

A BILL FOR AN ORDINANCE AMENDING THE) ORDINANCE BILL NO. 2022-07
LEBANON COMPREHENSIVE PLAN MAP AND)
ZONING MAP DESIGNATION TO ESTABLISH)
THE MIXED USE DESIGNATION FOR THE) ORDINANCE NO. 2983
PROPERTY (12S-02W-23D, TAX LOT 1900 AND)
12S-02W-24C, TAX LOT 500))
File CPMA-22-02, ZMA-22-01; GILLOTT)

WHEREAS, the City of Lebanon has received a submission by written request to amend the Comprehensive Plan Map and Zoning Map designation from Residential Mixed Density to Mixed Use for the real property herein described in Exhibit "A"; and

WHEREAS, on May 18, 2022, the Planning Commission for the City of Lebanon conducted a hearing on Planning File No. CPMA-22-02, ZMA-22-01, making findings recommending establishment of the Mixed Use (C-MU) comprehensive plan and zoning map designation; and

WHEREAS, after conducting the hearing and considering all objections or remonstrance regarding the proposed map amendments, and further considering the recommendation of the Lebanon Planning Commission, the City Council finds that this Comprehensive Plan and Zoning Map amendment is in the best interest of the City.

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

Section 1. Findings. In addition to the findings referred to above and the Planning Commission record, the City Council further adopts and finds those matters contained in Exhibit "B" which is incorporated herein by this reference as if fully set forth at this point.

Section 2. Comprehensive Plan Map and Zoning Map Amendments. Based upon the findings adopted herein, the Lebanon Comprehensive Plan Map and Zoning Map are hereby amended, such that the property herein described in Exhibit "A" shall be designated Mixed Use (C-MU).

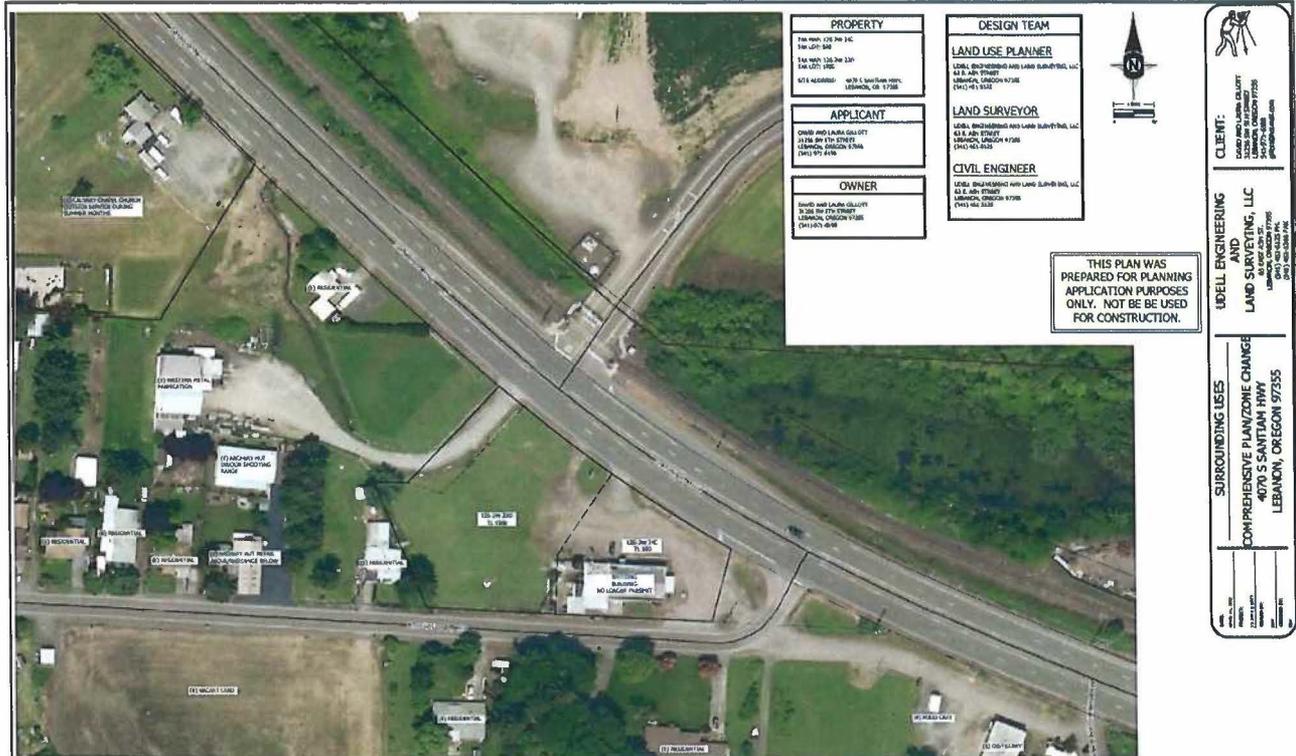
After Recording Return to:
 City Recorder's Office
 City of Lebanon
 925 S. Main Street
 Lebanon, OR 97355

Reserved for Recording

EXHIBIT "A"

PROPERTY SUBJECT TO COMPREHENSIVE PLAN MAP AND ZONING AMENDMENT

(12S-02W-23D, TAX LOT 1900 AND 12S 02W 24C, tax lot 500)



PROPERTY
 Tax Map: 12S 02W 23D
 Tax Lot: 1900
 Tax Map: 12S 02W 24C
 Tax Lot: 500
 GIS Address: 4675 S. SAGEVIEW AVENUE
 LEBANON, OR 97036

APPLICANT
 OWENS AND LARSEN, LLC
 11200 SW 57th STREET
 CLATSOP, OREGON 97106
 (503) 971-4100

OWNER
 OWENS AND LARSEN, LLC
 11200 SW 57th STREET
 LEBANON, OREGON 97106
 (503) 971-4100

DESIGN TEAM

LAND USE PLANNER
 LDBL, INCORPORATED AND LAND SURVEYORS, LLC
 43 E. 4th STREET
 LEBANON, OREGON 97036
 (503) 971-1522

LAND SURVEYOR
 LDBL, INCORPORATED AND LAND SURVEYORS, LLC
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CIVIL ENGINEER
 LDBL, INCORPORATED AND LAND SURVEYORS, LLC
 43 E. 4th STREET
 LEBANON, OREGON 97036
 (503) 971-1522



THIS PLAN WAS
 PREPARED FOR PLANNING
 APPLICATION PURPOSES
 ONLY. NOT BE USED
 FOR CONSTRUCTION.

CLIENT:
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SURROUNDING USES
 COMPREHENSIVE PLAN/ZONE CHANGE
 4070 S. SANTIUM HWY
 LEBANON, OREGON 97035

EXHIBIT B
LEBANON CITY COUNCIL FINDINGS

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of David and Laura Gillott to amend the comprehensive plan and zoning designation of the property on the intersection of S Santiam Highway and Crowfoot Road with the property address of 4070 S Santiam Highway (Township 12 South; Range 2 West; Section 24C; Tax Lot 500) and establish the Mixed Use (C/Z-MU) designation.

II. GENERAL INFORMATION

A. Site Location

The subject property is located on the intersection of S Santiam Highway and Crowfoot Road with the property address of 4070 S Santiam Highway. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 24C; Tax Lot 500.

B. Application Proposal

The property is currently designated as Residential Mixed Density (C/Z-RM). The Applicant is requesting authorization to change the land use designation to Mixed Use (C-MU) and process a zone change to zone the property to Mixed Use (Z-MU).

The Planning Commission consideration is whether to amend the Comprehensive Plan Map designation and Zoning Map designation for the property from Residential Mixed to Mixed Use.

C. Adjacent Zoning and Land Uses

The property is in a developed residential neighborhood. To the north of the subject property, across Santiam Highway, is heavy industrial fabricator, general, and mechanical contractor business called Bender Mechanical Services, Inc., which is outside of the city limits, in Linn County's Urban Growth Area-Heavy Industrial zoning district. North of this site is undeveloped land located in the city limits, and Mixed-Use zoning district owned by Alton Sullivan and Cheadle Lake Investments. To the east and south of the subject property, across Crowfoot Road, is property outside of the city limits that is zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include a mix of undeveloped land, an industrial distillery (Hideaway Distillery LLC), and residential single-family development. To the west of the subject property, are properties located both within and outside of the city limits. Property outside of the city limits, are zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include single-family residential development, industrial fabrication (Western Metal Fabrication) and a commercial archery retail and shooting range. Properties inside the city limits is zoned RM and developed with religious institution.

D. Proposal

The applicant is requesting authorization to change the land use designation to Mixed Use (C-MU) and process a zone change to zone the property to Mixed Use (Z-MU).

III. PLANNING COMMISSION PUBLIC HEARING

A. Planning Commission Action

On May 18, 2022 the Lebanon Planning Commission held a public hearing on this application. At the hearing, Planning File CPMA-22-02 and ZMA-22-01 was made a part of the record. The City noticed the hearing pursuant to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence or testimony presented at the hearing. At the end of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the proposed Annexation and corresponding zoning designation. The Commission found the proposal consistent with the applicable decision criteria.

IV. FINDINGS OF FACT-GENERAL

The Lebanon Planning Commission, after careful consideration of the testimony and evidence in the record, adopts the following General Findings of Fact:

- A. The applicant is David and Laura Gillott.
- B. on the intersection of S Santiam Highway and Crowfoot Road) with the property address of 4070 S Santiam Highway. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 24C; Tax Lot 500.
- C. The total area contains approximately 1.71 acres.
- D. The subject parcel is accessed from Crowfoot Road and S Santiam Highway. The lot is currently vacant having recently demolished to building on-site.
- E. The land is currently located within city limits and designated Residential Mixed Density (C/Z-RM).
- F. The property is in a developed neighborhood. To the north of the subject property, across Santiam Highway, is heavy industrial fabricator, general, and mechanical contractor business called Bender Mechanical Services, Inc., which is outside of the city limits, in Linn County's Urban Growth Area-Heavy Industrial zoning district. North of this site is undeveloped land located in the city limits, and Mixed-Use zoning district owned by Alton Sullivan and Cheadle Lake Investments. To the east and south of the subject property, across Crowfoot Road, is property outside of the city limits that is zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include a mix of undeveloped land, an industrial distillery (Hideaway Distillery LLC), and residential single-family development. To the west of the subject property, are properties located both within and outside of the city limits.
- G. The applicant is requesting authorization to change the land use designation to Mixed Use (C-MU) and process a zone change to zone the property to Mixed Use (Z-MU).
- H. The decision to approve or deny shall be based on criteria contained in the Lebanon Development Code, Chapter 16.28 – Comprehensive Plan Map, Zoning Map, and

V. APPLICATION SUMMARY

- A. The subject property is located on the intersection of S Santiam Highway and Crowfoot Road (12S 02W 23D, tax lot 1900 and 12S 02W 24C, tax lot 500) with the property address of 4070 S Santiam Highway. The property is currently within city limits and is designated in the comprehensive plan and zoned Residential Mixed Density (C/Z-RM).

The applicant is requesting the comprehensive plan and zoning designation to be amended to the Mixed-Use designation. This would allow for the interim use of the property as an RV and boat storage facility, and potential future redevelopment as a mixed-use property including a potential commercial/residential mix.

- B. The Department contacted the Department of Land Conservation and Development, affected agencies and area property owners regarding the application. No comments were submitted.

VI. CRITERIA AND FINDINGS

Section 16.27.050 of the Lebanon Development Code identifies the criteria in which to consider amendments to the Comprehensive Plan Map and Zoning Map. The criteria is the same for each amendment, as such, the findings have been combined.

1. All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning.

The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. The applicable policies in each Chapter are reviewed below:

- a. Chapter 1: Introduction - The introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. These goals and policies are incorporated in the Development Code criteria to determine the appropriateness of a Plan and/or zone change.
- b. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City's natural environment.

FINDING: The subject property has been previously developed to urban standards and included commercial structures and parking areas. The property is not located within a designated floodplain, does not contain any steep slopes, is not identified as a scenic or open space resource, and has no known historical value. As such, this

chapter does not apply.

- c. Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City. Staff finds the following policies apply:

G-1: Providing for an orderly and efficient transition from rural to urban land use.

P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.

P-10: 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.

P-30: 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 marketplace, through implementation of land use regulations and land use policies.

P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

FINDING: The proposed amendments do not involve urbanization of any land not currently within the Lebanon Urban Growth Boundary. The subject property was annexed into the Lebanon city limits on September 9, 2021, with the passage of Ordinance No. 2968. In addition, the site was previously developed to urban standards and used as a meeting hall prior to recent demolition, as such, the land has already been urbanized.

- d. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. Staff finds the following policies apply:

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

P-27: Allow future commercial and mixed-use centers within the Mixed Density Residential Zone based upon an approved development plan in conformance with the Planned Development standards and procedures of the Zoning Ordinance, provided access is from a designated highway or arterial and urban services are available.

P-40: 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: The review process, evaluation, and determination of compliance with the Comprehensive Plan as part of the review process addresses compliance with Comprehensive Plan policies (P-6). The State effectively acknowledged the Comprehensive Plan, therefore, conformance with these policies assures conformance with state law. Compliance with Statewide Goals will be reviewed in another finding. For the subject property, the site is currently limited for residential opportunity and development, and the change to the Mixed-Use designation would allow for a greater opportunity of compact pedestrian friendly development and a mix of commercial and residential uses within the neighborhood. (P-40).

- e. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both.

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

FINDING: the comprehensive plan denotes industrial and mix-use land use designations across the street from the subject property (east of Santiam Highway), commercial designation of parcels north and south of the subject site, and a residential mixed density district to the west of the subject site. The site's proximity to the industrial and mixed-use plan designations and a state highway makes it an ideally situated for mixed-use development or in other words a transitional development site between higher intensity development across the highway and the state highway.

These plan designations are selected based on land supply/demand as well as proximity to major transportation corridors for ease of access, mobility, and visibility. Similarly, the subject site is bordered by a state highway and will be bisected from all private property by a planned street alignment with an arterial street classification. This street pattern and proximity to higher volume roadways further suggest that this site ideally situated for mixed-use development as opposed to residential development which may occur under the current zone designation.

- f. Chapter 6: Housing – This Chapter establishes the City's Goals and Policies related to Housing. The Chapter applies, as it concerns residential opportunities in a Mixed-Use zone.

FINDING: Staff reviewed the policies and provides the following summation:

9.1 Residential Compatibility – This subsection considers placement of manufactured homes, location of neighborhood commercial uses and allowances for home occupations. The subject policies apply to the development of the site and are not directly related to the Plan map change requests.

9.2 Neighborhood Appearance - This subsection establishes screening policies for

above ground utilities, the placement of street trees and fencing/landscaping provisions along collector and arterial streets. These policies apply to site development and do not address the matter of the Plan map change requests.

9.3 Housing Density and Affordability – This subsection allows for the creation of density bonuses, cooperation with various agencies to provide affordable housing, and ensure the Development Code provides the variety and type of housing required to meet the community's needs. These policies apply to site development and do not address the matter of the Plan map change requests.

9.4 Housing and Open Space – This subsection notes adequate open space must be included in multifamily projects. The policy applies to the site development and not to the request.

9.5 Housing and Transportation Connectivity – The subsection includes policies on placement of schools in residential area; sidewalk and ADA requirements; placement of bikeways and pedestrian trails; development of local street standards and emergency vehicle access. These policies apply to specific development requirements and not to the Plan and zone change.

9.6 Housing, Public Utilities and Services – Policies call for adequacy of utilities to serve development and undergrounding of all utilities. Further, street lighting is required, street names should be approved by the Fire District and streets should align. Only Policy P-24 regarding public facility provisions directly applies to the request. As noted, services can be available to serve the property.

9.7 Refinement Plans – This subsection allows development of neighborhood refinement plans. This policy section does not apply to the request.

Generally, the policies related to housing are development related and do not directly apply to the request. Any development that would occur on the property would be required to be consistent with the development code. The Development Code was developed to implement the goals of the Comprehensive Plan, and as such, if the Map amendment is approved, any development to occur on the site would be consistent with the Comprehensive Plan and the Zoning Map.

- g. Chapter 7: Community Friendly Development & Preservation of Historic Resources - This Chapter focuses on policies creating a built environment suitable for the needs of a diverse population through a variety of uses scaled for the pedestrian, and capable of accommodating the automobile and mass transit. In addition, the Chapter focuses on historical preservation. The focus on Community Friendly design is associated with infill development, promotion of mixed-use opportunities, and development specific standards. The proposal is not inclusive of a development request, as such the development specific goals and policies to not apply. In addition, there are no historical sites on the property, as such, the historical preservation goals are not applicable.
- h. Chapter 8: Transportation – This Chapter addresses the transportation needs of the City with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles and mass transit. Staff finds the following policies apply:

Transportation System Planning Policies

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.

FINDING: The subject site is located to the southwest of the Santiam Highway and Crowfoot Road intersection at 4070 Santiam Highway. Santiam Highway and Crowfoot Road are classified in the 2018 Lebanon Transportation System Plan (TSP) as a Principal Arterial and Minor Arterial, respectively.

Lebanon's 2007 TSPs identifies one of the most severe substandard intersection geometries occurring at the intersections with Crowfoot Road. The 2018 Lebanon Transportation System Plan Volume 1 identifies a system management project (D1) to realign the intersection of Crowfoot Road and Santiam Hwy to connect with Weirich Drive and improve this intersection. This street would be constructed as a Minor Arterial, with a shared-use path on the north and south side with sidewalk with bike lanes on the south side. This planned project requires a right-of-way dedication from tax lot 12S-2W-23D 1900 along with adjacent tax lots. In addition, the old section of Crowfoot Road will need to be realign and additional right-of-way dedicated. At such time a development proposal is received, dedication of all rights-of-way will be required.

The proposed amendments will not impact the planned future street project. Additionally, Section 6.12.010(B)(1) includes thresholds for when Traffic Impact Studies (TIS) and Traffic Impact Analysis (TIA) are warranted, which is typically in association with a development proposal.

- i. Chapter 9: Public Facilities and Service - The City is required by State law to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Goals and policies in this Chapter address those requirements. Staff finds the following policies apply:

General Policies

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. (Duplicated in Chapter 3, Urbanization)

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. (Duplicated in Chapter 3, Urbanization)

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: There are existing sewer, water and storm drainage infrastructure available

that could be extended to the subject site. The City sewer main is located in S Santiam Highway and is currently a 12-inch gravity main. The City water main is a 16-inch main along Cascade Drive. The City Engineer evaluated the proposed plan designation change and determined the facilities would be able to accommodate any development opportunity of the subject property. Extensions from the City facilities to the subject site would be required to be provided by privately funded infrastructure improvements.

- j. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map. Specific applicable policies include:

- 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.
- P-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.
- 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: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The City is obligated to follow these requirements and does so with the public hearing process.

While the proposed zone change does not prescribe a specific development, it does allow greater options than the Residential Mixed Density designation and zone to meet those needs (P-4.a, P5.a and P-5.b). Further, the establishment of the MU zone does not preclude development of the site with for residential development.

Compliance with the Statewide Goals (P-5.c) is noted as follows:

Goal 1, Citizen Involvement: Public hearings will be held before both the Planning Commission and City Council. This is consistent with City procedures and the intent of the Goal.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.

Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.

Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The was previously fully developed with no known wetlands or historic areas. The site has not been designated for open space, a scenic area, or known for having natural resources. As such, this goal is not applicable. Upon any development of the site, the property owner is responsible for complying with state law, including compliance with the State Historic Preservation Office (SHPO).

Goal 6, Air, Water and Land Resource Quality: the map designation would change from a residential designation to mixed use. With the designation change, similar land use types are permissible in the mixed-use designation as the residential, with an expanded opportunity for additional commercial and industrial activities. The industrial uses they may be permissible in the mixed-use designation would be considered light industrial, oriented more toward light manufacturing. However, the size of the subject site would not be conducive to an industrial use, but rather a commercial or residential use. The applicable uses suited for the site would be similar in terms of air, water, and land resources under the mixed-use designation as the residential designation, therefore, there should be no significant impacts on air, water or resource quality than would otherwise occur.

Goal 7, Natural Hazards: The site is not located within any designated flood plain, does not contain steep slopes or contain any other identified natural hazard.

Goal 8, Recreational Needs: The proposed map amendments do not create uses which would adversely impact recreational opportunities.

Goal 9, Economic Development: The map amendments will allow a greater variety of uses thereby increasing development potential and provide opportunities for residential and commercial uses. Further, the proposed MU zone does not preclude employment-type activities on the site.

Goal 10, Housing: This Goal directly applies, as the map amendments create additional opportunities to meet housing needs of the community. The City has an adopted Comprehensive Plan that projects the housing needs for the City through 2025. In addition, the City commissioned the 2019 Housing Needs Analysis which identified how the City is able to accommodate the projected housing needs over a 20-year period. The Housing Needs Analysis identified that the City had a surplus of land available to

accommodate the projected housing needs. Specifically, a total of 2,503 housing units are identified as the housing need within the City's UGB, including 1,320 low density units, 643 medium density units and 540 high density units. To accommodate the need, a total of 437 acres of buildable land was needed to accommodate the housing demand. The City identified a total of 735 acres available, as such, there is a surplus of available housing. In terms of the surplus, there is 240 acres of low-density surplus, 0 acres of medium density surplus, and 63 acres of high-density surplus. The proposal is to change the designation from Residential Mixed Density to Mixed Use, which would allow residential development subject to the Residential Mixed Density standards upon annexation. This change would maintain housing opportunities, as such, this proposal would comply with Goal 10.

Goal 11, Public Facilities and Services: Previous findings indicate services would be available to serve the property and the map amendments will not affect the City's ability to provide necessary public facilities.

Goal 12, Transportation: Previous findings indicate the map amendments will not significantly affect planned transportation improvements.

Goal 13, Energy Conservation: The map amendments are neutral regarding energy conservation.

Goal 14, Urbanization: Previous findings indicate the change will still allow the city to meet housing needs of the community as the proposed MU zone does not preclude residential development.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

2. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.

FINDING: The property is currently designated as Residential Mixed Density, and the proposal includes a revised designation to Mixed Use. The Mixed-Use designation allows for a mix of uses including commercial, residential, and light industrial. The property is approximately 1.71 acres. The property was previously utilized as a commercial meeting hall, and potential uses for the property under the Mixed-Use designation would be similar commercial uses, or small residential uses. Based on the size of the property, and the similar uses permitted and feasible on the property, the existing facility plans would not require amendment. In addition, as part of the Transportation System Plan (TSP), there is a designated future street project to align Crowfoot Road with Weirich Drive to the north of S Santiam Highway. This road project would result in the required dedication of land from the subject property upon development. The proposed map amendments would not result in a change to the TSP project or necessitate amendments to existing facility plans as the allowed and proposed uses are in line with the existing designation in terms of demand on

facilities and would not impact the planned transportation project from moving forward.

3. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is **not** consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, Table 16.26-1.) Such an amendment requires a separate application, hearing and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

FINDING: The proposal is to amend the Comprehensive Plan Map and Zoning Map. With the Comprehensive Plan Map amendment to the Mixed-Use designation, the required zoning designation based on Table 16.26-1 of the Lebanon Development Code is Mixed Use, which is consistent with the proposal by the applicant. As such, the project complies with this decision criteria as the proposed zoning map amendment to Mixed Use is occurring with a concurrent comprehensive plan map amendment to Mixed Use.

4. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.

FINDING: Previous findings indicate the proposal may comply with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.

VII. CONCLUSION

The City Council concludes the proposed Annexation, including establishment of the corresponding Residential Mixed Density zone, complies with the applicable decision criteria.

Section 3. Record. The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder is further ordered to send a description by metes and bounds, or legal subdivision, and a map (Exhibit "A") depicting the new boundaries of the City of Lebanon within ten (10) days of the effective date of this annexation ordinance to the Linn County Assessor, Linn County Clerk and the Oregon State Department of Revenue.

Passed by the Lebanon City Council by a vote of 6 for and 0 against and approved by the Mayor this 8th day of June 2022.

CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor

Michelle Steinhebel, Council President



Attested:



Kim Scheafer, MMC City Recorder