



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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## NOTICE OF ADOPTED AMENDMENT

March 24, 2006



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Town of Lakeview Plan Amendment  
DLCD File Number 002-05

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: April 10, 2006**

This amendment was submitted to DLCD for review 45 days 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 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.**

Cc: Doug White, DLCD Community Services Specialist  
Mark Radabaugh, DLCD Regional Representative  
Janine Cannon, Town of Lakeview

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# FORM 2

## DLCD NOTICE OF ADOPTION

This form must be mailed to DLCD within 5 working days after the final decision per ORS 197.610, OAR Chapter 660 - Division 18

(See reverse side for submittal requirements)

DEPT OF

MAR 21 2006

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: Town of Lakeview Local File No.: 352  
(If no number, use none)

Date of Adoption: 3-14-06 Date Mailed: 3-20-06  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 5-20-05

Comprehensive Plan Text Amendment  Comprehensive Plan Map Amendment

Land Use Regulation Amendment  Zoning Map Amendment

New Land Use Regulation  Other: \_\_\_\_\_

(Please Specify Type of Action)

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

Creates a new Land Use District - Industrial Commercial Subdistrict - to the  
Town's Development Code.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Plan Map Changed from : \_\_\_\_\_ to \_\_\_\_\_

Zone Map Changed from: \_\_\_\_\_ to \_\_\_\_\_

Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_

Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable Statewide Planning Goals: Goal 9

Was an Exception Adopted? Yes: \_\_\_\_\_ No: X

DLCD File No.: 502-05 (14396)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:

If no, do the Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: Lake County

Local Contact: Janine Cannon Area Code + Phone Number: 541-947-4957

Address: 525 N. First Street City: Lakeview

Zip Code+4: 97630 Email Address: \_\_\_\_\_

## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

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

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to [Mara.Ulloa@state.or.us](mailto:Mara.Ulloa@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

ORDINANCE NO. 819

AN ORDINANCE PROVIDING FOR ADOPTION OF COMPREHENSIVE PLAN AND DEVELOPMENT CODE AMENDMENTS CREATING AN INDUSTRIAL COMMERCIAL SUB-DISTRICT WITHIN THE TOWN OF LAKEVIEW

WHEREAS, the Town of Lakeview adopted a Comprehensive Plan and Development Code enacted pursuant to Town Ordinance No. 782, which ordinance was enacted for the purpose of implementing the Town's Comprehensive Plan and complying with various statewide planning goals and guidelines;

WHEREAS, there is a need to provide for a broad mix of commercial, wholesale and industrial uses which may have large site requirements that are not appropriate in the Downtown Service Core or Highway Commercial Sub-Districts;

WHEREAS, there is a need to maintain continuity and viability of the existing Downtown Service Core;

WHEREAS, in review of current economic data, there have been no significant changes since periodic review, including the Buildable Lands Inventory;

WHEREAS, there is sufficient commercial and industrial buildable land available to accommodate future employment needs;

WHEREAS, the Town of Lakeview initiated Comprehensive Plan and Development Code amendments to create a new land use district, Industrial Commercial Sub-District;

WHEREAS, the Department of Land Conservation and Development was provided 45-day notice of the proposed amendments on May 20, 2005 and additional notice on December 20, 2005;

WHEREAS, the Town Planning Commission held public hearings July 11 and December 12, 2005, with notice thereof published in the Lake County Examiner on June 30, 2005, and at said hearing reviewed and forwarded to the Town Council its recommendations related to the proposed amendments; and

WHEREAS, the Town Council held a public hearing on February 14, 2006, with notice thereof published in the Lake County Examiner on January 26, 2006, and at said hearing the proposed amendments were read and discussed, now therefore,


THE TOWN COUNCIL OF THE TOWN OF LAKEVIEW ORDAINS AS FOLLOWS:

**Section 1.** Adoption: The Town Council hereby adopts those changes to its Comprehensive Plan and Development Code creating the Industrial Commercial Sub-District as more fully set forth in Exhibit "A" to this Ordinance, which exhibit is attached hereto and by this reference specifically incorporated herein.


**Section 2.** Effective Date: The Ordinance and the amendments herein adopted by reference shall be in full force and effect on the 30<sup>th</sup> day after their adoption as so set forth below.

This Ordinance was read by title only and no Council member requested that the Ordinance be read in full. It was thereafter passed unanimously by vote of the Council.

Adopted this 14th day of March, 2006.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_

## EXHIBIT A

### AMENDMENTS TO TOWN OF LAKEVIEW COMPREHENSIVE PLAN AND DEVELOPMENT CODE

#### AMENDMENTS TO THE COMPREHENSIVE PLAN

Page 5, add the following new plan classification after paragraph, Industrial Areas:

Industrial Commercial Subdistrict. To provide for a broad mix of commercial, wholesale and industrial uses, which may have large site requirements, that is not appropriate in the Downtown Service Core Subdistrict and will not impair present or potential use of adjacent properties in an existing built-up area of the Town.

#### **Goal 9 Economic Development**

Page 17, add new plan policies as follows:

Plan Policy IX.B.12. Consideration of commercial uses within the Industrial Commercial Subdistrict shall maintain continuity with and the viability of the existing Downtown Service Core. The performance standard for this policy is to retain small retail trade and office space in the Downtown Service Core.

Plan Policy IX.B.13. Consideration of commercial uses outside the Downtown Service Core shall be determined appropriate when offering a greater diversity of retail products (i.e. department store, variety store). Such commercial uses shall not exceed 50,000 square feet.

Plan Policy IX.B.14. Allocation of land uses within the Industrial Commercial Subdistrict shall include: not less than 30% in industrial use; not less than 30% in commercial use; and the remainder in mixed use.

#### **Technical Data Report**

Page 18, add the following as paragraph 2 under HOUSING, POPULATION, AND RESIDENTIAL, COMMERCIAL AND INDUSTRIAL LANDS:

##### 2005 Commercial and Industrial Lands Review

Business activity since 1999 has created some changes in the Buildable Lands Inventory (BLI). These include a proposed expansion of the Les Schwab Tire Center, demolition of a gas station and acquisition of a portion of the Lakeview Lumber Co. site by a local industry. However, there have been no significant changes since periodic review and the BLI.

The following tables from the 1999 BLI show the number of net buildable commercial and industrial acres, projected employment by distribution in 2020, and employment capacity on buildable commercial and industrial lands 1995 to 2020.

**Net Buildable Commercial and Industrial Acres**

<b>Comprehensive Plan Designation</b>	<b>Acres in Town</b>	<b>Acres in UGB Area</b>	<b>Total Acres</b>
Commercial	3	146	149
Industrial	26	186	212

**Projected Employment by Distribution in 2020  
Lakeview and UGB Area**

<b>Type of Employment</b>	<b>Number of Jobs</b>
Commercial	1,779
Industrial	290
<b>Total Jobs in 2020</b>	<b>2,069</b>
Less Existing Jobs (1995)	-1,733
<b>Total Jobs Increase 1995-2020</b>	<b>336</b>

**Employment Capacity on Buildable Commercial and Industrial lands  
1995 to 2020**

<b>New Job Capacity on Buildable Lands</b>	<b>Number of Jobs</b>
Capacity on 149 acres of commercial land (7.3 employees/acre)	1,088
Capacity on 212 acres of industrial land (5.0 employees/acre)	1,060
<b>Total Employment Capacity on Buildable Lands</b>	<b>2,148</b>

Conclusions from the above analysis finds:

- There is the capacity for 2,148 new jobs within the existing buildable land zoned for commercial and industrial uses in the UGB.
- The projected employment in 2020 is 336 jobs above 1995 employment levels.
- There is sufficient commercial and industrial buildable land available in the UGB to accommodate future employment needs to 2020.

The BLI included findings that there is limited buildable commercially zoned land in Town. Commercial capacity in the traditional downtown is mostly dependent on redevelopment/business turnover. A question not answered is what is the best location for future commercial services.

More commercial services are needed to support the population growth and the amenities that more urban areas possess. There is a need to locate commercial services which downtown cannot accommodate. There is also a need to maintain industrial lands that can accommodate a variety of industrial/commercial uses, i.e. office park and commercial uses offering a greater diversity of retail products (i.e. department store, variety store).

Land use planning needs to be flexible enough to accommodate any of these opportunities. An Industrial Commercial Subdistrict is designed to provide this flexibility at the same time protecting investments and quality of life.

Page 22, add the following after Natural Resources, ECONOMICS:

### **2005 Economic Opportunities Analysis**

Statewide Planning Goal 9 requires update of economic elements of plans for urban growth boundary areas based on new economic trend information to: (1) forecast needs for industrial and commercial land in several broad “site categories,” (e.g., light industrial, heavy industrial, commercial office, commercial retail, etc.); (2) inventory sites currently designated for industrial or commercial use; and (3) project community decisions about desired development. Based on this information, policies must be adopted stating the community’s economic development objectives, land must be designated to meet forecasted needs, and sufficient serviceable sites must be designated to meet the needs of the next five years.

Economic analyses from two new studies, draft *South Central Oregon Consolidated Economic Development Strategy and Regional Investment Strategy 2005 – 2007* and *Downtown Lakeview Resource Team Report (2005)* in addition to the Buildable Lands Inventory are the basis of this review. These studies indicate there has been no significant change in economic trends since periodic review and the BLI in 1999.

Timber and wood products, government and agriculture continue to form the basis of Lake County’s economy and account for a larger share of County employment than the state average. Government comprises 40.7 percent of total employment and is the largest source of payroll income in the County.

Logging, millwork, door manufacturing and ranching comprise the private sector. Cattle, alfalfa hay and farm forest products are the County’s three highest gross agricultural sales, respectively.

Lakeview has a diverse and growing visitor market from ecotourists and hunters to hang gliders and western aficionados due to increased exposure of the area’s natural amenities.

A major new development was completion of the \$27 million Warner Creek Correctional Facility, which opened in September and employs approximately 110 persons. Other new developments include the Fremont Inn, an affordable housing development, South Valley Bank’s downtown development project, Les Schwab Tire Center expansion, a housing development, and a new 95-lot subdivision.

The Town’s new geothermal heating system located at Hunter’s Hot Springs currently provides space heating to the Warner Creek Correctional Facility. The system has capacity to heat an additional facility of similar size. Other opportunities include use of



the waste heat for greenhouse or other industrial applications, as well as space heating for institutional uses in Town and at the Lakeview Area Industrial Park.

One sawmill remains in operation. Millwork has been in slow decline. Federal budget reductions have eroded the government component of the local economy.

It is too early to know the economic effects of the Warner Creek Correctional Facility. It has increased State government employment from 70 in January to 180 in October. The steady year-round employment will create a secondary positive affect on many local businesses.

Over the past 10 years, while the State labor force increased 15.8 percent, Lake County's labor force fell by 12.5 percent and total employment declined by 14.6 percent. The loss in the labor force has been the result of working-age residents dropping out of the labor market or relocating to other areas where work is more plentiful.

Lake County per capita income in 2003 was \$21,854 compared to the State per capita income of \$28,792. Median household income of \$34,602 is also lower than Oregon's at \$47,424 for 2005. In 2000, 13.4 percent of the County's families were below the poverty level, an increase from 12.4 percent in 1970. In 2000, 13.7 percent had incomes less than \$10,000; 29 percent had incomes from \$10,000 to \$25,000 and 24.5 percent had incomes of \$50,000 or more.

High unemployment rates continue to be a concern. While improved from the 1980s, unemployment has averaged 4.3 percentage points above the statewide average. Unemployment remains high due to a number of factors including reduction of timber harvests on federal lands and the seasonal nature of many jobs. It highlights the need to diversify the employment base.

Lake County continues to have higher employment in government and natural resources and is less diversified than the State. Future job growth will see a shift from the narrow set of skills needed for jobs in the timber industry to the more varied skills required in a diversified manufacturing, natural resource restoration and service economy. To maintain a strong and viable regional economy, Lake County must be targeted for economic development that requires high-skill, high-wage jobs.

The economic outlook for Lake County over the next several years will depend on the success of economic development strategies to add to the current economic sectors such as value-added natural resources, high technology, and telecommunications; industries that are emerging in the market or will add diversification to the economy; and the development of local entrepreneurs and start-up businesses.

Current efforts include development of local business in small diameter wood products and forest restoration and a renewable energy project. Lake County Resources Initiative assisted local contractors in creating new federal contracting opportunities and training them to prepare bids and do business with the federal government. Potential developers

are studying a business plan prepared by CH2M Hill for Lake County Resources Initiative for a 14MW biomass plant. The biomass plant could lead to other industry use of generated steam.

The priority for Lakeview is job creation and higher family wage jobs.

## AMENDMENTS TO THE DEVELOPMENT CODE

Page 2.3.1, add 2.3.170 – Industrial Commercial Sub-District and renumber 2.3.170 - Industrial Park Sub-District to 2.3.180 – Industrial Park Sub-District.

Page 2.3.7, add a new land use district as follows:

### **2.3.170 Industrial Commercial Sub-District**

- A. **Purpose.** The purpose of the Industrial Commercial Subdistrict is to provide for a broad mix of commercial, wholesale and industrial uses which may have large site requirements that are not appropriate in the Downtown Service Core Subdistrict and will not impair present or potential use of adjacent properties in an existing built-up area of the Town. The base standards of the General Industrial District apply, except as modified by the standards of this Subdistrict.

**Table 2.3.170 A**  
**Land Uses and Building Types Permitted in the Industrial Commercial Subdistrict**

<p><b>1. Industrial:</b></p> <ul style="list-style-type: none"> <li>a. Light manufacture (e.g., electronic equipment, printing, bindery, furniture, and similar goods)</li> <li>b. Warehousing and distribution</li> <li>c. Private or public transportation station or depot</li> <li>d. Veterinarian clinic or laboratory</li> <li>e. Compounding, packaging and storage of cosmetics</li> <li>f. Forest products remanufacturing</li> <li>g. Repair, rental, sales, servicing and storage of machinery, implements, equipment, recreation vehicles and mobile or modular homes and manufacturing and/or assembling thereof</li> <li>h. Automobile and truck sales and service, including service stations and truck stops</li> <li>i. Railroad facilities</li> <li>j. Geothermal resource extraction (CU)</li> <li>k. Uses similar to those listed above</li> </ul> <p><b>2. Residential:</b></p> <ul style="list-style-type: none"> <li>a. One caretaker unit shall be permitted for each development, subject to the standards in Section 2.3.160. Other residential uses are not permitted.</li> </ul> <p><b>3. Commercial:</b></p> <ul style="list-style-type: none"> <li>a. Offices and other commercial uses that are integral to a primary industrial use (e.g., administrative offices, and wholesale of goods produced on location and similar uses)</li> <li>b. Retail and service commercial uses</li> </ul>	<p><b>4. Public and institutional uses:</b></p> <ul style="list-style-type: none"> <li>a. Government facilities (e.g., public safety, utilities, school district bus facilities, public works yards, transit and similar facilities) where the public is generally not received</li> <li>b. Private utilities (e.g., natural gas, electrical, telephone, cable, and similar facilities)</li> <li>c. Passive open space (e.g., natural areas)</li> <li>d. Special district facilities (e.g., irrigation district, and similar facilities)</li> <li>e. Vocational schools co-located with parent industry or sponsoring organization</li> <li>f. Transportation Facilities and Improvements: <ul style="list-style-type: none"> <li>1. Normal operation, maintenance;</li> <li>2. Installation of improvements within the existing right-of-way;</li> <li>3. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval;</li> <li>4. Landscaping as part of a transportation facility;</li> <li>5. Emergency Measures;</li> <li>6. Street or road construction as part of an approved subdivision or partition;</li> <li>7. Transportation projects that are not designated improvements in the Transportation System Plan** (CU); and</li> <li>8. Transportation projects that are not designed and constructed as part of an approved subdivision or partition** (CU)</li> </ul> </li> <li>g. Uses similar to those listed above.</li> </ul> <p><b>5. Wireless Communication Equipment</b> - subject to the standards in Chapter 3.6.200</p> <p><b>6. Accessory Uses and Structures</b></p>
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Land uses with (CU) shall require a Conditional Use Permit in accordance with Chapter 4.4. Uses marked with an asterisk (\*) are subject to the standards in Section 2.3.160 Special Use standards, "Special Standards for Certain Uses". Uses marked with two asterisks (\*\*) are subject to the standards in Section 4.4.400.D.

**B. Special Standards.** (This section reserved for future use.)

Page 2.3.7, renumber 2.3.170- Industrial Park Sub-District as follows:

**2.3.180 Industrial Park Sub-District.**

Reserved for expansion. Until provided for otherwise, properties zoned or previously zoned Industrial Park (M-2) shall comply with the provisions of the General Industrial District (M-1).