

MEMORANDUM

TO: Mayor and City Council

FROM: Eric Mongan, City Planner

SUBJECT: FIRST VOTE FOR ORDINANCE AMENDING THE COTTAGE GROVE COMPREHENSIVE PLAN LAND USE DIAGRAM MAP & TITLE 14 LAND USE DISTRICT MAP FOR 208 SOUTH 6TH STREET (Map 20-03-28-34 TL 07400) (MCPA 4-23)

DATE: April 3, 2024

Background

Council has held a public hearing on the proposed amendment of the Comprehensive Plan land use diagram map and the Title 14, Cottage Grove Development Code land use district map to re-designate 0.15 acres of land owned Erik Swanson and Amy Kennedy at 208 South 6th Street, from the current B – Central Business designation and C2P – Community Commercial zoning to C – Community Commercial designation and RC – Residential Commercial zoning.


The Planning Commission held a public hearing on the attached Ordinance on February 21, 2024 and recommended approval to Council. It is now appropriate that Council consider the Ordinance.

Recommendation

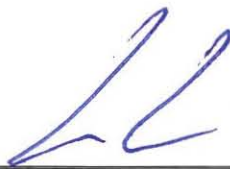
After Council deliberation it is recommended that City Council hold the first vote on the attached Ordinance. The Ordinance was prepared and has been available for at least one week prior to this meeting. This Ordinance could be adopted at one meeting.

Cost

None



Mike Sauerwein, City Manager



Eric Mongan, City Planner

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE COTTAGE GROVE
COMPREHENSIVE PLAN LAND USE DIAGRAM
MAP & TITLE 14 LAND USE DISTRICT MAP
FOR THE CITY OF COTTAGE GROVE
208 SOUTH 6TH STREET
Map/TL: 20-03-28-34-07400

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

WHEREAS, the City of Cottage Grove has developed and adopted the City Comprehensive Plan including the Land Use Diagram Map in accordance with Statewide Planning Goals and acknowledged by the Oregon State Land Conservation and Development Commission; and

WHEREAS, the City of Cottage Grove adopted Title 14 Cottage Grove Development Code including the Land Use District Map which implements the City Comprehensive Land Use Plan and has been acknowledged by the Oregon State Department of Land Conservation and Development; and

WHEREAS, The Erik Swanson and Amy Kennedy own 0.15 acres identified as Map/TL: 20-03-28-34-07400, and addressed as 208 S 6th Street, which is developed with a single family home built in 1924, shown in the map in Exhibit "A" attached hereto and forming a part of this ordinance; and

WHEREAS, the owner has applied to amend the Comprehensive Plan Land Use Plan and Title 14 Cottage Grove Development Code Land Use District Map for the subject property to preserve residential development; and

WHEREAS, on February 21st, 2024, the Cottage Grove Planning Commission conducted a properly noticed public hearing, provided the public an opportunity to comment on the proposed plan change and rezone, and adopted findings and recommended Council approval of the proposal; and

WHEREAS, on April 8th, 2024, the Cottage Grove City Council conducted a properly noticed public hearing concerning the proposed plan change and rezone and provided the public with an opportunity to be heard; and

WHEREAS, the Council has reviewed the record and Planning Commission recommendation of approval, and has determined to approve the Plan change and rezone.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend the adopted Comprehensive Plan Land Use Diagram Map and the Title 14, Cottage Grove Development Code Land Use District Map for the subject properties shown in Exhibit "A" attached hereto and forming a part of this ordinance.

Section 2. Findings. The City Council has determined that: (1) the Comprehensive Plan Land Use Diagram Map and Cottage Grove Development Code Land Use District Map amendments properly implement the Statewide Goals; (2) the amended Plan and Code maps adequately address the land needs of the community; and (3) the amendments are in the public's interest and will serve the health, safety, and welfare of the citizens of the City of Cottage Grove. Further, the City Council hereby adopts findings in support of this re-designation and rezone, as set forth in the above recitals and as detailed in Exhibit "B" attached hereto and incorporated as a part of this ordinance.

Section 3. Amendments.

- a. The Cottage Grove Comprehensive Plan Land Use Diagram Map is hereby amended to re-designate the subject property described in Exhibit A from B – Central Business District to C – Community Commercial; and
- b. Title 14 of the Cottage Grove Development Code Land Use District Map is hereby amended to rezone the subject properties described in Exhibit A as 208 S 6th Street from C2P – Community Commercial to RC – Residential Commercial.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 8th DAY OF APRIL, 2024.

Candace Solesbee, Mayor
Dated: _____

ATTEST:

Mindy Roberts, City Recorder
Dated: _____

EXHIBIT B
ORDINANCE NO. _____

1. The Erik Swanson and Amy Kennedy own 0.15 acres identified as Map/TL: 20-03-28-34-07400, and addressed as 208 S 6th Street, which is developed with a single family home built in 1924. The parcel is designated currently as B – Central Business, and zoned as C2P – Community Commercial.
2. The Jane Dixon has made this application to change the designation and zoning on this parcel to align with adjacent designation and zoning with the existing use and to satisfy needed land for the Housing Needs Analysis. The Residential Commercial designation will allow for residential uses that are appropriate at this location.
3. The City of Cottage Grove Comprehensive Plan, under “The Plan in General,” states that it contains broad generalized patterns of land use for those areas in which a given land use is best suited, where a land use is compatible to surrounding land uses and where the need for a given land use exists.
4. The City Comprehensive Plan also states that the Plan is not complete. It is subject to revision to meet the many possible economic, political and technological events that might occur in the future. The Plan must also remain flexible and responsive to the citizens in reflecting their desire and needs to remain current and reflect the changing form of the community.
5. The applicant proposes these Comprehensive Plan and Zoning Map changes to the City’s maps to allow for the continued use of residential development on this parcel. The proposed designation and zoning align with the adjacent designations and zoning in the abutting area.
6. Adequate public facilities, including water, sewer, storm water, and streets are provided to the site. The property at 208 S 6th Street is accessed via South 6th Street a fully developed public right-of-way in the jurisdiction of the City of Cottage Grove. There are not foreseeable impacts to traffic conditions or transportation facilities with the proposed re-designation and zone change.

The following Statewide Planning Goals are not applicable to the proposed re-designation/rezoning: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 6 – Air and Water Resources; Goal 7 – Areas Subject to Natural Disasters and Hazards; Goal 15 – Willamette River Greenway; Goal 16 - Estuarine Resources Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.

7. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The acknowledged Cottage Grove Comprehensive Plan (Plan) and Title 14 Cottage Grove Development Code complies with Goal 1. The Type IV Permit Application process required by Title 14 has been used for the Plan Amendment / Zone Change proposal and is in compliance with Goal 1. Proper public notice of the proposed change has been provided through the Type IV public notice process as specified in Section 14.41.500A of the Development Code. The Department of Land Conservation and Development was notified of the intended amendments on December 12, 2023. Public hearings will be held at the

Planning Commission and City Council levels to consider this re-designation / rezoning. Our process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and a recognized neighborhood group.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The land use planning process used by Cottage Grove to review this application is consistent with Goal 2. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed changes followed the process established in Title 14 of the City of Cottage Grove Municipal Code and have been found compatible with the City's Comprehensive Plan.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

This goal does not apply to the application as land within acknowledged Urban Growth Boundaries is not considered agricultural. The subject parcel is within the acknowledged Urban Growth Boundary of Cottage Grove, and is within the city limits.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

This goal does not apply to the application. Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. The subject parcel has never been acknowledged as forest lands.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

No known wetlands or historic areas are located on the subject property. The property is outside of the riparian corridor, and is not designated as floodplain. This designation/zone change is in compliance with Goal 5.

Conversion of this property to residential commercial from community commercial will continue the mix of residential and commercial development that exists in this area two blocks south of the historic downtown district. This designation/zone change is hence an improvement over the existing zoning and is in compliance with Goal 5.

This proposed plan amendment/zone change is in alignment with existing development and adjacent zoning and is in compliance with Goal 5.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

There are no anticipated capacity problems with the existing and planned facilities in the area to accommodate existing or potential residential uses. Any new development will be required to comply with Development Code requirements for stormwater management and Comprehensive Plan requirements related to air and water resource quality. Therefore, Goal 6 does not apply at this time.

Goal 7: Areas Subject to Natural Disasters and Hazards
To protect people and property from natural hazards.

The subject parcel is not known to be subject to any natural disasters or hazards that are not city-wide in nature (such as earthquakes). Compliance with Building Code and Development Code regulations when developing residential buildings/uses will be a requirement for all future work to ensure that damage from natural hazards is mitigated to the greatest extent possible. The proposed change is in compliance with Goal 7.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The Row River Trail, a multi-modal rails-to-trails path, runs east from Trailhead Park located approximately 1000' to the northeast of the subject parcel. This trail is within city-owned right-of-way, and is zoned PR Parks and Recreation. The proposed designation/zone change enhances the city's ability to protect this important recreational resource and is in compliance with Goal 8.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The subject properties have been designated for commercial use since at least 1993 (Periodic Review). The house was built on the property in 1924. The re-designation of this site to residential commercial will allow the retention of this single family home. It would be an allowed use under the RC District, whereas it is a non-conforming use under C2P. The proposed change is in compliance with Goal 9.

Goal 10: Housing

To provide for the housing needs of citizens of the state.

Goal 10 is applicable. The comprehensive plan change/zone change will place 0.15 acres into the City's housing lands inventory, meeting an identified need for more residential dwelling units in the 2018 Buildable Lands Analysis and for higher density residential land (high density and commercial plan designations). (See charts from 2018 Housing Needs Analysis below.) The property is ideally located for pedestrian and bicycle connectivity to the rest of the City. The proposed change is in compliance with Goal 10. (See charts from 2018 Housing Needs Analysis below.)

Exhibit 1. Forecast of demand for new dwelling units, Cottage Grove UGB, 2018 to 2038
 Source: Calculations by ECONorthwest.

Needed new dwelling units (2018-2038)	1,379
Dwelling units by structure type	
<i>Single-family detached</i>	
Percent single-family detached DU	65%
equals Total new single-family detached DU	896
<i>Single-family attached</i>	
Percent single-family attached DU	10%
equals Total new single-family attached DU	138
<i>Multifamily</i>	
Percent multifamily	25%
Total new multifamily	345
Total new dwelling units (2018-2038)	1,379

Exhibit 2. Comparison of capacity of existing residential land with demand for new dwelling units and land surplus or deficit, Cottage Grove UGB, 2018-2038

Source: Buildable Lands Inventory; Calculations by ECONorthwest. Note: DU is dwelling unit.

Plan Designation	Capacity (Dwelling Units)	Demand for New Housing	Comparison (Supply minus Demand)
Low Density Residential	976	564	412
Medium Density Residential	521	483	38
High Density Residential	224	221	3
Commercial Plan Designations	112	110	2

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The properties can be adequately served with public facilities. Sidewalks are already existing on S 6th Street and Adams Avenue. The properties are adequately served by police service, public transit, and a thorough transportation network. The proposed change is in compliance with Goal 11.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

The subject parcel is accessed via S 6th street and Adams Avenue two fully constructed right-of-ways. The proposed re-designation reduces potential traffic upon the 0.15 acres by changing the properties to Residential Commercial, which does not allow many of the traffic-intensive uses allowed under C2P Community Commercial. Hence, the proposed change is in compliance with Goal 12.

Goal 13: Energy Conservation

To conserve energy.

The Plan amendment / Map change will promote more energy efficient development by retaining existing development and public services. The change will conserve energy by reducing needs for green-field development. The proposed change is in compliance with Goal 13.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The subject parcel has been annexed to the City of Cottage Grove and is inside the City's acknowledged Urban Growth Boundary. This application is in compliance with Goal 14. This criterion has been met.

DRAFT