

A RESOLUTION APPROVING)	
COMPREHENSIVE PLAN AND ZONE)	
MAP AMENDMENTS TO REZONE)	RESOLUTION NO. <u>43</u>
0.48 ACRES FROM HIGHWAY)	For 1994
COMMERCIAL TO HIGH DENSITY)	
RESIDENTIAL.)	

WHEREAS, the Lebanon Planning Commission on September 27, 1994, conducted a public hearing on File No. CPA-94-1 and ZMA-94-2 which was a request to redesignate and rezone a certain vacant 0.48 acre site (2 adjacent parcels) more particularly described as Assessors Map T12S-R2W-10DD, Tax Lot 1901, from Highway Commercial (CH) to Residential High Density (RH) zoning; and

WHEREAS, the Lebanon Planning Commission unanimously approved said request; and

WHEREAS, said request also provided for a proposed amendment to the Lebanon Comprehensive Plan Designation of said real property from Commercial to High Density Residential Comprehensive Plan Designation; and

WHEREAS, the Lebanon City Council has conducted a public hearing on November 9, 1994, upon the same request and File Numbers; and

WHEREAS, the Lebanon City Council finds that appropriate notice has been made to all parties according to Oregon Revised Statutes; and

WHEREAS, the Lebanon City Council at said hearing considered the following Zoning Ordinance and Comprehensive Plan criteria:

- 1) Section 9.010 of the Lebanon Zoning Ordinance identifying procedures by which a property owner may petition a zone map change or amendment,
- 2) Section 9.020 of the Lebanon Zoning Ordinance identifying the procedures to be followed by the Planning Commission and City Council regarding public hearings on proposed Zone Map (and text) amendments,

- 3) Sections 4.030(2-5) of the Lebanon Zoning Ordinance identifying the permitted uses in the RH Zone,
- 4) Sections 4.130(3)(a-t), (4)(a) and (5)(b) of the Lebanon Zoning Ordinance identifying the permitted uses in the CH Zone,
- 5) Lebanon Comprehensive Plan, Land Use Element, Residential Land Use Section, Policy No. 1 (page-5-p-1) which states that: *The City shall encourage a compact residential development to provide more efficient land utilization and to reduce the cost of housing, public facilities and services;* and

WHEREAS, the City Council has considered the testimony, staff report, and criteria of said request;

NOW, THEREFORE, BE IT RESOLVED by the Lebanon City Council as follows:

Section 1. The City Council, considering all of the above hereby finds:

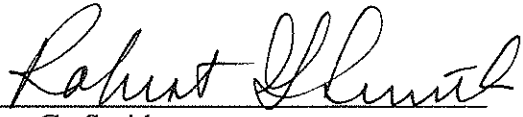
- a) The request for a Zone Map Amendment change complies with Zoning Ordinance Section 9.010 in that the applicant is the property owner and the applicant followed the procedures of Section 9.010;
- b) The requested Zone Map Amendment to Residential High Density (RH) requires that the existing Comprehensive Plan Map Designation of the subject property (Commercial) be redesignated to Mixed Density Residential;
- c) Whereas, the property remains vacant and inactive and the existing zoning (and permitted uses) apparently does not permit a viable use and, therefore, does not serve the best interest of the property, neighborhood, vicinity or city.
- d) The proposed Zone Map Amendment change from CH to RH will allow a variety of potential residential uses of the subject property. The uses permitted in the proposed RH Zone are compatible with and similar to existing residential uses in the immediate vicinity.
- e) The proposed Comprehensive Plan and Zone Map Amendments comply with Policy No. 1, Residential Land Use Section, Land Use Element, of the Lebanon Comprehensive Plan in that it will encourage compact residential development in proximity to the downtown area;
- f) Although somewhat limited in size, the subject property can successfully accommodate a variety of RH Zoned permitted uses in a manner that will not conflict with and will be compatible with the adjacent railroad and vacant

commercial land, adjacent and nearby residential uses, and the abutting City streets and infrastructures.

Section 2. The City Council hereby approves the recommendation of the Lebanon Planning Commission and does hereby amend the Comprehensive Plan Map and Zoning Map of that certain real property located at the northeast corner of the intersection of 3rd and "A" streets, assessor's map T12S-R2W-10DD, Tax Lot 1901, involving acreage in the approximate size of 0.48 acres, from the current Comprehensive Plan designation of Commercial to Residential Mixed Density and that said property which currently has a Zoning designation of Highway Commercial shall be amended to be zoned Residential High Density.

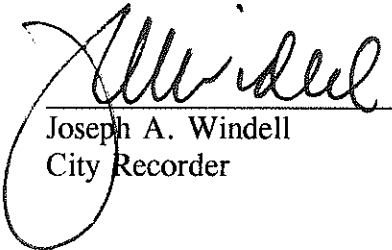
Section 3. Appropriate notice of this action shall be made as provided by law to the Department of Land Conservation and Development and the appropriate parties herein.

Passed by the Council of the City of Lebanon by a vote of 6 for and 0 against, and approved by the Mayor this 9th day of November , 1994.



Robert G. Smith
Mayor for the City of Lebanon

ATTEST:



Joseph A. Windell
City Recorder