

# COUNCIL AGENDA



May 30, 1990

SPECIAL CITY COUNCIL MEETING  
MAY 30, 1990  
7:30 P.M.

Lebanon School District Board Room  
485 S. 5th Street

**NO NOON SESSION**

CALL TO ORDER/FLAG SALUTE

ROLL CALL

PUBLIC HEARINGS

7:30 P.M.

- AMENDMENT TO HISTORICAL RESOURCES ORDINANCE

Amendment of Ordinance 2069, Section 3(1)(d), Designation Procedure

(refer to agenda item # 1)

- ZONE TEXT AMENDMENT 90-1

Amendment of Lebanon Zoning Ordinance, Article 4, Section 4.020(50), Residential Mixed Density, Conditional Uses be amended by adding the following: Section 4.020(5)(h) - "Harvest of forest products on parcels exceeding 2.0 acres in size."

(refer to agenda item #2)

7:45 P.M.

- APPROVAL/DISAPPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS

(refer to agenda item #3)

LEGISLATIVE ACTION

1) AMENDMENT TO HISTORICAL RESOURCES ORDINANCES

Amendment of Ordinance 2069, Section 3(1)(d), Designation Procedure which would allow staff additional time to review historical register designations and to allow Council additional time to consider designations

Presented by: Tom McHill, City Attorney

Approval/disapproval of ORDINANCE amending Section 3(1)(d) - Historical Resources Ordinance

2) ZONE TEXT AMENDMENT 90-1

Presented by: Doug Parker, City Planner

Approval/disapproval of ORDINANCE amending Lebanon Zoning Ordinance, Article 4, Section 4.020(50, Residential Mixed Density, Conditional Uses to be amended by adding the following: Section 4.020(5)(h) - "Harvest of forest products on parcels exceeding 2.0 acres in size." & adoption of proposed findings

Currently, there are no zone text provisions regulating forest harvest activities. The proposed amendment is in response to a proposal to harvest portions of Ridgeway Butte, RM zone.

3) ANNUAL LIQUOR LICENSE RENEWALS

Presented by: Walt Richmond, Chief of Police

Approval/disapproval of liquor license renewals by MOTION:

Villa Pizza  
owner: Roger Lowe  
2480 S. Main  
Classification: Restaurant

Star Lite Tavern  
owner: Ernestine V. Smith  
638 Main St.  
Classification: Retail Malt Beverage

Towne Pump  
owner: Truax Corporation  
2684 S. Santiam Hwy  
Classification: Package Store

Knot Hole Market  
owner: Robert Deibele  
2412 S. Santiam Hwy  
Classification: Package Store

Tin Star Grill  
owners: James & Cindy Pratt  
380 N. Main St.  
Classification: Dispenser Class C

Circle K #525  
owner: Circle K Convenience Stores, Inc.  
290 W. Oak  
Classification: Package Store

Circle K #1352  
owner: Circle K Convenience Stores, Inc.  
1225 E. Grant  
Classification: Package Store

La Bamba Mexican Restaurant  
owner: Hughet Corp. (Ivan & Julieta Hughet)  
25 N. Santiam Hwy  
Classification: Dispenser Class A

Pizza King of Lebanon  
owner: William R. Bickford  
1188 Main St.  
Classification: Retail Malt Beverage

Poor Richard's Fuel Mart  
owners: Richard & Phyllis Schaefer  
Richard M. & Patricia Schaefer  
3510 S. Santiam Hwy  
Classification: Package Store

D&K Foods  
owner: Kenneth O. Swanson  
21 S. Main  
Classification: Package Store

CITIZEN COMMENTS

ADJOURNMENT

# AGENDA ITEM 1

(no material is in packet -  
to be handed out on Wednesday)

## **AGENDA ITEM 2**



C I T Y   O F   L E B A N O N  
M E M O R A N D U M

TO:           MAYOR AND CITY COUNCIL

DATE:       MAY 24, 1990

FROM:       DOUG PARKER, CITY PLANNER *DP*

SUBJECT:     PROPOSED ZONE TEXT AMENDMENT

On May 16, 1990 the Lebanon Planning Commission conducted a public hearing and unanimously voted to recommend to the City Council that the Lebanon Zone Ordinance, Article 4, Section 4.020(5), Residential Mixed Density Zone, Conditional Uses, be amended by adding the following: Section 4.020(5)(h) - "Harvest of forest products on parcels exceeding 2.0 acres in size."

As indicated on the attached staff report, this is a proposed amendment to the Residential Mixed Density Zone (RM) text to allow "Harvest of forest products on parcels exceeding 2.0 acres in size" as a conditionally permitted use as currently there are no zone text provisions regulating forest harvest activities. This proposed amendment is in response to a proposal to harvest portions of Ridgeway Butte, RM zone, currently undeveloped. A subsequent Planning Commission conditional use public hearing, regarding a specific harvest proposal, will be required prior to the conditional use approval of any forest harvest activities exceeding 2.0 acres on Ridgeway Butte.

Following the staff report is a copy of the "Notice of Proposed Action" submitted to the Department of Land Conservation and Development (DLCD) regarding the proposed amendment and notifying the DLCD of tonight's public hearing on this proposed amendment.

arg



A BILL FOR AN ORDINANCE ) ORDINANCE BILL NO. \_\_\_\_\_  
 AMENDING SECTION 17.10.070 OF ) For 1990  
 THE LEBANON MUNICIPAL CODE, )  
 CONDITIONAL USES IN A RESIDENTIAL ) ORDINANCE NO. \_\_\_\_\_  
 MIXED DENSITY ZONE. )

WHEREAS, on May 16, 1990, the Lebanon Planning Commission held a public hearing on a proposed amendment to the Lebanon Municipal Code, Section 17.10.070, pursuant to the provisions of the Lebanon Municipal Code, Section 17.58.040; and

WHEREAS, pursuant to Lebanon Municipal Code, Section 17.58.050, the Planning Commission does and has recommended to the City Council the approval of a proposed zone text amendment which would affect conditional uses to be allowed in residential mixed density zones, Zone Text Amendment 90-1; and

WHEREAS, pursuant to the provisions of the Lebanon Municipal Code, Section 17.58.060, the City Council has received the recommendation of the Planning Commission and has thereafter held a public hearing on the proposed amendment in conformity with the notice provisions of Chapter 17.66 of the Lebanon Municipal Code; and

WHEREAS, the City Council, after considering the recommendation of the Planning Commission and the testimony of witnesses at a public hearing conducted on the 30th day of May, 1990; and

WHEREAS, the City Council has determined that it is in the best interests of the people of the City of Lebanon to amend Lebanon Municipal Code, Section 17.10.070, regarding residential mixed density zones;

NOW, THEREFORE, the people of the City of Lebanon do ordain  
as follows:

Section 1. There is hereby added to Section 17.10.070 of the  
Lebanon Municipal Code a new subsection H, which shall read as  
follows:

H. Harvest of Forest Products on Parcels Exceeding 2.0 Acres  
in Size

Section 2. Inasmuch as the provisions of this Ordinance are  
necessary for the immediate preservation of the peace, health, and  
safety of the people of the City of Lebanon, an emergency is  
hereby declared to exist, and this Ordinance shall be in full  
force and effect immediately upon its passage the Council and  
approval by the Mayor.

Passed by the Council of the City of Lebanon by a vote of  
       for and        against, and approved by the Mayor this  
       day of May, 1990.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

May 24, 1990

FILE ZTA-90-1

## STAFF REPORT

## ZONE TEXT AMENDMENT

## RESIDENTIAL MIXED DENSITY ZONE - CONDITIONAL USES

PROPOSED AMENDMENT

To amend the list of conditionally permitted uses in the Residential Mixed Density (RM) zone by adding the following:

*"(h) Harvest of forest products on parcels exceeding 2.0 acres in size."*

STAFF COMMENTS

This is a proposed amendment to the Residential Mixed Density Zone (RM) text to allow "Harvest of forest products on parcels exceeding 2.0 acres in size" as a conditionally permitted use as currently there are no zone text provisions regulating forest harvest activities. This proposed amendment is in response to a proposal to harvest portions of Ridgeway Butte, RM zone, currently undeveloped. A subsequent conditional use public hearing, regarding a specific harvest proposal, will be required (along with mandatory public notice) prior to the conditional use approval of any forest harvest activities exceeding 2.0 acres on Ridgeway Butte.

Conditionally permitted uses in the RM zone currently include a variety of resource uses listed in 4.020(5)(f) as follows:

*(f) Agricultural uses subject to the following conditions and limitations.*

- 1. No retail or wholesale business sales office shall be maintained on the premises.*
- 2. Orchards, tree farms, tree crops, flower gardening, berry and bush crops, truck gardening, nurseries for raising and sales confined to plant materials and other similar enterprises carried on in the general field of horticulture.*

It is important to note that although the currently proposed zone text amendment is a prerequisite in order to allow the harvesting of forest products on Ridgeway Butte, in no way does the amendment alone permit forest product harvesting. In fact, this proposed zone text amendment clearly defines that harvest of forest products on parcels exceeding 2.0 acres in size will subsequently be regulated by the Zone Ordinance-dictated conditional use review process thereby clarifying and refuting the position that since the Zone Ordinance does not address forest harvest activities it does not regulate these types of activities (forest harvesting) and, therefore, forest harvesting is permitted outright or unregulated and therefore permitted.

Amending the zone text to allow forest harvesting as a conditionally permitted use in the RM zone establishes the review process and standards for evaluating this type of request including the purpose (Section 6.010), authorization to grant or deny a request (Section 6.020), procedures for taking action (Section 6.030), time limits (Section 6.050), termination (Section 6.060), modifications (Section 6.065) and limitations (Section 6.070) thereby providing staff and the Planning Commission the guidelines and ordinance based authority to regulate forest harvest proposals.

It is prudent to note that although the proposed zone text amendment applies to all Residential Mixed Density (RM) zoned properties within city limits, in practicality it only impacts or could be employed regarding Ridgeway Butte forest harvest activities. Additionally, there are several properties outside of city limits but within the Urban Growth Boundary that are Comprehensive Plan designated Mixed Density Residential that could be subject to the proposed zone text amendment at sometime in the future when annexed.

Finally, any conditional use request to harvest forest products on Ridgeway Butte will be required to address all of the conditional use standards and requirements, all relevant Zone Ordinance and Comprehensive Plan criteria and policies as well as any state or local agency issues and concerns such as wildlife issues, fire control, reforestation, etc.

#### **RELEVANT ZONE ORDINANCE CRITERIA**

1. Section 9.010 of the Zone Ordinance states that an amendment to the text of the Zone Ordinance may be initiated by the City Council or Planning Commission.
2. Section 9.020(1-6) of the Zone Ordinance states the public hearing process for zone text amendments.
3. Article 6 of the Zone Ordinance deals with conditional uses including purpose (Section 6.010), authorization to grant or deny (Section 6.020), procedures (Section 6.030), time limits (Section 6.050), termination (Section 6.060), modification (Section 6.065), limitation (Section 6.070) and standards (Section 6.080).

#### **PLANNING COMMISSION RECOMMENDATION**

Upon the conclusion of the May 16 public hearing, the Planning Commission unanimously voted to recommend to the City Council that Zone Ordinance Section 4.020(5), Residential Mixed Density Zone, Conditional Uses, be amended by adding item "*(h) - Harvest of forest products on parcels exceeding 2.0 acres in size.*"

**PROPOSED FINDING**

1. Amending the Residential Mixed Density Zone, Conditional Use section of the Zone Ordinance text to add proposed Section 4.020(5)(h) was initiated by the City Council and thereby complies with Zone Ordinance Section 9.010.
2. Notice of the proposed Zone Text Amendment public hearing was issued according to Zone Ordinance Section 2.100 and the Planning Commission and City Council have conducted public hearings on this issue and, therefore, the proposed Zone Text Amendment complies with Zone Ordinance Section 9.020(1), (2), (3), (4) and (5).
3. Amending the Lebanon Zone Ordinance to include "harvest of forest products on parcels exceeding 2.0 acres in size" as a conditionally permitted use in the Residential Mixed Density Zone will provide the regulatory authority, procedures and standards to allow the city to respond to future requests to harvest forest products within the Residential Mixed Density Zone.

## SECTION 4.020 RESIDENTIAL MIXED DENSITY ZONE RM

In a RM zone the following regulations shall apply:

- (1) Purpose. To provide areas suitable and desirable for single-family, two-family and multiple-family dwellings with provisions for associated public service uses and planned developments.
- (2) Uses Permitted Outright. In a RM zone the following uses and their accessory uses are permitted outright.
  - (a) Single-family dwellings.
  - (b) Two-family dwellings on corner lots which meet an area requirement of 10,000 square feet (929.03 square meters).
  - (c) Accessory structures and uses which are in keeping with the residential character of the zone.
  - (d) Home occupations which meet the requirements as set forth in Section 5.080.
- (3) Uses Permitted in Accordance with Administrative Review Procedures. Section (5.500)
  - (a) Multiple-family dwelling abutting arterials, collectors, or highways as defined in the Comprehensive Plan and stated in Section 1.040.
  - (b) Lots over 12,000 square feet (1114.84 square meters) incapable of subdivision to City standards may be allowed a density not to exceed 6,000 square feet (557.42 square meters) per dwelling unit based on an approved development plan.
 

Multiple family complexes of 20 or more units and all mobile home parks shall be reviewed by the full Planning Commission.
  - (c) Two-family dwellings on interior lots which meet an area requirement of 10,000 square feet (929.03 square meters).
  - (d) Professional offices, including real estate, which abut a collector, arterial or highway.
  - (e) Adult Foster Home for up to five (5) residents.

Ord.1824 12-10-80

1828 1-14-81

Amended 1867 11-11-81,

1910 5-11-83:

1972 6-12-85

2027 10-14-87

- (4) Uses Permitted in Accordance with Site Review Procedures. Section (5.300)
- (a) Mobile home parks which abut a collector, arterial, or highway when in conformance with Section 6.080.03.
  - (b) Multiple family dwellings of up to a maximum of four (4) units on corner lots not located on a collector, arterial, or highway.
  - (c) Boarding, lodging, or rooming houses.
  - (d) Medical or dental clinic which abut a collector, arterial, or highway.
  - (e) Public parking areas.
  - (f) Utility substation.
- (5) Conditional Uses Permitted. In a RM zone, the following uses and their accessory uses may be permitted subject to the provisions of Article 6, and after a public hearing has been held.
- (a) Fraternal club or lodge.
  - (b) Hospital or nursing home.
  - (c) Church.
  - (d) Public or private schools or college.
  - (e) Governmental structure or use of land including, but not limited to, recreation building, park, playground, fire station, library, or museum.
  - (f) Agricultural uses subject to the following conditions and limitations.
    1. No retail or wholesale business sales office shall be maintained on the premises.
    2. Orchards, tree farms, tree crops, flower gardening, berry and bush crops, truck gardening, nurseries for raising and sales confined to plant materials and other similar enterprises carried on in the general field of horticulture.
  - (g) All uses listed conditional uses in the RL zone.
  - "(h) *Harvest of forest products on parcels exceeding 2.0 acres in size.*"

# NOTICE OF PROPOSED ACTION

2 (9)

Must be sent to DLCD 45 days prior to the final hearing  
See OAR 660-18-020

Jurisdiction City of Lebanon

Date Mailed April 13, 1990 Local File Number ZTA-90-1

Date Set for Final Hearing on Adoption May 30 1990  
Month Day Year

Time and Place for Hearing 7:30 p.m. - Lebanon School District Board Room,  
485 S. Fifth St., Lebanon, Oregon

Type of Proposed Action (Check all that apply)

Comprehensive Land Use New Land Use  
Plan Amendment Regulation Amendment XX Regulation

Please Complete (A) for Text Amendments and (B) for Map Amendments

A. Summary and Purpose of Proposed Action (Write a brief description of the proposed action. Avoid highly technical terms and stating "see attached".):

Amendment to Residential Mixed Density Zone (RM) text to allow "Harvest of  
forest products on parcels exceeding 2.0 acres in size" as a conditionally  
permitted use. Self-explanatory text amendment; currently no zone text provisions  
regulating forest harvest activities. This proposed amendment is in response  
to a proposal to harvest portions of Ridgeway Butte, RM zone, undeveloped.

B. For Map Amendments Fill Out the Following (For each area to be changed, provide a separate sheet if necessary. Do not use number alone.):

P 449 236 522

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)  
2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  
Dept. of Land Conservation and Development  
1175 Court St., N.E.  
Salem, OR 97310-0590

4. Article Number  
P449236522

Type of Service:  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee  
X

6. Signature - Agent  
X *A. Preston*

7. Date of Delivery  
APR 16 1990

8. Addressee's Address (ONLY if requested and fee paid)

Proposed Plan Designation:

Proposed Zone:

on? Yes No

ify the Change in Allowed

Proposed Density:



**List Statewide Goals Which May Apply to the Proposal:**

Goal 4: Forest Lands

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

**List any State or Federal Agencies, Local Government or Local Special Service Districts Which may be Interested in or Impacted by the Proposal:**

Oregon Dept. of Forestry; Oregon Dept. of Fish and Wildlife; Oregon Dept. of Revenue, Assessment and Appraisal Division, Timber Section

**Direct Questions and Comments To**

Douglas Parker, City Planner  
c/o Lebanon City Hall, 925 Main St.  
Lebanon, OR 97355  
(Phone) 451-7435

**Please Attach Three (3) Copies of the Proposal to this Form and Mail To :**

Department of Land Conservation and Development  
1175 Court Street, N.E  
Salem, Oregon 97310-0590

**NOTE:** If more copies of this form are needed, please contact the DLCD office at 373-0050, or this form may be duplicated on green paper. Please be advised that statutes require the "text" of a proposal to be provided. A general description of the intended action is not sufficient. Proposed plan and land use regulation amendments must be sent to DLCD at least 45 days prior to the final hearing (See OAR 660-18-020).

**\* \* \* FOR DLCD OFFICE USE \* \* \***

DLCD File Number \_\_\_\_\_ # Days Notice \_\_\_\_\_

<pa>proposedform

# **AGENDA ITEM 3**



## CITY OF LEBANON

M E M O R A N D U M

TO: Joseph A. Windell  
City Administrator

DATE: May 23, 2990

FROM: Walter R. Richmond *WR*  
Chief of Police

SUBJECT: Liquor License Renewal Requests

The attached businesses have been reviewed for the purposes of their annual liquor license renewal. This review has involved the Department of Agriculture, Department of Environmental Health, planning, Lebanon Fire District, and a site visit by myself. At this time, there is no documentation to support denial of any of these applications, with the exception of D&K Foods; therefore, I recommend approval all licenses except D&K Foods.

At this time, D&K Foods is in non-compliance with the Department of Agriculture and they have received one liquor-related citation from the Lebanon Police Department and also another violation of O.L.C.C. regulations for selling alcohol while their license was suspended.

ref

## LIQUOR LICENSE RENEWAL REQUEST

The proprietors individually specified below are applying for liquor license renewal:

BUSINESS: VILLA PIZZA  
 OWNER(S): LOWE, ROGER A.  
 ADDRESS: 2480 S MAIN  
LEBANON OR 97355

CLASSIFICATION: RESTAURANT

BUSINESS: STAR LITE TAVERN  
 OWNER(S): SMITH, ERNESTINE VIOLET  
 ADDRESS: 638 MAIN ST PO BOX 280  
LEBANON OR 97355

CLASSIFICATION: RETAIL MALT BEVERAGE

BUSINESS: TOWNE PUMP  
 OWNER(S): TRUAX CORPORATION  
 ADDRESS: 2684 S SANTIAM HWY  
LEBANON, OR 97355

CLASSIFICATION: PACKAGE STORE

BUSINESS: KNOT HOLE MARKET  
 OWNER(S): ROBERT DEIBELE  
 ADDRESS: 2412 S. SANTIAM HWY  
LEBANON OR 97355


CLASSIFICATION: PACKAGE STORE

BUSINESS: TIN STAR GRILL  
 OWNER(S): TIN STAR GRILL INC. PRATT, JAMES & CINDY  
 ADDRESS: 380 N MAIN ST  
LEBANON OR 97355

CLASSIFICATION: DISPENSER CLASS C

There have been no liquor-related violations at these locations over the past year. The Police Department does not possess any documented evidence to support the denial of these requests.

Date: MAY 7, 1990

  
 Walter R. Richmond  
 Chief of Police

## LIQUOR LICENSE RENEWAL REQUEST

The proprietors individually specified below are applying for liquor license renewal:

BUSINESS: CIRCLE K #525  
 OWNER(S): CIRCLE K CONVENIENCE STORES INC  
 ADDRESS: 290 W OAK  
LEBANON OR 97355

CLASSIFICATION: PACKAGE STORE

BUSINESS: CIRCLE K #1352  
 OWNER(S): CIRCLE K CONVENIENCE STORES INC  
 ADDRESS: 1225 E GRANT  
LEBANON OR 97355

CLASSIFICATION: PACKAGE STORE

BUSINESS: LA BAMBA MEXICAN RESTAURANT  
 OWNER(S): HUGHET CORPORATION (IVAN & JULIETA HUGHET)  
 ADDRESS: 25 N. SANTIAM HIGHWAY  
LEBANON OR 97355

CLASSIFICATION: DISPENSER CLASS A

BUSINESS: PIZZA KING OF LEBANON  
 OWNER(S): BICKFORD, WILLIAM R.  
 ADDRESS: 1188 MAIN ST  
LEBANON OR 97355

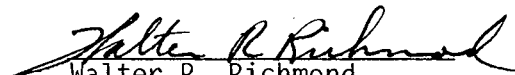
CLASSIFICATION: RETAIL MALT BEVERAGE

BUSINESS: POOR RICHARD'S FUEL MART  
 OWNER(S): SCHAEFER, RICHARD/PHYLLIS/RICHARD M./PATRICIA  
 ADDRESS: 3510 S SANTIAM HWY  
LEBANON OR 97355

CLASSIFICATION: PACKAGE STORE

There have been no liquor-related violations at these locations over the past year. The Police Department does not possess any documented evidence to support the denial of these requests.

Date: MAY 1, 1990

  
 Walter R. Richmond  
 Chief of Police

## LIQUOR LICENSE RENEWAL REQUEST

The proprietors individually specified below are applying for liquor license renewal:

BUSINESS: D&K FOODS  
 OWNER(S): SWANSON, KENNETH O.  
 ADDRESS: 21 S. MAIN  
LEBANON OR 97355

CLASSIFICATION: PACKAGE STORE

BUSINESS: \_\_\_\_\_  
 OWNER(S): \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_

CLASSIFICATION: \_\_\_\_\_

BUSINESS: \_\_\_\_\_  
 OWNER(S): \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_

CLASSIFICATION: \_\_\_\_\_

BUSINESS: \_\_\_\_\_  
 OWNER(S): \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_

CLASSIFICATION: \_\_\_\_\_

BUSINESS: \_\_\_\_\_  
 OWNER(S): \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_

CLASSIFICATION: \_\_\_\_\_

There have been no liquor-related violations at these locations over the past year. The Police Department does not possess any documented evidence to support the denial of these requests.

Date: May 22, 1990

\_\_\_\_\_  
 Walter R. Richmond  
 Chief of Police




CITY OF LEBANON

M E M O R A N D U M

TO: Mayor and City Council

DATE: May 30, 1990

FROM: Thomas A. McHill  
City Attorney 

SUBJECT: Lebanon Historic Ordinance Amendment

The Historic Resources Commission (HRC) met on May 10, 1990 and has recommended that Ordinance 2069, specifically Section 3(1)(d) on the designation procedure be amended.

The original ordinance required that the City Council take action upon the HRC recommendations within 60 days from the date of the decision of the HRC. Because of the volume of the recommendations which we have made to the City Council, and the efforts to make sure that all identified criteria are addressed for City Council review, the HRC has recommended that the 60 day timeline be removed from the ordinance. This will allow time to give careful consideration to all of the recommendations.

The other part of the amendment to this section of the ordinance requires that the City Council consider economic, social, environmental and energy consequences to the community in determining whether or not a specific historic resource should be added to the Historic Resources Register. This information was considered by staff and the HRC when the recommendations were originally made. However, the Commission and staff believe that these particular criteria should also be addressed by the City Council in making such a determination. Therefore, it seems appropriate that the ordinance should be amended.

It is important to note that these amendments do not require consideration of the historic resource ordinance in its entirety, but they do allow the Council more time to consider more designated criteria in reaching a decision about a particular resource. Therefore, the staff joins the the HRC in recommending that the Council amend the ordinance as indicated.

TAM:lkh

A BILL FOR AN ORDINANCE AMENDING ) ORDINANCE BILL NO. \_\_\_\_\_  
ORDINANCE 2069, LEBANON HISTORIC ) For 1990  
RESOURCES ORDINANCE DESIGNATION )  
PROCEDURE ) ORDINANCE NO. \_\_\_\_\_

WHEREAS, on May 10, 1990, the Lebanon Historic Resources Commission did meet and has recommended an amendment to the designation procedure of Ordinance 2069, Section 3(1)(d); and

WHEREAS, the City Council has considered testimony given at a public hearing on Wednesday, May 30, 1990; and

WHEREAS, the Council determines that an amendment to the Lebanon Historic Resources Ordinance regarding designation procedure is in the best interests of the people of the City of Lebanon;

NOW, THEREFORE, the people of the City of Lebanon do ordain as follows:

Section 1. Ordinance 2069, Section 3(1)(d) as heretofore enacted by the City Council, is hereby amended to read as follows:

- (d) After conclusion of the Historic Resources Commission public hearing, and considering the Historic Resources Commission recommendation and the identified economic, social, environmental and energy (ESEE) consequences to the community, the Lebanon City Council shall conduct a public hearing on the proposed request, following the notice procedure above, and shall either:
  - (i) Approve the request as submitted;
  - (ii) Approve the request with modifications; or
  - (iii) Deny the request.

Section 2. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health, and safety of the people of the City of Lebanon, an emergency is





CITY OF LEBANON

M E M O R A N D U M

TO: Linda Kaser  
Finance Secretary

DATE: May 29, 1990

FROM: Thomas A. McHill  
City Attorney

SUBJECT: Proposal of Lot 408 in Aspen Park

This is a follow-up to our telephone conversation on May 25, 1990 regarding the proposal you have received from Liberty Real Estate and Buck Construction. The proposal offers to pay \$3,500 for Lot 408.

As I read the program, which was adopted by Council, a minimum price of \$4,000 was authorized on the lots in Aspen Park. Any offers of less than \$4,000 need to be submitted to Council for approval. In the past, Judy did recommend the sale of Lots 103 and 104 in Aspen Park at the price of \$3,500, but the motion which is indicated in her memo of February 7, 1990 relates only to those two lots. The Council did not amend the sale procedure.

If anything further is needed, please let me know.

TAM:lkh

cc: Joseph A. Windell, City Administrator ✓  
Judy Wendland, Finance Director

TO: Joseph A. Windell, City Administrator      DATE: May 24, 1990

FROM: Linda G. Kaser, Finance Secretary

SUBJECT: Proposal of Lot 408 in Aspen Park

Today I received a "Purchase Request" and a "Sale Agreement/Receipt for Earnest Money (copies attached) from Liberty Real Estate. The purchaser, Buck Construction, is offering to pay \$3,500 for Lot 408 in Aspen Park subdivision.

Attached is Judy's memo to you dated February 7, 1990 in which she discusses a similar offer motioning to except \$3,500.00 for each lot. The only thing done differently is that this proposal is through Liberty Real Estate instead of directly through the city. Also, I included copies of other pertinent information.

Liberty Real Estate is aware that Judy is on vacation, but they are anxious to get things rolling. I told them I would discuss this with the City Administrator. Does Council needs to approve each sale, if so let me know if you need any other information.

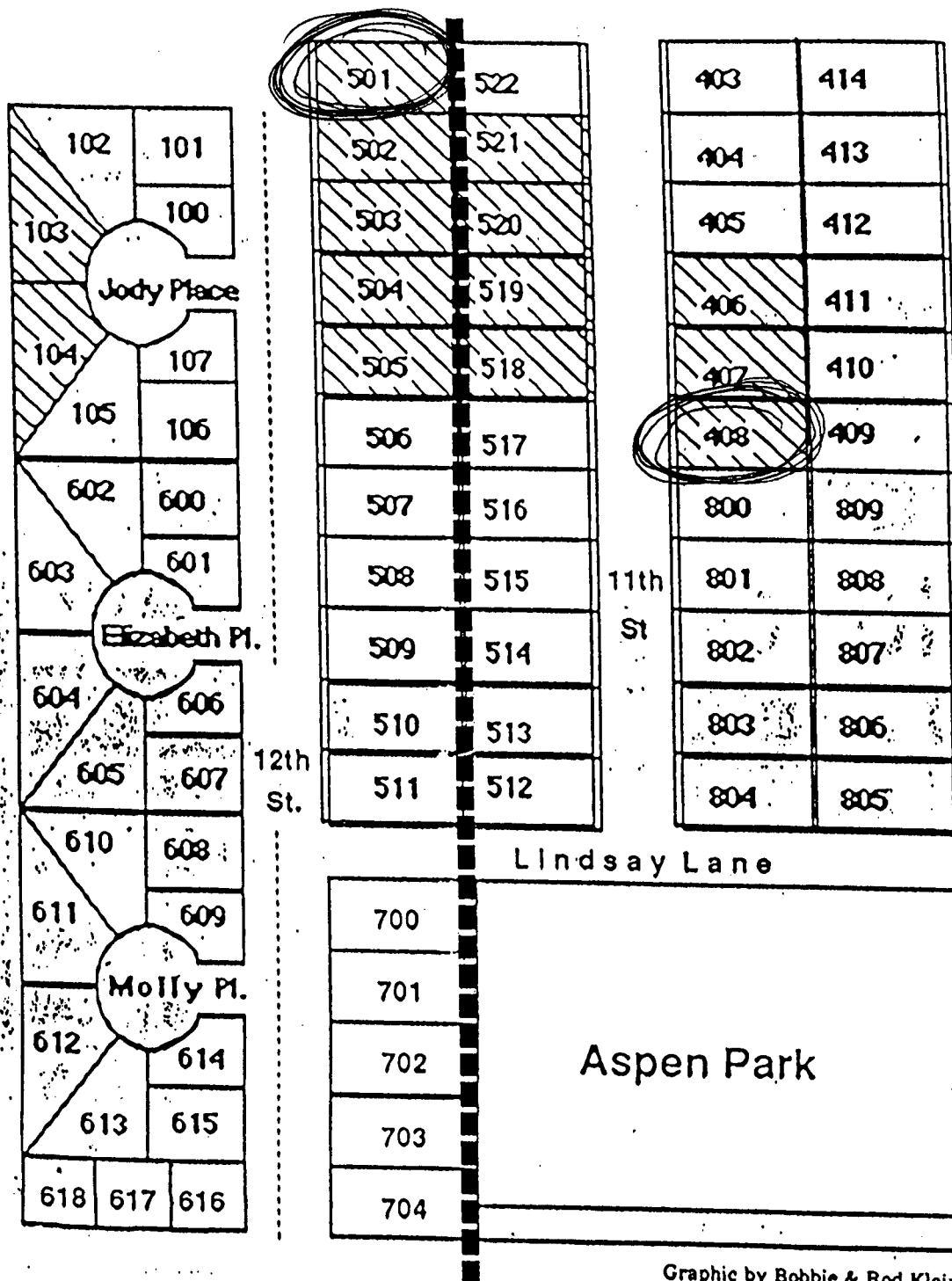
/lgk

cc: Tom McHill, City Attorney  
Judy Wendland, Finance Director

P.S. I just received another proposal from Buck Construction for Lot 501 also.

RESIDENTIAL  
MIXED DENSITY

RESIDENTIAL  
LOW DENSITY



Graphic by Bobbie & Rod Kleint

A portion of the Aspen Park subdivision. Shaded lots are those to be offered for sale by the city of Lebanon.

NO MOBILE HOMES

hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage the Council and approval by the Mayor.

Passed by the Council of the City of Lebanon by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against, and approved by the Mayor this \_\_\_\_\_ day of May, 1990.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder