



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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

NOTICE OF ADOPTED AMENDMENT

March 21, 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 004-05

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 29, 2006

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

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

***NOTE: THE 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 DATE SPECIFIED ABOVE.**

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

<paa> y/email

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.: 04-CPA-05 & 03-ZON-05
(If no number, use none)

Date of Adoption: March 8, 2006 Date Mailed: March 14, 2006
(Must be filled in) (Must be filled in)

Date the Notice of Proposed Amendment was mailed to DLCD: December 8, 2005

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

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

Amend the Comprehensive Plan Map and Zoning Map; rezoning the subject properties. One (1) property from a medium density residential zone to a commercial zone; one (1) property remains the same zoning, but lifting a limited use overlay; and multiple properties from a light industrial zone to commercial zone. The proposed change is intended to resolve nonconforming use (grandfather right) conflicts and to encourage and facilitate desired future development.

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."

Removal of the D. Dale Mammen Request, Tax Lot 1600 in T3S, Section 4BC from the Ordinance. The D. Dale Mammen request by separate Ordinance will be considered April 5, 2006.

Plan Map Changed from: M-1 Light Industrial to GC General Commercial

Zone Map Changed from: M-1 Light Industrial to GC General Commercial

Location: T3S, R38E, Sec 4BC, TL 101, 2200 and Portion of 1800 Acres Involved: ~5.5

Specified Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, 9, 20, 11, and 12

Was an Exception Adopted? Yes: _____ No: X

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: N/A No: _____

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

Affected State or Federal Agencies, Local Governments or Special Districts: ODOT and City of La Grande

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

DLCD No.: 004-05 (14865)

ADOPTION SUBMITTAL REQUIREMENTS

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

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

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, 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 _____
SERIES 2006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE,
OREGON, REZONING PROPERTIES BETWEEN INTERSTATE 84 AND
RIDDLE ROAD FROM LIGHT INDUSTRIAL TO GENERAL COMMERCIAL
ON THE COMPREHENSIVE PLAN LAND USE MAP AND FROM M-1 LIGHT
INDUSTRIAL TO GC GENERAL COMMERCIAL ON THE ZONING MAP**

WHEREAS, the applicants, D. Dale Mammen, Howard Butts, and Lester Neely, applied for a Comprehensive Plan Designation Change, File Number 04-CPA-05, and Zone Designation Change, File Number 03-ZON-05, to amend the Comprehensive Plan Map and La Grande Zoning Map to rezone five properties between Interstate 84 and Riddle Road from Medium Density Residential and Light Industrial to General Commercial on the Comprehensive Plan Land Use Map and from R-2 Medium Density Residential and M-1 Light Industrial to GC General Commercial on the Zoning Map; 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 proper notices were published in *The Observer*, mailed to affected property owners within one hundred feet (100') of affected property, and posted on the properties and in City Hall, duly advertising the Planning Commission Public Hearing to consider the applications; 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 on the properties and in City Hall, duly advertising the City Council Public Hearing to consider the applications; and,

WHEREAS, the applications were found to conform to the standards and procedures set forth in the City of La Grande Land Development Code Ordinance Number 3014, Series 2003, Article 8.6 – Zone Designation Change, and Article 8.7 – Comprehensive Plan Designation Change; and,

WHEREAS, the Planning Commission and City Council conducted Public Hearings to receive public testimony on the Ordinance rezoning said property; and

WHEREAS, the City Council met during a Public Hearing on March 8, 2006, separated the Application into two (2) parts, with the First part removing the D. Dale Mammen Request, Tax Lot 1600 in T3S, R38E, Section 4BC, from this Ordinance and issued a decision on remainder; with the Second part considering the D. Dale Mammen request by separate Ordinance;

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

SECTION 1. That the Comprehensive Plan Land Use Map be amended to change the land use designation of a portion of the following property from Light Industrial to General Commercial and that the Zoning Map be amended to change the zoning designation of a portion of the following property from M-1 Light Industrial to GC General Commercial as depicted in Exhibit "A":

Portion of Tax Lot 1800

A parcel of land located in Lot 15, MAY PARK ADDITION, Union County, Oregon, as platted and recorded in the plat records of Union County, Oregon, particularly described as follows:

With reference to survey of Baggett, Griffith & Associates No. 64-74 of August 1974, as recorded in the office of the Union County Surveyor: Beginning at a point on the west line of River Street as platted in May Park, said point found by said survey to be North 0°05'10" East 70.23 feet from the southeast corner of said lot 15 of May Park (which point is 60 feet from when measured at right angles to the northerly side of O.W. R.R. & N. Company railroad right-of-way); thence parallel with the northwesterly line of said right-of-way on the course of South 58°42'57 20 feet, more or less, to the TRUE POINT OF BEGINNING of this description:

From said point of beginning so found and determined; thence South 70.23 feet, more or less, to the northerly right-of-way line of the Union Pacific Railroad (Joseph Branch of O-W R.R. & M. Company); thence Southwesterly 680 feet, more or less, along said right-of-way line to a point at the northeast corner of land conveyed to Bearco Enterprises, LLC (Deed Microfilm No. 20037515, Union County); thence West 63 feet, more or less, to a point located on the east boundary of land conveyed to Quelle, LLC (Deed Microfilm No. 20044790, Union County); thence north along said Quelle, LLC land 250 feet, more or less; thence East 86 feet, more or less; thence South 70 feet, more or less, to the center line of Bearco Loop Road; thence Northeasterly 370 feet, more or less, along said centerline of Bearco Loop Road; thence North 187 feet, more or less; thence East 47 feet, more or less, to a point located on the west boundary of land conveyed to Lester Neely (Deed Microfilm No. 20054506, Union County); thence South along said Neely land 180 feet, more or less, to the southeast corner of said Neely land; thence Northeasterly 202 feet, more or less, to the point of beginning.

SECTION 2. That the Comprehensive Plan Land Use Map be amended to change the land use designation of the following properties from Light Industrial to General Commercial and that the Zoning Map be amended to change the zoning designation of the following properties from M-1 Light Industrial to GC General Commercial as depicted in Exhibit "B" and "C":

Tax Lot 101

A portion of a Lot (or Block) 15 of MAY PARK Addition, Union County, Oregon, particularly described as follows:

Beginning at a point on the west line of said lot 15, where said west line intersects the northerly right-of-way of the Union Pacific Railroad (Joseph Branch of O-W R.R. & M. Company); thence North along the west line of said lot 15, a distance of 57 feet, more or less, to the southeast corner of land conveyed to QUELLE CORPORATION by deed recorded June 20, 1994 as Microfilm Document No. 154296, deed records of Union County, Oregon; said point being also referred to in said document as the southeast corner of the southwest quarter of the northwest of Section 4, Township 3 South, Range 38 East of the Willamette Meridian; thence continuing North along the west line of said lot 15, a distance of 2.0 feet; thence East 2.0 feet; thence South, parallel with the west line of said lot 15, 20.0 feet; thence East 63 feet, more or less, to the northerly right-of-way line of the Union Pacific Railroad (Joseph Branch of O-W R.R. & M. Company); thence Southwesterly along said railroad right-of-way line a distance of 77 feet, more or less, to the point of beginning.

Tax Lot 2200

A parcel of land located in Lot 15, MAY PARK, Union County, Oregon, as platted and recorded in the plat records of Union County, Oregon, particularly described as follows:

With reference to survey of Bagett, Griffith & Associates No. 64-74 of August 1974, as recorded in the office of the Union County Surveyor: Beginning at a point on the west line of River Street as platted in May Park, said point found by said survey to be North $0^{\circ}05'10''$ East 70.23 feet from the southeast corner of said lot 15 of May Park (which point is 60 feet from when measured at right angles to the northerly side of O.W. R.R. & N. Company railroad right-of-way); thence parallel with the northwesterly line of said right-of-way on the course of South $58^{\circ}42'57''$ 128.82 feet to the TRUE POINT OF BEGINNING of this description:

From said point of beginning so found and determined; thence North $0^{\circ}05'10''$ East 177.0 feet; thence North $89^{\circ}54'50''$ West 80.0 feet to a point on the west line of land conveyed to Ronald K. Moulton and James H. Casper (Deed Microfilm No. 73960, Union County); thence South along the west line of said Moulton-Casper tract (found by survey to be South $0^{\circ}05'10''$ West) a distance of 225.56 feet to a point which is 60 feet from when measured at right angles to said railroad right-of-way; thence North $58^{\circ}42'57''$ East 93.70 feet to the true point of beginning.

SECTION 3. The City Council adopts the Findings of Fact and Conclusions of Law as set forth in the City Council Staff Report.

SECTION 4. Effective Date. 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, April 7, 2006.

ADOPTED this eighth (8th) day of March, 2006, by _____ () of _____ () Councilors present and voting.

APPROVED this eighth (8th) day of March, 2006.

Colleen F. Johnson
Mayor

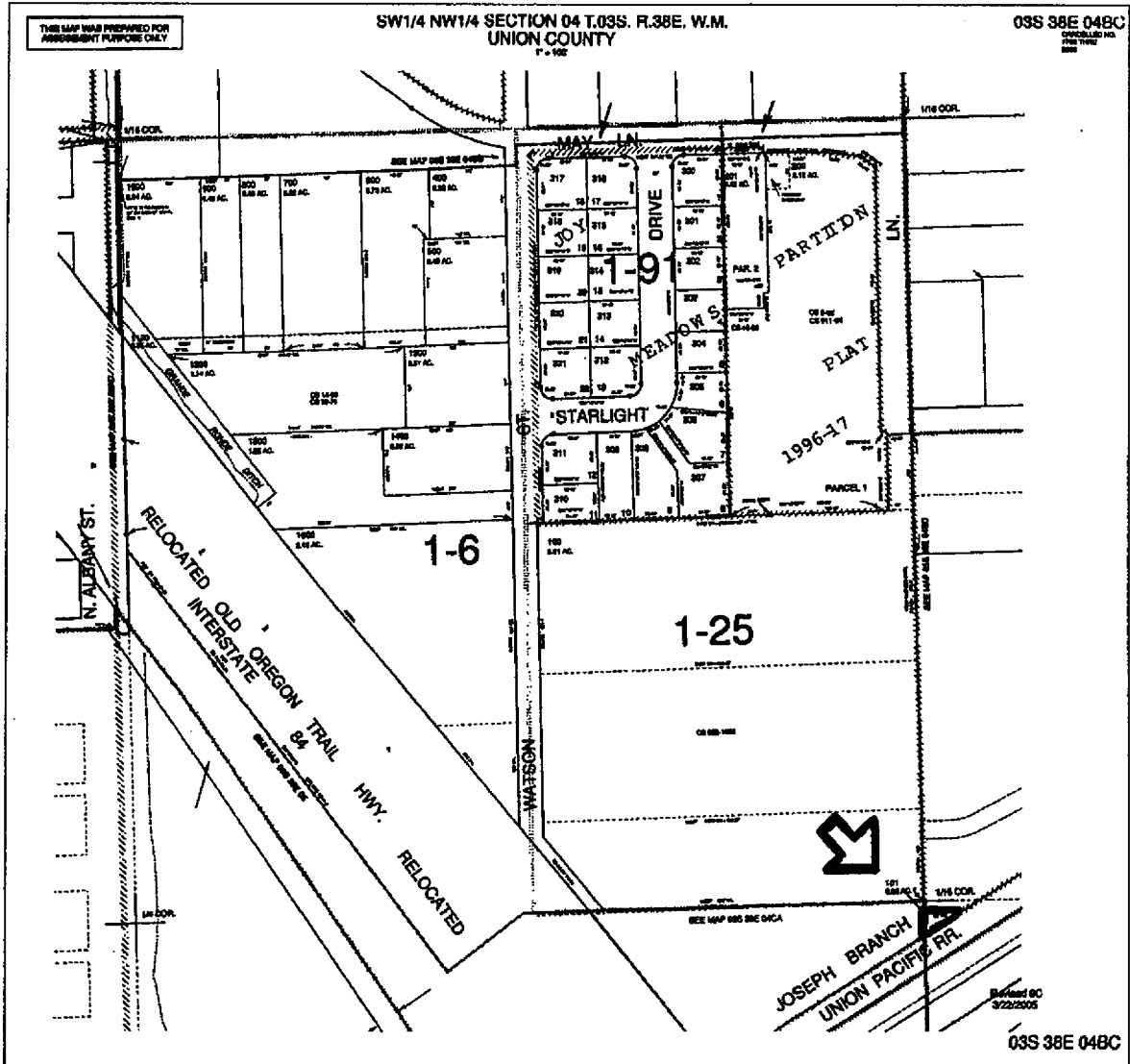
ATTEST:

Alexandra Norgan Lund
City Recorder

APPROVED AS TO FORM AND CONTENT:

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

EXHIBIT B



CITY OF LA GRANDE CITY COUNCIL

FINDINGS OF FACT

APPLICATION FILES:	04-CPA-05 and 03-ZON-05
APPLICANT:	Dale Mammen, Howard Butts and Lester Neely
PROPOSAL:	Comprehensive Plan Designation Change and Zone Designation Change
LOCATION:	Property in the vicinity of Rendezvous RV Park, Bearco Business Park and Riddle Road, specifically property as being in T3S, R38E, Section 4BC, Tax Lots 100 and 101, and 1600, as well as Section 4BD, Tax Lots 1800 and 2200, La Grande, Union County, Oregon
PRESENT COMPREHENSIVE PLAN DESIGNATION:	Medium Density Residential and Industrial
PROPOSED COMPREHENSIVE PLAN DESIGNATION:	Commercial
PRESENT ZONING DESIGNATION:	R-2 Medium Density Residential and M-1 Light Industrial
PROPOSED ZONING DESIGNATION:	GC General Commercial

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SCHEDULE OF EVENTS

December 7, 2005	The application was submitted and deemed incomplete.
December 8, 2005	Notice mailed to DLCD for 45 day notice in advance of first evidentiary hearing
January 3, 2006	Notice of Public Hearing mailed to affected property owners and Development Review Committee advertising the January 24, 2006, Planning Commission, Regular Session
January 3, 2006	Notice of Public Hearing published in <i>The Observer</i> , advertising the January 24, 2006, Planning Commission, Regular Session
January 24, 2006	Planning Commission Public Hearing and Recommendation to Council
February 8, 2006	City Council Public Hearing and First Reading of Ordinance
March 8, 2006	City Council Public Hearing and Second Reading of Ordinance
April 2006	Ordinance Effective Date; End of 30 Day Appeal Period

PROPOSAL DESCRIPTION

1. This request first included seven (7) properties. Two (2) of the properties were owned by the Oregon Department of Transportation (ODOT) and are identified as Tax Lots 2100 and 2300 in Section 04BD. These two (2) Lots were acquired by ODOT via a property acquisition that was part of the relocation of the Bearco Loop/Riddle Road intersection. The public notice for this request identified these two (2) Tax Lots as part of the request. These properties were recently purchased from ODOT by the owner of the property to the North, Tax Lots 1300 and 2000 in Section 04BD, which are zoned M-1 Light Industrial and developed as an outdoor vehicle storage yard. This property owner has requested that Tax Lots 2100 and 2300 be removed from this request.
2. After amending this request, it included five (5) properties, which are separately owned by the three (3) Applicants. Each Applicant has an individual interest in rezoning their property to GC General Commercial. As a result, they were encouraged to coordinate with each other and file one (1) joint application request. Subsequent to the Planning Commission's Public Hearing, a series of comments were submitted by the Oregon Department of Land Conservation and Development (DLCD) that required a more detailed analysis of pedestrian and vehicle impacts to the transportation system. This analysis is required to demonstrate compliance with the Oregon Transportation Planning Rule (TPR). The issues that must be discussed in the TPR findings included the potential for the subject properties to be redeveloped with a greater or more intense use.

As a result of DLCD's concerns on the possible redevelopment of the subject properties, the owners of the Rendezvous RV Park property withdrew such property from the Rezone proposal. As discussed during the Public Hearing before the Council in February, this property is currently zoned General Commercial, but the property owners were interested in having the Limited Use Overlay Zone removed, which limited development to only RV Parks. Since this property is nearly built out with plans underway to complete construction of the final phase of the park, the owners did elect to simplify the application by removing the RV Park from the rezone request.

3. As discussed in #1 and #2 above, this request has been reduced to include only four (4) properties, which are separately owned by the three (3) Applicants. Each Applicant has an individual interest in rezoning their property to GC General Commercial. As a result, they were encouraged to coordinate

with each other and file one (1) application request. Following is a list of the properties involved, ownership and general intent for the rezone request:

- a. Dale Mammen, Section 04BC, Tax Lots 1600 (See Exhibit C1). Dale Mammen has recently purchased Tax Lot 1600, which is zoned R-2 Medium Density Residential. He is requesting to change the zoning of Tax Lot 1600 to GC General Commercial to facilitate the development of this property with a commercial use.
 - b. Howard Butts, Section 04BD, Tax Lot 1800 and Section 04BC, Tax Lot 101 (See Exhibit C1 and C2). Mr. Butts owns Bearco Industrial Park, which is zoned M-1 Light Industrial. Mr. Butts requests that the Southern portion of his property be rezoned to GC General Commercial to resolve nonconforming use issues and to facilitate the development of commercial uses. The area to be rezoned includes a retail shoe/boot store, retail auction business, several office businesses, and commercial business signage.
 - c. Lester Neely, Section 04BD, Tax Lot 2200 (See Exhibit C2). Mr. Neely owns the former Joe's Place, which was a restaurant/tavern. This property lies within the M-1 Light Industrial Zone. Mr. Neely requests his property to be rezoned to GC General Commercial to resolve nonconforming use issues. By doing so, it would provide a better opportunity for him to improve this property, continue and/or expand the existing restaurant use, or to consider changing the occupancy to another commercial use type if necessary.
4. Together, this consolidated application request amounts to approximately nine (9) acres.

LAND DEVELOPMENT CODE CRITERIA

Ordinance Number 3014, Series 2003

ARTICLE 8.6 – ZONE CHANGE DESIGNATION. In accordance with 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: The Findings addressing the Comprehensive Plan are discussed in its own Section later in this Report. It is important to note that an Application has not been submitted for a specific development at this time. As a result, full compliance with the Land Development Code Ordinance cannot be assessed. However, general issues are discussed in Criterion B, C and D below. The Findings within these three (3) Criterion, as well as the Findings in the Comprehensive Plan section later in this Report demonstrate compliance with this Criterion.

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

Finding: The properties included in this request are all of adequate size to facilitate the development of commercial uses.

The Residentially zoned property, owned by Mammen is triangular in shape and is 2.12 acres in size. The minimum lot size in the GC General Commercial Zone is 2500 square feet. Although this property is triangular in shape, the fact that it encompasses two (2) acres makes it large enough to develop with commercial uses along with the required support infrastructure. If the property was to remain Residentially Zoned, the shape of the property would make it challenging to achieve the residential density prescribed by the zone. The density for the R-2 Zone is 5-10 dwelling units per acre. It can support up to 21 housing units.

The other properties in this request (Butts and Neely properties) are irregular in shape, but are currently developed with nonconforming commercial uses. Tax Lot 1800, owned by Howard Butts, does have some vacant areas that would support additional commercial office or retail use types. Due to the existing uses that exist on the property, it has all ready been demonstrated that the property is suitable for this type of development. Due to the long and narrow lot shape, it is unlikely to redevelop into any large box retail uses or other uses that require a lot of lot area. The only way this would occur is if adjacent industrial properties are purchased, rezoned and included in a larger redevelopment project.

In summary, these lots are all of adequate size to facilitate the existing uses and the uses proposed by the Applicants.

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

Finding: These properties are all served by existing local, minor collector and arterial streets. The properties owned by Howard Butts and Lester Neely are accessed by Bearco Loop via Riddle Road. Bearco Loop is a local street. Riddle Road is identified as a local street on the La Grande Transportation System Plan, but functions as a minor collector street. This is due to a recent ODOT project that improved Interstate 82 (Island Avenue), which is an Arterial Street, to include a traffic signal at Riddle Road. This signal was originally intended to be installed at 26th Street, which is a minor collector street, that would have tied into May Lane, which is also a collector street. Due to complicating mitigation issues, the Riddle Road/HWY 82 intersection received the traffic signal, thus changing the function of Riddle Road between May Lane and HWY 82 to a minor collector street.

As part of the Riddle Road/HWY 82 intersection project, the Riddle Road/Bearco Loop road intersection was relocated provide for a greater stacking distance from the HWY 82 intersection. This relocation not only improved the stacking distance at the HWY 82 intersection, but also improved the stacking distance and vehicle circulation at the Bearco Loop Road intersection. Both Bearco Loop Road and Riddle Road were substandard streets. Now Riddle Road conforms to the City's right-of-way standards and Bearco Loop Road, which is a private road, has a City standards street intersection to better facilitate ingress and egress.

The property within the Bearco Loop Road area is primarily built out. While there are a couple small vacant areas that can be further developed in the proposed rezone area, there is expected to be very little impact if any to the transportation system as a result of the rezone. Projected traffic volumes, based on the Trip Generation Manual 7th Addition, published by the Institute of Transportation Engineers (ITE) are provided for in the Oregon Transportation Planning Rule (TPR) Findings Below. These findings demonstrate that transportation system

is adequate to serve the potential traffic that could be generated by the rezone; and that there is NO SIGNIFICANT EFFECT to the transportation system.

The property acquired by Mammen, Tax Lot 1600, is primarily vacant. It does include a small dwelling and a couple of small outbuildings, which are all centrally located on the property. The majority of the property is developed as a pasture or field. This property has a low improvement value and is a prime candidate for redevelopment. Mr. Mammen intends to redevelop this property with a commercial use that will likely be accessed from Watson Road, via May Lane. Watson Road is a local street and May Lane is a collector street. Again, projected traffic volumes, based on the Trip Generation Manual 7th Edition, published by the Institute of Transportation Engineers (ITE) are provided for in the Oregon Transportation Planning Rule (TPR) Findings Below. These findings demonstrate that transportation system is adequate to serve the potential traffic that could be generated by the rezone; and that there is NO SIGNIFICANT EFFECT to the transportation system.

Verbal comments from the La Grande office of the Oregon Department of Transportation, ODOT, suggest little or no concern over the traffic impacts created from Mammen's property if it is accessed from Watson Road via May Lane. The reason is due to the transportation route and distance to the Riddle Road and Island Avenue.

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

Finding: The abutting properties are mostly developed or built out, with the exception of the property directly North of Rendezvous RV Park. Traffic issues are discussed in the TPR findings below, which demonstrate that NO SIGNIFICANT EFFECT will occur to the transportation system. As far as impacts to the development of abutting properties, no significant effects are expected. Commercial and residential uses co-exist throughout La Grande. The City's Land Development Code Ordinance requires that new commercial development file a Site Plan Application, where neighborhood impacts will be considered and mitigation measures could be imposed if impacts are found to exist. Other properties abutting this request are industrially zoned and have co-existed with the residential uses in the area. By changing to a commercial zone in some areas, it is expected to be an improvement with regards to impacts that may occur.

Following are the uses permitted in the General Commercial Zone, per Section 2.2.009:

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*
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*
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*

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, which include the La Grande Transportation System 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 are addressed in a separate section later in this Report, which reflects compliance with such Goals.

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, which reflects compliance with such Goals.

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

Finding: As discussed above, there are existing nonconforming uses on the properties included in this request. This request is intended to resolve these nonconforming uses, as well as facilitate the development of other commercial uses. Also, as discussed 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 has been adopted by the City Council of the City of La Grande, the Union County Commissioners and accepted and acknowledged by the Oregon Department of Land Conservation and Development.

No detailed traffic studies have been conducted for the properties included in this request. However, factual information is provided that discusses traffic volumes, as prescribed in the Trip Generation Manual 7th Addition, published by the Institute of Transportation Engineers (ITE). These findings are discussed in the Oregon Transportation Planning Rule (TPR) Findings Below. These findings demonstrate that transportation system is adequate to serve the potential traffic that could be generated by the rezone; and that there is NO SIGNIFICANT EFFECT to the transportation system

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. This standard has been met.

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 minor implications for the local economy as the property is mostly built out. If the proposed rezoning is approved, the property could be used in the future for a wide range of commercial land uses allowed either outright or conditionally in the GC General Commercial Zone. 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.

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

Findings: One (1) property (Section 4BC, Tax Lot 1600) in this request is currently zoned for Medium Density Residential development as are several properties to the North of the Rendezvous RV Park. Due to the shape of this property, it will be difficult to develop to the density prescribed by the Medium Density Residential Zone, which is 5-10 units per acre or 11 to 21 total units. Also, this property is sandwiched between Interstate 84 and Rendezvous RV Park and is in close proximity to a bulk propane fuel storage facility to the South. These abutting or nearby uses are not desirable for

residential uses to be developed on this property, lending it more desirable for commercial development.

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 Goal 9 above, the Needs Analysis is sure to result in lesser oversupply of Residential land, but an oversupply nonetheless. In conclusion, the re-designation of this property as requested will result in a decrease in the oversupply of Medium Density Residential land, bringing the City of La Grande closer to the inventory it should have for a twenty (20) supply.

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: All of these property are either served or can be served with urban services. Through the City's development review process, the accessibility and suitability of these services are reviewed to ensure that they are in place and adequate to serve the development. The impacts of future uses are determined and mitigated during the development review process, not during a change in the zoning designation.

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

Findings: The properties are served by Riddle Road, Bearco Loop, May Lane and Watson Road. As discussed above, these properties are mostly built out and the existing transportation system has proven to be adequate to serve these properties. If the properties are rezoned and further developed with commercial uses, the development review process will ensure that there is adequate ingress and egress and that any required right-of-way improvements will be installed in accordance with City standards. The Findings under the TPR Section below demonstrates that these roadways are adequate to serve future development and that this rezone has NO SIGNIFICANT EFFECT on the transportation system. Depending on the development proposed, a Traffic Impact study could be required in the future, which would determine the existing capacity of the existing streets, their ability to support additional development and what transportation system improvements may be necessary.

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.

Finding: 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 identifies 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.

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

Findings: The existing uses on the properties are commercial and industrial in nature. Similar uses exist on abutting properties, with the exception of the properties located to the North of Rendezvous RV Park. These property have co-existed with commercial and industrial uses for more than twenty (20) years with no significant conflicts. At the time that the properties included in this rezone request develop, compatibility with surrounding uses will be evaluated and mitigation measure will be required if necessary.

By changing the land use zone to GC General Commercial, the existing nonconforming uses will become conforming/permitted uses. Also, other commercial uses that are complimentary to the existing uses will be permitted, which will enhance economic development in this area of La Grande.

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

Findings: Alternative sites and uses are normally considered when siting new uses. However, in this case, the primary intent is to resolve nonconforming use conflicts. Looking at alternative sites is not necessary for a request such as this.

Goal 9 – Economic Development

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: As discussed previously, many of the surrounding properties are commercial in nature and they have little or no negative impact on the living conditions in the area. The Applicant's request will be compatible with the surrounding uses. This has been demonstrated by the fact that no new uses are proposed at this time and the existing uses have proven to be compatible with the area. Any new uses that should be proposed in the future will be reviewed for compliance with this Policy during the development (Site Plan Application) review process. Neighborhood compatibility is a serious consideration when reviewing land use applications and mitigation measures are often required.

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

Finding: The properties are all ready developed in a manner where customer involvement can occur from store to store. However, as the area is mostly industrially zoned, it is difficult to promote or encourage this type of activity. By changing the zone to Commercial, other uses may be incorporated into the area that will facilitate more customer involvement.

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 both commercial and industrial development. It is provided with good access via Island Avenue, Riddle Road and May Lane. The property is in an area where good access is developed for serving the trade area. The area is also in the path of La Grande's future growth. The properties to the East are likely to be redeveloped with commercial or industrial uses, which will further enhance the economic development of the area.

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. Most of these properties are currently developed with existing commercial uses that have proven to be compatible with surrounding uses. At the time that a land use application is filed for new development, the review process will follow the City's Land Development Code Ordinance provisions that consider the safety, health and design of development. This process requires public notice to be mailed to property owners and provides them with the opportunity to participate in the review process. Should any party be grieved by the land use decision, they have the opportunity to appeal the decision to the La Grande City Council and to LUBA if necessary.

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

Policy 16: That certain non-residential uses be located within residential areas if careful control is exercised over their location and their relationship to abutting property.

Finding: The properties included in this request are located adjacent to, not within residential areas. However, there may be additional traffic impacts introduced to the abutting residential area with new/future development. This issue has been discussed previously and will be discussed further in the Transportation Planning Rule section below.

Again, through the development review process that will occur when a development plan is submitted for one or more of these properties, the City will look at neighborhood impacts and address any issues that arise. Mitigation measures could include landscaping, fences, right-of-way improvements, street trees, traffic control devices, etc.

Goal 11 – Public Facilities and Services

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

Finding: Urban services are available on or adjacent to all of these properties. This standard is all ready met.

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.

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, the transportation system is to promote economic development and meet pedestrian, bicycle and vehicle transportation needs. None of the policies in the Transportation System Plan are development specific, but do give guidance to the City when making transportation system improvements.

Findings: At the time that development occurs, right-of-way improvements may be required in order to bring the transportation system closer to compliance with City standards. Depending on the type and size of development proposed in the future, specific right-of-way improvement will be evaluated. For example, development projects that generate a minimum of four hundred (400) vehicle trips per day are required to submit a "Traffic Impact Study". Such study must analyze 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 in the Transportation Planning Rule findings below.

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.

Findings (Criterion 1a): This request will not change the functional classification of the existing transportation facility. The HWY 82 (Island Avenue) is an arterial street which is the highest classification of street in the system. May Lane is a collector street and Riddle Road functions as a collector street as a result of the I-84/Riddle Road improvements that have recently occurred. Due to the location and current classification of these streets they cannot be increased to a higher functional classification.

Findings (Criterion 1b): There are no implementing standards proposed to be changed with this request that will affect the transportation system.

Findings (Criterion 1c): Table D8, in the La Grande Transportation System Plan, projects that the Level of Service (LOS) for the Riddle Road/Hwy 82 intersection will be an LOS B in the year 2015. The LOS in 1998 was also identified at an LOS B (see Figure 4-5 in the La Grande TSP). The LOS is not expected to change as a result of growth, primarily due to planned transportation system improvements that include the installation of a traffic signal at the Hwy-82/Riddle Road or the 26th Street intersection and also improving Cove Avenue with full right-of-way improvements for a collector street. These projections are based on a .98% growth rate. The City of La Grande has an acknowledged .7% growth rate (approximate). The TSP projections tend to be higher or more extreme than what is actually expected due to the projections being based on the higher growth rate.

Within the past two (2) years, the planned improvements for Hwy 82 and Cove Avenue have been installed. This includes installing a traffic signal at the Riddle Road/Hwy 82 intersection and

improving Riddle Road with full City standards improvements (curbs, sidewalks, etc.). As a result, it can be assumed that the LOS at the Riddle Road/Hwy 30 intersection is at the LOS B, which was projected for 2015 and perhaps even better than LOS B.

What the projection did not take into consideration were the recent improvements of Mulholland Drive, from the Riddle Road/Hwy 82 intersection, East to Walton Road. With this additional roadway, the level of service at the Riddle Road/Hwy 82 intersection is almost guaranteed to be better than the projected LOS B and should remain so beyond the projected 2015. As a point of reference, a LOS E is considered the worst acceptable level of service before additional improvements are warranted. This is clearly not the case for the Riddle Road/Hwy 82 intersection.

In considering the proposed rezone and evaluating its impacts on May Lane, Riddle Road and Hwy 82, the added traffic volumes from build-out will have little impact on the transportation system. For the Mammen property (Tax Lot 1600), the maximum traffic volumes projected at build-out under the existing zoning is 201 vehicle trips per day. This is projected at the worst case scenario. Under the proposed commercial zoning, the worst case scenario would be an additional 233 vehicles trips per day, which is projected for a large administrative office use.

The vehicle trips from the Mammen property will impact Watson Road, then May Lane, then disperse from there with the majority of the traffic likely to flow to Riddle Road, then Hwy 82. Watson Road is a local street that has recently been improved with a paved surface and sidewalks on one side. May Lane is a collector street with a paved surface and gravel shoulders. These roads are designed to support substantially more traffic than the existing traffic volumes plus what would be added to the system as a result of the Mammen rezone. However, at some point in the future, May Lane will need to be improved West of Riddle Road to Spruce Street. As the Mammen property does not abut May Lane, City Ordinances do not require him to contribute financially to such improvements. The future May Lane improvements could be funded by grants, a Local Improvement District (L.I.D.) or other funding mechanism yet to be determined. The Mammen rezone is NOT A SIGNIFICANT EFFECT on the transportation system.

Similar findings are true for the Butts and Neely properties (Tax Lots 101, 1800 & 2200). The undeveloped areas that must be considered are long, narrow pieces of land that will be difficult to developed with high traffic generating uses. Plus, much of the rezoned property is all ready built out and the rezone is merely to resolve nonconforming use issues. Under the existing industrial zoning, 90.6 vehicle trips per day is projected for the build out of vacant land areas, based on the worst case scenario. Under the proposed commercial zoning, the worst case scenario would only be increased by 110 vehicle trips per day. This projection would be for a retail apparel store, which is not a likely scenario for this location. Even so, this is NOT A SIGNIFICAN EFFECT on the transportation system. This traffic will utilize Riddle Road which is improved to full City standards and most traffic will flow through the Riddle Road/Hwy 30 intersection which is signalized and assumed to be at a LOS B, as discussed above.

The data supporting this analysis is as follows. The traffic volumes projected by existing and proposed uses are based on the Trip Generation Manual 7th Addition, published by the Institute of Transportation Engineers (ITE):

Mammen's Property
Change from Residential Zone to General Commercial Zone:

Existing Residential Volumes:

- 9.57 vehicle trips per day, per residence (single family/duplex).
 - ✓ Residential acreage involved (Tax Lot 1600) = 2.12 acres
 - ✓ Maximum projected number of dwelling units = 21
 - ✓ Maximum traffic volume projected = 201 vehicle trips per day

Proposed General Commercial Volumes:

- Administrative/Professional Office
 - ✓ 3.62 vehicle trips per day/per employee (single tenant office)
 - ✓ Average number of employees = 15 per office (120 total)
 - ✓ Maximum projected number of offices = 8
(Based on other businesses in La Grande. 2 Acres may possibly support 7 3,000 sq. ft. buildings with required parking lots [12,000 square feet each lot] supporting 15 employees each)
 - ✓ Maximum traffic volume projected = 434 vehicle trips per day

- Nursery (Garden Center)
 - ✓ 22.13 vehicle trips per day/per employee
 - ✓ Average number of employees = 15
 - ✓ Projected traffic volume = 332 vehicle trips per day

Worst Case Scenario traffic increase: 233 vehicle trips per day.(Office Use)

(Note: Due to the location and limited access to this residential area, the above uses are considered the worst case scenario that could reasonably be considered. Restaurants were are not a realistic assumption as there is a maze of roads/no direct access making it not very realistic for this type of use.)

Butts and Neely Property

Change from Light Industrial Zone to General Commercial Zone:

Industrial Volumes: (Projected for vacant areas only)

- General Industrial
 - ✓ 3.02 vehicle trips per day/per employee
 - ✓ Estimate number of existing employees = 30+
 - ✓ Projected traffic volume = 90.6 vehicle trips per day

General Commercial Volumes: (Projected for vacant areas only)

- Administrative/Professional Office
 - ✓ 3.62 vehicle trips per day/per employee (single tenant office)
 - ✓ Average number of employees = 15 per office (120 total)
 - ✓ Maximum projected number of offices = 2
(Based on other businesses in La Grande. The site has a long narrow vacant area that may possibly support 2 3,000 sq. ft. buildings with shared parking lots [12,000 square feet or less for each lot] supporting 15 employees each)
 - ✓ Maximum traffic volume projected = 108 vehicle trips per day

- Apparel Store (one)

- ✓ 66.4 vehicle trips per day/per 1000 sq. ft. of floor area
- ✓ Projected floor area = 3,000 sq. ft.
- ✓ Projected traffic volume = 199 vehicle trips per day

Worst Case Scenario traffic increase: 110 vehicle trips per day.

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. It must be noted that in the area of this application, the City of La Grande has acquired a ditch property that may facilitate a bicycle/pedestrian path that connects Hwy 82 to a large City park approximately 1 mile northwest of this site. Also, other improvements will likely be improved along May Lane to provided pedestrian and bicycle connectivity to neighborhood areas to the North and West.

CONCLUSIONS

1. Due to existing concerns of the Transportation System impact upon May Lane, the property owned by D. Dale Mammen at Section 4BC, Tax Lot 1600, was withdrawn from the proposed Ordinance and will be under separate consideration at the City Council Regular Session on April 5, 2006.

Attachments

EXHIBIT 'A'

Current Zoning
w/ Affected Area Hatched

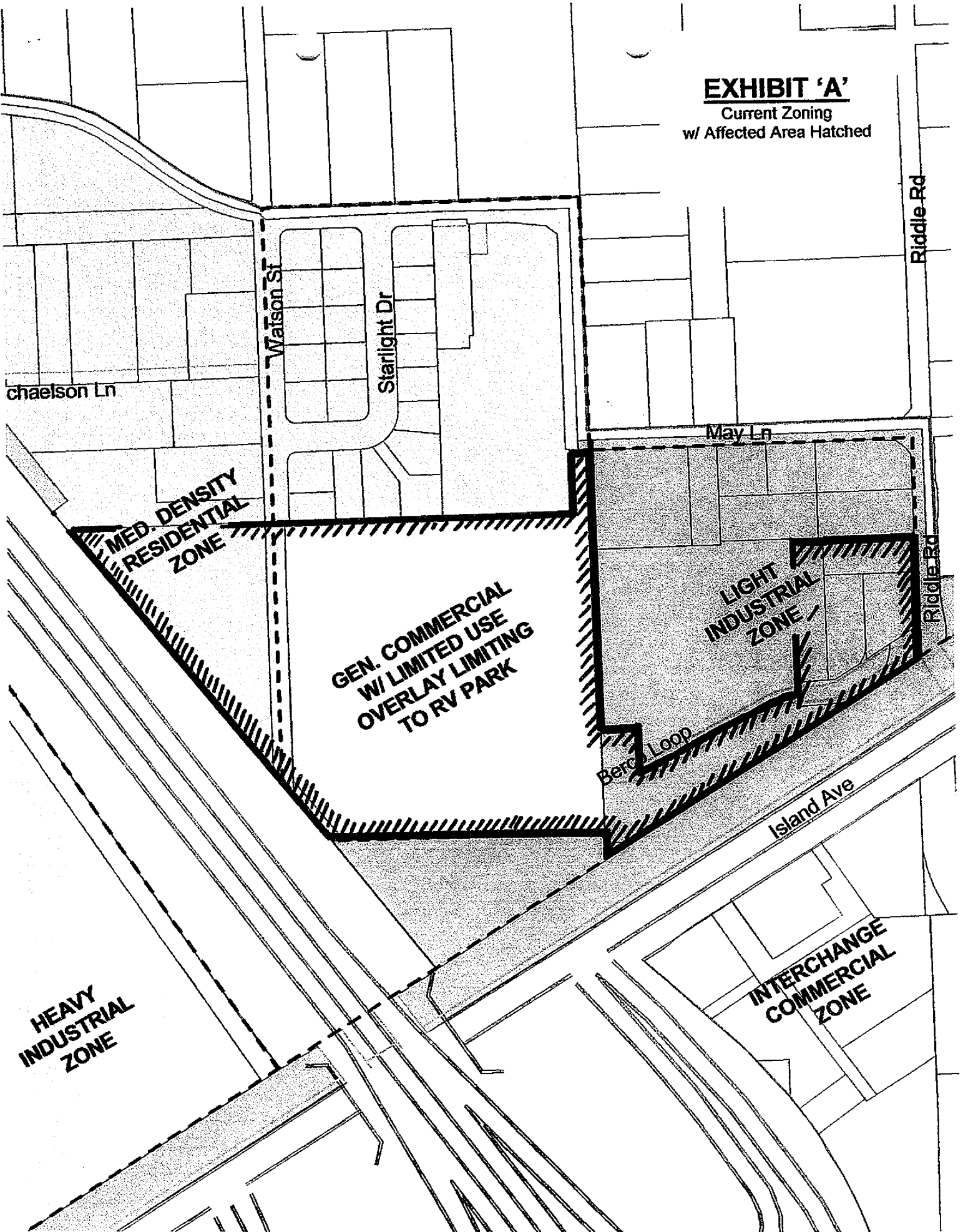


EXHIBIT 'B'

Vicinity Map w/ Affected Area Marked
And Proposed Amendment Noted

Chaelson Ln

Watson St

Starlight Dr

May Ln

Riddle Rd

Riddle Rd

**PROPOSED
REZONE FROM
MED. DENSITY RES.
TO GEN. COMMERCIAL**

**GC ZONE
PROPOSED TO
REMOVE LIMITED
USE OVERLAY
LIMITING TO
RV PARK**

**PROPOSED
REZONE FROM
LIGHT INDUSTRIAL
TO GEN. COMMERCIAL**

Berco Loop

Island Ave



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SW1/4 NW1/4 SECTION 04 T.03S. R.38E. W.M.
UNION COUNTY
1" = 100'

03S 38E 04BC
CANCELLED NO.
1700 THRU
2000

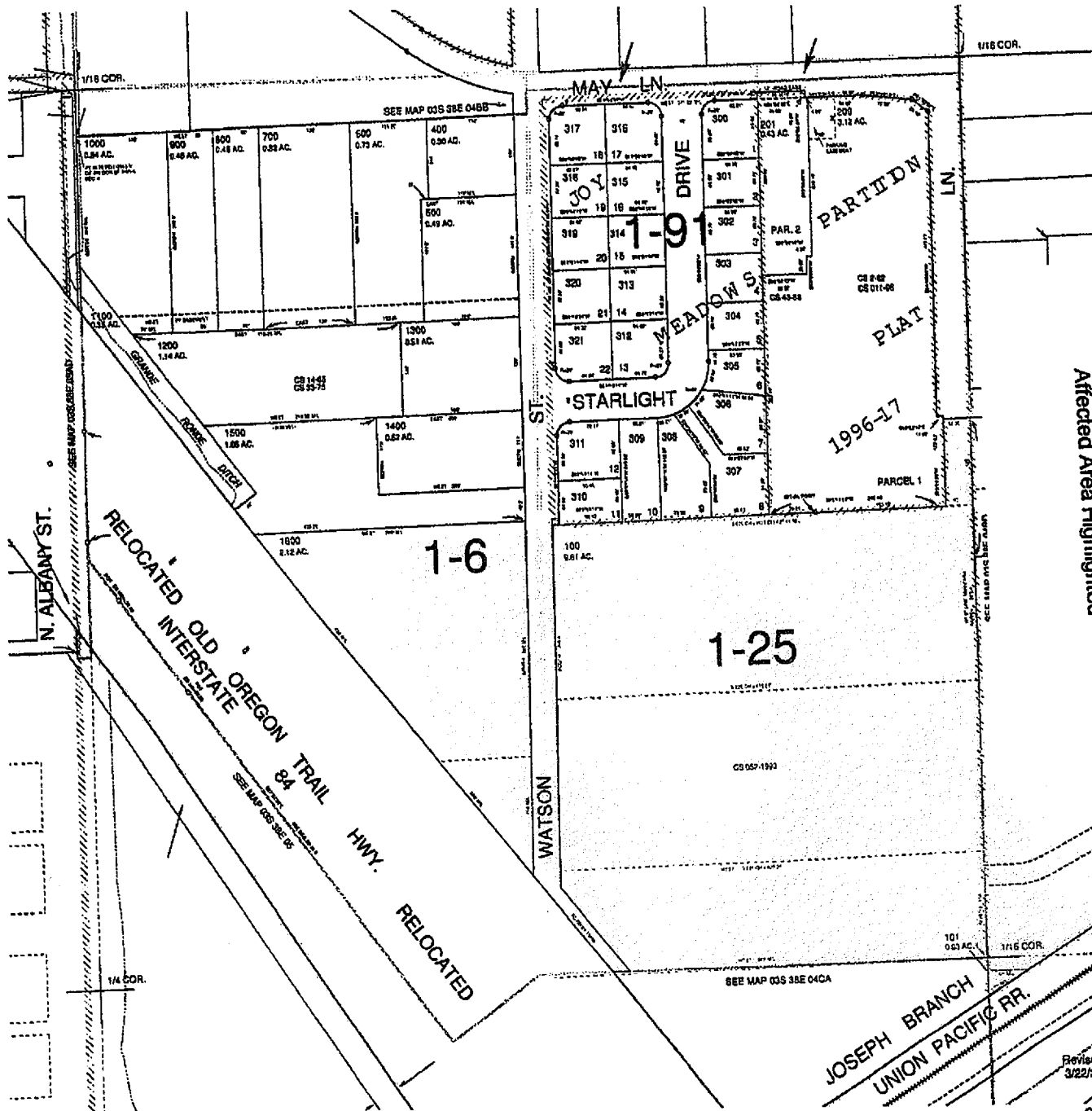


EXHIBIT 'C1'
Tax Assessor Map (Section 04BC)
Affected Area Highlighted

Revised 9C
3/22/2005

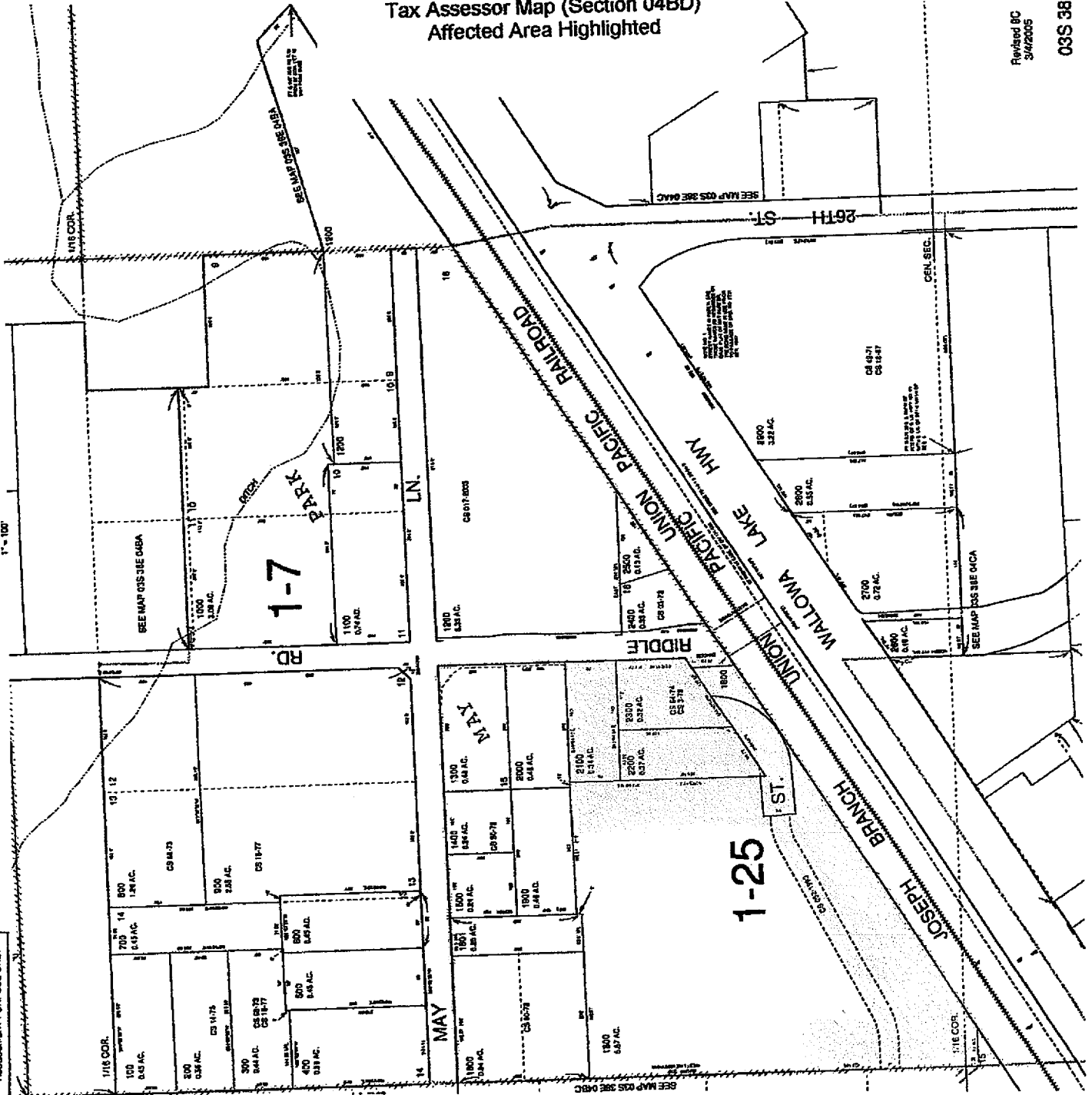
03S 38E 04BC

SE 1/4 NW 1/4 SECTION 04 T.03S. R.38E. W.M.
UNION COUNTY
1" = 100'

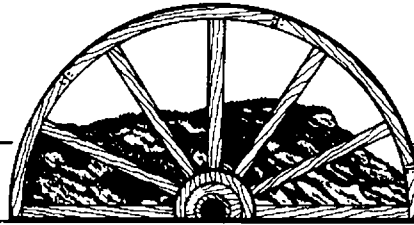
EXHIBIT 'C2'

Tax Assessor Map (Section 04BD)
Affected Area Highlighted

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



CITY OF



LA GRANDE

THE HUB OF NORTHEASTERN OREGON

PLANNING DIVISION • P.O. Box 670 • 1000 Adams Avenue • La Grande, OR 97850
Phone: (541) 962-1307 • Fax: (541) 963-3333 • Email: lgplanning@uwtc.net • Web: www.planning.ci.la-grande.or.us

March 14, 2006

Attn: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

RE: Notice of Adoption

Dear Plan Amendment Specialist,

Enclosed is a copy of the adopted Ordinance approving rezoning properties on the Comprehensive Plan Land Use Map and on the Zoning Map. The original Ordinance is yet to be signed by the City Attorney. This Ordinance was approved by the La Grande City Council on March 8, 2006 and is in the thirty (30) day appeal period. When the Ordinance has been signed and recorded, a copy will be provided to your Department.

Please call our office at (541) 962-1307 if you have any questions.

Sincerely,

Michael J. Boquist
City Planner

MJB/bt

DEPT OF

MAR 16 2006

LAND CONSERVATION
AND DEVELOPMENT

Enclosures

Pc. Darren Nichols, DLCD, 105 Fir Street, Suite 336, La Grande, OR 97850