

A BILL FOR AN ORDINANCE AMENDING ) ORDINANCE BILL 25  
THE LEBANON COMPREHENSIVE PLAN, ) for 1981  
(FEBRUARY 27, 1980), AND THE )  
LEBANON ZONING ORDINANCE NO. 1773, ) ORDINANCE NO. 1851  
REDESIGNATING AND REZONING AN AREA. )

WHEREAS, the City of Lebanon received a request to change the land use designation and zoning in an area; and

WHEREAS, public hearings have been held by both the Lebanon Planning Commission and Lebanon City Council in accordance with state and local laws; and

WHEREAS, a "Findings" document (attached as Exhibit A) has been adopted; and

WHEREAS, the City of Lebanon and the applicant have entered into an agreement to exchange certain parcels of land as per agreement dated April 22, 1981, (attached at Exhibit B),

NOW THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Pursuant to Article 9 of Ordinance No. 1773 and the procedures established by the City for Comprehensive Plan amendments the following amendments are made:

Tax Lot 1603; Map 12-2W-2B  
is changed from the Comprehensive Plan land use designation of Park to Commercial and is also changed from the zoning classification of (RM) Residential-Mixed Density to (CH) Highway Commercial.

Section 2. The Lebanon Comprehensive Plan map and zoning map shall be amended to reflect the changes as indicated in Section 1.

Section 3. Effective Date. This ordinance shall be effective upon completion of the land exchange between the City of Lebanon and John D. Griffith as agreed to in "Agreement of Intent to Exchange Property", dated April 22, 1981, and attached to this ordinance as "Exhibit B."

Passed by the Council by a vote of 4 for and 0 against and approved by the Mayor this 24<sup>th</sup> day of JUNE, 1981.

Robert Smith  
Mayor

ATTEST:

P. L. Smith  
Recorder

PROPOSED FINDINGS OF FACT  
COMPREHENSIVE PLAN CHANGE 81-2/ZONE CHANGE 81-2

Introduction: This is a request to change the land use designation and zoning on Weldwood Park from Park/Residential to Commercial/CH. This request was made as part of a land exchange between the applicant and the City where the applicant is proposing to trade the City a new park for Weldwood Park.

THE RELEVANT CRITERIA ARE AS FOLLOWS:

1. Lebanon Zoning Ordinance
2. Oregon State Planning Goals
  - 2 Land Use Planning
  - 8 Recreational Needs
  - 9 Economy of the State
  - 10 Housing
  - 11 Public Facilities & Services
  - 12 Transportation
  - 13 Energy
3. Lebanon Comprehensive Plan
  - 5-P-3 No. 1,7,8,9,&10
  - 8-P-2 No. 5 & 6
  - 8-P-3 No. 11

I. BASIC FACTS

1. Site Description:

- A. The site is comprised at 7.7 acres of land now known as Weldwood Park.
- B. The City of Lebanon is the legal owner of the property at this time. The City, through an agreement dated April 22, 1981, has given the applicant (John D. Griffith) the right to ask for a land use designation change from Park to Commercial.
- C. The site is the present location of Weldwood Park. The park has three softball fields, a picnic area, some trees and a rest room.
- D. The site is in the City of Lebanon zoned RM (Residential Mixed Density) and is designated as a park on the Comprehensive Plan Map.

2. Area Characteristics:

The site is located in the southern end of Lebanon in an area characterized by large vacant fields intermixed with various urban uses. East of the site is a vacant field approximately 14 acres in size zoned MU (Mixed Use). Further east is the Champion Tree Nursery. North of the site adjacent to Market Street are some small lots utilized for various offices and commercial uses while further north across Market are some apartments. West are various residential uses and a church school. South are two homes on large lots and then further south a 19 acre vacant site zoned for residential uses. The site is located in an area which is a transition area from commercial office uses to residential uses.

3. Utility Locations:

- A. A 12" sewer line is located adjacent to the site along South Main Road.
- B. The site is served by a 12" water line.
- C. Telephone and electrical service are available to the site.

4. The Planning Commission recommended approval of this request by a 6-1 vote.

5. The transportation system serving this site consists of South Main Road and Market Street.

South Main Road is a County Standard road designated as an arterial in the Lebanon Comprehensive Plan. South Main presently carries 5,000 to 6,000 vehicles per day. South Main has a 50 foot right-of-way, has two paved travel lanes and gravel shoulders. South Main Road has been determined to be in a deteriorated state and lies within an urban renewal area.

6. The applicant stated that there is a need for additional commercial land within the Lebanon area because the community has been utilizing commercial lands faster than anticipated. He further stated that by allowing this site to be commercial that it would not be spot zoning because he intended to put commercial development on his site to the east. He indicated in his testimony that 15 acres of commercial lands had been utilized in the past 3 years and that only 13 acres remains available.

7. J. D. Griffith filed the application on 4-30-81 on forms provided by the City.
8. Public hearings were held May 21, 1981 before the Lebanon Planning Commission and June 10, 1981 before the City Council to discuss the issue.
9. Public notices were placed in the Lebanon Express on May 14 and 19, 1981, and June 4 and 9, 1981. Public notices were also sent to 16 property owners for each hearing.

## II. ULTIMATE FACTS

1. The site can be served by the utility facilities required for commercial type of development as proposed.
2. A. The transportation system is presently not adequate to handle full development of this site as commercial. But, through the efforts of the City with the Urban Renewal Project and the controls the City has through its zoning and subdivision ordinances they can control the timing of improvements and development so as to alleviate adverse impacts.  
  
B. The transportation system is presently not adequate to handle commercial development of this site. South Main Road is in poor shape and will not be improved for some time. Market Street is also in no condition to handle anticipated traffic from a commercial development of 8 acres safely.
3. A. A need was demonstrated that commercial land is becoming scarce in the Lebanon area, and that there are only 13 acres of Highway Commercial lands available.  
  
B. Commercial land is not becoming scarce in the Lebanon area as was stated by the applicant. Common knowledge of the City indicates that there are many parcels still available for commercial use, and that many of the buildings indicated as commercial development over the past three (3) years were either not entirely full or that the businesses in them had moved from other buildings and left them now empty.

## III. CONCLUSIONS OF LAW

1. The process followed in this request was in accordance with the requirements of the City of Lebanon Zoning Ordinance and meets the requirements of Goal 1 and 2 of the Oregon L.C.D.C. Planning Goals (Citizen's Involvement and Land Use Planning).

2. Goal 8 Recreation:  
This request is in conformance with Goal 8 as additional park lands will be provided by the applicant before the existing park will be turned over to the applicant.
3. Goal 9 Economy of the State:  
The provision of additional commercial land in the City will enhance the possibility of commercial growth in Lebanon and thus strengthen the economy of the region. This can lead to a stable economy for not only Lebanon, but the state as well and thus this request is in conformance with Goal 9.
4. Goal 10 Housing:
  - A. This request will have no effect on the housing goal of the state and community. Thus, Goal 10 does not apply.
  - B. This request and agreement will have the effect of taking away .9 acres of residential lands just to the south of the site. This is land pointed out as needed for housing and thus the effects of this plan change will be negative to the Housing Goal of both the City and state.
5. Goal 11 Public Facilities & Services:  
All needed public facilities and services are located adjacent to this site and thus the request is in conformance with Goal 11.
6. Goal 12 Transportation:
  - A. The basic transportation network is established in the area and with proper site development there should be no problems whatsoever. Thus, this request is in conformance with Goal 12.
  - B. The transportation system adjacent to the site is in a blighted state and can not handle the traffic flows usually associated with commercial development. Thus, this request does not meet Goal 12.
7. Lebanon Comprehensive Plan:  
5-P-3 No. 7
  - A. This request is in conformance with this policy because this site will help form a large area (20-30 acres) that will be available for a commercial center, thus playing off of the Lebanon Plaza which is nearby.
  - B. This request is not in conformance with this policy because this would be the creation of an outlying commercial center before existing commercial areas have had a chance to infill. This development would help deteriorate the Downtown where millions of dollars have been invested in the past one hundred years and would act against the goal of reinforcing existing centers.