

- 114 - 115 C. Second Reading, Ordinance No. _____, An Ordinance Adding Section 5.34.025 to the Central Point Municipal Code to Require Pawnbrokers and Second Hand Dealers to Retain Property Prior to Resale (Allison)

VIII. BUSINESS

- 117 A. Appointment of Parks and Recreation Commission Chair (Samitore)
-- B. Planning Commission Report (Humphrey)

IX. MAYOR'S REPORT

X. CITY MANAGER'S REPORT

XI. COUNCIL REPORTS

XII. DEPARTMENT REPORTS

XIII. EXECUTIVE SESSION

The City Council may adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XIV. ADJOURNMENT

Consent Agenda

**CITY OF CENTRAL POINT
City Council Meeting Minutes
July 26, 2012**

I. REGULAR MEETING CALLED TO ORDER

City Manager Phil Messina called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

- III. ROLL CALL:** Mayor: Hank Williams - Excused
Council Members: Allen Broderick, Carol Fischer; Kay Harrison and Kelly Geiger were present. Bruce Dingler was excused and Ellie George was absent.

City Manager Phil Messina; City Attorney Paul Nolte; Police Chief Kris Allison; Community Development Director Tom Humphrey; Parks and Public Works Director Matt Samitore; Assistant City Manager Chris Clayton; and City Recorder Deanna Casey were also present.

City Manager Phil Messina stated that we do have a quorum but not a presiding officer with both the Mayor and Council President absent. The Council Rules state that the Council should nominate a temporary chairperson to preside over the meeting.

Allen Broderick nominated Kay Harrison to be Temporary Chairperson. Kelly Geiger seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kelly Geiger, yes; and Kay Harrison, yes. Motion approved.

IV. SPECIAL PRESENTATION – F.E.M.A.

Sharon Loper, Acting Regional Administrator for FEMA Region X, explained that the Department of Home Land Security has determined that Central Point will increase to a Class 6 in the National Flood Insurance Program Community Rating System. The floodplain management activities implemented by the community qualify it for a 20 percent discount in the premium cost of flood insurance. This designation shows the dedication to public safety, property protection and protects the natural functions of floodplains, and reduces flood insurance premiums. Ms. Loper presented a plaque to the Council Chairperson.

V. PUBLIC APPEARANCES - None

VI. CONSENT AGENDA

- A. Approval of July 13, 2012, City Council Minutes
- B. Approval of Teenage Suicide Awareness Proclamation

Kelly Geiger made a motion to approve the Consent Agenda as presented. Carol Fischer seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kelly Geiger, yes; and Kay Harrison, yes. Motion approved.

VI. ITEMS REMOVED FROM CONSENT AGENDA - None

VII. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

A. Public Hearing - First Reading An Ordinance Adopting the Greater Bear Creek Valley Regional Plan, Including Adoption of a Regional Plan Element as a New Element of the City of Central Point Comprehensive Plan, An Amendment to the Land Development Ordinance Chapter 17.71 Agricultural Buffering, An Amendment to the Official Comprehensive Plan Land Use Map Designating the Urban Reserve Areas, and Approval of an Urban Reserve Management Agreement Between Jackson County and the City of Central Point

Community Development Director Tom Humphrey explained that this is a public hearing to consider an Ordinance recommending approval of the Greater Bear Creek Valley Regional Plan, including adoption of a regional plan element of the Comprehensive Plan. After many years of discussion it was agreed by all participants that the Greater Bear Creek Valley Regional Plan was ready for final review. In 2011 the Council forwarded a final recommendation to the County Planning Commission to approve the Regional Plan. The Final Plan has been through the required processes, reviews and public hearings.

In accordance with the Agreement and ORS it is now the responsibility of the cities to:

- Amend their comprehensive plans to include a regional plan element;
- Amend their comprehensive plan map to include a map that illustrates the urban reserve areas;
- Adopt the agricultural buffering ordinance; and
- Approve an Urban Reserve Management Agreement.

These four actions are the subject of consideration for this meeting. Mr. Humphrey presented the findings for each area considered. Once these actions are completed by all participants the County will forward the approvals to LCDC for final consideration and action.

Chairperson Kay Harrison opened the Public Hearing.

County Commissioner Don Skundrick addressed the Council in support of the proposed Ordinance as presented. The County and State organizations do not recommend any changes to the current plan because it will delay implementation for all participants. This has been a long process and Central Point Council and Staff have worked hard to keep it going. There are options incorporated within the plan to make changes after it is finalized.

Bob Hart, land use consultant. Two property owners would like to be added to the map. They originally bought property because it was going to be included in the Urban Reserve Area (URA). The boundaries have changed and their property will not be developable unless they are included in the URA. He provided a letter explaining the property and specific reasons and concerns the owners would like to be included. He explained that the cherry stem area of CP 1B is not a normal process and their property should be included.

Mr. Humphrey explained that this property was designated as urban and important agricultural land.

Joe Carlson, Central Point resident is in favor of including the property Mr. Hart is recommending. It would provide a good economic benefit to the city if included.

Greg Holms from 1000 friends of Oregon stated that he has been involved in the process for several years. He explained the delay in the process if any of the cities decide to change the boundaries. 1000 Friends of Oregon recommends approval of the plan as presented. He acknowledged the work that Central Point has done to keep the plan on topic and working with the County and 1000 Friends in regards to agricultural buffering. He would like to see the City adopt the Agricultural Buffer city wide. Other cities have done this.

Larry Martin Taylor Road resident recognized the leadership that Central Point has provided for this process. All the partners agreed to the plan as presented. There have been public hearings during the entire process and properties had the opportunity to be heard. The City should continue with the plan as presented.

The Public Hearing was closed. There was no further discussion.

Allen Broderick made a motion to move to second reading An Ordinance Adopting the Greater Bear Creek Valley Regional Plan, Including Adoption of a Regional Plan Element as a New Element of the City of Central Point Comprehensive Plan, An Amendment to the Land Development Ordinance Chapter 17.71 Agricultural Buffering, An Amendment to the Official Comprehensive Plan Land Use Map Designating the Urban Reserve Areas, and Approval of an Urban Reserve Management Agreement Between Jackson County and the City of Central Point. Carol Fischer seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kelly Geiger, yes; and Kay Harrison, yes. Motion approved.

B. First Reading - An Ordinance Adding Section 5.34.025 to the Central Point Municipal Code to Require Pawnbrokers and Secondhand Dealers to Retain Property Prior to Resale

Police Chief Kris Allison presented an Ordinance that would amend the current Central Point Municipal Code regarding the length of time Pawnbrokers and secondhand dealers would be required to hold items after purchase.

The Police Department has identified a need to stipulate a time period for the retention of property prior to resale. A majority of Pawnbrokers and Secondhand Dealers purchase items without stipulating a retention period. The amendment would not penalize a legitimate business owner and only requires them to retain the property for 7 business days if the resale value is greater than \$25.00 or 5 business days if the property is valued under \$25.00. This allows victims of crimes to file reports with police jurisdictions in a reasonable time period and an investigation to be initiated and logged into the database.

Kelly Geiger made a motion to move to second reading an Ordinance adding Section 5.34.025 to the Central Point Municipal Code to Require Pawnbrokers and Secondhand Dealers to Retain Property Prior to Resale. Carol Fischer seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kelly Geiger, yes; and Kay Harrison, yes. Motion approved.

C. Ordinance No. 1963, An Ordinance Amending Sections 2.40.020, 2.40.040 And 2.40.050 of the Central Point Municipal Code to Provide for the Adoption of Public Contracting Rules by Resolution; to Simplify the Existing Public Contracting Chapter and to Coordinate the Public Contracting Rules with Recent Legislative Changes

Assistant City Manager Chris Clayton stated that there were no recommended changes at the first reading of an Ordinance amending Central Point Municipal Code regarding Public Contracting Rules. The proposed ordinance removes a majority of the requirements from the Municipal Code and provides the opportunity for the Council to adopt these rules and procedures by a resolution, which provides greater flexibility when future revisions become necessary.

Kelly Geiger made a motion to approve Ordinance No. 1963, An Ordinance Amending Sections 2.40.020, 2.40.040 And 2.40.050 Of The Central Point Municipal Code To Provide For The Adoption Of Public Contracting Rules By Resolution; To Simplify The Existing Public Contracting Chapter And To Coordinate The Public Contracting Rules With Recent Legislative Changes. Kay Harrison seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kelly Geiger, yes; and Kay Harrison, yes. Motion approved.

D. Resolution No. 1340, A Resolution Adopting Public Contracting Rules (Clayton)

Mr. Clayton explained that the recommended resolution sets the Public Contracting Rules as authorized by ORS Chapter 279C and CPMC Chapter 2.40. The previous Ordinance removed the rules from the Municipal Code Book allowing the Council to set the rules by resolution. He explained that this allows the city to update the rules according to State regulations when the legislature makes changes.

Kelly Geiger made a motion to approve Resolution No. 1340, A Resolution Adopting Public Contracting Rules. Carol Fischer seconded. Roll call: Allen

Broderick, yes; Carol Fischer, yes; Kelly Geiger, yes; and Kay Harrison, yes. Motion approved.

E. Resolution No. 1341, A Resolution to Approve a Supplemental Budget for the 2012/13 Fiscal Year (Adams)

Finance Director Bev Adams explained that this is the first supplemental budget resolution for the current year. The city has agreed to assist in the administration of a Water Conservation Grant issued by the Oregon Water Resources Department to the Medford Water Commission and the Cities of Central Point, Eagle Point, Jacksonville, Talent, and Phoenix. These agencies have banded together to form a Technical Advisory Committee for the purpose of selecting a team of consultants to provide professional services to evaluate and define water conservation strategies that could reduce water demands and thereby delaying the need for costly infrastructure expansion of water right acquisitions. The City of Central Point will receive the grant funds and disburse as needed.

Allen Broderick made a motion to approve Resolution No. 1341, A Resolution to Approve a Supplemental Budget for the 2012/13 Fiscal Year. Kelly Geiger seconded. Roll call: Allen Broderick, yes; Carol Fischer, yes; Kelly Geiger, yes; and Kay Harrison, yes. Motion approved.

VIII. BUSINESS

A. Battle of the Bones Report

Parks and Public Works Director Matt Samitore stated that the weather was a huge part of the 2012 Battle of the Bones event. The rain and cooler temperatures caused the attendance to be sporadic. The craft beer sales were down 42% and Saturday BBQ down 28% based on the preliminary numbers.

The response we have received from the public was overwhelmingly positive. Sunday was a solid day for the event with attendance surpassing previous years. Wine ticket sales were up and the stem-less wine glasses were a big hit.

The event grossed \$76,000 but had expenses of \$84,000 for an approximate loss of \$8,000. If the weather had been relatively normal we believe the event would have seen a profit this year. City personnel are still the largest single expense. Even though we had a lot more volunteers we still had quite a few city employees costing \$22,000. These are counted against the event in order to track true costs of administering. We hope to be able to build our volunteers up and use less city staff, but there will always be staff costs because it is necessary to have specific city staff members present at all times.

The event planning for next year begins in a few weeks. They will be reviewing how to get more BBQ teams to the event and look at the layout and ways to improve.

The Council was in agreement that it was still a success. The event is great for the community and should be continued.

IX. MAYOR'S REPORT - None

X. CITY MANAGER'S REPORT

City Manager Phil Messina reported that the Mayor is at the Oregon Mayor's Association this week. He attended the Oregon Managers Association Conference in Bend and has been out of town on family business. He attended the Portland Waterfront Blues Festival again this year. He stated that the festival started a lot like the Battle of the Bones and has expanded to a very successful event for Portland. He feels confident that the B.o.B. event will be successful if we continue with improvements.

XI. COUNCIL REPORTS

Council Member Carol Fischer reported that she attended a library meeting.

Council Member Kelly Geiger reported that he is in the transition from Banking to managing the Wash and Go Depot.

Council Member Kay Harrison stated that she attended the 4th of July Festival and the Fair.

XII. DEPARTMENT REPORTS

Community Development Director Tom Humphrey thanked Councilor Geiger for returning this evening. The RPS process would have been delayed farther if we would have continued the meeting and public hearing because of no quorum. The participants are trying to finish up this long process and get a final version to the state for their adoption. The study on Pine Street has produced a technical memorandum providing a variety of options.

Finance Director Bev Adams stated that the City has received a Certificate of Achievement for the audit. They have begun the online payment program and it seems to be going well.

Chief Allison reported that:

- Central Point participated in the Sex Offender Compliance week. We only had 3% in non compliance.
- We will be participating with a Child Abduction Response Team (CART) for the Valley. This is a new team of specialized programs and processes for child abduction situations.
- DARE Show and Shine is August 4th at Twin Creeks Park.
- There have been several car break-ins recently. They have suspects and will be contacting them soon.

Parks and Public Works Director Matt Samitore reported that:

- Stephanie Holtey has worked very hard to receive the Level 6 rating from FEMA. We are all very proud of the work she has done. She is already looking for ways to improve to a Level 5. There are very few communities in the nation that have a Level 6 rating.
- Dan and Joyce Tires have applied for a Business License with the City. They will be required to maintain DEQ standards regarding the amount of tires they are allowed on the property.
- There are citizens in Central Point East who have purchased a type of ramp for their drive ways. Evidently the rolled curbs in that subdivision are hard on vehicles. Staff is concerned with these ramps because the street sweeper cannot get to the curb when they are in place, and they do not have a big enough passage for storm water to pass through. He asked Council to drive by these homes because the issue may come before them at a future meeting.

Assistant City Manager Chris Clayton reported that

- Several roofs are being replaced on buildings in Pfaff Park.
- Staff will be ready to discuss department goals at the September Study Session.
- The solar panels are in place on the Vilas Reservoir.

XIII. EXECUTIVE SESSION

Kelly Geiger made a motion to adjourn to Executive Session under ORS 192.660 (2)(d) Labor Negotiations. Allen Broderick seconded. All said aye and the meeting was adjourned to executive session at 9:00 p.m.

The Council returned to regular session at 9:32.

XIV. ADJOURNMENT

Kelly Geiger moved to adjourn, Allen Broderick seconded, all said "aye" and the Council Meeting was adjourned at 9:33 p.m.

The foregoing minutes of the July 26, 2012, Council meeting were approved by the City Council at its meeting of August 9, 2012.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder

Good Neighbor Day Proclamation

WHEREAS, Citizens of Central Point *have big hearts and we care about each other; and*

WHEREAS, On September 5th, 2012, FTD Florists throughout the United States will be giving away thousands of roses in one dozen bunches to customers, asking in return only that they keep one and give the other 11 away in a gesture of friendship and goodwill; and

WHEREAS, through this act of kindness, new friendships will be formed and a message of brotherly love will be shared.

WHEREAS, understanding, love, and respect build cohesive families and communities. These same bonds cement our Nation, and the nations of the world.

WHEREAS, For most of us, this sense of community is nurtured and expressed in our neighborhoods where we give each other an opportunity to share and feel part of a larger family. We cannot expect to have good neighbors, unless we are ready to be good neighbors, to go out of our way to extend friendship and support to those who live near us. Each of us is our neighbor's neighbor—and the responsibility for building a happier, livelier, fuller life in each of our communities must rest with each of us.

NOW THEREFORE, I, Hank Williams, Mayor of Central Point, do hereby declare September 5, 2012, as

“Good Neighbor Day”

In Central Point and urge all citizens to commit to increasing awareness and understanding of the faces of hunger, and commit to assist in eliminating it from our community.



IN WITNESS WHEREOF, I hereby set my hand this _____, day of August, 2012.

Mayor Hank Williams
City of Central Point

Resolution

Annexation of 5.93 Acres located at 600 Beebe Road



STAFF REPORT
August 9, 2012

AGENDA ITEM: FILE NO: 13001

Annexation and R-1-6 zoning of the Shepherd of the Valley Catholic Church property comprising 5.93 acres. The physical address is 600 Beebe Road and is identified on the Jackson County Assessor's map as 37 2W 02 Tax Lot 3100. **Applicant: Shepherd of the Valley Catholic Church; Agent: Herb Farber.**

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

The Shepherd of the Valley Catholic Church, located at this location for a number of years, recently acquired adjacent property with the intent of a future church remodel project. The Church is requesting annexation before moving forward with the proposed site improvements.

The Planning Department sent a letter to area property owners to invite participation in this annexation. No requests have been received. The subject property is adjacent to the city limits along the west property line as illustrated by the site map, Attachment A.

Currently the subject property is zoned by Jackson County as Rural Residential 5 (RR-5), designated R-1-6 Residential Single-Family in the Urban Growth Boundary (UGB) and when annexed, will have this zoning classification. A church is a permitted use in the R-1-6 zoning district.

AUTHORITY:

ORS 222.125 authorizes annexation of property contiguous to cities when all of the owners of land and majority of electors consent. CPMC 1.20 vests the City Council with the authority to order the annexation of unincorporated territory in the Urban Growth Boundary into the City of Central Point.

This annexation is a 'full consent annexation' since the property being annexed is owned by the Shepherd of the Valley Catholic Church and the church has consented to the annexation.

Annexation Criteria:

1. **Written Consents:** The annexation application includes written consent to annex from 100% of the property owners and a majority of the electors within the annexation

territory, who have signed the annexation petition, which is evidence of written consent to annexation (Exhibit C). Accordingly, pursuant to ORS 222.125 and CPMC 1.24.020, the City Council may order the annexation without notice, hearing or election.

2. **Contiguous to City Limits:** Pursuant to ORS 222.111, territory proposed for annexation must be contiguous to the City or separated from it only by a public right-of-way or a stream, lake or other body of water. The subject annexation area is contiguous to Central Point to the west.
3. **Within Urban Growth Boundary (UGB):** The annexation territory is within the Urban Growth Boundary of Central Point and is in compliance with the City-County Urban Growth Boundary and Policy Agreement of September 1984 and amended in 1998.
4. **Orderly Provision of Public Facilities:** The City-County Urban Growth Boundary and Policy Agreement requires that, in considering an annexation, urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth allowed by the Comprehensive Plan within the annexation area prior to or concurrent with the development. Public Works has reviewed the existing public facilities and their proximity to the annexation area and concluded that public facilities can be provided or extended to the site. Any future enhancements of these facilities made necessary by development of the annexation area will be the responsibility of the developer and regulated through the City's land use application process. This will result in an orderly provision of public facilities to the annexation area.
5. **Duly noticed and advertised notice of public hearing:** Pursuant to ORS 222.120 notice of the August 9, 2012 hearing before the City Council was published twice, July 26, 2012 and August 2, 2012, in the Mail Tribune newspaper and notice was posted in four (4) public locations. In addition, on July 20, 2012 notice was mailed to each property owner of record within 100 feet of the proposed annexation.

ISSUE:

None

ATTACHMENTS:

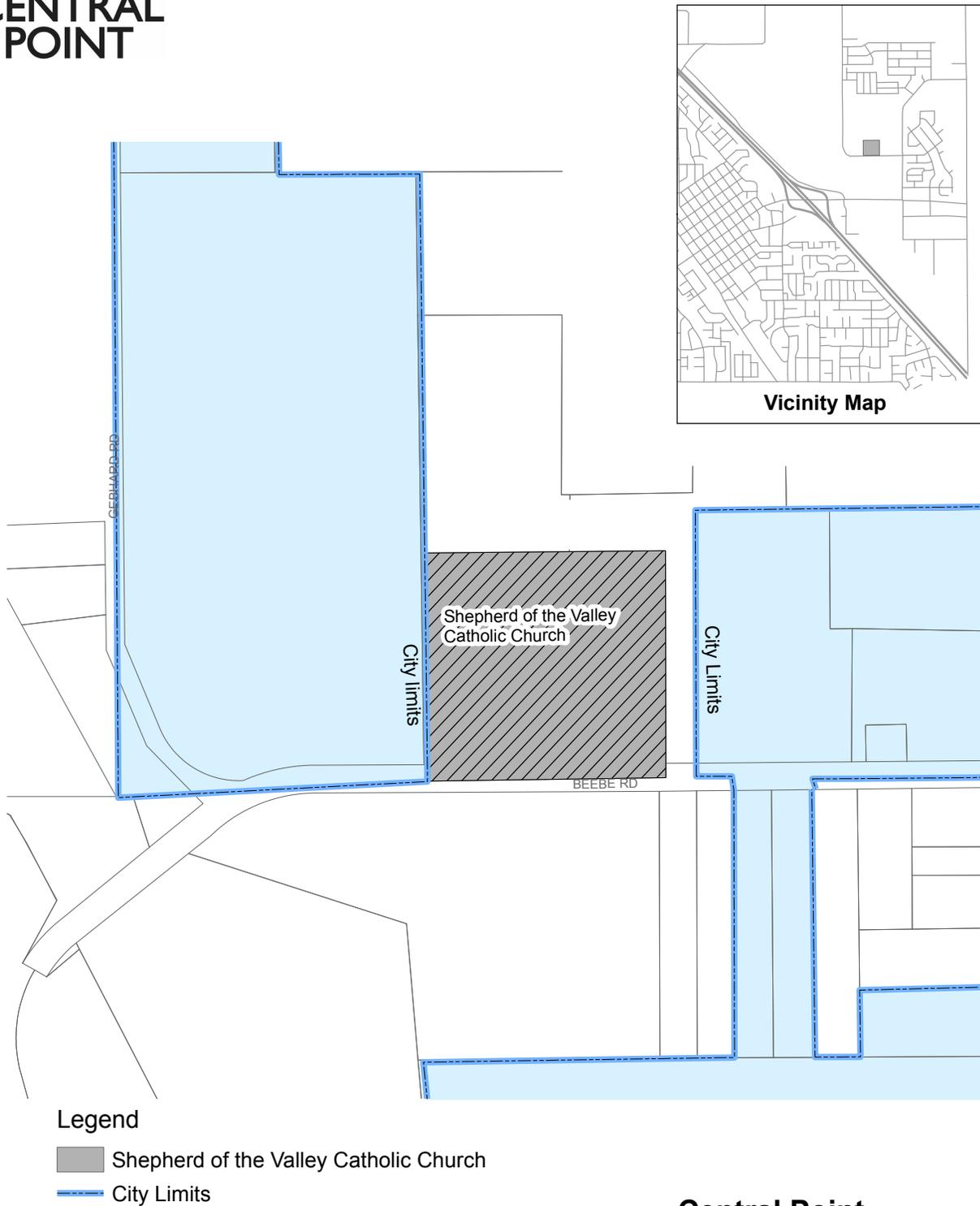
Attachment "A"- Graphic Illustration of the subject property
Attachment "B"- Resolution No. ___ Ordering Annexation
 Exhibit A: Written Description
 Exhibit B: Annexation Depiction Map
 Exhibit C: Annexation Petition

ACTIONS:

Consider the request to annex approximately 5.93 acres located at 600 Beebe Road.

RECOMMENDATION:

Approve Resolution ____.



Central Point

**Shepherd of the Valley Catholic Church
Annexation**

RESOLUTION NO. _____

**A RESOLUTION TO ANNEX 5.93 ACRES,
LOCATED AT 600 BEEBE ROAD AND
IDENTIFIED ON THE JACKSON COUNTY
ASSESSOR’S MAP AS 37 2W 02, TAX LOT 3100.
APPLICANT: SHEPHERD OF THE VALLEY CATHOLIC CHURCH**

RECITALS:

- A. The Shepherd of the Valley Catholic Church owns approximately 5.93 acres land of generally described by Exhibit A, which is not located within the City of Central Point city limits. The Central Point City Council (the Council) is authorized under ORS 222.120 to hold a public hearing for annexation proceedings without an election for annexation.
- B. On August 9, 2012 the Council conducted a duly noticed public hearing on the annexation application, at which time it reviewed the City staff report, heard testimony and comments on the application to annex the 5.93 acre property specifically described in attached Exhibits “A” Written Description and Exhibit “B” Annexation Depiction Map.
- C. The City Manager, or designee, will transmit a copy of this resolution to the Oregon Secretary of State, and this annexation is effective when filed with the Oregon Secretary of State pursuant to ORS. 222.180.
- D. This annexation is a full consent annexation as the church has petitioned for and consented to the annexation, attached petition Exhibit “C”.

The City of Central Point resolves as follows:

Section 1: The Shepherd of the Valley Catholic Church property at 600 Beebe Road, described in the above recitals and set forth in attached Exhibits “A” and “B” is proclaimed to be annexed to the City of Central Point.

Passed by the Council and signed by me in authentication of its passage this ____ day of _____, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

Resolution No. _____
08092012

Property Description

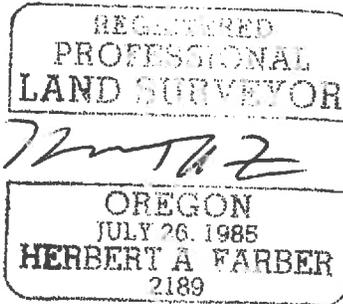
Shepherd of the Valley Catholic Church

Assessor's Map No 372W02-3100 for Annexation

Commencing at a point which is 1221.00 feet (record 18.5 chains) South and 1336.50 feet (record 20.25 chains) West of the Northeast corner of Donation Land Claim No 55, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, said point also being the Southwest corner of the tract described in Volume 248, Page 401 recorded in the Deed Records of said County and State; thence East, 66.7 feet to the POINT OF BEGINNING and the existing boundary to the City of Central Point as described in Resolution No 1043 dated December 10, 2004; thence North, along the East of the East line of Parcel 2 as described in Instrument No 2007-50691 recorded in the Official Records of said county and state and said boundary of said City of Central Point, 22.20 feet, to a 5/8 inch iron pin; thence continuing North, 452.48 feet, to a 5/8 inch iron pin; thence leaving said boundary of said City of Central Point, East, 528.57 feet to a 5/8 inch iron pin; thence South, 452.48 feet to a 5/8 inch iron pin; thence continuing South, 34.14 feet to center line of Beebe Road; thence West, 528.57 feet; thence North, along said boundary of said City of Central Point, 15.95 feet to the POINT OF BEGINNING.

Prepared By: Farber and Sons Inc
Farber Surveying
431 Oak Street
Central Point, OR 97502
(541) 664-5599

Date: July 18, 2012



RENEWAL DATE 12-31-13

**ANNEXATION
EXHIBIT MAP**

located in the
**NORTHEAST QUARTER OF SECTION 2,
 NORTHWEST QUARTER OF SECTION 1,
 TOWNSHIP 37 SOUTH, RANGE 2 WEST,
 WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON**
 for
**SHEPHERD OF THE VALLEY
 CATHOLIC CHURCH**
 600 BEEBE ROAD
 CENTRAL POINT, OREGON 97502

LEGEND

- ⊙ - FOUND 2 1/2" BRASS CAP - NW D.L.C. AS CORNER SEE NARRATIVE
 - - FOUND 3/4" IRON PIN, OR AS DESCRIBED
 - - SET 5/8" x 30" IRON PIN w/ YELLOW PLASTIC CAP MARKED "FARMER PLS 2188"
 - S/N - RECORD PLOD SURVEY NUMBER
 - W.M. - WITNESS MONUMENT
- RECORD SURVEY DATA IS SHOWN IN PARENTHESES ADJACENT TO MEASURED DATA WHERE APPLICABLE.
 - INST. NO. AND SURVEY NUMBER AS RECORDED IN THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

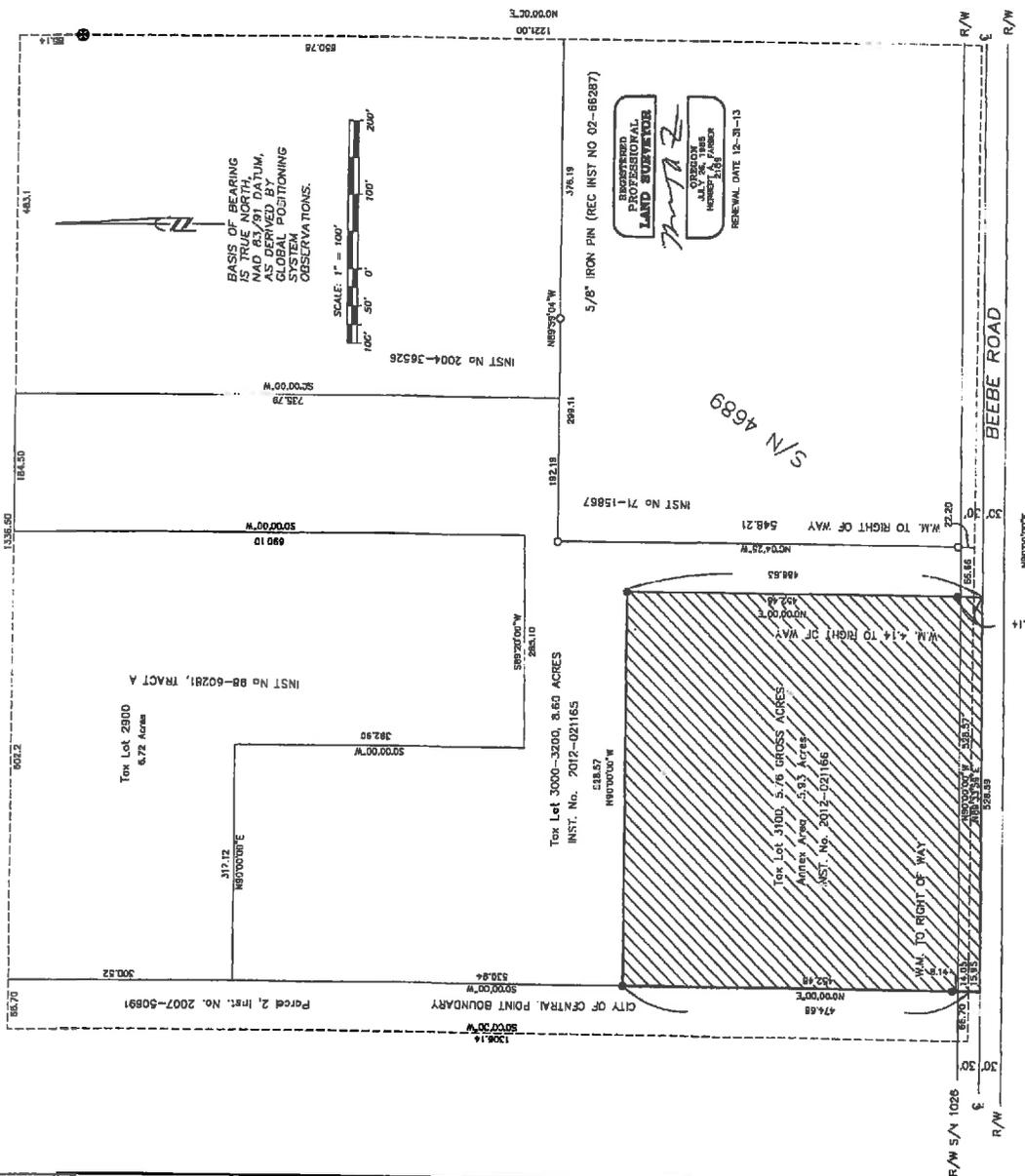
Surveyed by
FARMER & SONS, INC. dba



PO BOX 5286
 431 OAK STREET
 CENTRAL POINT, OREGON 97502
 (541) 564-5599

DATE: July 16, 2012
 Central Point/Beebe Road (Microcourse) (Inst. No. 2012-021166) (Sheet 1 of 1) (Scale 1"=100')
 071812.dwg
 DRAWN BY: J. FARBER
 CHECKED BY: J. FARBER

South the Volume 191 Page 511, Jackson County Deed Records.
 Microcourse



Sheet 1 of 1

ASSESSORS MAP NO. 572402-3000-3100-3800

ANNEXATION PETITION

The undersigned hereby request and consent to the annexation to the City of Central Point, Oregon, of the real property contiguous thereto described in Exhibit "A" attached hereto and by this reference made a part of the within petition.

By their signature hereto, the undersigned certify that they are either "owners" of land in the territory proposed to be annexed as described in Exhibit "A", or are "electors" registered in the territory proposed to be annexed as described in Exhibit "A".

This petition, containing the request and consent to said annexation, must be filed with the Central Point City Council on or before the date of the public hearing to be held upon the proposed annexation pursuant to ORS 222.120.

"Owner" is defined by ORS 222.120 as meaning the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is multiple ownership in a parcel of land, each consenting owner shall be counted as a fraction of the same extent as the interest of the owner in the land bears in relation to the interest of the other owners, and the same fraction shall be applied to the parcel's land mass for purposes of the consent petition. If a corporation owns land in a territory proposed to be annexed, the corporation shall be considered to be the individual owner of that land.

"Elector" is defined in said statute as an individual qualified to vote under Article II, Section 2 of the Oregon Constitution, which in turn requires that the individual be 18 years of age or older, a resident of the area in question, and registered to vote as required by applicable state law. Furthermore, ORS 222.270(2) requires that electors petitioning for annexation be registered in the territory proposed to be annexed.

Name/Address	Elector Or Property Owner?	Signature	Date
Shepherd of the Valley Catholic Church	Owner		7-18-12

Annexation Petition
Revised 9/26/06

X:\F&SDB\Info Files\City Central Point\Application&Documents\CCP - Annexation Petition.doc

Ordinance

Adopting RPS and Comp Plan Elements



STAFF REPORT
August 9, 2012

ITEM:

Second Reading of an ordinance approving the Greater Bear Creek Valley Regional Plan, including adoption of a Regional Plan Element as a new element of the City of Central Point Comprehensive Plan, and amendment to the Zoning Ordinance adding Section 17.71 Agricultural Buffering, an amendment to the Comprehensive Plan Land Use Map designating the Urban Reserve Areas, and approval of an Urban Reserve Management Agreement between Jackson County and the City of Central Point (File No. 09017 and 12015). **Applicant: City of Central Point**

STAFF SOURCE:

Tom Humphrey AICP, Community Development Director

BACKGROUND:

On December 22, 2008, after many years of discussion it was agreed by all participants that the Greater Bear Creek Valley Regional Plan ("Regional Plan") was ready for final review. By Ordinance No. 1923, the City of Central Point, along with other participants, signed the Greater Bear Creek Valley Regional Problem Solving Participant's Agreement ("Agreement"). This agreement formalized the conditions for completion of the final draft of the Regional Plan.

On September 8, 2011 the City Council, with a recommendation from the Planning Commission, approved Resolution No. 1312 forwarding a favorable, and final recommendation to the County Planning Commission to approve the Regional Plan. The City Council's recommendation included four (4) suggested text changes. The County, with the exception of the recommendation to modify the timing for adoption of an Area of Mutual Planning Concern agreement for the Gibbon Acres area, accepted (in principle) the City's recommendations.

On November 23, 2011 the Jackson County Board of Commissioners approved the Plan, which; as instructed in the Agreement, became the **final adopted** Greater Bear Creek Valley Regional Plan. Included in the adoption of the Regional Plan the County Board of Commissioners also adopted a new Regional Plan Element, amended the Comprehensive Plan maps to identify the urban reserve areas, amended their Land Development Code, and approved the Urban Reserve Management Agreements.

On June 27, 2012 the Jackson County Board of Commissioners adopted amendments to the Regional Plan in response to direction given by the Land Conservation and Development Commission who conducted an informal review of the plan earlier in the year. Exhibit A of the attached city ordinance has been amended to reflect the County's changes.

The City conducted two public hearings prior to this City Council meeting, one with the Planning Commission on July 3, 2012 and the other with the Citizen's Advisory Committee on July 10, 2012. In each case testimony was received from property owners who expressed a desire to be in a URA or who wanted to be removed. Given the findings presented in the staff reports, the Planning Commission and the Citizens Advisory Committee recommended approval of the City amendments to the Council.

The Council conducted a public hearing on July 26, 2012 and heard from property owners who either supported the Regional Plan and URA's 'as is' or who requested their properties be added. County Commissioner Don Skundrick and Greg Holmes from 1000 Friends of Oregon spoke in favor of approving the City's Regional Plan Element without any changes. Other information was submitted by staff to support the element without any changes. The Council then closed the public hearing and moved the Ordinance (Attachment A) to a second reading.

In accordance with the Agreement, and ORS 197.652 - 656, it is now the responsibility of the remaining participants (cities) to:

1. Amend their comprehensive plans to include a Regional Plan Element;
2. Amend their comprehensive plan map (Land Use Plan Map) to include a map that illustrates the urban reserve areas;
3. Adopt the agricultural buffering ordinance; and
4. Approve an Urban Reserve Management Agreement.

These four actions are the subject of the City Council's consideration. Findings supporting the Planning Commission's recommendation are presented in Exhibit "E" of the ordinance (Attachment "A"). Once the above is completed by all participants the County will forward the approvals to LCDC for final consideration and action.

DISCUSSION:

As noted above there are four actions to be taken by the City Council. At the July 26th meeting each action will be presented and discussed separately as follows:

Regional Plan Element (Exhibit "A" of the Ordinance) – The Regional Plan Element will be a new element of the Comprehensive Plan. The purpose of this Element is incorporate applicable sections of the Plan into each participant's comprehensive plan. This is a requirement of ORS 195.137-145. The text in the Element is either directly quoted from, or references the adopted Plan and subsequent amendments.

Comprehensive Plan Land Use Plan Map (Exhibit "B" of the Ordinance) – As part of the Comprehensive Plan modification it is necessary that the Land Use Plan Map be amended to include the urban reserve areas as described in the adopted Plan. For the City of Central Point there are eight (8) Urban Reserve Areas.

Urban Reserve Management Agreement (Exhibit "C" of the Ordinance) – Another condition of the Agreement was approval of an Urban Reserve Management Agreement (URMA). The purpose of the URMA is to define and delegate responsibilities between the City and the County for development within the urban reserve areas.

Agricultural Buffering Ordinance (Exhibit "D" of the Ordinance) – One of the conditions agreed to in the Agreement is the adoption of an agricultural buffering ordinance by all participants.

The attached ordinance (Attachment "A") consolidates each action into a single decision. Information supporting the decision is presented in Exhibit "E" of the attached Ordinance.

ISSUES:

For each of the above actions the primary issues may be:

Regional Plan Element – There exists the possibility of requests for reconsideration of the Urban Reserve Area boundaries. The boundaries have been extensively vetted as detailed in the adopted Regional Plan. The Jackson County Planning Commission held numerous public hearings to discuss the boundaries and any possible changes.

Comprehensive Plan Land Use Map – No expected issues other than noted above.

Agricultural Buffering Ordinance – Impact of ordinance implementation on development proposals. The ordinance requires the establishment and maintenance of buffer zones ranging from 40 feet to 200 feet in depth, depending on the type of buffer proposed. As written the ordinance only applies to future development within the Urban Reserve Areas. The ordinance does not apply to lands within the City Limits and the existing Urban Growth Boundary.

Urban Reserve Management Agreement – No expected issues.

ATTACHMENTS:

Attachment “A”: Ordinance No. _____

Attachment “B”: Planning Commission Resolution No. 787

Attachment “C”: Citizen’s Advisory Committee Resolution No. 2012-001

Attachment “D”: Correspondence

ACTION:

Consideration of ordinance.

RECOMMENDATION:

Approve ordinance upon second reading for:

1. The Regional Plan Element;
2. The amendment of the Land Use Plan Map of the Comprehensive Plan;
3. Section 17.71 of the Zoning Ordinance adding regulations and standards for Agricultural Buffering; and
4. The Urban Reserve Management Agreement.

ORDINANCE NO.

AN ORDINANCE ADOPTING THE GREATER BEAR CREEK VALLEY REGIONAL PLAN, INCLUDING ADOPTION OF A REGIONAL PLAN ELEMENT AS A NEW ELEMENT OF THE CITY OF CENTRAL POINT COMPREHENSIVE PLAN, AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE CHAPTER 17.71 AGRICULTURAL BUFFERING, AN AMENDMENT TO THE OFFICIAL COMPREHENSIVE PLAN LAND USE MAP DESIGNATING THE URBAN RESERVE AREAS, AND APPROVAL OF AN URBAN RESERVE MANAGEMENT AGREEMENT BETWEEN JACKSON COUNTY AND THE CITY OF CENTRAL POINT

RECITALS:

- A. Pursuant to ORS 197.654(1)⁽²⁰⁰⁷⁾ the City Council, on December 22, 2008 by Ordinance No. 1923, signed the Greater Bear Creek Valley Regional Problem Solving Agreement (the "Agreement").
- B. In accordance with the Agreement the City of Central Point committed to amending its comprehensive plan and land use regulations, and complete other actions as necessary to implement the Greater Bear Creek Valley Regional Plan (the "Regional Plan") as adopted by Jackson County.
- C. On September 8, 2011, by Resolution No. 1312 the City forwarded to the Jackson County Planning Commission a recommendation, in accordance with the Agreement, to approve the Regional Plan.
- D. On November 23, 2011, by Ordinance No. 2011-14 the Jackson County Board of Commissioners approved the Regional Plan, and in accordance with the Agreement adopted a new Regional Plan Element of the Jackson County Comprehensive Plan, as well as amendments to their Comprehensive Plan maps, adoption of an agricultural buffering ordinance, and Urban Reserve Management Agreements.
- E. On June 27, 2012, by Ordinance No. 2012-6 the Jackson County Board of Commissioners approved amendments to the Jackson County Regional Plan Element, as well as amendments to the County Comprehensive Plan map and text, consistent with recommendations of the Land Conservation and Development Commission.
- F. In accordance with the Agreement, and as a result of Jackson County's Ordinance No. 2011-12, the Regional Plan became the adopted Regional Plan.
 - 1. The City of Central Point has reviewed the adopted Regional Plan and in accordance with the Agreement has prepared the following (the "Amendments");
 - A Regional Plan Element, incorporating the Regional Plan as a new element of the City of Central Point Comprehensive plan;
 - 2. An amendment to the Comprehensive Land Use Plan Map to designate the Urban Reserve Areas;
 - 3. An amendment to the Central Point Municipal Code by adding Chapter 17.71, Agricultural Mitigation; and
 - 4. An Urban Reserve Management Agreement between Jackson County and the City of Central Point.

- G. On May 22, 2012, the Department of Land Conservation and Development (“DLCD”) was mailed a notice regarding the City’s consideration of the Regional Plan and proposed Amendments.
- H. On July 3, 2012, the City of Central Point Planning Commission held a properly advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Regional Plan and the proposed Amendments.
- I. On July 10, 2012, the City of Central Point Citizens Advisory Committee held a properly advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Regional Plan and the proposed Amendments.
- J. It is acknowledged that the final adoption of the Greater Bear Creek Valley Regional Plan will only be effectuated at such time as Jackson County, the City of Central Point, and other participating cities by way of post-acknowledgement plan amendments and intergovernmental agreements, including the Regional Problem Solving Agreement and Urban Reserve Management Agreements, are submitted jointly in the manner of periodic review consistent with the Collaborative Regional Problem Solving Statute set forth in ORS 197.652 to 197.656 and pursuant to OAR Chapter 660, Division 25, Section 175 relating to review of Urban Reserve area designations.

THE PEOPLE OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Based on all the information received, the City council adopts the findings of fact and conclusions of law presented in Exhibit “E”.

SECTION 2. The Regional Plan Element (Exhibit “A”) as a new element of the City of Central Point Comprehensive Plan is hereby amended.

SECTION 3. The Comprehensive Land Use Plan Map designating the Urban Reserve Areas (Exhibit “B”) is hereby amended.

SECTION 4. The Urban Reserve Management Agreement between Jackson County and the City of Central Point (Exhibit “C”) is hereby approved.

SECTION 5. Chapter 17.71, as set forth in Exhibit D, establishing regulations for agricultural buffering, is added to the Central Point Municipal Code.

PASSED by the Council and signed by me in authentication of its passage this 9th day of August, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

[Return to Agenda](#)

Chapter 2:

Regional Plan Element

City of Central Point Comprehensive Plan

Adopted by Central Point City Council
Ordinance No. XXXX
August xx, 2012,

LCDC Acknowledged
December xx, 2012

1. INTRODUCTION

The *Greater Bear Creek Valley Regional Plan* (the “*Regional Plan*”) is the product of a comprehensive regional land-use planning effort undertaken by the cities of Ashland, Central Point, Eagle Point, Medford, Phoenix, Talent, and Jackson County to address long-term urbanization needs of the region, including the establishment of goals and policies.

The most significant product of the *Regional Plan* is the establishment of requirements which affect the form and function of future urban-level development and the creation of an *Urban Reserve (UR)* for each of the cities, the purpose of which is to set aside a 50-year supply of land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

Adoption milestones:

- On December 22, 2008, by Ordinance No. 1923, the City of Central Point signed the *Greater Bear Creek Regional Problem Solving Participants’ Agreement*, acknowledging and supporting the continued efforts in completing and adopting a long-term regional plan for the continued urbanization in the Greater Bear Creek Valley.
- On November 23, 2011 the Jackson County Board of Commissioners adopted Ordinance No. 2011-14 approving the *Greater Bear Creek Valley Regional Plan (Regional Plan)*.
- The Plan was considered by the Oregon Land Conservation and Development Commission (LCDC) on March 15, 2012, at which it advised changes it would like to see before acknowledging the Plan.
- On June 27, 2012, by Ordinance No. 2012-6 the Jackson County Board of Commissioners approved amendments to the Jackson County Regional Plan Element, as well as amendments to the County Comprehensive Plan map and text, consistent with recommendations of the Land Conservation and Development Commission.

The purpose of this comprehensive plan element is to acknowledge by reference the entire *Greater Bear Creek Valley Regional Plan (Regional Plan)*¹, and to incorporate those sections of the *Regional Plan* that are applicable to the City of Central Point, and in so doing commence implementation of the *Regional Plan*.

2. REGIONAL PLAN GOALS AND POLICIES

The *Regional Plan* contains three goals and guiding policies² that form the basis of the Regional Plan. These goals and policies are made a part of this Regional Plan Element.

¹ The entirety of the Regional Plan can be found in the Jackson County Comprehensive Plan.

² Greater Bear Creek Valley Regional Plan, Chapter 1, Section 5.3.2

3. URBAN RESERVE

The following describes the context in which the City selected its urban reserve areas. Sections 3.1 and 3.2 are extracted verbatim from the *Regional Plan*. Maps of each of the Urban Reserve Areas discussed in this section can be found in Appendix A, *Urban Reserve Map* of this Element. For a detailed description of the selection process, refer to Appendix B, *Urban Reserve Selection Process*.

3.1. CITY DESCRIPTION

Central Point is one of the fastest growing small cities in the state, and is projected to become the second largest municipality in Jackson County by the year 2026. The Jackson County Comprehensive Plan Population Element projects that population for Central Point's urban area will be 23,875 residents in the year 2026 and 31,237 residents by the year 2040. To accommodate its proportional share of a doubling of the region's urban population, Central Point will plan for an increase of 20,766³ residents for a total of 38,598 residents within its urban area by the year 2060. Chapter 3 of the Regional Plan includes the methodology and discussion to estimate the projected land needs for urban reserve planning for residential and employment lands. Demand for urban park land for Central Point is estimated as an approximation of ten acres per 1,000 additional residents. The estimated land demand needs are summarized in Table 3.1 below.

Table 3.1. URBAN RESERVE LAND DEMAND SUMMARY

	Residential		Employment		Urban Parks		Total Demand (acres)
	Population	Land (acres)	Jobs	Land (acres)	Developed (acres)	Open Space (acres)	
Allocated Regional Share	20,766	1,121	6,716	779			1,900
Planned Inside UGB	7,536	406	2,224	258			664
Urban Reserve Land Demand	13,230	715	4,493	521	164	-	1,400

Rapid growth in the early 1990s led to the creation of the Central Point Strategic Plan, adopted in 1998. The plan establishes a vision to preserve the City's small town character and community values, and to enhance community life.

Effective growth management practices have led to a follow-on strategic planning process, *Central Point Forward*. Through this process, the City has updated its 1998 Strategic Plan, including the overall community vision, goals and actions aimed at implementing its desired future. Central Point has also created a plan to revitalize its downtown, along with adopted Transit Oriented Development (TOD) policies and implementing land use regulations, and has promoted consolidated land use and transportation master planning. The same have resulted in significant TOD development within the city, including one large project that is now substantially built out.

Central Point is committed to planning and facilitating the building of master planned communities that contain a diversity of uses including mixed housing types and residential densities, parks, open spaces, civic areas and commercial uses that contribute in a positive way to the city's character. City plans and land use regulations require natural

³ Greater Bear Creek Valley Regional Plan, Chapter 3, Figure 3.2: RPS Proportionate Population Allocation. Increase is relative to estimated base 2010 population.

features to be incorporated as living assets within new neighborhoods. The City actively promotes new and more efficient planning practices that include mixed use and higher density nodal development. In addition to facilitating livable neighborhoods, the City's practices are also aimed at controlling and minimizing land consumption in order to preserve important farm land. Central Point has also sought to establish its own identity, independent and apart from nearby Medford and other Rogue Valley cities. Consequently, the City's goals have served to attract new residents. With its growing population, the City has moved away from its former identity as a bedroom community.

In 2002, the City adopted Transit Oriented Development (TOD) land use classifications and zoning standards. This provides for higher residential densities, mixed-use zoning, and more integrated civic and open space development. The City is also working with multiple property owners to design a new neighborhood north of Beebe Road in one of the few-remaining residentially zoned areas already within the UGB. Plans call for zone changes that increase residential densities, integrate more parks and open space land and introduce limited commercial uses. This will likely become the city's second TOD. The City's west side growth results in a preferable compact form than growth to the east of the freeway, which is more distant from the City center and is impacted by airport noise and hazard overlay. In an effort to improve access to downtown from east of the interstate, Central Point has set improved the Upton Road overpass. Heavier employment land uses and is setting aside funds to improve the Pine Street Interchange. Heavier employment land uses are more compatible on the east side of the freeway where proximity to freeway and the airport provide logistical advantages to industry.

The City will increase its employment and industrial land base, both to balance jobs and housing, and to provide more immediate services to a growing population. Consistent with benchmarks in Central Point's comprehensive plan, the current level of 9 to 10 acres of employment land per 1,000 residents will be increased to 15 acres per 1,000 residents.

Location and access to Interstate 5 make Central Point attractive for regional and interstate transportation, warehousing, and distribution firms. Recent development includes the USF Reddaway truck terminal, expansion of the Knife River⁴ regional offices, and the partial development of the Airport Orchard industrial site. Professional, scientific, and technical service firms have also been attracted to the City.

Central Point is committed as a community to accept a considerable share of the region's future population growth; however Urban Reserve Planning in the City of Central Point is faced with the following challenges:

- To the north, agricultural land and severe natural hazards and regionally important natural resources constrain future urbanization. These include the Upton Slough drainage basin with broad floodplain and associated wetlands, a high concentration of intact vernal pool wetland habitat, and a generally intact oak savannah habitat. See, Atlas Maps 13 (Vernal Pools by Nature Conservancy Conservation Codes), 19 (Physical Features – Hydrology Map, Central Point), and Appendix IV – “Greater Bear Creek Valley Regional Problem Solving Phase One Status Report.”

⁴ Knife River is a large aggregate and heavy construction company.

- The City of Central Point shares its eastern and southern boundaries with the City of Medford, precluding growth in those directions. See, Atlas Map 2 (Jackson County Comprehensive Plan Map).
- There are exception lands to the west, and the largest concentration is located in the southwest adjacent to the Urban Growth Boundary and extending to the foothills of the West Valley slope and in the vicinity includes some of the region's best agricultural soils and active farmlands. See, Atlas Map 20 (Agricultural Lands by Soil Capability Class – Central Point), Map 14 (Soils by Irrigated Agricultural Class – Region), and Map 15 (Agricultural Lands Composite Analysis Map).

3.2. CITY GROWTH GUIDELINES AND POLICIES

The stated goal of the City's current urbanization element is *"To provide for an orderly and efficient transition from rural to urban land use."*

An urban growth boundary and urbanization policies were first established in 1978 by joint action of the City of Central Point and Jackson County. The location of the growth areas planned through year 2000 and the juxtaposition of planned land uses within the urban growth boundary were intended to maximize the potential of the City's existing and secondary arterial streets as well as the considerable potential of the Seven Oaks Interchange Area which was then and continues to be designated jointly by the City and County as an Area of Mutual Planning Concern. Much of the area within the urban growth boundary and to the west of the Southern Pacific railway (now, California & Oregon Pacific – CORP) at that time was planned for industrial development. The area east of the freeway was designated for low, medium, and high density residential development. However, in 1998, the City and Jackson County modified the Urban Growth Boundary and Policy Agreement with Jackson County to allow a redistribution of land uses within the City, and the City revised its comprehensive plan to reflect this redistribution. The land west of the railway was redesignated for residential development, and lands east of the freeway were redesignated for General Commercial, Neighborhood Commercial, General Industrial, and Light Industrial development.

The redistribution of land uses in the original urbanization policies was necessary to improve the efficiency of freight transportation and to attract more local jobs by providing employment land in the vicinity of the airport and close to freeway access in exchange for heavy industrial land along the railroad for which oblique angle street intersections with Highway 99 were not conducive to freight truck turning movements. Re-designation of area west of the railway to residential use also served to separate industrial development from the City's core residential and downtown business districts. This allowed the City to respond to growing residential demand pressure with a —neighborhood concept|. The concept dates back to the City's original Urbanization Agreement to avoid inefficiently designed or located developments at the fringe of the urbanizable area and to ensure the maximum efficiency of the circulation and public facility systems.

The City's agricultural zoning policies contained within the Urban Growth Boundary

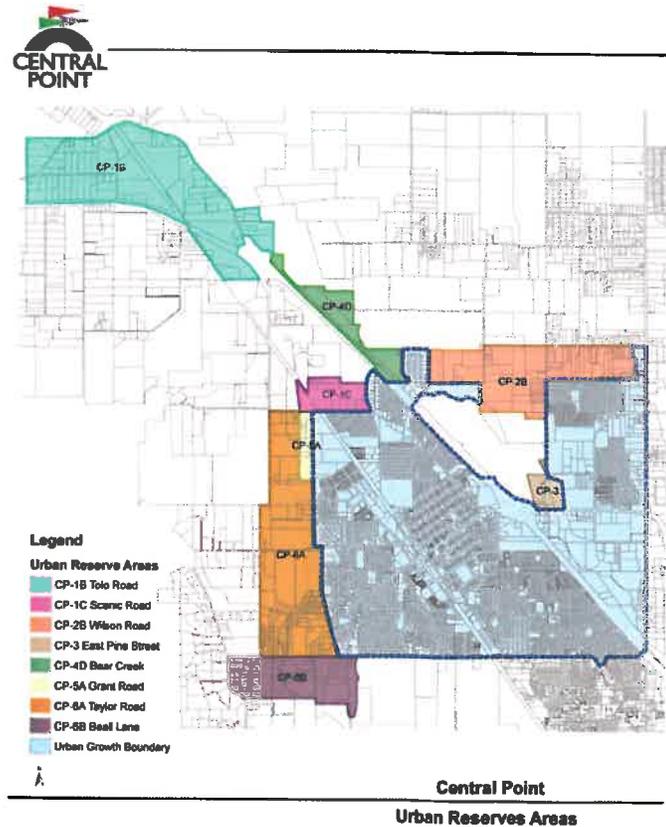
Agreement apply only to areas within the urban growth boundary or Seven Oaks Area of Mutual Planning Concern. Pursuant to the Agreement, lands within the urbanizable area which supported farm uses would be encouraged, through zoning and appropriate tax incentives, to remain in farm use for as long as economically feasible (as determined by the property owner). This policy reflects statewide policy regarding the retention of agricultural tax deferments for lands within urban growth boundaries.

3.3. URBAN RESERVE AREAS AND LAND USES

URBAN RESERVE AREAS

The City of Central Point's Regional Plan Element includes eight (8) urban reserve areas totaling 1,721 gross acres, of which 1,492 acres have been classified as Reasonably Developable acreage. The urban reserve areas are distributed around the perimeter of the City's urban growth boundary City (see map).

The remainder of this section will discuss each urban reserve area. The selection process that determined each of the urban reserve areas is presented in Appendix B.

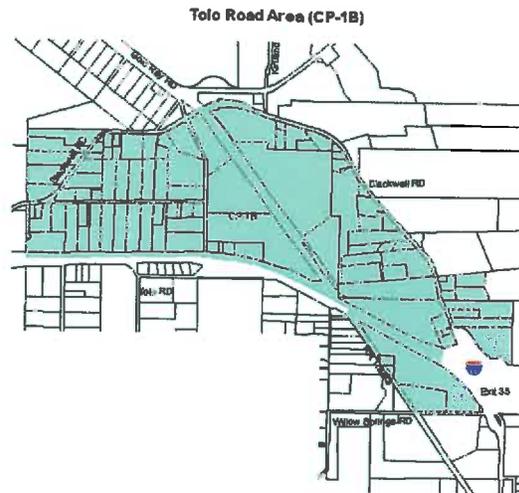


SUMMARY ACREAGE BY URBAN RESERVE AREA		
Urban Reserve Area	Gross Acres	Reasonably Developable Acres
CP-1B	544	441
CP-1C	70	60
CP-2B	325	282
CP-3	36	27
CP-4D	83	52

CP-5	31	19
CP-6A	444	386
CP-6B	189	162
TOTAL	1,721	1,492

AREA CP-1B (TOLO ROAD AREA)

This area is approximately 544 acres. The majority of the area is located north of Interstate 5 and west of its junction with Highway 99. The area is currently planned for a variety of uses, including Industrial, Aggregate, Rural Residential, and Agricultural. The primary and dominating use of the land is Industrial – 224 acres. A small portion of this area extends south of Interstate 5 to Willow Springs Road to include property owned and occupied by Erickson Air Crane. The property is the site of a major valley industrial employer with facilities already connected to the City’s municipal water supply and the RVSS sewer system. The Tolo area also contains approximately 148 acres of land designated Agricultural Land, 48 acres of which were concluded by the RLRC to be part of the Commercial Agricultural Base⁵.



The 1984 Urban Growth Boundary and Policy Agreement (updated in 1998) between the City and Jackson County designated lands in the vicinity of the Seven Oaks Interchange as unique because of the transportation facilities present. The area was designated as an Area of Mutual Planning Concern to protect it from premature development, but available for urbanization when it could be shown to warrant such development. However, much of the land within the Area of Mutual Planning Concern is intensively farmed and has been identified as part of the region’s commercial agricultural land base. The Tolo area includes only the northern portion of the original Seven Oaks Interchange Area of Mutual Planning Concern. It also includes existing county exception and non-resource areas that are largely devoted to industrial uses already. The city’s comprehensive plan addresses proximity to the interchange as an opportunity to develop transportation-dependent uses (such as trucking terminals and freight forwarding facilities) in the area.

Central Point currently lacks attractive and suitable sites for new industrial development. The Tolo area’s industrially-zoned sites could accommodate new industries and the expansion of existing industrial uses. The properties in this area are currently planned and zoned for industrial use by Jackson County and may be developed, pursuant to ORS 197.713, with industrial uses including buildings of any size and type that

⁵ In 2008, Jackson County re-designated an 8.4 acre EFU zoned parcel within the RLRC area to Aggregate Removal. Consequently, that land is no longer designated as Agricultural Land and no longer meets the Regionally adopted criteria for commercial agricultural land base (Appendix VI I– Commercial Agricultural Land Base Criteria) .

may be served by on-site sewer facilities notwithstanding land use planning goals related to urbanization (Goal 14) or public services and facilities (Goal 11)⁶. A county approved truck-train freight transfer site already exists near the interchange for the Cross Creek Trucking Company. The Hilton Fuel and Supply Company and North Valley Industrial Park are also, with Erickson Air Crane, significant existing employment lands within the CP-1B area.

To ensure that the interchange is able to function and continue to operate within the State's mobility standard over time, designation of CP-1B as an Urban Reserve is to be subject to the following condition adopted by the RPS Policy Committee:

Prior to the expansion of the Central Point Urban Growth Boundary into the CP-1B area, ODOT, Jackson County and Central Point shall adopt an Interchange Area Management Plan (IAMP) for the Seven Oaks Interchange Area.

Consequently, and subject to the above IAMP condition, CP-1B was found to be suitable for Urban Reserve designation as it will efficiently accommodate identified urban land needs, has reasonable access to public facilities and services including sewer and water (Atlas, Map 5 – Water and Sewer), and is and will continue to be predominately devoted to industrial uses in a manner compatible with nearby agricultural and forest activities. Regional buffering standards will improve the current situation. Also, designation of the Tolo Area CP-1B will provide a substitute land base for the previously adopted Seven Oaks Interchange Area of Mutual Planning Concern which will be retained as Agricultural land rather than preserved for future Industrial use.

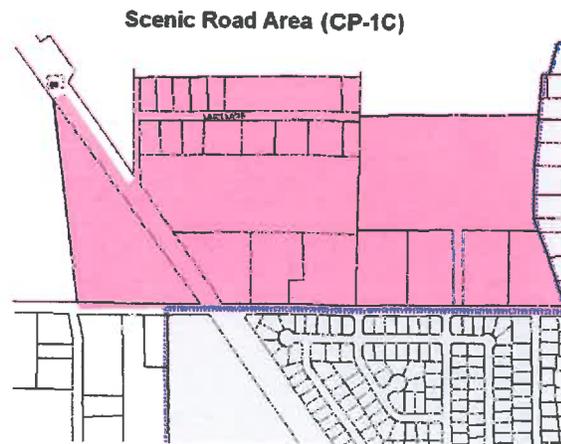
CP-1B URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE						
Gross Acres: 544	Reasonably Developable Acres: 441	Residential	Aggregate	Resource	Open Space/Parks	Employment
Proposed Uses		0%	0%	0%	0%	100%

AREA CP-1C (SCENIC ROAD AREA)

This study area consists of about 70 acres located near the northwestern corner of Central Point's corporate city limits and UGB. It extends from Jackson Creek to Griffin Creek, with Scenic Avenue defining its southern edge.

⁶ ORS 197.713 provides: "Industrial development on industrial lands outside urban growth boundaries; except ions. (1) Notwithstanding statewide land use planning goals relating to urbanization or to public facilities and services, a county or its designee may authorize: (a) Industrial development , including accessory uses subordinate to the industrial development , in buildings of any size and type, subject to the permit approval process described in ORS 215.402 to 215.438 and to applicable building codes, in an area planned and zoned for industrial use on January 1, 2004, subject to the territorial limits described in subsections (2) and (3) of this section. (b) On-site sewer facilities to serve the industrial development authorized under this section, including accessory uses subordinate to the industrial development. (2) Subject to subsection (3) of this section, a county or its designee may consider the following land for industrial development under this section: (a) Land more than three miles outside the urban growth boundary of every city with a population of 20,000 individuals or more; and (b) Land outside the urban growth boundary of every city with a population of fewer than 20,000 individuals. (3) A county or its designee may not authorize industrial development under this section on land within the I, commercial or residential development in the area zoned for industrial use. [2003 c.688 §1; 2005 c.666 §1]"

In this subarea (and unlike other areas in Central Point) a right-angled railway crossing is possible to Highway 99 and the same is necessary to correct the existing oblique angle railroad crossing which now exists at the intersection at Scenic Avenue and Highway 99. Correcting the angle of intersection is important to serve Central Point's objective of providing for a higher density master planned Transit Oriented Development neighborhood on land west of the railway. The needed road connection would extend north from Scenic Avenue on the east side of the highway before crossing Highway 99 in a perpendicular alignment; the triangular parcel at the northwest corner of the projected intersection is necessary to ensure that its geometry is safe and efficient. The new railroad crossing includes a four way traffic signal as a component of the overall improvement.



Currently, a 12-inch water line extends the length of Highway 99 from the city boundary to the Erickson Air Crane facility, at the edge of CP-1B. Other water and sewer lines are near CP-1C inside the city limits. As such, new infrastructure to serve the CP-1C area will not require extensive public or private infrastructure investment and urban uses can be more cost-effectively delivered. The northern portion of the area is developed with approximately 15 residences.

Within the subarea are three parcels totaling 50 acres which have been found by the RLRC to be a part of the Commercial Agricultural Base. The parcel immediately east of Highway 99 is bordered by exception land to the north, south and east. The parcel further to the east is bordered by the City on the east, by exception land to the south, and partially bordered by exception land to the west. The last parcel, west of the highway, is bordered by Jackson Creek to the west and by Scenic Avenue to the south. The area in total contains over 20 residences. Given the proximity to the existing urban growth boundary, the juxtaposition of the agricultural land between highly parcelized rural residential exception areas and the municipal boundary on two sides, it was concluded that the area may be reasonably developed with urban uses. Moreover, urbanization of this area in a manner compatible with the remaining nearby farmland to the north, given its limited contiguity with that area and the City's agreement to implement the Region's agricultural buffering standards and conceptual urban reserve planning requirements, helped lead to the conclusion of suitability.

The City intends to promote a master planning effort for this area to ensure more efficient urban development that incorporates nearby natural features including Griffin Creek into the neighborhood design, creates appropriate agricultural buffers, and establishes an internal street network that minimizes access onto Highway 99. The comparative environmental, energy, economic, and social consequences are, in the balance, concluded to support the suitability of CP-1C for Urban Reserve inclusion.

CP-1C URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE

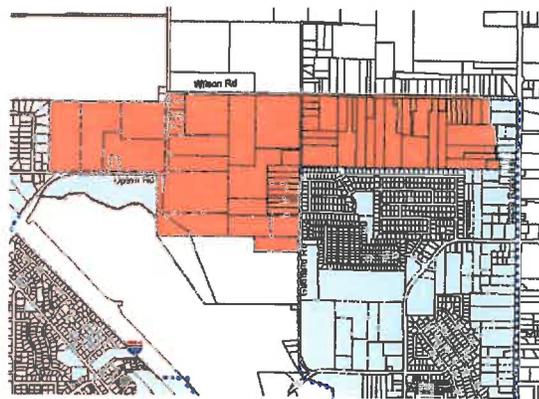
Gross Acres: 70	Reasonably Developable Acres: 60	Residential	Aggregate	Resource	Open Space/Parks	Employment
Proposed Uses		100%	0%	0%	0%	0%

AREA CP-2B (WILSON ROAD AREA)

This area, approximately 325 acres, is defined on the north by Wilson Road and on the south by the Jackson County Fairgrounds Exposition Park and portions of the Central Point city limits. The existing municipal boundary also defines this area’s eastern and western boundaries. Area CP-2B includes a mixture of designated agricultural and rural residential uses. Of this, the RLRC found that 197 acres of the total was a part of the Commercial Agricultural Base. About 20 percent of the area contains oak savanna, and some areas have ponded sources of irrigation water.

Interstate 5 currently divides the City, and Central Point believes it is important to maintain a proper urban form by closing the loop along the city’s northern boundary to permit, among other things, the installation of looped municipal water mains to ensure proper pressure for fire flows; non-looped water mains produce significantly less pressure and flow. The County Roads Department, in cooperation with ODOT, reconstructed the Upton Road bridges in 2008. This strengthened the connection between northeast and northwest Central Point. The City also determined the area to be suitable to provide a needed connection of the east-west leg of Upton Road westward to Gebhard Road.

Wilson Road Area (CP-2B)



Public infrastructure, in the form of sewer lines and gas lines, already extend into CP-2B. Water lines exist in city subdivisions east of Gebhard Road and north along Table Rock Road. These water lines can be extended into CP-2B. This area also is critical for extending storm drainage from the exception area south of Wilson Road and from other areas closer to Bear Creek.

While Central Point recognizes the conflict between urban and rural uses, it has few places to grow without encroaching into farmland and/or open space. The City plans to protect CP-2B’s natural resources by incorporating them into a master plan, and will also require agricultural buffers to protect nearby agricultural lands that remain in production.

City planning staff has and is collaborating with the Jackson County Fair Board in its master planning efforts. The Jackson County Expo property is slated to become a recreational/parks regional centerpiece in the future, similar to Stewart Park in Roseburg. Consequently, the comparative environmental, energy, economic, and social consequences are deemed, in the balance, to be positive for urban land suitability.

CP-2B URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE

Gross Acres: 325	Reasonably Developable Acres: 282	Residential	Aggregate	Resource	Open Space/Parks	Employment
Proposed Uses		81%	0%	0%	6%	13%

AREA CP-3 (EAST PINE STREET AREA)

This 36-acre study area abuts and is located north of East Pine Street. It is bound on the south and east sides by the existing municipal boundary and to the west and north by the Jackson County Fairgrounds. Bear Creek and its associated floodplain cross this area's eastern edge. Penger Road traverses the area's southwest corner. The majority of this area is currently designated Aggregate Resource.

Water and sewer infrastructure either exists or is planned to serve the area. The East Pine Street Transportation Plan includes recommendations for improvements to the I-5 interchange and reconfiguration of fair-ground access; this may dictate the type and the amount of new commercial uses along North Penger Road.

East Pine Street (CP-3)



The 100-year floodplain of Bear Creek within this area does not entirely constrain the site but may limit uses to regional parks, open space or tourist commercial uses. Consequently, the area is concluded to be, in the balance, suitable under Goal 14 for an Urban Reserve designation.

CP-3 URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE						
Gross Acres: 36	Reasonably Developable Acres: 27	Residential	Aggregate	Resource	Open Space/Parks	Employment
Proposed Uses		0%	0%	0%	58%	42%

AREA CP-4D(BEAR CREEK AREA)

This Urban Reserve area exists as a triangular-shaped tract that runs along the northeastern side of Interstate 5. The area has approximately 83 acres, approximately two-thirds of which is currently designated Agricultural and is owned by Jackson County. The southerly third of the area is designated as Rural Residential land and is owned by the City of Central Point. Both tracts are part of the Bear Creek

Bear Creek (CP-4D)



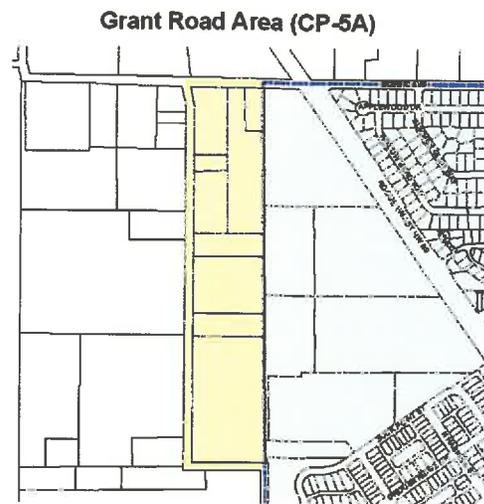
Greenway. None of the land is or has in recent history been in agricultural production and the soils are of low agricultural suitability (Class IV-VII, where not built as roadway or within the Bear Creek floodway). This area also has environmental constraints. The eastern third of this 83-acre area is within the 100-year floodplain of Bear Creek and is also impacted by wetlands. The City expects to use this area for passive recreation, dedicated open space, or parks adjacent to and in connection with the Bear Creek Greenway.

At the northeast corner of CP-4D there is a one-acre parcel of exception land zoned Urban Residential (UR-1). This property has an existing residence and abuts the City limits and residentially zoned lands to the east. The property also abuts agricultural lands to the north. As an exception area, it was deemed appropriate to include the property within this Urban Reserve as first priority land. However, it is recognized that the property abuts agricultural land and as such, future development of the property will be subject to compliance with the agricultural buffering standards to be implemented as part of this Plan. Because of the existing residential character of the property, and its proximity to other developed residential lands, it was deemed appropriate to include this parcel in CP-4D.

CP-4D URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE						
	Reasonably Developable Acres: 52	Residential	Aggregate	Resource	Open Space/Parks	Employment
Proposed Uses		1%	0%	0%	99%	0%

AREA CP-5 (GRANT ROAD AREA)

Area CP-5 has approximately 31 acres located immediately west of city limits, east of Grant Road, and south of Scenic Avenue. Most parcels within the area are designated as Rural Residential exception land. A 10-acre parcel is designated as Agricultural land at the area's southern end. The parcel contains a walnut grove, Christmas trees, and a dwelling with accessory uses located southwest of the creek. A small pasture and two barns are on the creek's opposite side. Because the creek runs through the property and portions are in residential use, the property's effective farmable portion is significantly less than ten acres; no adjacent parcels are available for farm use in conjunction with this property. Jackson Creek and its associated 100-year floodplain follow Grant Road except where they cut through the EFU parcel. The riparian areas create a significant physical barrier from the larger tract of farmland to the west and reduce the need for fencing. Consequently, the area can and will provide for urban needs in a manner that is compatible with nearby agricultural lands. There are no nearby forest lands or uses.



CP-5 URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE						
Gross Acres: 31	Reasonably	Residential	Aggregate	Resource	Open	Employment

Proposed Uses	Developable Acres: 19		Space/Parks		
		91%	0%	0%	9%

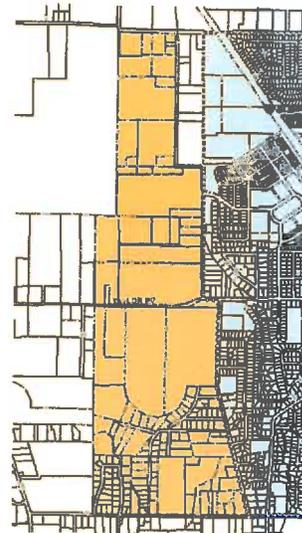
AREA CP-6A (TAYLOR ROAD AREA)

This area consists of 444 acres. The CP-6A area is adjacent to city limits, and could easily be served by services from the Twin Creeks TOD or from existing collector roads, such as Beall Lane, Taylor Road, and Scenic Avenue. The circulation plan for this area is a natural extension of the Twin Creeks TOD, and of historic east-west roads such as Taylor and Beale.

Public water, sanitary sewer and natural gas maps indicate that this infrastructure can be readily, efficiently, and economically extended to CP-6A from the east and the south. Storm drainage can be developed, treated, and effectively discharged into existing systems. The Twin Creeks TOD uses passive water treatment. Central Point intends to require passive water treatment for new development in this area.

Approximately two-thirds of the land in this urban reserve is currently designated for agriculture, and was recommended by the RLRC as part of the Commercial Agricultural Base. The remaining one-third consists of exception lands planned Rural Residential. Soils in this area are Class 3 with limited amounts of Class 2. Agricultural use has been limited to livestock grazing or has otherwise remained fallow.

Taylor Road Area (CP-6A)



The area is generally free of any severe environmental constraints that occur elsewhere around the City, and proximity to the downtown core is conducive to urban centric growth objectives that minimize vehicle trip lengths and durations and the same represents a positive consequence under all of the ESEE factors. Central Point's experience with TOD design on the west side of the City has been extremely positive and has fostered positive social relationships in the community. In the balance, it is concluded that the comparative ESEE consequences for urbanization are positive. In combination with the other Goal 14 location factors, CP-6A is determined to be suitable and appropriate as an urban reserve. The City believes that there are more natural linkages from the areas west of Grant Road to the Downtown core and many other Central Point neighborhoods.

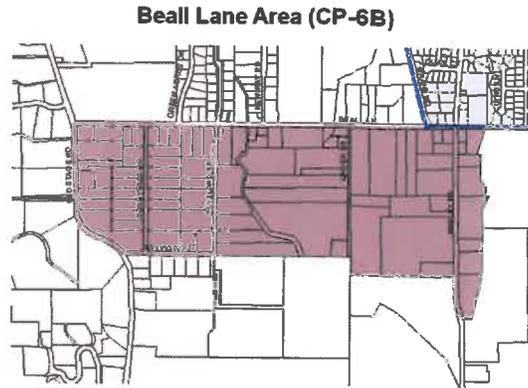
CP-6A URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE						
Gross Acres: 444	Reasonably Developable Acres: 386	Residential	Aggregate	Resource	Open Space/Parks	Employment
Proposed Uses		76%	0%	0%	20%	4%

AREA CP-6B (BEALL LANE AREA)

This 188-acre area is located immediately south of CP-6A which, along with Beall Lane, defines its northern boundary. The southern boundary is defined by Sylvia Road, its

west boundary is Old Stage Road, and the east boundary is defined by the 100-year floodplain of Jackson Creek which runs along Hanley Road. Current plan designations are primarily Rural Residential, with two developed areas that are designated Agricultural.

The area generally is comprised of rural residential parcels ranging from small to fairly large acreages (up to 13 acres). There is an existing network of local order streets in a block pattern that lends itself to further and more intensive urbanization. Redevelopment potential is feasible for the area given existing large lot parcelization and the existence of a well defined gridded transportation network.



This area has long suffered serious water problems that would be resolved by extension of municipal water. The City has received reports of failing septic systems within this area. Extension of urban services will serve to mitigate or prevent potential negative effects that failing septic systems may have on aquifers in this area (upon which others depend for drinking water).

Central Point Little League operates a baseball field facility on a 14.5 acre parcel within one of the two Agricultural land inclusions in CP-6B. The baseball property constitutes the majority of the acreage within this Agricultural land inclusion. Two EFU zoned parcels having approximately five aggregate acres, exists between the baseball fields and the Rural Residential land to the north. These two parcels are used by the Central Point Council, Boy Scouts of America for its facilities and activities. The Boy Scout property is not nor likely will be used for farming in the future (other than incidental not-for-profit farming by Boy Scouts). Both the Central Point Little League property and the Boy Scout property are classified under the Employment land use type and will be restricted to the sub-classification land use type –Institutional|| per Section 4.1.9.4. The second inclusion of Agricultural land is located near the geographic center of CP-6B and is completely surrounded by Rural Residential exception lands. Together, these inclusions have approximately 19 acres.

CP-6B URBAN RESERVE BY EXISTING AND POTENTIAL LAND-USE TYPE						
Gross Acres: 188	Reasonably Developable Acres: 162	Residential	Aggregate	Resource	Open Space/Parks	Employment
Proposed Uses		90%	0%	0%	0%	10%

4. REGIONAL OBLIGATIONS

The City agrees to comply with all applicable requirements of the *Regional Plan, Chapter 5*, which follow below. The City may not unilaterally amend these requirements.

4.1. PERFORMANCE INDICATORS ORS 197.656(2)(B)(C)

To effectuate the Regional Plan, Jackson County shall adopt the Regional Plan in its entirety into the County Comprehensive Plan. The Participating cities then shall incorporate the portions of the Regional Plan that are applicable to each individual city into that city’s comprehensive plan and implementing ordinances, and shall reference the Plan as an adopted element of Jackson County’s Comprehensive Plan. After the County and all participating cities have completed the adoptions, the amendments must be submitted to the State of Oregon Department of Land Conservation and Development for acknowledgement by the Land Conservation and Development Commission. Only after acknowledgement does the Regional Plan become effective.

Progress following the acknowledgement of the Greater Bear Creek Valley Regional Plan by the State of Oregon will be measured against a number of performance indicators to determine the level of compliance by participating jurisdictions with the Plan or the need to refine or amend it. The measurable performance indicators listed below are those identified as necessary for the acknowledgement of the Plan and as appropriate for monitoring compliance with the Plan.

4.1.1. County Adoption. Jackson County shall adopt the Regional Plan in its entirety into the County Comprehensive Plan and implementing ordinance.

4.1.2. City Adoption. All participating jurisdictions shall incorporate the portions of the Regional Plan that are applicable to each individual city into that city’s comprehensive plan and implementing ordinances, and will reference the Plan as an adopted element of Jackson County’s Comprehensive Plan.

4.1.3. Urban Reserve Management Agreement. Participating jurisdictions designating an Urban Reserve Area (URA) shall adopt an Urban Reserve Management Agreement (URMA) between the individual city and Jackson County per Oregon Administrative Rule 660-021-0050. Adoption shall occur prior to or simultaneously with adoption of the URAs.

4.1.4. Urban Growth Boundary Management Agreement. If there is an inconsistency between this Plan and an adopted Urban Growth Boundary Management Agreement (UGBMA), the city and Jackson County shall adopt a revised UGBMA. When an inconsistency arises, provisions in this Plan and associated URMA shall override the provisions in the UGBMA, until the UGBMA is updated.

4.1.5. Committed Residential Density. Land within a URA and land currently within an Urban Growth Boundary (UGB) but outside of the existing City Limit shall be built, at a minimum, to the following residential densities. This requirement can be offset by increasing the residential density in the City Limit.

City	Dwelling Units Per Gross Acre 2010-2035	Dwelling Units Per Gross Acre 2036-2060
Central Point	6.9	7.9
Eagle Point	6.5	7.5

Medford	6.56.6	7.57.6
Phoenix	6.6	7.6
Talent	6.6	7.6

4.1.5.1. Prior to annexation, each city shall establish (or, if they exist already, shall adjust) minimum densities in each of its residential zones such that if all areas build out to the minimum allowed the committed densities shall be met. This shall be made a condition of approval of a UGB amendment.

4.1.6. Mixed-Use/Pedestrian-Friendly Areas. For land within a URA and for land currently within a UGB but outside of the existing City Limit, each city shall achieve the 2020 benchmark targets for the number of dwelling units (Alternative Measure no. 5) and employment (Alternative Measure no. 6) in mixed-use/pedestrian-friendly areas as established in the 2009 Regional Transportation Plan (RTP) or most recently adopted RTP. Beyond the year 2020, cities shall continue to achieve the 2020 benchmark targets, or if additional benchmark years are established, cities shall achieve the targets corresponding with the applicable benchmarks. Measurement and definition of qualified development shall be in accordance with adopted RTP methodology. The requirement is considered met if the city or the region overall is achieving the targets or minimum qualifications, whichever is greater. This requirement can be offset by increasing the percentage of dwelling units and/or employment in the City Limit. This requirement is applicable to all participating cities.

4.1.7. Conceptual Transportation Plans. Conceptual Transportation Plans shall be prepared early enough in the planning and development cycle that the identified regionally significant transportation corridors within each of the URAs can be protected as cost-effectively as possible by available strategies and funding. A Conceptual Transportation Plan for a URA or appropriate portion of a URA shall be prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies, and shall be adopted by Jackson County and the respective city prior to or in conjunction with a UGB amendment within that URA.

4.1.7.1. **Transportation Infrastructure.** The Conceptual Transportation Plan shall identify a general network of regionally significant arterials under local jurisdiction, transit corridors, bike and pedestrian paths, and associated projects to provide mobility throughout the Region (including intracity and intercity, if applicable).

4.1.8. Conceptual Land Use Plans. A proposal for a UGB Amendment into a designated URA shall include a Conceptual Land Use Plan prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies for the area proposed to be added to the UGB as follows:

4.1.8.1. **Target Residential Density.** The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the residential densities

of Section 4.1.5 above will be met at full build-out of the area added through the UGB amendment.

4.1.8.2. **Land Use Distribution.** The Conceptual Land Use Plan shall indicate how the proposal is consistent with the general distribution of land uses in the Regional Plan, especially where a specific set of land uses were part of the rationale for designating land which was determined by the Resource Lands Review Committee to be commercial agricultural land as part of a URA, which applies to the following URAs: CP-1B, CP-1C, CP-4D, CP-6A, CP-2B, MD-4, MD-6, MD-7mid, MD-7n, PH-2, TA-2, TA-4.

4.1.8.3. **Transportation Infrastructure.** The Conceptual Land Use Plan shall include the transportation infrastructure required in Section 4.1.7 above.

4.1.8.4. **Mixed Use/Pedestrian Friendly Areas.** The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the commitments of Section 4.1.6 above will be met at full build-out of the area added through the UGB amendment.

4.1.9. Conditions. The following conditions apply to specific Urban Reserve Areas:

4.1.9.1. **CP-1B.** Prior to the expansion of the Central Point Urban Growth Boundary into the CP-1B area, ODOT, Jackson County and Central Point shall adopt an Interchange Area Management Plan (IAMP) for the Seven Oaks Interchange Area.

4.1.9.2. **CP-4D.** Use of CP-4D is predominantly restricted to open space and park land with the exception of an existing one acre homesite.

4.1.9.3. **No roadways** are to extend North, East, or West from CP-4D.

4.1.9.4. **CP-6B.** Development of the portion of CP-6B designated as employment land is restricted to Institutional uses.

4.1.9.5. **CP-1B, CP-1C, CP-2B, CP-3, CP-4D, CP-6A, CP-6B.** Prior to the expansion of the Central Point Urban Growth Boundary into any Urban Reserve Area, the City and Jackson County shall adopt an agreement (Area of Mutual Planning Concern) for the management of Gibbons/Forest Acres Unincorporated Containment Boundary.

4.1.10. Agricultural Buffering. Participating jurisdictions designating Urban Reserve Areas shall adopt the Regional Agricultural Buffering program in Volume 2, Appendix III into their Comprehensive Plans as part of the adoption of the Regional Plan. The agricultural buffering standards in Volume 2, Appendix III shall be adopted into their land development codes prior to a UGB amendment.

4.1.11. Regional Land Preservation Strategies. Participating jurisdictions have the option of implementing the Community Buffer preservation strategies listed in Volume 2, Appendix V of the Regional Plan or other land preservation

strategies as they develop.

- 4.1.12. Housing Strategies.** Participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region within 5 years of acknowledgement of the RPS Plan.
- 4.1.13. Urban Growth Boundary Amendment.** Pursuant to ORS 197.298 and Oregon Administrative Rule 660-021-0060, URAs designated in the Regional Plan are the first priority lands used for a UGB amendment by participating cities.
- 4.1.13.1. Land outside of a city's URA shall not be added to a UGB unless the general use intended for that land cannot be accommodated on any of the city's URA land or UGB land.
- 4.1.14. Land Division Restrictions.** In addition to the provisions of Oregon Administrative Rule 660-021-0040, the following apply to lots or parcels which are located within a URA until they are annexed into a city:
- 4.1.14.1. The minimum lot size shall be ten acres;
- 4.1.14.2. Development on newly created residentially zoned lots or parcels shall be clustered to ensure efficient future urban development and public facilities, and this shall be a condition of any land division;
- 4.1.14.3. Land divisions shall be required to include the pre-platting of future lots or parcels based on recommendations made by the city government to which the urban reserve belongs;
- 4.1.14.4. Land divisions within a URA shall not be in conflict with the transportation infrastructure identified in an adopted Conceptual Transportation Plan; and
- 4.1.14.5. As a condition of land division approval, a deed declaration shall be signed and recorded that recognizes public facilities and services will be limited as appropriate to a rural area and transitioned to urban providers in accordance with the adopted URMA.
- 4.1.15. Rural Residential Rule.** Until the City of Ashland adopts an Urban Reserve Area, the minimum lot size for properties within 1 mile of the Urban Growth Boundary of Ashland shall continue to be 10 acres, as outlined in Oregon Administrative Rule 660-004-0040(8)(c).
- 4.1.16. Population Allocation.** The County's Population Element shall be updated per statute to be consistent with the gradual implementation of the adopted Plan. If changes occur during an update of the County's Population Element that result in substantially different population allocations for the participating jurisdictions of this Regional Plan, then the Plan shall be amended according to Section 5 of this Chapter of the Plan.

4.1.17. Greater Coordination with the RVMPO. The participating jurisdictions shall collaborate with the Rogue Valley Metropolitan Organization (RVMPO) to:

4.1.17.1. Prepare the Conceptual Transportation Plans identified in Section 4.1.7.

4.1.17.2. Designate and protect the transportation infrastructure required in the Conceptual Transportation Plans identified in Section 4.1.7 to ensure adequate transportation connectivity, multimodal use, and minimize right of way costs.

4.1.17.3. Plan and coordinate the regionally significant transportation strategies critical to the success of the adopted Regional Plan including the development of mechanisms to preserve rights-of-way for the transportation infrastructure identified in the Conceptual Transportation Plans; and

4.1.17.4. Establish a means of providing supplemental transportation funding to mitigate impacts arising from future growth.

4.1.18. Future Coordination with the RVCOG. The participating jurisdictions shall collaborate with the Rogue Valley Council of Governments on future regional planning that assists the participating jurisdictions in complying with the Regional Plan performance indicators. This includes cooperation in a region-wide conceptual planning process if funding is secured.

4.1.19. Expo. During the first Coordinated Periodic Review process for the Regional Plan, Jackson County shall consider including the land occupied by the Jackson County Expo to the City of Central Point's Urban Reserve Area.

4.1.20. Agricultural Task Force. Within six months of acknowledgement of the Greater Bear Creek Valley Regional Plan, Jackson County shall appoint an Agricultural Task Force made up of persons with expertise in appropriate fields, including but not limited to farmers, ranchers, foresters and soils scientists, representatives of the State Department of Agriculture, the State Forestry Department, the State Department of Land Conservation and Development, Jackson County, and a RPS participating city.

The Agricultural Task Force shall develop a program to assess the impacts on the agricultural economy of Jackson County arising from the loss of agricultural land and/or the ability to irrigate agricultural land, which may result from Urban Growth Boundary Amendments. The Agricultural Task Force shall also identify, develop, and recommend potential mitigation measures, including financial strategies to offset those impacts. Appropriate mitigation measures shall be applied to Urban Growth Boundary Amendment proposals.

4.1.21. Park Land. For purposes of UGB amendments, the amount and type of park land included shall be consistent with the requirements of OAR 660-024-0040 or the park land need shown in the acknowledged plans.

4.1.22. Buildable Lands Definition. Future urban growth boundary amendments will be required to utilize the definition of buildable land as those lands with a slope of less than 25 percent, or as consistent with OAR 660-008-0005(2) and other local and state requirements.

4.2. INCENTIVES AND DISINCENTIVES ORS 197.656(2)(B)(D)

The state requires that participants in an RPS process delineate the factors, mechanisms, or outcomes that constitute the most compelling reasons for participants to comply with the Regional Plan over the identified planning horizon. Accordingly, the Participants have agreed to the following:

4.2.1. INCENTIVES

- 4.2.1.1. Continued regional cooperation through the 5-year review process and 10-year coordinated periodic review may improve the region's ability to respond to challenges and opportunities more effectively than it does presently.
- 4.2.1.2. Adherence to the adopted Regional Plan may provide the region with a competitive advantage, increase the attractiveness of the region to long-term investment, and improve southern Oregon's profile in the state.
- 4.2.1.3. Adherence to the adopted Regional Plan may produce significant reductions in transportation infrastructure costs by minimizing future right-of-way acquisition costs, encouraging mixed-use/pedestrian-friendly development, and improving the overall long-range coordination of transportation and land use planning.
- 4.2.1.4. Adherence to the adopted Regional Plan will provide participating jurisdictions with population allocations that are predictable, transparent, and based on the relative strengths of the different participating jurisdictions.
- 4.2.1.5. The adopted Regional Plan offers compelling regional justifications and state agency support for Tolo and the South Valley Employment Center that may not have been available to an individual city proposal.
- 4.2.1.6. Adherence to the adopted Regional Plan will permit jurisdictions to implement the flexibility provided by the concept of the "Regional Community", in which cities, in the role of "regional neighborhoods", enjoy wide latitude in their particular mix, concentration, and intensity of land uses, as long as the sum of the regional parts contributes to a viable balance of land uses that is functional and attractive to residents and employers and in compliance with statewide goals.

4.2.2. DISINCENTIVES

- 4.2.2.1. The region's failure to adhere to the adopted Regional Plan may damage its competitive advantage, the attractiveness of the region to long-term investment, and southern Oregon's profile in the state.
- 4.2.2.2. Adherence to the Regional plan may be a rating factor for MPO Transportation Funding. Transportation projects of jurisdictions not adhering to the adopted Regional Plan may be assigned a lower priority by the MPO when considered for funding.

- 4.2.2.3. Jackson County may reconsider the population allocations of jurisdictions signatory to the Agreement not adhering to the adopted Regional Plan.
- 4.2.2.4. Participating jurisdictions not adhering to the adopted Regional Plan will need to provide corrective measures in order to have a UGB amendment approved by the County.
- 4.2.2.5. The failure of a participating jurisdiction to adhere to the adopted Regional Plan will compromise its ability to implement the concept of the “Regional Community”, and will not provide the participating cities with as wide a latitude in their desired individual mix, concentration, and intensity of land uses.

4.3. MONITORING ORS197.656(2)(b)(E)

4.3.1. Monitoring. Participating jurisdictions shall maintain a monitoring system to ensure compliance with the Regional Plan and future amendments. Specific indicators against which performance will be judged are listed in Section 2 of this Chapter. Monitoring to ensure compliance with the adopted Regional Plan will be a shared responsibility.

4.3.1.1. Regional Plan Progress Report. On a regular basis, beginning in 2017 and every 5 years thereafter, all participating jurisdictions shall participate in a regular Regional Plan review process. Jackson County shall initiate the Regional Plan review process by providing notice of the Regional Plan review to each participant and requiring that each participant submit a self-evaluation monitoring report addressing compliance with the performance indicators, set out in Section 2 of this Chapter of the Regional Plan, to the County within 60 days after the date of the notice.

A standardized format for the review and report shall be developed by Jackson County and agreed upon by the jurisdictions. The reports shall include descriptions of their jurisdiction’s activities pertinent to the Regional Plan for the preceding five-year period, analysis as to whether and how well those activities meet each of the performance indicators, and a projection of activities for the next five-year period. Jackson County will distribute these monitoring reports to all participants and make them available to the public.

4.3.2. Coordinated Periodic Review. On a regular basis, beginning in 2022 and every 10 years thereafter the participating jurisdictions in the Regional Plan may, at their discretion, participate in a process of coordinated Periodic Review. This process may be initiated by any of the participating jurisdictions but requires agreement between all participants to proceed.

4.4. CORRECTIVE MEASURES AND PLAN ADJUSTMENTS ORS197.656(2)(B)(F)

4.4.1. CORRECTIVE MEASURES

- 4.4.1.1. If a Regional Plan Progress Report indicates that a particular city is not meeting the performance measures, the city shall propose corrective measures as an addendum to the Regional Plan Progress Report. The corrective measures shall be approved by the Policy Committee.
- 4.4.1.2. Cities that choose to expand their UGBs into land not designated as a URA will be required to go through the Regional Plan minor or major amendment process prior to or concurrent with any other process.
- 4.4.1.3. If land outside of a URA is included in a UGB while URA land remains available to that city, an equivalent amount of land shall be removed from the remaining URA land. Land removed shall be of equal or higher priority in relation to the land included. Additionally, if land determined part of the region's commercial agricultural base by the RLRC is included, the land removed shall also be land with that designation (if available).
- 4.4.1.4. A proposal for an UGB amendment will be required to demonstrate how the Regional Plan performance indicators have been met. A UGB amendment will not be approved by the County unless the Regional Plan performance indicators have been met or corrective measures are proposed which demonstrate how the performance indicators will be met.
- 4.4.1.5. Approval of a UGB amendment shall be subject to the condition that it be zoned and developed in a manner consistent with the Conceptual Land Use Plan submitted in the UGB amendment proposal. After the UGB Amendment has been approved, all subsequent Comprehensive Plan Amendments by a city to amend land uses which will result in an inconsistency with the Conceptual Land Use Plan shall be reviewed, modified as appropriate, and approved by the county prior to development. The amendment shall be processed as a Type 4 permit.
- 4.4.1.6. A UGB amendment to add land not designated as a URA shall only be considered through a quasi-judicial application when the land to be added is industrial.

4.4.2. REGIONAL PLAN AMENDMENTS

- 4.4.2.1. **Regional Plan Amendment Responsibility.** Processing amendments to the adopted Regional Plan shall be the responsibility of Jackson County, and shall only be proposed by the governing authority of a participating jurisdiction. In acknowledgement of the collaborative process by which the adopted Regional Plan was created, Jackson County shall have available the assistance of the participating jurisdictions through a Technical Advisory Committee and Policy Committee. Both committees serve on an as-needed basis, and both serve in an advisory capacity to Jackson County as follows:

4.4.2.1.1. **Technical Advisory Committee.** The TAC shall be comprised of planners and senior-level staff from signatory jurisdictions and agencies, and each signatory shall have one vote, irrespective of the number of participating representatives. Recommendations to the Policy Committee or directly to Jackson County shall be made by at least a supermajority vote (simple majority plus one) of a quorum of signatory jurisdictions and agencies.

4.4.2.1.2. **Policy Committee.** The Policy Committee shall be comprised of elected officials or executive staff from signatory jurisdictions and agencies. Each signatory jurisdiction shall designate a voting and alternate voting member, and each signatory jurisdiction will have one vote. Recommendations to Jackson County shall be made by at least a supermajority vote (simple majority plus one) of a quorum of jurisdictions. State agencies, the MPO, and Rogue Valley Sewer Services, while Signatories, shall not be voting members of the Policy Committee.

4.4.3. Regional Plan Amendment Type. When an amendment to the adopted Regional Plan is proposed, Jackson County shall make a preliminary determination regarding whether the proposed amendment is a Minor Amendment or Major Amendment, as defined below, shall notify signatory jurisdictions and affected agencies of the County's preliminary determination, and shall solicit input. Based on its preliminary determination and input received, Jackson County shall review the proposed amendment according to the procedures for Minor Amendments or Major Amendments set out below. Proposed amendments to the adopted Regional Plan shall adhere to the following provisions:

4.4.3.1. **Minor Amendment.** A minor amendment is defined as any request for an amendment to the adopted Regional Plan that does not conflict with the performance indicators and does not propose an addition of more than 50 acres to a city's URA established in the adopted Regional Plan or more than a 50-acre expansion of the UGB into non-URA land.

In the case of Ashland, which did not establish a URA during the development of the Regional Plan process, a proposal to establish a URA or expand its UGB of not more than 50 acres shall be considered a minor amendment.

Should a city exceed its limit of 50 acres for adding to its URAs during the Planning Horizon for the Regional Plan, it may not use the minor amendment process for further additions to its URA. Should a city exceed its limit of 50 acres for expanding its UGB into non-URA land during the planning horizon, it may not use the minor amendment process for further expansions of its UGB into non-URA land.

Any participant jurisdiction may initiate a minor amendment to the adopted Regional Plan. The proposing jurisdiction must clearly identify the nature of the minor amendment, and specify whether the minor amendment would require any other signatory jurisdiction to amend its comprehensive plan. Should any signatory jurisdiction other than the proposing jurisdiction and Jackson County be required to amend their comprehensive plans as a result of the proposed minor amendment, the affected signatory jurisdiction shall be a party to the minor amendment proceeding.

Jackson County's process and the proposing jurisdiction's process for a minor amendment to the Regional Plan shall be equivalent to the state and local processes required for a comprehensive plan amendment.

Signatories and agencies shall be provided with notice of the County's and proposing jurisdiction's final decision on each minor amendment within five working days of the adoption of the final decision.

4.4.3.2. Major Amendment. A major amendment is defined as any requested amendment to the adopted Regional Plan that does not meet the definition of a Minor Amendment.

If multiple signatory jurisdictions are involved in a single request for a major amendment, a lead jurisdiction shall be selected by the affected jurisdictions.

Notice containing a detailed description of the proposed change shall be forwarded by Jackson County to all signatories and affected agencies. Staff from signatory jurisdictions and agencies shall meet as a Technical Advisory Committee and generate a recommendation to the Policy Committee by vote of at least a supermajority of a quorum (simple majority plus one).

Decision-makers from signatory jurisdictions and agencies shall meet as a Policy Committee and consider the proposal and the Technical Advisory Committee recommendation. The Policy Committee shall generate a recommendation to Jackson County by vote of at least a supermajority of a quorum (simple majority plus one).

Should an existing city or a newly incorporated city desire to become a participating jurisdiction, increased population shall be added to the regional projected population adequate to accommodate the projected population growth of the newly incorporated city for the remainder of the Planning Horizon for the Regional Plan. The addition of a newly incorporated city to the Regional Plan, the establishment of Urban Reserve Areas and other such actions shall be accomplished through the major amendment process.

Jackson County's process, and the proposing jurisdiction's process, for a mi-

nor or major amendment to the Regional Plan shall be equivalent to the state and local required process for a comprehensive plan amendment, in addition to the Regional Plan-specific provisions. Signatories and affected agencies shall be provided with notice of the final decision on each major or minor amendment within five working days of the adoption of the final decision. Jurisdictions or agencies shall be noticed according to Table 5.1.

Jurisdiction or Agency	Routine	As Needed
City of Eagle Point	X	
City of Central Point	X	
City of Medford	X	
City of Phoenix	X	
City of Talent	X	
City of Ashland	X	
Oregon Department of Transportation	X	
Oregon Department of Land Conservation and Development	X	
Oregon Department of Environmental Quality	X	
Oregon Economic and Community Development Department	X	
Oregon Department of Agriculture	X	
Oregon Housing and Community Development Department	X	
Rogue Valley Metropolitan Planning Organization	X	
Rogue Valley Sewer Services	X	
Medford Water Commission	X	
Rogue Valley Council of Governments	X	
Rogue Valley Transit District	X	
Oregon Department of Fish and Wildlife		X
Division of State Lands		X
Ashland School District #5		X
Central Point School District #6		X
Jackson County School District #9		X
Medford School District 549C		X
Phoenix-Talent School District #4		X
Eagle Point Irrigation District		X
Medford Irrigation District		X
Rogue Valley Irrigation District		X
Talent Irrigation District		X
Jackson Soil and Water Conservation District		X

5. URBAN RESERVE MANAGEMENT AGREEMENT

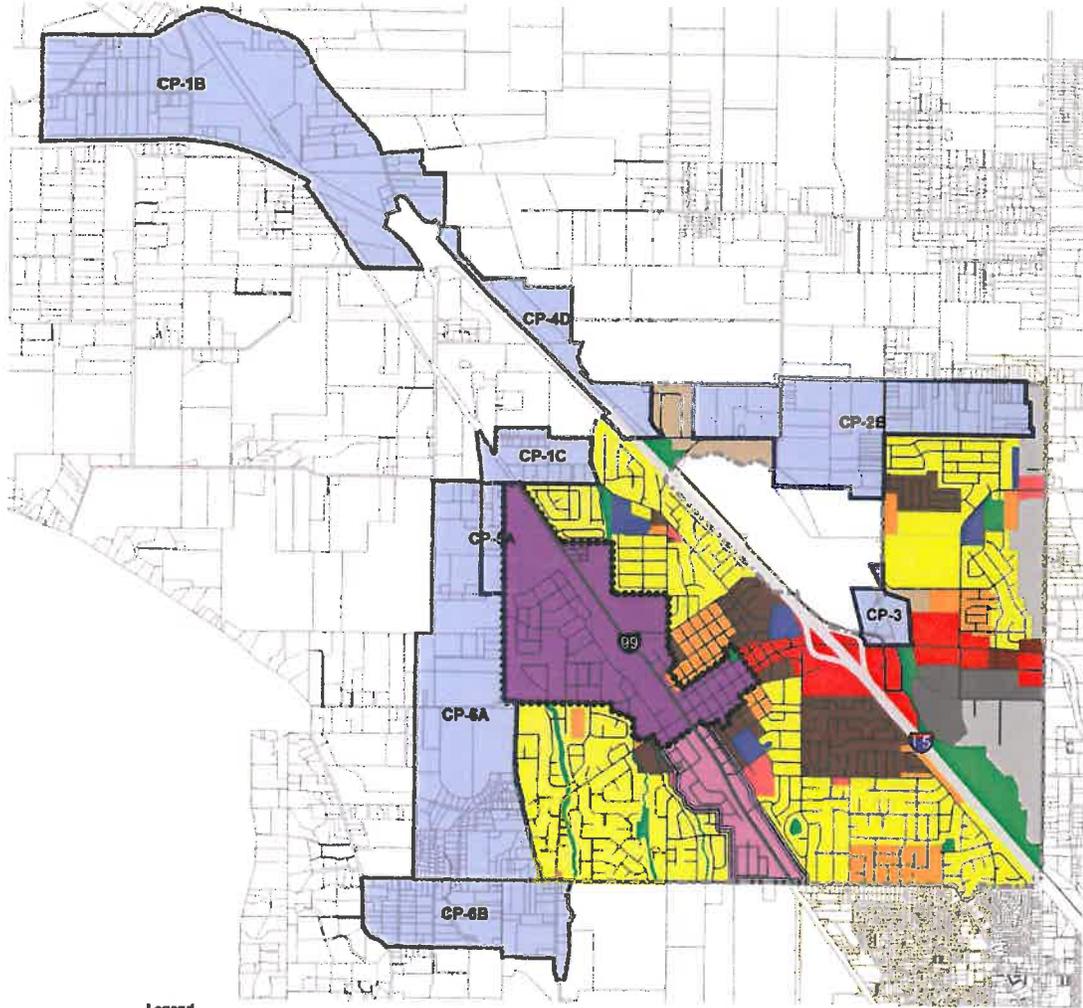
The creation of urban reserves required the adoption of an Urban Reserve Management Agreement (URMA) between the City and Jackson County. All development within the

City's Urban Reserve Areas will be regulated in accordance with the URMA. The approved URMA for Central Point's Urban Reserve is presented in Appendix C of this element.

6. URBAN GROWTH BOUNDARY MANAGEMENT AGREEMENT

Development within the Tolo Area is currently regulated by an existing Urban Growth Boundary Management Agreement (UGBMA). A review of the current UGBMA finds that there are no inconsistencies between the UGBMA, the Regional Plan, and the URMA. A copy of the UGBMA is presented in Appendix D.

Exhibit "B"



Legend

- | | | | | |
|---|------------------|--------------|-------------------------|----------------------|
| --- Urban Growth Boundary Residential | Mixed Use | Commercial | Industrial | Civic and Open Space |
| Urban Reserve Areas | Very Low Density | TOD Corridor | Neighborhood Commercial | Light |
| Future Land Use subject to the Regional Plan Element and URMA | Low Density | TOD District | Community Commercial | General |
| | Medium Density | | General Commercial | Civic |
| | High Density | | | |

**Central Point
Comprehensive Land Use Plan**

Adopted by Ordinance No. _____

CC-52012\cpl\file1\department\PLANNING\GIS Map Projects\RP\CompPlan_URMA

**AGREEMENT BETWEEN THE CITY OF CENTRAL POINT (CITY), OREGON
AND JACKSON COUNTY (COUNTY), OREGON
FOR THE JOINT MANAGEMENT OF THE CENTRAL POINT URBAN RESERVE**

WHEREAS under ORS 190.003 to 190.030, and 197.175, et seq. City and County are authorized to enter into intergovernmental agreements and are required to prepare and adopt Comprehensive Plans consistent with Statewide Planning Goals; and

WHEREAS City and County have previously entered into an intergovernmental agreement setting forth their rights and responsibilities within the Urban Growth Boundary (UGB) and outside the incorporated City boundaries and this Agreement remains in full force and effect; and

WHEREAS under OAR 660-021-0020, City and County are authorized to establish Urban Reserves and City and County have adopted an Urban Reserve as well as plan policies and land use regulations to guide the management of this area pursuant to OAR 660-021-0020; and

WHEREAS City and County recognize the importance of providing an orderly transition of urban services from County to City jurisdiction and administration as the Urban Reserve transitions from a rural to an urban character; and

WHEREAS ORS 190-003, et seq. requires that an intergovernmental agreement relating to the performance of functions or activities by one unit of local government for another shall be adopted and shall specify the responsibilities between the parties;

NOW, THEREFORE, City and County agree as follows:

1. Definitions

BOC: Jackson County Board of Commissioners.

Comprehensive Plan: State-acknowledged comprehensive plan adopted by City or County.

Council: City of Central Point City Council.

LDO: Jackson County's Land Development Ordinance.

Non-resource Land: Land that *is not* subject to the statewide Goals listed in OAR 660-004-0010(1)(a) through (g) except subsections (c) and (d).

Planning Services: Legislative activities, such as adoption and amendment of comprehensive plan text and maps, adoption and amendment of land use regulations, and quasi-judicial processing of land use actions.

Resource Land: Land that *is* subject to the statewide Goals listed in OAR 660-004-0010(1)(a) through (g) except subsections (c) and (d).

Urban Growth Boundary (UGB): The boundary separating urban and urbanizable lands in and adjacent to City from rural lands under County jurisdiction.

Urban Growth Boundary Management Agreement (UGBMA): The current agreement between County and City concerning the management of the lands within City’s urban growth boundary. Such agreements may be alternatively referred to as “Urban Growth Management Agreements” (UGMAs), “Urban Growth Boundary Agreements” (UGBAs), “Urban Area Management Agreements” (UAMAs) and “Urban Growth Boundary and Policy Agreements” (UGBPAs).

Urban Reserve (UR): Lands outside of a UGB identified as highest priority (per ORS 197.298) for inclusion in the UGB when additional urbanizable land is needed in accordance with the requirements of Statewide Planning Goal 14.

Urban Facilities and Services: Basic facilities that support urban development in accordance with a Comprehensive Plan and that are primarily planned for by cities but also may be provided by counties or districts. Urban facilities and services include, but are not limited to: fire protection, sanitary facilities, potable water delivery, storm drainage facilities, streets and roads (including bike lanes and sidewalks), planning, zoning and subdivision control, health services, parks and recreation facilities and services, transportation and community governmental services.

2. Intent and Purpose of Agreement

The intent and purpose of this Agreement is for City and County to:

- A. Enhance long-range planning in the Urban Reserve.
- B. Maintain and improve coordination and communication between City and County.
- C. Develop consistent policies and procedures for managing urban growth and development within the Urban Reserve.
- D. Minimize impacts to property owners, local governments and service providers related to the transition of property from within the Urban Reserve to within the Urban Growth Boundary.

3. Urban Reserve Planning and Zoning

- A. OAR 660-021-0040(2) requires that development and land divisions in exception areas and on non-resource lands must not hinder the efficient transition to urban land uses and the orderly and efficient provision of urban services. In accordance with this and other requirements in State law, the Jackson County Comprehensive Plan and Land Development Ordinance will specify an appropriate minimum parcel size for new land divisions in the UR and the following provision will apply:

Prior to approval of any new development, property owners must sign a deed declaration acknowledging that existing or proposed development on their

property may be impacted by future urbanization, including the installation of public utilities and streets.

- B. Per OAR 660-021-0040(3), for exception areas and non-resource land in the UR, zone amendments allowing more intensive uses, including higher residential density, than permitted by acknowledged zoning at the time of execution of this Agreement shall not be permitted. This regulation shall remain in effect until such time as the land is annexed into the City.
- C. Per OAR 660-021-0040(4), resource land that is included in the UR shall continue to be planned and zoned under the requirements of applicable Statewide Planning Goals.

4. Process for Exercising Responsibilities in the Urban Reserve

- A. Per OAR 660-021-0050(1), unless otherwise agreed to, designation of the local government responsible for building code administration, enforcement of land use ordinances, and land use regulation in the Urban Reserve shall be:
 - (i) *Prior to inclusion within the UGB:* County
 - (ii) *After inclusion within the UGB:* Per current agreement (e.g., UGBMA)
 - (iii) *After annexation into the City:* City
- B. Per OAR 660-021-0050(2), designation of responsibility for the current and future provision of sewer, water, fire protection, parks and recreation, road maintenance and improvements, and stormwater facilities within the UR are described below and shown on the map attached hereto and incorporated herein as "Exhibit 1."
- C. Per OAR 660-021-0050(3), the terms and conditions under which responsibility for the provision of urban facilities and services will be transferred or expanded in the UR are described in Section 5, below.
- D. Per OAR 660-021-0050(4), and to ensure involvement by affected local governments and special districts, procedures for notification and review of land use actions in the UR to ensure involvement by affected local governments and special districts are as follows:
 - (i) All land use actions shall be processed by County. After receiving an application or developing a proposal, County will request comments from City and other affected local governments and special districts concerning the requested land use action. County will provide these parties with 45 days notice before the first hearing of any proposed County Comprehensive Plan, Comprehensive Plan map, zoning map or zoning regulation amendment in the Urban Reserve.
 - (ii) Upon request for comments on a land use action in the UR, City and any other affected local governments and special districts will have an opportunity to recommend approval, recommend approval with conditions, or recommend denial of the land use action. In consideration of City's comments, County will

recognize that City has a unique interest in ensuring the efficient transition of the UR area from rural to urban land uses.

- (iii) County staff will incorporate any comments received into the staff report and present them to the initial and final hearings body. Additional comments by City or other affected local governments, or special districts, concerning the land use action will be heard and considered as part of County's land use hearing process.

5. Transition Policies Relating to Service Responsibility in the Urban Reserve

- A. *Sanitary Sewer Service.* There will be no provision of these services in the UR until City and/or Rogue Valley Sewer (RVS) services are available consistent with the provisions of Statewide Planning Goal 11, its implementing regulations, and the regulations of the respective sanitary sewer service provider. Subsequent to annexation, City may require hook-up, per City standards, to sanitary sewer services. Nothing in this provision shall limit the ability of individuals to provide individual services, under provisions of applicable State and local law(s), on their own private property within the Urban Reserve. The attached map (Exhibit 1) depicts City's UGB and city limits, within which sanitary sewer service is the responsibility of City and/or RVS. County has no sanitary sewer service responsibilities.
- B. *Potable Water Service.* There will be no public provision of these services in the UR until urban services are available consistent with the provisions of Statewide Planning Goal 11 and the regulations of the respective public water provider. City shall be the sole and only public provider of water, except for existing water districts. Nothing in this provision shall limit the ability of individuals to provide individual services, under provisions of applicable State and local law(s), on their own private property within the Urban Reserve. The attached map (Exhibit 1) depicts City's UGB and city limits, within which potable water service is the responsibility of City. County has no potable water service responsibilities.
- C. *Fire Protection.* Jackson County Fire Protection District #3 has primary responsibility for fire protection services within the UR and the UGB. City has primary responsibility for fire protection services within the city limits. The attached map (Exhibit 1) depicts the boundaries described above.
- D. *Parks and Recreation.* County provides parks and recreation services outside of City's limits (including the UR and UGB), while City provides these services within City's limits.
- E. *Road Maintenance and Improvements.*
 - (i) *County Roads.* County maintains county roads within the UR. County will retain jurisdiction and be responsible for the continued maintenance of these road(s) until annexation by City. When City's UGB is expanded into the URA, County will require (e.g., through a condition of approval of UGB amendment) that City assume jurisdiction over the county roads within the proposed UGB at the time of annexation into City regardless of the design standard used to construct the

road(s) and regardless of when and how the road(s) became county roads. The transfer shall occur without compensation and City shall not impose other conditions that might otherwise be allowed under ORS 373.270(6). County shall ensure the pavement condition of the road(s) is in good or better condition at the time of the transfer as determined by county's Pavement Management Grading System.

When a proposed UGB amendment will result in a significant impact to a county road(s) already within City's limits, or existing UGB, such that the proposed amendment depends on said county road(s) for proper traffic circulation, then a nexus is found to exist between the proposed UGB expansion and said county road(s). Where such a nexus exists, the county may require, as a condition of approval, the transfer of all, or portions of, said county road(s) within the existing UGB or City's limits at the time of annexation, regardless of the design standards to which the road is constructed. This transfer shall occur without compensation and shall not be subject to other conditions that might otherwise be allowed under ORS 373.270(6). County shall ensure the pavement condition of said road(s) is in good or better condition at the time of the transfer as determined by county's Pavement Management Grading System. The parties deem the following roads within City's UGB or City's limits to have such a nexus:

- Grant Road, Beall Lane to 2660' North of Taylor
- Scenic Avenue, Hwy 99 to 230' West of Hwy 99
- Taylor Road, 200' West of Silver Cr. Dr. to Grant Rd North
- Upton Road, Peninger Road to 2380' East of Peninger
- Wilson Road, Table Rock Road to 480' West

For county roads within City's limits or UGB not listed above, City shall not be required to assume jurisdiction as part of this Agreement.

- (ii) *State Highways*. The Oregon Department of Transportation (ODOT) maintains state highways within the UR. ODOT retains jurisdiction and maintenance responsibilities on all state highways in the UR after inclusion within City's UGB and after annexation by City except where jurisdiction is transferred to City or County by separate agreement.

The attached map (Exhibit 1) depicts roads within the UR where, if the road is publicly-maintained, either County or ODOT has responsibility for road maintenance and improvements. Upon annexation, City will assume jurisdiction along with road maintenance and improvement responsibilities over the entire right-of-way of said road(s) currently maintained by County within the annexation area. The exception to this is South Stage Road, which will remain under County jurisdiction.

- F. *Stormwater Management*. County provides limited, if any, public stormwater management services within the UR. City provides stormwater management services within the City's limits. Transition of public stormwater management responsibilities from County to City will occur upon annexation by City. The attached map (Exhibit 1)

depicts the UR wherein County has responsibility for public stormwater management services until annexation by City.

- G. *Special Districts.* City must agree to the formation of any special district within the UR prior to the approval of the formation of the district by County. This provision shall not apply to County-wide service districts formed under ORS Chapter 451.
- H. *Service Expansion Plans.* As the future provider of water, sewer, parks and recreation, road maintenance and improvement, and stormwater management services in the UR, City shall prepare and update service expansion plans and these plans shall be consistent with the UGBMA between City and County. These plans shall provide a basis for the extension of services within the UGB and shall be referred to County for comment.

6. Review, Amendment and Termination of this Agreement

- A. This Agreement may be reviewed and amended at any time by mutual consent of both parties, after public hearings by the Council and the Board of Commissioners.
- B. Any modifications to this Agreement will be consistent with City and County comprehensive plans and state law.
- C. Staff from City and County will attempt to informally resolve any disputes regarding the terms, conditions, or meaning of this Agreement. For any disputes not resolved through this informal process, the Council and the BOC will meet jointly in an attempt to resolve those disputes. Either party may request the services of a mediator to resolve any dispute.
- D. This Agreement may be terminated by either party subsequent to dissolution of the Urban Reserve. Such termination shall proceed through a properly noticed public hearing process.

**JACKSON COUNTY BOARD OF COMMISSIONERS
COUNCIL**

CITY OF CENTRAL POINT CITY

Dennis C. W. Smith, Chair

Hank Williams, Mayor

John Rachor, Commissioner

Allen Broderick, Councilmember

Don Skundrick, Commissioner

Bruce Dingler, Councilmember

Carol Fischer, Councilmember

APPROVED AS TO LEGAL SUFFICIENCY:

Kelly Geiger, Councilmember

County Counsel

Kay Harrison, Councilmember

City Attorney

Ellie George, Councilmember

EXHIBIT 1

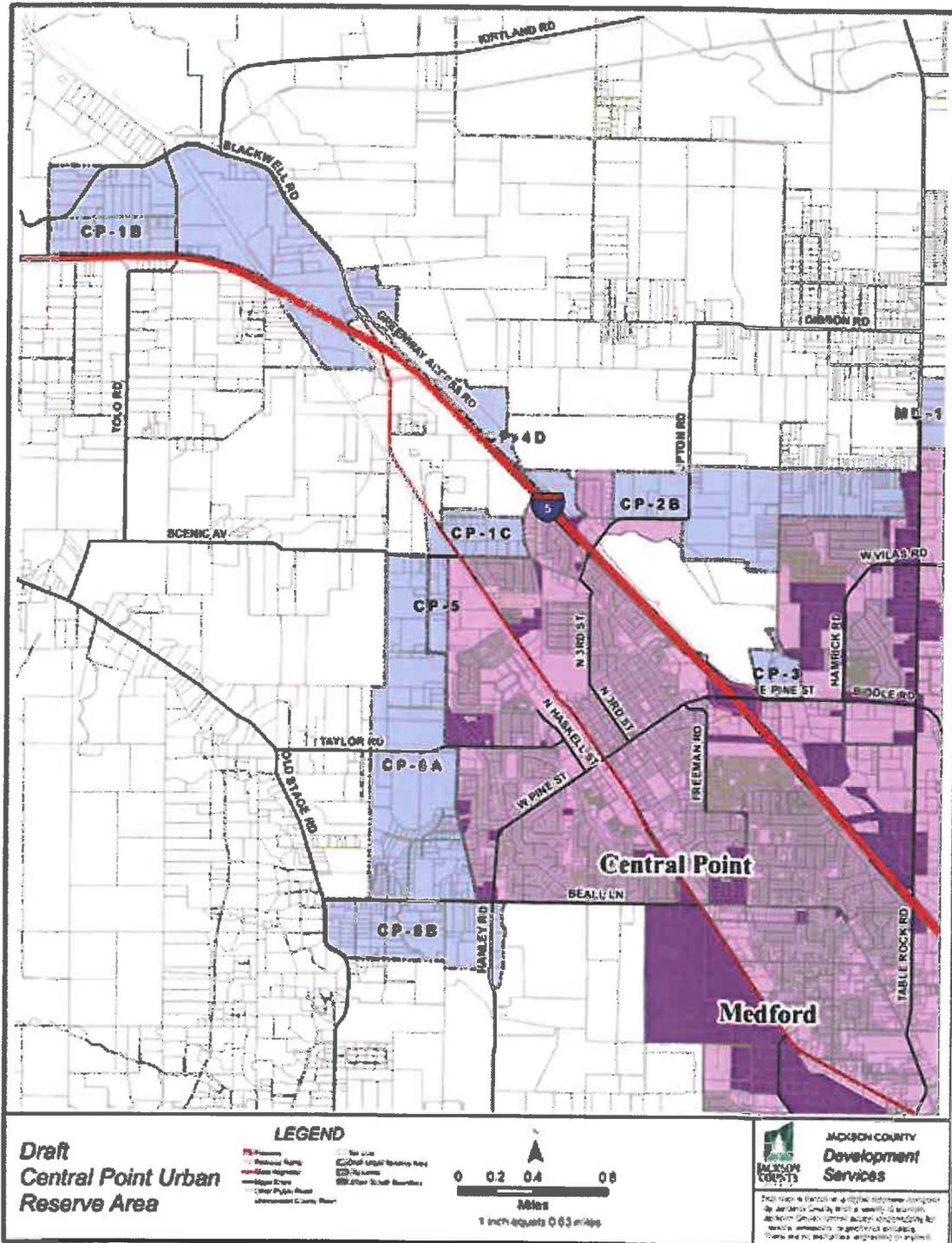


Exhibit "D"

Agricultural Buffering Ordinance

17.71. URBAN/AGRICULTURAL CONFLICT MITIGATION

The regulations in this section apply to urban land in the urban growth boundary that was added from the urban reserve shown in the Regional Plan Element of the Comprehensive Plan. The basis for these regulations can be found in the *Greater Bear Creek Valley Regional Problem-Solving Plan (Regional Plan), Volume II, Appendix III*.

17.71.100 Purpose

The purpose of these standards is to mitigate the potential for conflict between farming activities and urban uses. These provisions implement a policy mutually adopted by the City and Jackson County in the Regional Plan. The mitigation provisions of this Section seek to achieve the following objectives:

1. Minimize the impacts of urban development on agricultural production activities.
2. Minimize the potential for complaints about agricultural practices and activities.
3. Ensure the continued use of agricultural land for agricultural uses.
4. Minimize potential conflict by developing a well-defined boundary between agricultural and urban uses. The best boundary will be one that minimizes conflict in both directions.

17.71.200 Definitions

The following definitions apply only to this Section

A. Agricultural Land Uses.

The use of land for the cultivation and husbandry of plant and animal products, including agricultural activities permitted on land zoned Exclusive Farm Use (EFU).

1. Classification, Agricultural

- a. Intensive Use (I). The agricultural lands in this category:
 - i. Are composed of Class I–IV agricultural soils; or
 - ii. Support existing or scheduled plantings of long-term crops with a height at maturity exceeding four (4) feet.
- b. Passive Use (P). The agricultural lands in this category:
 - i. Are composed of predominately Class IV soils, can demonstrate an unbroken or essentially unbroken 25-year history of agricultural inactivity or grazing use, and which have either of the following: (i) greater than 50%

hydric soils or (ii) greater than 50% shallow soils (surface to bedrock) of less than two feet in depth; or

- ii. Are composed of greater than 50% of Class VI or poorer soil; or
- iii. Are outside of an irrigation district's boundary and outside of areas suitable for future expansion of a district, as determined by the district.

B. Mitigation Area.

A management zone of varying size, shape, and characteristics between different land uses that uses combinations of mitigation elements to buffer between agricultural land and urban land uses.

C. Mitigation Element.

A physical or legal feature within a mitigation area that mitigates an adverse impact. A mitigation element may consist of vegetation, transportation and utility corridors, natural barriers, deed restrictions, or other natural or man-made features.

D. Spray Drift.

The airborne movement of agricultural chemicals onto a non-target area.

E. Urban Receptor, Sensitivity of:

1. Urban Receptor, Higher-Sensitivity (H):

- a. Residential use.
- b. Motel, hotel, or hostel.
- c. Place of worship; public meeting facility.
- d. Childcare center, kindergarten, school, university, or other educational institution.
- e. Medical center or hospital.
- f. Public or quasi-public use, such as library, park, etc.
- g. Other similar uses.

2. Urban Receptor, Lower-Sensitivity (L):

- a. Commercial use, except for any defined as higher-sensitivity urban receptor.
- b. Industrial use.

c. All other uses not classified here.

17.71.300 Description of Impacts Requiring Mitigation

A. Spray Drift.

Principally, spray drift is caused by agricultural chemical use, but can apply to urban use of agrochemicals. Separation between urban and agricultural uses is the preferred tool to mitigate the impact of the spray drift, employing either large setbacks or a combination of smaller setbacks and a tree buffer.

B. Trespass and Vandalism.

Trespass and vandalism are often considered by farmers to be the most serious adverse potential impact to agricultural operations in proximity to urban areas. Climb-resistant, trespass-inhibiting fences and/or hedges in the mitigation area are the means of reducing these impacts, as is placing the buffer in individual ownership (such as larger urban lots with strict setback requirements).

C. Odor.

Odor is one of the less important agriculture-related adverse impacts. Unless there are site-specific reasons why mitigation of odor is critical (such as the presence of a livestock feed lot), issues with odor are sufficiently addressed by requiring that owners of new urban development within 1,000 feet of agricultural land receive notice through an explicitly worded deed declaration of the potential adverse impacts to which they will likely be exposed as a result of living within 1,000 feet of agricultural land.

D. Dust, Smoke, and Ash.

Like odor, this grouping of potential adverse impacts is one of the least important agriculture-related issues in the region, and, like odor, can be addressed by the use of a deed declaration.

E. Run-off.

Stormwater and irrigation run-off arise from both urban and agricultural uses, and can adversely impact agricultural operations as well as urban health and livability. Impacts may be avoided or significantly reduced by employing erosion-prevention and erosion-control measures during construction, and by an adequate stormwater plan for urban development that takes into account impacts from and on the adjacent agricultural land.

F. Noise.

Noise is an impact arising from agricultural operations. This Section contains no noise mitigation requirements, but applicants are encouraged to consider community design and construction practices that provide some level of noise mitigation. Recommended methods may be found in Appendix III of the Regional Plan.

17.71.400 Application Steps

A. Applicability

1. The provisions of this Section 17.71 apply to the development permit applications, and their associated review procedure per Section 17.05. Table 17.05.1, *Summary of Approvals by Review Procedure*, listed below where the land proposed for urban development is within the initial boundaries of urban reserve established in the Regional Plan Element and abuts other land zoned Exclusive Farm Use (EFU):
 - a. Land Division (Partition and Subdivision tentative plans only);
 - b. Planned Unit Development;
 - c. Conditional Use Permit;
 - d. Site Plan and Architectural Review.
2. A pre-application conference is required for all applications subject to the provisions of this Section 17.71.400(A)(1).
3. Different degrees of mitigation are required of the applicant based on the following factors: the sensitivity of the adjoining urban use to agricultural impacts; the impact being buffered; the intensity of uses on the adjacent EFU land; and whether the mitigation area is to be mid- or long-term.
4. Mitigation elements established under this Section shall not be removed or reduced unless the adjacent EFU land changes to a non-agricultural zoning district.

B. Application: Agricultural Impact Assessment Report.

As part of any land use or development application listed in Section 17.71.400(A) where the agricultural mitigation standards in Section 17.71.500 apply, an applicant shall supply the Community Development Department with a report entitled "Agricultural Impact Assessment Report" (AIAR). The purpose of the AIAR is to provide the approving authority with sufficient evidence to determine agricultural intensity (active or passive) and to evaluate the applicant's proposed method of complying with the provisions of this Section 17.71.

1. Map showing the zoning of land adjacent and within two hundred (200) feet of the property proposed for urban development.
2. A description of the type and nature of agricultural uses and farming practices, if any, which presently occur on adjacent lands zoned EFU and sources of such information. The information thus re-

quired, if applicable, shall include:

- a. Method of irrigation.
 - b. Type of existing agricultural product produced or scheduled plantings within one year of projected development completion date.
 - c. Types of agricultural production and practices for the five preceding years.
 - d. Method of frost protection.
 - e. Type of agricultural equipment customarily used on the property.
3. Detailed information obtained from the Natural Resources Conservation Service (NRCS) concerning soils which occur on adjacent lands zoned EFU, and whether the land has access to water for irrigation.
 4. Wind pattern information.
 5. A description of the measures proposed to comply with the requirements of Section 17.71.400(D).
 6. The persons who prepared said report and all persons, agencies, and organizations contacted during preparation of the report.
 7. All statements shall be documented, sources given as reference, and any other detailed information needed to substantiate conclusions should be provided in the appendices.
 8. If the applicant is requesting a deviation from the standards of this Section, the Agricultural Impact Assessment Report shall not be deemed to be complete unless accompanied by the Conflict Assessment and Mitigation Study described in Section 17.71.600 and the recommendation of Jackson County's Agricultural Buffering Committee, or a letter from Jackson County indicating that no such recommendation is forthcoming.

C. Review Process

1. Using the definitions of these classifications herein and the evidence of the AIAR, the approving authority shall determine:
 - a. Whether adjacent agricultural uses are intensive or passive at the time the urban development application is filed and accepted by the City; and

- b. Whether the applicant's proposed mitigation plan meets the standards of Section 17.71.500.
2. The approving authority shall approve, approve with conditions, or deny the AIAR and its proposals and conclusions.

D. Mitigation Requirements

1. All mitigation elements will be sited on urban land unless arrangements have been made with the adjacent agricultural land owner to site some or all elements on agricultural land.
2. Mitigation for Intensive Agriculture. To minimize or mitigate the potential adverse impacts associated with the proximity of urban and agricultural land uses, the following measures shall be undertaken by the applicant when urban development is proposed adjacent to land which is in intensive agricultural use:
 - a. Setbacks as illustrated in Section 17.71.500, Figure 1, either alone or in conjunction with a tree buffer;
 - b. Tree Buffer as illustrated in Figure 1 and described in Section 17.71.500(B) and (C);
 - c. Screening Shrubs (only in conjunction with a tree buffer) as described in Section 17.71.500(D);
 - d. Trespass-Inhibiting Hedges/Fencing as described in Section 17.71.500(E);
 - e. Deed Declaration.

All urban land proposed for development which lies within one thousand (1,000) feet of an EFU zoning district boundary shall be subject to a deed declaration that requires the owners and all successors in interest to recognize and accept common, customary and accepted farming practices which may produce noise, dust, odors, and other impacts. The deed declaration shall be in a form approved by the City. After the deed declaration is signed it shall be recorded in the official records of Jackson County, and copies shall be mailed to the owners of adjacent agricultural lands zoned EFU.
 - f. Maintenance Program.

Land adjacent to an EFU zoning district boundary shall be subject to a restrictive covenant that provides that the perpetual maintenance of mitigation-related fencing, the perpetual horticultural care and maintenance of trees, shrubs, and hedges that are used for mitigation, and the maintenance of other mitigation elements shall be solely the responsibility of the owners and all

successors in interest of property subject to the covenant. The covenant shall be in a form approved by the City. After the covenant is signed it will be recorded in the official records of Jackson County.

g. **Runoff.**

Measures appropriate to the circumstances present shall be undertaken by the applicant to mitigate adverse impacts which occur from periodic naturally occurring runoff and inadvertent agricultural irrigation runoff.

3. Mitigation for Passive Agriculture.

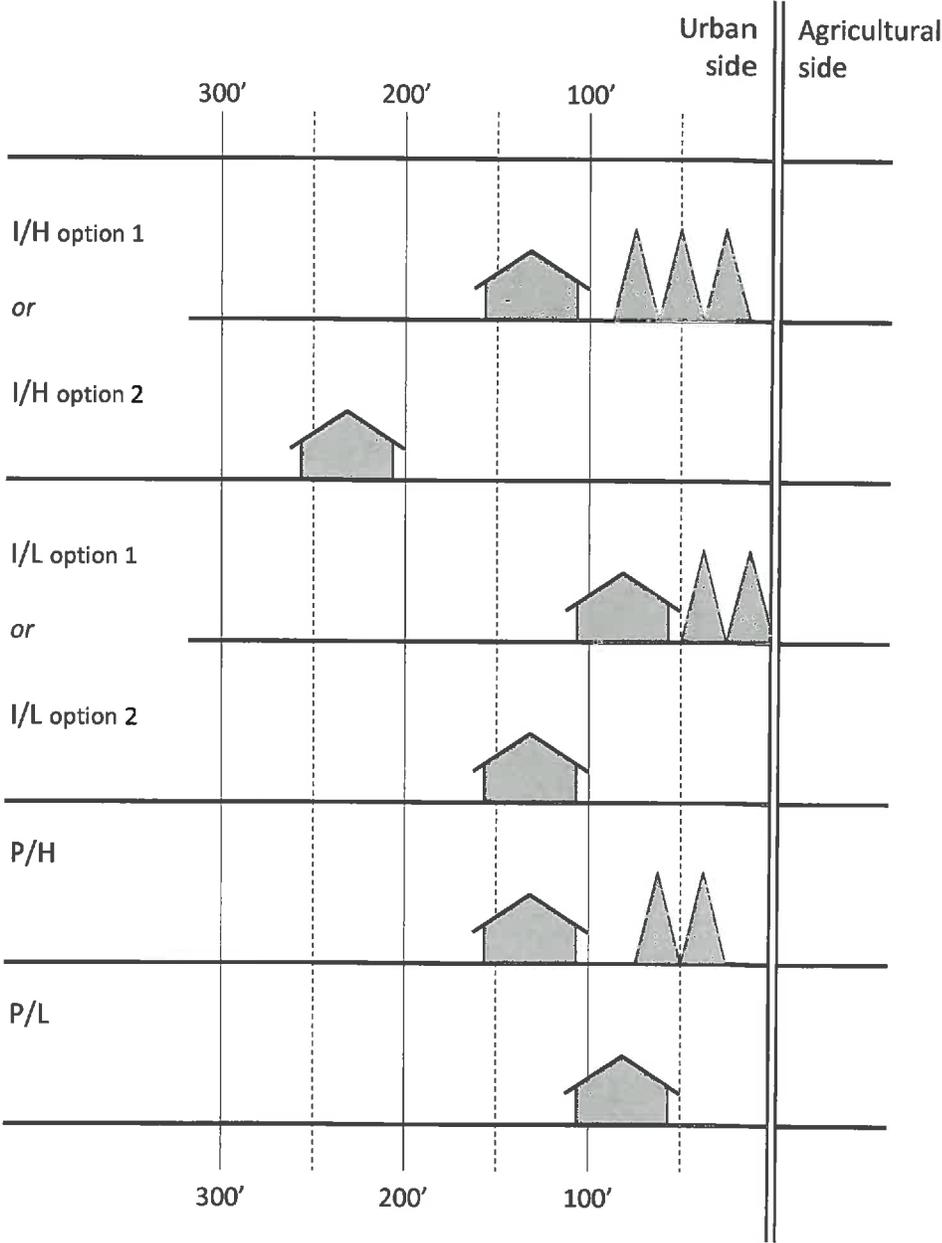
To minimize or mitigate the potential adverse impacts associated with the proximity of urban and agricultural land uses, the following measures shall be undertaken by the applicant when urban development is proposed adjacent to land in passive agricultural use:

- a. Setbacks as illustrated in Section 17.71.500(A), Figure 1, either alone or in conjunction with a tree buffer;
- b. Tree Buffer as illustrated in Figure 1 and described in Sections 17.71.500(B) and (C);
- c. Screening Shrubs (only in conjunction with a tree buffer) as described in Section 17.71.500(D);
- d. Trespass-Inhibiting Hedges/Fencing as described in Section 17.71.500(E);
- e. Deed Declaration. A deed declaration as described in Section 17.71.400(D)(2)(e).
- f. Maintenance Program. A restrictive covenant guaranteeing perpetual maintenance as described in Section 17.71.400(D)(2)(f).
- g. Runoff. Measures as described in Section 17.71.400(D)(2)(g).

E. Alteration or Removal of Mitigation Measures

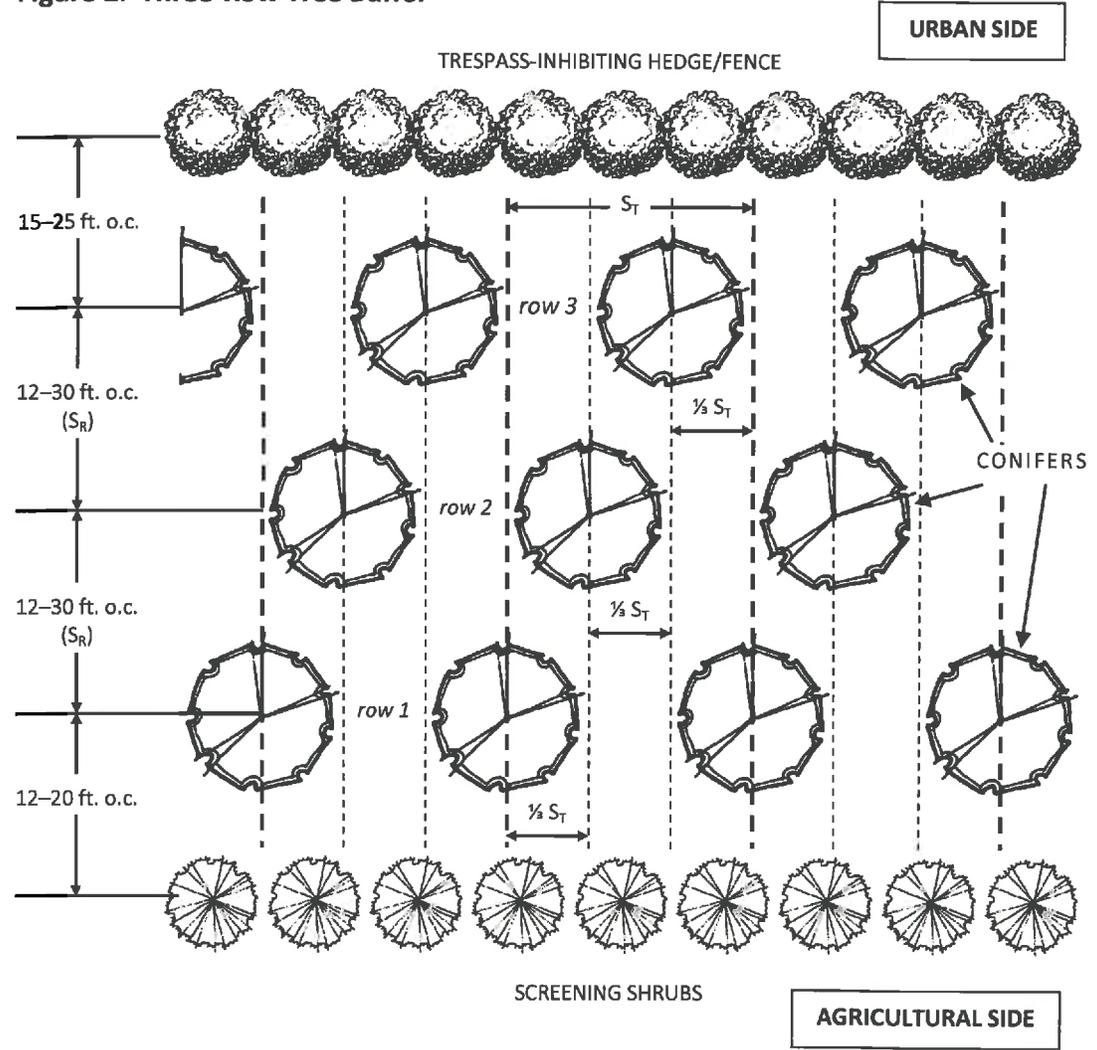
The mitigation measures required by the approving authority may be altered or removed entirely when the zoning of the adjacent agricultural land is changed from EFU zoning. No alteration or removal of the mitigation elements shall cause the removal of fencing or landscaping which is required to meet other buffering or landscaping requirements.

Figure 1. Illustration of Tree Buffer & Setback Options



Symbol Key:	 Structure	 Tree buffer (by no. of rows)
Legend:		
I	Intensive Use Agricultural Land	
P	Passive Use Agricultural Land	
H	High-Sensitivity Urban Receptor	
L	Low-Sensitivity Urban Receptor	

Figure 2. Three-Row Tree Buffer



17.71.500 Mitigation Standards

A. Illustration of Tree Buffer/Setback Combination Options

1. Figure 1 illustrates the tree buffer/setback combination options for applicants.
 - a. The 'tree' symbol illustrates the number of rows required under each option.
 - b. Minimum structure setbacks are represented by the 'structure' symbol ranged along a linear scale showing distance from the urban/agricultural boundary. Setbacks apply to any structure. Setbacks do not apply to eaves or similar structural elements.

2. Figure 1 does not depict screening shrubs; however, that element is required when a tree-based buffer is used and when the tree species in the first row on the agricultural side will not provide sufficient foliage cover to ground level.
3. Key to abbreviations used in the Figure:
 - I - Intensive use agricultural land
 - P - Passive use agricultural land
 - H - Higher-sensitivity urban receptor
 - L - Lower-sensitivity urban receptor
4. The letter pairs "I/H", "I/L", "P/H", and "P/L" indicates the types of agricultural/urban adjacencies that determine the extent and make-up of the tree buffer and setback elements. The options shown under each adjacency type may be used at the discretion of the applicant.
5. Where there is a mix of urban uses, the buffer design shall protect the most sensitive use among them.

B. Tree Buffers

1. Three-Row Buffer (as required for I/H, option 1). Depending on the species used, the minimum possible tree buffer width is 50 feet; the maximum is 100 feet. The buffer shall be composed of at least two different conifer species.
2. Two-Row Buffer (as required for I/L, option 1, and P/H, option 1). Depending on the species used, the minimum possible planted buffer width is approximately 40 feet; the maximum is approximately 65 feet. The buffer shall be composed of at least two different conifer species.
3. Row Spacing and Offset. The purpose of the row-by-row offset is to mitigate the effect of individual tree mortality and to compensate for the individual differences between trees.
 - a. Three-Row Buffer
 - i. Offset: Set off the second row by one third the spacing distance of trees (S_T) in the first row; set off the third row by another third. Refer to Figure 2 for clarification.
 - ii. Spacing of Rows: The distance between rows will be determined using the following formula, where S_R is the spacing distance between rows, D_1 is the widest foliage diameter of the tree species in one row when it reaches a height of 30 feet, and D_2 is the widest foliage diameter

of the tree species in the next row when it reaches a height of 30 feet:

$$S_R = 0.5(D_1 + D_2) + 4$$

b. Two-Row Buffer.

- i. Offset: Set off the second row by half the spacing distance of trees (S_T) in the first row. Refer to Figure 3 for clarification.
- ii. Spacing of Rows: Use the same formula as for Three-row Buffers, above.

Table 1. Calculation of tree spacing within rows for narrow- and broad-diameter trees

	Higher-Intensity Buffer		Lower-Intensity Buffer	
	Narrow $S_T =$	Broad $S_T =$	Narrow $S_T =$	Broad $S_T =$
single-species row	1.25D	1.1D	0.95D	0.8D
two-species row	$0.625(D_1 + D_2)$	$0.55(D_1 + D_2)$	$0.475(D_1 + D_2)$	$0.4(D_1 + D_2)$

D = Typical foliar diameter of a tree species when 30 feet tall. The diameter is measured at the widest extent of a pyramidal conifer.

$S_T =$ Tree spacing within rows; calculated as a multiple of tree diameter.

Note: When planting more than two species in a row, use the two species with the widest diameters to calculate spacing.

4. Tree Spacing within Rows. Tree spacing within a row is based on the greatest foliar diameter of a given tree species when it reaches a height of 30 feet. Coniferous trees vary from narrow pyramidal forms (e.g., Atlas cedar) to broad pyramidal forms (e.g., Norway spruce), so the following table contains calculation methods for each.

5. Minimum Tree Height at Planting: 5–6 feet, balled and burlapped.

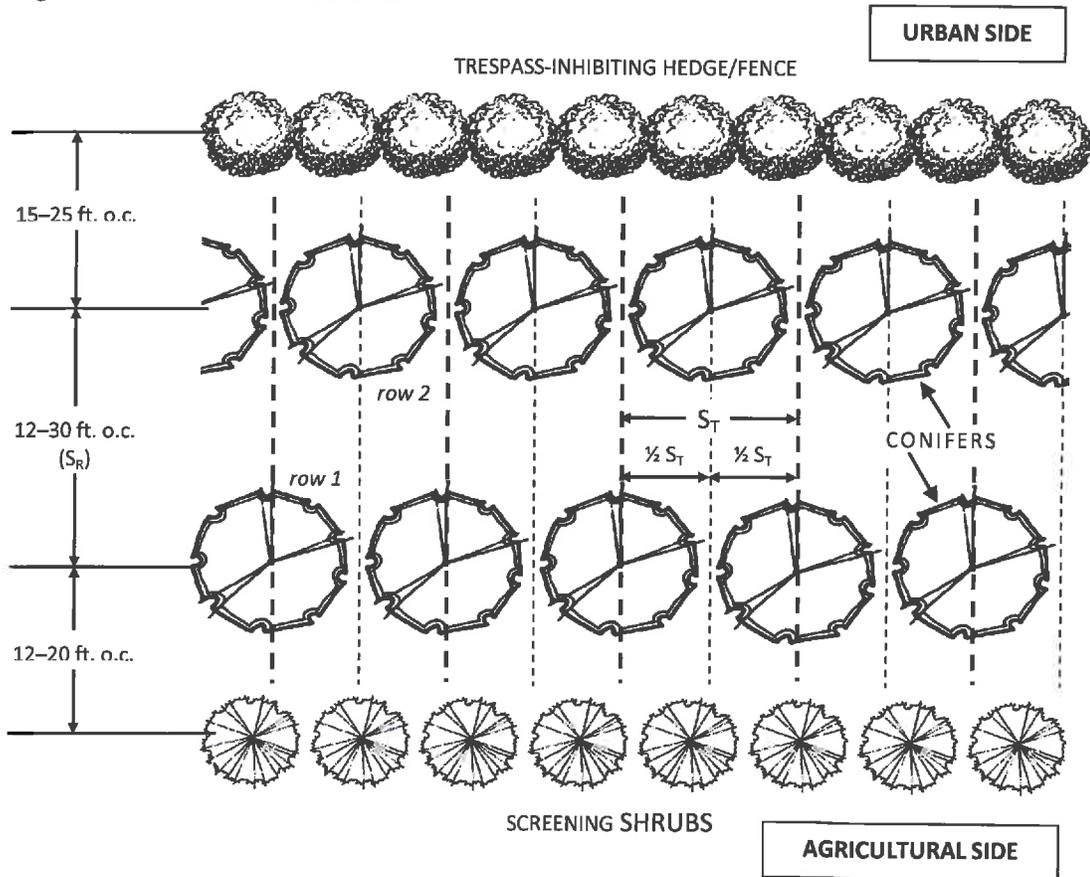
6. Permitted Tree Species.

- a. Applicants may use any species of conifer trees provided the tree species is resistant to or will not harbor agriculturally harmful insects or diseases.
- b. A list of recommended species is available in the *Regional Plan, Appendix III*.

C. Transitions Between Buffers of Different Intensity

The principal purpose of the tree buffer is to mitigate spray drift; spray height is the primary factor in determining whether a higher- or lower-intensity buffer is required. To lessen the amount of spray being carried past a transition between the two types of buffer, the applicant will extend the buffer 75 feet beyond the end of the higher-intensity buffer, as shown in Figure 4.

Figure 3. Two-Row Tree Buffer



D. Screening Shrubs

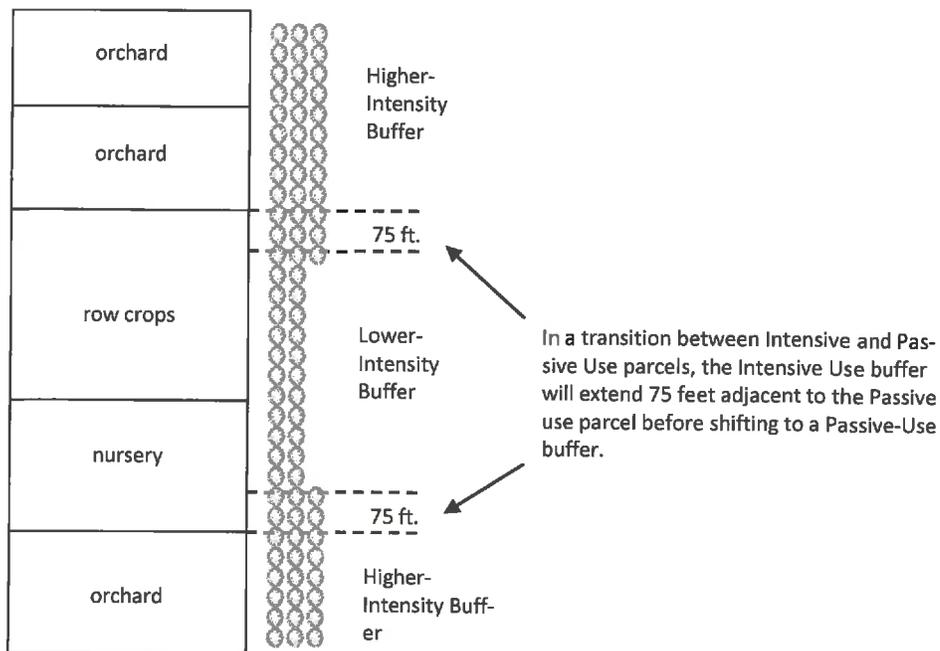
1. Screening shrubs are used only in conjunction with tree buffers.
2. If the first row of trees on the agricultural side of the tree buffer does not have foliage down to ground level, install screening shrubs to provide sufficient foliage cover to close the gap. If the first row of trees on the agricultural side of the buffer provides foliage down to ground level, then screening shrubs are not required.
3. The mature height of the shrubs shall be 125 percent of the anticipated ground-to-foliage bare space of the average mature specimen

of tree species.

4. Permitted Screening Shrubs.

- a. Applicants may use any species of screening shrubs provided they are resistant to or will not harbor agriculturally harmful insects or diseases.
- b. A list of appropriate species is available in the *Regional Plan, Appendix III*.

Figure 4. Buffer Overlapping for Transition



E. Trespass-Inhibiting Hedges and Fences

- 1. Hedges and fences may be used separately or in combination to inhibit trespass onto agricultural land.
- 2. Hedge Standards
 - a. Spacing and Number of Rows: one or more rows, whichever is sufficient to create an eight-foot-wide (8') buffer at maturity.
 - b. Spacing within Rows: as appropriate to eliminate gaps within three (3) years of planting.

- c. Overall Height:
 - i. No less than five (5) feet if being used solely as a trespass inhibitor.
 - ii. If doubling as screening shrubbery, the hedge needs to cover any bare space between the ground and the lowest branches of trees in the central portion. Mature height shall be 125 percent of anticipated ground-to-foliage bare space of average mature specimen of tree species being screened.
- d. Permitted Trespass-Inhibiting Species. Applicants may use any species of trespass-inhibiting hedges provided they are resistant to or will not harbor agriculturally harmful insects or diseases. A list of appropriate species is available in the *Regional Plan, Appendix III*.

3. Fence Standards

- a. Minimum fence height: six (6) feet.
- b. Fences shall be climb resistant.
- c. Install gates only when necessary for maintenance of the mitigation area.

F. Other Design Requirements

1. Mid-term mitigation area

- a. The agricultural land being protected by a mid-term buffer may eventually be converted to urban uses; therefore, a mid-term buffer may be designed for eventual conversion to urban uses.
- b. Mid-term buffer design shall be based on the following factors:
 - i. The most likely time period it will remain as a buffer;
 - ii. The specific use to which the buffer will likely be put to once the agricultural land is urbanized: conversion to housing, to roads, or to recreational use for the community.
- c. Alternatively, the applicant may defer development of an appropriate portion of the urbanizing land bordering agri-

cultural land until such time as the agricultural land is no longer zoned EFU.

2. Irrigation. The establishment of an irrigation system is mandatory for vegetation buffers. Must be designed by a licensed professional, and should be site and species specific, as appropriate. The operation and maintenance of the irrigation system must be part of the buffer's overall maintenance plan contained in the deed declaration.
3. Road Placement. It is always preferable to not bisect buffers with roads due to the wind-funneling effect they create. If a road is unavoidable, it should be as narrow as possible, not straight, and should not be oriented to the prevailing wind. It should be noted that even a road with an acceptable orientation and design will permit some degree of increased spray drift to pass through the buffer area, and will also pose a greater risk of trespass.

17.71.600 Deviations

A. Deviations from Provisions

1. A proposed mitigation design that deviates from the provisions may be approved by the approving authority per the following process.
2. A mitigation design does not deviate when existing elements consistent with the purpose of the buffer are incorporated, as described following:
 - a. For mitigation without tree buffers the requirements of linear distance can be achieved by elements such as the following:
 - i. Man-made or natural features such as infrastructure rights-of-way, roads, watercourses, wetlands, rock outcrops, forested areas, and steep slopes;
 - ii. Non-farmable areas of the agricultural land being buffered (including yards, storage areas, roads, and all structures);
 - iii. Publicly owned land without consistent present or projected public use (as determined by the public entity owner);
 - iv. An easement on agricultural land purchased by the applicant;

- v. Other open areas (except undeveloped rural residential, commercial, or industrial parcels) that are considered appropriate to the purpose of the buffer.
 - b. For mitigation with tree buffers the approving authority may allow the requirements to be partially or fully satisfied by existing areas of trees and shrubs, as long as their mitigation effect is essentially the same as that intended by the requirements in Section 17.71.400(D). If the characteristics of the existing vegetation do not meet the requirements in Section 17.71.400(D), and cannot substitute in full or in part for an adequate tree buffer, then the area can either be incorporated into the design at half its mitigation value (for example, a 20-foot-wide riparian area would be calculated as 10 feet of tree buffer) or it can be left out of the tree buffer and be calculated at its original width (20 feet of existing vegetation would be considered as 20 feet of bare land).
3. When an applicant proposes a mitigation design that deviates from the minimum standards in this Section, the applicant is responsible for the preparation of a Conflict Assessment and Mitigation Study (CAMS), which shall be evaluated by an Agricultural Buffering Committee appointed by the Jackson County Board of Commissioners. The Committee will make a recommendation to the City's approving authority regarding the acceptability of the deviation.
4. Conflict Assessment and Mitigation Study (CAMS).
- a. The CAMS shall:
 - i. Determine the present and likely future agricultural land uses, practices, and activities with the potential to cause adverse impacts to adjacent urban development. Base the determination of likely agricultural practices on factors such as soil type; topography; parcel size, shape, and location; infrastructure; microclimatic conditions; regional agricultural practices and crops; and the farming history of the adjacent agricultural land and surrounding similar parcels.
 - ii. Determine how the proposed urban development would likely impact the management and operation of nearby agricultural lands. All owners of EFU-zoned land within 1,000 feet of the land proposed for development shall be asked for an interview, and the findings of those interviews will be included in the CAMS.

- iii. Identify the land uses, practices, and activities that may cause adverse impacts and the extent of the impacts, from both the urban use as well as from the agricultural land. Quantify the impacts, where possible, in terms of frequency and duration of activities to determine the impacts. As part of this evaluation, the CAMS shall consider the likely future uses determined in (i) above. The buffering mechanisms that are proposed shall be sufficient to accommodate these potential future uses. The current financial viability of a particular crop will not be considered an important limiting factor in determining potential future use.
 - iv. Propose a set of buffering measures that will achieve acceptable buffering outcomes, which may include, but are not limited to, the siting of residences, size and geometry of lots, separation distances, communal open space, vegetation, natural landscape features, acoustic features, and so forth.
 - v. Propose the means by which the proposed buffering measures will be monitored and maintained. This includes responsibility for implementing and maintaining specific features of the buffer areas to ensure continued effectiveness. Acknowledgment of the authority responsible for ensuring compliance with any agreement will be plainly cited.
 - vi. Establish a timeline for the development that establishes when the buffer will be installed.
- b. The recommendations of the Agricultural Buffering Committee, if any, shall be included in the application. The application shall not be considered complete without such recommendations or a letter from Jackson County indicating that no such recommendations are forthcoming.
5. The approving authority may accept the recommendation of the Agricultural Buffering Committee in whole or in part and make findings for its acceptance, partial acceptance, or rejection.
 6. Any approval of a deviation does not create a precedent for any subsequent requests for deviations from the standards of Section 17.71.500.

FINDINGS OF FACT

FOR

THE GREATER BEAR CREEK VALLEY REGIONAL PLAN

Before the City of Central Point Planning Commission the consideration of a resolution recommending adoption of the Greater Bear Creek Valley Regional Plan, including the adoption of a Regional Plan Element as a new element of the City of Central Point Comprehensive Plan, an amendment to the Central Point Municipal Code, adding Section 17.71, an amendment to the Official Comprehensive Plan Land Use Map designating the Urban reserve Areas, and approval of an Urban Reserve Management Agreement between Jackson County and the City of Central Point (File No. 09017 and 12015)

Applicant: City of Central Point) Findings of Fact
140 S. Third Street) and
Central Point, OR 97502)Conclusion of Law

PART 1.INTRODUCTION

These findings address adoption of the Greater Bear Creek Regional Plan, amendment to the Comprehensive Plan adding a new Regional Plan Element and amending the Land Use Plan Map to include the Urban Reserve Areas, and amendment to the Zoning Ordinance to add a new Section 17.71 creating agricultural buffering standards, and approval of an Urban reserve Management Agreement. These findings have been prepared in accordance with Section 17.05.500 and Section 17.96 as apply to legislative amendments to the City of Central Point Comprehensive Plan and Zoning Ordinance.

Including this introduction these findings will be presented in five (5) parts as follows:

- 1.Scope and Nature of the Land Use Action
- 2.Findings of Fact
- 3.Procedural Findings
- 4.Legal Conclusions
- 5.Summary Conclusions

PART 2.SCOPE AND NATURE OF THE LAND USE ACTIONS

Adoption of the Greater Bear Creek Valley Regional Plan (the “Regional Plan”) will be effectuated by the City of Central Point by way of post-acknowledgement plan amendments and intergovernmental agreements, including the Regional Problem Solving Agreement and the following:

1. Adoption of the Regional Plan;
2. Amendment of the City of Central Point Comprehensive Plan to incorporate the Regional Plan Element as a new element of the Comprehensive Plan, which will serve as a coordinated urban reserve plan between the City of Central Point and Jackson County;
3. Amendment to the City of Central Point Comprehensive Plan Land Use Plan Map to designate the Urban Reserve boundaries for the City of Central Point;
4. Amendment to the City of Central Point Municipal Code adding a Section 17.71, Agricultural Buffering Regulations; and
5. Approval of an Urban Reserve Management Agreement.

The above amendments (the “Amendments”) will be submitted jointly with Jackson County and other participating cities in the manner of periodic review consistent with the Collaborative Regional Problem Solving Statute set forth in ORS 197.652 to 197.656 and pursuant to OAR Chapter 660, Division 25, Section 175 relating to review of Urban Reserve area designations.

PART 3.FINDINGS OF FACT

Based upon the evidence received during the public hearing and in the public record, the City of Central Point Planning Commission makes the following findings of fact and reaches the following conclusions. Where factual conflicts arose, the City of Central Point Planning Commission has resolved them consistent with these findings.

1. Pursuant to Chapter 197 and 227 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, the City of Central Point’s Transportation System Plan, Comprehensive Plan, and Municipal Code (CPMC, Chapter 17, Zoning) have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. The City of Central Point has amended the Comprehensive Plan since initial adoption and acknowledgement to satisfy periodic review requirements and to meet the needs of the City through Post-Acknowledgment Plan Amendments from time to time.
3. The Oregon Legislature adopted House Bill 3482 in the 1996 Special Legislative Session. House Bill 3482 established the statutes at ORS 197.652 to ORS 197.656 to engage in collaborative Regional Problem Solving. In the 1999 to 2001 biennium, the Department of Land Conservation and Development (“DLCD”) awarded a grant to commence the local collaboration process under the Regional Problem Solving statute. In the 2009 legislative session, the Oregon Legislature substantively amended ORS 197.652 to ORS 197.656 through House Bill 2229, but Section 18 of that bill provides, “Section 13 of this 2009 Act and the amendments to ORS 197.652, 197.654, 197.656 and 197.747 by sections 8, 9, 10 and 11 of this 2009 Act apply to collaborative regional problem-solving processes commenced on or after the effective date of this 2009 Act.” Accordingly, the Planning Commission finds that the amendments that are the subject of these findings comply with the Regional Problem Solving Statutes at ORS 197.652 to ORS 197.656 as they existed to prior the 2009 legislative session amendments.

4. The Planning Commission finds that a Regional Problem Solving Agreement, entitled "Greater Bear Creek Valley Regional Problem Solving Agreement" (the "Agreement") was signed by the City of Central Point and all Regional Problem Solving participants and appropriate State of Oregon agencies prior to initiating the City of Central Point land use hearings process to consider the Regional Plan and Amendments that are the subject of these findings.
5. The acknowledged City of Central Point Comprehensive Plan contains 9 Elements. Adoption of the Regional Plan would result in the adoption of Volume 1 of the Regional Plan as a new Element (Element 10) of the City of Central Point Comprehensive Plan. Volumes 2 and 3 of the Regional Plan are to be incorporated as part of the comprehensive plan data base in support of the Regional Plan Element.
6. The Planning Commission finds that Chapter 1 of the Regional Plan is an appropriate introductory section which establishes the regional planning area, planning horizon, project background, planning process (including citizen involvement and appropriate State agency involvement), identified regional problems, community buffering recommendations, regional land preservation strategies, regional agricultural buffering standards, and commercial agricultural land base recommendations.
7. The Planning Commission finds that Chapter 2 of the Regional Plan results in reasonable growth planning and growth policy for the planning within the Greater Bear Creek Valley. The Planning Commission finds that the growth planning in Chapter 2 is based upon appropriate background studies, reasonable assumptions (found in the Appendixes of Volume 2 of the Regional Plan), and a coordinated consensus among the participating cities. The Planning Commission further finds that Chapter 2 serves as an adequate factual basis to estimate urban land needs in a manner appropriate to the 50 year planning horizon for the designated Urban Reserves. The Planning Commission also finds that Chapter 2 adequately describes the regional transportation analysis conducted as part of the regional planning process and describes the coordination between the region and the Rogue Valley Metropolitan Planning Organization.
8. The Planning Commission finds that Chapter 3 appropriately explains the requirements and application of the Urban Reserve Rule and the Urban Reserve selection process undertaken by the region. The Planning Commission further concludes that Chapter 3 describes the application of the Urban Reserve Rule in the context of a Regional Plan, which is the subject of a planning project adopted under the Regional Problem Solving Statute.
9. The Planning Commission finds the Chapter 4, and more specifically sub-chapter 4.CP, which applies to the City of Central Point, is based upon appropriate Geographical Information System (GIS) mapping and statistical analysis, background studies, and an analytical approach for the establishment of Urban Reserves, pursuant to OAR 660 Division 21.
10. The Planning Commission finds that adoption of the Regional Plan will result in the adoption of Volumes 2 and 3 of the Regional Plan as background studies and graphics as reference documents that provide factual support and an explanation of the analytical methods used and upon which the Regional Plan is appropriately adopted. The Planning Commission finds that the maps in Volume 3 of the Regional Plan were intended to match the amendments to be depicted on the official Comprehensive Plan Map.
11. The Comprehensive Plan Map Amendment for the City of Central Point adopted through the Regional Plan establishes and maps the Urban Reserves for the City of Central Point consistent with the Urban Reserves established in the Regional Plan.

PART 4. PROCEDURAL FINDINGS

Post Acknowledgment Plan Amendments are subject to the procedural requirements of ORS 197.610-615. Further, OAR 660, Division 18 (Plan and Land Use Regulation Amendment Review Rule) is directly applicable to these amendments. Post Acknowledgement Plan Amendments to the City of Central Point Comprehensive Plan that are based upon and/or implement agreements reached by Regional Problem Solving Participants shall be submitted in the manner set forth in ORS 197.628 to 197.650 for periodic review, pursuant to ORS 197.656 as it existed prior to House Bill 2229 pursuant to Section 18 HB 2229 of the 2009 Oregon Legislature. ORS 197.626 requires the establishment of Urban Reserves for cities larger than 2,500 to be submitted in the manner of Periodic Review; adoption of the Regional Plan as Element 10 of the City of Central Point Comprehensive Plan establishes Urban Reserves for the City of Central Point. For the foregoing reasons, the Planning Commission finds the nature of the amendments require submission in the manner of periodic review.

Consistent with the above general procedural findings, the Planning Commission finds the procedural requirements of the aforementioned statutes and administrative rule have been met based on the facts presented below. Where procedural issues arose, the Planning Commission has resolved them consistent with these findings.

1. The Planning Commission finds that the Regional Plan, as recommended, contains background procedural findings that fairly characterize and describe the process to define the Regional Problems, reach a Regional Problem Solving Agreement between the participants, and the development of a draft regional plan sufficient for proper technical review. The background procedural findings contained therein are herewith incorporated and adopted as the City of Central Point's own.
2. The Planning Commission finds that the Regional Plan, as recommended, is consistent with the framework of the Urban Reserve Rule and incorporates the substantive background findings that support the policy and land use choices made since the inception of RPS.

PART 5. LEGAL CONCLUSIONS

The City of Central Point Comprehensive Plan and its implementing ordinances are acknowledged by the State of Oregon as being in compliance with the Statewide Planning Goals. Amendments must comply with applicable local procedural requirements and result in a Comprehensive Plan that continues to comply with State statutes, the Statewide Planning Goals and applicable Oregon Administrative Rules. Statewide Planning Goals 1 through 14 are applicable to the City of Central Point.

Based upon the evidence and arguments presented and the above procedural and substantive findings, the Planning Commission concludes as follows with respect to the Regional Plan and the Amendments:

1. Procedural Conclusions:

- 1.1. The City of Central Point collaborated in the initial development of an agreement to participate in Regional Problem Solving and signed the agreement as a Participant. Following the signing of the Participants Agreement, the Community Development Director initiated Planning File 09017. The Planning Commission concludes that this planning project is legislative in nature, and is thus exempt from the processing time lines of ORS 227.178.
- 1.2. The local proceedings were processed in accordance with the adopted and acknowledged procedures for adoption of Type IV legislative text and map amendments to the City of Central Point Comprehensive Plan and legislative map amendments to the Official Zoning Map. The Planning Commission concludes the amendments have been processed consistent with the

procedural requirements at CPMC 17.05.500 and 17.96.

- 1.3. Proper notice was timely provided to DLCD on the appropriate forms for amendments submitted in the manner of periodic review and has been processed at the local level consistent with OAR 660-025-0175.
- 1.4. The local proceedings were carried out in accordance with the procedures for Post-Acknowledgement Plan Amendments set forth in ORS 197.610-615 and interpreted in OAR 660, Division 18.
- 1.5. Local proceedings were properly conducted for local adoption and subsequent submittal of the Amendments to DLCD in the manner of periodic review.

2. Substantive Compliance with Local Regulations

- 2.1. The Planning Commission concludes that CPMC 17.96 and 17.10 contain the criteria for major legislative text amendments to the Comprehensive Plan and the Zoning Ordinance respectively. The Planning Commission concludes the subject amendments satisfy these criteria because the amendments will implement a change in land use policy by allocating future growth to certain communities in the planning area and establishing Urban Reserves. The Planning Commission further concludes that amendments are consistent with and support the stated legislative objectives for the establishment of Urban Reserves at ORS 195.139.
- 2.2. Based upon its review of the City of Central Point Comprehensive Plan, the Planning Commission concludes that the Regional Plan has implications for other Elements of the Comprehensive Plan. However, the Planning Commission concludes that careful review of the Regional Plan did not yield any direct conflict with any existing Comprehensive Plan Element and therefore no other Element updates are necessarily required to ensure that the Comprehensive Plan remains internally consistent.
- 2.3. Through this Amendments process, the Planning Commission concludes that the County and the City of Central Point will jointly enter into an Urban Reserve Management Agreement (URMA). The Planning Commission has reviewed the URMA for the City of Central Point, and concludes that the URMA satisfies the requirements of OAR 660-021-0050.
- 2.4. The Planning Commission concludes that adoption of the Regional Plan will establish a Comprehensive Plan Map overlay for the Urban Reserves. The Planning Commission further concludes that this overlay will function in the Comprehensive Plan in a manner similar to other Comprehensive Plan overlays. The Planning Commission concludes the Urban Reserves will be applied directly under the Regional Plan during and immediately following acknowledgment review.

3. Substantive Compliance with Applicable Statutes:

- 3.1. ORS 197.175 require the City of Central Point to have and maintain a comprehensive land use plan. The Planning Commission concludes the amendments, which are the subject of these findings, are consistent in all ways and carry out these responsibilities.
- 3.2. ORS 195.025 requires and authorizes counties to act as the coordinating body for local land use planning within their respective boundaries. The Planning Commission concludes that adoption of the Regional Plan is authorized by ORS 195.025 and is consistent with Jackson County's responsibilities to coordinate local land use planning in accordance with ORS 195.025. The Planning Commission specifically concludes that Chapter 2 of the Regional Plan includes population and employment growth forecasts that are reasonable and appropriate for long-range land use planning for the City of Central Point and participants.

The Planning Commission further concludes that these forecasts utilize reasonable and appropriate assumptions to estimate future land needs for the individual cities within the planning area in the context of a long-range land use plan, such as the Regional Plan.

- 3.3. ORS 195.036 requires Jackson County to maintain a coordinated population forecast for the County and each of its incorporated cities. The Planning Commission concludes that the Jackson County Comprehensive Plan contains the required coordinated population forecast for the entire County out to the year 2040. The Planning Commission concludes that adoption of the Regional Plan includes an extension of the adopted and acknowledged population forecast and allocations out to the year 2060 for the specific planning area of the Regional Plan for the City of Central Point and participants, which is consistent with and exceeds the minimum requirements of ORS 195.036.
- 3.4. The Urban Reserve Management Agreement (URMA), pursuant to OAR 660-021-0050, is authorized by and conforms in all ways to the requirements of ORS 190.010 to ORS 190.030.
- 3.5. ORS 195.145(1)(a) authorizes local governments to cooperatively establish Urban Reserves, and based thereupon, the Planning Commission concludes the Regional Plan cooperatively establishes such Urban Reserves for the City of Central Point.
- 3.6. The Planning Commission's conclusions herein are consistent with RPS statutes that existed prior to the 2009 legislative session amendments, which are still in effect for collaborative regional solving projects initiated prior to passage of the 2009 law. The Planning Commission concludes as follows with respect to the RPS statutes:
 - i. ORS 197.652 provides that regional problem solving programs shall be distributed geographically throughout the state and the Planning Commission concludes that the Regional Problem Solving project that is the subject of these findings is the first in this portion of the State of Oregon.
 - ii. ORS 197.654 allows local governments and certain special districts to enter into a collaborative regional problem solving process directed toward resolution of land use problems in a region. The Planning Commission concludes that the planning area addressed in the Regional Plan is properly considered a "region" under the statute because it constitutes an appropriate urban sub-area of the County. Based upon the Participants Agreement, the background findings in Chapter 1 of the Regional Plan, and the supporting planning documents in the Volume 2 reference document, the Planning Commission concludes that the City of Central Point was offered an opportunity to participate and that appropriate state agencies have participated throughout the process. Additionally, through this process, the participants have come to an agreement on the goals, objectives, and measures of success for the steps undertaken to implement the Regional Problem Solving process.
 - iii. ORS 197.656(1) provides that local governments may invite the Department of Land Conservation and Development (DLCD) and other State agencies to participate in the collaborative regional problem solving process and the Planning Commission concludes that DLCD and other appropriate State agencies were invited and did in fact participate consistent with that statute.
 - iv. ORS 197.656(2) provides that LCDC may acknowledge amendments to comprehensive plans that do not fully comply with LCDC rules that implement the statewide planning goals where the amendments are based upon an agreement among all the local participants, the commission, and other state agencies and where the said agreement contains required components. As to the required agreement components, the Planning Commission concludes the Regional Problem Solving Participants

Agreement includes agreement among the participants on regional goals, optional techniques to achieve the goals, measurable performance indicators toward achievement of the goals, a system of incentives and disincentives to achieve the goals, a system of monitoring progress, and a process for correction of the techniques if the goals are not being achieved. The Planning Commission herewith incorporates and adopts their conclusions of law below that the subject amendments comply with the Statewide Planning Goals. The Planning Commission herewith incorporates and adopts the conclusions of law below with respect to compliance with OAR 660-021 and concludes that while the RPS process for selecting Urban Reserves differed from the Urban Reserve Rule process (as outlined in Volume 1, Chapter 3, Section 5.2), the outcome of the process is consistent, on the whole, with the purposes of the statewide planning goals.

- v. ORS 197.656(6) allows for land that is part of the region's commercial agricultural land or forest land base to be devoted to a use not allowed by those goals only if an exception to those goals is taken. The Planning Commission concludes that the Regional Plan includes provisions for regional growth in Chapter 2 consistent with planning coordination requirements of ORS 195 and establishment of Urban Reserves consistent with applicable provisions in ORS 195 and neither of these actions have any effect on the permissible uses on agricultural land and/or forest land in Jackson County.

3.7. Substantive Compliance with the Oregon Administrative Rules

- i. The Planning Commission herewith incorporates and adopts the conclusions of law and consistent with those conclusions, concludes the Regional Plan and associated Urban Reserves for the City of Central Point comply with the Statewide Planning Goals.
- ii. OAR 660-021-0030(1) requires Urban Reserves to include at least a 10 year supply and no more than a 30-year supply of developable land beyond the 20-year time frame used to establish the urban growth boundary. The Planning Commission concludes that Chapter 1 of the Regional Plan contains background findings which specify that the Regional Plan is intended to supply land over a 50-year period (a period of 30 years beyond the 20-year urban growth boundary time frame). The Planning Commission further concludes that the amount of Urban Reserve land reasonably meets the total projected land demand during that period.
- iii. OAR 660-021-0030(2) provides for the analysis methods and approach to identify suitable lands for consideration as Urban Reserves. The Planning Commission herewith incorporates and adopts the background findings in Chapter 3 as the Regional Plan's general explanation of the methods used to identify suitable lands for the all cities. The Planning Commission herewith incorporates and adopts the background findings and suitability analysis provided in Chapter 4, sub-chapter CP-4 to evaluate and identify suitable lands for the City of Central Point's Urban Reserves. On the basis of these findings and analysis, the Planning Commission concludes that suitable lands for each of the City's Urban Reserves were identified using methods that appropriately applied the factors of Goal 14. This resulted in a pool of suitable land that ensured the application of the priority schema in Section 3 of this rule would result in Urban Reserves that require the least, or have the least effect upon, resource land.
- iv. OAR 660-021-0030(3) establishes priorities for inclusion of identified suitable lands as Urban Reserves. The Planning Commission herewith incorporates and adopts the background findings and analysis in Chapter 3 and the background findings and analysis in the sub-chapters of Chapter 4 devoted to the individual cities and on that basis concludes the Regional Plan includes suitable land according to the priorities in OAR 660-021-0030(3). As mentioned previously, the Planning Commission concludes

the RPS process for selecting Urban Reserves differed from the Urban Reserve selection process (as outlined in Volume 1, Chapter 3, Section 5.2) but the outcome of the process is consistent, on the whole, with the purposes of the statewide planning goals.

3.8. Substantive Compliance with the Statewide Planning Goals

- i. **Goal 1: Citizen Involvement.** The goal is to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The City of Central Point has adopted and publicized programs for citizen involvement for their respective acknowledged comprehensive plans. Consistent with the adopted program, the City of Central created several committees in collaboration with the affected cities and public agencies for the Greater Bear Creek Regional Problem Solving project, as described in the Regional Plan. These included the Public Citizens Involvement Committee, Policy Committee, Technical Advisory Committee, and the Resource Lands Review Committee.

In combination with the individual cities' outreach efforts as described in the Regional Plan, the RPS process provided for citizen involvement- consistent with the Goal 1 required components for a citizen involvement program. Adoption, implementation, monitoring, and amendment processes all provide for continued citizen involvement consistent with the Participant's Agreement and the acknowledged Citizen Involvement Programs for the respective jurisdictions. Accordingly, it is concluded that the Regional Plan project, including its implementing agreements and comprehensive plan amendments and the overall process, and the Regional Plan as it applies to the City of Central Point, complies with Statewide Planning Goal 1.

- ii. **Goal 2: Land Use Planning.** The goal is to establish a land planning process and policy framework as a basis for all decisions and actions related to use of land and to ensure an adequate factual base for such decisions and actions. The Regional Plan results from a coordinated collaborative regional problem solving process, and is to be adopted as part of the comprehensive plans for each of the participating cities and Jackson County. The Regional Plan, consistent with Goal 2, includes identification of issues and problems, inventories and other factual information pertaining to the applicable statewide planning goals, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy, and environmental needs.

The Regional Plan to be adopted by the participating cities and Jackson County will be the basis for the specific implementation measures described therein. Adoption shall be in accordance with public hearing procedures and will be reviewed and, as needed, revised on a periodic cycle in accordance with the provisions in the Regional Plan. The legislative process and the agreement provided for opportunities for review and comment by citizens and affected governmental jurisdictions during preparation, review, and revision of the plan and implementing measures. The plan proposes no exceptions to the Statewide Planning Goals under Part II of Statewide Planning Goal 2. Consistent with Goal 2 Guidelines, the preparation and implementation of measures of the Regional Plan was based on a series of broad phases over an approximately ten-year period as described in Chapter 1 of the Plan. The regional problem solving and planning process provided time for collection of factual information included in the plan, which was refined many times to address problems and issues and to define alternative solutions and strategies for development. The factual information in the Plan includes a comprehensive GIS based mapping and inventory of the entire planning area (Volume 3 – Atlas), the analyses in Chapters 2 through 4 of Volume 1, and the appended studies and research included in Volume 2. Studies therein

include the Phase I Status Report on Open Space, the Transportation Planning Analysis Unit (TPAU) Modeling Report, the Regional Economic Opportunities Analysis, the Regional Housing Needs Analysis, and the Regional Land Needs Simulator and Population Allocation report.

The Regional Plan has been prepared in coordination with affected governmental jurisdictions, and in a manner that allows it to be integrated as part of the comprehensive land use plans of the participating cities and Jackson County. Furthermore, the Regional Plan was developed to balance long term land use needs over a fifty-year planning horizon. As the participating cities in the Region establish the need to adjust urban growth boundaries over the next fifty years, the Regional Plan will ensure that area appropriate for future urban needs is reserved and available in a manner consistent with management implementation measures of the cities' comprehensive plans, including land use and development ordinances, public facility plans, capital improvement budgets, and annexation requirements.

The Regional Plan includes site and area specific measures related to urban reserve areas, critical open space areas, buffering techniques, and generalized land use mix and densities. Accordingly, it is concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, complies with the purpose, requirements, and guidelines for land use planning as established in Statewide Planning Goal 2.

- iii. **Goal 3: Agricultural Lands.** The goal is to preserve and maintain agricultural lands. All agricultural land within the planning area subject to Goal 3, as defined therein and as inventoried in the Jackson County Comprehensive Plan, is identified in Volume 3 (Atlas) of the Regional Plan. The Regional Plan coordinates urban reserve areas for long range growth that will accommodate a doubling of the Region's urban population. As cities demonstrate a need for additional land, long range growth will generally be accommodated in areas that are adjacent or nearby (i.e., areas partially or wholly within one-quarter mile) to existing urban growth boundaries.

The Urban Reserve Rule promotes development of a compact urban form by requiring that local jurisdictions first consider the suitability of lands adjacent and nearby existing urban growth boundaries for urban reserves, and to prioritize lands for inclusion such that inventoried exception and non-resource lands within the study area are assigned first priority for inclusion and high-value resource lands are assigned lowest priority.

Additionally, through the Regional Plan, the City of Central Point is committed to developing at increased residential densities and mixed-use/pedestrian friendly form. The participants have also agreed to prepare and submit conceptual land use and transportation plans at the time of an Urban Growth Boundary amendment. These measures, in addition to other measures stated in Chapter 5 of the Regional Plan, will ensure that future development takes place in a compact fashion, thereby reducing the amount of agricultural land necessary to accommodate urban land needs.

The Urban Reserve Rule, at OAR 660-021-0040(4), requires resource land that is included in urban reserves to continue to be planned and zoned under the requirements of applicable Statewide Planning Goals. Accordingly, agricultural lands included in urban reserve areas will continue to be designated by Jackson County as Agricultural Land and zoned for Exclusive Farm Use while under County jurisdiction. The planning horizon of the Regional Plan is fifty years rather than the twenty years generally associated with urban growth boundaries. The stability provided to agricultural producers may encourage investments in higher value, longer-term crops, such as orchards and vineyards, and in operations that require greater investments in infrastructure and processing. Finally, the Regional Plan

establishes practical, effective techniques for buffering farms from urban uses through adoption by the participants of Regional Agricultural Buffering Standards.

The need for improved agricultural buffering throughout the region was reinforced during the process of evaluating agricultural lands proposed for urban reserves. Trespass and vandalism, arising from the juxtaposition to urban areas, was the most commonly cited reason against designating agricultural lands in proximity to cities as part of the commercial agricultural base. Based on first-hand experience with the negative impacts arising from inadequately buffered urban/rural interfaces, members of the Resource Lands Review Committee developed "Guidelines for Establishing Effective Buffers between Agricultural and Urban Uses". The guidelines provide separate buffering recommendations for chemical spray drift, noise, sediment and storm-water run-off, trespass and vandalism, odor, and dust, smoke, and ash. The guidelines also serve to ensure the continued use of farmland for farm uses, to minimize potential conflict by a well-buffered boundary between rural agricultural and urban uses, to minimize the impacts of urban development on rural agricultural production activities and land resources, and to minimize the potential for complaints about rural agricultural activities from urbanized areas.

Lastly, in response to public testimony, through the Regional Plan, Jackson County committed to appointing an Agricultural Task Force. The Task Force is required to develop a program to assess the impacts on the agricultural economy of Jackson County arising from the loss of agricultural land and/or the ability to irrigate agricultural land, which may result from Urban Growth Boundary Amendments and to identify potential mitigation measures to offset those impacts. Appropriate mitigation measures shall be applied to Urban Growth Boundary Amendment proposals.

Altogether, since the Regional Plan does not allow for use of agricultural land subject to Goal 3 in any manner inconsistent with the goal, ORS Chapter 215, OAR 660 Division 033, or the Jackson County Comprehensive Plan and Land Development Ordinance and because the Regional Plan, and the Regional Plan as it applies to the City of Central Point, includes substantial mitigation measures to reduce potential impacts on agricultural lands, it is thereby concluded that the Greater Bear Creek Valley Regional Plan complies with Statewide Planning Goal 3.

- iv. **Goal 4: Forest Lands.** The goal is to conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that ensure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture. All Forest Land within the planning area subject to Goal 4, as defined therein and as inventoried in the Jackson County Comprehensive Plan, is identified in Volume 3 (Atlas) of the Regional Plan. The Regional Plan, as explained above in relation to Agricultural Land, balances long the range need for urbanizable land with the goals to preserve agricultural and forest lands.

The cities within the planning area are generally far removed from the principal forest land environments (i.e., areas suitable for commercial forest uses) as identified in the Forest Lands Element of the Jackson County Comprehensive Plan. Consequently, only the City of Medford and the City of Talent have identified any designated forest lands as Urban Reserves. There is a 28-acre enclave of Open Space Reserve (OSR) zoned land proposed by Medford on the east side of Table Rock Road within Urban Reserve area "MD-1". The subject OSR zoned land is adjacent to the municipal boundary and is comprised of four parcels that are on the valley floor and

completely removed from any forested area. As mapped in the Atlas, the soils in the vicinity are unrated for forestry and are predominately rated as Class IV for agriculture. Consequently, the parcels were assigned priority (c)(2) for inclusion as Urban Reserve upon a determination of urban land suitability as discussed in the Medford element of Chapter 4 in the Plan.

Because there are no designated forest lands within the City of Central Point Urban Reserve Areas the provisions of the Division 21 Urban Reserve Rule for suitability, prioritization, inclusion, and continuation of resource land zoning within an Urban Reserve and Goal 4 do not apply.

- v. **Goal 5: Natural Resources, Scenic and Historic Resources, and Open Spaces.** The goal is to protect natural resources and conserve scenic and historic areas and open spaces. Pursuant to Goal 5, local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Goal 5 listed resources that must be inventoried by local governments are riparian corridors (including water and riparian areas and fish habitat), wetlands, wildlife habitat, federal wild and scenic rivers, state scenic waterways, groundwater resources, approved Oregon recreation trails, natural areas, wilderness areas, mineral and aggregate resources, energy sources, and cultural areas. Local governments are also encouraged to maintain inventories of historic resources, open space, and scenic views and sites.

The City of Central Point's acknowledged Environmental Management Element of the Comprehensive Plan. Protection programs are implemented through the regulations included in the City of Central Point Municipal Code — Section 17.70 (Historic Preservation Overlay Zone).

Adoption and implementation of the Regional Plan does not alter the City of Central Point's Goal 5 resources or protection programs. The Regional Plan does not allow new uses within the planning area, nor does it amend any urban growth boundary. The Regional Plan does list significant open space resource sites identified through the Regional Problem Solving process, and it does contain strategies for acquisition of Critical Open Space Areas (COSA). However, OAR 660-023-0230 provides that local governments may adopt a list of significant open space resource sites as an open space acquisition program and are not required to apply the requirements of OAR 660-023-0030 through 660-023-0050 to such sites unless land use regulations are adopted to protect such sites prior to acquisition. Goal 5 is, therefore, not directly applicable to the Plan. Nonetheless, the Regional Plan emphasizes conservation of open space for its important economic, cultural, and livability benefits.

Conservation of Goal 5 resources was a fundamental consideration in the development of a long range regional plan in the context of determining the appropriateness and suitability of areas to accommodate future growth beyond existing urban growth boundaries. The Regional Plan considers natural resources as a major determinant of the carrying capacity of the planning area. For example, vernal pool wetlands were found to severely limit the carrying capacity of lands to the north of Eagle Point, around White City, and north of Central Point. In the area north of Central Point, the vernal pool areas abut the Upton Slough, further limiting the carrying capacity of that area. Preservation of open space between cities in the planning area was also emphasized in the coordinated planning process as a strategy for preserving the separate identity of individual communities. This resulted in the use of Community Buffer Areas in the Urban Reserve Selection process as outlined in Chapter 1 of the Regional Plan and as illustrated in Appendix V (Volume 3) of the Regional Plan. Scenic trails and corridors are also important as a link between

distinct communities and have the added benefit of promoting exercise as a public health matter.

In conclusion, although Goal 5 is not directly applicable to the adoption of the Regional Plan, the plan embraces preservation of Goal 5 resources for present and future generations and is thereby concluded to be consistent with the requirements of Goal 5.

- vi. **Goal 6: Air, Water and Land Resources Quality.** The goal is to "To maintain and improve the quality of the air, water and land resources of the state." Goal 6 requires that all waste and process discharges from future development when combined with discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards.

There is no LCDC interpretive rule for Goal 6. The Goal is not directly applicable to adoption of the Regional Plan because the plan does not authorize development in the present or the future. Rather, it will have the effect of restricting development in areas designated as Urban Reserves in order to preserve the future urban suitability of Urban Reserve lands. At the time urban growth boundary amendments occur and the comprehensive plan and zoning maps are amended to authorize new uses, Goal 6 will apply.

The Regional Plan also provides regional standards for buffering and separation of land uses at the rural/urban interfaces to avoid conflicting requirements and impacts upon the air, water and land resources. Collaboration involved in the Regional Plan included the Land Conservation and Development Commission (LCDC), the Department of Land Conservation and Development (DLCD), the Oregon Department of Transportation (ODOT), the Oregon Department of Housing and Community Services (ODHCS), the Oregon Economic and Community Development Department (OECDD), the Oregon Department of Environmental Quality (ODEQ), the Oregon Department of Agriculture (ODA), the Rogue Valley Metropolitan Planning Organization (RVMPO), Rogue Valley Sewer Services (RVSS), the Medford Water Commission (MWC), each of the participating cities, and Jackson County.

Adoption of a long range regional plan will provide all the affected communities and agencies a better understanding of where urban growth is likely to be directed in order that facilities, policies, and strategies may be prepared appropriately to provide for a future doubling of the region's urban population. Through the collaborative process, it was found that the regional sewerage transmission and treatment facilities managed by RVSS and the City of Medford are feasibly capable of providing for a doubling of the population. Additionally, adoption of a long term regional growth plan will also allow the local jurisdictions to better coordinate efforts to control pollution and impacts to the region's land, air, and water resources. The participant cities will ensure that overall residential density will be increased as urban growth boundaries are expanded, and will promote nodal development to assist in mitigating air quality impacts through reduction of vehicle miles traveled and mitigating water quality impacts by reducing the ratio of impermeable area to open space.

It is therefore concluded that adoption of the Regional Plan, and the Regional Plan as it applies to the City of Central Point, is compliant with Goal 6 and will serve to facilitate a coordinated regional approach to addressing Goal 6 as growth boundaries amendments are needed in the future.

- vii. **Goal 7: Areas Subject to Natural Hazards.** The goal is to protect people and property from natural hazards. The goal requires local governments to adopt

comprehensive plans to reduce risk to people and property from natural hazards. Natural hazards for the purposes of the goal applicable to the planning area are floods, landslides, earthquakes, and wildfires.

The City of Central Point has an adopted Environmental Management Element in its comprehensive plan which addresses wildfire, stream flooding, stream erosion and deposition, high groundwater and pending, slope erosion, mass land movement, and expansive soils. The Regional Plan includes comprehensive GIS based mapping of the planning area. Areas severely limited by natural features or hazards were identified and considered to determine whether the areas would or would not be suitable to accommodate future urban land needed and to ascertain effective buildable area available. Each of the areas selected for Urban Reserve designation was found to be suitable for urban uses in general or, as indicated in Chapter 4 of the Plan, for specific urban uses such as a park or greenway. As urban growth boundaries are expanded, cities will determine more specific Goal 7 measures appropriate for each area. While the lands remain rural as Urban Reserves, emergency service providers will be identified in the applicable Urban Reserve management agreements. Development will otherwise be subject to the existing acknowledged natural hazard mitigation measures of the City of Central Point Comprehensive Plan and its implementing ordinances.

It is therefore concluded that adoption of the Regional Plan, and the Regional Plan as it applies to the City of Central Point, is compliant with Goal 7 and will serve to facilitate a coordinated regional approach to addressing Goal 7 as growth boundaries amendments are needed in the future.

- viii. **Goal 8: Recreational Needs.** The goal is to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities. The goal establishes that the requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities. The planning must be in coordination with private enterprise, in appropriate proportions, and in such quantity, quality and locations as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans are required under the goal to be coordinated with local and regional recreational needs and plans.

Regarding recreation needs, the Regional Plan identifies generalized land need for recreation/park use for each participating city as set forth in Chapter 4, and addresses the need for intercity recreational trails and open space by requiring these elements to be shown on the Conceptual Transportation Plans which are required to be submitted at the time of a UGB amendment. The plan identifies lands that are valued by the region as open space for environmental, aesthetic, cultural, and recreational needs. Other specific measures in the Regional Plan are the designation CP-4D as an Urban Reserve restricted to park use, analyses of the Bear Creek Greenway segments within candidate growth areas to determine appropriateness for Urban Reserve inclusion, recommendations for agricultural buffering areas to function also as open space for recreation, and location of and need for private recreation areas.

Therefore, it is concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, provides for the long range recreational needs of the region in a manner consistent and in compliance with Goal 8.

- ix. **Goal 9: Economic Development.** The goal is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. The goal requires that comprehensive plans and policies contribute to a stable and healthy economy in all regions of the state. Plans shall be based on inventories of areas suitable for increased economic growth and

activity after taking into consideration the health of the current economic base, materials and energy availability and cost, labor market factors, educational and technical training programs, availability of key public facilities, necessary support facilities, current market forces, location relative to markets, availability of renewable and non-renewable resources, availability of land, and pollution control requirements. The goal outlines specific requirements for comprehensive plans for urban areas (i.e., areas within an urban growth boundary).

LCDC's administrative rule at OAR Chapter 660, Division 9 directs cities to coordinate with counties to adopt Goal 9 compliant plans for the respective urban areas. The planning horizon of the Regional Plan extends well beyond that for the growth boundary areas of the participating cities. Planning for long range employment land needs is appropriately more generalized than that required for urban area planning inside urban growth boundaries. Chapter 2 of the Regional Plan explains the coordinated population allocation, employment growth projections, and the associated land needs for housing and economic development over the long-range planning period. The techniques employed to derive long range land needs are also explained in detail therein.

A Regional Economic Opportunities Analysis (EOA) was prepared for and is included in the Regional Plan. Adopted and acknowledged economic elements of each city's comprehensive plans were also analyzed to establish that the Regional EOA does not conflict with the adopted comprehensive plans. In recognition that employment conditions and opportunities are dynamic phenomena that may change over the long term, and that the planning horizon for the project is for the very long term, the Regional Plan does not allocate all the projected employment need to specific participants.

The Regional Plan does provide flexibility by allowing minor and major amendments to the plan to address new employment opportunities that may arise. Chapter 4 of the Regional Plan establishes the generalized ratio of employment to overall land need by city in the suitability studies for each Urban Reserve area. Areas found to have very strong comparative advantages to accommodate long range regional employment land needs, such as the Tolo Area (CP-1B), are reserved primarily for the identified employment land uses. The Regional Plan will reserve an adequate long range employment land base in suitable locations for a variety of commercial, industrial, and institutional uses, and will protect areas found to have significant comparative advantages for regional employment in a manner that will facilitate Goal 9 compliance as participating cities grow over the long range planning horizon.

Therefore, it is concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, complies with Goal 9.

- x. **Goal 10: Housing.** The goal is to provide for the housing needs of citizens of the state. Planning for long range land need for housing is appropriately more generalized than that required for planning inside urban growth boundaries. Chapter 2 of the Regional Plan explains the coordinated population allocation, employment growth projections, and the associated land needs for housing and economic development over the long-range planning period. The techniques employed to derive long range land needs are also explained in detail therein. The Bear Creek Valley Housing Needs Analysis was prepared for and is included in the Regional Plan. Adopted and acknowledged housing elements of each city's comprehensive plans were also analyzed to establish that the Regional Plan does not conflict with the adopted comprehensive plans.

Because the Regional Plan addresses the situation of a doubling of the region's urban population, shorter term cyclical peaks and troughs in demand are normalized

over the long range planning period. Chapter 2 of the Plan explains in detail the residential land need assumptions for the region by city, factors that would affect the estimates, and how the Plan may be revised over time as cities update comprehensive plans for their urban areas with more detailed studies. In Chapters 3 and 4 of the Regional Plan, existing land supply is related to the gross land need estimates established in Chapter 2. Urban Reserves, as explained in Chapter 3, were then designated after studying surrounding lands for suitability and priority to accommodate the identified land need. The Regional Plan establishes monitoring and implementation measures in Chapter 5 to ensure that long range land needs and regional objectives are met. Accordingly, it is concluded that the Regional Plan reserves an adequate and coordinated supply of land to accommodate a projected long range doubling of the Region's urban population, and is consistent with Goal 10. As the participating cities expand urban growth boundaries over the long range planning horizon, the amount of land to be justified will be based on the more specific and rigorous studies and analyses required for urban growth boundary amendments related to a twenty-year land need and the commitment to increased residential densities included in the Regional Plan. Urban Reserves resulting from the Regional Planning process will ensure that suitable land is available in appropriate locations as the cities grow.

Therefore, it is concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, provides for the long range housing needs of the region in a manner consistent and in compliance with Goal 10.

- xi. **Goal 11: Public Facilities and Services.** The goal is to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Pursuant to the Goal, urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. The City of Central Point Comprehensive Plan's Public Facilities and Services Element) incorporates this concept the Implementing Policies, which is not amended by the Regional Plan. Goal 11 further requires that cities or counties shall develop and adopt a public facilities plan for areas within an urban growth boundary containing a population greater than 2,500 persons, and also that counties shall develop and adopt community public facility plans for certain unincorporated communities outside urban growth boundaries as specified by Commission rules.

The Regional Plan does not establish or amend existing urban growth boundaries. Under the Goal 11, local governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries and are generally limited from allowing public sewer service to rural lands except as indicated in the Goal and the implementing LCDC rules (OAR 660-011-0060) or by exception taken in accordance with ORS 197.180 and Goal 2. The City of Central Point comprehensive plan policies in the Public Facilities and Services Element requires the same, and the implementing Land Development Ordinance specifies acknowledged procedures for consideration of public sewer service system establishment or extension to rural lands (Chapter 3).

The Regional Plan does not amend any provisions of the City of Central Point Comprehensive Plan or its implementing ordinances related to sewer service. Guidelines included for Goal 11 address Planning and Implementation of the Goal. The Regional Plan includes an analysis of all candidate Urban Reserve areas that evaluates general suitability to accommodate identified long term urban needs in relation to the Goal 14 location factors and the growth policies of the region.

Capacity of the regional sewer treatment and transmission facilities, public facility and service interties between jurisdictions, and transitional agreements with

regard to Urban Reserve areas were considered in the Regional Plan and are implemented through adoption of the Regional Plan, the Urban Reserve Management Agreements, the Participant's Agreement, and mapping amendments designating the Urban Reserves on affected comprehensive plan and zoning maps. Accordingly, it is concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, is consistent with the Planning and Implementation Guidelines of Goal 11 and with Goal 11 on the whole.

- xii. **Goal 12: Transportation.** The goal is to provide and encourage a safe, convenient and economic transportation system. The Goal outlines required elements to be included in a transportation plan, defines terms used in the goal, and provides Guidelines for Planning and Implementation. LCDC's Transportation Planning Rule (OAR Chapter 660, Division 12) more extensively addresses the requirements for transportation planning, coordination, required elements, consideration of needs, evaluation and selection of transportation alternatives, financing, implementation, project development, timing for adoption and updates, plan and regulation amendments, transportation improvement on rural lands, and exceptions thereto. The City of Central Point has an adopted and acknowledged transportation system plan that does not conflict with the Regional Plan's transportation objectives.

ODOT's Transportation Planning Analysis Unit (TPAU) produced a report which is included at Appendix VI of the Regional Plan. The report analyzed various land use and transportation scenarios to determine potential impacts on the regional transportation network as a result of development within the proposed Urban Reserve Areas. The analysis concluded that the nodal development land use scenario would have the least effect on congestion levels. As such, the participants have agreed to a Performance Indicator (Chapter 5 of the Regional Plan) to develop the Urban Reserves utilizing mixed-use/pedestrian friendly (nodal) form.

Chapter 2 of the Regional Plan also provides for and explains the strategies for greater coordination with the Metropolitan Planning Organization (MPO). The strategy states that the region will need an improved regional transportation network to avoid state facilities serving a more disproportionate local arterial function. The strategy identifies four candidate connector roads outside of the proposed urban areas that would serve as transportation facilities. The MPO is to extend the study and develop a prioritized list of long-term regional arterial improvements to serve the Region's needs. Further study under the strategy will determine if Goal exceptions will be required. The strategy also provides that the MPO will develop plans for least cost right-of-way acquisition.

Chapter 4 of the Regional Plan contains the background findings for each participating city's evaluation of candidate growth areas. Chapter 5 of the Regional Plan commits the participating cities to develop a Conceptual Transportation Plan prior to an Urban Growth Boundary amendment proposal. The Conceptual Transportation Plan shall identify a general network of regionally significant arterials under local jurisdiction, transit corridors, bike and pedestrian paths, and associated projects to provide mobility throughout the Region (including intracity and intercity, if applicable) in order to cost-effectively protect these transportation corridors. Furthermore, Chapter 5 requires the cities to collaborate with the MPO to: prepare the Conceptual Transportation Plans; designate and protect the transportation infrastructure required in the Conceptual Transportation Plans identified in Section 2.7 to ensure adequate transportation connectivity, multimodal use, and minimize right of way costs; plan and coordinate the regionally significant transportation strategies critical to the success of the adopted Regional Plan including the development of mechanisms to preserve rights-of-way for the transportation infrastructure identified in the Conceptual Transportation Plans; and establish a means of providing supplemental transportation funding to mitigate impacts arising

from future growth.

It is concluded that the Regional Plan will function to further the implementation of policies already established in the acknowledged City of Central Point Transportation System Plan, and will provide for ongoing coordination and updates of collective transportations plans of the MPO, Jackson County, and the State of Oregon in a manner consistent with Statewide Planning Goal 12. Additionally, because of the aforementioned reasons and the fact that the Regional Plan does not affect the uses allowed on land proposed as Urban Reserve Areas, it is concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, complies with Statewide Planning Goal 12.

- xiii. **Goal 13: Energy Conservation.** The goal is to conserve energy. Pursuant to Goal 13, land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles. The goal includes Guidelines for Planning and Implementation. LCDC has not enacted interpretive rules directly related to Goal 13. However, the Division 21 Urban Reserve Rule can reasonably be construed to incorporate and implement the goal in requiring that cities and counties shall first study lands adjacent to, or nearby, the urban growth boundary for suitability for inclusion within Urban Reserves. It also requires a balancing of the Goal 14 location factors which include consideration of energy consequences. The rule works in tandem with LCDC rules and statute relating to urban growth boundary amendments to ensure that urban areas are planned in an efficient manner which promote compact urban land form. The Regional Plan supports the goal of conserving energy by concentrating development in areas that are readily served by existing public facilities and services and near existing urban growth boundaries, and in providing a development pattern that has the potential to reduce the transportation-related per capita use of energy. The Regional Plan provides for a significant increase in overall urban density to accommodate a doubling of the regional urban population. Additionally, through the Regional Plan, the participating cities have committed to a nodal form of development which has the potential to significantly lessen transportation needs. This will be demonstrated via Conceptual Land Use Plans and Conceptual Transportation Plans per Chapter 5 of the Regional Plan.

The Regional Plan does not affect any identified energy resource in the region. Accordingly, it is concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, complies on the whole with and will serve to further promote Statewide Planning Goal 13.

- xiv. **Goal 14: Urbanization.** The goal is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The goal requires that urban growth boundaries be established and maintained by cities, counties, and regional governments to provide land for urban development needs and to identify and separate urban and urbanizable land from rural land.

Urban Reserves designated in the Regional Plan will implement and further Goal 14 with regard to any future establishment or change of urban growth boundaries in the region. Establishment or amendment of urban growth boundaries is required to be a cooperative process among cities and counties. The Regional Plan functions to coordinate long-term urban growth in a regional context as a method to achieve the Goal. The Regional Plan considers the land need requirements over a period longer than the twenty years required by Goal 14 for urban growth boundaries, but in a manner consistent with the Division 21 Urban Reserve Rule by providing an adequate base to accommodate an additional ten to thirty years beyond the twenty year

urban growth boundary need.

Long term land demand is analyzed in detail at Chapter 2 of the Regional Plan. The location of Urban Reserves designated in the Regional Plan results from a coordinated effort amongst the participant jurisdictions in consideration of the Goal 14 location factors, the growth policies of the region, and the provisions and priorities of the Division 21 Urban Reserve Rule. Chapter 4 of the Greater Bear Creek Valley Regional Plan includes a detailed analysis of the study areas, urban suitability determinations, and the assignment inclusion priorities consistent with the Urban Reserve Rule methodology.

Future urbanizable land will be reserved pursuant to the Regional Plan, the Participants' Agreement, and the URMA's to maintain the potential for planned urban development until the need for additional urban land is justified through the growth boundary amendment process and then until appropriate public facilities and services are available or planned. Rural land under Jackson County's jurisdiction will continue to be maintained as rural land where located outside urban growth boundaries whether inside or outside of designated Urban Reserve areas, in accordance with its acknowledged comprehensive plan.

In providing for an orderly transition from rural to urban uses in the long-term for projected population, regional agricultural buffering standards included in the Regional Plan will be adopted by the City of Central Point and other participating cities and Jackson County to avoid the negative impacts that have previously resulted at urban growth boundary interfaces with agricultural land.

It is therefore concluded that the Regional Plan, and the Regional Plan as it applies to the City of Central Point, complies overall with Goal 14.

xv. **Goals 15 through 19.** These goals do not apply to the City of Central Point.

PART 6. SUMMARY CONCLUSIONS

Based on the evidence and arguments included in the record, the Planning Commission concludes that:

1. Proper public notice was given and public hearings were conducted in accordance with State law and acknowledged local regulations, during which members of the public were provided opportunities to present evidence and argument.
2. The amendments proposed through Planning File 09017 are in compliance with and further the City of Central Point Comprehensive Plan by creating a long range plan for regional growth in the Bear Creek Valley and by designating Urban Reserves to protect lands that are suitable for future urbanization from uses and development that may be incompatible with future urban land uses.
3. Adoption of the Comprehensive Plan Land Use Map amendment will ensure the City of Central Point Land Use Plan Map depicts the Urban Reserves established by the planning action in Planning File No. 09017 is consistent with the proposed Plan text amendments.

PLANNING COMMISSION RESOLUTION NO. 787

A RESOLUTION RECOMMENDING ADOPTION OF THE GREATER BEAR CREEK VALLEY REGIONAL PLAN, INCLUDING ADOPTION OF A REGIONAL PLAN ELEMENT AS A NEW ELEMENT OF THE CITY OF CENTRAL POINT COMPREHENSIVE PLAN, AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE SECTIONS 17.71 AGRICULTURAL BUFFERING, AN AMENDMENT TO THE OFFICIAL COMPREHENSIVE PLAN LAND USE MAP DESIGNATING THE URBAN RESERVE AREAS, AND APPROVAL OF AN URBAN RESERVE MANAGEMENT AGREEMENT BETWEEN JACKSON COUNTY AND THE CITY OF CENTRAL POINT

WHEREAS, pursuant to ORS 197.654(1)⁽²⁰⁰⁷⁾ the City Council, on December 22, 2008 by Ordinance No. 1923, signed the Greater Bear Creek Valley Regional Problem Solving Agreement (the “Agreement”); and

WHEREAS, in accordance with the Agreement the City of Central Point committed to amending its comprehensive plan and land use regulations, and complete other actions as necessary to implement the Greater Bear Creek Valley Regional Plan (the “Regional Plan”) as adopted by Jackson County; and

WHEREAS, on September 8, 2011 by Resolution No. 1312 the City forwarded to the Jackson County Planning Commission a recommendation, in accordance with the Agreement, to approve the Regional Plan; and

WHEREAS, on November 23, 2011 by Ordinance No. 2011-14 the Jackson County Board of Commissioners approved the Regional Plan, and in accordance with the Agreement adopted a new Regional Plan Element of the Jackson County Comprehensive Plan, as well as amendments to their Comprehensive Plan maps, adoption of an agricultural buffering ordinance, and Urban Reserve Management Agreements; and

WHEREAS, in accordance with the Agreement, and as a result of Jackson County’s Ordinance No. 2011-12, the Regional Plan became the adopted Regional Plan, and

WHEREAS, the City of Central Point has reviewed the adopted Regional Plan and in accordance with the Agreement has prepared the following (the “Amendments”):

1. A Regional Plan Element, incorporating the Regional Plan as a new element of the City of Central Point Comprehensive plan;
2. An amendment to the Comprehensive Land Use Plan Map to designate the Urban Reserve Areas;
3. An amendment to the Central Point Municipal Code, Section 17.71, Agricultural Mitigation; and
4. An Urban Reserve Management Agreement between Jackson County and the City of Central Point; and

WHEREAS, on May 22, 2012 the Department of Land Conservation and Development (“DLCD”) was mailed a notice regarding the City’s consideration of the Regional Plan and proposed Amendments; and

WHEREAS, on July 3, 2012 the City of Central Point Planning Commission held a properly advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Regional Plan and the proposed Amendments; and

WHEREAS, it is acknowledged that the final adoption of the Greater Bear Creek Valley Regional Plan will only be effectuated at such time as Jackson County, the City of Central Point, and other participating cities by way of post-acknowledgement plan amendments and intergovernmental agreements, including the Regional

Problem Solving Agreement and Urban Reserve Management Agreements, are submitted jointly in the manner of periodic review consistent with the Collaborative Regional Problem Solving Statute set forth in ORS 197.652 to 197.656 and pursuant to OAR Chapter 660, Division 25, Section 175 relating to review of Urban Reserve area designations.

NOW, THEREFORE, BE IT RESOLVED, based on the findings presented in Exhibit "E", that the City of Central Point Planning Commission, by Resolution No. 787 does hereby accept, and forward to the City Council, a recommendation to approve the:

1. Regional Plan Element (Exhibit "A - Amended") as a new element of the City of Central Point Comprehensive Plan;
2. Comprehensive Land Use Plan Map designating the Urban Reserve Areas (Exhibit "B");
3. Urban Reserve Management Agreement between Jackson County and the City of Central Point (Exhibit "C"); and
4. Central Point Municipal Code, Sections 17.71 (Exhibit "D") establishing regulations for agricultural buffering.

PASSED by the Planning Commission and signed by me in authentication of its passage this 3rd day of July, 2012.

Approved by me this 3rd day of July, 2012



Planning Commission Chair

ATTEST:



CITIZENS ADVISORY COMMITTEE RESOLUTION NO. 2012-001

A RESOLUTION RECOMMENDING ADOPTION OF THE GREATER BEAR CREEK VALLEY REGIONAL PLAN, INCLUDING ADOPTION OF A REGIONAL PLAN ELEMENT AS A NEW ELEMENT OF THE CITY OF CENTRAL POINT COMPREHENSIVE PLAN, AN AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE SECTIONS 17.71 AGRICULTURAL BUFFERING, AN AMENDMENT TO THE OFFICIAL COMPREHENSIVE PLAN LAND USE MAP DESIGNATING THE URBAN RESERVE AREAS, AND APPROVAL OF AN URBAN RESERVE MANAGEMENT AGREEMENT BETWEEN JACKSON COUNTY AND THE CITY OF CENTRAL POINT

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WHEREAS, in accordance with the Agreement the City of Central Point committed to amending its comprehensive plan and land use regulations, and complete other actions as necessary to implement the Greater Bear Creek Valley Regional Plan (the "Regional Plan") as adopted by Jackson County; and

WHEREAS, on September 8, 2011, by Resolution No. 1312 the City forwarded to the Jackson County Planning Commission a recommendation, in accordance with the Agreement, to approve the Regional Plan; and

WHEREAS, on November 23, 2011, by Ordinance No. 2011-14 the Jackson County Board of Commissioners approved the Regional Plan, and in accordance with the Agreement adopted a new Regional Plan Element of the Jackson County Comprehensive Plan, as well as amendments to their Comprehensive Plan maps, adoption of an agricultural buffering ordinance, and Urban Reserve Management Agreements;

WHEREAS, in accordance with the Agreement, and as a result of Jackson County's Ordinance No. 2011-12, the Regional Plan became the adopted Regional Plan, and

WHEREAS, the City of Central Point has reviewed the adopted Regional Plan and in accordance with the Agreement has prepared the following (the "Amendments"):

1. A Regional Plan Element, incorporating the Regional Plan as a new element of the City of Central Point Comprehensive plan;
2. An amendment to the Comprehensive Land Use Plan Map to designate the Urban Reserve Areas;
3. An amendment to the Central Point Municipal Code, Section 17.71, Agricultural Mitigation; and
4. An Urban Reserve Management Agreement between Jackson County and the City of Central Point; and

WHEREAS, on May 22, 2012, the Department of Land Conservation and Development ("DLCD") was mailed a notice regarding the City's consideration of the Regional Plan and proposed Amendments; and

WHEREAS, on July 10, 2012, the City of Central Point Citizens Advisory Committee held a property advertised public hearing; reviewed the Staff Report and findings; heard testimony and comments, and deliberated on approval of the Regional Plan and the proposed Amendments; and

WHEREAS, it is acknowledged that the final adoption of the Greater Bear Creek Valley Regional Plan will only be effectuated at such time as Jackson County, the City of Central Point, and other participating cities by way of post-acknowledgement plan amendments and intergovernmental agreements, including the Regional

Problem Solving Agreement and Urban Reserve Management Agreements, are submitted jointly in the manner of periodic review consistent with the Collaborative Regional Problem Solving Statute set forth in ORS 197.652 to 197.656 and pursuant to OAR Chapter 660, Division 25, Section 175 relating to review of Urban Reserve area designations.

NOW, THEREFORE, BE IT RESOLVED, based on the findings presented in Exhibit "E", that the City of Central Point Citizens Advisory Committee, by Resolution No. 2012-001 does hereby accept, and forward to the City Council, a recommendation to approve the:

1. Regional Plan Element (Exhibit "A") as a new element of the City of Central Point Comprehensive Plan;
2. Comprehensive Land Use Plan Map designating the Urban Reserve Areas (Exhibit "B");
3. Urban Reserve Management Agreement between Jackson County and the City of Central Point (Exhibit "C"); and
4. Central Point Municipal Code, Sections 17.71 (Exhibit "D") establishing regulations for agricultural buffering.

PASSED by the Citizens Advisory Committee and signed by me in authentication of its passage this 10th day of July, 2012.

Approved by me this 10th day of July, 2012



Citizens Advisory Committee Chair

ATTEST:





534 SW Third Avenue, Suite 300 • Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org
Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528 • (541) 474-1155 • fax (541) 474-9389
Willamette Valley Office • 220 East 11th Avenue, Suite 5 • Eugene, OR 97401 • (541) 653-8703 • fax (503) 575-2416
Central Oregon Office • 115 NW Oregon Ave #21 • Bend, OR 97701 • (541) 719-8221 • fax (866) 394-3089

July 18, 2012

ATTACHMENT " " 

Tom Humphrey,
Community Development Director
City of Central Point
140 South Third Street
Central Point, Oregon 97502

Subject: Adoption of Amendments to the Comprehensive Plan And Zoning Code For Consistency with Jackson County Regional Problem Solving (RPS) Plan File Nos. 09017 and 12015

Dear Mr. Humphrey:

Thank you for the opportunity to once again comment on the city of Central Point's portion of the *Bear Creek Valley Regional Problem Solving (RPS) Plan*. 1000 Friends of Oregon is a nonprofit, charitable organization dedicated to working with Oregonians to enhance our quality of life by building livable urban and rural communities, protecting family farms and forests, and conserving natural and scenic areas. In addition to members throughout the state, we have several hundred members and supporters in Jackson County.

The purpose of this letter is to communicate our support for local adoption and state acknowledgement of the RPS Plan.¹ Following a detailed review of the staff report generated for these proceedings, we also offer some suggestions for minor changes in order to bring the Central Point amendments into full compliance with the County's plan.

Introduction: 1000 Friends Participated Extensively in the Local Process

Because we fully support the project's stated goals, 1000 Friends of Oregon has taken an active interest in the creation of this regional plan. To that end, I attended nearly every public meeting held by the RPS committees held since November 2002. I submitted several rounds of written comments² and was a frequent participant in discussions at both the TAC and the Policy Committee meetings.

¹ The Jackson County Board of Commissioners adopted the RPS Plan on November 23, 2011. After reviewing the plan in March of 2012, the Land Conservation and Development Commission (LCDC) recommended eight changes be made to the plan. After a public hearing held on May 24, 2012, the Jackson County Planning Commission recommended to the Board that all eight of those changes be made to the plan. The Jackson County Board adopted those changes on June 27, 2012. It is the version of the plan as amended with those eight changes that 1000 Friends of Oregon supports.

² Including: Letter from Greg Holmes to Michael Cavallero, RVCOG, May 5, 2003; Memo from Greg Holmes to the RPS TAC, August 18, 2004; Written Comments submitted by Greg Holmes to the RPS Policy Committee,

Over the years I have also testified in every participating jurisdiction on matters involving this plan (including Central Point), and I attended nearly every one of the more than 30 public hearings and meetings held by the Jackson County Planning Commission and the Jackson County Board of Commissioners during 2010 and 2011, as well as the amendment hearings held in 2012. In addition to testifying on numerous occasions during those proceedings, I submitted a considerable amount of written material into the record.³

On behalf of our members and supporters, we have made a substantial commitment to the creation of this plan, and will continue to work with the remaining participating jurisdictions toward adopting and implementing the plan in the best interests of the residents of Jackson County.

Adoption of the new RPS Plan Element in the Central Point Comprehensive Plan

In preparation for these proceedings, we conducted a detailed review of the proposed Regional Plan Element to be added to the Central Point Comprehensive Plan (“Exhibit A” to the staff report prepared for the Planning Commission, pages 10-35 of their packet). Based on that review we recommend the following very minor changes be made to the text:

- On page 2 of “Exhibit A” to the staff report, in Section 1 (Introduction), under “Adoption Milestones,” the second bullet point notes that on November 23, 2011 the Jackson County Board of Commissioners adopted the *Regional Plan*. This section should also acknowledge that the Jackson County Board of Commissioners also adopted amendments to the *Regional Plan* on June 27, 2012.
- The language in the portions of Section 4 of the Plan Element (entitled “Regional Obligations”) that are relevant to Central Point must be included in the Central Point adoption and must match the County’s final adopted plan language exactly. It currently does not.
 - The table that appears at page 15 of “Exhibit A” contains an error: the Medford densities should read 6.6 and 7.6 (rather than 6.5 and 7.5).⁴
 - The Board of Commissioners modified the language of Section 4.1.20 in two places. The draft plan language appears to have captured the changes in the first paragraph. However, the last two sentences in the second paragraph should read as follows (additional text underlined):

... The Agricultural Task Force shall also identify, develop, and recommend potential mitigation measures, including financial strategies.

September 15, 2006; Written Comments submitted by Greg Holmes to the RPS Policy Committee, October 10, 2007.

³ See the Record filed by Jackson County for the LCDC review, Exhibits 55, 85, 89, 110, 128, 129, 140, 210, 225, 248, 281, 290, 316 and 317.

⁴ This change was required by LCDC, and the Jackson County Board of Commissioners adopted that requirement on June 27, 2012. The Medford Planning Commission has recommended that the Medford City Council also adopt that requirement.

to offset those impacts. Appropriate mitigation measures shall be applied to Urban Growth Boundary Amendment proposals.

- The Board of Commissioners added a new sub-section within Section 4.1 that is not reflected in “Exhibit A” (they numbered it as Section 2.17). The new language, which should be included in the Central Point plan element, reads as follows:

For the purposes of UGB amendments, the amount and type of park land included shall be consistent with the requirements of OAR 660-024-0040 or the park land need shown in the acknowledged plans.

- The Board of Commissioners added a new sub-section within Section 4.1 that is not reflected in “Exhibit A” (they numbered it as Section 2.18). The new language, which should be included in the Central Point plan element, reads as follows:

Future urban growth boundary amendments will be required to utilize the definition of buildable land as those lands with a slope of less than 25 percent, or as consistent with OAR 660-008-0005(2) and other local and state requirements.

Although the other changes made during the County’s amendment process appear to be captured in the text, we recommend that Staff verify that the language in this section reflects the final text as adopted (and amended) by the County.

With these minor changes, we respectfully recommend that the city adopt the Regional Plan Element and add it to the Central Point Comprehensive Plan.

Addition of the Agricultural Buffering Ordinance

Regional Agricultural Buffering Standards have been a part of the proposed Regional Plan since at least 2004. These standards are consistent with the goals and the intent of the Regional Plan, they are incorporated in the County’s adopted Regional Plan, and the support for the plan from some citizens and organizations depends on their being included and implemented by each city.

The proposed Agricultural Buffering Ordinance (“Exhibit D” of the staff report) reflects that regional commitment in the form of code language to make application more clear. We respectfully recommend that the city adopt these standards and incorporate them into the appropriate section of the Central Point Zoning and Land Development Code.

Conclusion

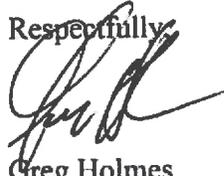
With the addition of the relatively minor changes noted above, 1000 Friends of Oregon recommends adoption of the Regional Plan Element and Zoning Code Amendments proposed by

Tom Humphrey
July 18, 2012
Page 4 of 4

staff. I apologize for not being able to be present at the Planning Commission hearing, but it is my intent to be present at the City Council hearing and I will be happy to answer any questions at that time.

Please include these comments in the official record of these proceedings and notify us at the Grants Pass address above of any decisions and/or future hearings in this matter.

Respectfully,



Greg Holmes
Southern Oregon Planning Advocate
1000 Friends of Oregon

cc: Josh LeBombard, DLCD
Kelly Madding, Jackson County

Received at PC mtg 7/3/12



Bob Hart
Consulting LLC

Land Use Planning and Development

July 3, 2012

Central Point Planning Commission
140 S. Third Street
Central Point, OR 97502

Dear Commissioners,

Please include the following testimony in to the record regarding the Greater Bear Creek Valley Regional Plan(Regional Problem Solving).

The adoption of the Regional Plan is an ambitious undertaking that encompasses the entire topic of land use planning on not only a city or county basis but includes a regional approach to providing a 50 year supply of land for future development. While this approach makes academic sense, much of the individual factors of land use applied to specific locations are lost in the approach of regional planning.

Testimony provided here applies to the regional plan generally and it is also intended to apply to specific property located at the Seven Oaks Interchange. The specific property that is represented is identified as 362W33 A tax lots 100 and 200. These parcels are owned by two investment groups, Blackwell LLC and Central Point LLC. The land is 33 acres located adjacent to the newly constructed southerly ramps of the Seven Oaks Interchange.

The property was acquired in 2005 and 2006 after performing due diligence to determine the future potential of the property. Not only was staff contacted to determine future potential, the 1998 Ordinance 98-17 established the policy agreement between Jackson County and City of Central Point regarding expansion of the Urban Growth Boundary. The prospective owners were assured that the Seven Oaks Interchange was considered an area that was expected to develop within the Planning Period and that the Exclusive Farm designation would likely be changed to accommodate some transportation based industrial or commercial development. As of now this land has been fully excluded from the Urban Reserve area and would not be considered for development for the next 50 years. The owners are understandably concerned about the proposed designations for future development that is at odds with the assurances they had when the property was purchased in 2005 and 2006. The value for this property will be significantly affected with the proposed Plan as well as affecting the area that serves as an entrance to Central Point.

Specific concerns that are addressed in this testimony concern the proposed land use pattern, policy regarding relationship of development patterns, additional factors that have evolved regarding Highway 140 plans, lack of specific sub area plans, urban service locations and failure to evaluate

5126 West Evans Creek Road • Rogue River, Oregon 97537 • (541) 582-8890 • hart@terragon.com

forest goals in the review of the plan. Following are more details addressing these concerns.

The proposed land use pattern that triggered notice to the property owners is the creation of the Tolo Road Urban Reserve Area (CP-1B.) This area is generally located north of the freeway with the exception of the Erickson Air Crane property. The area is planned for industrial and commercial uses that include Cross Creek Trucking, Hilton Fuel and the Erickson facility. Other existing commercial uses include a retail plant nursery, and landscape material sales. This area is not adjacent or directly attached to the City UGB. A specific goal of the RPS is to plan for development and prevent sprawl. Pockets of development detached from Urban Areas are considered to be inefficient for the cost of provisions of services. The exception to this policy is when there is a specific area that is to be developed for urban uses when there are specific reasons or factors that make such areas needed for such uses. The Seven Oaks Interchange/Tolo Road area was recognized as meeting these needs in the 1998 policies adopted by the City and County. In the current regional problem solving project, the Seven Oaks Interchange south of the road is eliminated with the exception of the Erickson Area. The only connection from this area to the City and UGB is the Bear Creek Area (CP4D.) This area is along the Bear Creek Greenway and almost 2/3's of the 83 acres of this area is owned by the County or the City. This area does not appear to be intended for development but is to be used for a connection between the Tolo Road area and the City. This land use pattern appears to promote sprawl as it is configured. A more logical extension of the UGB to the Tolo Road area is north from the City between the freeway and Highway 99. Thus the land use pattern as proposed is not consistent with the policy to expand outward from the existing UGB to areas that are needed for future development.

A significant change in circumstances that impact the area is not mentioned nor considered in the proposal regarding the Seven Oaks Interchange. In trying to alleviate significant traffic issues along Highway 62, ODOT has developed a plan to bring traffic south from White City along Kirkham Road to the Seven Oaks Interchange in order to take pressure off of the Medford Exit 30 interchange. After meeting with ODOT planners, we find that the area north of the freeway will need to be enlarged to five lanes to accommodate projected traffic. This will significantly increase traffic in the area that encompasses the Seven Oaks Interchange and specifically the land that is adjacent to the south on/off ramp adjacent to the Blackwell LLC/ Central Point LLC lands. These parcels have already been impacted with additional construction of the on/off ramps along the common property line where land was given up to accommodate new ramp work construction. Discussion with Extension Office representatives about the interaction of freeway and farm uses reveals that interchanges do have adverse impacts on farm use. Areas that are generally considered resource areas have less productivity in the vicinity of interchanges. We have also discussed the subject property with a certified soil classifier and his general observation was that the land is classified as farm land but the productivity classification is likely lower that what is shown in the Soil Survey. The soil that are class III would likely be a class IV and the class IV lands would be at the low end of productivity with a higher sand content than is shown in the soil survey. We conclude that the current and future use of the area will be adversely impacted for farm use because of the significant increase of traffic from Highway 140 as it impacts the interchange . These conditions will be evaluated further because these is a requirement for an Interchange Area Management Plan (IAMP) to be completed for the Seven Oaks Interchange. We conclude that without the IAMP being completed, the extent and

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designation of urban reserve areas in this interchange area cannot be completed or properly evaluated. The Transportation Planning Rule requires that traffic impacts within the Planning Period of the next 20 years be evaluated as a part of any decision making process. Add this to the City code requirement for a Traffic Impact Study for traffic facilities with the consideration of any type IV application and we conclude that traffic has not be evaluated to meet applicable criteria. Sections 17.05.900 A (1) (a) and (2) (a) require all type IV application provide a TIS as part of the application. We conclude the general traffic review conducted as part of the RPS does not meet this requirement.

The RPS states that more specific plans be done for each sub area after the adoption of the general plan. This requirement brings the classic “chicken and egg” dilemma of which type of plan comes first. The RPS states that the general needs for the Tolo Road subarea are primarily for industrial and commercial with some residential and agricultural. Without a more specific plan to evaluate the area, it is impossible to develop a services demand analysis for urban services to determine the nature and extent of urban services that are needed. Thus a specific area plan should be done with the adoption of the RPS. Without a specific plan it does little more than wave a magic wand over an area and say we sure hope that this land will meet our needs. With this wish list type of analysis it does not consider such existing factors that a municipal water line exists in Highway 99 that serves Erickson Air Crane but is precluded from access by adjoining lots along the highway. This leads to inefficient and expensive services. The design of looped water systems and sewer services as well as storm drain and transportation system should have design consideration provided prior to the decision on what land is appropriate for services. The proposed findings conclude that under Goal 11 that the RPS does not authorize the extension of services. However when decisions are being made about what lands can and cannot be developed over the next 50 years, the consideration of future services should be more that just a simple findings as stated.

The OAR regarding forest lands in 660-006-0015 requires that lands be identified for forest land or that an exception be taken or that the land be identified as non resource. The OAR requires that forest land be identified using cubic foot per acre per yield productivity data from the Natural Resources Conservation Service. The proposed findings conclude the forestry goal does not apply because the soils are unrated for forestry and none of the area is currently designated as forest land. This conclusion does not comply with the OAR. If the NRCS data is inaccurate or unavailable, then information from the Department of Revenue Forest maps are to be used and if that source is unavailable or inaccurate, the Forest Service Guides are to be used. If all this fails, then direct measurement of trees or a soil report from a soil scientist conforming to the Department of Agriculture requirements is necessary. The lack of data from the NRCS does not mean that land is not forest land. In many cases the NRCS looked only at agricultural ratings when there was no history of forest management. Lands that grow agricultural products also grow tree species. No finding can be made that the forest goal does not apply to the areas under consideration.

We conclude that the adoption of the Regional Problem Solving plan is flawed and does not adequately address changes in circumstance regarding the Seven Oaks Interchange and the evaluation does not meet requirements of state Administrative Rules for forest lands. Traffic Impacts do not appear to have the proper evaluation in accordance with the Transportation Planning Rule and the Municipal Code. We are also of the opinion that additional evaluation of specific information in

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proposed subareas must be considered as part of the adoption of the Plan. While we agree that this process has gone on a long time and many would like to see it completed, it is more important to get it right than to get it done.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Hart", written in a cursive style.

Bob Hart

Planning Consultant

Bob Hart Consulting LLC

for Blackwell LLC and Central Point LLC

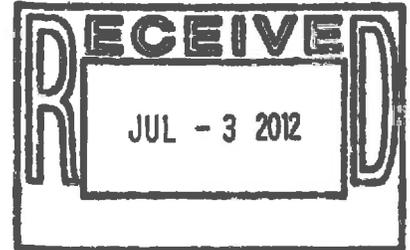
5126 W. Evans Creek Rd.

Rogue River, OR 97537

541 582-8890

K. Mallams
2855 Heritage Road
Central Point, OR 97502
July 3, 2012

Central Point Planning Commission and City Council
140 South Third Street
Central Point, OR 97502



Re: Regional Problem Solving

My husband and I have previously submitted testimony regarding RPS to the City and County orally and in writing numerous times during the RPS process.

Central Point should adopt the RPS Plan only after the following changes are made:

- Central Point allocates its share of population increase to other cities in the region to decrease the amount of agricultural land added to its urban reserves
- Permanent agricultural reserves are identified and included in the final document
- All land west of Grant Road is excluded from urban reserves
- Gibbon Acres is included in the urban reserves

Central Point should support implementation of the Agricultural Task Force as recommended by LCDC (3/26/12), and apply all mitigation measures developed by the Task Force to all future urban growth boundary amendments. Require that new young farmers are represented on the task force.

Once the RPS Plan is adopted the City should do the following:

- Infill all undeveloped land within the current urban growth boundary to the highest possible density before annexing any land outside it.
- Annex Gibbon Acres before any agricultural land is annexed
- Require all new development to fully comply with the Agricultural Buffering Standards in the Plan.
- Utilize exception areas and existing small-acreage farms as mid-term agricultural buffers (page 2, Agricultural Buffering Standards).
- Include provisions in comprehensive plan amendments and all development master plans to protect:
 - Riparian areas and wildlife habitat
 - Mature trees
 - The existing water table
 - Darkness and the night sky

Approximately half the entire amount of Critical Agricultural Land (identified by the Resource Lands Review Committee) proposed for urbanization in the entire Bear Creek Valley is in the urban reserves planned for Central Point. This land should be protected in permanent agricultural reserves, not urbanized. Central Point should have traded off some of its population allocation with another city, as allowed and intended by the RPS process. Instead the City proposes to expand by more than its historical proportion of the population. Ashland and Eagle Point, cities that are not surrounded by critical agricultural land, should have taken more of Central Point's population allocation.

If all the cities had calculated their residential land needs with the highest density figure, 878 acres could be dropped from residential land needs. This would zero out ALL of Central Point's residential land needs and about 2/3 of the agricultural base proposed for urban reserves by all the cities. If the land remaining in Central Point's current UGB were also developed at the highest possible density, even more agricultural land could be protected.

At a meeting in 2002 City staff and City Council agreed that the land west of Grant Road should not be urbanized because it is too valuable for agriculture. The north 2/3 of CP-6A is mostly large parcels - 300 acres is Critical Agricultural Land identified by RLRC. Although there are a handful of dwellings within this area, the development is minimal development and does not interfere with agricultural activity in the area. These large parcels should not be in the urban reserve, but should be reserved for agricultural uses. The south 1/3 of CP-6A and all of CP-6B should remain rural residential to provide a buffer with the surrounding agricultural land. In the Draft RPS Plan, the participating jurisdictions agreed that further urbanization of these areas would have severe negative consequences for farmland in the interior valley.

Central Point should add Gibbon Acres to its urban reserves and annex it into the Urban Growth Boundary before any agricultural land is annexed. According to DLCD there are 3 reasons (RPS Policy Committee 12/19/06 and 1/9/07):

- *It is an urban area within an urban containment area*
- *Jackson County Comprehensive Plan states it should be included in the UGB of an adjacent city*
- *It is at least as high priority as exception lands.*

The entire RPS Plan should have continued the process begun in Our Region - first designating, then permanently protecting the high value resource land, and only then considering what remained for urbanization. The high value and economically important agricultural lands were identified by the Resource Lands Review Committee, but most of their recommendations for protecting these areas were not followed. Central Point's decision to develop in a city-centric pattern and the inclusion of the Tolo area is a continuation of past practices and merely urban sprawl by another name. This is the City's last opportunity to amend the Plan so it provides for population increase without un-necessarily sacrificing critical agricultural land.

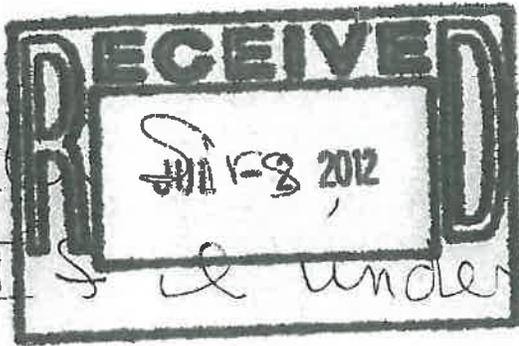
Thank you for the opportunity to provide this input.

Sincerely,

Katy Mallams Duane Mallams

Katy Mallams and Duane Mallams

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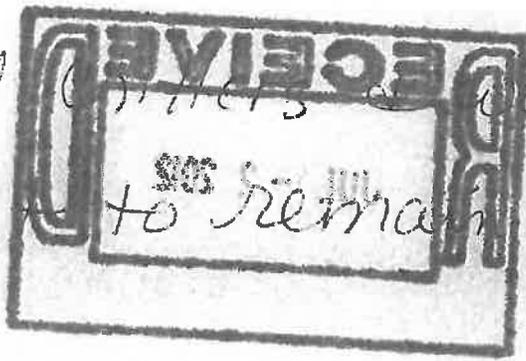
June 29, 2012

I see & understand this correctly you want to include my property or my neighbors property in the proposed urban reserve area (I cant tell which by the maps) where you will eventually expand the urban growth-boundaries and ultimately the city limits to include these properties.

I'm not in favor of being included in the urban reserve area for me or for my neighbors.

We like our wide-open spaces, quiet life and →

Our wild ~~characters~~ ~~should~~
like for it to remain as
it is.



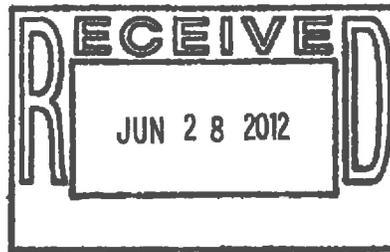
Sincerely,

Kathy King (Allen)

2850 Taylor Rd

Central Pt, Or 97502

Central Point Planning Commission
Central Point City Hall
140 South Third Street
Central Point, OR 97502



June 27, 2012

Dear Commissioners,

We urge the Central Point Planning Commission to recommend approval of the Jackson County Board of Commissioners' decision to amend Jackson County's Comprehensive Plan that establishes the Urban Reserve Areas as selected by the City of Central Point.

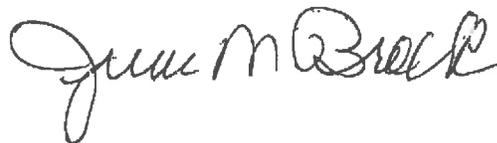
It is encouraging to see this decade-long process near a successful completion. This Regional Plan provides the needed flexibility that will result in more efficient, lower impact growth for the City as its population doubles over the next several decades. We have followed the process over the past few years and believe that a reasonable consensus has been reached by the various government entities and interest groups and it is time to finalize and implement the Plan.

The Plan, once adopted by local governments and acknowledged by the Oregon Land Conservation and Development Commission, will allow the City to approve nodal developments that can be modeled after the Transit-Oriented-Development of Twin Creeks that has been widely touted as the preferred residential area design in the Rogue Valley.

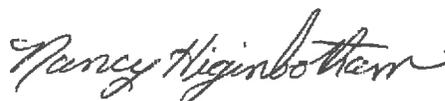
Thank you for your service to the citizens of Central Point.

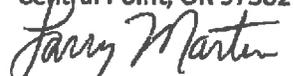
Sincerely,


Clyde and June Brock
2815 Taylor Road
Central Point, OR 97502




Tim and Nancy Higinbotham
2744 Taylor Road
Central Point, OR 97502




Larry and Sophia Martin
2673 Taylor Road
Central Point, OR 97502




Adrian Snyder, Trustee, US Bank
Wiedman Marital Trust
3817 Grant Road
Central Point, OR 97502

Ordinance

Pawnbrokers and Secondhand Dealer Amendments

STAFF REPORT

To: The Honorable Mayor and City Council
From: Kris Allison, Chief of Police
SUBJECT: Retention of Property Prior to Resale
Date: July 26, 2012

Executive Summary:

The City of Central Point currently has a City Ordinance that monitors and regulates the persons or businesses that engage in conducting, managing or carrying on the business of loaning money for himself or for any other person upon personal property, personal security, pawns or pledges, or the business of purchasing articles of personal property and reselling or agreeing to resell such articles to the vendors or their assigns at prices agreed upon at or before the time of such purchases.

In recent months the Police Department has identified a need in the ordinance to identify a time period for the retention of property prior to resale. A majority of Pawnbrokers and Secondhand Dealers purchase items without the stipulations of a loan agreement that requires retention of the item.

Without the retention of sold items to Pawnbrokers and Secondhand Dealers, it makes the discovery of possible stolen items difficult for detection and reuniting property back to potential victims in our community.

This is in no way to penalize legitimate business owners and would only require them to retain the property for 7 business days if the resale is greater than \$25.00 or 5 business days if the property is determined to be valued \$25.00 and under. This allows victims of crimes to file reports with respective police jurisdictions in a reasonable time period and an investigation be initiated.

Recommendation:

Staff recommends the adoption of an Amendment to Ordinance 5.34 to include the Retention of Property Prior to Resale.

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTION 5.34.025 TO THE
THE CENTRAL POINT MUNICIPAL CODE TO REQUIRE
PAWNBROKERS AND SECONDHAND DEALERS
TO RETAIN PROPERTY PRIOR TO RESALE

Recitals:

- A. Requiring a retention period for pawned or secondhand goods will allow for more effective monitoring of such goods.
- B. Words ~~lined through~~ are to be deleted and words in **bold** are added to the municipal code.

The people of the City of Central Point do ordain as follows:

Section 1. The following Section 5.34.025 is added to the Central Point Municipal Code

5.34.025 Retention of Property Prior to Resale

All property for which records are required as provided in Section 5.34.020 shall be retained by the Pawnbroker or Secondhand Dealer at least 7 full business days before disposal if the resale value of the item is greater than \$25.00. Items with a resale value of less than \$25.00 may be disposed of after five business days provided an adequate item and personal description have been retained. The Pawnbroker or Secondhand Dealer shall maintain the purchased property in substantially the same form as purchased and shall not co-mingle the property in a manner that precludes identification during this five day or seven day holding period. The purchased property shall be retained on the business premises during normal business hours during this holding period so that it can be inspected as provided in this chapter.

Passed by the Council and signed by me in authentication of its passage this
_____ day of _____, 2012.

Mayor Hank Williams

ATTEST:

City Recorder

[Return to Agenda](#)

Business

Appointment of Parks and Recreation Committee Chair



STAFF REPORT

August 2, 2012

AGENDA ITEM:

New Chairman for Parks and Recreation Commission

STAFF SOURCE:

Matt Samitore, Director

SUMMARY:

With the untimely passing of Kerry Bradshaw the Parks and Recreation Commission needs a new chair person. Staff is recommending Mark Mark Ludwiczak (Lud-wiz-sack) as the new Chair. Though Mark is fairly new to the Commission, he was appointed in late winter 2010, he has thrown himself feet first into helping with almost every parks event and has not missed any of the meetings. Mark is an active park user and a citizen of Central Point.

RECOMMENDATION:

Staff recommends appointing Mark Ludwiczak as the new chair of the Parks and Recreation Commission.

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