

PETITION FOR ANNEXATION – STAFF REPORT

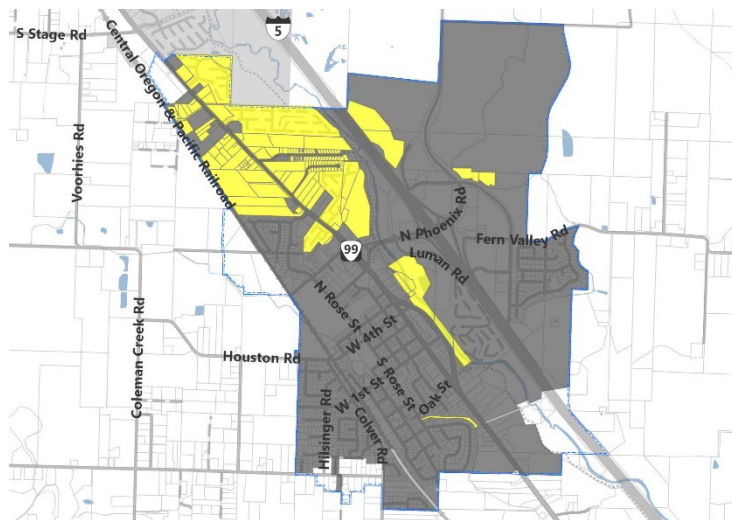
File: AN24-01

Location: Enclave areas within the Phoenix urban growth boundary. Primarily located north of the city center near Hwy 99 and Interstate-5 (see map inset).

Land Use District: Various (see attached land use maps and property lists).

Date Notice Published: January 6th and 13th, 2024

Date of Hearing: January 22, 2024



I. APPLICANT

City of Phoenix
PO Box 330
Phoenix, OR 97535

II. PROJECT INFORMATION

The proposal is to annex 253 acres within the City’s urban growth boundary (UGB) pursuant to ORS 222.750, remove the area from Jackson County Fire District No.2 pursuant to ORS 222.524, and add the area to Jackson County Fire District No.5 boundaries pursuant to ORS 198.867(3). This action is consistent with the direction to “pursue annexation of the PH-3 area” provided by the Phoenix City Council in April of 2023. The action is also consistent with Policy 3.5 of the Land Use Element of the Comprehensive Plan which states:

The City shall initiate proceedings to annex “islands” of unincorporated area within the City Limits immediately following their creation or as soon thereafter as practical when deemed to be in the overall best interest of the City. Such annexations are required to ensure orderly and equitable provision of public improvement, utilities, and community services, and to further growth and development of the community in accordance with this Plan (ORS 222.750).

The application seeks to annex unincorporated territory surrounded by the city, with a delayed annexation for certain properties, as provided for in ORS 222.750. Per ORS 222.750(2), which provides for “island” or “enclave” annexation:

When territory not within a city is surrounded by the corporate boundaries of the city, or the corporate boundaries of the city and the corporate boundaries of another city, the ocean shore, a river, a creek, a bay, a lake or Interstate Highway 5, the city may annex the territory pursuant to this section after holding at least one public hearing on the question for which notice has been mailed to each record owner of real property in the territory proposed to be annexed.

As shown in the attached Enclaves maps (Exhibit A), there are 10 unique territories relevant to Phoenix which meet these standards for enclave annexation. As shown on the maps, Enclaves A-F and H-J are all completely surrounded by the corporate boundaries of the City of Phoenix, and, as shown on the attached Territories to be Annexed maps (Exhibit B), are proposed to be annexed in their entirety. Enclave G is surrounded by the corporate boundaries of the City of Phoenix, the corporate boundaries of the City



of Medford, and a portion of Bear Creek. Only the portions of Enclave G located within the UGB of Phoenix are proposed to be annexed as only these areas are eligible for annexation to Phoenix.

Pursuant to ORS 222.750(5), properties within the proposed annexation area that are both zoned for residential use and are currently in residential use, will have an effective date for annexation that is at least three years after the date the city proclaims the annexation approved. Exhibit C is a series of map showing non-residential properties and residential properties. Exhibit D is a list of all non-residential properties, which will have an effective date for annexation of March 25, 2024, and a list of all residential properties, which will have an effective date of annexation of March 25, 2027. Any of the Residential properties that are sold during the period of delayed annexation will annex immediately upon sale (ORS 222.750(6)).

The voters of Phoenix overwhelmingly supported Measures 15-81 and 15-82 in 2008 to annex the City of Phoenix into the Jackson County Fire District No. 5 boundaries. Per ORS 198.867(3) and Jackson County Board Order 73-08 (Exhibit E): "...the city property, together with any property thereafter annexed to the city shall: a. Be included in the boundaries of the district; and b. Be subject to all liabilities of the district in the same manner and to the same extent as other territory included in the district."

The City seeks to withdraw these territories from the Jackson County Fire District No. 2 boundaries pursuant to ORS 222.524 and add them to the Jackson County Fire district No. 5 boundaries as required by ORS 198.867(3).

All properties will be assigned City zoning which is consistent with the City's Comprehensive Plan Map and is generally equivalent to the County zoning it replaces. The following properties: 381W04 TL 502 and 381W09A TL 101, being zoned for Exclusive Farm Use in the County, will be assigned the Holding Zone designation per PLDC Chapter 2.11 (see Exhibit F).

A. Surrounding Land Uses:

- NORTH: City of Medford City Limits and UGB
- EAST: Portions of urban reserve PH-5 not yet in UGB
- SOUTH: Phoenix City Center
- WEST: Phoenix Urban Reserve Areas PH-1 and PH-1a

B. Utilities and Infrastructure:

- Electricity: Pacific Power
- Natural Gas: Avista Utilities
- Potable Water: Phoenix
- Sanitary Sewer: Rogue Valley Sewer Services
- Transportation: Areas served primarily by Hwy 99 and North Phoenix Road
- Police: The areas are currently served by the Jackson County Sherriff's Department and will be served by the City of Phoenix Police Department upon annexation.
- Fire: The territory will be removed from Jackson County Fire District No.2 and added to Jackson County Fire District No.5.

III. APPLICABLE PHOENIX LAND DEVELOPMENT CODE (PLDC) CRITERIA

PLDC, Chapter 4.1 – Types of Applications and Review Procedures
Chapter 4.1.6 – Type IV Procedures (Legislative)

IV. OTHER APPLICABLE PHOENIX STANDARDS

Comprehensive Plan – Land Use Element Goals and Policies



Community & Economic Development Department
220 N. Main Street / P.O. Box 330
Phoenix, Oregon 97535
(541) 535-2050

Comprehensive Plan – Urbanization Element Goals and Policies
Urban Growth Boundary Management Agreement

V. OREGON REVISED STATUTES

ORS 198.867
ORS 222.524
ORS 222.750

VI. AGENCY COMMENTS

None received.

VII. PUBLIC COMMENTS

None received.

VIII. RECOMMENDATION

Based on the findings and the application for annexation, staff recommends **APPROVAL** of the application, as outlined in the Proposed Final Order.

IX. PROPOSED MOTION

"I move to recommend approval of the requested annexation to the City Council as outlined in the Planning Commission Final Order."

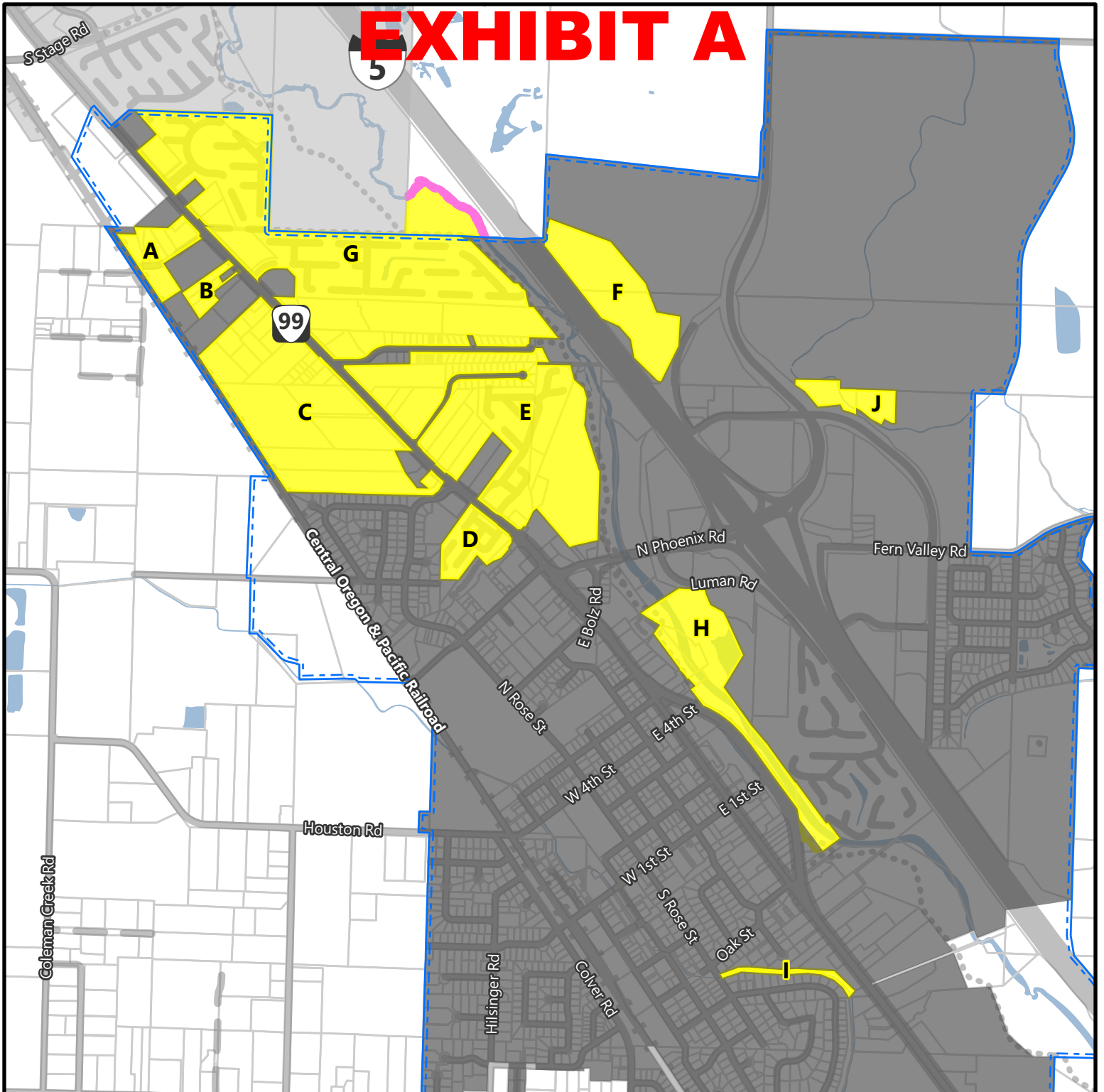
X. EXHIBITS

- A. Maps – Enclaves
- B. Maps – Territories to be Annexed
- C. Maps – Non-Residential Properties, Residential Properties
- D. Lists – Non-Residential Properties, Residential Properties
- E. County Order Annexing Phoenix Properties to JCFD No.5
- F. County Zoning Map, Proposed City Comprehensive Plan Map and Zoning Map
- G. Planning Commission Proposed Final Order

Respectfully Submitted,

Joe Slaughter, AICP
Deputy City Manager

EXHIBIT A



Community & Economic Development Department Enclave Areas



Urban Growth Boundary



Enclave Areas



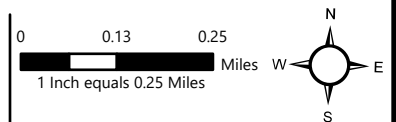
Medford City Limit



Bear Creek Enclave Boundary



Phoenix City Limit
(Ord 1033 Eff 01/01/2024)



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Created by Jeff, on 1/9/2024



Community & Economic Development Department

Enclave Area A



Urban Growth Boundary



Phoenix City Limit

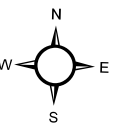


Medford City Limit

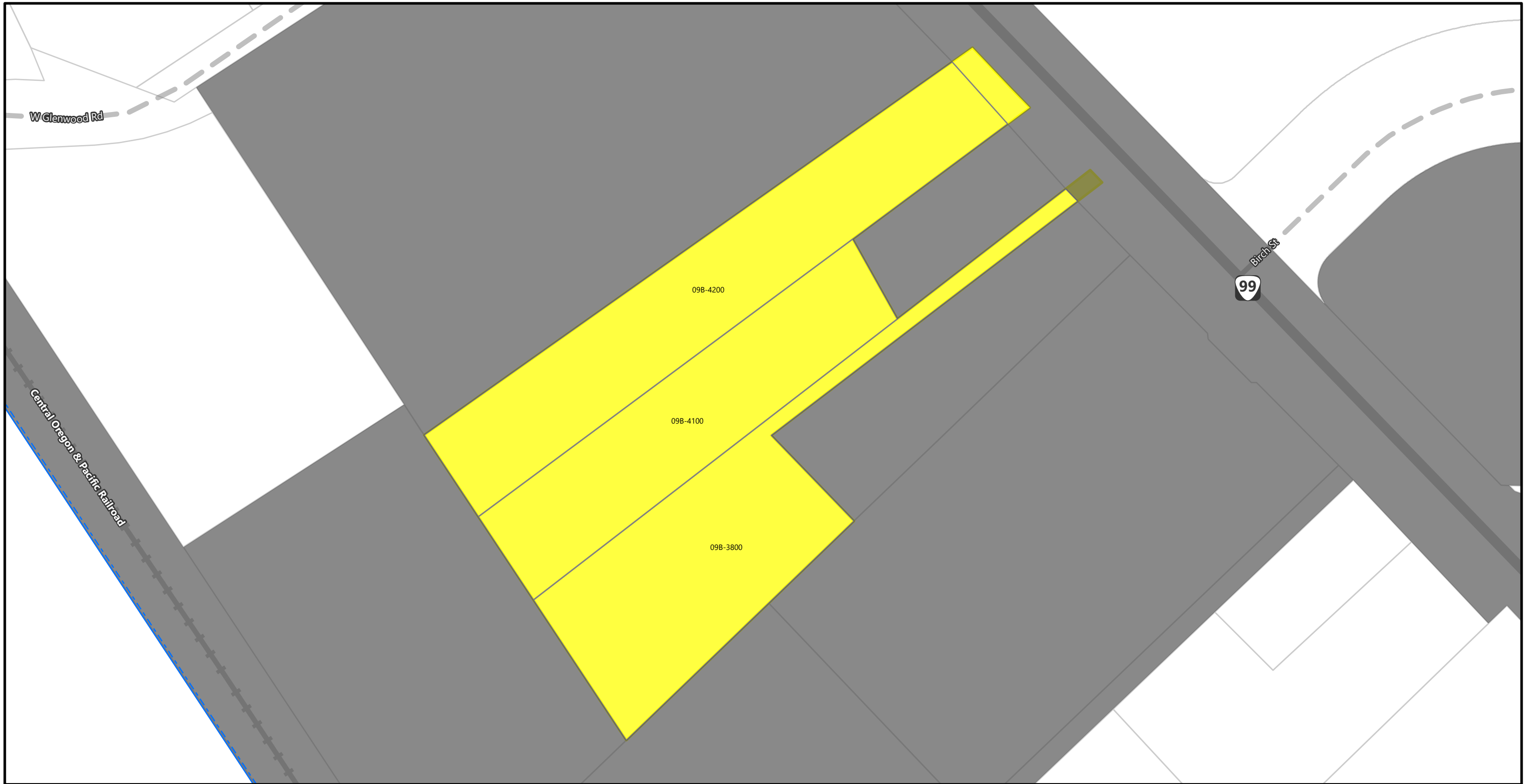


Enclave Area

1 Inch equals 125 Feet 0 50 100 Feet



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Community & Economic Development Department Enclave Area B



Urban Growth Boundary



Phoenix City Limit

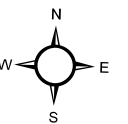
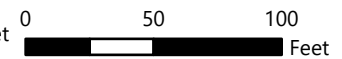


Medford City Limit



Enclave Area

1 Inch equals 75 Feet



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Community & Economic Development Department

Enclave Area C



Urban Growth Boundary



Phoenix City Limit

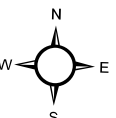


Medford City Limit

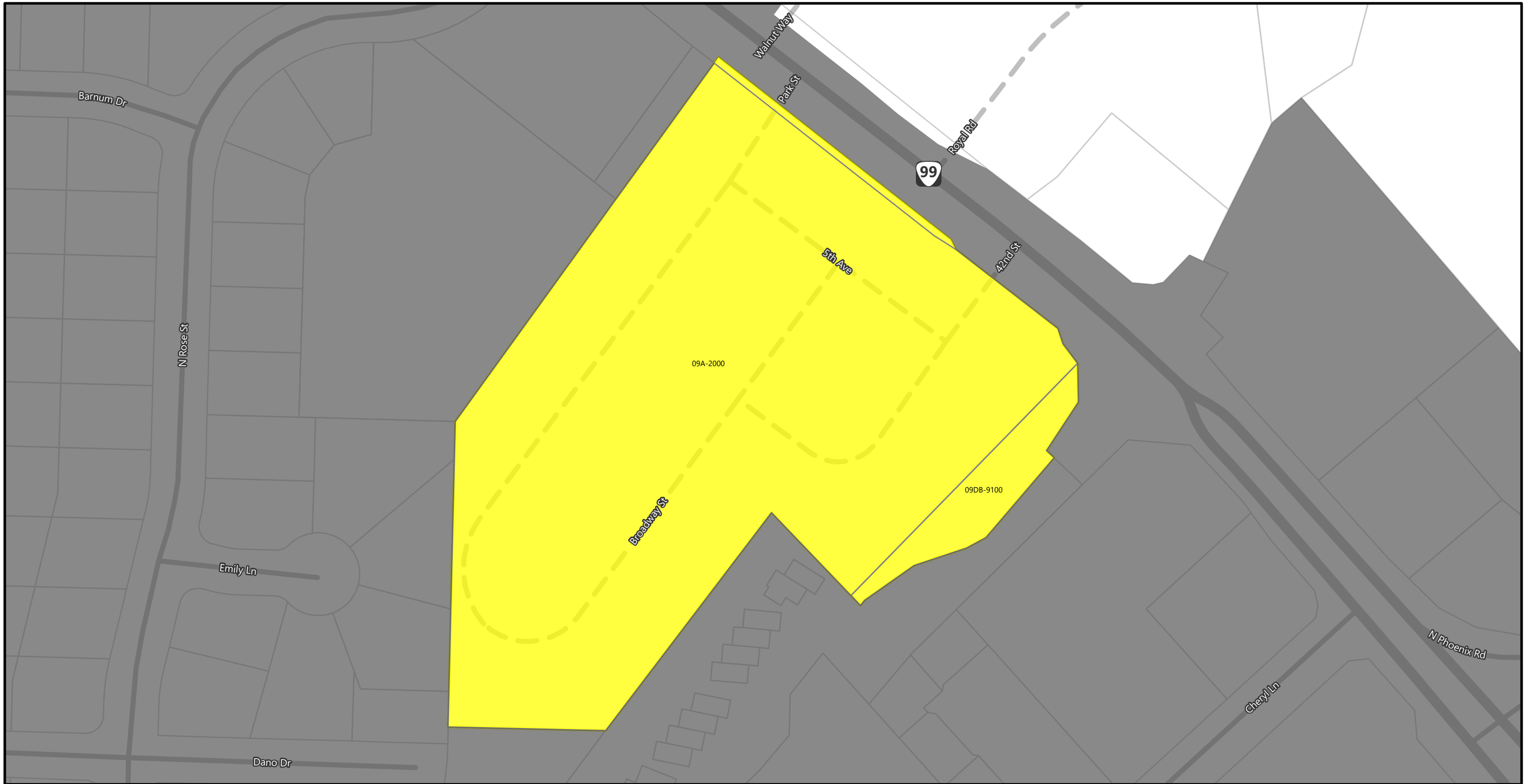


Enclave Area

1 Inch equals 250 Feet 0 50 100 Feet



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Community & Economic Development Department

Enclave Area D



Urban Growth Boundary



Phoenix City Limit

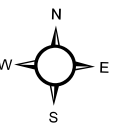


Medford City Limit

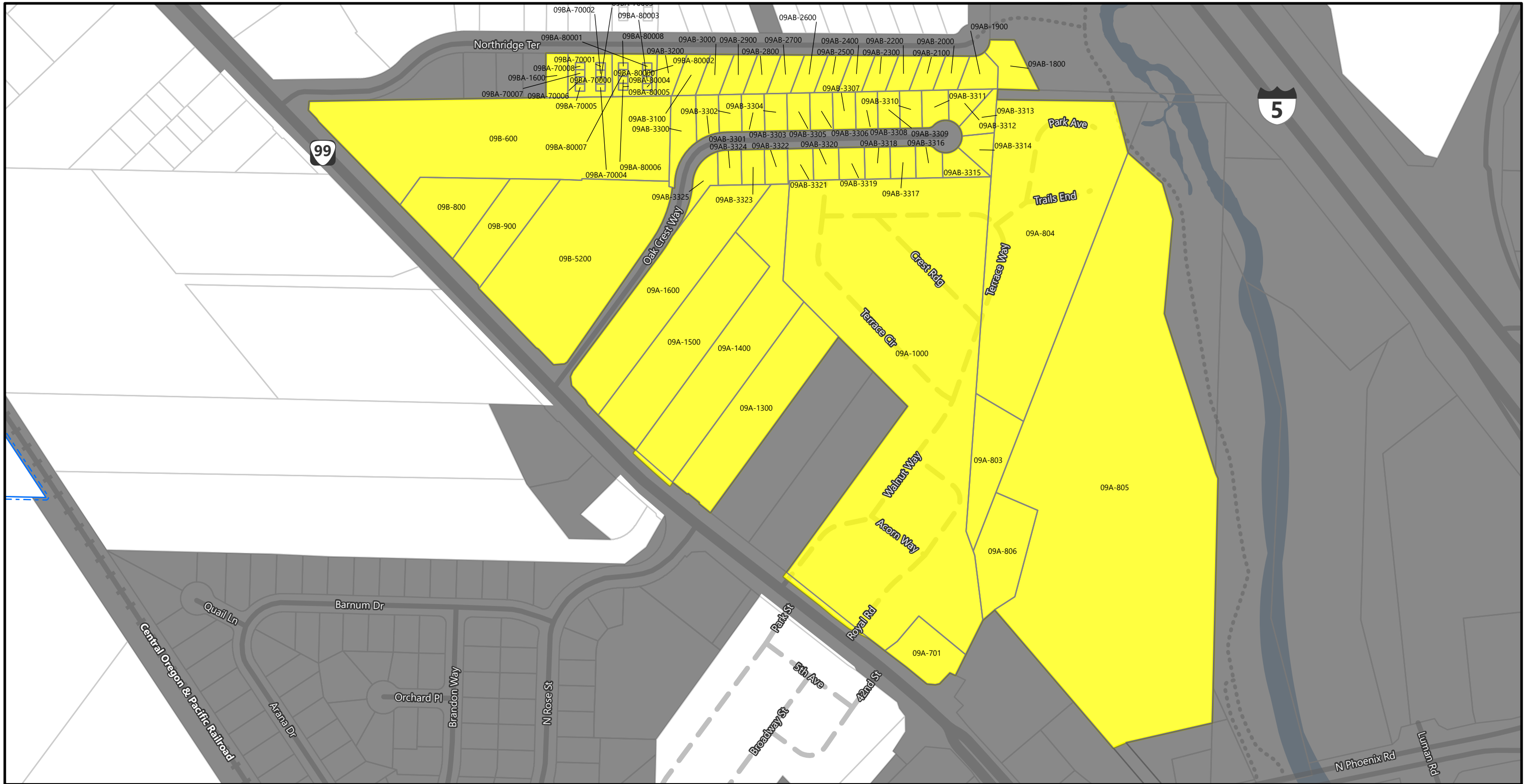


Enclave Area

1 Inch equals 100 Feet Feet



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Community & Economic Development Department

Enclave Area E



Urban Growth Boundary



Phoenix City Limit

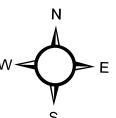


Medford City Limit

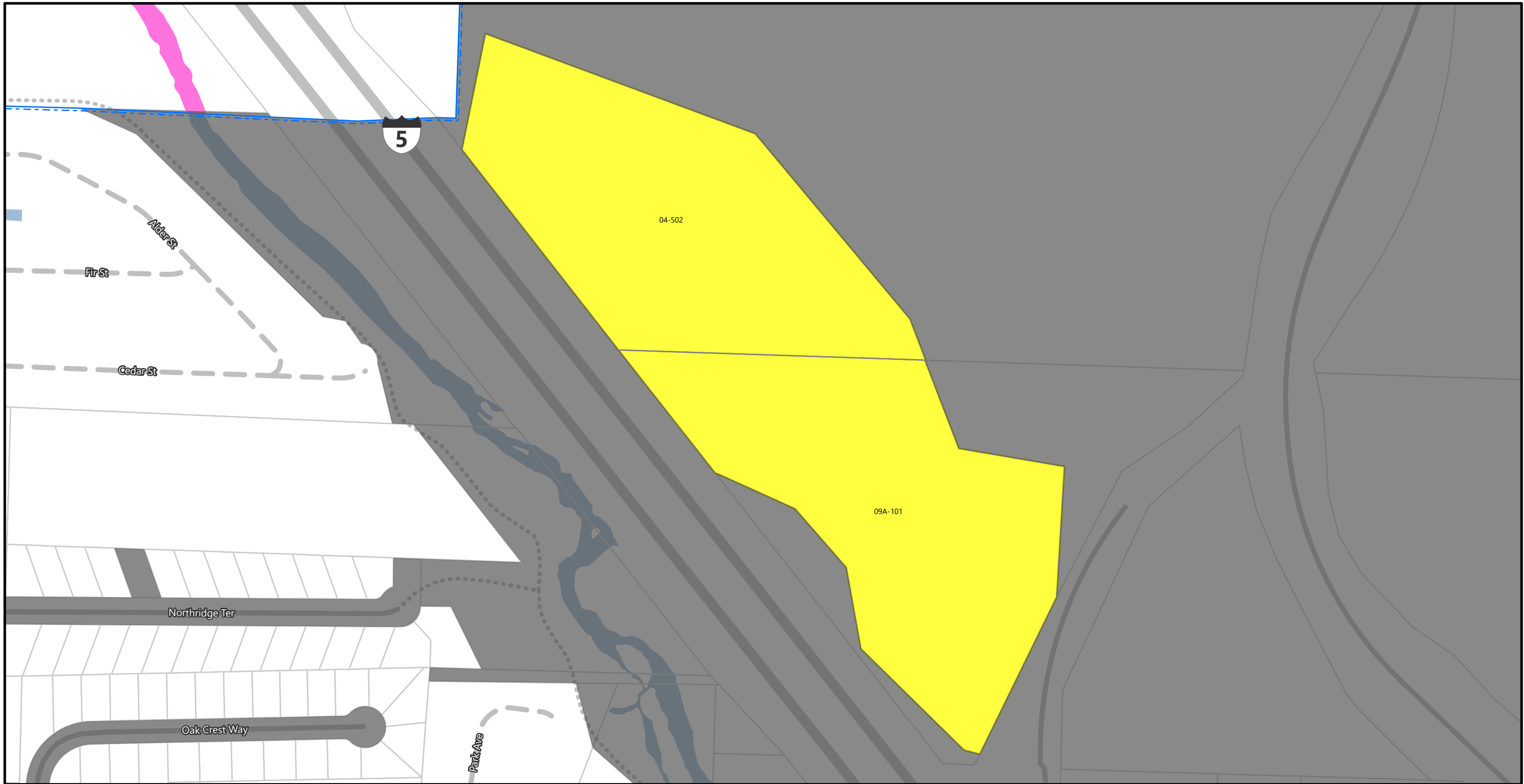


Enclave Area

1 Inch equals 250 Feet 0 50 100 Feet



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Community & Economic Development Department

Enclave Area F



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

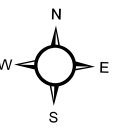


Enclave Area

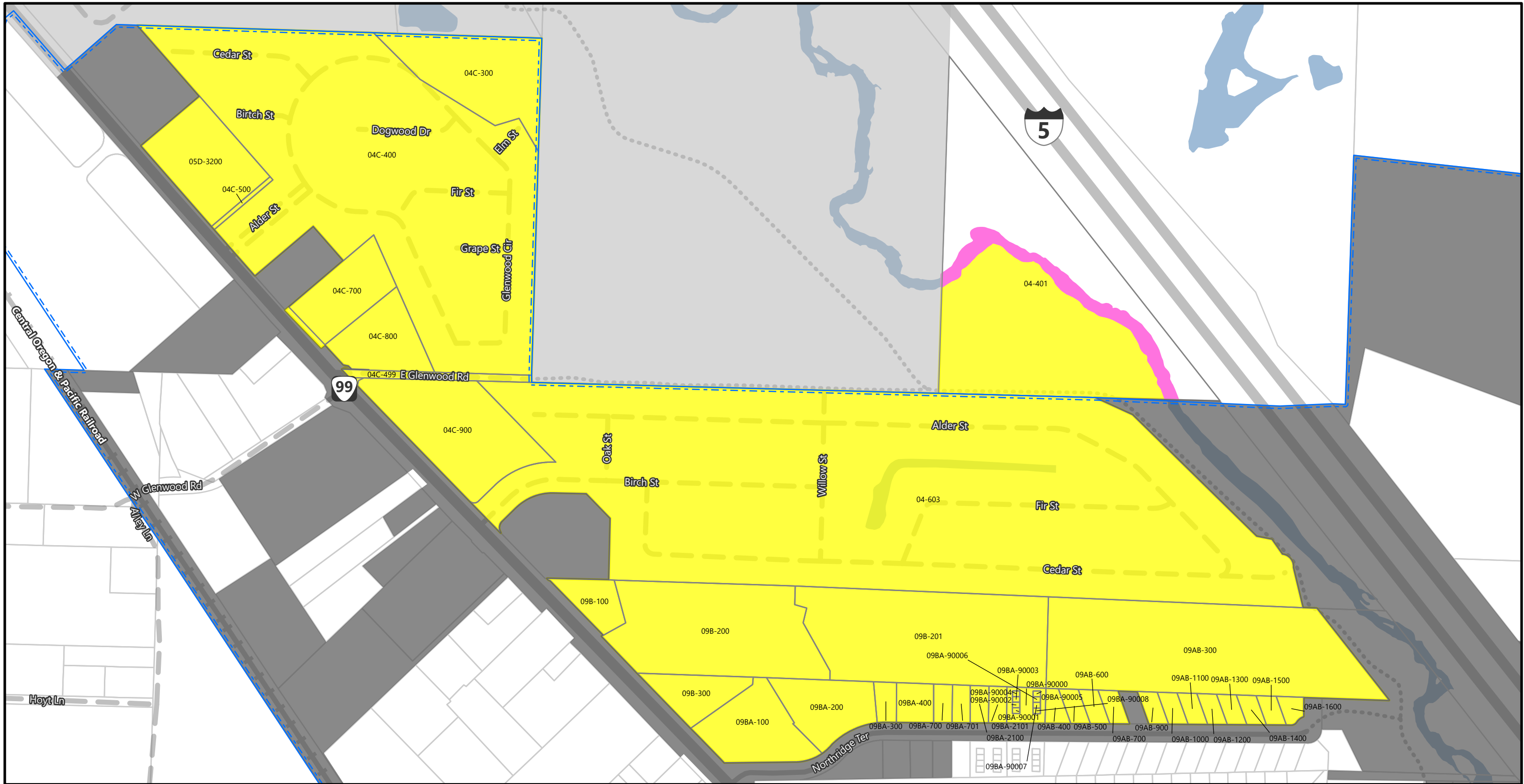


Bear Creek Enclave Boundary

1 Inch equals 200 Feet Feet



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Community & Economic Development Department

Enclave Area G



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

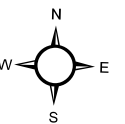


Enclave Area

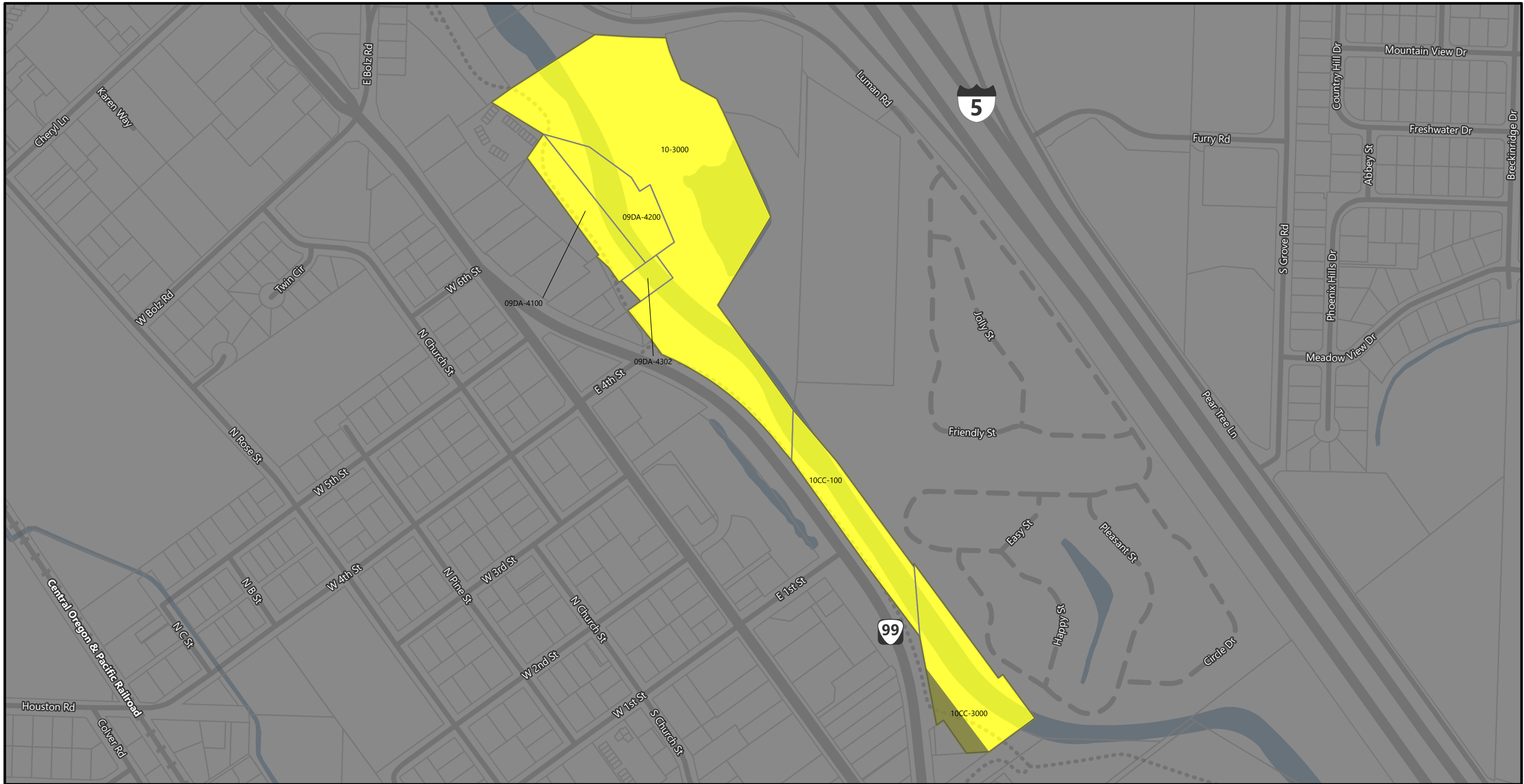


Bear Creek Enclave Boundary

1 Inch equals 300 Feet Feet



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Community & Economic Development Department

Enclave Area H



Urban Growth Boundary



Phoenix City Limit

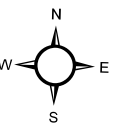


Medford City Limit



Enclave Area

1 Inch equals 325 Feet 0 50100 Feet



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Community & Economic Development Department
Enclave Area I



Urban Growth Boundary



Phoenix City Limit

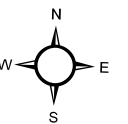


Medford City Limit



Enclave Area

1 Inch equals 100 Feet Feet



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Community & Economic Development Department Enclave Area J



Urban Growth Boundary



Phoenix City Limit

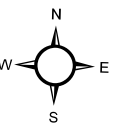
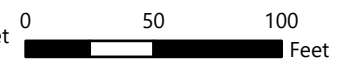


Medford City Limit



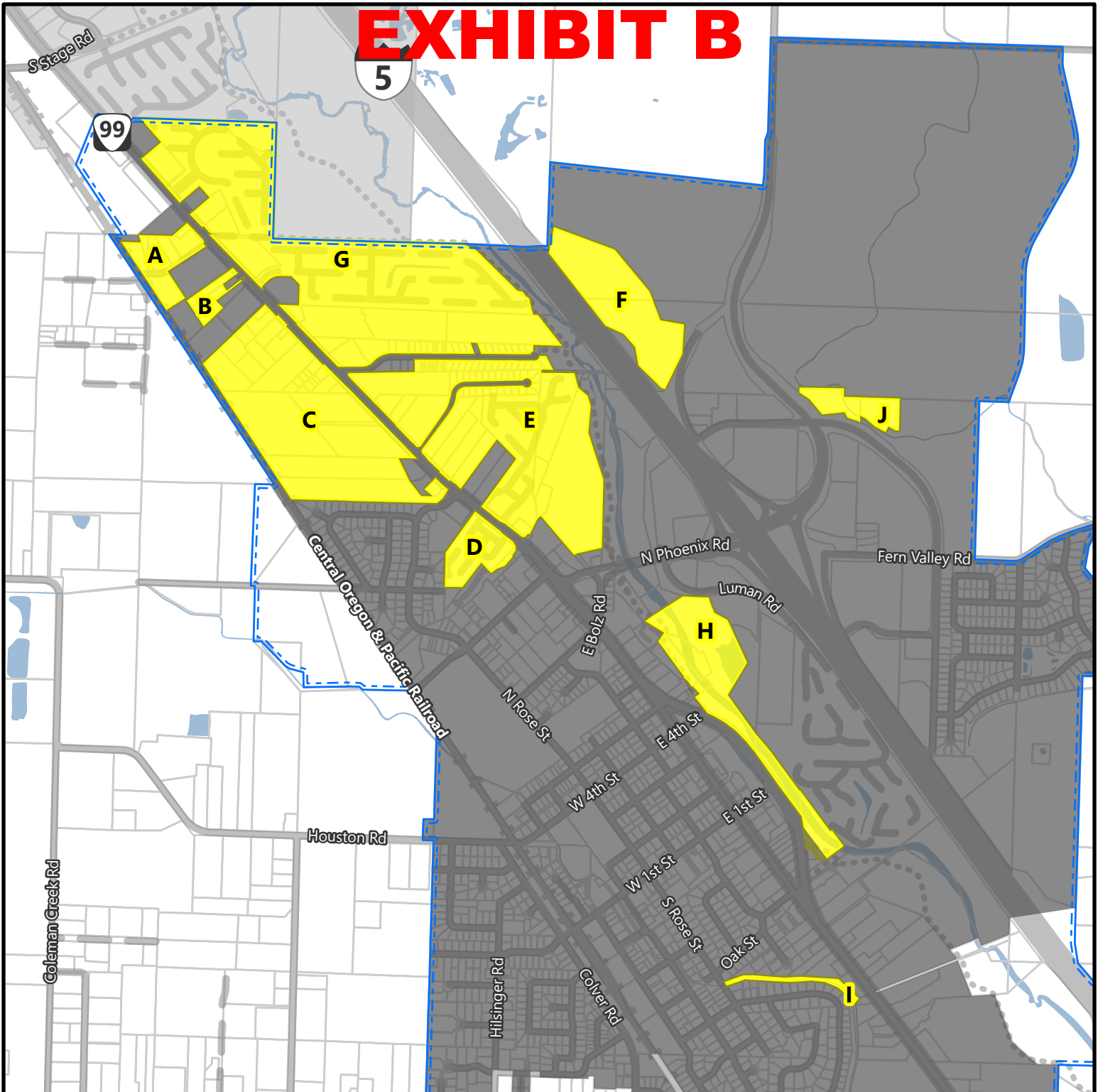
Enclave Area

1 Inch equals 75 Feet



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EXHIBIT B



Community & Economic Development Department Territories to be Annexed



Urban Growth Boundary



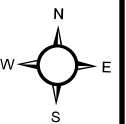
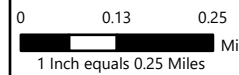
Territories to be Annexed
253 Ac



Medford City Limit



Phoenix City Limit
(Ord 1033 Eff 01/01/2024)



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Created by: Jeff, on 1/9/2024



Community & Economic Development Department
Territory to be Annexed, Enclave Area A 6.8 Acres



Urban Growth Boundary



Phoenix City Limit

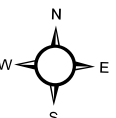


Medford City Limit

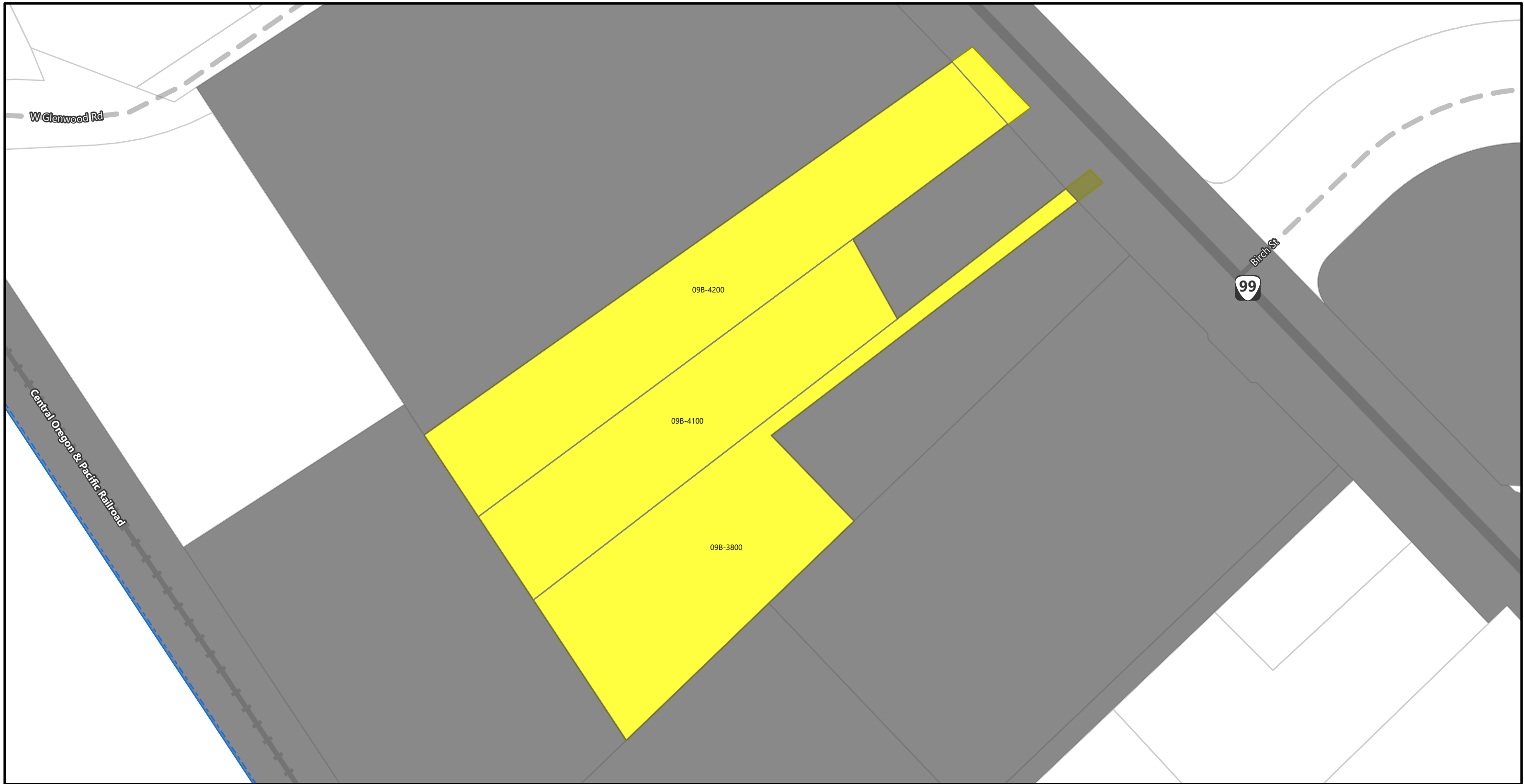


Enclave Area

1 Inch equals 125 Feet 0 50 100 Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area B *2.4 Acres*



Urban Growth Boundary



Phoenix City Limit

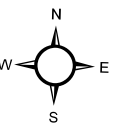
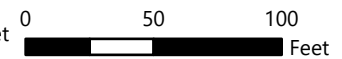


Medford City Limit

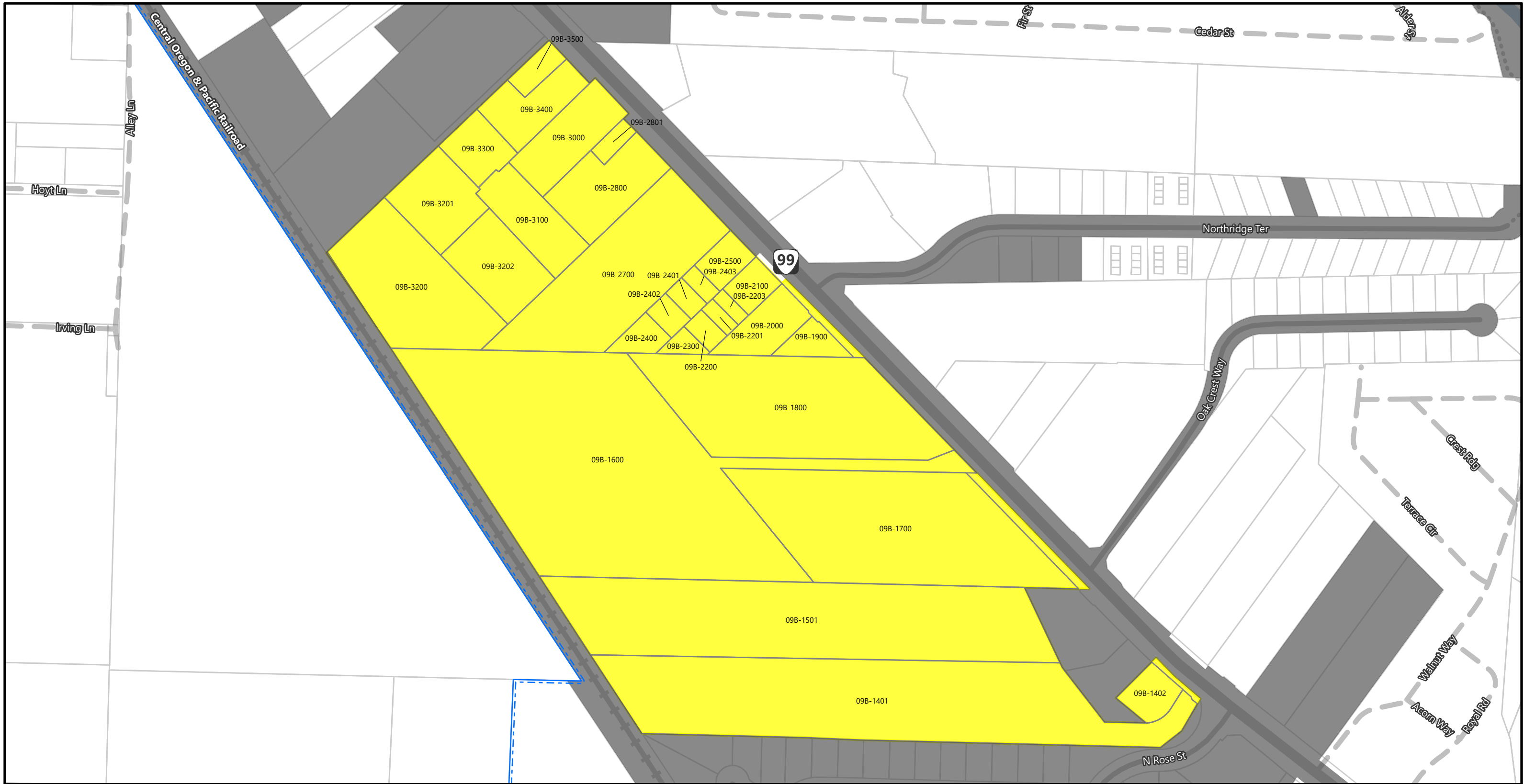


Enclave Area

1 Inch equals 75 Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area C 48.3 Acres



Urban Growth Boundary



Phoenix City Limit

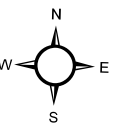


Medford City Limit

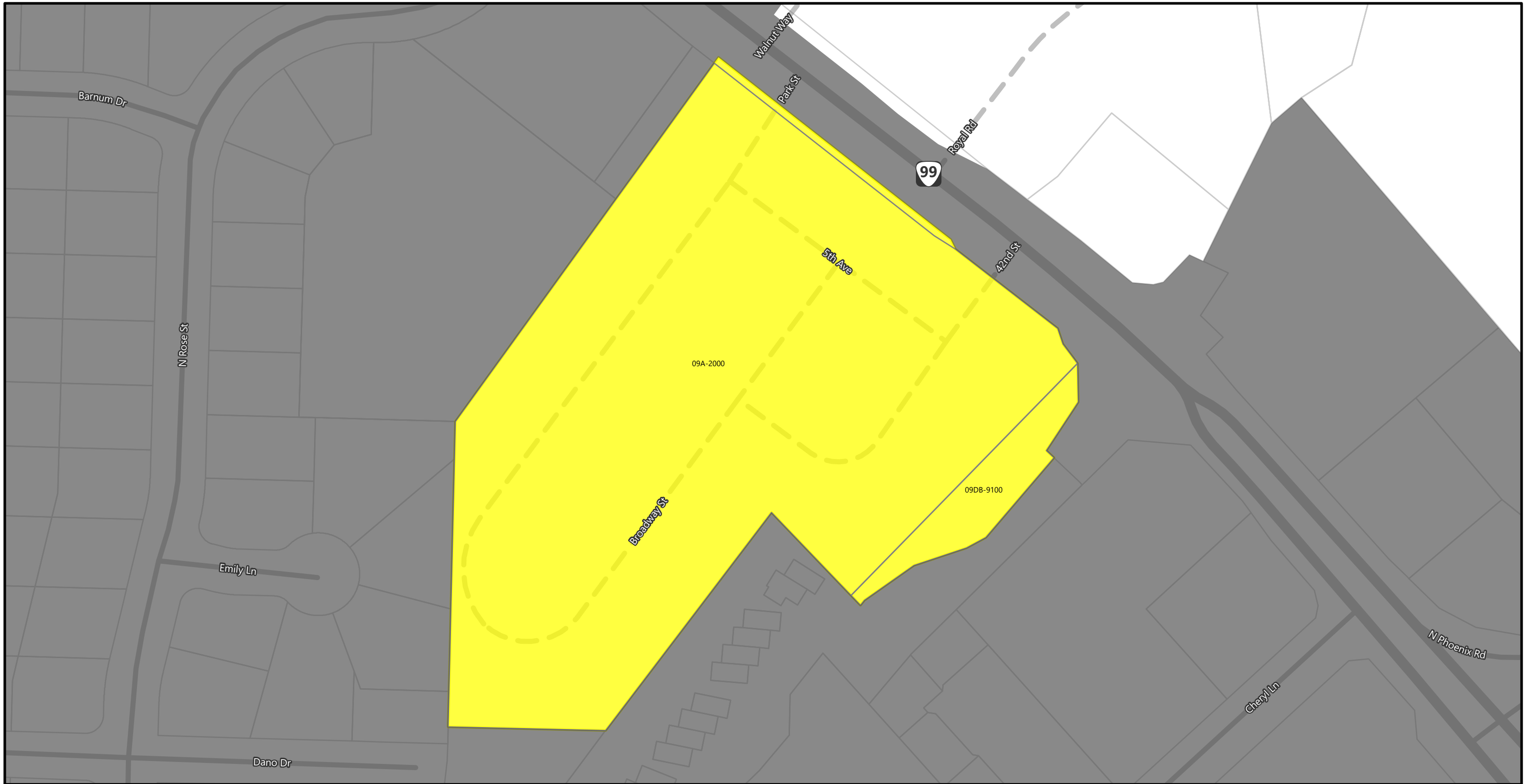


Enclave Area

1 Inch equals 250 Feet 0 50 100 Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area D 6.6 Acres



Urban Growth Boundary



Phoenix City Limit

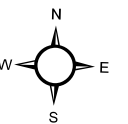


Medford City Limit

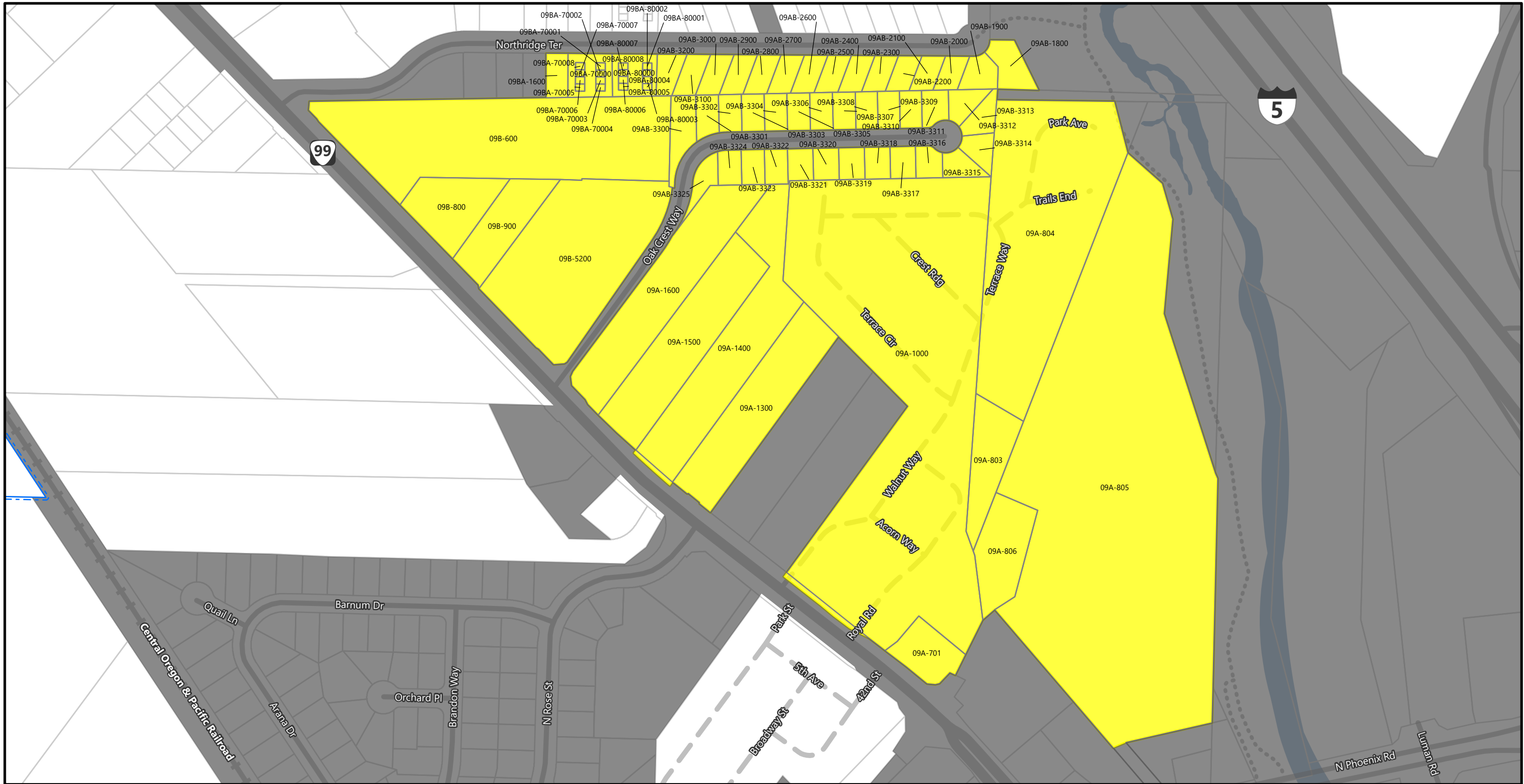


Enclave Area

1 Inch equals 100 Feet Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area E 58.1 Acres



Urban Growth Boundary



Phoenix City Limit

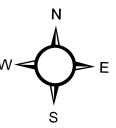


Enclave Area

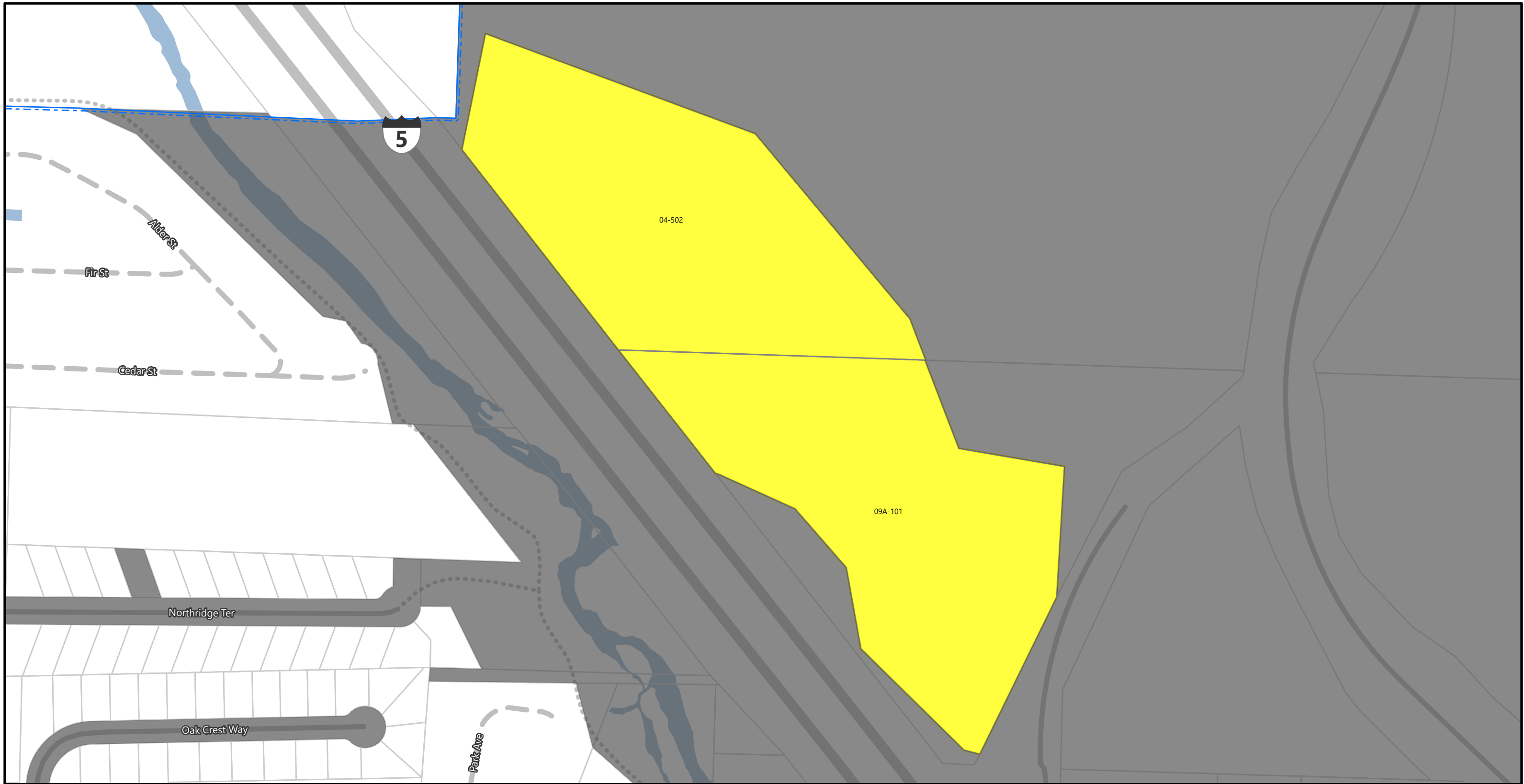


Medford City Limit

1 Inch equals 250 Feet 0 50 100 Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area F 18.2 Acres



Urban Growth Boundary



Phoenix City Limit

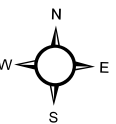


Medford City Limit

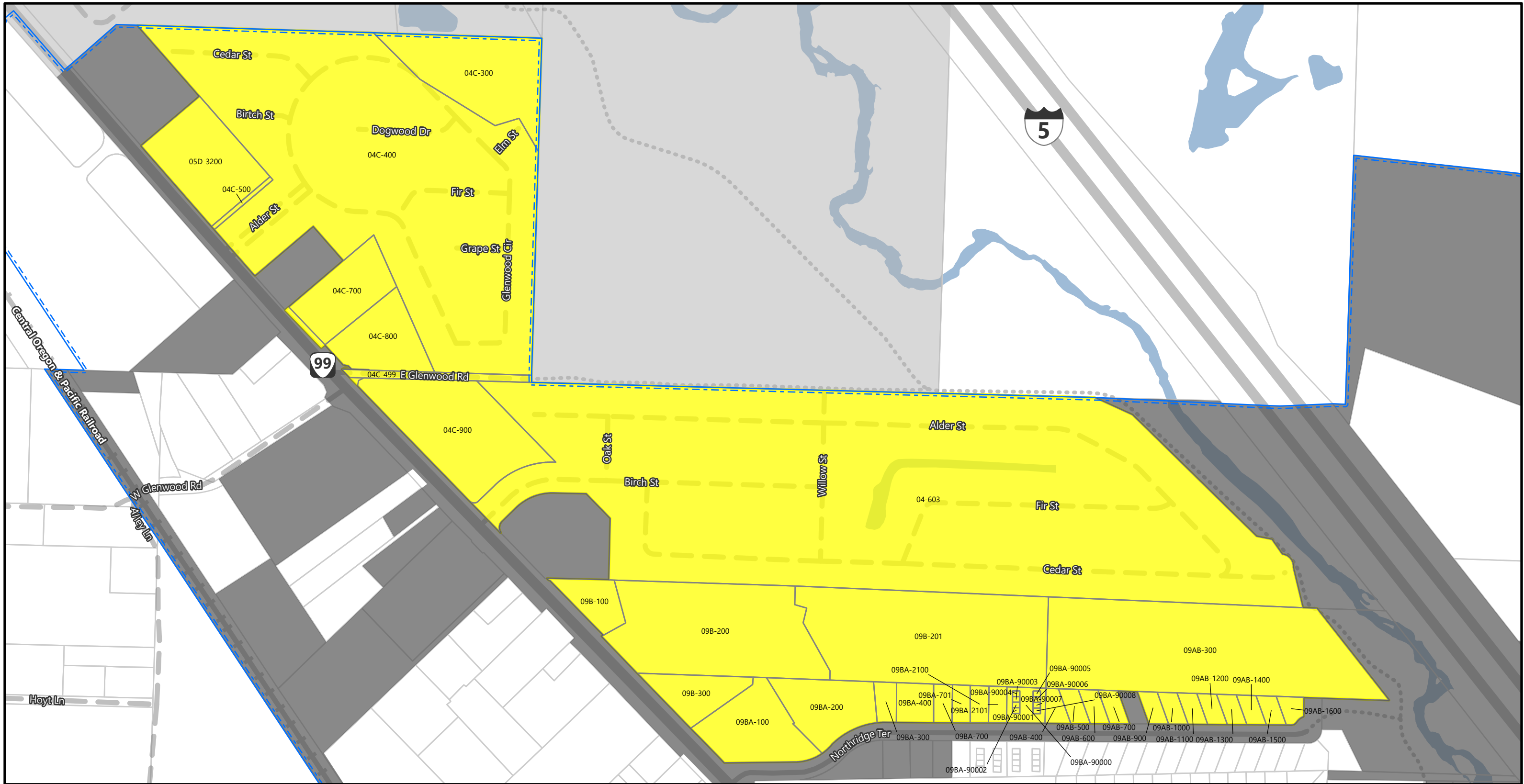


Enclave Area

1 Inch equals 200 Feet 0 50 100 Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area G 85.6 Acres



Urban Growth Boundary



Phoenix City Limit

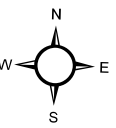


Medford City Limit

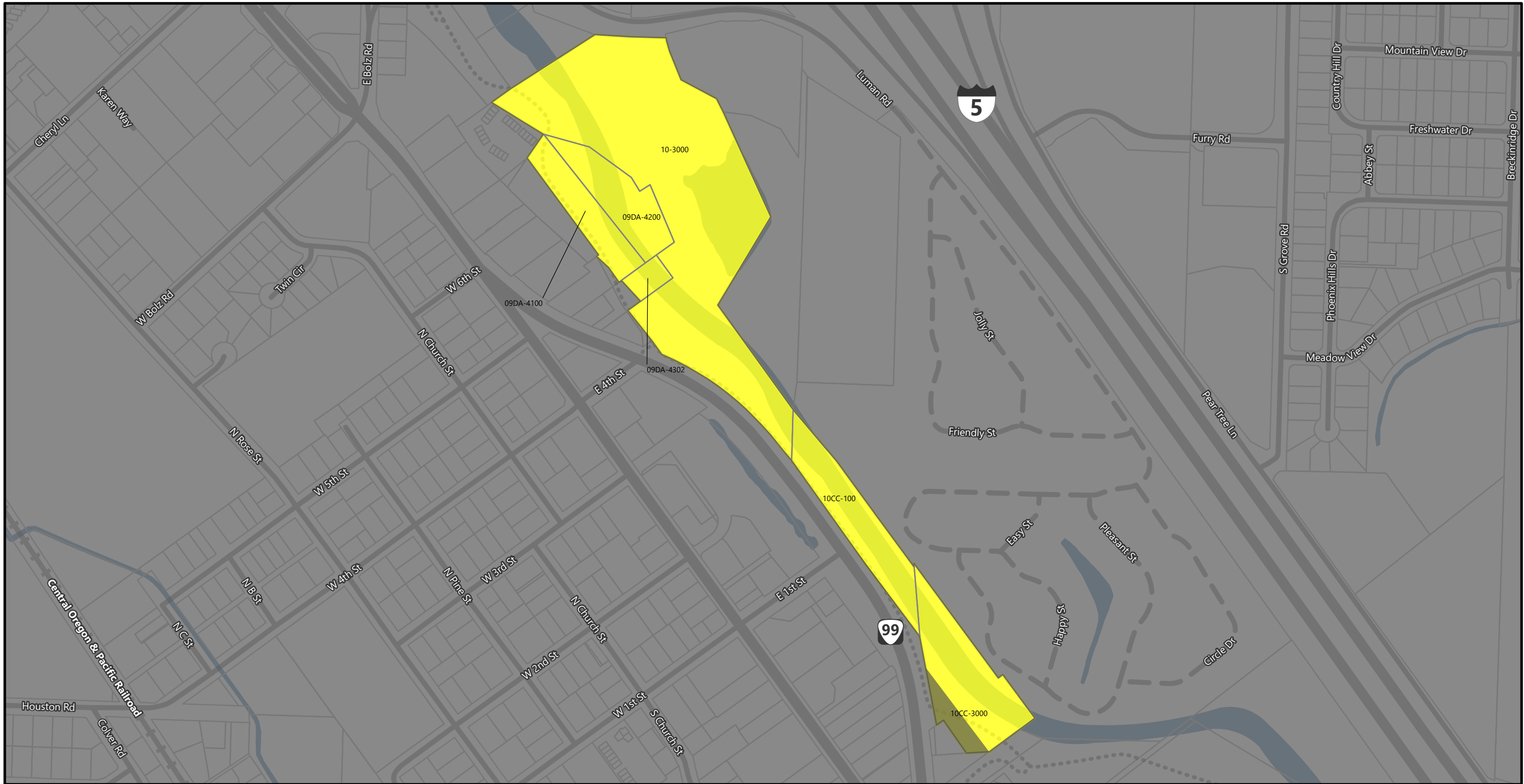


Enclave Area

1 Inch equals 300 Feet 0 50 100 Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area H 20.6 Acres



Urban Growth Boundary



Phoenix City Limit

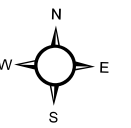


Medford City Limit



Enclave Area

1 Inch equals 325 Feet 0 50100 Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area I *1.4 Acres*



Urban Growth Boundary



Phoenix City Limit

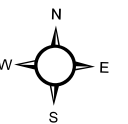


Medford City Limit

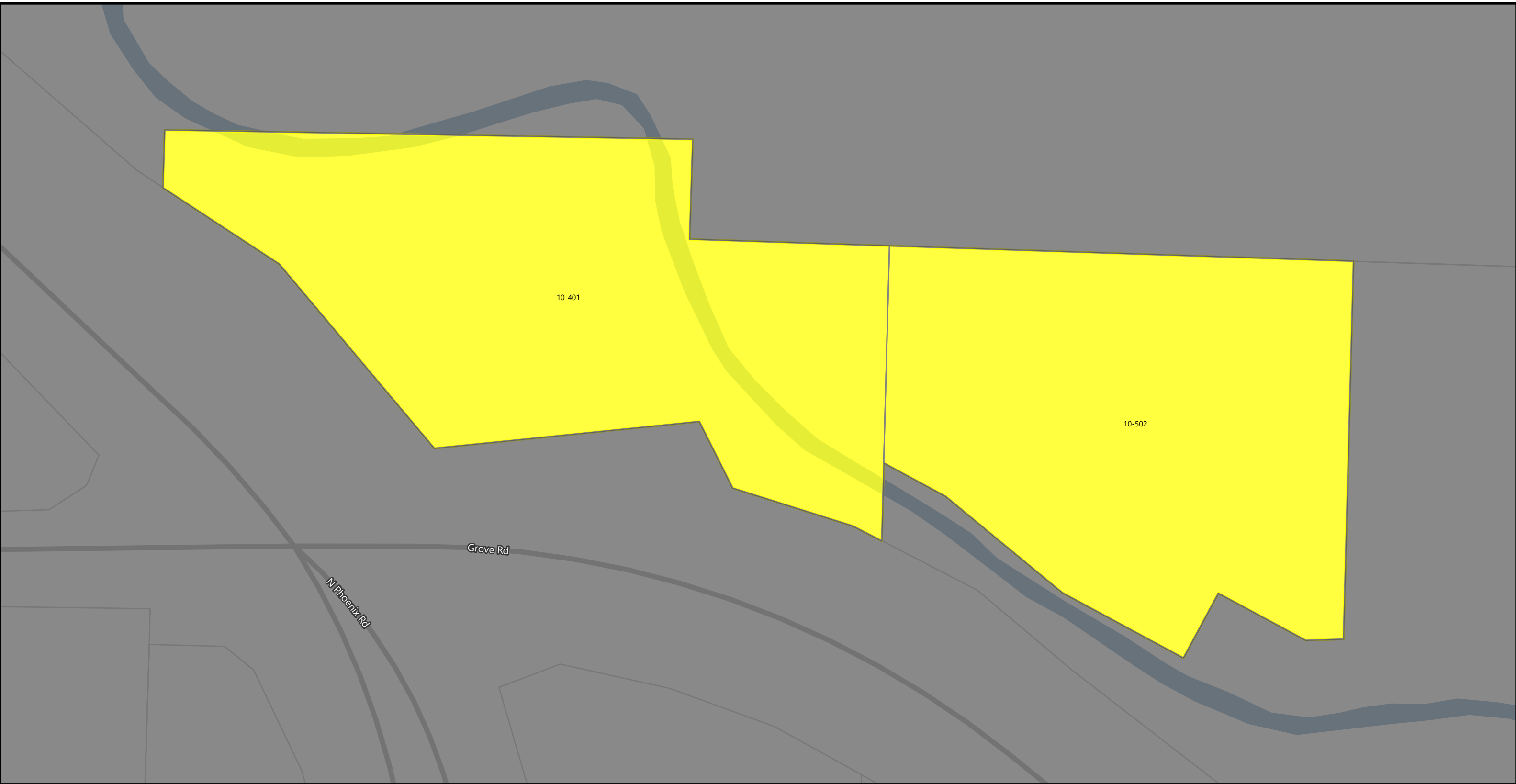


Enclave Area

1 Inch equals 100 Feet Feet



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Community & Economic Development Department
Territory to be Annexed, Enclave Area J *5 Acres*



Urban Growth Boundary



Phoenix City Limit

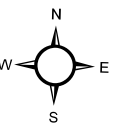


Medford City Limit



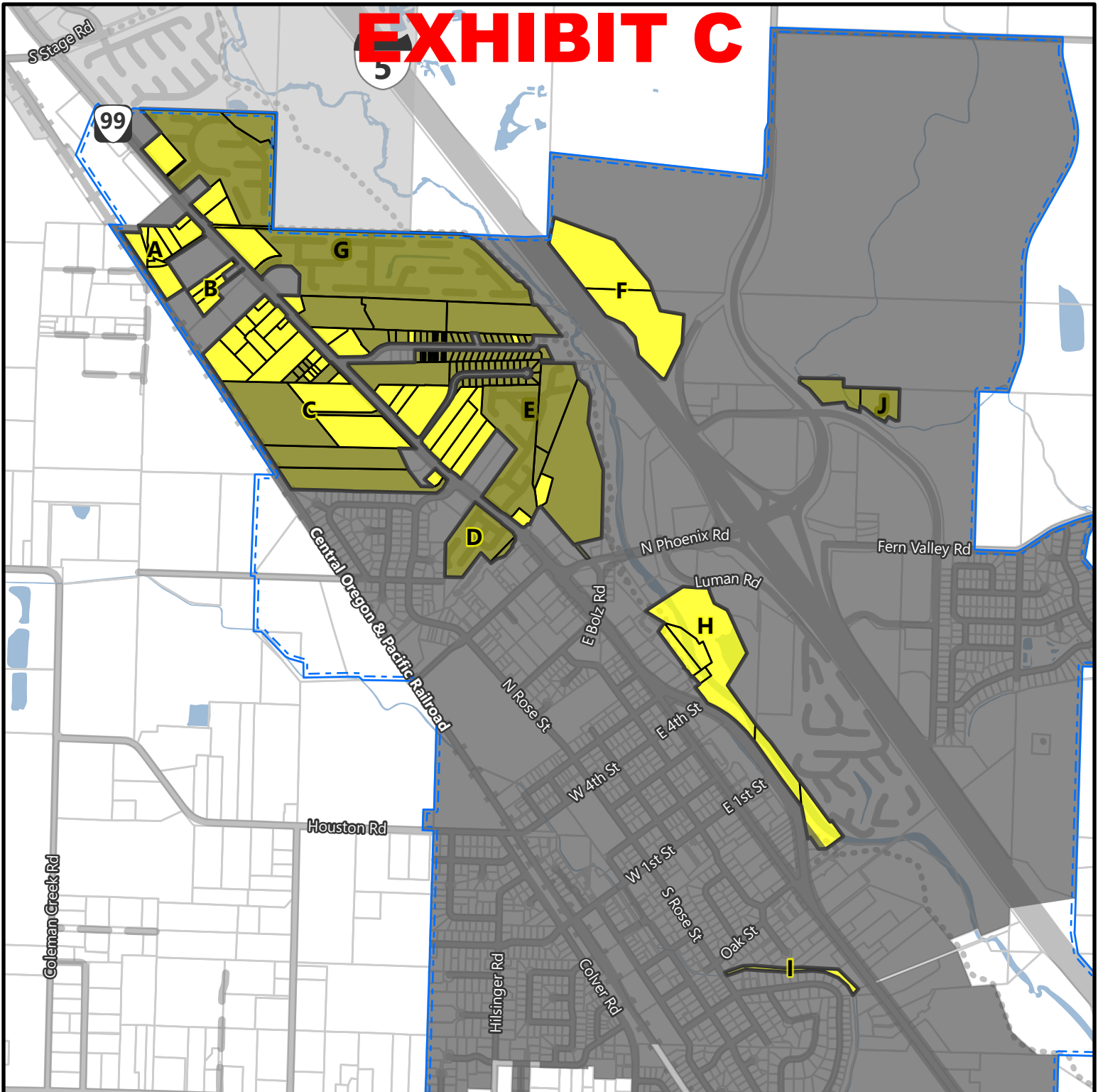
Enclave Area

1 Inch equals 75 Feet 0 50 100 Feet



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EXHIBIT C



Community & Economic Development Department Residential & Non-Residential Properties



Urban Growth Boundary



Non-Residential Properties
98 Ac



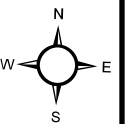
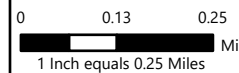
Medford City Limit



Residential Properties
154 Ac



Phoenix City Limit
(Ord 1033 Eff 01/01/2024)



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Created by: Jeff, on 1/11/2024



Community & Economic Development Department Residential & Non-Residential Properties, Area A



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

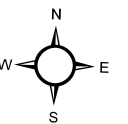


Non-Residential Properties
7 Ac

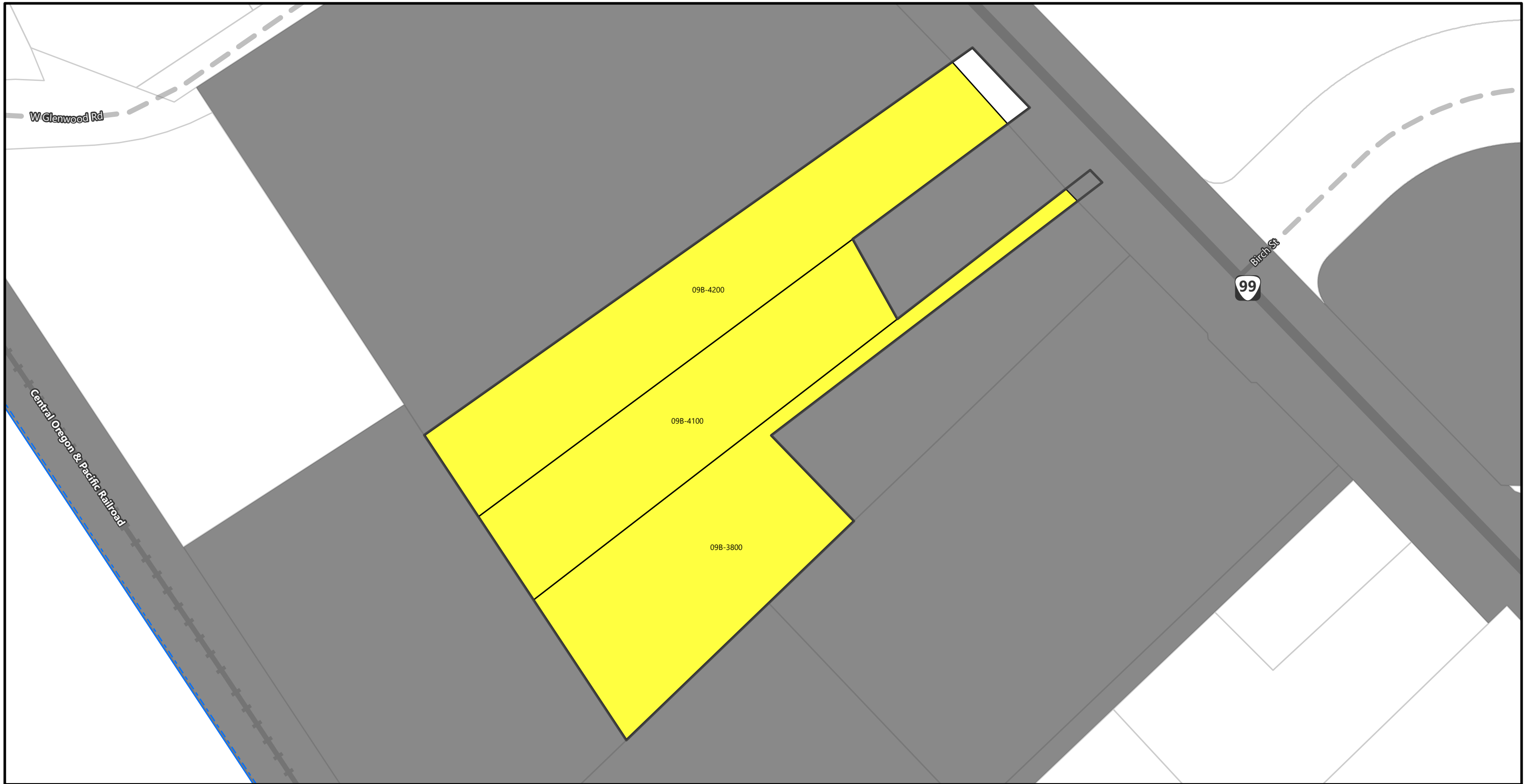


Residential Properties
0 Ac


1 Inch equals 125 Feet Feet



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Community & Economic Development Department
Residential & Non-Residential Properties, Area B

 Urban Growth Boundary

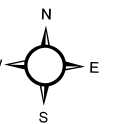
 Phoenix City Limit

 Medford City Limit

 Non-Residential Properties
2 Ac

 Residential Properties
0 Ac


1 Inch equals 75 Feet  Feet



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Community & Economic Development Department Residential & Non-Residential Properties, Area C

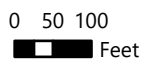
 Urban Growth Boundary

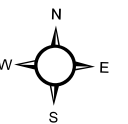
 Phoenix City Limit

 Medford City Limit

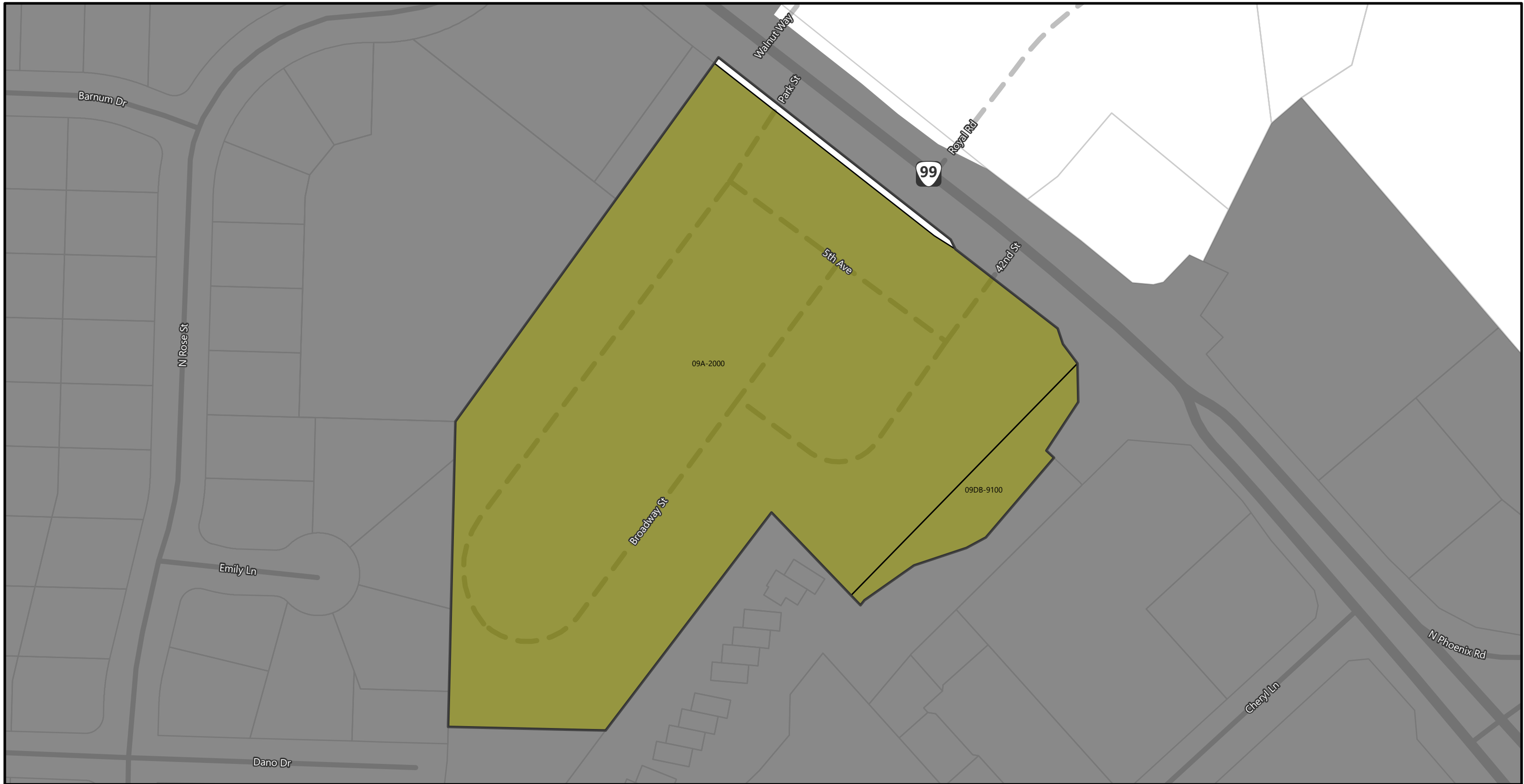
 Non-Residential Properties
23 Ac

 Residential Properties
25 Ac

1 Inch equals 250 Feet  Feet



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Community & Economic Development Department Residential & Non-Residential Properties, Area D



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

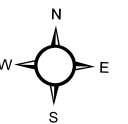


Non-Residential Properties
0 Ac

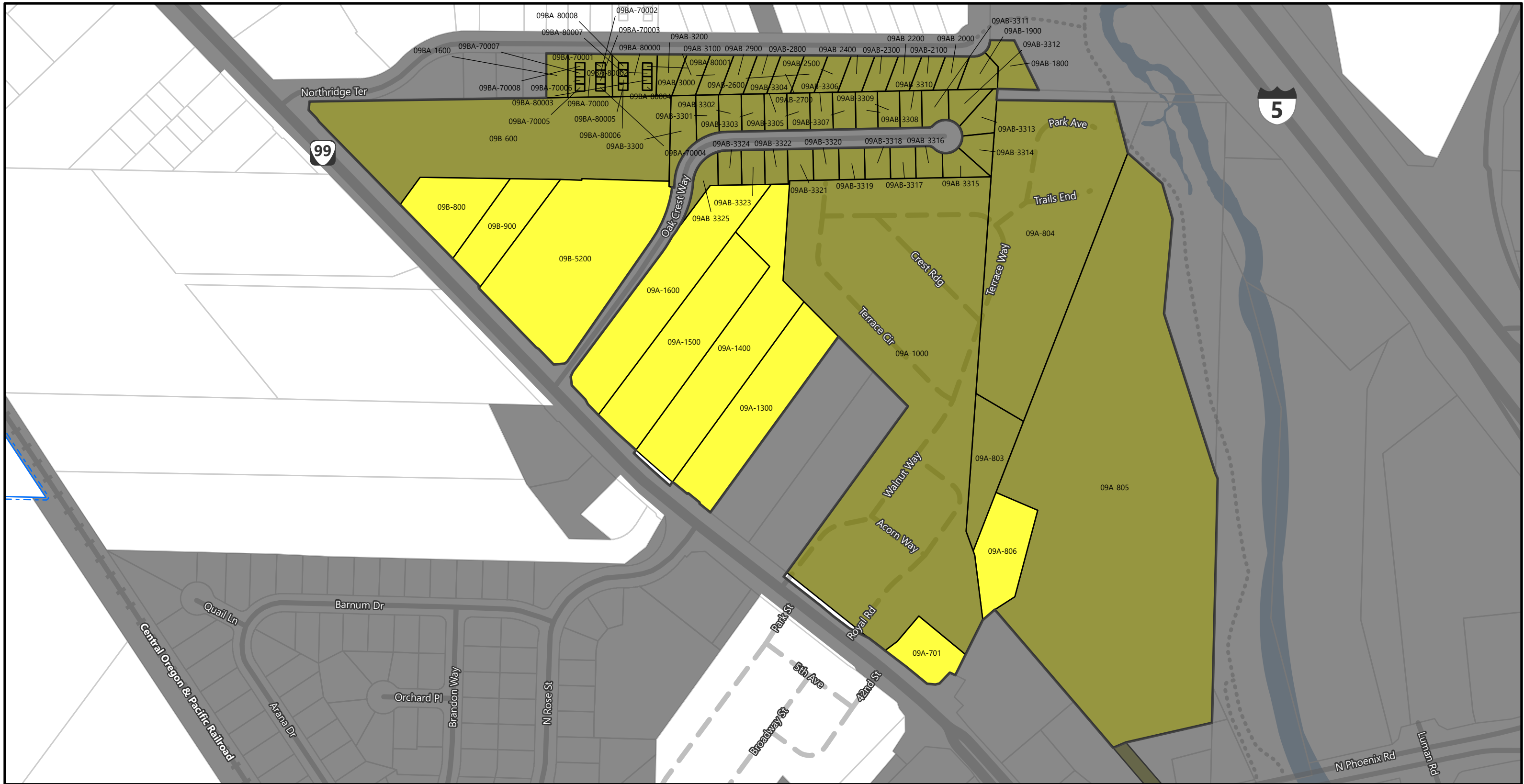


Residential Properties
7 Ac

1 Inch equals 100 Feet Feet



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Community & Economic Development Department

Residential & Non-Residential Properties, Area E



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

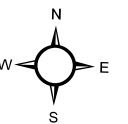


Non-Residential Properties
15 Ac

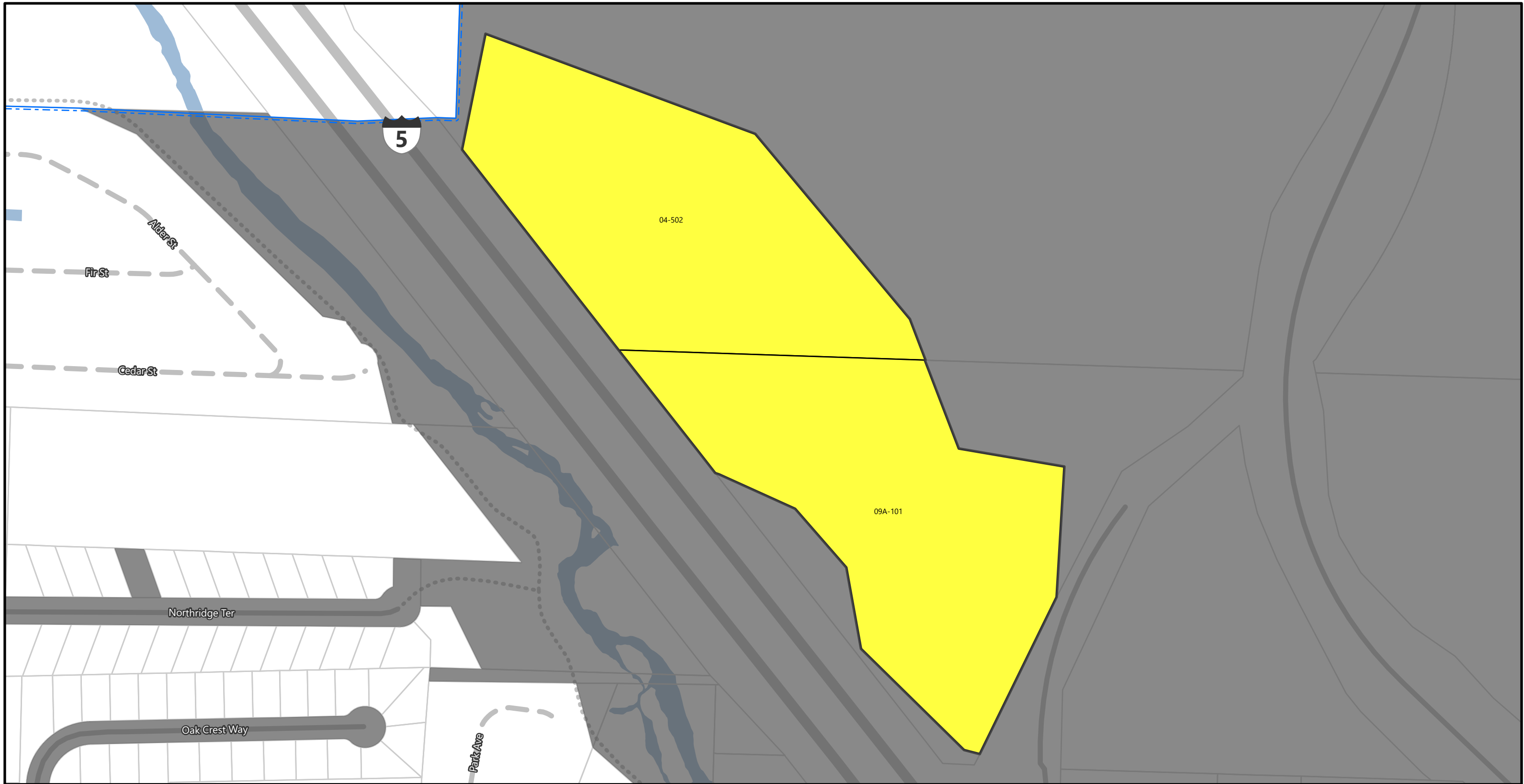


Residential Properties
44 Ac

1 Inch equals 250 Feet 0 50 100 Feet



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Community & Economic Development Department
Residential & Non-Residential Properties, Area F



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

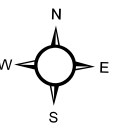


Non-Residential Properties
 18 Ac

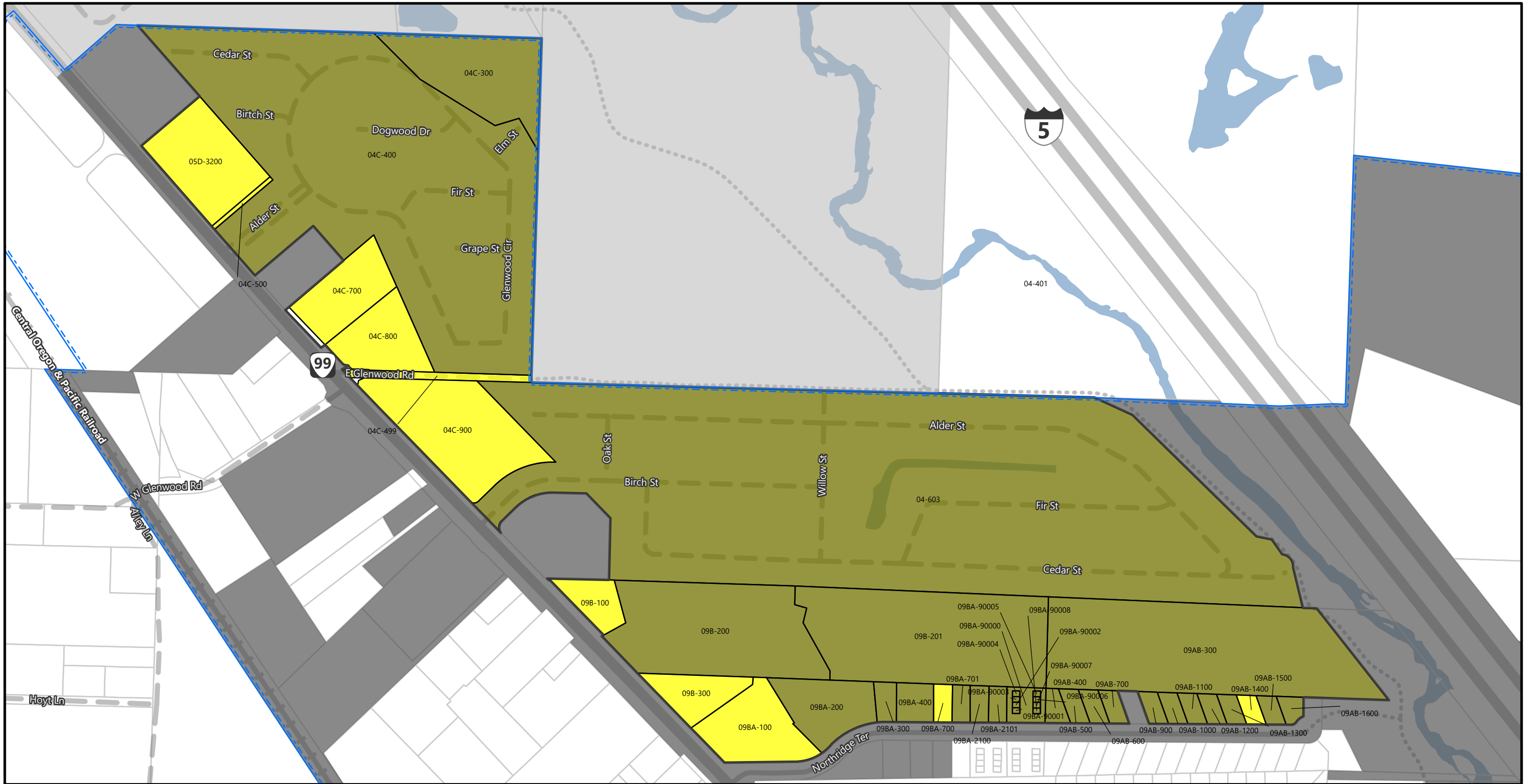


Residential Properties
 0 Ac

1 Inch equals 200 Feet 0 50 100 Feet



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Community & Economic Development Department Residential & Non-Residential Properties, Area G



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

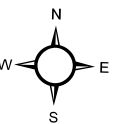


Non-Residential Properties
11 Ac

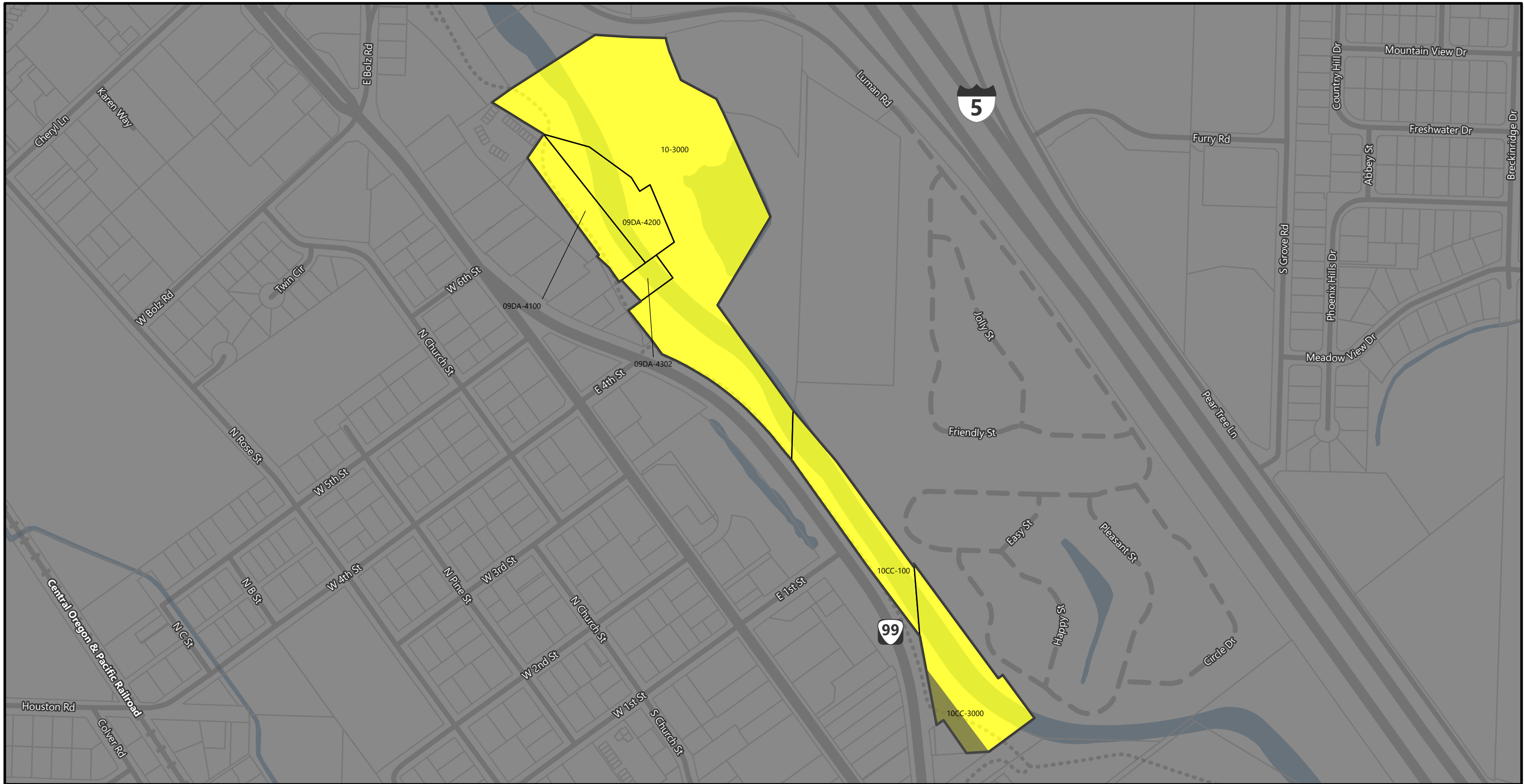


Residential Properties
74 Ac

1 Inch equals 300 Feet 0 50 100 Feet



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Community & Economic Development Department Residential & Non-Residential Properties, Area H



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

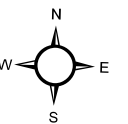


Non-Residential Properties
21 Ac

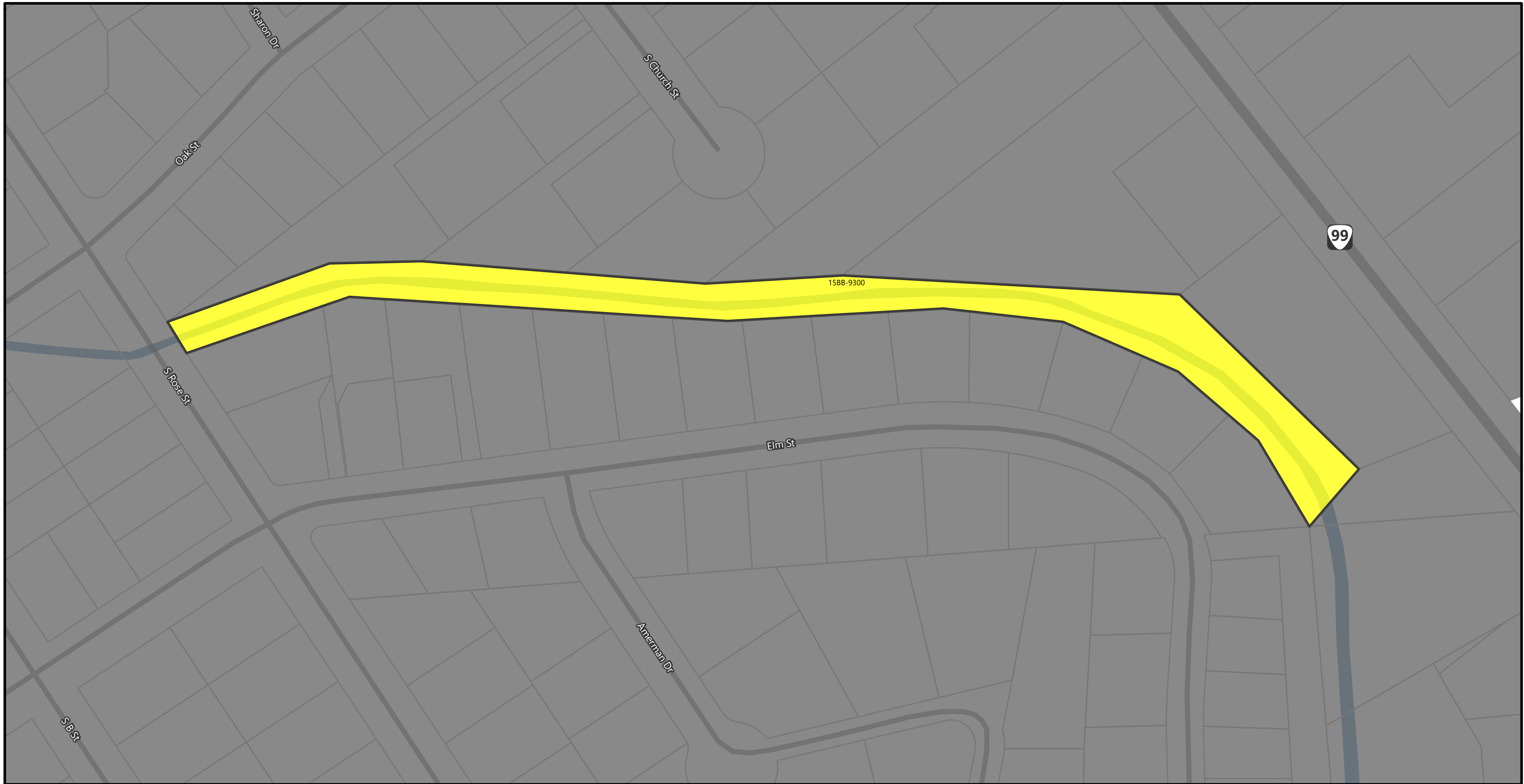


Residential Properties
0 Ac

1 Inch equals 325 Feet 0 50100 Feet



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Community & Economic Development Department

Residential & Non-Residential Properties, Area I



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

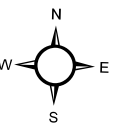


Non-Residential Properties
1 Ac

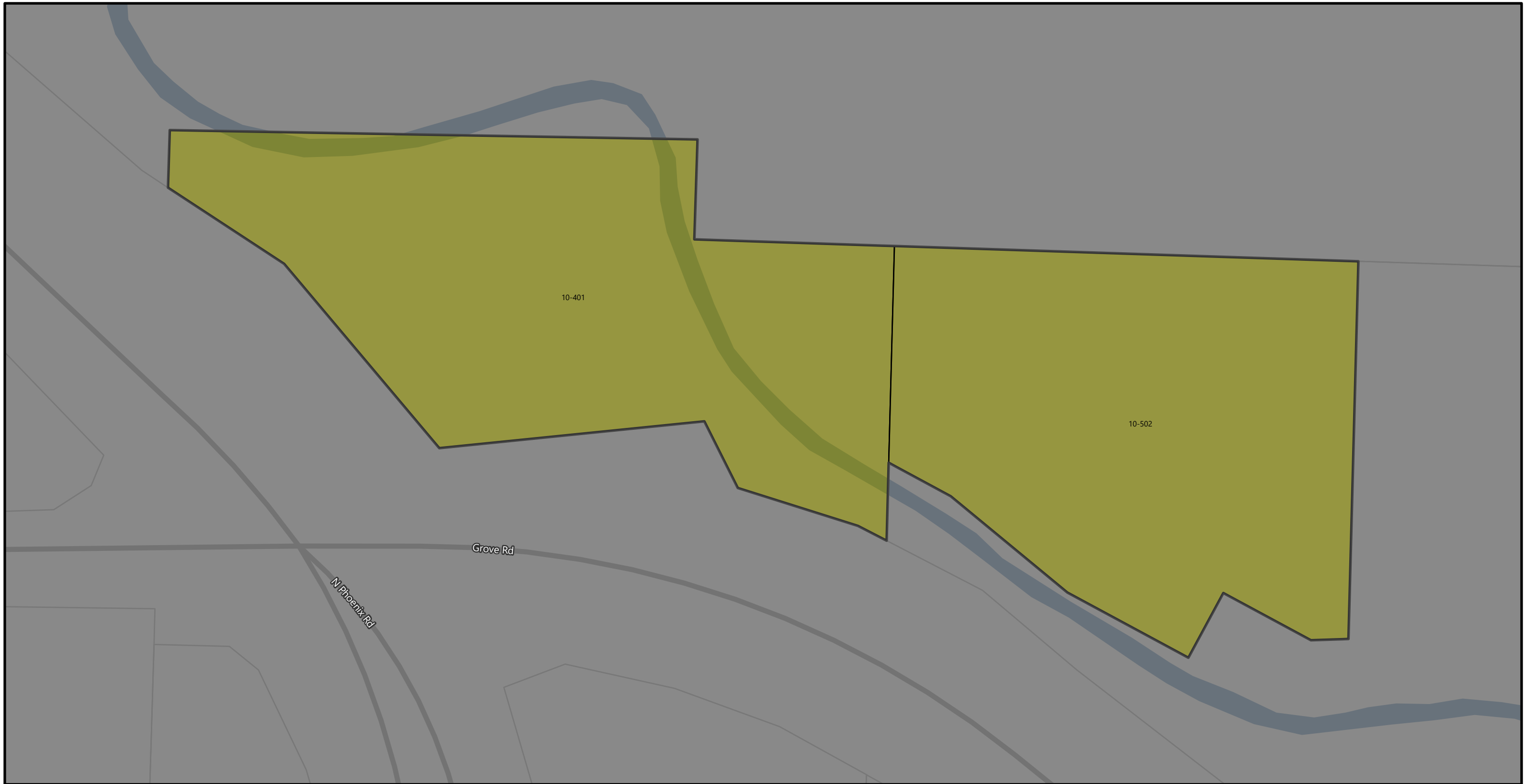


Residential Properties
0 Ac

1 Inch equals 100 Feet Feet



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Community & Economic Development Department
Residential & Non-Residential Properties, Area J



Urban Growth Boundary



Phoenix City Limit



Medford City Limit

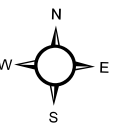
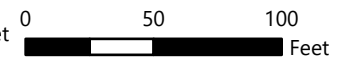


Non-Residential Properties
0 Ac



Residential Properties
5 Ac

1 Inch equals 75 Feet



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EXHIBIT D

Enclave Annexation - Non-residential Properties

Enclave Area	Site Address	Map & Tax Lot	City Land Use District	City Comprehensive Plan Designation
A	142 GLENWOOD RD	38-1W-05D-2600	C-H	C
A	W GLENWOOD RD	38-1W-04C-1200	C-H	C
A	3444 SOUTH PACIFIC HWY	38-1W-04C-1300	C-H	C
A	3424 SOUTH PACIFIC HWY	38-1W-04C-1400	C-H	C
A	96 W GLENWOOD RD	38-1W-05D-2700	C-H	C
A	90 W GLENWOOD RD	38-1W-05D-2800	C-H	C
A	74 W GLENWOOD RD	38-1W-05D-2900	C-H	C
A	94 W GLENWOOD RD	38-1W-09B-4500	C-H	C
A	117 W GLENWOOD RD	38-1W-09B-5300	G-I	I
A	W GLENWOOD RIGHT-OF-WAY	N/A	G-I	I
B	3550 S PACIFIC	38-1W-09B-3800	C-H	C
B	3526 SOUTH PACIFIC HWY	38-1W-09B-4100	C-H	C
B	3524 SOUTH PACIFIC HWY	38-1W-09B-4200	C-H	C
C	3960 SOUTH PACIFIC HWY	38-1W-09B-1402	C-H	C
C	3846 SOUTH PACIFIC HWY	38-1W-09B-1700	C-H	C
C	3800 SOUTH PACIFIC HWY	38-1W-09B-1800	C-H	C
C	3766 SOUTH PACIFIC HWY	38-1W-09B-1900	C-H	C
C	3724 SOUTH PACIFIC HWY	38-1W-09B-2100	C-H	C
C	3704 SOUTH PACIFIC HWY	38-1W-09B-2500	C-H	C
C	3672 SOUTH PACIFIC HWY	38-1W-09B-2700	C-H	C
C	3654 SOUTH PACIFIC HWY	38-1W-09B-2800	C-H	C
C	3650 SOUTH PACIFIC HWY	38-1W-09B-2801	C-H	C
C	3628 SOUTH PACIFIC HWY	38-1W-09B-3000	C-H	C
C	3628 SOUTH PACIFIC HWY	38-1W-09B-3100	C-H	C
C	3616 SOUTH PACIFIC HWY	38-1W-09B-3200	L-I	I
C	3604 SOUTH PACIFIC HWY	38-1W-09B-3201	L-I	I
C	SOUTH PACIFIC HWY	38-1W-09B-3202	L-I	I
C	3582 SOUTH PACIFIC HWY	38-1W-09B-3300	C-H	C
C	3622 SOUTH PACIFIC HWY	38-1W-09B-3400	C-H	C
C	3598 SOUTH PACIFIC HWY	38-1W-09B-3500	C-H	C
C	3722 SOUTH PACIFIC HWY	38-1W-09B-2201	R-2	MDR
C	3728 SOUTH PACIFIC HWY	38-1W-09B-2203	R-2	MDR
C	3720 SOUTH PACIFIC HWY	38-1W-09B-2200	R-2	MDR
E	3995 SOUTH PACIFIC HWY	38-1W-09A-1300	C-H	C
E	3957 SOUTH PACIFIC HWY	38-1W-09A-1400	C-H	C
E	3945 SOUTH PACIFIC HWY	38-1W-09A-1500	C-H	C
E	3915 SOUTH PACIFIC HWY	38-1W-09A-1600	C-H	C
E	3823 SOUTH PACIFIC HWY	38-1W-09B-800	C-H	C
E	3847 S PACIFIC HWY	38-1W-09B-900	C-H	C
E	149 OAK CREST WAY	38-1W-09B-5200	C-H	C
E	4119 SOUTH PACIFIC HWY	38-1W-09A-701	R-2	MDR
E	119 N PHOENIX RD	38-1W-09A-806	R-2	MDR
F	NORTH PHOENIX RD	38-1W-04-502	H-Z	I
F	NORTH PHOENIX RD	38-1W-09A-101	H-Z	I
G	131 NORTHRIDGE TERR	38-1W-09BA-700	R-3	HDR
G	3445 SOUTH PACIFIC HWY	38-1W-04C-700	C-H	C
G	3459 SOUTH PACIFIC HWY	38-1W-04C-800	C-H	C
G	3509 SOUTH PACIFIC HWY	38-1W-04C-900	C-H	C
G	3425 SOUTH PACIFIC HWY	38-1W-05D-3200	C-H	C
G	EAST GLENWOOD RD	38-1W-04C-499	C-H and R-2	C and MDR
G	SOUTH PACIFIC HWY	38-1W-04C-500	C-H	C
G	3629 SOUTH PACIFIC HWY	38-1W-09B-100	R-2	MDR
G	3737 SOUTH PACIFIC HWY	38-1W-09BA-100	R-3	HDR
G	3693 SOUTH PACIFIC HWY	38-1W-09B-300	R-3	HDR
G	323 NORTHRIDGE TERR	38-1W-09AB-1400	R-2	MDR
H	SOUTH PACIFIC HWY	38-1W-09DA-4100	BCG	BCG
H	SOUTH PACIFIC HWY	38-1W-09DA-4200	BCG	BCG
H	BEAR CR DR	38-1W-09DA-4302	BCG	BCG
H	LUMAN RD	38-1W-10-3000	BCG	BCG
H	BEAR CR DR	38-1W-10CC-100	BCG	BCG
H	BEAR CR DR	38-1W-10CC-3000	BCG	BCG
I	SOUTH PACIFIC HWY	38-1W-15BB-9300	R-1 and C-H	LDR and C

Enclave Annexation - Residential Properties

Enclave Area	Site Address	Map & Tax Lot	City Land Use District	City Comprehensive Plan Designation
C	3748 SOUTH PACIFIC HWY	38-1W-09B-2000	C-H and R-2	C and MDR
C	3966 SOUTH PACIFIC HWY	38-1W-09B-1401	R-2	MDR
C	3966 SOUTH PACIFIC HWY	38-1W-09B-1501	R-2	MDR
C	3848 SOUTH PACIFIC HWY	38-1W-09B-1600	R-2	MDR
C	3718 SOUTH PACIFIC HWY	38-1W-09B-2300	R-2	MDR
C	3716 SOUTH PACIFIC HWY	38-1W-09B-2400	R-2	MDR
C	3710 SOUTH PACIFIC HWY	38-1W-09B-2401	R-2	MDR
C	3712 SOUTH PACIFIC HWY	38-1W-09B-2402	R-2	MDR
C	SOUTH PACIFIC HWY	38-1W-09B-2403	R-2	MDR
C	3848 SOUTH PACIFIC HWY	38-1W-09B-1600	R-2	MDR
D	4074 SOUTH PACIFIC HWY	38-1W-09A-2000	R-3	HDR
D	4074 SOUTH PACIFIC HWY	38-1W-09DB-9100	R-3	HDR
E	136 NORTHRIDGE TERR	38-1W-09BA-1600	R-3	HDR
E	260 NORTHRIDGE TERR	38-1W-09AB-2700	R-2	MDR
E	248 NORTHRIDGE TERR	38-1W-09AB-2800	R-2	MDR
E	284 NORTHRIDGE TERR	38-1W-09AB-2500	R-2	MDR
E	4069 SOUTH PACIFIC HWY	38-1W-09A-803	R-2	MDR
E	4069 SOUTH PACIFIC HWY	38-1W-09A-804	R-2	MDR
E	135 N PHOENIX RD	38-1W-09A-805	R-2	MDR
E	4069 SOUTH PACIFIC HWY	38-1W-09A-1000	R-2	MDR
E	272 NORTHRIDGE TERR	38-1W-09AB-2600	R-2	MDR
E	368 NORTHRIDGE TERR	38-1W-09AB-1800	R-2	MDR
E	356 NORTHRIDGE TERR	38-1W-09AB-1900	R-2	MDR
E	344 NORTHRIDGE TERR	38-1W-09AB-2000	R-2	MDR
E	332 NORTHRIDGE TERR	38-1W-09AB-2100	R-2	MDR
E	320 NORTHRIDGE TERR	38-1W-09AB-2200	R-2	MDR
E	308 NORTHRIDGE TERR	38-1W-09AB-2300	R-2	MDR
E	296 NORTHRIDGE TERR	38-1W-09AB-2400	R-2	MDR
E	236 NORTHRIDGE TERR	38-1W-09AB-2900	R-2	MDR
E	224 NORTHRIDGE TERR	38-1W-09AB-3000	R-2	MDR
E	212 NORTHRIDGE TERR	38-1W-09AB-3100	R-2	MDR
E	200 NORTHRIDGE TERR	38-1W-09AB-3200	R-2	MDR
E	201 OAK CREST WAY	38-1W-09AB-3300	R-2	MDR
E	207 OAK CREST WAY	38-1W-09AB-3301	R-2	MDR
E	213 OAK CREST WAY	38-1W-09AB-3302	R-2	MDR
E	219 OAK CREST WAY	38-1W-09AB-3303	R-2	MDR
E	225 OAK CREST WAY	38-1W-09AB-3304	R-2	MDR
E	231 OAK CREST WAY	38-1W-09AB-3305	R-2	MDR
E	237 OAK CREST WAY	38-1W-09AB-3306	R-2	MDR
E	243 OAK CREST WAY	38-1W-09AB-3307	R-2	MDR
E	249 OAK CREST WAY	38-1W-09AB-3308	R-2	MDR
E	255 OAK CREST WAY	38-1W-09AB-3309	R-2	MDR
E	261 OAK CREST WAY	38-1W-09AB-3310	R-2	MDR
E	267 OAK CREST WAY	38-1W-09AB-3311	R-2	MDR
E	273 OAK CREST WAY	38-1W-09AB-3312	R-2	MDR
E	279 OAK CREST WAY	38-1W-09AB-3313	R-2	MDR
E	268 OAK CREST WAY	38-1W-09AB-3314	R-2	MDR
E	262 OAK CREST WAY	38-1W-09AB-3315	R-2	MDR
E	256 OAK CREST WAY	38-1W-09AB-3316	R-2	MDR
E	250 OAK CREST WAY	38-1W-09AB-3317	R-2	MDR
E	244 OAK CREST WAY	38-1W-09AB-3318	R-2	MDR
E	238 OAK CREST WAY	38-1W-09AB-3319	R-2	MDR
E	232 OAK CREST WAY	38-1W-09AB-3320	R-2	MDR
E	226 OAK CREST WAY	38-1W-09AB-3321	R-2	MDR
E	220 OAK CREST WAY	38-1W-09AB-3322	R-2	MDR

E	214 OAK CREST WAY	38-1W-09AB-3323	R-2	MDR
E	208 OAK CREST WAY	38-1W-09AB-3324	R-2	MDR
E	202 OAK CREST WAY	38-1W-09AB-3325	R-2	MDR
E	3761 SOUTH PACIFIC HWY	38-1W-09B-600	R-3	HDR
E	168 NORTHRIDGE TERR	38-1W-09BA-70003	R-3	HDR
E	170 NORTHRIDGE TERR	38-1W-09BA-70004	R-3	HDR
E	162 NORTHRIDGE TERR	38-1W-09BA-70005	R-3	HDR
E	160 NORTHRIDGE TERR	38-1W-09BA-70006	R-3	HDR
E	NORTHRIDGE TERR	38-1W-09BA-70000	R-3	HDR
E	164 NORTHRIDGE TERR	38-1W-09BA-70001	R-3	HDR
E	166 NORTHRIDGE TERR	38-1W-09BA-70002	R-3	HDR
E	158 NORTHRIDGE TERR	38-1W-09BA-70007	R-3	HDR
E	156 NORTHRIDGE TERR	38-1W-09BA-70008	R-3	HDR
E	NORTHRIDGE TERR	38-1W-09BA-80000	R-3	HDR
E	180 NORTHRIDGE TERR	38-1W-09BA-80001	R-3	HDR
E	182 NORTHRIDGE TERR	38-1W-09BA-80002	R-3	HDR
E	184 NORTHRIDGE TERR	38-1W-09BA-80003	R-3	HDR
E	186 NORTHRIDGE TERR	38-1W-09BA-80004	R-3	HDR
E	178 NORTHRIDGE TERR	38-1W-09BA-80005	R-3	HDR
E	176 NORTHRIDGE TERR	38-1W-09BA-80006	R-3	HDR
E	174 NORTHRIDGE TERR	38-1W-09BA-80007	R-3	HDR
E	172 NORTHRIDGE TERR	38-1W-09BA-80008	R-3	HDR
G	3555 SOUTH PACIFIC HWY 113	38-1W-04-603	R-2	MDR
G	3431 SOUTH PACIFIC HWY	38-1W-04C-300	R-2	MDR
G	3431 SOUTH PACIFIC HWY 19	38-1W-04C-400	R-2	MDR
G	299 NORTHRIDGE TERR	38-1W-09AB-1200	R-2	MDR
G	311 NORTHRIDGE TERR	38-1W-09AB-1300	R-2	MDR
G	335 NORTHRIDGE TERR	38-1W-09AB-1500	R-2	MDR
G	275 NORTHRIDGE TERR	38-1W-09AB-1000	R-2	MDR
G	287 NORTHRIDGE TERR	38-1W-09AB-1100	R-2	MDR
G	93 NORTHRIDGE TERR	38-1W-09AB-300	R-2	MDR
G	203 NORTHRIDGE TERR	38-1W-09AB-400	R-2	MDR
G	215 NORTHRIDGE TERR	38-1W-09AB-500	R-2	MDR
G	227 NORTHRIDGE TERR	38-1W-09AB-600	R-2	MDR
G	263 NORTHRIDGE TERR	38-1W-09AB-900	R-2	MDR
G	347 NORTHRIDGE TERR	38-1W-09AB-1600	R-2	MDR
G	3653 SOUTH PACIFIC HWY	38-1W-09B-200	R-2	MDR
G	93 NORTHRIDGE TERR	38-1W-09B-201	R-2	MDR
G	63 NORTHRIDGE TERR	38-1W-09BA-200	R-3	HDR
G	93 NORTHRIDGE TERR	38-1W-09BA-300	R-3	HDR
G	109 NORTHRIDGE TERR	38-1W-09BA-400	R-3	HDR
G	141 NORTHRIDGE TERR	38-1W-09BA-701	R-3	HDR
G	NORTHRIDGE TERR	38-1W-09BA-2100	R-3	HDR
G	NORTHRIDGE TERR	38-1W-09BA-2101	R-3	HDR
G	NORTHRIDGE TERR	38-1W-09BA-90000	R-3	HDR
G	179 NORTHRIDGE TERR	38-1W-09BA-90001	R-3	HDR
G	181 NORTHRIDGE TERR	38-1W-09BA-90002	R-3	HDR
G	183 NORTHRIDGE TERR	38-1W-09BA-90003	R-3	HDR
G	185 NORTHRIDGE TERR	38-1W-09BA-90004	R-3	HDR
G	193 NORTHRIDGE TERR	38-1W-09BA-90005	R-3	HDR
G	191 NORTHRIDGE TERR	38-1W-09BA-90006	R-3	HDR
G	189 NORTHRIDGE TERR	38-1W-09BA-90007	R-3	HDR
G	187 NORTHRIDGE TERR	38-1W-09BA-90008	R-3	HDR
G	239 NORTHRIDGE TERR	38-1W-09AB-700	R-2	MDR
J	3381 NORTH PHOENIX RD	38-1W-10-401	C-H and R-1	IB and RH
J	3765 NORTH PHOENIX RD	38-1W-10-502	R-1	RH

EXHIBIT E



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

STATE OF OREGON, COUNTY OF JACKSON

IN THE MATTER OF ANNEXATION OF PROPERTY)
WITHIN THE CITY LIMITS OF PHOENIX TO)
JACKSON COUNTY FIRE DISTRICT NO. 5)

ORDER NO. 73-08

WHEREAS, the City of Phoenix has adopted Resolution No. 729 certifying the approval by the city electors of annexation of the entire city limits into Jackson County Fire District No. 5 in an election held on March 11, 2008; and

WHEREAS, Jackson County Fire District No. 5 has adopted Resolution R-2-08 certifying the approval by the district electors of annexation of the City of Phoenix into their district in an election held on March 11, 2008; and

WHEREAS, attached hereto and incorporated herein is Exhibit 1 which includes Jackson County Fire District No. 5 Resolution R-2-08; Jackson County Abstract Election Report for Measure 15-81; City of Phoenix Resolution No. 729; Jackson County Abstract Election Report for Measure 15-82; and the City of Phoenix annexation to Jackson County Fire District No. 5 boundary change description; and

WHEREAS, pursuant to Oregon Revised Statute (ORS) 198.867(3), having received resolutions from the city and the district, the Board of Commissioners shall enter an order annexing the City of Phoenix to Jackson County Fire District No. 5.

Now, therefore,

The Board of County Commissioners of Jackson County ORDERS:

ORDER-1
1136anx

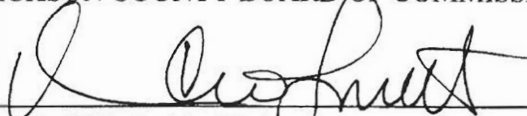
10

1. The territory within the city limits of Phoenix as of March 11, 2008, is hereby annexed into Jackson County Fire District No. 5. Once this order is entered, the city property, together with any property thereafter annexed to the city shall:

- a. Be included in the boundaries of the district; and
- b. Be subject to all liabilities of the district in the same manner and to the same extent as other territory included in the district.

DATED this 26th day of March, 2008, at Medford, Oregon.

JACKSON COUNTY BOARD OF COMMISSIONERS



Dennis C.W. Smith, Chair



Dave Gilmour, Commissioner



Jack Walker, Commissioner

ORDER - 2
1136anx

EXHIBIT 1
JACKSON COUNTY FIRE DISTRICT 5
RESOLUTION R-2-08
MARCH 24, 2008

**A RESOLUTION CERTIFYING THE CANVASS OF THE VOTE AT THE ELECTION HELD
IN JACKSON COUNTY 5, JACKSON COUNTY, OREGON ON MARCH 11, 2008.**

WHEREAS, on March 11, 2008, Measure 15-81 was on the ballot at the Special Election held in Jackson County, Oregon, which presented a question to the electors of Jackson County Fire District 5 ("District") as to whether the City of Phoenix ("City") should be annexed to the District effective July 1, 2008; and

WHEREAS, the Board of Directors for the District have met on this day, March 24, 2008, and proceeded to canvass the vote cast for Measure 15-81;

THEREFORE, BE IT RESOLVED that

1. The Board of Directors of Jackson County Fire District 5 has canvassed the vote and has determined that the number of votes cast for Measure 15-81 at the election held on March 11, 2008 by the electors of the District is as follows:

Measure 15-81: Annexation of the City of Phoenix to Jackson County Fire District 5

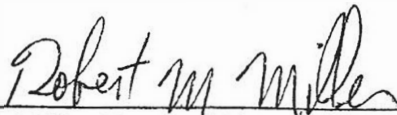
Yes= **2,802** No = **144**

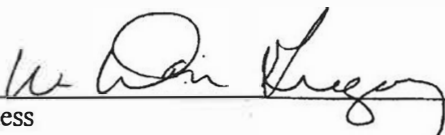
See a copy of the Jackson County Abstract Election Report dated March 24, 2008 attached hereto as "Exhibit A" and incorporated herein by this reference.

2. The Board of Directors of Jackson County Fire District 5 is in receipt of a certified copy of the City of Phoenix's Resolution No. 729 declaring the canvass of the vote in the City of Phoenix at the special election held on March 11, 2008 and certifying that Measure 15-82 regarding the annexation of the City of Phoenix to Jackson County Fire District 5 was approved by the City electors. See attached copy of City of Phoenix Resolution No. 729, attached hereto as "Exhibit B" and incorporated herein by this reference.
3. The Board of Directors of Jackson County Fire District 5, pursuant to ORS 198.867, hereby certifies the passage of Measure 15-81 by the District electors at the election held on March 11, 2008, to the Jackson County Board of Commissioners and attaches the certificate of the City of Phoenix certifying the passage of Measure 15-82 by the City electors at said election. These measures presented the question of annexation of the City of Phoenix to Jackson County Fire District 5, effective July 1, 2008, and declaring that the electors of the City are electors of the District during the interim period between the date of the Order and July 1, 2008 for purposes of running for positions on the Board of Directors and voting on matters presented to the District's electors for decision, such as election of individuals to positions on the Board of Directors.

ADOPTED BY THE BOARD OF DIRECTORS OF JACKSON COUNTY FIRE DISTRICT 5 IN
OPEN SESSION THIS 24TH DAY OF MARCH, 2008, BY THE FOLLOWING VOTE:


YES 3 NO 0 ABSTENTIONS 0 ABSENT 2


Robert Miller, Board of Directors Vice Chairperson


Witness

Certification:

As Secretary of the Board of Directors for Jackson County Fire District 5, I hereby certify that the foregoing copy of Resolution R-2-08 is a true and correct copy of the original in the custody of Jackson County Fire District 5.

 3/24/08
Fred Baumgartner, Board of Directors Secretary (date)

“EXHIBIT A”

DISTRICT CANVASS

SPECIAL ELECTION
MARCH 11, 2008
JACKSON COUNTY, OREGON

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PAGE 1

6 PRECINCTS	RV	BC	TP	15-81 JACKSON CO FIRE DIST 5 ANNEX. OF PHOENIX			
	EO	AA	UE	Y	N	OV	UV
	GT	LS	RR	e	o	VO	NO
	IE	LT	NC	s		ET	DT
	SR	TS	OE			RES	ERS
	TS	LT	UN				
	E	O	TT				
	R	T	A				
	E	S	G				
	D	S	E				
0018 18 Ashl and Rur	2665	822	30.84	785	37	0	0
0021 21 Pinehurst	1	1	100.00	1	0	0	0
0077 77 Ruch	286	111	38.81	98	13	0	0
0080 80 Talent Rur	1247	492	39.45	471	20	0	1
0082 82 Talent	2953	984	33.32	933	51	0	0
0087 87 Phoenix Rur	1335	537	40.22	514	23	0	0
GRAND TOTALS	8487	2947	34.72	2802	144	0	1

I certify the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.

by 
Christine D. Walker, Jackson County Clerk

3-24-08
date

"EXHIBIT B"

**CITY OF PHOENIX
PHOENIX, OREGON**

RESOLUTION NO. 729

A RESOLUTION ACCEPTING AND CERTIFYING THE ELECTION RESULTS OF THE MARCH 11, 2008 ELECTION.

WHEREAS, an election was held on March 11, 2008, to request annexation of the City of Phoenix to Jackson County Fire District #5; and

WHEREAS, the voters approved the annexation; and

WHEREAS, in order for the annexation to become official, Jackson County requires the Phoenix City Council and the Jackson County Fire District #5 Board of Directors to accept the March 11, 2008 election results; and


WHEREAS, the legal or other description of the boundary change to be included in the annexation, along with an accurate map depicting the same, is attached hereto as Exhibit A; and

WHEREAS, it is a requirement that the Jackson County Board of Commissioners approve the annexation.

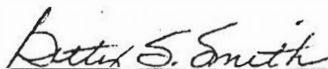
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Phoenix, Oregon, does hereby accept and certify the election results from the March 11, 2008 election and directs staff to forward a certified copy of this resolution and certification to the Jackson County Board of Commissioners.

BE IT FURTHER RESOLVED, that the Phoenix City Council hereby requests that, upon receipt of certification from Jackson County Fire District #5, the County Commissioners formally approve this annexation.

PASSED AND APPROVED by the City Council of the City of Phoenix, Oregon on this 24th day of March 2008, at a regular City Council meeting of the City of Phoenix and signed by me in authentication thereof.



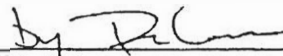
Carlos DeBritto, Mayor



Betty S. Smith, City Recorder

	R E G I S T E R E D	V B C A A L S L T O T A L S	T P U E R R N C O E U N T T A G E	15-82 PHOENIX CITY ANNEX. TO JCFD#5			
			Y e s	N o	O V V O E T R E S	U V N O D T E E R S	
1 PRECINCTS							
0084 84 Phoenix	2511	1263	50.30	1228	33	0	2
GRAND TOTALS	2511	1263	50.30	1228	33	0	2

I certify the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.


Christine D. Walker, Jackson County Clerk

3-24-08
date

Map Maker Application
Front Counter Legend

- Tax Lot Outline
- City Limits
- Ashland
- Butte Falls
- Central Point
- Eagle Point
- Gold Hill
- Jacksonville
- Medford
- Phoenix
- Rogue River
- Shady Cove
- Talent



JACKSON COUNTY
Oregon

This map is based on a digital database compiled by Jackson County from a variety of sources. Jackson County cannot accept responsibility for errors, omissions, or positional inaccuracy. There are no warranties, expressed or implied.



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Please recycle with colored office grade paper

Created with MapMaker Map created on 3/16/2008 9:51:29 AM using web.jacksoncounty.org

CERTIFICATION

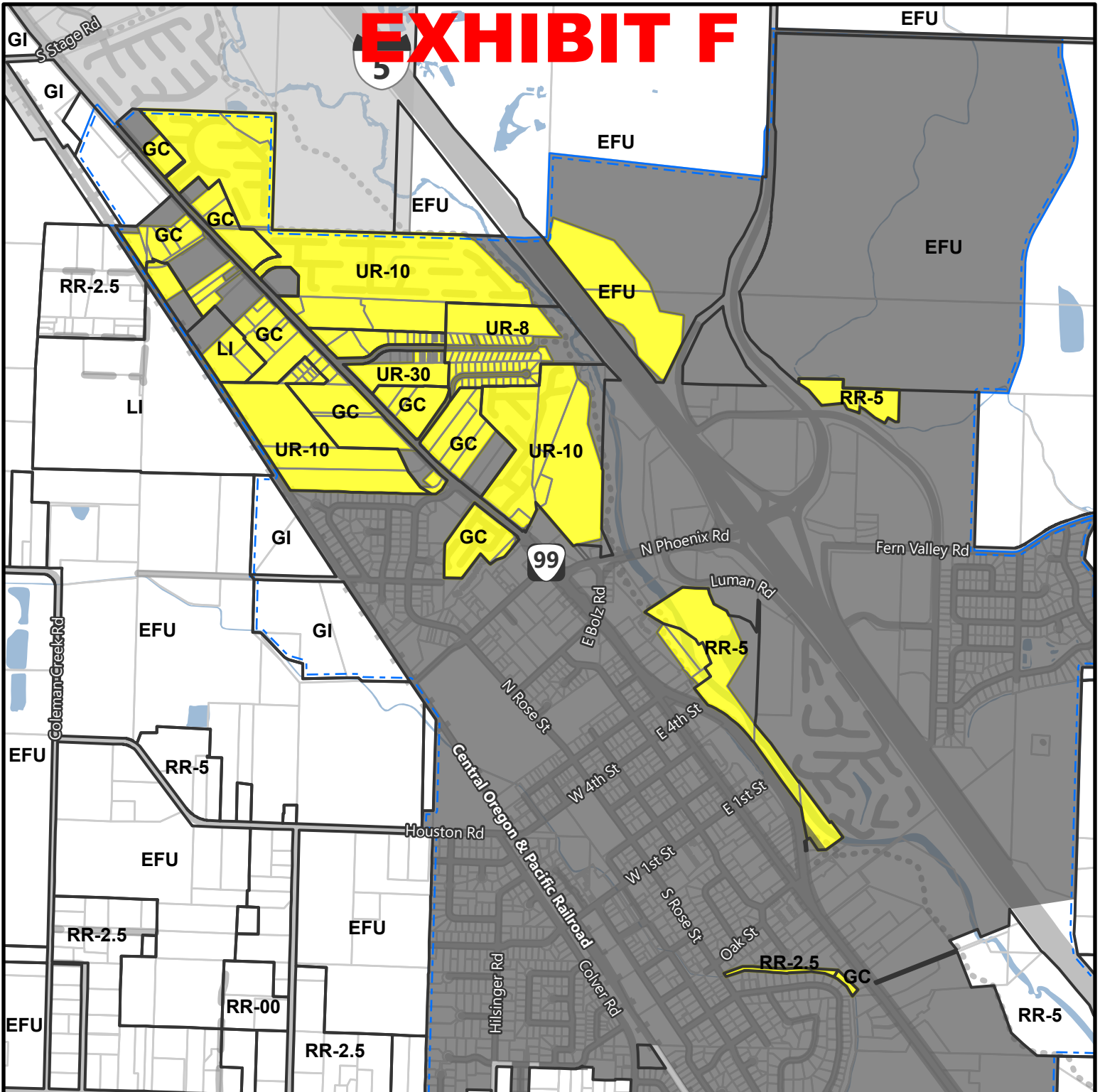
I, Betty S. Smith, a duly authorized representative and City Recorder/Treasurer of the City of Phoenix, Oregon, hereby certify that the attached copy of Resolution No. 729, accepting and certifying the election results of the March 11, 2008 election, is a true and correct copy of the original as contained in the files at the City of Phoenix.

DATED this 24th day of March 2008

CITY OF PHOENIX, OREGON

By: Betty S. Smith
Betty S. Smith, City Recorder/Treasurer

EXHIBIT F



Community & Economic Development Department County Zoning



Urban Growth Boundary



Annexation Areas



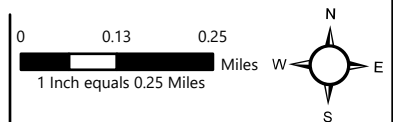
Medford City Limit



County Zoning

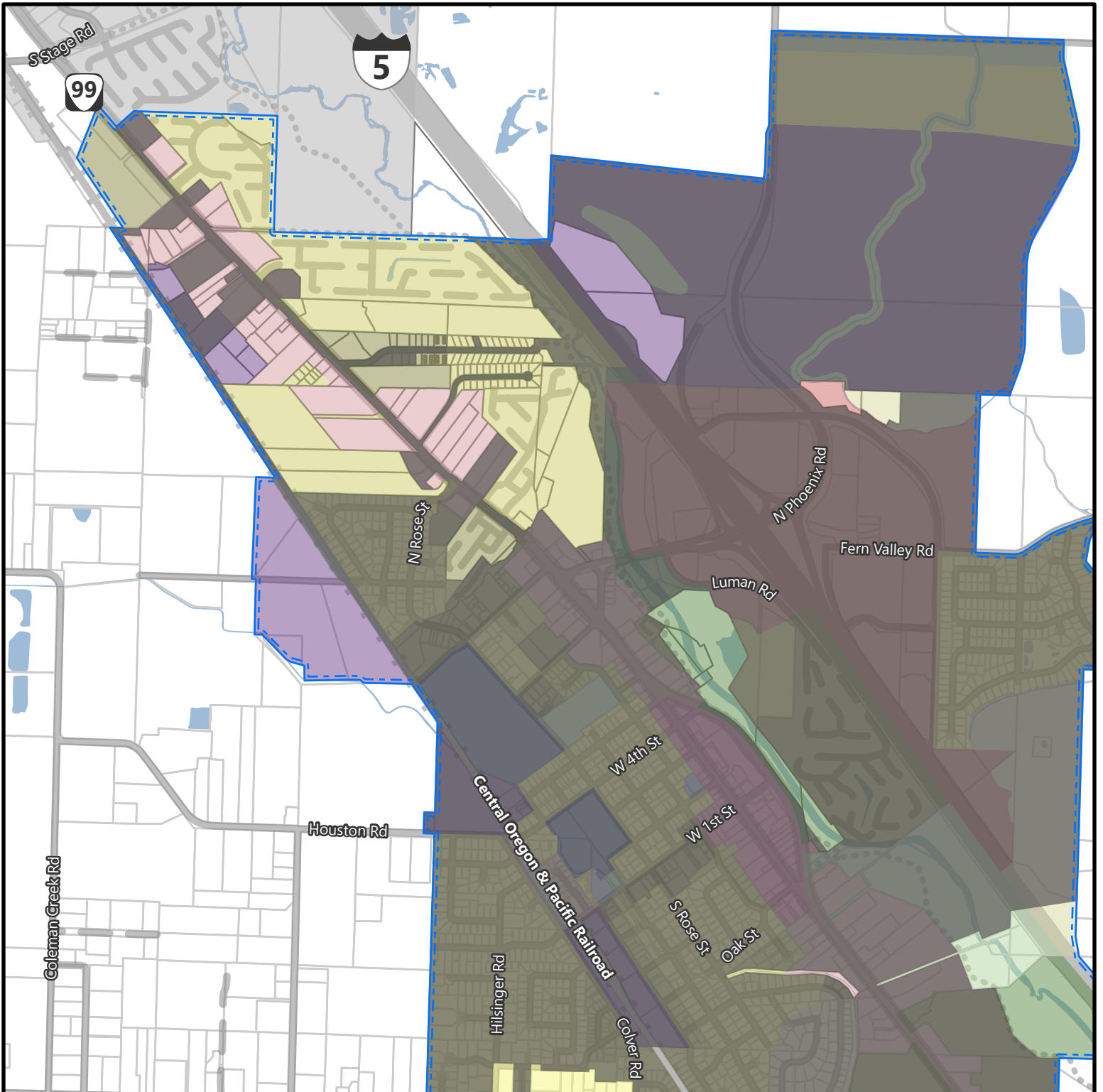


Phoenix City Limit
(Ord 1033 Eff 01/01/2024)


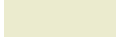

















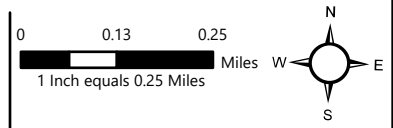
The datasets shown on this map are for planning purposes only. The City of Phoenix is not responsible for errors or omissions. Every effort has been made to insure the accuracy of this map. However, there may be inaccuracies due to human or mechanical error or changes in the Land Use District map created by recent land use actions or legislative changes. To verify the zoning designation of a parcel or to report errors, please contact the Planning Department at (541) 535-2050. This product is provided as is, without warranty. In no event is the City of Phoenix liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Created by: Jeff, on 1/11/2024



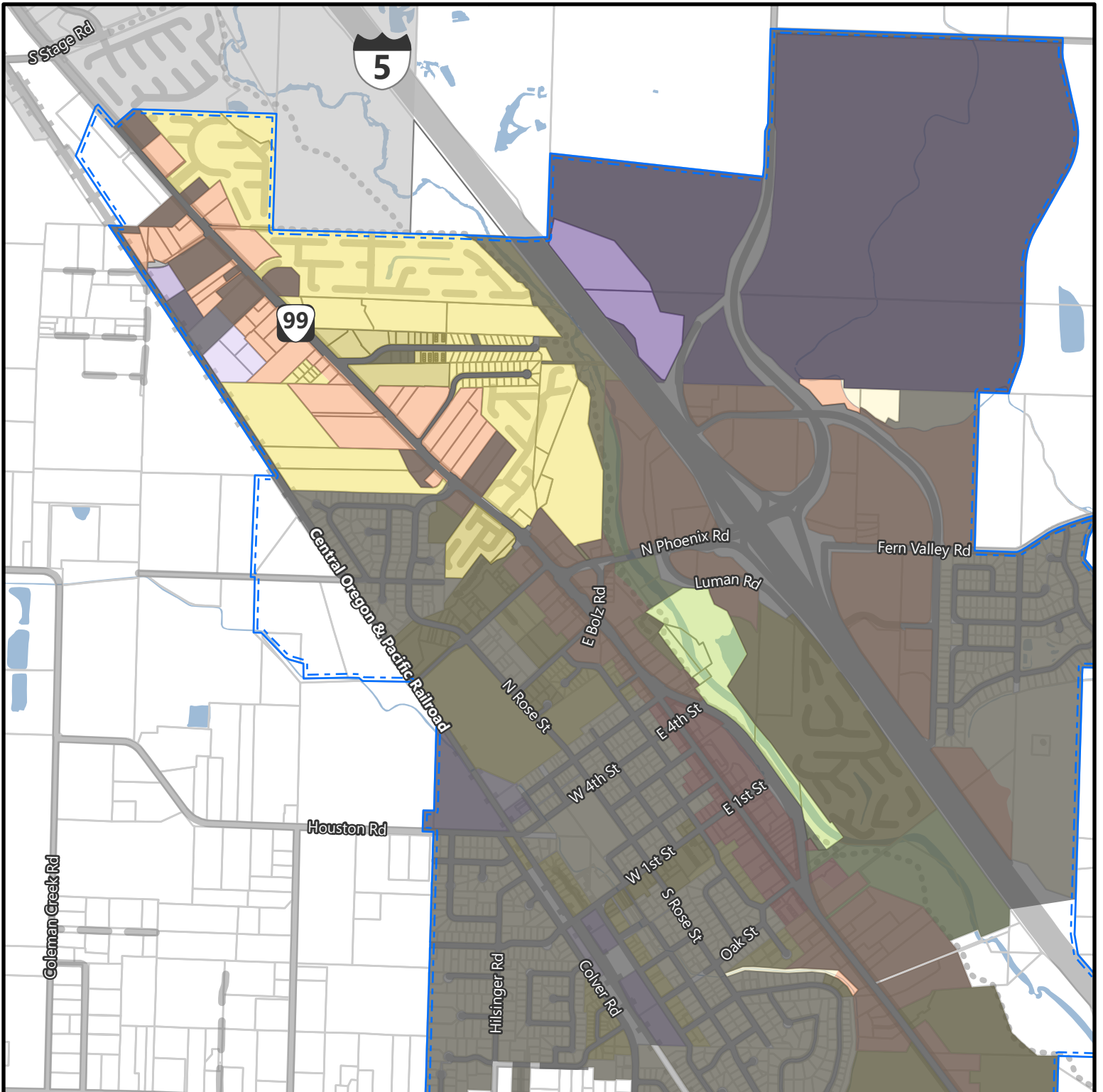
Community & Economic Development Department City Comprehensive Plan Designations

 Urban Growth Boundary	 Residential Hillside	 Schools
 Medford City Limit	 Low Density Residential	 Commercial
 Phoenix City Limit (Ord 1033 Eff 01/01/2024)	 Medium Density Residential	 Residential Employment
	 High Density Residential	 City Center District
	 Park & Open Space	 Interchange Business
	 Bear Creek Greenway	 Industrial
	 Public	 Railroad






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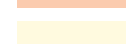

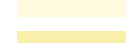

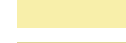
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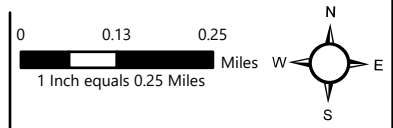


Community & Economic Development Department City Land Use Districts

-  Urban Growth Boundary
-  Medford City Limit
-  Phoenix City Limit
(Ord 1033 Eff 01/01/2024)

Land Use Districts

- | | |
|--|---|
|  City Center (C-C) |  Bear Creek Greenway (BCG) |
|  Commercial Highway (C-H) |  Light Industrial (L-I) |
|  Low Density Residential (R-1) |  General Industrial (G-I) |
|  Medium Density Residential (R-2) |  Holding Zone (H-Z) |
|  High Density Residential (R-3) | |



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EXHIBIT G



BEFORE THE PHOENIX PLANNING COMMISSION

STATE OF OREGON, CITY OF PHOENIX

IN THE MATTER OF PLANNING FILE NO. AN24-01, AN ANNEXA-)
TION OF 253 ACRES WITHIN THE CITY'S URBAN GROWTH)
BOUNDARY PURSUANT TO ORS 222.750, REMOVAL OF THE)
AREA FROM JACKSON COUNTY FIRE DISTRICT NO.2 PURSU-) ORDER
ANT TO ORS 222.524 AND ANNEXATION TO JACKSON COUNTY)
FIRE DISTRICT NO.5 PURSUANT TO ORS 198.867(3), THE)
PHOENIX PLANNING COMMISSION FINDS THE FOLLOWING:)

1. The Planning Commission held a properly noticed public hearing on this matter on February 12, 2024;
2. The Planning Commission asked the Deputy City Manager to present a staff report and a final order with findings and recommendations at the February 12, 2024 public hearing;
3. At the public hearing, evidence was presented and the public was given an opportunity to comment;
4. The Planning Commission finds that the subject territory is contiguous with the existing city limit, is located within the city's urban growth boundary and meets the annexation requirements of ORS 222;
5. The Planning Commission finds that the application review is consistent with the legislative review requirements of Chapter 4.1.6 of the Phoenix Land Development Code;
6. The Planning Commission finds that all territory proposed for annexation is territory that is surrounded by the corporate boundaries of the City of Phoenix, or the corporate boundaries of the City of Phoenix, the corporate boundaries of the City of Medford, and a creek, consistent with ORS 222.750(2);
7. The Planning Commission finds that the City, having annexed to Jackson County Fire District No.5 through an election consistent with ORS 198.866 and 198.867 in March of 2008, must also annex this territory to JCFD No.5 upon annexation to the City per ORS 198.867(3);
8. The Planning Commission finds that the territory must be removed from Jackson County Fire District No.2 pursuant to ORS 222.524 in tandem with the required annexation to Jackson County Fire District No.5;

NOW THEREFORE, the Phoenix Planning Commission recommends approval of the requested Annexation (AN24-01) application based on applicant's request and based on the information presented in the Staff Report and Findings of Fact below:

In the following, any text quoted directly from City codes or State Law appears in italics; staff findings appear in regular typeface.

Annexation is governed by the City's Land Development Code, Municipal Code, Comprehensive Plan, its Urban Growth Boundary Management Agreement with Jackson County, and state law. The Land Development and Municipal Codes do not define specific standards of review for a proposed annexation.

Requests for annexation are evaluated using a Type IV Legislative procedure. The Planning Commission recommends action, but does not have authority to render a final decision. The City Council must ratify a proposed annexation by ordinance.

CHAPTER 4 – APPLICATION AND REVIEW PROCEDURES

Chapter 4.1 – Types of Applications and Review Procedures

4.1.6 – Type IV Procedures (Legislative)

- A. *Pre-Application conference. A pre-application conference is required for all Type IV applications. The requirements and procedures for a pre-application conference are described in Chapter 4.1.7 – General Provisions.*
- B. *Timing of requests. The City Planner shall not review non-City sponsored or State required proposed Type IV actions more than five times annually, based on a City Council Resolution approved schedule for such actions. Legislative requests are not subject to the 120-day review under ORS 227.178.*

FINDING: The applicant submitted the required pre-application conference information and was provided a response detailing the requirements for the submission of an annexation application. The application for annexation is City initiated and City sponsored. **The standard is met.**

- C. *Application requirements*
 - 1. *Application forms. Type IV applications shall be made on forms provided by the Planning Department;*
 - 2. *Submittal Information. The application shall contain:*
 - a. *The information requested on the application form;*
 - b. *A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);*
 - c. *The required fee; and*
 - d. *Findings or a narrative statement that explains how the application satisfies all of the relevant approval criteria and standards.*
 - e. *Mailing labels*

FINDING: The applicant submitted the required application forms and narrative explaining how the application satisfies all of the relevant approval criteria, standards and Oregon

Revised Statutes. Mailing labels for the notice were prepared by staff using the city's GIS system. **The standard is met.**

COMPREHENSIVE PLAN

Land Use Element – Goals & Policies

Goal 3: *Manage annexations to achieve the objectives of the Plan by ensuring that the cumulative effects of annexation decisions are considered.*

Policy 3.1

Pursuant to applicable laws of the State of Oregon, the City Council may approve annexations, without referral to the City's electorate, when finding and facts show that development of the property or properties proposed for annexation would be consistent with the Plan and that development on the land proposed for annexation can be served with all urban services and facilities without adverse impacts on the availability, quality, quantity or reliability of City services provided to or likely to be needed by;

1. *Existing development within the incorporated area, and*
2. *Undeveloped, partially vacant, or redevelopable incorporated land (considering approved development plans or permissible densities as set out in the Plan).*

Policy 3.4

All properties annexed to the City shall eventually be improved to City standards including, but not limited to, street improvements, curbs and gutter, lighting, and other improvements included within the City's development standards or as may otherwise be specified by the City Manager and approved by the City Council. If required improvements are not proposed at the time of annexation, then the annexation agreement shall include a non-remonstrance clause specifying that the improvements shall be installed at the time of partitioning, subdivision, development or other time as approved by the Council.

Policy 3.5

The City shall initiate proceedings to annex "islands" of unincorporated area within the City Limits immediately following their creation or as soon thereafter as practical when deemed to be in the overall best interest of the City. Such annexations are required to ensure orderly and equitable provision of public improvement, utilities, and community services, and to further growth and development of the community in accordance with this Plan (ORS 222.750).

FINDING:

1. There are two distinct areas proposed for annexation through this application: portions of urban reserve area PH-5 and all other "enclave" areas located outside of PH-5. The areas will be referred to as PH-5 properties and non-PH-5 properties, respectively, throughout these findings. The non-PH-5 properties are served by all urban infrastructure and services. Sanitary sewer service is provided by Rogue Valley Sewer Services, water service is provided by the City of Phoenix, and all private utility providers for electricity, gas, and communications services are present within the area. Police service will transfer from Jackson County Sheriff to City of Phoenix police and fire/EMS

will transfer from Jackson County Fire District No.2 to Jackson County Fire District No.5, upon annexation.

The PH-5 properties are being annexed, in part, to help facilitate the development of urban infrastructure into this area east of I-5. The cities of Medford and Phoenix have been coordinating infrastructure planning with the major property owners and service providers (RVSS, Medford Water, ODOT) within PH-5 and MD-5 in Medford. Some portions of PH-5 can be served by extending existing infrastructure into development areas, but other portions will require large-scale upgrades to sewer, water and/or transportation infrastructure prior to development. These conditions are understood and recognized by the service providers, the land owners, and the two cities. The annexation of PH-5 is a necessary next step in developing infrastructure into the area.

2. Both the non-PH-5 properties and the PH-5 properties will benefit by the development of a new water storage reservoir on the east side of PH-5. This reservoir, which is being developed primarily to aid in the transition of the Charlotte Ann Water District to the City of Phoenix, was funded by the State of Oregon through HB5006. The construction of this reservoir, along with other improvements to the water system being done as part of the transition, will ensure that there is adequate water system infrastructure in place to serve both existing and planned development within the urban growth boundary. Because PH-3 has been previously developed, the change from an urbanized area in Jackson County to an urbanized area within Phoenix is not expected to materially affect availability for any urban level service. As mentioned above, PH-5 infrastructure will be developed to ensure that adequate capacity is available to the area without effecting capacity in other parts of the system. Provision of the services can be accomplished without adversely affecting existing or future development within the City's current Urban Growth Boundary.
3. Development on the annexed properties must comply with the City's Land Development Code which requires improvements to infrastructure and facilities that meet the City's specifications. This will be reviewed during subdivision and site design/development review.
4. All properties proposed for annexation are within "islands" or "enclaves" consistent with ORS 222.750. This annexation proposal is directly in line with Policy 3.5.

The standard is met.

Urbanization Element – Goals & Policies

Goal 2: *Ensure efficient urban development patterns that comply with Regional Plan performance indicators.*

Policy 2.1

Neighborhood or Special Area Plans shall be submitted to and approved by the City using a Type IV Land Use decision process, and adopted into the City's Comprehensive Plan as a separate Element, prior to or simultaneously with a request to annex any lands included in the City's UGB that have been designated as Urban Reserve Areas (URA) by the Regional Plan. At minimum, these plans shall demonstrate the following:

1. *Consistency with the arrangement of proposed land uses and urban infrastructure (e.g. transportation network) depicted by applicable Conceptual Land Use and Transportation plans that have been adopted for that particular URA;*

2. *Compliance with applicable Regional Plan performance indicators, especially indicators 3-10.*
3. *Safeguards against parcelization and land uses which are inconsistent with the purpose of PH-5 as a regional employment center.*
4. *Conformance with all other applicable goals and policies of the City's Comprehensive Plan.*

Policy 2.2

The City shall develop land use regulations that ensure the availability of tracts of land within PH-5 suitable for development by larger, traded-sector employers consistent with the findings and conclusions of the Economic Element, the Local Economic Opportunity Analysis, and the Regional Economic Opportunity Analysis.

In particular, these regulations shall be consistent with the parcelization depicted in Policy 6.1 of the Land Use Element, based on Table 4-3 of the Economic Element. Amendments of its Land Development Code necessary to effectively implement this policy shall be adopted by the City prior annexation of any lands in PH-5.

Policy 2.3

Upon annexation, lands in PH-5 with an employment comprehensive land use plan designation, such as "Industrial", shall receive the new zoning designation outlined in the Restricted Land Uses in PH-5 portion of the Land Use Element, consistent with Regional Plan Performance Indicator 9.

FINDING:

1. These policies apply only to the PH-5 properties, not to the non-PH-5 properties as those properties exist within previously urbanized areas and will retain like zoning/development potential upon annexation.
2. As part of the process of amending the urban growth boundary, the City of Phoenix adopted a Land Development Code amendment creating a new Holding Zone specifically for the purpose of annexing PH-5 lands prior to assigning developable zoning to the properties. This was done in recognition of the need to annex the area to facilitate the development of infrastructure.
3. The City is committed to adhering to Urbanization Element policies 2.1-2.3 prior to any of the land being made available for development through zoning. In fact, the City is working with the major land owners in the area to craft zoning language to implement policies 2.2 and 2.3 through the creation of a new Industrial zone, as anticipated by the Urbanization Element. The final language of the new zone, which must be reviewed by the Planning Commission and adopted by the City Council, will help to inform the Neighborhood or Special Area Plan that will be adopted to address policy 2.1.
4. Upon annexation, the PH-5 properties will be designated Holding Zone and will not be available for development until Urbanization Element Policies 2.1 – 2.3, along with all applicable provisions of Phoenix Land Development Code Chapter 4.7 have been addressed.

5. The properties are to be annexed now to facilitate the development of infrastructure into the area. The City has been allocated \$4.5 million through SB 5506 for the development of certain critical infrastructure into the area and is currently working with State leaders to receive additional funds to continue this work.

The standard is met.

OREGON REVISES STATUTES

ORS 198

198.867 – Approval of Annexation to District by Electors of City and District

(3) *Upon receipt of the certificate of the city governing body and the district board, the county board shall enter an order annexing the territory included in the city to the district. When the county board enters the order, the city territory, **together with any territory thereafter annexed to the city** (emphasis added):*

- (a) *Shall be included in the boundaries of the district; and*
- (b) *Shall be subject to all liabilities of the district in the same manner and to the same extent as other territory included in the district.*

FINDING: The City of Phoenix annexed to Jackson County Fire District No.5 through an election consistent with ORS 198.866 and 198.867, in March of 2008. This action was completed through Measure No. 15-81 for Jackson County Fire District No. 5 and through Measure No. 15-82 for the City of Phoenix. Both measures passed in Phoenix with overwhelming support, with 96% voting yes on Measure 15-81 and 97% voting yes on Measure 15-82. Per ORS 198.867(3) any territory annexed to the City must also be annexed (included) into the boundaries of Jackson county Fire District No.5. To facilitate this transition to Jackson County Fire District No.5, the property must be removed from Jackson County Fire District No.2 boundaries pursuant to ORS 222.524. **The standard is met.**

ORS 222

222.111 – Authority and Procedure for Annexations

1. *The land to be annexed is contiguous with the existing political boundaries of the city in question.*

FINDING: The subject territory is contiguous with the current Phoenix city boundary. **The standard is met.**

222.750 – Annexation of unincorporated territory surrounded by city; delayed annexation for certain property.

- (2) *When territory not within a city is surrounded by the corporate boundaries of the city, or the corporate boundaries of the city and the corporate boundaries of another city, the ocean shore, a river, a creek, a bay, a lake or Interstate Highway 5, the city may annex the territory pursuant to this section after holding at least one public hearing on the question for which notice has been mailed to each record owner of real property in the territory proposed to be annexed.*

- (3) *This section does not apply if the territory not within a city:*
- (a) *Is surrounded entirely by water; or*
 - (b) *Is surrounded as provided in subsection (2) of this section, but a portion of the corporate boundaries of the city that consist only of a public right of way, other than Interstate Highway 5, constitutes more than 25 percent of the perimeter of the territory.*
- (4) *Unless otherwise required by the city charter, annexation by a city under this section must be by ordinance or resolution subject to referendum, with or without the consent of any owner of real property within the territory or resident in the territory.*
- (5) *For property that is zoned to allow residential use as a permitted use in the zone and is in residential use when annexation is initiated by the city under this section, the city shall specify an effective date for the annexation that is at least three years and not more than 10 years after the date the city proclaims the annexation approved. The city recorder or other officer performing the duties of the city recorder shall:*
- (a) *Cause notice of the delayed annexation to be recorded by the county clerk of the county in which any part of the territory subject to the delayed annexation is located within 60 days after the city proclaims the annexation approved; and*
 - (b) *Notify the county clerk of each county in which any part of the territory subject to delayed annexation is located not sooner than 120 days and not later than 90 days before the annexation takes effect.*
- (6) *Notwithstanding subsection (5) of this section:*
- (a) *Property that is subject to delayed annexation becomes part of the city immediately upon transfer of ownership.*
 - (b) *The record owner of real property described in subsection (5) of this section that is located in the territory to be annexed may waive the delay of the effective date of the annexation provided under subsection (5) of this section. The property becomes part of the city immediately upon waiver.*

FINDING: As shown in the Enclaves maps (attached Exhibit A to staff report), there are 10 unique territories relevant to Phoenix which meet these standards for enclave annexation. As shown on the maps, Enclaves A-F and H-J are all completely surrounded by the corporate boundaries of the City of Phoenix, and, as shown on the Territories to be Annexed maps (attached Exhibit B to staff report), are proposed to be annexed in their entirety. Enclave G is surrounded by the corporate boundaries of the City of Phoenix, the corporate boundaries of the City of Medford, and a portion of Bear Creek. Only the portions of Enclave G located within the UGB of Phoenix are proposed to be annexed as only these areas are eligible for annexation to Phoenix.

None of the areas to be annexed is surrounded entirely by water or is surrounded, but has a portion of the corporate boundaries of the city that consist only of a public right of way, other than Interstate Highway 5, for more that 25 percent of the perimeter of the territory.

Should City Council elect to approve the proposed annexation, the annexation will be accomplished through ordinance subject to referendum.

Properties within the proposed annexation area that are both zoned for residential use and are currently in residential use will have an effective date for annexation that is at least three years after the date the city proclaims the annexation approved. Exhibit C to the Staff Report is a series of maps showing non-residential properties and residential properties. Exhibit D to the Staff Report is a list of all non-residential properties, which will have an effective date for annexation of March 25, 2024, and a list of all residential properties, which will have an effective date of annexation of March 25, 2027. Any of the Residential properties that are sold during the period of delayed annexation will annex immediately upon sale (ORS 222.750(6)).

All required notices will be sent to the Jackson County clerk regarding the delayed annexation. **These standards are met.**

URBAN GROWTH BOUNDARY AGREEMENT

The City of Phoenix and Jackson County manage the urbanization of land through an Urban Growth Boundary and Policy Agreement that was ratified by in 1995. According to this *agreement*

1. *City annexation shall occur only within the officially adopted Urban Growth Boundary.*
2. *Specific annexation decisions shall be governed by the official annexation policy of the City. The City will provide an opportunity for the County to respond to pending requests for annexation.*
3. *Establishment of an Urban Growth Boundary does not imply that all land within the boundary will be annexed to the City.*
4. *Urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth, as allowed by the City Comprehensive Plan, prior to or concurrent with the land use changes.*

FINDING: The subject properties are located within the officially adopted Urban Growth Boundary. The city has notified the county of the proposed annexation.

The non-PH-5 properties are served by all urban infrastructure and services. Sanitary sewer service is provided by Rogue Valley Sewer Services, water service is provided by the City of Phoenix, and all private utility providers for electricity, gas, and communications services are present within the area. Police service will transfer from Jackson County Sheriff to City of Phoenix police and fire/EMS will transfer from Jackson County Fire District No.2 to Jackson County Fire District No.5 upon annexation.

The PH-5 properties are being annexed, in part, to help facilitate the development of urban infrastructure into this area east of I-5. The cities of Medford and Phoenix have been coordinating infrastructure planning with the major property owners and service providers (RVSS, Medford Water, ODOT) within PH-5 and MD-5 in Medford. Some portions of PH-5 can be served by extending existing infrastructure into development areas, but other portions will require large-scale upgrades to sewer, water and/or transportation infrastructure prior to development. These conditions are understood and recognized by the service providers, the land owners, and the two cities. The annexation of PH-5 is a necessary next step in developing infrastructure into the area. **The standard is met.**

Terry Helfrich
Planning Commission Chair

Date

ATTEST

Joe Slaughter
Deputy City Manager

Date