

Agenda
Shady Cove Planning Commission Public Hearing
Thursday, May 22, 2025
6:00 PM

Join Zoom Meeting

<https://zoom.us/j/9093902742?omn=98975795870>

Meeting ID: 909 390 2742

I. Call to Order

- A. Roll call.
- B. Announcements by Presiding Officer.
 - 1. This meeting is being digitally recorded.
 - 2. The next regularly scheduled meeting of the Planning Commission will be June 12, 2025, at 6:00 PM both in Council Chambers and via Zoom.
 - 3. The meeting date is subject to change.

II. Public Hearing

- A) Public hearing to consider a Comprehensive Plan Map Amendment and Zone Change for property located as 22023 Hwy 62.

Open Public Hearing.

A Public Hearing to accept public testimony and consider the request to change the Comprehensive Plan Map designation from Commercial to Public, and Zone Change from General Commercial to Public Uses, on a single parcel of City-owned land, comprising 2.30 acres. The property is located at 22023 Hwy 62, Shady Cove, Oregon. Assessor's Map and Tax Lot: 34-1W-15BC 100.

Owner/Applicant: City of Shady Cove File Number: ZC 25-01.

- 1. Read Public Hearing Open Statement.
- 2. If you would like to speak before the Commission, please email ahead of time to planning@shadycove.org, sign sheet on the table or via Zoom raise your hand.
- 3. Jurisdiction Question.
- 4. Conflict of Interest.
- 5. Ex Parté Contact.
- 6. Site Visit.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at planning@shadycove.org. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

7. Staff Comments. (Slaughter)
8. Applicants' Testimony/Proponents Testimony/Commission Questions
9. Opponents' Testimony/Commission Questions.
10. Rebuttal.
11. Final Staff Comments.
12. Close/Continue Hearing.
13. Deliberations/Discussion/Decision

III. Subject of Workshop

None

IV. Department Reports

A. Planning Report

V. Public Comment

VI. Commissioner Comments

VII. Adjournment



Type IV Staff Report Comprehensive Plan Map Amendment and Zone Change

Date: May 22, 2025

Application No: ZC 25-01

Owner / Applicant: City of Shady Cove

Proposal: Change of Comprehensive Plan Map designation from Commercial to Public, and Zone Change from General Commercial to Public Uses, on a single parcel of City-owned land.

Address: 22023 Highway 62, Shady Cove, OR 97539

Legal Description of Property: 34-1W-15BC, Tax Lot 100

Acreage: 2.30 acres

Zoning: General Commercial

The City of Shady Cove planner has reviewed an application for Comprehensive Plan Map Amendment and Zone Change to permit the development of public uses on the subject property described above.

Section 154.439 establishes the following criterion:

1. *The proposal shall be consistent with the City's adopted goals and policies pertaining to land use, growth, and development.*

In addition to this criterion, the application for comprehensive plan amendment asks the applicant to provide the following findings:

2. *There is a need for this type of property as follows:*
3. *This property meets the public need best by:*
4. *The proposed use will not be detrimental to the public health, safety and general welfare in that:*

Findings in compliance with the required criterion of Section 154.439, along with the additional considerations listed in the application for a comprehensive plan amendment, are provided below.

- 1. The proposed change is in conformance with the comprehensive land use plan of the City of Shady Cove in that:**

The proposed change in Comprehensive Plan Map designation and Zoning Map designation for the subject property is in conformance with all applicable sections of the Comprehensive Plan. In particular, the proposed change is in conformance with the following applicable sections:

Section C. Economic Development
Section D. Natural Resources, Natural Disasters and Hazards
Section E. Recreation
Section H. Land Use Plan
Appendix. Goals and Policies

Findings – Section C: Section C is a relatively short chapter of the Comprehensive Plan; containing only three pages of text. It discusses some of the history of the economy in Shady Cove, describes the current conditions, identifies a number of challenges, and provides guidance on improving the economic condition in Shady Cove. One major challenge identified in the Plan is the lack of a municipal water system. There is no mention of a lack of available commercial land for development, and therefore, the loss of this 2.30-acre site from the commercial land inventory is not contrary to the plan. The Plan does call for efforts to stimulate development. By providing a space for people to congregate, through recreation or the hosting of events, the proposed park land will help to encourage pedestrian traffic in the commercial core of Shady Cove. These kinds of developments have been shown to help to stimulate economic activity in underutilized areas.

Findings – Section D: This Section is generally unapplicable to the proposed change, however, there is a heading for open space in Section D. The mention of open space in this context is generally an inventory of existing open space – recognizing that the Rogue River provides the majority of open space in Shady Cove, along with the two formally designated parks: Aunt Caroline’s Park and the Rogue regional County Park. This section is only applicable in that it recognizes the lack of open spaces in the community.

Findings – Section E: The proposed change is heavily supported by Section E. This section catalogs available parks and recreation spaces in Shady Cove and concludes that the city is lacking in available park space. The city has 8.46 acres of developed park space, and needs roughly 18 to 30.5 acres given the population at the time of the study. This number is slightly higher now given the modest increase in population. The addition of this 2.30-acre property to the parks inventory will help to close the existing gap, but the City should continue to look at additional ways to add to the inventory.

Findings – Section H: In describing the Public designation, Section H tells us that: “all of the land given the designation as public is owned by public agencies and is used or is potentially useful for public purposes.” It stands to reason that this land was not previously designated Public as it was not previously owned by a public agency and was not previously used or planned for public purposes. It also stands to reason that it is appropriate to designate the land as Public now that it meets both of those criteria. Section H also makes it clear that the Zoning designation of the property cannot be changed from General Commercial to Public Use without also changing the Comprehensive Plan Map designation from Commercial to Public.

Findings – Appendix: Provided under combined 2) & 3) below.

2. There is a need for this type of property as follows:

And;

3. This property meets the public need best by:

Combined Findings for 2) & 3): The Shady Cove Comprehensive Plan contains an appendix with a list of “goals and policies associated with the issues in the Comprehensive Plan recommended by the Planning Commission to the City Council for adoption.” There are seven major categories or overarching goals listed in that appendix. Of those seven, three are directly related to parks and open space development and are listed below (particularly applicable sections underlined):

- Increase public access to the river and other natural resources (parks and open space areas)
 - Enforce appropriate activities in public areas to ensure natural resources, public facilities and wildlife habitat are preserved and maintained.
- Promote tourism and improve community livability by developing and maintaining:
 - Parks and open spaces
 - Shaded seating associated with downtown walking paths
 - Bike paths
 - Hiking trails
 - Attractive, safe walking paths, particularly in the downtown areas
 - Promote attractive landscaping standards on both public and private property.
 - Investigate what it takes to become a Tre City USA city
 - Increase the areas designated as parks and open space
 - Promote the maintenance of riparian areas and natural (native) landscape areas to enhance the attractiveness of the Shady Cove area and increase the livability of the community.
- Increase the area dedicated to parks and open spaces within the Shady Cove Urban Growth Boundary:
 - Continue maintenance of Aunt Caroline’s Park
 - Improve use for family recreation
 - Identify, designate and establish mini parks throughout the City.
 - Associate with shaded resting areas within the business district.
 - Develop a lease agreement with the Medford Bureau of Land Management for natural park/open space for hiking paths in the northwest area of the Shady Cove Urban Growth Boundary.

The need for additional parks and open spaces, particularly in the downtown and business district, is clearly identified in the goals and policies of the Comprehensive Plan. The City has identified the subject property as the best location to meet this identified need, for a number of reasons, including:

- The property was available for purchase;
- The development of the site as a park was also an opportunity to address existing blight on the property;
- The size of the property provides opportunity to develop a park with active recreation, walking trails, seating, and community gathering space; and
- The property is ideally situated within the downtown/business district

4. The proposed use will not be detrimental to the public health, safety and general welfare in that:

Findings: There are not many developable and/or redevelopable properties located within the downtown core of Shady Cove. The City was able to purchase the subject property from the previous owner through a standard real estate transaction. In doing so, the City was able to secure property for some of the needed additional park space identified in the Comprehensive Plan. This was done without the use of condemnation,

extraction, or any other heavy-handed means. At the time of purchase, the property contained a number of derelict structures that have since been removed. The City has already improved the appearance of the subject property, thereby also improving the aesthetic of the downtown core. The City has hosted an open house / townhall meeting to discuss the design and development of this new downtown park, and will continue to work with the community through the process of constructing the park to ensure it meets community needs. The park will provide much needed open space, recreation amenities, gathering space, and a space for civic engagement in the downtown area. There are no obvious detriments to public health, safety and the general welfare presented by the proposed change to the Comprehensive Plan Map designation from Commercial to Public, the Zoning Map designation from General Commercial to Public Uses, or the planned development of a park on the subject property.

Conclusion: The proposed comprehensive plan map amendment and zone change will facilitate the development a new city park in the downtown business district, which is consistent with Comprehensive Plan. The need for this type of land (public parks and open space) is well established in the Comprehensive Plan and the change, as proposed, is an efficient way of addressing the need without compromising the availability of land to meet other identified needs.

Staff recommends approval of the proposed Comprehensive Plan Map Amendment from Commercial to Public and Change of Zone from GC (General Commercial) to P (Public Uses).

Joe Slaughter, AICP
City Planner



Subject Property

VILLAGE ST

CHAPPARAL DR

HEATHER LN

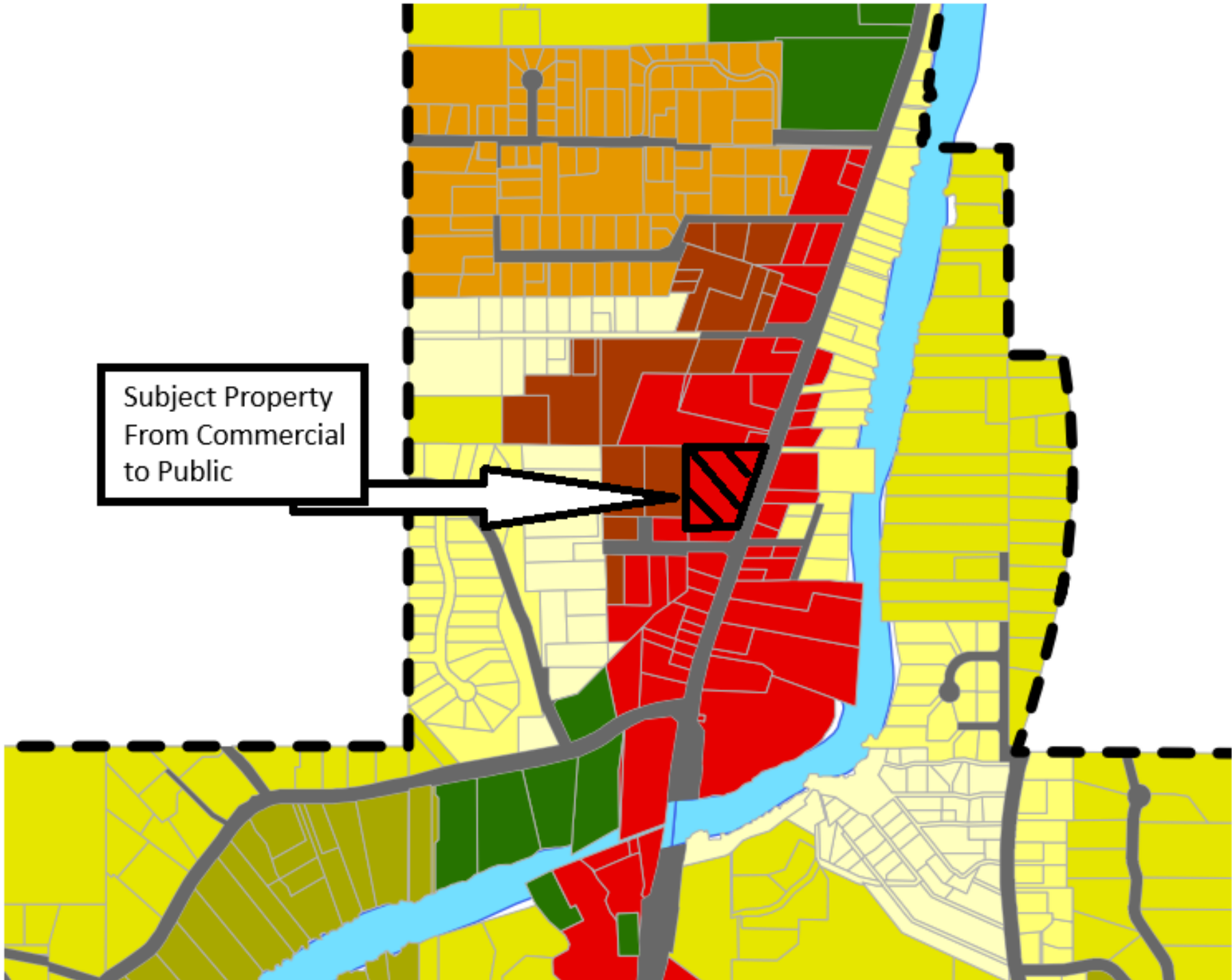
62

62

Chase Bank
Chase Bank

Shady Cove
Medical Center

Subject Property
From Commercial
to Public



Confirmation of PAPA Online submittal to DLCD

From DLCD Plan Amendments <plan.amendments@dlcd.oregon.gov>

Date Tue 15/04/2025 10:56

To planning <planning@shadycove.org>

Shady Cove

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.

Local File #: ZC 25-01

DLCD File #: 001-25

Proposal Received: 4/15/2025

First Evidentiary Hearing: 5/22/2025

Final Hearing Date: 6/5/2025

Submitted by: scplanning

If you have any questions about this notice, please reply or send an email to plan.amendments@dlcd.oregon.gov.

CITY OF SHADY COVE
ZONE CHANGE APPLICATION

ZC 25-01

OFFICE USE:

Application No. ZC Received By _____ Date 4/8/25
Amount Paid _____ Receipt No. _____ Hearing Date _____

TO BE COMPLETED BY APPLICANT:

Name of Property Owner(s): City of Shady Cove

Property Street Address: 22023 Hwy 62

Between Chapparral Cr and Williams Ln streets.

County Assessor's Map & Tax Lot Number: 341W 15BC 100

Current Zoning: General Commercial Adjacent Zoning: General Commercial / R3

Request is for a Zone Change to: Public Uses

MATERIALS REQUIRED (Application must include all required supplemental materials and application form at the time of filing.)

- 1) Attach a copy of recorded covenants, conditions or deed restrictions, if any, concerning the present use of this property.
- 2) Attach a copy of property plat map.
- 3) Attach a copy of a plot plan indicating the existing property lines and the proposed use. (Conceptual Plan)
- 4) Attach a list with the names and addresses of adjacent property owners within 200 feet of any boundary of the property.
- 5) Attach a metes and bounds description of the property.

CERTIFICATION

I hereby certify that the information given above and attached hereto is true and correct, that the property owner is aware of and agrees with this application, and that falsification of fact will result in invalidation of the application. I understand that any approval given is valid for the specific project only, and is subject to all applicable laws, regulations and conditions. Further, I understand that the fee paid at the time of submitting this application does not cover any professional, legal, or consulting fees incurred by City and that I am responsible for all costs incurred by the City of Shady Cove in connection with processing this application.

APPLICANT'S SIGNATURE

541-601-2120

ADDRESS

PHONE NUMBER

PURSUANT TO ORS 227, THIS APPLICATION IS CONSIDERED COMPLETE WHEN REVIEWED, DATED AND SIGNED BY THE CITY

PLANNER OR HIS/HER DESIGNATE

Complete Incomplete _____

Signature

Date

4/8/2025

Zone Change and Comprehensive Plan Map Amendment
Findings to support application

City of Shady Cove application to change Comprehensive Plan Map designation, from Commercial to Public, and Zoning Map designation, from General Commercial to Public Uses, on 2.30 acres of land located at 22023 Hwy 62 (34 1W 15BC 100).

Required Findings:

1) The proposed change is in conformance with the comprehensive land use plan of the City of Shady Cove in that:

The proposed change in Comprehensive Plan Map designation and Zoning Map designation for the subject property is in conformance with all applicable sections of the Comprehensive Plan. In particular, the proposed change is in conformance with the following applicable sections:

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Melissa Smith

From: planning
Sent: Thursday, April 17, 2025 1:15 PM
To: Melissa Smith
Subject: Email contacts for notice

DLCD: Josh LeBombard josh.lebombard@dlcd.oregon.gov

ODOT: Micah Horowitz Micah.HOROWITZ@odot.oregon.gov

JCFD#4: Travis Crume TravisC@jcf4.com

Jackson County Development Services: Ted Zuk zuktj@jacksoncountyor.gov

RVSS: Cal Tappert ctappert@rvss.us

*emailed to
these agencies 4-17-25
mg8*

*Air mail
Sent
Date: _____*



City of **SHADY COVE**

small town, BIG ADVENTURES

Mayor
Jon Ball

Councilors
Kathy Nuckles
Paige Winfrey
Steve Mitchell

PUBLIC HEARING NOTICE
REQUEST FOR AGENCY/NEIGHBOR COMMENT

Public Hearing May 22, 2025 at 6:00 P. M.

Date: April 23, 2025

File No: ZC 25-01

An application has been submitted to The City of Shady Cove Planning Department for review of the proposal described below. Please return this form with your comments to this office by May 13, 2025 so that your comments may be included in the Planning Commission agenda material. If you have any questions, contact Joe Slaughter at planning@shadycove.org.

Applicant: City of Shady Cove
Administrator)

Owner: Michele Parry (City

ADDRESS 22023 Hwy 62, Shady Cove, OR 97539

34-1W-15BC, Tax Lot 100

Zoning: GC (General Commercial)

Proposal: **Comprehensive Plan Amendment from Commercial to Public and a Change of Zone from GC (General Commercial) to P (Public Use). The subject property is 2.30 acres and the proposed use of property is a City park.**

- () We have no comment.
- () We recommend approval with no special conditions.
- () This property is not within our jurisdiction.
- () Please address the following concerns:

() We encourage denial of this proposal because:

Agency/Prop. Owner (print)

Phone #

Signature of Agency Rep./Prop. Owner

Date

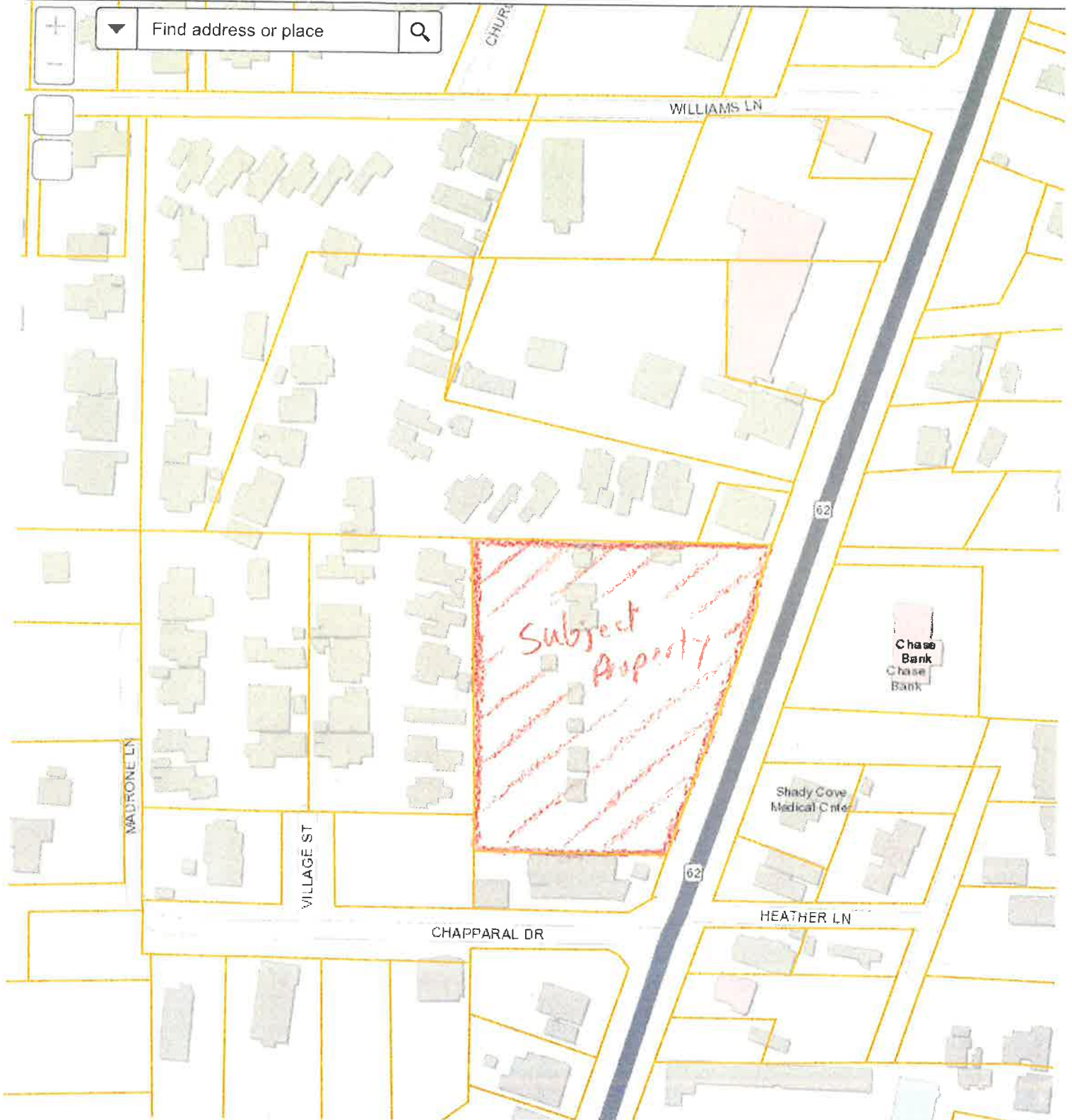
Note to Agencies: If your proposed conditions of approval include the dedication of land for public use or the provision of public improvements, please submit written findings with supporting data or information that justify the requirements. **Specifically, the findings must show that there is an essential connection between your requirements and a legitimate government purpose and that there is a rough proportionality between the burden of the requirement of the developer and the impacts of the proposed development on public facilities and services.**

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226

E-Mail: Planning@shadycove.org ♦ Web Site: www.shadycove.org



Buffer and Notification Application



200ft



City of **SHADY COVE**

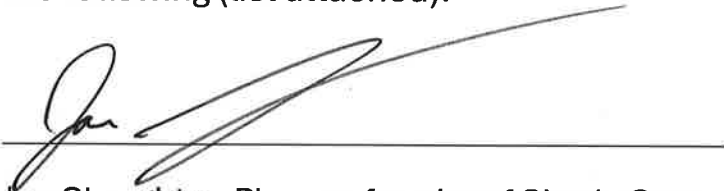
small town, BIG ADVENTURES

Mayor
Jon Ball

Councilors
Kathy Nuckles
Paige Winfrey
Steve Mitchell

CERTIFICATE OF MAILING

I hereby certify that on April 22, 2025, I provided a copy of the REQUEST FOR AGENCY/NEIGHBOR COMMENT, APPLICATION ZC 25-01 by first class mail to the following (list attached):



Joe Slaughter, Planner for city of Shady Cove



City of **SHADY COVE**

small town, BIG ADVENTURES

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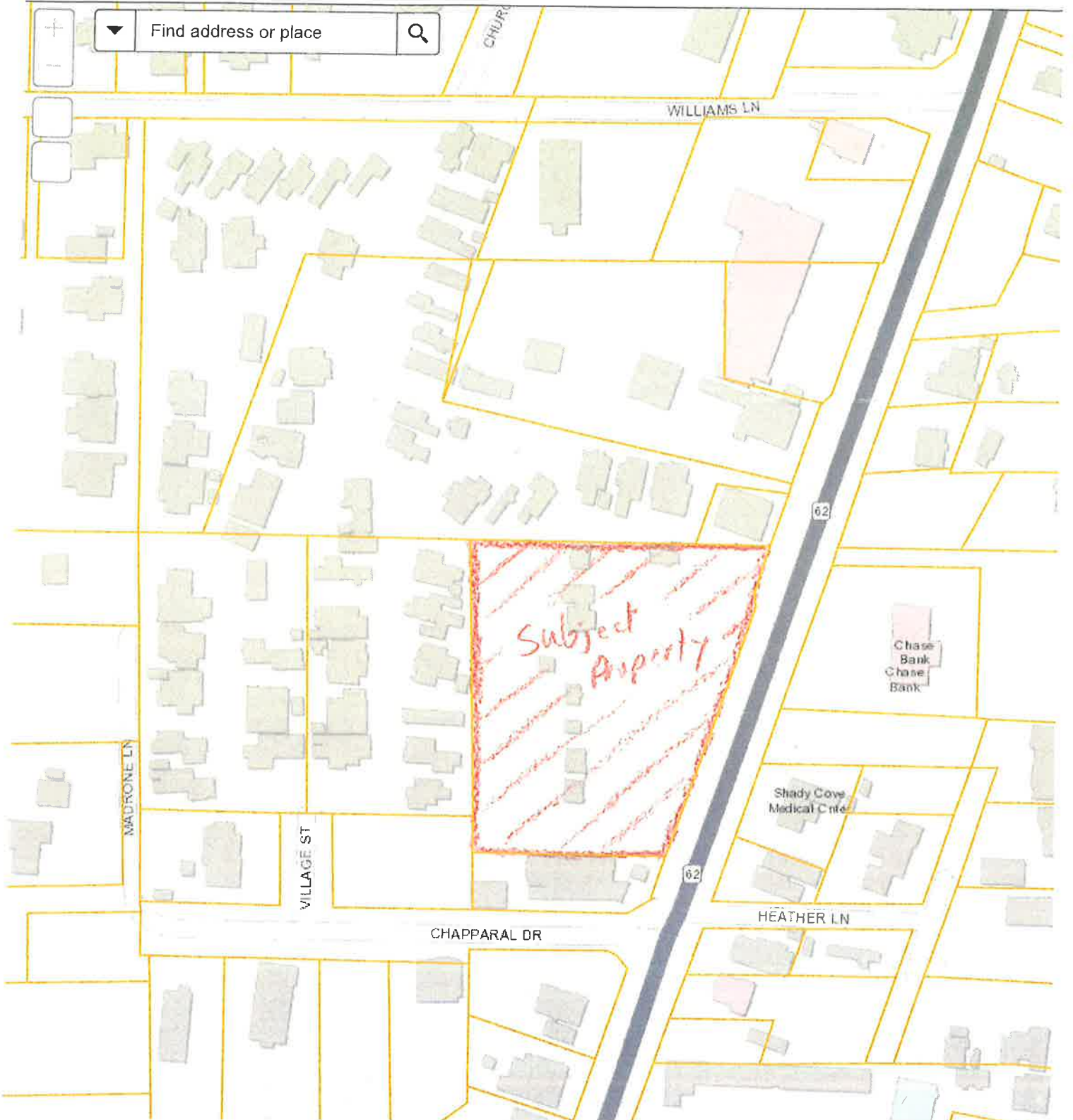
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E-Mail: Planning@shadycove.org ♦ Web Site: www.shadycove.org



Buffer and Notification Application



22071 HWY 62
BELLWOOD PROPERTIES INC
PO BOX 39
SHADY COVE, OR 97539
341W15BC400

139 HEATHER LN
JESSEN TAVIN
139 HEATHER LN
SHADY COVE, OR 97539
341W15BD1700

22071 HWY 62 52
BLANKENSHIP PAMELA/THOMASELLO
22071 HWY 62 52
SHADY COVE, OR 97539
341W15BC400

135 HEATHER LN
BEHM DONALD FREDRICK/KORINA K
135 HEATHER LN
SHADY COVE, OR 97539
341W15BD1800

115 CHAPPARAL DR
RAPID PLEASURE RAFTING LLC
125 CHAPPARAL DR
SHADY COVE, OR 97539
341W15BC1600

21980 HWY 62
GRAND MOUNTAIN LLC
1296 S SHASTA AVE
EAGLE POINT, OR 97524
341W15BD1900

95 CHAPPARAL DR
HICE DAVID W
95 CHAPPARAL DR 1456
SHADY COVE, OR 97539
341W15BC1700

21990 HWY 62
FINLEY L GLEN/KATHLEEN S
358 MEADOWBROOK DR
CENTRAL POINT, OR 97502
341W15BD2000

21911 HWY 62 A
SU JIMMY TSAN TRUSTEE ET AL
PO BOX 1518
CAVE JUNCTION, OR 97523
341W15BC1800

22020 HWY 62
FINLEY L GLEN/KATHLEEN S
358 MEADOWBROOK DR
CENTRAL POINT, OR 97502
341W15BD2100

21907 HWY 62
PATEL KAUSHA/PARTH B
1030 N RIVERSIDE AVE
MEDFORD, OR 97501
341W15BC1801

22050 HWY 62
JPMORGAN CHASE BANK NATIONAL
INDUSTRY CONSULTING GROUP INC
PO BOX 35605
DALLAS, TX 75235
341W15BD2300
HWY 62

21932 HWY 62
DANSONS LLC
20717 HWY 62
SHADY COVE, OR 97539
341W15BD1000

JPMORGAN CHASE BANK NATIONAL
IDUSTRY CONSULTING GROUP INC
PO BOX 35605
DALLAS, TX 75235
341W15BD2301

21932 HWY 62
DANSONS LLC
20717 HWY 62
SHADY COVE, OR 97539
341W15BD1100

102 HEATHER LN
RICHMOND ROBERT R/VICKI L
PO BOX 617
SHADY COVE, OR 97539
341W15BD1300

100 HEATHER LN
RICHMOND ROBERT R/VICKI
PO BOX 617
SHADY COVE, OR 97539
341W15BD1301

Application [Click here for help](#)



Buffer and Notify

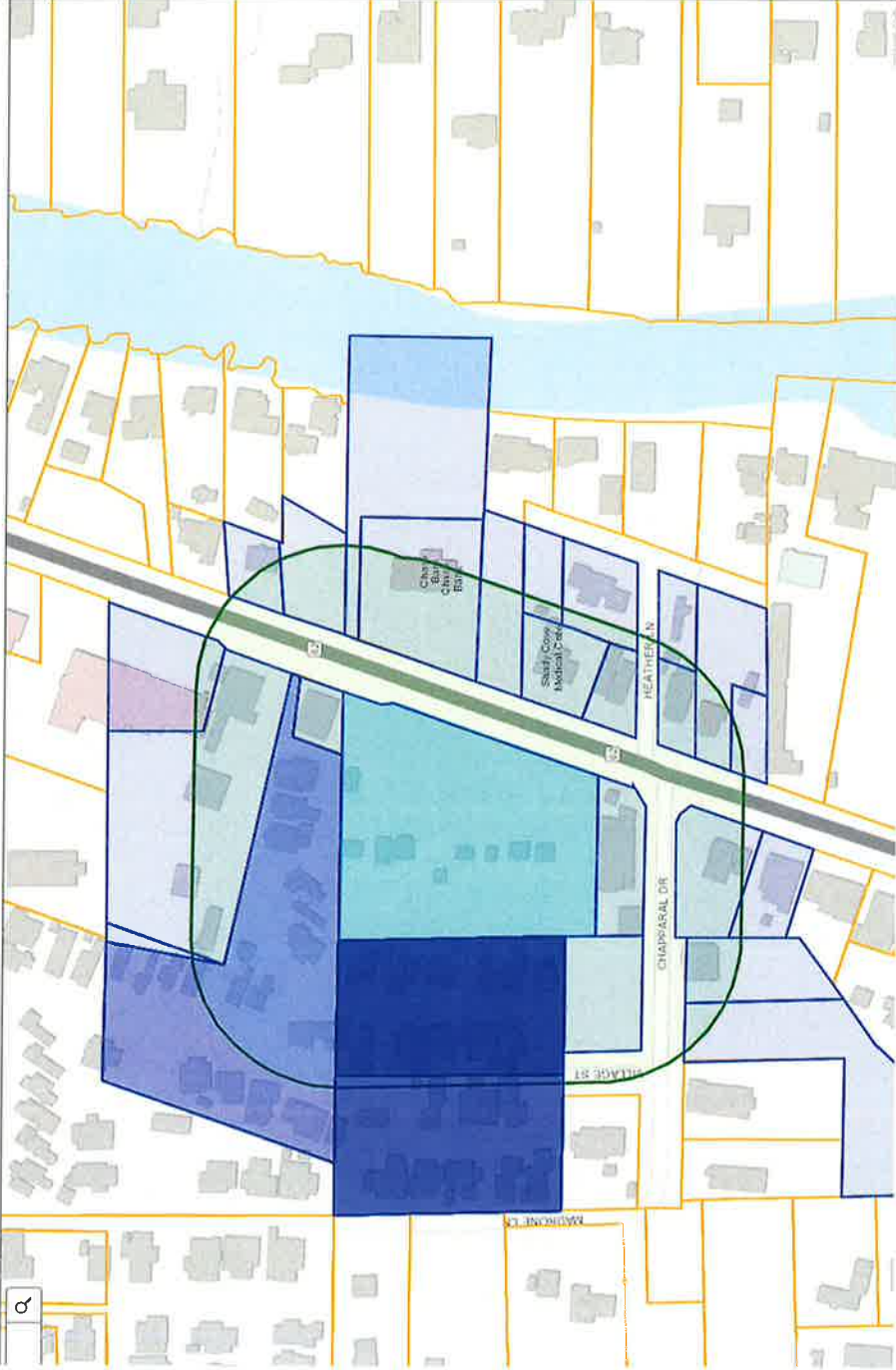
Select or search for a feature in the map
Search for starting layer's feature. Or use draw!

Clear

Apply a search distance
200 Feet

Addressee Layer
Site Add, Mailing, Tex Lut
Format
Comma-separated values (CSV)
47 addressses found; do you want to continue?

Download





City of SHADY COVE

small town, BIG ADVENTURES

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- We have no comment.
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- Please address the following concerns:

who Pays for security @ PARK
 what Type of PARK, PARKING Lot PARK, Hobo
 PARK, who use's PARK for what? WE HAVE SEVERAL
 PARKS ALREADY

HAVING WORKED IN ASHLAND OR FOR SEVERAL
YEARS I DO KNOW IF YOU PROVIDE SPACE
FOR HOBS YOU WILL ATTRACT, AND HOW IT AFFECTS
THE COMMUNITY, CRIME INCREASE WOULD BE A CONCERN

() We encourage denial of this proposal because:

Robert Richmond
Agency/Prop. Owner (print)

541-878-3777
Phone #


Signature of Agency Rep./Prop. Owner

5-1-2025
Date

Note to Agencies: If your proposed conditions of approval include the dedication of land for public use or the provision of public improvements, please submit written findings with supporting data or information that justify the requirements. **Specifically, the findings must show that there is an essential connection between your requirements and a legitimate government purpose and that there is a rough proportionality between the burden of the requirement of the developer and the impacts of the proposed development on public facilities and services.**



City of **SHADY COVE**

small town, BIG ADVENTURES

Mayor
Jon Ball

Councilors
Kathy Nuckles
Paige Winfrey
Steve Mitchell

PUBLIC HEARING NOTICE
REQUEST FOR AGENCY/NEIGHBOR COMMENT

Public Hearing May 22, 2025 at 6:00 P. M.

Date: April 23, 2025

File No: ZC 25-01

An application has been submitted to The City of Shady Cove Planning Department for review of the proposal described below. Please return this form with your comments to this office by May 13, 2025 so that your comments may be included in the Planning Commission agenda material. If you have any questions, contact Joe Slaughter at planning@shadycove.org.

Applicant: City of Shady Cove
Administrator)

Owner: Michele Parry (City

ADDRESS 22023 Hwy 62, Shady Cove, OR 97539

34-1W-15BC, Tax Lot 100

Zoning: GC (General Commercial)

Proposal: **Comprehensive Plan Amendment from Commercial to Public and a Change of Zone from GC (General Commercial) to P (Public Use). The subject property is 2.30 acres and the proposed use of property is a City park.**

- () We have no comment.
- () We recommend approval with no special conditions.
- () This property is not within our jurisdiction.
- () Please address the following concerns:

I know the cabins were in terrible condition but they did provide inexpensive housing for people that really needed it so I am sorry they are gone. I would like to see small cottages for people that need that. If its going to be a park, I would like to see a good parking area with a community garden and a Saturday market for people to sell their produce, crafts etc. I would like a information board about shady cove. I really don't want it to be unsupervised for the homeless to sleep and do drugs.

() We encourage denial of this proposal because:

Vicki Richmond

Agency/Prop. Owner (print)

541-878-3777

Phone #

Vicki Richmond

Signature of Agency Rep./Prop. Owner

5-8-25

Date

Note to Agencies: If your proposed conditions of approval include the dedication of land for public use or the provision of public improvements, please submit written findings with supporting data or information that justify the requirements. Specifically, the findings must show that there is an essential connection between your requirements and a legitimate government purpose and that there is a rough proportionality between the burden of the requirement of the developer and the impacts of the proposed development on public facilities and services.

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226

E-Mail: Planning@shadycove.org ♦ Web Site: www.shadycove.org

→ I know not all homeless do drugs but it needs to be secure so that it doesnt attract people who might start breaking in to businesses.

↳ think a big sign

★ parking is very important so that people can stop and walk through town visiting the businesses, etc. picnic tables maybe?



Mayor
Jon Ball

NOTICE OF PUBLIC HEARING

Councilors
Steve Mitchell
Kathy Nuckles
Paige Winfrey

The City of Shady Cove Planning Commission will hold a Public Hearing at 6:00 p.m. on Thursday, May 22, 2025, at the Shady Cove City Hall, 22451 Highway 62, Shady Cove, Oregon for the following purpose:

Proposed Comprehensive Plan Amendment from Commercial to Public and a Zone Change from GC (General Commercial) to P (Public Use) for property located at 22023 Hwy 62, Assessor's Map No. 34-1W-15BC Tax Lot 100. **Planning File No. ZC 25-01**
Applicant: City of Shady Cove

Oral and written public testimony regarding this matter will be accepted at the public hearing. Written statements are encouraged and may be submitted at any time, but must be received by *May 13, 2025, to be included in the staff report*. Mail written comments to Planning Department, City of Shady Cove, PO Box 1210, Shady Cove, OR 97539, via fax at 541-878-2226, or via E-mail at planning@shadycove.org.

The proposed zone change and file information are available for public review at City Hall, 22451 Hwy 62, Shady Cove during regular office hours or for purchase if requested. For additional information contact Shady Cove Planning Department at planning@shadycove.org.

Failure to raise an issue at a hearing, in person or in writing, accompanied by statements or evidence sufficient to afford the decision maker and the applicant an opportunity to respond to the issue, shall preclude appeal to the Oregon State Land Use Board of Appeals based on that issue. All testimony and evidence must be directed towards specific criteria, copies of which are available at City Hall.

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

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at planning@shadycove.org. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).