



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

July 23, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of La Grande Plan Amendment
DLCD File Number 003-05



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: August 7, 2007

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: Gloria Gardiner, DLCD Urban Planning Specialist
Darren Nichols, DLCD Community Services Division Manager
Matthew Crall, DLCD Transportation Planner
Michael J. Boquist, City of La Grande

<paa> y

FORM 2

D L C D 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

JUL 19 2007

**LAND CONSERVATION
AND DEVELOPMENT**

Jurisdiction: City of La Grande Local File No.: 03-CPA-05 & 02-ZON-05
(If no number, use none)

Date of Adoption: July 11, 2007 Date Mailed: July 17, 2007
(Must be filled in) (Must be filled in)

Date the Notice of Proposed Amendment was mailed to DLCD: December 5, 2006

- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input checked="" type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: _____
<small>(Please Specify Type of Action)</small> |

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

Amend the Comprehensive Plan Map and Zoning Map; rezoning the subject property from a medium density residential zone to a commercial zone

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."

SAME

Plan Map Changed from: Medium Density Residential to Commercial

Zone Map Changed from: R-2 Medium Density Residential to GC General commercial

Location: T3S, R38E, Section 8, Tax Lots 202 and 203, La Grande Acres Involved: 5.02

Specified Density: Previous: NA New: NA

Applicable Statewide Planning Goals: Goals 1, 2, 7, 9, 10, 11 and 12

Was an Exception Adopted? Yes: _____ No: X

DLCD No.: 003-05 (14845)

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: X 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: N/A

Local Contact: Michael J. Boquist, City Planner Area Code + Phone Number: (541) 962-1307

Address: Planning Division, 1000 Adams Avenue / P.O. Box 670

City: La Grande Zip Code + 4: 97850-0670

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, OR 97301-2540**

2. Submit **TWO (2) copies** of adopted materials, 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 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 in person who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to **8½ x 11 inch 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 **Larry.French@state.or.us** – ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF LA GRANDE
ORDINANCE NUMBER 3060
SERIES 2007

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE,
OREGON, REZONING PROPERTY AT THE NORTHWEST CORNER OF
TWELFTH STREET AND GEKELER LANE FROM MEDIUM DENSITY
RESIDENTIAL TO GENERAL COMMERCIAL, WITH A LIMITED USE OVERLAY**

WHEREAS, the applicants, Fred Bell, Sr. and Fred Bell, Jr., applied for a Comprehensive Plan Designation Change, File Number 03-CPA-05, and Zone Designation Change, File Number 02-ZON-05, to amend the Comprehensive Plan Map and La Grande Zoning Map to rezone two (2) properties located at the Northwest corner of Twelfth Street and Gekeler Lane, from Medium Density Residential to General Commercial; and,

WHEREAS, notice was provided to the Oregon Department of Land Conservation and Development at least forty-five (45) days in advance of the first public hearing, which was held by the Planning Commission on January 24, 2006; and,

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

WHEREAS, the proper notices were published in *The Observer*, mailed to affected property owners within one hundred feet (100') of affected property, and posted on the property and in City Hall, duly advertising the first City Council Public Hearing, held on February 8, 2006, to consider the applications; and,

WHEREAS, the City Council recessed the Public Hearing to allow the applicant and City Staff to work with the Oregon Department of Land Conservation and Development on a Quick Response Grant, which conducted a traffic impact analysis and neighborhood master plan, and,

WHEREAS, the applicant and City Staff believe that the neighborhood master plan is too restrictive and does not take the applicants' interests into consideration, resulting in said master plan being rejected. However, the traffic impact analysis is found to be applicable to application, even without the neighborhood master plan, and,

WHEREAS, due to the duration of time between the first and second City Council Public Hearings to consider the applications being seventeen (17) months, the proper notices were again published in *The Observer*, mailed to affected property owners within one hundred feet (100') of affected property; 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 3014, Series 2003, Article 8.6 – Zone Designation Change, and Article 8.7 – 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 Land Use Map be amended to change the land use designation of the following property from Medium Density Residential to General Commercial and that the Zoning Map be amended to change the zoning designation of the following property from R-2 Medium Density Residential to GC General Commercial as depicted in Exhibit "A":

Parcel I (Tax Lot 202)

A parcel of land situated in the East half of the Southwest quarter of Section 8, Township 3 South, Range 38 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows, with reference to map of survey Number 3-88 as filed in the office of the Union County Surveyor:

Beginning at the intersection of the North right-of-way line of Gekeler Lane and the West right-of-way line of Twelfth Street, said point being North 2°02'17" West, 488.42 feet (488.11 feet North and 17.37 feet West) of the South quarter corner of said Section 8; thence North 79°23'31" West along the North right-of-way line of Gekeler Lane, a distance of 365.79 feet; thence North 0°19'22" East, a distance of 577.08 feet; thence South 89°34'45" East, a distance of 359.76 feet to the West right-of-way line of Twelfth Street; thence South 0°18'32" West, along said West right-of-way line of Twelfth Street, a distance of 641.77 feet to the point of Beginning of this description.

Parcel II (Tax Lot 203)

A parcel of land situated in the East half of the Southwest quarter of Section 8, Township 3 South, Range 38 East of the Willamette Meridian, more particularly described as follows, with reference to map of survey number 3-68 as filed in the office of the Union County Surveyor:

Beginning at the intersection of the North right-of-way line of Gekeler Lane and the West right-of-way line of Twelfth Street, said point being North 2°02'17" West, 488.42 feet (488.11 feet North and 17.37 feet West) of the South quarter corner of said Section 8; thence N 79°23'31" W, along the North right-of-way line of Gekeler Lane, a distance of 222.48 feet; thence N 0°18'32" E, parallel with the West right-of-way line a distance of 179.11 feet; thence S 89°41'28" E, a distance of 218.89 feet, to the West right-of-way line of Twelfth Street; thence S 0°18'32" W, along said West right-of-way line of Twelfth Street, a distance of 218.89 feet, to the Point of Beginning of this description.

SECTION 2. The City Council adopts the Findings of Fact and Conclusions of Law as set forth in the City Council Staff Report on July 11, 2007, as its own Findings and Conclusions.

EXHIBIT 'A'

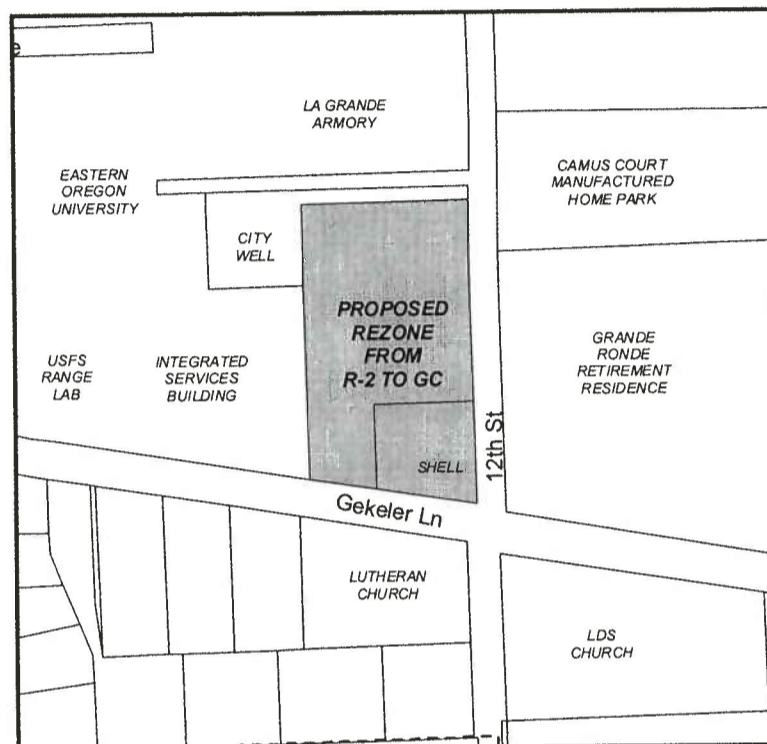


EXHIBIT 'B'

Limited Use Overlay Zone

The uses shown in strikethrough are not permitted uses within the Limited Use Overlay Zone.

GENERAL COMMERCIAL (GC)

B. PERMITTED USES:

1. Accessory Uses – Garages, Sheds For Storage of Lawn Equipment or Wood, and Signs
2. ~~Agricultural Supplies and Services – Feed and Grain Stores, Crop Dusting or Tree Service Firms~~
3. ~~Ambulance Services~~
4. Animal Sales and Services: Grooming – Dog Bathing and Clipping Salons or Pet Grooming Shops
5. ~~Animal Sales and Services: Kennels – Boarding Kennels, Pet Motels, Dog Training Centers, or Breeding Establishments~~
6. Animal Sales and Services: Veterinary, Small Animals – Pet Clinics, Dog and Cat Hospitals or Animal Hospitals
7. Automotive and Equipment: Cleaning – Auto Laundries, Auto Detailing, or Car Washes
8. ~~Automotive and Equipment: Fleet Storage – Taxi Fleets, Mobile Catering Truck Storage or Auto Storage Garages~~
9. ~~Automotive and Equipment: Repairs, Light Equipment – Muffler Shops, Auto Repair Garages or Auto Glass Shops~~
10. ~~Automotive and Equipment: Sales/Rentals, Light Equipment – Automobile Dealers, or Car Rental Agencies or Recreational Vehicles Sales and Rental Agencies~~
11. Building Maintenance Services – Janitorial, Landscape Maintenance, or Window Cleaning Services
12. Business Equipment Sales and Services – Office Equipment and Supply Firms, Small Business Machine Shops or Hotel Equipment and Supply Firms
13. Business Support Services – Secretarial Services, Telephone Answering Services, or Blueprint Services
14. Civic Administrative Services – Consulting, Record Keeping, Clerical or Public Contact Services Dealing With Citizens
15. Clinic Services – Non-Profit Medical Services
16. Commercial Administrative and Professional Services – Administrative Offices, Legal Offices, Architectural, Engineering, Surveying, or Consulting Firms
17. Communications Services – Television Studios, Radio Stations, Telecommunication Service Centers or Telegraph Service Offices
18. Community Education – Public, Private and Parochial Elementary, Junior high and Senior High School, Junior Colleges, Colleges, Universities and Trade Schools
19. ~~Community Recreation – Governmental or Non-Profit Operated Recreational, Social or Multi-Purpose Uses Within Buildings~~
20. ~~Construction Sales and Services – Building Materials Stores, Tool and Equipment Rental or Sales, or Building Contractors~~
21. Cultural Exhibits and Library Services – Non-Profit Museum-Like Preservation and Exhibition of Works of Art or Library Collection
22. ~~Custom Manufacturing – Ceramic Studios, Candle-Making Shops or Custom Jewelry Manufacture~~
23. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Bars or Micro-Brewery

24. Essential Services – Streets, Roads, Alleys, Public Right-Of-Ways, Pipelines, Power Lines, Distribution Feeders and Poles
25. Family Residential – Limited to Apartments in the Upper Floor or Twenty-Five Percent (25%) of the Ground Floor of Multi-Level Commercial Buildings, or Greater than Twenty-Five Percent (25%) With a Conditional Use Permit, Provided that Commercial Store Fronts are Maintained on the Street Front. Home Occupations are Allowed in Such Family Residential Units Subject to the Provisions of Article 8.11 of This Code.
26. Financial, Insurance and Real Estate Services – Banks, Insurance Agencies, Real Estate Appraisal, or Real Estate Firms
27. Food and Beverage Retail Sales – Groceries, Liquor Stores, Micro Brewery, Retail Sales, or Delicatessens
28. Gasoline Sales – Automobile Service Stations, Filling Stations - Excluding Truck Stops
29. Laundry Services – Laundry Agencies, Diaper Services or Linen Supply Services
30. Medical Services – Medical Offices, Dental Laboratories or Health Maintenance Organizations
31. Parking Services – Parking Services Involving Garages and Lots
32. Personal Services – Photography Studios, Driving Schools, Barber Shops, Hair Salons, or Reducing Salons
33. Postal Services – Mailing Services Excluding Major Processing
34. Repair Services – Appliance Repair Shops, Apparel Repair Firms or Instrument Repair Firms
35. Retail Sales – Businesses Engaged in Sale of Commonly Used Goods and Merchandise
36. ~~Spectator Sports and Entertainment – Limited to Indoor Theater, Service Club and Membership Organizations, and Social and Fraternal Orders~~
37. ~~Transient Habitation: Lodging – Motels, Hotels, and Bed and Breakfasts~~
38. ~~Transportation Services – Taxi Services and Bus Depots~~
39. ~~Wholesaling, Storage, and Distribution: Light~~
40. ~~Wholesaling, Storage, and Distribution: Storage~~

C. CONDITIONAL USES:

1. ~~Accessory Uses – Limited to Billboard Signs~~
 2. ~~Animal Sales and Services: Veterinary, Large Animals – Animal Hospitals or Veterinary Hospitals~~
 3. ~~Automotive and Equipment: Repairs, Heavy Equipment – Truck Transmission Shops, Body Shops or Motor Freight Maintenance Groups~~
 4. ~~Automotive and Equipment: Sales/Rentals, Farm Equipment – Farm Equipment Dealers~~
 5. ~~Extensive Impact Services and Utilities – Fairgrounds, Public Safety Buildings, Parks, Public Sports Arenas, Golf Courses, Microwave Relay Stations, or Other Communication Structures, Electrical Transmission Lines, Substations, and Electrical Generation Facilities~~
 6. ~~Funeral and Intermment Services: Cremating – Crematoriums~~
 7. ~~Funeral and Intermment Services: Undertaking – Funeral Homes or Mortuaries~~
 8. ~~Gasoline Sales – Limited to Truck Stops~~
 9. ~~Open Sales Lot – Sale and/or Rental of New/Used Manufactured Homes, Prefabricated Structures or Any Other Good or Service Sold in an Outdoor Environment~~
 10. ~~Participant Sports and Recreation – Bowling Alleys, Arcades, Youth Centers, Martial Arts Studios, Dance Studios, Health Clubs, Fitness Centers, Gymnasiums or Billiard Parlors Within Enclosed Buildings; and Driving~~
-

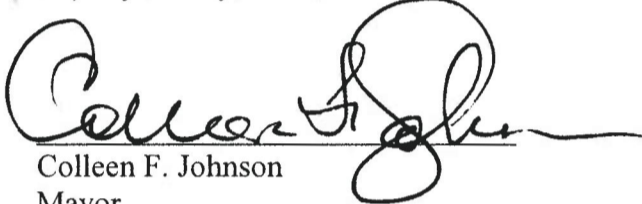
- ~~Ranges, Miniature Golf Courses, or Hunting and Fishing Camps or Ranges in Open Facilities~~
11. *Public Research Area – Governmental, Educational, Public or Non-Profit Operated Buildings or Land Dedicated to Pure or Applied Scientific Discovery in Fields of Agriculture, Wildlife Management, Forestry, Geology, Archaeology, Ecology, Astronomy*
 12. *Religious Assembly – Religious Services Involving Public Assembly as Occurs in Synagogues, Temples and Churches*
 13. *Research Services – Electronics Research Laboratories, Space Research and Development Firms, Soil and Material Testing Labs, or Pharmaceutical Research Labs*
 14. ~~*Transient Habitation: Campground Limited to RV Parks*~~
-

SECTION 3. Limited Use Overlay. That a Limited Use Overlay Zone be established as provided in Exhibit "B".

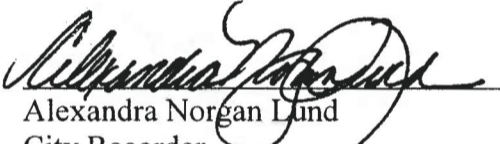
SECTION 4. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon and its approval by the Mayor; specifically, August 10, 2007.

ADOPTED this Eleventh (11th) day of July, 2007, by six (6) of six (6) Councilors present and voting.


APPROVED this Eleventh (11th) day of July, 2007.


Colleen F. Johnson
Mayor

ATTEST:


Alexandra Norgan Lund
City Recorder

APPROVED AS TO FORM AND CONTENT:

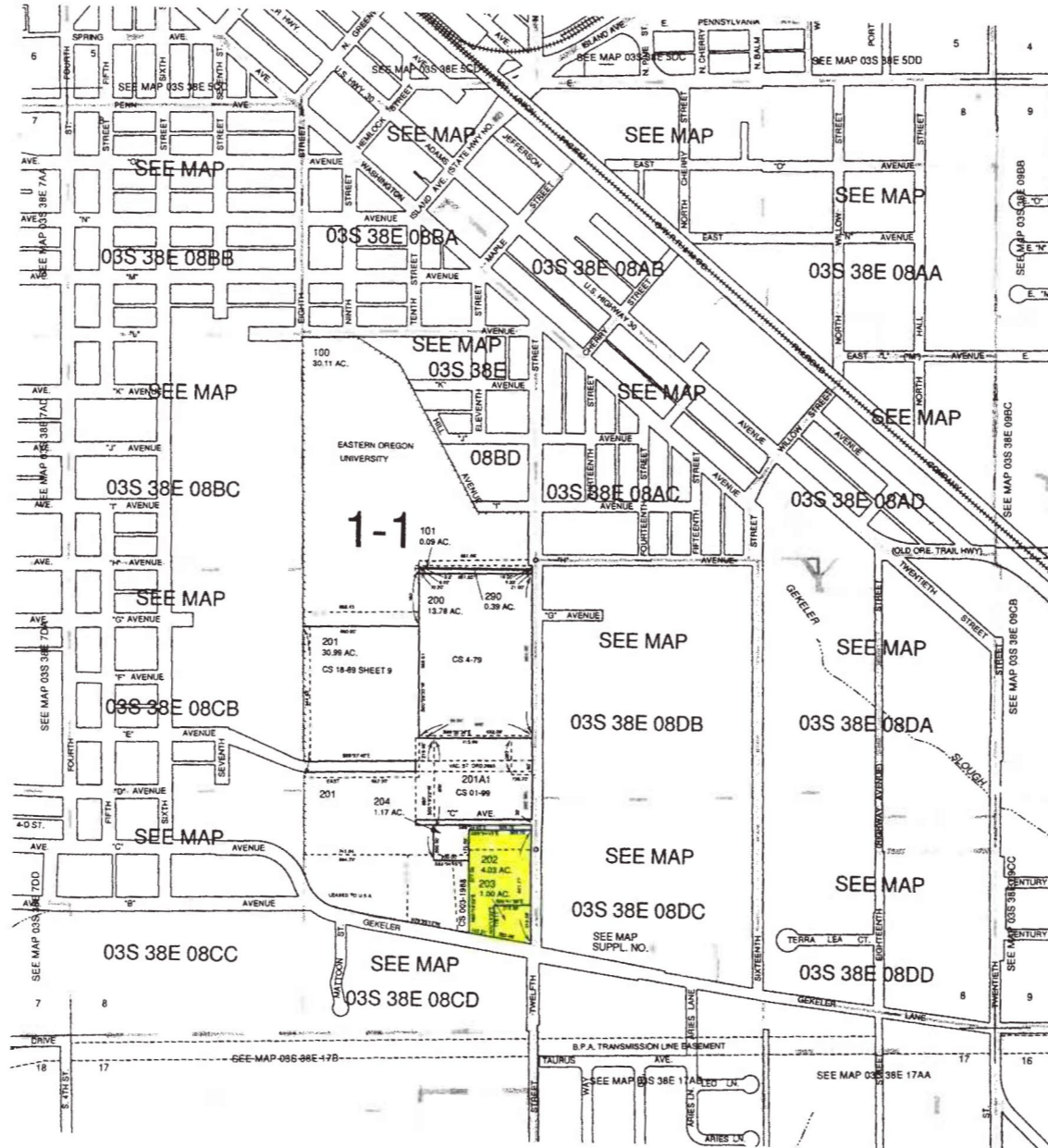
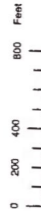
 for
Ricker and Roberson
Legal Counsel for the City of La Grande

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 08 T.03S. R.38E. W.M.

UNION COUNTY

1" = 400'



03S 38E 08
& INDEX
LA GRANDE

- CANCELLED NO.
102
202M1
203M1
205
291
300
400
401
402
403
500 THRU 2700

Revised 9C
8/17/2004
03S 38E 08
& INDEX
LA GRANDE

**CITY OF LA GRANDE
CITY COUNCIL MEETING
WEDNESDAY, JULY 11, 2007**

**STAFF REPORT
FINDINGS OF FACT**

APPLICATION FILES: 03-CPA-05 and 02-ZON-05

APPLICANT: Fred Bell Sr. and Fred Bell Jr.

PROPOSAL: Comprehensive Plan Designation Change and Zone Designation Change

LOCATION: Property at the Northwest Corner of Twelfth Street and Gekeler Lane, Which Includes Property Described as being in T3S, R38E, Section 8, Tax Lots 202 and 203, La Grande, Union County, Oregon

PRESENT COMPREHENSIVE PLAN DESIGNATION: Medium Density Residential

PROPOSED COMPREHENSIVE PLAN DESIGNATION: Commercial

PRESENT ZONING DESIGNATION: R-2 Medium Density Residential

PROPOSED ZONING DESIGNATION: GC General Commercial

REPORT CONTENTS

SCHEDULE OF EVENTS.....2

PROPOSAL DESCRIPTION2

LAND DEVELOPMENT CODE CRITERIA3

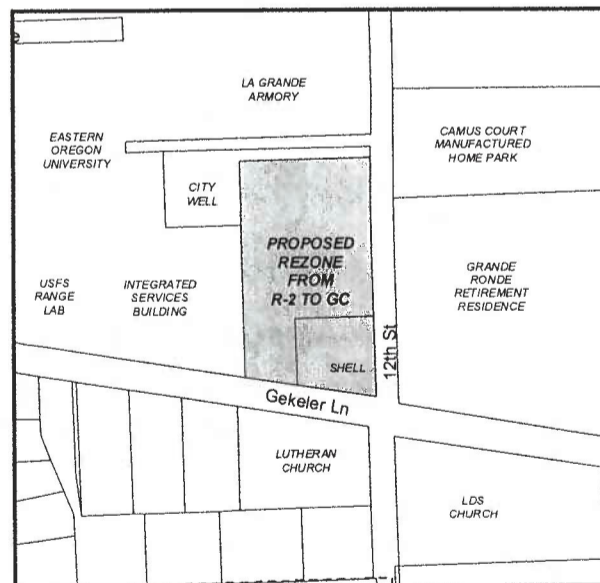
STATEWIDE PLANNING GOALS.....6

COMPREHENSIVE PLAN GOALS8

TRANSPORTATION PLANNING RULE12

CONCLUSIONS.....13

RECOMMENDATION13



SCHEDULE OF EVENTS

September 23, 2005	The application was submitted and deemed incomplete.
November 9, 2005	Revisions submitted and the application was deemed complete.
November 16, 2005	Notice of Public Hearing mailed to affected property owners and Development Review Committee
December 2, 2005	Notice mailed to DLCD for 45 day notice in advance of first evidentiary hearing
December 5, 2005	Revised Notice of Public Hearing mailed to affected property owners and Development Review Committee advertising the January 24, 2006, Planning Commission, Regular Session and February 1, 2006, City Council, Regular Session
January 4, 2006	Notice of Public Hearing published in <i>The Observer</i> , advertising the January 24, 2006, Planning Commission, Regular Session
January 24, 2006	Planning Commission Public Hearing and Recommendation to Council
February 8, 2006	City Council Public Hearing and First Reading of Ordinance (Recessed)
March 8, 2006	City Council Public Hearing (Recessed)
April 5, 2006	City Council Public Hearing (Tabled)
June 1, 2007 to May 31, 2007	DLCD Quick Response Project – South Central Neighborhood Plan
July 11, 2007	City Council Public Hearing and Second Reading of Ordinance
August 2007	Ordinance Effective Date; End of 30 Day Appeal Period

PROPOSAL DESCRIPTION

1. The subject properties are currently zoned R-2 Medium Density Residential. Together, they amount to approximately five (5) acres. Tax Lot 202 is approximately four (4) acres in size and is vacant or unimproved. Tax Lot 203 is one (1) acre in size and is developed with a service station, which includes a retail convenience store.
2. The Applicant's narrative states that the purpose of changing the land use zone and Comprehensive Plan designation from R-2 Medium Density Residential to GC General Commercial is to support the development of professional offices, which include medical facilities. One (1) such facility is depending on this change.
3. During the Planning Commission and City Council Public Hearings, concerns were expressed regarding neighborhood traffic impacts. These concerns evolved into an opportunity through the Oregon State Department of Land Conservation and Development for a "Quick Response" Grant to Master Plan the subject property and surrounding area, along with performing a traffic impact study. The Public Hearings were Tabled to an unspecified date to allow the Applicant to apply for the Quick Response Grant.
4. The Applicant, in cooperation with the City of La Grande Planning Division, was successful at obtaining a Quick Response Grant to master plan his property and pay for a traffic impact study. The master planning effort resulted in a Master Plan entitled, "South Central Neighborhood Plan". However, this Plan was not entirely successful. It presented options that included a Commercial Center theme, imposing design standards and development restrictions that were not supported by

the property owner. Such design elements pushed for buildings fronting on Gekeler Lane and Twelfth Street, similar to downtown La Grande, with all businesses engaging customers from the street/sidewalk. The Plan anticipated similar improvement design on both sides of Gekeler Lane and Twelfth Street. It also included adding on-street parking along Gekeler Lane, a landscaped median in Gekeler Lane and developing an Oregon Trail gateway. On-site, it included walking paths and other design elements.

The end result of this master planning effort was failure, although all was not lost. Some pedestrian elements that were found acceptable were folded into the recently adopted La Grande Pedestrian and Bicycle Improvement Plan. The remaining master plan and design elements were rejected by the property owner and he is looking at moving forward with the initial request for rezoning to General Commercial, but with a Limited Use Overlay that would limit the allowed uses to those that are considered compatible in a neighborhood commercial area.

5. The traffic impact study prepared supported the rezone to commercial, with no immediate street improvements being required. However, it did suggest that a traffic signal would be required in approximately 30 years at the Twelfth Street and Gekeler Lane Intersection. The Traffic Impact Study is provided in attached Exhibit "B" of the Staff Report.
6. If the rezoning is approved, the existing service station and convenience store, along with a range of other land uses will be allowed outright in the GC General Commercial Zone. A Limited Use Overlay Zone is proposed to limit the allowable uses to the property to those which are believed to be compatible with the neighborhood.

LAND DEVELOPMENT CODE CRITERIA

ORDINANCE NUMBER 3014, SERIES 2003

(Note: This Ordinance was in affect at the time the Application was submitted)
(Therefore, this request must be reviewed under Ordinance Number 3014, Series 2003)
(It is not the Ordinance in effect at this time)

ARTICLE 8.6 – ZONE CHANGE DESIGNATION. In accordance with Land Development Code Ordinance, a proposed Zone Change Designation must meet the following criteria:

A. The Zone Change Designation is in Conformance with the Comprehensive Plan, and all other provisions of the Land Development Code;

Finding: The Findings addressing the Comprehensive Plan are discussed in its own Section later in this Report. It is important to note that an Application has not been submitted for a specific development at this time. As a result, full compliance with the Land Development Code Ordinance cannot be assessed. However, general issues are discussed in Criterion B, C and D below. The Findings within these three (3) Criterion, as well as the Findings in the Comprehensive Plan section later in this Report demonstrate compliance with this Criterion.

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;

Finding: There are two (2) properties included in this request, totaling approximately five (5) acres in size, most of which is vacant. The GC General Commercial Zone allows a minimum lot size of 2500 square feet. The property is square in shape, and is of adequate size to facilitate the development of several lots with an interior access road or public street. While no specific development plan has been proposed, the property is of sufficient size and shape to support the professional office complex proposed by the Applicant or other General Commercial uses that may be proposed in the future.

C. The property affected by the proposed Zone Designation Change is properly related to streets to adequately serve the type of traffic generated by such uses that may be permitted therein;

Finding: These properties are abutting and can easily be served by Gekeler Lane and Twelfth Street, which are both Collector streets. Collector streets are intended to move a significant amount of traffic through an area. As a result, the streets are designed to support the volumes of traffic that will be generated by the development on these properties. To demonstrate that the streets are adequate to serve development on this property, a Traffic Impact Study was prepared. Such study is provided as attached Exhibit "B" and suggests that a traffic signal will be needed at the Twelfth Street/Gekeler Lane Intersection in 2030, when this area of La Grande is fully built out.

This issue is discussed in greater detail in the Oregon Transportation Planning Rule section later in this report.

D. The proposed Zone Designation Change will have no adverse effect on the appropriate use and development of abutting properties.

Finding: The abutting properties are built out. As a result no adverse impacts will occur to the development of abutting properties. Also, the abutting properties are commercial in nature and this request will support commercial uses that will be compatible with and will likely support the abutting uses.

However, there are residential uses in the area. There is a mobile home park and an assisted living or retirement residence across Twelfth Street. Also, slightly beyond the abutting properties are residential apartment and single-family homes. The uses proposed by the Applicant (professional offices and medical offices) are likely to have very little impact on the general area. However, some of the uses permitted in the General Commercial Zone may create community impacts that are undesirable. Some conflicting uses may include automobile repair, animal shelters/kennels, wholesale/warehouses, etc. As a result, the Applicant is proposing a Limited Use Overlay Zone, to eliminate or prohibit those uses that may be deemed as not compatible. See Condition of Approval #1.

ARTICLE 8.7 - COMPREHENSIVE PLAN DESIGNATION CHANGE. In accordance with the Land Development Code Ordinance, a proposed Comprehensive Plan Designation Change must meet the following criteria:

A. *The proposed change is in compliance with the Statewide Planning Goals.*

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 Ordinance. The La Grande Comprehensive Plan has been acknowledged by the State to be in compliance with these goals. There are a total of nineteen (19) Goals. Some of the Goals do not apply to this proposal due to the site location and other characteristics of the proposal. Compliance with the Statewide Planning Goals is addressed in a separate section later in this Report.

B. *The proposed change is in conformance with all policies of the City of La Grande Comprehensive Plan; and,*

The La Grande Comprehensive Plan has been acknowledged by the State and is used for implementing the Statewide Planning Goals. Out of the nineteen (19) Statewide Planning Goals, only thirteen (13) are applicable to La Grande. Due to the site location and other characteristics of this proposal, not all of these Goals apply to this request. Compliance with the Comprehensive Plan Goals is addressed in a separate section later in this Report.

C. *The proposed change is supported by specific studies or other factual information which documents the public need for the change.*

Finding: As discussed in Statewide Planning Goal 9 later in these Findings, the City of La Grande has a shortage of Commercial zoned land and an oversupply of Residential zoned land. This fact is discussed in detail in a Goal 9 Economic Development study prepared by *The Benkendorf Associates Corp.*, which has been adopted by the City Council of the City of La Grande, the Union County Commissioners and accepted and acknowledged by the Oregon Department of Land Conservation and Development. It must be mentioned that the Applicant's property is not specifically discussed in the report, but the general fact that the City of La Grande has a shortage of Commercial land serves as a documented need for additional Commercial zoned land.

STATEWIDE PLANNING GOALS

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

Findings: The City of La Grande has adopted public notice procedures in accordance with Oregon Revised Statutes. These procedures can be found in the City of La Grande Land Development Code Ordinance Number 3014, Series 2003, Article 9.6. Public notice is mailed to property owners within two hundred feet (200') of the subject property at least ten (10) days prior to the Public Hearing and advertised notice is published in *The Observer*, a local newspaper of general circulation, at least twenty (20) days prior to the Public Hearing. Public notice has been mailed to surrounding property owners and published in *The Observer*. In addition, in accordance with State Statutes and Administrative Rules, notice of the Planning Commission Public Hearing was mailed to the Oregon Department of Land Conservation and Development at least forty-five (45) days in advance of the first evidentiary (Planning Commission) hearing. Notice was also posted on the property. This standard has been met.

In addition to the general procedures that the City undertakes to comply with this Goal, additional public involvement occurred as part of the Quick Response project. There were several public notices and neighborhood meetings to receive input from the public. Many of the recommendations made by citizens were incorporated into the recently adopted La Grande Pedestrian and Bicycle Improvement Plan.

Goal 2 - Land Use Planning. *"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."*

Findings: The City of La Grande Comprehensive Plan, revisions adopted in 2005, adopts goals and policies, consistent with the Statewide Planning Goals. Additionally, the City of La Grande Land Development Code is used as a tool to implement the Goals and Policies described in the Comprehensive Plan. The Comprehensive Plan is used as a basis for making all decisions and actions relating to land use. It further assures that all decisions will be made on a factual base. An analysis of compliance with the Comprehensive Plan is included in the Findings herein.

Goal 7 - Areas Subject to Natural Disasters and Hazards. *"To protect life and property from natural disasters and hazards."*

Findings: A portion of the property is affected by the five hundred (500) year flood plain. This flood plain designation is not regulated by local land use laws. While the property is located near other natural hazards (wetland, 100 year flood plain and geologic hazards), none of these hazards lie on this property or have a known impact on future development.

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

Findings: The proposal has minor implications for the local economy. If the proposed rezoning is approved, the property could be used in the future for a wide range of commercial land uses allowed either outright or conditionally in the GC General Commercial Zone. A recent Goal 9 Study, conducted by *The Benkendorf Associates Corp.*, has identified a shortage of commercial-zoned sites

for new or expanding businesses. The Study was acknowledged by the Oregon Department of Land Conservation and Development and uses a "Medium Growth Scenario", with a population growth rate of .925%. The Study shows a need for sixty three (63) acres of commercial land, of which the City is currently short 24.88 acres. Rezoning of the subject property, approximately five (5) acres, will increase the supply of commercial land and bring the City closer to meeting its needs.

Goal 10 - Housing. *"To provide for the housing needs of citizens of the state."*

Findings: The site is currently zoned for Medium Density Residential development as are several properties to the south and southwest of the site. Lands to the west and north have a Public Facilities designation, which generally is commercial in nature. Lands to the east have a High Density Residential designation. Due to the commercial nature of abutting properties, this site is not ideal for residential development.

The latest Residential Buildable Lands Inventory and Needs Analysis, adopted in 2000, shows that the City has 306.2 acres of land available (vacant or re-developable) for Medium Density Residential (single family attached and detached) development. This analysis is based on a 0.4% average annual growth rate. This Needs Analysis shows that the City will need only 287 more housing units in this density range over the next twenty (20) years. A similar Needs Analysis was done for the other lower and higher density Residential Zones with similar finding concluding that there is an oversupply of Residential land in the City.

By using the more aggressive .925% growth rate projected for economic development, discussed in Goal 9 above, the Needs Analysis is sure to result in lesser oversupply of Residential land, but an oversupply nonetheless. In conclusion, the re-designation of this property as requested will result in a decrease in the oversupply of Medium Density Residential land, but would not result in a deficit.

Goal 11 - Public Facilities and Services. *"To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."*

Findings: If the property were to be developed with either Residential or Commercial uses, the Site Plan review process would ensure that adequate public facilities and services would be in place to serve the development. Commercial uses are generally larger consumers of public facilities and services and the impacts of such uses are determined during the Site Plan review process, not during a change in the zoning designation.

Goal 12 - Transportation. *"To provide and encourage a safe, convenient and economic transportation system."*

Findings: The property is served by Gekeler Lane and Twelfth Street. Both streets are major thoroughfares with Gekeler Lane being a "major collector" and Twelfth Street being a "minor collector" street. If the property is rezoned and developed with commercial uses, the Site Plan process will ensure that there is adequate ingress and egress and that any required right-of-way improvements will be installed in accordance with City standards. A Traffic Impact Analysis has been performed and has determined that the existing transportation system is adequate to support this development. However, the Study projected that the level of service at the Twelfth Street and Gekeler Lane Intersection will reach an undesirable level in 2030 and a traffic signal may be needed at that time.

COMPREHENSIVE PLAN GOALS

Goal 1 – Citizen Involvement

Policy 3: The City of La Grande shall strive to provide the opportunity for citizens to be involved in all phases of the planning process.

Finding: This Policy was addressed in Statewide Planning Goal 1, above. Public notice was mailed to surrounding property owners and the notice was published in *The Observer*, a local newspaper of general circulation. The notice was also posted on the property Public Hearings will be held by the Planning Commission and the City Council. Citizens will have the opportunity and have been encouraged to participate throughout the planning process. This standard has been met

Goal 2 – Land Use Planning

Policy 1. That planning-related decisions will be made on a factual base, and that such base will be updated as base information changes, or at least every two years.

Findings: The City's Buildable Lands Inventory and Needs Analysis identifies excess Residential Zoned land and a shortage of Commercial Zoned land in La Grande. This Analysis was prepared by *The Benkendorf and Associates Corp.* The Residential, Commercial and Industrial Needs Analysis was prepared and fully adopted in 1999. The Commercial and Industrial components were updated in 2005, with adoption by the La Grande City Council in October 2005, by the Union County Commissioners in November 2005, and acknowledged by the Department of Land Conservation and Development in November 2005. The findings for this request are based on this factual information is discussed in detail in the Findings for Statewide Planning Goal 9 above.

Policy 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.

Findings: As discussed in Statewide Planning Goal 9 above, The Buildable Land Inventory and Needs Analysis shows that the City of La Grande needs a total sixty three (63) acres of commercial land, of which the City is currently short 24.88 acres. The five (5) acres included in this request will bring the City closer to achieving the sixty three (63) acre need.

Policy 8. That compatibility of anticipated uses with surrounding area development will be evaluated in making planning related decisions.

Findings: The uses proposed by the Applicant, professional offices (administrative, medical, other), are similar to uses occurring on adjacent properties. Uses on or abutting the site include a fuel service station and retail convenience store; the Integrated Services Building (State offices and classrooms); the U.S. Military (Armory/administrative offices and convention center); two (2) churches; and a multi-story retirement home.

By changing the land use zone to GC General Commercial, a variety of non-office related uses are permitted outright, such as auto repair, restaurants, mini-storage facilities, and others. The compatibility of some of these uses with residential areas may be questionable. As a result a Limited Use Overlay Zone is proposed to limit the types of uses to those which would be compatible with a neighborhood commercial area.

Policy 9: That alternative sites and alternative uses will be considered in making land use plan decisions.

Findings: Consideration should be given to where it would be advisable to add to the supply of Commercial land within the City. The Goal 9 Study discussed earlier in this report does identify areas that are recommended for commercial expansion. These areas are identified as being on the north side of Island Avenue, between West Road and Island City. Although this request does not lie within the area recommended in the Goal 9 Study, it is a reasonable area for the commercial uses proposed by the Applicant, especially given the existing commercial use types that exist on adjacent properties. Should the subject site be developed with professional office and medical clinic uses, they will be convenient for residents who rely on these services.

Goal 7 – Areas Subject to Natural Hazards and Disasters

Finding: None of the Comprehensive Plan Policies apply to this request as the property does not lie within the 100 year flood plain or the Geologic Hazard Zone. There is a portion of the property along the east side that is impacted by the 500 year flood plain. However, FEMA does not place any emphasis on the 500 year flood plain, therefore is not regulated by the City of La Grande.

Goal 9 – Economic Development

Policy 2: That the City will encourage additional industrial and non-industrial development in the area, providing such development does not have a detrimental effect on living conditions.

Finding: As discussed previously, many of the surrounding properties are commercial in nature and they appear to have little or no impact on the living conditions in the area. The Applicant's request appears to be compatible with the surrounding uses. The negative impacts that may be felt will likely be related to an increase in traffic generated by the potential commercial uses. These impacts can be mitigated through design review and right-of-way improvements.

Policy 7: That grouping of commercial uses in such a manner as will facilitate customer involvement from one store to another be encouraged.

Finding: The Applicant has stated that their intent is to create a commercial center, possibly a professional or medical office complex. If the Applicant is successful at putting together such complex, it will likely contain related uses where customers may be able to go from office to office. However, businesses within professional or medical office complexes are typically destination businesses. While customers could go from office to office, this is typically not the case.

Policy 8: That the commercial areas be located so as to provide good access between them and the trade area served.

Finding: The proposed site is ideal for a professional or medical office complex. Gekeler Lane is a major transportation route for residents of La Grande and Union County traveling to and from the Grande Ronde Hospital. It is also located near elderly care facilities, Eastern Oregon University and other dense residential areas. It is bordered by Collector Streets, which are major transportation corridors; and by other Commercial use types. As discussed in this Finding, this site location does provide good access between it and the trade area to be served.

Policy 20: That 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 with Goal 9 of the Comprehensive Plan. The Development Code shall be amended within 12 months of adoption of this amendment to require a Master Plan.

Finding: This Policy was adopted in November 2005. A Master Plan will be required at the time that the property owner files an Application to develop the property. The Master Plan will be required to show a conceptual development plan for the entire five (5) acres. Any phased or "piece meal" development will need to be consistent with the Master Plan, unless a new Master Plan is prepared and approved. This requirement is not applicable as part of a zone change request, therefore is not required at this time. It is mentioned in this report to provide notice to the Applicant, affected property owners, Planning Commission and City Council of what will be required before development can occur on this property.

Goal 10 – Housing

Policy 4: That quality residential environments will be assured by considering safety, health, design, provisions of services and overall ecology of the area.

Finding: Neighborhood compatibility issues were discussed earlier in this report. The safety, health and design of the site will be considered in detail at the time that a development is proposed. The development options discussed by the Applicant are only conceptual at this time. A Site Plan Application has not been filed with the City. The City's Land Development Code Ordinance includes provisions that consider the safety, health and design of development.

It is important to note that there was a lot of public involvement in the planning of this site through the Quick Response project. There was a lot of public input as to what property owners would like to see developed on this site. Nearly all recommendations were commercial. Some included medical offices, restaurants, hair salons, video rental, etc. From the public input received, it is clear that some commercial uses are suitable for this property.

Policy 8: That medium density residential areas be located away from activities which generate heavy traffic and are otherwise incompatible with living areas.

Policy 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.

Finding: This site is currently zoned R-2 Medium Density Residential. It is surrounded by commercial related uses, which at times are high traffic generators. It could be construed that this site, under its current Residential Zoning, does not meet this Policy by being located adjacent to heavy traffic generators, such as the Armory and Integrated Services Building. These uses may be considered incompatible with living areas due to the volumes of traffic generated. By changing the zoning to General Commercial, it will improve the compatibility of future development on this site and the uses on adjacent sites.

Through the development review process, which will occur when a development plan is submitted for this site, the City will look at neighborhood impacts and address any issues that arise. Mitigation measures used on other project include landscaping, fences, right-of-way improvements, street trees, traffic control devices, etc. One or more of these measures will likely be use to mitigate impacts when developing this site.

Goal 11 – Public Facilities and Services

Policy 2: The City will require urban development to be served by urban services.

Finding: Urban services are available in both the abutting public rights-of-way (12th Street and Gekeler Lane). City Ordinances require that development within three hundred feet (300') of a City sewer main line be required to connect to such main line. There is no requirement for connection to City water at this time. Based on development patterns in the area, future development on this site is likely to be served with both City water and sewer. All abutting properties are currently served with City services.

Policy 6: That underground installation of utilities be encouraged on all new development.

Finding: The City's Land Development Code Ordinance requires that all new services be installed underground. All proposed development will be reviewed for compliance with these standards prior to receiving Site Plan approval.

Goal 12 – Transportation

There are no specific Policies within this Goal that directly apply to this request. However, several Transportation Goals are discussed that relate to City wide planning rather than site specific planning. As the City builds out, specific Goals are listed to provide a transportation system that promotes economic development and meeting pedestrian, bicycle and vehicle transportation needs. None of the policies are development specific, but do give guidance to the City when making transportation system improvements.

Findings: The proposed developed is bordered to the South by Gekeler Lane, which is fully improved to City standards. It includes a fully paved street, bike lanes, curbs and sidewalks. Twelfth Street, on the other hand, is a paved surface with gravel shoulders. At the time that development occurs, right-of-way improvements will be required in order to bring the property frontage bordering Twelfth Street into compliance with full City standards. This will include the installation of curbs, landscaped parkway strip, sidewalk and extending the pavement to the newly established curb line.

Depending on the type and size of development proposed in the future, specific right-of-way improvement will be evaluated. For example, development projects that generate a minimum of four hundred (400) vehicle trips per day are required to submit a "Traffic Impact Study". Such study must analyze existing traffic patterns and the capacity of street and intersections. If the proposed development will result in the transportation system being over capacity, right-of-way improvement may be required before the project can be developed. Such improvement may include, but are not limited to the widening of the right-of-way, installing turn lanes, traffic signals or other traffic control devices.

A Traffic Impact Study was performed, which is addressed in greater detail in the following section entitled "Transportation Planning Rule".

TRANSPORTATION PLANNING RULE

(Oregon Administrative Rules, Chapter 660, Division 012, Section 0060)

660-012-0060

Plan and Land Use Regulation Amendments

- (1) *Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would **significantly affect** an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. **A plan or land use regulation amendment significantly affects a transportation facility if it would:***
- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - (b) *Change standards implementing a functional classification system; or*
 - (c) *As measured at the end of the planning period identified in the adopted transportation system plan:*
 - (A) *Allow land uses or level of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or,*
 - (C) *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

Finding: A traffic impact analysis was performed by DKS Associates for this request, which evaluated the transportation system for full build out of the neighborhood. This Study resulted in a recommendation for a traffic signal at the Twelfth Street and Gekeler Lane intersection in 2030. No other right-of-way improvements were recommended. However, recommendations were made concerning driveway spacing and the need for pedestrian connections to Eastern Oregon University. Such recommendations will be considered during the Site Plan Application process at the time that a development is proposed and a Master Plan is prepared by the property owner.

The Traffic Impact Study prepared by DKS Associated was funded and partially managed by the Oregon Department of Land Conservation and Development as part of a Quick Response project, entitled South Central Neighborhood Plan. The Study bases its findings on the procedures described in the 2000 Highway Capacity Manual. This study also considers a Level of Service "D" (LOS D) to be the minimum acceptable standards for a signalized or unsignalized intersection. This level of service is commonly accepted in the industry and is the standard accepted by the City of La Grande. The LOS is determined by the total delay per vehicle at the intersection (measured from the time the vehicle arrives at the intersection to the time it leaves).

The Study is provided in attached Exhibit "B" and does not suggest that this project will have a significant affect on the transportation system. All findings suggest that the transportation system will exceed its capacity around 2030. No improvements are recommended prior to that time.

As further development occurs within this area between now and 2030, the City will need to re-evaluate the transportation system needs with a new Study to confirm or validate the assumptions and projects made in this Study.

CONCLUSIONS

1. The request meets all of the criteria for granting a Comprehensive Plan Designation Change and Zone Designation Change in that the request complies with all of the Statewide Planning Goals and all of the policies of the Comprehensive Plan.

RECOMMENDATIONS

(CONDITION OF APPROVAL)

1. Developer agrees that a Limited Use Overlay Zone shall be applied to the subject property, which shall restrict the permitted General Commercial uses to the following:

(Note: This list includes the entire range of Permitted and Conditional Uses in the GC General Commercial Zone. The uses that will be prohibited by the Limited Use Overlay Zone are identified with strike-through.)

The uses shown in strikethrough are recommended to be removed by Staff, such recommendation has been reviewed and accepted by the Applicant):

B. PERMITTED USES:

1. Accessory Uses – Garages, Sheds For Storage of Lawn Equipment or Wood, and Signs
2. ~~Agricultural Supplies and Services – Feed and Grain Stores, Crop Dusting or Tree Service Firms~~
3. ~~Ambulance Services~~
4. Animal Sales and Services: Grooming – Dog Bathing and Clipping Salons or Pet Grooming Shops
5. ~~Animal Sales and Services: Kennels – Boarding Kennels, Pet Motels, Dog Training Centers, or Breeding Establishments~~
6. Animal Sales and Services: Veterinary, Small Animals – Pet Clinics, Dog and Cat Hospitals or Animal Hospitals
7. Automotive and Equipment: Cleaning – Auto Laundries, Auto Detailing, or Car Washes
8. ~~Automotive and Equipment: Fleet Storage – Taxi Fleets, Mobile Catering Truck Storage or Auto Storage Garages~~
9. ~~Automotive and Equipment: Repairs, Light Equipment – Muffler Shops, Auto Repair Garages or Auto Glass Shops~~

- ~~10. Automotive and Equipment: Sales/Rentals, Light Equipment – Automobile Dealers, or Car Rental Agencies or Recreational Vehicles Sales and Rental Agencies~~
11. Building Maintenance Services – Janitorial, Landscape Maintenance, or Window Cleaning Services
12. Business Equipment Sales and Services – Office Equipment and Supply Firms, Small Business Machine Shops or Hotel Equipment and Supply Firms
13. Business Support Services – Secretarial Services, Telephone Answering Services, or Blueprint Services
14. Civic Administrative Services – Consulting, Record Keeping, Clerical or Public Contact Services Dealing With Citizens
15. Clinic Services – Non-Profit Medical Services
16. Commercial Administrative and Professional Services – Administrative Offices, Legal Offices, Architectural, Engineering, Surveying, or Consulting Firms
17. Communications Services – Television Studios, Radio Stations, Telecommunication Service Centers or Telegraph Service Offices
18. Community Education – Public, Private and Parochial Elementary, Junior high and Senior High School, Junior Colleges, Colleges, Universities and Trade Schools
- ~~19. Community Recreation – Governmental or Non-Profit Operated Recreational, Social or Multi-Purpose Uses Within Buildings~~
- ~~20. Construction Sales and Services – Building Materials Stores, Tool and Equipment Rental or Sales, or Building Contractors~~
21. Cultural Exhibits and Library Services – Non-Profit Museum-Like Preservation and Exhibition of Works of Art or Library Collection
- ~~22. Custom Manufacturing – Ceramic Studios, Candle-Making Shops or Custom Jewelry Manufacture~~
23. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Bars or Micro-Brewery
24. Essential Services – Streets, Roads, Alleys, Public Right-Of-Ways, Pipelines, Power Lines, Distribution Feeders and Poles
25. Family Residential – Limited to Apartments in the Upper Floor or Twenty-Five Percent (25%) of the Ground Floor of Multi-Level Commercial Buildings, or Greater than Twenty-Five Percent (25%) With a Conditional Use Permit, Provided that Commercial Store Fronts are Maintained on the Street Front. Home Occupations are Allowed in Such Family Residential Units Subject to the Provisions of Article 8.11 of This Code.
26. Financial, Insurance and Real Estate Services – Banks, Insurance Agencies, Real Estate Appraisal, or Real Estate Firms
27. Food and Beverage Retail Sales – Groceries, Liquor Stores, Micro Brewery, Retail Sales, or Delicatessens
28. Gasoline Sales – Automobile Service Stations, Filling Stations - Excluding Truck Stops
29. Laundry Services – Laundry Agencies, Diaper Services or Linen Supply Services
30. Medical Services – Medical Offices, Dental Laboratories or Health Maintenance Organizations
31. Parking Services – Parking Services Involving Garages and Lots
32. Personal Services – Photography Studios, Driving Schools, Barber Shops, Hair Salons, or Reducing Salons
33. Postal Services – Mailing Services Excluding Major Processing

34. *Repair Services – Appliance Repair Shops, Apparel Repair Firms or Instrument Repair Firms*
35. *Retail Sales – Businesses Engaged in Sale of Commonly Used Goods and Merchandise*
36. ~~*Spectator Sports and Entertainment – Limited to Indoor Theater, Service Club and Membership Organizations, and Social and Fraternal Orders*~~
37. ~~*Transient Habitation: Lodging – Motels, Hotels, and Bed and Breakfasts*~~
38. ~~*Transportation Services – Taxi Services and Bus Depots*~~
39. ~~*Wholesaling, Storage, and Distribution: Light*~~
40. ~~*Wholesaling, Storage, and Distribution: Storage*~~

C. CONDITIONAL USES:

1. ~~*Accessory Uses – Limited to Billboard Signs*~~
 2. ~~*Animal Sales and Services: Veterinary, Large Animals – Animal Hospitals or Veterinary Hospitals*~~
 3. ~~*Automotive and Equipment: Repairs, Heavy Equipment – Truck Transmission Shops, Body Shops or Motor Freight Maintenance Groups*~~
 4. ~~*Automotive and Equipment: Sales/Rentals, Farm Equipment – Farm Equipment Dealers*~~
 5. ~~*Extensive Impact Services and Utilities – Fairgrounds, Public Safety Buildings, Parks, Public Sports Arenas, Golf Courses, Microwave Relay Stations, or Other Communication Structures, Electrical Transmission Lines, Substations, and Electrical Generation Facilities*~~
 6. ~~*Funeral and Intermment Services: Cremating – Crematoriums*~~
 7. ~~*Funeral and Intermment Services: Undertaking – Funeral Homes or Mortuaries*~~
 8. ~~*Gasoline Sales – Limited to Truck Stops*~~
 9. ~~*Open Sales Lot – Sale and/or Rental of New/Used Manufactured Homes, Prefabricated Structures or Any Other Good or Service Sold in an Outdoor Environment*~~
 10. ~~*Participant Sports and Recreation – Bowling Alleys, Arcades, Youth Centers, Martial Arts Studios, Dance Studios, Health Clubs, Fitness Centers, Gymnasiums or Billiard Parlors Within Enclosed Buildings; and Driving Ranges, Miniature Golf Courses, or Hunting and Fishing Camps or Ranges in Open Facilities*~~
 11. *Public Research Area – Governmental, Educational, Public or Non-Profit Operated Buildings or Land Dedicated to Pure or Applied Scientific Discovery in Fields of Agriculture, Wildlife Management, Forestry, Geology, Archaeology, Ecology, Astronomy*
 12. *Religious Assembly – Religious Services Involving Public Assembly as Occurs in Synagogues, Temples and Churches*
 13. *Research Services – Electronics Research Laboratories, Space Research and Development Firms, Soil and Material Testing Labs, or Pharmaceutical Research Labs*
 14. ~~*Transient Habitation: Campground – Limited to RV Parks*~~
-

Bell Comprehensive Plan Designation Change and Zone Designation Change
File Numbers 03-CPA-05 and 02-ZON-05
July 11, 2007
Page (16)

Report Prepared By:

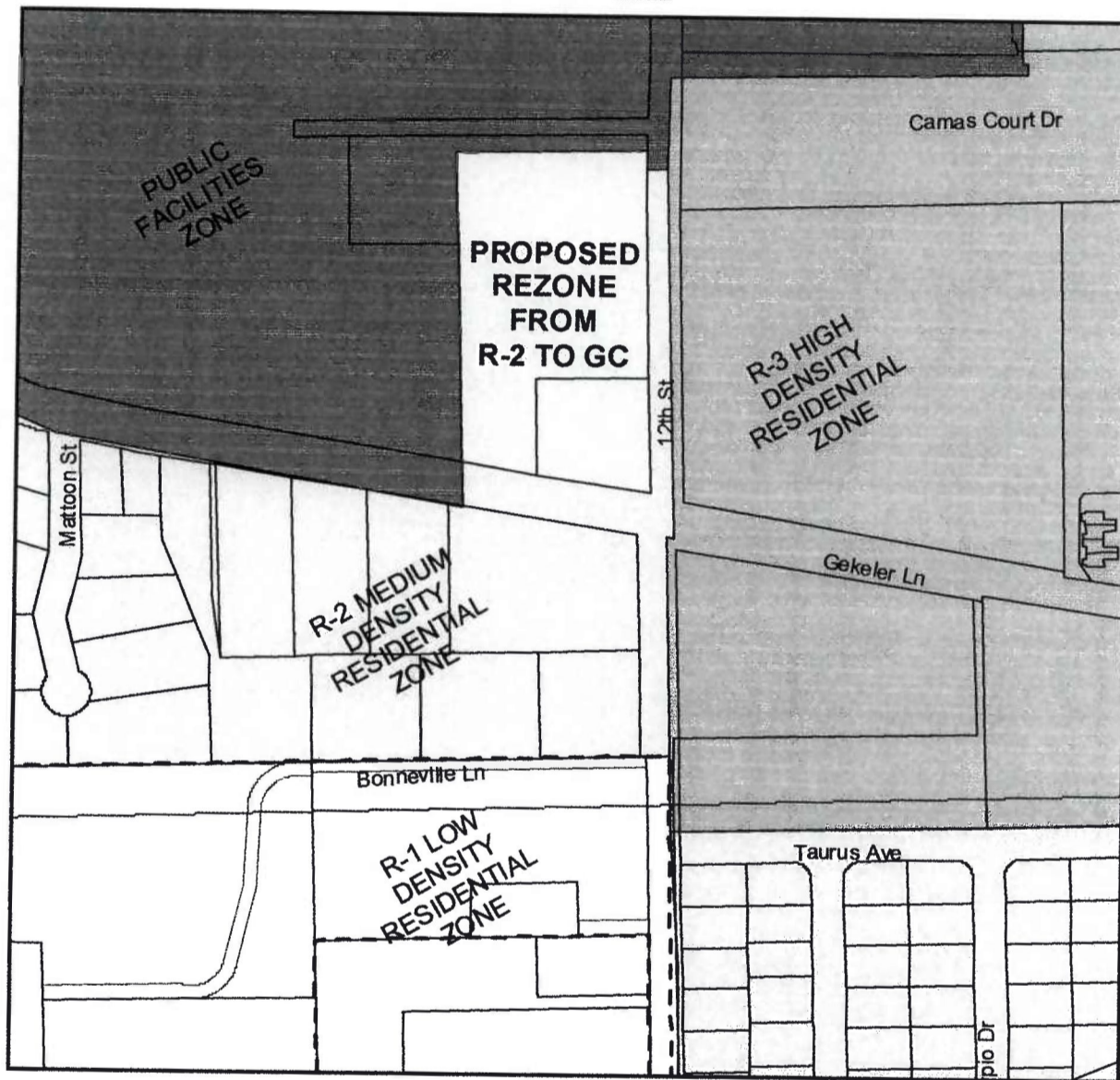
Michael J. Boquist
City Planner

Prepared: January 17, 2006

Attachments:

Exhibit "A" – Vicinity/Rezone Map
Exhibit "B" – Traffic Impact Study

EXHIBIT 'A'



DKS Associates
TRANSPORTATION SOLUTIONS

MEMORANDUM

DATE: October 18, 2006

TO: Erin Carter, Crandall Arambula
Dawn Sharpnack, Crandall Arambula

FROM: Reah Beach, P.E., DKS Associates
Colette Snuffin, P.E., DKS Associates

SUBJECT: **La Grande South Central Neighborhood Plan
Traffic Impact Analysis**

P06160-000

This memorandum updates recommendations for transportation improvements at the Gekeler Lane/12th Street intersection in La Grande, Oregon, previously documented in a memo by DKS Associates on August 26, 2006. The recommendations at the study intersection are based on an evaluation of existing conditions, a review of existing planning documents and analysis of future 2030 traffic volumes of four development options for the La Grande South Central Neighborhood Plan.

Background

The project site is a five-acre parcel on the northwest corner of the Gekeler Lane/12th Street intersection. The site is currently zoned as Medium Density Residential. The Gekeler Lane/12th Street intersection was chosen for focused analysis. Gekeler Lane is a two-lane Major Collector running east-west and 12th Street is a two-lane Minor Collector running north-south.¹ The intersection is currently controlled with stop signs on the 12th Street approaches at Gekeler Lane.

The intersection of Gekeler Lane/12th Street was not included as a study intersection in the *La Grande/Island City Transportation System Plan (TSP)* and no roadway improvement projects were recommended at this location. The TSP does recommend adding sidewalk on 12th Street from Gekeler Lane to J Avenue, which would include the study project's 12th Street frontage. The nearest roadway improvement project recommended by the TSP is reconstruction of Gekeler Lane between 16th Street and Adams Avenue (US 30) to include two travel lanes, bike lanes and sidewalk.

Historical turn movement counts at the Gekeler Lane/12th Street intersection were available² from 2001 during the evening peak period (4:00 PM to 6:00 PM). To evaluate the 2006 existing operations, the 2001 traffic counts were adjusted with a one percent per year growth rate based on published traffic counts³ at the nearest available location (Adams Avenue in central La Grande). The 2006 traffic count data was evaluated to determine the existing level of service (LOS) based on the *2000 Highway Capacity*

¹ *La Grande/Island City Transportation System Plan*, September 1999, Figure 3.

² Intersection turn movement counts were conducted May 23, 2001, for a traffic impact analysis for the Eastern Oregon University Integrated Services Building dated June 2001.

³ Oregon State Highway Transportation Volume Tables, 2000-2004.

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Manual methodology for unsignalized intersections.⁴ The existing (2006) traffic volumes are shown in Figure 1.

The City of La Grande's minimum performance standard is LOS D for signalized and unsignalized intersections.⁵ The study intersection currently operates at LOS C with an average delay of 7.0 seconds per vehicle during the evening peak hour. Detailed level of service calculations are attached.

Future Conditions and Development Options

Future traffic volumes were developed for the study intersection based on the projected 2030 development buildout for La Grande⁶ with current City zoning designations. This base condition represents 2030 traffic volumes which were determined by combining 2006 traffic volumes plus additional vehicle trips generated by development likely to occur by 2030. The trip generation estimate for the assumed 2030 buildout of La Grande was calculated using standard transportation planning trip generation based on research conducted by the Institute of Transportation Engineers⁷ (ITE) for similar land use types. The weekday PM peak hour was the focus for this analysis. Table 1 summarizes the trip generation estimate for the proposed 2030 buildout. Detailed trip generation estimates for each buildout area and a location map are attached.

Table 1: Vehicle Trip Generation - 2030 Buildout

Description	PM Peak Hour		
	In	Out	Total
Commercial – general	52	56	108
Residential – single-family house, condo/townhouse, apartment	685	395	1,080
Office – office park, single-tenant office	67	401	468
Institutional – hospital, university	294	676	970
PM Peak Hour Trips for 2030 Buildout	1,098	1,528	2,626

The 5.0-acre project site is proposed to be rezoned Mixed Use/Neighborhood Commercial. Option 1 was evaluated under the existing zoning and Options 2 through 4 were evaluated under the proposed zoning. Each development option assumed the existing service station located on the project site would remain.

- *Option 1* - 57 housing units and 5,500 square feet of commercial space
- *Option 2* - 37,500 square foot office building and 11,500 square feet of commercial space on the 5.0-acre parcel + 3,000 square feet of commercial space on the southwest corner + 3,000 square feet of commercial space on the northeast corner of Gekeler Lane/12th Street
- *Option 3* - 21 housing units, 16,800 square feet of office space and 15,500 square feet of commercial space on the 5.0-acre parcel + 3,000 square feet of commercial space on the southwest corner + 3,000 square feet of commercial space on the northeast corner of Gekeler Lane/12th Street

⁴ *Highway Capacity Manual*, Transportation Research Board, 2000, Chapters 16 and 17.

⁵ *La Grande/Island City Transportation System Plan*, September 1999, Appendix D.

⁶ *Projected 2030 Development Buildout* received from Crandall Arambula, July 25, 2006.

⁷ *Trip Generation Manual, 7th Edition*, Institute of Transportation Engineers, 2003.

- *Option 4* – 50,000 square feet of commercial space on the 5.0-acre parcel + 3,000 square feet of commercial space on the southwest corner + 3,000 square feet of commercial space on the northeast corner of Gekeler Lane/12th Street

Trip Generation

The ITE Shopping Center (land use code 820) trip generation data shows that as retail building size increases the trip rate (vehicle trips per 1,000 square feet of building area) decreases. There are several sizes of commercial buildings proposed for the various options. To ensure a fair comparison between development options with relatively small amounts of retail land use, the shopping center trip rate for Option 3 (based on 21,500 square feet) was applied to options 1, 2 and 3. Option 4 proposes a larger 50,000 square feet retail development. A commercial development of that size would be of a different character than the smaller commercial buildings in the other options, therefore, a lower trip rate (based on 50,000 square feet) has been applied in option 4 only. The specific tenants for the commercial uses are unknown therefore the shopping center land use which consists of all general retail uses is appropriate. Table 2 compares the trip generation estimate during the weekday PM peak hour for each of the four rezone options.

Table 2: Vehicle Trip Generation for Proposed Project Development Options

Description	Quantity	ITE Code	Rezone Parcel Size	PM Peak Hour		
				In	Out	Total
Option 1						
Townhouses	57 DU	230	5.0 acre	20	10	30
Shopping Center	5.5 KSF	820		29	31	60
Total PM Peak Hour Trips for Option 1				49	41	90
Option 2						
Office	37.5 KSF	710	5.0 acre	16	76	92
Shopping Center	11.5 KSF	820		60	64	124
Shopping Center	3.0 KSF	820	0.8 acre	15	17	32
Shopping Center	3.0 KSF	820	0.5 acre	15	17	32
Total PM Peak Hour Trips for Option 2				106	174	280
Option 3						
Office	16.8 KSF	710	5.0 acre	9	43	52
Townhouses	21 DU	230		7	4	11
Shopping Center	15.5 KSF	820	0.8 acre	81	87	168
Shopping Center	3.0 KSF	820		15	17	32
Shopping Center	3.0 KSF	820	0.5 acre	15	17	32
Total PM Peak Hour Trips for Option 3				127	168	295
Option 4						
Shopping Center	50 KSF*	820	5.0 acre	185	200	385
Shopping Center	3.0 KSF	820	0.8 acre	15	17	32
Shopping Center	3.0 KSF	820	0.5 acre	15	17	32
Total PM Peak Hour Trips for Option 4				127	168	295

DU = dwelling unit

KSF = 1,000 square feet

* Trip generation for the 50 KSF shopping center is based on lower rate than the other smaller shopping centers.

Vehicle Trip Reductions

For the proposed rezone parcels, vehicle trip reductions for alternative mode, internal, and pass-by trips have been evaluated. Mixed-use development provides opportunities for trip chaining (people making multiple stops on one trip – for example, a retail customer eats at a restaurant or an office employee shops at one of the retail stores). Additionally, traffic on Gekeler Lane or 12th Street may be attracted from the adjacent stream of traffic to the site (referred to as pass-by trips). The methodology for estimating internal and pass-by activity is outlined in the ITE Trip Generation Handbook⁸.

Alternative Mode Trips

Vehicle trip reductions to account for alternative mode trips were applied to the project site trip generation shown in Table 2. The site is located nearby a college campus, therefore it is expected that some trips to and from the site would be by made by bike or by foot. To encourage these trips, a new multi-use path connecting the project site area to the college campus is recommended as part of this project. There is no transit service adjacent to the project site. Based on these conditions, an alternative mode reduction of 5 percent would be expected for the project site. Alternative mode trip reductions for each proposed use are summarized in Tables 3 and 4.

Internal Trips

For the options including more than one land use type on the 5.0-acre site, a reduction for internal trips was evaluated to reflect trips between uses on site, which would reduce the total number of driveway trips. The ITE internal capture summary worksheet⁹ was utilized to estimate internal capture of various uses in the PM peak hour¹⁰. It was found internal trip reductions from three to fourteen percent would be expected during the PM peak hour. Internal trip reductions for each proposed use are summarized in Tables 3 and 4.

Pass-By Trips

The ITE methodology outlines a reduction in trips for retail sites associated with pass-by activity which accounts for traffic that currently exists or would exist on the adjacent roadways to the proposed project that would stop at the proposed development as part of their pre-existing trip. Pass-by trips for the project site would enter and exit from either 12th Street or Gekeler Lane. A primary trip (non-passby) has the specific purpose to visit the proposed site. These trips generally go from their origin to the proposed site and then return back to the origin (for example someone leaves their home to visit a retail store and then returns home).

Pass-by trip data is available for the shopping center (code 820) land use, which is included in all four development options. The data was reviewed to determine the appropriate trip reductions with special consideration for survey locations with similar building sizes to the proposed shopping center use during the PM peak hour. Based on the data review, a pass-by trip reduction of 46% was applied to the trip generation. Pass-by trip reductions for each proposed use are summarized in Tables 3 and 4.

⁸ *Trip Generation Handbook*, Second Edition, Institute of Transportation Engineers, June 2004.

⁹ *Trip Generation Handbook*, Second Edition, Institute of Transportation Engineers, June 2004, pages 85-98.

¹⁰ *Trip Generation Handbook*, Second Edition, Institute of Transportation Engineers, June 2004, Tables 7.1 and 7.2.

Table 3: Summary of Trip Reductions by Type for Proposed Rezone Parcels

Trip Reduction Type	Rezone Parcel	Option 1	Option 2	Option 3	Option 4
Alternative Mode	5.0-acre site	5%	5%	5%	5%
	0.8 and 0.5-acre sites	-	5%	5%	5%
Internal	5.0-acre site	14%	3%	9%	-
	0.8 and 0.5-acre sites	-	-	-	-
Pass-By	5.0-acre site	46% for retail only	46% for retail only	46% for retail only	46% for retail only
	0.8 and 0.5-acre sites	-	-	-	-

The estimated trip reductions and the resulting primary trips for the proposed rezone development options are summarized in Table 4.

Table 4: Development Trip Summary by Option for PM Peak Hour

	Option 1		Option 2		Option 3		Option 4	
	PM Peak Trips	In/Out	PM Peak Trips	In/Out	PM Peak Trips	In/Out	PM Peak Trips	In/Out
Total Trips	90	49/41	280	106/174	295	127/168	449	215/234
Alternative Mode Reduction	4	2/2	14	5/9	14	6/8	23	11/12
Total Vehicle Trips	86	47/39	266	101/165	281	121/160	426	204/222
Internal Trip Reduction	12	7/5	6	2/4	19	8/11	0	0/0
Total Driveway Trips	74	40/34	260	99/161	262	113/149	426	204/222
Pass-By Reduction	23	11/12	79	38/41	92	44/48	196	94/102
Primary Trips	51	29/22	181	61/120	170	69/101	230	110/220

Trip Distribution

Trip distribution for both the projected 2030 development buildout for La Grande and the project development options were based upon the transportation network, existing traffic patterns at the study intersection, proposed land use and development locations, and average daily traffic volumes provided by the City of La Grande.

Traffic Operations

Figure 1 shows the existing traffic volumes and the future (2030) traffic volumes for each of the four rezone options (existing traffic volumes plus projected 2030 development buildout trips plus reduced project site trips). The forecasted 2030 volumes were combined with the traffic volumes generated by each project development option. As shown in Figure 1, the volume difference between each development option to the Gekeler Lane/12th Street intersection is relatively minimal.

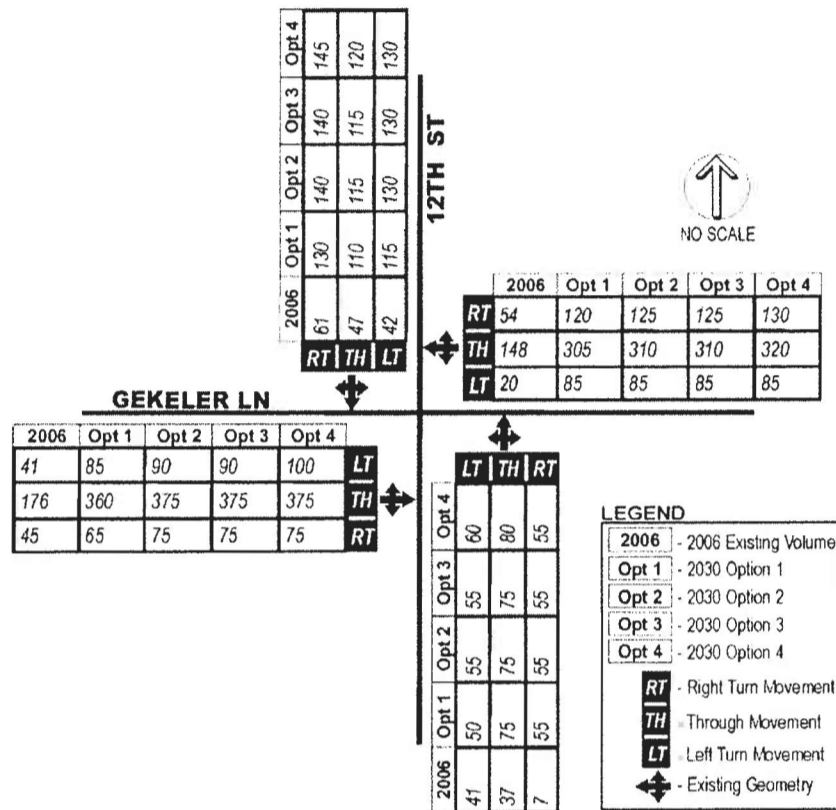


Figure 1: Existing and Future Traffic Volumes – PM Peak Hour

Future 2030 traffic performance at the Gekeler Lane/12th Street intersection under all three development options would be LOS F during the PM peak hour with the existing lane geometry and unsignalized traffic control. The intersection would require improvement to meet the City's minimum performance standard of LOS D for signalized and unsignalized intersections.

The peak hour traffic signal warrant¹¹ was evaluated with the forecasted 2030 traffic volumes for each development option. The traffic signal warrant was met at the study intersection under each future scenario using the future PM peak hour traffic volumes. With the addition of a traffic signal, the Gekeler Lane/12th Street intersection would operate at LOS B and meet the performance standards under all four development options. No separate turn lanes would be required on any of the study intersection approaches. This supports that the existing two lane cross section on Gekeler Lane would adequately accommodate forecasted 2030 traffic volumes under all three development options. The study intersection mitigated 2030 operations are summarized in Table 5. Level of service calculations are attached.

¹¹ Manual on Uniform Traffic Control Devices, Part 4, 2000 Edition.

Table 5: Mitigated Gekeler Lane/12th Street Performance – 2030 PM Peak Hour

Scenario	Signalized		
	Delay	LOS	V/C
Option 1	15.1	B	0.68
Option 2	16.5	B	0.73
Option 3	16.3	B	0.72
Option 4	17.0	B	0.74

Delay = Average Stopped Delay per Vehicle (seconds)
LOS = level of service
A/A = major street LOS/minor street LOS
V/C = volume-to-capacity ratio

Recommendations

To accommodate the proposed project development options, the following improvements are recommended. The recommended mitigations are the same under each of the development options.

- A traffic signal should be provided at the Gekeler Lane/12th Street intersection when background growth and project development generates traffic volumes sufficiently high to meet traffic signal warrants.
- Although the City's TSP requires only 50 to 150-foot spacing¹² for private access points on a collector facility, the driveways for the project site onto Gekeler Lane and 12th Street should be placed as far from the study intersection as practicable to provide adequate on-site circulation and avoid conflicts with potential intersection vehicle queues.
- Construct the proposed multi-use path between the college campus and the project site to encourage non-vehicle trips.

Cost Estimates

Planning level cost estimates were prepared for the recommended transportation improvements. The installation of a traffic signal at the Gekeler Lane/12th Street intersection would cost approximately \$250,000. This estimate includes engineering/project management/administrative fees, required traffic control, construction costs and contingencies. This estimate assumes no additional right-of-way would be required to accommodate the project.

Potential Funding Sources

There are several potential funding sources for the recommended transportation improvement. These sources have been used by cities to fund transportation programs. In most cases, these funding sources, when used collectively, are sufficient to fund transportation improvements for local communities.

General Fund Revenues

At the discretion of the City Council, the City can allocate General Fund revenues to pay for its Transportation program (General Fund revenues primarily include property taxes, use taxes, and any other miscellaneous taxes and fees imposed by the City). This allocation is completed as a part of the

¹² La Grande/Island City Transportation System Plan, September 1999, Table 7-2.

City's annual budget process, but the funding potential of this approach is constrained by competing community priorities set by the City Council. General Fund resources can fund any aspect of the program, from capital improvements to operations, maintenance, and administration. Additional revenues available from this source to fund new aspects of the Transportation program are only available to the extent that either General Fund revenues are increased or City Council directs and diverts funding from other City programs.

Voter-Approved Local Gas Tax

Several communities in Oregon have adopted local gas taxes by public vote. The taxes are paid to the city monthly by distributors of fuel. The process for presenting such a tax to voters will need to be consistent with Oregon State law as well as the laws of the City of La Grande. Table 6 summarizes the cities in Oregon that collect a local gas tax.

Table 6: Local Gas Taxes in Oregon

City	2004 Population	Vote Passage Date	Tax Rate
Cottage Grove	9,010	2003	3 cents/gallon
Dundee	2,900	2004	2 cents/gallon
Eugene	144,640	2003	3 cents/gallon
Sandy	6,360	2003	1 cent/gallon
Springfield	55,350	2003	3 cents/gallon
Stanfield	1,980	1999	1 cent/gallon
The Dalles	12,410	1986	3 cents/gallon
Tillamook	4,350	1982	1.5 cents/gallon
Woodburn	21,790	1989	1 cent/gallon

Source: League of Oregon Cities, Local Gas Tax Information, May 2005.

The location of La Grande adjacent to I-84 provides an opportunity to collect additional transportation revenue both from local and regional travelers.

Urban Renewal District

An Urban Renewal District (URD) would be a tax-funded district within the City. The URD would be funded with the incremental increases in property taxes that result from construction of applicable improvements. This type of tax increment financing has been used in Oregon since 1960. Uses of the funding include, but are not limited to, transportation. It is tax-increment funded rather than fee funded and the URD could provide for renewal that includes, but is not limited to, transportation projects.

Local Improvement District Assessment Revenue

The City may set up Local Improvement Districts (LIDs) to fund specific capital improvement projects within defined geographic areas, or zones of benefit. LIDs impose assessments on properties within its boundaries. LIDs may not fund ongoing maintenance costs. They require separate accounting, and the assessments collected may only be spent on capital projects within the geographic area. Citizens representing 33% of the assessment can terminate a LID and overturn the planned projects so projects and costs of a LID must meet with broad approval of those within the boundaries of the LID.

System Development Charges

The City may set up System Development Charges (SDCs) to fund specific capital improvement projects within defined geographic areas. SDCs are charged to individual developers within a project area based on their percentage of site trips which are expected to utilize the improvement project. For the proposed development on the 5.0-acre rezone parcel, the project share of the proposed traffic signal at Gekeler Lane/12th Street would vary from one option to another as shown in Table 7. The 2030 future buildout added trips represent the trip growth over the next 24 years at the study intersection. The cost per trip is based on the \$250,000 cost estimate for the proposed traffic signal at the Gekeler Lane/12th Street intersection.

Table 7: Trip Share by Development Option

	Project Trips at Gekeler/12 th	2030 Future Buildout Added Trips at Gekeler/12 th	Trip Share (%)	Cost per Trip
Option 1	32	830	3.9	\$305
Option 2	92	905	10.2	\$276
Option 3	85	900	9.4	\$278
Option 4	122	936	13.0	\$267