

A RESOLUTION APPROVING )  
 COMPREHENSIVE PLAN MAP ) RESOLUTION NO. 79  
 AMENDMENTS CONCERNING 91.17 )  
 ACRES FROM GENERAL )  
 INDUSTRIAL TO A SPECIAL )  
 DEVELOPMENT DISTRICT )

WHEREAS, the Lebanon Planning Commission on September 20, 1995, conducted a public hearing on File No. CPA-95-3 which was a request to redesignate a certain parcel of property containing approximately 91.17 acres (3 adjacent parcels), more particularly described as Assessor's Map T12S - R2W - 24C, Tax Lots 206 and 300, and T12S - R2W - 23D, Tax Lot 100 from General Industrial to Special Development District; and

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

WHEREAS, the Lebanon City Council has conducted a public hearing on September 27, 1995, upon the same request and File Number; and

WHEREAS, the Lebanon City Council finds that appropriate notice has been made to all parties according to the provisions of the 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 identifies the procedures by which a property owner or the City may petition a zone map change or amendment;
- 2) Section 9.020 of the Lebanon Zoning Ordinance identifies the procedures to be followed by the Planning Commission and City Council regarding public hearings on proposed Zone Map (and text) amendments;
- 3) Sections 4.020 (3-5) of the Lebanon Zoning Ordinance identifies the permitted uses in the General Industrial (MG) Zone;

- 4) Section 4.310 of the Lebanon Zoning Ordinance identifies the permitted uses in the Mixed Use (MU) Zone;
- 5) The Comprehensive Plan Map designation of the site is General Industrial and is proposed for amendment to a Special Development District. The following Comprehensive Plan policies have been identified as those which are most relevant to this proposal. The following industrial and commercial land use policies are found in the Land Use Element of the Lebanon Comprehensive Plan:
  - a) Industrial Land Use Section, Policies #1, 2 and 4;
  - b) Commercial Land Use Section, Policies #5, 6, 7 and 10;
  - c) Transportation Element, Streets and Highways Section, Policy #9; and

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

NOW, THEREFORE, the City Council having considered the testimony, staff report, and criteria identified above, 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 complies with Zoning Ordinance Section 9.010 in that the applicant is the City who followed the procedures of Section 9.010;
- b) The requested Zone Map Amendment to Mixed Use (MU) requires that the existing Comprehensive Plan Map designation of the subject property (General Industrial) be redesignated to Special Development District;
- c) The property remains vacant and inactive and the existing zoning and permitted uses apparently do not permit a viable use, and therefore, do not serve the best interests of the property, neighborhood, vicinity or City;

- d) The proposed Zone Map Amendment from MG to MU will allow a variety of potential recreational, commercial and industrial uses at the subject property. The uses permitted in the proposed MU zone are compatible with and similar to existing industrial uses in the immediate vicinity;
- e) The proposed Comprehensive Plan and Map Amendments comply with the intent of the Comprehensive Plan, Industrial Land Use Section, Policies #1, #2 and #4 in that tourism is an "industry" for which no viable land is currently available for development, the tourism development of the site can be compatibly achieved, and the City must take the initiative to provide land conducive for commercial recreational development if the City aspires to actually attract this industry, a light non-polluting industry, that supports the City's economic development and diversification programs;
- f) The proposed Comprehensive Plan and Zone Map Amendments comply with the intent of the Comprehensive Plan, Commercial Land Use Section, Policies #5, #6, #7, #10 and #11 in that this site is not proposed for a conventional commercial center, the proposal will result in a compact commercial site rather than commercial strip development due to highway access controls, will allow local economic diversification and will create local recreational opportunities thereby decreasing long distance transportation needs; and
- g) The preparation of the Traffic Impact Analysis and the subsequent adoption of Highway Access Plans complies with and fulfills the intent of the Comprehensive Plan, Transportation Element, Streets and Highway Section, Policy #9 in that it promotes land use development that does not conflict with highway safety and traffic flow.

**Section 2.** The City Council hereby approves the recommendation of the Lebanon Planning Commission and does hereby amend the Comprehensive Plan Map of that certain real property located East of Highway 20, North of Weirich Road, West of the Albany-Santiam Canal and South of Cheadle Lake, Assessors Map T12S - R2W - 24C, Tax Lots 206 and 300, and T12S - R2W - 23D, Tax Lot 100, involving acreage in the approximate size of 91.17 acres, from the current Comprehensive Plan Designation of General Industrial to Special Development District designation.

**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.

