**\*\* DRAFT\*\***

**CITY OF LOWELL**

**ORDINANCE NO. 310**

**EXHIBIT C to FINDINGS of FACT**

**AN ORDINANCE APPROVING THE REZONING OF PROPERTIES CONTAINED WITHIN THE BOUNDARIES OF THE REGULTAING PLAN, ADOPTING A NEW ZONING AND COMPRHENSIVE PLAN MAP, AND A REVISED REGULATING PLAN MAP.**

**WHEREAS**, With the adoption of the text amendments to the Development Code, a concurrent rezoning of properties within boundaries of the Regulating Plan was necessary;

**WHEREAS**, on November 3rd and November 29, 2022, the City provided notice of proposed amendment to the Department of Land Conservation and Development (DLCD);

**WHEREAS**, on December 8, 2022, the City mailed Measure 56 notice of proposed zone change to all property owners owning property within the boundaries of the Regulating Plan.

**WHEREAS,** the City of Lowell City Council, through enactment of Ordinance 310, has considered and approved the rezoning of the following properties, consistent with the Regulating Plan:

Multiple-Family Residential to Downtown Residential Attached:

* Map and Tax Lot 19-01-14-22-06700;
* Map and Tax Lot 19-01-14-23-03200; and
* Map and Tax Lot 19-01-14-23-04800.

Public Lands to Downtown Residential Attached:

* Map and Tax Lot 19-01-14-22-02201; and
* Map and Tax Lot 19-01-14-22-02202.

Multiple-Family Residential to Downtown Flex-Use 2:

* Map and Tax Lot 19-01-14-22-01608.

General Commercial to Downtown Flex-Use 2:

* Map and Tax Lot 19-01-14-22-07400;
* Map and Tax Lot 19-01-14-22-07300;
* Map and Tax Lot 19-01-14-22-05000;
* Map and Tax Lot 19-01-14-22-04900;
* Map and Tax Lot 19-01-14-22-04800;
* Map and Tax Lot 19-01-14-22-04700;
* Map and Tax Lot 19-01-14-22-04400;
* Map and Tax Lot 19-01-14-22-07200;
* Map and Tax Lot 19-01-14-22-07100;
* Map and Tax Lot 19-01-14-23-04000; and
* Map and Tax Lot 19-01-14-23-09700.

Downtown Commercial to Downtown Flex-Use 1:

* Map and Tax Lot 19-01-14-23-04900;
* Map and Tax Lot 19-01-14-23-05000;
* Map and Tax Lot 19-01-14-23-05100;
* Map and Tax Lot 19-01-14-23-05200;
* Map and Tax Lot 19-01-14-23-05300 & 05400;
* Map and Tax Lot 19-01-14-23-05301;
* Map and Tax Lot 19-01-14-23-05500; and
* Map and Tax Lot 19-01-14-23-05501.

Public Lands to Downtown Flex-Use 1:

* Map and Tax Lot 19-01-14-23-08800.

General Commercial to Public Lands-Downtown:

* Map and Tax Lot 19-01-14-24-02000, 01900, and 07100.

General Commercial to Downtown Flex-Use 1:

* Map and Tax Lot 19-01-14-24-02100, 07200, and 02201;
* Map and Tax Lot 19-01-14-24-04500;
* Map and Tax Lot 19-01-14-23-04901;
* Map and Tax Lot 19-01-14-23-09600; and
* Map and Tax Lot 19-01-14-23-04700.

Single-Family Residential to Downtown Residential Detached:

* Map and Tax Lot 19-01-14-24-04100;
* Map and Tax Lot 19-01-14-24-04003;
* Map and Tax Lot 19-01-14-24-04002;
* Map and Tax Lot 19-01-14-22-04200;
* Map and Tax Lot 19-01-14-22-04100;
* Map and Tax Lot 19-01-14-22-04300;
* Map and Tax Lot 19-01-14-22-03600;
* Map and Tax Lot 19-01-14-22-03500;
* Map and Tax Lot 19-01-14-22-03700;
* Map and Tax Lot 19-01-14-22-03800;
* Map and Tax Lot 19-01-14-22-03900;
* Map and Tax Lot 19-01-14-22-04000;
* Map and Tax Lot 19-01-14-22-06900;
* Map and Tax Lot 19-01-14-23-03700;
* Map and Tax Lot 19-01-14-23-03800;
* Map and Tax Lot 19-01-14-23-03900;
* Map and Tax Lot 19-01-14-22-03000;
* Map and Tax Lot 19-01-14-22-02900;
* Map and Tax Lot 19-01-14-22-03100;
* Map and Tax Lot 19-01-14-22-03200;
* Map and Tax Lot 19-01-14-22-03300;
* Map and Tax Lot 19-01-14-22-03400;
* Map and Tax Lot 19-01-14-22-06800;
* Map and Tax Lot 19-01-14-22-02500;
* Map and Tax Lot 19-01-14-22-02400;
* Map and Tax Lot 19-01-14-22-02600;
* Map and Tax Lot 19-01-14-22-02700;
* Map and Tax Lot 19-01-14-22-02800;
* Map and Tax Lot 19-01-14-22-06500;
* Map and Tax Lot 19-01-14-22-06501;
* Map and Tax Lot 19-01-14-22-08300;
* Map and Tax Lot 19-01-14-23-09900; and
* Map and Tax Lot 19-01-14-23-01000.

Downtown Commercial to Public Lands-Downtown:

* Map and Tax Lot 19-01-14-23-08100;
* Map and Tax Lot 19-01-14-23-07700;
* Map and Tax Lot 19-01-14-23-07600;
* Map and Tax Lot 19-01-14-23-07500; and
* Map and Tax Lot 19-01-14-23-07400.

Single-Family Residential to Downtown Flex-Use 2:

* Map and Tax Lot 19-01-14-23-07100;
* Map and Tax Lot 19-01-14-23-06400;
* Map and Tax Lot 19-01-14-23-06300;
* Map and Tax Lot 19-01-14-23-06214;
* Map and Tax Lot 19-01-14-23-06215;
* Map and Tax Lot 19-01-14-22-04600; and
* Map and Tax Lot 19-01-14-22-04500.

Public Lands to Public Lands-Downtown:

* Map and Tax Lot 19-01-14-23-09100;
* Map and Tax Lot 19-01-14-23-07300;
* Map and Tax Lot 19-01-14-23-09500; and
* Map and Tax Lot 19-01-14-32-02400.

Single-Family Residential to Public Lands-Downtown:

* Map and Tax Lot 19-01-14-23-07200; and
* Map and Tax Lot 19-01-14-23-07000.

**WHEREAS,** The above Map and Tax Lots to be rezoned are all properties located within the boundaries of the Regulating Plan. If in the event, the above list of properties to be rezoned is inaccurate or a property is missing, the controlling document for which properties are to be rezoned and to which zoning district, shall be the Regulating Plan and Zoning Districts Map.

**WHEREAS,** Staff have prepared a new Zoning Districts/Comprehensive Plan Map that reflect the rezone of the properties within the Regulating Plan, as set forth in **Exhibit F**.

**WHEREAS**, Since the adoption of the Regulating Plan, that is contained in the Lowell Downtown Master Plan, in 2019, the Regulating Plan has been slightly revised and updated to reflect parcel boundaries, changes in ownership, and other minor updates to the legend and map.

**WHEREAS**, Staff have prepared a revised Regulating Plan, as set forth in **Exhibit G**.

**WHEREAS,** Evidence exists within the record (**Exhibit A**) indicating that the rezone of certain properties, consistent with the Regulating Plan, meets the requirements of the City of Lowell Comprehensive Plan, Land Development Code and the requirements of applicable state and local law, including consistency with Oregon’s Statewide Planning Goals.

**WHEREAS,** the City of Lowell City Council has conducted a public hearing on January 17, 2023 and is now ready to take action.

NOW THEREFORE THE CITY OF LOWELL ORDAINS AS FOLLOWS:

**Section 1.** The City of Lowell City Council approves the rezoning of properties contained within the boundaries of the Regulating Plan.

**Section 2**. The City of Lowell City Council adopts a new Zoning Districts and Comprehensive Plan Map, as set forth in **Exhibit F**.

**Section 3.** The City of Lowell City Council adopts a revised Regulating Plan Map, as set forth in **Exhibit G**.

**Section 4**. The new Zoning and Comprehensive Map, as set forth in **Exhibit F**, and revised Regulating Plan, as set forth in **Exhibit G**, shall replace all previous versions and shall the functional and effective documents.

**Section 5.**  The City of Lowell City Council adopts the Findings of Fact, attached as **Exhibit A**, which finds that the rezone of certain properties, consistent with the Regulating Plan, meets the requirements of the City of Lowell Comprehensive Plan, Land Development Code and the requirements of applicable state and local law, including consistency with Oregon’s Statewide Planning Goals.

**Section 6.**  Severability. If any phrase, clause, or part of this Ordinance is found to be invalid by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

Adopted by the City Council of the City of Lowell this\_\_\_\_day in the month of \_\_\_\_\_\_\_\_\_\_, 2023.

AYES:\_\_\_\_\_

NOES:\_\_\_\_\_

APPROVED:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Don Bennet, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jeremy Caudle, City Recorder

First Reading:\_\_\_\_\_\_\_\_\_

Second Reading:\_\_\_\_\_\_\_\_\_

Adopted:\_\_\_\_\_\_\_\_\_

Signed:\_\_\_\_\_\_\_\_\_

Effective Date:\_\_\_\_\_\_\_\_\_