
APPLICATION NARRATIVE
COMPREHENSIVE PLAN MAP AMENDMENT, ZONE MAP AMENDMENT,
PLANNED DEVELOPMENT, PRELIMINARY SUBDIVISION PLAT, FLOODPLAIN
DEVELOPMENT PERMIT

I. APPLICATION SUMMARY

Submitted to:	City of Lebanon Planning Division 925 S Main Street, Lebanon, Oregon 97355 541-258-4906 / [REDACTED]
Owner/Applicant:	Stoltz Hill MJC LLC ET AL 1010 Airport Rd. SE, Albany, OR 97322 Matthew Conser (541) 619-8004 / [REDACTED]
Applicant's Representative:	Pathfinder Land Use Consulting, LLC P.O. Box 484, Lebanon, OR 97355 Laura LaRoque (503) 501-7197 / [REDACTED]
Civil Engineering:	Udell Engineering and Land Survey, LLC 63 E. Ash Street, Lebanon, OR 97355 Brian Vandetta (541) 451-5125 / [REDACTED]

II. PROJECT INFORMATION

Site Location:	No Assigned Address
Assessor's Map & Tax Lot	12S-02W-16 Tax Lots 2300 and 2305
Site Size:	57.12-AC (TLS 2300 and 2305)
Existing Land Use:	Unimproved
Zone Designation:	Z-IND (TL 2300); Z-RM (TL 2305)
Comprehensive Plan Designation:	C-IND (TL 2300); C-RM (TL 2305)
Surrounding Zoning/Uses:	North: Z-RM, Z-IND, EFU East: UGA-UGM-10 South: Z-RM, UGM-UGM-10, UGA-RR-1 West: Z-IND
Site History / Prior Use:	None

III. PROJECT OVERVIEW

The applicant proposes a mixed-use development consisting of a phased subdivision and planned development on property located south of Airport Road and west of Stoltz Hill Road in the City of Lebanon, Oregon. The proposal includes a Comprehensive Plan Map Amendment, Zone Map Amendment, Planned Development, and a Preliminary Subdivision Plat. The applicant has requested that the Preliminary Subdivision Plat approval remain valid for ten (10) years, the maximum approval period allowed pursuant to ORS 92.040(3).

The Comprehensive Plan Map Amendment would redesignate the subject property from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use). Concurrently, the applicant proposes a Zone Map Amendment to rezone the property from Z-RM (Residential Mixed Density) and Z-IND (Industrial) to Z-MU (Mixed Use). The Mixed-Use designation is intended to accommodate a range of compatible residential, commercial, and integrated development within a cohesive urban framework and to support efficient urban land use patterns within the City's urban service area. The proposed amendment has been evaluated for consistency with the City's adopted Economic Opportunity Analysis (2023) and does not adversely affect the City's supply of employment land.

The Planned Development proposes a master-planned residential subdivision consisting of approximately 284 total lots, including one commercial or multi-dwelling residential lot, 223 smaller residential lots, 61 larger residential lots. The proposal also includes three tracts within the Airport Overlay Zone intended for open vehicle storage, stormwater management, and preservation of existing wetlands and areas within the FEMA-designated Special Flood Hazard Area (100-year floodplain).

The residential lots are designed to accommodate a range of housing types consistent with the Z-MU zoning district. Under this designation, the dimensional standards of the Residential Mixed Density (Z-RM) zone apply, as modified through the Planned Development process.

The Mixed-Use designation retains the ability to accommodate commercial and employment-generating uses, consistent with the City's economic development framework.

The subdivision is designed with an interconnected network of minor arterial, collector, and local streets, pedestrian pathways, a public access easement, and a multi-use trail connection linking the development to the surrounding transportation network. The development further incorporates open space areas and preserved natural features, including wetlands and drainage corridors, and floodplain areas, which contribute to the overall environmental integration and overall site functionality.

Environmental resources have been identified through a wetland delineation prepared for the site. These wetlands and associated drainage areas are generally located in the southern and central portions of the property and are incorporated into open space and tract areas within the development plan. The development has been designed to avoid or minimize disturbance of these resources where feasible, and any impacts will be addressed through applicable state and federal permitting requirements.

Portions of the site are also subject to the Flood Plain Overlay Zone (FP-OZ) and Riparian Protection Overlay Zone (RIP-OZ). These areas are identified on the submitted plans and will be preserved or developed in compliance with the applicable overlay zone standards of Lebanon Development Code Chapter 16.11. Riparian buffer areas will be maintained to protect water quality, habitat functions, and stream corridor stability.

The project is proposed to be constructed in multiple phases, allowing infrastructure and development to occur incrementally while maintaining adequate public services and utilities. Public improvements associated with the subdivision will include construction of streets, water and sanitary sewer extensions, stormwater management facilities, and pedestrian infrastructure consistent with the Lebanon Public Works Design Standards and the City's Transportation System Plan.

A Traffic Impact Study has been prepared by Kittelson & Associates to evaluate the transportation impacts associated with the proposed development and concludes that the surrounding transportation network can accommodate projected traffic volumes with identified improvements.

Overall, the proposed Planned Development is intended to create an integrated residential neighborhood that accommodates a range of housing opportunities while preserving natural resources, avoiding development within floodplain and sensitive areas, providing pedestrian connectivity, open space, and future mixed-use development opportunities consistent with the Mixed-Use Comprehensive Plan designation and Zone map designation.

IV. REVIEW CRITERIA

Findings must demonstrate that the proposed development complies with all applicable Comprehensive Plan amendment criteria, zoning amendment criteria, subdivision approval criteria, and the applicable development standards of the Lebanon Development Code (LDC).

A. Applicable Development Standards

In addition to the specific decision criteria addressed below, the proposed development must comply with the applicable development standards of the Lebanon Development Code, including but not limited to:

- Article Two – Land Use and Development Zones (LDC Chapters 16.05–16.10)
- Article Three – Community Design Standards
- Chapter 16.11 – Overlay Land Use Zones (including Flood Plain Overlay Zone (FP-OZ) and Riparian Protection Overlay Zone (RIP-OZ))
- Chapter 16.12 – Access and Circulation
- Chapter 16.13 – Off-Street Parking and Loading
- Chapter 16.14 – Public Improvements
- Chapter 16.15 – Landscaping and Street Trees
- Applicable Public Works Design Standards
- Oregon Fire Code access requirements

Compliance with these standards is demonstrated through the Preliminary Subdivision Plat, Planned Development Plan, and supporting engineering materials submitted with this application. Compliance with

applicable floodplain development standards, including LDC 16.11.070, and related environmental regulations is addressed in Section C of this narrative. Where specific standards are relevant to individual decision criteria, they are addressed in the findings below.

B. Statewide Planning Goals Compliance

The proposed Comprehensive Plan Map Amendment, Zone Map Amendment, Planned Development, and Preliminary Subdivision Plat must be consistent with the Oregon Statewide Planning Goals (ORS 197.175). The following findings address the goals applicable to the proposed development.

1. Goal 1 – Citizen Involvement

Goal 1 requires cities to develop and follow a citizen involvement program that ensures opportunities for public participation in land use planning decisions.

The proposed Comprehensive Plan Map Amendment, Zone Map Amendment, Planned Development, and Preliminary Subdivision will be processed through the City of Lebanon's Type III review procedures, which include public notice and public hearings before the Lebanon Planning Commission and potential review by the City Council. Public notice will be provided to surrounding property owners, interested parties, and applicable agencies consistent with the Lebanon Development Code and Oregon public notice requirements.

These procedures provide meaningful opportunities for public participation and input prior to any final decision on the proposal.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 1 (Citizen Involvement).

2. Goal 2 - Land Use Planning

Goal 2 requires land use decisions to be based on an acknowledged comprehensive plan and implementing land use regulations.

The proposed amendments and development application have been prepared in accordance with the City of Lebanon Comprehensive Plan and the Lebanon Development Code. The application includes findings addressing the applicable local criteria for Comprehensive Plan Map Amendments, Zone Map Amendments, Planned Development approval, and Preliminary Subdivision Plat approval.

The proposal also includes supporting technical materials, including a Traffic Impact Study and Wetland Delineation, to evaluate potential impacts and ensure that development of the property occurs in a coordinated and orderly manner.

The proposal will be reviewed by the City using the procedures and criteria established in the Lebanon Development Code, which implement the City's acknowledged Comprehensive Plan.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 2.

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

Statewide Planning Goal 5 requires local governments to conserve and protect significant natural resources, scenic resources, historic resources, and open space. Local jurisdictions implement Goal 5 through acknowledged comprehensive plans and land use regulations that identify and protect such resources.

The subject property contains several natural resource features, including wetlands and areas associated with the Oak Creek drainage corridor. These resources have been identified through the supporting materials submitted with this application, including a wetland delineation report prepared by a qualified environmental professional.

The conceptual development plan and tentative subdivision plat incorporate these natural resource areas into designated tract areas and open space corridors within the Planned Development. These tracts preserve wetlands, drainage features, and associated natural areas by separating them from residential lots and limiting disturbance within those areas.

Portions of the site are also subject to the Flood Plain Overlay Zone established in LDC 16.11.070, which regulates development within mapped flood hazard areas. The subdivision design identifies these floodplain areas and incorporates them into drainage corridors and open space tracts that avoid residential development.

The Oak Creek corridor and associated riparian areas are similarly preserved within open space tracts and drainage corridors that maintain natural drainage patterns and ecological functions. These areas will remain protected through tract ownership and development restrictions associated with the Planned Development approval.

Because these resources are identified on the submitted plans and preserved through the subdivision design and applicable overlay regulations, the development avoids impacts to significant natural resources to the greatest extent practicable.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 5. Additional discussion of floodplain regulations, permitting requirements, and ESA/habitat compliance is provided in Section C below.

4. Goal 6 – Air, Water, and Land Resources Quality

The proposed development has been designed to avoid and minimize impacts to natural resources, including wetlands, floodplain areas, and riparian corridors associated with Oak Creek. These areas are identified on the submitted plans and are preserved within designated tract areas and open

space corridors. No residential lots or structural development are proposed within these constrained areas.

Floodplain and habitat considerations are addressed in detail in Section C of this narrative. As described therein, the proposal avoids structural development within mapped floodplain areas and is designed to maintain floodplain storage capacity and natural drainage functions. Any limited improvements within or near the floodplain will be subject to review through the Floodplain Development Permit (FDP) process pursuant to LDC 16.11.070, which ensures compliance with applicable local, state, and federal standards.

The proposed development will incorporate stormwater management facilities designed to address both water quality and water quantity impacts associated with new impervious surfaces. Stormwater treatment and detention will be designed in accordance with applicable Oregon Department of Environmental Quality (DEQ) standards and implemented through the Joint Permit Application (JPA) process.

Based on the conceptual development plan and applicable regulatory framework, the proposed development can be designed to ensure that post-development runoff does not degrade water quality, exceed the capacity of receiving systems, or otherwise violate applicable state or federal environmental standards.

A detailed stormwater analysis, consistent with DEQ requirements, will be prepared at the time of final engineering. A certification letter prepared by a qualified engineer confirming compliance with applicable water quality and drainage standards will be submitted as part of the Final Planned Development Plan review.

In addition, an ESA Listed Species Assessment has been prepared for the project, which concludes that no impacts to ESA-listed species or critical habitat are anticipated and that higher-value habitat areas will be preserved within designated tract areas.

With implementation of these measures and compliance with applicable permitting requirements, the proposed development will not result in significant adverse impacts to air, water, or land resources.

Additional detailed analysis regarding floodplain, habitat, and environmental compliance is provided in Section C of this narrative.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 6.

5. Goal 7 – Areas Subject to Natural Hazards

Goal 7 requires that development be located and designed to avoid unreasonable risks to people and property from natural hazards, including flooding.

Portions of the subject property are located within mapped Special Flood Hazard Areas associated with Oak Creek and related drainage features. These areas are identified on the submitted plans and have been incorporated into designated tract areas and open space corridors within the Planned Development.

The proposed development avoids placement of structures and residential lots within floodplain areas and does not propose fill or alterations that would increase flood elevations or reduce flood storage capacity. Floodplain areas will be preserved in their natural condition, consistent with the purpose of the Flood Plain Overlay Zone (LDC 16.11.070) to minimize risks to life and property and maintain natural floodplain functions.

Compliance with applicable floodplain development standards is addressed in Section C of this narrative.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 7.

6. Goal 9 – Economic Development

Goal 9 requires cities to provide an adequate supply of land for employment uses consistent with identified economic needs. The City of Lebanon has adopted an Economic Opportunity Analysis (EOA) (2023) that evaluates the supply of land designated for employment and industrial uses.

The proposed Comprehensive Plan Map Amendment redesignates a portion of land from industrial to mixed use. However, the proposal does not result in a significant reduction of land available for industrial or employment uses and does not create or exacerbate a deficiency in the City's supply of such lands. The Mixed Use designation allows for a range of uses, including commercial and employment-generating activities, while also supporting residential development.

Given the scale of the subject property relative to the City's overall employment land inventory, the proposal will not negatively impact the City's ability to accommodate industrial or employment growth as identified in the adopted Economic Opportunity Analysis (2023).

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 9.

7. Goal 10 – Housing

Goal 10 requires cities to provide opportunities for a variety of housing types and densities to meet the housing needs of residents.

The proposal includes development of a phased subdivision consisting of approximately 284 total lots capable of accommodating a range of housing types permitted within the Z-MU zoning district, including small-lot single-unit dwellings, duplexes, townhouses, and multi-family development.

In addition, the development includes a 3.39-acre tract designated for future mixed-use, commercial, or higher-density residential development consistent with the Z-MU designation.

By providing land capable of accommodating multiple housing types and densities, the proposal contributes to the City's housing supply and supports Comprehensive Plan policies encouraging a diversity of housing opportunities.

The City of Lebanon has adopted a Housing Needs Analysis (2018) and a Housing Production Strategy (2023), which identify an ongoing need for a range of housing types, including smaller lot and higher-density housing. The proposed Mixed Use designation and Planned Development implement these adopted housing strategies by allowing a variety of housing types and densities on the subject property.

The proposal provides a development-ready site supported by planned infrastructure and phased implementation, which facilitates housing production consistent with the City's housing policies.

The proposal does not reduce the supply of land designated for needed housing and does not exacerbate any identified housing deficiencies. Instead, it expands opportunities for housing production consistent with the City's adopted housing policies and strategies.

The proposal balances the need for additional housing with maintenance of the City's employment land supply, consistent with the City's adopted planning framework.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 10.

8. Goal 11 – Public Facilities and Services

Goal 11 requires that urban development be supported by adequate public facilities and services.

The proposed development will be served by public water, sanitary sewer, stormwater management facilities, and public streets. Infrastructure improvements will be constructed in accordance with the Lebanon Public Works Design Standards and applicable provisions of the Lebanon Development Code.

The subdivision plans prepared by Udel Engineering identify the extension of public streets, utilities, and stormwater infrastructure necessary to serve the proposed residential lots and mixed-use tract.

Public facilities and services are available or can be extended in a manner consistent with adopted facility plans and will not result in a deficiency of service.

The proposed development is consistent with the City's adopted facility master plans, including transportation, water, and sanitary sewer systems. The Transportation System Plan identifies required street improvements, which are addressed through the proposed street network and associated improvements. In addition, the City's adopted water and sanitary sewer master plans

demonstrate that adequate capacity is available to serve the proposed development, and City staff have confirmed that these systems are sufficient to accommodate the project. At this preliminary Planned Development stage, these adopted plans and staff confirmations establish that adequate public facilities are available or can be extended in a manner consistent with City standards.

At this preliminary Planned Development stage, reliance on adopted master plans and City staff confirmation is appropriate to demonstrate that adequate public facilities are available or can be extended in a manner consistent with City standards, without resulting in a deficiency of service. Final system design and construction will be reviewed for compliance with applicable City standards at the time of construction permitting.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 11.

9. Goal 12 – Transportation

Goal 12 requires transportation systems to be planned and developed to support the safe and efficient movement of people and goods. The goal also requires land use decisions to protect the function, capacity, and safety of transportation facilities identified in local transportation system plans.

The proposed development includes a connected network of public minor arterial, collector, and local streets, sidewalks, and pedestrian connections designed to provide internal circulation and connectivity to the surrounding transportation network. The development also includes multi-use pedestrian paths and public access easements, which provides a pedestrian connection to the City sidewalk system.

A Traffic Impact Study prepared by Kittelson & Associates evaluates projected trip generation and intersection operations associated with the proposed development. The study evaluates transportation system performance under existing conditions and future conditions, including the applicable planning horizon, and assesses the effects of the proposed development on surrounding facilities. The analysis demonstrates that, with the proposed street network and improvements, all studied intersections and roadway segments are expected to operate within applicable performance standards.

The subject property is also partially located within the Airport Overlay Zone (AP-OZ) established in LDC 16.11.020, which implements airport compatibility requirements for areas affected by airport operations. The subdivision design complies with the residential density limitations applicable to the airport approach surface and does not propose residential development within the Runway Protection Zone. As a result, the proposal maintains compatibility with operations at the Lebanon State Airport, which is a transportation facility identified in the City's transportation planning framework.

Residential development within the subdivision is primarily situated within the 1- and 2-units-per-acre airport density bands; these designations allow residential development at the densities proposed. Areas within the 4-unit density bands are preserved as tract areas and do not contain residential lots, ensuring compliance with the airport compatibility standards of LDC 16.11.020.B.5.

Consistent with the Transportation Planning Rule (OAR 660-012-0060), the proposed Comprehensive Plan Map Amendment and Zone Map Amendment will not significantly affect the functional classification, capacity, or performance of any existing or planned transportation facility.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 12 and the Transportation Planning Rule.

10. Goal 14 – Urbanization

Goal 14 requires cities to accommodate urban growth within Urban Growth Boundaries in an orderly and efficient manner.

The subject property is located within the City of Lebanon Urban Growth Area and planned urban service area. The proposed development includes urban residential development supported by public infrastructure and services consistent with the City's long-range planning framework.

The proposal represents the orderly urban development of land within the urban service area and is consistent with the City's Comprehensive Plan policies for urban growth and development.

Conclusion

Therefore, the proposal is consistent with Statewide Planning Goal 14.

C. Floodplain Development and ESA / Habitat Compliance

Finding

Portions of the subject property are located within the Flood Plain Overlay Zone (FP-OZ) and Riparian Protection Overlay Zone (RIP-OZ), as identified on the submitted plans and supporting materials. These areas are generally associated with Oak Creek, mapped wetlands, and drainage corridors located in the southern and central portions of the site. As shown on the conceptual development plan and tentative subdivision plat, these constrained areas have been incorporated into designated tract areas and open space corridors. No residential lots or structural development are proposed within these areas, and they are intended to remain protected as part of the Planned Development.

Pursuant to LDC 16.11.070, a Floodplain Development Permit (FDP) is required for development within Special Flood Hazard Areas. This application demonstrates that the proposed development can comply with the applicable requirements of LDC 16.11.070. Final compliance will be verified through the required Floodplain Development Permit at the time of detailed engineering and construction permitting.

The submitted materials, including the conceptual development plan, tentative subdivision plat, and supporting engineering information, identify the location of floodplain areas and demonstrate that development has been designed to avoid and minimize impacts to these areas to the extent practicable. No structural development is proposed within mapped floodplain areas. Limited improvements, such as portions of the multi-use path and stormwater facilities, may occur near or within the floodplain; however, these improvements are designed to avoid increases in flood elevations and will be subject to detailed evaluation for compliance with flood storage and conveyance standards at the FDP stage.

Any encroachments within the floodplain will be mitigated through compensatory excavation within the on-site detention facility. The detention area is located primarily outside the floodplain but is hydraulically connected and is expected to provide equal or greater flood storage capacity than any displaced volume, consistent with applicable floodplain management standards. Floodplain areas are instead preserved within designated tract areas, consistent with the purpose and standards of the Flood Plain Overlay Zone to minimize risks to life and property and maintain natural floodplain functions.

LDC 16.11.070 requires that all applicable local, state, and federal permits be obtained prior to or in conjunction with development within the floodplain. As part of FDP review, the Floodplain Administrator must verify compliance with applicable standards and confirm that necessary permits have been secured. Any additional federal, state, or local permitting requirements identified during FDP review shall be satisfied prior to development.

To support the application, the applicant has submitted an ESA Listed Species Assessment and Plant Survey prepared by Environmental Science & Assessment, LLC. This technical memorandum evaluates potential Endangered Species Act (ESA) listed species and habitat within and adjacent to the project site based on field surveys, wetland delineation data, and federal and state resource databases.

The ESA assessment identifies wetlands and a riparian corridor associated with Oak Creek within the project area. The report concludes that:

- No ESA-listed plant or wildlife species were identified within the project area;
- The site consists primarily of disturbed agricultural land with limited habitat suitability; and
- The areas providing the highest habitat value, including wetlands and riparian corridors, will be preserved within designated tract areas and avoided by development.

The assessment further concludes that no impacts to listed species or critical habitat are anticipated as a result of the proposed development.

Because the proposed development avoids disturbance to floodplain areas, wetlands, and riparian corridors, and does not propose activities that would impact listed species or critical habitat, the application demonstrates compliance with applicable environmental protection standards. The submitted ESA assessment indicates that the proposed development will not impact ESA-listed species or critical habitat.

Based on the submitted ESA assessment, the proposal will not result in significant impacts to protected habitat or ESA-listed species and is therefore consistent with applicable federal and local environmental protection requirements.

If future permitting results in a federal nexus, the applicant will comply with all applicable Endangered Species Act consultation requirements.

Future development within the site will be subject to detailed engineering review to ensure consistency with the approved plans and continued compliance with LDC 16.11.070, including verification of elevations, drainage, and floodplain protection measures as required by the City.

These findings support compliance with Statewide Planning Goal 6, as addressed in Section B.4.

D. Transportation Planning Rule (TPR) Analysis

Finding

OAR 660-012-0060 requires evaluation of whether a plan amendment would significantly affect an existing or planned transportation facility. The findings below further demonstrate compliance with the Transportation Planning Rule referenced under Goal 12.

The proposal includes a Comprehensive Plan Map Amendment and Zone Map Amendment to redesignate the subject property from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use) and to rezone the property from Z-RM and Z-IND to Z-MU (Mixed Use).

A Traffic Impact Study prepared by Kittelson and Associates, Inc. evaluates the transportation impacts associated with the proposed development. The study analyzes projected trip generation, intersection operations, and the capacity of the surrounding street network to accommodate traffic associated with the proposed development.

The proposed subdivision includes a connected internal street network, consisting of minor arterial, collector, and local streets designed to distribute traffic within the development and connect to the surrounding transportation system.

Sidewalks, pedestrian pathways, and multi-use connections are included in the development plan to support multimodal transportation consistent with the City's Transportation System Plan (TSP).

Based on the analysis contained in the Traffic Impact Study, the proposed Comprehensive Plan Map Amendment and Zone Map Amendment will not significantly affect the functional classification, capacity, or performance of any existing or planned transportation facility identified in the City's Transportation System Plan.

Conclusion

Therefore, the proposal is consistent with OAR 660-012-0060 (Transportation Planning Rule). The proposed Comprehensive Plan Map Amendment and Zone Map Amendment will not significantly affect the functional classification, capacity, or performance of any existing or planned transportation facility.

E. Comprehensive Plan Map Amendment (*LDC 16.27.050*)

11. Criterion (1):

All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the 2007 Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning; and

Finding

The applicant proposes a Comprehensive Plan Map Amendment redesignating the subject property from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use), along with a concurrent Zone Map Amendment from Z-RM (Residential Mixed Density) and Z-IND (Industrial) to Z-MU (Mixed Use).

The Mixed Use (MU) designation is intended to accommodate a range of compatible residential, commercial, and mixed-use development within an integrated urban development pattern. The proposal includes a phased subdivision with a tract designated for future mixed-use, commercial, or multi-family development, consistent with the intent of the Mixed-Use designation to support a combination of residential and neighborhood-serving commercial or higher-density residential uses.

The proposed redesignation also supports Comprehensive Plan policies that encourage efficient urban development, integration of compatible land uses, and the provision of housing opportunities within areas served by public infrastructure. The development advances these policy objectives by providing a phased subdivision, pedestrian connections, preserved open space areas, and a tract designated for future mixed-use or higher-density residential development consistent with the intent of the Comprehensive Plan.

The proposed development will be served by public streets, water and sanitary sewer extensions, stormwater facilities, and pedestrian connections, which will be constructed in accordance with the Lebanon Public Works Design Standards and reviewed through the City's public improvement permitting process. The proposed street network is designed to integrate with the surrounding transportation system and will be evaluated for consistency with the City's 2018 Transportation System Plan (TSP) during public works review.

Because the proposed Comprehensive Plan and Zone Map amendments establish a land use designation and zoning classification intended to support coordinated mixed-use and residential development within the urban service area, and because the development will be served by

infrastructure improvements consistent with the City's adopted facility plans, the proposal is consistent with the Lebanon Comprehensive Plan and applicable facility plans.

The Mixed Use designation is appropriate for this location as it provides a logical transition between surrounding uses, supports efficient urban land use patterns within the urban service area, and accommodates a mix of housing and neighborhood-serving uses consistent with Comprehensive Plan policies.

Conclusion

Therefore, the proposal is consistent with Criterion (1).

12. Criterion (2):

Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.; and

Finding

The applicant proposes a Comprehensive Plan Map Amendment to redesignate the subject property from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use). The proposal includes development of a phased subdivision with a mixed-use/commercial or multi-family tract, along with associated public infrastructure improvements.

The subject property is located within the City of Lebanon Urban Growth Area and service boundary, where municipal water, sanitary sewer, and transportation infrastructure are planned to support urban development. Public utilities and transportation facilities serving the site will be extended and constructed in accordance with the Lebanon Public Works Design Standards, the City's Transportation System Plan (TSP), and applicable utility master plans.

The proposed development will include construction of public streets, water and sanitary sewer extensions, stormwater management facilities, and pedestrian connections, which will be designed and reviewed through the City's public improvement permitting process to ensure consistency with adopted facility plans.

The City's adopted facility master plans, including the Transportation System Plan, water master plan, and sanitary sewer master plan, demonstrate that adequate capacity is available to serve the proposed development, and City staff have confirmed that these systems are sufficient to accommodate the project.

Based on the conceptual development plan, supporting engineering materials, and consistency with adopted facility master plans, the proposed Comprehensive Plan Map Amendment does not require amendments to the City's Transportation System Plan, sanitary sewer master plan, or water master

plan. The proposed development represents an extension of planned infrastructure rather than a change in service demand that would necessitate modification of those plans.

The proposal is also consistent with the City's adopted Economic Opportunity Analysis (2023) and does not result in a significant reduction of employment land or create or exacerbate a deficiency in the City's supply of industrial or employment lands.

Conclusion

Therefore, the proposal is consistent with Criterion (2).

13. Criterion (3):

Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property; and

Finding

The applicant proposes a Comprehensive Plan Map Amendment to redesignate the subject property from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use). Concurrently, the applicant proposes a Zone Map Amendment to rezone the property from Z-RM (Residential Mixed Density) and Z-IND (Industrial) to Z-MU (Mixed Use).

The proposed Z-MU zoning district is the implementing zoning district corresponding to the C-MU Comprehensive Plan designation under the Lebanon Development Code. As such, the proposed zoning classification is consistent with the proposed Comprehensive Plan Map designation for the property.

The requested Zone Map Amendment therefore aligns the zoning designation with the Comprehensive Plan Map designation and establishes a zoning classification that implements the intended land use designation for the site.

Conclusion

Therefore, the proposal is consistent with Criterion (3).

F. Zone Map Amendment (*LDC 16.27.050*)

1. Criterion (1):

All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the 2007 Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning; and

Finding

The findings addressing Criterion (1) under the Comprehensive Plan Map Amendment section above demonstrate that the proposed map amendments are consistent with the City of Lebanon Comprehensive Plan and adopted facility plans. Those findings are incorporated herein by reference.

2. Criterion (2):

Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.; and

Finding

As discussed in the findings for the Comprehensive Plan Map Amendment, the proposed redesignation to C-MU (Mixed Use), together with the corresponding Z-MU zoning designation, is supported by and consistent with the City's facility plans, including the Transportation System Plan and utility master plans. These findings are incorporated herein by reference.

3. Criterion (3):

Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property; and

Finding

The applicant proposes to redesignate Comprehensive Plan Map designation the subject property from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use) and concurrently rezone the property from Z-RM and Z-IND to Z-MU (Mixed Use). The Z-MU zoning district implements the C-MU Comprehensive Plan designation, ensuring consistency between the Comprehensive Plan and zoning classifications.

The proposed Z-MU zoning is appropriate for the subject property given its location within the urban service area, availability of public services, and the site's suitability for urban development. Constrained areas, including wetlands, riparian corridors, and floodplain areas, are excluded from development and preserved in compliance with applicable overlay zone standards.

G. Planned Development (*LDC 16.23.010*)

The following findings address the Planned Development approval criteria of LDC Chapter 16.23. Planned Development allows modification of certain dimensional standards where the overall design and amenities of the development outweigh potential impacts to surrounding properties.

1. Planned Development Modifications Summary

The subject property is zoned Mixed Use (Z-MU), which applies the dimensional standards of the Residential Mixed Density (Z-RM) zone to residential development pursuant to LDC Chapter 16.06. The Z-RM zone establishes baseline dimensional standards for detached residential development, including minimum lot width, lot area, and height limitations.

The proposed Planned Development modifies select dimensional standards applicable to detached single-unit residential lots, including minimum lot width, minimum lot area, yard setbacks, and

maximum building height for small-lot dwellings. Standard detached residential lots are proposed with minimum widths of approximately 45 feet and minimum lot areas of approximately 4,500 square feet, which are reduced from the base Z-RM standards of 50 feet and 5,000 square feet, respectively.

Small-lot residential lots are also incorporated into the development. The Development Code defines Small Lot Single-Unit dwellings as occurring on lots no larger than 2,500 square feet. The Planned Development modifies this standard by establishing a minimum lot area of 2,500 square feet, with typical lot sizes of approximately 2,700 square feet, thereby allowing modestly larger lots while maintaining the intent and scale of small-lot residential development. Proposed lot widths for small-lot dwellings meet the minimum 30-foot standard.

The Planned Development also proposes to increase the maximum building height for small-lot dwellings from 25 feet to 40 feet, consistent with the height standard applicable to standard detached residential lots. This modification is appropriate for several reasons. First, the increased height allowance applies only to internal lots within the subdivision and will not affect adjacent properties, thereby minimizing potential off-site impacts. Second, the Lebanon Development Code measures building height to the average of the highest roof surface, which can result in lower effective building envelopes compared to jurisdictions that measure height to the midpoint of the roof. Third, the increased height allowance provides flexibility in building design, including the use of modern roof forms such as mono-slope roofs, which are commonly used in contemporary residential development but may otherwise be constrained under a lower height limit.

In addition, larger residential lots are provided in select locations, including along the project perimeter, with increased lot widths and areas that meet or exceed base Z-RM standards. These larger lots provide variation in housing types and support compatibility with adjacent development patterns.

The tentative plat demonstrates that the proposed lot configuration is consistent with the Planned Development standards and results in a coordinated and integrated neighborhood layout. The modifications to dimensional standards, including building height, are balanced by the provision of a range of lot sizes, preservation of open space and natural features, and the development of an interconnected street and pedestrian network.

Based on the foregoing, the proposed modifications to dimensional standards, including adjustments to small-lot size limitations and building height, are consistent with the intent of the Z-RM zoning district as applied within the Z-MU zone and are appropriate through the Planned Development process. The proposal provides flexibility in design while maintaining overall compatibility and achieving an integrated and functional development pattern.

The Planned Development provides a superior design outcome compared to conventional subdivision standards by clustering development outside of constrained areas, preserving wetlands and floodplain corridors, providing an interconnected street and pedestrian network, and accommodating a range of housing types within an integrated site design.

Table 1 - Planned Development Dimensional Standards (Z-RM/Z-MU vs. Proposed PD)

A. Detached Single-Unit / Small-Lot Residential			
Development Standard	Z-RM/Z-MU Standards	Proposed Planned Development	Modification
Minimum Lot Width – Detached Dwellings	50 ft	45 ft minimum	Reduced
Minimum Lot Area – Detached Dwellings	5,000 sq ft	4,500 sq ft minimum	Reduced
Minimum Lot Width – Small Lot Dwellings	30 ft	30 ft minimum	None
Minimum Lot Area – Small Lot Dwellings	2,500 sq ft	2,500 sq ft minimum (typ. ~2,700 sq ft)	Increased
Front Yard Setback	10 ft	10 ft	None
Garage / Vehicle Access	20 ft	20 ft	None
Rear Yard Setback	10 ft (small lot); 15 ft (duplex w/ parking); 20 ft (standard)	Same as Z-RM/Z-MU	None
Interior Side Yard Setback	5 ft	3 ft	Reduced
Street Side Yard Setback (Corner Lots)	15 ft (10 ft small lot)	7 ft minimum	Reduced
Interior Side Yard – Townhouse	0 ft	0 ft	None
Maximum Lot Coverage	60% (standard/small); 70% (zero-lot line); 80% (townhouses)	Same as Z-RM	None
Maximum Height	40 ft (standard); 25 ft (small lot)	40 ft maximum (all lots)	Increased (small lots only)

No modifications are proposed to the dimensional standards applicable to multi-family development types, which may be considered in the future within the mixed-use tract.

2. Planned Development Applicability and Review Criteria (LDC Chapter 16.23)

a. Planned Development Eligibility (LDC 16.23.010(1):

An applicant may elect to develop a project as a Planned Development in compliance with the requirements of this Chapter; and

b. **Applicability to Development Types** (*LDC 16.23.010(2)*):

Planned Development applies to development identified for such review in the Lebanon Development Code, including Table 16.05-1 through Table 16.10-1.; and

c. **Circumstances Requiring Planned Development Review** (*LDC 16.23.010(2)*):

The City may require that the following development types be processed as Planned Developments:

- i. Mixed-use development integrated horizontally or vertically.
- ii. Development on property subject to a zoning map amendment within the previous two years.
- iii. Development requiring an exception or amendment to an adopted facility master plan.
- iv. Development potentially causing adverse impacts to public land or facilities.
- v. Development of one acre or more located within a floodplain or on steep slopes (15% or greater).

Finding

The applicant has elected to process the proposed development as a Planned Development, consistent with the provisions of LDC 16.23.010(1). The proposal includes the coordinated development of approximately 57.12 acres consisting of a phased subdivision, open vehicle storage, open space and wetland preservation tracts, public streets and utilities, pedestrian connections, and a tract designated for future mixed-use, commercial, or multi-family development.

The Planned Development process allows the City to evaluate the project as an integrated development plan, including the subdivision layout, circulation system, open space areas, and future mixed-use tract.

The proposal also includes Comprehensive Plan and Zone Map Amendments redesignating the site from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use) and rezoning the property from Z-RM and Z-IND to Z-MU (Mixed Use). Because the development is being processed concurrently with a zoning map amendment and includes a mixed-use component, the City may require review of the project as a Planned Development pursuant to LDC 16.23.010(3).

The Planned Development process provides a framework for evaluating the development as a coordinated project that integrates residential development, open space preservation, transportation infrastructure, and future mixed-use development.

Conclusion

Therefore, the proposal is consistent with the Planned Development applicability standards.

3. Planned Development General Submittal Requirements (LDC 16.23.020(A))

a. Development Proposal Statement (LDC 16.23.020(A))

A statement detailing the development proposal.

Finding

The Planned Development process allows flexibility in lot layout and dimensional standards in exchange for coordinated site design, open space preservation, and integrated infrastructure planning

The applicant proposes a Planned Development and Preliminary Subdivision Plat for approximately 57.12 acres located on Linn County Assessor's Map 12S-02W-16, Tax Lots 2300 and 2305. The proposal includes the phased development of a subdivision consisting of lots and tracts designed to support a range of housing types, together with areas designated for open vehicle storage and a potential commercial, mixed-use, or multi-family parcel, and associated public streets, utilities, stormwater facilities, open space areas, and pedestrian connections.

The development plan includes a connected network of public minor arterial, collector, and local streets providing access and circulation throughout the subdivision. The plan also identifies open space and wetland preservation tracts and other designated tract areas, which preserve natural features on the site and provide environmental and recreational amenities within the development. Certain tract areas within the Airport Overlay Zone are also designated for open vehicle storage, consistent with applicable overlay zone standards and integrated with the overall site design.

A 20-foot Public Access Easement located along the south side of Lots 35 through 121 accommodates a multi-use pedestrian trail that connects the subdivision to the surrounding sidewalk and street network.

The development also includes a 3.39-acre tract designated for future mixed-use, commercial, or multi-family development, consistent with the Z-MU (Mixed Use) zoning district.

The subdivision is proposed to be constructed in multiple phases, with public infrastructure and utilities installed in coordination with each phase of development.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A).

b. Development Schedule (LDC 16.23.020(A)(2))

A schedule identifying anticipated construction start dates and completion timelines for the Planned Development and its phases.

Finding

The conceptual development plan identifies Planned Development as being constructed in multiple phases. The tentative subdivision plat illustrates the development organized into ten phases, with each phase containing a defined group of residential lots and associated public infrastructure improvements.

The applicant requests that the preliminary plat approval period be established at ten (10) years, consistent with the maximum allowance under ORS 92.040(3). The scale and phased nature of the development warrant the requested approval period.

The phasing plan allows the development to proceed in successive stages, with streets, utilities, stormwater facilities, and other infrastructure constructed as needed to serve each phase of development. The phasing structure ensures that each phase can function independently while remaining integrated with the overall street and infrastructure network.

The phasing plan identifies Phase 5 as the commercial/mixed-use or multi-family tract, which may be developed independently of the residential phases depending on market demand and development timing.

Detailed construction timing and sequencing will be determined by the developer and will be subject to the City's public improvement permitting and subdivision construction requirements.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(2).

c. Ownership and Management Plan (*LDC 16.23.020(A)(3)*)

A statement describing long-term ownership and management of the development.

Finding

The proposed Planned Development establishes a development pattern consisting of individually owned residential lots and common tract areas. The tentative subdivision plat identifies residential lots to be created as individually owned fee-simple parcels.

The development also includes several tract areas designated for open space preservation, wetlands, drainage facilities, and pedestrian corridors, including a multi-use trail corridor and public access easements identified on the development plan. These common areas will require ongoing ownership and maintenance to ensure their continued function and appearance.

Long-term ownership and management of these common tract areas and shared improvements will be established through a homeowners' association or other legal ownership structure acceptable to the City, established prior to final plat approval. The HOA or other legal ownership structure will be responsible for the operation, maintenance, and management of common tracts, landscaping, drainage facilities, open space areas, and other shared improvements that are not dedicated to the public.

Public infrastructure improvements, including public streets, utilities, and other public facilities, will be dedicated to and maintained by the appropriate public agencies following construction and acceptance by the City.

The ownership and management structure will be formalized through recorded and related governing documents established prior to final plat approval to ensure long-term maintenance of the common areas and facilities within the Planned Development.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(3).

d. **Special Studies** (*LDC 16.23.020(A)(4)*)

Special studies prepared by qualified professionals addressing potential impacts such as traffic, geologic hazards, noise, environmental conditions, and natural resources.

Finding

The applicant has submitted several technical studies prepared by qualified professionals to evaluate potential impacts associated with the proposed Planned Development.

A Traffic Impact Study has been prepared to evaluate the potential effects of the proposed development on the surrounding transportation network. The study evaluates anticipated trip generation, intersection operations, and roadway capacity, and identifies any transportation improvements necessary to accommodate projected traffic volumes consistent with City and State transportation standards.

A wetland delineation report prepared by a qualified environmental professional has been submitted as part of the application materials. The delineation identifies the location and extent of jurisdictional wetlands located on the subject property.

The conceptual development plan incorporates these wetland areas into designated tract areas and open space corridors that avoid residential development and maintain the ecological function of the wetlands. These areas are preserved as part of the Planned Development open space network and will remain separate from residential lots.

By incorporating the delineated wetlands into tract areas, the subdivision design avoids direct impacts to wetland resources to the greatest extent practicable. Preservation of these areas also supports stormwater management and natural drainage patterns on the site.

Any future activities that could affect jurisdictional wetlands will remain subject to applicable State and Federal regulations, including review by the Oregon Department of State Lands (DSL) and the U.S. Army Corps of Engineers, as applicable.

These studies provide the City with sufficient information to evaluate the potential transportation and environmental impacts associated with the Planned Development and to ensure that the project is designed to comply with applicable regulatory standards.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(4).

e. Preliminary Mitigation Plan (*LDC 16.23.020(A)(5)*)

A mitigation plan addressing known or anticipated project impacts.

Finding

The conceptual development plan, tentative subdivision plat, and supporting engineering materials collectively function as the Preliminary Mitigation Plan for Planned Development. These materials identify design measures incorporated into the project to address potential impacts associated with drainage, natural resources, transportation, and site access.

The development plan identifies several elements intended to address site constraints and potential impacts, including the preservation of wetlands and open space areas, the integration of stormwater drainage facilities, and the provision of a connected street and pedestrian circulation system. These design elements function to minimize impacts related to drainage, environmental resources, and site access.

In addition, detailed engineering plans addressing stormwater management, utilities, and grading will be prepared and submitted for City review prior to construction to ensure compliance with the Lebanon Public Works Design Standards and applicable provisions of the Lebanon Development Code.

Because the potential impacts associated with the development are addressed through the site design, preserved open space areas, and required engineering review of infrastructure improvements, a separate mitigation plan is not necessary to evaluate the Planned Development at this stage.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(5).

f. Additional Application Materials (*LDC 16.23.020(A)(6)*)

Submittal materials identified in LDC 16.21.050.

Finding

LDC 16.23.020(A)(6) references the additional application materials identified in LDC 16.21.050. However, LDC 16.21.050 outlines specific submittal requirements for Conditional Use applications,

including items such as Public Facilities and Services Impact Studies and Traffic Impact Studies required for Conditional Use hearings.

The proposed application is for a Planned Development and Preliminary Subdivision Plat, not Conditional Use. Therefore, the Conditional Use-specific submittal requirements identified in LDC 16.21.050(B) are not applicable to this application.

The applicant has submitted the materials necessary to evaluate the Planned Development proposal, including the conceptual development plan, tentative subdivision plat, narrative findings addressing the applicable approval criteria, engineering drawings, traffic impact study, and supporting exhibits. These materials provide sufficient information for the City to review the Planned Development under the applicable provisions of LDC Chapter 16.23 and Chapter 16.22.

Conclusion

Because the Conditional Use-specific submittal requirements of LDC 16.21.050 do not apply to this Planned Development application, and the applicant has provided the materials necessary to evaluate the proposal under the applicable Planned Development and subdivision standards, this criterion is satisfied.

4. Additional Design and Program Elements (LDC 16.23.020(A)(7))

a. Development Plan Elements (*LDC 16.23.020(A)(7)(a)*)

Additional Design and Program Elements: The PD submittal shall include (where determined applicable by the Planning Official) any or all of the additional materials listed below. a. Additional Elements of the Plan (1) Parks, playgrounds, recreational facilities, trails and open spaces. (2) Proposed method of solid waste disposal. (3) Proposed method for provisions of water and sewage disposal. (4) Proposed method for the handling of surface water drainage. (5) Proposed grading patterns. (6) A shadow projection, for developers incorporating solar design features.

Finding

The Planned Development application includes a conceptual development plan, tentative subdivision plat, and supporting engineering materials that illustrate the design and program elements applicable to the proposed development.

The development plan identifies open space tracts, preserved wetlands, and a public trail corridor that provide recreational and pedestrian amenities within the subdivision. A 20-foot Public Access Easement located along the south side of Lots 35 through 121 accommodates a multi-use pedestrian trail connecting residents to the surrounding sidewalk and street network.

Public utilities will be provided to the development through the extension of municipal water and sanitary sewer services, which will be designed and constructed in accordance with the Lebanon Public Works Design Standards and applicable City infrastructure requirements.

Surface water drainage will be managed through stormwater facilities and drainage corridors integrated into the development plan, including designated tracts and drainage areas that accommodate stormwater conveyance and detention.

Solid waste disposal will be provided through standard municipal waste collection services serving individual residential lots.

The conceptual development plan and supporting engineering drawings also identify grading and drainage patterns necessary to accommodate the subdivision layout and infrastructure improvements.

Shadow projections related to solar design features are not applicable, as the proposed development does not incorporate solar-oriented building design requiring such analysis.

Conclusion

Because the Planned Development submittal includes the applicable design and program elements identified in LDC 16.23.020(A)(7)(a), including open space areas, a public trail corridor, utility service provisions, stormwater management facilities, and grading information, the proposal complies with this standard.

b. Ownership Structure (LDC 16.23.020(A)(7)(b)(1))

Proposed ownership patterns.

Finding

The proposed Planned Development establishes a subdivision ownership structure consisting of individually owned residential lots and commonly owned tract areas. The tentative subdivision plat illustrates residential lots, which will be created as individually owned fee-simple parcels. The development also includes a tract designated for future commercial, mixed-use, or multi-family development, which may be separately owned and maintained by the future property owner or developer.

The development also includes several tract areas designated for open space, preserved wetlands, drainage facilities, pedestrian corridors, and other shared improvements. These common tract areas will be owned and maintained by a homeowners' association or other legal ownership structures acceptable to the City, as appropriate to the type and function of the facility.

The homeowners' association or other approved ownership entity will be responsible for the ownership, operation, management, and maintenance of the identified common tracts and shared facilities within the development. Public infrastructure improvements, including public streets, utilities, and associated public facilities, will be dedicated to and maintained by the appropriate public agencies.

This ownership structure establishes a clear division between privately owned residential lots, commonly owned tract areas, privately held development tracts, and publicly dedicated infrastructure and open space, ensuring long-term maintenance and management of the development.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(1).

c. **Operations and Maintenance Plan** (*LDC 16.23.020(A)(7)(b)(2)*)

Operation and maintenance proposal, such as condominium, co-op, or Homeowners Association.

Finding

The conceptual development plan identifies several common tracts and shared improvements within the Planned Development, including open space areas, preserved wetlands, drainage facilities, pedestrian corridors, and the public trail easement. These areas will require ongoing maintenance to ensure their continued function and appearance.

These common areas and shared facilities will be owned and maintained by a homeowners' association or other legal ownership structure acceptable to the City, to be established as part of the final plat approval process. The homeowners' association or other legal ownership structure will be responsible for the operation and maintenance of common tracts, landscaping, drainage facilities, and pedestrian trail areas, as well as any other shared improvements within the Planned Development that are not dedicated to the public.

The ownership structure and maintenance responsibilities will be established through recorded governing documents as part of the final plat approval process. These documents will run with the land and ensure long-term maintenance of the common areas and shared improvements.

Public infrastructure improvements, including public streets, utilities, and associated public facilities, will be dedicated to and maintained by the appropriate public agencies.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(2).

d. **Commercial or Community Facilities** (*LDC 16.23.020(A)(7)(b)(3)*)

Commercial facilities such as shopping, community facilities such as schools or parks.

Finding

The conceptual development plan identifies several community-oriented features within the Planned Development, including public open space areas and a public trail corridor that provide recreational and pedestrian connections throughout the development.

The subdivision includes preserved wetland and open space tracts and other designated tract areas, which maintain natural features on the site and provide open space amenities for residents. These areas are integrated with the development layout and contribute to the environmental and recreational character of the Planned Development.

In addition, the development plan includes a 20-foot Public Access Easement located along the south side of Lots 35 through 121, which accommodates a multi-use pedestrian trail connecting the subdivision to the surrounding sidewalk and street network. This trail corridor provides a public recreational and pedestrian facility that enhances neighborhood connectivity.

Certain tract areas within the Airport Overlay Zone are also designated for open vehicle storage, consistent with applicable overlay zone standards. These areas are located and designed to avoid impacts to wetlands and floodplain areas and are integrated with the overall site plan.

The development plan also includes a 3.39-acre tract designated for future mixed-use, commercial, or multi-family development, which may accommodate neighborhood-serving commercial or community-oriented uses permitted within the Z-MU zoning district.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(3).

e. Energy Impact Statement (LDC 16.23.020(A)(7)(b)(4))

A statement regarding the energy impacts of the proposed development.

Finding

The proposed development consists of a residential subdivision designed to efficiently utilize existing and planned public infrastructure and services within the City of Lebanon. The project represents an infill and urban expansion development pattern consistent with the City's Comprehensive Plan and urban growth policies, which are intended to reduce overall energy consumption associated with transportation, utilities, and building operations.

The subdivision will be served by existing public streets and planned internal local streets that connect to the surrounding street network. This layout promotes efficient vehicle circulation and supports alternative modes of transportation such as walking and bicycling by providing interconnected local streets and pedestrian access. The location of the development within the urban growth area allows residents to access employment, commercial services, schools, and public facilities within relatively short travel distances, thereby reducing transportation-related energy consumption.

All future homes constructed within the subdivision will be required to comply with the applicable provisions of the Oregon Residential Specialty Code and Oregon Energy Efficiency Specialty Code in effect at the time of building permit issuance. These codes establish minimum standards for

insulation, building envelope performance, heating and cooling systems, lighting efficiency, and other energy-related building components designed to reduce long-term energy consumption.

In addition, the development will utilize municipal water, sanitary sewer, and other public utilities that are designed and operated for efficient service delivery. Street lighting, utility infrastructure, and other public improvements will be installed in accordance with City standards intended to promote energy-efficient public facilities.

Conclusion:

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(4).

f. Noise Impact Statement (*LDC 16.23.020(A)(7)(b)(5)*)

A statement regarding the noise impacts of the proposed development (and proposed mitigation as part of the Preliminary Mitigation Plan).

Finding

The proposed development is a residential subdivision located within an urbanizing area of the City of Lebanon. Primary noise sources affecting the site are typical urban and suburban activities, including traffic on nearby public streets and occasional aircraft activity associated with the Lebanon State Airport.

The subdivision is designed with internal local streets and residential land uses that are consistent with surrounding development patterns. As a result, noise generated by the development will be typical of standard residential neighborhoods and is not expected to create adverse impacts on surrounding properties.

The most notable potential external noise source affecting the site is aircraft activity associated with the Lebanon State Airport. Portions of the development area fall within the Airport Overlay Zone where aviation-related noise exposure may occur. The proposed development complies with the applicable density limitations and land use restrictions established for areas surrounding the airport, including the reduced residential densities within the Approach Surface and areas beyond the Runway Protection Zone (RPZ). No residential lots are proposed within the RPZ area.

Future dwellings constructed within the subdivision will be required to comply with applicable building code standards for noise attenuation where required. In addition, the development will include recorded disclosures informing future property owners that the property is located within the airport influence area where aircraft overflight and associated noise may occur.

Conclusion:

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(5).

g. Land Use Allocation Tables (*LDC 16.23.020(A)(7)(b)(6)*)

Tables showing the total number of acres and the percentage of the total area that is designated for each type of use including each dwelling type, off-street parking, streets, parks, playgrounds, schools, open spaces, and so on as shown on the proposed development plan.

Finding

The Planned Development application includes a Land Use Allocation Table prepared by Udell Engineering, which identifies the distribution of land uses across the approximately 57.12-acre project site. The table identifies the total acreage and percentage of the total site area allocated to residential development, public streets, open space tracts, preserved wetlands, and the mixed-use/commercial or multi-family tract shown on the conceptual development plan.

The land use allocation table is provided on Sheet C2.0 of the plan set, prepared by Udell Engineering and includes a detailed breakdown of acreage allocated to residential uses, commercial and multi-family development, open vehicle storage, public street right-of-way, and open space areas, including wetlands, trails, floodplain, and stormwater facilities.

This exhibit demonstrates that the Planned Development includes a coordinated distribution of residential development, transportation infrastructure, and preserved open space areas across the site.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(6).

h. Density Calculations (*LDC 16.23.020(A)(7)(b)(7)*)

Tables showing the overall density of the proposed residential development and showing density by dwelling types and any proposals for the limitation of density.

Finding

The subject property is partially located within the Airport Approach Surface associated with Lebanon State Airport, which establishes residential density limitations in portions of the approach surface beyond the Runway Protection Zone (RPZ). As illustrated on the conceptual development plan and Figure 16.11.020-4 of the Lebanon Development Code, the site spans portions of the 1-unit, 2-units, and 4-units-per-acre airport density bands, as well as areas outside the airport overlay.

The portion of the site located within the one dwelling unit per acre density band is designated as Tract A, which consists of wetland and open space preservation areas. Two residential lots are proposed within this density band.

Similarly, the portion of the site located within the four dwelling units per acre density band is also designated as a tract area associated with wetlands, drainage corridors, and open space, and no residential lots are proposed within this density band.

Residential lots are located primarily within the two dwelling units per acre density band, where development is distributed in a manner consistent with the density limitations applicable to that portion of the airport approach surface.

Portions of the subdivision located outside the Airport Approach Surface are not subject to the airport density limitations and are instead governed by the Z-MU (Mixed Use) zoning district, which applies to the Z-RM (Residential Mixed Density) dimensional standards. These standards regulate development through minimum lot size and dimensional requirements rather than a maximum dwelling units per acre standard.

Conclusion

Therefore, the proposal complies with LDC 16.11.020.B.5.

i. **Draft Covenants and Maintenance Documents** (*LDC 16.23.020(A)(7)(b)(8)*)

Drafts of appropriate restrictive covenants, including those regarding the maintenance of landscape and drafts of documents providing for the maintenance of any common open space, or required dedications or reservations of public open spaces and of any dedications of development rights.

Finding

The conceptual development plan identifies several common tracts and shared improvements, including open space areas, drainage facilities, pedestrian access corridors, and utility infrastructure that will serve the Planned Development. These areas will require ongoing maintenance to ensure their continued function and appearance.

Prior to final plat approval, the applicant will prepare and record covenants, conditions, and restrictions (CC&Rs) or other maintenance agreements that establish responsibility for the maintenance of common tracts, landscaping, open space areas, drainage facilities, and shared improvements within the subdivision. These documents will also address the ownership and maintenance obligations associated with any shared access easements or common facilities within the development.

The recorded documents will run with the land and will ensure that the identified common areas and improvements are permanently maintained by the responsible entity, such as a homeowners' association or similar ownership structure, consistent with the Planned Development approval.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(8).

j. **Utility and Drainage Installation Schedule** (*LDC 16.23.020(A)(7)(b)(9)*)

A timetable indicating when utility and drainage facilities intended to serve the development are to be installed. If the development is to be constructed in stages, the timetable shall reflect this.

Finding

The proposed Planned Development will be constructed in multiple phases, as illustrated on the conceptual phasing plan. Public infrastructure necessary to serve the development, including water, sanitary sewer, stormwater drainage facilities, and associated utility infrastructure, will be installed in coordination with the development phases.

Utility extensions and drainage improvements will be constructed as part of the public improvement plans prepared by a licensed engineer and reviewed by the City for compliance with the Lebanon Public Works Design Standards and LDC Chapter 16.14 (Public Improvements).

As each development phase proceeds, the utilities and drainage facilities necessary to serve that phase will be installed or extended to ensure that adequate services are available. Construction of these improvements will occur prior to or concurrent with development of each phase, and the improvements will be subject to City review and inspection before final plat approval for the applicable phase.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(9)

k. **Development Phasing Schedule** (*LDC 16.23.020(A)(7)(b)(10)*)

Timetable of the development, including expected starting dates, projection of completion time and project phasing, if anticipated.

Finding

The applicant has submitted a conceptual phasing plan for the Planned Development. As illustrated on the conceptual development plan, the subdivision is anticipated to be constructed in multiple phases, allowing the development to occur in stages while coordinating the installation of public infrastructure and utilities.

The phasing plan identifies ten development phases, which may be constructed as market conditions allow. These phases may occur independently provided that the necessary public infrastructure and utilities are installed to adequately serve each phase of development.

The phasing schedule also identifies Phase 5 as the mixed-use commercial or multi-family development tract, which is intended to accommodate future development consistent with the Z-MU zoning district. Development of this tract may occur independently of the residential phases depending on market demand and development timing.

Public infrastructure, including streets, utilities, and stormwater facilities, will be installed in coordination with the development phases to ensure that adequate services are available to support the proposed uses.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(10).

I. Public Improvement Financing (LDC 16.23.020(A)(7)(b)(11))

Method of public improvements financing, if any.

Finding

The proposed Planned Development will require the construction of public streets, water and sanitary sewer extensions, stormwater facilities, sidewalks, and associated utility infrastructure necessary to serve the development. These improvements will be constructed in accordance with the Lebanon Public Works Design Standards and LDC Chapter 16.14 (Public Improvements).

Public improvements associated with the subdivision will be financed and constructed by the developer as part of the development process. Construction of these improvements will occur in conjunction with the phased development of the subdivision. Required public infrastructure will be installed prior to final plat approval for each phase or otherwise guaranteed through the City's public improvement assurance process (e.g., bonding or other financial security), consistent with City requirements. All public improvements will be subject to review, inspection, and acceptance by the City prior to final approval.

The City of Lebanon has identified improvements to 12th Street, including the Walker Road/Stoltz Hill Road/12th Street intersection, within its 2026–2027 budget and capital planning framework. These planned improvements support the long-term transportation network serving the site and are consistent with the City's Transportation System Plan. The proposed development is designed to function with existing conditions and required frontage improvements and does not rely on the timing or completion of these future capital improvements for compliance with applicable approval criteria.

To the extent that any required public improvements exceed the proportionate share of impacts attributable to the development, such improvements may be eligible for System Development Charge (SDC) credit or reimbursement, consistent with applicable City ordinances and Capital Improvement Plan provisions. Any such credit or reimbursement would be determined through the City's established SDC and public improvement review processes.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(A)(7)(b)(11).

5. Planned Development Design Standards (LDC 16.23.020(B))

a. Minimum Site Area (*LDC 16.23.020(B)(1)*)

The minimum size for a Planned Development is one (1) acre.

Finding

The subject property consists of approximately 57.12 acres, including Tax Lot 2300 and Tax Lot 2305. Planned Development encompasses the entirety of these properties and proposes a coordinated residential subdivision and mixed-use commercial or multi-family development tract.

Because the Planned Development site area substantially exceeds the minimum one-acre requirement, the proposal satisfies the minimum site area requirement for Planned Developments.

Conclusion

The proposed Planned Development site exceeds the minimum site area requirement of LDC 16.23.020(B)(1). Therefore, the proposal complies with this standard.

b. Integrated Development Plan (*LDC 16.23.020(B)(2)*)

The development plan shall present an organized arrangement of buildings, service facilities, open space, and site improvements.

Finding

The applicant has submitted a conceptual development plan and tentative subdivision plat illustrating the overall layout and design of the Planned Development. The plan presents an integrated arrangement of residential lots, public streets, open space areas, utility infrastructure, and pedestrian facilities designed to function as a coordinated development.

The subdivision plan establishes a connected network of public minor arterial, collector, and local streets that provide access and circulation throughout the development. The street network organizes residential blocks and provides connections to the surrounding transportation system while accommodating pedestrian and bicycle travel through sidewalks and multi-use path connections.

The development plan also identifies open space tracts, drainage corridors, and wetland preservation areas, which preserve natural features on the site and provide visual open space within the development. These areas are integrated with the street system and pedestrian connections to ensure accessibility for residents.

In addition to the residential subdivision, the plan includes a mixed-use/commercial or multi-family development tract, which is intended to accommodate future development consistent with the Z-MU zoning district. This tract is located and configured to integrate with the surrounding residential development and the internal street network.

Public utilities, including water, sanitary sewer, and stormwater management facilities, will be extended throughout the development in accordance with the City's Public Works Design

Standards. The location of these facilities is coordinated with the proposed street system and development layout.

Together, the conceptual development plan, subdivision plat, and supporting engineering plans demonstrate an organized and coordinated arrangement of development components, including buildings, infrastructure, open space, and circulation facilities.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(B)(2).

c. **Periphery Yard Requirements** (*LDC 16.23.020(B)(3)*)

Periphery yards of a PD shall be at least as deep as those required by the yard requirements of the underlying zone, unless the Planning Commission finds that specific features of the proposed development would mitigate as well as the specified yard requirements vis-à-vis identified “negative impacts” to the surrounding neighborhood and/or the community as a whole after mitigation.

Finding

For the purposes of Planned Development review, periphery yards refer to setback areas located along the outer boundary of the Planned Development where the development abuts property outside the development site. Pursuant to LDC 16.23.020(B)(3), the Planning Commission may approve modified periphery yard dimensions where the design of the Planned Development mitigates potential impacts to adjacent properties.

The underlying Z-RM zoning standards establish a 20-foot rear yard setback for residential development. For duplex development, the rear yard setback may be reduced to 15 feet where on-site parking is provided in excess of the minimum required. For Small Lot Single-Unit dwellings, the rear yard setback may be reduced to 10 feet.

The periphery yard along the northern boundary is not reduced and remains consistent with applicable Development Code standards. Potential impacts to adjacent properties are further minimized through site design features, including the orientation of residential lots toward internal public streets and the overall scale of the proposed development. The development is limited to low-scale residential structures consistent with the surrounding residential character, with a maximum building height of 40 feet for all residential building types.

In addition, other portions of the project perimeter include public streets, open space tracts, and drainage areas, which provide separation between the Planned Development and surrounding properties.

These design elements provide sufficient buffering and separation to mitigate potential impacts related to building placement, visual scale, and privacy.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(B)(3).

d. Building Height and Lot Coverage (*LDC 16.23.020(B)(4)*)

Lot coverage and building height shall be no greater than for the underlying zone unless the Planning Commission finds that an exception is warranted in terms of the design and amenities proposed in the total development, and there are no identified “negative impacts” to the surrounding neighborhood and/or the community as a whole after mitigation.

Finding

The subject property is proposed to be rezoned to the Z-MU (Mixed Use) zoning district, which applies the dimensional standards of the Residential Mixed Density (Z-RM) zone pursuant to LDC Chapter 16.06.

The Lebanon Development Code establishes the following building height standards for residential development in the Z-RM zone:

- Small Lot Single-Unit Dwellings and Cottage Clusters: maximum building height 25 feet
- All Other Residential Building Types: maximum building height 40 feet.

The proposed Planned Development includes residential lots designed for small lot single-unit dwellings and other residential dwelling types permitted in the Z-MU zone. The Planned Development modifies the maximum building height for small-lot single-unit dwellings to allow a maximum height of 40 feet, consistent with the height standard applicable to other residential building types.

This modification is warranted based on the design and amenities of the overall development and does not result in negative impacts to the surrounding neighborhood. The increased height allowance applies primarily to internal lots within the subdivision and will not adversely affect adjacent properties. In addition, the Lebanon Development Code measures building height based on the average height of the highest roof surface, which can result in more restrictive building envelopes compared to jurisdictions that measure height to the midpoint of the roof. The proposed height standard allows flexibility in building design, including roof pitch and contemporary architectural forms, while maintaining compatibility with surrounding residential development.

The Planned Development does not propose an increase in maximum lot coverage. Building coverage will remain subject to the applicable standards of the Lebanon Development Code. Although reduced interior side and rear yard setbacks of 3 feet are proposed for certain residential lot types, the development maintains functional building envelopes and open areas through lot design and overall site layout.

Specific building footprints are not established at the Planned Development stage; however, building coverage will be limited by applicable code standards and individual lot dimensions. Because building coverage calculations are based on building footprint area and do not include other impervious surfaces, future development will remain consistent with typical residential development patterns in the Z-RM zone.

In addition, the Planned Development incorporates open space tracts, preserved natural areas, pedestrian connections, and a coordinated street network, which collectively maintains visual openness, separation between development areas, and integrated site design.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(B)(4).

e. Open Space Requirements (*LDC 16.23.020(B)(5)*)

Open space in a Planned Development means the land area to be used for scenic or open space recreational purposes within the development. a. Open space does not include street right-of-way, driveways, parking areas, required setbacks, or public service easements unless these areas have some special recreational design or purpose. b. Open space shall be adequately designed for the recreational and leisure use of the population occupying the Planned Development. c. Designated open space must be accessible and usable year-around. d. Before an area can be considered a designated open space it shall have the following required minimum dimensions and minimum area: (1) Length: 20 feet; (2) Width: 20 feet; and, (3) shall have a minimum Area of 400 square feet. e. To the maximum extent possible, the open space plan shall demonstrate that natural features of the open space are preserved and complimentary landscaping is provided. f. The ongoing provision and maintenance of designated and approved open space areas are a permanent obligation of the Basic Land Use approval of the Planned Development.

Finding

The conceptual development plan identifies several areas within the Planned Development that function as designated open space, including wetland preservation areas, drainage corridors, and associated open space tracts distributed throughout the development. These areas preserve natural features on the site while providing scenic open space and environmental protection within the subdivision.

The designated open space areas exceed the minimum dimensional standards established in LDC 16.23.020(B)(5)(d), which require a minimum length of 20 feet, minimum width of 20 feet, and minimum area of 400 square feet. The open space areas are substantially larger than these minimum requirements and are integrated into the subdivision layout.

The open space areas include preserved wetland and drainage corridors that provide scenic and environmental benefits to the development. These areas function as natural open space features

and are integrated with pedestrian connections and the overall site design. A 20-foot Public Access Easement located along the south side of Lots 35 through 121 provides a multi-use pedestrian corridor that connects residents to the internal street and sidewalk system and enhances access to the open space network.

The conceptual development plan preserves existing natural features, including wetland areas and associated drainage features, while incorporating landscaping and stormwater facilities that complement the open space network.

Ownership and maintenance of the designated open space areas will be established through the final subdivision plat and associated homeowners' association or tract ownership provisions, ensuring that the open space areas are permanently maintained as part of the Planned Development.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(B)(5).

f. Lot Dimension Flexibility (*LDC 16.23.020(B)(6)*)

The Planning Commission may approve a reduction in the minimum area, width, depth and frontage requirements for subdivision lots in a PD, if the overall design and amenities of the proposed project outweigh any adverse impacts that may result from reduction in the minimum area, width, depth and frontage requirements for the lots.

Finding

The proposed Planned Development incorporates a residential development pattern that includes both standard and small-lot residential lots. Standard detached residential lots are proposed with minimum widths of 45 feet and minimum lot areas of 4,500 square feet, which are reduced from the base Z-RM standards. Small-lot residential development is also proposed with minimum lot widths of 30 feet, consistent with the underlying zone.

The Planned Development proposes a reduced interior side yard setback of 3 feet for all residential lots, while rear yard setbacks remain consistent with the underlying Z-RM standards. These dimensional adjustments allow the development to achieve an efficient and coordinated neighborhood layout while maintaining functional building envelopes across the site.

The Planned Development includes several design features and amenities that offset the reduced lot dimensions, including a connected public street network, pedestrian and multi-use path connections, open space areas, and integrated stormwater facilities. The subdivision layout also incorporates a tract intended for future commercial, mixed-use, or multi-family development that supports neighborhood-serving uses.

Because the Planned Development provides coordinated infrastructure, connectivity, and open space amenities that mitigate potential impacts associated with reduced lot dimensions, the overall design of the development outweighs any potential adverse impacts resulting from the reduced lot widths, lot areas, and interior side yard setbacks.

Conclusion

Based on the foregoing, the proposed reductions to minimum lot width, lot area, and interior side yard setback standards are supported by the overall design and amenities of the Planned Development and will not result in adverse impacts. Therefore, the proposal complies with LDC 16.23.020(B)(6).

g. Development Phasing (LDC 16.23.020(B)(7))

Required Phasing

- i. **As noted in Subsection 16.23.010.C, the applicant may elect to develop the site in successive phases in a manner indicated in the Development Design and Program.**
- ii. **In addition, the Planning Commission may require that development be done in stages if public facilities are not adequate to service the entire development initially.**

Finding

The conceptual development plan identifies the proposed Planned Development as a phased development consisting of ten phases. The majority of phases include residential lots and the associated public infrastructure necessary to serve those lots, including public streets, utilities, stormwater facilities, and pedestrian connections.

Phase 5 of the development is designated for a mixed-use/commercial or multi-family development tract, consistent with the proposed Z-MU zoning designation. This phase is intended to accommodate future mixed-use, commercial, or multi-family development permitted within the zoning district and will be served by the public street and utility infrastructure constructed as part of the surrounding development phases.

Each phase is designed to function independently and will include the public improvements necessary to serve the lots or development area within that phase. The phasing plan allows the development to proceed incrementally while ensuring that adequate infrastructure and public services are provided as each phase is constructed. Development of the mixed-use tract may occur concurrently with or subsequent to surrounding residential phases and will be subject to applicable development standards at the time of development.

Conclusion

Therefore, the proposal complies with LDC 16.23.020(B)(7).

6. Planned Development Step 1 Review Criteria (LDC 16.23.040)

a. Conformance with Applicable Standards (*LDC 16.23.040(A)(1)*)

The proposed Planned Development is in conformance with:

- i. Basic decision criteria in this Chapter (e.g., Section 16.23.020.B).
- ii. Standards for development in the underlying zones noted Chapters 16.05 – 16.11, or as modified pursuant to the provisions Subsection 16.23.010.F.2.
- iii. Other applicable development requirements, such as parking, and access (see Community Design Standards, Article Three of this Development Code).

Finding

The proposed Planned Development has been designed in accordance with the requirements of LDC Chapter 16.23, including applicable submittal requirements and general development standards for Planned Developments. The application includes a conceptual development plan, subdivision layout, phasing plan, and supporting materials describing the proposed land use pattern, infrastructure improvements, and development program consistent with the requirements of LDC 16.23.020.

The subject property is proposed to be redesignated to C-MU (Mixed Use) and rezoned to the Z-MU (Mixed Use) zoning district concurrent with approval of the Planned Development. Pursuant to LDC Chapter 16.06, development within the Z-MU zone applies the dimensional standards of the Residential Mixed Density (Z-RM) zone, unless modified through the Planned Development process.

The proposed development complies with the dimensional standards of the Z-RM zone, except as modified through the Planned Development process. The Planned Development establishes reduced minimum lot width and lot area standards for detached residential lots and maintains a 10-foot front yard setback along public streets. The proposal also includes a reduced interior side yard setback of 3 feet for residential dwelling types, while rear yard setbacks remain consistent with underlying Z-RM standards.

As described in the findings for LDC 16.23.040(A)(2), these modifications are justified by the design and amenities incorporated into the Planned Development and do not create negative impacts to surrounding properties.

The proposed Planned Development also incorporates applicable requirements of Article Three – Community Design Standards, including provisions related to access and circulation, public improvements, utilities, landscaping, and stormwater infrastructure. The subdivision layout provides a connected network of public minor arterial, collector, and local streets, pedestrian connections including multi-use paths, and the public utilities and stormwater facilities necessary to serve the development.

Compliance with specific design and infrastructure standards, including access, utilities, drainage, landscaping, and fire access requirements, is addressed in the findings for the applicable subdivision and development criteria elsewhere in this narrative.

Conclusion

Therefore, the proposal complies with LDC 16.23.040(A)(1).

b. Justification for Exceptions (*LDC 16.23.040(A)(2)*)

Exceptions from the standards of the underlying zone may be warranted by the design and amenities incorporated into the Development Design and Program, and provided there are no identified “negative impacts” or “hardships” to the surrounding neighborhood and/or the community as a whole after mitigation.

Finding

The Planned Development proposes limited modifications to certain dimensional standards applicable to residential development within the project area. The subject property is proposed to be rezoned to the Z-MU (Mixed Use) zoning district. Pursuant to LDC Chapter 16.06, residential development within the Z-MU zone applies the dimensional standards of the Residential Mixed Density (Z-RM) zone unless modified through the Planned Development process.

Under the Z-RM standards applied within the Z-MU zone, the minimum lot width for detached single-unit dwellings is 50 feet and the minimum lot area is 5,000 square feet. The Z-RM standards also establish minimum yard setbacks of generally 10 feet for front yards, 5 feet for side yards, and 20 feet for rear yards, with reduced rear yard setbacks permitted for certain small-lot housing types. Corner lots are typically required to maintain a 15-foot street-side yard setback, or 10 feet for small-lot residential development.

As part of the Planned Development design, the proposal allows reduced minimum lot widths of approximately 45 feet and minimum lot areas of approximately 4,500 square feet for standard detached residential lots.

The Planned Development also establishes minimum yard setbacks of 3 feet for all residential lots, while rear yard setbacks remain consistent with underlying Z-RM standards. For townhouse and zero-lot-line housing, attached units may maintain zero-foot interior side yard setbacks.

The Planned Development also modifies the street-side yard setback applicable to corner lots. Under the Z-RM standards applied in the Z-MU zone, corner lots are typically required to maintain a 15-foot street-side setback (10 feet for small-lot housing). The Planned Development establishes a reduced street-side setback of 7-foot-street-side yard setback, which allows consistent building placement and efficient layouts while maintaining adequate space for utilities, visibility and access at street intersections.

These dimensional adjustments support a range of residential lot sizes, including small-lot development with minimum lot widths of 30 feet, while maintaining separation between structures and preserving the overall block and street layout established in the Planned Development. Reduced setbacks and flexible lot dimensions are common in small-lot neighborhood

developments and remain compliant with applicable building and fire code separation requirements. The subdivision design incorporates a coordinated street network, pedestrian connections, open space areas, and stormwater facilities that help offset the dimensional reductions and maintain compatibility within the development.

The proposed dimensional adjustments occur primarily within the interior of the Planned Development and will not create adverse impacts to surrounding properties. Adjacent properties outside the development area are separated by streets, open space tracts, or larger residential lots that maintain typical residential development patterns. Future building construction will also be required to comply with the Oregon Fire Code and applicable building code requirements for fire separation and emergency access, ensuring that the proposed dimensional adjustments do not create fire safety concerns.

Conclusion

Therefore, the proposed exceptions to underlying dimensional standards are justified by the overall design and amenities of the Planned Development and do not result in negative impacts to the surrounding neighborhood or community. Accordingly, the proposal complies with LDC 16.23.040(A)(2).

c. **Development Completion Timeline** (*LDC 16.23.040(A)(3)*)

The proposed Planned Development, or a unit thereof, can be substantially completed within the approved timeline.

Finding

The conceptual development plan identifies the proposed subdivision as a phased development consisting of multiple construction phases, each including a defined number of residential lots and associated public infrastructure improvements. The phasing plan illustrates development occurring in approximately ten phases distributed throughout the site, with each phase containing between approximately 25 and 40 residential lots and the associated street, utility, and stormwater infrastructure necessary to serve that phase.

Each phase is designed to function independently and will include the public improvements necessary to serve the lots within that phase, including local streets, utility extensions, stormwater facilities, and pedestrian connections. The phasing plan allows the development to proceed in logical increments while maintaining adequate infrastructure capacity and access for each phase of development.

Development timing will be determined by the developer, subject to market conditions, and will occur in compliance with applicable City requirements for infrastructure installation, public improvements, and service provision.

Because the development may proceed incrementally through these identified phases, each phase represents a unit of the Planned Development capable of substantial completion within the approved development timeline.

Conclusion

Therefore, the proposal complies with LDC 16.23.040(A)(3).

d. **Transportation Adequacy** (*LDC 16.23.040(A)(4)*)

The streets are adequate to support the anticipated traffic and that the Planned Development will not overload the streets within or outside the Planned Development area. [See Mitigation Plan.]

Finding

The proposed Planned Development includes a connected network of public minor arterial, collector, and local streets designed to accommodate anticipated traffic generated by the development. The internal street system provides multiple points of access and circulation throughout the site, supporting efficient traffic flow and emergency access.

Access to the development is provided via existing and proposed public streets and surrounding collector facilities. These connections are designed to distribute traffic and minimize congestion at any single access point.

A traffic analysis has been prepared to evaluate anticipated trip generation and roadway capacity. The analysis demonstrates that, with implementation of recommended improvements and mitigation measures, the surrounding transportation network will continue to operate within acceptable levels of service.

Public street improvements, intersection upgrades, and other transportation-related mitigation measures will be constructed or implemented in accordance with applicable City standards and conditions of approval. These improvements ensure that both on-site and off-site transportation facilities are adequate to support the proposed development.

Based on the proposed street network design, access configuration, and implementation of required mitigation measures, the Planned Development will not overload streets within or outside the development area.

Conclusion

Therefore, the proposal complies with LDC 16.23.040(A)(4).

e. **Utility and Drainage Capacity** (*LDC 16.23.040(A)(5)*)

The proposed utility and drainage facilities are adequate for the population densities and type of development proposed and will not create a drainage or pollution problem within or outside the Planned Development area. [See Mitigation Plan.]

Finding

The proposed Planned Development will be served by the City of Lebanon municipal water and sanitary sewer systems, which are available in adjacent public rights-of-way. As shown on the tentative subdivision and utility plans prepared by Udel Engineering, the project includes the extension of public water and sanitary sewer lines throughout the development to serve the proposed residential lots and the mixed-use development tract.

Stormwater generated by the development will be managed through a designed stormwater management system, including storm drainage conveyance, detention facilities, and water quality treatment facilities, shown on the preliminary engineering plans. The stormwater system is designed to control runoff generated by the development and discharge it in a manner that prevents adverse impacts to surrounding properties and public infrastructure.

The proposed utilities and stormwater facilities will be constructed in accordance with the Lebanon Public Works Design Standards and will be reviewed and approved by the City during the public improvement and engineering plan review process. In addition, any applicable components of the stormwater system affecting jurisdictional wetlands or waters will be subject to review and permitting by the Oregon Department of State Lands and the U.S. Army Corps of Engineers, as applicable.

Conclusion

Therefore, the proposal complies with LDC 16.23.040(A)(5).

7. Planned Development Step 2 Review Authority

a. Step 2 Review Options

The Lebanon Development Code provides multiple procedures for Planned Development Step 2 review, including Ministerial Review (Option 2A), Administrative Review (Option 2B), and Planning Commission Review (Option 2C). The appropriate review procedure is determined based on the level of discretion required to evaluate the detailed development plans.

In this case, the Planned Development Step 1 approval establishes the overall development concept, including land use designations, subdivision layout, phasing framework, circulation system, open space configuration, and applicable dimensional standards and modifications. The Step 1 approval also includes the applicable approval criteria and findings that govern subsequent development of the site.

Because Step 2 review is limited to verification that detailed construction and site development plans are consistent with the approved Planned Development, no additional discretionary land use decisions are required, provided that the submitted plans conform to the approved Step 1 design and conditions of approval.

As a result, Step 2 review functions as a compliance review rather than a discretionary land use decision. Accordingly, Ministerial Review by the Planning Official (Option 2A) is appropriate, as it allows the City to confirm consistency with the approved Planned Development without requiring additional public hearings or discretionary review.

If the detailed development plans deviate from the approved Planned Development or require additional modifications to approved standards, the City may require Administrative or Planning Commission review, as applicable under the Lebanon Development Code.

H. Preliminary Subdivision Plat - General Criteria (LDC 16.22.090(A)(1)-(7))

1. Criterion (1):

The proposed preliminary plat complies with the applicable Development Code Sections and adopted Master Plans. At a minimum, the provisions of this Chapter, and the applicable Chapters and Sections of Article Two (Land Use and Land Use/Development Zones) and Article Three (Community Development and Use Standards) of this Code shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant Sections of Chapter 16.29.

Finding

The proposed preliminary subdivision plat subdivides approximately 57.12 acres into residential lots, a tract designated for future mixed-use/commercial or multi-family development, open space tracts, and associated public streets and utilities.

Concurrent with the subdivision application, the applicant proposes a Comprehensive Plan Map Amendment from C-RM (Residential Mixed Density) and C-IND (Industrial) to C-MU (Mixed Use) and a Zone Map Amendment from Z-RM and Z-IND to Z-MU (Mixed Use). Pursuant to LDC Chapter 16.06, development within the Z-MU zoning district applies the dimensional standards of the Residential Mixed Density (Z-RM) zone, unless modified through the Planned Development process.

The proposed development is reviewed as a Planned Development under LDC Chapter 16.23, which allows the Planning Commission to modify certain dimensional standards where the overall design and amenities of the development outweigh potential impacts. The Planned Development approval may allow modifications to certain standards, such as reduced side and rear yard setbacks, while maintaining compliance with fire code access, building separation, and overall site design standards.

The subdivision layout also complies with the applicable provisions of Article Three – Community Development and Use Standards, including Chapter 16.12 (Access and Circulation), Chapter 16.14 (Public Improvements), and Chapter 16.15 (Landscaping and Street Trees), as demonstrated by the proposed street network, pedestrian facilities, and infrastructure improvements shown on the tentative plat.

No variances pursuant to Chapter 16.29 are requested as part of the subdivision application.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(A)(1).

2. Criterion (2):

The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92 and the County Surveyor.

Finding

The applicant proposes the subdivision name Emerald Crossing for the preliminary subdivision plat. A review of the Linn County subdivision records and assessor's maps indicates that the proposed plat name is not currently used by any recorded subdivision within Linn County.

The subdivision plat will be prepared by a licensed professional surveyor in accordance with the requirements of ORS Chapter 92, which establishes the legal requirements for subdivision plats in Oregon, including monumentation, survey accuracy, and plat certification.

Prior to recording, the final subdivision plat will be reviewed and approved by the Linn County Surveyor, who will verify compliance with ORS Chapter 92, applicable survey standards, and county platting requirements.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(A)(2).

3. Criterion (3):

The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and of partitions already approved for adjoining property as to width, general direction and in all other respects. All proposed public improvements and dedications are identified on the preliminary plat.

Finding

The tentative subdivision plat establishes a coordinated system of public minor arterial, collector, and local streets designed to provide internal circulation and connect to the surrounding street network. The proposed street alignments, widths, and classifications are consistent with the City's transportation planning framework and are designed to allow for future connections to adjacent properties where appropriate.

The subdivision includes minor arterial, collector, and local streets constructed to City standards, including sidewalks and pedestrian circulation facilities that will connect to the surrounding transportation system. The street layout forms a connected block pattern and allows for future extension of streets where adjoining properties develop.

In addition to the public street network, the subdivision includes pedestrian and bicycle facilities, which accommodates a multi-use path connecting internal streets and residential areas to the City sidewalk system.

The preliminary plat also identifies public utility corridors and easements necessary to extend water, sanitary sewer, and stormwater infrastructure to serve the subdivision. Surface water management facilities and associated drainage easements are shown on the plans and are designed to integrate with the City's stormwater system.

All proposed public improvements, right-of-way dedications, utility easements, drainage easements, and public access easements are identified on the preliminary subdivision plat.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(A)(3).

4. Criterion (4):

All proposed private common areas and improvements (e.g., homeowner association property) are identified on the preliminary plat.

Finding

The tentative subdivision plat identifies several tracts and easement areas intended to serve shared functions within the development. These include open space and wetland tracts, stormwater management areas, and pedestrian access facilities that will serve multiple lots within the subdivision.

These areas are shown on the preliminary plat as separate tract designations, which are not proposed as individual residential lots. Such tracts are intended to function as common areas and shared infrastructure, including stormwater facilities, natural resource areas, and pedestrian connections.

The preliminary plat also identifies public access easements and utility easements that provide shared circulation and infrastructure serving multiple properties within the subdivision. These areas are clearly delineated on the plans and will be recorded with the final subdivision plat.

Ownership and long-term maintenance responsibilities for the common areas and shared improvements will be addressed through the subdivision conditions of approval and recorded plat documents, which may include dedication to a homeowners' association or other entity responsible for maintenance.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(A)(4).

5. Criterion (5):

Evidence that all City, County, State and Federal regulatory agency identified or mapped special management areas have been accurately and effectively identified on the appropriate maps and plans submitted to the City for review.

Finding

The preliminary subdivision plat and supporting materials identify the special management areas applicable to the subject property, including floodplain areas, wetlands, and airport overlay areas.

A wetland delineation has been prepared for the site and identifies jurisdictional wetlands and associated resources. These areas are shown on the subdivision plans and are incorporated into designated tract areas and open space corridors, ensuring that development avoids or appropriately addresses these environmentally sensitive areas.

The wetland delineation has been reviewed and approved by the Oregon Division of State Lands (DSL) and the Army Corp of Engineers (USACE). The majority of delineated wetland areas, including those associated with the Oak Creek corridor, are proposed to be avoided and preserved within designated tract areas as part of the Planned Development.

Portions of the subject property are located within areas identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) as subject to floodplain regulations and are therefore subject to the provisions of the Flood Plain Overlay Zone (FP-OZ) established in LDC 16.11.070.

The submitted preliminary subdivision plat and supporting plans identify the floodplain areas associated with the Oak Creek drainage corridor. These areas are incorporated into designated tract areas and open space corridors that avoid residential lot development and minimize disturbance within flood-prone areas.

Development proposed within the subdivision is located outside the mapped floodplain areas to the greatest extent practicable. Where infrastructure improvements may occur within regulated floodplain areas, those improvements will be designed and constructed in accordance with the City of Lebanon floodplain development standards and applicable FEMA regulations.

Prior to construction, any development activities within the floodplain will require review and approval through the City's floodplain development permit process to ensure compliance with flood hazard reduction standards and to prevent increases in flood risk.

In addition, portions of the property are located within the Lebanon State Airport overlay area, including areas subject to Runway Protection Zone (RPZ) and approach surface related regulations. The subdivision design recognizes these constraints and identifies tracts and development areas consistent with the applicable airport overlay standards, including the housing density limitations applicable to areas near the RPZ.

These special management areas are illustrated on the submitted plans and supporting technical studies, allowing the City to evaluate the proposed subdivision layout relative to the applicable environmental and safety constraints.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(A)(5).

6. Criterion (6):

Evidence that improvements or conditions required by the City, road authority, Linn County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met.

Finding

The proposed subdivision will be served by public streets, water, sanitary sewer, stormwater infrastructure, and other utilities necessary to support urban residential development. The preliminary engineering plans prepared by Udell Engineering identify the layout and extension of public infrastructure required to serve the development.

Public streets within the subdivision will be constructed to City of Lebanon standards, including minor arterial, collector, and local streets with sidewalks and pedestrian connections. The street network will connect to the existing and planned transportation system and will be reviewed for compliance with the City's Public Works Design Standards and Transportation System Plan.

The development will also include the extension of public water and sanitary sewer facilities, which will be designed and constructed in accordance with the requirements of the City of Lebanon and applicable utility providers. Stormwater management facilities will be constructed to manage surface water runoff generated by the development and will comply with the City's stormwater design standards.

Public improvements, including streets, utilities, stormwater facilities, sidewalks, and associated infrastructure, will be reviewed through the City's public improvement permitting process. Final engineering plans must be approved by the City and applicable service providers prior to construction.

Through these review processes and conditions of approval, the applicant will be required to demonstrate compliance with the requirements of the City, road authority, Linn County, and applicable service providers.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(A)(6).

7. Criterion (7)

If any part of the site is located within a Special Area Plan or District, Overlay Zone, or previously approved Planned Development, it shall conform to the applicable regulations and/or conditions.

Finding

The subject property was reviewed for applicability of the overlay zones established in LDC Chapter 16.11, including the Airport Overlay Zones (AP-OZ), Riparian Protection Overlay Zone (RIP-OZ), Steep Slope Development Overlay Zone (SSD-OZ), Special Transportation Area Overlay Zone (STA-OZ), Limited Use Overlay Zone (LU-OZ), Flood Plain Overlay Zone (FP-OZ), and Bioscience and Technology Overlay Zone (BST-OZ).

Portions of the site are located within the Airport Overlay Zones (AP-OZ) associated with the Lebanon State Airport. The subdivision design identifies the applicable airport safety areas and incorporates tract areas and density limitations consistent with the airport overlay regulations.

A portion of the subject property is located within the Riparian Protection Overlay Zone (RIP-OZ) associated with the Oak Creek corridor. The Riparian Protection Overlay Zone is intended to protect riparian vegetation, water quality, wildlife habitat, and streambank stability along waterways within the City of Lebanon.

The submitted conceptual development plan and tentative subdivision plat identify the location of the Oak Creek corridor and the associated riparian protection area. These areas are incorporated into designated tract areas and open space corridors within the Planned Development and are not proposed for residential lot development.

The riparian corridor and associated buffers are preserved within open space tracts that are separate from residential lots and will remain protected from future development. The preservation of these areas ensures that riparian vegetation, natural drainage functions, and wildlife habitat associated with the Oak Creek corridor are maintained.

The Planned Development design integrates the riparian corridor into the overall open space network of the subdivision, allowing the area to function as both an environmental resource and a natural open space amenity within the development. The preservation of these areas also contributes to the stormwater management and drainage strategy for the site by maintaining natural drainage pathways and limiting disturbance within the riparian corridor.

Floodplain areas associated with the creek corridor are also identified on the subdivision plans and will be regulated in accordance with the Flood Plain Overlay Zone (FP-OZ) and applicable floodplain development standards.

The property is not located within the Steep Slope Development Overlay Zone (SSD-OZ), Special Transportation Area Overlay Zone (STA-OZ), Limited Use Overlay Zone (LU-OZ), or Bioscience and Technology Overlay Zone (BST-OZ).

Conclusion

Therefore, the proposal complies with LDC 16.22.090(A)(7).

I. Preliminary Subdivision Plat – Streets, Blocks, and Lots (LDC 16.22.090(B)(1)-(7))

1. Criterion (1):

All lots shall comply with the lot area, setback, and dimensional requirements of the applicable land use zone (Chapters 16.05 – 16.10), and the standards of Chapter 16.12 (Subsection 16.12.030.K, Street Connectivity and Formation of Blocks).

Finding

The subject property is proposed to be redesignated to C-MU (Mixed Use) and rezoned to the Mixed Use zoning district (Z-MU) concurrent with approval of the Planned Development and subdivision. Pursuant to LDC Chapter 16.06, development within the Z-MU zoning district applies the dimensional standards of the Residential Mixed Density (Z-RM) zone, unless modified through the Planned Development process.

Table 16.05-7 of the Lebanon Development Code establishes dimensional standards for residential development in the Z-RM zone for a range of housing types, including single-unit detached dwellings, small lot single-unit dwellings, duplexes, townhouses/rowhouses, zero-lot-line dwellings, cottage clusters, and multi-family development. The table establishes minimum lot area and lot width standards for these housing types.

The applicable dimensional standards include:

- Single-Unit Detached / Duplex: minimum lot area 5,000 sq ft, minimum lot width 50 ft
- Small Lot Single-Unit Dwellings: maximum lot area 2,500 sq ft (per definition), minimum lot width 30 ft
- Townhouse / Rowhouse: minimum lot area 2,500 sq ft per unit, minimum lot width 20 ft
- Zero Lot Line Housing: minimum lot area 3,500 sq ft, minimum lot width 40 ft
- Cottage Cluster: minimum site area 7,000 sq ft, minimum site width 50 ft
- Multi-Family / Triplex: minimum lot area 9,000 sq ft, minimum lot width 60 ft

As demonstrated in Table 1 and the tentative subdivision plat, the proposed subdivision includes a combination of small-lot and standard residential lots. The Planned Development establishes modified minimum lot width and lot area standards for detached residential lots of 45 feet and 4,500 square feet, respectively, and a reduced interior side yard setback of 3 feet, while rear yard setbacks remain consistent with Z-RM standards.

Small-lot residential lots are proposed with minimum widths of 30 feet and minimum lot areas of 2,500 square feet, with typical lot sizes exceeding this minimum. These lots maintain the functional characteristics of small-lot development while allowing flexibility through the Planned Development process.

Except as modified through the Planned Development, all lots comply with the applicable dimensional standards of the Z-RM zone. The proposed modifications are addressed in the Planned Development findings and are justified based on the design and amenities of the overall development.

The subdivision also includes a tract designated for future commercial, mixed-use, or multi-family development, which is not divided into individual residential lots. The tract contains sufficient area to accommodate future development consistent with applicable dimensional standards of the Z-MU zoning district.

The standards for street connectivity and formation of blocks pursuant to LDC 16.12.030.K are addressed separately in the findings related to access and circulation.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(B)(1).

2. Criterion (2):

Setbacks shall be as required by the applicable land use zone (Chapters 16.05 – 16.10).

Finding

The subject property is proposed to be redesignated to C-MU (Mixed Use) and rezoned to the Mixed Use zoning district (Z-MU) concurrent with approval of the Planned Development and subdivision. Pursuant to LDC Chapter 16.06, development within the Mixed-Use zoning district applies the dimensional standards of the Residential Mixed Density (Z-RM) zone, unless modified through the Planned Development process.

The Z-RM zone establishes the following minimum yard setbacks:

- Front (Dwelling) Yard: 10 feet
- Front (Garage/Vehicle Access) Setback: 20 feet
- Interior Side Yard: 5 feet
- Streetside Yard (Corner Lots): 15 feet (10 feet for Small Lot Single-Unit dwellings)
- Rear Yard: 20 feet (15 feet for duplexes with qualifying parking; 10 feet for Small Lot Single-Unit dwellings)

For corner lots, both the front and street-side setbacks are required. If one yard setback is 15 feet, the other may be reduced but not less than 10 feet. For irregularly shaped corner lots, the average street and street-side setback may be 7.5 feet, provided that no portion of the setback is less than 5 feet.

The applicable setbacks for the subdivision are as modified through the Planned Development approval. The Planned Development establishes a reduced interior side yard setback of 3 feet for all residential lots and a minimum street-side yard setback of 7 feet, while front and rear yard setbacks remain consistent with Z-RM standards.

These modified standards are applied consistently across the subdivision and provide functional building envelopes while maintaining compatibility with the overall development pattern. Typical interior lots provide adequate width and depth to accommodate required setbacks and building envelopes under the Planned Development standards.

Final verification of setback compliance will occur during building permit review, when individual building footprints and site plans are submitted.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(B)(2).

3. Criterion (3):

Each lot shall conform to the standards of Chapter 16.12 (Access and Circulation).

Finding

Chapter 16.12 of the Lebanon Development Code establishes standards for transportation access, driveway design, and circulation to ensure safe and efficient vehicular and pedestrian movement. These standards require parcels to obtain legal access to a public street and establish minimum frontage and driveway width requirements.

The proposed subdivision includes a connected network of public minor arterial, collector, and local streets that provide direct access to the majority of proposed lots and provide adequate vehicular circulation throughout the development.

Several lots are configured as flag lots, including Lots 35, 141, 142, 170, and 182 (subject to final plat verification), where access is provided by a flag stem connecting the buildable portion of the lot to the public street. The tentative plat indicates that these access stems provide sufficient frontage and driveway width to meet the minimum requirements of LDC Chapter 16.12, including the minimum 14-foot frontage and 12-foot driveway width standards.

In addition, select lots are served by shared access and utility easements, are served by a proposed 30-foot non-exclusive access and utility easement, which provides shared vehicular access from the public street and exceeds the minimum shared access width required by the Development Code.

These facilities create pedestrian and bicycle connections between internal streets, residential lots, and adjacent public streets, enhancing neighborhood connectivity and supporting multimodal circulation consistent with the objectives of LDC Chapter 16.12 and the City's transportation planning policies.

Sidewalks along the proposed public street network will further provide safe pedestrian circulation throughout the subdivision and connect the multi-use path facilities to the surrounding street system.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(B)(3).

4. Criterion (4):

Landscape or other screening may be required to maintain privacy for abutting uses. See Chapters 16.05 – 16.10 (Land Use Zones), and Chapter 16.15 (Landscaping, Street Trees, etc.).

Finding

The tentative subdivision plat primarily consists of residential lots that abut other residential lots and public streets. As a result, land use conflicts requiring privacy screening between differing uses are limited within the proposed subdivision.

The tentative plat also identifies a mixed-use development tract within the subdivision. Future development of this tract is intended to accommodate mixed-use, commercial, or multi-family uses permitted within the Z-MU zoning district, which may abut residential lots located to the north. In such cases, landscaping or screening will be required pursuant to LDC 16.15.030 (Landscaping Standards) to provide visual buffering and maintain privacy between residential and non-residential uses.

The tentative subdivision plat does not specifically propose landscape screening areas as part of the subdivision approval. However, street trees will be installed along public streets pursuant to LDC 16.15.040 (Street Trees) as part of the required public improvements.

Future development of individual lots and the mixed-use tract within the subdivision will also be required to comply with the landscaping standards of LDC Chapter 16.15.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(B)(4).

5. Criterion (5):

In conformance with the Oregon Fire Code, a 20-foot width fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public or private road or approved access drive. See Chapter 16.12 (Access and Circulation).

Finding

The proposed subdivision includes a network of public minor arterial, collector, and local streets together with an emergency access lane connecting two cul-de-sacs designed to provide vehicular circulation and emergency access throughout the development. The preliminary street sections show local streets with approximately 36 feet of paved width and collector streets with approximately 50 feet of paved width, both exceeding the minimum 20-foot fire apparatus access width required by the Oregon Fire Code.

Several lots within the subdivision are configured as flag lots, where access is provided by a flag stem or access easement connecting to a public street. These access configurations will be required to meet

applicable fire apparatus access standards. Final building placement and compliance with fire apparatus access requirements will be verified during building permit review in coordination with the Lebanon Fire District.

Certain lots are served by a proposed 30-foot-wide non-exclusive access and utility easement, which provides shared vehicular and emergency access from the adjacent public street. The width of this easement exceeds the minimum 20-foot fire apparatus access width required by the Oregon Fire Code. The easement will be recorded with the final subdivision plat to ensure permanent access and shared maintenance responsibilities.

Lots with direct frontage on public streets will be served by approved fire apparatus access routes. The depth of these lots allows future structures to be located within 150 feet of a public street or approved access, consistent with Oregon Fire Code requirements.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(B)(5).

6. Criterion (6):

Where a common drive is to be provided to serve more than one lot, a reciprocating access easement and maintenance agreement shall be recorded with the approved subdivision or partition plat.

Finding

The proposed subdivision is designed with an internal network of public local and collector streets that provide direct street frontage and vehicular access to the majority of proposed lots. The tentative plat illustrates a system of publicly dedicated streets and utility easements that provide adequate circulation throughout the development.

Most lots obtain vehicular access directly from public streets. However, the tentative plat also identifies areas where shared access is provided through common access easements serving multiple lots. These shared access facilities function as common drives connecting individual lots to adjacent public streets.

Consistent with LDC 16.22.090(B)(6), reciprocal access and maintenance easements will be recorded with the final subdivision plat for all common access drives. These easements will establish perpetual access rights and shared maintenance responsibilities among the benefiting properties.

Pedestrian access easements, including public access easements associated with multi-use path connections, are also identified on the plan and will be recorded with the final plat; however, these facilities are separate from vehicular common drives and do not require reciprocal driveway maintenance agreements.

Final verification of all access easements and maintenance provisions will occur at the time of final plat approval.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(B)(6).

7. Criterion (7):

All applicable engineering design standards for streets, utilities, surface water management, and easements shall be met.

Finding

The Lebanon Development Code and the City's Public Works Design Standards (PWDS) establish engineering requirements for the design and construction of public streets, utilities, stormwater management facilities, and easements serving new development. Applicable provisions include LDC Chapter 16.14 (Public Improvements) and the City's adopted Public Works Design Standards, which regulate roadway construction, water and sanitary sewer extensions, stormwater conveyance and detention, and utility easements.

As shown on the tentative subdivision plans prepared by Udell Engineering, the proposed subdivision includes the construction of public minor arterial, collector, and local streets, extension of public water and sanitary sewer utilities, stormwater management facilities, and associated utility and public access easements necessary to serve the development. The plans identify proposed street alignments, utility corridors, and drainage facilities that will serve the residential lots and the commercial/multiple-family development tract.

Detailed engineering drawings for these improvements will be prepared by a licensed engineer and submitted to the City for review and approval prior to construction. These plans will demonstrate compliance with the Lebanon Public Works Design Standards, LDC Chapter 16.14, and the requirements of applicable utility providers.

All required public utility easements, drainage easements, and access easements will be shown on the final plat to ensure permanent access and maintenance of public infrastructure.

Conclusion

Therefore, the proposal complies with LDC 16.22.090(B)(7).

V. CONCLUSION

Based on the foregoing findings and supporting materials, the proposed Comprehensive Plan Map Amendment, Zone Map Amendment, Planned Development, and Preliminary Subdivision Plat comply with the applicable provisions of the Lebanon Development Code, the City of Lebanon Comprehensive Plan, and relevant Statewide Planning Goals.

The proposed Comprehensive Plan Map Amendment and Zone Map Amendment appropriately redesignate and rezone the subject property to Mixed Use (C-MU / Z-MU), establishing a land use framework that supports

an integrated mix of residential, commercial, and future mixed-use development consistent with the City's long-range planning policies and urban growth objectives. The proposal is also consistent with the City's adopted Economic Opportunity Analysis (2023) and does not negatively impact the City's supply of employment land.

The Planned Development provides a coordinated and unified development plan for the site, incorporating a range of housing types, flexible lot dimensions, and modifications to dimensional standards that are justified by the overall design, amenities, and infrastructure improvements included in the proposal. These modifications, including adjustments to lot size, setbacks, and building height, are balanced by the provision of open space, preservation of natural resources, and an interconnected transportation and pedestrian network, and do not result in negative impacts to surrounding properties or the community.

The Preliminary Subdivision Plat demonstrates compliance with applicable subdivision standards, including provisions related to access and circulation, public infrastructure, utilities, drainage, and lot configuration. The subdivision is designed to be constructed in phases, with each phase capable of functioning independently while maintaining consistency with the overall development plan.

The proposal further demonstrates compliance with applicable overlay zones, including the Floodplain Overlay Zone, Riparian Protection Overlay Zone, and Airport Overlay Zone, through the preservation of environmentally sensitive areas, adherence to density limitations, and integration of these constraints into the overall site design. Compliance with applicable floodplain management standards is addressed in Section C of this narrative.

Public facilities and services, including transportation, water, sanitary sewer, and stormwater infrastructure, are adequate to serve the proposed development and will be constructed in accordance with applicable City standards and reviewed through the public improvement permitting process.

Long-term ownership and maintenance of common areas, including open space tracts, drainage facilities, and pedestrian connections, will be ensured through the establishment of a homeowners' association or other approved ownership structure, together with recorded covenants and maintenance agreements implemented at the time of final plat approval.

Based on the above findings, the applicant respectfully requests approval of the Comprehensive Plan Map Amendment, Zone Map Amendment, Planned Development, and Preliminary Subdivision Plat, with the preliminary plat approval period established at ten (10) years, consistent with ORS 92.040(3), subject to any applicable conditions of approval.

VI. EXHIBITS

A. Civil Plan Set

1. Existing Conditions/Demo Plan, Sheet C1.0
2. Proposed Street Vacation, Sheet C1.1
3. Preliminary Zone Change, Sheet C1.2

4. Proposed Preliminary Wetland Disturbance, Sheet C1.3
 5. Overall Tentative Subdivision Plat, Sheet C2.0
 6. Enlarged Tentative Subdivision Plat, Sheet C2.1
 7. Enlarged Tentative Subdivision Plat, Sheet C2.2
 8. Enlarged Tentative Subdivision Plat, Sheet C2.3
 9. Enlarged Tentative Subdivision Plat, Sheet C2.4
 10. Conceptual Commercial Mixed-Use Site Plan, Sheet C2.5
 11. Preliminary Street Sections, Sheet C2.6
 12. Intersection Detail, Sheet C2.7
 13. Intersection Option Two, Sheet C2.8
 14. Corner Lot Layout Examples, Sheet C2.9
 15. Preliminary Overall Grading and Drainage Plan, Sheet C3.0
 16. Preliminary Grading and Drainage, Sheet C3.1
 17. Preliminary Grading and Drainage, Sheet C3.2
 18. Preliminary Grading and Drainage, Sheet C3.3
 19. Preliminary Grading and Drainage, Sheet C3.4
 20. Water Quality Pond Section, Sheet C3.5
 21. Preliminary Overall Utility Plan, Sheet C4.0
 22. Preliminary Utility Plan, Sheet C4.1
 23. Preliminary Utility Plan, Sheet C4.2
 24. Preliminary Utility Plan, Sheet C4.3
 25. Preliminary Utility Plan, Sheet C4.4
- B. Traffic Impact Study prepared by Kittelson & Associates, Inc.
- C. ESA Listed Species Assessment and Plant Survey (Environmental Science & Assessment, LLC, August 29, 2025)