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MEMORANDUM

Development Services

To: File No. CPMA-26-01, ZMA-26-01, PD-26-02 & S-26-03
From: Julie Colmenero, Development Services Technician
Subject: Certificate of Mailing

Date: July 23, 2026

Applicant: Conser

I HEREBY CERTIFY that on July 23, 2026, I did personally mail, via US mail with first class postage prepaid and/or email the following:

Notice of Public Hearing - City Council for Comp Plan Map Amendment regarding the property at Stoltz Hill & Walker also

known as Township 12S – Range 2W – Sect; 16 Tax Lot(s); 02300 & 02305 to the following:

- ☒ Property owners within 250 feet of the subject property as indicated on the attached list; and
- ☒ Persons and/or Entities on the City of Lebanon's Notice Distribution List; and
- ☒ The applicant and its representatives; and
- ☐ Any other interested party who provided testimony or requested a copy of the notice of decision:


Signature

Exhibit A – Notice Distribution List
Exhibit B – Notice
Exhibit C – Surround Property Owner's List
Exhibit D – Surrounding Property Owner's Map



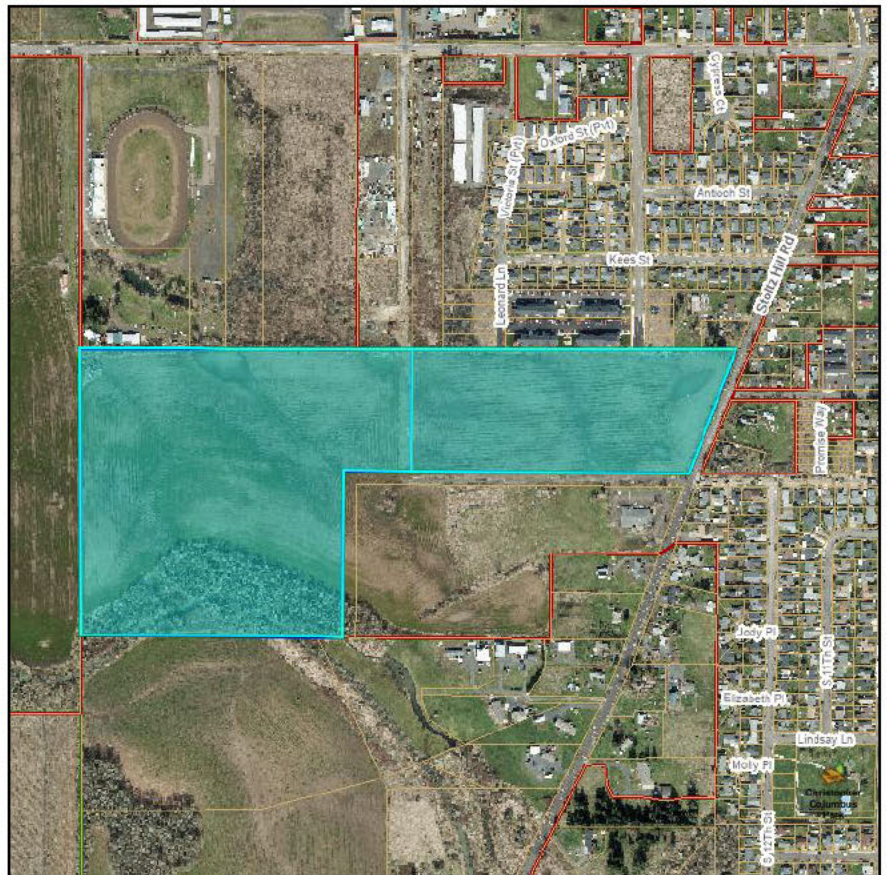
NOTICE OF PUBLIC HEARING LEBANON CITY COUNCIL

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon City Council on **August 12, 2026, at 6:00 p.m.** in the Library Community Room located at 55 Academy Street, to afford the public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	CPMA-26-01, ZMA-26-01, PD-26-02, S-26-03
Applicant:	Stoltz Hill MJC LLC / Conser Emerald Crossing
Location:	Stoltz Hill & Walker Roads
Map & Tax Lot No.:	12S02W16 02300 & 2305
Request:	Comprehensive Plan and Zone Map Amendments
Decision Criteria:	Lebanon Development Code Chapters: 16.20 and 16.27

Request: The applicant is requesting to change the Comprehensive Plan Map Designation from Residential (C-RM) and Industrial (C-IND) to Mixed Use (C-MU) and the Zoning Map Designation from Residential Mixed Density (Z-RM) and Industrial (Z-IND) to Mixed Use (Z-MU) on the above-mentioned properties.

Providing Comments: The city will be accepting public comments on this item in several ways to afford the public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00 p.m. on Tuesday, August 11, 2026.** Written testimony may be emailed to development@lebanonoregon.gov or mailed to the City of Lebanon at 925 S. Main Street, Lebanon, OR 97355, or delivered and dropped in the white mailbox in front of City Hall. *Persons who desire to access the Zoom meeting to give oral testimony regarding a Public Hearing can contact the development@lebanonoregon.gov by noon prior to the meeting so that staff can provide instructions.*



The public is invited to either participate in person at the Library Community Room or watch the meeting virtually on **August 12, 2026**, at <https://www.youtube.com/user/CityofLebanonOR/videos>.

The agenda and application materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the closing of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Appeals: Failure to raise an issue in the hearings, in person or by letter, or failure to provide sufficient specificity to afford the decision-makers an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. Please contact our office should you have any questions about the appeals process.

Obtain Information: The agenda and materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing. A copy of the application, ordinance, documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email development@lebanonoregon.gov.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906

BEFORE THE LEBANON PLANNING COMMISSION

In the matter of the
Application of
Stoltz Hill MJC LLC ET AL

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CPMA-26-01, ZMA-26-01
PD-26-02, S-26-03

ORDER OF RECOMMENDATION AND DECISION

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 publication of the Planning Commission agenda packet. Following publication of the agenda packet, the City received supplemental correspondence from the Oregon Department of Aviation. The correspondence was provided to the Planning Commission as supplemental agency correspondence and considered part of the record. 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.

Oregon Department of Aviation

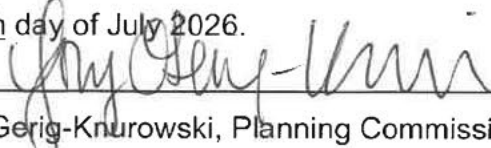
1. Prior to issuance of any building permit for a structure requiring notice under Federal Aviation Regulations (FAR) Part 77 or OAR 738-070-0060, the applicant shall obtain all required aeronautical determinations from the Federal Aviation Administration (FAA) and the Oregon Department of Aviation (ODAV) and provide copies of those determinations to the City.
2. All future structures, lighting, cranes, construction equipment, trees, and other vegetation shall comply with applicable Federal Aviation Administration (FAA) and Oregon Department of Aviation (ODAV) height limitations and shall not penetrate FAR Part 77 Imaginary Surfaces, as determined through the required aeronautical review process.

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

APPROVED BY A 9 VOTE OF THE LEBANON PLANNING COMMISSION ON July 15, 2026.

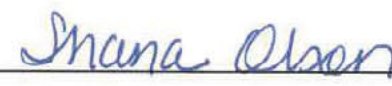
DATED at Lebanon, Oregon, this 15th day of July 2026.

SIGNED:

- 

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

ATTEST:



Shana Olson, Development Services Director



LEBANON PLANNING COMMISSION REGULAR MEETING AGENDA

July 15, 2026 at 6:00 PM

Library Community Meeting Room
55 Academy Street, Lebanon, Oregon

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

Chair Lory Gerig-Knurowski | Vice Chair Don Robertson | Commissioner Karisten Baxter
Commissioner Kristina Breshears | Commissioner Don Fountain | Alternate Michael Miller
Alternate Regina Thompson | Alternate Shyla Malloy | Alternate Darla Bulmer

CALL TO ORDER / FLAG SALUTE

ROLL CALL

MINUTES

1. June 17, 2026 PC Meeting Minutes -DRAFT

COMMISSION REVIEW

2. **Public Hearing** - CPMA-26-01, PD-26-02, S-26-03, ZMA-26-01

The applicant is requesting to change the Comprehensive Plan Map Designation from Residential (C-RM) and Industrial (C-IND) to Mixed Use (C-MU) and the Zoning Map Designation from Residential Mixed Density (Z-RM) and Industrial (Z-IND) to Mixed Use (Z-MU) on the above-mentioned properties. The applicant is also requesting a Planned Development and a 284-lot Subdivision.

CITIZEN COMMENTS - *restricted to items not on the agenda*

COMMISSION BUSINESS AND COMMENTS

ADJOURNMENT



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
development@lebanonoregon.go
v

MEMORANDUM

Development Services

To: Lebanon Planning Commission
From: Shana Olson, Development Services Director
Subject: Planning File No. CPMA-26-01, ZMA-26-01, PD-26-02, S-26-03

Date: July 7, 2026

I. BACKGROUND

The application requests approval of a Comprehensive Plan Map Amendment, a Zone Map Amendment, a Planned Development, and a Preliminary Subdivision Plat for the proposed Emerald Crossing development located west of Stoltz Hill Road and north of Oak Creek.

The 57.12-acre site includes 284 residential lots, one large commercial or multifamily development parcel, one parcel designated for open storage, public streets, utilities, multi-use trails, open space, and other supporting infrastructure. The Planned Development allows the site to be designed around its natural features while providing flexibility in the lot layout, street network, and open space to create a connected neighborhood and preserve wetlands and other environmentally sensitive areas.

The site is currently designated Residential Mixed Density (C-RM) and Industrial (C-IND) on the City's Comprehensive Plan Map and is zoned Residential Mixed Density (Z-RM) and Industrial (Z-IND). The application includes amendments to both the Comprehensive Plan Map and Zoning Map to establish a single land use designation that supports the proposed Planned Development and Preliminary Subdivision.

The proposal supports the City's long-range planning goals by providing additional housing, extending public infrastructure, creating a connected street network, and preserving important natural resources while allowing for orderly growth within the Urban Growth Boundary.

II. CURRENT REPORT

The Planning Commission is considering the following concurrent land use applications associated with the proposed Emerald Crossing development:

- Comprehensive Plan Map Amendment (CPMA-26-01)
- Zone Map Amendment (ZMA-26-01)
- Planned Development (PD-26-02)
- Preliminary Subdivision Plat (S-26-03)

Together, these applications establish the planning framework necessary to implement the proposed Emerald Crossing development.

The application was submitted to the City and determined complete following staff's review of the required materials. The proposal was distributed to affected agencies and utility providers for review and comment in accordance with the Lebanon Development Code.

As part of the applicant's public outreach efforts, a voluntary neighborhood open house was held on April 14, 2026, at Community Bible Church, located at 2600 Stoltz Hill Road. Although not required by the Lebanon Development Code, the meeting provided nearby property owners and interested residents an opportunity to review the proposed development, ask questions, and discuss the project with the applicant's project team prior to the City's formal public hearing process.

As part of the review process, the applicant submitted supporting technical studies, including a Traffic Impact Analysis, wetland delineation, floodplain information, utility plans, and other supporting documentation.

The Oregon Department of State Lands approved the wetland delineation for the site, identifying regulated wetlands and Oak Creek. The U.S. Army Corps of Engineers also completed an Approved Jurisdictional Determination identifying federally regulated waters within portions of the project area. Any future impacts to jurisdictional wetlands or waters remain subject to applicable state and federal permitting requirements prior to construction. Development within regulated floodplain areas must also comply with all applicable local, state, and federal requirements.

Public notice for the Planning Commission hearing was provided in accordance with the Lebanon Development Code. Staff has completed its review of the application, applicable approval criteria, technical studies, and agency comments and recommends approval subject to the conditions contained in this report.

III. STAFF ANALYSIS

The following analysis evaluates the proposed development's consistency with the Lebanon Comprehensive Plan, the Lebanon Development Code, the Engineering Design Standards, the Transportation System Plan, and other applicable regulations. The attached Draft Order contains the detailed findings supporting each application.

Zoning and Use

The subject properties consist of approximately 57.12 acres located west of Stoltz Hill Road, north of Oak Creek, and within the City's Urban Growth Boundary. The site is currently designated Residential Mixed Density (C-RM) and Industrial (C-IND) on the Comprehensive Plan Map and is zoned Residential Mixed Density (Z-RM) and Industrial (Z-IND).

The application includes amendments to the Comprehensive Plan Map and Zoning Map to establish a Mixed Use designation across the subject properties in support of the proposed Planned Development. The proposal includes approximately 284 residential lots, one large commercial or multifamily development parcel, and one parcel designated for open storage.

Staff finds the proposed land use pattern is consistent with the City's long-range planning goals for this area. The subject properties are identified for future urban development, are adjacent to existing residential neighborhoods, and can be served by public infrastructure. The proposed amendments replace the remaining industrial designation with a land-use pattern that better reflects the site's future development and surrounding uses. The applicant also demonstrated that redesignation of the industrially designated portion of the site is consistent with the City's adopted Economic Opportunity Analysis and does not adversely affect the City's inventory of employment land.

The mixed-use parcel is located near the development's primary entrance and offers an opportunity for future neighborhood-serving commercial or residential uses. Its location creates a transition between Stoltz Hill Road and the residential neighborhood while providing services within

walking distance for future residents. Future development of the parcel will require a separate land use review and compliance with the Lebanon Development Code.

The proposal supports the City's Comprehensive Plan by expanding housing opportunities within the Urban Growth Boundary, utilizing existing and planned public infrastructure, and creating a connected neighborhood through an integrated street, pedestrian, and open space network.

The properties contain wetlands, floodplain, and riparian resources that limit the amount of developable land. Rather than maximizing development across the entire site, the proposed layout concentrates development within the most suitable areas while preserving significant natural resources. This approach minimizes impacts to environmentally sensitive areas and maintains opportunities for future connectivity to adjoining properties.

Overall, staff finds that the proposed Comprehensive Plan Map Amendment and Zone Map Amendment establish an appropriate and compatible land-use pattern that supports the City's housing needs, promotes orderly urban growth, and provides an appropriate framework for the Planned Development and Preliminary Subdivision.

Staff finds that the proposed Comprehensive Plan Map Amendment and Zone Map Amendment are consistent with the City's adopted Comprehensive Plan and establish the planning framework for the proposed Planned Development and Preliminary Subdivision.

Planned Development Framework

The Planned Development allows the development to be designed around the site's natural features while providing flexibility in lot layout, street design, and open space. This approach allows the project to better respond to the site's environmental constraints than a traditional subdivision while meeting the intent of Chapter 16.23 of the Lebanon Development Code.

The properties contain several natural features that influence where development can occur, including wetlands, Oak Creek, riparian corridors, portions of the FEMA 100-year floodplain, and existing topography. These features make a traditional subdivision layout less practical and support the use of the Planned Development process.

The proposed development places residential lots in the most suitable areas of the site, while preserving substantial wetland areas, Oak Creek, and other environmentally sensitive areas within dedicated tracts and open space. This approach reduces impacts on natural resources while allowing development in areas best suited for urban growth. Where wetland impacts cannot be avoided, the project provides opportunities for future mitigation in accordance with applicable state and federal requirements.

The Planned Development also creates a connected neighborhood through a network of collector and local streets, sidewalks, pedestrian connections, and future roadway connections to adjacent properties. A large development parcel is located near the primary entrance and is intended to accommodate future commercial, multifamily residential, or mixed-use development. Its location creates a transition along Stoltz Hill Road while providing flexibility for future development that complements the surrounding neighborhood.

The proposal provides a variety of lot sizes while balancing residential development with multi-use trails, open space, preserved natural resources, and future development opportunities. Staff finds this approach supports housing diversity, maintains compatibility with surrounding development, and makes efficient use of public infrastructure.

Overall, the Planned Development provides a practical approach to developing the properties by responding to the site's natural constraints, preserving important environmental features, extending public infrastructure efficiently, and creating a connected neighborhood that integrates with future development.

Staff finds the proposed Planned Development provides a better overall site design than a conventional subdivision by responding to the properties' environmental constraints, preserving natural resources, promoting connectivity, and supporting the City's long-term planning goals. Subject to the recommended conditions of approval, the Planned Development is consistent with the intent and purpose of Chapter 16.23 of the Lebanon Development Code.

Transportation and Circulation

The proposed Planned Development has been designed to provide a connected transportation network that supports safe vehicle, pedestrian, and bicycle travel throughout the development and connects to the surrounding street system. The preliminary plans include a network of public arterial, collector, and local streets that distribute traffic throughout the site while providing multiple connections consistent with the City's Transportation System Plan.

Pedestrian connectivity is an important component of the development. The proposal includes sidewalks along public streets, multi-use paths, pedestrian connections, and public access easements that provide access throughout the neighborhood and create opportunities for future connections to adjacent properties. These improvements support the City's goal of providing safe and connected travel options for pedestrians, bicyclists, and motorists.

A Traffic Impact Analysis prepared by Kittelson & Associates evaluated the transportation impacts of the proposed development. The analysis reviewed projected traffic volumes, roadway capacity, intersection operations, and future transportation conditions. The study concludes that the surrounding transportation system, together with the proposed street improvements, can accommodate traffic generated by the development while maintaining acceptable operating conditions. The TIA also concludes that the proposal will not significantly affect the function or capacity of existing or planned transportation facilities.

Public streets, utilities, and stormwater improvements will be designed and constructed in accordance with the Engineering Design Standards. Final street design, intersection improvements, access locations, frontage improvements, and utility construction will be reviewed during the engineering and construction permitting process to ensure compliance with the approved Traffic Impact Analysis, applicable City standards, and the conditions of approval. The proposed street network also preserves opportunities for future roadway, pedestrian, and utility connections to adjacent undeveloped properties, supporting future development and orderly growth within the Urban Growth Boundary.

Portions of the subject properties are located within the Airport Overlay Zone. The proposed subdivision complies with the applicable airport compatibility standards, including residential density limitations and avoidance of residential development within the Runway Protection Zone. Staff finds the proposal remains compatible with operations at the Lebanon State Airport.

Based on the Traffic Impact Analysis, the proposed street network, and compliance with applicable City standards, staff finds the proposed development provides adequate transportation facilities, supports safe multimodal travel, and is consistent with the City's Transportation System Plan, Engineering Design Standards, and applicable provisions of the Lebanon Development Code.

Utilities and Public Services

The proposed development will be served by public water, sanitary sewer, and storm drainage. Public utility infrastructure will be extended throughout the development in accordance with the Engineering Design Standards. Detailed engineering plans will be reviewed and approved by the Development Services Department through the City's engineering and construction permitting process prior to installation.

As part of the application review, Development Services Engineering evaluated the proposed utility layout and the ability to extend public infrastructure throughout the site. The proposed utility extensions are consistent with the City's adopted utility master plans and are designed to support planned growth within the Urban Growth Boundary. Final utility sizing, alignment, and construction details will be reviewed and approved during the engineering plan review process.

During the public review process, questions were raised regarding the City's ability to serve additional residential growth with its existing water and wastewater infrastructure. Staff reviewed these concerns with the Public Works Department, which is responsible for the operation and maintenance of the City's utility systems. Based on the City's current system capacity, adopted utility master plans, and the planned public improvements associated with this development, staff finds that adequate water and wastewater capacity exists to serve the proposed development.

Each phase of the subdivision 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. This ensures that utilities, fire protection, streets, and other public services are available as development occurs.

The Lebanon Fire District reviewed the proposal and will continue to review detailed engineering and building plans to ensure compliance with the Oregon Fire Code, including fire flow requirements, hydrant spacing, emergency access, and apparatus access roads.

Staff finds that adequate public facilities and services are available or will be provided by the developer to serve the proposed Planned Development. Subject to compliance with the recommended conditions of approval, the City's engineering standards, and the Engineering Design Standards, the proposal is consistent with the Lebanon Development Code and the City's adopted utility master plans.

Environmental Considerations

The subject properties contain several environmentally sensitive features that influenced the overall design of the proposed Planned Development. These include wetlands, Oak Creek, associated riparian corridors, portions of the FEMA 100-year floodplain, and areas regulated by the Floodplain Overlay Zone and Riparian Protection Overlay Zone. Rather than treating these resources as constraints on development, the subdivision was designed around them by incorporating wetlands, riparian areas, and floodplains into open space tracts and preservation areas, while limiting crossings to those necessary for streets and utilities.

A wetland delineation was prepared for the subject properties and approved by the Oregon Department of State Lands. The delineation identified approximately 15.23 acres of wetlands, including Oak Creek and associated drainage features. The subdivision layout preserves substantial wetland, riparian, and floodplain resources by incorporating them into dedicated tract areas and open-space corridors.

The U.S. Army Corps of Engineers completed an Approved Jurisdictional Determination identifying Oak Creek and Wetland 8 as Waters of the United States subject to federal jurisdiction. While the remaining wetlands are not federally regulated under the current Clean Water Act guidance, they remain subject to Oregon's Removal-Fill Law and other applicable state regulations.

The proposed development has been designed to avoid and minimize impacts to wetlands, floodplain areas, and riparian resources wherever practical. Development is concentrated within the most suitable portions of the site while preserving significant natural resource areas. Where impacts cannot be avoided, the applicant will be required to obtain all applicable permits and approvals from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and other regulatory agencies before construction begins. Compliance with permit conditions, including any required mitigation measures, will be verified during the engineering plan review.

Portions of the subject properties are also located within the Floodplain Overlay Zone. Any future development within these areas must comply with Chapter 16.11 of the Lebanon Development Code and all applicable floodplain management requirements. Development adjacent to Oak Creek must also comply with the Riparian Protection Overlay standards intended to protect water quality, stream functions, and habitat.

The applicant also submitted an Endangered Species Act (ESA) habitat assessment, which concluded that no federally listed species or designated critical habitat were identified within the development area. Should future federal permitting create additional ESA requirements, the applicant will be responsible for obtaining any necessary approvals.

Staff finds that the proposed Planned Development appropriately addresses the environmental constraints on the properties by preserving wetlands, riparian corridors, and floodplain areas while concentrating development in the most suitable locations. Subject to compliance with the recommended conditions of approval and all applicable local, state, and federal permits, the proposal is consistent with the Lebanon Development Code, Statewide Planning Goal 5, and other applicable environmental regulations.

Phasing and Future Review

The applicant proposes to construct Emerald Crossing in multiple phases over several years. Phasing allows public infrastructure, including streets, water, sanitary sewer, storm drainage, multi-use trails, and other public improvements, to be constructed as development occurs while allowing the project to respond to market demand.

The Planned Development establishes the overall framework for the project, including the street network, lot layout, open space, environmental preservation areas, utility corridors, and one large commercial or multifamily development parcel. Future phases shall implement this framework through phased construction of public improvements and development consistent with the approved Planned Development and Preliminary Subdivision Plat.

The applicant has requested that the Preliminary Planned Development and Preliminary Subdivision Plat approvals remain valid for a period of ten (10) years, consistent with ORS 92.040 and the Lebanon Development Code. Staff finds that, given the size of the development, the anticipated phased construction, and the substantial public infrastructure improvements, a ten-year approval period is appropriate and supports the orderly implementation of the project.

Pursuant to LDC 16.23.050, the Planning Commission shall designate the review process for future phases of the Planned Development. The available options include:

Option 1: Ministerial Review by the Planning Official

Option 2: Administrative Review by the Planning Official

Option 3: Planning Commission review through a subsequent public hearing

Staff recommends designation of Option 2 – Administrative Review by the Planning Official because it provides the appropriate level of oversight for a development of this size while allowing future phases that remain in substantial conformance with the approved Planned Development, Preliminary Subdivision Plat, Conditions of Approval, and applicable provisions of the Lebanon Development Code to proceed efficiently. The purpose of the Administrative Review is to verify the implementation of the approved development framework and applicable conditions, rather than to reconsider issues resolved through this approval.

If a future phase proposes changes that are not in substantial conformance with the approved Planned Development or exceed the scope of Administrative Review authorized by the Lebanon Development Code, the application shall be processed under the applicable review procedures. The Planning Official also retains the authority to refer an application to the Planning Commission when appropriate.

IV. RECOMMENDATION

Based on the findings contained in this report and the attached Draft Order, staff recommends approval of the following applications subject to the Conditions of Approval contained in the Draft Order:

- Comprehensive Plan Map Amendment (CPMA-26-01)
- Zone Map Amendment (ZMA-26-01)
- Planned Development (PD-26-02)
- Preliminary Subdivision Plat (S-26-03)

Staff further recommends that the Planning Commission designate Option 2 – Administrative Review by the Planning Official, pursuant to LDC 16.23.050, for review of future phases of the Planned Development.

V. PLANNING COMMISSION ACTION

Staff has provided the Planning Commission with several options, each accompanied by an appropriate motion.

1. Approve the application, adopting the draft order as presented.

I move that the Planning Commission approve applications for 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) and adopt the Draft Order as presented by staff.

2. Approve the application, adopting modifications to the draft order.

I move that the Planning Commission approve applications for 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) and adopt the Draft Order with the following modifications:

3. Continue the hearing until August 19, 2026.

I move that the Planning Commission continue the public hearing on applications 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) to August 19, 2026.

4. Close the hearing but keep the record open for submission of written testimony.

I move that the Planning Commission close the public hearing on applications 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) and leave the written record open for submission of additional testimony until August 18, 2026.

5. Close the hearing and record, and continue deliberation to the next meeting.

I move that the Planning Commission close the public hearing and written record on applications 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) and continue deliberations to the August 19, 2026 Planning Commission meeting.

6. Deny the application, directing staff to modify the draft order.

I move that the Planning Commission deny applications for 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) and direct staff to prepare a Final Order reflecting the Commission's findings.



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
development@lebanonoregon.gov
www.lebanonoregon.gov

MEMORANDUM

Development Services

To: File No. CPMA-26-01, ZMA-26-01, PD-26-02 & S-26-03
From: Tammy Dickey, Development Technician
Subject: Certificate of Mailing

Date: June 23, 2026

Applicant: Conser

I HEREBY CERTIFY that on June 23, 2026, I did personally mail, via US mail with first class postage prepaid and/or email the following:

Notice of Public Hearing - Planning Commission for Comp Plan Map Amendment regarding the property at Stoltz Hill & Walker also

known as Township 12S – Range 2W – Sect; 16 Tax Lot(s); 02300 & 02305 to the following:

- ☒ Property owners within 250 feet of the subject property as indicated on the attached list; and
- ☒ Persons and/or Entities on the City of Lebanon's Notice Distribution List; and
- ☒ The applicant and its representatives; and
- ☐ Any other interested party who provided testimony or requested a copy of the notice of decision:

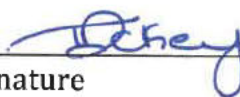

Signature

Exhibit A – Notice Distribution List
Exhibit B – Notice
Exhibit C – Surround Property Owner's List
Exhibit D – Surrounding Property Owner's Map

From: [PIKE Brandon](#)
To: [Development Services](#)
Cc: [Shana Olson](#)
Subject: CPMA-26-01, ZMA-26-01, PD-26-02, S-26-03
Date: Monday, July 13, 2026 10:18:14 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Caution! This message was sent from outside your organization.

Good morning,

Thank you for providing the opportunity for the Oregon Department of Aviation (ODAV) to comment on file number(s): CPMA-26-01, ZMA-26-01, PD-26-02, S-26-03

ODAV has reviewed the proposal and prepared the following comment(s):

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the [FAA](#) and [ODAV](#). The applicant can use the FAA's [Pre-Screening Tool](#) to determine which proposed structures (including buildings, light poles, cranes, and other tall equipment used during development or maintenance) warrant a *notice of construction*. They are required to provide separate notices of construction to both the FAA and ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.
2. The height of any new structures, trees, and other planted vegetation should not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.
3. The subject property is located partially under the approach surface and transitional surface of Lebanon State Airport. Pursuant to the State of Oregon's Airport Land Use Compatibility Guidebook, some forms of development are not considered compatible land uses when located near a public-use airport. Per Table 3-4: Compatible Land Uses per FAR Part 77 Surfaces and FAA Safety Areas, the following land uses are identified as incompatible developments when located under the approach surface of public-use airports: Places of public assembly, outdoor sports arenas and spectator sports, nature exhibits and zoos, amusement parks, resorts and camps, and golf courses. "Places of public assembly" means a structure or outdoor facility where concentrations of people gather for purposes such as deliberation, education, worship, shopping, business, entertainment, amusement, sporting events, or similar activities, excluding airshows. Public Assembly Uses does not include places where people congregate for short periods of time such as parking lots and bus stops or uses approved by the FAA in an

adopted airport master plan. Additionally, the following are considered incompatible developments when located under the transitional surface: residential uses, places of public assembly, most recreational uses, and resource production and extraction uses.

The proposed residential uses under the transitional surface are deemed incompatible for this reason. ODAV does not recommend approval of development which is found to be in conflict with the Airport Land Use Compatibility Guidebook.

Please reach out if you have questions or concerns.

Best,

**BRANDON
PIKE**
OREGON DEPARTMENT OF
AVIATION (ODAV)
AVIATION PLANNER



PHONE 971-372-1339

EMAIL brandon.pike@odav.oregon.gov

3040 25TH STREET SE, SALEM, OR 97302

WWW.OREGON.GOV/AVIATION

Alternative Contacts:

COAR Grants: Grants@ODAV.Oregon.Gov

Procurement / Contracts: Contracts@ODAV.Oregon.Gov

Pavement (PEP/PMP): Pavement@ODAV.Oregon.Gov

Land Use / Tall Structures: LandUse@ODAV.Oregon.Gov

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.



NOTICE OF PUBLIC HEARING LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **July 15, 2026, at 6:00 p.m.** in the Library Community Room located at 55 Academy Street, to afford the public an opportunity to be heard and give testimony concerning the following matter:

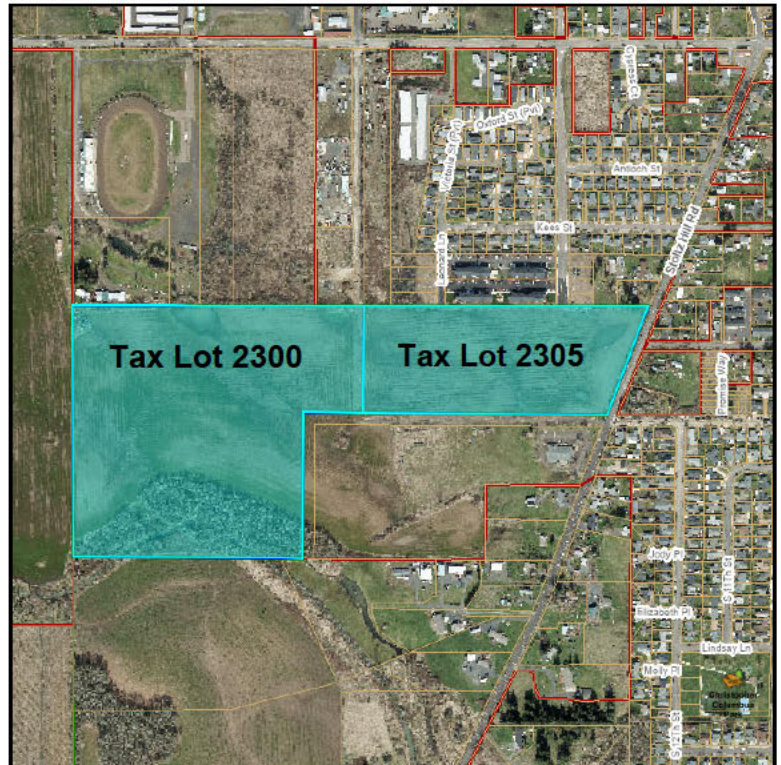
Planning Case No.:	CPMA-26-01, ZMA-26-01, PD-26-02, S-26-03
Applicant:	Stoltz Hill MJC LLC / Conser Emerald Crossing
Location:	Stoltz Hill & Walker Roads
Map & Tax Lot No.:	12S02W16 02300 & 2305
Request:	Comprehensive Plan and Zone Map Amendments, Planned Development and Subdivision
Decision Criteria:	Lebanon Development Code Chapters: 16.06, 16.20, 16.22, 16.23 & 16.27

Request: The applicant is requesting to change the Comprehensive Plan Map Designation from Residential (C-RM) and Industrial (C-IND) to Mixed Use (C-MU) and the Zoning Map Designation from Residential Mixed Density (Z-RM) and Industrial (Z-IND) to Mixed Use (Z-MU) on the above-mentioned properties. The applicant is also requesting a Planned Development and a 284-lot Subdivision.

Providing Comments: The city will be accepting public comments on this item in several ways to afford the public an opportunity to give testimony on the subject matter. Written and verbal testimony will be accepted upon issuance of this notice, **until 5:00 p.m. on Tuesday, July 14, 2026.** Written testimony may be emailed to development@lebanonoregon.gov or mailed to the City of Lebanon at 925 S. Main Street, Lebanon, OR 97355, or delivered and dropped in the white mailbox in front of City Hall. *Persons who desire to access the Zoom meeting to give oral testimony regarding a Public Hearing can contact the development@lebanonoregon.gov by noon prior to the meeting so that staff can provide instructions.*

The public is invited to either participate in person at the Library Community Room or watch the meeting virtually on **July 15, 2026**, at <https://www.youtube.com/user/CityofLebanonOR/videos>.

The agenda and application materials will be available for review on the City's website at <https://www.lebanonoregon.gov/meetings> seven days prior to the hearing.

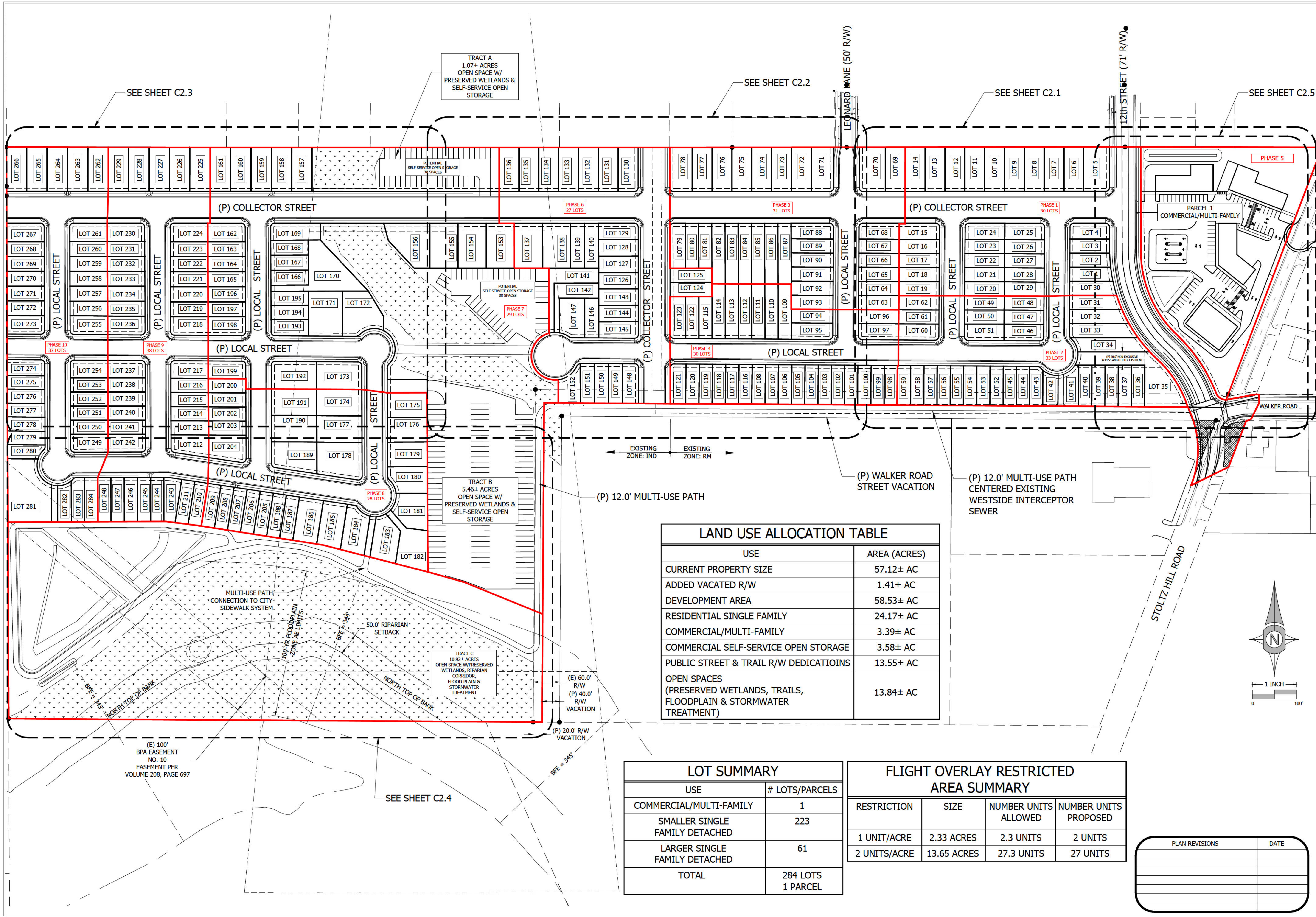


CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the closing of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Development Services Department, 925 Main Street; phone 541-258-4906; email development@lebanonoregon.gov.

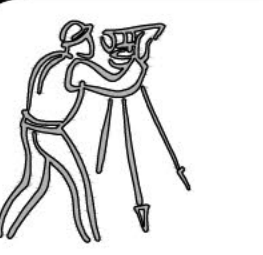
The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.



LAND USE ALLOCATION TABLE	
USE	AREA (ACRES)
CURRENT PROPERTY SIZE	57.12± AC
ADDED VACATED R/W	1.41± AC
DEVELOPMENT AREA	58.53± AC
RESIDENTIAL SINGLE FAMILY	24.17± AC
COMMERCIAL/MULTI-FAMILY	3.39± AC
COMMERCIAL SELF-SERVICE OPEN STORAGE	3.58± AC
PUBLIC STREET & TRAIL R/W DEDICATIONS	13.55± AC
OPEN SPACES (PRESERVED WETLANDS, TRAILS, FLOODPLAIN & STORMWATER TREATMENT)	13.84± AC

LOT SUMMARY	
USE	# LOTS/PARCELS
COMMERCIAL/MULTI-FAMILY	1
SMALLER SINGLE FAMILY DETACHED	223
LARGER SINGLE FAMILY DETACHED	61
TOTAL	284 LOTS 1 PARCEL

FLIGHT OVERLAY RESTRICTED AREA SUMMARY			
RESTRICTION	SIZE	NUMBER UNITS ALLOWED	NUMBER UNITS PROPOSED
1 UNIT/ACRE	2.33 ACRES	2.3 UNITS	2 UNITS
2 UNITS/ACRE	13.65 ACRES	27.3 UNITS	27 UNITS



CLIENT:
STOLTZ HILL LLC, LLC
1010 AIRPORT ROAD SE
ALBANY, OREGON
(541) 791-9310

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON 97355
(541) 451-5125 PH.
(541) 451-1366 FAX

OVERALL TENTATIVE PLAT
PLANNED DEVELOPMENT/
TENTATIVE SUBDIVISION
EMERALD CROSSING
MAP 12S-2W-16 TAX LOTS 2300 & 2305
LEBANON, OREGON

DATE:
APRIL 28, 2026

PROJECT:
24-098 CONSER STOLTZ HILL

DRAWN BY:
MLM

CHECKED BY:
BSV

THIS MAP WAS
PREPARED FOR
PLANNING
PURPOSES ONLY

PLAN REVISIONS	DATE

Sheet **C2.0**

SCALE: SEE BARSCALE



LAND USE APPLICATION

PROPERTY INFORMATION

Site Address(es): unassigned address

Assessor's Map & Tax Lot No.(s): 12S-02W-16 Tax Lots 2300 and 2305

Comprehensive Plan Designation / Zoning Designation: C-IND/Z-IND(TL 2300);C-RM/Z-RM(TL 2305)

Current Property Use: unimproved

Project Description:

The applicant proposes a phased Planned Development & subdivision on property S. of Airport Rd. & W. of Stoltz Hill Rd. including Comprehensive Plan & Zone Map Amendments to redesignate & rezone the site to Mixed Use.

APPLICANT / PRIMARY CONTACT INFORMATION

Applicant: Laura LaRoque; Pathfinder Land Use Consulting, L

Address: P.O. Box 484

City/State/Zip: Lebanon, OR 97355

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.

APPLICANT SIGNATURE *Laura LaRoque*

Date: 3/30/26

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)

Owner: Stoltz Hill MJC LLC ET AL

Address: 1010 Airport Rd. SE

City/State/Zip: Albany, OR 97322

OWNER SIGNATURE *MJS*

Date: 03/30/2026

ADDITIONAL CONTACT INFORMATION

Engineer / Surveyor: Udell Engineering and Land Survey, LLC

Address: 63 E. Ash Street

City/State/Zip: Lebanon, OR 97355

Architect:

Phone:

Address:

Email:

City/State/Zip:

Other:

Phone:

Address:

Email:

City/State/Zip

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- ☒ Application and Filing Fee
- ☒ Narrative Describing the Proposed Development and addressing the Decision Criteria
 - LDC Article Two Land Uses and Land Use Zones
 - LDC Article Three Development Standards
 - LDC Article Four Review & Decision Requirements
 - LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- ☒ Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
- ☒ Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

***If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.**

Land Use Review Process	Fee		Land Use Review Process	Fee
Administrative Review	\$750		Property (Lot) Line Adjustment	\$250
Administrative Review (Planning Commission)	\$1,500	X	Planned Development – Preliminary	\$2,500
Annexation	\$2,500		Planned Development – Final (Ministerial)	\$250
Appeal [min \$250 or 50% of original fee (whichever is greater)]	\$250		Planned Development – Final (Administrative)	\$750
Code Interpretation	\$750		Planned Development – Final (Quasi-Judicial)	\$1,500
Code Interpretation (Planning Commission)	\$1,500	X	Subdivision Tentative	\$1,500
X Comprehensive Plan Map/Text Amendment	\$2,500		Subdivision Final	\$750
Conditional Use	\$1,500		Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
X Fire District Plan Review	\$125		UGB Amendment	Actual Cost
Historic Preservation Review or Register	Varies		Variance (Class 1 – Minor Adjustment)	\$250
Land Partition	\$750		Variance (Class 2 – Adjustment)	\$750
Ministerial Review	\$250		Variance (Class 3)	\$1,500
Non-Conforming Use/Development	\$750	X	Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	File No.:

THE CITY THAT FRIENDLINESS BUILT

PLANNING COMMISSION RECORD

APPLICATION NARRATIVE EXCERPT

**Comprehensive Plan Map Amendment CPMA-26-01
Zoning Map Amendment ZMA-26-01**

EMERALD CROSSING

This excerpt includes pages 1–16 of the applicant’s narrative containing the project overview, applicable Statewide Planning Goal analysis, and findings addressing the Comprehensive Plan Map and Zoning Map Amendment criteria.

The complete application and supporting materials are maintained in the official land-use record and are available through Development Services.

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 [REDACTED]
Owner/Applicant:	Stoltz Hill MJC LLC ET AL 1010 Airport Rd. SE, Albany, OR 97322 Matthew Conser [REDACTED]
Applicant's Representative:	Pathfinder Land Use Consulting, LLC P.O. Box 484, Lebanon, OR 97355 Laura LaRoque [REDACTED]
Civil Engineering:	Udell Engineering and Land Survey, LLC 63 E. Ash Street, Lebanon, OR 97355 Brian Vandetta [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.

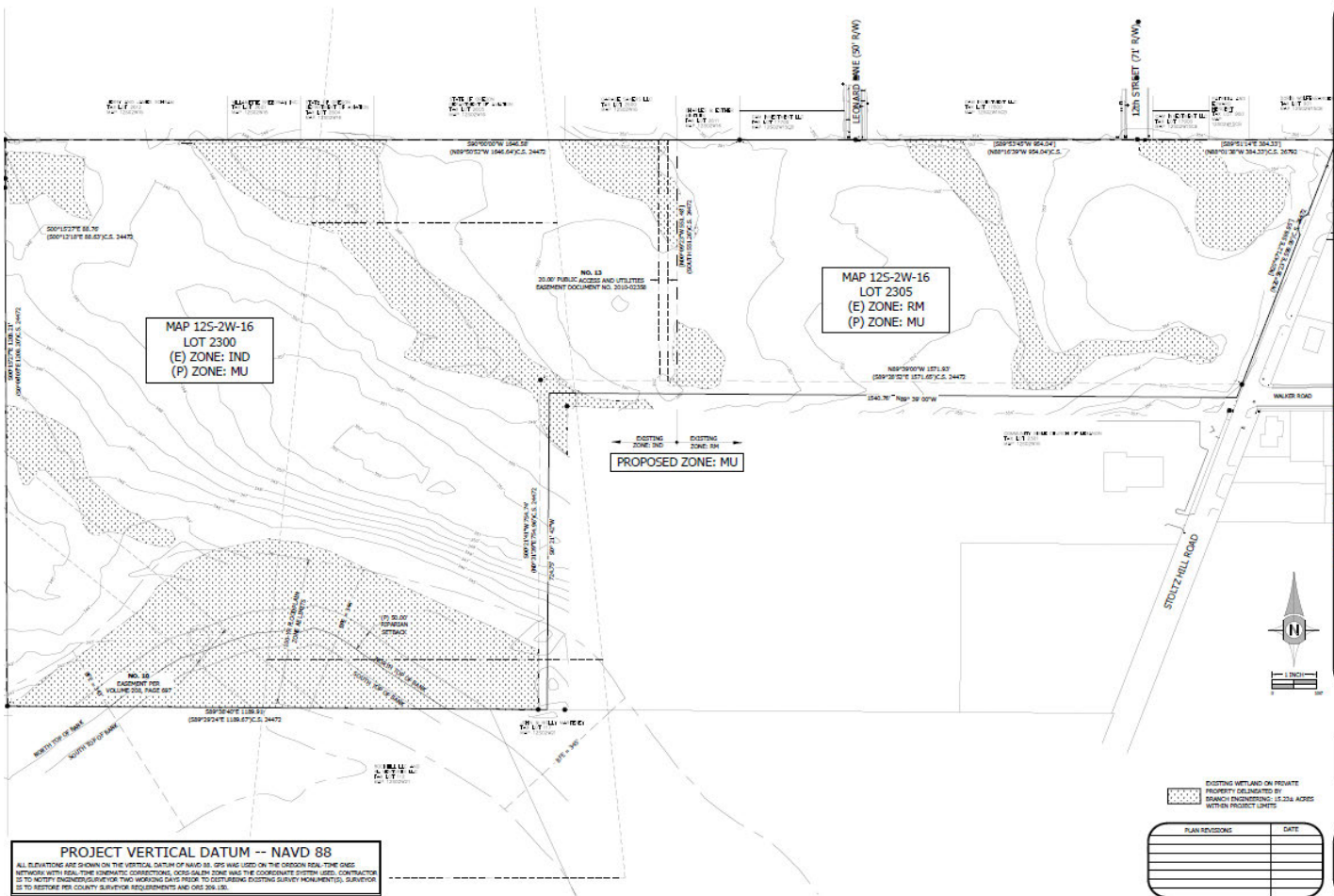
G. Planned Development (*LDC 16.23.010*)

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



PROJECT VERTICAL DATUM -- NAVD 88

ALL ELEVATIONS ARE SHOWN ON THE VERTICAL DATUM OF NAVD 88. GPS WAS USED ON THE ORIGIN REAL TIME DATED NETWORK WITH REAL TIME KINEMATIC CORRECTIONS. UTM ZONE 18Q WAS THE COORDINATE SYSTEM USED. CONTRACTOR IS TO NOTIFY ENGINEER/SURVEYOR TWO WORKING DAYS PRIOR TO CELEBRATING EXISTING SURVEY MONUMENT(S). SURVEYOR IS TO RESTORE PER COUNTY SURVEYOR REQUIREMENTS AND ONS 204.106.

CLIENT:
STOLTZ HILL, LLC
4300 AND ST.
ALBANY, OREGON
(503) 796-9310

UDALL ENGINEERING AND LAND SURVEYING, LLC
4300 AND ST.
LEBANON, OREGON 97356
(503) 796-9310
(503) 461-1361 FAX

PRELIMINARY ZONE CHANGE
PLANNED DEVELOPMENT/
TENTATIVE SUBDIVISION
EMERALD CROSSING
MAP 125-2W-16 TAX LOTS 2300 & 2305
LEBANON, OREGON

THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY

Scale: 1" = 200'



Oregon

Tina Kotek, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

August 26, 2025

State Land Board

Stoltz Hill MJC, LLC
Attn: Matthew J. Conser
1010 Airport Rd. SE
Albany, OR 97322

Tina Kotek
Governor

Tobias Read
Secretary of State

Re: WD #2025-0007 **Approved**
Wetland Delineation Report for Stoltz Hill Road Conser Site
Linn County; T12S R2W S16, TLs 2300, 2305, Portion of ROW

Elizabeth Steiner
State Treasurer

Dear Matthew Conser:

The Department of State Lands has reviewed the wetland delineation report prepared by Branch Engineering for the site referenced above. Please note that the study area includes only a portion of the tax lots described above (see the attached maps). Based upon the information presented in the report, we concur with the wetland and waterway boundaries as mapped in Figure 10, 10 (a-b) of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps.

Within the study area, eight wetlands (Wetland 1-8), totaling approximately 15.23 acres, and one waterway (Oak Creek) were identified. The wetlands and waterway are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined). In addition, Wetland 8 is a Mature Forested Wetland and therefore meets the state's criteria for Aquatic Resources of Special Concern. This could affect the eligibility protocols for compensatory mitigation if a DSL permit is required.

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal, other state agencies or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of impacts to waters of this state. Because measures to avoid and minimize impacts to waters of this state may include reconfiguring parcel layout and size or development design, we

recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact the Wetland Ecologist for Linn County, Josh Goldsmith, at (971) 375-1675.

Sincerely,

Daniel Evans, PWS
Wetland Ecology Specialist

Enclosures

ec: Sam Rabe, Branch Engineering
City of Lebanon Planning Department (Maps enclosed for refining LWI)
Corps of Engineers
Carrie Landrum, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

Ways to submit report:

- ❖ Under 50MB - A single unlocked PDF can be emailed to: wetland.delineation@dsl.oregon.gov.
- ❖ 50MB or larger - A single unlocked PDF can be uploaded to DSL's Box.com website. After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.
- ❖ OR a hard copy of the unbound report and signed cover form can be mailed to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

Ways to pay review fee:

- ❖ By credit card on DSL's [epayment portal](#) after receiving the unique file number from DSL's emailed confirmation.
- ❖ By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy OR attached to the complete signed cover form if report submitted electronically.

Contact and Authorization Information	
☒ Applicant ☒ Owner Name, Firm and Address:	
Matthew J. Conser Stoltz Hill MJC, LLC 1010 Airport Road, SE Albany, Oregon 97322	
☐ Authorized Legal Agent, Name and Address (if different):	Business phone # Mobile phone # (optional) E-mail:
I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.	
Typed/Printed Name: <u>Matthew J. Conser</u> Signature: <u>[Signature]</u> Date: <u>01/08/2025</u> Special instructions regarding site access:	
Project and Site Information	
Project Name: <u>Stoltz Hill Road Conser Site</u>	Latitude: <u>44.521733°</u> Longitude: <u>44.521733°</u> decimal degree - centroid of site or start & end points of linear project
Proposed Use: Single-Family and Multi-family Residential development. Daily Needs Mixed-Use Neighborhood Commercial	Tax Map # <u>12S-02W-16</u> Tax Lot(s) <u>02300 & 02305</u> Tax Map # Tax Lot(s)
Project Street Address (or other descriptive location): <u>Lot north of 2600 Stoltz Hill Road</u>	Township <u>12S</u> Range <u>2W</u> Section <u>16</u> QQ Use separate sheet for additional tax and location information
City: <u>Lebanon</u> County: <u>Linn</u>	Waterway: <u>Oak Creek</u> River Mile:
Wetland Delineation Information	
Wetland Consultant Name, Firm and Address: Sam Rabe Branch Engineering, Inc 1215 Main Street Suites 201-208 Philomath, Oregon	
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge. Consultant Signature: <u>Sam Rabe</u> Digitally signed by Sam Rabe Date: 2025.01.08 15:19:41 -0800 Date: <u>1/8/2025</u>	
Primary Contact for report review and site access is ☒ Consultant ☒ Applicant/Owner ☐ Authorized Agent	
Wetland/Waters Present? ☒ Yes ☐ No Study Area size: <u>57.08</u> Total Wetland Acreage: <u>15.2300</u>	
Check Applicable Boxes Below	
☐ R-F permit application submitted ☐ Mitigation bank site ☐ EFSC/ODOE Proj. Mgr: _____ ☐ Wetland restoration/enhancement project (not mitigation) ☒ Previous delineation/application on parcel If known, previous DSL # <u>WD20090451</u>	☐ Fee payment submitted \$ _____ ☐ Resubmittal of rejected report (\$100) ☐ Request for Reissuance. See eligibility criteria. (no fee) DSL # _____ Expiration date _____ ☐ LWI shows wetlands or waters on parcel Wetland ID code _____
For Office Use Only	
DSL Reviewer: <u>JG</u> Fee Paid Date: ____/____/____	DSL WD # <u>2025-0007</u>
Date Delineation Received: <u>01/08/2025</u>	DSL App.# _____

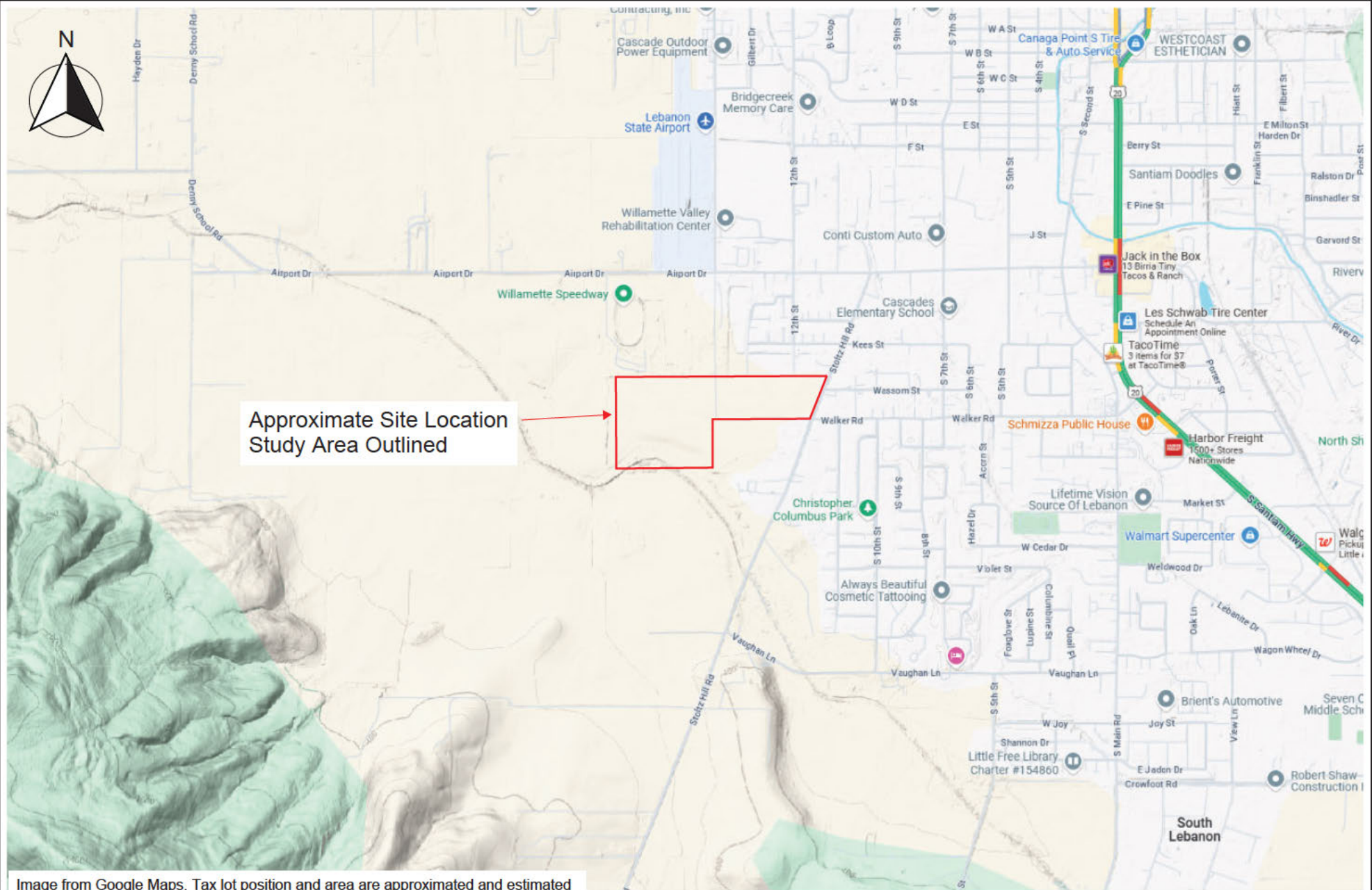


Image from Google Maps. Tax lot position and area are approximated and estimated



SITE LOCATION MAP
TAX MAP 12S-02W-16 TAX LOTS 02300 & 02305

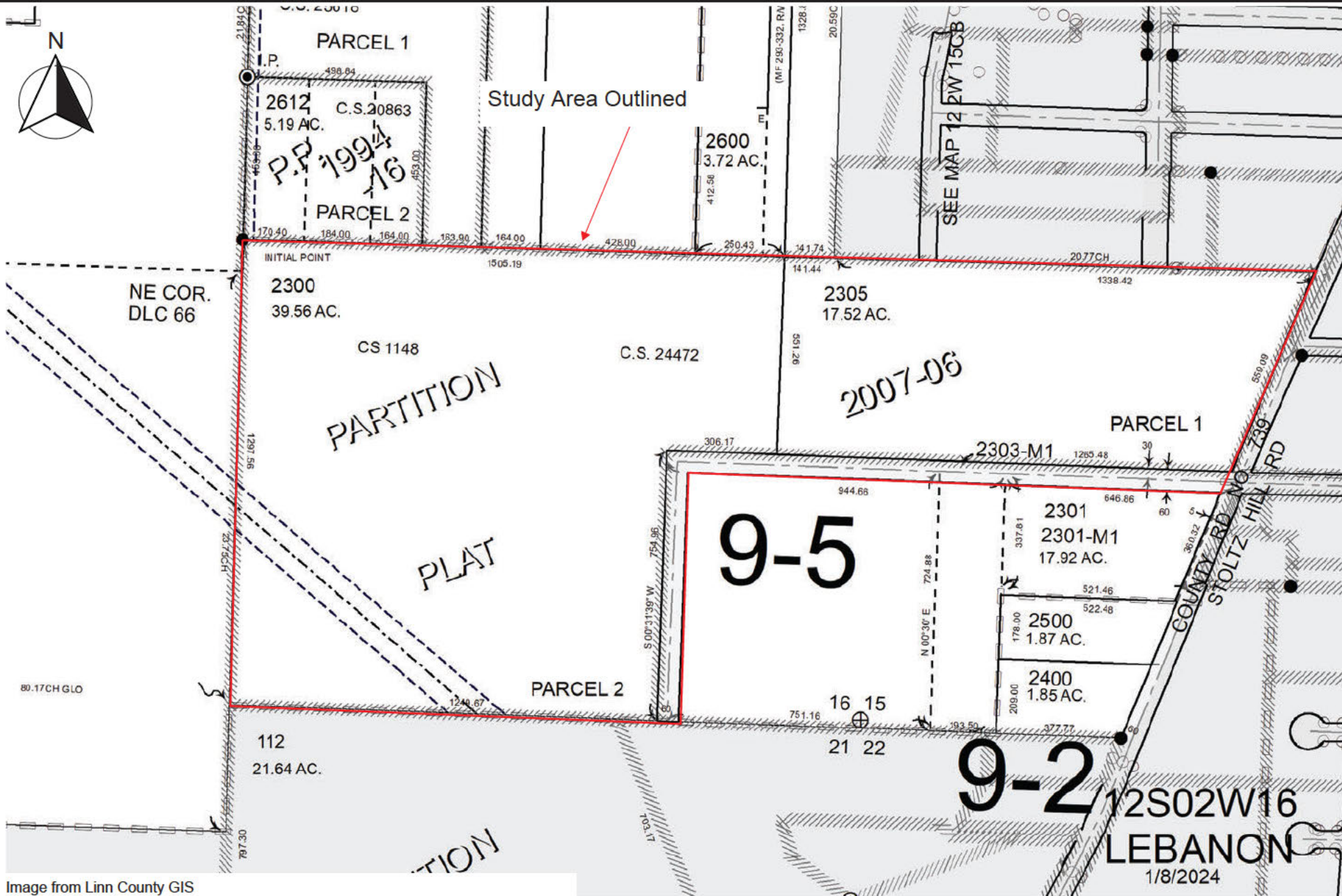


APPROXIMATE SCALE

FIGURE-1

12-09-2024

BEI PROJECT NO. 24-369



TAX LOTS AND STUDY AREA
TAX MAP 12S-02W-16 TAX LOTS 02300 & 02305

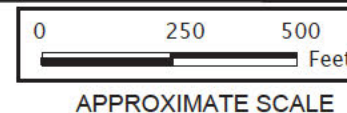
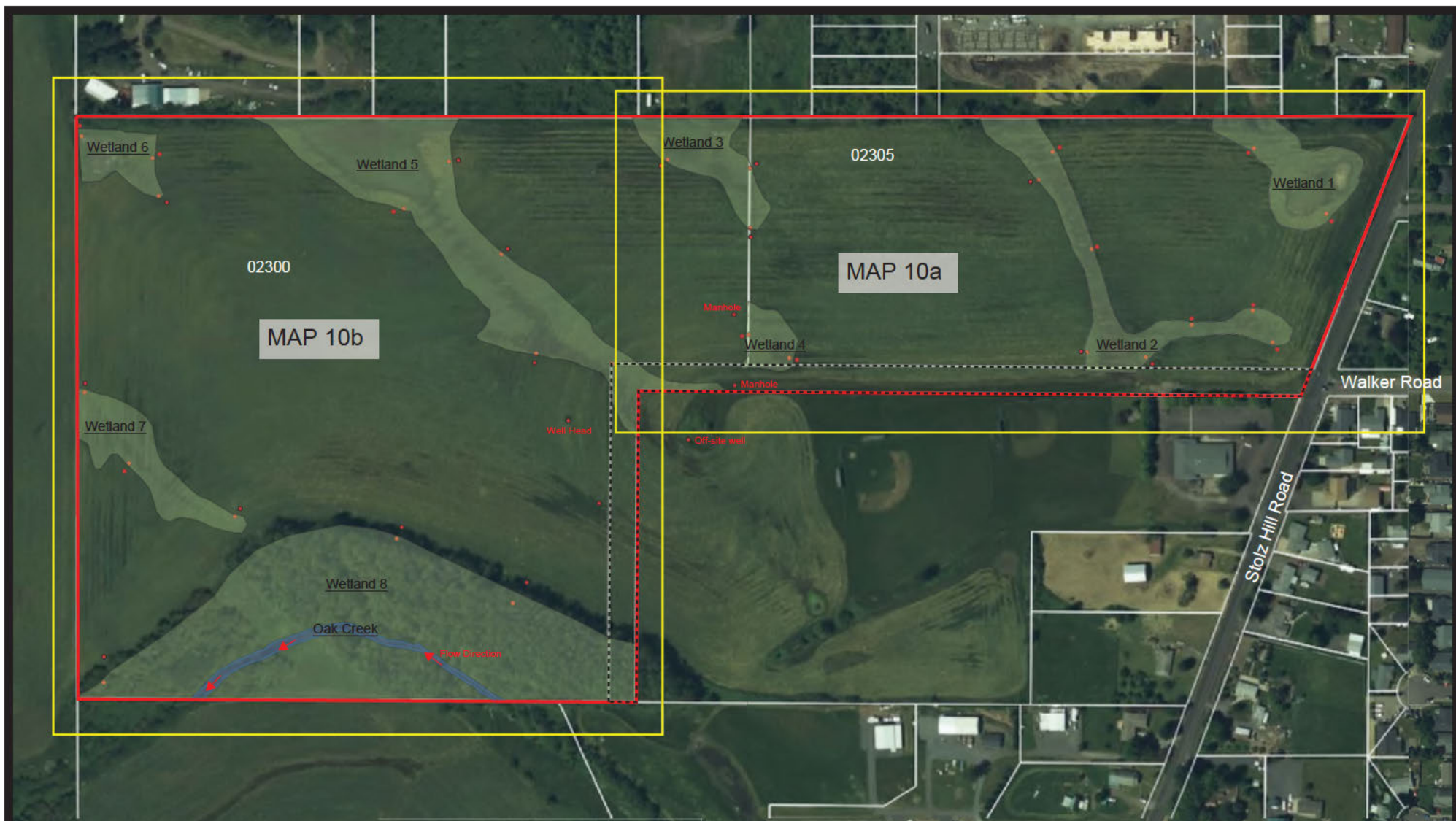


FIGURE-2
12-09-2024

BEI PROJECT NO. 24-369



LEGEND

- Study area boundary
- Wetland areas
- Road ROW
- Sample Point

Approximate Scale

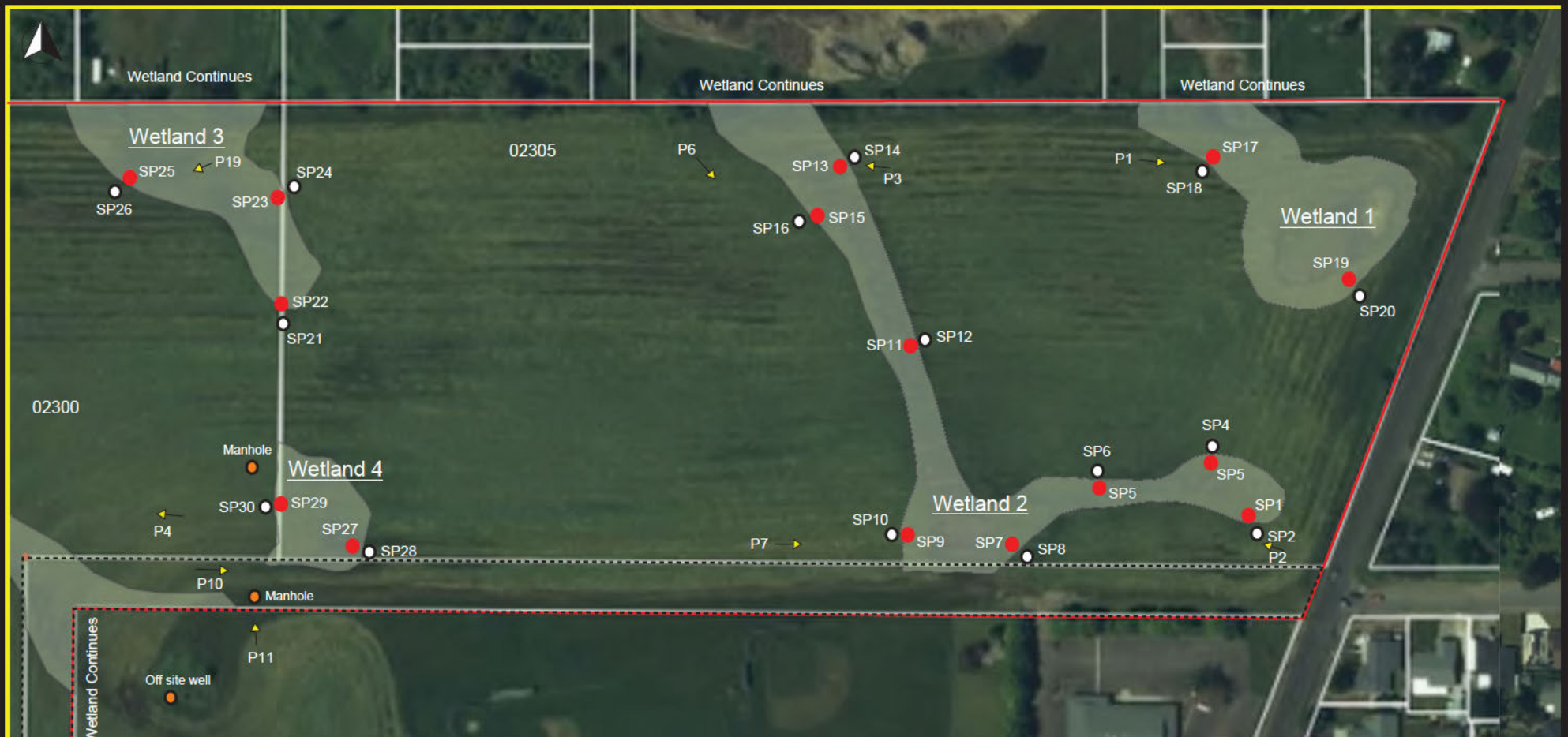


STUDY AREA WETLANDS MAP
TAX MAP 12S-02W-16 TAX LOTS 02300 & 02305

FIGURE-10

12-11-2024

BEI PROJECT NO. 24-369



LEGEND

- Study area boundary
- Wetland areas
- Road ROW
- Wetland Sample Point
- Upland Sample Point
- ➔ Photo Point

WETLAND ATTRIBUTES

Wetland 1

Area = 0.97-acres 42,280 SF

Cowardin Class - PEM1Ad

HGM Class - Mineral Soil Flats

Wetland 2

Area = 1.4-acres 58,843 SF

Cowardin Class - PEM1Ad

HGM Class - Mineral Soil Flats

Wetland 3

Area = 0.78-acres 33,916 SF

Cowardin Class - PEM1Ad

HGM Class - Mineral Soil Flats

Wetland 4

Area = 0.32-acres 13,895 SF

Cowardin Class - PEM1Ad

HGM Class - Mineral Soil Flats

WETLAND BOUNDARIES SHOWN WERE DELINEATED AND DRAWN BY BEI STAFF ON NOVEMBER 3, 7, AND 10TH, 2024. WETLAND BOUNDARIES AND DATA POINTS WERE MAPPED WITH SUB-METER ACCURACY USING A JUNIPER SYSTEMS MESA 3 TABLET AND A GEODE GNSS RECEIVER.

PROPERTY BOUNDARIES AND STUDY AREA WERE OBTAINED FROM LINN COUNTY GIS. MULTIPLE PROPERTY PINS SURVEYED BY UDELL ENGINEERING AND LAND SURVEYING, LLC. AERIAL IMAGE FROM BING SATELLITE MAPS.



STUDY AREA WETLANDS AND WATERS DELINEATION MAP 1 TAX MAP 12S-02W-16 TAX LOTS 02300 & 02305

Approximate Scale

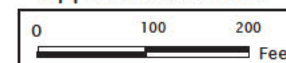
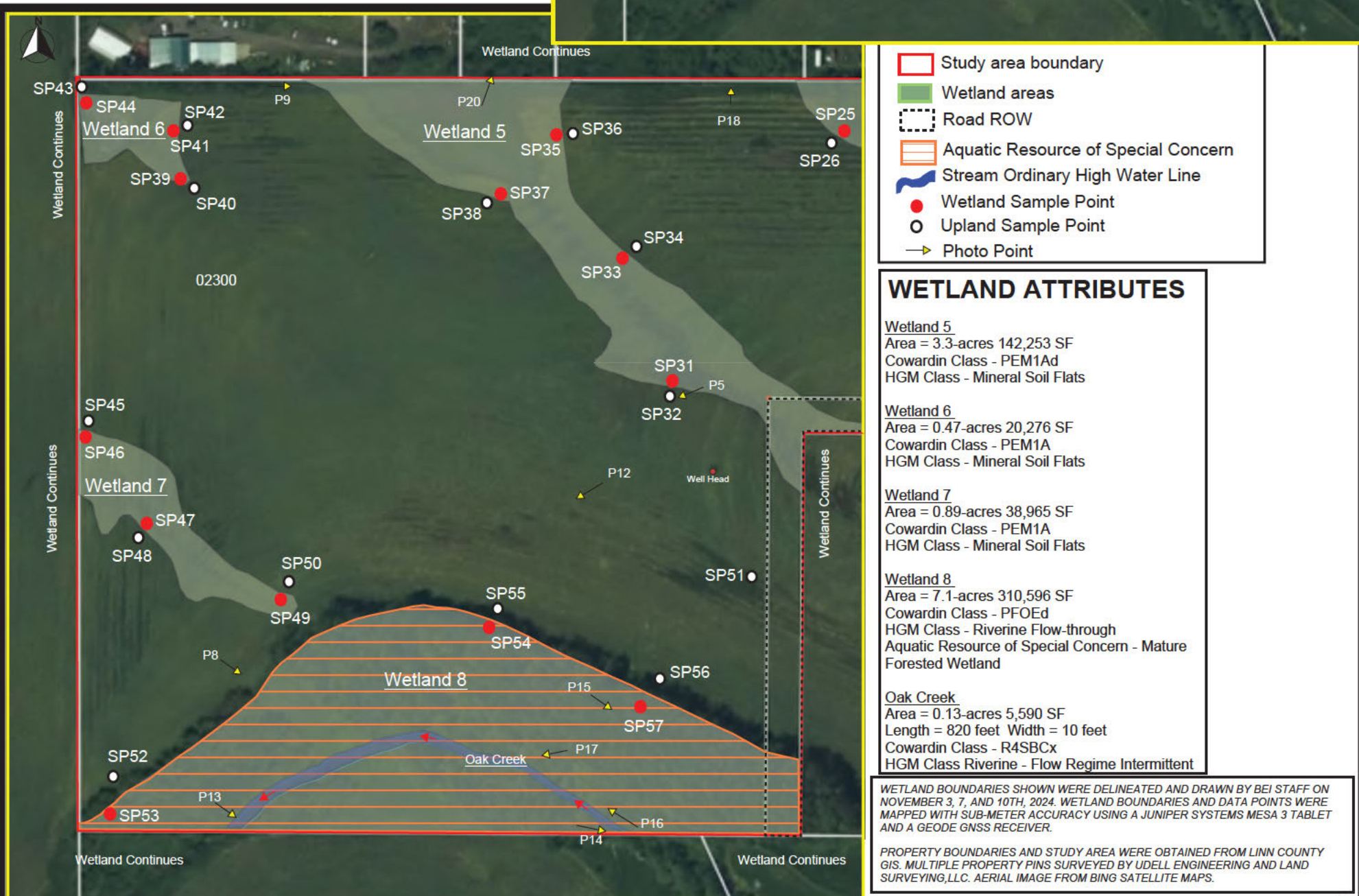


FIGURE-10a

12-11-2024

BEI PROJECT NO. 24-369



STUDY AREA WETLANDS AND WATERS DELINEATION MAP 2 TAX MAP 12S-02W-16 TAX LOTS 02300 & 02305

Approximate Scale

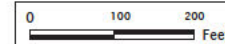


FIGURE-10b

12-11-2024

BEI PROJECT NO. 24-369