

**JACKSON
COUNTY**
Oregon

MEMO
INTER - OFFICE

Development Services

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To: Jackson County Planning Commission
From: Kelly A. Madding
Subject: Greater Bear Creek Regional Problem Solving Process (RPS) Plan; File: LRP2009-00010
Date: January 15, 2010

At your January 28, 2010 meeting, the County will begin the public hearing process for the Greater Bear Creek Regional Problem Solving (RPS) Plan, henceforth referred to as "the Plan". At this hearing, the County will introduce Chapter 1 of the Plan, which is attached to this Memo. Chapter 1 of the Plan provides an overview of the RPS process to date and the overall framework of the Plan.

Additionally, the County would like to take this opportunity to provide updated information on the intergovernmental agreement entered into by the Jackson County Board of Commissioners for the RPS process, which includes the decision on which jurisdictions will be participating in the RPS process and the definition of the RPS study area. The specific information is as follows:

On August 26, 2009 the Jackson County Board of Commissioners approved Ordinance number 2009-6 which permitted the County to enter into an intergovernmental agreement entitled, the "Greater Bear Creek Valley Regional Problem Solving Agreement" (commonly referred to as the Participants' Agreement') for the RPS program. In Ordinance number 2009-6, the Board of Commissioners found the following in Sections 2.6 and 2.7 respectively:

That the RPS Policy Committee, in July, 2008, passed a unanimous motion that required all Participants to sign the Participants' Agreement no later than Jackson County's initiation of its Comprehensive Plan amendment process and that this decision is consistent with ORS 197.656(3) and (4); and

That the City of Jacksonville was invited to be an RPS participant as stated on Page 2, Line 3 of the Participants' Agreement, incorporated by reference as Exhibit 'B.' In addition, Line 14 on Page 2 states, "participants (as the term is employed in ORS 197.656(2)(b)), are those jurisdictions and agencies that elect, by signing the Agreement, to implement the regional solutions to the regional problems identified hereinafter." The Participants' Agreement has defined "participant" to be those that sign the Participants' Agreement. On July 27, 2009 the County received a letter from Paul Wyntergreen, City Administrator of the City of Jacksonville, on behalf of the City Council. The letter states that the City, "will not appeal either the Participants' Agreement or the Regional Plan, provided that the county and the Region formalize their previous actions and completely remove Jacksonville from the Regional Problem Solving Plan at the earliest date possible." It is therefore clear from the above statement that the City of

Jackson County Planning Commission

File No. LRP2009-00010 Exhibit # 1

Offered by: Staff

Date: 1-20-10 Received by: LMC

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Jacksonville has chosen not to be a "participant" in the Regional Problem Solving process. However, the Regional Problem Solving Policy Committee, during its May 5, 2009 meeting, unanimously approved a motion that provides Jacksonville the opportunity to sign the Participants' Agreement until Jackson County initiates its comprehensive plan amendment process. Therefore, until the County notifies the State Department of Land Conservation and Development (DLCD) of its intent to initiate the Comprehensive Plan amendment process, the City of Jacksonville will have this opportunity. If the City of Jacksonville has not signed the Participants' Agreement by the time the County begins its Comprehensive Plan amendment process, they will not be considered an RPS participant.

Attached to the Participants' Agreement as Exhibit A, and incorporated into the agreement by reference, was a draft version of the Plan. In that draft version of the Plan, the RPS planning area was defined as the Air Quality Maintenance Area (AQMA), which included that portion within the Area of Mutual Planning Concern identified in the City of Jacksonville/Jackson County Urban Growth Management Agreement.

Subsequently, Jackson County sent a notice to the Oregon Department of Land Conservation and Development announcing the initiation of the Comprehensive Plan Map and Text and Zoning Map and Text amendment to adopt the Plan on October 26, 2009 (45 days prior to the first evidentiary hearing). As the County has sent notice to DLCDC and has thereby initiated its Comprehensive Plan amendment process without the City of Jacksonville signing the Participants' Agreement, the City of Jacksonville is no longer considered an RPS Participant. Accordingly, the RPS planning area has been revised to be the Air Quality Maintenance Area (AQMA) less that portion within the Area of Mutual Planning Concern identified in the City of Jacksonville/Jackson County Urban Growth Management Agreement. Chapter 1 of the Plan reflects this change.

Chapter 1

RPS Overview

1. REGIONAL CHALLENGES

The Greater Bear Creek Valley presents many demographic, physical, and socio-economic challenges to planning for the future. While Jackson County contains nearly 1.8 million acres, over 80 percent of the County is forest resource land and nearly half of that is owned by the federal government. What remains are 360,000 acres for other uses—agriculture, homes, industry, commerce, transportation, parks, and non-forest open spaces. Recent population growth, most of it compressed into the narrow ribbon of land that is the Bear Creek Valley, has been significant. For example, during the past fifty years, Jackson County's growth rates have rivaled those seen during the gold rush of the 1880s. The countywide population more than doubled from 94,533 residents in 1970 to 194,515 residents in 2005. Of the nearly 100,000 person increase to the county over that period, seventy-seven percent of the growth occurred within the municipal boundaries of the cities of Ashland, Central Point, Eagle Point, Medford, Phoenix, and Talent.¹ Over the period, Ashland increased its population by 1.69 times, Central Point by 3.9 times, Eagle Point by 6.11 times, Medford by 2.49 times, Phoenix by 3.62 times, and Talent by 4.5 times. The population of the unincorporated urban area of White City also increased by approximately 3,000 residents between 1980 and 2005².

In addition to the normal pressures from a population growth rate of this magnitude, historic settlement patterns have caused this growth to occur in the midst of the region's best agricultural lands, which although under increasing pressure, still manage to play a large role in the valley's economy. As a result of these settlement patterns most of the land adjacent and nearby the cities available for urban growth is agricultural land. Finally, the region has also seen an increased diversity in political and social attitudes due to the considerable in-migration from other states, which has caused cultural shifts.

To attempt to address the region's growth-related challenges, the State of Oregon and local jurisdictions have engaged in a decade-long collaborative effort to create a Greater Bear Creek Valley Regional Plan (Regional Plan). This Regional Plan will establish a practical planning base to better accommodate future growth and preserve the region's most positive attributes.

1.1 Regional Growth Factors

The Region's moderate climate, natural amenities, and cultural resources such as a vibrant performing arts community will continue to fuel the driving force in the region's population growth—in-migration. In the year 2000, 37 percent of Jackson County's residents had arrived from outside of the county within the previous 5 years. Between 2000 and 2004, in-migration accounted for over 90 percent of Jackson County's net population growth. In-migrants cite reasons for coming to Oregon such as: living near family or friends, quality of life, and employment. Among these in-migrants, the "Baby Boomer" generation is the predominant age group, although younger residents (aged 5-17) are also a significant age group for several cities in the region.

¹ Source: U.S. Census 1970, and Jackson County Comprehensive Plan Population Element (original source being the PSU Center for Population Research 2005 Jackson County Population Estimate).

² JCCP Population Element

The Greater Bear Creek Valley has long served as the population and employment center for Jackson County and functions as the principal market area for a seven county region in Southern Oregon and Northern California. Agriculture, forestry, mining, manufacturing, food production, and an overall diversity of industry also drives basic employment growth. These in turn drive secondary industry growth that supplies complementary services to basic industry and the resident population. The Greater Bear Creek Valley is also a regional government services center, and will continue to serve as the market and production center of this larger area.

1.2 Proximate Urban Locations

The Greater Bear Creek Valley region has the highest concentration of incorporated cities within a designated metropolitan area in the State, excepting Portland Metro. This regional distinction is reflected in LCDC's Rural Residential Rule in that three of the six cities statewide subject to urban fringe restrictions are located in the Greater Bear Creek Valley. Not just a spatial issue, each City has a different socioeconomic composition, disparate property tax rates and resident sensitivities, rural land interfaces, infrastructure conditions and requirements, and other important attributes that affect land use planning and growth management.

Accommodating growth while maintaining a distinct identity is a primary challenge identified by each of the cities in the region given the constraints of the geographic area and past settlement patterns. This juxtaposition of incorporated cities in close proximity has led to a sense or realization of crowding, loss of community identities, and competition for resources. The situation also presents opportunities for cities to share resources and achieve results through coordinated efforts. The region's interconnected water, sewer, and transportation systems have created a need for collaboration that over decades has had its successes and setbacks. As has been evidenced by their participation in the RPS process, though, jurisdictions have clearly come to recognize that it is in their best interest to cooperate and that the best long-term strategy to ensure individual jurisdictional identity and autonomy is to adopt a long-term regional plan through a collaborative effort.

1.3 Geophysical Conditions

The region's population between Ashland and Central Point is concentrated along the Bear Creek Valley corridor. The valley is situated between the Siskiyou and Cascade mountain ranges and is only five to ten miles wide—narrowest at the southern end and widening as the creek flows northward towards the Rogue River. For comparison, the width of the Willamette Valley where most of its cities are located is much broader—between twenty-five to forty miles.

Seasonal flooding is a significant natural hazard affecting the urban and rural areas. The foothill areas that surround the valley floor are also areas of significant wildfire hazard. Faulting exists along the Siskiyou range and west side of the valley. Clay soils with high shrink-swell potential affect the east valley slope and northward to the Agate Desert.

The Bear Creek Valley begins to broaden as it converges with the larger Rogue Valley basin. North of Bear Creek at Medford and Central Point, the Upton Slough and Whetstone Creek are significant drainages that mark the terrain. The flat terrain and heavy clays result in broad floodplains between the central cities in the region and the Rogue River. Further north, White City is located within the Agate Desert. The Agate Desert is comprised predominately of Agate-winlo soil complex. The complex results in a pattern of mounds and troughs where pools of water accumulate in the rainy "vernal" seasons. The resulting vernal pool habitat is suitable for federally protected fairy shrimp species and several protected species of flora. White City is in the center of the Agate Desert. Eagle Point, to the north of White City and the Antelope Creek drainage, is also located near significant vernal pool areas to the north of the City.

The region as a whole is also subject to airshed quality issues due to air stagnation. The narrow north-south valley traps air between the Cascade and Siskiyou Mountains and the mountains at the south end of the valley prevent through-flow. This stagnation is most acute in the winter when cool air

pools in the valley during periods of high pressure and east-west air flow at altitude is lifted over the valley by the surrounding mountains. This creates an inversion that can last for days and even weeks.

The region has amongst the hottest summers of any location in Oregon, and demand for water increases substantially in the summer months. The rainfall in the region is about 18 inches a year—about half that of the Willamette Valley. Water supply originates from alpine precipitation in the Cascade Mountains (Rogue River and the Medford Watershed/Big Butte Springs) for all cities in the region except for Ashland, where the water source is from alpine precipitation in the Siskiyou Mountains (Mt. Ashland Watershed). Although fresh water continues to be available for urban and rural uses, demands and competition for future needs may intensify over the next fifty years.

1.4 Agricultural Patterns and Productivity

Approximately 7% of the state's farms are located in Jackson County. Although the ratio of farms to population for the county is similar to that of the state, the average 124-acre size of the region's average farm is considerably less than the state average of 425 acres. Notwithstanding the relatively small average farm size, total gross agricultural sales in 2008 reached almost \$78 million, the 18th highest total among Oregon counties. In the region, the two highest value-per-acre agricultural activities are pear farming and viticulture. Neither of these activities necessarily requires the deepest and highest quality loam soils for productivity, as local pear varieties have rooting systems which are well suited to heavy Class IV "black sticky" clays common to the area, and vineyards require soils that are less fertile and shallower than those needed for annual crops. Soil productivity ratings near the valley floor may be better, but that must be balanced against the increased risk of frost where cold air pools. Frost events increase the risk of catastrophic seasonal losses and/or expensive inputs to prevent frost. Vines are less susceptible and more resilient to frost damage than pears. Both activities typically require irrigation water.

Oregon's land use system pays special attention to impacts from development that adversely affect the cost of agricultural production. This is an especially sensitive issue in the restrictive geography of the Greater Bear Creek Valley, as the costs of production for pears and wine grapes are substantially higher than for field crops. In order for those activities to be profitable, large initial investments are required for orchard and vineyard establishment and it takes many harvest years to recoup this investment. Moreover, pear orchards have a useful life of 30 to 40 years and thus require replanting decisions to be made from time to time. This requires a longer term agricultural investment decision making cycle than is typically required with livestock and/or seasonal crops, so long-term predictability is extremely important.

The area has other niche crops and activities that utilize more traditional farming practices, but the unique regional challenges are largely present in the growth and maturity of the pear and viticulture agricultural industries, and especially in the region's needs to protect the long-term investments made in these high value agricultural activities.

1.5 Historic Settlement Patterns and Infrastructure Development

Historically, settlement patterns created population centers in the midst of the Bear Creek Valley's best agricultural lands. These population concentrations became the valley's existing cities in the mid to late 1800's and during the next century and a half grew at different rates depending on a variety of economic, geographic, and cultural factors. Although, prior to statewide land use planning the majority of growth in the region did occur within the existing cities and within White City following World War II and the closure of Camp White, significant growth also took place outside of established cities.

Residential development in the rural areas tended to develop as small to medium sized pockets on one to ten acre parcels. In the case of active farmland, residential development occurred as single or family unit farm dwellings fairly widely dispersed. Two major challenges to the implementation of the state land use system were created by the resulting pattern of rural residential lands: either fairly large concentrations of rural residential parcels were established at varying distances from existing cities' urban growth boundaries (e.g., Gibbon Acres, Hollywood Subdivision, the Medford/Phoenix Urban

Unincorporated Area) or single or family unit farm dwellings were sprinkled throughout productive farmland, much of it close or adjacent to cities. Not only do both of these tend to pull urban growth out onto farmland (due to the priority of land hierarchy in ORS 197.298), but in most of these cases these areas have such long-established cultural identities that they tend to resist urbanization (the failure of Medford's attempt at identifying urban reserves in the early 1990s was directly attributable to the opposition of one rural residential area to being included). In some instances, these rural residential areas are adjacent to or in the midst of high value agricultural land, where intensified urban development may increase conflicts with commercial agriculture. Non-intensive livestock and other small farm uses also occur in rural residential areas and are commonly viewed as a major characteristic of neighborhood identity. The consequences of further urbanizing these areas and whether compatibility with surrounding agriculture will be achievable at urban intensities is a major initial consideration in planning for the future urban needs of the region's municipalities.

Finally, most of the major urban infrastructure is located in the Bear Creek corridor. The corridor is served by a regional sanitary sewer interceptor and water main inter-tie, and also by the valley's two major north-south roadways, Highway 99 and Interstate 5. The railroad parallels Highway 99. These infrastructure investments have further concentrated population and employment within this area.

2. WHAT IS REGIONAL PROBLEM SOLVING (RPS)?

Collaborative Regional Problem Solving (RPS) is a term identified in Oregon Revised Statute (ORS 197.652-658). The statute specifies that "Local governments and those special districts that provide urban services may enter into a collaborative regional problem-solving process. A collaborative regional problem-solving process is a planning process directed toward resolution of land use problems in a region."

Various entities within Jackson County were identified as potential stakeholders within the regional planning process, and invitations were extended to every incorporated jurisdiction (Jackson County, Eagle Point, Medford, Jacksonville, Central Point, Phoenix, Talent, and Ashland), school district (Ashland School District #5, Central Point School District #6, Jackson County School District #9, Medford School District 549C, and Phoenix-Talent School District #4), and irrigation district (Eagle Point, Medford, Rogue River, and Talent Irrigation Districts) in the planning area (as defined in Section 4 of this plan) plus the Medford Water Commission, the Metropolitan Planning Organization, Rogue River Valley Sewer Services, Rogue Valley Transportation District, and the appropriate state agencies (DLCD, ODOT, ODA, ODHCS, OECD, and DEQ).

The stakeholders mentioned above chose to exercise different levels of participation and responsibility within the planning process. The stakeholders who elected to participate in the RPS process by entering into the Greater Bear Creek Regional Problem Solving Agreement, which is addressed in Section 7.1 of this plan, are considered "participants" (as the term is employed in ORS 197.656).

3. WHY UNDERTAKE REGIONAL PROBLEM SOLVING (RPS)?

There were two fundamental motivations for the jurisdictions of the Greater Bear Creek Valley to enter into a collaborative planning process under Regional Problem Solving. The first was the opportunity it offered to establish a high level of structured cooperation on long-range planning between fellow jurisdictions and state agencies. While Jackson County and the individual cities in the Greater Bear Creek Valley have been able to meet the challenges of the last several decades and successfully accommodate growth within their own boundaries consistent with the state land use system, they also acknowledge that the cumulative regional impacts of that growth have created issues which are better dealt with through cooperation, collaboration, and a degree of shared process.

The second reason for undertaking RPS was the state-sanctioned ability to find coordinated and creative local solutions that facilitate local land use practices which best support the Statewide Land Use Planning Goals, but provide flexibility regarding certain Oregon Administrative Rules. By entering into the RPS process the region was seeking to support the existing land use system, especially the Planning Goals, by undertaking a more regionally appropriate approach than is typically possible. The object was not to avoid Oregon's land use system but was rather to recognize region-specific circumstances and therefore enhance the land use outcome in southern Oregon.

Additional benefits to RPS status were seen in the economies of scale a regional process would allow improved results through information sharing, awareness of one another's plans, expectations, and problems, and agreement to coordinate future planning to continue regional cooperation well into the future.

3.1 Regional Planning Precursors in the Greater Bear Creek Valley

The Regional Problem Solving process grew out of two earlier, related planning efforts. The first, OurRegion, was a community-based initiative that started in 1995. The second, the Multijurisdictional Committee on Urban Reserves, grew out of the City of Medford's early efforts to resolve some of the same issues addressed in this plan.

OurRegion

In 1995, the Rogue Valley Council of Governments (RVCOG) responded to a community-driven initiative to establish a regional planning project in Jackson County. The project continued for three years and was responsible for several major products, including a 50-year land use scenario that represented the likely growth outcome given the current land use regulatory framework; broad recommendations for protecting the region from sprawl while balancing public and private interests, retaining farmland, and protecting the environment; and, finally, a preferred scenario of future growth and resource and open space preservation for the vast majority of the communities in the Greater Bear Creek Valley. Notwithstanding the technical products produced during OurRegion, a discernable shift in attitudes in the region towards regional land use planning, especially among public sector decision-makers, could qualify as the most important outcome of the process. Without any doubt, OurRegion was the most important factor behind the creation of the Multijurisdictional Committee on Urban Reserve, which in turn became the critical bridge to the current Regional Problem Solving process.

Multijurisdictional Committee on Urban Reserves

In April 1998, the Medford City Council and the Jackson County Board of Commissioners appointed a committee to help resolve how and where the City of Medford would plan for its future growth. In addition to representatives from Medford and Jackson County, this committee expanded to include representatives from the adjacent and nearby jurisdictions of Phoenix, Jacksonville, Central Point, Eagle Point, and the unincorporated area of White City.

In the spring of 1999, the committee decided to move forward on two concurrent tracks. First, the committee would determine a 30-year urban reserve for Medford. Second, the committee would work to establish 30-year urban reserves for Phoenix, Central Point, Jacksonville and Eagle Point. While not required to establish urban reserves, these cities elected to participate so they could coordinate urbanization patterns regionally. In late 1999, on the strength of this demonstrated interest in coordinated regional planning, the Department of Land Conservation and Development invited the region to apply for a Regional Problem Solving grant, which, in April 2000, was awarded.

The Beginning of Regional Problem Solving

The major success of the short-lived Multijurisdictional Committee on Urban Reserves was the development of a core group of elected officials and high level staff who became accustomed to working together on issues of collaborative land use planning. This was what attracted the attention of

the Department of Land Conservation and Development, leading to the invitation to participate in Regional Problem Solving (RPS).

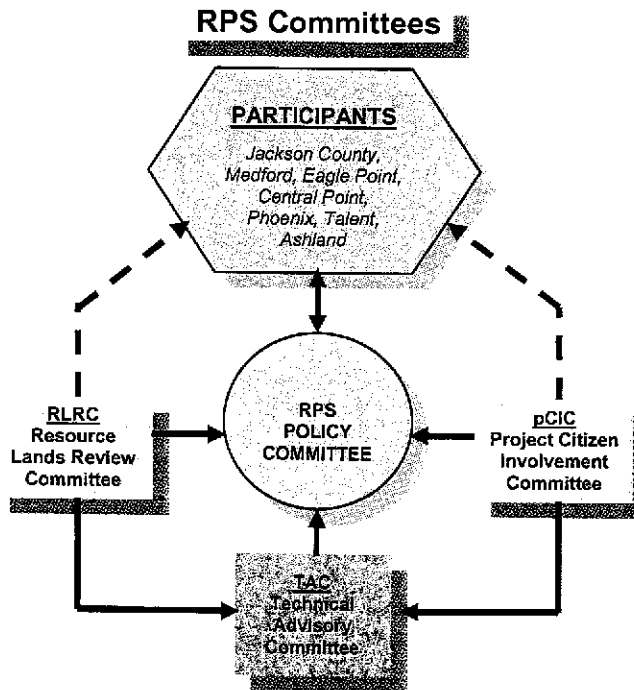
An almost immediate expansion of the core Multijurisdictional Committee group to include the cities of Talent and Ashland allowed the study area to expand to coincide with the boundaries of the Air Quality Maintenance Area (AQMA). The AQMA was a logical study boundary for a number of reasons. Not only has the area been studied extensively for transportation and air quality planning purposes, but it encompasses the cities and rural areas most likely to continue to experience the greatest growth pressures in the foreseeable future.

Finally, in 2009, preceding the initiation of the final, major stage of this Regional Problem Solving process, the region decided to move forward with seven of the original eight jurisdictions (Jackson County, Eagle Point, Central Point, Medford, Phoenix, Talent, and Ashland) by focusing the project's original problems and their solutions on the jurisdictions bisected by the Greater Bear Creek Valley's two major transportation corridors, I-5/Hwy 99 and Hwy 62. These corridors, and the cities they impact so significantly, represent the major fault lines of the issues influencing the regional effort (future population growth, agricultural activity, and likely urban expansion) and therefore share the highest need for regional collaboration and long-term regional planning.

4. PROJECT STRUCTURE

The RPS process was initiated in 2000 with the recruitment of key committees. Committees were organized to provide direction for the plan, with the Policy Committee having the central role. The flow chart below depicts the relationships of the committees who worked to develop the draft plan.

Figure 1.1
Committee Relationship Flow Chart



4.1 RPS Policy Committee

Throughout this process, the Policy Committee's role was to establish policies and processes and to advocate for the project. Its role included ongoing management of the process, review of other committee work and recommendations, and general oversight of public involvement. Membership on the committee was split between voting and non-voting members. Voting members were predominantly elected officials from each of the participating local jurisdictions. Senior staff fulfilled this role at times. Non-voting members included partner state and local agencies, which have had an important oversight role in the success of this plan.

The Policy Committee met once or twice each month or as planning activities necessitated with all meetings open to the public.

4.2 Technical Advisory Committee (TAC)

The TAC served as the technical staff to the process, making recommendations to the Policy Committee based upon its work assignments. The Committee consisted of staff from collaborating Greater Bear Creek Valley jurisdictions, state agencies, the Medford Water Commission, Rogue Valley Sewer Services, and private individuals with a cross-section of expertise and interests.

The Technical Committee met twice each month as planning activities necessitated, with all meetings open to the public.

4.3 Resource Lands Review Committee (RLRC)

The membership of this committee included farm and forest resource experts from both the public and private sectors. The RLRC provided expert recommendations concerning the quality and viability of agricultural lands considered in urban reserve proposals, and also provided recommendations including the development of the project's agricultural buffering policies.

The RLRC met once a month as needed, with all meetings open to the public.

4.4 Project Citizen Involvement Committee (pCIC)

The project Citizen Involvement Committee (pCIC) was charged with foundational tasks early in the process, chief among them providing guidance to the TAC, Policy Committee, and jurisdictions on issues of open space, especially with regard to the location and size of proposed community buffer areas. The pCIC was also used to provide feedback on early iterations of proposed urban reserves and other elements of a draft Regional Plan that led to a participation agreement.

The pCIC commonly met once a month, with all meetings open to the public.

5. REGIONAL PLAN CORE ELEMENTS

The core elements of the Greater Bear Creek Valley Regional Plan include the region's planning area, planning horizon, problem statements, and the plan goals.

5.1 Planning Area

The Greater Bear Creek Valley RPS Planning Area, depicted in Figure 1.2, is the Air Quality Maintenance Area (AQMA) less that portion within the Area of Mutual Planning Concern identified in the City of Jacksonville/Jackson County Urban Growth Management Agreement, Exhibit C: Area of Mutual Planning Concern Map. All of the participating cities are arrayed along the Region's two major transportation corridors, I-5/Hwy 99 and Hwy 62. These corridors and the cities they impact represent the major fault lines of the issues influencing the regional effort including future population growth, agricultural activity, and likely urban expansion, and therefore share the highest need for regional collaboration and long-term planning.