



BAKER CITY, OREGON PLANNING COMMISSION MEETING AGENDA

Commissioners:
Aaron Still
Haden Damschen
Laurie Parry
Gratton Miller
Ken Rockwell
Larisa Bogardus
Matthew Reidy

REGULAR MEETING
FEBRUARY 21, 2024 - 6:00 PM
CITY HALL COUNCIL CHAMBERS

Call to Order/Introduction

- | | |
|-------------------|------------|
| 1. Call to Order | Procedural |
| 2. Roll Call | Procedural |
| 3. Public Comment | Procedural |

Old Business

- | | |
|---|-------------|
| 4. Review of Minutes - 1.08.2024 City Planning Commission Hearing | Action Item |
|---|-------------|

New Business

- | | |
|--|-------------|
| 5. RZ-23-132 Step Forward-Alpine Terra - Rezone of 1050 Bridge Street from Residential-Low Density (R-LD) to Residential-Medium Density (R-MD) | Action Item |
| 6. RZ-23-131 Tennant - Rezone of +/- 44.6 acres of vacant land from General Industrial (I) to Residential Medium-Density (R-MD) | Action Item |

Updates and Future Items

- | | |
|---------------------------------|-------------|
| 7. Director's Report | Information |
| 8. Set Next Meeting Date & Time | Action Item |

Adjourn

- | | |
|------------|------------|
| 9. Adjourn | Procedural |
|------------|------------|

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BAKER CITY, OREGON STAFF REPORT

Commissioners:

Aaron Still
Haden Damschen
Laurie Parry
Gratton Miller
Ken Rockwell
Larisa Bogardus
Matthew Reidy

Created by:

Date: February 21, 2024

Subject: Call to Order

Attachments:

None



BAKER CITY, OREGON STAFF REPORT

Commissioners:

Aaron Still
Haden Damschen
Laurie Parry
Gratton Miller
Ken Rockwell
Larisa Bogardus
Matthew Reidy

Created by:

Date: February 21, 2024

Subject: Public Comment

Attachments:

None

Baker City Planning Commission
Baker County Courthouse
1995 Third Street, Ste. 131
Baker City, Oregon 97814
Phone: (541) 523-8219, Fax: (541) 523-8340

The minutes are only a third party summary of the original meeting. For a complete transcript, an audio recording is available. Please contact the Baker City-County Planning Department for further information.

Baker City Planning Commission
Public Hearing
January 8, 2024, 6:00 p.m.
Baker City Council Chambers

I. Call to Order/Introductions

Present: Gratton Miller, Larisa Bogardus, Matthew Reidy, Ken Rockwell, Haden Damschen

Absent: Aaron Still, Laurie Parry

Staff Present: Planning Director Holly Kerns, Senior Planner Tara Micka, Planning Technician Paul King

II. Old Business

Review of Minutes 12.20.2023

Commissioner Rockwell moved to approve the minutes from the December 20, 2023 meeting.
Commissioner Reidy seconded. Motion passed unanimously.

RZ-23-121 Atlas Land Use Consulting – Rezone of ±33 acres of vacant land from General Industrial (I) to Residential Low Density (RLD)

Planner Micka gave a summary of the application and noted the new findings.

During the last meeting, Criteria 1, 2, 4, and 5 were met. The Planning Commission needs to make findings for Criteria 3 regarding public access.

Planner Micka noted new exhibits entered into the record including the overlay of the Willowvale Subdivision over the subject property.

Planner Micka told the Commission that findings need to be made regarding compatibility issues raised during testimony in the last meeting, and she added new exhibits to the record; letters from Kevin Luckini and The Powder River Council.

The Commissioners had no questions of Staff.

Commissioner Bogardus moved to reopen the Public Record for the two new exhibits and potential audience testimony. Commissioner Reidy Seconded. Commissioner Damschen opposed. Motion Passed.

Eva Henes 42008 Salmon Creek Road

Ms. Henes addressed land suitability and that the subject property abuts residential land. She noted the buffers of the Powder River and the railroad between industrial and residential land, as well as the potential for CCRs to mitigate potential conflict further in the event of future development.

Ms. Henes addressed the new exhibits and told the Commission that while there is public right of way on the property, those ROWs are not developed. She noted the new letters of support, and said they both speak to a broader community support. She addressed the proposed ordinance language and that they don't object to the language, except for the 5 year timeline. Based on specifics of the property (such as the access issues re: UPRR) she asked the Commission for a period of time longer than 5 years. The applicant will be working with ODOT to get access from US HWY 30. Ms. Henes said that this rezone is leading ultimately to a Master Plan Development application to the Planning Department, which could take up to two years, as well as surveying the property.

Commissioner Reidy asked how this relates to the Zone Change specifically. Ms. Henes said ODOT, planning, engineering, state agencies, UPRR, etc. will take time. Ms. Henes proposed a timeline of 10 years. On the long end, she said that 20 years is an appropriate timeline.

Commissioner Damschen asked what the holdup would be and said that a lot of those processes can happen between 3 to 5 years. Ms. Henes noted that some of the processes have to occur in order and that it can indeed take up to 10 years, at least.

Commissioner Rockwell asked what the status of the zoning would be during the 10-year time period, and noted some concern at the possibility that an industrial developer may come along in the meantime. Ms. Henes said it would still be an Industrial Zone, and that it will change when public access is provided to the property. Commissioner Rockwell proposed concurrent, alternate timelines. Ms. Henes clarified that based on the draft findings, the only hold up is the public access, which she believes still warrants a 10 year period, if not more.

Commissioners had no further questions for Ms. Henes.

Chair Miller invited audience in support to testify.

Steve Culley, Baker City, OR 97814

Mr. Culley addressed the housing crisis in Oregon and the need for housing in Baker. He spoke of the difficulties in finding a place to park his RV, which he uses as his residence at this time. He spoke about the barrier to housing in Baker, and mentioned his daughter, who passed on renovating a home in Baker City because of the required public system improvements. He continued that he did not agree with the "Low-Density" designation of the proposed rezone and argued in favor of greater density.

Chair Miller asked for any more testimony for or against the application. Commissioner Bogardus had questions of staff, and asked about ways to have "check-ins" for this proposal given the amount of time requested by the applicant. She also asked Staff if the changes made to the Development Code in the meantime would apply to the subject property. Director Kerns cautioned against subjective check-in points and if those are needed, perhaps the Ordinance is not ready yet.

Commissioner Reidy asked for Staff's opinion of the reality of the 5 year time frame based on previous applications. Director Kerns answered that she has not yet received an application that had the access issues of the subject property. Chair Miller lent his own experience working for engineers and the time it would take to survey the property for the bridge crossing alone. Director Kerns clarified that the proposed ordinance only address access to the property, not access and buildout throughout the property.

Commissioner Damschen said he wanted a time frame shorter than 20 years to address the housing shortage in the present. Commissioner Bogardus asked if there will be opportunity to extend the ordinance if the time period is not met, and staff said no.

Deliberation

Chair Miller closed the public hearing.

The commissioners agreed that a 10-year period is more than enough time to have access touch the property. Commissioner Damschen opined that, if it needs to take greater than 10 years, perhaps this is not the time nor the property to rezone. There was a discussion about the 10-year time frame. Commissioner Reidy added that getting through the various permitting processes for acquiring a right-of-way can be done simultaneously.

Commissioner Rockwell discussed Criteria 3 and the question of the "rub" between industrial and residential land raised by nearby industrial property owners in the prior meeting. Director Kerns cautioned against putting "mitigation measures" into Criteria 3 findings and emphasized the land suitability criteria.

Commissioner Rockwell recalled prior applications in which the industrial applicants were concerned about abutting residences and said that the Commission had added conditions to mitigate potential conflicts. Director Kerns said that would be difficult because adding those conditions would in effect create a new zone with its own special conditions.

Commissioner Reidy pointed out findings on pages 42, 45 and 46 of the Staff Report, which indicate that the land is more suitable for residential development. Commissioner Rockwell stated the Commission could adopt those findings. Commissioner Reidy stated that the findings indicate that there are more suitable industrial areas in Baker City.

The Commission deliberated regarding the time period as prescribed by the staff findings. The Commission agreed on a 10-year period.

Commissioner Rockwell recited the staff-provided findings related to Criteria 3 and the language provided in the draft Ordinance. Commissioner Reidy suggested amending the language in the draft Ordinance to include "as a City Street" as opposed to "public right-of-way". The Commission requested to make the draft ordinance an exhibit for reference.

Commissioner Rockwell moved to approve the application based on the information contained in Section I through IV of the staff report, the above review criteria, revised findings of fact and conclusions and public testimony received, along with recommending approval of the proposed revision to the City Council. Commissioner Reidy seconded. Motion passed unanimously.

III. New Business

Officer Elections

Commissioner Rockwell moved to keep Commissioner Miller as Chair and Commissioner Still as Vice Chair. Commissioner Bogardus seconded. Motion passed unanimously.

IV. Updates and Future Items

Director's Report

Director Kerns had no report.

Date and Time for Next Meeting

Next meeting will be February 21, 2024 at 6:00 pm.

V. Adjourn

Chair Miller adjourned the meeting at 7:30 p.m.

Respectfully Submitted,
Paul King
Baker City-County Planning Department

BAKER COUNTY-CITY PLANNING DEPARTMENT



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STAFF REPORT to the BAKER CITY PLANNING COMMISSION for an AMENDMENT to the BAKER CITY ZONING MAP – City Case No. RZ-23-132

Report Date: February 14, 2024

Report Prepared by: Madison Tomac, Senior Planner

Planning Commission Hearing Dates: February 21, 2024

I. GENERAL INFORMATION AND FACTS

Applicant:	Step Forward Activities, Inc. 3720 10 th Street Baker City, OR 97814
Property Owner:	Alpine Terra LLC 1520 Vista Heights Baker City, OR 97814
Land Use Review:	Rezone of subject property from Residential-Low Density (R-LD) to Residential-Medium Density (R-MD)
Property Description:	±2.28 acres; Tax Lot 101 of Assessor's Map 09s40e21bd (Ref. 18301), W.M., Baker County, Oregon
Site Address:	1050 S Bridge Street, Baker City, Oregon
Land Use Zone:	Residential-Low Density (R-LD)
Existing Development:	5,540 square foot office building
Proposed Development:	No new development proposed
Special Flood Hazard Area:	Subject property is not located within an identified flood hazard area according to FEMA FIRM #41001CO385C dated June 3, 1988.
Wetlands:	Wetlands are not identified on the subject property according to the 1995 National Wetlands Inventory Map for Baker, Oregon
Parcel Legally Created:	The subject property was legally created as Parcel 2 of Partition Plat 2014-010, recorded with the Baker County Clerk's Office on March 6, 2015.

- II. **PURPOSE & CONTEXT:** The Planning Commission will consider a proposed revision to the Baker City Zoning Map for property located in southeast Baker City, Oregon, addressed as 1050 S Bridge Street. The proposal is to rezone certain land from Residential Low-Density (R-LD) to Residential Medium-Density (R-MD).

- III. **BACKGROUND:** Step Forward Activities Inc., on behalf of property owner, Alpine Terra, LLC, requests approval to rezone the above identified property from Residential-Low Density to Residential-Medium Density (see Exhibit 3). The subject properties are bordered on the west by properties zoned Residential-High Density (R-HD), and on the north, east, and south by properties zoned Residential-Low Density (R-LD) (Exhibit 2). Maps of the property proposed to be rezoned are included in Exhibit 2.

According to the applicant, "Alpine Terra LLC owns 2.28 acres of property that is zoned Low Density Residential. This property has a 5540 square foot commercial building that was previously owned and operated by the Oregon Department of Motor Vehicles. This building has been vacant for over 15 years. Step Forward Activities Inc. (Applicant) would like to change the zoning designation from Low Density Residential to Medium Density Residential..."

The Economic Opportunity Analysis that was completed in 2020 determined that there is adequately zoned land in all zones to meet the projected needs of Baker City. This particular piece of property is bordered to the North by the old ODOT maintenance facility which is currently under County ownership and houses the County Weed Department as well as multiple storage bays that are used for vehicles and other County surplus items. The property is bordered on the East and South by Low Density Residential zoned vacant property. The land bordering the West side of the property is currently zoned High Density Residential and is currently in homes that are on very large lots. It appears that this zoning classification was added after these homes were built as the lots are very large.

The City currently has a surplus of Low Density Residential vacant property. The southern end of the City has a great deal of vacant LDR property that can be developed in the future. The applicant believes that moving 2.28 acres of RLD to RMD will not have an adverse effect on the total residential land inventory and availability of developable land in the City.

The Baker City Housing Production Strategy (HPS) released in August of 2023 identified increased housing opportunities as a priority and an important need for the community, This includes all categories of housing with a priority on work force housing and low income residential needs. Availability of accessible properties owned by developers that have adequate land base to be able to put in the critical infrastructure are a significant barrier to additional housing in the community. The applicant's property is unique in that there is an existing building that is in decent condition and there is no functional way to use this building with the existing zoning of the property...

The property is currently serviced by Bridge Street which is a paved street approximately 50 feet in width. It currently has a curb that abuts the pavement and no sidewalks on either side. This street is the major route to Mt. Hope Cemetery. This is a low traffic street as it lies adjacent to Elm Street (Highway 30) which moves traffic out of the City towards Interstate 84 and points South. Bridge Street does not appear on any of the City's planned pedestrian networks or street upgrades plans. (see Trip Generation Analysis)

The property currently has Cascade Natural gas, OTECC, and City sewer and water lines running to the building..." (Exhibit 3).

IV. APPLICABLE CRITERIA & FINDINGS:

Quasi-judicial land use decisions must comply with the criteria in Section 4.7.300-600 of the Baker City Development Code and OAR 660-012-0060. The following goals, rules, plan policies, and Development Code text are the criteria applicable to review of the proposal.

BAKER CITY DEVELOPMENT CODE (BCDC)

Chapter 4.7 – Land Use District Map and Text Amendments:

Section 4.7.300 Quasi-Judicial Amendments

A. *Applicability of Quasi-Judicial Amendments.* *Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial zone map amendments shall follow the Type III procedure, as governed by Section 4.1.400, using standards of approval in Section 4.7.300.B. The approval authority shall be as follows:*

1. *The Planning Commission shall review and act upon land use zone map changes that do not involve comprehensive plan map amendments;*

Recommended Findings: This application is for a change to the zone map only; therefore, the Planning Commission will make a final decision as described in Section 4.7.300(A)(1).

Conclusion: Based on the findings above, the criteria **are/are not** met.

B. *Criteria for Quasi-Judicial Amendments.* *A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:*

1. *Approval of the request is consistent with the Statewide Planning Goals;*
2. *Approval of the request is consistent with the Comprehensive Plan;*
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 in the planning period; and*
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 zone map regarding the property which is the subject of the application; and*
5. *The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.600.*

Recommended Findings:

- 1-2. See findings for the Statewide Planning Goals and the Baker City Comprehensive Plan.
3. According to the applicant, *“The rezone of this parcel should have limited impact on public utilities, services and the transportation network. Bridge Street is approximately 50 feet in width and capable of handling traffic flow at this time. The addition of a maximum 30 (multi-family/cluster cottages) living units should have very limited impact on the function of this street. This project will not trigger significant changes to the traffic in the*

area as required by OAR 660-012-0060 as well as Section 4.1.900 and Section 4.7.600 of the Baker City Comprehensive Plan. (see trip generation analysis)

Sewer and water services are currently connected to the property. No additional sewer or water lines should be needed as a result of this rezone. The addition of a maximum 30 living units (Multifamily/Cottage Cluster) should have little impact on police and fire services in the City. There are no plans or issues identified in the Bridge Street area in the Baker City Transportation System Plan” (Exhibit 3).

See findings for BCDC Section 4.7.600 and the ‘Transportation’ section of the Baker City Comprehensive Plan for additional information about the transportation network. See also findings for the ‘Public Facility Plan’ section of the Baker City Comprehensive Plan.

4. According to the applicant, *“The rezone of this property will enhance the neighborhood and community conditions. The property was previously used as a commercial building (Oregon DMV office). The property has been vacate for over 15 years.*

The zone change will not change the functional classification of the existing transportation facility, change the standards implementing a functional classification system, reduce the performance of the existing transportation system below the minimum acceptable performance as identified in the City’s Comprehensive Plan or worsen the performance of the existing transportation system.

This application meets the City’s Transportation planning rule compliance” (Exhibit 3).

5. See findings for BCDC Section 4.7.600 and the ‘Transportation’ section of the Baker City Comprehensive Plan for additional information about the transportation network.

Conclusion: Based on the findings above, the criteria for a quasi-judicial amendment **are/are not** met.

Section 4.7.400 Conditions of Approval for Quasi-Judicial Amendments. *A quasi-judicial decision may be for denial, approval, or approval with conditions; conditions shall be based on applicable regulations and factual evidence in the record. Legislative amendments may only be approved or denied.*

Section 4.7.500 Record of Amendments. *The City Recorder shall maintain a record of amendments to the text of this Code and the land use zone map in a format convenient for public use. This shall be located in Article 6.*

Recommended Findings: If approved by the Planning Commission, a record of the zone map amendment will be included in Article 6 of the Baker City Development Code. See criteria under Article 6 below and the accompanying table in Exhibit 5.

Conclusion: Based on the findings above, the criteria **can/cannot** be met in accordance with all Conditions of Approval listed in Section VI or **are/are not** met.

Section 4.7.600 – Transportation Planning Rule Compliance

A. **Review of Applications for Effect on Transportation Facilities.** *When a development application includes a proposed comprehensive plan amendment or land use zone change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – TPR) and the Traffic Impact Study provisions of Section 4.1.900. “Significant” means the proposal would:*

1. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the City’s Transportation System Plan (“TSP”); or*
2. *Change the standards implementing a functional classification system; or*
3. *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the City’s Comprehensive Plan; or*
4. *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the road authority’s transportation system plan (TSP).*

Recommended Findings: The proposed revisions include amendments to the land use zoning map. Regarding significance:

1. According to the applicant, *“We don’t believe that the proposed zone change will affect the City’s Transportation Planning Rule. (see Trip Generation Analysis) The property is served by Bridge Street which is a well maintained local street the serves approximately 10 homes, one church and Mt. Hope Cemetery. The applicant does not believe that the addition of a maximum 30 living units will cause any significant change to the street classification of Bridge Street or cause any traffic movement problems in the area and will not cause any significant changes to the transportation system in the area which is a criteria of OAR 660-012-0060”* (Exhibit 3). No change to the functional classification of an existing or planned transportation facility is anticipated.

Bridge Street is classified as a collector street according to the Functional Classification Plan in the Baker City TSP.

2. According to the applicant, *“The rezone of this property should not change the standards implementing a functional classification system”* (Exhibit 3).

No change to the standards implementing a functional classification system is proposed. The Transportation System Plan defines the street classifications this way:

- **Arterials.** Arterials are roadways that are primarily intended to serve traffic entering and leaving the urban area. While arterials may provide access to adjacent land, that function is subordinate to the mobility service provided to major traffic movements. Arterials also serve local pedestrian and/or bicycle activities, which should be accommodated in the arterial streetscape.

- **Collectors.** Collector streets generally facilitate the movement of traffic within the city's urban areas. Collectors provide for circulation and mobility for all users of the system. Collectors carry lower volumes than arterials and typically have two-lane cross-sections with on-street parking. They serve as the primary routes into residential neighborhoods. Although they carry higher volumes than local streets, they are intended to provide direct access to adjacent land rather than serving through traffic.
 - **Local Streets.** Local streets are primarily intended to provide access to abutting land uses. Local street facilities offer the lowest level of mobility and consequently tend to be low-speed facilities. As such, local streets should primarily serve passenger cars, pedestrians, and bicyclists. Heavy truck traffic is discouraged. On street parking is common. Sidewalks are provided, though the relatively low travel speeds and traffic volumes allow bicycles to share the vehicle travel lanes.
3. According to the applicant, *"The rezone of this property should not reduce the functionality of the existing transportation system below the minimum acceptable performance standard in the City's Comprehensive Plan"* (Exhibit 3).

No development is proposed at this time. The property is accessed from Bridge Street. The property is currently surrounded by Low- and High-Density Residential zones. According to the applicant, *"...Bridge Street fronts the entire length of the parcel. Four houses border the affected property on the West side of Bridge Street. The area between Bridge Street and Elm Street (Highway 30) is zoned High Density Residential with one apartment complex and homes. Approximately 10 homes, one church and Mt. Hope Cemetery use Bridge Street for access."*

The addition of a maximum of 30 additional housing units (multi-family-cottage cluster) should have little impact on traffic on Bridge Street" (Exhibit 3).

Based on comments from the Baker City Public Works department, *"We do not anticipate a significant impact on traffic as a result of rezoning"* (Exhibit 3).

4. According to the applicant, *"The rezone of this property should not worsen the performance of Bridge Street and will not cause the transportation facility to fall below the minimum acceptable performance standard identified in the City TSP"* (Exhibit 3). No changes are proposed which would worsen the performance of an existing or planned transportation facility.

See findings for BCDC Section 4.1.900 and OAR 660-012-0060 below.

Conclusion: Based on the findings above, the proposed revisions **do/do not** significantly affect a transportation facility and, therefore, the criteria **are/are not** applicable.

- B. Amendments that Affect Transportation Facilities.** *Except as provided in subsection C, amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall...*

- C. **Exceptions.** Amendments to the Comprehensive Plan or land use regulations with a significant effect on a transportation facility...

Recommended Findings: See findings for subsection A above.

Conclusion: Based on the findings above, the proposed revisions **do/do not** significantly effect a transportation facility.

Section 4.1.900 – Traffic Impact Studies. *The purpose of this section of the code is to assist in determining which road authorities participate in land use decisions, and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This Chapter establishes the standards for when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a Traffic Impact Study; and who is qualified to prepare the Study.*

- A. **When a Traffic Impact Study is Required.** *The City or other road authority with jurisdiction may require a Traffic Impact Study (TIS) as part of an application for development, a change in use, or a change in access. A TIS may be required when a land use application involves one or more of the following actions:*

1. *A change in zoning or a plan amendment designation...*

- B. **Traffic Impact Study Preparation.** *A Traffic Impact Study shall be prepared by a professional engineer licensed in Oregon in accordance with the requirements of the road authority. If the road authority is the Oregon Department of Transportation (ODOT), consult ODOT's regional development review planner and OAR 734-051-180.*

Recommended Findings: A Trip generation letter was provided in lieu of a Traffic Impact Study. According to the applicant in their Trip Generation Letter (Exhibit 3), *"This application seeks approval to rezone 2.28 acres from RLD (Residential Low Density) to RMD (Residential Medium Density). If the rezone is approved, a separate application to develop the property will be made."*

According to the Baker City Public Works Director, *"We do not anticipate a significant impact on traffic as a result of rezoning"* (Exhibit 3).

See findings for OAR 660-012-0060 below.

Conclusion: Based on the findings above, the Planning Commission finds that the proposal **will/will not** have a significant effect a transportation facility; therefore, the criteria **are/are not** applicable.

OREGON ADMINISTRATIVE RULES (OAR)

OAR 660-012-0060 – Plan and Land Use Regulation Amendments

1. *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*
 - a. *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
 - b. *Change standards implementing a functional classification system; or*
 - c. *Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - A. *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - B. *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
 - C. *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

Recommended Findings: According to the applicant (Exhibit 3), “We have used the ITE Trip Generation Manual 10th Edition for modeling purposes to show the trip generation and times of highest use for comparing traffic for RLD zoning as well as RMD zoned land to provide data to satisfy the requirements of OAR-660-012-0060 as well as the transportation planning rule found in Section 4.1.900 and Section 4.7.600 of the Baker City Development Code...

The trip generation analysis shows that there would be no significant change to the transportation system associated with this development...

This rezone will not change the classification of the existing transportation system, will not change the functional classification of the system, will not reduce the performance of the transportation system and will not worsen the performance of the existing system. This street is a low traffic street that serves approximately 15 homesites and Mt. Hope Cemetery.”

Also see findings for Section 4.7.600 and 4.1.900 above. According to the Functional Classification Plan in the Baker City Transportation System Plan (Figure 3-1), S Bridge Street is classified as a ‘Collector’ street. Based on the applicant’s narrative, S Bridge

Street does not currently meet the street standards for a collector street as listed in the Baker City Development Code Table 3.4.300.F.

According to the Baker City Public Works Director, *“We do not anticipate a significant impact on traffic as a result of rezoning”* (Exhibit 4).

Conclusion: Based on the findings above, the Planning Commission finds that the proposal **will/will not** have a significant effect a transportation facility; therefore, the criteria **are/are not** applicable.

2. *If a local government determines that there would be a significant effect...*
3. *Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without ensuring that the allowed land uses are consistent with the performance standards of the facility where:*
 - a. *In the absence of the amendment, planned transportation facilities, improvements, and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the performance standard for that facility by the end of the planning period identified in the adopted TSP;*

Recommended Findings: Comments from the Baker City Public Works Director state, *“We do not anticipate a significant impact on traffic as a result of rezoning”* (Exhibit 4).

See findings for OAR 660-012-0060 section 1.c.C. above and the findings for the ‘Transportation’ section of the Baker City Comprehensive Plan below.

The Baker City Transportation System Plan (TSP) has a Roadway and Intersection Improvement Plan outlining Baker City’s specific roadway and intersection improvement projects for 20 years (plan was written in 2013). No improvements to S Bridge Street, adjacent to the subject property are proposed in the TSP.

- b. *Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;*

Recommended Findings: See findings for OAR 660-012-0060 section 1.c.C. above and the findings for the ‘Transportation’ section of the Baker City Comprehensive Plan below.

The TSP has a Roadway and Intersection Improvement Plan outlining Baker City’s specific roadway and intersection improvement projects for 20 years (plan was written in 2013). S Bridge Street is not on this plan.

- c. *The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and*

Recommended Findings: The subject property is not located in an interchange area.

d. *For affected state highways...*

Recommended Findings: S Bridge Street is not a state highway and is not under ODOT jurisdiction.

4. *Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments....*

Recommended Findings: See findings for subsection 1 above for the determination of whether the proposed rezone will significantly affect a transportation facility.

Conclusion: Based on the findings above, the proposed revisions **do/do not** significantly affect a transportation facility, therefore, these criteria **are/are not** applicable.

BAKER CITY DEVELOPMENT CODE (BCDC)

Article 6 – Map Amendments and Code Interpretations

Section 6.1.100 Purpose. *The purpose of Article 6 is to create a place for filing land use zone /zoning map amendments made under Chapter 4.7, including Master Planned Developments overlays, and code interpretations made under Chapter 4.8, for reference by staff and applicants. This section of the code does not amend the procedures for completing land use district map and text amendments located in Chapter 4.7. Map amendments shall be located in this section in chronological order based on date of adoption.*

Recommended Findings: If approved, the proposed map amendment will be added to Chapter 6.1 as demonstrated by the table in Exhibit 5.

Conclusion: Based on the findings above, the criteria **are/are not** satisfied.

STATEWIDE PLANNING GOALS

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.*

Recommended Findings: Refer to “Public Involvement and Procedures for Planning” in the Baker City Comprehensive Plan.

GOAL 2: ***LAND USE PLANNING*** – *To establish 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.*

Recommended Findings: According to the applicant, “Applicant will/has provided descriptive materials and information adequate for the determination being made. City will follow all rules and procedures to ensure adequate public notice and updates. This

action will be consistent with State Planning goals and the Baker City Comprehensive Plan” (Exhibit 3).

Refer to “Public Involvement and Procedures for Planning” in the Baker City Comprehensive Plan.

GOAL 3: AGRICULTURAL LANDS – *To preserve and maintain agricultural lands.*

Recommended Findings: No agricultural zoning designation exists within the city limits or UGB of Baker City. No policies within the Baker City Comprehensive Plan’s *Land Suitability* or *Urbanization* chapters were identified to directly apply to or conflict with the proposed revisions.

GOAL 4: FOREST LANDS – *To conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture*

Recommended Findings: No forest zoning exists within the city limits or UGB of Baker City. As noted in the Baker City Comprehensive Plan, Goal 4 is “*Not applicable and not addressed in this 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.*

Recommended Findings: According to the applicant, “*The applicant will not impair open spaces and will protect natural and scenic resources. Currently the property is vacant and a relative blight on the area. Th property currently has a 5540 square foot building that has been vacant for over 15 years. This is a rezone from Low Density Residential to Medium Density Residential and should not impact the open spaces in the City*” (Exhibit 3).

Refer to Public Facilities and Services - “*Parks & Recreation,*” “*Existing Natural Features and Land Use,*” “*Land Suitability,*” and “*Historic Preservation*” in the Baker City Comprehensive Plan

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY – *To maintain and improve the quality of the air, water and land resources of the state.*

Recommended Findings: According to the applicant, “*This rezone will not affect the air, water and land resources of the State.*” (Exhibit 3).

Refer to “*Existing Natural Features and Land Use,*” Public Facilities and Services – “*Sewer System,*” “*Solid Waste Disposal,*” and “*Domestic Water*” in the Baker City Comprehensive Plan

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS – *To protect people and property from natural hazards.*

Recommended Findings: According to the applicant, *“The applicants property is not in the flood plain and should not be affected by any natural hazards”* (Exhibit 3).

Refer to *“Existing Natural Features and Land Use”* in the Baker City Comprehensive Plan.

GOAL 8: RECREATIONAL NEEDS – *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Recommended Findings: According to the applicant, *“The rezone of this property should not adversely affect the recreation facilities or opportunities in the City. The addition of a maximum 30 living spaces should have a positive impact on the housing shortage but not stress existing recreational opportunities”* (Exhibit 3).

Refer to Public Facilities and Services – *“Parks & Recreation”* in the Baker City Comprehensive Plan

GOAL 9: ECONOMIC DEVELOPMENT - *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Recommended Findings: According to the applicant, *“One of the policies of the Baker City Comprehensive Plan is to strive for development of land to its highest and best use, recognizing the various needs of all its citizens. Housing is a critical need as identified in the Baker City Housing Strategy (HPS). The study highlighted that the availability of land inventory is restricted because of constraints including floodplains, wetlands, steep slopes and other natural features that may reduce the developability of land in the City. (pg 27) The high cost of infrastructure including sewer, water, sidewalks and road systems are a huge factor in the development of housing tracts within the City. The HPS highlighted that the properties owned by developers that have adequate land base to be able to put in the critical infrastructure is a significant barrier to additional housing in the community. The HPS study shows that Baker City will need roughly 234 new housing units by 2040. The addition of needed housing will help to enhance the workforce of the area and allow for businesses to hire the needed employees to grow and prosper. The HPS also highlighted the need for increased density to allow for more compact development in specific areas. (pg 29) This particular application will allow for increased density while not increasing the needed public services and transportation system in the area.*

Strategy 2.1 Increase allowed densities and housing options in existing zones (pg 58-59): The study shows that this strategy will promote less costly forms of housing and will have a positive cumulative impact on the City. The specific impacts of this strategy will aid in affordable homeownership, affordable rental housing, housing options, housing choice and location of housing. 2.2 Facilitate “Missing Middle” Housing Types in all Residential Zones (pg 31-32): The city can consider allowing middle housing types

in the low density residential zone. This application is directly applicable to the strategy. Facilitating Missing Middle Housing in more areas will aid in affordable homeownership, affordable rental housing, housing options, housing choice and location of housing. (pg 58-59)" (Exhibit 3).

Refer to "Economic Element" in the Baker City Comprehensive Plan.

GOAL 10: HOUSING – *To provide for the housing needs of citizens of the state.*

Recommended Findings: According to the applicant, *"The residential properties in Baker City are varied. On page 82 of the HPS land supply can be a critical barrier to developing new housing and the cost of infrastructure can pose a significant barrier to housing development. A large amount of residential property within the City limits are currently not for sale or the cost of infrastructure to develop is too expensive. The needs for housing is varied with the greatest need being housing for a growing working class. The addition of this rezoned property will help to address the housing needs throughout the community. Any affect to the surrounding areas should be positive.*

The Housing Strategy and the Baker City Economic Development Analysis both show that Baker City is in dire need of additional housing. Work force housing is identified as especially acute. Housing within the \$100,000 to \$200,000 price range is at a deficit. Lack of housing is affecting local businesses efforts to recruit and retain workers. Businesses such as the local hospital and New Directions Northwest are struggling to find workers because of the lack of adequate housing supplies. The addition of more RMD zoned property will allow more commercial activity in the home building sector.

The State of Oregon has made multi-unit housing a priority statewide. In order for Baker City and the State to address the extreme shortage of housing, additional multi-unit projects will need to be constructed or refurbished. This project will address those needs" (Exhibit 3).

Refer to "Housing" in the Baker City Comprehensive Plan

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.*

Recommended Findings: According to the applicant, *"We believe that the buildout of this project will not strain the public services in the community. Additional water and sewer meters will allow for increased funding for the City public works budget as well as tax dollars for the general fund. All services are available to this property. The addition of a maximum of 30 living units on this property should not put any strain on existing public facilities and services. This project will add much needed housing to the system and refurbish an abandoned building and acreage that will add value to the local tax base. Electricity, natural gas, phone and internet services are all located on the property. Bridge Street is a local street that is paved and has little traffic. (see trip generation analysis) The rezone of this property will allow for additional housing while having limited impact on public services" (Exhibit 3).*

Refer to “Public Facilities and Services” in the Baker City Comprehensive Plan

GOAL 12: TRANSPORTATION – *To provide and encourage a safe, convenient and economic transportation system.*

Recommended Findings: According to the applicant, “The rezone project will have limited impact on Baker City’s transportation system. (see trip generation analysis) As previously stated, Bridge Street fronts the entire length of the parcel. Four houses border the affected property on the West side of Bridge Street. The area between Bridge Street and Elm Street (Highway 30) is zoned High Density Residential with one apartment complex and homes.

Approximately 10 homes, one church and Mt. Hope Cemetery use Bridge Street for access. The addition of a maximum of 30 additional housing units (multi-family/cottage cluster) should have little impact on traffic on Bridge Street” (Exhibit 3).

Refer to Public Facilities and Services – “Transportation” in the Baker City Comprehensive Plan.

GOAL 13: ENERGY CONSERVATION - *To conserve energy.*

Recommended Findings: According to the applicant, “The rezone of the property should have no negative effect on energy conservation. The addition of new housing in the area will incorporate energy efficiency” (Exhibit 3).

Refer to “Public Facilities and Services”, “Existing Natural Features and Land Use”, “Urbanization”, and “Economic Element” in the Baker City Comprehensive Plan.

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.*

Recommended Findings: Refer to “Urbanization” in the Baker City Comprehensive Plan.

While slight differences in phrasing exist in Goals 5, 7, 9, and 14, the Baker City Comprehensive Plan Goals 1-14 mirror the intent of Oregon Statewide Planning Goals 1-14. Please see findings for Baker City Comprehensive Plan Goals 1-14.

Conclusion: Based on the findings above, the intent of Goals 1-14 of the Baker City Comprehensive Plan **are/are not** satisfied.

GOALS 15-19

Recommended Findings: These Statewide Planning Goals are not applicable as Baker City is not located within the Willamette River Greenway nor within or adjacent to any coastal or estuarine resources.

Conclusion: Based on the findings above, Goals 15 to 19 **are/are not** applicable to the proposed revisions.

THE BAKER CITY COMPREHENSIVE PLAN

PUBLIC INVOLVEMENT AND PROCEDURES FOR PLANNING – *To provide for public involvement at all stages of planning decisions and to establish procedures for changing the plan and making related policies.*

Recommended Findings: Applicable policies from the Baker City Comprehensive Plan were identified (gray highlighted text) and satisfied as follows:

- 1. The City will make all reasonable efforts to publicize planning issues and meetings where these issues will be discussed and decided upon.*

A mailed notice was sent to all property owners within 100 feet of the subject property at the address listed in the Assessor's records and affected agencies on February 1, 2024, explaining the rezone proposal and how these changes may impact their properties. Public notice of the proposed revision and scheduled public hearings was published in the February 6, 2024 edition of the Baker City Herald. A sign with information about the proposed change and hearings was posted at the property on February 5, 2024. Information regarding the public hearing and meeting materials was shared online via the official Baker City website (<http://bakercity.com/2293/Meeting-Materials-Webcasts>).

- 2. Persons or firms making proposals or applications for land use decisions that may have an effect on neighbors or the general public will be expected to provide descriptive materials and information adequate for the determination being made.*

All application materials and information provided by the applicant on behalf of the property owner for this rezone request are available for public review at or from the Baker City-County Planning Department and are attached as exhibits to this report.

- 3. The Planning Commission will continue to undertake efforts to involve and inform the public of planning issues.*

See findings relating to public noticing under Policy 1 above.

- 4. In instances where public hearings are required, relative to this plan, the Planning Commission and City Council will follow procedures established in the City's zoning ordinance. These bodies are responsible for considering the affects of a decision on the entire community and should not be swayed unduly by the number of persons testifying for or against a particular course of action.*

The criteria this application must meet are included in the Baker City Development Code, and findings for the criteria will be included in the final decision. The Planning Commission will make the final decision to approve, modify or deny all or part of the proposed revision.

5. Planning decisions generally, and amendments to this plan particularly, will be consistent with the state planning goals.

This staff report has been written to determine consistency with Statewide Planning Goals, which are addressed in this report.

6. Planning related decisions of the City will be in accord with the policies of the Comprehensive Plan.

This staff report has been written to determine consistency with the Baker City Comprehensive Plan.

7. The City will maintain and regularly update information and maps used as a basis for making planning decisions.

The Baker City Zoning Map are proposed to be updated to reflect new information. If this rezone request is approved, the Zoning Map will be updated accordingly as depicted in Exhibits 2.

8. The Comprehensive Plan will be thoroughly reviewed...

9. Changes to the Comprehensive Plan...

No changes to the Comprehensive Plan are proposed with this application. The proposed revision to the Baker City Zoning Map was initiated by the applicant on behalf of the property owner.

a. The City will attempt to gain media coverage of the issues and public notice of the proposed change will be advertised.

See findings relating to public noticing efforts above. Notification of the proposed revision was published in the Baker City Herald on February 6, 2024, and a sign was posted at the property on February 5, 2024. Information regarding the application and associated public hearing was shared online via the official Baker City website (<http://bakercity.com/2293/Meeting-Materials-Webcasts>).

b. Affected public agencies will be informed and asked for a response to the proposed change.

The Planning Department sent notice of the proposed change to affected public agencies via email on February 1, 2024, requesting comments from the Baker City Public Works, Fire and Building Departments, along with Oregon Trail Electric Cooperative, Cascade Natural Gas and Century Link. All written comments received at the time this report was written are attached as exhibits to this report.

c. The proposed change will be submitted to the LCDC for comment (if required by state law).

Notice was provided to DLCD (staff to LCDC) through the online Post-Acknowledgement Plan Amendment (PAPA) portal on January 17, 2024.

d. Recommendations will be forwarded by the Planning Commission to the City Council where changes will be considered according to ordinance adoption procedures.

The Baker City Planning Commission will make the final decision as the rezone does not require a change to the Comprehensive Plan Map.

e. Any measures necessary to implement the change will be initiated as soon as practicable.

If approved, any revisions to the Baker City Zoning Maps will take effect 30 days after adoption by Planning Commission, as is standard.

10. Amendments to the Comprehensive Plan which involve an exception to the statewide goals shall comply with all requirements of ORS 197.732.

The proposed revisions do not involve an exception to statewide planning goals.

Also see findings for Statewide Planning Goal 1 and 2.

Conclusion: Based on the findings above, the Public Involvement and Procedures for Planning section **is/is not** satisfied.

FIRE PROTECTION – *To protect the community's citizens and property from loss due to fire by a program of inspection, direction in methods of prevention, and swift suppression of any fire outbreak.*

Policy #1: In order to provide the best possible service to the community, a conscientious and studied evaluation of the department's operation and facilities shall be made regularly, with particular attention paid to demands incurred by growth.

Policy #2: Adequate facilities are required for combating fires and housing both men and equipment; these facilities shall be provided by the City as needed.

Recommended Findings: No changes to the city limit boundaries are proposed. A fire hydrant is currently located at the intersection of Myrtle Street and S Bridge Street. No comments were received from the Fire Department at the time this report was written.

Conclusion: Based on the findings above, the Fire Protection section **is/is not** satisfied.

PARKS & RECREATION – *To maintain present park and recreation areas and provide for the varied and growing needs of the City's residents and its visitors.*

Recommended Findings: No policies within the Baker City Comprehensive Plan's *Parks and Recreation* chapter were identified to directly apply to or conflict with the proposed revision. The applicant is not proposing a park, recreation space expansion or a land dedication for recreation space.

Conclusion: Based on the findings above, the Parks & Recreation section **is/is not** applicable.

POLICE PROTECTION – *To protect the community’s residents and their property through a program of citizen awareness and enforcement of local and state laws.*

Policy #1: In order to provide the best possible service to the community, a conscientious and studied evaluation of the department’s operation and facility needs shall be made regularly, with particular attention paid to new demands caused by growth, state directives or local consolidation efforts.

Recommended Findings: No new uses are proposed with this rezone request and no changes to the city limits boundary are proposed.

Conclusion: Based on the findings above, the Police Protection section **is/is not** satisfied.

SCHOOLS – *To assure suitable siting for the City’s public schools appropriate to the policies established in the plan.*

Recommended Findings: No policies within the Schools section were identified to directly apply to or conflict with the proposed revision.

Conclusion: Based on the findings above, the Schools section **is/is not** applicable.

PUBLIC FACILITY PLAN – 1. *To assure urban development is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the community.*
2. *To assure that facilities and services are provided in a timely, orderly and efficient arrangement.*
3. *To provide a framework for urban and rural development within the City’s urban growth boundary (UGB) by establishing appropriate levels of service for development within the UGB.*

Policy #1: The City of Baker City shall insure the provision of urban services (water, sewer and storm drainage and transportation infrastructure) to residential, commercial and industrial lands within the City’s Urban Growth Area.

Policy #4: The City will require that all urban level development in the City and urbanizable areas of the urban growth boundary be served with full urban services.

Policy #7: The City shall only support development that is compatible with City’s ability to provide adequate public facilities and services.

Policy #8: The City may prioritize the extension of water, sewer and transportation infrastructure within the UGB and will include a list of improvements needed to serve growth needs in the comprehensive plan.

Recommended Findings: See findings for Statewide Planning Goal 11 – Public Facilities and Services.

According to the applicant, *“This property will have all urban level development and is within the City limits”* (Exhibit 3).

Comments from the Baker City Public Works Director state, “we have reviewed the proposals with regard to utilities, and believe that existing infrastructure... is adequate to provide water and waste water services for future development” (Exhibit 4).

Stormwater mainlines do not currently exist on nor are adjacent to the property.

See findings under the “Transportation” section of the Comprehensive Plan for information related to the transportation system below.

See findings for BCDC Section 4.7.300.B.3 above.

Conclusion: Based on the findings above, the Public Facility Plan section **is/is not** satisfied.

SEWER SYSTEM – *To efficiently provide developed areas of the City with storm and sanitary sewer adequate for the proper maintenance of health, safety and public convenience.*

Policy #1: The City shall establish standards for stormwater management that require, wherever feasible, on-site management of stormwater runoff using techniques such as detention ponds, bio-swales, and discharge to natural drainage ways.

Policy #2: As part of the adopted Transportation System Plan, storm drainage will be provided when streets are improved to primary standards (with curbs and gutters).

Policy #3: When serious known surface water problems are existing in specific areas, some corrective measures, usually consisting of sumps or ditches and culverts, may be taken to help alleviate the problem.

Policy #4: The City shall take steps to minimize adverse impacts from construction site erosion and other sources of erosion and sedimentation in natural drainage ways and storm drainage facilities.

Policy #5: The City will require all urban-level development to connect to the sanitary sewer system and will encourage the incremental extension of sewer service.

Policy #6: No mixed (storm and sanitary together) sewer lines shall be constructed; existing mixed use will be discontinued when and wherever possible.

Policy #7: All lines shall be adequately sized based on the best information available, taking into consideration foreseeable service demand and the economic return on the City’s investment.

Policy #8: Any new sanitary sewer connections, by an individual or on the initiative of the City, shall follow the general public utility extension policy as set forth in the City of Baker City Development Code.

Policy #9: The City shall strive toward eventually servicing all urban level development within the city limits with sanitary sewer.

Recommended Findings: See findings for Statewide Planning Goals 6 – Air, Water and Land Resource Quality and 11 – Public Facilities and Services.

According to the applicant, *“The sewer system is in place and adequate for the development”* and *“The sewer lines within the proposed development adhere to City standards”* (Exhibit 3).

See findings for the ‘Public Facility Plan’ section of the Baker City Comprehensive Plan.

Comments from the Baker City Public Works Director state, *“we have reviewed the proposals with regard to utilities, and believe that existing infrastructure... is adequate to provide water and waste water services for future development”* (Exhibit 4).

Conclusion: Based on the findings above, the Sewer System section **is/is not** satisfied.

SOLID WASTE DISPOSAL – *To assure a clean, healthful environment for Baker City residents, specifically through provision of fair and efficient disposal of solid wastes accumulating within the city.*

Recommended Findings: See findings for Statewide Planning Goals 6 - Air, Water and Land Resource Quality and 11 – Public Facilities and Services.

After review, no policies within the Solid Waste Disposal chapter were determined to be applicable to this proposal.

See findings for the ‘Public Facility Plan’ section of the Baker City Comprehensive Plan.

Conclusion: Based on the findings above, the Solid Waste Disposal section **is/is not** applicable.

TRANSPORTATION – *To provide a safe, efficient and convenient transportation system realizing maximum mobility for the community’s citizens.*

Policy #2: The City shall determine street status designation on a continuing basis.

Policy #3: Street construction standards, signaling, signing, and all services (for example, sweeping and snow removal) shall correspond with these designations and be appropriate to the particular street’s design and use.

Policy #5: The City will strive to facilitate variety and adequacy of the transportation services available to the community.

Policy #6: The City shall repair, construct new, and generally upgrade its streets to the greatest extent possible recognizing monetary constraints.

Policy #9: Bike lanes shall be provided as designated by the Bicycle Network Plan to make bicycling safe, enjoyable and an efficient alternative to local motorized transport. Potential recreational use shall be considered as well, particularly in designating routes inappropriate for motor vehicle traffic.

Policy #10: Multi-use paths are appropriate in the general locations shown on the Pedestrian and Bicycle Network Plans. Where there is property owner support for creating multi-use paths, the City

will work cooperatively with property owners and pursue grants to develop multi-use paths. The City may also adopt incentives for pathway development, for example, through transportation system development charge credits and/or adjustments to open space and/or standard subdivision improvement requirements. (These options would require amending the Development Code.)

Policy #11: Any proposed public right-of-way extension, opening, addition, widening, or improvement, closure or vacation must be formally approved and accepted by the City, pursuant to Development Code provisions and the 2013 Baker City Transportation System Plan, and any amendments thereto. Also, any private use of any public right-of-way must receive prior approval. The City may, at its discretion, require certain improvements be made or make other stipulations as a condition to the City's acceptance of any street or alley use. This is done specifically for reasons of the City's liability in public right-of-way, maintenance obligation, police patrol, fire access and responsibility generally for the public peace, safety and welfare.

Policy #12: The City of Baker City will address access concerns in the development of new streets and the management of existing ones. In addressing these concerns, the City shall coordinate with ODOT and avoid conflicts with State Highway Access Management Rules...

Policy #13: The City shall continue to encourage the provision of bus service for senior citizens and otherwise transportation disadvantaged persons, in coordination with transit and social service providers.

Recommended Findings: See findings for Statewide Planning Goal 12 - Transportation.

According to the applicant, *"The parcel will be served by the Step Forward bus as well as the Community Connections bus"* (Exhibit 3). S Bridge Street is classified as a Collector Street and is developed with curb, gutter and asphalt. According to the Baker City Transportation System Plan, S Bridge Street is not currently being considered for future pedestrian or transportation projects (including multi-use paths, bike paths or road improvements).

Also, see findings for Section 4.7.300(B)(3).

Conclusion: Based on the findings above, the Transportation section **is/is not** satisfied.

DOMESTIC WATER – *To provide in a cost-efficient manner, good quality water meeting all standards of pleasant taste, at adequate pressure, and in sufficient quantity for development within the City's Urban Growth Boundary.*

Policy #2: System needs shall be identified annually with particular attention to growth demands.

Policy #4: All proposed system improvements shall be in accord with the policies of this plan and be scheduled and coordinated with other City activities and plans listed in the Public Facility Plan.

Recommended Findings: See findings for Statewide Planning Goals 6 - Air, Water and Land Resource Quality and 11 – Public Facilities and Services as well as findings for the 'Public Facility Plan' section of the Baker City Comprehensive Plan.

According to the applicant, *"The system in place for domestic water is adequate for the*

potential rezone” (Exhibit 3).

Conclusion: Based on the findings above, the Domestic Water section **is/is not** satisfied.

EXTENSION OF SEWER AND WATER SERVICE – *To provide procedures for the extension of City sewer and water appropriate to the findings and policies established in this plan.*

Policy #3: New users shall pay for extending service to their property in a manner proportionate to the cost of providing that service to their land holding. The City may elect to provide a portion of the initial cost for a period of time, but in a manner that would result essentially in a non-subsidized extension.

Policy #5: The cost for providing additional capacity through oversized lines will be borne by the developer when the need is attributable to his project. On the other hand, general system needs for oversized lines, known and identifiable whether a specific proposed project is constructed or not, will be the financial responsibility of the City.

Policy #6: The City may, for exceptional cause and if deemed in the best interests of the community, waive or modify the policies as set forth above, if not inconsistent with the other land use planning goals.

Recommended Findings: See findings for Statewide Planning Goals 6 - Air, Water and Land Resource Quality and 11 – Public Facilities and Services.

According to the applicant, *“The capacity for the project is adequate. The water and sewer system within the proposed project is sized to City Standards and already in place”* (Exhibit 3).

See findings for the Public Facilities and Services – *“Sewer System”, “Solid Waste Disposal”, and “Domestic Water”* sections of the Comprehensive Plan addressed throughout this report.

Conclusion: Based on the findings above, the Extension of Sewer and Water Service section **is/is not** satisfied.

EXISTING NATURAL FEATURES AND LAND USE – *To preserve, protect, and conserve the quality of our environment and natural resources while providing for the orderly growth and development of the City.*

Policy #4: The City shall strive for energy efficiency in its buildings, street lighting, equipment operation, and in the provision of all City services and products.

Policy #5: The City shall take necessary actions to prevent the contamination or degrading of all natural water supplies including both surface run-off and groundwater. In particular, any effluent being discharged into the Powder River shall be in accordance with allowable EPA and DEQ requirements.

Policy #6: The City shall not specifically act to encourage development in known hazard areas. When construction does take place in these areas, the City will require proper precautions to be taken.

Policy #7: The City shall strive for development of land to its highest and best use, recognizing the various needs of all its citizens.

Implementation #1: The City shall in all instances where it has jurisdiction act in each case to maintain water and air quality at a high level.

Implementation #3: The City shall enforce all requirements of the Uniform Building Code, Uniform Plumbing Code, and Uniform Mechanical Code, noting particularly requirements for construction in flood zones and certain other hazard areas.

Implementation #4: The City shall use the 'Land Suitability' map and criteria within this plan as a basis for future zoning and other development decisions.

Recommended Findings: See findings for the “Parks & Recreation”, “Land Suitability”, “Historic Preservation” and Public Facilities and Services – “Public Facility Plan”, “Sewer System”, “Solid Waste Disposal”, and “Domestic Water”, along with the “Urbanization” and “Economic Element” sections of the Comprehensive Plan addressed throughout this report.

The parcel has an existing building on site. The subject property is not located within an identified flood hazard area according to FEMA FIRM #41001CO385C dated June 3, 1988.

Any future development on the subject properties, regardless of zoning, will be required to meet all local, state and federal standards for development.

Conclusion: Based on the findings above, the Existing Natural Features and Land Use section **is/is not** satisfied.

LAND SUITABILITY

Recommended Findings: No changes to the land suitability map are proposed with this Rezone proposal (Exhibit 3).

Conclusion: Based on the findings above, the Land Suitability section **is/is not** applicable or **is/is not** satisfied.

URBANIZATION – *To minimize the expansion of the urban service area outside the city limits in order to provide for the efficient use of land, eliminate the unnecessary and uneconomical expansion of public facilities, and to conserve agricultural lands outside of the city.*

Recommended Findings: After review, no policies within the Urbanization chapter were determined to be applicable to this proposal, as the subject property is located within city limits and no modification to the existing city limit boundaries or Urban Growth Boundary are requested.

The proposed revision does not include any modifications to code language or zoning that are expected to restrict or negatively affect urbanization or the transition from rural to urban land use.

Conclusion: Based on the findings above, the Urbanization section **is/is not** applicable.

HOUSING – *To encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.*

Policy #2: The City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized that the private sector will continue their leadership role in this function.

Policy #3: The City shall support the creation of housing that is affordable to low-and moderate-income households through partnerships, land use policies, and programmatic efforts, giving consideration to the options described in the Housing Strategies Report included as Appendix D. The Housing Needs Analysis and Buildable Lands Inventory are also included as Appendix B and Appendix C.

Policy #5: The City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities, and other urban development.

Policy #6: The City shall seek to make the most efficient use of developable land, particularly that already provided with City services.

Policy #7: The City recognizes that certain housing policies must be tied very closely with existing land and environmental features. The reader is referred to the 'Land Suitability' section of this plan.

Policy #8: The City shall regularly monitor and update this information to ensure that an adequate supply of land meets future projected housing needs.

Policy #9: The City shall keep an inventory of the City's housing stock and regularly update significant statistics.

Policy #10: The City shall give consideration to alternative residential construction both in form and layout, for such reasons as aesthetics, energy conservation, lessened development costs, and provision of more usable open space.

Policy #11: The City shall, in light of increasing demand for multi-family housing, provide suitable and adequate areas for such development.

Policy #13: The City may encourage residential development within the city limits in areas determined most appropriate.

Policy #17: The City shall encourage residential uses mixed with other compatible uses in the same building or on the same site within the City's mixed-use zones. The City shall allow and support the development of Accessory Dwelling Units in all residential zones as required by State law.

Policy #18 The City shall prioritize providing infrastructure to un-serviced areas that are otherwise ready for residential development.

Recommended Findings: See findings for Statewide Planning Goal 10 – Housing.

According to the applicant (Exhibit 3),

"1. The City shall ensure that zoning standards are flexible enough to allow for a variety of housing options. This particular rezone makes common sense and fits within the City Comprehensive Plan. The City has unique challenges when it comes to affordable housing. To address this shortage will take a multi-pronged approach. This proposed project will not solve the City's housing problems but will be one spoke in the wheel that will begin to address the serious housing needs.

- 1. This is a project that the City should embrace as it allows the private sector to help alleviate some of the housing concerns within the City.*
- 2. This project will make the most efficient use of developable land, particularly those that are already provided with City services.*
- 3. This project will provide safe, sanitary and healthful shelter and build on partnerships with non-profit housing developers to create the opportunity for low income housing and rehabilitation activities within the City.*
- 4. This project will enhance the surrounding area as a vacant building and lot will be rehabilitated efficiently into the City.*
- 5. This parcel already has City services and is the most efficient use of the developable land.*
- 6. The City recognizes that certain housing policies must be tied very closely with existing land and environmental features. This project fits the existing land and environmental issues and will aid the City as it tries to address the critical housing issues within the City."*

10, 11, 13 and 17) No development is proposed with this application, but the applicant intends to renovate the existing building to make eight apartments. Per the applicant, *"Four of the apartments would be available to Step Forward clients who would be living independently and four apartments that would be available to rent for public at large. These four units will conceivably be rented to individuals that find it difficult to pay first and last months rent or have a history that precludes them from renting"* (Exhibit 3).

According to the 2020 Baker City Buildable Lands Inventory (BLI), *"There is a total of 615 acres of developable land across residential designations within the Baker City UGB... The majority of this land is in the R-LD zone (503 acres) although there also is buildable land in the R-MD and R-HD designations (about 91 and 21 acres, respectively). A significant portion of the City's inventory is impacted by steep slopes, particularly in the RLD zone. The portions of individual properties subject to steep slopes have been deducted from the total developable acreage. In some cases, the viability of developing lesser-sloped portions of these properties may be diminished due to the presence of steep slopes elsewhere on the site. However, the assumed densities in this analysis are low enough that further take-outs of constrained land are not necessary – developers on these properties could achieve the same number of units by clustering smaller lots away from steep slopes. Floodplains are also a significant constraint in the city, particularly at the northern edge of the UGB. Acreage impacted by the floodplain has been removed from this inventory."*

TABLE 3. DEVELOPMENT CAPACITY BY ZONE

Zone		Vacant	Partially Vacant	Developed	Committed/ Constrained	Total
R-LD (3.25 du/ac)	Tax Lots	69	101	311	41	522
	Unconstrained Acres	166.2	337.5	0	0	503.7
	Units	540	1096	0	0	1637
R-MD (5.4 du/ac)	Tax Lots	193	86	1,407	69	1,755
	Unconstrained Acres	33.3	58.0	0	0	91.3
	Units	179	313	0	0	493
R-HD (15 du/ac)	Tax Lots	107	23	1,912	96	2,138
	Unconstrained Acres	4.9	16.0	0	0	20.9
	Units	73	240	0	0	313
Total	Tax Lots	369	210	3,630	206	4,415
	Unconstrained Acres	204.4	411.5	0	0	615.9
	Units	792	1,649	0	0	2,443

The 2020 Baker City Housing Needs Analysis (HNA) provided a summary based on the data determined in the BLI as follows:

FIGURE 6.1: ESTIMATED BUILDABLE LANDS CAPACITY BY ACREAGE AND NO. OF UNITS (2020)

ZONING	Typical Housing Types*	Unconstrained Acres				Unit Capacity	
		Vacant	Part. Vac.	Redev.	Total	Units	Share
R-L D (Low-Density)	Single-family detached; Duplex	166.2	337.5	0.0	503.7	1,637	67%
R-M D (Medium-Density)	SF attached; Mobile home; 2-4 plexes	33.3	58.0	0.0	91.3	493	20%
R-HD (High-Density)	Multi-family apartments	4.9	16.0	0.0	20.9	313	13%
TOTALS:		204.4	411.5	0.0	616	2,443	100%

* The housing types listed are not exclusive. Residential zones will experience development of a range of allowed types.

Source: Angelo Planning Group

The HNA goes on to provide a comparison of housing need and capacity stating, “There is a total forecasted need for roughly 235 units over the next 20 years based on the forecasted growth rate (457 units in the alternative forecast). This is well below the estimated total capacity of 2,443 units. Figure 6.3 below represents a comparison of the BLI capacity for new housing units, compared to the estimate for new unit need by 2040. It breaks down need by general zoning category (LDR, MDR, HDR).

- The results find ample remaining capacity for housing of all types, with the greatest estimated surplus in the R-LD zone, and the smallest estimated surplus in the R-HD zone.
- Under the Baseline Forecast, the projected number of new units can be absorbed, while leaving over 550 acres undeveloped. Under the alternative forecast there would be a total of 500 additional acres.

- Under recently adopted state rules (UB2001, 2019), cities over 10,000 people will be required to allow for additional housing types in low-density residential zones. This includes duplex units for “medium cities” (10k to 25k population). “Large cities” (over 25k population) will allow attached single-family homes (townhomes), duplex-to-fourplex, and compact small-unit “cottage cluster” developments in low-density zones.”

FIGURE 6.3: COMPARISON OF FORECASTED FUTURE LAND NEED (2040) WITH AVAILABLE CAPACITY

					BASELINE FORECAST			ALTERNATIVE FORECAST		
WITHIN CITY LIMITS		SUPPLY			DEMAND (2040)			DEMAND (2040)		
Zone & Plan Category	Typical Housing Type	Buildable Land Inventory (Total)			Growth Rate (0%)			Growth Rate (0%)		
		Developable Acres	Unit Capacity	Avg. Density (units/ac)	New Unit Need	Surplus or (Deficit)		New Unit Need	Surplus or (Deficit)	
						Units	Acres		Units	Acres
R-L D (Low-Density)	Single-family detached; Some SF attached & plex	503.7	1,637	3.2	137	1,500	462	332	1,305	402
R-M D (Medium-Density)	SF attached; Manufact. home; 2-4 plexes	91.3	493	5.4	45	448	83	48	445	82
R-HD (High-Density)	Multi-family apartments	20.9	313	15.0	52	261	17	78	235	16
TOTALS:		615.9	2,443	4.0	234	2,209	562	458	1,985	500

Sources: Angelo Planning Group, Johnson Economics

According to the applicant, “We believe that there is adequate land designated for both RLD and RMD land on paper. This site with a building that can be retrofitted for multi-family housing is a perfect example of the need for a zone change” (Exhibit 3).

See additional findings under the “Public Facility Plan”, “Extension of Sewer & Water Services”, “Domestic Water”, “Sewer System” and “Transportation” sections of the Comprehensive Plan for information related to public facilities and the transportation system.

Conclusion: Based on the findings above, the Housing section **is/is not** satisfied.

HISTORIC PRESERVATION – To recognize and preserve buildings and structures identified as having particular historic significance or of a special architectural merit in order to further education, stabilize property values, aid in beautification of the City, and focus community pride in our colorful past.

Recommended Findings: No modifications to the City's inventory of historic sites and structures, including those buildings within the Baker City Historic District or those included otherwise on the National Register of Historic Places, are proposed.

See findings for the “Parks & Recreation”, “Existing Natural Features and Land Use”, and “Land Suitability” sections of the Baker City Comprehensive Plan outlined in this report.

Conclusion: Based on the findings above, the Historic Preservation section **is/is not** satisfied.

ECONOMIC ELEMENT – To improve and diversify the City’s economy in order to sustain a moderate rate of growth while protecting the natural environment and enhancing the quality of life in the community.

Policy #1: The City shall encourage and work towards increased employment opportunities for those unemployed or under-employed, particularly young adults.

Policy #2: The City will be supportive of economic development resulting in increased income levels for Baker City households.

Policy #3: The City shall provide by zoning for development space suitable to the needs of industrial and commercial development, maximizing especially transportation and convenient locations.

Policy #5: The City shall vigilantly protect its natural environment, certainly one of its finest features.

Policy #6: The City, in considering any economic development proposal, shall evaluate its effect on the community beyond simply monetary terms and consistently seek to enhance our quality of life.

Recommended Findings: See findings for Statewide Planning Goal 9 – Economic Development.

An Economic Opportunities Analysis (EOA) for Baker City was adopted in 2020. This EOA determined there is adequately zoned land in all zones within Baker City to meet projected needs. This proposal is to rezone land from Residential Low-Density to Residential Medium-Density, and will have no impact on the inventory or availability of employment lands zoned for commercial or industrial uses.

Conclusion: Based on the findings above, the Economic Element section **is/is not** satisfied.

V. SUMMARY CONCLUSIONS & PLANNING COMMISSION RECOMMENDATION

The Commission may approve, approve with conditions, or deny this request. The Commission may, at its discretion, add, delete, or modify proposed conditions of approval.

The proposed revision to the Baker City Zoning Map contained within RZ-23-132 may be allowed if the request is determined to be consistent with all applicable statewide planning goals, applicable policies of Baker City Comprehensive Plan and Baker City Development Code Section 4.7.200. As summarized herein, this staff report for RZ-23-132 **HAS/HAS NOT** demonstrated that the proposed revision meets or is able to meet through Conditions of Approval, all of the applicable review criteria and development standards.

Therefore, based on the information contained in Sections I through IV of this report, and the above review criteria, findings of fact, and conclusions and public testimony received, the proposed revision request, RZ-23-132, is hereby **APPROVED/DENIED**, subject to the conditions contained in Section VI of this report.

VI. RECOMMENDED CONDITIONS OF APPROVAL

VII. EXHIBITS:

1. Assessor's Map of Subject Properties
2. Land Use Zoning Map showing Potential Re-Zoned Property
3. Application and Written Narrative
 - Exhibit A: Property Information
 - Exhibit B: Baker City TSP – Functional Classification Plan
 - Exhibit C: Applicant's response to Comprehensive Plan and Statewide Planning Goal criteria
 - Exhibit D: Applicant's Narrative
 - Exhibit E: Applicant's Site Plan
 - Exhibit F: Trip Generation Letter
 - Exhibit G: Common Trip Generation Rates
 - Exhibit H: Google Aerial Map
4. Comments from Baker City Public Works
5. Map Amendment and Code Interpretations Table

Exhibit 1 - Assessor's Map of Subject Properties

Tax Lot 101 of Assessor's Map 09s40e21bd, W.M., Baker County, OR (Ref. 18301)

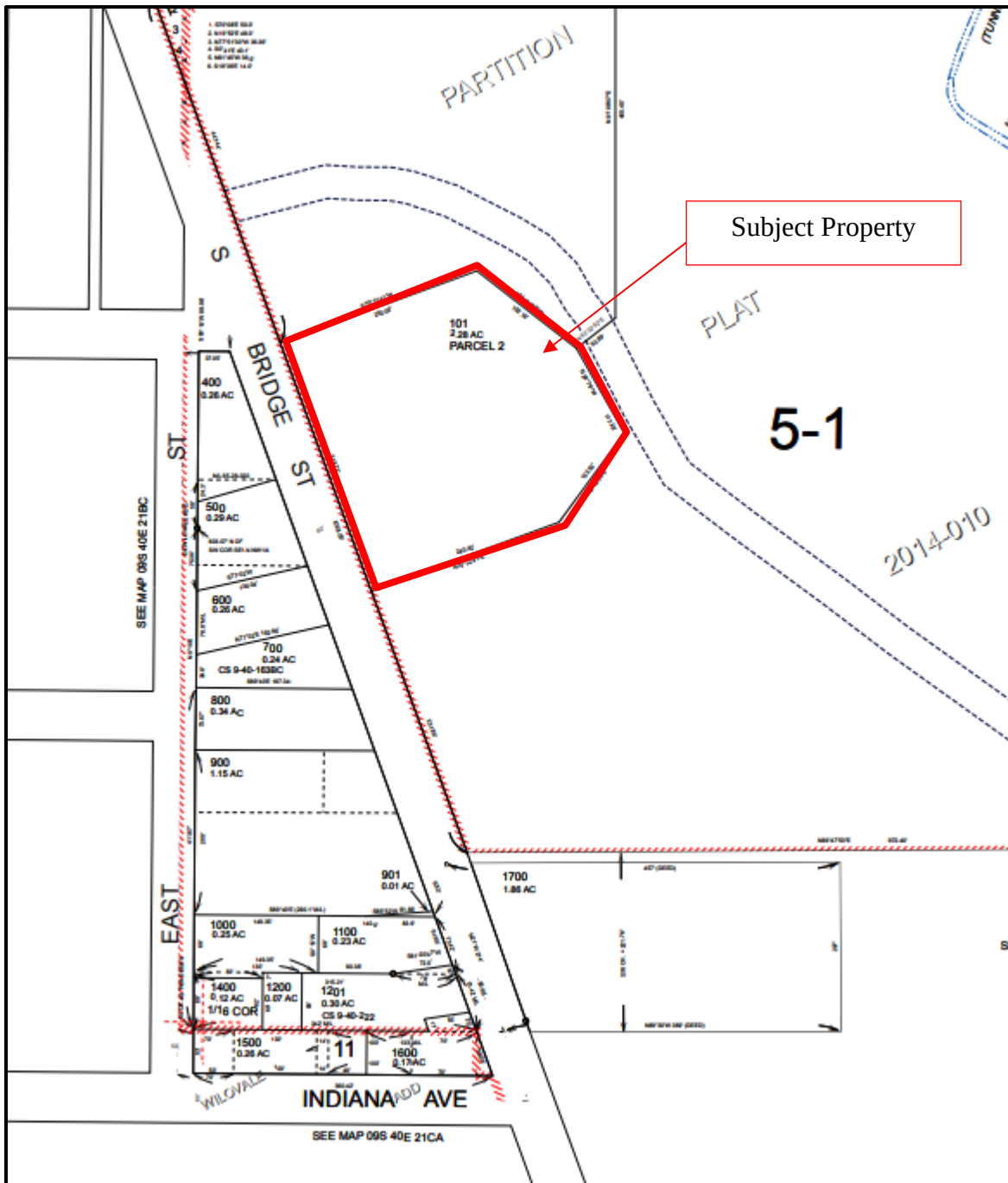
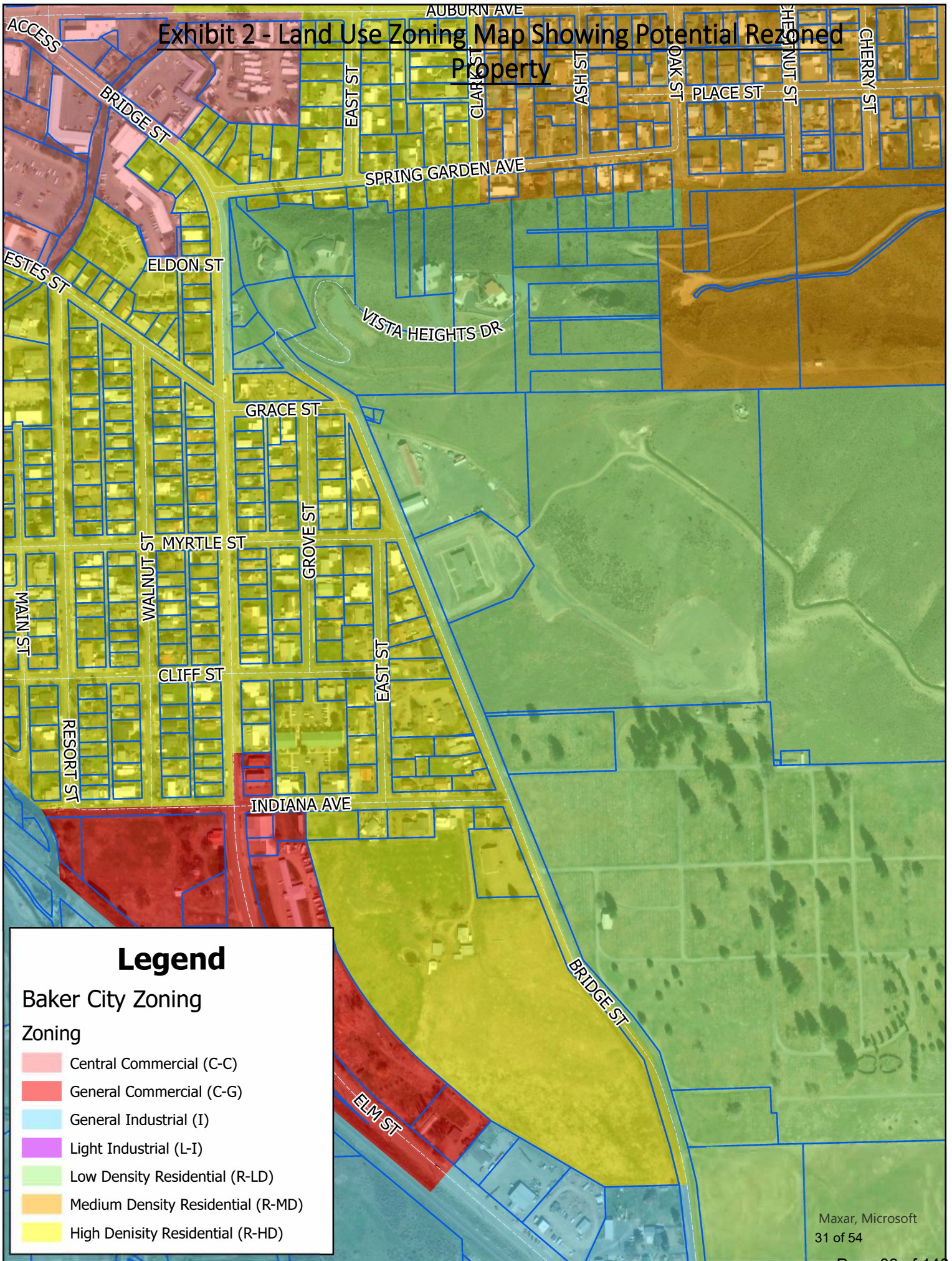
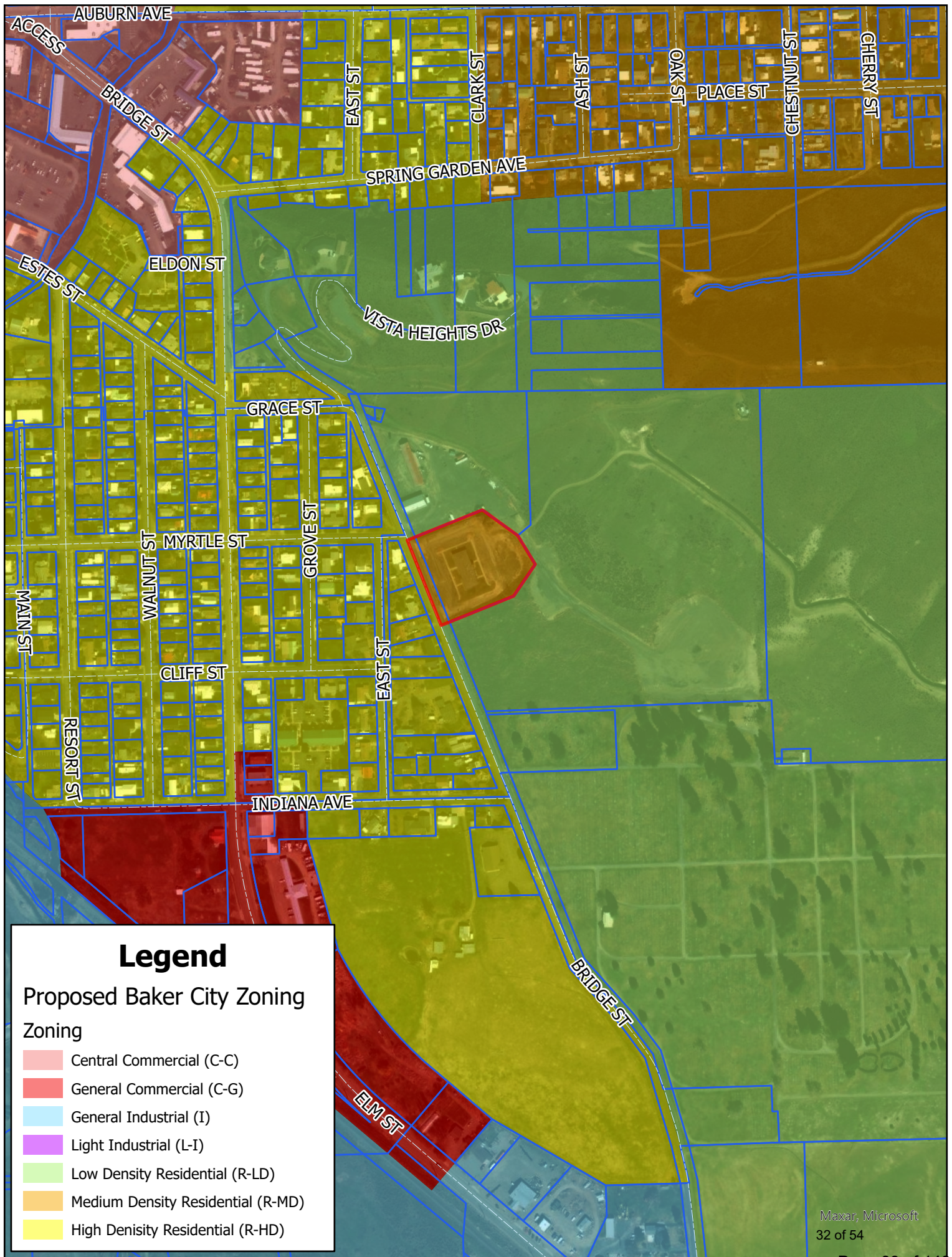


Exhibit 2 - Land Use Zoning Map Showing Potential Rezoned Property





BAKER CITY-COUNTY PLANNING DEPARTMENT

1995 Third Street | Suite 131 | Baker City, OR | 97814
 Phone: (541) 523-8219 | Fax: (541) 523-8340



APPLICATION FOR A CODE, MAP OR PLAN AMENDMENT

App. No. R2-23-132 City Planning: 101-131-3-40-4104
 Date Submitted: 11-9-2023 Received by: TM
 Fee Collected: \$ 600.00 Date Paid: 11-9-2023
 MAKE CHECKS PAYABLE TO: BAKER COUNTY PLANNING

PROPOSED AMENDMENT: Rezone Tax Lot 101 to RMD

APPLICANT			PROPERTY OWNER		
<u>Step Forward Activities, Inc.</u>			<u>Alpine Terra LLC</u>		
Last Name	First	MI	Last Name	First	MI
<u>3720 10th Street</u>			<u>1520 Vista Heights</u>		
Mailing Address			Mailing Address		
<u>3720 10th Street</u>			<u>1520 Vista Heights</u>		
Physical Address			Physical Address		
<u>Baker City, Or 97814</u>			<u>Baker City OR 97814</u>		
City	State	Zip	City	State	Zip
<u>541-523-7475</u>					
Telephone			Telephone		
<u>sasha@stepforwardactivities.org</u>			<u>cnc terra@gmail.com</u>		
Email			Email		

PROPERTY INFORMATION

Property Address: 1050 S. Bridge Street Zone: RLD
 Township 9S Range 40 Section 21BD Tax Lot 101 Ref. 18301
 Township _____ Range _____ Section _____ Tax Lot _____ Ref. _____

Was a pre-application conference held for this project? ☐ Yes ☒ No

Are there additional reviews pending? ☐ Yes ☒ No If yes, File #: _____

NOTICE TO APPLICANT: On original application form, please print legibly using black/dark blue ink or type. Applicants are advised to review the list of submittal requirements and recommendations indicated on each land use application form and in the applicable Code Section prior to submitting an application. Incomplete applications will not be scheduled for review until the Planning Department receives all required submittal materials. Failure to provide materials or address the approval criteria in sufficient detail may cause your application to be delayed or denied.

ADDITIONAL PROJECT TEAM MEMBERS. Please include any other parties you wish to receive notice and staff report(s).

Name: Fred Warner Jr Phone: 541-519-6704
Mailing Address: 2810 Main St Baker City, Or Email: Fwarner496@gmail.com

Name: _____ Phone: _____
Mailing Address: _____ Email: _____

NOTICE TO APPLICANT: By signing, the applicant certifies the information provided herein is accurate and that he/she is authorized to make the application and that there are no covenants, conditions or restrictions (CC&Rs) that may limit or prohibit the proposed adjustment. The City of Baker City does not monitor, nor have enforcement authority over CC&Rs.

Applicant Signature: Sasha Cohen for Step Forward Activities, Inc. Date: _____
Executive Director
Property Owner(s) Signature: _____ Date: _____
_____ Date: _____

*** Note: If the applicant is not the owner, by signing, the owner hereby grants permission for the applicant to act in his/her behalf concerning this application.

APPLICATION SUBMISSION REQUIREMENTS - All materials shall be submitted in complete, collated application packets. Packets shall be stapled, bound, or otherwise attached to prevent loss of individual sheets or parts.

- Original **APPLICATION FORM** signed by all parties. Multiple forms may be used if necessary.
- **NARRATIVE** including all approval criteria and your responses.
- **SITE PLAN** showing existing conditions and proposed changes. All site plans should be printed at 1" = 20' scale; 1:40 or 1:100 scale may be used for very large projects. All materials larger than 8 1/2 X 11 shall be folded to 8 1/2 X 11 size.

MAKING FINDINGS - A Development Code, Zoning Map or Comprehensive Plan amendment may be approved if the Planning Commission finds the application conforms to the criteria found in the Development Code, the Comprehensive Plan, Statewide Planning Goals and the applicable development standards. Before the Planning Commission can review an application, the applicant must submit information that adequately supports the application. **The applicant bears the burden of proof to show that the criteria are met.**

FORMAT FOR FINDINGS - Statements addressing individual criteria consist of two parts:

1. Factual information, such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: onsite inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

EXAMPLE: **Criterion:** *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.*

Mailing Address: _____ Email: _____

NOTICE TO APPLICANT: By signing, the applicant certifies the information provided herein is accurate and that he/she is authorized to make the application and that there are no covenants, conditions or restrictions (CC&Rs) that may limit or prohibit the proposed adjustment. The City of Baker City does not monitor, nor have enforcement authority over CC&Rs.

Applicant Signature: Sasha [Signature] for Step Forward Holdings, Inc. Date: _____
Property Owner(s) Signature: [Signature] Date: 11/06/2023
Steven Wilmer, member Date: 11/06/2023 7:47:36 PM PST
Nicole Wilmer, member Date: 11/06/2023 7:50:08 PM PST

*** Note: If the applicant is not the owner, by signing, the owner hereby grants permission for the applicant to act in his/her behalf concerning this application.

APPLICATION SUBMISSION REQUIREMENTS - All materials shall be submitted in complete, collated application packets. Packets shall be stapled, bound, or otherwise attached to prevent loss of individual sheets or parts.

- Original **APPLICATION FORM** signed by all parties. Multiple forms may be used if necessary.
- **NARRATIVE** including all approval criteria and your responses.
- **SITE PLAN** showing existing conditions and proposed changes. All site plans should be printed at 1" = 20' scale; 1:40 or 1:100 scale may be used for very large projects. All materials larger than 8 1/2 X 11 shall be folded to 8 1/2 X 11 size.

MAKING FINDINGS - A Development Code, Zoning Map or Comprehensive Plan amendment may be approved if the Planning Commission finds the application conforms to the criteria found in the Development Code, the Comprehensive Plan, Statewide Planning Goals and the applicable development standards. Before the Planning Commission can review an application, the applicant must submit information that adequately supports the application. **The applicant bears the burden of proof to show that the criteria are met.**

FORMAT FOR FINDINGS - Statements addressing individual criteria consist of two parts:

1. Factual information, such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: onsite inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

EXAMPLE: **Criterion:** *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.*

Response: State fact(s) relating to the question: *"Light manufacturing is allowed as a conditional use in the C-G zone pursuant to Table 2.3.110A of the Development Code. The site is 1.37 acres, is flat, and has 150 feet of frontage along X Street, which is more than adequate to accommodate a custom furniture manufacturing shop and associated showroom. Our proposed 12,500 square foot building, with 12 parking spaces, a loading dock, and landscaping, can be easily accommodated on the site with room for expansion. Please note that our site plans include potential expansion of both the building and parking areas, in order to permit complete build-out and not require an additional conditional use permit. All operations will be inside the building, which will be constructed to minimize noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, and other potential negative externalities."*

Conclusion: State your conclusion: *"The proposed conditional use is appropriate for the site and will not pose any undue hazards on neighboring properties or the general public."*

APPLICABLE BAKER CITY DEVELOPMENT CODE SECTIONS AND OTHER REFERENCES

4.7.200 Legislative Amendments. Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Section 4.1.500 and shall conform to the Transportation Planning Rule provisions in Section 4.7.600, as applicable.

4.7.300 Quasi-Judicial Amendments

A. Applicability of Quasi-Judicial Amendments. Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial zone map amendments shall follow the Type III procedure, as governed by Section 4.1.400, using standards of approval in Section 4.7.300.B. The approval authority shall be as follows:

1. The Planning Commission shall review and act upon land use zone map changes that do not involve comprehensive plan map amendments;
2. The Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan map amendment. The City Council shall decide such applications; and
3. The Planning Commission shall make a recommendation to the City Council on a land use zone change application that also involves a comprehensive plan map amendment application. The City Council shall decide both applications.

B. Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

1. Approval of the request is consistent with the Statewide Planning Goals;
2. Approval of the request is consistent with the Comprehensive Plan;
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 in the planning period; and
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 zone map regarding the property which is the subject of the application; and

5. The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.600.

4.7.400 Conditions of Approval for Quasi-Judicial Amendments. A quasi-judicial decision may be for denial, approval, or approval with conditions; conditions shall be based on applicable regulations and factual evidence in the record. Legislative amendments may only be approved or denied.

All amendments to the Development Code, Zoning or Comprehensive Plan Maps, or the Comprehensive Plan, whether legislative or quasi-judicial, need to demonstrate consistency with the Comprehensive Plan and the Statewide Planning Goals.

Exhibit A

PROPERTY INFORMATION

Notice: The information provided here is for convenience ONLY. The records located at Baker County Assessor's office are one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information accurate as possible, these documents are being provided as an informational convenience ONLY. Baker County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Baker County Assessor Office, Baker City, Oregon.

Date Web Site was last updated 10/23/2023

Tax Year: 2023 Ref#: 18301

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
09S4021BD	101	0	501	211 COMM/RESIDENT/IMP

OWNER: ALPINE TERRA, LLC
 CONTRACT:
 MAILING ADDRESS:
 CITY/ST: TUALATIN, OR 97062
 PROPERTY ADDRESS: 1050 S BRIDGE ST BAKER CITY

NOTES:

none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$107910	
STRUCTURES	\$238390	
SUBTOT	\$346300	\$211019
TOTAL	\$346300	\$211019

PROPERTY TAX INFORMATION

TAX	\$3776.63
TOTAL TAX & SPECIAL ASSESSMENTS	\$3776.63

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

STRUCTURES

LINE #	BLDG CLASS	DESCRIPTION	SQ FT	YEAR BLT	YEAR APPRAISED	MARKET VALUE	REMOD
1	3E4	OFFICE BUILDING	5540	1950	2020	\$238390	0

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	2.28	B	AVERAGE VALUE RESID		\$95610
2	0.00	COSD	OSD COMMERCIAL		\$12300

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	2/18/2021	253000	1	D	21070338

(Assessor_Search.html)



Search Again (Assessor_Search.html)

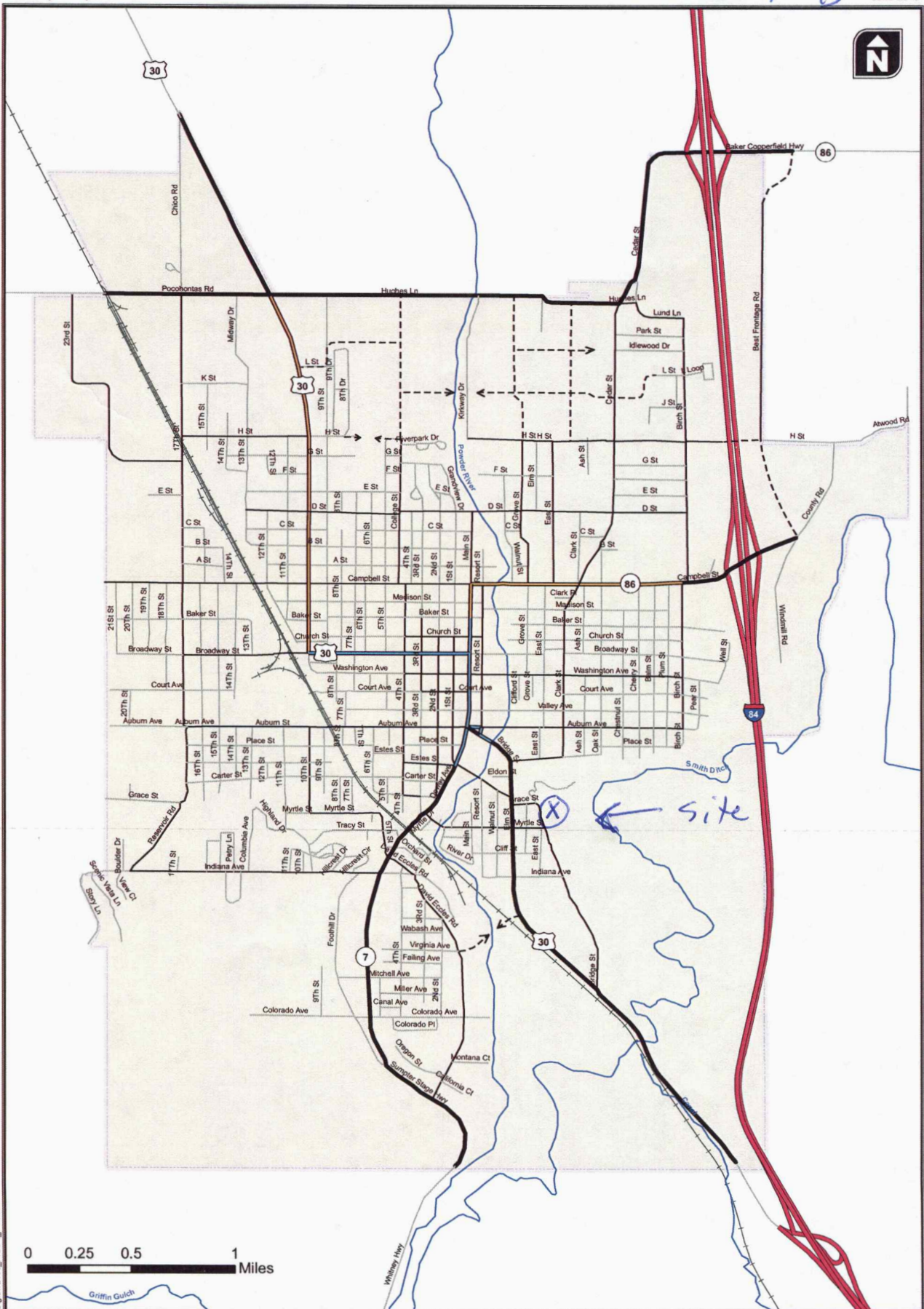
(http://www.bakercounty.org/index.html)



(http://www.bakercounty.org/index.html)

Baker County operates under an EEO policy and complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Assistance is available for individuals with disabilities by calling 541-523-8200 (TTY: 541-523-8201). Read our Liability Statement (<http://www.bakercounty.org/disclaimer.html>)

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H:\profiles\12196 - Baker City TSP Update\gis\12196_FIG3-1_FC.mxd

0 0.25 0.5 1 Miles

- Interstate
- Arterial
- Future Arterial
- Special Transportation Area (Arterial)
- Urban Business Area (Arterial)
- Collector
- Future Collector
- Local

Functional Classification Plan



Figure 3-1

Application for zone change of Alpine Terra LLC property

4.7.300 B

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

Goal 1: Citizen involvement: This will be met with Planning Department's public criteria.

Goal 2: Applicant will/has provided descriptive materials and information adequate for the determination being made. City will follow all rules and procedures to ensure adequate public notice and updates. This action will be consistent with State Planning goals and the Baker City Comprehensive Plan.

Goal 3: No agricultural zoning exists within the Baker City Urban Growth Boundary. This goal is met.

Goal 4: No forests zoning exists with the Baker City Urban Growth Boundary. This goal is met.

Goal 5: The applicant will not impair open spaces and will protect natural and scenic resources. Currently the property is vacant and a relative blight on the area. The property currently has a 5540 square foot building that has been vacant for over 15 years. This is a rezone from Low Density Residential to Medium Density Residential and should not impact the open spaces in the City.

Goal 6: This rezone will not affect the air, water and land resources of the State. The building is already in place and the inside will be updated and renovated. The surrounding area will not be altered.

Goal 7: The applicants property is not in the flood plain and should not be affected by any natural hazards.

Goal 8: The rezone of this property should not adversely affect the recreation facilities or opportunities in the City. The addition of a maximum 30 living spaces should have a positive impact on the housing shortage but not stress existing recreational opportunities.

Goal 9: One of the policies of the Baker City Comprehensive Plan is to strive for development of land to its highest and best use, recognizing the various needs of all its citizens. Housing is a critical need as identified in the Baker City Housing Strategy (HPS). The study highlighted that the availability of land inventory is restricted because of constraints including floodplains, wetlands, steep slopes and other natural features that may reduce the developability of land in the City. (pg 27) The high cost of infrastructure including sewer, water, sidewalks and road systems are a huge factor in the development of housing tracts within the City. The HPS highlighted that the properties owned by developers that have adequate land base to be able to put in the critical infrastructure is a significant barrier to additional housing in the community. The HPS study shows that Baker City will need roughly 234 new housing units by 2040. The addition of needed housing will help to enhance the workforce of the area and allow for businesses to hire the needed employees to grow and prosper. The HPS also highlighted the need for increased density to allow for more compact development in specific areas. (pg 29) This particular application will allow for increased density while not increasing the needed public services and transportation system in the area.

Strategy 2.1 Increase allowed densities and housing options in existing zones (pg 58-59): The study shows that this strategy will promote less costly forms of housing and will have a positive

cumulative impact on the City. The specific impacts of this strategy will aid in affordable homeownership, affordable rental housing, housing options, housing choice and location of housing. 2.2 Facilitate "Missing Middle" Housing Types in all Residential Zones (pg 31-32): The City can consider allowing middle housing types in the low density residential zone. This application is directly applicable to this strategy. Facilitating Missing Middle Housing in more areas will aid in affordable homeownership, affordable rental housing, housing options, housing choice and location of housing. (pg 58-59)

Goal 10: The residential properties in Baker City are varied. On page 82 of the HPS land supply can be a critical barrier to developing new housing and the cost of infrastructure can pose a significant barrier to housing development. A large amount of residential property within the City limits are currently not for sale or the cost of infrastructure to develop is too expensive. The needs for housing is varied with the greatest need being housing for a growing working class. The addition of this rezoned property will help to address the housing needs throughout the community. Any affect to the surrounding areas should be positive.

The Housing Strategy and the Baker City Economic Development Analysis both show that Baker City is in dire need of additional housing. Work force housing is identified as especially acute. Housing within the \$100,000 to \$200,000 price range is at a deficit. Lack of housing is affecting local businesses efforts to recruit and retain workers. Businesses such as the local hospital and New Directions Northwest are struggling to find workers because of the lack of adequate housing supplies. The addition of more RMD zoned property will allow more commercial activity in the home building sector.

The State of Oregon has made multi-unit housing a priority statewide. In order for Baker City and the State to address the extreme shortage of housing, additional multi-unit projects will need to be constructed or refurbished. This project will address those needs.

Goal 11: We believe that the buildout of this project will not strain the public services in the community. Additional water and sewer meters will allow for increased funding for the City public works budget as well as tax dollars for the general fund. All services are available to this property. The addition of a maximum 30 living units on this property should not put any strain on existing public facilities and services. This project will add much needed housing to the system and refurbish an abandoned building and acreage that will add value to the local tax base. Electricity, natural gas, phone and internet services are all located on the property. Bridge Street is a local street that is paved and has little traffic. (see trip generation analysis) The re-zone of this property will allow for additional housing while having limited impact on public services.

Goal 12: This rezone project will have limited impact on Baker City's transportation system.(see trip generation analysis) As previously stated, Bridge Street fronts the entire length of the parcel. Four houses border the affected property on the West side of Bridge Street. The area between Bridge Street and Elm Street (Highway 30) is zoned High Density Residential with one apartment complex and homes.

Approximately 10 homes, one church and Mt. Hope Cemetery use Bridge Street for access. The addition of a maximum of 30 additional housing units (multi-family/cottage cluster) should have little impact on traffic on Bridge Street.

Goal 13: The rezone of the property should have no negative effect on energy conservation. The addition of new housing in the area will incorporate energy efficiency.

Goals 14-19: Do not apply.

Criteria for Quasi-Judicial Amendments

B.1 Approval of the request is consistent with Statewide Planning goals

This zone change request is consistent with the Statewide Planning goals and all the conditions identified in the Planning goals can be met.

B.2 Approval of the request is consistent with the City Comprehensive Plan

The City Comprehensive Plan and the Statewide Planning Goals are virtually identical and the above Goals should be aligned.

B.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 in the planning process.

The rezone of this parcel should have limited impact on public utilities, services and the transportation network. Bridge Street is approximately 50 feet in width and capable of handling traffic flow at this time. The addition of a maximum 30 (multi-family/cluster cottages) living units should have very limited impact on the function of this street. This project will not trigger significant changes to the traffic in the area as required by OAR 660-012-0060 as well as Section 4.1.900 and Section 4.7.600 of the Baker City Comprehensive Plan. (see trip generation analysis)

Sewer and water services are currently connected to the property. No additional sewer or water lines should be needed as a result of this rezone. The addition of a maximum 30 living units (Multifamily/Cottage Cluster) should have little impact on police and fire services in the City. There are no plans or issues identified in the Bridge Street area in the Baker City Transportation System Plan.

The area is also served by the Community Connections bus route.

This application should meet the criteria in 4.7.300B. 3

B.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 zone map regarding the property which is the subject of the application;

The rezone of this property will enhance the neighborhood and community conditions. The property was previously used as a commercial building (Oregon DMV office). The property has been vacate for over 15 years.

The zone change will not change the functional classification of the existing transportation facility, change the standards implementing a functional classification system, reduce the performance of the existing transportation system below the minimum acceptable performance as identified in the City's Comprehensive Plan or worsen the performance of the existing transportation system.

This application meets the City's Transportation planning rule compliance.

B.5 The amendment conforms to the Transportation Planning Rule under Section 4.7.600

Seen analysis below.

Transportation Planning Rule Compliance

4.7.600 A.1. We don't believe that the proposed zone change will affect the City's Transportation Planning Rule. (see Trip Generation Analysis) The property is served by Bridge Street which is a well maintained local street that serves approximately 10 homes, one church and Mt. Hope Cemetery. The applicant does not believe that the addition of a maximum 30 living units will cause any significant change to the street classification of Bridge Street or cause any traffic movement problems in the area and will not cause any significant changes to the transportation system in the area which is a criteria of OAR 660-012-0060.

A.2. The rezone of this property should not change the standards implementing a functional classification system.

A.3. The rezone of this property should not reduce the functionality of the existing transportation system below the minimum acceptable performance standard in the City's Comprehensive Plan.

A.4. The rezone of this property should not worsen the performance of Bridge Street and will not cause the transportation facility to fall below the minimum acceptable performance standard identified in the City TSP.

Address how the proposal meets the relevant Comprehensive Plan Information

Public Involvement and Procedures for Planning

9. ii: We believe that there is adequate land designated for both RLD and RMD land on paper. This site with a building that can be retrofitted for multi-family housing is a perfect example of the need for a zone change.

9.iii: The parcel in question was zoned RLD even though a commercial building is sited on the property. Aside from the County Building on the North side of the property, the area around the parcel is residential.

9 iv: There should be no unnecessary tax burden that will fall upon the general public with this rezone. In fact, it should enhance the tax base and economic output for the City as a whole.

9.v.: The proposed change will not be reasonably harmful or incompatible to the surrounding area. There is RMD zoned property adjacent to the application.

Public Facility Plan

Policies: This property will have all urban level development and is within the City limits.

Sewer System:

5. The sewer system is in place and adequate for the development.

7. The sewer lines within the proposed development adhere to City standards,

Transportation

Policies

13. The parcel will be served by the Step Forward bus as well as the Community Connections bus.

Domestic Water

Policies

2. The system in place for domestic water is adequate for the potential rezone.

Extension of Sewer and Water Service

Policies

5. The capacity for the project is adequate. The water and sewer system within the proposed project is sized to City standards and already in place.

Existing Natural Features and Land Use Policies

7. The parcel to be rezoned has a Commercial building on the site and it would be the best and highest use for the parcel to rezone the property to RMD.

Land Suitability

As discussed throughout the application, there is adequate supplies of available land for all zoning classification. This application will aid the City in opening up additional usable residential land for development to address the significant shortfall in housing in the community. This rezone will help overcome these challenges and provide for the ability to increase housing supplies.

This land is already in the City limits and adjacent to public services. It makes strategic sense for the City to consider the rezone of this parcel instead of looking to expand the urban growth boundary into prime farmland.

This parcel has been vacant for many years. There is a significant need for housing for low income and people with disabilities within the City.

Housing Policies

1. The City shall ensure that zoning standards are flexible enough to allow for a variety of housing options. This particular rezone makes common sense and fits within the City Comprehensive Plan. The City has unique challenges when it comes to affordable housing. To address this shortage will take a multi-pronged approach. This proposed project will not solve the City's housing problems but will be one spoke in the wheel that will begin to address the serious housing needs.
2. This is a project that the City should embrace as it allows the private sector to help alleviate some of the housing concerns within the City.
3. This project will make the most efficient use of developable land, particularly those that are already provided with City services.
4. This project will provide safe, sanitary and healthful shelter and build on partnerships with non-profit housing developers to create the opportunity for low income housing and rehabilitation activities within the City.
5. This project will enhance the surrounding area as a vacant building and lot will be rehabilitated efficiently into the City.
6. This parcel already has City services and is the most efficient use of the developable land.
7. The City recognizes that certain housing policies must be tied very closely with existing land and environmental features. This project fits the existing land and environmental issues and will aid the City as it tries to address the critical housing issues within the City.

NARRATIVE FOR ALPINE TERRA LLC REZONE APPLICATION

Alpine Terra LLC owns 2.28 acres of property that is zoned Low Density Residential. This property has a 5540 square foot commercial building that was previously owned and operated by the Oregon Department of Motor Vehicles. This building has been vacant for over 15 years. Step Forward Activities Inc. (Applicant) would like to change the zoning designation from Low Density Residential to Medium Density Residential in order to reconfigure the existing building into approximately 8 residential units, a meeting room, laundry area and limited office space to service the residential units.

If the zone change is approved, the Applicant will purchase the property from Alpine Terra LLC and renovate the existing building to make eight apartments. Four of the apartments would be available to Step Forward clients who would be living independently and four apartments that would be available to rent for the public at large. These four units will conceivably be rented to individuals that find it difficult to pay first and last months rent or have a history that precludes them from renting.

Clients of Step Forward typically do not drive and use public transportation. The clients all have jobs and function well in society. There would be a couple of offices renovated in the project for Step Forward staff to help clients with basic needs. The applicant realizes that the zone change analysis does not need to include plans for development of the property but include proposed uses because of the unique nature of this parcel. The existing building was a commercial property that has ended up in the RLD zone which makes little sense from a zoning perspective. The building is actually in good shape and it would be contrary to good government to tear it down because it doesn't fit a zoning that probably was overlaid the property at a later date.

The Economic Opportunity Analysis that was completed in 2020 determined that there is adequately zoned land in all zones to meet the projected needs of Baker City. This particular piece of property is bordered to the North by the old ODOT maintenance facility which is currently under County ownership and houses the County Weed Department as well as multiple storage bays that are used for vehicles and other County surplus items. The property is bordered on the East and South by Low Density Residential zoned vacant property. The land bordering the West side of the property is currently zoned High Density Residential and is currently in homes that are on very large lots. It appears that this zoning classification was added after these homes were built as the lots are very large.

The City currently has a surplus of Low Density Residential vacant property. The southern end of the City has a great deal of vacant LDR property that can be developed in the future. The applicant believes that moving 2.28 acres of RLD to RMD will not have an adverse effect on the total residential land inventory and availability of developable land in the City.

The Baker City Housing Production Strategy (HPS) released in August of 2023 identified increased housing opportunities as a priority and an important need for the community. This includes all categories of housing with a priority on work force housing and low income residential needs. Availability of accessible properties owned by developers that have adequate land base to be able to put in the critical infrastructure are a significant barrier to additional housing in the community. The applicant's property is unique in that there is an existing building that is in decent condition and there is no functional way to use this building with the existing zoning of the property. The addition of eight residential units will fulfill a need for housing and should not affect the surrounding properties in a negative way.

The property is currently serviced by Bridge Street which is a paved street approximately 50 feet in width. It currently has a curb that abuts the pavement and no sidewalks on either side. This street is the major route to Mt. Hope Cemetery. This is a low traffic street as it lies adjacent

to Elm Street (Highway 30) which moves traffic out of the City towards Interstate 84 and points South. Bridge Street does not appear on any of the City's planned pedestrian networks or street upgrades plans. (see Trip Generation Analysis)

The property currently has Cascade Natural gas, OTECC, and City sewer and water lines running to the building. There appears to be adequate capacity in all of these utilities for the addition of eight living units. The current plan would be to have one set of meters into the building and to have the rent include all utilities.

The rezone of this property will not have a negative impact on the surrounding area and homes. Step Forward has a number of properties within the City and these properties have a proven track record of being good neighbors. Many times when these types of group settings are proposed, there is a lot of concern from adjacent landowners about how this could impact their property values and lower the quality of life in the area. These concerns tend to go away as soon as the property is refurbished and the property assimilates into the neighborhood. The renovation of this existing vacant building will enhance the surrounding area as the remodel will include landscaping of the area which has been neglected for many years.

Currently Step Forward faces a critical challenge of placing people in housing that is safe and stable. At times clients face as much as a year waiting for clean affordable housing. This project will alleviate some of these challenges as well as open up additional workforce housing. With the current zoning of this property, there is essentially no way to utilize the property without tearing down the existing building.

It is not a simple problem that Baker City faces as they attempt to address the serious housing issues in our community. The addition of this project going forward will be a small step in alleviating stressors in the housing market and allow for additional housing for our citizens.

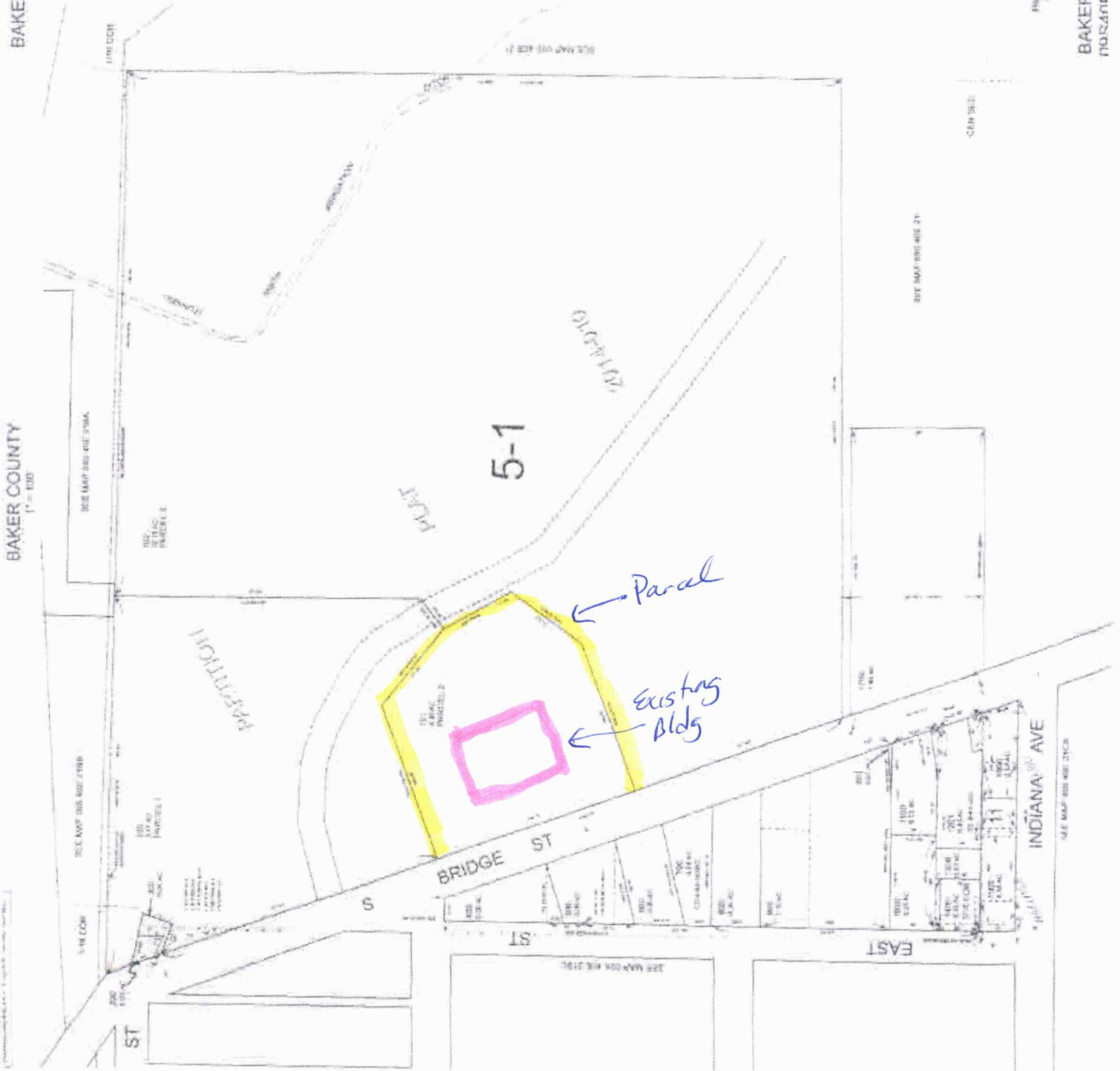
BAKER CITY

Qualified
TDR

BAKER COUNTY
1" = 100'

Revised: DCL
03/02/2015

BAKER CITY
PLANNING DEPT



TRIP GENERATION ALPINE TERRA, LLC SUBMISSION

The Alpine Terra LLC rezone application will have a potential impact on traffic on Bridge Street. This analysis will review the ADT generated by the highest and best uses at maximum-buildout both before and after the proposed zone change to determine whether the proposed rezone application surpasses the threshold of significant changes as required by OAR 660-012-0060.

This application seeks approval to rezone 2.28 acres from RLD (Residential Low Density) to RMD (Residential Medium Density). If the rezone is approved, a separate application to develop the property will be made.

TRAFFIC ANALYSIS OF RLD VS. RMD

We have used the ITE Trip Generation Manual 10th Edition for modeling purposes to show the trip generation and times of highest use for comparing traffic for RLD zoning as well as RMD zoned land to provide data to satisfy the requirements of OAR 660-012-0060 as well as the transportation planning rule found in Section 4.1.900 and Section 4.7.600 of the Baker City Development Code.

For illustration purposes, we have analyzed the Peak Hour Weekday PM usage as calculated by the ITE Trip Generation Manual 10th Edition which is the standard for all different types of land usage.

ASSUMPTIONS FOR RLD TRIP GENERATION

2.28 acres of RLD land

35% of land would be used for streets, sidewalks, open spaces

Total sq. Footage of application: 99,522 sq ft.

$99,522 \times .65 \% = 64,689$ sq feet for housing development.

ITE common trip generation rates PM Peak Hour: Single Family Dwelling: .99

.99 Single Family Dwelling is per 1000 sq. Feet

ITE Trip Generation table attached.

Number of Dwelling units per acre (max): 5.8 units

Maximum Dwelling units per parcel: 9 units (rounded up)

ANALYSIS OF RLD TRIPS

	TRIPS	RLD SITE	SITE TOTAL
Site Area		64,689 sq ft	
Peak hour Weekday PM	.99	9 home sites (64,689/7500)	9 peak trips (Max buildout)

ASSUMPTIONS FOR RMD TRIP GENERATION

2.28 acres of RMD land for development

40% of land for roads, parking lot, open spaces

1.37 acres for multi family housing (Multifamily Mid-rise)

59,800 sq ft, developable land

Maximum density of 1 unit per 2000 sq ft per Table 2.2.120 BC Development Code:

Multi family Mid-rise trip rate per unit from ITE: .44 (Peak Weekday PM hour)

59,800 sq ft. / 2000 sq ft per unit= 30 units for maximum density of proposed site

ANALYSIS OF RMD TRIPS WITH MAXIMUM ALLOWED DENSITY

30 Units allowed X .44 Peak Weekday PM hour= 14 peak trips per max buildout

The trip generation analysis shows that there would be no significant change to the transportation system associated with this development. The Peak PM trips for RLD are calculated at 9 trips with RMD Peak PM trips of 14 trips. Bridge Street is a paved street approximately 50 feet wide.

This rezone will not change the classification of the existing transportation system, will not change the functional classification of the system, will not reduce the performance of the transportation system and will not worsen the performance of the existing system. This street is a low traffic street that serves approximately 15 homesites and Mt. Hope Cemetery.

INSTITUTE OF TRANSPORTATION ENGINEERS COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 10th Edition)

Exhibit G

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
PORT AND TERMINAL					
30	Intermodal Truck Terminal	1,000 SF GFA	1.72		
90	Park-and-Ride Lot with Bus Service	Parking Spaces	0.43		
INDUSTRIAL					
110	General Light Industrial	1,000 SF GFA	0.63		
130	Industrial Park	1,000 SF GFA	0.40		
140	Manufacturing	1,000 SF GFA	0.67		
150	Warehousing	1,000 SF GFA	0.19		
151	Mini-Warehouse	1,000 SF GFA	0.17		
154	High-Cube Transload & Short-Term Storage Warehouse	1,000 SF GFA	0.10		
155	High-Cube Fulfillment Center Warehouse	1,000 SF GFA	1.37		
156	High-Cube Parcel Hub Warehouse	1,000 SF GFA	0.64		
157	High-Cube Cold Storage Warehouse	1,000 SF GFA	0.12		
160	Data Center	1,000 SF GFA	0.09		
170	Utilities	1,000 SF GFA	2.27		
180	Specialty Trade Contractor	1,000 SF GFA	1.97		
RESIDENTIAL					
210	Single-Family Detached Housing	Dwelling Units	0.99		
220	Multi-Family Housing (Low-Rise)	Dwelling Units	0.56		
221	Multi-Family Housing (Mid-Rise)	Dwelling Units	→	0.44	0.18
222	Multi-Family Housing (High-Rise)	Dwelling Units	→	0.36	0.19
231	Mid-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.36		
232	High-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.21		
240	Mobile Home Park	Dwelling Units	0.46		
251	Senior Adult Housing - Detached	Dwelling Units	0.30		
252	Senior Adult Housing - Attached	Dwelling Units	0.26		
253	Congregate Care Facility	Dwelling Units	0.18		
254	Assisted Living	1,000 SF GFA	0.48		
255	Continuing Care Retirement Community	Units	0.16		
260	Recreation Homes	Dwelling Units	0.28		
265	Timeshare	Dwelling Units	0.63		
270	Residential Planned Unit Development	Dwelling Units	0.69		
SHOPPING					
310	Hotel	Rooms	0.60		
311	All Suites Hotel	Rooms	→	0.36	0.17
312	Business Hotel	Rooms	0.32		
320	Motel	Rooms	0.38		
330	Resort Hotel	Rooms	0.41		
RECREATIONAL					
411	Public Park	Acres	0.11		
416	Campground / Recreation Vehicle Park	Acres	0.98		
420	Marina	Berths	0.21		
430	Golf Course	Acres	0.28		
431	Miniature Golf Course	Holes	0.33		

Code	Description	Unit of Measure	Trips Per Unit	Setting/Location	
				General Urban/ Suburban	Dense Multi- Use Urban
432	Golf Driving Range	Tees/Driving Positions	1.25		
433	Baiting Cages	Cages	2.22		
434	Rock Climbing Gym	1,000 SF GFA	1.64		
435	Multi-Purpose Recreational Facility	1,000 SF GFA	3.58		
436	Trampoline Park	1,000 SF GFA	1.50		
437	Bowling Alley	1,000 SF GFA	1.16		
440	Adult Cabaret	1,000 SF GFA	2.93		
444	Movie Theater	1,000 SF GFA	6.17		
445	Multiplex Movie Theater	1,000 SF GFA	4.91		
452	Horse Racetrack	Seats	0.06		
454	Dog Racetrack	Attendees	0.15		
460	Arena	1,000 SF GFA	0.47		
462	Professional Baseball Stadium	Attendees	0.15		
465	Ice Skating Rink	1,000 SF GFA	1.33		
466	Snow Ski Area	Slopes	26.00		
473	Casino/Metro Lottery Establishment	1,000 SF GFA	13.49		
480	Amusement Park	Acres	3.95		
482	Water Slide Park	Parking Spaces	0.28		
488	Soccer Complex	Fields	16.43		
490	Tennis Courts	Courts	4.21		
491	Racquet/Tennis Club	Courts	3.82		
492	Health/Fitness Club	1,000 SF GFA	3.45		
493	Athletic Club	1,000 SF GFA	6.29		
495	Recreational Community Center	1,000 SF GFA	2.31		
INSTITUTIONAL					
520	Elementary School	1,000 SF GFA	1.37		
522	Middle School / Junior High School	1,000 SF GFA	1.19		
530	High School	1,000 SF GFA	0.97		
534	Private School (K-5)	Students	0.26		
536	Private School (K-12)	Students	0.17		
537	Charter Elementary School	Students	0.14		
538	School District Office	1,000 SF GFA	2.04		
540	Junior / Community College	1,000 SF GFA	1.86		
550	University/College	1,000 SF GFA	1.17		
560	Church	1,000 SF GFA	0.49		
561	Synagogue	1,000 SF GFA	2.92		
562	Mosque	1,000 SF GFA	4.22		
565	Daycare Center	1,000 SF GFA	11.12		
566	Cemetery	Acres	0.46		
571	Prison	1,000 SF GFA	2.91		
575	Fire and Rescue Station	1,000 SF GFA	0.48		
580	Museum	1,000 SF GFA	0.18		
590	Library	1,000 SF GFA	8.16		

Exhibit H



Imagery ©2023 Airbus, Maxar Technologies, State of Oregon, Map data ©2023 50 ft

Holly Kerns

From: Joyce Bornstedt <bcpwdirector@bakercity.gov>
Sent: Thursday, February 8, 2024 2:34 PM
To: Madison Tomac
Cc: Holly Kerns
Subject: RE: Trip Generation Letters for Two Upcoming Rezone Applications

Good Afternoon –

Public Works has reviewed both of the rezone proposals. We do not anticipate a significant impact on traffic as a result of rezoning these parcels. Further, we have reviewed the proposals with regard to utilities, and believe that existing infrastructure in both areas is adequate to provide water and wastewater services for future development.

Thank you,

Joyce Bornstedt

CPSI
Public Works Director
Baker City Public Works
Office: 541.524.2031
www.bakercity.com



I have a new email address! bcpwdirector@bakercity.gov Please update your contact information!

From: Madison Tomac <mtomac@bakercountyor.gov>
Sent: Friday, January 26, 2024 4:57 PM
To: Joyce Bornstedt <bcpwdirector@bakercity.gov>
Cc: hkerns <hkerns@bakercountyor.gov>
Subject: Trip Generation Letters for Two Upcoming Rezone Applications

Hi Joyce,

Step Forward and Tennant Developments have submitted their applications for rezones. We wanted to give you an early chance to review the application and provide comments. Both applications include a Trip Generation Letter for potential impacts. We would appreciate getting official comments from Public Works, and if you have any questions, let Holly or I know and we're happy to discuss anything with you. Both applications will be added to Teams in the Applications/Amendments/2023 folders.

If more information is needed, please let me know.

Thanks!

Madison Tomac | Senior Planner
Baker County & City Planning Department
1995 Third Street | Ste. 131 | Baker City, OR 97814

Exhibit 5 - Map Amendment and Code Interpretations Table

Date of Approval	Ordinance #	Map Amendment or Code Interpretation	Property(ies) effected by decision (Map, Tax Lot & Ref.)	New Zoning Designation	Previous Zoning Designation	Comprehensive Plan Map and/or Zoning Map Amendment	Planning Application #
TBD	N/A	Map Amendment	Tax Lot 101 of 09s40e21bd (Refs. 18301)	Residential-Medium Density (R-MD)	Residential-Low Density (R-LD)	Zoning Map Amendment	RZ-23-132

BAKER CITY-COUNTY PLANNING DEPARTMENT



1995 Third Street | Suite 131 | Baker City, OR | 97814
Phone: (541) 523-8219 | Fax: (541) 523-8340



STAFF REPORT to the BAKER CITY PLANNING COMMISSION for an AMENDMENT to the BAKER CITY COMPREHENSIVE PLAN and ZONING MAPS – City Case No. RZ-23-131

Report Date: February 13, 2024

Report Prepared by: Holly Kerns

Hearing Date: February 21, 2024

I. GENERAL INFORMATION AND FACTS

Applicant/Property Owner:	Tennant Developments 532 SW 13 th Street Bend OR, 97702
Land Use Review:	Rezone of property from General Industrial (I) to Residential Medium-Density (RMD)
Property Description:	Tax Lots 104, 105, 106, 107 and a portion of 101 in Section 18A of Township 9 South, Range 40 East, W.M., Baker City, Oregon (Refs. 16510, 17121, 17122, 17123, 17124). The area proposed to be rezoned is approximately ±44.6 acres.
Site Address & Location:	No address at this time. Property is bounded by 17 th Street on the east, and 23 rd Street to the north.
Land Use Zone:	General Industrial (I)
Existing Development:	Vacant
Proposed Development:	No development proposed at this time.
Special Flood Hazard Area:	The property has a band of land corresponding to an irrigation ditch that is within the floodplain and floodway according to FEMA FIRM #41001CO385C dated June 3, 1988. See maps in Exhibit J.
Wetlands:	Wetlands are identified on the subject property according to the 1995 National Wetlands Inventory Map for Baker, Oregon
Parcel Legally Created:	All lots were created through subdivision plat 2000-001,

recorded 1/26/2000 as Settler's Park Subdivision Phase 1.

II. **PURPOSE & BACKGROUND:** The Planning Commission will make a recommendation to the City Council on a proposed revision to the Baker City Comprehensive Plan and Zoning Maps. Tennant Developments proposes to rezone approximately ± 44.6 acres from General Industrial (I) to Residential Medium-Density (RMD). The property to the north is zoned General Industrial, the property to the east is zoned General Industrial and Residential Medium-Density, the property to the south is zoned Residential Medium-Density, and the property to the west is outside of the Urban Growth Boundary and zoned Exclusive Farm Use. Maps of the property proposed to be rezoned are included in Exhibits 1, 2 & 3.

III. **APPLICABLE CRITERIA & FINDINGS:**

Quasi-judicial land use decisions must comply with the criteria in Section 4.7.300-600 of the Baker City Development Code and Oregon Administrative Rule 660-012-0060. The following goals, rules, plan policies, and Development Code text are the criteria applicable to review of the proposal. If approved, record of the amendment will be recorded in Article 6 of the Development Code as shown in Exhibit 5.

BAKER CITY DEVELOPMENT CODE (BCDC)

Chapter 4.7 – Land Use District Map and Text Amendments:

Section 4.7.300 Quasi-Judicial Amendments

A. ***Applicability of Quasi-Judicial Amendments.*** *Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial zone map amendments shall follow the Type III procedure, as governed by Section 4.1.400, using standards of approval in Section 4.7.300.B. The approval authority shall be as follows:*

1. *The Planning Commission shall review and act upon land use zone map changes that do not involve comprehensive plan map amendments;*
2. *The Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan map amendment. The City Council shall decide such applications; and*
3. *The Planning Commission shall make a recommendation to the City Council on a land use zone change application that also involves a comprehensive plan map amendment application. The City Council shall decide both applications.*

Recommended Findings/Conclusion: This application is for a change to both the zone map and the comprehensive plan map; therefore, the Planning Commission will make a recommendation to the City Council as described in section 4.7.300 (3).

B. Criteria for Quasi-Judicial Amendments. *A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:*

- 1. Approval of the request is consistent with the Statewide Planning Goals;*
- 2. Approval of the request is consistent with the Comprehensive Plan;*
- 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 in the planning period; and*
- 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 zone map regarding the property which is the subject of the application; and*
- 5. The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.600.*

Recommended Findings:

- 1-2. See findings for the Baker City Comprehensive Plan beginning and Statewide Planning Goals in this report.
3. According to the applicant, *"The property is adjacent to Campbell Street on the South side of the property. This is collector street which facilitates the movement of traffic through Baker City. This street should allow for adequate transportation flow to his parcel. The property is adjacent to 17th Street/Chico Road on the East side of the property. This is also a collector street. The property has a paved street exiting 17th Street at E Street. Access to this property should be allowable from these two collector streets. Each of these streets are paved 24 foot wide with one lane of travel in each direction. Each street has a four foot gravel shoulder on either side. The property also has Baker City water and sewer lines on Campbell and 17th Street that are capable of handling utility issues for a large residential development. There is a twenty-one inch sewer line running along 17th Street and a twelve inch sewer line along Campbell Street. A twelve inch water main extends the full length of 17th Street as does an eight inch water line along Campbell. There is also newer sewer and water lines on the North end of the property along 23rd Street. (see Public Works/ Anderson Perry analysis) Electrical power, natural gas lines and phone and internet connections are adjacent to the property on three sides. Oregon Trail Electric Coop attended the pre-application meeting and stated that they have adequate electrical power to serve this particular rezone. The area is also served by the Community Connections bus route"* (Exhibit 4).

The Public Works Director provided a memo from Anderson Perry analyzing water and wastewater capacity for this proposal (Exhibit 4) that states, *"In summary, it appears the City's existing water and wastewater systems have adequate capacity to accommodate additional*

demands from the proposed development. If the proposed development were to proceed, additional site plan reviews will be required, and the current wastewater Effluent Reuse Improvements - 2023 project should be completed before construction of the proposed development.” Additionally, “...with regard to utilities ... [the] existing infrastructure... is adequate to provide water and wastewater services for future development” (Exhibit 8).

The Public Works Director states significant traffic impacts are not anticipated as a result of the rezone (Exhibit 8). See findings for BCDC Section 4.7.600 for additional information about the transportation network and findings for the Baker City Comprehensive Plan *Public Facility Plan* section.

4. According to the applicant, *“The rezone of this property will enhance the neighborhood and community conditions. The property has been vacate as long as it has been in the City limits. The area is a potential fire risk to the West side of town. Currently it is zoned industrial and the Settlers Park Assisted Living Center is adjacent to the property. Having heavy industrial use surrounding this living center would lower the quality of life of the residents. There are currently houses adjacent to the property on the South side of the parcel as well as the Southeast side of 17th Street. The rezone of this property will offer a buffer zone away from industrial uses surrounding the existing assisted living center. Additionally, the land on the North side of 23rd Street will remain in the Industrial Zone. Because of the size of this parcel we believe that this parcel will be developed as light Industrial or Commercial development which should add an additional buffer to the residential zoned property. (Storage units, commercial distribution, etc.)”* (Exhibit 4).
5. See findings for BCDC Section 4.7.600.

Conclusion: Based on the findings above, the criteria **are/are not** met.

Section 4.7.400 Conditions of Approval for Quasi-Judicial Amendments. *A quasi-judicial decision may be for denial, approval, or approval with conditions; conditions shall be based on applicable regulations and factual evidence in the record. Legislative amendments may only be approved or denied.*

Section 4.7.500 Record of Amendments. *The City Recorder shall maintain a record of amendments to the text of this Code and the land use zone map in a format convenient for public use. This shall be located in Article 6.*

Recommended Findings: The Planning Commission may recommend conditions of approval, and the City Council can require conditions of approval, based on the applicable regulations and evidence in the record. If approved by the City Council, a record of the zone map and comprehensive plan map amendment will be included in Article 6 of the Baker City Development Code. See criteria under Article 6 and the accompanying table in Exhibit 5.

Conclusion: Based on the findings above, the criteria **are/are not** met.

Section 4.7.600 – Transportation Planning Rule Compliance

A. **Review of Applications for Effect on Transportation Facilities.** When a development application includes a proposed comprehensive plan amendment or land use zone change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – TPR) and the Traffic Impact Study provisions of Section 4.1.900. “Significant” means the proposal would:

1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the City’s Transportation System Plan (“TSP”); or
2. Change the standards implementing a functional classification system; or
3. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the City’s Comprehensive Plan; or
4. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the road authority’s transportation system plan (TSP).

Recommended Findings: The proposed revision is an amendment to the comprehensive plan map and land use zone changes.

1. No change to the functional classification of an existing or planned transportation facility is anticipated. Campbell, 17th Street and H Street are considered collectors, and E Street is a local street according to the Functional Classification Plan.
2. No change to the standards implementing a functional classification system is proposed. The Transportation System Plan defines the street classifications this way: **Arterials.** Arterials are roadways that are primarily intended to serve traffic entering and leaving the urban area. While arterials may provide access to adjacent land, that function is subordinate to the mobility service provided to major traffic movements. Arterials also serve local pedestrian and/or bicycle activities, which should be accommodated in the arterial streetscape. **Collectors.** Collector streets generally facilitate the movement of traffic within the city’s urban areas. Collectors provide for circulation and mobility for all users of the system. Collectors carry lower volumes than arterials and typically have two-lane cross-sections with on-street parking. They serve as the primary routes into residential

neighborhoods. Although they carry higher volumes than local streets, they are intended to provide direct access to adjacent land rather than serving through traffic. **Local Streets.** Local streets are primarily intended to provide access to abutting land uses. Local street facilities offer the lowest level of mobility and consequently tend to be low-speed facilities. As such, local streets should primarily serve passenger cars, pedestrians, and bicyclists. Heavy truck traffic is discouraged. On street parking is common. Sidewalks are provided, though the relatively low travel speeds and traffic volumes allow bicycles to share the vehicle travel lanes.

3. No changes are proposed which would reduce the performance of an existing or planned transportation facility. The application includes a trip generation letter, “... *analysis shows that a maximum build out of the Residential Medium Density rezone will generate less traffic than both of the potential sites that could be built for the Industrial zone. The reduction of anticipated ADT by a minimum of 66% at maximum buildout falls below the threshold necessary to evaluate when determining significance as set forth in OAR 660-012-0060.*” (Exhibit 4). The Public Works Director states significant traffic impacts are not anticipated as a result of the rezone (Exhibit 8).
4. No changes are proposed which would worsen the performance of an existing or planned transportation facility.

Conclusion: Based on the findings above, the proposed revisions **do/do not** significantly affect the transportation facility.

Article 6 – Map Amendments and Code Interpretations

Section 6.1.100 Purpose: *The purpose of Article 6 is to create a place for filing land use zone /zoning map amendments made under Chapter 4.7, including Master Planned Developments overlays, and code interpretations made under Chapter 4.8, for reference by staff and applicants. This section of the code does not amend the procedures for completing land use district map and text amendments located in Chapter 4.7. Map amendments shall be located in this section in chronological order based on date of adoption.*

Recommended Findings: The map amendment will be added to Chapter 6.1 as shown in the table in Exhibit 5.

Conclusion: Based on the findings above, the criteria **are/are not** satisfied.

OREGON ADMINISTRATIVE RULE 660-012-0060 (Transportation Planning) Plan and Land Use Regulation Amendments

1. If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- a. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- b. Change standards implementing a functional classification system; or*
- c. Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

- A. Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- B. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan;*
or
- C. Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

2. If a local government determines that there would be a significant effect...

3. Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect...

4. Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

a. In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

b. Outside of interstate interchange areas, the following are considered planned facilities, improvements, and services:

- A. Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or*

regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

B. Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements, or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

c. The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

d. For affected state highways...

e. For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement, or service is a planned transportation facility, improvement, or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements, and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

7. Amendments to acknowledged comprehensive plans and land use regulations that meet all of the criteria listed in subsections (a)–(c) shall include an amendment to the comprehensive plan, transportation system plan, the adoption of a local street plan, access management plan, future street plan, or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-0045(3):

a. The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;

b. The local government has not adopted a TSP or local street plan that complies with OAR 660-012-0020(2)(b)...; and

c. The proposed amendment would significantly affect a transportation facility as provided in section (1).

Recommended Findings: See findings for BCDC section 4.7.600. The Transportation System Plan (TSP) includes projects at or near the property proposed to be rezoned. There is a proposed multi-use pathway identified along 17th Street, as well as a multi-use pathway meandering at a diagonal through the subject property. South of the proposed rezone, “sidewalk infill and wayfinding” is planned for Campbell Street. See projects M-4, M-7 and P-10 in Table 2-1 of the TSP. A funding mechanism is not in place or approved for these projects at this time. The multi-use pathway along 17th Street (project M-4) is listed as a “Financially Constrained Project” in Table 6-6 of the TSP. The subject property is not located at an interchange area or on a state highway.

The Oregon Department of Transportation provided comments (Exhibit 6).

Conclusion: Based on the findings above, the criteria **are/are not** satisfied.

STATEWIDE PLANNING GOALS

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.*

Recommended Findings: Refer to findings for “Public Involvement and Procedures for Planning” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 2: *LAND USE PLANNING – To establish 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.*

Recommended Findings: Refer to findings for “Public Involvement and Procedures for Planning” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 3: *AGRICULTURAL LANDS – To preserve and maintain agricultural lands.*

Recommended Findings: No agricultural zoning designation exists within the city limits or UGB of Baker City. Refer to findings for “Land Suitability” and “Urbanization” in the Baker City Comprehensive Plan and Exhibit 4.

GOAL 4: *FOREST LANDS – To conserve forest lands for forest use.*

Recommended Findings: No forest zoning designation exists within the city limits or UGB of Baker City. As noted in the Baker City Comprehensive Plan, Goal 4 is “*Not applicable and not addressed in this plan.*”

GOAL 5: *OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES – To conserve open space and protect natural and scenic resources.*

Recommended Findings: Refer to the findings for “Public Facilities and Services”, “Parks & Recreation”, “Existing Natural Features and Land Use”, “Land Suitability”, and “Historic Preservation” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 6: *AIR, WATER AND LAND RESOURCES QUALITY – To maintain and improve the quality of the air, water and land resources of the state.*

Recommended Findings: Refer to findings for “Existing Natural Features and Land Use”, “Public Facilities and Services”, “Sewer System”, “Solid Waste Disposal”, and “Domestic Water” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 7: *AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS – To protect life and property from natural disasters and hazards.*

Recommended Findings: Refer to findings for “Existing Natural Features and Land Use” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 8: *RECREATIONAL NEEDS – To satisfy the recreational needs of the citizens of the state and visitors.*

Recommended Findings: Refer to findings for “Public Facilities and Services” and “Parks and Recreation” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 9: *ECONOMY OF THE STATE – To diversify and improve the economy of the state.*

Recommended Findings: Refer to findings for “Economic Element” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 10: *HOUSING – To provide for the housing needs of citizens of the state.*

Recommended Findings: Refer to findings for “Housing” in the Baker City Comprehensive Plan and Exhibit 4.

GOAL 11: *PUBLIC FACILITIES AND SERVICE – 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.*

Recommended Findings: Refer to findings for “Public Facilities and Services” in the Baker City Comprehensive Plan, and Exhibit 4.

GOAL 12: *TRANSPORTATION – To provide and encourage a safe, convenient and economic transportation system.*

Recommended Findings: Refer to findings for “Transportation” in the Baker City Comprehensive Plan, section 4.7.600 of the Baker City Development Code, OAR 660-012-0060, as well as Exhibit 4.

GOAL 13: *ENERGY CONSERVATION - To conserve energy.*

Recommended Findings: Refer to findings for “Public Facilities and Services”, “Existing Natural Features and Land Use”, “Urbanization”, and “Economic Element” in the Baker City Comprehensive Plan and Exhibit 4.

GOAL 14: *URBANIZATION – To provide for an orderly and efficient transition from rural to urban land use.*

Recommended Findings: Refer to findings for “Urbanization” in the Baker City Comprehensive Plan.

GOAL 15-19:

Recommended Findings: These statewide planning goals are not applicable, as Baker City is not located within the Willamette River Greenway nor within or adjacent to any coastal or estuarine resources.

Conclusion: Based on the findings above, the intent of Goals 1-14 **is/is not** satisfied.

THE BAKER CITY COMPREHENSIVE PLAN

PUBLIC INVOLVEMENT AND PROCEDURES FOR PLANNING— *To provide for public involvement at all stages of planning decisions and to establish procedures for changing the plan and making related policies. [Implements Statewide Planning Goal 1 – Citizen Involvement and Planning Goal 2 – Land Use Planning]*

Recommended Findings: Applicable policies from the Baker City Comprehensive Plan were identified (gray highlighted text) and satisfied as follows:

1. *The City will make all reasonable efforts to publicize planning issues and meetings where these issues will be discussed and decided upon.*

A mailed notice explaining the rezone proposal was sent to all property owners within 100 feet of the subject property and affected agencies on January 22, 2024. Public notice of the proposed revisions and scheduled public hearings was published in the February 6, 2024 edition of the Baker City Herald. A sign with information about the proposed change and hearings was posted at the property on February 5, 2024. Information regarding the public hearing and meeting materials was shared online via the official Baker City website (<http://bakercity.com/2293/Meeting-Materials-Webcasts>).

The City will hold at least two public hearings on this proposal, consistent with the City’s acknowledged procedures for quasi-judicial amendments in the Baker City Development Code. These hearings will provide an opportunity for citizens to be involved in the proposed revisions and adoption process and to provide input to decision makers. The first hearing with the Planning Commission is scheduled for Wednesday, February 21, 2024, and the first City Council hearing is tentatively scheduled for Tuesday, March 12, 2024.

See additional findings relating to citizen involvement in Goal 2 below. No additional policies within the Baker City Comprehensive Plan’s *Public Involvement and Procedures for Planning* chapter were identified to directly apply to or conflict with the proposed revisions.

2. *Persons or firms making proposals or applications for land use decisions that may have an affect on neighbors or the general public will be expected to provide descriptive materials and information adequate for the determination being made.*

All application materials and information provided by the applicant for this request are available for public review at or from the Planning Department and are attached as exhibits to this report.

3. *The Planning Commission will continue to undertake efforts to involve and inform the public of planning issues.*

See findings relating to public noticing under Policy 1 above.

4. *In instances where public hearings are required, relative to this plan, the Planning Commission and City Council will follow procedures established in the City's zoning ordinance. These bodies are responsible for considering the affects of a decision on the entire community and should not be swayed unduly by the number of persons testifying for or against a particular course of action.*

The criteria this application must meet are included in the Baker City Development Code, and findings for the criteria will be included in the final decision. The Planning Commission will make a recommendation to City Council on the proposal. City Council will make the final decision to approve, modify or deny all or part of the proposal.

5. *Planning decisions generally, and amendments to this plan particularly, will be consistent with the state planning goals.*

This staff report has been written to determine consistency with Statewide Planning Goals, which are addressed in this report.

6. *Planning related decisions of the City will be in accord with the policies of the Comprehensive Plan.*

This staff report has been written to determine consistency with the Baker City Comprehensive Plan.

7. *The City will maintain and regularly update information and maps used as a basis for making planning decisions.*

This proposal is for an amendment to the Baker City Comprehensive Plan Map and Zone Map. If approved, the Comprehensive Plan and Zone Maps will be updated as shown in Exhibits 2 and 3.

8. *The Comprehensive Plan will be thoroughly reviewed...*
9. *Changes to the Comprehensive Plan may be made at any time. Proposals for change may be initiated by the City Council, Planning Commission, City staff or citizens. Once a proposal is made, the following procedures will be followed:*

- a. *It must be demonstrated that the following conditions exist, when applicable:*
 - i. *There is a mistake or omission in the plan;*
 - ii. *There is not an adequate amount of land designated as suitable for specific uses by the Plan;*
 - iii. *If a particular area is proposed for a change in designation, it must be demonstrated that the proposed use is more suitable in the area than the existing use;*

- iv. *It must be demonstrated that public facilities will be used efficiently and that no unnecessary tax burden will fall upon the general public or nearby landowners;*
- v. *The effects on the area surrounding a proposed change will not be reasonably harmful or incompatible; and*
- vi. *The proposed policy or land use change is consistent with the state planning goals.*

The proposed revision to the Baker City Comprehensive Plan Map was initiated by the property owner.

- i. The proposed rezone is not to correct a mistake or omission in the Comprehensive Plan.
- ii. According to the 2020 Baker City Buildable Lands Inventory (BLI), *“There is a total of 615 acres of developable land across residential designations within the Baker City UGB... The majority of this land is in the R-LD zone (503 acres) although there also is buildable land in the R-MD and R-HD designations (about 91 and 21 acres, respectively). A significant portion of the City’s inventory is impacted by steep slopes, particularly in the RLD zone. The portions of individual properties subject to steep slopes have been deducted from the total developable acreage. In some cases, the viability of developing lesser-sloped portions of these properties may be diminished due to the presence of steep slopes elsewhere on the site. However, the assumed densities in this analysis are low enough that further take-outs of constrained land are not necessary – developers on these properties could achieve the same number of units by clustering smaller lots away from steep slopes. Floodplains are also a significant constraint in the city, particularly at the northern edge of the UGB. Acreage impacted by the floodplain has been removed from this inventory.”*

TABLE 3. DEVELOPMENT CAPACITY BY ZONE

Zone		Vacant	Partially Vacant	Developed	Committed/ Constrained	Total
R-LD <i>(3.25 du/ac)</i>	Tax Lots	69	101	311	41	522
	Unconstrained Acres	166.2	337.5	0	0	503.7
	Units	540	1096	0	0	1637
R-MD <i>(5.4 du/ac)</i>	Tax Lots	193	86	1,407	69	1,755
	Unconstrained Acres	33.3	58.0	0	0	91.3
	Units	179	313	0	0	493
R-HD <i>(15 du/ac)</i>	Tax Lots	107	23	1,912	96	2,138
	Unconstrained Acres	4.9	16.0	0	0	20.9
	Units	73	240	0	0	313
Total	Tax Lots	369	210	3,630	206	4,415
	Unconstrained Acres	204.4	411.5	0	0	615.9
	Units	792	1,649	0	0	2,443

The 2020 Baker City Housing Needs Analysis (HNA) provided a summary based on the data determined in the BLI as follows:

FIGURE 6.1: ESTIMATED BUILDABLE LANDS CAPACITY BY ACREAGE AND NO. OF UNITS (2020)

ZONING	Typical Housing Types*	Unconstrained Acres				Unit Capacity	
		Vacant	Part. Vac.	Redev.	Total	Units	Share
R-L D (Low-Density)	Single-family detached; Duplex	166.2	337.5	0.0	503.7	1,637	67%
R-M D (Medium-Density)	SF attached; Mobile home; 2-4 plexes	33.3	58.0	0.0	91.3	493	20%
R-HD (High-Density)	Multi-family apartments	4.9	16.0	0.0	20.9	313	13%
TOTALS:		204.4	411.5	0.0	616	2,443	100%

* The housing types listed are not exclusive. Residential zones will experience development of a range of allowed types.

Source: Angelo Planning Group

The HNA goes on to compare housing need and capacity stating, “There is a total forecasted need for roughly 235 units over the next 20 years based on the forecasted growth rate (457 units in the alternative forecast). This is well below the estimated total capacity of 2,443 units. Figure 6.3 below represents a comparison of the BLI capacity for new housing units, compared to the estimate for new unit need by 2040. It breaks down need by general zoning category (LDR, MDR, HDR).

- The results find ample remaining capacity for housing of all types, with the greatest estimated surplus in the R-LD zone, and the smallest estimated surplus in the R-HD zone.
- Under the Baseline Forecast, the projected number of new units can be absorbed, while leaving over 550 acres undeveloped. Under the alternative forecast there would be a total of 500 additional acres.
- Under recently adopted state rules (UB2001, 2019), cities over 10,000 people will be required to allow for additional housing types in low-density residential zones. This includes duplex units for “medium cities” (10k to 25k population). “Large cities” (over 25k population) will allow attached single-family homes (townhomes), duplex-to-fourplex, and compact small-unit “cottage cluster” developments in low-density zones.”

FIGURE 6.3: COMPARISON OF FORECASTED FUTURE LAND NEED (2040) WITH AVAILABLE CAPACITY

WITHIN CITY LIMITS		SUPPLY			BASELINE FORECAST DEMAND (2040)			ALTERNATIVE FORECAST DEMAND (2040)		
Zone & Plan Category	Typical Housing Type	Buildable Land Inventory (Total)			Growth Rate (0%)			Growth Rate (0%)		
		Developable Acres	Unit Capacity	Avg. Density (units/ac)	New Unit Need	Surplus or (Deficit)		New Unit Need	Surplus or (Deficit)	
						Units	Acres		Units	Acres
R-L D (Low-Density)	Single-family detached; Some SF attached & plex	503.7	1,637	3.2	137	1,500	462	332	1,305	402
R-M D (Medium-Density)	SF attached; Manufact. home; 2-4 plexes	91.3	493	5.4	45	448	83	48	445	82
R-HD (High-Density)	Multi-family apartments	20.9	313	15.0	52	261	17	78	235	16
TOTALS:		615.9	2,443	4.0	234	2,209	562	458	1,985	500

Sources: Angelo Planning Group, Johnson Economics

According to the applicant, *“We believe that there is adequate land designated for both Residential and Industrial zone land on paper but in reality there is a shortage of developable Residential zoned property in the City. As has been analyzed in this application, significant acreage and number of lots are needed to be able to afford the high cost of infrastructure. See the analysis of Industrial Land under the discussion of Goal 9 that lays out needed inventory of Industrial/Commercial zoned land. It appears that with the loss of 45 acres of Industrial zoned land, the City has adequate supplies for many years to come”* (Exhibit 4).

- iii. The request is to rezone the property from General Industrial to Residential Medium-Density. The land to the north is zoned Industrial, land to the east is zoned either Industrial or Residential Medium Density, land to the south is zoned Residential Medium Density, and land to the west is located outside of city limits and is within the Baker County zone Exclusive Farm Use. If this application is approved, the property will be rezoned to Residential Medium Density, and the property will continue to abut property zoned Industrial to the north and east, as well as property zoned Exclusive Farm Use to the west.

The application states, *“The demand for Industrial zoned property is nearly non-existent and adequate supplies are available that have rail and highway access. There is already an assisted living center that is adjacent to the applicants land as well as 22+/- of residential land adjacent to the current zoned Industrial property. There is also residential property on the south side of Campbell Street and the east side of 17th Street that is adjacent to this project. We believe that this application demonstrates that it is more suitable to the area than the existing use”* (Exhibit 4).

- iv. The application states, *“There should be no unnecessary tax burden that will fall upon the general public with this rezone. In fact, it should enhance the tax base and economic output for the City as a whole”* (Exhibit 4). See findings for the Public Facility Plan section of the Comprehensive Plan.
- v. According to the applicant, *“The proposed change will not be reasonably harmful or incompatible to the surrounding area. There is already an assisted living center and RMD zoned property adjacent to the application. The area should be enhanced because heavy industrial will not be able to impact the quality of life for the surrounding area”* (Exhibit 4).
- vi. See findings for statewide planning goals in this report.

b. The City will attempt to gain media coverage of the issues and public notice of the proposed change will be advertised.

See findings relating to media and public noticing efforts above.

c. Affected public agencies will be informed and asked for a response to the proposed change.

The Planning Department sent notice of the proposed change to affected public agencies via email on January 31, 2024. All written comments received at the time this report was written are attached as exhibits to this report.

d. The proposed change will be submitted to the LCDC for comment (if required by state law).

Notice was provided to DLCD (staff to LCDC) through the online Post- Acknowledgement Plan Amendment (PAPA) portal on January 17, 2024.

- e. *Recommendations will be forwarded by the Planning Commission to the City Council where changes will be considered according to ordinance adoption procedures.*

The recommendation from the Baker City Planning Commission will be forwarded to City Council in the form of this staff report in accordance with ordinance adoption procedures.

- f. *Any measures necessary to implement the change will be initiated as soon as practicable.*

If approved, any revisions to the Baker City Comprehensive Plan or Zoning Maps will take effect 30 days after adoption by City Council, as is standard.

10. *Amendments to the Comprehensive Plan which involve an exception to the statewide goals shall comply with all requirements of ORS 197.732.*

The proposed revisions do not involve an exception to statewide planning goals.

Conclusion: Based on the findings above, the policies of the Public Involvement and Procedures in Planning section **are/are not** satisfied.

FIRE PROTECTION – *To protect the community’s citizens and property from loss due to fire by a program of inspection, direction in methods of prevention, and swift suppression of any fire outbreak. [Implements Statewide Planning Goal 11 – Public Facilities and Services]*

Planning Commission Findings: Applicable policies from the Baker City Comprehensive Plan were identified (gray highlighted text) and satisfied as follows:

1. *In order to provide the best possible service to the community, a conscientious and studied evaluation of the department’s operation and facilities shall be made regularly, with particular attention paid to demands incurred by growth.*
2. *Adequate facilities are required for combating fires and housing both men and equipment; these facilities shall be provided by the City as needed.*

Recommended Findings: Exhibit 7 states, “Fire flows result in 40-80 psi, with no deficits in the area, based on the 2016 WFP. The distribution piping in the area should be adequate to provide fire flows for a residential development. Additional distribution improvements will need to be made within the development and sized appropriately by the developer.” The application states, “We believe that the buildout of this project will not strain the public services in the community... The increased population and economic generation will allow the City to keep their core functions of police and fire departments operational” (Exhibit 4).

Conclusion: Based on the findings above, the policies of the Fire Protection section **are/are not** satisfied.

PARKS & RECREATION – *To maintain present park and recreation areas and provide for the varied and growing needs of the City’s residents and its visitors.*

Recommended Findings: No policies within the Parks & Recreation chapter were identified to directly apply to or conflict with the proposed revision.

Conclusion: Based on the findings above, the policies of the Parks & Recreation section **are/are not** applicable.

POLICE PROTECTION – *To protect the community’s residents and their property through a program of citizen awareness and enforcement of local and state laws.*

Policy #1: In order to provide the best possible service to the community, a conscientious and studied evaluation of the department’s operation and facility needs shall be made regularly, with particular attention paid to new demands caused by growth, state directives or local consolidation efforts.

Recommended Findings: The Police Chief provided comments saying he has no concerns about the proposal (Exhibit 9). The applicant states, “*We believe that the buildout of this project will not strain the public services in the community... The increased population and economic generation will allow the City to keep their core functions of police and fire departments operational*” (Exhibit 4).

Conclusion: Based on the findings above, the policy of the Police Protection section **is/is not** satisfied.

SCHOOLS – *To assure suitable siting for the City’s public schools appropriate to the policies established in the plan.*

Recommended Findings: No policies within the Schools chapter were identified to directly apply to or conflict with the proposed revision.

Conclusion: Based on the findings above, the policies of the Schools section **are/are not** applicable.

PUBLIC FACILITY PLAN – *GOALS: 1. To assure urban development is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the community. 2. To assure that facilities and services are provided in a timely, orderly and efficient arrangement. 3. To provide a framework for urban and rural development within the City’s urban growth boundary (UGB) by establishing appropriate levels of service for development within the UGB.*

Policy #1: The City of Baker City shall insure the provision of urban services (water, sewer and storm drainage and transportation infrastructure) to residential, commercial and industrial lands within the City’s Urban Growth Area.

Policy #2: To minimize the cost of providing public services and infrastructure, the City will discourage urban development that lacks adequate public facilities and promote efficient use of urban and urbanizable land within the City’s urban growth boundary.

Policy #3: For purposes of this plan, urban development is defined as:

- *Residential development that individually or in the aggregate yields a density equal or greater than one dwelling per 2 acres.*

Policy #4: The City will require that all urban level development in the City and urbanizable areas of the urban growth boundary be served with full urban services.

Policy #7: The City shall only support development that is compatible with City's ability to provide adequate public facilities and services.

Policy #8: The City may prioritize the extension of water, sewer and transportation infrastructure within the UGB and will include a list of improvements needed to serve growth needs in the comprehensive plan.

Policy #17: The City shall maintain an eight-year supply of commercial and industrial land that is serviceable by water, sewer, and transportation infrastructure.

Recommended Findings: At the Public Works Director's request, Anderson Perry & Associates performed a water and wastewater capacity evaluation for the proposed rezone (Exhibit 4). The evaluation was based on the assumption that the proposal could result in an additional 150 residential connections to the City's water and wastewater systems. The Residential Medium-Density zone allows for density ranging from 2-20 units per acre. At maximum density, the proposed rezone area of ± 44.6 acres * 20 dwelling units per acre = 892 dwelling units. A certain amount of land will be utilized for uses other than lots for residential development, such as streets and utility easements. If the assumption is that 25% of the land will not be used for residential lots, $44.6 \text{ acres} * 0.75 \text{ buildable area} = 33.45 \text{ acres}$. $33.45 \text{ acres} * 20 \text{ dwelling units per acre} = 669 \text{ dwelling units}$. The Public Works Department provided follow-up information regarding the maximum development capacity. Joyce Bornstedt, the Public Works Director, said, "In summary, we tried to look at the most conservative estimate for potential future connections to the City's water and wastewater systems. It appears that the system likely has adequate capacity, but further analysis would need to be completed to verify that there is adequate collection system capacity through the entire flow path from the development to the treatment plant. The City's effluent storage may be somewhat limited, and additional storage capacity within the treatment cells may need to be utilized. The water system appears to have adequate capacity, but additional storage within the 4.5 MG reservoir may need to be used to meet future storage needs" (Exhibit 7).

Director Bornstedt also said, "Further, we have reviewed the proposals with regard to utilities, and believe that existing infrastructure in both areas is adequate to provide water and wastewater services for future development" (Exhibit 8).

According to the application, "The property is adjacent to Campbell Street on the South side of the property. This is collector street which facilitates the movement of traffic through Baker City. This street should allow for adequate trans-portion flow to his parcel.

The property is adjacent to 17th Street/Chico Road on the East side of the property. This is also a collector street. The property has a paved street exiting 17th Street at E Street. Access to this property should be allowable from these two collector streets.

Each of these streets are paved 24 foot wide with one lane of travel in each direction. Each street has

a four foot gravel shoulder on either side.

The property also has Baker City water and sewer lines on Campbell and 17th Street that are capable of handling utility issues for a large residential development. There is a twenty-one inch sewer line running along 17th Street and a twelve inch sewer line along Campbell Street. A twelve inch water main extends the full length of 17th Street as does an eight inch water line along Campbell. There is also newer sewer and water lines on the North end of the property along 23rd Street. (see Public Works/ Anderson Perry analysis)” (Exhibit 4).

See findings for Development Code section 4.7.600, OAR 660-012-0060, and the Transportation section of the Baker City Comprehensive Plan.

Conclusion: Based on the findings above, the policies of the Public Facility Plan section **is/is not** satisfied.

SEWER SYSTEM – To efficiently provide developed areas of the City with storm and sanitary sewer adequate for the proper maintenance of health, safety and public convenience.

Policy #5: The City will require all urban-level development to connect to the sanitary sewer system and will encourage the incremental extension of sewer service.

Policy #7: All lines shall be adequately sized based on the best information available, taking into consideration foreseeable service demand and the economic return on the City’s investment.

Recommended Findings: See findings for the ‘Public Facility Plan’ section of the Baker City Comprehensive Plan.

Conclusion: Based on the findings above, the Sewer System section **is/is not** satisfied.

SOLID WASTE DISPOSAL – To assure a clean, healthful environment for Baker City residents, specifically through provision of fair and efficient disposal of solid wastes accumulating within the city.

Recommended Findings: No policies within the *Solid Waste Disposal* chapter were identified to directly apply to or conflict with the proposed revision.

Conclusion: Based on the findings above, the policies of the Solid Waste Disposal section **are/are not** applicable.

TRANSPORTATION – To provide a safe, efficient and convenient transportation system realizing maximum mobility for the community’s citizens.

Policy #2: The City shall determine street status designation on a continuing basis.

Policy #3: Street construction standards, signaling, signing, and all services (for example, sweeping and snow removal) shall correspond with these designations and be appropriate to the particular street’s design and use.

Policy #5: The City will strive to facilitate variety and adequacy of the transportation services available to the community.

Policy #6: The City shall repair, construct new, and generally upgrade its streets to the greatest extent possible recognizing monetary constraints.

Policy #9: Bike lanes shall be provided as designated by the Bicycle Network Plan to make bicycling safe, enjoyable and an efficient alternative to local motorized transport. Potential recreational use shall be considered as well, particularly in designating routes inappropriate for motor vehicle traffic.

Policy #10: Multi-use paths are appropriate in the general locations shown on the Pedestrian and Bicycle Network Plans. Where there is property owner support for creating multi-use paths, the City will work cooperatively with property owners and pursue grants to develop multi-use paths. The City may also adopt incentives for pathway development, for example, through transportation system development charge credits and/or adjustments to open space and/or standard subdivision improvement requirements. (These options would require amending the Development Code.)

Policy #11: Any proposed public right-of-way extension, opening, addition, widening, or improvement, closure or vacation must be formally approved and accepted by the City, pursuant to Development Code provisions and the 2013 Baker City Transportation System Plan, and any amendments thereto. Also, any private use of any public right-of-way must receive prior approval. The City may, at its discretion, require certain improvements be made or make other stipulations as a condition to the City's acceptance of any street or alley use. This is done specifically for reasons of the City's liability in public right-of-way, maintenance obligation, police patrol, fire access and responsibility generally for the public peace, safety and welfare.

Policy #12: The City of Baker City will address access concerns in the development of new streets and the management of existing ones. In addressing these concerns, the City shall coordinate with ODOT and avoid conflicts with State Highway Access Management Rules...

Recommended Findings: Joyce Bornstedt, the Public Works Director, said, "We do not anticipate a significant impact on traffic as a result of rezoning these parcels" (Exhibit 8).

The application states, "The assisted living center is already served by the Community Connections bus and the newly zoned parcel will be able to utilize the local transit services" and also, "The property is bordered by 17th Street, 23rd Street and Campbell Street. These streets are designated as collectors according to the City Transportation System Plan (TSP). (see Trip Generation Analysis) Each is paved twenty-four feet wide with one lane of traffic in each direction. The TSP and all City planning documents reference pedestrian flow. The applicant will work with the City and ODOT to come up with a plan for pedestrian/bicycle access and flow. This would be a great project for State Bike/Ped grants. Table 2-3 of the TSP shows plans and needs for multi-use pathways on the entirety of 17th Street. This proposed development may be a catalyst for achieving this plan" (Exhibit 4).

Also, see findings for section 4.7.600 of the Development Code, OAR 660-012-0060 and the Public Facility Plan section of the Baker City Comprehensive Plan.

Conclusion: Based on the findings above, the policies of the Transportation section **are/are not** satisfied.

Domestic Water– *To provide in a cost-efficient manner, good quality water meeting all standards of pleasant taste, at adequate pressure, and in sufficient quantity for development within the City’s Urban Growth Boundary. [Implements Statewide Planning Goal 6 – Air, Water and Land Resources Quality and Goal 11 – Public Facilities and Services]*

Policy #2: System needs shall be identified annually with particular attention to growth demands.

Policy #4: All proposed system improvements shall be in accord with the policies of this plan and be scheduled and coordinated with other City activities and plans listed in the Public Facility Plan.

Recommended Findings: See findings for the ‘Public Facility Plan’ section of the Baker City Comprehensive Plan.

Conclusion: Based on the findings above, the policies of the Domestic Water section **are/are** not satisfied.

EXTENSION OF SEWER AND WATER SERVICE– *To provide procedures for the extension of City sewer and water appropriate to the findings and policies established in this plan.*

Policy #3: New users shall pay for extending service to their property in a manner proportionate to the cost of providing that service to their land holding. The City may elect to provide a portion of the initial cost for a period of time, but in a manner that would result essentially in a non-subsidized extension.

Policy #5: The cost for providing additional capacity through oversized lines will be borne by the developer when the need is attributable to his project. On the other hand, general system needs for oversized lines, known and identifiable whether a specific proposed project is constructed or not, will be the financial responsibility of the City.

Policy #6: The City may, for exceptional cause and if deemed in the best interests of the community, waive or modify the policies as set forth above, if not inconsistent with the other land use planning goals.

Recommended Findings: See findings for the “Public Facility Plan”, “Sewer System”, “Solid Waste Disposal”, and “Domestic Water” sections of the Comprehensive Plan addressed throughout this report.

The application states, “The capacity for the project is adequate per Public Works/Anderson Perry analysis. The water and sewer system within the proposed project will be sized to City standards” (Exhibit 4).

Conclusion: Based on the findings above, the policies of the Extension of Sewer and Water Service section **are/are** not satisfied.

EXISTING NATURAL FEATURES AND LAND USE – To preserve, protect, and conserve the quality of our environment and natural resources while providing for the orderly growth and development of the City.

Policy #4: The City shall strive for energy efficiency in its buildings, street lighting, equipment operation, and in the provision of all City services and products.

Policy #5: The City shall take necessary actions to prevent the contamination or degrading of all natural water supplies including both surface run-off and groundwater. In particular, any effluent being discharged into the Powder River shall be in accordance with allowable EPA and DEQ requirements.

Policy #6: The City shall not specifically act to encourage development in known hazard areas. When construction does take place in these areas, the City will require proper precautions to be taken.

Policy #7: The City shall strive for development of land to its highest and best use, recognizing the various needs of all its citizens.

Implementation #1: The City shall in all instances where it has jurisdiction act in each case to maintain water and air quality at a high level.

Implementation #4: The City shall use the ‘Land Suitability’ map and criteria within this plan as a basis for future zoning and other development decisions.

Recommended Findings: See findings for the “Parks & Recreation”, “Land Suitability”, “Historic Preservation” and Public Facilities and Services – “Public Facility Plan”, “Sewer System”, “Solid Waste Disposal”, and “Domestic Water”, along with the “Urbanization” and “Economic Element” sections of the Comprehensive Plan addressed throughout this report.

The application states, “Recognizing that the City will strive for development of land to its highest and best use, more than adequate supply of Industrial zoned land and need for large tracts of residentially zoned property which can be developed with the high cost of infrastructure, the project should qualify for a zone change to RMD. The addition of accessible lots that are served with adequate public services will allow the City to address its significant deficit of available housing” (Exhibit 4).

The property has a band of land corresponding to an irrigation ditch that is within the floodplain and floodway according to FEMA FIRM #41001CO385C dated June 3, 1988. See Exhibit 10.

Conclusion: Based on the findings above, the policies of the Existing Natural Features and Land Use section **are/are not** satisfied.

LAND SUITABILITY

It must first be assumed that essentially all developable land within the city will eventually be improved or built upon. The ‘Land Suitability’ map following, then designates areas deemed appropriate for each general type of development. Four categories are shown:

(1) Residential

(2) High-Density Residential

(3) Commercial

(4) Industrial

The rationale used in this mapping flows out of the many policy statements made throughout this land and to the degree possible, all land-related criteria pertinent to the particular development category. It is of course, recognized that few if any development decisions will be based on all the criteria identified or may, in fact, be based primarily on some other, such as parcel availability, which would be impossible to map. In a sense, then, each development decision is unique, needing the right combination of financing, market, and site. The purpose here is to assist in choosing the latter; and though recognizing that each contemplated use would mean some alteration in the relative value of all factors to be considered, the following chart outlines the City's basic concerns for each of the four development categories.

Each criterion is weighed as to its significance to each type of land development category. The reader should keep in mind that all land whether developed or not had to be included in this evaluation.

	Generally Serious Consideration XX	Some Consideration X	Minor or None	
	Residential	High-Density Residential	Commercial	Industrial
SITE SPECIFIC LAND FEATURES:				
Parcel Size			XX	XX
Availability of Land for Site Expansion				X
Terrain, Slope	X	XX	XX	XX
Soil Stability		X	X	XX
Water Table	X	X	X	X
Flood Zone	X	X	X	X
TRANSPORTATION NETWORK:				
Direct Rail Access				XX
Nearby Highway Access			X	XX
Convenient Arterial Street		X	XX	XX
Right-of-Way Adequacy for Proper Traffic Circulation	X	XX	XX	XX

	Residential	High-Density Residential	Commercial	Industrial
PUBLIC FACILITIES, UTILITIES AND SERVICES:				
Condition of Street Utilities Present or Available to the General Area	X	XX	XX	XX
Existing Fire Zone			X	
Frequent Police Checks Area			X	
INTER-RELATIONSHIPS OF LAND, ITS USES AND ITS PEOPLE:				
Visibility			X	
Proximity of Like Development	XX	X	XX	
Proximity of Conflicting Land Uses or Development having Adverse Affect	XX	X	X	
*Proximity of Supportive Land Uses and/or Needed Services	X	XX	X	
Existing Zoning Density	X	X	X	

**For residential areas, supportive land uses include such things as schools, and parks and recreation facilities, high-density residential would also consider distance to grocery and retail stores. In the commercial area, government buildings, for example, would be directly supportive of certain businesses or professions, such as a land title company being close to the County Courthouse.*

It should be re-emphasized that the four suitability categories are the basis for further refinements of the particular uses to be allowed within specific areas. This will be accomplished through a comprehensive evaluation and revision of the present zoning ordinance. By quickly comparing the land suitability map with existing land uses, a number of significant changes from existing to proposed uses become apparent. A few observations here may aid in the reader's understanding of these changes and give a clearer picture of the intended uses within the four basic categories. (The reader is also referred to the Housing and Economic sections of this plan for additional details.)

The residential designation contemplates a gradual conversion of vacant parcels, large residential holdings and agricultural lands to residential use of varying density depending both on the natural features of the sites and the preferences of developers and the market. A 7500 square foot minimum lot size is planned for increasing the efficiency of land use and making development more feasible economically for both the private and public sectors.

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The primary increase in industrial land designations excepting the area outside the city limits, is in the extreme northwest corner of the city where large parcel size, rail access, proximity to industrial uses and fringe location weigh favorably for this classification. This new area, along with pre-existing industrial areas of town, is generally seen as suitable for heavy industry. A light-industrial category is suggested here for most of the industrial land shown outside the city limits. With the development of a frontage road between the central and north interchanges, this land,

the majority of which is flat and able to be readily served by necessary utilities, could prove to be a valuable asset to the community. In addition, the industrial category is suggested for the industrial land outside the city limits north and south of Pocahontas Road and west of 17th Street extended. This industrial parcel is needed due to the fact that it contains fairly large sections of land which would be suitable for developers or industrial users needing a large number of continuous acres. Parcels of this size are presently unavailable within the city limits. This industrial site is further appropriate due to the fact that it lies adjacent to the main line of the Union Pacific Railroad and has easy access to I-84 via Hughes Lane.

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This plan, finally, makes an effort to balance out proposed development, so that a suitable amount of space is set aside for all contemplated uses. It is at the same time both expected and hoped for that the criteria named represent many of the concerns of future developers of the city, for the success of this plan will be measured in great part by their actions.

Recommended Findings: *The application states, "As discussed throughout the application, there is adequate supplies of available land for all zoning classification. This application will aid the City in opening up additional residential land for development to address the significant shortfall in housing in the community. The need for Industrial zoned land within the City is more than adequate for industry. In fact, no appreciable Industrial land has been developed over the last 15 years and there are adequate supplies of Industrial land. The analysis for the next 20 years is that 9% of the total Industrial land will be needed which leaves 91 % of the Industrial land for future years. The acute need for additional housing that can be built is hampered by steep slopes, flood plain issues, wet lands and the high cost of public infrastructure. This rezone will will help overcome these challenges and provide for the ability to increase housing supplies into the future.*

This land is already in the City limits and adjacent to public services. It makes strategic sense for the City to consider the rezone of this parcel instead of looking to expand the urban growth boundary into prime farmland. As discussed throughout this application there is adequate inventory of Industrial Land within the City and a significant need for additional housing. The area surrounding this application is already adjacent to residential zoned property and will not infringe upon the nearby Industrial sites.

Both Campbell Street and 17th Street are collector streets and capable of handling the traffic on the West side of Baker City. 17th Street is a freight route that allows freight to move around the City to Highway 7 as well as back towards the Interstate via Pocahontas and Hughes lane. This same transportation system will allow adequate movement of citizens to vital services throughout the City" (Exhibit 4).

Additionally, the application states, "The availability of land for residential developable land can be a critical barrier for developing new housing units. There is an available Residential land supply on paper but the topography of much of this land makes it cost prohibitive to supply the needed infrastructure that Baker City requires. Also much of the land within the City that is zoned Residential is not on the market and unavailable to developers. The County's recent purchase of the Ward Property adjacent to Hughes Lane for the development of an all purpose pavilion, gymnasium and other recreational uses will take nearly 65 acres of Residentially zoned property

off of the available Residential lands inventory. With the rezone of this property to Residential, Tennant Developments, Inc. can begin to work on a plan to address the housing shortage and provide the availability of lots that fit the community needs.

Presently, the Settlers Slough irrigation ditch traverses much of the property which makes it more difficult to plan for any type of development. Baker Valley Irrigation District has agreed to move the existing ditch to the West side of the property which is adjacent to exclusive farm use land on the border of the City limits. The applicant has been on the ground with the Irrigation District and all are in agreement that flood issues, irrigation delivery and safety for children will be enhanced by the moving of this irrigation ditch. Water will no longer be ditched in front of the houses on Campbell Street from 17th Street to 23rd Street. With the moving of the ditch, most of the flood zone issues will be mitigated and we are presently working with FEMA to change the floodplain map.

The Chevron pipeline cuts diagonally through the property and the easement covenants will need to be addressed. We are aware of these issues and will begin to address them when the property is rezoned to Residential and a master plan for development is submitted.

The rezoning of this property will be beneficial to the existing uses near this property. It will allow for a buffer between Settlers Park Assisted Living Center and any future industrial industry that could site near them. There are residential houses adjacent to the property and this will also benefit as Industrial development will be further North of the property” (Exhibit 4).

Conclusion: Based on the findings above, the Land Suitability section **is/is not** satisfied.

URBANIZATION – *To minimize the expansion of the urban service area outside the city limits in order to provide for the efficient use of land, eliminate the unnecessary and uneconomical expansion of public facilities, and to conserve agricultural lands outside of the city.*

Planning Commission Findings: No policies in the Urbanization chapter were determined to be applicable to this application. The property is within the existing city limits and would not cause a change in the location of the city limits or urban growth boundary. The proposal does not include any modifications to code language or zoning that are expected to restrict or negatively affect urbanization or the transition from rural to urban land use.

Conclusion: Based on the findings above, the Urbanization section **is/is not** applicable.

HOUSING – *To encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.*

COMPARISON OF CURRENT HOUSING DEMAND WITH CURRENT SUPPLY

A comparison of estimated current housing demand with the existing supply identifies the existing

discrepancies between needs and the housing which is currently available. The estimated number of units outnumbers the number of households by roughly 180 units, indicating an average vacancy rate of 5%.

In general, this identifies that there is currently support for more ownership housing in the middle price ranges. This is because much housing in Baker City is clustered at lower-value levels (older substandard homes, mobile homes), while analysis of household incomes and ability to pay indicates that some households could afford housing at higher price points. The analysis supports the feedback from local stakeholders, that more homes are needed in the \$150k to \$250k price range, while homes on the market tend to be above or below this range.

The analysis finds that the current market rates for most rental units are in the \$400 to \$1,000/month range. Therefore, this is where most of the rental unit supply is currently clustered. While there is a fair amount of low- rent and subsidized units in the community, there is still some unmet need at the lowest end of the income scale, where many current renters pay more than 30% of their income in housing costs. There is also an indication that some renter households could support more units at higher rent levels. Rentals at more expensive levels generally represent single family homes for rent...

In general, these findings demonstrate that there is a need for more home buying opportunities in the heart of Baker City's income distribution, where most households are found. There is also a need for additional subsidized affordable units for low-income households. There is also a need for more market-rate apartment units of all types to alleviate low vacancy and availability in the community, even though this is where most of the current units are clustered. There may also be support for more higher-end rentals, often found in single family homes for rent.

FIGURE 5.3: PROJECTED FUTURE NEED FOR NEW HOUSING UNITS (2040), BAKER CITY

OWNERSHIP HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	62	0	0	0	0	8	0	71	30.2%
Percentage:	87.8%	0.6%	0.0%	0.2%	0.6%	10.8%	0.0%	100%	

RENTAL HOUSING									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	68	5	18	14	52	7	0	163	69.8%
Percentage:	41.5%	2.9%	10.8%	8.5%	31.7%	4.6%	0.0%	100%	

TOTAL HOUSING UNITS									
Unit Type:	Single Family Detached	Single Family Attached	Multi-Family			Manuf. home	Boat, RV, other temp	Total Units	% of Units
			2-unit	3- or 4-plex	5+ Units MFR				
Totals:	130	5	18	14	52	15	0	234	100%
Percentage:	55.5%	2.2%	7.6%	6.0%	22.3%	6.4%	0.0%	100%	

Sources: PSU, City of Baker City, Census, Environics Analytics, JOHNSON ECONOMICS

FIGURE 5.4: PROJECTED NEED FOR NEW HOUSING AT DIFFERENT INCOME LEVELS

Household Income Segment		Income Level (Rounded)*	Afford. Range	Rent Afford. Price Range	Owner Units	Renter Units	Total	Share	Common Housing Product
Extremely Low Inc.	< 30% AMI	< \$18,500	<\$500	<\$80k	6	50	56	24%	Govt-subsidized; Voucher
Very Low Income	30% - 50% AMI	\$18.5k - \$31k	\$500-\$700	\$80k-\$140k	2	24	26	11%	Aging/substandard rentals; Govt-subsidized; Voucher
Low Income	50% - 80% AMI	\$31k - \$49k	\$700-\$1,100	\$140k-\$220k	2	35	37	16%	Market apts; Manuf. homes; Plexes; Aging SFR
Middle Income	80% - 120% AMI	\$49k - \$74k	\$1,100-\$1,300	\$220k-\$270k	22	21	43	18%	Single-family detached; Townhomes; Small homes; New apts
Upper Income	> 120% AMI	> \$74,000	\$1,300+	\$270k+	38	33	71	30%	Single-family detached
TOTAL:					71	163	234	100%	

* Adjusted to 2020 dollars. The median household income level in 2020 will be will be inflated from current levels.

Sources: HUD, Census, Environics Analytics, JOHNSON ECONOMICS

FIGURE 6.1: ESTIMATED BUILDABLE LANDS CAPACITY BY ACREAGE AND NO. OF UNITS (2020)

ZONING	Typical Housing Types*	Unconstrained Acres				Unit Capacity	
		Vacant	Part. Vac.	Redev.	Total	Units	Share
R-L D (Low-Density)	Single-family detached; Duplex	166.2	337.5	0.0	503.7	1,637	67%
R-M D (Medium-Density)	SF attached; Mobile home; 2-4 plexes	33.3	58.0	0.0	91.3	493	20%
R-HD (High-Density)	Multi-family apartments	4.9	16.0	0.0	20.9	313	13%
TOTALS:		204.4	411.5	0.0	616	2,443	100%

* The housing types listed are not exclusive. Residential zones will experience development of a range of allowed types.

Source: Angelo Planning Group

- There is a total estimated remaining capacity of 2,443 units of different types within the study area.
- Most of the remaining buildable acreage is in the R-LD (Low Density) residential zone. At a total capacity of 1,637 housing units this is roughly 67% of the total unit capacity.
- Though there are fewer buildable medium-density acres in the R-MD zone, they can still accommodate nearly 500 new units due to the higher density of development. This is 20% of the total unit capacity.
- There is less available acreage in the high-density zone. In total, the capacity of the R-HD zone represents 313 units, or 13% of the total unit capacity.

FIGURE 6.3: COMPARISON OF FORECASTED FUTURE LAND NEED (2040) WITH AVAILABLE CAPACITY

WITHIN CITY LIMITS		SUPPLY			BASELINE FORECAST			ALTERNATIVE FORECAST		
					DEMAND (2040)			DEMAND (2040)		
Zone & Plan Category	Typical Housing Type	Buildable Land Inventory (Total)			Growth Rate (0%)			Growth Rate (0%)		
		Developable Acres	Unit Capacity	Avg. Density (units/ac)	New Unit Need	Surplus or (Deficit) Units	Acres	New Unit Need	Surplus or (Deficit) Units	Acres
R-L D (Low-Density)	Single-family detached; Some SF attached & plex	503.7	1,637	3.2	137	1,500	462	332	1,305	402
R-M D (Medium-Density)	SF attached; Manufact. home; 2-4 plexes	91.3	493	5.4	45	448	83	48	445	82
R-HD (High-Density)	Multi-family apartments	20.9	313	15.0	52	261	17	78	235	16
TOTALS:		615.9	2,443	4.0	234	2,209	562	458	1,985	500

Sources: Angelo Planning Group, Johnson Economics

Policy #1: The City shall ensure that zoning standards are flexible enough to allow for a variety of housing options and do not inflate the cost of housing, particularly for housing affordable to low- and moderate-income households.

Policy #2: The City shall provide for a variety of housing options and sites and plan for suitable locations. It is recognized that the private sector will continue their leadership role in this function.

Policy #3: The City shall support the creation of housing that is affordable to low- and moderate-income households through partnerships, land use policies, and programmatic efforts, giving

consideration to the options described in the Housing Strategies Report included as Appendix D. The Housing Needs Analysis and Buildable Lands Inventory are also included as Appendix B and Appendix C.

Policy #5: The City shall advance where possible the evolution of safe and aesthetically pleasing residential neighborhoods that are efficiently integrated with business and commercial property, schools, parks, public facilities, and other urban development.

Policy #6: The City shall seek to make the most efficient use of developable land, particularly that are already provided with City services.

Policy #7: The City recognizes that certain housing policies must be tied very closely with existing land and environmental features. The reader is referred to the 'Land Suitability' section of this plan.

Policy #11: The City shall, in light of increasing demand for multi-family housing, provide suitable and adequate areas for such development.

Policy #13: The City may encourage residential development within the city limits in areas determined most appropriate.

Policy #18 The City shall prioritize providing infrastructure to un-serviced areas that are otherwise ready for residential development.

Recommended Findings: *The application states, "1. The City shall ensure that zoning standards are flexible enough to allow for a variety of housing op-tions. The City has unique challenges when it comes to affordable housing. To address this shortage will take a multi-pronged approach. The addition of 45 acres of developable property which has adequate public services will be one prong in that approach. With the addition of a maximum of 190 new home sites, this will allow for people to move out of existing homes and allow for working class people to either build new homes or move into other areas of the City that have been vacated by the addition of new opportunities for home ownership. This proposed project will not solve the City's housing problems but will be one spoke in the wheel that will begin to address the serious housing needs. 2. This is a project that the City should embrace as it allows the private sector to help alleviate some of the housing concerns within the City. The ability to spread the high cost of public infrastructure over multiple lots should be a high priority for the City. 6. This project will make the most efficient use of developable land, particularly those that are already provided with City services. 7. The City recognizes that certain housing policies must be tied very closely with existing land and environmental features. As stated before, this property is within the City limits, has enough acreage to allow for the spreading of high cost public infrastructure and is adjacent to residential property. This project will aid the City as it tries to address the critical housing issues within the City" (Exhibit 4).*

Additionally, the application states, "The Baker City Housing Production Strategy (HPS) released in August of 2023 identified increased housing opportunities as a priority and an important need for the community. This includes all categories of housing with a priority on work force housing.

Availability of accessible properties owned by developers that have adequate land base to be able to put in the critical infrastructure are a significant barrier to additional housing in the community. The HPS study shows that Baker City will need roughly 234 new housing units by 2040. Some of these units can be supplied by infill lots scattered throughout the City but it is unrealistic to believe that this many new units can be constructed without additional residential areas that can be developed with the high cost of infrastructure. (Streets, curbs, sewer and water etc.) In order for developers to be incentivized to build new homes they have to have enough lots to spread the cost of infrastructure to make it profitable. This property rezoned to Residential will allow for a developer to afford these high costs and still make it feasible to add housing to our community.

It is not a simple problem that Baker City faces as they attempt to address the serious housing issues that our community faces. There is a need for workforce housing just to alleviate the current housing issues. The market conditions over the past few years have increased prices for all housing in our community. The recent phenomenon of moderately priced homes moving out of the housing market into vacation rentals have exacerbated the housing shortage. It will take a multi-pronged approach to solve the very critical housing shortages. The addition of nearly 45 acres of developable residential land will be a piece of the overall strategy to improve housing needs of the community” (Exhibit 4).

Conclusion: Based on the findings above, the policies of the Housing section **are/are not** satisfied.

HISTORIC PRESERVATION – *To recognize and preserve buildings and structures identified as having particular historic significance or of a special architectural merit in order to further education, stabilize property values, aid in beautification of the City, and focus community pride in our colorful past.*

Recommended Findings: No policies in the Historic Preservation chapter were determined to be applicable to this application. No modifications to the City's inventory of historic sites and structures, including those buildings within the Baker City Historic District or those included otherwise on the National Register of Historic Places, are proposed.

See findings for the “Parks & Recreation”, “Existing Natural Features and Land Use”, and “Land Suitability” sections of the Baker City Comprehensive Plan outlined in this report.

Conclusion: Based on the findings above, the policies of the Historic Preservation section **are/are not** satisfied.

ECONOMIC ELEMENT– *To improve and diversify the City’s economy in order to sustain a moderate rate of growth while protecting the natural environment and enhancing the quality of life in the community. [Implements Statewide Planning Goal 9 – Economic Development]*

Additional Considerations in Land Demand

Beyond a consideration of gross acreage, there is a significantly broader range of site characteristics that industries would require to accommodate future growth. Key findings are summarized as follows:

- *Industrial buildings are generally more susceptible to slope constraints due to larger building footprints. For a site to be competitive for most industrial uses, a 5% slope is the maximum for development sites. Office and commercial uses are generally smaller and more vertical, allowing for slopes up to 15%.*
- *Most industries require some direct access to a major transportation route, particularly manufacturing and distribution industries that move goods throughout the region and beyond. A distance of 10 to 20 miles to a major interstate is generally acceptable for most manufacturing activities, but distribution activities require 5 miles or less and generally prefer a direct interstate linkage. Visibility and access are highly important to most commercial activities and site location with both of these attributes from a major commercial arterial is commonly required.*
- *Access and capacity for water, power, gas, and sewer infrastructure is more important to industrial than commercial operations. Water/sewer lines of up to 10" are commonly required for large manufacturers. Appendix A details utility infrastructure requirements by typology.*
- *Fiber telecommunications networks are likely to be increasingly required in site selection criteria for many commercial office and manufacturing industries. Medical, high-tech, creative office, research & development, and most professional service industries will prefer or require strong fiber access in the coming business cycles.*

The inventory identifies over 550 acres of vacant or potentially redevelopable land in both commercial and industrial zones. Roughly 42% of this land is in the General Commercial zone, while 58% has Industrial zoning. 70% is identified as “vacant”, and 30% in potential “redevelopment” sites. Most “redevelopable” acreage is industrial.

The following figure presents the inventory broken down by the size of parcels. While there is a good mixture of small-to-mid parcel sizes, there are also some potential large employment sites identified. Sites of 10 acres or larger represent over 70% of the identified acreage.

FIGURE 5.02: SUMMARY OF EMPLOYMENT BUILDABLE LAND INVENTORY, BY PARCEL SIZE (BAKER CITY)

ZONE	0 TO .99 acres		1 to 4.99 acres		5 to 9.99 acres		10 to 19.99 acres		20+ acres	
	# of Parcels	Acreage	# of Parcels	Acreage	# of Parcels	Acreage	# of Parcels	Acreage	# of Parcels	Acreage
General Commercial	18	9.7	18	39.3	3	18.1	7	103.6	3	63.8
Industrial	25	11.2	21	45.1	5	34.8	4	57.3	2	178.0
Light Industrial	1	0.2	0	0.0	0	0.0	0	0.0	0	0.0
Totals:	44	21.1	39	84.3	8	53.0	11	161.0	5	241.8

Source: Baker County, Baker City, Johnson Economics LLC

There is a total projected 20-year need for nearly 55 acres of buildable employment land in industrial and commercial zones.

Conclusion

There is currently sufficient buildable employment land within the urban growth boundary to accommodate the projected need for new development of these uses over the 20-year period. If the

economy and industry growth outpace the projections in this analysis, there should still be a significant surplus of land to accommodate this growth.

Forecasted Land Need Conclusions

As discussed in Section IV of this report, there is projected growth of nearly 1,200 jobs and support for nearly 55 acres of employment land (industrial and commercial). Roughly 35% of this projected need is for uses most appropriate to industrial zones (Flex, General Industrial, and Warehouse), while the remainder is for uses most appropriate for commercial zones (Office, Retail, Institutional). This identified need is well less than the 560 acres (± 235 acres of Commercial and ± 327 acres of Industrial) of buildable employment land found in the Buildable Lands Inventory.

As discussed in Section V of the EOA, there is currently sufficient buildable employment land within the Baker City urban growth boundary to accommodate the projected need for new development of these land uses over the 20-year period. If the economy and industry growth outpace the projections in this analysis, there should still be a significant surplus of land to accommodate this growth.

Policy #1: The City shall encourage and work towards increased employment opportunities for those unemployed or under-employed, particularly young adults.

Policy #2: The City will be supportive of economic development resulting in increased income levels for Baker City households.

Policy #3: The City shall provide by zoning for development space suitable to the needs of industrial and commercial development, maximizing especially transportation and convenient locations.

Policy #5: The City shall vigilantly protect its natural environment, certainly one of its finest features.

Policy #6: The City, in considering any economic development proposal, shall evaluate its effect on the community beyond simply monetary terms and consistently seek to enhance our quality of life.

Recommended Findings: An Economic Opportunities Analysis (EOA) for Baker City was adopted in 2020. This EOA determined there is adequately zoned Commercial and Industrial within Baker City to meet projected needs.

The application states, “3. The City shall provide by zoning for development space suitable to the needs of industrial and commercial development, maximizing especially transportation and convenient locations. There is currently adequate Industrial and Commercially zoned property that is adjacent to rail and freight routes within the City. These parcels are served by public infrastructure and have been vacant for a number of years. It appears that the best use of this property would be for residential purposes and the City will benefit from more developable residentially zoned property.” (Exhibit 4).

Additionally, the application provides, “Tennant Developments Inc. has owned the parcels described as Township 09S 40E Sec 18A tax lots 101, 104, 105, 106 and 107 Reference number 1651 O since 1995. The property is split zoned with approximately 14.2 acres in RMD and 51.75 acres in Industrial. The City at that time was planning for major industrial growth within the City. Over the years this has not come to fruition and need for industrial property has disappeared. The City owns approximately 65 acres in the Elkhorn Industrial Park and they have been unable to move significant amounts of this property while being price at nearly 25% of real market value. They do have job creation requirements as a carrot for industrial development but they are still unable to sell industrial lots at these minimal prices.

Competing with the City for the sale of Industrial land has and will continue to be a challenge for vacant industrial property.

The Economic Opportunity Analysis that was completed in 2020 determined that there is adequately zoned land in all zones to meet the projected needs. The current property has 51.75 acres zoned Industrial. This application will move approximately 44.60 acres out of Industrial zone to Residential zoned property. Exhibit 1 shows that we would rezone all of the property laying South of 23rd Street as Residential and leave the existing property North of 23rd Street as Industrial. This would give a buffer to the residential area and allow for approximately 10 acres to remain in the Industrial zone which is adjacent to the Elkhorn Industrial Park. We believe that the remaining Industrial zoned property in the City will be adequate for the Industrial land needs of the City. The Planning Commission and the City agreed in 1996 to change the zoning in this area to a mixed use planned development but market conditions at that time changed and the project did not come to fruition” (Exhibit 4).

Conclusion: Based on the findings above, the policies of the Economic Element section **are/are not** satisfied.

IV. SUMMARY CONCLUSIONS & PLANNING COMMISSION DECISION

The proposed revisions to the Comprehensive Plan Map and Zoning Map contained within RZ-23-131 may be allowed if the request is determined to be consistent with all applicable statewide planning goals, applicable policies of Baker City Comprehensive Plan and Baker City Development Code Section 4.7.200. As summarized herein, this staff report for RZ-23-131 **HAS/HAS NOT** demonstrated that the proposed revision meets or is able to meet through Conditions of Approval, all of the applicable review criteria and development standards.

Therefore, based on the information contained in Sections I through IV of this report, and the above review criteria, findings of fact and conclusions and public testimony received, the Baker City Planning Commission recommends **APPROVAL/DENIAL** of the proposed revision to Baker City Council.

Dated this _____ day of February, 2023

Baker City Planning Commission

Chair

EXHIBITS:

1. Assessor's Map of Subject Property
2. Land Use District Maps showing Current Zoning and Potential Zoning
3. Comprehensive Plan Map showing Potential Rezoned Property
4. Application, Narrative and Site Plan
5. Addition to Map Amendments and Code Interpretation Table
6. Comments from Oregon Department of Transportation
7. Information from Public Works regarding Maximum Development Capacity
8. Email from Public Works regarding Traffic, Water and Wastewater Capacity
9. Email from Police Chief Ty Duby
10. Aerial Photo Map with Approximate Floodplain Overlay

Exhibit 1: Assessor's Map of Subject Property

Tax Lots 104, 105, 106, 107 and a portion of 101 in Section 18A of Township 9 South, Range 40 East, W.M., Baker City, Oregon (Ref. 16510, 17121, 17122, 17123, 17124). The area proposed to be rezoned is approximately ± 44.6 acres.

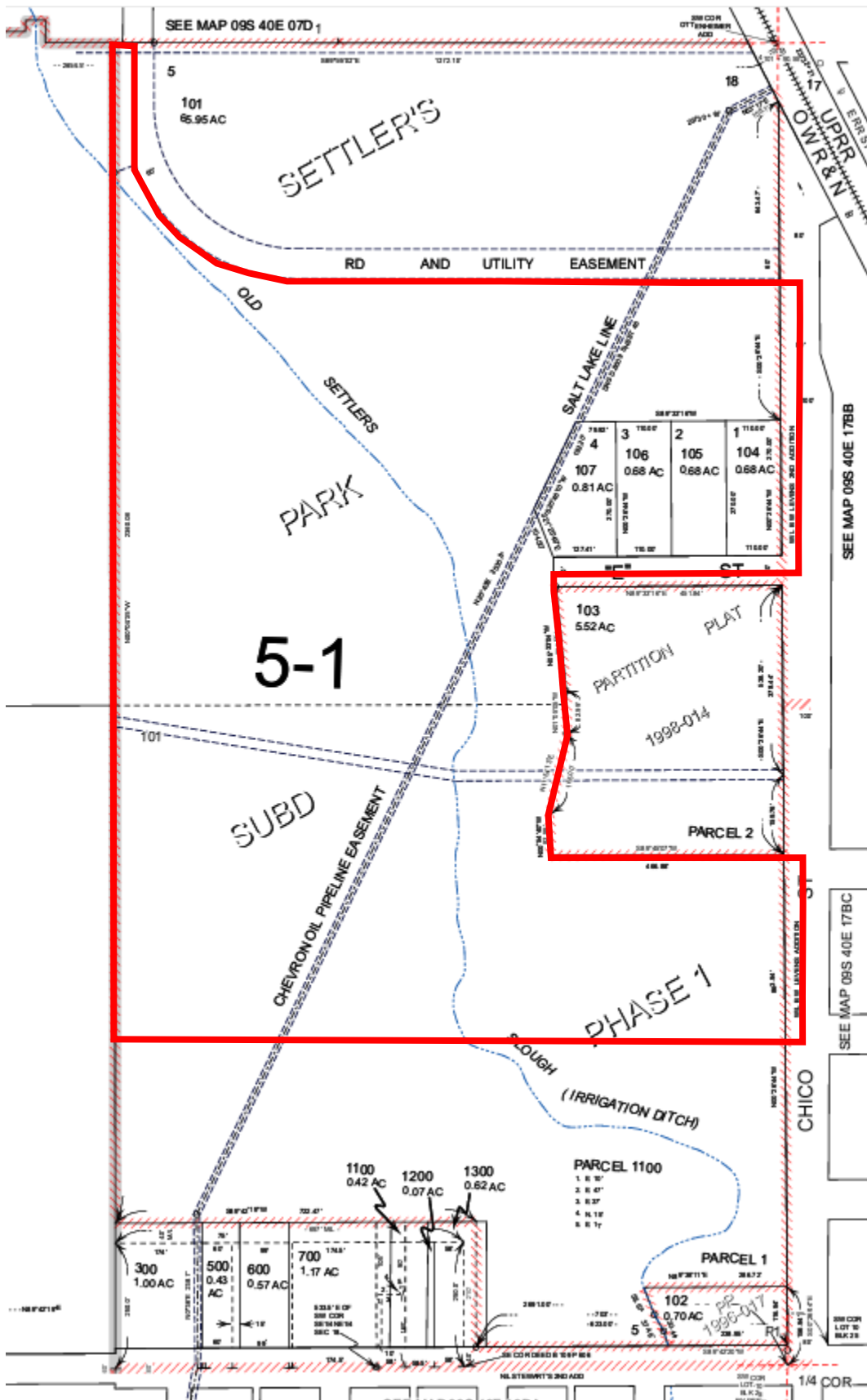


Exhibit 2 Land Use District Map showing Current Zoning

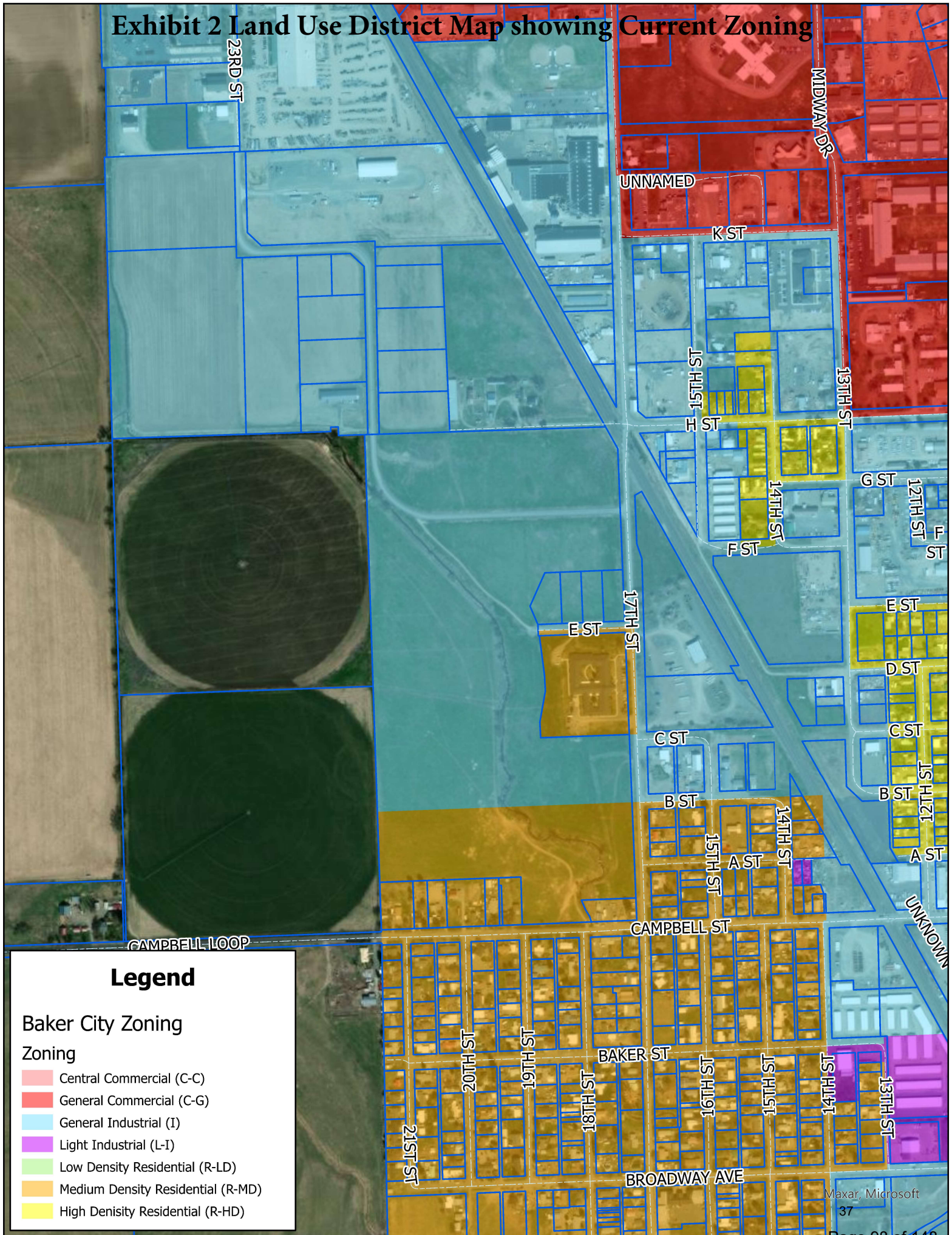


Exhibit 2 Land Use District Map showing Proposed Zoning

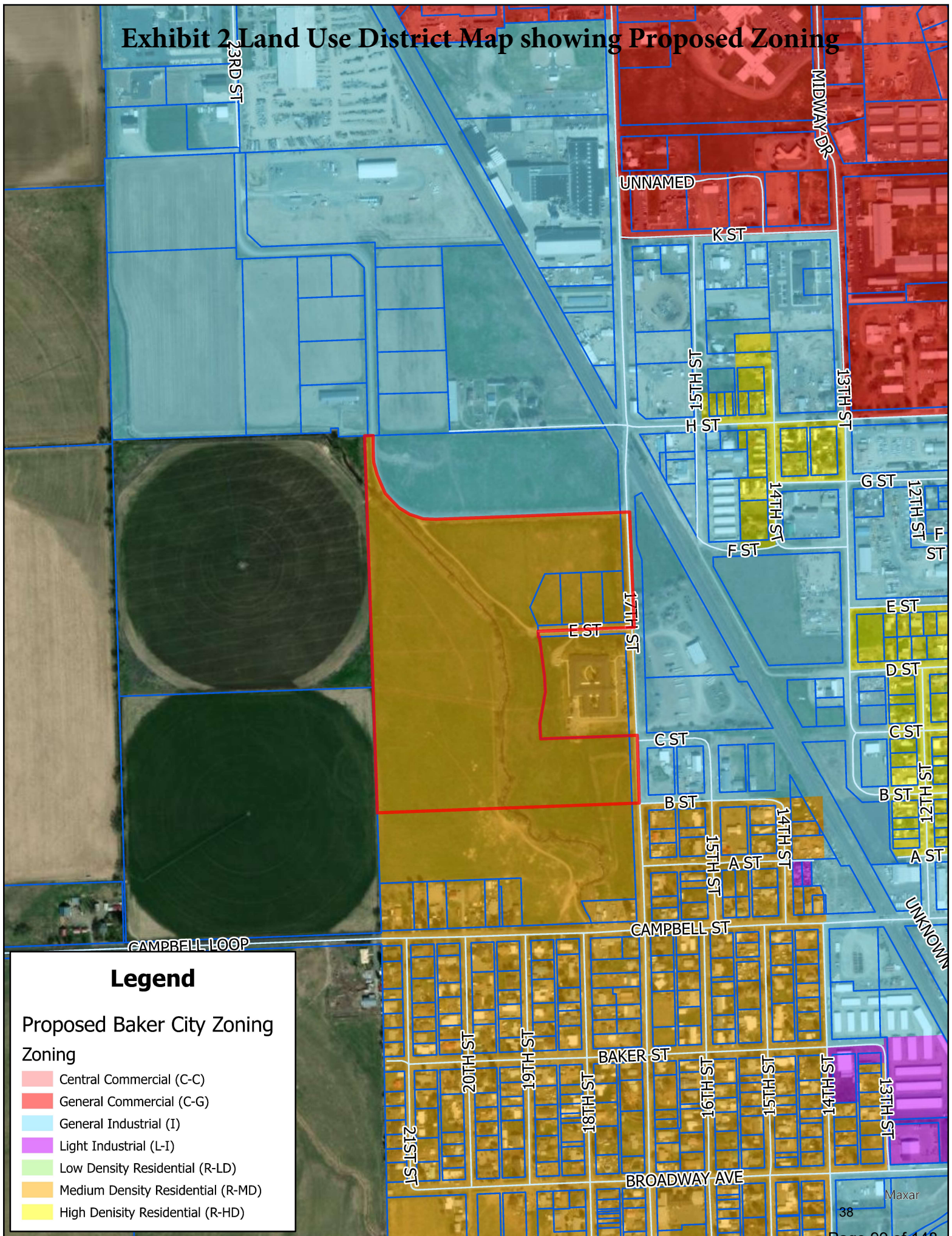


Exhibit 3 Comprehensive Plan Land Suitability Map showing Rezoned Property

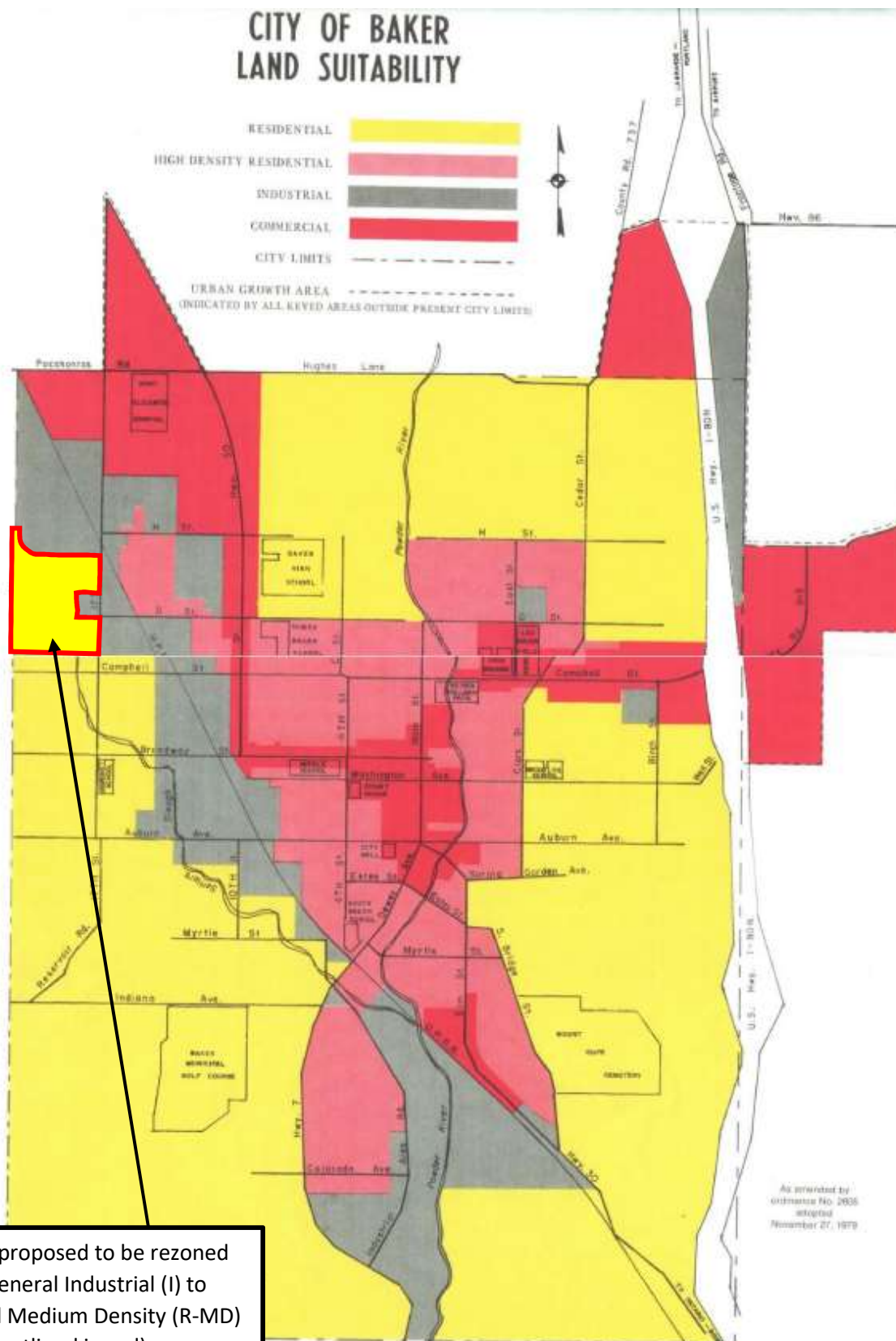


Exhibit 4 Application, Narrative and Site Plan

BAKER CITY-COUNTY PLANNING DEPARTMENT



1995 Third Street | Suite 131 | Baker City, OR | 97814
Phone: (541) 523-8219 | Fax: (541) 523-8340



APPLICATION FOR A CODE, MAP OR PLAN AMENDMENT

App. No. _____ City Planning: 101-131-3-40-4104
Date Submitted: _____ Received by: _____
Fee Collected: \$ _____ Date Paid: _____
MAKE CHECKS PAYABLE TO: BAKER COUNTY PLANNING

PROPOSED AMENDMENT: _____

APPLICANT			PROPERTY OWNER		
Michael Tennant			Michael Tennant		
Last Name	First	MI	Last Name	First	MI
532 SW 13th Street			532 SW 13th Street		
Mailing Address			Mailing Address		
532 SW 13th Street			532 SW 13th Street		
Physical Address			Physical Address		
Bend	OR	97702	Bend	OR	97702
City	State	Zip	City	State	Zip
541-388-0086			541-388-0086		
Telephone			Telephone		
mtennant@tennantdevelopments.org			mtennant@tennantdevelopments.com		
Email			Email		

PROPERTY INFORMATION

Property Address: _____ Zone: _____

Township 09S Range 40E Section 18 Tax Lot 101 Ref. 16570
 Township " Range " Section " Tax Lot 104 Ref. 17121
 Township _____ Range _____ Section _____ Tax Lot 105 Ref. 17122
 _____ Tax Lot 106 Ref. 17123
 _____ Tax Lot 107 Ref. 17124

Was a pre-application conference held for this project? ☒ Yes ☐ No

Are there additional reviews pending? ☐ Yes ☐ No If yes, File #: _____

NOTICE TO APPLICANT: On original application form, please print legibly using black/dark blue ink or type. Applicants are advised to review the list of submittal requirements and recommendations indicated on each land use application form and in the applicable Code Section prior to submitting an application. Incomplete applications will not be scheduled for review until the Planning Department receives all required submittal materials. Failure to provide materials or address the approval criteria in sufficient detail may cause your application to be delayed or denied.

ADDITIONAL PROJECT TEAM MEMBERS. Please include any other parties you wish to receive notice and staff report(s).

Name: Fred Warner Jr. Phone: 541-519-6104

Mailing Address: 2870 Main St. Baker City, OR Email: Fwarner6196@gmail.com

Name: Mike Tennant Phone: 541-358-0036

Mailing Address: 572 SW 13th Street, Suite 200 Email: mtennant@tennantdevelopments.com
Bend, Oregon 97702

NOTICE TO APPLICANT: By signing, the applicant certifies the information provided herein is accurate and that he/she is authorized to make the application and that there are no covenants, conditions or restrictions (CC&Rs) that may limit or prohibit the proposed adjustment. The City of Baker City does not monitor, nor have enforcement authority over CC&Rs.

Applicant Signature: MT Tennant Date: 11/6/23

Property Owner(s) Signature: _____ Date: _____

Date: _____

*** Note: If the applicant is not the owner, by signing, the owner hereby grants permission for the applicant to act in his/her behalf concerning this application.

APPLICATION SUBMISSION REQUIREMENTS - All materials shall be submitted in complete, collated application packets. Packets shall be stapled, bound, or otherwise attached to prevent loss of individual sheets or parts.

- Original **APPLICATION FORM** signed by all parties. Multiple forms may be used if necessary.
- **NARRATIVE** including all approval criteria and your responses.
- **SITE PLAN** showing existing conditions and proposed changes. All site plans should be printed at 1" = 20' scale; 1:40 or 1:100 scale may be used for very large projects. All materials larger than 8 1/2 X 11 shall be folded to 8 1/2 X 11 size.

MAKING FINDINGS - A Development Code, Zoning Map or Comprehensive Plan amendment may be approved if the Planning Commission finds the application conforms to the criteria found in the Development Code, the Comprehensive Plan, Statewide Planning Goals and the applicable development standards. Before the Planning Commission can review an application, the applicant must submit information that adequately supports the application. **The applicant bears the burden of proof to show that the criteria are met.**

FORMAT FOR FINDINGS - Statements addressing individual criteria consist of two parts:

1. Factual information, such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: onsite inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

EXAMPLE: **Criterion:** *The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.*

Response: State fact(s) relating to the question: "Light manufacturing is allowed as a conditional use in the C-G zone pursuant to Table 2.3.110A of the Development Code. The site is 1.37 acres, is flat, and has 150 feet of frontage along X Street, which is more than adequate to accommodate a custom furniture manufacturing shop and associated showroom. Our proposed 12,500 square foot building, with 12 parking spaces, a loading dock, and landscaping, can be easily accommodated on the site with room for expansion. Please note that our site plans include potential expansion of both the building and parking areas, in order to permit complete build-out and not require an additional conditional use permit. All operations will be inside the building, which will be constructed to minimize noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, and other potential negative externalities."

Conclusion: State your conclusion: "The proposed conditional use is appropriate for the site and will not pose any undue hazards on neighboring properties or the general public."

APPLICABLE BAKER CITY DEVELOPMENT CODE SECTIONS AND OTHER REFERENCES

4.7.200 Legislative Amendments. Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Section 4.1.500 and shall conform to the Transportation Planning Rule provisions in Section 4.7.600, as applicable.

4.7.300 Quasi-Judicial Amendments

A. Applicability of Quasi-Judicial Amendments. Quasi-judicial amendments are those that involve the application of adopted policy to a specific development application or Code revision, and not the adoption of new policy (i.e., through legislative decisions). Quasi-judicial zone map amendments shall follow the Type III procedure, as governed by Section 4.1.400, using standards of approval in Section 4.7.300.B. The approval authority shall be as follows:

1. The Planning Commission shall review and act upon land use zone map changes that do not involve comprehensive plan map amendments;
2. The Planning Commission shall make a recommendation to the City Council on an application for a comprehensive plan map amendment. The City Council shall decide such applications; and
3. The Planning Commission shall make a recommendation to the City Council on a land use zone change application that also involves a comprehensive plan map amendment application. The City Council shall decide both applications.

B. Criteria for Quasi-Judicial Amendments. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

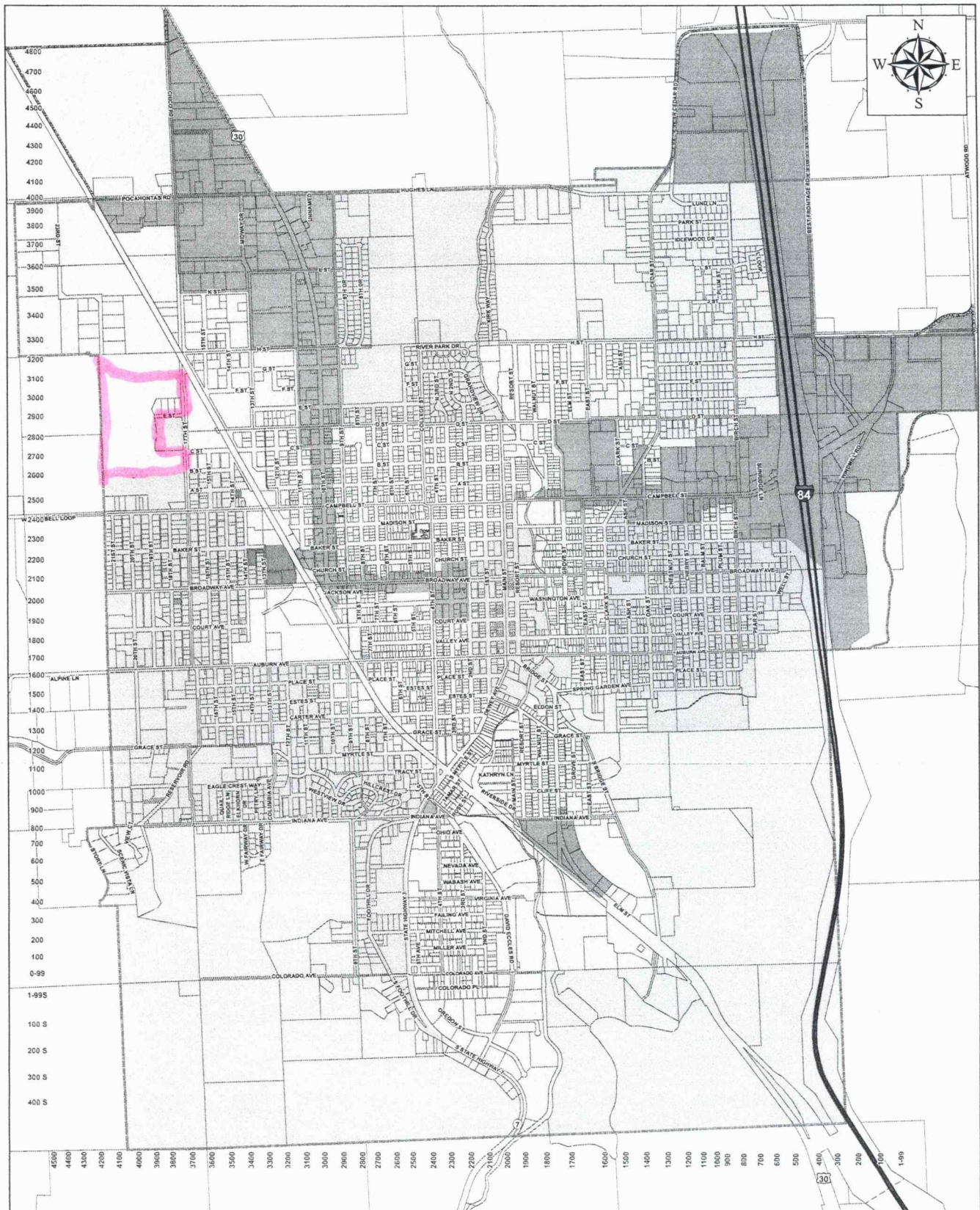
1. Approval of the request is consistent with the Statewide Planning Goals;
2. Approval of the request is consistent with the Comprehensive Plan;
3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided in the planning period; and
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 zone map regarding the property which is the subject of the application; and

5. The amendment conforms to the Transportation Planning Rule provisions under Section 4.7.600.

4.7.400 Conditions of Approval for Quasi-Judicial Amendments. A quasi-judicial decision may be for denial, approval, or approval with conditions; conditions shall be based on applicable regulations and factual evidence in the record. Legislative amendments may only be approved or denied.

All amendments to the Development Code, Zoning or Comprehensive Plan Maps, or the Comprehensive Plan, whether legislative or quasi-judicial, need to demonstrate consistency with the Comprehensive Plan and the Statewide Planning Goals.

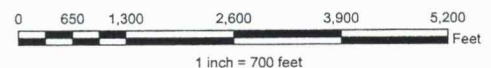
BAKER CITY - LAND USE ZONING



Legend

Zoning

	Light Industrial (L-I)		Tax Lots
	Central Commercial (C-C)		Baker City Limits
	General Commercial (C-G)		Urban Growth Boundary
	General Industrial (I)		
	Low Density Residential (R-LD)		
	Medium Density Residential (R-MD)		
	High Density Residential (R-HD)		



NOTE

This map was created from imprecise source information, subject to change, and is intended for PLANNING PURPOSES ONLY

Includes zoning revision through Ordinance No. 3380 - Effective October 9th, 2020
Created by Baker County Planning - 2020-04-08 - D:\BakerCity\Zoning Map 2020 Final.mxd



PROPERTY INFORMATION

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Date Web Site was last updated 8/10/2023

Tax Year:2022 Ref#:16510

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
09S4018A	101	0	501	300 INDUSTRIAL/VACANT

OWNER

TENNANT, MICHAEL

CONTRACT

MAILING ADDRESS:

532 SW 13TH ST SUITE 200

CITY/ST:

BEND, OR 97702

PROPERTY ADDRESS:

0

Total
68.80 acres

NOTES:

none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$665770	
STRUCTURES	\$0	
SUBTOT	\$665770	\$233218
TOTAL	\$665770	\$233218

PROPERTY TAX INFORMATION

TAX	\$4180.27
TOTAL TAX & SPECIAL ASSESSMENTS	\$4180.27

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	65.95	IND	INDUSTRIAL		\$665770

SALES

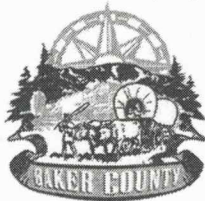
SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/28/2015	435000	5	WD	15430241
2	8/14/1995	305000	1	BS	9534097

(Assessor_Search.html)



Search Again (Assessor_Search.html)

(http://www.bakercounty.org/index.html)



(http://www.bakercounty.org/index.html)

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Date Web Site was last updated 8/11/2023

Tax Year:2022 Ref#:17121

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
09S4018A	104	0	501	300 INDUSTRIAL/VACANT

OWNER

TENNANT, MICHAEL

CONTRACT

MAILING ADDRESS:

532 SW 13TH ST SUITE 200

CITY/ST:

BEND, OR 97702

PROPERTY ADDRESS:

0

NOTES:

none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$12240	
STRUCTURES	\$0	
SUBTOT	\$12240	\$12240
TOTAL	\$12240	\$12240

PROPERTY TAX INFORMATION

TAX	\$191.80
TOTAL TAX & SPECIAL ASSESSMENTS	\$191.80

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.68	IND	INDUSTRIAL LAND		\$12240

SALES

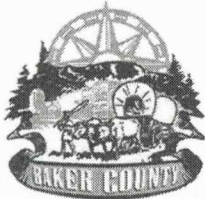
SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/28/2015	435000	5	WD	15430241

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Search Again (Assessor_Search.html)

(http://www.bakercounty.org/index.html)



(http://www.bakercounty.org/index.html)

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Date Web Site was last updated 8/11/2023

Tax Year:2022 Ref#:17122

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
09S4018A	105	0	501	300 INDUSTRIAL/VACANT

OWNER TENNANT, MICHAEL

CONTRACT

MAILING ADDRESS:

532 SW 13TH ST SUITE 200

CITY/ST: BEND, OR 97702

PROPERTY ADDRESS: 0

NOTES:

none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$12240	
STRUCTURES	\$0	
SUBTOT	\$12240	\$12240
TOTAL	\$12240	\$12240

PROPERTY TAX INFORMATION

TAX	\$191.80
TOTAL TAX & SPECIAL ASSESSMENTS	\$191.80

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.68	IND	INDUSTRIAL LAND		\$12240

SALES

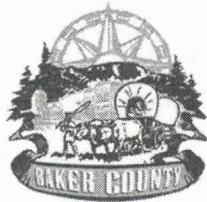
SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/28/2015	435000	5	WD	15430241

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Search Again (Assessor_Search.html)

(http://www.bakercounty.org/index.html)



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PROPERTY INFORMATION

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Date Web Site was last updated 8/11/2023

Tax Year:2022 Ref#:17123

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
09S4018A	106	0	501	300 INDUSTRIAL/VACANT

OWNER

TENNANT, MICHAEL

CONTRACT

MAILING ADDRESS:

532 SW 13TH ST SUITE 200

CITY/ST:

BEND, OR 97702

PROPERTY ADDRESS:

0

NOTES:

none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$12240	
STRUCTURES	\$0	
SUBTOT	\$12240	\$12240
TOTAL	\$12240	\$12240

PROPERTY TAX INFORMATION

TAX	\$191.80
TOTAL TAX & SPECIAL ASSESSMENTS	\$191.80

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.68	IND	INDUSTRIAL LAND		\$12240

SALES

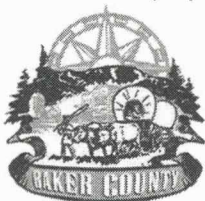
SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/28/2015	435000	5	WD	15430241

(Assessor_Search.html)



Search Again (Assessor_Search.html)

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Date Web Site was last updated 8/11/2023

Tax Year:2022 Ref#:17124

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
09S4018A	107	0	501	300 INDUSTRIAL/VACANT

OWNER

TENNANT, MICHAEL

CONTRACT

MAILING ADDRESS:

532 SW 13TH ST SUITE 200

CITY/ST:

BEND, OR 97702

PROPERTY ADDRESS:

0

NOTES:

none.

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$14540	
STRUCTURES	\$0	
SUBTOT	\$14540	\$14540
TOTAL	\$14540	\$14540

PROPERTY TAX INFORMATION

TAX	\$227.84
TOTAL TAX & SPECIAL ASSESSMENTS	\$227.84

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.81	IND	INDUSTRIAL LAND		\$14540

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	10/28/2015	435000	5	WD	15430241

(Assessor_Search.html)



Search Again (Assessor_Search.html)

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Agricultural Land (EFU)

SITE PLAN

Settlers Slough

H Street Row

23rd St

E Street

17th Street

Campbell Street

- Reroute Settlers Slough
- Potential Road Connectivity (Utility Easement Connectivity)

- Project Boundary
- RMD Zone
- Industrial Zone
- Commercial Use

Application for zone change of Tennant Developments property

4.7.300 B

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

Goal 1: Citizen involvement: This will be met with Planning Department's public criteria.

Goal 2: Applicant will/has provided descriptive materials and information adequate for the determination being made. City will follow all rules and procedures to ensure adequate public notice and updates. This action will be consistent with State Planning goals and the Baker City Comprehensive Plan.

Goal 3: No agricultural zoning exists within the Baker City Urban Growth Boundary. This goal is met.

Goal 4: No forests zoning exists with the Baker City Urban Growth Boundary. This goal is met.

Goal 5: The applicant will not impair open spaces and will protect natural and scenic resources. Currently the property is vacant and a relative blight on the area. If the property is rezoned into residential, the site will be developed and the City will be able to work with the applicant when a site development plan is submitted. The area surrounding the property is zoned industrial to the North, agricultural to the West, residential to the South and Industrial to the East. The Settlers Park Assisted Living complex is completely surrounded by this property and the change to residential zoning will help ensure that this facility is not surrounded by heavy, noisy industrial activity.

Goal 6: This rezone will not affect the air, water and land resources of the State. As a residential area, the area should improve the air, water and land resources of the area. The Baker Valley Irrigation District has agreed to move the irrigation canal that dissects the property to the West which is adjacent to the City limits and next to the agriculture zoned land. This will help to streamline irrigation systems and remove potential for flooding in the area surrounding Settlers Park.

Goal 7: The rezone of this property will not affect the protection of the area from natural disasters and hazards and may help with the possibility of flooding with the movement of the irrigation ditch. At the present time, the property is vacant land and unirrigated. It poses a fire hazard at the present time and with development, these vacant areas will be infilled with lawns, landscaping and housing. At the present time, the property is accessed by homeless people and the chance of fire risk is heightened.

Goal 8: The rezone will enhance the recreational needs of the State as development will come with a plan for open spaces and potential residential park.

Goal 9: According to the Baker City Economic Development Analysis (page 34) manufacturing jobs have been on the decline for the period of 2007 to 2017. A net change of employment in this sector is negative 89 jobs. This trend appears to be ongoing.

The expected and probably unrealistic expectation is that the City will add 1,182 jobs through 2038. This estimate will require 54.8 acres of employment land. The employment driven land needs for Baker City over the next 5 years is estimated at 12.1 acres. (Figures 4.08 and 4.09) Of that employment land needed, 19.9 acres are needed for Industrial uses over the next 20 year time frame. According to the summary of employment land inventory, the City has over

326 acres of Industrial zoned property that can be developed or redeveloped.(Figure 5.01) In addition, there is an additional 235 acres of Commercially zoned property that will also support the employment land inventory. The needed land inventory through 2038 is 9% of the total land inventory needed. There appears to be an excessive amount of Industrial zoned property based on the latest Economic Development Analysis.

Baker City owns the Elkhorn Industrial Park that is adjacent to the parcel of land that is proposed for rezoning. The Industrial Park is approximately 65 acres and they have sold 10 acres leaving 55 acres of fully shovel ready industrial land. The City has had the property on the market for approximately 25% of real market value and have been unable to move any of the property for the past 30 years with the exception of two parcels. They do require that a certain amount of jobs are created per acre but still they have been unable to sell significant parcels. This plus a significant number of vacant or redevelopment land that sits on the UPRR and have easy access to Interstate 84 which have not received interest for siting manufacturing businesses.

One of the policies of the Baker City Comprehensive Plan is to strive for development of land to its highest and best use, recognizing the various needs of all its citizens. Housing is a critical need as identified in the Baker City Housing Production Strategy (HPS). On page 27 and 101 of the HPS, site constraints for land supply in the residential zones include floodplains, wetlands, steep slopes, and other natural features that may reduce the developability of land in the City. The study highlighted that the availability of land inventory is restricted because of the high cost of infrastructure including sewer, water, sidewalks and road systems. (pg 82) The HPS highlighted that the properties owned by developers that have adequate land base to be able to put in the critical infrastructure is a significant barrier to additional housing in the community. The HPS study concluded that the City appeared to have enough inventory for future housing needs but with the variability of residential lands and the high cost of infrastructure it is unclear whether this analysis is accurate. The HPS study shows that Baker City will need roughly 234 new housing units by 2040. Some of these units can be supplied by infill lots scattered throughout the City but it is unrealistic to believe that this many new units can be constructed without additional residential areas that have enough acreage to spread the high costs of the needed infrastructure. On page 102, the HPS there is much discussion of the adequacy of the available lands for residential housing. One of the issues raised was the displacement of existing residents and its impact on lower income residents. The rezoning of this property will allow for added housing options which will positively impact all types of housing. With newer single family homes in the inventory, pressure on existing dwellings will be relieved and the mix of affordable housing will be increased.

The recent purchase of approximately 65 acres of residential property by Baker County with a plan to make some type of recreational facility such as a multipurpose gym, event center and the additional parking that will be needed will take a considerable amount of land out of the residential lands inventory. This is also a large parcel that would fit the criteria to be able to spread out the infrastructure costs for needed development. This particular land purchase will have a significant effect on residential zoned property that is large enough to spread the cost of infrastructure for housing in the future.

Goal 10: The residential properties in Baker City are varied. A large amount of residential property within the City limits are currently not for sale or the cost of infrastructure to develop is too expensive. The needs for housing is varied with the greatest need being housing for a growing working class. The addition of this rezoned property will help to address the housing needs throughout the community. Any affect to the surrounding areas would be positive.

This application will rezone 44.6 acres of Industrial land into Residential Medium Density property. This property borders both Industrial and Residential zoned properties. Looking at the

Baker Land Use zoning map, there is very little vacant property that can be developed under the RMD zoning. The Ward property is the last remaining large parcel that is zoned RMD and that property is currently off the market and planned for recreational needs. There are a few lots off of Reservoir Road but they are steep and conducive to more acreage lots. There is some vacant property adjacent to Grace Street and Auburn Avenue but the City has no sewer and water lines in the area and the cost is prohibitive for development. In reality, there is a shortage of development property zoned RMD.

The Housing Production Strategy (HPS) and the Baker City Economic Development Analysis both show that Baker City is in dire need of additional housing. Work force housing is identified as especially acute. Housing within the \$100,000 to \$200,000 price range is at a deficit. Lack of housing is affecting local businesses efforts to recruit and retain workers. Businesses such as the local hospital and New Directions Northwest are struggling to find workers because of the lack of adequate housing supplies. The addition of more RMD zoned property will allow more commercial activity in the home building sector. The HPS estimates that there will be a need for 234 new housing starts by 2040. This rezone project will add a maximum of 190 new residential lots that will be needed in order to reach the needed housing units by 2040. Both the HPS and the Economic Development Analysis prefaced much of their analysis of housing on the growth in jobs in the City. A recent reality in our area is the addition of retirees moving to the City because of the relative low housing costs and quality of life. These retired people bring significant savings and retirement income and the need for additional housing areas will be needed to satisfy this demand. This particular rezone will allow for this added growth and take pressure off of the City's housing issues.

We believe that the buildout of this project will not strain the public services in the community. (see attached analysis from Public Works and Anderson Perry) Additional homes with water and sewer meters will allow for increased funding for the City public works budget as well as tax dollars for the general fund. The increased population and economic generation will allow the City to keep their core functions of police and fire departments operational. Electrical and broadband services in the area are also in need of increased revenue which additional homes will provide. Expansion and retention of our local homebuilders will be enhanced.

The demand for housing in Baker City has seen the market prices of homes escalate by over 40% over the past couple of years. The only way to alleviate this stress on job seekers is to incentivize additional housing starts. Available land and property that is large enough to justify the significant costs of infrastructure are keys to the City being able to solve the housing crisis.

Goal 11: All services are available to this property. A letter from Baker City Public Works shows that there is adequate sewer and water adjacent to the property for up to 190 homes. (see Public Works/Anderson Perry analysis) Settlers Slough currently runs through the center of the property. Baker Valley Irrigation District has agreed to move the ditch to the West edge of the property to be adjacent to the City Boundary and agricultural land. Natural gas, electricity, phone lines and internet are available to this property. Fire hydrants are in place on the short stretch of E Street that intersects 17th Street from the West and should be able to be extended. We anticipate that a Storm Water Plan will be needed and there is enough area to gather storm water or if possible hook to any City Storm Water drains.

Goal 12: The property is bordered by 17th Street, 23rd Street and Campbell Street. These streets are designated as collectors according to the City Transportation System Plan (TSP). (see Trip Generation Analysis) Each is paved twenty-four feet wide with one lane of traffic in each direction. The TSP and all City planning documents reference pedestrian flow. The applicant will work with the City and ODOT to come up with a plan for pedestrian/bicycle access and flow. This would be a great project for State Bike/Ped grants. Table 2-3 of the TSP shows

plans and needs for multi-use pathways on the entirety of 17th Street. This proposed development may be a catalyst for achieving this plan.

Goal 13: The rezone of the property should have no negative effect on energy conservation. The addition of new housing in the area will incorporate energy efficiency.

Goals 14-19: Do not apply.

B.2 Approval of the request is consistent with the City Comprehensive Plan

The City Comprehensive Plan and the Statewide Planning Goals are virtually identical and the above Goals should be aligned.

B.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 in the planning process.

The property is adjacent to Campbell Street on the South side of the property. This is collector street which facilitates the movement of traffic through Baker City. This street should allow for adequate transportation flow to his parcel.

The property is adjacent to 17th Street/Chico Road on the East side of the property. This is also a collector street. The property has a paved street exiting 17th Street at E Street. Access to this property should be allowable from these two collector streets.

Each of these streets are paved 24 foot wide with one lane of travel in each direction. Each street has a four foot gravel shoulder on either side.

The property also has Baker City water and sewer lines on Campbell and 17th Street that are capable of handling utility issues for a large residential development. There is a twenty-one inch sewer line running along 17th Street and a twelve inch sewer line along Campbell Street. A twelve inch water main extends the full length of 17th Street as does an eight inch water line along Campbell. There is also newer sewer and water lines on the North end of the property along 23rd Street. (see Public Works/ Anderson Perry analysis)

Electrical power, natural gas lines and phone and internet connections are adjacent to the property on three sides. Oregon Trail Electric Coop attended the pre-application meeting and stated that they have adequate electrical power to serve this particular rezone.

The area is also served by the Community Connections bus route.

This application should meet the criteria in 4.7.300B. 3

B.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 zone map regarding the property which is the subject of the application;

The rezone of this property will enhance the neighborhood and community conditions. The property has been vacate as long as it has been in the City limits. The area is a potential fire risk to the West side of town. Currently it is zoned industrial and the Settlers Park Assisted Living Center is adjacent to the property. Having heavy industrial use surrounding this living center would lower the quality of life of the residents. There are currently houses adjacent to the property on the South side of the parcel as well as the Southeast side of 17th Street. The rezone of this property will offer a buffer zone away from industrial uses surrounding the existing assisted living center. Additionally, the land on the North side of 23rd Street

will remain in the Industrial Zone. Because of the size of this parcel we believe that this parcel will be developed as light Industrial or Commercial development which should add an additional buffer to the residential zoned property. (Storage units, commercial distribution, etc.)

B4. The amendment conforms to the Transportation Planning Rule under Section 4.7.600

4.7.600 A.1. We don't believe that the proposed zone change will affect the City's Transportation Planning Rule. The property is served by two collector streets and the increased traffic load will not trigger these streets moving to arterial street classification. See attached Trip Generation Analysis.

The application to move to RMD will allow for the creation of a maximum number of housing units of 190 lots. This is calculated as the following:

7500 sq. Feet per lot which equals .172 acres per lot.

5.8 lots per acre

5.8 lots X 45 acres equals 261 lots

Assume that 25% of the property for streets, sidewalks, floodplain issues, easement covenants and open spaces.

258 lots X 75% of land mass equals approximately 190 lots.

33 total acres of developable land

33 acres X 43,560 sq ft per acre = 1,437,480 sq ft.

The maximum number of lots estimated for this rezone is 190 detached single family dwellings. We believe that this number will be lower as we move into the planning for the development. With a rezone of this property, multifamily units are a possibility. The adjacent streets to this property are already collectors and we believe that the final traffic count should allow this development. Please see the attached Trip generation analysis.

A.2. The rezone of this property should not change the standards implementing a functional classification system. Both Campbell Street and 17th Street are collectors as defined in the City Transportation System Plan and will not fit the criteria for an Arterial Street.

A.3. The rezone of this property should not reduce the functionality of the existing transportation system below the minimum acceptable performance standard in the City's Comprehensive Plan. See the Trip Generation Analysis that is attached

A.4. The rezone of this property should not worsen the performance of these two Collector streets and will not cause the transportation facility to fall below the minimum acceptable performance standard identified in the City TSP. See the Trip Generation Analysis that is attached.

Address how the proposal meets the relevant Comprehensive Plan Information

Public Involvement and Procedures for Planning

9. ii: We believe that there is adequate land designated for both Residential and Industrial zone land on paper but in reality there is a shortage of developable Residential zoned property in the City. As has been analyzed in this application, significant acreage and number of lots are needed to be able to afford the high cost of infrastructure. See the analysis of Industrial Land under the discussion of Goal 9 that lays out needed inventory of Industrial/Commercial zoned land. It appears that with the loss of 45 acres of Industrial zoned land, the City has adequate supplies for many years to come.

9.iii: The demand for Industrial zoned property is nearly non-existent and adequate supplies are available that have rail and highway access. There is already an assisted living center that is adjacent to the applicants land as well as 22+/- of residential land adjacent to the current zoned Industrial property. There is

also residential property on the south side of Campbell Street and the east side of 17th Street that is adjacent to this project. We believe that this application demonstrates that it is more suitable to the area than the existing use.

9 iv: There should be no unnecessary tax burden that will fall upon the general public with this rezone. In fact, it should enhance the tax base and economic output for the City as a whole.

9.v: The proposed change will not be reasonably harmful or incompatible to the surrounding area. There is already an assisted living center and RMD zoned property adjacent to the application. The area should be enhanced because heavy industrial will not be able to impact the quality of life for the surrounding area.

Public Facility Plan

Policies: This property will have all urban level development and is within the City limits.

Sewer System:

5. The sewer system is in place and adequate for the development. (see public works/Anderson Perry analysis)

7. The sewer lines within the proposed development will adhere to City standards,

Transportation

Policies

13. The assisted living center is already served by the Community Connections bus and the newly zoned parcel will be able to utilize the local transit services.

Domestic Water

Policies

2. The system in place for domestic water is adequate for the potential rezone.

Extension of Sewer and Water Service

Policies

5. The capacity for the project is adequate per Public Works/Anderson Perry analysis. The water and sewer system within the proposed project will be sized to City standards.

Existing Natural Features and Land Use

Policies

7. Recognizing that the City will strive for development of land to its highest and best use, more than adequate supply of Industrial zoned land and need for large tracts of residentially zoned property which can be developed with the high cost of infrastructure, this project should qualify for a zone change to RMD. The addition of accessible lots that are served with adequate public services will allow the City to address its significant deficit of available housing.

Land Suitability

As discussed throughout the application, there is adequate supplies of available land for all zoning classification. This application will aid the City in opening up additional residential land for development to address the significant shortfall in housing in the community. The need for Industrial zoned land within the City is more than adequate for industry. In fact, no appreciable Industrial land has been developed over the last 15 years and there are adequate supplies of Industrial land. The analysis for the next 20 years is that 9% of the total Industrial land will be needed which leaves 91% of the Industrial land for future years. The acute need for additional housing that can be built is hampered by steep slopes, flood plain issues, wet lands and the high cost of public infrastructure. This rezone will help overcome these challenges and provide for the ability to increase housing into the future.

This land is already in the City limits and adjacent to public services. It makes strategic sense for the City to consider the rezone of this parcel instead of looking to expand the urban growth boundary into prime farmland. As discussed throughout this application there is adequate inventory of Industrial Land within the City and a significant need for additional housing. The area surrounding this application is already adjacent to residential zoned property and will not infringe upon the nearby Industrial sites.

Both Campbell Street and 17th Street are collector streets and capable of handling the traffic on the West side of Baker City. 17th Street is a freight route that allows freight to move around the City to Highway 7 as well as back towards the Interstate via Pocahontas and Hughes lane. This same transportation system will allow adequate movement of citizens to vital services throughout the City.

Housing Policies

1. The City shall ensure that zoning standards are flexible enough to allow for a variety of housing options. The City has unique challenges when it comes to affordable housing. To address this shortage will take a multi-pronged approach. The addition of 45 acres of developable property which has adequate public services will be one prong in that approach. With the addition of a maximum of 190 new home sites, this will allow for people to move out of existing homes and allow for working class people to either build new homes or move into other areas of the City that have been vacated by the addition of new opportunities for home ownership. This proposed project will not solve the City's housing problems but will be one spoke in the wheel that will begin to address the serious housing needs.
2. This is a project that the City should embrace as it allows the private sector to help alleviate some of the housing concerns within the City. The ability to spread the high cost of public infrastructure over multiple lots should be a high priority for the City.
6. This project will make the most efficient use of developable land, particularly those that are already provided with City services.
7. The City recognizes that certain housing policies must be tied very closely with existing land and environmental features. As stated before, this property is within the City limits, has enough acreage to allow for the spreading of high cost public infrastructure and is adjacent to residential property. This project will aid the City as it tries to address the critical housing issues within the City.

Economic Element Guiding Principles

3. The City shall provide by zoning for development space suitable to the needs of industrial and commercial development, maximizing especially transportation and convenient locations. There is currently adequate Industrial and Commercially zoned property that is adjacent to rail and freight routes within the City. These parcels are served by public infrastructure and have been vacant for a number of years. It appears that the best use of this property would be for residential purposes and the City will benefit from more developable residentially zoned property./

Tennant Developments Residential Rezone Narrative

Tennant Developments Inc. has owned the parcels described as Township 09S 40E Sec 18A tax lots 101, 104, 105, 106 and 107 Reference number 16510 since 1995. The property is split zoned with approximately 14.2 acres in RMD and 51.75 acres in Industrial. The City at that time was planning for major industrial growth within the City. Over the years this has not come to fruition and need for industrial property has disappeared. The City owns approximately 65 acres in the Elkhorn Industrial Park and they have been unable to move significant amounts of this property while being price at nearly 25% of real market value. They do have job creation requirements as a carrot for industrial development but they are still unable to sell industrial lots at these minimal prices. Competing with the City for the sale of Industrial land has and will continue to be a challenge for vacant industrial property.

The Economic Opportunity Analysis that was completed in 2020 determined that there is adequately zoned land in all zones to meet the projected needs. The current property has 51.75 acres zoned Industrial. This application will move approximately 44.60 acres out of Industrial zone to Residential zoned property. Exhibit 1 shows that we would rezone all of the property laying South of 23rd Street as Residential and leave the existing property North of 23rd Street as Industrial. This would give a buffer to the residential area and allow for approximately 10 acres to remain in the Industrial zone which is adjacent to the Elkhorn Industrial Park. We believe that the remaining Industrial zoned property in the City will be adequate for the Industrial land needs of the City. The Planning Commission and the City agreed in 1996 to change the zoning in this area to a mixed use planned development but market conditions at that time changed and the project did not come to fruition.

The Baker City Housing Production Strategy (HPS) released in August of 2023 identified increased housing opportunities as a priority and an important need for the community. This includes all categories of housing with a priority on work force housing. Availability of accessible properties owned by developers that have adequate land base to be able to put in the critical infrastructure are a significant barrier to additional housing in the community. The HPS study shows that Baker City will need roughly 234 new housing units by 2040. Some of these units can be supplied by infill lots scattered throughout the City but it is unrealistic to believe that this many new units can be constructed without additional residential areas that can be developed with the high cost of infrastructure. (Streets, curbs, sewer and water etc.) In order for developers to be incentivized to build new homes they have to have enough lots to spread the cost of infrastructure to make it profitable. This property rezoned to Residential will allow for a developer to afford these high costs and still make it feasible to add housing to our community.

It is not a simple problem that Baker City faces as they attempt to address the serious housing issues that our community faces. There is a need for workforce housing just to alleviate the current housing issues. The market conditions over the past few years have increased prices for all housing in our community. The recent phenomenon of moderately priced homes moving out of the housing market into vacation rentals have exacerbated the housing shortage. It will take a multi-pronged approach to solve the very critical housing shortages. The addition of nearly 45 acres of developable residential land will be a piece of the overall strategy to improve housing needs of the community.

The availability of land for residential developable land can be a critical barrier for developing new housing units. There is an available Residential land supply on paper but the topography of much of this land makes it cost prohibitive to supply the needed infrastructure that Baker City requires. Also much of the land within the City that is zoned Residential is not on the market and unavailable to developers. The County's recent purchase of the Ward Property adjacent to Hughes Lane for the development of an all purpose pavilion, gymnasium and other recreational uses will take nearly 65 acres of Residentially zoned property off of the available

Residential lands inventory. With the rezone of this property to Residential, Tennant Developments, Inc. can begin to work on a plan to address the housing shortage and provide the availability of lots that fit the community needs.

Presently, the Settlers Slough irrigation ditch traverses much of the property which makes it more difficult to plan for any type of development. Baker Valley Irrigation District has agreed to move the existing ditch to the West side of the property which is adjacent to exclusive farm use land on the border of the City limits. The applicant has been on the ground with the Irrigation District and all are in agreement that flood issues, irrigation delivery and safety for children will be enhanced by the moving of this irrigation ditch. Water will no longer be ditched in front of the houses on Campbell Street from 17th Street to 23rd Street. With the moving of the ditch, most of the flood zone issues will be mitigated and we are presently working with FEMA to change the floodplain map.

The Chevron pipeline cuts diagonally through the property and the easement covenants will need to be addressed. We are aware of these issues and will begin to address them when the property is rezoned to Residential and a master plan for development is submitted.

The rezoning of this property will be beneficial to the existing uses near this property. It will allow for a buffer between Settlers Park Assisted Living Center and any future industrial industry that could site near them. There are residential houses adjacent to the property and this will also benefit as Industrial development will be further North of the property.

The development of residential property in Baker City has been a challenge for many years. The economics of development change frequently and the market adapts to these changes. Over the last few years housing starts are up and the demand for these housing units has responded. Or vice versa, the demand is up so the market is following this demand. The one critical factor that keeps the market from reaching an equilibrium is the high cost of infrastructure needed to put adequate housing in place. The rezone of this property will not solve all of Baker City's housing needs but will be a step towards providing a sizable amount of land that can be developed with enough lots to pay for the needed infrastructure that must be constructed.

This is a challenging project as it encompasses nearly 45 acres and a huge amount of investment in utilities, public infrastructure and street infrastructure. Tennant Development Inc. needs to get the property rezoned into Residential Medium-density so that they can make the investment in planning for the entire area. They are not willing to invest in a costly subdivision or master development plan until they know that they have property that can be developed as residential. With a project of this size, it is entirely feasible that we will come back to the City with a phased plan for development.

Tennant Developments is looking forward to getting this property rezoned so that they can be a partner that can begin to help alleviate the critical housing issues facing the City of Baker City.

TRIP GENERATION TENNANT APPLICATION

The Tennant rezone application will have a potential impact on traffic in the western portion of Baker City where Campbell Street and 17th Street intersect as well as along 17th Street heading north to the Union Pacific Railroad crossing. This analysis will review the traffic impacts of changing the zone designation from Industrial to Residential Medium Density. This analysis will review the ADT generated by the highest and best uses at maximum-buildout both before and after the proposed zone change to determine whether the proposed re-zone application surpasses the threshold of significant changes as required by OAR 660-012-0060.

This application seeks only for approval to rezone approximately 45 acres of Industrial land to Residential Medium Density (RMD). If the rezone is approved, a separate application to develop the property will be made. We will include a theoretical plan as a rough draft to give the City a conceptional idea of what the property will look like. The current focus of this application has addressed the need and justification for the rezone. Following the rezone, a comprehensive plan for development will be presented to the City for further analysis.

TRAFFIC ANALYSIS OF INDUSTRIAL VS. RMD

We have used the ITE Trip Generation Manual 10th Addition for modeling purposes to show the trip generation and times of highest use for comparing traffic for Industrial use as well as RMD to provide data to satisfy the requirements of OAR 660-012-0060 as well as the transportation planning rule found in Section 4.1.900 and Section 4.7.600 of the Baker City Comprehensive Plan.

For illustration purposes, we have analyzed the Peak Hour Weekday PM usage as calculated by the ITE Trip Generation Manual 10th Edition which is the standard model for all different types of land usage. For the purposes of this review, two sizable industrial sites were created (see attached exhibit) to accommodate industrial sites. We assumed that 50% of each site could be used as developed space and the following analysis was created to estimate peak PM hour trips.

ASSUMPTIONS FOR INDUSTRIAL LAND

45 acres of Industrial land
50% of industrial land would be used for development
ITE common trip generation rates PM Peak Hour: Utilities: 2.27
ITE common trip generation rates PM Peak Hour: Specialty trade: 1.97
One site size: 25 acres, Other site size 20 acres
2.27 Utilities and 1.97 Specialty trade rate is per 1000 sq feet
ITE Trip generation table attached

ANALYSIS INDUSTRIAL TRIPS

	Trip	Utility site1	Trip.	Utility site 2	Site total
Trip Generation Times	Trips	544,500 sq. ft	Trips	435,600 sq. feet	
Peak hour Weekday PM	2.27	1235 Peak	2.27	989 sq. Feet	2,224 Peak

	Trip	Specialty Trade 1	Trip	Specialty Trade 2	Site total
Trip Generation Times	Trips	544,500 sq ft	Trips	435,600 sq ft	
Peak hour Weekday PM	1.97	1072 Peak	1.97	858 Peak	1930 Peak

ASSUMPTIONS FOR RESIDENTIAL MEDIUM DENSITY ZONE

45 acres of RMD land for development
 25% for roads, open spaces
 33 acres developable property
 Lot size: 7500 sq. ft. Equals .172 acres per lot.
 5.8 lots per acre X 33 acres = 191 lots maximum potential
 33 acres X 43,650 sq. Ft. Per acre = ~~1,484,100~~ sq. Ft. *1,470,150*
 Single Family Detached rate is .99 per 1000 sq. ft.
 ITE Trip generation table attached

ANALYSIS OF RMD TRIPS

	Trip	RMD	Site total
Trip Generation Times	Trips	1,470,150	
Peak hour Weekday PM	.99	1,455 Peak	1455 Peak

The above analysis shows that a maximum build out of the Residential Medium Density rezone will generate less traffic than both of the potential sites that could be built for the Industrial zone. The reduction of anticipated ADT by a minimum of 66% at maximum buildout falls below the threshold necessary to evaluate when determining significance as set forth in OAR 660-012-0060

SITE PLAN ANALYSIS

This site plan will discuss the challenges and benefits that the developer will face for the development of this site into residential housing. As previously discussed in the project narrative, the addition of residential housing will address the critical housing shortage in Baker City. A large parcel of residentially zoned property will allow for the spreading of the high costs of infrastructure that is required by the Baker City Comprehensive Plan and providing for the needed facilities that our citizens require.

The project area is traversed by both the Settlers Slough and the Chevron gas pipeline. Both of these easements create challenges that can be overcome but will require careful planning and creative problem solving. Not all of these challenges can be overcome or solved without time consuming and expensive design. We believe the first step in this process is to get the land rezoned into Medium Density Residential. With approval of the rezone from the City, the developer can begin the process to hire the engineers and land architectural professionals to come up with a fully vetted site plan that lays out the various components of a subdivision plan that meets the criteria of the Baker City Comprehensive Plan.

The applicant has been engaged with Baker Valley Irrigation District (BVID) to solve the issue of the Settlers Slough traversing the proposed project. The relocation of this irrigation ditch will have a number of benefits to the City, the irrigation district and the developer. The City will benefit from getting the ditch out of the middle of residential lots. Currently the Settlers Slough meanders from the Powder River through many residential lots and keeping children away from this potential hazard is in the best interest of Baker City and the Irrigation District. Having numerous culverts crisscrossing residential lots creates flooding issues when they are not readily accessible to crews to clean debris and trash. BVID benefits from the ditch relocation as the new route will allow them to abandon a couple of ditches that are in the City, especially the ditch on Campbell Street between 17th and 23rd Streets which is presently in the City right of way and fronts several residential homes in the area. Also the lack of culverts in the relocated ditch will allow for more efficient delivery of water and much easier maintenance of the ditch. The developer will benefit by making it easier to lay out lots for housing units as well as put in the public infrastructure that will be needed to serve the housing units. (See Exhibit H for proposed relocation of Settlers Slough)

The Chevron Pipeline creates unique challenges for the development of this property. The developer will need to create lots and put in public infrastructure that adhere to the easement conditions. As mentioned above, this will take the work of experienced professionals to address these needs and are cost prohibitive to do until the rezone application is approved.

Connectivity for the road system and the public infrastructure (sewer, water, storm water, etc) will be much easier with the re-routing of the Settlers Slough. The Site Plan (Exhibit H) shows the potential for connectivity to existing streets as well as the public infrastructure that is in place adjacent to the property. These potential connectivity routes will be subject to design professionals determining the best way to provide connectivity to all the lots that will be proposed in a future site plan approved by the City.

The rezone of this property will benefit the RMD property adjacent to the project on the South as it will prohibit industrial uses next to the residential area. It will also benefit the Settlers Park Assisted Living Center that has three sides exposed to Industrial development in the future. 23rd Street will offer a buffer from the approximately eight acres of Industrial zoned land. Part of a site plan could include tree planting along 23rd Street to help buffer the interface.

Planning Helper V2

Exhibit 1

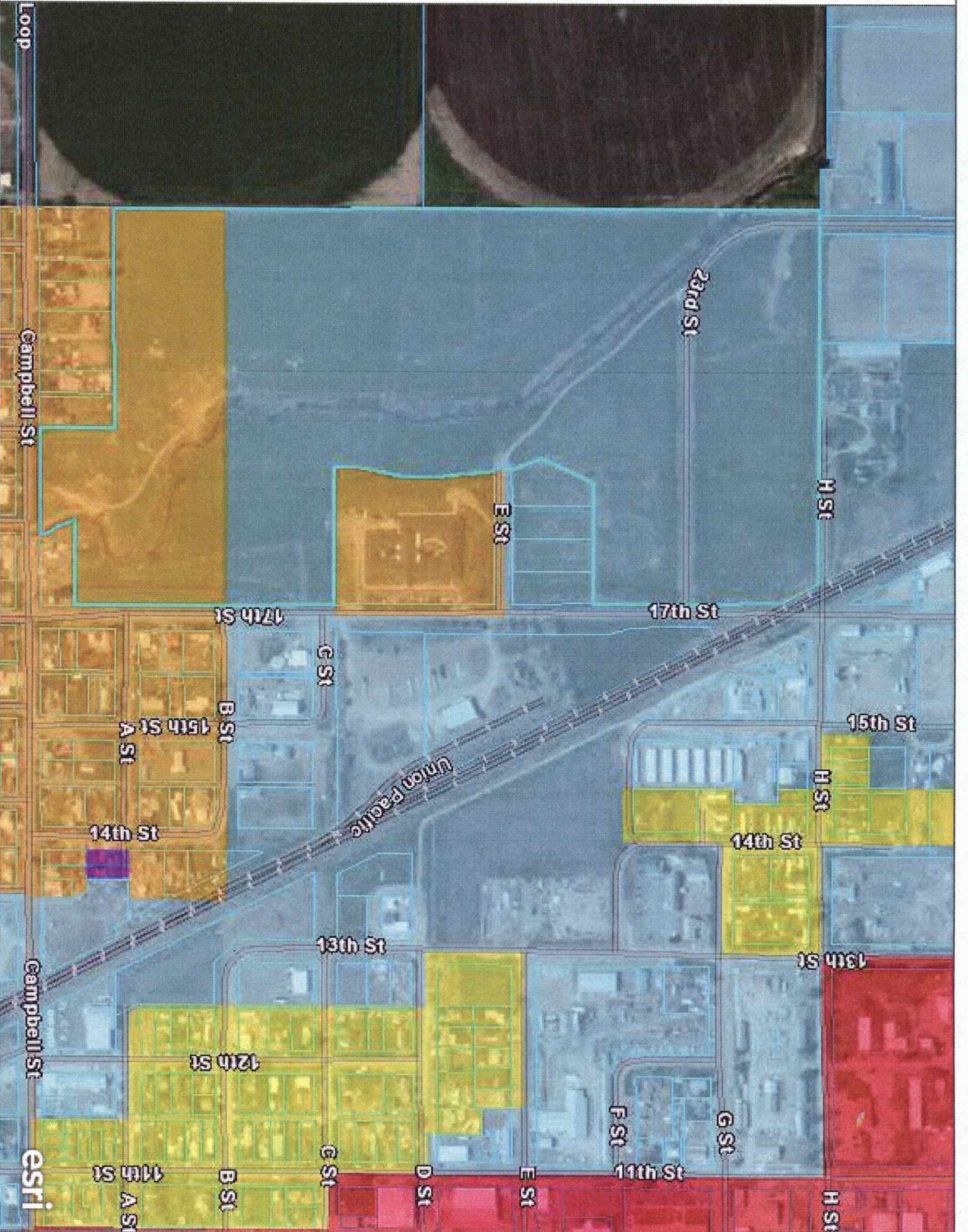
Baker City Zoning

- Central Commercial (C-C)
- General Commercial (C-G)
- General Industrial (I)
- Light Industrial (L-I)
- Low Density Residential (R-LD)
- Medium Density Residential (R-MD)
- High Density Residential (R-HD)

Parcels (House Number)



Planning Helper Map Version 2.0



Maxar | Esri Community Maps Contributors, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

MEMO

To: Joyce Bornstedt, Public Works Director, City of Baker City, Oregon
From: Brandon A. Mahon, P.E.
Subject: Settlers Park Development - Water and Wastewater Capacity Evaluation
Date: December 18, 2023
Job/File No. 781-75-002 (w/encl.)
cc: Cayn Osborn, Anderson Perry & Associates, Inc. (AP) (w/encl.)

Introduction

As requested, AP has performed a water and wastewater capacity evaluation for the proposed Settlers Park development in Baker City. The proposed development could result in an additional 150 residential connections to the City's water and wastewater systems. During the preliminary review of the proposed development, it was determined the City's water and wastewater systems have adequate capacity to serve an additional 150 homes. This memo provides a brief description of the existing water and wastewater systems and outlines the evaluation of the systems' capacity to accommodate the increased demand resulting from growth associated with the proposed development.

City Development Code

The City's development standard for medium density residential zones is 2.0 to 20 developed units per acre (DU/acre). From the City-provided document for the proposed development, approximately 35 acres are available for residential use. Assuming 150 additional homes are developed on the 35 acres available, the area would have a residential density of approximately 4.29 DU/acre. This is well within the standard and would provide flexibility for various lot sizes within the proposed development.

Population Projection

Data from Portland State University's Population Research Center show that the City's current population is estimated to be 10,263. The data also show that, on average, there are approximately 2.25 persons per household (pph) in the City. Using this information, AP estimated that the addition of 150 homes would result in a population increase of approximately 337, for a total population of 10,600. A population of 10,600 was used for the evaluation of the existing water and wastewater systems.

Wastewater Collection and Treatment Systems

In 2017, AP completed the City's Wastewater Facilities Plan (WWFP). Information from the WWFP was used to evaluate whether the existing systems have adequate capacity to accommodate additional flows from the proposed development.

According to the WWFP, the average influent flow in 2017 was 112 gallons per capita per day (gpcd). The WWFP also used a peaking factor of 4.5 to determine the peak hourly flow. For this evaluation, it was assumed this is still the average daily flow per capita for the City, and a peaking factor of 4.5 was used to be consistent with the WWFP. Using 112 gpcd and a peaking factor of 4.5, an additional 337 people would contribute approximately 0.170 million gallons per day (MGD) during peak times to the wastewater system. This would result in a total peak hourly flow of 5.343 MGD for the projected population of 10,600. The following sections provide an evaluation of the wastewater collection and treatment systems and their ability to carry these projected daily flows.

Collection System

The City's current wastewater collection system in the area of the proposed development site consists of 10-inch diameter transite pipe. The 10-inch main line flows into a 21-inch diameter trunkline. The trunkline then meets the 36-inch diameter interceptor pipeline that transports the wastewater to the wastewater treatment facility (WWTF).

The slopes of the piping were estimated using elevations provided by the City's ArcGIS system. The three pipe sizes were evaluated for their capacities at the estimated slopes based on flow depth. The rated capacities for each pipe are shown on Tables 1, 2, and 3 below.

**TABLE 1
 RATED CAPACITY OF 10-INCH DIAMETER PIPE**

Percent Depth Flowing	Rated Capacity (MGD) 10-inch at 0.0034 ft/ft
50	0.413
60	0.555
2/3 (66.7)	0.648
70	0.691
80	0.807
90	0.880
100	0.826

ft/ft = feet per foot

**TABLE 2
 RATED CAPACITY OF 21-INCH DIAMETER PIPE**

Percent Depth Flowing	Rated Capacity (MGD) 21-inch at 0.002 ft/ft
50	2.290
60	3.077
2/3 (66.7)	3.593
70	3.834
80	4.477
90	4.881
100	4.580

TABLE 3
RATED CAPACITY OF 36-INCH DIAMETER PIPE

Percent Depth Flowing	Rated Capacity (MGD) 36-inch at 0.002 ft/ft
50	9.639
60	12.952
2/3 (66.7)	15.123
70	16.141
80	18.844
90	20.547
100	19.279

As shown, the capacity of a full pipe is less than a partially full pipe. The practice recommended by the Oregon Department of Environmental Quality is to allow up to 80 percent flow depth. AP typically recommends design capacity be based on a two-thirds full flow.

AP estimated that the existing 10-inch sewer line already serves approximately 82 homes in the area. Assuming the same 2.25 pph and 112 gpcd as before results in an existing contribution of approximately 0.093 MGD of peak hourly flow. The addition of 150 homes is estimated to produce 0.170 MGD of additional peak hourly flow to the 10-inch sewer line. The resulting combined peak hourly flow is approximately 0.263 MGD, which is approximately 41 percent of the recommended capacity of the 10-inch piping being utilized. Considering the combined flow is less than 50 percent of the pipe's recommended capacity, AP's projections show the 10-inch pipe can adequately carry the additional flow.

The estimated 0.170 MGD of wastewater from the proposed development is approximately 5 percent of the recommended capacity of the 21-inch trunkline. This shows that there is more than adequate capacity available, and the additional flow would not exceed the existing trunkline capacity. The existing flows in the trunkline should be confirmed with flow testing to ensure the additional flow from the proposed development would not cause the total flow to exceed 100 percent of the trunkline's rated capacity.

The 36-inch diameter interceptor pipeline has an estimated recommended capacity of 15.123 MGD. With the addition of the proposed development, the estimated peak hourly flow for the population of 10,600 is approximately 5.432 MGD. This is assumed to be the largest flow to enter the pipeline and is approximately 36 percent of the pipeline's recommended capacity. This shows that the 36-inch diameter interceptor pipeline has sufficient capacity to adequately carry the flow for significantly more than the projected population of 10,600.

Treatment System

Storage

In the 2017 WWFP, wastewater system design criteria were developed to provide an additional 100,000 gallons per day for industrial reserve with a total average annual flow of 1.211 MGD. The total amount of wastewater contributed by the estimated current population, plus the addition from the proposed development and 100,000-gallon industrial reserve, was estimated to be approximately 1.287 MGD. Although this is more than the designed average annual flow of

1.211 MGD, the City is currently working on the Effluent Reuse Improvements - 2023 project that would allow for additional irrigation of effluent. The storage capacity of the wastewater treatment system was evaluated, including the additional irrigation of treated effluent and for a population of 10,600. The system was evaluated by updating the 2017 WWFP water balance to include the additional irrigation area and the increased influent flows based on the projected population. The water balance is shown on Figure 1. The system was also evaluated assuming there are three crop types to be irrigated: pasture, alfalfa hay, and corn. From the evaluation, the estimated required storage volume based on these assumptions is approximately 147 million gallons (MG). The estimated 147 MG is less than the approximately 158 MG of storage provided by the existing storage pond and lagoon system. Therefore, it is projected that the City will have adequate storage available to accommodate the proposed development as long as the Effluent Reuse Improvements - 2023 project is completed.

The detention time was also evaluated for this analysis based on the projected population and average annual flow. The detention time is approximately 133 days for an annual average day flow of 1.187 MGD and 83 days for a maximum month average day flow of 1.915 MGD. Recommended detention time for facultative lagoons is a minimum of 80 to 120 days, which is met with the additional influent flows to the WWTF.

Additional analysis of the treatment system storage capacity should be completed once the Effluent Reuse Improvements - 2023 project is completed.

Treatment

The WWTF is designed for a mass loading of approximately 2,910 pounds per day (lbs/day) of five-day biochemical oxygen demand (BOD₅) based on 30 pounds per acre per day for the 97-acre lagoon system. According to the 2017 WWFP, the average BOD₅ loading per person is approximately 0.182 lbs/day. With the addition of approximately 337 people, the City's population would produce an estimated BOD₅ mass loading of 1,929.2 lbs/day based on the WWFP's average mass loading per person. The mass loading from the City, with the additional loading from the proposed development, is still within the WWTF design capacity for BOD₅.

Water Supply, Storage, and Distribution Systems

In 2016, Murray, Smith & Associates, Inc. (MSA) completed the City's Water Facility Plan (WFP). A water Management and Conservative Plan (WMCP) was completed by AP in 2018. When planning subdivisions, WFPs and WMCPs are good sources of information to determine if a city's water system has adequate capacity to accommodate the increase in demand resulting from a proposed development. The following sections reference information found in the 2016 WFP and 2018 WMCP.

Water Source

From the information provided in the 2016 WFP, many individual water sources in the City's watershed area contribute to the City's primary water supply. Additionally, the City uses a groundwater basalt well, also used for aquifer storage and recovery, to assist with peak summer demands. The capacity of the well is 1,800 gallons per minute (gpm); however, the current flow produced from the well was estimated to be approximately 1,600 gpm. According to the 2018 WMCP, the flow capacity from the City's watershed supply was estimated to be 4,850 gpm. The City is currently constructing a new well that is expected to be operational soon. The new well is

expected to contribute an additional 1,700 gpm to the system. The 2016 WFP completed by MSA used average and peak daily demands of 247 gpcd and 1,021 gpcd, respectively. The same average and peak daily demand values were assumed for evaluating if the City's system has adequate capacity to accommodate the increased daily demands from the proposed development.

The City's total water supply capacity from both current sources is approximately 6,450 gpm, and with the use of the new well, the total supply capacity will be approximately 8,150 gpm. Utilizing the 2016 WFP peak day demand data, AP determined that the peak day demand for both the existing water customers and the projected population is approximately 7,516 gpm. With the addition of the new well, and the use of excess storage in the system as described in the next section, the capacity of the system is anticipated to be adequate during peak demand periods.

Storage Capacity

The City's water storage system consists of three reservoirs with a combined volume of approximately 7.57 MG. According to the 2016 WFP completed by MSA, the City utilizes the 3 MG storage reservoir to serve the Main pressure zone and the 70,000-gallon reservoir to serve the Scenic Vista pressure zone. Additionally, the City also utilizes a 4.5 MG reservoir to provide additional disinfection contact time. Water is fed from the 4.5 MG reservoir through the City's disinfection system and then to the 3 MG reservoir. The 4.5 MG reservoir is intended to be kept full during normal operation. The evaluation in the 2016 WFP includes storage volumes for only the 3 MG reservoir for the Main pressure zone and the 70,000-gallon reservoir for the Scenic Vista pressure zone. The data from the 2016 WFP was projected for a population of 10,501. The estimated population, including the increase from the proposed development, is 10,600. This is approximately 100 people more than the predicted population used in the WFP. This 100-person difference is approximately a 1 percent increase; therefore, the population of 10,501 people was used for this evaluation. Also, for this evaluation, only the 3 MG reservoir was included as it is the only reservoir serving the Main pressure zone. The total volume of a water storage facility should provide operating storage, equalization storage, fire reserve, and emergency reserve as described below. In the 2016 WFP, MSA analyzed the City's water system to also provide additional dead storage to account for any storage that is not usable under standard operations.

Operating storage is generally provided to facilitate well operation or booster pumps in a water system. For the City, the operating storage for the 3 MG reservoir is provided to facilitate the well operation in the water system. The 2016 WFP recommends an operating storage of 0.35 MG for the 3 MG reservoir.

The equalization storage is utilized to meet peak demand periods when they exceed capacity. The 2016 WFP recommends an equalization storage of 0.33 MG for the City's water system to adequately accommodate demands for a population of 10,501.

The fire reserve is dependent on the City's land use zoning and existing and anticipated residential, commercial, and industrial developments. The 2016 WFP indicates a fire reserve of 0.96 MG is recommended based on design criteria and the Oregon Fire Code. The recommended fire reserve from the 2016 WFP was used for this analysis of the City's water storage system.

According to the 2016 WFP, the current recommended total emergency reserve is 0.99 MG for the existing system. The emergency storage component is equal to one day of water consumption at average daily demands.

Additionally, the 2016 WFP recommended a dead storage of 0.23 MG for the 3 MG reservoir based on maintaining a minimum pressure of 20 pounds per square inch (psi) at the customer meter, or a minimum of 2 feet above the base of the tank, whichever is greater.

In the 2016 WFP, the total recommended storage capacity for the City's system was approximately 1.9 MG. MSA nested the fire reserve and emergency reserve for this total required storage so that only the larger component was included in the total volume needed. AP typically recommends including both the fire and emergency reserves in the total storage required. Evaluation of the storage required for all five storage components results in a total recommended storage volume of approximately 2.86 MG.

The addition of 337 people to the City's current population would bring the total projected population to 10,600. This is approximately 100 people more than the 2035 projected population planned for in the 2016 WFP. With the inclusion of the projected population of 10,600 people, the required total storage volume of 2.86 MG would be met with only the 3 MG reservoir. The City has an additional 4.5 MG and 70,000 gallons of storage available. Therefore, it appears the City's current storage capacity is sufficient to accommodate the proposed development.

Fire Flow

The minimum fire flow required for residential areas per the Oregon Fire Code is between 1,000 and 1,500 gpm depending on housing size and density. It is also required that water distribution systems be designed to provide fire flow during peak demand with no less than a 20-psi residual system pressure. From the fire flow analysis performed by MSA in the 2016 WFP, the area for the proposed development met the commercial/ industrial fire flow requirement of 2,500 gpm, exceeding the minimum fire flow requirement.

The peak daily demand and fire flow results map included in the 2016 WFP identifies existing 8- and 10-inch water distribution mains adjacent to the proposed development area. The same map shows there were no fire flow deficits in the proposed development area, as rated for commercial/ industrial use. Considering this analysis, and that the area's fire flow requirements will be 1,500 gpm instead of 2,500 gpm, it is assumed there will be no fire flow deficits caused by the proposed development. The new development will require distribution system improvements within the development to provide adequate fire flow. These distribution system improvements will be designed as part of the proposed development design process.

Conclusion

In summary, it appears the City's existing water and wastewater systems have adequate capacity to accommodate additional demands from the proposed development. If the proposed development were to proceed, additional site plan reviews will be required, and the current wastewater Effluent Reuse Improvements - 2023 project should be completed before construction of the proposed development.

BAM/ms

Enclosure

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**CITY OF BAKER CITY, OREGON
SETTLERS PARK DEVELOPMENT - WATER AND WASTEWATER CAPACITY EVALUATION
WASTEWATER SYSTEM WATER BALANCE**

Month	Influent ¹ (MG)	Precipitation ² (in)	Evaporation ³ (in)	Seepage ⁴ (MG)	Crop: Acreage: 272.5 (in)	Pasture (MG)	Crop: Acreage: 70 (in)	Alfalfa Hay (MG)	Irrigation Corn Acreage: 205.0 (in)	Storage Volume (+/-) (MG)	Cumulative Storage Volume (MG)
January	38.94	0.87	2.91	6.15	-	0.00	-	0.00	-	30.36	88.48
February	34.45	0.62	2.07	6.15	-	0.00	-	0.00	-	27.63	116.11
March	34.67	0.80	2.35	6.15	-	0.00	-	0.00	-	31.36	147.47
April	36.40	0.82	2.78	6.15	2.26	2.26	3.78	0.00	3.78	28.58	176.05
May	42.11	1.46	4.88	6.15	2.91	21.51	6.08	9.66	5.08	-29.12	146.93
June	42.81	1.31	4.38	6.15	4.22	14.12	6.62	12.59	36.87	-52.02	94.91
July	46.02	0.53	1.77	6.15	5.24	17.54	6.48	18.95	9.82	-97.20	0.00
August	46.83	0.66	2.21	6.15	4.76	15.92	8.05	15.30	8.05	-44.79	0.00
September	42.07	0.58	1.94	6.15	3.02	10.12	5.15	9.79	5.15	-28.68	0.00
October	35.24	0.66	2.21	6.15	1.92	6.42	2.22	4.23	12.38	-1.07	0.00
November	34.02	0.88	2.94	6.15	-	0.00	-	0.00	-	27.67	27.67
December	35.76	0.95	3.18	6.15	-	0.00	-	0.00	-	30.44	58.12
TOTALS	471.83	10.14	33.92	72.36	25.43	185.17	40.73	77.42	40.73	-158.40	147.471
Maximum Storage (ac-ft)						578		238		696	

Crop Usage Data - Pasture

Month	Precip. (in)	Evapotran. ⁷ (in)	Net Irrigation Req'd. (in)	85 Percent Efficiency (in)
April	0.82	2.74	1.92	2.26
May	1.46	3.93	2.47	2.91
June	1.31	4.72	3.41	4.01
July	0.53	6.04	5.51	6.48
Aug	0.66	5.10	4.44	5.22
Sep	0.58	3.37	2.79	3.29
Oct	0.66	1.73	1.07	1.26
Totals	6.02	27.64	19.69	25.43

Total Storage Capacity

Acres	Square Feet	Total Capacity (MG) ⁸
Primary Lagoon Area (A)	69.7	3,036,132
Secondary Lagoon Area (B) ⁸	9	392,040
Secondary Lagoon Area (C) ⁸	9	392,040
Secondary Lagoon Area (D) ⁸	9	392,040
Storage Pond	26.5	1,154,340
Totals	123.2	5,366,592
		157.71
		280.22

Crop Usage Data - Corn

Month	Precip. (in)	Evapotran. ⁷ (in)	Net Irrigation Req'd. (in)	85 Percent Efficiency (in)
April	0.82	4.03	3.21	3.78
May	1.46	5.78	4.32	5.08
June	1.31	6.94	5.63	6.62
July	0.53	8.88	8.35	9.82
Aug	0.66	7.50	6.84	8.05
Sep	0.58	4.96	4.38	5.15
Oct	0.66	2.55	1.89	2.22
Totals	5.20	36.61	31.41	40.73

Crop Usage Data - Alfalfa Hay

Month	Precip. (in)	Evapotran. ⁷ (in)	Net Irrigation Req'd. (in)	85 Percent Efficiency (in)
April	0.82	4.03	3.21	3.78
May	1.46	5.78	4.32	5.08
June	1.31	6.94	5.63	6.62
July	0.53	8.88	8.35	9.82
Aug	0.66	7.50	6.84	8.05
Sep	0.58	4.96	4.38	5.15
Oct	0.66	2.55	1.89	2.22
Totals	5.20	36.61	31.41	40.73

Notes:

- ¹ Influent. Influent flows are based on an average monthly flow from January 2012 to April 2017 and increased for a population of 10,600 to include anticipated flows from the development. Data were obtained from Discharge Monitoring Reports (DMR).
- ² Precipitation. Utilized precipitation on record with the Western Regional Climate Center (WRCC) for the Baker City Municipal Airport weather station from 1943 to 2016. Mean rainfall used for each month.
- ³ Evaporation. Utilized pan evaporation data obtained from the WRCC for the Union Experiment Station, with a pan coefficient of 0.70.
- ⁴ Seepage. Lagoon seepage assumed to be the same as in the 2017 Wastewater Facilities Plan (WWFP), approximately 1/16 inch per day from the lagoons and no seepage from the storage pond. This was estimated in the 2017 WWFP by finding the difference between the total inflow (combining influent inflow from DMR data and precipitation volume) and the outflow (combining the effluent outflow from DMR data and evaporation volume) for each month and then taking the average of the seepage values.
- ⁵ Secondary lagoon effective depth assumed to be 4.6 feet.
- ⁶ The total storage capacity assumes 1 foot of storage depth in the primary lagoon and in all three secondary lagoons.
- ⁷ Evapotranspiration. Based on data from AgriMet at the Baker Valley Station BKVO.
- ⁸ ac-ft = acre-feet

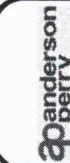
Evapotran. = evapotranspiration

in = inch

MG = million gallons

Precip. = precipitation

Req'd = required



CITY OF
BAKER CITY, OREGON
SETTLERS PARK DEVELOPMENT
WATER AND WASTEWATER CAPACITY EVALUATION
WASTEWATER SYSTEM
WATER BALANCE

**FIGURE
1**

Exhibit D

INSTITUTE OF TRANSPORTATION ENGINEERS COMMON TRIP GENERATION RATES (PM Peak Hour)

(Trip Generation Manual, 10th Edition)

Code Description	Unit of Measure	Trips Per Unit	Setting/Location	
			General Urban/ Suburban	Dense Multi- Use Urban
PORT AND TERMINAL				
30 Intermodal Truck Terminal	1,000 SF GFA	1.72		
90 Park-and-Ride Lot with Bus Service	Parking Spaces	0.43		
INDUSTRIAL				
110 General Light Industrial	1,000 SF GFA	0.63		
130 Industrial Park	1,000 SF GFA	0.40		
140 Manufacturing	1,000 SF GFA	0.67		
150 Warehousing	1,000 SF GFA	0.19		
151 Mini-Warehouse	1,000 SF GFA	0.17		
154 High-Cube Transload & Short-Term Storage Warehouse	1,000 SF GFA	0.10		
155 High-Cube Fulfillment Center Warehouse	1,000 SF GFA	1.37		
156 High-Cube Parcel Hub Warehouse	1,000 SF GFA	0.64		
157 High-Cube Cold Storage Warehouse	1,000 SF GFA	0.12		
160 Data Center	1,000 SF GFA	0.09		
170 Utilities	1,000 SF GFA	2.27		
180 Specialty Trade Contractor	1,000 SF GFA	1.97		
RESIDENTIAL				
210 Single-Family Detached Housing	Dwelling Units	0.99		
220 Multifamily Housing (Low-Rise)	Dwelling Units	0.56		
221 Multifamily Housing (Mid-Rise)	Dwelling Units	→ 0.44		0.18
222 Multifamily Housing (High-Rise)	Dwelling Units	→ 0.36		0.19
231 Mid-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.36		
232 High-Rise Residential with 1st-Floor Commercial	Dwelling Units	0.21		
240 Mobile Home Park	Dwelling Units	0.46		
251 Senior Adult Housing - Detached	Dwelling Units	0.30		
252 Senior Adult Housing - Attached	Dwelling Units	0.26		
253 Congregate Care Facility	Dwelling Units	0.18		
254 Assisted Living	1,000 SF GFA	0.48		
255 Continuing Care Retirement Community	Units	0.16		
260 Recreation Homes	Dwelling Units	0.28		
265 Timeshare	Dwelling Units	0.63		
270 Residential Planned Unit Development	Dwelling Units	0.69		
LODGING				
310 Hotel	Rooms	0.60		
311 All Suites Hotel	Rooms	→ 0.36		0.17
312 Business Hotel	Rooms	0.32		
320 Motel	Rooms	0.38		
330 Resort Hotel	Rooms	0.41		
RECREATIONAL				
411 Public Park	Acres	0.11		
416 Campground / Recreation Vehicle Park	Acres	0.98		
420 Marina	Berths	0.21		
430 Golf Course	Acres	0.28		
431 Miniature Golf Course	Holes	0.33		

Code Description	Unit of Measure	Trips Per Unit	Setting/Location	
			General Urban/ Suburban	Dense Multi- Use Urban
432 Golf Driving Range	Tees/Driving Positions	1.25		
433 Batting Cages	Cages	2.22		
434 Rock Climbing Gym	1,000 SF GFA	1.64		
435 Multi-Purpose Recreational Facility	1,000 SF GFA	3.58		
436 Trampoline Park	1,000 SF GFA	1.50		
437 Bowling Alley	1,000 SF GFA	1.16		
440 Adult Cabaret	1,000 SF GFA	2.93		
444 Movie Theater	1,000 SF GFA	6.17		
445 Multiplex Movie Theater	1,000 SF GFA	4.91		
452 Horse Racetrack	Seats	0.06		
454 Dog Racetrack	Attendees	0.15		
460 Arena	1,000 SF GFA	0.47		
462 Professional Baseball Stadium	Attendees	0.15		
465 Ice Skating Rink	1,000 SF GFA	1.33		
468 Snow Ski Area	Slopes	26.00		
473 Casino/Video Lottery Establishment	1,000 SF GFA	13.49		
480 Amusement Park	Acres	3.95		
482 Water Slide Park	Parking Spaces	0.28		
488 Soccer Complex	Fields	16.43		
490 Tennis Courts	Courts	4.21		
491 Racquet/Tennis Club	Courts	3.82		
492 Health/Fitness Club	1,000 SF GFA	3.45		
493 Athletic Club	1,000 SF GFA	6.29		
495 Recreational Community Center	1,000 SF GFA	2.31		
INSTITUTIONAL				
520 Elementary School	1,000 SF GFA	1.37		
522 Middle School / Junior High School	1,000 SF GFA	1.19		
530 High School	1,000 SF GFA	0.97		
534 Private School (K-6)	Students	0.26		
536 Private School (K-12)	Students	0.17		
537 Charter Elementary School	Students	0.14		
538 School District Office	1,000 SF GFA	2.04		
540 Junior / Community College	1,000 SF GFA	1.86		
550 University/College	1,000 SF GFA	1.17		
560 Church	1,000 SF GFA	0.49		
561 Synagogue	1,000 SF GFA	2.92		
562 Mosque	1,000 SF GFA	4.22		
565 Daycare Center	1,000 SF GFA	11.12		
566 Cemetery	Acres	0.46		
571 Prison	1,000 SF GFA	2.91		
575 Fire and Rescue Station	1,000 SF GFA	0.48		
580 Museum	1,000 SF GFA	0.18		
590 Library	1,000 SF GFA	8.16		

Exhibit 5 - Map Amendments and Code Interpretations Table

Date of Approval	Ordinance #	Map Amendment or Code Interpretation	Property(ies) effected by decision (Map, Tax Lot & Ref.)	New Zoning Designation	Previous Zoning Designation	Comprehensive Plan Map and/or Zoning Map Amendment	Planning Application #
TBD	TBD	Map Amendment	Tax Lots 104, 105, 106, 107 and a portion of 101 in 09S40E18A (Refs. 16510, 17121, 17122, 17123, 17124). Total is ±44.6 acres.	Residential-Medium Density (R-MD)	General Industrial (I)	Comprehensive Plan & Zoning Map Amendment	RZ-23-131

Exhibit 6 Comments from the Oregon Department of Transportation
(See following page)



Oregon

Tina Kotek, Governor

Department of Transportation
Highway Maintenance District 13
3014 Island Avenue
LaGrande, OR 97850
Phone: (541) 963-8406
Fax: (541) 963-0249

February 6, 2024

Holly Kerns, Planning Director
City of Baker City
1995 Third Street, Suite 131
Baker City, OR 97814

Subject: *Proposed rezone of 44.6 acres of General Industrial (I) to Residential-Medium Density (R-MD), RZ-23-132*

The Oregon Department of Transportation (ODOT) has jurisdiction of US 30 (10th Street), including responsibility for managing access within the corridor. ODOT attended a Pre-Application Meeting hosted by the city earlier and submitted the attached comments on September 19, 2023.

ODOT has requested information that shows the traffic impact for the proposed rezone. At a minimum for a rezone, we recommend the city require the applicant to provide a Traffic Report which shows the before and after change in trip generation from General Industrial to Residential-Medium Density. If the increase in traffic is over, between 400 and 1000 Average Daily Trips (ADT), then following Oregon Highway Plan Action 1F.5, a Traffic Impact Analysis (TIA) would be needed. Similarly, if the increase is over 1000 ADT, there are different thresholds for Annual (ADT) and highway configurations that will need to be evaluated.

ODOT is committed to preserving the function of the state highway system and public infrastructure investments as the area infills and redevelops. To meet City standards and minimize public facility impacts, ODOT recommends the city require the applicant to provide a TIA and share responsibility and costs of implementing necessary improvements to the local and state transportation system. Ensuring the transportation system is managed effectively with adequate capacity to serve development and support safe multi-modal choices in accordance with the City's Transportation System Plan are necessary conditions of approval to satisfy requirements of the OAR 660-012 Transportation Planning Rule.

ODOT welcomes the opportunity to meet with the city and applicant regarding development plans, including timing of a TIA and implementation of transportation infrastructure improvements. Thank you for the opportunity to comment.

Ace Clark, District 13 Manager

CJS

Attachment: September 19, 2023 letter

cc: Ken Patterson, ODOT Region 5 Manager
David Boyd, Regional Access Management Engineer
Lisa Hayes, District 13

Exhibit 7 Information from Public Works regarding Maximum Development Capacity

Holly Kerns

From: Joyce Bornstedt <bcpwdirector@bakercity.gov>
Sent: Tuesday, January 9, 2024 7:56 AM
To: Holly Kerns; Fred Warner
Cc: Jennifer Murphy
Subject: RE: Tennant Proposed Rezone

Good Morning –

Below is a capacity analysis completed by Anderson Perry regarding our current systems and potential development scenarios. Hope this provides more information.

Thanks,

Joyce Bornstedt

CPSI
Public Works Director
Baker City Public Works
Office: 541.524.2031
www.bakercity.com



I have a new email address! bcpwdirector@bakercity.gov Please update your contact information!

For the utility capacity analysis we made the following assumptions:

Population Projection

- Estimated population increase for the Rocking River Ranch Re-zone of approximately 650 people. This is likely conservative, but the application noted that the lots could be developed as duplexes, so we assumed the worst case scenario.
- Assumed both the Settlers Park and the Rocking River Ranch Re-zone development were completed for a total population of 11,250.
- Collection system evaluation completed to indicate percentage contribution to each collection system pipe size. Since this development is on the far side of the City's collection system, further analysis would be required to determine what existing flows are currently within the collection system.

Wastewater

- Estimated peak hourly flow from the development would be roughly 41% of the 10-inch mainline capacity near the site, 29% of the 12-inch pipe, 19% of the 15-inch pipe, and 7.3% of the 21-inch trunkline. (pipes throughout town between the proposed site and the treatment facility)
- The estimated peak hourly flow for 11,250 people is roughly 30.1% of the 36-inch interceptor capacity.
- Estimated effluent storage needed is approximately 158.5 MG and there is only 157.7 MG available, based on the current irrigation assumptions. While this appears to be a potential deficit, I don't know that we have enough information on how irrigation is going to work moving forward to know for sure.

- Minimum detention time for max monthly flow is roughly 78 days, the WWFP states a minimum of 80 is recommended.
- Estimated BOD is roughly 2,048 lbs/day for 11,250, the system is designed for 2,900 lbs/day

Water

- Estimated peak supply demand is 7,980 gpm and the City has an estimated supply of 8,150 gpm, assuming the new Golf Course Well is included.
- Fire flows result in 40-80 psi, with no deficits in the area, based on the 2016 WFP. The distribution piping in the area should be adequate to provide fire flows for a residential development. Additional distribution improvements will need to be made within the development and sized appropriately by the developer.
- Water system storage was evaluated for a population of 10,501 in the 2016 WFP. That analysis showed that the necessary storage of the system could be accommodated within the 3 MG reservoir. It appears that if both developments were completed, some additional storage capacity within the 4.5 MG reservoir may need to be utilized to meet storage needs.

In summary, we tried to look at the most conservative estimate for potential future connections to the City's water and wastewater systems. It appears that the system likely has adequate capacity, but further analysis would need to be completed to verify that there is adequate collection system capacity through the entire flow path from the development to the treatment plant. The City's effluent storage may be somewhat limited, and additional storage capacity within the treatment cells may need to be utilized. The water system appears to have adequate capacity, but additional storage within the 4.5 MG reservoir may need to be used to meet future storage needs.

From: Holly Kerns <hkerns@bakercity.gov>

Sent: Monday, January 8, 2024 4:58 PM

To: Joyce Bornstedt <bcpwdirector@bakercity.gov>; Fred Warner <fwarner6196@gmail.com>

Cc: Jennifer Murphy <pwtechadmin@bakercity.gov>

Subject: RE: Tennant Proposed Rezone

Good afternoon,

Thank you, this is really helpful! I've taken a close look at the calculations, and was wondering about the density of the proposed zone. Because this is a rezone rather than a subdivision, one of the questions the Planning Commission and Council need to answer is whether there are adequate services for maximum buildout. The allowed density in the Residential Medium Density zone is between 2-20 dwelling units per acre. At maximum density, 45 acres * 20 dwelling units per acre = 900 dwelling units. Fred and I have discussed how a certain percentage of land isn't buildable because of infrastructure, so if the assumption is that 25% of the land will be in street right of ways and similar infrastructure, 45 acres * 0.75 buildable area = 33.75 acres. 33.75 acres * 20 dwelling units per acre = 675 dwelling units. While that may not be the applicant's development plan, the rezone requirements require the Planning Commission and Council to evaluate whether the *"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 in the planning process."*

Are the existing public services adequate to support an additional 675-900 dwelling units? In order to achieve that kind of density, apartments and multi-family dwellings would need to be a significant part of the mix, that certainly wouldn't mean single family dwellings. If services aren't currently adequate, what is needed to make them adequate?

Thank you again for this information, I really appreciate it!

Holly Kerns

From: Joyce Bornstedt <bcpwdirector@bakercity.gov>

Sent: Monday, December 18, 2023 4:40 PM

To: Fred Warner <fwarner6196@gmail.com>

Cc: Holly Kerns <hkerns@bakercountyor.gov>; Jennifer Murphy <pwtechadmin@bakercity.gov>

Subject: Tennant Proposed Rezone

Good Afternoon Fred –

Jennifer passes along your request for information in regards to City infrastructure capabilities to accommodate the proposed development that RE-23-131 would create the possibility of. I asked our City Engineer to evaluate the area in regards to capacity to accommodate the development. I have attached the memo he has provided in that regard. As discussed previously I believe the transportation system would be impacted less by this residential development than if the same parcel was developed for industrial use.

Please let me know if you have any questions.

Thanks,

Joyce Bornstedt

CPSI

Public Works Director

Baker City Public Works

Office: 541.524.2031

www.bakercity.com



I have a new email address! bcpwdirector@bakercity.gov Please update your contact information!

Exhibit 8 Email from Public Works regarding Traffic, Water and Wastewater Capacity

Holly Kerns

From: Joyce Bornstedt <bcpwdirector@bakercity.gov>
Sent: Thursday, February 8, 2024 2:34 PM
To: Madison Tomac
Cc: Holly Kerns
Subject: RE: Trip Generation Letters for Two Upcoming Rezone Applications

Good Afternoon –

Public Works has reviewed both of the rezone proposals. We do not anticipate a significant impact on traffic as a result of rezoning these parcels. Further, we have reviewed the proposals with regard to utilities, and believe that existing infrastructure in both areas is adequate to provide water and wastewater services for future development.

Thank you,

Joyce Bornstedt

CPSI
Public Works Director
Baker City Public Works
Office: 541.524.2031
www.bakercity.com



I have a new email address! bcpwdirector@bakercity.gov Please update your contact information!

From: Madison Tomac <mtomac@bakercountyor.gov>
Sent: Friday, January 26, 2024 4:57 PM
To: Joyce Bornstedt <bcpwdirector@bakercity.gov>
Cc: hkerns <hkerns@bakercountyor.gov>
Subject: Trip Generation Letters for Two Upcoming Rezone Applications

Hi Joyce,

Step Forward and Tennant Developments have submitted their applications for rezones. We wanted to give you an early chance to review the application and provide comments. Both applications include a Trip Generation Letter for potential impacts. We would appreciate getting official comments from Public Works, and if you have any questions, let Holly or I know and we're happy to discuss anything with you. Both applications will be added to Teams in the Applications/Amendments/2023 folders.

If more information is needed, please let me know.

Thanks!
Madison Tomac | Senior Planner
Baker County & City Planning Department
1995 Third Street | Ste. 131 | Baker City, OR 97814

Exhibit 9 Email from Police Chief Ty Duby

Holly Kerns

From: Ty Duby <chief@bakercitypd.gov>
Sent: Thursday, February 8, 2024 1:57 PM
To: Holly Kerns
Subject: RE: Comments on rezone on 17th Street

Thanks Holly, I have no concerns 😊

From: Holly Kerns <hkerns@bakercountyor.gov>
Sent: Thursday, February 8, 2024 11:47 AM
To: Ty Duby <chief@bakercitypd.gov>
Subject: Comments on rezone on 17th Street

Good morning Chief Duby,

I wanted to provide you an opportunity to comment on a proposed rezone on 17th Street. The applicant and property owner are proposing to rezone approximately ±44.6 acres from General Industrial (I) to Residential Medium-Density (RMD) and their application is attached for your review. The land surrounds Settlers Park Assisted Living and is currently vacant. If their application for a rezone is approved, this would mean the allowed uses on that property would change from industrial uses to residential, ranging from single-family dwellings to apartments. The applicant is projecting that when developed, there will be approximately 155 new homes added. The allowed density in the Residential Medium Density zone is between 2-20 dwelling units per acre. At maximum density, 45 acres * 20 dwelling units per acre = 900 dwelling units. The applicant and I have discussed how a certain percentage of land isn't buildable because of infrastructure, so if the assumption is that 25% of the land will be in street right of ways and similar infrastructure, 45 acres * 0.75 buildable area = 33.75 acres. 33.75 acres * 20 dwelling units per acre = 675 dwelling units. Even if that is not the property owner's plan, the Planning Commission does need to evaluate the City's capacity to meet the needs of the new zoning rather than evaluating a specific development plan.

The Baker City Comprehensive Plan has a section about police protection with one guiding policy for the city.

POLICE PROTECTION – *To protect the community's residents and their property through a program of citizen awareness and enforcement of local and state laws.*

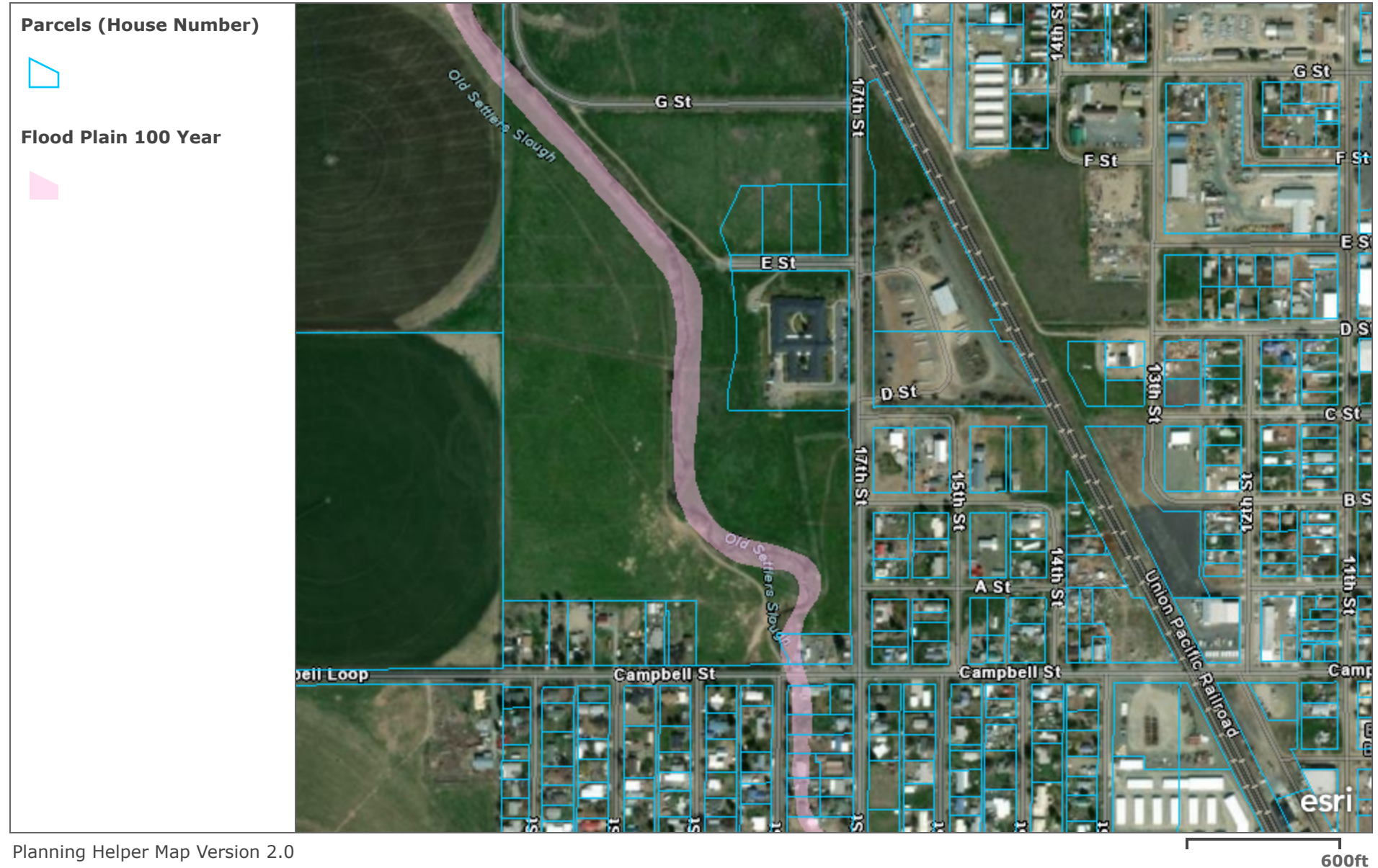
Policy #1: In order to provide the best possible service to the community, a conscientious and studied evaluation of the department's operation and facility needs shall be made regularly, with particular attention paid to new demands caused by growth, state directives or local consolidation efforts

Do you have any comments you would like to provide to the Planning Commission and the City Council about the proposal? If you have any questions, please give me a call at 541-523-8219 and I'm happy to discuss in more detail. My staff report will be mailed to the Planning Commission on February 14, so if you have comments before then, I can include them with the Planning Commission's packet.

Thank you,
Holly Kerns

Exhibit 10 Aerial Photo Map with Approximate Floodplain Overlay

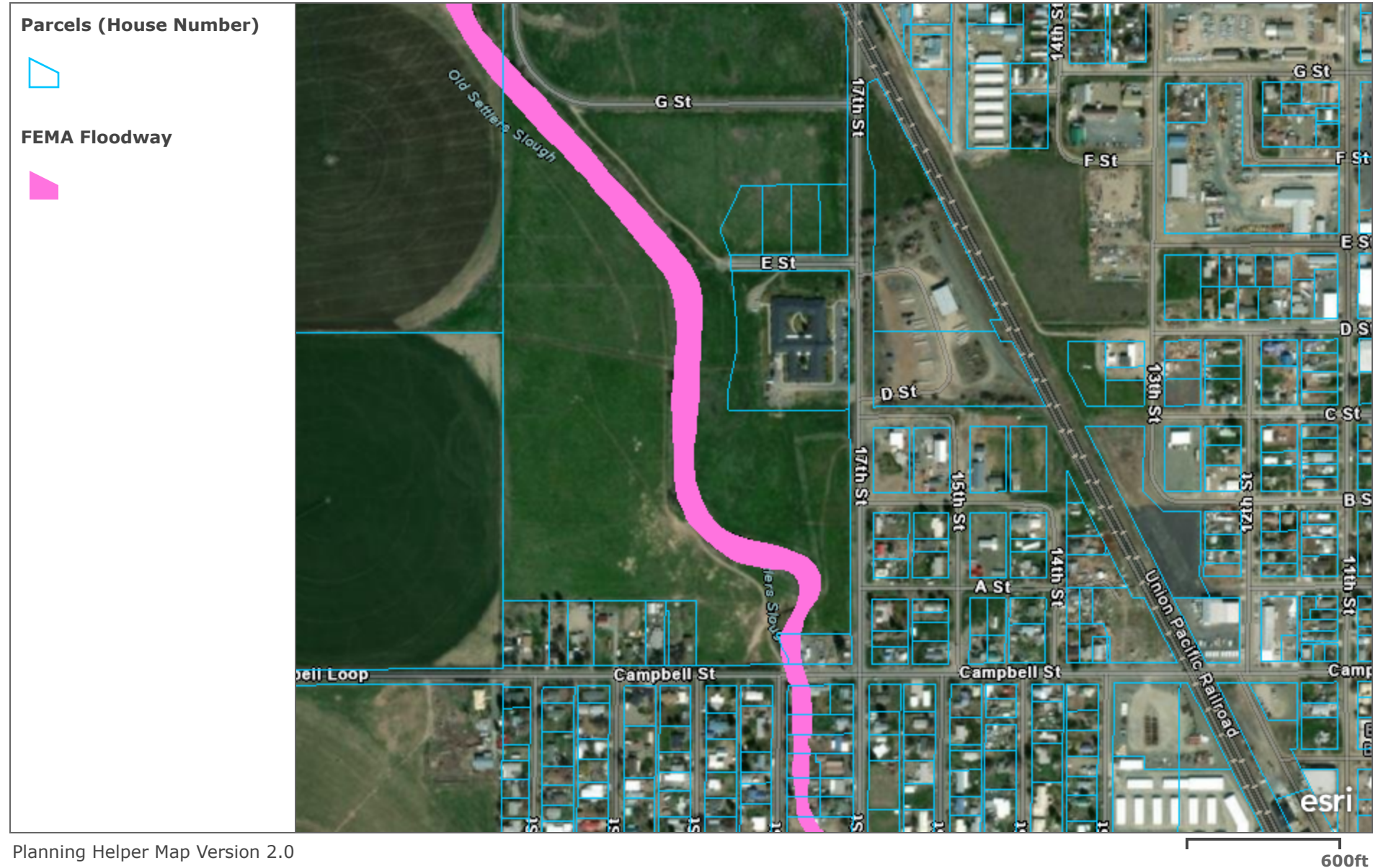
Planning Helper V2



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Exhibit 10 Aerial Photo Map with Approximate Floodway Overlay

Planning Helper V2



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