

**FINAL FINDINGS OF FACT
PLANNING COMMISSION
AMENDMENT LND24-000011**

REQUEST: To accomplish a minor amendment to the City of Boardman Zoning Map reducing the area of Bonneville Power Administration (BPA) Transmission Line easement to be only within the BPA easement area and to increase the Commercial – Highway SubDistrict on the north and Commercial on the south.

APPLICANT: City of Boardman
Planning Official
Post Office Box 229
200 City Center Circle
Boardman, Oregon 97818

- I. **GENERAL INFORMATION:** The current Boardman Zoning Map identifies a small area of the land under the BPA transmission lines zoned BPA Transmission Line Easement. At this point that zoning only extends a small distance to both the east and west of South Main Street. Over time as an emerging vision for “park blocks” to be developed under the BPA transmission line that zoning could be extended to both the east and west, but only after the code language is amended. It is also the intent to apply this zoning only within the easement boundary of the BPA transmission line easement. This endeavor is to redefine the current application of the zoning to be only within the easement boundary allowing the property that would be rezoned to be eligible for development.
- II. **PROCEDURE:** This amendment is being processed using Type IV procedures found within the Boardman Development Code. The Type IV process requires a hearing before the Planning Commission with a recommendation to the City Council. The final hearing will occur before the City Council.
- III. **APPROVAL CRITERIA:** The request has been filed under the BDC Chapter 4.1 Types of Applications and Review Procedures, more specifically 4.1.600 Type VI Procedures (Legislative). The criteria are identified below in **bold** type with responses in regular type.

G. Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

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

The Statewide Planning Goals applicable to this request are Goal 1, Citizen Involvement and Goal 2, Coordination.

Goal 1 requires the City to “develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.” Because the proposed legislative amendment will be heard by both the Planning Commission and the City Council, there will be at least two opportunities for public comment to the proposed change. Additionally, owners of adjoining property have received notice of this proposed action. This is

consistent with the City's acknowledged citizen involvement program. (Goal 1, Policy 4: The Planning Commission is officially designated as the Citizen Involvement Committee.)

Goal 2 requires the City to adopt a comprehensive plan and implement the plan through its development code and by extension other planning level documents including the Zoning Map. The proposed amendment is consistent with and will support the comprehensive plan relative to employments lands. (Goal 2, Policy 3: The City has adopted the City of Broadman 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.)

For these reasons, the criterion is met.

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

The Boardman Comprehensive Plan (BCP) has a variety of policies that support the proposed amendment and the process used to achieve it. Goal 1 policies support citizen involvement and the public hearing process. Goal 1, Policy 4, designates the Planning Commission as the City's official Citizen Involvement Committee. Therefore, review by the Planning Commission ensures compliance with the comprehensive plan.

While none of the Goal 2 Policies are specifically applicable to this action, staff assert that the land use planning process required through Goal 2 is supported with the update of the Zoning Map and that the adoption of these changes further supports that action. The desired result is a Zoning Map that provides for the addition of employment lands and refines the limitations of the BPA Transmission Line Easement.

For these reasons, the criterion is met.

3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

The area of the change is along South Main Street and north of both the current and anticipated future expansion of Oregon Trail Boulevard. Public facilities and services are available in this area and this minor map amendment could not impact service delivery. The 2009 Main Street Interchange Area Management Plan is applicable to any development that would occur in this area with road and infrastructure improvements that have recently been installed (SE Front and 1st project) and under design (SW Front and 1st project based on development).

For these reasons, the criterion is met. We have received a comment letter from the Oregon Department of Transportation that is included that staff have not fully analyzed for next steps. More information will be provided at the Planning Commission public hearing.

- IV. **LEGAL NOTICE PUBLISHED:** October 30, 2024
East Oregonian
- V. **AFFECTED LANDOWNER NOTICE:** November 1, 2024
List of recipients on file at City Hall.
- VI. **DLCD 35-DAY NOTICE:** October 17, 2024
- VII. **AGENCIES NOTIFIED:** Dawn Hert, Department of Land Conservation and Development; Teresa Penninger and Rich Lani, Oregon Department of Transportation; Michael Hughes and Marty Broadbent, Boardman Fire; Rick Stokoe, Boardman Police; Emily Roberts, Morrow County Health District; George Shimer, Boardman Parks and Recreation District.
- VIII. **HEARING DATES:**
 - Planning Commission
 - November 21, 2024
 - Council Chambers
 - Boardman City Hall
 - 200 City Center Circle
 - Boardman, Oregon 97818

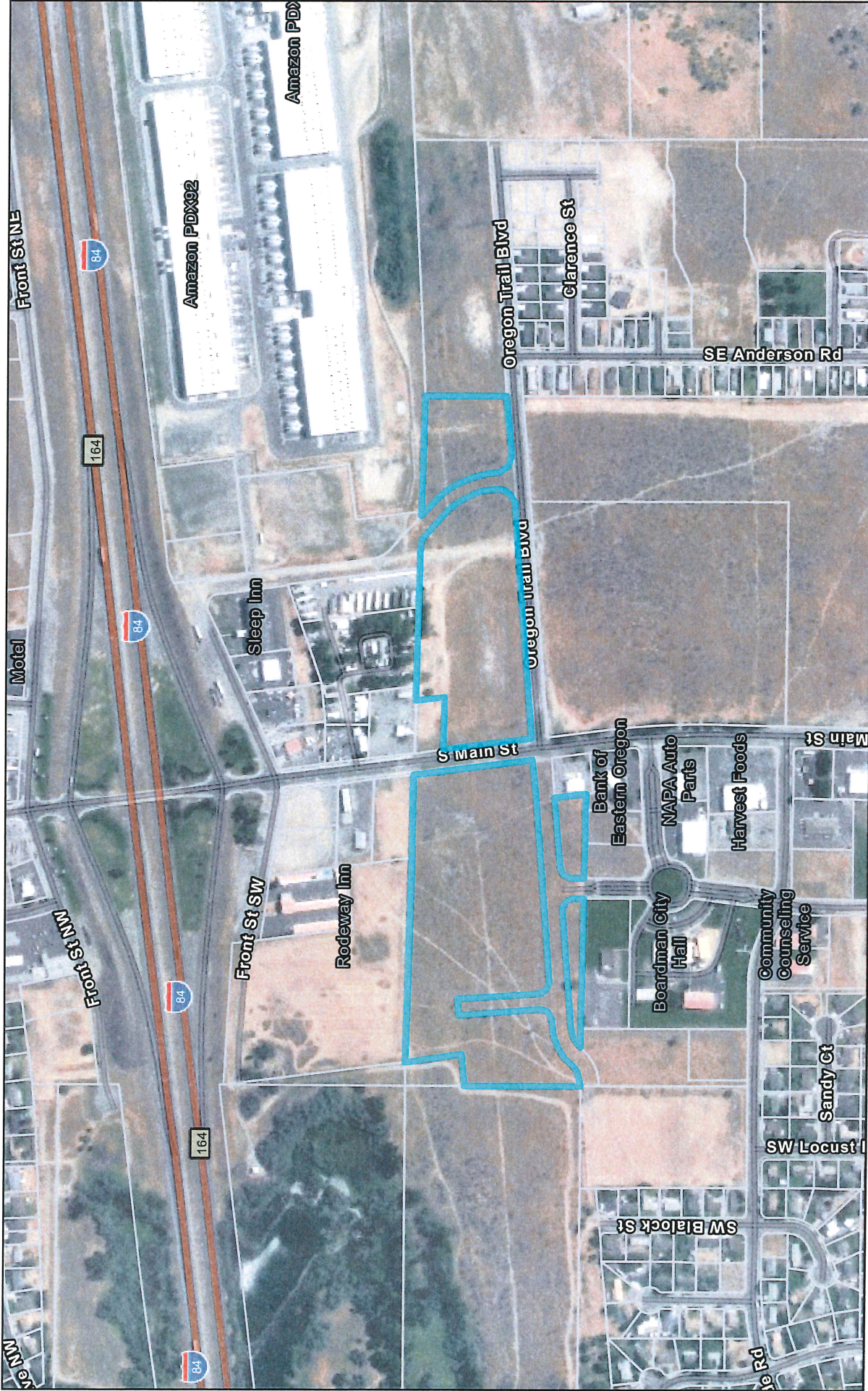
 - City Council
 - December 3, 2024
 - Council Chambers
 - Boardman City Hall
 - 200 City Center Circle
 - Boardman, Oregon 97818
- IX. **PLANNING OFFICIAL RECOMMENDATION:** The Planning Official recommends the Planning Commission forward the request to the City Council with a 'do adopt' recommendation.

Zack Barresse, Chair _____ Date
 Planning Commission

ATTACHMENTS:

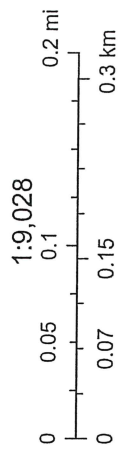
- Various Maps (Vicinity, Zoning with area of proposed change identified, Assessor’s Map with area of change identified)
- Oregon Department of Transportation Comment Letter

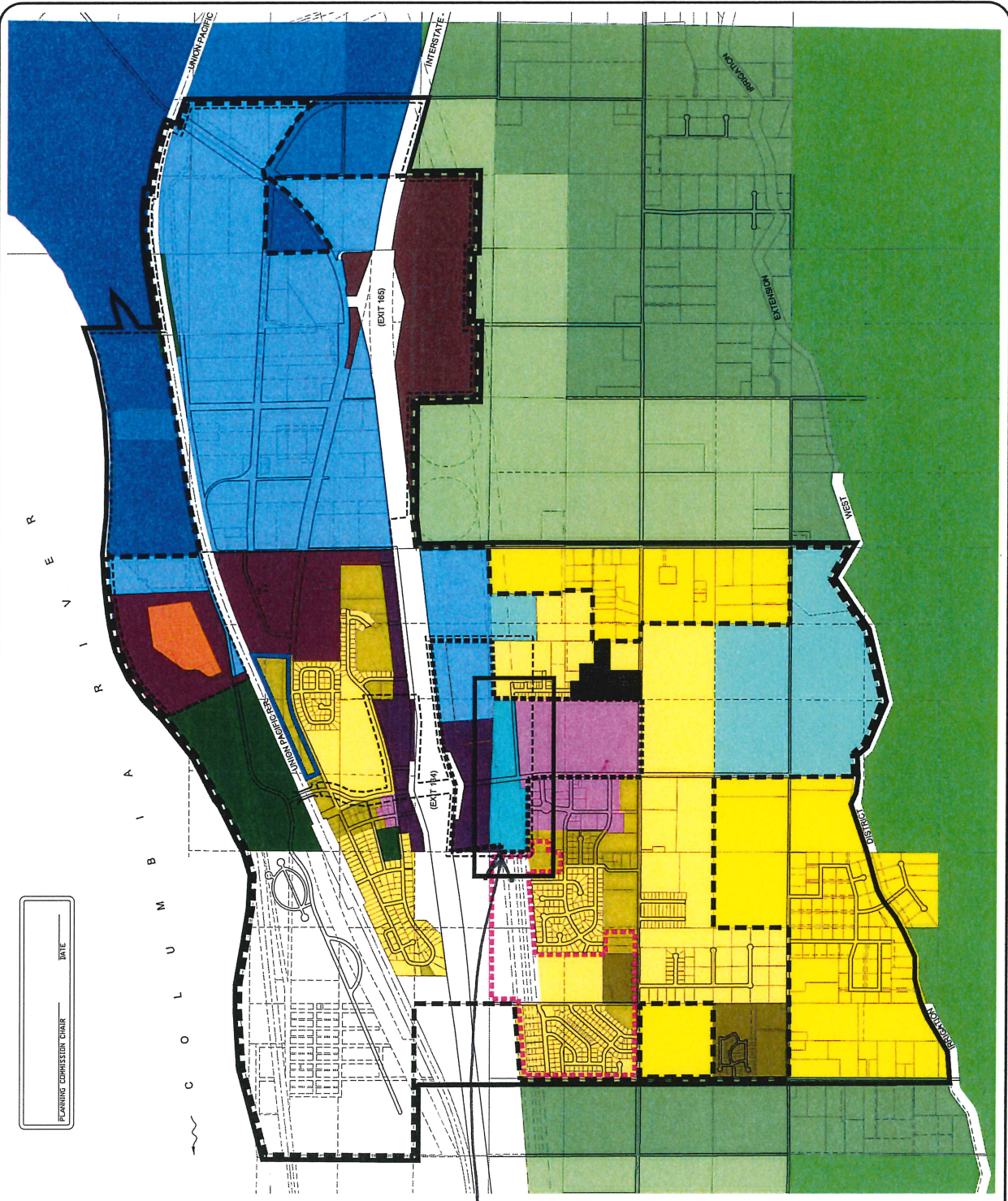
Vicinity Map



11/1/2024, 1:04:56 PM

Taxlots





- LEGEND**
- CITY LIMITS
 - INTERCHANGE AREA MANAGEMENT PLAN BOUNDARIES
 - URBAN GROWTH BOUNDARY
 - PUBLIC/OPEN SPACE
 - PLANNING COMMISSION CHAIR
 - DATE

- CITY ZONING**
- RESIDENTIAL
 - RESIDENTIAL SOUNDSE TERRACE SUB DISTRICT
 - RESIDENTIAL MULTIFAMILY SUB DISTRICT
 - RESIDENTIAL MANUFACTURED HOME SUB DISTRICT
 - FUTURE URBAN
 - MASTER PLAN DEVELOPMENT
 - COMMERCIAL
 - COMMERCIAL HWY SUB DISTRICT
 - LIGHT INDUSTRIAL
 - GENERAL INDUSTRIAL
 - DVA TRANSMISSION LINE EASEMENT SUB DISTRICT
 - SERVICE CENTER
- COUNTY ZONING**
- GENERAL INDUSTRIAL - COUNTY
 - SPURBAN RESIDENTIAL (1 ACRE) - COUNTY
 - FARM RESIDENTIAL (2 ACRES) - COUNTY
 - SMALL FARM (10 ACRES) - COUNTY
 - EXCLUSIVE FARM USE - COUNTY
 - FORT INDUSTRIAL

AREA OF Proposed Change



BOARDMAN, OREGON ZONING MAP

UPDATED OCTOBER 2021



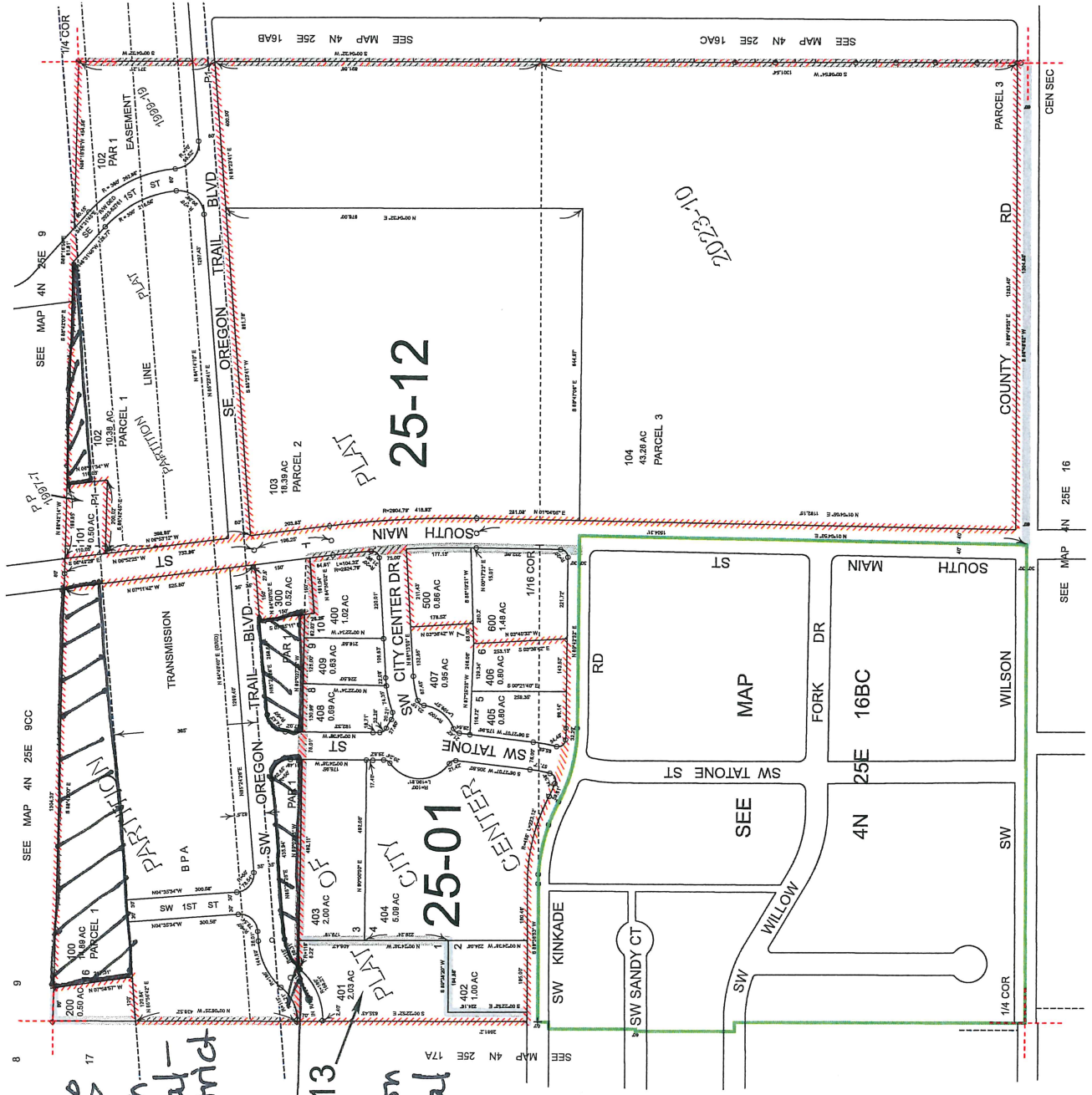
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

0 100 200 300 400 Feet

N. W. 1/4 SEC. 16 T. 4N. R. 25E. W.M.
MORROW COUNTY
1" = 200'

04N25E16B

- Cancelled
- 700 THRU 709
- 800
- 900
- 1000
- 1100
- 1102
- 1200
- 1300
- 1400
- 1500
- 1600



AREA proposed to
change from
BPA transmission
line to Commercial -
Highway Sub District

Area proposed to
change from
BPA transmission
line to Commercial

Revised: EB
07/25/2024

04N25E16B



Oregon

Tina Kotek, Governor

Department of Transportation

Region 5, District 12

1327 SE 3rd Street

Pendleton, OR 97801

October 28, 2024

Carla McLane, City Planner VIA EMAIL: mclanec@cityofboardman.com
City of Boardman
200 City Center Circle
P O Box 229
Boardman, OR 97818

Subject: Zoning Map Amendment of 5 acres from BPA Transmission Line Easement Subdistrict to Commercial – Highway Subdistrict on the north and Commercial on the south

The Oregon Department of Transportation (ODOT) has jurisdiction of Interstate 84, including responsibility for managing access within the corridor. The proposed property is in the vicinity of Interstate 84/Main Street Interchange. ODOT is committed to preserving the function of the Interchange and public infrastructure investments as the area infills and redevelops.

At a minimum for a rezone, we recommend a Traffic Generation Report (TGR) which shows the before and after change in trip generation from BPA Transmission Line Subdistrict to the proposed zone(s) be conducted. If the TGR shows an increase in traffic over 400 or between 400 and 1000 Average Daily Trips (ADT), then following Oregon Highway Plan Action 1F.5, there are different thresholds for Annual ADT and highway configurations that will need to be evaluated, or the increase is over 1000 ADT, a Traffic Impact Analysis (TIA) would be recommended to evaluate if there is a significant affect.

Ensuring the transportation system is managed effectively to support multi-modal choices in accordance with the City's Transportation System Plan as well as the 2009 Boardman Main Street Interchange Management Plan is necessary to satisfy requirements of the ORS 660-012 Transportation Planning Rule.

ODOT welcomes the opportunity to meet with the City regarding future development plans and the timing of a TIA. Please enter this letter into the record of the proceedings and provide me with a copy of the decision. Thank you for the opportunity to comment on this proposal.

Rich Lani
District 12 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager
David Boyd, Regional Access Management Engineer
Tom Lapp, District 12