



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/17/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of La Grande Plan Amendment
DLCD File Number 002-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, October 02, 2012

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Michael Boquist, City of La Grande
Gordon Howard, DLCD Urban Planning Specialist
Grant Young, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE
STAMP

DEPT OF

SEP 13 2012

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of La Grande**

Local file number: **01-CPA-12 & 01-ZON-12**

Date of Adoption: **9/5/2012**

Date Mailed: **9/11/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 06/1/2012

☐ Comprehensive Plan Text Amendment

☒ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Rezone the subject property from Medium Density Residential (R-2) to General Commercial (GC) on the Zoning Map; and, from Residential to Commercial on the Comprehensive Plan map.

Does the Adoption differ from proposal? Please select one
No.

Plan Map Changed from: **Commercial**

to: **Residential**

Zone Map Changed from: **General Commercial**

to: **Medium Density Residential**

Location: **1701 Spruce Street; T3S, R38E, Section 5DC, TL 310**

Acres Involved: **.19**

Specify Density: Previous: **5-10 units/acre**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☐	☐	☐	☐	☐	☐	☒	☒	☒	☒	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 002-12 (19364) [17166]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None.

Local Contact: **Michael Boquist, City Planer**

Phone: **(541) 962-1307** Extension:

Address: **PO Box 670 / 1000 Adams Avenue**

Fax Number: **541-963-3333**

City: **La Grande**

Zip:

E-mail Address: **mboquist@cityoflagrande.org**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and **one complete paper copy** (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

CITY of LA GRANDE
ORDINANCE NUMBER 3202
SERIES 2012

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE,
UNION COUNTY, OREGON, REZONING PROPERTY FROM MEDIUM DENSITY
RESIDENTIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP; AND
FROM MEDIUM DENSITY RESIDENTIAL (R-2) TO GENERAL COMMERCIAL (GC) ON
THE ZONING MAP; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, the applicant, Kerry Tweit, applied for a Comprehensive Plan Map Change, File Number 01-CPA-12; and, a Zone Designation Change, File Number 01-ZON-11, to rezone property at the Northeast corner of Spruce Street and "Q" Avenue, from Medium Density Residential (R-2) to General Commercial (GC); and,

WHEREAS, notice was provided to the Oregon Department of Land Conservation and Development at least thirty-five (35) days in advance of the first Public Hearing; and,

WHEREAS, the proper notices were published in *The Observer*, mailed to property owners within one hundred feet (100') of affected property, and posted on the property and in City Hall, duly advertising the Planning Commission and City Council Public Hearings to consider the application; and,

WHEREAS, the applications were found to conform to the standards and procedures set forth in the City of La Grande Land Development Code Ordinance Number 3081, Series 2009, Articles 8.6 and 8.7 – Zone Designation Change and Comprehensive Plan Designation Change; and,

WHEREAS, the Planning Commission and City Council conducted Public Hearings to receive public testimony on the Ordinance rezoning said property;

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

SECTION 1. That the Comprehensive Plan Map be amended to change the zoning designation of the following property from Medium Density Residential to General Commercial as depicted in Exhibits "A":

SECTION 2. That the Zoning Map be amended to change the zoning designation of the following property from Medium Density Residential (R-2) to General Commercial (GC) as depicted in Exhibits "A":

A tract of land situated in Lots 11 and 12 in Block 16 of WILLIAMSON'S ADDITION to La Grande, Union County, Oregon, said tract being described as follows, with reference to map of Survey No. 002-2008, as filed in the Office of the Union County Surveyor:

Beginning at a 5/8" x 30" iron rebar on the West line of said Block 15, being North 0°38'45" West, a distance of 2.00 feet of the Southwest corner of Lot 15;

Thence, South 0°38'45" East along said West line, 67.00 feet, to the Point of Beginning;

Thence, continuing South 0°38'45" East along said line, 75.00 feet, to the Southwest corner of the part of "Q" Avenue vacated by City Ordinances, recorded September 17, 2007, as Microfilm Document No. 20075233, Records of Union County, Oregon;

Thence, North 89°21'15" East along the South line of said parcel, 110.00 feet, to the Southeast corner thereof;

Thence, North 0°38'45" West, 75.00 feet, to a point on the East line of said Block 15;

Thence South 89°21'15" West, 110.00 feet, to the Point of Beginning.

The above description includes a portion of vacated "Q" Avenue which accrued to the South side of Lot 11, by the City of La Grande Ordinance Number 3062, Series 2007, recorded September 17, 2007, as Microfilm Document No. 20075233, Records of Union County, Oregon.

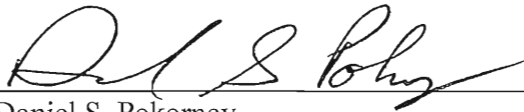
Also described as being Tax Lot 3100 in Township 3 South, Range 38 East, Section 5DC, City of La Grande, Union County, Oregon.

SECTION 3. That the City Council adopts the findings of fact and conclusions set forth in the City Council Staff Report, dated August 8, 2012.

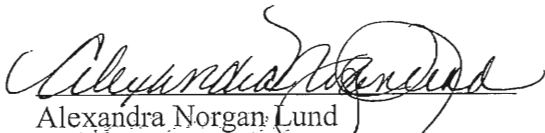
SECTION 4. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, October 5, 2012.

five ADOPTED this Fifth (5th) day of September, 2012, by five (5) of (5) Councilors present and voting in the affirmative.

APPROVED this Fifth (5th) day of September, 2012.


Daniel S. Pokorney
Mayor

ATTEST:


Alexandra Norgan Lund
City Recorder

APPROVED AS TO FORM AND CONTENT:

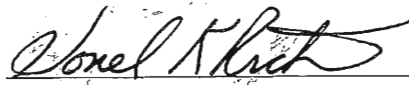
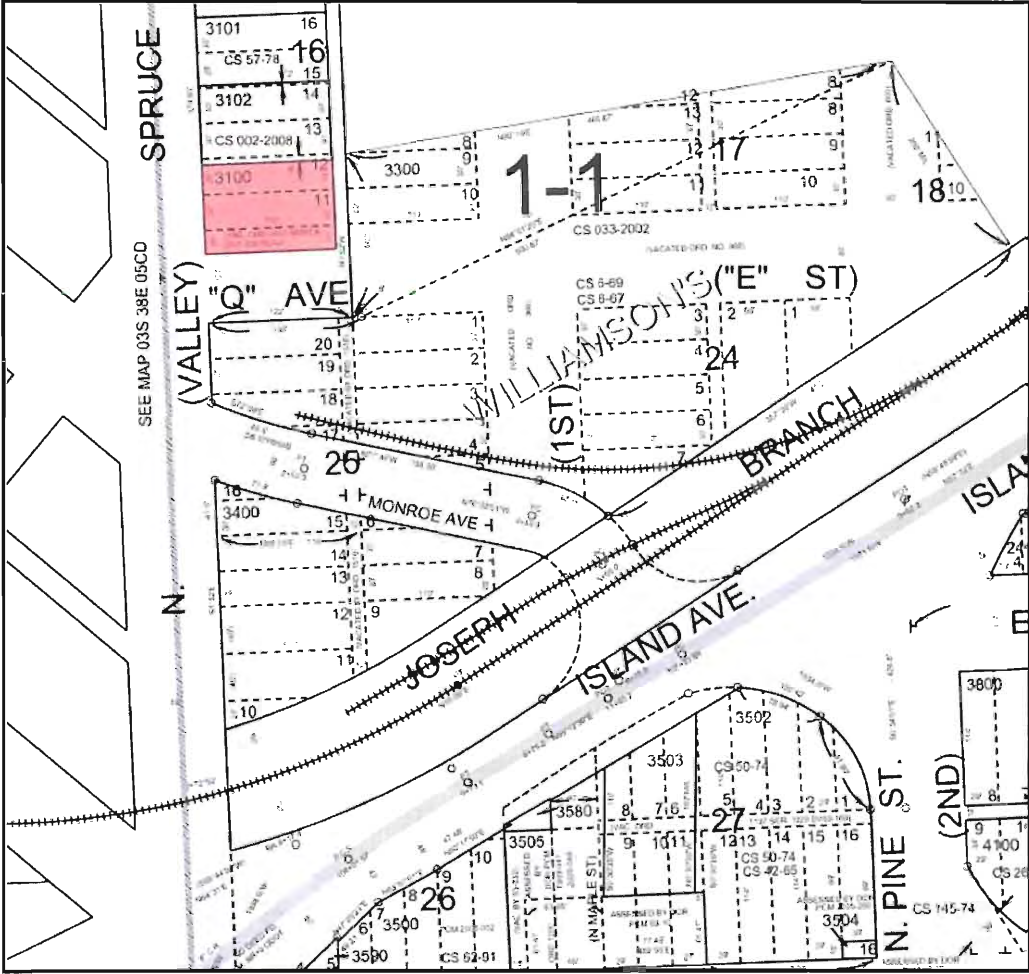

Jonel K. Ricker for
Legal Counsel for the City of La Grande

EXHIBIT 'A'
(Union County Assessor Map 03S3805DC, Tax Lot 3100)



CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: September 5, 2012

PRESENTER: Michael Boquist, City Planner

COUNCIL ACTION: CONSIDER SECOND READING by TITLE ONLY and ADOPTION of PROPOSED ORDINANCE REZONING PROPERTY

1. MAYOR: Request Staff Report.
2. MAYOR: Entertain Motion:

SUGGESTED MOTION: I move that the proposed Ordinance rezoning property from Medium Density Residential to General Commercial on the Comprehensive Plan map and Zoning Map be read for the second time by title only, put to a vote, and adopted.

3. MAYOR: Invite Council Discussion.
4. MAYOR: Ask the City Recorder to read the Proposed Ordinance for the Second Time by Title Only.
5. MAYOR: Ask for the Vote.

EXPLANATION: The Applicant is requesting that the subject property be rezoned from Medium Density Residential (R-2) to General Commercial (GC). The property is bordered on the West by General Commercial and on the East and South by Heavy Industrial.

The Applicant intends to develop the site with a commercial building (office/shop building) on the East half of the site and a caretaker's residence on the West half of the site. The commercial building would sit on the East half of the site, bordering the Heavy Industrial zoning. The caretaker's residence would sit on the West half of the site, facing Spruce Street, bordering the commercial zoning to the West and a residentially zoned property (with a residence) to the North.

The Planning Commission held a Public Hearing to consider this request on July 10, 2012, and by unanimous vote, recommends approval to the City Council. No public testimony was provided regarding this request.

The first reading of the proposed Ordinance was considered and read by title only during the August 8, 2012, Regular Session of the City Council. No parties were present or provided testimony regarding this request.

The City Manager recommends that the Council proceed with the second reading by title only and adoption of this proposed Ordinance, which will become effective on October 5, 2012.

Reviewed By: (Initial)

City Manager MB
City Recorder _____
Aquatics Division _____
Building Division _____
CED Department _____
Finance/Human Resources Department JD
Fire Department _____
Library _____
Parks Department _____
Planning Division HAB
Police Department _____
Public Works Department _____

COUNCIL ACTION (Office Use Only)

☒ Ordinance Adopted
First Reading: 08.08.12
Second Reading: 09.05.12
Effective Date: 10.05.12

☐ Resolution Passed
Effective Date: _____

☒ Motion Passed
☐ Motion Failed
☐ Action Tabled; _____
Vote: 5/5
09.10.12

Recessed: _____
Work Session: _____
Other: _____

CITY of LA GRANDE
ORDINANCE NUMBER _____
SERIES 2012

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE,
UNION COUNTY, OREGON, REZONING PROPERTY FROM MEDIUM DENSITY
RESIDENTIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP; AND
FROM MEDIUM DENSITY RESIDENTIAL (R-2) TO GENERAL COMMERCIAL (GC) ON
THE ZONING MAP; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, the applicant, Kerry Tweit, applied for a Comprehensive Plan Map Change, File Number 01-CPA-12; and, a Zone Designation Change, File Number 01-ZON-11, to rezone property at the Northeast corner of Spruce Street and "Q" Avenue, from Medium Density Residential (R-2) to General Commercial (GC); and,

WHEREAS, notice was provided to the Oregon Department of Land Conservation and Development at least thirty-five (35) days in advance of the first Public Hearing; and,

WHEREAS, the proper notices were published in *The Observer*, mailed to property owners within one hundred feet (100') of affected property, and posted on the property and in City Hall, duly advertising the Planning Commission and City Council Public Hearings to consider the application; and,

WHEREAS, the applications were found to conform to the standards and procedures set forth in the City of La Grande Land Development Code Ordinance Number 3081, Series 2009, Articles 8.6 and 8.7 – Zone Designation Change and Comprehensive Plan Designation Change; and,

WHEREAS, the Planning Commission and City Council conducted Public Hearings to receive public testimony on the Ordinance rezoning said property;

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

SECTION 1. That the Comprehensive Plan Map be amended to change the zoning designation of the following property from Medium Density Residential to General Commercial as depicted in Exhibits "A":

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Beginning at a 5/8" x 30" iron rebar on the West line of said Block 15, being North 0°38'45" West, a distance of 2.00 feet of the Southwest corner of Lot 15;

Thence, South 0°38'45" East along said West line, 67.00 feet, to the Point of Beginning;

Thence, continuing South 0°38'45" East along said line, 75.00 feet, to the Southwest corner of the part of "Q" Avenue vacated by City Ordinances, recorded September 17, 2007, as Microfilm Document No. 20075233, Records of Union County, Oregon;

Thence, North 89°21'15" East along the South line of said parcel, 110.00 feet, to the Southeast corner thereof;

Thence, North 0°38'45" West, 75.00 feet, to a point on the East line of said Block 15;

Thence South 89°21'15" West, 110.00 feet, to the Point of Beginning.

The above description includes a portion of vacated "Q" Avenue which accrued to the South side of Lot 11, by the City of La Grande Ordinance Number 3062, Series 2007, recorded September 17, 2007, as Microfilm Document No. 20075233, Records of Union County, Oregon.

Also described as being Tax Lot 3100 in Township 3 South, Range 38 East, Section 5DC, City of La Grande, Union County, Oregon.

SECTION 3. That the City Council adopts the findings of fact and conclusions set forth in the City Council Staff Report, dated August 8, 2012.

SECTION 4. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, October 5, 2012.

ADOPTED this Fifth (5th) day of September, 2012, by _____ () of _____ () Councilors present and voting in the affirmative.

APPROVED this Fifth (5th) day of September, 2012.

Daniel S. Pokorney
Mayor

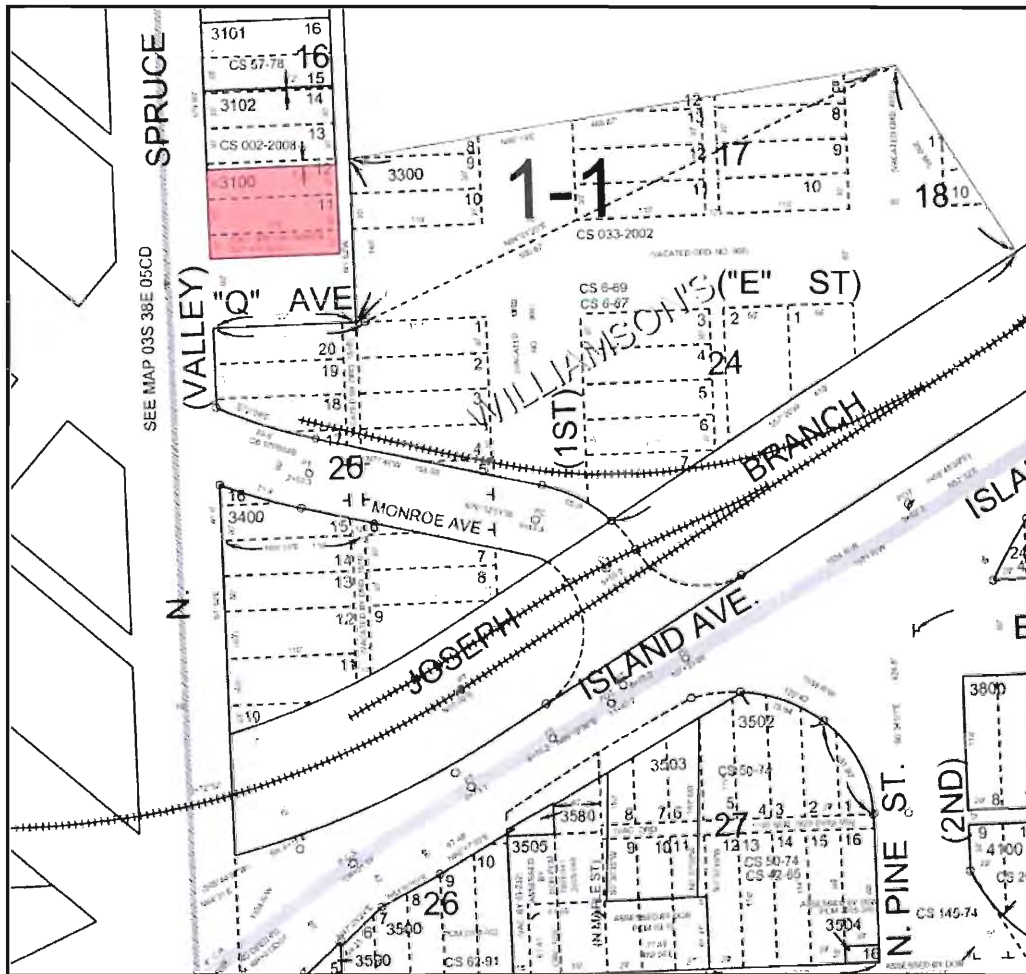
ATTEST:

Alexandra Norgan Lund
City Recorder

APPROVED AS TO FORM AND CONTENT:

_____ for
Jonel K. Ricker
Legal Counsel for the City of La Grande

EXHIBIT 'A'
(Union County Assessor Map 03S3805DC, Tax Lot 3100)





CITY COUNCIL MEETING

Wednesday, August 8, 2012

STAFF REPORT

APPLICATION FILES: 01-CPA-12 and 01-ZON-12

APPLICANT: Kerry Tweit

PROPOSAL:

- Comprehensive Plan Map Amendments
- Zoning Map Amendment

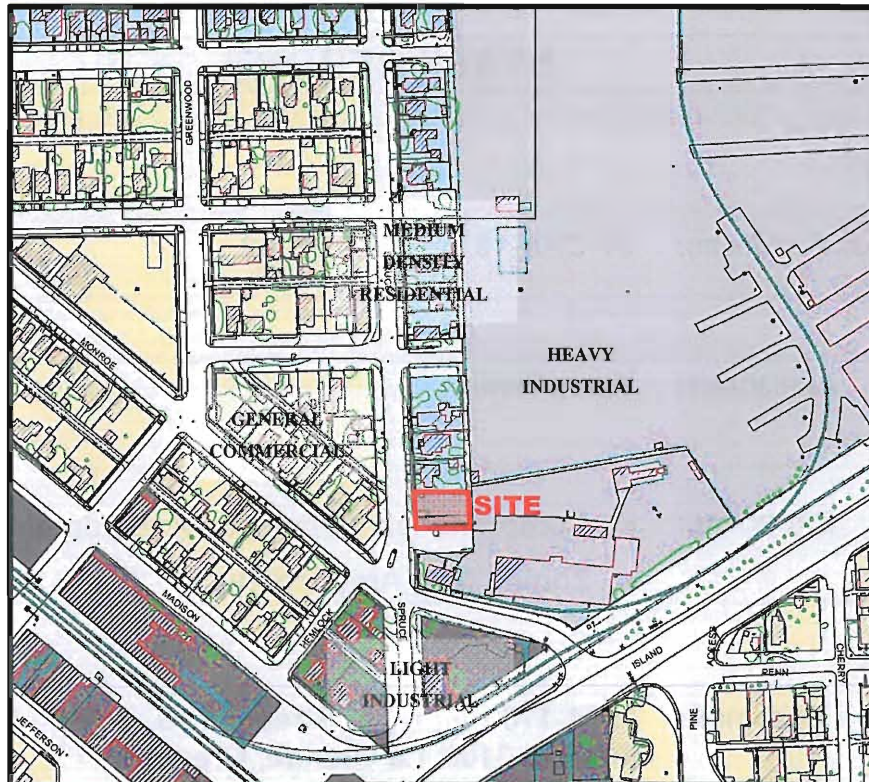
**LOCATION: 1701-1703 Spruce Street, T3S, R38E, Section 5DC,
Tax Lot 3100, La Grande, Oregon.**

REPORT CONTENTS

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1. PROPOSAL DESCRIPTION

The Applicant is requesting that the subject property be rezoned from Medium Density Residential (R-2) to General Commercial (GC). The property is located at the South end of a three (3) linear block section, approximately 110 feet wide, that is bordered on the West by General Commercial and on the East and South by Heavy Industrial.



To address neighborhood compatibility and curb appeal, the Applicant intends to develop the site with a commercial building (office/shop building) on the East half of the site and a caretaker's residence on the West half of the site. Using the above map for reference, the entire site would be accessed with a driveway off East "Q" Avenue, bordering the site on the South side. The commercial building would sit on the East half of the site, bordering the Heavy Industrial zoning. The caretaker's residence would sit on the West half of the site, facing Spruce Street, similar to the adjacent residences to the North.

For the Findings of Fact, Draft Ordinance and the Applicant narrative explaining this request, please refer to the attached Exhibits:

- Exhibit A:** Findings of Fact for Comprehensive Plan Designation Change (LDC Ord. 3081, Section 8.7.003)
- Exhibit B:** Findings of Fact for Zone Designation Change (LDC Ord. 3081, Section 8.6.003)
- Exhibit C:** Applicant's Narrative

The Planning Commission held a Public Hearing to consider this request on July 10, 2012, and by unanimous vote, recommends approval to the City Council. No public testimony was provided regarding this request.

2. HISTORY OF EVENTS

April 5, 2012	Application Submittal
April 16, 2012	Application Deemed Complete
June 1, 2012	DLCD Form 1 Notice
June 18, 2012	Advertising published in <i>The Observer</i> , advertising the July 10, 2012 Planning Commission Public Hearing
July 10, 2012	Planning Commission Public Hearing
July 18, 2012	Advertising published in <i>The Observer</i> , advertising the August 8, 2012, City Council Public Hearings
August 8, 2012	City Council Public Hearing, First Reading of Ordinances
September 5, 2012	City Council Public Hearing, Second Reading of Ordinances
October 5, 2012	Expiration of Appeal Period and DLCD Form 2 Notice of Adoption

3. CONCLUSIONS

1. The proposal is in compliance with the La Grande Land Development Code, City of La Grande Comprehensive Plan, Oregon Statewide Planning Goals and Oregon Revised Statutes as presented in the findings of fact within the attached exhibits.

Attachments

EXHIBIT 'A'

COMPREHENSIVE PLAN MAP AMENDMENT REZONE OF 1701-1703 SPRUCE STREET

FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL FINDINGS OF FACT AND CONCLUSIONS

Per Ordinance 3081, Series 2009, Section 8.7.003 – Review Criteria for a **Comprehensive Plan Designation Change**: A proposed Comprehensive Plan Designation Change shall meet the following criteria:

- A. The proposed change is in compliance with the Statewide Planning Goals;
- B. The proposed change is in conformance with the policies of the City of La Grande Comprehensive Plan; and,
- C. The proposed change is supported by studies or other factual information which documents the public need for the change.

The Statewide Planning Goals are the foundation for Oregon land use planning. The Goals have been adopted as administrative rules (Oregon Administrative Rules Chapter 660, Division 15) and are implemented and administered locally through the La Grande Comprehensive Plan and Land Development Code Ordinances. The La Grande Comprehensive Plan has been acknowledged by the Oregon Department of Land Conservation and Development (DLCD) to be in compliance with these goals. There are a total of nineteen (19) Goals. Only the Goals that apply to this proposal are discussed in the following findings of fact and conclusions. These include:

- Goal 1 – Citizen Involvement
- Goal 2 – Land Use Planning
- Goal 9 – Economic Development
- Goal 10 – Housing
- Goal 11 – Public Facilities
- Goal 12 - Transportation

GOAL 1 – CITIZEN INVOLVEMENT

[Oregon Statewide Planning Goal; OAR 660-015-0000(1)]

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

The Citizen involvement program shall incorporate the following components:

1. Citizen Involvement – To provide for widespread citizen involvement.
2. Communication – To assure effective two-way communication with citizens
3. Citizen Influence – To provide the opportunity for citizens to be involved in all phases of the planning process.
4. Technical Information – To assure that technical information is available in an understandable form.
5. Feedback Mechanisms – To assure that citizens will receive a response from policy makers.
6. Financial Support – To insure funding for the citizen involvement program.

GOAL 1 – CITIZEN INVOLVEMENT

[La Grande Comprehensive Plan Ordinance 3182, Series 2009]

Objective

To develop and implement a citizen involvement program that includes all six (6) components of Statewide Goal #1.

Policies

1. *The City of La Grande shall strive to provide for widespread citizen involvement, especially in its land use planning process.*
2. *The City of La Grande shall strive to assure effective two-way communication with citizens.*
3. *The City of La Grande shall strive to provide the opportunity for citizens to be involved in all phases of the planning process.*
4. *The City of La Grande shall strive to assure that technical information is available in an understandable form.*
5. *The City of La Grande shall strive to assure that citizens will receive a response from policy-makers.*
6. *The City of La Grande shall strive to insure funding for the citizen involvement program.*
7. *That the City of La Grande Planning Commission continue to serve as the Committee for Citizen Involvement for the City of La Grande. Continued efforts should be made to ensure that Planning Commission members are selected by an open, well-publicized public process.*
8. *That the City of La Grande continue efforts to upgrade its web site to include land use information including, but not limited to: Comprehensive Plan, implementation ordinances, meeting agendas, meeting minutes, staff reports, hearing notices, land use maps, special events and opportunities to serve on committees or commissions.*
9. *That the City of La Grande continue surveying its citizens on a regular basis (every two to three years) to assess citizen attitudes regarding land use and other issues affecting the community.*
10. *That the City of La Grande produce printed materials that will enable citizens to understand technical aspects of the land use planning program and make such materials readily available to the public.*
11. *That the City of La Grande staff continue to participate in service club presentations, local radio talk shows and newspaper or newsletter columns in an effort to better communicate with citizens.*
12. *That the City of La Grande continue to provide all citizens who participate in the land use process with a copy of the final decision and findings.*
13. *That the City of La Grande explore the feasibility of publishing a newsletter on a regular basis.*
14. *That the City of La Grande budget adequate resources to continue and enhance its efforts to implement the policies and recommendations of this plan.*

Findings of Fact: The City of La Grande's public hearing process meets all requirements for citizen involvement with the process outlined below. In addition, the City's process, the applicant has personally visited with neighboring property owners, including the residentially zoned neighbour to the North, to discuss this proposal.

The citizen involvement process used by the City includes the following:

- A. Public Notice of Planning Commission and City Council Public Hearings are mailed to all property owners within one hundred feet (100').
- B. Public Notice of Planning Commission and City Council Public Hearings are advertised in the local newspaper, *The La Grande Observer*.
- C. Legal notice describing the proposal is posted on the subject property.
- D. Technical information concerning the proposal is made available through the entire process, with copies available upon request.
- E. An opportunity is available for all interested parties to participate in the public hearing process and appeal the final decision.

GOAL 2 – LAND USE PLANNING

[Oregon Statewide Planning Goal; OAR 660-015-0000(2)]

To establish a land use planning process and policy framework as a basis for all decisions and action related to use of land and to assure an adequate factual base for such decision and actions.

Major Revisions and Minor Changes in the Plan and Implementation Measures.

The Citizens in the area and any affected governmental unit should be given an opportunity to review and comment prior to any changes in the plan and implementation ordinances. There should be at least 30 days notice of the public hearing on the proposed change.

GOAL 2 – LAND USE PLANNING

[La Grande Comprehensive Plan Ordinance 3182, Series 2009]

Objectives

The overall goal of the La Grande Comprehensive Plan is to provide direction for achieving a safe, healthful, attractive, and workable environment for the citizens of La Grande; and,

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Policies

- 1. That planning-related decisions be made on a factual base, and that such base will be updated as base information changes, or at least every two years.*
- 2. That the plans of other local, state and federal agencies will be taken into account in preparing land use plans and making related decisions.*
- 3. That public need be established before plan changes or related requests are approved and that the burden of proof be borne by the requestor.*
- 4. That urban uses will be discouraged from sprawl which may increase service costs, transportation congestion, and the transition of land from agriculture or grazing to urban uses.*
- 5. That orderly, efficient and economical transition will be made in converting rural lands to urban development.*
- 6. Before property is annexed to the City, it should be clearly established that such annexation will provide a clear benefit to the City with recognition of the fact that City services must be provided to such an area.*
- 7. That commercial development be concentrated so as to strengthen existing commercial activities.*
- 8. That compatibility of anticipated uses with surrounding area development will be evaluated in making planning related decisions.*
- 9. That alternative sites and alternative uses will be considered in making land use plan decisions.*
- 10. That commercial and high density residential development will be located in areas where access, service, and related facilities can best accommodate such development.*
- 11. That uses with undesirable noise, smoke, visual, and other objectionable characteristics will be discouraged from locating in areas where such conditions are incompatible with surrounding area development.*

Findings of Fact: The subject property is a vacant lot at the South end of a narrow three (3) block strip of residential properties that are sandwiched between heavy industrial and general commercial uses (see illustration on Page 2 of the Staff Report). This property has been listed for sale for several years with little interest shown in developing it for residential purposes. The applicant is seeking to rezone this property to commercial to support the construction of a residential-commercial development.

The site layout for the development proposal is designed in compliance with Goal 7 to cluster or “concentrate” related uses. The back (East side) of the site will include a commercial shop building that will support a landscape contracting office, with small amount of material and equipment storage. The back of the site is bordered by heavy industrial uses and accessory buildings (sheds, other) for the residence to the North. The front (West side) of the property, facing Spruce Street will include a residential dwelling that will serve as a caretaker's residence for the business; and, will further serve to provide a low impact residential street front, compatible with the neighboring residential uses to the North.

To address neighborhood compatibility, the applicant has visited with the residential property owner to the North and discussed this proposal. Very little commercial activity (mostly storage) is anticipated to occur on this site to cause adverse impacts to the residential neighbor. Regardless, the applicant has proposed to replace the perimeter fence between the two (2) properties with a new six foot (6') tall solid sight-obscuring fence. In fact, such replacement has already been completed. The new fence enhances the quality of the neighboring property's rear yard; and will serve as a buffer from the uses to the South.

GOAL 9 – ECONOMIC DEVELOPMENT

[Oregon Statewide Planning Goal; OAR 660-015-000(9)]

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 – ECONOMIC DEVELOPMENT

[La Grande Comprehensive Plan Ordinance 3182, Series 2009]

Objectives

To provide public improvements and infrastructure to support job-creating development. Provide planning and funding for public improvements including streets, utilities, telecommunications and other facilities in support of development that will create a range of types of family wage jobs for residents of La Grande.

To provide appropriate sites for businesses creating family wage jobs. Assist in land assembly and infrastructure development for quality industrial districts and business parks to attract businesses that create family wage jobs. To manage the locations of the allowable uses to ensure that the land is properly utilized.

To coordinate the City's economic development program with the citizens of La Grande, community-based organizations, Union County, Union County Economic Development Corporation, the Chamber of Commerce, the Oregon Community and Economic Development Department (OCEDD), Northeast Oregon Economic Development District and other local, regional, state and federal agencies.

To continue and enhance the City's economic development program with EOU as a means of attracting and retaining businesses.

To provide public improvements to sites for retail development. To plan and develop infrastructure and public facilities to encourage retail and mixed-use projects.

To diversify and strengthen the mix of economic activity in City of La Grande and the surrounding region without diminishing the livability of the area.

To support and utilize regional and local partnerships for greater economic development opportunities.

- Goal 1 *To promote industrial and commercial development that generates high quality family wage jobs and income for the community and creates sustainable and environmentally sound economic vitality.*
- Goal 2 *To support the university in its efforts to grow and target educational programs to the region and the state. Provide sites and other infrastructure to businesses seeking to partner with the university.*
- Goal 3 *To promote the development of the City as a Regional Shopping Center by providing a greater range of retail services for residents and visitors. As a Regional Center, allow residents to satisfy their shopping needs within the Community and provide a greater range of services for travelers on I-84.*
- Goal 4 *To revitalize the Central Business District by building on its historic character, expanding the mix of goods and services offered and creating public spaces and amenities.*
- Goal 5 *To amend the Urban Growth Boundary (UGB) and consider an Urban Reserve Area (URA) to provide for sufficient land to meet the City's long-term commercial and industrial economic development goals.*

Policies - General

1. *The City shall undertake specific activities to encourage the growth of existing businesses, to encourage a diversity of businesses, and to attract new businesses to the community in industries that will provide local employment opportunities that are consistent with community needs and not detrimental to the quality of life in the community.*
2. *The City shall evaluate the suitability of a proposed industrial development according, but not limited, to the following factors: availability of labor force and materials, market locations, transportation and service needs, relationship to present economic base and similar considerations.*
3. *The City shall provide for adequate and convenient vehicle, public transit (via Community Connection of Oregon) and bicycle access and parking to accommodate customers and employees in commercial areas.*
4. *The City shall require that business development occurs only after sufficient right-of-way, improvements, and special control of access points have been obtained to accommodate the added traffic generated.*
5. *The City shall ensure that public services will be planned for and made available to those areas designated and zoned for industrial and commercial uses.*
6. *The City shall promote and encourage investment in communications infrastructure to provide opportunities for remote offices, home-based employment, and other communications-dependent employment.*
7. *The City shall focus economic development efforts on the following existing industry clusters: Wood Products, Education, General Manufacturing, Health Care; the following emerging/targeted clusters: Regional Retail, Truck and Rail Transportation & Warehousing; and the following non-cluster opportunities: medical research and development, other medical services, suppliers, private fire fighting, and tourism.*
8. *The City shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.*
9. *The City shall work with regional organizations (e.g., Northeast Oregon Economic Development District (NEOEDD), the Union County Economic Development Corporation (UCEDC), the Northeast Oregon Alliance, the Northeast Oregon Business Development and the Greater Eastern Oregon Development Corporation (GEODC), and local organizations (e.g., Union Commercial Club and Union United) to enhance its economic planning efforts.*

Policies – Location of Uses

10. *The City shall encourage highway-oriented businesses to be located near intersections of major arterials.*
11. *The City shall encourage the grouping of commercial uses in such a manner as will facilitate customer involvement from one store to another.*
12. *The City shall locate commercial areas so as to provide good access between them and the trade area served.*
13. *In order that residential areas may be free from industrial traffic, the City shall locate industrial areas with access provided primarily to and from major transportation routes which include arterial truck routes, highways, and railroad lines.*
14. *The City shall require certain industrial uses generating heavy traffic, noise, smoke, or other nuisances to be located where it is feasible to provide a transition, with light industrial areas, commercial areas, or open space to adjoining land uses.*

Policies - Commercial and Industrial Sites

15. *The City shall market the availability of commercial, industrial, and business park sites to potential employers who provide family wage jobs. Such marketing should include a description and timeline for the required land use approvals.*
16. *The City or its urban renewal agency shall seek to aggregate and redevelop commercial parcels in the area bounded by Cove Avenue, North Albany Street, East R Avenue, and the Grande Ronde Ditch for commercial uses.*
17. *Where areas have been planned for large industrial sites, zoning regulations shall be developed and maintained to keep those sites intact. Such sites shall not be further divided except to create planned industrial parks that support a specific industry.*
18. *The City shall protect lots with existing areas of two and one half (2½) acres or more in commercial and industrial zones by requiring approval of a Master Plan to govern proposed uses, development patterns, and parcel sizes, along with subdivisions, partitions, and property line adjustments. The Master Plan shall be used to maximize the long-term potential for commercial and industrial employment in accordance this Goal 9 chapter.*
19. *The City shall identify areas where large lot lands are to be located. The City shall develop specific criteria to protect large sites from any partitioning or development activity that would inhibit the availability of these lands for large industrial users in the future.*

Policies – Planning for Future Growth

20. *The City shall identify land that will provide for expansion of existing businesses and/or attract new businesses and shall reserve that land for future industrial development that is consistent with community needs and goals and not detrimental to the quality of life in the area.*
21. *The City shall ensure that space for industries is reasonably scaled to the anticipated demand and need.*
22. *The City shall maintain at least a ten (10) year supply of vacant serviceable land in a range of parcel sizes within the Urban Growth Boundary (UGB) to accommodate new employers and the growth of existing employers.*
23. *The City should consider establishing Urban Reserve Areas (URAs) adjacent to the UGB to identify the location of future Commercial and Industrial lands that the City will likely include in future UGB expansions. The establishment of URAs would promote the long range planning of public utilities and services. The City of La Grande shall coordinate with Union County regarding the designation of URAs adjacent to the UGB for Heavy and Medium Industrial uses.*
24. *The land areas to be added to the UGB and/or designated as Urban Reserve Areas (URAs) in the future (see Exhibit 2) shall be reserved for businesses which demonstrate an actual need for medium to large sites of approximately 25 to 100 acres or larger per business. The objective of this policy shall be to maximize the long term potential for commercial and industrial employment in accordance with this Goal 9 chapter and shall provide for the maximum use of the parcels yet be consistent with all other applicable requirements of the law.*

Findings of Fact: The applicant currently operates his business from his residence, with some equipment storage occurring on his residential property. This rezone will support the growth of this business in accordance with Policy 1, and will server to relocate the commercial storage to an area that is more compatible with such storage. The proposed site is located of an Arterial street (Spruce Street), within one block of a Collector Street (Monroe Avenue) and two block from another Arterial Street (Island Avenue/Hwy 82).

GOAL 10 –

[Oregon Statewide Planning Goal; OAR 660-015-0000(8)]

To provide for the housing needs of the citizens of then state.

GOAL 10 –

[La Grande Comprehensive Plan Ordinance 3182, Series 2009]

Objective –

1. To provide for the housing needs of the citizens of La Grande, and to support development of an adequate supply of housing in terms of quantity, quality, and availability especially to groups, such as low and moderate income households, elderly and handicapped households
2. To assure environmental quality in residential areas, and to enhance the financial ability of households to obtain and retain decent dwelling units.
3. To assure an open housing market for all La Grande citizens, and to assure a balance of individual and community needs in residential areas.
4. To provide areas suitable and desirable for all types of single and multiple family residential uses which have or will need public water and sewage services, commercial and education support facilities and employment opportunities.

Policies –

1. The City recognizes that public interest requires that every citizen be given the opportunity to provide themselves with safe, sanitary and adequate housing.
2. That an adequate housing supply will be encouraged through development of new dwelling units, maintenance or rehabilitation of existing units, and removal of dwelling units unsuitable for rehabilitation.
3. That all types of residential units, including mobile home. modular and manufactured units, are acceptable resources of housing and that recognition will be reflected in zoning, building codes and other regulatory means without compromising quality standards.
4. That quality residential environments will be assured by considering safety, health, design, provision of services and overall ecology in the area.
5. The City will exercise primary governmental control in any housing activities which occur within the City limits, including those activities undertaken or assisted by other governmental organizations.
6. The City will assertively develop and use effective techniques to assure that its housing policies are implemented and administered.
7. A mix of low and moderate cost housing should be encouraged, but an undue concentration in any area should be avoided.
8. That medium density residential be located away from activities which generate heavy traffic and are otherwise incompatible with living areas.
9. That medium density residential areas be located with reference to shopping and other public and private services and be provided with good access to centers of employment.

10. That planned developments and duplexes be included in medium density residential areas provided the density does not exceed 10 units per gross acre.
11. That high density residential areas be located in such a manner as to be provided with good access to arterial streets, shopping facilities, schools, and major employment centers.
12. That high density development be located so that traffic generated by the high density development will not be required to travel through areas of lesser density en route to principal community facilities.
13. That high density development be located in areas where municipal utility facilities economically can be provided at a level adequate to meet the demand for the concentrated service.
14. That the street pattern within the residential neighborhood permits convenient circulation and easy, safe access to neighborhood parks and schools.
15. That residential areas be developed in a manner that provides a healthful, aesthetically pleasing atmosphere, and in a manner that affords safe and convenient access to neighborhood commercial centers, schools, and other public facilities.
16. That certain non-residential uses be located within residential areas if careful control is exercised over their location and their relationship to abutting property.

Findings of Fact: The surrounding area consists of mixed uses that include residential, commercial and heavy industrial. While the subject property and several to the North are zoned residential, they are bordered by heavy industrial and commercial zoning and uses. As such, the area would not be characterized as a residential area, but rather a commercial area with mixed residential uses. The applicant's proposal is designed in a location and manner to have the least impact on the residential uses. Only one bordering property (to the North) is residential. All other bordering properties are either commercial or heavy industrial. The applicant has designed the improvement of this site to protect the residential character and use of the property to the North.

A six foot (6') solid sight-obscuring fence, constructed of wood, similar to other residential construction, was erected along the North property line, replacing an existing fence that separated the residential property from the proposed site. The applicant also intends to construct a caretaker's dwelling within the West half of the site to give the Spruce Street frontage a residential appearance, similar to the residential lots to the North. The applicant is making a significant effort to protect and enhance the neighboring residential uses along Spruce Street.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

[Oregon Statewide Planning Goal; OAR 660-015-000(11)]

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.

Planning:

1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.
3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.
4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the services; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.
5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.

6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.
7. Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

[La Grande Comprehensive Plan Ordinance 3182, Series 2009]

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.

To encourage and provide for a coordinative, cooperative program involving all affected public agencies in the La Grande areas for the acquisition, development and maintenance of public facilities.

To insure that the needs for public facilities, including schools, parks, and other public administrative and operational buildings, will be provided in an orderly, economical manner consistent with an overall plan for the future development of the community.

Policies

1. *The City of La Grande will continue to provide and maintain urban services (water, sewer, storm drainage, services and transportation infrastructure) to residential, commercial and industrial lands within the City's Urban Growth Area prior to or concurrent with development and following annexation.*
2. *The City will require urban development to be served by urban services.*
3. *That the capacity for supplying sewer and water service not be so committed to development outside the City Limits that development within the City Limits is limited.*
4. *That municipal services will not be planned for nor provided outside of the Urban Growth Boundary (UGB) with the following exceptions: 1) The industrial park northeast of Island City; 2) Land designed for industrial uses near the La Grande Airport; and 3) Water or sewer services provided by agreement with the City of Island City or the Island City Area Sanitation District.*
5. *The City will prioritize development of land serviced by utilities and require the extension of water, sewer and storm drainage facilities for all urban level development within the UGB.*
6. *That underground installation of utilities be encouraged on all new development.*
7. *The City will coordinate the extension of public services with other service providers, including Union County, La Grande School District 1 and other utility service providers.*
8. *The City will ensure that no new wastewater facilities, included constructed wetlands, will be located within a 5,000 lineal foot radius of the Union County Airport or within 10,000 lineal feet unless the appropriate bird strike hazard study is completed and approved.*
9. *The City will adopt, periodically review and update long range master plans for its water, sewer, storm drainage and transportation systems.*
10. *The City will comply with state and federal regulations for utility systems.*
11. *That the cost for public services and street improvements for land being converted to urban uses be borne by the developer.*
12. *The City will monitor the condition of water, sewer, storm drainage and transportation infrastructure and finance regular maintenance of these facilities.*
13. *The City will establish and maintain utility rates and user fees that equitably allocate costs for operations and maintenance to users.*
14. *The City will maintain a 5 year supply of commercial and industrial land that is serviceable by water, sewer, storm drainage and transportation infrastructure.*
15. *The City will protect its water supply by: establishing wellhead protection measures; working with landowners and managers for protection of water sources; adhering to applicable permitting*

- requirements when approving new residential, commercial and industrial development and when constructing new water, sewer, storm drainage and transportation infrastructure.*
- 16. The City will establish standards for storm drainage detention and management facilities and encourage wherever feasible natural storm drainage management techniques, such as detention basins, landscaping, retention ponds and natural drainage ways.*
 - 17. The City will take steps to minimize adverse impacts from construction and other sources of erosion and sedimentation on natural drainage ways and storm drainage facilities.*
 - 18. The City shall continue to regulate solid waste removal in the La Grande area through franchise agreement.*
 - 19. The City shall cooperate and facilitate the operation of a landfill site for solid waste as necessary with Union County and the landfill operator.*
 - 20. The City will cooperate with the Oregon Department of Transportation in implementing its improvement program.*
 - 21. In order to comply with the 1999 Oregon Highway Plan, the City will apply the Access Management Standards as presented in Appendix C to its transportation system wherever necessary.*
 - 22. The City will comply with Policy 1F, Highway Mobility Standards, of the 1999 Oregon Highway Plan which states: "It is the policy of the State of Oregon to use highway mobility standards to maintain acceptable and reliable levels of mobility on the state highway system. These standards shall be used for: Identifying state highway mobility performance expectations for planning and plan implementation; Evaluating the impacts on the state highways of amendments to transportation plans, acknowledged comprehensive plans and land use regulations pursuant to the Transportation Planning Rule (OAR 660-12-060); and Guiding operations decisions such as managing access and traffic control systems to maintain acceptable highway performance.*
 - 23. The City of La Grande supports the operation and development of the La Grande – Union County Airport as set forth in the Airport Master Plan Update of July, 1998. Should the La Grande Urban Growth Boundary be expanded in the future to territory beneath the Airport's imaginary surfaces, the City will take steps to comply with OAR 660, Division 13 (Airport Planning).*

Findings of Fact: All utility services are available to the subject property from Spruce Street, "Q" Avenue and the adjacent alley. With shop/storage building and small single family dwelling proposed, the development can easily be served with existing services and will have no noticeable impact on the capacity of the existing systems or ability to continue serving the community.

GOAL 12 – TRANSPORTATION

[Oregon Statewide Planning Goal; OAR 660-015-000(12)]

To provide and encourage a safe, convenient and economic transportation system.

GOAL 12 – TRANSPORTATION

[La Grande Comprehensive Plan Ordinance 3182, Series 2009]

The Transportation Planning Goals set forth in the La Grande/Island City Transportation System Plan, are as follows:

Transportation Access and Options

- | | |
|--------|--|
| Goal 1 | <i>Ensure a safe and efficient transportation system allowing access into and through the community for all users, including the transportation disadvantaged.</i> |
| Goal 2 | <i>Improve personal mobility and access to transportation services by expanding the variety and availability of travel modes throughout the region.</i> |
| Goal 3 | <i>Improve the movement of goods and delivery of services throughout the region using a variety of travel modes.</i> |

- Goal 4 Provide connectivity between transportation options and to locations outside the study area.*
- Goal 5 Improve the overall safety and efficiency of transportation system operations by: 1) Managing access to and development along State maintained highway corridors; 2) Promoting transportation demand management strategies; and 3) Adopting Ordinances to ensure safe and convenient connections between travel modes.*
- Goal 6 Provide adequate mobility and access for emergency services.*

Transportation System

- Goal 1 Ensure adequate capacity for future travel demand on collector and arterial streets and on the local highways to enable economic development in the community.*
- Goal 2 Improve the local circulation system to reduce the community's reliance on U.S. Highway 30 (Adams Avenue) and Oregon State Highway 82 (Island Avenue).*
- Goal 3 Ensure the integration of adequate bike and pedestrian pathways through the community, particularly to connect schools and activity centers.*
- Goal 4 Protect the function of existing and planned roadways as identified in the Transportation System Plan through the application of appropriate access management techniques.*

Land Use Compatibility

- Goal 1 Improve area-wide quality of life by: 1) Increasing the compatibility of regional transportation system development with existing and future land use patterns, and 2) Minimizing the impacts of transportation system development on the natural and built environment.*
- Goal 2 Provide a transportation system that attracts people to live and work in the area and supports and enhances the local economy, including the recreation and tourism industry.*
- Goal 3 Enhance or maintain a balance between jobs and housing in sub-districts of the urban area in order to reduce the number and length of trips.*

Funding

- Goal 1 Develop a transportation system that is economical and affordable for the users and for the community to construct and maintain.*
- Goal 2 Ensure sustained funding for needed transportation improvement projects.*

Coordination

- Goal 1 Develop recommendations that ensure the Transportation System Plan will be consistent with the goals, policies, and action strategies of the Oregon Transportation Plan, Statewide Planning Goals, Oregon Benchmarks, the Transportation Equity Act for the Twenty-First Century (TEA 21), the Clean Air Act Amendments (CAAA), and the Americans with Disabilities Act (ADA).*
- Goal 2 Coordinate with the Oregon Department of Transportation to implement the highway improvements listed in the Statewide Transportation Improvement Program (STIP) that are consistent with the Transportation System Plan.*
- Goal 3 Provide timely notice to ODOT regarding any land use action on or adjacent to a State transportation facility.*

Implementation

- Goal 1 The Transportation System Plan is an element of the Comprehensive Plans for La Grande and Island City.*
- Goal 2 Maintain a Transportation System Plan that is flexible and adaptable to changing future conditions.*

Findings of Fact: Due to the small size of this property (8250 s.f.), with a proposed shop/storage building and small single-family dwelling, the rezoning is not expected to have any adverse impacts on the transportation system that warrant mitigation.

Currently, the property is zoned to allow for single-family or duplex dwellings. According to the Trip Generation Manuals, published by the Institute of Transportation Engineers (7th Edition), the average weekday trip for a single-family residence is around 9 trips per day; it is slightly less for multi-family residences. The average weekday trip for warehousing is 4 trips per day/per employee; or approximately 0.5 trips per day/1000 s.f. gross floor area.

The existing potential for vehicle traffic under the current residential zoning is between 9 and 18 vehicle trips per day. The new potential, under commercial zoning is between 2 trips (3,375 s.f. shop/warehouse) and 10 trips per day (1- 3,375 s.f. building to include both a single-family dwelling and shop/warehouse – proposed scenario).

In comparison between the existing potential and proposed rezone, there is virtually no measurable change in the traffic volumes. As a result, no additional studies are required and no mitigation is required.

EXHIBIT 'B'

ZONING MAP AMENDMENT

REZONE OF 1701-1703 SPRUCE STREET FROM MEDIUM DENSITY RESIDENTIAL TO GENERAL COMMERCIAL FINDINGS OF FACT AND CONCLUSIONS

Per Ordinance 3081, Series 2009, Section 8.6.003 – Review Criteria for a **Zone Designation Change**: A proposed Zone Designation Change shall meet the following criteria:

- A. The Zone Designation Change is in conformance with the Comprehensive Plan, and all other provisions of the Land Development Code;
- B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;
- C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060);
- D. That the proposed Zone Designation Change will have no adverse effect on the appropriate use and development of abutting properties.

Findings of Fact: As discussed in Exhibit A, to proposed zone change appears to satisfy all applicable Comprehensive Plan Goals and Policies. The site being rectangular in shape (75'x110'=8,250 s.f.) is of adequate size and shape to support a commercial use, with off-street parking as needed. The applicant proposed to construct a 45'x75' structure that will include both a single-family caretaker dwelling and a shop/warehouse building. The driveway serving this property will come off "Q" Avenue, which is a "local street" with an oil-mat surface and gravel shoulders.

The proposed use is in compliance with the Oregon Transportation Planning Rule. Under the existing residential zoning, the potential vehicle traffic generated (single-family or duplex dwellings) is between 9 and 18 trips per day. Under the proposed rezoned, the potential vehicles traffic generated (shop/warehouse or single-family dwelling included) is between 2 and 10 trips per day. This rezone will have little to no effect on the transportation system.

The applicant has designed the site to minimize adverse impacts on the abutting properties. A six foot (6') solid sight-obscuring fence has been constructed along the North property line to serve as a buffer and improvement to the adjacent residential property. The site is designed with all vehicle traffic entering and exiting from "Q" Avenue, adjacent to the heavy industrial uses and zoning; and with the residential element of the project fronting on Spruce Street, similar to the adjacent residential use(s) to the North.

PUBLIC HEARINGS

- a. Comprehensive Plan Designation Change/Zone Designation Change; File Numbers 01-CPA-12 & 02-ZON-12, Applicant: Kerry Tweit

Kerry Tweit

PUBLIC HEARING OPENED (6:05 P.M.)

Jeremy MORRIS, Chairperson, asked that the Legislative Rules of Order be read. Declarations and Challenges are not required. The audience was informed that they needed to fill out a sign-in sheet if they wished to offer comment during the public hearing. MORRIS then requested the Staff Report which was presented by Michael BOQUIST, City Planner. BOQUIST began by referring the Commission to the color map on Page 2 of the Staff Report. The map showed the applicant's property that he is asking to rezone from residential to commercial zoning. The applicant meets all the review criteria and notice was provided to the State, Utility Companies and property owners within 100 feet. The Planning Division received no comments regarding this request.

BOQUIST asked for questions from the Commission, there were none.

MORRIS then requested testimony in favor of this application.

Mr. TWEIT stated that he was the applicant and said his goal was to build a caretaker's residence on the property for his seasonal landscape business. He needs the shop to store equipment in, with limited use on-site in the morning and evening.

COUGHLAN inquired where his business was located at this time. TWEIT replied that he rented property on "R" Avenue, just north of the subject property. HOWARD inquired what the zoning was on the three lots on the same block. BOQUIST replied that directly south is an office for a seed company, to the east is the old Del Monte warehouse, and to the north is Boise Cascade. TWEIT said across the street to the west is an appliance repair business. BOQUIST stated those properties are all zoned general commercial.

MORRIS requested testimony in opposition or neutral to the application. There was none.

MORRIS then entertained a motion.

HOWARD made the motion with ROSS providing the second.

MOTION: That the Findings of Fact and Conclusions set forth in the Staff Report be

accepted and that proposed Zoning Map and Comprehensive Plan Map changes be recommended to the City Council.

DISCUSSION:

None

PUBLIC HEARING CLOSED (6:12 P.M.)

MORRIS called for the vote.

MSC: unanimous



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CITY OF LA GRANDE
Community & Economic Development Dept.
P.O. Box 670 / 1000 Adams Avenue
La Grande, Oregon 97850

Attn: Plan Amendment Specialist
Dept. of Land Conservation & Develop.
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540