

The property located at 33270 Highway 99E
- also known as Linn County Tax Assessor's Map no. 12S04W01 01202 and tax lot 1204-
is zoned Community Commercial (CC) on the east (east half of tax lot 1202) and
Exclusive Farm Use (EFU) on the west (west half of 1202, and also lot 1204). Please
refer to the city's zone map for reference.

Allowable uses in the commercial zone are listed in the following section of the Tangent
Land Development Code, available on the city's website under the Land Use and
Development tab.

"SECTION 4.121 COMMUNITY COMMERCIAL DISTRICT CC

...(2) **Permitted Uses.** In a CC District, the following uses and their accessory uses are
permitted subject to the Site Plan Review provisions of **Section 2.400** and the
standards, provisions and exceptions set forth in this Code, provided all operations
except off-street parking and temporary activities shall be conducted entirely
within an enclosed building and have no emissions requiring a permit from state of
federal agencies:

Outright permitted uses require site plan approval through the Site Plan Review process;
uses which are not conducted entirely within an enclosed structure, have emissions
requiring a permit from the State or Oregon or Federal Government, or other use types
also require conditional use approval.

The EFU Zoned portion will only accommodate agriculture related land uses.
Incorporating any portion of that zoning into an urban use would require a successful
application to: a) Amend the Tangent Urban Growth Boundary (UGB) to include the EFU
zoned portions; B) Amend the City's Comprehensive Plan Map from Agriculture to
Commercial; and C) Amend the City's Zoning Map from EFU to CC. Because state law
stipulates that only agriculture related uses are allowed in the EFU Zone, this action also
requires approval of an Exception to Statewide Planning Goal 3, Agriculture.

Due to this EFU zoning's juxtaposition between CC zoned parcels on the east and
existing and planned structural development on the abutting parcel to the west, its
viability for farming is severely limited, and it appears as a prime candidate for the
change described above. For this reason, staff would be supportive of an application to
include the property in the Tangent UGB, and to take exception to goal 3, and to amend
the plan designation and zoning, from resource to an urban commercial designation and
zoning district.

Preparing such an application most likely requires the retention of a land use planner or
attorney. If a party wishes to move forward, staff suggests scheduling a pre-application
conference to discuss the matter.

The potential applicant / inquiring party would be required to sign an agreement, stipulating they will be responsible to pay the city's actual costs in preparing for and attending the pre-application meeting or conference, and the city's costs associated with processing any subsequent application(s).

For the map amendments, an initial fee deposit against the city's actual cost for processing the request would be collected at the time of application, in the amount of \$3,879.00. If either or both a site plan review and/or conditional use request were consolidated with a map amendment request, no additional deposit would be collected for those additional aspects. Individually, those fees are \$990.00 and \$1,123.00, respectively. When more than 1 application are submitted together, though, the city only requires an applicant to deposit the highest among the fee amounts listed for the various actions on the city's adopted fee schedule.

In any event, if the total cost of processing the request exceeds the fee deposit collected, the applicant would receive an invoice for the difference. If it were to be less, a refund would be provided. If you are interested to arrange a pre-application meeting or conference, please contact city staff.