

**FINAL FINDINGS OF FACT
PLANNING COMMISSION
AMENDMENT LND24-000011
AMENDED DECEMBER 13, 2024**

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 employment 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 should 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 others that are under design (SW Front and 1st project based on development).

For these reasons, the criterion is met.

The City has received a comment letter from the Oregon Department of Transportation that is included. Based on that comment, the City has completed a Trip Generation Letter (TGL), also attached. The TGL utilized the ITE Cde for a Variety Store, a reasonable proxy for anticipated development on Parcel B. The other parcels analyzed most likely would not see development at that level although specific plans for the land have not been finalized.

Planning staff recommend approval of the proposed change in zoning without further action. When development occurs the Boardman Development Code requires a review of potential trip generation with staff regularly requiring TGLs to ascertain potential impacts. A Variety Store on any of the proposed parcels, as evaluated, would require a TGL and, based on this analysis, will trigger a Traffic Impact Analysis to determine impacts based on the development type and scope.

- 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
December 19, 2024
Council Chambers
Boardman City Hall
200 City Center Circle
Boardman, Oregon 97818

City Council
January 7, 2025
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 based on the following findings.

- The Planning Commission finds that the process utilized to review and recommend this proposed Zone Change is compliant with the Statewide Planning Goal and the City's Comprehensive Plan Goal 1 and that the two Planning Commission public hearings held to consider this request allowed for citizen involvement. The City Council public hearing will also provide an opportunity for citizen involvement.
- The Planning Commission finds that the process utilized to review and recommend this proposed Zone Change is compliant with the Statewide Planning Goal and the City's Comprehensive Plan Goal 2 and that the standards applied along with the additional analysis provided by the Trip Generation Letter meet the standards for review.
- The Planning Commission finds that the public facilities, including the transportation network, are sufficient for development that would occur based on this proposed Zone Change. The requirements of the Main Street Interchange Area Management Plan to create an expanded road network are being implemented (SE Front and SE 1st have been completed with SW Front and SW 1st under design).
- The Planning Commission finds that, based on the included TGL, applications for development on the property proposed for a change in zoning, will be required to complete a Traffic Impact Analysis. That requirement will identify the improvements needed.

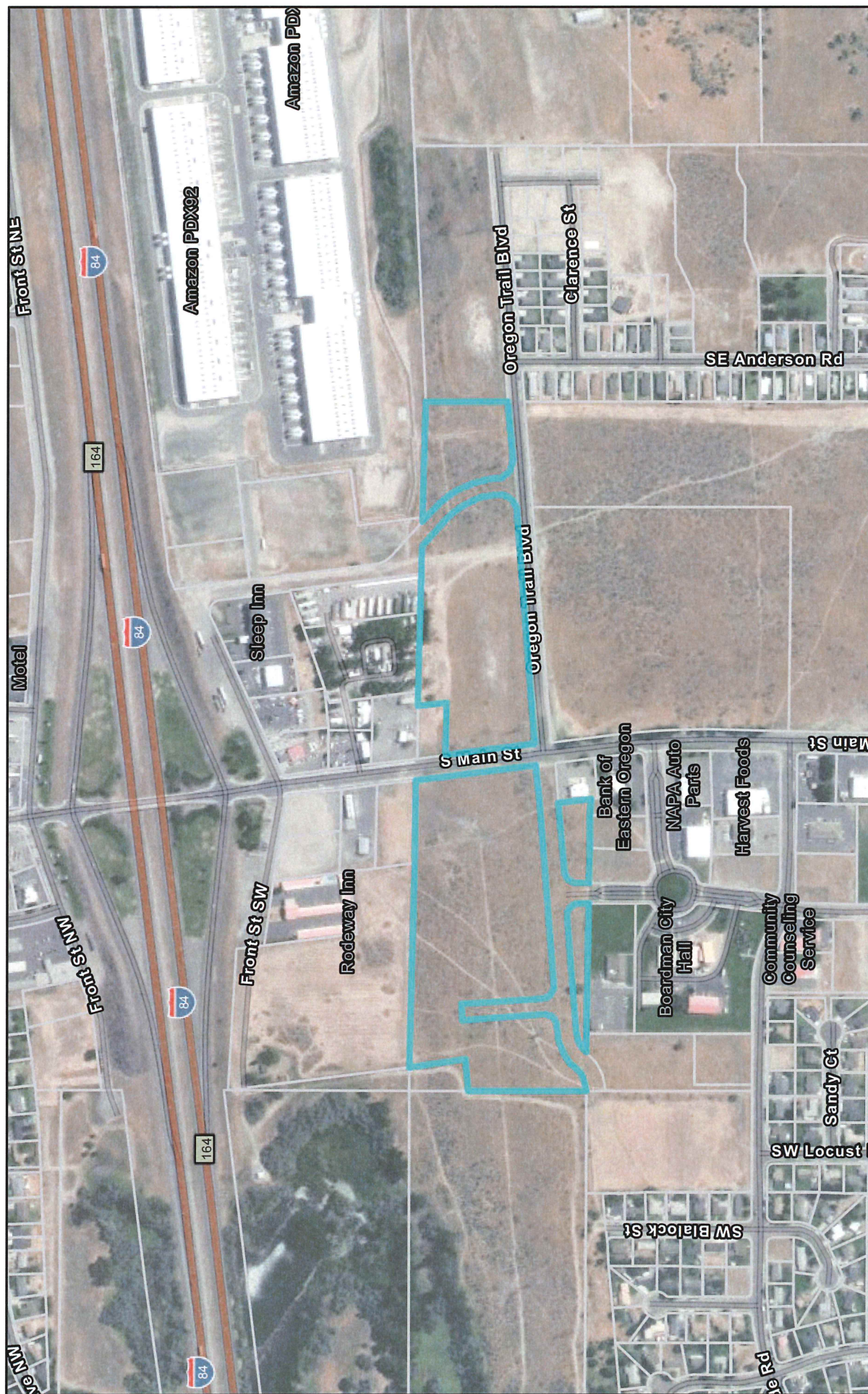

 Zack Barresse, Chair
 Planning Commission


 Date

ATTACHMENTS:

- Vicinity Map
- Assessor's Map with area of change identified
- Comment Letter, Oregon Department of Transportation, Dated October 28, 2024
- Trip Generation Letter, Anderson Perry, Dated December 11, 2024

Vicinity Map



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Taxlots

1:9,028

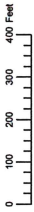
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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



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

04N25E16B

Cassified
700 THRU 709
800
900
1000
1100
1200
1300
1400
1500
1600



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

December 11, 2024

Carla McLane, City Planner
City of Boardman, Oregon
P.O. Box 229 / 200 City Center Circle
Boardman, Oregon 97818

RE: Bonneville Power Administration (BPA) Transmission Line Trip Generation Analysis

Dear Carla:

This letter is intended to provide preliminary data regarding the potential impact from future development in the proposed rezoning area of the BPA property in Boardman, Oregon.

Project/Site Description

The BPA Transmission Line Easement property is located on Tax Lots 04N25E16B00100 and 04N25E16B00102. The property is located adjacent to the Oregon Trail Boulevard corridor near the South Main Street intersection. Location and vicinity maps for the property are shown on Figure 1, and Figure 2 is a projected site map for the property.

Figure 2 shows the developable areas of the proposed rezoned parcels and the proposed right-of-way (ROW) for S.W. 1st Street, Burlington Road, and W. Oregon Trail Boulevard, which are planned for future development. Although specific developments have not been identified, the ROW dissects the parcels, defining specific parcels for potential future development. As such, the City is working to subdivide the parcels.

Certain assumptions are required to assign the Institute of Transportation Engineers (ITE) code and independent variable to obtain hypothetical trip generation data. Of the areas shown on Figure 2, it is assumed that a building size equivalent to 25 percent of the parcel area can be reasonably constructed when accounting for setbacks, parking lots, landscaping, etc. This is likely a conservative approach due to the somewhat nonconventional lot geometry created by the ROW dissection of the parcels paired with the dissection of the BPA ROW.

Furthermore, the proposed rezoning will be to properties zoned as commercial and commercial highway, where land uses can range from lodging, office, retail, or services. For this analysis, ITE code 814 - Variety Store was used to compile trip generation data for parcels A, C, D, and E; and ITE code 821 - Strip Retail Plaza (less than 40,000) was used for parcel B. It is likely that actual trip generation values will be less than what has been estimated due the rural setting of the City of Boardman, and development type may differ from what was assumed.

Trip Generation Data

The trip generation data are based on the ITE Trip Generation Manual, 11th Edition (September 2021) land use Variety Store (814) and Strip Retail Plaza (821). The trip generation results with associated generation equations or average rates are shown on Tables 1 through 5. The site trips were calculated using the ITE TripGen Web-based App for the average weekday and the weekday PM peak hour.

TABLE 1
ITE TRIP GENERATION - VARIETY STORE (PARCEL A)
BPA TRANSMISSION LINE EASEMENT REZONING DEVELOPMENT

Land Use (ITE Code)	Variety Store (814)
Independent Variable (IV)	1,000 square feet (sq. ft.)
IV Value	7.6
Average Daily Trips (ADT)	484
Generation Equation	$ADT = 83.39(IV) + 539.33$
Peak Hour Trips (PHT)	PM Peak Hour
In	28
Out	28
Total PHT	56
Generation Equation	$Ln(PHT) = 0.81Ln(IV) + 2.92$

TABLE 2
ITE TRIP GENERATION - RETAIL STORE (PARCEL B)
BPA TRANSMISSION LINE EASEMENT REZONING DEVELOPMENT

Land Use (ITE Code)	Strip Retail Plaza Store (821)
IV	1,000 sq. ft.
IV Value	26.1
ADT	1,762
Average Rate Equation	$ADT = 67.52(IV)$
PHT	PM Peak Hour
In	130
Out	111
Total PHT	241
Average Rate Equation	$PHT = 5.19(IV)$

TABLE 3
ITE TRIP GENERATION - VARIETY STORE (PARCEL C)
BPA TRANSMISSION LINE EASEMENT REZONING DEVELOPMENT

Land Use (ITE Code)	Variety Store (814)
IV	1,000 sq. ft.
IV Value	6.5
ADT	414
Average Rate Equation	ADT = 63.66(IV)
PHT	PM Peak Hour
In	24
Out	24
Total PHT	48
Average Rate Equation	PHT = 6.70(IV)

TABLE 4
ITE TRIP GENERATION - VARIETY STORE (PARCEL D)
BPA TRANSMISSION LINE EASEMENT REZONING DEVELOPMENT

Land Use (ITE Code)	Variety Store (814)
IV	1,000 sq. ft.
IV Value	8.2
ADT	522
Average Rate Equation	ADT = 179(IV)
PHT	PM Peak Hour
In	30
Out	31
Total PHT	61
Average Rate Equation	PHT = 15.08(IV)

TABLE 5
ITE TRIP GENERATION - VARIETY STORE (PARCEL E)
BPA TRANSMISSION LINE EASEMENT REZONING DEVELOPMENT

Land Use (ITE Code)	Variety Store (814)
IV	1,000 sq. ft.
IV Value	8.2
ADT	522
Average Rate Equation	ADT = 179(IV)
PHT	PM Peak Hour
In	30
Out	31
Total PHT	61
Average Rate Equation	PHT = 15.08(IV)

Carla McLane
December 11, 2024
Page -4-

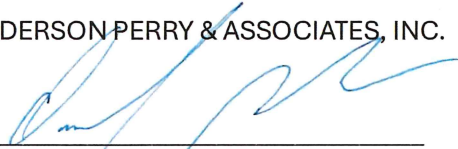
According to the data generated, the hypothetical development affecting the rezoning area of the BPA Transmission Line property is anticipated to generate 3,704 vehicle trips during a typical weekday and 467 during the weekday PM peak hour.

Conclusion

The data from the ITE Trip Generation Web-based App lacks information for rural or small town settings; therefore, the data presented are based on development within an urban/suburban setting. It is believed that the calculated ADT of 3,704 is skewed because of the use of the urban/suburban setting, and the true ADT is likely to be lower. Despite the uncertainty in the data, the proposed development may generate an ADT greater than 1,000; therefore, in accordance with the findings of the analysis, the proposed project will require a Traffic Impact Analysis based on the criteria in the Oregon Highway Plan Action 1F.5 and the City of Boardman Development Code Chapter 4.10, Section 4.10.200 to evaluate if there is a significant effect and to determine whether mitigation is needed to minimize impacts to transportation facilities.

Sincerely,

ANDERSON PERRY & ASSOCIATES, INC.

By 

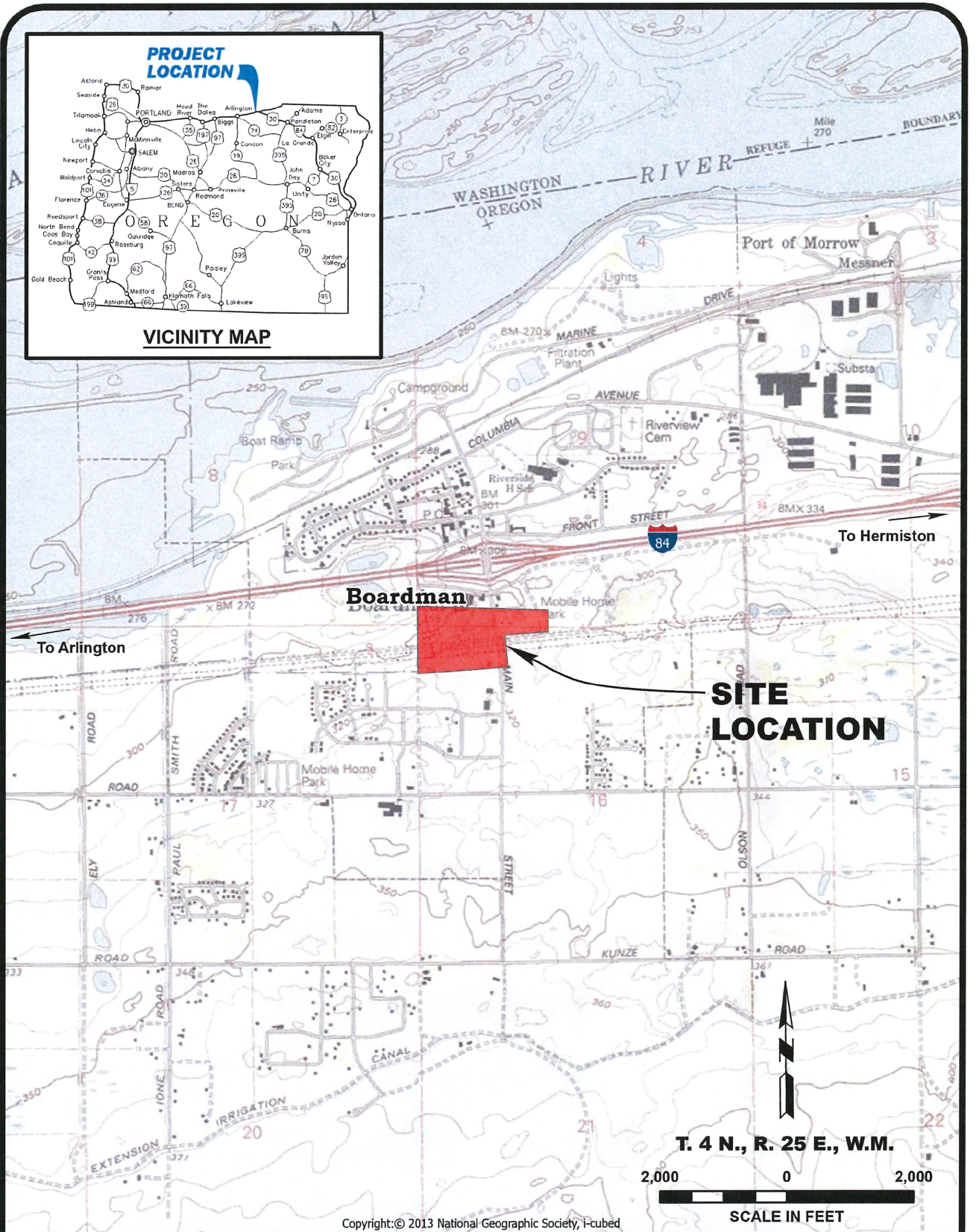
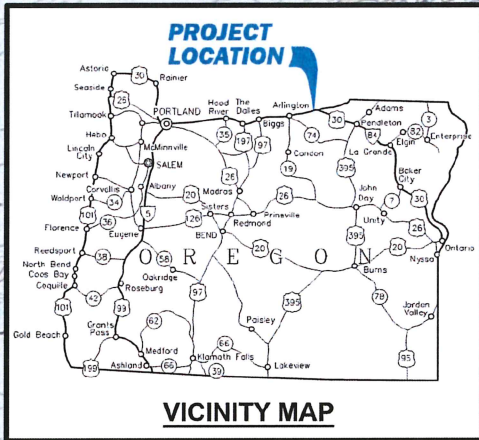
Daniel Park, Engineering Technician

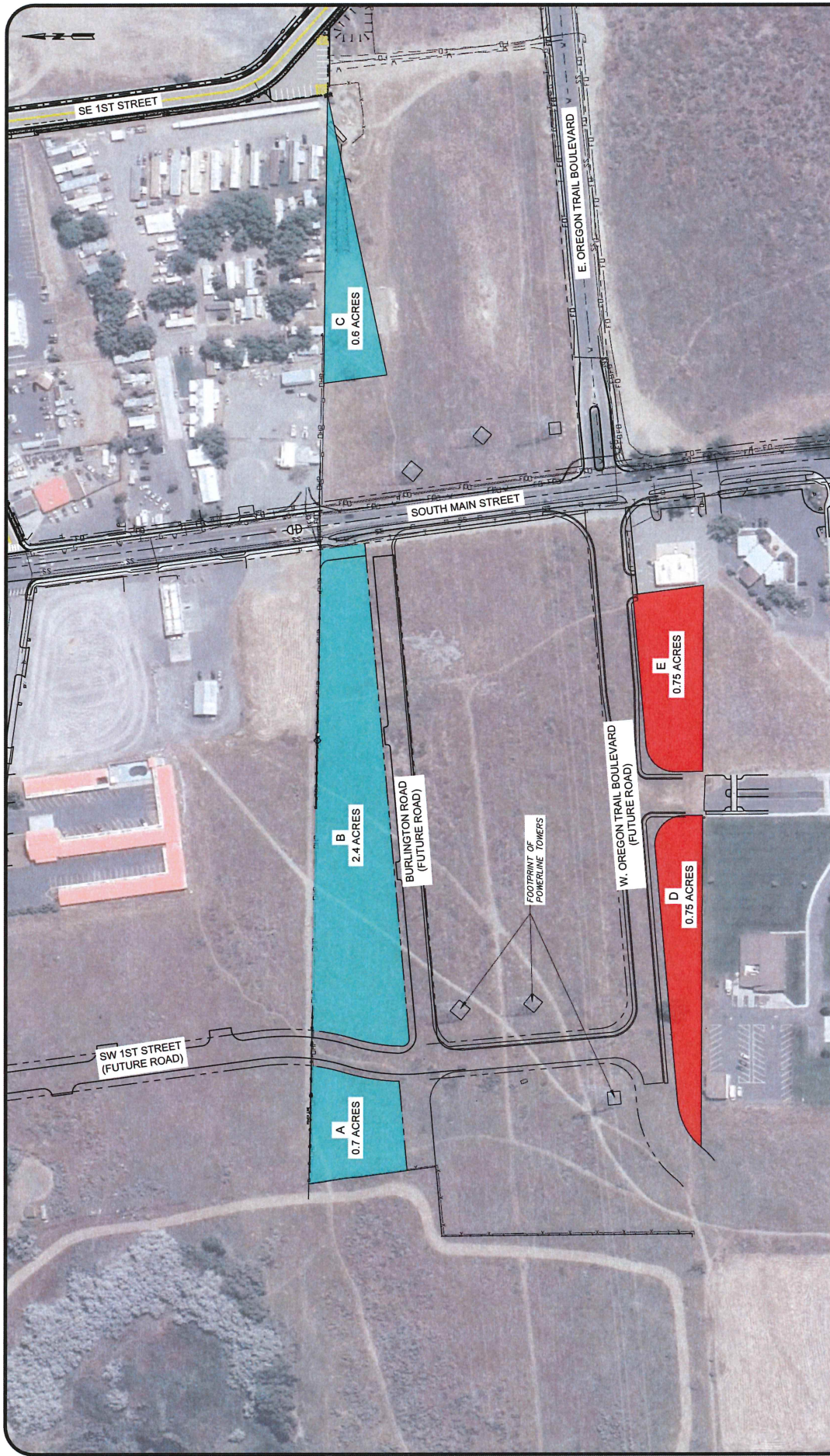
DP/ct

Enclosures

cc: Mike Lees, AP
File No. 439-85-002

McLaneTripGenLtr_Boardman_439-85-002.docx





LEGEND



PROPOSED RE-ZONING TO COMMERCIAL HIGHWAY SUB-DISTRICT

PROPOSED RE-ZONING TO COMMERCIAL



CITY OF
BOARDMAN, OREGON
BPA TRANSMISSION EASEMENT RE-ZONING
TRIP GENERATION LETTER

SITE MAP

**FIGURE
2**



Oregon

Tina Kotek, Governor

Department of Transportation

Region 5

3012 Island Avenue

LaGrande, OR 97850

December 31, 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: LND24-000011 Proposed Zoning Map Amendment of 5 acres from BPA
Transmission Line Easement Subdistrict to Commercial-Highway Subdistrict
on the north and Commercial on the south – ODOT Follow-Up Recommendations

The Oregon Department of Transportation (ODOT) submitted formal comments on October 28, 2024 (see Attachment) recommending the City require the applicant provide a Traffic Generation Report which shows the before and after change in trip generation from BPA Transmission Line Easement Subdistrict to Commercial-Highway Subdistrict on the north and Commercial on the south. City Preliminary Findings of Fact identify a Trip Generation Letter (TGL) was conducted; however, this is the first time ODOT has seen the TGL. The TGL identifies a Traffic Impact Analysis (TIA) is needed.

ODOT is concerned that City Staff are only proposing a TIA at the development stage. A TIA is typically required to determine if there is a significant affect to the transportation system caused by the zone change, which does not appear to have been done. If a significant affect is created, the City should identify that the zone change is consistent with existing planning documents, including the City's adopted Transportation System Plan (TSP) and the adopted Main Street Interchange Area Management Plan (IAMP), or identify solutions to be incorporated into those planning documents.

In addition, ODOT recommends the City assign responsibility for the development to mitigate impacts and share costs for financing the improvements consistent with the City's adopted TSP and Main Street IAMP. Ensuring the transportation system is managed effectively to support multi-modal choices in accordance with the City Transportation System Plan and Main Street IAMP are necessary to satisfy requirements of the ORS 660-012 Transportation Planning Rule (TPR).

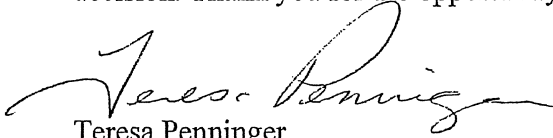
ODOT is committed to preserving the function of the state highway system and public infrastructure investments as the area infills and redevelopments to satisfy requirements of the

Carla McLane, City Planner

Page 2

December 31, 2024

TPR. 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.

A handwritten signature in black ink, appearing to read "Teresa Penninger", with a stylized, flowing script.

Teresa Penninger

Region Planning and Business Manager

Attachment: ODOT October 28, 2024 Letter

CJS

cc: Ken Patterson, ODOT Region 5 Manager

Rich Lani, District 12 Manager

Paul Howland, District 12

David Boyd, Region Access Management Engineer

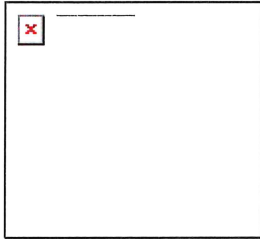
Carla McLane

From: Hardeep Singh <hsingh@igdistribution.net>
Sent: Friday, December 27, 2024 11:54 AM
To: Carla McLane
Subject: Boardman Zoning Map Amendment LND24-000011

Carla

We fully support the amending the zoning map reducing the area of BPA lines. This will help bring necessary commercial activities to the city while also address the traffic on Main Street.

Thank you



Hardeep Singh

Managing Partner

UNITY PARTNERS

Shaping Visions, Pioneering Success

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 www.unitypartners.info
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