

## MEMORANDUM

TO: Mayor and City Council

FROM: Howard P. Schesser, Community Development Director

SUBJECT: PUBLIC HEARING TO REDESIGNATE 7.95 ACRES TO LOW DENSITY RESIDENTIAL AND REZONE TO R-1 SINGLE FAMILY RESIDENTIAL (MCPA-1-16). MARY HARTING & CITY OF COTTAGE GROVE

DATE: June 20, 2016

### Background

The purpose of this public hearing is to redesignate 7.95 acres in the Comprehensive Land Map from H High Density Residential to L Low Density Residential and rezone the same land from R-3 High Density Multiple Family Residential to R-1 Single Family Residential. These 7.95 acres comprise the manufactured home development known as Kathleen Views Subdivision, located on the west side of S. 6<sup>th</sup> Street around Patrick Court, Patrick Loop and Kathleen Drive, and one historic single family home on S. 6<sup>th</sup> Street.

The Planning Commission held a public hearing on June 15, 2016. No one spoke for or against the application. The Planning Commission recommended that City Council approve the land use map and zone change and amended the Goal 10 Housing finding. The public hearing minutes, staff report and ordinance are attached for your information.

At the public hearing, a letter was received from the Fair Housing Council of Oregon stating that the staff report did not adequately analyze the proposal's impact on the City's Goal 10 obligations. During the public hearing staff presented information on the 2005 buildable land analysis report (BLA) together with information related to what has occurred since that report related to housing. Included with this memorandum is a copy of the 2005 BLA report.

The 2005 BLA report stated that Cottage Grove had 14.76 acres of surplus high density land, 87.03 acres of surplus general residential land, and 64.89 acres of surplus medium density residential lands. The Kathleen Views Subdivision was not included as part of the vacant lands inventory as it was fully built out as general density residential in 1996 - 1998. One lot in the Kathleen Views Subdivision was included in the BLA as redevelopable for high density residential use (0.28 acres) as it was/is currently vacant. Since the report was completed in 2005, no high density designated vacant land has been developed in Cottage Grove. Council has in fact added 3.1 acres of vacant land to the high density designation with the recent redesignation and zone change of the Hayden property on Highway 99 from C-2P Community Commercial to R-3 High Density Multiple Family Residential.

Of the land in question for this application only 0.28 acres technically would be lost from our vacant lands inventory with this proposed map/zone change. The 2005 BLA report

stated that there was 14.76 acres of surplus high density land which did not include the subject land of this application except for the 0.28 acre above. If this change is approved there would still be a surplus of 14.18 acres of high density residential land in the inventory. If you add the recently redesignated and rezoned Hayden vacant land of 3.1 acres to the high density inventory, we presently have 17.28 acres of surplus high density land. This adequately meets the needs identified in the 2005 BLA.

Since the 2005 BLA growth in all the residential districts has been slow. There have been 140 homes constructed and 15 demolished in the R-1 and R-2 Districts for a gain of 125 homes. Of the 140 new homes 73 new homes were for the Hayden Homes development located in a medium density district. The 2005 BLA anticipated a coordinated population forecast of 12,500 by 2025 with a 1.37% growth rate. The adopted 2015 coordinated population forecast by PSU now has a 2025 projected population of 11,698, which is a 1.3% growth rate.

As our population growth rate has slowed since the adoption of the 2005 BLA and as the amount of vacant high density residential lands in our urban growth boundary has increased since 2005, the findings of the 2005 BLA are still applicable. Cottage Grove has an adequate amount of vacant lands in all residential categories to meet future needs irrespective of the proposed zone change and is in compliance with Goal 10.

A further revision to the fining for Goal 10 is attached to this memo.

The ordinance has been prepared and available for at least one week prior to the public hearing.

Recommendation

That the public hearing be held.

Cost

None

  
Richard Meyers, City Manager

  
Howard P. Schesser, Community  
Development Director

## Goal 10: Housing

This amendment brings the designation/zoning of these properties in alignment with their existing development pattern and ensures that the City has adequate, correct data on our current land use map. This comprehensive plan change/zone change will not impact the City's existing Buildable Lands Inventory (BLA). These lands are not vacant and are not part of our current vacant lands inventory per the 2005 BLA, nor are they designated as potential infill development lands. One parcel is shown as potential redevelopment (TL 1020) in the 2005 BLA, as the house at 2060 Patrick Loop is on two parcels. This 0.28 acre parcel could not be developed as high density residential under the current conditional use permit; hence, this property is not available as potential infill for high density development but could be redeveloped with an additional single family dwelling or duplex to meet additional residential land needs.

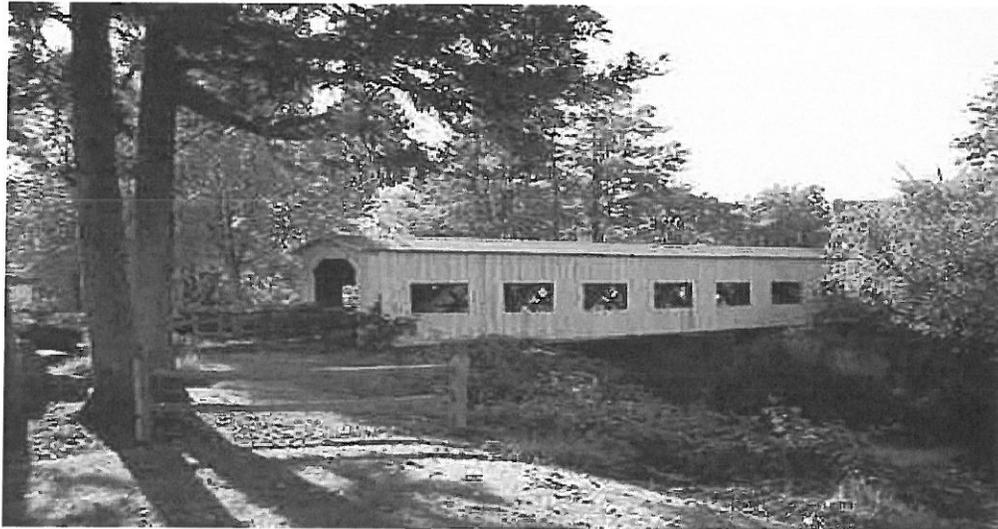
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Of the land in question for this application only 0.28 acres technically would be lost from our vacant lands inventory with this proposed map/zone change. The 2005 BLA report stated that there was 14.76 acres of surplus high density land which did not include the subject land of this application except for the 0.28 acre above. If this change is approved there would still be a surplus of 14.18 acres of high density residential land in the inventory. If you add the recently redesignated and rezoned Hayden vacant land of 3.1 acres to the high density inventory, we presently have 17.28 acres of surplus high density land. This adequately meets the needs identified in the 2005 BLA.

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vacant lands in all residential categories to meet future needs irrespective of the proposed zone change and is in compliance with Goal 10.



2005  
COTTAGE GROVE  
BUILDABLE LANDS ANALYSIS  
UPDATE

**Adopted  
June 13, 2005**

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## ACKNOWLEDGEMENTS

This document was prepared with a Technical Assistance Grant from the Department of Land Conservation and Development (DLCD) to conduct an analysis of residential, commercial and industrial land within Cottage Grove's Urban Growth Boundary.

The authors gratefully acknowledge the participation of the City of Cottage Grove and the following key participants:

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## 1. INTRODUCTION

The City of Cottage Grove is growing. Between 1990 and 2000 the city's population grew from 7,950 to 8,890, an annual increase of 1.4 percent. Between 2000 and 2004 the population grew from 8,890 to 9,450, an annual increase of 1.54 percent. Comparatively, the overall Lane County population, between 2000 and 2004, increased 0.79 percent per year.

Cottage Grove is expected to grow to a population of 12,500 by 2025 and will have a larger share of population growth in the county due to several reasons: Cottage Grove's small town charm, strong schools, medical facilities, lower housing prices, and proximity to the Eugene-Springfield area and Interstate 5. These provide a high quality of life and an attractive place to locate for families, individuals and businesses seeking a small community with amenities.

Cottage Grove is taking a proactive approach to planning the future of the community by assessing available land for growth during the next 20 years. Oregon Revised Statutes (ORS) 197.296 establishes standards to determine buildable lands, the required analysis, and guidelines to achieve efficiencies in land use. Applicable sections of this statute are listed in Appendix A of this report. This Buildable Lands Analysis (BLA) Update will provide the City with the most recent information regarding available lands for development, including infill, redevelopment and vacant lands. This analysis will determine constrained lands, such as wetlands, floodplain and steep slopes, which may limit density and development. This analysis will provide current and forecasted future population and employment trends and detail projected housing and employment land needs. Comparison of available lands to projected needs will determine needed land for the City.

The last inventory and analysis of available buildable lands was completed in 1992. Lane Council of Governments completed a study for the City in 2001, the *Cottage Grove Buildable Lands Analysis*. This study was not adopted by the City. Since then, the City has been growing faster than the state as a whole. In response, the state has directed the City to update the buildable lands analysis in order to enable the city to continue planning for future growth. The City of Cottage Grove obtained a Technical Assistance Grant from the Oregon Department of Land Conservation and Development to complete this analysis. Satre Associates is assisting the City in completing this study.

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## 2. EXECUTIVE SUMMARY

Based on the new Lane County Coordinated Population Projections, adopted by the Lane Council of Governments Board on February 24, 2005, the City now has an approved population projection for 2025 of 12,500. Cottage Grove will have approximately 3% of Lane County's population in 2025.

The City of Cottage Grove's land base is adequate for a 20-year need for residential and commercial growth, based on population and employment growth forecasts. There is a shortage of land for industrial development for the next 20 years. These forecasts will provide the City with a tool to develop economic goals, policies and implementation measures to assure that the community attracts the types of commercial and industrial businesses they desire, and provide a range of housing types in the most financially efficient manner.

In general, the City will need to look first at measures to increase efficiencies in land development within the existing Urban Growth Boundary (UGB) before considering expanding the UGB. Section 10 of this study provides an evaluation of measures to meet the land need for the future. The City will also need to comply with Oregon Statewide Planning Goals and regulations, including Goal 14, Urbanization and Oregon Revised Statutes, Chapter 197.296, when considering a UGB expansion. This element is outside the scope of this project.

**Table 1. Comparison of Land Need and Land Supply (from Table 29)**

<b>Plan Designation</b>	<b>Land Available (Acres)</b>	<b>Land Needed (Acres)</b>	<b>(Deficit) Surplus (Acres)</b>
General Residential	155.36	68.33	87.03
Medium Density Residential	65.33	0.44	64.89
High Density Residential	17.60	2.84	14.76
Commercial	58.26	42.67	15.59
Industrial	33.01	89.44	<b>(56.43)</b>
<b>TOTAL</b>	<b>329.56</b>	<b>203.72</b>	-----

*Source: City of Cottage Grove, LCOG, Satre Associates*

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### 3. INVENTORY METHODOLOGY AND ASSUMPTIONS

In order to present an accurate picture of buildable lands, an inventory must be completed. Buildable land inventories are important because this information provides a baseline in determining the projected need for additional land. In addition, areas within the urban growth boundary can be identified for infill and redevelopment to provide a more efficient use of land within the urban area. Constraints, such as floodplain, wetlands, and steep slopes, are identified because these may limit density and place development restrictions on existing buildable land.

City of Cottage Grove staff updated the inventory of vacant, infill and redevelopable lands within the urban growth boundary. Staff used a variety of methods to compile the information. The data collection methodology is described below.

#### 3.1 Data Collection Methodology

- **Real Development (Building Permits)**  
Data on real development was compiled by reviewing building permit records from July 1, 1993 through June 30, 2004. Only new developments were recorded. The categories of development are: single-family dwellings (SFD), duplex, multi-family, manufactured home, mobile home, commercial and industrial.
- **Vacant Land**  
City staff inventoried vacant land by completing a field survey using Lane County Tax Assessor's maps. All residentially zoned parcels smaller than 6,000 square feet were removed from the inventory unless they were part of an approved subdivision, planned unit development or were a remnant parcel less than 6,000 square feet that are considered legal lots. The R-1 zone allows for creation of panhandle lots of 4,500 square feet, provided that the first parcel is a minimum of 6,000 square feet. Future development of these types of parcels is considered under infill development, described below.
- **Infill Land**  
City staff inventoried potential infill development properties by searching the Lane County Regional Land Information Database (RLID) for properties that had enough acreage to allow additional development on the property. They were checked against 1997 aerial photos to determine if the location of existing buildings on the property would allow for additional development.
- **Redevelopment Land**  
Properties inventoried for redevelopment potential was determined by the value of the existing structure being less than 1/3 of the total property value. City staff used RLID to determine redevelopment potential for property in Cottage Grove's UGB. The 1/3 ratio is suggested by the *Planning for Residential Growth, A Workbook for Oregon's Urban Areas* handbook, a publication by the Oregon Department of Land Conservation and Development.

- **Constrained Land**  
Constraints are physical characteristics of property that would limit development. These include floodplain, greenway, wetlands and elevation. Due to their regulatory status, floodplain, greenway and wetlands are considered fully constrained. For Cottage Grove, elevation is considered partially (50%) constrained. This is due to the 740-foot elevation of the city's water reservoir. Property above 740 feet in elevation is not prohibited from development but may have considerable development challenges (costs) because providing water service above 740 feet would require significant financial investment (private water systems, pressure lines, pumps, etc.). In addition, property located at this elevation in some instances may have considerable slope issues that would also affect the density of residential development.

To identify constrained land, the City provided inventory data and maps which allowed for tax lot-specific mapping of constraints (in some instances portions of tax lots). This allowed for an accurate measurement of constrained land. The constraints were determined as listed below.

- Floodway. Floodway areas were determined by using RLID data and mapping from City of Cottage Grove and LCOG.
- Greenway. Greenway areas were determined by using City assessor's tax maps, which contained an outline of the greenway.
- Wetlands. Wetlands were determined by using the US Fish and Wildlife's National Wetland Inventory (NWI), as well as staff's knowledge of local smaller scale wetlands that are not identified on the NWI that were delineated as part of development permits with Oregon Division of State Lands concurrence.
- Elevation. Constrained lands over 740-foot elevation were identified using maps from Lane Council of Government from previous 1992 Buildable Lands Analysis.

**Table 2. Land Constraints by Plan Designation**

<b>Plan Designation</b>	<b>Total Buildable Land (Acres) (from Table 6)</b>	<b>Total Constrained Land (Acres) (from Table 15)</b>
General Residential	404.01	196.86
Medium Density Residential	105.02	17.91
High Density Residential	32.36	8.89
Residential Professional	1.40	0.20
Community Commercial	66.46	2.40
Central Business District	1.21	0.00
Tourist Commercial	6.42	0.00
Industrial	48.85	7.59
<b>TOTAL</b>	<b>665.73</b>	<b>233.85</b>

Source: City of Cottage Grove, LCOG, Satre Associates

### **3.2 Assumptions**

The Buildable Lands Inventory used the following assumptions.

- All new development was completed if permits were issued.
- All issued building permits were recorded in the building permit log.
- RLID data is accurate and up to date.
- There has been no significant development on potential infill parcels since the 1997 aerial photos were taken.
- The National Wetlands Inventory and local knowledge of smaller wetlands includes all wetlands within the UGB.
- Maps denoting constrained elevations from LCOG are accurate.

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## 4. VACANT, INFILL AND REDEVELOPMENT LAND

When completing a Buildable Lands Inventory, it is important to determine what type of land is available for development within the Urban Area. Lands within the UGB for infill and redevelopment pose particular challenges for development and require special consideration for design and performance standards because these properties are usually in established neighborhoods or commercial and industrial areas and have unique site restrictions. Measures to encourage developing infill and redevelopable areas should be considered because of the availability and economy of providing public facilities, such as water, sewer and transportation systems, as well as proximity to commercial and civic services, such as schools, emergency services and medical facilities.

Based on the assumptions listed in Chapter 3, the following tables provide vacant, infill and redevelopable land by plan designation within the urban growth boundary. Map 1, Available Buildable Land, illustrates the location of vacant, infill and redevelopable land within the Cottage Grove UGB.

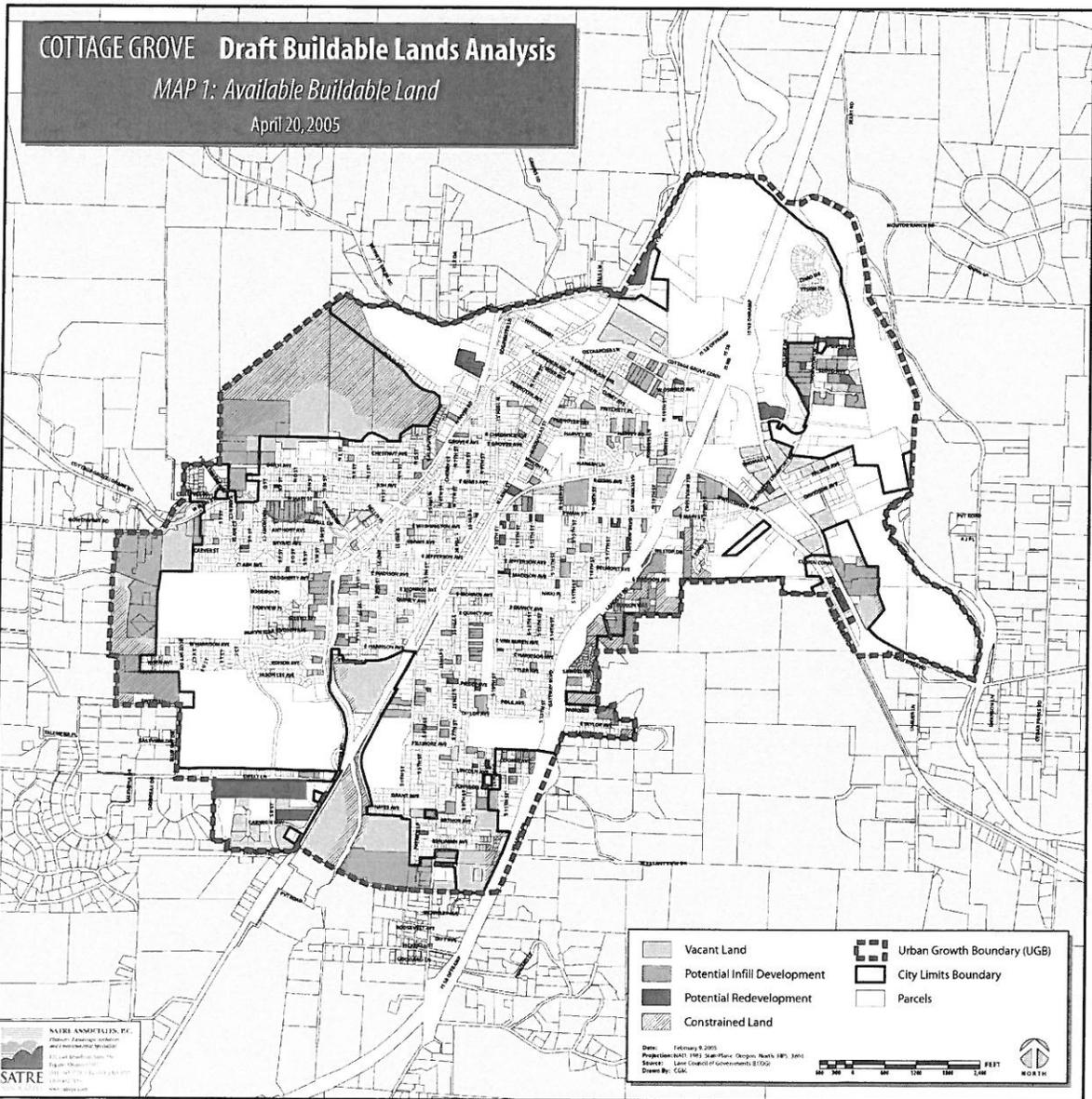
### 4.1 Vacant Land

Vacant land, shown in Table 3, includes all property where there are no built structures. All residentially zoned parcels smaller than 6,000 square feet were removed from the inventory, unless they were part of an approved subdivision or planned unit development. Land in the Grove of the Pines subdivision is included in the General Residential designation. Map 2, Vacant Land, illustrates the location of vacant land in the Cottage Grove UGB.

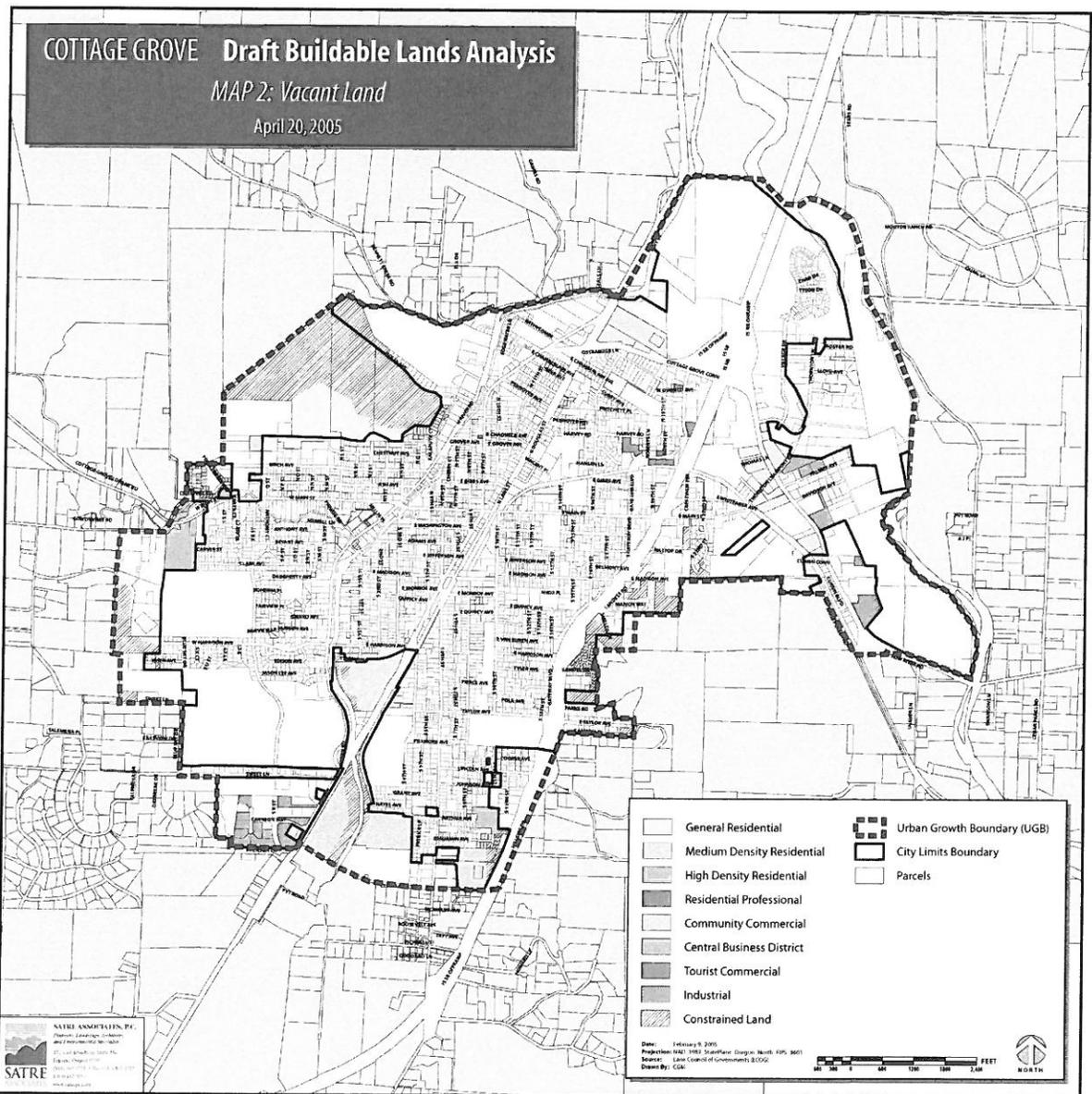
**Table 3. Vacant Land by Plan Designation**

<b>Plan Designation</b>	<b>Vacant Land (Acres)</b>
General Residential	204.44
Medium Density Residential	67.15
High Density Residential	24.23
Residential Professional	0.44
Community Commercial	53.48
Central Business District	0.69
Tourist Commercial	4.55
Industrial	28.32
<b>TOTAL</b>	<b>383.31</b>

*Source: RLID, City of Cottage Grove*



Map 1: Available Buildable Land



Map 2: Vacant Land

#### 4.2 Infill Land

Land available for infill development, shown in Table 4, is defined as property that would allow for additional development on the lot. Parcels smaller than 6,000 square feet were not included in this category, because 6,000 square feet is the smallest lot size allowed by the zoning ordinance. The data from RLID was checked against 1997 aerial photos for the Cottage Grove UGB area. Map 3, Potential Infill Development, illustrates the location of infill land in the Cottage Grove UGB.

**Table 4. Infill Land by Plan Designation**

<b>Plan Designation</b>	<b>Infill Land (Acres)</b>
General Residential	179.70
Medium Density Residential	34.45
High Density Residential	7.85
Residential Professional	0.00
Community Commercial	5.65
Central Business District	0.42
Tourist Commercial	1.03
Industrial	9.73
<b>TOTAL</b>	<b>238.83</b>

*Source: RLID, City of Cottage Grove*

#### 4.3 Redevelopment Land

Redevelopment lands, shown in Table 5, are defined as property that is developed, but the value of the built structure is less than 1/3 of the total property value. There is a potential that the building could be demolished, remodeled, or improved with new additions or new construction for more efficient use of the site. Map 4, Potential Redevelopment, illustrates redevelopable land in the Cottage Grove UGB.

**Table 5. Redevelopment Land by Plan Designation**

<b>Plan Designation</b>	<b>Redevelopment Land (Acres)</b>
General Residential	19.87
Medium Density Residential	3.42
High Density Residential	0.28
Residential Professional	0.96
Community Commercial	7.33
Central Business District	0.10
Tourist Commercial	0.84
Industrial	10.80
<b>TOTAL</b>	<b>43.59</b>

*Source: RLID, City of Cottage Grove*

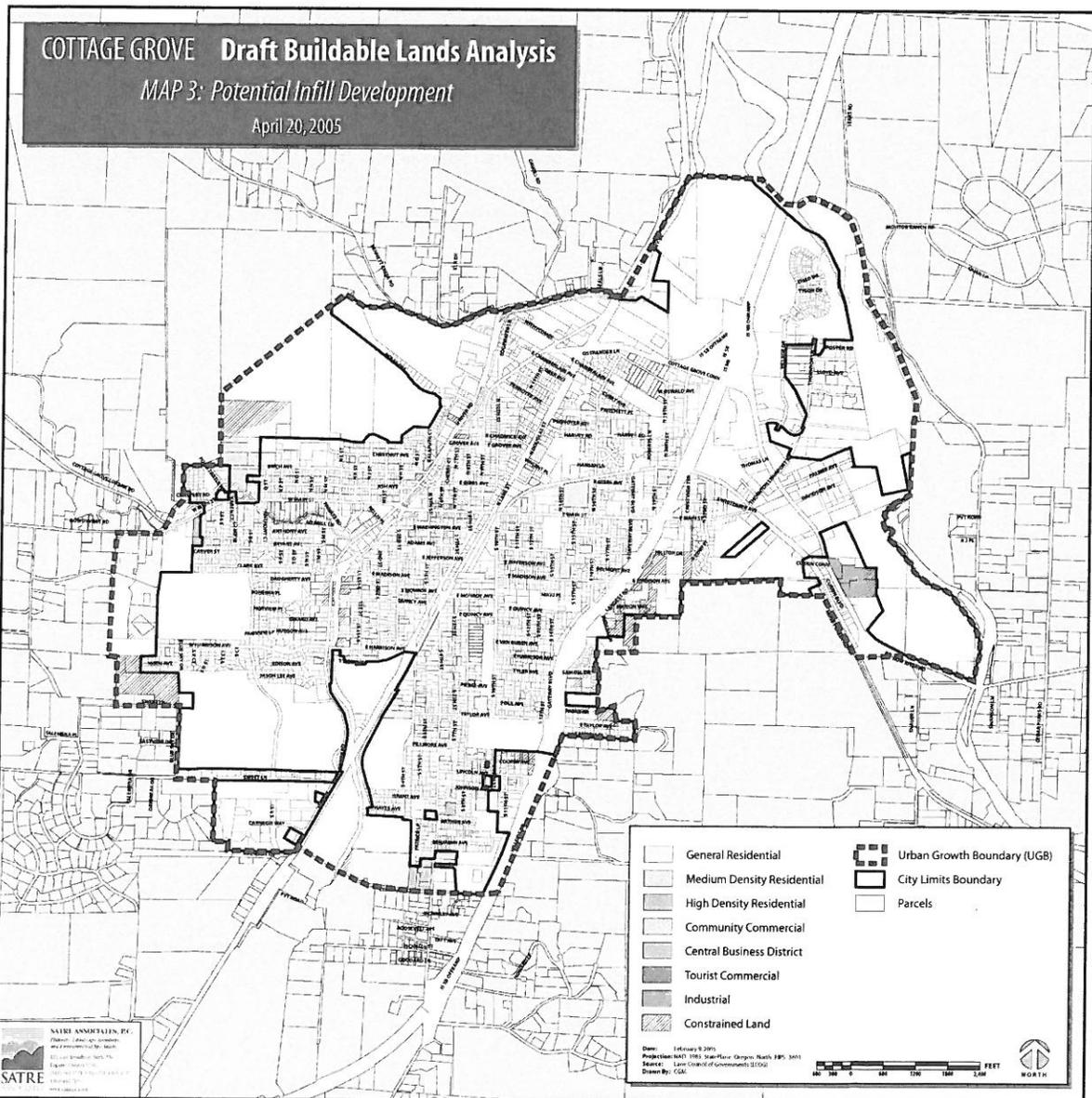
#### 4.4 Gross Buildable Land

The total of vacant, infill and redevelopment land, also known as Gross Buildable land, is the sum of the individual assessment of vacant lands plus lands available for infill and redevelopment. Table 6 shows a summary of the Gross Buildable Land in the Cottage Grove UGB. Map 1, Available Buildable Land, illustrates the location of these subject lands.

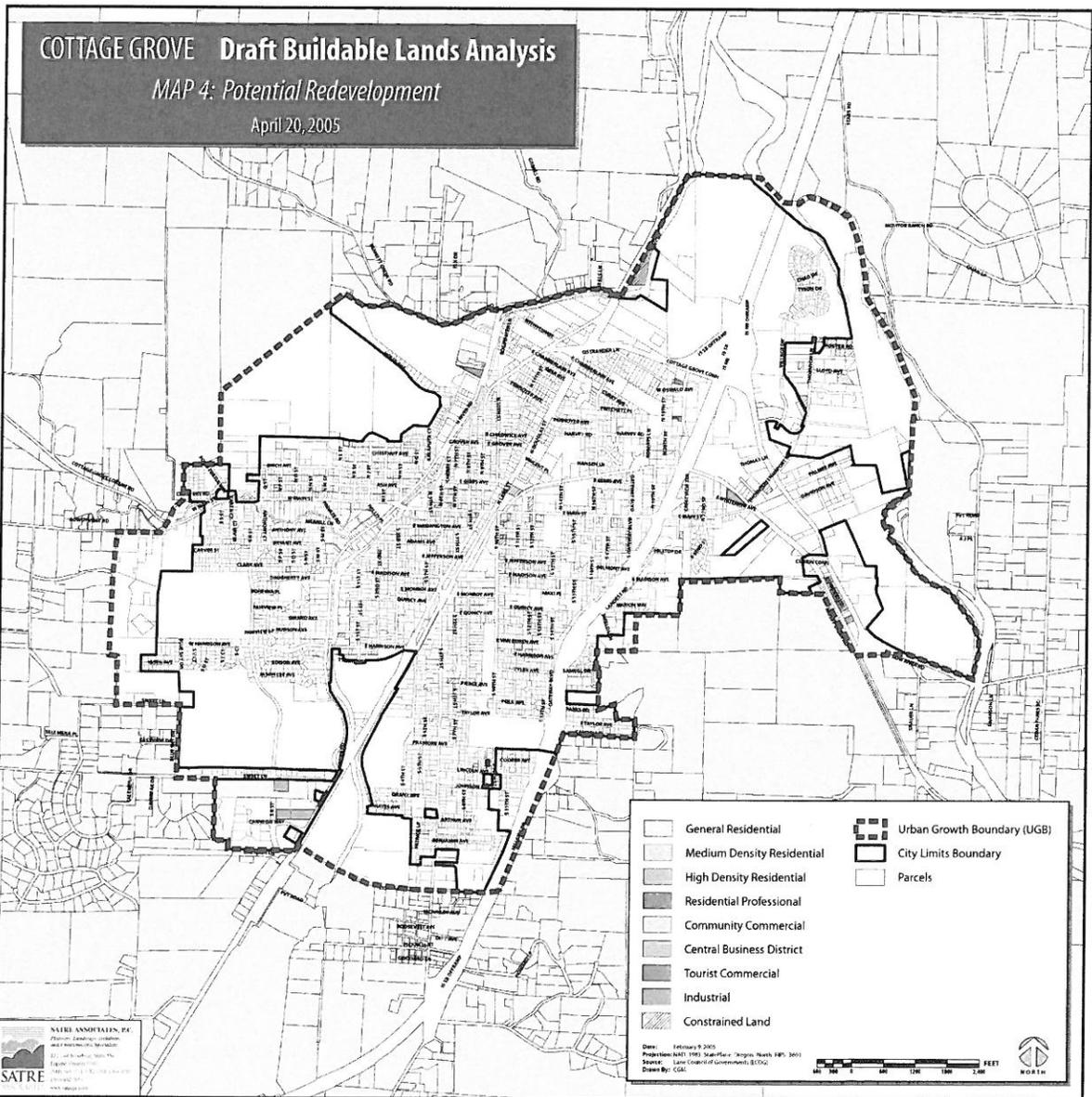
**Table 6. Gross Buildable Land by Plan Designation**

<b>Plan Designation</b>	<b>Vacant Land (Ac)</b>	<b>Infill Land (Acres)</b>	<b>Redevelopment Land (Acres)</b>	<b>Total Buildable Land (Acres)</b>
General Residential	204.44	179.70	19.87	404.01
Medium Density Residential	67.15	34.45	3.42	105.02
High Density Residential	24.23	7.85	0.28	32.36
Residential Professional	0.44	0.00	0.96	1.40
Community Commercial	53.48	5.65	7.33	66.46
Central Business District	0.69	0.42	0.10	1.21
Tourist Commercial	4.55	1.03	0.84	6.42
Industrial	28.32	9.73	10.80	48.85
<b>TOTAL</b>	<b>383.31</b>	<b>238.83</b>	<b>43.59</b>	<b>665.73</b>

Source: RLID, City of Cottage Grove



Map 3: Potential Infill Development



Map 4: Potential Redevelopment

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## 5. POPULATION TRENDS

Current population trends from the 2000 Census shows that the City of Cottage Grove had a population of 8,890 in 2000. In 2004, Portland State University (PSU) estimated Cottage Grove as having a population of 9,450. PSU is the federal designated state agency to coordinate population forecasts with the U.S. Census Bureau. The estimates are based on building permit and other information provided by each city to PSU on an annual basis.

The *2001 Cottage Grove Buildable Land Analysis* forecasted a Cottage Grove population for 2020 at 11,500. This was based on a projection that the city would be 2.7% of Lane County's population. The projection also included an estimate of persons living outside the city limits, but inside the urban growth boundary, which is approximately 500 persons for a 2020 projection of 12,000. The coordinated population forecast for Lane County allocated a population of 12,500 for the Cottage Grove Urban Area for 2025, an annual rate of growth of 1.37% between 1990 and 2025. This forecast is coordinated by Lane Council of Governments (LCOG) and the State of Oregon and was adopted by the LCOG Board on February 24, 2005.

Table 7 below reviews current population trends, based on Census Bureau statistics and the LCOG coordinated forecast for Cottage Grove in 2025.

**Table 7. Cottage Grove Population Comparison**

Year	Cottage Grove Population	Annual Growth Rate
1960	3,895	--
1970	6,004	4.4%
1980	7,148	1.8%
1990	7,402	0.3%
2000	8,890	1.4%
2025 <sup>1</sup>	12,500	1.37%

Source: US Census Bureau, LCOG

<sup>1</sup> Coordinated Population Forecast by Lane Council of Governments, adopted by LCOG Board 2/24/05

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## 6. ECONOMIC TRENDS

### 6.1 Within Census Tracts 12 and 13

Data available for historical trends in employment include Census Tracts 12 and 13, an area larger than Cottage Grove's UGB. Thus the historic employment numbers are greater than if the data were available for area solely within the community's UGB. Nonetheless, Census Tract 12 and 13 employment data does illustrate an approximate picture of employment trends in Cottage Grove.

**Table 8. Employment within Cottage Grove Area Census Tracts 12 and 13**

Area	1980	1990	1994	1996	1998	2020	2025
Census Tracts 12 and 13, Cottage Grove Area	3,180	4,314	3,935	3,803	3,975	5,664	6,048
Lane County Total Covered Employment	102,900	117,900	126,300	133,100	140,100	188,800	199,870
Census Tracts 12 and 13, Cottage Grove Area % of Total Lane Employment	3.1	3.7	3.1	2.9	2.8	3.0	3.0

Source: 2001 Cottage Grove Buildable Land Analysis, Satre Associates, 2005.

### 6.2 Within Cottage Grove UGB

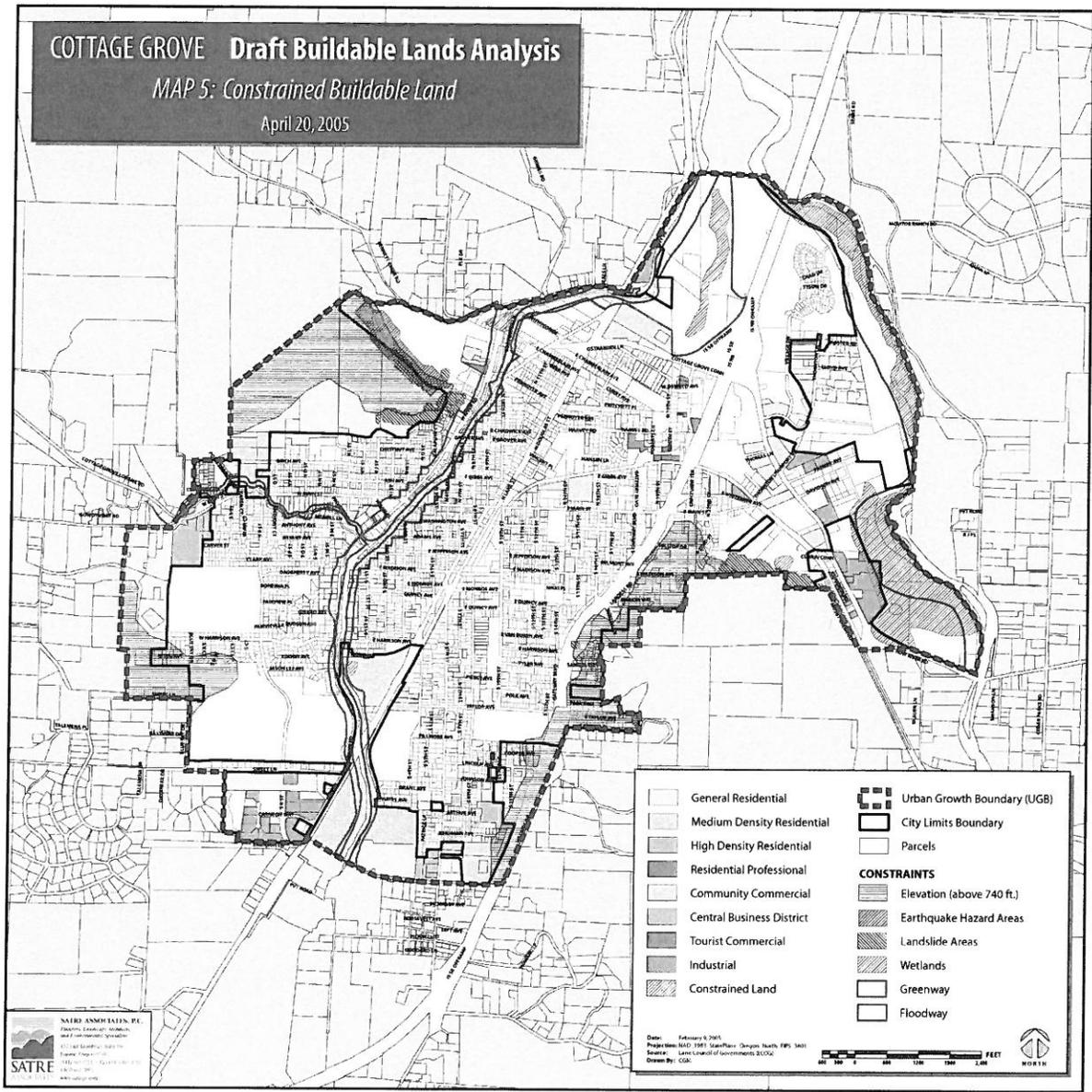
Within Cottage Grove UGB proper, the 2000 Census determined that there are 6,451 persons, or approximately 72.6% of Cottage Grove's population, 16 years of age and older. Of this group, 57.2%, or 3,689 persons, are in the labor force. Table 9 below provides a summary of occupations of Cottage Grove's population.

**Table 9. Cottage Grove Resident Employment Status**

Occupation	Employment	Percent
Management, professional and related occupations	677	18.4%
Service occupations	645	17.5%
Sales and office occupations	1,014	27.5%
Farming, fishing and forestry occupations	22	0.6%
Construction, extraction and maintenance occupations	464	12.6%
Production, transportation and material moving occupations	867	23.5%
	<b>3,689</b>	<b>100%</b>

Source: US Census Bureau

The 2001 Cottage Grove Buildable Land Analysis estimated that in 1998 there were 3,200 jobs in the Cottage Grove UGB. Using the 2001 Cottage Grove Buildable Land Analysis estimate for 2020, and trending for 2025, the City's employment projection increases to 5,285. This represents 2,085 new jobs between 1998 and 2025. Population and employment trends for the Cottage Grove area indicate that growth is expected in all sectors. The manufacturing sector, which experienced strong growth in the 1970s, saw a decline in the 1980's due to decline in the timber industry. The service and retail sector has grown in the last decade and is expected to continue for the next 20 years.



Map 5: Constrained Buildable Land

## 7. ANALYSIS OF EXISTING BUILDABLE LANDS

The 2001 Cottage Grove Buildable Land Analysis provided an inventory of buildable lands within Cottage Grove's UGB. Utilizing latest RLID data, combined with building permits and field verification, city staff updated the inventory and constraints as shown below.

### 7.1 Gross Buildable Land

As shown in Chapter 4, Vacant, Infill and Redevelopment Land, Table 6, there are 665.73 gross acres of buildable land within the Cottage Grove UGB.

**Table 10. Gross Buildable Land by Plan Designation**

<b>Plan Designation</b>	<b>Total Buildable Land (Acres) (from Table 6)</b>
General Residential	404.01
Medium Density Residential	105.02
High Density Residential	32.36
Residential Professional	1.40
Community Commercial	66.46
Central Business District	1.21
Tourist Commercial	6.42
Industrial	48.85
<b>TOTAL</b>	<b>665.73</b>

*Source: City of Cottage Grove*

### 7.2 Constrained Land

Tables 11-14 represent amount of acres that are constrained by category and by plan designation. Satre analyzed the data provided by the City and mapped the constraints. Many constraints include partial tax lots, which provide an accurate picture of the actual land available for development. Certain constraints, such as floodway, greenway and wetlands, are assumed to be unbuildable due to their physical and/or regulatory status and must be removed from the inventory. Elevation constraints are located in areas with water supply challenges due to an elevation of 740 feet or greater. These areas are considered buildable at a reduced residential density. In the General Residential designated areas, the assumed density is 2.0-units/acre without overcoming water supply challenges (not quite one-half the density forecast for unconstrained General Residential). If water supply challenges can be dealt with (i.e., placement of a high-elevation reservoir or pumps) then the forecasted General Residential density of 4.7-units/acre may be achievable. For purposes of this Update, it is assumed that the water supply challenges will remain.

**Table 11. Land Constrained by Floodway**

Land Type/Plan Designation	Acres
Infill	
General Residential	2.76
Medium Density Res.	0.72
Industrial	0.86
Redevelopment	0.00
Vacant	
General Residential	0.44
Medium Density Res.	5.53
High Density Residential	1.32
<b>TOTAL</b>	<b>11.63</b>

Source: City of Cottage Grove

**Table 12. Land Constrained by Greenway**

Land Type/Plan Designation	Acres
Infill	
General Residential	7.57
Redevelopment	
General Residential	0.19
Medium Density Residential	0.18
Residential Professional	0.20
Industrial	3.05
Vacant	
General Residential	3.69
Medium Density Residential	10.29
Community Commercial	1.58
<b>TOTAL</b>	<b>26.75</b>

Source: City of Cottage Grove

**Table 13. Land Constrained by Wetlands**

Land Type/Plan Designation	Acres
Infill	
Industrial	2.46
Redevelopment	0.00
Vacant	
Community Commercial	0.82
Industrial	1.22
<b>TOTAL</b>	<b>4.50</b>

Source: City of Cottage Grove

**Table 14. Lands Constrained by Elevation**

Land Type/Plan Designation	Acres
Infill	
General Residential	48.57
Medium Density Residential	0.56
Redevelopment	
General Residential	0.24
Vacant	
General Residential	133.40
Medium Density Residential	0.63
High Density Residential	7.57
<b>TOTAL</b>	<b>190.97</b>

Source: City of Cottage Grove

### 7.3 Net Buildable Land

To arrive at a figure representing available buildable land once constrained lands are removed from the inventory, Net Buildable Land, as in Table 15, was identified.

**Table 15. Net Buildable Land by Plan Designation**

<b>Plan Designation</b>	<b>Gross Buildable Land (Acres) (from Table 10)</b>	<b>Total Constrained Land (Acres) (from Tables 11-14)</b>	<b>Net Buildable Land (Acres)</b>
General Residential	404.01	196.86	207.15
Medium Density Residential	105.02	17.91	87.11
High Density Residential	32.36	8.89	23.47
Residential Professional	1.40	0.20	1.20
Community Commercial	66.46	2.40	64.06
Central Business District	1.21	0.00	1.21
Tourist Commercial	6.42	0.00	6.42
Industrial	48.85	7.59	41.26
<b>TOTAL</b>	<b>665.73</b>	<b>233.85</b>	<b>431.88</b>

Source: City of Cottage Grove

### 7.4 Net buildable Land vs. NET-NET Buildable Land

Table 15 provides gross lands less constrained land available by plan designation for development. For vacant land, additional factors must be taken into account for development. Land must be set aside for public facilities, such as roads, schools, churches, and parks. In residential districts, a factor of 25% will be used to calculate the NET-NET buildable lands. In commercial and industrial lands, a factor of 20% will be used to calculate NET-NET buildable lands. Table 16 provides the NET-NET buildable lands by plan designation for Cottage Grove.

**Table 16. NET-NET Buildable Land by Plan Designation**

<b>Plan Designation</b>	<b>Net Buildable Land (Acres) (from Table 15)</b>	<b>Percent Set-Aside</b>	<b>NET-NET Buildable Land (Acres)</b>
General Residential	207.15	25%	155.36
Medium Density Residential	87.11	25%	65.33
High Density Residential	23.47	25%	17.60
Residential Professional	1.20	25%	0.90
Community Commercial	64.06	20%	51.25
Central Business District	1.21	20%	0.97
Tourist Commercial	6.42	20%	5.14
Industrial	41.26	20%	33.01
<b>TOTAL NET ACRES</b>	<b>431.88</b>	<b>---</b>	<b>329.56</b>

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## 8. FORECASTED LAND NEED

### 8.1 Employment Projections

Population forecasts for Cottage Grove estimates that in 2025 the city will have a population of 12,500. Employment forecasts for 2025, as indicated in Chapter 6, project total employment of 5,285, an increase of 2,085 jobs between 1998 and 2025. The new employment numbers were allocated as follows: 805 new industrial jobs and 1,280 new commercial and other employment sector jobs. The employment projections were determined by looking at employment trends and existing economic development activities and policies. These policies include: State Industrial Site Certification for the Industrial Park, an Economic Improvement District for the downtown area and the Chamber of Commerce formation of the Economic Business District.

Forecasts included growth in secondary wood products in the industrial park and other developable land within the UGB. Employees per acre forecasts were determined by using Eugene/Springfield's employment numbers and adjusting the commercial employees downward to reflect Cottage Grove's lower density commercial development characteristics, and is summarized in Table 17. These estimates were updated by Satre, trending the 2020 forecast to the year 2025. Based on these numbers, land needed for commercial and industrial uses can be determined.

**Table 17. Land Need Based on Employment Projections**

	<b>New Jobs Projected</b>	<b>Employees per Net Acre</b>	<b>Total Net Acres Needed</b>
Commercial	1,280	30	42.67
Industrial	805	9	89.44
<b>TOTAL</b>	<b>2,085</b>	<b>--</b>	<b>132.11</b>

Source: LCOG, City of Cottage Grove

### 8.2 Residential Projections

Analysis to determine housing capacity and need are required under ORS 197.296. This statute sets out requirements and guidelines for cities to determine needed housing and housing capacity. The requirements are fairly specific in terms of how the analysis should be conducted, so the following section on residential projections follows the requirements in State law as described below:

ORS 197.296 (5)(a) *Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity and need pursuant to subsection (3) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last periodic review or five years, whichever is greater. The data shall include:*

- (A) The number, density and average mix of housing types of urban residential development that have actually occurred;*
- (B) Trends in density and average mix of housing types of urban residential development;*
- (C) Demographic and population trends;*

- (D) Economic trends and cycles; and  
 (E) The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

Land needed for residential housing is based on a number of factors, including population forecasts, past housing trends, housing type mix, density, persons per household, percent of population living in group quarters and vacancy rates. These numbers were established by the 2001 Cottage Grove Buildable Land Analysis and trended for 2025.

**Table 18. Factors in Determining Residential Projections**

<b>Factors in Determining Residential Projections</b>	<b>Numbers</b>
2004 Existing Housing Units	3,697 (as of 6/30/04)
Historic Density (overall)	6.4 units/acres
Density Forecast (by Plan Designation)	4.7 units/ac – General Residential 10.4 units/ac – Med. Density Res. 12.7 units/ac – High Density Res.
Housing Mix Forecast	70% Single family 10 % Duplex 15% Multi-family 5% Manufactured homes in parks
2025 Population Forecast	12,500
Persons per Household	2.4 (2000 Census)
Persons Living in Group Quarters	2%
Vacancy Rate	4%
2005-2025 Future Needed Housing Units	1,611 Residential Units

Source: LCOG, City of Cottage Grove

**8.2(1) Needed Housing Units**

A number of the above factors figure into identifying the number of needed housing units. How the projection of 1,611 needed residential units was arrived at is shown in Table 19.

**Table 19. Projected Number of Needed Housing Units**

<b>Factors in Determining Needed Housing</b>	<b>Numbers</b>
2025 Cottage Grove UGB population	12,500
2025 Persons in Group Quarters (2% of Population)	250
2025 Persons in Housing Units	12,250
Projected Average Household Size	2.4
2025 Total Needed Housing Units (4% Vacancy Rate)	5,308
2004 Existing Housing Units	3,697
<b>2005-2025 FUTURE NEED HOUSING UNITS</b>	<b>1,611</b>

Source: LCOG, City of Cottage Grove

### 8.2(2) Housing Mix

The future needed housing units shown in Table 19 must be distributed by housing types in each of the residential zones. Table 20 shows the mix distribution of recently developed housing. Table 20 provides the distribution of future housing units from the *2001 Cottage Grove Buildable Land Analysis*. A review of recent housing construction, including building permits, and a discussion with city staff on housing construction trends and population forecasts indicated that the 2001 distribution remain valid.

**Table 20. Recent Housing Mix by Housing Type (1994-2004)**

Housing Type	Total Units	Percent of Total Units
Single-Family Detached	311	50%
Stick-built, Single-Family Detached	194	
Manufactured on Lots	117	
Duplex	124	20%
Multi-family	126	20%
Manufactured in Parks	64	10%
<b>TOTAL</b>	<b>625</b>	<b>100%</b>

Source: City of Cottage Grove, LCOG

**Table 21. Projected Housing Mix by Housing Type (2005-2025)**

Housing Type	Housing Mix Forecast (from Table 18)	Total Units
Single-Family Detached	70%	1,128
Duplex	10%	161
Multi-family	15%	242
Manufactured in Parks	5%	80
<b>TOTAL</b>	<b>100%</b>	<b>1,611</b>

Source: City of Cottage Grove, LCOG

**Table 22. Future Assumed Mix Distribution of Housing Units**

Housing Type	General Residential	Medium Density Res.	High Density Res.	Total
Single-Family Detached	80%	15%	5%	100%
Duplex	25%	35%	40%	100%
Multi-family	5%	45%	50%	100%
Manufactured in Parks	20%	40%	40%	100%

Source: LCOG

**Table 23. Project Housing Mix by Plan Designation**

Housing Type	Total Units (from Table 21)	General Res. Units (% from Table 22)	Medium Density Res. Units (% from Table 22)	High Density Res. Units (% from Table 22)
Single-Family Detached	1,128	903	169	56
Duplex	161	40	56	65
Multi-family	242	12	109	121
Manufactured in Parks	80	16	32	32
<b>TOTAL</b>	<b>1,611</b>	<b>971</b>	<b>366</b>	<b>274</b>

Source: City of Cottage Grove, LCOG

### 8.2(3) Assumed Densities

The 2001 Cottage Grove Buildable Land Analysis assumed densities in the following plan designations based on actual development. Here too, a review of recent development patterns and discussions with city staff determined that these densities remain valid.

- General Residential: 4.7 units per acre (with the exception of land above 740 elevation, which are located on steep slopes and have average densities of 2 units/acre)
- Medium Density Residential: 10.4 units per acre
- High Density Residential: 12.7 units per acre

### 8.2(4) Total Residential Land Demand

Table 24 identifies total residential land demand by plan designation. Acres needed for each Plan Designation was determined by dividing the number of housing units per Plan Designation per Housing Type, shown in Table 23, by the Assumed Densities, shown in Table 18 and reiterated above in 8.2(3). For example, Single Family Houses forecast to occur in the General Residential Plan Designation was calculated as follows: 903 units divided by 4.7 units/acre equals 192.13 acres. From this table, total needed acreage for residential land for 2025 for Cottage Grove can be determined.

**Table 24. Total Residential Land Demand**

Housing Type	General Residential (Acres)	Medium Density Residential (Acres)	High Density Residential (Acres)	Total Acres
Single Family	192.13	16.25	4.41	<b>212.79</b>
Duplex	8.51	5.38	5.12	<b>19.01</b>
Multi-family	2.55	10.48	9.53	<b>22.56</b>
Manf. Home in Parks	3.40	3.08	2.52	<b>9.00</b>
<b>TOTAL</b>	<b>206.59</b>	<b>35.19</b>	<b>21.58</b>	<b>263.36</b>

Source: LCOG, City of Cottage Grove

**8.2(5) Residential Infill Land Demand**

Based on the update of the buildable lands inventory completed by the City, and analysis by Satre, there are approximately 122 net acres of residentially zoned land for infill and would accommodate approximately 759 housing units.

**Table 25. Residential Infill Land Demand**

Plan Designation	Gross Buildable Infill Land (from Table 6)	Total Constrained Infill Land (from Tables 11-14)	Percent Set Aside (from Table 16)	NET-NET Buildable Infill Land (Acres)
General Residential	179.70	58.70	25%	90.75
Medium Density Residential	34.45	1.28	25%	24.88
High Density Residential	7.85	0.00	25%	5.89
<b>TOTAL</b>	<b>222.00</b>	<b>59.98</b>	<b>25%</b>	<b>122.52</b>

Source: LCOG, City of Cottage Grove

- General Residential: 90.75 acres X 4.7 units/acre = 426.53 units
- Medium Density Residential: 24.88 acres X 10.4 units/acre = 258.75 units
- High Density Residential: 5.89 acres X 12.7 units/acre = 74.03 units
- **Total Residential Units on Infill Land = 759.31 Units**

**8.2(6) Residential Redevelopment Land Demand**

Based on the update of the buildable lands inventory completed by City staff, and analysis by Satre, it was determined that only a minimal amount of residential units could be added through redevelopment. Approximately 96 housing units could be provided with the utilization of redevelopment land.

**Table 26. Residential Redevelopment Land Demand**

Plan Designation	Gross Buildable Redevelopment Land (from Table 6)	Total Constrained Redevelopment Land (from Tables 11-14)	Percent Set Aside (from Table 16)	NET-NET Buildable Redevelopment Land (Acres)
General Residential	19.87	0.43	25%	14.58
Medium Density Residential	3.42	0.18	25%	2.43
High Density Residential	0.28	0.00	25%	0.21
<b>TOTAL</b>	<b>23.57</b>	<b>0.61</b>	<b>25%</b>	<b>17.22</b>

Source: LCOG, City of Cottage Grove

- General Residential: 14.58 acres X 4.7 units/acre = 68.53 units
- Medium Density Residential: 2.43 acres X 10.4 units/acre = 25.27 units

- High Density Residential: 0.21 acres X 12.7 units/acre = 2.67 units
- **Total Residential Units on Redevelopment Land = 96.47 Units**

### 8.2(7) Residential Vacant Land Demand

Based on the update of the buildable lands inventory completed by City staff, and analysis by Satre, it was determined that approximately 777 units could be accommodated with the utilization of vacant land.

**Table 27. Residential Vacant Land Demand**

Plan Designation	Gross Buildable Vacant Land (from Table 6)	Total Constrained Vacant Land (from Tables 11-14)	Percent Set Aside (from Table 16)	NET-NET Buildable Vacant Land (Acres)
General Residential	204.44	137.53	25%	50.18
Medium Density Residential	67.15	16.45	25%	38.03
High Density Residential	24.23	8.89	25%	11.51
<b>TOTAL</b>	<b>295.82</b>	<b>162.87</b>	<b>25%</b>	<b>99.72</b>

Source: LCOG, City of Cottage Grove

- General Residential: 50.18 acres X 4.7 units/acre = 235.85 units
- Medium Density Residential: 38.03 acres X 10.4 units/acre = 395.51 units
- High Density Residential: 11.51 acres X 12.7 units/acre = 146.17 units
- **Total Residential Units on Vacant Land = 777.53 Units**

### 8.2(8) Factoring in Elevation-Constrained Land Demand

The above documents that 1,633 housing units can be accommodated on the NET-NET buildable land. Thus there is adequate land available to accommodate the forecasted 1,611 additional dwelling units needed for 2025. However, lands over 740 feet in elevation are constrained due to water service limits and, at times, steep slopes, access or other challenges and typically are developed at only one-half the otherwise-realized density. This must be factored into the amount of land available for development.

**Table 28. Factoring in Elevation-Constrained Land**

Plan Designation	NET-NET Constrained Elevation Land (Table 14 less 25% Set Aside)	Density (Units/Acre) (at one-half the forecasted density)	Units which Cannot be Accommodated due to Elevation Constraints	Acres Needed to Mitigate the Elevation-Constraint
General Residential	136.66	2.35	321.15	68.33
Med. Density Res.	0.89	5.2	4.63	0.44
High Density Res.	5.68	6.35	36.07	2.84
<b>TOTAL</b>	<b>124.23</b>	<b>--</b>	<b>--</b>	<b>71.61</b>

## 9. COMPARISON OF OVERALL LAND NEED AND SUPPLY

Table 29 provides a comparison of residential, commercial and industrial land need and supply within Cottage Grove's UGB.

**Table 29. Comparison of Land Need and Land Supply**

<b>Plan Designation</b>	<b>NET-NET Buildable Land (Acres) (from Table 16)</b>	<b>Net Land Need (Acres) (from Tables 25-28)</b>	<b>(Deficit) Surplus (Acres)</b>
General Residential	155.36	68.33	87.03
Medium Density Residential	65.33	0.44	64.89
High Density Residential	17.60	2.84	14.76
Commercial	58.26	42.67	15.59
Industrial	33.01	89.44	<b>(56.43)</b>
<b>TOTAL</b>	<b>329.56</b>	<b>203.72</b>	-----

*Source: LCOG, City of Cottage Grove*

Thus there is adequate land available for residential and commercial development for the next 20 years. Additional land for industrial development is needed to meet the demand to 2025.

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## 10. EVALUATION OF MEASURES FOR MEETING LAND NEED

Based on the analysis in this document, there is adequate land for commercial and residential development for the next 20 years. Additional land is needed for industrial development to meet future demands.

### 10.1 Measures

The City should explore options and adopt measures to assure that land is developed to meet targeted densities and makes efficient use of land within the UGB. These measures will allow the City to plan for the most cost effective ways to provide community services to their residents and future residents.

This section explores options available for the City of Cottage Grove to meet these demands, in compliance with ORS 197.296. Section (9) of this statute provides recommendations to local governments to achieve efficient use of land:

*(9) In establishing that actions and measures adopted under subsections (6) or (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section and is zoned at density rates that are likely to be achieved by the housing market using the analysis in subsection (3) of this section. Actions or measures, or both, may include but are not limited to:*

- (a) Increases in the permitted density on existing residential land;*
- (b) Financial incentives for higher density housing;*
- (c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;*
- (d) Removal or easing of approval standards or procedures;*
- (e) Minimum density ranges;*
- (f) Redevelopment and infill strategies;*
- (g) Authorization of housing types not previously allowed by the plan or regulations;*
- (h) Adoption of an average residential density standard; and*
- (i) Rezoning or redesignation of nonresidential land.*

Strategies and measures to meet land demand need will include a range of alternatives, which the City must consider and evaluate.

### 10.2 Single Family, Medium and High Density Residential

There is adequate land in Cottage Grove's Urban Growth Boundary to meet the residential development demand to 2025. In order to preserve developable land within the City's UGB for residential development at the appropriate densities, the City should consider measures to meet density targets and provide efficiencies in residential development.

The following list provides strategies for meeting density targets in the Comprehensive Plan within the existing urban growth boundary.

1. Redesignate General Residential property to medium and high density to meet projected housing mix. Determine appropriate locations for higher density development, taking into account transition areas and location to commercial nodes for higher density development.
2. Allow accessory dwellings in the general residential designation as an outright use with performance standards to assure compatibility with existing neighborhood.
3. Do not allow single-family development as an outright use in the medium density residential zones. Adopt plan policies and development code amendments to assure the planned densities are achieved.
4. Allow density bonuses in planned unit developments. Allow a specific increase in density based on development of housing type mix (attached single family, duplex, etc) and provision for open space or preservation of natural features.
5. Allow zero lot line development in medium and high-density development, increase building heights.
6. Provide incentives to meet planned densities in the medium and high-density areas, such as SDC credits, setback or height exceptions.
7. Explore the option of public/private partnerships for development of medium and high-density residential projects to meet density targets and provide affordable housing.
8. Evaluate strategies for infill housing, such as creating flag lots, second dwellings, duplexes and triplexes with specific performance standards to protect the existing character in the single-family zones.
9. Encourage residential development within the Central Business District. Incentives could include: tax incentives (Vertical Housing tax credits), parking allowances, public/private partnerships, etc.

Based on discussion with City staff, it does not appear that the community would support the creation of smaller lots that what currently is allowed in the zoning ordinance. While the concept of accessory dwellings in the single-family residential zone is acceptable with design standards, the creation of lots smaller than 6,000 square feet would not be politically supported. However, there are other strategies that can allow for a general increase in density throughout the residentially zoned property in the City. Allowing development of attached or detached single-family dwellings that are owner occupied is one option. This type of housing ownership could allow for a more stable resident base, because of the ability to own the dwelling. These types of housing choices could allow for more affordable option for starter homes, which would be attractive to young families. The State of Oregon Housing and Community Services Department could participate with the City to develop a variety of for-sale (market rate and affordable) higher density design housing units.

### **10.3 Industrial and Commercial**

There is a **deficit** of 56.43 acres of industrial land and a **surplus** of 15.59 acres of commercial land.

It is not practical redesignate the surplus commercial land to industrial because the location and small parcel sizes do not suit industrial uses. The City should consider the

following strategies to provide efficient use of existing industrial land within the UGB and consider the need for expanding the UGB for future industrial land needs.

1. Encourage redevelopment with incentives, such as SDC credits; parking, setback and floor area exceptions.
2. Provide financial mechanisms to encourage diversified and efficient industrial development for redevelopment or infill, such as local improvement districts, urban renewal districts, low interest loans or grants, available from the state or SBA.
3. Allow a mixed-use zone in the certain commercial zones, which allows small manufacturing or other types of light industrial/heavy commercial uses that would be compatible with surrounding land uses.
4. Conduct additional economic opportunities analysis to target specific industries and locational factors under Goal 9 to determine needed additional industrial acreage.
5. Develop economic development policies and strategies to encourage industrial uses that have a higher employee/acre ratio to accommodate more employees within the existing urban growth boundary. Manufacturing and assembly type employment typically has a higher employee/acre ratio. Such strategies include tax incentives, loans and grants.
6. Amend the urban growth boundary to include additional industrial land. UGB amendments must meet the requirements of Goal 14, Urbanization and ORS 197.298. If the City elects to examine the feasibility of expanding the UGB for industrial land, the measures listed above must also be evaluated and may need to be implemented with the request to expand the boundary.

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## 11. CONCLUSIONS and RECOMMENDATIONS

### 11.1 Conclusions

The City of Cottage Grove is experiencing rapid growth. An inventory and analysis of buildable land within the UGB reveals that the City has adequate land for residential and commercial development to 2025. The City does not have adequate land supply for industrial development to 2025. The City will need to examine ways to assure the efficient use of that remaining land.

### 11.2 Recommendations

This report recommends that the City:

1. Consider amending residential ordinances, plan policies and standards to assure that targeted densities and housing types are met.
2. Examine the housing options available in the community and develop policies, strategies and partnerships to provide a range of housing opportunities and affordability for the community.
3. Assure that the community character, cohesiveness and aesthetics are retained through design standards when considering increased residential densities and infill development.
4. Consider amending commercial and industrial ordinances, plan polices and standards to assure that maximum efficient use of land within the UGB are realized.
5. Consider evaluating the potential for expansion of the UGB for industrial land needs. This will need to be evaluated under state land use law requirements.
6. Engage the community in a wider dialogue regarding a vision for growth in the area and region. This could be part of the regional planning effort of Region 2050, but should also be specific to the Cottage Grove area. Topics should include, but are not limited to: community sustainability, economic development, residential growth, public infrastructure costs, schools, parks and other public services.

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## APPENDIX A

### SUMMARY OF Oregon Revised Statutes (ORS) 197.296

ORS 197.296 provides requirements for determining housing needs for cities. The statute defines and establishes how a city must develop an inventory of buildable lands and conduct an analysis to determine housing needs for the planning period. The publication, *Planning for Residential Growth, A Workbook for Oregon's Urban Areas, 1997 from the Oregon Department of Land Conservation and Development, Transportation and Growth Management Program*, provides a step-by-step approach for determining housing needs in Oregon's communities. ORS 197.296 was developed as part of implementation of House Bill 2709. Other applicable statutes include: ORS 195.036, Coordination of Population Forecasts and ORS 197.298 Priority of lands for UGB expansions.

The Sections listed below are excerpts of ORS 197.296 that generally apply to this buildable land inventory and analysis. These sections are listed to provide the framework for the Cottage Grove's Buildable Lands Analysis Update.

ORS 196.296 (5)(a) *Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity and need pursuant to subsection (3) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last periodic review or five years, whichever is greater. The data shall include:*

(A) *The number, density and average mix of housing types of urban residential development that have actually occurred;*

(B) *Trends in density and average mix of housing types of urban residential development;*

(C) *Demographic and population trends;*

(D) *Economic trends and cycles; and*

(E) *The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.*

(6) *If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection 930(a) of this section, the local government shall take one or more of the following actions to accommodate the additional housing need:*

(a) *Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary;*

(b) *Amend its comprehensive plan, regional plan, functional plan, or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without the expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or*

(c) *Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.*

*(7) Using the analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the actual density of development determined under subsection (5)(a)(A) of this section, or if the mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.*

*(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.*

*(b) The local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.*

*(9) In establishing that actions and measures adopted under subsections (6) or (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section and is zoned at density rates that are likely to be achieved by the housing market using the analysis in subsection (3) of this section. Actions or measures, or both, may include but are not limited to:*

*(a) Increases in the permitted density on existing residential land;*

*(b) Financial incentives for higher density housing;*

*(c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;*

*(d) Removal or easing of approval standards or procedures;*

*(e) Minimum density ranges;*

*(f) Redevelopment and infill strategies;*

*(g) Authorization of housing types not previously allowed by the plan or regulations;*

*(h) Adoption of an average residential density standard; and*

*(i) Rezoning or redesignation of nonresidential land.*



VISION • STRATEGIES • SOLUTIONS

**CITY OF COTTAGE GROVE  
PLANNING COMMISSION**  
Minutes of the Regular Public Hearing  
June 15, 2016

**CALL TO ORDER**

Chair Valley called the meeting to order at approximately 7:00 p.m. in the Council Chambers at City Hall.

**ROLL CALL**

Recording Secretary Cindy Blacksmith called the roll. The following were:

Present: Chair Darby Valley, Commissioners Chloe Beckes, George Devine, Jeremie Eckstine, Bob Ehler, Dan Nord and Alan Widener

Absent: None.

Staff Present: Community Development Director Howard Schesser, City Planner Amanda Ferguson and Recording Secretary Cindy Blacksmith

Staff Absent: None

News Media Present: None.

Staff advised that this hearing had been advertised and publicized and notices posted as required by law. It was asked that any correspondence received be noted as a part of the item on the agenda.

**Items to be Added**

None

**Ex Parte Contact**

None.

**MINUTES**

IT WAS MOVED BY COMMISSIONER DEVINE AND SECONDED BY COMMISSIONER ECKSTINE TO APPROVE THE MINUTES OF APRIL 20, 2016 AS PRESENTED.

Vote on the motion was as follows:

VOTE	Commissioner Beckes	Commissioner Devine	Commissioner Eckstine	Commissioner Ehler	Commissioner Nord	Commissioner Widener	Chair Valley
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

**OLD BUSINESS**

None scheduled.

**NEW BUSINESS**

**Harting/City of Cottage Grove – Comprehensive Plan Map and Land Use Map Change (MCPA 1-16) to Amend Comprehensive Plan Map and Land Use Map on 2055 South 6<sup>th</sup> Street and Kathleen Views Subdivision**

Mary Harting owns 0.59 acres around a single family home built in 1910 at 2055 South 6<sup>th</sup> Street (Map No. 20-03-33-33; Tax Lot No. 1015) and is in the process of selling the home to downsize. The sale is complicated, however, by the current Comprehensive Plan designation and zoning on the property, which is High Density/R-03 High Density Multiple Family Residential. The existing single family home is not an allowed use in the R-3 zone, which makes the home not replaceable if destroyed.

The 1910 house was annexed into the City in 1996 when the Kathleen Views Subdivision was annexed, and the zoning applied to it and the surrounding (vacant) subdivision at that time through a Contract Zoning Agreement. At that time, the High Density Multiple Family Residential zoning allowed for single family homes through a Conditional Use Permit, and allowed duplexes and multiple family homes outright. The entire subdivision was developed as Single Family homes under Conditional Use Permit 2-96, which required that "all single-family residential development shall comply with the regulations of the City R-1 Single Family Residential District." The existing home at 2055 South 6<sup>th</sup> Street was brought into the city at this time as a non-conforming development/potential conditional use.

In 2008, Chapter 18 Cottage Grove Zoning Code under which Conditional Use Permit 2-96 was authorized was repealed, and in its place the Cottage Grove Development Code was adopted. Under Chapter 14 Development Code Table 2.2.110, single family homes are not allowed in the R-3 district. Consequently, the home at 2055 South 6<sup>th</sup> Street is now considered a "non-conforming use" and "non-conforming development." The homes within Kathleen Views subdivision are considered "non-conforming development" and "conditional uses". In either case, refinancing and/or mortgaging these homes can be difficult, as the paren zoning no longer allows single family homes, and lenders are loath to lend money for homes that may not be replaceable if damaged or destroyed.

This application proposes to redesignate all the properties annexed in 1996 as part of Kathleen Views Subdivision, including 2055 South 6<sup>th</sup> Street, from H High Density Residential to L Low Density Residential, and rezone the properties from R-3 High Density Multiple Family Residential to R-1 Single Family Residential to correct the current Land Use Maps to reflect the actual density of development on the lots and protect these homeowners' rights to replace and/or rebuild single family homes on their lots.

Staff advised that written notification to be included was received: letter from the Fair Housing Council of Oregon regarding Goal 10 (attached as Exhibit A), memo from staff regarding Revised Goal 10 Finding (attached as Exhibit B), and an email from Judy Baker regarding 520 Patrick Loop and 520 Kathleen Drive in support of the proposal (attached as Exhibit C).

Chair Valley asked if any properties in the subdivision were not included in the proposal. City Planner Ferguson replied no, but that approximately 1/3 of the property owners had not contacted the city to-date. Ferguson stated that the Commissioners had been given a memo (attached as Exhibit D) that listed the properties in support of the application.

Commissioner Devine stated that there were approximately 35 properties involved and that staff had heard from approximately 2/3's of them. Ferguson replied it was just under 2/3's.

Chair Valley asked if the Fair Housing Council had any legal standing on this issue. Director Schesser replied that they did and that is why staff had responded with the revised Goal 10 finding. Further, he had reviewed the LUBA cases they cited and the first two LUBA cases dealt with rezoning from industrial to residential land. The third one involved Lane County and the City of Eugene involves wetlands and the percentage of land they were taking out for wetlands for some apartment development. That none of this land is encumbered with wetlands and with the additional finding provided, staff felt there was an adequate supply of residential high density land available.

Chair Devine asked if there was any reason why a homeowner in that area today wouldn't want the re-zoning? City Planner Ferguson replied that if they were hoping to

keep their property and purchase adjacent property, demolish the existing homes and rebuilding with tri-plexes or multi-family, then yes it would be better for them to main their property as R-3. The lots are small enough that it would be difficult to develop anything other than a duplex. The current zoning does not apply to what is currently developed and the lots would have to be consolidated.

Director Schesser stated that another problem was, that if the home was 50% destroyed by fire it could not be rebuilt under the current zoning. The current property on South 6<sup>th</sup> Street is for sale and the loan can't close because of the V A financing. Further that since 2008, DLCD has said the conditional use for single family density is not an appropriate use in a high density zone because you can't meet the density requirement.

Commissioner Nord asked how the high density and the new floodplain maps, if staff had said none of the high density would be lost? Director Schesser replied that since 2005 nothing has changed in the amount of land available for high density.

City Planner Ferguson stated that new floodplain maps had not yet been received, so when and if they are received that will be a part of the review process under a revised buildable lands analysis.

**OPEN PUBLIC HEARING**

No one spoke.

**CLOSE PUBLIC HEARING**

**IT WAS MOVED BY COMMISSIONER DEVINE AND SECONDED BY COMMISSIONER ECKSTINE THAT THE PLANNING COMMISSION RECOMMENDS ADOPTION OF APPLICATION NO. CUP 1-16 TO THE CITY COUNCIL AS PRESENTED BASED UPON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT AND THE REVISED GOAL 10 FINDING.**

Vote on the motion was as follows:

VOTE	Commissioner Beckes	Commissioner Devine	Commissioner Eckstine	Commissioner Ehler	Commissioner Nord	Commissioner Widener	Chair Valley
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

**INFORMATION REPORT FROM STAFF**

None.

**AUDIENCE PARTICIPATION**

None.

**COMMISSION COMMENTS**

None.

**ADJOURNMENT**

THE MEETING WAS ADJOURNED AT APPROXIMATELY 7:20 p.m.

ATTEST:

APPROVED:

*Cindy Blacksmith*  
Cindy Blacksmith, Recording Secretary

\_\_\_\_\_  
Darby Valley, Chair



June 15, 2016

City of Cottage Grove  
400 E. Main Street  
Cottage Grove, Oregon 97424

**Re: MCPA-16 Amending the Comprehensive Plan Map from High Density Residential (H) to Low Density Residential and the Zoning Map from High Density Multiple Family Residential to Single Family Residential for a total of 7.95 acres.**

Dear Cottage Grove Planning Commission:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's concerns relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

While the staff report relating to this proposal mentions Statewide Goal 10 (Goal 10), it does not sufficiently analyze the impact of the proposed amendment on the City's Goal 10 obligations. The staff report seems to admit that the current zoning does not reflect reality, but makes no analysis of current housing needs in the City. Goal 10 requires the city to inventory buildable lands for residential use and uses this inventory to show that an adequate number of needed housing units can be supported – the staff report does not meet that requirement. In fact, the report specifically says, "A future buildable lands analysis will be necessary to assess if the City has enough residential lands of various densities to meet future needs." *Staff Report MCPA-16*, 4. In order to assess the impact of this proposal an analysis of buildable lands is necessary to determine whether the City's Goal 10 obligations are met.

The staff report does not adequately analyze the proposal's impact on the City's Goal 10 obligations because it does not address how the land at issue may contribute to meeting the Goal 10 obligations of the City (e.g. by zoning for higher density residential use) and it does not

1221 SW Yamhill Street, Portland, Oregon 97205



address whether the County's Goal 10 obligations would be negatively impacted by the proposed amendment. The City must demonstrate that its actions do not leave it with less than adequate supplies in the types, locations, and affordability ranges affected. *Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane County v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations).

HLA and FHCO urge the Commission to defer adoption of the proposed amendment until its impact on the City's Goal 10 obligations is fully analyzed. FHCO and HLA would be willing to collaborate with the City to address this issue and to assist in the new housing inventory and analysis the City alludes to in the staff report. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, Suite #305. Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, 11<sup>th</sup> Floor, Portland, OR 97204.

Sincerely,

A handwritten signature in cursive script that reads "Louise Dix".

Louise Dix  
AFFH Specialist  
Fair Housing Council of Oregon

A handwritten signature in cursive script that reads "Jennifer Bragar".

Jennifer Bragar  
President  
Housing Land Advocates

## MEMO

TO: Planning Commission

FROM: Amanda Ferguson, City Planner

RE: Revised Goal 10 Finding, MCPA 1-16

Dear Commissioners:

Please consider the following revised Goal 10 finding to address existing buildable lands inventory.

**Goal 10: Housing**  
**To provide for the housing needs of citizens of the state.**

This amendment brings the designation/zoning of these properties in alignment with their existing development pattern and ensures that the City has adequate, correct data on our current land use map. This comprehensive plan change/zone change will not impact the City's existing Buildable Lands Inventory. These lands are not vacant and are not part of our current vacant lands inventory per the 2005 Cottage Grove Buildable Lands Analysis, nor are they designated as potential infill development lands. One parcel is shown as Potential Redevelopment (TL 1020) in the 2005 BLA, as the house at 2060 Patrick Loop is on two parcels. This 0.28 acre parcel could not be developed as high density residential under the current Conditional Use Permit; hence, this property is not available as potential infill for high density development but could be redeveloped with an additional single family dwelling or duplex to meet additional residential lands needs.

The 2005 Buildable Lands Analysis concluded that there is adequate vacant land in Cottage Grove's Urban Growth Boundary to meet the low density, medium density and high density residential development demand to 2025. The 2005 BLA report stated that we had 14.76 acres more than was needed for high density residential. Since that time none of this land has been developed. Additionally, we added 3.1 acres of high density residential land with the upzoning of the Hayden property to R-3 in 2015. This results in 17.86 acres of surplus high density residential land in the City. The land in this application was not included in the surplus as it was developed. Also, the growth factor and projected population in the 2005 BLA report was revised and lowered in 2015 with the PSU projection update. When the City initiates a new Buildable Lands Analysis, the City will reevaluate current buildable lands needs and determine appropriate locations for higher density development.



Amanda Ferguson <planner@cottagegrove.org>

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## Proposed Comprehensive Plan Map & Land Use District Change

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Judy Baker <bakercomm7@gmail.com>  
To: planner@cottagegrove.org

Thu, Jun 9, 2016 at 9:28 PM

Dear Gentleperson:

Please leave the properties located at 520 Patrick Loop (20-03-33-33-TL 1030) and 520 Kathleen Drive (20-03-33-33 TL 1011) in the application to allow for these homes to be rezoned as R-1 Single Family Residential, under the application submitted by Mary Harting and the City of Cottage Grove (MCPA-1-16) to bring the homes in alignment with the current development so that they are "Permitted Uses."

If you have any questions or need anything else in writing in support of the rezoning of these properties to be R-1 Single Family Residential, please contact me.

Sincerely,

Rand Baker, Manager  
Bob & Lil Baker, LLC

# Memo

**Date:** June 15, 2016  
**TO:** Cottage Grove Planning Commission  
**FROM:** Amanda Ferguson, City Planner  
**RE:** MCPA 1-16  
Support from property owners

Dear Commissioners:

Below you'll find a list of property addresses, the property owners of which have reached out to our office to express their support for inclusion in the Comprehensive Plan/Land Use District Map Change application for the redesignation/rezoning of Kathleen Views Subdivision (MCPA 1-16):

**Properties Supportive of application:**

2120 Patrick Crt (20-03-33-33 TL 1004)  
2170 Patrick Crt (20-03-33-33 TL 1005)  
2155 Patrick Crt (20-03-33-33 TL 1007)  
520 Kathleen Dr (20-03-33-33 TL 1011)  
540 Kathleen Dr (20-03-33-33 TL 1012)  
560 Kathleen Dr (20-03-33-33 TL 1013)  
580 Kathleen Dr (20-03-33-33 TL 1014)  
2055 S. 6<sup>th</sup> St (20-03-33-33 TL 1015)  
555 Patrick Loop (20-03-33-33 TL 1017)  
535 Patrick Loop (20-03-33-33 TL 1018)  
2060 Patrick Loop (20-03-33-33 TL 1020 & 1021)  
2015 Patrick Loop (20-03-33-33 TL 1027)  
510 Patrick Loop (20-03-33-33 TL 1029)  
520 Patrick Loop (20-03-33-33 TL 1030)  
Patrick Loop (20-03-33-33 TL 1034)  
Patrick Court (20-03-33-33 TL 1035)

**Remaining Properties affected:**

575 Kathleen Dr (20-03-33-33 TL 1001)  
555 Kathleen Dr (20-03-33-33 TL 1002)  
535 Kathleen Dr (20-03-33-33 TL 1003)  
2175 Patrick Crt (20-03-33-33 TL 1006)  
2135 Patrick Crt (20-03-33-33 TL 1008)  
475 Kathleen Dr (20-03-33-33 TL 1009)  
2085 Patrick Loop (20-03-33-33 TL 1010)  
575 Patrick Loop (20-03-33-33 TL 1016)  
2020 Patrick Loop (20-03-33-33 TL 1019)

2070 Patrick Loop (20-03-33-33 TL 1022)  
2065 Patrick Loop (20-03-33-33 TL 1023)  
2055 Patrick Loop (20-03-33-33 TL 1024)  
2045 Patrick Loop (20-03-33-33 TL 1025)  
2035 Patrick Loop (20-03-33-33 TL 1026)  
480 Patrick Loop (20-03-33-33 TL 1028)  
540 Patrick Loop (20-03-33-33 TL 1031)  
560 Patrick Loop (20-03-33-33 TL 1032)  
580 Patrick Loop (20-03-33-33 TL 1033)

STAFF REPORT  
HARTING/CITY OF COTTAGE GROVE; MCPA 1-16  
COMPREHENSIVE PLAN AMENDMENT/LAND USE MAP AMENDMENT  
KATHLEEN VIEWS SUBDIVISION & 2055 S. 6<sup>TH</sup> STREET

PROPOSAL DESCRIPTION

Date application filed: May 12, 2016

Date deemed complete: May 13, 2016

Applicant/Owner: Mary Harting  
2055 S. 6<sup>th</sup> Street  
Cottage Grove, OR 97424

Location: Properties affected: 575 Kathleen Dr (20-03-33-33 TL 1001); 555 Kathleen Dr (20-03-33-33 TL 1002); 535 Kathleen Dr (20-03-33-33 TL 1003); 2120 Patrick Crt (20-03-33-33 TL 1004); 2170 Patrick Crt (20-03-33-33 TL 1005); 2175 Patrick Crt (20-03-33-33 TL 1006); 2155 Patrick Crt (20-03-33-33 TL 1007); 2135 Patrick Crt (20-03-33-33 TL 1008); 475 Kathleen Dr (20-03-33-33 TL 1009); 2085 Patrick Loop (20-03-33-33 TL 1010); 520 Kathleen Dr (20-03-33-33 TL 1011); 540 Kathleen Dr (20-03-33-33 TL 1012); 560 Kathleen Dr (20-03-33-33 TL 1013); 580 Kathleen Dr (20-03-33-33 TL 1014); 2055 S. 6<sup>th</sup> St (20-03-33-33 TL 1015); 575 Patrick Loop (20-03-33-33 TL 1016); 555 Patrick Loop (20-03-33-33 TL 1017); 535 Patrick Loop (20-03-33-33 TL 1018); 2020 Patrick Loop (20-03-33-33 TL 1019); 2060 Patrick Loop (20-03-33-33 TL 1020 & 1021); 2070 Patrick Loop (20-03-33-33 TL 1022); 2065 Patrick Loop (20-03-33-33 TL 1023); 2055 Patrick Loop (20-03-33-33 TL 1024); 2045 Patrick Loop (20-03-33-33 TL 1025); 2035 Patrick Loop (20-03-33-33 TL 1026); 2015 Patrick Loop (20-03-33-33 TL 1027); 480 Patrick Loop (20-03-33-33 TL 1028); 510 Patrick Loop (20-03-33-33 TL 1029); 520 Patrick Loop (20-03-33-33 TL 1030); 540 Patrick Loop (20-03-33-33 TL 1031); 560 Patrick Loop (20-03-33-33 TL 1032); 580 Patrick Loop (20-03-33-33 TL 1033); Patrick Loop (20-03-33-33 TL 1034); Patrick Court (20-03-33-33 TL 1035).

Current Comp Plan: H High Density Residential

Current Zoning: R-3 High Density Residential

Proposed Comp Plan: L Low Density Residential

Proposed Zoning: R-1 Single Family Residential

Proposal:

Mary Harting owns 0.59 acres around a single family home built in 1910 at 2055 S. 6<sup>th</sup> Street (Map 20-03-33-33 TL 1015) and is in the process of selling the home to downsize. The sale is complicated, however, by the current Comprehensive Plan designation and zoning on the property, which is H High Density/R-3 High Density Multiple Family Residential. The existing single family home is not an allowed use in the R-3 zone, which makes the home not replaceable if destroyed.

This 1910 house was annexed into the City in 1996 when the Kathleen Views Subdivision was annexed, and the zoning applied to it and the surrounding (vacant) subdivision at that time through a Contract Zoning Agreement. At that time, the High Density Multiple Family Residential zoning allowed for single family homes through a Conditional Use Permit, and allowed duplexes and multiple family homes outright. The entire subdivision was developed as Single Family homes under Conditional Use Permit 2-96, which required that “all single-family residential development shall comply with the regulations of the City R-1 Single Family Residential District.” The existing home at 2055 S. 6<sup>th</sup> Street was brought into the city at this time as a non-conforming development/potential conditional use.

In 2008, Chapter 18 Cottage Grove Zoning Code under which Conditional Use Permit 2-16 was authorized was repealed, and in its place the Cottage Grove Development Code was adopted. Under Chapter 14 Development Code Table 2.2.110, single family homes are not allowed in the R-3 district. Consequently, the home at 2055 S. 6<sup>th</sup> Street is now considered a “non-conforming use” and “non-conforming development.” The homes within Kathleen Views subdivision are considered “non-conforming development” and “conditional uses”. In either case, refinancing and/or mortgaging these homes can be difficult, as the parent zoning no longer allows single family homes, and lenders are loath to lend money for homes that may not be replaceable if damaged or destroyed.

This application proposes to redesignate all the properties annexed in 1996 as part of Kathleen Views Subdivision, including 2055 S. 6<sup>th</sup> Street, from H High Density Residential to L Low Density Residential, and rezone the properties from R-3 High Density Multiple Family Residential to R-1 Single Family Residential to correct the current Land Use Maps to reflect the actual density of development on the lots and protect these homeowners’ rights to replace and/or rebuild single family homes on their lots.

There are two parts to this application:

- a. Amend the Comprehensive Plan Land Use Map to redesignate the subject properties below from H High Density Residential to L Low Density Residential; and
- b. Amend Title 14, Cottage Grove Development Code land use district map to rezone the subject properties described below from R-3 High Density Multiple Family Residential to R-1 Low Density Single Family Residential.

Properties affected: 575 Kathleen Dr (20-03-33-33 TL 1001); 555 Kathleen Dr (20-03-33-33 TL 1002); 535 Kathleen Dr (20-03-33-33 TL 1003); 2120 Patrick Crt (20-03-33-33 TL 1004); 2170 Patrick Crt (20-03-33-33 TL 1005); 2175 Patrick Crt (20-03-33-33 TL 1006); 2155 Patrick Crt (20-03-33-33 TL 1007); 2135 Patrick Crt (20-03-33-33 TL 1008); 475 Kathleen Dr (20-03-33-33 TL 1009); 2085 Patrick Loop (20-03-33-33 TL 1010); 520 Kathleen Dr (20-03-33-33 TL 1011); 540 Kathleen Dr (20-03-33-33 TL 1012); 560 Kathleen Dr (20-03-33-33 TL 1013); 580 Kathleen Dr (20-03-33-33 TL 1014); 2055 S. 6<sup>th</sup> St (20-03-33-33 TL 1015); 575 Patrick Loop (20-03-33-33 TL 1016);

555 Patrick Loop (20-03-33-33 TL 1017); 535 Patrick Loop (20-03-33-33 TL 1018); 2020 Patrick Loop (20-03-33-33 TL 1019); 2060 Patrick Loop (20-03-33-33 TL 1020 & 1021); 2070 Patrick Loop (20-03-33-33 TL 1022); 2065 Patrick Loop (20-03-33-33 TL 1023); 2055 Patrick Loop (20-03-33-33 TL 1024); 2045 Patrick Loop (20-03-33-33 TL 1025); 2035 Patrick Loop (20-03-33-33 TL 1026); 2015 Patrick Loop (20-03-33-33 TL 1027); 480 Patrick Loop (20-03-33-33 TL 1028); 510 Patrick Loop (20-03-33-33 TL 1029); 520 Patrick Loop (20-03-33-33 TL 1030); 540 Patrick Loop (20-03-33-33 TL 1031); 560 Patrick Loop (20-03-33-33 TL 1032); 580 Patrick Loop (20-03-33-33 TL 1033); Patrick Loop (20-03-33-33 TL 1034); Patrick Court (20-03-33-33 TL 1035).

#### COMMENTS RECEIVED

None.

#### APPROVAL CRITERIA AND FINDINGS; MCPA 1-16

***14.4.1.500.H Decision-Making Criteria.*** *The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:*

- 1. Approval of the request is consistent with the Statewide Planning Goals;*

#### Staff response and findings of fact:

The following Statewide Planning Goals are applicable and the amendment and concurrent zone change 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. Ms. Harting's complete application was received on May 13, 2016. Proper Type IV public notice of the proposed amendments was given in compliance with Section 14.4.1.500E of the Cottage Grove Development Code on May 13, 2016, via publication in The Cottage Grove Sentinel newspaper. The Department of Land Conservation and Development was notified of the intended amendments on May 13, 2016. Public hearings were held by the Planning Commission on June 15, 2016 and City Council on June 27, 2016, to consider this redesignation/zoning zone change. The City's process involves various forms of notification of the public in the immediate area, notification in local media, notification on community bulletin boards at the Cottage Grove City Hall and Community Center, and notification to Friends of Mt. David, a recognized neighborhood group. Goal 1 is met.

#### **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 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.

**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 properties. The properties are outside of the riparian corridor, and are not designated as floodplain. These redesignation/zone change amendments are 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. Hence 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 properties are 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 low density 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 amendments comply with Goal 7.

**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 remove 7.95 acres from the City's high density housing lands inventory and place it into the City's low density housing lands inventory. These properties are already fully developed as low density housing, so this amendment brings their designation/zoning in alignment with their existing development pattern and ensures that the City has adequate, correct data for future planning. A future buildable lands analysis will be necessary to assess if the City has enough residential lands of various densities to meet future needs. With this redesignation, that buildable lands analysis will not be hindered with incorrect inventory information. The proposed amendments comply with Goal 10 at this time.

**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 are currently adequately served with public facilities. Adequate public infrastructure for water, sewer, and storm sewer exists in S. 6<sup>th</sup> Street, Kathleen Drive, Patrick Loop and Patrick Court to meet existing needs. Kathleen Drive is a residential street under the City's jurisdiction. Patrick Loop and Patrick Court are private streets with rolled curbs and sidewalks under the ownership of the homeowners' association. S. 6<sup>th</sup> Street is a public street under Lane County's jurisdiction. All roads are developed to the extent necessary to meet low

density residential needs. The properties are adequately served by police service, public transit, and a thorough transportation network. The proposed amendments comply with Goal 11.

**Goal 12: Transportation**

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

Goal 12 is implemented via the State transportation Planning rule (TPR) 600-012-0060. The TPR applies to comprehensive and zone amendments and requires mitigation where those amendments would significantly affect an existing or planned transportation facility. Based on trip generation data the proposed lower residential designation and zone amendments will correct the City's transportation planning figures for this area, as the current level of development generates less traffic than that which could be generated by the current high density residential designation and zoning but is unlikely to be redeveloped as anything other than single family dwellings due to the small size of the parcels. The proposed amendments will not significantly affect any existing or planned transportation facility. Hence, the proposed amendments comply with Goal 12.

**Goal 13: Energy Conservation**

**To conserve energy.**

The Plan amendment/zone change will promote more energy efficient development by correcting the zoning on these properties to reflect their development pattern and allowing for better facility and land use planning in this area. The change will also encourage the retention and maintenance of existing homes, which will conserve energy by reducing needs for green-field development and expansion of city services. The proposed amendments comply 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 properties have been annexed to the City of Cottage Grove and are inside the City's acknowledged Urban Growth Boundary. This application is in compliance with Goal 14. This criterion has been met.

**Non-applicable coastal goals**

Goal 3: Agricultural Lands

Goal 4: Forest Lands

Goal 6: Air and Water Resources

Goal 8: Recreational Needs

Goal 9: Economic Development

Goal 15: Willamette River Greenway

Goal 16: Estuarine Resources

Goal 17: Coastal Shorelands

Goal 18: Beaches and Dunes

Goal 19: Ocean Resources

This criterion has been met.

2. *Approval of the request is consistent with the Comprehensive Plan; and*

Staff response and findings of fact:

This request is consistent with the Comprehensive Plan, as modifications to the Comp Plan and its adopted implementing documents are expected overtime.

The Plan amendment and concurrent zone change is consistent with the following components of the Comprehensive Plan.

*Land Use*

*To assure wise and efficient use of our urbanizable lands.*

The lands proposed for redesignation/rezoning are currently used for low density single family residential purposes, although they are zoned for high density residential use. As the lots are too small to be redeveloped for high density use, it is appropriate to change their zoning to match their existing residential use and affirm that existing uses as the best uses for the properties.

*Economy*

*To encourage opportunities to broaden our economic base, but this should be a gradual transition that will not destroy our rich historical heritage and the natural amenities of the area.*

The properties have been developed over the last twenty years with a combination of small residential homes and their yards. Long-range plans show the use remaining consistent with the current use, as the lots are too small for high density use and the existing conditional use permit required that the lots be developed using low density residential standards. It is appropriate to change our maps to reflect this current use. It will encourage the maintenance of the current residences by allowing for insurance and financing and providing assurance that the uses can be rebuilt on the site if destroyed.

*Energy Conservation Goal*

*To strive to conserve all forms of energy through efficient use of our lands and promotion of sound energy conservation techniques.*

The land proposed for low density redesignation/rezoning is currently used for low density residential purposes, although it has been zoned for high density residential use. As the lots are too small to be redeveloped for high density residential use, it is appropriate to change the zoning to match the existing residential nature of their use. This redesignation/rezoning will conserve existing infrastructure and private investment, and is an efficient use of our land.

This criterion has been met.

- 3. The property and affected area 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 concurrently with the development of the property.*

Staff response and findings of fact:

Adequate public facilities, including water, sewer, storm water, and streets are provided to the sites. The property at 2055 S. 6<sup>th</sup> Street is accessed by an existing driveway to S. 6<sup>th</sup> Street, a major arterial. The properties addressed on Kathleen Drive are accessed via existing driveways onto this public residential-standard street. The remainder of the properties are accessed off of private streets (Patrick Loop and Patrick Drive), which are already fully developed to meet current needs. Future transportation impacts will be lessened by the proposed comprehensive plan map and land use district map changes, by modifying planning expectations for the area based upon the current density of development rather than an artificial density applied through a past conditional use permit. This criterion is met.

4. *The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property which is the subject of the application;*

The proposed Comprehensive Plan and Zoning Map amendments are in the public interest, given that surrounding properties are residential and the current commercial designation and zoning is inconsistent with the current developed uses. The Comprehensive Plan states: '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, but are unforeseen now. 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.' Further, the applicants propose these amendments to correct the City's maps to allow for the development and/or continued use of low density residential development on these properties. The property owners of the land involved in the Plan amendment/Rezoning are in favor of the proposed actions. The proposed change is in the public's interest, is in keeping with the development pattern in the area of the city; is in keeping with the intent of the City Comprehensive Plan; and serves the public's health, safety and welfare. This criterion is met.

5. *The change is consistent with the function, capacity and performance standards for the streets used for access, consistent with the Cottage Grove TSP, the Oregon Highway Plan, and the Transportation Planning Rule (OAR 660-12) and;*

Single family residential zoning on these properties would not trigger a Transportation Planning Rule analysis, as expected traffic impacts will be much less than expected under the current zoning.

This criterion has been met.

6. *The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.800.*

No impact is expected from the change of designation/rezoning, as the proposed zoning has a lesser potential traffic generation than the current zoning.

This criterion has been met.

## CONCLUSION

Ordinance amendment approval pursuant to Sections 14.4.1.500.H Decision-Making Criteria is supported by the findings of fact that establish compliance with the applicable state and local standards.

## STAFF RECOMMENDATION

**Approval** of MCPA 1-16 to amend the Comprehensive Plan Land Use Map, pursuant to Section 14.1.500, which is supported by findings of fact, to:

- a. Amend the Cottage Grove Comprehensive Plan land use diagram map is to redesignate the Subject Properties described below from H High Density Residential to L Low Density Residential; and

- b. Amend Title 14, Cottage Grove Development Code land use district map to rezone the Subject Properties described below from R-3 High Density Multiple Family Residential to R-1 Low Density Single Family Residential.

Properties affected: 575 Kathleen Dr (20-03-33-33 TL 1001); 555 Kathleen Dr (20-03-33-33 TL 1002); 535 Kathleen Dr (20-03-33-33 TL 1003); 2120 Patrick Crt (20-03-33-33 TL 1004); 2170 Patrick Crt (20-03-33-33 TL 1005); 2175 Patrick Crt (20-03-33-33 TL 1006); 2155 Patrick Crt (20-03-33-33 TL 1007); 2135 Patrick Crt (20-03-33-33 TL 1008); 475 Kathleen Dr (20-03-33-33 TL 1009); 2085 Patrick Loop (20-03-33-33 TL 1010); 520 Kathleen Dr (20-03-33-33 TL 1011); 540 Kathleen Dr (20-03-33-33 TL 1012); 560 Kathleen Dr (20-03-33-33 TL 1013); 580 Kathleen Dr (20-03-33-33 TL 1014); 2055 S. 6<sup>th</sup> St (20-03-33-33 TL 1015); 575 Patrick Loop (20-03-33-33 TL 1016); 555 Patrick Loop (20-03-33-33 TL 1017); 535 Patrick Loop (20-03-33-33 TL 1018); 2020 Patrick Loop (20-03-33-33 TL 1019); 2060 Patrick Loop (20-03-33-33 TL 1020 & 1021); 2070 Patrick Loop (20-03-33-33 TL 1022); 2065 Patrick Loop (20-03-33-33 TL 1023); 2055 Patrick Loop (20-03-33-33 TL 1024); 2045 Patrick Loop (20-03-33-33 TL 1025); 2035 Patrick Loop (20-03-33-33 TL 1026); 2015 Patrick Loop (20-03-33-33 TL 1027); 480 Patrick Loop (20-03-33-33 TL 1028); 510 Patrick Loop (20-03-33-33 TL 1029); 520 Patrick Loop (20-03-33-33 TL 1030); 540 Patrick Loop (20-03-33-33 TL 1031); 560 Patrick Loop (20-03-33-33 TL 1032); 580 Patrick Loop (20-03-33-33 TL 1033); Patrick Loop (20-03-33-33 TL 1034); Patrick Court (20-03-33-33 TL 1035).

#### CONDITIONS OF APPROVAL

None.

#### MATERIALS TO BE PART OF THE RECORD

File MCPA 1-16

#### EXHIBITS

- A. Draft Ordinance amending the Comprehensive Plan Map and Cottage Grove Land Use Map (MCPA 1-16)
- B. DLCD Notice of Proposed Amendment
- C. Email of support, Iva Pfeifer, 2015 Patrick Loop
- D. Letter of support, Donald & Doris Loeffler, 1498 E. Main Street #103-223

EXHIBIT A:

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE COTTAGE GROVE  
COMPREHENSIVE PLAN LAND USE DIAGRAM  
MAP & TITLE 14 LAND USE DISTRICT MAP  
FOR KATHLEEN VIEWS SUBDIVISION & 2055 S. 6<sup>th</sup> STREET (MCPA 1-16)  
Map 20-03-33-33 TLs 1001-1035

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, Kathleen Views Subdivision is designated as High Density Residential on the Cottage Grove Comprehensive Lane Map and R-3 High Density Residential, but was designed as a Single Family Residential Subdivision (using R-1 Single Family Residential district standards) under a Conditional Use Permit (CUP 2-96) around an existing single family home at 2055 S. 6<sup>th</sup> Street (TL 1015); and

WHEREAS, the owner of 2055 S. 6<sup>th</sup> Street has applied to amend the Comprehensive Plan Land Use Plan Land Use Diagram Map and Title 14 Cottage Grove Development Code Land Use District Map to change their Land Use Designation and district to Low Density Residential and R-1 Single Family Residential to allow for the maintenance and redevelopment of their single family home; and

WHEREAS, the City of Cottage Grove Community Development Department extended the application to include the owners of the surrounding Kathleen Views Subdivision to reflect the existing development pattern and allow for the maintenance and redevelopment of their homes as single family homes; and

WHEREAS, on June 15, 2016, the Cottage Grove Planning Commission conducted a properly noticed public hearing, provided the public an opportunity to comment on the proposed redesignation and zone change amendments, and adopted findings and recommended Council approval of the proposal; and

WHEREAS, on \_\_\_\_\_, 2016, the Cottage Grove City Council conducted a properly noticed public hearing concerning the proposed redesignation and zone change amendments 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 applicants' requested redesignation and zone change amendments.

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 from the current H High Density Residential designation and R-3 High Density Multiple Family Residential zoning to a L Low Density Residential designation and R-1 Low Density Single-Family Residential zoning, as shown in Exhibit "A" attached and incorporated herein.

Section 2. Findings. The City Council hereby adopts the above findings of fact and those set forth in Exhibit B, attached hereto and incorporated herein by this reference, as support for the redesignation and zone change amendments adopted in Section 3 of this Ordinance, below.

Section 3. Amendments.

a. The Cottage Grove Comprehensive Plan land use diagram map is hereby amended to redesignate the Subject Properties described in Exhibit A from H High Density Residential to L Low Density Residential; and

b. Title 14, Cottage Grove Development Code land use district map is hereby amended to rezone the Subject Properties described in Exhibit A and below from R-3 High Density Multiple Family Residential to R-1 Low Density Single Family Residential.

Properties affected: 575 Kathleen Dr (20-03-33-33 TL 1001); 555 Kathleen Dr (20-03-33-33 TL 1002); 535 Kathleen Dr (20-03-33-33 TL 1003); 2120 Patrick Crt (20-03-33-33 TL 1004); 2170 Patrick Crt (20-03-33-33 TL 1005); 2175 Patrick Crt (20-03-33-33 TL 1006); 2155 Patrick Crt (20-03-33-33 TL 1007); 2135 Patrick Crt (20-03-33-33 TL 1008); 475 Kathleen Dr (20-03-33-33 TL 1009); 2085 Patrick Loop (20-03-33-33 TL 1010); 520 Kathleen Dr (20-03-33-33 TL 1011); 540 Kathleen Dr (20-03-33-33 TL 1012); 560 Kathleen Dr (20-03-33-33 TL 1013); 580 Kathleen Dr (20-03-33-33 TL 1014); 2055 S. 6<sup>th</sup> St (20-03-33-33 TL 1015); 575 Patrick Loop (20-03-33-33 TL 1016); 555 Patrick Loop (20-03-33-33 TL 1017); 535 Patrick Loop (20-03-33-33 TL 1018); 2020 Patrick Loop (20-03-33-33 TL 1019); 2060 Patrick Loop (20-03-33-33 TL 1020 & 1021); 2070 Patrick Loop (20-03-33-33 TL 1022); 2065 Patrick Loop (20-03-33-33 TL 1023); 2055 Patrick Loop (20-03-33-33 TL 1024); 2045 Patrick Loop (20-03-33-33 TL 1025); 2035 Patrick Loop (20-03-33-33 TL 1026); 2015 Patrick Loop (20-03-33-33 TL 1027); 480 Patrick Loop (20-03-33-33 TL 1028); 510 Patrick Loop (20-03-

33-33 TL 1029); 520 Patrick Loop (20-03-33-33 TL 1030); 540 Patrick Loop (20-03-33-33 TL 1031); 560 Patrick Loop (20-03-33-33 TL 1032); 580 Patrick Loop (20-03-33-33 TL 1033); Patrick Loop (20-03-33-33 TL 1034); Patrick Court (20-03-33-33 TL 1035).

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_\_\_ OF \_\_\_\_\_, 2016.

\_\_\_\_\_

Thomas C. Munroe, Mayor

Dated: \_\_\_\_\_

\_\_\_\_\_  
Richard Meyers, City Manager

Dated: \_\_\_\_\_

EXHIBIT A  
ORDINANCE NO. \_\_\_\_\_

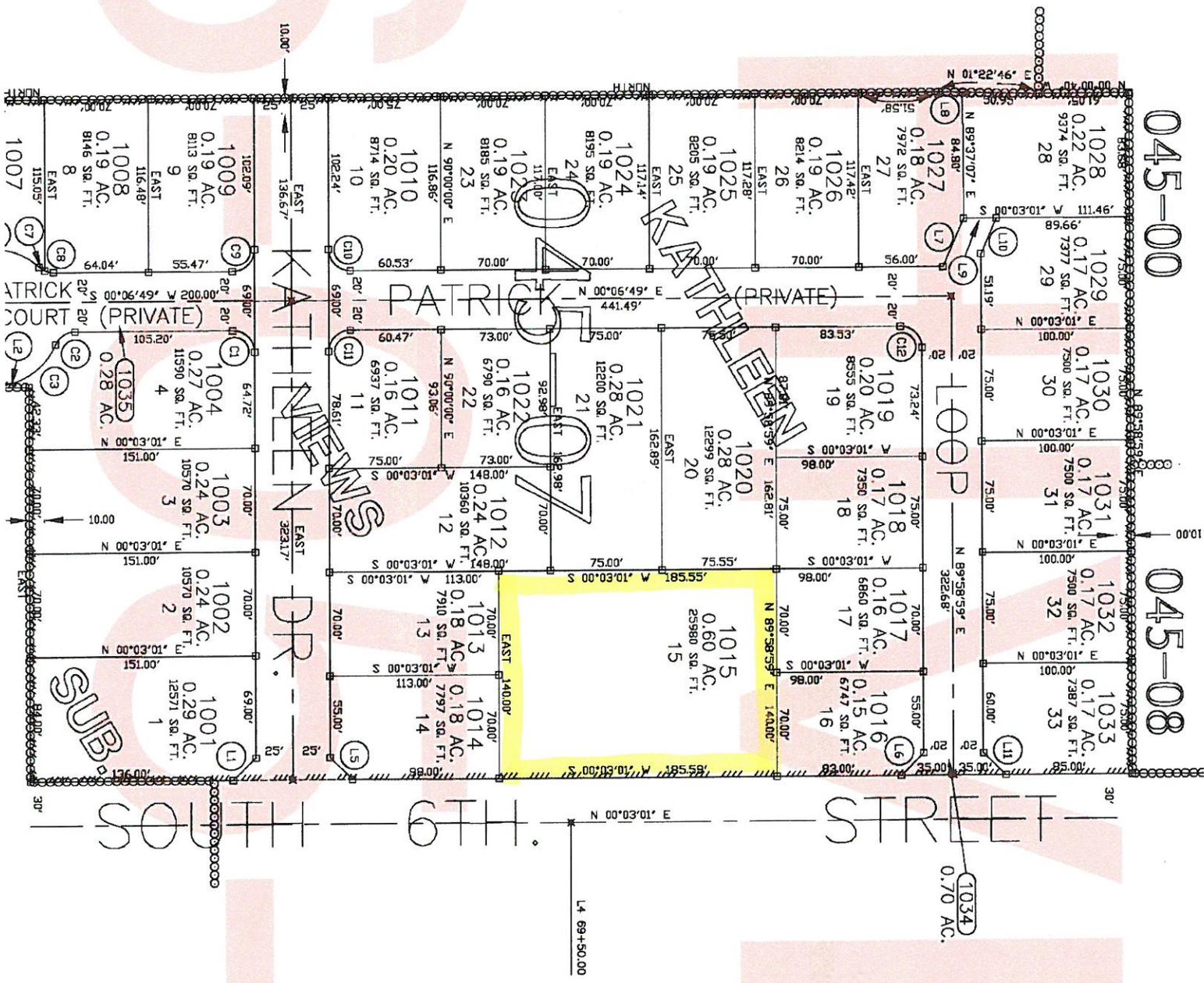
**Site Location**

Kathleen Views Subdivision  
Map 20-03-33-33 TL 1001-1035

Properties affected: 575 Kathleen Dr (20-03-33-33 TL 1001); 555 Kathleen Dr (20-03-33-33 TL 1002); 535 Kathleen Dr (20-03-33-33 TL 1003); 2120 Patrick Crt (20-03-33-33 TL 1004); 2170 Patrick Crt (20-03-33-33 TL 1005); 2175 Patrick Crt (20-03-33-33 TL 1006); 2155 Patrick Crt (20-03-33-33 TL 1007); 2135 Patrick Crt (20-03-33-33 TL 1008); 475 Kathleen Dr (20-03-33-33 TL 1009); 2085 Patrick Loop (20-03-33-33 TL 1010); 520 Kathleen Dr (20-03-33-33 TL 1011); 540 Kathleen Dr (20-03-33-33 TL 1012); 560 Kathleen Dr (20-03-33-33 TL 1013); 580 Kathleen Dr (20-03-33-33 TL 1014); 2055 S. 6<sup>th</sup> St (20-03-33-33 TL 1015); 575 Patrick Loop (20-03-33-33 TL 1016); 555 Patrick Loop (20-03-33-33 TL 1017); 535 Patrick Loop (20-03-33-33 TL 1018); 2020 Patrick Loop (20-03-33-33 TL 1019); 2060 Patrick Loop (20-03-33-33 TL 1020 & 1021); 2070 Patrick Loop (20-03-33-33 TL 1022); 2065 Patrick Loop (20-03-33-33 TL 1023); 2055 Patrick Loop (20-03-33-33 TL 1024); 2045 Patrick Loop (20-03-33-33 TL 1025); 2035 Patrick Loop (20-03-33-33 TL 1026); 2015 Patrick Loop (20-03-33-33 TL 1027); 480 Patrick Loop (20-03-33-33 TL 1028); 510 Patrick Loop (20-03-33-33 TL 1029); 520 Patrick Loop (20-03-33-33 TL 1030); 540 Patrick Loop (20-03-33-33 TL 1031); 560 Patrick Loop (20-03-33-33 TL 1032); 580 Patrick Loop (20-03-33-33 TL 1033); Patrick Loop (20-03-33-33 TL 1034); Patrick Court (20-03-33-33 TL 1035).

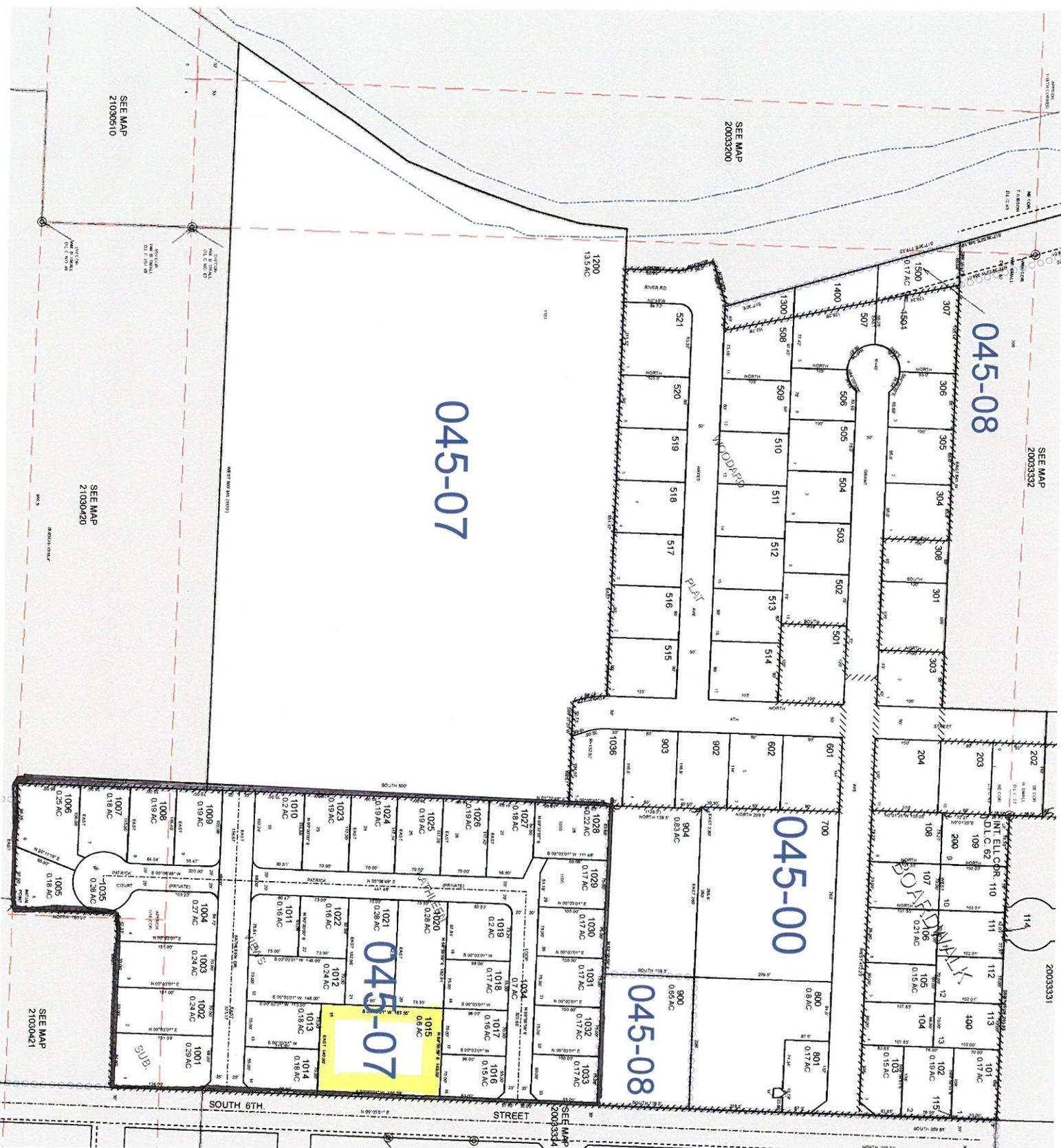
045-00

045-08



CANCELLED

- 100
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- 300
- 302
- 500
- 901
- 1101
- 400
- 1501



NOTES:  
 1. LOCAL 2015-06-03 11:45  
 2. LOCAL 2015-06-03 11:45  
 3. LOCAL 2015-06-03 11:45

EXHIBIT B  
ORDINANCE NO. \_\_\_\_\_

1. Mary Harting submitted an application to amend the Cottage Grove Comprehensive Plan land use diagram map from H High Density Residential to L Low Density Residential, and amend Title 14 Cottage Grove Development Code land use district map from R-3 High Density Multiple Family Residential to R-1 Low Density Multiple Family Residential, for 0.59 acres at 2055 S. 6<sup>th</sup> Street (Map 20-03-33-33 TL 1015). This lot has an existing single family dwelling.
2. The City of Cottage Grove amended the application to include the adjoining Kathleen Views Subdivision, Tax lots 1001-1035, an additional 7.36 acres. The property owners of the affected properties were notified of the modification and a majority of the property owners approved of the inclusion of their properties in this application.
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 subject properties are located on the west side of S. 6<sup>th</sup> Street, beginning approximately one block south of Grant Street, and continuing to a point approximately one block north of Cleveland Street. The application includes all properties adjacent to Kathleen Drive, Patrick Court and Patrick Loop, as well as the parcels making up Patrick Court and Patrick Loop, and one house on S. 6<sup>th</sup> Street, 2055 S. 6<sup>th</sup> Street. This includes all tax lots between 1001 and 1035 on Map 20-03-33-33.
6. When originally built, the homes in Kathleen Views Subdivision were allowed under a Conditional Use Permit (CUP 2-96) that required their development under the City’s R-1 Single Family Residential zone. The Cottage Grove Development Code Chapter 14 no longer allows single family homes as conditional uses within the R-3 district. Hence all these homes are now “non-conforming development.” This designation change/zone change would realign the properties’ zoning with their development pattern and change their status to “permitted uses.”

7. Findings: The State of Oregon has adopted statewide land use planning goals. Comprehensive plan map amendments must comply with the applicable Statewide Planning Goals and implementing regulations. To recommend approval to the City Council, the Planning Commission must find that the application complies with the applicable Statewide Goals. Part of this decision requires determining which Statewide Goals are applicable.

The following Statewide Planning Goals are not applicable to the proposed redesignation/zoning change: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 6 – Air and Water Resources; Goal 8: Recreational Needs; Goal 9: Economic Development; Goal 15 – Willamette River Greenway;;Goal 16- Estuarine Resources Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.

8. The redesignation in the City’s Comprehensive Plan must comply with the following Statewide Planning Goals:

**Goal 1: Citizen Involvement**

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. Ms. Harting’s complete application was received on May 13, 2016. Proper Type IV public notice of the proposed amendments was given in compliance with Section 14.4.1.500E of the Cottage Grove Development Code on May 13, 2016, via publication in The Cottage Grove Sentinel newspaper. The Department of Land Conservation and Development was notified of the intended amendments on May 13, 2016. Public hearings were held by the Planning Commission on June 15, 2016 and City Council on June 27, 2016, to consider this redesignation/zoning zone change. The City’s process involves various forms of notification of the public in the immediate area, notification in local media, notification on community bulletin boards at the Cottage Grove City Hall and Community Center, and notification to Friends of Mt. David, a recognized neighborhood group. Goal 1 is met.

**Goal 2: Land Use Planning**

The land use planning process used by Cottage Grove to review this application complies 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 ensure an adequate factual base for such decisions and actions. The proposed amendments were reviewed in accordance with the City’s adopted procedures, specifically Development Code 4.1.500, governing Type IV procedures, and were found compatible with the City’s Comprehensive Plan.

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

No known wetlands or historic areas are located on the subject properties. The properties are outside of the riparian corridor, and are not designated as floodplain. These redesignation/zone change amendments are in compliance with Goal 5.

**Goal 7: Areas Subject to Natural Disasters and Hazards**

The subject properties are 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 low density 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 amendments comply with Goal 7.

**Goal 10: Housing**

Goal 10 is applicable. The comprehensive plan change/zone change will remove 7.95 acres from the City's high density housing lands inventory and place it into the City's low density housing lands inventory. These properties are already fully developed as low density housing, so this amendment brings their designation/zoning in alignment with their existing development pattern and ensures that the City has adequate, correct data for future planning. A future buildable lands analysis will be necessary to assess if the City has enough residential lands of various densities to meet future needs. With this redesignation, that buildable lands analysis will not be hindered with incorrect inventory information. The proposed amendments comply with Goal 10 at this time.

**Goal 11: Public Facilities and Services**

The properties are currently adequately served with public facilities. Adequate public infrastructure for water, sewer, and storm sewer exists in S. 6<sup>th</sup> Street, Kathleen Drive, Patrick Loop and Patrick Court to meet existing needs. Kathleen Drive is a residential street under the City's jurisdiction. Patrick Loop and Patrick Court are private streets with rolled curbs and sidewalks under the ownership of the homeowners' association. S. 6<sup>th</sup> Street is a public street under Lane County's jurisdiction. All roads are developed to the extent necessary to meet low density residential needs. The properties are adequately served by police service, public transit, and a thorough transportation network. The proposed amendments comply with Goal 11.

**Goal 12: Transportation**

Goal 12 is implemented via the State transportation Planning rule (TPR) 600-012-0060. The TPR applies to comprehensive and zone amendments and requires mitigation where those amendments would significantly affect an existing or planned transportation facility. Based on trip generation data the proposed lower residential designation and zone amendments will correct the City's transportation planning figures for this area, as the current level of development generates less traffic than that which could be generated by the current high density residential designation and zoning but is unlikely to be redeveloped as anything other than

single family dwellings due to the small size of the parcels. The proposed amendments will not significantly affect any existing or planned transportation facility. Hence, the proposed amendments comply with Goal 12.

**Goal 13: Energy Conservation**

The Plan amendment/zone change will promote more energy efficient development by correcting the zoning on these properties to reflect their development pattern and allowing for better facility and land use planning in this area. The change will also encourage the retention and maintenance of existing homes, which will conserve energy by reducing needs for green-field development and expansion of city services. The proposed amendments comply with Goal 13.

**Goal 14: Urbanization**

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

**Cottage Grove Development Code 4.7.500.**

A recommendation or a decision to approve, approve with conditions or to deny an application for a legislative amendment or a quasi-judicial land use district map amendment shall be based on all of the following criteria:

1. Approval of the request is consistent with the Statewide Planning Goals:

As determined by the above Goal findings, the proposed amendments comply with all applicable Statewide Planning Goals. This criterion is met.

2. Approval of the request is consistent with the adopted Comprehensive Plan designation, including the Transportation System Plan, for the area:

The requested rezone will be consistent with the City's adopted Comprehensive Plan designation. The rezone is coupled with a requested redesignation from a H High Density Residential to a Low Density Residential designation. The City's Transportation System Plan implements the State Transportation Planning Rule; therefore, for all the reasons stated above, the proposal does comply with the City's TSP in addition to the State TPR. This criterion is met.

3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities and transportation networks are planned to be provided in the planning period:

Adequate public facilities, including water, sewer, storm water, and streets are provided to the sites. The property at 2055 S. 6<sup>th</sup> Street is accessed by an existing driveway to S. 6<sup>th</sup> Street, a major arterial. Kathleen Drive is a

residential public street with sidewalks. The remainder of the properties are accessed off of private streets (Patrick Loop and Patrick Drive) that are already fully developed to meet current needs. Future transportation impacts will be lessened by the proposed comprehensive plan map and land use district map changes, by modifying planning expectations for the area based upon the current density of development rather than an artificial density applied through a past conditional use permit. This criterion is met.

4. The change is in the public interest with regard to neighborhood or community conditions, or corrects a mistake or inconsistency in the comprehensive plan or land use district map regarding the property with is the subject of the application:

The proposed Comprehensive Plan and Zoning Map amendments are in the public interest, given that surrounding properties are residential and the current commercial designation and zoning is inconsistent with the current developed uses. The Comprehensive Plan states: '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, but are unforeseen now. 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.' Further, the applicants propose these amendments to correct the City's maps to allow for the development and/or continued use of low density residential development on these properties. The property owners of the land involved in the Plan amendment/Rezoning are in favor of the proposed actions. The proposed change is in the public's interest, is in keeping with the development pattern in the area of the city; is in keeping with the intent of the City Comprehensive Plan; and serves the public's health, safety and welfare. This criterion is met.

5. The change is consistent with the function, capacity and performance standards for the streets used for access, consistent with the Cottage Grove TSP, the Oregon Highway Plan, the Transportation Planning Rule (OAR 600-12). This criterion is met.
6. The amendments conform to the Transportation Planning Rule under Section 4.7.800.

As noted above in Goal 12 and criteria 4.7.500 (2) above, the amendments conform to the requirements of the Transportation Planning Rule under Section 4.7.800.

ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING THE COTTAGE GROVE  
COMPREHENSIVE PLAN LAND USE DIAGRAM  
MAP & TITLE 14 LAND USE DISTRICT MAP  
FOR KATHLEEN VIEWS SUBDIVISION & 2055 S. 6<sup>th</sup> STREET (MCPA 1-16)  
Map 20-03-33-33 TL 1001-1035

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, Kathleen Views Subdivision is designated as High Density Residential on the Cottage Grove Comprehensive Lane Map and R-3 High Density Residential, but was designed as a Single Family Residential Subdivision (using R-1 Single Family Residential district standards) under a Conditional Use Permit in ????, around an existing single family home at 2055 S. 6<sup>th</sup> Street (TI 1015); and

WHEREAS, the owners have applied to amend the Comprehensive Plan Land Use Plan Land Use Diagram Map and Title 14 Cottage Grove Development Code Land Use District Map to change their Land Use Designation and district to Low Density Residential and R-1 Single Family Residential to reflect the existing development pattern and allow for the maintenance and redevelopment of their homes; and

WHEREAS, on June 15, 2016, the Cottage Grove Planning Commission conducted a properly noticed public hearing, provided the public an opportunity to comment on the proposed redesignation and zone change amendments, and adopted findings and recommended Council approval of the proposal; and

WHEREAS, on \_\_\_\_\_, 2016, the Cottage Grove City Council conducted a properly noticed public hearing concerning the proposed redesignation and zone change amendments 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 applicants' requested redesignation and zone change amendments.

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 from the current H High Density Residential designation and R-3 High Density Multiple Family Residential zoning to a L Low Density Residential designation and R-1 Low Density Single-Family Residential zoning, as shown in Exhibit "A" attached and incorporated herein.

Section 2. Findings. The City Council hereby adopts the above findings of fact and those set forth in Exhibit B, attached hereto and incorporated herein by this reference, as support for the redesignation and zone change amendments adopted in Section 3 of this Ordinance, below.

Section 3. Amendments.

- a. The Cottage Grove Comprehensive Plan land use diagram map is hereby amended to redesignate the Subject Properties described in Exhibit A from H High Density Residential to L Low Density Residential; and
- b. Title 14, Cottage Grove Development Code land use district map is hereby amended to rezone the Subject Properties described in Exhibit A from R-3 High Density Multiple Family Residential to R-1 Low Density Single Family Residential.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_\_ OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
Thomas C. Munroe, Mayor

Dated: \_\_\_\_\_

\_\_\_\_\_  
Richard Meyers, City Manager

Dated: \_\_\_\_\_

EXHIBIT A  
ORDINANCE NO. \_\_\_\_\_

**Site Location**  
Kathleen Views Subdivision  
Map 20-03-33-33 TL 1001-1035