

White City Urban Unincorporated Community Plan

Summary of the White City Urban Unincorporated Community Plan Phase 2

On Wednesday, September 17, 2003, the Jackson County Board of Commissioners adopted Ordinance Nos. 2003-19, 2003-20 and 2003-21, which approve the White City Urban Unincorporated Community Plan (WCUUCP), Phase 2. The ordinances took effect on November 17, 2003.

Phase 1 of the White City Urban Unincorporated Community Plan was adopted by Jackson County on September 2, 1998. This first phase created the White City Urban Unincorporated Community Boundary (WCUUCB). The White City Urban Unincorporated Community Plan functions in conjunction with the Jackson County Comprehensive Plan and Jackson County Land Development Ordinance in guiding development in White City. As part of the adoption process, White City was recognized by the State as an urban area which allows it to develop at urban densities and with urban uses, as adequate levels of public services and facilities are made available.

The White City Urban Unincorporated Community Plan states that *"Following approval of Phase 1 planning, the Jackson County Urban Renewal Agency ...will initiate and undertake detailed urban planning to accomplish White City's second planning phase-Phase 2."* Beginning in 2001, the White City Planning Commission has been working on Phase 2 of the White City Urban Unincorporated Community Plan. Two open houses were held (November 6, 2001, and December 1, 2001) to receive input from the citizens of White City and to gain an understanding of the needs and desires of community residents. In addition, the White City Planning Commission has held numerous work sessions and public hearings to discuss the land use plan and connectivity plan. Phase 2 of the White City Urban Unincorporated Community Plan includes:

1. A White City Comprehensive Plan Map and White City Zoning Map which increases the residential densities from suburban to urban levels;
2. A Transportation Connectivity Plan which depicts important street connections throughout the community and regional road corridors for future study;
3. Amendments to the Jackson County Comprehensive Plan, Map Designations Element, Transportation Element and Urban Lands Element; and
4. Amendments to the Jackson County Land Development Ordinance, Chapter 259, White City Urban Unincorporated Community; and Section 280.110(Q), Jackson County Sports Park Noise Overlay, was added.

Map Designations Element ([click here](#) to view Element)

The Map Designations Element describes the future characteristics of lands within the various plan designations. This element includes criteria to be applied in decisions about how property is designated on the plan and zoning maps. The following charges are proposed for this element.

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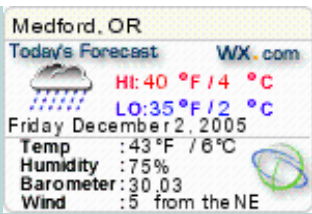
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1. Urban Residential Designations: The current urban residential designation will remain unchanged. A separate White City Urban Residential designation has been created to accommodate the White City Plan, which would apply to White City only.
2. Neighborhood Commercial: As currently written, the Neighborhood Commercial designation would not be allowed in White City. Therefore, section (A)(viii) has been amended to accommodate Neighborhood Commercial within the WCUUCB.
3. Light Industrial and General Industrial: In these designations, a paragraph has been added to each to allow nodes of neighborhood commercial development within the district that primarily serves the industrial area employment base.

Transportation Element ([click here](#) to view Element)

The Transportation Element addresses all modes of transportation in the County over a 20 to 25 year planning period. It sets forth policies and implementation measures that include related plans and programs designed to maintain and improve the transportation system. A policy is proposed to be added that would create the basis for the Transportation Connectivity Map and related implementing regulations. These policies provide for adoption of the connectivity map as well as ordinances that would mandate that new development install streets consistent with the plan.

Urban Lands Element ([click here](#) to view Element)

The Urban Lands Element sets forth policies related to urbanization of land in the unincorporated area that lies within urban growth boundaries and urban unincorporated communities such as White City. The 1982 Comprehensive Plan created urban containment boundaries, one of which surrounded White City. In 1998, the County adopted an urban unincorporated community plan for White City. Amendments in Policies 2 and 3 of this element reflect these changes. Information and statistics on White city that were included in the Urban Lands Element were made obsolete by the White City Urban Unincorporated Community Plan. This information is being removed. Also, Policy 9 of this element stated that densities in White City would remain at one (1) dwelling per acre until all necessary public facilities were in place. This policy needed to be removed since all public facilities now adequately serve the entire area at urban densities. Policy 9 now references the White City Urban Unincorporated Community Plan as the guiding document for future development in White City and provides new implementing strategies.

Chapter 259, White City Urban Unincorporated Community ([click here](#) to view Chapter)

Chapter 259 sets forth requirements that apply solely to lands located within the White City Urban Unincorporated Community Boundary. Phase 2 of the White City Urban Unincorporated Community Plan is implemented by the new regulations being proposed in Chapter 259. For that reason, the previous Chapter was repealed in its entirety and replaced with this Chapter. The new Chapter 259 includes regulations regarding special notations on the zoning map, residential densities and uses, relocation of housing, approval requirements related to the Jackson County Sports Park, neighborhood commercial uses in industrial zones, street connectivity, connection to public sewer and water, land use buffering and screening, fences, wall and hedges, street frontage landscaping, street trees, landscape and xeriscape requirements, and deferral of improvements.

Chapter 280, Subsection 280.110(Q), Jackson County Sports Park Noise Overlay ([click here](#) to view Chapter)

A new Area of Special Concern (ASC 2003-2) has been created which requires developers to record a deed declaration for lands that may be affected by noise from the Jackson County Sports Park. The entire residential area within White City was determined by the Jackson County Parks Commission to be affected, as shown on the map accompanying the text.

MAP DESIGNATIONS¹

NATURE OF THE MAP:

The Official Map, adopted as part of the Jackson County Comprehensive Plan, is a site-specific map. It displays both the zoning and comprehensive plan designations, which in most instances are one and the same. This is different from the traditional, generalized comprehensive plan map and separate, detailed zoning map. The generalized map was designed to allow greater flexibility in zoning and to allow for staging or phasing in situations where the long-range use is designated but not currently needed or desired.

In rural areas where most of the land is either in agricultural, forest, or some form of committed rural residential use, the future use and existing use or needs are frequently the same. Hence, staging is rarely needed. Furthermore, the exceptions process for resource lands prohibits generalization. With these conditions, the site-specific combined map is most appropriate, and will tend to eliminate map confusion and problems with interpretation.

RELATIONSHIP OF THE PLAN TEXT TO THE PLAN MAP:

The plan map is a site-specific expression of the goals, findings, policies, and implementation strategies found in the plan text. The arrangement and distribution of existing and projected land uses illustrated on the map is based on the elements and principles embodied in the written plan. Together, the plan map and text provide the overall framework within which more detailed planning can occur.

MAP DESIGNATION CRITERIA AND CHARACTERISTICS:

This section sets forth the criteria and characteristics of lands for the various zoning and plan designations. These criteria are specific and all lands designated for the plan/zone in which they occur meet all criteria listed. The only instances in which this does not occur are: 1) where an island made up of a single property or group of properties under 20 acres is surrounded by lands which do meet the criteria, and the island occurs within resource lands; or 2) the lands making up the island are committed (see Goal Exceptions Element). In these cases the island of lands would be included within the surrounding designation.

The characteristics are very generalized and descriptive. They are not applicable to all lands which are planned and zoned for a particular use. Rather, the characteristics are a listing of other factors which may more fully describe some lands which are included within a particular designation. The characteristics are secondary to the more specific criteria and were not, and should not, be used in determining the appropriate plan/zoning designation for any particular tract of land.

¹Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA). Entire Map Designations Element Amended by Ordinance #2002-16 Adopted on 07-17-02; Effective 09-15-02 (File 2000-7-OA). Amended by Ordinance #2003-19 Adopted on 09-17-03; Effective 11-17-03 (File 2003-2-OA).

SPECIAL MAP DESIGNATIONS:

Typically, each property in the county will have a single plan/zoning designation (GI, RR-5, EFU, WR, etc.). In certain circumstances, however, special conditions apply to a single property or area which requires a slightly different treatment. These special map designations are discussed below:

- A) In certain areas of the county a phasing or staging of land uses is necessary to anticipate and accommodate changes in land use. In this case the plan designation appears first, followed by the zoning designation (UR/SR, GI/OSR-20, etc.). This designation recognizes and provides for the conversion of lands from the present use to different and usually more intensive uses in the future.
- B) Due to specific policies and goals set forth in the plan, certain areas of the county must be developed according to very specific standards. Such development standards are necessary to ensure the continued usefulness of certain highways, watersheds, and the airport. These standards are in addition to the requirements of the site plan review. Such lands are identified on the plan/zoning map by the term "Area(s) of Special Concern, Airport Approach and Airport Concern." The "Area(s) of Special Concern" (ASC) are followed by the ordinance number which created the special designation.

MAP DESIGNATIONS AND CRITERIA:

The Official Comprehensive Plan and Zoning Map displays the following map categories:

<u>Zoning Districts</u>	<u>Map Symbol and Abbreviated Designation</u>
Forest Resource	FR
Woodland Resource	WR
Open Space Reserve	OSR
Exclusive Farm Use	EFU
Farm Residential	F-5
Rural Residential	RR2.5, RR-5, RR-10, RR-00
Suburban Residential	SR-1, SR-2.5
Urban Residential-10	UR-4.5, UR-6, UR-8, UR-10
Urban High Density Residential	UR-H
Neighborhood Commercial	NC

Interchange Commercial	IC
Rural Service Commercial	RS
General Commercial	GC
Rural Limited Industrial	RLI
Light Industrial	LI
Limited Use	LU
General Industrial	GI
Airport Development-Mixed Use	AD-MU
Aggregate Resource	AR
Airport Approach Overlay District	AA
Airport Concern Overlay District	AC
Floodplain Overlay District	FP
Future Annexation District	FA

The following describes each district, its purpose, and the criteria and characteristics used to map the category:

FOREST RESOURCE²

1) Purpose

The official plan and zoning map designates forest resource in mountainous uplands and lower elevation foothills. The zoning district contains both the commercial forest lands and woodland areas in private, small tract ownership.

The zoning designation is applied in mountainous areas to protect commercial timber areas for the production of forest products. This designation is also intended to protect and provide for compatible forest uses, fish and wildlife habitat, watershed and aquifer recharge areas, recreational opportunities, scenic attributes, and other natural resources, including unique scientific, ecological, botanical, or geologic areas.

The Forest Resource designation is applied to woodland areas in upland foothill and mountainous areas in order to protect wood lot tracts for the production of timber and wood fiber. These lands, at or below elevation/contour line within the various physiographic areas as discussed in the Forest Lands element, can generally be characterized as being in private, small woodland tract ownerships and having parcel sizes predominantly 20 to 40 acres. Furthermore, designation of these lands serves to buffer the interface between commercial forest lands and adjacent areas committed to higher density development.

2) Description:

The commercial forest lands can be characterized as mountainous uplands where growing, managing, and harvesting of timber for commercial uses is the primary use. Other major activities include ranching and seasonal livestock grazing. Such lands are also necessary for the protection of watershed and aquifer recharge areas, fish and wildlife habitat, recreational uses, and scenic resources.

These lands are typically either in public ownership, under the United States Forest Service, the Bureau of Land Management, or the Oregon Department of State Forestry; or are owned and managed by private wood products industry companies.

The commercial timber stands normally occur at, or above, the 2,300 foot elevation contour, although this varies by physiographic province. These lands typically represent a broad and varied ecosystem with major tree species, including Douglas fir, sugar pine, ponderosa pine, incense cedar, white fir, Shasta red fir, western white pine, and mountain hemlock. The physical composition of the forest resource is diverse and may range from dense, pure stands of trees, such as white pine to natural openings interspersed with other stands of timber, such as Douglas fir and ponderosa pine.

The woodland areas that are also designated Forest Resource are mountainous, and upland foothill areas, generally having moderate to steep slopes, where the production of timber and/or wood fiber is, or can become, a primary use. Typically, these lands have

² Adopted by Ordinance #94-59 on 07-24-94; Effective 09-18-94 (File 93-19-OA).

a cubic foot site class rating of four to five or the equivalent. Other major activities typically occurring on these lands are similar to those on the commercial forest lands, namely ranching and livestock grazing, mining operations, recreation, and natural resource conservation. These areas contain lands having watershed or groundwater replenishment importance which may require special management or protection, as well as areas of outstanding or unusual scenic, recreational, ecological, scientific, or other natural resource value. Lands in this designation can generally be characterized as being in private, small woodland tract ownerships and having parcel sizes predominantly 20 to 40 acres.

Dominant coniferous plant species within the woodland areas include Douglas fir, sugar pine, ponderosa pine, incense cedar, and western white pine. There are also hardwood species including live oak, pin oak, black oak, and madrone. These lands also contain isolated or scattered open grasslands and meadows, manzanita, chaparral, and other similarly associated shrub-type plant communities. The vegetative composition of these areas is very diverse and may range from dense, pure stands of trees to natural openings interspersed with other stands of mixed softwood and hardwood timber.

3) Zoning District Criteria and Characteristics:

A) Criteria:

- i) Lands composed of existing and potential forest lands, identified as having a cubic foot site class rating ranging from two-plus through five or the equivalent. The lands are typically suitable for the sustained growing, managing, and harvesting of timber for commercial purposes, according to the Forest Land Guide Manual or the United States Forest Service's manual, Field Instructions for Integrated Forest Survey and Timber Management Inventories--Oregon, Washington, and California, 1974; Jackson County Assessor's Data; USDA Soil Conservation Service soil mapping and soil interpretations, together with the department's Soil Resource Ratings; Oregon Department of Revenue's Jackson County Forest Land Classification mapping, 1968 and as this inventory may have been updated by the Jackson County Assessor's Office.
- ii) Lands where the parameters and conditions of Category D of Policy 1, in the Public Facilities and Services element, for sewer and water facilities and services apply.

B) Descriptive Characteristics:

- i) Lands with existing parcel sizes of 40 acres or larger, or in woodland areas where the existing parcel sizes generally range between 20 to 40 acres in size.
- ii) Lands receiving a forest land tax designation or other tax deferral under ORS 321.257 (Western Oregon Forest Land and Severance Tax) or ORS 321.705 (Western Oregon Small Tract Optional Tax).

- iii) Mountainous lands, generally with slopes in excess of 20 percent, which are predominantly in public ownership or owned by private timber companies, or lands located within lower elevations, mountainous, and upland foothill areas, generally having steep to moderate slopes, which are predominantly in private, small woodland tract ownerships, yet may include some major private wood products industry companies, and public lands.
- iv) Lands under a federal or state timber management program.
- v) Lands identified as being needed for watershed or aquifer recharge maintenance protection.
- vi) Lands which are seasonally used for grazing.
- vii) Lands on which the predominant tree species are Douglas fir, sugar pine, ponderosa pine, incense cedar, white fir, Shasta red fir, eastern white pine or western white pine, or woodland areas where the predominant coniferous tree species include those listed above as well as hardwood species, live oak, pin oak, black oak, and madrone, and isolated or scattered open grasslands and meadows, manzanita, chaparral and other similarly associated shrub-type plant communities.
- viii) Lands having outstanding or unusual ecological, botanical, geological, or other natural resource characteristics.
- ix) Lands recognized for their recreational value.
- x) Lands which are a valuable asset to the County in terms of the production and maintenance of fish and wildlife habitat, such as winter deer or elk range.
- xi) Lands recognized for their high scenic resource values or attributes.
- xii) Lands where extreme conditions of climate, elevation, topography, or remoteness exist.
- xiii) Woodland areas that serve as a natural buffer between the commercial forest stands and areas committed to, or designated for, residential, commercial, or industrial development.
- xiv) Lands which include public use reservoirs or lakes in these environs.

WOODLAND RESOURCE³

1) Purpose:

The Official Plan and Zoning Map designates Woodland Resource as upland foothill and mountainous areas. The zoning designation protects wood lot tracts for the production of timber and wood fiber. Furthermore, the Woodland Resource category serves to buffer the interface between Forest Resource lands and adjacent areas committed to higher density development. These lands are also intended to preserve fish and wildlife habitat, protect watershed and aquifer recharge resources, enhance recreational opportunities, maintain scenic and open space attributes, and protect other natural resources, including unique scientific, ecological, botanical, or geologic areas.

2) Description:

Woodland Resource lands are designated as lower elevation, mountainous, and upland foothill areas, generally having moderate to steep slopes, where the production of timber and/or wood fiber is, or can become, a primary use. Typically, these lands have a cubic foot site class rating of four to five or the equivalent. Other major activities typically occurring on Woodland Resource lands are similar to those of the Forest Resource category, namely, ranching and livestock grazing, mining operations, recreation, and natural resource conservation. Woodland Resource areas contain lands having watershed or groundwater replenishment importance which may require special management or protection, as well as areas of outstanding or unusual scenic, recreational, ecological, scientific, or other natural resource value. These lands can generally be characterized as being in private, small woodland tract ownerships and having parcel sizes predominantly 20 to 40 acres.

Dominant coniferous plant species within the Woodland Resource zone include Douglas fir, sugar pine, ponderosa pine, incense cedar, and western white pine. There are also hardwood species including live oak, pin oak, black oak, and madrone. These lands also contain isolated or scattered open grasslands and meadows, manzanita, chaparral, and other similarly associated shrub type plant communities. The vegetative composition of the Woodland Resource is very diverse and may range from dense, pure stands of trees to natural openings interspersed with other stands of mixed softwood and hardwood timber.

3) Zoning District Criteria and Characteristics:

A) Criteria:

- i) Lands composed of existing and potential forest lands, identified as having a cubic foot site class rating ranging from two-plus through five or the equivalent. The lands are typically suitable for the sustained growing, managing, and harvesting of timber for commercial purposes, according to the Forest Land Guide Manual or the U. S. Forest Service's manual

³ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

Field Instructions for Integrated Forest Survey and Timber Management Inventories - Oregon, Washington, and California, 1974; Jackson County Assessor's Data; USDA Soil Conservation Service soil mapping and soil interpretations, together with the department's Soil Resource Ratings; or Oregon Department of Revenue's Jackson County Forest Land Classification mapping, 1968 and as the inventory may have been updated by the Jackson County Assessor's Office.

- ii) Lands which generally occur within the following physiographic areas at, or below, the elevation/contour intervals specified.
 - a) Cascade slopes: northerly portion—2,300 feet; southerly portion—3,000 feet.
 - b) Rogue-Umpqua Divide: 2,000 feet.
 - c) South Siskiyou: 2,400 feet.
 - d) Rogue-Applegate Upland: Rogue Valley slopes—2,000 feet; Applegate Valley slopes—3,000 feet.
- iii) Lands where the parameters and conditions of Category D of Policy 1, in the Public Facilities Element, for sewer and water facilities and service apply.

B) Descriptive Characteristics:

- i) Lands where the existing parcel sizes generally range between 10 to 40 acres in size.
- ii) Lands receiving a forest land tax designation or other tax deferral under ORS 321.257 (Western Oregon Forest Land and Severance Tax) or ORS 321.705 (Western Oregon Small Tract Optional Tax).
- iii) Lands located within lower elevation, mountainous, and upland foothill areas, generally having steep to moderate slopes, which are predominantly in private, small woodland tract ownerships, along with some major private wood products industry companies, and publicly owned lands.
- iv) Lands identified as being needed for watershed or aquifer recharge maintenance and protection.
- v) Lands valued for their ecological, botanical, geological, or other natural resource characteristics.
- vi) Lands recognized for their recreational value.
- vii) Lands which include critical fish and wildlife habitat.

- viii) Lands which have a particularly high value as scenic resource.
- ix) Lands that serve as a natural buffer between the forest resource and areas committed to, or designated for, residential, commercial, or industrial development.
- x) Lands on which the predominant coniferous tree species include Douglas fir, sugar pine, ponderosa pine, incense cedar, and western white pine. There are also hardwood species, live oak, pin oak, black oak, and madrone, and isolated or scattered open grasslands and meadows, manzanita, chaparral and other similarly associated shrub type plant communities.
- xi) Lands which include public use reservoirs or lakes in these environs.

OPEN SPACE RESERVE⁴1) Purpose:

The Official Plan and Zoning Map designates open space reserve areas in parts of the county which are not suited to intensive land use or development patterns by reason of a broad combination of physical and other natural factors and associations. The Open Space Reserve category also serves to buffer the forest, woodland, and farmland resources from other areas committed to higher intensity development. Due to the nature of these areas, specific County review is needed to determine the quantity, quality, and location of these resources in order to minimize development impacts when development occurs.

2) Description:

Open Space Reserve areas are generally designated in upland, foothill, and valley floor areas. Open Space Reserve areas have high seasonal wildfire hazard and shallow and fragile soils. They are typically not well suited for commercial timber production, agricultural uses except for occasional spring grazing, or conventional subsurface sewage disposal systems. Open Space Reserve areas may contain lands of high potential as aquifer recharge or watershed areas, areas of outstanding or unusual scenic, recreational, ecological, or scientific values, or are important for the production and maintenance of fish and wildlife habitat.

Dominant plant species represented within the open space reserve typically include oak and madrone, grasslands, ponderosa pine, chaparral and other similarly associated shrub type plant communities, although there may be isolated or scattered stands of commercial quality timber species such as Douglas fir and inclusions of agricultural land.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Land which is generally characterized by a Soil Conservation Service agricultural capability class of V through VIII, a forest site class rating of six (6) or greater, or areas of the county which are not included in a forest or soil resource inventory.
- ii) Land where the parameters and conditions of Category D of Policy 1, in the Public Facilities and Services Element would apply for sewer and/or water facilities and services.
- iii) Lands which do not otherwise qualify for Exclusive Farm Use, Forest or Woodland Resource designation.

B) Descriptive Characteristics:

⁴ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

- i) Lands where the predominant existing parcel size is not less than ten (10) acres.
- ii) Lands located within mountainous and upland foothill areas, which are steep to moderate in slope and possibly rocky.
- iii) Land with thin, shallow, fragile soils and numerous rocky formations which are highly susceptible to erosion, sedimentation and general despoliation when disturbed.
- iv) Land which is not in farm or forest use or specially assessed as farm or forest land on a significant acreage.
- v) Lands where adequate access may be limited or unavailable due to the lack of an existing developed all-weather road network, and where the efficient provision of such streets and roads may be unlikely because of steep slopes and unacceptable grades, unstable soils susceptible to erosion, expansion or mass movement, or other natural environmental limitations.
- vi) Lands which have limited suitability for timber production or seasonal agricultural use.
- vii) Lands not suited to intensive residential, commercial, or industrial land development due to subsurface geologic and permeability characteristics which are not, for the most part, suited for conventional subsurface sewage disposal.
- viii) Lands subject to high seasonal wildfire hazards.
- ix) Lands on which the representative predominant plant species are oak, madrone and ponderosa pine trees, grasslands, chaparral, and other similarly associated shrub-type plant communities.
- x) Lands valued for their ecological, botanical, or geological characteristics which would be protected by a 20-acre minimum parcel size.
- xi) Nonforest lands having value as scenic resource which would be protected by a 10-acre minimum parcel size.
- xii) Lands that serve as a natural buffer between the forest/woodland resource and areas committed to, or designated for, higher intensity residential, commercial, or industrial development.
- xiii) Lands which may contain critical winter deer and elk range.
- xiv) Lands which include public use reservoir or lakes in these environs.

EXCLUSIVE FARM USE LAND⁵1) Purpose:

The Exclusive Farm Use zoning district is intended to regulate land uses on those lands that qualify as exclusive farm use land pursuant to ORS Chapter 215 and that are not appropriate for designation as forest land pursuant to Goal 4. By creating the Exclusive Farm Use District the Board of County Commissioners intends to prevent uses or activities which are not compatible with agriculture; to comply with Statewide Planning Goal 3 (Agricultural Lands), and the regulations of ORS Chapter 215; and to acknowledge the existence of farming practices that may occur within such districts, noting that such practices are necessary and acceptable, even though they may be objectionable to adjoining residents either within or outside the district.

2) Description:

Exclusive Farm Use lands are areas where farm production exists or where the land is capable of use for grazing or other farm use. These lands may include cultivated crop land, irrigated pasture, nonirrigated range and forage producing lands. Exclusive Farm Use land is subject to Category D development standards under Policy 1 of the Public Facilities Element of this plan.

3) Zoning District Criteria:

- A) Agricultural Land does not include land within acknowledged urban growth boundaries or land within areas acknowledged as exceptions to Statewide Goals 3 or 4.
- B) Agricultural Land comprises:
 - i) Land classified by the U.S. Soil Conservation Service (SCS) as predominantly Class I-IV soils.
 - ii) Land in other soil classes that is suitable for farm use as defined in ORS 215.203 (2)(a), taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes; existing land use patterns; technological and energy inputs required; and accepted farm practices.
 - iii) Land that is in capability classes other than classes I-IV that is adjacent to or intermingled with lands in capability classes I-IV within a farm unit shall be inventoried as agricultural lands even though this land may not be cropped or grazed.
 - iv) Land that is necessary to permit farm practices to be undertaken on adjacent or nearby lands; but which would not otherwise qualify for the Exclusive Farm Use District, shall be zoned Exclusive Farm Use.

⁵ Adopted by Ordinance #94-57 on 07-20-94; Effective 09-18-94 (File 93-13-OA). Amended by Ordinance #2001-31 on 12-12-01; Effective 02-10-02 (File 2001-9-OA).

RURAL RESIDENTIAL⁶

1) Purpose:

Rural Residential areas provide for acreage homesites in an open and rural environment. The Rural Residential designation maintains land in a rural character while minimizing land use conflicts with adjoining resource lands and uses. This designation has also been applied to lands within incorporated cities' urban growth boundaries. In this case, the designation ensures that these lands are maintained in a rural land use pattern, thereby allowing for an orderly and economic transition to urban uses when appropriate and consistent with the urban growth boundary agreement.

The Rural Residential category provides for some variety and choice of parcel size by providing homesites of two-and-one half to ten acres, and in certain Rural Residential zones, greater than ten acres. These lands may be utilized for small scale or hobby farm activities.

The Rural Residential designation also includes the Farm Residential district. Because the Farm Residential and Rural Residential districts contain the same uses and standards, the Farm Residential district is being phased out. At this time there are properties currently zoned Farm Residential. Until such time that the Farm Residential areas are rezoned to Rural Residential (RR-5), the Farm Residential will be listed under the Rural Residential designation.

Table 2: Rural Residential Zones		
<u>Zone</u>	<u>Maximum Density</u>	<u>Average Square Feet (Acres)</u>
RR-00	Square feet and acreage are according to what existed at the time this zone was applied. One dwelling unit per lot or parcel.	
RR-10	1 per 10 acres	435,600 sq ft (10.0)
F-5	1 per 5 acres	217,800 sq ft (5.0)
RR-5	1 per 5 acres	217,800 sq ft (5.0)
RR-5(A) ⁷	1 per 5 acres	217,800 sq ft (5.0)
RR-2.5	1 per 2.5 acres	108,900 sq ft (2.5)

Rural Residential lands are generally located on lowland foothills, valley terrace, and valley floor areas. These areas will typically be located contiguous to, or interspersed among lands designated Exclusive Farm Use or Forestry and Open Space. Rural Residential areas are typically comprised of grasslands and open mixed woodlands. The soil types, slope gradients and subsurface geologic conditions vary widely. These areas may have limitations on the ability to obtain sufficient potable water supplies or their suitability for on-site sewage disposal systems.

⁶ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

⁷ The RR-5(A) was approved by the Board of Commissioners on 04-24-00 as a Rural Residential zone specifically for the Applegate Rural Community. This zone was acknowledged by DLCD by Order #001208 on 05-26-00. It became effective on 06-05-00. (File 96-26-OA-PR)

- 2) Zoning District Criteria: Criteria A through C, below, **all** apply when designating lands for Rural Residential use:
- A) Lands that
 - i) Are presently designated or qualify for the Rural Use designation; or
 - ii) Meet the exception criteria as described in OAR 660-004, Interpretation of Goal 2 Exceptions Process, or lie within an urban growth boundary.
 - B) Lands may be considered for the Rural Residential designation only when rural public facilities and services are available and adequate to serve the existing and potential development, including potable water, sewage disposal and transportation facilities. Services which should be considered include police and rural fire protection.
 - C) The reviewing body shall consider and make findings on other factors in determining the suitability of property for the Rural Residential designation such as soils, slope, suitability for viticulture (vineyards), wildlife habitat, environmental issues, and any other issue they regard as relevant such as areas that are ecologically important, areas within adopted scenic overlays, or areas important for open space.
- 3) Zoning District Determination: The following criteria shall be applied to determine the appropriate zoning district within the designation:

- A) General conformance with the following table:

Table 3: Determination of Appropriate Zone District	
<u>Density of Surrounding Residential Lands⁸</u>	<u>Appropriate Zone District</u>
3 acres or smaller per dwelling unit	RR-2.5
3 to 7 acres per dwelling unit	RR-5
7 to 15 acres per dwelling unit	RR-10
15 acres or greater per dwelling unit	RR-00

- B) Application of the RR-2.5 and RR-5 zone to lands outside urban growth boundaries and unincorporated community boundaries requires an exception to Statewide Planning Goal 14.

⁸Surrounding Residential Lands shall consist of those residentially zoned properties that lie within ½ mile radius of the subject parcel.

SUBURBAN RESIDENTIAL⁹1) Purpose:

The Official Plan and Zoning Map designates Suburban Residential areas to provide for small acreage homesites in a semi-open and rural environment where the lands are committed to or "needed" for that use (see Goal Exceptions Element). The Suburban Residential designation maintains the existing land use pattern and uses while minimizing conflicts with adjoining resource lands and uses. This designation has, like the Rural Residential designation, been applied to lands within incorporated cities' urban growth boundaries. In this case, the designation ensures that the lands are maintained at suburban densities and thereby provides for an orderly transition to urban densities when appropriate and consistent with urban growth boundary agreements.

The Suburban Residential category provides for a limited variety of parcel sizes. Typically, these parcel sizes are less than 5 and greater than 2.5 acres in sizes. These lands are not utilized for small scale farming but may include home gardens.

2) Description:

Suburban Residential lands are typically located at the bottom of small canyons near the Rogue River, in the Bear Creek Valley floor area, or within unincorporated communities. These areas are sometimes located immediately adjacent to natural resource areas. Typically, the vegetative resources which are present within these areas have been drastically altered but sometimes include some scattered oaks and ponderosa pines. The soil types and geologic conditions within these areas are usually alluvium or bench gravels. These areas are normally suitable for subsurface sewage disposal and yield good quantities of potable water.

3) Zoning District Criteria and Characteristics:

A) Criteria:

i) Lands that

a) Do not qualify as farm, forest or aggregate lands; or

b) Meet the criteria for committed lands or are "needed" as described within OAR 660-004, Interpretation of Goal 2 Exceptions Process, or lie within an urban growth boundary.

ii) Application of the SR-1 and SR-2.5 zone to lands outside urban growth boundaries and unincorporated community boundaries requires an exception to Statewide Planning Goal 14.

B) Characteristics:

i) Lands which are flat or slightly sloping.

ii) Lands where the typical existing parcel size is less than five acres in size.

⁹ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

- iii) Lands located on the Bear Creek Valley floor, within unincorporated communities, or at the bottom of small canyons near the Rogue River.
- iv) Public facilities and services, including private sewage disposal and individual domestic water supply systems, must be adequate to serve the existing and potential development. More specifically, this includes lands which are:
 - a) Within municipal adopted urban growth boundaries, where the parameters and conditions of Category A, in Policy 1, of the Public Facilities and Services Element for sewer and/or water facilities, would apply.
 - b) Outside of municipal urban growth boundaries, where the parameters and conditions of Category B, C, or D of Policy 1, of the Public Facilities and Services Element, would apply regarding sewer and water facilities and services.
- v) Lands within an established municipal, rural, or volunteer fire protection district capable of serving existing and potential growth within the subject area.
- vi) Lands generally not important as prime fish or wildlife habitat, but of some importance as upland game bird habitat.
- vii) Lands not generally subject to periodic or seasonal flooding or inundation.

URBAN RESIDENTIAL¹⁰1) Purpose:

The Official Plan and Zoning Map designates Urban Residential areas where the lands are committed to or "needed" for that use (see Goal Exceptions Element) and lie within an urban containment boundary. The Urban Residential designation provides for urban level densities where public facilities and services are sufficient to serve that level of development. This designation has not been applied to lands within urban growth boundaries. Urban level development can only occur within the urban growth boundaries consistent with the mutually adopted urban growth boundary agreements, which usually requires annexation.

The category provides for a variety of parcel sizes providing for densities up to seven dwellings per acre for single family dwellings and up to 30 dwellings per acre for multiple-family dwellings. The Urban Residential zone expressly provides for mobile home parks and mobile home subdivisions. The actual allowable density or zoning will be determined by existing use, public need, overall land use patterns in the area, as well as the capacity of public facilities serving the area.

2) Description:

Urban Residential areas are only located within county-designated urban containment boundaries. The areas designated are level or gently sloping and are developed at or near the densities designated on the map.

These areas have access to and are serviced by a sufficient level of public sewer and water facilities to support the extent of development which exists. The Urban Residential areas lie adjacent to principle roads within the county or state transportation system, in close proximity to grade schools, shopping facilities, and employment opportunities.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands or are "needed" as described within the Goal Exceptions Element.
- ii) Lands where the existing parcel sizes are less than one acre.
- iii) Lands which are flat or slightly sloping.
- iv) Public facilities and services must be adequate to serve the existing and potential development, which requires the parameters and conditions of Category B, in Policy 1, of the Public Facilities and Services Element, would apply regarding sewer and water services.
- v) Lands located within urban containment boundaries.
- vi) Lands where the typical parcel or lot size is less than one half acre.

¹⁰ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

- B) Characteristics:
 - i) Lands which are served by urban level public facilities and services, including medical services, recreation facilities, police, fire protection, public transportation, and schools.
 - ii) Lands located in close proximity to employment opportunities.
 - iii) Areas not impacted by mainline railroads and spur lines, freeways, or high levels of noise, dust, glare, heat, smoke, odors, vibrations, or other obnoxious factors which would impact residential environments.
 - iv) Areas which will not, when fully developed, have the potential to create conflicts with resource lands or farm or forest management.
 - v) Areas not generally susceptible to natural hazards.

URBAN RESIDENTIAL-WHITE CITY (WCUR)I) Purpose:

Urban Residential areas provide for urban levels of residential development where adequate public facilities and services exist. 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 densities.

The category provides for a variety of parcel sizes with densities up to ten dwellings per acre for single family dwellings and up to 30 dwellings per acre for multiple-family dwellings. Development density, or zoning, will be determined by existing use, public need, overall land use patterns in the area, as well as the capacity of public facilities serving the area. The zones allowed within this designation are WCUR-4, WCUR-6, WCUR-8, WCUR-10, WCUR-30.

Within the White City Urban Unincorporated Community Boundary, the Urban Residential (WCUR-30) zoning district may also include nodes of neighborhood commercial uses that primarily serve neighboring residential areas, as described in the implementing ordinances.

II) Map Designation Criteria: In order to qualify for the WCUR designation, property must meet criteria A-C, below:

A) Lands that meet one of the following:

- 1) Located within an urban unincorporated community boundary.
- 2) Meet the criteria for either a “committed” or “built” exception as described in OAR 660-004, Interpretation of Goal 2 Exceptions Process.

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.

C) Lands located in close proximity to employment centers.

NEIGHBORHOOD COMMERCIAL¹¹1) Purpose:

The purpose of the small neighborhood commercial center is to provide basic commodities in order to conveniently serve residential neighborhood populations' basic household needs. Generally, neighborhood commercial centers are intended to provide a similar function to rural service center commercial areas, but the variety of uses and services allowed are geared toward the convenience and shopping needs of the urban resident.

2) Description:

This category of commercial uses is intended to exemplify the neighborhood shopping center of 20,000 to 60,000 square feet of floor area usually provided in urban neighborhoods. Commercial enterprises and personal services providing basic household commodity needs in this category include food, drugs, sundry items, and gasoline. A grocery store would typically be the largest establishment in this designation. These areas are characteristically small centers, up to five acres in size, typically containing only a few establishments on large lots or individual lots flanking all sides on an intersection or both sides of a major road and grouped into a compact node.

Because neighborhood commercial centers are exclusively convenience and retail trade merchandise oriented, they are conveniently located and generally within short driving or easy walking distance of major population concentrations.

Safety considerations are also a significant factor in determining the location of neighborhood centers in that they should not be located near school pedestrian crossings, nor high accident volume intersections. They should be located centrally, within residential neighborhoods or populated areas in order to safely, efficiently, and conveniently serve as large a market area as possible.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands or are "needed" as set forth within the Goal Exceptions Element and are predominantly developed as a neighborhood commercial use.
- ii) Located along collector streets at or near corner intersections.
- iii) Located within walking or short driving distance for a majority of the local supporting residential population.
- iv) Lands where the parameters and conditions of Category A, B, or C of Policy 1, in the Public Facilities and Services Element, would apply.
- v) The subject area must be within an established municipal or rural fire protection district capable of providing adequate fire protection and suppression services, including fire flow requirements, in compliance with conditions stipulated by the State Fire Marshall, and/or established by the

¹¹ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

applicable/responsible fire protection district, in accordance with appropriate state and/or county statutes, ordinances, standards, and administrative rules.

- vi) Sufficient parcel size and form to accommodate a neighborhood commercial activity and incidental parking facilities.
- vii) Not located near school pedestrian crossing nor high accident volume intersections.
- viii) Lands which lie within an urban growth boundary, or urban unincorporated community boundary.
- ix) Located where roadway capacity and condition is sufficient to handle the anticipated traffic volumes expected to be generated by the commercial activity.
- x) Located where, or in such a manner that, adjacent, noncommercial land use conflicts will be minimized.

B) Characteristics:

- i) Must be centrally located within a populated residential neighborhood with safe, convenient, and easy access to the site without creating traffic conflicts.
- ii) Lands located on relatively level or very gently sloping valley floor areas.

INTERCHANGE COMMERCIAL¹²1) Purpose:

The purpose of the Interchange Commercial designation is to provide for the location of commercial uses and activities which are normally associated with the immediate needs of the traveling public.

2) Description:

This category reflects strictly tourist oriented businesses and services. Interchange Commercial uses typically include automobile service stations, motels/hotels/eating or drinking establishments, limited personal services, gift shops, and truck stop facilities.

A primary factor in locating Interchange Commercial areas is adequate ingress and egress to minimize traffic conflicts. Additionally, Interchange Commercial areas should be of sufficient parcel size and form to accommodate permitted and conditional uses and provide adequate space for off-street parking.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands or are "needed" as set forth within the Goal Exceptions Element.
- ii) Lands located along major state highways or county roadways at intersections along the Interstate-5 freeway.
- iii) Lands predominantly developed with Interchange Commercial uses.
- iv) Lands where the parameters and conditions of Category A, B, or C of Policy 1 in the Public Facilities and Services Element, would apply.
- v) Located where roadway capacity and condition is sufficient to handle the anticipated traffic volumes expected to be generated by the Interchange Commercial activity, together with existing and projected traffic for the roadway facilities.
- vi) Located where adjacent, noncommercial land uses will not be adversely impacted by the commercial development.
- vii) Lands where safe, convenient, and efficient access to the area can be provided without creating traffic conflicts or hazards.
- viii) Lands located within established municipal or rural fire protection districts capable of providing adequate fire protection and suppression services.

B) Characteristics:

- i) Lands located on relatively level to very gently sloping valley floor areas.

¹² Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

- ii) Lands where tourist oriented goods and services can be safely, conveniently, and efficiently provided to the traveling public.

RURAL COMMUNITY COMMERCIAL

1) Purpose:

The Rural Community Commercial designation provides for the basic household commodity needs within rural unincorporated communities. As with rural service commercial centers, rural community commercial centers act as informal community centers where people can congregate.

Rural community commercial centers are intended to fit into small rural communities without creating significant land use or traffic conflicts. They are typically located along major county or state roads, many times at intersections with other major roads. These areas are typically one (1) to ten (10) acres in size and contain a mixture of businesses and services.

Typical commercial uses and personal services found within a Rural Community Commercial designation are grocery or general stores, feed and seed stores, laundromats, beauty and barber shops, business and professional offices, churches, community or grange meeting halls, eating establishments, and similar goods and services.

The zones which are included in the Rural Community Commercial designation are shown in the following table:

Table 5: Rural Community Commercial Zones		
<u>Zone</u>	<u>Full Zone Name</u>	<u>Community Affiliation</u>
RCC	Rural Community Commercial	Multiple
ARS	Applegate Rural Service Commercial	Applegate
SVRS	Sam’s Valley Rural Service Commercial	Sams Valley
RRS	Ruch Rural Service Commercial	Ruch

2) Zoning District Criteria: All of the following criteria must be met:

- A) Lands located within rural unincorporated communities or rural service centers.
- B) Lands for which rural public facilities and services are available and adequate including potable water, sewage disposal and transportation facilities. Services which should be considered include police and rural fire protection.
- C) Located where, or in such a manner, that adjacent land uses will not be impacted or where the impacts will be minimal.

RURAL SERVICE COMMERCIAL¹³1) Purpose:

The Rural Service Commercial designation provides for the basic household commodity needs of rural populations, and especially those people living in the more remote areas of the county. Rural service centers also act as informal community centers where people can congregate.

Rural service centers are intended to fit into farm and rural patterns of development without creating land use or traffic conflicts. They are typically located along major state highways at intersections with major county roads or primary arterials. These areas are typically one (1) to ten (10) acres in size and contain a mixture of businesses and services.

Typical commercial uses and personal services found within a rural service center are grocery or general stores, feed and seed stores, laundromats, beauty and barber shops, business and professional offices, churches, community or grange meeting halls, eating establishments, and similar goods and services.

2) Zoning District Criteria: All of the following criteria must be met:

- A) Lands located outside of urban growth, urban unincorporated community boundaries, rural unincorporated communities, or rural service centers.
- B) Lands that meet the exceptions criteria within OAR 660-004, Interpretation of Goal 2 Exceptions Process.
- C) Located where, or in such a manner, that adjacent land uses will not be impacted or where the impacts will be minimal.
- D) Lands where rural levels of public facilities and services are available and adequate, including potable water, sewage disposal and transportation facilities. Services which should be considered include police and fire protection.

¹³ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

GENERAL COMMERCIAL¹⁴1) Purpose:

The purpose of the General Commercial designation is to provide for the widest possible variety of commercial and service uses. The designation of lands for General Commercial is not intended to impact to any significant degree commercial centers and uses within neighboring incorporated areas.

The designation provides for a similar cross section of commercial establishments and personal service found within the incorporated areas of the county. The intensity and volume, however, may be somewhat less than found in major commercial centers.

2) Description:

General Commercial areas should occur as an integrated and cohesive development rather than flanking major thoroughfares (strip development). The former design provides for greater land use efficiency, improved shopping convenience, and substantially more safe than strip development. Only where strip type development is established and has committed an area to that form of development will this land use form be designated General Commercial.

These areas and the uses that they provide require a relatively large population base to provide the necessary trade area to be successful. With the exception of the incorporated cities, these areas are therefore limited to the following areas: along Highway 99 between Medford and Phoenix; immediately west of the City of Medford, along Highway 238; along the Rogue River Highway adjacent to the City of Rogue River; and within the unincorporated area known as White City.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands or are "needed" as set forth within the Goal Exceptions Element and are predominantly developed with General Commercial uses.
- ii) Lands where the conditions and parameters of Policy 1, Public Facilities element, Category A, B, C, or D would apply.
- iii) Lands located along major state highways at intersections with major county roads.
- iv) Lands located within established rural or municipal fire protection districts which are capable of providing adequate fire protection and suppression services.
- v) Lands located where adjoining residential uses can be adequately buffered to reduce land use conflicts.

¹⁴ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

- vi) Located where sufficient trade/market area characteristics can be shown or are sufficient to warrant and support general commercial trade and service activities.
 - vii) Sufficient parcel size and form to accommodate general commercial activities as well as required parking and landscaping.
 - viii) Located where safe and convenient access to the site can be provided without creating traffic or pedestrian conflicts.
- B) Characteristics:
- i) Lands located on relatively level to gently sloping soils.
 - ii) Lands where natural hazards are minimal.
 - iii) Lands located near major population concentrations.
 - iv) Lands located within urban containment boundaries or urban growth boundaries.

RURAL LIMITED INDUSTRIAL¹⁵1) Purpose:

To provide for the location of industrial uses which utilize site specific natural resources within their processes and activities or create a byproduct of substantial direct benefit to resource producing lands or uses and are more appropriately located outside an urban growth boundary or urban containment boundary. As a secondary purpose, to provide for industrial uses which are inappropriate in an urban industrial setting because of the nature of their operating characteristics and which can be made compatible with rural land uses. In either case, the rural location and the use must represent a necessary prerequisite to the development of the natural resource and must be compatible with resource management on adjoining lands and rural land uses in general. The term natural resource, as used within this district, means those materials and capacities supplied by nature which can be used by industry including: water courses; land surface or subsurface earth and mineral deposits; vegetative cover; and naturally occurring wind, water or geothermal power sources. Natural resource, as used in this context, does not include such man-made features as transportation facilities or the exploitation of air quality resources outside the Medford-Jackson County AQMA.

2) Description:

Rural Limited Industrial lands are those lands outside of an urban growth boundary or urban containment boundary which meet the criteria and characteristics of this plan map designation, Comprehensive Plan policy, and the standards of the Land Development Ordinance. They contain unique site specific natural resources. Need for the specific site shall be demonstrated sufficiently to meet goal exceptions criteria.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands or are needed as described within the Goal Exceptions Element.
- ii) Lands that are located outside of urban growth boundaries and urban containment boundaries.
- iii) Lands that represent a superior choice based upon:
 - a) A significant site specific natural resource; or,
 - b) The use being incompatible in urban areas; or,
 - c) A direct benefit to local agricultural or forest uses or other uses of naturally occurring resources would occur.
- iv) Lands where the conditions of Public Facilities and Services Element, Policy 1, Category C or D would apply.
- v) Lands of sufficient size and form to accommodate the proposed use including required parking and landscaping.

¹⁵ Adopted by Ordinance #84-4 on 03-05-84; Effective 05-04-84 (File 83-27-OA).

- vi) Lands where a Rural Limited Industrial use can be made compatible with adjacent land uses, and not adversely impact the rural nature of the surrounding region and sensitive fish and wildlife areas.
 - vii) Lands that have access to state or county roads with adequate capacity for the anticipated traffic associated with the specific use or which can be improved to accommodate industrial traffic.
- B) Characteristics:
- i) Lands reasonably free from excessive natural hazards.
 - ii) Lands where the proposed use will allow the efficient use of a natural resource that might otherwise not be developed and is not currently being used by other firms within urban industrial sites.

LIGHT INDUSTRIAL¹⁶1) Purpose:

The purpose of the Light Industrial designation is to recognize existing lands that are committed to or "needed" for that use (see Goal Exceptions Element of the Comprehensive Plan). The designation provides for light manufacturing and fabrication uses. The uses are similar to those which occur within an incorporated area's industrial lands. The designation of lands for light industrial is not intended to impact to any significant degree the industrial development programs and potentials of the incorporated cities.

2) Description:

Light industrial uses and activities represent an urban level of development. They require the same or similar level of urban services and facilities as other urban uses. Specific areas of the county which have been designated Light Industrial are located along Highway 62, north of Medford; north of the City of Central Point near the Seven Oaks Interchange; and along Highway 99, north of the cities of Medford and Phoenix. Several of these locations are not served with public sewer and water services. These areas have been developed with an industrial use which does not require urban level services. The use that currently occurs in these unserved areas do not require such services. In this case, the Light Industrial designation most closely fits the use of the land. With the exception of these preexisting situations, all other Light Industrial areas shall be served by urban level public facilities and services. The incorporated cities within the county provide the predominant acreage for this use.

Within the White City Urban Unincorporated Community Boundary, the Light Industrial zoning district may also include nodes of neighborhood commercial development that primarily serve the industrial area, as described in the implementing ordinances.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands or are "needed" as described within the Goal Exceptions Element of the Comprehensive Plan, and are predominantly developed with Light Industrial uses.
- ii) Lands where the conditions and parameters of Policy 1, Public Facilities and Services Element, Category A, B, or C would apply.
- iii) Lands located in the immediate proximity to major transportation corridors having convenient and safe access to major state highways or major county roads.
- iv) Lands located within established rural or municipal fire protection districts which are capable of providing adequate fire protection and suppression services.
- v) Sufficient parcel size and form to accommodate Light Industrial activities as well as required parking and landscaping.

¹⁶ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

- vi) Lands where existing and potential industrial traffic will not exceed the design capacity of the roadways serving the site.
 - vii) Lands adjacent to or within existing or planned major population concentrations.
- B) Characteristics:
- i) Lands free from excessive foundation and drainage problems with sufficient soil load bearing capacity to sustain heavy floor loadings.
 - ii) Lands currently served or are expected to be served by public transportation services.
 - iii) Lands located on relatively level to very gently sloping valley floor areas.

LIMITED USE¹⁷1) Purpose:

The Limited Use (LU) Official Comprehensive Plan and Zoning Map designation limits uses and activities to those justified in a Comprehensive Plan Amendment "Reasons" exception statement adopted by the County and acknowledged by the State pursuant to ORS 197.732 (1)(c) as required by OAR 660-04-0018 (3)(a). It is intended that uses and activities in a Limited Use district shall be those uses and activities specified in the ordinance adopting the LU designation, together with other similar, related, accessory and supplemental uses consistent with the acknowledged ordinance adopting the designation for the property.

The Limited Use designation is expressly intended to apply to properties for which a specific use is proposed and the site is found to be consistent with state law and Administrative Rules, and Jackson County's acknowledged Comprehensive Plan and implementing ordinances.

2) Description:

No generalized description is appropriate for the Limited Use designation because of the specificity of justification required for approval of the site and the use.

3) Zoning District Criteria and Characteristics:

A) Criteria

i) The land within the proposed district must be:

- a) Land for which a "reasons" exception for the specified use may be approved for applicable Statewide Planning Goals, pursuant to ORS 197.732 (1)(c) and OAR 660-04-0018 (3)(a). (A built or committed exception may be subsequently justifiable for future changes in use under OAR 660, Division 4, but only after goal exception requirements have been followed); and,
- b) Land which otherwise can be found consistent with the appropriate parameters and conditions of Policy 1 of the Public Facilities and Services Element for sewer and/or water service; and,
- c) Land which has appropriate all-weather access which directly connects to a county road, state highway, or dedicated way of appropriate capacity and construction.

- ii) A review of other available map designations reveals that no other district designation would sufficiently limit uses as required by OAR 660, Division 4, and the proposed use does not otherwise meet the locational/use requirements for a Rural Limited Industrial (RLI) designation.

B) Characteristics:

¹⁷ Adopted by Ordinance #87-22 on 12-23-87; Effective 02-21-88 (File 87-7-OA).

The site has characteristics, resources and limitations which are unique, specific and do not apply to the County as a whole.

RURAL USE

1) Purpose:

Rural Use areas provide for a range of rural uses while maintaining public values. The Rural Use designation maintains land in a rural character while minimizing land use conflicts with adjoining resource lands and uses.

Rural Use lands are typically contiguous to, or interspersed among, lands designated Exclusive Farm Use, Forestry and Open Space and Rural Residential. Rural Use areas are typically comprised of grasslands, open space and sparse woodlands. The soil types, slope gradients and subsurface geologic conditions vary widely. These areas may have limitations on the ability to obtain sufficient potable water supplies or their suitability for on-site sewage disposal systems.

This designation allows lands which are determined not to be resource lands to be rezoned to a more appropriate zone and allows the construction of specific land uses. However, land within the Rural Use designation shall not be further partitioned or divided. Land division, commercial uses or industrial uses beyond those appropriate as a home occupation or home business would require a subsequent rezone to the appropriate zone designation.

2) Zoning District Criteria: All of the following criteria must be met:

A) Lands may be considered for the Rural Use designation when they:

- i) Are predominantly composed of class V-VIII soils, as identified by the Natural Resource Conservation Service;
- ii) Have a cubic foot site class rating of 6 or above, or production capability of less than 50 cubic feet per acre per year;

B) Lands that qualify under State law as farm, forest, or aggregate lands shall not be designated Rural Use. Thus, lands **do not** qualify for the Rural Use designation if they:

- i) Are considered other lands which are suitable for farm use taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes; existing land use patterns; technological and energy inputs required; and accepted farm practices.
- ii) Are adjacent to or intermingled with lands in capability classes I-IV within a farm unit.
- iii) Are considered necessary to permit farm practices to be undertaken on or adjacent to nearby lands; but which would not otherwise qualify for the Exclusive Farm Use district.
- iv) Are adjacent and nearby those lands which are necessary to permit forest operations or practices;
- v) Are necessary to maintain soil, air, water and fish and wildlife resources, or

- vi) Have been inventoried by the County as a protected Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources) aggregate resource.
- C) Other considerations such as soils, slope, wildlife habitat and other environmental issues, suitability for viticulture (vineyards), and any other issue regarded as relevant by the reviewing body.

GENERAL INDUSTRIAL¹⁸1) Purpose:

The purpose of the General Industrial (GI) designation is to recognize existing lands that are committed to or "needed" for that use (see Goal Exceptions Element of the Comprehensive Plan). The designation provides for heavy industrial uses which may include wood products manufacturing, food products processing, fuel storage, and other industrial uses which have similar or lesser impacts.

2) Description:

General industrial uses and activities represent an urban level of development. They require the same or similar level of urban services and facilities as other urban uses. Specific areas of the county which have been designated for General Industrial zoning are: located in the White City area, along Kirtland Road, west of White City and adjacent to Tolo Road, and south and west of Blackwell Road; north and south of the City of Medford; north of the City of Phoenix, adjacent to Highway 99; and south of the City of Phoenix, adjacent to the Southern Pacific Railroad line. Several of these sites are not served by public sewer and water but by their use or level of site development are committed to general industrial use. Where the sites are developed with an industrial use they have been designated for General Industrial. When the site is committed, but not developed and not serviced with public sewer and water facilities, the lands will be double designated to allow for general industrial uses only upon the lands being serviced with urban level facilities. The incorporated cities within the County provide the predominant acreage for this use.

Within the White City Urban Unincorporated Community Boundary, the General Industrial zoning district may also include nodes of neighborhood commercial development that primarily serve the industrial area, as described in the implementing ordinances.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands or are "needed" as described within the Goal Exceptions Element and are predominantly developed with general industrial uses.
- ii) Lands where the conditions and parameters of Policy 1, Public Facilities and Services Element, Category A, B, or C would apply.
- iii) Lands located in the immediate proximity of major transportation corridors having convenient and safe access to major state highways or major county roads.
- iii) Lands located within established rural or municipal fire protection districts which are capable of providing adequate fire protection and suppression services.
- iv) Sufficient parcel size and form to accommodate general industrial activities as well as required parking and landscaping.

¹⁸ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA).

- v) Lands where existing and potential industrial traffic will not exceed the design capacity of the roadways serving the site.
 - vi) Lands adjacent to existing or planned major population concentrations but sufficiently buffered from residential areas to minimize noise, smoke, dust, traffic, and vibration impacts.
- B) Characteristics:
- i) Lands free from excessive foundation and drainage problems with sufficient soil load bearing capacity to sustain heavy floor loading.
 - ii) Land currently served or are expected to be served by public transportation services.
 - iii) Lands located on relatively level to very gently sloping valley floor areas.

AIRPORT DEVELOPMENT-MIXED USE¹⁹1) Purpose:

The Official Plan and Zoning Map designated properties for airport development uses to provide for and encourage desirable and appropriate land uses in the area surrounding the Medford-Jackson County Airport. The designation limits uses to those which are not impacted to any great degree by the airport and related activities and which do not inhibit airport operations.

2) Description:

The Airport Development area is confined to the area adjacent to and generally north of the Medford-Jackson County Airport. These lands are projected to be or are currently within the area impacted by noise levels in excess of those considered appropriate for residential development or other similarly sensitive land uses. The area also includes lands within the airport approach and clear zone where development other than open space, agricultural, or non-structural development is subject to special review to ensure its compatibility with airport operations and the maintenance of public safety.

Typical uses allowed in this area include: assembly, manufacture or preparation of goods from previously prepared materials; food processing; research and development; and miscellaneous heavy commercial uses such as welding, sheet metal, and cabinet shops.

3) Zoning District Criteria and Characteristics:A) Criteria:

- i) Lands that meet the criteria for committed lands as described within the Goal Exceptions Element and occur within the Medford or Central Point Urban Growth Boundary.
- ii) Lands where the conditions and parameters of Policy 1, Public Facilities and Services Element, Category A or B would apply.
- iii) Lands located within established rural or municipal fire protection districts which are capable of providing adequate fire protection and suppression services.
- iv) Lands where existing and potential industrial traffic will not exceed the design capacity of the roadways serving the site.
- v) Lands adjacent to the Medford-Jackson County Airport.

B) Characteristics:

- i) Lands free from excessive foundation and drainage problems with sufficient soil load bearing capacity to sustain heavy floor loadings.

¹⁹ Adopted by Ordinance #82-26 on 10-20-82; Effective 12-19-82 (File 82-50-OA). Amended by Ordinance #91-14 on 06-17-91; Effective 08-16-91 (File 91-4-OA).

- ii) Land currently served or are expected to be served by public transportation services.
- iii) Lands located on relatively level to very gently sloping valley floor areas.
- iv) Lands that are within the 55 Ldn noise contour surrounding the Medford-Jackson County Airport.

AGGREGATE RESOURCE²⁰1) Purpose:

The official plan and zoning map designates areas as Aggregate Resource to provide for and ensure the protection of aggregate resources. These areas, like other rural natural resources, are considered unique and warrant their own designation. The designation is intended to protect the resources from incompatible uses, particularly residential uses, which may inhibit the extraction, crushing, and transportation of the resource. Policies for use of aggregate resources are included in the Aggregate and Mineral Resource Element of the Comprehensive Plan.

2) Description:

Areas designated for Aggregate Resource are located in a wide variety of locations and settings. Alluvial deposits along Bear Creek and the Rogue River provide the source of most sand and gravel. Bedrock quarry activities are more widely dispersed, but primarily occur within basalt formations.

Typically these areas are located near the urban areas of the county, but are distant enough to not have negative impacts such as noise or dust on urban communities.

3) Zoning District Criteria:

A) Significance Determination. The County shall analyze information relating to the location, quality and quantity of mineral and aggregate deposits. Information necessary to demonstrate the significance of a resource shall include:

- i) A map and other written documentation sufficient to accurately identify the location and perimeter of the mineral or aggregate resource; and
- ii) Information demonstrating that the resource deposit meets or can meet applicable city, county, state, or federal quality specifications for the intended use(s). Oregon Department of Transportation quality specifications for aggregate include: 1) the Los Angeles Rattler test for abrasion (AASHTO T96, OSHD TM 211—loss of not more than 30 percent by weight), 2) the Oregon Air Degradation test (OSHD TM 208—loss of not more than 20 percent by weight), and 3) the Sodium Sulfate Soundness test (OSHD TM 206—not more than 12 percent by weight). Information may consist of laboratory test data or the determination of a certified, licensed or registered geology professional, or other qualified person; and
- iii) Information demonstrating the quantity of the resource deposit as determined by exploratory test data or other calculation compiled and attested to by a certified, licensed or registered geology professional, or other qualified person.

B) Inventory. Based on the analysis of information relating to the location, quality and quantity of mineral and aggregate deposits, the County shall determine the inventory status of the resource site. Each site considered by the County shall be placed on one of three inventories based on the following criteria:

²⁰ Adopted by Ordinance #93-19 on 06-30-93; Effective 08-29-93 (File 92-17-OA).

- i) If the resource site does not meet the definition of a significant resource in Section 244.015 of the Land Development Ordinance, the County shall include the site on an inventory of “Non-significant Sites”; or
 - ii) If information is not available to determine whether the resource site meets the definition of a significant resource pursuant to Section 244.015, the County shall include the site on an inventory of “Potential Sites.” Sites shall remain on the “Potential sites” inventory until such time as information is available to determine whether the resource site is significant; or
 - iii) If the resource site meets the definition of a significant resource pursuant to Section 244.015, the County shall include the site on an inventory of “Significant Goal 5 Resource Sites.”
- C) Identify Impact Area. For each site determined to be significant and to be included on the inventory of “Significant Goal 5 Resource Sites”, the Impact Area shall be identified and mapped. The Impact Area shall be 1500 feet unless increased or decreased based on analysis and findings developed in the course of the Goal 5 process.
- D) Identify Conflicting Uses. For each site determined to be significant and to be included on the inventory of “Significant Goal 5 Resource Sites”, conflicting uses, as defined in Section 244.015, shall be identified.
 - i) The identification of conflicting uses and other Goal 5 resources shall include uses in existence at the time of review, as well as the potential for the establishment of new conflicting uses. Identification of potential conflicting uses shall be accomplished by analyzing the uses allowed in the adjacent zone(s).
 - ii) If no conflicting uses are identified, the impact area designation shall not be applied to the property surrounding the resource site.
- E) Analysis of Conflicting Uses. For each site determined to be significant, the economic, social, environmental and energy (ESEE) consequences of conflicting uses shall be analyzed.
 - i) The analysis shall be limited to uses and Goal 5 resources identified pursuant subsection D.
 - ii) The analysis shall consider the consequences associated with protecting the mineral or aggregate resource, as well as extracting and processing the resource.
 - iii) The analysis shall determine the relative value of use of the mineral or aggregate resource site as compared to existing or potential conflicting uses.
 - iv) The analysis shall consider the consequences for both existing and potential conflicts, and shall consider opportunities to avoid and mitigate conflicts. The analysis shall examine:
 - a) The consequences of allowing conflicting uses fully, notwithstanding the possible effects on surface mining operations;

- b) The consequences of allowing surface mining operations fully, notwithstanding the possible effects on conflicting uses;
 - c) The consequences of protecting conflicting Goal 5 resources.
- F) Decision on Program to Provide Goal 5 Protection. Based on the analysis of ESEE consequences, the County shall make a determination on the level of protection to be afforded each site. Each determination shall constitute a decision to comply with Goal 5 for the specific site, and shall be incorporated into the Comprehensive Plan, and reflected on the County zoning maps, as appropriate. The County shall make one of the following determinations:
- i) Protect the resource site fully, allow surface mining. To implement this decision the County shall apply the Aggregate Resource zone. Development and use of the mineral or aggregate resource shall be governed by the standards of Section 244.040 or 272.050 of the Land Development Ordinance. As part of the final decision, the County shall adopt site-specific policies prohibiting the establishment of conflicting uses within the area designated as the Impact Area surrounding the Extraction Area.
 - ii) Balance protection of the resource site and conflicting uses, allow surface mining. To implement this decision, the County shall apply the Aggregate Resource zone. Development and use of the mineral or aggregate resource shall be governed by the standards in Section 244.040 and any other site-specific requirements designed to avoid or mitigate the consequences of conflicting uses and adopted as part of the final decision. Development of conflicting uses within the Impact Area shall be regulated by Section 244.090 and any other site specific requirements designed to avoid or mitigate impacts on the resource site and adopted as part of the final decision.
 - iii) Allow conflicting uses, do not allow surface mining. To implement this decision, the County shall not apply the Aggregate Resource zoning district. The site will not be afforded protection from conflicting uses, and surface mining shall not be permitted except through the conditional use permit process.

TRANSPORTATION

GOAL: TO PROVIDE AND ENCOURAGE A SAFE, CONVENIENT, ENERGY EFFICIENT AND ECONOMICAL TRANSPORTATION SYSTEM, BY:

PROVIDING CITIZENS OF THE COUNTY AND SURROUNDING AREAS SAFE AND EFFICIENT AIRPORT FACILITIES FOR COMMERCIAL AND GENERAL AVIATION USE;

PROVIDING A ROAD SYSTEM THAT PERMITS SAFE, CONVENIENT, AND ECONOMICAL TRANSPORTATION OF GOODS AND PEOPLE CONSISTENT WITH PLANNED DEVELOPMENT, NATURAL RESOURCE USE AND ENVIRONMENTAL PROTECTION IN COORDINATION WITH OTHER PUBLIC AGENCIES;

IMPROVING THE ROADS THAT CONNECT THE VARIOUS COMMUNITIES AND RESOURCES IN JACKSON COUNTY;

MAINTAINING COUNTY ROADS AND BRIDGES IN AS GOOD OR BETTER CONDITION THAN AS AT PRESENT;

PROVIDING FOR NON-AUTOMOTIVE TRAVEL MODES IN CONJUNCTION WITH THE ROAD SYSTEM; AND,

ENCOURAGING THE STREAMLINING OF PUBLIC AGENCIES AND DEPARTMENTS TO MAXIMIZE THE EFFECT OF LIMITED TAX DOLLARS TO MAINTAIN THE PUBLIC INVESTMENT IN TRANSPORTATION FACILITIES.

INTRODUCTION:

The Transportation Element of the Jackson County Comprehensive Plan addresses all modes of transportation in the county over a 20 to 25 year planning period. It sets forth policies and implementation measures that include related plans and programs designed to maintain and improve the transportation system. The element concludes with specific findings, policies and implementation strategies for those policies.

This element of the Jackson County Comprehensive Plan discusses transportation modes and facilities from the most used to the least used in Jackson County. The significant supporting plans and programs for these modes are:

1. **Roads:** Jackson County Road System plan, state highway plans and road and street plans of various cities and the state/federal metropolitan planning organization program.
2. **Transit services:** Plans of the Rogue Valley Transit District, state public transit division and Rogue Valley Council of Governments.

3. **Bicycles:** Jackson County Bicycle Master Plan and Bear Creek Greenway Plan: Ashland to Central Point, along with the Oregon Bicycle Plan and bicycle master plans for each city.
4. **Pedestrian** (trails, sidewalks, crosswalks): See the Transportation Element from the comprehensive plan for each city in Jackson County and the Bear Creek Greenway Plan: Ashland to Central Point.
5. **Air Travel:** Medford-Jackson County Airport Master Plan, Ashland Municipal Airport Master Plan and Oregon Aviation System Plan.
6. **Railroads:** See Oregon Rail Plan.
7. **Pipelines and Energy Transmission:** See state plans.

Water is not a means of transportation in Jackson County. The recreational use of waterways is addressed in the Recreation Element of the Plan.

CHALLENGES TO A GROWING COUNTY:

The transportation needs of Jackson County are influenced by several key facts. Jackson County's location on Interstate 5 (I-5) and its role as the region's metropolitan center help to assure continued growth. It is a center for virtually all sectors of the economy in southern Oregon and northern California. A sprawling development pattern intensifies reliance on the private automobile, aggravates air quality problems, and makes it difficult to avoid use of the roads. Local industries such as forest products and agriculture require heavy trucks to transport raw materials from harvest areas to processing plants. The county has limited access to air, rail, and pipeline service that could substitute for road use.

Jackson County has been changing since World War II from a predominantly rural to an urbanized county. After the 1980 Census, Jackson County was recognized as a Metropolitan Statistical Area because the population of the Medford-Central Point urbanized area exceeded 50,000. The Jackson County population has grown from 132,456 in 1980 to 146,400 in 1992 and is projected to approach 200,000 persons by 2010. Serving this growth will require major improvements in roads and other transportation facilities. At the same time road-user demands and maintenance needs will increase.

TRANSPORTATION PLANNING HISTORY:

The history of transportation planning in Jackson County is relatively short. For the first one hundred years or so, the road system simply grew as the settlement of the county produced the need for new roads. Road location in this era tended to follow topography. Routes were needed between towns established in the area, and they tended to follow Donation Land Claim boundaries, section lines and other property boundaries where they did not follow physical features. Since World War II, changes have come about as a result of special purpose projects, such as Camp White during the 1940's; reservoir construction from the 1950's to 1970's, and construction of Interstate 5 in the 1960's.

In the late 1960's and early 1970's the Bear Creek Area Transportation Study (BCATS) produced the first comprehensive study of long-range road improvement needs in Jackson County. This regional cooperative effort culminated in the Bear Creek area Transportation Study (BCATS) report in 1973. The BCATS area is the entire Bear Creek urbanizing region from Ashland to Eagle Point and also includes the cities of Central point, Jacksonville, Medford, Phoenix, Talent, and the unincorporated White City urban area. BCATS produced a list of 51 projects on arterial and collector streets and roads in Jackson county for its target year of 1985.

A major strength of BCATS was its comprehensive, regional approach and evaluation of both local and regional needs, with significant involvement by the Oregon State Highway Division. BCATS major weakness was that it did not have direction for funding for the 51 projects it identified. Still, BCATS was or is a factor in these projects: widening Highway 66 in Ashland; widening East Pine Street in Central Point; improving Agate Road between Antelope Road and Crater Lake Highway; widening McAndrews Road in north Medford; extending Biddle Road from Airport Road to Head Road; widening the Barnett Road overcrossing of Interstate 5; widening Jackson Street bridge; widening Crater Lake Avenue from McAndrews to Roberts Road; extending Black Oak Drive to Barnett Road; constructing West Table Rock Road; and widening Stewart Avenue.

The remaining 40 projects in BCATS were not completed after 20 years partly because growth was not as rapid as projected, and because money was not as abundant as the study apparently presumed. The uncompleted projects are generally still needed in the region , although some will take an alternative form or location because of other plans and projects put in place since BCATS.

In early 1993, the urbanized area within the Rogue Valley began a Regional Transportation Study. The Regional Transportation study is being completed through the Rogue Valley Metropolitan Planning Organization (RVMPO), which is composed of elected representatives from Jackson County, Medford, Central Point, and Phoenix, as well as representatives of the Rogue Valley Transportation District and the Oregon Department of Transportation. The study area for the Regional Transportation Study is shown on the Accompanying Transportation Boundaries Map. The goals and objectives of the RVMPO were adopted by the MPO policy committee on August 18, 1993, and include:

- Goal 1. Plan for, develop, and maintain a multi-modal transportation system that will address existing and future needs for transportation of people and goods in the region, recognizing the importance of the street network to most surface travel modes.
- Goal 2. Develop a Plan that builds on the character of the community, is sensitive to the environment, and enhances quality of life.
- Goal 3. Provide an open, objective and credible process for planning and developing a transportation system that complies with state and federal regulations.
- Goal 4. Develop a plan that can be funded and that reflects responsible stewardship of public funds.

Through this regional transportation study, the transportation needs of the RVMPO will be identified for the next 20-year planning period.

In late 1994, another major transportation planning effort was initiated by the Rogue Valley Council of Governments (RVCOG) to determine the transportation needs throughout the entire county. RVCOG has obtained a Transportation Growth Management (TGM) grant to develop a countywide transportation plan. Through this study, the transportation needs of the entire county will be identified, and Jackson County's bicycle plan updated.

TRANSPORTATION PLANNING GOAL AND RULE:

Adoption of the State Planning Program and development of Administrative Rules in the 1970's and 1980's focused transportation planning efforts in Oregon. Transportation planning must now consider highway, rail, air, transit, bicycling, pedestrian and pipeline systems. Automobiles and trucks are the primary mode of transportation in Jackson County, because the road system is virtually countrywide, something that cannot realistically be said of the other modes of transportation. Predominance of the automobile exists, but can lessen throughout the planning period. Facilities that accommodate other transportation modes are becoming more available and feasible as growth continues in and around urban areas.

Statewide Planning Goal 12, Transportation, directs local governments to undertake transportation planning that will:

- a. consider all modes of transportation including rapid transit, air, water, rail, highway, bicycle, and pedestrian;
- b. inventory local, regional, and state transportation needs;
- c. consider the social consequences that would result from using different combinations of transportation modes;
- d. avoid total reliance upon any one mode of transportation;
- e. minimize adverse social, economic, and environmental impacts and costs;
- f. conserve energy;
- g. meet the needs of the transportation disadvantaged by improving service;
- h. facilitate the flow of goods and services to strengthen the local and regional economy; and
- i. conform with local and regional comprehensive plans.

These requirements are specifically defined in the Transportation Planning Oregon Administrative Rule adopted on April 26, 1991, by the Land Conservation and Development Commission. The Transportation Rule establishes specific requirements that must be met by the Oregon Department of Transportation (ODOT), Metropolitan Planning Organizations (MPOs), cities, counties, transit districts and other special districts. A network of facilities and

improvements adequate to meet the identified transportation needs of the state, region, and local area over a 20-year planning period will be provided for by the implementation of the rule. The Rogue Valley Metropolitan Planning Organization (RVMPO) is responsible for preparing the regional Transportation Systems Plan (TSP) which includes:

- ! 1) a determination of transportation needs;
- ! 2) a road plan;
- ! 3) a public transportation plan;
- ! 4) bicycle and pedestrian plans;
- ! 5) air, rail, water and pipeline transportation plans;
- ! 6) a plan for transportation system management and demand management;
- ! 7) parking plan;
- ! 8) policies and land use regulations; and,
- ! 9) a transportation financing program.

This regional TSP fulfills many of the requirements that would otherwise have to be addressed by the county. The Transportation Rule requires Jackson County to adopt findings of compliance with applicable statewide planning goals, acknowledged comprehensive plan policies, and land use regulations at the time of its adoption of the TSP. Jackson County is also required to establish the infrastructure to implement the TSP. This element provides policies and implementation strategies to facilitate the coordination of the plans of other agencies throughout the county.

TRANSPORTATION PLANNING ISSUES FOR JACKSON COUNTY:

Jackson County has less congestion and more remaining capacity on its roads than in large metropolitan areas. Due to population growth, there is more capability to pay for needed improvements than in many rural counties, although Oregon's current fiscal structure, with no sales tax and low vehicle registration fees, limits that capability.

The journey to work is no longer American society's number one reason to travel. But the commute to work is primarily by private auto. A small segment of Jackson County citizens do walk, bike or take the bus, and still others commute by flight to other metropolitan areas. Another alternative to conventional work-related travel is telecommunications. Telecommunications is one more use for the public right-of-way and is among our long-range alternatives to transportation of people on roads.

The important link between investments in transportation and economic development is becoming more complex and more essential. The mobility of workers and goods has long been needed for the economy to function. Mobility for citizens and foreign visitors, whether tourists or business travelers, is now becoming a resource in itself. The movement of ideas instead of

people grows as the economy becomes more involved with moving services from place to place. Adapting to these trends will determine the ability to provide livable and prosperous communities.

In addition to future transportation needs, there are many transportation needs that have been deferred by the failure to require simultaneous placement of appropriate facilities as land development occurred. The many deferred and hidden costs are being paid now by congestion and poor circulation, and the cost to remedy these problems must someday be paid. Local progress on road improvements is dependent at this time on the sharing of revenues collected at the state and federal levels.

Cities have a similar problem and growing need for a network of walkways, bikepaths and transit options as extensive as the road system. In many cases these needs overlap with needed road improvements to urban standards. A program of road improvements, including a range of modes, will be more expensive than any previous program. Multi-modal improvements are essential if we want land use and transportation coordinated for a future that includes attractive and livable communities. Multi-modal design and improvement will not be cost free.

Transportation planning cannot focus solely on facilities plans. For these policies to be implemented, planning for appropriate funding mechanisms is essential, including both local ways to fund improvements, and state and federal funding for infrastructure needs.

Jackson County and its cities must see fulfillment of state and federal responsibilities for the state highway system, Interstate 5, and Medford-Jackson County Airport, and other transportation facilities that are the link to the outside world to have realistic hope of meeting local and regional transportation needs.

Roads are multi-modal facilities that predate the automobile by thousands of years. One little-recognized aspect of planning for transportation needs outside of incorporated cities is that most of the viable alternatives to automobiles require roads—often better roads than are now used by automobiles. Regular bus service takes a deeper road base that can withstand the greater weight of buses. Bicycles should have a smoother surface than is typically available on macadam, chip-seal or gravel roads. Walkers and bicyclists need wider road shoulders or separated paths that often do not exist. Jackson County's road widening projects annually prepare for future alternative transportation modes, which may become more important, even in rural areas. These improvements also add to the safety and capacity of the road system for automobiles.

Transportation planning in Jackson County needs to focus on maintaining the existing system to serve existing travel demands, improving the existing system to provide capacity for future travel demand and influencing the development and location of the future transportation system to be more efficient, more productive, safer, more energy efficient, and more environmentally sensitive. Roads are emphasized in the text and policies, but roads need more recognition as multi-modal facilities and several policies are directed toward that end.

TRANSPORTATION PLANNING FRAMEWORK:

There are 19 local, regional, state, and federal agencies (including multiple departments and divisions of agencies) in Jackson County with some responsibility for transportation facilities and planning. With the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and the

1991 Transportation Planning Rule, the Metropolitan planning Organization is now responsible for regional transportation planning in cooperation with the state and its local members around the Medford urbanized area. The long-range multi-modal transportation plans and transportation improvement programs must also be coordinated with the State Implementation plan. Jackson County is obligated by statute to facilitate the coordination of the plans of other agencies throughout the county. This element sets forth a framework for all aspects of transportation planning in Jackson County.

AGENCIES WITH TRANSPORTATION PLANNING RESPONSIBILITIES:

The following public agencies active in Jackson County have responsibilities for transportation facilities or services. The agencies marked with an asterisk (*) are responsible for planning and maintenance of roads. The agencies (underlined) are members of the MPO for the Medford urbanizing area.

- ! 1) Medford-Jackson County Airport
- ! 2) Jackson County Roads and Parks Service (roads, bikeways and trails)*
- ! 3) City of Ashland (streets, including bikes and sidewalks and Municipal Airport)*
- ! 4) Town of Butte Falls*
- ! 5) City of Central Point*
- ! 6) City of Eagle Point*
- ! 7) City of Gold Hill*
- ! 8) City of Jacksonville*
- ! 9) City of Medford*
- ! 10) City of Phoenix*
- ! 11) City of Rogue River*
- ! 12) City of Shady Cove*
- ! 13) City of Talent*
- ! 14) Rogue Valley Council of Governments (RVCOG) is also the coordinating agency for the Metropolitan Planning Organization (MPO)
- ! 15) Rogue Valley Transit District (RVTD)
- ! 16) Oregon Department of Transportation (ODOT)*
- ! 17) Oregon Public Utilities Commission

- ! 18) United States Forest Service*
- ! 19) U.S. Bureau of Land Management*

The United States Department of Transportation has little direct involvement in local planning issues. Most regional and statewide issues and many national concerns are addressed through programs administered by ODOT, although the Federal Highway Administration (FHWA), Federal Transit Administration (FTA formerly UMTA), and Federal Aviation Administration (FAA) are important funding sources for transportation programs.

INTERAGENCY COORDINATION ON TRANSPORTATION ISSUES:

Interagency coordination of transportation is relatively new in Jackson County. The Bear Creek Area Transportation Study (BCATS) from 1965 to 1973 was the first interagency coordination of roads in Jackson County. Coordination resumed when the Metropolitan Planning Organization (MPO) for the Medford Urbanized Area formed in 1982. The MPO is staffed by Rogue Valley Council of Governments and includes the FHWA, ODOT, RVCOG, Jackson County (Planning and Development Services and Roads and Parks Services), the cities of Medford, Central Point, Phoenix, and RVTD. Metropolitan Planning Organizations were created to comply with federal requirements for transportation planning in urbanized metropolitan area. Jackson County became an official metropolitan area after the 1980 census. The MPO planning area boundary was initially the FAU boundary for the Central Point-Medford area, and was expanded to include Phoenix in 1992.

In recognition of broader regional needs affecting urban and rural areas, the Jackson-Josephine Transportation Committee (JJTC) was formed in 1987. This committee consists of roads and parks officials of both counties and all cities in the two-county region that saw a need for a unified, coordinated approach to local requests for projects in the ODOT Four Year Statewide Transportation Improvement Program (STIP). Overlap between the MPO and JJTC is limited by the differing focus of the two organizations and interagency agreement on the advisory nature of JJTC relative to its members and the council of governments.

The future effectiveness of both the JJTC and MPO may depend to some extent on each expanding beyond its present function. The MPO is focused on urban needs and growth requirements of the largest urbanized area in Jackson County. The JJTC provides a unified local voice to the Oregon Department of Transportation, the largest state agency in Oregon.

JACKSON COUNTY AND REGIONAL TRANSPORTATION PLANNING:

Regional transportation planning focuses on the best utilization of existing facilities and location of new facilities. The universal goal for planning is avoiding short-term crises by giving adequate attention to long-range needs. Transportation needs must be equaled by our means to pay for maintenance and improvements. This element is a type of regional plan coordinated with other transportation plans in the region as shown in Figure 2-1.

MULTI-MODAL TRANSPORTATION PLANNING:

Transportation within Jackson County is influenced by our location on Interstate 5 in a growing metropolitan area. The county has limited options for air, rail, port or pipeline services, so

Jackson County will depend upon roads for the foreseeable future. The road system is virtually countrywide, which cannot be said of other transportation facilities. The automobile will remain the primary transportation mode on the roads, though this dominance should be reduced as improvements for other transportation modes (transit, bicycles, pedestrians) become more feasible, especially on roads in and near the cities.

Several modes of transportation utilize roads in Jackson County, but the dominant users demanding attention are drivers of automobiles and trucks. The automobile is preferred and most used because it offers the combination of mobility, speed, traveler control, and relative affordability at a wide range of trip lengths and on a schedule of the travelers's choice. The strengths that make the automobile popular also create the bases for its weaknesses. Too many cars cause traffic jams, air pollution, and undo the mobility, speed, control, and affordability that led to automobile ownership and use in the first place.

Transportation shapes urban form and rural settlement patterns, and we see the tremendous influence the automobile has all around us. We consider it to be a necessity rather than a luxury. Even doubling existing alternative modes in rural Jackson County would only slightly reduce our reliance upon cars. Those alternative modes in rural area also depend upon roads.

Urbanizing areas have more available alternatives to the automobile. Jackson County maintains nearly 213 miles of road within the MPO boundary. A network of walkways, bikepaths and transit options as extensive as the road system is needed to achieve long-term progress; in many cases expanding modal choices overlap with needed road improvements. The alternative in urban areas is an expensive, unaffordable program of road improvements to add travel lanes for automobiles.

ROADS:

The transportation issues facing Jackson County are those of a small metropolitan area serving a larger more rural and somewhat isolated multi-county region. Distances within this region are such that roads are usually the most practical avenues to work, shopping, and all of the other places people travel to and within Jackson County. The public roads in Jackson County consist of some 1,562 miles of maintained roads (centerline miles) under state (306 miles), county (923 miles), and city (333 miles) jurisdiction. (1991 Road System Plan).

JACKSON COUNTY ROAD SYSTEM:

The Jackson County Road System Plan is a supporting document for this section. It contains inventory information, describes road maintenance and improvement needs, considers funding alternatives and sets forth a capital improvements program. The road System Plan includes the publicly-maintained County Road System and the State Highway System (the routes between and through the communities of Jackson County). It addresses the need for major development projects in the countywide road network at this time and until the year 2010; those improvement needs include arterial roads to serve the growth projected in comprehensive plans.

Of the 718 miles of paved county roads maintained by the county's Pavement Management System, 87 percent were in fair or better condition in 1990. The stated goal of the Oregon Department of Transportation is to have 90 percent of their road mileage in fair or better condition. The condition of the State system is below the stated goal. Each year Jackson

County utilizes a Point Management Program, which schedules road maintenance needs in the most cost effective manner. Typically, about 20 miles of overlay and 60 to 80 miles of chip seal are performed each year to maintain the existing system before costly reconstruction is needed.

The Jackson County road system includes 331 structures for carrying traffic over waterways (149 are classified as bridges and the remainder, box culverts). Of the 149 bridges, 99 are constructed of steel reinforced concrete. Reinforced concrete bridges are considered to have a life in excess of 100 years, so it is primarily the 40 timber bridges and 10 all-steel bridges that need to be replaced at an average rate of 2 per year. Nationwide, the bridge system is reported as being an extremely poor condition. In contrast, Jackson County's bridge system is in good condition with a few exceptions. The national system of bridge inspection in 1990 classified 5 bridges on county roads as needing replacement or major rehabilitation under the Highway Bridge Replacement (HBR) program.

The Oregon Department of Transportation (ODOT), in cooperation with the Federal Highway Administration, has established urban boundaries and functional classification for roads. This “functional” classification has three main categories—arterial, collectors, and locals. Arterials provide the greatest mobility at the highest speeds and generally the shortest distances for through traffic. Collectors provide for the mobility of through traffic and for land access. Local roads and streets primarily provide access to land.

Each County maintained road has been functionally classified by Jackson County Roads and Parks Services by considering mobility, land access, existing traffic volumes and connectivity. The functional classification of arterial and collectors defines a network of roads of countywide importance. This network carries most of the traffic and has the greatest economic importance; and it is where the major need for capacity-increasing road improvements exists in Jackson County. By this reference, the functional classification list entitled “Arterial, Collector & Locals” is hereby incorporated into this Transportation Element.

Road maintenance is the primary purpose of the Jackson County Roads and Parks Services. State Highway Trust Fund monies are spent on maintenance in order to protect the substantial investment that the county road system represents. The county does an extensive annual maintenance (overlaying or sealing approximately 100 miles or one-seventh of the paved mileage and grading virtually all gravel roads) to maintain the surface condition and extend the service life of county roads. Other maintenance activities involve shouldering, patching, signing, snow removal, striping, sweeping and vegetation control within rights-of-way.

The major roads that connect commercial, cultural, educational, governmental, and industrial centers need to be modernized to allow efficient maintenance, modal alternatives, and to handle increased traffic and the growth projected in acknowledged plans. This ability has been limited by two major constraints:

1. cities and counties have limited resources for making road improvements; and,
2. the present development system requires governments to react to, rather than guide development to where it can be most effectively served by public facilities and services.

The following table “Substandard County Roads, Serving Industrial and Commercial Zones” identifies the roads in critical need of improvement because the level of development which has

historically occurred adjacent to these roads has generated higher traffic levels than can be adequately handled under the existing road condition.

ROAD MODERNIZATION NEEDS:

Jackson County's roads are generally well located where the need exists in rural areas, so road improvements in Jackson County will consist mostly of modernization rather than new construction. Capacity-increasing road improvements in the road network arise as growth occurs in cities and urbanizing areas; development projects should be concurrent with capital improvements.

In 1991, Jackson County adopted a county wide road projects Systems Development Charge (SDC) program. New development is now paying for a portion of the costs associated with adding highway capacity which development utilizes. By codified ordinance, systems development charges are spent exclusively to add capacity to county's network of arterial and collector roads. SDCs are utilized in most cases to add roadway width, which improves the multi-modal operations of Jackson County highways. Expenditures of SDC funds are guided by a Capital Improvements Plan (CIP), which is adopted on an annual basis by the Board of Commissioners. Jackson County's CIP is a supporting document of this element.

Interstate 5: Improved connections to the I-5 corridor are needed to serve the planned growth of Jackson County's urban areas. Seven of the county's 11 incorporated cities are located on I-5. Support of planned growth will require some new interchanges and significant modernization of existing interchanges. A corridor study of I-5 is included in the Six-Year Highway Improvement Program for 1991-96. The study should recommend immediate, mid-range and long-range solutions to land use and transportation needs in the I-5 corridor. Improving the Central Point interchange helped in 1993. The Talent, South Valley View, and north and south Medford interchanges soon need improvements to increase their capacity.

Crater Lake Highway (Highway 62): This is the second most important highway corridor in Jackson County and modernization projects are needed from inside Medford's city limits to Casey State Park. At some locations Highway 62 carries more traffic (34,000 ADT near Fred Meyer) than Interstate 5 (32,000 ADT in north Medford). Access management in this high-volume corridor will be based on a pilot program on access management for the Crater Lake Highway corridor, developed through the cooperative efforts of the Rogue Valley Council of Governments, the Oregon State Highway Division, Jackson County, the City of Medford, and the City of Eagle Point.

Lake of the Woods (Highway 140): The extension of Highway 140 from the current terminus with Crater Lake Highway at White City to I-5 is a current Six-Year Highway Improvement Program project that is needed to complete the primary state highway network in Jackson County.

Highway 99: Highway 99 remains a high volume primary highway, and a main street in five cities, even though I-5 now carries most of the through traffic that once used Highway 99.

Jacksonville Highway (Highway 238): This highway needs modernization, especially from Medford to Jacksonville. The Highway 238 realignment is a current ODOT Four-Year Statewide Transportation Improvement Program under an exchange agreement where Main and Eighth Streets in downtown Medford became city streets and an improved four travel-lane section of McAndrews Road will become the new Highway 238 in west Medford. Evaluation of alternatives for a bypass of California Street in Jacksonville needs analysis by ODOT.

Secondary Highways: These Highways are located throughout Jackson County and have traffic volumes low enough that modernization is not usually needed outside of urban boundaries, although safety improvements, shoulder widening, and bridge replacements may require some realignment or right-of-way acquisition that might result in added capacity. County roads carrying inter-urban traffic that will need multiple-lane sections outside urban boundaries are Table Rock Road and South Valley View Road.

Scenic Roadways: The Greensprings Highway and the Old Siskiyou Highway above Emigrant Lake are designated as historic and scenic highways by the state. Other roadways are also designated as scenic in the Jackson County Comprehensive Plan Goal 5 Background Document. highways 234, 62 and 230 are federal Scenic Byways.

ACCESS MANAGEMENT AND STATE/LOCAL COOPERATION:

The access points or road approaches to the public road system are an important determinant of road safety, the cost of road maintenance, and highway capacity. Access point location and configuration are controlled by road approach permits issued by the Jackson County Roads and Parks Services, the Oregon State highway Division and by several cities. This generally works well, but problems have arisen in two type of circumstances:

1. along certain high-volume roads where existing accesses and more intensive use of the accesses have an adverse impact on road capacity; and,
2. where multiple jurisdictions are involved and developers want access to higher-order roads that already have capacity problems.

In Jackson County the greatest need for access control is in high-volume corridors. Access control is achieved on I-5 because it is a limited access freeway. Highway 62 is the highest volume road in Jackson County, but is not a freeway. A pilot study in 1989-90 by the Rogue Valley Council of Governments and the Systems Studies Unit of the Oregon State Highway Division addressed the Highway 62 corridor from Medford to Eagle Point. The resulting cooperative agreement on the corridor should establish a better coordination mechanism for access control on Highway 62 from Medford to Eagle Point once its provisions are included in state procedures and the comprehensive plans of Jackson County, the City of Medford and City of Eagle Point. The experience with the cooperative agreement approach on Highway 62 should provide a solid basis for access control programs on other roads in Jackson County.

URBAN STREET NEEDS:

The major highway corridors in Jackson County converge in cities. In these cities, modernization primarily means widening roads and streets to handle more traffic or additional modes. City

transportation needs range from alternative routes for trucks, bypasses to divert through traffic from main streets, widening collectors, and inspecting construction in local subdivisions. On several urban arterials, there is an eminent need for four travel lanes and improved connections between state highways and county roads. There are both short- and long-term needs to relieve congestion at interchanges with I-5.

MAJOR COUNTY ROADS:

Jackson County's role in the regional road network is to be a connector or link between state highways, the rural areas of the county, and urbanizing areas. The functional classification of county roads as local roads, collectors and arterials is shown at the end of this Element. The county road system's primary need is for maintenance and upgrading to current design standards. Very few new major county roads are anticipated in the 20-year planning horizon. Some of the high-volume roads (collectors or arterial) include:

1. Table Rock Road, Jackson County's only direct north-south road north of Medford between Crater Lake Highway and I-5;
2. Antelope Road, the main east-west route in White City, the primary general industrial area of Jackson County; and,
3. several existing county roads that connect Highway 99 with I-5 and are functionally integrated with the State Highway System.

This last group of roads which should be considered for exchanges between state and local governments include: South Valley View Road; West Valley View Road; Fern Valley Road; and Pine Street.

ROAD FUND AND REVENUES:

The funding for county roads had historically come from two main sources: 1) Jackson County's share of the Oregon Highway Fund Apportionment (which pays for most, but not all, road maintenance); and 2) Jackson County's share of US Forest Service (USFS) receipts (which pay for the remainder of maintenance costs and capital outlay). Through interest-earning carryover accumulated in the late 1980's in response to historic fluctuations in timber receipts, and county restraint in spending these funds, the USFS receipts paid for many capital improvements on county roads. Local needs for roads will remain despite reduced timber harvest, because Jackson County is a regional center for trade, services, health care and education. Increases in the state gasoline tax, weight-mile tax and vehicle registration fees may offset some of the projected decline in forest revenues, specifically the portion spent on road maintenance.

Jackson County's Roads and Parks Services constructed roads with county forces prior to the forest products industry's depression of 1981-82. After the precipitous decline in forest revenues in 1982, employment in the Roads and Parks Services dropped significantly (from 159 employees in 1980-81 to 120 in 1990-91). Jackson County now emphasizes road maintenance rather than road construction by county forces, and regularly contracts out road projects costing \$50,000 or more.

Cities' tasks in coordinating land use and transportation are complicated by such things as delays in the state Four-Year Statewide Transportation Improvement Program projects, limited sharing of funds from the State Highway Trust Fund, and inadequate budgets to implement their state mandated roles as growth centers and major providers of public facilities and services. These uncertainties for local governments greatly hamper capital improvement programs, an essential tool for effective implementation of comprehensive plans.

In the late 1980's timber receipts reached their highest levels ever, and state highway trust fund disbursements became the major portion of the road fund. Jackson County made a few major improvements on its high volume roads in the late 1980's, and provided maintenance on others with this income. Most two-lane county roads have reserve capacity. More roads in the city, county and state systems will approach capacity in the next 10 years than ever before, resulting in increasing needs for major improvements.

Existing funding can provide long-term continuity in county road maintenance activities. however, to fully implement all road improvement and modernization needs requires new revenue for the county road fund. The amount of new revenue needed will depend on the amount timber harvest revenues are reduced from their recent levels, the amount of new development that occurs, and the amount of regional needs that can be met by cities and the state.

Revenue increases in the state motor fuels tax, state motor vehicle registration fees, and state weight-mile fees address needs on the State Highway System, and maintenance on the county road system. New local resources that have been investigated include: right-of-way dedications, developer requirements, street utility charges, local improvement districts, special road districts, county property taxes, local option road user taxes and fees, and system development charges (SDCs). Other less-than-countywide approaches including cost-sharing for gravel road improvements and urban renewal programs are also being investigated.

The argument that new development will produce more revenue for county roads is not valid in Jackson County. Direct revenues from state user taxes are less than the cost of maintaining the county road system. State-shared road fund revenues are currently apportioned to Oregon counties regardless of the location of new development in the counties. Yet, demands on the county road system increases more from new development in unincorporated areas.

Many of the impacts of new development occur beyond the road frontage on which new developments are constructed; new development must also contribute to the cost of adding new capacity to the road system, and a consistent means of obtaining the contribution devised. System development charges are the most equitable and effective way to do this. County staff and the County Roads Committee in 1989 and 1990 determined that the most appropriate means of obtaining revenue for off-site modernization development charges are fees assessed on new development for the road improvements that increase capacity. SDCs will help with modernization needs and limit public subsidy of system capacity demands created by new development.

Jackson County's Capital Improvements Program for its road system is the eighth and final chapter of the Road System Plan. The Capital Improvement Program (CIP) will be amended each year to guide SDC expenditures in conjunction with the county budget process. The CIP describes primarily projects on the Jackson County road system, projects that are capacity-

increasing, since capacity is the basis for system development charges paid by new development.

ODOT 4-Year Statewide Transportation Improvement Program. The projects included in the Four-Year Statewide Transportation Improvement Program for 1991-1996 are summarized as part of the County Road System Plan. Four-year Transportation Improvement Program projects will be incorporated in future amendments.

City Capital Improvement Programs. The Capital Improvement Programs of several cities will include improvements to county roads in city limits as well as arterial and collectors that may be in state or city jurisdiction. These projects are encouraged by Jackson County through system development charges and direct developer improvements to streets and roads in urbanizing areas. Additionally, Jackson County provides financial assistance when there is a transfer of jurisdiction.

LAND USE/TRANSPORTATION COORDINATION:

To discuss the improvement of roads in Jackson County some perspective on our future growth needs is valuable. Growth concentrated in and on the fringes of existing cities and in the unincorporated urbanized areas of Jackson County is the current trend. Jackson County's 1988 population of 143,400 has approximately 93,000 living within urban boundaries and 50,000 living in rural areas. The 1992 population of 146,400 has approximately 98,376 living within urban boundaries and 48,024 living in rural areas. There is room to grow within the current urban boundaries by 50 percent. There is also room to grow using existing lots and the existing network of rural county roads, state highways, and other public and private roads in rural areas by 50 percent. A 50 percent increase in Jackson County's population is more than any current projection of growth in the next 20 to 25 years.

The need to create new road rights-of-way to accommodate growth is limited. Arterial and collector roads that connect the commercial, cultural, educational, governmental, and industrial centers of the county will need to be modernized to serve growth. To efficiently serve economic development needs some new roads will be needed. New streets are needed to serve urban fringe areas as the cities grow and develop within their urban growth boundaries.

The best way for Jackson County to maintain the existing road system as well as make the road improvements to serve future growth is by directly assessing those who create the demand so that improvements reliably follow new development.

ROAD STANDARDS & JURISDICTION:

Jackson County, the cities and the state have adopted standards for the public road system. The standards relate to road and bridge safety, the cost of road maintenance, and highway capacity among other factors. Construction of roads to appropriate standards has these advantages:

1. the road can handle the loads associated with the type of traffic;
2. the road is wide enough to handle anticipated traffic volumes;

3. proper construction and regular maintenance will prevent excessive maintenance costs or unnecessary road reconstruction costs; and,
4. accidents are reduced when the road has adequate capacity to handle the traffic volume.

Jackson County accepted roads built to then current standards as county roads on a petition basis prior to 1976. From 1976 to 1982 county standard roads were required for all new subdivisions in Jackson County, and 33 new county standard roads were built during that time period. An experiment to promote private maintenance and allow public roads at less than county road standards was included in the Jackson County Land Development Ordinance in 1982. In the following nine years more than eight miles of “dedicated ways” were created, mostly for large-lot subdivisions in Open Space Reserve and Woodland Resource zoned areas.

The public road dedicated to the public but not accepted for maintenance by a public agency (local access roads) is a long-term problem for residents along these roads. Some 133 miles of these roads (including dedicated ways) exist in unincorporated Jackson County. Many of the local access roads were accepted with explicit restrictions by the Board of County Commissioners in its order. These restrictions expressly stated that the road would not be maintained at the county's expense. However, in too many cases land uses have intensified beyond the practical limits of landowner maintenance of the local access roads.

Modernization (road widening), and other construction project (traffic signals) are often necessary when the level of service deteriorates and the function of roads is impaired. The many points of conflict between road users prompt the need for changes in and along the roads: wider lanes, wider shoulders, improved sight distances, changes in traffic control, hard-surfacing, road improvements to urban standards, new travel or turn lanes, separate bikepaths, and new sidewalks. Many conflicts can be solved by separating the modes into their own places in the road right-of-way and improving roads as multi-modal facilities.

It is the longstanding policy of Jackson County to require 100 percent developer improvement of new roads. The primary responsibility of developers or adjoining owners for improving road frontages on existing local roads is also required. The county needs to conserve its road funds for projects of benefit to the public at large. Development needs to pay its share for on-site and road frontage improvements. Traffic conditions change as land uses change, so it is most appropriate to upgrade roads to serve the new level of land development as that development occurs. This has been difficult to do with many existing roads and for large-lot developments and series partitioning, but the confirmation that adequate transportation facilities exist or will be provided needs to be a regular part of land use approvals.

TRANSIT:

Transit, an alternative mode of transportation, has been dependent upon the road system in Jackson County since passenger rail service was discontinued in 1955. The need for transit is greatest for those who cannot drive. Cost-effective and affordable transit is difficult to achieve in rural areas and small towns due to the low population density. Consequently, transit is concentrated in the most urbanized parts of the county.

Much of Jackson County's involvement with transit is indirect. Its primary support of transit is by providing a road system in good condition that can be used by buses or other transit vehicles

(such as rail commuter cars). The county will also cooperate in coordination with the cities, Rogue Valley Transit District, Rogue Valley Council of Governments, the Metropolitan Planning Organization, the Oregon Department of Transportation, and private providers of transit and para-transit services to provide adequate services. Non-road forms of transit, such as various forms of passenger rail service, are not likely to be cost-effective in the near future in Jackson County, but several long-range possibilities are being studied.

The primary provider of public transit services in Jackson County is the Rogue Valley Transit District. The Rogue Valley Transportation District (RVTD) was formed in 1975 and began operating its first buses in 1977. The RVTD boundaries encompass most of Ashland, Talent, Phoenix, Medford, Jacksonville, Central Point and White City. RVTD's boundary is shown on their map along with the Metropolitan Planning Organization boundary. Special planning requirements for urban road and transit planning now apply within these two boundaries.

The Rogue Valley Transit District has adopted their Transit Development Program (TDP) for fiscal years 1992-93 through 1997-98. The TDP is the central planning document of the agency, which identifies and describes the transit needs of the region and its urban areas, and identifies and describes the services required to meet those needs. The TDP describes operating characteristics of RVTD including service area, fixed route service, route design and service levels, elderly and handicapped service, system coverage and scheduling, passenger facilities and transfer locations, maintenance and office facilities, and the vehicle fleet.

The TDP also addresses other issues including the relationship of RVTD to other transit and paratransit providers as well as transit-oriented development on transit trunk routes. RVTD's goal is to provide "Accessible Transportation". Planning to meet the goal will be developed by RVTD and the MPO planning process.

Most Jackson County residents rely heavily upon their automobiles for transportation, so the number of residents who make use of transit is limited. The apparent ease of private automobile travel helps make the automobile the preferred mode of travel for most people. Developments characterized by large parking lots, drive-up windows, and little provision for pedestrians have reinforced the preference for cars.

A 1991 Transportation Rule requires the definition of transit trunk routes around which transit-oriented development will be required by 1995. The reason for identifying these trunk routes is already identified in the TDP:

"Service dependability is essential for public acceptance. Public transit, like other services or products, suffers when it is perceived as not being dependable. Users and non-users need confidence that the bus will be there when it is needed."

Predictability in the funding sources available for transit is discussed in the TDP as it affects both operations and capital expenditures. When the stability of funding for transit has been achieved, reliable transit trunk routes will follow.

The transportation disadvantaged in Jackson County are those people who for reasons of income, age or disability are unable to drive an automobile. The primary program designed to address the needs of the transportation disadvantaged with disabilities is the RVTD Rogue

Valley Paratransit Plan adopted in January, 1992. The growing elderly population in Jackson County will increase the need for transit and paratransit options.

The 1985 census update showed Jackson County with an elderly population of 28,218 persons over age 65, and from 11,790 to 14,770 handicapped persons. There is some overlap in these figures; however, from 30 to 40 percent of Jackson County's population is "transportation disadvantaged" by their difficulty in using automobiles.

BICYCLES:

Bicycling is an alternative mode of transportation which relies upon the multimodal aspects of our highways. Bicycling is an increasing popular form of transportation, particularly within the urban environment, where trip lengths are not too great. As bicyclists must often share busy roadways with motor vehicles, the needs of cyclists require evaluation. Making roadways within Jackson County more "rider friendly" will increase the numbers of bike commuters, which will help reduce the reliance on automobiles, alleviate congestion, increase air quality, and reduce noise pollution. Increased coordination between transportation users and transportation providers is necessary ensure maximum public benefit for all modes of transportation (passenger automobiles, trucks, transit, pedestrians, and telecommunication) using the road right-of-way.

As Jackson County performs maintenance and modernization of its roadways, current bicycle friendly design standards will be utilized. Jackson County shall utilize the Oregon Department of Transportation's 1995 Oregon Bicycle and Pedestrian Plan and 1991 AASHTO Standards, to aid in the design of road improvements to facilitate safe and efficient bicycle routes. Through Jackson County's Capital Improvements Program, shared pedestrian and cycling facilities will be annually added to Jackson County's road network. *(Amended by Ordinance #96-55, adopted December 11, 1996, effective February 10, 1996, File #96-10-OA.)*

Jackson County supports the Oregon Department of Transportation's 1995 Oregon Bicycle and Pedestrian Plan, hereby included as a supportive document to this element. *(Amended by Ordinance #96-55, adopted December 11, 1996, effective February 10, 1996, File #96-10-OA.)*

The 1995 Oregon Bicycle and Pedestrian Plan includes basic design standards for bicycle facilities. The plan urges elimination of features that create hazards and conflicts for cyclists such as sidewalk bikepaths, extruded curbs, two-way bike lanes along one side of a road, and reflectors in pavement of bike lanes. Recommended beneficial practices include: 8-inch fog lines to mark bike lanes; paved driveway aprons; and sidewalk ramps on major bridge crossings. *(Amended by Ordinance #96-55, adopted December 11, 1996, effective February 10, 1996, File #96-10-OA.)*

Bicycle Planning in Jackson County

The intent of the Jackson County 1995 *Bicycle Master Plan* is to: 1) articulate the County's vision and direction for bicycling, 2) guide future bicycle facility improvements through the identification of needs and deficiencies; 3) provide a framework to coordinate bicycle planning efforts and system improvements among jurisdictions through Jackson County; 4) comply with specific bicycling requirements of the Oregon Transportation Planning Rule; and 5) help start an ongoing public education forum. The plan has a 20-year horizon (2015) for consistency with other plans in the County, including the Regional Transportation Plan for the Rogue Valley Metropolitan Planning Organization (MPO). The *Bicycle Master Plan* discusses funding options available through the one percent gas tax fund, as well as grants, donations, and general fund support. The *Bicycle Master Plan* identifies priorities for bikeway improvement and signing

projects that need to be coordinated with road modernization and pavement management projects. *(Amended by Ordinance #96-55, adopted December 11, 1996, effective February 10, 1996, File #96-10-OA.)*

Through the development of the MPO's Regional Transportation Plan, several deficiencies were identified. Future roadway improvements should give priority to roads with recommended bicycle facilities. The *Bicycle Master Plan* identifies the primary system improvements needs, by choosing projects that complete connections between destination points. *(Amended by Ordinance #96-55, adopted December 11, 1996, effective February 10, 1996, File #96-10-OA.)*

PEDESTRIANS:

The most common form of transportation is walking. However, in much of rural Jackson County distances make walking difficult and inconvenient. The Bear Creek Greenway Trail will provide a multi-use trail between and within the cities along Bear Creek. Other trails discussed in the Recreation Element include hiking trails and trails for pleasure walking in the remote parts of the county.

There are few sidewalks in unincorporated areas and even many city streets lack sidewalks in Jackson County. This can make it difficult for people who must or choose to travel on foot to get around. Walking serves the transportation needs of many people for short trips, and it helps to conserve energy as well as solve congestion problems on the road. In rural areas of the county, wide road shoulders can provide for pedestrians on low-volume roads.

Jackson County can require that sidewalks be provided as development intensifies in urbanizing areas, and that some provision for pedestrians be made near activity centers, such as schools, in rural areas. In cases where street improvements and sidewalks are deferred until annexation, or a local improvement district is formed, sidewalks remain a need. Even where continuous sidewalks are not feasible in the short-term, the Land Development Ordinance must be amended to address the need.

AIR TRAVEL:

The four Jackson County public airports included in the Oregon Aviation System Plan are shown on the following map. Medford-Jackson County Airport serves commercial flights and general aviation. Ashland's Municipal Airport serves general aviation needs. Prospect State Airport and Pinehurst State Airport, both owned and operated by the Oregon Department of Transportation, serve aviation needs of remote forested areas. All other airports in Jackson County are private airstrips or heliports.

The primary supporting documents for Jackson County airport planning are the Airport Master Plan and Noise Compatibility Study for Medford/Jackson County Airport (February 1986), the Ashland Municipal Airport Master Plan (draft 1991), and the Oregon Aviation System Plan.

The Medford-Jackson County Airport Master Plan addresses the air transportation needs of the Rogue Valley, as well as compatible development in the airport area. The majority of airport users come from within Jackson County, although a larger region, southern Oregon and northern California, is served because of the scheduled commercial air service. The Medford-Jackson County Airport is classified as an air carrier facility, but it is also a general aviation airport with three fixed base operators and US Forest Service facilities.

The region needs effective linkages between air travel and surface transportation. The quality of air service depends on the availability of airport services as well as the adequacy of surface transportation serving the airport. The Medford-Jackson County Airport is served by several major arterials: Biddle Road is a city and county arterial, west of the airport, with four travel lanes; Table Rock Road, northwest of the airport, and Vilas Road, north of the airport, are county roads that currently have two lane sections that will need improvement as multi-lane city arterials; Crater Lake Highway, a state highway, is east of the airport and is a major travel corridor that is approaching capacity.

As plans are updated for aviation-related and airport-compatible development around the airport, traffic generation and road improvements should be evaluated as well as the noise sensitivity of the potential uses. The Medford-Jackson County Airport terminal is within two miles of two I-5 interchanges, the Central Point Interchange and North Medford Interchange. Delays at these interchanges are also delays in the total time of an air trip from Medford. Interchange improvements that reduce the total travel time are important to the region.

To prevent safety problems near airport operations, some special zoning districts have been established. Chapter 250 of the Jackson County Land Development Ordinance (LDO) establishes an Airport Approach Overlay Zone (AA zone) to restrict the height of structures or activities that could be a hazard to aircraft taking off or landing. The Airport Concern Overlay Zone (AC) in Chapter 252 of the LDO, which prevents airspace obstructions and requires a restrictive covenant to recognize the airport's preexistence within the 55 decibel noise contour.

The AA and AC zones have been adopted around the Ashland and Medford airports (the cities have comparable zones). The AA and AC zones still need to be adopted for the Pinehurst and Prospect State Airports. Near the Medford-Jackson County Airport there is also an Airport Development Mixed use District within the 65 decibel noise contour which prevents noise sensitive uses near the airport.

Several private airstrips in Jackson County could develop into general aviation airports. Airports are a conditional use in several county zoning districts to allow for this possibility, although zoning alone cannot assure land use compatibility between airports and other uses. At small rural airports, road access issues are not significantly different than for other land uses. A publicly-maintained road and multi-modal connection are necessary. Prospect State Airport gets its access via Red Blanket Road, a county road, and Pinehurst State Airport gets access via Greensprings Highway. The Ashland Airport is on the edge of the Ashland Urban Growth Boundary, one mile from the Highway 66 and I-5 interchange, on Dead Indian Memorial Road, a county road.

RAILROADS:

The Oregon and California Railroad (O&C) was the first, and only, railroad through Jackson County. In 1887, it became the most important connecting route up and down the West Coast when a "Golden Spike" ceremony was held in Ashland. The railroad enters the county from the west along the Rogue River, then follows the Bear Creek Valley to Ashland and crosses the Siskiyou Mountains through tunnels, moving into the Coleston Valley and California. It was on October 11, 1923, in Tunnel 13 that the last United States train robbery occurred.

Because railroads are largely beyond local control and the rails must be protected for possible transportation needs of the future, a greater role is needed by the State of Oregon in planning for rail service, protecting grade crossings, and locating inter-modal terminals and sidings. Southern Pacific Transportation Company owns and operates the main rail line in Jackson County. A spur line from Tolo to White City, serving that major industrial area, is operated by White City Transportation Company. Other rail lines once existed in Jackson County in connection with the lumber industry, including a spur from Medford to Jacksonville and another spur from Medford to Butte Falls, but those rails are now gone. Communities with rail access include White City through a spur line and the seven cities on the old O&C mainline (Ashland, Talent, Phoenix, Medford, Central Point, Gold Hill, and Rogue River). All of these communities have industrially-zoned land adjacent to the railroad tracks.

In 1927 the main passenger route for the Southern Pacific was shifted east of the mountains through Klamath Falls. The last passenger train service through the Rogue Valley was on August 5, 1955. Since that time the primary purpose has been for hauling freight into and out of the region. Concern for the endangered spotted owl has, in effect, diminished the timber supply for harvest and transport, further reducing the need for rail service. When freight is smaller in quantity than a full railcar or when the purchaser has a "just-in-time" inventory system, trucks have been utilized to deliver the goods. I-5 now fills the role that the O&C Railroad filled in the late 1800's and the early twentieth century, and the Medford area is a significant layover point on that route. The [Oregon Transportation Plan The New Oregon Trail Leading into the 21st Century](#) was adopted by the Oregon Transportation Commission on September 15, 1992. It lists Medford as an inter-modal transportation hub. By the year 2012 or sooner the preferred transportation system will also include commuter transit between Ashland and Grants pass, and as a long-range possibility, Amtrak service. This plan makes the Siskiyou line vital to future planning efforts. It is vital to the economic well being of Oregon and especially Southern Oregon that the existing tracks over the Siskiyou mountains, connecting Oregon to California forever be in place and that the original 1866 O & C (Oregon and California) Land Grant be adhered to. The Oregon Transportation plan does not identify funding sources for these additions to the existing rail system.

PIPELINES:

The geographic isolation and mountainous terrain surrounding the Rogue Valley limit the prospects for utilizing pipelines as an alternative transportation mode. The region is supplied by a natural gas pipeline which does not traverse the county. There are no major petroleum pipelines through Jackson County. Transmission lines are addressed in the Public Facilities Element.

Pipelines have a high degree of compatibility with many land uses. Very little cultivated agricultural land is taken from production since pipelines can be buried deep enough to plow over. However, forest lands are more greatly impacted. Special precautions are necessary to minimize hazards from spills or pipeline breakage where the pipeline is near the ground surface. These problems are still fewer than the problems experienced with overland shipment of the same cargo.

The advantage of pipelines in lower operating costs, energy efficiency and land use compatibility are obtained only after a large initial capital investment. There would be long-term advantages to pipeline service in Jackson County. As growth continues and energy costs rise pipeline

service may become more feasible. Neighboring counties and the states of Oregon and California should be involved in pursuing the development of new pipelines as an alternative to freight traffic on I-5, and make local energy supplies more secure.

FINDINGS, POLICIES AND IMPLEMENTATION STRATEGIES:

The Comprehensive Plan policies on transportation emphasize land use policies for development and planning. Operational policies are contained in the state statutes governing roads, Board Orders accepting roads, Roads and Parks Services policies and adopted ordinances such as the County Road Standards and Specifications and Chapter 1034 of the Codified Ordinances of Jackson County. As the main transportation facilities throughout the county, roads receive the greatest emphasis in this policy section. Several goals and policies are directed toward greater use of the road network by modes other than automobiles.

To achieve its goals, Jackson County has adopted specific policies and implementation strategies. Completion of any of the implementation strategies may be sufficient action to satisfy the Comprehensive Plan policy. Reference to urban boundaries includes both urban growth boundaries of incorporated cities and urban containment boundaries of unincorporated areas. Sections of the Jackson County Land Development Ordinance (LDO) or other ordinances that implement these policies are cited where appropriate. Some of these measures are not land use actions but, nonetheless, will implement the policies or the goal of providing a safe, convenient, and economic transportation system. Throughout these policies “road” has the same meaning as in Oregon Revised Statutes Chapter 368.

1

FINDING:

Transportation affects all residents of Jackson County. It affects air quality and energy consumption; it affects the location, type and intensity of development which occurs in Jackson County; and the future mobility and ease of movement for county residents will be affected by transportation planning that occurs today. There is coordinated comprehensive transportation planning occurring in Jackson County at this time.

POLICY: THE TRANSPORTATION ELEMENT IS A COUNTYWIDE TRANSPORTATION PLAN SUBJECT TO MODIFICATION BY MORE DETAILED MODAL SYSTEM PLANS, URBAN AREA PLANS, AND REGIONAL OR METROPOLITAN PLANS. JACKSON COUNTY WILL COOPERATE WITH CITIES, SPECIAL DISTRICTS, THE METROPOLITAN PLANNING ORGANIZATION AND THE OREGON DEPARTMENT OF TRANSPORTATION IN DEVELOPMENT AND ADOPTION OF THESE MORE DETAILED PLANS. THE COUNTY SHALL COORDINATE PLANNING FOR LAND USE, TRANSPORTATION NEEDS, AND ENVIRONMENTAL QUALITY IN RURAL AREAS TO MINIMIZE OR MITIGATE EXISTING AND POTENTIAL PROBLEMS.

IMPLEMENTATION STRATEGIES:

- a. Coordinate interagency notices for proposed development projects. Participate in the Metropolitan Planning Organization. Coordinate with cities on urban transition issues, such as county roads in cities and development within urban growth boundaries.
- b. Review new development to improve land use compatibility, assure adequate road access, and reduce impacts from dust, noise, and rough road surfaces. Require new public roads to meet city, county or state standards, whichever entity is responsible for maintaining the road.

2

FINDING:

Improperly designed transportation and access facilities, including sidewalks, walkways, curbs, stairs, or hallways pose a virtual impasse to a substantial number of handicapped county residents. Removal of such transportation or access barriers is relatively simple in most cases, although it can be costly or difficult to accomplish where entire existing structures have to be redesigned and retro-fitted to accommodate the handicapped.

POLICY: THE COUNTY SHALL WORK TOWARD THE ELIMINATION OF ARCHITECTURAL BARRIERS AS WELL AS OTHER PHYSICAL BARRIERS TO THE HANDICAPPED IN THE TRANSPORTATION FACILITIES UNDER COUNTY JURISDICTION AND CONTROL.

IMPLEMENTATION STRATEGY:

Within urban boundaries or other locations where a sidewalk or walkway is provided, suitable curbcuts for wheelchairs are mandatory for compliance with frontage improvement requirements. These facilities must be in compliance with the standards of the American Disability Act (ADA) concerning access in transportation-related buildings and facilities (new subdivisions, planned unit developments, shopping centers, industrial parks, schools, and parks) under county control.

3

FINDING:

In order to protect the substantial investment that the road system presents, State Highway Trust Fund monies are spent on road maintenance. This costly maintenance extends the surface life of county roads. Annually about 100 miles of Jackson County roads are either overlaid or sealed.

POLICY: JACKSON COUNTY SHALL UTILIZE COST-EFFECTIVE, ENERGY AND RESOURCE-SAVING CONSTRUCTION MATERIALS AND TECHNIQUES FOR TRANSPORTATION FACILITIES (INCLUDING ADMINISTRATIVE AND ORGANIZATIONAL TECHNIQUES TO INCREASE EFFICIENCY).

IMPLEMENTATION STRATEGY:

Roads and Parks Services staff will continue to evaluate new or modified county road construction and maintenance methods to use the most cost-effective and resource-efficient technologies. Current examples include: a) use of asphalt rubber overlays to recycle tires in pavement; b) use of latex-modified oil on chip seals to retain more rock on the road surface; c) use of lignin sulfonate rather than oil to reduce dust; and d) consideration of fleet vehicle conversion to natural gas fuel to improve air quality.

4

FINDING:

The design and siting of safe parking and loading areas can have a significant effect on transportation trends and transportation-related environmental impact.

POLICY: THE COUNTY SHALL PROMOTE THE USE OF APPROPRIATE SAFETY MEASURES AND ENERGY EFFICIENT SITE PLANNING FOR PARKING AND LOADING FACILITIES.

IMPLEMENTATION STRATEGIES:

- c. Adopt loading facility standards in Section 280.070 of the Jackson County Land Development Ordinance (LDO) to assure provision of adequate area for maneuverability while loading and unloading trucks without obstructing traffic on public road rights-of-way at industrial and commercial sites.
- d. Require adequate but not excessive on-site (off-street) parking in Section 280.070 of the LDO, since the County's road standards do not generally provide for on-street parking. Establish a maximum area or number of spaces for on-site parking in the LDO.
- e. Develop, in cooperation with cities and the Metropolitan Planning Organization, appropriate standards for conversion of parking lots for more intensive use.

5

FINDING:

State shared road funds are not apportioned with new development. Each county receives its share from state user taxes that are derived from fuel taxes, state vehicle registration fees, and state weight-mile taxes. Developer-paid improvements ensure equity since they prevent development induced costs from being shifted to the populace as a whole. Assessment of the direct and cumulative impact to the public road system must occur before development is approved to assure that adequate transportation facilities exist upon completion of the project.

POLICY: JACKSON COUNTY SHALL REQUIRE DEVELOPMENT PROPOSAL APPLICATIONS TO ASSESS THE DIRECT AND CUMULATIVE IMPACT THAT NEW DEVELOPMENT WILL HAVE ON THE PUBLIC ROAD SYSTEM. LAND DEVELOPMENT WILL NOT BE PERMITTED UNLESS ADEQUATE TRANSPORTATION FACILITIES EXIST OR ARE ASSURED.

IMPLEMENTATION STRATEGIES:

- a. Require an assessment of the traffic impact which would result from uses in commercial and industrial zones, new subdivisions and major partitions, and development proposed on substandard roads. The assessment can generally be fulfilled where a standard road with adequate capacity exists.
- b. Development proposals should recommend mitigation of traffic impact through road improvements or other means. Require that site plans include engineering plans and drawings for the needed road and other transportation improvements on road frontages.
- c. Work with cities and the MPO to develop appropriate joint review procedures for roads that are adjacent to urban growth boundaries.
- d. Work with the cities, MPO, and Oregon Department of Transportation to provide consistent guidelines for traffic impact analyses.

6

FINDING:

Frontage improvements may consist of such things as curbing, gutter, storm drains, right-of-way dedication, bike lanes, walkways, bus turnouts, shoulders lane widening, turn lanes, traffic signals, and improvements in the road base to carry heavier loads. Frontage improvement requirements are authorized by the Jackson County Land Development Ordinance and the County Road Standards, and are assessed against development at the time the application is approved. Contribution to off-site improvements is also needed for new development. Through System Development charges (SDCs) "off-site" improvements are assessed proportionally on development. SDCs consider the general public's use that already exists, and assess the share of added capacity that would be required for each new development.

POLICY: JACKSON COUNTY SHALL REQUIRE APPLICANTS FOR NEW OR EXPANDING DEVELOPMENT PROPOSALS TO MAKE ON-SITE OR FRONTAGE IMPROVEMENTS TO APPROPRIATE STANDARDS, OR TO PAY FOR A FAIR SHARE FOR SUCH IMPROVEMENTS, AND TO PAY FOR A FAIR SHARE OF OFF-SITE TRANSPORTATION IMPROVEMENTS IN A TIMELY MANNER. NEW DEVELOPMENT SHALL CONTRIBUTE A PROPORTIONATE SHARE OF THE COST OF THE NEW OR EXPANDED CAPITAL FACILITIES REQUIRED BY NEW DEVELOPMENT. EXISTING SUBSTANDARD ROADS SHOULD BE UPGRADED OR RECONSTRUCTED AND NEW ROADS SHOULD BE PROVIDED AT STANDARDS APPROPRIATE FOR THE LEVEL OF URBAN OR RURAL DEVELOPMENT TO ULTIMATELY BE SERVED.

ACCESS VIA A ROAD THAT MEETS COUNTY-APPROVED STANDARDS SHALL BE REQUIRED CONCURRENTLY WITH NEW DEVELOPMENT.

IMPLEMENTATION STRATEGIES:

- a. Require a dedication of right-of-way or consent to dedicate right-of-way when development approvals are issued, in compliance with LDO Chapter 5 and the Jackson County Road Standards.
- b. System development charges paid by new development (authorized by Chapter 1025 of the Codified Ordinances of Jackson County) shall be dedicated to the cumulative need for capacity-increasing off-site improvements to arterial and collector roads.
- c. Where developers are required to make improvements that benefit the general public, such as improvements on arterials and collectors, provide appropriate credits to system development charges.
- d. New local road construction shall be entirely at developer expense as required by LDO Chapter 5 and 20, and the County Road Standards.
- e. Deferral of frontage improvements is appropriate under these circumstances: 1) the land served by an existing road is zoned for more intensive development; and 2) only a minor part of potential traffic on the road would be generated by the proposed development. In both cases it will be necessary to obtain a binding commitment to make needed road improvements when warranted.
- f. Require commercial and industrial developments to locate on roads either; 1) improved to a County "A" standard road (or comparable city or state standards); or 2) to participate in road improvements to meet the "A" standard. (See "Substandard County Roads, Serving Industrial and Commercial zones" table)
- g. Assess the need for a systems development sur-charge for the urbanizing area of White City. This assessment will address whether additional dedicated transportation system funds are necessary to provide for improvements to non-County transportation facilities within the White City Urban Unincorporated Community Boundary and for the development of regionally significant transportation connections outside the White City UUCB that are designated on the White City Transportation Connectivity Plan Map ('Future Study' facilities).

7

FINDING:

Jackson County faces the transportation issues of a small metropolitan area serving a larger more rural and somewhat isolated multi-county region. The distances within this region are such that roads are usually the most practical means of travel at this time and for some time to come. A method of preserving and upgrading this vital road network must be created.

POLICY: THE COUNTY SHALL DEVELOP AND IMPLEMENT A COUNTY ROAD SYSTEM PLAN INCLUDING A CAPITAL IMPROVEMENTS PROGRAM TO GUIDE FUTURE IMPROVEMENTS OF THE ROAD NETWORK WITHIN JACKSON COUNTY.

- a. The Capital Improvements Program (CIP) included in the Jackson County Road System Plan, developed by County Roads and Parks Services, will be reviewed and considered as part of the annual review of system development charges for arterial and collector roads. Budgeting for capital improvements will be based upon the contents of the Comprehensive Plan, related transportation plans (Road System Plan, Bicycle Master Plan, and Airport Plan), and the funding sources available.
- b. System development charges and dedication requirements are the preferred methods to assure that new development bears a proportionate share of the cost of capital facilities necessary to accommodate new development.

8

FINDING:

Urbanizing areas have more alternatives to automobile use, including networks of walkways, sidewalks, bikepaths and various transit options. These alternative need to be expanded to achieve long-term progress without devaluing neighborhoods. The alternative to expand modal choices overlaps road improvement needs.

POLICY: THE DESIGN AND ROUTING OF NEW OR IMPROVED ROADS SHOULD MAINTAIN OR ENHANCE THE LIVABILITY OF NEIGHBORHOODS. WHERE NEW OR IMPROVED FACILITIES MUST BE LOCATED IN EXISTING NEIGHBORHOODS, ALTERNATIVES THAT PROMOTE FUTURE LAND USE COMPATIBILITY IN THE NEIGHBORHOOD SHOULD BE FAVORED.

IMPLEMENTATION STRATEGIES:

- a. Required the proper integration of new road development to achieve minimal adverse impacts on the neighborhoods. This strategy to lessen impacts may result in a minimal suitability on specific roads.
- b. May require public participation in the development of individual road designs for new or improved roads.

9¹

FINDING:

Roads are an expected and necessary part of land use in any zoning district. Within urban and urbanizing areas, new road systems are necessary to meet urban development demands. Because a generally adequate rural road network exists, new road rights-of-way outside urban and urbanizing areas, which extend onto resource land shall require prior approval from the Department. Resource land considerations include economic benefits, public service needs, feasible engineering practices, alternatives to meet transportation needs, and various fiscal and environmental impacts on agricultural and other resource land. New rights-of-way in urban areas do not require prior approval.

POLICY: CREATION OF NEW RIGHTS-OF-WAY THROUGH RESOURCE LAND, AND OUTSIDE CITY LIMITS AND ACKNOWLEDGED URBAN GROWTH BOUNDARIES, REQUIRE BOTH A REASONS EXCEPTION TO THE STATEWIDE PLANNING GOALS AND AN AMENDMENT TO THE JACKSON COUNTY COMPREHENSIVE PLAN.

IMPLEMENTATION STRATEGIES:

Require compliance with Chapter 5 of the Jackson County Land Development Ordinance in creating rights-of-way once a reasons exception and comprehensive plan amendment have been approved for a new right-of-way on resource land, outside city limits and acknowledged urban growth boundaries.

10

FINDING:

Road funds must be retained for projects of benefit to the public-at-large. When development occurs, the cost of road improvements must be assumed by the developer. This has been difficult to assess when new development requires the upgrading of an existing road or when large-lot developments and series partitioning occur. Confirmation that adequate transportation facilities exist to accommodate the needs of the new development must be assured as part of the conditions of approval of a land use application.

POLICY: THE COUNTY SHALL REGULATE LAND USE MORE EFFECTIVELY BY REQUIRING PRIVATE DEVELOPERS TO IMPROVE OR TO CONTRIBUTE THEIR FAIR SHARE TO IMPROVE EXISTING PUBLIC ROADS. THE IMPROVEMENTS SHALL BE MADE TO THE ROAD STANDARDS NECESSARY TO SERVE THE PROPOSED DEVELOPMENT. APPROVAL OF NEW PUBLIC OR PRIVATE ROADS SHALL BE BASED UPON CONSIDERATION OF OPTIONS TO LIMIT FUTURE PUBLIC AGENCY AND PRIVATE THIRD-PARTY COSTS BY IMPROVING EXISTING ROADS.

¹Ordinance 2000-27 signed 9-6-00, effective 11-5-00

IMPLEMENTATION STRATEGIES:

- a. Review development proposals with a focus on improvement and use of existing roads and streets, particularly those that encourage urban-centered growth. Adequate roads and bridges should be provided before a development is occupied.
- b. Coordinate land use and road plans to assure minimum cost for necessary transportation facilities. For example, require the replatting of old orchard tract subdivision roads rather than developing an impractical road network.

11

FINDING:

Access control on high volume corridors is a major need in Jackson County. The results of the Medford to Eagle Point Highway 62 corridor pilot study in 1989-1990, conducted by the Oregon State Highway Department's Systems Study Unit and the Rogue Valley Council of Governments, established a coordination mechanism that can be applied to other high-traffic roads in Jackson County.

POLICY: A MULTI-JURISDICTIONAL ACCESS MANAGEMENT PLAN SHALL BE IMPLEMENTED FOR EACH SPECIFIED HIGH-TRAFFIC-VOLUME CORRIDOR, SUCH AS HIGHWAY 62, TO PRESERVE THE TRAFFIC CARRYING CAPACITY AND IMPROVE SAFETY ON THESE MAJOR ROADS.

Implementation Strategies

- a. Adopt the coordinated Access Management Plan for Crater Lake Highway prepared by the Rogue Valley Council of Governments in cooperation with the State Highway Division, Jackson County Roads and Parks Services, and the cities of Medford and Eagle Point.
- b. Cooperate in the development of Access Management Plans for other highway corridors with ODOT and affected cities.
- c. Develop joint agreements with the state and affected cities to assure consistency between access control and development approvals. Control ingress and egress from roads and streets through proper placement of curbcuts, channelized islands and medians, and other appropriate means.
- d. Implement the Access Management Plan for Crater Lake Highway through appropriate amendments to the Area of Special Concern (ASC 80-1) in LDO 280.100.

12

FINDING:

The need for transit service is greatest for those who cannot drive an automobile. Cost-effective and affordable transit is difficult to achieve in rural areas and small towns due to low population density. Jackson County supports public transit, through coordination with local cities, Rogue Valley Council of Governments as the Metropolitan Planning Organization, Rogue Valley Transit District, Oregon Department of Transportation, and private providers of transit and paratransit services.

POLICY: TRANSIT SERVICE WILL BE ENCOURAGED IN URBAN AND URBANIZING AREAS, WHERE IT IS AN ENERGY-EFFICIENT FORM OF TRANSPORTATION, AND IN RURAL AREAS TO MEET SOCIAL SERVICE NEEDS.

IMPLEMENTATION STRATEGIES:

- a. Cooperate with the Rogue Valley Transportation District (RVTD) by: 1) incorporating a summary of the Transit Development Program in the Transportation Element and incorporating a Transit Plan consistent with Goal 12 after it is made available to the county; and 2) identifying and jointly developing park-and-ride sites on publicly-owned land such as Expo Park, Miles Field, the Bear Creek Greenway, the Jackson County Sports Park, and libraries.
- b. In cooperation with RVTD, cities, and school districts, develop standards to be included in county ordinances for bus turnouts and other features that would facilitate bus use and help increase highway capacity.
- c. Encourage transit programs to meet the special needs of the elderly, disabled, and transportation disadvantaged.
- d. Cooperate with RVTD and the other members of the MPO in the development of transportation demand management measures.
- e. Support efforts by RVTD to expand service to White City, including additional routes, more frequent bus service and enhanced system connectivity.

13

FINDING:

Bicycles are valid transportation mechanisms. As with most mechanisms, bicycles have become extremely sophisticated and varied in design and construction. Prompted by energy conservation concerns, inexpensive purchase price, ease of upkeep and obvious health benefits, bicyclists are becoming a major social and political force. Both Jackson County and the state have recognized the significance of bicycling as a mode of transportation by adopting master plans which establish the infrastructure to promote bicycle use.

POLICY: THE COUNTY SHALL INCLUDE BICYCLE TRANSPORTATION AS AN IMPORTANT PART OF THE OVERALL COUNTY TRANSPORTATION SYSTEM. THE JACKSON COUNTY BICYCLE MASTER PLAN IS INCORPORATED HEREIN BY REFERENCE.

IMPLEMENTATION STRATEGIES:

- a. Actively support implementation of the Jackson County Bicycle Master Plan by coordinating road widening projects and road signing with designated bike routes on city, county, and state roads. *(Amended by Ordinance #96-55, adopted December 11, 1996, effective February 10, 1996, File #96-10-OA.)*
- b. Support efforts to integrate bicycle and mass transit and cooperate with cities and the state to create a continuous network of bicycle routes in Jackson County.
- c. Jackson County Roads and Parks Services may provide for bicycles on roadways through the provision of at least 4-foot-wide shoulders on road projects where volumes exceed 2,000 ADT, particularly within urban areas.
- d. Designate an east-west non-motorized transportation route through White City, as part of the White City Urban Unincorporated Community Plan. Require developments to provide the necessary non-motorized path connections and improvements to any paths designated on the White City Urban Unincorporated Community Plan.

14

FINDING:

Walking, the most common form of transportation, is often difficult and inconvenient in urbanizing areas of rural Jackson County.

POLICY: THE COUNTY SHALL INCLUDE FACILITIES TO ACCOMMODATE PEDESTRIANS AS A PART OF THE OVERALL COUNTY TRANSPORTATION SYSTEM.

IMPLEMENTATION STRATEGIES:

- a. Provide wider paved roadway sections including paved shoulders for safer pedestrian use as rural roads are improved.
- b. Require construction of sidewalks as a condition of approval on proposed development within urban boundaries. This condition is subject to provisions for deferral of improvements.
- c. Jackson County shall require that cross walks be provided for pedestrians at signalized intersections serving residential areas within urban boundaries and rural communities.

- d. Designate an east-west non-motorized transportation route through White City, as part of the White City Urban Unincorporated Community Plan. Require developments to provide the necessary non-motorized path connections and improvements to any paths designated on the White City Urban Unincorporated Community Plan.

15

FINDING:

Air, rail, and truck services to and from Jackson County are necessary to provide convenient and energy efficient service for shipment of locally manufacture goods. These services should be encouraged to continue and expand. However, these transportation modes have characteristics such as noise, which may be offensive, and in severe cases, physically damaging to people. Recognizing that these modes play a critical role in the local economy, appropriate land use actions are needed to buffer the sites of rail and truck facilities from adjacent incompatible land uses.

POLICY: THE COUNTY SHALL COORDINATE ROAD IMPROVEMENTS WITH NEW DEVELOPMENT ESPECIALLY REQUIRING RAIL AND TRUCK FREIGHT SERVICE, ON ARTERIALS AND COLLECTORS IN AREAS PLANNED FOR INDUSTRIAL USES.

IMPLEMENTATION STRATEGIES:

- a. Identified and appropriately zone sites for development as rail or truck freight facilities with special emphasis on roads that already have an “A” standard road base.
- b. Require upgrading of roads to the County “A” standard or equivalent city standard, as development occurs, for roads listed on “Substandard County Roads”.
- c. Coordinate with private carriers to determine the transportation needs of private enterprise. Improve the roads in commercial zones to facilitate the use. Support expansion of the Southern Pacific Railroad tunnel to accommodate large commercial freight cars, such as piggy-back cars, auto cars, and chip cars.

16

FINDING:

The Medford-Jackson County Airport and, possibly, local airports and airstrips will continue to play an increasingly significant transportation role as well as providing a center for business and employment. With proper planning, such airports will be dynamic forces influencing the economy, stability, and growth of the surrounding areas. However, the location of airports may result in conflicts with surrounding land uses. For example, the operation of an airport may generate noise and vibration. There are hazards associated with the operation of an airport

which could affect adjacent lands, and airports usually generate increased traffic within their vicinity.

POLICY: JACKSON COUNTY SHALL FOLLOW THE POLICIES AND IMPLEMENTATION MEASURES OF THE MEDFORD-JACKSON COUNTY AIRPORT MASTER PLAN AND COORDINATE WITH THE CITIES OF MEDFORD AND CENTRAL POINT TO REDUCE HAZARDS AND LIMIT ADVERSE IMPACTS ON SURROUNDING AREAS. OTHER PUBLIC AIRPORTS AT ASHLAND, PINEHURST, AND PROSPECT SHALL ALSO BE PROTECTED WITH APPROPRIATE ZONING. SMALL PRIVATE AIRSTRIPS MAY BE PERMITTED SUBJECT TO CONFORMANCE WITH APPROPRIATE CRITERIA.

IMPLEMENTATION STRATEGIES:

Maintain the status of airports and airstrips as a conditional use in rural zoning districts, and apply the Airport Approach (LDO Chapter 250) and Airport Concern (LDO Chapter 252) zoning districts at the four Oregon Aviation System Plan Airports in Jackson County (Prospect and Pinehurst State Airports as well as the Ashland and Medford Airports).

17

FINDING:

Significant issues of safety and compatibility must be addressed by airport overlay zones with consideration given to actual airport operations. Foresight must be given to plan for future aviation needs allowing lands to be set aside for potential sites.

POLICY: FUTURE AVIATION NEEDS SHALL BE EVALUATED IN JACKSON COUNTY. A COORDINATED EFFORT IN JACKSON COUNTY, BY THE AERONAUTICS DIVISION OF THE OREGON DEPARTMENT OF TRANSPORTATION AND THE FEDERAL AVIATION ADMINISTRATION IS NEEDED TO IDENTIFY REQUIREMENTS, IF ANY, TO PROTECT LARGE OPEN AREAS IN THE COUNTY FOR AIRPORT DEVELOPMENT IN THE NEXT 20 TO 40 YEARS IS ESSENTIAL.

IMPLEMENTATION STRATEGIES:

Maintain current Airport Approach (LDO Chapter 250) and Airport Concern (LDO Chapter 252) overlay districts around the existing airports as a means of reviewing and limiting incompatible development around airports. Work with Jackson County, the Oregon Aeronautics Division and the Federal Aviation Administration when they initiate airport expansion and planning in Jackson County.

18

FINDING:

Nonroad forms of transit, such as passenger rail service, are not likely to be cost-effective in the near future in Jackson County, but several long-range possibilities should be studied.

POLICY: RAIL SERVICE SHALL BE ENCOURAGED AS A VIABLE LONG-TERM TRANSPORTATION OPTION FOR THE ROGUE VALLEY.

IMPLEMENTATION STRATEGIES:

Investigate options in cooperation with neighboring counties and the states of Oregon and California to maintain rail service and the railroad right-of-way through Jackson County.

19

FINDING:

Pipeline transportation of products to Jackson County would require a very large initial investment. After the initial investment lower operating costs, energy efficiency and land use compatibility would make this method of transportation more feasible. The geographic isolation and mountainous terrain surrounding Jackson County limits the prospects at this time with our present population base.

POLICY: ENCOURAGE PIPELINE TRANSPORTATION.

IMPLEMENTATION STRATEGIES:

Explore options to extend petroleum pipeline service into Jackson County in cooperation with neighboring counties and the states of Oregon and California.

20

FINDING:

With continued population growth in Jackson County, many cities are expanding their urban growth boundaries and taking roads that were once county roads into their own street system. These boundary exchanges are taking place in all road systems and it is essential that the integrity of the road network be maintained consistently.

POLICY: JACKSON COUNTY SHALL COOPERATE WITH THE OREGON DEPARTMENT OF TRANSPORTATION, INCORPORATED CITIES AND THE UNITED STATES GOVERNMENT TO IMPROVE THE EFFECTIVE MAINTENANCE OF THE PUBLIC ROAD SYSTEM. ROADS ACCEPTED BY JACKSON COUNTY IN

EXCHANGES SHOULD BE PAVED, RURAL ROADS FOR WHICH COUNTY ROAD MAINTENANCE OPERATIONS HAVE DEVELOPED SPECIAL EXPERTISE.

21²

FINDING:

For over 30 years the State of Oregon, Jackson County and the city of Jacksonville have sought alternative routes for Highway 238 in order to move the regional traffic outside this National Historic Landmark community. A “Bypass” connection north of the City of Jacksonville was on the ODOT six year development plan in the early 1980’s, but was removed prior to final design and development. A regional transportation route around the City of Jacksonville is needed to preserve the historic structures and character of Jacksonville, and to provide safe regional transportation between Medford and the Applegate Valley. It is essential that ODOT design and identify funding for an alternate connection around Jacksonville.

POLICY: PROMOTE THE DESIGN AND DEVELOPMENT OF A REGIONAL TRANSPORTATION ROUTE AROUND THE CITY OF JACKSONVILLE.

IMPLEMENTATION STRATEGY:

Jackson County shall cooperate with the Oregon Department of Transportation and the City of Jacksonville in designing and developing an alternate connection around Jacksonville.

22

FINDING:

A survey of buildable lands prepared by Jackson County for the White City area on November 4, 2002, entitled *White City Buildable Lands Analysis*, is included in the Urban Lands Element of the Jackson County Comprehensive Plan. The survey indicates that the average growth trend over the preceding twelve years was over 64 dwelling units per year, far exceeding any growth rate in other areas of unincorporated Jackson County. In 1998, White City was acknowledged under Oregon Administrative Rule Chapter 660, Division 22 as an urban unincorporated community and as a Goal 14 (Urbanization) exception area. The designation permits redevelopment of the existing rural and suburban residential lands within White City to urban residential densities as appropriate public facilities and services are shown to be available.

Over the last several years, the County has received many requests to rezone parcels to urban densities and the County has required that urban standard transportation facilities be provided in conjunction with these developments. However, adequate policies have not been adopted to provide for street transportation system connectivity within White City, so connectivity is being

²Ordinance 2000-38 signed 10-31-00, effective 12-30-00

developed ad hoc. If this chaotic pattern continues the level of service for all transportation modes will steadily decline. Access management will be difficult because proper functional classification facility spacing may not occur. Without an adequate system-wide plan, the system will become heavily dependent on existing connections. Many of these existing connections were not designed for alternative modes of transportation, and it is unlikely that the appropriate levels of service for all modes can be maintained. It is critical to provide guidelines and provisions so that proper transportation system connections are assured and will form an efficient transportation network for all transportation modes in White City.

POLICY: PROMOTE TRANSPORTATION SYSTEM CONNECTIVITY WITHIN THE WHITE CITY URBAN UNINCORPORATED COMMUNITY BOUNDARY THAT SUPPORTS ALL TRANSPORTATION MODES.

IMPLEMENTATION STRATEGIES:

- a. Adopt a connectivity plan for the White City Urban Unincorporated Community, which displays important local, collector and arterial connections.
- b. Adopt standards for alignment of streets, cul-de sacs, non-motorized pathways, and for proper separation between important transportation facilities within the White City Unincorporated Community.
- c. Require streetscape designs that encourage traffic calming on local, collector and arterial streets, while providing an appealing facility for alternative transportation.
- d. Identify future study areas to facilitate external transportation connections between White City and nearby urban communities, and enhance access to Interstate freeways.

URBAN LANDS

GOAL: TO PROVIDE FOR AN ORDERLY, EFFICIENT AND ENVIRONMENTALLY SOUND PLAN FOR URBAN LAND USES WITHIN URBAN GROWTH BOUNDARIES.

INTRODUCTION/BACKGROUND:

The Jackson County planning process has placed much emphasis on urban areas, especially incorporated cities. More than two years were spent in the joint city-county establishment of urban growth boundaries, the primary urban growth tool. This effort overlapped and complimented the overriding intent of many other elements of the comprehensive plan, including agricultural lands, housing, energy, transportation, public facilities and services, environmental, natural hazards and economy. Together, the sum total of Jackson County's urban lands program, in conjunction with other plan elements, will serve to strongly reinforce the concept of urban centered growth. This concept is firmly embodied in the statewide planning goals, as well as recent federal urban programs, in a national effort to revitalize declining urban centers, rather than to encourage a continuation of contemporary sprawling growth patterns.

For background and discussion purposes, urban lands in Jackson County can be reasonably segregated into two types, incorporated cities and unincorporated areas.

INCORPORATED URBAN AREAS: Eleven cities in Jackson County presently support a population of 73,155 or approximately 60 percent of the total 1977 county population of 126,500¹. From 1950 to 1970 there was a one percent change in the ratio expressing the relationship between urban (incorporated) and rural (unincorporated). In 1950 the ratio was 54:46. In 1960 and 1970 the ratio was 55:45. In the period between 1970-77 however, this ratio changed dramatically, increasing to 60:40. By the year 2000 the ratio is expected to continue to shift in favor of an even greater population distribution in the incorporated urban areas. The combined population forecasts for the eleven cities for the year 2000 totals 130,806, compared to the overall county forecast of 196,000. (See population element.) This represents an urban to rural ratio of approximately 67:33 or 2:1.

County land use policy relating to each incorporated city is embodied in the urban growth boundary and urbanization plan's adopted ordinances. Each urbanization plan sets forth a mutually agreed to urban growth boundary, amendment procedure, and set of urbanization policies designed to implement urban-centered growth in a manner compatible with the goal.

Although precise wording of urbanization policies varies from city to city, the intent is basically the same. Briefly, the policies can be summarized as follows:

- A) Establishes that urban growth boundaries will define the limits of urban growth to the year 2000.
- B) Establishes that annexation will be the mechanism by which urbanizable lands may be converted from rural to urban uses and urban residential densities.

¹Certified estimate, Center for Population Research and Census, Portland State University.

- C) Provides that all planning-related matters within urban growth boundaries will be fully coordinated between affected cities and the county.
- D) Sets forth jurisdictional responsibilities for lands within urban growth boundaries, in that all unincorporated land will remain under county jurisdiction until annexation to a city.
- E) Provides that urban service extensions into the unincorporated urbanizable area will be coordinated with the cities, county and affected servicing agencies.
- F) Establishes that all road construction in the urbanizable area will be built to urban standards.

Other urbanization policies were also enacted which address problems and concerns unique to each city.

Formulation and establishment of urban growth boundaries around each of the eleven cities began in mid-1976, involving a cooperative eight-step process among the cities, county, citizens advisory groups and affected agencies. The process used is as follows:

- A) City-county staff began with preparation of maps and data compilation, including input from affected agencies.
- B) Preparation of a joint city-county staff proposal for an urban growth boundary plan including plan map, written explanation, and recommended policies.
- C) Report mailed to respective planning commissions and affected agencies.
- D) Review process initiated by the planning commissions and affected agencies for review of the staff document, which includes:
 - i) Review by committees formed from planning commissions and affected agencies.
 - ii) Joint meeting(s) (full commissions or boards).
 - iii) Public hearing(s).
- E) Revisions to documents and map per policy body (planning agency) direction and document now becomes city and county proposal, rather than staff proposal.
- F) Process initiated to amend comprehensive plan maps and texts by county and city as applicable.
- G) Planning Commission public hearings:
 - i) Adjustments or revisions as determined by the Planning Commission.
 - ii) Findings and final recommendation entered.
- H) Board of Commissioners and city council public hearings.

UNINCORPORATED URBAN AREAS: In addition to the eleven incorporated cities, there also exists unincorporated areas which possess characteristics that conform to the definition of urban. These areas are:

- A) White City: The White City area is comprised of a broad range of urban residential, commercial and industrial land uses. The area functions as one of the two major county employment centers, with a vast array of light to heavy manufacturing activities.
- B) Highway 99 Area: The area along U.S. 99, between Medford and Phoenix, generally exists as an urban area. Uses found along this corridor span the full range of land use intensity, from agricultural and rural residential to intensive commercial and industrial.
- C) Gibbon's Acres Area: An area north of Medford along Table Rock Road, consisting of mainly one-half to two acre developed residential lots.
- D) Urban Fringe Areas: Not all the cities in Jackson County have a fringe that conforms to the definition of urban. Most cities, in fact, display a distinct urban/rural break at city limits. On the other hand, the fringe of Medford, Central Point and to a degree, Rogue River, display at least some urban-related characteristics, such as small parcel sizes, intensity of land use and presence of urban facilities and services. Some areas lie within the urban growth boundary of an adjacent city. Other unincorporated urban areas will be addressed specifically in terms of precise land use, within the framework of the area-wide plans.

Existing Facilities and Services: The White City, Highway 99, and Gibbon's Acres areas are all serviced by the Bear Creek Valley Sanitary Authority (BCVSA) sewer lines. The White City and Highway 99 areas also have community water provided to the residents in the areas. Paved through streets (highways) provide urban type transportation services. Densities in these unincorporated urban areas are significantly higher than surrounding areas and other rural county landscapes in general as evidenced by the following data:

CLASSIFICATIONS	GIBBON ACRES	HIGHWAY 99	WHITE CITY
1980 Population	1,013	3,758	4,333
Study Area Acres	463	444	1,000

Adjacent lands to these three areas provide for nonurban land uses; agricultural, rural residential and open space; at significantly lower densities.

FINDINGS, POLICIES AND IMPLEMENTATION STRATEGIES:**1****FINDING:**

Goal 14, Urbanization, encourages urban centered growth by requiring that urban growth boundaries be drawn around existing urban areas. Development at urban densities may occur within that urban growth boundary, however, outside the urban growth boundary urban development is prohibited. Zoning, subdivision and other ordinances, as well as, limitations on the extension of public facilities and services further encourages urban centered growth. The concept of urban centered growth has generally grown from a disenchantment with the sprawling suburban type development patterns that often result in inefficient leap-frog development, a general physical and social decline of established urban centers, massive public capital investments in the automobile transportation network, air quality problems relating, in part, to the over reliance on the private automobile, a general loss of agricultural, forest and open space resource lands, and a general inefficiency in the utilization of energy resources. Urban-centered growth is a principal cornerstone of the comprehensive planning effort and serves to help implement many other major planning concepts spelled out in the plan.

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

IMPLEMENTATION STRATEGIES: The positive benefits of urban centered growth, implemented through urban growth boundaries, will not be fully recognizable in the short-term. Efforts to maintain this concept should include:

- A) Periodic adjustments to existing urban growth boundaries and urbanization policies consistent with adopted review and revision procedures.
- B) Techniques to allow the transfer of development rights from rural areas to within urban growth boundaries. (See Rural and Suburban Lands Element.)
- C) Upon completion and adoption of Jackson County's Comprehensive Plan, the County will continue its efforts to implement urban centered growth as explained in "Alternative Futures" section of this comprehensive plan and policy #1 in the rural and suburban lands element.

2**FINDING:**

It is difficult to predetermine the effect on land values that may result from the imposition of urban growth boundaries on a map. Also in question is the ability of the County to effectively mitigate such inflationary trends should they in fact materialize. One theory holds that the demand for land in Jackson County is insatiable due to external demands from out-of-state buyers. Therefore, measures taken on a local level to increase the supply of developable land will have no significant positive impact on prices. The other theory maintains that through

comprehensive plan policy and map revisions, the supply of developable land can be increased to help stabilize land values, should they increase at disproportionately high rates.

POLICY: THE COUNTY SHALL ATTEMPT TO MINIMIZE SIGNIFICANT INCREASES IN VALUE WHICH BEAR A DISTINCT AND DEFINABLE RELATIONSHIP TO URBAN GROWTH MANAGEMENT PROGRAMS.

IMPLEMENTATION STRATEGIES: Develop a monitoring program by which urban and urbanizable land values can be evaluated on an annual basis and measured against past local and state trends of land value increases. Should land values increase at a rate significantly higher than past trends indicate they should, one or more of the following measures can be taken:

- A) Selectively expand urban growth boundaries.
- B) Increase the supply of developable urban land through the following steps:
 - i) In one or more of the three urban unincorporated community or unincorporated containment boundaries, amend the comprehensive plan map to provide for increased urban level development.
 - ii) Implement a concept of contract annexation which would allow development to urban uses with a commitment to annex at some later date. This can be implemented countywide or on a city by city basis. The net result will be an increase in the supply of developable land, which in turn, should have a stabilizing effect on land values.

3

FINDING:

Certain areas in the county developed urban uses and urban residential densities prior to the enactment of countywide zoning in 1973. These areas, particularly the Gibbons/Forest Acres, White City, and Highway 99 corridor between Medford and Phoenix, have further intensified under past and present planning and zoning regulations. No parameters exist which define the long-range limits of unincorporated urban expansion beyond that which is currently developed or planned for urban uses.

Oregon Statewide Planning Goal #14, Urbanization, indicates that "urban growth boundaries shall be established to identify and separate urbanizable land from rural land." Urban growth boundaries encompass incorporated cities and adjacent land beyond the city limits determined to be needed to provide space for future city growth needs. Statewide planning goals do not specifically address unincorporated areas that have developed over time to an urban-type density. Unless the three unincorporated urban areas are contained in some fashion, pressure for expansion may occur on adjacent rural lands.

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.

IMPLEMENTATION STRATEGY: Establishment of urban containment boundaries around two unincorporated urban areas (Gibbons/Forest Acres and the Highway 99 corridor between Phoenix and Medford) and an urban unincorporated community boundary around a third unincorporated urban area (White City). These UCBs should be based upon the existing extent of urban development as defined by criteria set forth in the definition of urban land. The densities and land uses within these boundaries should be proposed and evaluated within the framework of the areawide plans.

4

FINDING:

Scattered residential subdivisions, which may have some commercial development, exist at urban densities in various locations throughout Jackson County. Such development, when located outside incorporated cities and established urban growth boundaries, contradict the overall philosophy of the Statewide Planning Goals and this comprehensive plan, which is to encourage urban development within incorporated cities. Although such residential subdivisions are usually legitimate because they were developed prior to the development of Statewide Planning Goals and the comprehensive plan, their future expansion needs to be prohibited and fill-in development tightly controlled.

POLICY: THE FURTHER ESTABLISHMENT OR EXPANSION OF SUBDIVISIONS AT URBAN DENSITIES SHALL BE PROHIBITED OUTSIDE OF ESTABLISHED URBAN GROWTH OR CONTAINMENT BOUNDARIES.

IMPLEMENTATION STRATEGY: Permit limited fill-in development of urban subdivisions which exist in rural areas when fill-in development is supported by adequate sewer and water facilities, and when such development is compatible with adjacent agricultural and other rural land uses.

5

FINDING:

Historically, Jackson County was not capable of planning for and managing a full service urban community at a scale that currently exists in White City. Through the years, the White City area has emerged as one of the two largest employment centers in Jackson County. More recently, residential populations have increased dramatically, effectively making White City one of the largest population centers in the county. From the standpoint of energy efficiency, this is a

desirable circumstance. Populations living in close proximity to employment centers effectively reduce the use of the private automobile and increase the feasibility of more energy efficient and less polluting travel modes. Limited urban residential development of the White City area can be accomplished in an orderly and organized manner while still under County jurisdiction.

POLICY: JACKSON COUNTY SHALL SUPPORT THE INCORPORATION OF THE WHITE CITY AREA.

IMPLEMENTATION STRATEGY: Reasonable amounts of planning and legal aid should be offered to help expedite the incorporation process when such an action is justifiable in the context of the comprehensive plan and beneficial to Jackson County as a whole.

6

FINDING:

Cities have a vested and definable interest in the county planning process. In 1978, the Oregon Court of Appeals held in "Ruegg et. al. versus Clackamas County," that the City of Sandy had standing to contest a Clackamas County zone change to allow construction of a shopping center approximately five miles from the city's commercial core. The Court of Appeals agreed with the City of Sandy in that the construction of such a commercial facility would severely undermine the city's efforts to encourage downtown commercial development. The decision is a positive one both for cities and for county governments concerned with the implementation of urban centered growth. It very much relates to the intensity and market area of various unincorporated commercial uses in respect to the proximity of incorporated cities. Therefore, the County should strive to provide for commercial uses which serve only the immediate needs of the rural market area and should avoid uses whose intensity and market areas infringe on neighboring, incorporated commercial centers.

POLICY: COMMERCIAL DEVELOPMENT LOCATED IN UNINCORPORATED URBAN AREAS SHALL BE LIMITED IN SCOPE AND INTENSITY TO SERVE THE NEEDS OF THE SURROUNDING UNINCORPORATED POPULATION.

IMPLEMENTATION STRATEGY: Principal implementation of this policy will occur through the proper location of commercial centers on the comprehensive plan map. It may also be necessary to evaluate the types of uses permitted outright and conditionally in the commercial zoning districts. Such evaluation should consider the relative size of each potential market area in relation to the location of rural commercial centers and their proximity to cities. Adjustments could then be made as to which uses are permitted outright and conditionally to retain some measure of control through the conditional use permit approval process over the types and intensity of uses allowed near incorporated city centers.

7

FINDING:

Neighborhood Commercial Use: In White City, and to some extent, the Medford Urban Growth Boundary, there are existing commercial areas which are designed to provide neighborhood convenience services to an urban population. These centers are typically larger than the rural service commercial centers, and provide a much wider array of goods and services. This is justified since they also serve a larger population within walking or easy driving distance. It is desirable to establish a neighborhood zone category to apply to these limited instances. It is doubtful that a need would even exist to apply this category in any area currently undeveloped. Application of the zone to existing areas would, however, restrict intrusion of noncompatible, more intensive commercial or industrial uses and maintain the intent and character of the area.

POLICY: NEIGHBORHOOD COMMERCIAL USES DESIGNED TO SERVE THE CONVENIENCE NEEDS OF URBAN POPULATIONS SHOULD BE ALLOWED ONLY AS FOLLOWS: 1) THE USES CURRENTLY EXIST WITHIN AN URBAN GROWTH OR CONTAINMENT BOUNDARY AND SHOULD BE ALLOWED TO CONTINUE; OR, 2) THERE IS AN IDENTIFIED NEED FOR SUCH NEW USES WITHIN UNINCORPORATED URBAN CONTAINMENT BOUNDARIES.

IMPLEMENTATION STRATEGIES:

- A) Create a new neighborhood zoning district permitting commercial uses serving urban convenience needs and apply the zone only in the White City area, or within existing urban growth boundaries where existing commercial development already resembles a neighborhood convenience area.
- B) Develop standards within the zoning ordinance to control the development of neighborhood centers so they will be compatible with adjacent residential uses to the greatest extent possible.

8

FINDING:

The urban growth boundary process for incorporated cities spanned a period of over two years, rendering several different sets of urbanization policies. Although continuity was a primary focal point, the timing of the adoption process and unique needs and desires of each community made absolute continuity an impossible goal. The same problems were also generally encountered in attempting to standardize the urban growth boundary review and revision procedures.

POLICY: RECOGNIZING THE DIVERSE NEEDS AND DESIRES OF EACH INCORPORATED CITY, JACKSON COUNTY SHALL STRIVE FOR THE EQUAL AND CONSISTENT TREATMENT OF ALL JOINT CITY/COUNTY PLANNING MATTERS.

IMPLEMENTATION STRATEGIES:

- A) During the first five-year review of the plan, Jackson County should strive towards greater consistency among urbanization policy sets and review and revision procedures for each of the incorporated cities.
- B) Strive for inter-city consistency in all joint planning related matters.

UNINCORPORATED CONTAINMENT BOUNDARIES

For White City, Highway 99, and Gibbons/Forest Acres

In 1975 the Oregon Land Conservation and Development Commission adopted nineteen Statewide Planning Goals. Goal 14 addresses urbanization. Under Goal 14, all cities in the state are required to develop an urban growth boundary which includes all incorporated land and necessary land beyond the city limits that will be sufficient to accommodate projected urban land needs for a period of twenty (20) years.

Although Goal 14 does not state whether unincorporated urban areas shall be treated similarly as cities, Goal 14 does state that urban growth boundaries (UGBs) shall separate urbanizable land from rural land. There are three intensively developed unincorporated areas in Jackson County that require special attention. These are: 1) Gibbons/Forest Acres; 2) South Pacific Highway (Highway 99, between Medford and Phoenix; and 3) the White City area.

The Comprehensive Plan contains several policies regarding both incorporated and unincorporated urban lands:

- 1) The County is committed to urban-centered growth.
- 2) Unincorporated urban areas shall have urban containment boundaries around them, while cities will have urban growth boundaries.
- 3) The County supports the incorporation of White City.

The commitment then to containment boundaries around unincorporated, urban areas is viewed as a policy to permit limited fill-in development, but otherwise to contain such development.

The following provides comparative information regarding the three unincorporated urban areas:

	Gibbons/ Forest Acres	Highway 99 Area	White City
1980 Estimated Population	1,098	3,758	4,333
Urban Containment Boundary Study Area (Acres)	463 Acres	444 Acres	2,611 Acres

Source: Urban Containment Studies (see maps)

It can be noted that within Jackson County only Medford (population 40,000), Ashland (population 15,000) and Central Point (population 6,000) have larger populations than two of the unincorporated areas. Further, both White City and the Highway 99 areas have commercial and

industrial land within their study areas. Gibbons/Forest Acres area is almost one hundred percent residential, with only a handful of commercial lots at the intersection of Gregory Road and Table Rock Road.

The three unincorporated areas developed over time from rural to urban densities, due to a lack of County planning. Jackson County was not completely zoned until 1973. The comprehensive plan was adopted in late 1972. By then the three areas in question had already developed urban characters. Growth and development since then in these areas has occurred on adjacent parcels, slowly but surely spreading outward and ever encroaching onto the rural landscape. The three boundaries herein reflect the factors below which were used to define urban containment boundary areas.

- 1) County policy for urban-centered growth.
- 2) Statewide Goal 14 requirement for urban growth boundaries established to identify and separate urbanizable land from rural land.
- 3) Existing land usage at or near urban densities.
- 4) Provision of urban services (jobs, stores, police and fire protection, etc.)
- 5) Provision of urban facilities (streets, sewer and water systems, parks, etc.)
- 6) Protection of agricultural lands (Statewide Goal 3).
- 7) Preservation of open space.
- 8) Preservation of rural residential areas.
- 9) Inclusion within urban containment boundaries of adjacent vacant land committed to urban/suburban development.
- 10) Natural and man-made hazards.
- 11) Recreational, cultural and social opportunities.
- 12) Impacts of adjacent land uses on each other (i.e. orchard next to mobile home park).
- 13) Needs and problems of existing populations in the area (i.e. traffic congestion on Highway 99).
- 14) Buffer zone between urban and rural lands.
- 15) Air quality factors.
- 16) Energy conservation factors.
- 17) Local citizen and CAC input.
- 18) Housing needs.

WHITE CITY

White City is located between the cities of Medford and Eagle Point. The present urban land uses occupy what was once part of the site of Camp White, a U.S. military base. Camp White at its peak contained 43,485 acres. In May, 1946, it was officially deactivated and declared surplus. Structures and land were sold. The city of Medford claimed 1,000 acres for a sewage disposal area. Only the hospital and barracks remain, which is now used by the Veterans Administration for a 1,105 bed domiciliary. The availability of public facilities from Camp White prompted the residential, commercial and industrial development of the area.

The White City area is comprised of a broad range of urban residential, commercial and industrial land uses. The area functions as one of the two major county employment centers with a vast array of light to heavy manufacturing activities. After Medford, Ashland, and Central Point, White City is the fourth largest population center in the county, with an estimated population of 6,500. Existing lands within the White City Urban Unincorporated Community Boundary would accommodate a population at urban density of approximately 15,000 persons at full buildout (See White City Buildable Lands Analysis).

In 1998, Jackson County adopted the White City Urban Unincorporated Community Boundary (WCUUCB) and the White City Urban Unincorporated Community Plan. A “Committed” exception was taken to Goals 3, 4 and 14 for all lands within the boundary, thus establishing White City as an urban area. The White City Urban Unincorporated Community Plan was established in order to guide development in White City. With its acknowledgment as an urban area, White City will continue to grow at urban densities and uses.

The table on the following page presents an analysis of buildable lands within the White City Urban Unincorporated Community Boundary, including existing and potential dwelling units and population, traffic figures and growth/population trends:

WHITE CITY BUILDABLE LANDS ANALYSIS

Summaries are for lots within White City Study Area.

Criteria for White City Study Area are:

- 1. East of Hwy 62; 2. Within White City UCB; 3. Not Zoned GI, GC, or LI; 4. Not School Property; 5. Not Urban Renewal / Community Center

Dwelling Units

# of Lots	Acres	Current DU's	Potential DU's Based on Current Zone	Adjusted* Potential DU's Based on Current Zone	Potential DU's Based on Re-Zone	Adjusted* Potential DU's Based on Re-Zone	Adjusted* Potential DU's Based on Re-Zone & 90% Buildout
1425	732	2123	2598	2523	6415	5213	4692

Current DU per Acre Density	Adjusted* DU Density Current Zone	Adjusted* DU Density Re-Zone	Adjusted* DU Density Re_Zone & 90%
2.9 DU's / Acre	3.5 DU's / Acre	7.1 DU's / Acre	6.4 DU's / Acre

Modified Dwelling Units (Dwelling Units With Assumed 5% Vacancy Rate)

Dwelling Unit x .95	Current DU's Not Vacant	Potential DU's Based on Current Zone Not Vacant	Adjusted* Potential DU's Based on Current Zone Not Vacant	Potential DU's Based on Re-Zone Not Vacant	Adjusted* Potential DU's Based on Re-Zone Not Vacant	Adjusted* Potential DU's Based on Re-Zone & 90% Buildout Not Vacant
	2017	2468	2397	6094	4952	4457

Population / Traffic Estimates & Projections For Study Area:

Assumptions for Population and Traffic	Based on Current Development Pattern	Based on Potential DU's Based on Current Zone	Based on Adjusted* Potential DU's Based on Current Zone	Based on Potential DU's Based on Re-Zone	Based on Adjusted* Potential DU's Based on Re-Zone	Based on Adjusted* Potential DU's Based on Re-Zone at 90% Buildout
3 persons per household (pph)	Population: (3 x DU) 6369	7797	7569	19245	15639	14076
5% Vacancy Rate	Modified pulation: (3 x Modified DU) 6051	7404	7191	18283	14857	13372
10 trips per day per Non-Vacant household (tpd)	Traffic: (Modified DU x 10) 20170	24680	23970	60940	49520	44570

Summary

	% Based Method	Linear Regression Method
Growth Trend Over Last 12 Years:	4.15% Annually	64.486 DU's per year
Estimated Pop. Forecast Year 2023:	14917 People	10605 People
Estimated Pop. Forecast Year 2023 (Assuming 5% Vacancy Rate):	14171 People	10075 People
Year Which 90% Buildout Will Be Met: (Year that 4692 DU's are projected to be built):	2022	2041
Potential Traffic (tpd) for year 2023 (Assuming 5% Vacancy Rate):	47237 tpd (2023)	33583 tpd (2023)
Potential Traffic (tpd) for year that 4692 DU's are built (Assuming 5% Vacancy Rate):	44570 tpd (2022)	44570 tpd (2041)

* Adjusted: Land Assembly at a block or sub-block level; 25% taken out for roads and infrastructure where appropriate.

Note: Vernal Pools have not been considered; Some land assembly would need to be performed.

GC, GI, LI zoned lots have not been included in above numbers; Community Center and School properties have not been factored in.

Note: All numbers are assumed to be approximate. Improvement Data was compiled using Jackson County GIS and Assessment Data

By: Mike Savage, JACO GIS Programmer Analyst Date: November 1, 2002, Modified November 4, 2002

FINDINGS, POLICIES, IMPLEMENTATION STRATEGIES:**9****FINDING:**

On September 2, 1998, the Jackson County Board of County Commissioners adopted Ordinance #98-18, which designated the White City Urban Unincorporated Community Boundary (WCUUCB) and adopted the White City Urban Unincorporated Community Plan, Phase 1. The Department of Land Conservation and Development acknowledged Ordinance #98-18 on October 22, 1998 in their Work Order #00992. Ordinance #98-18 became effective on November 1, 1998. The White City Urban Unincorporated Community Plan functions in conjunction with the Jackson County Comprehensive Plan and Jackson County Land Development Ordinance in guiding development in White City. As part of the adoption process, a "Committed" exception was taken to Goals 3, 4 and 14 for all lands within the boundary, thus establishing White City as an urban area. With this status, White City is allowed it to grow at urban densities. The White City Urban Unincorporated Community Plan states that "following approval of Phase 1 planning, the Jackson County Urban Renewal Agency...will initiate and undertake detailed urban planning to accomplish White City's second planning phase-Phase 2."

POLICY: THE WHITE CITY URBAN UNINCORPORATED COMMUNITY PLAN, PHASES 1 AND 2 WILL BE THE BASIS FOR GUIDING DEVELOPMENT WITHIN THE WHITE CITY URBAN UNINCORPORATED COMMUNITY BOUNDARY AND ACTS AS PART OF THE JACKSON COUNTY COMPREHENSIVE PLAN.

IMPLEMENTATION STRATEGIES:

- A) Adopt Phase 2 of the White City Urban Unincorporated Community Plan to establish more detailed urban planning for lands within the White City Urban Unincorporated Community.
- B) Adopt implementing regulations to ensure compliance with the White City Urban Unincorporated Community Plan, Phases 1 and 2.

GIBBONS/FOREST ACRES

The Gibbon Acres area is situated two miles north of Medford, and astride Table Rock Road. Central Point is two miles to the west, and White City is located two miles to the east of Gibbon's Acres.

The Unincorporated Containment Boundary includes the least number of parcels possible, while still encompassing the extent of small-lot development. A definite differentiation exists along the unincorporated containment boundary between smaller parcels inside the unincorporated containment boundary versus larger parcels outside the unincorporated containment boundary and reflects County policy for urban-centered growth. Fill-in development is encouraged, but outward expansion is restricted. Adjacent rural lands are preserved for agriculture, open space and rural residential needs and considers noise and accident potential related to the Medford airport.

DATA LIST

- 1) Population 388 parcels X 2.83 population/parcel equals 1,098 population.
- 2) Acres 475 acres.

Boundary Considerations:

- A) Most clearly separates urban or suburban land from rural lands.
- B) Would allow limited fill-in development, thereby best supporting the state goals and comprehensive plan policy.
- C) Places fewer people in the airport flight approach area.
- D) Contains only areas currently served by sewer.
- E) Would have little impact on agricultural land.

Disadvantages:

- i) Omits some lands with similar characteristics, but not quite as densely partitioned.
- ii) There potentially is a demand for suburban sized lots that could be served by a larger boundary.

DATA LIST

- 1) Population 388 parcels X 2.83 population/parcel equals 1,098 population.
- 2) Acres 475 acres.
- 3) Density— $1.098/475$ equals 2.3 population/acre.
- 4) Residences—388 housing units; 358 single family dwellings, 30 mobile homes in mobile home parks.
- 5) Streets—Assorted surfaces on well-developed grid network.
- 6) Parks—None within boundary. State Park (Touvelle) to north, on the Rogue River. City parks to the west in Central Point, and in Medford.
- 7) Library—None within boundary; nearest in Central Point, Medford, and White City.
- 8) Fire Station—Central Point RFPD; stations in White City and Central Point.
- 9) Police Services/Station—County Sheriff's Department; offices in Medford.
- 10) Schools—None in boundary; nearest in White City, Central Point, and Medford.
- 11) Sewer—Area serviced by BCVSA.

- 12) Water—Individual wells.
- 13) Medical/Social Services—Full service facilities in Medford; none within boundary.
- 14) Post Office—Central Point, White City, and Medford.
- 15) Electricity and Phone—Area served by Pacific Power and Light and Pacific Northwest Bell.
- 16) Existing Land Use—Mobile Home Park (30 units); Rural Commercial, Suburban Residential.
- 17) Existing Comprehensive Plan—Some Rural Service; vast majority is Rural Residential.
- 18) Existing Zoning—Almost all RR-5; some RS, F-5, and RR-1.
- 19) Future Comprehensive Plan/Zoning—see following maps.

FINDINGS, POLICIES, IMPLEMENTATION STRATEGIES:

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FINDING:

The Gibbons/Forest Acres area is serviced by a community sewer system. However, all homes and businesses in the area are serviced by individual wells. Further intense development in this area, while utilizing individual wells, may result in problems regarding both water quantity and quality, and adequate fire protection.

POLICY: THE GIBBONS/FOREST ACRES UNINCORPORATED CONTAINMENT BOUNDARY SHOULD BE MAINTAINED AS A SUBURBAN AREA UNTIL SUCH TIME THAT COMMUNITY WATER SERVICE IS PROVIDED. WHEN SUCH SERVICE IS PROVIDED, URBAN DENSITIES SHOULD NOT EXCEED TWO UNITS PER ACRE.

IMPLEMENTATION STRATEGY: Develop a urban residential zone, which allows one-half acre lots to be applied to this area if, and when community water is provided.

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FINDING:

The Gibbons/Forest Acres area lies near and adjacent to the Medford, and potentially, the Central Point Urban Growth Boundary. It may be desirable to include this area within an urban growth boundary, sometime in the future.

POLICY: THE GIBBONS/FOREST ACRES UNINCORPORATED CONTAINMENT BOUNDARY SHOULD ULTIMATELY BE INCLUDED WITHIN AN URBAN GROWTH BOUNDARY OF AN ADJACENT CITY.

IMPLEMENTATION STRATEGY: Consider the possibility of inclusion of this area in an adjacent urban growth boundary major update of the comprehensive plan and city urban growth boundaries.

SOUTH PACIFIC HIGHWAY 99 AREA

The Highway 99 area is located between Medford and Phoenix, along Highway 99. A 1977 land use study identified 865 acres in this area. A 1980 land use analysis identified 400 acres of land in the three urban land use categories: residential, commercial, and industrial. The area has many urban level services. The area is serviced by Medford Water Commission, through the Charlotte Ann Water District, and the BCVSA. Highway 99 is the only paved street providing through access. The area is served by Phoenix School District #4, Medford RFPD, and the County Sheriff's Department.

The existing zoning and existing land uses in the area are compatible, in most instances. The zoning reflects the land use. A 1978 population count identified 1,328 dwelling units and 3,758 persons (at 2.83 population/unit) in the study area. Surrounding zoning, around the developed properties, is F-5, EFU, and OSD-5. Existing land uses, beyond the urban density activities, are farming and rural residential to the east and west. To the north and south of the study area, are the urban growth boundaries of the cities of Medford and Phoenix. These two cities are connected by Highway 99, which carries a very high volume of traffic through the densely developed study area. Many orchards are close by.

The urban containment boundary facilitates tight containment of present urban activities. Very little undeveloped land is included. Total acreage is approximately 444 acres. Several larger parcels, between Highway 99 and Interstate 5, are not included within this unincorporated containment boundary. There are parcels presently in the five-acre zoning classifications (F-5, RR-5, and OSD-5). Similarly, no land west of the Southern Pacific railroad tracks, except for the Harry and David facility, is included within option Number 2.

A possible future action would be to include the northerly half of the Highway 99 area, within the Medford Urban Growth Boundary. Similarly, the southerly half could someday be included within the Phoenix Urban Growth Boundary. From a land use planning perspective, the idea of including developed urban land within an unincorporated containment boundary that is already adjacent to Phoenix and Medford's Urban Growth Boundaries is compatible with sound planning principles, County land use policies, and statewide planning goals. The following data list identifies the various types of services available for the Highway 99.

DATA LIST

- 1) Population in 1978 (within 1977 study boundary) equals 3,758 population.
- 2) Acres in boundary equals 444.4 acres.
- 3) Density 3,758 population/444.4 acres equals 8.5 population/acres.

- 4) Residences—Existing: 1,328 (Apartments—72 or 5 percent; single family—203 or 15 percent; mobile home parks—1,053 or 80 percent). Total 1,588 units; 463 single family units or 29 percent; apartments—72 or 5 percent; mobile home parks—1,053 units or 66 percent. Proposed Option 2: 444.4 acres X .8 X 7.3 equals 260 units. 260 units X 2.83 population/unit equals 736 population.
- 5) Streets: Highway 99 is the only through road in the study area.
- 6) Parks: None in the area; nearest parks are in Medford and Phoenix.
- 7) Library: None in area; nearest libraries are in Medford and Phoenix.
- 8) Fire Station: Medford RFPD/City of Medford; nearest station is in Medford.
- 9) Police Services/Station: County Sheriff and State Police.
- 10) Schools: District 4, elementary and high school in Phoenix; junior high in Talent.
- 11) Sewer: Area services by BCVSA.
- 12) Water: Charlotte Ann Water District.
- 13) Medical/Social Services: Doctor's office on Highway 99; full facilities in Medford.
- 14) Post Office: None in area; nearest are in Medford and Phoenix.
- 15) Electricity and Phone: Area serviced by Pacific Power and Light and Pacific Northwest Bell.
- 16) Existing Comprehensive Plan: Industrial, Commercial, Urban Residential, Agriculture, and others.
- 17) Existing Land Use: Mixture of industrial, commercial, and urban residential.
- 18) Existing Zoning: Generally corresponds to present land use.

The boundary reflects the application of the criteria for unincorporated containment boundary areas to the Highway 99 area. Adjacent farm lands are protected. Limited fill-in development is provided. Future traffic problems with Highway 99 are avoided by limiting future development in the area.

The boundary compliments County policy regarding support for urban centered growth around existing cities and enhances the possibility of future inclusion of Highway 99 urban lands within the urban growth boundaries of the cities of Phoenix and Medford. Phoenix, in particular, would not be in a position to annex and administer over an area of land with a population greater than that of the city itself. It appears far better to see Phoenix grow, while limiting development in the adjacent Highway 99 area, to the north. Then, at some time in the future, Phoenix will be capable of including part of the Highway 99 area within its urban growth boundary. Medford is presently capable of including much of the Highway 99 area within the Medford Urban Growth Boundary.

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FINDING:

South Pacific Highway 99, is a major arterial, connecting Medford and Phoenix, and other valley cities. Past and continuing development have reduced the effectiveness of Highway 99, between Medford and Phoenix, as a safe inter-city arterial. The multiplicity of uses in conjunction with unlimited and uncontrolled left-hand turns by vehicles off of, and onto Highway 99, has adversely impacted the original purpose of the highway.

POLICY: FUTURE DEVELOPMENT IN THE SOUTH PACIFIC HIGHWAY 99 UNINCORPORATED CONTAINMENT BOUNDARY SHOULD ONLY OCCUR IN A MANNER WHICH WILL NOT FURTHER DEGRADE THE TRAFFIC CAPACITY AND SAFETY OF THE HIGHWAY.

IMPLEMENTATION STRATEGIES:

- A) Consider measures to mitigate traffic impacts caused by any new development through the zoning, subdivision, partitioning, site plan review or conditional use permit process.
- B) Encourage the state to place study and improvements in this area as a high priority on their capital improvement budget.

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FINDING:

The unincorporated urban containment boundary abuts the Medford Urban Growth Boundary on the north and the Phoenix Urban Growth Boundary on the south. Ideally, these urban lands should ultimately be annexed to either of these two cities to further satisfy the requirements of Goal 14.

POLICY: FUTURE MAJOR AMENDMENTS TO THE MEDFORD OR PHOENIX URBAN GROWTH BOUNDARIES SHOULD CONSIDER THE OPTION OF INCLUDING A PORTION OF THE HIGHWAY 99 AREA IN EACH BOUNDARY.

IMPLEMENTATION STRATEGY: Encourage inclusion of the unincorporated urban containment area into the adjacent urban growth boundaries during any major update process that may occur in the future.

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FINDING:

The South Pacific Highway Unincorporated Containment Boundary is quite limiting in that it allows for little new development. This may be a problem since some adjacent lands which are currently in farm use may be highly impacted by the existing urban development. Additionally,

the entire corridor between the freeway and the railroad has a high priority for inclusion in adjacent urban growth boundaries. It is desirable to study this area in greater detail to determine other options or solutions which may more equitably resolve the existing land use and traffic problems.

POLICY: UNDEVELOPED LANDS IMPACTED BY EXISTING URBAN USE SHOULD BE CONSIDERED FOR EVENTUAL URBANIZATION. SUCH CONSIDERATION SHOULD ONLY OCCUR AFTER DETAILED STUDY AND ASSESSMENT OF OPTIONS AND THEIR IMPACTS.

IMPLEMENTATION STRATEGY: After acknowledgment of the comprehensive plan by LCDC, the County should place a detailed study of this area high on the list of program priorities.

SUMMARY

In summary, three unincorporated urban areas have been identified in Jackson County. These three plans, for their best interest and that of Jackson County's as a whole, have unincorporated containment boundaries.

The adopted unincorporated containment boundaries, for these three unincorporated areas, will satisfy county growth policies and statewide land use planning goals, and satisfy the needs of local populations of each of the areas. It should be understood that any approved unincorporated containment boundary is not eligible to change over time as are urban growth boundaries around cities. A containment boundary can change only under unique circumstances such as a mistake made in transcription, or site analysis error.

The set of maps included in this section show specific boundary locations; utility and street locations, and various land use categories. Each of the three unincorporated areas has maps that identify existing land use, zoning, and comprehensive plan designations. In addition, zoning and comprehensive plan designations are addressed.

Taken together, the maps and the text combine to provide the information, facts, and future development policies regarding the three areas in question.

CHAPTER 259 — THE WHITE CITY URBAN UNINCORPORATED COMMUNITY¹

259.010 APPLICATION OF REGULATIONS

The regulations contained in this Chapter apply solely to land and uses located in the White City Urban Unincorporated Community as designated on the official Comprehensive Plan and Zoning Maps of Jackson County. The lands so regulated are referred to as “White City” throughout the remainder of this Chapter. When any conflict exists between the development standards or criteria of this Chapter and any other part of this Ordinance, the standards and criteria of this Chapter will govern development approvals granted within White City.

259.015 ADMINISTRATION

- 1) **Permitting Authority**: Except as otherwise provided in this Ordinance, authority to issue all land use permits and approvals required under this Chapter is vested in the County.
- 2) **Building or Moving Permit**: No permit will be issued by the Building Official to construct, move or relocate a building or structure until the County has first issued all required approval(s) under this Section. Such approvals may contain conditions that must be met prior to occupancy of the structure. The date of final building inspection fixes the date on which the failure to perform the condition or duty becomes a violation of the approval. On and after that date the breach may be remedied by any or all of the following at the County's option: forfeiture of the security or other exercise of rights under a deferred performance agreement; withholding future development permits; issuance of a citation for violation, or filing a lawsuit to enjoin the continuing violation.
- 3) **Encroachment Permits**: Any street tree, shrub, privately owned fence or wall may be placed in a public right-of-way upon issuance of a County permit to occupy the area. Any such permit requires approval from the Director of Roads and Parks Services or his designee prior to issuance of an Encroachment Permit. Any application to install a fence, free standing wall or other structure within or along a street right-of-way must include a scaled plot plan signed by the property owner. The plot plan must accurately represent the location of the proposed structure with reference to the affected street right-of-way.

259.020 WHITE CITY COMPREHENSIVE PLAN AND ZONING MAP (SPECIAL NOTATIONS)

A special Zoning Map, the *White City Zoning Map* (WCZM), which applies to lands located within the White City Urban Unincorporated Community Boundary (WCUUCB), is adopted as part of this Ordinance. The WCZM is based on the White City Plan Map (WCPM) adopted as part of the Comprehensive Plan. The WCZM contains zoning districts unique to White City as well as special numbered notations that apply to specific parcels or areas within the White City UUCB.

¹ *Adopted by Ordinance #98-18 on September 2, 1998; Effective November 1, 1998, acknowledged by the Department of Land Conservation and Development on October 22, 1998. Amended by Ordinance #2003-20, Adopted 9-17-03, Effective 11-17-03 (File 2002-4-OA).*

The numbered notations on the WCZM correspond to the numbered regulations described below:

- 1) Neighborhood Commercial Uses in Numbered WCUR-8 and WCUR-30 Zoning District: Within this area, any permitted use that is listed within a Neighborhood Commercial (NC) zoning district may be allowed, subject to the following standards:
 - A) The site is at least two (2) acres in size and is planned as an integrated project that combines attached residential dwellings and neighborhood commercial uses. The project site may include land on either side of existing or planned streets. The number of dwellings allowed will be based on the total parcel area of the development minus any area proposed to be dedicated to commercial use. When parking facilities are to be shared by commercial and residential users, the entire parking area may be included in the calculation of maximum dwelling unit potential on the parcel.
 - B) The neighborhood commercial uses will be located adjacent to a collector or arterial street, or along Avenue C south of the White City Community Center.
 - C) The neighborhood commercial use(s) will occupy no greater than 3,000 leasable square feet of internal floor space per building. A maximum of 8,000 square feet of leasable floor space may be developed per parcel.
 - D) The proposed neighborhood commercial use(s) is permitted outright in the NC zone. Conditional uses in the NC zone may not be permitted in any WCUR zone under this Subsection, unless also allowed in the WCUR zone.
 - E) The purpose of a small neighborhood commercial center is to conveniently provide basic commodities for residential neighborhoods and to provide a mix of commercial and residential uses that are within easy walking or short driving distance of residential neighborhoods and alternative transportation systems. Because of their pedestrian orientation, drive-through's and uses that rely solely on auto trips are prohibited. (OAR 660-012-0060(5)(a))
 - F) For areas noted on the White City Zoning Map as "Potential Commercial Uses" (Map Notation #1), a minimum of one block distance must be maintained from any K-12 schools existing on January 1, 2004.
- 2) Direct Access Restricted to Avenue "A": Existing lots and parcels developed with one or more dwellings within this area may not increase the number of existing access points onto Avenue "A" at the time of land division unless unique circumstances exist that would preclude shared access. Shared access may be approved using either existing or relocated access points. In addition, the provision of access to existing vacant parcels, or those created by land division that cannot feasibly use a shared access point, will be developed in accordance with following priority scheme:
 - A) *First Priority - Existing Public Street.* Access from an existing publicly owned street that intersects Avenue "A".

- B) *Second Priority - New Public Street.* Access from a new street that will intersect Avenue “A” and is intended to serve proposed or future development on both sides of its intersection with Avenue “A” and which can comply with the intersection spacing standards in Section 259.050. Notwithstanding any other provision of this Ordinance, cul-de-sac streets within this area may be up to 650 feet in length, measured in the manner prescribed in Section 259.050(3)).
- C) *Third Priority - Shared Private Road.* Access from a shared private road or driveway that serves two or more lots.
- D) *Last Priority - Individual Driveway.* Access from a private driveway that serves a single lot or parcel. Unless precluded by existing development or parcel size, shape or configuration, all driveways within this area will provide for vehicles to enter the street in a forward movement.
- 3) Antelope Road Right-of-Way: Except for areas regulated under ASC 82-1 (Whetstone Industrial Park), new buildings and required parking that front on the segment of Antelope Road west of Crater Lake Highway 62 to its intersection with Kirtland Road, and Kirtland Road from that intersection west to the White City Urban Unincorporated Community Boundary, will observe a setback of seventy-three (73) feet measured from the centerline of the existing right-of-way.

259.030 RESIDENTIAL DENSITY AND USES

Table 259-1, below, shows the maximum and minimum permissible number of dwellings per net acre allowed under the White City Zoning Map (WCZM). The permitted and conditional uses and development standards of Chapter 226 apply to WCUR-4 through WCUR-10, while Chapter 228 applies to WCUR-30.

TABLE 259-1				
Zoning Districts	Minimum Lot Size	Minimum Residential Density (Units Per Net Acre)	Maximum Residential Density (Units Per Net Acre)	Use Standards
WCUR-4	5,000 Sq. Ft.	2 dwellings per acre	4 dwellings per acre	Chapter 226
WCUR-6	3,000 Sq. Ft.	3 dwellings per acre	6 dwellings per acre	Chapter 226
WCUR-8	3,000 Sq. Ft.	4 dwellings per acre	8 dwellings per acre	Chapter 226
WCUR-10	4,000 Sq. Ft.	6 dwellings per acre	10 dwellings per acre	Chapter 226
WCUR-30	Varies by Type	8 dwellings per acre	30 dwellings per acre	Chapter 228

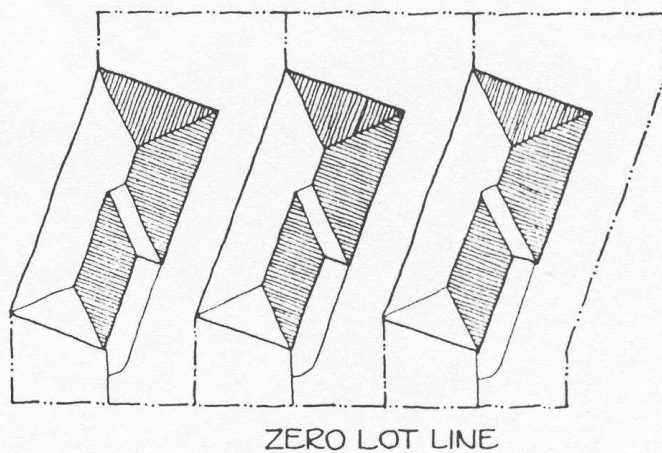
Net acreage is the total privately held acreage, including any land to be devoted to private streets, utility facilities, open space, etc. Areas that are undevelopable due to environmental

constraints (e.g., jurisdictional wetlands, vernal pools, flood ways) may be included in net acreage for purposes of calculating minimum and maximum dwelling unit potential on a parcel or tract in accordance with Table 259-2, below:

Environmentally Constrained Percent of Total Parcel Area	Percent of Acreage Credit Transferrable to Development Area
0 - 30 %	100%
31 - 60 %	50%
61-90%	25%
Over 90%	0

The percent of a parcel's area that is environmentally constrained will be established based on general sources available from Roads, Parks and Planning Services unless the applicant submits a detailed field study (e.g., wetlands delineation, engineer's report) certified by an environmental professional or surveyor that more accurately identifies the type, location and extent of environmental constraint(s) existing on the parcel.

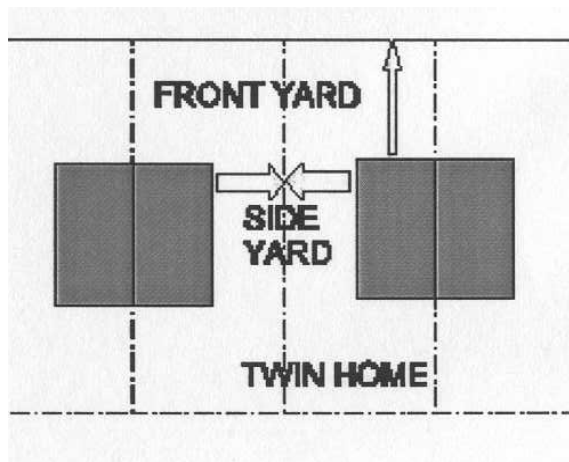
- 1) **Dwelling Types:** Except for mobile homes regulated under Section 259.031 (6), dwellings in the WCUR-10, WCUR-8 and WCUR-6 zoning districts may be either attached or detached housing of any type or design, provided that the project density is, or can be, within the range established in the above table.
- 2) **Zero-Lot Line Dwellings:** Zero lot line dwellings are detached houses that have a side yard setback of "0" on one side. They are permitted to allow development on smaller (i.e., narrower) lots, while still providing usable outdoor living area. Zero-lot line dwellings are subject to the same standards as detached single family dwellings, except that the following provisions also apply:
 - A) When a zero-lot line dwelling shares a side property line with a non-zero lot line development, the zero-lot line building shall be set back from the common property line by a minimum of 5 feet;
 - B) Prior to building permit approval, the applicant must submit a copy of a recorded six-foot wide easement for every zero-lot line house that guarantees rights for construction and maintenance purposes of structures and yards. The easement must stipulate



that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lot; and,

- C) The placement and/or design of windows on the ground-floor of the zero-lot line house shall support privacy for the occupants of the abutting lot. For example, the privacy standard may be met by placing ground-floor windows along zero setback property lines above site-lines with direct views into adjacent yards; by using frosted or opaque windows; or by other effective means.

- 3) **Single Family Attached Dwellings:** Single Family Attached Dwellings are attached houses that share a common wall along a side property line. The common wall portion of such structures approved under this Section is not subject to the normal side yard setback requirements otherwise provided by this Ordinance. Projects of two or more single family attached dwellings in separate ownership may be developed in the WCUR-8 and WCUR-6 zoning districts subject to compliance with the density requirements of this Section and all of the following standards:



- A) A land division is approved subject to the standards of Chapters 16 or 20, as applicable;
- B) No recorded covenants, conditions, restrictions, or plat provisions prevent the land division;
- C) No new residential lot created will be less than 3,000 square feet in size or less than 25 feet wide;
- D) Building envelopes and common walls separating dwelling units that will be located on lot lines are shown on the tentative and final plat; and
- E) All structural setbacks from lot lines required by this Ordinance, except for side yard setbacks where lot lines are traversed by common walls, must be met.
- 4) **Platting to Achieve Minimum Densities:** When a property owner or developer wishes to divide a residential parcel or tract in order to develop it in phases, only the initial phase must be platted and developed to the minimum density standards of this chapter. A future development plan for the residual property area must however be provided with the request for preliminary partition or subdivision approval of the first phase. The future development plan must demonstrate that the residual property area could feasibly be developed in accordance with the access and land division requirements of this Ordinance. The residual parcel area must be reserved and not be developed or improved until a land division or development plan has been approved by the County. A deed covenant to this effect must be recorded against the residual parcel or tract prior to development of the initial phase.

- 5) New Mobile Home/Manufactured Dwelling Parks: Notwithstanding any other provision in this Ordinance, new mobile home/manufactured dwelling parks are permitted only in the WCUR-10 zoning district as conditional uses. The standards in JCLDO Chapter 270 and Oregon law regulate other aspects of new mobile home/manufactured dwelling park design and development.
- 6) Accessory Dwelling Units: Accessory dwelling units consist of independent living quarters separate from the principal single-family dwelling on the lot. Accessory dwelling units are allowed on lots or parcels zoned UR-4, UR-6 or UR-8, subject to the following standards:
- A) *Where Permitted on Lot*: A permitted accessory dwelling unit may be attached to or detached from the principal dwelling, but must comply with all applicable site and building design, access, and other standards for principal dwellings in the zoning district in which the accessory unit will be located. No increase in side and rear yard areas or setbacks are required to place an accessory unit on the second story of a dwelling or garage. The placement and/or design of windows on detached accessory dwellings will support privacy for abutting properties. Privacy is maintained by orienting windows away from sight lines with direct views into adjacent yards or by using frosted or opaque windows. Manufactured dwellings, recreational vehicles, and travel trailers may not be used as accessory dwelling units.
 - B) *Size of Accessory Unit*: No accessory dwelling unit will exceed 50 percent of the size of the habitable floor area of the principal dwelling unit. In no event will an accessory dwelling unit exceed 800 square feet. An accessory dwelling unit may contain separate sanitary facilities with hot and cold running water and cooking and food storage facilities.
 - C) *Density Calculations*: Accessory dwelling units are exempt from any applicable residential density requirements.
 - D) *Minimum Lot Size*: Accessory dwelling units are prohibited on parcels less than 6,000 square feet in size.
 - E) *Limit on Number*: No more than one (1) accessory dwelling unit on a lot in addition to the principal single-family dwelling is permitted.
 - F) *Off-Street Parking*: When the property does not front on a street developed to an urban county road standard or when the road is parking restricted, at least one off-street parking space must be provided in addition to the parking requirement for the primary dwelling.
 - G) *Home Occupations*: No more than one minor home occupation is permitted on any parcel that contains an accessory dwelling unit. Major home occupations are prohibited on parcels that contain an accessory dwelling unit.

- 7) Supplemental Setback Provisions:
- A) *Special Setbacks From Resource Zoned Lands, Exemption:* Residential development in White City is exempt from the requirements of Section 280.060(1).
- B) *Front Yard Setbacks, Reductions Allowed:* Front yard setbacks may be reduced to 10 feet for dwelling units incorporating special attributes that promote a pedestrian friendly environment and a sense of connection to the neighborhood. At least two (2) of the following design features must be provided along the street facing side of each residence to permit a reduced front yard setback under this section:
- i) Dormers;
 - ii) Gables;
 - iii) Recessed entries;
 - iv) Covered entries/porches;
 - v) Cupolas;
 - vi) Pillars or Posts;
 - vii) Bay window (min. 12" projection);
 - viii) Eaves (min. 1 foot projection); or,
 - ix) Off-sets in building face or roof (min. 16")
- C) Front yard setback reductions under subsection (7)(B), above, may only be allowed for front porch or living area facades of the primary residential building. In no event may garages, either attached or detached, or accessory structures be located less than twenty (20) feet from the sidewalk, where present, or street right-of-way line.
- 8) Public Uses in Urban Residential Zones in White City: As used in this Section, Urban Residential Zones are the WCUR-4, WCUR-6, WCUR-8, WCUR-10 and WCUR-30 zoning districts. Notwithstanding any other provision of this Ordinance, the following are *permitted uses* subject to Site Plan Review pursuant to Chapter 282 when proposed on a site smaller than 20 acres: public buildings and uses, including parks, schools, public service, or public utilities, including public school bus storage yards and structures, but not including other equipment storage, maintenance or repair yards, warehouses, or other related activities. On sites over 20 acres in size, public buildings and uses may be approved as conditional uses in the various urban residential zoning districts.

259.031 RELOCATED HOUSING

- 1) Purpose: The purpose of this Section is to set standards for the relocation of dwelling units to White City. Historically, dwellings with irreversible deterioration or other physical defects were relocated to White City from other areas. These dwellings have been detrimental to the financing and construction of safe, attractive, and affordable housing, as well as the value of real property and improvements on adjacent or nearby properties. Conformance with the regulations herein will ensure that relocated housing will be safe, sanitary, reasonably attractive, and similar in appearance to other dwellings in White City.

This Section does not apply to new prefabricated or modular homes, or to manufactured dwellings if such homes bear the seal of the United States Department of Housing and Urban Development or the Uniform Building Code seal (i.e., were constructed after June 15, 1976).

- 2) Application Required: Relocation of dwellings to or within White City is subject to Administrative Review. An application to relocate housing to White City under this Section will be made on forms provided by the Department and may be incorporated into any building permit review otherwise required by law. Building permits to relocate a dwelling may not be issued until land use approval is granted.
- 3) Relocated Dwelling Storage Permit: A permit may be issued in accordance with the standards set forth in this Section for the temporary storage of dwellings being relocated from one parcel to another.
 - A) Standards: The stored dwelling will comply with the following standards:
 - 1) Storage permits may be issued only on property zoned General Industrial (GI) within the White City Urban Unincorporated Community Boundary.
 - 2) The dwelling may not be stored on the property to which it is permanently being relocated.
 - 3) The dwelling will not be occupied while being stored.
 - 4) There will be no electrical, plumbing, or sewer connections to the stored dwelling.
 - 5) All setback standards of the district will be met.
 - 6) The dwelling will not be located in a flood hazard area.
 - B) Duration; Not Renewable. No individual dwelling may be stored on a parcel longer than six months. While more than one dwelling may be stored on a parcel at any given time, individual dwelling storage permits are not renewable.
- 4) Expiration of Application Approval; Requirements After Relocation: Any application approved under this Section expires 90 days after approval unless within that time:
 - A) All conditions imposed by the County in approving an application to relocate housing to White City have been completed to the satisfaction of the County, or adequate security for compliance has been posted pursuant to Subsection 259.080;

- B) The dwelling has been moved to the site specified in the application and placed on a permanent foundation that complies with the standards for moved buildings in the Uniform Building Code; and
- C) The dwelling has been connected to public utilities, including water and sewer facilities, consistent with the requirements of law for new construction on the site.

At the applicant's request, the Department may authorize a time extension prior to expiration of a relocation approval granted under this Section upon demonstration by the applicant that all of the above conditions cannot be met within the 90 day permit period.

- 5) Approval Criteria: The County will approve, or approve with conditions, an application under this Section if it finds that the dwelling conforms, or can be made to conform through the imposition of conditions, with the following criteria:
 - A) The dwelling will have exterior siding and roofing which in material, finish and appearance are similar to the exterior siding and roofing material used on dwellings within the community.
 - B) The dwelling will have a pitched roof of not less than three feet in height for each twelve feet in width (3:12).
 - C) The dwelling will include a minimum of two (2) design features, as listed in Subsection 259.030(7)(B), along its street facing side.
 - D) The dwelling can be connected to all public water and sewer facilities consistent with the requirements of law for new construction on the site to receive the relocated dwelling, and said connection can occur within 90 days of the date the application is approved.
- 6) Conditions of Approval: When conditioning the approval of an application, the County will specify which conditions must be completed before the dwelling can be relocated. In addition, other conditions may be required before the dwelling is connected to utilities or occupied.
- 7) Restricted Housing: Any mobile home located to White City must meet the construction requirements of the Oregon mobile home law in effect at the time of its original construction or manufacture. No mobile home manufactured between January 1, 1962 and June 15, 1976 is allowed outside a manufactured dwelling park in White City. In addition, residential use of travel trailers and recreational vehicles for more than 30 days per year is prohibited outside of lawful pre-existing manufactured dwelling parks.

259.032 SPECIAL APPROVAL REQUIREMENTS RELATED TO THE JACKSON COUNTY SPORTS PARK

All land planned and zoned for residential use within White City is subject to JCLDO 280.110(3)(Q) — ASC 2003-2.

259.040 SPECIAL USES IN WHITE CITY INDUSTRIAL ZONES

Additional uses that are permitted only in White City industrial zones are described in this Section.

- 1) Housing that will be relocated to a permanent residential site may be stored for up to six months on land zoned General Industrial within the WCUUCB, provided the storage site is screened with opaque fencing or landscaping at least six (6) feet in height. Relocated housing storage permits may not be extended past the first six month time period, nor may subsequent storage permits be issued for the same dwelling.
- 2) Any use listed within a Neighborhood Commercial (NC) zoning district may be allowed in the General Industrial or Light Industrial zones in White City, subject to Site Plan Review pursuant to Chapter 282 and the following standards:
 - A) Total parcel area devoted to commercial use(s) will not exceed two (2) acres.
 - B) Commercial use(s) will be located at the intersection of an Industrial Collector or higher order street or road and any other existing or planned public street or road. For purposes of this Section prior to adoption of the Jackson County Transportation System Plan, an Industrial Collector is defined as a collector road constructed to a non-urban “A” standard, as specified in the Jackson County Standards and Specifications for County Roads.
 - C) Commercial use(s), which may be part of an integrated industrial use, will occupy no more than 4,000 leasable square feet of internal floor space.
 - D) Vehicular access to the commercial development will be from the lowest order street or road abutting the site. If both streets or roads are functionally identical, access will be discretionarily determined during Site Plan Review.
 - E) The neighborhood commercial use will not be located within one block of an existing or planned K-12 school.
 - F) A maximum of five (5) neighborhood commercial sites may be approved within the area zoned General Industrial (GI). Each neighborhood commercial approval will be sequentially numbered and noted in the affected parcel’s Building Division central files and the County’s geographic information system (GIS).

259.050 STREET INTERSECTIONS, DESIGN, AND CONNECTIVITY

Where practical, the creation of streets and development of property in White City will facilitate the connection of existing and future streets shown on the *White City Transportation Connectivity Plan Map*. In approving new streets, whether alone or in conjunction with the development of abutting land, the County will employ the methods established herein to ensure that streets connect with one another to form an efficient transportation network serving White City. The creation of streets in White City will comply with the following standards:

- 1) 200 Foot Separation Between Intersections: The creation of new streets will observe a

200 foot minimum spacing distance between intersections. The 200-foot standard applies to existing and planned street intersections. The planned intersections will be those shown on the *White City Transportation Connectivity Plan Map*. The minimum spacing distance will be measured from the street centerlines.

- 2) Cul-de-sac Streets Discouraged: Cul-de-sac streets are discouraged and will not be approved except where the provisions of law, physical or environmental barriers make the extension of a street infeasible. For example, a cul-de-sac street may be approved when it is the only feasible alternative to a through street, including stubbing a street to adjacent property.
- 3) Cul-de-sac Street Length: Where permitted, cul-de-sac streets will be as short as possible and terminate in a turnaround of suitable size and design as may be approved by the Roads and Parks Department. Except for cul-de-sac streets located between Avenue "A" and Lake of the Woods Highway 140 (see Section 259.020(2)), a cul-de-sac street will be no greater than 200 feet long. The length of a cul-de-sac will be measured along its centerline, beginning at the center point of the turnaround to the centerline of the intersecting street with which the cul-de-sac street intersects, which is also not a cul-de-sac.
- 4) Half Street Improvement: When a street intended for public ownership is to be created but its right-of-way is not wholly within the development parcel, the developer may construct only a half street if it is practical to require dedication of the other half when the adjoining property is developed. No half-street improvement will be permitted for cul-de-sac access unless designed to allow safe emergency vehicle access pursuant to emergency service provider recommendations. A half street improvement requires dedication of one-half the right-of-way width and improvement of the street to its centerline plus an additional eight (8) feet of improved street beyond the centerline. When a half street improvement is approved, development on the abutting parcel(s) where the other half of the street will be located will be required to dedicate right-of-way and construct the remaining half street when development is approved on the property. The County may require a control strip be conveyed in accordance with Section 05.020.
- 5) Transit Stops: Following formal consultation with the Rogue Valley Transportation District (RVTD) as part of a pending land use application, the County may require a transit stop and such improvements as may be necessary for the District's convenience and safe operation.
- 6) Conformance with Existing Divisions and Public Rights-of-Way: Streets will be laid out so as to conform to the plats of subdivisions already approved or the alignment of existing or planned road rights-of-way as to width, general direction, functionality, and in all other respects, unless the County determines it is in the public interest to modify the street or road pattern.
- 7) Vision Clearance for Intersections: No structure, fence, wall, hedge, sign, or other visual obstruction will be created or allowed to grow, be placed, or maintained between the heights of three (3) and ten (10) feet above the street level within 20 feet of the intersection of the rights-of-way lines of two roads, or of a road and a railroad property line. The County may order the removal or modification of such sight obstructions which

conflict with this section.

- 8) **Bicycle and Pedestrian Access:** Bicycle and Pedestrian Accessways shall be provided for connectivity to serve any designated bicycle and/or pedestrian path connection. A designated connection is any route shown on the White City Transportation Connectivity Plan Map, the Comprehensive Bicycle Plan for Jackson County, or the Jackson County Transportation System Plan. Also, in areas where a designated bicycle and/or pedestrian path designation identified, accessways that can reasonably be expected to provide beneficial bicycle/pedestrian connectivity shall be provided. Creation of an accessway shall not be used as justification to reduce or eliminate street connectivity requirements. Relaxation of the bike path construction standards in Section 05.095 may occur if a favorable recommendation is obtained from Jackson County Roads.

259.060 CONNECTION TO PUBLIC SEWER AND WATER LINES REQUIRED

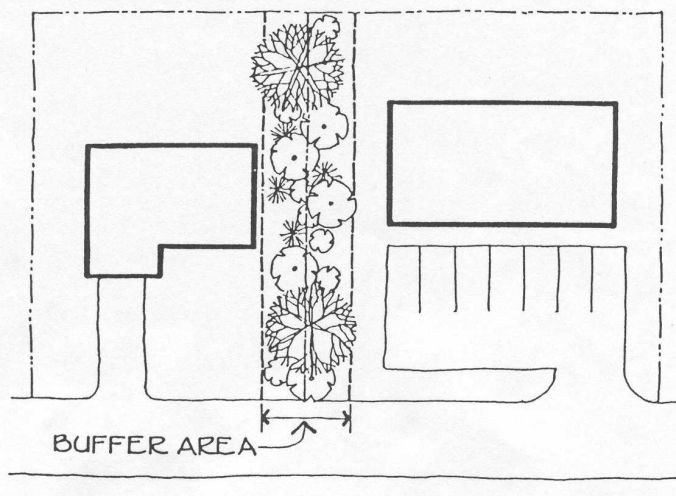
Adequate public sewer and water service facilities must be provided in conjunction with all new land divisions within White City in order for the land division request to be approved. Authority to issue sewer, water and storm drainage connection permits is vested in the public entity owning the facility.

All new, relocated, and replacement buildings that require plumbing must be connected to public sewer and public water facilities when:

- 1) The public sewer and/or public water facilities have remaining capacity to accommodate the additional development, as determined by the public entity owning said facilities; and
- 2) Public sewer and/or public water facilities exist within 300 lineal feet from the parcel or lot on which the development is proposed.

259.070 LAND USE BUFFERING AND SCREENING

This Section is applicable within White City to all site plan reviews and in any situation where: a commercial or industrial zoning district abuts a residential district; a commercial district abuts an industrial district; or when an White City Urban Residential (WCUR) district abuts an White City Urban High Density Residential (WCUR-30) district. This Section is also applicable in situations where Neighborhood Commercial uses are developed within the WCUR-30 and GI zoning districts pursuant to Sections 259.020 and 259.040, respectively. Where a dedicated street or road separates dissimilar zoning districts, the provisions of this Section do not apply. In no case are buffer yards required along street frontages subject to Section 259.074 or in situations where installation of a buffer yard would



disturb a protected wetland or riparian area.

Required buffer yards are generally located in the side or rear yard setbacks around the perimeter of a parcel, but may also be required in other locations when necessary to separate potentially incompatible uses or to provide perimeter landscaping around parking lots and other vehicular use areas. Buffering and screening on property is the responsibility of the developing property owner.

- 1) Encroachments Into Buffer Yards: The buffer yard is intended to provide a minimum amount of space for required plants to grow, for aesthetic separation between uses, and for development of on-site storm water runoff facilities. Therefore, this area must be reserved exclusively for such uses. Other than permitted curb cuts, encroachment of parking and maneuvering areas, sidewalks, patios, other impervious surfaces or structures (other than required fences or walls) are prohibited in buffer yards.
- 2) Buffer Yard Credits: Existing qualifying plant materials within the buffer yard area may be counted toward the buffer yard requirement. Bioswales incorporated into on-site drainage designs may be located in any landscaped area and will be counted toward compliance with the standards of this Section. Existing walls, fences, and hedges that conform with the standards of this Section may be used to satisfy screening requirements.
- 3) Timing for Buffer Improvements: Perimeter walls and fencing required by this Section must be installed before issuance of final plat approval for a subdivision or land partition. For all other development, walls, fencing and landscaping required by this Section must be installed before final inspection and occupancy of any building. Required landscaping for the division of land within a White City Urban Residential (WCUR) zone may be deferred in accordance with Section 259.080.

259.071 BUFFER YARD STANDARDS

Minimum requirements for buffer yards appear in the Table below. When a buffer yard is required as part of a nondiscretionary permit review, the specified type and number of plants must be used. An alternate planting scheme may be approved through a discretionary review. A list of recommended plant materials for specific uses may be obtained from the Department.

TABLE 259-3 BUFFER YARD STANDARDS		
BUFFER YARD TYPE	MINIMUM WIDTH	Must Include the Following Plants Per 100 Linear Feet or Equivalent Square Feet of Buffer Yard
A*	10 Feet***	3 Canopy Trees, 2 Conifer or Understory Trees, 20 Shrubs with Fence or Wall.
B**	6 Feet***	2 Canopy Trees, 1 Conifer or Understory Tree with Fence, Wall or Hedge.
* Buffer yard type (A) is required between residential and commercial uses or industrial uses, and between commercial and industrial uses. Buffer yard type (A) is also to be used to buffer neighborhood commercial uses approved within the WCUR-30 or GI zones from abutting properties.		
** Buffer yard type (B) is required between the WCUR-30 zone and other residential zones		
*** Sidewalks may be located within the landscaped area when adjacent to buildings, provided the area dedicated to landscaping is not reduced below four (4) feet.		

- 1) **Standard Planting Scheme:** When the number of plants required is determined based on linear feet, distances above or below one hundred (100) feet will be prorated with the resulting numbers of plants rounded so that one-half or more is deemed to require a full plant. When the number of plants is determined based on square feet of landscape area, the total area of the site devoted to buffer yards will be used to determine the amount of plants required, with one-half or more of each plant type deemed to require a full plant.
- 2) **Alternate Planting Scheme:** The plant types and number used in the buffer yard may be adjusted when an alternate design is prepared by a Landscape Architect registered in the State of Oregon, and the Planning Director finds that the alternate design will provide a buffer between existing and/or anticipated uses comparable to the standard planting scheme. The total number of plants may not be reduced by more than 25 percent.
- 3) For both the standard and alternative planting schemes, the plants will generally be evenly spaced so as to provide a continuous buffer throughout all seasons, unless otherwise specified on an approved landscape plan. Adjustments may be made where necessary to avoid underground utilities, overhead wires or unique site conditions that would result in inappropriate or impractical design if the standards of this Section were strictly applied.
- 4) Any part of a required buffer yard may be located on an adjoining property, provided it is planted with a proportionate share of the required plants and a buffer yard easement is recorded by the adjacent property owner. The easement must allow for the installation and perpetual maintenance of the buffer yard and restrict use of the area to only the buffer yard.

250.072 ADJUSTMENTS TO BUFFER YARDS

Buffer yard requirements may be adjusted through an Administrative Review when unusual circumstances exist and a finding is made that adequate buffering will be provided to avoid significant adverse impacts to the livability or value of adjoining properties. Adjustments may not be made simply for the convenience of site design. Circumstances that may warrant an adjustment to the buffer yard requirements include, but are not limited to, the following:

- 1) Where a building wall with no openings below eight (8) feet abuts the buffer yard, the building wall may be counted in place of a required wall or fence.
- 2) Where there is existing development on the site that will remain after proposed development, such as paving or a building, which affects or precludes implementation of the buffer yard standard.
- 3) Where a proposed project abuts existing development that has already installed a buffer yard such that additional buffering is not necessary and the uses are not expected to change significantly over time.
- 4) Where a project abuts an irrigation canal, natural waterway, wetland, railroad right-of-way, or other such element.

259.073 FENCES, WALLS AND HEDGES

Fencing, where required, will typically be located on the side of the buffer yard nearest the less intensive use (e.g., single-family residential) while a wall, where required, will typically be located on the more intensive (e.g., industrial) side of the buffer yard. In either case, the Planning Director may authorize its location anywhere within the buffer yard. The following standards apply to fences, walls and hedges that are part of a required buffer yard or street frontage landscape strip. Sight-obscuring fences and walls in these areas may not exceed six (6) feet in height. On all other portions of a lot or parcel, fences or free-standing walls may be erected up to eight (8) feet in height, provided that required building permits are obtained.

- 1) When located within a front yard setback area abutting a street or road, fences, walls and hedges may not exceed three and one-half (3.5) feet in height. In the case of corner lots, side yard fences, walls and hedges along a street or road may not exceed three and one half (3.5) feet in height for the first 40 linear feet as measured from the point of intersection with the front property line.
- 2) When located in a rear yard setback area abutting a street or road, fences, walls and hedges may not exceed six (6) feet in height.
- 3) A required concrete or masonry wall may be replaced, foot-for-foot of height, by an earth berm (e.g., six (6) foot wall replaced by a two (2) foot berm with four (4) foot wall on top). Earth berms may have a maximum side slope of up to 2:1 and must be stabilized with live vegetation.
- 4) Retaining walls protecting a cut or fill, and located on a property line, may be topped by a fence, wall or hedge of the same height as would be permitted if no retaining wall

existed, and said height will be measured from the top of the retained ground surface where it meets the retaining wall.

- 5) The height of fences, walls and hedges is measured from the sidewalk grade. When no sidewalk is present, height is measured from the natural grade adjacent to the fence, wall or hedge. All fences, walls and hedges must be maintained in a safe and serviceable condition and be constructed of a material and design that is compatible with adjacent uses.

The standards of this Section may be modified as part of a site plan review, conditional use permit, or planned unit development.

259.074 STREET FRONTAGE LANDSCAPING

The following minimum landscaping requirements apply at the time of development along all collector and arterial street and road frontages within White City. Unless required as part of an approved site plan, street trees are not required along street frontages within General Industrial (GI) zones. In addition, Section 259.075 contains street tree landscaping standards applicable to residential development taking access off of local streets in White City.

The following table specifies the type and number of plants required along collector and arterial street and road frontages to assure adequate buffering of uses from noise, dust and odors associated with traffic, and to visually enhance street and road corridors in the urbanizing area.

TABLE 259-4 STREET FRONTAGE LANDSCAPING STANDARDS			
PROPOSED USE TYPE	MINIMUM PLANTING AREA WIDTH	No. of Plants Required Per 100 Feet of Street Frontage* (Excluding Driveway Frontage)	
		TREES	SHRUBS
MULTI-FAMILY/ GROUP HOMES/OFFICE	10	4	20
RETAIL COMMERCIAL/ PUBLIC/QUASI- PUBLIC	10	3	15
LIGHT INDUSTRIAL	10	2	10

*In areas where a municipal or community water system will provide irrigation water, mowed and irrigated lawn within the required front yard area may be substituted for a maximum of fifty percent (50%) of the required shrubs on a percentage basis (i.e. 25 percent lawn replaces 25 percent of required shrubs, 50 percent or more lawn replaces 50 percent of required shrubs).

- 1) For residential land divisions adjacent to arterial streets or roads where houses will not face the arterial street, a street frontage landscape plan must be submitted showing at

least a six (6) foot vertical separation feature between the lots and the arterial street in order to buffer the lots from traffic. The separation feature must include a fence, wall or berm for at least half the required height, and either a fence, wall, berm, or landscaping to complete the required total height. The separation feature must create a solid visual screen. Any fence or wall must be engineered to stand straight. The separation feature will be reduced in height when required to meet front or side yard, or vision clearance area restrictions. (See Section 259.050(7)).

- 2) For all other street frontages the number of plants required for distances above or below one hundred (100) feet must be prorated with the resulting numbers of plants rounded so that one-half or more requires a full plant. All required planting must be located in the yard area within ten (10) feet of the street, unless otherwise approved. Existing plant materials that meet the requirements of this Ordinance may be counted as contributing to the total landscaping required by this Section. All state highway frontages are treated the same as other street and road frontages.
- 3) When any parking lot is to be located adjacent to a public right-of-way and any existing or planned sidewalk will be located in the right-of-way, the applicant may choose to provide a three (3) foot high brick, stone or finished concrete wall along the right-of-way boundary in lieu of required street frontage shrubs. When a sidewalk exists or is planned no wall may encroach into any area dedicated for sidewalk use.

259.075 RESIDENTIAL STREET TREES:

Nothing in this Section will be construed to prohibit, limit or require the selection, planting, removal or maintenance of any tree on private property unless it is a required street tree. With the exception of normal maintenance activities, street trees should be included as part of the project cost when public or private streets are planned, constructed, or improved. The street tree requirements of this Subsection may be waived when the County finds that water necessary for the survival of street trees is neither accessible nor available.

- 1) Street Trees Required: Street trees in accordance with this Section will be planted and maintained along all local streets used for primary access to residential parcels, whether such streets are public or private. Street trees are required:
 - A) As a condition of approval for any residential subdivision or land partition;
 - B) As a condition for the issuance of a building permit for the construction of a dwelling, or placement or replacement of a manufactured dwelling;
 - C) As a condition of approval to relocate housing to White City under Section 259.031; or
 - D) To replace existing trees removed per Subsection 259.075(6).
- 2) Location and Spacing of Street Trees: Street trees will be required on lots or parcels where necessary to maintain the following standards:
 - A) One street tree will be required for every 30 feet of frontage, with a minimum of

- one tree per street frontage. An exact 30-foot frontage distance between street trees is not necessary; anywhere on the subject parcel or its frontage within ten feet of the exact interval position will be deemed to comply.
- B) No tree will be planted closer than 20 feet from the intersection of street right-of-way lines in accordance with vision clearance standards.
- C) Street trees will be planted within the street right-of-way or public utility easement adjoining such right-of-way subject to the following conditions:
- i) When a planter strip is incorporated in residential street design, trees must be planted within planter strips a minimum of six (6) feet in width midway between the curb and sidewalk.
 - ii) Where no curbs and sidewalks exist, trees will be planted no more than two (2) feet from the edge of the right-of-way, provided that the tree will not be planted within a planned sidewalk.
 - iii) Any authorization or permit required to plant a street tree within either a public right-of-way or a public utility easement is obtained in writing from the authority having jurisdiction prior to planting.
- 3) Timing for Installing Street Trees: Street trees conforming with this Section will be planted prior to final inspections by the County for all development.
- A) *Land Divisions*: For land divisions, street trees will normally be planted at the time of street construction or the construction of improvements required by tentative plat approval. However, the planting of street trees may be deferred for new lots created under this Ordinance which are within a White City Urban Residential (WCUR) zone. Such deferral will be only until dwellings are constructed upon individual lots, at which time street trees conforming with this Section will be planted.
- B) *Street Construction or Improvement*: Street trees required under this Section will be planted within six months following the completion of work on each segment of roadway which requires the planting of street trees.
- 4) Security to Guarantee Deferred Street Tree Installation: Planting street trees may be deferred when the developer enters into an agreement with the County and posts security to ensure compliance as specified under Subsection 259.090 below.
- 5) Street Tree Maintenance: The care and maintenance of street trees is a continuing responsibility of the owners of land upon which the street tree is planted, or if planted within a street right-of-way, the owner of the property abutting that portion of the right-of-way upon which the tree(s) is planted. Proper care and maintenance involves periodic irrigation and pruning as necessary to maintain the tree(s) in a healthy condition.
- 6) Removal, Topping or Severe Pruning of Street Trees Prohibited: Except as provided below, no required street tree may be removed, topped or severely pruned without the

prior written approval of Jackson County Roads and Parks Services. Severe pruning is defined as severing the trunk, or cutting back the trunk or a limb larger than three inches in diameter to a stub. Jackson County Roads and Parks Services may grant approval to remove, top or severely prune a street tree when the action is required by law or for one or more of the following purposes:

- A) To remove trees, limbs or roots which are dead.
- B) To remove trees, limbs or roots which have been severely damaged by storms or other causes or which otherwise pose a danger to the public health, safety or general welfare.
- C) To alter the shape of trees located under utility wires or other obstructions where other pruning practices are impractical.
- D) To accommodate a new street or improvements to an existing street.
- E) To remove nuisance trees (e.g., trees bearing objectionable fruit, nuts or thorns).

If a required street tree or any tree is within the public street right-of-way, the County, by reason of its authority to control and maintain the public right-of-way, may remove the tree or any part of it at any time, for any reason deemed by the County to be in the public interest. Prior to removing a tree in the public street right-of-way, the County shall, 20 days before removal, mail advance notice to the owner of the abutting frontage as shown in the County Assessment records. The notice requirement of this section does not apply in cases where any tree poses an immediate threat to public safety.

- 7) Replacement of Street Trees After Removal: When a required street tree is removed by a property owner, the tree will be replaced with a new tree conforming with this Section within 30 days. Whenever a required street tree is removed from within the public right-of-way by the County, the County will in like manner replace it from such unexpended funds as may be budgeted for that purpose, if there is sufficient space remaining in the right-of-way or, otherwise, if the abutting owner consents to relocation on his abutting property.

259.076 GENERAL LANDSCAPE REQUIREMENTS

All development that is subject to the landscaping requirements of this Chapter must comply with the following standards within required landscape areas.

- 1) All landscape areas must include sufficient lawn, shrubs and/or living ground cover to spread over approximately 85 percent of the total landscaped area within eight (8) years. Tree canopies may be counted toward the coverage figure when appropriate ground cover is incorporated into the landscape design under the canopy. The tree planting standards of this Section do not apply to areas dedicated to bioswales on an approved landscape plan, provided the bioswales are planted with appropriate living groundcover that will spread over 95 percent of the bioswale area within five (5) years. The County will determine if a proposal complies with this standard.

- 2) The following minimum plant sizes apply, at the time of planting, to all landscaping required by this Ordinance:
 - A) Large deciduous tree stocks must be at least 1 inch in diameter (caliper) at four (4) feet above the ground.
 - B) Understory and ornamental tree stocks (e.g., Dogwood, Japanese Maples, Redbud) must be between four (4) and six (6) feet in height.
 - C) Evergreen and conifer trees must be between five (5) and six (6) feet in height.
 - D) Shrubs must be at least one (1) gallon size. Five (5) gallon size is encouraged, especially when slow growing species are used.
 - E) Groundcover plants must be a minimum of four (4) inch pots and spaced appropriately for the species.
- 3) All landscaping required for multi-family and non-residential development must have irrigation systems installed unless otherwise exempted by the Planning Director. Bioswales integrated as part of a combined on-site drainage and landscape plan that are planted entirely with native or other drought tolerant grasses and forbes are exempted from this requirement.
- 4) All planter areas must be covered with a minimum of three (3) inches of unsettled bark mulch or similar pervious nonliving material. No more than 25 percent of landscaped areas may be mulched with rock, pumice, or other inorganic ground covers.
- 5) All landscaped areas and plants must be kept free of noxious weeds and be maintained in good health by the property owner(s) and may not be reduced in area or number. The property owner, or tenant if the applicant, is responsible for contacting the Planning Division to request an inspection to verify compliance with the approved landscape plan and survival of planted materials after the first year of operation. The inspection will be conducted during the growing season.
- 6) If the development is a public works project, all landscape plans must be prepared and stamped by a landscape architect registered with the State of Oregon (*ORS 671.412*).

259.077 XERISCAPE REQUIREMENTS

All development that is subject to the requirements of this Chapter that cannot obtain required landscape irrigation water from a municipal or community water system must incorporate the following measures in any landscape plan submitted for County review.

- 1) Limited Turf Areas: The total amount of lawn (i.e., turf) may not exceed 25 percent of the total landscaped area. In addition, lawns should be separated from trees, flower beds and other ground covers that do not have similar water needs as lawn/turf. Lawns may not be planted in strips less than five (5) feet wide due to the difficulty in controlling irrigation over spray and resulting water waste in such areas.

- 2) Efficient Irrigation: In order to reduce the amount of water required to maintain established vegetation, automatic or drip irrigation systems designed to supply adequate water to each planted area are required. If an automatic system is used, all watering must be done between sundown and sunrise to minimize evaporation.
- 3) Use of Drought Tolerant Plants: Only drought tolerant native and non-invasive exotic species may be used in xeriscape plantings. A list of plants recommended for their drought tolerance and fire resistance is available from the Department. Other drought tolerant plants recommended by a licensed landscape architect may also be allowed.
- 4) Alternative Ground Cover: Whenever possible, mulched planting beds and native plant communities should be used to meet landscape requirements. Beds may be mulched with any suitable organic or inorganic ground cover, provided that no more than 25 percent of the total landscaped area is mulched with inorganic material. Preservation and re-establishment of native plant communities as part of landscape designs is encouraged.
- 5) Soil Improvements and Maintenance: Property owners must keep planted areas free of debris and continue to add mulch, mow lawns, maintain planting beds and prune trees on a seasonal basis. When preexisting native plant communities are incorporated into the landscape design, noxious weeds and exotic plant species must be eliminated annually from those areas.

259.080 DEFERMENT OF IMPROVEMENTS; SECURITY TO ENSURE COMPLIANCE

If the County allows an improvement required as part of a development approval to be deferred, the applicant, and all owners of the subject parcel, will be required to sign an agreement to assure compliance with the development standards of this Ordinance and conditions of approval within the time prescribed in the agreement. Performance will be secured by collateral as provided in this Section. The agreement will be approved by County Counsel prior to execution, and will be accompanied by cash, a certified check, surety bond or other security acceptable to the County to cover 110 percent of the estimated cost of the improvements. The security may be released incrementally as the improvements are completed to the satisfaction of the County. (See Chapter 55)

CHAPTER 280—SUPPLEMENTAL PROVISIONS¹

280.010 SIMILAR USES:

In any zoning district other than Rural Limited Industrial, Limited Use, Exclusive Farm Use, Forest Resource, Woodland Resource, and Open Space Reserve zones, the County may permit similar uses not specified in the district when the use is consistent with the purposes and intent of the Jackson County Comprehensive Plan and zoning district in which it is proposed to be located. The administrative procedures for similar uses shall be the same as for conditional uses as specified in Chapter 260.

280.020 TEMPORARY MOBILE HOME APPROVALS:

A permit may be issued in accordance with the procedure set forth in this Section for the temporary placement and use of a mobile home for occupancy by an infirm person incapable of maintaining a residence on separate property, or by one or more individuals engaged in caring for the infirm person.

The County may permit the use of a recreational vehicle as a temporary mobile home for a nonrenewable one-year time period, provided that all requirements of this Section are satisfied, and the Building Division conditions for issuance of a mobile home setup permit are met.

- 1) **Application:** Application shall be made on forms supplied by, and shall be filed with, the Department.
- 2) **Conditions for Issuance:** The Director shall issue a permit when the following conditions are met:
 - A) The nature of the infirmity or hardship has been certified by two written statements; one from the patient's primary care medical doctor (MD) or osteopath (DO), as well as a second opinion from a licensed MD or DO. The statements shall be on the care provider's stationery or stamped by the office, and shall indicate that the patient is not physically or mentally capable of maintaining him/herself in a residence on a separate property, and is dependent upon someone being close by for assistance.

¹ Amended by: Ordinance #92-14, Adopted 10-14-92, Effective 12-13-92 (File #92-22-OA); Ordinance #93-4, Adopted 1-27-92, Effective 5-29-93 (File #92-23-OA); Ordinance #94-156, Adopted on 12-28-94; Effective 2-27-95 (File #94-17-OA); Ordinance #95-37, Adopted 8-23-95, Effective 10-22-95 (File #95-3-OA); Ordinance #95-60, Adopted 1-17-96, Effective 3-18-96 (File #95-18-OA); Ordinance #96-16, Adopted 4-17-96, Effective 6-17-96 (File #95-15-OA); Ordinance #99-11, Adopted 6-16-99, Effective 8-16-99 (File #1999-4-OA); Ordinance #99-16, Adopted 8-17-99, Effective 10-16-99 (File #1999-2-OA); Ordinance #99-37, Adopted 9-15-99, Effective 11-14-99 (File #1999-7-OA). Section 280.080 Amended by Emergency Ordinance #2002-13, Adopted 4-24-02, Effective 4-24-02, Expires 8-22-02 (File 2002-1-OA). Section 280.080 Amended by Emergency Ordinance #2002-18, Adopted 8-7-02, Effective 8-7-02, Expires 12-5-02; and Permanent Ordinance #2002-19 Adopted 9-4-02, Effective 11-3-02 (File #2002-2-OA). Subsection 280.110(3)(P) Added by Emergency Ordinance #2002-25, Adopted 12-12-02, Effective 12-12-02, Expires 4-11-03; and Permanent Ordinance #2002-26 Adopted 12-31-02, Effective 3-1-03 (File 2002-3-OA). Subsection 280.110(3)(Q) added by Ordinance #2003-20 Adopted 9-17-03, Effective 11-17-03 (File 2002-4-OA).

- B) The infirmity must be due to physical or mental impairment. Financial hardship conditions, child care, and other convenience arrangements not relating to physical and mental impairment are not considered an infirm condition for which a permit can be issued.
- C) A sewage disposal system for the mobile home has been approved by the appropriate public agency by one of the following:
 - i) Connection to the existing subsurface sewage disposal system or sanitary sewer outlet already located on the property. No additional sewer taps shall be permitted.
 - ii) Installation of an individual subsurface sewage disposal system which the applicant agrees will be abandoned when no longer used for purposes for which the permit is issued. The disposal unit would not have to be abandoned if put to another use lawfully allowed under provisions of this Ordinance.
- D) The location of the mobile home conforms to setback requirements of this Ordinance.
- E) Provide a map of the property and surrounding area which shows, at a minimum:
 - i) The entire ownership of the property under consideration.
 - ii) The approximate location of access road to the proposed mobile home site.
 - iii) Existing dwelling and other structural improvements on the property.
- F) A list of users of the access road when the access is not a County or state owned road.
- G) No permit may be issued for a temporary mobile home to be located within an identified 100-year floodplain.
- H) The applicant shall certify that the placement of a mobile home does not violate the provisions of any deed restriction or subdivision covenant for the property.
- I) The applicant shall agree to remove the mobile home within 45 calendar days after the unit has ceased to be used for the person for which the permit was issued. In any event, the unit shall be removed from the premises by the day of the expiration of the permit, unless the permit has been renewed in conformance with Subsection 5), below, or the unit has been put to some other lawfully permitted use.
- J) No additional driveways, access roads or accessory buildings to serve the temporary mobile home shall be permitted. The temporary mobile home shall be located within two hundred feet of the existing residence on the property, except to conform with Subsection G), above.

- K) There is someone residing on the premises who can provide the needed assistance.
- L) In a Forest Resource, Woodland Resource, Open Space Reserve, and Exclusive Farm Use zoning district, the dwelling must be sited to minimize adverse impacts on resource use of the subject property or adjacent properties. Fire protection requirements of Section 280.100 are also required where applicable.

3) Application Processing:

Upon receipt of an application for a temporary mobile home permit, the Director shall determine if the request satisfies the standards of this Subsection and shall render a written decision consistent with procedures outlined in Chapter 285.

4) Appeals:

The decision of the Director to approve, approve with conditions, reject or deny an application for a temporary mobile home permit shall only be considered upon appeal. If an appeal is properly filed, the Hearings Officer shall hold a hearing consistent with the requirements of Chapter 285.

5) Expiration of Permit; Renewal:

- A) A temporary mobile home permit is valid for one year from the date of issuance, and must be renewed on an annual basis. All renewal requests must comply with the conditions for issuance specified in Subsection 280.020(2) at the time of renewal.
- B) The Department shall give permittees not less than 30 calendar days written notice of the pending expiration of their permits, advising that a renewal will be required.
- C) Failure to receive notification of pending expiration does not constitute an extension of time for the permit.
- D) The permit shall not be issued until a review has been conducted by the Department to determine the continued validity of the hardship.
- E) Updated certifications of hardship must also be received from Oregon licensed medical doctor or osteopath.

6) Revocation:

A temporary mobile home permit may be revoked by the County, pursuant to Chapter 285, for violating the conditions of a permit. If the permit is revoked, the Director shall require removal of the mobile home as provided in Subsection 280.020(2)(I).

280.040 VISION CLEARANCE:

No structure, fence, wall, hedge, sign, or other obstruction to vision shall be created or allowed to grow, be placed, or maintained between the heights of three and ten feet above the street level within 20 feet of the intersection of the rights-of-way lines of two streets, or of a street and a railroad property line. The Director may order the removal or modification of such sight obstructions which conflict with this Section. The Director's decision may be appealed pursuant to Chapter 285.

280.050 HEIGHT, SETBACK, AND LOT COVERAGE REQUIREMENTS:

- 1) Purpose: To provide minimum standards within zoning districts for the location and height of buildings and accessory structures, and to provide for additional setback requirements to buffer and protect residential or other land uses from noncompatible uses which may occur on adjacent lands.
- 2) Height Requirements:
 - A) Building height limits specified in Subsection 4), below, shall be observed unless specified otherwise in the Airport Approach (AA), Airport Concern (AC), and Airport Development-Mixed Use (AD-MU) zoning districts.
 - B) Except in airport zoning districts (AA, AC, or AD-MU), height limitations shall not apply to barns, silos, water towers, or other farm buildings and structures. Projections such as chimneys, domes, spires, elevator shaft housings, towers, aerials, flagpoles, and other similar objects not used for human occupancy are likewise not subject to height limitation of this Ordinance, except within the AA, AC, or AD-MU zoning districts.
- 3) Setback Requirements:
 - A) Setback requirements specified in Subsection 4), below, shall be observed unless otherwise specified in this Chapter.
 - B) Architectural features such as cornices, sills, eaves, canopies, sunshades, gutters, chimneys, and flues shall not project more than 18 inches into a required yard.
 - C) Signs as defined in this Ordinance shall comply with the requirements of Subsections (4) and (5), below.
 - D) For duplexes, townhouses, apartments, or condominiums, the required yard setbacks shall be maintained in a landscaped condition and shall not be used to provide required parking.

TABLE V
MINIMUM AREA & WIDTH STANDARDS FOR PARCELS AND LOTS

Classification	Established Minimum Area	Minimum Aver. Width
UR 4.5	4,500 sq. ft. — with both community water system and community sewage facility.	60'
UR-6	6,000 sq. ft. — with both community water system and community sewage facility.	60'
A UR-8	8,000 sq. ft. — with both community water system and community sewage facility.	70'
UR-10	10,000 sq. ft. — with both community water system and community sewage facility.	80'
SR-1	1 to 2.49 acres —	100'
B SR 2.5	2.5 to 4.99 acres —	175'
RR-5/RR-10/F-5	5 to 10 acres —	300'
C OSR, WR, FR	80 acres —	1,200'
Exclusive Farm Use	The minimum dimensional standards for a nonfarm parcel shall be the same as the dimensions for a lot or parcel of the equivalent size (Class A, B, or C) in another zoning district. The dimensions and configuration of a farm parcel will be evaluated by the County based on its appropriateness for the continuation of existing and proposed commercial farm use.	
Planned Unit Development (PUD)	The design standards of this Ordinance shall apply to lots or parcels created as part of a planned unit development; however, the requirements for lots or parcels of this Subsection shall serve as general guidelines.	
Commercial	The County shall determine the minimum dimensional standards for commercial divisions on the basis of the location and type of commercial activity proposed or anticipated. In determining minimum area requirements special emphasis shall be placed on access, circulation, and parking.	
Industrial	The County shall determine the minimum dimensional standards for industrial divisions on the basis of the type of industrial activity proposed or anticipated. Safe, efficient access and off-street loading, parking, and storage shall be required. Large basic lots may be created by the original plat which may be subsequently divided into smaller lots or parcels as specified needs arise.	

Classification	Established Minimum Area	Minimum Aver. Width
Aggregate	A division of land in the Aggregate Resource district shall be shown to be appropriate for and necessary to the safe efficient extraction of material and reclamation of the site, based on a specific proposed use. The minimum dimensional standards will therefore be based on the type of aggregate extraction activity proposed or anticipated.	

4) Minimum Requirements for Height, Setback, and Lot Coverage:

The following minimum requirements shall be applied to all permitted, conditional, and accessory structures unless specified otherwise in this Ordinance. (All requirements are measured in feet.)

MAP DESIGNATION	BUILDING HEIGHT ²	SETBACK REQUIREMENTS ¹			MAX. LOT COVERAGE
		FRONT	SIDE	REAR	
WR, OSR, FR	None Specified	30	30	30	
EFU	None Specified	30 ³	30 ³	20 ³	
F-5	35	30	20	20	
RR-00, RR-5, RR-10	35	30	20	20	
SR-2.5	35	30	20	20	
SR-1	35	25	10	10	
UR-10	35	25	10	10	40%
UR-8	35	25	6	10	40%
UR-6	35	25	6	10	40%
UR-4.5	35	25	6	10	50%
UR-H	45	20	10	10	50%
IC	45	20	See Subsection 5)		
RS, SVRS	35	20	See Subsection 5)		
NC	35	20	See Subsection 5)		
GC	60	20	See Subsection 5)		
RLI	60	30	See Subsection 5)		
LI	60	30	See Subsection 5)		
AD-MU	35	30	See Subsection 5)		

MAP DESIGNATION	BUILDING HEIGHT ²	SETBACK REQUIREMENTS ¹			MAX. LOT COVERAGE
		FRONT	SIDE	REAR	
GI	60	30	See Subsection 5)		
LU	60	30	See Subsection 5)		

¹NOTE: Yard setback requirements may be modified by fuelbreak requirements, special setbacks, and Subsections (5), (6) and (7), below, or other conditions for approval of a use.

²NOTE: See Subsection 280.050(2).

³NOTE: See Subsection 280.050(5)(C).

5) Exceptions to the Minimum Setback Requirements:

- A) In Urban Residential zoning districts (UR-10, UR-8, UR-6, UR-4.5 and UR-H), the side and rear yard setback requirements shall be increased by one-half foot for each foot by which the building exceeds 25 feet in height.
- B) The side and rear setback requirements may be adjusted to provide for solar orientation on Urban Residential and Urban High Density Residential districts. An adjustment of up to 33 percent may be administratively approved by the Director for this purpose. Reductions of side setbacks in excess of 33 percent, or reductions in front yard requirements, shall be subject to review through the variance procedure contained in Chapter 275.
- C) Where the side and/or rear yard of the following districts abut a commercial district, the yard requirements in those districts, adjacent to such commercial lot line, shall have the following minimum setback width measured from the zoning district boundary. Except as provided in Subsection H), below, if the zoning district boundary lies in the centerline of a dedicated street or road, the entire width of the right-of-way may be calculated as part of the setback.
- i) In Light Industrial (LI) and Rural Limited Industrial (RLI) districts, the minimum side or rear yard setback shall be ten feet plus one foot for every foot by which the height of the building exceeds 15 feet.
- ii) In General Industrial (GI) districts, the minimum side or rear yard setback requirements shall be 40 feet plus one foot for every foot by which the height of the building exceeds 15 feet.
- D) Where the side and/or rear yard of the following districts abut a residential district, then the yard setback requirements in those districts adjacent to such residential lot lines shall have the following minimum setback width measured from the zoning district boundary. If the zoning district boundary lies in the centerline of a dedicated street or road, the entire width of the right-of-way may be calculated as part of the setback.
- i) In Rural Service Commercial (RS and SVRS) and Neighborhood Commercial (NC) districts, the minimum side or rear yard shall be 25 feet,

- plus one additional foot for every foot by which the height of the building exceeds 15 feet.
- ii) In General Commercial (GC), Interchange Commercial (IC), Light Industrial (LI), Airport Development-Mixed Use (AD-MU), Rural Limited Industrial (RLI), and Limited Use (LU) districts, the minimum side or rear yard shall be 50 feet plus one additional foot for every foot by which the height of the building exceeds 15 feet.
 - iii) In the General Industrial (GI) district, the minimum side or rear yard shall be 100 feet plus two feet for every foot by which the height of the building exceeds 15 feet.
- E) Nonresidential accessory farm use structures on lands zoned Exclusive Farm Use (EFU) may be placed within five feet of a side or rear yard when the Director determines that the standard yard width requirement will adversely affect agricultural uses on the subject property.
- F) All new structures adjacent to or nearby Mount Ashland Road shall be set back a minimum of 100 feet from the center line of the road west of its intersection with Coleston Road in order to avoid severe damage from snow removal activities of the Oregon Department of Transportation. Encroachment within the 100 feet shall only be permitted by the Department on the recommendation of the Oregon Department of Transportation who may also recommend an increased setback.
- G) On lands where irrigation ditches or canals exist, applicants shall not establish dwellings or out buildings, septic or drainfields, water wells, or any landscaping, fencing or any other obstruction within 30 feet from the center of the ditch or canal, on the side of the canal or ditch where the maintenance/access road is located.

Applicants shall be required to sign a restrictive covenant to allow access and maintenance including:

- i) Mechanical cleaning;
- ii) Brush and tree removal, not inconsistent with riparian habitat measures; and,
- iii) Any repairs deemed necessary to maintain proper water storage, diversion or carriage of water.

The Director may not waive but may reduce this setback by no more than 15 feet when the ditch is piped, gunited or lined; the setback is otherwise impracticable due to the specific configuration or use of the property; and, such a reduction will not impair maintenance functions as attested by the appropriate irrigation district, or in those cases where no district exists, by downstream users of the ditch.

- H) The front yard setback may be increased to thirty feet from the right-of-way or sixty feet from the centerline of the access road, whichever is greater to accommodate planned future street improvements.
- 6) Nonconforming Lots or Parcels:
- A) Lots or parcels lawfully created prior to October 28, 1980, which do not meet the minimum area or width requirements of the zoning district in which the lot or parcel is located, shall meet the yard setback requirements of the zoning district which has the minimum lot area or width requirements with which the lot does comply. If the lot is nonconforming in both area and dimension, it shall meet whichever requirement is more restrictive.
 - B) Nonconforming lots shall also be required to meet the standards of Section 280.060, which provides special setback requirements.
 - C) Development on nonfarm parcels shall maintain setback distances consistent with the zoning district which has the lot area and width requirements which the nonfarm parcel meets or exceeds, unless different setback requirements are imposed pursuant to creation of the nonfarm parcel after November 10, 1982.

280.060 SPECIAL SETBACK REQUIREMENTS:

- 1) Purpose: To provide a buffer between resource lands and adjacent districts as a means to prevent conflicts between resource and nonresource uses, the following special setbacks are promulgated:
 - A) Forest and Agricultural Lands Special Setback Requirements: In any non-resource zoning district, no primary or temporary residential building or structure, shall be located within 200 feet of a Forest Resource (FR-160), Woodland Resource (WR), or Exclusive Farm Use (EFU) district boundary.
 - B) Aggregate Resource Special Setback Requirements: No primary or temporary residential building or structure, shall be located within 500 feet of an Aggregate Resource (AR) district boundary.

If the zoning boundary lies in the centerline of a County or state roadway the entire width of the dedicated roadway may be calculated as part of the special setback.

- 2) Stream and Lake Setbacks for Fishery and Riparian Habitat:
 - A) No structure other than boat landings, docks, marinas, bridges, dams and hydroelectric facilities, or pumping or water treatment facilities shall be located closer than 50 feet to the banks of any Class 1 stream, or 25 feet to the banks of Class 2 water course, lake, reservoir, or basin which contains water at least six months of the year. The bank shall be defined as the average high water line. All development permitted within the stream and lake setbacks shall be designed to minimize the removal of riparian vegetation, and shall reclaim lands disturbed by development activities in accordance with the standards of ASC 90-9.

- B) Septic system setbacks from the bank or average high water line of a year-round body of water shall be 50 feet for septic tanks, 100 feet for septic drainfields, 50 feet for sand filter boxes and 50 feet for sandfilter drainfields. These requirements are based upon standards established by the Department of Environmental Quality and are those currently enforced by Jackson County. The Oregon Department of Fish and Wildlife recommends that the above setbacks be set at 100 feet, based upon their findings concerning the frequency of septic system failure and the likelihood of pollutants affecting the water bodies, particularly at low water times.
 - C) In order to protect stream corridors and riparian habitat on Class 1 streams, all overstory vegetation or tree cover shall be retained for a distance of 50 feet from the bank or a distance of three time the width of the stream, whichever is the greater. This protected area shall not extend more than 100 feet from the stream bank. In addition, a minimum of 75 percent of the overstory that constitutes stream shade shall be retained, regardless of its distance from the stream bank. Overstory vegetation may consist of merchantable and noncommercial tree species as per the provisions of the Oregon Forest Practices Act. The bank shall be defined as the average high water line.
 - D) Notwithstanding fuelbreak requirements provided in Section 280.100, all understory vegetation adjacent to Class 1 streams shall be retained to protect stream and habitat quality for a distance of 50 feet from the stream bank or a distance of three times the width of the stream, whichever is the greater. This protected area shall not extend more than 100 feet from the stream bank. Understory materials may be systematically replaced with like horticultural varieties of plant species according to a landscape plan approved by the Oregon Departments of Fish and Wildlife and of Forestry, for all land use actions. The bank shall be defined as the average high water line.
 - E) Notwithstanding fuelbreak requirements provided in Section 280.100, all understory vegetation within 25 feet of the bank of Class 2 water courses, lakes, reservoirs, or basins which contain water at least six months of the year, shall be retained.
 - F) All bridge and stream crossings, and removal or fill operations in excess of 50 cubic yards are subject to review for impact on fish and wildlife habitat. The Division of State Lands also requires a permit for such operations.
- 3) Exceptions to Minimum Lot or Parcel Sizes or Special Setback Requirements:
- A) Lot or parcel sizes in excess of the minimum prescribed for a district may be required through the division process to satisfy special setback requirements on proposed lots or parcels.
 - B) Where lots or parcels, which were legally created prior to November 10, 1982, cannot accommodate required special setbacks, then the maximum amount of setback that can be achieved shall be provided between the proposed use and resource land by locating structures at the building line of the required front, rear, or side yard.

- C) The Department may approve exceptions to, or reductions of, the special setback requirements set forth in Subsection 1), above, and require any necessary conditions if the applicant provides substantial findings to document that any of the following situations exist:
- i) Existing Development Affecting Resource:

Dwellings on the resource zoned parcel are near the common lot line with the nonresource parcel, and a reduction of the setback would not affect the resource. Similarly, an exception may be granted if existing dwellings are within the prescribed setback on the nonresource zoned parcels and the County determines that a reduction of setback consistent with dwellings on adjacent parcels will not adversely affect resource lands and uses.
 - ii) Physical Features Affecting Resource:
 - a) The required setback would prohibit the placement of the dwelling on the parcel due to topography, flood hazard, or would adversely impact other physical or natural areas.
 - b) An intervening physical feature such as a river substantially mitigates the adverse effects of placing a residential dwelling closer to the resource zoned parcel.
 - c) Substantial findings by the applicant document that a reduction of the special setback will not now or in the future adversely change or increase the cost of accepted farm, forest or aggregate extraction practices on adjacent resource zoned land. If a reduction setback is justified development must maintain as much set back from the resource as practicable.
 - iii) Preexisting/Vested Rights:

The applicant can substantiate that he proposes to reestablish a lawfully preexisting dwelling site within the prescribed setback on an existing foundation or mobile home pad that has been found by the Director to be committed to residential use under either nonconforming use provisions of this Ordinance or vested rights doctrine.
- D) A deed declaration shall be recorded in all instances where an exception has been granted to the special setback, wherein the owner of record and any successors or heirs agree to accept the potential that incompatible resource uses may occur on the adjacent resource zoned land.
- 4) Riparian setbacks may be reduced on the recommendation of the Oregon Department of Fish and Wildlife, when it has been determined that the habitat is adequately protected even if the setback is reduced. The applicant shall file a map showing: existing vegetation (tree type and location, understory type); structure location; stream bank description; and, measures designed to mitigate adverse impact on riparian habitat.

In no instance shall reduction of a riparian setback requirement by the Department be construed to allow a use or structure to be placed on property in conflict with the requirements of Chapter 254.

280.070 OFF-STREET PARKING REQUIREMENTS:

1) Intent and Purpose:

At the time a new structure is erected or enlarged, or the use of the existing structure is changed, off-street parking spaces shall be provided as set forth in this Section, unless greater requirements are otherwise established by the County. Parking facilities provided in conjunction with an existing use, prior to November 10, 1982, shall not be reduced below the requirements of this Section.

Off-street parking shall be provided on the development site or within 250 feet of the development site which the parking is required to serve if expressly authorized by the County and the shared or off-site parking facility is sufficiently large enough to accommodate the new or expanded use and the use of the property where off-site parking is provided. All required parking must be done under the same ownership as the development site served, except through special covenant agreements as may be approved by the County, which bind the parking to the development site.

2) Parking Area Design:

A) All Minimum Standards Established:

All public or private parking areas and parking spaces, except those required in conjunction with a single-family dwelling on a single lot shall be designed and laid out to conform to the minimum standards as set forth in this Section and the property development standards of the district in which such parking area is located, including setbacks. Public parking areas provided in excess of the requirements of this Section or as a use permitted shall be designed and laid out in conformance with this Section.

B) Access:

Groups of three or more parking spaces on a single lot, except those in conjunction with single-family or two-family dwellings, shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic ingress and egress and maximum safety of pedestrians and vehicular traffic on the site, but in no case shall two-way and one-way driveways be less than 20 feet and 12 feet wide respectively. Access points with the street shall be the minimum necessary to provide access while not inhibiting the safe circulation and carrying capacity of the street. Curb cuts shall be located not closer than five feet to a side lot line, except that a common access way to two adjacent properties (width not exceeding 45 feet) may be provided at the common lot line. Common access ways shall be encouraged in order to reduce the number of access points to streets. Access grades shall not exceed 15% and shall be

graded to allow clearance to pass a standard American automobile 15 feet in length.

C) Minimum Clearance:

Driveways, aisles, turnaround areas and ramps shall have a minimum vertical clearance of at least twelve feet for their entire length and width but such clearance may be reduced in parking structures.

D) Drainage:

Adequate drainage shall be provided to dispose of the run-off generated by the impervious surface area of the parking area. Provisions shall be made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.

E) Connect Parking Areas:

Parking areas with access to arterial or collector streets shall be so designed as to connect with existing or future parking areas on adjacent sites thereby eliminating the necessity of utilizing the arterial or collector street for cross movements.

F) Parking Space Dimensions:

Parking space dimensions shall be as follows except as may be provided by alternative parking design standards deemed acceptable to the Director:

- i) Truck or recreational vehicle parking space shall be designed to adequately accommodate the proposed use.
- ii) Standard parking space shall be no less than 9 feet wide by 20 feet long.
- iii) Compact parking space shall be no less than 8 feet wide by 17 feet long.

Parking spaces shall be designated by placement of anchored wheel stops or painted striping on paved areas unless the Director determines that the parking lot design or the use requires otherwise.

G) Handicapped Parking:

All parking areas, which contain more than 15 parking spaces, shall be provided with one (1) handicapped parking space plus one additional handicapped parking space for every 50 standard parking spaces. The handicapped parking symbol shall be painted on the parking space and a handicapped parking sign shall be placed in front of each space.

Handicapped parking spaces shall be at a minimum 96 inches wide and shall have an adjacent access aisle a minimum of 60 inches in width. The access aisle shall abut pedestrian access to the building.

H) Screening and Buffering:

Where parking or loading areas abut a public right-of-way there shall be provided a minimum five (5) foot wide landscaped buffer, sight obscuring fence, or both as specified in a commercial site plan approved pursuant to Chapter 282.

I) Parking, Required Yard:

Unless otherwise provided, parking and loading spaces shall not be located in a required yard.

J) Driveways and Road Approaches:

All driveways shall be improved to the standards required by Oregon Department of Transportation if on a state highway, Roads and Parks Services if on a County road, and city engineer if within an urban growth boundary.

K) Bicycle parking racks may be required when parking requirements exceed 15 spaces per parking area and the use is located on a bike route designated on the Bicycle Master Plan.

L) All parking areas, where applicable, shall be subject to review and approval by the Department of Environmental Quality (DEQ).

M) Parking lots and loading areas within the Air Quality Maintenance Area shall be paved or otherwise treated on a regular basis with an approved dust preventative.

3) Parking Spaces Required:

The number of off-street parking spaces required shall be as set forth in the following, unless a special study or other accepted parking standards for the proposed use demonstrates that a lesser amount of parking can adequately accommodate the proposed use:

A) Residential Uses:

Single-Family Residential Use	Two spaces per dwelling unit.
Duplex, Multi-Family, Condominium or Residential Use	One and one-half spaces per dwelling unit.
Hotel, Motel, or other Commercial Accommodation including Boarding or Rooming Houses	One space per guest room.

B) Institutional Use:	
Place of Assembly including Churches, Assembly Halls, and Theaters	One space per four seats, or eight feet of bench length in the main auditorium. If no permanent seats are provided, one space per 35 square feet of gross floor area used in the main auditorium.
Hospitals (0-3,000 square feet)	Five spaces for every 1,000 square feet of gross floor area.
Hospitals (3,001 or more square feet)	Fifteen spaces plus four spaces for every additional 1,000 square feet of gross floor area.
Libraries, Museums, Art Galleries	One for each 500 square feet of gross floor area.
Nursing Homes, Homes for the Aged, Group-care Homes, etc.	One for every two beds.
Primary or Middle School	Two for each teaching station plus one for every eight fixed seats in auditorium or assembly area.
High School	Two for each teaching station plus one for every four fixed seats or one for every 50 square feet of seating area where there are no fixed seats in auditorium.
Junior College, Business/Vocational College or School	Two for each teaching station plus one space for every two students of design capacity.
Welfare or Correctional Institution	One for each five beds.
C) Commercial Amusement Area:	
Bowling Alley	Six spaces per alley.
Dance Hall or Skating Rink	One space per 100 square feet of gross floor area.
Stadiums, Sports Arenas	One for each five seats or ten feet of bench length.
Outdoor Recreation, general	One space per four expected patrons at design capacity.

D)	Commercial Use:	
	Retail Store, not otherwise specified herein	One space per 200 square feet of gross floor area.
	Bank, Business, or Professional office, unless otherwise specified	One space per 400 square feet of gross floor area.
	Repair Shop or shop exclusively handling bulky merchandise, household furniture, appliances	One space per 600 square feet of gross floor area.
	Mortuary or Funeral Home	Five spaces for each room used as a parlor or chapel.
	Medical or Dental Clinic or Office	Six spaces per doctor or dentist.
E)	Commercial Food Uses:	
	Restaurant	One space per 100 square feet of gross floor area.
	Fast Food (take-out only)	20 per 1,000 square feet of gross floor area.
	Fast Food (take-out with seating)	30 per 1,000 square feet of gross floor area.
	Tavern	15 per 1,000 square feet of gross floor area.
F)	Food Stores:	
	Food Stores (1 to 4,000 square feet)	Seven spaces per 1,000 square feet of gross floor area.
	Food Stores (4,001 to 10,000 square feet)	28 spaces plus six spaces for each additional 1,000 square feet of gross floor area in excess of 4,000 square feet.
	Food Stores (10,001 or more square feet)	64 spaces plus five spaces for each additional 1,000 square feet of gross floor area in excess of 10,000 square feet.

G) Industrial Use:

Manufacturing Establishment, except as specifically mentioned herein	One space per 500 square of gross floor area.
Wholesale Establishment	One space per 1,000 square feet of gross floor area.
Laboratories and Research Facilities	One for each 1,000 square feet of gross floor area.
Machinery or Equipment Sales and Service or Repair	One for each 500 square feet of gross floor area.

H) Common Facilities for Mixed Occupancy Uses:

In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements for the various uses. Off-street parking facilities for one use shall not be considered as providing parking facilities for any other use except as provided below.

Joint Use of Parking Facilities: The Director may, upon application, authorize the joint use of parking facilities required by said uses and any other parking facility, provided that:

- i) The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed;
 - ii) The parking facility for which joint use is proposed is no further than 250 feet from the building or use required to have provided parking;
 - iii) The parties concerned in the joint use of off-street parking facilities shall evidence agreement for such joint use by a legal instrument approved as conforming to the provisions of this Ordinance, shall be recorded in the office of the County Clerk; and,
 - iv) There is safe, direct, attractive, lighted and convenient pedestrian route between the parking area and the use being served.
- l) Other Uses Not Specifically Listed: Where off-street parking requirements are not listed in this Section for a proposed use, the County may apply the requirements for a use similar in size and operating characteristics. Where this similar use standard cannot reasonably be applied or where the standard would be inappropriate, the County may require the applicant to provide off-street parking based on a special study, or other accepted standards for such a use.

280.080 SIGN REQUIREMENTS:

Purpose: The purpose of this Section is to regulate signs in such a way as to support and complement the land use objectives of the Jackson County Comprehensive Plan and implementing ordinances. This Section regulates the size, location, and construction of signs as necessary for public welfare, traffic safety and aesthetics. This Section does not regulate the content of signs.

- 1) **Signs Permitted in all Zones:** The following signs are permitted in all zoning districts, provided they comply with the general requirements in Subsections (4) and (5), below.
 - A) Temporary signs are signs that serve a temporary purpose and are defined as free-standing signs without illumination that do not have permanent footings but which are securely attached to an adequate anchorage and which contain a surface area of no more than 32 square feet. Temporary signs are not subject to a time limitation.
 - B) Permanent signs that are:
 - i) Three square feet or smaller and which are placed at least 100 feet apart;
 - ii) Three square feet or smaller and are used solely for providing directions to an on-site use (e.g., address numbers, enter and exit markers, etc.); and,
 - iii) Not visible from a public right-of-way or from any other property not under the same ownership as the parcel upon which the sign is located.
- 2) **Prohibited Signs:** The following signs are prohibited:
 - A) Anchored balloon signs or any other inflated sign.
 - B) Roof mounted signs.
 - C) Signs which incorporate reader boards, video or fiber optic displays or other mediums that display changing or moving text or images, except in commercial and industrial zoning districts.
- 3) **Exempt Signs:**
 - A) Signs erected by the Oregon Department of Transportation or the County Roads Division within the right of way of a state or federal highway or County road.
 - B) Preexisting, nonconforming signs are those permanent signs that existed prior to the date of adoption of this ordinance and which do not conform to the provisions of this Section with respect to number, surface area, location, or illumination. Temporary signs that existed on or before May 30, 2002, are also preexisting, nonconforming signs.

- i) Preexisting, nonconforming signs may be repaired in accordance with the provisions of Chapter 258, but shall not be replaced except in conformance with this Section.
 - ii) Signs for preexisting, nonconforming commercial or industrial uses in any zone may be replaced in accordance with the provisions for a Rural Service Commercial zone.
- 4) General Requirements: The following requirements apply to all signs:
- A) Sign structures may be placed within the required setbacks from property lines provided they comply with the vision clearance standards of Subsections 280.040 and 280.050, but may not be placed within a dedicated right-of-way unless a permit has been issued by the Oregon Department of Transportation or County Roads Division.
 - B) Free-standing signs may not exceed 25 feet in height and must not encroach or overhang any dedicated right-of-way.
 - C) Building signs may not extend more than one foot above the exterior wall of the building on which the sign is mounted. Building signs that project from the building wall must have a minimum ground clearance of eight feet.
 - D) Sign area will be calculated based on the overall dimensions of all panels that display messages. If a sign contains messages on more than one side, the dimensions of the message area on each side will be counted together toward the total. When the sign message is not mounted on a panel, the sign area will be calculated by drawing a regular geometric shape around the message area. For signs that are incorporated into murals, awnings and similar architectural features, only the portion of the sign considered to be advertising will be calculated as sign area.
 - E) Illuminated signs require an electrical permit. Light from illuminated signs must be directed away from, and must not reflect upon, roads or adjacent parcels. No sign may incorporate a bare incandescent bulb with wattage exceeding 20 watts, except as a shielded indirect light source.
 - F) Signs visible from state or federal highways must meet state regulations.
 - G) No sign shall be erected or placed in such a manner that it creates a traffic safety hazard, or that by reason of its position, shape, message or color it may interfere with, obstruct the view of, or be confused with any traffic signal.
 - H) No sign may be situated in a manner that results in the blanketing of an existing sign.
 - I) Signs must be maintained in a safe condition and in good repair.

5) Size Standards:

- A) Home Occupations - Where a home occupation is a lawful use, one sign shall be permitted. The sign shall be limited to three square feet in area, shall be mounted flush with the side of the primary structure, and may be indirectly illuminated.
- B) Resource Districts - One or more signs, up to a total of 32 square feet in area, are permitted.
- C) Residential Districts - One or more signs, up to a total of 16 square feet in area, are permitted. Up to 32 square feet of total sign area is permitted in conjunction with an approved conditional use.
- D) Rural Service Commercial Districts:
- i) Building signs may not exceed a total of one square foot of sign area for each linear foot of building frontage.
 - ii) One free-standing sign per parcel is permitted. The sign may not exceed a total of 150 square feet in area.
- E) Rural Limited Industrial Districts:
- i) Building signs may not exceed a total of one square foot of sign area for each linear foot of building frontage.
 - ii) One free-standing sign per parcel is permitted. The sign may not exceed 32 square feet in area.
- F) Interchange Commercial (reserved)
- G) All other Commercial and Industrial Districts:
- i) Building signs affixed to the front of the building may not exceed a total of one square foot of sign area for each linear foot of building frontage. On other sides of a building which also face a street or common parking area, one additional sign per side may be permitted, not to exceed one-quarter square foot of sign area for each linear foot of building length along that side. No individual sign may exceed 300 square feet.
 - ii) One free-standing sign per lot frontage on a county road or state highway is permitted. The sign may not exceed the following:

<u>Lot Frontage (feet)</u>	<u>Maximum Sign Area</u>
1 - 150	150 square feet
151 - 200	200 square feet
201 - 250	250 square feet
251 and greater	300 square feet

280.090 DETERMINING PARCEL AREA AND OTHER REQUIREMENTS WHEN STREETS, ROADS, AND EASEMENTS ARE INVOLVED; WHEN A PARCEL IS SPLIT BY A ZONING DISTRICT; OR WHEN THE PARCEL IS MARGINALLY UNDERSIZED FOR PARTITIONING PURPOSES:

- 1) Private Road or Easement: The area of a private road or road easement which lies within the boundaries of a lot or parcel shall be included for the purpose of determining the area contained in the lot or parcel.
- 2) County Roads or Streets, Public Roads, and Dedicated Ways:
 - A) Proposed Land Divisions: When a lot or parcel is proposed to be created by an act of partitioning or subdividing and will be crossed by a County road or street, the area and width of each portion of said parcel or lot must equal or exceed the requirements of the zoning district in which it is located. County roads or streets shall not be included as a portion of the lot or parcel for the purposes of determining minimum lot or parcel area. The right-of-way line shall be used for the purpose of determining lot or parcel coverage and setback requirements.
 - B) Existing Lots or Parcels: If a lot or parcel which was created prior to September 1, 1977, is crossed by a County road or state highway, the portion of said lot or parcel can be recognized as a partitioned parcel provided:
 - i) That each such portion meets all legal requirements to stand as a separate parcel with the exception of the minimum parcel area and width requirements of the zoning district;
 - ii) The lot or parcel has retained the same area and boundary configuration as existed on that date; and,
 - iii) An exception to the Statewide Planning Goals has been acknowledged for the lot or parcel.

Similarly, a lot or parcel crossed by a railroad right-of-way may be partitioned along the right-of-way provided it meets the requirements of Subsections (i) through (iii), above.

In order to approve such divisions of land where a nonconforming parcel will result, it must be shown by the applicant that a building site exists on the new parcels which meets all setback requirements of this Ordinance for structures, wells and on-site septic disposal systems, including septic system repair areas.

Divisions of such parcels made pursuant to this Subsection and approved by the Director or other land use decision prior to February 27, 1995, shall continue to be honored.

- C) Parcels which are conforming to the minimum lot size in a zoning district shall not be considered nonconforming if the parcel size is reduced by dedication of right-of-way.

- D) Parcels which could be divided under the existing zoning district shall not be prohibited from such division if the parcel size falls below the minimum requirements due to dedication of right-of-way for improvement to a public road.
- 3) Parcels Split by a Zoning District Boundary: A single lot or parcel may be developed or divided along the zoning district boundary subject to all requirements of this Ordinance for the applicable zone.
- 4) Divisions of Undersized Parcels: The Director may approve a division which creates two parcels which deviate no more than six percent from the parcel area requirements of the Farm Residential (F-5), Rural Residential (RR-5 and RR-10), or Suburban Residential (SR-2.5 and SR-1) zoning districts, when the parcel was created prior to October 28, 1980. A second dwelling may be similarly approved for placement on such preexisting parcel, when the overall density will not deviate more than six percent from the applicable standard. Such approvals must comply with all other requirements of this Ordinance. The applicant must demonstrate in writing that all reasonable efforts to obtain the requisite amount of additional land needed to conform with the parcel area requirements of the applicable zoning district through purchase, partitioning, or lot line adjustment are unfeasible.

280.100 FIRE SAFETY REQUIREMENTS AND GUIDELINES:

- 1) Definitions:
- A) AFFECTED PROPERTY LINE: The property line within 100 feet of a proposed structure or addition to an existing structure.
- B) FUELBREAK: A fuelbreak is an area of reduced and/or managed vegetation designed to slow and minimize fire intensity.
- C) HAZARDOUS WILDFIRE AREA: A hazardous wildfire area is the area mapped by the Oregon Department of Forestry and adopted by the Jackson County Board of Commissioners which has special hazards caused by a combination of combustible fuels, topography, and climatic conditions that result in a significant hazard of catastrophic fire over relatively long periods each year.
- D) IMPROVED PUBLIC ROAD: A constructed and maintained state, County, or city public road.
- E) OTHER SIGNIFICANT BUILDING: A structure of inherent value, or a structure that if it was to catch on fire would threaten the main structure on the property.
- F) RESOURCE AND RURAL ZONED DISTRICTS: Resource zoned districts include Forest Resource (FR), Woodland Resource (WR), Open Space Reserve (OSR), Exclusive Farm Use (EFU), Aggregate Resource (AR), and Rural Residential (RR-5, RR-10, RR-00) districts.
- G) TURNOUT: A wide section of road which allows for vehicles to pull off to allow other vehicles to pass.

- 2) Fire Safety Requirements: The following are mandatory standards for all new construction, or other significant outbuildings, as defined above, in the Hazardous Wildfire Area, resource and rural zoning districts. Properties zoned Rural Residential (RR-5, RR-10, RR-00) and which are located within an urban growth boundary (UGB) or an urban containment boundary (UCB), are not subject to the 100-foot fuelbreak requirements, but are subject to all other fire safety standards. Conditional uses in the resource and rural residential zoning districts shall meet these requirements unless an alternate fire prevention and suppression strategy is approved.
- A) Fuelbreaks: A 100-foot fuelbreak shall be developed and maintained around all new construction. A fuelbreak may be extended onto an adjoining property with a recorded fuelbreak easement. When a fuelbreak area includes an improved public road right-of-way, a fuelbreak reduction application will not be required for the side of the property facing the road, but a 100-foot fuelbreak shall still be required on the other sides. All proposed structures shall meet the minimum structural setback requirements. A fuelbreak is measured from a structure's outermost projections including eave overhangs, combustible decks, or other combustible attachments. Fuelbreaks shall meet the following standards:
- i) Trees interfaced with brush and natural vegetation shall be trimmed to 15 feet spacing between trunks, and a 10-foot clearance shall be maintained between ground and tree branches, where the growth presents a fire hazard. This excludes ornamental and fruit trees, provided they do not provide a means to rapidly transmit fire.
 - ii) There shall be a 10-foot clearance between branches and stovepipes or chimney outlets. No branches shall overhang a roofline.
 - iii) Underbrush, dry leaves and twigs shall be removed, and grass shall be kept less than six inches in height, limiting combustible materials.
 - iv) Landscaped areas, widely spaced shrubery, and ornamental trees are encouraged, provided they do not provide a means to rapidly transmit fire. Highly combustible shrubbery, such as juniper, is prohibited.
 - v) Firewood piles or woodsheds shall be placed at least 30 feet from all other structures.
- B) Roof Coverings: All structures shall have Class A or B roofing according to Section 1504 of the State of Oregon Structural Specialty Code. This prohibits wood roofing of any type, including pressure treated wood shingle or shakes.
- C) Emergency Vehicle Access: For the purposes of public safety, the following emergency vehicle access standards are required when new construction or other significant buildings are proposed. The County may impose additional standards, conditions, or require technical information as needed to assure compliance.
- i) Driveways shall be constructed to within 50 feet of all habitable structures and other significant buildings.

- ii) In accordance with Section 05.070, driveways shall be constructed to the following standards:
- a) Minimum surface width shall not be less than 12 feet. Width shall be increased to a minimum of 14 feet in curves with a centerline radius of less than 150 feet to ensure emergency vehicles remain on an all weather surface.
 - b) A minimum clear height of at least 13½ feet shall be maintained for the entire width of the driveway.
 - c) Driveways shall be designed and constructed to maintain a minimum 50,000 pound load carrying capacity or if not designed by an engineer, the driveway shall be constructed of a minimum of 6 inches of base rock or equivalent.
 - d) Maximum finished grade shall be no greater than 15 percent; however, the grade may increase to 18 percent for intervals of 100 feet as long as there are no more than three 100-foot sections of over 15 percent grade per 1,000 feet. The finished grade shall not exceed 15 percent on curves with a centerline radius of less than 150 feet. The approach from a public road or private road shall not exceed 10 percent grade for a distance of 40 feet.
 - e) Driveways shall be designed such that the curves have a minimum centerline radius of 55 feet. This includes driveway approaches of public roads for both directions.
 - f) Driveways shall terminate in an approved cul-de-sac or other turnaround arrangement. Turnarounds shall be provided every one-half mile. Such turnaround area shall meet the same load requirements as the driveway. The grade shall not exceed 4% in turnarounds or cul-de-sacs. See diagrams in Chapter 05 for suitable turnarounds.
 - g) Turnouts shall be required at 800 feet maximum spacing, or at distances which ensure continuous visual contact between turnouts, and constructed to the following dimensional standards: 50 feet in length and seven feet in width, with 25 foot tapers on each end.
 - h) Gate widths shall be a minimum of 14 feet, on a curve where the minimum driveway width is 14 feet then the gate shall be a minimum of 16 feet.
 - i) Bridge driving surfaces shall be a minimum of 8½ feet in width. In addition, a clear minimum width of 14 feet shall be maintained above the surface of the bridge. Culverts shall be a minimum of 18 feet wide and shall be wide enough to extend beyond the toe

of the fill. All bridges and culverts shall have a 50,000 pound load carrying capacity. Non-combustible construction is preferred.

- D) Slope: All new dwellings shall be sited on a slope less than 40 percent.
 - E) Chimneys: All chimneys for new dwellings, or other significant outbuildings, shall have a spark arrester.
 - F) Rural Fire Protection: Dwellings on farm or forest lands, or on rural residentially zoned lands which are not within an urban growth boundary (UGB) or an urban containment boundary (UCB), shall be located within a rural fire protection district or contract with a rural fire protection district for residential fire protection. If the dwelling is not within a rural fire protection district and contracting is not possible, evidence must be provided to show that the applicant has asked to be included in the nearest such district, and that said district cannot or has refused to provide protection.
 - G) Address Signs: Address signs shall be posted at the driveway entrance from the public right-of-way in such a manner as to be visible from the roadway providing the access, and directional address signs shall be posted at all driveway forks.
- 3) Fire Safety Guidelines: The following fire safety guidelines are suggested in all rural areas, and may be required by the County when necessary to protect public safety.
- A) Automatic fire sprinkler systems for the roof and/or interior of structures.
 - B) Bridges constructed of noncombustible materials.
 - C) Lakes, ponds, streams, and swimming pools should be installed with a minimum 2½ inch diameter dry standpipe assembly equipped with fittings to enable fire equipment to draught water for fire fighting, if the equipment cannot easily move within ten feet of the water source.
 - D) Water storage shall be a swimming pool, pond, lake or similar body of water that at all times contains at least 4,000 gallons or a stream that has a minimum flow of at least one cubic foot per second. Road access shall be provided to within 15 feet of the water's edge for fire fighting pumping units, and the road access shall accommodate a turnaround for fire fighting equipment.
 - E) Public use areas such as parks, recreation sites, and picnic grounds should be designed to prevent fires which may start in them, from spreading to adjacent or nearby wildlands or developments.
- 4) Existing Dwellings: Dwellings in existence as of October 28, 1980, are exempt from compliance with the fuelbreak and driveway standards of this Chapter.

When new construction consists of an addition to an existing structure that was exempt from the 100-foot fuelbreak requirement, the addition is also exempt from the 100-foot fuelbreak requirement, if it is not placed closer to the affected property line.

- 5) Reroofing or Repair of Existing Buildings: When 50 percent or more of the roof covering of any building is repaired or replaced within one year, the entire roof covering shall be made to comply with the requirements for roof coverings for new structures within wildfire hazard zones, as specified in Subsection 280.100(2)(B).
- 6) Fuelbreak Reduction Application: The Director, upon the advice of the Wildland Interface Fire Committee, or the appropriate fire protection district having jurisdiction, may approve a reduction in the width of a fuelbreak when one of the following criteria is found to apply:
 - A) A stream or irrigation canal, road, topographic feature, or other site characteristic serves as an adequate fuelbreak.
 - B) A better fire suppression and prevention strategy is proposed by the applicant.
 - C) Because of parcel or lot configuration, a portion of the fuelbreak would be located on an adjoining property, and an adjustment of the building site is not practicable.

The Director, upon the advice of the Wildland Interface Fire Committee, or the appropriate fire protection district having jurisdiction, may impose additional standards, conditions, or require technical information as needed to assure compliance.

If the Director, upon the advice of the Wildland Interface Fire Committee, or the appropriate fire protection district having jurisdiction, determines that the requirements of Subsection 2), above, are impracticable, then the Fire Safety Guidelines in Subsection 3), above, may be required.

280.110 AREAS OF SPECIAL CONCERN:

Areas of Special Concern may be recommended by the Planning Commission as deemed necessary to provide consistent and specific policy direction for land use actions in specified areas of Jackson County. Upon approval by the Board of County Commissioners, the maps and conditions specified in an ordinance creating areas of special concern shall guide and direct staff and/or Hearings Officer review of land development actions within such areas. Areas of Special Concern shall be identified as such on the Jackson County Comprehensive Plan and Zoning Map(s) by the letters (ASC), and an identification number referring to the ordinance adopted by the Board of Commissioners which created the ASC may also be indicated on the map.

- 1) Areas of Special Concern generally consist of the following:
 - A) Areas where specific policy concern(s) must be successfully addressed by all applicants for a land division or development permit action, prior to approval by the County. Such policies may be linked in addition to the imposition of site plan review requirements specified in Chapter 282.
 - B) Areas in which planned unit development permits are required in order to meet a specific concern identified by the Planning Commission.
 - C) Areas in which a specific natural resource or environmental concern must be addressed.

- 2) Areas of Special Concern shall be established only following public hearings held pursuant to Chapter 285.
- 3) Areas of Special Concern are listed as follows:
 - A) ASC 93-1, Crater Lake Highway Access Management: It is the purpose of this Section to improve the operational and safety characteristics, increase traffic capacity, and improve and preserve the ability of Crater Lake Highway (Highway 62) to carry through traffic by providing overall facility management, improving intersections, and managing access. The function of Crater Lake Highway (Highway 62) is primarily to provide for interstate, interregional, inter-city, and longer distance intra-community travel needs. All direct access provided shall be done so with the understanding that if Crater Lake Highway is reconstructed or upgraded to a freeway type facility, alternate access may be provided by a frontage road or other means.

- i) Distance Between Public Street Intersections: Minimum spacing between public street intersections that allow left turns or cross traffic shall be $\frac{1}{2}$ (one-half) mile or more unless otherwise provided for in an approved area transportation plan. Spacing of public street intersections shall optimize signal progression and minimize the impact to through traffic. Public roads not meeting the minimum spacing shall be limited to right turn out and right turn in movements.

A physical median barrier may be installed on Crater Lake Highway to prevent left turns except at designated public street intersections when determined to be appropriate for design reasons.

- ii) Private Access, General: Providing direct access to adjacent properties through private road approaches or private driveways is a minor and impermanent role of Crater Lake Highway and shall be permitted for abutting properties when:
 - a) No other access is available to a public road facility, including adjoining or nearby driveways; and,
 - b) Another existing private direct access suitable for land access function is unavailable.

When Subsections (a) and (b), above, are satisfied, accesses shall be designed to serve two or more lots or parcels to the maximum extent possible. Developments meeting the above standards shall be subject to the following site plan standards:

- c) The site plan shall identify future access points which do not rely upon direct access to Crater Lake Highway;
 - d) Such future access points shall be subject to approval through the site plan review process; and,

- e) The site plan shall provide for development (including building orientation, and internal vehicular and pedestrian circulation), consistent with the future access point.

In cases where direct access to Crater Lake Highway has been allowed as above, it will be discontinued when access to a public facility more suited to a land access function becomes possible. Road approach permits shall specify under what circumstances the change will be required and, if known, the future access location and the date the change will be made.

No additional direct access shall be permitted for land divisions. All access to new properties created in this manner shall be provided by means internal to the properties from an existing or relocated direct access or by a public frontage road or other public streets.

- iii) Private Access Design Standards: The following standards shall apply to the creation of private road approaches or driveways accessing Crater Lake Highway.
 - a) The minimum distance between adjacent private road approaches shall be not less than 300 feet.
 - b) The minimum distance between any private road approach and a public street or road intersection shall be 500 feet.
 - c) The minimum distance between any private road approach and the beginning or ending point of an interchange ramp shall be 500 feet or such greater distance as are necessary to ensure the private road approach will not adversely affect the operation of the ramp. This is to be determined by the Oregon Department of Transportation.
 - d) All access shall be limited to right turn in and right turn out movements only.

Where lots or parcels meet this Subsection, the private access design standards, but fail to meet Subsections (iv)(a), (b), or (c), below, the access shall then be located to maximize the separation distance from adjoining accesses and roadway structures. Where the lot or parcel cannot meet two or more standards, priority shall be given to meeting or maximizing the separation distance between the access and interchange ramps, public street or road intersections, and private road approaches in that order.

- iv) Traffic Impact Analysis: Within the Crater Lake Highway Corridor when access to Crater Lake Highway is necessary, a traffic analysis performed by a traffic engineer hired by the applicant shall be required when the scale of the development exceeds one of the thresholds specified below:

- a) Retail developments including 5,000 or more square feet;
- b) Office developments including 10,000 or more square feet;
- c) Industrial developments including 30,000 or more square feet;
- d) Single family detached developments over 14 units;
- e) Multi-family developments more than 24 units;
- f) Other developments where the Oregon Department of Transportation finds such information necessary to establish the appropriateness and safety of the proposed access;
- g) Convenience markets;
- h) Restaurants, including fast food;
- i) Truck stops;
- j) Gas stations; or,
- k) Trucking (including heavy hauling, light hauling, and motor freight).

Developments requiring a traffic analysis shall be responsible for mitigation of all project related traffic impacts when:

- l) The development causes a one (1) percent increase in the critical volume of any movement of a Crater Lake Highway (Highway 62) intersection; and,
- m) The level of service for the Crater Lake Highway (Highway 62) intersections is projected to exceed Level of Service D.

Traffic studies conducted pursuant to this Section shall utilize the Minimum Requirements for Traffic Reports (Appendix F) in Access Management Manual, Oregon Department of Transportation, 1991.

- B) ASC 80-2: This Area of Special Concern consists of the Ashland Watershed. The portion of the watershed designated ASC lies within the boundaries of the Rogue River National Forest. The historic use of this land as a municipal watershed is well established and recognized.

The Ashland Watershed has been the subject of extensive study by the Rogue Valley Council of Governments 208 Water Quality Study and the USDA Forest Service. Water quality problems have occurred over the past twenty-five years at Reeder Reservoir, primarily from sedimentation. Since certain activities which

take place in a municipal watershed can have an adverse impact on that resource, the County:

- i) Recognizes domestic water supply production to be the primary use of this land, and that other activities or uses within the watershed are secondary; and,
- ii) The County shall, to the extent of its legal authority, provide for the protection of the Ashland Municipal Watershed from uses which could impact the quality of the water and increase erosion.

C) ASC 82-1: This Area of Special Concern establishes the following policies for the development of the Whetstone Industrial Park near White City, which is owned by the City of Medford.

- i) Lot Size: Development of the Whetstone Industrial Park shall proceed according to the following lot size distribution:

Minimum Lot Size	m of Lots	Acreage
20 Acres	5	100
50 Acres	5	250
75 Acres	2	150

If, after October 1, 1987, it can be demonstrated that, based on countywide industrial development patterns, there is a need for fully serviced industrial sites manifesting a size distribution different from the above, the County Board of Commissioners shall review this policy and make appropriate changes, if necessary. Such a policy revision may be initiated by the City of Medford acting as property owner.

- ii) Access and Circulation:
 - a) Interior roads designated as primary roads represent the minimum access needs of the subject site and are generally applicable to initial site development.
 - b) Interior roads designated as secondary roads represent the planned extension of the interior circulation system as may be required by future development.
 - c) Access to all parcels within the subject site shall be from the interior street system, unless a more efficient access is approved by the Jackson County Roads and Parks Services with consensus from the Oregon Department of Transportation.

- iii) Development Standards:
 - a) Before final approval of any industrial development on the subject site, a Master Landscape Plan for the entire Whetstone Industrial Park shall be submitted and approved by Jackson County. This Plan shall include: (1) a minimum 20 foot frontage landscape strip adjacent to all public streets; and, (2) perimeter landscape buffering adjacent to the Whetstone Creek riparian area.
 - b) Building setback from public street rights-of-way shall be a minimum of one and one-half times building height ($D=1.5H$).
 - c) Any outdoor storage of equipment or materials shall be screened from view from along all public streets and the Whetstone Creek riparian area.
 - d) A master drainage plan for the Whetstone Industrial Park shall be prepared as part of the Master Landscape Plan noted in Subsection a), above.
 - e) A scenic easement shall be recorded on that portion of the Whetstone riparian district which will leave the corridor in open space use. Said easement shall provide that it may not be removed or altered without the consent of the County.
 - iv) This Area of Special Concern shall provide for the interim protection of the Limnanthes and Lomatium plant species on the portion of the park identified as primary wildflower habitat site, until such time as it is determined that said species are not endangered or unique to this site, or three years, whichever comes first. If prior to this determination being made, the City is approached by a client wishing to purchase the primary site for industrial use, then the City, County and the developer will utilize the land use conflicts provisions of Section 35.030. Resolution of a conflict may include, but is not limited to, setting aside a portion of the site as part of landscaping requirements, a conclusion that the economic benefits of development outweighs preservation of the species, or other solution.
- D) ASC 82-2: This Area of Special Concern consists of the lands included or proposed for inclusion within the Bear Creek Greenway as identified on the official Bear Creek Greenway Maps.

The state legislature passed the Bear Creek Greenway Bill (HB 3201) authorizing the Oregon Department of Transportation to fund local government expenditures for the development of the parkway following a study of recreational use of the Bear Creek area in 1965, a park plan for the Bear Creek Urban Region in 1966, and completion, in 1973, of a feasibility study for Bear Creek.

Guidance for the Area of Special Concern is contained in the Bear Creek Greenway Plan: Management Policies and Guidelines (1982) and the Bear

Creek Greenway Plan: Ashland to Central Point (1988). Since certain land use actions can adversely affect the Greenway, it is necessary to establish additional land use development standards for this area. The requirements of this overlay zone may be superseded by Chapter 255.

- i) The following uses are permitted within the ASC 82-2 provided the use is a permitted use within the primary zoning district:
 - a) Open space and parks.
 - b) Agriculture.
 - c) Fishing and hunting reserves where compatible with other uses.
 - d) Utility facilities necessary for public service provided such facilities are underground.
 - e) Aggregate removal and processing or excavation of aggregate materials.
 - f) Storage of heavy equipment related to an aggregate operation occurring on the same property.
 - g) Aggregate stockpiling.
 - h) Sedimentation ponds when used in conjunction with aggregate removal operations.
 - i) Extraction of geothermal resources.
 - j) Pedestrian, equestrian and bicycle trails.
 - ii) All other uses within the primary zoning district shall be subject to a conditional use permit. Conditional use permits requested within the ASC82-2 shall be consistent with the Bear Creek Greenway Plan and related documents, in addition to the standards specified within Chapters 254 and 260.
- E) ASC 90-1: This Area of Special Concern includes all lands on which development will affect survival of Black-tailed deer or Roosevelt elk herds.
- i) Such lands are identified as winter range habitat on site-specific plan and zoning base maps prepared by Oregon Department of Fish and Wildlife (ODFW) and approved by the Board of Commissioners. A map of the approximate location of winter range units is depicted in this Subsection.
- Winter range is classified by ODFW as “Especially Sensitive,” “Sensitive” and “Other,” with commensurate levels of protection provided to protect the carrying capacity of the range as set forth in the Jackson County Comprehensive Plan.

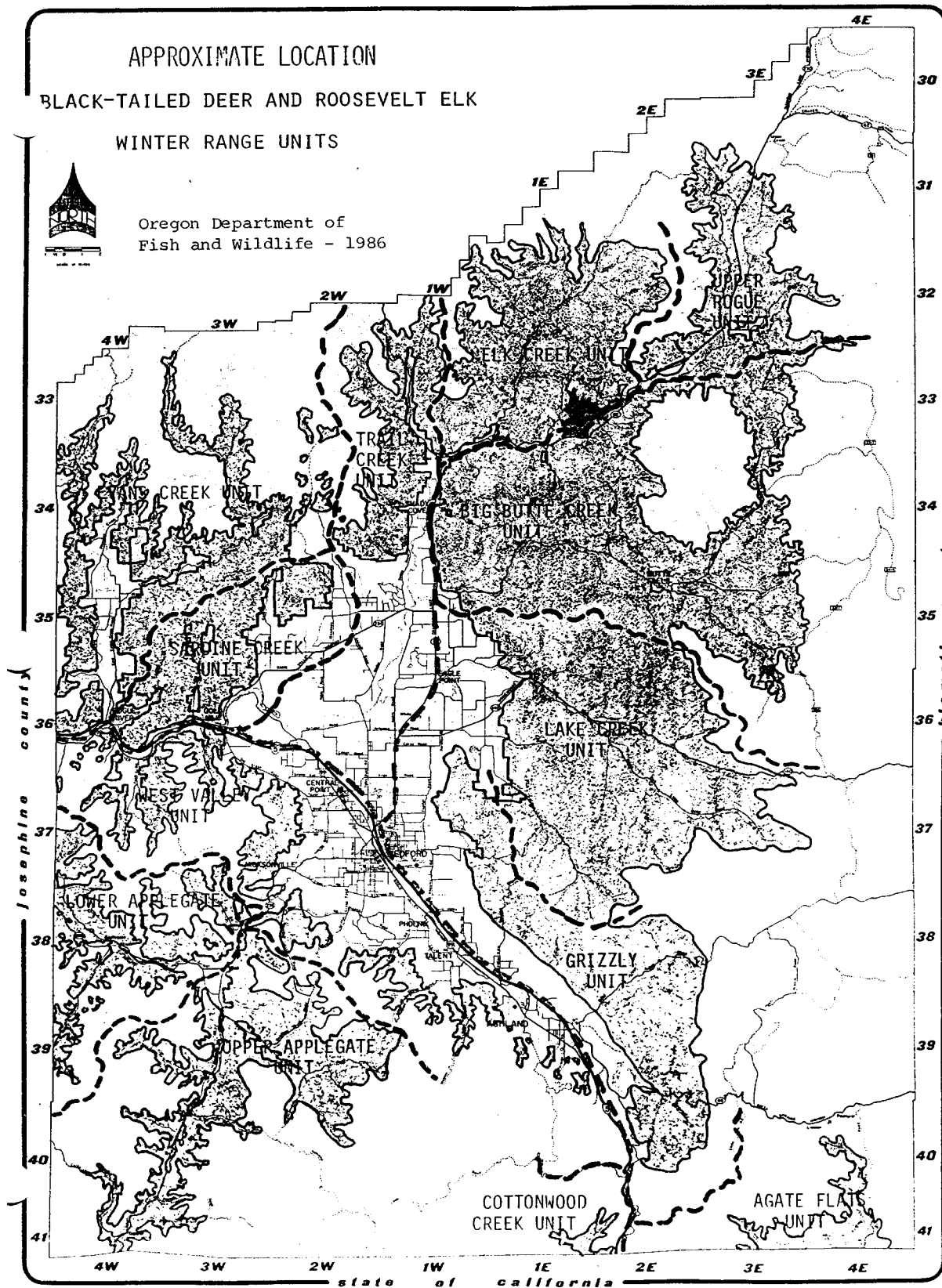
- ii) Winter range units classified by ODFW as “Especially Sensitive” include:
 - a) Upper Applegate Unit
 - b) Agate Flat Unit
 - c) Lake Creek Unit
 - d) Grizzly Unit
 - e) Big Butte Creek Unit
 - f) Upper Rogue Unit
 - g) Elk Creek Unit
- iii) Winter range units classified by ODFW as “Sensitive” include:
 - a) Trail Creek Unit
 - b) Cottonwood Creek Unit
 - c) Lower Applegate Unit
 - d) Evans Creek Unit
- iv) Units identified by ODFW as “Other Winter Range” include:
 - a) Sardine Creek Unit
 - b) West Valley Unit
 - c) Dead Indian Memorial Road Unit²
- v) Land Division and Residential Development Standards:
 - a) Especially Sensitive Winter Range units shall be maintained at a maximum overall density (within the parcel/ownership or proposed land division) of 1:160 or grouping of structures/development (within 200-foot radius) to achieve the same development effect.
 - b) Sensitive Winter Range units shall be maintained at a maximum overall density (within the parcel/ownership or proposed land division) of 1:40 or grouping of structures/development (within a 200-foot radius) to achieve the same effect.

² (Adopted by Ordinance #97-10 on 4-22-97; effective 6-23-97; File #96-21-OA; Appealed to LUBA 5-9-97. The Board held a public hearing on 12-8-99, and by motion and vote approved this amendment. The amendment is now pending adoption of another ordinance by the Board)

- c) Other Winter Range units shall be allowed to develop according to the prevailing maximum parcel/lot size for the zoning district.
- d) Unless otherwise mapped by ODFW as winter range individual parcels 20 acres or less in size, lands in Rural Residential, Farm Residential, Suburban Residential, and Urban Residential, or commercial and industrial zones shall be considered impacted by existing partitioning and development to the extent the habitat is no longer available.
- vi) Except as otherwise provided in this Ordinance, a first dwelling on a legally created lot or parcel shall be subject only to siting and access review standards of Subsection vii), below, unless a condition of approval concerning creation of the lot or parcel or its development requires compliance with this Section.
- vii) General Land Division/Development Standards for all Winter Range Units:

Any land use action subject to review under this Section shall include findings that the proposed action will have minimum impact on winter deer and elk habitat based on:

 - a) Consistency with maintenance of long-term habitat values of browse and forage, cover, sight obstruction.
 - b) Consideration of the cumulative effects of the proposed action and other development in the area on habitat carrying capacity.
 - c) Location of dwellings and all other development within 300 feet of existing roads or driveways where practicable unless it can be found that habitat values and carrying capacity is afforded equal or greater protection through a different development pattern.
 - d) New private roads shall be gated between November and April (where permitted by law) to protect wintering deer and elk.
 - e) Comments shall be solicited in writing from ODFW for all land use actions on winter range, other than dwellings which comply with density standards set forth in Subsection v), above. The ODFW shall be given a maximum of ten days to make such comments. Final decision by the County to decline or accept ODFW's position shall be based on substantive findings provided by the applicant.



- F) ASC 90-2: This Area of Special Concern includes lands identified as significant bald and golden eagle, osprey, and great blue heron nesting areas. Regulations of land use actions are proposed to protect these birds' aeries and rookeries.
- i) Land use actions including road construction, reconstruction, aggregate operations, and other uses proposed within the Area of Special Concern shall be subject to review to minimize any potential adverse effects upon protected bird species, particularly during their nesting season. When a land use action is proposed within an identified nesting area, the Oregon Departments of Fish and Wildlife (ODFW) and Forestry (ODF), and U.S. Bureau of Land Management (BLM) or U.S. Forest Service (USFS), if adjacent, shall be notified of the proposed action. Forest operations shall be subject to the requirements of the Oregon Forest Practices Act (FPA), however, other land use actions shall be reviewed against FPA and interagency guidelines for species protection to ensure adequate protection is given to nesting habitat.
 - ii) The County shall be authorized to deny, require mitigation or modification of proposed land use actions which are determined by ODFW and ODF to be significantly adverse to the species nesting territory particularly during the breeding/rearing season. Federal land management agencies may also be consulted where land use actions affecting bird habitat are proposed adjacent to or within 1,000 feet of federal land.
 - iii) Agencies shall be given not less than thirty days to conduct a preliminary investigation to determine the effect of the proposed land use action on nesting habitat. If a proposed land use action is determined to have significantly adverse affects on the resource, then a maximum of 45 additional days shall be provided within which to develop specific nesting site protection measures.
 - iv) The County shall be furnished written evidence that an ODFW biologist and an ODF Forest Practices Officer have found that nesting territory is adequately protected in a manner that is consistent with federal and state interagency guidelines and the FPA.
 - v) A conference of state and federal agencies, landowner/applicant and Department staff shall be convened to resolve disputes over key conclusions and requirements for site protection.
- If these parties cannot negotiate a set of conditions which result in adequate protection of the species through mitigation of conflicting uses, the conflict resolution mechanism of Section 35.030 shall be invoked. Both agencies and applicant/landowner shall be afforded access to request a public hearing pursuant to Chapter 285.
- G) ASC 90-3: This Area of Special Concern includes lands identified as significant habitat for the endemic Jenny Creek Sucker. All land use actions shall be subject

to review with ASC 90-3 to ensure that only minimal adverse impact results for any proposed action.

- i) When a land use action is proposed within the Jenny Creek ASC, the Oregon Departments of Fish and Wildlife (ODFW), and Forestry (ODF) and the U.S. Bureau of Land Management (BLM) shall be notified of the proposed action. Forest operations on private lands shall be subject to the requirements of the Oregon Forest Practices Act (FPA) however, other land use actions shall be reviewed against FPA standards and any agency guidelines for Jenny Creek Sucker habitat protection.
 - ii) The agencies shall be given not less than thirty days to investigate the effect of the proposed land use action on the species. If a proposed land use action is determined to have significantly adverse effects on the resource, then a maximum of 45 additional days shall be provided within which to develop specific protection measures.
 - iii) The County shall be authorized to deny, require mitigation or modification of proposed land use actions which may conflict with habitat quality.
 - iv) The County shall be furnished written evidence that the ODFW biologist, the ODF Forest Practices Officer and the BLM have found that the Jenny Creek Sucker habitat is adequately protected in a manner that is consistent with federal/state guidelines and the FPA.
 - v) A conference of state and federal agencies, landowners/applicants and the Department shall be convened to resolve disputes over key conclusions and requirements for habitat protection. If the parties cannot negotiate a set of conditions which result in adequate protection of the species through mitigation of conflicting uses, the conflict resolution mechanism of Section 35.030 shall be invoked. Both agencies and applicant/landowner shall be afforded access to request a public hearing pursuant to Chapter 285.
- H) ASC 90-4: This Area of Special Concern shall be applied to designated historic resources that, following review by the County, have been placed on the Jackson County Register of Historic Landmarks pursuant to the designation provisions of Chapter 266. All designated historic resources identified as an ASC shall be subject to the review guidelines contained in Chapter 266 for discretionary land uses.
- I) ASC 90-5: This Area of Special Concern shall serve as an interim protection procedure and shall be applied to any building, structure, object, district, site or natural feature that has been identified as a potential historic resource by its inclusion in the Jackson County Historical Sites Survey 1979, as amended, or in subsequent surveys acknowledged by Jackson County and the Oregon State Historic Preservation Office. This ASC shall remain in effect until the resource has been evaluated for its historic significance, pursuant to the provisions of Chapter 266, and placed on the Jackson County Register of Historic Landmarks or is determined not to be of significance. In the event that prior to the resource

being evaluated for significance, application is made for new construction, alteration, removal or demolition which may have an effect on a potential historic resource, issuance of a permit may be withheld for up to 90 days from the date of application. During that time, the Historic Advisory Commission or the County may decide whether to designate the resource as a historic landmark according to the provisions of Chapter 266.

- J) ASC 90-6: This Area of Special Concern applies to lands identified by a state or federal agency, property owner or other sources as having a potentially significant archaeological site. When a potential site has been identified, to allow sufficient time to evaluate the significance of the resource, and to find a prudent and feasible way to avoid, minimize or mitigate damage to a significant archaeological resource, all land use actions and land divisions shall be subject to the following review procedures:
- i) Land use actions or divisions on property where an archaeological site has been identified shall be subject to a 75-day review period to enable the State Historic Preservation Office, federal agency or other qualified archaeologist to evaluate the significance of the site in terms of research value, cultural data and integrity. The 75-day review period is comprised of the 30-day preliminary investigation period and the 45-day compliance period as specified below. Within 30 days of notice that a potential site may exist on property, a preliminary investigation must be conducted to determine whether or not the potential site is, in fact, significant. If a site has been determined to be significant, an additional 45 days shall be provided in which to comply with the remainder of this Section. This Area of Special Concern shall only apply prior to issuance of zoning clearance and building permits. If permits have been issued without consideration of the archaeological resource, this Area of Special Concern shall not be retroactively applied to the decision to allow the use or land division to occur.
 - ii) The qualified archaeologist shall, in cooperation with the applicant/property owner, prepare a feasibility plan for preservation of a significant resource site pursuant to Section 35.030.
 - iii) The feasibility plan shall be prepared without cost to the property owner/applicant, unless otherwise agreed upon. In addition to findings required under Section 35.030, it shall address prudent and feasible ways to avoid site damage through purchase by interested persons, organizations, or governmental agencies or appropriate conditions for approval of the land use action/division. If protection of the site is not possible, prudent and feasible means to minimize or mitigate the damage from development or division shall be explored.
 - iv) If the County and applicant disagree on key conclusions of the report, the potential site disruption shall be evaluated by the Board of County Commissioners under the terms of Section 35.030. If it is imprudent or infeasible to avoid, minimize or mitigate the action, the following findings shall be made in addition to those required for approval of the land division or development proposal:

- a) The proposed project is of substantial benefit to the County and archaeological site damage cannot be reasonably avoided, minimized, or mitigated; and,
 - b) Retention of the site would cause financial hardship to the property owner/applicant which is offset by public interest as established through Section 35.030.
- v) In the absence of site specific mapping of known archaeological sites by the Oregon State Historic Preservation Office at a scale which can be interpreted by the Department, all discretionary land use actions for which an appeal can be sought, and for which a hearing may be requested under the terms of this Ordinance shall be forwarded for review by Oregon State Historic Preservation Office as an affected agency.
- K) ASC 90-7: This Area of Special Concern applies to lands within one-quarter mile of the North Fork of the Rogue River, also known as the Upper Rogue River, from the Jackson/Douglas County border to the Crater Lake Highway 62 bridge at the upper end of the pool of Lost Creek Lake. Within this corridor, the following policies shall apply:
- i) Any land use permitted in the underlying zoning district shall be permissible on lands adjacent to the North Fork of the Rogue River, provided a building located within one-quarter mile of the mean high water line of the river or within the river proper below the mean high water line shall not exceed a height of 30 feet, or less as provided in Subsection 280.050(2), or the structure is effectively screened from the river by topography or vegetation. If vegetational screening is relied upon, the applicant will be required to record a restrictive covenant with the deed for the property prohibiting removal of the vegetation and requiring the maintenance and replanting in the case of loss of the plants. New buildings, additions to existing buildings, and other structures including but not limited to satellite dishes, tool sheds, or well houses, must maintain a minimum setback of 50 feet from the river bank as provided in Subsection 280.060(2).
 - ii) Discretionary land use actions, including uses subject to administrative review, conditional use permits, variances, and land divisions, excluding land management activities associated with forest practices or commercial farming, shall be reviewed by Jackson County to ensure that the proposed use or division will have minimal adverse impact on the scenic, geologic, fish or wildlife resources of this stretch of the Rogue River. Proposed land use actions determined to have more than a minimal adverse affect on the above specified resources shall be subject to the land use conflict resolution provisions set forth in Section 35.030.
 - iii) If the property proposed for use or division is located within the legal boundaries of a designated national wild, scenic or recreational river or a state scenic waterway, the application shall be transmitted to the appropriate state or federal agencies. If the property is subject to a scenic easement, no development permit shall be issued until the

applicant has obtained written authorization from the administering agency.

- L) ASC 90-8: This Area of Special Concern applies to lands within groundwater problem areas so designated by the Board of Commissioners or the State Water Resources Department pursuant to public hearing. The testing of well capacity and water potability is required in areas so designated to ensure public health, safety and welfare of existing and potential residents. Prior use/testing conducted under the supervision of the Watermaster shall be required to reasonably assure an adequate and safe water supply for citizens of Jackson County in the ASC because groundwater is a limited resource throughout Jackson County. In known areas where potable water quality or quantity problems have occurred, greater care must be taken to protect adjoining uses and wells from new uses or land divisions that could negatively affect well yield or quality.

Testing shall consist of a water quantity test designed to measure the extent of drawdown and recovery in a well and to produce and measure a cone of depression, where possible, with the pump or a comparable part installed for the designated use of the well when a use other than one single-family dwelling is proposed. Static levels of the test well and existing wells in the area shall be measured where feasible.

Where only one single-family dwelling or one additional well is proposed to serve a division or dwelling, the test shall be limited to a discharge test measured in gallons per minute for at least four hours with a yield of not less than 2.5 gpm resulting as set forth in Subsection 05.140(5). Where the proposed use or division would involve more than one dwelling or use, the test shall establish that the proposed well is capable of producing at a rate of 400 gallons per day per dwelling served, or meeting the estimated needs of the use or development for a minimum testing period of not less than twelve hours. The well shall not exceed 75 percent drawdown of the initial static water column and shall have a minimum recovery or 80 percent of drawdown in twelve hours.

If the test well can satisfy the yield requirements of this Ordinance, evaluation of potability shall then be certified by an appropriate water quality testing laboratory.

Test results shall be submitted in conjunction with land use or division permit applications. Applications for land use permits or divisions shall be subject to denial where minimum quantity and quality standards are not satisfied unless mitigating measures acceptable to the County are proposed to ensure safe and adequate water supply.

- M) ASC 90-9: This Area of Special Concern applies to lands identified by the Jackson County Planning Commission and Board of Commissioners as important scenic resources that significantly contribute to the landscape character of the County. The intent of the ASC is to allow permitted natural resource based uses and provide guidelines for discretionary land uses.

- i) Important scenic resource lands are placed in a scenic resource Area of Special Concern, approved by the Board for the conservation of distinctive scenic areas, views, sites, stream and roadway corridors.
- ii) The following uses within ASC 90-9 shall be permitted without review by Jackson County, unless otherwise provided by other regulations:
 - a) Conservation and maintenance of scenic resources.
 - b) Fish and wildlife habitat management.
 - c) Historic resource protection measures.
 - d) Natural areas protection measures.
 - e) Passive recreation activities.
 - f) Other land uses or activities permitted in the underlying zone, subject to state and federal regulations.

Forest practices on commercial forest land within the scope of OAR Chapter 729, Division 24, are not subject to the Area of Special Concern, although the regulations continued herein may be used as guidelines for such practices.

- iii) Within the scenic resource areas of special concern, any land use action subject to review by the Department shall include findings demonstrating that the proposal will have a minimal impact on identified scenic views, sites, stream and roadway corridors either by nature of its design, mitigation measures proposed, or conditions of approval.

Minimum impact land use activities are defined per the Visual Management System of the U.S. Department of Agriculture (USDA), U.S. Forest Service (USFS) as “Partial Retention,” or the Visual Resource Management Program of the U.S. Department of Interior (USDI), U.S. Bureau of Land Management (BLM) as “Class 2.” These visual quality objectives allow for management activities that are visually subordinate to the characteristic landscape. Changes caused by the management activity should not be evident in the characteristic landscape.

It is recognized that land use changes in a landscape will likely create contrasts; however, under minimal impact objectives, land use activities shall not attract undue attention, and shall visually harmonize with the existing scenic resources. This can be accomplished through design by repeating the form, line, colors, or textures typical of subject landscape, and designing the land use activity to blend into the existing landscape.

To mitigate adverse impacts of development on scenic resources, discretionary land use actions shall meet applicable scenic quality performance standards. If a standard is found to conflict with or contradict any other provision of this Ordinance, regulation or state

administrative rule or statute, or federal regulation, the more restrictive shall govern, pursuant to Section 290.010.

a) **Land Division Standards:** Division of lands within the scenic resource overlay shall be designed to minimize the linear extent of roadways required for access to parcels, and points of access shall be limited from a scenic roadway corridor. Parcel configurations shall limit, to a minimum extent, roadway and stream crossing.

b) **Siting Standards:** Any land use actions that require removal of native vegetation and/or topographic modifications shall be unobtrusively sited when within view of an identified scenic roadway, stream, view, or site. Unobtrusive siting means the development is located where topography or vegetation offers some shielding of the use, and the development in terms of scale, form, and color is consistent with the surrounding landscape.

Hilltop siting is generally inappropriate for structures in a scenic area, as are excessive cut and fill operations for the placement of roadways or structures. Clustering of housing and structures for use of common access, increased setbacks from roadways and water areas, and landscaping shall be considered appropriate methods of minimizing adverse scenic impacts.

Where naturally occurring vegetation or land forms are not present to provide partial screening for land use activities, landscaping with native plant materials shall be required to provide this screening in accordance with landscaping standards in Subsection e), below.

c) **Development Standards:** Structures and other permanent facilities shall be unobtrusively designed in terms of scale and form. Colors used shall be earth tones indicative of the surrounding landscape.

d) **Roadway Development Standards:** Existing road rights-of-way shall be used whenever possible rather than creating new roadways for access. Access points along a scenic roadway corridor shall be limited in number, and a buffer strip of native vegetation shall be retained adjacent to the right-of-way. Roadways shall be designed to retain the maximum number of native trees. Roadway development, including fill, shall not be located within 50 feet of a Class 1 or 2 stream except at a limited number of crossings. The 50-foot setback shall be increased as necessary to protect the stream and the riparian habitat as determined by the Director. Roadways shall be designed to minimize the removal of fill slopes and slopes shall be revegetated in accordance with the landscaping standards in Subsection e), below.

- e) Landscaping Standards: Notwithstanding fuelbreak requirements and public health or safety concerns, clearing of native vegetation for discretionary land uses on scenic resource lands shall be minimized. A landscape plan for reclamation of disturbed lands is required. At a minimum, the plan shall be prepared by an individual registered with the American Society of Landscape Architects, or other qualified landscape design professional, or professional forester with experience in reclaiming forest lands as determined by the Director. The following shall be included to fulfill the requirements of the reclamation landscape plan:
- (1) An aerial map showing both the location of the parcel and the proposed development areas outlined in black ink;
 - (2) A map of the proposed development areas, drawn to scale in black ink with the legal location, north arrow, and name of the applicant;
 - (3) Location of natural features including existing trees or stands of trees, hills, drainage ways and other water areas;
 - (4) Location of existing and proposed structures, septic drainfields, utility lines, roadway or driveway, and other existing or proposed improvements;
 - (5) Location of areas where disturbance of natural features is unavoidable; and,
 - (6) A landscape plan detailing the revegetation of disturbed areas shall include the use of native species typically found in the characteristic landscape. The types and numbers of species proposed shall be listed, and the percentage of each type shall be consistent with the surrounding landscape.
- iv) Resource uses in the Area of Special Concern, other than forest operations on commercial forest land subject to the Oregon Forest Practices Act shall be reviewed pursuant to the provisions of this ASC prior to issuance of such permits. To facilitate this review, County mapping of scenic areas and this ASC, as may be updated periodically, shall be provided to these agencies. The following outlines the County's specific concerns for federal and state regulated land use activities in designated scenic areas:
- a) Timber Harvesting: In accordance with County designated scenic areas, timber harvesting operations should be conducted in a manner that maintains scenic values. This includes special attention be given in scenic areas to the following operations:

- (1) The type and magnitude of silvicultural practices should be conducive to maintaining scenic values within the viewshed. A viewshed is defined as the total landscape seen from a part of a travel corridor or use area including scenic roadways, water bodies, streams, sites, viewpoints, and recreation trails.

In these viewsheds, clear-cut blocks, patches and strips should be sized, shaped, and blended with the natural terrain to appear as natural units in the landscape. Reforestation and restocking of clear-cuts should occur, within a maximum time of four years. If it is determined a clear-cut area cannot be adequately restocked within this time period, another method of harvest, such as shelterwood, should be used.

- (2) Skid roads, landings, and operations yards should not be evident as viewed from scenic roadways and stream corridors, recreation trails, and viewpoints. Disposal of waste materials should occur in areas that avoid negative impacts on scenic resources. All harvesting procedures shall be in accordance with applicable state and federal regulations.

- (3) Stream corridors and riparian vegetation within scenic areas should be protected during and after harvesting operations, with precautions taken to minimize soil and vegetation disturbance along these streams. Skidding, yarding, and felling within stream corridors should be limited to prevent undue disturbance. Seventy-five percent of the original shade cover on any stream within a designated scenic area should be maintained, or other measures consistent with federal or state regulations designed to protect riparian habitat should be implemented.

- b) Surface Mining: In accordance with ORS 517.760(2)(a), surface mining not directly related to forest practices under the scope of OAR Chapter 629, Division 24, in designated scenic areas shall minimize the adverse impacts on visual resources by limiting the amount of land disturbed at any one time, and buffering or screening the operations from scenic roadway and stream corridors, viewpoints and recreation trails. Screening of the operations shall use natural barriers such as native vegetation or landscaped berms. A reclamation plan shall define the existing characteristics of the vegetation and land forms, and the expected impacts on the viewshed. This shall include a map showing the location of proposed mining areas including stockpiles, operations yards, and haul roads, and the expected impacts on the viewshed.

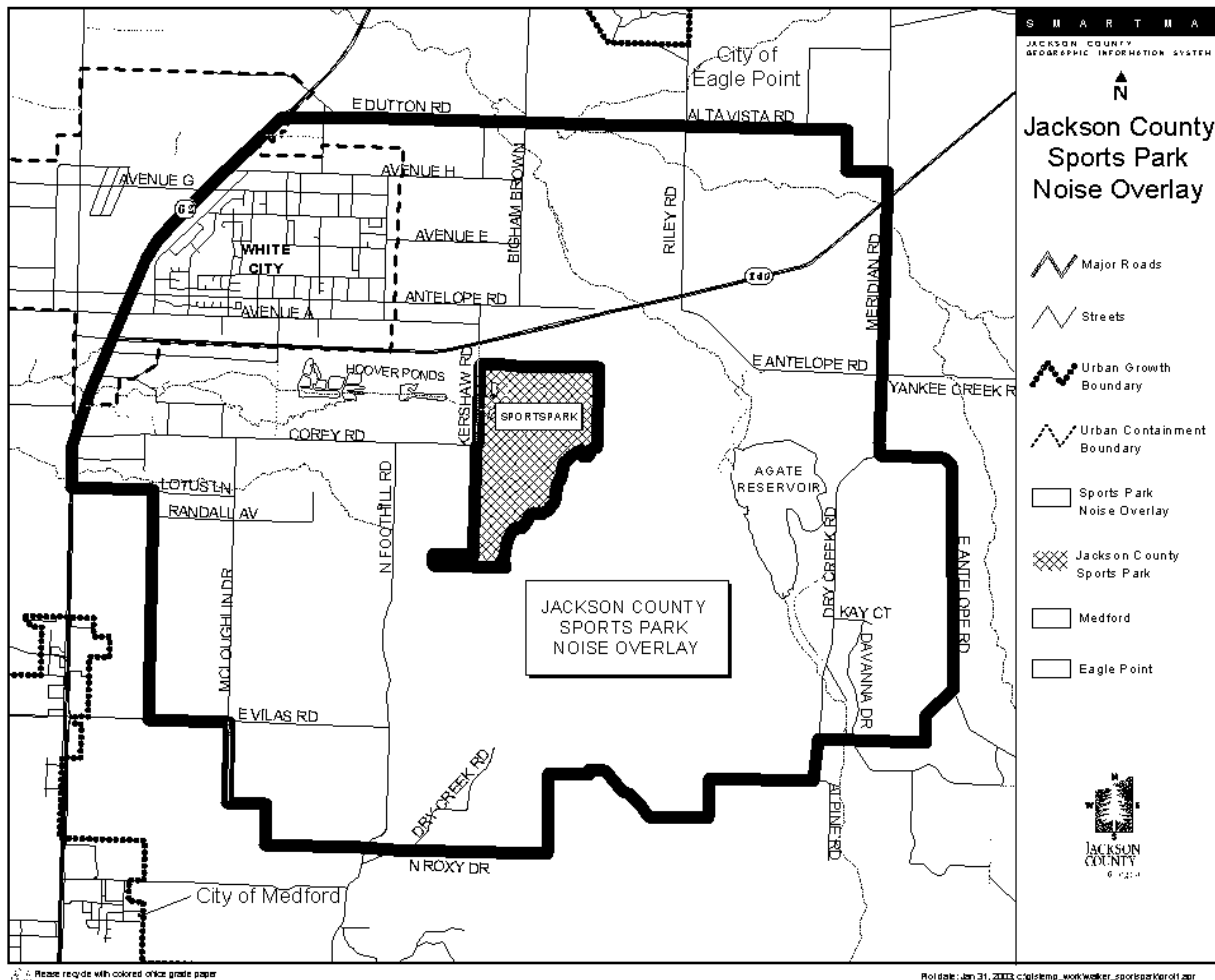
The reclamation plan shall address the character and extent of areas of revegetation, types and numbers of plant materials shown on a landscape plan prepared in accordance with this ASC, soil stabilization procedures, topsoil stockpiling and redistribution, and time schedule for phasing the completion of site reclamation.

- N) ASC 90-10: This Area of Special Concern includes all lands on which ecologically or scientifically significant natural areas are located. These sites, illustrated on a map contained in the Goal 5 background document and the Natural and Historic Resources Element of the Jackson County Comprehensive Plan, are considered to be either protected, or conflicting uses are limited where they would affect the features and values associated with each site. These identified sites are considered protected under Statewide Planning Goal 5, its related Administrative Rules, and Jackson County Comprehensive Plan policies, in addition to management plans and objectives established for each site by federal, state and other local jurisdictions. Land use actions, other than forest operations which are governed by the Oregon Forest Practices Act, that are inconsistent with the stated management and objectives for “2A” and “3A” sites shall be prohibited. Land use actions proposed on or adjacent to “3C” sites shall be evaluated pursuant to Chapter 35 to ensure that potentially conflicting uses are adequately limited to retain the resource value identified in the Comprehensive Plan.
- O) ASC 93-2, Transit Oriented Development: This Area of Special Concern is for the 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).
- i) Special requirements for design and development of transit routes and transit facilities are appropriate 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 shall consider appropriate road standards to support bus traffic and on-road parking restrictions.
 - ii) 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 shall provide bicycle parking facilities as part of the development and connections to pedestrian ways.
 - iii) Along a transit route, major industrial, institutional, retail and office developments (major for the purpose of this section means generating over 1,000 trip ends per day) shall be required to either: a) provide a transit stop site including pullouts on the highway frontage, or b) connect to an existing transit stop. The conditions placed on new development to require transit improvements shall be based on the requirements of the RVTD. Where a transit stop is needed, the conditions of approval shall

- provide for no less than a transit easement and a commitment to install facilities within a specified time period.
- iv) New retail, office and institutional buildings at or near existing or planned transit stops shall provide preferential access to transit through these measures: orienting building entrances to the transit stop, clustering buildings around transit stops, and locating buildings as close as possible to transit stops.
- P) ASC 2003-1, Goal 11 Exception Areas: This Area of Special Concern includes lands justified as “Reasons” Exception Areas to Statewide Planning Goal 11, Public Facilities and Services, where creation or extension of a public sewer facility has been approved to serve a specified use in the Goal Exception Area. This ASC may also be applied to “Physically Developed” and/or “Irrevocably Committed” Exception Areas where additional use restrictions are found to be merited beyond the base zoning district provisions. Development of properties within this ASC is subject to the restrictions outlined in the adopting ordinance for the Goal 11 Exception Area.
- Q) ASC 2003-2, Jackson County Sports Park Noise Overlay: This Area of Special Concern includes land that lie within the White City Unincorporated Community Boundary. 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.”

The map on the following page displays the boundary of ASC 2003-2, Jackson County Sports Park Noise Overlay:



280.120 STANDARDS FOR HOME OCCUPATIONS:

- 1) **Purpose:** The purpose of this Section is to provide standards for rural or urban home occupations which would permit the conduct of a business. Home occupations are limited to those uses which may be conducted within a residential dwelling, attached or detached garage, or accessory structures in rural areas without adversely impacting the surrounding area. In general, a home occupation is a business use of a residence, so located and conducted that a casual observer, under normal circumstances, would not be aware of its existence. The standards for home occupations in this Section are intended to insure compatibility with other permitted uses and with the residential character of the property.

When a use is a home occupation it means that the owner, lessee, or other persons residing within the dwelling may conduct the home occupation on their property subject to compliance with this Section. Major home occupations are authorized pursuant to the standards set forth in Subsections (5) and (7), below. However, major home occupations are not allowed in urban growth or containment boundaries. Minor home occupations may be authorized as set forth in Subsections (5) and (6), below.

- 2) Permitted minor home occupations may include the uses listed below and other similar uses. Minor home occupations must comply with the standards listed in Subsections 280.120(5) and (6).
- A) Architectural service.
 - B) Art restoration.
 - C) Artists and sculptors, including clay artists and studio potters.
 - D) Child care.
 - E) Beauty or barber shop limited to one chair.
 - F) Consulting services.
 - G) Contracting (masonry, plumbing, painting, electrical excluding storage of any supplies on-site other than one vehicle).
 - H) Data processing.
 - I) Direct sale product distribution (such as Amway, Avon, Jafra, Tupperware, Herbalife and Shaklee).
 - J) Drafting and graphic services.
 - K) Dressmaking, sewing, tailoring, contract sewing (one machine).
 - L) Engineering service.
 - M) Family day care home.
 - N) Financial planning, investment services.
 - O) Flower arranging.
 - P) Gardening, landscape maintenance excluding storage of landscape or nursery supplies and materials.
 - Q) Gun repair and gunsmithing involving no retail sales.
 - R) Home crafts for off-site sales.
 - S) House cleaning service.
 - T) Individual musical instrument instruction.
 - U) Interior design.
 - V) Jewelry making; jeweler.

- W) Locksmith.
 - X) Mail order (not including retail sales from site).
 - Y) Millinery.
 - Z) Massage studio, limited to one masseuse.
 - AA) Office facility for minister, priest, or rabbi.
 - BB) Sales representative (office only).
 - CC) Security service, security systems, auto security systems.
 - DD) Swimming pool cleaning.
 - EE) Telephone answering or switchboard, call forwarding and solicitation.
 - FF) Tutoring, individual.
 - GG) Typing, word-processing service.
 - HH) Wallpapering.
 - II) Watch repair.
 - JJ) Writing, computer programming, composing.
- 3) Major home occupations may include the uses listed below and other similar uses. A permit to engage in a major home occupation must be obtained pursuant to Subsections (5) and (7), below.
- A) Any use allowed as a minor home occupation.
 - B) Carpentry and woodworking shop, excluding cabinet making.
 - C) Contracting (masonry, landscape, plumbing or painting) where contractor's supplies are stored on-site within the attached garage or accessory structure.
 - D) Furniture upholstery.
 - E) Gunsmithing involving limited sales.
 - F) Small engine and equipment repair including lawn mowers, rototillers and the like, but excluding snowmobiles, motorcycles, automobiles and trucks.
 - G) Television and other electrical repairs excluding major appliances.
- 4) The following uses, by their nature have a pronounced tendency, once started to rapidly increase beyond the limits permitted for home occupations and are more

suitable to professional or business districts. Therefore, the uses specified below shall not be permitted as major or minor home occupations:

- A) Ambulance service.
- B) Appliance (white goods) repair (including washing machines, dryers, freezers, refrigerators and the like).
- C) Automobile or truck repair, parts sales, upholstery or detailing, or washing service (including businesses working at customers homes).
- D) Beauty salons and barber shops except as allowed in Subsection 2), above.
- E) Boarding house, time share condominium.
- F) Cabinet makers.
- G) Catering.
- H) Churches, religious instruction.
- I) Gift shops.
- J) Health salons, gyms, dance studios, aerobic exercise studios.
- K) Limousine or taxi service.
- L) Medical or dental office.
- M) Mortician, hearse service.
- N) Painting, repair or detailing, upholstering or washing of vehicles, trailers or boats.
- O) Photo developing, photo studios.
- P) Private schools with organized classes.
- Q) Private clubs.
- R) Rental businesses.
- S) Restaurants, taverns, food preparation.
- T) Tow truck services.
- U) Veterinary office or uses (including medical care, grooming or commercial boarding).
- V) Welding or machine shop.

- W) Other similar uses.
- 5) General Standards: The following standards apply to all home occupations:
- A) There shall be no signs other than as permitted by Subsection 280.080(5).
 - B) The minor home occupation use may not result in more than one additional vehicle parking at the site of the home occupation at any given time. Any need for parking created by the conduct of a major home occupation shall be met off-street in a location other than in a required front yard setback, and in compliance with the standards in Section 280.070.
 - C) In no way shall the appearance of the structure be altered or the home occupation conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the generation/emission of sounds, noises, fumes, glare, or vibrations, using normal senses and taking measurements from any lot line of the parcel.
 - D) Electrical or mechanical equipment which creates visible or audible interference in radio or television reception or causes fluctuations in line voltage outside of the home occupation shall be prohibited.
 - E) Home occupations shall not store or warehouse, or utilize in their processes, materials which are by their nature highly flammable, combustible, explosive or radioactive.
 - F) The home occupation shall be completely conducted within an enclosed building. There shall be no outside storage, display of goods, materials, supplies or equipment of any kind related to the home occupation except as otherwise allowed in Subsection 9), below.
- 6) Minor Home Occupations: In addition to the general standards set out in Subsection 5), above, the following standards apply to all minor home occupations:
- A) No minor home occupation shall require alterations that would change the fire rating for the structure or change the classification of the structure under the Uniform Building Code from "R-3" for a residence or from "M-1" for a garage to "B-2". The use of electrical or mechanical equipment which would change the fire rating for the structure or change the classification of the structure under the Uniform Building Code is likewise prohibited.
 - B) No persons other than residents of the premises shall be engaged in a minor home occupation.
- 7) Major Home Occupations: In addition to the general standards set out in Subsection 5), above, the following standards apply to all major home occupations:
- A) The County may approve a major home occupation wherein the business is operated by the resident of the property. The resident owner may employ a

total of no more than five (5) persons pursuant to ORS 215.448 whether part time, full time, or a combination thereof.

- B) A major home occupation is subject to the following additional requirements established by state statute:
- i) The use will be operated in the dwelling or other buildings permitted and in character with the zone in which the property is located.
 - ii) The major home occupation will not interfere with existing uses on nearby land or with uses permitted in the zone in which the property is located.
 - iii) Nothing in this Section authorizes construction of any structure that would not otherwise be allowed in the zone or that is inconsistent with this Section.
 - iv) Once authorized by the County, the existence of a major home occupation shall not be used as justification for a minor comprehensive plan map amendment.
 - v) Application for a major home occupation shall also include a Building Field Review application and fee to determine the extent of structural alteration required for the major home occupation.
 - vi) The applicant must show that the proposed major home occupation would be in conformance with the Jackson County Comprehensive Plan for the area, the standards of the district of the Jackson County Land Development Ordinance in which the proposed major home occupation would occur, and the Comprehensive Plan for the County as a whole.
 - vii) The applicant must show that the location, size, design, and operating characteristics of the proposed major home occupation will have minimal adverse impact on the liveability, value, or appropriate development of abutting properties or the surrounding area.
 - viii) The applicant must show that the proposed major home occupation will be in compliance with other required findings, if any, which may be listed in the zone in which the use is proposed to be located.
 - ix) Major home occupations shall be subject to compliance review at least every twelve months from the date the major home occupation permit was issued to determine if the major home occupation continues to comply with the requirements of this Section. If non-compliance is found to exist, the provisions of Subsection 8), below, and Chapter 285 shall be invoked.
 - x) Approved applications for home occupations shall be valid until December 31 of the year that the application was initially approved or until December 31 of the year for which an extension of the approval

was granted by the Director. Prior to December 31 of each year, the property owner or applicant who received initial approval or a renewal pursuant to this Section, shall provide the Director with written request for renewal of the home occupation and written information sufficient to allow the Director to determine if the conditions of approval and other approval criteria have been satisfied. The Director shall review this information for each approved home occupation to determine if it continues to comply with the conditions of approval. Home occupations which continue to comply with the conditions of approval shall receive a one-year extension of approval to December 31 of the following year, and such extension shall be put in writing by the Director and mailed to the owner of the property upon which the home occupation is located. Home occupations which do not comply with the conditions of approval shall not receive extended approval, or for which a request for renewal is not received pursuant to this Section, shall not receive extended approval by the Director, and the Director shall mail written notice of the decision not to extend the approval to the applicant and the owner of the property upon which the home occupation is located.

- 8) Additional Standards for Home Occupations Outside Urban Growth Boundaries and Urban Containment Boundaries:
- A garage, accessory structure or additional dwelling may be used for a home occupation outside an urban growth boundary or urban containment boundary. Minimum building setbacks, size limitations and other provisions of the respective zoning district shall be met by any such structures.
- 9) Additional Standards for Home Occupations Within Urban Growth Boundaries or Urban Containment Boundaries:
- A) A home occupation within an urban growth boundary or urban containment boundary shall be conducted only within the enclosed dwelling unit or garage.
- B) Truck storage shall be limited to the vehicle and trailer used solely by the owner residing on the premises in his/her primary occupation. Storage of other such accessory equipment or fleets of trucks is prohibited.
- C) Major home occupations are not allowed within urban growth boundaries or urban containment boundaries.
- 10) Administration:
- A) If the Department determines that there is a violation of the purpose and standards of this Section, the home occupation shall be brought into compliance. Failure to obey lawful orders concerning such correction shall be punishable subject to the provisions of Section 290.030.
- B) Appeal from any determination of the Department regarding a requirement of Section 280.120, may be made pursuant to Chapter 285.

280.140 YARD SALES:

- 1) A yard sale for the purpose of selling household goods and equipment, plants, clothing, furniture and the like, in a noncommercial zoning district shall be limited to not more than three such sales per year.
- 2) The duration of each sale shall not exceed two days in length.
- 3) The hours of operation shall be limited to 7:00 a.m. to 6:00 p.m.

280.150 DECLARATIONS OF RESTRICTION:

The Director may require recording of a deed declaration or declaration of restriction whenever he determines that such an instrument is necessary to disclose conditions placed upon the use of a structure or land, or to protect adjacent resource land. Such declarations shall provide that they cannot be modified or removed without the written consent of the County. Such written consent may be given by the Director when the circumstances which necessitated the restrictions are removed.

280.160 ROCK CONCERTS AND SIMILAR EVENTS:

Rock concerts and similar special events pertaining to the assembly of people for short durations, not to exceed a three day event on a semi-annual basis, do not constitute a land use action which is governed by this Ordinance.

280.170 BUILDING AND SEPTIC PERMITS:

No building or septic permit shall be issued until the permit application is found by the Department to comply with all appropriate policies, ordinances, and codes of Jackson County.

280.180 ILLEGAL USES:

Uses that are in violation of County ordinances in effect prior to November 10, 1982, are also violations of this Ordinance.

280.190 STATE AND COUNTY PARK MAINTENANCE EXEMPT FROM COUNTY REVIEW:

Maintenance, rehabilitation, and minor betterment of established state or County parks and roadside rest areas which do not have land use impacts are exempt from the review provisions of this Ordinance.

280.210 USE OF RECREATIONAL OR CAMPING VEHICLES AND PARKS:

Camping or recreational vehicles are not designed for residential purposes according to standards and specifications (for manufactured housing or conventional construction under the Uniform Building Code) which have been established to protect the public health safety and welfare. Therefore, camping or recreational vehicles shall not be used for temporary housing purposes more than 30 days in any 12-month period, except as specified herein.

- 1) When located in an approved mobile home space and subject to applicable health and safety requirements and provided that the park owner or manager maintains a current listing of tenants occupying RVs within the park and copies of applicable permits for such occupancy; or,
- 2) When not more than one camping vehicle is used for recreational purposes for not more than three months in any 12-month period on property owned by the owner of said vehicle, subject to the provisions of this ordinance and full compliance with health and sanitation regulations; or,
- 3) When not more than one camping vehicle is used as housing for not more than nine months on property owned by the owner of said vehicle only during construction of the first dwelling, subject to full compliance with the provisions of this Ordinance and health and sanitation regulations provided a declaration of restriction is recorded with the County Clerk precluding its use as a dwelling.

280.220 GUEST HOUSE STANDARDS:

A guest house shall meet all zoning requirements including density standards, special setback, and yard setback requirements.

280.230 PRIVATE SWIMMING POOL:

A private swimming pool, whether above or below ground, shall:

- 1) Comply with all required zoning setbacks for the district in which it is located; and,
- 2) Not be operated as a business nor maintained in such a manner as to be hazardous or obnoxious to adjacent property owners.

280.240 BED AND BREAKFAST SERVICE:

- 1) Intent: To provide temporary travelers' accommodations and breakfast, for a fee, on a daily or weekly room rental basis, as an accessory use in an existing structure designed for and occupied as a single-family residence.

- 2) Standards:

- A) Minimal outward modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighborhood and the intent of the zoning district in which it is located.

The architectural integrity and arrangement of existing interior spaces must be maintained and the number of guest rooms shall not be increased except as may be required to meet health, safety, and sanitation requirements.

- B) Off-street parking shall be provided. The front yard shall not be for off-street parking for temporary guests unless the parking area is screened, and found to be compatible with the neighborhood.

- C) The number of guests shall be limited to six persons at any one time and not more than two sleeping rooms except where sanitation facilities can be approved by the County and where neighborhood conditions will allow more. There must be at least five hundred square feet of gross interior floor area for each rental unit. The maximum potential rental units would be determined by dividing the gross interior floor area of the structure by 500 square feet.
- Those facilities providing service to a greater number of guests are not considered “license exempt” under state law and must comply with state hotel/motel restaurant licensing procedures administered by the Health Department. The issuance of such licenses shall not be considered as conferring nonconforming commercial status to the use which would either allow alteration of the facility or otherwise compel rezoning of the property for commercial use beyond the scope of this Section.
- D) One on-premise sign may be approved by the County provided that such sign is compatible with residential uses and is not more than five square feet in size.
- E) All necessary state and County permits, certifications, or requirements shall be obtained as a condition of approval of a bed and breakfast service.
- F) Room rentals to families or individuals shall not exceed 14 consecutive days.
- G) The bed and breakfast facility must be accessory to and contained within the single-family dwelling occupied by the owner (e.g. not a manager) or within accessory dwelling units or structures which lawfully existed on the same lot or parcel prior to April 22, 1983.
- H) The only meal to be provided to guests shall be breakfast and it shall only be served to guests taking lodging in the facility even if the facility is required to be licensed as a restaurant under Subsection (2)(C), above.
- I) The Jackson County Health Department shall examine both the water system and the sewerage disposal system, and shall conduct a general health and safety inspection of the proposed facility. The Health Department shall impose any conditions required to ensure that all necessary health and safety standards have been met. The applicant shall not: initiate any construction activity and other improvements related to the bed and breakfast facility; or begin operation of the facility prior to a determination, in writing, by the Health Department that the necessary inspections have been completed and any deficiencies have been corrected to the satisfaction of the Health Department.

The proprietor shall have a water quality evaluation conducted by a recognized water testing laboratory on an annual basis following the certification of adequacy by the Health Department. The results of that test shall be submitted to the Health Department with a copy to the Department.

280.250 REGISTRATION AND LICENSING REQUIREMENTS:

Individuals representing either clients or themselves in a professional capacity and wishing to testify as experts in their field on land use matters before the County, shall be licensed or registered to practice by the State of Oregon, if the state has established licensing registration or licensing procedures or standards. This provision applies generally to such professions as geology, soil science, engineering, architecture, medicine, health, surveying, and the like, and is not intended to preclude individuals or their agents from presenting testimony or applications to the County.

280.260 MANUFACTURED DWELLING STORAGE PERMIT:

Storage of a manufactured dwelling on a tract must be approved in writing by the Department. The maximum length of time a manufactured dwelling may be stored on a tract is six months, unless an extension has been granted by the County. Only one extension, for a maximum of an additional six months, may be granted. The applicant must request that extension prior to the expiration date of the manufactured dwelling storage permit. The applicant must request approval of a storage permit in writing and submit a signed statement acknowledging that the manufactured dwelling will not be used for residential use. Electrical, plumbing and sewer hookup of the stored manufactured dwelling/mobile home is expressly prohibited. Only one manufactured dwelling storage permit may be issued on any tract within any five year period.

All normal setback standards of the district shall be met.

Tract is defined as one or more contiguous lots or parcels under the same ownership.