ORDINANCE NO. 26-727

AN ORDINANCE OF THE CITY OF WINSTON, OREGON, AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP FOR APPROXIMATELY 73.44 ACRES AT THE SOUTHEAST CORNER OF BROCKWAY ROAD AND OREGON HIGHWAY 42 (BIRCH SPRINGS LLC; FILE NO. 26-W014).

WHEREAS, Birch Springs LLC requested concurrent Comprehensive Plan Map and Zoning Map amendments for Tax Lots 808 and 500, Douglas County Assessor Maps 28-06-20C and 28-06-29, Property ID Nos. R39857 and R40009; and,

WHEREAS, the Winston Planning Commission considered the application and recommended approval, with findings and seven conditions, to the City Council; and,

WHEREAS, the City Council considered the application, the Planning Commission recommendation, the staff reports, and the testimony and evidence in the public hearing record; and,

WHEREAS, the City Council finds that the amendments can satisfy the applicable provisions of the Winston Municipal Code and Comprehensive Plan, subject to the conditions herein;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINSTON, OREGON, ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS OF FACT

1. The affected property is approximately 73.44 acres within Winston city limits and its Urban Growth Boundary, at the southeast corner of Brockway Road and Oregon Highway 42.

2. The Council adopts the findings supporting the Comprehensive Plan Map and Zoning Map amendments in the Planning Commission staff report dated August 26, 2026, and City Council staff report dated October 15, 2026, as incorporated in the record and attached as Exhibit A, subject to any express modifications adopted by Council.

3. The amendment replaces the existing Agriculture/Open Space designation and reconfigures the residential and commercial map designations. Approval of the map amendments does not approve the conceptual site plan or authorize a land division, development, or construction.

SECTION 2. COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS

The City of Winston Comprehensive Plan Map and Zoning Map are hereby amended for the property identified above, as depicted in the approved map attached as Exhibit B, to establish the following approximate allocations:

Residential High Density / R-H: 28.34 acres (previously 31.26 acres).

Residential Low Density C / R-L-C: 39.30 acres (previously 0 acres).

Agriculture/Open Space / A-O: 0 acres (previously 35.89 acres).

General Commercial / C-G: 5.80 acres (previously 6.29 acres).

The boundaries shown in the approved Exhibit B control the geographic application of these designations; the acreage figures are approximate.

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SECTION 3. CONDITIONS OF APPROVAL

1. Approval applies only to the Comprehensive Plan Map and Zoning Map designations shown in the approved exhibit; the conceptual site plan is not approved.

2. Future land division and development must comply with applicable City development standards.

3. Future development must comply with applicable riparian, floodplain, wetland, archaeological, and other resource requirements.

4. Future development must demonstrate adequate water, sewer, stormwater, fire flow, transportation capacity, and emergency access, including necessary improvements.

5. A left-turn lane shall be installed on Highway 42 and Brockway Road prior to issuance of new occupancy permits when development of the property generates 10 or more peak PM-hour westbound left-turn trips at the Brockway Road/OR 42 intersection.

6. ODOT permits are required before new direct Highway 42 access; associated mitigation must be completed before access permits are issued.

7. Right-of-way for a future roundabout at Highway 42 and Brockway Road must be dedicated to ODOT before issuance of new occupancy permits.

SECTION 4. EFFECT OF AMENDMENT

Except as expressly amended herein, the City of Winston Comprehensive Plan and Zoning Ordinance, as previously amended, remain in full force and effect. All applicable development and permitting requirements continue to apply.

SECTION 5. EFFECTIVE DATE

This ordinance shall become effective on the thirtieth day following its adoption.

FIRST READING BY THE CITY OF WINSTON, OREGON, CITY COUNCIL, ON THIS 2ND DAY OF NOVEMBER 2026.

SECOND READING BY THE CITY OF WINSTON, OREGON, CITY COUNCIL, ON THIS 16TH DAY OF NOVEMBER 2026.