

BEFORE THE BOARD OF COMMISSIONERS
COUNTY OF JACKSON, STATE OF OREGON

RECEIVED

DEC 15 1994

Jackson Co. Planning

ORDINANCE NO. 94-129

AN ORDINANCE AMENDING THE OFFICIAL COMPREHENSIVE PLAN AGGREGATE AND MINERAL RESOURCES ELEMENT. FILE NUMBER 94-10-OA.

RECITALS:

1. Pursuant to Chapters 197 and 215 of the Oregon Revised Statutes and in conformance with the State Planning Goals, Jackson County's Comprehensive Plan and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission.
2. Statewide Planning Goal 5 requires counties to conserve open space and protect natural and scenic resources, including mineral and aggregate resources. Oregon Administrative Rule 660, Division 16, establishes the procedure for completing an inventory, analyzing conflicts, and implementing a program to protect significant and potentially significant aggregate sites.
3. On June 30, 1993, the Jackson County Board of Commissioners adopted an ordinance amending the Aggregate Resource Mapping Criteria, the Aggregate Lands Inventory, and the Aggregate and Mineral Resources Element of the Comprehensive Plan.
4. The ordinance was submitted to the Department of Land Conservation and Development on May 25, 1994 as Periodic Review Work Task #1. The department notified interested persons and received one objection to the submittal, and conducted its own review. The department concluded that additional changes needed to be made to its comprehensive plan and land use regulations to ensure continued compliance with the statewide planning goals.
5. The Jackson County Board of Commissioners considered the report submitted by the Department of Land Conservation and Development, and a memorandum prepared by planning department staff, at a properly advertised public hearing on October 19, 1994. The Board voted to approve revisions to the Aggregate and Mineral Resources Element of the Comprehensive Plan, but voted to defer revision of the Aggregate Lands Inventory until review of all individual site Economic, Social, Environmental, and Energy (ESEE) consequences has been completed.

Now Therefore, the Board of County Commissioners of Jackson County hereby ordains as follows:

1-ORDINANCE; File 94-10-OA
Date Typed: 11/14/94
[10ORDNC]

SECTION 1. FINDINGS:

- 1.1 The Board of Commissioners finds that amendments to the Aggregate Lands Inventory and the Aggregate and Mineral Resource Element are necessary to bring these elements into conformity with the Goal 5 process outlined in Oregon Administrative Rule 660, Division 16.
- 1.2 The Board finds that the model ordinance offered by the Department of Land Conservation and Development provides a format which generally adapts well to the present framework of the comprehensive plan, but that circumstances unique to Jackson County warrant modification of the model policies.
- 1.3 The Board finds that the ESEE analyses for new sites cannot be completed until 1995, and that the Department of Land Conservation and Development has agreed that submission of the Aggregate Lands Inventory the aggregate resource package can be deferred until such time as the ESEEs are completed.

SECTION 2. CONCLUSIONS:

- 2.1 The Board of Commissioners concludes that it has received all information necessary to consider a recommendation for approval.
- 2.2 The Board concludes that proper public notice has been given.
- 2.3 The Board concludes that amendments to the Aggregate and Mineral Resource Element are consistent with the Goal 5 process. The Board further concludes that amendments to the Aggregate Lands Inventory should be deferred until all ESEE analyses have been completed.

SECTION 3. DECISION:

- 3.1 The Board of County Commissioners hereby amends Ordinance No. 82-26 as it pertains to the Aggregate and Mineral Resources Element (Exhibit A) of the Comprehensive Plan. The element is amended in its entirety to read as follows in the exhibit, which is incorporated by reference.
- 3.2 The Board of Commissioners defers amendment of the Aggregate Lands Inventory until all ESEE analyses have been completed. These analyses are scheduled to be finished in September, 1995.
- 3.3 Invalidity of a section or part of this ordinance shall not affect the validity of the remaining sections or parts of sections.

APPROVED this 14th day of December, 1994, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS



Hank Henry, Chair

APPROVED AS TO FORM:

ATTEST:



County Counsel



By: Recording Secretary

The Board of County Commissioner's Ordinance is the final decision on this action. An objection to this decision may be filed with the Land Conservation and Development Commission (LCDC). You must file your objection within ___ days of the date it is mailed. This decision is being mailed on _____, 19____, and the LCDC objection period will expire on _____, 19____. Please contact DLCD for specific appeal information. They are located at 1175 Court Street NE, Salem, Oregon 97310-0590. They can be reached at (503) 373-0050.

BEFORE THE BOARD OF COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON

RECEIVED

DEC 15 1994

Jackson Co. Planning

ORDINANCE NO. 94-123

AN ORDINANCE AMENDING CHAPTERS 244 AND 272 OF THE LAND DEVELOPMENT ORDINANCE; **OPERATING STANDARDS FOR AGGREGATE RESOURCE OPERATIONS**; FILE NUMBER 94-11-OA.

RECITALS:

1. Pursuant to Chapters 197 and 215 of the Oregon Revised Statutes and in conformance with the State Planning Goals, Jackson County's Comprehensive Plan and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission.
2. Statewide Planning Goal 5 requires counties to conserve open space and protect natural and scenic resources, including mineral and aggregate resources. Oregon Administrative Rule 660, Division 16, establishes the procedure for completing an inventory, analyzing conflicts, and implementing a program to protect significant and potentially significant aggregate sites.
3. On May 18, 1994, the Jackson County Board of Commissioners adopted an ordinance revising Chapter 244 (Aggregate Resource District) and Chapter 272 (Conditional Use Permits for Aggregate and Other Surface Mining Operations) of the Land Development Ordinance for all of Jackson County except Section 19 in Township 37 South, Range 2 West.
4. The ordinance was submitted to the Department of Land Conservation and Development on May 25, 1994 as Periodic Review Work Task #1. The department notified interested persons and received one objection to the submittal, and conducted its own review. The department concluded that additional changes needed to be made to the comprehensive plan and land use regulations to ensure continued compliance with the statewide planning goals.
5. The Jackson County Board of Commissioners considered the report submitted by the Department of Land Conservation and Development, and a memorandum prepared by planning department staff, at a properly advertised public hearing on October 19, 1994. The Board voted to approve revisions to Chapters 244 and 272 of the Jackson County Land Development Ordinance.

Now Therefore, the Board of County Commissioners of Jackson County hereby ordains as follows:

SECTION 1. FINDINGS:

- 1.1 The Board of Commissioners finds that amendments to Chapters 244 and 272 are necessary to bring these elements into conformity with the Goal 5 process outlined in Oregon Administrative Rule 660, Division 16, and in the DLCD Periodic Review Task Remand Order No. 00095.

1-ORDINANCE; File 94-11-OA
Date Typed: 11/9/94
[11 ORDNC]

1.2 The Board finds that adequate information has been submitted to warrant amend chapters 244 and 272.

SECTION 2. CONCLUSIONS:

2.1 The Board of Commissioners concludes that it has received all information necessary to consider a recommendation for approval.

2.2 The Board concludes that proper public notice has been given.

2.3 The Board concludes that amendments to chapters 244 and 272 of the Land Development Ordinance, outlined in the staff memorandum dated October 11, 1994, are consistent with the Goal 5 process.

SECTION 3. DECISION:

3.1 The Board of County Commissioners hereby repeals the existing Chapter 244 (Aggregate Resource District) and Chapter 272 (Conditional Use Permits for Aggregate and Other Surface Mining Operations) of the Land Development Ordinance.

3.2 The Board of County Commissioners hereby adopts as part of the Land Development Ordinance a new Chapter 244 (Aggregate Resource District), as shown in Exhibit A, and a new Chapter 272 (Conditional Use Permits for Aggregate and Other Surface Mining Operations), as shown in Exhibit B.

3.3 The effective date of this ordinance shall be 60 days from the date of approval.

APPROVED this 14th day of December, 1994, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS


Hank Henry, Chair

APPROVED AS TO FORM:


County Counsel

ATTEST:


By: Recording Secretary

The Board of County Commissioner's Ordinance is the final decision on this action. An objection to this decision may be filed with the Land Conservation and Development Commission (LCDC). You must file your objection within ___ days of the date it is mailed. This decision is being mailed on _____, 19____, and the LCDC objection period will expire on _____, 19____. Please contact DLCD for specific appeal information. They are located at 1175 Court Street NE, Salem, Oregon 97310-0590. They can be reached at (503) 373-0050.

2-ORDINANCE; File 94-11-OA

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing and second reading on **Wednesday, January 25, 1995, at 9:30 a.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing and second reading will be:

Consider an ordinance which, if adopted, will change the **zoning** from Forest Resource (FR-160) to **Aggregate Resource (AR)** on property legally described as Township 37 South, Range 2 West, Section 29, Tax Lots 305 and 1200 and portions of Tax Lots 304 and 307, not currently zoned AR. The ordinance also rezones a portion of Tax Lot 300, between Tax Lot 305 and the northwest quarter of the northwest quarter of Section 19, and the portion of Tax Lot 308 in the southwest quarter of the northwest quarter of Section 19, from FR-160 to AR. The ordinance also rezones a portion of Tax Lot 300 in Section 19, situated south of Tax Lot 1200 and west of Walker Creek, from AR to FR-160, as shown on the attached map.

Adoption of this ordinance will complete Task #10 of Jackson County's Periodic Work Review Work Program. Statewide Planning Goal 5, requires counties to conserve open space and protect natural and scenic resources, including mineral and aggregate resources. Oregon Administrative Rule 660, Division 16, establishes the procedure for completing an inventory, analyzing conflicts and implementing a program to protect significant and potentially significant aggregate sites. The Jackson County Planning Commission held public hearings on June 23, July 7, August 11, and September 22, 1994. The Planning Commission also conducted a field trip to the sites on August 3, 1994. The Board of County Commissioners held public hearings on November 2 and December 1, 1994. By motion and vote, the Board approved the changes in zoning from FR to AR and from AR to FR. Adoption of this ordinance implements their decision. File 94-5-CPA.

ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO COMMENTS ON THE FINDINGS IN THE DRAFT ORDINANCE.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the draft ordinance, all documents and evidence relied upon by the Board are available for inspection at no cost and will be provided at reasonable cost, if requested. Additional information is available by contacting **Dick Converse** at the Department of Planning and Development, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 776-7554; out of area residents (but within a 75 mile radius of Medford) 1-800-452-5021.

Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

JACKSON COUNTY NOTICE OF ADOPTION

Pursuant to Oregon Administrative Rules, Chapter 660, Division 18, Section 660-18-050, you are hereby being notified that the Jackson County Board of Commissioners completed Task #10 of Periodic Review. As Part of Task #10, the Board of County Commissioners adopted Ordinance #95-3, at a properly advertised public hearing, on January 25, 1995, at 9:30 a.m., in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon 97502.

Ordinance #95-3, will go into effect 10 days from the date of DLCD's acknowledgement of Task #10. The effect of Ordinance #95-3 is that it will change the zoning on portions of property legally described as Township 37 South, Range 2 West, Section 19, Tax Lots 305, 1200, 304, 307, 300, and 308 from Forest Resource (FR) to Aggregate Resource (AR), and a portion of Tax Lot 300, on the eastern side of the ridge line from Aggregate Resource (AR) to Forest Resource (FR) as shown on the attached zoning map. If you have any questions on the effect of this Ordinance, please contact Dick Converse, at the Department of Planning and Development, County Offices, 10 South Oakdale, Medford, Oregon 97501, telephone (503) 776-7554. This notice is being mailed to you on February 2, 1995, which is within twenty working days after its date of adoption as required by OAR 660-18-050.

You may review Ordinance #95-3, or you may purchase a copy for \$2.50, at the Department of Planning and Development, County Offices, 10 South Oakdale, Medford, Oregon 97501, between the hours of 8:00 a.m. and 4:00 p.m. If you desire to purchase a copy please make your check payable to Jackson County Planning Department and remit to County Offices, 10 South Oakdale, Medford, Oregon 97501. Please indicate either on your check or in an attached note the number of the Ordinance you are requesting a copy of and the file number (for example Ordinance #95-3, File #94-5-CPA).

The Board of County Commissioner's Ordinance is the final decision on this action. Jackson County, pursuant to State law, will send this ordinance to DLCD. Once DLCD receives the ordinance for Task #10, which constitutes completion of Jackson County's Periodic Review Work Task #10, DLCD will notify all those who have requested such notification of the 21 day period to raise an objection to the decision in Task #10. If you wish to receive DLCD's notification and have standing, even if you agree with the county's decision, you must write and request such notice from Doug White, DLCD, 1175 Court Street N.E., Salem, Oregon 97310-0590. If you do not write and request such notification you will not have standing or be able to participate in a public hearing held by the Land Conservation and Development Commission should such a hearing be held.

Laurel Prairie-Kuntz
Assistant Director for Planning
Department of Planning and Development
County Offices
10 South Oakdale
Medford, Oregon 97501
(503) 776-7554

RECEIVED

FEB 01 1995

Jackson Co. Planning

BEFORE THE BOARD OF COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON

ORDINANCE NO. 95-3

AN ORDINANCE AMENDING THE OFFICIAL COMPREHENSIVE PLAN AND ZONING
MAP #3, FILE NUMBER 94-5-CPA.

RECITALS:

1. Pursuant to Chapters 197 and 215 of the Oregon Revised Statutes and in conformance with the State Planning Goals, Jackson County's Comprehensive Plan and implementing ordinances have been acknowledged by the Oregon Land Conservation and Development Commission.
2. Statewide Planning Goal 5 requires counties to conserve open space and protect natural and scenic resources, including mineral and aggregate resources. Oregon Administrative Rule 660, Division 16, establishes the procedure for completing an inventory, analyzing conflicts, and implementing a program to protect significant and potentially significant aggregate sites.
3. The Jackson County Planning Commission held properly advertised public hearings on June 23, 1994, July 7, 1994, August 11, 1994, and September 22, 1994 and also conducted a field trip to the sites on August 3, 1994. The Planning Commission had earlier considered an ESEE analysis on two sites owned by Larry and Clover Leonard, but, because of concerns expressed about the cumulative effect of all existing and potential sites in the area, the Board of Commissioners directed the Planning Commission to expand its review to include all aggregate sites north of Par-a-Dice Ranch Road. The properties are described as Township 37 South, Range 2W, Section 19, tax lots 300, 301, 304, 305, 306, 307, 308, 310, 900, 1000, 1100, and 1200.
4. Based on information in the staff report and testimony received at the public hearing, the Planning Commission adopted a motion finding the site to be significant and tentatively recommended that several parcels be rezoned to Aggregate Resource and that the eastern portion of the existing AR zone be retracted to a ridge line, changing the remainder of the land to FR-160.
5. Section 277.020 of Ordinance #88-18 provides that the Planning Commission forward its recommendation of approval to the Board of County Commissioners.
6. The Board of County Commissioners conducted a public hearing on November 2, 1994, for the purpose of considering the Planning Commission recommendation. The public

1-ORDINANCE; File 94-5-CPA (ESEE)
Date Typed: 12/30/94

[5ORDNC D6]

1.4 Bill Hicks responded to concerns about other available granite sources by testifying that other granite sites have a higher clay content and are not as suitable for construction projects, because the purpose of using granite for construction projects is to replace soils with shrink-swell conditions caused by a high clay content.

1.5 The Commission finds that aggregate extraction has been nearly continuous since the property was zoned AR in 1973; however, testimony provided at the hearing indicates that the intensity of use has increased in the past several years, leading to increased complaints about the effect on the livability of the area. Two previous requests for conditional use permits for aggregate extraction in the area were denied for this reason.

1.6 Neighboring property owners expressed strong objections to increased AR zoning, citing concerns about reduced property values, noise and dust, adverse effects of blasting on structures and wells, degradation of Walker Creek, and most specifically, access to the site. Testimony of residents in the Par-a-Dice Ranch Road area indicated an assessed value of approximately \$10 million. While most of the dwellings are more than 1/2 mile from the site, the primary haul route from the pits is over an easement to Par-a-Dice Ranch Road, which provides access to a residential development, and then through downtown Jacksonville. Terry Klinker testified that he has experience in residential brokering and that he has seen a downturn in sales in the area because of diminishing residential values.

Concern was also expressed about residential conflicts if Morton Way is used for aggregate hauling. Testimony revolved around the effect of truck traffic on the historic buildings and the related tourism industry. Concern was noted about the hours of operation of 6 a.m. to 7 p.m., six days per week. Testimony from the City of Jacksonville indicated that truck traffic on Par-a-Dice Ranch Road was restricted by city ordinance to normal working hours, Monday through Friday. Paul Wyntergreen, City Planner and Administrator, also testified that the sites were in the viewshed of the city, even though they were beyond the urban growth boundary.

1.7 Because of the conflicts identified in the first ESEE review, it was recommended that the parties enter into mediation. While progress was made regarding use and maintenance of Par-a-Dice Ranch Road and travel through downtown Jacksonville, mediation was halted because of a lack of funds. As a result, no agreements were reached. The mediation group was also instructed to review potential alternative haul routes, but was unable to find any viable routes. Testimony was received from several property owners objecting to consideration of eastern routes such as Tami Lane and Livingston Road.

3-ORDINANCE; File 94-5-CPA(ESEE)

Mr. Cutler recommended that there be no expansion, that there be complete enforcement of existing rules, and that no conditional use permits for aggregate operations be granted. He further urged the Board to close all existing sites.

SECTION 2. CONCLUSIONS:

2.1 The Board of Commissioners concludes that it has received all information necessary to consider a recommendation for approval.

2.2 The Commission concludes that proper public notice has been given.

2.3 The Commission concludes that granite in the west half of Section 19 is superior to other granite in the county, because it has a lower clay content. The Commission further concludes that the material is an important construction material in Jackson County. The granite is a significant resource for construction in Jackson County.

2.4 The Commission concludes that the impact of aggregate operations in the area extends beyond the prescribed 1500-foot impact area, warranting an extension of the impact area to the junction of Par-a-Dice Ranch Road and Highway 238. The chief purpose of the enlarged impact area is to make prospective purchasers of property in the area aware that aggregate trucks will be using the road. The commission also concludes that the concerns raised by neighboring property owners warrant placing conditions to mitigate those conflicts.

2.5 The Commission concludes that the terrain of the area adequately buffers the aggregate sites from a majority of the surrounding properties, and further concludes that moving the eastern boundary to a ridge line will also reduce the potential visual impact from Jacksonville. The Board concluded that a decision to rezone the area including tax lots 305, 308, and 1200 would move the conflicts farther from residential uses in Jacksonville. The property to be rezoned is shown on the attached map.

2.6 The Board concludes that the operating standards outlined in Chapter 244 of the Jackson County Land Development Ordinance generally balance use of the site for aggregate production with conflicting uses on adjoining properties. Because of concerns about the potential for adverse impacts, the commission suggested conditions to further lessen that potential. After evaluating each of the conditions proposed by the City Council, the Board felt conditions should be added that:

Commission. The Department of Land Conservation and Development (DLCD) is required by law to notify Jackson County of acknowledgement. This ordinance shall go into effect 10 days after receipt of said notice.

3.3 Invalidity of a section or part of this ordinance shall not affect the validity of the remaining sections or parts of sections.

3.4 While Tax Lot 310 was included in the expanded ESEE, the Board of Commissioners decided to make no decision affecting the zoning of this parcel.

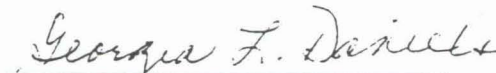
APPROVED this 25th day of January, 1995, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS


Sue Kupillas, Chair

APPROVED AS TO FORM:

ATTEST:


County Counsel


By: Recording Secretary

This ordinance represents the Board of Commissioner's final decision. Jackson County, pursuant to State law, will send this decision to the Department of Land Conservation and Development (DLCD). Once DLCD receives the ordinance for File 94-5-CPA, which constitutes Jackson County Periodic Review Work Task #10, DLCD will notify all those who have requested such notification of the 21 day period to raise an **objection** to the decisions in Task #10. If you wish to receive DLCD's notification, you must write and request such notice from Doug White at: 1175 Court Street NE, Salem, Oregon 97310-0590.

7-ORDINANCE; File 94-5-CPA(ESEE)

NOTICE OF A CONTINUED PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Planning Commission will hold a continued public hearing on **Thursday, May 25, 1995, at 9:00 a.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Continue consideration of an Economic, Social, Environmental, and Energy (ESEE) analysis as part of Jackson County's Periodic Review, Task #14, Central County Aggregate ESEEs. The purpose of the ESEE analysis is to determine the relative value of the aggregate resource site as compared to the existing or potential conflicting uses. Based on the analysis, a program for protecting the resource is determined. Choices range from complete protection of the resource to prohibiting conflicting uses, to allowing conflicting uses instead of aggregate extraction. Under most circumstances, the decision will result in a balance of the uses. The Planning Commission will determine the relative value and prioritize the sites, and then make a recommendation to the Board of County Commissioners who will hold a public hearing at a later date. Should the Board's decision be to protect the aggregate resource, an Aggregate Resource (AR) zoning designation will be applied to the proposed area. This public hearing is being continued from May 4, 1995, and you are receiving this notice because the first notice did not list Tax Lot 200 as being part of the property involved. The zoning map which was attached to your first notice, and this one, is correct. The criteria you received in your first notice remains the same.

The ESEE analysis is being conducted on property owned by Medford Ready Mix. The property consists of two tax lots, totaling 189 acres, and is located west of Table Rock Road and north of Tou Velle Park. It is legally described as Township 36 South, Range 2 West, Section 14, Tax Lot 100 and 200. Should the Planning Commission determine that the aggregate site should be protected, they will recommend that the zoning be changed from Exclusive Farm Use (EFU) to Aggregate Resource (AR). The agent representing Medford Ready Mix is J. Michael LaNier, The Richard Stevens Company, 107 East Main St. #7, Medford, Oregon 97504. File #93-23-CPA.

ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. AN EXTENSION OF TIME MAY BE GRANTED BY APPROVAL OF A MAJORITY OF THE PLANNING COMMISSION. ANY PERSON WHO HAS ADDITIONAL TESTIMONY TO GIVE (BEYOND THE FIVE MINUTE LIMIT) IS ENCOURAGED TO SUBMIT IT IN WRITING.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the staff report, all documents and evidence relied upon by the Planning Commission is available for inspection at no cost and will be provided at reasonable cost, if requested. Additional information is available by contacting Dick Converse at the Department of Planning and Development, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 776-7554; Jackson County residents outside of Medford's local calling area 1-800-452-5021.

Laurel Prairie-Kuntz, Secretary
JACKSON COUNTY PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

Tom + Frank
JW FYI

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on Tuesday, August 29, 1995, at 1:00 p.m. in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Approval on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Open Space Reserve to Aggregate Resource (AR) for property located north of Interstate-5, approximately one-quarter mile east of the Jackson/Josephine County line, and legally described as Township 36 South, Range 4 West, Section 19, Tax Lot 300. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held a properly advertised public hearing on May 25, 1995, to consider information supplied by the property owner supporting an AR zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission also conducted a field trip to the site on June 1, 1995, and deliberated to a recommendation on June 22, 1995. The Planning Commission found the site to be significant and that the 1500 foot impact area is generally adequate to balance aggregate and conflicting uses, but that it should be extended to the parcels fronting the access road southwest to the freeway underpass. The Planning Commission is also recommending the following conditions: A) perform a lighting analysis and, if ODOT grants permission, require petitioner to upgrade and maintain lighting within the tunnel to provide clear visibility; B) if ODOT grants permission, require petitioner to install and maintain infrared motion detectors connected to lighted signs on either end of the tunnel, warning truck drivers and other motorists when the interior of the tunnel is occupied by vehicles or pedestrians; C) if needed, and with the permission of ODOT, improve the waiting areas within the public right-of-way which are on either end of the tunnel to enable trucks and other vehicles to accommodate one another when approaching from different directions; D) require petitioner to work with the Rogue River School District and, if agreeable to the district, require petitioner to construct a bus turn-around on the southerly portion of his property which is not proposed to be used for aggregate mining; E) require a fogger to be used with the rock crusher; F) require measures to suppress dust on the new haul road segment to be constructed on the petitioner's property; G) require a professionally prepared operational plan and reclamation plan to be approved by the county and appropriate state agencies; and H) the area to be rezoned shall be restricted to the portion north of the high line power easement and the east-west line designated on the USGS maps, whichever is farther north. The Planning Commission is recommending that the Board of County Commissioners find that the ESEE analysis warrants a change of zone from EFU to AR, and that the operating standards of Chapter 244 of the Jackson County Land Development Ordinance be implemented in addition to the conditions listed above. The property is owned by Don-L Corp, % Eric Stark, 201 West Main Street #1B, Medford, Oregon. The aggregate operator is Lyle Jeffries, Box 2285, Winston, Oregon 97496. Their agent is Craig Stone, 708 Cardley Avenue, Medford, Oregon 97504. File 95-3-CPA(ESEE).

ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. AN EXTENSION OF TIME MAY BE GRANTED BY APPROVAL OF A MAJORITY OF THE BOARD. ANY PERSON WHO HAS ADDITIONAL TESTIMONY TO GIVE (BEYOND THE FIVE MINUTE LIMIT) IS ENCOURAGED TO SUBMIT IT IN WRITING.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the Planning Commission Recommendation, all documents and evidence relied upon by the Board is available for inspection at no cost and will be provided at reasonable cost, if requested. Additional information is available by contacting Dick Converse at the Department of Planning and Development, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 776-7554; Jackson County residents outside of Medford's local calling area 1-800-452-5021.

Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on **Wednesday, August 23, 1995, at 1:00 p.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Approval on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Exclusive Farm Use (EFU) to Aggregate Resource (AR) for property located east of Modoc Road, south of its intersection with Glass Lane, and legally described as Township 35 South, Range 1 West, Section 30, Tax Lot 203. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held properly advertised public hearings on May 18 and June 13, 1995, to consider information supplied by the property owner supporting an AR zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission also conducted a field trip to the site on June 1, 1995, and deliberated to a recommendation on June 22, 1995. The Planning Commission found that the 1500 foot impact area is generally adequate to balance aggregate and conflicting uses, but that conditions should be added requiring: A) that consistent with the deed covenants and restrictions, only extraction shall occur on-site and other processing shall not be permitted; B) that evidence be provided from DEQ that noise and air quality standards for the entire operation, including aggregate hauling, have been met or exceeded; C) that a berm be placed around the excavation area to further reduce noise transmission to adjoining properties, and the berm shall be constructed consistent with Section 244.040(3)(D)(ii) of the Jackson County Land Development Ordinance; D) that water rights and water quality issues are satisfied, demonstrated by written verification from DEQ, the Division of State Lands, and the Department of Geology and Mineral Industries (DOGAMI); and E) that a reclamation plan approved by DOGAMI is submitted prior to commencement of operation. The Planning Commission concluded that the conditions balanced the conflicting uses and they could recommend approval of the AR zone to the Board, if the operating standards of Chapter 244 of the LDO be implemented with the additional conditions outlined above. The property is owned by Medford Ready-Mix Concrete, Box 1045, Eagle Point, Oregon 97504. Their agent is The Richard Stevens Company, 107 East Main Street #7, Medford, Oregon 97504. File #93-26-CPA(ESEE).

ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. AN EXTENSION OF TIME MAY BE GRANTED BY APPROVAL OF A MAJORITY OF THE BOARD. ANY PERSON WHO HAS ADDITIONAL TESTIMONY TO GIVE (BEYOND THE FIVE MINUTE LIMIT) IS ENCOURAGED TO SUBMIT IT IN WRITING.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the Planning Commission Recommendation, all documents and evidence relied upon by the Board is available for inspection at no cost and will be provided at reasonable cost, if requested. Additional information is available by contacting **Dick Converse** at the Department of Planning and Development, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 776-7554; Jackson County residents outside of Medford's local calling area 1-800-452-5021.

Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on **Tuesday, August 22, 1995, at 10:00 a.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Approval on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Open Space Reserve (OSR) to Aggregate Resource (AR) for property located south of Kirtland Road, approximately one-half mile west of West Antelope Road, and legally described as Township 36 South, Range 2 West, Section 22, Tax Lot 600. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held a properly advertised public hearing on May 4, 1995, to consider information supplied by the property owner supporting an AR zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission also conducted a field trip to the site on June 1, 1995, and deliberated to a recommendation on June 15, 1995. The Planning Commission found the site to be significant and that the 1500 foot impact area is generally adequate to balance aggregate and conflicting uses with the following conditions: A) Berms to be placed at the south property line and at the western edge of the Whetstone Creek riparian area; and B) Prior to commencing operation, written verification must be submitted from the Division of State Lands, confirming that the operation will be consistent with that agency's wetland protection policies. The Planning Commission is recommending that the Board of County Commissioners find that the ESEE analysis warrants a change of zone from OSR to AR, and that the operating standards of Chapter 244 of the Jackson County Land Development Ordinance be implemented in addition to the conditions listed above. The property is owned by Medford Ready-Mix Concrete, 3400 Crater Lake Avenue, Medford, Oregon 97504. Their agent is The Richard Stevens Company, 107 East Main Street #7, Medford, Oregon 97504. File 93-22-CPA(ESEE).

ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. AN EXTENSION OF TIME MAY BE GRANTED BY APPROVAL OF A MAJORITY OF THE BOARD. ANY PERSON WHO HAS ADDITIONAL TESTIMONY TO GIVE (BEYOND THE FIVE MINUTE LIMIT) IS ENCOURAGED TO SUBMIT IT IN WRITING.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

A copy of the Planning Commission Recommendation, all documents and evidence relied upon by the Board is available for inspection at no cost and will be provided at reasonable cost, if requested. Additional information is available by contacting **Dick Converse** at the Department of Planning and Development, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 776-7554; Jackson County residents outside of Medford's local calling area 1-800-452-5021.

Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on **Tuesday, August 29, 1995, at 9:00 a.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Denial on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Exclusive Farm Use (EFU) to Aggregate Resource (AR) for property located east of Highway 62, and north of Butte Falls, and legally described as Township 35 South, Range 1 West, Section 1, Tax Lots 100 and 200; Township 35 South, Range 1 West, Section 2, Tax Lots 100 and 200; and Township 35 South, Range 1 West, Section 3, Tax Lot 1200. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held properly advertised public hearings on May 25 and June 5, 1995, to consider information supplied by the property owner supporting an Aggregate Resource (AR) zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission also conducted a field trip to the site on June 13, 1995, and deliberated on June 22, 1995. The Planning Commission concluded that the sites are farther from the market than other aggregate sources in the north county area, increasing the cost of production; that critical elk habitat would be adversely affected by mining; and that adequate screening would not be possible, particularly from the area to the south. The Planning Commission voted to recommend to the Board that four of the five sites be found significant and included on the Aggregate Resources inventory, that Area D-1 be excluded from the inventory, and that because the conflicting uses outweighed the significance of the aggregate material, the zoning should not be changed and should remain EFU. The property is owned by the McKenzie Family Trust, 256 Yale Drive, Medford, Oregon 97504. Their agents are B.G. Hicks, 190 Vista Street, Ashland, Oregon 97520 and Craig Stone, 708 Cardley Avenue, Medford, Oregon 97504. File #95-4-CPA(ESEE).

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Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on **Tuesday, August 22, 1995, at 9:00 a.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Approval on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Exclusive Farm Use (EFU) to Aggregate Resource (AR) for property located along Bear Creek Road, east of Kirtland Road, and legally described as Township 36 South, Range 2 West, Section 28, Tax Lot 1900. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held a properly advertised public hearing on August 26, 1993, to consider information supplied by the property owner supporting an AR zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission found that by balancing conflicting uses, they could recommend approval of the AR zone to the Board, if that portion of the property west of Bear Creek be deemed a "no extraction" area and limited in use to accommodate a maintenance shop. The Planning Commission is also recommending a requirement that "prior to commencing operation, written verification must be submitted from the Division of State Lands, confirming that the operation will be consistent with that agency's wetland protection policies." The property is owned by Floyd and Mildred Venable, 6968 Blackwell Road, Central Point, Oregon 97502. Their agent is The Richard Stevens Company, 107 East Main Street #7, Medford, Oregon 97504. File 93-16-CPA(ESEE).

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Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on **Tuesday, August 22, 1995, at 11:00 a.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Denial on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Aggregate Resource (AR) to Rural Residential (RR-5, RR-10, or RR-00) for property located at 12915 Modoc Road, approximately one-half mile south of Glass Lane, and legally described as Township 35 South, Range 1 West, Section 30, Tax Lot 315. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held a properly advertised public hearing on May 18, 1995, to consider information supplied by the property owner supporting removal of the AR zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission also conducted a field trip to the site on June 1, 1995, and deliberated on June 15, 1995. The Planning Commission is recommending to the Board that the site be removed from the aggregate inventory, with the understanding that the only appropriate zoning designation for the property would be Exclusive Farm Use (EFU). The property owners are requesting a Rural Residential (RR-5, RR-10, or RR-00) zoning designation. The property is owned by Graham and Barbara Wilkins, 12915 Modoc Road, White City, Oregon 97503. File #93-27-CPA(ESEE).

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A copy of the Planning Commission Recommendation, all documents and evidence relied upon by the Board is available for inspection at no cost and will be provided at reasonable cost, if requested. Additional information is available by contacting **Dick Converse** at the Department of Planning and Development, 10 South Oakdale, Medford, Oregon 97501. Telephone: Medford 776-7554; Jackson County residents outside of Medford's local calling area 1-800-452-5021.

Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on **Tuesday, August 22, 1995, at 3:00 p.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Approval on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Exclusive Farm Use (EFU) to Aggregate Resource (AR) for property located north of Gold Ray Road, approximately 1000 feet northwest of its intersection with Blackwell Road, and legally described as Township 36 South, Range 2 West, Section 20, Tax Lot 200. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held a properly advertised public hearing on May 18, 1995, to consider information supplied by the property owner supporting an AR zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission also conducted a field trip to the site on June 1, 1995, and deliberated to a recommendation on June 15, 1995. The Planning Commission found the site to be significant and that the 1500 foot impact area is generally adequate to balance aggregate and conflicting uses with the following conditions: A) that once the operation commences, the material must be removed and the site reclaimed within four years; B) that no blasting or processing occur at the site and that the material be transported to the existing processing plant; and C) that the site be screened from residential areas while excavation is being conducted. The Planning Commission also concluded that because the soils at the site are prime, diligent effort should be directed toward reclaiming the site for agricultural use rather than a pond. The Planning Commission is recommending, by a 3-1 vote, with one abstention, that the Board of County Commissioners find that the ESEE analysis warrants a change of zone from EFU to AR, and that the operating standards of Chapter 244 of the Jackson County Land Development Ordinance be implemented in addition to the conditions listed above. The property is owned by William Parker, Box 1281, Medford, Oregon 97501. The aggregate operator is Lininger Tru-Mix, Inc., Box 1145, Medford, Oregon 97501. Their agent is Curt Weaver, 2480 Nieto Way, Medford, Oregon 97504. File 93-29-CPA(ESEE).

ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. AN EXTENSION OF TIME MAY BE GRANTED BY APPROVAL OF A MAJORITY OF THE BOARD. ANY PERSON WHO HAS ADDITIONAL TESTIMONY TO GIVE (BEYOND THE FIVE MINUTE LIMIT) IS ENCOURAGED TO SUBMIT IT IN WRITING.

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Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Jackson County Board of Commissioners will hold a public hearing on **Tuesday, August 22, 1995, at 1:30 p.m.** in the Auditorium of the Jackson County Offices, 10 South Oakdale, Medford, Oregon. The purpose of the public hearing will be:

Consider a Jackson County Planning Commission Recommendation for Approval on an Economic, Social, Environmental, and Energy (ESEE) Analysis to justify a change of zone from Exclusive Farm Use (EFU) to Aggregate Resource (AR) for property located west of Table Rock Road, north of the Rogue River, and legally described as Township 36 South, Range 2 West, Section 14, Tax Lots 100 and 200. The ESEE Analysis is part of Task #14 of Jackson County's Periodic Review Work Program. The Planning Commission held a properly advertised public hearing on May 4, 1995, to consider information supplied by the property owner supporting an AR zoning designation and to receive testimony and exhibits on the proposal. The Planning Commission also conducted a field trip to the site on June 1, 1995, and deliberated to a recommendation on June 15, 1995. The Planning Commission found the site to be significant and that the 1500 foot impact area is generally adequate to balance aggregate and conflicting uses with the following conditions: A) construction of ponds along the western boundary to maintain the groundwater level of lands to the west; B) soil retention for reclamation to farm use upon completion of aggregate extraction. The Commission also strongly recommends that the area north of the existing dwelling be reclaimed as a field for farm production; C) maintenance of a 500 foot setback from the northern property line adjacent to the Tou Velle Food and Brew; and D) continued compliance with the conditions of approval for the portion of the property affected by the conditional use permit (File 90-29-CUP). The Planning Commission is recommending that the Board of County Commissioners find that the ESEE analysis warrants a change of zone from EFU to AR, and that the operating standards of Chapter 244 of the Jackson County Land Development Ordinance be implemented in addition to the conditions listed above. The property is owned by Medford Ready-Mix Concrete, 3400 Crater Lake Avenue, Medford, Oregon 97504. Their agent is The Richard Stevens Company, 107 East Main Street #7, Medford, Oregon 97504. File 93-23-CPA(ESEE).

ORAL TESTIMONY ON THIS HEARING SHALL BE LIMITED TO FIVE MINUTES PER PERSON. AN EXTENSION OF TIME MAY BE GRANTED BY APPROVAL OF A MAJORITY OF THE BOARD. ANY PERSON WHO HAS ADDITIONAL TESTIMONY TO GIVE (BEYOND THE FIVE MINUTE LIMIT) IS ENCOURAGED TO SUBMIT IT IN WRITING.

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Sue Kupillas, Chair
JACKSON COUNTY BOARD OF COMMISSIONERS