

CITY of BOARDMAN

Community Development

STAFF REPORT

DATE: October 14, 2020

TO: Boardman Planning Commission and all interested parties

FROM: Barry C. Beyeler, Community Development Director

SUBJECT: Columbia Development Zone Change and property subdivision - PAPA 01-2020

On August 28, 2020, David Jones, on behalf of Columbia River Development, submitted an application for a zone change for tax lot #1600 of Morrow County tax map 4N 25 9CC. This property is currently zoned Tourist Commercial and is a parcel of 9.24 acres. The existing zones The proposed request would create 7.41 acres of Manufactured Home Park Sub-District zoned land and 2.00 acres of Light Industrial zoned land.

This application had been previously had one separate public notice go out on July 30, 2020. DLCD did not accept the notice without additional information, including preliminary Findings. As such no hearing has taken place.

With this request requiring a change of the Zoning and Comprehensive Plan Map, it will be as a Type IV – Legislative Procedure requiring a Public Hearing at the Planning Commission level, and a Public Hearing at the City Council level, in accordance with Boardman Development Code (BDC) Chapter 4.1, § 4.1.600. The sub-division of the acreage will be in accordance to Chapter 4.3 – Land Divisions and Lot Line Adjustments, of the BDC. With this decision being a Type IV procedure, it must also be in compliance with Chapter 4.7 – Land Use District Map and Text, of the BDC.

Other relevant Chapters of the BDC which are reviewed during this decision process include Chapter 2.1 – Residential District, Chapter 2.2 – Commercial District, Chapter 2.4 – Light Industrial District, 3.1 – Access and Circulation, Chapter 3.2 – Landscaping, Street Trees, Fences and Walls, Chapter 3.3 – Vehicle and Bicycle Parking, Chapter 3.4 – Public Facilities Standards, and Chapter 4.10 - Traffic Impact Study. This staff report will be the review of the relevant portions of these BDC Chapters to this particular request. This report will highlight in green areas where the application can, or will, meet BDC criteria. It will highlight in yellow areas of subjective decisions for the Commission based on the evidence presented. It will highlight in red any places the application would be in violation of BDC criteria.

CHAPTER 2.1 – MANUFACTURED HOME PARK SUBDISTRICT

The Manufactured Home Park Sub-district is found in §2.1.500 of the BDC. The layout of a park and building criteria are, by State of Oregon Statutes and Administrative Rules, subject to the Oregon Manufactured Dwelling and Park Specialty Code concerning size of lots and public services for each lot. As there is no current application for a Manufactured Home Park, this

zoning will be available for a Manufactured Home Park in a Buildable Lands Inventory. It will be the only property zoned as such. There has not been a Manufactured Home Park built in the area since the mid 1970's. Additionally, Manufactured Homes can be placed on single family lots should they meet certain criteria in the Residential Zone.

This Application could allow 7.41 acres for a Manufactured Home Park if approved by the Commission and City Council.

CHAPTER 2.2 – COMMERCIAL DISTRICT

Chapter 2.2 of the BDC, §2.2.180 – Tourist Commercial Sub District in particular, contain the criterion for the Tourist Commercial. This Sub District is intended to provide services to the public traveling I-84. Uses such as restaurants, gas stations, retail markets, motels and similar uses are allowed outright. This 4.8 acres would be part of the Buildable Lands Inventory for uses, such as listed above.

This Application would remove 7.41 acres of Tourist Commercial zoned property from the Buildable Lands Inventory. This would represent 19.6% of the total of 37.78 acres TC today.

CHAPTER 2.4 – LIGHT INDUSTRIAL DISTRICT

Chapter 2.4 of the BDC is intended for dealing with heavy commercial and light industrial uses such as warehousing, distribution, outdoor sales and storage, repair services and similar uses.

This application would remove 1.83 acres of Tourist Commercial zoned property from the Buildable Lands Inventory. This would represent 4.8% of the 37.78 acres of TC today.

CHAPTER 3.1 – ACCESS AND CIRCULATION

Chapter 3.1 of the BDC deals with transportation planning, providing both access and circulation patterns for traffic for vehicles, bicycles and pedestrians. As there is no development associated with this application request, this is moot as Chapter 3.1 would be applied at the time of development.

This application will be required to adhere to the provisions of this BDC Chapter before any construction would be allowed.

CHAPTER 3.2 – LANDSCAPING, STREET TREES, FENCES AND WALLS

Chapter 3.2 of the BDC entails the regulation of landscaping required, planting of street trees where necessary, and the construction of walls or fences for an Industrial development. As there is no development associated with this application request, this is moot as Chapter 3.2 would be applied at the time of development.

This application will be required to meet Chapter 10 of the Oregon Manufactured Dwelling and Park Specialty Code 2002 Edition.

CHAPTER 3.3 – VEHICLE AND BICYCLE PARKING

Chapter 3.3 of the BDC provides required parking for a development and the methodology for computing these requirements. As there is no development associated with

this application request, this is moot as Chapter 3.3 would be applied at the time of development.

This application will be required to meet Chapter 10 of the Oregon Manufactured Dwelling and Park Specialty Code 2002 Edition.

CHAPTER 3.4 – PUBLIC FACILITIES STANDARDS

Chapter 3.4 of the BDC is the requirements for connection to city services, such as water, wastewater, stormwater, and the coordination with other utilities. As there is no development associated with this application request, this is moot as Chapter 3.4 would be applied at the time of development.

This application will be required to meet the provisions of this Chapter prior to any construction commencing.

CHAPTER 4.10 – TRAFFIC IMPACT STUDY

Chapter 4.10 provides the conditions and methodology for when a traffic impact study must be performed to service a development. As there is no development associated with this application request, this is moot as Chapter 4.10 would be applied at the time of development.

This application will be required to meet the provisions of this Chapter prior to any construction commencing.

COMPREHENSIVE PLAN GOALS

GOAL 1 – CITIZEN INVOLVEMENT

The City of Boardman has posted the property, published in the East Oregonian, and mailed to all required and interested parties, public notice on this request on three separate occasions. First Notice April 11, 2018, after posting notice the applicant requested an extension. Second Notice May 16, 2018, after posting the applicant requested an extension. Third Notice June 28, 2018, for which this staff report is being prepared for hearing on July 18, 2018.

This application has met all of the policies in Chapter 1 of the Comprehensive Plan.

GOAL 2 – LAND USE PLANNING

This application is within the policies of Chapter 2 of the Comprehensive Plan.

GOAL 3 – AGRICULTURAL LANDS

This Chapter does not apply to the City of Boardman.

GOAL 4 – FOREST LANDS

This Chapter does apply to the City of Boardman.

GOAL 5 – NATURAL RESOURCES, SCENIC AND HISTORICAL AREAS, AND OPEN SPACES

This application is within the policies of Chapter 5 of the Comprehensive Plan.

GOAL 6 - AIR, WATER AND LAND RESOURCES QUALITY

This application is within the policies of Chapter 6 of the Comprehensive Plan.

GOAL 7 - AREAS SUBJECT TO NATURAL HAZARDS

There are no identified natural hazards or policies within the City of Boardman.

GOAL 8 – RECREATIONAL NEEDS

This application is within the policies of Chapter 8 of the Comprehensive Plan.

GOAL 9 – ECONOMIC DEVELOPMENT

After thorough review of the application and Chapter 9 of the Boardman Comprehensive Plan, and in particular Economic Policy #2, which states "Encourage tourist commercial activity near Interstate 84.", this application would not be within the policy.

In review, staff has looked into relative land values of the proposed use, Manufactured Home Park Sub-District (MH) and 1.83 acres of Light Industrial District (LI), the current zoning, Tourist Commercial Sub-District (TC). For this review, staff assembled Morrow County Tax valuations for two Manufactured Home Parks, and for a retail services triplex, a Motel, and a Truck Stop all fitting the TC code parameters.

The MH district range of valuation of \$85,576.55/Acre - \$182,247.22/Acre.

The LI district a value range of \$45,447.55/Acre - \$414,720.00/Acre

The TC district a range of \$760,597.00/Acre - \$2,406,906.00/Acre.

GOAL 10 – HOUSING

This application could provide an additional single-family housing alternative should it be approved through the hearings and approval.

Review of Chapter 10 Housing Policies #11 states, "The City shall encourage residential development within the city limits in areas which are appropriate for urban development." The requested MH district is residential, which is usually located in the Residential District.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

This application is within the policies of Chapter 11 of the Comprehensive Plan.

GOAL 12 - TRANSPORTATION

This application will be subject to traffic studies and is projected to trigger actions in the Interchange Area Management Plan. Estimated number of trip ends at buildout is approximately

880 trip ends per day. This application will be subject to the Interchange Area Management Plan provision for connector streets to provide adequate access/egress alternate to SW Front St. This request will also be subject to the Transportation Planning Rules of the State. The valuations listed in the Goal 9 section of this report indicate the revenues of the requested MH and LI districts would fall short of meeting the required mitigations of streets needed.

GOAL 13 – ENERGY CONSERVATION

This application is within the policies of Chapter 13 of the Comprehensive Plan.

GOAL 14 - URBANIZATION

This application is well aligned with the policies in Chapter 14 of the Comprehensive Plan.

GOAL 15-19

Goals 15-19 do not apply to the City of Boardman.

FINDINGS OF FACT

- 1) Public Notice was posted, published in the East Oregonian and mailed to all required and interested parties on July 30, 2020, for an August 19, 2020, Public Hearing.
- 2) DLCD rejected notice as incomplete. No hearing was held.
- 3) The application is consistent with relevant criteria to Manufactured Home Park Sub-District, §2.1.500 of the Boardman Development Code.
- 4) This application is consistent with and will be subject to Chapter 3.1 – Access and Circulation upon development.
- 5) This application is consistent with and will be subject to Chapter 3.3 – Vehicle and Bicycle Parking upon development.
- 6) This application is consistent with and will be subject to Chapter 4.10 – Traffic Impact Study upon development.
- 7) This application is consistent with Chapter 1 of the Boardman Comprehensive Plan.
- 8) This application is consistent with Chapter 2 of the Boardman Comprehensive Plan.
- 9) Chapter 3 of the Boardman Comprehensive Plan is not applicable.
- 10) Chapter 4 of the Boardman Comprehensive Plan is not applicable.
- 11) This application is consistent with Chapter 5 of the Boardman Comprehensive Plan.
- 12) This application is consistent with Chapter 6 of the Boardman Comprehensive Plan.

- 13) There are no identified Natural Hazards in Chapter 7 of the Boardman Comprehensive Plan.
- 14) This application is consistent with Chapter 8 of the Boardman Comprehensive Plan.
- 15) This application is **not** consistent with Chapter 9 of the Boardman Comprehensive Plan.
- 16) This application is **not** consistent with Chapter 10 of the Boardman Comprehensive Plan.
- 17) This application is consistent with Chapter 11 of the Boardman Comprehensive Plan.
- 18) This application is **not** consistent with Chapter 12 of the Boardman Comprehensive Plan.
- 19) This application is consistent with Chapter 13 of the Boardman Comprehensive Plan.
- 20) This application is consistent with Chapter 14 of the Boardman Comprehensive Plan.
- 21) Chapters 15-19 are not applicable to the City of Boardman.
- 22) DLCD notice of alteration to proposed change received posted to PAPA Online at DLCD website on September 16, 2020.
- 23) Public Notice was sent on October 1, 2020, to all affected property owners and agencies.
- 24) Property was posted with public notice on October 1, 2020.
- 25) Public Notice was posted in 4 public reader boards on October 1, 2020.
- 26) Public Noticed was posted on the City of Boardman website on October 1, 2020.
- 27) Public Notice was published in the East Oregonian October 6, 2020.
- 28) Staff Report Posted on City of Boardman Website on October 14, 2020.

Preliminary Findings: Columbia River Development Application Filed July 28, 2020.

- 1) Columbia River Development filed an application to change the zoning of Tax Lot #1600 of Morrow County Tax Map 4N 25E 09CC, a 9.24-acre parcel currently zoned Tourist Commercial
- 2) The request is to change the Northern most 1.83 acres is requested to be zoned Light Industrial and balance of 7.41 acres to be Manufactured Home Park Sub-district.
- 3) The City currently has a total of 51.29 acres of available Tourist Commercial zoned land and request 9.24 acres would represent 18% of this zoning.
- 4) The City currently has a total of 38.55 acres of available Light Industrial zoned land and the request would 1.83 acres for a total of 40.38 acres.

- 5) The City currently has a total of 5.97 acres of available Manufactured Home Park Sub-district zoned land and request would add 7.41 acres bringing a total of 13.38 acres.
- 6) The proposed use of 55 manufactured homes would produce 550 trip ends for a weekday of occupied dwelling unit, as per Boardman Development Code Chapter 410, specifically §4.10.100 (B). This amount of trip ends will require a traffic study to be performed as per Boardman Development Code § 4.10.200 (A)(1)(a), and (A)(2)(a).
- 7) The proposed use of mini-storage units would produce 330 trip ends according to the Boardman Development Code § 4.10.100 (B), for a weekday per 1,000 Sq. Feet Gross Floor Area.
- 8) Between the two proposed uses, with the trip ends at 880 combined the Interchange Area Management Plan standards would be triggered and the applicant would be required to participate in the funding of the corrective actions laid out in the IAMP.
- 9) Chapter 10 of the Oregon Manufactured Dwelling and Park Specialty Code 2002 Edition shall govern park criterion.
- 10) Site Team Review will be required prior to Park approval.

SUMMARY

This application is for a zone change and subdivision of a 9.24 acre parcel into a 7.41 acre parcel from Tourist Commercial to Manufactured Home Park, and a 1.83 acre parcel from Tourist Commercial to Light Industrial. No development application is pending at this time. Any development plan which comes forward will be held to the relevant Boardman Development Code Chapters and standards at the time of application.

This application has several areas of subjective decision making for the Planning Commission to consider. Most of the areas are associated with policies found in the Boardman Comprehensive Plan, Chapters 9, 10, and 12.

LIST OF ATTACHMENTS

Initial Application
Narrative in Support of Land Use Application and Exhibits
Public Notices Posted and Published
Tax Lot Map
Natural Resources Map



City of Boardman Land Use Application

Date: 7/28/2020

Owner: Columbia River Development Phone: (541) 969-6757
Address: 330 SW Tahoe Ave. City: Pendleton State: Or. Zip: 97801
Applicant or Agent: DAVID JONES Phone: (541) 561-7835
Address: 105 S. Main St. Sp AA City: Boardman State: Or. Zip: 97818
Property Address: 115 SW Front. St. Designed Zone: Tourist Commercial
Map Number: 04N2509CC Lot: _____ Block: Commercial Hwy Sub Dist
Subdivision: _____ Tax Lot(s): 1600
Proposed Usage: 1.83 Acres to be zoned Light Industrial + 7.41 Acres to be zoned
Manufactured Home Park Sub-District
Estimated Construction Cost Evaluation: \$ 400,000 Total Square Footage: _____

Requested Action:

(Please circle one)

Zone Change

Variance

Conditional Use Permit

Property Line Adjustment

Partition

Subdivision

Preliminary Plat

Other: _____

The following material and supplemental information must be submitted with this application as a requirement for submittal to the Planning Commission:

- Plans and specifications, drawn to scale, showing the actual shape, setbacks and dimensions of the property to be used, together with a plot plan and vicinity map of the subject property.
- The size and location of the property, buildings, other structures; and use of buildings or structures, existing and proposed.
- Plot plan indicating all on/off-site improvements, including streets, fire hydrants, water and sewer facilities, etc.

I acknowledge that I am familiar with the standards and limitations set forth by the City of Boardman Zoning Ordinance, and that additional information and materials may be required. I fully intend to comply with plans and specifications submitted with this application. I do hereby certify that the above information is correct and understand that issuance of a permit based on this application will not excuse me from complying with the effective Ordinances and Resolutions of the City of Boardman and Statutes of Oregon, despite any errors on the party of the issuing authority in checking this application.

Signature: _____

(Owner, Applicant, or Agent)

Date: 7/28/2020

Staff Comments: _____

Recommended Action: _____

Planning Commission:

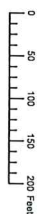
Approved

Not Approved

Date: _____

Signature: _____

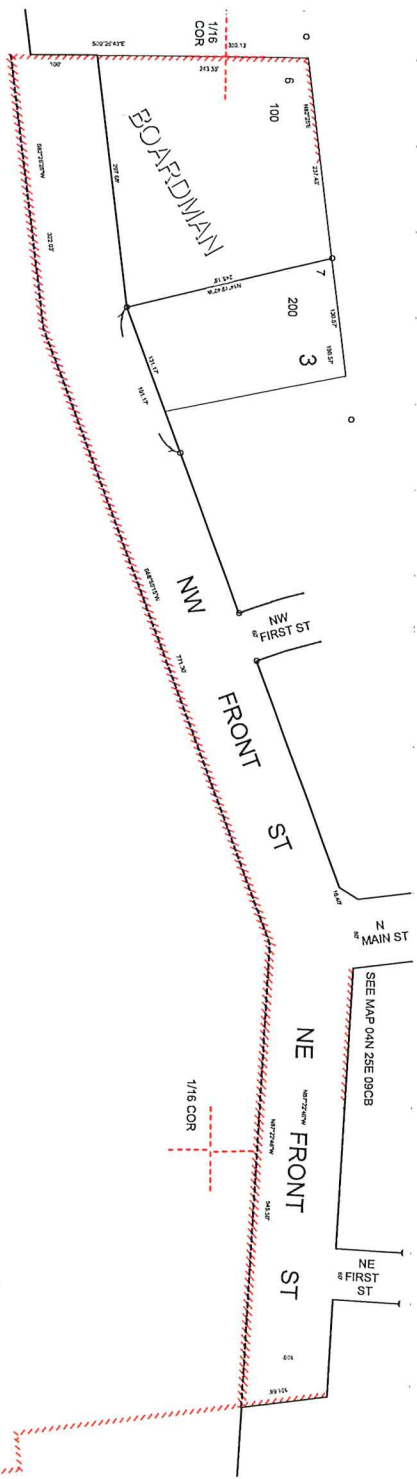
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



S.W. 1/4 S.W. 1/4 SEC. 9 T. 4N. R. 25E. W.M.
MORROW COUNTY
1" = 100'

04N25E09CC
BOARDMAN

Cancelled
300
401
1100
1301

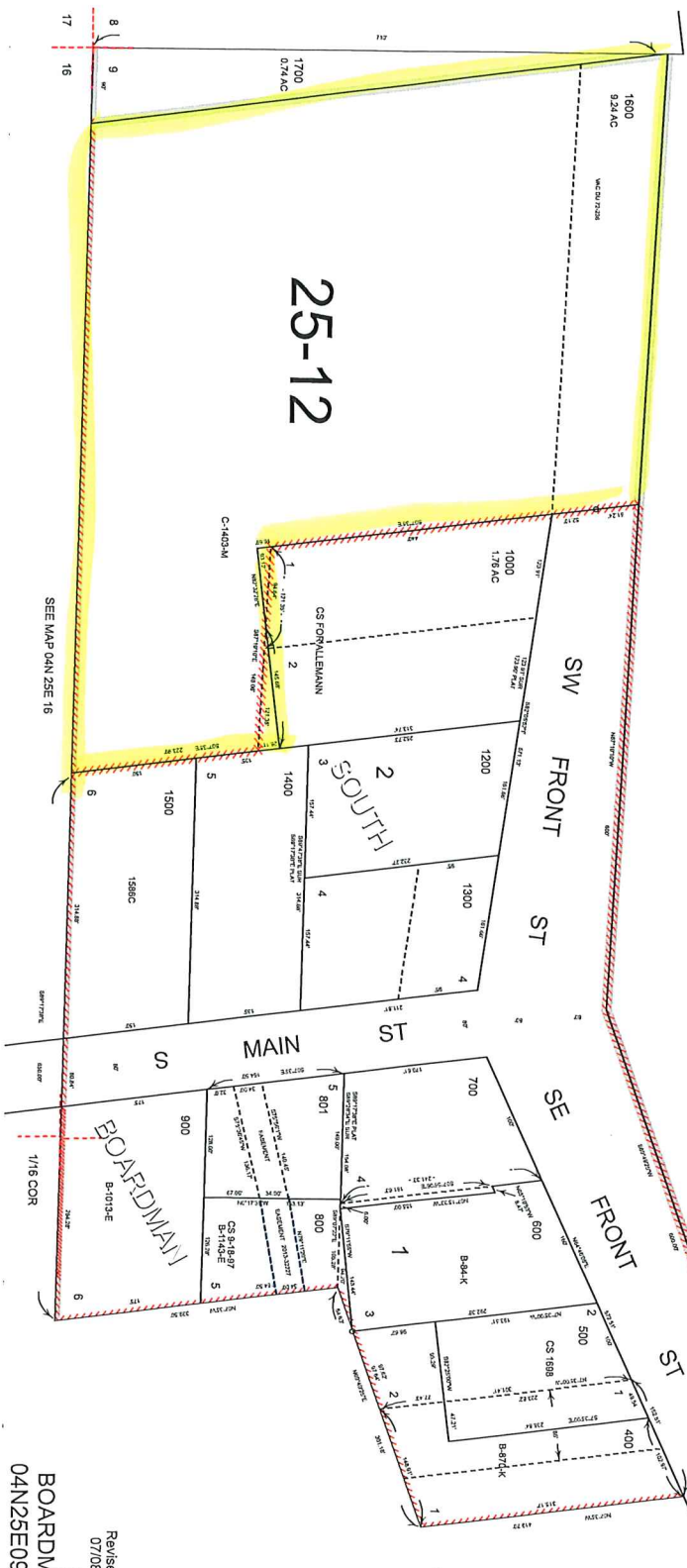


NEW COLUMBIA RIVER HWY
US NO 30

25-1

SEE MAP 04N 25E 08

SEE MAP 04N 25E 09



BOARDMAN
04N25E09CC

Revised: EB
07/08/2014

City of Boardman
Community Development Department
Narrative in Support of Land Use Application

Date: 7/27/2020

To: Planning Commission and City Council of the City of Boardman

From: David Jones, Applicant

Subject: Post Acknowledgement Plan Amendment – 04n25e09CC, Tax Lot **1600**

Applicant Request

The Applicant is requesting a zone change of the parcel (04N25E09CC, TL 1600) ("Property") that currently is zoned Tourist Commercial. The applicant requests that 1.83 acres of this parcel be zoned Light Industrial with the remaining 7.41 acres zoned as Manufactured Home Park Sub-District. The map of the Property is set forth in Exhibit 1. The Property's current zoning is depicted on the City Zoning Map in Exhibit 2. A map of the Property's proposed zoning is set forth in Exhibit 3.

The purpose of this request is outlined as follows:

- 1.) Adding 7.41 acres to Manufactured Home Park Sub-District will allow for much needed low cost housing in the community.
- 2.) By zoning 1.83 acres Light Industrial, it will create a buffer between what will be a Manufactured Home Park the interstate. When the development of the property is completed, it will create a more visually pleasing barrier between the freeway, and the Manufactured Home Park.

Please refer to Exhibit 1 for exact measurements and diagrams of the property.

Buildable Lands Inventory

Tourist Commercial

The zone change proposes to rezone approximately 7.41 acres of the Property from Tourist Commercial to Manufactured Home Park Sub-District. The zone change also proposes to rezone 1.83 acres outlining the North side of the property from Tourist Commercial to Light Industrial. The resulting net acreage loss of Tourist Commercial zoning is approximately 9.24 acres. Currently, approximately 21.71 acres in the city are zoned Tourist Commercial. Upon adoption of this zone change request, the City will continue to have approximately 12.47 acres of developable lands designated with Tourist Commercial Zoning.

Light Industrial

The zone change proposes to increase the City's Light Industrial zoning by 1.83 acres to [REDACTED] by rezoning 1.83 acres outlining the North side of the property from Tourist Commercial to Light Industrial.

Manufacture Home Sub-District

The zone change proposes to increase the City's Manufacture Home Sub-District zoning by approximately 7.41 acres to a total of 16.32 acres which is significantly under the 2018 allotted Manufactured Home Sub-District of 35.6 acres. Upon adoption of this zone change request, the City will maintain approximately 12.47 acres of remaining Tourist Commercial zoning. Once developed this is certain to help the need for low cost housing in Boardman while still maintaining good visual presence from the I-84.

Relevant BDC Chapters

Relevant BDC Chapters governing this request include Chapter 2.1, (Residential Districts), Chapter 2.2 (Commercial Districts), Chapter 2.4 (Light Industrial), Chapter 3.1 (Access and Circulation), Chapter 3.2 (Landscaping, Street Trees, Fences and Walls), Chapter 3.3 (Vehicle and Bicycle Parking), Chapter 3.4 (Public Facilities Standards), Chapter 4.1 (Types of Applications and Review Procedures), Chapter 4.2 (Development Review and Site Design Review), Chapter 4.7 (Land Use District Map and Text Amendments), and Chapter 4.10 (Traffic Impact Study). The narrative addresses each of these chapters in the space below.

Chapter 2.1 – Residential District:

Chapter 2.1 contains the language and tables of allowable uses and conditional uses within the Manufactured Home Park Sub-District. The applicant intends to comply with the allowable uses within the Manufactured Home Park Sub-District upon any future proposed development request.

Chapter 2.2 – Commercial District:

Chapter 2.2 contains the language and tables of allowable uses and conditional uses within the Tourist Commercial zone. The applicant intends to comply with the allowable uses within the Tourist Commercial zone upon any future proposed development request.

Chapter 2.4 – Light Industrial District:

Chapter 2.4 contains the language and tables of allowable uses and conditional uses within the Light Industrial zone. The applicant intends to comply with the allowable uses within the Light Industrial zone upon any future proposed development request.

Chapter 3.1 – Access and Circulation

The size of the parcel and the configuration of the parcel in relation to current access and circulation routes of the City suggest that any future development on the Property could meet access and circulation standards of the City. Consideration of appurtenant access and circulation requirements would be considered upon a Site Design Review process including Site Team review by the City. At this time the application only needs to prove that the parcel, upon approval of the zone change could comply with applicable Access and Circulation standards of the City. The application meets this requirement simply by size, proximity to ingress/egress routes and consideration of the Interchange Area Management Plan Access Management Plan.

Chapter 3.2 – Landscaping, Street Trees, Fences and Walls

The applicant intends to comply with all applicable requirements of Chapter 3.2 upon application and through the Site Design Review process. The parcel size and configuration are enough to prove that the applicant has sufficient land to meet any applicable Site Design Review requirements under this section.

Chapter 3.3 – Vehicle and Bicycle Parking

The applicant intends to comply with all applicable requirements of Chapter 3.2 upon application and through the Site Design Review process. The parcel size and configuration are enough to prove that the applicant has sufficient land to meet any applicable Site Design Review requirements under this section.

Chapter 3.4 – Public Facilities Standards

The applicant intends to comply with all applicable requirements of section 3.4 upon application and through the Site Design Review process. The parcel size and configuration are enough to prove that the applicant has sufficient land to meet any applicable Site Design Review requirements under this section. Additionally, Applicant selected the Property for development pursuant to Manufactured Home Park Sub-District zoning due to the Property's close proximity to major power and water/wastewater infrastructure.

Chapter 4.1 Types of Applications and Review Procedures

Table 4.1.200 of the BDC calls for a Type IV Legislative process for this matter due to a change in both the Comprehensive Plan Map and Zoning Map for the City.

Chapter 4.2 – Development Review and Site Design Review

Development Review and Site Design Review criterion will be applied at the time of future development application(s). Applicant shall be required to follow all criterion and guidelines within Chapter 4.2.

Chapter 4.7 – Land Use District Map and Text Amendments

The Applicant intends to comply with all applicable requirements of Chapter 4.7 by meeting state-wide planning goals.

Chapter 4.10 – Traffic Impact Study

Applicant intends to conduct a traffic impact study to better understand and provide the best way of ingress and egress to the potential development.

1. Approval of the request is consistent with the Statewide Planning Goals:

Post-acknowledgement plan amendments must be in compliance with the Oregon Statewide Planning Goals ("Goals"). ORS 197.175(2)(a); *1000 Friends of Oregon v. LCDRC*, 301 OR 447, 725 P2d 268 (1986). This application requests a post-acknowledgement plan amendment. Therefore, the City's decision must explain why this request is in compliance with the Goals. Alternatively, if a Goal is not applicable, the City must adopt findings explaining why that Goal is not applicable. *Davenport v. City of Tigard*, 22 Or LUBA 577, 586 (1992). The responses below provide findings explaining why the request is in compliance with applicable Goals and why the remaining Goals are not applicable.

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.

Goal 1 requires local governments to adopt and administer programs to ensure the opportunity for citizens to be involved in all phases of the planning process. The City has adopted such a program for post-acknowledgement plan amendments, and it is incorporated within the City's Comprehensive Plan and BDC and has been acknowledged by the Land Conservation and Development Commission. Among other things, the City's program requires notice to citizens, agencies, neighbors, and other interested parties followed by multiple public hearings before the City makes a decision to approve or deny the request. The procedures will provide ample opportunity for citizen involvement in all phases of the request. The City should find that upon compliance with the City's notice and hearing procedures, the City has reviewed the request in a manner consistent with Goal 1. *See Wade v. Lane County*, 20 Or LUBA 369, 376 (1990) (Goal 1 is satisfied as long as the local government follows its acknowledged citizen involvement program).

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 and actions.

Goal 2 requires establishing a land use planning process and policy framework as a basis for all land use decisions and requires an adequate factual base for all land use decisions. In the present case, the provisions of the City's Comprehensive Plan and BDC establish the land use planning process and policy framework for considering the request. Further, this narrative and its related exhibits demonstrate that the request satisfies all applicable substantive standards. As such, there is an adequate factual base for the City's decision.

Additionally, Goal 2 requires that the City coordinate its review and decision on the request with appropriate government agencies. In its review of the request, the City has provided notice and an opportunity to comment to affected government agencies, including the state Departments of Land Conservation and Development and Transportation.

The City should find that the request is consistent with Goal 2.

Goal 3: Agricultural Lands.

To maintain and preserve agricultural lands.

Goal 3 concerns protection of agricultural lands. The property does not include any agricultural lands, and approval of the request will not impact any agricultural lands. Therefore, the City should find that Goal 3 is not applicable to the request.

Goal 4

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Goal 4 protects forest lands. The Property does not include any forest lands, and approval of the request will not impact any forest lands. Therefore, the City should find that Goal 4 is not applicable to the request.

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

To protect natural resources and conserve scenic and historic areas and open spaces.

Goal 5 protects certain types of inventoried resources. The Property does not include any of the inventoried resources, and the approval of the request will not impact any natural resources, scenic and historic areas and open spaces. Therefore, the City should find that Goal 5 is not applicable to the request.

Goal 6: Air, Water and Land Quality.

To maintain and improve the quality of the air, water and land resources of the state.

Goal 6 addresses waste and process discharges from future development and requires local governments to determine that the future discharges, when combined with existing development, would not violate (or threaten to violate) applicable state or federal environmental quality statutes, rules and standards. Applicant believes that there is, or will be concurrent with development, adequate capacity in the City's existing public water, waste water, and storm water facilities to serve both the Property, and the existing users of these systems. Therefore, the City should find that the Applicants request is consistent with Goal 6.

Goal 7: Areas Subject to Natural Hazards.

To protect people and property from natural hazards.

The City has not identified or inventoried natural hazards in the general area of the Property. Therefore, the City should find that Goal 7 is not applicable to the request.

Goal 8: Recreational Needs.

To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 requires a local government to prepare an inventory of recreation needs and opportunities in the planning area based upon adequate research and analysis. There are no inventoried recreational facilities located on the Property or affected by the request. Therefore, the City should find that Goal 8 is not applicable to the request.

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.

Boardman has long had insufficient low cost housing. That insufficiency makes it difficult for employers to meet the labor demands, particularly for the farms in need of that labor. Having more low cost housing would enable employers to more easily contract the labor needed locally rather than having to look elsewhere. Based on this, the city should find this request is consistent with Goal 9.

Goal 10: Housing.

To provide for the housing needs of the citizens of the state.

Goal 10 and its implementing rules require each local government to inventory the supply of buildable residential lands. Residential buildable lands are now at an all-time low. As of July 20th, only 8 lots for single family homes existed within the city limits. As of that same date 0 lots existed for multifamily housing. Having the ability to create more affordable housing in the form of a manufactured home park would help to meet the extreme demand in housing that Boardman has encountered in the previous years. Based on this need the city should find that the Applicant's request is consistent with Goal 10.

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.

The Property is located inside the City limits and has ready access to urban public services. In fact, Applicant selected the Property for development due to its proximity to adequate facilities and services that can accommodate its proposed uses. The Property is close to a water line and directly adjacent to electricity distribution and a regional wastewater disposal line. There is, or will be concurrent with development, adequate capacity in the City's existing public water, wastewater, and stormwater facilities to serve both the Property and the existing users of these systems. Based upon this evidence the City should find that the request is consistent with Goal 11.

Goal 12: Transportation.

To provide and encourage a safe, convenient and economic transportation system.

Goal 12 is implemented by the Oregon Transportation Planning Rule ("TPR"), which requires local governments to determine whether a proposed post-acknowledgement comprehensive plan amendment will "significantly affect" an existing or planned transportation facility. OAR 660-012-0060(1). An amendment will "significantly affect" an existing or planned transportation facility if it will : (1) change the functional classification of a facility; (2) change standards implementing a functional classification system; (3) as measured at the end of the planning period, result in types of levels of travel or access that are inconsistent with the functional classification of an existing facility; or (4) degrade the performance of an existing facility either below applicable performance standards, or if already performing below these standards, degrade it further. *Id.*

Applicant believe that the proposed zone change will either not significantly affect any existing or planned transportation facilities, or any such significant affect will be mitigated consistent with the requirements of the TPR. The City should find that the Applicant's request is consistent with Goal 12 and the TPR.

Goal 13: Energy Conservation.

To conserve energy.

In general, Goal 13 is a planning goal "directed toward the development of local government land management implementation measures which maximize energy conservation." *Brandt v. Marion County*, 22 Or LUBA 473, 484 (1991), *aff'd in part, rev'd in part* 112 Or App 30 (1992). It does not

prohibit adoption of a plan amendment that would result in a net increase in energy usage. *Setniker v. Oregon Department of Transportation*, 66 Or LUBA 54 (2012). The request is consistent with Goal 13 because the proposed amendment will provide for efficient use of land and energy by facilitating the location of industrial development near existing electric utility lines rather than placing such development far from utility line infrastructure and then extending the lines. For these reasons, the City should find that the request is consistent with Goal 13.

Goal 14: Urbanization.

To provide for an orderly and efficient transition from rural to urban land use.

Goal 14 calls for maintaining urban uses within urban growth boundaries ("UGB"). The Property is located inside the City limits and is currently designated for urban uses. The request does not involve a change in the location of the UGB. Therefore, the City should find that the request is consistent with Goal 14.

Goal 15: Willamette River Greenway.

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Goal 15 only applies to lands along the Willamette River. The Property is not located along the Willamette River or in the Willamette River Greenway. Approval of the request will not impact the Willamette River or the Willamette River Greenway. Therefore, the City should find that Goal 15 is not applicable to the request.

Goal 16: Estuarine Resources.

To recognize and protect the unique environmental, economic and social values of each estuary and associated wetlands; and

To protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic and social values, diversity, and benefits of Oregon's estuaries.

Goal 16 concerns estuarine resources. The Property does not include any designated estuarine resources, and the proposed amendments will not impact any estuarine resources. Therefore, the City should find that Goal 16 is not applicable to the request.

Goal 17: Coastal Shorelands

To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and

To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

Goal 17 regulates coastal shorelands. The Property does not include any designated coastal shorelands. Moreover, the proposed amendments will not impact any designated coastal shorelands. Therefore, the City should find that Goal 17 is not applicable to the request.

Goal 18: Beaches and Dunes.

To conserve, protect, where appropriate develop and where appropriate restore the resources and benefits of coastal beach and dune areas; and

To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

Goal 18 concerns beaches and dunes. The Property does not include any designated beaches or dunes. Moreover, the proposed amendments will not impact any designated beaches or dunes. Therefore, the City should find that Goal 18 is not applicable to the request.

Goal 19: Ocean Resources.

To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

Goal 19 calls for the conservation of ocean resources. The Property does not include or abut any ocean resources, and the proposed amendments will not impact any ocean resources. Therefore, the City should find that Goal 19 is not applicable to the request.

Based upon these responses, the City should find that the request is consistent with the applicable Goals. This criterion is satisfied.

2. Approval of the request is consistent with the Comprehensive Plan:

This application is consistent with applicable goals and policies of the City's Comprehensive Plan as follows:

GOAL 2: LAND USE PLANNING POLICIES

3. The City has adopted the City of Boardman Development Code, a unified zoning and subdivision land use code to facilitate the development process and implement the land use goals of the City as outlined in the Comprehensive Plan.

As explained in this narrative, the application is consistent with relevant provisions of the BDC. Because the BDC implements the Comprehensive Plan, compliance with the BDC will ensure compliance with the goals and policies of the Comprehensive Plan.

GOAL 9: ECONOMIC NEEDS

1. Advance the position of Boardman as a regional center for industry, power generation, commerce, recreation and culture.

As housing opportunities grow in Boardman, the area's industries will be enhanced by a larger pool of qualified individuals to draw from. Therefore additional housing is essential to the success of all of the industries in our area. For this reason the adoption of this zone change is consistent with this goal.

GOAL 10: HOUSING

- 1. The City shall provide a variety of living environments to meet regional housing needs for those of different family size and income.**

The majority of the recent housing units added to Boardman cost the resident between \$1100-\$2000 per month in housing costs. This price range is not accessible for the majority of Boardman residents. This application asking to rezone 7.41 acres to Manufactured Home Park Sub-Division would allow for the creation of approximately 55 mobile home housing units, which currently have an approximate average cost in Boardman of \$340 per month. This application is consistent with the goal by creating housing to fit a wider range of incomes.

4. Locate high-density multiple-family developments in areas to offer a buffer between single family residential and commercial or industrial uses, close to schools and shopping, and with quick access to arterial streets.

8. The City shall promote where possible, the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities and other urban development.

10. Encourage through provisions in the City's Development Code, the opportunity to develop mixed use Development (commercial and higher density residential) to provide affordable housing options for all residents of Boardman.

11. The City shall encourage residential development within city limits in areas which are appropriate for urban development.

The proposed zone change will allow the Property to become a small community of Mobile Homes and a small self-storage business. The Property is located in the middle of the City's shopping areas, reasonably near to all 3 public schools, and has excellent access to Main Street. The Property's proposed development is an infill of current undeveloped land in the heart of the City. The proposed self-storage business on the north side of the Property would act as a visual and noise buffer for potential residents within the Manufactured Home Park Sub-Division. It would also be a great boon for commercial property in the area to have the addition of so many residents within easy walking distance. The Property is proposed to be a mixed-use development. The Property's location is next to commercial property and with-in an easy walking distance of shopping, schools and parks. Applicant chose the Property because of the potential to create more residential development within city limits. The proposed development creates a greater variety of affordable housing options for the City's residents. Therefore, the City should find that the zone change is consistent with these policies from the Comprehensive Plan Goal 10.

GOAL 11: PUBLIC FACILITIES POLICIES

- 1. The City shall assure urban services (water, sewer and storm drainage services and transportation infrastructure) to residential, commercial and industrial lands within the City's Urban Growth Area as these lands are urbanized.**

2. To minimize the cost of providing public services and infrastructure, the City shall discourage inefficient development without adequate public services and promote efficient use of urban and urbanizable land within the City's urban growth boundary, including requiring all urban development to be served by full urban services.
3. The City shall support development that is compatible with the City's ability to provide adequate public facilities and services.

The Property is located inside City limits and has ready access to urban public services. In fact, Applicant selected the Property for development due to its proximity to adequate facilities and services to accommodate Manufactured Home Park Sub-Division uses. The Property is close to all major utility lines. It is the Applicant's understanding that there is or will be concurrent with development, adequate capacity in the City's existing public water, wastewater and stormwater facilities to serve the Property and the existing users of these systems. Therefore, the City should find that the zone change is consistent with these policies from Comprehensive Plan Chapter 11.

GOAL 12: TRANSPORTATION POLICIES

3. The City of Boardman shall include a consideration of land use impacts on existing or planned transportation facilities in all land use decisions.

Applicant believes that the proposed zone change will either not significantly affect any existing or planned transportation facilities, or any such significant affect will be mitigated consistent with the requirements of the TPR. The City should find that the Applicant's request is consistent with Goal 12 and the TPR.

GOAL 13: ENERGY POLICIES

1. Locate high density residential development along arterial streets, close to schools, parks, and shopping.

The Property is located near a major arterial street, it is located in between the local public schools, and is very close to the commercial centers of the city. The City should find that the Applicant's request is consistent with Goal 13.

The City should find that the request satisfies this criterion.

Conclusion

For the reasons explained in this narrative and based upon the evidence included herewith, the City should approve the requested zone change of the Property.

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO STAKE THE CORNERS OF THAT PROPERTY DEEDED TO MARY ANN AND RUDOLPH T. ALLEN, RECORDED ON M-4010 MORROW COUNTY DEED RECORDS FOR A PENDING SALE. ALSO TO DO A LOT LINE ADJUSTMENT TO MOVE THE SOUTH LOT LINES OF LOTS 1 AND 2, BLOCK 2, "SOUTH BOARDMAN" TO A LINE 10 FEET SOUTHERLY OF AND PARALLEL WITH THE SOUTHERLY WALL OF A MOTEL BUILDING.

I BASED THE BEARINGS ON THE PLAT OF "SOUTH BOARDMAN".

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

V. Bonini-Paroli

OREGON
JULY 16, 1971
J. DENNIS EDWARDS
9 5 1
RENEWS 12/31/2003

SCALE: 1"=100'

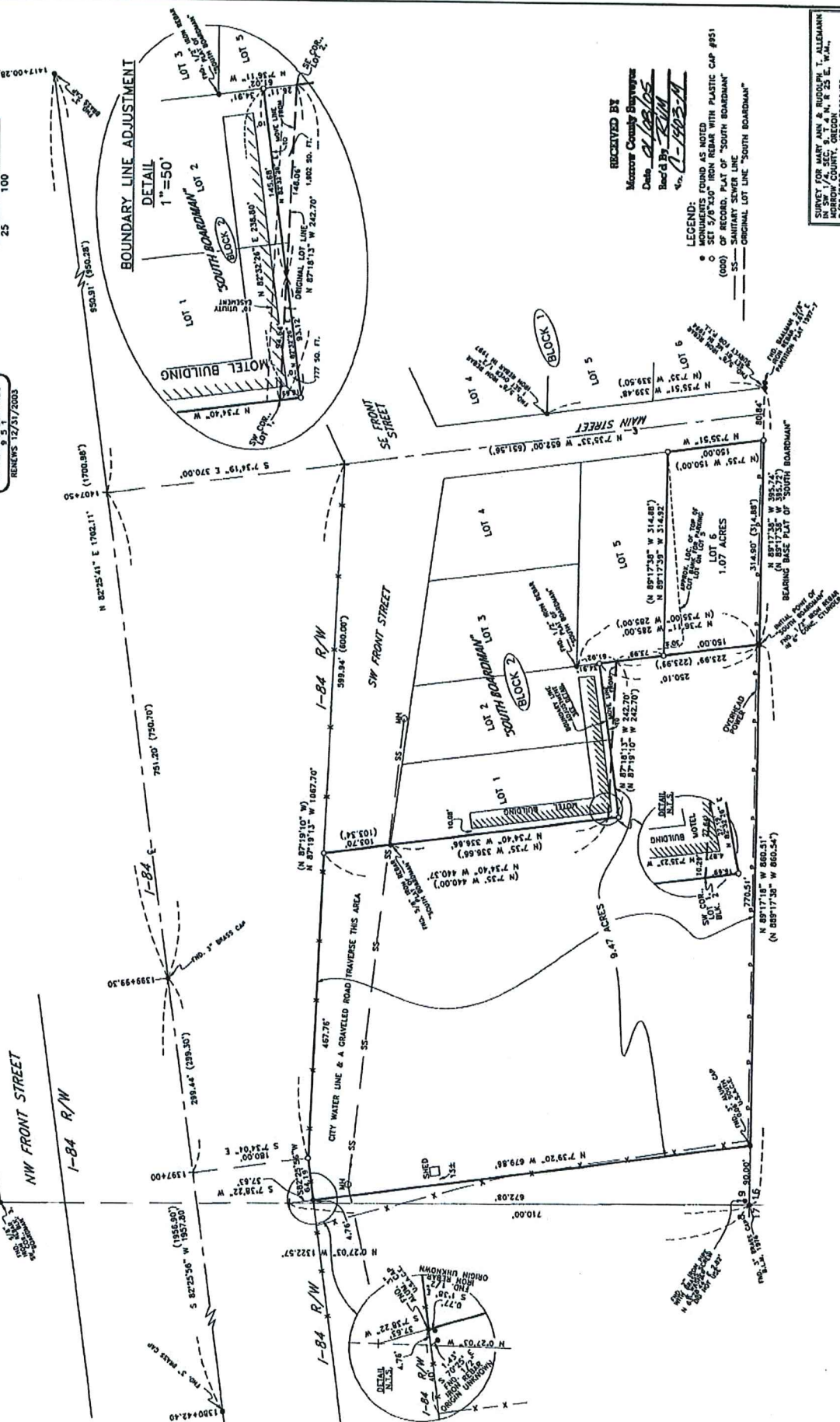
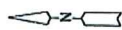


EXHIBIT 3

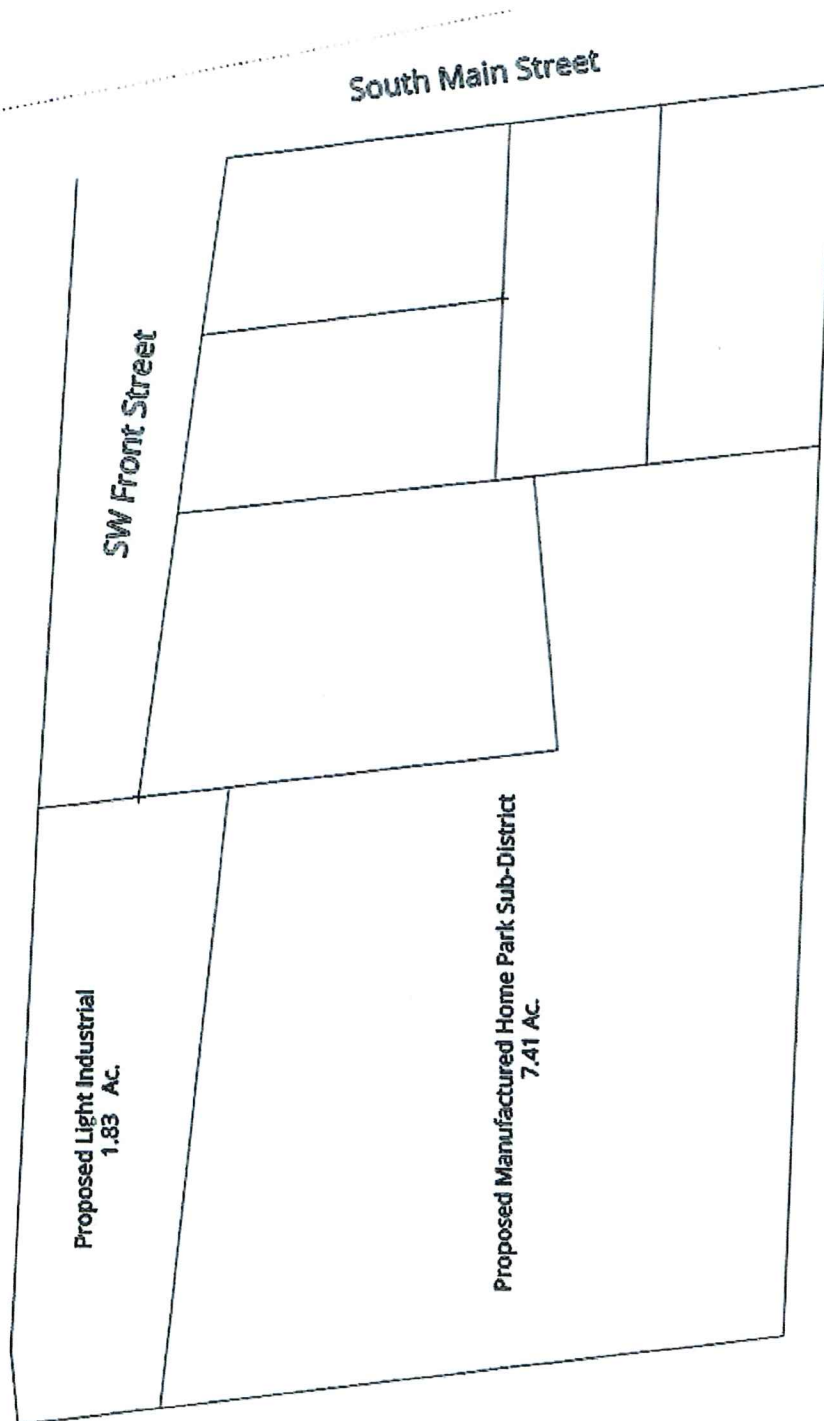


Exhibit 3



City of Boardman

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Fax: (541) 481-3244
TTY Relay 711
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PUBLIC NOTICE

THE BOARDMAN PLANNING COMMISSION WILL CONDUCT A PUBLIC HEARING WEDNESDAY, OCTOBER 21, 2020 AT 7:00 PM

**Using the web-based conferencing service ZOOM on any
mobile device.**

This meeting is available to the public using:

<https://zoom.us/j/2860039400>

The purpose of this hearing is to receive public comment concerning a request for a Zone change and Map Amendment for Tax lot #1600 of Morrow County Tax Map 4N 25 9CC. The property is a 9.24-acre parcel, currently zoned Tourist Commercial (Commercial Highway Sub District). The request is to re-zone 1.83 acres of this parcel to Light Industrial and 7.41 acres to be zoned Manufactured Home Park Sub District.

You are receiving this notice by mail if you own property within 250 feet of the existing property boundaries, or you have requested notice. This action was previously sent on July 00, 2020 and was delayed to the October 21, 2020 date in this notice. The Preliminary Findings for this hearing will be available on the city's website at www.cityofboardman.com.

The citizens of Boardman are invited to appear at the hearing and comment on the aforementioned matter or request.

(S) Heather Baumgartner
City Clerk

Posted: October 1, 2020
Published: October 6, 2020

EXHIBIT 2

