

**STAFF REPORT**

# CITY OF LAKE OSWEGO

## PLANNING AND BUILDING SERVICES DEPARTMENT

**APPLICANT**

City of Lake Oswego

<b><u>ADDRESS</u></b>	<b><u>PROPERTY OWNER</u></b>	<b><u>TAX MAP</u></b>	<b><u>TAX LOT</u></b>	<b><u>ORD</u></b>	<b><u>Ac.</u></b>	<b><u>File No</u></b>
6150 Kenny Street	Rusty T. Reap	21E18CC	2800	2740	.61	LU17-0009
5711 McEwan Road	Peter Stratton Fowler	21E18CD	10602	2741	.22	LU17-0010
6135 McEwan Road	Raina & Emile Bonfiglio	21E18CC	8400	2742	1.27	LU17-0011
6397 McEwan Road	Jared M. & Michelle Ellis	21E18CC	6400	2743	.23	LU17-0012
18485 Donlee Way	Neil H. & Pamela James	21E18CC	4200	2744	.23	LU17-0013
18521 Donlee Way	Russell & Tina Ruhland	21E18CC	4100	2745	.24	LU17-0014
661 S. State Street	Lake Oswego Corp.	21E10DA	200	2746	.24	LU17-0015
Pilkington Road ROW	City of Lake Oswego	21E18CC / 21E18CD		2742	NA	LU17-0010
McEwan Road ROW	City of Lake Oswego	21E18BA / 21E18CD		2743	NA	LU17-0012

**NEIGHBORHOOD ASSOCIATIONS**

Rosewood / Hallinan Heights / Old Town

**STAFF**

Paul Espe, Associate Planner

**COMPREHENSIVE PLAN DESIGNATIONS**

R-10 - Single-Family (Rosewood Properties)  
 PNA - Park and Natural Area (661 S. State Street)

**ZONING DESIGNATIONS**

R-7.5 - Single-Family (Rosewood Properties)  
 R-7.5 - Single-Family (661 S. State Street)

**DATE OF REPORT**

May 10, 2017

**PLANNING COMMISSION HEARING DATE**

May 22, 2017

**I. APPLICANT'S REQUEST**

The City of Lake Oswego is proposing to amend the Zoning Map for the above listed properties and portions of the public right of way to correct mapping errors and to make the Zoning Map consistent with the Comprehensive Plan. These corrections, as detailed in **Attachment 2** of each ordinance, affect a small number of properties and will be reviewed by the Planning Commission, which will make a recommendation to City Council on each ordinance after a public hearing, using the quasi-judicial land use review process.

## II. APPLICABLE REGULATIONS

### A. City of Lake Oswego Community Development Code-Procedure (LOC Chapter 50)

- LOC 50.07.003.1.b Burden of Proof
- LOC 50.07.003.7 Appeals
- LOC 50.07.003.15 Major Development (excluding subsection d.ii).
- LOC 50.07.003.5 Conditions of Approval
- LOC 50.07.003.3 Notice of Public Hearing
- LOC 50.07.003.4 Hearings before a Hearings Body
- LOC 50.07.003.16.a Legislative Decision Defined (Quasi-judicial Comp. Plan and Zone Map Amendments to be processed via Major Developments Procedures)
- LOC 50.07.003.16.c Required Notice to DLCD
- LOC 50.07.003.16.d Planning Commission Recommendation Required
- LOC 50.07.003.16.e City Council Review and Decision

### B. City of Lake Oswego Comprehensive Plan Policies

#### **Land Use planning**

(Statewide Planning Goal 2: (Land Use Planning)

Policies D-1 and D-5 Land Use Administration

Policy E-2(a)(b)(i)(ii A-G) Comprehensive Plan Amendments

#### **Community Culture (Civic Engagement)**

(Goal 1, Citizen Involvement)

Policy 1, 2, 4 and 5 Citizen Involvement

**Goal 5, Open Spaces Scenic and Natural Resources** Section 1, Policies 1 and 5

#### **Complete Neighborhoods and Housing**

(Goal 10, Housing)

Policy A-1c Housing Location and Quality

Policy A-2

#### **Connected Community**

(Goal 12, Transportation)

Policy A-1 Safety

Policy C-6 Efficiency

### C. Old Town Neighborhood Plan

Goals Policies and Recommended Action Measures

### D. Metro Urban Growth Management Function Plan

Title 1: Housing

Title 5: Regional Transportation Functional Plan

### E. Transportation Planning Rule (Chapter 660, Division 12)

OAR 660-12-060(1) and (2)

### III. BACKGROUND INFORMATION

One of the Planning Commission goals for 2016 is to implement the recommendations of the 2015 Audit of the Comprehensive Plan (Plan) and Community Development Code (CDC), including revisions to the Comprehensive Plan Map and Zoning Map to remove conflicts between the two maps. At the Commission's joint meeting with the City Council on January 11, 2016, the Council directed the Commission and staff to proceed with this work.

The Lake Oswego Comprehensive Plan, most recently updated in 2014, guides land use and development in the city pursuant to State Planning laws and the community's vision. The Comprehensive Plan Map designates how land can be used and developed over time in accordance with the Comprehensive Plan goals and policies. It assigns land use categories and planned densities to all land within the city's urban services boundary, including land that is unincorporated and would join the city upon annexation.

The Zoning Map implements the Comprehensive Plan Map's land use designations, and when coupled with the Community Development Code identifies the permitted uses and development standards for each zone. Although some cities use a very general Comprehensive Plan Map with broad land use categories such as 'commercial', 'industrial', 'low-density residential' and 'high-density residential', Lake Oswego's Plan Map is much more specific; i.e., instead of 'Low Density Residential', it assigns land as R-15, R-10 and R-7.5, representing a range of low density designations. In this manner, the Zoning and Plan Map designations are intended to be consistent, and zoning should not allow densities greater than the Plan.

The map corrections identified during the 2015 Audit were divided into two categories; map changes that could be made through the City's legislative process, and those that would be reviewed through the quasi-judicial land use process similar to a development application. The legislative Comprehensive Plan map and text changes and Zoning Map changes were recently approved by the City Council on February 7, 2017 (LU 16-0035, Ordinance 2733). This staff report addresses the first set of quasi-judicial zoning map changes.

#### DISCUSSION

The overall purpose of this proposal is to correct the Zoning Map in the two neighborhoods discussed below:

##### Rosewood Neighborhood: Proposed Change from R-7.5 to R-10:

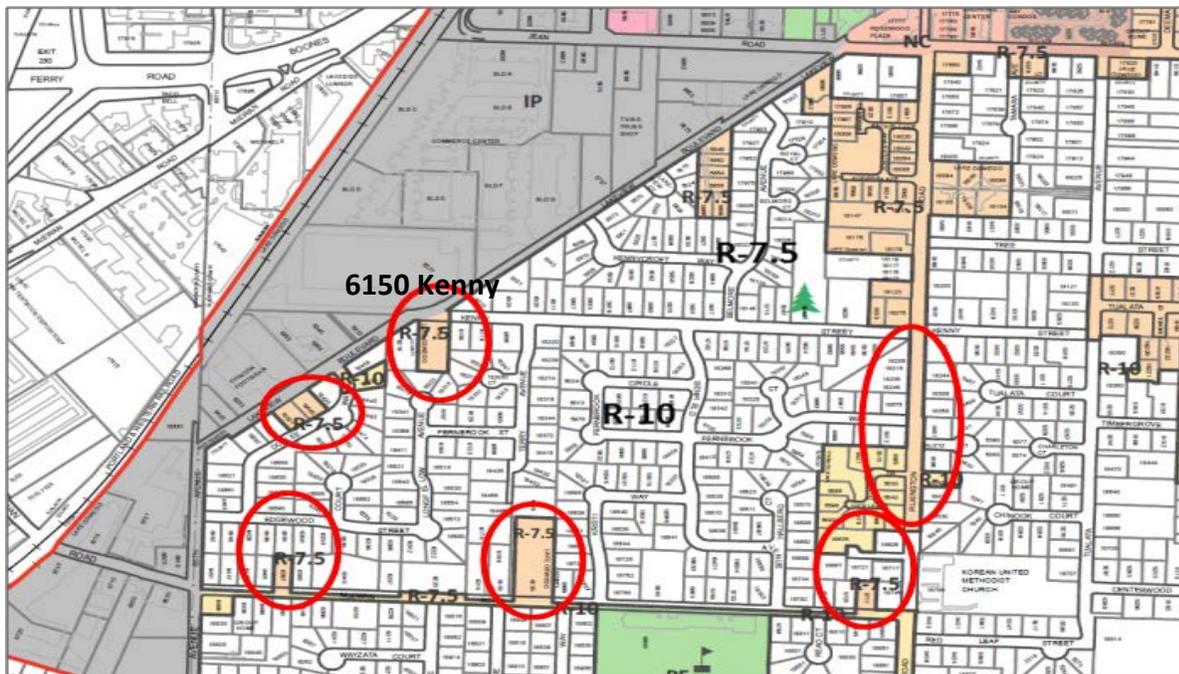
The R-10 and R-7.5 zones are low density zoning districts. They provide lands for single-family residential development with density ranging from four to five dwelling units per acre. The R-7.5 zone allows for a minimum lot size of 7,500 square feet and the R-10 zone provides for a minimum lot size of 10,000 square feet.

The area south of Kenny Street (between Kenny Street and McEwan Road) is designated R-10 on the Comprehensive Plan. The area north of Kenny Street (between Kenny, Lakeview Blvd., and Jean Road) is designated R-7.5. The subject properties, as shown in the ordinance attachments Exhibit A-1 Attachment 2, were annexed to the city between 1985 and 2000, but the designated zoning at time of annexation was not consistent with the Comprehensive Plan designation of R-10.

The 1978 Comprehensive Plan designated the area north of Kenny Street as “D-4”. This designation generally corresponded with today’s R-7.5 zoning designation. The area south of Kenny Street was not brought into the Urban Services Boundary until 1993.

Two properties on Donlee Way were annexed in 1985 and the one property on Kenny Street near Lakeview Blvd was annexed in 1993. They were zoned R-7.5 upon annexation, based on the assumption that the area south of Kenny Street would also be designated R-7.5 on the Comprehensive Plan after the Urban Services Boundary was amended.

In 1993, the area south of Kenny Street was added to the Urban Services Boundary (PA 3-93-1007), and in 1995 the Comprehensive Plan Map was amended to designate the area south of Kenny as R-10 (PA-7-94) instead of R-7.5 as originally planned. The map below illustrates that in 2000, three properties located between Kenny Street and McEwan Road were incorrectly zoned R-7.5, rather than R-10, when they were annexed in 2000 (Ord 2259).



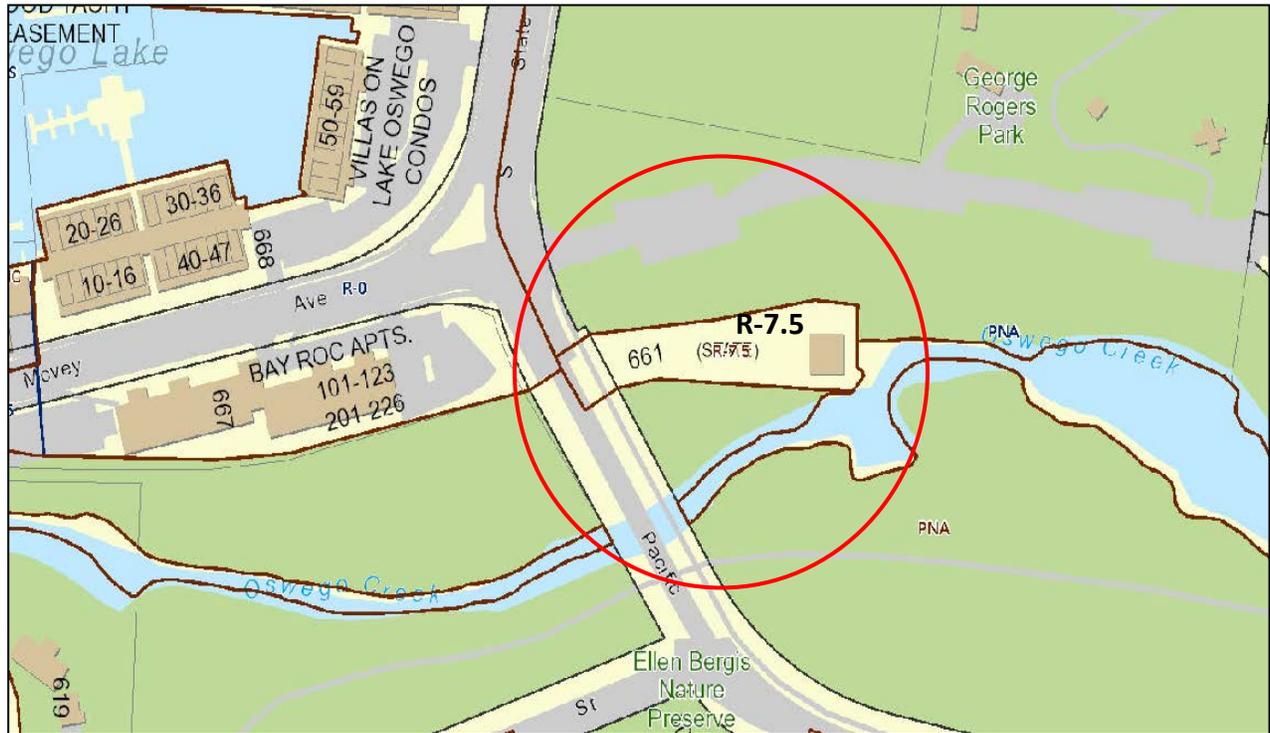
Key Issue: The proposed R-10 zoning designation is consistent with the Comprehensive Plan, which designates these lots R-10. Changing the zoning of these properties to R-10 may affect the development potential of two properties (6135 McEwan Road and 6150 Kenny Street); 6135 McEwan Road is 55,650 square feet and could potentially be divided into six lots under R-7.5, but only five lots under the R-10 zoning designation.

The remaining lots in the Rosewood Neighborhood that were incorrectly zoned R-7.5; 5711 McEwan Road, 6397 McEwan Road, 18485 Donlee Way, 18521 Donlee Way, are too small to be divided.

661 State Street (Lake Oswego Corp. Power Station): Proposed change from R-7.5 to PNA

The property at 661 State Street is designated Park and Natural Area (PNA) on the Comprehensive Plan Map and R-7.5 (Low Density Residential) on the Zoning Map. The lot also has a Resource Protection (RP) overlay for the Oswego Creek stream corridor.

**Key Issue:** Public utilities are allowed in both the R-7.5 and PNA zones, but the R-7.5 also allows residential development. At least one dwelling is allowed per the Sensitive Lands code for fully encumbered lots and the Hillside protection standards do not prohibit development. The proposal is to amend the Zoning Map from R-7.5 to PNA to achieve consistency with the Comprehensive Plan designation of PNA. The zoning designation of PNA would not affect the current use of the property for a private utility.



#### IV. CLASSIFICATION AND CRITERIA FOR APPROVAL

##### A. CITY OF LAKE OSWEGO COMMUNITY DEVELOPMENT CODE – CRITERIA FOR APPROVAL

1. Classification of Amendment Procedure. The proposed amendments are “quasi-judicial decisions” under LOC 50.07.003.16; they are not “legislative decisions” under the same code section because the proposal applies to “a small number of identified properties,” i.e., six individual parcels.<sup>1</sup> No development is proposed for the site in conjunction with the map changes. While the request is processed as a major development (LOC 50.07.003.16.a.ii), it is not itself a “development”.

<sup>1</sup> “A ‘Legislative Decision’ is an amendment to the policies, procedures, standards, criteria or Map designations of the Comprehensive Plan, and this Community Development Code, unless such amendment applies to a small number of identified properties only or is required to effect a particular development permit application.” (LOC 50.07.003.16.) “An amendment to the policies, procedures, standards, criteria or Map designations of the Comprehensive Plan, or this Community Development Code which is not a ‘legislative decision’ as defined in subsection (1) of this section shall be considered “quasi-judicial” and shall be processed as a major development.” (LOC 50.07.003.16.)

2. Identification of Criteria (“Major Development” Standards Not Applicable). Although this request follows the review procedure of a major development under LOC 50.07.003.15, the “major development” criteria<sup>2</sup> are not applicable to the rezone. The applicable criteria for rezone are contained in the “Land Use Planning” Goal of the Comprehensive Plan (which corresponds to Goal 2 “Land Use Planning”).
  3. Goals and Policies (Lake Oswego, METRO, and LCDC) Applicable. An amendment of the Comprehensive Plan Map and Zoning Map must comply with the rezone criteria set forth in the Comprehensive Plan<sup>3</sup>, the Transportation Planning Rule, and Metro code.
- The applicant has submitted sufficient information to address the City’s Comprehensive Plan policies Metro Urban Growth Functional Plan, and applicable Statewide Planning Goals and Administrative Rules, including the State Transportation Planning Rule.

## V. NOTICE OF APPLICATION

- A. Newspaper Notice  
On April 24, 2017, public notice of the proposed Zoning Map amendments and Planning Commission public hearing was published in the *Lake Oswego Review*.
- B. Measure 56 Notice  
On April 24, 2017 “Measure 56” Notices per ORS 227.186 were sent to the affected properties.
- C. DLCD and Metro Notice  
Pursuant to LOC 50.07.016, the City provided notice of the proposed Zoning Map Amendments to the Oregon Department of Land Conservation and Development (DLCD) and Metro.

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<sup>2</sup> **Section 50.07.003.15 Review Criteria for Major Developments.**

A major development shall comply with:

1. Any applicable regulatory policies of the Lake Oswego Comprehensive Plan;
2. The requirements of the zone in which it is located;
3. The Development Standards applicable to major developments;
4. Any additional statutory or Lake Oswego Code provisions which may be applicable to the specific Major development application, such as the variance provisions, the Streets and Sidewalks Ordinance (LOC Chapter 42), the Tree Cutting Ordinance (LOC Chapter 55), the Solar Access Ordinance (LOC Chapter 57), and the Historic Ordinance (LOC Chapter 58); and
5. Any conditions of approval imposed as part of an approved ODPS or prior development permit affecting the subject property.

<sup>3</sup> Amendments of Comprehensive Plan and Zoning Maps for a single or small number of identified parcels are not “legislative decisions” per LOC 50.07.003.16. Therefore the “Legislative Decision Criteria” under LOC 50.07.003.16 are not applicable.

## VI. COMPLIANCE WITH APPROVAL CRITERIA

### A. City of Lake Oswego Comprehensive Plan

Staff has identified the following Comprehensive Plan Policies applicable to this proposal. Following each policy or group of policies is a response:

**Land Use Planning - Land Use Administration (Goal 2)**

Land Use Administration Policies D-1 and D-5

Comprehensive Plan Amendments: Policy E-2(a)(b)(i)(ii A-G)

**Policy D-1: *Coordinate the development and amendment of City plans and actions related to land use with other affected agencies, including county, state, Metro, federal agency, and special districts.***

**Policy D-5: *Review and update the Comprehensive Plan periodically to ensure it:***

- a. Remains current and responsive to community needs***
- b. Contains reliable information and provides dependable policy direction; and,***
- c. Conforms to applicable state law, administrative rules and Metro requirements; and,***

**Finding:** As identified in Part V of the staff report, required public hearing notification was provided to Clackamas County, DLCDC, and Metro consistent with this policy. Pursuant to Policy D-5, the proposed ordinances are based on a review of the Comprehensive Plan and Zoning Maps to correct Zoning Map designation errors.

**Conclusion:** The proposal is consistent with policies D-1 and D-5.

**Policy E-2: *Maintain residential neighborhoods at existing zone and plan density designations except where...***

**Finding:** The proposed amendments do not increase allowable density. See below, for findings relating to decrease in density.

***(D) A proposed plan/map density change shall address the effect of the change on overall land supply and shall comply with the Metro Housing Rule (OAR 666-07-000);***

**Finding:** The purpose of the Metropolitan Housing Rule (MHR) is to ensure the opportunity for an adequate number of needed housing units and the efficient use of land within the Metropolitan Portland (Metro) urban growth boundary. The MHR requires that Lake Oswego provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing and for an overall density of ten or more dwelling units per net buildable acre [OAR 666-07-035(3)]. By zoning land to accommodate the required mix and density of housing, the City allows a range of needed housing types while providing certainty in the development process.

The Complete Neighborhoods and Housing section of the City's Comprehensive plan discusses Metro's twenty year population and employment forecast for the Portland Metro area in 2012 and is based on expected land supply and demand. The forecast was then distributed among the local jurisdictions in the region. The 2035 forecast outlined in the Comprehensive Plan is within the range that the city used in the Housing Needs analysis for the Comprehensive plan update, which directs the location of future population and job growth within the Urban Services Boundary

The current request is for a zone change from R-7.5 to R-10 for five residential properties (and two sections of ROW) in the Rosewood neighborhood and a change from R-7.5 to PNA for one property that is occupied by the Lake Oswego Corp. Power Generating Station along Oswego Creek in George Rogers Park.

Multiple family housing is not an allowed use in the existing R-7.5 zone or the proposed R-10 zone. The primary purpose of the R-10 zone is to provide lands for single-family detached residential development with densities ranging from two to five dwelling units per gross acre.

Changing the zone from R-7.5 to R-10 on 6150 Kenny Street, which is currently occupied by a single family dwelling, would result in the potential loss of one residential unit. The property on 6135 McEwan Street, a 55,650 square foot lot, could potentially be divided into six lots under R-7.5 and five lots could be created under the R-10 zoning designation, also resulting in the potential loss of one development lot.

The rezone of properties in the Rosewood Area would result in a net loss of two units and one potential unit would be eliminated with the rezone of the power station property in George Rogers Park. Rezoning the Rosewood properties to R-10 and the Lake Oswego Corp. (Lake Corp.) property to PNA, results in a total net loss of 3 potential single family units, which is negligible, as it is less than 0.3% of the surplus of 863 low density dwelling units identified in Exhibit F-1, the City's 2013 Comprehensive Plan, Housing Needs Analysis, Table 20). More importantly, the proposed zone change corrects map errors and achieves consistency with the Comprehensive Plan designations of R-10 and PNA. The proposed R-10 zoning for the Rosewood properties is also consistent with the original Comprehensive Plan for this area that had envisioned development at R-10 densities. This criterion is met.

***(E) The applicant shall demonstrate a public need for the proposed plan/map density change and that the proposed change will best meet the need when compared to alternatives.***

**Finding:** There is a public need to maintain an up-to-date and accurate Zoning Map, and proposed amendments correct known errors on the Zoning Map. This criterion is met.

***(F) The applicant shall demonstrate that the proposed density is appropriate for the location given public facilities, natural resources and hazards, road or transit access and proximity to commercial areas and employment concentrations; and,***

**Finding:** The proposed zoning designations of R-10 and PNA are appropriate because they are already designated as such on the City's recently updated Comprehensive Plan. This criterion is met.

***(G) The applicant shall demonstrate that development allowed by the proposed zone/map residential density change will be compatible with the surrounding neighborhood, or can be made compatible pursuant to development review of an individual application pursuant to the criteria contained in the Community Development Code.***

**Finding:** The proposed Zoning Map change from a Low Density Residential R-7.5 zone, to the R-10 zone, in the Rosewood Neighborhood, results in a residential density (10,000 sq. ft. minimum lot size) that is more compatible with the existing development pattern of the neighborhood than current R-7.5 zoning. Similarly, the proposed PNA zoning for the State Street property is more compatible with the surrounding land use and zoning of George Rogers Park than the current R-7.5 zoning. This standard is met.

**Community Culture – Civic Engagement (Goal 1)**

Policies 1, 2, 4 and 5.

**Policy 1: Provide opportunities for citizen participation in preparing and revising local land use plans and ordinances.**

**Policy 2: Provide citizen involvement opportunities that are appropriate to the scale of a given planning effort. Large area plans, affecting a large portion of community residents and groups require citizen involvement opportunities of a broader scope than that required for more limited land use decisions.**

**Policy 4: Encourage citizens to participate through their neighborhood without excluding participation as individuals or through other groups.**

**Policy 5: Seek citizen input through service organizations, interest groups and individuals, as well as through neighborhood organizations.**

**Findings:** The CDC, which implements the Comprehensive Plan, contains requirements for a citizen involvement program that clearly defines the procedures by which the general public will be notified in the on-going land use planning process and enables citizens to comprehend the issues and become involved in decision making. All required notifications for input as specified in the Code were provided during this process, including noticing to all recognized neighborhood associations and business organizations and public hearings will be held before the Planning Commission and City Council. Therefore, the process followed for these amendments is in compliance with Statewide Planning Goal 1. Through this outreach the City hosted a meeting with and received input from members of the Rosewood Neighborhood Association. Therefore, the process followed for these amendments is in compliance with the above cited Comprehensive Plan policies. This criterion is met.

**Goal 5 Open Spaces Historic and Natural Areas**

Section 1 Policies 1, and 5

This Goal does not include regulatory policies for a rezone, but rather is a direction to the City as to the appropriate standards that should exist for review of development proposals. Nevertheless, it provides guidance and context in considering potential development on sites upon rezone. None of the subject properties in the Rosewood Neighborhood contain any designated Open Space, Historic Landmark, or Natural Area. The State Street property is designated PNA by the Comprehensive Plan, and it contains natural resources; therefore, the PNA designation is appropriate. This criterion is met.

**Complete Neighborhoods and Housing (Goal 10, Housing)**

Goals 1-5 Policies A-1c Policy A-2

**Housing Goals**

1. *Provide the opportunity for a variety of housing types in locations and environments to meet the needs and [preferences of current and future households*
2. *Provide Opportunities for housing at price and rent levels commensurate with the needs of current and anticipated residents.*
3. *Preserve and enhance the character of existing neighborhoods*
4. *Provide opportunity for needed housing while using land and public facilities as efficiently as possible and facilitating greater walking, biking and transit use.*
5. *Foster distinct and vibrant neighborhood mixed use villages to serve the daily needs of nearby residents.*

**Housing Policies**

**Policy A-1c: When reviewing requests for residential zone changes, in addition to applying the criteria outlined in the Land Use Planning Policies the following locational criteria apply:**

**a. Low Density Residential**

<u>Density Classification</u>	<u>Minimum Square Feet of Area per Unit</u>
R-15	15,000 sq. ft.
R-10	10,000 sq. ft.
R-7.5	7,500 sq. ft.

**Low density is intended for areas:**

- i. *Where the predominate land use is low density housing;*
- ii. *Where transportation routes are primarily collectors and local streets;*
- iii. *Where public services are adequate but development constraints may exist; and*
- iv. *Where less intense residential development can better adapt to the development opportunities and constraints posed by natural resources and hazards.*

**Finding:**

This criterion is met, as the proposals ensure consistency between residential zoned densities and the Comprehensive Plan for properties proposed to be redesignated from R-7.5 to R-10.

- 1. Policy A-2: Develop and maintain regulations and standards that ensure residential densities are appropriately related to site conditions including slopes, potential hazards natural features and the capacity of public services.**

**Finding:** As discussed under Policy A-1, both the R-7.5 and R-10 zoning designations are Low Density Residential Comprehensive Plan designations. The predominant land use in the Rosewood Neighborhood is low density residential served by collectors and local streets. The City’s public facilities master plans (sewer, water, transportation, parks, and storm drainage) provide for development at Comprehensive Plan densities.

The Lake Corp. power station is located adjacent to Oswego Creek and has a Comprehensive Plan Map designation of Park and Natural Area (PNA) and a Zoning Map designation of R-7.5 with a Resource Protection (RP) Overlay. It is located at the base of a steep south facing hillside adjacent to Oswego Creek. It has no access to a public street, no sanitary sewer service and is likely not suitable for residential development. The existing power station use is classified a Utility, which is an allowed use in the PNA Zone; thus PNA is a suitable zoning designation and is also consistent with the PNA Comprehensive Plan designation. This criterion is met.

**Connected Community (Goal 12, Transportation)**

Efficiency C-6

**Goal C - Efficiency**

- 1. Policy C-6: Require applicants for zone change requests and conditional use permits to determine the resulting extent of impacts to the transportation system and provide mitigation deemed appropriate by the City to maintain transportation efficiency.**

**Finding:** The proposed zoning map amendments result in a slight reduction in potential development density on the subject lots. Therefore, any impact on the transportation system would be positive or neutral. This criterion is met.

**Old Town Neighborhood Plan**

**Goals**

- Goal 3. Assure protection and compatibility of all land uses including commercial, residential, park, open space and historic sites.

The Lake Corp. power station is located adjacent to Oswego Creek and has a Comprehensive Plan Map designation of Park and Natural Area (PNA) and a Zoning Map designation of R-7.5 with a Resource Protection (RP) Overlay. The proposed change in zoning to PNA helps protect the existing open space on the subject lot. This criterion is met.

## **METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN**

The Metro Urban Growth Management Functional Plan was approved November 21, 1996 by the Metro Council, and became effective February 19, 1997. The purpose of the plan is to implement the Regional Urban Growth Goals and Objectives (RUGGO), including the 2040 Growth Concept. The following findings address compliance with relevant Titles of the Functional Plan.

### ***Title 1 – Housing Capacity***

***E. A city or county may reduce the minimum zoned capacity of a single lot or parcel so long as the reduction has a negligible effect on the city's or county's overall minimum zoned residential capacity. Metro Code, 3.07.120.E.***

**Finding:** The rezoning of properties in the Rosewood Neighborhood would result in a net loss of two units and one potential unit would be eliminated with the rezoning of the power station property in George Rogers Park. Rezoning the Rosewood properties to R-10 and the Lake Corp. property to PNA, results in a total net loss of 3 potential single family units, which is negligible, as it is less than 0.3% of the surplus of 863 low density dwelling units identified in Exhibit F-1, the City's 2013 Comprehensive Plan, Housing Needs Analysis, Table 20). This criterion is met.

## **REGIONAL TRANSPORTATION FUNCTIONAL PLAN [Metro Code 3.08]**

### ***Title 5 – Amendment of Comprehensive Plans***

*When a city or county proposes to amend its comprehensive plan or its components, it shall consider the strategies in subsection 3.08.220A as part of the analysis required by OAR 660-012-0060. Metro Code 3.08.510*

**Finding.** Title 5 requires that a jurisdiction consider the Regional Transportation Functional Plan strategies along with the Transportation Planning Rule OAR 660-012-0060 when amending its comprehensive plan. The proposed rezoning would result in a reduction in potential density that would reduce any potential transportation impacts. This criterion is met.

### **F. TRANSPORTATION PLANNING RULE-OAR 660, Division 12**

***The Transportation Planning Rule implements Statewide Planning Goal 12 (Transportation) to provide and encourage a safe, convenient and economic transportation system. An amendment to the plan designation cannot impact the functional classification of the street system or the ability of the transportation facility to operate within a minimum performance standard.***

**Finding:** Compliance with The Transportation Planning Rule requires that if a zone change would significantly affect an existing or planned transportation facility, then measures such as Transportation System Management must be put into place as a condition of development. The proposed rezoning would result in a reduction in potential density which would reduce potential transportation impacts with regards to capacity. This criterion is met.

## Other Considerations

The proposed zoning amendments do not result in any existing land use or development becoming non-conforming. The subject properties are currently occupied by single family dwellings in the Rosewood Neighborhood, and a utility in the case of the Lake Corp property 661 State Street, both permitted uses in the proposed R-10 and PNA zones.

## **VII. RECOMMENDATION**

Based on the information presented in this report, staff recommends approval of seven case files addressed in this consolidated staff report.

### **EXHIBITS**

This staff report and all exhibits referenced below are part of the record and can be found by visiting the land use webpage for the case file. A link is provided at the end of this report.

#### A. Draft Ordinances

- A-1 Draft Ordinances 2740, 2741, 2742, 2743, 2744 2745 and 2746 (dated 05/10/17)  
Attachment 1: City Council Findings and Conclusions [Not yet available]  
Attachment 2: Proposed Zoning Map Amendments (dated 05/10/17)

#### B. Findings, Conclusions and Order [No current exhibits; reserved for hearing use]

#### C. Minutes [No current exhibits; reserved for hearing use]

#### D. Staff Reports [No current exhibits; reserved for hearing use]

#### E. Graphics/Plans

- E-1 Comprehensive Plan Map, 03/21/17
- E-2 Zoning Map, 03/21/17

#### F. Written Materials

- F-1 2013 Comprehensive Plan, Housing Needs Analysis, Table 20 (June 26, 2012; updated March 19, 2013)

#### G. Letters [No current exhibits; reserved for hearing use]

Staff reports, exhibits and notices can be found by visiting the land use case webpages for LU 17-0009 through LU 17-0015.

Use the link below to visit the City's "Project" page. In the "Search" box enter the land use case number then press "Submit":

<http://www.ci.oswego.or.us/projects>

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