

CITY OF LA GRANDE
Planning Commission Regular Session

Tuesday, August 8, 2023
6:00pm

The meeting is available for viewing on Facebook Live at the following link:
<https://www.facebook.com/LaGrandeCityManager>

AGENDA

a. CALL TO ORDER/ROLL CALL

2. AGENDA APPROVAL

Chairperson asks if there are any additions or changes to the Agenda
(NO MOTION NEEDED)

3. CONSENT AGENDA

a. Consider: Approving Minutes of the June 13, 2023 meeting.

4. PUBLIC COMMENTS

Individuals who wish to comment on any item printed on this Agenda may do so during the time that item is under discussion. Individuals who wish to speak about non-Agenda items may do so during this portion of the Agenda. Please print your name and address on the Public Comments Sign-in Sheet, located on the podium. When addressing the Commission, speak loudly and clearly and state your name. In the event the Chairperson does not announce a time limit for comments, each speaker is asked to confine their comments to three minutes in length, whether the comments are in-person or virtual.

5. NEW BUSINESS

6. PUBLIC HEARING

a. Zone Change Designation from Light Industrial to General Commercial
File Number: 01-ZON-23
Applicant: Daniel Beckner

b. Zone Change Designation from Residential Medium Density to General Commercial
File Number: 02-ZON-23
Applicant: Mike Becker

7. OLD BUSINESS

8. CITY PLANNER COMMENTS

9. COMMISSION COMMENTS

Kendra VanCleave
Planning Secretary

All meetings of the La Grande Planning Commission are accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities should be made five days before the scheduled meeting by calling (541) 962-1307. Also, persons interested in participating in the meeting virtually and providing public comments shall contact City Staff at mboquist@cityoflagrande.org or by calling 541-962-1307 no later than 5:00pm the day prior to meeting to make arrangements.

CITY OF LA GRANDE
COMMISSION ACTION FORM

Commission Meeting Date: August 8, 2023

COMMISSION ACTION: CONSIDER CONSENT AGENDA

MOTION: I move that we accept the Consent Agenda as presented.

OR

MOTION: I move that we accept the Consent Agenda as amended.

EXPLANATION:

A Consent Agenda includes routine items of business with limited public interest, which may be approved by one Motion of the Commission. Any Commissioner may, by request, remove any item of business from the Consent Agenda.

a. Consider: Minutes of the June 13, 2023, Regular Session

COMMISSION ACTION (Office Use Only)

☐ Motion Passed

☐ Motion Failed

☐ Action Tabled: _____

Vote: _____

Recessed: _____

Work Session: _____

Other: _____

CITY OF LA GRANDE

Planning Commission Meeting

Regular Session

June 13, 2023

6:00 p.m.

La Grande City Hall
1000 Adams Avenue

MINUTES

COMMISSIONERS PRESENT:

Liberty Avila, Chair
Ann Morrison, Vice Chair
Dave Felley
Roxie Ogilvie

COMMISSIONERS ABSENT:

Matthew Gougherty

DISCUSSION/DISPOSITION

STAFF PRESENT:

Michael Boquist, City Planner
Kendra VanCleave, Planning Secretary

CITIZENS PRESENT:

Kevin McCarthy
David Whitson
Greg Blackman
David Thiesfeld
Ruth Becker Peters
Jack Martin
John Sanchez
Don Lowry
Dana Wright
Doug Harsin

CALL TO ORDER/ROLL CALL

AVILA, Chair, called this Regular Session of the Commission to order at 6:02 p.m. and conducted a Roll Call; a quorum was determined to be present.

The Agenda was approved as presented.

AGENDA APPROVAL

CONSENT AGENDA

FELLEY introduced the following Motion, with MORRISON providing the Second.

MOTION: That the Consent Agenda be approved as presented for the March 14, 2023 meeting.

PUBLIC COMMENTS

MSC: Unanimous
NONE

NEW BUSINESS

NONE

PUBLIC HEARING

- a. Minor Partition and Variance Permit
File Number: 02-MLP-23
03-VAR-23

(PUBLIC HEARING OPENED 6:05 PM)

AVILA asked for the Rules of Order to be Read and asked for Commissioner declarations. There were none.

AVILA asked for the staff report.

STAFF REPORT

BOQUIST opened up with the application requesting approval of a minor land partition which includes 3 variances for deviations from the City's street frontage, lot size and setback standards.

BOQUIST continued the subject property is located in an R2- Residential Medium Density at 2004 N. Spruce Street. The property is developed with a neighborhood convenience store fronting on Spruce Street, with a residential dwelling at the back of the property. The residence is a rental not associated with the convenience store. The current owner desires to partition the property to separate the dwelling from the store so that it may be sold separately.

BOQUIST continued to facilitate the property division, three (3) variances are needed.

Deviation from the City's street frontage standard.

- City Code require all lots to front on a public street with a minimum street frontage width of 25', except for flag lots. In this case the rear dwelling is accessed via an alley and the applicant's justification explains that this partition would result in design similar to a flag lot.

Deviation from the minimum lot size standard.

- City Code requires a minimum lot size of 5,000 square feet. This request is to allow for smaller parcel sizes, similar to the proposed code amendments of 3,000+ square feet.

Deviation from the minimum rear yard setback standard.

- For accessory buildings, including the owner/caretaker's dwelling as originally constructed, City Code requires a minimum rear yard setback of 5'. However, primary structures (main dwelling) require a rear yard setback of 20'. This request includes a 15' variance to support the dwelling as a primary use.

OGILVIE commented she did a site visit to look at the proposed alley access and noticed halfway down the alley there were other residences with access to garages, shops, etc. and it seemed cramped.

OGILVIE asked if the application is granted and the property sold does a utility easement in alley go with new owners, since vacating is not possible. BOQUIST responded the alley is a public alley intended to serve the back of properties and provide utilities and in this case, it would be the primary access and would be

forever. If in the future the alley would not be able to vacate without an easement.

AVILA asked for testimony from applicant.

Applicant Testimony

Christine JARVIS commented the intention is to sell the house and the store. She has owned the business for about 13 years and is getting hard to run as an absentee owner and landlord. Caretaker residences with a business are a thing of the past and in dividing the property the house would be sold separately from the store. Additionally, it's been built like this since the 1950's and by dividing creates an opportunity for potential new owners for the business and house separately.

FELLEY asked if the City or property owners maintain alley. BOQUIST commented the property owners maintain.

Public Testimony

AVILA asked for testimony in favor or neutral. There was none.

AVILA asked for testimony in opposition.

David Whitson

WHITSON commented the alley is a service alley that delivery trucks and garbage trucks use that park and block while delivering goods or dumping garbage making it congested is a concern. Also, there is a concern when the snow is added to it. Additionally, if the two are separated by different owners, would they cooperate with each other with alley access.

Applicant Rebuttal

AVILA asked for rebuttal from applicant.

JARVIS commented Mr. WHITSON has a good point. It has been a challenge with delivery trucks and people parking in the alley and the customers tend to block the alley blocking the delivery trucks. The dumpster and recycle bin has been placed in several different places but hopefully can work with the garbage service to shift the bins to make them more accessible. Additionally, she would hope the new owners if application is approved could work together

Commission Discussion

There was Commission discussion on flag pole lots and access also, review criteria 4.2.002 (D) and review criteria 8.4.003 (A).

BOQUIST responded that a typical flag lot is in a backyard with neighbors on each side the flag pole. It provides that back property owner access. In this case it's a public alley which is a different form and why the variance.

BOQUIST continued review criteria 4.2.002 (D) deals with partition does not conflict with legally established

easements or access and the property has guaranteed access with the alley and not in conflict.

BOQUIST continued review criteria 8.4.003 deals with exceptional or extraordinary circumstances. Since the dwelling was constructed in 1958 (behind the store), the dwelling has been accessed via the alley and looks and functions similar to a flag lot under the City's current code. Additionally, the dwelling behind the store has its own water, sewer, power and gas, so that it functions completely separate and independent from the store, as if a separate lot.

COMMISSION discussion continued with setbacks, lot sizes and parking.

BOQUIST commented current lot size standard is 5,000 sq ft with a 20' front and rear setback. The applicant is proposing a little over 3,000 sq feet with a 15' reduction from the 20' setback. For context in proximity of subject property on Court Avenue, many of the lots are roughly 3000-3500 sq ft and proposal would be compatible and not extra. For parking it appears there are 3 parking spots and they could stack park if wanted to.

There was consensus from the group that the proposal does not have an extraordinary circumstance and the alley access could be problematic with the potential owner of house and business including cooperating with other property owners

(PUBLIC HEARING CLOSED 6:50 PM)

FELLEY introduced the following Motion, with MORRISON providing a Second.

Motion

MOTION: I move that the Finding of Fact and Conclusions set forth in the Draft Decision Order be amended and that the Proposed Minor Partition and Variance be denied.

Vote

USC: Unanimous

PUBLIC HEARING OPENED 6:51 PM)

AVILA announced that the Rules or Order were read in their entirety at the first public hearing. There were no declarations or challenges.

Staff Report

AVILA asked for the staff report.

BOQUIST opened with the City of La Grande proposed amendments. There were a series of Planning Commission work sessions that began at the end of 2021 and now at the public hearing piece. The Commission is charged with making a recommendation

to approve the proposed amendments to City Council. The Notice was provided to the Oregon Land Conservation and Development 35 days before the first hearing. Public notice was mailed to all property owners with the City of La Grande and its Urban Growth Boundary at least 20 days in advance of the first hearing.

BOQUIST continued with a summary of the amendments:

1. Housing Production Strategy – Action Items pursuant to Oregon House bill 2003 to adopt a housing production strategy (HPS). HPS is an eight-year plan that recommends 15 action strategies which are intended to increase housing opportunities and promote the development of needed housing within the City of La Grande. The first 7 action strategies require amendments to the City's development code.

- Action 1.1 – Allow small lot single-family houses. This recommendation is to reduce the minimum lot size to 3,000 square feet, with a minimum lot width of 30', or 40' for corner lots. This amendment is recommended for the Medium Density Residential (R-2), High Density Residential (R-3) and the Residential-Professional (RP) zones.
- Action 1.2 – Allow townhouses in the R-2, R-3 and R-P zones. This recommendation would add a definition to the Code for "townhouses", as well as allow 3-unit townhouses in the R-2 zone.
- Action 1.3 – Reduce barriers to triplexes and quadplexes. This recommendation is to reduce the minimum lots size for a triplex to 4,500 square feet and quadplexes on 6,000 square feet.
- Action 1.4 – Reduce barriers to apartments in the R-3 Zone. This recommendation would reduce the minimum lot size for apartments with 4 units to 6,000 square feet, plus 1,000 square feet for each additional unit.
- Action 1.5 – Reduce barriers to cottage cluster housing. This recommendation would allow cottage cluster housing in the R-1 and R-P zones where they are currently not permitted, as well as reduce the minimum lot size for this type of development.

- Action 1.6 – Reduce barriers to accessory dwelling units. The recommendation would reduce some setback requirements and modify the design standards to become clearer and more specific.
- Action 1.7 – Reduce barriers to conversions of existing buildings that create new housing. This action strategy does not include a specific recommendation, but involves a code analysis to identify barriers that would then be recommended to remove or lessen the barrier.

2. Urban Forestry Amendments – requested by the Urban Forestry Commission to include standards for requiring trees in new construction.

3. Short-Term Rentals – grouping short term rental and bed and breakfast into same definition. Streamlining the process to make it an over-the-counter permit and not a conditional use permit.

4. La Grande Business and Technology Park – expand the uses for retail, spectator sports and entertainment and include a corporate headquarter/campus use.

5. Small Scale (Artisan) Manufacturing – add some small-scale consumer product businesses that manufacture artisan goods or specialty foods primarily focused on consumer sales on site and online.

6. Mobile Food Vending Trailers and Courts – proposing to make mobile food units a permitted use and not temporary and adding food courts as a conditional use.

7. Parking EOU – requested by EOU to increase the furthest eligible parking space from 500' to 1300' for university campuses.

8. Public Street Standards – Clarify and define street classifications (collector, arterial, local, private).

9. Conditional Use Permit Criteria – change the criteria to more clear and objective standards.

10. Housekeeping and Other Code Amendments – clean up definitions, typos, etc.

Public Testimony

AVILA asked for testimony in Favor or neutral. There were none.

AVILA asked for testimony in opposition.

Kevin McCarthy	MCCARTHY commented he has concerns with the proposal to allow cottage home development in the R1 zoning and that type of housing is not compatible with the surrounding houses.
David Whitson	WHITSON commented he had concerns with the proposed 3,000 square foot lot sizes in the R1, R2 and R3 zones. The housing study shows adequate land for R2 and RP zones. Open space is a necessity.
Greg Blackman	BLACKMAN commented he has concerns with a cottage home development in the R1 zoning and proposed lot sizes to 3,000 sq ft. Topography has to be a factor to create a house. The R1 zone should be for family home zoning.
David Thiesfeld	THIESFELD asked at the Ridge Subdivision could someone build low-income housing. BOQUIST responded anyone can build low-income housing anywhere. Low-income housing is an interpretation. What might be low income to some may be high end to others. The proposal is to create an opportunity for someone who may want to develop a cottage home development. THIESFELD commented if cottage home development in the R1 zone is allowed he feels would change the character and value of the existing area.
Ruth Becker- Peters	BECKER-PETERS commented looking at the community and how the zoning fits, the need for adding cottage development to the R1 zone doesn't seem suitable.
Jack Martin	MARTIN asked the Commission if they had to administer a decision on the container homes that were proposed to be built on Gildcrest. BOQUIST commented if someone comes in to build a house and they meet the design standard, it is an administrative process for zoning approval. They then can go apply for a building permit. If the Building Department doesn't have code on a certain type of house, they have them get an engineer.
John Sanchez	SANCHEZ commented he lives in the R2 zone and is opposed having cottage development in his area. Likes the idea of short-term rentals.
Don Lowry	LOWRY asked if existing short-term rentals with the new rules put them out of compliance. BOQUIST responded no the existing short-term rentals are grandfathered in until you don't use it as a short-term rental anymore. With the new code if you apply and are granted a permit and you sell the property the permit goes with the property.

Dana Wright

WRIGHT commented on short term rentals off street parking and Boquist clarified the parking requirements being 1 space per bedroom. Additionally, WRIGHT commented the number of short-term rentals shouldn't be limited to one. He understands the idea of limiting big companies not from area coming in and buying up real estate for use as short term, but for local landlords with several rentals have challenges with laws and tenants for a short-term rental and wouldn't want to be limited to just one. Maybe take into consideration based on how long a person owns a property if they can have more than one short term rental.

Doug Harsin

HARSIN commented that if R1 is removed from the cottage home development than all zones R2, R3 should be removed too. Also opposed to the 3,000 sq ft lots.

Commission Discussion

AVILA commented with regard to housing, some of the recommendations came from local feedback (business owners) who expressed concerns about having trouble hiring, because people can't find housing.

The commission discussed the R1 zone and cottage home development. AVILA stated that the cottage home development process would remain under a conditional use permit so there will be some level of public participation.

The discussion continued with allowing 3,000 sq ft lots. BOQUIST stated that the 3,000 sq ft is not a state mandate. It came from the consultants that recommended 3,000 square foot lots and the Commission considered to support.

(PUBLIC HEARING CLOSED 8:50 PM)

MORRISON introduced the following Motion, with OGILVIE providing the Second.

Motion

MOTION: I move that the Finding of Fact and Conclusions set forth in the Draft Decision Order be amended to remove the cottage home development from the R1 (Residential Low Density) zone and that the Proposed Land Development Code Amendments be recommended to the City Council for approval.

Vote

USC: Unanimous

OLD BUSINESS:

None

CITY PLANNER COMMENTS:

BOQUIST commented that he is working on an audit grant where the state would do an audit on our code to see if we're in compliance. Additionally, no applications were submitted for the July meeting and

because there will be a couple Commissioners gone, the
July meeting is cancelled.

COMMISSIONER COMMENTS:

None

There being no further business to come before this Regular Session of the Commission, adjourned the meeting at 8:54 pm. The Commission is scheduled to meet again in Regular Session, Tuesday, August 8, 2023 at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

APPROVED:

ATTEST:

Kendra VanCleave
CEDD Secretary
Date Approved:

Chairperson

CITY of LA GRANDE

PLANNING COMMISSION ACTION FORM

Commission Meeting Date: **August 8, 2023**

PRESENTER:

Michael Boquist, Community Development Director

COUNCIL ACTION:

**PUBLIC HEARING FOR ZONE DESIGNATION CHANGE
FILE NUMBERS 01-ZON-23
APPLICANT: DAN BECKNER**

1. CHAIR: Open the Public Hearing ask that the Rules of Order for this and the following Public Hearing be read in their entirety, requesting declarations and challenges.
2. CHAIR: Request Staff Report
3. CHAIR: Request that Public Testimony be read into the Record
4. CHAIR: Invite Commission Discussion
5. CHAIR: Close the Public Hearing and Entertain Motion

Suggested Motion: I move that the Finding of Fact and Conclusions set forth in the Draft Decision Order be (adopted / amended) and that the Zone Designation Change be Recommended to the City Council for (approval/denial).
6. CHAIR: Invite Additional Commission Discussion
7. CHAIR: Ask for the Vote

EXPLANATION: The applicant(s) is requesting the Planning Commission and City Council's consideration and approval to rezone the subject property from Light Industrial (I-1) to General Commercial (GC). See Attached Staff Report for additional information.

The Planning Commission's decision on this application is not a final decision, it is a recommendation to the City Council where a final decision will be made.

COMMISSION ACTION (Office Use Only)

☐ Motion Passed ☐ Motion Failed
☐ Action Tabled: _____

Vote: _____
Recessed: _____

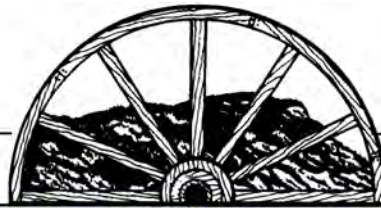
RULES OF ORDER FOR A PUBLIC HEARING

The following is a step-by-step description of the order of events necessary to hold a Public Hearing.

PLANNING TECH I READS TO THE PUBLIC:

- A. The Planning Commission will conduct two (2) Quasi-Judicial Public Hearing tonight to consider a Zone Change Designation File Number: 01-ZON-23 Applicant: Daniel Beckner and Zone Change Designation File Number: 02-ZON-23 Applicant: Mike Becker
- B. The Hearing will proceed as follows:
 - 1. The Chairperson will request the Staff Report, which includes applicable criteria and standards for the issue under consideration in the application. As part of the Staff Report, the Applicant may have the opportunity to address the Commission prior to public testimony.
 - 2. The Chairperson will then ask for public testimony relating to the application. The Chairperson may state a time limit for testimony; if no time limit is announced, testimony will be limited to three minutes. All testimony must be directed toward the applicable criteria. Oregon Land Use Law requires that all issues raised by a participant during the Hearing must be sufficiently clear and specific to allow the Hearing body and other parties an opportunity to respond to those issues. Failure to raise the issues during the Hearing may invalidate a future appeal.
 - 3. The order of testimony this evening will begin with that of Proponents (those in favor), followed by Opponents (those opposed), and ending with those Neutral. An opportunity will be provided to parties (proponents first then opponents) to clarify any issues raised or to rebut testimony.
 - 4. If additional documents or new evidence is introduced during the Hearing, any participant may request a continuation of the Hearing. Any participant may request that the Hearing Record be kept open for seven (7) days to submit additional written evidence or testimony for the purpose of responding to new evidence. Unless waived, the applicant has seven (7) days to submit a written response.
 - 5. The proceedings are being electronically recorded, to be converted to written Minutes. When testifying, please step to the podium and state your name.
 - 6. Members of the Planning Commission may ask questions of the Staff or Hearing participants, if present, at any time. The Chairperson will then close the Hearing or continue the Hearing at a specified time and place.
 - 7. All decisions must be based on findings of fact from the Staff Report or evidence and testimony received which relate to the criteria of the land use decision.
- C. A Commissioner must declare any ex parte or pre-hearing contact, including the person's name and the nature of the discussion, as well as any site visitations to the area in question. Commissioners should declare any personal or financial interests in this matter and may disqualify themselves from participation in this Hearing. ***Does any Commissioner wish to make a declaration?***
- D. Does anyone in the audience wish to challenge the right of any Commissioner to hear this matter? ***Let the Record show that (there are no challenges) OR _____.***

CITY OF



LA GRANDE

THE HUB OF NORTHEASTERN OREGON

COMMUNITY DEVELOPMENT DEPARTMENT / PLANNING DIVISION • P.O. Box 670 • 1000 Adams Avenue • La Grande, OR 97850

Phone: (541) 962-1307 • Fax: (541) 963-3333 • Web: www.planning.cityoflagrande.org

PLANNING COMMISSION DECISION ORDER OF _____

HEARING BODY(IES):	Planning Commission
HEARING DATE(S):	Tuesday, August 8, 2023
HEARING TIME(S):	6:00 p.m.
HEARING LOCATION:	City Hall Council Chambers, located at 1000 Adams Avenue, La Grande, Oregon. The Planning Commission meeting can be viewed on Facebook Live at the following link: https://www.facebook.com/LaGrandeCityManager . Community members may submit comments or questions in writing in advance of the meeting. These written comments need to be received by 5:00 p.m. on date of the scheduled meeting, which will be read during the public comment section of the Public Hearing. Community members may also attend the meeting virtually through electronic means by request and reservation only. Issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing or presented orally during the Public Hearing and with sufficient specificity to enable the Planning Commission or City Council to respond to the issues. Reading or presenting written and oral comments into the record may be subject to a three-minute time limit per community member.

I. Application Information

File Number:	01-ZON-23
Proposal:	Request to Rezone Property from Light Industrial (I-1) to General Commercial (GC).
Applicant:	Dan Beckner
Address/Location:	307 Greenwood Street, T3S, R38E, Section 05CD, Tax Lot 6200, La Grande, Union County, Oregon; Tax Assessor Account 1186.
Decision Order Prepared By:	Michael J. Boquist, Community Development Director

II. Schedule of Procedural and Public Hearing Requirements

In accordance with Land Development Code Ordinance 3252, Series 2021, Articles 9.3 and 9.4, Land Development Code Amendments are subject to the City Council's review and decision authority, upon receiving a recommendation from the Planning Commission. In accordance with Article 9.5, public hearings for the consideration of the proposal were scheduled as follows:

May 24, 2023.....	Application for Zone Change Designation received.
June 12, 2023.....	Application was deemed complete.
July 3, 2023.....	PAPA 35-Day Required Notice to the Oregon Department of Land Conservation and Development in accordance with ORS 197.610.
July 7, 2023.....	Public notice mailed to surrounding property owners within 100' and development review agencies in accordance with ORS 227.186.
July 29, 2023.....	Advertised notice was published in <i>The Observer</i> , advertising the public hearing before the Planning Commission for August 8, 2023.
August 8, 2023.....	Public Hearing before the Planning Commission (1 st Evidentiary Hearing)
September 6, 2023.....	Public Hearing before the City Council and First Reading of Proposed Adopting Ordinance
October 4, 2023.....	Public Hearing before the City Council and Second Reading/Adoption of Proposed Adopting Ordinance
October 5, 2023.....	PAPA Notice to DLCD for Final Adoption
November 3, 2023.....	Expiration of 30-Day Appeal period. Decision becomes final.

III. Public Notice Information

Public notice was issued in accordance with City and State laws. Notice was provided in accordance with Land Development Code Ordinance 3252, Series 2021, Article 9.6, Section 9.6.001(B). Notice of the public hearing was published in the local newspaper of general circulation, with mailed notice provided to the applicant and to the owners of record of property located within one hundred feet (100') of the subject property. Additionally, all public hearing materials, including the Draft Decision Order was published on the City of La Grande – Planning Division's webpage.

IV. Review Process and Appeals

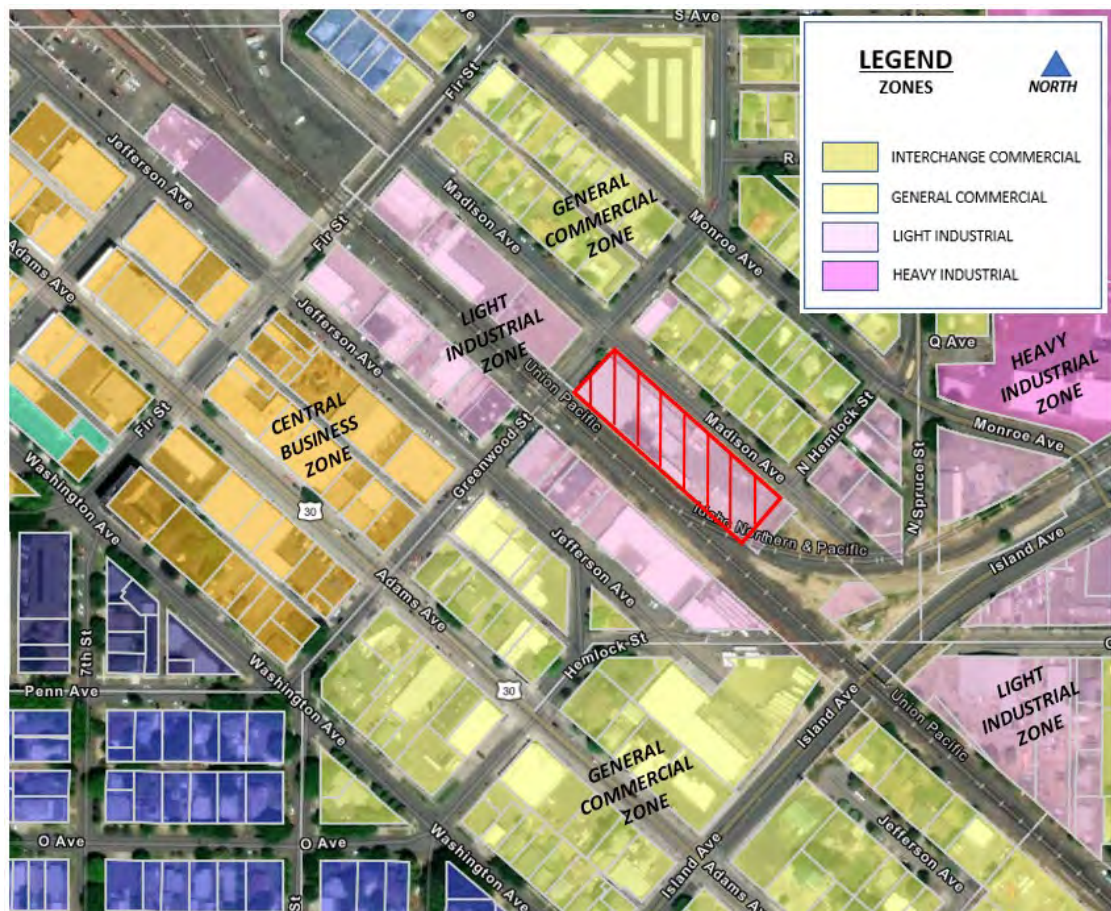
An application for a Zone Change Designation is a quasi-judicial land use action that is subject to the Planning Commission's and City Council's review and approval. The Planning Commission's review includes a public hearing where testimony is accepted from interested persons and which results in a recommendation being forwarded to the City Council in accordance with Chapter 9 of Land Development Code Ordinance 3252, Series 2021. Subsequently, the City Council holds two (2) public hearings where testimony is accepted from interested persons and which results in a final decision and the adoption of an Ordinance to rezone the subject properties.

A decision of the City Council is final unless appealed to the Oregon Land Use Board of Appeals (LUBA) within twenty-one (21) days from the date the City Council decision.

V. General Facts and Overview

1. The purpose of this rezone request is to accommodate a commercial tenant occupancy on the subject property, *Underground Oasis*, which provides an addiction recovery and support program. As discussed in the applicant's submittal, the proposed facility will include a commercial kitchen and offer public meeting space and educational meeting space. The application refers to future site improvements that may include a mini-storage facility.
2. The subject property (shown in Red in Figure 1 below) is proposed to be rezoned from Light Industrial (I-1) to General Commercial (GC).
3. The subject property is located along the South side of Madison Avenue, bordering the Union Pacific Railroad. It is bordered to the North by properties zoned General Commercial, and to the West, East and South by properties zoned Light Industrial.

Figure 1



4. The applicant has provided a written narrative that explains their justification in support of the rezone request (see attached). The applicant's justification, along with Staff's analysis and recommendations are included in the Finding of Fact within this Decision Order, below. Such Findings address each of the required review criteria for a Zone Designation Change and Comprehensive Plan Designation Change.

VI. Agency Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, notice of the land use application was mailed to the following agencies: City of La Grande Building Department, City of La Grande Fire Department, City of La Grande Planning Department, City of La Grande Police Department, City of La Grande Public Works Department, Avista Utilities, Charter Communications, City Garbage Service, Frontier Communications, Oregon Department of Transportation, and Oregon Trail Electric Cooperative.

1. City of La Grande Community Development, Economic Development Departments and City Manager's Office: City Staff has reviewed this request and finds that the proposed zone change request **does not** satisfy the required review criteria, specifically with demonstrating a "need" for the proposed change, and the request **is not** consistent with the City's economic development goals, policies and current revitalization efforts. **As a result, City staff does not support this request and recommends that this request be denied.**

Following is a summary of the Staff's assessment and concerns, which are also discussed in the Findings of Fact for the applicable review criteria within this Decision Order, below.

- A. The zone change application does not adequately satisfy the required Land Development Code (LDC) Review Criteria for a Zone Change or Comprehensive Plan Map Change.
 - LDC Section 8.6.003, Rezone Review Criterion (A), "*The Zone Designation Change is in conformance with the Comprehensive Plan, and all other provisions of the Land Development Code.*"
 - This request does not meet several required Goals and Policies of the City's Comprehensive Plan.
 - This request does not meet Goal 2-Policy 3 which requires "*That public need be established before plan changes or related requests are approved and that the burden of proof be borne by the requestor.*" Such need has not been presented, and the "*burden of proof*" has not been met.
 - This request does not meet the Goal 9 Economic Development-Policies related to revitalizing the downtown area, clustering of related uses that encourage customers involvement from one store to another, and accommodating industrial development consistent with the needs and goals in the area.
 - The proposed tenant and property development plans do not include businesses or activities that encourage customer involvement from one store to another.
 - The proposed tenant and property development plans are not consistent or complimentary to the City's focus and efforts underway on revitalizing the Jefferson Avenue corridor and adjacent downtown areas to include small-scale manufacturing.
 - LDC Section 8.7.003, Rezone Review Criterion (C), "*The proposed change is supported by specific studies or other factual information which documents the need for the change.*"
 - This request is not supported by any specific studies or other factual information which documents the public need for the change. This request appears to be based entirely on accommodating a proposed

commercial tenant that could be accommodated on a variety of sites throughout the City's existing General Commercial, Downtown Central Business, Public Facilities, Medical Services, and Residential-Professional Zones.

- ☐ As the applicant mentioned in their application, they have a desire to be within or near the downtown area. With little effort, Staff found two (2) available sites for sale within the downtown area that are commercially zoned and could accommodate the proposed tenant without rezoning. Such sites are located 1902 4th Street (office building at 4th & Washington), and 216 Chestnut Street (EONI building at Jefferson & Chestnut). These are just two (2) examples of existing commercial sites available. *(Note: Both of these sites were for sale at the time of application submittal and remain available as of the drafting of this Decision Order.)*
 - ☐ Additionally, there are several vacant commercial parcels for sale for new development, as well as developed commercial sites available for sale and lease throughout the City that could accommodate the proposed tenant. As a result, Staff finds that there is not a documented need to support this rezone request.
 - ☐ Lastly, the City's Economic Development Director is currently working with Business Oregon and two (2) existing businesses that are seeking to locate in La Grande on a light industrially zoned property. Unfortunately, with the exception of the subject property, the City does not have any available light industrial zoned sites that are developed with existing buildings and infrastructure that can immediately accommodate a new or relocating industrial business.
- B. As part of this request, consideration should be given with regards to the City's commercial vs. industrial land need. Staff finds that the City has a critical need for light industrial zoned sites.
- The City has several vacant commercial properties that are available for new development, most of which could support the proposed tenant of this rezone request. Additionally, there are several existing/developed commercial sites throughout the City that could be purchased or leased that would also accommodate the proposed tenant.
 - The City's light industrial zoned lands are very limited, with very few known vacant sites available for new industrial development. The subject property of this rezone request is one of the only developed industrial sites available for a new business (or an existing business looking to expand) in La Grande. As a result, the City need to retain all existing light industrially zoned lands for accommodating industrial businesses and cannot afford to lose such lands through rezoning without a very clear, valid, and justified need, which has not been presented and justified by the applicant.
- C. Because of the shortage of employment lands (both commercial and light industrial), the City has hired a consulting firm to conduct a Goal 9 Economic Opportunities Analysis (EOA) to evaluate and determine what the City's "needs" are for commercial and industrial lands. This effort is underway and is proposed to be completed by this Fall 2023.

- Until this effort is completed, the City will not have “*specific studies or other factual information which documents the need for the change*” as required by LDC Section 8.7.003, Rezone Review Criterion (C), discussed above.
 - Until this effort is completed, the City will not know what its commercial or industrial zoned land needs are, what industry sectors need land, and where such zone should be located.
 - **Until this effort is completed, Staff does not support any rezoning that will result in the reduction or loss of any commercial or industrial zoned land.**
- D. For Urban Renewal and downtown economic development, the City is moving forward with a revitalization effort along the Jefferson Avenue corridor, which includes properties bordering the Union Pacific Railroad.
- This revitalization effort is mentioned above, which focuses on promoting and encouraging small scale manufacturing and light industrial businesses to located along Jefferson Avenue and along the Union Pacific Railroad within the downtown area. The City is making a significant investment in this effort by allocating staff resources and considering Urban Renewal grant funding for specific projects; and City staff is actively working with a number of property owners and businesses seeking to locate within this corridor.
- The proposed rezone request is not consistent or compatible with this revitalization effort, and would not compliment or contribute to its vision and focus.

2. No written comments or concerns were received from other notified agencies.

VII. Public Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, public notice was mailed to the owners of properties located within one hundred feet (100') of the subject property.

1. No written comments or concerns were received from members of the public.

VIII. Analysis of Applicable Standards

Changes to a Zoning map designation are required to satisfy the review criteria contained in the City of La Grande LDC 3252, Series 2021, Article 8.6, Section 8.6.003, and Article 8.7, Section 8.7.003. The Findings in Decision Order Section IX below addresses conformance with such criteria.

IX. LDC Section 8.6.003 – Review Criteria (Zoning Map Change)

A proposed Zone Designation Change shall meet the following criteria:

- A. The Zone Designation Change is in conformance with the Comprehensive Plan (Criteria A¹), and all other provisions of the Land Development Code (Criteria A²);**

Criteria A¹ – The Zone Designation Change is in conformance with the Comprehensive Plan

Following are the Comprehensive Plan Goals and Policies applicable to this request:
(Current Comprehensive Plan adopted by Ordinance 3255, Series 2022)

Goal 1: Citizen Involvement

Objective 1. Develop and implement a citizen involvement program that includes all six (6) components of Statewide Planning Goal #1.

- (1) Citizen Involvement*
- (2) Communication*
- (3) Citizen Influence*
- (4) Technical Information*
- (5) Feedback Mechanisms*
- (6) Financial Support*

- Policy 1. The City of La Grande shall strive to provide for widespread citizen involvement, especially in its land use planning process.*
- Policy 2. The City of La Grande shall strive to assure effective two-way communication with citizens.*
- Policy 3. The City of La Grande shall strive to provide the opportunity for citizens to be involved in all phases of the planning process.*
- Policy 4. The City shall strive to assure that technical information is available in an understandable form.*
- Policy 8. That the City of La Grande continue efforts to upgrade its web site to include land use information including, but not limited to: Comprehensive Plan, implementation ordinances, meeting agendas, meeting minutes, staff reports, hearing notices, land use maps, special events and opportunities to serve on committees or commissions.*
- Policy 10. That the City of La Grande produce printed materials that will enable citizens to understand technical aspects of the land use planning program and make such materials readily available to the public.*

Finding: This standard is met. The City's land use process satisfies Goal 1. As outlined in Decision Order Section II above, the City provides many opportunities for citizens to become informed and participate in the land use process.

The City's land use review process includes the mailing of a public hearing notice to surrounding property owners within 100', advertised notice in *The Observer*, and all materials are posted on the City's website. City staff prepares written material, using layman's terms and illustrations as much as possible to ensure that technical information is easily understood. The City holds a minimum of three (3) public hearings; one before the Planning Commission and two before the City Council. All public hearings are advertised and the public is invited to attend and participate in all phases of the process. At the conclusion of the hearing process, there is a 30-day appeal period by which any party with standing may challenge the decision.

Goal 2: Land Use Planning

Objective 1. The overall goal of the La Grande Comprehensive Plan is to provide direction for achieving a safe, healthful, attractive, and workable environment for the citizens of La Grande; and

Objective 2. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure and adequate factual base for such decisions and actions.

- Policy 1. That planning-related decisions be made on a factual base.*
- Policy 3. That public need be established before plan changes and related requests are approved, and that the burden of proof be borne by the requestor.*
- Policy 7. That commercial development be concentrated so as to strengthen existing commercial activities.*

- Policy 8. That compatibility with anticipated uses with surrounding area development will be evaluated in making planning related decisions.*
- Policy 9. That alternative sites and alternative uses will be considered in making land use plan decisions.*

Finding: **This standard is not met.** The applicant addressed the above Objectives and Policies, but failed to provide sufficient references to studies or factual information to support rezoning the subject property from light industrial to general commercial.

For **Objective #1**: The request should explain and justify how the rezoning from light industrial to general commercial will result in achieving a safe, healthful, attractive, and workable environment for the citizens of La Grande. In the applicant's narrative (bottom of page 3 & top of page 4) the applicant explains the building and site improvement proposed and how this will achieve a *safe, healthful, attractive and workable environment*.

Staff analysis: While the proposed building and site improvements may achieve a better aesthetic environment, they are all related to tenant improvements that would occur or be required for any new tenant occupancy, including an industrial business tenant. **As this request is for a zone change from light industrial to general commercial, the justification should justify how changing the zone will achieve a safe, healthful, attractive and workable environment.** As the justification was focused on tenant improvements and cleaning up the property, and not related to changing the zoning, Staff feels that Objective #1 was not adequately satisfied.

For **Objective #2**, identifying specific studies to support the zone change was not provided, nor was adequate other factual information provided to support the Zone change.

Staff Analysis: As discussed in the Agency Comments section above, this request is not based on a factual need to rezone this property from light industrial to general commercial, but it is rather to accommodate a proposed tenant that could be accommodated on a number of other sites throughout the City in various zones, such as General Commercial, Downtown Central Business, Public Facilities, Medical Services, and Residential-Professional Zones.

Also, there are no studies that suggest the City has a surplus of light-industrial land, or that there is a need for commercial land of this type in this location. As discussed in the Agency Comments section above, the City has hired a consulting firm to conduct a Goal 9 Economic Opportunities Analysis (EOA) to evaluate and determine the City's commercial and industrial land needs for the next 20-years. This effort is underway and proposed to be completed by late summer or Fall 2023. Until this effort is completed, the City will not know what its commercial or industrial zoned land needs are, and until then the City will not have current and valid *"specific studies or other factual information which documents the need for the change"* to support this rezone as required by this Comprehensive Planning Goal.

For **Policies 1, 3, 7, 8 and 9**, the applicant addressed these beginning on Page 3 of their narrative. These policies require:

- Policy 1 - That a decision to be made on a factual base.
- Policy 3 - That public need be established.
- Policy 3 - That the burden of proof be borne by the requestor.
- Policy 7 - That commercial development be concentrated in a manner to support other commercial development.
- Policy 8 - That compatibility with surrounding uses be evaluated.
- Policy 9 - That alternative sites *and alternative uses* be considered.

Staff Analysis Policy 1 – That planning-related decisions be made on a factual base: As discussed above, this request **is not** based on a factual need to rezone this property from light industrial to general commercial. There have been no studies or other valid factual evidence provided to satisfy the requirement of this policy. Instead of being based on a factual need for commercially zoned lands, this request is rather to accommodate a proposed tenant that could be accommodated on a number of other sites throughout the City and in various zones, such as General Commercial, Downtown Central Business, Public Facilities, Medical Services, and Residential-Professional Zones.

Staff Analysis Policy 3 – That public need be established before plan changes and related requests are approved, and that the burden of proof be borne by the requestor. As discussed above, there **is not** currently a documented need to support this zone change. Also, as discussed above, the City is currently in the process of conducting a Goal 9 Economic Opportunities Analysis (EOA) to evaluate and determine whether the City has a need for additional commercial and industrial land and where such lands should be located. Until this effort is completed, or a similar effort is conducted by an applicant/development, the City will not know what its commercial or industrial zoned land needs are.

The applicant recognizes *to what extent additional (commercial) property is needed is unknown*. But has not provided any evidence to justify a “need” to support the rezoning of the subject property.

In accordance with this Policy, the burden of proof shall “be borne by the requestor”. The burden of proof has not been met, as the applicant has not provided any factual information to demonstrate an established “need.”

Staff Analysis Policy 7. – That commercial development be concentrated so as to strengthen existing commercial activities. And, Policy 8. – That compatibility with anticipated uses with surrounding area development will be evaluated in making planning related decisions. As discussed in the Agency Comments section above, this request will not result in concentrating commercial development and strengthening existing commercial development.

The applicant addressed this policy on page 4 of their application narrative, identifying the uses on the surrounding properties.

The subject property is bordered by industrially zoned properties on 3 sides, with some commercially zone properties across the street that are developed and occupied by residential uses. Only one adjacent property includes a commercial office tenant, within an industrial warehouse building. Following is an analysis of adjacent properties.

- To the West is an industrial property owned by a towing company and occupied/used for a vehicle impound storage lot.
- Immediately to the South is the Union Pacific Railroad with industrial zoned properties bordering further to the South that include industrial warehouses, automotive repair, machine fabrication, etc.
- To the East is industrially zoned property that is currently vacant and part of the Union Pacific Railroad.
 - It is also important to point out that the East 2/3 of the subject property has historical been for outdoor material/warehouse storage, and which the applicant states in their application that they are considering for future a mini-storage facility, which is an industrial use.
- The properties to the North include one (1) industrially zoned property and the remainder being commercially zoned properties.
 - Immediately North, at the NE corner of Greenwood and Madison, is an industrially zoned property that includes a warehouse use and a small commercial office use. This property is predominantly occupied by a light industrial tenant.
 - Immediately East of this industrially zoned property is commercially zoned properties, all of which are improved with single-family residential homes. There are no commercial tenants or commercial uses within this area.
 - Diagonal to the NW, at the NW corner of Greenwood and Madison is a commercially zoned property that is developed with a mini-storage facility, which is an industrial use.

Given that all of the adjacent properties are improved with industrial uses, or non-commercial uses, and the nearest commercial use is over one (1) block away, the rezoning of this property to general commercial would not be consistent with the neighboring uses and would not result in strengthening existing commercial activities.

Staff Analysis Policy 9. – That alternative sites and alternative uses will be considered in making land use plan decisions. The applicant has considered alternative sites and provided a list of the sites they considered for the proposed tenant. All of these sites were ruled them out for various reasons. One of those reasons was due to not accommodating future expansions, yet the application does not clearly address the tenant's plans for expansion, need, or timing to support this being a deciding factor for the rezone.

Additionally, this zone change request is not based on a "factual need" for commercial zoning, but a single spot zoning request to accommodate a tenant. As discussed in the Agency Comments section above, this tenant could be accommodated on a number of sites throughout the City and in several zones, such as General Commercial, Downtown Central Business, Public Facilities, Medical Services, and Residential-Professional Zones. There are many vacant commercial sites available for new development, and there are many commercial sites with existing buildings that may be available for lease or purchase.

Based on the availability and choices for alternative sites, there are several options available to the tenant and no valid justification has been provided to support rezoning one of the City's only available industrial properties to general commercial.

Goal 9: Economic Development

There are five (5) sub-goals in this Goal 9 chapter. Of these, only a couple apply to this request:

Goal 1 – To Create High Quality Family Wage Jobs

Goal 2 – To Foster Growth and Expansion for Eastern Oregon University

Goal 3 – To Promote Retail Development

Goal 4 – To Revitalize Downtown

Goal 5 – To Establish Sufficient Capacity for Commercial and Industrial Development

Finding: Of the above five (5) goals, the applicant addressed Goal 4 in their narrative, which is the only goal that applies. The remaining goals are either general overall goals for the City's economic development program, or focus on expansion of City boundaries.

Related to Goal 4, **there are a number of Policies and Recommendations that apply, some of which are not met such as Policy 11 and 26, and Recommendations H and J.** See below.

Goal 4 – To Revitalize the Downtown: To revitalize the Central Business District by building on its historic character, expanding the mix of goods and services offered and creating public spaces and amenities.

Staff Analysis: The subject property is not within the Central Business District or even immediately adjacent. Instead, it is roughly two (2) blocks North of the Central Business District and this Goal does not directly apply. However, it is in the vicinity and has some influence over the economic development programs that the City is implementing.

The applicant's response to Goal 4 on Page 9 of their application submittal, explains that the rezoning to commercial will allow the building to be improved with public education and public meeting space.

However, as discussed in the Agency Comments section above, the City is moving forward with a revitalization effort along the Downtown Jefferson Avenue corridor, which includes properties bordering the Union Pacific Railroad and which focuses on promoting and encouraging small scale manufacturing and light industrial businesses. The proposed rezone is inconsistent with this effort and does not meet this economic development goal.

Policies – *There are twenty-nine (29) policies addressing different elements of the City's economic development program. The following policies were deemed applicable to this request.*

Policy 7. The City shall focus economic development efforts on the following existing industry clusters: Wood Products, Education, General Manufacturing, Health Care; the following emerging/targeted clusters: Regional Retail, Truck and Rail Transportation & Warehousing; and the

following non-cluster opportunities: medical research and development, other medical services, suppliers, private firefighting, and tourism.

Staff Analysis: The applicant addressed this Policy on page 9 of their narrative, discussing their services relating to “Health Care” and possibly adding “Medical Services” in the future. This Policy was adequately address by the applicant.

Policy 8. The City shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.

Staff Analysis: The applicant addressed this Policy on page 9 of their narrative, discussing the building and site improvement they plan to make to improve the aesthetics of the property. This Policy was adequately address by the applicant.

Policy 11. The City shall encourage the grouping of commercial uses in such a manner as will facilitate customer involvement from one store to another.

Staff Analysis: **This Policy is not met.** This policy was addressed by the applicant. The proposed commercial tenant for the building, and the proposed mini-storage facility does not appear to be the type of business or generate the type of activity that results in customer involvement from store to store.

As discussed previously, this property is within a downtown corridor that the City is actively pursuing economic development efforts to encourage small scale manufacturing. Within this corridor, the small-scale manufacturing businesses are to include a small retail storefront, which is intended to result in customer involvement store to store. In this case, the proposed rezone and propose development does not appear to be consistent with this policy.

Policy 21. The City shall ensure that space for industries is reasonably scaled to the anticipated demand and need.

Staff Analysis: The applicant addressed this Policy on page 9 and 10 of their narrative, discussing the building and site characteristics and meeting the current and future needs of the tenant. This Policy was adequately address by the applicant.

Policy 26. In order to encourage residents to live within close proximity to their place of work, the City shall support and promote mixed-use development in the Central Business, General Commercial and Residential-Professional zones

Staff Analysis: The applicant addressed this Policy on page 10 of their narrative, discussing the use of the building as meeting and education space, along with plans for adding a caretaker's residence within the building.

This policy is not applicable to this request and/or **this request does not meet this policy** with the development proposed. This policy focuses on creating a mixed-use development (e.g. NK West building)

with commercial employment uses in parts of the building and residential uses in other parts of the building. A single caretaker's residence in a commercial building is not what this policy refers to. This rezone request does not provide or promote a mixed-use development.

Recommendations: For implementing the Goal 9 Policies, a number of recommendations were included in the Comprehensive Plan Goal 9 Chapter. The applicable recommendations are as follows.

Recommendation E: Commercial and industrial parking shall not intrude into the adjacent residential neighborhoods.

Staff Analysis: The applicant addressed this Recommendation on page 10 of their narrative. This recommendation does not apply and the property is located within a "Parking Exempt" overlay zone. Within this zone, parking is expected to intrude into adjacent areas and people are expected walk to their destination.

Recommendation H: Support redevelopment of existing vacant and underutilized industrial and commercial lands rather than designating additional lands for these purposes.

Staff Analysis: The applicant addressed this Recommendation on page 10 of their narrative, explaining *the rezoning and repurposing of the former Old Millers building preserves the development of new fresh ground in a far less densely populated area.*

The applicant's justification does not adequately address this recommendation as it refers to utilizing existing lands vs. designating additional lands for this purpose. This request specifically asks for the land to be designated differently (rezoned from light industrial to general commercial) for the purpose of new commercial development.

As discussed previously in this decision order, the City has several vacant commercial sites, as well as several developed sites that are underutilized and for sale or rent that could accommodate the proposed tenant of this rezone request. The City has very few, if any, industrial sites. According to this recommendation, this industrial site should be preserved for redevelopment with an industrial use, otherwise the City will have no industrial sites available which will expand its Urban Growth Boundary to designate additional lands for this purpose. **This recommendation is not satisfied** and the applicant is proposing exactly what this recommendation states not to do.

Recommendation J: Allow mixed use development to provide opportunities for commercial, entertainment, professional, cultural, public, and residential activities.

Staff Analysis: The applicant addressed this Recommendation on page 10 of their narrative, explaining the rezoning to general commercial and utilizing the building for office, meeting and education space, and having a caretaker's residence is a mixed-use development meeting this recommendation.

This recommendation either does not apply to this request or is not met. This proposed development is not a mixed-use development. Having a commercial building with a number of commercial tenants is not a mixed-use development. Also, adding a caretaker's residence does not make it a mixed-use development.

In the context of this recommendation, as well as all land use planning projects, a mixed-use development includes a combination of commercial and residential uses (e.g. multi-family apartments, cottage home development, etc.) where all of these different uses and activities are clustered together in a very walkable environment where people can live, work, shop and recreate without leaving the development. This proposed rezone does not plan for this type of development or any combination thereof.

Criteria A² – The Zone Designation Change is in conformance with all other provisions of the Land Development Code.

Finding: The subject properties are currently zoned Light Industrial (I-1), which *“The purpose of this zone is to provide for areas where manufacturing, storage, sorting and wholesaling distribution can be undertaken in close proximity to one another without encroaching upon the character of the adjacent land uses.”*

The applicant discusses on page 2 of their application, that their project is compatibility with the surrounding area, stating that *“the current zoning of the industrial storage to the west on Madison by Captain Hook for impounded cars and the mini storage across the street are both similar in scope to the possible mini storage we propose in the future.”*

Staff Analysis: The application does not appear to be in conflict with any specific land use provision in the Land Development Code. But, it is important to recognize that the proposed rezone justification is focused on accommodating a commercial tenant, *The Underground Oasis*, which would be in conflict with the permitted uses in the existing light industrial zone. The applicant's plans for the future construction of a mini-storage facility would be allowed by conditional use in the general commercial zone, but is best suited for the light industrial zoning where such use is permitted outright. Staff also agrees with the applicant that a mini-storage facility would be compatible with the light industrial uses adjacent to this site, but such use would not require or justify a need to rezone the property. Also, the adjacent uses identified in this compatibility discussion are on properties zoned light industrial. Rather than rezoning, the applicant's future mini-storage plans for the subject property support retaining the existing zoning as light industrial.

B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;

Finding: The applicant's submittal explains the following: *Underground Oasis has goals of meeting more needs and larger groups than the current attendance of 15-40 people per day. 5000-6000 square feet of meeting space is projected for the needs of future expansion. This property will meet these meeting needs.*

The property adjacent to the building (lumber yard at present) will provide opportunities for future services expansion. A smaller facility would require us to move and lose the development costs associated with changing locations.

C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)

Finding: The applicant's submittal explains the following: *The proposed uses of public meeting space, educational meeting space, and mini storage will be within the guidelines of General Commercial Zoning; Underground Oasis and the mini storage facility projects the traffic to be less than that of the retail usage under the current zoning.*

Traffic Flow under the current zone of Light Industrial was adequate to serve the only Lumber yard and a busy Retail hardware store in Union county. While we do not have traffic counts for Greenwood, Greenwood is a main artery carrying traffic from the north residential part of the town to the downtown district. Greenwood street has shown to be able to carry lots of traffic and the current traffic and zoning was not a significant factor or cause for congestion historically. Even if the new usage was to increase the flow of traffic due to a higher volume of traffic for an hour or two before or after a meeting, the results would not be a congestion of Greenwood street.

Madison Street is a side street and is serving the residential community on that street only. It is capable of serving a lot of traffic because of easy access to Greenwood and Monroe which are major traffic streets able to carry much traffic flow. Since the residential traffic is very low with only residential on one side of the street, Madison is way below capacity. Underground Oasis total traffic flow will be significantly less than the current usage as a lumberyard and hardware store. The maximum traffic would be an event where we used the larger meeting room to capacity for a few hours which would most likely not be during business hours competing with the downtown traffic.

Off street parking is available with the current building along Madison street which is approximately 22 spaces with perpendicular parking. Additional Perpendicular parking is currently available on Greenwood for 8 spaces. On street Parallel parking is available on Madison street going east toward the railroad tracks estimated at 10 spaces. The majority of the Underground Oasis traffic will be to the smaller meeting room off Madison with door access on the same street. Parking currently has been 10 cars or less as many of the attendees do not have cars. Additional Access into the building coming off Madison Street is planned for the kitchen, bathrooms and the larger meeting hall using existing perpendicular Madison Street parking.

Future development will encourage access to the main meeting hall from the east with two foyers pictured on the concept plan giving access to the projected additional off-street parking behind the building.

What is the highest Impact of this zone change?

Under the goals of the Underground Oasis, we foresee traffic flow less than the existing usage as Miller's Home Center. The highest impact would possibly be a weekend rental where the facility was rented to the community for a community event similar to the Presbyterian Center. We do not know the future but if the building were to be purchased by another party, the commercial kitchen and meeting place would potentially be used more than historical traffic flow. This potential is very remote in our view because of the location being on the north side of the tracks and the building is not conducive to a large attraction such as a large restaurant with 30 tables etc.

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

Finding: The applicant's submittal explains the following: *The current zoning of the industrial storage to the west on Madison by Captain Hook for impounded cars and the mini storage across the street are both similar in scope to the possible mini storage we propose in the future.*

Source 1 Consulting office and vehicle storage is a mixed-use development where both industrial and commercial activities are present just across the street to the north of the proposed zone change for Miller's Old hardware.

The Commercial zoning east is actually developed residential to the north of the proposed property zone change.

Across the railroad tracks to the south on Jefferson Street are the industrial buildings used for fabrication and manufacturing.

The Calvary Baptist Church also on the same street is a commercial usage similar to the zone change we are requesting.

*Given the variety of development of both light industrial, commercial and residential, we believe the zone change from light Industrial to Commercial for the old Millers lot will not create any activities that will be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood or the adjacent Industrial or Commercial zones spaces. **With the exception of the commercial kitchen, Underground Oasis will not be bringing any new activities to the area not already present.***

X. LDC Section 8.7.003 – Review Criteria (Comprehensive Plan Map Designation Change)

A proposed Comprehensive Plan Designation Change shall meet the following criteria:

A. The proposed change is in compliance with the Statewide planning goals;

Finding: This standard is not met. The City of the La Grande's Comprehensive Plan was developed and structured to mirror the Statewide planning goals, but with policies that are more specific in order to help the City implement the various goals or direction specified in the Statewide Planning Goals.

When an application is found to satisfy the City's Comprehensive Plan policies (see Criteria B below), it is generally also found to satisfy the Statewide planning goals. However, in this case there are a number of Comprehensive Plan policies that not satisfied. As a result, the related Statewide Planning Goals are also not satisfied.

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

Finding: This standard is not met. See Zone Designation Change findings above, which also requires compliance with the City's Comprehensive Plan.

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

Finding: This standard is not met. Goal 2 of the City of La Grande Comprehensive Plan, Objective #2 discusses identifying specific studies to support the zone change. Additionally, Goal 2, Policy 1 and 3 requires that decisions be made on a “factual base,” that “public need” be established, and “that the burden of proof be borne by the requestor.” Unfortunately, this application submittal does not include reference to any studies, or any factual information (data) that documents a “need” for the change.

XI. Conclusions and Order

Based on the Findings of Fact above, the Planning Commission concludes that the Comprehensive Plan Designation Change and Zone Designation Change **(meets/does not meet)** the requirements established in LDC Article 8.6 and 8.7, and hereby recommends **(approval/denial)** of the zone change to the City of La Grande City Council.

Note:

- *The Findings of Fact above reflect the applicant’s justification for the zone change, which includes staff’s analysis.*
- ***Staff’s evaluation and recommendation is to deny the request as Staff does not feel the applicant has met the required burden of proof for demonstrating a public “need” for the zone change.***
- *The Findings of Fact will be modified, as necessary, to reflect public comments and the Planning Commission discussions that occur during the public hearing, along with the decision issued.*

Exhibit A

LDC 3252, Series 2021, SECTION 2.2.011 – LIGHT INDUSTRIAL (I-1)

- A. **PURPOSE:** The purpose of this zone is to provide for areas where manufacturing, storage, sorting and wholesaling distribution can be undertaken in close proximity to one another without encroaching upon the character of the adjacent land uses. It is not the purpose of the Light Industrial Zone to permit the processing of raw materials for shipment in bulk form to be used in an industrial location elsewhere. It is the intent of this zone to implement the Comprehensive Plan designation of a Light Industrial land use.
- B. **PERMITTED USES:**
1. Accessory Structures – Caretaker's Residences, Garages, Sheds For Storage of Lawn Equipment or Wood, and Signs
 2. Automotive and Equipment: Parking – Commercial Parking Lots or Garages
 3. General Industrial – Manufacturing, Custom Manufacturing, Compounding, Processing, Assembling, Packaging, Treatment or Fabrication of Materials and Property, Cabinet Shops, Textiles and Metal Fabrication
 4. Off-Premise Advertising Sign
 5. Research Services – Electronics Research Laboratories, Space Research and Development Firms, Soil and Material Testing Labs, or Pharmaceutical Research Labs
 6. Wholesaling, Storage and Distribution: Heavy – Limited to Monument or Stone Yards, Open Storage Yards
 7. Wholesaling, Storage and Distribution: Light – Limited to Wholesale Distributors, Storage Warehouses, Moving and Storage Firms
 8. Wholesaling, Storage and Distribution: Storage – Building Contractors, RV Storage, Household Storage, and Personal Storage and Mini-Storage
- C. **CONDITIONAL USES:**
1. Agricultural Supplies and Services – Feed and Grain Stores, Crop Dusting or Tree Service Firms
 2. Animal Sales and Service: Kennels – Boarding Kennels, Animal Shelters, Pet Motels, Dog Training Centers, or Breeding Establishments
 3. Animal Sales and Services: Veterinary, Large Animals – Animal Hospitals or Veterinary Hospitals
 4. Automotive and Equipment: Fleet Storage – Taxi Fleets, Mobile Catering Truck Storage or Auto Storage Garages
 5. Automotive and Equipment: Repairs, Heavy Equipment – Truck Transmission Shops, Body Shops or Motor Freight Maintenance Groups
 6. Automotive and Equipment: Sales/Rentals, Farm Equipment – Farm Equipment Dealers
 7. Automotive and Equipment: Sales/Rentals, Heavy Equipment – Aircraft Dealers, Boat Dealers, or Heavy Construction Equipment Dealers
 8. Automotive and Equipment: Storage, Non-Operating Vehicles - Storage of Private Parking Tow-Aways or Impoundment Yards
 9. Building Maintenance Services – Janitorial, Landscape Maintenance, or Window Cleaning Services
 10. Communications Services – Television Studios, Radio Stations and Telecommunication Service Centers
 11. Construction Sales and Services – Building Materials Stores, Tool and Equipment Rental or Sales
 12. Extensive Impact Services and Utilities – Limited to Heliports, Helistops, Detention and Correction Institutions, Fairgrounds, Railroad Depots Public Safety Buildings, Police Stations, Wells, Parks, Public Sports Arenas, Golf Courses, Vehicular Raceways, Wireless Communication Facilities, or Other Communication Structures, Substations, and Electrical Generation Facilities
 13. Laundry Services – Laundry Agencies, Diaper Services or Linen Supply Services

14. Marijuana Facilities – Marijuana Processing, Marijuana Testing, Marijuana Wholesalers, and Medical Marijuana Dispensaries (See Article 3.21)
15. Postal Services – Mailing Services Including Major Processing
16. Public Research Area – Governmental, Educational, Public or Non-Profit Operated Buildings or Land Dedicated to Pure or Applied Scientific Discovery in Fields of Agriculture, Wildlife Management, Forestry, Geology, Archaeology, Ecology, Astronomy
16. Scrap Operations – Junk Yards, Paper Salvage Yards, Auto Salvage Yards or Appliance Salvage Yards
17. Solid Waste Transfer Facility

Exhibit B

LDC 3252, Series 2021, SECTION 2.2.009 – GENERAL COMMERCIAL (GC)

A. PURPOSE: The purpose of this zone is to provide the full range of retail goods and services serving a large area which normally requires a large space for development.

B. PERMITTED USES:

1. Accessory Structures – Caretaker's Residences, Garages, Sheds For Storage of Lawn Equipment or Wood, and Signs
2. Administrative and Professional Services – Administrative Offices, Legal Financial, Insurance, Real Estate, Architectural, Engineering, Surveying, Consulting Offices and Business Support Services
3. Animal Sales and Services: Grooming – Dog Bathing and Clipping Salons or Pet Grooming Shops
4. Animal Sales and Services: Kennels – Boarding Kennels, Animal Shelters, Pet Motels, Dog Training Centers, or Breeding Establishments
5. Animal Sales and Service: Pet Sales/Shops – Sales of Aquatic and Small Animals, and Animal-Related Supplies and Services.
6. Animal Sales and Services: Veterinary, Small Animals – Pet Clinics, Dog and Cat Hospitals or Animal Hospitals
7. Automotive and Equipment: Cleaning – Auto Laundries, Auto Detailing, or Car Washes
8. Automotive and Equipment: Fleet Storage – Taxi Fleets, Mobile Catering Truck Storage or Auto Storage Garages
9. Automotive and Equipment: Parking – Commercial Parking Lots or Garages
10. Automotive and Equipment: Repairs, Light Equipment – Muffler Shops, Auto Repair Garages or Auto Glass Shops
11. Automotive and Equipment: Sales/Rentals, Light Equipment – Automobile Dealers, or Car Rental Agencies or Recreational Vehicles Sales and Rental Agencies
12. Building Maintenance Services – Janitorial, Landscape Maintenance, or Window Cleaning Services
13. Business Equipment Sales and Services – Office Equipment and Supply Firms, Small Business Machine Shops or Hotel Equipment and Supply Firms
14. Communications Services – Television Studios, Radio Stations and Telecommunication Service Centers
15. Community Education – Public, Private and Parochial Pre-Elementary, Elementary, Junior High and Senior High School, Junior Colleges, Colleges, Universities and Trade Schools
16. Community Recreation – Recreational, Social or Multi-Purpose Uses Within Buildings
17. Construction Sales and Services – Building Materials Stores, Tool and Equipment Rental or Sales
18. Cultural Exhibits and Library Services – Museum-Like Preservation and Exhibition of Works of Art or Library Collection
19. Day Nurseries
20. Dwellings – Limited to Residential Units within existing buildings that were originally designed and constructed exclusively for residential occupancy. Buildings that were not originally constructed exclusively for residential occupancy are limited to Residential Units Below Ground Level and in the Second and Higher Floors and/or Twenty-Five Percent (25%) of the Ground Floor of Commercial Buildings, or Greater than Twenty-Five Percent (25%) With a Conditional Use Permit, Provided that Commercial Store Fronts are Maintained on the Street Front. Home Occupations are Allowed in Such Family Residential Units Subject to the Provisions of Article 8.11 of This Code.
21. Eating and Drinking Establishments – Restaurants, Short-Order Eating Places, Taverns, Bars or Brew Pubs
22. Family Daycare Providers
23. Food and Beverage Retail Sales – Supermarkets, Groceries, Liquor Stores, Brew Pubs, Retail Sales, Bakeries, or Delicatessens

24. Fuel Sales – Passenger and Light Truck Service Stations, Filling Stations - Excluding Truck Stops, Storage or Sales of Liquefied Petroleum Gas
25. General Industrial: Limited to Custom Manufacturing – Ceramic Studios, Candle-Making Shops or Custom Jewelry Manufacture
26. Laundry Services – Laundry Agencies, Diaper Services or Linen Supply Services
27. Lodging – Motels, Hotels, and Bed and Breakfast Inns, excluding emergency shelters
28. Medical Services – Medical Clinics, Dental Clinics, Chiropractic Clinics, Medical and Dental Laboratories or Allied health professionals
29. Participant Sports and Recreation – Limited to Bowling Alleys, Arcades, Youth Centers, Martial Arts Studios, Dance Studios, Health/Fitness Clubs, Gymnasiums or Billiard Parlors, Miniature Golf Courses and Driving Ranges Within Enclosed Buildings
30. Personal Services – Photography Studios, Barber Shops, Hair Salons, or Massage Therapy
31. Postal Services – Mailing and Shipping Services Excluding Major Processing and Distribution Centers
32. Repair Services – Appliance Repair Shops, Apparel Repair Firms or Instrument Repair Firms
33. Retail Sales – Businesses Engaged in Retail Sale of Goods and Merchandise, Excludes Medical Marijuana and Recreational Marijuana
34. Spectator Sports and Entertainment - Limited to Indoor Theater, Service Club and Membership Organizations, and Social and Fraternal Orders, Excluding sports stadiums and arenas.
35. Transportation Services – Taxi Services and Bus Depots
36. Wholesaling, Storage, and Distribution: Light – Limited to wholesale buying operations within buildings not to exceed 5,000 square feet total.

C. CONDITIONAL USES:

1. Animal Sales and Services: Veterinary, Large Animals – Animal Hospitals or Veterinary Hospitals
2. Automotive and Equipment: Repairs, Heavy Equipment – Truck Transmission Shops, Body Shops or Motor Freight Maintenance Groups
3. Automotive and Equipment: Sales/Rentals, Farm Equipment – Farm Equipment Dealers
4. Extensive Impact Services and Utilities – Limited to Fairgrounds, Public Safety Buildings, Police Stations, Fire Stations, Ambulance Services, Helistops, Wells, Parks, Community Gardens, Wireless Communication Facilities, or Other Communication Structures, Substations, and Electrical Generation Facilities
5. Funeral and Interment Services: Cremating - Crematoriums
6. Funeral and Interment Services: Undertaking – Funeral Homes or Mortuaries
7. Fuel Sales - Limited to Truck Stops
8. Lodging: Campgrounds
9. Lodging: Resorts and Emergency Shelters
10. Marijuana Facilities – Marijuana Retailers, Marijuana Testing, and Medical Marijuana Dispensaries (See Article 3.21)
11. Off-Premise Advertising Signs
12. Open Sales Lot – Sale and/or Rental of New/Used Manufactured Homes, Prefabricated Structures or Any Other Good or Service Sold and/or Displayed in an Outdoor Environment
13. Participant Sports and Recreation – Limited to indoor shooting ranges and those uses conducted in open facilities, such as golf courses and outdoor driving ranges.
14. Public Research Area – Governmental, Educational, Public or Non-Profit Operated Buildings or Land Dedicated to Pure or Applied Scientific Discovery in Fields of Agriculture, Wildlife Management, Forestry, Geology, Archaeology, Ecology, Astronomy
15. Religious Assembly – Religious Services Involving Public Assembly as Occurs in Synagogues, Temples and Churches
16. Research Services – Electronics Research Laboratories, Space Research and Development Firms, Soil and Material Testing Labs, or Pharmaceutical Research Labs
17. Spectator Sports and Entertainment – Limited to Sports Stadiums and Arenas
18. Wholesaling, Storage, and Distribution: Storage - Limited to Mini-Storage and Building Contractors

APPLICATION FOR LAND USE REVIEW

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning Division
1000 Adams Avenue, P.O. Box 670
La Grande, OR 97850
(541) 962-1307
Fax (541) 963-3333



LAND USE APPLICATIONS

- | | | |
|---|---|---|
| <input type="checkbox"/> Annexation Petition | <input type="checkbox"/> Land Development Code Amendment | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Appeal of Planning Division Decision | <input type="checkbox"/> Land Use Approval Time Extension | <input type="checkbox"/> Segregation of Tax Lot |
| <input type="checkbox"/> Appeal of Planning Commission Decision | <input type="checkbox"/> Livestock Permit | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Appeal of Landmarks Commission Decision | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Comprehensive Plan Document or Map Amendment | <input type="checkbox"/> Major Land Partition | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Minor Land Partition | <input type="checkbox"/> Variance - Administrative |
| <input type="checkbox"/> Duplex Division | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Variance - Commission |
| <input type="checkbox"/> Fence Height Waiver | <input type="checkbox"/> Preliminary Land Use Review | <input type="checkbox"/> Wetland Development Permit |
| <input type="checkbox"/> Floodplain Development Permit <i>(Separate Applic. Required)</i> | <input type="checkbox"/> Public Right-of-Way Encroachment | <input type="checkbox"/> Zoning Approval |
| <input type="checkbox"/> Geologic Hazard Site Plan | <input type="checkbox"/> Public Right-of-Way Dedication | <input checked="" type="checkbox"/> Zone Change Designation |
| <input type="checkbox"/> Historical Landmarks Review | <input type="checkbox"/> Public ROW Vacation <i>(Separate Applic. Required)</i> | <input type="checkbox"/> |
| <input type="checkbox"/> Home Occupation Permit | | |
| <input type="checkbox"/> | | |

OWNER/APPLICANT INFORMATION

Applicant/Agent: <u>DANIEL R. BECKNER</u>	Land Owner: <u>STEVEN COLTITT</u>
Mailing Address: <u>46724 Brooks Rd</u>	Mailing Address: <u>3109 May Lane</u>
City/State/Zip: <u>Imbler OR 97841</u>	City/State/Zip: <u>LaGrande OR 97850</u>
Telephone: <u>541-786-3719</u>	Telephone: <u>541-963-7860</u>
Fax: _____	Fax: <u>N/A</u>
Email: <u>danlboon@gmail.com</u>	Email: <u>None</u>

PROJECT INFORMATION

Site Address: <u>307 Greenwood - LaGrande</u>	Description: <u>OLD Millers Building & Lot</u>
Legal Desc.: T___S, R___E, Section___, Tax Lot___	<u>Remodel to educational facility</u>
Project Value: _____ <i>(Based on contractors bid estimate.)</i>	<u>& Public Meeting Space</u>

APPLICANT/OWNER CERTIFICATION

The applicant/owner understands and agrees that:

- The applicant/owner assumes all legal and financial responsibilities for establishing and clearing marking the location of all necessary property lines as determined necessary by the City for the proposed development;
- Building setbacks shall be measured from an established property line, not from the street, curb, sidewalk, or other improvement that is not based on a recorded survey;
- Any approvals associated with this request may be revoked if found in conflict with information represented in this application;
- The approval of this request does not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by City of La Grande ordinances, codes or regulations;
- The applicant hereby authorizes City officials of the City of La Grande to enter the property and inspect activity in conjunction with the proposed development project.
- ASBESTOS:** If the project includes demolition, Oregon law may require an asbestos inspection by an accredited inspector. The applicant/owner hereby understands and agrees to have an asbestos inspection performed, if required by law, and to have a copy of the inspection report available on-site for the duration of the project.

Applicant Signature: Daniel R. Beckner Owner Signature: St. R. Collett

APPLICATION FOR LAND USE REVIEW

PAGE 2

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
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STAFF USE ONLY FOR ZONING APPROVAL

Project Elements:

- ☐ Demolition ☐ New Structure
☐ Addition to Structure ☐ Alterations/Repairs

Demolition Defined: "Any wrecking that that involves the removal of any load-supporting structural member or intentional burning."

Dwelling Standards: 1 2 3 4 5 6 7 8 9 10 11 12 N/A
Required for MH/SF/Duplex & Apartments [Section 3.2.003]

Access. Bldg. Standards Met: ☐ Yes ☐ No ☐ N/A *[Article 5.9]*

☐ Setbacks Met: ☐ Yes ☐ No *[Article 5.3]*

Front: _____ Left: _____ Right: _____ Rear: _____

Livestock setbacks: _____

Floodplain: ☐ Yes ☐ No Zone: _____ BFE: _____

*If yes, an Elevation Certificate may be required
If yes, a Floodplain Development Permit may be required. [Article 3.12]*

Geologic Hazard Zone: ☐ Yes ☐ No

If yes, a Geologic Hazard Waiver is required. [Article 3.4]

Riparian Zone/Wetlands: ☐ Yes ☐ No

If yes, a wetland delineation and DSL Permit may be required. [Articles 3.9 and 3.19]

Fire Protect. Agrmt. Req.: ☐ Yes ☐ No *[Article 3.2]*

Parks & Recreation SDC: ☐ Yes ☐ No *[Article 7.1]*

ROW Improvement Req.: ☐ Yes ☐ No *[Article 6.3]*

LID Agreement Req.: ☐ Yes ☐ No *[Article 6.3]*

Zone: _____

Date Approved: _____

Date Submitted: _____

File Number: _____

Application Fee: _____

Receipt Number: _____

COMMENTS:

Land Use Application Fee Schedule

Annexation Petition	\$1000	Minor Land Partition	\$250 + \$5/lot
Appeal of Planning Division Decision	\$75	Planned Unit Development	\$500 + \$5/lot
Appeal of Planning Commission/Landmarks Commission Decision	\$150		+ Actual Costs for Advertising and Public Notice
Comprehensive Plan Designation Change	\$300	Public Right-of-Way Encroachment	\$50
	+ Actual Costs for Advertising and Public Notice		+ Document Recording Fees
Comprehensive Plan Document Amendment	Actual Costs	Public Right-of-Way Dedication	\$0
Conditional Use Permit	\$375	Public Right-of-Way Vacation	Actual Costs
Duplex Division	\$250 + \$5/lot	Preliminary Land Use Review (Pre-Application Meeting)	\$0
Fence Height Waiver	\$25	Segregation of Tax Lot	\$25
Floodplain Development Permit	\$75	Sign Permit	\$75
Geologic Hazard Site Plans	\$75	Site Plan Review - New/Expansion	\$75 (Projects \$0-\$50k) \$150 (Projects \$50k-\$100k) (\$ + \$0.50/\$1000 over \$100k)
Historical Landmarks Review	\$75	Subdivision	\$500 + \$5/lot
Home Occupation Permit	\$75		+ Actual Costs for Advertising and Public Notice
Land Development Code Amendment	Actual Cost	Temporary Use Permit	\$125
Land Use Approval Time Extension	\$25	Variance Permit (Administrative)	\$175
Lot Line Adjustment	\$150	Variance Permit (Planning Commission)	\$450
Livestock Permit	\$25	Wetland Plan Review	\$75
Major Land Partition	\$500 + \$5/lot	Zone Change/LDC Amendment	\$300
			+ Actual Costs for Advertising and Public Notice
		Zoning Approval	\$25.00

*Applications based on actual costs require a deposit to cover the estimated fees. If there is a shortage of funds discovered during the review process, an additional deposit may be required to be paid. Any surplus or deficit of fees paid will be refunded or billed to the applicant.
*Application fee for multiple planning actions is equal to the greatest single fee, not the sum of all fees.
*Application fee may be increased to include third party engineering and/or consulting fees when required.
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City of La Grande

Zone change application for 307 Greenwood St, La Grande OR

Article 8.6 Zone Designation Change:

Review Criteria:

A. The Zone Designation Change is in conformance with the comprehensive Plan, and all other provisions of the Land Development Code. (SEE Article 8.7 B below)

B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning.

Underground Oasis has goals of meeting more needs and larger groups than the current attendance of 15-40 people per day. 5000-6000 square feet of meeting space is projected for the needs of future expansion. This property will meet these meeting needs.

The property adjacent to the building (lumber yard at present) will provide opportunities for future services expansion. A smaller facility would require us to move and lose the development costs associated with changing locations.

C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule(OAR 660-012-0060)

The proposed uses of public meeting space, educational meeting space, and mini storage will be within the guidelines of General Commercial Zoning; Underground Oasis and the mini storage facility projects the traffic to be less than that of the retail usage under the current zoning.

Traffic Flow under the current zone of Light Industrial was adequate to serve the only Lumber yard and a busy Retail hardware store in Union county. While we do not have traffic counts for Greenwood, Greenwood is a main artery carrying traffic from the north residential part of the town to the downtown district. Greenwood street has shown to be able to carry lots of traffic and the current traffic and zoning was not a significant factor or cause for congestion historically. Even if the new usage was to increase the flow of traffic due to a higher volume of traffic for an hour or two before or after a meeting, the results would not be a congestion of Greenwood street.

Madison Street is a side street and is serving the residential community on that street only. It is capable of serving a lot of traffic because of easy access to Greenwood and Monroe which are major traffic streets able to carry much traffic flow. Since the residential traffic is very low with only residential on one side of the street, Madison is way below capacity. Underground Oasis total traffic flow will be significantly less than the current usage as a lumberyard and hardware store. The maximum traffic would be an

event where we used the larger meeting room to capacity for a few hours which would most likely not be during business hours competing with the downtown traffic.

Off street parking is available with the current building along Madison street which is approximately 22 spaces with perpendicular parking. Additional Perpendicular parking is currently available on Greenwood for 8 spaces. On street Parallel parking is available on Madison street going east toward the railroad tracks estimated at 10 spaces. The majority of the Underground Oasis traffic will be to the smaller meeting room off Madison with door access on the same street. Parking currently has been 10 cars or less as many of the attendees do not have cars. Additional Access into the building coming off Madison Street is planned for the kitchen, bathrooms and the larger meeting hall using existing perpendicular Madison Street parking.

Future development will encourage access to the main meeting hall from the east with two foyers pictured on the concept plan giving access to the projected additional off street parking behind the building.

What is the highest Impact of this zone change?

Under the goals of the Underground Oasis, We foresee traffic flow less than the existing usage as Miller's Home Center. The highest impact would possibly be a weekend rental where the facility was rented to the community for a community event similar to the Presbyterian Center. We do not know the future but if the building were to be purchased by another party, the commercial kitchen and meeting place would potentially be used more than historical traffic flow. This potential is very remote in our view because of the location being on the north side of the tracks and the building is not conducive to a large attraction such as a large restaurant with 30 tables etc.

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

The current zoning of the industrial storage to the west on Madison by Captain Hook for impounded cars and the mini storage across the street are both similar in scope to the possible mini storage we propose in the future.

Source 1 Consulting office and vehicle storage is a mixed use development where both industrial and commercial activities are present just across the street to the north of the proposed zone change for Miller's Old hardware.

The Commercial zoning east is actually developed residential to the north of the proposed property zone change.

Across the railroad tracks to the south on Jefferson Street are the industrial buildings used for fabrication and manufacturing.

The Calvary Baptist Church also on the same street is a commercial usage similar to the zone change we are requesting.

Given the variety of development of both light industrial, commercial and residential, we believe the zone change from light Industrial to Commercial for the old Millers lot will not create any activities that will be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood or the adjacent Industrial or Commercial zones spaces. **With the exception of the commercial kitchen, Underground Oasis will not be bringing any new activities to the area not already present.**

Article 8.7 Comprehensive Plan Designation Change:

A. **Zone change in compliance with Statewide planning goals:**

This application will be in compliance with statewide planning goals because the state goals and the City of La Grande Goals are similar in statement and intent. The application will indicate our compliance with the City of La Grande goals below thereby meeting the needs of the state as well.

B. **Zone change in conformance with City of La Grande Comprehensive Plan:**

Goal #1: Citizen involvement:

The applicant(s) will strive to communicate in such a manner to provide clear understandable information of this application in the form of email communication, concept plans, drawing, photographs, letters, and legal documents for the benefit of clarity and best communication practices.

Goal #2: Land Use Planning:

- 1) Objective #1 the application will improve *“a safe, healthful, and attractive and work environment for the citizens of La Grande”* by activating a vacant light industrial property to provide these advantages:
 - a) Increased lighting to the property for greater safety
 - b) Upkeep the property and landscaping from vacant to actively managed
 - c) Updating the paint, and appearance of the property
 - d) Bring building entry into compliance for safety and handicap access
 - e) Add ADA bathrooms
 - f) Remove Debris and structures that are unsafe or not useful
 - g) Provide a safe and attractive physical environment for public access to health information and education for the citizens of La Grande who are addicted and or drug/Alcohol dependent
 - h) Provide a safe and attractively remodeled facility able to service to the citizens of La Grande in a multi-purpose facility.

- i) To provide an emergency use structure for housing of multiple classes of people in the event of a disaster.

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

- 2) Policy #3 *"That public need be established before plan changes or related requests are approved and that the burden of proof be borne by the requestor."*

The request is to change zoning from Light Industrial to Commercial for the old Miller's building:

The need for light industrial and Commercial property in the city is known and is hard to find. Both are limiting factors for development of the city. To what extent additional property is needed is unknown. The City of La Grande has begun a study by hiring a consultant to determine the need. It is probably true that commercial is more needed than light industrial. The Mike Becker Addition on Island Avenue added the last addition of commercial zoned space and is now the new home of Miller's home center.

The proposed change from Light Industrial to Commercial for the OLD Miller's Building would not significantly change the additional need for either commercial or light industrial within the city limits.

- 3) Policy #7 *"That commercial development be concentrated so as to strengthen existing commercial activities"*

The Area has industrial Storage (Captain Hook) Mini storage, office space, and more industrial storage (Source 1 consulting), Residential on Madison Street across to the north. To the south we have more industrial storage and Industrial manufacturing (Doors in the old G&V building), and church meeting space in the Calvary Baptist Church. Clearly we have a mixture of activities and uses in this commercial and light Industrial zone.

Would the addition of meeting space and office space and a commercial kitchen, and storage space be compatible with the exact same activities? Outside of the commercial kitchen, all other activities are already present in the area. Additional rental space with a commercial kitchen will benefit the other businesses in the area providing another option for a group meeting space.

- 4) Policy #8 *"The compatibility of anticipated with surrounding area development will be evaluated in making planning related decisions"*.

Compatibility:

Because of compatibility issues with the Granada Theatre and the Underground Oasis in the past, the Underground Oasis does not want to be in the shopping district. Anonymity and confidentiality are factors we seek to preserve in our interaction with this population.

We have had experience with leasing over about a 10 year period.

Here is our experience with the Mercantile building next to the Granada Theatre from 2004 to 2014:

a) During that time period we were able to expand the program to take much of the basement of that building. **We were limited to one main meeting room** however, and other educational pursuits were not possible.

b) The downtown location was adjacent to other thriving businesses who did not find the target population of our services compatible with their customers. For Example: We received **4 letters** in the above time period with **complaints about the compatibility** for the children being dropped off by the Theatre while the clients we were serving were gathered on the sidewalk. We received 2 letters from the theater and 2 letters from the city of La Grande with almost exact complaints in each letter. Clearly parents and patrons did not appreciate the mix of persons on the sidewalk.

c) parking was a nightmare beside the Theatre.

Transportation and access are key to serving this population. In order to successfully enable and educate, We need a location that is accessible and compatible:

Downtown is more accessible by walking and bicycle.. Island city and Bimart commercial properties are more accessible by vehicle and public transportation. We believe the downtown is more foot traffic friendly and better meets the needs of the clients we aim to serve.

The mixed Commercial and light Industrial Development area (off the major shopping corridor of Washington, Adams and Jefferson) makes the Madison Street area ideal for our clientele. This site will be accessible to the target population and will ultimately benefit the downtown area. The activities of the Underground Oasis will not compete with the downtown traffic and the shopping corridor.

Given the variety of development of both light industrial, commercial and residential, we believe the zone change from light Industrial to Commercial for the old Millers lot will not create any activities that will be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood or the adjacent Industrial or Commercial zones spaces

The commercial kitchen will be the only new activity to the area not already present. The kitchen will be used with the largest meeting which is planned for Saturday night 5:30 to 8:30 PM with approximately 40-50 in attendance. We project 200 possible. Catering services are an option at other times of the week and a rental of the larger room with kitchen services are a possibility to serve our community. **There are no restaurant options in the plan.**

Additional rental space with a commercial kitchen will benefit the other businesses in the area providing another option for a group meeting space.

5) Policy #9 *"That alternative sites and alternative uses will be considered in making land use plan decisions"*

- 1) Underground Oasis has a goal of being in the downtown district but not in the middle of the shopping corridor.
- 2) We need a building accessible by foot, bike, vehicle and public transportation
- 3) We need a room that offers anonymity and confidentiality.
- 4) We need compatibility with the adjacent properties in use and activities.
- 5) We need rooms that are safe and accessible for handicapped.
- 6) We need a kitchen and bathrooms for client needs
- 7) We need parking not competing with the downtown shopping corridor.
- 8) We need rooms of varying size and shape and configuration.
- 9) We need property available for future expansion
- 10) We want to own and not lease.
- 11) The property must be affordable.
- 12) We want the ability to produce income to support ministry like storage or facility rental.

Has Underground Oasis considered other commercial property outside the downtown district?

The Mission of the Underground Oasis is to meet the needs of the addicted population by interaction and education; Most of this population has limited resources and transportation. Location is key to service. We have chosen the north side of the tracts just off the Jefferson Street district to provide access but not intrusion into the downtown shopping traffic. Commercial property available in Island city and the Bimart areas are more difficult to access for the population we are endeavoring to serve.

The Need for education and services for the drug abuse population is commonly known in the City of La Grande: We can demonstrate a need by our attendance to training and educational meetings back to 2006 when the ministry opened in the Mercantile building adjacent to the Granada Theatre. Currently our attendance is 20-50 and we are full to capacity in our current rental space of 32x32 square feet. We know the need is bigger. We are currently limited by space. Since Underground opened back up in January of 2022 we have been contacted both by private and public agencies asking if we can help them serve

this clientele. We use the building 4-5 times a week and expect greater use as time progresses

Why do we need 6000 square feet if we are currently using 1024 square feet not counting the kitchen or bathroom space?

Underground Oasis has a calling to help this community's need for education of the whole person. The drug addicted, the alcoholic, and trafficked person receive the primary treatment from the ministry. The recently released inmate, the recently escaped trafficked, and the drug abuse population have other needs to be met to be functional in society. We have goals to partner with other churches and nonprofits in giving training or partnership in job training and job application skills, Food and clothing resources, Money management, and practical healthy education.

These endeavors require space and a different training environment than simply a single classroom. We believe we can utilize the Complete 6000 square feet of available space offered by this Old Miller's Building.

Why do we want to own as opposed to leasing as we are currently doing?

It takes \$ to expand and we believe we can do this more cost effective by remodeling and renovating the building to match the program as the need expands.

We have a growing vision of how we can meet the wide range of needs not possible with a smaller and more limited footprint of smaller buildings.

All the properties we have found available on Adams Avenue, Jefferson Street and Washington Street do not meet the needs of the Underground Oasis and the compatible needs of the downtown commercial district.

For Sale sites in the downtown district: See Exhibits A, B & C

Exhibit A: 1603 Washington. 2 story office building with off street parking. The Building is solid and the access is good. The building would be outgrown very shortly as we are already using the equivalent of one story at present. No land for future development . Cost \$365K

Exhibit B: 2008 3RD ST, Nice off street parking, Reasonable space with room to expand. No land for future development. Cost \$498K

Exhibit C: 1902 4TH ST Smaller buildings with inadequate space for a larger meeting room.. No off street parking, No land for future development. Not cost effective at \$598K

Lease or Rental Building available:

1309 Adams Ave; Old J C Penney's Building. Lots of space with three floors of open space. Easy to Remodel. Opposite side of Granada Theatre from the Mercantile with

likely the same issues of compatibility: Parking is very minimal and no off street parking is available. No land for future expansion or development. Cost is unknown.

2212 Island Ave: Brian's Auto Parts building. Remodeling is easily done with large rooms but a small building. Would be outgrown quickly.. Parking and Compatibility issues similar to JC Penney's building. No land for future expansion or development..

1104 Jefferson Avenue: Napa Auto parts building. Remodeling is easily done with large rooms. 8100 square feet total usable space. Parking of up to 15 cars off street estimated. On street parking is more accessible than Adams Avenue. Compatibility less likely a problem. Higher cost of lease and remodel cost makes it a less desirable option. No land for future expansion or development.

6) Policy #10 *"that commercial and high density residential development will be located in areas where access, service, and related facilities can best accommodate such development."* See policy #7 above:

The proposed public meeting space is one block from the Calvary Chapel of La Grande where public meetings are approved and active. A multi use office and warehouse is located just across Madison street owned by John Lackey. Traffic patterns will not be significantly changed as there is access from multiple directions.

Goal #3 Agriculture: Not applicable to this application

Goal #5 Open Space, Scenic and Historical Areas, and Natural Resources:

The proposed plan to utilize this building long known in the downtown district as "Miller's Lumber yard and hardware store" would be preserved. It is our goal to preserve the appearance of the front facade to make it recognizable for many years to come, while updating and removing much of what is not pleasing or useful. Active management of the landscaping with consistent weed removal and increased lighting for safety.

Goal #6 Air, Water, and Land Resource Quality

The educational center and the public meeting space are low impact without significant noise, smell, waste, or nuisance issues. These activities will not be a nuisance of noise, smell, smoke, or objectionable characteristics of concern to the adjacent residential neighborhood.

Goal #7 Areas Subject to Natural Disasters and Hazards

The proposed facility for public educational space has low hazardous chemical usage, and low risk of water contamination. Public water access and sewer services preclude the need of a well or sewer system.

Goal #9 Statewide Planning: Economic Development

Goal # 4) To revitalize the downtown: *to revitalize the central business district by building on its historical character, expand the the mix of goods, services offered and creating public spaces and amenities:*

Revitalization of this building will be accomplished with less expense than other public or private organizations due to volunteer services. The low cost update will benefit the community significantly over the current unoccupied status: The Services of the Underground Oasis will provide a space for public access for education and community meetings.

Objective #7 *To support and utilize regional and local partnerships for greater economic development opportunities:*

Underground Oasis will continue to be a partner with other social services in the community. Providing education and training for the drug and alcohol and homeless population has an economic impact on the community. The economic downside of the addicted population cannot be overestimated. The impact of this population has long term influences in downtown shopping, safety, and appeal. The converse upside is that the development of this population is regenerating to the economy by providing a reliable and needed workforce to the business community.

Policy #7 *The city shall focus economic development efforts on the following industry clusters:Education...Healthcare... warehousing....and other medical services.*

Underground Oasis is an educational training center dedicated to the long term health of those addicted. This population has higher than average medical needs and the economic community burden is growing. The product of success for Underground Oasis is a community of people who have escaped the control of the substances that once held them captive and are willing to share the key to their newfound freedom. Future medical services are not ruled out.

Policy #8 *“The city shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.”*

Updating the Greenwood Street facade while maintaining its historical look will be the aim of restoration. On the Madison street side, removal of much of the mid lot structures that are displeasing will increase the appeal of the property.

Policy #21 *“The city shall ensure the space for industries is reasonably scaled to the anticipated demand and need.”*

Underground Oasis has goals of meeting more needs and larger groups than the current attendance of 15-40 people per day in the educational meeting space. 5000-6000 square feet of meeting space is projected for the needs for future expansion. This property will meet these meeting needs.

The undeveloped space gives us the opportunity for expansion of services and additional parking. Smaller facilities would require us to move and lose the development costs associated with changing locations.

Policy #26 *In order to encourage residents to live within close proximity to their place of work, the city shall support and promote mixed-use development in the central business, General commercial, and Residential-professional zones.*

Changing the zoning from light industrial to General commercial will allow office, public meeting and educational space. Having a care-taker apartment included in the building plan would be a residential application. (See also recommendation J below)

Recommendation E: *“Commercial and industrial parking shall not intrude into adjacent residential neighborhoods”*

The plan for the parking for a larger meeting space will meet the city and state guidelines for the proposed building occupancy.

Recommendation H: *“Support redevelopment of existing vacant and underutilized industrial and commercial lands rather than designation additional lands for these purposes.”*

The rezoning and repurposing of the Old Millers building preserves the development of new fresh ground in an far less densely populated area. It further develops the current location from vacant and growing untrimmed vegetation to active and managed property.

Recommendation J: *“Allow mixed use development to provide opportunities for commercial, entertainment, professional, cultural, public, and residential activities.”*

Changing the zoning from light industrial to General commercial to allow office, public meeting and educational space and future plans could be of a multi-use development. Having a care-taker apartment included in the building plan would be a residential application. The addition of a larger meeting room with the added advantage of a commercial kitchen will provide further options for community meeting activities.

Goal #10 Housing

The zoning application does not apply to housing with the exception of a caretaker apartment.

Goal #11 Public Facilities and Services

The development of this multi-use facility will not change the demand for city services in traffic, water, sewer, or electricity. Additional storm drainage and landscaping will meet the city requirements.

Goal #12 Transportation

Underground Oasis and the mini storage facility projects the traffic to be less than that of the retail usage under the prior zoning. Traffic patterns will not be significantly changed as there is access from multiple directions.

Goal #13 Energy Conservation

Design of the meeting facility with multiple sizes of rooms appropriate for the meeting size will result in energy savings. Sidewalks and bicycle access could be available and improved.

GREENWOOD ST.

MADISON AVE

AREA TO BE REMODELED

307 GREENWOOD

74'-2"

92'-3"

NOT PART OF REMODEL

EXISTING BUILDING
NOT PART OF REMODEL

FUTURE PARKING PLANNED
NOT PART OF REMODEL

CDNC

UNION PACIFIC RAIL TRACKS

N

AREA MAP

N

MADISON AVE.

UNION PACIFIC RAIL TRACKS

SCOPE OF WORK

BUILDING OCCUPANCY - R2
CONSTRUCTION TYPE - VB
231 - COMM/IND/IMP
PARCEL - 03S 38E 05CD COUNTY TAX LOT # 6200

SQUARE FOOTAGE BY TOTALS

FIRST FLOOR - 6676 SQ FT
SECOND FLOOR - 3379 SQ FT
TOTAL CONDITIONED SPACE - 6676 SQ.FT.

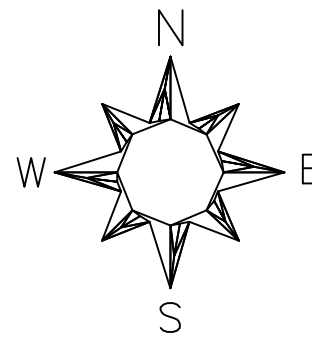
STORAGE 49945 SQ FT

CONSTRUCTION TO INCLUDE:
CONVENTIONAL FRAMING OF INTERIOR FLOORS AND WALLS
REMODEL OF BATHROOMS AND ADDING COMMERCIAL KITCHEN SPACE
COMPOSITION ROOFING - EXT WALLS TO BE HARDIE BOARD SIDING WITH SOME EXTERIOR DECORATIVE ROCK
CONFIGURATION TO BE COMMERCIAL KITCHEN AND ASSEMBLY AREAS AND MEETING ROOMS.

ALL WORK TO COMPLY WITH THE STATE OF OREGON
STRUCTURAL SPECIALITY CODE 2022 EDITION
AND THE STATE OF OREGON PLUMBING,
MECHANICAL, & ELECTRICAL CODES AS AMENDED BY
THE STATE OF OREGON AND LOCAL JURISDICTION

SHEET INDEX

- 1) SITE PLAN
- 2) NEW FLOOR PLAN



SITE PLAN

1" = 20'-0"

CONTACT PERSONS

DAN BECKNER
541-786-3719
danlboon@GMAIL.COM

PLANS PREPARED BY:
ASSOCIATED DESIGN AND ENGINEERING SERVICES LLC
1019 ADAMS AVENUE
LA GRANDE, OREGON 97850
541-963-0100

SITE PLAN

PARCEL - 03S 38E 05CD COUNTY TAX LOT # 6200

COMMERCIAL REMODEL

UNDER GROUND OASIS

307 GREENWOOD ST.
LAGRANDE OR. 97850

DATE
05/03/2023

SCALE
1" = 20'

DRAWN
T.L.GANDY

JOB
BECKNER

SHEET 1

OF 2

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In the development of these plans, certain assumptions have been made about the condition of existing
structures and landscape. Verify all existing conditions in the field prior to beginning this project



COMMERCIAL REMODEL

UNDER GROUND OASIS
3307 GREENWOOD ST.
LAGRANDE OR. 97850

DATE	05/03/2023
SCALE	3/16"=1'-0"
DRAWN	T.L.GANDY
JOB	BECKNER
SHEET	2
OF	2

FUTURE PROJECT
AREA

FUTURE PROJECT
AREA

NOTES:

1. EXISTING POSTS TO REMAIN ALL BOX OUT TO ROTATE FOR ALIGNMENT WITH WALLS.
2. FLOORING TO LEVELED THRU PROJECT AREA.
3. STAIRS TO UPSTAIRS STORAGE UTILITY AREA TO BE PLACED IN FUTURE PROJECT AREA.
4. POSTS LOCATED DURING DEMOLITION TO BE IDENTIFIED AND TO REMAIN.
5. FUTURE PROJECT AREA IS EXISTING WAREHOUSE AND STORAGE AREA.

Associated Design and Engineering Services LLC ©

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CITY of LA GRANDE

PLANNING COMMISSION ACTION FORM

Commission Meeting Date: **August 8, 2023**

PRESENTER:

Michael Boquist, Community Development Director

COUNCIL ACTION:

**PUBLIC HEARING FOR ZONE DESIGNATION CHANGE
FILE NUMBERS 02-ZON-23
APPLICANT: KIMMIE BECKER / MIKE BECKER**

1. CHAIR: Open the Public Hearing and announce that the Rules of Order for Public Hearing were read in their entirety prior to the first Hearing. Request Commissioner declarations and challenges.
2. CHAIR: Request Staff Report
3. CHAIR: Request that Public Testimony be read into the Record
4. CHAIR: Invite Commission Discussion
5. CHAIR: Close the Public Hearing and Entertain Motion

Suggested Motion: I move that the Finding of Fact and Conclusions set forth in the Draft Decision Order be (adopted / amended) and that the Zone Designation Change be Recommended to the City Council for (approval/denial).
6. CHAIR: Invite Additional Commission Discussion
7. CHAIR: Ask for the Vote

EXPLANATION: The applicant(s) is requesting the Planning Commission and City Council's consideration and approval to rezone the subject property from Medium Density Residential (R-1) to General Commercial (GC). See Attached Staff Report for additional information.

The Planning Commission's decision on this application is not a final decision, it is a recommendation to the City Council where a final decision will be made.

COMMISSION ACTION (Office Use Only)

☐ Motion Passed ☐ Motion Failed
☐ Action Tabled: _____

Vote: _____
Recessed: _____

RULES OF ORDER FOR A PUBLIC HEARING

The following is a step-by-step description of the order of events necessary to hold a Public Hearing.

PLANNING TECH I READS TO THE PUBLIC:

- A. The Planning Commission will conduct two (2) Quasi-Judicial Public Hearing tonight to consider a Zone Change Designation File Number: 01-ZON-23 Applicant: Daniel Beckner and Zone Change Designation File Number: 02-ZON-23 Applicant: Mike Becker
- B. The Hearing will proceed as follows:
 - 1. The Chairperson will request the Staff Report, which includes applicable criteria and standards for the issue under consideration in the application. As part of the Staff Report, the Applicant may have the opportunity to address the Commission prior to public testimony.
 - 2. The Chairperson will then ask for public testimony relating to the application. The Chairperson may state a time limit for testimony; if no time limit is announced, testimony will be limited to three minutes. All testimony must be directed toward the applicable criteria. Oregon Land Use Law requires that all issues raised by a participant during the Hearing must be sufficiently clear and specific to allow the Hearing body and other parties an opportunity to respond to those issues. Failure to raise the issues during the Hearing may invalidate a future appeal.
 - 3. The order of testimony this evening will begin with that of Proponents (those in favor), followed by Opponents (those opposed), and ending with those Neutral. An opportunity will be provided to parties (proponents first then opponents) to clarify any issues raised or to rebut testimony.
 - 4. If additional documents or new evidence is introduced during the Hearing, any participant may request a continuation of the Hearing. Any participant may request that the Hearing Record be kept open for seven (7) days to submit additional written evidence or testimony for the purpose of responding to new evidence. Unless waived, the applicant has seven (7) days to submit a written response.
 - 5. The proceedings are being electronically recorded, to be converted to written Minutes. When testifying, please step to the podium and state your name.
 - 6. Members of the Planning Commission may ask questions of the Staff or Hearing participants, if present, at any time. The Chairperson will then close the Hearing or continue the Hearing at a specified time and place.
 - 7. All decisions must be based on findings of fact from the Staff Report or evidence and testimony received which relate to the criteria of the land use decision.
- C. A Commissioner must declare any ex parte or pre-hearing contact, including the person's name and the nature of the discussion, as well as any site visitations to the area in question. Commissioners should declare any personal or financial interests in this matter and may disqualify themselves from participation in this Hearing. ***Does any Commissioner wish to make a declaration?***
- D. Does anyone in the audience wish to challenge the right of any Commissioner to hear this matter? ***Let the Record show that (there are no challenges) OR _____.***

CITY OF



LA GRANDE

THE HUB OF NORTHEASTERN OREGON

COMMUNITY DEVELOPMENT DEPARTMENT / PLANNING DIVISION • P.O. Box 670 • 1000 Adams Avenue • La Grande, OR 97850
Phone: (541) 962-1307 • Fax: (541) 963-3333 • Web: www.planning.cityoflagrande.org

PLANNING COMMISSION DECISION ORDER OF _____

HEARING BODY(IES):	Planning Commission
HEARING DATE(S):	Tuesday, August 8, 2023
HEARING TIME(S):	6:00 p.m.
HEARING LOCATION:	City Hall Council Chambers, located at 1000 Adams Avenue, La Grande, Oregon. The Planning Commission meeting can be viewed on Facebook Live at the following link: https://www.facebook.com/LaGrandeCityManager . Community members may submit comments or questions in writing in advance of the meeting. These written comments need to be received by 5:00 p.m. on date of the scheduled meeting, which will be read during the public comment section of the Public Hearing. Community members may also attend the meeting virtually through electronic means by request and reservation only. Issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing or presented orally during the Public Hearing and with sufficient specificity to enable the Planning Commission or City Council to respond to the issues. Reading or presenting written and oral comments into the record may be subject to a three-minute time limit per community member.

I. Application Information

File Number:	02-ZON-23
Proposal:	Request to Rezone Property from Medium Density Residential (R-2) to General Commercial (GC).
Applicant:	Kimmie Becker Gunderson (Owner: Mike Becker)
Address/Location:	Walton Road, T3S, R38E, Section 04AB, Tax Lot 100, La Grande, Union County, Oregon; Tax Assessor Account 6831.
Decision Order Prepared By:	Michael J. Boquist, Community Development Director

II. Schedule of Procedural and Public Hearing Requirements

In accordance with Land Development Code Ordinance 3252, Series 2021, Articles 9.3 and 9.4, Land Development Code Amendments are subject to the City Council's review and decision authority, upon receiving a recommendation from the Planning Commission. In accordance with Article 9.5, public hearings for the consideration of the proposal were scheduled as follows:

June 12, 2023.....	Application for Zone Change Designation received.
June 22, 2023.....	Application was deemed complete.
July 3, 2023.....	PAPA 35-Day Required Notice to the Oregon Department of Land Conservation and Development in accordance with ORS 197.610.
July 7, 2023.....	Public notice mailed to surrounding property owners within 100' and development review agencies in accordance with ORS 227.186.
July 29, 2023.....	Advertised notice was published in <i>The Observer</i> , advertising the public hearing before the Planning Commission for August 8, 2023.
August 8, 2023.....	Public Hearing before the Planning Commission (1 st Evidentiary Hearing)
September 6, 2023.....	Public Hearing before the City Council and First Reading of Proposed Adopting Ordinance
October 4, 2023.....	Public Hearing before the City Council and Second Reading/Adoption of Proposed Adopting Ordinance
October 5, 2023.....	PAPA Notice to DLCD for Final Adoption
November 3, 2023.....	Expiration of 30-Day Appeal period. Decision becomes final.

III. Public Notice Information

Public notice was issued in accordance with City and State laws. Notice was provided in accordance with Land Development Code Ordinance 3252, Series 2021, Article 9.6, Section 9.6.001(B). Notice of the public hearing was published in the local newspaper of general circulation, with mailed notice provided to the applicant and to the owners of record of property located within one hundred feet (100') of the subject property. Additionally, all public hearing materials, including the Draft Decision Order was published on the City of La Grande – Planning Division's webpage.

IV. Review Process and Appeals

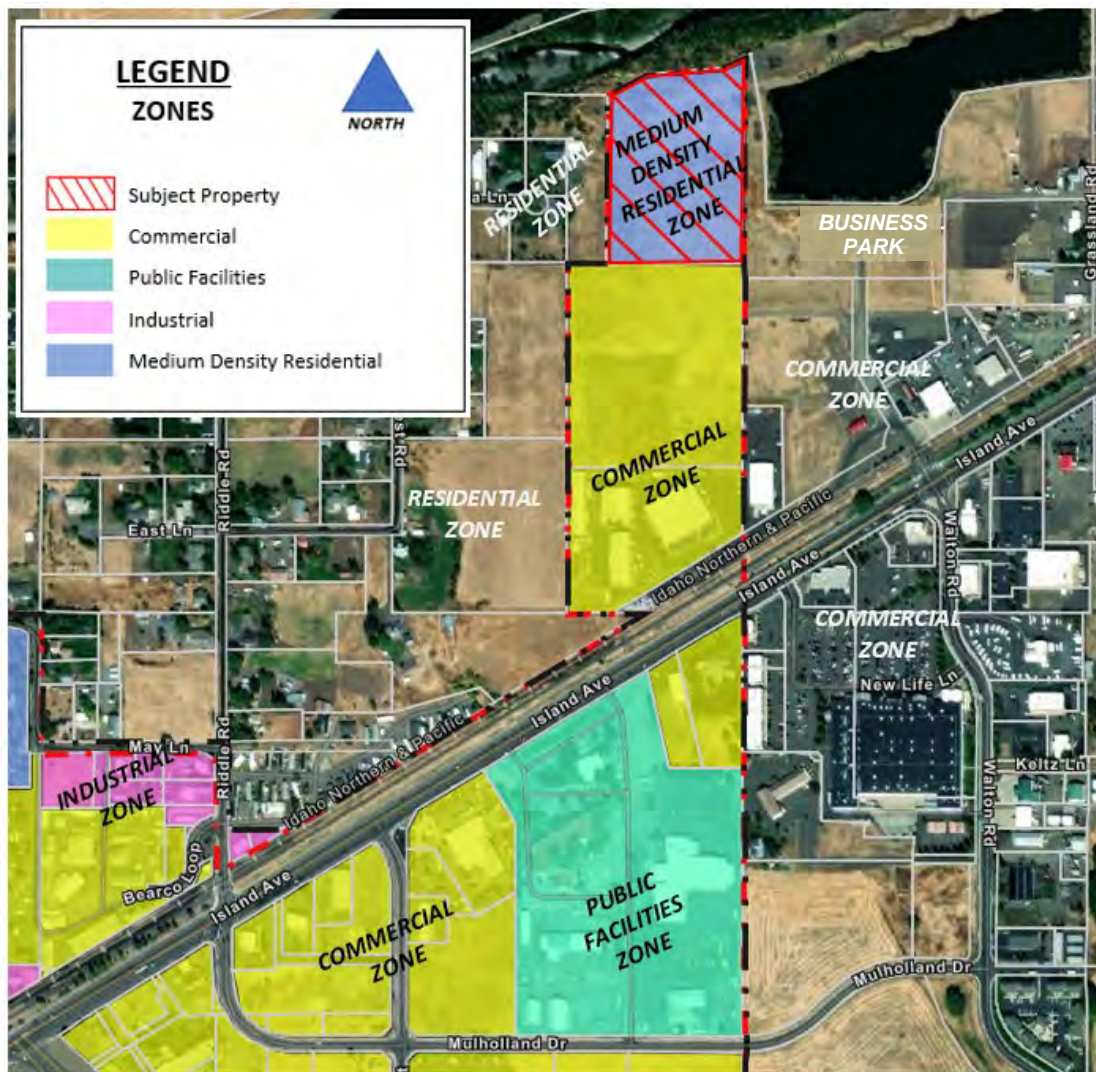
An application for a Zone Change Designation is a quasi-judicial land use action that is subject to the Planning Commission's and City Council's review and approval. The Planning Commission's review includes a public hearing where testimony is accepted from interested persons and which results in a recommendation being forwarded to the City Council in accordance with Chapter 9 of Land Development Code Ordinance 3252, Series 2021. Subsequently, the City Council holds two (2) public hearings where testimony is accepted from interested persons and which results in a final decision and the adoption of an Ordinance to rezone the subject properties.

A decision of the City Council is final unless appealed to the Oregon Land Use Board of Appeals (LUBA) within twenty-one (21) days from the date the City Council decision.

V. General Facts and Overview

1. The purpose of this rezone request is to expand the existing commercial area along Walton Road, North of the Union Pacific Railroad, to accommodate a planned commercial development (100-space RV park) that needs 5-10 acres of land.
2. The subject property (outlined and hatched in Red in Figure 1 below) is proposed to be rezoned from Medium Density Residential (R-2) to General Commercial (GC) on the City of La Grande Zoning map, and from Medium Density Residential to Commercial on the City of La Grande Comprehensive Plan map.
3. The subject property is bordered to the North by the Grande Ronde River, to the West by lands within Union County and zoned residential, to the East by lands within the City of Island City and zoned residential (but proposed for commercial development in connection with this subject request), and to the South and Southeast by lands within the City of La Grande and Island City, zoned General Commercial.

Figure 1



4. The applicant has provided a written narrative with their application (see attached Exhibit A) that explains their justification in support of the rezone request (see attached). The applicant's justification, along with Staff's analysis and recommendations are included in the Finding of Fact within this Decision Order, below, in response to addressing each of the required review criteria for a Zone Designation Change and Comprehensive Plan Designation Change.

VI. Agency Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, notice of the land use application was mailed to the following agencies: City of La Grande Building Department, City of La Grande Fire Department, City of La Grande Planning Department, City of La Grande Police Department, City of La Grande Public Works Department, Avista Utilities, Charter Communications, City Garbage Service, Frontier Communications, Oregon Department of Transportation, and Oregon Trail Electric Cooperative.

1. City of La Grande Community Development and Economic Development Department: City Staff has reviewed this request and finds that the proposed zone change request adequately satisfies the required review criteria of the City's Land Development Code Ordinance, specifically with demonstrating a "need" for the proposed zone change, and that the City has a surplus of residentially zoned land and a limited supply (possibly shortage) of commercially zoned lands to accommodate a large acreage development such as the project proposed. **As a result, City staff supports this request and recommends that this request be approved.**
2. Oregon Department of Transportation (ODOT), see attached Exhibit B.
 - A. Comment letter dated July 25, 2023. ODOT has jurisdiction over Highway 82/Island Avenue, which includes managing access, infrastructure, etc. For projects that generate an increase in average daily trips, between 400 and 1000, the Oregon Highway Plan requires a Traffic Impact Analysis (TIA). The TIA would evaluate the capacity and function of the existing transportation system, and whether the existing infrastructure can support the proposed development.

For the lands affected by this rezone, ODOT has identified elements of the existing transportation system that may be deficient, require analysis in the TIA, and which may require mitigation improvements to support development. Some of these elements include (see attached letter for more detail):

 - (1) Development of a planned road system between La Grande and Island City that is implements as development occurs, consistent with Island City's adopted Transportation System Plan (2009 South Riverside Neighborhood Plan), which provides East-West connections in the area parallel with Highway 82/Island Avenue.
 - (2) Evaluate safety and operational issues at the Walton Road/Hwy 82 intersection. The North leg should complement the improvements existing on the South leg to align travel lanes, additional lanes may be needed to support traffic volumes, etc.
 - (3) Evaluate necessary improvement to the railroad crossing to meet rail crossing grade requirements, signalization, etc.
 - B. Follow-up in-person meeting on July 31, 2023. City of La Grande planning department staff reached out to ODOT with questions regarding the need to conduct a TIA at the time of rezone vs. at the time of development. ODOT then scheduled an in-person meeting to discuss this timing. Following is a summary of the discussion points:

- (1) City staff – The area has been heavily studied already, which has resulted in a transportation system plan adopted by Island City to address transportation needs (access and circulation through the area), and by ODOT identifying known traffic issues with the intersection of Walton Road and Highway 82. Conducting a new TIA as part of the rezone will be based on hypothetical development factors and not based on a real project or development. As a result, City staff believes this could be addressed as a condition of approval and require a detailed TIA prior to any new development to ensure that a TIA is based on that facts of an actual project.
- (2) ODOT staff and traffic engineer – agreed that the area has been previously studied and many of the traffic concerns are known. Also, a TIA at this time would be very generalized and based on assumptions that may not be consistent with actual development proposed. ODOT did want to emphasize and have it recognized that generally, the rezoning from residential to commercial will result in a significant increase in traffic and adverse impacts to the transportation system that need to be evaluated and mitigated as part of future development. While a transient RV park is conceptually proposed, the actual development is not proposed at this time and the commercial zoning would allow for a large commercial retail center or other large commercial use and the highest and best use of the property. As a result, when a TIA is conducted, this must be considered as part of the TIA.

ODOT staff and traffic engineer were supportive of the City not requiring a detailed TIA at this time due to the result likely not providing much benefit, but asked for assurances in the decision via a condition of approval, that a TIA be required as part of and prior to any development to ensure that all transportation issues are adequately addressed.

3. City of Island City, see attached Exhibit C. Jesse Winterowd, contract planner for Island City, submitted a letter on behalf of Island City raising a number of concerns, most of which focus on transportation and utility infrastructure issues.

The applicant's property is 19.88 acres in total, with 7.8 acres (40%) within La Grande and 12 acres (60%) within Island City. The subject property is somewhat landlocked in nature, with 100% of its access being provided through Island City's jurisdiction via Walton Road, but without public street frontage or access. Island City identified that additional street dedications and infrastructure improvement will be necessary to support the development of this property. Additionally, coordination will need to be made with ODOT, railroad, and Island City and be consistent with Island City's adopted Transportation System Plan (TSP).

Additional issues include the uncertainty of how water and sewer services will be provided to the site, or whether there are infrastructure capacity issues. For the surrounding area, the City of La Grande has water infrastructure extended to serve properties within La Grande's jurisdiction, but does not have sewer infrastructure in the area. Island City has limited water infrastructure in the area, with Island City sewer district offering sewer services. The availability and capacities of the Island City infrastructure needs to be evaluated.

A land use application has not been submitted to Island City as of this time, which raises additional concerns as Island City has been unable to review the development for conformance with Island City development codes.

Lastly, Island City does not feel that La Grande's zone change approval criteria have been satisfied.

4. No written comments or concerns were received from other notified agencies.

VII. Public Comments

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, public notice was mailed to the owners of properties located within one hundred feet (100') of the subject property.

1. No written comments or concerns were received from members of the public.

VIII. Analysis of Applicable Standards

Changes to a Zoning map designation are required to satisfy the review criteria contained in the City of La Grande LDC 3252, Series 2021, Article 8.6, Section 8.6.003, and Article 8.7, Section 8.7.003. The Findings in Decision Order Section IX below addresses conformance with such criteria.

IX. LDC Section 8.6.003 – Review Criteria (Zoning Map Change)

A proposed Zone Designation Change shall meet the following criteria:

- A. The Zone Designation Change is in conformance with the Comprehensive Plan (Criteria A¹), and all other provisions of the Land Development Code (Criteria A²);**

Criteria A¹ – The Zone Designation Change is in conformance with the Comprehensive Plan

Following are the Comprehensive Plan Goals and Policies applicable to this request:
(Current Comprehensive Plan adopted by Ordinance 3255, Series 2022)

Goal 1: Citizen Involvement

Objective 1. Develop and implement a citizen involvement program that includes all six (6) components of Statewide Planning Goal #1.

- (1) Citizen Involvement*
- (2) Communication*
- (3) Citizen Influence*
- (4) Technical Information*
- (5) Feedback Mechanisms*
- (6) Financial Support*

Policy 1. The City of La Grande shall strive to provide for widespread citizen involvement, especially in its land use planning process.

Policy 2. The City of La Grande shall strive to assure effective two-way communication with citizens.

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

Policy 4. The City shall strive to assure that technical information is available in an understandable form.

Policy 8. That the City of La Grande continue efforts to upgrade its web site to include land use information including, but not limited to: Comprehensive Plan, implementation ordinances, meeting agendas, meeting minutes, staff reports, hearing notices, land use maps, special events and opportunities to serve on committees or commissions.

Policy 10. That the City of La Grande produce printed materials that will enable citizens to understand technical aspects of the land use planning program and make such materials readily available to the public.

Finding: This standard is met. The City's land use process satisfies Goal 1. As outlined in Decision Order Section II above, the City provides many opportunities for citizens to become informed and participate in the land use process.

The City's land use review process includes the mailing of a public hearing notice to surrounding property owners within 100', advertised notice in *The Observer*, and all materials are posted on the City's website. City staff prepares written material, using layman's terms and illustrations as much as possible to ensure that technical information is easily understood. The City holds a minimum of three (3) public hearings; one before the Planning Commission and two before the City Council. All public hearings are advertised and the public is invited to attend and participate in all phases of the process. At the conclusion of the hearing process, there is a 30-day appeal period by which any party with standing may challenge the decision.

Goal 2: Land Use Planning

Objective 1. The overall goal of the La Grande Comprehensive Plan is to provide direction for achieving a safe, healthful, attractive, and workable environment for the citizens of La Grande; and

Objective 2. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure and adequate factual base for such decisions and actions.

Policy 1. That planning-related decisions be made on a factual base.

Policy 3. That public need be established before plan changes and related requests are approved, and that the burden of proof be borne by the requestor.

Policy 7. That commercial development be concentrated so as to strengthen existing commercial activities.

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

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

Policy 11. That uses with undesirable noise, smoke, visual, and other objectionable characteristics will be discouraged from locating in areas where such conditions are incompatible with surrounding area development.

Finding: This standard is met. The applicant listed both Objectives above and Policy 3 in their application, but address all of the above within various areas of their application submittal.

The application explains that La Grande has a shortage of both transient (short-term) housing and long term (permanent) housing. This request is focused on La Grande's "public need" (Policy 3) for addressing the regions short-term transient (lodging) housing needs, which includes RV/tiny home living that typically occurs within an RV park in close proximity to commercial areas and services that travelers rely on (e.g. restaurants, grocery, etc.)

The application explains that there are only two (2) RV parks within the vicinity of La Grande and Island City (w/in a 10-mile radius):

- Hot Lake RV Park – This park is located approximately 8 miles South of La Grande and Island City. It is open seasonally for travelers and consistently full during the summer months. During the winter, this RV park is closed to guests.

- Rendezvous RV Park – This park is centrally located in the City of La Grande near I-84 interchange #261. This park is consistently full with long-term guests, residing in the park year-round.

The applicant explains that the La Grande area “needs” a clean RV park that is available for travelers and short-term workers that are travelling through the area. Options for travelers to stay in a local RV park are very limited as they are booked out well in advance and rarely have last minute opening to accommodate travelers on short notice.

The site for the proposed rezone is immediately off Hwy 82 which is frequented by tourists/travelers heading to Wallowa County. The site is also in close proximity to I-84, interchange #261, and will cater to travelers traveling through the region via on I-84.

The site is immediately adjacent to a commercial center (Policy 7-8) which include Ace Hardware, Walmart, restaurants, fuel stations and other business that travelers may frequent. Other commercial business are also located in the vicinity that cater to local residents, but may attract travelers staying at the RV park and increase consumer activity in both La Grande and Island City.

The applicant did not address Policy 9 in their application, as there are no other reasonable sites to consider for alternatives. The project requires a commercially zoned property that is between 5-10 acres, which does not exist with the region without rezoning residential properties to commercial or expanding an Urban Growth boundary and rezoning agricultural lands to commercial.

While the subject property is residentially zoned, it is the only viable site for consideration as it is immediately adjacent to a commercial center, and is landlocked in the sense that its only accessible through the commercial center. All other residentially zoned property within the area that can be considered for rezoning to commercial are within or adjacent to residential neighborhoods, have limited infrastructure for supporting commercial development, they are accessed by low traffic “local” neighborhood streets, and do not have convenient and direct access to the City’s higher traffic “collector” and “arterial” streets. As such, other residentially zoned properties would not be reasonable to consider.

Relating to Policy 11, the rezoning is not expected to result in *undesirable noise, smoke, visual, and other objectionable characteristics that will be incompatible with surrounding area development*. The subject property will have no exposure to other uses to the North and East, as these areas are vacant open space that are or will be used for recreational purposes. To the South is existing commercial development, which has the same zoning as what is proposed, thus no adverse impacts are anticipated. The property to the West is within Union County and residentially zoned with large parcels. General commercial development types are often located adjacent to residential areas, so while some impacts may be expected, no significant impacts are anticipated. Additional, since the proposed commercial development is an RV park, which is much more compatible and similar in nature to residential and most other commercial uses that are common in commercial zones.

Goal 6: Air, Water and Land Resource Quality

Objective 1. To maintain and improve the quality of the air, water and land resources of La Grande. Achievement of a natural resource use pattern which gives

as much importance to providing for tomorrow's needs and the protection of the natural environment as to providing for the needs of today.

Policy 1. That those uses emitting noise and air pollution be located so as not to infringe upon the quality of residential living.

Policy 2. That buffer or transition areas be encouraged between industrial and residential uses.

Finding: The applicant has identified the above Goal 6 Objective and Policies as being applicable to their request. The applicant explains in their application narrative that the RV park will be designed as a residential-like model with a quite "home-like" environment. The park will include an onsite manager that will be responsible for maintaining this home-like feeling.

Additionally, to minimize adverse impacts on the County residential area to the West, the applicant intends to construct a privacy buffer between the park and residents, as well as constructing a fence around the development for security.

Goal 9: Economic Development

There are five (5) sub-goal in this Goal 9 chapter. Of these, only a couple may be applicable, which are implemented through a variety of policies. Following are the five (5) sub-goals, with the policies that the applicant has identified as being applicable to their request:

Goal 1 – To Create High Quality Family Wage Jobs

Goal 2 – To Foster Growth and Expansion for Eastern Oregon University

Goal 3 – To Promote Retail Development

Goal 4 – To Revitalize Downtown

Goal 5 – To Establish Sufficient Capacity for Commercial and Industrial Development

Policy 8. The City shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.

Policy 10. The City shall encourage highway-oriented businesses to be located near intersections of major arterials.

Policy 11. The City shall encourage the grouping of commercial uses in such a manner as will facilitate customer involvement from one store to another.

Policy 12. The City shall locate commercial areas so as to provide good access between them and the trade area served.

Finding: The application narrative explains that the site has been vacant/undeveloped and desolate for several years. Rezoning and developing the property will improve the aesthetics and adverse impacts that currently exist with debris and litter blown in from adjacent commercial properties. The proposed development will include trees and greenspace, which will be a significant improvement. Additionally, the development of the property as an RV park will be much more environmentally friendly than many other commercial alternatives.

As discussed previously in this Decision Order, the subject property will be accessed from the intersection of Walton Road and Island Avenue (Hwy 82), which is an arterial street (see Policy 10) and a direct highway route for travelers going

North to Wallowa County. Additionally, the subject property is in close proximity to I-84 for serving travelers passing through.

The subject property is immediately adjacent to other commercial properties, where travelers staying at the RV park may visit (see Policies 11 and 12). Businesses in the immediate vicinity that may benefit from this rezone and the proposed development include Miller's Lumber (Ace Hardware), KIE, Walmart, Taco Bell, Panda Express, and other retailers and restaurants.

Goal 10: Housing

There are four (4) objectives and several policies in the Goal 10 Chapter of the Comprehensive Plan that address the City's housing needs.

Objective 1: To provide for the housing needs of the citizens of La Grande , and to support development of an adequate supply of housing in terms of quantity, quality, and availability especially to groups, such as low- and moderate-income households, elderly and handicapped households.

Objective 2: To assure environmental quality in residential areas, and to enhance the financial ability of households to obtain and retain decent dwelling units.

Objective 3: To assure an open housing market for all La Grande citizens, and to assure a balance of individual and community needs in residential areas.

Objective 4: To provide areas suitable and desirable for all types of single and multiple family residential uses which have or will need public water and sewage services, commercial and education support facilities and employment opportunities.

Policy 1: The City recognizes that public interest requires that every citizen be given the opportunity to provide themselves with safe, sanitary and adequate housing.

Policy 3: That all types of residential units, including mobile home, modular and manufactured units, are acceptable resources of housing and that recognition will be reflected in zoning, building codes and other regulatory means without compromising quality standards.

Finding: The application narrative explains that RV living has increased in popularity, are mobile and benefits those telecommuting and those travelling for employment. There is a large group of people that travel in their RV vs. staying in hotels, which La Grande has a shortage of. The rezoning of the subject property to commercial and developing an RV park will satisfy a need in the community by providing a clean, quite and convenient location for travelers and short-term residents that is close to the amenities of the City.

The RV park will help fill a short-term housing void in the City, whether it be for travelers, or temporary or long-term guests seeking an affordable housing option while waiting for new housing projects to get constructed.

The proposed RV park will conform to all codes without compromising quality standards, all RV units will be safely connected to utilities and services (water/sewer).

Staff Analysis: The City's codes do not consider an RV park as a form of housing that satisfies the City's housing needs. However, the City does recognize that there is a growing population of residents choosing to live in RVs within RV parks, as there is a demand and need for this type of affordable housing option.

Related to housing, there are two (2) elements missing from the application submittal that Staff finds relevant to request.

1. **Housing Needs Analysis (HNA) – Housing Need:** In December 2020, with support from the Oregon Department of Land Conservation and Development (DLCD) and technical assistance funding, the City of La Grande completed a HNA that included an inventory of the City's existing housing stock and forecasted the City's housing needs over the next 20-years. The HNA was adopted by City Council Resolution 3250, Series 2020.

The HNA identifies a 20-year need for:

- 336 new single-family detached dwellings
- 115 new townhouse/plexes housing units.
- 200 new multi-family housing units
- 100 mobile/manufactured housing units
- 44 group quarter units.

Of the housing types needed above, the proposed rezone and development of an RV park would contribute towards satisfying a portion of the *100 mobile/manufactured housing units* needed. Providing this housing option would contribute toward meeting City's affordable housing needs for middle and lower income households which is roughly 35% of the City's needed housing. This rezone request and RV park development would meet the intent and needs discussed in Goal 10 - Objective 1, and Policies 1 and 3.

2. **Housing Needs Analysis (HNA) – Residential Land Need:** In addition to identifying the City's housing needs, the HNA also includes an inventory of the City's existing residentially zoned land and an analysis of how much residentially zoned land is needed to satisfy the housing needs discussed in #1 above.

Included in the HNA is an inventory of the City's existing housing stock and a forecast of the City's housing needs over the next 20-years.

- To satisfy all of the City's forecasted housing needs over the next 20-years, the City needs roughly 146 acres of land.
- The City currently has 358 acres of buildable land within its jurisdictions, amounting to a residential land surplus 212 acres.

With the subject property being zoned Medium Density Residential, and proposed to be rezoned to commercial and reducing the residential land inventory by roughly 5 acres, the HNA supports a conclusion that there will be no adverse impact as a result of approving this rezone request. With the City having a currently surplus of 212

acres of residentially zone land, this inventory will simply be reduced to a surplus of 207 acres.

To break this down further, of the need and inventory discussed above, the City has a surplus of 129 acres of land specifically zoned Medium Density Residential:

- The HNA identifies a need for only 23 acres of Medium Density Residential Zoned land.
- The City's existing inventory of Medium Density Residential Zoned land is 152 acres.
- This amounts to a surplus of 129 acres of Medium Density Residential Zoned land.

Staff's conclusion based on the above, the City has a significant surplus of residential land, and rezoning 5+/- will have little to no impacts on the City's buildable lands inventory.

Additionally, it is worth pointing out that the City, real estate professionals and developers all recognize that the City is running out of commercially zoned lands, especially for accommodating larger lot developments. In response to recognizing this shortage, the City has proactively moved forward with a economic opportunities analysis that will evaluate the City's existing commercial and industrial land inventory and the 20-year forecasted need.

We are confident that this analysis will show a deficit of needed land and require the City to pursue the next steps of finding additional commercial and/or industrial land.

Until we know the conclusion of this commercial/industrial land needs analysis, Staff will not support any rezoning that will result in a change or loss of any commercial or industrial land in the City's inventory. However, Staff will support (where appropriate) the rezoning of surplus residential lands to satisfy a commercial or industrial land need and to facilitate new development.

Criteria A² – The Zone Designation Change is in conformance with all other provisions of the Land Development Code.

Finding: The subject property is currently zoned Medium Density Residential, which the City has a surplus of 129 acres of need land with such zoning. As a result, there are no conflicts with this rezone request as it relates to the City's housing goals. As discussed in the Review Criteria B and C below, the subject property is of suitable size and location, to support the development of the subject property with commercial uses, and specifically the proposed RV park.

B. The property affected by the Zone Designation Change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;

Finding: The applicant's total property is roughly 11+/- acres, with the portion within the City of La Grande being 8+/- acres. The applicant has provided a conceptual site plan in their submittal that demonstrates that the property is of sufficient size to development the proposed RV park, with additional/surplus land left over to accommodate an expansion or other commercial development. Also, the City of La Grande's Land Development Code Ordinance identifies a minimum lot size for commercially zoned land as being 2,500 square

feet. With the subject property being 5-11 acres in size, it is clearly large enough to facilitate uses that are normally allowed in such zoning.

Island City Comments: The comment letter submitted by Island City, dated July 25, 2023, suggest that this review criterion is not met. Island City's comments cite the applicant's submittal which states that the bordering Island City property *will not be affected by the zone change*. However, 60% of the applicant's property is located in Island City and is 100% reliant on Island City transportation infrastructure for ingress and egress, plus other utility infrastructure.

City of La Grande Community Development Department staff agrees with Island City's comments that properties within Island City will be impacted by the development of the subject property, whether as an RV park or other commercial use. La Grande staff believes that this criterion is still met, as it focuses on the property's size and shape being adequate to facilitate the uses allowed in the General Commercial zone, which it is. These other feasibility concerns are valid, but relate to other review criteria.

C. The property affected by the proposed Zone Designation Change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)

Finding: The Oregon Transportation Planning Rule requires that the rezone be evaluated to determine if it will have a significant adverse impact on the transportation system, resulting in capacity issues that brings the level of service for any street or intersection below acceptable levels (e.g. reduce the Level of Service from E to an F). If so, the Rule requires that a plan be prepared to mitigate such adverse impacts.

As part of reviewing potential traffic impacts in accordance with the Oregon Transportation Planning Rule, La Grande staff offers a couple scenarios for consideration:

1. Cursory Review Comparing Residential Development Vs RV Park Development: La Grande staff has done a cursory review by comparing the predicted Average Daily Vehicle Trips (ADTs) that may be generated by a single-family and duplex development within the existing residential zone vs. the development of the conceptual Campground/RV park in the proposed commercial zone (see Figure 1 below). The general conclusions of this review suggests roughly a 50% reduction in traffic impacts as a result of this rezoning and the proposed RV park development. The existing residential zoning is predicted to generate 59-79 peak hour vehicle trips, whereas the proposed RV park is predicted to generate 22-41 vehicle trips, which is roughly 50% less.

Under this scenario, there would not be a significant adverse effect on transportation system that warrants further review and the preparation of a mitigation plan, based solely on Oregon Transportation Planning Rule.

Figure 1

Trip Generation Times	Residential Single-Family per DU		Commercial Campground/RV Park per Occupied Site	
	Trips	7.8 acres (78 DU max)	Trips	100 spaces
Average Daily Trips – Weekday	9.57	747/day	Not Avail.	Not Avail.
Peak Hour – Weekday AM	0.75	59 peak	.22	22 peak
Peak Hour – Weekday PM	1.01	79 peak	.41	41 peak

* Trip Counts per Institute of Traffic Engineers Manual, 7th Edition

2. Cursory Review Comparing Residential Development Vs RV Park Development: During La Grande staff's recent follow up meeting with ODOT on July 31, 2023, the ODOT traffic engineer assisted with providing an alternative scenario that must also be considered as a possibly option.

As part of conducting a traffic analysis for a rezone, the study would generally look and the highest or greatest use of the property vs. the conceptual proposal provided by an applicant. In this case, the highest or greatest use of the property may be for a commercial shopping center, which is consistent with the existing development pattern of the area. In this case, a commercial shopping center would generate over a 300% increase in traffic vs. a single-family residential development (see Figure 2 below). A commercial shopping center is predicted to generate 3170 average daily trips vs. 747 for single-family residential development, which is roughly 325% +/- increase

Under this scenario, there would be a significant adverse effect on transportation system that warrants further review and the preparation of a mitigation plan, based solely on Oregon Transportation Planning Rule.

Figure 2

Trip Generation Times	Residential Single-Family per DU		Commercial Shopping Center	
	Trips	7.8 acres (78 DU max)	Trips	68 Comm. Units
Average Daily Trips – Weekday	9.57	747/day	37.01	3170
Peak Hour – Weekday AM	0.75	59 peak	0.84	57 peak
Peak Hour – Weekday PM	1.01	79 peak	3.4	231 peak

* Trip Counts per Institute of Traffic Engineers Manual, 11th Edition

For this rezone request, City of La Grande staff did not require a traffic analysis as part of the rezoning application as subject property and surrounding area has been evaluated in the past and the deficiencies, impacts and needed mitigation measures are generally known. These are discussed in both Island City's and ODOT's comment letters. La Grande Staff believes that conducting a new traffic study at this time would not considerably different information than what is currently known and would likely not influence the outcome of the zone change. Also, conducting a traffic study at this time would be based entirely on assumptions, hypothetical scenarios and predicted issues and impacts generated by the hypothetical scenarios. The study would not be based on an actual development proposed or factual information.

Since the subject property and surrounding area has already been studied and the transportation impacts and mitigations measures are generally known (see Island City's and ODOT's comment letter), rather than requiring a new traffic study at the time, City of La Grande staff believes such new study should be deferred and occur at the time of application for a new development. The timing of such study if much more valuable as it would be based on an actual project, factual information, any mitigation measures identified would be directly relevant and attributable to the proposed development.

Also, deferment until the time of application for a development is consistent with the La Grande land use code. Regardless of whether a study was conducted now, as part of this rezone (based on assumed highest or greatest use), La Grande code will require a second study at the time of development, which would be based on the actual development proposed and the application would be required to address issues directly attributable to a proposed development. Following is the City of La Grande land use code which requires a traffic study:

Land Development Code Ordinance 3252, Series 2021, Article 6.2, Section 6.2.0020(D) – Traffic Study:
“For proposed development which is anticipated to generate more than four hundred (400) average daily motor vehicle trips (ADTs), the City shall require the applicant to provide a Traffic Impact Study to demonstrate the level of impact to the surrounding street system. A traffic impact study may also be required at the discretion of the City where known traffic issues exist or where the existing transportation system may be at or near capacity. The applicant shall be required to mitigate all negative impacts attributable to the development as identified in the traffic impact study.”

The deferment of the traffic study until the time of application for a development was discussed with ODOT during the follow up meeting with ODOT on July 31, 2023. ODOT supports La Grande staff’s recommendation on deferring the traffic study, but did want the staff report and decision order to recognize and emphasize that the zone change will result in a significant change and that the transportation system currently has deficiencies and conflicts that need to be address as part of any development, whether it is the subject property of this rezone or the development of other commercial properties in the area.

To reinforce the need and requirement for a traffic study at the time of application for development, a condition of approval is recommended by staff as part of this decision.

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

Finding: The applicant’s submittal explains that there will be little to no adverse impacts of the development or use of abutting or nearby properties as a result of this rezone request.

Visual impacts will be limited due to the buffer planned as part of the proposed development. In fact, the applicant feels that impacts will be lessened as the buffer (fence, trees, other) they plan to construct will improve the aesthetic environment and will reduce the views that adjacent residences currently have into the back side of the existing commercial developments where outdoor storage is occurring.

Island City Comments: The comment letter submitted by Island City, dated July 25, 2023, suggest that this review criterion is not met, citing transportation issues, traffic study requirements, water and sewer infrastructure challenges, other.

City of La Grande Community Development Department staff agrees with Island City’s comments. However, La Grande staff believes that such adverse impacts currently exist for the entire area and are not limited to or isolated to the subject property. The adverse impacts identified by Island City and ODOT are relevant for any development in the area, regardless of the property involved.

La Grande staff does not believe that the zone change itself will result in an adverse impact on the development of the area, but rather an actual development proposed would result in such adverse impacts. Based on this La Grande staff believes this criterion is met, but would like to recognize and emphasize that the issued identified by Island City and ODOT are relevant and need to be evaluated and addressed prior to or at the time of an application for new development.

X. LDC Section 8.7.003 – Review Criteria (Comprehensive Plan Map Designation Change)

A proposed Comprehensive Plan Designation Change shall meet the following criteria:

A. The proposed change is in compliance with the Statewide planning goals;

Finding: This standard is met. As discussed previously, the City of the La Grande's Comprehensive Plan was developed and structured to mirror the Statewide planning goals, but with policies that are more specific in order to help the City implement the various goals or direction specified in the Statewide Planning Goals.

The application was found to satisfy the City's Comprehensive Plan policies, and thus is also found to satisfy the Statewide planning goals.

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

Finding: This standard is met. See Zone Designation Change findings above, which also requires compliance with the City's Comprehensive Plan.

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

Finding: This standard is met. As discussed above, there is a documented surplus of residentially zoned lands, with 129 surplus acres specific to lands zoned Medium Density Residential. The City also has a need (not documented) for additional employment lands, both commercial and industrial. This employment land need is well known locally by the City, real estate professional, developers and business owners. This has caused the City to allocate funding to address this need. The City is currently conducting a Goal 9 Economic Opportunities Analysis to determine the status of the City's existing commercial and industrial lands inventory, the City's 20-year forecasted employment land need, and whether the City has a surplus or deficit of needed land. The City is confident that the study will identify a deficit of large acreage commercial land, which has caused the City to budget additional funding conduct a Goal 14 Urban Growth Boundary expansion process. Both this Goal 9 and Goal 14 effort support this rezone.

XI. Conclusions and Order

Based on the Findings of Fact above, the Planning Commission concludes that the Comprehensive Plan Designation Change and Zone Designation Change *(meets/does not meet)* the requirements established in LDC Article 8.6 and 8.7, and hereby recommends *(approval/denial)* of the zone change to the City of La Grande City Council, subject to the following condition of approval.

1. At the time of application for development, a traffic impact study (TIS) shall be prepared and submitted to the City of La Grande, Island City and the Oregon Department of Transportation, that meets the requirements and methodology as determined by such jurisdictions. The TIS shall evaluate the existing conditions of the surrounding street system and demonstrate the level of impact the proposed development will have on the surrounding street system. As part of the development, the applicant shall be required to mitigate all negative impacts attributable to the development as identified in the traffic impact study.

Exhibit A

Land Use Application for Rezone

Applicant: Kimmie Becker Gunderson

Owner: Mike Becker

APPLICATION FOR LAND USE REVIEW

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
Planning Division
1000 Adams Avenue, P.O. Box 670
La Grande, OR 97850
(541) 962-1307
Fax (541) 963-3333



LAND USE APPLICATIONS

- | | | |
|---|---|---|
| <input type="checkbox"/> Annexation Petition | <input type="checkbox"/> Land Development Code Amendment | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Appeal of Planning Division Decision | <input type="checkbox"/> Land Use Approval Time Extension | <input type="checkbox"/> Segregation of Tax Lot |
| <input type="checkbox"/> Appeal of Planning Commission Decision | <input type="checkbox"/> Livestock Permit | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Appeal of Landmarks Commission Decision | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Comprehensive Plan Document or Map Amendment | <input type="checkbox"/> Major Land Partition | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Minor Land Partition | <input type="checkbox"/> Variance - Administrative |
| <input type="checkbox"/> Duplex Division | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Variance - Commission |
| <input type="checkbox"/> Fence Height Waiver | <input type="checkbox"/> Preliminary Land Use Review | <input type="checkbox"/> Wetland Development Permit |
| <input type="checkbox"/> Floodplain Development Permit <i>(Separate Applic. Required)</i> | <input type="checkbox"/> Public Right-of-Way Encroachment | <input type="checkbox"/> Zoning Approval |
| <input type="checkbox"/> Geologic Hazard Site Plan | <input type="checkbox"/> Public Right-of-Way Dedication | <input checked="" type="checkbox"/> Zone Change Designation |
| <input type="checkbox"/> Historical Landmarks Review | <input type="checkbox"/> Public ROW Vacation <i>(Separate Applic. Required)</i> | <input type="checkbox"/> |
| <input type="checkbox"/> Home Occupation Permit | | |
| <input type="checkbox"/> | | |

OWNER/APPLICANT INFORMATION

Applicant/Agent: <u>Kimmie Becker Gunderson</u>	Land Owner: <u>Mike Becker</u>
Mailing Address: <u>PO Box 1159</u>	Mailing Address: <u>PO Box 1159</u>
City/State/Zip: <u>La Grande, OR 97850</u>	City/State/Zip: <u>La Grande, OR 97850</u>
Telephone: <u>541-963-7096</u>	Telephone: <u>541-963-7096</u>
Fax: <u>541-963-6775</u>	Fax: <u>541-963-6775</u>
Email: <u>kbecker@mikebeckergc.com</u>	Email: <u>mbecker@mikebeckergc.com</u>

PROJECT INFORMATION

Site Address: <u>Walton Road La Grande, OR 9785</u>	Description: <u>Underdeveloped R2 land bordered by CG</u>
Legal Desc.: T <u>03</u> S, R <u>38</u> E, Section <u>04AB</u> , Tax Lot <u>100</u>	<u>Walton Road Commercial District</u>
Project Value: _____ <i>(Based on contractors bid estimate.)</i>	

APPLICANT/OWNER CERTIFICATION

The applicant/owner understands and agrees that:

- The applicant/owner assumes all legal and financial responsibilities for establishing and clearing marking the location of all necessary property lines as determined necessary by the City for the proposed development;
- Building setbacks shall be measured from an established property line, not from the street, curb, sidewalk, or other improvement that is not based on a recorded survey;
- Any approvals associated with this request may be revoked if found in conflict with information represented in this application;
- The approval of this request does not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by City of La Grande ordinances, codes or regulations;
- The applicant hereby authorizes City officials of the City of La Grande to enter the property and inspect activity in conjunction with the proposed development project.
- **ASBESTOS:** If the project includes demolition, Oregon law may require an asbestos inspection by an accredited inspector. The applicant/owner hereby understands and agrees to have an asbestos inspection performed, if required by law, and to have a copy of the inspection report available on-site for the duration of the project.

Applicant Signature: Kimmie Becker Gunderson Owner Signature: Mike Becker

APPLICATION FOR LAND USE REVIEW

PAGE 2

COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
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STAFF USE ONLY FOR ZONING APPROVAL

Project Elements:

- ☐ Demolition ☐ New Structure
☐ Addition to Structure ☐ Alterations/Repairs

Demolition Defined: "Any wrecking that involves the removal of any load-supporting structural member or intentional burning."

Dwelling Standards: 1 2 3 4 5 6 7 8 9 10 11 12 N/A
Required for MH/SF/Duplex & Apartments [Section 3.2.003]

Access. Bldg. Standards Met: ☐ Yes ☐ No ☐ N/A *[Article 5.9]*

☐ Setbacks Met: ☐ Yes ☐ No *[Article 5.3]*

Front: _____ Left: _____ Right: _____ Rear: _____

Livestock setbacks: _____

Floodplain: ☐ Yes ☐ No Zone: _____ BFE: _____

If yes, an Elevation Certificate may be required

If yes, a Floodplain Development Permit may be required. [Article 3.12]

Geologic Hazard Zone: ☐ Yes ☐ No

If yes, a Geologic Hazard Waiver is required. [Article 3.4]

Riparian Zone/Wetlands: ☐ Yes ☐ No

If yes, a wetland delineation and DSL Permit may be required. [Articles 3.9 and 3.19]

Fire Protect. Agrmt. Req.: ☐ Yes ☐ No *[Article 3.2]*

Parks & Recreation SDC: ☐ Yes ☐ No *[Article 7.1]*

ROW Improvement Req.: ☐ Yes ☐ No *[Article 6.3]*

LID Agreement Req.: ☐ Yes ☐ No *[Article 6.3]*

Zone: _____

Date Approved: _____

Date Submitted: _____

File Number: _____

Application Fee: _____

Receipt Number: _____

COMMENTS:

Land Use Application Fee Schedule

Annexation Petition	\$1000	Minor Land Partition	\$250 + \$5/lot
Appeal of Planning Division Decision	\$75	Planned Unit Development	\$500 + \$5/lot
Appeal of Planning Commission/Landmarks Commission Decision	\$150	Public Right-of-Way Encroachment	+ Actual Costs for Advertising and Public Notice
Comprehensive Plan Designation Change	\$300		\$50
Comprehensive Plan Document Amendment	+ Actual Costs for Advertising and Public Notice	Public Right-of-Way Dedication	+ Document Recording Fees
Conditional Use Permit	Actual Costs		\$0
Duplex Division	\$375	Public Right-of-Way Vacation	Actual Costs
Fence Height Waiver	\$250 + \$5/lot	Preliminary Land Use Review (Pre-Application Meeting)	\$0
Floodplain Development Permit	\$25	Segregation of Tax Lot	\$25
Geologic Hazard Site Plans	\$75	Sign Permit	\$75
Historical Landmarks Review	\$75	Site Plan Review - New/Expansion	\$75 (Projects \$0-\$50k) \$150 (Projects \$50k-\$100k) (+ \$0.50/\$1000 over \$100k)
Home Occupation Permit	\$75	Subdivision	\$500 + \$5/lot
Land Development Code Amendment	Actual Cost	Temporary Use Permit	+ Actual Costs for Advertising and Public Notice
Land Use Approval Time Extension	\$25	Variance Permit (Administrative)	\$125
Lot Line Adjustment	\$150	Variance Permit (Planning Commission)	\$175
Livestock Permit	\$25	Wetland Plan Review	\$450
Major Land Partition	\$500 + \$5/lot	Zone Change/LDC Amendment	\$75
			\$300
			+ Actual Costs for Advertising and Public Notice
		Zoning Approval	\$25.00

*Applications based on actual costs require a deposit to cover the estimated fees. If there is a shortage of funds discovered during the review process, an additional deposit may be required to be paid. Any surplus or deficit of fees paid will be refunded or billed to the applicant.

*Application fee for multiple planning actions is equal to the greatest single fee, not the sum of all fees.

*Application fee may be increased to include third party engineering and/or consulting fees when required.
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Purpose

Proposed RV Park Development and proposed re-zoning from R-2 to Commercial

Mike Becker plans to develop a RV Park on vacant land in the City of La Grande UGB that is currently zoned R-2. A zoning change from R-2 (approx. 7.8 acres) to commercial GC is necessary in order to meet our business venture goal of constructing a 100 space RV Park. This vacant land would be great location for such a development and also serve a need in our community providing temporary lodging and housing.

The RV Park development is bordered on the west by property that is located in Union County boundary and bordered on the east by property located in the City of Island City UGB. This project specifically is proposed to be constructed within the City of La Grande UGB as well as the Island City UGB.

Given this parcels location and designation is limiting business opportunities and development. Changing the zoning to GC offers more options for development/business opportunities.

See Attachment A- RV Park Conceptual Design Plan

Section 8.6.003-Review Procedure

Review Criteria:

A: Comprehensive Plan & Land Development Code – related items

STATEWIDE PLANNING GOAL 2 – LAND USE PLANNING

Objectives:

1. The overall goal of the La Grande Comprehensive Plan is to provide direction for achieving a safe, healthful, attractive, and workable environment for the citizens of La Grande; and
2. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure and adequate factual base for such decisions and actions.

Policy:

3. That public need be established before plan changes or related requests are approved and that the burden of proof be borne by the requestor.

La Grande has a shortage of housing for transients as well as permanent residents. With the popularity of RV/Tiny home living and there is a need in our community for a RV park that is close to the stores/restaurants for those who are traveling through, recreating or those that are working in our area away from home. With the Hot Lake RV Park located out of town is full most of the summer and closed in the throughout the winter months and the Rendezvous RV Park is full with mostly long-term renters and in a run-down state. The two local RV Parks are predominantly full with long term residence who live there year round. La Grande needs a clean

option for travelers and short-term workers for RV Park living who want a stay and enjoy our area while traveling through. Hot Lake is a better option than Rendezvous is however they are booked out well in advance and rarely have last minute openings or openings for someone just passing through on short notice.

7. That commercial development be concentrated so as to strengthen existing commercial activities.

The proposed parcel is adjacent to a commercial business park. Having an RV Park located in La Grande that caters to travelers will bring consumer activity to local store, restaurants and other businesses in our community. This will also help strengthen La Grandes commercial activities from gas stations, bike rentals, retail and restaurants.

11. That uses with undesirable noise, smoke, visual, and other objectionable characteristics will be discouraged from locating in areas where such conditions are incompatible with surrounding area development.

Proposed parcel has no exposure to other uses nearby on two sides north and east residence to the west approx. 400'. The proposed location is currently vacant and underdeveloped and a place where no undesirable activities occur except for the occasional homeless overnight stay. The proposed development will have an onsite manager and will not increase nor encourage or create objectionable characteristics. The R-2 to GC use in this case will not differ tremendously because most RV goers have home like connivences and will be treating the location as a residential residence.

STATEWIDE PLANNING GOAL 6 – AIR, WATER, AND LAND RESOURCE QUALITY

Objective:

1. To maintain and improve the quality of the air, water and land resources of La Grande. Achievement of a natural resource use pattern which gives as much importance to providing for tomorrow's needs and the protection of the natural environment as to providing for the needs of today.

Policy:

1. That those uses emitting noise and air pollution be located so as not to infringe upon the quality of residential living.

We do not intend nor do we anticipate an increase in noise or air pollution, the current property is located near Island Avenue which is very heavily traveled and carries it own noise level, as well as the INPRR Railroad Tracks. While there will be an increase of use the intention of the RV Park will be for a residential model with a quiet “home like” environment. The onsite manager will be responsible for maintaining that “home like” feeling.

2. That buffer or transition areas be encouraged between industrial and residential uses.

We plan on being mindful of the County Zone property to the west of the proposed RV Park, to the east there is open space that will be developed and there will be a buffer for privacy for the adjacent property as well as privacy for the RV Park guests. We plan to fence the park property for security on the park property that might be accessed by park guest.

STATEWIDE PLANNING GOAL 9 – ECONOMIC DEVELOPMENT

I. Goal and Policies

The following goals, objectives, policies and recommendations have been formulated by the City to direct the community's economic development program during the next five to ten years.

A. Goals:

1. **To Create High Quality Family Wage Jobs** - To promote industrial and commercial development that generates high quality family wage jobs and income for the community and creates sustainable and environmentally sound economic vitality.
2. **To Foster the Growth and Expansion of Eastern Oregon University** - To support the university in its efforts to grow and target educational programs to the region and the state. Provide sites and other infrastructure to businesses seeking to partner with the university.
3. **To Promote Retail Development** - To promote the development of the City as a Regional Shopping Center by providing a greater range of retail services for residents and visitors. As a Regional Center, allow residents to satisfy their shopping needs within the Community and provide a greater range of services for travelers on I-84.
4. **To Revitalize the Downtown** - To revitalize the Central Business District by building on its historic character, expanding the mix of goods and services offered and creating public spaces and amenities.
5. **To Establish Sufficient Capacity for Commercial and Industrial Development** - To amend the Urban Growth Boundary (UGB) and consider an Urban Reserve Area (URA) to provide for sufficient land to meet the City's long-term commercial and industrial economic development goals.

B. Objectives:

1. To provide public improvements and infrastructure to support job-creating development. Provide planning and funding for public improvements including streets, utilities, telecommunications and other facilities in support of development that will create a range of types of family wage jobs for residents of La Grande.
2. To provide appropriate sites for businesses creating family wage jobs. Assist in land assembly and infrastructure development for quality industrial districts and business parks to attract businesses that create family wage jobs. To manage the locations of the allowable uses to ensure that the land is properly utilized.

3. To coordinate the City's economic development program with the citizens of La Grande, community-based organizations, Union County, Union County Economic Development Corporation, the Chamber of Commerce, the Oregon Community and Economic Development Department (OCEDD), Northeast Oregon Economic Development District and other local, regional, state and federal agencies.
4. To continue and enhance the City's economic development program with EOU as a means of attracting and retaining businesses.
5. To provide public improvements to sites for retail development. To plan and develop infrastructure and public facilities to encourage retail and mixed-use projects.
6. To diversify and strengthen the mix of economic activity in City of La Grande and the surrounding region without diminishing the livability of the area.
7. To support and utilize regional and local partnerships for greater economic development opportunities.

C. POLICIES

Policy 8. The City shall take social, aesthetic, and environmental values into consideration when planning for commercial and industrial development.

The development of this site will be an improvement to aesthetics from the vacant land that currently sits most of the year desolate with litter from the neighboring retail locations. Adding trees and greenspace with other infrastructure will be a huge improvement. The addition of an RV Park next to the Grande Ronde River is a much more environmentally friendly development vs a typical commercial development. Today's RV travelers have a true "house on wheels" and want a

Location of Uses

Policy 10. The City shall encourage highway-oriented businesses to be located near intersections of major arterials.

The proposed RV Park will be accessed off of the intersection of Island Avenue and Walton Road which is very close to the Interstate.

Policy 11. The City shall encourage the grouping of commercial uses in such a manner as will facilitate customer involvement from one store to another.

The proposed RV Park development will lend itself nicely to the surrounding businesses such as Wal-Mart, Millers Home Center, KIE, Taco Time & Panda Express not to mention the other nearby businesses.

Policy 12. The City shall locate commercial areas so as to provide good access between them and the trade area served.

This location is already accessed through commercial use property and has good access between the trade area that is being served.

STATEWIDE PLANNING GOAL 10 – HOUSING

Objective –

1. To provide for the housing needs of the citizens of La Grande, and to support development of an adequate supply of housing in terms of quantity, quality, and availability especially to groups, such as low- and moderate-income households, elderly and handicapped households
2. To assure environmental quality in residential areas, and to enhance the financial ability of households to obtain and retain decent dwelling units.
3. To assure an open housing market for all La Grande citizens, and to assure a balance of individual and community needs in residential areas.
4. To provide areas suitable and desirable for all types of single and multiple family residential uses which have or will need public water and sewage services, commercial and education support facilities and employment opportunities.

Policies –

1. The City recognizes that public interest requires that every citizen be given the opportunity to provide themselves with safe, sanitary and adequate housing.

RV living has increased in popularity over the last several years, most RV's have all the convenience and comforts of home which have made them very appealing. The fact that they are mobile is a huge plus for those who are telecommuting and for those who are traveling for employment. There is also a large following of people who travel with the RV to vs staying in hotels, which we have a shortage of in La Grande. This RV Park Development will bring an option for those traveling through who want a clean, quiet, convenient location close to the amenities of town. Whether it be a family coming to town to visit their EOU athlete, or a single person who is working in our area temporarily, a hunter or mountain biker staying for the weekend, or someone passing through for the night, this RV Park will serve our community well and help fill a housing void whether it be for the traveler, temporary short term or long term. The park will provide space while new residents can stay while there new housing projects get constructed.

3. That all types of residential units, including mobile home. modular and manufactured units, are acceptable resources of housing and that recognition will be reflected in zoning, building codes and other regulatory means without compromising quality standards.

The RV Park will meet all codes and regulatory means without compromising quality standards, all units will be safely connected to utilities. Those utilities will meet all standards set forth in the Oregon building codes.

Review Criteria Continued –

B: Property affected by the zone designation change

The bordering Island city property will not be affected by the zoning change, nor will the lot#1800 map 02S38E33D be negatively impacted due to the nature of the proposed development.

C: Property affected by the zone designation change-adequate service in conformance with Oregon Transportation Planning Rule

The property is currently accessible via Walton Road which is controlled via traffic signal, and Island Avenue/Hwy 82 which is a main thoroughfare and approx. 0.7miles/ from the proposed RV Park. The surrounding businesses are well established and currently accessible and are being served by the same streets with ease. This is a high traffic area of La Grande and Island City and there are no current issues serving the amounts of traffic with room to handle fluctuations and additional traffic load. Considering the proposed development, a significant increase in vehicle traffic is not anticipated. The majority of the lots in this area are zoned GC, therefore it would be safe to assume that a change in zoning in the area, would have little to no impact on vehicle traffic. Examples of businesses and current lot zoning in this area are:*

Millers Home Center, OXARC, Eastern Oregon Home Sales, KIE, Fastenal, Eastern Oregon Rental & Sales are all zoned GC.

D: Potential adverse effects on abutting properties:

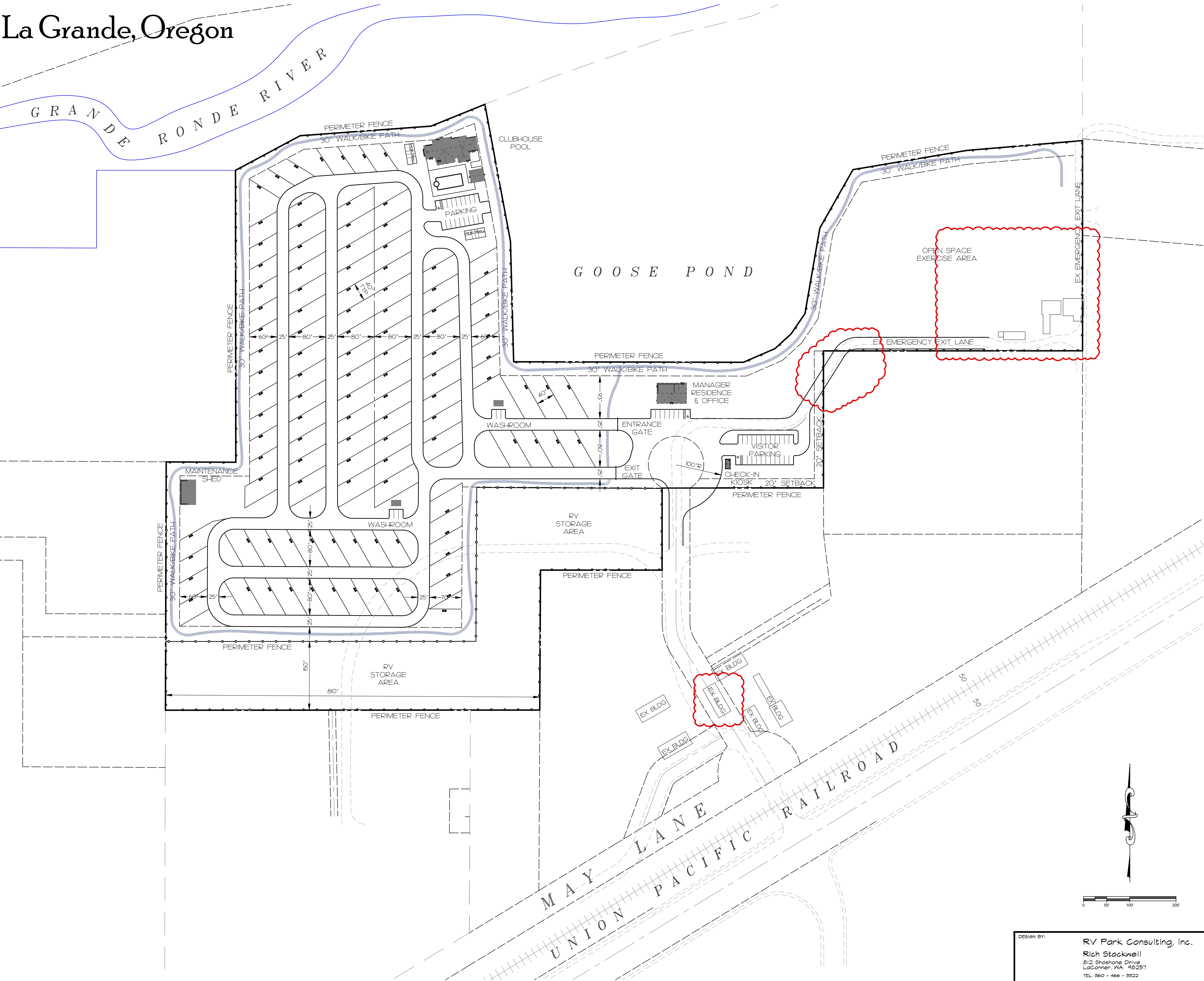
Adverse effects will be minimal to none. The west abutting lot is zoned within Union County and is mostly a bare vacant field. Visual impacts will be limited and in actuality provide a buffer for the property owner from looking at the back of Millers Home Center and the Island City Strip/Hwy82 and Walmart. There will be fencing as well as trees that will buffer the development and serve as a great improvement from the current state of the bare lot that most days is littered with trash that has blown over from the retail stores. In this case adverse impacts of rezoning would be minimal to none as the proposed intent and changes will remain consistent with the current use and commercial nature of the surrounding area. Rezoning this piece from R2 to GC will provide a greater opportunity and a more fitting and feasible development for this area with very minimal to no impact on neighboring property and serve as a huge improvement for the City as well as our community. This will help fill a need in our community for future growth and commerce.

Attachment A – Rough Conceptual Design

PROPOSED RV RESORT

La Grande, Oregon

PRELIMINARY



RV PARK FEATURES

- 110 RV SITES
- RV STORAGE
- CHECK-IN OFFICE
- CLUBHOUSE & POOL
- PICNIC PAVILIONS
- WASHROOM & LAUNDRY
- UNISEX WASHROOMS
- WALK/BIKE TRAILS
- PICKLEBALL COURTS

PARK LEGEND

- PROPOSED TRASH BIN
- PROPOSED PICNIC TABLE
- PROPOSED BENCH
- PROPOSED FOUNTAIN
- PROPOSED FIRE PIT
- PROPOSED PICNIC PAVILION
- PROPOSED TREE
- EXISTING TREE
- PROPOSED PATH

THIS CONCEPT SKETCH WAS CREATED BASED ON AVAILABLE PUBLIC RECORDS AND COUNTY GIS INFORMATION.

NO SURVEY WAS COMPLETED AND THE ACCURACY TOPOGRAPHIC INFORMATION AND PROPERTY DIMENSIONS HAS NOT BEEN VERIFIED.

THIS DOCUMENT NOT TO BE USED FOR CONSTRUCTION.

DESIGN BY:
RV Park Consulting, Inc.
Rich Stockwell
812 Shoshone Drive
LaGrande, WA 98251
TEL 360 - 466 - 9922
<http://www.rvparkconsulting.com> • rich@rvparkconsulting.com

PROJECT:
**PROPOSED RV RESORT
LA GRANDE, OR
PRELIMINARY SKETCH**

SCALE:
1" = 100'
DATE:
6/1/2023
SHEET:
1 of 1

Exhibit B

Comment Letter

**Oregon Department of Transportation
July 25, 2023**



Oregon

Tina Kotek, Governor

Department of Transportation

District 13

3014 Island Avenue

La Grande, OR 97850

(541) 963-8406

FAX (541) 963-0249

July 25, 2023

VIA EMAIL: mboquist@cityoflagrande.org

Michael Boquist, Community Development Director

City of La Grande

1000 Adams Ave

P O Box 670

La Grande, OR 97850

Subject: 02-ZON-23 Applicant total property is approximately 11 acres, with the 8+/- acres portion within La Grande being Proposed for Rezone from Medium Density Residential (R-2) to General Commercial (GC) for 7.8 acre RV Park Resort with Caretaker House

The Oregon Department of Transportation (ODOT) has jurisdiction of Oregon Highway 10/OR 82, including responsibility for managing access within the corridor. ODOT is committed to preserving the function of the state highway system and public infrastructure investments as the area infills and redevelops.

At a minimum for a rezone, we recommend the city require the applicant to provide a Traffic Report which shows the before and after change in trip generation from M-1 to CMU. If the increase is over, between 400 and 1000, then following Oregon Highway Plan Action 1F.5, a Traffic Impact Analysis (TIA) would be needed. Similarly, if the increase is over 1000 ADT, there are different thresholds for Annual (ADT) and highway configurations that will need to be evaluated.

Ensuring the transportation system is managed effectively to support multi-modal choices in accordance with the City's Transportation System Plan is necessary to satisfy requirements of the ORS 660-012 Transportation Planning Rule.

Local improvement plans should also be recognized to assist the City in working collaboratively to link transportation facilities. City of Island City is guided by the 2009 South Riverside Neighborhood Plan, an acknowledged amendment to the Island City Transportation System Plan (TSP). The Plan was developed in partnership with the City of La Grande and identifies planned east-west connections in the area which parallel the highway and extend from Walton Road (see Figure on next page).

Figure: South Riverside Neighborhood Plan – Island City TSP Amendment (2009)



These future connections along with railroad crossing improvements are to be implemented as development occurs. The connections are meant to provide development certainty for all property owners in an area that has restricted access due to the railroad crossing. The improvements are critical to aid traffic circulation, street frontage for development and access to the railroad crossings.

Continued development in this area without any improvements has safety and operational issues. Movements on the north leg of Walton Road should complement the movements on the south leg of Walton Road. Modifications to the north leg would require full reconstruction to shift the north leg slightly to the east to line up with the south lanes.

The current railroad crossing order is for two 12' travel lanes and two 6' paved shoulders which would need to be improved to accommodate three 12' lanes plus paved shoulders. Meeting rail crossing grade requirements for this public crossing would require raising the grade on Highway 10/OR 82/Walton Road and impacting the entire signal. This was the case for the Riddle Road/Mulholland Drive intersection just west of this location. An updated railroad crossing order may be required as well.

In addition, the developer should be aware that the grade of the rail crossing may not allow any lowboy trailers or low clearance recreational vehicles (RVs) to access the property from Walton Road. There is evidence of drag marks in the pavement on the highway side of the crossing. Although this crossing does have appropriate warning devices, the possibility of increased low profile trailers and low clearance RVs getting stranded is of concern.

In short, the Oregon Highway 10/OR 82 and Walton Road intersection is likely exceeding the capacity of a single-lane approach to access the highway with the existing lane configuration. The proposed development has significant associated transportation improvement requirements related to Walton Road and future street connectivity for the area. Traffic impacts will increase as the development continues without improvements to the intersection and addressing the transportation infrastructure.

ODOT recommends the City of La Grande assign responsibility for the development to help mitigate impacts and share costs for financing the improvements consistent with the City's adopted TSP established for this area. City should consider the establishment of a Local Improvement District (LID) to finance transportation and other public facilities improvements in the area. In addition, the development could also finance necessary transportation improvements

to the area incrementally. This would help provide certainty for continued future development of this residential/commercial/business park area.

Affected parties need to work collaboratively and ODOT is committed to assuring coordinated transportation decisions efficiently preserve the public infrastructure investment.

Thank you for the opportunity to comment.



Ace Clark
District 13 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager
Teresa Penninger, Region 5 Planning
David Boyd, Region 5 Access Management Engineer
Prescott Mann, ODOT Rail
Jeff Short, Idaho Northern & Pacific Railroad
Robert Tibbets, Idaho Northern & Pacific Railroad
Karen Howton, City of Island City Recorder

Exhibit C

Comment Letter

**City of Island City
July 25, 2023**

July 25, 2023

Michael J. Boquist
Community Development Director
City of La Grande, City Hall
1000 Adams Avenue
P.O. Box 670
La Grande, OR 97850
541-962-1307

Subject: City of Island City Comments on La Grande Land Use Application No. 02-ZON-23

Dear Mr. Boquist:

The City of Island City received notice of a proposed zone change from Residential Medium Density (R2) to General Commercial (GC) in the City of La Grande's Urban Growth Boundary (UGB). We understand the proposal is intended to facilitate the eventual construction of a 100 space RV park. The subject site, tax lot 5200, is in total 19.88 acres. The site is contained in both the La Grande UGB and Island City's UGB. Of the total acreage, roughly 7.8 acres is within the City of La Grande (40%) and roughly 12 acres are within Island City (60%).

Figure 1 on the following page shows the site in blue, the Island City UGB is outlined in dotted white and shaded with orange, and the proposed site access for the property is circled in yellow. Any future development on the subject site will use the intersection of Walton Road and Island Avenue. This intersection also crosses the Idaho Northern and Pacific Railroad on the north side of Island Avenue. Island Avenue is an ODOT facility.

We understand the City of La Grande's priority to provide transient/recreational and additional permanent RV housing options, and that the proposed RV park may strengthen economic activity in both La Grande and Island City. However, development in this part of Island City is problematic without appropriate street dedications, intersection and roadway improvements, and adequate infrastructure to support the intended outcome of the proposed zone change – the development of a 100 space RV park.

As of writing this letter, Island City has yet to receive a development application for the proposed RV park portions within the Island City UGB. Without a detailed application for the portion of the

project within Island City, Island City has several concerns regarding the proposed rezone application:

1. Main access within Island City is proposed from an underdeveloped intersection (Walton Road and Island Avenue)
 - a. Island City has not seen evidence of coordination with the railroad or ODOT, crossing agreements with the railroad or proposed intersection improvements.
 - b. The area proposed for development within Island City is within the South Riverside Neighborhood Plan area, adopted as part of Island City's TSP; Island City has not seen evidence of any findings or analysis related to any adopted plan. The conceptual development submitted with the proposed zone change appears to be inconsistent with the La Grande / Island City TSP.
2. Island City has not seen an application for or been able to evaluate infrastructure improvements required for the proposed project. Infrastructure needs include:
 - a. Transportation access to the site consistent with development code and TSP requirements, and railroad / ODOT requirements;
 - b. Water and sewer service.
3. As there has been no application submitted to Island City, Island City has not been able to evaluate the proposed development in relation to Island City development code requirements.

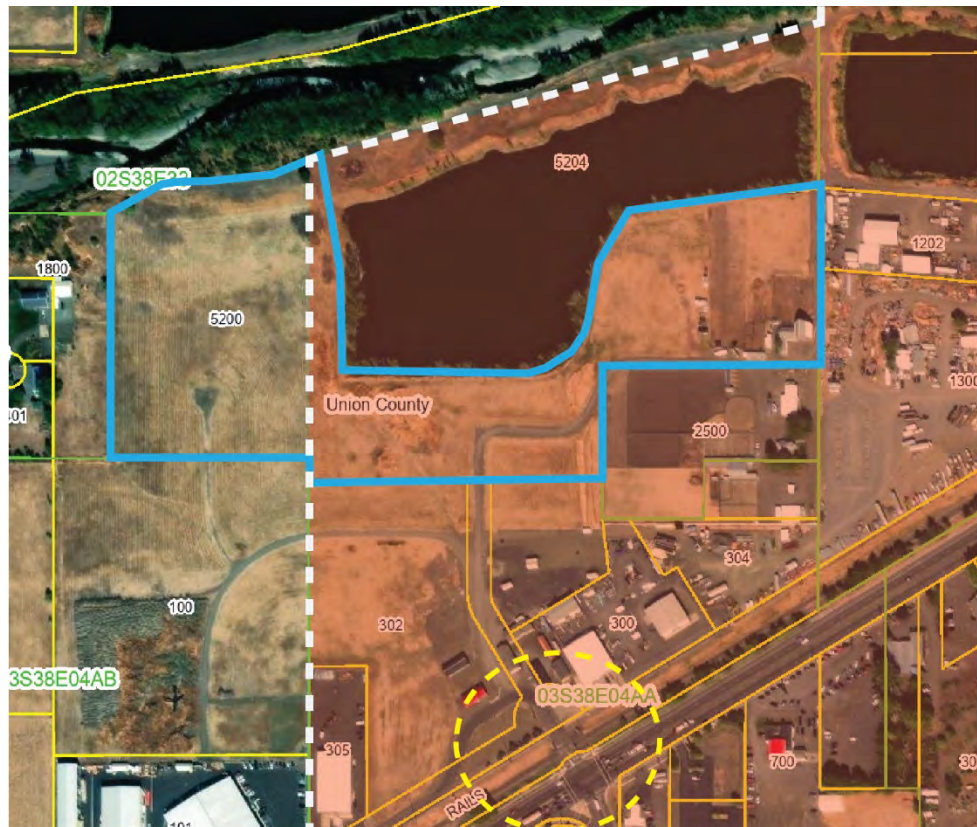


Figure 1 Site with Aerial Image

Main Access through Island City (Walton Road and Island Avenue Intersection)

The Walton Road-Island Avenue intersection (circled with a dotted line in Figure 1), has long been a concern for Island City, ODOT, and the Idaho Northern and Pacific Railroad as development continues north of Island Avenue. During development of Mr. Becker's proposed partition to create a parcel for the OXARC facility in 2020, ODOT provided comments on the Walton/Island intersection. To reduce congestion and increase safety along state highways and collector streets that access state highways, the city is required to coordinate with ODOT officials on proposed land divisions and development applications that may impact state transportation facilities. Below are comments received from Lisa Hayes – ODOT's District 13 Operations Coordinator. These communications are dated May 11th, 2020, and they read in-part:

Continued development in this area without any improvements to the north leg of Walton Road may cause safety and operational issues at the Walton Rd/Island Avenue intersection in the future. To negate any potential safety and operational issues, the City may need to rebuild the north Walton Road connection to accommodate an alternative lane configuration and signal reconstruction. ODOT is in the process of modifying the signal on the south side of the Walton Road/Island Avenue intersection to change the left lane to a left turn only and change the right turn only lane to a thru lane and right turn lane to accommodate left turn movements during a rail preemption. This work should be completed this summer. Movements on the north leg of Walton Road should complement the movements on the south leg of Walton Road. Modifications to the north leg would require full reconstruction to shift the north leg slightly to the east to line up with the south lanes. Meeting the rail crossing grade requirements for a public crossing will likely require raising the grade on Island Avenue and impacting the entire signal. This was the case for the Riddle Road/Mulholland Drive intersection just west of this location. It is likely that an updated crossing order will be required as well as the current crossing order is for two 12' travel lanes and two 6' paved shoulders and would need to be improved to accommodate three 12' lanes plus paved shoulders.

The above statements appear consistent with the South Riverside Plan Amendment to the TSP that was adopted by the City of Island City on 8/10/2009. Excerpts from that plan pertaining to this intersection and development area are below.

8. The City is committed to reducing traffic speed and enhancing pedestrian amenities in the Island City Town Center area. Island City will coordinate with ODOT towards this end.

ODOT was a partner in the transportation element of this plan. It was determined that traffic generated by development of this area may generate a need for a turn lane at the Walton Road/Island Avenue intersection, as well railroad crossing upgrades. The proposed collector street parallel to Island Avenue is critical. It will aid in traffic circulation and street frontage for development, access to a third railroad crossing and help mitigate the increase of local trips on Island Avenue.

6. The Capital Improvement Program will set priorities and guide transportation improvements and developments.

The Island City City Council will review and amend or approve any proposal for development of this area. If a phased development is necessary, the Council will set priorities for transportation improvements to ensure adequacy of street improvements and pedestrian amenities to meet the needs of each phase of development. Council will also determine that the future street connectivity will be provided for in the plan.

In 2021, the city received additional comments from ODOT for a proposed development north of Island Avenue that sought to use the Walton/Island Intersection as a main access point. Ace Clark – ODOT’s District 13 Manager – provided the following comments on development of the Eastern Oregon Rental Store. The letter is dated October 15, 2021, and it reads in-part:

In addition, the developer should be aware that the grade of the rail crossing likely will not allow any lowboy trailers to access the property from Walton Road. There is evidence of drag marks in the pavement on the highway side of the crossing. Although this crossing does have appropriate warning devices, the possibility of increased low profile trailers getting stranded is of concern.

In short, the Oregon Highway 10/OR 82 and Walton Road intersection is exceeding the capacity of a single-lane approach to access the highway with the existing lane configuration. The proposed development has significant associated transportation improvement requirements related to Walton Road and future street connectivity for the area. Traffic impacts will increase as the development continues without improvements to the intersection and addressing the transportation infrastructure.

These communications, and subsequent verbal conversations with ODOT and railroad officials over the years, confirm that major improvements are necessary to the Walton/Island intersection in order to support any continued development north of Island Avenue. Development of a 100 space RV park will have a substantial impact on not only trips through this already congested and under-improved intersection, but also on the road and rail conditions as large RVs come and go through the intersection, and potentially drag their undercarriages.

South Riverside Neighborhood Plan (2009)

The *South Riverside Neighborhood Plan* map is shown in Figure 2. The existing intersection with Walton Road and Island Avenue is labeled as the “existing public railroad crossing” and circled at the maps western edge. This plan is a formal amendment to Island City’s Transportation System Plan (TSP), acknowledged by the state.

As shown, development of the site in Island City will require a publicly dedicated east/west connection along the site’s southern border, and additional public road dedications on the eastern side of the site, where the applicant proposes an emergency access road. Note that the current site plan configuration does not accommodate for these public rights-of-way.

The planned connections are meant to provide development certainty for all property owners, in an area that has restricted access due to the railroad crossing.



Figure 2 South Riverside Neighborhood Plan Map

City Engineering, Planning, and Administrative Staff have had multiple discussions with the applicant regarding transportation requirements for the area over the last five years, beginning with the late 2018 Miller's Home Center development in La Grande – which similarly does not have any access other than the Walton Road intersection in Island City. The 2018 application was approved without confirming access and rail crossing requirements with the railroad or undergoing a development review process in Island City.

In order to accommodate the Miller Home Center's sunk cost in La Grande, Island City, ODOT, and the railroad allowed access inconsistent with Island City's development code and TSP. The Miller Home Center development does not pay taxes in Island City, did not pay for public roads or utilities in Island City, and did not pay any share of required improvements for the Walton Road / Island Avenue intersection.

Island City must require street dedication and improvements consistent with Island City requirements for development in this area. We encourage La Grande, the property owner, and the proposed developer to fully evaluate infrastructure requirements related to the proposal. If development of the project is not feasible considering infrastructure requirements, the project is not feasible.

Adequate Water Service

Currently customers north of Island Avenue near North Walton Road are being served with water from the City of La Grande's 18" water transmission line to the Baum Industrial Park. **The Public Works Director for the City of La Grande has indicated that they will only serve development in the subject commercial property if they are requested to do so by Island City.**

Concern has also been expressed about the continued service additions along the transmission line potentially reducing the available capacity to serve the Baum Industrial Park. Considering this, Island City will need to provide water service to this area. The water system has plenty of supply and storage capacity to serve the area, but water distribution lines need to be extended north of Island Avenue. Island City's 2011 Water System Master Plan recommends a looped 10-inch water

line be extended in this area to provide adequate fire protection capacity for commercial, business park, and industrial zoned properties in the area.

Adequate Sewer Service

Currently, one 8-inch gravity sewer line is extended from the Island City Area Sanitation District collection system north of Island Avenue to serve properties in the area. This sewer line then contributes sewer flows to Lift Station No. 3 located on the east side of Island City. If sewer service is to be provided to all of the proposed RV sites associated with the development, a capacity assessment of the existing facilities, including conveyance piping and both the existing Lift Station No. 3 and Lift Station No. 4 (which receives the wastewater discharged from Lift Station No. 3) would be requested of the developer.

A 2002 analysis of the system capacity to serve development in the area being considered for the RV park rezoning indicated that additional sewer line extensions may be needed. Two options that were identified in the 2002 analysis were tying into the existing gravity sewer system on South Walton Road or making capacity improvements to lift station No. 3. Further evaluation of the impacts to the existing system and alternatives to address these would be recommended. If a sewer dump station, rather than individual site services, is to be provided, accommodation for the limited contribution from the dump station could likely be more easily accommodated. Restrictions on types of waste discharged to the dump station would need to be coordinated with City of La Grande wastewater treatment operators to avoid any impacts on the City of La Grande's wastewater treatment process.

Development Code Considerations in Island City

As it stands, the City of Island City has yet to receive any land use proposals from the applicant, and so their intended land use path in Island City is unclear. Below are some general points regarding the subject site and Island City's Development Code requirements:

The Island City portion of the site is zoned Public (P) and Business Park (BP). The proposed RV park use is allowed in the P zone. The proposed RV park is not permitted in the BP zone, and conditional or similar uses typically require all activities to be indoors only. A proposed RV park would not be supported in this zone. Therefore, the proposal as currently presented to La Grande is not feasible in Island City.

A zone change application would need to be approved through a similar hearing process before Island City's City Council. This will, at minimum, require an application, appropriate notice, and a scheduled hearing.

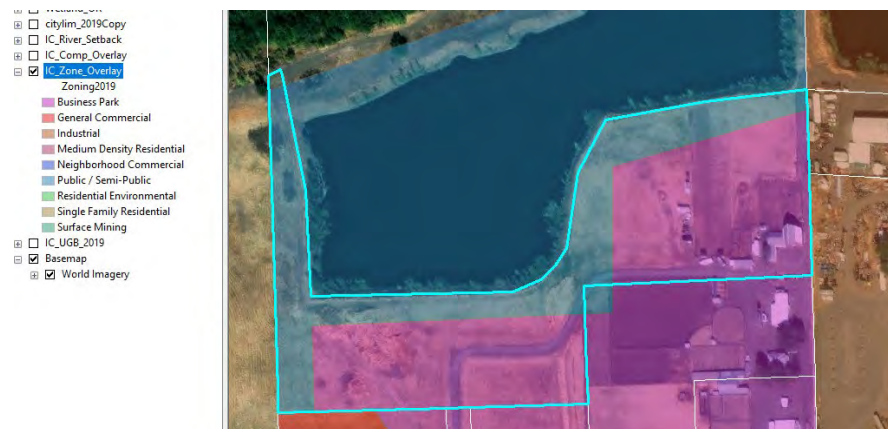


Figure 3 Subject Site – Island City Zoning Map



Figure 4 Subject Site – Island City Zoning Overlay Map

The site contains portions within the 100-year floodplain and portions of the Riparian Setback Overlay (RSO). If any development is proposed within the floodplain, a floodplain permit is required.

The RSO looks to clearly be outdated based on the location of the industrial pond. The City will need confirmation from DSL that indeed there are no portions of the site that are considered wetlands. With this confirmation, the City will remove these portions of the RSO from our inventory. This information will be necessary before any completeness review is finalized and the technical review begins.

La Grande Approval Criteria (Section 8.06.003)

As noted in the La Grande staff report dated July 12, 2023, the zone change approval criteria of Section 8.06.003 are applicable. Island City has reviewed staff findings. We have the following select comments:

1. *B: Property affected by the zone designation change is adequate in size and shape to facilitate those uses that are normally allowed in conjunction with such zoning;*

- a. *La Grande Response: The bordering Island city property will not be affected by the zoning change, nor will the lot#1800 map 02S38E33D be negatively impacted due to the nature of the proposed development.*
 - b. **Island City Response: The development targeted by the proposed zone change is significantly larger than – over twice the size of – the area proposed for a zone change, and appears to be predominantly within Island City. The proposal very clearly affects Island City; other uses may well be appropriate for the size of the proposed zone change. However, our understanding is this property does not have access through La Grande, and therefore any use proposed will require access through the limited intersection at Island Avenue and Walton Road. This response is also related to Section 8.06.003 Review Criteria C and D below.**
2. *C: Property affected by the zone designation change can adequately serve the uses that may be permitted therein; and such Change is in conformance with the Oregon Transportation Planning Rule (OAR 660-012-0060)*
 - a. *La Grande Response: The property is currently accessible via Walton Road which is controlled via traffic signal, and Island Avenue/Hwy 82 which is a main thoroughfare and approx. 0.7miles/* from the proposed RV Park. The surrounding businesses are well established and currently accessible and are being served by the same streets with ease. This is a high traffic area of La Grande and Island City and there are no current issues serving the amounts of traffic with room to handle fluctuations and additional traffic load. Considering the proposed development, a significant increase in vehicle traffic is not anticipated. The majority of the lots in this area are zoned GC, therefore it would be safe to assume that a change in zoning in the area, would have little to no impact on vehicle traffic. Examples of businesses and current lot zoning in this area are: Millers Home Center, OXARC, Eastern Oregon Home Sales, KIE, Fastenal, Eastern Oregon Rental & Sales are all zoned GC.*
 - b. **Island City Response: The current proposal directly impacts Highway 82 / Island Avenue and does not include a transportation impact assessment/analysis supporting Transportation Planning Rule compliance; unless TPR compliance is confirmed by ODOT, the proposal is not consistent with this approval criterion on its face.**

Further, the testimony and references contained in this letter explain that the current intersection of Walton Rd. and Island Ave. is known to be inadequate to support further development on the northern side of the intersection.

A transportation study with ODOT and rail coordination is required for this application. The zone change does not meet this approval criterion.

3. *D: Potential adverse effects on abutting properties:*

- a. *La Grande Response: Adverse effects will be minimal to none. The west abutting lot is zoned within Union County and is mostly a bare vacant field. Visual impacts will be limited and in actuality provide a buffer for the property owner from looking at the back of Millers Home Center and the Island City Strip/Hwy82 and Walmart. There will be fencing as well as trees that will buffer the development and serve as a great improvement from the current state of the bare lot that most days is littered with trash that has blown over from the retail stores. In this case adverse impacts of rezoning would be minimal to none as the proposed intent and changes will remain consistent with the current use and commercial nature of the surrounding area. Rezoning this piece from R2 to GC will provide a greater opportunity and a more fitting and feasible development for this area with very minimal to no impact on neighboring property and serve as a huge improvement for the City as well as our community. This will help fill a need in our community for future growth and commerce.*
- b. **Island City Response: As documented throughout this response, the proposal raises significant concerns related to provision of public facilities and roadways through Island City; none of these concerns are identified or addressed in the application or staff report.**

The proposal does not contain any plan or approach for transportation connections/dedications consistent with the adopted transportation system plan, or consistent with ODOT / rail comments over the past several years. A reasonable approach to development in this area would start development from Walton Road and extend west, establishing adequate public facilities as a component of development and benefitting the entire area shared by La Grande and Island City.

Island City has yet to receive an application for either development or rezone, and so it is nearly impossible for either city to adequately address potential adverse impacts from the proposal, beyond identifying the clearly inadequate public utilities and transportation existing in the area.

Island City does not oppose the concept of commercial development in this area. However, without a plan for adequate public facilities to serve the proposed development, the proposal is inconsistent with this approval criterion and not feasible.

CONCLUSION

This letter is intended to express Island City's concerns regarding the proposed zone change. Without additional study of the impacts to Island City, railroad, and ODOT infrastructure and transportation networks at this time, the proposal is not feasible. We request the rezone

application be denied as presented until further information can be provided by the applicant to verify how the potential impacts to Island City and the Walton Road/Island Avenue intersection will be addressed..

Sincerely,

A handwritten signature in blue ink that reads "Jesse Winterowd". The signature is written in a cursive, flowing style.

Jesse Winterowd, AICP
Island City Contract Planner
Winterbrook Planning
503-827-4422x109