



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

December 21, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Sutherlin Plan Amendment
DLCD File Number 007-07

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: January 4, 2008

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
John Renz, DLCD Regional Representative
Dan Huff, City of Sutherlin

<paa> ya/

2 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

DATE STAMP

DEPT OF
DEC 17 2007
LAND CONSERVATION AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: City of Sutherlin Local file number: PA-07-3/ZC-07-4
 Date of Adoption: 12/10/2007 Date Mailed: 12/14/2007
 Date original Notice of Proposed Amendment was mailed to DLCD: 7/18/2007

- | | |
|--|--|
| <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: _____ |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Amend the Sutherlin Comprehensive Plan from Residential-Agriculture/Forestry to Low Density Residential and Residential Hillside concurrent with a Zone Change from FR-75 (Forest Resource) to R-1 (Low Density Residential) and RH (Residential Hillside) for a 213-acre parcel(s) located adjacent to Interstate-5 and the Oak Hills Golf Course.

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: RES-ag/FORESTRY to: Low Density/Hillside
 Zone Map Changed from: FR-75 to: R-1 and RH
 Location: North of Oak Hill Golf Club Acres Involved: 213.23
 Specify Density: Previous: 1 unit per 75 ac New: 5.8 - 3.6 units/ac
 Applicable Statewide Planning Goals: 1-14

Was an Exception Adopted? YES NO

DLCD File No.: 007-07 (16247)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing? **Yes** **No**

If no, do the statewide planning goals apply? **Yes** **No**

If no, did Emergency Circumstances require immediate adoption? **Yes** **No**

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

ODOT

Local Contact: **Dan Huff** Phone: **(541) 459-2856** Extension: _____

Address: **126 E. Central Ave** City: **Sutherlin**

Zip Code + 4: **97479-** Email Address: **d.huff@ci.sutherlin.or.u**

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 **maru.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 984

AN ORDINANCE AMENDING THE CITY OF SUTHERLIN ZONING MAP AND COMPREHENSIVE PLAN MAP TO AMEND THE COMPREHENSIVE PLAN MAP FROM RESIDENTIAL-AGRICULTURE/FORESTRY TO LOW DENSITY RESIDENTIAL AND RESIDENTIAL HILLSIDE, CONCURRENT WITH A ZONING MAP CHANGE FROM FOREST RESOURCE (FR-75) TO LOW DENSITY RESIDENTIAL (R-1) AND RESIDENTIAL HILLSIDE (RH) FOR PROPERTY IDENTIFIED AS THE ASKC/GALPIN PROPERTY AND DESCRIBED HEREIN.

The City Council of the City of Sutherlin finds that:

A. Alaska Sutherland Knolls Corporation (ASKC) and C.A. Galpin submitted an application for Comprehensive Plan Map and Zoning Map amendments to amend the existing Comprehensive Plan and Zoning designations for property identified within Douglas County Assessor Records as all or a portion of Tax Lots 100, 200, and 201 in Section 18, Township 25 South, Range 05 West; Tax Lots 1500 and 1600 in Section 7 of T25S, R05W; and Tax Lot 100 in Section 13 of T25S, R06W. The subject property is further described in Exhibit A attached hereto and incorporated herein.

B. The Sutherlin Planning Commission held a properly noticed public hearing on September 18, 2007 to consider the applicants' request. Following the public hearing, the Planning Commission passed a motion to recommend that the City Council approve the proposed Comprehensive Plan Map amendments and Zoning Map amendments.

C. Pursuant to Section 17.100.130 of the Sutherlin Municipal Code, notice of a public hearing before the City Council was given, and the public hearing on the requested Comprehensive Plan Map amendments and Zoning Map amendments was conducted on September 18, 2007.

D. The proposed amendments to the Sutherlin Comprehensive Plan Map and the Sutherlin Zoning Map to implement the requested zone changes are found to be consistent with the Statewide Planning Goals and in conformance with the Comprehensive Plan. The City Council also finds that the site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area. The findings supporting these decisions are attached as Exhibit B hereto.

THE CITY OF SUTHERLIN ORDAINS AS FOLLOWS:


Section 1. The Sutherlin Comprehensive Plan Map is hereby amended to change the Comprehensive Plan designation of the real property identified as all or a portion of Tax Lots 100, 200, and 201 in Section 18, Township 25 South, Range 05 West; Tax Lots 1500 and 1600 in Section 7 of T25S, R05W; and Tax Lot 100 in Section 13 of T25S, R06W, respectively, and more particularly described and depicted in Exhibit A.

Section 2. The Sutherlin Zoning Map is hereby amended to reconfigure the zoning designations of the real property identified as all or a portion of Tax Lots 100, 200, and 201 in Section 18, Township 25 South, Range 05 West; Tax Lots 1500 and 1600 in Section 7 of T25S, R05W; and Tax Lot 100 in Section 13 of T25S, R06W, more particularly described and depicted in Exhibit A.

Section 3. The City Council adopts the Findings of Fact and Decision Document (Exhibit A) as their own and the Sutherlin Comprehensive Plan Map and the Sutherlin Zoning Map shall be revised to depict the adopted amendments.

Passed by the Council on this 10th day of December, 2007.

Approved by the Mayor on this 11th day of December, 2007.



Lee Sparks, Mayor

ATTEST:



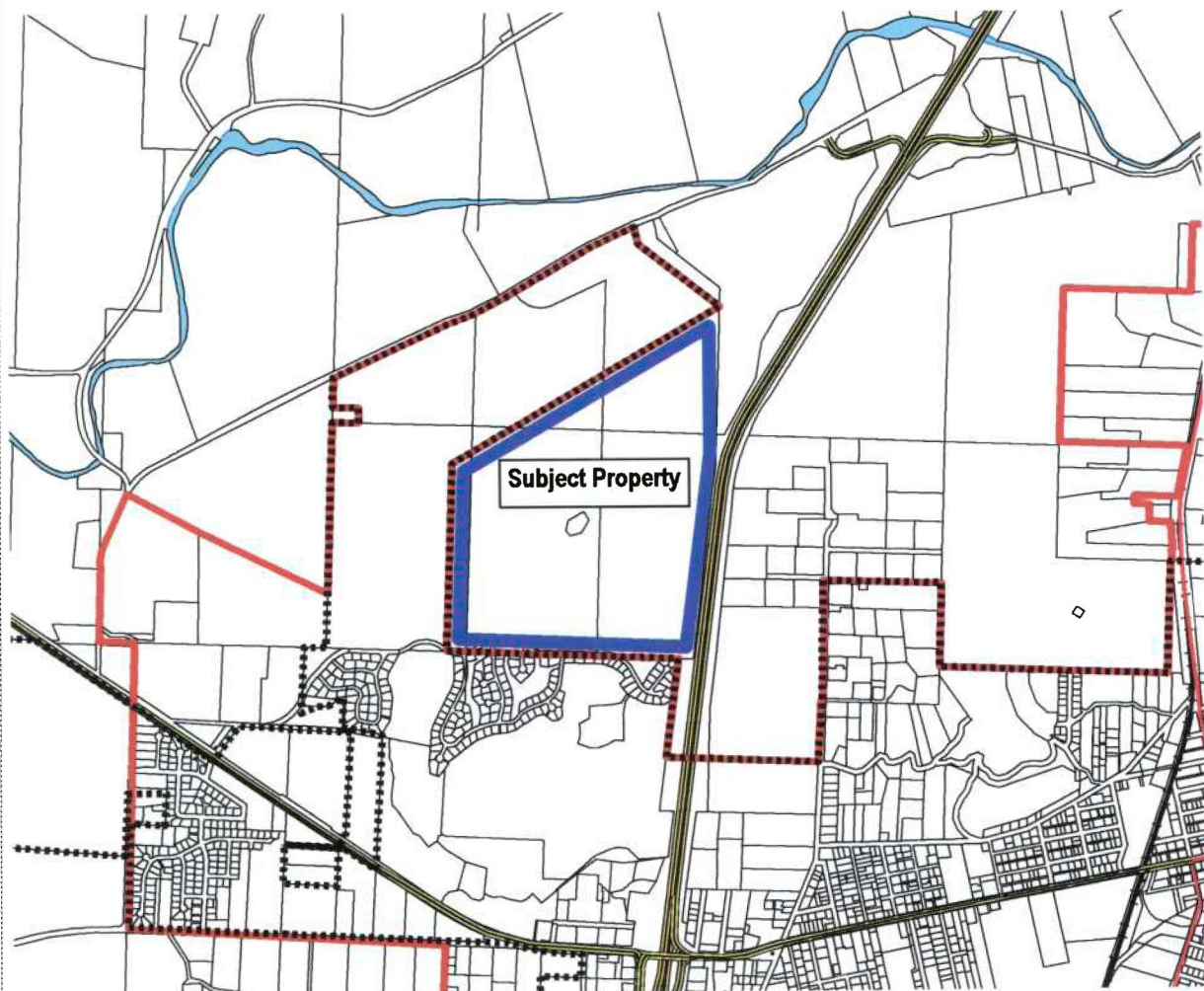
Vicki Luther, MMC, City Recorder

Vicinity Map

Alaska Sutherland Knolls Corporation/C.A. Galpin Comprehensive Plan Amendment and Zone Change Applications

File No. PA-07-3/ZC-07-4

Public Hearing Date: September 18, 2007
Sutherland Planning Commission



BEFORE THE SUTHERLIN PLANNING COMMISSION

In the matter of the application of Alaska Sutherland)
 Knolls Corp. and C. A. Galpin to amend the Sutherlin)
 Comprehensive Plan map designation from)
 Residential-Agricultural/Forestry to Low Density)
 Residential and Residential Hillside, together with a)
 concurrent Zone Change from Forest Resource (FR-)
 75) to Low Density Residential (R-1) and Residential)
 Hillside (RH) on 213.23 acres of land. The subject site)
 is located within the city limits of Sutherlin and is)
 bordered along its east side by Interstate 5, along its)
 south side by Scardi Lane, and along its west and)
 northwest sides by Oak Hills Industrial Park. The)
 property is also identified as Tax Lots 1500 & 1600 in)
 Section 7, Tax Lots 100, 200 & 201 in Section 18, Twp)
 25S, Rng 05W, and part of Tax Lot 100 in Section 13,)
 Twp 25S, Rng 06W, Douglas County, Oregon; Tax)
 Account Nos. R20392, R20400, R21688, R119013,)
 R21680, R26224, R26240 and R122694.)

**FINDINGS OF FACT
 AND DECISION
 PA-07-3/ZC-07-4**

INTRODUCTION

This matter came before the Sutherlin Planning Commission for public hearing on September 18, 2007, in the Council Chambers of Sutherlin City Hall, Sutherlin, Oregon. The purpose of the hearing was for the Planning Commission to receive testimony and other evidence related to the subject matter, and to render a decision in response to the applicants' request. The applicants, Alaska Sutherland Knolls Corporation, P. O. Box 860, Sutherlin, Oregon, and C. A. Galpin, 744 Cardley Avenue, Suite 100, Medford, Oregon, are the owners of the subject property. The two adjoining ownerships are located in the northwest corner of the City of Sutherlin on the west side of Interstate 5, just north of Scardi Lane and east of the Oak Hills Industrial Park site. Mr. Galpin is the record owner of the westerly 100 acres, while Alaska Sutherland Knolls Corp. owns the easterly 113 acre balance of the site. The applicants were represented at the public hearing by their land use consultant, Ron Schofield of Schofield & Associates.

At the beginning of the public hearing, the Chairman read a prepared statement which describes the hearing procedures to be followed and the criteria to be applied to the subject matter. The Chairman queried the members of the Planning Commission regarding ex parte contacts or potential conflicts of interest. Commissioner Houseman declared a conflict but also declared that no bias was present. No other ex parte contacts or potential conflicts of interest were disclosed and all Commission members present were found to be qualified to participate in the hearing.

A written staff report, together with numerous exhibits, was presented to the Planning Commission and entered into the record. The staff report describes the nature of the application, the review and approval criteria to be applied to the request, numerous factual findings and a recommendation that the request be approved and forwarded to the City Council for final action. The written report and exhibits are on file with the Sutherlin Planning Department.

The Planning Commission takes official notice of the following:

1. The Sutherlin Comprehensive Plan, including the implementing Sutherlin Land Use and Development Ordinance as adopted and subsequently amended by the City of Sutherlin, and acknowledged by the Land Conservation and Development Commission.
2. The Statewide Planning Goals and administrative rules adopted by the Land Conservation and Development Commission
3. Applicable statutes of the State of Oregon, including ORS Chapters 197 and 215 and 222.
4. The records of the Sutherlin Planning Department concerning the publication and mailing of notice of the hearing.

Proposed amendments to the Sutherlin Comprehensive Plan are subject to review by the Sutherlin Planning Commission, and ultimately must be reviewed and approved by the Sutherlin City Council. After receiving and accepting the applicant's request for an amendment to the Comprehensive Plan, the City is required to give notice of the proposed amendment to the Oregon Department of Land Conservation and Development (DLCD) at least 45 days prior to the first scheduled public hearing on the matter. Any amendment of the Comprehensive Plan must be reviewed by DLCD to ensure that the proposed action meets the criteria established under the statewide planning goals and applicable administrative rules. The applicant is not seeking approval any specific development plans for the property at this time. Review of any site development plans for the property will be conducted by the City under a separate land use application process to be conducted subsequent to approval of the requested Plan amendment and zone change.

The specific procedures and criteria for reviewing a proposed Comprehensive Plan amendment and zone change are set forth in the Sutherlin Comprehensive Plan, the Sutherlin Land Use and Development Ordinance, the joint Urban Growth Management Agreement (UGMA) between the City and Douglas County, as well as in various administrative rules that have been adopted by the Land Conservation and Development Commission (LCDC).

Generally stated, the Plan amendment review process requires proposed amendments to be supported by Findings of Fact which demonstrate consistency with both the written policies contained within the Comprehensive Plan document and conformance to all applicable statewide planning goals adopted by the Oregon Land Conservation and Development Commission. If the City proposes to take an exception to any of the statewide planning goals, Findings of Fact showing why the exception is justified must also be adopted. In the following sections of this supplemental application document, the applicant has proposed Findings of Fact which demonstrate that the proposed amendment is consistent with all applicable statewide planning goals; consequently, no goal exceptions are proposed.

SUBSTANTIVE FINDINGS OF FACT

1. The subject 213 acres of undeveloped land was brought into the Sutherlin urban growth boundary and concurrently annexed to the City on August 14, 2006, pursuant to Ordinance No. 972 adopted by the Sutherlin City Council. At the time of annexation, the property's zoning was changed from County Exclusive Farm Use – Grazing (FG) to City Forest Resource – 75 Acres (FR-75). Although the applicants had originally intended for the land to be designated and zoned by the City to permit urban residential development, the City and the applicants subsequently agreed to zone the property FR-75 to serve as a temporary “holding zone” pending further analysis of transportation-related concerns raised by the Oregon Department of Transportation (ODOT). At the time, the City, ODOT and the applicants all agreed that, upon completion of the additional transportation planning work that had been requested by ODOT, the applicants would submit a new Comprehensive Plan amendment and zone change application to the City requesting the property's zoning be changed to allow the land to be developed with urban residential uses. A copy of the revised and updated Traffic Impact Study, which was prepared for the applicants by Lancaster Engineering of Portland, Oregon, has been submitted to both the City and ODOT in conjunction with this Plan amendment and zone change request.
2. The property is presently vacant and undeveloped, although it completely surrounds a separate 1.05 acre City-owned parcel located near the geographic center of the subject 213 acres. The City-owned parcel contains a 1.2 million gallon water storage tank that was constructed just a few years ago to accommodate new development occurring on the west side of Sutherlin, including future development on the subject 213 acres. Long range plans call for a second reservoir of similar size to be constructed on the same City-owned parcel when needed to accommodate future growth of the community. The City's water tank parcel is presently zoned Public Reserve (PR) and will be unaffected by the applicant's zone change request.
3. At the present time, the two ownerships consist primarily of unimproved pasture (southwest one-third) and noncommercial hardwood forest (northeast two-thirds). Most of the land occupies a

gentle to moderate south-facing slope, much of which is covered with dense patches of Scotch broom, while the balance occupies somewhat steeper north and south-facing slopes with stands of native hardwoods, primarily oak and madrone. Lands adjoining to the south are presently zoned Low Density Residential (the same zoning requested by the applicants) and are developed with Phases 2 & 3 of Knolls Estates Subdivision. The Knolls Golf Course also lies to the south of the property. Property bordering to the west and northwest is part of the 200 acre Oak Hill Industrial Park site which was annexed into the City about three years ago and is presently zoned for heavy industrial use. Lands adjoining to the northeast are similar in character to the subject property, are under the ownership of Alaska Sutherland Knolls Corporation, and remain outside the urban growth boundary and City limits with Exclusive Farm Use zoning. Interstate 5 lies immediately to the east of the site.

4. In recognition of the fact that portions of the site occupy fairly steep hillsides, the applicants conducted a slope analysis and determined that about 68 acres of the site has very gently slopes ranging between 0% and 12%, while another 39 acres occupies moderate slopes ranging between 12% and 15%, with the remaining 106 acres lying principally along the north-facing hillside on the north half of the property has slopes that exceed 15%. A copy of the applicants' slope analysis map identifying the areas of different degrees of slope was submitted with their application and is included in the record. Sutherlin's Comprehensive Plan has a policy requiring land with slopes predominately in excess of 15% to be designated and zoned as "Residential Hillside"; therefore, the application proposes that 107 acres encompassing most of the southerly half of the site be designated as "Low Density Residential" with R-1 zoning, while the northerly balance of the property be designated as "Residential Hillside) with RH zoning. The applicants testified that it is their intent to ultimately develop the property as a Planned Community containing a variety of housing types, including traditional single-family dwellings on individual lot, owner-occupied multi-family dwellings (i.e. townhouses), and renter-occupied multi-family dwellings. The applicants further testified that, although development will progress in numerous phases over a period of many years, preliminary conceptual development plans suggest that the property will ultimately accommodate up to 550 single-family lots and potentially as many as 400 multi-family dwellings. A conceptual development plan for the entire property was submitted with the application and is included in the record.
5. The Planning Commission recognized neighboring property owners identified as Knolls Estates Owners Association as parties to this matter.

FINDINGS OF CONFORMANCE WITH THE SUTHERLIN COMPREHENSIVE PLAN

A review of the Goal and Policy statements contained within the Sutherlin Comprehensive Plan reveals that there is very little specific criteria by which amendments to the Plan are to be evaluated.

However, the applicants identified four policies in the Plan that are relevant to this matter, and thus provide a framework for the following analysis and findings:

5. Findings demonstrating that the proposed Comprehensive Plan amendment and zone change will conform with applicable policies found throughout the Comprehensive Plan, as required by section 5.030 of the Sutherlin Zoning Ordinance, are enumerated below and demonstrate that the amendment will conform with the applicable written policies of the Comprehensive Plan.

Citizen Involvement Policies

2. The City of Sutherlin's Comprehensive Plan shall be amended only by ordinance of the Sutherlin City Council. Recommendations for Plan amendments will be heard by the Sutherlin Planning Commission with proposed changes presented to the City Council.

The applicants' proposed amendment has been reviewed by the Sutherlin Planning Commission in a public hearing. The Commission's recommendation to approve the amendment will subsequently be presented to the City Council for final action.

3. *Public hearings shall be held in accordance with state and city requirements.*

Public hearings concerning the applicant's proposed amendment will be conducted by the Planning Commission and by the city Council. The public hearings will be conducted in accordance with state law and local ordinance.

4. Notices of proposed changes to the Comprehensive Plan shall be published in the local newspaper before the respective public hearings and include clarifying language and the means by which interested persons and affected agencies obtain additional information as required.

The Planning Commission finds that the City has caused public notice of the public hearing concerning the applicant's proposed amendment to be published in a local newspaper not less than twenty days prior to the date of the hearing. Individual written notice of the hearing will also be mailed to property owners in the vicinity of the subject property in accordance with state law and local ordinance.

Natural and Cultural Resources Policies

1. *Limit all discharges from existing and future development to meet applicable local, State, or Federal environmental quality statutes, rules and standards.*
2. *Residential, commercial and industrial development should be designed and located where it will not burden the area's water resources or the community's water delivery system.*

The Planning Commission finds that the subject property has not been included in any inventories within the Sutherlin Comprehensive Plan identifying water areas, watershed or groundwater resource areas requiring special protection. The City has sufficient regulatory measures in place so as to ensure that subsequent development of the property will not produce any unanticipated impacts resulting from the proposed amendment.

8. *Discourage radical changes to existing wildlife habitat.*

The Commission finds that although the subject site undoubtedly provides some level of habitat for a limited number of local wildlife species because of its undeveloped status, it has not been included in any official inventory of sites having significant wildlife habitat, nor has the site been identified in the Sutherlin Comprehensive Plan as one warranting special protection for wildlife resources.

Public Facilities Policies

1. *The city shall ensure that appropriate support systems are installed prior to or concurrent with the development of a particular area. Costs of constructing water and sewer ties to new developments shall be borne by the developer.*

12. *The City shall provide sewer and water service to areas within the Urban Growth Boundary.*

14. *Ensure that as new development occurs, public facilities and service to support the development are available or will be available within a reasonable time.*

20. *New development, including but not limited to subdivision, residential or commercial, or industrial construction, should be responsible for constructing, pay for or depositing funds for an improved street with curbs, cutters, and sidewalks, as well as sewer, water, storm drainage facilities, fire hydrants, and street lights, in addition to all utilities. This may be modified somewhat where there are other public benefits or improvements.*

25. *Any expansion of the UGB or public facility systems must either be advantageous for residents of the city or to the city itself, as a means to that end.*

The Planning Commission has adopted findings pertaining to the public facilities and services aspects of the proposed Comprehensive Plan amendment and zone change in a later section of this document concerning the Statewide Public Facilities and Services Goal (Goal 11). Those findings demonstrate that the proposed amendment will not adversely impact the present or future provision of public facilities and services in the Sutherlin urban area. The Planning Commission finds that the full range of urban services appropriate for the site's proposed urban residential land use designation is either immediately available or can be provided in a timely, orderly and efficient manner consistent with the intent and purpose of the Comprehensive Plan policy

statements cited above. This conclusion is based on consideration of the existing public service delivery systems and plans that are in effect within the Sutherlin urban area which are intended to ensure proper coordination of the types, locations and delivery of the public facilities and services necessary to support both the existing and proposed urban land areas.

Energy Conservation Policies

2. *New developments and subdivisions shall incorporate energy conservation principals into their planning and design.*
3. *The use of zero lot line zoning shall be promoted where appropriate to provide opportunities for increasing density and heat retention of dwellings.*
7. *Promote development of energy-efficient planned unit developments with designated residential areas.*

Although the applicant is not proposing or otherwise seeking approval of specific development plans for the subject property at this time, on the basis of facts contained in the whole record the Planning Commission finds that the land use change proposed by this application will facilitate future development of a Planned Residential Community in a manner that both incorporates energy-efficient design principals and promotes energy conservation by utilizing modern energy-saving construction materials, structural designs such as clustered housing and zero lot line dwellings, internal street networks that accommodate efficient connectivity, and provisions for safe and convenient pedestrian walkways that will help reduce reliance on private automobiles for intra-neighborhood travel. The Commission finds that these design concepts will be directly in line with the above cited energy conservation policies set out in the Comprehensive Plan.

Residential Land Use Policies

1. *Conversion of urbanizable land to urban uses shall be base on consideration of:*
 - a. *Orderly, economic provision for public facilities and services;*
 - b. *Availability of sufficient land of various use designations to ensure choices in the market place;*
 - c. *Conformance with statewide planning goals; and,*
 - d. *Encouragement of development within urban areas before conversion of non-urban areas.*
2. *Work toward development of 'open' lands identified as suitable for development within the existing city limits before annexing additional lands."*
3. *Advocate innovative development schemes, including planned unity developments, to provide varied housing types and densities on those large parcels of open land which have been identified as suitable for urban development.*

6. The Planning Commission notes that the criteria cited in the Residential Land Use Policies quoted above are addressed within the context of several of the Statewide Planning Goals as set out in the following section of this findings and decision document. Inasmuch as those findings include an extensive discussion of how the proposed Plan amendment and zone change conforms with the statewide goals, it would be redundant to address the same criteria listed in land use policies cited above. By reference to the discussion under the statewide goals below, the Planning Commission has concluded that the proposed Plan amendment and zone change will fully conform to the land use policies set out in the Sutherlin Comprehensive Plan document.

FINDINGS OF CONFORMANCE WITH THE STATEWIDE PLANNING GOALS

7. Statewide Planning Goals No. 1 thru No. 14 have previously been acknowledged as being applicable to the Sutherlin Comprehensive Plan. An evaluation of the applicants' request suggests that Statewide Planning Goals No. 1, 2, 4, 10, 11, and 12 are directly applicable to the proposed Plan amendment, while Goals No. 3, 4, 5, 6, 7, 8, 13 and 14 are either not applicable, or are of such a nature as to be relevant only when applied on an urban area-wide basis. The Planning Commission adopts the following findings demonstrating compliance with Statewide Goals No. 1 through 14:

Goal No. 1 - Citizen Involvement

To ensure the opportunity for citizen involvement in all phases of the planning process.

The Planning Commission finds that the City of Sutherlin has provided written notice of the proposed Comprehensive Plan amendment and zone change to surrounding and nearby property owners within 300 feet of the subject property at least 20 days prior to the first public hearing before the Planning Commission and again at least 7 days prior to the hearing before the City Council. The City will also cause public notice of the hearings to be published in the local newspaper. Notice of the proposed amendment has been sent to the Department of Land Conservation and Development not less than 45 days prior the first scheduled public hearing on the matter. Additionally, notice has been given to other affected local and state agencies, including the Oregon Department of Transportation, as well as to other individuals and organizations that have requested or are otherwise legally entitled to such notice. The Commission finds that these various forms of individual and public notice will assure that local citizens have an opportunity to become informed about, and participate in, the public hearing process. The proposed Comprehensive Plan amendment and zone change is being processed in a manner that assures full compliance with Goal No. 1.

Goal No. 2 - Land Use Planning

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

The City of Sutherlin has established policies and procedures which require a detailed evaluation of proposals to amend the Comprehensive Plan. Specific criteria and standards have been set forth against which the applicants' amendment request must be evaluated, including the requirement that there is an adequate factual base to support the City's decision concerning the matter. The City's ultimate decision in this matter will be based on the weight of those relevant Findings of Fact. The Planning Commission finds that the proposed amendment is being evaluated in a manner that assures full compliance with Statewide Goal No. 2.

Goal No. 3 - Agricultural Lands

To preserve and maintain agricultural lands.

The Planning Commission finds that there has previously been a legislative determination by both the City of Sutherlin and Douglas County via the 2006 UGB expansion process that the subject property is not agricultural land. This finding is validated by the fact that the site is designated for urban use, and by the fact that the site is within the Sutherlin city limits and the Sutherlin Urban Growth Boundary, and has been given an urban land use designation. The Commission therefore concludes that the Statewide Agricultural Goal is not applicable to this proposed Comprehensive Plan amendment and zone change.

Goal 4 - Forest Lands

To preserve forest lands for forest use.

The Planning Commission finds that there has already been a legislative determination by both the City of Sutherlin and Douglas County via the 2006 UGB expansion process that the subject property is not agricultural land. This finding is validated by the fact that the site is designated for urban use, and by the fact that the site is within the Sutherlin city limits and the Sutherlin Urban Growth Boundary, and has been given an urban land use designation. The Commission therefore concludes that the Statewide Agricultural Goal is not applicable to this proposed Comprehensive Plan amendment and zone change.

Goal No. 5 - Open Space, Scenic and Historic Areas, and Natural Resources

To conserve open space and protect natural and scenic resources.

Goal 5 addresses a variety of resources not specifically covered in other goals and sets out a process requiring inventory and evaluation. Steps in the process require that the level of significance of resources be determined, and if an identified resource appears to be significant, further evaluation is required. Such evaluation may lead to alternative courses of action, including fully protecting the identified resource.

The Planning Commission finds that all lands within the Sutherlin urban growth boundary, including the subject 213.23 acre site, have previously been subjected to extensive surveys intended to inventory and evaluate Goal 5 resource. These inventories, which are incorporated into the Comprehensive Plan, have previously received acknowledgment of compliance with Statewide Goal 5. The City has conducted an evaluation of the potential impact of the proposed amendment on Goal 5 resources and makes the following statements of fact:

A. Land Needed or Desirable for Open Space

The subject 213 acre property is currently undeveloped and vacant, and consists primarily of gentle to moderately sloping hillsides. The lower south-facing slopes are covered with a dense growth of Scotts Broom and similar noxious brush, while the upper slopes are characterized as an upland savannah with emerging native hardwood thickets consisting principally of oak and madrone. The site is bordered along its entire south side by urbanized residential land within the City of Sutherlin, and along its east side by Interstate Highway 5. The 200-acre Oak Hill Planned Industrial Park adjoins along the site's entire north and west boundaries. The site has no significant open space values, nor is it otherwise included in any inventory of open space warranting Goal 5 protection. Conversion of the property from its present Residential-Agricultural/Forestry designation to an urban residential designation will not result in a significant impact on open space resources in the surrounding area because there is abundant supply of other nearby lands having nearly identical physical characteristics. The site has not previously been identified by either the Douglas County Comprehensive Plan or the Sutherlin Comprehensive Plan as being needed or desirable for open space.

B. Mineral and Aggregate Resources

No known mineral or aggregate resources have been identified on or in the vicinity of the subject site, nor have such resources been identified on other lands in the general vicinity of the property.

C. Energy Sources

Goal 5 energy resources refers to sites and resources for the generation of energy (i.e. natural gas, oil, coal, hydroelectric, geothermal, uranium, and solar). No known energy sources have been identified on or in the vicinity of the site. The property does have solar access, but no

more so than most other land in Douglas County

D. Fish and Wildlife Areas and Habitat

The subject site has no significant fish or wildlife habitat. There are no bodies of water on or adjacent to the site, nor is there any evidence suggesting that the property is important to the protection or enhancement of aquatic habitat. The site has no significant natural vegetative cover or native food sources for wildlife. Although the site does provide habitat for a few native species, the habitat is not significantly different from other vacant lands in the general vicinity.

The proximity of nearby urban lands has discouraged the establishment of significant natural habitat, and has thus discouraged permanent habitation by most native species. Conversion of the site to an urban use would not significantly impact wildlife in the general area. The subject property has not been included in any inventories of sites having significant fish and wildlife habitat, nor has the site been identified as one warranting special protection for Goal 5 resources. This determination has previously been reviewed and approved by the Oregon Department of Fish and Wildlife.

E. Ecologically and Scientifically Significant Natural Areas

No identified ecologically or scientifically significant natural areas are present on the site, nor have such resources been identified on other lands in the general vicinity of the subject property.

F. Outstanding Scenic Views and Sites

No identified scenic views or sites exist on the subject property. As noted under Open Space, above, the site has so much in common with many other locations in the general area that its scenic value is not considered unique or significant. The site possesses no prominent topographic features or vegetation which would otherwise give it scenic significance.

G. Water Areas, Wetlands, Watersheds, and Groundwater Resources

The subject site contains no water areas, watersheds or identified groundwater resources. In order for an area to meet the Army Corps of Engineers' and the Oregon Division of State Lands' definition of wetland, three elements must be present: 1) water, 2) hydric soils, and 3) wetland vegetation. The U.S. Fish and Wildlife Service has published a National Wetland Inventory which covers the subject site. The inventory map shows no significant wetlands have been identified on the subject property.

H. Wilderness Areas

The subject site is not within, adjacent to, or part of, a designated wilderness area, nor has such a designation been give to other lands or resources in the general vicinity of the property.

I. Historic Areas, Sites, Structures, and Objects

There are no identified or inventoried historic structures or objects on, or adjacent to, the subject property, nor have such resources been identified on other lands in the general vicinity of the site.

J. Cultural Areas

There are no identified or inventoried archaeological or cultural resources on the subject site, nor have such resources been identified on other lands in the general vicinity of the property.

K. Potential and Approved Oregon Recreation Trails

There are no designated or planned recreational trails on or adjacent to the subject site, nor has such a designation been give to other lands or resources in the general vicinity of the property.

L. Wild and Scenic Waterways

The site is not within any designated or planned wild and scenic waterway, nor has such a designation been give to other lands or resources in the general vicinity of the property.

On the basis of the foregoing facts, the Planning Commission finds that the proposed Comprehensive Plan amendment and zone change will not conflict with any Goal 5 resources. The subject property has not been included in any inventory of needed open space or scenic areas, nor has it been identified in either the Douglas County Comprehensive Plan or the Sutherlin Comprehensive Plan as having any historic, cultural or significant natural resources which need to be preserved and/or protected.

Goal No. 6 - Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Statewide Goal 6 requires that air, land and water resources of the state be maintained and improved by assuring that future development, in conjunction with existing development, does not violate applicable state and federal environmental quality standards, and does not exceed the carrying capacity of local air sheds, degrade land resources or threaten the availability of such resources. The City of Sutherlin have sufficient regulatory measures in place so as to ensure that existing land use activities, as well as any future development on the site will not produce any unanticipated impacts resulting from the proposed amendment. The Planning

Commission finds that the requested amendment is being evaluated in a manner that assures compliance with Goal 6.

Goal No. 7 - Areas Subject to Natural Disasters and Hazards

To protect life and property from natural disasters and hazards.

The subject property has not been identified in any inventory of areas which have the likely potential to be subjected to natural disasters and hazards. The elevation of the site puts it well above the flood plain and any danger of flooding. The majority of the slopes on the north side of the ridge running through the mid-section of the property are steep enough to warrant special review under the City's Steep Slopes Overlay regulations prior to their development. Consequently, that portion of the property will be designated on the Comprehensive Plan map as Residential Hillside with corresponding Residential Hillside (RH) zoning. These Plan map and zoning designations will ensure that appropriate geotechnical analysis of that portion of the property occurs prior to its development. The topography of the balance of the site does not suggest any physical constraints to the type of urban residential development contemplated by the applicant. The Planning Commission finds that the subject property is not subject to any identified natural disasters and hazards.

Goal No. 8 - Recreational Needs

To satisfy the recreational needs of the citizens of the state.

There has been a legislative determination by both Douglas County and the City of Sutherland through their respective comprehensive planning processes that the subject property is not presently needed for recreational facilities or opportunities. Identified recreational needs have been provided for on other sites within the existing urban growth boundary as well as in the broader surrounding rural area. The Planning Commission finds that the proposed amendment will not conflict Statewide Goal No. 8.

Goal No. 9 - Economy of the State

To diversify and improve the economy of the state.

The Statewide Economic Development Goal is intended to be applied on an urban area-wide basis and requires that future economic growth be accommodated, in part, by ensuring that there is sufficient suitable land planned and zoned for commercial and industrial uses. Goal 9 specifically requires that local land use plans "*provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies*".

Within the existing Sutherlin urban area, as well in the outlying rural areas of central Douglas County, commercial and industrial zoning has been applied to lands containing existing commercial and industrial uses, as well as to a limited amount of undeveloped land that is intended to accommodate future commercial and industrial development. The Sutherlin and Douglas County Comprehensive Plans both contains specific policies to ensure that opportunities for economic development in the area are enhanced. The Planning Commission finds that the proposed Comprehensive Plan amendment and zone change does not involve, or otherwise impact, the area's existing inventory of lands needed for economic development. The amendment and zone change will not conflict with the Statewide Economic Development Goal.

Goal No. 10 - Housing

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

The purpose of Goal 10, within the context of amending the City's Comprehensive Plan, is to ensure that sufficient buildable land is available within the urban area to provide for the full range of housing needs to avoid creating shortages of residential land which would artificially restrict market choices in housing type, price range or location. The Population and Housing Element of the Sutherlin Comprehensive Plan addresses the City's responsibility under Goal 10 to ensure that an adequate supply of buildable land planned and zoned for residential use remains available over time. Accordingly, the Plan requires population growth to be monitored and assessed for impacts on previous estimates of needed housing and the availability of sufficient land for residential use. As has been discussed more fully in other sections of this document, the applicants are requesting that the subject 213 acre property be designated and zoned to allow a variety of housing types and densities. Future development of the property is intended to provide needed housing opportunities for Sutherlin's rapidly growing population base. The Planning Commission finds that the requested amendment is consistent with the purpose and intent of Statewide Goal No. 10.

Goal No. 11 - Public Facilities and Service

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.

Within the Sutherlin urban area, public facilities and services are provided by the City of Sutherlin, Douglas County and several special districts. Policies concerning the coordination, timing and location of public facilities and services within the City and surrounding urban growth area are contained in the Comprehensive Plan document, while specific measures intended to implement these policies are set out in local ordinances as well as in various city ordinances and inter-governmental agreements, including an urban growth management

agreement jointly adopted by the City and Douglas County.

Development of the subject 213 acre site will ultimately require the extension of the full range of urban services. It is the policy of the City of Sutherlin to require the property owner/developer to pay the direct cost of extending needed urban services, and to pay additional system development charges (SDCs) to the city to help off-set other financial impacts resulting from the development of the property. System development fees are calculated and assessed in accordance with cost schedules set forth in various ordinances that have been enacted by the City, and which are presently in place. The anticipated amount of residential development that will occur on the subject property will generate significant SDC revenue and thus accelerate recaptures of the City's investment in both existing and planned infrastructure improvements. The Planning Commission finds that these existing funding mechanisms are adequate to ensure that development of the site will not result in detrimental financial impacts to the City and the community's tax payers.

Water service to the subject 213 acre site will be provided by the City of Sutherlin through its municipal water system. The City obtains its water from both Calapooya Creek and Cooper Creek Reservoir. These two surface sources are capable of providing up to 3 million gallons per day, while the City's water treatment plant has the capacity to treat up to 3.2 million gallons per day. At the present time, the water plant is processing about 1 million gallons per day or about one-third of the plant's design capacity, although during peak summer periods daily demand has reached as high as 2.5 million gallons. On the basis of historic water usage and forecasts for future population and economic growth in the community, the City anticipates that existing source supplies and current treatment capacity are adequate to meet demand for the next twenty years. Nevertheless, the City is currently updating its long-range facility plans for the water system, including the eventual activation of unused surface water rights on a second tributary of Calapooya Creek, as well as plans for expanding the capacity of the water treatment plant.

With respect to servicing the subject property, the City has recently constructed a 1.2 million gallon reservoir on a City-owned one acre parcel located near the geographic center of the subject 213 acre site. The applicants deeded the property for the reservoir to the City at no cost in order to expedite improved water service and fire protection for both existing and future residential, commercial and industrial development on properties inside the City west of Interstate 5. The storage facility is being paid for through a special assessment district that presently encompasses a number of newly developing commercial and residential properties. Additionally, developing properties served by the reservoir pay SDC fees which benefit the City's water system on an urban area-wide basis. A second storage tank of similar size is

planned to be built on the same site as additional territory, including the subject property, is annexed to the City and subsequently included in the special assessment district. The reservoir site is capable of providing water service up to an elevation 640 feet, which includes the majority of the land within the subject 213 acre site. For the remaining portion of the site that is higher than the 640 foot main service level, plans call for the construction of a booster pump and a 500,000 gallon standpipe on or adjacent to the existing reservoir site. Facilities needed to serve the higher elevation lands will include a series of pressure reducing valves that permit stored water to flow back to the main-level service system in the event of a high-demand emergency. Consequently, total storage capacity on the site and available to serve the City-wide water system will be increased from the present 1.2 million gallons to more than two and one-half million gallons. The additional high-elevation facilities will be constructed and paid for by the developer of the property at the time they are needed and will not be financed through the special assessment district referenced above.

Sanitary sewer service for the subject territory will also be provided by the City of Sutherlin. At the present time, remaining treatment capacity at the municipal waste water facility is a potential growth limiting factor. The existing facility has a design capacity for 1.3 million gallons per day. During dry periods the plant is treating about 800,000 gallons of sewage per day, while the flow to the plant increases to as much as 2 million gallons during peak winter storm events as a consequence of infiltration of surface and subsurface storm water. Although the plant actually exceeds its design capacity for hydraulic loading, the facility is able to meet its DEQ operating permit standards for biologic discharge because of dilution and other mitigating factors. Nevertheless, the City has contracted with an engineering firm, Dyer Partnership, to develop a long-range plant expansion plan which will accommodate projected growth through the year 2029 to serve an urban area population of 14,400 residents.

City sewer is not currently available to the subject property. The City wastewater treatment plant is located approximately 3,000 feet west of the property. As described above, the applicants have expressed an interest in serving the entire property using a package wastewater treatment system with components similar to those in the adjacent Knolls Estates PUD. After due consideration of the package plant concept for the entire 213 acres, however, the City will likely require the entire development to use standard gravity sewer. Only a limited number of lots that simply cannot be served by gravity sewer are likely to be approved for something other than standard gravity sewer. The future development on the subject property will have to be connected to standard gravity sewers unless specifically approved in advance by the Sutherlin Public Works Director.

Electric service to the 213 acre site will be provided by Douglas Electric Cooperative. Douglas Electric takes delivery from the Bonneville Power Administration's (BPA) Alvey-Fairview transmission line approximately one-half mile to the northwest of the site at BPA's

Green Valley Substation. From the Green Valley facility, BPA provides Douglas Electric with a triple looped, multi-source of electricity from both the north and south. Douglas Electric has determined that its existing facilities can easily accommodate the anticipated residential power demands from the proposed development of the site.

A major natural gas transmission pipeline that runs from Portland to Medford passes directly through the subject site. While it is not yet known to what extent new residential development will utilize this energy source, natural gas is nevertheless expected to play a significant role in meeting the development's overall energy requirements.

On the basis of the foregoing findings, the Planning Commission finds that the proposed Comprehensive Plan amendment and zone change will not adversely impact the present or future provision of public facilities and services in the Sutherlin urban area. The full range of urban services appropriate for the subject property's proposed urban land use classification is available and can be provided in a timely, orderly and efficient manner consistent with the purpose and intent of Statewide Goal 11. This conclusion is based on consideration of the existing public service delivery systems and plans that are in place in the area so as to ensure the proper coordination of the types, locations and delivery of the public facilities and services necessary to support the existing and proposed urban land areas.

Based on the above findings, and with the understanding that development on the subject property will have to be connected to standard gravity sewers unless specifically approved in advance by the Sutherlin Public Works Director, the Planning Commission concludes that the proposal is consistent with Statewide Planning Goal 11.

Goal No. 12 - Transportation

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

The statewide transportation goal is generally intended to be applied on an urban area-wide basis, although specific transportation-related policies and development standards are included within Sutherlin's Comprehensive Plan and land use ordinances to assure that the intent of the statewide transportation goal is implemented at the time of property development. The intent of Goal 12 is also implemented by the State Transportation Planning Rule. OAR 660-12-060(1) requires that "*amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility*".

To determine whether the proposed Comprehensive Plan amendment will significantly affect a transportation facility, the TPR lists a set of specific criteria against which the proposed amendment is to be evaluated. The TPR states: "*a plan or land use regulation amendment significantly affects a transportation facility if it:*

- (a) *Changes the functional classification of an existing or planned transportation facility;*
- (b) *Changes standards implementing a functional classification system;*
- (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility, or,*
- (d) *Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP (Transportation System Plan)."*

For purposes of demonstrating that the proposed Comprehensive Plan amendment and zone change is consistent with the identified function, capacity and level of service of existing and planned transportation facilities that will service the subject site, the applicants commissioned a transportation impact study (TIS) which was conducted by Lancaster Engineering of Portland, Oregon. The TIS, which was completed in May of 2007, was submitted with the application and has been entered into the record.

In response to the TIS prepared on behalf of the applicants, ODOT has asked the City to incorporate the following policy amendment into the Sutherlin Transportation System Plan (TSP) in order for the proposed land use change to comply with Goal 12 and the Transportation Planning Rule (TPR):

Policy 1 - Transportation System Plan (TSP) Update. *The City shall require the applicant to amend the Transportation System Plan (TSP) using the ASKC TIA analysis, conclusions and recommendations to ensure the proposed Comprehensive Plan Amendment and Zone Change land uses are consistent with the TSP.*

- *Transportation Finding 1.* *Pursuant to OAR 660-012-060(2)(B), the City shall require the applicant to amend the TSP Chapters 5, 7 and 11 including text, tables and figures to incorporate the TIA traffic forecast, deficiency analysis and transportation improvements concurrent with City Council approval of the proposed Low Density Residential and Residential Hillside Comprehensive Plan Amendment with the R-1 and R-H Zone Change herein described as T.25S, R.5W, S.18 TL 100, 200 & 201; T.25S, R.5W, S.7 TL 1500 & 1600; and T.25S, R.6W, S.13 TL 100.*

Policy 2 - Traffic Forecast. *The City shall use the ASKC TIS updated 2027 traffic forecast for the west-side of Interstate 5. Traffic counts were taken in 2007 to establish the traffic baseline. The traffic baseline counts were linearly extrapolated at 2.7% traffic growth per*

year to establish the 2027 traffic forecast. The updated 2027 traffic forecast accounts for background traffic growth within the City's UGB, including ASKC's 213 acres.

- Transportation Finding 2: The City shall use the amended TSP Chapter 5 Transportation Deficiencies and Needs, Chapter 7 Street Network Plan, Chapter 13 Financial Plan and Capital Improvement Plan (CIP) text, tables and figures which incorporates the ASKC TIS traffic forecast, deficiency analysis and conclusions as listed in Attachment A and Exhibit A to incorporate the ASKC TIS transportation improvements. Implementation of the amended TSP 20 year road network plan, financial plan and CIP ensures the City will have adequate transportation facilities to support the City's future growth and traffic demands on the west-side of Interstate 5. The City shall use the amended TSP to establish parameters for measuring traffic impacts and transportation needs on the west-side of Interstate 5 created by future comprehensive plan amendments, zone changes and UGB expansions.

Policy 3 – Funding Mechanisms: The City's System Development Charge (SDC) program will fund the TSP 20 year road network improvements through the Capital Improvement Plan (CIP). ODOT declares the TSP and ASKC TIS transportation improvements are not included in the State Transportation Improvement Program (STIP) and are not "Reasonably Likely" to be funded within the 20 year planning period.

- Transportation Finding 3: Implementation of the City's SDC program with other local funding programs such as private investment, developer contributions, local improvement districts etc. ensures the City will have adequate local funds to install the TSP 20 year road network improvements and CIP transportation projects through 2027. The City, property owners and developers will not rely on state and/or federal funds to mitigate traffic impacts on state transportation facilities unless specific capital improvement projects are identified and funded in the State Transportation Improvement Program (STIP).

Policy 4 – Transportation Improvements: The City shall require the applicant to submit a detailed TIS for each new phase of development on the ASKC property.

- Transportation Finding 4: The City shall require the applicant to execute a Negotiated Development Agreement with the City and ODOT to fund, design and install the TIS transportation improvements as listed by phase in Attachment B prior to submittal of any land use and/or development proposal on the ASKC property herein described as T.25S, R.5W, S.18 TL 100, 200 & 201; T.25S, R.5W, S.7 TL 1500 & 1600; and T.25S, R.6W, S.13 TL 100.

The Planning Commission finds that the findings and conclusions, which are contained in the applicant's TIS and incorporated here by reference, as well as the amendments to the Sutherlin TSP as requested by ODOT and enumerated above, are sufficient to demonstrate compliance

with the Statewide Transportation Goal.

Goal No. 13 - Energy Conservation

To conserve energy.

The Statewide Energy Conservation Goal is intended ensure that land and uses developed on land are managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principals. The Planning Commission finds that the subject property is situated adjacent to the established urbanized area where any subsequent development will promote the efficient energy-related use of existing and planned transportation facilities. The site is free of any significant physical constraints that would otherwise require more energy to develop and use the land for residential development than would other property in the urban area. Major public facilities and services are either nearby or already serving the site, thus reducing the energy-related inefficiencies associated with extending such services far beyond an established urban area. Furthermore, specific energy conservation policies and development standards are included within the Sutherlin Comprehensive Plan and the City's land use and development ordinances to ensure that the statewide energy conservation goal is implemented on a site-specific basis at the time of property development.

Goal No. 14 - Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

The statewide urbanization goal provides the standards and procedures for establishing or expanding the urban growth boundary (UGB). The urbanization goal requires that land within the UGB "...shall be considered available over time for urban uses." As previously noted, the subject property is presently located within both the Sutherlin city limits and the urban growth boundary. Prior inclusion of the property within the UGB demonstrates the City's legislative intent to allow urban development to occur on the site. The Planning Commission finds that the proposed Comprehensive Plan amendment and zone change will have no effect on the present status of Sutherlin's urban growth boundary, nor will it otherwise conflict with the purpose and intent of the statewide urbanization goal.

Conclusion

Based on the foregoing findings, the applicants find that the proposed Comprehensive Plan amendment conforms with all applicable statewide planning goals; therefore it is not necessary for the City to justify an exception to any of the goals.

DECISION

The Planning Commission deliberated to a decision on September 18, 2007. A motion was made to approve the proposed Comprehensive Plan amendment and zone change on the basis of the applicable criteria and the findings of fact set out herein, and to forward the matter to the Sutherlin City Council with a recommendation that the matter be approved. A vote was taken and the motion passed.

Therefore, on the basis of the Findings of Fact enumerated herein, the application of Alaska Sutherland Knolls Corp. and C. A. Galpin to amend the Sutherlin Comprehensive Plan map designation from Residential-Agricultural/Forestry to Low Density Residential and Residential Hillside, together with a concurrent Zone Change from Forest Resource (FR-75) to Low Density Residential (R-1) and Residential Hillside (RH) on 213.23 acres of land the Planning Commission RECOMMENDS that the Sutherlin City Council APPROVE the subject application.

DATED THIS _____ DAY OF _____, 2007.

Jerry Letz, Chairman
Sutherlin Planning Commission

ATTEST:

Debbie Hamilton CMC, Deputy City Recorder



*Seasons
Greetings*



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