are conceptually proposed for veterans with an income of no more than 60% of the Area Median Income (AMI). The proximity of the site to the Veterans Administration Domiciliary is critical to the veteran residents. The remaining 35 dwelling units are conceptually proposed for Work Force Housing for working families with an income of 60% AMI or less. The financing and development of this project would include a 60 year deed restriction committing to the uses and income levels of the development.

Staff finds the proposal is consistent with Policy 1.

2. POLICY 2

POLICY: THE COUNTY SHALL ATTEMPT TO MAINTAIN, OR REDUCE IF POSSIBLE, THE COSTS OF HOUSING AND SHELTER COMMENSURATE WITH THE FINANCIAL CAPABILITIES OF LOCAL HOUSEHOLDS.

IMPLEMENTATION STRATEGIES:

- 1) *Actively support the efforts of the Housing Authority of Jackson County to expand its programs to meet the need of lower income households.*

FINDING: The applicant states “Maintaining a stock of quality rental multifamily dwelling units is crucial to meeting the housing needs of a wide range of residents in the county. The HAJC proposed the development of 54 dwelling units to be used as managed rental units specifically dedicated to residents at 60% of the AMI or less.” The applicant concludes the approval of zone change is consistent with Policy 2 and will improve the availability of land suitable for a needed housing type in an appropriate location.

Staff finds the proposal is consistent with Policy 2.

3. POLICY 3

POLICY: THE COUNTY SHALL INVESTIGATE AND PARTICIPATE, WHEN APPROPRIATE, IN STATE AND FEDERAL HOUSING PROGRAMS.

IMPLEMENTATION STRATEGY: *Participate, where appropriate, through the Housing Authority of Jackson County or other appropriate agencies, in meritorious federal, state, regional, or local housing programs with the objective of reducing housing costs.*

FINDING: Staff summarizes the applicant’s findings below:

- The Housing Authority of Jackson County (HAJC) is an independent agency established by the Jackson County Board of Commissioners in 1969 to administer affordable housing programs. The applicant is the Housing Authority of Jackson County.
- The financing for this development utilizes Federal, State and regional sources, which are competitive processes. Projects applying for funding are ranked on many criteria including location to related services of the identified resident population, access to multimodal transportation, access to ancillary services and employment opportunities.
- Approval of this application will provide appropriately zoned property in a location ideally suited for the veteran component with the proposed development. The remainder of the development is to provide Work Force Family housing. This location is one of the primary industrial employment areas of the County allowing a housing opportunity near an employment center.

- The County has participated in the affordable housing supply through the creation of HAJC and the HAJC utilized the federal and state housing programs to develop affordable housing.

The applicant concludes stating “The Approving Authority can conclude the establishment of the Housing Authority of Jackson County and its ongoing establishment and management of affordable housing is consistent with Policy 3 of the Comprehensive Plan.”

Staff finds the proposal is consistent with Policy 3.

4. POLICY 6

POLICY: THE COUNTY SHALL PROMOTE AND PROVIDE OPPORTUNITIES TO ENCOURAGE RESIDENTIAL CONSERVATION AND MAINTENANCE MEASURES, AND SITING AND CONSTRUCTION METHODS, WHICH CREATE ENVIRONMENTALLY SOUND AND SAFE SETTINGS FOR RESIDENTS, CONSISTENT WITH THE ENVIRONMENTAL AND ENERGY POLICIES OF THE STATE AND COUNTY.

IMPLEMENTATION STRATEGIES:

- D) *Encourage the Jackson County Housing Authority to give priority consideration in future housing programs to developments which are designed and sited to conserve natural resources and maximize energy efficiency.*

FINDING: Staff summarizes the applicant’s findings as follows:

- Financing for the development is financed through a competitive funding process administered by Oregon Housing and Community Services (OHCS).
- One component of the process is a requirement for compliance with a Green Building path. In order to be competitive with other projects around the state, HAJC will participate in a Green Building Path that will result in development that exceeds the current Oregon Energy Code.
- Location of the site near services and mass transit opportunities will also promote a reduction in dependence on automobiles as the primary transportation mode, which will promote energy conservation measures.

The applicant concludes the above findings will promote energy conservation consistent with Policy 6. Staff agrees with the applicant’s findings and conclusions and finds the proposal will be consistent with Policy 6.

5. POLICY 8

POLICY: THE COUNTY HAS NO OBLIGATION UNDER THE STATEWIDE PLANNING GOALS TO PROVIDE URBAN LEVEL HOUSING OUTSIDE OF URBAN GROWTH BOUNDARIES. HOWEVER, THE COUNTY SHALL COORDINATE THE NEEDS AND PROVISIONS FOR EQUITABLE DISTRIBUTION OF ALL TYPES OF HOUSING IN

EXISTING RURAL COMMUNITIES, URBAN CONTAINMENT BOUNDARIES, AND INCORPORATED CITIES AND THEIR URBAN GROWTH BOUNDARIES.

FINDING: The applicant states “The Approving Authority can conclude the approval of the Comprehensive Plan Amendment will be consistent with Policy 8 of the Comprehensive Plan by providing a needed housing type within an Urban Unincorporated Community Boundary.”

Staff agrees with the applicant’s findings and conclusions and finds the proposal is consistent with Policy 8.

D. **Natural Hazards Element, Policy 4**

POLICY: COUNTY LAND USE ACTIONS SHALL BE BASED UPON A DETERMINATION OF ACCEPTABLE RISK TO HIGH GROUNDWATER AND PONDING HAZARDS.

FINDING: The applicant submitted the following findings:

- The site is composed entirely of Agate-Winlo complex. The slope of the site is less than 1%. The combination of low slope and soil composition can result in an area of potential ponding hazards.
- The applicant is aware of the potential ponding and the concerns will be addressed in the site development and design and construction phase of the development. The HAJC design team includes a licensed civil engineer and a geotechnical engineer has provided a study of the site to identify impacts.
- The design of the wood frame buildings will utilize a suspended wood floor over a crawl space. This type of construction requires excavation, which will break up any surface hardpan that limits infiltration of runoff, and fill for foundations that will typically be one to two feet above grade for the finished floor.
- Site improvements for parking and circulation will require excavation and fill which also breaks up hardpan surfaces and promotes infiltration. Storm water facilities will be designed to comply with all jurisdictional requirements for filtration and release to the public stormwater facilities available at the site.

The applicant concludes any construction will comply with the implementation strategies in the current codes to mitigate any hazards from high groundwater and ponding hazards.

Staff finds the applicant can feasibly comply with Policy 8.

E. **Public Facilities and Services Element**

1. POLICY 1

POLICY: RECOGNIZING THE NEED FOR VARIOUS TYPES AND LEVELS OF SANITATION SERVICE, JACKSON COUNTY SHALL STRIVE TO PROVIDE FOR SANITATION SERVICE AT LEVELS APPROPRIATE FOR THE NEEDS OF URBAN, URBANIZABLE, SUBURBAN, RURAL, AND OPEN SPACE LANDS.

FINDING: Rogue Valley Sewer Services (RVS) submitted a letter dated October 10, 2014 indicating there is an existing 12" sewer mainline north of the subject property that has adequate capacity to facilitate the proposed zone change. Staff finds this policy is met.

2. POLICY 8

POLICY: THE ABSENCE OR PRESENCE OF PUBLIC FACILITIES SHOULD BE WEIGHED AND EVALUATED AGAINST OTHER DEVELOPMENT CONCERNS SO IT DOES NOT RECEIVE DISPROPORTIONATE EMPHASIS.

FINDING: The applicant makes the following findings:

- There is adequate capacity for sewer service to the subject property to accommodate uses allowed through the proposed zone change.
- The Medford Water Commission states there is adequate capacity for uses allowed with the proposed zone change.
- Street frontages are fully developed to current standards of the code.
- Jackson County Roads and Oregon Department of Transportation indicate the existing street system has adequate capacity for the proposed zone change.

Staff finds adequate public facilities and services are currently available to the subject property and the zone change is consistent with this policy.

3. POLICY 15

POLICY: NEW DEVELOPMENT SHALL MORE EQUITABLY PAY THE COSTS OF NEW OR EXPANDED PUBLIC FACILITIES AND SERVICES DIRECTLY RESULTING FROM SUCH DEVELOPMENT.

FINDING: The applicant states that they will pay an equitable amount for the expansion of urban services if necessary. Staff finds Policy 15 can feasibly be met.

F. **Urban Lands Element**

1. POLICY 1

POLICY: JACKSON COUNTY SHALL MAINTAIN A LONG-RANGE COMMITMENT TO THE IMPLEMENTATION OF URBAN CENTERED GROWTH.

FINDING: The applicant indicates the subject property is within the White City Urban Unincorporated Community Boundary (WCUUCB) and this area was established to promote urban centered growth. The applicant also states the current WCUUCB has a limited supply of land appropriate for higher density residential development and a current surplus of commercial land. Approval of this application would not have a negative impact on commercial land and provide some improvement to the high density residential lands shortage. The applicant concludes the application is consistent with Policy 1.

Staff agrees with the applicant's findings and conclusions and the application is consistent with Policy 1.

2. POLICY 3

POLICY: UNINCORPORATED URBAN CONTAINMENT BOUNDARIES (UCB) SHALL BE ESTABLISHED AND MAINTAINED AROUND THE TWO UNINCORPORATED URBAN AREAS (GIBBONS/FOREST ACRES, AND HIGHWAY 99 CORRIDOR BETWEEN MEDFORD AND PHOENIX), AND AN URBAN UNINCORPORATED COMMUNITY BOUNDARY AROUND WHITE CITY. THE COUNTY SHALL ALLOW BOTH FOR THE CONTAINMENT OF EXISTING DEVELOPMENT AND ALLOW FILL-IN DEVELOPMENT AT URBAN DENSITIES WHERE ADEQUATE URBAN LEVEL FACILITIES EXIST. ONCE ESTABLISHED, THESE BOUNDARIES SHALL NOT BE EXPANDED.

FINDING: The subject property is within the WCUUCB and urban level public services and facilities are adequate and available to serve the uses allowed in the proposed zoning district. Future development as a result of the zone change would be considered fill-in development. The proposed zone change will not expand the WCUUCB.

Staff finds Policy 3 is met.

G. White City Transportation System Plan

1. 4.3.1-A

Plan amendments and zone changes need to demonstrate that adequate transportation planning has been done to support the proposed land use.

b. Ensure that quasi-judicial comprehensive plan changes and/or zone changes will not result in land uses that are incompatible with the public transportation facilities they will use. To meet the criteria for a quasi-judicial plan amendment and/or zone change, criteria A and B and (either C or D) below must be demonstrated through a transportation impact study completed by a registered professional engineer with expertise in transportation. The TIS requirement may be waived if the Planning Director and the County Engineer administratively concur that sufficient evidence is provided from affected transportation management agencies that the cumulative effect of approving the proposed plan amendment and/or zone change, along with similar approvals on similarly situated parcels in White City, will not significantly affect a transportation facility. (RTP 6-1).

i. Approval of the proposed changes and the cumulative impact of similar approvals for similarly situated parcels in White City would not change the functional classification of an existing or planned transportation facility nor would it change standards implementing the functional classification system (unless the change can be made in

conjunction with a TSP amendment pursuant to policy 4.3.3-D).

- ii. *Approval of the proposed changes and the cumulative impact of similar approvals on parcels within White City would not allow types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility.*
- iii. *For applications to increase intensity of use or change the type of use without intensifying it, approval of the proposed land use changes and the cumulative impact of similar approvals on similarly situated parcels within White City would not cause a facility to exceed the adopted performance standards for facilities used by the subject parcel. A facility used by the subject parcel is defined as any facility where approval of the proposed land use changes, and the cumulative impact of similar approvals on similarly situated parcels in White City, would increase traffic by more than 3% of the total capacity for collectors and/or 2% of the total capacity for arterials and state highways; ODOT may determine that additional state facilities will be used by the subject parcel, beyond this definition in accordance with the Oregon Highway Plan.*

Within the Neighborhood Core Area and where substantial findings demonstrate that the land use change will improve upon the existing plan for mixed-use pedestrian friendly development of the Neighborhood Core Area (Figure 4-1), performance standard compliance will be assumed under this section on an acre-by-acre 'trade-off' basis. 'Trade-off' credits will be provided based on areas that have been minimally developed for the requested zone (the requested zone allowing more intensive use). An area will be considered minimally developed for 'trade-off' purposes, if an area that is zoned for the requested zoning district has developed elsewhere within the Neighborhood Core area after November 17, 2004 between the minimum density allowed and the minimum density plus 25 %). An individual minimally developed area cannot be used to 'trade-off' for multiple zone change requests; staff report findings regarding application of a property in a previous 'trade-off' will be provided to ODOT and other affected transportation agencies as part of agency notification of the land use action.

- iv. *For applications to decrease intensity of use, approval of the proposed land use changes and the cumulative impact of similar approvals on similarly situated parcels within White City would not result in insufficient density to support a mixed-use pedestrian- friendly urban environment.*

FINDING: Following the submittal of the application that included a Transportation Impact Study (TIS), Jackson County Roads indicated they would be willing to sign a waiver regarding the requirement for the TIS. The Jackson County Development Services Director and County Engineer signed that waiver and it is included in the record.

Oregon Department of Transportation responded stating the zone change would not significantly affect state transportation facilities under the State Transportation Rule or State Access Management Rule.

Staff finds this criterion is met.

2. 4.3.1-D

Regardless of whether adequate capacity exists, changes in land use and new or expanded development proposals will not be approved if they will create, or would worsen, a safety problem on a public or quasi-public transportation system or facility. If a safety problem would be created or worsened without mitigation, then a mitigation plan that resolves the concern must also be approved and included in the proposal in order for the land use change and/or development proposal to be approved. Where a safety concern exists, study by a registered professional engineer with expertise in transportation should be considered to determine if a problem would be created or worsened.

FINDING: The TIS waiver signed by the Jackson County Development Services Director and County Engineer stated the approval of this application would not worsen an existing safety problem.

ODOT did not identify a safety issue with the Avenue H and Hwy 62 intersection. Staff assumes they have no concerns regarding creating or worsening a safety problem

Staff finds this criterion is met.

IV. OREGON STATEWIDE PLANNING GOALS

A. *Goal 1: Citizen Involvement*

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: Staff agrees with the applicant's findings and finds this goal is met. See, *Supplemental Information for Housing Authority of Jackson County, Goal 1, Pgs. 25-26.*

B. *Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces*

To protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: Staff agrees with the applicant's findings and finds this goal is met. See, *Supplemental Information for Housing Authority of Jackson County, Goal 5, Pgs. 26-28.*

F. *Goal 6: Air, Water and Land Resources Quality*

To maintain and improve the quality of the air, water and land resources of the state.

FINDING: Staff agrees with the applicant's findings and finds this goal is met. See, *Supplemental Information for Housing Authority of Jackson County, Goal 6, Pgs. 28-29.*

G. *Goal 7: Areas Subject to Natural Hazards*
To protect people and property from natural hazards.

FINDING: Staff agrees with the applicant's findings and finds this goal is met. See, *Supplemental Information for Housing Authority of Jackson County, Goal 7, Pgs. 29-30.*

H. *Goal 10: Housing*
To provide for the housing needs of citizens of the state.

FINDING: The applicant has included substantial evidence showing the need for low income housing in Jackson County. Staff agrees with the applicant's findings and finds the application meets this goal. See, *Supplemental Information for Housing Authority of Jackson County, Goal 10, Pgs. 30-32.* See, Letter from Colliers International, dated March 20, 2012. See, *Jackson County Housing Profiles, 7/10/2013.*

I. *Goal 11: Public Facilities and Services*
To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

FINDING: Staff agrees with the applicant's findings and finds this goal is met. See, *Supplemental Information for Housing Authority of Jackson County, Goal 11, Pg. 33.*

J. *Goal 12: Transportation*
To provide and encourage a safe, convenient and economic transportation system.

FINDING: Staff agrees with the applicant's findings and finds this goal is met. See, *Supplemental Information for Housing Authority of Jackson County, Goal 12, Pgs. 34-35.* In addition a TIS waiver was granted by Jackson County.

K. *Goal 14: Urbanization*
To provide for an orderly and efficient transition from rural to urban land use.

FINDING: The applicant has done an analysis determining what affect the conversion of this General Commercial (GC) parcel to White City Urban Residential (WCUR-30) will have on commercial land available in the White City area. The findings of this analysis are as follows:

- There are approximately 170.62 acres of within the WCUUCB zoned General Commercial (GC).
- There are approximately 72.5 acres of developed GC land in the WCUUCB, which accounts for 43% of the GC zoning in White City.
- The total undeveloped and redevelopable parcels total 37 parcels and 98 acres. The average parcel size is 2.6 acres. ODOT currently owns 11.8 acres of vacant commercial land, which are not likely to be available for commercial urban

development. This leaves 86 acres and 34 parcels available for development or redevelopment. The average lot size of these parcels is 2.5 acres.

- The subject parcel is 5.12 acres or 3% of the total GC land and 5.9% of the total vacant and redevelopable land, less the ODOT parcels.
- According to the adopted Regional Problem Solving (RPS) report, White City commercial lands is expected to develop at a rate of 3.1 acres per year. At the RPS adopted rate the existing supply of vacant and redevelopable commercial land within the WCUUCB is 27 years without the ODOT parcels.

The conclusion is the existing supply of vacant and redevelopable commercial land within the WCUUCB will last approximately 27 years and will not have a negative impact to the commercial land base. Staff agrees with this analysis and conclusion and finds this goal is met. See, *Supplemental Information for Housing Authority of Jackson County, Goal 14, Pgs. 35-36.*

V. JACKSON COUNTY LAND DEVELOPMENT ORDINANCE

A. Section 3.7.3(C), Amendments to the Comprehensive Plan or Zoning Maps

Approval Criteria

Any amendment must comply with all applicable Statewide Planning Goals, Oregon Administrative Rules and the Comprehensive Plan as a whole. In addition, the following specific approval criteria apply:

C) *Minor Comprehensive Plan Map or Zoning Map Amendments (Quasi-Judicial)*

All proposed minor map amendments will be reviewed for compliance with the criteria set forth below and with all other applicable provisions of this Ordinance and the Comprehensive Plan:

- 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 applicant states the following:

- The subject property is within the WCUUCB.
- The subject property is located 125 feet from an existing RVTD transit stop connecting White City and Medford.
- A 12" sanitary sewer line is currently in the Avenue H improvements. Rogue Valley Sanitary Service (RVS) indicates the line and adequate capacity for the uses allowed with the proposed change in zoning.
- According to the Medford Water Commission, both Division Road and Avenue H rights of way are improved with a 12" water line and there is adequate capacity for the uses allowed with the proposed change in zoning.
- Law enforcement is under the jurisdiction of the Jackson County Sheriff. There is a Sheriff's Office located approximately ¾ mile from the site.
- Fire protection is provided by the Jackson County Fire District No. 3, located

- approximately one mile from the site.
- There are currently two medical clinics and a chiropractor within ¼ mile of the subject property.
 - The Table Rock Elementary School is located within 5/8 mile of the subject property. White Mountain Middle School is located on the parcel adjacent to the property.
 - Parks are within ½ mile of the site. There are 2 public golf courses with 4 miles. The Jackson County Sports Park is 3 miles from the site and a County managed Off Highway Vehicle (OHV) Park is within 2 miles.
 - Oregon Department of Transportation responded stating the zone change would not significantly affect state transportation facilities under the State Transportation Rule or State Access Management Rule.
 - Following the submittal of the application that included a Transportation Impact Study (TIS), Jackson County Roads indicated they would be willing to sign a waiver regarding the requirement for the TIS. The Jackson County Development Services Director and County Engineer signed that waiver and it is included in the record.

Staff finds that 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 subject parcel is within the Sports Park Noise Overlay, Area of Special Concern (ASC) 2003-2, and the applicant is aware of the requirements for a recorded deed acknowledgement. The applicant stipulates to a condition regarding this requirement.

The recordation of a deed declaration is required for an approval of development and this condition will be applied when the applicant or successors apply for any development permit. Staff finds this restriction is feasible.

The subject property is within 125 feet of an existing RVTD transit stop for Route 60 connecting Medford to White City and is there for within Area of Special Concern (ASC) 93-2, Transit Oriented Development. The applicant has been in contact with RVTD and indicated they will comment on the proposed zone change. Staff has not received any comments as yet from RVTD. Staff finds the requirements for development specified in ASC 93-2 are feasible and will be reviewed during any review for a development permit following an approval for the zone change.

Staff finds it is feasible to meet the requirements for the above areas of special concern and this criterion can be met.

- 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 Map Designations Element;*

FINDING: The applicant states the subject parcel is not resource zoned land, is within

the WCUUCB, and the entire parcel is included in this amendment. With these attributes, there is no requirement to meet this criterion.

Staff agrees with the applicant and 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: This criterion does not apply to this amendment.

- 5) *Any minor Zoning Map amendment is consistent with the Comprehensive Plan Map designation;*

FINDING: This amendment is a request to amend both the Comprehensive Plan Map and Zoning Map and an approval will comply with this requirement for consistency between the two maps. Staff finds 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; and*

FINDING: Staff agrees with the applicant's findings and this criterion is met. See, *Supplemental Information for Housing Authority of Jackson County, Jackson County Development Ordinance, Pgs. 40-41.*

- 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 archaeological 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 applicant states that this application is consistent with all relevant Statewide Planning Goals, the Jackson County Comprehensive Plan, the Jackson County Land Development Ordinance and all other relevant adopted plans. The applicant has also submitted a wetlands determination and a Geotechnical Investigative Report for the subject property. Should the Commissioners believe there are any other factors that need to be addressed it may be raised at the public hearing.

B. Section 7.1.1(L), ASC 2003-2, Jackson County Sports Park Overlay

This Area of Special Concern includes lands that lie east of Highway 62 within the White City Unincorporated Community and other lands surrounding the Jackson County Sports Park as depicted on the adopted map. The Sports Park has been in existence since the early 1970's. Motor racing and target shooting activities conducted there produce adverse impacts in the form of noise, traffic,

dust and glare that periodically affect surrounding lands. Therefore, approval of development for any use intended for human occupancy on land within ASC 2003-2 will be conditioned on recordation of a deed declaration that causes the owner and successors in interest to acknowledge and accept the adverse impacts produced at the Sports Park. Prior to issuance of development permits, the deed declaration must be recorded in the Official Records of Jackson County on a form approved by County Counsel which will include the following declaration:

“Owner acknowledges that facilities and activities at the Jackson County Sports Park may generate noise, traffic, dust, lights and glare that periodically may affect surrounding lands. Those facilities and activities include but are not limited to drag strip and other auto racing, go-cart racing track, baseball and softball fields, and rifle, pistol and skeet shooting ranges. These activities also include participants and spectators, playgrounds, vehicle parking, and related facilities and activities. These facilities and activities may be altered or enlarged in the future.”

FINDING: As determined in V(A) above, this criterion is feasible and will be addressed through the development permit should the zone change be approved.

C. Section 7.3.3(A), Transit Oriented Development

1) *Description*

This Area of Special Concern identifies transit trunk routes in Jackson County, which are Highway 99 from Ashland to Medford (also known as Rogue Valley Highway), Court Street, Riverside Avenue, Central Avenue, South Pacific Highway, Bear Creek Drive, Main Street, North Main, East Main, and Siskiyou Boulevard), and other designated routes in plans adopted by the Rogue Valley Transit District (RVTD).

2) *Special Requirements*

Include the following:

- a) *Special requirements for design and development of transit routes and transit facilities will apply within 1,000 feet of transit trunk routes through provision of bus stops or pullouts, shelters, signs, and other transit facilities. Coordination of transit routes by RVTD with cities or Jackson County will consider appropriate road standards to support bus traffic and on-road parking restrictions;*
- b) *Transit transfer stations and park-and-ride lots are planned by RVTD on or within 1,000 feet of the Highway 99 transit trunk route. All transfer stations and park-and-ride lots will provide bicycle parking facilities as part of the development and connections to pedestrian ways;*
- c) *Along a transit route, industrial, institutional, retail or office developments generating over 250 trip ends per day will be required to either: connect to an existing transit stop, or provide a new transit stop site in accordance with RVTD recommendations. The conditions placed on new development to require transit improvements will be based on the requirements of the RVTD.*

Where a transit stop is needed, the conditions of approval will provide for no less than a transit easement and a commitment to install facilities within a specified time period;

- d) New retail, office and institutional buildings at or near existing or planned transit stops will provide preferential access to transit by orienting building entrances to the transit stop, clustering buildings around the transit stop, and locating buildings as close as possible to transit stops; and
- e) For residential land divisions of five (5) or more lots located along transit routes, transit stops must be provided when requested by RVTD.

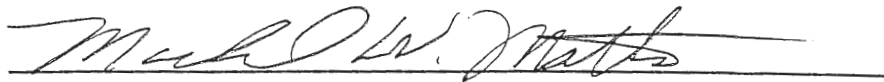
FINDING: As determined in V(A) above, Staff finds the requirements for development specified in ASC 93-2 are feasible and will be reviewed during any review for a development permit following an approval for the zone change.

VI. STAFF CONCLUSIONS:

Staff has reviewed the applicant's findings and conclusions for this application and believes there is substantial evidence and findings to have the Planning Commission recommend approval of this application to the Jackson County Board of Commissioners. Should the Planning Commission agree, staff has prepared a Recommendation of Approval for review and signature by the Planning Commission.

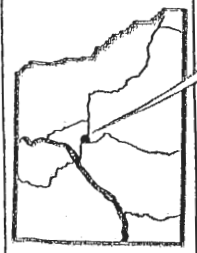
Should the Planning Commission determine the application does not meet the criteria for the Statewide Planning Goals, Jackson County Comprehensive Plan and Jackson County Land Development Ordinance, staff will prepare a Recommendation for Denial for review and signature by the Planning Commission.

JACKSON COUNTY COMPREHENSIVE PLANNING MANAGER



By: Michael W. Mattson, Planner II

Date: 11-24-14

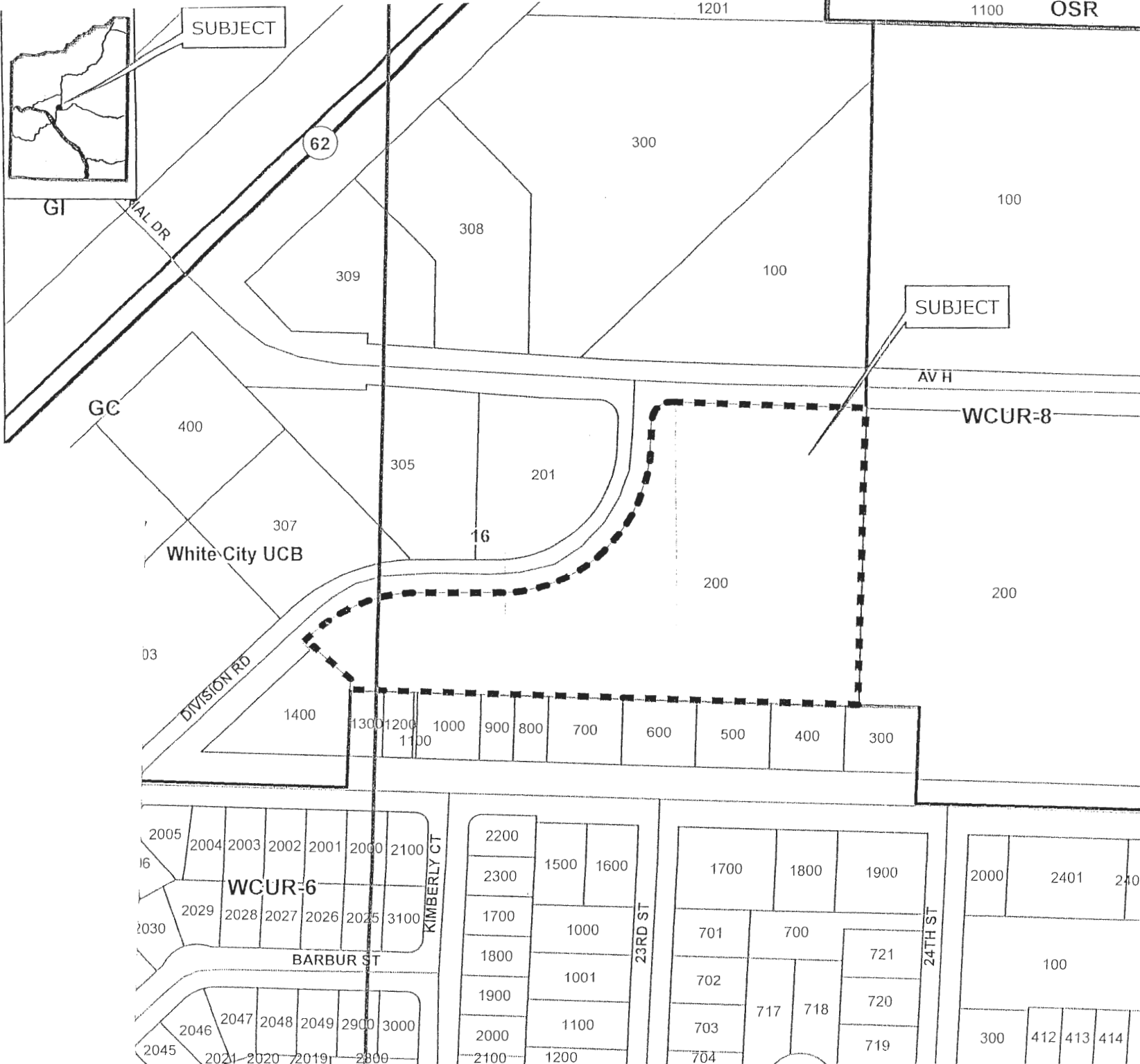


SUBJECT

SUBJECT

ZONING

APPLICANT:
HOUSING AUTHORITY
OF JACKSON COUNTY
36-1W-16CB TL 200
439-14-00028-LRP



- UUCB
- UCB
- County Zoning - Outline

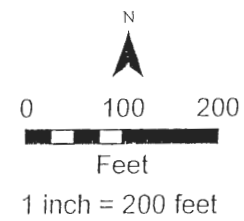


EXHIBIT 2

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: 09/10/2014, Planning Maps, Yates



ZONING

APPLICANT:
HOUSING AUTHORITY
OF JACKSON COUNTY
36-1W-16CB TL 200
439-14-00028-LRP

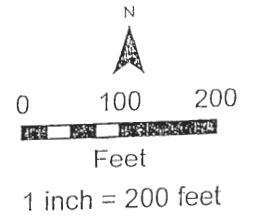
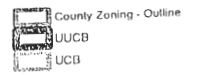
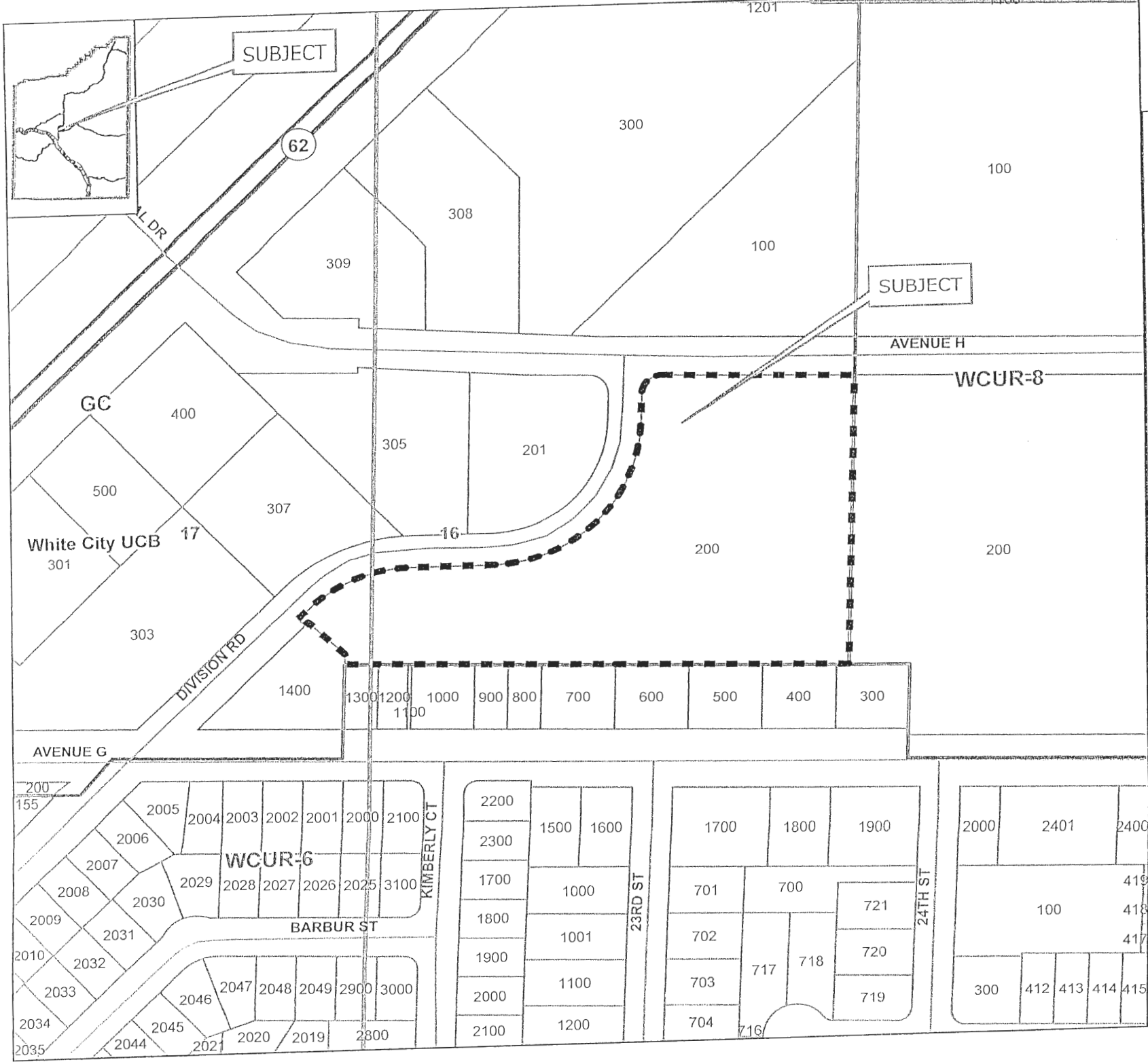


EXHIBIT B

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.



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. 2015-1 at a properly advertised public hearing on January 7, 2015, 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 April 5, 2015 (60 days from the date of adoption). A description of the ordinance follows:

Ordinance No. 2015-5 amends the Jackson County Comprehensive Plan Map and Zoning Map to change the Comprehensive Plan Map designation from Commercial Land to White City Urban Residential Land and the Zoning Map designation from General Commercial (GC) to White City Urban Residential (WCUR-30) on 5.12 acres described as Township 36 South, Range 1 West, Section 16CB, Tax Lot 200, 8400 Division Road, White City, OR. File 439-14-00028-LRP.

This notice is being mailed to you on February 5, 2015, 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 **Mike Mattson** at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 541-774-6937; Jackson County residents outside of Medford's local calling area 1-800-452-5021 and enter the next four digit extension 6937.

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 February 5, 2015, and the LUBA appeal period will expire on February 26, 2015. Please contact LUBA for specific appeal information. They are located at DSL Building, 775 Capitol Street N.E. Suite 330, Salem, Oregon 97301-1283. They can be reached at (503) 373-1265.

Attachments: Notary Packet

NOTARY PAGE

STATE OF OREGON)
)
COUNTY OF JACKSON)

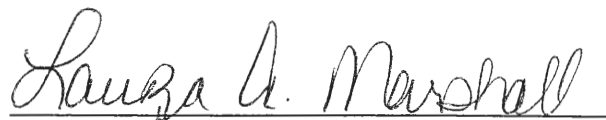
I, Patricia A. Guida, being first duly sworn, depose and say that on behalf of Jackson County Development Services, I gave notice of Board of Commissioners Ordinance No. 2015-1 by mailing a copy of the Notice of Adoption by regular mail to each of the following named persons at their respective last 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 February 5, 2015.


Signature

Personally appeared before me this 5th day of February, 2015, 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: 2-16-2016

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

APPLICANT NAME: HOUSING AUTHORITY OF JA CO
FILE NO: 439-14-00028-LRP

FILE NO. 439-14-00028-LRP
ADOPTION NOTICE LABELS
APPLICANT: HOUSING AUTH. OF JA CO
DATE CREATED: 2/5/15

APPLICANT 439-14-00028-LRP
R PIERCE/J ELZY/C CARTER/S FOSTER
HOUSING AUTHORITY OF JA CO
2251 TABLE ROCK RD
MEDFORD OR 97501

AGENT 439-14-00028-LRP
SCOTT SINER
SCOTT SINER CONSULTING INC
4401 SAN JUAN DR
MEDFORD OR 97504

OWNER 439-14-00028-LRP
STEVEN ROOT/GREGORY HORNECKER
3248 MARVIN DR
EUGENE OR 97404

BOC 439-14-00028-LRP
DOUG BREIDENTHAL
BOARD OF COMMISSION

STAFF 439-14-00028-LRP
KELLY MADDING, DIRECTOR
DEVELOPMENT SERVICES

STAFF 439-14-00028-LRP
MIKE MATTSON, PLANNER
DEVELOPMENT SERVICES

BOC 439-14-00028-LRP
RICK DYER
BOARD OF COMMISSION








BOC 439-14-00028-LRP
COLLEEN L ROBERTS
BOARD OF COMMISSION

COUNSEL 439-14-00028-LRP
JOEL BENTON
COUNTY COUNSEL

**Development
Services**

JACKSON COUNTY FILE
439-14-00028-LRP

Legend

-  County Zoning - Outline
-  Freeway
-  Freeway Ramp
-  State Highway
-  Major Road
-  Other Public Road
-  Unimproved County Road
-  Local Access Road
-  Major USFS / BLM Road
-  Other USFS / BLM Road
-  Private Road
-  Taxlots



1 inch = 200 feet

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Plot date: 02/05/2015, ArcMap 2013, MatcoMV



Development Services

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



DEPT OF

FEB 09 2015

LAND CONSERVATION
AND DEVELOPMENT

PLAN AMENDMENT SPECIALIST
DLCD
635 CAPITOL ST NE STE 150
SALEM OR 97301-2540