Exhibit I

Joseph T. Slaughter

From:	Craig Anderson <AndersCM@jacksoncounty.org>
Sent:	Tuesday, April 14, 2015 8:54 AM
To:	Joseph T. Slaughter
Cc:	Kelly Madding; Mike Kuntz
Subject:	Roads and Planning Comments on UGBMA
Attachments:	UGMA_County_Comments.docx

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Hi Joe,

Attached are comments from Jackson County Roads and Dev. Services Departments on the proposed UGMA language. Please let me know if you have any questions. Thanks very much.

Craig

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JACKSON COUNTY Oregon

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APPENDIX H. PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENTS

Proposed additions shown in **Bold** and proposed deletions shown in ~~Strikethrough~~.

URBANIZATION ELEMENT

1. URBAN GROWTH BOUNDARY

The Medford Urban Growth Boundary (UGB) includes land within the city and selected land surrounding the city that is committed to/planned for future city growth, the development of which is likely to require the extension of urban services. Land around the city within the UGB is called the unincorporated urbanizable area in this element. The Medford UGB was last amended in ~~1990~~**2015** through a cooperative process between the City of Medford and Jackson County. It is officially delineated on the Jackson County and City of Medford Comprehensive Plan and zoning maps.

The Medford UGB was established to comply with the statutory requirement for Urban Growth Boundaries around urbanized areas to identify and separate urbanizable land from rural land.

ANNEXATION

The transfer of urbanizable land under county jurisdiction to city jurisdiction is called annexation. Chapter 222 of the Oregon Revised Statutes governs annexation in Oregon. According to state law, land may be annexed to a city only if it is within the Urban Growth Boundary, and is contiguous to the city limits. Generally, a majority of the registered voters and/or property owners within the area to be annexed must agree to the annexation, except in cases where the area is surrounded by land already under city jurisdiction.

2.1 Annexation Policies

The following are the policies of the City of Medford with respect to annexation:

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2.1.7. Annexation of Property Added to the Urban Growth Boundary in 2015

The City Council must find that the following conditions are met in order to approve an annexation of land that was added to the Urban Growth Boundary in 2015:

1. **A revised Transportation System Plan (TSP), which includes the area to be annexed, has been adopted by the City;**
2. **A Local Wetlands Inventory (LWI), which includes the area to be annexed, has been adopted by the City;**

3. **For the area of concern, all Goal 5 resources, including riparian corridors, historic structures/properties, deer and elk habitat, wetlands, and scenic views have been identified and protected in accordance with Goal 5; and**

4. **A master plan has been submitted, and adopted into the Neighborhood Element, for the area of concern which demonstrates compliance with the Regional Plan by showing the following details:**

   a. **Compliance with the minimum residential density required by Regional Plan 4.1.5. The master plan must demonstrate how the planned residential development will meet the minimum density requirement of 6.6 units per acre assuming all areas within the development will build out to the minimum allowed densities. Since the required density is in excess of the density supported by the Housing Element (after the adoption of the SALs) the following are acceptable methods for meeting the density standard:**

      i. **Committing areas to higher density zones within a General Land Use Plan (GLUP) designation. For example, an area within the UR GLUP designation could be designated as SFR-10 (Single Family Residential – 10 units per acre) which would insure a minimum density of 6 units per acre; and/or**

      ii. **Requesting GLUP map changes as part of the master plan approval process. This will allow for additional areas for medium-density and high-density development within the areas added to the UGB.**

   b. **Compliance with the requirements of Regional Plan 4.1.6.for mixed-use/pedestrian-friendly development.**

   c. **Compliance with the land use distribution requirements of Regional Plan 4.1.8.(b).**

APPENDIX 1—URBAN GROWTH MANAGEMENT AGREEMENT

This agreement was mutually adopted in 1993 by Jackson County (Ord. no. 93-31) and the City Medford (Ord. no. 7183 (1992); minor text correction via Ord. no. 7502 (1993)).
The following policies guide the administration of the Medford Urban Growth Boundary:

1. An Urban Growth Boundary adopted herein, or hereinafter amended, for the Medford area will establish the limits of urban growth to the year ~~2010~~**2029**.

   a. Annexation to the City of Medford shall occur only within the officially adopted UGB.

b. Specific annexation decisions shall be governed by the official annexation policies of the City of Medford. The city shall provide an opportunity for Jackson County to respond to pending requests for annexation.

2. In accordance with the "Agreement Between the City of Medford, Oregon, and Jackson County, Oregon, for the Joint Management of the Medford Urban Reserve" (URMA) and as a requirement for the approval of the 2015 Urban Growth Boundary expansion, Jackson County requires the City Council to request County surrender of jurisdiction of several County Roads as listed below upon annexation. The City Council must make the request for County surrender of jurisdiction in accordance with ORS 373.270(6)(a) before the County will approve the 2015 Urban Growth Boundary expansion. Following annexation by the City (which in many cases will be years later), County will surrender jurisdiction in accordance with ORS 373.270(6)(b).

The City Council will request surrender of the following nexus roads, as defined in the URMA, upon annexation of any portion of the identified urban reserve area:

- MD-2: East Vilas Road, Crater Lake Highway to 570' east of Crater Lake Highway.
- MD-3: Coker Butte Road, 175' west of arrowhead Drive to 1380' east of Arrowhead Drive.
- MD-3: Foothill Road, McAndrews Road to 405' north of Delta Waters Road.
- MD-4: Foothill Road, Hillcrest Road to McAndrews Road.

The City Council will request surrender of the following roads within the UGB expansion area upon annexation of the road. City shall not annex property fronting any of these roads without also annexing the full road width.

- MD-2: East Vilas Road, 570' east of Crater Lake Highway to 2540' east of Crater Lake Highway.
- MD-3: Coker Butte Road, 1380' to 4030' east of Arrowhead Drive.
- MD-3: Foothill Road, 405' to 2875' north of Delta Waters Road.
- MD-5: North Phoenix Road, Coal Mine Road to 2780' north of Grove Way (southern boundary of MD-5).
- MD-6: South Stage Road, 1830' to 3015' west of Highway 99.
- MD-7: South Stage Road, 2735' east of Kings Highway to 1335' west of Kings Highway.
- MD-7: Kings Highway, 1470' south of Agate Street to South Stage Road.
- MD-8: South Stage Road, Dark Hollow Road to Orchard Home Drive.
- MD-8: Orchard Home Drive, 140' north of Alamar Street to South Stage Road.

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- MD-9: Oak Grove Road, 1320' south of West Main Street to Stewart Avenue.
- MD-9: Stewart Avenue, 562' west of Woodlake Avenue to Oak Grove Road.

The City Council shall request surrender of jurisdiction of the roads identified above 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(s) shall occur without compensation and the 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 new County Roads are constructed within City's UGB or UR, County shall adhere to City's structural road section specifications. When existing County Roads within City's UGB or UR are widened, County shall adhere to City's structural road section specifications for the widened portion of the County Road. The structural section of the existing road width shall be as specified by the County Engineer.

If County proposes to construct new County Road(s) within the City UGB, County will not begin construction until City Council has requested surrender of jurisdiction of the new road(s) upon annexation.

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3. The City of Medford General Land Use Plan (GLUP) Map and zoning designations for unincorporated urbanizable land, and all other city development and building safety standards, shall apply only after annexation to the city; or through a contract of annexation between the city, Jackson County, and other involved parties; or after proclamation of an annexation having a delayed effective date pursuant to ORS 222.180 (2).

   a. Urban development shall be encouraged to occur on undeveloped and underdeveloped land within city limits prior to the annexation and conversion of other land within the UGB.

~~3~~4. Except in cases where a contract for annexation has been executed, or after proclamation of an annexation having a delayed effective date pursuant to ORS 222.180 (2), Jackson County shall retain jurisdiction over land use decisions within the unincorporated urbanizable area, and such decisions shall conform to these adopted policies:

   a. Prior to annexation, no land divisions shall be approved by the county which create lots of less than forty (40) acres in size.

b. Recognizing that unincorporated areas within the UGB could ultimately become part of Medford, the city's recommendations will be given due consideration. It is the intent of the county to administer mutually adopted city/county policies in the unincorporated urbanizable area until the area is annexed to the city.

c. The city will be requested to respond to pending applications for all land use actions in the unincorporated urbanizable area. If no response is received within 14 days, the county may assume that the city has no objections to the request.

d. The county will be requested to respond to pending applications for all land use actions within the incorporated area that may affect land under county jurisdiction. If no response is received within 14 days, the city may assume that the county has no objections to the request.

e. If the city and county have mutually approved, and the city has adopted, conversion plan regulations for the orderly conversion of property from county to city jurisdiction, the county will require that applications for subdivisions, partitions, or other land divisions within the UGB be consistent with the city's *Comprehensive Plan*. Once developed, the mutually agreed upon conversion plan shall be the paramount document, until incorporation occurs.

45. Any land use actions within the unincorporated urbanizable area shall conform to urban standards and public improvement requirements as contained in the city and county Land Development Codes, except that in the case of a conflict between the two, the more restrictive shall apply.

56. Within the unincorporated urbanizable area, execution and recording of an Irrevocable Consent to Annex to the City, pursuant to ORS 222.115, shall be required for:

a. Single-family residential permits

b. Sanitary sewer and water hook-up permits[1]

c. All land use actions subject to county Site Plan Review

67. The city, county and affected agencies shall coordinate the expansion and development of all urban facilities and services within the urbanizable area.

a. Urban facilities and services shall be planned in a manner which limits duplication to provide greater efficiency and economy of operation.

[1] This policy, with reference to sewer hook-ups provided by Bear Creek Valley Sanitary Authority (BCVSA), has been disallowed by the Oregon Court of Appeals.

b. A proposed single urban facility or service extension within the unincorporated urbanizable area must be coordinated with the planned future development of all other urban facilities and services appropriate to that area prior to approval, and shall be provided at levels necessary for expected uses as designated on the Medford *Comprehensive Plan*.

c. The city shall be responsible for adopting and maintaining a public facilities plan for the city and unincorporated urbanizable area pursuant to OAR 660-11.

d. When development occurs within an unincorporated urbanizable area subject to a contract for annexation, or after proclamation of an annexation having a delayed effective date pursuant to ORS 222.180 (2), any or all city services may be extended to these areas. All associated fees and charges which are applicable within the city shall be applicable to these areas, and shall be paid to the city pursuant to city regulations.

~~7~~8. Provision of sewer and water services may only occur beyond the UGB after approval by the provider agency and Jackson County, and when a danger to public health as defined by ORS 431.705 (5) exists. The services thus authorized shall serve only the area in which the danger exists, and shall provide a level of service consistent with the Jackson County *Comprehensive Plan* designation.

~~8~~9. All county road construction and reconstruction resulting from new development, redevelopment, or land divisions in the urbanizable area shall be built to urban standards, except that the term reconstruction does not include normal road maintenance by the county.

~~9~~10. Long range transportation and air quality planning for the urbanizable area shall be a joint city/county process coordinated with all affected agencies.

~~10~~11. Land within the urbanizable area which currently supports a farm use, as defined by ORS 215.203, shall be encouraged, through zoning and appropriate tax incentives, to remain in that use for as long as is economically feasible for the property owner.

a. Economically feasible, as used in this policy, is interpreted to mean feasible from the standpoint of the property owner. Implementation of this policy will be done on a voluntary basis. Exclusive Farm Use (EFU) zoning may be applied to qualifying land by the county, with the understanding that such land is considered available over a period of time for urban uses.

b. This policy applies only to areas in the UGB identified by the city or county Comprehensive Plans as agricultural land, and shall not be used as a standard to review other land use applications within the urbanizable area.

c. This policy is not intended to preclude the use of EFU land for essential public facilities and services to serve the urban and urbanizable areas.

~~11~~12. Proposed land use changes immediately inside the UGB shall be considered in light of their impact on, and compatibility with, existing agricultural and other rural uses outside the UGB. To the extent that it is consistent with state land use law, proposed land use changes outside the UGB shall be considered in light of their impact on, and compatibility with, existing urban uses within the UGB.

~~12~~13. The city and county acknowledge the importance of permanently protecting agricultural land outside the UGB zoned EFU, and acknowledge that both jurisdictions maintain, and will continue to maintain, policies regarding the buffering of said lands. Urban development will be allowed to occur on land adjacent to land zoned EFU when the controlling jurisdiction determines that such development will be compatible with the adjacent farm use. Buffering shall occur on the urbanizable land adjacent to the UGB. The amount and type of buffering required will be considered in light of the urban growth and development policies of the city, and circumstances particular to the agricultural land. The controlling jurisdiction will request and give standing to the non-controlling jurisdiction for recommendations concerning buffering of urban development proposals adjacent to lands zoned EFU. Buffering options may include:

a. Physical separation through special setbacks for new urban structures adjacent to the UGB;

b. Acquisition by public agencies;

c. Lower densities at the periphery of the UGB than those allowed elsewhere in the city;

d. Strategic location of roads, golf courses, or other visible public or semi-public open spaces;

e. Use of vegetative screens, earthen berms, and fences of sufficient height and substance to help reduce the trespass of people, animals, and vehicles;

f. Orientation of structures and fencing relative to usable exterior space, such as patios, rear yards, and courts, so that the potential impacts from spray drift, dust, odors, and noise intrusion are minimized;

g. Design and construction of all habitable buildings, including window and door locations, so that the potential impacts of spray drift, dust, odors, and noise intrusion are minimized;

In addition, a deed declaration recognizing common, customary, and accepted farming practices shall be required for all development occurring within 300 feet of EFU zoned land.

~~13~~14. All UGB amendments shall include adjacent street and other transportation rights-of-way.

~~14~~15. An Area of Mutual Planning Concern may be delineated on the county Comprehensive Plan and Zoning maps along with the UGB. This is an area within which Medford and Jackson County have mutual concern over the land use planning decisions that may occur. The area may be significant in terms of its agricultural, scenic, or open space characteristics, or may be designated as an urban reserve to facilitate long range, inter-jurisdictional planning for future urbanization. The area may also provide an important buffer between Medford and other urban areas. The Area of Mutual Planning Concern is not subject to annexation, and is an area in which the county will coordinate all land use planning and activity with Medford.

GENERAL LAND USE PLAN (GLUP) ELEMENT

GLUP MAP DESIGNATIONS

The GLUP Map has ~~13~~12 different land use designations **that are applied to all land within the Urban Growth boundary (UGB). The GLUP map also identifies the Urban Reserves, which will not have GLUP designations applied to them until they are included in the UGB. These designations are defined** ~~as listed~~ below. Permitted land uses, as well as the development standards associated with each zoning district noted, are listed in "Article III" of the *Land Development Code.* The City's SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone is permitted in all GLUP Map designations because it is considered a holding zone for parcels that are being converted from County to City zoning. These parcels are not eligible for development to urban density or intensity until facility adequacy has been determined through the zone change process. It is the City's intent to have these parcels converted to zoning that is consistent with the following GLUP Map designations as soon as a property owner can show that urban facilities are adequate or will be made adequate to serve the uses permitted by the proposed urban zoning.

1. *Urban* ***Low-Density*** *Residential* This designation permits lower density urban residential uses (one to ten units per gross acre), including standard and small lot detached single-family dwellings, accessory dwelling units, and mobile home parks. Depending upon the physical development constraints, the permitted zoning districts are SFR-2, SFR-4, SFR-6, and SFR-10 (Single-Family Residential - 2, 4, 6, or 10 dwelling units per gross acre). Such constraints that may affect the ultimate developed density, and, therefore, the most suitable zoning district, include steep slopes, unstable soils, wetlands and/or riparian habitat, woodlands, fire hazards, etc. When a Planned Unit Development (PUD) is approved, the maximum residential density per gross acre can be increased.

2. *Urban Medium-Density Residential* This designation permits medium density urban residential uses (10 to 15 units per gross acre), including townhouses (rowhouses), duplexes, apartments, mobile home parks, and group quarters. The zoning district permitted in this designation is MFR-15 (Multiple Family Residential - 15 units per gross acre). When a Planned Unit Development (PUD) is approved, the maximum residential density per gross acre can be increased.

3. *Urban High-Density Residential* This designation permits higher density urban residential uses (15 to 30 units per gross acre), and provides for multiple-family development, including duplexes, apartments, and group quarters. The zoning districts permitted in this designation are MFR-20 and MFR-30 (Multiple-Family Residential - 20 or 30 units per gross acre). In addition, the Southeast Plan authorizes an increase in the maximum permitted density in this designation from 30 to 36 units per acre. When a Planned Unit Development (PUD) is approved, the maximum residential density per gross acre can be increased

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13. *Urban Growth Boundary* The City of Medford and Jackson County have established an Urban Growth Boundary (UGB), which delineates Medford's urban and urbanizable areas. Following the ~~1990~~**2015** UGB amendment there was a total of 17,889 acres (27.95 square miles) within the UGB including that land within the City. The UGB is site specific. Since the GLUP Map does not indicate lot lines, the UGB is also specified on the City of Medford Zoning Map, a map having lot lines, so that the location of specific parcels inside or outside of the UGB can be determined.

14. ***Urban Reserves*** **The Urban Reserves were created through the Regional Problem Solving (RPS) process and adopted into the Comprehensive Plan in the Regional Plan Element. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145). The urban reserve areas are the first priority supply of land when the City considers expanding its UGB. The urban reserve areas are meant to provide a 50-year land supply for the City.**