



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

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

NOTICE OF ADOPTED AMENDMENT

August 3, 2006

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of La Grande Plan Amendment
DLCD File Number 001-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 18, 2006

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

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

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

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Darren Nichols, DLCD Regional Representative
Michael Boquist, City of La Grande

<paa> ya/



FORM 2

DLCD NOTICE OF ADOPTION

This form **must be mailed** to DLCD **within 5 working days after the final decision**
Per ORS 197.610, OAR Chapter 660 – Division 18
(See reverse side for submittal requirements)

Jurisdiction: City of La Grande Local File No.: 01-CPA-06 & 01-ZON-06
(If no number, use none)

Date of Adoption: June 7, 2006 Date Mailed: July 28, 2006
(Must be filled in) (Must be filled in)

Date the Notice of Proposed Amendment was mailed to DLCD: January 23, 2006

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

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."
Expand the City of La Grande Urban Growth Boundary, Rezoning R-2 Rural Residential in Union County to R-2 Medium Density Residential and GC General Commercial in La Grande

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."
SAME

Plan Map Changed from: County R-2 Rural Residential to UGB GC General Commercial/R-2 Medium Density Residential
Zone Map Changed from: County R-2 Rural Residential to UGB GC General Commercial/R-2 Medium Density Residential

Location: 3001 Island Avenue/Highway 82 Acres Involved: 27.15

Specified Density: Previous: Vacant New: Vacant

Applicable Statewide Planning Goals: Goals #1, 2, 5, 9, 10, 11, 12 and 14

Was an Exception Adopted? Yes: _____ No: X

DLCD No.: 001-06(14958)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY-FIVE (45)**

Days prior to the first evidentiary hearing. Yes: X No: _____

If no, do the Statewide Planning Goals apply. Yes: _____ No: _____

If no, did The Emergency Circumstances Require immediate adoption. Yes: _____ No: _____

Affected State or Federal Agencies, Local Governments or Special Districts: Union County, City of La Grande,

Oregon Department of Transportation, Union Pacific Railroad

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

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

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

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 – Division 18

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

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

2. Submit **TWO (2) copies** of adopted materials, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify in person who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8½ x 11 inch green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or email your request to Larry.French@state.or.us – ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF LA GRANDE
ORDINANCE NUMBER 3046
SERIES 2006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE,
OREGON; INCORPORATING CERTAIN DESCRIBED LANDS ALONG HIGHWAY 82
INTO THE URBAN GROWTH BOUNDARY; AMENDING THE ZONING MAP AND
COMPREHENSIVE PLAN MAP TO REZONE PROPERTY FROM UNION COUNTY
R-2 RURAL RESIDENTIAL TO CITY OF LA GRANDE R-2 MEDIUM DENSITY
RESIDENTIAL AND GC GENERAL COMMERCIAL IN LA GRANDE**

WHEREAS, the property owner, Mike Becker, applied for a Comprehensive Plan Amendment and Designation Change, File Number 01-CPA-06, to include the described lands in the Urban Growth Boundary and change the land use designation from Rural Residential in Union County to Medium Density Residential and Commercial in La Grande; and a Zone Designation Change, File Number 01-ZON-06, to rezone the described property from R-2 Rural Residential in Union County to R-2 Medium Density Residential and GC General Commercial in the City of La Grande; and,

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

WHEREAS, notice was provided to the Oregon Department of Land Conservation and Development at least forty-five (45) days in advance of the first public hearing; and,

WHEREAS, the applications were reviewed under procedures set forth in the City of La Grande Land Development Code Ordinance Number 3014, Series 2003, ARTICLE 8.6 – ZONE DESIGNATION CHANGE, ARTICLE 8.7 – COMPREHENSIVE PLAN DESIGNATION CHANGE and ARTICLE 8.9 – COMPREHENSIVE PLAN DOCUMENT AMENDMENT; and,

WHEREAS, the Amendment conforms to the La Grande Comprehensive Plan and Statewide Planning Goals; and,

WHEREAS, the Planning Commission and City Council conducted Public Hearings to receive public testimony on the Ordinance incorporating the Amendments;

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

SECTION 1. That the Comprehensive Plan Land Use Map be amended to change the Urban Growth Boundary to include the properties described in Sections 2 and 3 contained herein.

SECTION 2. That the Comprehensive Plan Land Use Map be amended to change the land use designation of the following property from Union County Rural Residential to Medium Density Residential and that the Zoning Map be amended to change the zoning designation of the following property from Union County Rural Residential to R-2 Medium Density Residential as depicted in Exhibit "A":

Portion of Tax Lot 1500

A tract of land situated in the Southwest quarter of the Southeast quarter of Section 33, Township 2 South, Range 38 East of the Willamette Meridian,

Commencing at the East 1/16th corner common to said Sections 33 and 4,

Thence; North 89°42'15" West, along the South line of said Section 33, a distance of 510.24 feet,

Thence; North 0°03'39" West, a distance of 630.72 feet,

Thence; North 61°50'36" East, a distance of 158.72 feet,

Thence; North 85°48'37" East, a distance of 283.71 feet,

Thence; North 67°59'31" East, a distance of 94.63 feet to the East line of the Southeast corner of the Southwest quarter of the Southeast quarter of said Section 33, said point being the Point of beginning of this description.

Said tract containing 8.31 acres (361,914 square feet)

SECTION 3. That the Comprehensive Plan Land Use Map be amended to change the land use designation of the following property from Union County Rural Residential to Commercial and that the Zoning Map be amended to change the zoning designation of the following property from Union County Rural Residential to GC General Commercial as depicted in Exhibit "B":

Portion of Tax Lot 1500

A tract of land situated in the Northwest quarter of the Northeast quarter of Section 4, Township 3 South, Range 38 East of the Willamette Meridian,

Commencing at the East 1/16th corner common to said Section 33 and 4,

Thence; South 0°18'42" West, along the East line of the Northwest quarter of the Northeast quarter of said Section 4, a distance of 1085.12 feet, to the Northerly right-of-way of the Joseph Branch of the Union Pacific Railroad,

Thence; South 58°41'21" West along said Northerly line, a distance of 420.64 feet, to the South line of the Northwest quarter of the Northeast quarter of said Section 4,

Thence; North 89°48'09" West, along said South line, a distance of 298.92 feet, to the East line of Middleton Addition,

Thence; North 0°08'08" East, along said East line, a distance of 645.47 feet,

Thence; North 0°10'21" East, continuing along said East line, and its Northerly prolongation, a distance of 660.514 feet, to the North line of said Section 4,

Thence; South 89°42'15" East, along said North line, a distance of 660.68 feet, to the Point of Beginning of this description.


Said tract containing 18.84 Acres (820,922 square feet)

SECTION 4. The City Council adopts the Findings of Fact and Conclusions of Law as set forth in the City Council Staff Report, dated May 17, 2006.

SECTION 5. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, July 7, 2006.

ADOPTED this Seventh (7th) day of June, 2006, by six (6) of six (6) Councilors present and voting.

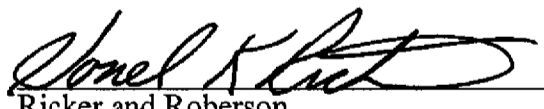
APPROVED this Seventh (7th) day of June, 2006.


Colleen F. Johnson, Mayor

ATTEST:


Alexandra Norgan Lund, City Recorder

APPROVED AS TO CONTENT AND FORM:

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

Attachments

EXHIBIT A

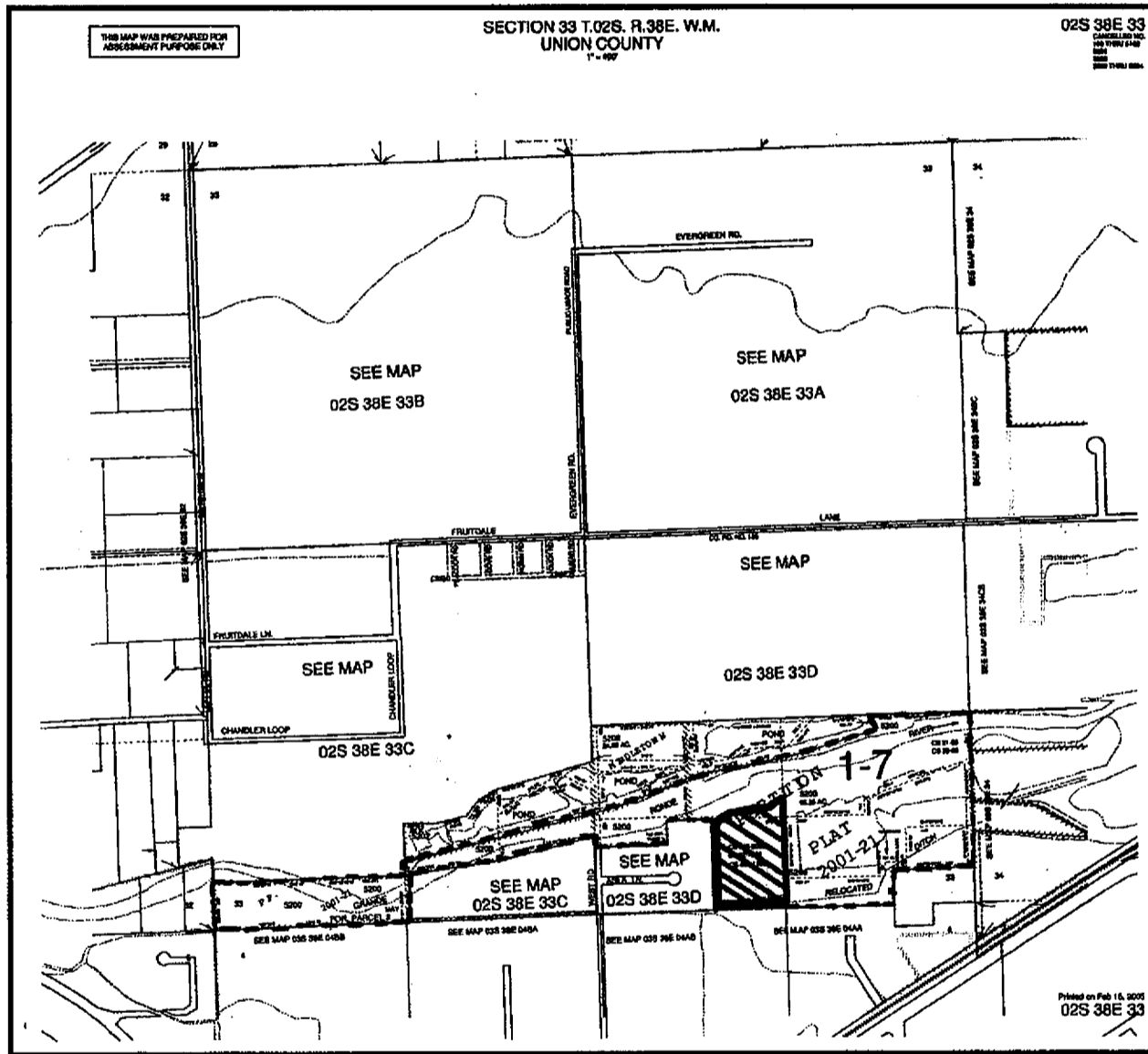
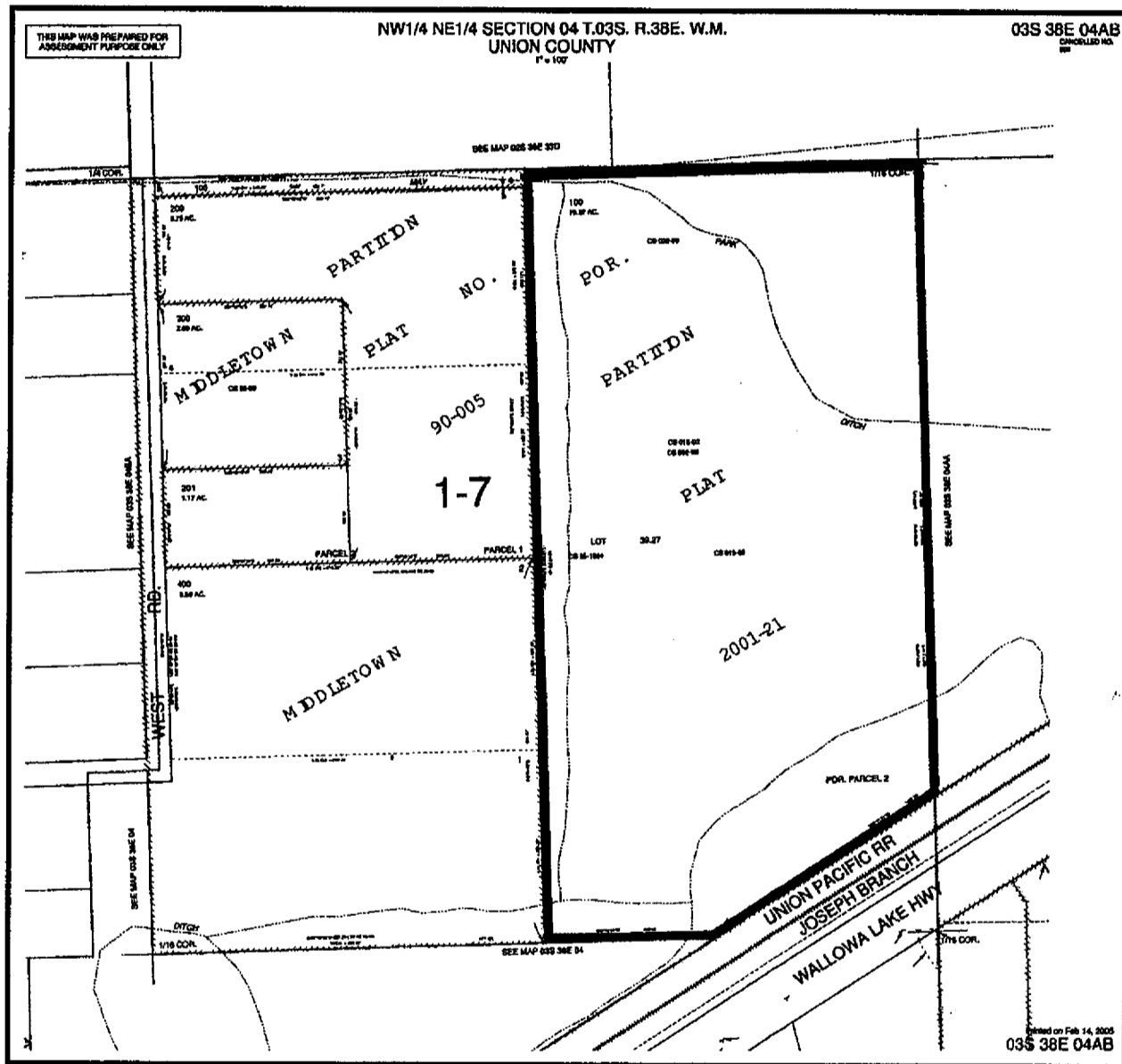


EXHIBIT B



CITY OF LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: June 7, 2006

PRESENTER: Michael Boquist, City Planner

COUNCIL ACTION: **CONSIDER ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP**

1. **MAYOR:** Re-open the Public Hearing and announce that the Rules of Order for this item were Read in their entirety during the May 17, 2006, Regular Session, and request Councilor declarations and challenges since that time.
2. **MAYOR:** Request Staff Report.
3. **MAYOR:** Entertain Motion.

SUGGESTED MOTION: I move that the Proposed Ordinance Amending the Comprehensive Plan Map and Zoning Map be read for a second time by Title Only, put to a Vote, and Adopted.

4. **MAYOR:** Invite Council Discussion.
5. **MAYOR:** Close the Public Hearing and Ask the City Recorder to Read the Proposed Ordinance for the second time by Title Only.
6. **MAYOR:** Ask for the Vote.

EXPLANATION:

This request includes two (2) properties, amounting to 27.15 acres. See Staff Report attachments, Exhibits "A" and "B". Both properties are portions of larger tax lots. The Applicant, Mike Becker, is currently in the process of filing partition applications with the Union County Planning Department to segregate these two (2) lots out of the larger parcels to facilitate this request. The proposed portion of tax lot 100 is 18.84 acres in size and is planned for GC General Commercial zoning. The proposed portion of tax lot 1500 is 8.31 acres in size and is planned for R-2 Medium Density Residential zoning. Both properties are currently zoned Rural Residential under the existing Union County Zoning.

The nature and intent of this request is not new. It was initially discussed as a larger project in the late 1990's where an understanding was reached between the City of La Grande and the City of Island City for portions that would be included in each City's jurisdiction. The understanding was to extend the existing City limit boundaries between the two (2) Cities directly to the North to the Grand Ronde River.

In 2003, CLC Associates (representing Wal-Mart) filed a request with the City of La Grande to expand the Urban Growth Boundary to include Mr. Becker's property. Due to a variety of circumstances, which included improvements on Hwy 82, Walton Road, and the construction of the new Mulholland Drive, Wal-Mart backed out of the request and chose to expand in their current location.

In 2004-2005, Mr. Becker filed and obtained approval from Island City to expand their Urban Growth Boundary. Such request was subject to a Condition of Approval that required Mr. Becker to prepare a Master Plan and also to have a Traffic Impact Analysis (TIA) prepared.

The primary access serving the properties is intended to be from Walton Road at Hwy 82 (Island Avenue), which is to the Southeast of the properties. This intersection is signalized with a designated left turn lane for traffic heading northbound on Hwy 82. A secondary road is "conceptually planned" for development off West Road, which connects to Riddle Road to the West. West Road is currently substandard with an oil-mat surface and gravel shoulders.

Similar to the Island City decision, Mr. Becker intends to have a Master Plan prepared for this property, along with a detailed traffic impact analysis (TIA). To the benefit of all parties, the Master Plan and TIA is anticipated to include all of Mr. Becker's contiguous properties on the North side of Hwy 82, both in La Grande and Island City. The TIA will evaluate traffic impacts at the Walton Road/Hwy 82 intersection, the interior road system, and the connection to Riddle Road via West Road.

PLANNING COMMISSION PUBLIC TESTIMONY:

Both oral and written testimony was received during the Planning Commission Public Hearing. This testimony was in opposition to the development of a connection route to May Lane/Riddle Road via West Road. Mr. Becker responded to these concerns stating that he is looking at other options, possibly having a secondary access road to the East, via Island City.

Conditions of Approval:

1. A Transportation Impact Analysis (TIA) shall be required prior to development and/or annexation. The TIA shall demonstrate that the development does not impact the transportation system as defined in the Oregon Administrative Rule (OAR) 660-012-0060(1); or the development shall be made consistent with the transportation system as allowed in OAR 660-012-0060(2). The TIA, findings of significant affect/no significant affect, and the proposed mitigation measures shall be sent to the Oregon Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) for review and acceptance comment:

[Hanley Jenkins, Union County Planner, recommended changing the above text to keep the decision authority with the City of La Grande, not outside Agencies. Such Agencies should only have the opportunity to comment.]

[The Applicant and DLCD support this change, if acceptable to the City Council. ODOT was contacted regarding this change, but has not provided comments.]

2. Prior to development and/or annexation, the applicant shall provide a future local street plan (Master Plan) that has been coordinated with the City of La Grande and ODOT. Such Plan shall take into consideration connectivity with existing and proposed transportation system facilities (vehicle, bicycle and pedestrian; and park and/or open space areas).
3. No site plan will be processed or services extended until an annexation request has been processed and a Traffic Impact Study has been completed. All mitigation responsibilities (financial costs, construction, etc.) shall be borne by the Property Owner and/or Developer.

On May 17, 2006, the City Council held a Public Hearing on this matter and read the Proposed Ordinance for the first time by Title Only. No public testimony was received, other than from the Applicant.

<p>Reviewed By: (Initial) Assistant to the City Manager _____ CDD _____ City Manager/City Recorder _____ Finance Department _____ Fire Department _____ Library _____ Police Department _____ Public Works Department _____</p>	<p>COUNCIL ACTION (Office Use Only) <input type="checkbox"/> Ordinance Adopted First Reading: _____ Second Reading: _____ Effective Date: _____ <input type="checkbox"/> Resolution Passed Effective Date: _____</p>	<p><input type="checkbox"/> Motion Passed <input type="checkbox"/> Motion Failed <input type="checkbox"/> Action Tabled: _____ Vote: _____ Recessed: _____ Work Session: _____ Other: _____</p>
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CITY OF LA GRANDE
ORDINANCE NUMBER _____
SERIES 2006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE,
OREGON; INCORPORATING CERTAIN DESCRIBED LANDS ALONG HIGHWAY 82
INTO THE URBAN GROWTH BOUNDARY; AMENDING THE ZONING MAP AND
COMPREHENSIVE PLAN MAP TO REZONE PROPERTY FROM UNION COUNTY
R-2 RURAL RESIDENTIAL TO CITY OF LA GRANDE R-2 MEDIUM DENSITY
RESIDENTIAL AND GC GENERAL COMMERCIAL IN LA GRANDE**

WHEREAS, the property owner, Mike Becker, applied for a Comprehensive Plan Amendment and Designation Change, File Number 01-CPA-06, to include the described lands in the Urban Growth Boundary and change the land use designation from Rural Residential in Union County to Medium Density Residential and Commercial in La Grande; and a Zone Designation Change, File Number 01-ZON-06, to rezone the described property from R-2 Rural Residential in Union County to R-2 Medium Density Residential and GC General Commercial in the City of La Grande; and,

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

WHEREAS, notice was provided to the Oregon Department of Land Conservation and Development at least forty-five (45) days in advance of the first public hearing; and,

WHEREAS, the applications were reviewed under procedures set forth in the City of La Grande Land Development Code Ordinance Number 3014, Series 2003, ARTICLE 8.6 – ZONE DESIGNATION CHANGE, ARTICLE 8.7 – COMPREHENSIVE PLAN DESIGNATION CHANGE and ARTICLE 8.9 – COMPREHENSIVE PLAN DOCUMENT AMENDMENT; and,

WHEREAS, the Amendment conforms to the La Grande Comprehensive Plan and Statewide Planning Goals; and,

WHEREAS, the Planning Commission and City Council conducted Public Hearings to receive public testimony on the Ordinance incorporating the Amendments;

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

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Portion of Tax Lot 1500

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Commencing at the East 1/16th corner common to said Sections 33 and 4,

Thence; North 89°42'15" West, along the South line of said Section 33, a distance of 510.24 feet,

Thence; North 0°03'39" West, a distance of 630.72 feet,

Thence; North 61°50'36" East, a distance of 158.72 feet,

Thence; North 85°48'37" East, a distance of 283.71 feet,

Thence; North 67°59'31" East, a distance of 94.63 feet to the East line of the Southeast corner of the Southwest quarter of the Southeast quarter of said Section 33, said point being the Point of beginning of this description.

Said tract containing 8.31 acres (361,914 square feet)

SECTION 3. That the Comprehensive Plan Land Use Map be amended to change the land use designation of the following property from Union County Rural Residential to Commercial and that the Zoning Map be amended to change the zoning designation of the following property from Union County Rural Residential to GC General Commercial as depicted in Exhibit "B":

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Thence; South 0°18'42" West, along the East line of the Northwest quarter of the Northeast quarter of said Section 4, a distance of 1085.12 feet, to the Northerly right-of-way of the Joseph Branch of the Union Pacific Railroad,

Thence; South 58°41'21" West along said Northerly line, a distance of 420.64 feet, to the South line of the Northwest quarter of the Northeast quarter of said Section 4,

Thence; North 89°48'09" West, along said South line, a distance of 298.92 feet, to the East line of Middleton Addition,

City of La Grande Ordinance Number _____
Series 2006
Page (3)

Thence; North 0°08'08" East, along said East line, a distance of 645.47 feet,

Thence; North 0°10'21" East, continuing along said East line, and its Northerly prolongation, a distance of 660.514 feet, to the North line of said Section 4,

Thence; South 89°42'15" East, along said North line, a distance of 660.68 feet, to the Point of Beginning of this description.

Said tract containing 18.84 Acres (820,922 square feet)

SECTION 4. The City Council adopts the Findings of Fact and Conclusions of Law as set forth in the City Council Staff Report, dated May 17, 2006.

SECTION 5. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, and its approval by the Mayor; specifically, July 7, 2006.

ADOPTED this Seventh (7th) day of June, 2006, by _____ () of _____ () Councilors present and voting.

APPROVED this Seventh (7th) day of June, 2006.

Colleen F. Johnson, Mayor

ATTEST:

Alexandra Norgan Lund, City Recorder

APPROVED AS TO CONTENT AND FORM:

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

Attachments

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EXHIBIT A

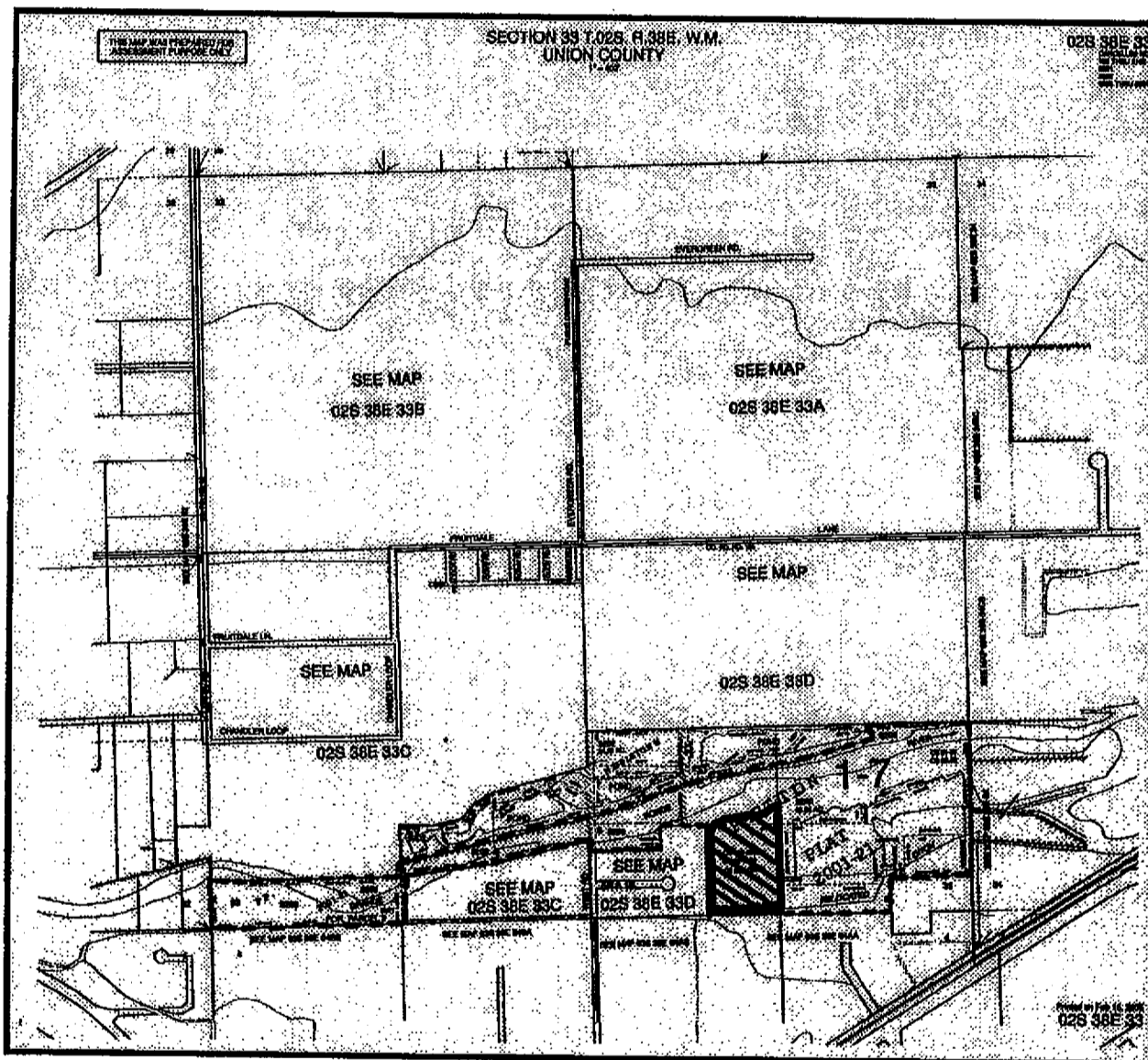
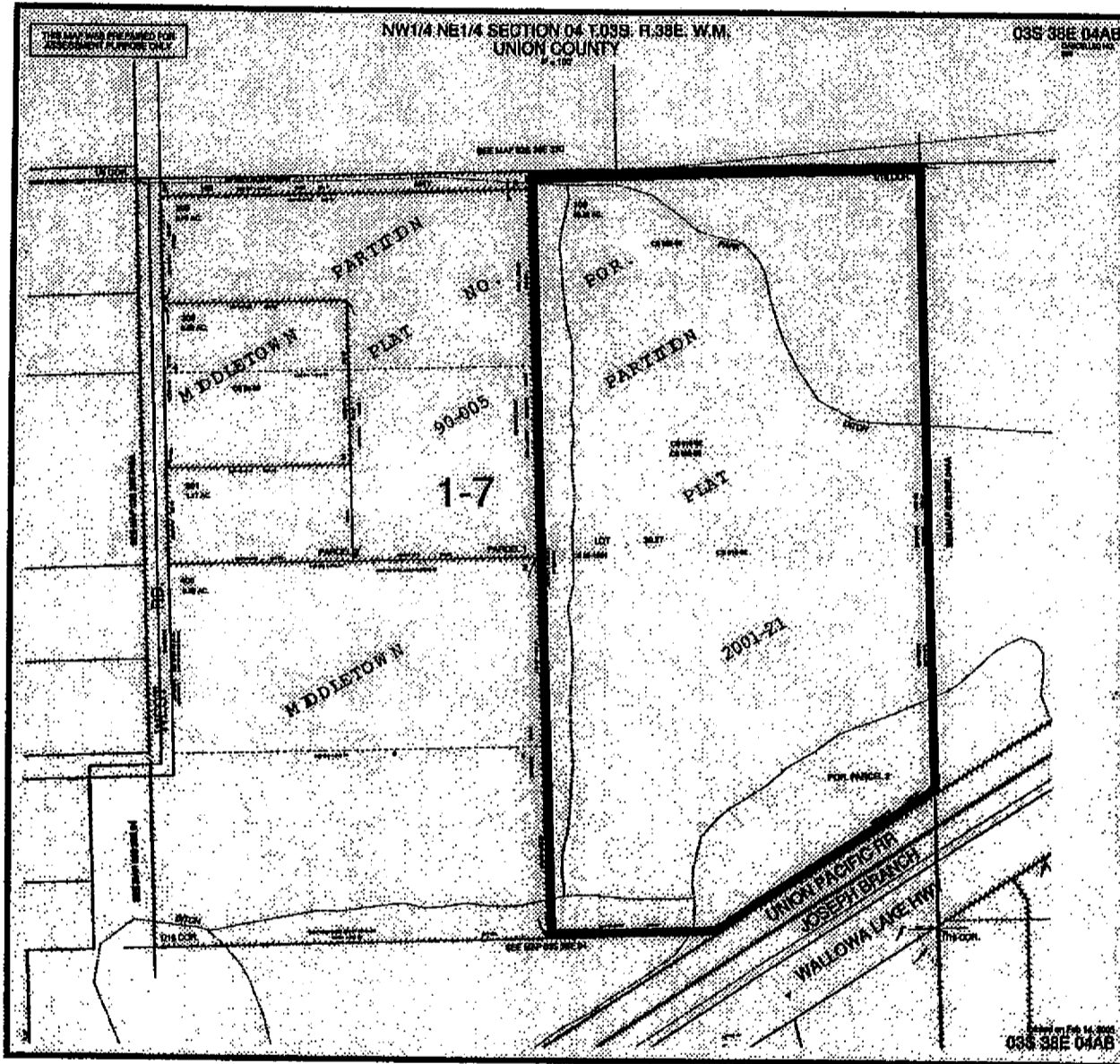


EXHIBIT B



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.

CITY RECORDER READS TO THE PUBLIC:

- A. The City Council will conduct three (3) Quasi-Judicial Public Hearings. The Public Hearings are to consider a Ten foot (10') Right-of-Way Dedication on the east side of Eighteenth Street, Applicant: James and Dorothy McIntosh; a Comprehensive Plan Document Amendment which amends the Transportation System Plan, Applicant: City of La Grande; and a Comprehensive Plan Designation Change and Zone Designation Change, Applicant: Mike Becker.
- B. The Hearings will proceed as follows:
1. The Mayor will request the Staff reports, which include applicable criteria and standards for the issues under consideration in the applications.
 2. Subsequent to opening the Public Hearings, the Mayor will accept testimony relating to the applications. The Mayor may state a time limit for testimony. All testimony must be directed toward the applicable criteria. Oregon Land Use Law requires that all issues raised by a participant during the Hearings 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 Hearings may invalidate future appeal.
 3. The proceedings are being recorded on audio tape, to be transcribed in written Minutes. When testifying, please step to the podium and state your name and address.
 4. The applicant will be invited to speak first, followed by proponents, then by opponents, and then by any parties neutral to the applications. An opportunity will be provided to parties to clarify any issues raised or to rebut testimony. Proponents, then opponents, will be provided an opportunity to clarify any issues or to rebut testimony.
 5. If additional documents or new evidence is introduced during the Hearings, any participant may request a continuation of the Hearings. Any participant may request that the Hearing Records 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.
 6. Members of the City Council may ask questions of the Staff or Hearing participants at any time. The Mayor will then close the Hearings or continue the Hearings at a specified time and place.
 7. All decisions must be based on findings of fact from the Staff Reports or evidence and testimony received which relate to the criteria of the land use decision.
 8. An appeal of the City Council decision must be made in writing to the Oregon Land Use Board of Appeals, together with the required fee, within twenty-one (21) days from the date that the final decision is mailed to the applicant and interested participants.
- C. A Councilor 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. Councilors should declare any personal or financial interest in these matters and may disqualify themselves from participation in the Hearings.
Does any Councilor wish to make a declaration?
- D. Does anyone in the audience wish to challenge the right of any Councilor to hear this matter?
Let the Record show that [there are no challenges] OR _____.

**CITY OF LA GRANDE – CITY COUNCIL
MAY 17, 2005**

**STAFF REPORT
FINDINGS OF FACT**

APPLICATION FILES: 01-CPA-06 and 01-ZON-06

APPLICANT: Mike Becker, Represented by Orbis Group, Inc.

PROPOSAL: Comprehensive Plan Designation Change and Zone Designation Change for an Urban Growth Boundary Amendment

LOCATION: Vicinity of 3001 Island Avenue, specifically portions of property as being in T3S, R38E, Section 4AB, Tax Lot 100 and T2S, R38E, Section 33, Tax Lot 1500, La Grande, Union County, Oregon (See Attached Exhibit "A")

PRESENT COMPREHENSIVE PLAN DESIGNATION (COUNTY): Rural Residential

PROPOSED COMPREHENSIVE PLAN DESIGNATION (LA GRANDE): Medium Density Residential and Commercial

PRESENT ZONING DESIGNATION (COUNTY): Rural Residential

PROPOSED ZONING DESIGNATION (LA GRANDE): R-2 Medium Density Residential and GC General Commercial

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SCHEDULE OF EVENTS

January 18, 2006	The application was submitted.
February 23, 2006	The application was deemed complete and public notice circulated for the March 14, 2006, Planning Commission meeting.
February 23, 2006	Notice mailed to DLCD for 45 day notice in advance of first evidentiary hearing
February 21, 2006	Notice of Public Hearing published in <i>The Observer</i> , advertising the March 14, 2006, Planning Commission, Regular Session
March 2, 2006	Meeting/Conference involving Applicant, La Grande Planning Staff, County Planning Staff, ODOT Staff and DLCD Staff (9 attendees)
March 14, 2006	Planning Commission Public Hearing
May 17, 2006	City Council Public Hearing and First Reading of Ordinance
June 7, 2006	City Council Public Hearing and Second Reading of Ordinance
July 7, 2006	Ordinance Effective Date; End of 30 Day Appeal Period

PROPOSAL DESCRIPTION

1. This request includes two (2) properties, amounting to 27.15 acres. See Staff Report attachments, Exhibits "A" and "B". Both properties are portions of larger tax lots. The Applicant, Mike Becker, is currently in the process of filing partition applications with the Union County Planning Department to segregate these two (2) lots out of the larger parcels to facilitate this request. The proposed portion of tax lot 100 is 18.84 acres in size and is planned for GC General Commercial zoning. The proposed portion of tax lot 1500 is 8.31 acres in size and is planned for R-2 Medium Density Residential zoning. Both properties are currently zoned Rural Residential under the existing Union County Zoning.

The nature and intent of this request is not new. It was initially discussed as a larger project in the late 1990's where an understanding was reached between the City of La Grande and the City of Island City for portions that would be included in each City's jurisdiction. The understanding was to extend the existing City limit boundaries between the two (2) Cities directly to the North to the Grande Ronde River.

In 2003, CLC Associates (representing Wal-Mart) filed a request with the City of La Grande to expand the Urban Growth Boundary to include Mr. Becker's property. Due to a variety of circumstances, which included improvements on Hwy 82, Walton Road, and the construction of the new Mulholland Drive, Wal-Mart backed out of the request and chose to expand in their current location.

In 2004-2005, Mr. Becker and filed and obtained approval from Island City to expand their Urban Growth Boundary. Such request was subject to a Condition of Approval that required Mr. Becker to prepare a Master Plan and also to have a Traffic Impact Analysis (TIA) prepared.

The primary access serving the properties is intended to be from Walton Road at Hwy 82 (Island Avenue), which is to the Southeast of the properties. This intersection is signalized with a designated left turn lane for traffic heading northbound on Hwy 82. A secondary road is "conceptually planned" for development off West Road, which connects to Riddle Road to the West. West Road is currently substandard with an oil-mat surface and gravel shoulders.

Similar to the Island City decision, Mr. Becker intends to have a Master Plan prepared for this property, along with a detailed traffic impact analysis (TIA). To the benefit of all parties, the Master Plan and TIA is anticipated to include all of Mr. Becker's contiguous properties on the North side of Hwy 82, both in La Grande and Island City. The TIA will evaluate traffic impacts at the Walton Road/Hwy 82 intersection, the interior road system, and the connection to Riddle Road via West Road.

PUBLIC TESTIMONY:

Both oral and written testimony was received during the Planning Commission Public Hearing. This testimony was in opposition to the development of a connection route to May Lane/Riddle Road via West Road. Mr. Becker responded to these concerns stating that he is looking at other options, possibly having a secondary access road to the East, via Island City.

No new testimony has been received for the City Council Public Hearing.

LAND DEVELOPMENT CODE CRITERIA

Ordinance Number 3014, Series 2003

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

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

Finding: This request is found to be in compliance with the La Grande Comprehensive Plan. The analysis supporting this conclusion is discussed in Article 8.7 below. Due to the fact that there is no specific development proposed at this time, the only Land Development Code standards applicable to this request are found within this Article. The Findings discussed in subsection B, C and D below, demonstrate compliance with the Land Development Code.

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

Finding: Both properties are rectangular in shape and are clearly large enough to support the uses permitted in the proposed zones. Tax lot 1500 is 8.31 acres in size and is planned for R-2 Medium Density Residential zoning. The minimum lot size in this zone is 5,000 square feet. This property can potentially support 40 plus single-family home lots; or 41-83 single-family dwellings. (See Exhibit "C" for a list of permitted uses, conditionally permitted uses, and general design standards).

Tax Lot 100 is 18.84 acres in size and is planned for GC General Commercial zoning. The minimum permitted lot size in this zone is 2,500 square feet. This property can be further subdivided into a variety of smaller lots and can support a wide range of uses. (See Exhibit "D" for a list of permitted uses, conditionally permitted uses, and general design standards).

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

Finding: This property has access to Hwy 30 (Island Avenue), which is an Arterial Street and a state highway. It also will have access to May Lane, to the west, which is a collector street; and to Riddle Road, which connects to Hwy 30. The streets discussed are located in a manner that provides good access to the property. Some of these streets may require improvements to serve proposed development. As discussed in Proposal Description #4 above, the Applicant intends to prepare a master plan and also have a traffic impact analysis prepared to assess the transportation system. This will determine what improvements will be necessary to serve proposed development.

This Criterion is directly related to the standards outlined in the Oregon Transportation Planning Rule (TPR). The TPR requires that the transportation system be evaluated, at the time of the rezone, to determine if the rezone would have a significant effect on the transportation system. This evaluation occurred during the Wal-Mart proposal in 2003, which is referenced in Proposal Description #2 above. This evaluation demonstrates that a SIGNIFICANT EFFECT will occur and mitigation measures were proposed. This evaluation is considered a "worst case" scenario. Please refer to the TPR Findings later in this report for more information.

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

Finding: The abutting properties are residential in nature, with some small agricultural uses coexisting in the mix. Adverse impacts, to some degree, are likely to occur between the existing residential uses and proposed commercial properties. These impacts are likely to be related to livability/privacy vs. appropriate use and development of abutting properties. The abutting properties are 2 plus acres in size and the proposed zone designations will not prohibit those properties from developing in accordance with the underlying rural residential zone. Residential and commercial uses coexist throughout La Grande and Island City; and within the cities, the residential lot sizes are significantly smaller in size. The commercial impacts in these cases appear to have little, if any, effect on whether the properties can be used or developed for residential purposes. As a result, it is reasonable to assume that this request will have little effect on the appropriate use and development of abutting residential lots. No adverse impacts of this nature are anticipated for adjacent non-residential properties.

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

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

The Statewide Planning Goals are the foundation for Oregon land use planning. The Goals have been adopted as administrative rules (Oregon Administrative Rules Chapter 660, Division 15) and are implemented and administered locally through the La Grande Comprehensive Plan and Land Development Code Ordinance. The La Grande Comprehensive Plan has been acknowledged by the State to be in compliance with these

goals. There are a total of nineteen (19) Goals. Some of the Goals do not apply to this proposal due to the site location and other characteristics of the proposal. Compliance with the Statewide Planning Goals is addressed in a separate section later in this Report.

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

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

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

Finding: As discussed in the Findings for Statewide Planning Goal 9 later in this Report, the City of La Grande has a shortage of Commercially zoned land. This fact is discussed in detail in a Goal 9 Economic Development study prepared by *The Benkendorf Associates Corp.*, which was incorporated into the City of La Grande's Comprehensive Plan by an Ordinance adopted by the City Council of the City of La Grande on October 5, 2005, with an effective date of November 4, 2006. This Comprehensive Plan Amendment was co-adopted by the Union County Commissioners and accepted and acknowledged by the Oregon Department of Land Conservation and Development in November 2005. The property identified in this request, is specifically mentioned and identified in the Goal 9 Study as being added to the City's Urban Growth Boundary.

STATEWIDE PLANNING GOALS

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

Findings: The City of La Grande has adopted public notice procedures in accordance with Oregon Revised Statutes. These procedures can be found in the City of La Grande Land Development Code Ordinance Number 3014, Series 2003, Article 9.6. Public notice is mailed to property owners within two hundred feet (200') of the subject property at least ten (10) days prior to the Public Hearing and advertised notice is published in *The Observer*, a local newspaper of general circulation, at least twenty (20) days prior to the Public Hearing. Public notice has been mailed to surrounding property owners and published in *The Observer*. In addition, in accordance with State Statutes and Administrative Rules, notice of the Planning Commission Public Hearing was mailed to the Oregon Department of Land Conservation and Development at least forty-five (45) days in advance of the first evidentiary (Planning Commission) hearing. Notice was also posted on the property. It is also important to mention that this request will be subject to a minimum of three (3) Public Hearing; one before the La Grande Planning Commission and two (2) before the City Council. The public has an opportunity to submit comments at each of these Hearing if desired. This standard has been met.

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Goal 2 - Land Use Planning. *"To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions."*

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

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

Findings: The proposal has significant implications for the local economy as the property is currently vacant and will fulfill a commercial land need identified in the La Grande Comprehensive Plan. If the proposed rezoning is approved, the property could be used for a wide range of commercial land uses allowed either outright or conditionally in the GC General Commercial Zone. As mentioned previously, a recent Goal 9 Study, conducted by *The Benkendorf Associates Corp.*, has identified a shortage of commercial-zoned sites for new or expanding businesses. The Study was acknowledged by the Oregon Department of Land Conservation and Development and uses a "Medium Growth Scenario", with a population growth rate of .925%. The Study shows a need for sixty three (63) acres of commercial land, of which the City is currently short 24.88 acres. Rezoning of the subject property will increase the supply of commercial land and bring the City closer to meeting its needs. Additional Goal 9 discussion is provided for in the Comprehensive Plan Findings below.

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

Findings: A portion of this request includes the inclusion of additional Medium Density residential property into the City's vacant land inventory. This residential property is identified in this request as a portion of Tax Lot 1500, which amounts to slightly more than eight (8) acres. This acreage has minimal impacts on the vacant land inventory as the City is currently processing two (2) rezone application request that amount to seven (7) acres of Medium Density Residential being removed from the residential vacant land inventory. If the other two (2) applications are approved, this application request will amount to approximately a one (1) acre increase in the residential vacant land inventory, which is an insignificant amount in the greater picture.

The latest Residential Buildable Lands Inventory and Needs Analysis, adopted in 2000, shows that the City has 306.2 acres of land available (vacant or re-developable) for Medium Density Residential (single family attached and detached) development. This analysis is based on a 0.4% average annual growth rate. This Needs Analysis shows that the City will need only 287 more housing units in this density range over the next twenty (20) years. A similar Needs Analysis was done for the other lower and higher density Residential Zones with similar finding concluding that there is an oversupply of Residential land in the City. By using the more aggressive .925% growth rate projected for economic development, discussed in the Goal 9 Study, the Needs Analysis is sure to result in lesser oversupply of Residential land, but an oversupply nonetheless. Regardless of the amount of oversupply, whether this request amounts to an increase of eight (8) acres or one (1) acre, the amount is minimal and is insignificant in the greater picture.

This proposed medium density residential could support from 5-10 units per acre or 11 to 21 total units. Also, this property is located adjacent to other residential land to the West, with potentially park land or open space to the North and East. Several agencies have a coordinated effort to purchase this abutting land to the North and East to develop as a greenway with some areas improved with park amenities. This greenway is still in the early stages of planning, which will require land acquisition, followed by development.

The Master Plan that is proposed to be prepared by the Applicant subsequent to receiving approval of this request will likely neighborhood connectivity between the adjacent residential areas, commercial areas and the proposed greenway is it proves to be successful. The roadways and other neighborhood connectivity features developed on this property will contribute to better and more convenient access to the overall transportation system.

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

Findings: Both of these properties can be served with urban services via Hwy 82. Through the City of La Grande's development review process, the location of connections, line sizes and other details for providing service to these properties will be determined. The development review process will also ensure that services are in place and adequate to serve proposed development.

Another issue that will be dealt with in the future is with regards to annexation. Annexation will be required at the time that public facilities are needed to support development.

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

Findings: As discussed previously, the properties are planned to be served by Walton Road via the Walton Road/Hwy 30 intersection, which is Southeast of these properties; and from West Road via Riddle Road and May Lane, which are located West of these properties. Again, a Master Plan will be prepared prior to development, along with a Traffic Impact Analysis that will determine the location, right-of-way widths, and other transportation system needs that will be necessary to ensure that there is a safe, convenient and economic transportation system.

In the Oregon Transportation Planning Rule Findings below, there is additional discussion on the prior traffic analysis that was prepared for a Wal-Mart proposal. These Findings clearly identify that there is a SIGNIFICANT IMPACT resulting from this request and mitigation measures are discussed.

Goal 14 - Urbanization.

Findings: This issues is addressed in great detail in the Comprehensive Plan Findings below. Please refer to such Findings for compliance with this Statewide Planning Goal.

COMPREHENSIVE PLAN GOALS

Goal 1 – Citizen Involvement

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

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

Goal 2 – Land Use Planning

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

Findings: The City's Buildable Lands Inventory and Needs Analysis identify excess Residential Zoned land and a shortage of Commercial and Industrial Zoned land in La Grande. This Analysis was prepared by *The Benkendorf and Associates Corp.* The Residential, Commercial and Industrial Needs Analysis was prepared and fully adopted in 1999. The Commercial and Industrial components were updated in 2005, with adoption by the La Grande City Council in October 2005, by the Union County Commissioners in November 2005, and acknowledged by the Department of Land Conservation and Development in November 2005.

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

Findings: As discussed in Statewide Planning Goal 9 above, The Buildable Land Inventory and Needs Analysis shows that the City of La Grande needs a total sixty three (63) acres of commercial land, of which the City is currently short 24.88 acres. This request will bring the City closer to achieving the sixty three (63) acre need. Also, the Applicant's property is specifically identified in the recent Goal 9 amendments for inclusion into the City of La Grande to meet the short fall of commercial land. Again, this need will be discussed further in the Goal 9 Findings below.

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

Findings: This issue was discussed in the Finding for the Statewide Planning Goal 8 above. The abutting properties are residential in nature, with some small agricultural uses coexisting in the mix. Adverse impacts, to some degree, can be expected and are likely to be related to livability/privacy. The abutting properties are 2 plus acres in size and the proposed zone designations will not prohibit those properties from developing in accordance with the underlying rural residential zone. Residential and commercial uses coexist throughout La Grande and Island City; and within the cities, the residential lot sizes are significantly smaller in size. The commercial impacts in these cases appear to have little, if any, effect on whether the properties can be used or developed for residential purposes. As a result, it is reasonable to assume that the effects this

request will have on adjacent residential uses will be either minimal typical for urban development. No adverse impacts of this nature are anticipated for adjacent non-residential properties.

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

Findings: Alternative sites and uses were considered during the preparation of the Goal 9 Study discussed previously. Other sites, in various areas of La Grande were considered for rezoning and for redevelopment. The result of the study identified this property as the best option for adding commercial land to the inventory due to access to Hwy 82 via Walton Road and due to the fact that it was zone residential vs. exclusive farm use. Some of the other options considered in the Goal 9 Study were zoned exclusive farm use, which should be considered a last resort for development when ever possible.

Goal 9 – Economic Development

In October 2005, the La Grande City Council approved an Ordinance amending the Goal 9 of the La Grande Comprehensive Plan, recodifying the Comprehensive Plan and amending the Transportation System Plan.

The City completed a Goal 9 Economic Development Analysis, which outlined the need for land in the future to address projected growth trends.

The Ordinance identified policies which are designed to enact the goals and objectives consistent with the economic development vision for the community. Of these policies, five are most relevant to this Comprehensive Plan Designation Change request.

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

Finding: The Economic Development Analysis concludes that "the twenty-year need for retail commercial land in La Grande is estimated at 24.88 acres. While this approximate twenty-five acres of need results from growth and status quo trends, to the extent that La Grande seeks to grow as a commercial center, twenty-five acres of retail commercial land is not adequate. An additional thirty (30) acres is needed to accommodate Medium Format Commercial uses."

To successfully pursue such an economic development objective, La Grande will require at least two (2) times the estimated need for commercial retail land. Up to fifty-five (55) acres of retail commercial land availability would be advisable, configured as follows:

- Status Quo Growth: 25 acres in varying sized parcels, from 0.5 acres up to 5 acres, for various retail development serving new population and visitors.
- Medium Format Retail: At least two (2) parcels ranging from 10 to 20 acres each would be necessary to encourage medium-format retail development. This would include smaller-format Lowe's, Home Depot, auto dealerships or RV dealerships complementary to local and regional manufacturing, or a grocery store-anchored center with restaurant and miscellaneous retail/services and speculative space.

Table 31:
Gross Land Demand: Existing & Future Commercial & Industrial Uses, 2005-2025

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Use Type	Acres				% Share of Demand
	2005-2010	2015	2020	2025	
OFFICE	2	4	6	8	4%
RETAIL	21	27	48	55	27%
<i>Status Quo Growth</i>	6	12	18	25	12%
<i>Medium-Format Sites</i>	15	15	30	30	15%
INDUSTRIAL PARK	12	25	38	51	25%
<i>Status Quo Growth</i>	3	5	8	12	6%
<i>Expanded Industry</i>	10	20	30	39	19%
WAREHOUSE/DISTRIBUTION	11	22	33	44	21%
<i>Status Quo Growth</i>	1	2	3	4	2%
<i>Expanded Industry</i>	10	20	30	39	19%
GENERAL MANUFACTURING	11	22	34	45	22%
<i>Status Quo Growth</i>	1	3	4	6	3%
<i>Expanded Industry</i>	10	20	30	39	19%
BUSINESS SERVICES	0	0	1	1	0%
HEAVY INDUSTRIAL MANUFACTURING	0	1	1	2	1%

Retail commercial need comprises the single largest category of use (55 acres) over the planning period. Industrial Park (51 acres), General Manufacturing (45 acres), and Warehouse/Distribution (44 acres) uses comprise the top three likely engines of industrial land need over the next twenty years.

Policy 3: Adequate and convenient vehicle and bicycle access and parking to accommodate customers and employees will be provided in commercial areas.

Finding: The Applicant has expressed an intent to conform with this requirement. Vehicle and bicycle access issues will be addressed in Master Planning and site development phases.

Policy 5: Business development should occur only after sufficient right-of-way, improvements and special control of access points have been obtained to accommodate the added traffic.

Finding: This Policy supports the Conclusions identified in the Staff Report and recommended Conditions of Approval, which require a Master Plan and Traffic Impact Analysis prior to development. The Applicant has agreed with the provisions required by Island City and the Oregon Department of Transportation that a Traffic Impact Analysis will be completed once a specific project and site plan is developed.

The Applicant has expressed a willingness to accept the same four Conditions of Approval assigned in the Island City land use application process with respect to planning for – and development of – transportation improvements:

1. The Applicant shall establish and maintain a 20-foot easement for pedestrian and bicycle access, ten-foot paved and constructed to City engineering standards, to the Grande Ronde River and associated recreational areas as stated in the application;
2. The Applicant will complete a traffic impact study specific to the proposed full build-out of the Mt. Emily Business Park prior to annexation. The study will recommend improvements and mitigation to satisfy transportation standards set by ODOT;

3. Prior to annexation, the applicant shall provide a future local street plan that has been coordinated with ODOT;
4. No site plan will be process or services extended until an annexation request has been processed and a Traffic Impact Study has been completed.

Streets, bike lanes, and sidewalks will be extended into the property. Pedestrian and bike lanes will be extended West from the property to West Road, providing an alternate route to the property from the May Park area and the North area of La Grande.

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

Finding: Due to the site's location, being separated from other existing commercial uses by a railroad right-of-way and a State highway, customer involvement from store to store will be challenging. However, this site is large enough that those issues can be addressed in the Master Plan design for future development on the property. Vehicle and pedestrian transportation needs will be evaluated in the Master Plan and traffic impact analysis to best determine how the site should be developed.

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

Finding: The proposed site is ideal for commercial development. It is provided with good access via Hwy 82 (Island Avenue) and eventually via West Road, Riddle Road and May Lane. The property is in an area where good access is developed for serving the trade area, once connections are made to Hwy 82 and West Road. The area is also in the path of La Grande's future growth. Properties to the Southwest and East are likely to be redeveloped with commercial or industrial uses in the future, which will further enhance the economic development of the area.

Policy 17: The City shall maintain at least a ten year supply of vacant serviceable land in a range of parcel sizes within the Urban Growth Boundary to accommodate new employers and the growth of existing employers.

Finding: Page 46 of the 51-page Economic Development Analysis contains a map recommending commercial and industrial land designations. The Applicant's property is identified as a property recommended to be added to the Urban Growth Boundary as commercial property. Specifically, on Page 45 of the analysis, it recommends to "amend the Urban Growth Boundary to include the area on the north side of Island Avenue/Hwy 82, immediately north of the northeast corner of the La Grande City limits and UGB. This site, with an area of approximately 37.8 acres, should be designated Commercial on the Comprehensive Plan Map."

Goal 10 -- Housing

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

Finding: Neighborhood compatibility issues were discussed earlier in this report. The safety, health and design of the site will be considered in detail at the time that a development is proposed. At the time that a land use application is filed for new development, the review process

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will follow the City's Land Development Code Ordinance provisions that consider the safety, health and design of development.

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

Finding: The proposed medium density residential area will be located on property to the North. It will be provided with good access to the trade area. Heavy traffic uses will not be required to drive through the residential zone to access other trade areas. The residential zone will be bordered on the West by other residentially zoned and used properties, to the North and East by planned open space, recreation property.

Goal 11 – Public Facilities and Services

Policy 1: The City of La Grande will continue to provide and maintain urban services (water, sewer, storm drainage, service and transportation infrastructure) to residential, commercial and industrial lands within the City's Urban Growth Area prior to or concurrent with development and following annexation.

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

Policy 5: The City will prioritize development of land serviced by utilities and require the extension of water, sewer and storm drainage facilities for all urban level development with the UGB.

Finding: Urban services are available in Hwy 82 and will be made available to development on this property only after annexation. The Applicant is aware of this requirement and intends to file for Annexation prior to requesting such services.

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

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

Policy 11: The cost for public services and street improvements for land being converted to urban uses will be borne by the developer.

Finding: The Applicant has expressed his intention of financing the extension of all utility services, roadways, railroad crossing improvements, etc. as a part of the development of the property.

Policy 14: The City will maintain a five year supply of commercial and industrial land that is serviceable by water, sewer, storm drainage and transportation infrastructure.

Finding: The October 2006 amendments to the Comprehensive Plan identifies a need for additional commercial and industrial lands, and specifically identifies the subject properties as a top priority for addition to La Grande's commercial and industrial lands base. This land is serviceable by water, sewer, storm drainage and transportation infrastructure.

The City has a five-year supply of commercial land that is serviceable but non of the individual sites that comprise the supply are large enough to accommodate a larger development. The

provision of services and facilities to the site will not affect the City's ability to serve existing commercial and industrial land.

Policy 20: The City will cooperate with the Oregon Department of Transportation in implementing its improvement program.

Finding: The Applicant has expressed intentions to cooperate with the City of La Grande in coordinating the proposed improvements with ODOT. This issue has been discussed in previous findings herein and are discussed further in the Finding for the Transportation Planning Rule below.

Policy 21: In order to comply with the 1999 Oregon Highway Plan, the City will apply the Access Management Standards to its transportation system wherever necessary.

Finding: The proposed project is in compliance with the Oregon Highway Plan, Access Management Standards, and the La Grande/Island City Transportation System Plan by utilizing the existing intersection on Hwy 82 (Island Avenue) as access to the site. The access to the site is via the Walton Road/Hwy 82 intersection. When adjacent properties develop, the proposed streets can be extended both east and/or west to complete this northern collector route. This issue will be addressed in greater detail in the Master Plan and Traffic Impact Analysis that is proposed to occur prior to the development of this site.

Policy 22: The City will comply with Policy 1F, Highway Mobility Standards, of the 1999 Oregon Highway Plan which states: It is the policy of the State of Oregon to use highway mobility standards to maintain acceptable and reliable levels of mobility on the state highway system. These standards shall be used for: implementation; evaluating the impacts on the state highways of amendments to transportation plans, acknowledged comprehensive plans and land use regulations pursuant to the Transportation Planning Rule. (OAR 660-012-060); and guiding operations decision such as managing access and traffic control systems to maintain acceptable highway performance.

Finding: The existing Island Avenue/Walton Road intersection will be the primary access to the subject property. This intersection was designed and developed with the commercial development of this property in mind. As discussed in Proposal Description #2 above, inclusion of this property into La Grande's boundaries was discussed and planned for well before this intersection was engineered. In fact, a left turn lane was installed at this intersection for north/eastbound traffic, which facilitated a protected turn movement onto this property. Other transportation system impacts and mitigation plans are discussed in the Transportation Planning Rule Findings below.

Goal 12 – Transportation

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

Findings: Prior to the development of this property, a Master Plan and Traffic Impact Analysis will be required to address Transportation Planning Rule Requirements and also compliance with the

City of La Grande's Transportation System Plan. Such Plan and Analysis will review existing traffic patterns and the capacity of street and intersections. If the proposed development will result in the transportation system being over capacity, right-of-way improvement may be required before the project can be developed. Such improvement may include, but are not limited to the widening of the right-of-way, installing turn lanes, traffic signals or other traffic control devices. This issue is addressed in greater detail below in the section entitled "Transportation Planning Rule".

Goal 14 – Urbanization

(The following Goal 14 Findings were provided by the Applicant and have been reviewed and acknowledged by Planning Division Staff.)

Oregon Administrative Rules stat that when a local government changes an established urban growth boundary, it shall follow the procedures and requirements set forth in Goal 2 – Land Use Planning, Part II, Exception.

Revised findings and reasons in support of an amendment to an established urban growth boundary shall demonstrate compliance with the seven Factors of Goal 14 and demonstrate that the following standards are met:

The seven Factors of Goal 14 are addressed below.

Factor 1: Demonstrate need to accommodate long-range urban population growth requirements consistent with DLCD goals.

Factor 2: Need for housing, employment opportunities, and livability.

On April 16, 2003, the Union County Board of Commissioners adopted Ordinance No. 2003-04, coordinating its population project with the County's cities, affected state agencies (DLCD and OEA), and LUBA petitioners, using the Portland State University Center for Population Research and Census (PSU CPRC) Official 2002 Estimate and the Oregon Office of Economic Analysis (OEA) Preliminary 2020 Forecast to adopt the new OEA 0.77% AAGR and to "allocate population growth among the cities and the unincorporated area based on ratios use in the June 21, 2002 Benkendorf report. See Table Below.

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County and City	July 1 Population Estimates 2003	July 1 Population Estimates 2002	July 1 Population Estimates 2001	July 1 Population Estimates 2000	April 1 U.S. Census Count 2000	April 1 U.S. Census Count 1990
UNION	24,650	24,600	24,550	24,550	24,530	23,598
Cove	640	620	590	595	594	507
Elgin	1,650	1,630	1,660	1,655	1,654	1,586
Imbler	290	290	280	285	264	299
Island City	920	920	920	925	916	696
La Grande	12,500	12,450	12,420	12,340	12,327	11,766
North Powder	490	490	490	490	489	448
Summerville	120	120	120	115	117	142
Union	1,950	1,920	1,960	1,930	1,926	1,647
Unincorporated Area	6,090	6,160	6,110	6,215	6,223	6,307

Source: 2000 U.S. Census

The OEA 0.77% AAGR is the most current growth rate for the City of La Grande; and has been adopted by the City of La Grande (October 2005); and acknowledged by Union County and the DLCD (November 2005) as the current growth rate through the adoption and acknowledgement of recent Goal 9 amendments and the recodification of the La Grande Comprehensive Plan by Ordinance Number 3038, Series 2005.

The analysis and projections provided in the Goal 9 Chapter identify the City of La Grande's 20-year commercial and industrial land needs (projected to 2025), based on an existing population of approximately 12,500, a 0.77% (.8% round estimate) AAGR, industry/employment trends and the current inventory of buildable vacant and redevelopable lands. The following summarizes key findings and methodologies.

Four employment growth scenarios were analyzed to provide a baseline confidence interval for which the City should plan. Assumed growth rates are largely based on historical trends for the City of La Grande, but modified to reflect recent developments in the local economy as appropriate.

Over the 20-year study period, the City of La Grande can expect to add over 1,500 jobs in the Medium Growth scenario assuming the local economy generally follows historical trends. Education & Health Services, Public Administration, Leisure & Hospitality and Retail Trade can be expected to lead the next two decades. Still, Education and Health Services, led by Eastern Oregon University and the Grand Ronde Hospital, should continue to comprise the majority of local employment. Growth rates for Education and Health Services and Professional and Business Services lead the local economy at 2.2% annually under the Medium Growth Scenario

Projections of gross new demand in La Grande for commercial and industrial land between 2005 and 2025 are detailed in the figure provided in Factor 7, below (Table 29, Page 77 of the La Grande Comprehensive Plan, Ord. 3038, Series 2005). The figures include a 25% gross-up factor for roads, public facilities and space.

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Through 2025, net demand for industrial and commercial land is estimated to range from 46.5 acres (Low Growth 2025) to 72.1 acres (High Growth 2025) depending upon whether La Grande realizes slower economic growth or high economic growth relative to historical trends. The baseline "Medium Growth Scenario" indicates that La Grande will see demand for industrial and commercial land reach 57.6 acres through 2025. The "Medium Growth Scenario" is the scenario recognized and adopted by the City of La Grande (Ordinance 3038, Series 2005) and acknowledged by Union County and DLCD in November 2005.

La Grande's Vacant/Buildable Lands Inventory (see Goal 9 Chapter of La Grande Comprehensive Plan) currently identifies 38.12 vacant buildable acres of commercially zoned land. This leaves a deficit of 19.48 acres. To satisfy this deficit, the City looked at opportunities to meet this need within the existing boundaries of La Grande and also likely Urban Growth Boundary expansion areas. Areas evaluated included the Adams Avenue/Hwy 30 corridor, Cove Avenue corridor and Island Avenue/Hwy 82 corridor. The City determined that there were no existing areas within the Urban Growth Boundary that could satisfy this need. Some areas were identified for rezoning to industrial, but due to locational issues, none were identified for rezoning to commercial. Then, based on existing growth patterns, the Island Avenue corridor was determined to be the most likely area and best choice to satisfy the commercial land deficit. As a result, specific properties were identified (which included the Applicant's approx. 18 acres of proposed commercial land) to be added to the the City of La Grande's Urban Growth Boundary. This Finding is illustrated in "Exhibit 2" of the Goal 9 Chapter of the La Grande Comprehensive Plan (Ord. 3038, Series 2005).

For Residential land need, the Comprehensive Plan, Goal 10 – Housing Chapter identified in 2001 an inventory approximately 200 acres of vacant/buildable Medium Density Residential Land and approximately 34 acres of vacant/buildable High Density Residential Land. Based on a .4% growth rate (acknowledged by DLCD in 2003), the 20-year projection (to 2020) calls for needing only 150 acres of Medium Density Residential land and 25.8 acres of High Density Residential land. As La Grande's AAGR has since been acknowledged to be 0.77%, the estimated need may nearly be double. However, these figures have not been updated and this estimate not validated.

This request proposed adding an additional 8 acres of Medium Density Residential land to the existing inventory. At the same time, the City is processing 2 requests for removing 7 acres of Medium Density Residential Land from the inventory. Together this is merely a swap and the City's inventory will remain almost the same. As a result, a detailed analysis, updating the City's vacant land inventory and justifying a need for 8 acres is not necessary or justified in this case. If an argument was to be made, one could be based on the acknowledged 0.77% AAGR, which will clearly result in a greater need for residential land that what is currently projected.

Based on the Findings above, the inclusion of additional commercial land into the Urban Growth Boundary is needed and the inclusion of 8 acres of residential is balanced with the removal or rezone of 7 acres to commercial elsewhere in the City. As additional land is needed, compliance with ORS 197.298 must be evaluated. This Section stated that "land may not be included in the urban growth boundary except under the following priorities:"

(a) First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.

Finding: La Grande does not have urban reserve lands. This section does not apply.

(b) If land under subsection (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710

Finding: These properties clearly fit this criterion. The La Grande Urban Growth Boundary borders this property to the South and the proposed land is zoned Rural Residential in the County; it is nonresource land. Also, this property is specifically identified in the La Grande Comprehensive Plan (acknowledged by DLCD) for inclusion into the Urban Growth Boundary. As this land qualifies as Second priority land and has already been acknowledged by DLCD for inclusion into the Urban Growth Boundary, ORS 197.298 is met and no additional Findings are necessary to satisfy the other subsection of this ORS section, which discuss inclusion of lower priority lands.

Factor 3: There should be an orderly and economic provision for public facilities and services.

A city sufficiently considers Factor 3 to support the inclusion of "unneeded" land within an urban growth boundary if the findings and evidence show that some urban services already exist and extensive service planning has been done to assure that the remaining services can be provided in an orderly, economical manner.

Water and Sewer. Dan Chevalier, Public Works Director for the City of La Grande, indicates that that this property should have access to City of La Grande water and sewer services. There is a 16-inch water main running on the South side of the rail line and a good point of access is under a small trellis bridge in the vicinity of Wal-Mart.

Additionally, the applicant has received tentative approval and agreement from the City of Island City to bring city water and sewer lines to the southern boundary of the property.

The Island City Sanitation District will provide sanitary sewer service to the proposed project area. The District does not have its own treatment system and purchases treatment capacity from the City of La Grande. This Special District has an agreement with the City of La Grande to purchase approximately 11 percent of the City's treatment plant capacity for their use. The City of La Grande has a policy to allow service outside of its corporate boundaries in three situations, one of which is if the Island City Area Sanitation District provides that service.

Transportation Facilities. The project implements the policy to create a parallel route of travel north of Island Avenue. The City's Transportation System Plan identifies a connector starting at Walton Road and extending east to possibly McAlister Road and west to Riddle Road. The proposed project provides for these connections by extending streets to the project's boundaries, allowing for the future continuation of these roads when the adjacent properties are developed.

The applicant has already agreed with a provision required by the City of Island City and the Oregon Department of Transportation that a transportation analysis will be completed once a specific project and site plan is developed.

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The applicant is willing to accept the same four conditions assigned in the City of Island City land use application process with respect to the planning for-and development of- transportation improvements:

- 1) The applicant shall establish and maintain a 2-foot easement for pedestrian and bicycle access, ten-foot paved and constructed to city engineering standards, to the Grande Ronde River and associated recreational areas as stated in the application;
- 2) The applicant will complete a traffic impact study specific to the proposed full build-out of the Mt. Emily Business Park prior to annexation. The study will recommend improvements and mitigate to satisfy transportation standards set by ODOT;
- 3) Prior to annexation, the applicant shall provide a future local street plan that has been coordinated with ODOT;
- 4) No Site Plan will be processed or services extended until an annexation request has been processed and a Traffic Impact Study has been completed.

Streets, bike lanes, and sidewalks will be extended into the subject property. Pedestrian and bike lanes will be extended west from the property to West Road, providing an alternate route to the property from the May Park area and the north area of La Grande. Note that the intent is for the access to West Road be for emergency use only.

Fire Services. The La Grande Fire Protection District provides fire protection to Island City and will not be impacted by the proposed project due to recent equipment upgrades and training in urban fire suppression.

Factor 4: Land uses should have maximum efficiency within and on the fringe of the existing urban area.

This relates to the objective of compact, contiguous growth and of infill development on vacant lands within existing urban areas. The factor also requires that development within urban growth boundaries be at urban densities. Factor 4 requires the City to encourage development within urban areas before allowing conversion of non-urbanized areas.

Efficiency of land uses implies an attempt to achieve the highest and best use of a property when considering its surroundings. This land is currently not being used as efficiently as possible, due to the existing, surrounding commitment to commercial and industrial uses.

Development of this property under the Commercial and Medium Density Residential zoning would be compatible with the existing similar uses surrounding the property and would alleviate potential future conflicts in uses.

Some urban services already exist and additional services are planned. There is a commercial business (KIE Supply) and some outbuildings adjacent to the subject property.

The City will need to develop vacant County lands due to the projected deficit of commercial lands. The development of the subject property will provide an efficient conversion of vacant land to urban uses due to its proximity to the existing commercial uses south of Island Avenue (Highway 82) and the uses to the east.

Factor 5: Environmental, energy, economic and social consequences should be addressed.

Consideration should be given to the resource productivity or other non-development use of lands (other than agricultural use). Factor 5 requires the consideration of environmental, energy, economic and social consequences (ESEE) of designating the subject property for urban, rather than rural, uses.

ENVIRONMENTAL

The environmental considerations include soils, soils erosion, and air quality.

Soils. In accordance with the USDA Soil Survey of Union County Area (Oregon 1985), the soils identified in this request are La Grande silt loam Class IIc, Jett silt loam Class IIc, and Catherine silt loam.

The La Grande Silt Loam is deep and moderately well drained soil that is found on alluvial fans and low stream terraces. The Jett silt loam is deep, well drained soil, which formed in recent alluvial and lakebed deposits. Catherine silt loam is deep and somewhat poorly drained soil on the flood plains and low stream terraces. It formed in mixed alluvium chiefly derived from basalt, granite and andesite. These soils are found on land with a slope of 0 to 3%. Community sewage systems are needed rather than septic tanks on these types of soils, if the density of housing is moderate to high.

Soil Erosion Hazard. Wind and water erosion, during and after construction, are the primary concerns regarding soil resources. The applicant is proposing to prevent damage or mitigate impacts to the land by the implementation of specific actions. The disturbed land will be restored, as near as practical to its original patterns. Work sites will be restored using excess materials, vegetation, and topsoil stockpiled for that purpose. The contractor will dispose of excess soil, materials, rocks and other objectionable materials that cannot be used in restoration work. Erosion control measures and other measures such as reseeding will be used to restore disturbed areas.

The equipment needed to construct the access roads would include hand tools, bulldozers, graders, and crew-haul vehicles. Specific actions would be implemented based on construction impacts. Standard design techniques such as installing water bars and dips to control erosion would be included. The applicant further stated that measures would be taken to minimize impacts in specific locations and during certain periods of the year. Such conditions could arise during heavy rains or high winds. To prevent impacts during such periods, construction activities would be restricted or curtailed. Disturbed areas within the rights-of-way would be finish graded. The natural drainage pattern along the rights-of way would be restored as near as practical to their original patterns.

Air Quality. Construction activities associated with the proposed project would produce two types of air contaminants: exhaust emissions and fugitive dust generated from construction equipment.

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Limiting the traffic on dirt roads during construction will help to minimize dust generated by the use.

Environmental Summary Findings. There are no specially designated natural resources in the request area on the subject property. There are no environmentally sensitive areas (wetlands, flood plains, etc.) located on the proposed project area. Any urban development has a negative impact on the natural environment; however, development of the site would have no greater negative environmental impact than any of the past or future development in this area.

ENERGY

Positive or negative energy impacts would be minimal when compared to other new development in the City. Because of the relatively close proximity of the site to the downtown area of La Grande and associated urban services, as well as completion of the existing street grid and utilities, development of this property would be more energy efficient than developing other areas that were not on the fringe of the City.

ECONOMICS

The proposed project is situated on a 27.15-acre site located on the north side of Island Avenue, directly across from a variety of existing commercial uses.

In February 2002, Union County contracted with Elesco Limited to update its 1995 Strategic Plan. The initial plan provided a brief analysis in the areas of strengths, weaknesses, opportunities and threats (SWOT). The 2002 update to the Strategic Plan was to provide a blueprint to enable the County to identify and examine the common interests of its citizens and to "provide action plans for implementing County initiatives."

The Strategic Plan update identified three categories: (1) Economic Health and Vitality, (2) Infrastructure and Land Use, and (3) Social and Public Services, as specific categories that reflect important goals for the County.

Recommendations for specific strategies and implementing actions were presented in the 2002 Study, as well as the identification of fiscal impact. The economic profile of Union County revealed that workers receive lower wages, on average, than the state as a whole.

Union County's median household money income for 1999 was \$33,738 compared to the state's median income of \$40,916. The percentage of persons below the poverty level was 13.8% as compared to 11.6% for the State. 48% of the total population of Union County is employed. 61% of the population above 16 years of age is employed.

SOCIAL CONSEQUENCES

Social impacts are difficult to measure. At present, the land is idle and bare and is not being developed to its highest and best use. The approval of this request would allow for improvement that is compatible with its surroundings. The addition of this property into the UGB of Island City would broaden their tax base and offset the deficit of needed commercial property. The applicant is intending to develop the land in accordance with all local, state, and federal regulations.

The provision of housing, employment, retail and access to a recreation area, will serve the interests of the citizens of Island City and surrounding communities. One of the benefits of the

commercial land and medium residential housing is that it will make possible a variety of living, working, shopping and recreation opportunities in close proximity to each other and the surrounding communities of Island City and La Grande. Automobile trips would be reduced by the provision of a coordinated transportation system which address pedestrian/non-motorized needs and vehicular traffic.

Factor 6: Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority.

Factor 6 requires that the location of an urban growth boundary be based on "retention of agricultural land." Goal 3 (preservation of agricultural lands) does not apply to the initial establishment of the UGB. Goal 3 applies to a decision to amend an established urban growth boundary by including agricultural land within it.

The area requested to be included within the Urban Growth Area of Island City is currently included within the RR-2 (Rural Residential -Two Acre Minimum Parcel Size) Zone. According to the Union County Comprehensive Plan, this area was included in the RR-2 Zone by undergoing an exception to Goal 3, which is the agricultural lands goal. The area is zoned for residential use and is not agricultural land.

The area is within the Fruitdale Road Rural Residential Goal Exception Area and complies with the developed and committed lands exception analysis. The request does not include any agricultural land; therefore, this factor is not applicable to this request.

Factor 7: Compatibility of the proposed urban uses with nearby agricultural activities.

Factor 7 requires a comparison of the impacts of urbanizing the proposed site on nearby agricultural activities with impacts of urbanizing alternative sites.

The proposed urban use is currently surrounded by similar urban uses and is already in an exception area. It is buffered from nearby agricultural activities and bringing this property into the UGB would have little to no effect on nearby agricultural uses.

C. DOCUMENTATION OF PUBLIC NEED FOR THE CHANGE

An analysis of the City of La Grande's 20-year need for industrial and commercial land was conducted as part of the 2005 City Goal 9 Review. The following summarizes key findings and methodologies.

Four employment growth scenarios were analyzed to provide a baseline confidence interval for which the City should plan. Assumed growth rates are largely based on historical trends for the City of La Grande, but modified to reflect recent developments in the local economy as appropriate. The four scenarios are:

- **Medium Growth Scenario:** The baseline or conservative forecast of likely employment growth in La Grande. Annual average payroll growth is assumed to be 0.925%, roughly 25% faster than the State of Oregon forecast for Union County from 2002 to 2012. The rate of growth was escalated for the Medium Growth Scenario to reflect the recent

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strength of the La Grande economy in the midst of the State's worst recession in recent memory.

- **High Growth Scenario:** An average, annual rate of growth of 1.0%, or roughly a 20% upper confidence interval for the Medium Growth Scenario. Reflects greater-than-expected success with local and County economic development *efforts* over the next twenty years.
- **Slow Growth Scenario:** An average, annual growth rate of 0.8%, the average annual growth rate projected by the Oregon Employment Department for Union County for 2002 to 2012. Recent economic strength of La Grande, though balanced by less impressive performance countywide, renders this annual growth rate a more conservative lower bound for the confidence interval.
- **Mill Closure:** The fourth scenario assumes that the local mill hypothetically closes in 2010, resulting in a loss of 250 manufacturing jobs, as well as 311 indirect and induced job losses via multiplier *effects*. Growth rates thereafter are assumed to be consistent with those for the Medium Growth Scenario.

Over the 20-year study period, the City of La Grande can expect to add over 1,500 jobs in the Medium Growth scenario assuming the local economy generally follows historical trends. Education & Health Services, Public Administration, Leisure & Hospitality and Retail Trade can be expected to lead the next two decades. Still, Education and Health Services, led by Eastern Oregon University and the Grand Ronde Hospital, should continue to comprise the majority of local employment. Growth rates for Education and Health Services and Professional and Business Services lead the local economy at 2.2% annually under the Medium Growth Scenario.

Projections of gross new demand in La Grande for commercial and industrial land between 2005 and 2025 are detailed in the figure provided in Factor 7, below (Table 29, Page 77 of the La Grande Comprehensive Plan, Ord. 3038, Series 2005). The figures include a 25% gross-up factor for roads, public facilities and space.

Through 2025, net demand for industrial and commercial land is estimated to range from 46.5 acres (Low Growth 2025) to 72.1 acres (High Growth 2025) depending upon whether La Grande realizes slower economic growth or high economic growth relative to historical trends. The baseline "Medium Growth Scenario" indicates that La Grande will see demand for industrial and commercial land reach 57.6 acres through 2025. The "Medium Growth Scenario" is the scenario recognized and adopted by the City of La Grande (Ordinance 3038, Series 2005) and acknowledged by Union County and DLCD in November 2005.

**GROSS NEED FOR COMMERCIAL AND INDUSTRIAL LAND
 LA GRANDE, OREGON
 2005-2025
 MEDIUM, HIGH AND LOW GROWTH SCENARIOS**

	Gross Need for Land (acres) By Scenario Through			
	Medium Growth 2025	High Growth 2025	Low Growth 2025	Millennium 2025
Office Commercial	7.9	9.2	6.3	5.8
Industrial	24.5	28.6	19.8	-3.8
Retail Commercial	25.2	34.3	20.4	19.8
Resident-Driven	15.1	21.0	13.0	9.7
Visitor-Driven 1/	10.1	13.3	7.4	10.1
Total	57.6	72.1	46.5	21.7

1/ Includes tourist/highway traffic as well as shoppers from neighboring areas.

SOURCE: Johnson Gardner LLC

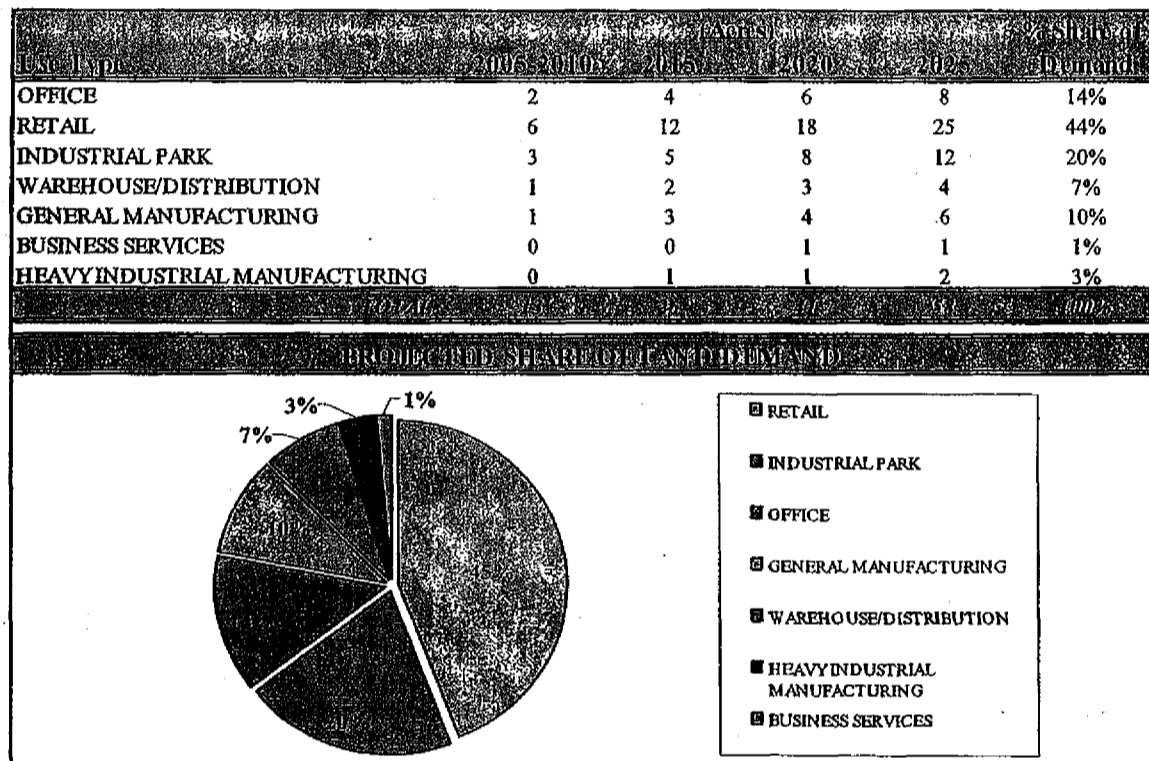
In three of the four scenarios, need for industrial land nearly matches demand for retail commercial land over the 20-year period, signifying La Grande's on-going strength for transportation-dependent uses. In the Medium and High Growth Scenarios, industrial uses comprise 40% to 45% of all employment land need over the next two decades. Under the Low Growth Scenario, Manufacturing and Wholesale Trade are expected to grow at notably slower rates, thus driving a proportionately smaller percentage of need.

A twenty-year employment land use demand analysis by specific type was based on gross land need forecasts already estimated by broad land use category. The following provides a summary of the findings.

Utilizing the Medium Growth Scenario forecast for broad land use demand categories already established, specific uses were then estimated with greater detail specifically for commercial and industrial need. The Table below provides a summary of analysis results by land use designation. Specific uses were determined by the existing industry and sector mix in La Grande based on confidential covered employment data provided by the Oregon Employment Department.

The land need expressed represents gross demand, which includes a 25% gross-up for infrastructure, public facilities and other such uses.

Gross Land Demand: Existing Commercial & Industrial Uses, 2005-2025



Note: Shares of demand in the above pie chart are displayed in descending order, ranging from retail (45%) as the greatest to business services (1%) as the smallest.

The above results depend upon the following two crucial assumptions:

- *La Grande only accommodates expansion of its existing commercial and industrial uses;*
and
- Local mill closure does not occur in the next twenty years.

The Goal 9 Analysis then presented a map summarizing the commercial and industrial land recommendations, inclusive of the addition of the subject property of this application to the Urban Growth Boundary zoned as commercial.

TRANSPORTATION PLANNING RULE
(Oregon Administrative Rules, Chapter 660, Division 012, Section 0060)
(See attached Exhibit B)

660-012-0060

Plan and Land Use Regulation Amendments

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

Finding: A traffic impact analysis was prepared for this property in 2003 when the site was considered for a Wal-Mart project. This analysis included an area that was larger than what is proposed in this request, but the findings are the same. The additional area included in this analysis is a contiguous property located immediately adjacent to this sight to the East and is under the same ownership. It will likely be planned for development at the same time as this property.

The Findings of this Traffic Impact Analysis, dated July 18, 2003 and prepared by CLC Associates from Spokane Washington, demonstrate that traffic impacts will have a SIGNIFICANT EFFECT on the transportation system. The analysis looks at existing traffic volumes and projects future volumes for the year 2022. Uses such as, retail stores, fast food restaurants, gas stations and other commercial uses, along with multi-family apartment uses were considered in this analysis.

The Executive Summary of this Traffic Impact Analysis is provided in attached Exhibit "E", along with a conceptual Master Plan for the "worst case scenario", which was proposed at that time. This Summary identifies trip generation counts during peak hours for multiple phases of development. Phases 1 and 2 are directly associated with the site discussed in this request. Phase 1 is projected to generate 787 AM peak hour trips and 938 PM peak hour trips. The

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expected Average Daily Trip (ADT) for Phase 1 is 11,334 trips. Phase 2 is projected to generate 329 AM peak hour trips and 617 PM peak hour trips. The expected ADT for Phase 2 is 3,054 trips. There is no question that this will have a SIGNIFICAN EFFECT on the transportation system.

As a SIGNIFICAN IMPACT is determined, TPR 660-012-0060, Section 2, must be addressed. This analysis is as follows:

660-012-0060

Plan and Land Use Regulation Amendments

- (2) *Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:*
- (a) *Adopt measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*
 - (b) *Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvements, or service will be provided by the end of the planning period.*
 - (c) *Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.*
 - (d) *Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*
 - (e) *Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.*

Finding: Subsections (b) and (e) appear to be the most applicable to this request. Subsection (b), if necessary, can be dealt with by the City of La Grande with a Transportation Plan amendment. This would likely occur after a Master Plan is prepared and a new Traffic Impact Analysis is prepared to support the Master Plan. Once this occurs, the Transportation System Plan can be amended, if necessary, to identify new Collector and Local Street, along with pedestrian and bicycle improvements that would be associated with them.

Subsection (e) deals with mitigation measures. As a TIA has all ready been provided demonstrating that a significant impact will occur. A new Master Plan and updated TIA should be required to prior to the development of this site to identify a more realistic scenario of transportation system impacts as a result of planned development. The New TIA should re-evaluate existing impacts, proposed impacts and proposed appropriate mitigation measures to deal with peak traffic flows and connectivity to the existing system and surrounding area.

The TPR does not require that these issues be resolved at the time of a rezone request. It does require that these issues be discussed and that mitigation measures be considered to deal with the impacts. The Condition of Approval recommended by the Applicant will address the mitigation

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concerns and meet the intent of the TPR. Some of the recommended Conditions should be clarified, but the intent appears reasonable. The Conditions recommended by the Applicant are as follows:

1. The Applicant shall establish and maintain a 20-foot easement for pedestrian and bicycle access, ten-foot paved and constructed to City engineering standards, to the Grande Ronde River and associated recreational areas as stated in the application;
2. The Applicant will complete a traffic impact study specific to the proposed full build-out of the Mt. Emily Business Park prior to annexation. The study will recommend improvements and mitigation to satisfy transportation standards set by ODOT;
3. Prior to annexation, the applicant shall provide a future local street plan that has been coordinated with ODOT;
4. No site plan will be process or services extended until an annexation request has been processed and a Traffic Impact Study has been completed.

Of these Conditions #2-#4 appear reasonable. Since the property does not abut the Grande Ronde River and there is no guaranteed recreational site adjacent to this property, requiring a 20 foot easement for this purpose does not make sense. At the time that the "future local street plan" (or Master Plan) is prepared, access to recreation areas will be considered and would be a more appropriate time to deal with this issue.

With regards to pedestrian and bicycle transportation improvements. The City of La Grande has been awarded a TGM Grant for a planning study that will amend the Transportation System Plan. The Study will begin within the next couple months and will analyze the existing pedestrian and bicycle transportation system. It will identify deficiencies and project where improvements are needed in the future. Should this request be approved, this property will be included in this Study.

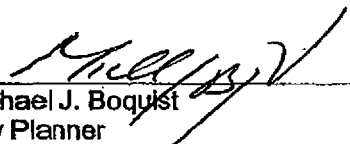
CONCLUSIONS

1. The request will meet all of the criteria for granting an Urban Growth Boundary Expansion, which includes a Comprehensive Plan Designation Change and Zone Designation Change in that the request complies with all of the Statewide Planning Goals and all of the policies of the Comprehensive Plan.
2. This request has been found to have A SIGNIFICAN EFFECT on the Transportation System. With the Conditions imposed, such effects will be mitigated and this request will comply with the Oregon Transportation Planning Rule.

CONDITIONS OF APPROVAL

1. A Transportation Impact Analysis (TIA) shall be required prior to development and/or annexation. The TIA shall demonstrate that the development does not impact the transportation system as defined in the Oregon Administrative Rule (OAR) 660-012-0060(1); or the development shall be made consistent with the transportation system as allowed in OAR 660-012-0060(2). The TIA, findings of significant affect/no significant affect, and the proposed mitigation measures shall be sent to the Oregon Department of Land Conservation and Development and the Oregon Department of Transportation for review and acceptance comment;
2. Prior to development and/or annexation, the applicant shall provide a future local street plan (Master Plan) that has been coordinated with the City of La Grande and ODOT. Such Plan shall take into consideration connectivity with existing and proposed transportation system facilities (vehicle, bicycle and pedestrian; and park and/or open space areas).
3. No site plan will be process or services extended until an annexation request has been processed and a Traffic Impact Study has been completed. All mitigation responsibilities (financial costs, construction, etc.) shall be borne by the Property Owner and/or Developer.

Report Prepared By:



Michael J. Boquist
City Planner

Attachments

W:\planning\shared\city council\2006\05-17-06\01-cpa-06 and 01-zon-06 staff report.doc

EXHIBIT "A"
Proposed Zoning Map After UGB Expansion
Prepared by Baggett, Griffith & Blackman

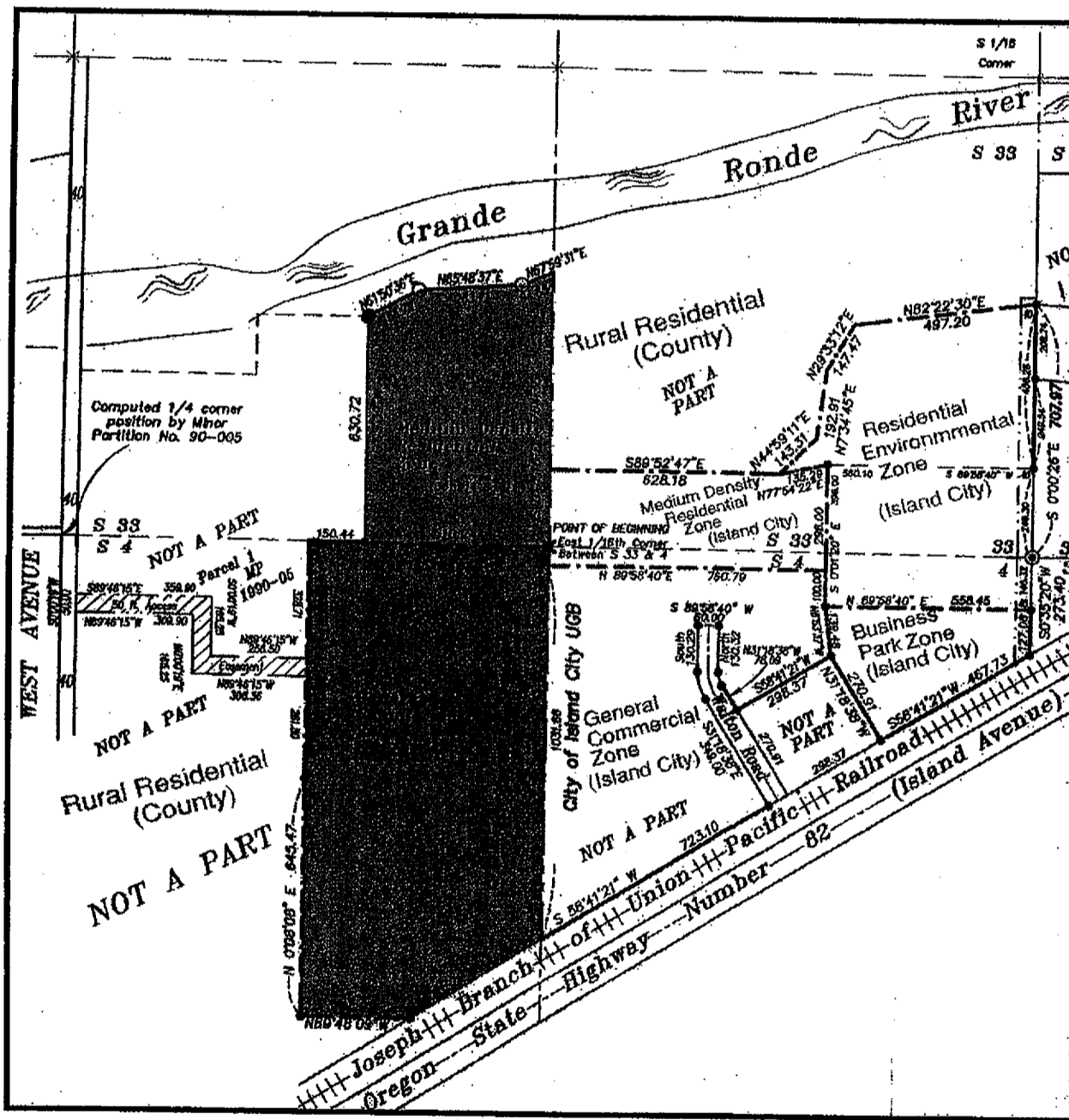


EXHIBIT "B"
Aerial Photo with Site Boundaries
Prepared By Planning Division Staff

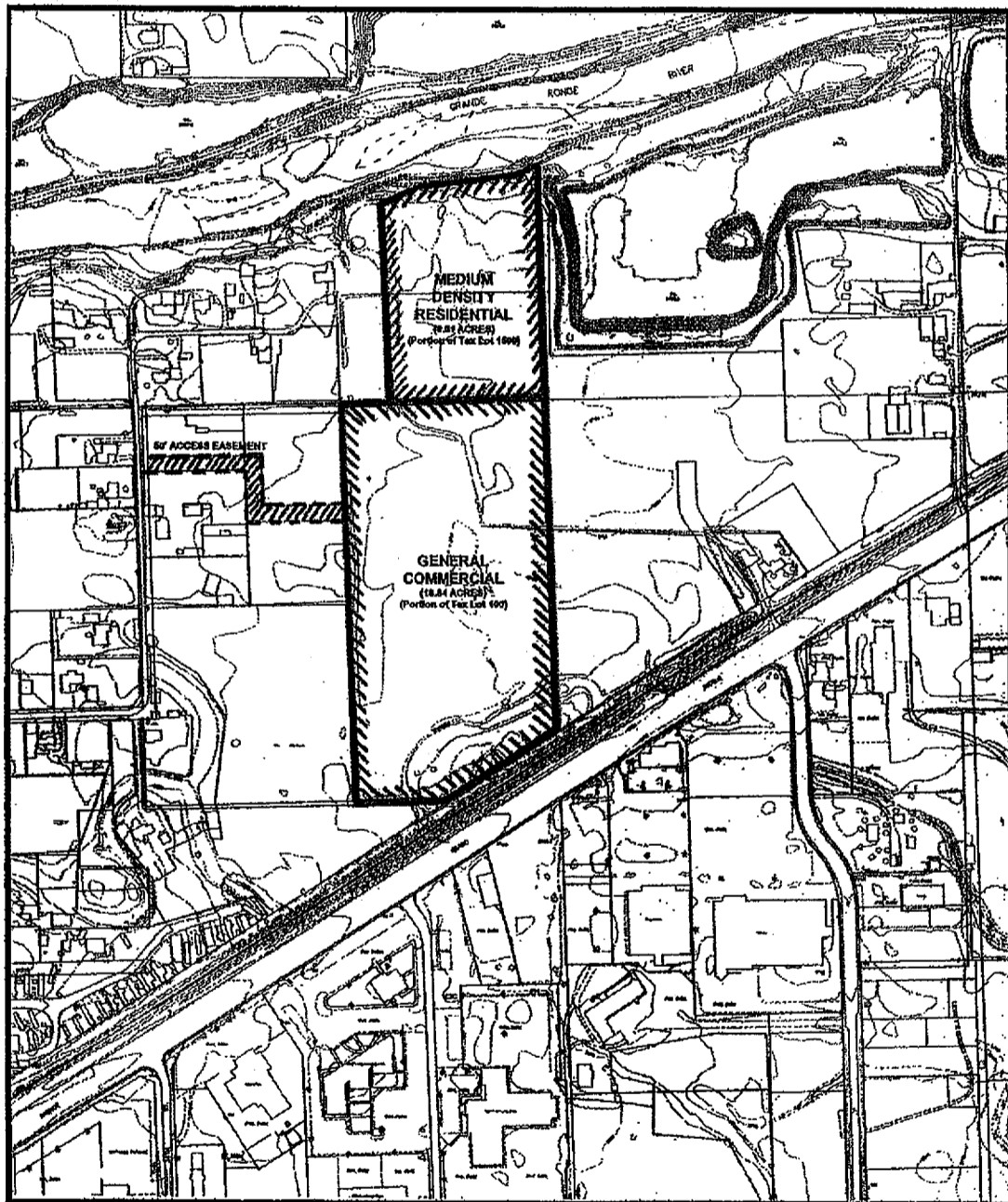


EXHIBIT "C"

Land Development Code Ordinance 3014, Series 2003, Article 2.2

SECTION 2.2.005 - MEDIUM DENSITY RESIDENTIAL (R-2)

A. **PURPOSE:** The purpose of this zone is to establish areas for single-family and duplex residential dwelling units and necessary accessory uses. The Medium Density Residential Zone is intended to implement the Comprehensive Plan designation of a Medium Density Residential land use with a density of five (5) to ten (10) dwelling units per acre.

B. PERMITTED USES:

1. Accessory Uses – Garages, Sheds For Storage of Lawn Equipment or Wood, and Signs
2. Essential Services – Streets, Roads, Alleys, Public Right-Of-Ways, Pipelines, Power Lines, Distribution Feeders and Poles
3. Family Residential - Limited to Single Family and Duplex Dwellings
4. Group Care Residential – Halfway Houses, Intermediate Care Facilities, Nursing Homes, Convalescent Hospitals, Foster Care Homes, Family Day Care Provider, Residential Facility, Residential Homes and Rest Homes
5. Home Occupations (see Article 8.11)

C. CONDITIONAL USES:

1. Accessory Residential Unit
2. Civic Administrative Services – Consulting, Record Keeping, Clerical or Public Contact Services Dealing With Citizens
3. Clinic Services – Non-Profit Medical Services
4. Community Education – Public, Private and Parochial Elementary, Junior High and Senior High School, Junior Colleges, Colleges, Universities and Trade Schools
5. Community Recreation – Governmental or Non-Profit Operated Recreational, Social or Multi-Purpose Uses Within Buildings
6. Cultural Exhibits and Library Services – Non-Profit Museum-Like Preservation and Exhibition of Works of Art or Library Collection
7. Extensive Impact Services and Utilities - Limited to Parks, Fire Stations, Utility Substations, and Ambulance Services
8. Family Residential - Limited to Manufactured Home Parks
9. Group Care Residential - Day Nurseries
10. Neighborhood Convenience Center
11. Public Research Area – Governmental, Educational, Public or Non-Profit Operated Buildings or Land Dedicated to Pure or Applied Scientific Discovery in Fields of Agriculture, Wildlife Management, Forestry, Geology, Archaeology, Ecology, Astronomy
12. Religious Assembly – Religious Services Involving Public Assembly as Occurs in Synagogues, Temples and Churches
13. Retail Sales - Limited to Neighborhood Convenience Center
14. Transient Habitation: Lodging - Limited to Bed and Breakfast Inns

D. PROPERTY DEVELOPMENT STANDARDS:

1. Minimum Lot Area – Five Thousand (5,000) Square Feet for Individual Lots and an Average Not to Exceed Seven Thousand (7,000) Square Feet When Two (2) or More Lots are Created. Lots Intended for Common Wall Residences Shall be no Less Than Three Thousand (3,000) Square Feet in Size per Unit.
2. Residential Density - One (1) Single Family Dwelling Unit Per Lot, or One (1) Duplex Per Six Thousand (6,000) Square Feet
3. Lot Size and Shape - See Chapter 5, Article 5.2.
4. Building Setbacks and Yards - See Chapter 5, Article 5.3.
5. Distance Between Buildings - See Chapter 5, Article 5.3.
6. Building Heights - See Chapter 5, Article 5.4.
7. Fences, Hedges and Walls - See Chapter 5, Article 5.5.
8. Landscaping - See Chapter 5, Article 5.6.
9. Parking and Loading - See Chapter 5, Article 5.7.
10. Signs - See Chapter 5, Article 5.8.
11. Vehicular Access and Circulation - See Chapter 6, Article 6.2.
12. Business Initiation Form – See Chapter 8, Article 8.2.
13. Temporary Use - See Chapter 8, Article 8.3.

EXHIBIT "D"

Land Development Code Ordinance 3014, Series 2003, Article 2.2

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

Comprehensive Plan Designation Change and Zone Designation Change
City Council Findings of Fact
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EXHIBIT "D" - Continued

Land Development Code Ordinance 3014, Series 2003, Article 2.2, Section 2.2.009 – General Commercial (GC)

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

C. CONDITIONAL USES:

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

Comprehensive Plan Designation Change and Zone Designation Change
City Council Findings of Fact
File Numbers 01-CPA-06 and 01-ZON-06
Page (34)

EXHIBIT "D" - Continued

Land Development Code Ordinance 3014, Series 2003, Article 2.2, Section 2.2.009 – General Commercial (GC)

12. Religious Assembly – Religious Services Involving Public Assembly as Occurs in Synagogues, Temples and Churches
13. Research Services – Electronics Research Laboratories, Space Research and Development Firms, Soil and Material Testing Labs, or Pharmaceutical Research Labs
14. Transient Habitation: Campground - Limited to RV Parks

D. PROPERTY DEVELOPMENT STANDARDS:

1. Minimum Lot Area - Two Thousand Five Hundred (2,500) Square Feet.
2. Lot Size and Shape - See Chapter 5, Article 5.2.
3. Building Setbacks and Yards - See Chapter 5, Article 5.3.
4. Distance Between Buildings - See Chapter 5, Article 5.3.
5. Building Heights - See Chapter 5, Article 5.4.
6. Fences, Hedges and Walls - See Chapter 5, Article 5.5.
7. Landscaping - See Chapter 5, Article 5.6.
8. Parking and Loading - See Chapter 5, Article 5.7.
9. Signs - See Chapter 5, Article 5.8.
10. Vehicular Access and Circulation - See Chapter 6, Article 6.2.
11. Business Initiation Form – See Chapter 8, Article 8.2.
12. Temporary Use - See Chapter 8, Article 8.3.

EXHIBIT "E"

Traffic Impact Analysis – July 18, 2003
Prepared by: CLC Associates, Spokane, Washington

This document is supplemental to an Urban Growth Boundary (UGB) amendment, a comprehensive plan map change, zoning change and annexation of the subject property to the respective cities, the following traffic documentation of traffic analysis applies to these events:

1. The City of La Grande, City of Island City, and the Oregon Department of Transportation have adopted a maximum acceptable volume to capacity ratio (v/c) of 0.80 for all movements for signalized and unsignalized intersections greater than 35 mph and 0.75 for intersections at 35 mph or lower.
2. The project site is located on the northwest side of Island Avenue (SR 82) at Walton Road. The entire area is approximately 77.6 acres and will include the following land uses. A proposed discount retail store, gas station, several general retail lots, an apartment complex, a public park, and a business park.
3. For the purposes of this study, the project site has been analyzed in three phases. The first phase includes a proposed discount retail store and 16-pump gas station. The second phase includes an 84-unit apartment complex, the remainder of the retail area (10.9:1: acres), and an 18:1: acre public park. The third phase includes the business park. The first phase is anticipated to be completed by the year 2004. Phase 2 and 3 are anticipated by 2007 and 2015 respectively.
4. Phase 1 of the development as shown on the site plan is expected to generate 787 trips during the AM peak hour. Of these, 411 will be entering and 376 will be exiting the site. During the PM peak hour approximately 938 trips are anticipated, 484 entering and 454 exiting. The expected average daily traffic (ADT) volume is 11,334 trips, with half entering and half exiting the site. These volumes do not include internal and pass-by trip reduction.
5. Phase 2 of the development as shown on the site plan is expected to generate 329 trips during the AM peak hour. Of these 169 will be entering and 160 will be exiting the site. During the PM peak hour approximately 617 trips are anticipated, 309 entering and 308 exiting. The expected ADT is 4,262 trips, with half entering and half exiting the site. These volumes do not include internal and pass-by trip reduction.

Comprehensive Plan Designation Change and Zone Designation Change
City Council Findings of Fact
File Numbers 01-CPA-06 and 01-ZON-06
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EXHIBIT "E" - Continued

Traffic Impact Analysis – July 18, 2003

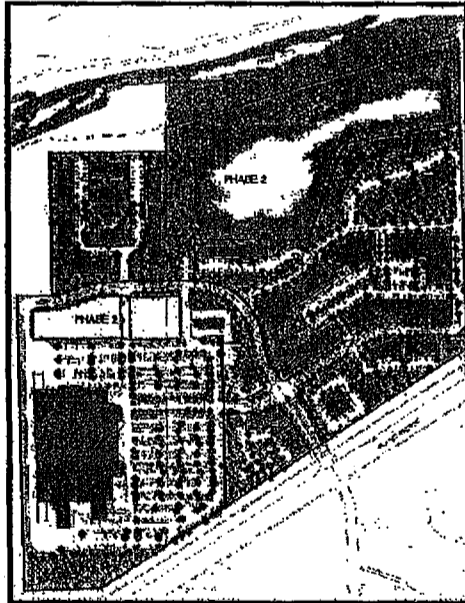
Prepared by: CLC Associates, Spokane, Washington

6. Phase 3 of the development as shown on the site plan is expected to generate 499 trips during the AM peak hour. Of these 444 will be entering and 55 will be exiting the site. During the PM peak hour approximately 430 trips are anticipated, 60 entering and 370 exiting. The expected ADT is 3,054 trips, with half entering and half exiting the site. These volumes do not include internal and pass-by trip reduction.
7. The study focuses on AM and PM peak hour conditions.
8. The site is planned to use Walton Road as the primary access for the site. A secondary access which would involve extending a roadway to the west of the site and realigning the existing intersection of Riddle Road / Island Avenue to a new location at 26 / Island Avenue has been discussed with OOOT and the City of La Grande. One of the purposes of this study is to verify when the Walton Road intersection will no longer be able to accommodate the traffic from the site and the secondary access will have to be constructed. Based on the analysis which is documented in this report, this secondary access will not be needed for traffic capacity purposes due to the traffic anticipated for the UGB amendment area. The intersection of Island Avenue and Walton Road will accommodate all of the traffic anticipated from this proposal with the recommended improvements throughout the duration of the project. A "crash gate" access could be installed for emergency vehicles at another location on the site to provide secondary access in an emergency situation. This emergency access could include the construction of a 30' roadway west to West Road. Based on this analysis, an additional access will be required prior to 2022 to the Island Avenue & 26th relocated intersection, but after 2015. Therefore, this access should be opened to the public when warranted or after full build out of this project. Therefore, it should be noted that the full build out of the project site to the uses contemplated in and of themselves in 2015 do not result in failure of the Walton and Island Avenue intersection. As noted, the failure occurs due to background growth of traffic along Island Avenue leading to development of a full secondary access and TSP issue prior to 2022 but after 2015.
9. The intersection of Walton Road / Island Avenue was analyzed under existing conditions and all scenarios with the additional traffic from the various phases. This intersection is currently functioning at acceptable levels and continues to function at acceptable levels for all scenarios analyzed without the project. The additional traffic from the project will require mitigation at the intersection of Walton / Island Avenue. It should be noted that all traffic for the existing commercial uses south of Island Avenue were left in the intersection and increased by the required growth amount from the before without the project to 2022.

EXHIBIT "E" - Continued

Traffic Impact Analysis - July 18, 2003
Prepared by: CLC Associates, Spokane, Washington

10. As required, and due to the impacts of the first phase of the project, a westbound right turn pocket should be installed on Island Avenue at Walton Road. The southbound approach of this intersection should be improved to accommodate one left turn lane, one shared through-right lane, and a right turn lane. The phasing for the left turn movements on Walton Road should be changed from permissive to protected / permissive by changing the left turn movement signal heads. With these improvements, the intersection of Walton / Island Avenue will function at acceptable levels with the additional traffic from the first phase of the project other options for channelization and signalization are acceptable, these however represent the minimum acceptable improvements.
11. As required due to impacts of the second phase of the project, dual left turn lanes should be installed on the eastbound approach of the intersection of Island Avenue / Walton Road. However to reduce the queues for this movement, the dual left turn lanes should be installed with the first phase of the project. No mitigation is required for the third phase of the project. Therefore, all of the mitigation for the project is required under the first phase of the project. When dual left turns are implemented at this Walton Road / Island Avenue, the u-turn movement must go away.
12. The intersection of Island Avenue & 26th does not require any improvements associated with the impacts from the UGB amendment area.



Site Map - Figure 2
Traffic Impact Analysis
Project No. S010054

Prepared By:
CLC Associates
707 West 7th Avenue, Suite 200
Spokane, WA 99204

CITY OF LA GRANDE

Planning Commission Meeting

Regular Session

March 14, 2006

6:00 PM

**Council Chambers
La Grande City Hall
1000 Adams Avenue**

MINUTES

COMMISSIONERS PRESENT:

**Debra Comfort
Jason Kehr
Darin Larvik**

CALL TO ORDER/ROLL CALL

**ELECTION OF ACTING CHAIRPERSON
FOR THIS MEETING ONLY**

AGENDA APPROVAL

CONSENT AGENDA

NEW BUSINESS

None

a. Temporary Use Permit Final One (1) Year Extension

File Number 01-TUP-05

Applicant: Paul Soward, SS Cars, Inc.

COMMISSIONERS ABSENT EXCUSED:

**Mark Hanson
Justin Rock**

DISCUSSION/DISPOSITION

Mike BOQUIST, City Planner, called this Regular Session of the Commission to order at 6:00 p.m. and asked for Roll Call; a quorum was determined to be present. On the dais tonight was an amended Agenda, two maps associated with Item 7.b and an email document from ODOT associated with Item 7.c.

The Agenda was approved as presented.

The Consent Agenda for February 21, 2006, was unanimously approved.

PUBLIC HEARINGS

PUBLIC HEARING OPENED (6:05 p.m.)

LARVIK opened the Public Hearing and requested the Rules of Order be read. LARVIK requested the Staff Report. Mike BOQUIST, City Planner, presented the Staff Report. This application was first approved March 14, 2005 in order to test the market for used car sales before deciding to remain on the property which will require a Temporary Use Permit. The applicant will be required to make site improvements, such as landscaping, etc.

There were no objections received from the public, Departments or Agencies regarding this Application.

**c.. Comprehensive Plan Designation Change &
Zone Designation Change,
File Numbers, 01-CPA-06 & 01-ZON-06**
Applicant: Mike Becker, Represented by Brian Cole.

PUBLIC HEARING OPENED (6:39 p.m.)

LARVIK opened the Public Hearing and requested the ex parte portion of the Rules of Order be read. LARVIK requested the Staff Report. Mike BOQUIST, City Planner, presented the Staff Report. Page Twenty-Nine (29) (Site Map) of the Staff Report shows the portion of the tax lot proposed to be GC General Commercial Zone, as well as, R-2 Medium Density Residential Zone. Both portions are currently zoned Union County RR Rural Residential. In late 1990's, this property was designated as Urban Growth Boundary for both Island City and La Grande. The cities mutually agreed that the east boundary line of these two parcels would be the dividing line between the two cities. In the early 2000's, this property was the proposed Wal-Mart site. That project fell through and last year Island City included the property as part of their overall master plan subject to a traffic analysis and master plan.

It is not evidenced on the map, but the primary access will come off Island Ave/Hwy 82 by KIE. A secondary road for emergency access will be required by fire and ambulance services to this location. The Applicant has negotiated with property owners to the west to deter traffic from using West Road as a short cut.

Mr. COLE then followed his initial presentation with a discussion of various scenarios regarding West Road. He did state that there are several transportation issues in the area that need to be addressed sometime in the future. An email received by BOQUIST from the Oregon Department of Transportation gave ODOT's approval of the Traffic Impact Analysis and stated concurrence with the revisions to the proposed Conditions of Approval. DLCD at the March 2, 2006 joint work session with ODOT, the Applicant and BOQUIST attending, all parties agreed with the revised Conditions. The property will not receive City services until the property is annexed or the annexation application has begun.

These Applications intend to complete the expansion of La Grande's Urban Growth Boundary which was originally discussed between Island City and La Grande in the 1990's. Subsequent to receiving approval of these applications, the Applicant is to have a Master Plan prepared, along with a detailed traffic impact analysis (TIA) as required by the City of Island City.

A letter was received from Sheldon and Linda STRAND, 61923 West Road, La Grande, in which they expressed concerns regarding potential traffic impacts on West

**CITY OF LA GRANDE
PLANNING COMMISSION MINUTES
Regular Session of March 14, 2006
Page 6 of 8**

Brian Cole, Orbis Group, Inc.
P.O. Box 1088, Baker City, OR 97814

Peggy Edmonds, 61994 West Road, La Grande

Road and further expressed opposition to their property being included in the La Grande City Limits.

There were no objections received from Departments or Agencies regarding this Application.

LARVIK requested questions of Staff. There were none.

LARVIK asked BOQUIST if the Commission was just voting on UGB expansion and whether the property will connect to the rest of the City of La Grande. BOQUIST replied that the property is bordered to the south of the La Grande city limits and is connected to the City.

LARVIK asked for testimony in favor of this Application.

Mr. COLE is representing Mike Becker with these Applications. He has been working with BECKER for over a year and has also been working with Island City. He stated that he wanted to compliment the Planning Commission and Staff because he has been very well received when working with the City. COLE wanted to emphasize in the Goal 9 process, there was an identified need for more commercial and residential land within the City of La Grande. At that time, this parcel was identified as being an optimum piece of property. The Applicant has been working with Island City for development of the property. There is a need for a master plan for this project; the specific plan will be developed after these Applications are approved. The Transportation System Plan, when the Wal-Mart Application was done, showed a worst case scenario but gave an idea of the traffic and the street improvements needed to be made. The Applicant is aware of the concerns of the property owners to the west and does not plan to have road access to the west, although he is not opposed to an emergency access on the west side. BECKER wants to be a good neighbor and work with the property owners regarding their concerns.

Upon no further testimony in favor of the Application, LARVIK requested testimony neutral to or in opposition of this Application.

Ms. EDMONDS stated that she would be impacted by the development of West Road. She is happy with the substandard road as it is. EDMONDS has lived on her property for over 25 years and likes it as it is. The Rural Residential zoning suits the area and provides a good buffer. EDMONDS questioned whether BECKER'S property was needed in the UGB at this time. She also questioned the traffic impact and the ability to use other options for an access road. Fire protection would be coming from Island City rather than La Grande, so in that instance, why would the access road not come in from the Island City side. Riddle Road was also brought up as a possible access road. She felt that the quality of life in

the area would be impacted by changing the zoning to any other zone than Rural Residential. She realized that Mr. BECKER wants to do something with his property but she does not want the area impacted. KEHR asked if EDMONDS is in the UGB, EDMONDS replied that she is in the County, which is just fine and is happy with the way it is.

Upon no further testimony neutral to or in opposition of this Application, LARVIK opened Commission discussion.

Upon no questions from the Commission, LARVIK entertained a motion. KEHR made the motion, with COMFORT providing the second.

MOTION: That the Findings of Fact and Conclusions set forth in the Staff Report be adopted and that the Planning Commission recommend approval of this request to the City Council, subject to the Conditions of Approval.

LARVIK questioned BOQUIST whether the extension of Walton Road by KIE, will be the main access road. BOQUIST replied in the affirmative. COMFORT inquired if there was an option to do another access road or in another place on the property. BOQUIST stated that another access road crossing the railroad tracks is not financially feasible and would take years working with the railroad. He also felt that EDMONDS statement regarding placement of the secondary access road toward Island City is feasible if there is adequate access and West Road is used only for emergency access. An option would be to treat West Road similarly to what the hospital uses for emergency access - the road is gated or blocked. An access road on the Island City side would be considered by the Island City Master Plan and also be identified by the TIA. Traffic not being filtered west road. Larvik asking voting on UGB site plan conditions at later date of development. The UGB will not affect other properties, just the BECKER property.

KEHR stated that it was fairly obvious that the major access road is Walton Road since it is already developed and that access to the west side of the property would be used only as an emergency access. In the future more time could be taken to discuss ensuring that no one will be taken advantage of.

EDMONDS stated that she realizes that it is fair for Becker to develop his property.

BECKER replied that there was no plan to develop access to the west. He wants to work with the neighboring property owners.

Peggy Edmonds, 61994 West Road, La Grande, 97850

Mike Becker, P.O. Box 1159, La Grande, 97850

LARVIK called for a Roll Call Vote.

MSC: (Unanimous)

LARVIK closed the Public Hearing.

PUBLIC HEARING CLOSED: (:7:11)

UNFINISHED BUSINESS


None

CITY PLANNER COMMENTS

None

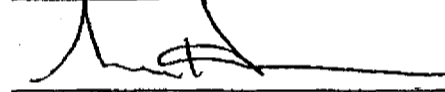
There being no further business to come before this Regular Session of the Commission, LARVIK adjourned the meeting at 7:12 p.m. The Commission is scheduled to meet again, Tuesday, April 11, 2006, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

ATTEST:



Barbara Trick
Planning Secretary

APPROVED:



Mark Hanson
Chairperson

APPROVED: March 28 2006
C:\SHARED\PLANNING COMMISSION\2006\03-14-06\MINUTES.DOC