PLANNING COMMISSION
VIRTUAL MEETING AGENDA
September 16, 2020

Chair:
Jeremy Salvage

Vice Chair:
Don Robertson

Commissioners:
David McClain
Todd Prenoveau
Samuel Brackeen
Joshua Galka
Josh Port

Community Development Director
Kelly Hart

Virtual Meeting:
6:00 p.m.

1. Call to Order / Flag Salute

2. Roll Call

3. Commission Review:

   a. **Planning File A-20-04**
   - Conditional Use

   b. **Planning File A-20-06**
   - Annexation

   c. **Planning File CPMA-20-01**
   - Comprehensive Plan Map Amendment

4. Commission Business & Comments

5. Adjournment

AGENDA ITEM

3.a.

OREGON
Lebanon

THE CITY THAT FRIENDLINESS BUILT

925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Kelly Hart, Community Development Director
Subject: Planning File No. A-20-04

Date: September 8, 2020

I. BACKGROUND

Under consideration is the proposed annexation of the property, 1773 9th Street (12S 02W 15BD, tax lot 2900), located on the east side of 9th Street, north of Airport Road. The subject property is 0.24 acres in size, with approximately 50 feet of street frontage along 9th Street. The portion of 9th Street along the frontage of the subject property is already annexed into the City. Property to the north, including the public right-of-way is located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation.

The property is in a developed residential neighborhood. To the south, west and east are residential properties within the county unincorporated area, within the City's Urban Growth Boundary (UGB) with a Comprehensive Plan designation of Residential Mixed-Density (C-RM). The property to the north is in City limits with a zoning designation of Residential Mixed-Density (Z-RM).

The subject property is improved with an existing single-family residence. City sewer and storm drainage is available in 9th Street along the property frontage, water service is available in 9th Street to the south of the subject property. Upon annexation, the Applicant intends to connect to city sewer services. There is no development proposed with the application.

II. CURRENT REPORT

The Comprehensive Plan Designation for the site is Residential Mixed Density (C-RM). Per Table 16.26-1 in Section 16.24.040 of the Lebanon Development Code (LDC), the designated zoning classification for the site would be Residential Mixed Density (Z-RM). The Applicant has indicated acceptance of the zoning designation of Z-RM and is not proposing a Comprehensive Plan Map Amendment.

In accordance with Section 16.24.040 of the LDC, anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the Urban Growth Area are already accounted for in the City's Facilities Plans, including the Transportation System Plan. Annexation of the land in the Urban Growth Area is already factored into the City's Facility Plans, and no revisions of those plans are necessitated when, following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. As the Applicant is proposing to accept the automatic zoning designation of

Residential Mixed Use, no further analysis of modification to the Facility or Transportation Plan is necessary.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The subject property is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

   Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA), and shall be consistent with applicable State law.

   RECOMMENDED FINDING: The application site is located within the City of Lebanon Urban Growth Boundary and is contiguous with city limits, therefore eligible for annexation per the Annexation Ordinance, and the Municipal and Development Codes. The annexation is not inclusive of a Comprehensive Plan Map Amendment and is accepting of the initial zoning designation of Residential Mixed Density, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

   Comprehensive Plan Annexation Policy #P-20**:** [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

RECOMMENDED FINDING: The Annexation Ordinance policies are consistent with, and often mirror, the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use, and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification in accordance with the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed-Density, with the zoning designation of Residential Mixed-Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. In addition, Table 6-5 in Chapter 6 of the Comprehensive Plan identifies the total number of estimated housing needs by type through 2025. The subject property is currently developed with a single-family residence; but being zoned Residential Mixed Density and over 9,000 square feet in size, the site can accommodate all different housing types from single-family detached to multi-family development. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for 291 acres of low-density development acreage, 92 acres of medium density, and 39 acres of high density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City, and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property, and the classification for residential mixed density would accommodate the identified need for any of the residential classifications, and upon development, could be built to provide affordable units, as such, would be consistent with the goals and policies of the Comprehensive Plan.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

RECOMMENDED FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits, therefore is eligible for annexation. The subject site is generally flat, with no steep slopes or environmental constraints, and generally within a developed neighborhood. There is existing development on the site, including a

single-family residence. As the site is already improved with urban development, and does not contain any known environmental constraints, the property is eligible for annexation.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

   Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

   RECOMMENDED FINDING: The subject site is contiguous with the city boundary on the north side of the property, and is therefore contiguous with existing City limits and eligible for annexation.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space and related uses.

   Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits, and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

   RECOMMENDED FINDINGS: The proposed annexation complies with the above noted criteria as follows:
   (a) The site is contiguous with city limits along the northern property line.
   (b) The property is located within an already developed and urbanized portion of the Urban Growth Boundary and City. Surrounding the property include residential development. The site can be serviced by city water (upon extension of service), sewer, and has developed storm drainage within the 9th Street right-of-way. As the property can be serviced by city facilities and transportation system, and is already improved with an urban development, the property would be eligible for annexation.

6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

   Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

   RECOMMENDED FINDING: The application does not include a concurrent development proposal and is currently improved with a single-family residence. Any future development or redevelopment proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

   Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

   RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states "anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City's Facilities Plans, including the Transportation System Plan." No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated demands to access key City-provided urban utilities have already been considered. There is existing city water (that can be extended to the property), and sewer available in the immediate vicinity for connection to the site, and the existing transportation system can accommodate the inclusion of the property and the existing development.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, thse City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

   Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

   RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states "anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City's Facilities Plans, including the Transportation System Plan." No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles

and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

RECOMMENDED FINDING: 9th Street maintains a right-of-way width of 40-feet. The adopted 2018 Transportation System Plan identifies 9th Street as a local street which required a 42-foot minimum width when no parking is provided. The existing right-of-way width is 40-feet. The City Engineering Department also reviewed the annexation and determined that if the property were to redevelop in the future, any required street dedication would be conditioned at that time. The street is already improved with storm drainage. As such, no additional right-of-way dedication from the subject property is necessary for the annexation.

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

    RECOMMENDED FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. Annexation Ordinance Section 12. - If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

    RECOMMENDED FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

    RECOMMENDED FINDING: The subject site is generally flat, with no steep slopes or environmental constraints, and generally within a developed neighborhood. There is existing development on the site, including a single-family residence. As the site is already improved with urban development, and does not contain any known environmental constraints, the property is eligible for annexation.

13. Annexation Ordinance Section 14. - An “urban use” is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

    RECOMMENDED FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant’s discretion and with the City’s concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission’s hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

    RECOMMENDED FINDING: The request does not contain a concurrent development request. It is understood that the intention of annexation is to connect to City public facilities and potentially rebuild a residential structure, however, a development proposal has not been included in the request and any future development will be subject to further application.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

    RECOMMENDED FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for an Annexation and the establishment of the applicable zone. Therefore, staff recommends the Planning Commission recommend the City Council approve the Annexation of the subject area and establishment of the respective Residential Mixed Density (Z-RM) zone on the newly annexed property.

V. PLANNING COMMISSION ACTION - ANNEXATION

A. The Planning Commission may either:

    1. Recommend City Council approval of the proposed annexation and establishment of the applicable Residential Mixed Density zone, adopting the written findings for the decision criteria contained in the staff report; or

2. Recommend City Council approval of the proposed annexation and establishment of the applicable Residential Mixed Density zone, adopting modified findings for the decision criteria; or

3. Recommend City Council denial of the proposed annexation and establishment of the applicable Residential Mixed Density zone, specifying reasons why the proposal fails to comply with the decision criteria; and

4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.

NOTICE OF VIRTUAL PUBLIC HEARING
LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **September 16, 2020 at 6:00 p.m**. through a virtual (online) meeting to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	A-20-04
Applicant:	Cliff & Kathy Carver
Location:	1773 9th Street
Map & Tax Lot No.:	12S02W15BD02900
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

Request: The applicant is requesting Annexation of an approximately 0.24 acre property. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and will be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation.

Virtual Meeting: Due to the COVID-19 pandemic, the City will be hosting a virtual Planning Commission meeting and will not hold a live meeting at the Santiam Travel Station as authorized under the Governor's Executive Order 20-16 and in compliance with Oregon Public Meeting Laws.

The public is invited to watch the meeting online through the City of Lebanon's YouTube page at https://youtu.be/zIFuqMycYsQ on September 16, 2020. The City of Lebanon thanks you for your support in slowing the spread of COVID-19 by attending this public meeting digitally. The Agenda and application materials will be available for review on the City's website at https://www.ci.lebanon.or.us/meetings seven days prior to the hearing.

Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Wednesday, September 16, 2020**. Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. For verbal testimony, a recording may be provided to the City, or you may call (541) 258-4252 and leave a voice message. Those wanting to give public comments for the application's public hearing during the electronic meeting should contact Kelly Hart, the Community Development Director, at khart@ci.lebanon.or.us for the Zoom meeting link prior to **5:00 p.m. on September 16, 2020.**

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FORM 1

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing**. (*See* OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Lebanon**

Local file no.: **A-20-04**

Please check the type of change that best describes the proposal:

☐ **Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **UGB amendment** over 100 acres by a metropolitan service district

☐ **Urban reserve designation,** or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **Periodic review task** – Task no.:

X **Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Tammy Dickey
Phone: 541-258-4254 E-mail: tdickey@ci.lebanon.or.us
Street address: 925 S Main Street City: Lebanon Zip: 97355

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

Request to Annex .24 acres to the City of Lebanon and establish the Residential Mixed Density (Z-RM) on the newly annexed property. Proposed Zoning conforms to Comprehensive Plan Map designation.

Date of first evidentiary hearing: **August 19, 2020**
Date of final hearing: **September 9, 2020**

☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

☐ Comprehensive Plan text amendment(s)

☐ Comprehensive Plan map amendment(s) – Change from to
Change from to

☐ New or amended land use regulation
Zoning map amendment(s) – Change from
Change from

☐ An exception to a statewide planning goal is proposed – goal(s) subject to exception:

☒ Acres affected by map amendment: **.24**

Location of property, if applicable (site address and T, R, Sec., TL): **12S2W15BD02900**

List affected state or federal agencies, local governments and special districts:

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,[1] proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:
http://www.oregon.gov/LCD/CPU/Pages/Plan-Amendments.aspx

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/CPU/Pages/PAPA-Submittals.aspx.
E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

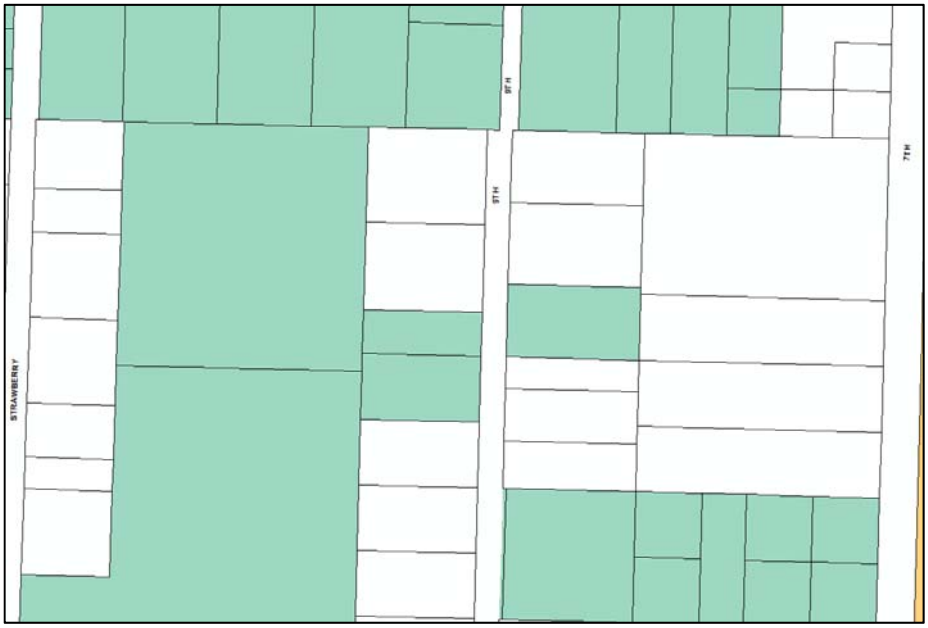
[1] 660-018-0022 provides:
(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- ☐ Completed Form 1
- ☐ The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- ☐ Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- ☐ A map of the affected area showing existing and proposed plan and zone designations
- ☐ A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- ☐ Any other information necessary to advise DLCD of the effect of the proposal

CURRENT



PROPOSED

Zoning Map

Legend

- Z-RL : Residential Low Density
- Z-RM : Residential Mixed Density
- Z-RH : Residential High Density
- Z-NMU : Neighborhood Mixed Use
- Z-MU : Mixed Use
- Z-NCM : Neighborhood Commercial
- Z-CCM : Central Business Commercial
- Z-HCM : Highway Commercial
- Z-IND : Industrial
- Z-PU : Public Use

(See Lebanon Development Code Chapter 16.11 for Overlay Zones)

- Taxlot
- City Limit
- Urban Growth Boundary

N W E S

Lebanon

LAND USE APPLICATION

PROPERTY INFORMATION	
Site Address(es): 1773 9th St., Lebanon, OR 97355	
Assessor's Map & Tax Lot No.(s):	
Comprehensive Plan Designation / Zoning Designation:	
Current Property Use: Home	
Project Description: tear down current home and build a new one.	
APPLICANT / PRIMARY CONTACT INFORMATION	
Applicant: Cliff Sr. & Kathy Carver	Phone: 541-459-4459
Address: PO Box 1135	Email: Kari.carver@gmail.com
City/State/Zip: Lebanon, OR 97355	
I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.	
APPLICANT SIGNATURE	Date: 6-26-2020
PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)	
Owner:	Phone:
Address:	Email:
City/State/Zip:	
OWNER SIGNATURE	Date:
ADDITIONAL CONTACT INFORMATION	
Engineer / Surveyor:	Phone:
Address:	Email:
City/State/Zip:	

Architect:	Phone:
Address:	Email:
City/State/Zip:	

Other: Gloria McIntosh / Clayton Homes	Phone: 541-967-8555
Address: 1437 Century Dr. NE	Email: gloria.mcintosh@claytonhome.com
City/State/Zip Albany, OR 97322	

REQUIRED SUBMITTALS
☐ Application and Filing Fee
☐ Narrative Describing the Proposed Development and addressing the Decision Criteria
LDC Article Two Land Uses and Land Use Zones
LDC Article Three Development Standards
LDC Article Four Review & Decision Requirements
LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
☐ Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
☐ Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

***If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.**

	Land Use Review Process	Fee		Land Use Review Process	Fee
	Administrative Review	$450		Planned Development – Preliminary	$2500
X	Annexation	$1500		Planned Development – Ministerial	$200
	Code Interpretation	$100		Planned Development – Final (Administrative)	$450
	Comprehensive Plan Map Amendment	$2000		Planned Development – Final (Quasi-Judicial)	$750
	Comprehensive Plan Text Amendment	$2000		Subdivision Tentative	$2000 + $15/lot
	Conditional Use	$1500		Subdivision Final	$800 + $15/lot
	Historic Preservation Review or Register	Varies		Tree Felling Permit (Steep Slopes only)	$150 + $5/tree
	Land Partition	$450		Urban Growth Boundary Amendment	Actual Costs
	Ministerial Review	$150		Variance (Class 1 – Minor Adjustment)	$150
	Modification of Approved Plan	25% of Application		Variance (Class 2 – Adjustment)	$450
	Non-Conforming Use/Development	$450		Variance (Class 3)	$1000
	Property (Lot) Line Adjustment	$250		Zoning Map Amendment	$1000

APPLICATION RECEIPT & PAYMENT

Date Received: 6/26/2020	Date Complete:	Receipt No.:
Received By: TD	Total Fee: $1500.	**File No.:** A-20-04

THE CITY THAT FRIENDLINESS BUILT

Annexation of Property on 9th Street

We are wanting to annex my in-laws property on 9th Street. It is located at 1773 9th Street. Right now the property is in the county. They have a septic system that will not allow us to put a new home on the property. The home that they are in is pretty much falling down around them. They are in their late 60s and have medical issues that make it hard for them to live alone. We would like to put a new manufactured home on the property that is big enough that my family and I can be there to help with them. We would need to accommodate 8 people total. They currently own the property out right. The property on both sides of them are already annexed into the city, so it should just be a matter of connecting their property to the already existing sewer line. Please vote to let us annex, so that we can make the arrangements needed to get them taken care of. As for changing the population, my family already resides in the City of Lebanon. We rent a home on West Jadon Dr. We are currently in contact with Udell Engineering to get the requested annexation map and the legal description of the property.

AGENDA ITEM

3.b.

OREGON
Lebanon

925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission
From: Kelly Hart, Community Development Director
Subject: Planning File No. A-20-06

Date: September 8, 2020

I. BACKGROUND

Under consideration is the proposed annexation of the property, 955 Kees Street (12S 02W 15CA, tax lot 3500), located on northeast corner of Stoltz Hill Road and Kees Street. The subject property is 0.17 acres in size, with approximately 80 feet of street frontage along Stoltz Hill Road and 120 feet along of frontage along Kees Street. The full width of Stoltz Hill Road and Kees Street along the frontage of the subject property will be annexed as part of the property annexation as well. Property to the north, including the public right-of-way is located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation.

The property is in a developed residential neighborhood. To the south, and east are residential properties within the county unincorporated area, within the City's Urban Growth Boundary (UGB) with a Comprehensive Plan designation of Residential Mixed-Density (C-RM). The property to the north and west are in City limits with a zoning designation of Residential Mixed-Density (Z-RM).

The subject property is improved with an existing single-family residence. City water service and storm drainage are available in Stoltz Hill Road along the property frontage; sewer service is available in Stoltz Hill Road to the south and north of the subject property. Upon annexation, the Applicant will be able to extend city utility services to the site. Currently the site is vacant, and there is no development proposed with the application.

II. CURRENT REPORT

The Comprehensive Plan Designation for the site is Residential Mixed Density (C-RM). Per Table 16.26-1 in Section 16.24.040 of the Lebanon Development Code (LDC), the designated zoning classification for the site would be Residential Mixed Density (Z-RM). The Applicant has indicated acceptance of the zoning designation of Z-RM and is not proposing a Comprehensive Plan Map Amendment.

In accordance with Section 16.24.040 of the LDC, anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the Urban Growth Area are already accounted for in the City's Facilities Plans, including the Transportation System Plan. Annexation of the land in the Urban Growth Area is already factored into the City's Facility Plans,

and no revisions of those plans are necessitated when, following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. As the Applicant is proposing to accept the automatic zoning designation of Residential Mixed Use, no further analysis of modification to the Facility or Transportation Plan is necessary.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

The subject property is located within the City's Urban Growth Boundary (UGB) and is eligible for annexation into the City limits. Annexation application and review requirements are contained in Chapter 16.26 of the Lebanon Development Code. Annexations require a hearing before the Planning Commission and City Council. The purpose of the Commission hearing is to review the request and recommend whether the Council should approve or deny the Annexation.

Section 16.26.060 contains the decision criteria for an annexation with specific requirements in Section 16.26.060.A. This Section requires compliance with provisions in the City Annexation Ordinance and Lebanon Comprehensive Plan, Chapter 3 – Urbanization. Essentially, the Annexation Ordinance and Comprehensive Plan decision criteria are the same. The findings are combined to avoid duplication:

1. Annexation Ordinance Section 2. - All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance (i.e., Development Code), City of Lebanon/Linn County Urban Growth Management Agreement and shall be consistent with applicable State law.

   Comprehensive Plan Annexation Policy #P-19: [The City shall] recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA), and shall be consistent with applicable State law.

   RECOMMENDED FINDING: The application site is located within the City of Lebanon Urban Growth Boundary and is contiguous with city limits, therefore eligible for annexation per the Annexation Ordinance, and the Municipal and Development Codes. The annexation is not inclusive of a Comprehensive Plan Map Amendment and is accepting of the initial zoning designation of Residential Mixed Density, consistent with the Comprehensive Plan Designation and the pre-designation identified in the Lebanon Development Code. With the assignment accepted as identified in the Comprehensive Map, it is determined that the annexation has already been accounted for in the City's Facilities Plan, including the Transportation System Plan. The site complies with the Annexation requirements.

2. Annexation Ordinance Section 3. - All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

Comprehensive Plan Annexation Policy #P-20**:** [The City shall] recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

RECOMMENDED FINDING: The Annexation Ordinance policies are consistent with, and often mirror, the Comprehensive Plan Annexation Policies. The State acknowledges that the City's Comprehensive Plan complies with all applicable Statewide Planning Goals and statutes, recognizing the consistency of the Plan goals and policies. Therefore, compliance with the applicable Comprehensive Plan policies ensures compliance with the Annexation Ordinance. Findings in the following Sections detail this proposal's compliance with all applicable policies.

More Specifically, this annexation supports the goals and policies under Chapter 4: Land Use, and Chapter 6: Housing. In Section 2.3 of Chapter 4 of the Comprehensive Plan, all areas annexed into the City are automatically placed in a zoning classification in accordance with the Adopted Comprehensive Plan and Map. The adopted comprehensive plan map identifies the subject property as Residential Mixed-Density, with the zoning designation of Residential Mixed-Density. As the annexation does not include a proposal to modify the zoning designation, the annexation is consistent with the land use goals established by the Comprehensive Plan. In addition, Table 6-5 in Chapter 6 of the Comprehensive Plan identifies the total number of estimated housing needs by type through 2025. The subject property is currently developed with a single-family residence; but being zoned Residential Mixed Density and over 9,000 square feet in size, the site can accommodate all different housing types from single-family detached to multi-family development. Based on the 2019 Housing Needs Assessment completed by the City, there is a need for 291 acres of low-density development acreage, 92 acres of medium density, and 39 acres of high density. In the City and the Urban Growth Boundary, there is an identified surplus of 735 acres of residential land in the City, and 298 acres of residential land in the UGB to accommodate the residential development anticipated to accommodate the population growth. The annexation of this property, and the classification for residential mixed density would accommodate the identified need for any of the residential classifications, and upon development, could be built to provide affordable units, as such, would be consistent with the goals and policies of the Comprehensive Plan.

3. Annexation Ordinance Section 4. - All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

   Comprehensive Plan Annexation Policy #P-21: [The City shall] recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

RECOMMENDED FINDING: The subject site is located within the Urban Growth Boundary and contiguous to city limits, therefore is eligible for annexation. The subject site is generally flat, with no steep slopes or environmental constraints, and generally within a developed neighborhood. The existing residential structures on the site were recently demolished and the site is now vacant. As the site has already been previously developed with urban development, and does not contain any known environmental constraints, the property is eligible for annexation.

4. Annexation Ordinance Section 5. - The City shall only annex land that is contiguous to the existing City limits and is within the City's UGB.

   Comprehensive Plan Annexation Policy #P-22: [The City shall] only annex land that is contiguous to the existing City limits and is within the City's UGB.

   RECOMMENDED FINDING: The subject site is contiguous with the city boundary on the north side of the property and is therefore contiguous with existing City limits and eligible for annexation.

5. Annexation Ordinance Section 6. - An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include wetlands, parks, open space and related uses.

   Comprehensive Plan Annexation Policy #P-23: [The City shall] deem an annexation orderly if the annexation territory is contiguous to the existing City Limits, and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

   RECOMMENDED FINDINGS: The proposed annexation complies with the above noted criteria as follows:
   (a) The site is contiguous with city limits along the northern property line.
   (b) The property is located within an already developed and urbanized portion of the Urban Growth Boundary and City. Surrounding the property include residential development. Upon extension of facilities, the site can be serviced by city water, sewer, and storm drainage. As the property can be serviced by city facilities and transportation system, and is already improved with an urban development, the property would be eligible for annexation.

6. Annexation Ordinance Section 7. - Development proposals are not required for annexation requests.

   Comprehensive Plan Annexation Policy #P-24: [The City shall] recognize and act on the basis that development proposals are not required for annexation requests.

RECOMMENDED FINDING: The application does not include a concurrent development proposal; however, the site is currently vacant. Any future development proposal would be required to comply with the provisions for the development code for the Z-RM zone, as applicable.

7. Annexation Ordinance Section 8. - As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

   Comprehensive Plan Annexation Policy #P-25: [The City shall] consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewer, and streets, of existing development within the annexation territory.

   RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states "anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City's Facilities Plans, including the Transportation System Plan." No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated demands to access key City-provided urban utilities have already been considered. There is existing city water and sewer available in the immediate vicinity for extension to the site, and the existing transportation system can accommodate the inclusion of the property and the existing development.

8. Annexation Ordinance Section 9. - As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewer, and streets.

   Comprehensive Plan Annexation Policy # P-26: [The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

   RECOMMENDED FINDING: Section 16.26.040 of the Lebanon Development Code states "anticipated urban densities (according to the automatic City Zoning assignment upon annexation) within the UGA are already accounted for in the City's Facilities Plans, including the Transportation System Plan." No revisions to the plans are necessitated, when following annexation, an area is assigned the zoning classification that is in accordance with the adopted Comprehensive Plan Map designation. The subject site is assigned the zoning classification of Z-RM in accordance with the Comprehensive Map designation and therefore, the anticipated impacts to access key City-provided urban utilities have already been considered.

9. Annexation Ordinance Section 10. - Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and creates an increased demand for the benefits provided by additional rights-of-way dedication.

   RECOMMENDED FINDING: Stoltz Hill Road maintains a right-of-way width of 60-feet, and Kees Street maintains a right-of-way width of 50-feet. The adopted 2018 Transportation System Plan identified Stoltz Hill Road as a minor arterial, which requires a 75-foot right-of-way, and Kees Street as a local road requiring a minimum 58-feet. The Engineering Department reviewed the annexation and determined that if the property were to redevelop in the future, any required street dedication would be conditioned at that time. As such, no additional right-of-way dedication from the subject property is necessary for the annexation.

10. Annexation Ordinance Section 11. - Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

    RECOMMENDED FINDING: This subject property is designated Residential Mixed Density by the Comprehensive Plan. Consistent with the adopted Zoning Matrix, the only possible applicable zone is Residential Mixed Density (Z-RM). The Applicant accepts the applicable zoning designation and is not proposing a Comprehensive Plan Map Amendment.

11. Annexation Ordinance Section 12. - If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

    RECOMMENDED FINDING: This application does not include a change in the Plan designation or corresponding zone. Therefore, this Section does not apply.

12. Annexation Ordinance Section 13. - The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

    RECOMMENDED FINDING: The subject site is generally flat, with no steep slopes or environmental constraints, and generally within a developed neighborhood. The existing residential structures on the site were recently demolished and the site is now vacant. As

the site has already been previously developed with urban development, and does not contain any known environmental constraints, the property is eligible for annexation.

13. Annexation Ordinance Section 14. - An "urban use" is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance (i.e., Development Code), Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

    RECOMMENDED FINDING: This Section does not apply as the provisions in this Section provide a definition and not a decision criterion.

14. Annexation Ordinance Section 15. - At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

    RECOMMENDED FINDING: The request does not contain a concurrent development request.

15. Comprehensive Plan Annexation Policy # P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

    RECOMMENDED FINDING: This Policy does not directly apply as the proposal simply incorporates an existing urbanized parcel into the City limits.

IV. CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria for an Annexation and the establishment of the applicable zone. Therefore, staff recommends the Planning Commission recommend the City Council approve the Annexation of the subject area and establishment of the respective Residential Mixed Density (Z-RM) zone on the newly annexed property, and annexation of the full width of the street segments of Stoltz Hill Road and Kees Street along the frontage of the subject property.

V. PLANNING COMMISSION ACTION - ANNEXATION

A. The Planning Commission may either:

   1. Recommend City Council approval of the proposed property and street annexation and establishment of the applicable Residential Mixed Density zone, adopting the written findings for the decision criteria contained in the staff report; or

2. Recommend City Council approval of the proposed property and street annexation and establishment of the applicable Residential Mixed Density zone, adopting modified findings for the decision criteria; or

3. Recommend City Council denial of the proposed property and street annexation and establishment of the applicable Residential Mixed Density zone, specifying reasons why the proposal fails to comply with the decision criteria; and

4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.

NOTICE OF VIRTUAL PUBLIC HEARING
LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **September 16, 2020 at 6:00 p.m**. through a virtual (online) meeting to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	A-20-06
Applicant:	Brandon Lemerande
Location:	955 Kees Street
Map & Tax Lot No.:	12S02W15CA3500
Request:	Annexation
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.26

Request: The applicant is requesting Annexation of an approximately .17 acres property. The property is designated Residential Mixed Density (C-RM) on the Comprehensive Plan Map and will be assigned a Residential Mixed Density (Z-RM) zoning designation upon Annexation.

Virtual Meeting: Due to the COVID-19 pandemic, the City will be hosting a virtual Planning Commission meeting and will not hold a live meeting at the Santiam Travel Station as authorized under the Governor's Executive Order 20-16 and in compliance with Oregon Public Meeting Laws.

The public is invited to watch the meeting online through the City of Lebanon's YouTube page at https://youtu.be/zIFuqMycYsQ on September 16, 2020. The City of Lebanon thanks you for your support in slowing the spread of COVID-19 by attending this public meeting digitally. The Agenda and application materials will be available for review on the City's website at https://www.ci.lebanon.or.us/meetings seven days prior to the hearing.

Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Wednesday, September 16, 2020**. Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. For verbal testimony, a recording may be provided to the City, or you may call (541) 258-4252 and leave a voice message. Those wanting to give public comments for the application's public hearing during the electronic meeting should contact Kelly Hart, the Community Development Director, at khart@ci.lebanon.or.us for the Zoom meeting link

prior to **5:00 p.m. on September 16, 2020.**

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FORM 1

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing**. (*See* OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Lebanon**

Local file no.: **A-20-05**

Please check the type of change that best describes the proposal:

☐ **Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **UGB amendment** over 100 acres by a metropolitan service district

☐ **Urban reserve designation,** or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **Periodic review task** – Task no.:

X **Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Tammy Dickey
Phone: 541-258-4254 E-mail: tdickey@ci.lebanon.or.us
Street address: 925 S Main Street City: Lebanon Zip: 97355

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

Request to Annex .17 acres to the City of Lebanon and establish the Residential Mixed Density (Z-RM) on the newly annexed property. Proposed Zoning conforms to Comprehensive Plan Map designation.

Date of first evidentiary hearing: **September 16, 2020**
Date of final hearing: **October 14, 2020**

☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

☐ Comprehensive Plan text amendment(s)

☐ Comprehensive Plan map amendment(s) – Change from to
Change from to

☐ New or amended land use regulation
Zoning map amendment(s) – Change from
Change from

☐ An exception to a statewide planning goal is proposed – goal(s) subject to exception:

☒ Acres affected by map amendment: **.17**

Location of property, if applicable (site address and T, R, Sec., TL): **12S02W15CA03500**

List affected state or federal agencies, local governments and special districts:

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,[1] proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:
http://www.oregon.gov/LCD/CPU/Pages/Plan-Amendments.aspx

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/CPU/Pages/PAPA-Submittals.aspx.
E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

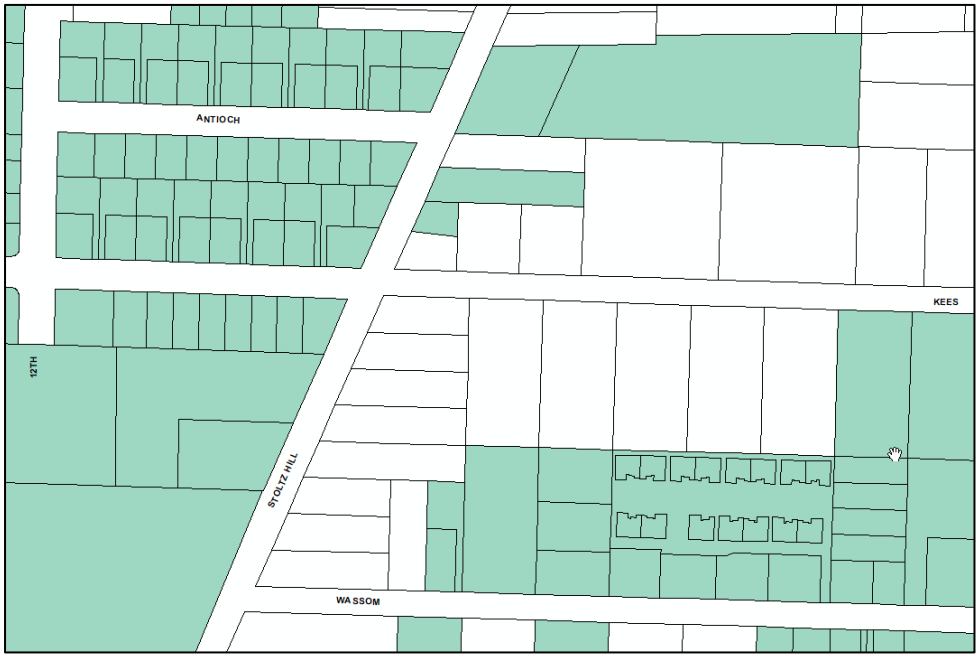
[1] 660-018-0022 provides:
(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

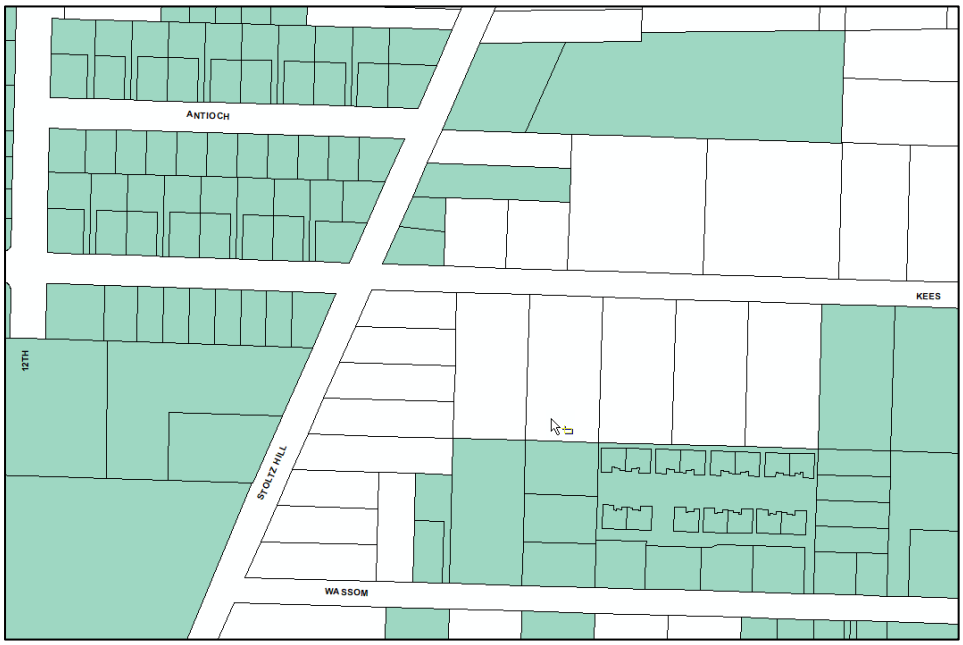
Notice checklist. Include all that apply:

- ☐ Completed Form 1
- ☐ The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- ☐ Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- ☐ A map of the affected area showing existing and proposed plan and zone designations
- ☐ A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- ☐ Any other information necessary to advise DLCD of the effect of the proposal

CURRENT



PROPOSED



Zoning Map

Legend

- Z-RL : Residential Low Density
- Z-RM : Residential Mixed Density
- Z-RH : Residential High Density
- Z-NMU : Neighborhood Mixed Use
- Z-MU : Mixed Use
- Z-NCM : Neighborhood Commercial
- Z-CCM : Central Business Commercial
- Z-HCM : Highway Commercial
- Z-IND : Industrial
- Z-PU : Public Use
- Taxlot
- City Limit
- Urban Growth Boundary

(See Lebanon Development Code Chapter 16.11 for Overlay Zones)

N W E S

LAND USE APPLICATION

PROPERTY INFORMATION
Site Address(es): 955 Kees St Lebanon, OR 97355
Assessor's Map & Tax Lot No.(s): 12S02W15CA, 3500
Comprehensive Plan Designation / Zoning Designation: C-RM / UGA-UGM-10
Current Property Use: Vacant, formerly a single family dwelling which has since been removed
Project Description: This proposal is to annex into the City of Lebanon, the described in Linn County Deed Document No. 2020-08920 (tax lot 3500 from Linn County Assessor's Map 12S02W15CA).

APPLICANT / PRIMARY CONTACT INFORMATION	
Applicant: Brandon Lemerande	Phone: 541 404-9359
Address: PO Box 411	Email: brandonlemerande@gmail.com
City/State/Zip: Tangent, OR 97389	
I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.	
APPLICANT SIGNATURE Brandon Lemerande	Date: 07/31/2020

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)	
Owner: Resolute Properties, LLC C/O: Brandon Lemerande	Phone: 541 404-9359
Address: PO Box 411	Email: brandonlemerande@gmail.com
City/State/Zip: Tangent, OR 97389	
OWNER SIGNATURE Brandon Lemerande	Date: 07/31/2020

ADDITIONAL CONTACT INFORMATION	
Engineer / Surveyor: Udell Engineering & Land Surveying, LLC	Phone: 541 451-5125
Address: 63 E Ash St	Email: kyle@udelleng.com / ken@udelleng.com
City/State/Zip: Lebanon, OR 97355	

Architect:	Phone:
Address:	Email:
City/State/Zip:	

Other:	Phone:
Address:	Email:
City/State/Zip	

REQUIRED SUBMITTALS

- ☐ Application and Filing Fee
- ☐ Narrative Describing the Proposed Development and addressing the Decision Criteria
  - LDC Article Two Land Uses and Land Use Zones
  - LDC Article Three Development Standards
  - LDC Article Four Review & Decision Requirements
  - LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- ☐ Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
- ☐ Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

***If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.**

	Land Use Review Process	Fee		Land Use Review Process	Fee
	Administrative Review	$450		Planned Development – Preliminary	$2500
	Annexation	$1500		Planned Development – Ministerial	$200
	Code Interpretation	$100		Planned Development – Final (Administrative)	$450
	Comprehensive Plan Map Amendment	$2000		Planned Development – Final (Quasi-Judicial)	$750
	Comprehensive Plan Text Amendment	$2000		Subdivision Tentative	$2000 + $15/lot
	Conditional Use	$1500		Subdivision Final	$800 + $15/lot
	Historic Preservation Review or Register	Varies		Tree Felling Permit (Steep Slopes only)	$150 + $5/tree
	Land Partition	$450		Urban Growth Boundary Amendment	Actual Costs
	Ministerial Review	$150		Variance (Class 1 – Minor Adjustment)	$150
	Modification of Approved Plan	25% of Application		Variance (Class 2 – Adjustment)	$450
	Non-Conforming Use/Development	$450		Variance (Class 3)	$1000
	Property (Lot) Line Adjustment	$250		Zoning Map Amendment	$1000

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	**File No.:**

PETITION FOR ANNEXATION TO THE CITY OF LEBANON

NATURE OF REQUEST:	Annexation of an approximately 7,369 square foot property.
APPLICANTS / OWNERS:	Resolute Properties, LLC C/O: Brandon Lemerande PO Box 411 Tangent, OR 97389 541 404-9359 brandonlemerande@gmail.com
PROPERTY LOCATION:	955 Kees St Lebanon, OR 97355
ASSESSOR'S MAP AND TAX LOT:	Assessor's Map T12S - R2W-15CA, Tax Lot 3500
ZONE DESIGNATION:	UGA-UGM-10, Residential Mixed Density (Z-RM) upon annexation
COMP PLAN DESIGNATION:	Residential Mixed Density (Z-RM)

ANNEXATION NARRATIVE

INTRODUCTION AND SITE DESCRIPTION

The applicant is requesting annexation of approximately 7,369 square feet identified as T12S-R2W-Section 15CA Tax Lot 3500. The property is located at the northeast corner of Stoltz Hill Road and Kees Street.

The property borders the City limits along its north property boundary as shown on the attached annexation map and is across Stoltz Hill Road from the current city limits. This portion of Stoltz Hill Road is proposed to be annexed here. The property is currently in unincorporated Linn County with a City of Lebanon comprehensive map designation of Residential Mixed Density. The property is currently vacant.

The property includes approximately 80 linear feet of frontage onto Stoltz Hill Rd and approximately 120 linear feet of frontage onto Kees St that will provide for access and utility services. There is an existing 8-inch public waterline and an 8-inch public sewer line available for extension to the property. There are no water or drainage system deficiencies that need to be addressed as part of this annexation request.

Surrounding Land Uses

North	Single Family Residential
East	Single Family Residential
South	Kees St / Single Family Residential
West	Stoltz Hill Rd / Single Family Residential

Surrounding Zoning

Northwest	Lebanon Z-RM
Northeast	Linn County UGA-UGM-10, Lebanon Z-RM
East	Linn County UGA-UGM-10
South	Linn County UGA-UGM-10
Northwest	Lebanon Z-RM
Southwest	Lebanon Z-RM

ANNEXATION PETITION COMPLIANCE WITH APPLICABLE REVIEW CRITERIA

The factors and conditions applicable to evaluating this annexation request are:

- **City of Lebanon Ordinance Number 17 for 2003**, an Ordinance Making Findings and Adopting Policies for the Annexation of Real Property into the City limits.

- **Lebanon Comprehensive Plan** Chapter 1, Introduction, Narrative, Finding 2.0.
- **Lebanon Comprehensive Plan** Chapter 3, Urbanization, Flexible Growth Program Policies P-13 and P-14.
- **Lebanon Comprehensive Plan** Chapter 3, Urbanization, Annexation Policies P-19, P-20, P-21, P-22, P-23, P-24, P-25, P-26, P-27 and P-30.
- **Lebanon Comprehensive Plan**: Chapter 3, Urbanization, Annexation Findings 3.3.1 through 3.3.6, 3.3.8 through 3.3.10, 3.4.1, 3.4.2, 3.4.3, 3.4.6 and 3.5.1.
- **Lebanon Development Code (LDC) Chapter 16.26:**
- **City of Lebanon/Linn County – Urban Growth Management Agreement**, Section 2: Delineation of Authority in the Urban Growth Area (UGA), and Section 5, Annexations.

Lebanon Development Code Chapter 16.05 lists the development opportunities, standards and requirements for the Residential Mixed Density (Z-RM) zone.

Applicable Provisions of the Lebanon Annexation Ordinance (LAO), Lebanon Comprehensive Plan (LCP) and Lebanon/Linn County Urban Growth Management Agreement (UGMA):

LAO Section 2: All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement, and shall be consistent with applicable State law.

LAO Section 3: All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

LCP Chapter 3 – Urbanization, Annexation Policy P-19: The City shall recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (*UGMA*), and shall be consistent with applicable State law.

LCP Chapter 3 – Urbanization, Annexation Policy P-20: The City shall recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.1: The City's Annexation Ordinance will be consistent with this Comprehensive Plan and will implement the principles and policies of this Comprehensive Plan as they relate to annexations.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.2: Together the City's Annexation Ordinance and the annexation policies and principles contained in this Comprehensive Plan Chapter establish the annexation process and procedures used by the City.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.3: The implementation of the City's Annexation Ordinance and the policies of this Comprehensive Plan, and the resulting process and procedures, address the four factors to be considered when a city converts urbanizable land in its Urban Growth Boundary (UGB) for urban uses as set forth in Statewide Planning Goal 14 (see Section 2.1.3 above).

> **Applicants' Statement**: *The evidence submitted with this petition demonstrates that the proposed annexation conforms to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Code and the City of Lebanon/Linn County Urban Growth Management Agreement, and that the request is consistent with applicable State law and with the goals and policies of the Lebanon Comprehensive Plan. Compliance with the specific provisions of the applicable codes, ordinances and agreements is demonstrated in subsequent sections. Therefore, the petition complies with LAO Sections 2 and 3 and LCP Urbanization Policies P-19 and P-20.*

LAO Section 4: All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.

LAO Section 13: The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

LCP Chapter 3 – Urbanization, Annexation Policy P-21: The City shall recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary (UGB) with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

LCP Chapter 3 – Urbanization, Flexible Growth Program Policy P-13: The City shall recognize and act on the basis that all lands included within the Urban Growth Boundary are suitable for urban development except for those areas with identified environmental constraints. Nevertheless, those areas with environmental constraints may be utilized as functional wetlands, parks, open space and related uses.

LCP Chapter 3 – Urbanization, Flexible Growth Program Policy P-14: Implement and administer land development policies and requirements that are both orderly and efficient, as well as flexible so as to be responsive to site specific conditions and circumstances.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.4: The implementation of the City's Annexation Ordinance and the policies of this Comprehensive Plan, and the resulting process and procedures, will ensure the orderly expansion of City limits since only land that is adjacent to the City limits and is in the Urban Growth Area is eligible for annexation.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.5: The implementation of the City's Annexation Ordinance and its policies will provide a basis for the efficient provision of key City-provided urban utility services, which are hereby defined as water, storm drainage, sanitary

sewerage, and streets.

LCP Chapter 3 – Urbanization, Annexation Finding 3.4.6: Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.

> **Applicants' Statement:** *The proposed annexation territory is within the City's urban growth boundary and therefore is eligible for annexation and is suitable for urban development. It is contiguous with the City limits to the West via the Stoltz Hill Rd right-of-way and to the north along its entire north boundary.*
>
> *The proposed annexation is orderly in that the territory is contiguous with the City limits. It is efficient in that it is within the UGB, is eligible for urban development, and all City services are readily available for extension to the territory. The territory can be developed to many of the urban uses allowed in the RM zone in a manner that is consistent with the City's development standards.*
>
> *Therefore, the proposed annexation complies with LAO Sections 4 and 13, Urbanization Policies P-13, P-14 and P-21.*

LAO Section 5: The City shall only annex land that is contiguous to the existing City limits and is within the City's Urban Growth Boundary (UGB).

LCP Chapter 3 – Urbanization, Annexation Policy P-22: The City shall only annex land that is contiguous to the existing City limits and is within the City's Urban Growth Boundary (UGB).

> **Applicants' Statement:** *The proposed annexation territory is within the City's urban growth boundary. It is contiguous with the City limits to the West and to the South. Therefore, the proposed annexation complies with LAO Section 5 and LCP Urbanization Policy P-22.*

LAO Section 6: An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include functional wetlands, parks, open space and related uses.

LAO Section 14: An "urban use" is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance, Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.

LCP Chapter 3 – Urbanization, Annexation Policy P-23: The City shall deem an annexation orderly if the annexation territory is contiguous to the existing City limits and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.4: The implementation of the City's

Annexation Ordinance and the policies of this Comprehensive Plan, and the resulting process and procedures, will ensure the orderly expansion of City limits since only land that is adjacent to the City limits and is in the Urban Growth Area is eligible for annexation.

> **Applicants' Statement**: *The proposed annexation territory is within the UGB and is contiguous to the existing City limits to the West and North; therefore, annexation of the territory is considered orderly. The territory can be developed with many of the urban uses allowed in the Residential Mixed Density (RM) zone. The annexation territory is approximately 7,369 square feet with approximately 80 feet of frontage on Stoltz Hill Rd, and approximately 120 feet of frontage on Kees St. Stoltz Hill Rd adjacent to the subject property is classified as a collector street, there is existing sidewalk along the west right-of-way to the projection of the north line of the property to be annexed. Kees St. is classified as a local street. Future development of the territory can comply with all City standards. Therefore, the proposed annexation is efficient.*
>
> *The proposed annexation is orderly and efficient and complies with the LAO Sections 6 and 14 and LCP Urbanization Policy 23.*

LAO Section 7: Development proposals are NOT REQUIRED for annexation requests.

LAO Section 15: At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.

LCP Chapter 3 – Urbanization, Annexation Policy P-24: The City shall recognize and act on the basis that development proposals are NOT REQUIRED for annexation requests.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.6: Annexation proposals do not require site specific development proposals.

> **Applicants' Statement:** *There is no specific development plans for the property at this time. The property is currently vacant. The property is suitable for many of the uses permitted in the RM zone. No development proposal is being submitted as part of this annexation application.*

LAO Section 8: As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

LAO Section 9: As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these

properties, which are water, storm drainage, sanitary sewerage, and streets.

LCP Chapter 3 – Urbanization, Annexation Policy P-25: The City shall consider as part of the annexation process of developed property or properties, the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

LCP Chapter 3 – Urbanization, Annexation Policy P-26: The City shall consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.8: As part of the annexation process of developed property or properties, the City will consider the anticipated demands of existing development within the annexation territory if they access the four key City-provided urban utility services (water, storm drainage, sanitary sewerage, and streets), and will also consider the capacity of the existing infrastructure of these City-provided urban utility services to satisfy the anticipated potential new demands.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.9: The annexation of a territory that is vacant or undeveloped, does not represent any change or impact on any City-provided urban utility services, and therefore the annexation of such a territory does not need to consider such issues.

LCP Chapter 3 – Urbanization, Annexation Finding 3.5.1: Urban densities within the Urban Growth Area (UGA) are already accounted for in the City's facilities plans.

> **Applicants' Statement:** *There will be limited impact to City services since the land is currently vacant or undeveloped and is only adding approximately 7,300 square feet of developable land to the City of Lebanon service area.*
>
> *The annexation territory has about 80 feet of frontage along Stoltz Hill Rd, and 120 feet of frontage along Kees St. Stoltz Hill Rd is a two-lane paved street with sidewalk on the west side from Antioch St to the projection of the northerly property line of property to be annexed. Stoltz Hill Rd has sufficient right-of-way and capacity to provide for development of the annexation territory with uses allowed in the RM zone.*
>
> *An appropriately sized water line (8-inches) runs along the easterly right-of-way of Stoltz Hill Rd. There is not existing sewer adjacent to the property, the existing line currently terminates at the intersection of Kees St and Stoltz Hill Rd. There are no public sanitary sewer, water or storm drainage system deficiencies that need to be addressed as part of this annexation request.*
>
> *There is sufficient capacity for all City services in the area of the annexation territory to provide service when the property is fully developed to urban standards. Any improvements to the water, sanitary sewer and storm drainage systems necessary to service future development can be constructed to comply with City standards.*
>
> *Therefore, the proposed annexation complies with LAO Sections 8 and 9 and LCP Urbanization Policies P-25 and P-26.*

LAO Section 10: Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and thus creates an increased demand for the benefits and utility provided by additional rights-of-way dedication.

LCP Chapter 3 – Urbanization, Annexation Finding 3.3.10: Needed public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, will be dedicated to the City either with annexation or when the property develops and/or redevelops and thus creates an increased demand for the benefits and utility provided by additional rights-of-way dedication.

> **Applicants' Statement:** *The annexation territory has approximately 80 feet of frontage along Stoltz Hill Rd, and 120 feet of frontage along Kees St. The section of Stoltz Hill Rd along the property's frontage has a right-of-way of 60 feet in width. The adjacent street has sufficient right-of-way and capacity to provide for development of the annexation territory with uses allowed in the RM zone when development occurs.*

LAO Section 11: Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.

LAO Section 12: If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.

LCP Chapter 3 – Urbanization, Annexation Finding 3.4.1: Unannexed property in the Urban Growth Area does not have a City zoning designation, but does have a City Comprehensive Plan Map designation that indicates the long-term planned use for the property.

LCP Chapter 3 – Urbanization, Annexation Finding 3.4.2: The City's Comprehensive Plan and Comprehensive Plan Map direct all long range land use planning in the Urban Growth Area.

LCP Chapter 3 – Urbanization, Annexation Finding 3.4.3: Upon annexation, an annexation territory will automatically be assigned City zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix (see Table 4-2 in Chapter 4: *Land Use*). Such zoning assignments, in and of themselves, are not a Zoning Map change and do not require approval of a Zoning Map Amendment, or a separate proceeding.

LDC Chapter 16.26 – Zoning of Annexed Areas: All areas annexed to the City shall be placed in a zoning classification in accordance with the adopted Comprehensive Plan as identified in Table 16.26-1 Annexation Zoning Matrix-Determining the Proper Zone for Property Annexed into the City. If a zoning designation other than one in accordance with the Comprehensive Plan

or matrix in Table 16.26-1 of the LDC is requested by an applicant, the zoning requested shall not be granted until the plan is amended to reflect concurrence.

> **Applicants' Statement:** *The property is within the City's urban growth boundary. The Comprehensive Plan designation of the property is currently Residential Mixed Density (C-RM). The corresponding City zoning for this designation is Residential Low Density as identified in Table 16.26-1 of the Lebanon Development Code. Therefore, the proposed annexation complies with LAO Sections 11 and 12 and LDC Chapter 16.26.*

LCP Chapter 1: Introduction -- Narrative, Finding 2.0: The City of Lebanon recognizes its responsibility to include consideration of the Statewide Planning Goals and Guidelines as adopted by the Land Conservation and Development Commission (LCDC). Therefore, the City's Comprehensive Plan is intended to be consistent with the applicable Statewide Planning Goals.

> **Applicants' Statement:** *The LCP has been acknowledged by the Oregon Land Conservation and Development Commission to be in compliance with the Statewide Planning Goals.*

LCP Chapter 3 – Urbanization, Annexation Policy P-27: Expand the City limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

LCP Chapter 3 – Urbanization, Annexation Policy P-30: The City shall manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the market place, through implementation of land use regulations and land use policies.

> **Applicants' Statement:** *The application is for annexation of Residential Mixed Density designated territory that is within the City's urban growth boundary and contiguous with the City limits. The Lebanon Comprehensive Plan states:*
>
> > *"The City shall permit and encourage compact residential development to provide more efficient land utilization and to reduce the cost of housing, public facilities and services"(Land Use Policy P-20).*
>
> *The proposed annexation provides land for mixed density uses in an appropriate, serviceable area that will accommodate compact and efficient residential developments. Therefore, the proposed annexation complies with LCP Urbanization Policies P-27 and P-30.*

Linn County Parcel Information

TICOR TITLE™

Parcel Information

Parcel #:	0205431
Tax Lot:	12S02W15CA03500
Site Address:	955 Kees St
	Lebanon OR 97355 - 1134
Owner:	Gentry, Betty Jane Mills
	955 Kees St
	Lebanon OR 97355 - 1134
Twn/Range/Section:	12S / 02W / 15 / SW
Parcel Size:	0.18 Acres (7,841 SqFt)
Plat/Subdivision:	Arnold Sub
Lot:	19
Census Tract/Block:	030902 / 5029
Levy Code Area:	00902
Levy Rate:	14.8192
Market Value Land:	$65,040.00
Market Value Impr:	$64,700.00
Market Value Total:	$129,740.00
Assessed Value:	$86,030.00

Tax Information

Tax Year	Annual Tax
2019	$1,274.90
2018	$1,242.80
2017	$1,215.31

Legal

ARNOLD SUB - LOT 19

Land

Land Use:	101 - RESIDENTIAL IMPROVED	Zoning:	County-UGA-UGM-10 - Urban Growth Area-Urban Growth Mgmt 10 Acre Min.
Watershed:	Lower Calapooia River	Std Land Use:	RSFR - Single Family Residence
Recreation:		School District:	9Z5 - Lebanon
Primary School:	Cascades School	Middle School:	Seven Oak Middle School
High School:	Lebanon High School		

Improvement

Year Built:	1949	Stories:	1.00	Finished Area:	868 SqFt
Bedrooms:	2	Bathrooms:	1.00	Pool:	
Bldg Type:	131 - One Story				

Transfer Information

Loan Date:	9/25/2006	Loan Amt:	$90,250.00	Doc Num:	23357	Doc Type:	Deed Of Trust
Loan Type:		Finance Type:	Conventional	Lender:	WELLS FARGO BK NA		
Rec. Date:	5/18/2001	Sale Price:		Doc Num:	001180000905	Doc Type:	Quit Claim
Buyer:	BETTY M J GENTRY			Seller:	TOWNSEND DONNA M M		

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

LINN COUNTY, OREGON **2020-08920**
D-PRD
Stn=49 S. WILSON **05/11/2020 02:02:00 PM**
$10.00 $11.00 $10.00 $60.00 $19.00 **$110.00**

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Steve Druckenmiller - County Clerk

RECORDING REQUESTED BY:
TICOR TITLE™ Company of Oregon

52 E Airport Rd
Lebanon, OR 97355

GRANTOR'S NAME:
The Estate of Betty J. McCown, who acquired title as Betty Jane Mills Gentry

GRANTEE'S NAME:
Resolute Properties, LLC, an Oregon limited liability company

AFTER RECORDING RETURN TO:
Brandon Lemerande
Resolute Properties, LLC, an Oregon limited liability company
PO Box 411
Tangent, OR 97389

SEND TAX STATEMENTS TO:
Resolute Properties, LLC, an Oregon limited liability company
PO Box 411
Tangent, OR 97389

0205431 and 12S02W15CA03500

J 471820092753

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PERSONAL REPRESENTATIVE'S DEED

William Delbert Gentry, the duly appointed, qualified and acting personal representative of the estate of Betty J. McCown, who acquired title as Betty Jane Mills Gentry, deceased, pursuant to proceedings filed in Circuit Court for Linn County, Oregon, Case No. **20PB02834**, Grantor, conveys to **Resolute Properties, LLC, an Oregon limited liability company**, Grantee, all the estate, right and interest of the above named deceased at the time of the deceased's death, and all the right, title and interest that the above named estate of the deceased by operation of law or otherwise may have acquired afterwards, in and to the following described real property:

> Beginning at the Southwest corner of Lot 19, ARNOLD SUBDIVISION, in the County of Linn and State of Oregon; and running thence Easterly along the South line of said Lot 19 of said subdivision, 119.92 feet to a point; thence North 66 feet to a stake; thence Westerly 90 feet to the County Right-of-way; thence Southwesterly 80 feet to the place of beginning.

The true consideration for this conveyance is 85,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

TICOR TITLE

After recording return to Ticor Title

PERSONAL REPRESENTATIVE'S DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The Estate of Betty J. McCown, who acquired title as Betty Jane Mills Gentry

By: _____ 5/8/2020
William Delbert Gentry, Personal Representative Date

State of Oregon
County of LINN

This instrument was acknowledged before me on 5/8/2020 by William Delbert Gentry, personal representative of The Estate of Betty Jane Mills Gentry AKA Betty Jane Gentry-McCown.

_____
Notary Public - State of Oregon

My Commission Expires: 2-5-2024

OFFICIAL STAMP
CARRIE ANN RUIZ ROYER
NOTARY PUBLIC - OREGON
COMMISSION NO. 996861
MY COMMISSION EXPIRES FEBRUARY 05, 2024

City of Lebanon/Linn County -- Urban Growth Management Agreement

Section 2: Delineation of Authority in the Urban Growth Area (UGA), 2nd paragraph: The Lebanon Comprehensive Plan designates the future city zoning UGA lands will receive upon annexation to the City.

Section 5: Annexations: The UGA identifies land that may be subject to future City annexation. The City may annex land using its own procedures in accordance with state law. Only land within the UGA will be considered for annexation. The City will notify the County of any proposed annexations. Upon annexation, the City assumes all jurisdictions for land use actions.

> **Applicants' Statement:** *The annexation territory is within the City's UGB and is subject to the provisions of the Lebanon/Linn County UGM Agreement. The territory is eligible for annexation in that it is within the UGB and contiguous with the City limits. The applicants have requested annexation through the procedures established by the City through their Annexation Ordinance. The annexation proposal complies with the Lebanon/Linn County Urban Growth Management Agreement.*

Conclusion:

Applicants' Statement: *The evidence submitted demonstrates that the proposed annexation is consistent with the provisions and criteria in the LCP, LDC and the City's Annexation Ordinance and complies with the provisions of the Lebanon/Linn County UGM Agreement. The annexation is orderly in that the property is contiguous with the City limits. It is efficient in that all City services are available to the territory and the territory can be developed with many of the urban uses allowed in the Residential Mixed Density (Z-RM) zone in a manner that is consistent with the City's development standards. It provides for the continued annexation and potential future development of land for residential uses in an appropriate location.*

EXHIBIT "A"

ANNEXATION AREA

THE LAND DESCRIBED IN LINN COUNTY DEED DOCUMENT NO. 2020-08920, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN READS AS IMMMDEDIATELY FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 19, ARNOLD SUBDIVISION, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 19, 119.92 FEET; THENCE LEAVING THE SOUTH LINE OF SAID LOT 19, NORTH 66.00 FEET; THENCE WESTERLY 90.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF STOLTZ HILL ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, SOUTHWESTERLY FOR 80.00 FEET TO THE POINT OF BEGINNING.

WHICH IS MORE ACCURATELY DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 19, ARNOLD SUBDIVISION; THENCE SOUTH 89°50'00" EAST 119.92 FEET; THENCE NORTH 0°11'00" WEST 66.00 FEET; THENCE NORTH 84°35'58" WEST 90.01 FEET; THENCE SOUTH 22°06'00" WEST 80.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED AREA CONTAINS ± 7,369 SQUARE FEET.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

EXPIRES 12-31-2020

Udell Engineering & Land Surveying, LLC
63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

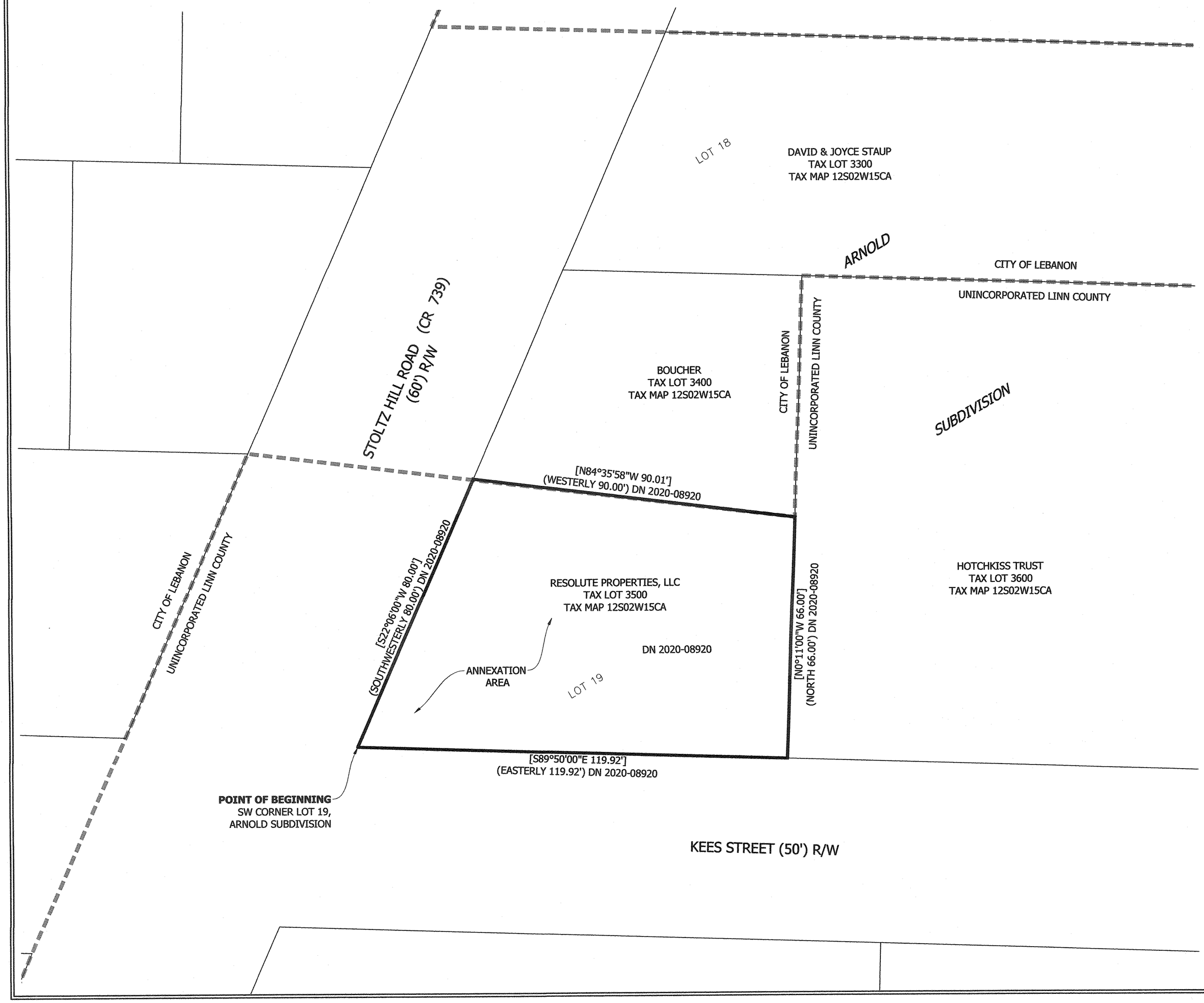
CITY OF LEBANON
ANNEXATION MAP

AT THE REQUEST OF

BRANDON LEMERANDE

LOCATED IN THE SW 1/4, SEC. 15, T. 12 S., R. 02 W., W.M.
LINN COUNTY, OREGON

JULY 15, 2020



LEGEND

( )	RECORD DATA AS NOTED
[ ]	CALCULATED DATA
AC	ACRES
ALUM	ALUMINUM
BLDG	BUILDING
CH	CHAINS
CO.	
C.S.	COUNTY SURVEY
(E)	EXISTING
(P)	PROPOSED
IP	IRON PIPE
IR	IRON ROD
R/W	RIGHT OF WAY
W/	WITH
YPC	YELLOW PLASTIC CAP
- - - -	EXISTING CITY LIMITS

REFERENCES:
LINN CO. DEED RECORD 2020-08920

N

SCALE: 1" = 20'

0' 20' 40'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 12, 2013
KYLE W. LATIMER
#80442

EXPIRES 12-31-2020

SHEET 1 OF 1

Udell
ENGINEERING & LAND
SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OR 97355
PH. (541) 451-5125
FAX (541) 451-1366

20-139 LEMERANDE ANNEXATION

AGENDA ITEM

3.c.

OREGON
Lebanon

THE CITY THAT FRIENDLINESS BUILT

925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Charmain Salvage and Planning Commissioners Date: September 2, 2020

From: Kelly Hart, Community Development Director

Subject: Comprehensive Plan Map Amendment for Property on Stoltz Hill Road near Vaughan Lane (CPMA-20-01)

I. BACKGROUND

The subject property is located on the west side of Stoltz Hill Road, north of Vaughan Lane (12S 02W 21, tax lot 112). The property is currently within County unincorporated area within the City's Urban Growth Boundary. At this time, there is no proposal to annex the property into the City, and there is no proposal to change the current County zoning designations, and no development proposal.

The property is currently designated with two different comprehensive plan land use designations. The northern 16 acres of the property are currently designated in the comprehensive plan as Residential Mixed Density (C-RM). The remaining 55 acres of the property are currently designated as Industrial (C-IND).

The applicant is requesting consideration to amend the Comprehensive Plan Map designation for the southern 55 acres of the property from Industrial to Residential Mixed Density.

II. CURRENT REPORT

SURROUNDING PROPERTIES AND USES: The subject property is located at the western boundary of the City's Urban Growth Boundary (UGB). Access to the site is off Stoltz Hill Road. To the west of the property is farmland located in the County, outside of the City's UGB. To the north include Industrial zoned properties with access off Airport Road. To the northeast are residential properties located in County unincorporated areas within the UGB with a Comprehensive Plan designation of Residential Mixed-Density (C-RM). To the east, across Stoltz Hill Road, are residential uses within the City with the zoning designation of Residential Mixed-Density (Z-RM). To the south of the property are existing residential and farmland uses, within the UGB with a Comprehensive Plan designation of Industrial. If the subject property was to be designated as C-RM, the two properties to the south totaling 10.33 acres would be an island of Industrial designated properties, surrounded by residential properties.

OVERLAY ZONES: The subject property is located in three Overlay Zones as established in Chapter 16.11 of the Development Code.

Riparian and Floodplain Overlay – Oak Creek runs along the northern portion of the subject p\roperty. According to Chapter 16.11 of the Lebanon Development Code (LDC) and the Flood Insurance Rate Maps (FIRM), Oak Creek is identified in the Riparian Protection Overlay Zone and the Floodplain. Although the property contains portions of the area within the Riparian Protection and Floodplain Overlay zones, the land use on the remainder of the property would not be restricted or impacted by the presence of these overlays, when the use is established outside of the overlay zone. As such, the consideration of the action to amend the land use designation would not be directly impacted by the overlay zone.

Airport Overlay – The subject property is largely impacted by the Airport Overlay Zone. The property in its entirety is located within the Airport Safety Zone, which could impact building height construction based on the property terrain. In addition, excluding the western most portion of the property, most of the property is also located in the Airport Approach Surface zone. The airport approach zone restricts development activity, specifically:

- Industrial Operations: Section 16.11.020.F.6 of the LDC states, "No new industrial, mining, or similar uses or expansion of existing industrial uses, shall as part of its regular operations, cause emissions of smoke, dust or steam that could obscure visibility within the Airport Approach Surfaces, except upon demonstration, supported by substantial evidence, that mitigation measures imposed as approval conditions will reduce the potential for safety risk or incompatibility with airport operations to an insignificant level."

  As part of the overlay, any industrial business that proposes to operate on the site would need to meet these conditions outright for the type of operation or provide extensive studies to demonstrate appropriate mitigation. In any instance, the building height, may also be restricted to a maximum of 35-feet, depending on evaluation of the terrain height.

- Residential Uses: Section 16.11.020.F.8 of the LDC provides restrictions on housing densities beyond the outer edges of the Airports Runway Protection Zone. For the subject property, within the approach surface area, and between 1,500 – 3,000 feet from the runway, the maximum residential density that can be built is four units to the acre.

  This restriction is applicable to a large portion of the subject property, along with the height restriction which may limit height to 35-feet based on the property terrain. As such, if the Residential Mixed Density designation is approved for the site, and the property were to be annexed in the future, the majority of the site would not be eligible for a denser housing development such as apartments, and would be largely restricted to the lower density development.

CITY FACILITIES: As part of the evaluation of the proposed Comprehensive Plan designation, an evaluation of the City's facilities, including sewer, water, storm drainage, and transportation, is required.

City Sewer: There is currently no City sewer infrastructure available near the subject property. However, upon completion of the Westside Interceptor project, a 30-inch City sewer main would be installed along Stoltz Hill Road, to the north of the subject property, then divert to the south east through private property down to Vaughan Lane. With the completion of this segment of

the interceptor, City sewer service, with capacity to accommodate industrial or residential development, would be within approximately 500-feet of the subject site, and would be able to be extended to the site by a developer to service the property. The subject property would need to be annexed into the City prior to any connection to the City facilities.

Water: There are currently no City water services available near the subject property. However, as part of the City's Water Master Plan, there is a plan to provide a 3,000-foot extension of the 16-inch water main on Vaughan Road to the west, and connecting to a 3,000-foot, 12-inch water main extension on Stoltz Hill Road. These planned projects would put City water service within direct access of the subject property. In consultation with the City Engineer, a 12-inch line was identified as appropriately sized for either an industrial development, or a residential development.

Storm Drainage: Along Stoltz Hill Road, there is an existing drainage ditch. Upon any development of the property, Industrial or Residential in nature, storm drainage improvements would be required to meet State law.

Transportation System Plan: When the Comprehensive Plan was approved in 2008, the corresponding Transportation System Plan identified a "bypass route" to connect the industrial properties throughout the western side of the City to the designated truck routes, and route the added traffic around the City to alleviate traffic growth impacts on the City's existing system. This bypass route would have connected the subject property to the truck route system and the other industrial properties in the western perimeter of the City. This bypass was also intended to run through the subject property according to the proposed bypass route map (attached) and connect to Vaughan Lane.

In 2018, the City adopted a new updated Transportation System Plan (TSP). This new TSP removed the plans for the bypass as it was deemed too costly and unnecessary to accommodate the traffic patterns for future growth. The result of the removal of the bypass was to cut off the subject property from the rest of the industrial core on the western perimeter of the City, and to restrict access to the Industrial site to Stoltz Hill Road, with no direct access to designated truck routes.

Per the current TSP, the portion of Stoltz Hill Road along the subject property, north to Airport Road is currently "functionally classified" as a collector, with a right-of-way width of 60-feet including a 30-foot paved 2-lane street with shoulders. Stoltz Hill Road has a future functional classification of a minor arterial. Airport Road, one of the primary routes in and out of the City, and to which Stoltz Hill Road connects, is currently classified as a minor arterial. With the current and future classification of Stoltz Hill Road as a Collector and future Minor Arterial, the street is intended to accommodate higher traffic volumes, and would accommodate either industrial of residential development on the site.

With the intersection of Stoltz Hill Road and Airport Road, the intersection is the future site of a traffic signal. However, the intersection would not be modified to be a traditional 90-degree intersection. Stoltz Hill Road is not proposed to be realigned and will meet Airport Road at an irregular angle. This design would not impact residential traffic maneuvers. It has not been

evaluated whether the angle of the intersection would constrict certain industrial traffic maneuvers, and whether this would impact to viability of the site for future industrial uses.

CONVERSION OF LAND DESIGNATION: As part of the Comprehensive Plan, a buildable lands inventory was conducted to identify whether there was sufficient land for each of the different land uses to accommodate the anticipated growth, and the level of deficit or excess of available land based on the designation. Per the evaluation and State Law, buildable land is defined to include vacant, partially vacant or prime for redevelopment lands that are not environmentally constrained. Environmentally constrained lands specifies steep slopes, property within a floodplain, or property containing habitat of an endangered species. It specifically does not include wetlands as part of the definition of constrained.

For Industrial designated properties, the Comprehensive Plan identifies that there is a 572.9-727.6 acre surplus of buildable industrial lands, specifically light industrial land, which is the subject property designation. Since 2004, there have been five land use actions that have converted industrial land to the Mixed-Use land designation (which also allows industrial activities). This has resulted in a reduction of available buildable industrial land by 169.37 acres, which provide a maintained surplus of a minimum of 403.53 acres. If the City were to approve the modification to the designation, an additional 55 acres of Industrial designated land would be removed, still providing a surplus of 348.53 acres for industrial development.

For Residential Mixed-Density, per the 2019 Housing Needs Analysis for the City of Lebanon, 437 acres of buildable land is needed to accommodate the anticipated residential population growth of the City for a 20-year period. The City maintains 735 acres of buildable lands within the existing zoning and comprehensive plan designations. As such, there is an excess of 298 acres of opportunity for residential development. If the City were to approve this conversion of the subject property to residential mixed density, the total excess of buildable land for residential development would increase to 353 acres.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS

Section 16.27.050 of the Lebanon Development Code identifies the criteria in which to consider amendments to the Comprehensive Plan Map.

1. All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning.

   The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. The *applicable* policies in each Chapter are reviewed below:

   a. Chapter 1: Introduction - The introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program

and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. These goals and policies are incorporated in the Development Code criteria to determine the appropriateness of a Plan and/or zone change.

b. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City's natural environment.

RECOMMENDED FINDING: A portion of the subject property along the northern boundary is located within the Riparian Protection Zone and the Floodplain Overlay Zone. In addition, according to the State Wetlands Inventory, the site includes soil types that are prominent in wetlands, indicating wetlands may also be located on the site. However, the majority of the site is located outside of the Riparian Protection and Floodplain zones, leave a large area subject to development. In addition, the prevalence of wetlands on a property does not eliminate development opportunity. The existing of the natural areas and possibilities of wetlands does not establish restriction on the types of land uses that may be developed in the vicinity. As such, the land use designation map amendment does not result in an impact on the natural environment and can be found in compliance with Chapter 2 of the Comprehensive Plan.

c. Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City. Staff finds the following policies apply:

Public Facilities Capability Policies

P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.

P-11: Require that new developments are either served by existing and/or proposed public infrastructure improvements and/or are served by privately funded infrastructure extensions and improvements.

RECOMMENDED FINDING: Within the City's existing facility master plans, there are planned projects to extend the City's sewer and water facilities to the vicinity of the subject site. The City sewer main would include a 30-inch main along Stoltz Hill Road. The City water main would include a 12-inch main along Stoltz Hill Road and a 16-inch main along Vaughan Lane. The City Engineer evaluated the planned facility projects and determined the facilities would be able to accommodate future residential development. Extensions from the City facilities to the subject site would be required to be provided by privately funded infrastructure improvements. Although no annexation or development is proposed as part of the Comprehensive Plan Map amendment, there will be public facilities built in the vicinity to accommodate the capacity associated with a residential development, as such, the Map amendment could be consistent with the Urbanization Chapter of the Comprehensive Plan.

d. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. Staff finds the following policies apply:

General Policies for Land Use

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

P-19: Permit very low-density residential uses where there are significant site development constraints (such as slopes or areas prone to frequent flooding) that preclude achieving conventional targeted densities.

RECOMMENDED FINDING: The review process, evaluation, and determination of compliance with the Comprehensive Plan as part of the review process addresses compliance with Comprehensive Plan policies (P-6). The State effectively acknowledged the Comprehensive Plan, therefore, conformance with these policies assures conformance with state law. Compliance with Statewide Goals will be reviewed in another finding. For the subject property, a large portion of the property is located in the Airport Approach Surface Zone, and is restricted to a lower density development than the conventional target densities. As such, any residential development in the future would comply with (P-19).

e. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both. Staff determined policies in this Chapter did not directly apply to the request as the request would establish a residential land use.

f. Chapter 6: Housing – This Chapter establishes the City's Goals and Policies related to Housing. The Chapter applies, as it concerns residential zoning.

RECOMMENDED FINDING: Staff reviewed the policies and provides the following summation:

9.1 Residential Compatibility – This subsection considers placement of manufactured homes, location of neighborhood commercial uses and allowances for home occupations. The subject policies apply to the development of the site and are not directly related to the Plan map change requests.

9.2 Neighborhood Appearance - This subsection establishes screening policies for above ground utilities, the placement of street trees and fencing/landscaping provisions along collector and arterial streets. These policies apply to site development and do not address the matter of the Plan map change requests.

9.3 <u>Housing Density and Affordability</u> – This subsection allows for the creation of density bonuses, cooperation with various agencies to provide affordable housing, and ensure the Development Code provides the variety and type of housing required to meet the community's needs. These policies apply to site development and do not address the matter of the Plan map change requests.

9.4 Housing and Open Space – This subsection notes adequate open space must be included in multifamily projects. The policy applies to the site development and not to the request.
9.5 Housing and Transportation Connectivity – The subsection includes policies on placement of schools in residential area; sidewalk and ADA requirements; placement of bikeways and pedestrian trails; development of local street standards and emergency vehicle access. These policies apply to specific development requirements and not to the Plan and zone change.
9.6 Housing, Public Utilities and Services – Policies call for adequacy of utilities to serve development and undergrounding of all utilities. Further, street lighting is required, street names should be approved by the Fire District and streets should align. Only Policy P-24 regarding public facility provisions directly applies to the request. As noted, services are available to serve the property.
9.7 Refinement Plans – This subsection allows development of neighborhood refinement plans. This policy section does not apply to the request.

Generally, the policies related to housing are development related and do not directly apply to the request. The City's 2019 Housing Needs Analysis identifies that approximately 1,100 low density residential units are needed for development to accommodate the population growth in the City over the next 20 years. This property, as it would be largely restricted to the low density residential development based on the Airport Approach Surface Overlay would be able to accommodate a portion of the lower density residential development needs, while opening up additional property for a greater mix of densities to support population growth within the UGB beyond the 20 year outlook. Any development that would occur on the property would be required to be consistent with the development code. The Development Code was developed to implement the goals of the Comprehensive Plan, and as such, if the Map amendment is approved, and residential development were to occur on the site, it would be consistent with the Comprehensive Plan.

g. Chapter 7: Community Friendly Development & Preservation of Historic Resources - This Chapter focuses on policies creating a built environment suitable for the needs of a diverse population through a variety of uses scaled for the pedestrian, and capable of accommodating the automobile and mass transit. In addition, the Chapter focuses on historical preservation. The focus on Community Friendly design is associated with infill development, promotion of mixed-use opportunities, and development specific standards. The proposal is not inclusive of a development request, as such the development specific goals and policies to not apply. In addition, there are no historical sites on the property, as such, the historical preservation goals are not applicable.

h. Chapter 8: Transportation – This Chapter addresses the transportation needs of the City with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles and mass transit. Staff finds the following policies apply:

Transportation System Planning Policies

P-12: The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.

RECOMMENDED FINDING: The site fronts an improved "functionally classified" collector street with a future designation of a "minor arterial" street. Given the limited density restrictions of the property based on the Airport Approach Surface Overlay, there are no capacity issues that prohibit site development.

i. Chapter 9: Public Facilities and Service - The City is required by State law to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Goals and policies in this Chapter address those requirements. Staff finds the following policies apply:

General Policies

P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. (*Duplicated in Chapter 3, Urbanization*)

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. (*Duplicated in Chapter 3, Urbanization*)

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before-development proposals, or rezoning applications are approved.

RECOMMENDED FINDING: There are currently no City water or sewer services available to the site. As part of the existing water and sewer facility master plans, there are planned projects to bring City utility services to the vicinity. Specifically, a 30-inch sewer main, the Westside Interceptor, is to be constructed along Stoltz Hill Road, then divert to the southeast to Vaughan Lane. This will provide a City sewer line with capacity to accommodate the anticipated buildout growth in the City/UGB, including the subject property. As the property would largely be restricted to low density residential development due to the Airport Approach Surface Overlay, the anticipated sewer capacity for the site would be less than an Industrial development. For water service, a 12-inch line would be extended 3,000 feet south on Stoltz Hill Road to connect to a 16-inch line that would be extended 3,000 feet west on Vaughan Lane. The City Engineer determined a 12-inch line would be able to accommodate the residential development that may occur on the site in the future, once annexation and development occur. Extensions of the public facilities to the subject site would be required, and would be funded by the private developer. The existing street infrastructure includes a collector road, and

access to a minor arterial at Airport Road. Stoltz Hill Road maintains a 60-foot right-of-way. Upon annexation and development, additional right-of-way may be required to develop the site and accommodate the future classification of a minor arterial. With the planning public facility improvements, the modified land use designation to residential mixed-density would be accommodated by the public facility plans.

j. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map. Specific applicable policies include:

P-1: The City Council may amend the Comprehensive Plan and/or Map after referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.

P-2: Changes to the Plan and/or Map shall be made by ordinance after public hearings as prescribed by state law and local ordinances.

P-3: Changes in the Plan and/or Map shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage shall then become part of the document until the next comprehensive update of the entire Comprehensive Plan.

P-4: An amendment to the Comprehensive Plan and/or Map may be considered when one or more of the following conditions exist:

a. Updated data demonstrates significantly different trends than previous data;
b. New data reflects new or previously undisclosed public needs;
c. New community attitudes represent a significant departure from previous attitudes as reflected by the Planning Commission or City Council;
d. Statutory changes significantly affect the applicability or appropriateness of existing plan policies.

P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all of the following conditions exist:

a. There is a need for the proposed change;
b. The identified need can best be served by granting the change requested;
c. The proposed change complies with the Statewide Planning Goals; and,
d. The proposed change is consistent with all other provisions of the City‘s Comprehensive Plan.

RECOMMENDED FINDING: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The City is obligated to follow these requirements and does so with the public hearing process.

Evidence is clear that the state of Oregon is facing a housing crunch, and the 2019 Housing Needs Analysis identifies that over 1,100 new low-density residential dwellings are needed to accommodate the 20-year population growth projection (P-4). As a large portion of the site would be restricted to a lower density residential development, this would allow for other properties to develop at greater densities, while meeting the development of housing needs for low density housing as identified in the Housing Needs Analysis.

Compliance with the Statewide Goals (P-5.c) is noted as follows:

Goal 1, Citizen Involvement: Public hearings will be held before both the Planning Commission and City Council. This is consistent with City procedures and the intent of the Goal.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.

Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.

Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The site may contain wetlands which may require mitigation measures to allow development. In addition, portions of the site along the northern boundary are located in the Riparian Protection Zone. However, the map changes, by themselves, do not affect these resources.

Goal 6, Air, Water and Land Resource Quality: the map designation would change from an Industrial designation to residential. With the density restrictions on the site associated with the Airport Overlay, there would be less population and less intensity in the use than the previous designation, therefore, there should be no significant impacts on air, water or resource quality than would otherwise occur.

Goal 7, Natural Hazards: A portion of the site is located within the Floodplain zone. However, most of the site is outside the Floodplain and eligible or development. If development were proposed in the floodplain, the applicant would need to proceed with specific development applications and considerations under the Floodplain Ordinance.

Goal 8, Recreational Needs: The proposed map amendments do not create uses which would adversely impact recreational opportunities.

Goal 9, Economic Development: The map amendments will allow a greater variety of uses thereby increasing development potential. Further, the proposed RM zone does not preclude employment-type activities on the site.

Goal 10, Housing: This Goal directly applies, as the map amendments create additional opportunities to meet housing needs of the community. The City has an adopted Comprehensive Plan that projects the housing needs for the City through 2025. In addition, the City commissioned the 2019 Housing Needs Analysis which identified how the City is able to accommodate the projected housing needs over a 20-year period. The Housing Needs Analysis identified that the City had a surplus of land available to accommodate the projected housing needs. Specifically, a total of 2,503 housing units are identified as the housing need within the City's UGB. To accommodate the need, a total of 437 acres of buildable land was needed to accommodate the housing demand. The City identified a total of 735 acres available, as such, there is a surplus of available housing. The inclusion of this property to accommodate the low-density housing demand would allow other properties in the City to accommodate other housing densities. As such, this proposal would comply with Goal 10.

Goal 11, Public Facilities and Services: Previous findings indicate services are available to serve the property and the map amendments will not affect the City's ability to provide necessary public facilities.

Goal 12, Transportation: Previous findings indicate the map amendments will not significantly affect planned transportation improvements.

Goal 13, Energy Conservation: The map amendments are neutral regarding energy conservation.

Goal 14, Urbanization: Previous findings indicate the change will still allow the City to meet housing needs of the community as the proposed RM zone does not preclude single-family development.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

2. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.

   RECOMMENDED FINDING: The property is currently designated as Industrial, and the proposal includes a revised designation to Residential Mixed Density. Based on the

development limitations associated with the Airport Overlay, the housing densities permitted is anticipated to generate less demand on public facilities than an Industrial Use. In addition, with the planned projects to expand the City's public facilities, and the capacity of the facility expansion, the residential land use would be able to be accommodated by the public facilities as evaluated by the City Engineer and discussed in previous findings. In addition, with the functional classification as a collector street and the TSP classification of a minor arterial, Stoltz Hill Road will be able to accommodate the additional traffic associated with any future residential development, as previously discussed in the findings.

3. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is **not** consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, **Table 16.26-1**.) Such an amendment requires a separate application, hearing and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

   RECOMMENDED FINDING: The proposal is to amend the Comprehensive Plan Map Amendment. Once the Comprehensive Plan Map is amendment, the zoning will automatically be designated based on Table 16.26-1 of the Lebanon Development Code. As this is an application for an amendment to the comprehensive plan map, the project complies with this decision criteria as the action is occurring before any proposed zone change.

4. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.

   RECOMMENDED FINDING: Previous findings indicate the proposal may comply with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.

IV. PUBLIC NOTIFICATION AND COMMENTS

A public notification for this project was issued on July 29, 2020 for initial consideration by the Planning Commission on August 19, 2020. At the request of the Applicant, the Planning Commission postponed the hearing to a date certain of September 16, 2020. A revised notice with updated hearing information was circulated to the public. All public comment received on this application will be presented to the Planning Commission at the September 16, 2020 meeting.
a

V. PLANNING COMMISSION RECOMMENDED ACTIONS

1. Evaluate the public testimony and the record established before the Planning Commission

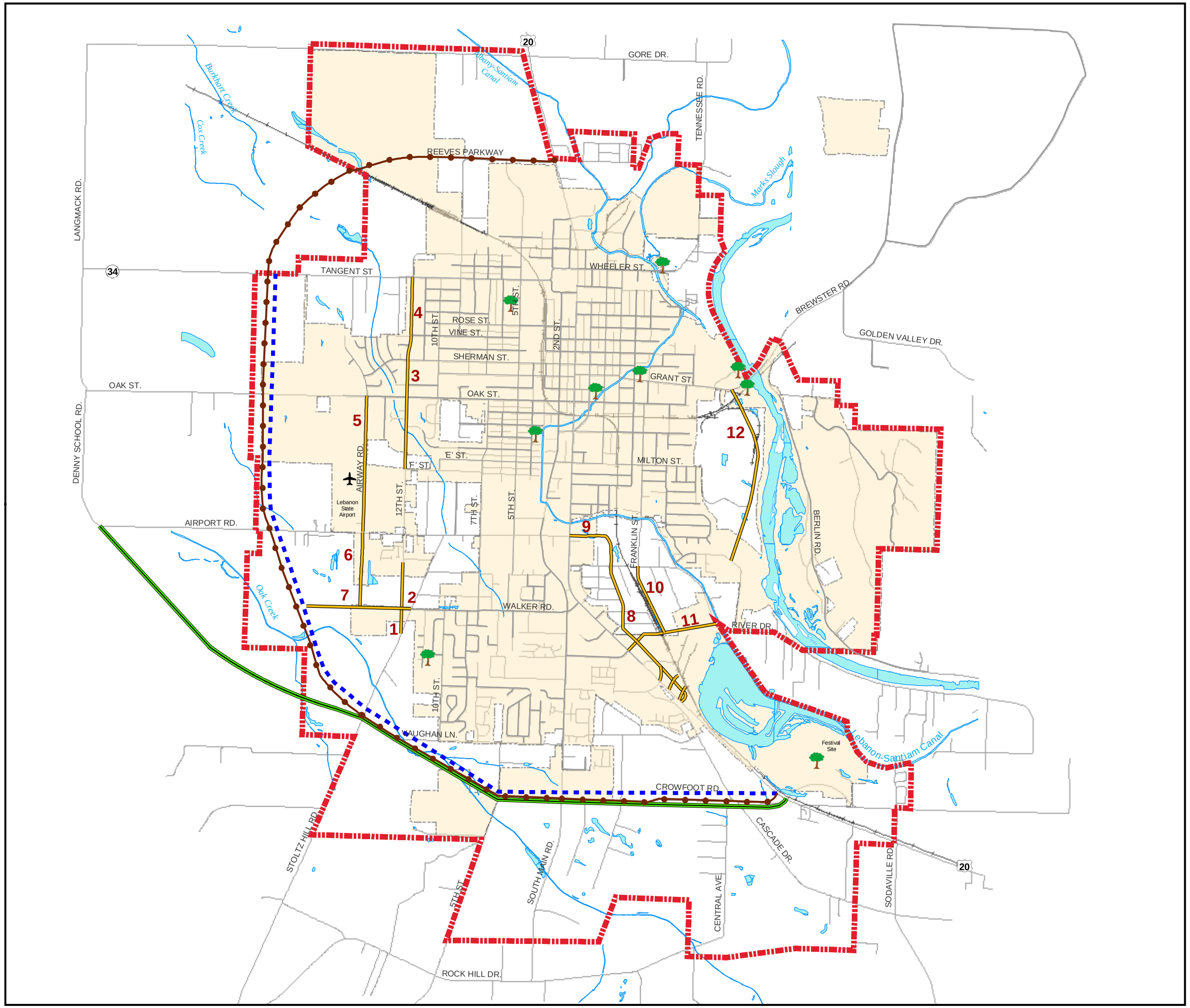
2. Commission options:

    1. Recommend the City Council approve the proposed Comprehensive Plan Map Amendment (CPMA-20-01) to modify the Comprehensive Plan designation from Industrial (C-IND) to Residential Mixed-Density (C-RM); or

    2. Recommend the City Council approve the proposed Comprehensive Plan Map Amendment (CPMA-20-01) to modify the Comprehensive Plan designation from Industrial (C-IND) to Residential Mixed-Density (C-RM), adopting modified findings for the decision criteria and conditions of development; or

    3. Recommend the City Council deny the proposed Comprehensive Plan Map Amendment (CPMA-20-01) to modify the Comprehensive Plan designation from Industrial (C-IND) to Residential Mixed-Density (C-RM), specifying reasons why the proposal fails to comply with the decision criteria; and

    4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



LEGEND

- Alt #1 - Baseline Improvements
- Alt #2 - Reeves Parkway
- Alt #3 - Parkway South of OR 34
- Alt #4 - Denny School Road Extension
- Roads
- Railroad
- Rivers, Creeks, Canals
- Park
- Urban Growth Boundary
- City Limits

ALTERNATIVE 1 Improvements

1: Extend 12th St btwn Airport Rd and Stoltz Hill Rd
2: Extend Walker Rd to new 12th St extension
3: Repave and repair 12th St btwn Vine St and F St
4: Pave 12th St btwn OR 34 and Vine St
5: Widen Airway Rd btwn Oak St and Airport Rd
6: Extend Airway Rd btwn Airport Rd and new Walker Rd extension
7: Extend Walker Rd westward
8: Construct US 20 Frontage Rd on east side btwn Airport Rd and Cascade Dr
9: Extend Airport Rd to Russel Dr
10: Extend Franklin St btwn Russell Dr and Market St extension
11: Extend Market St btwn US 20 and River St
12: Eastside connector between Mountain River and Grant

Note:

Alternatives 2-4 include Alternative 1 improvements. Alignment of proposed improvements is conceptual only. The actual location of the Reeves Parkway will be determined through a refinement study.

0 0.5 1 Miles

Figure 5-1
Transportation System Alternatives
City of Lebanon TSP

CH2MHILL

File Path: \\Rosa\proj\ODOT\179992\GIS\MapDocuments\Future\Fig5_1_2020Alternative1and2.mxd, Date: January 23, 2007 12:24:33 PM

Legend

- Roads

Central and Southern Parkway Scenarios

- Segment 1: OR 34 to Airport Road
- Segment 2: Airport Road to 5th Street
- Segment 3: Crowfoot Rd.

Segment Intersections

- Intersection
- Creek Crossing
- Highways
- Rivers and Streams
- Urban Growth Boundary*
- Tax Lots

* Source: City of Lebanon

Aerial Photo Sources: USGS, 2000-2001; ODOT, 2003

N

0 0.5 1 Miles

Figure 5-2
Recommended Lebanon Parkway Segments
City of Lebanon TSP

CH2MHILL

File Path: \\Rosa\proj\ODOT\179992\GIS\MapDocuments\Future\Fig5_2_RecdPkwySegs.mxd, Date: January 23, 2007 12:27:38 PM

NOTICE OF VIRTUAL PUBLIC HEARING
LEBANON PLANNING COMMISSION

Postponed from the August 19th Meeting

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **September 16, 2020 at 6:00 p.m.** through a virtual (online) meeting to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	CPMA-20-01
Applicant:	Rockhill, LLC
Location:	Stoltz Hill Road
Map & Tax Lot No.:	12S02W21 00112
Request:	Comprehensive Plan Map Amendment
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.27

Request: The applicant is requesting to change the Comprehensive Plan Map Designation on the above mentioned tax lot from Industrial (C-IND) to Residential Mixed Density (C-RM).

Virtual Meeting: Due to the COVID-19 pandemic, the City will be hosting a virtual Planning Commission meeting and will not hold a live meeting at the Santiam Travel Station as authorized under the Governor's Executive Order 20-16 and in compliance with Oregon Public Meeting Laws.

The public is invited to watch the meeting online through the City of Lebanon's YouTube page at https://youtu.be/zIFuqMycYsQ on September 16, 2020. The City of Lebanon thanks you for your support in slowing the spread of COVID-19 by attending this public meeting digitally. The Agenda and application materials will be available for review on the City's website at https://www.ci.lebanon.or.us/meetings seven days prior to the hearing.

Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00pm on Wednesday, September 16, 2020**. Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. For verbal testimony, a recording may be provided to the City, or you may call (541) 258-4252 and leave a voice message. Those wanting to give public comments for the application's public hearing during the electronic meeting should contact Kelly Hart, the Community Development Director, at khart@ci.lebanon.or.us for the Zoom meeting link prior to **5:00 p.m. on September 16, 2020.**

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission

Date: August 11, 2020

From: Kelly Hart, Community Development Director

Subject: Planning File No. CPMA-20-01

I. BACKGROUND

On July 29, 2020, the City issued a public notice for a public hearing before the Planning Commission for consideration of a Comprehensive Plan Map Amendment for the property on the west side of Stoltz Hill Road, north of Vaughan Lane (12S 02W 21, tax lot 00112) to be considered on August 19, 2020. After the public notice was issued, the Applicant, Rockhill, LLC requested the public hearing to be postponed to the September 2020 Planning Commission meeting.

On August 10, 2020, the applicant submitted a written request to the City to postpone the hearing to the September 16, 2020 meeting.

IX. RECOMMENDED ACTION

The Planning Commission continue the public hearing to the regularly scheduled September 16, 2020 Planning Commission meeting.

To Whom it May Concern,

My husband and I have been lifelong residents of Lebanon and have seen much growth over the years. We choose to live in the country for many reasons a few being to enjoy the quiet and the wildlife. We have lived on our property for 41 yrs and in that time the empty fields between 7th St and Stoltz Hill Rd have become populated by many houses, apartments, mobile home parks and duplexes. Walker Rd wasn't even there when we moved in. We are totally against any more development being done in our area. The traffic is already a problem its a main thourghfair for everyone and a racetrack for a few. The wildlife we used to enjoy has disappeared not to mention the noise of constraction. Put yourself in our shoes... our quiet community gone forever. I know we're a small majority some of us were not even notified of this meeting (us in-cluded which was really unfair) but we want our feelings known. Please take them into consideration. No more developement please!

Thank you,
Bret + Patricia Winningham
2887 Stoltz Hill Rd

Stoltz Hill Road Community
50 Acre Zone Amendment

A proposal concerning application for a zoning change was received by my wife and I August 1st 2020.

Planning Case No: CPMA-20-01
Applicant: Rockhill LLC
Map & Tax Lot No: 12S02W21 00112
Request: Comprehensive Plan Map Amendment
Decision Criteria: Lebanon Development Code Chapters: 16.20 & 16.27

This letter is in response to the proposed zone amendment.

The applicant is requesting a change to the Comprehensive Plan Map Designation on the above mentioned tax lot from (C-IND) to Residential Mixed Density (C-RM). To that request, we have a few concerns pertaining to such a change. See page 3 for more detail on those concerns.

I have had the pleasure of talking with a few of my neighbors concerning the proposed zoning change. That being said, their concerns were certainly voiced and in line with ours.

We know that such a change would greatly impact our community. Leaving it Commercial/Industrial may also have adverse effects. The question… How will this zone change affect our community? I have had the pleasure of discussing our concerns with Kelly Hart (Community Development Director) on a couple of occasions. Kelly was quick to remind me that the notice sent out to our community was just a <u>request</u> for application. The applicant is asking to change the Plan Map Designation in order to accommodate the possible construction of residential properties.

Will the present Commercial/Industrial zone designation be a detriment to us? Or, will the change to Residential Mixed Density be of greater detriment. The term… "Second Hand Smoke" comes to mind. When considering such a proposal, we as a rural part of the Lebanon community take this proposal very seriously. Traffic, noise pollution and wildlife are at the top of the list.

Also, I just learned that Rockhill LLC is in preparation of developing 28 acres to the southeast of our home, 2900 Stoltz Hill Road. (Vaughn Lane Stoltz Hill Road) area. And now the application

to see if a zone change can be approved for 70 more acres to the west and southwest of Stoltz Hill Road?

The question comes down to our livability as rural residents! We have come to understand from long term residents, Stoltz Hill Road traffic has already increased exponentially over the years. This we know is due to the continuing growth in population and housing demands. Yet nothing has been done to properly manage the tremendous increase in traffic, so far. And now we are being asked to consider a plan that would inherently bring even more traffic to Stoltz Hill Road! Will other roads be constructed, to relieve the high traffic strain that already plagues us? Is this something that is even part of the planning process?

Construction noise such as heavy equipment, backup alarms and more truck traffic will also affect us. Urban growth is a given… But, what happens to our rural community in the process?

The opposite is to have the area in question remain Commercial/Industrial. Is there something in the plans that we haven't been made aware of? Are there industries interested in moving into that area? If so, who? If not, does it remain farm land? Who are we going to be subject too? Will it be Residential development? Or will it be Commercial Industry?

I said this before… I think having this meeting with the planning commission via zoom, is wrong! We all have a voice! Yet, how many of us are capable of, or willing to meet via an internet conference? Please hold this meeting off until after the COVID 19 lockdown. We need more information and more time to garner a fair answer! We need to meet as a group, in person, so our voices can be heard.

See page 3 for thoughts in order of immediate concerns.

Thank you for taking the time to read and consider the ramifications to a zone modification as we see it.

Rick and Jackie Lord
2900 Stoltz Hill Road
Lebanon, Oregon 97355
503-422-5339
rick@matchlightfilms.com

Concerns

Traffic Impact – Stoltz Hill Road already has traffic issues. Noise and speeding being the biggest! Are there plans to relieve the already busy traffic on Stoltz Hill Road? 45 MPH along Stoltz Hill Road equates to 75 MPH much of the time. With the additional traffic, this will no doubt lead to traffic crashes and possible traffic crash fatalities.

Construction Impact – With construction come construction vehicles such as trucks, earth movers, loaders etc. and of course the constant beeping of backup alarms. This could affect our community for years? No peace and quiet ever! During the dry months there are also the effects of dust and dirt in the air. It is a fact air pollution of that type cannot be mitigated. Are we subject to the wearing of masks forever? The predominate wind here does come from the south.

Wildlife Impact – There is a flood plain/creek south of and adjacent to Stoltz Hill Road. Where does wildlife go to live? Where do they get their water? How does this proposal affect natural habitat? We see deer, Turkey, Nutria, Rabbit and Hawks on our property. All of us do. And we enjoy that aspect of rural living, as well. Will the wildlife leave us?

School Impact – It was told me by a reliable source, Cascade school is already at capacity. Where do the additional students fit into the equation? Would this suggest another school bond for another school? Or would there be an addition to current Cascade school buildings? Who picks up the tab for that?

Water and Sewer – Water and sewer are scheduled for construction on Stoltz Hill Road within the next couple of years. Even though some of us are not annexed, is annexation for us planned to take place? The cost to us could be in the tens of thousands of dollars. In most if not all cases, those who are currently on wells and septic tank systems, could be rendered contaminated and consequently condemned thereby forcing a connect to city services. It's happened before!!! It happened to us, in Portland!

We hope you take seriously our concerns. We value our rural way of life despite the heavy traffic.

NOTICE OF VIRTUAL PUBLIC HEARING
LEBANON PLANNING COMMISSION

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Applicant:	Rockhill, LLC
Location:	Stoltz Hill Road
Map & Tax Lot No.:	12S02W21 00112
Request:	Comprehensive Plan Map Amendment
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.27

Request: The applicant is requesting to change the Comprehensive Plan Map Designation on the above mentioned tax lot from Industrial (C-IND) to Residential Mixed Density (C-RM).

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The public is invited to watch the meeting online through the City of Lebanon's YouTube page at https://www.youtube.com/watch?v=SdTkiK6hebY on August 19, 2020. The City of Lebanon thanks you for your support in slowing the spread of COVID-19 by attending this public meeting digitally. The Agenda and application materials will be available for review on the City's website at https://www.ci.lebanon.or.us/meetings seven days prior to the hearing.

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LAND USE APPLICATION

PROPERTY INFORMATION
Site Address(es): No site address
Assessor's Map & Tax Lot No.(s): 12s-02w-21 / 112
Comprehensive Plan Designation / Zoning Designation: C-Industrial/Mixed density Residential / Linn County UGA-UGM-20
Current Property Use: Vacant, cultivated field
Project Description: Property is currently assigned split Comprehensive Map designations, C-IND and C-RM.
Applicant is seeking to amend Comprehensive Map designation such that entire property is C-RM

APPLICANT / PRIMARY CONTACT INFORMATION	
Applicant: Rockhill LLC	Phone:
Address: 36969 Rock Hill Dr	Email:
City/State/Zip: Lebanon, OR 97355	
I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.	
APPLICANT SIGNATURE Charles D. Lugert	Date: 6/8/2020
PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)	
Owner: Rockhill LLC / 4L VENTURES LLC	Phone: 541-905-6532
Address: 36969 Rock Hill Dr	Email: LATIMERKY@GMAIL.COM
City/State/Zip: Lebanon, OR 97355	
OWNER SIGNATURE Charles D. Lugert / Kyle W. Latimer	Date: 6/8/2020
ADDITIONAL CONTACT INFORMATION	
Engineer / Surveyor:	Phone:
Address:	Email:
City/State/Zip:	

Architect: N/A	Phone:
Address: N/A	Email:
City/State/Zip: N/A	

Other: N/A	Phone:
Address: N/A	Email:
City/State/Zip N/A	

REQUIRED SUBMITTALS

- ☐ Application and Filing Fee
- ☐ Narrative Describing the Proposed Development and addressing the Decision Criteria
  - LDC Article Two Land Uses and Land Use Zones
  - LDC Article Three Development Standards
  - LDC Article Four Review & Decision Requirements
  - LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- ☐ Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
- ☐ Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

***If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.**

	Land Use Review Process	Fee		Land Use Review Process	Fee
	Administrative Review	$450		Planned Development – Preliminary	$2500
	Annexation	$1500		Planned Development – Ministerial	$200
	Code Interpretation	$100		Planned Development – Final (Administrative)	$450
x	Comprehensive Plan Map Amendment	$2000		Planned Development – Final (Quasi-Judicial)	$750
	Comprehensive Plan Text Amendment	$2000		Subdivision Tentative	$2000 + $15/lot
	Conditional Use	$1500		Subdivision Final	$800 + $15/lot
	Historic Preservation Review or Register	Varies		Tree Felling Permit (Steep Slopes only)	$150 + $5/tree
	Land Partition	$450		Urban Growth Boundary Amendment	Actual Costs
	Ministerial Review	$150		Variance (Class 1 – Minor Adjustment)	$150
	Modification of Approved Plan	25% of Application		Variance (Class 2 – Adjustment)	$450
	Non-Conforming Use/Development	$450		Variance (Class 3)	$1000
	Property (Lot) Line Adjustment	$250		Zoning Map Amendment	$1000

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	**File No.:**

NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FORM 1

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing**. (*See* OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **City of Lebanon**

Local file no.: **CPMA-20-01**

Please check the type of change that best describes the proposal:

☐ **Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **UGB amendment** over 100 acres by a metropolitan service district

☐ **Urban reserve designation,** or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB

☐ **Periodic review task** – Task no.:

X **Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title): Tammy Dickey
Phone: 541-258-4254 E-mail: tdickey@ci.lebanon.or.us
Street address: 925 S Main Street City: Lebanon Zip: 97355

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

Request to change the Comprehensive Plan Map designation from Industrial (Z-IND) to Residential Mixed Density (Z-RM).

Date of first evidentiary hearing: **July 15, 2020**
Date of final hearing: **August 12, 2020**

☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

☐ Comprehensive Plan text amendment(s)

☒ Comprehensive Plan map amendment(s) – Change from IND to RM

☐ New or amended land use regulation

Zoning map amendment(s) – Change from

☐ An exception to a statewide planning goal is proposed – goal(s) subject to exception:

☒ Acres affected by map amendment: **55**

Location of property, if applicable (site address and T, R, Sec., TL): **12S2W21 00112**

List affected state or federal agencies, local governments and special districts:

Form updated October 10, 2018

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,[1] proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:
http://www.oregon.gov/LCD/CPU/Pages/Plan-Amendments.aspx

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/CPU/Pages/PAPA-Submittals.aspx.
E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

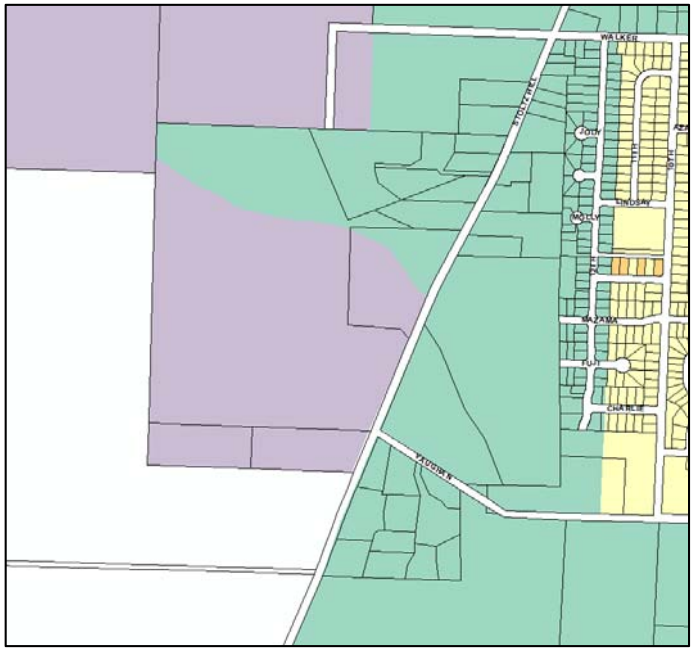
[1] 660-018-0022 provides:
(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

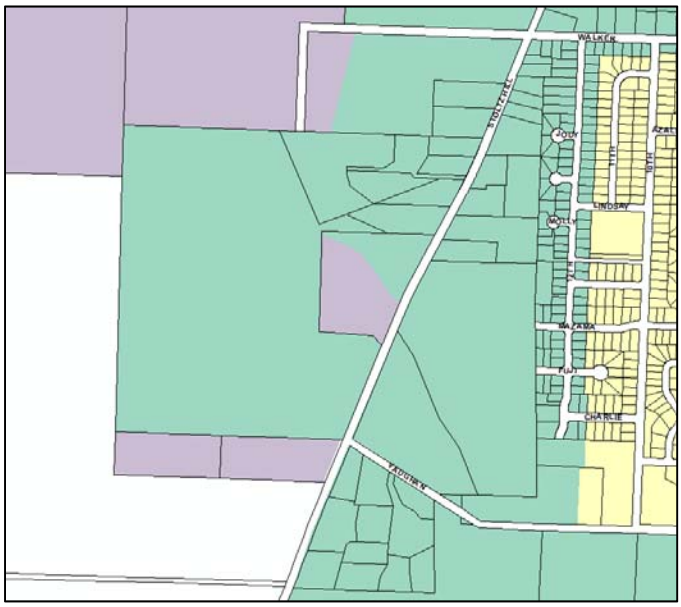
Notice checklist. Include all that apply:

- ☐ Completed Form 1
- ☐ The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- ☐ Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- ☐ A map of the affected area showing existing and proposed plan and zone designations
- ☐ A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- ☐ Any other information necessary to advise DLCD of the effect of the proposal

CURRENT



PROPOSED



Comprehensive Plan Map

Legend

- C-RL : Residential Low Density
- C-RM : Residential Mixed Density
- C-MU : Mixed Use
- C-CM : Commercial
- C-IND : Industrial
- C-PU : Public Use
- Taxlot
- Urban Growth Boundary

City of Lebanon Comprehensive Map Amendment Application

For a portion of:

Linn County tax lot 112 on assessment map 12s02w21

At the request of Rockhill LLC and 4L Ventures LLC

Sheet Index:

Narrative: Pages 2 – 52

Exhibit 1: Current Surrounding Uses

Exhibit 2: Current Zoning

Exhibit 3: Comprehensive Plan Map

Exhibit 4: Comprehensive Plan Map, in detail

Exhibit 5: Comprehensive Plan Map, proposal in detail

Exhibit 6: Property Information

Figure 7: 'Functional Classification', 2018 Transportation System Plan

Exhibit 10-2: 'Recommended Piping Improvements', 2007 Water Master Plan

Table 3-2: 'Comparison of Land Need and Land Supply, Lebanon UGB, 2003-2025'

City of Lebanon Comprehensive Map Amendment Application

For a portion of:

Linn County tax lot 112 on assessment map 12s02w21

At the request of Rockhill LLC and 4L Ventures LLC

(updated 6/23/2020 to address additional information requested by city staff)

Property information:

Owner:	Rockhill LLC
Mailing:	36969 Rock Hill Drive, Lebanon, OR 97355
Owner:	4L Ventures LLC
Mailing:	PO Box 310, Lebanon, OR 97355
Site address:	none assigned (south and west of 3000 Stoltz Hill Rd)
Total Area:	71.17 acres
Tax lot:	112
Tax map:	12s-02w-21
Deed reference:	Parcel 1, Partition Plat no. 2009-23; deed document no. 2020-1988
Current Zoning:	Linn County - Urban Growth Area-Urban Management Area-20 (UGA-UGM-20)(67 ac.)
	Linn County Rural Residential 1 (RR-1) acre minimum (4 acres)
Comprehensive map:	Lebanon – Industrial (IND) (55 acres) **current**
	Lebanon – Mixed Density Residential (RM) (16 acres) **current**
	Lebanon – Mixed Density Residential (71.17 acres) **proposed**

Summary of proposal:

The subject property currently has dual Linn County zoning designations and City of Lebanon Comprehensive Map designations. The entire property is currently within the unincorporated area of Linn County and outside the City of Lebanon limits, but also entirely within the City's urban growth boundary. As noted above, approximately 67 acres are currently zoned UGA-UGM-20 and 4 acres are currently zoned RR-1. This application is not seeking to change that; nor is there a pending application with Linn County to change this. The Comprehensive Map designations for the property are Industrial for the southerly approximately 55 acres, and RM for the northerly approximately 16 acres (see exhibits '3' and '4'). These are the zoning designations that would be assigned by default upon annexation. The applicants are not seeking an annexation here, nor is there a separate pending annexation application for the property with the City of Lebanon. The applicants are currently not seeking any development approval from either Linn County or the City of Lebanon. The applicants are proposing here that the 55 acre portion of the property currently designated as Industrial for future zoning upon annexation, be amended to Residential Mixed Density (see exhibit '5')

16.27.050 DECISION CRITERIA

Criteria #1: All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the 2007 Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning.

Facility Plans

- Transportation System Plan (TSP)

The property currently has 710 feet of public right-of-way frontage along Stoltz Hill Road. Stoltz Hill Road is a 60 foot wide right-of-way, paved 30 foot wide 2-lane with shoulders, 45 miles per hour county road. The City of Lebanon's TSP has currently 'functionally classified' this portion of Stoltz Hill (from subject property north to it's terminus at Airport Road) as a "collector" with a future functional classification as a minor arterial. Please see "figure 7" of the TSP included here. Per page 55 of the TSP, volume 1, *"Minor arterials typically serve higher volumes of traffic at moderate to high speeds, with posted speeds generally no lower than 30 mph."* Airport Road, one of the primary routes in and out of the City, and to which Stoltz Hill Road connects, is currently classified as a minor arterial.

- Water Master Plan (WMP)

The City's WMP includes plans for a 3000' extension of a 16" water main along Vaughan Lane (terminates at Stoltz Hill at the southeast corner of the property) and connecting to a 3000' extension of a 12" water main along Stoltz Hill road from Walker Road to the north. Please see "figure 10-2" included from the WMP.

- Wastewater Collection

Sanitary sewer collection services are currently 1500 to 2000 feet distant from the property and are not adequately sized or deep enough to allow standard gravity-flow extensions to the site. However, the Westside Interceptor line which is currently installed to Oak Street and Airway Road is to eventually be extended along a proposed route along Stoltz Hill to a point approximately 700' distant from the site.

Comprehensive Plan Goals and Policies

Chapter 1: Introduction

General Goals

G-1: Encouraging development in a planned and considered manner consistent with the community's general health, safety and welfare.

- No development is proposed at this time. However, the applicant believes, as discussed

in sections below, that a mixed density residential comprehensive map designation is more consistent with 1) current adjoining uses, 2) traffic patterns in the area, 3) single family dwelling demand in the City of Lebanon

G-2: Achieving an environment that assures each individual the widest possible choices and opportunities for a productive and meaningful lifestyle within the community.

- This proposal is not inconsistent with this goal.

G-3: Preserving those features that are special and unique to the community while also being responsive to changing needs and conditions.

- The applicant believes that this can also be achieved with the proposed residential mixed density designation, just as it can be achieved with the current industrial designation

G-4: Preserving and maintaining areas of the natural environment that are unique to the community's natural setting.

- Natural features such as westerly views of the Coast Range and Peterson Butte, a 5 acres oak grove and Oak Creek along the north boundary would be, the applicant believes, better preserved through a residential use than an industrial use.

G-5: Broadening opportunities for economic expansion and diversification.

- Additional housing supply would most certainly satisfy this goal, especially a mixed density designation which allows flexibility in future development.

G-6: Achieving public interest, access, understanding and support of the planning process and the goals toward which the process is directed.

- This goal has been integrated into the community development procedures currently implemented by the City of Lebanon

G-7: Involving the citizens of the City in all phases of the planning process and to encourage effective neighborhood participation.

- This goal has been integrated into the community development procedures currently implemented by the City of Lebanon

G-8: Working towards maintaining the high quality of air, water, and land, and protecting and preserving those identified significant environmental and ecological resources in the area.

- No development is being proposed at this time, but applicant acknowledges this would be a required consideration in future development applications.

G-9: Encouraging a mix of commercial and industrial development that will provide a sustainable economic base for the City.

- As discussed in "additional notes from the applicant" below, this proposal does not adversely affect the availability of undeveloped industrial zoned property either within the city limits or in the Urban Growth Area (UGA)

G-10: Providing a sound basis for urbanization by providing for appropriate relationships between residential, commercial, industrial, public and open space land uses, and the natural environment.

- This goal would be addressed at time of development. However, the size of the subject property allows for a diverse development density and utilization of open space and natural areas (Oak Creek and 5 acre oak tree grove on the property). Consistency with current adjoining uses is also discussed below in "additional notes by the applicant".

G-11: Encouraging and promoting innovation in development techniques in order to obtain maximum livability and excellence in planning and design for all development and redevelopment projects that respond to the specifics of the site and the need for continued awareness of energy use consequences.

- This goal would be addressed at time of development

G-12: Encouraging regional coordination between the City and adjacent jurisdictions.

- This application will involve Linn County, the immediately adjacent jurisdiction in the notice process. Results of this application govern what can be permitted, if any, while the property is within the unincorporated limits of Linn County

***General Policies* (see response at end of section)**

P-1: The City of Lebanon Comprehensive Plan shall be consistent with the applicable Statewide Planning Goals.

P-2: The Comprehensive Plan is the controlling planning instrument for the City. All other land use, development and management plans shall be in conformance with the Comprehensive Plan. All local ordinances shall be in conformance with the City's Comprehensive Plan.

P-3: Planning and development actions within the City's Urban Growth Boundary shall comply with the City's Comprehensive Plan.

P-4: The Planning Commission and/or City Council may initiate a formal review and update of the Comprehensive Plan, including the factual data base and all implementing ordinances, periodically or when circumstance indicate the need for an update.

P-5: The City shall conduct a periodic evaluation and review of development activity, an inventory of buildable lands, and an analysis of all types of land requirements in accordance with, but not limited to, Oregon Revised Statutes.

P-6: The City shall follow relevant policies when amending the Comprehensive Plan or developing other plans or ordinances that affect land use, such as public facility plans, zoning, and development standards

P-7: In the absence of specific implementing rules (e.g. development code measures), the policies of the Comprehensive Plan shall direct development.

P-8: The adopted Comprehensive Plan Map, Comprehensive Plan, and implementing ordinances shall be reviewed periodically and may be revised and amended as needed to reflect changing needs and conditions within the planning area, as well as to address deficiencies in any needed land use zone.

P-9: All proposed revisions or amendments to the adopted policies shall be reviewed at public hearings before final action.

P-10: Only those statements that are listed in the section entitled "Goals" in Part Two at the end of each Chapter of this Comprehensive Plan shall have the status of being the official Goals of the City in relation to the subject matter of that chapter.

P-11: Only those statements that are listed in the section entitled "Policies" in Part Two at the end of each Chapter of this Comprehensive Plan shall have the status of being the official Policies of the City in relation to the subject matter of that chapter.

P-12: Only those statements that are listed in the section entitled "Recommendations" in Part Two at the end of each Chapter of this Comprehensive Plan shall have the status of being the official Recommendations of the City in relation to the subject matter of that chapter.

P-13: If, in particular situations, it may appear that some of the City's Comprehensive Plan goals and/or policies are in conflict with one another (e.g., protecting environmental quality, and encouraging industrial development), the City shall interpret and apply those goals and policies in a manner that is consistent and objective.

P-14: The City shall consistently use the following terminology throughout this Comprehensive Plan:

- ***May -- The word "may," as used in Findings, Goals, Recommendations or Policies, is advisory, and is used to highlight permissible alternatives.***
- ***Should -- The word "should," as used in Recommendation statements is advisory.***
- ***Shall -- The word "shall," as used in the Policy statements, is mandatory.***
- ***Will -- The word "will" may be used as an equivalent of "shall."***

Citizen Involvement Policies

P-15: An active and ongoing citizen involvement program shall be maintained by the City to ensure that all citizens have an opportunity to be informed and involved in the planning process.

P-16: The City's Planning Commission serves as the Community's official Committee for Citizen Involvement. The Planning Commission shall be governed by the Lebanon Municipal Code (LMC) Chapter 2.24 "Planning Commission", the provisions of which will be consistent with and implement the appropriate directives of this Comprehensive Plan. The advertising, interviewing, and selection procedures shall be conducted according to the provisions of LMC 2.24 so as to provide a diversity of occupational backgrounds and places of residence in the composition of the Commission. Thus, the Planning Commission members are selected through an open, well-publicized public process.

P-17: The Planning Commission shall conduct open public meetings throughout the planning process. The City shall advertise meetings through the media, at City facilities, and in other ways to provide opportunities for all interested groups and individuals to participate in all stages of the planning process.

P-18: The City shall inform citizens concerning land use and planning activities in a number of ways, including but not limited to:

P-18.1: providing agendas upon request and making them available for public review;

P-18.2: providing a copy of staff reports used in land use hearings upon request and making such staff reports available for public review or purchase;

P-18.3: making copies of technical studies and other information used in the decision making process available for public review or purchase;

P-18.4: making any of the above information available prior to scheduled meetings and, when possible, provide information electronically upon request;

P-18.5: making the official minutes of the Planning Commission and City Council available for public review or purchase.

P-19: In order to facilitate effective citizen participation in the planning process, the City shall listen to, review, and consider citizens' input in the decision making processes related to planning and land use, including policy decisions.

P-20: The Planning Commission and City Council shall include in its findings on land use actions a provision that addresses all relevant and pertinent testimony, written and/or verbal, that has been given regarding any given land use action, although such a finding need not reiterate the details of such testimony.

P-21: The City shall provide citizens who provided relevant and pertinent testimony in land use hearings, and those who submitted relevant and pertinent written testimony, a copy of the letter of final decisions.

P-22: The Letters of decision sent to all citizens who provided relevant and pertinent testimony in a public hearing, and those who submitted written testimony, on a land use action shall contain a summary of the decision and the findings of the decision making body.

P-23: Letters of decision shall contain provisions explaining the appeal process for those citizens with standing who may disagree with the decision regarding a land use action.

P-24: The City shall provide citizens and community groups with a variety of opportunities to have clear and direct access to the planning process in order to support citizen involvement in all aspects of community planning.

P-25: The City shall provide adequate support and resources for the Planning Commission to fulfill its role as the Community's official Committee for Citizen Involvement.

P-26: The City shall encourage the formation of neighborhood groups that could serve as a basis for enhanced citizen participation.

- The above policies 'P-1' through 'P-26 relate primarily to internal City procedures and definitions of Comprehensive Plan. This application is not inconsistent with these policies and applicant acknowledges that proper notice and decision making procedures are to be followed throughout.

Chapter 2: Natural Environment

Natural Resource Goals

The City's Natural Resource Goals include the following **(see response below section)**

G-1: Taking into account the cumulative waste and process discharges from proposed future

development, when combined with such discharges from existing developments, so that new development will not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards.

G-2: Taking into account the cumulative waste and process discharges from proposed future development, when combined with such discharges from existing developments so that new development, with respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, will not: (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

G-3: Maintaining and promoting a safe, healthful, and attractive environment for the citizens of the City.

G-4: Recognizing the opportunities and constraints posed by the natural environment; to protect the unique resources of the area; and to ensure that future development will not result in adverse impacts on the natural environment.

G-5: Complying with the provisions of a Statewide Planning Goal 5 pertaining to natural resources.

G-6: Inventorying the UGB to identify areas with significant wildlife habitat value; periodically update the inventory.

G-7: Developing and implementing regulations for riparian zones and flood plains that minimize or prevent loss of riparian vegetation and conflicting development.

G-8: Managing the identified open space, wildlife habitat, and ecological/scientific areas in order to preserve their unique qualities.

G-9: Preserving natural resource areas through such provisions as public acquisition or conservation easements.

G-10: Protecting sensitive environmental features such as steep slopes, wetlands, and riparian lands.

G-11: Protecting the Santiam River and its banks as a vital open space, fish and wildlife habitat and recreation resource of the community.

G-12: Securing and maintaining public access to rivers and stream areas when possible.

G-13: Establishing and maintaining a system of parks and open space in the City along the Santiam River to balance the needs of residence and the habitat and migratory needs of fish and wildlife.

G-14: Working with federal, state, and county agencies to establish nature trails and river access.

G-15: Requiring and assuring that the City's development review and approval process address state and federal erosion control standards.

G-16: Working with Linn County and appropriate state agencies to establish best management practices that minimize the introduction of pollutants into ground and surface water.

G-17: Developing and implementing improved stormwater management requirements to enhance water quality.

G-18: Creating Special Planning overlay zones for natural areas of community importance that assure environmentally friendly development and redevelopment by requiring project proposals to demonstrate that plans are able to successfully coordinate with the City's special studies that pertain to such areas relating to transportation, recreation, riparian protection, habitat management, and so on.

- Natural resource goals 'G-1' through 'G-18' can all be met by a mixed density residential designation, just as they can be met through an industrial designation. It could be argued that natural resource areas, open space and recreational developments in and through these areas (such as the trail proposed along the north side of the property as proposed in the City of Lebanon 2009 Trails Strategic Plan), would be a more beneficial use within a residential community than as an accessory to a primarily industrial use.

Natural Resource Policies

- The Natural Resource Polices 'P-1' through 'P-24' below are to be addressed at time of development and current City, State and Federal codes and their review processes currently take these policies into account when a proposed land use is introduced.

The City shall:

P-1: Take into consideration the cumulative waste and process discharges from proposed future development, when combined with such discharges from existing developments, so that new development will not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards.

P-2: Take into consideration cumulative waste and process discharges from proposed future development, when combined with such discharges from existing developments so that new development, with respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, will not: (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

P-3: Require that waste and process discharges from future development (when combined with discharges from existing development) not violate, or threaten to violate, state or federal environmental quality statutes.

P-4: Require that waste and process discharges from future development (when combined with discharges from existing development) not exceed the carrying capacity, degrade, or threaten the availability of air, water, and land resources.

P-5: Protect fish and wildlife habitat along stream corridors by managing the riparian habitat and controlling erosion, and by requiring that areas of standing trees and natural vegetation along natural drainage courses and waterways be maintained to the maximum extent possible.

P-6: Use designated greenways along select water courses to protect natural vegetation and water resource values and provide public pedestrian/bicycle access where physically practical.

P-7: Protect designated riparian areas in the UGB through the implementation and enforcement of the Riparian Protection Zone (Lebanon Municipal Code chapter

17.27).

P-8: Restrict development of land that requires channelization, excessive removal of stream side vegetation, alteration of stream banks and filling of stream channels.

P-9: Protect in-channel vegetation (i.e., the bank vegetation between the water's edge and the topographic break at the level of the surrounding terrain) through the implementation of existing development standards and the City's project review procedures.

P-10: Protect natural ponds, sloughs, wetlands, rivers, and streams (including intermittent ones) to maintain existing surface water drainage patterns and to maintain the water quality benefits derived from such natural water bodies.

P-11: Encourage proper care and maintenance of trees by providing educational materials to property owners concerning tree health and maintenance.

P-12: Require, where practical, the use of open, naturally vegetated drainage ways to reduce stormwater runoff and improve water quality.

P-13: Require that development on slopes in excess of 15 percent maintain the maximum vegetative cover per the City's development code to protect soils and mitigate erosion and land-slippage problems.

P-14: Require that development proposals on slopes greater than 15 percent and less than 30 percent submit engineering investigations of the site for project review to ensure that environmental problems that result from development can be successfully mitigated.

P-15: Restrict development on steep-slope areas exceeding 30 percent. Limited development may be allowed when it can be shown through a detailed site specific study that environmental problems that result from development can be successfully mitigated.

P-16: Promote slope and soil stability and the use of natural drainage ways in areas with landslide potential by retaining existing vegetation in those areas to the greatest extent possible.

P-17: Enforce the provisions of the Uniform Building Code to safeguard life, limb, property, and the public welfare when reviewing development projects on sites considered to have steep slopes or geologic hazards or other environmental limitations

P-18: Require that development proposals recognize the value of existing on-site mature vegetation and preserve these resources to the maximum extent practical.

P-19: Preserve significant areas of natural vegetation to the maximum extent possible through the planning review process.

P-20: Require that development proposals in areas identified as posing a geologic hazard, such as land slippage, poor drainage, ponding and high water table submit engineering investigations of the site.

P-21: Establish special development standards and/or Special Planning overlay zones for areas with unique natural features and opportunities for environmentally friendly development or redevelopment to assure that development and redevelopment proposals demonstrate that plans are able to successfully coordinate with the City's special studies that pertain to such areas relating to transportation, recreation, riparian protection, habitat management, and so on. Such areas may include the Santiam Special Planning Area, the Cheadle Lake Area, and Ridgeway Butte.

P-22: Notify applicable state and federal natural resource protection agencies of development

proposals potentially impacting endangered or listed plant and animal species.

P-23: Require compliance with all applicable federal, state, and county air quality protection requirements.

P-24: Require that development proposals with significant noise generating elements demonstrate compliance with City noise standards.

Natural Hazard Goals

The City's Natural Hazard Goals include the following:

- Goals 1 -10 of this section pertain to City of Lebanon plans and procedures for Natural Hazards. This proposal is not inconsistent with these goals.

G-1: Developing and coordinating a comprehensive all-hazard emergency management program and procedures in concert with Linn County Emergency Management, Oregon's Office of Consolidated Emergency Management (OCEM) [formerly OEM], neighboring jurisdictions, Federal Emergency Management Agency (FEMA), and other government agencies and organizations, as per the provisions of the community's current Basic Emergency Management Plan.

G-2: Encouraging projects that will protect, maintain, enhance, and restore the natural functions and values of stream corridors. This includes maintenance of water quality, storm runoff and flood water conveyance, wildlife habitat, open space, recreation, and aesthetic values.

G-3: Managing land within the River's 100-year flood plain to achieve compliance with floodplain development standards.

G-4: Working with other jurisdictions to coordinate efforts related to watershed planning to mitigate the impacts of flooding.

G-5: Updating the City's flood hazard maps with new information on flood hazard boundaries provided by the Army Corps of Engineers, FEMA, the State, county, and other agencies.

G-6: Providing current earthquake information and Oregon Structural Specialty Code seismic requirements to developers and other interested citizens.

G-7: Working with other jurisdictions to coordinate efforts related to mapping and planning for Wildfire Hazard zones (i.e., geographic areas that have a combination of hazard factors that result in a significant hazard of catastrophic fire over relatively long periods of each year).

G-8: Maintaining a map of constrained lands within the City and UGB that generally identifies lands with known physical limitations and hazards.

G-9: Encouraging a hazards public information program, and develop and/or supply information brochures on comprehensive hazard preparedness to residents, schools, and civic groups and make information publicly available.

G-10: Integrating earthquake safety planning into all City operations.

Natural Hazard Policies

The City shall:

P-1: Develop and maintain an all hazard emergency management program to effectively deal with natural disasters.

- Policies 1-3 pertain to internal City operating procedures

P-2: Develop and implement City/Community Emergency Management Program and periodic Emergency Coordination Center (ECC) training and exercises as per the provisions of the community's Basic Emergency Management Plan.

P-3: Participate in the Oregon Emergency Response System (OERS).

P-4: Include evacuation and recovery plans for use during all applicable disasters, such as floods or earthquakes, in the Lebanon Emergency Management Plan and Program.

- Policy to be addressed at time of development

P-5: Require compliance with all Oregon Building and Fire Codes and, when applicable, with the guidelines and requirements in Oregon Revised Statutes relating to Wildfire Hazard Zones.

- Policy is not pertinent to this specific application. No development is proposed

P-6: Require that development within identified flood zone areas conform to the standards of the Federal Emergency Management Agency's National Flood Insurance Program.

- Policy is not pertinent to this specific application, no development is proposed

P-7: Require that if development is proposed on land designated as flood plain, development standards will be implemented consistent with the Federal Emergency Management Agency (FEMA) regulations to minimize impacts on the flood flows and flood levels to allow for construction of safe structures that comply with FEMA and state standards for areas that are affected by flooding.

- Policy is not pertinent to this specific application. No development is proposed

P-8: Regulate development within floodways according to applicable Municipal, County, State, and Federal requirements so as to not significantly alter the patterns of flood water flows.

- Policy is not pertinent to this specific application. No floodway designation on the property.

P-9: Continue participation in the Federal Emergency Management Agency (FEMA) National Flood Insurance Program in order to help make the community a safer place to live and to lower residents' insurance premiums.

- Policy is not pertinent to this specific application

P-10: Regulate development in flood-prone areas of the community to mitigate the problem of flooding and to prevent an increased flood hazard in other areas.

- Policy is not pertinent to this specific application

P-11: When possible, continue acquiring open space areas and access easements along the Santiam River and on Oak and Burkhart Creek drainage ways as both a part of the City's flood mitigation efforts and Open Space program

- This goal can be achieved by a future residential development of the area, and the northern portion of the property along Oak Creek is already assigned a residential use on the comprehensive map

P-12: Work to facilitate solutions to flooding problems in existing neighborhoods.

- Policy would be addressed at time of development

P-13: Require that development on slopes in excess of 15 percent maintain the maximum vegetative cover to protect soils and prevent land-slippage problems.

- Policy is not pertinent to this specific application

P-14: Restrict or prohibit development on steep-slope areas exceeding 30 percent, unless it can be shown through a detailed site specific study that environmental problems or significant adverse impacts that result from development can be successfully mitigated. The capacity for development is restricted by the degree to which the significant impacts can be mitigated.

- Policy is not pertinent to this specific application

P-15: Use DOGAMI research results, and relevant information available from other agencies, to review the City's Emergency Management Plan as necessary to mitigate loss of life, personal injury, and property damage in the event of earthquakes.

- Should development be proposed, a minor arterial runs into and out of city along the east side of the property and a collector road leads to the southwest quadrant of the city. The applicant believes this criteria applies in much the same manner whether it is industrial or residential use

P-16: Assess seismic damage potential to City sewer and water systems, bridges, and other City facilities, and develop a mitigation plan

- Policy is not pertinent to this specific application

P-17: Require that developments not be located in known areas of natural hazards without appropriate safeguards.

- Policy is not pertinent to this specific application

Chapter 3: Urbanization

Overall Urbanization Goals

The overall Urbanization Goals of the City include:

G-1: Providing for an orderly and efficient transition from rural to urban land use.

- The property is located along the western UGA boundary and is currently adjoined by 'rural' residential use properties. Further development of most properties along Stoltz Hill will occur slowly over time as residential infill, as they are already occupied by dwellings. Additionally, there are a limited number of vacant properties eligible for residential development in the subject's area.

G-2: Promoting and implementing development policies that encourage the orderly and efficient development within the community.

- Most of the residential development over the last decade has occurred in the southeast

and northwest quadrants of the City. Providing residential development opportunity in the southwest quadrant provides a more balanced population distribution and is consistent with current uses in the area.

G-3: Ensuring that the overall Comprehensive Plan, and its goals, policies and recommendations help conserve energy.

- The proposal is not inconsistent with this goal

G-4: Expanding the City limits as necessary to accommodate development, including housing, commercial, industrial, services, and so on, that will in turn accommodate population growth.

- The proposal does not include a request to annex. However, it is contiguous with the current city limits and eligible for annexation of the territory at the time that an addition to the city limits is deemed appropriate to accommodate population growth.

Urbanization Policies

Urban Growth Boundary (UGB) Policies

The City Shall:

P-1: Use property lines, when available and appropriate, to delineate the Urban Growth Boundary (UGB) unless physical features require deviation from this practice.

- Policy is not pertinent to this specific application.

P-2: Comply with Statewide Planning Goals pertaining to boundary amendments for any changes in the Urban Growth Boundary (UGB).

- Policy is not pertinent to this specific application.

Public Facilities Capability Policies

The City shall:

P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.

- Policies 3 – 12 apply to the city's review of specific development proposals and how they conform with the facility plans. No development is being proposed here, however, the theoretical residential use and demand of public facilities compared to the theoretical industrial use and demand are discussed in greater detail elsewhere in the narrative.

P-4: Maintain directives and technical standards for the extension of services as identified in the various original or updated infrastructure master plans and studies, such as the Wastewater Facility Study Master Plan, the Water Facility Study, Storm Drainage Master Plan, and the Transportation System Plan (TSP).

P-5: Maintain and routinely update Capital Improvements plans. Often the plans are revised, updated, and implemented according to a five year plan beginning with the current budget year. The regularly updated plans may include Transportation, Water, Wastewater, Storm Drainage, and Facilities & Parks projects.

P-6: Utilize fees such as water, sewer, and other City utility connection and service user fees to provide the financial means to maintain and/or extend public facility systems to meet projected needs.

P-7: Use System Development Charges (SDCs) to provide the financial means to extend public facility systems to meet projected needs.

P-8: Define Capital Improvements Projects as City initiated and funded City infrastructure extensions and enhancements, and/or improvements to facilities.

P-9: Maintain a long-range financial Capital Improvement Projects Program to provide for the systematic expansion of needed community facilities, utilities, infrastructure, and services in an efficient and timely manner.

P-10: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.

P-11: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements.

P-12: Pursue, for public infrastructure development and community enhancement, a variety of funding sources, including urban renewal districts (URDs), local improvement districts (LIDs), grants, and other funding mechanisms.

Flexible Growth Program Policies

<u>The City Shall</u>:

P-13: Recognize and act on the basis that all lands included within the Urban Growth Boundary are suitable for urban development except for those areas with identified environmental constraints. Nevertheless, those areas with environmental constraints may be utilized as functional wetlands, parks, open space and related uses.

- Policy is not pertinent to this specific application.

P-14: Implement and administer land development policies and requirements that are both orderly and efficient, as well as flexible so as to be responsive to site specific conditions and circumstances.

- Policy is not pertinent to this specific application.

Urban Growth Management Agreement (UGMA) Policies

<u>The City Shall</u>:

P-15: Jointly manage, with the County, all planning activities and land use developments within the Lebanon Urban Growth Area (UGA) under the procedures set forth in the City of Lebanon/Linn County Urban Growth Management Agreement (UGMA).

- Policy is not pertinent to this specific application as no development is being proposed

P-16: Recognize and act on the basis that this Comprehensive Plan and its related facility plans and Municipal Code acts as the governing documents for planning actions and

land use decisions within the City's Urban Growth Area (UGA).

- Policies 16 – 18 pertain to how the City of Lebanon and Linn County interact with respect to development of land within the UGA. As no development is proposed here, these policies are not specifically pertinent to this application

P-17: Recognize and act on the basis that the policies, directives, and requirements of the City of Lebanon and Linn County, as well as the Urban Growth Management Agreement (UGMA) between the City and County, ensure an orderly and efficient transition from rural to urban land uses within the Urban Growth Area (UGA) by limiting land development activity and build out density until such lands are annexed and served by City-provided infrastructure and utility services (and other available urban services), and have access to the diversity of land development opportunities available by City zoning assignment.

P-18: Recognize and act on the basis that the City/County Urban Growth Management Agreement (UGMA) provides the foundation for the long term efficient urban development of land in the Urban Growth Area (UGA). To help assure that interim County administered rural development in the Urban Growth Area (UGA) does not preclude or interfere with City Comprehensive Plan and Map designated ultimate urban development potential, such interim development will occur at the constrained densities permitted by County rural development standards. Both the City/County UGMA and the Linn County zoning ordinance provide the implementing procedures to assure this efficient development of urban lands.

Annexation Policies

- Polices 'P-19' through 'P-29' do not pertain to this specific application.

<u>The City Shall</u>:

P-19: Recognize and act on the basis that all annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement (UGMA), and shall be consistent with applicable State law.

P-20: Recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.

P-21: Recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary (UGB) with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)

P-22: Only annex land that is contiguous to the existing City limits and is within the City's Urban Growth Boundary (UGB).

P-23: Deem an annexation orderly if the annexation territory is contiguous to the existing City Limits, and deem an annexation efficient if the annexation territory can be developed or redeveloped to an urban use (urban uses may include functional wetlands, parks, open space and related uses).

P-24: Recognize and act on the basis that development proposals are NOT REQUIRED for annexation requests.

P-25: Consider as part of the annexation process of developed property or properties, the <u>anticipated demands</u> to access key City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

P-26: Consider as part of the annexation process of developed property or properties, the <u>impacts on the capacities</u> of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.

P-27: Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).

Delayed Annexation Policies

P-28: Recognize and act on the basis that the process of delayed annexations (Section 7 of the City of Lebanon and Linn County Urban Growth Management Agreement, UGMA) is a separate annexation process that is NOT to be confused with the standard process of annexation discussed in Section 5 of the UGMA and detailed throughout this Comprehensive Plan Chapter (excluding subsection 6.3, and Polices P-28 and P-29).

P-29: Recognize and act on the basis that the process of delayed annexations will conform to the requirements established in Section 7 of the City of Lebanon and Linn County Urban Growth Management Agreement (UGMA).

Additional Considerations for Conversion of Urbanizable Land to Urban Uses:

P-30: Manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the market place, through implementation of land use regulations and land use policies.

- As further discussed later in the narrative, the reassignment of this 55 acre industrial area to mixed density residential, does not adversely impact the availability of industrial land. There is a surplus of similarly typed property currently slated for industrial uses, much of which is closer to the industrial "core" of the city.

P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

- No development is proposed here, however as this relates to the specifics of this proposal, the economical infill opportunities for residential growth are limited and the City is beginning to see more demand for development on its UGA fringes

Energy Goal

G-1: Supporting and encouraging the realization in the community of the objectives of Statewide Planning Goal 13.

- Goal is not pertinent to this specific application.

Energy Policies

- The policies 'P-1' through 'P-8' below are not pertinent to this specific application.

<u>The City Shall</u>:

P-1: Support and encourage energy conservation and efficiency programs including:

- ***a. Utilization of alternative energy sources, such as solar energy.***
- ***b. Energy efficient solar orientation and site development standards.***
- ***c. Compact site development standards and alternative development patterns such as cluster housing and zero lot line development.***
- ***d. Energy impact statements (studies) for all major developments.***

P-2: Support the provision and development of alternative modes of transportation to the automobile, including the development of mass transit and the provision of walkways and bikeways to reduce transportation costs.

P-3: Support insulation and weatherization of existing homes and encourage energy conservation measures in new construction.

P-4: Encourage the location of housing, shopping, and employment uses in proximity to each other to reduce travel distances to goods and services.

P-5: Help provide alternatives to physical commuting to work by encouraging opportunities for work-at-home and telecommuting.

P-6: Develop a schedule of building permit fee reductions applicable to development projects that implement energy efficient design and construction techniques.

P-7: Promote energy efficiency in public buildings.

P-8: Pursue energy efficient planning in City facilities and operations in such areas as:

- ***a. Construction of new City buildings and upgrades of existing facilities;***
- ***b. Purchase of new City vehicles;***
- ***c. The purchases and installation of new operating systems and/or upgrades of existing systems.P-10: Protect natural ponds, sloughs, wetlands, rivers, and streams (including intermittent ones) to maintain existing surface water drainage patterns and to maintain the water quality benefits derived from such natural water bodies.***

Chapter 4: Land Use

Land Use Goals

The City's Land Use Goals include:

- Goals 1 - 4 pertain to specifics of development proposals, which does not apply here

G-1: Maintaining a land use planning process and policy framework for all decisions and actions related to land use that (1) assure an adequate factual base for such decisions and actions, and (2) are open to citizen participation as set forth by the Statewide Planning Goals.

G-2: Promoting the orderly development and conservation of lands for urban uses, such as homes, businesses, industries, and streets, as well as parks, open space, and wetlands.

G-3: Encouraging land developments that utilize innovative design and technology, energy conservation, and the protection and conservation of cultural and natural resources. Examples of innovative residential developments include: common wall or "zero lot line" dwellings (e.g., row houses and townhouses), dwellings designed and sited to utilize solar energy, and planned developments that provide for variety in housing types and uses.

G-4: Promoting and encouraging planned development methods for special lands that display the following characteristics: property of large sizes or those that are well situated in relation to the street and traffic circulation network; properties that have natural features that limit development potential; and properties that involve significant natural or cultural resources, particularly active or passive recreational opportunities.

General Policies for Land Use

The City shall:

- Policies 1 – 33 pertain to internal planning and operating procedures of the City

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-2: Recognize that technical studies (e.g., for parks, roadways, transportation system plans, neighborhood refinement plans, schools,) that periodically supplement or compliment the Comprehensive Plan are intended to provide conceptual guidance. Site specific details are determined during the development review process.

P-3: Periodically, and as needed, project economic and population growth for a 20-year planning period and update public facilities and service plans to accommodate existing and anticipated public needs resulting from economic and population growth.

P-4: Implement the Comprehensive Plan through zoning and development ordinances, capital improvement programming, and other appropriate measures and/or programs.

P-5: To the extent possible, require that the boundaries of land use classifications, as shown on the Zoning Map, generally follow street and alley lines, lot lines, railroad right-of-way, or significant natural features (rivers, creeks, ridge lines, foot of slopes, benches, etc.). In the event that a public street or alley is officially vacated, the regulations

applicable to the adjoining property to which it reverts shall apply.

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

- This is the specific nature of the applicant's request. This narrative as a whole intends to satisfy this policy.

P-7: Require that land development proposals be consistent with the City's Comprehensive Plan, Development Code, Municipal Code, Facility Plans, and all adopted standards and enforcement codes of the City. The burden of proof regarding demonstration of compliance with the applicable standards, plans and codes lies with the applicant.

P-8: Reserve the right to impose off-site public improvement requirements necessitated by serving a proposed development. Each development shall provide for all on-site needs. In areas with identified deficient conditions that represent a constraint in a public facility and thereby limiting the provision or delivery of those public services, the City may require the rectification of this facility constraint. Such mitigation measures may include the construction, reconstruction, and/or over-sizing of public improvements.

P-9: Require that land partitioning and subdivision be planned to facilitate the efficient extension of public facilities and services and accommodate land development at planned urban densities.

P-10: Maintain development standards that recognize and respect the character of established areas.

P-11: Continue to cooperate with federal, state, regional, and county agencies, special districts, utility companies, and adjoining cities in planning delivery of services, including transportation, solid waste, air quality control, sewer, water, stormwater, education, energy, and emergency services.

P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

P-13: Implement Planned Development land use review procedures for projects involving large development areas and representing potentially conflicting impacts with existing uses.

P-14: Require the underground location of electric power, telephone, and cable distribution and service lines in new residential developments.

P-15: Require when possible the underground location of electric power, telephone, and cable distribution and service lines commercial developments.

P-16: Require that the creation of new flag lots demonstrate that: (a) all provisions of the Fire Code have been met; <u>and</u>, (b) any additional requirements deemed necessary by the Fire Marshal have been met for signage, the safe access of emergency personnel, vehicles and associated equipment, and provisions for readily accessible and appropriate fire flows.

P-17: Acknowledge that projections of future land needs are estimates and periodically require adjustment to reflect actual land development activity.

Policies for Residential Uses

<u>The City shall</u>:

P-18: Require that all new subdivisions be provided with street lighting, water, City sewer and

storm drains, paved streets, curbs, sidewalks and gutters, in advance of or in conjunction with new housing. Installation of all the above facilities shall be a condition of subdivision approval and at the expense of the developer. Street light fixtures shall be shielded to direct light downwards or in such a manner that it does not shine on surrounding properties.

P-19: Permit very low-density residential uses where there are significant site development constraints (such as slopes or areas prone to frequent flooding) that preclude achieving conventional targeted densities.

P-20: Permit and encourage compact residential development to provide more efficient land utilization and to reduce the cost of housing, public facilities and services. The City encourages this type of development by offering incentives such as density or open space bonuses.

P-21: Require that new residential districts be designed in ways that discourage impacts from heavy through traffic, conflicting land uses, or other encroachments that would impair a safe, quiet living environment.

P-22: Allow single-family residential development throughout all residential zones.

P-23: Allow Neighborhood Commercial areas in all residential zones along designated arterials and collectors.

P-24: Allow home occupations, with appropriate restrictions, in all residential zones.

P-25: Periodically review residential zoning regulations to ensure that they are flexible in allowing a mix of uses that support the business, employment and service needs of local residents.

Policies For Commercial Uses

<u>The City shall</u>:

P-26: <u>NOT</u> allow Highway Commercial development with direct access to U.S. Highway 20 (Santiam Highway) south of the intersection of Cascade Drive/Weldwood Drive and U.S. Highway 20 (Santiam Highway).

P-27: Allow future commercial and mixed use centers within the Mixed Density Residential Zone based upon an approved development plan in conformance with the Planned Development standards and procedures of the Zoning Ordinance, provided access is from a designated highway or arterial and urban services are available.

P-28: Allow Neighborhood Convenience Centers that serve the shopping needs of a neighborhood within the Mixed Density Residential Zone in accordance with the standards and procedures of the Zoning Ordinance provided urban services are available. Preferred locations shall be corner sites adjacent to an arterial or collector street. The development of such sites will be evaluated as a conditionally permitted use following the development procedures of the Mixed Density Residential Zone.

P-29: Allow limited industrial uses in commercial zones, including wholesaling, warehousing, material supply, limited fabrication and assembly, provided such activities are conducted primarily within an enclosed building.

P-30: Support retail, commercial, and residential development as well as restoration activities

within the existing Central Business Commercial district (downtown) in order to create a more vital neighborhood atmosphere and to enhance the significant historic and economic value of the downtown area.

P-31: Encourage residential uses in upper floors (not ground level) in downtown buildings.

P-32: Require that upon development of property in a commercial or industrial zone that abuts a residential zone, the developer must provide an effective buffer to be used to minimize or mitigate the negative impacts to the abutting residential property.

P-33: Allow multi-family housing in commercial zones as a subordinate use to ground level commercial uses in order to bring life to business districts, to provide housing near job centers, to provide activity in areas that would otherwise be vacant during off-hours, and to provide ease of access to services for the elderly and other residents who are unable to drive.

Policies for Industrial Uses

The City shall:

P-34: Designate industrial areas with adequate infrastructure improvements to serve new industrial development and actively encourage industry to locate in these designated areas.

- The argument is made elsewhere in this narrative that there is sufficient industrial classified land with equal or better access to adequate infrastructure than the subject property.

P-35: Encourage industries that are compatible with City's livability and that minimally disrupt residential adjacent areas due to excessive traffic, noise, pollution, or other impacts that would impair the livability of the community.

- The applicant believes that a residential classification of the subject property would be more consistent with the surrounding existing residential uses. Though livability concerns could theoretically be addressed at time of industrial development, the applicant believes that the potential traffic, noise, pollution and other industrial impacts would be better suited for the vacant industrial areas north of the site.

P-36: Require that all industrial development strictly comply with the environmental quality standards of the State of Oregon, including all applicable standards and regulations of the Oregon State Board of Health, the Oregon Department of Environmental Quality and any other public agency having regulatory jurisdiction.

- This policy pertains to the specifics of development proposals

P-37: Maintain a supply of diverse, serviceable industrial lands that provide choices in the marketplace to attract desirable industries, particularly light manufacturing and nonpolluting industries, in support of the City's economic development program.

- The argument is made elsewhere in this narrative that there is sufficient industrial classified land with equal or better access to adequate infrastructure than the subject property.

P-38: Preserve, in cooperation with the County, vacant and undeveloped designated industrial

lands in the Urban Growth Area (UGA) for future industrial and accessory support uses.

- The argument is made elsewhere in this narrative that there is sufficient industrial classified land with equal or better access to adequate infrastructure than the subject property.

P-39: Require that review criteria for industrial development proposals include adequacy of site size for the proposed use, the practical utilization of the natural features of the site, relationship to the City's transportation and utility systems, relationship to other land uses and adequacy of landscaping proposals for the proposed use.

- This policy pertains to the specifics of development proposals

Policies for Mixed Use – Policies 40 – 46 do not apply here

<u>The City shall</u>:

P-40: Encourage a mix of commercial and residential uses within individual buildings, lots, and neighborhoods, in order to promote a compact, pedestrian friendly environment. Industrial uses should be allowed to mix with residential and commercial uses where there are limited potentials for nuisance or jeopardy to the public health, safety, and welfare.

P-41: Allow appropriate areas to be designated for Neighborhood Mixed Use. Such a classification is intended as primarily residential, with flexibility to allow neighborhood commercial services. Such areas are intended to be a transition between commercial and residential areas where mixing of single and multiple family dwellings and neighborhood-scale commercial activities can occur.

Policies for Public Use and Open Areas

<u>The City shall</u>:

P-42: Require through the zoning and subdivision review and approval procedures that recreational lands and open space areas be integrated into development proposals, especially multi-family developments, to enhance the urban environment.

P-43: Encourage preservation of natural features and vegetation as open space through the zoning and subdivision review and approval procedures.

P-44: Acknowledge during the site review and approval process that portions of some sites may be constrained (e.g., flood-prone areas, drainage courses and steep slopes greater than 30 percent) and thus unable to support the development of structures. These constrained areas may be maintained in their current status as open areas and thereby enhance the urban environment.

P-45: Support and encourage the management of the City's waterways and drainage courses as community greenways preserving and enhancing (policy decision) their vegetation and drainage function while creating a system of natural corridors throughout the community.

P-46: Ensure that landscaping is included as an integral part of site and street developments

(on both public and private streets) through zoning standards, review criteria and approval procedures.

Chapter 5: Economy

Goals

The City's Economic Goals include the following:

G-1: Providing employment opportunities for its citizens.

- This application is not inconsistent with the broad goals listed here as items 1 – 12. This section is viewed more as guidance in a holistic approach for the city to consider, rather than specific criteria for individual applications

G-2: Providing a viable tax base for the community in order to pay for essential community services.

G-3: Encouraging a diversified economic base for the community which broadens and improves long-term employment opportunities in all sectors, including, retail, service, and industrial.

G-4: Providing the opportunity for a full range of commercial, cultural, recreational, educational, health services, and other professional services to meet the needs of the City's residents and visitors.

G-5: Supporting the establishment of new employment and the expansion of existing employment to strengthen the City's economic base in order to provide adequate employment opportunities and maintain community livability.

G-6: Seeking balanced, concurrent growth in the commercial, industrial and residential sectors that are within the carrying capacity of community resources.

G-7: Diversifying the economic base of the community through: (a) expansion of existing industries, (b) recruitment of new clean industries, and (c) expansion of the light manufacturing.

G-8: Taking into consideration availability of renewable and non-renewable resources, the availability of land, and pollution control requirements when planning for the economic growth of the community.

G-9: Ensuring an adequate supply of appropriately zoned land to provide for the full range of economic development opportunities in City, including commercial, professional, and industrial development.

G-10: Reviewing and updating periodically the Comprehensive Plan goals, policies and land use map to ensure that enough land is designated in each land use classification to meet anticipated needs.

G-11: Reviewing and amending the City Comprehensive Plan Map designations periodically to maintain an adequate supply of vacant industrial and commercial designated lands in locations that will achieve balanced and sustainable development patterns and provide choices in site features and locations for new development.

- The applicant demonstrates elsewhere in the narrative that the currently vacant industrial-use surplus property located primarily north of the subject and on the west side of the city provide balanced and sustainable choices in site features for new industrial development.

G-12: Developing an industrial siting and permitting process that shortens and streamlines, as well as enhances the certainty of the outcome to industrial development opportunities and plan submittals.

- This goal pertains to City operating procedures

G-13: Participating, to the extent possible, in State or privately sponsored programs to "certify" or otherwise make the City's industrial sites "shovel ready."

- The applicant is unaware of any program for creating "shovel ready" industrial land

G-14: Promoting infill development and redevelopment throughout the City.

- As this property is currently vacant, this criteria does not apply.

G-15: Designating industrial areas where there is good access to transportation facilities and utility facilities are available.

- This point is one of the applicant's primary arguments; that there is inadequate transportation and utility facilities to classify this property as better suited for industrial opposed to the proposed residential land use classification; this is discussed in more detail in sections below.

G-16: Supporting an infrastructure improvement program for designated industrial lands in order to have a sufficient supply of "development ready" land.

- The applicant is unaware of any 'infrastructure improvement program" for supplying "development ready" industrial land

G-17: Planning for the anticipated employment growth through the year 2025 and all of the land and services needs required by such growth, as well as employment and associated needs generated by any additional major industrial or commercial growth, as indicated in the 2004 Lebanon Urbanization Study (ECONorthwest).

G-18: Improving community appearance and establishing attractive gateways into the City and visually appealing highway corridors.

- Policy does not specifically apply to this application.

G-19: Supporting major community events that have the potential for significant positive economic and social impacts.

- Policy does not specifically apply to this application.

Policies

<u>The City shall</u>:

P-1: Monitor changes in demographic information to assure that the type, quantity, and location of services, facilities, vacant lands, and housing remain adequate to meet changing needs.

- Policies 1 - 8 do not specifically apply to this application.

P-2: Include an analysis of the implications of the most current US Census information for

the City in each update of the Comprehensive Plan.

P-3: Require plans for vehicular, pedestrian and bicycle needs, for all commercial and industrial development proposals.

P-4: Encourage, as part of the development review process, commercial developments to provide the opportunity for shared public transportation access and shared parking where feasible.

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

P-6: Allow home business occupations within residential districts to accommodate the needs of those engaged in small business ventures, subject to operating standards and procedures that ensure compatibility with the surrounding residential neighborhood.

P-7: Allow land uses that support the availability of a continuum of health care options, including primary care, assisted living, home health care, and nursing home care.

P-8: Support diversity in type, scale, and location of professional, industrial, and commercial activities to maintain a high level of employment and to promote diversification of the local economy.

P-9: Preserve and protect lands designated for industrial use from incompatible uses by limiting uses on or near sites zoned for specific industrial to those which are compatible with industrial uses.

- The applicant believes that a residential mixed density comprehensive map designation is more compatible with currently occupied residential uses on 3/4 of its perimeter.

P-10: Establish prescriptive industrial development standards to reduce conflicts with non-industrial uses and provide developers with clear and objective requirements and timelines.

- Policies 10-15 do not specifically apply to this application.

P-11: Establish an industrial development/construction process that clarifies and objectifies site restraints and opportunities as well as providing certainty to the building permit process.

- Policies 11 - 24 do not specifically apply to this application.

P-12: Facilitate cooperation, to the extent possible, with an approved industrial site certification process by means of annexations, infrastructure planning, construction and site development/construction planning and standards.

P-13: Encourage neighborhood commercial development with restricted vehicular access points from arterials and State highways.

P-14: Locate future neighborhood commercial development at intersections of arterials or collectors.

P-15: Support the urban redevelopment of rural industrial lands in the City's Urban Growth Boundary (UGB) along the Santiam River to efficient and orderly urban uses.

P-16: Take into consideration availability of renewable and non-renewable resources, the availability of land, and pollution control requirements when planning for the

economic growth of the community.

P-17: Require that waste and process discharges from future development (when combined with discharges from existing development) not violate, or threaten to violate, state or federal environmental quality statutes.

P-18: Require that waste and process discharges from future development (when combined with discharges from existing development) not exceed the carrying capacity, degrade, or threaten the availability of air, water, and land resources.

P-19: Encourage the development or expansion of industries in the vicinity of the Airport that are compatible with airport operations and consistent with the requirements of airport related planning rules and the Airport Facility Plan.

P-20: Support public improvements in the downtown that improve pedestrian accessibility and connectivity, public parking and transit opportunities, to promote a business and shopping environment that is safe and user-friendly.

P-21: Encourage offices, housing, and other non-storefront type of uses to occupy the upper floors of buildings in the downtown area in compliance with applicable building code standards.

P-22: Encourage mixed-use development in downtown by removing regulatory impediments that prevent commercial uses from being combined with other uses such as hotels, residential units, or even light industrial, manufacturing and assembly operations.

P-23: Encourage a mix of office, commercial uses, residential uses, and retail shopping within buildings or development sites in the downtown core.

P-24: As available funding permits, implement the Downtown Lebanon Transportation Enhancements Plan and subsequent refinements.

P-25: Maintain a current information file on the community including an inventory of available industrial sites for potential developers, utilizing the resources of state of Oregon agencies.

- If this is on file, it would need to be updated to reflect the change in land use classification

P-26: Plan for at least 3,700 new jobs by the year 2025 and all of the land and services needs required by such growth, as well as employment and associated needs generated by any additional major industrial or commercial growth, as indicated in the 2004 Lebanon Urbanization Study (ECONorthwest).

P-27: Plan for the projected population of the year 2025.

- The applicant believes this is better addressed with additional residential lands opposed to maintaining the industrial land surplus as documented in the 2004 Lebanon Urbanization Study

P-28: Establish an industrial land use and building permit process that reasonably assures "readiness to build" in 180 days or less.

- Policy does not specifically apply to this application.

Chapter 6: Housing

Housing Goals

The City's Housing Goals include:

G-1: Providing housing policies and practices that increase housing opportunities for all citizens.

- This proposal is consistent with this goal, as a mixed density residential comprehensive map designation would increase housing development opportunity

G-2: Encouraging the availability of adequate numbers of needed housing units at price ranges and rent levels that are commensurate with the financial capabilities of community households, and to allow flexibility of housing location, type and density.

- The applicant believes that this is best achieved with a mixed density residential land use classification. As the name states, it accommodates a wider variety of housing types than the low density zone.

G-3: Encouraging the establishment of neighborhood groups in order to give citizens within a neighborhood more identity with that particular neighborhood, and as a way of enhancing citizen participation in the land use process, as per Statewide Planning Goal One.

- This goal does not specifically apply to this proposal

G-4: Providing for connectivity in new developments and to promote efforts to extend trails, pedestrian ways, and bikeways through existing residential areas.

- The proposal does not include existing residential areas, however, in the future it would serve as an orderly expansion of the residential southwest quadrant of the City and also the expansion any trails or multi-use paths that are connected in the area.

G-5: Cooperating with builders, developers, and others involved in the provision of housing in creating a positive image of the City as a desirable place to live, work, and do business.

- No development proposal is being petitioned for here, however, this would add to the potential residential land inventory and may serve as a balance to the high density housing supply that has most recently been the focus of development activity in the city.

G-6: Preserving the historical and architectural integrity of established residential neighborhoods by requiring complementary design of in-fill development.

- This goal does not apply to this proposal

Housing Policies

The City Shall:

Residential Compatibility

P-1: Allow manufactured housing, subject to state building code requirements and City placement requirements, in all residential zones, while maintaining historical and architectural conformity with the established historic neighborhoods.

- Policies 1- 28 are addressed at time of development, which is not being proposed here. The City of Lebanon development code governs these policies.

P-2: Require, where allowed by state rules governing manufactured dwellings, special siting standards on such housing located on individual lots in areas already developed with conventional housing to assure their compatibility with existing neighborhoods housing design, style, and materials.

P-3: Allow the location of neighborhood commercial shopping areas within Residential Mixed Density zones and require development standards for such development that reflect the residential area.

P-4: Allow home occupations as a permissible use within residential areas, provided that the use does not compromise the primary residential use and character of the neighborhood.

Neighborhood Appearance

P-5: Require that above-ground public and private utility substations be screened and designed to blend with the character of the residential area in which they are located.

P-6: Require, where practical, that all new developments include street trees along the front of the property line or in a beauty strip. All such trees shall be consistent with the City's Street Tree Plan.

P-7: Require that walls and fences along arterial or collector streets be subject to special design standards. The fence or wall, and the area between the fence or wall and the curb or pavement, shall be landscaped and maintained by abutting property owner(s) or homeowners association.

Housing Density and Affordability

P-8: Allow density bonuses (e.g., an increase in the number of permitted dwelling units vis-à- vis the minimum site area requirements) in development of a subdivision, planned unit development, or multifamily housing project for such uses and natural conditions as:

- ***a. areas dedicated for public park use or public open space;***
- ***b. areas developed for active recreational uses such as golf courses, tennis courts, swimming pools, and similar uses;***
- ***c. land in excess of 30 percent slope that is not developed;***
- ***d. natural wetlands and riparian areas that remain in a natural condition.***

P-9: Allow density bonuses (e.g., an increase in the number of permitted dwelling units vis-à- vis the minimum site area requirements) for the provision of affordable housing within a development.

P-10: Cooperate with public and non-profit organizations that provide affordable housing within the urban area.

P-11: Periodically review Zoning Ordinance and other land use regulations to assure that barriers do not inhibit the building of the variety of types and densities of housing that is affordable for all segments of Lebanon's residents.

Housing and Open Space

P-12: Require that in multifamily developments, a portion of the land not covered by buildings and parking is of adequate size and shape and in the proper location to be functional for outdoor recreation and relaxation. The standards are also intended to ensure that project open space is an integral part of the overall development design, not merely leftover space. Certain types of open space use will qualify for special open space bonuses. For larger developments there should be a variety of open space activity areas.

Housing and Transportation Connectivity

P-13: Allow the location of schools and parks throughout the residential sections of the community.

P-14: Require sidewalks in all new residential developments. Alternative systems of walkways and trails that provide adequate pedestrian circulation may be considered.

P-15: Encourage efforts to complete or connect existing walks along routes to schools, parks, or commercial areas.

P-16: Ensure that sidewalks or alternative pedestrian systems in all new r esidential development meet ADA accessibility standards and requirements.

P-17: Promote efforts to retrofit existing sidewalk facilities for ADA accessibility in residential areas.

P-18: Consider bikeways as both a circulation and recreation element, and require adequate facilities for these purposes in all new residential development.

P-19: Require, where not constrained by topographical considerations (e.g., slopes, waterways, existing development), the extension of trails, pedestrian ways, and bikeways through new residential areas.

P-20: Require that residential block length conform to the standards in the Lebanon Subdivision Ordinance and the City's Transportation System Plan.

P-21: Require the development of residential local streets whenever practicable to increase connectivity within and between neighborhoods.

P-22: Allow the use of cul-de-sac and "hammer-head" residential streets where existing development, steep slopes, open space, or natural features prevent connections, or when the objectives of connectivity are met within the neighborhood.

P-23: Require provisions for the access of emergency vehicles and equipment for all new residential development and those issues shall be considered during the residential development review process.

Housing, Public Utilities and Services

P-24: Require for all new residential areas the provision of adequate water and sanitary services and other facilities necessary for safe, healthful urban living consistent with

the density of development.

P-25: Require the underground location of electric power, telephone, and cable TV distribution and service in new developments.

P-26: Require the provision of street lighting in all new subdivisions at the time of development.

Street light fixtures shall be shielded to direct light down.

P-27: Require that all proposed street names first be reviewed by the City and Fire District before being submitted for approval to the County.

P-28: Require that where possible, new streets line up with and adopt the names of existing streets.

Refinement Plans

P-29: Allow and encourage neighborhoods to develop refinement plans (neighborhood plans) that could guide the future development and redevelopment within the neighborhoods.Housing Variety, Type, Density, and Location Amenities

- This policy does not apply here

P-30: Ensure that the Comprehensive Plan Map provides opportunities for a variety of housing types, densities and locations within the Urban Growth Boundary area including both the area inside the City limits and the Urban Growth Area.

- Considering the options of low, mixed or high density zoning classifications, mixed density offers options in housing types and densities that is also consistent with current uses and land use classifications in the immediate area.

P-31: Ensure that the Zoning Map or Land Use Map, any special zoning overlay maps and the Development Code provide opportunities for a variety of housing types, densities and locations within the City Limits.

- This policy does not apply here

P-32: Recognize condominium ownership, manufactured housing, and attached single-family homes as legitimate and affordable housing alternatives, and permit their development within the City.

- This policy does not apply here

P-33: Encourage the provision of housing for all people, regardless of age, race, color, religion, sex, national origin, or handicap status, and take special measures to insure that no group or class of people is excluded from the community.

- The applicant believes that policies 33 – 40 are best addressed by assigning a mixed density residential comprehensive map designation, over other potential residential zones, as it allows for flexibility in density and housing types. This policy would not apply to the currently assigned industrial classification.

P-34: Assure an adequate supply of developable land within the City appropriate for a variety of needed housing types, at different price levels, in order to meet the 20-year population projections, and to provide adequate choices in the housing marketplace for the City's residents.

P-35: Assure an adequate supply within the Urban Growth Boundary of developable land for all types of housing to meet the 20-year population projections.

P-36: Maintain an adequate availability of residential, buildable lands that provide locational choices for each housing type.

P-37: Allow and encourage a variety of housing types to accommodate the demands of the local housing market.

P-38: Plan for at least the number and type of new housing units by the year 2025 and all of the land and services needs required by such growth, as indicated in the 2004 Lebanon Urbanization Study (ECONorthwest).

P-39: Supportively respond to and satisfy local land use needs should the marketplace indicate that there is a greater demand to create housing opportunities for City residents than anticipated in the ECONorthwest 2004 Lebanon Urbanization Study.

P-40: Plan for choices in the housing marketplace and variety in housing types, density and affordability for the projected population of the year 2025.

P-41: Periodically review ordinances for applicability to the current trends in the housing market to insure the new concepts in housing are not restricted unduly by regulations.

- Policies 41-45 apply to the specifics of development, only

P-42: In order to assure choices of housing types and costs, provide the opportunity to develop detached and attached single-family units, duplexes, garden apartments, town houses, multiplex units and boarding houses, lodging or rooming houses, and manufactured housing.

P-43: Consider flexibility in lot design, size, and building placement to promote housing variety and protection of natural resources.

P-44: Allow accessory dwelling units, subject to City development and building regulations, in all residential zones.

P-45: Encourage use of energy efficient building materials and practices in the design, construction, and remodeling of housing.

Housing and Ordinances & Standards

P-46: Adopt standards for zone changes and subdivision plat reviews that are clear, non-arbitrary, and objective.

- This policy does not apply here

P-47: Periodically review standards to determine whether they are vague, discretionary, or subjective and take necessary action to make these standards clear and objective.

- This policy does not apply here

P-48: Review the land development and permit issuance processes to make it as efficient and effective as possible.

- This policy does not apply here

P-49: <u>Not</u> impose special conditions on residential development that would discourage provision of needed housing types through unreasonable cost demands or processing

delays.

- This policy does not apply here

P-50: Maintain Zoning Ordinance provisions and locational criteria that provide for a mix of housing types and densities within the community.

- This policy does not apply here

P-51: Encourage innovative design and planning concepts to reduce the cost of housing and services through the "Planned Development" zoning regulations that could allow an increase in density if the project demonstrated improved livability.

- This policy does not apply here

Miscellaneous

P-52: Develop manufactured housing placement standards, consistent with State law, that maximizes design and construction standards that are in harmony with existing neighborhood character and/or type or intensity of uses.

- This policy does not apply here

P-53: Require that all in-fill housing in established neighborhoods meet minimum design criteria for architectural features in order to be a complementary-built feature in the neighborhood

- This policy does not apply here

HOUSING RECOMMENDATIONS

<u>The City should</u>:

Housing and Public Facilities

- Recommendations 1 – 5 do not apply here

R-1: Permit the annexation of built-up residential areas adjacent to the City that are in need of public facilities, services, and utilities to prevent potential health and safety hazards to residents.

Housing Rehabilitation

R-2: Pursue methods of improving the quality of any deteriorated housing stock, particularly in older residential neighborhoods, in order to upgrade the total housing stock.

R-3: Encourage the flexible and creative re-use and/or reconfiguration of existing older housing units (e.g., conversion of duplexes or triplexes into single ownership units) to increase the supply of affordable housing units in the community.

Housing Advocacy and Intergovernmental Cooperation

R-4: Take the initiative in presenting local needs to higher governmental levels.

R-5: Work in cooperation with regional housing agencies and organizations to

establish efficient regional and local housing strategies.

Chapter 7: Community Friendly Development

Community Friendly Development Goals

The City's Community Friendly Development Goals include:

G-1: Encouraging development patterns that make efficient use of land and energy resources, provide a variety of housing choices, and create multiple transportation options.

- Goals 1 -12 apply only at time of specific development proposals

G-2: Supporting infill development and other development options on large or underutilized residential or commercial lots guided by clear and objective neighborhood compatibility standards.

G-3: Encouraging policies and ordinances that lead to well designed, aesthetically pleasing neighborhoods that foster a sense of community and personal interaction.

G-4: Encouraging neighborhoods and other areas of the City to develop refinement plans.

G-5: Developing streets whose purpose is not solely to move automobiles safely and efficiently, but also to create a pedestrian and bicycle friendly environment.

G-6: Developing sidewalks, crosswalks, and multi-use paths that not only meet ADA standards, but also enhance a pedestrian and bicycle friendly environment throughout the community.

G-7: Developing specific parking regulations for downtown, pedestrian oriented zone, and other special commercial areas.

G-8: Promoting denser development in select locations in order to realize potential savings on infrastructure provision and maintenance.

G-9: Providing density bonuses for developers who incorporate specific design amenities into their developments.

G-10: Allowing appropriately scaled neighborhood commercial centers, subject to provisions of the Zoning Ordinance, in residential zones in order to: (1) provide ease of access to basic daily household needs, to eliminate unnecessary automobile trips, and to provide convenient centers for neighborhood social interaction; and, (2) within the Mixed Density Residential Zones in order to allow for commercial activity closer to the source of customers and to allow convenient pedestrian access to retail services.

G-11: Allowing multi-family housing on upper floors as a conditionally permitted subordinate use in commercial zones in business districts, to provide housing near job centers, activity in areas that would otherwise be vacant during off-hours, and ease of access to services for the elderly and other residents who are unable to drive.

G-12: Encouraging retail commercial and residential development and restoration activities within the downtown central business commercial district in order to create a more vital neighborhood atmosphere and to enhance the historic and economic value of the

downtown area.

Community Friendly Development Policies

<u>The City shall</u>:

P-1: Support infill development and other development options on underutilized residential or commercial lots through such measures as:

- ***the use of mid-block lanes (alleys) and interior block clusters on large and deep underdeveloped lots (subject to provisions of the Zoning Ordinance);***
- ***Consider reducing minimum lot sizes in Residential Mixed Density and High Density zones (under prescribed conditions, subject to provisions of the Zoning Ordinance;***
- ***Consider reducing minimum setbacks in Residential Mixed Density and High Density zones.***
- Policies 1 – 18 apply only to specific development proposals.

P-2: Develop and utilize clear and objective neighborhood compatibility standards to guide infill development and other development options on large underutilized residential or commercial lots.

P-3: Incorporate a variety of local street standards, including widths and design standards based on their function and hierarchy in the local system.

P-4: Permit narrow street standards in new residential neighborhoods in order to improve traffic safety and improve neighborhood character.

P-5: Require that standards for <u>local residential streets</u> incorporate design features such as planting strips, and street trees in order to create residential streets whose purpose is not solely to move automobiles safely and efficiently, but also to create a pedestrian friendly environment.

P-6: Require that standards for <u>local collector and arterial streets</u> incorporate design features such as bicycle lanes, planting strips, setback sidewalks, and street trees in order to create streets whose purpose is not solely to move automobiles safely and efficiently, but also to create a pedestrian and bicycle friendly environment.

P-7: Ensure that parking standards allow for a reduction in required parking when businesses can share parking, especially those operating on different schedules, thereby reducing the amount of surface parking.

P-8: Permit the construction of attached and detached accessory dwelling units by providing flexible requirements for accessory housing units in all residential zones.

P-9: Encourage mixed uses within individual buildings, neighborhoods, and zoning districts where allowed by planning and building codes, and where there is no or only limited potential for incompatibility or conflict with public health, safety, and welfare.

P-10: Allow limited and appropriately scaled neighborhood commercial services in residential zones with appropriate standards to ensure compatibility.

P-11: Allow multi-family housing on upper floors as a conditionally permitted subordinate

use in commercial zones in business districts.

P-12: Allow appropriately scaled neighborhood commercial and retailed services within the Mixed Density Residential Zones.P-13: Encourage retail commercial and residential development and restoration activities within the downtown central business commercial district.

P-14: Through the development review process, promote vehicular, pedestrian, and bike connectivity design features, site layouts, and transportation facilities that link residents to the available retail services.

P-15: Through the development review process, require transportation improvements that provide safe and convenient pedestrian and bicycle access within and between new subdivisions, planned developments, shopping centers and industrial parks nearby residential areas, schools, parks, and other centers of neighborhood activity.

P-16: Limit average block perimeter in residential zones so that residential areas are built at a pedestrian oriented scale and to encourage increased pedestrian activity.

P-17: Require that new development proposals located on collectors, arterials and highways incorporate shared access driveways under prescribed conditions.

P-18: Require, as an integral part of any new development, street trees and the dedication of the necessary Right-of-Way for street trees

Goals for Preservation of Historic Sites and Structures

<u>The City's Goals for Preservation of Historic Sites & Structures include</u>:

G-1: Preserving the City's historic heritage to enrich the community's livability for all residents and to provide economic benefits by attracting visitors and business to the community.

- Goals 1 -3 do not apply here

G-2: Preserving the community's historic heritage to complement the City's Community Friendly Development principles.

G-3: Effectively meeting the City's responsibilities vis-à-vis historic resources as set forth in applicable State law.

Policies for Preservation of Historic Sites and Structures

<u>The City shall</u>:

P-1: Establish, maintain and implement regulations governing the alteration, moving (relocation) or demolition of Designated Landmarks and Historic Resources of Statewide Significance, so that the City effectively meets its responsibilities vis-à-vis historic resources as set forth in applicable State law.

- Policies 1 – 13 do not apply to this application

P-2: Maintain an official local historic landmarks commission according to the provisions of the Lebanon Historic Preservation Ordinance.

P-3: Assist property owners and local groups in preserving places of historic, cultural, or

special significance.

P-4: Continue efforts to identify, inventory, and register historic structures, and other potential historic sites and resources to assure their preservation for future generations.

P-5: Consider the preservation of identified historic sites within the Lebanon Urban Growth Boundary when making land use decisions or when making recommendations to Linn County on its land use actions within the Lebanon Urban Growth Area (UGA).

P-6: Implement historical site review procedures during land use actions impacting sites and structures identified on the Lebanon Historical Register (the City's official historic site listing), as well as the sites and structures in Lebanon listed on the National Register and/or historic resources recognized by the State of Oregon to ensure that these structures are given due consideration prior to the approval of any proposed alterations that may affect the historic integrity of the structure or site.

P-7: Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in a reasonable manner.

P-8: Carefully evaluate the public's safety and general welfare when a conflict surfaces between the renovation of an historic structure and the City's building and fire and life/safety codes.

P-9: Maintain an ongoing program to increase public awareness of the City's historic resources and the financial incentives available to the owners of these resources.

P-10: Make older neighborhoods a top priority for historic inventory and preservation.

P-11: Identify historically significant sites and structures on City-owned property with appropriate plaques and markers, and encourage owners of private property to do the same.

P-12: Develop a definition, criteria, and a process to formally identify and list historic neighborhoods and districts.

P-13: Continue efforts to recognize and encourage the formation of national and local historic districts.

Chapter 8: Transportation

Goals and Policies

Overall Goals

- Transportation goals and policies are outlined below. The current Transportation System Plan (TSP) has been reviewed in preparation of this application. The argument that the traffic generated by residential development is better suited to both the current and proposed (as it is currently prioritized) TSP than the types of traffic generated by industrial uses, is made elsewhere in this narrative. Specific goals and polices are not

addressed here as they are primarily written in a fashion that provides broad guidance to the city in formulation and update of the TSP

G-1: An equitable, balanced and well connected multi-modal transportation system.

G-2: Convenient facilities for pedestrians and bicyclists.

G-3: Transit service and amenities that encourage a higher level of readership.

G-4: Efficient travel to and through the City.

G-5: Safe and active residents.

G-6: A sustainable transportation system.

G-7: A transportation system that supports a prosperous and competitive economy.

G-8: Coordinate with local and state agencies and transportation plans.

Equity and Multi-Modal Connectivity Policies

P-1 ***Ensure that the transportation system provides equitable access to underserved and vulnerable populations and is friendly and accommodating to travelers of all ages.***

P-2 ***Ensure the pedestrian, and bike throughways are clear of obstacles and obstructions (e.g., utility poles, grates).***

P-3 ***Provide connections for all modes that meet applicable Lebanon and Americans with Disabilities Act (ADA) standards.***

Multi-Modal Accessibility Policies

P-4 ***Allow more walking and biking by encouraging improvements (e.g., street lighting, bike parking) that makes these modes of transportation more safe and convenient.***

P-5 ***Improve commuting and recreational walking and biking connections to community facilities and amenities.***

P-6 ***Enhance way finding signage for those walking and biking, directing them to bus stops, and key routes and destinations.***

P-7 ***Promote walking, bicycling, and sharing the road through public information and events.***

P-8 ***Ensure that land development requirements support the implementation of the planned transportation system.***

P-9 ***Safe and convenient bicycle facilities shall be provided by new development within and between new subdivisions, planned developments, shopping centers, industrial parks, residential areas, transit stops, and neighborhood activity centers such as schools, parks, and shopping.***

Transit Policies

P-10 ***Locate transit stops where safe and convenient for users.***

P-11 ***Encourage additional transit services and coordinate with transit providers to improve the coverage, quality and frequency of services, where needed.***

P-12 ***Encourage higher levels of transit use by enhancing multi-modal connections (e.g., by providing sidewalk and bicycle connections, shelters, benches, technology) to encourage higher levels of use.***

P-13 ***Explore opportunities to develop designated Park-and-Ride lots consistent with the direction provided by the Transportation System Plan.***

P-14 ***Work with the Lebanon School District when evaluating new subdivision and multi-family development proposals to identify the optimal location and design of transit facilities to serve student busing.***

Efficiency Policies

P-15 ***Develop and preserve north-south arterial and collector corridors through the City to provide alternative routes to US 20 for local traffic and improve connectivity across OR 34.***

P-16 ***Develop and preserve east-west arterial and collector corridors through the City to provide alternative routes to OR 34 for local traffic and improve connectivity across US 20.***

P-17 ***Ensure that new or improved transportation connections enhance system efficiency consistent with the Transportation System Plan.***

P-18 ***Coordinate with ODOT to ensure that travel information is available for motorists to maximize the reliability and effectiveness of US 20 and OR 34.***

P-19 ***Implement the City mobility standard to help maintain a minimum level of motor vehicle travel efficiency for local streets. State and County standards for mobility will be supported by the City on facilities under the respective jurisdiction.***

Safety and Active Transportation Policies

P-20 ***At high collision locations, improve safety for walking, biking, and driving.***

P-21 ***Enhance existing crossings of US 20 and OR 34 for safe walking and biking (e.g., install rapid flashing beacons, and aids for vulnerable populations, such as chirpers, at signalized pedestrian crossings).***

P-22 ***Ensure that new crossings for pedestrians and bicyclists are consistent with the planned transportation system and improve safety and mobility for these users.***

P-23 ***Improve the visibility of travelers in constrained areas, such as on blind curves.***

P-24 ***Promote walking and bicycling by educating users regarding good traffic behavior and consideration for all.***

P-25 ***Apply appropriate traffic calming solutions in residential neighborhoods to discourage high speed traffic on local existing or newly constructed residential***

streets.

P-26 ***Maintain compatible land uses, particularly industrial uses, adjacent to the Airport and continue to enforce development standards to ensure the operational safety of the Airport.***

Sustainability Policies

P-27 ***Avoid impacts to the scenic, natural and cultural resources in the City.***
P-28 ***Support alternative vehicle types (e.g., with electric vehicle plug-in stations).***
P-29 ***Encourage an arrangement of land use that would shorten trip lengths significantly or reduce the need for motor vehicle travel within the City.***
P-30 ***Maintain the existing transportation system assets to preserve their intended function and useful life.***
P-31 ***Improve travel reliability and safety with system management solutions.***
P-32 ***Establish stable and diverse revenue sources to meet the need for transportation investments in the City.***
P-33 ***Determine transportation system investment priorities through open and transparent processes.***

Economic Development Policies

P-34 ***Design and implement elements of the transportation system to be aesthetically pleasing to through travelers, residents, visitors, and users of adjoining land.***
P-35 ***Prioritize transportation improvements that will enhance access to employment.***
P-36 ***Design and implement streets and street improvements to capture and highlight views.***
P-37 ***Improve freight movement efficiency, access, capacity and reliability on identified freight routes.***
P-38 ***Support continued improvements to the Lebanon Airport as an important transportation element in the economic growth of the community.***

Coordination Policies

P-39 ***Work with the Cascades West Area Commission on Transportation and the South Valley / Mid Coast Regional Solutions Center to promote projects that improve regional linkages.***
P-40 ***Coordinate transportation projects, policy issues, and development actions with all affected government agencies in the area, including Linn County, and the Oregon Department of Transportation.***
P-41 ***Coordinate local neighborhood plans and visions with the Transportation System Plan.***

Chapter 9: Public Facilities

General Goals

The City's Public Facilities and Services Goals include:

- Goals 1-6 are not specifically pertinent to this proposal as no development is proposed.

However, intensity of use by a residential versus an industrial use is made elsewhere in this application. The conclusion being that a fully developed residential property of this size would operate at a lower demand intensity than would a fully developed industrial property of the same size.

G-1: Providing Public Facilities Policies and Plans as a guide for the location and development of future community facilities and utilities consistent with long-range communityneeds.

G-2: Planning and developing a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development for both existing and planned land uses.

G-3: Continuing and enhancing coordination and cooperation between the City and other public and private providers of public services to maximize the orderly and efficient development and provision of all services.

G-4: Ensuring that essential public facilities and service capabilities (transportation, storm drainage, sewer and water service) are either in place before new development occurs and/or are constructed concurrently with such development.

G-5: Ensuring that the extensions of essential public facilities and services to a development site is accomplished either by the city through the implementation of the Capital Improvement Program, or by the site developer at their expense with cost sharing and oversizing reimbursement options.

G-6: Promoting water conservation.

Policies

General Policies

<u>The City shall:</u>

P-1: Support a flexible phased program for the orderly extension of water, wastewater, and transportation services in response to land development proposals. (Duplicated in Chapter 3, Urbanization)

- Policies 1- 81 are not specifically pertinent to this proposal as no development is proposed. However, intensity of use by a residential versus an industrial use is made elsewhere in this application. The conclusion being that a fully developed residential property of this size would operate at a lower demand intensity than would a fully developed industrial property of the same size.

P-2: Maintain directives and technical standards for the extension of services as identified in the various original or updated infrastructure master plans and studies, such as the Wastewater Facility Study Master Plan, the Water Facility Study, Storm Drainage Master Plan, and the Transportation System Plan (TSP). (Duplicated in Chapter 3, Urbanization)

P-3: Maintain and routinely update Capital Improvements plans. Often the plans are revised,

updated, and implemented according to a five year plan beginning with the current budget year. The regularly updated plans may include Transportation, Water, Wastewater, Storm Drainage, and Facilities & Parks projects. (Duplicated in Chapter 3, Urbanization)

P-4: Use fees such as water, sewer, and other City utility connection and service fees to provide the financial means to maintain and/or extend public facility systems to meet projected needs. (Duplicated in Chapter 3, Urbanization)

P-5: Use System Development Charges (SDCs) to provide the financial means to extend public facility systems to meet projected needs. (Duplicated in Chapter 3, Urbanization)

P-6: Define Capital Improvements projects as City initiated publicly funded City infrastructure extensions and enhancements, and/or improvements to facilities. (Duplicated in Chapter 3, Urbanization)

P-7: Maintain a long-range financial Capital Improvement Program to provide for the systematic expansion of needed community facilities, utilities, infrastructure, and services in an efficient and timely manner. (Duplicated in Chapter 3, Urbanization)

P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. (Duplicated in Chapter 3, Urbanization)

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. (Duplicated in Chapter 3, Urbanization)

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the propo~~o~~sal before development proposals, or rezoning applications are approved.

P-11: Provide notice of major development projects to all utility service providers.

P-12: Prepare annual updates to the Capital Improvement Program (CIP).

P-13: Evaluate growth trends to assist in the planning for future public facilities expansions.

P-14: Require the compatibility of future updates and revisions of the City's various master plans for public facilities and services with the Lebanon Comprehensive Plan.

P-15: Pursue, for public infrastructure development and community enhancement, a variety of funding sources, including urban renewal districts (URDs), local improvement districts (LIDs), grants, and other funding mechanisms.

P-16: Make available information regarding new projected population and employment growth for the community to all service providers, public and private, included in this Chapter, whenever the City/County coordinated population growth rate is updated, or new population and employment data is available through the U.S. Census[1], and/or a new Urbanization Study and Buildable Lands Inventory is completed. In this manner,

each service provider can better evaluate their abilities to provide service for the anticipated growth during the planning period.

City Administration and Public Buildings Policies

P-17: Prepare a site acquisition and building program for public buildings as part of the ongoing Capital Improvement Program.

P-18: Give strong consideration to a building program focused on a clustered civic center facility for City government.

P-19: Consider designing new buildings as "expandable building systems" capable of accommodating future growth and modification.

P-20: Maintain sufficient information, data and other resources to support economic development inquiries and opportunities.

P-21: Maintain the City's public facilities consistent with the City's financial resources and City Council directions.

P-22: Seek to enhance the City's tax and revenue resources in order to better implement the goals and policies of this Comprehensive Plan.

Police Policies

P-23: Support and encourage efforts to finance and build an adequate and safe Police Department facility.

P-24: Support and encourage initiatives to enhance the quality of Police services that can be provided for the community.

P-25: Support and encourage efforts to acquire the technological improvements that will enable the Police Department to maximize the efficiency of their available personnel at any given time.

P-26: Support and encourage initiatives to maintain the Police services at the level desired by the community.

Library Policies

P-27: Support and encourage initiatives to form and maintain a county-wide library district to enhancing library services and finances for the residents of the City and Linn County.

P-28: Support and encourage efforts to finance and build a new Library facility.

P-29: Support and encourage initiatives to enhance the quality of Library services that can be provided by the City's Library.

P-30: Support and encourage initiatives to maintain the Library services at a level desired by the community.

Senior Center Policies

P-31: Support and encourage initiatives to enhance the quality and variety of Senior Center services for the community's residents age 50 or older.

P-32: Support and encourage initiatives to maintain and expand cooperative programs with other organizations and agencies in the area and the County to enhance Senior Center services available for the community's residents age 50 or older.

P-33: Support and encourage funding to maintain the Senior Center services at a level that is adequate to serve the needs of Lebanon's senior community.

Parks Policies

P-34: Periodically review and update the City of Lebanon's Parks Master Plan.

P-35: Ensure that the Parks Master Plan is consistent with the bicycle and pedestrian facilities sections of the Transportation System Plan.

P-36: Identify sites for a variety of park uses, including both passive and active recreational uses.

P-37: Seek to achieve a variety of park land, secure adequate city-wide neighborhood and local parks, acquire unique natural areas, achieve a system of linear greenways, and create school/park recreational areas where possible.

P-38: Give prime consideration in planning for future parks and open space areas to special or unique natural features, including wooded areas, hillsides and water courses in order to preserve these natural features.

P-39: Acquire, where possible, future park sites adjacent to linear greenways to take advantage of the opportunity to link parks with potential pedestrian and bike trails.

P-40: Consider cooperative planning and development of parks and playgrounds as part of the cooperative planning program between the City and the School District.

P-41: Maintain a park acquisition program according to the guidelines of the Parks Master Plan.

P-42: Consider proposals from developers to deed park land to the City as a part of development proposals.

P-43: Select future park sites, particularly for neighborhood and local parks, according to the guidelines of the Parks Master Plan.

Water System Policies

P-44: Review and update the Water Master Plan at those update intervals suggested in the Water Master Plan or as warranted to account for unanticipated growth in water system service demands.

P-45: Maintain and expand the City's water system to anticipate and respond to growth as outlined in the City's Water Master Plan.

P-46: Provide future water service connections only within the Urban Growth Boundary, except where required to address declared public health hazard emergencies.

P-47: Supply, via the City's water system, adequate flow and quality for domestic use and fire flow needs for all new development.

P-48: Maintain adequate water service to existing users while expanding the system to meet the needs of new users.

P-49: Consider, when possible, the concurrent installation and construction of water service

infrastructure with the installation and construction of other public utility services, particularly wastewater service.

P-50: Design and construct public facilities, such as water reservoirs, to visually integrate with nearby development.

P-51: Promote water conservation through

- ***a. Maintaining small waterline replacement program to replace leaking water lines;***
- ***b. More efficient utilization of water in all City operations;***
- ***c. Promoting public awareness of and encouraging water conservation.***

Wastewater Facilities Policies

A. <u>City Wastewater Service and System</u>

P-52: Prepare and maintain a Wastewater Master Plan.

P-53: Require that the extension of public wastewater infrastructure be in accordance with the City's Facilities Plans, as amended by special studies, or the City's Capital Improvement plans, and/or by official City Council action.

P-54: Not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries, or allow extensions of sewer lines from within urban growth boundaries or unincorporated community boundaries to serve land outside those boundaries, except where the new or extended system is the only practicable alternative to mitigate a public health hazard and will not adversely affect farm or forest land.

P-55: Maintain and expand the City's wastewater system to anticipate and respond to growth as outlined in the City's Wastewater Master Plan.

B. <u>On-Site Sewage Disposal</u>

P-56: Allow private on-site sewage disposal systems except as permitted by OAR 340-071 and administered by Linn County.

P-57: Prohibit new development, with the exception of a single family dwelling on an existing lot, from using on-site sewage disposal systems.

Storm Drainage Policies

P-58: Maintain and update a Storm Drainage Master Plan.

P-59: Require that, as part of the City's project review process, private development plans address surface drainage issues.

P-60: Require that wherever possible, open drainage courses that can function as linear greenways be preserved as open space in order to maximize drainage capacity.

School Policies

P-62: Coordinate with the Lebanon School District as part of its ongoing facilities planning effort.

P-63: Provide notice, as part of the City's project review process, to the Lebanon School District when major development projects are proposed that may impact the Lebanon School District.

P-64: Assist the Lebanon School District to help identify future school sites.

P-65: Participate in cooperative planning and development of parks and playgrounds as part of the cooperative planning program between the City and the School District.

P-66: Support and encourage the continued improvement of the Linn Benton Community College campus in Lebanon.

Fire Protection and Emergency Medical Service Policies

P-67: Support and encourage the continued improvement of the Lebanon Fire District and its facilities while acknowledging the fact that the City has no direct responsibility for this key community organization.

P-68: Support the Lebanon Fire District efforts to locate new facilities as needed within the City limits and/or Urban Growth Area (UGA) through appropriate application of the Zoning Ordinance and any other applicable land use regulations, and interagency agreements.

P-69: Cooperate with the Lebanon Fire District to maintain and enhance a joint Emergency Management Program, and all supporting documents and practices, as set forth in the provisions of the community's current Basic Emergency Management Plan.

P-70: Support and encourage the continued involvement of Fire District in the Development Review (land use) process of the City.

P-71: Require applicants of development projects (land use) to comply with all Fire District regulations and practices.

Samaritan Lebanon Community Hospital Policies

P-72: Support and encourage the continued improvement of the Lebanon Community Hospital.

P-73: Protect the Lebanon Community Hospital from incompatible land uses through exercise of the Zoning Ordinance.

Energy and Communications Systems Policies

P-74: Encourage energy and communication systems operators to provide the Lebanon area with service levels and technology that is state of the art for industry standards.

P-75: Require, wherever possible, location of electric power distribution systems, telephone and cable television lines underground in all future developments.

P-76: Encourage development of a conversion schedule for existing overhead utilities to underground service in the future.

P-77: Require location, wherever possible, of future utility substations and communication facilities outside residential and historic districts. When this is impossible, visually integrate these facilities with nearby developments.

P-78: Provide notice, when major development proposals are identified as possibly impacting a utility provider's ability to maintain service levels, to those potentially impacted utility/service providers. Such notice shall be made during the City's development review process in order to address and/or mitigate the possible adverse impacts at that juncture. Additionally, utility/service providers shall be informed of community development trends by receiving such notices thereby better enabling them to anticipate the future needs for their services.

Solid Waste Disposal and Recycling Policies

P-79: Continue to cooperate with other jurisdictions, local and state agencies, and solid waste service providers in meeting the solid waste disposal needs of the Lebanon area.

P-80: Require that solid waste collection areas (e.g., dumpsters) on commercial and industrial sites be screened from adjoining properties to provide a physical and visual barrier.

P-81: Cooperate with the County to continue investigating and encouraging recycling efforts.

Chapter 10: Plan Implementation

The City's Implementation Goals include:

G-1: Maintaining an up to date Comprehensive Plan, as well as supporting documents, plans, and implementing ordinances/measures.

- Goals 1 - 4 address city government operating procedure

G-2: Utilizing amendment processes that both ensure the opportunity for and actively encourage effective citizen participation in the decision making to update the City's Comprehensive Plan and supporting documents.

G-3: Maintaining a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

G-4: Coordinating land use planning with other affected governmental units in order to ensure that such planning is consistent with all applicable Statewide Planning Goals.

Comprehensive Plan And Map Amendment Policies

P-1: The City Council may amend the Comprehensive Plan and/or Map after referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.

- Policies 1 – 3 address city government operating procedure

P-2: Changes to the Plan and/or Map shall be made by ordinance after public hearings as prescribed by state law and local ordinances.

P-3: Changes in the Plan and/or Map shall be incorporated directly into the document at the

appropriate place. A list of all amendments with date of passage shall then become part of the document until the next comprehensive update of the entire Comprehensive Plan.

P-4: An amendment to the Comprehensive Plan and/or Map may be considered when one or more of the following conditions exist:

a. Updated data demonstrates significantly different trends than previous data;

b. New data reflects new or previously undisclosed public needs;

- The lands currently available for housing and industrial needs have changed since the creation of the current City of Lebanon comprehensive map, as has the existing developed surrounding uses of these area. The results of a the ECONorthwest 2004 Lebanon Urbanization Study are discussed in "additional notes by the applicant" towards the end of the narrative and addresses some of the pertinent conclusions. Supply levels of both types of land classification are discussed there. Also to be considered is the proximity to public facilities and the priority in which they are planned to reach what are to become 'buildable' sites, which places much of the residential land listed as surplus in areas that are not economically serviceable for a number of years.

c. New community attitudes represent a significant departure from previous attitudes as reflected by the Planning Commission or City Council;

d. Statutory changes significantly affect the applicability or appropriateness of existing plan policies.

P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all of the following conditions exist:

a. There is a need for the proposed change;

b. The identified need can best be served by granting the change requested;

c. The proposed change complies with the Statewide Planning Goals; and,

d. The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

- Policies 5 – 8 address city government operating procedure

P-6: At the local level, the City Council is the final authority for the interpretation, and application of any and all provisions of the Comprehensive Plan.

Land Use Planning And Coordination With Affected Governmental Units

P-7: The City shall maintain a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

P-8: The City shall coordinate land use planning with other affected governmental units in order to ensure that such planning is consistent with all applicable Statewide Planning Goals.

Criteria #2: Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.

Water facility plan

The following numbers demonstrate that a mixed density residential use of the subject 55 acres, would result in a lower intensity demand on the City's proposed water supply system to the area than an industrial use

Known Parameters:

- Subject 55 acres = 2,395,800 square feet
- Minimum lot size in Residential-Mixed Density = 5,000 square feet (Lebanon Development Code Chapter 16.05)
- 2.38 household members per dwelling in mixed density residential zoning (2004 Lebanon Urbanization Study in Comprehensive Plan)
- Residential average day demand (ADD) = 84 gallons per capita per day (GPCD) (Exhibit 4-5 Lebanon Water System Master Plan)
- Residential maximum day demand (MDD) = 148 GPCD (Exhibit 4-5, Lebanon Water System Master Plan)
- Industrial demand = 4,000 GPD per acre (per

Assumptions:

- 55% developable area after accounting for public right of way dedications (this is conservative considering is does not account for open space requirements, which would reduce this percentage)

Calculations:

Residential:

- 2,395,800 square feet (55 acres) x 55% = 1,317,690 developable square feet
- 1,317,690 square feet ÷ 5,000 square feet/future lot = 264 lots
- 2.38 people per dwelling x 84 gallons per day = average of 200 gallons per dwelling (also per lot)
- 2.38 people per dwelling x 148 gallons per day = maximum of 352 gallons per dwelling (also per lot)
- 264 lots x 200 gallons per dwelling = 52,800 gallons per day, on average
- 264 lots x 352 gallons per dwelling = 92,928 gallons per, maximum

Industrial:

- 55 acres x 4,000 gallons per day per acre = 220,000 gallons per day

Conclusion: 92,928 < 220,000, therefore residential water use is a lower intensity

Wastewater facility plan

The intensity of demand comparison for wastewater use is much the same as the above comparison of water demands. For planning purposes, the city uses a demand factor of 4,000 gallons per capita per day for the sizing of sewer mains when accounting for industrial use properties. This comparison is made using a couple of different methods below:

As a conservative estimate of maximum residential daily wastewater generation, one could assume that the 92,928 maximum potable gallons per day makes it way directly to the wastewater collection system. We know this to be an overestimate of wastewater production as the primary reason for the difference between the average and maximum use numbers is because of yard irrigation that occurs in the summer months. This is graphically depicted in Exhibit 3-11 of the Water System Master Plan. However, as noted above, this number is still lower than the 220,000 gallons per day estimated using the industrial wastewater production projection. To further demonstrate that residential wastewater demands are lower than estimate industrial demand, the more conservative Linn County on-site septic requirements are used for the following calculation.

- 450 gallons per day per four bedroom dwelling
- 264 developable lots
- 450 gallons per day x 264 lots = 118,800 gallons per day

Conclusion: 118,800 < 220,000, therefore residential wastewater demand would be a lower intensity than industrial

Transportation facility plan

The intensity demand comparison between residential and industrial uses on the basis of traffic count is a difficult one to speculate on without the proposed industrial use being known. We can however, make a comparison of the type of vehicles that would be utilizing the public roads based on the type of uses permitted in the City of Lebanon's Industrial zone. Contractor's shops, general freight storage and warehousing, parcel receiving and distribution, auto and truck salvage, heavy truck servicing are examples of the three impact classes of permitted industrial land uses. Most of the stated uses in the land development code chapter 16.09.070 would require intermittent to frequent use of service/delivery light trucks and multiple axle large trucks as part of their daily business, in addition to the passenger vehicle employee traffic

It is common practice to design road surfaces and maintenance schedules based on the heavy truck traffic volumes, as they far exceed the pavement wear caused by passenger vehicles. A residential use of the 55 acres would generate heavy truck traffic in the months of construction, but in the long term would generate almost exclusively passenger vehicle traffic. In this aspect at least, a residential use would be less intense.

Additionally, the applicant would expect truck traffic to primarily travel to/from Airport Road to the north as this is the nearest arterial leading in and out of town and to both Highway 34, Highway 20 and Interstate 5. It is known that this intersection at Stoltz Hill Road and Airport Road is problematic both in it's que times for westbound Airport Road traffic turning onto Stolz Hill and Stoltz Hill traffic turning onto Airport Road, and also for it's lack of sight visibility for

those vehicles turning onto Airport Road. These problems would be exacerbated both by the creation of additional passenger vehicles and truck traffic, but especially so by truck traffic. In this aspect, as residential use would arguably be less intense.

Criteria #3: Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is <u>not</u> consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, Table 16.26-1.) Such an amendment requires a separate application, hearing and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

Not applicable to this application.

<u>Additional notes by the applicant:</u>

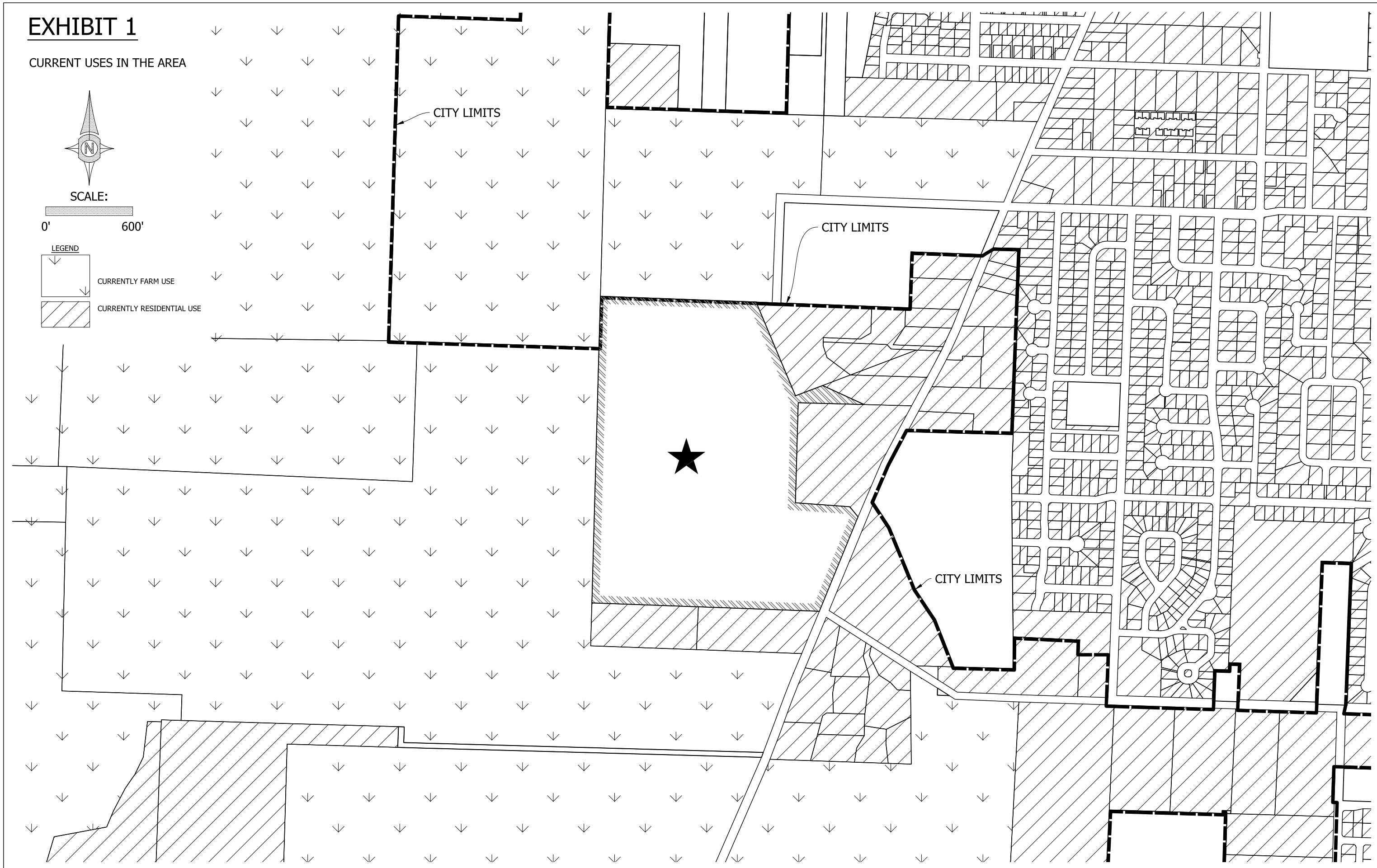
- As depicted in "exhibit 1", the surrounding current uses to the south, northeast and east for the areas either within the City of Lebanon's Urban Growth Area or within the City Limits are almost exclusively residential in nature. The area across Oak Creek beyond the subject's RM Comp. map designated area to the north and northwest are currently vacant, though assigned as Industrial zoning. The area to the west that is outside the Urban Growth Boundary is currently assigned the resource zoning designation of Exclusive Farm Use and will likely remain so for the foreseeable future. It is the applicant's belief that the southern portion of the subject property currently slated for Industrial uses is incompatible with the current and future uses of the property on approximately 70% of it's border. This 55 acre "island" of industrial designated area is disconnected from the bulk of similarly zoned property primarily located on the west and north sides of the city. This currently vacant acreage is a similar type of property to the other vacant acreage that is either currently zoned industrial or is slated for industrial zoning upon annexation to the city. It is similar in use (currently farmed with a grass crop), in topography (relatively little slope), in drainage (it is bisected by a number of farmer-installed drainage ditches), and in size (is larger than 10 acres). This is also discussed below, but that is to say that the surplus of vacant industrial property on the west side of the city is of a similar type.
- On a similar note, the applicant feels that Vaughan Lane and Stoltz Hill Road (especially its intersection with Airport Road to the north) is better suited for the passenger-vehicle-type traffic associated with residential development opposed to the traffic associated with Industrial uses, primarily heavy truck traffic, through the residential areas leading both north and east from the property.
- The applicant has been specifically asked by staff to address how the property would be serviced for fire as a residential development if it were to be maintained in the County. Though there is no proposal of this nature prepared for submittal at this time, the applicant sees at least three ways in which this could be addressed. One option would be to extend the

16" water main approximately 3000 feet along Vaughan Lane from S. 7th Street to the subject property on the east side of Stoltz Hill across the intersection from Vaughan Lane and continue this line onsite as required to meet fire hydrant coverage requirements. A second option would be to extend a 12" water main approximately 3000 feet along Stoltz Hill from Walker Road southerly and across Oak Creek to the subject property. It is likely that the property would be required to be annexed should coverage requirements warrant the installation of a hydrant onsite. A third option would be to provide onsite fire suppression in conformance with the National Fire Protection Association Standard 1142. This would likely take the form of a dry hydrant(s) with water well and storage tank capable of supplying 1000 gallons per minute for an hour (500 gallons per minute if structures have automatic sprinklers)

- The purpose of Comprehensive Map amendments, per Lebanon Development Code section 16.27.010, is to address "public necessity, convenience and general welfare". We feel that this is best addressed by the information from Chapter 3 (Urbanization) of the Comprehensive Plan. The results of an Urban Growth Area land supply study prepared by ECONorthwest in *2004 Lebanon Urbanization Study* for forecast populations through 2025, are summarized in 'table 3-2' of the Comprehensive Plan and is included here. Of note to this application was their conclusion that buildable Commercial and Single Family Residential acreage supply will be at a deficit of 6.7-34.4 acres and 115.4 acres, respectively. As a check against the report's population forecast, the 2019 population from the U.S. Census Bureau was 17,417 and the 2020 population forecast, which was based on a 1997 State Office Economic Analysis county forecasts and as noted in the Comprehensive Plan is 18,019. The report also concludes that there is a 1122 acre surplus of "mixed density residential". However, approximately 800 of these acres are not yet serviced by city water and/or sanitary sewer and are either not accounted for in the current facility plans or are to be provided services at some date after they are planned to be provided to the subject property. The report also estimated a surplus of Light Industrial and General Industrial buildable lands of 572-727 acres and 7.9-35 acres, respectively. A rough current count of the vacant/undeveloped industrial zoned property within the city limits led to upwards of 350 acres, and upwards of 110 acres of land designated as industrial outside the city limits and within the urban growth boundary (not including the subject property), seems to confirm this surplus.

EXHIBIT 1

CURRENT USES IN THE AREA



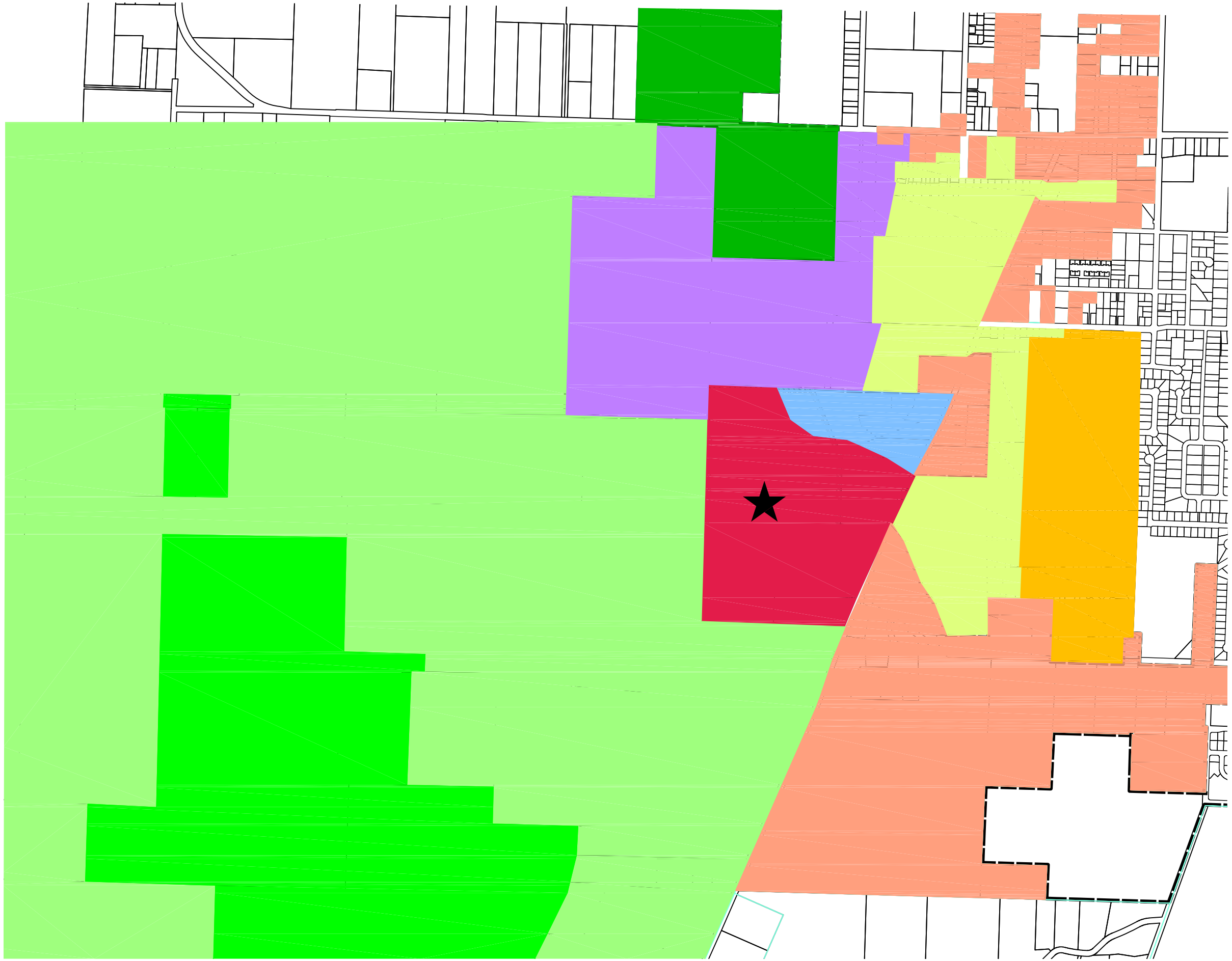


EXHIBIT 2

CURRENT ZONING

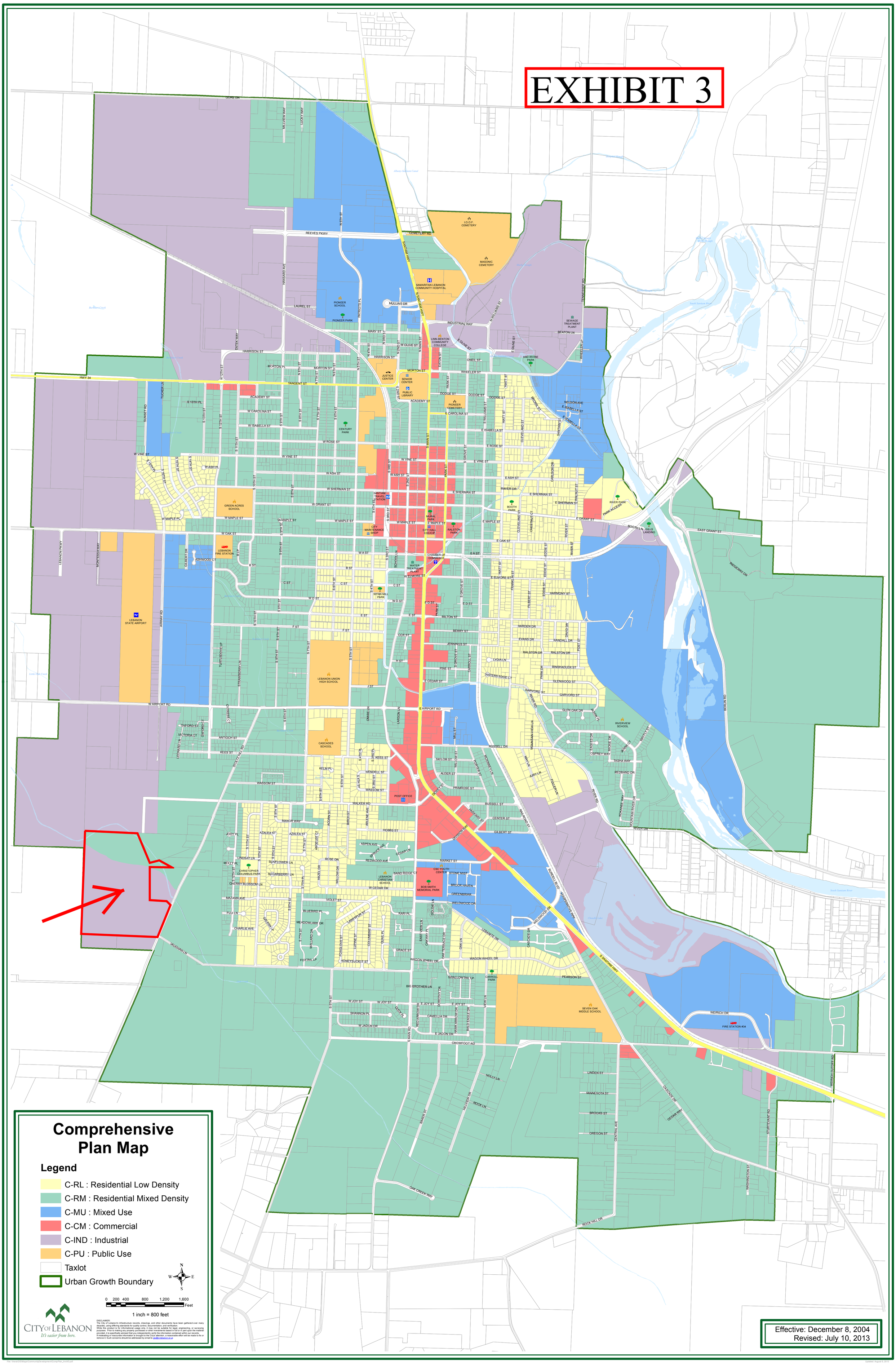
SCALE:

0' 1000'

LEGEND

- CITY OF LEBANON - INDUSTRIAL
- CITY OF LEBANON - MIXED DENSITY RESIDENTIAL
- CITY OF LEBANON - LOW DENSITY RESIDENTIAL
- LINN COUNTY - UGA - UGM 20
- LINN COUNTY - UGA - UGM 10
- LINN COUNTY - UGA - EFU 80
- LINN COUNTY - RURAL RESIDENTIAL 1 ACRE
- LINN COUNTY - EXCLUSIVE FARM USE
- LINN COUNTY - FARM / FOREST

EXHIBIT 3


Comprehensive Plan Map
Legend
C-RL : Residential Low Density
C-RM : Residential Mixed Density
C-MU : Mixed Use
C-CM : Commercial
C-IND : Industrial
C-PU : Public Use
Taxlot
Urban Growth Boundary
N
W
E
S
0 200 400 800 1,200 1,600
Feet
1 inch = 800 feet
CITY OF LEBANON
It's easier from here.
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Effective: December 8, 2004
Revised: July 10, 2013
GORE DR
MILLVIEW WAY
LUCKY WAY
REEVES PKWY
CEMETERY RD
I.O.O.F. CEMETERY
MASONIC CEMETERY
SAMARITAN LEBANON COMMUNITY HOSPITAL
N SANTIAM HWY
SANTIAM HWY
PIONEER SCHOOL
PIONEER PARK
LAUREL ST
MULLINS DR
INDUSTRIAL WAY
N WILLIAMS ST
SEWAGE TREATMENT PLANT
BEATON LN
TENNESSEE RD
WHEELER LP
LINN-BENTON COMMUNITY COLLEGE
E OLIVE ST
W OLIVE ST
HARRISON ST
MORTON ST
ONEIL ST
WHEELER ST
HAD IRVINE PARK
JUSTICE CENTER
SENIOR CENTER
PUBLIC LIBRARY
ACADEMY ST
DODGE ST
PIONEER CEMETERY
E CAROLINA ST
NELSON AVE
E ISABELLA ST
HWY 34
TANGENT ST
CENTURY PARK
W ROSE ST
E ROSE ST
W VINE ST
E VINE ST
W ASH ST
E ASH ST
W SHERMAN ST
E SHERMAN ST
MAYER DR
GREEN ACRES SCHOOL
W GRANT ST
E GRANT ST
BOOTH PARK
RIVER PARK
PARK ACCESS
W MAPLE ST
E MAPLE ST
MURAL PARK
CITY HALL COC/CIP
RALSTON PARK
GILLS LANDING
EAST GRANT ST
W OAK ST
E OAK ST
LEBANON FIRE STATION
CHAMBER OF COMMERCE
WATER TREATMENT PLANT
W ELMORE ST
E ELMORE ST
WYNN MILL PARK
HARMONY ST
MILTON ST
BERRY ST
COX ST
JENNINGS ST
RALSTON DR
LYDIA LN
PINE ST
BINSHADLER ST
WATERS EDGE CT
GLENWOOD ST
E CEDAR ST
LEBANON STATE AIRPORT
LEBANON UNION HIGH SCHOOL
GARVORD ST
W AIRPORT RD
E AIRPORT RD
GLEN OAK DR
RIVERVIEW SCHOOL
CASCADES SCHOOL
RUSSELL DR
TASHA WAY
REDBAND DR
KEES ST
TAYLOR ST
ALDER ST
PRIMROSE ST
WASSOM ST
POST OFFICE
WALKER RD
RUSSELL ST
CENTER ST
HOBBS ST
GILBERT ST
MANOR WAY
AZALEA ST
ASPEN AVE
CEDAR LN
REDWOOD AVE
MARKET ST
CHRISTOPHER COLUMBUS PARK
SAND RIDGE CT
CSC YOUTH CENTER
STONE MIST
LEBANON CHRISTIAN SCHOOL
BROOK HAVEN
BOB SMITH MEMORIAL PARK
GREENBRIAR
W CEDAR DR
WELDWOOD DR
VIOLET ST
BLUEBIRD PL
KARI PL
MEADOWLARK DR
GRACE ST
WAGON WHEEL DR
SWALLOWTAIL LP
CARROLL PARK
PEARSON ST
BIG BROTHER LN
W JOY ST
E JOY ST
SEVEN OAK MIDDLE SCHOOL
WEIRICH DR
FIRE STATION #34
SHANNON PL
CAMELLIA DR
W JADON DR
E JADON DR
CROWFOOT RD
LINDEN ST
HOLLY LN
MINNESOTA ST
BROOKS ST
OREGON ST
ROCK LN
OAK CREEK WAY
ROCK HILL DR
S SANTIAM HWY
WEIRICH CUTOFF RD
BERLIN RD
STURTEVANT RD
WASHINGTON ST
CENTRAL AVE
CASCADE DR
CEDAR WAY
RIVER RD
RIVER DR
RAILROAD ST
DIVISION WAY
PARKWAY ST
LEVIS ST
PARK ST
S MAIN ST
N MAIN ST
S 5TH ST
N 5TH ST
HANSARD AVE
PATRIOTS PL
TUCKER LN
SUNSET RD
LEBANON PKWY
MONTESSA WAY
AIRWAY RD
VAUGHAN LN
STOLTZ HILL RD
CYPRESS CT
OXFORD ST
VICTORIA CT
ANTIOCH ST
KELM PL
WENDELL ST
POST OFFICE
CHRISTOPHER COLUMBUS PARK
SUNFLOWER LN
SUGARBERRY LN
CHERRY BLOSSOM LN
MAZAMA AVE
FUJI LN
CHARLIE AVE
FOXTAIL LP
HONEYSUCKLE ST
LARKSPUR ST
COLUMBINE ST
QUAIL PL
FOXGLOVE ST
LUPINE ST
MALLARD DR
GALENA LP
HAZEL DR
WILLOW DR
ACORN ST
BIRCH ST
ARLENE AVE
SPRUCE AVE
ANGELEE CT
JOOY PL
LINDSAY LN
MOLLY PL
TURTLEDOVE LP
STRAWBERRY LN
BYTECK WAY
GILBERT DR
ASHWOOD CT
B ST
C ST
D ST
E ST
F ST
H ST
J ST
W A ST
E A ST
S 1ST ST
S 2ND ST
S 3RD ST
S 4TH ST
S 6TH ST
S 7TH ST
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S 9TH ST
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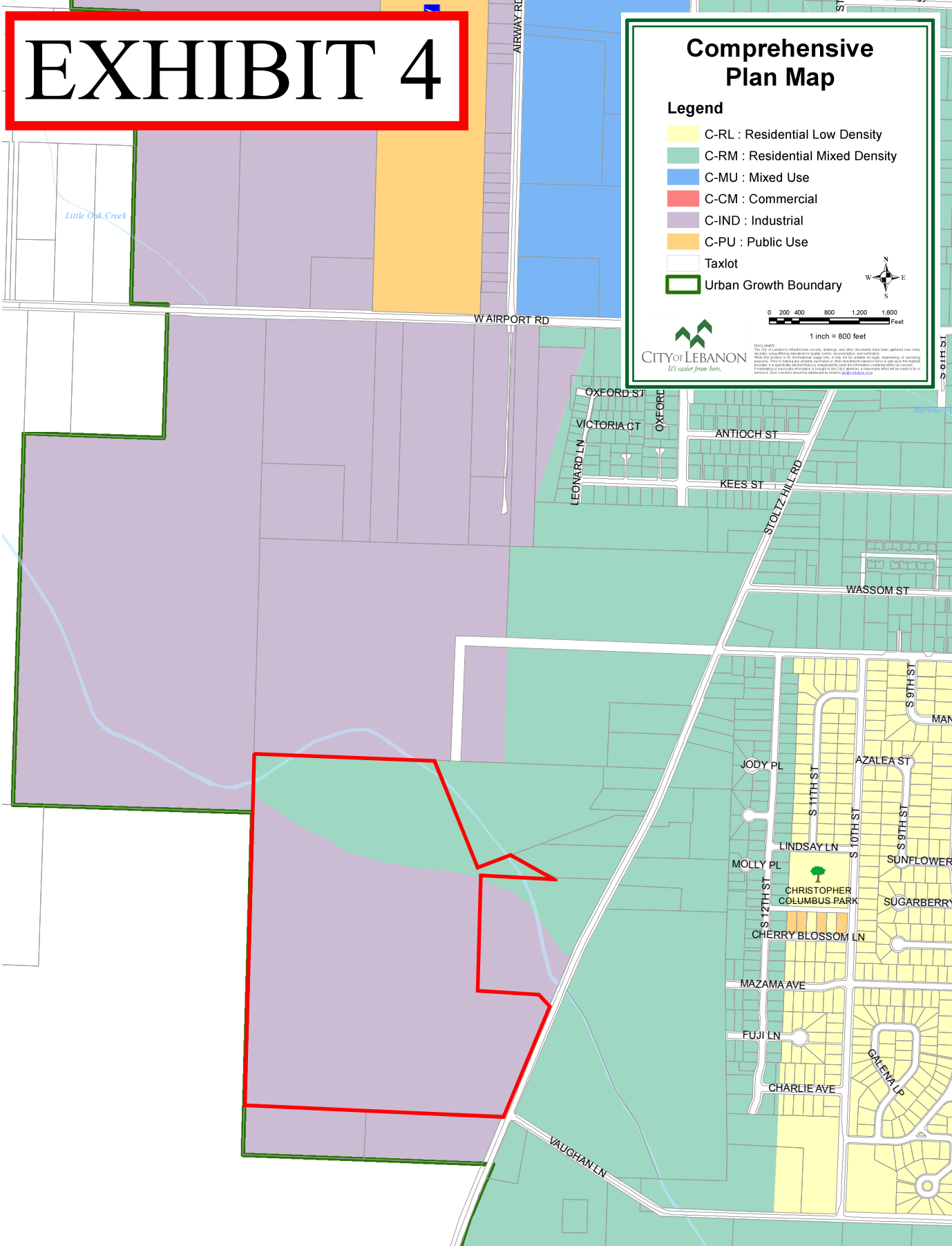
S 19TH PL
N 12TH ST
N 8TH ST
N 7TH ST
N 6TH ST
N 4TH ST
N 3RD ST
N 2ND ST
S MAIN RD
OMIRE LN
LARSON LN
MILL ST
PORTER ST
MOHNEY LN
MAY LN
JURY LN
FULLER LN
MOUNTAIN VIEW LN
EAGLES DR
OSPREY WAY
MICKE DR
JAUNA CT
MAYFLY ST
KOKANEE WAY
MOUNTAIN RIVER DR
HARDEN DR
EVANS DR
RANDALL DR
DAVID DR
POST ST
PARK DR
DUPOELL BLVD
COOPERATIVE WAY
WELDWOOD DR
LEBANTE DR
CASCADE DR
OAK LN
OAK TERRACE DR
EAST VIEW LN
OAKWAY PL
GOLDIE LN
SCHOOL LN
BAKER ST
HILLVIEW DR
DOROTHY DR
RED ARROW DR
HAWK ARROW DR
BALD EAGLE DR
VIEW LN
PILGER ST
FRANKLIN ST
EDDIE ST
HATT ST
CLEVELAND ST
CHESTNUT CT
RIVER ST
WALNUT ST
CARLSON DR
BROMLEY ST
S GROVE ST
CARROLL ST
S WILLIAMS ST
Albany-Santiam Canal
South Santiam River
Little Oak Creek
Burkhart Creek
Cheadle Lake

EXHIBIT 4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Taxlot
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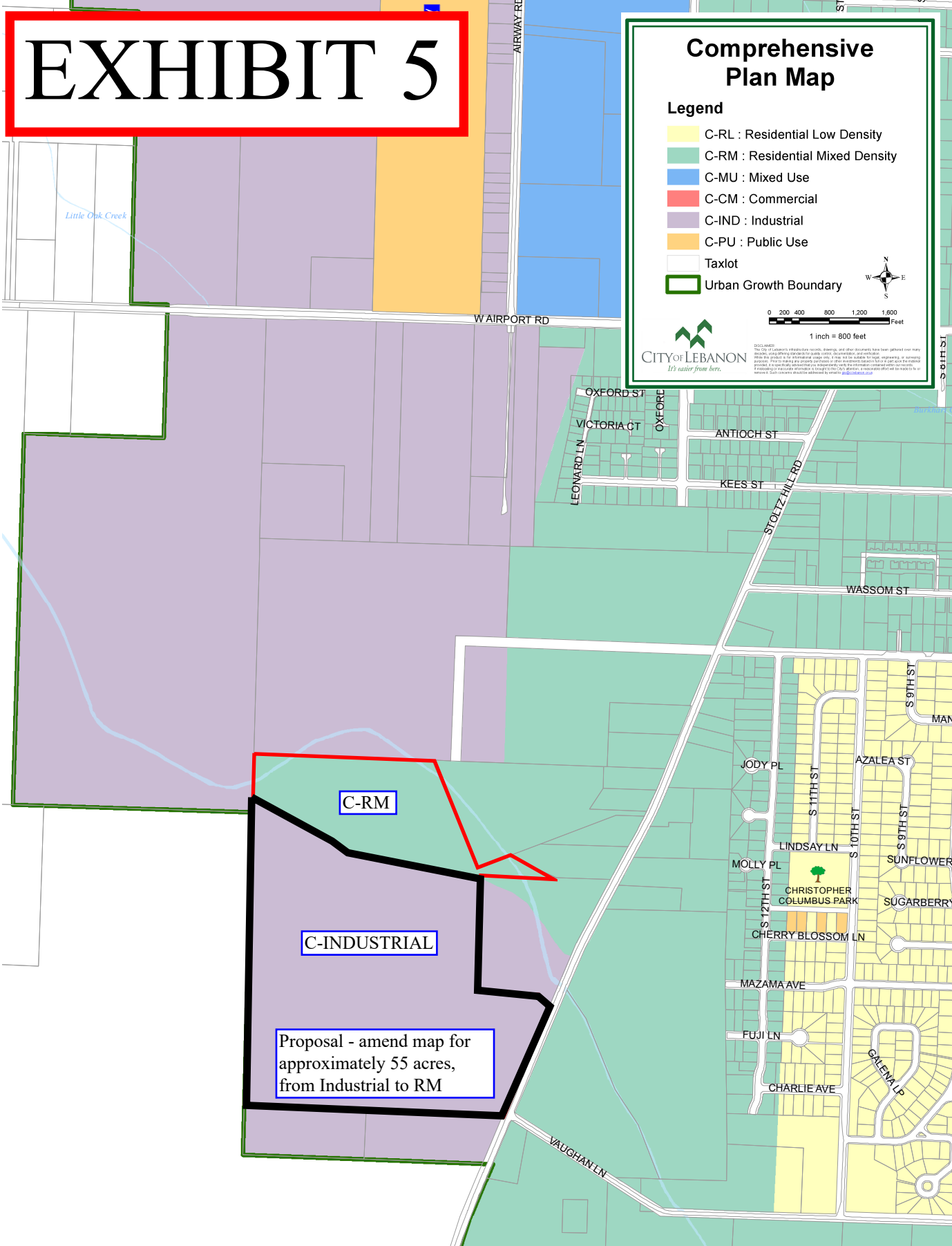
EXHIBIT 4
AIRWAY RD
Little Oak Creek
W AIRPORT RD
OXFORD ST
VICTORIA CT
OXFORD
ANTIOCH ST
LEONARD LN
KEES ST
STOLTZ HILL RD
WASSOM ST
S 9TH ST
JODY PL
AZALEA ST
S 11TH ST
S 10TH ST
S 9TH ST
LINDSAY LN
SUNFLOWER
MOLLY PL
CHRISTOPHER COLUMBUS PARK
SUGARBERRY
S 12TH ST
CHERRY BLOSSOM LN
MAZAMA AVE
FUJI LN
GALENA LP
CHARLIE AVE
VAUGHAN LN

EXHIBIT 5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Taxlot
Urban Growth Boundary
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1 inch = 800 feet
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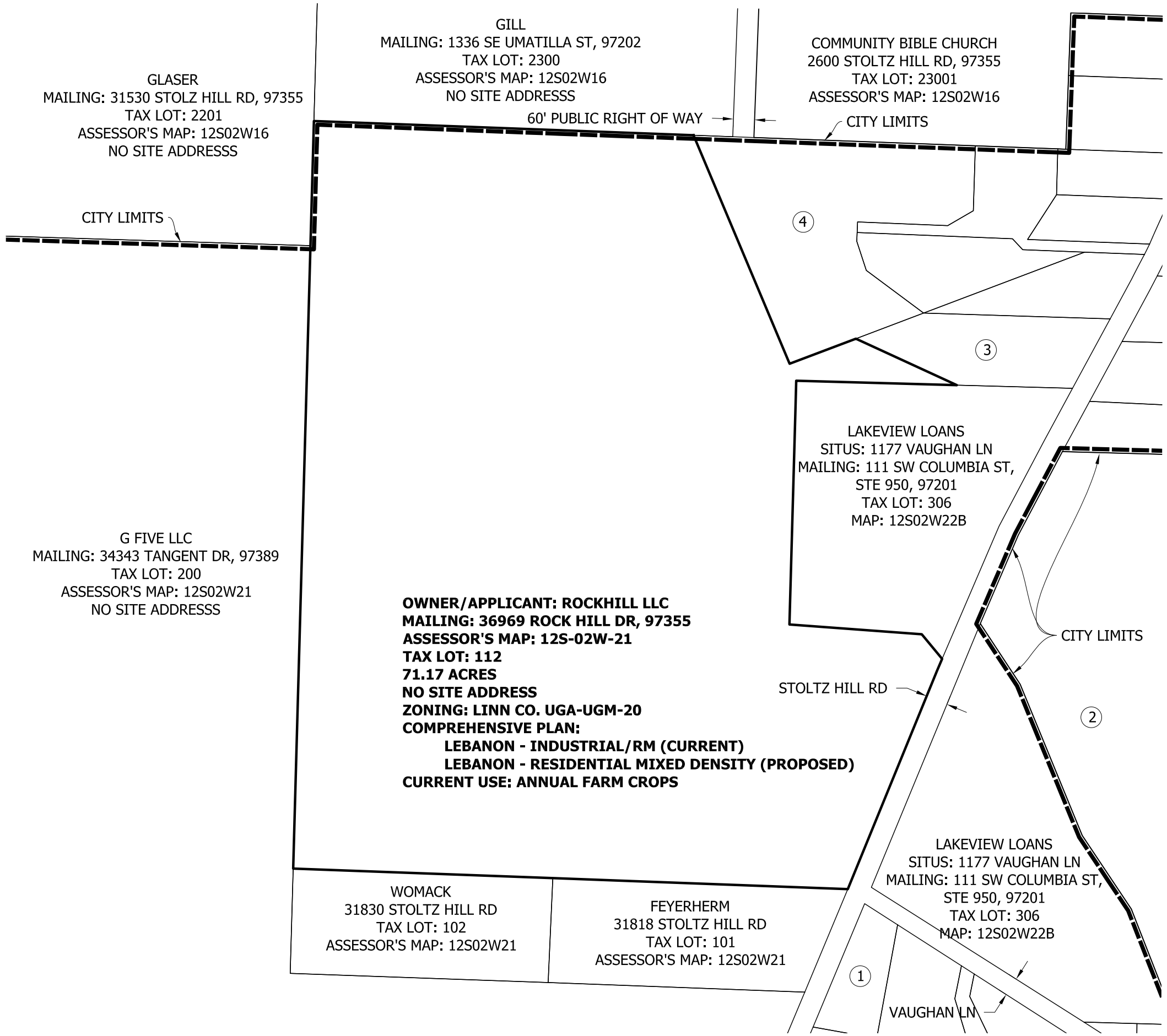
S 9TH ST
JODY PL
AZALEA ST
S 11TH ST
S 10TH ST
LINDSAY LN
MOLLY PL
SUNFLOWER
CHRISTOPHER COLUMBUS PARK
SUGARBERRY
S 12TH ST
CHERRY BLOSSOM LN
MAZAMA AVE
FUJI LN
GALENA LP
CHARLIE AVE
VAUGHAN LN
C-RM
C-INDUSTRIAL
Proposal - amend map for approximately 55 acres, from Industrial to RM

EXHIBIT 6

PROPERTY INFORMATION



ADJACENT PROPERTY LEGEND:

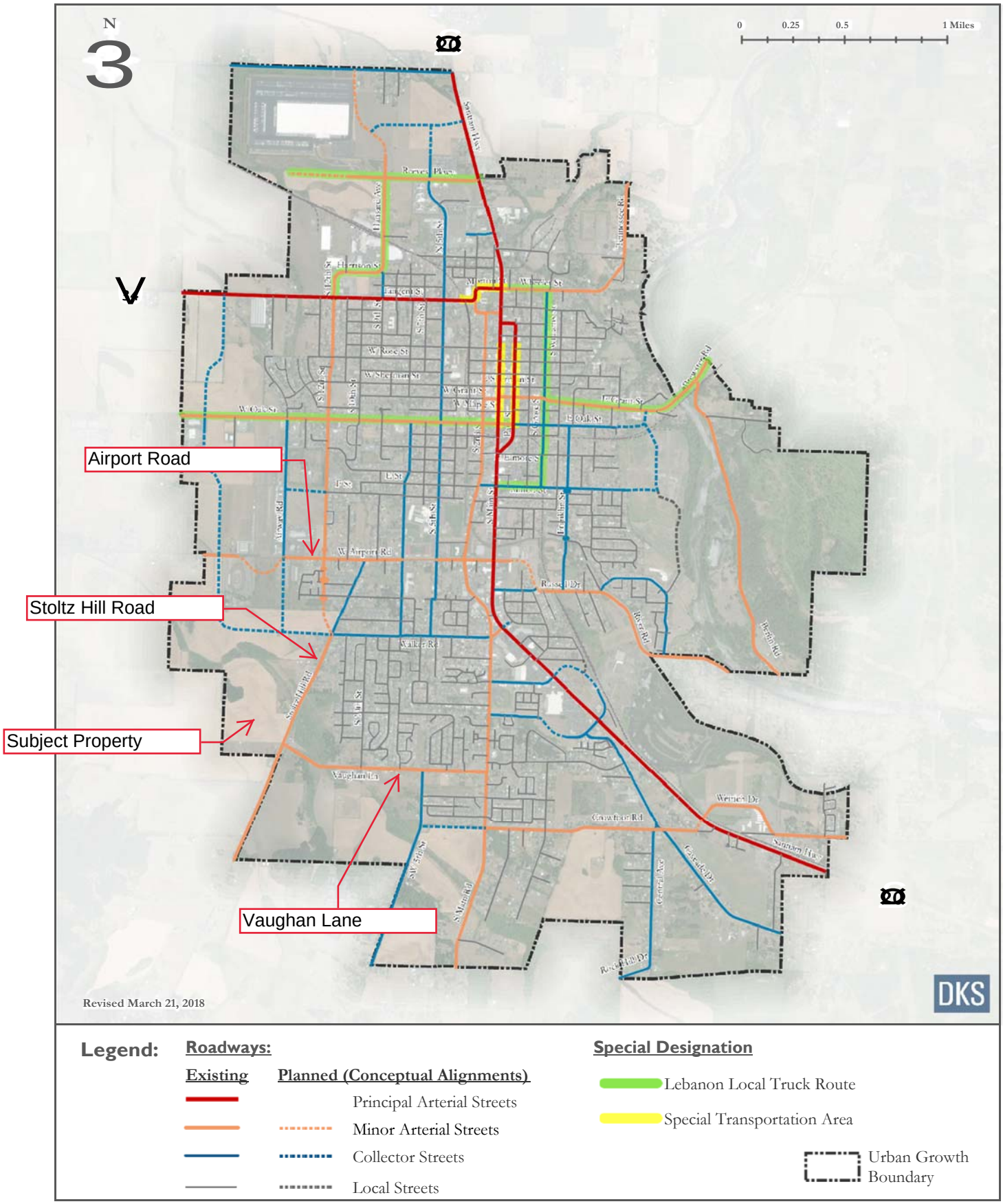
① MIDDLETON
31803 STOLTZ HILL RD, LEBANON, OR 97355
TAX LOT: 302
TAX MAP: 12S02W22C

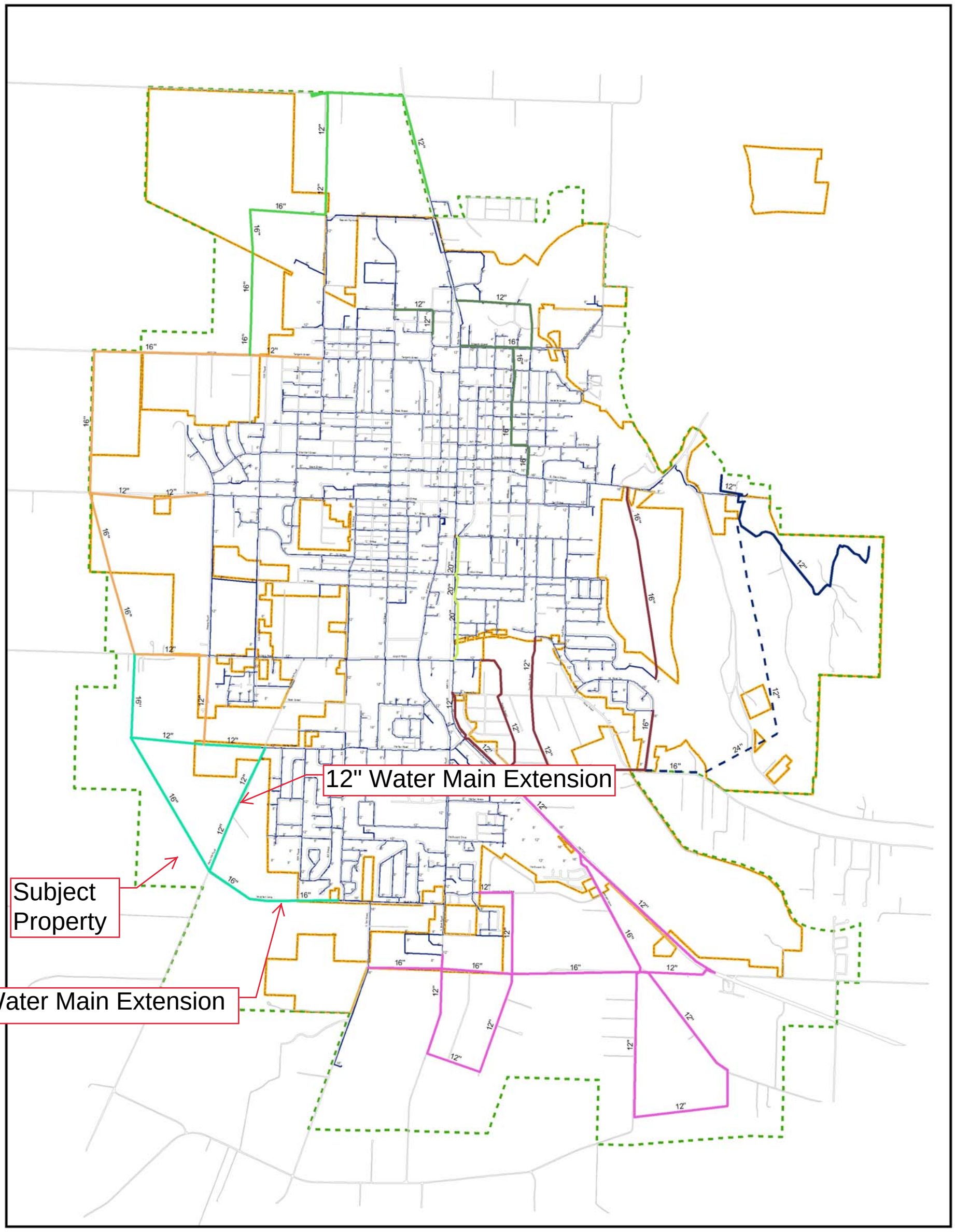
② 4L VENTURES LLC
NO SITUS ADDRESS
MAILING: PO BOX 310, LEBANON, OR 97355
TAX LOT 300
TAX MAP 12S02W22B

③ FOSTER
2900 STOLTSZ HILL RD
MAILING: PO BOX 2516, LEBANON, OR 97355
TAX LOT: 114
TAX MAP: 12S02W21

④ MARTENEY
NO SITUS ADDRESS
MAILING: 2870 STOLTZ HILL RD, LEBANON, OR 97355
TAX LOT: 117
TAX MAP: 12S02W21

Figure 7. Functional Classification





Legend

- Urban Growth Boundary
- Pipes
- Streets
- City Limits
- WTP Location

Piping Improvements

- Central
- Central-East
- East
- Northeast
- North
- Southeast
- Southwest
- West
- East: Recommendedbut not Modeled

N

0 1,500 3,000 4,500

Feet

1 inch equals 2,000 feet

Exhibit 10-2

Recommended Piping Improvements

Lebanon Water Master Plan

CH2MHILL

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Wetland Areas

Rockhill, LLC CPMA-20-01 Application