



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

October 24, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Idanha Plan Amendment
DLCD File Number 002-06



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: November 9, 2006

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

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

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Jason Locke, DLCD Regional Representative
Suzanne Dufner, City of Idanha

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DEPT OF

OCT 20 2006

LAND CONSERVATION
AND DEVELOPMENT

NOTICE OF ADOPTION

Must be filed within 5 working days
See OAR 660-18-040

Jurisdiction: City of Idahna
Date of Adoption: October 16, 2006
Date Proposal was Provided to DLCD: May 19, 2006

Local File Number: CPMA/ZC 06-02
Date Mailed: October 19, 2006

Type of Adopted Action: (Check all that apply)

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other: _____
(Please Specify Type of Action)

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

This applicant-initiated comprehensive plan map/zone change rezones 6.37 acres in the City of Idahna from Industrial to Residential.

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."
The proposal is the same.

Plan Map Changed from: Industrial to Residential

Zone Map Changed from: Industrial to Residential

Location: see attached

Acres Involved: 6.37

Specify Density: Previous: _____ New: _____

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

Was an Exception Adopted? Yes: No:

DLCD File Number: 002-06
(15247)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment
FORTY FIVE (45) days prior to the first evidentiary hearing. Yes: X No: ___
If no, do the Statewide Planning Goals apply. Yes: ___ No: ___
If no, did the Emergency Circumstances Require immediate adoption. Yes: ___ No: ___

Affected State or Federal Agencies, Local Governments or Special Districts: None

Local Contact: Suzanne Dufner Area Code + Phone Number: (503) 588-6177
Address: MWVCOG 105 High Street SE
City: Salem Zip Code+4: 97301-3667

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** of the adopted material, if copies are bound please submit **TWO (2) complete copies** of documents and maps.
3. Please note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date the “Notice of Adoption” is sent to DLCD.
6. In addition to sending the “Notice of Adoption” to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need more copies?** You can copy this form onto 8 ½ x11 green paper only; or call the DLCD office at (503) 373-0050; or fax your request to: (503) 378-5518; or Email your request to Larry.French@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

**ORDINANCE NO. 120
AN ORDINANCE AMENDING THE IDANHA COMPREHENSIVE PLAN MAP
AND ZONING MAP**

Whereas, the City of Idanha received a request to amend the Comprehensive Plan Map designation from Industrial to Residential and change the zoning from Industrial to Residential on 6.37 acres, identified as Township 10S Range 6E, Section 15CC, Tax Lot 200 and a portion of Tax Lot 300; and

Whereas, the area subject to this request is located within the Idanha Urban Growth Boundary, is designated as Industrial on the Idanha Comprehensive Plan Map, and the portion subject to the rezoning request is zoned Industrial; and

Whereas, the City Council conducted a public hearing to consider the request on July 10, 2006 at which time the public was given full opportunity to be present and heard on the matter; and

Whereas, at the close of the public hearing, the City Council voted to approve the request; and

Whereas, proper notice of the said public hearing was given to the public pursuant to applicable state statutes; and

Whereas, the City Council of the City of Idanha hereby adopts the findings of fact set forth in the staff report presented at the July 10, 2006 public hearing;

NOW, THEREFORE,

THE CITY OF IDANHA ORDAINS AS FOLLOWS:

That the property and lands described in Exhibits A and B are hereby designated as Residential on the Idanha Comprehensive Plan Map and the zoning is hereby changed from Industrial to Residential.

This ordinance shall become in full force and effect on and after its passage by the Council of the City of Idanha and the signature thereon by the Mayor of the City of Idanha.

FIRST Reading this 14th day of August 2006

SECOND Reading this 16th day of October 2006

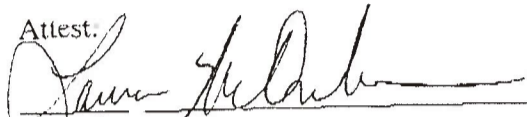
PASSED BY MAJORITY VOTE AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF IDANHA on this 16th day of October 2006.

Vote: 5 aye 0 nay



Mayor

10-16-06
Date

Attest:


Recorder

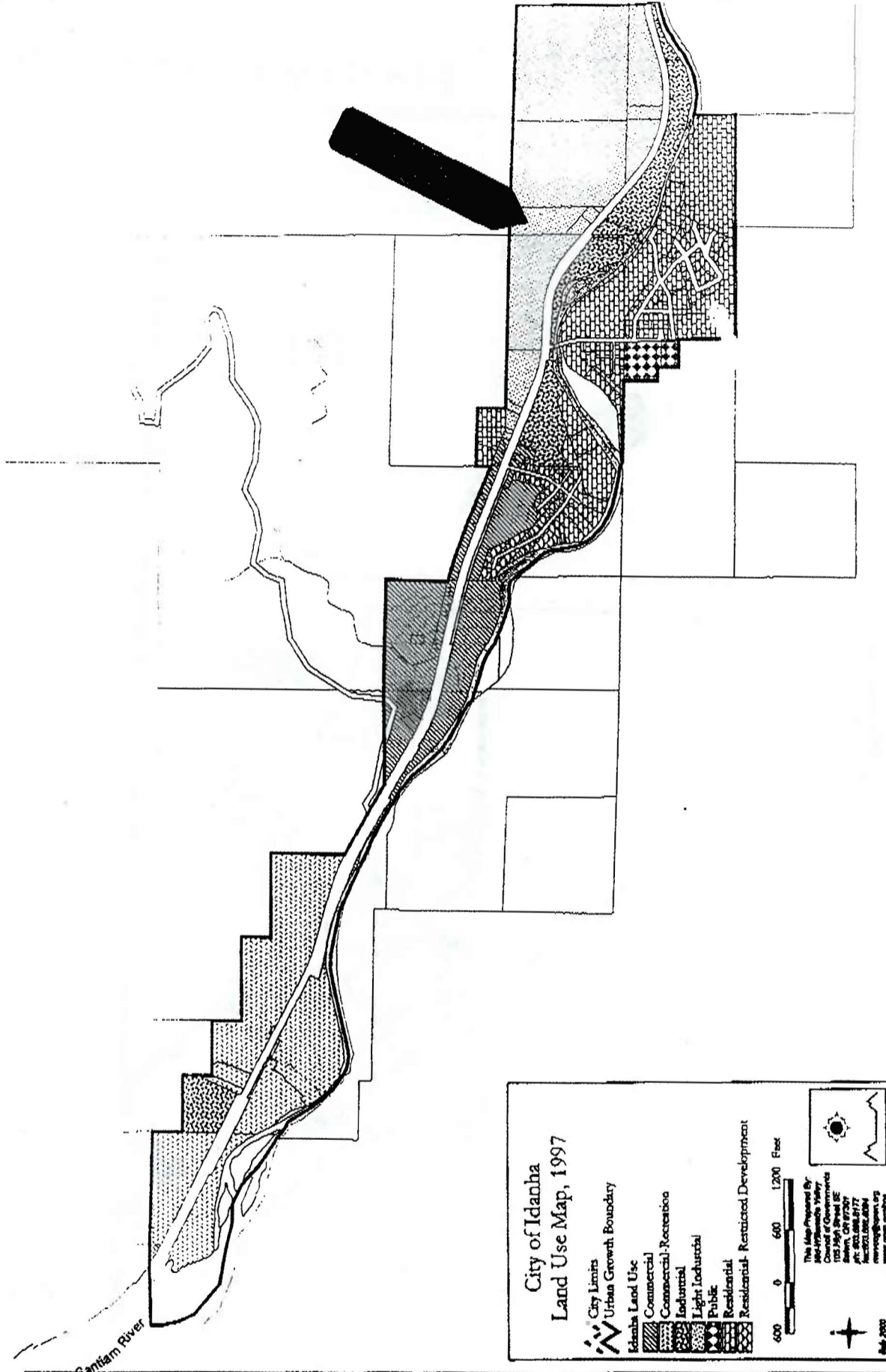


EXHIBIT A

PROPOSED PROPERTY

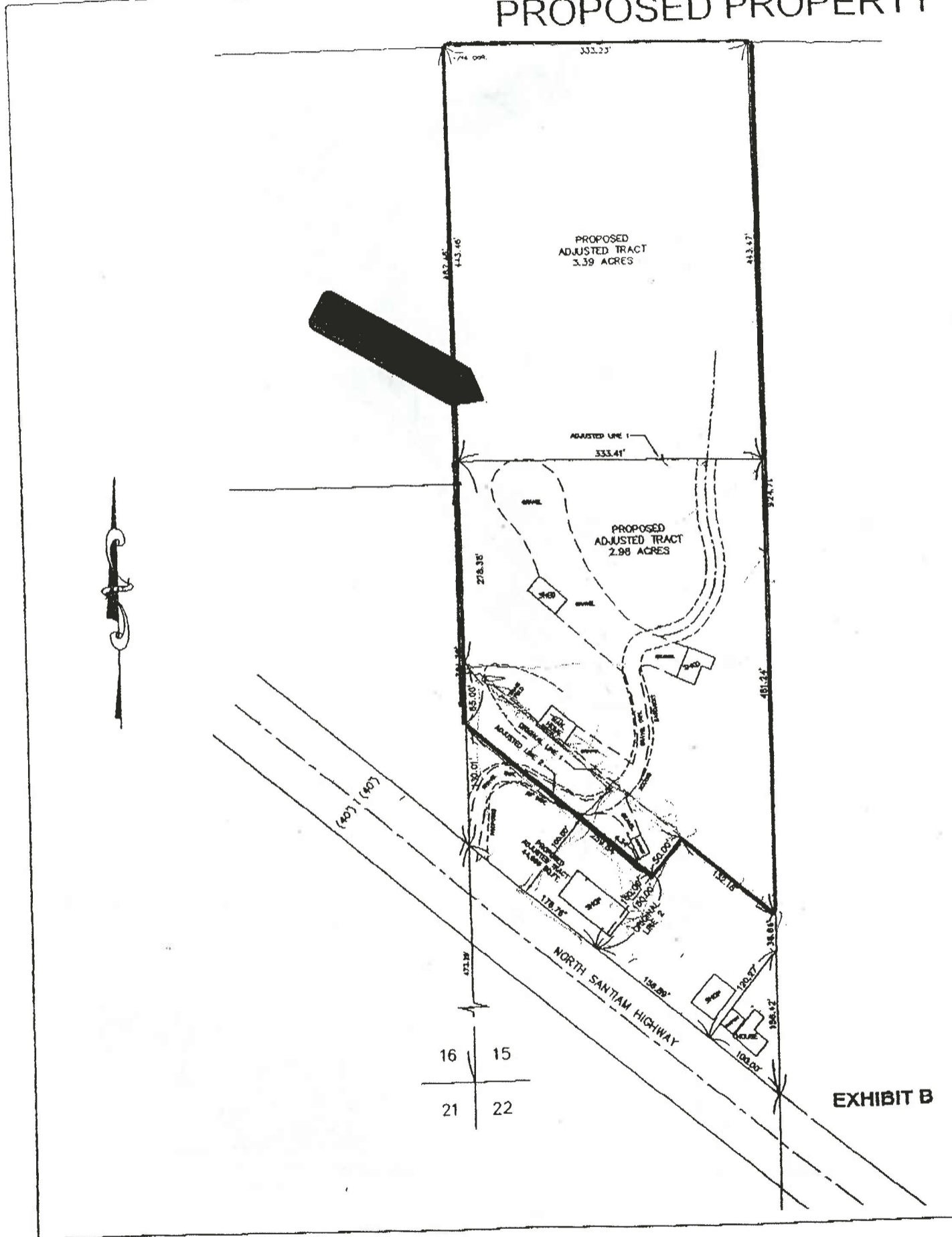


EXHIBIT B

CITY OF IDANHA

STAFF REPORT

TO: Idanha City Council

HEARING: July 10, 2006

FILE: CPMA-ZC06-02

APPLICANT: Maryann and Tony Hills
P.O. Box 524
Detroit, Oregon 97342

PROPERTY LOCATION: North of Highway 22, identified on Marion County Assessor's Map as Township 10S Range 6E, Section 15CC, Tax Lot 200 and a portion of Tax Lot 300 (see map, Exhibit A).

PROPOSED LAND USE: The applicant is requesting that the Comprehensive Plan Map designation be changed from Industrial to Residential and the zoning changed from Industrial to Residential for approximately 6.37 acres of land.

APPLICABLE CRITERIA: Idanha Development Code, Chapter 4 – Comprehensive Plan and Text Amendments and Chapter 5 – Zone Change Provisions

EXHIBITS: Exhibit A – City of Idanha Land Use Map
Exhibit B - Proposed property line adjustment
Exhibit C - Applicant's submittal

BACKGROUND:

The subject property is approximately 6.37 acres in size and contains a manufactured home, carport and two accessory structures. The property is designated as Industrial in the Idanha Comprehensive Plan and is zoned Industrial. The applicant is requesting that the Comprehensive Plan designation be changed to Residential and the zoning be changed to Residential for approximately 6.37 acres. The subject property includes all of Tax Lot #200 and a portion (0.31 acres) of Tax Lot #300. The remainder of Tax Lot #300 and properties located along Highway 22 would continue to be designated and zoned as Industrial. The applicant is in the process of completing a property line adjustment to reconfigure the subject property into two (2) residential tracts and one industrial tract of land located along Highway 22 (Exhibit B).

The subject property is adjacent to industrial and residential zoned property to the west. Land to the east is in the process of receiving zone change approval from Industrial to Residential (Ordinance 119). The city limits and urban growth boundary border the property on the north. The Willamette National Forest is

adjacent to the property to the north.

The subject property contains a gravel driveway that provides access to the manufactured home currently located on the property. The property is partially forested and slopes upward away from Highway 22. The northern portion of the property is progressively steeper with rocky soils.

APPLICABLE APPROVAL CRITERIA:

Chapter 4 – Comprehensive Plan and Text Amendments

Chapter 5 – Zone Change Provisions

ANALYSIS OF APPROVAL CRITERIA:

The provisions of Idanha Zoning and Development Codes Section 4.050 are applicable to this request.

Section 4.050. APPROVAL CRITERIA - PLAN AMENDMENT. The following criteria shall be used to review and decide legislative and non-legislative land use Plan map amendments:

- (A) Compliance is demonstrated with the Statewide Land Use Planning Goals that apply to the subject properties or the proposed land use designation. If the proposed designation on the subject property requires an exception to the Goals, the applicable criteria in the LCDC Administrative Rules for the type of exception needed shall also apply.

Findings: The proposed zoning and Comprehensive Plan Map designation for approximately 6.37 acres of the subject property is Residential. Statewide Planning Goal 10 – Housing is applicable to this request. Goal 10 states that:

“Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.”

The proposed designation for the property would provide additional opportunity for housing development in Idanha. The applicant indicates the desire to construct an additional single-family residence on the northern 3.39 acres of the subject property. This additional residence would provide additional housing opportunity to serve a segment of the population desiring rural acreage homesites. By providing larger lots for development, the proposal would provide some flexibility for housing type and location within the community. The proposal is consistent with the stated intent of Goal 10.

Statewide Planning Goal 9 – Economics is applicable to this request because it involves changing the plan designation of more than two (2) acres of industrial zoned land. Statewide Planning Goal 9 – Economics is implemented through Oregon Administrative Rule (OAR) Chapter 660, Division 9.

OAR 660-009-0010 (4) requires that whenever a jurisdiction changes its plan designations of lands in excess of two (2) acres to or from commercial or industrial use, the jurisdiction must address all of the local planning requirements and must:

- (a) Demonstrate that the proposed amendment is consistent with the parts of its acknowledged comprehensive plan which address the requirements of this division; or

(b) Amend its comprehensive plan to explain the proposed amendment, pursuant to OAR 660-009-0015 through 660-009-0025; or

(c) Adopt a combination of the above, consistent with the requirements of this division.

Findings: The City adopts the following findings pursuant to OAR 660-009-0010(4)(a). The Economy section of the Idanha Comprehensive Plan addresses the requirements of Goal 9.

The Economy section focuses on the need for the city to develop to capitalize on the shift from a timber-based to a tourism-based economy. This section states that:

“In the 1980’s the combination of high-tech mills requiring fewer workers, and a decrease in the timber harvest caused by environmental concerns over threatened and endangered species habitat have significantly cut employment opportunities in the timber industry. The region was left with few employers that offered wages that could support families. Unemployment began to rise. The reduced employment levels in the timber industry are not expected to rebound to historic numbers.”

This section identifies the close proximity of the community to developed recreational facilities that permit year-round tourism. The Comprehensive Plan emphasizes, “The city is in an ideal location to capitalize on tourism”. In particular, the Plan notes two identified opportunities for economic development in Idanha: increased tourism and proximity to Detroit Lake.

The Plan contains two economics goals:

Economic Goal: E - 1: *Encourage the development of new visitor opportunities and support facilities.*

Economic Goal: E - 2: *Support efforts to expand existing opportunities for year round tourism and recreation.*

The only reference to industrial development in the Economy section is the following listed as an identified weakness:

“Vacant industrial sites, formerly occupied by lumber mills and other industrial uses, may be expensive to redevelop due to the threat of soil contamination.”

Given the changes in the local economy that are acknowledged in the Comprehensive Plan and the shift in emphasis to a tourism-based economy, the proposed redesignation/rezoning does not conflict with the Economy section of the Comprehensive Plan. Information from other areas that offer tourism amenities, such as Ashland, would indicate that visitors often relocate to attractive areas that they have previously visited as tourists. The proposed rezoning/redesignation may make that opportunity available by providing acreage home sites in an attractive setting. Further, the proposed rezoning retains 1.03 acres of industrial property located along Highway 22. The Idanha Comprehensive Plan, adopted in February 2002, identified the need for 1.4 acres of industrial land through 2015. Despite recently approved zone changes from Industrial to Residential, the city still exceeds the projected amount of industrial land needed.

The proposed designation does not require an exception to the Statewide Planning Goals.

(B) Consistency with the applicable Goals and Policies in the Idanha Comprehensive Plan is demonstrated.

Findings: The proposed redesignation would provide additional land for residential development, particularly acreage homesites and allow additional choices in the market place, which is consistent with Housing Goal 1 and Land Use Policy 2 from the Comprehensive Plan.

Housing Goal H - 1: *Through the Plan and implementing ordinances the City shall encourage the development of a wide range of housing types and cost levels to adequately meet the needs of its citizens.*

Policy Land Use - 2: *The City shall encourage the availability of sufficient land for various urban uses to ensure choices in the market place.*

Compliance with the following goals, objectives, and policies of the Comprehensive Plan can be achieved through the development review process conducted by the City and Marion County Building Inspection Division in conjunction with future development approval:

Objective RQ-2: *Reduce the risk of natural resource contamination in Idanha.*

Policy RQ-3: *All development and activities within the city shall adhere to applicable federal and state air, water, and land quality regulations and standards.*

Natural Hazards Objective NH-3: *Manage storm water runoff.*

Policy NH-6: *Idanha will prevent new storm water runoff problems by prohibiting grading of a site that would cause runoff or erosion on adjacent property, as required by the Idanha Development Code.*

Natural Hazards Objective NH-4: *Protect people and property from landslide damage.*

Policy NH-7: *Idanha will prevent landslides by restricting development in areas with soils identified as having landslide hazards and in areas with slopes greater than or equal to 25 percent as required by the Idanha Development Code.*

Housing Goal H - 3: *To ensure that all future housing developments take into consideration soil stability, topography and natural hazards in the design and density of the developments.*

Policy H - 5: *Housing densities should be consistent with the suitability of the land to support development and should avoid natural hazards such as unstable soils, steep topography, flood/slide hazard areas and soils with poor drainage.*

Policy H - 6: *The City should encourage through the Plan, zoning, and subdivision regulations the retention of any existing natural vegetation and should establish requirements for planting in all residential developments.*

Housing Goal H - 4: *To ensure that all new housing developments be provided with services (sewer, water, ambulance, police and fire) and that future developments will not overburden the City's ability to provide such services. Further, to ensure that the cost of extending such services will be borne by the developer.*

Policy H - 8: *Residential development should be located in areas that can be served by public facilities and services. The extension of public facilities and services shall be paid by the*

developer.

Transportation Goal T - 1: *To provide for a safe and efficient transportation system.*

Policy T - 6: *New developments should be encouraged to preserve the scenic landscape of the community.*

- (C) The Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation and the addition of this property to the inventory of lands so designated is consistent with projected needs for such lands in the Comprehensive Plan.

Findings: The Comprehensive Plan states that approximately 160 gross acres of vacant residential land is available within Idanha. However, a review of the City's 1997, Land Use Map (see Exhibit B) would indicate that the actual number of vacant residential acres is considerably less than this amount. Nearly all of the available residential land is located south of Highway 22. Some of the land is located within the 100-year floodplain of the Santiam River.

The Comprehensive Plan states that approximately eight (8) acres of residential land will be needed to accommodate 33 new residential units through 2015.

Designating the subject property would add to the surplus of residential land available for development, but could meet some need for larger acreage homesites that is not currently being met by the supply of vacant residential land.

The City Council will need to determine if the Plan does not currently provide adequate areas in appropriate locations for the residential uses allowed by this rezoning/redesignation.

- (D) The Plan provides more than the projected need for lands in the existing land use designation.

Findings: The Comprehensive Plan states that 1.4 acres of vacant industrial land will be needed to serve the community through 2015. The proposed redesignation of the subject property would leave approximately 1.03 acres zoned Industrial adjacent the subject property along Highway 22. This land in addition to the adjacent industrial parcels to the east and the west, which are approximately seven and two acres, respectively, exceeds the amount of industrial land needed through 2015.

Additionally, the area located adjacent to Highway 22 is the portion of the property with the greatest potential for future industrial development due to its proximity to the highway and existing topography. According to the Marion County Soil Survey, the subject property is comprised of the Aschoff Cobbly Loam (AsE) soil type. This soil type often contains slopes ranging in size from 15 percent to 30 percent. Industrial development on land with slopes in the 15 to 30 percent category is economically impractical.

The Plan currently provides more than the projected need for industrial land. The proposed rezoning/redesignation would not create a shortage of industrial zoned land.

- (E) The proposed land use designation will not allow zones or uses that will destabilize the land use pattern in the vicinity.

Findings: The proposed rezoning/redesignation would allow for an area of residential land to be developed north of Highway 22. The property lies at the more sparsely developed portion of the community. Several homesites are located on adjacent properties to the east and west of the property.

Development of acreage homesites on the subject property, which is necessitated by topography and the need to provide adequate room for septic systems would allow for low-density development that is consistent with nearby residential uses. Development of acreage homesites would also leave natural areas undisturbed on the property, which provides a transition to forestry uses on lands to the north and east.

While development of a portion of the subject property for residential use will have some impacts, the low-density nature of the development will not adversely impact other uses, subject to compliance with all development requirements, and will not destabilize the land use pattern in the vicinity.

(F) Uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.

Findings: Development of a portion of the subject property for residential use will have some impacts, such as additional noise and traffic impacts. The impacts associated with residential acreage homesites will be minimal and not significantly or adversely affect existing or planned uses on the adjacent residential and industrial zoned lands. Any proposed development of the subject property will be reviewed for conformance with the city's Development Code, which includes development standards to minimize the impact of development on adjacent properties.

Subject to City review of all development proposals and compliance with required conditions of approval to protect public safety and property, uses allowed in the proposed designation will not significantly adversely affect existing or planned uses on adjacent lands.

(G) Public facilities and services necessary to support uses allowed in the proposed designation are available or are likely to be available in the near future.

Findings: The property currently has driveway access to Highway 22. The applicant is required to record a minimum 20-foot wide easement to provide access from Highway 22 to the newly adjusted northern 3.39-acre tract of land. The access easement shall be paved to a width of 20 feet to meet the requirements of the Idahna Development Code Section 14.070. Further development of the property with more than four residences, will require construction of a street connection to Highway 22.

Any future development of the subject property is required to connect to City water service, which is currently available in a water main in the Highway 22 right-of-way. The City has sufficient water capacity to serve a residential development on the subject property.

City sewer service is not currently available. New development requires construction of individual septic systems that meet Oregon Department of Environmental Quality standards or connecting to city sewer service should it become available in the future.

Any subsequent development of the property will require City review. The applicant or property developer will be responsible for construction and development of public facility extensions and connections to City standards. Developing the property for more than a single homesite will require the applicant to submit a partition or subdivision application. At that time, the City will require development and extension of public facilities.

The development and extension of public facilities to serve a future partition or subdivision of the subject property include:

- Extension of public water service,

- Development of transportation access, including dedication of right-of-way and construction of public streets to City standards,
- Development of storm drainage and erosion control measures to preclude drainage impacts to adjacent properties,
- Development of fire suppression services that meet Uniform Fire Code standards, and
- Construction of individual septic systems that meet Oregon Department of Environmental Quality standards or connecting to city sewer if it becomes available in the future.

Adequate public facilities, services and transportation networks will be provided concurrently with the development of the property.

The zone change criteria from Idanha Zoning and Development Codes Section 5.050 is also applicable to this request:

Section 5.050. APPROVAL CRITERIA. The following criteria shall be used to review and determine either legislative amendments or applications that involve a change in the zoning classification of land:

- (A) The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.

Findings: The proposed Residential Zone is the only residential zone in the city and implements the Residential Plan Designation. The proposed zone is appropriate for the Comprehensive Plan land use designation on the property.

- (B) The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.

Findings: The 6.36 acres subject to this request are large enough to accommodate acreage homesites, however the property has some development constraints due to steep slopes and soil hazards. The soils on the property consist primarily of Ascoff cobbly loam, which has severe limitations for septic tank absorption fields due to slope.

Chapter 22 of the Idanha Zoning and Development Codes – Restricted Development Overlay Zone requires that a Site Plan Review and report, prepared by a registered soils engineer or engineering geologist be submitted in conjunction with any development application in areas with soils hazard an/or steep slope.

Such a report shall describe:

1. The nature, distribution and strength of soils within the subject area;
2. Findings regarding the adequacy of the soils to support the intended types of structures or uses; and
3. Recommendations, if necessary, of construction measures required to adequately mitigate the potential soil or slope hazard.

The City Council must approve this report prior to any development in such areas.

If additional lots are requested, the City Council can also impose conditions during the subdivision or partition review process necessary to ensure that any proposed development does not exceed the physical

carrying capacity of the subject property. Such conditions include, but are not limited to, requiring that septic site evaluations be approved prior to recording a subdivision or partition plat and requiring an engineered storm drainage and erosion control plan that demonstrates that development on the property will not result in drainage or erosion problems that affect neighboring properties.

Subject to City review of all development proposals and imposition of necessary conditions, the uses permitted in the zone can be accommodated on the subject property without exceeding its physical capacity.

- (C) Allowed uses in the proposed zone can be established in compliance with the applicable Zoning Ordinance development standards without the need for adjustments or variances.

Findings: Based on the size of the area subject to this request, 6.36 acres, the property can be developed for residential homesites without need for variances or adjustment.

- (D) Adequate public facilities, services and transportation networks are in place, or are planned to be provided concurrently with the development of the property.

Findings: Staff has made findings under criterion (G) above, that adequate public facilities, services and transportation networks will be provided concurrently with the development of the property.

- (E) Satisfaction of any zone change review criteria contained in the Idanha Comprehensive Plan is demonstrated.

Findings: The Comprehensive Plan does not include any zone change criteria.

Idanha Zoning and Development Codes Section 5.060 also provides provisions for requiring conditions for a zone change:

Section 5.060. ZONE CHANGE CONDITIONS.

- (A) Approval of a zone change application may be conditioned to require provisions for buffering or provisions for off-site public facilities. In order to impose conditions on a zone change, findings must be adopted showing that:

1. The zone change will allow uses more intensive than allowed in the current zone.
2. The conditions are reasonably related to impacts caused by development allowed in the proposed zone or to impacts caused by the specific development proposed on the subject property.
3. Conditions will serve a public purpose such as mitigating the negative impacts of allowed uses on adjacent properties.
4. The conditions are based on policies or standards in the Comprehensive Plan or other standards adopted by the City of Idanha.

- (B) Conditions that could meet criteria (A)(2), (3), and (4), above, include, but are not limited to:

1. Dedication of right-of-way for public streets, utility easements, etc.
2. Improvement of private roadways or public streets, including bike paths, curbs and sidewalks.
3. Provision of storm drainage facilities.

4. Extension of public facilities, including over-sizing, to permit development on other lands.
5. Provision of fire suppression facilities and equipment.
6. Provision of traffic control facilities.
7. Special building setbacks, orientation, landscaping, fencing, berming and retention of natural vegetation.
8. Special locations for loading, parking, access routes, or any outdoor activity that could impact adjacent property.
9. Financial contributions to public agencies, consistent with adopted systems development charges, to offset increased costs for providing services or facilities related to the intensification of the use of the property.

(C) Provisions of Section 7.030 of this Ordinance shall apply to conditions imposed on a zone change.

Findings: The provisions of Section 5.060 are the types of conditions that are typically placed on development as part of the partition and subdivision review process. Staff recommends placing the following conditions on the proposed comprehensive plan map/zone change to ensure public facilities are available to serve the new single-family dwelling that could be constructed on the northern 3.39-acre tract of land. Additional residential development on the subject property would require partition or subdivision approval at which time; additional conditions could be imposed to mitigate any negative impacts of the proposed development.

- Record a minimum 20-foot wide access easement to provide driveway access to the northern tract of the subject property.
- Pave the minimum 20-foot wide driveway access according to the requirements of Idanha Development Code Section 14.070.

CONCLUSIONS/RECOMMENDATIONS:

The application clearly meets all but one of the applicable criteria. With 160 gross vacant acres of residential land available per the Comprehensive Plan, the City Council must determine if the Comprehensive Plan does not currently provide adequate areas in appropriate locations for the residential use allowed by the proposed rezoning/redesignation.

Based on the findings in this report, staff recommends the Idanha City Council approve Comprehensive Plan Map Amendment/Zone Change 06-02, with the following conditions:

1. Provide the city with a copy of the final survey used to record the proposed property line adjustment indicated in Exhibit B.

Prior to the issuance of a building permit on the northern tract of the subject property:

2. Submit to the city for review and approval: a site plan as described in Chapter 10 of the Idanha Development Code and a report from a registered professional soils engineer or engineering geologist in accordance with Section 22.030(C).
3. Record a minimum 20-foot wide access easement to provide access to the northern tract of the subject property.
4. Pave the driveway serving the property to a minimum width of 20-feet, subject to the requirements of Idanha Development Code Section 14.070.

5. Provide a copy of an approved Permit to Operate, Maintain, and Use an Approach from the Oregon Department of Transportation.
6. Provide documentation from the Idahna-Detroit Rural Fire District concerning the adequacy of emergency vehicle access and hydrant coverage for any new development. If required by the Fire Marshal, one or more hydrants shall be installed in locations approved by the Fire Marshal. Installation of fire hydrants shall conform to City standards. For any hydrants located on private property, a fire line easement shall be recorded.
7. Receive approval from the Marion County Sanitarian for construction of a new septic system.
8. Connect to the water system according to city standards.

Suzanne Dufner
City Planner

CITY COUNCIL ACTION:

- A. Move to approve Comprehensive Plan Map Amendment/Zone Change 06-02:
 1. As recommended by staff, or
 2. As determined by the City Council stating how the application satisfies all the required criteria, and any revisions to the recommended conditions of approval, or
- B. Move to deny Comprehensive Plan Map Amendment/Zone Change 06-02 stating how the application does not meet the applicable approval criteria.
- C. Continue the hearing to a time certain or indefinitely

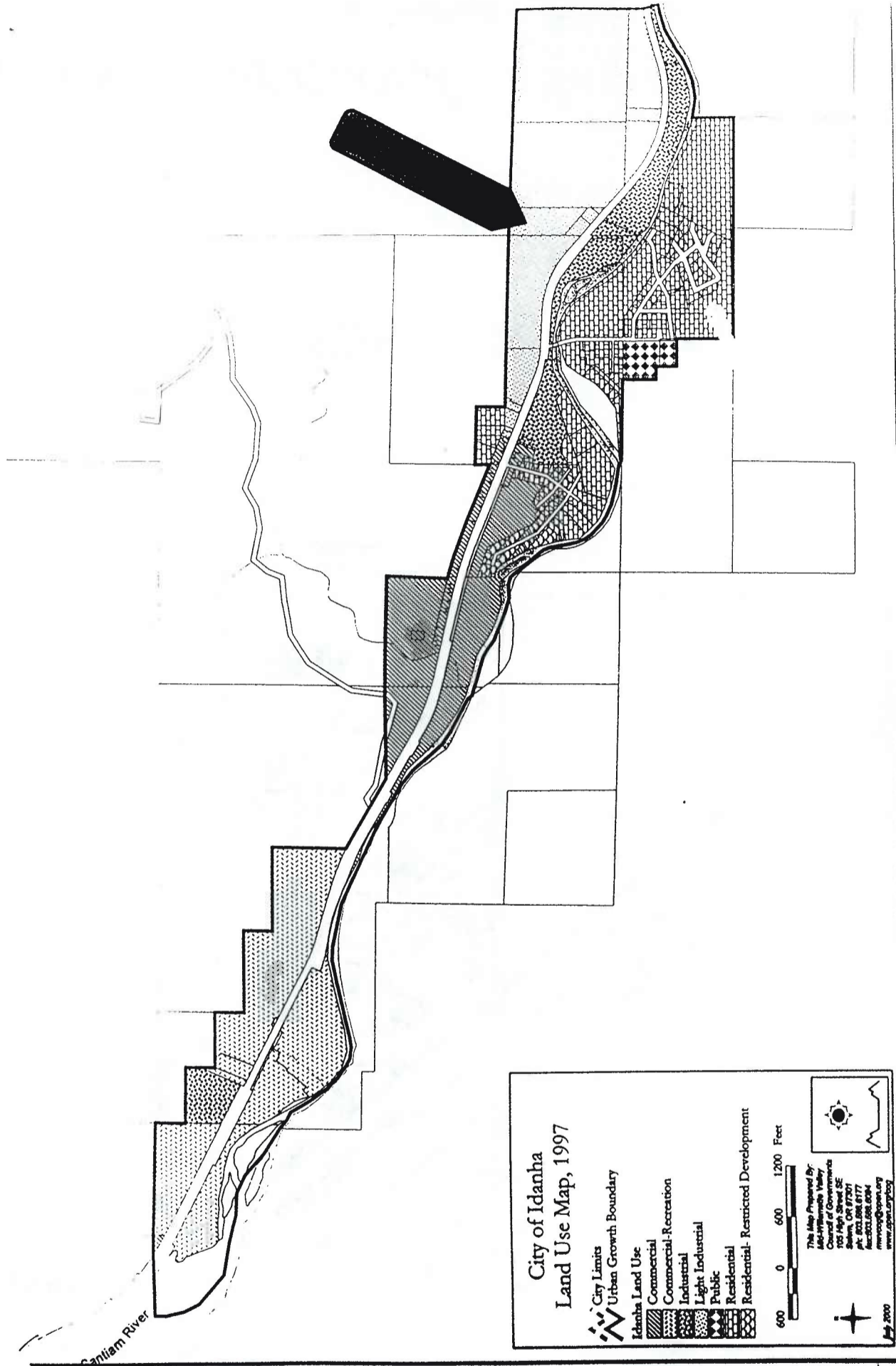


EXHIBIT A

PROPOSED PROPERTY

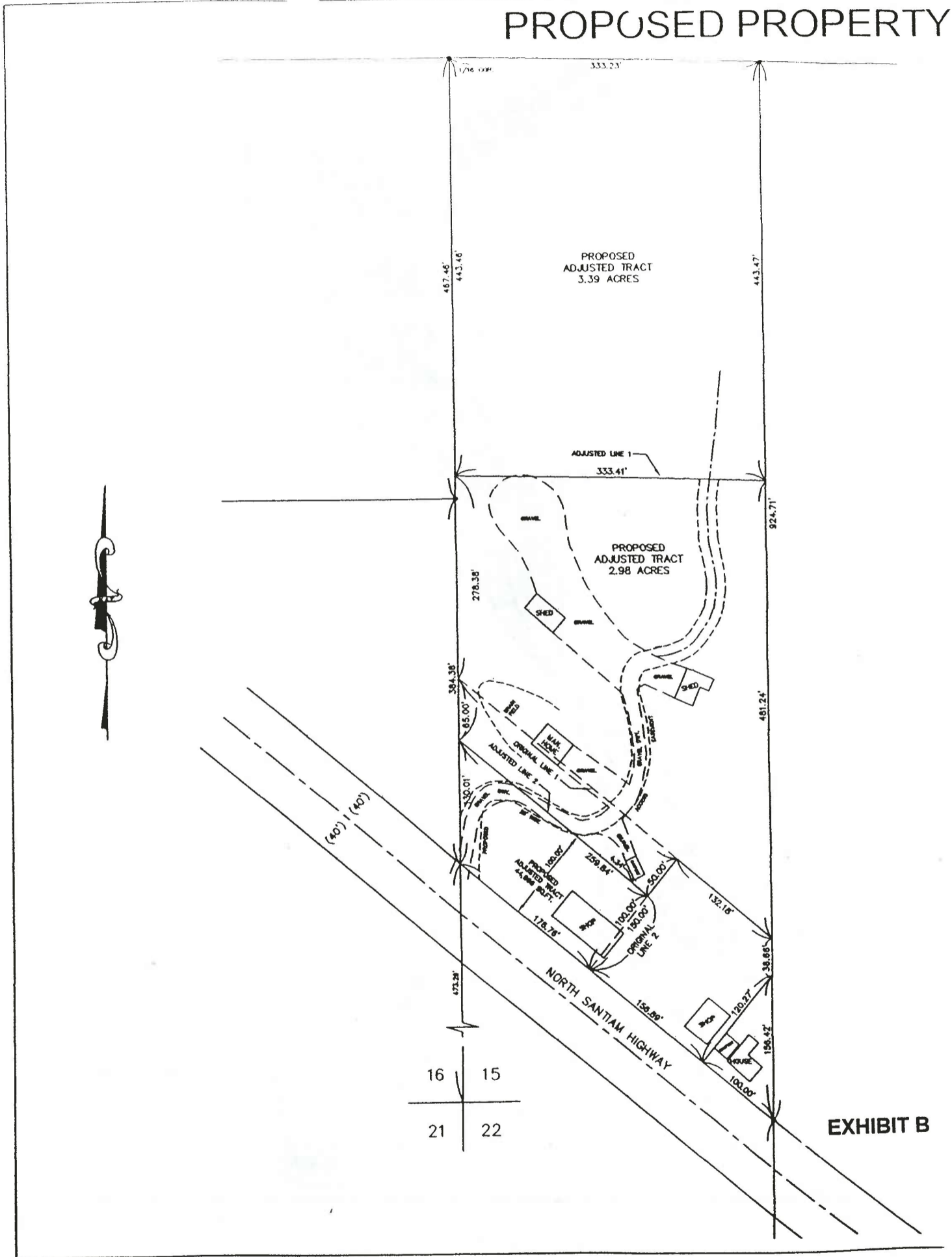


EXHIBIT B

CITY OF IDANHA
APPLICATION FORM

1. Type of Application (check each item that applies):

Adjustment () Comprehensive Plan Amendment () Conditional Use ()
Partition () Subdivision () Variance () Zone Change ()

2. Applicant:

Maryann Hills and Tony Hills
Address:
PO Box 524
Detroit, OR 97342

Daytime Phone Numbers:

503.551.6761

3. Property Owners:

Harold & Yvonne Hills

Address:

PO Box 463
Detroit, OR 97342

4. The owners of record of the subject property do hereby request permissions

to: officially create two residential parcels on light industrial property that currently has septic evaluation approved on one parcel and manufactured home placement approval on the other through a zone change, partition, and lot line adjustment, leaving one industrial parcel adjacent to Hwy 22 to continue its current industrial use. Driveway access easements will be maintained for the existing driveway.

5. Address of subject property:

559 & 611 Highway 22 NE
Idanha, OR 9750

6. Application Fee:

\$ ~~1000~~ -

7. A complete application must include the following:

- A copy of the latest officially recorded title transfer instrument (deed, warranty deed, or contract) giving the legal description for the subject property.
- A copy of the most recent Assessor's Map for the subject property.
- A list of all property owners within 100 250 feet of the subject property. A title company, or the County Assessor's Office must certify the list. The list must be current to within 30 days for the date of application.

Exhibit C

(C) Allowed uses in the proposed zone can be established in compliance with the applicable Zoning Ordinance development standards without the need for adjustments or variances. Are special variances, adjustments or other considerations required or can permitted uses in the zone locate on the subject property:

Yes, the proposed residential uses will comply. We respectfully request approval to adjust these family parcels property lines into one light industrial adjacent to it and the two residential parcels without a partition.

(D) Adequate public facilities, services and transportation networks are in place, or are planned to be provided concurrently with the development of the property. Are there adequate facilities available to serve the property and if not, how will these facilities become available:

Yes

(E) Satisfaction of any zone change review criteria contained in the Idanha Comprehensive Plan is demonstrated. The Comprehensive Plan may contain additional zone change criteria; how this request complies with those criteria must be shown:

Please let us know if there is additional criteria that we need to show compliance with.