

A RESOLUTION TO REJECT A PROPOSAL ) RESOLUTION NO. 2013-35  
TO RENAME A PORTION OF NORTH 5<sup>TH</sup> )  
STREET TO "PATRIOTS' PLACE" )

**WHEREAS**, a proposal was put forth to rename a portion of North 5<sup>th</sup> Street, between Mary Street and Reeves Parkway, to "Patriots' Place;" and

**WHEREAS**, the City of Lebanon followed procedures in ORS 227.120 to consider renaming that portion of North 5<sup>th</sup> Street; and

**WHEREAS**, consistent with procedures in ORS 227.120, a hearing was held before the Planning Commission on September 18, 2013 to consider the proposal to rename a portion of North 5<sup>th</sup> street; and,

**WHEREAS**, after conducting the hearing and considering all objections or remonstrance with reference to the proposed street name change, and further considering the recommendation of the Lebanon Planning Commission, the City Council finds that the proposal to change a portion of North 5<sup>th</sup> Street to "Patriots' Place" is not in the best interests of the City.

**NOW, THEREFORE, THE LEBANON CITY COUNCIL HEREBY RESOLVES:**

**Section 1.** The City rejects the proposal to rename a portion of North 5<sup>th</sup> Street to "Patriots' Place".

**Section 2.** In addition to the findings referred to above, the City Council further adopts and finds those matters contained in Exhibit "A" which is incorporated herein by this reference.

Passed by the Lebanon City Council and executed by the Mayor this 13<sup>th</sup> day of November, 2013 with 4 yeas and 0 nays.

CITY OF LEBANON, OREGON

  
\_\_\_\_\_  
Paul Aziz, Mayor   
Bob Elliott, Council President

ATTESTED:

  
\_\_\_\_\_  
Linda Kaser, City Clerk / Recorder

## EXHIBIT "A"

### I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of the City of Lebanon to rename a portion of North 5<sup>th</sup> Street to "Patriots' Place".

### II. PUBLIC HEARING

#### A. Planning Commission Action

A public hearing was held before the Lebanon Planning Commission on September 18, 2013. At that hearing, City Planning File 13-08-39 was made a part of the record. At the conclusion of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council deny the proposed name change. The Commission found the proposed name change to be contrary to relevant portions of the City's Comprehensive Plan and Development Code.

#### B. City Council Action

A public hearing was held before the Lebanon City Council on October 9, 2013. At that hearing, City Planning File 13-08-39 was made a part of the record. At the conclusion of the hearing, the City Council deliberated on the issue and voted to deny the proposed name change. The Council found the proposed name change to be contrary to relevant portions of the City's Comprehensive Plan and Development Code. Further, the Council directed City staff to return with the appropriate resolution at the next available Council meeting.

### III. FINDINGS OF FACT-GENERAL

The Lebanon City Council, after careful consideration of the testimony and evidence in the record, adopts the following General Findings of Fact:

- A. The applicant is the City of Lebanon.
- B. The request is to change North 5<sup>th</sup> Street, between Reeves Parkway to Mary Street, to "Patriots' Place".
- C. The Council's decision to recommend approval or denial shall be based on Oregon Revised Statute (ORS) 227.120.

### IV. APPLICATION SUMMARY

- A. It was the City's hope the Oregon Department of Veterans' Affairs would name the new veterans' facility "Patriots' Place"; however, a different name was chosen by the agency. To preserve the name's use, the City administratively renamed the portion of North 5<sup>th</sup> Street, located between Reeves Parkway and Mary Street, to "Patriots' Place".
- B. When a community does not have a local ordinance regulating street name changes, it must defer to State law; this situation applies to Lebanon. Specific requirements are found in ORS 227.120 and read as follows:

***227.120 Procedure and approval for renaming streets.*** *Within six miles of the limits of any city, the commission, if there is one, or if no such commission legally exists, then the city engineer, shall recommend to the city council the renaming of any existing street, highway or road, other than a county road or state highway, if in the judgment of the commission, or if no such commission legally exists, then in the judgment of the city engineer, such renaming is in the best interest of the city and the six mile area.*

*Upon receiving such recommendation the council shall afford persons particularly interested, and the general public, an opportunity to be heard, at a time and place to be specified in a notice of hearing published in a newspaper of general circulation within the municipality and the six mile area not less than once within the week prior to the week within which the hearing is to be held. After such opportunity for hearing has been afforded, the city council by ordinance shall rename the street or highway in accordance with the recommendation or by resolution shall reject the recommendation. A certified copy of each such ordinance shall be filed for record with the county clerk or recorder, and a like copy shall be filed with the county assessor and county surveyor. The county surveyor shall enter the new names of such streets and roads in red ink on the county surveyor's copy of any filed plat and tracing thereof which may be affected, together with appropriate notations concerning the same. The original plat may not be corrected or changed after it is recorded with the county clerk. [Amended by 2001 c.173 §4]*

- C. As stated, the statute requires the input of the local planning commission before a council can authorize a street name change. Unfortunately, this did not occur for the "Patriots' Place" action. Therefore, to correct this error, the City began the process to determine whether the segment of North 5<sup>th</sup> street should be renamed.
- D. The Community Development Department mailed notice of the application to affected agencies and property owners. The Lebanon Fire District noted the name change impacts a small segment of 5<sup>th</sup> Street, one without any well-defined boundaries. While recognizing the purpose behind the proposal, the District was concerned with the confusion this may cause emergency personnel and therefore did not support the name change. Additional correspondence was received from the Central Willamette Community Credit Union, the Lebanon Community Hospital and the Lebanon Area Chamber of Commerce echoing the Fire District's concerns.

## V. ANALYSIS

- A. ORS 227.120 describes a process, but does not establish any decision criteria for a street name change. As part of the review, the City reviewed the Comprehensive Plan and Development Code to identify relevant guidelines.

- 1. Transportation Goals and Policies focus on the planning process, improvements, circulation, and connectivity while encouraging alternative modes of transportation. Local Connectivity Policy P-30 states the following:

***P-30:*** *New streets shall provide for a logical pattern of street names and addresses.*

While not directly related to changing a street name, it does appear to support a logical pattern for street names, which said pattern could be interrupted by renaming a small segment of 5<sup>th</sup> to "Patriots' Place".

- 2. Comprehensive Plan Chapter 9 contains goals and policies related to public facilities and services. Fire protection and emergency services policies are noted as follows:

### **11.11 Fire Protection and Emergency Medical Service Policies**

***P-67:*** *Support and encourage the continued improvement of the Lebanon Fire District and its facilities while acknowledging the fact that the City has no direct responsibility for this key community organization.*

***P-68:*** *Support the Lebanon Fire District efforts to locate new facilities as needed within the City limits and/or Urban Growth Area (UGA) through appropriate application of the Zoning Ordinance and any other applicable land use regulations, and interagency agreements.*

***P-69:*** *Cooperate with the Lebanon Fire District to maintain and enhance a joint Emergency Management Program, and all supporting documents and practices, as*

*set forth in the provisions of the community's current Basic Emergency Management Plan.*

**P-70:** *Support and encourage the continued involvement of Fire District in the Development Review (land use) process of the City.*

**P-71:** *Require applicants of development projects (land use) to comply with all Fire District regulations and practices.*

While there is no specific mention of renaming a street, taken as a whole, the policies encourage maintaining appropriate emergency management systems and compliance with Fire District regulations.

3. Development Code Section 16.13.030.P., contains the following regulations regarding street names:

**P. Street Names** - *Proposed new street names must conform to City of Lebanon requirements, and with the requirements of the Linn County Sheriff's Office, Emergency Services division. Accordingly, no street name shall be used that will duplicate or be confused with the names of existing streets except for extensions of existing streets. Street names, signs and addresses shall conform to the established City standards in the surrounding area, except as requested by emergency service providers.*

As with Plan policies, the Code language does not address street *renaming* but does encourage a naming policy that does not create confusion for emergency services.

- B. State statute does not provide decision criteria for a street name change, merely the process in which such an action must be conducted. Neither the City's Comprehensive Plan nor the Development Code establishes guidelines or criteria for renaming a street. However, the City Council believes that taken at a whole, Plan policies and the Code language establish a street naming policy that seeks to avoid confusion and support the ability of local agencies to respond to emergencies. Looking at the issue strictly as a planning matter, and given the submitted comments, the Council finds these factors weigh against renaming the identified portion of North 5<sup>th</sup> Street to Patriots' Place.

## VII. CONCLUSION

The City Council concludes the proposal is inconsistent with the intent of the relevant provisions in the City's Comprehensive Plan and Development Code and therefore rejects the proposed name change.