

A RESOLUTION APPROVING COMPREHENSIVE )  
PLAN MAP AMENDMENT TO REDESIGNATE )  
12.904 ACRES FROM MIXED DENSITY RESIDENTIAL )  
TO SPECIAL DEVELOPMENT DISTRICT. )

RESOLUTION NO. 12  
FOR 1996

WHEREAS, the Lebanon Planning Commission on May 15, 1996, conducted a public hearing on File No. CPA-96-1 regarding a certain vacant 12.904 acre site more particularly described as Assessor's Map T12S-R2W-9AD, Tax Lot 700 and requesting a proposed amendment to the Lebanon Comprehensive Plan Designation of said real property from Mixed Density Residential to Special Development District Comprehensive Plan Designation; and

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

WHEREAS, the Lebanon City Council has conducted a public hearing on June 12, 1996, 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 4.310(3)(a-ak) of the Lebanon Zoning Ordinance identifying the permitted uses in the MU Zone,
4. Sections 4.510(1), (3) and (4) of the Lebanon Zoning Ordinance identifying the purpose, use limitations and development review procedures required of the Aircraft Control (AC) subzone, and
5. The City of Lebanon/Linn County Urban Growth Management Agreement, Section 8 - Ordinance and Plan Amendments, City Amendments subsection describes the review, hearing and approval procedures and criteria for Comprehensive Plan Map Amendments of unannexed territory.

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:

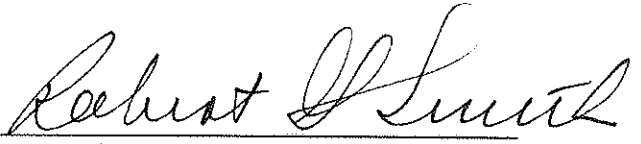
Section 1. The City Council, considering all of the above, hereby finds:

1. The request for a 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.
2. The Aircraft Control (AC) Subzone overlay imposed to avoid conflicts with airport operations limits or precludes most development opportunities permitted by the current Mixed-Density Residential Comp. Plan Map designation thereby diminishing the appropriateness of this designation.
3. The property remains vacant and in farm use. The current Comp. Plan Map designation and the existing zoning (and permitted uses) apparently does not permit a viable urban use and, therefore, does not serve the best interests of the property, neighborhood, vicinity or City.
4. The proposed Comp. Plan Map Amendment (change) from Mixed-Density Residential to Special Development District (SPD) will allow a variety of potential uses at the subject property. Many of the uses permitted in the proposed SPD designation are compatible with the development constraints and limitations imposed by the AC Subzone.
5. All future development in the SPD designation requires a public hearing and demonstration of compatibility with existing nearby uses and constraints of the AC Subzone thereby addressing the best interests of both the neighborhood and continued airport operations.
6. The proposed Comp. Plan Map Amendment from Mixed-Density Residential to Special Development District (SPD) increases the compatibility with the current county UGM-10 zoning (with a "AC" Subzone overlay) because the SPD designation represents future development opportunities that are compatible with and do not conflict the limitations and constraints imposed by the AC Subzone.
7. The proposed Comp. Plan Map Amendment will not impact or modify the current county UGM-10 zoning assignment or current development opportunities prior to annexation.

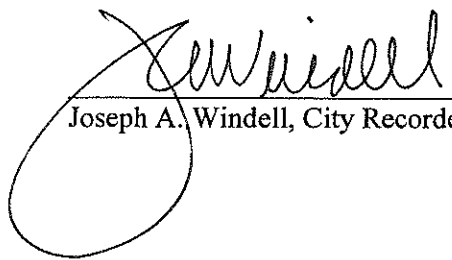
Section 2. The City Council hereby approves the recommendation of the Lebanon Planning Commission and does hereby amend the Comprehensive Plan Map of that certain real property located south of Highway 34/Tangent Street between Sunset Road and Tucker Lane, Assessor's Map T12S-R2W-9AD, Tax Lot 700 involving acreage in the approximate size of 12.904 acres, from the current Comprehensive Plan designation of Residential Mixed Density to Special Development District.

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 5 for and 0 against, and approved by the Mayor this 12th day of June, 1996.

  
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Robert G. Smith, Mayor

ATTEST:

  
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Joseph A. Windell, City Recorder