



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: September 16, 2015
Jurisdiction: Wasco County
Local file no.: PLAQJR-15-02-0001
DLCD file no.: 004-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 09/14/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 42 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

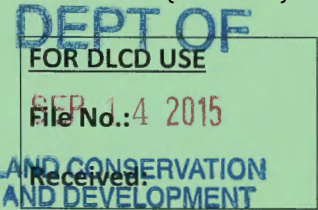
If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION



Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Wasco County

Local file no.: **PLAQJR-15-02-0001**

Date of adoption: 9/2/15

Date sent: 9/9/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 6/30/15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Dawn Baird, Associate Planner

Phone: 541-506-2560

E-mail: dawnb@co.wasco.or.us

Street address: 2705 E Second Street

City: The Dalles

Zip: 97058-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from change.	to	acres.	A goal exception was required for this
Change from change.	to	acres.	A goal exception was required for this
Change from change.	to	acres.	A goal exception was required for this
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from TV-R	to TV-C	Acres: 0.92
Change from TV-C	to TV-R	Acres: 0.50
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 4S 13E 3CC, Tax Lots 3400 & 4300

List affected state or federal agencies, local governments and special districts: School District 1, Tygh Valley Fire Districtm, Tygh Valley Water District

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Change zoning of old Tygh Valley Methodist Church on tax lot 3400 from Tygh Valley-Residential to Tygh Valley-Commercial, to allow use of the building for community event space, event rental space, small business incubator, community garden and open space, and religious events; change zoning on tax lot 4300 from Tygh Valley-Commercial to Tygh Valley-Residential for property that has been in residential use for 50+ years.



Wasco County Planning Department

"Service, Sustainability & Solutions"

2705 East Second St. • The Dalles, OR 97058
(541) 506-2560 • wcpplanning@co.wasco.or.us
www.co.wasco.or.us/planning

NOTICE OF DECISION Wasco County Board of Commissioners

FILE # PLAQJR-15-02-0001

HEARING DATE: September 2, 2015
NOTIFICATION DATE: September 3, 2015

REQUEST: Rezone two properties in Tygh Valley:

1. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley
2. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

DECISION: Approval, with conditions and findings in the Final Board of Commissioners report.

APPLICANTS/OWNERS:

4S 13E 3CC 3400
Mike (Irl) and Laila Davis
P.O. Box 188
Tygh Valley, OR 97063

4S 13E 3CC 4300
Randy Cox
82675 Wamic Market Road
Tygh Valley, OR 97063

PROPERTY INFORMATION:

Zoning: 4S 13E 3CC 3400: TV-R, Tygh Valley Residential
4S 13E 3CC 4300: TV-C, Tygh Valley Commercial

Location: 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon.
4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon. These properties are more specifically described as:

<u>Existing Tax Lot</u>	<u>Account #</u>	<u>Acres</u>
4S 13E 3CC 3400	10604	0.92
4S 13E 3CC 4300	10589	0.50

ATTACHMENTS:

- A. Conditions of Approval
- B. Appeal Information
- C. Maps
- D. Board of Commissioners Final Report
- E. Detailed Project Description

Prepared by Dawn Baird, Associate Planner

ATTACHMENT A

CONDITIONS OF APPROVAL

1. Septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use.
2. The subject parcels are located in the EPD-2, Geologic Hazard Overlay Zone (Landslide Area). Future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare.

SIGNED THIS 2nd day of September, 2015, at The Dalles, Oregon.

Scott Hege, Chair
Wasco County Board of Commissioners

State of Oregon
County of Wasco

Signed or attested before me on September 2, 2015, by Scott Hege, Chair, Wasco County Board of Commissioners.

Notary Public – State of Oregon

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: Oregon Revised Statutes, Chapter 215, requires that if you receive this notice, it must promptly be forwarded to the purchaser.

ATTACHMENT B
APPEAL INFORMATION

APPEAL PROCESS:

The decision date for this land use review is **Wednesday, September 2, 2015**. The decision will be mailed to affected property owners and agencies on **Thursday, September 3, 2015**. The decision of the Board of Commissioners shall be final unless an appeal is received by the State Land Use Board of Appeals, from an aggrieved party, within twenty-one (21) days of the mailing date of this decision, **Thursday, September 24, 2015**

A complete record of the matter is available for review upon request during regular business hours or copies can be ordered at a reasonable price at the Wasco County Planning Department.

FINDINGS OF FACT:

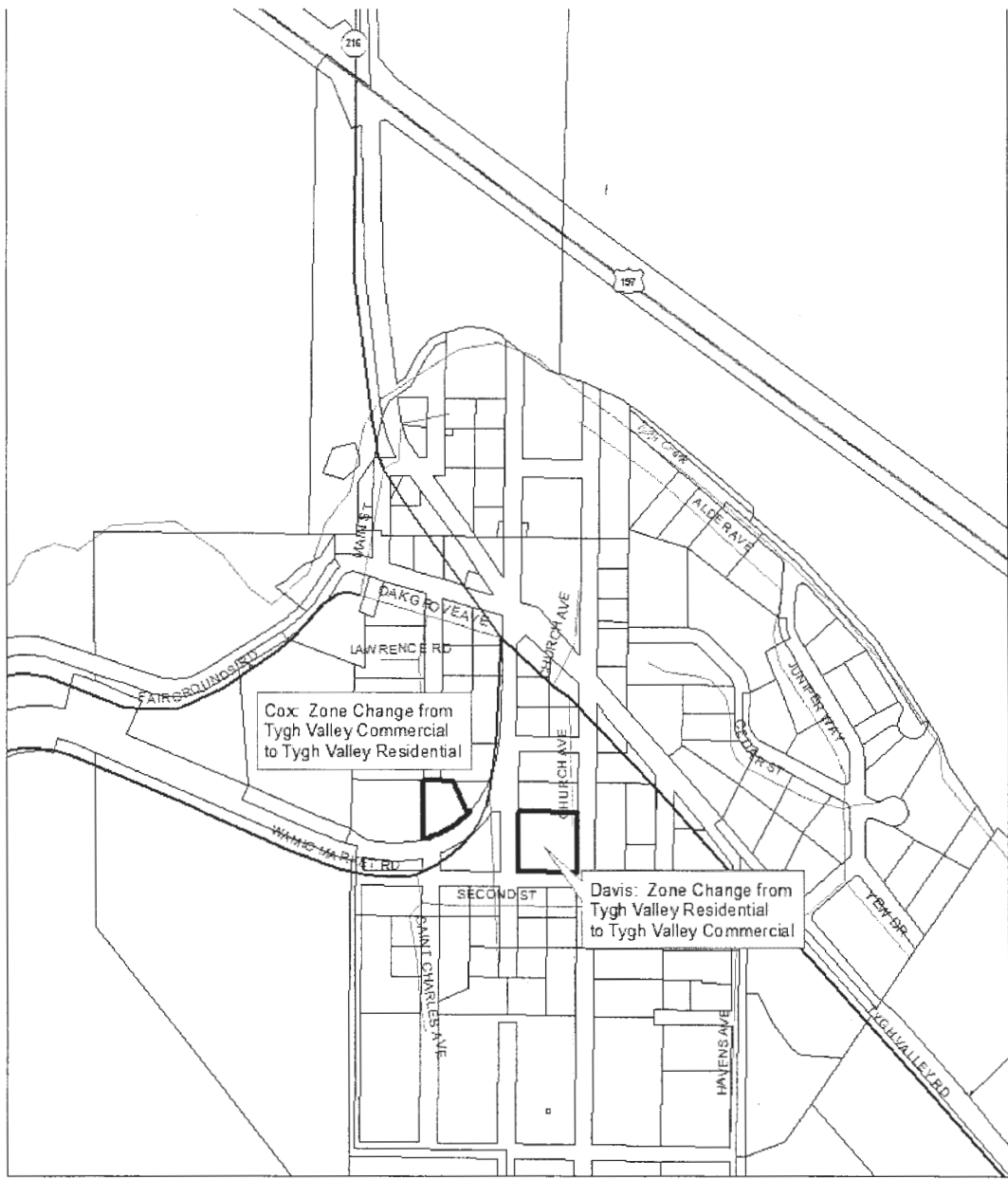
Findings of fact approving this request may be reviewed at the Wasco County Planning Department, 2705 East Second Street, The Dalles, Oregon, 97058, or are available for purchase at the cost of \$0.25 per page. These documents are also available online at: <http://co.wasco.or.us/planning/>. Click on Pending Land Use Actions. The table is sorted alphabetically by the name of the applicant. The information will be available until the end of the appeal period.

ATTACHMENT C – MAPS

Property Owners: Mike & Laila Davis; Randy Cox

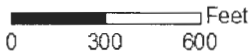
4S 13E 3CC, Tax Lots 3400 and 4300

Vicinity Map



Cox: Zone Change from Tygh Valley Commercial to Tygh Valley Residential

Davis: Zone Change from Tygh Valley Residential to Tygh Valley Commercial



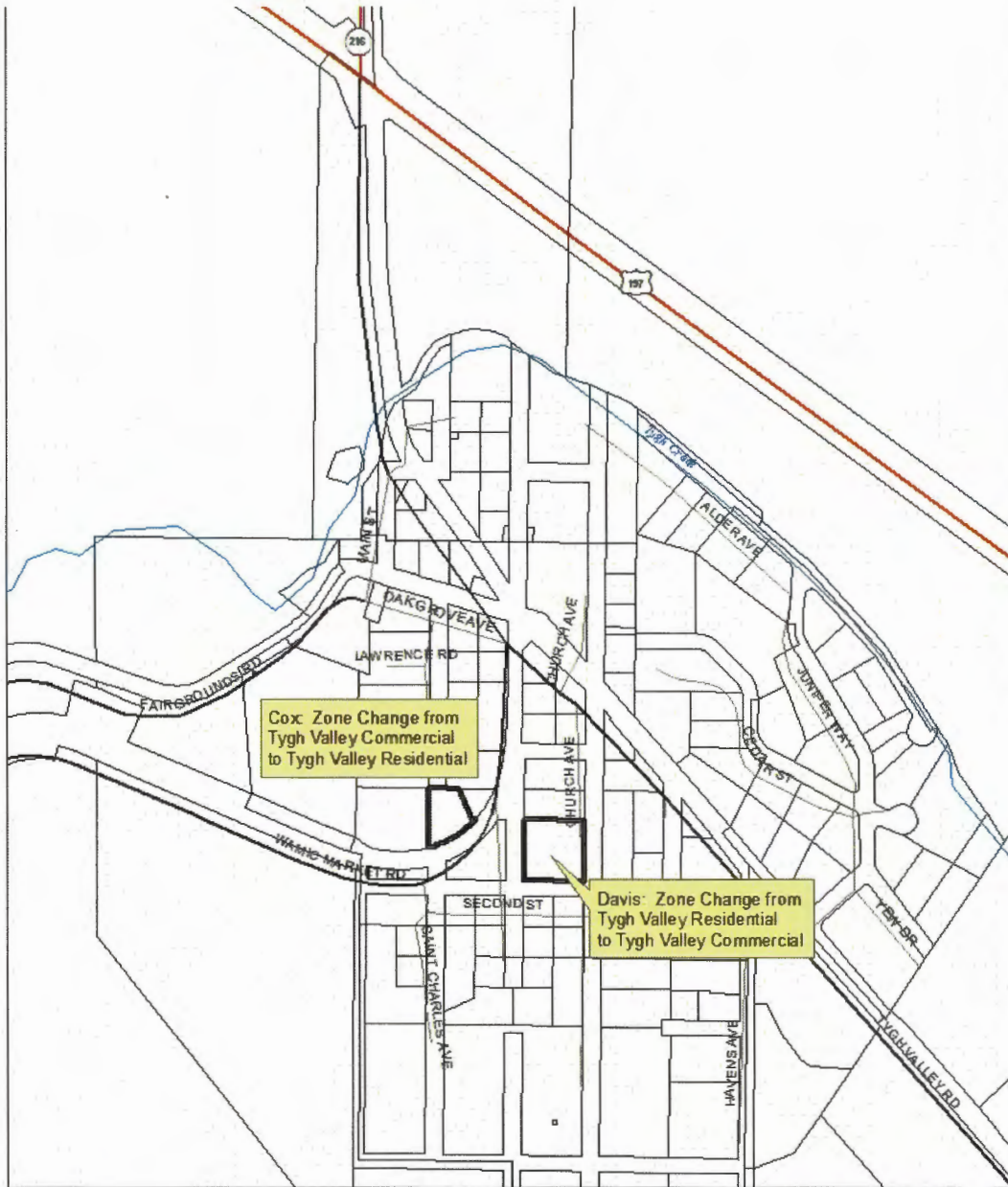
This product is for informational purposes and is not necessarily suitable for legal, engineering or surveying purposes.

ATTACHMENT C – MAPS

Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Vicinity Map



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ATTACHMENT C – MAPS

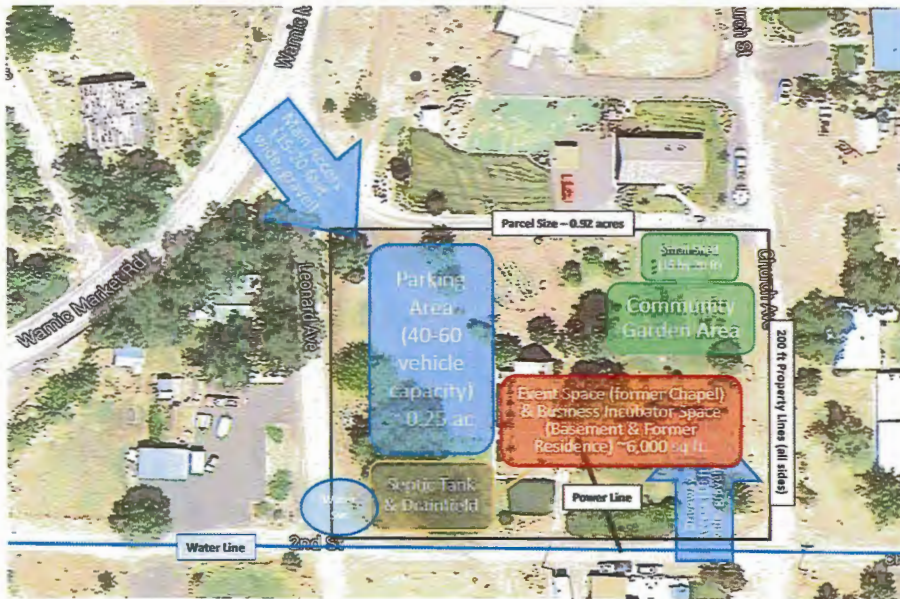
Property Owners: Mike & Laila Davis; Randy Cox

4S 13E 3CC, Tax Lots 3400 and 4300

Davis property



Site Plan



Cox property



0 20 40 Feet

This product is for informational purposes and is not necessarily suitable for legal, engineering or surveying purposes.

ATTACHMENT D

FINAL BOARD OF COMMISSIONERS REPORT

File Number: PLAQJR-15-02-0001

Request: Rezone two properties in Tygh Valley:

1. 4S 13E 3CC 3400 – Change from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial. Proposed uses are intended to support economic development activities in Tygh Valley.
2. 4S 13E 3CC 4300 – Change from TV-C, Tygh Valley Commercial to TV-R, Tygh Valley Residential. Property will continue to be used for residential use.

Prepared For: Wasco County Board of Commissioners

Prepared by: Dawn Baird, Associate Planner

Procedure Type: Quasi-Judicial Hearing

Hearing Date: September 2, 2015

Applicant: Irl (Mike) & Carolyn (Laila) Davis

Owners: 4S 13E 3CC 3400: Irl (Mike) and Carolyn (Laila) Davis
4S 13E 3CC 4300: Randy Cox

Location: 4S 13E 3CC 3400: The subject property is located on the northeast corner of Leonard Avenue/Second Street, approximately 150' east of Wamic Market Road, in the community of Tygh Valley, Oregon.

4S 13E 3CC 4300: The subject property is located north of Wamic Market Road, approximately 100' south of the intersection of Leonard Avenue, in the community of Tygh Valley, Oregon.

These properties are more specifically described as:

<u>Existing Tax Lot</u>	<u>Account #</u>	<u>Acres</u>
4S 13E 3CC 3400	10604	0.92
4S 13E 3CC 4300	10589	0.50

Zoning: 4S 13E 3CC 3400: TV-R, Tygh Valley Residential
4S 13E 3CC 4300: TV-C, Tygh Valley Commercial

The subject lots are also located in the Environmental Hazard District 2 – Geologic Hazard Overlay Zone.

Past Actions: 4S 13E 3CC, tax lot 3400: None
4S 13E 3CC, tax lot 4300: LOC-84-BP (roof over trailer)

I. APPLICABLE STANDARDS

A. Wasco County Land Use & Development Ordinance (LUDO)

1. Chapter 2 – Development Approval Procedures

Section 2.060.B.2.	(Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment - Chapter 9)
Section 2.080.A.	(Notice)
Section 2.090	(Contents of Notice)
Section 2.140	(Hearing Procedure)
Section 2.150	(Official Notice)
Section 2.190	(General Conduct of Hearings)

2. Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010	(Application for Zone Change)
Section 9.020	(Criteria for Decision)
Section 9.030	(Transportation Planning Rule Compliance)
Section 9.040	(Conditions Relative to the Approval of a Zone Change)
Section 9.060	(Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance)
Section 9.070	(Notice of Planning Commission Recommendation)
Section 9.080	(Action by County Governing Body)

3. Chapter 4 – Supplemental Provisions

Section 4.140	(Traffic Impact Analysis)
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II. BACKGROUND

A. Legal Parcel(s): 4S 13E 3CC 3400 (Davis): The subject property contains four legal subdivision lots identified as Lots 3, 4, 5 & 6, Block 12, plat of Tygh Valley. 4S 13E 3CC 4300 (Cox): The subject property is identified as Lot 7, Block 13, plat of Tygh Valley. The plat of Tygh Valley was recorded with the Wasco County Clerk on June 15, 1892. All identified parcels are consistent with the definition of Legal Parcel in LUDO Chapter 1, Section 1.090 Definitions, because they were created by a duly recorded subdivision.

B. Site Description: 4S 13E 3CC 3400 (Davis): The subject parcel contains 0-5% northeast-facing slopes with grass and scattered trees. The property contains the old church, which includes a residence, attached garage and attached carport. There is also a general purpose shed on the northeast corner of the property. 4S 13E 3CC 4300 (Cox): The subject parcel contains 0-5% northeast-facing slopes with natural grasses and some trees. The property contains an easement road through its center for properties located to the north. Improvements include an existing mobile home, mobile home cover, and two sheds.

C. Surrounding Land Use: Surrounding properties contain similar slopes as the subject parcels, 0-5% northeast-facing. Most properties contain natural grass or green lawn and scattered trees. Properties surrounding the Davis property (4S 13E 3CC 3400) are predominantly developed for residential use, while approximately one-half of the properties surrounding the Cox property (4S 13E 3CC 4300) are developed for residential use, and the other one-half are vacant but zoned for future development. Proposed uses include but are not limited to community event space, event rental space,

small business incubator, community garden and open space, religious events, theater performances, clinic (doctor), and other general office space.

III. FINDINGS:

Wasco County Land Use & Development Ordinance

A. Chapter 2 – Development Approval Procedures

Section 2.060, Application/Completeness, Section B.

(***)

2. Recommendation to the County Governing Body on a Zone Change and/or Ordinance Amendment (Chapter 9)

FINDING: The request is for a Zoning Map Amendment for two properties in Tygh Valley. The Planning Commission will use the information provided by staff in this report to make a recommendation to the Board of Commissioners, who will make the final decision on the Zoning Map Amendment.

Section 2.080.A., Notice

Section 2.090, Contents of Notice

Section 2.140, Hearing Procedure

Section 2.150, Official Notice

Section 2.190, General Conduct of Hearings

FINDING: The above sections establish the requirements for providing notice of public hearings and the general conduct of hearings. A twenty day pre-notice is required for quasi-judicial hearings. This hearing is being held on August 4, 2015. The public hearing notice was published in The Dalles Chronicle on July 14, 2015, and notice was provided to agencies and property owners within 750' of the subject parcel, on July 14, 2015, twenty-one days before the hearing.

B. Chapter 9 – Zone Change and Ordinance Amendment

Section 9.010, Application for Zone Change

Section 9.010.C. states that an application for a zone change may be initiated by an application being filed with the Director of Planning on the appropriate forms, containing information required to establish the criteria for the change (quasi-judicial only).

FINDING: Mike Davis, the property owner of 4S 13E 3CC 3400, submitted an application for a Zoning Map Amendment for the two properties on February 25, 2015, on the appropriate forms with property owner signatures. He also provided information addressing the criteria required for the zone change.

Section 9.020, Criteria for Decision

The Approving Authority may grant a zone change only if specific circumstances are found to exist:

A. *The original zoning was the product of a mistake; or*

APPLICANT FINDING: The original zoning was not the product of a mistake, but rezoning of the two parcels will conform to the Comprehensive Plan as required in 2) below. The sites are suitable to the proposed zoning.

B. It is established that:

1. *The rezoning will conform with the Comprehensive Plan; and,*

APPLICANT FINDING: The request complies with 2)a). A goal analysis is provided below where it is shown that the proposed rezoning will conform with all of the applicable goals and policies in the Comprehensive Plan.

- Goal 1 – Citizen Involvement

APPLICANT FINDING: This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

FINDING: Concur with applicant finding. All property owners within 300' of the subject properties, and affected agencies, were notified. In addition, a hearing notice was published in The Dalles Chronicle on July 14, 2015 and the application materials have been available at the Wasco County Planning Department office and posted on the Wasco County Planning website for viewing.

- Goal 2 – Land Use Planning

APPLICANT FINDING: This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

The rezoning of the Cox property to residential zoning meets Goal 2, as the property provides needed housing in the area and takes pressure away from the conversion of farmland for housing. In addition, the overall acreage zoned residential in Tygh Valley will remain nearly the same by swapping the zoning with the Davis property.

FINDING: Concur with applicant's finding. In addition, staff finds the proposed zones will more accurately reflect the current and historic uses occurring on the subject properties.

- Goal 3 – Agricultural Lands

APPLICANT FINDING: This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the demand for rezoning agricultural lands to allow commercial uses. In addition, the

property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

The rezoning of the Cox property to residential will support Goal 3 by continuing to make housing available to agricultural workers within Rural Service Centers. This may take pressure off the conversion of agricultural lands to residential uses.

FINDING: Concur with applicant's finding. Staff notes that the applicant's finding is based on the current landowner's development goals and that future owners of the Davis property would be limited to the list of uses identified as allowed in the Wasco County Land Use and Development Ordinance Tygh Valley Commercial Zone (Section 3.602). Staff finds that the proposed rezone of the Davis property would allow commercial uses to occur on lands not currently used to meet residential development needs, and will not remove agriculture land from production, consistent with Goal 3. Furthermore staff finds that the Cox property is in residential use and does not currently provide the acreage of commercial uses to the community of Tygh Valley anticipated by its current zoning.

- Goal 4 – Forest Lands

APPLICANT FINDING: This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

The rezoning of the Cox property to residential will support Goal 4 by continuing to make housing available to Forest Land workers within Rural Service Centers. This may take pressure off the conversion of forest lands to residential uses.

FINDING: Concur with applicant's finding.

- Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources

APPLICANT FINDING: This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezoned is approved will be complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

The rezoning of the Cox property to residential will support Goal 5 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of areas with Open Space, Scenic and Historic Areas, and Natural Resources to residential uses.

FINDING: Concur with applicant's finding.

- Goal 6 – Air, Water and Land Resource Quality

APPLICANT FINDING: The proposed rezoning will have no significant impact on air, water, and land resources quality. The proposed use will utilize the existing utilities provided to the site. In

addition, the proposed use will not produce significant pollution from business activities at the site or other impacts to air, water, and land resources.

FINDING: Concur with applicant's finding. Staff notes that the properties are served by a public water system, therefore, it will not have a significant impact on water quality. As long as the septic system is adequate for the proposed uses, water and land quality will be unaffected. A **condition** is recommended requiring Mr. and Mrs. Davis to obtain septic approval from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of the use.

- Goal 7 – Areas Subject to Natural Disasters and Hazards

APPLICANT FINDING: The proposed rezoning will have no significant impact for areas of natural disasters or hazards. There are no known specific natural disaster risks or hazards for this site. The wildfire hazard in the region will be taken into account, when the landscaping and building renovation is being completed. The wildfire hazard is less in this location due to access to water and surrounding residential areas.

FINDING: The subject parcels, and most of Tygh Valley are located in a Geologic Hazard Overlay Zone. Tygh Valley is identified by the Oregon Department of Geology & Mineral Industries as being in a landslide area. This area could be subject to falling rocks and land from the hills located to the south. The owner is advised that any future development request on the subject properties may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare. A **condition** is recommended advising the owners of the existence and requirements for future development.

- Goal 8 – Recreational Needs

APPLICANT FINDING: This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

FINDING: There are no existing recreation sites in the vicinity of the subject parcels, therefore, the proposed rezone will not impact any existing recreation sites. The rezone will allow the continuation of historic uses. Staff concur with applicant's finding.

- Goal 9 – Economy of the State

APPLICANT FINDING: This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comprehensive Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

The rezoning of the Cox property will allow for further investment in the residential use on the property – instead of it being considered an existing non-conforming use under the current zoning of the parcel as commercial.

FINDING: Concur with applicant's finding. Historically, the Tygh Valley community has relied upon the logging and lumber industry for local jobs. This economic sector was impacted by the federal listing of the Spotted Owl and local jobs have decreased. The proposed uses on the Davis property will allow the creation of potential economic development opportunities, resulting in new job creation.

- Goal 10 – Housing

APPLICANT FINDING: This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

The rezoning of the Cox property to residential will support Goal 10 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of other areas to residential uses.

FINDING: Concur with applicant's finding.

- Goal 11 – Public Facilities and Services

APPLICANT FINDING: This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

The proposed use at the church property could have similar impacts to the allowed existing use of the property as Church Facility. The Church Facility is obviously currently vacant - however the allowed uses at a Church Facility are substantial. The Church Facility use is similar to the proposed in that it generates trips through large events/services. The Church Facility Use could also include daily use for things like a food bank, counseling, classes, and other church programs. The proposed use will be hosting similarly sized events and daily use for businesses. Lastly, the residential use associated with the Church Facility is actually a more intensive use in some ways than the proposed use.

The rezoning of the Cox property to residential will support Goal 11, as the property will continue to be used as residential and fit into the existing framework of public facilities and services that currently serve the residence.

FINDING: The proposed rezone will not require new or modification of existing public facilities and services. Staff concurs with applicant's finding.

- Goal 12 – Transportation

APPLICANT FINDING: This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

Road issues are addressed below in Section 9.030.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

FINDING: Concur with applicant's finding. Roads and traffic are further discussed in Section 9.030, Transportation Planning Rule Compliance

- Goal 13 – Energy Conservation:

APPLICANT FINDING: The renovation of the building will include small energy conservation upgrades, however the proposed rezoning will not have a significant impact on energy conservation in the area.

FINDING: Staff agrees that building renovations will provide small energy conservation improvements. Staff also finds that with the potential to create jobs for Tygh Valley residents, many daily commuters to The Dalles or Maupin may be able to work closer to home – reducing the consumption of fossil fuels. Rezoning the Cox property will not have an impact on energy conservation.

- Goal 14 – Urbanization

APPLICANT FINDING: This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comprehensive Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

The rezoning of the Cox property to residential will support Goal 14 by continuing to make housing available within the Tygh Valley Rural Service Center. This may take pressure off the conversion of other areas to residential uses.

FINDING: Concur with the applicant's finding.

2. *The site is suitable to the proposed zone; and*

APPLICANT FINDING: The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

FINDING: Concur with the applicant's finding. The proposed rezone will more closely reflect the current and historic uses of the subject parcels. The Cox property is zoned Tygh Valley Commercial, but has been in residential use for more than 30 years. Similarly, the church building on the Davis property has existed since 1957.

3. *There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.*

APPLICANT FINDING: The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

FINDING: Concur with applicant's finding.

Section 9.030, Transportation Planning Rule Compliance

- A. *Review of Applications for Effect on Transportation Facilities - A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – "TPR"). "Significant" means the proposal would:*
 1. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 2. *Change standards implementing a functional classification system; or*
 3. *As measured at the end of the planning period identified in the adopted transportation system plan:*
 - a. *Allow land uses or levels 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*
 - 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: The proposed change will not have a significant impact on transportation facilities. On June 18, 2015, Arthur Smith, Public Works Director, Dawn Baird, Associate Planner, Mike Davis, property owner, and Nick Kraemer, Planning Consultant, met to discuss the proposed zone change and its impact on transportation facilities. An e-mail from received from Mr. Smith on June 22nd,

2015, that states: "I have reviewed the proposed zone change and possible development. As the county road official, I have determined that this action will not create any significant impact. Additionally, the estimated increase in traffic volume will be well below the thresholds for requiring a Traffic Impact Analysis".

B. Amendments That Affect Transportation Facilities - Amendments to the land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP...

FINDING: According to Arthur Smith, Public Works Director (June 22, 2015, e-mail), the proposed Zone Change will not significantly affect transportation facilities.

C. Traffic Impact Analysis - A Traffic Impact Analysis shall be submitted with a zone change application pursuant to Section 4.140 Traffic Impact Analysis (TIA))

FINDING: The purpose of a Traffic Impact Analysis is to determine additional impacts on the road system from a Zone Change. As previously stated in Section 9.030.A., the Public Works Director states that he would not require a Traffic Impact Analysis because the change is not significant and the estimated increase in traffic will be below the threshold for requiring a Traffic Impact Analysis. Section 4.140 Traffic Impact Analysis is discussed below.

Section 9.040, Conditions Relative to the Approval of a Zone Change

Reasonable conditions may be imposed, pursuant to Section 2.110(D) as are necessary to insure the compatibility of a zone change to surrounding uses and as are necessary to fulfill the general and specific purposes of this Ordinance.

APPLICANT FINDING: The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs. Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

FINDING: Concur with applicant's finding. New uses proposed in either zone would be subject to the siting standards required by the relevant zone. The siting standards include setbacks sufficient to prevent impacts to adjacent properties. Noise produced by potential uses will be similar to, or less than noise produced by a church because potential uses will primarily occur indoors. Traffic generated by commercial uses will be less than generated by the church which was used daily as a residence, and multiple times per week for community/church uses. Future commercial uses will be reviewed to ensure they will not compromise the air quality in the area.

Section 9.060, Recommendation on Zone Change or Amendment to the Land Use and Development Ordinance

After hearing information presented at the hearing, the Approving Authority shall recommend that the proposed zone change or amendment to the Zoning Ordinance be granted or denied. The Director of Planning or his assistants shall reduce to writing the Commission's recommendations together with a brief statement of the facts and reasons upon which such recommendation is based.

FINDING: After hearing all testimony and closing the hearing, the Planning Commission will make a recommendation to the Board of Commissioners on the Zoning Map Amendment. Upon issuance of a Planning Commission Recommendation, Planning Staff will convey in writing the Commission's recommendation and findings.

Section 9.070, Notice of Planning Commission Recommendation

Within ten (10) days of the final Planning Commission hearing, the Director of Planning or his assistants shall give notice thereof to any persons who signed in and testified at the hearing and to such other persons as may have requested the same in writing.

APPLICANT FINDING: Upon completion of the Planning Commission hearing, staff shall provide notice as required by Section 9.070.

Section 9.080, Action by County Governing Body

Upon receipt of the Commission report, the County Governing Body shall take such action as may appear appropriate to that body, or as it feels the public interest requires, provided that in no event shall the County Governing Body act until at least twenty (20) days after the Notice of Planning Commission Recommendation has been mailed.

FINDING: Upon completion of the Planning Commission hearing, the Commission's recommendation will be forwarded to the Board of Commissioners. Notice of the Board hearing will be published a minimum of 10 days prior to the hearing. The Planning Commission recommendation will be mailed the day after their recommendation is made at the hearing. The Board of Commissioners hearing has been tentatively scheduled for September 2, 2015, which is 29 days after notice is mailed.

C. Chapter 4 – Supplemental Provisions

Section 4.140, Traffic Impact Analysis (TIA)

FINDING: The Wasco County Public Works Director reviewed the proposed Zone Change. He considered the existing roads in the area and current traffic loads, and on June 22, 2015, determined that the existing roads are adequate for the proposed use. He stated that the estimated increase in traffic will be below the threshold for requiring a Traffic Impact Analysis.

IV. PLANNING COMMISSION RECOMMENDATION:

Recommend approval of the Zoning Map Amendment to the Board of Commissioners to amend zoning on 4S 13E 3CC, tax lot 3400, from TV-R, Tygh Valley Residential, to TV-C, Tygh Valley Commercial, and to amend zoning on 4S 13E 3CC, tax lot 4300, from TV-C, Tygh Valley Commercial, to TV-R, Tygh Valley Residential, with the proposed findings and conditions in this report.

V. RECOMMENDED CONDITIONS OF APPROVAL:

- A.** Septic approval shall be obtained from the North Central Public Health District for all proposed uses in the old church building (4S 13E 3CC 3400) prior to the commencement of commercial use.

- B.** The subject parcels are located in the EPD-2, Geologic Hazard Overlay Zone (Landslide Area). Future development may be required to obtain a geologic hazard report prepared by an engineering geologist or engineer that is certified to evaluate soils. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare.

ATTACHMENT E

DETAILED PROJECT DESCRIPTION

DETAILED PROJECT DESCRIPTION

Overview

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street (formerly the Tygh Valley Methodist Church) from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road, Mr. Randy Cox, is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses as well as the highest and best uses of these properties.

Proposed Use

Long time Tygh Valley residents, Mike and Laila Davis, purchased the former Tygh Valley Methodist Church with intentions of converting the property into a hub of economic and community development in Tygh Valley. The proposed uses for the property include the following:

- **Community Event Space:** The property will be used for a variety of community events such as: benefit concerts, movie nights, small business networking events, lectures, and other events that benefit the community.
- **Event Rental Space:** The property will also be available for rental to host large private events like weddings, funerals, and other gatherings.
- **Small Business Incubator:** A portion of the building will be converted into an economic development office that provides resources for local businesses. In addition, the basement of the church will be available for small businesses to rent desk space or setup other income generating activities.
- **Community Garden and Open Space:** The grounds of the property will host a community garden and open space for community members to utilize.
- **Religious Events:** The property will be available for rental by local religious organizations to hold regular services and host events.

The current zoning of the site, as Tygh Valley Residential, does not allow for many of these uses, which greatly limits the viability of the property and ability to attract investment in redevelopment of the property.

The Cox Property currently has a single family home on the property and it is proposed that the residential use will continue after the rezoning. The existing residential use on this property would be considered existing, non-conforming. The zone change to residential will bring the property into compliance and allow the property owner to continue to make improvements to the residence.

Structures and Dimensions

The church property is 0.92 acres and contains the following structures:

- 2,000 sq foot church that was constructed in 1952-54. The building is constructed of a stout concrete foundation with wood framing and a metal roof. There is also a basement level work area of approximately 2,000 square feet with a kitchen and bathroom. The peak of the chapel is approximately 30 feet tall.
- There is a 2,000 sq foot residence that was the living quarters for the clergy of the Methodist Church attached to the chapel. The building is constructed with wood framing and a concrete foundation and is approximately 20 feet tall.
- The property contains one shed that is approximately 15 by 20 feet. The building is wood framing with a metal corrugated siding and approximately 15 feet tall.

All of the structures meet the required setbacks and there are no easements that impact the proposed uses on the property. All of the structures on the property will require some level of updating to improve their

value and accommodate the proposed uses. These improvements are not economically feasible under the current zoning.

The Cox property is 0.49 acres and contains a single family home that is approximately 1,250 sq ft. The dwelling appears to meet setbacks and no new development is proposed on the property at this time. All future development will meet the standards of the residential zoning.

Access and Infrastructure

Vehicle Access

The main vehicle access for the church site lies on the north side of the property near the intersection of Wamic Market Road and Leonard Avenue. The access is gravel and approximately 15 feet wide. The location of the access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. There is an additional access point on the south side of the property along 2nd Street that served as a driveway entrance for the clergy residence. This access is approximately 15 feet wide, gravel, and accesses the attached garage. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County. The proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. No new point of access is proposed. Anticipated site circulation can be accommodated by existing access points onto existing streets. The applicant will work with the County Planners and Public Works to determine any access improvements necessary to accommodate safe traffic flow onto and off of Tygh Valley streets.

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Off-Street Parking

The church property has a large gravel parking area (approximately 0.25 acres) on the north side that can accommodate approximately 40-60 vehicles. The parking area is large enough to meet the demands of the proposed use and will not negatively impact neighboring residential properties. The stormwater runoff from the gravel parking area is all handled on-site and will not drain onto neighboring properties. The parking area will have signage that directs vehicles to parking areas and maintains proper ingress/egress.

The single family dwelling on the Cox property has several parking spaces adjacent to the gravel driveway. The residential use on this property will not change and does not trigger the need for additional parking.

Fire and Emergency Services

The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles. The property is readily accessible and defensible from all sides. The applicant recognizes the County's fire self certification process and is prepared to complete the self certification form and make any required improvements to water service and on site circulation when land use permits are applied for.

The residential use on the Cox property will not change and will not require any additional fire and emergency services.

Utilities

Water is provided to the property by the Barlow Water Improvement District. The water connection is located at the corner of Leonard and 2nd Street.

Wastewater is handled by an on-site septic system. This system was improved and brought to current standards in 2007. See attached reports from Oregon Department of Environmental Quality and the Wasco County Health Department. The existing septic system will be able to handle the wastewater of the proposed use. In case of a septic system failure, there is room for a new septic drainage field to be installed on the south side of the property.

Electricity is provided by the Wasco Electric Cooperative via an overhead line.

The residential use on the Cox property will not change and will not require any changes to the existing utility services.

FINDINGS OF FACT

1. What is the purpose of the proposed change?

The purpose of this land use application is to request the rezoning of the property at 57645 Leonard Street from residential zoning to commercial zoning. The rezoning of the property to Tygh Valley-Commercial will enable the property to be improved and utilized for economic development activities in Tygh Valley. The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 signatures). In addition, an adjacent property owner at 82675 Wamic Market Road is seeking rezoning of his property from commercial to residential in conjunction with this application. The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses and provide for the highest and best use of these properties.

2. Describe how the original zoning was the product of a mistake; or

The rezoning of the two parcels will conform to the Comprehensive Plan and the sites are suitable to the proposed zoning. This application will address the most relevant Goals.

3. Establish that:

a. The rezoning will conform with the Comprehensive Plan (including but not limited to all applicable goals and policies); and,

Goal 1: Citizen Involvement

This application meets Goal 1, as the rezoning process in Wasco County requires citizen involvement via the Planning Commission and County Board of Commissioners. In addition, the property owners have submitted a petition in support of the rezoning that has the signatures of over 75 residents in Tygh Valley.

Goal 2: Land Use Planning

This application meets Goal 2, as the rezoning meets the intent of the Wasco County Comprehensive Plan and Statewide Planning Goals. Orderly development is promoted and supported by the approval of this re-zone for the purposes stated in this application. Tygh Valley is a small rural community with limited available public services. Community services proposed to be accommodated at the church parcel will only support viability of Tygh Valley. The rezone allows an existing church building to be used for broader community service provision. Without creating potential for harmful change, additional community service provision is supported.

The rezoning of the Cox property to residential zoning meets Goal 2, as the property provides needed housing in the area and takes pressure away from the conversion of farmland for housing. In addition, the overall acreage zoned residential in Tygh Valley will remain nearly the same by swapping the zoning with the Davis property.

Goal 3: Agricultural Lands

This application supports Goal 3. Rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands, and supportive of farmers. Such development opportunities include value-added food production, farm to table promotion, exploring niche agricultural markets etc. Overall, Tygh Valley is located in a prime location to serve as a center of commercial and community service activity for many of the agricultural lands located in Southern Wasco County. The rezoning will allow for the best use of the property, possibly taking pressure off of the

demand for rezoning agricultural lands to allow commercial uses. In addition, the property will provide a location for a Community Garden that will encourage community members to get involved with farming and learn more about agriculture in the area.

The rezoning of the Cox property to residential will support Goal 3 by continuing to make housing available to agricultural workers within Rural Service Centers. This may take pressure off the conversion of agricultural lands to residential uses.

Goal 4: Forest Lands

This application supports Goal 4, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-forest land and located within a Rural Service Center. In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to forest lands. Such opportunities may include value-added wood product development, forest based recreation opportunities etc. Tygh Valley is well located to serve as a commercial and community service center for those living in or near Forest Lands around the nearby Mt Hood National Forest.

The rezoning of the Cox property to residential will support Goal 4 by continuing to make housing available to Forest Land workers within Rural Service Centers. This may take pressure off the conversion of forest lands to residential uses.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

This application supports Goal 5, as the rezoning will encourage private investment for renovation and maintenance of a culturally significant building (the chapel) in Tygh Valley. The uses proposed for the chapel building if rezoned is approved will be complementary to those provided by the community center located in the building previously used as a school building. All community services will have a focus on the rural values of open space and importance of maintaining vibrant rural communities and viable and vital agricultural operations around those communities.

The rezoning of the Cox property to residential will support Goal 5 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of areas with Open Space, Scenic and Historic Areas, and Natural Resources to residential uses.

Goal 6: Air, Water and Land Resources Quality

The proposed rezoning will have no significant impact on air, water, and land resources quality. The proposed use will utilize the existing utilities provided to the site. In addition, the proposed use will not produce significant pollution from business activities at the site or other impacts to air, water, and land resources.

Goal 7: Areas Subject to Natural Disasters and Hazards

The proposed rezoning will have no significant impact for areas of natural disasters or hazards. There are no known specific natural disaster risks or hazards for this site. The wildfire hazard in the region will be taken into account, when the landscaping and building renovation is being completed. The wildfire hazard is less in this location due to access to water and surrounding residential areas.

Goal 8: Recreational Needs

This application supports Goal 8, as the rezoning will provide open space and a community garden area to meet recreational needs and further support developing sense of community in Tygh Valley.

Goal 9: Economy of the State

This application directly and primarily supports Goal 9, the rezoning will meet Policy #2 – Implementation Measure D of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

The rezoning of the Cox property will allow for further investment in the residential use on the property – instead of it being considered a existing non-conforming use under the current zoning of the parcel as commercial.

Goal 10: Housing

This application supports Goal 10, as the rezoning may increase the surrounding residential property values via the improvement and maintenance of the building. A vacant building of this size with such limited allowed uses decreases neighboring property values. In addition, the total change in acres zoned residential in Tygh Valley will be very minor given the corresponding zone change of a nearby commercial property to residential on Wamic Market Road. Again, the rezone more accurately reflects the existing land use on these two parcels.

The rezoning of the Cox property to residential will support Goal 10 by continuing to make housing available within Rural Service Centers. This may take pressure off the conversion of other areas to residential uses.

Goal 11: Public Facilities and Services

This application supports Goal 11, as the rezoning will fit into the existing framework of public facilities and services. The rezoning will not have an increased impact on public facilities such as the road network or water system. The rezoning will not increase the need for fire protection, police protection or emergency medical services over the existing use.

The proposed use at the church property could have similar impacts to the allowed existing use of the property as Church Facility. The Church Facility is obviously currently vacant - however the allowed uses at a Church Facility are substantial. The Church Facility use is similar to the proposed in that it generates trips through large events/services. The Church Facility Use could also include daily use for things like a food bank, counseling, classes, and other church programs. The proposed use will be hosting similarly sized events and daily use for businesses. Lastly, the residential use associated with the Church Facility is actually a more intensive use in some ways than the proposed use.

The rezoning of the Cox property to residential will support Goal 11, as the property will continue to be used as residential and fit into the existing framework of public facilities and services that currently serve the residence.

Goal 12: Transportation

This application supports Goal 12, as the rezoning will proposed zone change will remain in compliance with the Transportation Planning Rule and it will not significantly impact the nearby transportation facilities. The two main access points on the property allow for adequate emergency vehicle access to all land uses. The access on the north side is situated in close proximity to one of the main roads - Wamic Market Road- through Tygh Valley. Vehicle traffic from large events will be directed to this access and will not increase traffic through residential areas. The property is surrounded on three sides by gravel streets that are public right of way and maintained by the County

*Insert letter/note from County Roadmaster explaining no need for a TIA.

The single family dwelling on the Cox property takes access from Wamic Market Road via an approximately 20' gravel driveway. There is a secondary access to the single family dwelling via a small gravel driveway that connects to St. Charles Ave. The residential use on this property will not change and does not trigger the need for access or road improvements.

Goal 13: Energy Conservation

The renovation of the building will include small energy conservation upgrades, however the proposed rezoning will not have a significant impact on energy conservation in the area.

Goal 14: Urbanization

This application supports Goal 14, as the rezoning will encourage the redevelopment of a property that is currently zoned as non-agricultural land and located within a Rural Service Center. The rezoning will meet Goal #14 Policy #2 – Implementation Measure C of the Comp Plan - encourage increased commercial activity in Pine Grove and Tygh Valley rural service centers.

In addition, the redevelopment of the property may encourage economic development opportunities that are beneficial to agricultural lands. Economic development efforts will be focused on rural uses that fit within the scope of uses provided for in the rural community rule and will support long range community development to accommodate community service and commercial uses within the existing rural community.

The rezoning of the Cox property to residential will support Goal 14 by continuing to make housing available within the Tygh Valley Rural Service Center. This may take pressure off the conversion of other areas to residential uses.

b. The site is suitable to the proposed zone (taking into consideration among other things slope, access, flooding, traffic, availability of public facilities and services, and impact to adjacent properties); and

The rezoning of these properties will have a positive impact on the community of Tygh Valley and more accurately reflect the existing uses of these properties. There will not be a negative impact on adjacent properties as the proposed zone and use will not drastically change how the property has been used in the past for a church. The site does not have any major issues with slope or flooding.

Please see the Detailed Site Description that is attached to the Land Use Application for detailed about the suitability of the site.

c. There has been a conscious consideration of the public health, safety and welfare in applying the specific zoning regulations.

The zone change will not have a negative impact on the public health, safety, or welfare on the community of Tygh Valley. In terms of public health, the septic system was updated in 2007 and will properly handle all wastewater from the buildings. The main vehicle access to the site will adequately deal with future traffic associated with the proposed use and will not create an unsafe pedestrian environment for the surrounding neighborhoods. Vacant structures are known to attract nuisances, such as vandalism and trespassing. The rezoning will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

4. What effect would the proposed change have on surrounding properties? Include a description of the existing land uses within 1,000 feet of the proposed zone change.

The proposed change will not have a negative impact on surrounding properties. All of the land uses within 1,000 feet of the proposed zone change fall within the Tygh Valley Rural Service Center. The properties directly surrounding the site are zoned residential and are mostly occupied with single family residential uses. The proposed zoning will not impact these residences any differently than the church has impacted them in the

past. In addition, the main vehicle access keeps traffic out of the neighborhood and the buildings on the property meet all setbacks. Commercial zoning dominates the area across Wamic Market Road to the north, however the area is mostly occupied with single family residential uses. This area will not be impacted by the rezoning and the rezoning of the Cox property will more accurately reflect the historical/existing use of the property. There is a commercially zoned area approximately 400 feet to the east of the site that is occupied with commercial uses. The proposed zoning will not negatively impact this commercial area and may contribute to the economic viability of those commercial uses by encouraging new businesses and providing resources for entrepreneurs.

Overall the community will maintain nearly the same amount of acres of residential and commercially zoned lands. The rezoning will also encourage investment in the property, which may positively impact the value of surrounding properties.

5. Is there a public need or demand to support this requested zone change? No Yes. If YES, please describe.

The community of Tygh Valley has shown enormous support of the rezoning (see attached Petition with over 75 of signatures). The proposed rezoning will compliment existing commercial areas in Tygh Valley by providing resources for small businesses and event space to draw visitors to the area. The rezone will enable investment in the site and increase the level of maintenance on the structure. Overall, the rezoning will improve the welfare of Tygh Valley residents by encouraging reinvestment in an existing building that has fallen into disrepair.

6. Fire Safety. If converting Farm or Forest zoned land to a non-resource zone, include an analysis of how future division and residential development could meet fire safety standards.

No farm or forest resource land will be converted to non-resource zones or use. All land proposed for re-zone is within the existing unincorporated rural community boundary of Tygh Valley. The Tygh Valley Fire Department provides Fire and Emergency services to the site. The main vehicle access is large enough to accommodate fire and emergency services vehicles. The parking area is large enough for to accommodate a turnaround for fire and emergency vehicles. In addition the gravel streets surrounding three sides of the property provide alternative access for fire and emergency vehicles.

7. Any other information which may add to the viability of the request.

The property owners, Mike and Laila Davis, are upstanding members of the community of Tygh Valley and have purchased this property with the intentions of making it a community asset. With the current zoning, it is not economically feasible to make improvements and undertake the proposed uses. The property owners , along with all of the local folks who signed the petition supporting the rezone, are very excited about the potential for this site to be renewed to serve the community by accommodating new and broader uses desired by current residents and compatible with current uses.

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LAND CONSERVATION
AND DEVELOPMENT

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DEPT. OF LAND CONS. & DEV.
635 CAPITOL ST NE, STE. 150
SALEM OR 97301-2540