



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

03/21/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Lebanon Plan Amendment
DLCD File Number 005-10

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: Friday, April 01, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

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

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

Cc: Walt Wendolowski, City of Lebanon
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Gary Fish, DLCD Transportation Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

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

In person electronic mailed

DATE

DEPT OF

MAR 14 2011

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Lebanon**

Local file number: **10-07-36**

Date of Adoption: **March 9, 2011**

Date Mailed: **March 11, 2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **12/03/10**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Comprehensive Plan Map Amend from Public Land Use to: Residential Low (25.14 ac.), Residential Mixed (12.39), Commercial (2.72), Industrial (6.60); Comprehensive Plan Map Amend from Industrial to Public Use: (1.08 ac); Comprehensive Plan Map Amend from Mixed Use to: RL (2.47 ac), IND (4.79); Zone Change to Public Use from: RL (0.68), RH (4.02), IND (53.59)

Does the Adoption differ from proposal? **Yes**

- (1) Added Comprehensive Plan Map Amend from Industrial to Public Use (1.08 ac.) 12-2-2-1410
- (2) Added Zone Change from Industrial to Public Use (1.08 ac.) 12-2-2-1410
- (3) Comprehensive Plan Map Amend from Public Use to Residential Low (19.71 ac.) not Residential Mixed 12-2-11-400 & 12-2-11DB-7800

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved: **112.40**

Specify Density: Previous:

New:

Applicable statewide planning goals:

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

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

DLCD File No. 005-10 (18636) [16560]

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

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

Local Contact: **Walt Wendolowski, AICP**

Phone: (541) 258 - 4252 Extension:

Address: **853 S Main Street**

Fax Number: **541-258-4955**

City: **Lebanon**

Zip: **97355**

E-mail Address: **wwendolowski@ci.lebanon.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS [197.615](#) and [OAR Chapter 660, Division 18](#)

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

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

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

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 16, 2010

**A BILL FOR AN ORDINANCE AMENDING
THE COMPREHENSIVE PLAN MAP AND
ZONING MAP ON CERTAIN PROPERTIES
WITHIN THE CITY OF LEBANON**) **ORDINANCE BILL NO. 3**
) **for 2011**
)
) **ORDINANCE NO. 2816**

WHEREAS, the City of Lebanon has received an application to amend the Comprehensive Plan Map and Zoning Map on certain properties within the City, herein described in Exhibit "A"; and,

WHEREAS, the Planning Commission for the City of Lebanon conducted a hearing on January 19, 2011 on Planning File No. 10-07-36 and made findings recommending certain Comprehensive Plan Map and Zoning Map amendments on said properties; and

WHEREAS, after conducting the hearing and considering all objections or remonstrances with reference to the proposed Plan Map and Zone Map amendments, and further considering the recommendation of the Lebanon Planning Commission, the City Council finds that the proposed amendments are in the best interest of the City.

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

Section 1. Findings. In addition to the findings referred to above, the City Council further adopts and finds those matters contained in Exhibit "B" which is incorporated herein by this reference as if fully set forth at this point.

After Recording, Please Return To:
City of Lebanon
Attn: City Clerk
925 Main Street
Lebanon, OR 97355

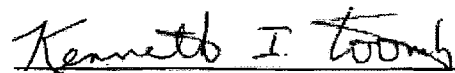
AREA RESERVED
FOR USE BY
LEBANON COUNTY RECORDER

Section 2. Zone Change Area. Based upon the findings contained above and in Exhibit "B", adopted herein, the Lebanon Comprehensive Plan Map and Zoning Map is hereby amended, for those properties identified in Exhibit "A", which is incorporated herein by this reference as if fully set forth at this point.

Section 3. Record. The City Recorder shall amend the official City of Lebanon Comprehensive Plan Map and Zoning Map on those properties identified in Exhibit "A".

Passed by the Lebanon City Council by a vote of 5 for and 0 against and approved by the Mayor this 9th day of March, 2011.

CITY OF LEBANON, OREGON


Kenneth I. Toomb, Mayor
Bob Elliott, Council President

Attest:


Linda Kaser, City Clerk

EXHIBIT A
Comprehensive Plan Amendment

| Tax ID | Land Use | Current Plan | New Plan | Acres |
|-----------------|------------------|--------------|----------|-------|
| 12-2-02-1600 | WWTP | PU | IND | 5.50 |
| 12-2-02-2001 | Bark Park | MU | IND | 4.79 |
| 12-2-10AC-1800 | Century Park | PU | RM | 6.29 |
| 12-2-11-400 | River Park | PU | RL | 19.71 |
| 12-2-11CA-5500 | Booth Park | PU | RL | 2.36 |
| 12-2-11CC-3700 | Parking Lot | PU | CCM | 0.07 |
| 12-2-11CC-3800 | Office | PU | CCM | 0.10 |
| 12-2-11CC-3900 | Vacant | PU | CCM | 0.13 |
| 12-2-11CC-4000 | City Hall | PU | CCM | 0.48 |
| 12-2-11CC-4100 | Salon | PU | CCM | 0.24 |
| 12-2-11CC-4400 | SFD | PU | CCM | 0.18 |
| 12-2-11CC-10000 | Ralston Park | PU | CCM | 0.44 |
| 12-2-11CC-10100 | Ralston Park | PU | RM | 0.09 |
| 12-2-11CC-10200 | Ralston Park | PU | RM | 0.20 |
| 12-2-11CC-10300 | Ralston Park | PU | CCM | 0.86 |
| 12-2-11CC-10400 | Ralston Park | PU | CCM | 0.22 |
| 12-2-11DB-7800 | River Park | MU | RL | 2.47 |
| 12-2-14BB-2100 | Queen Ann Apts. | PU | RM | 5.56 |
| 12-2-14BB-2102 | Girl Scouts Hut | PU | RM | 0.25 |
| 12-2-16-200 | National Guard | PU | IND | 1.10 |
| 12-2-22BB-2500 | C. Columbus Park | PU | RL | 2.50 |
| 12-2-22BB-2800 | C. Columbus Park | PU | RL | 0.25 |
| 12-2-22BB-6400 | SFD | PU | RL | 0.16 |
| 12-2-22BB-6600 | SFD | PU | RL | 0.16 |

Zone Change

| Tax ID | Land Use | Current Zone | New Zone | Acres |
|----------------|------------------|--------------|----------|-------|
| 12-2-10DC-100 | Maintenance | RH | PU | 0.93 |
| 12-2-10DC-200 | N.G. Armory | RH | PU | 0.45 |
| 12-2-11BC-1400 | Pioneer Cemetery | RH | PU | 2.64 |
| 12-2-15AA-100 | Winn Mill Park | RL | PU | 0.68 |
| 12-2-16-100 | State Airport | IND | PU | 52.51 |

Comprehensive Plan Amendment & Zone Change

| Tax ID | Land Use | Plan/Zone | New P/Z | Acres |
|-------------|-----------------|-----------|---------|-------|
| 12-2-2-1410 | Medical Offices | IND/IND | PU/PU | 1.08 |

EXHIBIT B
LEBANON CITY COUNCIL FINDINGS
Planning File No. 10-07-36

| | | |
|----------------------|---|-----------------------|
| In the Matter of the |) | |
| |) | 1. Plan Map Amendment |
| Application of the |) | |
| |) | 2. Zone Map Amendment |
| City of Lebanon |) | |

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of the City of Lebanon to amend the Comprehensive Plan Map and Zoning Map.

II. BACKGROUND INFORMATION

A. Site Location

Exhibit "A" of this Ordinance includes all information regarding property location, parcel size, development and the applicable Plan designation and/or zoning.

B. Proposal

The City is requesting approval to amend the Comprehensive Plan and Zoning Maps for a variety of properties within the City. Exhibit "A" of this Ordinance includes specific information on the proposed amendments.

III. PUBLIC HEARING

A. Planning Commission Action

On January 19, 2011, the Planning Commission held a public hearing on this matter. At the hearing, Planning File 10-07-36 became part of the official record. The City provided notice of the hearing pursuant to Chapter 16.20 of the Lebanon Development Code. One Commission member (John Brown) excused himself midway through the hearing, citing a potential conflict of interest. Otherwise, no objection was raised as to jurisdiction, conflicts of interest, bias or to evidence or testimony presented at the hearing. Only staff, an Oregon Military Department representative and Commissioner John Brown testified.

At the conclusion of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the proposed Plan Map and Zone Map amendments, finding the proposal consistent with the applicable decision criteria.

B. City Council Action

A public hearing was duly held on this application before the Lebanon City Council on March 9, 2011. At the hearing, Planning File 10-07-36 was made a part of the record. Notice of the hearing was provided pursuant to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence or testimony presented at the hearing. At the conclusion of the hearing, the City Council deliberated on the issue and voted to approve the application finding the proposed changes consistent with the applicable decision criteria.

IV. FINDINGS OF FACT-GENERAL

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

- A. The applicant is the City of Lebanon.
- B. Exhibit "A" of this Ordinance includes information regarding property location, parcel size, development and the applicable Plan designation and/or zoning.
- C. The City is requesting approval to amend the Comprehensive Plan and Zoning Maps for a variety of properties within the City. Attachment "A" includes specific information on the proposed amendments.
- D. The decision to approve or deny shall be based on the following criteria contained in the Lebanon Development Code: Chapter 16.27 – Map Amendments.

V. APPLICATION SUMMARY

- A. In 2003, the City adopted a new Comprehensive Plan and Plan Map, which included the new "Public Use" designation. The Zoning Ordinance in effect at the time did not contain a corresponding Public Use zone, a situation that the new Development Code corrected. However, this "gap" between Plan adoption and the new Code resulted in a mismatch between plan designations and zoning on a number of properties within the City. The purpose of these amendments is to correct these errors, effectively aligning the Plan designation and zoning with development on the property.
- B. The Community Development Department provided notice of this application to affected agencies and property owners and received the following comments:
 - 1. City Development Engineering reviewed the application and did not oppose the request, as the action does not affect current uses on the properties. Development Engineering did note that future development might require transportation and other City infrastructure improvements.
 - 2. Lebanon Fire District reviewed the proposal and did not submit comments.
 - 3. Oregon Department of Transportation reviewed the listed properties, concluding the proposed changes would not have a significant affect on the operation of State highways in the Lebanon area.
 - 4. The Department of Land Conservation and Development (DLCD) requested additional information regarding the application but did not provide any comments, indicating the DLCD does not oppose the request.
- C. The amendments involve 30 separate properties, divided into three categories: changes to the Plan Map, changes to the Zoning Map, and changes involving both the Plan and Zoning Maps. This Exhibit provides separate findings for each category.

VI. CHAPTER 16.27 REQUIREMENTS FOR COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS

- A. Development Code procedural requirements apply equally to each category identified in Section V.C., above. To reduce repetition, the following sections establish findings for the Code procedural requirements.
- B. Chapter 16.27 contains requirements for map amendments, including both the Comprehensive Plan map and Zoning map. The City may amend the Plan and Zoning maps over time and an individual has the authority to request a change in a property's Plan and Zoning map. Section 16.27.010 addresses the Chapter's purpose while Section 16.27.020 establishes the authority to request map amendments. This proposal conforms to these two Sections. Consistent with provisions in Section 16.27.030, the City Clerk maintains the official Plan and Zoning maps, as well as subsequent amendments.
- C. The Planning Commission and City Council cannot consider a Plan or Zone map amendment within the one-year period immediately following a previous denial (section 16.27.040). For the record, this is the first Plan and/or Zone map amendment *application* regarding all 30 properties.
- D. Section 16.27.050 establishes the decision criteria for reviewing a Plan map or Zone map amendment. Section 16.27.080 covers this material, which the appropriate Section (Sections VII., VIII. and IX.) of this report reviews.
- E. Section 16.27.060 describes the application process and submittal requirements. Subsection "A." states the request requires hearings before the Planning Commission and City Council. The Commission provides a recommendation to the Council and the Council makes the final decision. Subsection "B." establishes the application requirements. For the record, this application and process conform to provisions in Section 16.27.060.A. Further, the application includes the required information pursuant to provisions in Section 16.27.060.B.
- F. Based on the above findings, the submitted Plan and zoning map amendment request complies with the applicable processing provisions in Chapter 16.27.

VII. CRITERIA AND FINDINGS – COMPREHENSIVE PLAN MAP AMENDMENT

- A. Amendments to the Comprehensive Plan Map involve 23 properties. With two exceptions all properties are designated Public Use (C-PU); both exceptions are designated Mixed Use (C-MU). The proposed Plan map amendments will result in the Plan map designation conforming to a property's current zoning, and in most cases, existing development. The following subsections contain background information for each parcel. Where appropriate, this Section consolidates property information.
1. Township 12 South; Range 2 West; Section 2; Tax Lot 1600 – This 5.50 acre, Industrial (Z-IND) zoned parcel contains the Wastewater Treatment Plant. The Plan map amendment establishes the Industrial (C-IND) designation on the property. The proposed zone allows wastewater treatment plants (Development Code Section 16.09.080).
 2. Township 12 South; Range 2 West; Section 2; Tax Lot 2001 – This 4.79 acre parcel is zoned Industrial (Z-IND) and is part of the Wastewater Treatment Plant properties *but designated Mixed Use (C-MU)*. The proposal changes the Plan designation to Industrial.
 3. Township 12 South; Range 2 West; Section 10AC; Tax Lot 1800 – This 6.29 acre parcel is zoned Residential Mixed Density (Z-RM) and contains the City's Century Park. The Plan amendment establishes the Residential Mixed Density (C-RM) designation. The current RM zone allows public parks (Section 16.05.070).
 4. Township 12 South; Range 2 West; Section 10CA; Tax Lot 5500 – This 2.36 acre parcel is zoned Residential Low Density (Z-RL) and contains the City's Booth Park. The Plan amendment establishes the Residential Low Density (C-RL) designation. The RL zone allows public parks (Section 16.05.070).
 5. Township 12 South; Range 2 West; Section 11; Tax Lot 400; Section 11 DB; Tax Lot 7800 – These parcels total 22.18 acres and contain River Park, a City-owned park. Plan designations include Public Use (Tax Lot 400 – 19.71 acres) and *Mixed Use* (Tax Lot 7800 – 2.47 acres), with both parcels zoned Residential Low Density (Z-RL). The proposal would change the Plan map designation to Residential Low Density for the entire Park site. As noted, the RL zone allows public parks.
 6. Township 12 South; Range 2 West; Section 11CC; Tax Lots 3700, 3800, 3900, 4000, 4100 and 4400 – These six parcels contain a total of 1.20 acres, are zoned Central Business Commercial (Z-CCM) and located within the City's designated downtown. The Plan amendment would establish the Commercial (C-CM) designation. With the exception of a single-family home on Tax Lot 4400, the CCM zone allows all current uses (Chapter 16.08).
 7. Township 12 South; Range 2 West; Section 11CC; Tax Lots 10100 and 10200 – These two parcels contain a total of 0.29 acres. Both are zoned Residential Mixed Density (Z-RM) and are part of the City's Ralston Park. The Plan map amendment establishes the Residential Mixed Density (C-RM) designation. As previously noted, the RM zone allows public parks.
 8. Township 12 South; Range 2 West; Section 11CC; Tax Lots 10000, 10300 and 10400 – These three parcels contain a total of 1.52 acres, are zoned Central Business Commercial (Z-CCM) and part of the City's Ralston Park. The amendment establishes Commercial (C-CM) designation on these parcels. Development Code Section 16.08.080 allows public parks in the CCM zone.
 9. Township 12 South; Range 2 West; Section 14BB; Tax Lot 2100 – This 5.56 acre parcel is zoned Residential Mixed Density (Z-RM) and contains an apartment complex. The Plan amendment establishes the Residential Mixed Density (C-RM) designation. The current zone allows apartments (Section 16.05.040).
 10. Township 12 South; Range 2 West; Section 14BB; Tax Lot 2102 – This 0.25 acre parcel, is zoned Residential Mixed Density (Z-RM) and contains facilities for the Girl Scouts of America. The Plan map amendment establishes the Residential Mixed Density (C-RM) designation. The current zone allows meeting facilities and community centers (Section 16.05.070).
 11. Township 12 South; Range 2 West; Section 16; Tax Lots 200 – This 1.10 acre parcel is owned by the National Guard, used for equipment storage and zoned Industrial (Z-IND). The Plan map amendment establishes the Industrial (C-IND) designation. For the record, the zone allows armories (Section 16.09.090).

12. Township 12 South; Range 2 West; Section 22BB; Tax Lots 2500 and 2800 – These two parcels total 2.75 acres, are zoned Residential Low Density (Z-RL) and part of the City's Christopher Columbus Park. The Plan amendment establishes the Residential Low Density (C-RL) designation. As previously noted, the RL zone allows public parks.
 13. Township 12 South; Range 2 West; Section 22BB; Tax Lots 6400 and 6600 – Each 0.16-acre subdivision lot is zoned Residential Low Density (Z-RL) and contains a single-family home. The Plan amendment establishes the Residential Low Density (C-RL) designation. The RL zone allows single-family homes (Section 16.05.040).
- B. Section 16.28.080 establishes the decision criteria for Plan map and Zone map amendments. This Section states the City may approve a Comprehensive Plan Map or Zoning Map Amendment request if it satisfies all of the relevant Decision Criteria cited above in Section 16.27.050. Subsection "A." contains the relevant criteria, which is reviewed in the following Sections.
- C. Section 16.27.080.A.1 - All proposed amendments to the Comprehensive Plan Map (or Zoning Map) shall be consistent with the City's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the Transportation System Plan, are based on the future service demands according to the Comprehensive Plan Map designation and zoning. The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. Each Chapter's *applicable* policies are reviewed below:
1. Chapter 1: Introduction - This introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. The Development Code criteria implement the Plan's goals and policies, and establish the public hearing process.
 2. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City's natural environment.

FINDINGS: This Chapter does not apply as the subject properties are either fully developed (e.g., the apartment complex located on Township 12 South; Range 2 West; Section 14BB; Tax Lot 2100) or are established as public parks were such natural features are preserved. Otherwise, the parcels do not contain wetlands, steep slopes, wildlife habitat or other resources identified as requiring preservation or protection.
 3. Chapter 3: Urbanization – This Chapter provides the framework for future urban development within the City. The following policies apply:

Public Facilities Capabilities Policies
 - P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.
 - P-4: Maintain directives and technical standards for the extension of services as identified in the various original or updated infrastructure master plans and studies, such as the Wastewater Facility Study Master Plan, the Water Facility Study, Storm Drainage Master Plan, and the Transportation System Plan (TSP).
 - P-5: Maintain and routinely update Capital Improvements plans. Often the plans are revised, updated, and implemented according to a five year plan beginning with the current budget year. The regularly updated plans may include Transportation, Water, Wastewater, Storm Drainage, and Facilities & Parks projects.
 - P-10: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.
 - P-11: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements.

FINDINGS: Based on information supplied by Development Engineering, the proposal does not change existing service requirements. Therefore, nothing in this action requires improvements to the existing facilities nor alters the City's ability to provide public services to individual properties.

Additional Considerations for Conversion of Urbanizable Land to Urban Uses

P-30: Manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the market place, through implementation of land use regulations and land use policies.

P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

FINDINGS: The proposed Plan amendments correct a "gap" between the creation of the Public Use Plan designation and the zoning on individual properties. Primarily, the existing zoning permits the activity (e.g., parks in residential zones, apartment buildings on RM zoned) but the zoning and Plan designation do not align. Therefore, the Plan map amendments do not fundamentally alter types of activities that are occurring, or can occur, on the individual properties but merely seek to align the Plan and zone maps as required by the Comprehensive Plan and Development Code.

4. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. The following policies apply:

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

FINDINGS: The proposal calls for establishing the applicable Plan designation, consistent with the existing zoning and development, thereby ensuring consistency between the Plan and Zone maps (P-1 and P-12). This review addresses compliance with Comprehensive Plan policies (P-6). The state acknowledged the Comprehensive Plan, therefore, conformance with these policies assures conformance with state law. Compliance with Statewide Goals are reviewed under Chapter 10 findings.

5. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both. The following policies apply:

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

P-8: Support diversity in type, scale, and location of professional, industrial, and commercial activities to maintain a high level of employment and to promote diversification of the local economy.

FINDINGS: The change in the Plan designation effectively reinforces existing zoning and activities by aligning the Plan and zoning maps. Therefore, the request does not alter the amount or location of land to meet future employment needs (P-5 and P-8).

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

FINDINGS: The proposal does not diminish the ability of the City to provide housing, and in fact, reinforces existing zoning and development on several parcels by aligning the Plan and zoning maps.

7. Chapter 7: Community Friendly Development & Preservation of Historic Resources - This Chapter focuses on policies creating a built environment suitable for the needs of a diverse population through a variety of uses scaled for the pedestrian, and capable of accommodating the automobile and mass transit.

FINDINGS: This Chapter does not directly apply, as the Plan amendments will not alter existing development or improvements on the subject parcels.

8. Chapter 8: Transportation – This Chapter addresses the transportation needs of the City with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles and mass transit. The following policy applies:
- P-12: The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.
- FINDINGS: Based on comments submitted by the Oregon Department of Transportation, the Plan amendments will not significantly affect State highways. While future development may require traffic improvements, Development Engineering comments concur with ODOT's assessment.
9. Chapter 9: Public Facilities and Service - The City is required by State law to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Goals and policies in this Chapter address those requirements. The following policies apply:
- P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. *(Duplicated in Chapter 3, Urbanization)*
- P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. *(Duplicated in Chapter 3, Urbanization)*
- P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before-development proposals, or rezoning applications are approved.
- FINDINGS: Based on information supplied by Development Engineering, the proposed Plan changes will not require system-wide improvements to existing public facilities. Therefore, the proposal is consistent with the noted policies.
10. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map. Specific applicable policies include:
- P-1: The City Council may amend the Comprehensive Plan and/or Map after referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.
- P-2: Changes to the Plan and/or Map shall be made by ordinance after public hearings as prescribed by state law and local ordinances.
- P-3: Changes in the Plan and/or Map shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage shall then become part of the document until the next comprehensive update of the entire Comprehensive Plan.
- P-4: An amendment to the Comprehensive Plan and/or Map may be considered when one or more of the following conditions exist:
- Updated data demonstrates significantly different trends than previous data;
 - New data reflects new or previously undisclosed public needs;
 - New community attitudes represent a significant departure from previous attitudes as reflected by the Planning Commission or City Council;
 - Statutory changes significantly affect the applicability or appropriateness of existing plan policies.
- P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all of the following conditions exist:

- a. There is a need for the proposed change;
- b. The identified need can best be served by granting the change requested;
- c. The proposed change complies with the Statewide Planning Goals; and,
- d. The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

FINDING: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The City is obligated to follow these requirements and does so with the public hearing process.

Both the Plan and Development Code require the Plan and zoning maps align. The proposal achieves that objective thereby complying with statutory requirements (P-4.d). These changes are necessary to ensure the Plan and zoning maps align (P-5.a.). As the current improvements reflect the existing zoning, or the zone allows the existing activity, the identified need of aligning the maps can be best achieved through a change in the Plan designation (P-5.b.). The following reviews the compliance with the Statewide Goals (P-5.c):

Goal 1, Citizen Involvement: The Planning Commission and City Council will each conduct public hearings on this request. This is consistent with City procedures and the intent of the Goal.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.

Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.

Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: This Goal does not apply, as the properties do not contain identified historic, cultural, or natural resources.

Goal 6, Air, Water and Land Resource Quality: The Plan map amendments do not alter existing activities on the subject properties. Therefore, the action does not alter potential impacts on air, water or resource quality.

Goal 7, Natural Hazards: This Goal does not apply, as the properties are not located within identified hazard areas.

Goal 8, Recreational Needs: Although zoned for residential purposes, a number of properties contain public parks. As previously noted, the residential zones allow public parks (and effectively support the Master Parks Plan) so that the parks will remain conforming activities. Therefore, this action does not adversely affect recreational opportunities.

Goal 9, Economic Development: Again, the purpose is to align the Plan and zoning maps. Since the action does not alter existing or allowed uses, economic impacts are effectively neutral.

Goal 10, Housing: The proposal does not diminish the ability of the City to provide housing, and in fact, reinforces existing zoning and development on several parcels by aligning the Plan and zoning maps.

Goal 11, Public Facilities and Services: Previous findings indicate the Plan changes do not require system-wide improvements to public facilities.

Goal 12, Transportation: As noted, comments from ODOT indicate the Plan amendments will not significantly affect State highways. Further, Development Engineering concurs with that assessment.

Goal 13, Energy Conservation: The amendments are neutral regarding energy conservation as there is no change in current land use activity.

Goal 14, Urbanization: The Plan map amendments will maintain current urban development on the subject properties.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

- D. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.
- FINDINGS: This does not apply to the request as the change in Plan designation reflects existing zoning of the individual parcels. Further, Development Engineering comments indicate map amendments will result in no greater impact on public facilities, and ODOT noted revisions to the TSP are not required. For these reasons, the proposal does not require amendments to City facility plans or the adopted TSP.
- E. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property.
- FINDINGS: This Section does not apply as this portion of the application addresses Plan map amendments. However, consistent with the intent of this Section, the proposed Plan amendment will align the Plan and zone maps.
- F. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.
- FINDINGS: Previous findings indicate the proposal complies with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.
- G. Section 16.27.090 establishes requirements for Urban Growth Boundary (UGB) Amendments. This Section does not apply as all the subject properties lie entirely within the UGB.
- H. Zoning on the subject properties either reflects allowed or current use of each parcel. The only exception is a pre-existing, nonconforming single-family home in the CCM zone – neither changing the Plan designation or zoning will alter this nonconformity. The inconsistency lies with the underlying Plan designation. As noted, the proposed amendments allow the Plan and zoning maps to align, thereby supporting current use of the property. Further, as there is no change in the use of these parcels, the map amendments do not affect the City's ability to provide land to meet identified needs, impact public service capabilities or adversely impact the transportation system.

VIII. CRITERIA AND FINDINGS – ZONE CHANGES

- A. Amendments to the Zoning Map involves five properties, all of which are designed Public Use (C-PU), but zoned for residential or industrial purposes. The amendment establishes the Public Use (Z-PU) zone on the properties. The following contains background information for each parcel:
1. Township 12 South; Range 2 West; Section 10DC; Tax Lot 100 – This 0.93 acre parcel contains the City maintenance shops and is zoned Residential High Density (Z-RH). The Public Use zone allows public maintenance shops (Development Code Section 16.10.080).
 2. Township 12 South; Range 2 West; Section 10DC; Tax Lot 200 – This 0.45 acre parcel contains the National Guard armory and is also zoned Residential High Density (Z-RH). The Public Use zone allows armories (Section 16.10.090).
 3. Township 12 South; Range 2 West; Section 11BC; Tax Lot 1400 – This 2.64 acre parcel contains the Pioneer Cemetery and is zoned Residential High Density (Z-RH). Cemeteries are allowed in the Public Use zone (Section 16.10.080).
 4. Township 12 South; Range 2 West; Section 10DC; Tax Lot 200 – This 0.68 acre parcel contains the Winn Mill Park and is zoned Residential Low Density (Z-RL). The PU zone allows public parks (Section 16.10.080).
 5. Township 12 South; Range 2 West; Section 16; Tax Lots 100 – This 52.51 acre parcel contains the Lebanon State Airport and is zoned Industrial (Z-IND). However, the City does not include this site in any industrial land inventory. The proposed zone allows airports (Section 16.10.090) and the site will remain governed by restrictions in the Airport Overlay Zones.
- B. Section 16.28.080 establishes the decision criteria for Plan Map and Zone Map amendments. This Section states the City may approve a Comprehensive Plan Map or Zoning Map Amendment request if it satisfies all of the relevant Decision Criteria cited above in Section 16.27.050. Subsection "A." contains the relevant criteria, which are reviewed in the following Sections.

C. Section 16.27.080.A.1 - All proposed amendments to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the Transportation System Plan, are based on the future service demands according to the Comprehensive Plan Map designation and zoning. The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. Each Chapter's *applicable* policies are reviewed below:

1. Chapter 1: Introduction - This introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. The Development Code criteria implement the Plan's goals and policies, and establish the public hearing process.
2. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City's natural environment.

FINDINGS: This Chapter does not directly apply, as the proposed zone change does not introduce new developments or impacts to the properties. The City considers requirements for the preservation of wetlands, steep slopes, wildlife habitat or other identified resources when a property owner submits a specific development proposal.

3. Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City, including public facility provisions and annexations.

FINDINGS: Based on information supplied by Development Engineering, the proposal does not alter existing service requirements. Therefore, nothing in this action requires improvements to the existing facilities nor alters the City's ability to provide public services to individual properties.

4. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. The following policies apply:

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

FINDINGS: While designated for Public Use, the land is zoned either for residential or industrial uses. The proposal aligns the zoning with the expectations of the Comprehensive Plan and Plan Map.

5. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both. The following policies apply:

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

FINDINGS: The Comprehensive Plan designates property to meet a variety of needs while the applicable zoning implements the development of these sites. Designated for Public Use, only the proposed Public Use zone can fully implement the intended use of these sites.

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

FINDINGS: While this request eliminates some residential zoning, these parcels were not developed, nor intended, for residential uses. Further, the zone changes will allow full implementation of the property for its intended public use, recognizing many public uses - e.g., parks, City maintenance shop – are essential to support residential development.

7. Chapter 7: Community Friendly Development & Preservation of Historic Resources - This Chapter focuses on policies creating a diversified, built environment scaled for the pedestrian, and capable of accommodating the automobile and mass transit.

FINDINGS: This Chapter does not directly apply as the zone change proposal involves existing, developed property.

8. Chapter 8: Transportation – This Chapter addresses the transportation needs of the City with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles and mass transit.

FINDINGS: The zone change recognizes existing development. Comments by ODOT and Development Engineering indicate the changes will not affect compliance with the City's Transportation System Plan.

9. Chapter 9: Public Facilities and Service - The City is required by State law to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Goals in this Chapter address those requirements; the following policies apply:

P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements.

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before-development proposals, or rezoning applications are approved.

FINDINGS: As previously noted, the zone change does not alter service requirements or capabilities.

10. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map.

FINDING: This Chapter requires the Zoning Map to "accurately reflect and implement the Comprehensive Plan Map." The proposed zone change is entirely consistent with this as the Public Use zone is the only zone that applies to the properties' Public Use Plan designation.

- D. Facility plans must be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP or facility master plans.

FINDINGS: The Section does not directly apply, as the net result of the zone change is to implement the existing Plan designation.

- E. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property (see the Annexation Zoning Matrix, Table 16.26-1.) Otherwise, a change in the Comprehensive Plan Map is also required.

FINDINGS: Table 16.26-1 of Development Code Section 16.26.040 identifies the various Comprehensive Plan designations and the zones consistent with these Plan designations. All five properties are designated Public Use (C-PU), and pursuant to this Table, the only allowable zone is Public Use (Z-PU). Therefore, the proposed PU zone is entirely consistent with the existing Plan designation.

- F. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.

FINDINGS: Previous findings indicate the proposal complies with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.

- G. Section 16.27.090 establishes requirements for Urban Growth Boundary Amendments. This Section does not apply, as all of the subject parcels are located entirely within the City limits.

IX. CRITERIA AND FINDINGS – COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE

- A. Amendments to the Comprehensive Plan Map involve property located within Township 12 South, Range 2 West, Section 2, Tax Lot 1410. This 1.08-acre parcel is designated Industrial by the Comprehensive Plan and zoned Industrial (Z-IND). However, the site is part of the Lebanon Community Hospital and contains medical offices. To ensure consistency with the larger hospital complex, the proposal would change the Plan designation to Public Use and the zoning to Public Use (Z-PU). For the record, the Public Use zone allows hospitals and related medical facilities (Development Code Section 16.10.080).

- B. Section 16.28.080 establishes the decision criteria for Plan map and Zone map amendments. This Section states the City may approve a Comprehensive Plan Map or Zoning Map Amendment request if it satisfies all of the relevant Decision Criteria cited above in Section 16.27.050. Subsection "A." contains the relevant criteria, which are reviewed in the following Sections.
- C. Section 16.27.080.A.1 - All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the Transportation System Plan, are based on the future service demands according to the Comprehensive Plan Map designation and zoning. The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. The following reviews the *applicable* policies for each Chapter:
1. Chapter 1: Introduction - This introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. The Development Code criteria implement the Plan's goals and policies, and establish the public hearing process.
 2. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City's natural environment.

FINDINGS: This Chapter does not apply, as the subject property does not contain wetlands, steep slopes, wildlife habitat or other resources identified as requiring preservation or protection.
 3. Chapter 3: Urbanization – This Chapter provides the framework for future urban development within the City. The following policies apply:
 - P-6: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.
 - P-7: Maintain directives and technical standards for the extension of services as identified in the various original or updated infrastructure master plans and studies, such as the Wastewater Facility Study Master Plan, the Water Facility Study, Storm Drainage Master Plan, and the Transportation System Plan (TSP).
 - P-8: Maintain and routinely update Capital Improvements plans. Often the plans are revised, updated, and implemented according to a five year plan beginning with the current budget year. The regularly updated plans may include Transportation, Water, Wastewater, Storm Drainage, and Facilities & Parks projects.
 - P-10: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.
 - P-11: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements.

FINDINGS: Based on information supplied by Development Engineering, the site does not require additional system improvements. While the site's development may require minor changes (e.g., change in water meter size), this will not alter the City's ability to provide necessary public services to the site.

Additional Considerations for Conversion of Urbanizable Land to Urban Uses

 - P-30: Manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the market place, through implementation of land use regulations and land use policies.
 - P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

FINDINGS: Based on data contained in Table 3-2 of this Chapter, there is a projected surplus of 580.8 to 762.8 acres of industrial-zoned property. On balance, the loss of 1.08 acres of industrial-designated will have no measurable impact (P-30). The amendments make better use of a small parcel by allowing full integration with the adjacent hospital property (P-31).

4. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. The following policies apply:
 - P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.
 - P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.
 - P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

FINDINGS: The proposal calls for a Public Use Plan designation and zone, thereby ensuring consistency between the Plan and Zone maps (P-1 and P-12). This review addresses compliance with Comprehensive Plan policies (P-6). The State effectively acknowledged the Plan so that conformance with these policies assures conformance with state law. Chapter 10 reviews compliance with Statewide Goals.

 - P-38: Maintain a supply of diverse, serviceable industrial lands that provide choices in the marketplace to attract desirable industries, particularly light manufacturing and nonpolluting industries, in support of the City's economic development program.

FINDINGS: This reduction of 1.08 acres is insignificant as the City retains more than 580 acres of industrial land within the UGB.

 - P-72: Support and encourage the continued improvement of the Lebanon Community Hospital.
 - P-73: Protect the Lebanon Community Hospital from incompatible land uses through exercise of the Zoning Ordinance.

FINDINGS: The site contains medical offices. The Plan and zone changes allow further development of the site in support of the Hospital and eliminate potential industrial zoning that may affect hospital development.
5. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both. The following policies apply:
 - P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.
 - P-7: Allow land uses that support the availability of a continuum of health care options, including primary care, assisted living, home health care, and nursing home care.
 - P-8: Support diversity in type, scale, and location of professional, industrial, and commercial activities to maintain a high level of employment and to promote diversification of the local economy.

FINDINGS: As part of the larger hospital complex, the site can provide opportunities for additional medical offices or clinics, thereby improving health care options in the community (P-7). The Public Use designation and zone are consistent with the current use of the site, thereby increasing its chance of additional development and providing employment opportunities (P-5 and P-8). This is especially important, as the relative small size of the parcel does not lend itself to industrial activities.
6. Chapter 6: Housing – This Chapter establishes the City's Goals and Policies related to Housing. The Chapter does not directly apply, as it does not involve residential zoning. However, the proposal does not diminish the ability of the City to provide housing.
7. Chapter 7: Community Friendly Development & Preservation of Historic Resources - This Chapter focuses on policies creating a built environment suitable for the needs of a diverse population through a variety of uses scaled for the pedestrian, and capable of accommodating the automobile and mass transit. The Chapter does not directly apply, as the site is currently developed.
8. Chapter 8: Transportation – This Chapter addresses the transportation needs of the City with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles and mass transit. The following policies apply:

P-12: The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.

FINDINGS: Based on comments submitted by ODOT and Development Engineering the map changes will not affect local traffic.

9. Chapter 9: Public Facilities and Service - The City is required by State law to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Goals and policies in this Chapter address those requirements. The following apply:

P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. *(Duplicated in Chapter 3, Urbanization)*

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. *(Duplicated in Chapter 3, Urbanization)*

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before-development proposals, or rezoning applications are approved.

FINDINGS: As previously noted, based on information supplied by Development Engineering, the site does not require system-wide improvements to existing public facilities. Therefore, the proposal is consistent with the noted policies.

10. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map. Specific applicable policies include:

P-1: The City Council may amend the Comprehensive Plan and/or Map after referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.

P-2: Changes to the Plan and/or Map shall be made by ordinance after public hearings as prescribed by state law and local ordinances.

P-3: Changes in the Plan and/or Map shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage shall then become part of the document until the next comprehensive update of the entire Comprehensive Plan.

P-4: An amendment to the Comprehensive Plan and/or Map may be considered when one or more of the following conditions exist:

- a. Updated data demonstrates significantly different trends than previous data;
- b. New data reflects new or previously undisclosed public needs;
- c. New community attitudes represent a significant departure from previous attitudes as reflected by the Planning Commission or City Council;
- d. Statutory changes significantly affect the applicability or appropriateness of existing plan policies.

P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all of the following conditions exist:

- a. There is a need for the proposed change;
- b. The identified need can best be served by granting the change requested;
- c. The proposed change complies with the Statewide Planning Goals; and,

d. The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

FINDING: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The City is obligated to follow these requirements and does so with the public hearing process.

Existing improvements on the property, as well as the location of the Community Hospital to the north, would indicate the trend *is not* toward development of this site for industrial uses. The trend appears to support continued use of medical facilities on the subject property (P-4.a). Based on the existing improvements and relatively small size of the parcel, its utility for industrial purposes is limited. The Plan and Zone map amendments will allow existing uses to continue and permit further redevelopment for medical facilities (P-5.a and P-5.b).

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

Goal 1, Citizen Involvement: The Planning Commission and City Council will conduct public hearings on this request. This is consistent with City procedures and the intent of the Goal.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.

Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.

Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: This Goal does not apply, as the property does not contain identified historic, cultural, or natural resources.

Goal 6, Air, Water and Land Resource Quality: Its continued use for non-industrial purposes is likely to reduce potential adverse impacts on air, water or resource quality.

Goal 7, Natural Hazards: This Goal does not apply, as the site is not located within an identified hazard area.

Goal 8, Recreational Needs: The proposed map amendments do not involve land - or create uses - which would adversely affect recreational opportunities.

Goal 9, Economic Development: Previous findings indicate the potential development of the site for industrial purposes is limited due to the small parcel size and existing development. The map amendments support existing uses and allow further redevelopment consistent with the expectations of the property owner.

Goal 10, Housing: This Goal does not directly apply, as the map amendments do not directly involve the supply or location of needed housing, or the ability to provide housing.

Goal 11, Public Facilities and Services: Previous findings indicate the site is fully serviced and the map amendments will not affect the City's ability to provide necessary public facilities.

Goal 12, Transportation: Previous findings indicate the site is located along an improved public street and the map amendments will not affect the City's transportation system.

Goal 13, Energy Conservation: The zone map change is neutral with regard to energy conservation.

Goal 14, Urbanization: Previous findings indicate the City retains a surplus in both industrial properties so that the map amendments will not affect the City's ability to meet industrial land demand. Conversely, the amendments support existing uses on the property and allow for similar redevelopment in the future.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

- D. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.

FINDINGS: The current property is designated and zoned for Industrial use. As such, existing facility plans anticipated industrial-levels of activity on the property. However, this action is effectively a "down-zoning" of the property from Industrial to Public Use. Comments received by Development Engineering indicate map amendments will result in no greater impact on public facilities and the street network. For this reason, the proposal does not require amendments to the TSP or facility plans.

- E. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property (see the Annexation Zoning Matrix, Table 16.26-1.)

FINDINGS: Table 16.26-1 of Development Code Section 16.26.040 identifies the various Comprehensive Plan designations and their applicable zones. The proposal calls for the "Public Use" Plan map designation, and pursuant to this Table, the only allowable zone is Public Use (Z-PU). Therefore, the proposed PU zone is entirely consistent with the anticipated designation. No other amendments are required.

- F. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive plan must first be amended so that the proposed Map amendments are consistent with and accurately implement the Plan.

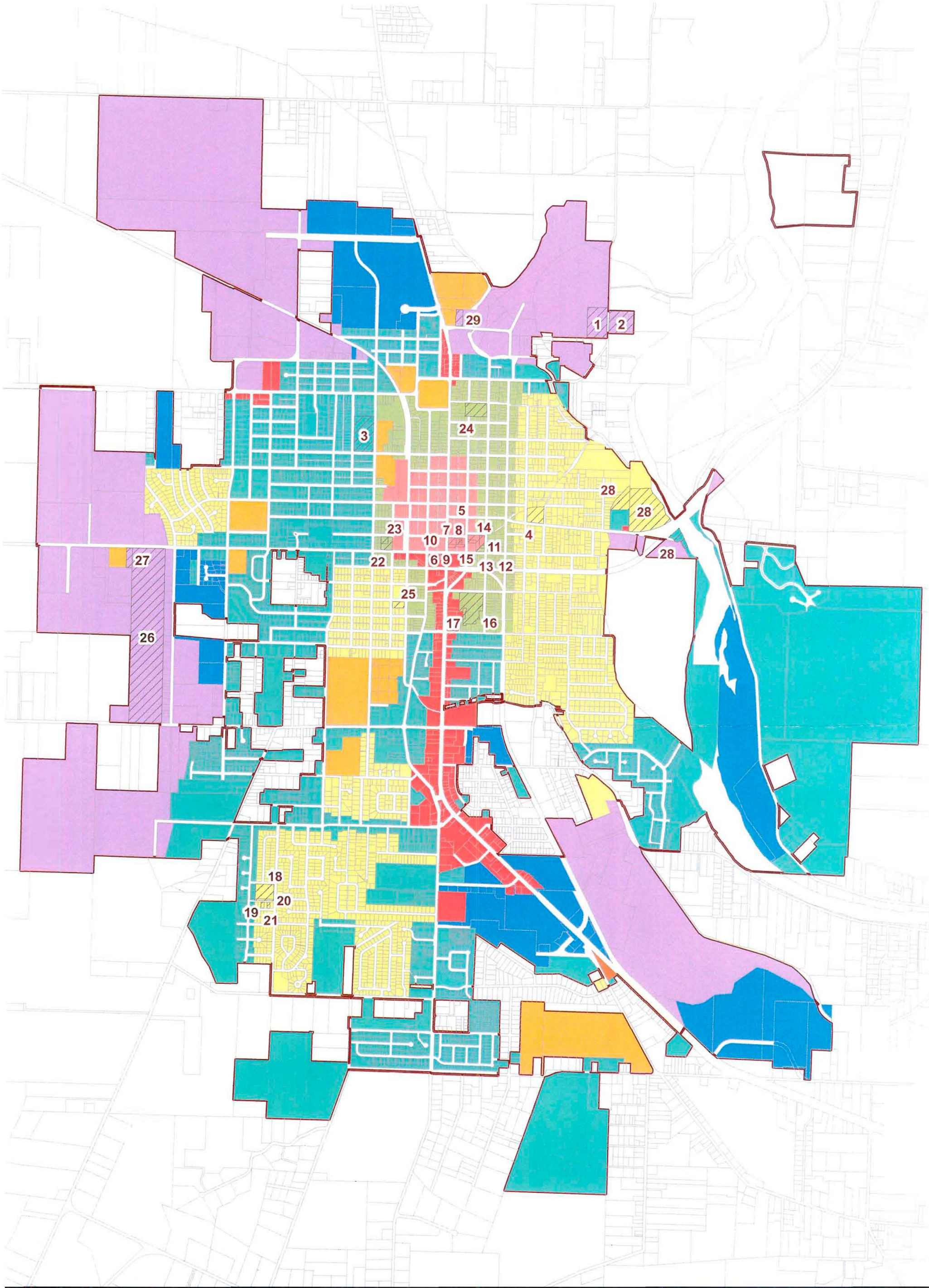
FINDINGS: Previous findings indicate the proposal complies with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.

- G. Section 16.27.090 establishes criteria for Urban Growth Boundary (UGB) Amendments. This Section does not apply as the property lies within the UGB.











- H. This is an unlikely candidate for industrial development due to the parcel size, existing improvements and location. Establishing the Public Use zone not only increases the development potential, but also allows continual redevelopment of the site for medical facilities.

X. CONCLUSION

The City Council concludes the proposal to amend the Comprehensive Plan Map and Zoning Map on the subject properties, complies with the applicable decision criteria.



Legend

- | | |
|--|---|
|  Z-RL : RESIDENTIAL LOW DENSITY |  Z-NCM : NEIGHBORHOOD COMMERCIAL |
|  Z-RM : RESIDENTIAL MIXED DENSITY |  Z-CCM : CENTRAL BUSINESS COMMERCIAL |
|  Z-RH : RESIDENTIAL HIGH DENSITY |  Z-HCM : HIGHWAY COMMERCIAL |
|  Z-NMU : NEIGHBORHOOD MIXED USE |  Z-IND : INDUSTRIAL |
|  Z-MU : MIXED USE |  Z-PU : PUBLIC USE |





Community Development Center
853 Main Street
Lebanon, Oregon 97355

DEPT OF
MAR 14 2011
LAND CONSERVATION
AND DEVELOPMENT

DLCD
Plan Amendment Specialist
635 Capitol St NE Suite 150
Salem OR 97301-2540