

MEMORANDUM

TO: Mayor and City Council

FROM: Eric Mongan, City Planner

SUBJECT: ORDINANCE AMENDING THE CITY OF COTTAGE GROVE
MUNICIPAL CODE TITLE 14 LAND USE, CITYWIDE ZONING
MAP FOR 151 SWEET LANE (MAP/TL: 20-03-32-41-00900)

DATE: June 8, 2022

Background

At the City Council meeting held on April 25, 2022 Council adopted Ordinance No. 3157 annexing 1.00 acres into the City of Cottage Grove. As a requirement of annexation per Section 18.04.090 of the Cottage Grove Municipal Code the property owner is required to apply for a zone change of the subject property to re-designate the zoning from county to city zoning.

Per Subsection 14.47.400 1 “the Planning Commission shall review and decide upon land use district map changes that do not involve comprehensive plan map amendments through a Type III application procedure”.

The Planning Commission held a Public Hearing for ZC 1-22 on May 18, 2022 voting 6-0 in favor of applying the Comprehensive Plan designation of R1 – Single-family Residential to the subject property.

As the Planning Commission does not have the ability to adopt an Ordinance, Council is now being asked to ratify the Planning Commission’s decision to approve ZC 1-22 by adopting the prepared Ordinance.



This ordinance has been available for more than one week prior to this meeting and staff is recommending adoption.

Recommendation

It is recommended that City Council hold a 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


Richard Meyers, City Manager
Eric Mongan, City Planner

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF COTTAGE GROVE MUNICIPAL
CODE TITLE 14 LAND USE, THE CITY WIDE ZONING MAP FOR
MAP/TL: 20-03-32-41-00900
151 SWEET LANE

WHEREAS, the purpose of this ordinance is to implement the Planning Commission's decision dated May 18, 2022;

WHEREAS, the Planning Commission decision approved an amendment to the adopted citywide Land Use District Map to rezone Map 20-03-32-41-00900, 151 Sweet Lane, Cottage Grove, OR 97424, recently annexed through A 1-22, as shown on the map attached as Exhibit A from Lane Code Chapter 10 RA to R-1 Single-family Residential;

WHEREAS, as provided in the City's Development Code at Section 14.47.400.1., the Council has delegated authority to review and decide zone change applications to the Planning Commission; and

WHEREAS, the City Council recognizes the Planning Commission's decision outlined above as the City's final decision; and

WHEREAS, the purpose of this ordinance is to implement the Planning Commission's final zone change decision and allow Lane County and LCOG to make all necessary map changes at the county and regional level.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Implementation. The Planning Commission's decision (Exhibit B), including all findings of fact in support of the decision and contained therein, is hereby implemented and the zone changes identified on Exhibit A will be reflected on all relevant maps.

Section 2. Effective Date. This ordinance will take effect 30 days after enactment.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS _____ DAY
OF _____, 2022.

ATTEST:

Jeffrey D. Gowing, Mayor

Dated: _____

Richard Meyers, City Manager

Dated: _____

EXHIBIT A:

Map 20-03-32-41-00900
151 Sweet Lane
Zone Change to R-1 Single-family Residential

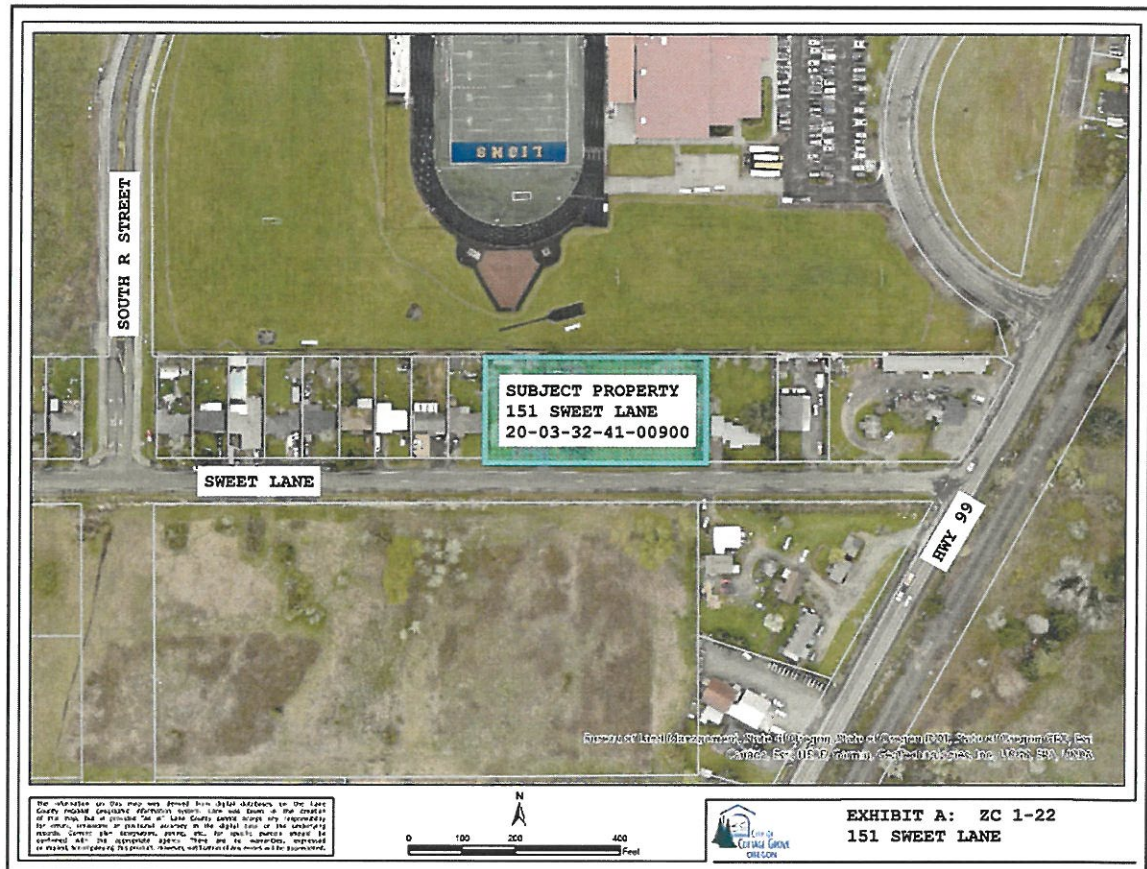


EXHIBIT B: FINDINGS
ORDINANCE NO. _____

1. Brad Taylor, Bob Dixon, Cameron Dixon, and Todd Levings have made an application to rezone one parcel of land as a requirement of the concurrent Annexation process. The proposed zoning for the subject properties is R-1 Single-family Residential per Comprehensive Plan designation of L – Low Density Residential.
2. The lands are within the Urban Growth Boundary of Cottage Grove, and were annexed on April 25, 2022 (A 1-22). Map 20-03-32-41 TL 900 is designated as L – Low Density Residential on the Cottage Grove Comprehensive Plan map. The Comprehensive Plan Land Use Diagram identifies R-1 Single-family Residential as an implementing zone for this land use category.
3. The Planning Commission voted to apply the R-1 Single-family Residential zone to TL 900 at their May 18, 2022 public hearing (ZC 1-22).
4. 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. The R-1 Single-family Residential zone is compatible to surrounding land uses to the subject properties, which have been committed to residential use for decades. Surrounding properties within the Cottage Grove Urban Growth Boundary and/or City limits are designated R-1 Single-family Residential. The southern boundary of the subject property is Sweet Lane.
5. Adequate public facilities, including water, sewer, streets, etc. are available at the north and south boundaries of the subject parcel.
6. The following Statewide Planning Goals are not applicable to the proposed rezoning: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 5 – Open Spaces, Scenic & Historic Areas and Natural Resources; Goal 7 – Areas Subject to Natural Disasters and Hazards; Goal 8 – Recreation; Goal 9 – Economic Development; Goal 15 – Willamette River Greenway; 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:
 - a) Goal 1 – Citizen Involvement: This request is consistent with Goal 1. Adequate public notice of the proposed changes has been provided through the Type III public notice process as specified in Section 14.41.400 of the Development Code. Public hearings have been held at the Planning Commission level to consider this land use change. 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 recognized neighborhood groups.
 - b) Goal 2 – Land Use Planning: 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 change followed the process established in Title 14 of the City of Cottage Grove Municipal Code and has been found compatible with the City’s Comprehensive Plan.
 - c) Goal 6 – Air, Water & Land Resources Quality: Development of these properties will comply with city, state and federal standards to protect air and water quality. No identified natural resources are being degraded by this rezoning. Any development on these parcels will be required to identify and protect resources.
 - d) Goal 10 – Housing: At this time there is a single residence on the subject property. At 1.00 acres minimum density in the R-1 Zone is four units per acre with no maximum

density as long as relevant development criteria are met such as setbacks, lot coverage, parking, etc. In the R-1 Zone the minimum lot size is 4,500 sf with a minimum width of 45' and minimum depth of 70'. Given the subject properties dimensions of 300' x 144' the subject property can be subdivided further to meet the minimum density requirements of the R-1 Zone. Any addition of a residential use is subject to the criterion of Title 14 of the Cottage Grove Municipal Code.

- e) Goal 11 – Transportation: The subject property has frontage on Sweet Lane with adequate frontage for the proposed R-1 zoning. Per the 2016 Transportation Systems Plan Sweet Lane is categorized as a Collector. At this time the road cross-section is not completely constructed as there are no sidewalks, curbs or gutters.
 - f) Goal 13 – Energy Conservation: The parcels can be served by City streets and services. Preservation of existing development patterns maximizes energy conservation.
 - g) Goal 14 – Urbanization: The lots are already in Cottage Grove's urban growth boundary and the city limits of Cottage Grove (through Annexation A 1-22).
8. Approval of the request is consistent with the adopted Comprehensive Plan designation, including the Transportation System Plan, for the area. The lands are within the Urban Growth Boundary of Cottage Grove, and was annexed on April 25, 2021 by City Council. The subject properties were originally zoned RA Lane County Chapter 10, with a Cottage Grove Comprehensive Plan designation of L – Low Density Residential. The R-1 Single-family Residential zone is a proper implementing zone for the Comprehensive Plan designation of L – Low Density Residential. With the recent annexation of this property, it is appropriate to apply the R-1 Single-family Residential zone to this property.
 9. 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. The R-1 Single-family Residential zone is compatible to surrounding land uses to the subject properties, which have been committed to residential use for decades. Surrounding properties within the Cottage Grove Urban Growth Boundary and/or City limits are designated R-1 Single-family Residential. The southern boundary of the subject property is Sweet Lane.
 10. The subject property is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period. Existing public facilities, services and transportation networks already support the adjacent uses.
 11. The change is in the public interest with regard to neighborhood or community conditions. The proposed change will allow for the seamless implementation of the Cottage Grove Comprehensive Plan. Hence, this change is consistent with this criteria.
 12. The change is consistent with the function, capacity and performance standards for the streets used for access, consistent with the 2016 Cottage Grove TSP, the Oregon Highway Plan, and the Transportation Planning Rule (OAR 660-12).
 13. The amendment conforms to the Transportation Planning Rule provisions under Section 14.47.800. The R-1 Single-family Residential zone is the proper implementing zone for the subject Comprehensive Plan designation, which conforms to the provisions of the Transportation Planning Rule.