

BEFORE THE LEBANON PLANNING COMMISSION

In the matter of the	)	CPMA-26-01, ZMA-26-01
Application of	)	PD-26-02, S-26-03
Stoltz Hill MJC LLC ET AL	)	

ORDER OF APPROVAL

I. NATURE OF APPLICATION

The applicant requests approval of a Comprehensive Plan Map Amendment (CPMA-26-01), Zone Map Amendment (ZMA-26-01), Planned Development (PD-26-02), and Preliminary Subdivision Plat (S-26-03) for the proposed Emerald Crossing development on approximately 57.12 acres located west of Stoltz Hill Road and north of Oak Creek.

The applications collectively establish the land use framework for Emerald Crossing, a master-planned mixed-use neighborhood consisting of approximately 284 residential lots, one large commercial or multifamily development parcel, one parcel designated for open storage, public streets, pedestrian facilities, utilities, open space tracts, multi-use paths, stormwater facilities, environmental preservation areas, and associated public infrastructure.

The Comprehensive Plan Map Amendment and Zone Map Amendment establish a unified land use designation and zoning district for the properties. The Planned Development provides the overall design framework, while the Preliminary Subdivision Plat implements that framework through the proposed lot layout, street system, utility corridors, open space tracts, and public improvements. Together, the applications establish the planning framework necessary for orderly urban development of the site.

II. PUBLIC HEARING

A public hearing was held before the Lebanon Planning Commission on July 15, 2026. The Planning Commission reviewed Planning Files CPMA-26-01, ZMA-26-01, PD-26-02, and S-26-03, including the staff report, application materials, supporting technical studies, agency comments, and testimony submitted into the record.

III. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The applicant and property owner are Stoltz Hill MJC, LLC, ET AL.
2. The subject properties are identified as Linn County Tax Assessor Map 12S 02W 16, Tax Lots 2300 and 2305.
3. The subject properties consist of two tax lots, approximately 57.12 acres.
4. The properties are designated Residential Mixed Density (C-RM) and Industrial (C-IND) on the Lebanon Comprehensive Plan Map and are zoned Residential Mixed Density (Z-RM) and Industrial (Z-IND).
5. The surrounding area consists of existing residential neighborhoods, undeveloped land designated for future urban development, natural resource areas associated with Oak Creek, and public infrastructure planned to serve future growth within the Urban Growth Boundary.
6. The proposal includes amendments to the Comprehensive Plan Map and Zoning Map, a

Planned Development, and a Preliminary Subdivision Plat to allow development of approximately 284 residential lots, one large commercial or multifamily development parcel, one parcel designated for open storage, public streets, utilities, multi-use paths, open space tracts, stormwater facilities, and associated infrastructure.

7. The Planning Commission finds that the four applications are interdependent and must be considered together, as approval of each establishes an essential component of the overall development framework.
8. The proposal is intended to implement the City's adopted long-range planning objectives by expanding housing opportunities, extending public infrastructure, providing an interconnected transportation network, preserving significant natural resources, and supporting orderly urban growth within the Lebanon Urban Growth Boundary.

B. EXISTING CONDITIONS

The subject properties are presently undeveloped and contain numerous natural features that significantly influence the placement and design of future development.

The properties contain wetlands, Oak Creek, riparian corridors, portions of the FEMA 100-year floodplain, existing drainage features, and varying topography. Collectively, these features create environmental constraints that limit the areas suitable for urban development.

A wetland delineation approved by the Oregon Department of State Lands identified approximately 15.23 acres of jurisdictional wetlands on the properties. In addition, the United States Army Corps of Engineers completed an Approved Jurisdictional Determination identifying Oak Creek and Wetland 8 as federally regulated waters. Although not all wetlands on the properties are federally regulated, they remain subject to Oregon's Removal-Fill Law and other applicable state regulations.

The properties are also subject to the Floodplain Overlay Zone and Riparian Protection Overlay Zone established by the Lebanon Development Code. These overlay districts regulate development adjacent to Oak Creek and within identified flood hazard areas. Compliance with these standards, together with all applicable state and federal permitting requirements, will occur through subsequent engineering review and permitting processes.

C. PROPOSAL

The applicant requests approval of a Comprehensive Plan Map Amendment, a Zone Map Amendment, a Planned Development, and a Preliminary Subdivision Plat to establish Emerald Crossing as a master-planned mixed-use residential neighborhood.

The Comprehensive Plan Map Amendment proposes redesignation of the properties from Residential Mixed Density (C-RM) and Industrial (C-IND) to Mixed Use (C-MU). The corresponding Zone Map Amendment proposes rezoning the properties from Residential Mixed Density (Z-RM) and Industrial (Z-IND) to Mixed Use (Z-MU), creating a single zoning designation across the development.

The Planned Development establishes the conceptual framework for approximately 284 residential lots, together with one large commercial or multifamily development parcel and one parcel designated for open storage. The proposal also establishes numerous tracts intended for wetlands, riparian preservation, stormwater management, open space, pedestrian facilities, and future public infrastructure.

The subdivision is designed around the site's natural constraints by concentrating development within the most suitable portions of the properties while preserving wetlands, Oak Creek, riparian corridors, and floodplain areas within permanent open space tracts. This

design approach minimizes impacts to environmentally sensitive resources while providing opportunities for future mitigation where impacts cannot reasonably be avoided.

The proposal establishes an interconnected transportation system comprising collector and local streets, sidewalks, multi-use paths, pedestrian easements, and future roadway connections, intended to connect the subdivision to adjacent properties and to the City's planned transportation network.

Public improvements, including streets, water, sanitary sewer, storm drainage, multi-use paths, and other infrastructure, will be constructed in phases consistent with City standards and subject to detailed engineering review prior to construction.

The Planned Development also requests flexibility in selected development standards, including residential lot size, lot width, setbacks, and related design standards, as authorized under Chapter 16.23 of the Lebanon Development Code. The Planning Commission finds that these modifications are intended to respond to site-specific environmental constraints while achieving a more efficient, coordinated, and interconnected development pattern than would be possible under a conventional subdivision design.

D. AGENCY COMMENTS

The following agencies were notified of the proposal: Build Lebanon Paths, Consumers Power, NW Natural, Pacific Power, Peak Internet, Republic Services, Oregon Pilots Association, Oregon Department of Aviation, Santiam-Albany Canal, Grand Prairie Water District, Linn County Assessor, Planning, Road and Surveyor Departments, Oregon Department of Transportation, Lebanon Fire District, Lebanon Building and Engineering, Lebanon Community School District, Lebanon Planning Commission and the Lebanon Chamber of Commerce. No written agency comments were received prior to the public hearing.

E. PUBLIC COMMENTS

The City provided public notice of the applications in accordance with the Lebanon Development Code and applicable State law. Following the initial public notice, the City received two written comments opposing the proposed development. Following the subsequent public notice for the July 15, 2026, Planning Commission public hearing, the City received one additional written comment in support of the proposed development. The Planning Commission considered all written comments submitted as part of the record. While the comments expressed both support for and opposition to the proposed development, they did not identify any information demonstrating that the application failed to satisfy the applicable approval criteria.

F. ANALYSIS

The applicant requests approval of a Comprehensive Plan Map Amendment, a Zone Map Amendment, a Planned Development, and a Preliminary Subdivision Plat. The Planning Commission must determine whether each application satisfies the applicable approval criteria contained in the Lebanon Development Code and other applicable local and state regulations.

The Comprehensive Plan Map Amendment and Zone Map Amendment establish the land use framework necessary to implement the proposed development. The Planned Development establishes the overall design framework by providing flexibility to respond to the site's environmental constraints while creating an integrated neighborhood that preserves significant natural resources, provides an interconnected transportation network, and supports the efficient extension of public infrastructure. The Preliminary Subdivision Plat implements that framework through the proposed lot layout, street system, utility corridors, open space tracts, and other public improvements.

The Planning Commission further finds that the subject properties are capable of being served by public water, sanitary sewer, storm drainage, transportation facilities, and other public infrastructure through planned extensions consistent with the City's adopted Water Master Plan, Wastewater Master Plan, Storm Drainage Master Plan, Transportation System Plan, and Engineering Design Standards. The adequacy of public facilities and infrastructure will be verified through subsequent engineering review and phased development in accordance with this Order and the Lebanon Development Code.

The Planning Commission has reviewed the entire record, including the staff report, application materials, supporting technical studies, agency comments, and public testimony. Based on the evidence in the record and the findings contained herein, the Planning Commission finds that the proposal complies, or can be made to comply through the Conditions of Approval, with the applicable provisions of the Lebanon Comprehensive Plan, the Lebanon Development Code, the Transportation System Plan, the City's adopted master plans, the Engineering Design Standards, and other applicable local, state, and federal regulations.

The following findings evaluate each application against the applicable approval criteria and establish the basis for the Planning Commission's decision.

G. APPROVAL CRITERIA

A. *Comprehensive Plan Map Amendment (CPMA-26-01)*

The Planning Commission reviewed the application pursuant to Section 16.27 of the Lebanon Development Code, together with the applicable goals and policies of the Lebanon Comprehensive Plan.

- Consistency with the applicable goals and policies of the Lebanon Comprehensive Plan;
- Consistency with the Statewide Planning Goals;
- Whether the proposed amendment promotes orderly and efficient urban development;
- Whether adequate public facilities and services are available, or can be made available, to serve the proposed land use; and
- Whether the proposed amendment is in the public interest.

FINDINGS:

The applicant proposes to amend the Comprehensive Plan Map designation of the subject properties from Residential Mixed Density (C-RM) and Industrial (C-IND) to Mixed Use (C-MU). The amendment establishes a single Comprehensive Plan designation across the site, providing a unified land use framework for implementation of the Planned Development and Preliminary Subdivision.

The Planning Commission finds the subject properties are located within the Lebanon Urban Growth Boundary, are designated for urban development, and are adjacent to existing residential development, planned transportation facilities, and public utilities capable of serving urban uses. The proposed amendment supports the logical and orderly expansion of the City's urban development pattern while providing opportunities for residential, neighborhood-serving commercial, and mixed-use development.

The Planning Commission further finds that the proposed Mixed Use designation better reflects the physical characteristics of the site, the surrounding development pattern, environmental constraints, and the site's long-term development potential than the existing split Residential Mixed Density and Industrial designations. The amendment establishes a unified planning

framework that supports coordinated development of the site while providing flexibility for a mix of residential, neighborhood-serving commercial, and mixed-use development.

The Planning Commission further finds that redesignation of the portion of the site currently designated Industrial to Mixed Use is consistent with the City's adopted Economic Opportunity Analysis and does not adversely affect the City's inventory of employment land. The proposed Mixed Use designation continues to accommodate commercial and employment-generating uses while supporting the City's identified housing needs.

The proposed amendment supports the applicable goals and policies of the Lebanon Comprehensive Plan by expanding housing opportunities within the Urban Growth Boundary, encouraging the efficient use and extension of public infrastructure, preserving significant natural resources, and promoting an interconnected transportation network consistent with the City's adopted long-range planning objectives.

The Planning Commission further finds the proposed Comprehensive Plan Map Amendment is consistent with the applicable Statewide Planning Goals. The properties are located within the acknowledged Urban Growth Boundary and are planned for urban development consistent with Goal 14 (Urbanization). The proposal preserves significant wetlands, riparian corridors, and floodplain resources consistent with Goal 5 (Natural Resources); expands housing opportunities consistent with Goal 10 (Housing); provides for the orderly extension of public facilities and services consistent with Goal 11; and implements the City's Transportation System Plan through an interconnected street and pedestrian network consistent with Goal 12 (Transportation). The public notice and hearing process satisfied the citizen involvement requirements of Goal 1.

Based upon the evidence contained in the record, the Planning Commission finds the proposed Comprehensive Plan Map Amendment is consistent with the applicable goals and policies of the Lebanon Comprehensive Plan, the applicable Statewide Planning Goals, promotes orderly and efficient urban development, provides for adequate public facilities and services, and serves the public interest. Therefore, the Planning Commission concludes that the applicable approval criteria for the Comprehensive Plan Map Amendment have been satisfied.

B. Zone Map Amendment (ZMA-26-01)

The Planning Commission reviewed the application pursuant to Section 16.27 of the Lebanon Development Code, together with the applicable goals and policies of the Lebanon Comprehensive Plan.

- Consistency with the Comprehensive Plan;
- Compatibility with surrounding land uses;
- Suitability of the properties for the proposed zoning district;
- Adequacy of public facilities and services; and
- Compliance with applicable provisions of the Lebanon Development Code.

FINDINGS:

The applicant requests to rezone the subject properties from Residential Mixed Density (Z-RM) and Industrial (Z-IND) to Mixed Use (Z-MU). The proposed zoning corresponds with the requested Comprehensive Plan Map Amendment and establishes a single zoning district for the overall Planned Development.

The Planning Commission finds the Mixed Use zoning district is appropriate for the subject properties because it provides flexibility to accommodate a range of residential and neighborhood-serving commercial uses while supporting the coordinated design objectives of the Planned Development. The proposed zoning allows development to respond to the site's environmental constraints while maintaining compatibility with surrounding residential development and planned urban growth.

The Planning Commission further finds that the subject properties are physically suitable for urban development. Although portions of the site contain wetlands, Oak Creek, riparian corridors, and floodplain areas, the Planned Development concentrates development within the most suitable portions of the properties while preserving environmentally sensitive areas through dedicated open space tracts and natural resource corridors.

The proposed zoning establishes an orderly transition between existing residential neighborhoods, the large commercial or multifamily development parcel, and preserved natural resource areas. The mixed-use parcel located near Stoltz Hill Road provides an opportunity for future neighborhood-serving commercial, residential, or mixed-use development while creating an appropriate transition at the primary entrance to the development.

The Planning Commission further finds the proposed zoning is supported by adequate public facilities and services, which will be extended and constructed in phases consistent with the City's adopted master plans, Engineering Design Standards, and the Conditions of Approval contained herein.

Based upon the evidence contained in the record, the Planning Commission finds the proposed Zone Map Amendment is consistent with the Lebanon Comprehensive Plan, compatible with surrounding land uses, suitable for the subject properties, supported by adequate public facilities and services, and consistent with the applicable provisions of the Lebanon Development Code. Therefore, the Planning Commission concludes that the applicable approval criteria for the Zone Map Amendment have been satisfied.

C. PLANNED DEVELOPMENT (PD-26-02)

The applicable approval criteria are contained in Chapter 16.23 of the Lebanon Development Code.

1. Minimum Site Size (LDC 16.23.020(B)(1))

FINDINGS:

The subject properties consist of approximately 57.12 acres, substantially exceeding the minimum site size requirement of one (1) acre. The Planning Commission finds that the properties are sufficiently large to accommodate a coordinated Planned Development that incorporates residential neighborhoods and one large commercial or multifamily development parcel, public infrastructure, and open space tracts. Therefore, this criterion is met.

2. Compliance with Applicable Criteria (LDC 16.23.020(B)(2))

FINDINGS:

The Planning Commission finds that the Planned Development has been designed as an integrated development that preserves significant natural features while providing a coordinated system of residential lots, public streets, utility infrastructure, stormwater facilities, open space, and pedestrian connections. The subdivision layout clusters development outside wetlands, riparian corridors, and floodplain areas to the greatest extent practicable while preserving these resources within dedicated tracts for long-term protection and maintenance.

The Planning Commission further finds that portions of the subject properties are located within the Airport Overlay Zone. The proposed development has been designed to comply with the applicable airport compatibility standards by locating residential development consistent with the applicable residential density limitations, avoiding residential development within the Runway Protection Zone, and utilizing tract areas within the overlay for open space, stormwater management, and other compatible uses. Accordingly, the Planning Commission finds the proposal remains compatible with the continued operation of the Lebanon State Airport.

The Planning Commission finds that the requested Planned Development modifications provide flexibility in lot layout and development standards while achieving a superior overall design that

preserves natural resources, provides an interconnected transportation network, supports a variety of housing opportunities, and fulfills the purpose and intent of the Planned Development provisions of the Lebanon Development Code. Therefore, this criterion is met.

3. Depth of Periphery Yards (LDC 16.23.020(B)(3))

FINDINGS:

Periphery yards adjacent to surrounding properties must be at least equal to those required by the underlying zoning district unless the Planning Commission finds the proposed development provides an equivalent or superior design.

The Planning Commission finds the proposed Planned Development incorporates substantial open space tracts, preserved wetlands, riparian corridors, roadway corridors, landscaping, and environmental preservation areas along portions of the development perimeter. These areas create separation between future development and adjacent properties while preserving natural resources and providing visual buffering.

Individual building setbacks will be reviewed during subsequent development review to ensure compliance with the approved Planned Development and applicable development standards.

The Planning Commission finds that the overall site design provides equal or greater protection than would be achieved by applying conventional perimeter yard standards. Therefore, this criterion is met.

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

FINDINGS:

Modifications to lot coverage and building height standards may be approved within a Planned Development when appropriate.

The proposal includes modifications to selected residential development standards, including lot size, lot width, setbacks, and building height for portions of the development. These modifications are intended to allow development to respond to environmental constraints while preserving larger contiguous areas of open space and natural resources.

The Planning Commission finds these modifications are appropriate because they support the overall objectives of the Planned Development by concentrating development within the most suitable portions of the site while preserving wetlands, riparian corridors, and floodplain areas. The proposed modifications do not alter the neighborhood's overall residential character and remain compatible with surrounding development.

Individual structures will continue to be reviewed during the building permit process to ensure compliance with the approved Planned Development, applicable building codes, and all other development standards. Therefore, this criterion is met.

5. Open Space (LDC 16.23.020(B)(5))

FINDINGS:

The proposal preserves extensive areas of wetlands, Oak Creek, riparian corridors, floodplain, and stormwater facilities within dedicated open space tracts. Pedestrian pathways, multi-use paths, and landscaped areas provide internal pedestrian connectivity while supporting long-term preservation of natural resources.

The Planning Commission finds the proposed open space network exceeds the intent of the Planned Development standards by integrating environmental preservation, stormwater management, and pedestrian connectivity. Rather than treating open space as isolated remnants, the proposal incorporates these areas into a coordinated system that enhances the overall function and character of the development.

The Planning Commission further finds that the proposed open space supports the overall design of the Planned Development, protects environmentally sensitive resources, supports the long-term preservation of significant natural features, and supports compliance with the Airport Overlay Zone. Therefore, this criterion is met.

6. Subdivision Lot Sizes (LDC 16.23.020(B)(6))

FINDINGS:

The proposed subdivision includes a range of residential lot sizes intended to accommodate different housing types while responding to site constraints. Smaller residential lots are concentrated within the portions of the site most suitable for development, allowing larger tracts of wetlands, floodplain, and open space to remain undisturbed.

The Planning Commission finds that the variety of lot sizes contributes to housing diversity, efficient use of public infrastructure, and preservation of significant environmental resources. The overall lot pattern achieves a more coordinated and efficient development than would be possible through strict application of conventional subdivision standards.

The proposed lot dimensions are consistent with the approved Planned Development and applicable provisions of the Lebanon Development Code. Therefore, this criterion is met.

7. Required Phasing (LDC 16.23.020(B)(7))

FINDINGS:

The applicant proposes to develop Emerald Crossing in multiple phases. Public improvements, including streets, water, sanitary sewer, storm drainage, multi-use paths, utilities, and other infrastructure, will be constructed as necessary to serve each phase of development.

No phase may proceed until the infrastructure necessary to serve that phase has been constructed or otherwise secured in accordance with City requirements. Each phase will be reviewed to ensure substantial conformance with the approved Planned Development, Preliminary Subdivision Plat, Conditions of Approval, and applicable engineering standards.

The Planning Commission finds that phased development provides an orderly method for implementing the project, while ensuring public facilities keep pace with development and maintaining flexibility for orderly implementation of future phases consistent with the approved Planned Development. Therefore, this criterion is met.

D. FUTURE REVIEW PROCESS (LDC 16.23.050)

FINDINGS:

The Planning Commission finds that the Planned Development establishes the overall development framework for Emerald Crossing. Detailed engineering, public improvements, landscaping, architecture, utility design, and construction plans will be reviewed during subsequent phases of development.

The Planning Commission further finds that Option 2 – Administrative Review by the Planning Official provides the appropriate level of oversight for phased implementation. Administrative Review is intended to verify that each future phase remains in substantial conformance with the approved Planned Development, Preliminary Subdivision Plat, this Order of Approval, and applicable provisions of the Lebanon Development Code. Any modification that is not in substantial conformance with the approved Planned Development, including significant changes to the overall site layout, circulation system, development intensity, open space configuration, or other major design elements, shall be reviewed in accordance with LDC 16.23.040.

E. PRELIMINARY SUBDIVISION PLAT (LDC 16.22)

The applicable approval criteria are contained in Chapter 16.22 of the Lebanon Development Code, which governs Preliminary Subdivision Plats.

1. General Compliance

FINDINGS:

The applicant requests approval of a Preliminary Subdivision Plat creating approximately 284 residential lots, one large commercial or multifamily development parcel, one parcel designated for open storage, public streets, utility corridors, open space tracts, stormwater facilities, and associated public improvements.

The Planning Commission finds that the Preliminary Subdivision Plat implements the approved Comprehensive Plan Map Amendment, Zone Map Amendment, and Planned Development by establishing the general layout of lots, streets, utility corridors, public improvements, and open space tracts. Detailed engineering and construction plans will be reviewed through subsequent public improvement permitting and final plat review.

The Planning Commission further finds the proposed subdivision promotes orderly urban development by extending public infrastructure, creating interconnected neighborhoods, preserving significant natural resources, and providing opportunities for future connections to adjoining properties. Therefore, this criterion is met.

2. Streets, Access, and Connectivity

FINDINGS:

The proposed subdivision establishes an interconnected street network comprising arterial, collector, and local streets, designed in accordance with the City's Transportation System Plan and Engineering Design Standards.

Primary access is provided from Stoltz Hill Road through an internal collector street serving the development. Local streets distribute traffic throughout the subdivision while preserving opportunities for future roadway and pedestrian connections to adjoining undeveloped properties, avoiding the creation of isolated neighborhoods, and supporting the City's long-range transportation planning objectives.

The subdivision also includes sidewalks, pedestrian pathways, multi-use paths, and public access easements that provide safe pedestrian circulation throughout the development and support future connections to neighboring properties and the City's planned transportation network.

A Traffic Impact Analysis prepared for the project identifies the transportation improvements necessary to mitigate projected traffic impacts. It demonstrates that, with the implementation of the recommended improvements, the surrounding transportation system will continue to operate at acceptable levels of service. Future phases shall implement transportation improvements identified through the approved Traffic Impact Analysis and any supplemental Traffic Impact Analyses or updated traffic evaluations required and approved by the City.

The Planning Commission finds the proposed transportation system provides safe and efficient access for vehicles, pedestrians, bicycles, emergency responders, and public services and is consistent with applicable City standards. Therefore, this criterion is met.

3. Utilities and Public Improvements

FINDINGS:

The proposed subdivision will be served by public water, sanitary sewer, storm drainage, and other municipal utilities designed and constructed in accordance with the City of Lebanon Engineering Design Standards.

Public infrastructure will be extended throughout the subdivision in phases consistent with the City's adopted master plans and the approved Preliminary Subdivision Plat. Detailed engineering plans for each phase shall be reviewed and approved by the City prior to construction to ensure compliance with the City's Engineering Design Standards, applicable master plans, and the Conditions of Approval contained in this Order.

Each phase of development shall construct, or otherwise secure, the public improvements necessary to adequately serve that phase prior to final plat approval or recording for that phase, in accordance with City requirements. Public improvements shall be completed and accepted by the City, or otherwise authorized by the City, before vertical construction, occupancy, or issuance of certificates of occupancy, as applicable and required by City standards.

The Planning Commission finds that adequate public facilities and services are available, or can be made available through the phased construction of required public improvements, to serve the proposed subdivision. Therefore, this criterion is met.

4. Natural Resources and Open Space

FINDINGS:

The subdivision has been designed to preserve significant environmental resources, including wetlands, Oak Creek, riparian corridors, floodplain areas, and associated natural features.

Rather than maximizing development across the site, the subdivision concentrates residential development in the most suitable areas while preserving wetlands, riparian corridors, floodplain areas, stormwater facilities, and other environmental resources within dedicated tracts. The Planning Commission finds the subdivision has been designed to avoid impacts where practicable, minimize unavoidable impacts through site design and clustering of development, and require compliance with all applicable local, state, and federal permitting requirements for any remaining impacts.

The Planning Commission finds the subdivision appropriately balances urban development with preservation of environmentally sensitive resources and is consistent with applicable provisions of the Lebanon Development Code and Statewide Planning Goal 5. Therefore, this criterion is met.

5. Lot Layout and Neighborhood Design

FINDINGS:

The preliminary plat establishes a range of residential lot sizes and configurations that provide housing diversity while responding to the site's physical characteristics.

The Planning Commission finds that the lot layout efficiently utilizes developable land, supports orderly extension of infrastructure, preserves environmentally sensitive areas, and creates a connected neighborhood through an integrated system of streets, sidewalks, open space, and pedestrian facilities.

The proposed mixed-use development parcel located near Stoltz Hill Road provides an opportunity for future neighborhood-serving commercial, residential, or mixed-use development while creating an appropriate transition between the public roadway and residential portions of the subdivision.

The subdivision is compatible with surrounding development and supports the City's adopted long-range planning objectives for orderly urban growth. Therefore, this criterion is met.

6. Phased Development

FINDINGS:

The applicant proposes to construct the subdivision in multiple phases.

The Planning Commission finds that phased construction is appropriate due to the size and complexity of the development and that it allows public infrastructure to be constructed in an orderly manner as development progresses.

The applicant has requested that the Preliminary Subdivision Plat remain valid for a period of ten (10) years pursuant to ORS 92.040(3). Given the size of the development, the anticipated phased construction schedule, and the substantial public infrastructure improvements required, the Planning Commission finds that a ten-year preliminary plat approval period is appropriate.

Each phase shall remain in substantial conformance with the approved Preliminary Subdivision Plat, Planned Development, this Order of Approval, and applicable City standards. Final plats for each phase shall demonstrate compliance with all applicable requirements of the Lebanon Development Code prior to recording.

The Planning Commission finds that phased development will ensure the orderly construction of public improvements while maintaining adequate public services throughout the subdivision's implementation. Therefore, this criterion is met.

F. OVERALL FINDING

The Planning Commission finds that the Preliminary Subdivision Plat implements the coordinated planning framework established through the approved Comprehensive Plan Map Amendment, Zone Map Amendment, and Planned Development. The proposed subdivision establishes an orderly pattern of urban development through the coordinated layout of residential lots, streets, public improvements, utility corridors, open space tracts, and environmental preservation areas while providing for the phased extension of public infrastructure.

The Planning Commission further finds that the subdivision provides for adequate public facilities, safe and efficient transportation access, protection of significant natural resources, and orderly implementation of the approved Planned Development in accordance with the Lebanon Comprehensive Plan, Transportation System Plan, Engineering Design Standards, and applicable provisions of the Lebanon Development Code.

The Planning Commission concludes that Preliminary Subdivision Plat S-26-03 satisfies the applicable approval criteria of Chapter 16.22 of the Lebanon Development Code.

IV. CONCLUSION

Based upon the findings contained herein and the evidence in the record, the Planning Commission concludes that the proposed Comprehensive Plan Map Amendment (CPMA-26-01), Zone Map Amendment (ZMA-26-01), Planned Development (PD-26-02), and Preliminary Subdivision Plat (S-26-03) satisfy the applicable approval criteria of the Lebanon Comprehensive Plan, the Lebanon Development Code, and other applicable local and state regulations.

The Planning Commission further concludes that the proposed amendments establish an appropriate land use framework for the subject properties, that the Planned Development provides a coordinated and efficient site design responsive to the site's natural constraints, and that the Preliminary Subdivision Plat provides for the orderly extension of public infrastructure, preservation of significant natural resources, and creation of a connected residential neighborhood.

The Planning Commission further finds that the Comprehensive Plan Map Amendment establishes the long-range land use designation for the properties; the Zone Map Amendment implements that designation through zoning; the Planned Development establishes the coordinated design framework; and the Preliminary Subdivision Plat implements that framework through the proposed lot, street, utility, and open space layout. Together, the four applications establish a comprehensive planning framework that supports orderly urban development while preserving significant natural resources and ensuring adequate public facilities.

Subject to the Conditions of Approval contained herein, the Planning Commission finds that the applications comply with all applicable approval criteria of the Lebanon Development Code and therefore approves the requested applications.

V. ORDER

Based upon the Findings of Fact and Conclusions contained herein, the Lebanon Planning Commission hereby **RECOMMENDS APPROVAL** of the following applications:

- Comprehensive Plan Map Amendment (CPMA-26-01)
- Zone Map Amendment (ZMA-26-01)

And contingent upon effective approval of the above applications by the City Council, the Lebanon Planning Commission hereby **APPROVES** the following applications:

- Planned Development (PD-26-02)
- Preliminary Subdivision Plat (S-26-03)

The above approvals are subject to the Conditions of Approval contained in this Order. The Planning Commission finds the Conditions of Approval are necessary to ensure continued compliance with the Lebanon Development Code, the Comprehensive Plan, applicable engineering standards, and all other applicable local, state, and federal regulations. The Conditions of Approval shall be binding upon the applicant and all successors in interest.

CONDITIONS OF APPROVAL

Development Services

1. The Preliminary Planned Development and Preliminary Subdivision Plat approvals shall remain valid for a period of ten (10) years from the effective date of the final City decision approving all applications necessary to authorize the development, unless extended or modified in accordance with the Lebanon Development Code and applicable state law. Development may occur in phases, provided each phase remains in substantial conformance with the approved Planned Development, Preliminary Subdivision Plat, this Order, and the applicable Conditions of Approval.
2. A deed restriction, or other recorded instrument approved by the City that provides equivalent notice to future property owners, shall be recorded for all phases of the development to notify future property owners of the proximity to the existing racetrack and the potential for associated noise and other operational impacts.
3. Future phases of the Planned Development that remain in substantial conformance with the approved Planned Development, Preliminary Subdivision Plat, this Order of Approval, and applicable provisions of the Lebanon Development Code shall be reviewed through an Administrative Review application. Administrative Review is intended to verify substantial conformance with the approved development framework and implementation of the applicable Conditions of Approval.
4. Any modification not in substantial conformance with the approved Planned Development, Preliminary Subdivision Plat, this Order of Approval, and applicable provisions of the Lebanon Development Code shall be processed through the applicable review procedures established by the Lebanon Development Code.
5. All fencing shall be installed in compliance with the Lebanon Development Code and shall meet all applicable sight-distance and clear-vision requirements.
6. A final subdivision plat for each phase, prepared by a professional land surveyor registered in the State of Oregon, shall be submitted to the City for review and approval in accordance with ORS Chapter 92, the Lebanon Development Code, the approved

Preliminary Subdivision Plat, and this Order of Approval.

7. All permits and approvals required by applicable local, state, and federal agencies, including but not limited to the Department of State Lands (DSL), Oregon Department of Environmental Quality (DEQ), and the U.S. Army Corps of Engineers, shall be obtained prior to issuance of City permits for the applicable phase of development.
8. A homeowners' association (HOA) or other legally enforceable property owners' association or maintenance entity, subject to approval by the Development Services Director, shall be established and recorded prior to final plat recording for the applicable phase. The association or maintenance entity shall own, operate, and maintain all private tracts, open space, wetlands, landscaping, pedestrian facilities, private stormwater facilities, drainage facilities, and other private improvements not accepted by the City. Maintenance responsibilities shall be identified in the recorded CC&Rs or other approved maintenance documents. The City of Lebanon shall not accept ownership or maintenance responsibility for privately owned improvements unless specifically approved by the City.
9. All public improvements shall conform to the current Engineering Design Standards.
10. A Drawing Review Application and Public Improvements Permit shall be approved prior to construction of any public improvements for each phase of the Planned Development.
11. All public improvements shall be designed by a professional engineer registered in the State of Oregon.
12. All elevations shown on engineering plans submitted to the City shall reference the NAVD 88 vertical datum to ensure compatibility with the City's mapping system.
13. A geotechnical investigation shall be completed for each phase of development. All recommendations contained within the geotechnical report shall be incorporated into the design and construction of the project, including minimum pavement sections for both dry and wet weather construction conditions.
14. Development shall substantially conform to the approved Traffic Impact Analysis prepared by Kittelson & Associates, dated June 22, 2026. Transportation improvements identified in the approved Traffic Impact Analysis shall be incorporated into the design and construction of each phase of development, as applicable. Supplemental Traffic Impact Analyses or updated traffic evaluations may be required by the City as development progresses or when warranted by changes to the approved development, applicable City standards, or other circumstances affecting transportation impacts.
15. Street trees shall be installed in accordance with the City of Lebanon Street Tree Policy.
16. Street lighting shall be installed in accordance with City standards.
17. Sidewalks, curb ramps, pedestrian pathways, and driveway approaches shall comply with all applicable Americans with Disabilities Act (ADA) requirements.
18. Shared driveways shall be subject to recorded reciprocal access and maintenance easements.
19. Written approval of mailbox and/or cluster box unit (CBU) locations shall be obtained from the United States Postal Service.
20. Written approval of refuse and recycling container locations and access shall be obtained from Republic Services.
21. Engineering reports and supporting hydraulic calculations shall be submitted demonstrating that all proposed public water system improvements, including water main extensions, are adequately sized to meet the projected domestic and fire flow demands of the development in accordance with the City of Lebanon Standards for Public Improvements.
22. Existing on-site wells shall be identified on the engineering plans. Wells proposed for abandonment shall be abandoned in accordance with applicable State and Linn County

- regulations prior to connection to the public water system.
23. The number and location of fire hydrants required to serve each phase shall be approved by the Lebanon Fire Marshal during engineering review. Hydrants required to serve each phase shall be operational and accepted by the City prior to vertical construction or the storage of combustible construction materials within that phase, unless otherwise approved by the Lebanon Fire Marshal.
 24. Existing on-site septic systems shall be identified on the engineering plans. Any septic systems proposed for abandonment shall be abandoned in accordance with applicable City and Linn County regulations.
 25. Verification of coverage under the DEQ 1200-C Construction Stormwater Permit shall be provided prior to commencement of construction for each phase of development.
 26. Verification of all applicable wetland delineation approvals and wetland fill permits issued by the Department of State Lands and/or the U.S. Army Corps of Engineers shall be provided prior to commencement of construction for each applicable phase of development.
 27. The drainage system and grading plan shall be designed so as not to adversely impact drainage to or from adjacent properties. Storm drainage facilities shall be designed and constructed to ensure that historical rates of site discharge are not exceeded. Storm drain capacity shall be determined using the Rational Method for a 10-year storm event with a minimum 15-minute duration utilizing the design curve (Figure 5.3) contained in the City of Lebanon Storm Drainage Master Plan. A detailed design, including supporting engineering calculations, shall be submitted as part of the Drawing Review process.
 28. A grading plan identifying existing and proposed elevations shall be submitted with the engineering plans. Drainage improvements necessary to prevent adverse impacts to adjacent properties shall be incorporated into the design, together with all supporting engineering calculations.

Lebanon Fire District

1. Plans shall be submitted for review and approval by the Lebanon Fire Marshal demonstrating compliance with the Oregon Fire Code and local amendments. Lebanon Fire Marshal approval shall be obtained prior to issuance of building permits.

This Order of Approval appears only as a matter of record.

APPROVED BY A _____ VOTE OF THE LEBANON PLANNING COMMISSION ON July 15, 2026.

DATED at Lebanon, Oregon, this 15th day of July 2026.

SIGNED:

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- Lory Gerig-Knurowski, Planning Commission Chair
 - Don Robertson, Planning Commission Vice Chair

ATTEST:

Shana Olson, Development Services Director