

BEFORE THE BOARD OF COMMISSIONERS

STATE OF OREGON, COUNTY OF JACKSON

ORDINANCE NO. 2015-11

AN ORDINANCE APPROVING A MINOR COMPREHENSIVE PLAN MAP AMENDMENT TO ADD APPROXIMATELY 46 ACRES TO THE CITY OF CENTRAL POINT URBAN GROWTH BOUNDARY (UGB) ALONG BLACKWELL ROAD BETWEEN THE INTERSTATE 5 SEVEN OAKS INTERCHANGE (EXIT 35) AND KIRTLAND ROAD AND LOCATED WITHIN URBAN RESERVE AREA CP1-B. FILE NO. 439-LRP2013-00006.

RECITALS:

1. Pursuant to Chapters 197 and 215 of the Oregon Revised Statutes, and in conformance with the Statewide Planning Goals, Jackson County's Comprehensive Plan and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission (LCDC).
2. On November 1, 2013 an application for a minor map amendment was submitted by Owner/Applicant, Michael S. Card of Cardmoore Properties. The application was determined to be complete per LDO Section 2.6.3(C)(2) on May 9, 2014.
3. A notice of the proposed amendment was provided to the Department of Land Conservation and Development (DLCD) on January 27, 2015, 100 days prior to the first evidentiary hearing. A notice was published on Sunday, April 26, 2015 in the Medford Mail Tribune that a first evidentiary hearing was scheduled before the Jackson County Planning Commission (JCPC) on Thursday May 7, 2015 at 6:00 p.m. in the City of Central Point Council Chambers, 140 S. Third St., Central Point.
4. A public hearing was held on May 7, 2015 before the JCPC in the City of Central Point Council Chambers. After considering the evidence and testimony submitted, the JCPC, by motion and vote, recommended that the Board of Commissioners (BOC) approve the application.
6. On July 1, 2015 the BOC held a properly advertised public hearing on the application. After considering the evidence and testimony submitted, including the record of the JCPC hearing, the BOC, by motion and vote, approved the application.

## **SECTION 1. FINDINGS OF FACT**

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

- 1.1 The BOC finds that proper legal notice was provided to the applicant, affected property owners and affected agencies on June 10, 2015 for a public hearing on this matter. Legal notice was published in the Sunday, June 21, 2015 edition of the Medford Mail Tribune.
- 1.2 The BOC finds that the JCPC's recommendations are based upon following proper procedures and are consistent with evidence and testimony in the record of proceedings. The BOC hereby adopts, as its own, the Findings of Fact contained in the JCPC Recommendation for Approval, contained in the record of these proceedings.

## **SECTION 2. LEGAL FINDINGS**

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

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

## **SECTION 3. CONCLUSIONS**

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

## **SECTION 4. DECISION**

***Now, therefore,***

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

- 4.1. Based on the record of the public hearing, the BOC hereby approves a minor comprehensive plan map amendment to add approximately 46 acres to the City of Central Point Urban Growth Boundary (UGB) along Blackwell Road between the Interstate 5 Seven Oaks Interchange (exit 35) and Kirtland Road, as depicted on

attached map "Exhibit A," and located within Urban Reserve Area CP1-B. File no. LRP2013-00006.

ADOPTED this 5<sup>th</sup> day of August, 2015, at Medford, Oregon.

**JACKSON COUNTY BOARD OF COMMISSIONERS**



Doug Breidenthal, Chair

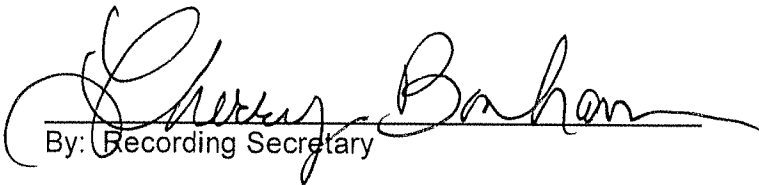


Rick Dyer, Commissioner



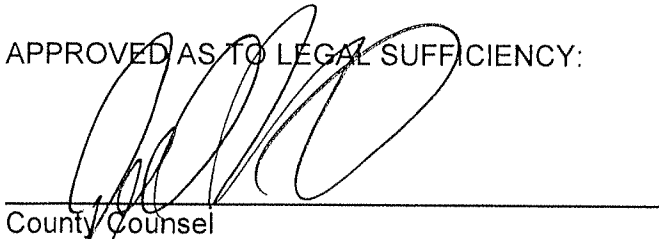
Colleen Roberts, Commissioner

ATTEST:



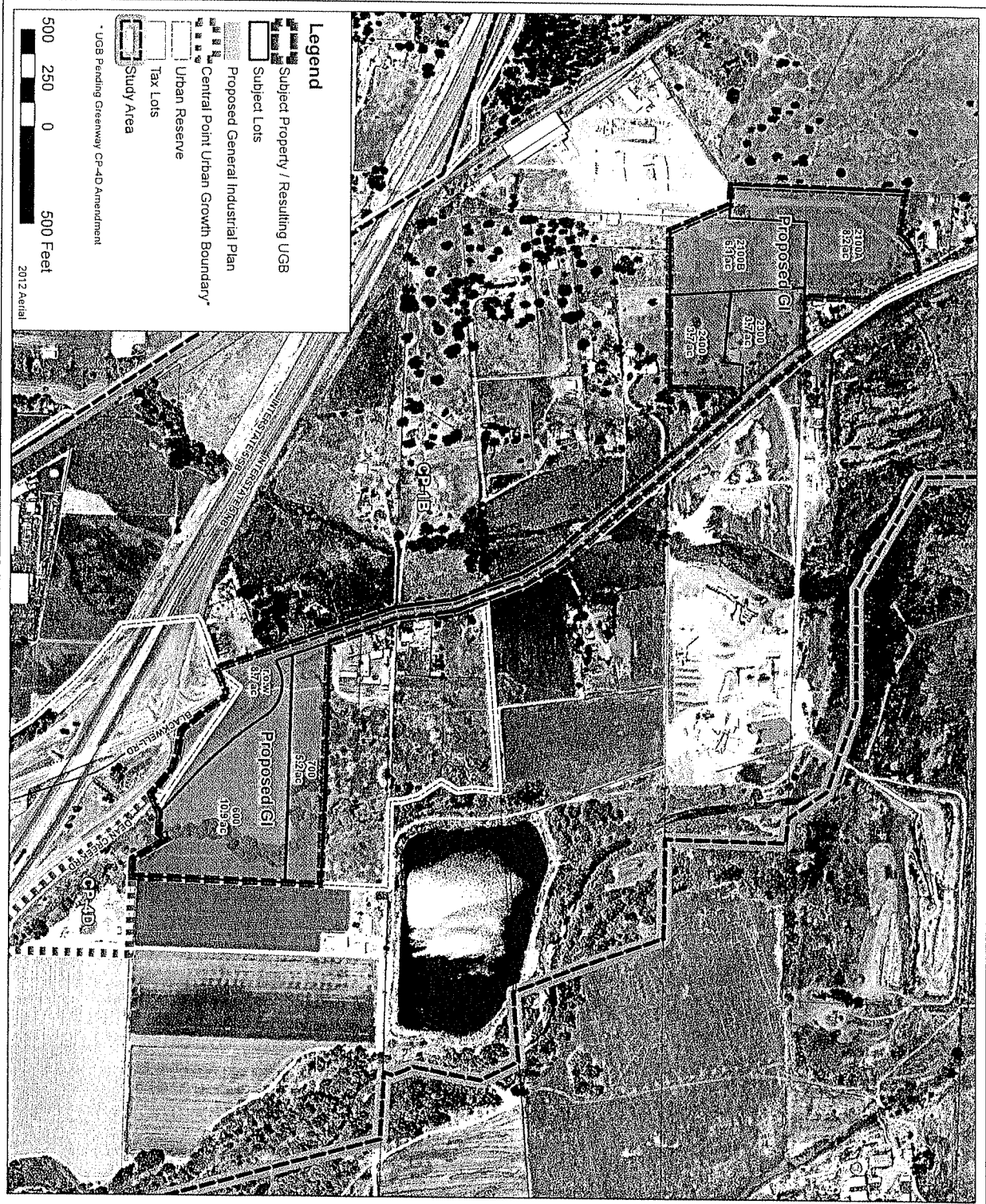
By: Recording Secretary

APPROVED AS TO LEGAL SUFFICIENCY:



County Counsel

The Board of Commissioners' Ordinance is the final decision on this action. This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). You must appeal this decision within 21 days of the date it is mailed. This decision is being mailed on August 6, 2015, and the LUBA appeal period will expire on August 27, 2015. Please contact LUBA for specific appeal information. They are located at 550 Capitol Street N.E. Suite 235, Salem, Oregon 97301-2552. They can be reached at (503) 373-1265.



**CARDMOORE URBAN GROWTH BOUNDARY AMENDMENT** ©

**Subject Property &  
Proposed General Industrial  
Comprehensive Plan**

