

A BILL FOR AN ORDINANCE AMENDING
THE MAP OF THE COMPREHENSIVE PLAN
FOR THE CITY OF LEBANON FROM
RESIDENTIAL MIXED DENSITY (C-RM) TO
MIXED USE (C-MU).

) ORDINANCE BILL NO. 13
) For 2008
)
) ORDINANCE NO. 2762

WHEREAS, the Planning Commission for the City of Lebanon conducted a hearing and made findings recommending an amendment to the Comprehensive Plan Map for the City of Lebanon on August 20, 2008; and

WHEREAS, the City Council, pursuant to the provisions of the Lebanon Municipal Code, after appropriate notice given, has conducted a hearing to take testimony, hear arguments and to consider all of the evidence concerning such proposed map amendment, such hearing being conducted on September 24, 2008; and

WHEREAS, the City Council has considered all relevant evidence and deliberated.

NOW, THEREFORE, the City of Lebanon ordains as follows:

Section 1. In addition to the findings referred to above, the City Council does hereby adopt and find those matters contained in Exhibit "B" which is incorporated herein by this reference as if fully set forth at this point.

Section 2. Based upon the findings adopted herein, the Lebanon Comprehensive Plan Map is hereby amended as specified in Exhibit "A", which is incorporated herein by this reference as if fully set forth at this point

Section 3. Said Exhibit "A" shall be attached to and become a part of the Lebanon Comprehensive Plan upon entry of this order.

Section 4. Exhibit "A" shall be forwarded to Linn County, Oregon, to the Oregon Land Conservation and Development Commission and any other entities as required by law for their review.

Passed by the Lebanon City Council by a vote of 6 for and 0 against
and approved by the Mayor this 24th day of September, 2008.

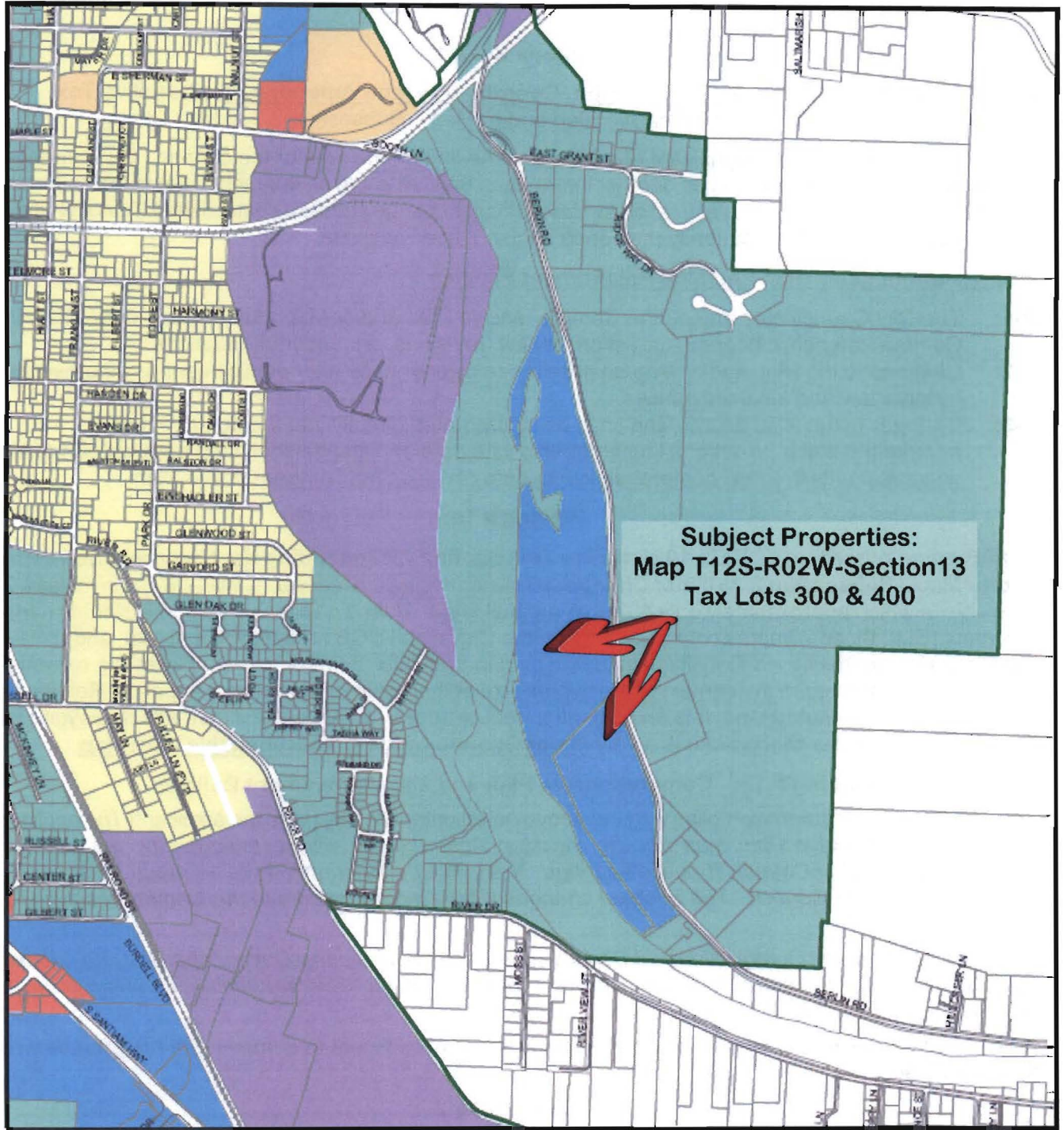
CITY COUNCIL OF LEBANON, OREGON

Kenneth I. Toombs
Kenneth I. Toombs, Mayor
Bob Elliott, Council President



ATTEST:

Linda Kaser
Linda Kaser, City Clerk/Recorder

EXHIBIT A – COMPREHENSIVE PLAN MAP



**Subject Properties:
Map T12S-R02W-Section13
Tax Lots 300 & 400**

- Legal Boundaries:**
-  Urban Growth Boundary
 -  Tax Lot








- Land Use Categories:**
-  Commercial (C-CM)
 -  Industrial (C-IND)
 -  Mixed Use (C-MU)
 -  Neighborhood Mixed Use (C-NMU)
 -  Public Use (C-PU)
 -  Residential Low Density (C-RL)
 -  Residential Mixed Density (C-RM)

EXHIBIT B - FINDINGS

Criteria Set # 1

[1a] LCP Chapter 10: Plan Implementation, Coordination, and Amendment -- Narrative Text
Section 2.0 Amending the Comprehensive Plan and/or Map – Subsection 2.33 Minor Changes:

Minor changes do not have significant effect beyond the immediate area of the change. Such changes should be based on special studies or other information that will serve as the factual basis to support the change. The public need and justification for the particular change should be established. Minor changes should not be made more frequently than once a year, if at all possible.

[1b] 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.
- 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.

Finding # 1a:

Staff Finding regarding LCP Ch 10 Narrative Text Section 2.0 Amending the Comprehensive Plan and/or Map – Subsection 2.33 Minor Changes: This redesignation request (CPMA-08-01) involves a 73 acre site, of which approximately only 43 acres are buildable. Based on the City's 2004 Buildable Lands Inventory (BLI), these 73 acres constitute 1.1% of the City's total UGB area (6,566.4 acres), and 2.4% of the City's Residential Mixed Density designated land in the UGB (2,997.3 acres). Given the extremely small acreage involved in the context of the overall size of the City's UGB and total supply of Residential Mixed Density designated land, this redesignation request does not have significant effects beyond the immediate area of the change and is a very **Minor Change of the Comprehensive Plan Map**.

Finding # 1b: Comprehensive Plan and Map Amendment Policies

The proposed amendment complies with the above noted criteria in that [from the applicant] *The applicant for the Comprehensive Plan Map and Zoning Map Amendments will be reviewed by the Planning Commission and City Council at public hearings. If approved, the changes will be made by ordinance adopted by the City Council. The adopted changes will be incorporated into the Comprehensive Plan Map.*

Conclusions: Planning Commission and Council review of the applications, Council approval and adoption by ordinance, and incorporation of any approved changes into the Comprehensive Plan Map complies with the requirements of LCP 10.6.0 Policies 1, 2 and 3.

Note: Staff deems the above information [Findings 1a – 1b] sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 2

LCP Chapter 10: Plan Implementation, Coordination, and Amendment -- Comprehensive Plan and Map Amendment Policies:

Policy 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.

Finding # 2a

The proposed amendment complies with the above noted criteria in that [from the applicant]:

Applicant's Response: The pattern of development in the area supports the need for additional Mixed Use zoning, particularly with the addition of 285 proposed homes to the immediate east of the subject property.

The uniqueness of the property makes it ideal for connecting the community of Lebanon to the South Santiam River with the benefits of recreation, entertainment, restaurant/hospitality, professional office and family condos or apartments and housing for retirees.

Oregon was recently named among the top five states named by people over 62 years of age for places to retire. Lebanon is uniquely situated midway between the beautiful ski areas the state offers and the majestic Oregon Coast making it an ideal location for attracting those interested in quality of life.

With the creation of new jobs, offered not only by this site, but Lowe's and the proposed medical school, Lebanon will need additional mixed use projects and unique developments to sustain growth and provide a whole new place to live, work and play within the city of Lebanon.

The C-MU designation allows for a wider range of commercial uses and increases the opportunity for the site to reflect a unique lifestyle conducive to attracting and sustaining opportunities for growth. All uses under this C-MU designation are subject to conditional use review by the City which will insure future development of the site conforms to the surrounding land uses and creates a positive environment for all to live, work and play in this unique setting along the banks of the South Santiam River.

The opening of Lowe's Distribution Center and the prospect of a new medical school have/will contribute to continued growth in population. In addition, the proposed 285-lot subdivision known as Ridgeway Butte also contributes to the creation of new conditions and information not previously available in that justify consideration of a Comprehensive Plan Map Amendment for the property.

Finding # 2b

Staff Finding regarding LCP Ch 10 Policy 4a: Updated Data [since writing and adopting of City's 2004 Comprehensive Plan and Map] -- Buildable Lands Inventory Data

(a) A Buildable Lands Inventory (BLI) provided information on land availability and projected needs as part of the 2004 Comprehensive Plan update. A June 2007 Economic Opportunities Analysis (EOA) study by the same consulting firm updated a selected portion of the data in the 2004 study. The 2004 BLI demonstrated over the 20 year planning horizon a huge surplus of Residential Mixed Density (C-RM) designated land, as well as a deficit of commercially designated lands and a thin surplus of Mixed Use (C-MU) designated land (LCP Table 3-2 below). Very similar findings for commercial and mixed use lands emerged from the 2007 EOA, which did not include an analysis of residential lands (EOA Table 5-1 below).

Excerpts from 2004 LCP Table 3-2 (Chapter 3, p. 9): Comparison of Land Need and Land Supply, Lebanon UGB, 2003-2025					
Plan Designation	Land Need: 2003-2025		Supply	(Deficit) Surplus: 2003-2025 (low)	(Deficit) Surplus: 2003-2025 (high)
	Total (low)	Total (high)	Gross Buildable Acres		
Commercial	23.9	51.6	17.2	(6.7)	(34.4)
Residential Mixed Density	355.9	355.9	1,478.4	1,122.6	1,122.6
Mixed-Use	84.5	163.9	352.4	267.9	188.5

Note: Negative numbers represent a deficit of acres and are shown in parenthesis (). The numbers represent the amount of buildable land that Lebanon will need to add to its inventories in these categories from land already in the Urban Growth Boundary (UGB) to accommodate development. (The City does NOT need to expand its UGB at this time.)
 Source: ECONorthwest 2004 Lebanon Urbanization Study

Excerpts from ECONorthwest 2007 Lebanon Economic Opportunities Analysis Table 5-1 (Chapter 5, p. 5-2) **Comparison of Industrial and Commercial Land Need and Land Supply, Lebanon UGB, 2007-2027, and 2007-2057**

Plan Designation	2007 - 2027				
	Land Need		Supply	(Deficit) Surplus	(Deficit) Surplus
	Low Estimate	High Estimate	Gross Buildable Acres	Low Estimate	High Estimate
Commercial	15.7	26.2	17.2	1.5	(9.0)
Mixed-Use	79.8	133	325.7	245.9	192.7

Source: City of Lebanon GIS data; analysis by ECONorthwest
 Note: Negative numbers represent a deficit of acres and are shown in parenthesis (). The numbers represent the amount of buildable land that Lebanon will need to add to its UGB to accommodate development.

(b) Section 3.6 (“Major Development and Employment Projections”) on page 15 of Chapter 5 (Population and Economy) of the 2004 LCP reiterates a caveat from the ECONorthwest 2004 BLI which simply states that unexpected large scale development in the short term may have major unexpected consequences in the estimates of land needed over the long term.

*The employment projections in this Chapter cannot accurately predict a major jump in employment that could result from the location of one or more large employers in the community during the planning period. This could take place if the City were successful in its recruitment efforts, either on its own and/or in conjunction with initiatives of State agencies to bring new industry to the State. Such a major change in the community’s employment may not be accounted for in the growth anticipated by the City’s employment forecast and may result in the need to revise future land needs (for employment, but also for housing, parks and other uses). Major economic events such as the successful recruitment of a very large employer are very difficult to include in a study of this nature (e.g., ECONorthwest 2004 Lebanon Urbanization Study). **The implications, however, are relatively predictable according to ECONorthwest: more demand for land (of all types)** [emphasis added] and public services.*

Therefore, it is explicitly understood that the projected amount of commercial and industrial land that is expected to be needed for the economic growth of the community over any given time period is not a fixed constraint or ceiling on the acreage that could be utilized for economic development should the ongoing dynamics of the marketplace indicate a demand for commercial and industrial land that surpasses the expectations of the ECONorthwest 2004 Lebanon Urbanization Study and those of the City at this point in time.

(c) An illustration of this phenomena occurred in May 2005 when the City approved the construction of a Lowe’s Regional Distribution Center. This RDC included a 1.3 million square foot warehouse/distribution center on a 204 acre industrial site in the northwest quadrant of the City that initially provided 400 permanent, full-time family-wage jobs, and currently employs nearly 800. This represents a significant drawdown of the large industrial parcels available for development in the community.

(d) A second illustration involves mixed use development in the City over the past few months. Three projects have drawn down nearly 24% of the City’s total UGB supply of Mixed Use (C-MU) lands. **The development of 77.18 acres of C-MU land constitutes 96.7% of the Low Estimate of the Needed**

Land for the next twenty years, or 58% of the High Estimate (see table from 2007 EOA above). This is a highly significant drawdown of the current supply of Mixed Use designated land for the total UGB, and even more so for C-MU lands within the City Limits (38.6%).

Recent Development of Mixed Use (MU) Designated Lands				
Name of Project (File Number)	Approval Date	Acreage	Percent of Available Mixed Use Acreage	
			UGB: 325.7 Acres (as per 07 EOA)	City Limits: 199.7 acres (Current City GIS data*)
Cascade Ridge (PD-7-02)	Final March 2008	8.77	2.7%	4.4%
Pacific Sunset (PD-08-02)	Preliminary May 2008	12.91	4%	6.5%
Samaritan Campus (PD-08-03)	Preliminary July 2008	55.5	17%	27.8%
Totals		77.18	23.7%	38.6%

*On 7/18/08, City GIS data indicated approximately 126 acres of Mixed Use (C-MU) in the Urban Growth Area.

Finding # 2c

Staff Finding regarding LCP Ch 10 Policy 4b: New Data Reflects New or Previously Undisclosed Public Needs

As noted in the 2004 LCP (Chapter 3, Section 4.2 "Summary of Land Needs"), one of the strategies recommended by ECONorthwest in the 2004 BLI (and adopted by the City) to meet identified deficits entails locating selected development such as commercial projects in Mixed-Use zones: "Identified deficits of gross buildable lands in the Commercial designation (between 6.7 and 34.4 gross buildable acres) . . . These deficits, however, could be accommodated in other designations (commercial uses are allowed in the Mixed Use . . . district)." The recent drawdown of Mixed-Use designated lands makes the implementation of this strategy for meeting deficits problematic over the twenty-year planning horizon unless new lands are added to the inventory. **This request to add additional Mixed Use lands to the City's inventory without endangering an adequate supply of residential lands supply is therefore in complete compliance with the above noted 2004 LCP criteria.**

Finding # 2d

Staff Finding regarding LCP Ch 10 Policy 4c: New Community Attitudes [since writing and adoption of City's Original 1980 Comprehensive Plan and Map] -- City's Long Standing Interest in Redesignation of the Subject Site

(a) In 2004 the City completed nearly a two-year project to write a new Lebanon Comprehensive Plan (LCP). As part of that process, the City would have liked to re-designate several areas on the Comprehensive Plan Map to take into account socio-economic changes in the community since the original Plan was developed in the late 1970s and adopted in 1980. However, concerns about the legal status of Measure 37 and its consequences deterred the City from making these changes. Instead, the City laid the ground work for such future changes in special sections of the Comprehensive Plan (Chapter 4 Land Use, and Chapter 2 Natural Environment). The subject property of this Comprehensive Plan Map Amendment (CPMA-08-01) is discussed in both of these chapters from the 2004 LCP.

(b) The following excerpts from the 2004 LCP demonstrate the City's Long Standing Interest in Redesignation of the Subject Site.

- **LCP Chapter 4, Section 5.0 ("Special Redevelopment and Infill Opportunity Areas") in Subsection 5.1 ("Introduction")** sets the context as follows: *"The following types of areas are among those sections of the community that may be ripe for development, redevelopment and/or renewal: (1) areas that are either developed as residential or mixed use neighborhoods; (2)*

employment/commercial centers that are currently in decline or in a blighted condition; and, (3) areas of low density that have substantial opportunity for infill activity. . . Such areas are usually definable by existing natural or human-caused features that may include roads, canals, rivers/streams, and railroad rights-of-way. . . The desired outcomes from such strategies for industrial and other large vacant tracts, especially those with special amenities, would include: integrated and efficient mixed use development and adequate public facilities including transportation and access. . .”

- **LCP Chapter 4, Subsection 5.2.2(2) (“Ridgeway Butte Riparian Mixed Use Area”)** specifically addresses the subject property: *“This area is bordered on the west by the South Santiam River, and by Berlin Road on the east, and is located at the western foot of Ridgeway Butte. This former aggregate extraction site has development potentials for residential, recreational, neighborhood commercial, mixed used, and natural resource management (e.g., fish habitat). Floodplain considerations would be a fundamental element of any refinement plan for this area. This unique area has the potential for compatible recreation, residential, and mixed use development. The area is within the City Limits and is currently designated Residential Mixed Density.”* [See Opportunity Area # 4 on the following map from the 2004 LCP]
- **LCP Chapter 2, Section 3.2 (“Santiam Special Planning Area”)** also specifically addresses the area containing the subject property: *“The Santiam Special Planning Area is an overlay zone that straddles the South Santiam River southeast of Lebanon’s Downtown District. The area on the west side of the Santiam River is the former Willamette Industries Plywood Mill site that stretches from Grant Street on the north to Riverview School on the south, and west from the Harmony Street/Post Street neighborhoods to the Santiam River. **On the east side of the River, this Planning Area includes the territory along the River west of Berlin Road at the foot of Ridgeway Butte from Grant Street/Brewster Road in the north to the City Limits and UGB Boundary on the South.** [emphasis added]*

This area is of special importance to Lebanon because of its central location and its unique natural features and their juxtaposition with one another. The area is a focal point for many community interests and goals including those related to transportation, recreation, riparian zone protection, habitat management (threatened and endangered species), water quality, scenic views, and commercial and residential development that is not detrimental to these other concerns. Identification as a Special Planning Area will help assure that the City is able to successfully integrate these key values during the development review process for this area. Approval of development proposals in this Special Planning Area will require demonstration that plans are able to successfully coordinate with the City’s special studies that pertain to this area relating to such things as transportation, recreation, riparian protection, and habitat management.

*It has been determined that a **future Comprehensive Plan Map designation of Mixed Use** [emphasis added] will enable the creation of development and redevelopment strategies that can maximize the potentials of the multitude of amenities associated with the natural features of this area and simultaneously protect them. While the former Willamette Industries Plywood Mill site has historically been designated as General Industrial on the Comprehensive Plan Map, the City has now identified Mixed Use Development that includes recreational and commercial components as appropriate future Comprehensive Plan Map redesignation for this important redevelopment area. This future redesignation will enable the realization of the highest and best benefits for the community that this site has to offer. This future redesignation would lead to “up-zoning” upon annexation.”*

(c) In summary, during the Comprehensive Plan re-write in 2003-2004, the community identified the area that includes the subject site (Ridgeway Butte Landing) as one of the areas that should be redesignated as Mixed Use on the LCP Map. This is the designation that was determined to provide the highest and best use of this property, as well as provide an umbrella under which the unique natural amenities of this site along the South Santiam River could best be managed, preserved, and made available to the public for recreation and enjoyment of its natural beauty and access to the river and ponds.

(d) The property owner now wishes to voluntarily redesignate the subject property as C-MU in accordance with the community values and attitudes embodied in the above noted sections of the 2004 LCP, thus avoiding the legal and fiscal entanglements of Measure 37 that deterred the City from making these same changes in 2004. **This request is therefore in complete compliance with the above noted 2004 LCP criteria.**

Note: Staff deems the above information [Findings 2a - 2d] sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 3

LCP Chapter 10: Plan Implementation, Coordination, and Amendment -- Comprehensive Plan and Map Amendment 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.

Finding # 3

The proposed amendment complies with the above noted criteria in that [from the applicant]:

Applicant's Response:

Policy 5(a): There is a need for the proposed change.

Applicant's Response:

In 2003, the City completed an inventory of the amount of land needed and available within the urban growth boundary through the year 2025. The inventory was adopted into the City's Comprehensive Plan. The results of the inventory for RM and MU land are shown below.

From Lebanon Comprehensive Plan – Table 3.2: Comparison of Land Need and Land

Supply within the UGB, 2003-2025:

Plan Designation	Projected Need (acres)	Current Supply (acres)	(Deficit) or Surplus of Land 2003-2025 (acres)
Mixed Density Residential	356	1478	1123
Mixed Use	85 to 164	352	189 to 268

The City projects a need for 356 acres of RM land for the 2003 to 2025 planning period. There were 1,479 gross buildable acres of RM land available in 2003. The City has an estimated surplus of about 1,123 acres of RM land for the next 20-years, more than four times the projected need.

The City projects a need for 85 to 164 acres of Mixed Use land for the 2003 to 2025 planning period. There were 352 gross buildable acres of MU land available in 2003. The City has an estimated surplus of between 189 and 268 acres of Mixed Use land for the next 20-years, two to four times the projected need.

The City clearly has a sufficient supply of land in both the RM and MU designations to meet the projected growth needs of Lebanon. Redesignating the subject property will not significantly affect the amount of available land in either category.

Also Staff Findings #2b, #2c and #2d (pages 21 - 24) are applicable here.

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Policy 5(b): The identified need can best be served by granting the change requested.

Applicant's Response:

The eastern portion of the city of Lebanon represents a prime location in which to develop a unique community asset. There is a significant need to designate commercial land in this portion of the city in order to establish a land use area that promotes sustainable housing and efficient use of natural resources for the enjoyment of all citizens through a mixed use development that incorporates a wide range of opportunities for creating a development that incorporates all this unique site has to offer without adversely impacting existing neighbors.

Mixed Use zoning is more appropriate for this property than the current Residential Mixed Density zoning or even a change to Neighborhood Mixed Use or Commercial designation. The C-MU designation allows a wider range of uses appropriate to the property and the anticipated growth of the surrounding community. With the C-MU zoning, conditional uses permits will be required in order to ensure compatibility with surrounding uses.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criterion.

Policy 5(c): The proposed change complies with the Statewide Planning Goals.

Applicant's Response:

The city of Lebanon's Comprehensive Plan and Zoning Ordinance are acknowledged as in compliance with the Statewide Planning Goals. Implementation of the applicable plan policies and code provisions assures consideration of applicable statewide planning goals as required by LCP 10.6.0 Policy 5(c). Compliance with the Comprehensive Plan and Development Code is demonstrated in the process undertaken by submitting this application.

The following Statewide Planning Goals are relevant to the review of this application.

Goal 1 – Citizen Involvement. *This goal calls for the "opportunity for citizens to be involved in all phases of the planning process." This application will be reviewed in accordance with the city's acknowledged procedures for compliance with Goal 1. These procedures include: public notification, the opportunity to provide written and oral testimony before the decision-making authority at or prior to two public hearings and notification of the City's decision and the procedures for appealing the decision. These procedures will be followed. Therefore, the applications comply with Statewide Planning Goal 1.*

Goal 2 – Land Use Planning. *Goal 2 mandates the establishment of "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 basis for such decisions and actions." The land use program in place in the City of Lebanon, including the Comprehensive Plan and Zoning Ordinance used to review these applications, is acknowledged to be in compliance with Statewide Planning Goal 2. The review of the applications will comply with the city's land use program and the city's findings and decisions will be based on substantial evidence that will provide an adequate factual base for the decision. Therefore, the applications comply with Statewide Planning Goal 2.*

Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources. *The property contains no inventoried or otherwise identified open space, scenic and historic areas or other land that is subject to Statewide Planning Goal 5. Therefore, Statewide Planning Goal 5 does not apply to these applications.*

Goal 9 – Economy of the State. *"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens." Goal 9 requires jurisdictions to seek ways to diversify and improve their economy and the overall economy of the state. Redesignating the property to Mixed Use will provide more alternatives for commercial development. It will*

enhance opportunities for economic activities that contribute to the health, welfare and prosperity of Lebanon's citizens. Therefore, the application complies with Statewide Planning Goal 9.

Goal 10 – Housing. Goal 10 requires that cities plan for and accommodate needed housing types. The applications contain substantial evidence which demonstrates the city has a large surplus of residentially designated land. Redesignating the subject property to C-MU will not significantly impact the overall supply of residential land or create a shortage of residential land in any region of the city or for any housing type. Therefore, the applications comply with Statewide Planning Goal 10.

Goal 11 – Public Facilities and Services. Goal 11 requires efficient planning of public services such as sewer, water, law enforcement, and fire protection. City sewer and water utilities are available approximately 2500 ft. from the site and will be brought to the site to comply with Statewide Planning Goal 11. The property has close proximity to law enforcement and fire protection. The draft conceptual plan also currently shows a municipality should law enforcement or fire protection services onsite be necessary to comply with Statewide Planning Goal 11.

Goal 12 – Transportation. Goal 12 is "to provide and encourage a safe, convenient and economic transportation system." Redesignation of this site from RM to MU will be consistent with the City's Transportation Plan and the State's Transportation Planning Rule. Therefore, the applications comply with Statewide Planning Goal 12.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criterion.

Policy 5(d): The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

Applicant's Response:

Consistency with the provisions of the City's Comprehensive Plan is demonstrated by the following facts, statements and conclusions.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criterion.

Criteria Set # 4

LCP Chapter 1 – Introduction – Policy 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.

Finding # 4

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

The Lebanon Comprehensive Plan provides policy direction for land uses within the urban growth boundary. The policies of the Comprehensive Plan address many topics related to land use.

Policies that are general in nature can be implemented in a variety of ways. More detailed policies are intended to be implemented in a specific manner. The following facts, statements and conclusions demonstrate that the requested Map Amendments are consistent with the goals and policies of the Comprehensive Plan and, when considered as a whole, the Plan's goals and policies are supportive of the map changes.

The Comprehensive Plan policies are organized topically by chapter. The policies relevant to the proposed map changes from RM to MU are found in every chapter of the Comprehensive Plan. The most relevant policies are those that address the buildable land supply (Chapter 3), the arrangement of land uses in the community (Chapter 4), and the City's transportation system (Chapter 8).

In addition, this particular property is specifically mentioned in detail regarding unique natural features and environmentally friendly development and natural resource goals (Chapter 2).

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 5

Lebanon Comprehensive Plan - Chapter 2 - Natural Environment – Narrative Text -- Natural Vegetation, Fish and Wildlife, Excerpts from Section 2.4.1 Natural Vegetation Values:

. . . The City's 1998 Riparian Protection Ordinance (Lebanon Municipal Code Chapter 17.27) created a Riparian Protection Subzone (or RPZ) along the South Santiam River, Oak Creak and Cheadle Lake corridors to maintain and enhance water quality, prevent property damage during floods and storms, limit development activity in designation riparian corridors, protect native plant species, maintain and enhance fish and wildlife habitats, and conserve scenic and recreational values of riparian areas. The associated greenways have been designated by the City in the Parks Master Plan to be managed for not only natural vegetation protection, but also for pedestrian and bike trails. . . . Preservation of riparian zones, particularly along major streams, is of outstanding importance for both fish and wildlife. Provision and preservation of parks, open space and water areas are of high importance for both recreation and the maintenance of natural habitats. . . . All rivers, streams and lakes and adjacent riparian zones are considered sensitive areas for protection of fish and wildlife values. . .

Finding # 5

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

Mixed Use zoning will allow the greatest flexibility in creating an environment in which job growth, affordable housing, recreation and environmental conservation can co-exist with natural vegetation protection and pedestrian and bike trails can provide community access to the South Santiam River. Changing the zone from residential to mixed use really provides opportunities for mutual beneficial development.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 6

Lebanon Comprehensive Plan - Chapter 2 - Natural Environment – Narrative Text Excerpts from Section 2.4.4 River Access: Assuring adequate river access is important for recreational purposes and sport fishing (to utilize fishery resources). Presently bank access is limited. . . .

Finding # 6

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response: *The draft conceptual plan currently outlines river access as well as access to the ponds for recreational purposes. Mixed use zoning will provide flexibility in integrating these resources into a plan that will create a unique location for people to live, work and play.*

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 7

LCP Chapter 2, Section 3.2 ("Santiam Special Planning Area") specifically addresses the area containing the subject property: *"The Santiam Special Planning Area is an overlay zone that straddles the South Santiam River southeast of Lebanon's Downtown District. The area on the west side of the Santiam River is the former Willamette Industries Plywood Mill site that stretches from Grant Street on the north to Riverview School on the south, and west from the Harmony Street/Post Street neighborhoods to the*

Santiam River. On the east side of the River, this Planning Area includes the territory along the River west of Berlin Road at the foot of Ridgeway Butte from Grant Street/Brewster Road in the north to the City Limits and UGB Boundary on the South. [emphasis added]

This area is of special importance to Lebanon because of its central location and its unique natural features and their juxtaposition with one another. The area is a focal point for many community interests and goals including those related to transportation, recreation, riparian zone protection, habitat management (threatened and endangered species), water quality, scenic views, and commercial and residential development that is not detrimental to these other concerns. Identification as a Special Planning Area will help assure that the City is able to successfully integrate these key values during the development review process for this area. Approval of development proposals in this Special Planning Area will require demonstration that plans are able to successfully coordinate with the City's special studies that pertain to this area relating to such things as transportation, recreation, riparian protection, and habitat management.

*It has been determined that a **future Comprehensive Plan Map designation of Mixed Use** [emphasis added] will enable the creation of development and redevelopment strategies that can maximize the potentials of the multitude of amenities associated with the natural features of this area and simultaneously protect them. While the former Willamette Industries Plywood Mill site has historically been designated as General Industrial on the Comprehensive Plan Map, the City has now identified Mixed Use Development that includes recreational and commercial components as appropriate future Comprehensive Plan Map redesignation for this important redevelopment area. This future redesignation will enable the realization of the highest and best benefits for the community that this site has to offer. This future redesignation would lead to "up-zoning" upon annexation."*

LCP Chapter 4, Section 5.0 ("Special Redevelopment and Infill Opportunity Areas") in Subsection 5.1 ("Introduction") also addresses this area – the following sets the context: *"The following types of areas are among those sections of the community that may be ripe for development, redevelopment and/or renewal: (1) areas that are either developed as residential or mixed use neighborhoods; (2) employment/commercial centers that are currently in decline or in a blighted condition; and, (3) areas of low density that have substantial opportunity for infill activity. . . Such areas are usually definable by existing natural or human-caused features that may include roads, canals, rivers/streams, and railroad rights-of-way. . . The desired outcomes from such strategies for industrial and other large vacant tracts, especially those with special amenities, would include: integrated and efficient mixed use development and adequate public facilities including transportation and access. . ."*

LCP Chapter 4, Subsection 5.2.2(2) ("Ridgeway Butte Riparian Mixed Use Area") also specifically addresses the subject property: *"This area is bordered on the west by the South Santiam River, and by Berlin Road on the east, and is located at the western foot of Ridgeway Butte. This former aggregate extraction site has development potentials for residential, recreational, neighborhood commercial, mixed used, and natural resource management (e.g., fish habitat). Floodplain considerations would be a fundamental element of any refinement plan for this area. This unique area has the potential for compatible recreation, residential, and mixed use development. The area is within the City Limits and is currently designated Residential Mixed Density." [See Opportunity Area # 4 on the following map from the 2004 LCP]*

Finding # 7

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

The subject property is the area along the river west of Berlin Road at the foot of Ridgeway Butte and is considered part of this Santiam Special Planning Area. As outlined above, the Comprehensive Plan addresses the unique natural features of this property and that Mixed Use will maximize the potential to this resource while simultaneously protecting it.

Changing the designation of the property to MU will not affect the regulatory process for ensuring riparian zone protection, habitat management or water quality. It will provide opportunities for the entire community to enjoy the scenic view and will open the property as a focal point for the community as a recreational and natural resource. This combination will enable a variety of other conditional uses.

The subject property is located as one of 11 identified redevelopment areas. As stated in the current Comprehensive Plan, the unique area has the potential for compatible recreation, residential and mixed use development and the applicant requests the zoning be changed from Residential Mixed Use Density to Mixed Use to develop the site as a community asset combining multiple uses for maximum benefits to the community of Lebanon.

Finding # 7b

Also Staff Finding #2d (pages 23-24) is applicable here.

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 8

LCP Chapter 2 - Natural Environment – Natural Resource Goals:

- 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-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.

Natural Resource Policies -- The City shall:

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

Finding # 8

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

The subject property is currently private vacant land on the banks of the river which provides no open space or recreation for the community. The land borders the Santiam River to the west and the current draft conceptual plan features open space and recreation for the enjoyment of the community. Designation of the property to MU will allow for greater diversity in developing a unique place for people to live, work and play – truly connecting citizens of Lebanon to this vital community resource while preserving this natural resource for future generations through sustainable and environmentally friendly development.

The subject property is bordered on the west by the South Santiam River and has three ponds located on site to the north. The topography is relatively flat and above the flood plain. It is known as Ridgeway Landing as it is bordered on the east by Ridgeway Butte which has sloped topography and as a developed subdivision will offer valley, river and city views. The Landing in contrast will offer proximity to the river and ponds as its scenic backdrop.

Of the 73.5 acres comprising Ridgeway Landing, it is estimated that only about 43 of those acres are actually developable and are represented in the draft conceptual plan submitted with the application. The other acreage, with the exception of possible recreation amenities to access these resources, is currently planned to be left protected in its natural state. The draft conceptual plan provides protection of the natural resources by maintaining a buffer along the river while still providing the enjoyable view and trails that make this a valuable mixed use project.

Development of this property will be required to meet the same jurisdictional requirements under the RM or MU designations. Changing the designation of the property to MU will not affect its regulatory status. The practicality of retaining open, naturally vegetated drainage can be determined when a specific development proposal is submitted for review. Changing the designation of the property to MU will not affect this consideration.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 9

LCP Chapter 3 – Urbanization – Narrative Text – Excerpts from Section 4.2 Summary of Land

Needs: One of the strategies recommended by ECONorthwest in the 2004 BLI (and adopted by the City and included in this Section of 2004 LCP) to meet identified deficits (Table 3-2) entails locating selected development such as commercial projects in Mixed-Use zones: “Identified deficits of gross buildable lands in the Commercial designation (between 6.7 and 34.4 gross buildable acres) . . . These deficits, however, could be accommodated in other designations (commercial uses are allowed in the Mixed Use . . . district).”

LCP Chapter 5 -- Population and Economy Narrative Text, Section 3.6 “Major Development and Employment Projections”) -- Growth spurts may increase the projected need for land of all types:

The employment projections in this Chapter cannot accurately predict a major jump in employment that could result from the location of one or more large employers in the community during the planning period.

*This could take place if the City were successful in its recruitment efforts, either on its own and/or in conjunction with initiatives of State agencies to bring new industry to the State. Such a major change in the community’s employment may not be accounted for in the growth anticipated by the City’s employment forecast and may result in the need to revise future land needs (for employment, but also for housing, parks and other uses). Major economic events such as the successful recruitment of a very large employer are very difficult to include in a study of this nature (e.g., ECONorthwest 2004 Lebanon Urbanization Study). **The implications, however, are relatively predictable according to ECONorthwest: more demand for land (of all types)** [emphasis added] and public services.*

Therefore, it is explicitly understood that the projected amount of commercial and industrial land that is expected to be needed for the economic growth of the community over any given time period is not a fixed constraint or ceiling on the acreage that could be utilized for economic development should the ongoing dynamics of the marketplace indicate a demand for commercial and industrial land that surpasses the expectations of the ECONorthwest 2004 Lebanon Urbanization Study and those of the City at this point in time.

Finding # 9

The proposed amendment complies with the above noted criteria given the following information from City Staff:

Staff Findings #2b and #2c (pages 21 - 23) are applicable here.

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 10

LCP Chapter 1 – Introduction – Goal 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.

LCP Chapter 3 – Urbanization -- Urbanization 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.

Finding # 10

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

In 2003, the City completed an inventory of the amount of land needed and available within the urban growth boundary through the year 2025. The inventory was adopted into the City's Comprehensive Plan. The results of the inventory for RM and MU land are shown below.

From Lebanon Comprehensive Plan – Table 3.2: Comparison of Land Need and Land Supply within the UGB, 2003-2025:

Plan Designation	Projected Need (acres)	Current Supply (acres)	(Deficit) or Surplus of Land 2003-2025 (acres)
Mixed Density Residential	356	1478	1123
Mixed Use	85 to 164	352	189 to 268

[Staff Note: Numbers above are rounded up to the nearest whole number by the applicant]

The City projects a need for 356 acres of RM land for the 2003 to 2025 planning period.

There were 1,479 gross buildable acres of RM land available in 2003. The City has an estimated surplus of about 1,123 acres of RM land for the next 20-years, more than four times the projected need.

The City projects a need for 85 to 164 acres of Mixed Use land for the 2003 to 2025 planning period. There were 352 gross buildable acres of MU land available in 2003. The City has an estimated surplus of between 189 and 268 acres of Mixed Use land for the next 20-years, two to four times the projected need.

The City clearly has a sufficient supply of land in both the RM and MU designations to meet the projected growth needs of Lebanon. Redesignating the subject property will not significantly affect the amount of available land in either category.

Also Staff Findings #2b and #2c (pages 21 - 23) are applicable here.

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 11

LCP Chapter 4 – Land Use -- Land Use Policies – Policy P-20 for Residential Uses -- 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. The City encourages this type of development by offering incentives such as density or open space bonuses.

Finding # 11

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

Both C-RM and C-MU designations permit and encourage compact residential development though the standards of the Lebanon Zoning Ordinance, so changing the designation of the property to MU will have no effect.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 12

LCP Chapter 4 – Land Use -- Land Use Policies – Policy P-32 for Commercial Uses -- 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.

Finding # 12

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

The draft conceptual plan shows that even with a MU zoning, housing is currently designed to provide a buffer to neighboring properties to the south.

Staff Note: Mixed Use development must comply with all applicable development regulations (i.e., commercial development in a Mixed Use Zone would conform to Commercial development standards, and industrial development in a Mixed Use Zone would conform to Industrial development standards).

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 13

LCP Chapter 4 – Land Use -- Land Use Policies – Policy P-40 for Mixed Uses -- The City shall 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.

Finding # 13

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

The proposed C-MU designation is much more likely to promote a compact, pedestrian friendly environment in compliance with P-40 than the current C-RM designation. [Mixed Use] Development of the subject property would definitely encourage a mix of commercial and residential uses to promote a place where people can live, work and play. Compact development and trails will promote a very pedestrian friendly environment as shown on the draft conceptual plan.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 14

LCP Chapter 1 – Introduction – Goal G-5: Broadening opportunities for economic expansion and diversification.

LCP Chapter 5 – Population and Economy -- Economic Goals:

G-1: Providing employment opportunities for its citizens.

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.

Finding Set # 14

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

The city has a number of economic goals pertaining to providing and supporting employment opportunities, creating and sustaining a viable tax base and a diversified economic base and seeking balanced growth. The subject property is vacant land located along the banks of the Santiam River with easy access to downtown and adjacent to a proposed 285-lot subdivision.

It is ideally located to fill a need for retail, commercial and recreational services in east Lebanon. Mixed development of the property will provide the opportunity for balanced, concurrent growth in the commercial and residential sectors in the area. The C-MU designation allows a wider range of commercial and development opportunities than the current C-RM designation. The property is more likely to develop with commercial uses if it is redesignated C-MU thus diversifying the economic base, expanding employment opportunities and increasing the city's tax base and support balanced growth. Development of the property under the C-MU designation is consistent with and meets the criteria of Economic Goals 1 through 6.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 15

LCP Chapter 5 – Population and Economy -- Economic Goals and Policies:

- G-7:** 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.
- P-5:** [The City shall] Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.
- P-27:** [The City shall] Plan for the projected population of the year 2025.

Finding # 15

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

Population, economic and employment trends and projections provide a basis for land use planning, housing needs, as well as transportation and public facility needs. The Lebanon Comprehensive Plan forecasts population based on past growth trends, demographics characteristics and census data.

The city has documented a significant surplus of residential land based on the growth parameters used in the Comprehensive Plan. Redesignating the subject property to MU will not adversely impact the supply of residential property.

Since the last update to the Comprehensive Plan was adopted, Lebanon has increased jobs with the addition of Lowe's and is anticipating the development of a new campus for higher education which will

bring the need for other supporting employment as well as affordable housing and other land uses consistent with the Mixed Use zoning.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 16

LCP Chapter 6 – Housing -- Polices for Housing Variety, Type, Density, and Location Amenities -- The City shall:

- 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.
- 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-36:** Maintain an adequate availability of residential, buildable lands that provide locational choices for each housing type.
- 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).

Finding # 16

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

The city has demonstrated a surplus of residential land to meet the housing needs through 2025. Redesignation of the subject property from residential to mixed use will not significantly impact the overall surplus of residential land or create a shortage of land in any particular zone within the city. Therefore the loss of C-RM zoned land will not prevent the city from achieving the housing goals set forth in the Comprehensive Plan.

Also Staff Findings #2c (page 23) is applicable here, which concludes as follows: This request to add additional Mixed Use lands to the City's inventory without endangering an adequate supply of residential lands supply is therefore in complete compliance with the above noted 2004 LCP criteria.

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 17

LCP Chapter 7 – Community Friendly Development

Narrative Text, Section 2.6 Mixed-Use Development

Oregon's experience has shown that it is important to allow for a mix of uses within compact neighborhoods because that promotes:

- Independence of movement, especially for the young and the elderly who can conveniently walk, cycle, or ride transit;
- Safety in commercial areas, through the around-the-clock presence of people;
- Reduction in auto use, especially by shortening trips between residences and jobs/services/recreation;
- Support for those who work at home, through nearby services and parks;
- A variety of housing choices, so that the young and old, singles and families, and those of varying economic ability may find places to live.

Effective mixed-use zones not only allow the co-location of various types of uses, but they also promote compatible architectural design and connectivity of buildings to streets and paths. Residential mixed-use

encourages planners and developers to look beyond the traditional subdivision design and think about new and efficient utilization of land. Such innovative designs can provide residents access to commercial services as well as amenities such as parks, trails, and open spaces, and hence promote Community Friendly Development. There are different levels and scales of mixed-use: mixed uses within a single building; neighborhoods where uses may be located in different buildings and/or "horizontally"; and areas where distinct uses are located near each other, in small scale neighborhood commercial buildings within residential neighborhoods.

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.

Finding # 17

The proposed amendment complies with the above noted criteria given the following information from Staff: The redesignation of the subject property from residential to mixed use is consistent with the above LCP Chapter criteria because the proposed redesignation is a positive step towards greater realization of the goals of mixed use in Lebanon.

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 18

LCP Chapter 8 – Transportation -- The City's Transportation Related Goals include the following:

- G-1:** Developing and maintaining a well-planned, comprehensive transportation system that balances the needs of future land development with a system that serves all users.
- G-2:** Providing a transportation policy plan as a guide for development of a systematic network of traffic ways related to the patterns and needs of community activity.
- G-3:** Promoting connectivity and efficient multi-modal access within and between developments and neighborhoods.
- G-4:** Promoting efficient access to land development and maintaining operational levels of traffic flow in terms of safety, capacity, functional classification, and performance standards.
- G-5:** Complying with all applicable Statewide Planning Goal 12 requirements for transportation.

The City's Transportation Related Policies include the following -- The City shall:

- P-3:** Create local street connectivity standards to ensure that new street development provides a high degree of connectivity between streets for automobiles and also for bicyclists and pedestrians.
- P-11:** The transportation system shall be planned and developed in a manner that contributes to community livability, recognizes and respects the characteristics of natural features, and minimizes the negative effects on abutting land uses.
- 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.
- P-26:** Future streets and highways shall contribute to the creation of an efficient circulation network and provide for convenient movement of traffic and access to all parts of the community.
- P-27:** The circulation network shall help encourage compact community development, without disrupting or bisecting neighborhoods or other areas with a natural unity.

Finding # 18a

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response: No specific transportation development proposal has been submitted as part of these applications. The applicant presumes that transportation infrastructure will be constructed to City standards when the property is developed. Road alignments will be presented as part of the development process.

Finding # 18b

Staff Finding regarding LCP Ch 8 Transportation Goals and Policies -- This Redesignation Triggers No Significant Change Vis-à-vis City Services and Facilities

(a) The subject site has approximately 43 developable acres. Given the City's current development standards, at an average of six single family homes per acre, the RM designation would allow roughly 258 dwelling units. As noted above, this would also easily allow 936 two-bedroom apartments without any density bonuses. The standards and requirements of the Lebanon Zoning Ordinance allow considerably higher densities on RM designated land (see Parkside II above). Depending on the types of development actually approved for the site, a Mixed Use designation could lead to less density, less traffic, and lower demand on services and City infrastructure in this constricted area. For example, retail, commercial and office space would not be high demand/discharge waste consumers and would have less impact than residential uses on water and sewer services. Medical facilities, depending on type, could have a higher demand/consumption/discharge than residential uses. Retail, commercial, office, medical, and apartments together (depending on type and the mix) could generate more average daily vehicle trips than an all apartment option, depending on the size density, and mix of units in any multi-family development.

(b) Directly east of the subject property (across Berlin Road) is Ridgeway Butte. The City recently approved a subdivision proposal (S-08-02) that creates 285 lots for single-family detached dwellings on approximately 314 acres of Residential Mixed Density (RM) designated land. This subdivision features large "amenity" lots on arguably the community's most significant scenic and natural site (wooded hillsides overlooking the South Santiam River). The approval stipulates that these large lots cannot be subdivided. These 314 acres of Residential Mixed Density (RM) designated land could have theoretically supported a much higher density, but the developer intentionally opted for lower densities to create this unique neighborhood; the City supported this design. Theoretically at an average of six single family homes per acre, the RM designation on 314 acres could have allowed roughly 1,884 six single family dwelling units. Obviously the density for multi-family dwellings on these 314 acres could have been far higher.

(c) Because of the approval of S-08-02, the potential demands on all City infrastructure and services in this area of the City will be significantly lower than they might have been. The City infrastructure and services (e.g., transportation, potable water, sanitary sewer, and storm water drainage) that serve Ridgeway Butte also serve Ridgeway Landing (west side of Berlin Road). This reduction in service demand from the 314 acres of Ridgeway Butte would more than offset any potential increase in demand for these same services from the 43 buildable acres of Ridgeway Landing that might result from a redesignation of Residential Mixed Density (RM) to Mixed Use (MU).

(d) Given all of the above factors and a review of available City services in the area, the City finds that that the redesignation of the 73 acres (including approximately 43 buildable acres) of Ridgeway Landing from Residential Mixed Density (RM) to Mixed Use (MU) **does NOT have any significant change or impact on the City's Master Facility Plans for this area including the Transportation System Plan (TSP).** Given this determination, the City as a matter of policy will still require a Transportation Impact Analysis (TIA) for any future proposed development on the subject property.

Note: Staff deems the above information [Findings 18a – 18b] sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 19

LCP Chapter 9 – Public Facilities and Services -- The City's Public Facilities and Services Related Policies include the following -- The City shall:

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. (Same as Urbanization, Public Facilities Capability Policy P-10)

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.

Finding # 19

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response:

Development of the site will extend adequate supplies of water, sewer and storm drainage facilities to the subject property.

Finding # 19b

Also Staff Finding #18b (pages 35 - 36) is applicable here.

Note: Staff deems the above information sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 20

Statewide Planning Goals

The following Statewide Planning Goals (SWPG) are relevant for this Comprehensive Plan Map Amendment: 1, 2, 5, 9, 10, 11, 12

SWPG 1. Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

SWPG 2. Planning: To establish 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.

SWPG 5. Natural Resources, Scenic And Historic Areas, And Open Spaces: To protect natural resources and conserve scenic and historic areas and open spaces.

SWPG 9. Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

SWPG 10: Housing: To provide for the housing needs of citizens of the state.

SWPG 11: Public Facilities And Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

SWPG 12: Transportation: To provide and encourage a safe, convenient and economic transportation system.

Finding # 20

The proposed amendment complies with the above noted criteria given the following information from the applicant:

Applicant's Response [Also see Finding #3]:

Goal 1 – Citizen Involvement. This goal calls for the “opportunity for citizens to be involved in all phases of the planning process.” This application will be reviewed in accordance with the city's acknowledged procedures for compliance with Goal 1. These procedures include: public notification, the opportunity to provide written and oral testimony before the decision-making authority at or prior to two public hearings and notification of the City's decision and the procedures for appealing the decision. These procedures will be followed. Therefore, the applications comply with Statewide Planning Goal 1.

Goal 2 – Land Use Planning. Goal 2 mandates the establishment of “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 basis for such decisions and actions.” The land use program in place in the City of Lebanon, including the Comprehensive Plan and Zoning Ordinance used to review these applications, is

acknowledged to be in compliance with Statewide Planning Goal 2. The review of the applications will comply with the city's land use program and the city's findings and decisions will be based on substantial evidence that will provide an adequate factual base for the decision. Therefore, the applications comply with Statewide Planning Goal 2.

Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources. The property contains no inventoried or otherwise identified open space, scenic and historic areas or other land that is subject to Statewide Planning Goal 5. Therefore, Statewide Planning Goal 5 does not apply to these applications.

Goal 9 – Economy of the State. "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens." Goal 9 requires jurisdictions to seek ways to diversify and improve their economy and the overall economy of the state. Redesignating the property to Mixed Use will provide more alternatives for commercial development. It will enhance opportunities for economic activities that contribute to the health, welfare and prosperity of Lebanon's citizens. Therefore, the application complies with Statewide Planning Goal 9.

Goal 10 – Housing. Goal 10 requires that cities plan for and accommodate needed housing types. The applications contain substantial evidence which demonstrates the city has a large surplus of residentially designated land. Redesignating the subject property to C-MU will not significantly impact the overall supply of residential land or create a shortage of residential land in any region of the city or for any housing type. Therefore, the applications comply with Statewide Planning Goal 10.

Goal 11 – Public Facilities and Services. Goal 11 requires efficient planning of public services such as sewer, water, law enforcement, and fire protection. City sewer and water utilities are available approximately 2500 ft. from the site and will be brought to the site to comply with Statewide Planning Goal 11. The property has close proximity to law enforcement and fire protection. The draft conceptual plan also currently shows a municipality should law enforcement or fire protection services onsite be necessary to comply with Statewide Planning Goal 11.

Goal 12 – Transportation. Goal 12 is "to provide and encourage a safe, convenient and economic transportation system." Redesignation of this site from RM to MU will be consistent with the City's Transportation Plan and the State's Transportation Planning Rule. Therefore, the applications comply with Statewide Planning Goal 12.

Note: Staff deems the above information from the applicant sufficient to demonstrate compliance with this Criteria set.

Criteria Set # 21

The Lebanon-Linn County Urban Growth Management Agreement (UGMA)

Section 8 identifies inter-jurisdictional procedures and findings required for map amendment approval.

In relevant part, Section 8 of the UGMA states:

City plan UGA map amendments directly affect the County administration of the UGA. *City plan* map amendments within the UGA will be coordinated with the County and must be based on findings that they either:

- increase the compatibility of the map designation with the current interim County zoning; or
- accompany a concurrent change in County zoning so that the new County zoning and the new map designation are compatible.

Finding # 21

The proposed amendment complies with the above noted criteria given the following information from City Staff:

Linn County has been notified of the proposed Comprehensive Plan Map amendment, however the above noted provisions of the UGMA have no relevance since the subject property is in the City Limits and not in the UGA [Urban Growth Area].