

A BILL FOR AN ORDINANCE AMENDING THE) ORDINANCE BILL NO. 2023-20
LEBANON COMPREHENSIVE PLAN MAP AND)
ZONING MAP DESIGNATION TO ESTABLISH)
THE MIXED USE DESIGNATION FOR THE 1.11)
ACRE PROPERTY(12S-02W-15BD, TAX LOT 1000)) ORDINANCE NO. 3015
File CPMA-23-03, ZMA-23-03; Sona Athwal)

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 (C/Z-RM) to Mixed Use (C/Z-MU) for the real property herein described in Exhibit "A"; and

WHEREAS, on October 18, 2023, the Planning Commission for the City of Lebanon conducted a hearing on Planning File No. CPMA-23-03, ZMA-23-03, AR-23-04 and CU-23-03, making findings recommending establishment of the Mixed Use (C/Z-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.

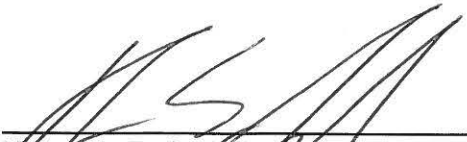
NOW, THEREFORE, the City of Lebanon ordains as follows:

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/Z-MU).

Passed by the Lebanon City Council by a vote of 6 for and 0 against and approved by the Mayor this 8th day of November 2023.

CITY OF LEBANON, OREGON



Kenneth E. Jackola, Mayor
Michelle Steinhebel, Council President

Attested:



Julie Fisher, City Recorder

EXHIBIT B
LEBANON CITY COUNCIL FINDINGS

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of Sona Athwal with consideration of two applications: (1) Comprehensive Plan Map Amendment and (2) Zoning Map Amendment to change the property designation from Residential Mixed Density to Mixed Use.

II. GENERAL INFORMATION

A. Site Location

The subject property is located on the northwest corner of Airport Road and Stoltz Hill Road. The site address is 911 Airport Road. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 15BD; Tax Lot 1000.

B. Adjacent Zoning and Land Uses

The property is in a generally developed neighborhood. To the north, west and east are properties within city limits, zoned Residential Mixed Density and improved or planned for improvement of single-family attached, detached, and duplex units, and at the northern terminus of Stoltz Hill Road is an apartment complex. To the south are properties within city limits and county, including single-family detached dwellings and a convenience store at the southwest corner.

C. Applicant Proposal

The Applicant is requesting authorization to amend the comprehensive plan and zoning map designations from Residential Mixed Density (C/Z-RM) to Mixed Use (C/Z-MU) to allow for the application of a Conditional Use Permit to develop and operate a gas station, and an Administrative Review to build a convenience store. The Planning Commission reviewed and approved the Administrative Review and Conditional Use Permit, contingent upon approval of the designation amendments.

III. PUBLIC HEARING

A. Planning Commission Action

On November 8, 2023 the Lebanon City Council held a public hearing on this application. At the hearing, Planning File CPMA-23-03 and ZMA-23-03 were 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 Comprehensive Plan and Zoning Map Amendments. The Commission found the proposal consistent with the applicable decision criteria. The Planning Commission also voted to approve the Administrative Review and Conditional Use Permit (contingent on City Council approval of CPMA-23-03 and ZMA-23-03) applications, finding the proposals consistent with the applicable decision criteria.

B. City Council Action

On October 18, 2023 the Lebanon City Council held a public hearing on this application. At the hearing, Planning File CPMA-23-03 and ZMA-23-03 were 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 City Council deliberated on the issue and voted to approve the proposed Comprehensive Plan and Zoning Map Amendments. The Council found the proposal consistent with the applicable decision criteria.

IV. FINDINGS OF FACT-GENERAL

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

- A. The applicant is Sona Athwal.
- B. The subject property is located on the northwest corner of Airport Road and Stoltz Hill Road. The site address is 911 Airport Road. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 15BD; Tax Lot 1000.
- C. The total area contains 1.11 acres.
- D. The subject parcel may be accessed from Airport Road and Stoltz Hill Road. The site is currently improved with a single-family dwelling, which would be razed to accommodate the development.
- E. The land is currently located within city limits and designated Residential Mixed Density (C/Z-RM).
- F. The property is in a generally developed neighborhood. To the north, west and east are properties within city limits, zoned Residential Mixed Density and improved or planned for improvement of single-family attached, detached, and duplex units, and at the northern terminus of Stoltz Hill Road is an apartment complex. To the south are properties within city limits and county, including single-family detached dwellings and a convenience store at the southwest corner.
- G. The Applicant is requesting authorization amend the comprehensive plan and zoning map designations from Residential Mixed Density (C/Z-RM) to Mixed Use (C/Z-MU) to allow for the application of a Conditional Use Permit to develop and operate a gas station, and an Administrative Review to build a convenience store.
- H. The Community Development Department contacted the Department of Land Conservation and Development, affected agencies and area property owners regarding the application. No comments were submitted.
- I. 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 Urban Growth Boundary Amendments, and Chapter 16.20 – Review and Decision Making Procedures, and Chapter 16.21 – Conditional Uses.

V. REVIEW CRITERIA AND FINDINGS – COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS

The Applicant is requesting consideration of a comprehensive plan and zoning map amendment to change the designation from Residential Mixed Density to Mixed Use. 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 are 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 Comprehensive Plan consists of ten Chapters with each Chapter addressing specific land use issues. 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 is not located within a designated flood hazard area, does not contain any identified natural or historic resource, and is not otherwise in an area subject to increased risk to other natural hazards. Therefore, none of the goals or policies in Chapter 2 are found to be directly implicated by this application. 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).

- c. Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City. It is found 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: "Urbanizable Land" is defined in the Comprehensive Plan Glossary. Generally, Urbanizable Lands are those unincorporated areas in the UGB for which a city and county coordinate on assuring will remain available for expansion of the city over the planning period. Mutually adopted urban growth boundary agreements typically govern how and when urbanizable land can be converted to urban use. The subject property, however, is already in the municipal boundary and currently zoned for full urban development under the Residential Mixed Density zone and has previously been developed to urbanized standards. Accordingly, it is found that the subject property is already urban land by existing zoning rather than urbanizable land to be converted to urban use for which Policies P-30 and P-31 would apply. Those policies are therefore not implicated in this case.

- 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. It is found 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 is limited potential 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 a mix of commercial and residential uses within the neighborhood (P-40).

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

P-1: Ensure that Lebanon has enough land zoned to provide industrial and commercial opportunities, periodically monitoring land development, and updating the land use map to ensure that there is enough land in each designation to accommodate expected growth.

A-1: Monitor development in commercial and industrial areas. As development or rezoning occurs, evaluate whether the city continues to have enough commercial and industrial land to support employment growth

A-4: : Evaluate opportunities to rezone land to allow for more and smaller scale commercial uses around Airport Road and Grant Street.

FINDING: The 2023 Economic Opportunity Analysis (EOA) completed a buildable lands inventory that determined the city had sufficient land for commercial, industrial, and mixed use lands. However, the opportunities analysis identified Airport Road and Grant Street as high quality transportation corridors that could provide opportunities to support more commercial development. Action Item #4 in the adopted Policies and recommended actions memo from ECONorthwest as part of the EOA, specifically identifies evaluating opportunities to rezone land to allow for more smaller scale commercial uses around Airport Road. The rezoning of the subject property to provide commercial activity directly aligns with this goal.

- f. Chapter 6: Housing – This Chapter establishes the City's Goals and Policies related to Housing.

FINDING: This proposed amendment would change the comprehensive plan and zoning map designation from residential mixed density to mixed use. The amendment would result in a reduction of land designated for housing opportunities by 1.11 acres. In the 2019 Housing Needs Analysis, the City identified the projected housing needs over a 20-year planning period, and conducted a buildable land inventory to identify whether there was sufficient land in the urban growth boundary to accommodate the housing need. Based on the results of the analysis, a total of 2,503 housing units are identified as the 20-year housing need, and the city has 240 acres of low-density land surplus, 0 acres of medium density land surplus, and 63 acres of high-density land surplus. A such, the reduction of 1.11 acres of land that may more readily accommodate housing would not result in an impact to the City's ability to meet the long range housing needs for the community.

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. In addition, there are no historical sites on the property, as such, the historical preservation goals are not applicable.

G-6: Developing sidewalks, crosswalks, and multi-use paths that not only meet ADA standards, but also enhance pedestrian and bicycle friendly environment throughout the community.

FINDING: As part of the development, improvements to the sidewalk along Airport Road would be completed, including a multiuse path to the east of the development, enhancing the walkability of the neighborhood. In addition, a signal is to be installed at the intersection of Airport Road and Stoltz Hill Road, increasing the safety of pedestrian and bicycle movement through the neighborhood.

- g. 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. It is found the following policies apply:

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 northwest of the West Airport Road and Stoltz Hill Road intersection at 911 West Airport Road. West Airport Road and Stoltz Hill Road are classified in the 2018 Lebanon Transportation System Plan (TSP) as a Minor Arterial and Collector streets, respectively. A future street project (no. D36) is identified in the 2018 Transportation System Plan (TSP). Upon its completion, the project will realign Stoltz Hill Road and add an intersection traffic signal. The proposed amendments will not impact the planned intersection improvement 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. A TIA based on the proposed development was found to be warranted. The TIA concluded a number of off-site improvements required, which have been conditioned as part of the concurrent development proposal. With the completion of the TIA and conditioning of the off-site improvements, it is concluded that the proposal complies with Chapter 8.

- h. 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. It is found 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: City water service and storm drainage are available in Airport Road along the frontage of the subject property. City Sewer service is available in Stoltz Hill Road along the frontage of the subject property. These facilities would be able to accommodate any development opportunity of the subject property. As such, there is sufficient utility infrastructure to service the site, and therefore, the proposal complies with Chapter 9.

i. 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 through P-3 relate to amendment procedures and do not

function as approval criteria. Regarding P-4, a number of recent changes to city policy and updates to portions of the comprehensive plan provide new data and community attitude as reflected by the Planning Commission and City Council. As part of the 2018 update to the City's Transportation System Plan, the transportation bypass system which would have routed significant traffic around the city to the southern portion from Hwy 34 was removed from the plan. With the bypass no longer considered, the existing transportation system allows travelers to bypass the northern portion of the city from Hwy 34 using Denny School Road which turns into Airport Road to connect to Hwy 20. Airport Road is a significant transportation corridor for access in and out of the city to avoid the northern traffic congestion formed by the Hwy 20 couplet. As such, with the change in TSP, and Airport Road being a significant transportation corridor, amending the land use designation to allow for additional commercial and vehicle service related uses may be appropriate.

In addition, in 2021, the Planning Commission considered the development code as it related to gas (fueling) stations and determined it would be appropriate to expand the opportunities for gas stations beyond the previous zoning limited to Highway Commercial. Specifically, the Planning Commission identified that intersections of roadways with classifications of arterial or arterial and collector are appropriate locations as they are designed to accommodate the traffic volume and circulation. Ultimately, an amendment to the development code was approved by the Planning Commission and City Council expanding opportunities for gas stations in the city.

Finally, in September 2023, the City adopted an Economic Opportunity Analysis (EOA) and updated the comprehensive plan goals, policies, and actions items. One action item states, "evaluate opportunities to rezone land to allow for more smaller scale commercial uses around Airport Road and Grant Street." This action item, with consideration of Airport Road as a significant transportation corridor further identifies a new community attitude that represents a significant departure from previous attitudes as reflected by the Planning Commission and City Council, establishing the ability to amend the comprehensive plan.

Regarding P-5a.b., the proposed land use designation amendment is needed and is best served by granting the amendment to be able to accommodate the EOA action item to allow for rezoning on Airport Road to offer smaller scale commercial uses. The subject property, being located at the intersection of an arterial and collector road, with the intersection soon to be signalized, increases the commercial viability of the property, identifying the site as well suited to accomplish the EOA goals.

Findings here above and below further establish that the change complies with the Statewide Planning Goals and the proposed change is consistent with all other provisions of the City's Comprehensive Plan.

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

Goal 1, Citizen Involvement: Public hearings will be held before the Planning Commission on October 18, 2023 and the City Council on November 8, 2023. This is consistent with City procedures, state law, 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 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 mixed density designation to mixed use. With the designation change, there are properties in the vicinity with the new designation, and the mixed use zone maintains similar land use types that are permissible in the residential mixed density designation, with an expanded opportunity for additional commercial activities and industrial activities. The use proposed associated with the requested zone change does not include idling vehicles impacting emissions, the development would be graded to ensure historical drainage patterns are maintained to avoid flooding issues meeting water resource considerations, and the land is not suitable for quality farming or timber and is an urbanizable property, 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 reduce the land designated for recreational needs, nor create uses which would adversely impact recreational opportunities.

Goal 9, Economic Development: The goal is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. The proposed change will be result in an increase in employment lands along Airport Road, which is in accordance with the City's adopted Economic Opportunities Analysis. LCDC implementing rules at OAR Chapter 660, Division 9, are not implicated by changes of less than two acres of employment land designations.

Goal 10, Housing: This proposed amendment would change the comprehensive plan and zoning map designation from residential mixed density to mixed-use. Residential uses are permissible in the mixed-use zone; however, the concurrent development proposal does not include residential uses. The amendment would result in a reduction of land designated for housing opportunities by 1.11 acres. In the 2019 Housing Needs Analysis, the City identified the projected housing needs over a 20-year planning period, and conducted a buildable land inventory to identify whether there was sufficient land in the urban growth boundary to accommodate the housing need. Based on the results of the analysis, a total of 2,503 housing units are identified as the 20-year housing need, and the city has 240 acres of low-density land surplus, 0 acres

of medium density land surplus, and 63 acres of high-density land surplus. As such, the reduction of 1.11 acres of land that may more readily accommodate housing would not result in an impact to the City's ability to meet the long range housing needs for the community. As such, this proposal would comply with Goal 10.

Goal 11, Public Facilities and Services: The goal is to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural land. The subject property is urban land that is already fully served by urban public facilities and services.

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 well as not impact the ability to provide industrial opportunities, and expands commercial opportunity along Airport Road, which has been specifically identified as a goal in the Economic Opportunity Analysis. The land is already within the urban growth boundary and city limits, thus eligible for urbanization.

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).

policies of the City's Comprehensive Plan (P-5.d).

1. 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.

FINDINGS: 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 1.12 acres. The property is currently utilized as a residential development, 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 intersection improvement project to align Stoltz Hill Road and to add a traffic signal. 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.

2. 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.

3. 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 Comprehensive Plan and Zoning Map Amendments, complies with the applicable decision criteria.