



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

FOR DLCD USE
File No. **DEPT OF**
Received: **JUN 06 2016**

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

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: Jackson County

Local file no.: **439-15-00009-LRP**

Date of adoption: 06/01/2016

Date sent: 06/02/2016

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 01/07/2016

No

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

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

Local contact (name and title): Craig Anderson, Senior Planner

Phone: 541-774-6918

E-mail: anderscm@jacksoncounty.org

Street address: 10 S. Oakdale

City: Medford

Zip: 97501

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

Change from Agricultural Land to Rural Residential Land 9.92 acres. NO Goal Exception was required for this change due to the subject property's location within the Medford UGB.

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

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

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

Location of affected property: 37-1W-26B-2100 and 2190

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

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

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

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

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

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

For a change to a zoning map:

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

Change from	Exclusive Farm Use	to	Rural Residential (RR-00)	Acres:	9.92
Change from		to		Acres:	
Change from		to		Acres:	
Change from		to		Acres:	

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

Overlay zone designation: Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address): **see above**

List affected state or federal agencies, local governments and special districts: Jackson County Roads, City of Medford, DLCDC

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



NOTICE OF ADOPTION

Pursuant to Oregon Revised Statutes (ORS) 197.615, you are hereby being notified that the Jackson County Board of Commissioners adopted Ordinance No. 2016-10 at a properly noticed public hearing on June 1, 2016, at 1:30 p.m., in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon 97501.

The ordinance will go into effect on July 31, 2016 (60 days from the date of adoption). A description of the ordinance follows:

Ordinance No. 2016-10 approving a Minor Comprehensive Plan Map and Zoning Map Amendment to change the Comprehensive Plan Map from Agricultural Land to Rural Residential Land and the Zoning Map from Exclusive Farm Use (EFU) to Rural Residential (RR-00) on a 9.92 acre property described as Township 37 South, Range 1 West, Section 26B, Tax Lots 2100 and 2190. Kyle and Kimberly Walker, Owners and Applicants. File: 439-15-00009-LRP.

This notice is being mailed to you on June 2, 2016, which is within five working days after the adoption date of the ordinance(s) as required by ORS 197.615. If you have any questions on the effect of this ordinance, please contact **Craig Anderson** at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford (541)774-6918.

You may review this ordinance, or you may purchase a copy for \$.25 for the first page and \$.10 for each additional page, at Development Services, Room 100, County Offices, 10 South Oakdale, Medford, Oregon 97501, between the hours of 8:00 a.m. and 4:00 p.m., Monday, Tuesday, Thursday and Friday; and 11:00 a.m. to 4:00 p.m. on Wednesday.

The Board of County Commissioner's Ordinances are the final decisions on this action. Pursuant to State law, Jackson County is hereby notifying all persons who participated in the hearings, either in writing or orally. This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

You must appeal this decision within 21 days of the date it is mailed. This decision is being mailed on June 2, 2016, and the LUBA appeal period will expire on June 23, 2016. Please contact LUBA for specific appeal information. They are located at DSL Building, 775 Summer Street N.E. Suite 330, Salem, Oregon 97301-1283. They can be reached at (503) 373-1265.

Attachments: Notary Packet

NOTARY PAGE

STATE OF OREGON)
)
COUNTY OF JACKSON)

I, Patricia A. Guida, being first duly sworn, depose and say that on behalf of Jackson County Development Services, I gave notice of Board of Commissioners Ordinance No. 2016-10 by mailing a copy of the Notice of Adoption by regular mail (or delivered to county offices) or email to each of the following named persons at their respective last known addresses or emails, to wit: (as attached)


Each of said copies of the Notice were enclosed in a sealed envelope addressed to the persons at the addresses above set forth, with postage thereon fully prepaid and was deposited in the post office at Medford, Oregon, on June 2, 2016.



Signature

Personally appeared before me this 2nd day of June, 2016, the above named Patricia A. Guida who acknowledged the foregoing affidavit to be her voluntary act and deed.





Notary Public for Oregon
My Commission Expires: 2-1-2020

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

APPLICANT NAME: KYLE & KIMBERLY WALKER
FILE NO: 439-15-00009-LRP

FILE NO. 439-15-00009-LRP
ADOPTION LABELS
APPLICANT: KYLE & KIMBERLY WALKER
DATE CREATED: 6/1/2016

APPLICANT 439-15-00009-LRP
KYLE & KIMBERLY WALKER
112 MONTEREY DR
MEDFORD, OR 97504

AGENT 439-15-00009-LRP
RAUL WOERNER
CSA PLANNING LTD
4497 BROWNRIDGE TERR., STE 101
MEDFORD, OR 97504

BOC 439-15-00009-LRP
RICH DYER, CHAIR
BOARD OF COMMISSIONERS

BOC 439-15-00009-LRP
COLLEEN ROBERTS
BOARD OF COMMISSIONER

BOC 439-15-00009-LRP
DOUG BREINDENTHAL
BOARD OF COMMISSIONER

STAFF 439-15-00009-LRP
KELLY MADDING, DIRECTOR
DEVELOPMENT SERVICES

STAFF 439-15-00009-LRP
CRAIG ANDERSON
PLANNER

IP 439-15-00009-LRP
SYDNEE DREYER
823 ALDER CREEK DR
MEDFORD OR 97504

COUNSEL 439-15-00009-LRP
JOEL BENTON
COUNTY COUNSEL

IP 439-15-00009-LRP
SYDNEE DREYER
823 ALDER CREEK DR
MEDFORD OR 97504

IP 439-15-00009-LRP
JOHN SAUSE
4649 CHERRY LN
MEDFORD OR 97504

IP 439-15-00009-LRP
KEVIN CHRISTIANSEN
ROADS & PARKS

IP 439-15-00009-LRP
ROGER HALL
3541 PRINCETON WAY
MEDFORD OR 97504

IP 439-15-00009-LRP
JAMES HUBER, PLANNING DIRECTOR
CITY OF MEDFORD
200 S IVY ST
MEDFORD OR 97501

IP 439-15-00009-LRP
CARLA PALADINO
CITY OF MEDFORD
200 S IVY ST
MEDFORD OR 97501

IP 439-15-00009-LRP
JOHN ADAMS, PRINCIPAL PLANNER
CITY OF MEDFORD
200 S IVY ST
MEDFORD OR 97501

BEFORE THE BOARD OF COMMISSIONERS

STATE OF OREGON, COUNTY OF JACKSON

ORDINANCE NO. 2016-10

AN ORDINANCE APPROVING A MINOR COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT TO CHANGE THE COMPREHENSIVE PLAN MAP FROM AGRICULTURAL LAND TO RURAL RESIDENTIAL LAND AND THE ZONING MAP FROM EXCLUSIVE FARM USE (EFU) TO RURAL RESIDENTIAL (RR-00) ON 9.92 ACRES DESCRIBED AS TOWNSHIP 37 SOUTH, RANGE 1 WEST, SECTION 26B, TAX LOTS 2100 AND 2190, KYLE AND KIMBERLY WALKER, OWNERS AND APPLICANTS. FILE: 439-15-00009-LRP.

RECITALS:

1. Pursuant to Chapters 197 and 215 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, Jackson County's Comprehensive Plan and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. On September 8, 2015, an application for a Minor Map Amendment was submitted to Jackson County by CSA Planning, Ltd., agent for the Owners and Applicants, Kyle and Kimberly Walker. The application was determined to be complete pursuant to Land Development Ordinance (LDO) Section 2.6.3(C) on October 29, 2015.
3. A notice of the proposed Amendment was provided to the Department of Land Conservation and Development (DLCD) on January 7, 2016, 49 days prior to the first evidentiary hearing. A notice was published on Sunday, February 14, 2016, in the Medford Mail Tribune that a first evidentiary hearing was scheduled before the Jackson County Planning Commission (JCPC) on Thursday February 25, 2016, at 9:00 a.m. in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford.
4. A public hearing was held on February 25, 2016, before the JCPC in the Auditorium of the Jackson County Offices. After considering the evidence and testimony submitted, the JCPC, by motion and vote, recommended that the Board of Commissioners (BoC) approve the application. The JCPC signed the Recommendation for Approval on February 25, 2016.
5. On April 27, 2016, the BoC held a properly advertised public hearing on the application. After considering the evidence and testimony submitted, including the record of the JCPC hearing, the BoC, by motion and vote, approved the application.

NOW, THEREFORE, the Board of County Commissioners of Jackson County hereby ORDAINS as follows:

SECTION 1. FINDINGS OF FACT

Based on the evidence and arguments presented, the BoC makes the following findings of fact with respect to these proceedings. Where factual conflict arose, the BoC has resolved them consistent with these findings:

- 1.1 The BoC finds that proper legal notice was provided to the applicant, affected property owners and affected agencies on April 6, 2016, for a public hearing on this matter. Legal notice was published in the Sunday, April 17, 2016, edition of the Medford Mail Tribune.
- 1.2 The BoC finds that the JCPC's recommendations are based upon following proper procedures and are consistent with evidence and testimony in the record of proceedings. The BoC hereby adopts, as its own, the Findings of Fact contained in the JCPC Recommendation for Approval, contained in the record of these proceedings.

SECTION 2. LEGAL FINDINGS

Based on the evidence and arguments presented, the BoC makes the following legal findings with respect to these proceedings. Where factual conflicts arose, the BoC has resolved them consistent with these findings:

- 2.1 The BoC hereby adopts, as its own, the Legal Findings contained in the JCPC Recommendation for Approval, contained in the record of these proceedings.

SECTION 3. CONCLUSIONS

- 3.1 The BoC concludes that proper public notice was given.
- 3.2 The BoC hereby adopts, as its own, the Conclusions contained in the JCPC's Recommendation for Approval, contained in the record of these proceedings. These conclusions demonstrate that the application is in compliance with the applicable Statewide Planning Goals, Oregon Administrative Rules, the applicable policies in the Jackson County Comprehensive Plan, and the applicable sections of the Jackson County Land Development Ordinance.

SECTION 4. DECISION

- 4.1. Based on the record of the public hearing, the BoC hereby approves the requested Minor Comprehensive Plan Map and Zoning Map Amendment to change the Comprehensive Plan Map from Agricultural Land to Rural Residential Land and the Zoning Map from Exclusive Farm Use (EFU) to Rural Residential (RR-00) on 9.92 acres described as Township 37 South, Range 1 West, Section 26B, Tax Lots 2100 and 2190, Kyle and Kimberly Walker, owners and applicants. File: 439-15-00009-LRP.

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ADOPTED this 1st day of June, 2016, at Medford, Oregon.

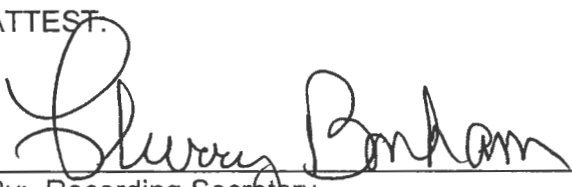
JACKSON COUNTY BOARD OF COMMISSIONERS


Rick Dyer, Chair

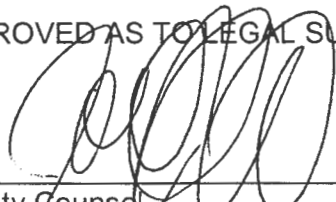

Colleen Roberts, Commissioner


Doug Breidenthal, Commissioner

ATTEST.


By: Recording Secretary

APPROVED AS TO LEGAL SUFFICIENCY:


County Counsel

This Ordinance is the final decision on this action. This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). You must appeal this decision within 21 days of the date it is mailed. This decision is being mailed on June 2, 2016, and the LUBA appeal period will expire on June 23, 2016. Please contact LUBA for specific appeal information. They are located at 775 Summer Street NE, Suite 330, Salem, Oregon 97301-1283. They can be reached at (503) 373-1265.

Development Services

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



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