



**LEBANON CITY COUNCIL
REGULAR MEETING AMENDED AGENDA**

June 8, 2022 (6:00 PM)

**Santiam Travel Station
750 3rd Street, Lebanon, Oregon**

Mayor Paul Aziz

*Council President Michelle Steinhebel
Councilor Wayne Rieskamp*

*Councilor Wayne Dykstra
Councilor Jeremy Salvage*

*Councilor Gamael Nassar
Councilor Kim Ullfers*

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

A celebration will be held from 5:00 - 6:00 PM at the Santiam Travel Station to recognize all partners that made progress toward implementation of the 2040 Vision Plan.

CALL TO ORDER / FLAG SALUTE

ROLL CALL

SWEARING-IN AND OATH OF OFFICE (Jeremy Salvage – Ward 3)

CONSENT CALENDAR *The following item(s) are considered routine and will be enacted by one motion. There will not be a separate discussion of these items unless a Councilor so requests. In this case, the item(s) will be removed from the Consent Calendar and considered separately.*

AGENDA

APPOINTMENTS

Lebanon City Council Agenda – June 8, 2022

Library Advisory Committee – Jane Turner (Reappointment) & Lindsay Raybould

Planning Commission – Don Robertson (Reappointment) & David Workman

Trees and Trails Advisory Committee – Jennifer Puccio (Reappointment)

BID AUTHORIZATION

BOARD MINUTES

COUNCIL MINUTES

EASEMENTS

Lupine Neighborhood Sanitary Sewer Rehabilitation (20712)

Planning Commission – April 20, 2022

May 11, 2022 Regular Session

Public Access and Utilities Easement – 600 N 5th Street

Public Access and Utilities Easement – 611 Hansard Avenue

PUBLIC COMMENTS *Citizens may address the Council by filling out a testimony/comment card prior to speaking and hand it to the City Recorder. Each citizen is provided up to 5 minutes to provide comments to the Council. The Council may take an additional two minutes to respond. The City Recorder will accept and distribute written comments at a speaker's request. Public comments can also be submitted by email to cityrecorder@ci.lebanon.or.us prior to 5:00 PM on June 7. The City Recorder will distribute comments to the Mayor and Council prior to the meeting.*

PUBLIC HEARINGS

1) Utility Rate Adjustments

Presented by: Ron Whitlatch, Engineering Services Director
Approval/Denial by RESOLUTION NO. 2022-15

**2) Amending Comprehensive Plan Map and Zoning Map Designation; CPMA-22-02
ZMA-22-01**

Presented by: Kelly Hart, Community Development Director
Approval/Denial by ORDINANCE BILL NO. 2022-07, ORDINANCE NO. 2983

3) State Revenue Sharing

Presented by: Nancy Brewer, City Manager
Approval/Denial by RESOLUTION NO. 2022-09 (Eligibility in Receiving)

4) Adoption of FY 2022-2023 City of Lebanon Approved Budget

Presented by: Nancy Brewer, City Manager
Approval/Denial by RESOLUTION NO. 2022-10 (Levying Taxes)
Approval/Denial by RESOLUTION NO. 2022-11 (Making Appropriations)

[Temporarily adjourn as Lebanon City Council and convene as Urban Renewal Agency]

5) Adoption of FY 2022-2023 Urban Renewal District Approved Budget

Presented by: Nancy Brewer, City Manager
Approval/Denial by RESOLUTION NO. 2022-12 (Levying Taxes)
Approval/Denial by RESOLUTION NO. 2022-13 (Making Appropriations)

[Adjourn as the Urban Renewal Agency and reconvene as the Lebanon City Council]

REGULAR SESSION

6) FY 2021-2022 Budget Appropriation Transfer and Supplemental Budget

Presented by: Nancy Brewer, City Manager
Approval/Denial by RESOLUTION NO. 2022-14

7) Repealing Lebanon Municipal Code Chapter 5.02 Business Registration

Presented by: Alysia Rodgers, Economic Development Catalyst
Approval/Denial by ORDINANCE BILL NO. 2022-06, ORDINANCE NO. 2982

8) City Manager's Report

Presented by: Nancy Brewer, City Manager
DISCUSSION

ITEMS FROM COUNCIL

PUBLIC/PRESS COMMENTS *An opportunity for citizens and the press to comment on items of city business.*

NEXT SCHEDULED COUNCIL MEETING

- July 13, 2022 5:00 PM Work Session and 6:00 PM Regular Session

ADJOURNMENT

If you cannot attend the meeting, but wish to address the Council under Public Comments or for a Public Hearing electronically, click [HERE](#) to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting. Please register **ONLY** if you wish to address the Council. You will be called in the order received. If you want to watch or listen to the meeting, please click this link to do so on YouTube: <https://youtu.be/kEVggCe-QaA>

City Council meetings are recorded and available on the City's YouTube page at <https://www.youtube.com/user/CityofLebanonOR> The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Recorder at 541.258.4905.

Consent Calendar

Appointments



MEMORANDUM

City Recorder's Office

To: Mayor Aziz and City Council
From: Kim Scheafer, MMC, City Recorder
Subject: Various Council Advisory Committee Appointments

Date: May 31, 2022

I. BRIEF HISTORY

With several committee members with terms expiring June 30 on various City Advisory Committees, staff advertised for members to serve on the Budget Committee, Library Advisory Committee, Planning Commission, Senior & Disabled Services Advisory Committee and Trees and Trails Committee.

II. CURRENT REPORT

Mayor Aziz is excited to nominate the following at the June 8, 2022 City Council Meeting:

Budget Committee:

No applications submitted.

July 1 there will be four vacancies on this committee.

Library Advisory Committee:

- Jane Turner (*Reappointment*)
- Lindsay Raybould

July 1 there will be two vacancies on this committee.

Planning Commission:

- Don Robertson (*Reappointment*)
- David Workman

July 1 there will be two vacancies on this commission.

Senior & Disabled Services Advisory Committee:

No applications submitted

July 1 there will be two vacancies on this committee

Trees and Trails Advisory Committee:

- Jennifer Puccio (*Reappointment*)

III. RECOMMENDATION

Appoint the above recommended nominees through the Consent Calendar process.

Bid Authorization



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council

Date: June 1, 2022

From: Ron Whitlatch, Engineering Services Director

Subject: **Approval to Advertise Project for Bids**

Lupine Neighborhood Sanitary Sewer Rehabilitation Project

Project No. 20712

I. INTRODUCTION

Staff is continuing to see multiple sewer mains and laterals in need of replacement. Two years ago, Staff identified the sanitary sewer on Lupine, Foxglove and Larkspur Streets as a priority for replacement. It was determined through video inspection done by City of Lebanon Maintenance Crews that these sewer mains have multiple failure points, multiple spots of infiltration (which impacts pipe capacity and additional treatment expense) as well broken lateral connections.

Due to the extremely poor condition of the roadways and limited street funding, the sewer will be replaced using a pipe burst method. This method is less intrusive than a typical open trench method.

Staff has contacted several contractors to determine pricing for the project. Based on reports back from the contractors, we are estimating the project to be between \$1.2 and \$1.4 million. Availability of materials as well as the volatile market may lead to increased price and/or length of construction time. Due to the size of the project, two years of funding have been set aside in order to complete the construction.

II. RECOMMENDATION

I recommend that City Council pass a motion authorizing City staff to advertise the Lupine Neighborhood Sanitary Sewer Rehabilitation Project for bids.

Board/Committee
Commission Minutes



City of Lebanon
Planning Commission
Meeting Minutes
April 20, 2022

Members Present: Chairman Salvage, Vice-Chair Robertson and Commissioners Todd Prenoveau, Chad Munn, Lory Gerig-Knurowski, and Tina Breshears.

Staff Present: Community Development Director Kelly Hart, and Jeff Clayson, City Attorney.

REGULAR SESSION – 6:00PM

1. CALL TO ORDER/FLAG SALUTE

Chairman Salvage called the meeting of the Lebanon Planning Commission to order at 6:00pm at the Santiam Travel Station. The meeting was also provided on Zoom for a virtual platform.

2. ROLL CALL

Roll call was taken. Commissioners Port and McClain was excused.

3. APPROVAL OF MEETING MINUTES –

March 16, 2022 minutes – there were no corrections or amendments, the minutes were approved as written

4. CITIZEN COMMENTS - *None*

5. PUBLIC HEARINGS

A. Planning File A-22-02 – Proposed annexation of the property on the east side of Cascade Drive, south of Wagon Wheel Drive (12S 02W 23A, tax lot 1000).

Chairman Salvage opened the public hearing. City Attorney Clayson read into the record the quasi-judicial/legislative hearing procedures and the raise it or waive it provisions of public meeting law.

Chairman Salvage asked the Commissioners whether they had any ex-parte communications, conflicts of interest or bias to report. Seeing none, Chairman Salvage requested staff to present the application.

Director Hart presented the staff report and discussed an overview of the decision criteria outlined in the agenda packet for consideration. At the conclusion of the staff report, Chairman Salvage opened the discussion up for questions of staff.

Vice-Chair Robertson and Commissioner Breshears asked whether there used to be a house on the property. Director Hart indicated the history of the property was not known.

Seeing no additional questions for staff, Chairman Salvage opened the hearing. As the applicant and no members of the public were present in the meeting hall or online, the public hearing portion was closed and opened the discussion between commissioners.

Chairman Salvage asked whether the project met the decision criteria. Commissioners indicated with head nods that the application met the decision criteria.

Chairman Salvage requested a motion.

Commissioner Munn moved to recommend approval of the application to the City Council with no modifications to the findings in the staff report.

Commissioner Prenoveau seconded the motion.

The motion passed 6-0.

6. COMMISSION BUSINESS & COMMENTS

- a. **Planning Commission Chair and Vice-Chair nominations and appointments.** In accordance with Section 2.24.070 of the Lebanon Municipal Code, the Planning Commission shall annually at its regular meeting in April choose a chairperson and vice-chairperson to preside over the meetings of the planning commission.

Director Hart opened the floor for nominations of a new Chairperson.

Chairman Salvage nominated Don Robertson for Chair. Commissioner Munn seconded the nomination. No additional nominations were brought forth.

The Planning Commission unanimously voted for Don Robertson to be the Chairperson.

Director Hart opened the nominations for Vice-Chairperson. Chairman Robertson nominated Jeremy Salvage as Vice-Chair. Commissioner Prenoveau seconded the nomination. No additional nominations were brought forth.

The Planning Commission unanimously voted Jeremy Salvage as the Vice-Chair.

b. Planning Commission Comments

Terms periods for officers. The Commissioners entered into a conversation with staff as to why the change in officers is to be voted on annually, and why it is not tied to a person's term in office. Staff indicated that the code, as currently written, requires an annual vote. The Chair and Vice-Chair can be voted multiple years to stay in the position for a term of 4 years. The purpose of the annual voting is to provide opportunities for other commissioners, if they so wished, to be chair/vice-chair.

Update on Planning Commission presentation to the City Council. Chair Salvage, Vice-Chair Robertson, and Commissioners Munn and Breshears provided an update to the commissioners regarding their presentation at the City Council the week before and the topics of discussion.

Discussion continued on the desire to have informational materials or a video available to educate the public on the role and process of the planning commission. Director Hart identified potential opportunities to pursue this project.

It was also indicated that the City Council appeared amenable to hosting an annual joint meeting between the Council and the Commission to maintain communication and exchange ideas. Director Hart indicated the joint meeting this year will be for the severe rent burden community meeting, and in following years, the meeting is scheduled for the February Council meeting, which provides an opportunity to create priorities for the year, and to include any budget necessities for the next fiscal year.

The Commission and staff also discussed the severe rent burden status and the comments they are hearing from the community regarding concerns over the number of apartments being constructed. The discussion included comments regarding market driven development, the work developers put in to considering projects before they even apply to the Planning Commission, future developments in the pipeline that are focused on single-family development, and development cycles.

Chairman Salvage asked if there were any updates on the two mill sites in the City. Director Hart indicated she had no updates to share at this time.

Director Hart indicated there will be a meeting in May.

7. ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:58pm.

[Meeting minutes prepared by Kelly Hart, Community Development Director]

Council Minutes

**LEBANON CITY COUNCIL
MINUTES – DRAFT
May 11, 2022**

Council Present Council President Michelle Steinhebel, Councilors Wayne Dykstra, Gamael Nassar, Wayne Rieskamp and Kim Ullfers

Staff Present City Attorney Tré Kennedy, City Manager Nancy Brewer, City Recorder Kim Scheafer, Police Chief Frank Stevenson, Community Development Director Kelly Hart, Library Director Kendra Antila, Systems Engineer Andy Roy and IT Administrative Assistant Erin Gomez

CALL TO ORDER Council President Steinhebel called the meeting to order at 5:30 p.m. in the Santiam Travel Station Board Room and immediately recessed into executive session.

EXECUTIVE SESSION *Per ORS 192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.*

REGULAR SESSION *Council President Steinhebel reconvened the meeting at 6:01 p.m.*

FLAG SALUTE & ROLL CALL Mayor Aziz was absent.

CONSENT CALENDAR *Councilor Rieskamp moved, Councilor Dykstra seconded, to approve the Consent Calendar as presented. The motion was withdrawn. Councilor Nassar moved, Councilor Dykstra seconded, to approve the Consent Calendar without the Agenda. The motion passed unanimously.*

<u>AGREEMENT</u>	Fire District – Fire Plan Reviews and Inspections Intergovernmental Agreement
<u>BARGAIN & SALE DEED</u>	Old Mill Trail Property
<u>BOARD MINUTES</u>	Planning Commission – March 16, 2022 Trees & Trails Advisory Committee – January 19, 2022
<u>COUNCIL MINUTES</u>	April 13, 2022 Regular Session
<u>LIQUOR LICENSE</u>	Annual Renewals

City Attorney Kennedy said that Oregon public meeting laws request public notice for discussion about significant items, but it does not give great guidance on the issue.

Councilor Nassar moved to amend the Agenda by adding an item for Council discussion regarding a Pride resolution/proclamation.

A Pride Month resolution was handed out to Council by Councilor Nassar. He said that as a father, stepfather, father-in-law, uncle and friend to so many of the LGBTQ+ community, he feels obligated and honored to support this resolution/proclamation. He requested a second to his motion so that the Council can further discuss this.

The motion failed for lack of a second.

Councilor Rieskamp moved, Councilor Ullfers seconded, to approve the Agenda. The motion passed with three yeas (Dykstra, Rieskamp, Ullfers) and one nay (Nassar).

PROCLAMATIONS

Council President Steinhebel read the proclamations declaring May 27, 2022 as American Legion Poppy Day and June 2-5, 2022 as the Lebanon Annual Strawberry Festival.

PUBLIC COMMENTS

- Brittany Nassar spoke in support of a Pride proclamation.
- Flynn Cary spoke in support of a Pride proclamation.
- Justin Cary spoke in support of a Pride proclamation.
- Raleigh Henshaw spoke about a common ground.
- Cassie Cruze, Lebanon Downtown Association Main Street Manager, spoke about downtown events and the Heritage Conference she attended. She thanked the City for waiving fees for the Pride Day event.
- Tana Nicholson spoke about equality and concerns she has regarding online bullying.
- Cassidy Sanderson spoke in support of a Pride proclamation.
- Taya Hartless spoke in support of a Pride proclamation.
- Star Doughy spoke in support of a Pride proclamation.
- Marcellus Angellford said that he supports the Mayor not signing a Pride proclamation.
- Maddison spoke in support of a Pride proclamation.
- Mika Salcido spoke in support of a Pride proclamation.
- Zayn Chapman spoke in support of a Pride proclamation.
- Genny Lynch spoke about concerns she has with bullies and said that she does not feel welcome in Lebanon.
- Lindsay Pehrson requested that Councilor Bolen's seat be left vacant until November so citizens can vote on it. She also said that she supports the Mayor not signing a Pride proclamation.
- Sumayyah Salahuddin spoke in support of a Pride proclamation.
- Tyler Rodgers spoke in support of a Pride proclamation.

Council President Steinhebel called for a five-minute recess.

PUBLIC HEARING

1) **Annexation A-22-02 – Scott Shaw**

Council President Steinhebel opened the public hearing at 7:06 p.m. Kennedy reviewed public hearing quasi-judicial procedures. There were no Councilor declarations of ex parte contact, bias or conflicts of interest and no objections to the notice sent out in this case or to the jurisdiction of this body to hear and consider this case.

Community Development Director Hart presented a request to annex a 0.24-acre parcel on the east side of Cascade Drive, south of Wagon Wheel Drive. Consistent with requirements of the Development Code, the land would be assigned the corresponding Residential Mixed Density zone upon annexation. The staff report provides a detailed analysis of the required review criteria and the recommended findings on how the proposal meets annexation requirements.

There was no applicant testimony. There being no comments in favor of or in opposition to the application, Council President Steinhebel closed the public hearing at 7:11 p.m.

In response to Councilor Rieskamp's question, Hart said that the applicant plans to build a single-family home on the property.

Kennedy read the title of ORDINANCE BILL NO. 2022-05, ORDINANCE NO. 2981. ***Councilor Rieskamp moved, Councilor Ulfers seconded, to APPROVE ORDINANCE BILL NO. 2022-05, ORDINANCE 2981, A BILL FOR***

AN ORDINANCE ANNEXING AND ZONING PROPERTIES FOLLOWING CONSENT FILED WITH THE CITY COUNCIL BY LANDOWNERS IN SAID AREA PURSUANT TO ORS 222.120 AND ORS 222.170; File A-22-02; SCOTT SHAW. The motion passed unanimously.

REGULAR SESSION

2) Approval of Fine Free Policy for Children’s Materials

Library Director Antila requested that Council approve additions and amendments to the Lebanon Public Library Policy Manual. The Library Advisory Committee voted to eliminate overdue fines on children’s materials and to decrease circulation limits on specific items.

Responding to Council President Steinhebel’s question about the revenue from overdue fines, Antila estimated it to be about \$6,000.

Councilor Rieskamp asked how overdue dates are determined. Antila said that different items have different circulation limits. If a past due account does go to collections, the agency’s goal is to get the item back.

Councilor Nassar commended Antila on the amount of work she put into revising the Policy Manual.

Councilor Nassar moved, Councilor Dykstra seconded, to APPROVE THE ADDITIONS AND AMENDMENTS TO THE LEBANON PUBLIC LIBRARY POLICY MANUAL. The motion passed unanimously.

3) City Manager’s Report – Brewer provided updates:

- She distributed the Oregon Cascades West Council of Governments’ annual report.
- On Friday, water was released from Foster Lake at a high rate, causing the water treatment plant’s intake pipe to become clogged. The City will be sending a letter to the Army Corps of Engineers expressing dissatisfaction with not being notified. She commended those who worked to keep the City’s water supply going.
- The Chamber’s Explore Lebanon app is now available to download.
- Public Works is working on putting up signs on Main Street, north of Vine Street, reminding people to stop for pedestrians.
- Curbs are repainted annually in July and August.
- A note will be going out with May utility bills regarding not flushing “flushable” wipes.

PUBLIC/PRESS COMMENTS

Cindy Kerby gave an update on the Strawberry Festival. There will be bag checking (clear bags only) and increased security. This year, they will be charging an admissions fee, but parking will be free to help with traffic issues. The train will be shuttling people to the festival every hour for three of the four days. Bigger-name entertainment will be held on Thursday, Friday and Saturday nights.

Councilor Nassar thanked the Strawberry Festival Board for their work to make this event happen.

In response to Councilor Rieskamp’s question, Ms. Kerby said the carnival is contracted with Rainier Amusement.

ITEMS FROM COUNCIL

Council President Steinhebel thanked everyone for their patience and for being respectful during the meeting. She was disappointed that the Council could not pass a resolution to honor the LGBT community. She is proud that the

City is waiving fees for the Senior Center and Academy Park for the June 18 event, which will be a celebration of the community as a whole.

NEXT SCHEDULED COUNCIL MEETING

- May 25, 2022 (12:00 p.m.) – City Council Regular Session

ADJOURNMENT Council President Steinhebel adjourned the meeting at 7:31 p.m.

[Minutes prepared by Donna Trippett]

Minutes Approved by the Lebanon City Council on
this 8th day of June 2022

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED:

Kim Scheafer, MMC, City Recorder

Easements &
Rights-of-Way



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Ron Whitlatch, PE
Engineering Services Director

Date: May 24, 2022

From: Shana Olson
Project Manager 

Subject: Public Access and Utilities Easement –
600 N 5th St

The attached easement and map are to be presented for approval at the next City Council meeting.

This public utility easement is for the newly constructed water main extension and fire hydrant from Hansard Ave for the ODVA west building addition.

THE CITY THAT FRIENDLINESS BUILT



EASEMENT FOR PUBLIC ACCESS AND UTILITIES

THIS AGREEMENT, made and entered into this 20th day of April, 2022, by and between Oregon Department of Veterans Affairs 600 N 5th St. Lebanon, OR 97355 (Address:), herein called Grantors, and the CITY OF LEBANON (Address: 925 Main Street, Lebanon, Oregon 97355), a Municipal corporation, herein called "City."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the Grantor does bargain, sell, convey and transfer unto the City of Lebanon, a perpetual and permanent easement and right-of-way, including the right to enter upon the real property hereinafter described, construct sidewalk, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

- 1. The right-of-way hereby granted is described as follows:

SEE "EXHIBIT A" ATTACHED

- 2. The permanent easement described herein grants to the City and to its successors, assigns, authorized agents or contractors, the perpetual right to enter upon said easement at any time that it may see fit for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$ 0.00, the receipt of which is hereby acknowledged, and in further consideration of the public improvements to be placed upon said property and the benefits Grantor may obtain therefrom. Nothing herein shall reduce or limit grantor's obligation to pay any costs or assessments which may result from the improvements.
4. The Grantor does hereby covenant with the City that Grantor is lawfully seized and possessed of the real property above described, has a good and lawful right to convey it or any part thereof, and will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City will make reasonable efforts to return the site to its original condition.
6. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, we have set our hands hereto this 20th day of April, 2022.

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)

Michelle Lovejoy

Oregon Department of Veterans Affairs
Michelle Lovejoy
Interim Deputy Director

IN WITNESS WHEREOF, we have set our hands hereto this ___ day of ___, 20__.

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)

By: Paul R Aziz, Mayor []
Jason Bolen, Council President []

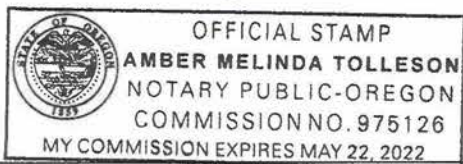
By: Kim Scheafer, MMC, City Clerk Recorder

GRANTOR(S)

On the 20 day of April, 2022, personally appeared the within named Michelle Lovejoy who acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME: [Signature]
NOTARY PUBLIC FOR OREGON

Commission Expires: May 22, 2022



AREA RESERVED
FOR USE BY
LINN COUNTY RECORDER

GRANTEES

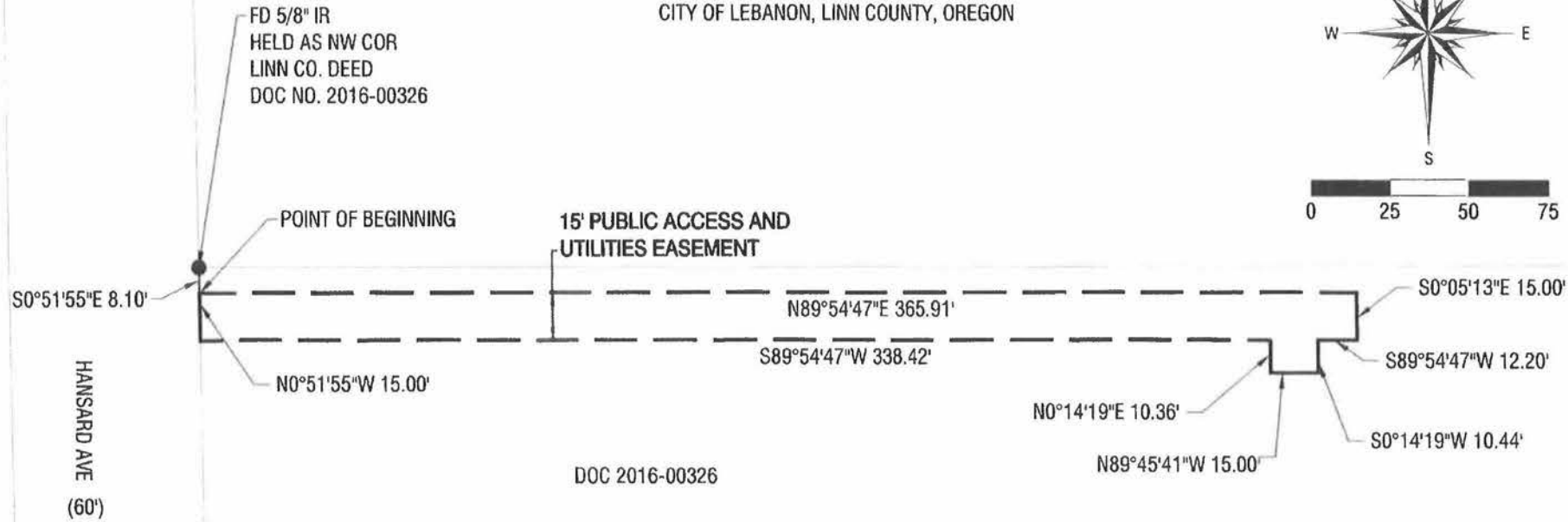
On the ___ day of ___, 20___, personally appeared ___ and Kim Scheafer, who each being duly sworn, did say that the former is the Mayor/Council President and the latter is the Recorder for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its City Council, which accepted this easement on the ___ day of ___, 20___, and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:
NOTARY PUBLIC FOR OREGON

Commission expires: _____

EXHIBIT A PUBLIC ACCESS AND UTILITIES EASEMENT

IN SW 1/4 SEC 3, T 12 S, R 3 W, WM,
CITY OF LEBANON, LINN COUNTY, OREGON

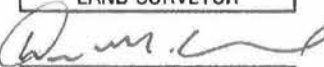


LEGAL DESCRIPTION:

A STRIPE OF LAND IN THE SOUTHWEST 1/4 SECTION 3, TOWNSHIP 12 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF LEBANON, LINN COUNTY, OREGON BEING MORE PROPERLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF HANSARD AVE AND BEING SOUTH 0°51'55" EAST 8.10 FEET FROM A 5/8" IRON ROD MARKING THE NORTHWEST CORNER OF THAT LAND DESCRIBED IN LINN COUNTY DEED DOCUMENT NUMBER 2016-00326, IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 12, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF LEBANON, LINN COUNTY, OREGON; THENCE NORTH 89°54'47" EAST 365.91 FEET; THENCE SOUTH 0°05'13" EAST 15.00 FEET; THENCE SOUTH 89°54'47" WEST 12.20 FEET; THENCE SOUTH 0°14'19" WEST 10.44 FEET; THENCE NORTH 89°45'41" WEST 15.00 FEET; THENCE NORTH 0°14'19" EAST 10.36 FEET; THENCE SOUTH 89°54'47" WEST 338.42 FEET TO SAID EAST RIGHT-OF-WAY OF HANSARD AVE; THENCE NORTH 0°51'55" WEST 15.00 FEET TO POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JAN. 9, 2007
DERON M. CRAWFORD
#76980 LS

EXPIRES: 12-31-2023

**CRAWFORD,
DRUMMOND &
ASSOCIATES, INC.**

1055 AIRWAY ROAD, BLDG B
PO BOX 2385, LEBANON, OREGON 97355
PH: (541) 258-8833 FAX: (541) 258-8834

SHEET 1 OF 1

JOB: 22-01-003



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Ron Whitlatch, PE
Engineering Services Director

Date: May 24, 2022

From: Shana Olson 
Project Manager

Subject: Public Access and Utilities Easement –
611 Hansard Ave

The attached easement and map are to be presented for approval at the next City Council meeting.

This public utility easement is for the newly constructed water main extension and fire hydrant from Hansard Ave for the newly construction storage facility.

EASEMENT FOR PUBLIC ACCESS AND UTILITIES

THIS AGREEMENT, made and entered into this 17 day of August, 2021 by and between Lebanon Storage LLC, (Address:) 611 Hansard Ave Lebanon OR, herein called Grantors, and the CITY OF LEBANON (Address: 925 Main Street, Lebanon, Oregon 97355), a Municipal corporation, herein called "City."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the Grantor does bargain, sell, convey and transfer unto the City of Lebanon, a perpetual and permanent easement and right-of-way, including the right to enter upon the real property hereinafter described, construct sidewalk, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

- 1. The right-of-way hereby granted is described as follows:

SEE "EXHIBIT A" ATTACHED

- 2. The permanent easement described herein grants to the City and to its successors, assigns, authorized agents or contractors, the perpetual right to enter upon said easement at any time that it may see fit for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$, the receipt of which is hereby acknowledged, and in further consideration of the public improvements to be placed upon said property and the benefits Grantor may obtain therefrom. Nothing herein shall reduce or limit grantor's obligation to pay any costs or assessments which may result from the improvements.
4. The Grantor does hereby covenant with the City that Grantor is lawfully seized and possessed of the real property above described, has a good and lawful right to convey it or any part thereof, and will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City will make reasonable efforts to return the site to its original condition.
6. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, we have set our hands hereto this 17 day of August, 2021.

STATE OF OREGON)
County of Linn Multnomah)ss.
City of Lebanon Portland)

WAYNE ELLIOTT / Manager

[Signature]
GRANTOR(S)

IN WITNESS WHEREOF, we have set our hands hereto this ___ day of ___, 20__.

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)

By: Paul R Aziz, Mayor []
Jason Bolen, Council President []

By: Kim Scheafer, MMC, City Clerk Recorder

On the 17 day of August, 2021, personally appeared the within named Wayne Bryant Elliott who acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME: Ryan Edward Moshofsky
NOTARY PUBLIC FOR OREGON

Commission Expires: 09.24.2022

GRANTEES

On the ___ day of ___, 20__, personally appeared ___ and Kim Scheafer, who each being duly sworn, did say that the former is the Mayor/Council President and the latter is the Recorder for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its City Council, which accepted this easement on the ___ day of ___, 20__, and each of them acknowledged said instrument to be its voluntary act and deed.

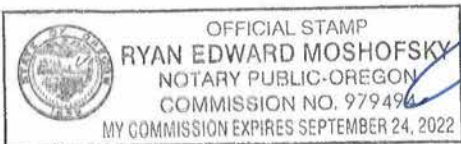


EXHIBIT A

Page 1 of 2

Waterline Easement Description

A tract of land located in the southwest one-quarter of Section 3, Township 12 South, Range 2 West, Willamette Meridian, City of Lebanon, Linn County, Oregon, and being more particularly described as follows:

Beginning at a point on the easterly right-of-way line of Hansard Avenue (25.00 feet from centerline), said point bearing South 01°11'12" West, 22.40 feet from a 5/8-inch iron rod with a yellow plastic cap inscribed "Udell PLS 1366" at the northwest corner of that tract of land described in Document No. 2014-11363, Linn County Deed Records; thence continuing along said easterly right-of-way line South 01°11'12" West, 16.00 feet; thence leaving said easterly right-of-way line South 88°27'56" East, 51.37 feet; thence North 01°56'41" East, 7.74 feet; thence North 88°03'19" West, 3.97 feet; thence North 01°56'41" East, 7.88 feet; thence North 88°03'19" West, 47.61 feet to the Point of Beginning.

Contains 782 square feet, more or less.

7/27/2021



EXHIBIT A – PAGE 2 OF 2

MAP OF WATERLINE EASEMENT

LOCATED IN THE SW1/4 OF SEC. 3, T.12S., R.2W., W.M.,
CITY OF LEBANON, LINN COUNTY, OREGON

DOC. NO. 2008-14251

40'

HANSARD AVENUE

25'

32.17'

5/8" IRON ROD WITH YELLOW
PLASTIC CAP INSCRIBED "JIM
UDELL PLS 1366"

S01°11'12"W 38.40'
22.40'
16.00'

POINT OF BEGINNING

N88°03'19"W 47.61'

PUBLIC WATERLINE
EASEMENT

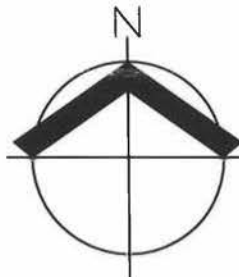
N01°56'41"E 7.88'

N88°03'19"W 3.97'

S88°27'56"E 51.37'

N01°56'41"E 7.74'

DOC. NO. 2014-11363



SCALE: 1" = 20 FEET



07/27/2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gary E. Paul

OREGON
JANUARY 17, 1995
GARY E. PAUL
2698

RENEWS 12/31/2022

PREPARED FOR
STORET.COM, LLC
2448 SW COMMONWEALTH AVE.
PORTLAND, OR 97201

DATE: 07/27/2021

PUBLIC WATERLINE EASEMENT

EXHIBIT
A

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

AKS

DRWN: GEP
CHKD: CS
AKS JOB:
8523

Agenda Item 1



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Utility Rate Adjustment**

Date: June 1, 2022

I. INTRODUCTION

At the April 27, 2022, City Council Work Session, City Staff provided an update/status of the Water, Wastewater, and Drainage Utilities. The update provided financial status, current and future capital projects, water production statistics, and wastewater treatment statistics.

Staff also proposed a modification to the way rate increases are implemented. In past years, rates have been adjusted per each individual utility. The new proposal would be to adjust rates from the perspective of the total bill (water, wastewater, drainage). The reason behind the modification would be to make adjustments to the utilities based on regulatory requirements and the need for capital projects.

The proposed utility rate adjustment for fiscal year 22/23 is 3% for a typical residential customer who pays for Water, Wastewater, and Drainage. The increase would go towards the Wastewater Utility and the Drainage Utility, with no increase proposed in the Water Utility.

II. RECOMMENDATION

Staff recommends City Council approve, by attached resolution, a 3.0% inflationary index Wastewater and Storm Drainage Utility rate increase beginning July 1, 2022.

**RESOLUTION ADOPTING THE CITY OF
LEBANON'S UTILITY RATES**

)
)

RESOLUTION NO. 2022-15

WHEREAS, on August 14, 1996, the Lebanon City Council adopted Section 13.04.580 of the Municipal Code and determined that Utility Rates be established by Resolution; and

WHEREAS, the rate structure should be designed to generate revenues adequate to property operate and maintain the wastewater and water systems, to comply with regulatory requirements, to fund system capital projects, and to meet debt service requirements; and

WHEREAS, the Lebanon City Council reviews utility rates annually, with this year's evaluation being completed at the April 27, 2022, council work session; and

WHEREAS, a **3.0 percent** increase on the customer's total bill is recommended to cover debt and operating expenses and meet annual revenue targets for capital projects.

NOW, THEREFORE, be it resolved by the Lebanon City Council that the Utility Rates shall be as specifically described in Exhibit "A" (attached hereto) are hereby adopted; and shall be effective July 1, 2022.

Passed by the Lebanon City Council and executed by the Mayor on this 8th day of June 2022, by a vote of ___ yeas and ___ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED:

Kim Scheafer, MMC, City Recorder

EXHIBIT A

WASTEWATER UTILITY

Description **Base Rate \$/month** **Volumetric \$/Unit**

Commercial – meter size

3/4"	\$39.42	\$7.64
1"	\$60.29	\$7.64
1.5"	\$152.69	\$7.64
2"	\$269.79	\$7.64
3"	\$608.46	\$7.64
4"	\$1,472.11	\$7.64

Schools

Per Student

Middle & High Schools	\$2.76	
Elementary Schools	\$1.72	

Industrial – meter size

3/4"	\$39.42	\$7.64
1"	\$60.29	\$7.64
1.5"	\$152.69	\$7.64
2"	\$269.79	\$7.64
3"	\$608.46	\$7.64
4"	\$1,472.11	\$7.64
Per Pound of TSS, \$/month	\$0.90	
Per Pound of BOD, \$/month	\$3.82	

Domestic

Domestic – low income	\$24.10	\$6.88
Domestic	\$26.76	\$7.64
Domestic – not served by water	\$95.52	

1 unit = 100 cubic feet

STORM DRAINAGE UTILITY

All single-family residential properties both developed and undeveloped within the City limits shall be charged \$4.77 per tax lot.

All commercial, industrial and multi-family properties including duplexes & triplexes within the City limits shall be charged at the following rates depending upon if the property is developed or undeveloped.

Developed Tax Lots

Small commercial, industrial, multi-family (¼ AC & under) \$17.28 per month

Medium commercial, industrial, multi-family (between ¼ & ½ AC) \$43.23 per month
 Large commercial, industrial, multi-family (½ AC & over) \$95.08 per month

Undeveloped Tax Lots

Small commercial, industrial, multi-family (¼ AC & under) \$5.20 per month
 Medium commercial, industrial, multi-family (between ¼ & ½ AC) \$6.91 per month
 Large commercial, industrial, multi-family (½ AC & over) \$8.63 per month

WATER UTILITY

Description	Base Rate \$/month	Volumetric Rate \$/Unit			
		Pressure Level 1	Pressure Level 2	Pressure Level 3	Pressure Level 4
<u>Domestic</u>					
3/4" low income	\$20.25	\$4.72	\$5.43	\$6.29	\$7.19
3/4"	\$22.49	\$5.22	\$6.02	\$6.92	\$7.94
1"	\$30.34	\$5.22	\$6.02	\$6.92	\$7.94
1 ½"	\$67.83	\$5.22	\$6.02	\$6.92	\$7.94
2"	\$121.04	\$5.22	\$6.02	\$6.92	\$7.94
<u>Commercial and Industrial</u>					
3/4"	\$22.49	\$5.22	\$6.02	\$6.92	\$7.94
1"	\$30.34	\$5.22	\$6.02	\$6.92	\$7.94
1 ½"	\$67.83	\$5.22	\$6.02	\$6.92	\$7.94
2"	\$121.04	\$5.22	\$6.02	\$6.92	\$7.94
3"	\$221.84	\$5.22	\$6.02	\$6.92	\$7.94
4"	\$383.35	\$5.22	\$6.02	\$6.92	\$7.94
6"	\$682.31	\$5.22	\$6.02	\$6.92	\$7.94
<u>Fire Hydrant Meter</u>					
Deposit \$550					
Installation \$25					
Metered Water	n/a	\$5.22	\$6.02	\$6.92	\$7.94
<u>Private Fire Protection</u>					
Privately Owned and Maintained Hydrants: Connection Size		No Volumetric Rate Charge For Private Fire Protection			
2" or smaller	\$15.69				
4"	\$21.15				
6"	\$34.58				
8"	\$57.79				
10"	\$90.38				
12"	\$146.43				
<u>Standby Water Service Charge</u>					
3/4"	\$22.49	No Volumetric Rate Charge For Standby Water Service			
1"	\$30.34				
1 ½"	\$67.83				
2"	\$121.04				
3"	\$221.84				
4"	\$383.35				
6"	\$682.31				

1 unit = 100 cubic feet

Agenda Item 2



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Mayor Aziz and City Council
From: Kelly Hart, Community Development Director
Subject: Comprehensive Plan Map and Zoning Map Amendments
Planning File No.: CPMA-22-02, ZMA-22-01
Applicant: Rockhill, LLC

Date: May 27, 2022

This is a request to amend the Comprehensive Plan Map and Zoning Map designation for the property located on the intersection of S Santiam Highway and Crowfoot Road) with the property address of 4070 S Santiam Highway. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 24C; Tax Lot 500.

The property is located within the Lebanon Urban Growth Boundary (UGB) and city limits and is currently designated Residential Mixed Density in the Lebanon Comprehensive Plan and Zoning Maps. The Applicant is requesting to amend the Comprehensive Plan Map and Zoning Map designation to Mixed Use (C/Z-MU). There is no development proposal as part of the request.

The Planning Commission conducted a public hearing on May 18, 2022, and found the application complied with the decision criteria contained in the Lebanon Development Code, voting unanimously (5-0) to recommend City Council approval of the application. The Planning Commission record as been included as an attachment to this agenda item which includes the basis for the decision.

Included for review is the proposed Ordinance including the findings in support of the application as approved by the Planning Commission and the Planning Commission agenda packet including the entire application record.

It is the recommendation of the Planning Commission that the City Council approve the application for the Comprehensive Plan Map and Zoning Map Amendments to designate the property as Mixed Use (C/Z-MU).

A BILL FOR AN ORDINANCE AMENDING THE) ORDINANCE BILL NO. 2022-07
LEBANON COMPREHENSIVE PLAN MAP AND)
ZONING MAP DESIGNATION TO ESTABLISH)
THE MIXED USE DESIGNATION FOR THE) ORDINANCE NO. 2983
PROPERTY (12S-02W-23D, TAX LOT 1900 AND)
12S-02W-24C, TAX LOT 500))
File CPMA-22-02, ZMA-22-01; GILLOTT)

WHEREAS, the City of Lebanon has received a submission by written request to amend the Comprehensive Plan Map and Zoning Map designation from Residential Mixed Density to Mixed Use for the real property herein described in Exhibit “A”; and

WHEREAS, on May 18, 2022, the Planning Commission for the City of Lebanon conducted a hearing on Planning File No. CPMA-22-02, ZMA-22-01, making findings recommending establishment of the Mixed Use (C-MU) comprehensive plan and zoning map designation; and

WHEREAS, after conducting the hearing and considering all objections or remonstrance regarding the proposed map amendments, and further considering the recommendation of the Lebanon Planning Commission, the City Council finds that this Comprehensive Plan and Zoning Map amendment is in the best interest of the City.

NOW, THEREFORE, the City of Lebanon ordains as follows:

Section 1. Findings. In addition to the findings referred to above and the Planning Commission record, the City Council further adopts and finds those matters contained in Exhibit “B” which is incorporated herein by this reference as if fully set forth at this point.

Section 2. Comprehensive Plan Map and Zoning Map Amendments. Based upon the findings adopted herein, the Lebanon Comprehensive Plan Map and Zoning Map are hereby amended, such that the property herein described in Exhibit “A” shall be designated Mixed Use (C-MU).

After Recording Return to:
City Recorder’s Office
City of Lebanon
925 S. Main Street
Lebanon, OR 97355

Reserved for Recording

Section 3. Record. The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder is further ordered to send a description by metes and bounds, or legal subdivision, and a map (Exhibit "A") depicting the new boundaries of the City of Lebanon within ten (10) days of the effective date of this annexation ordinance to the Linn County Assessor, Linn County Clerk and the Oregon State Department of Revenue.

Passed by the Lebanon City Council by a vote of _____ for and _____ against and approved by the Mayor this 8th day of June 2022.

CITY OF LEBANON, OREGON

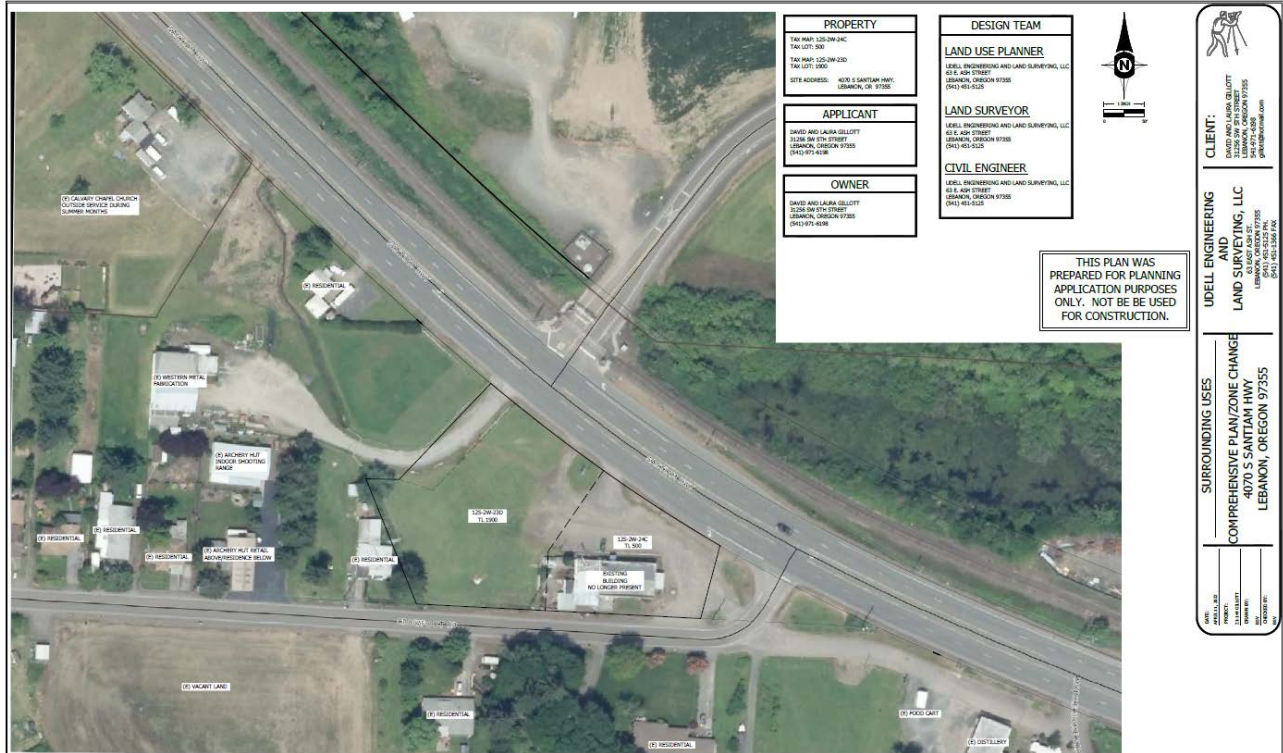
Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

Attested:

Kim Scheafer, MMC City Recorder

EXHIBIT "A"
PROPERTY SUBJECT TO COMPREHENSIVE PLAN MAP AND ZONING
AMENDMENT

(12S-02W-23D, TAX LOT 1900 AND 12S 02W 24C, tax lot 500)



PROPERTY
TAX MAP: 12S-02W-23D TAX LOT: 1900
TAX MAP: 12S-02W-23D TAX LOT: 1900
TAX LOT: 1900
SITE ADDRESS: 4070 S SANTIAM HWY LEBANON, OR 97355
APPLICANT
DAVID AND LAURA GILLOTT 1228 SW 5TH STREET LEBANON, OREGON 97355 (503) 975-4198
OWNER
DAVID AND LAURA GILLOTT 1228 SW 5TH STREET LEBANON, OREGON 97355 (503) 975-4198

DESIGN TEAM
LAND USE PLANNER
UEDELL ENGINEERING AND LAND SURVEYING, LLC 65 E. 4th STREET LEBANON, OREGON 97355 (503) 451-5125
LAND SURVEYOR
UEDELL ENGINEERING AND LAND SURVEYING, LLC 65 E. 4th STREET LEBANON, OREGON 97355 (503) 451-5125
CIVIL ENGINEER
UEDELL ENGINEERING AND LAND SURVEYING, LLC 65 E. 4th STREET LEBANON, OREGON 97355 (503) 451-5125

THIS PLAN WAS
 PREPARED FOR PLANNING
 APPLICATION PURPOSES
 ONLY. NOT BE USED
 FOR CONSTRUCTION.

CLIENT: DAVID AND LAURA GILLOTT 1228 SW 5TH STREET LEBANON, OREGON 97355 (503) 975-4198
ENGINEERING LAND SURVEYING, LLC 4070 S SANTIAM HWY LEBANON, OREGON 97355 (503) 451-5125 FAX
SURROUNDING USES COMPREHENSIVE PLAN/ZONE CHANGE 4070 S SANTIAM HWY LEBANON, OREGON 97355
DATE: _____ PROJECT: _____ DRAWN BY: _____ CHECKED BY: _____ SCALE: _____

EXHIBIT B
LEBANON CITY COUNCIL FINDINGS

I. NATURE OF THE APPLICATION

This matter comes before the Lebanon City Council on the application of David and Laura Gillott to amend the comprehensive plan and zoning designation of the property on the intersection of S Santiam Highway and Crowfoot Road with the property address of 4070 S Santiam Highway (Township 12 South; Range 2 West; Section 24C; Tax Lot 500) and establish the Mixed Use (C/Z-MU) designation.

II. GENERAL INFORMATION

A. Site Location

The subject property is located on the intersection of S Santiam Highway and Crowfoot Road with the property address of 4070 S Santiam Highway. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 24C; Tax Lot 500.

B. Application Proposal

The property is currently designated as Residential Mixed Density (C/Z-RM). The Applicant is requesting authorization to change the land use designation to Mixed Use (C-MU) and process a zone change to zone the property to Mixed Use (Z-MU).

The Planning Commission consideration is whether to amend the Comprehensive Plan Map designation and Zoning Map designation for the property from Residential Mixed to Mixed Use.

C. Adjacent Zoning and Land Uses

The property is in a developed residential neighborhood. To the north of the subject property, across Santiam Highway, is heavy industrial fabricator, general, and mechanical contractor business called Bender Mechanical Services, Inc., which is outside of the city limits, in Linn County's Urban Growth Area-Heavy Industrial zoning district. North of this site is undeveloped land located in the city limits, and Mixed-Use zoning district owned by Alton Sullivan and Cheadle Lake Investments. To the east and south of the subject property, across Crowfoot Road, is property outside of the city limits that is zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include a mix of undeveloped land, an industrial distillery (Hideaway Distillery LLC), and residential single-family development. To the west of the subject property, are properties located both within and outside of the city limits. Property outside of the city limits, are zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include single-family residential development, industrial fabrication (Western Metal Fabrication) and a commercial archery retail and shooting range. Properties inside the city limits is zoned RM and developed with religious institution.

D. Proposal

The applicant is requesting authorization to change the land use designation to Mixed Use (C-MU) and process a zone change to zone the property to Mixed Use (Z-MU).

III. PLANNING COMMISSION PUBLIC HEARING

A. Planning Commission Action

On May 18, 2022 the Lebanon Planning Commission held a public hearing on this application. At the hearing, Planning File CPMA-22-02 and ZMA-22-01 was made a part of the record. The City noticed the hearing pursuant to Chapter 16.20 of the Lebanon Development Code. No objection was raised as to jurisdiction, evidence or testimony presented at the hearing. At the end of the hearing, the Planning Commission deliberated on the issue and voted to recommend the City Council approve the proposed Annexation and corresponding zoning designation. The Commission found the proposal consistent with the applicable decision criteria.

IV. FINDINGS OF FACT-GENERAL

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

- A. The applicant is David and Laura Gillott.
- B. on the intersection of S Santiam Highway and Crowfoot Road) with the property address of 4070 S Santiam Highway. The County Assessor Map places the parcel within Township 12 South; Range 2 West; Section 24C; Tax Lot 500.
- C. The total area contains approximately 1.71 acres.
- D. The subject parcel is accessed from Crowfoot Road and S Santiam Highway. The lot is currently vacant having recently demolished to building on-site.
- E. The land is currently located within city limits and designated Residential Mixed Density (C/Z-RM).
- F. The property is in a developed neighborhood. To the north of the subject property, across Santiam Highway, is heavy industrial fabricator, general, and mechanical contractor business called Bender Mechanical Services, Inc., which is outside of the city limits, in Linn County's Urban Growth Area-Heavy Industrial zoning district. North of this site is undeveloped land located in the city limits, and Mixed-Use zoning district owned by Alton Sullivan and Cheadle Lake Investments. To the east and south of the subject property, across Crowfoot Road, is property outside of the city limits that is zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include a mix of undeveloped land, an industrial distillery (Hideaway Distillery LLC), and residential single-family development. To the west of the subject property, are properties located both within and outside of the city limits.
- G. The applicant is requesting authorization to change the land use designation to Mixed Use (C-MU) and process a zone change to zone the property to Mixed Use (Z-MU).
- H. The decision to approve or deny shall be based on criteria contained in the Lebanon Development Code, Chapter 16.28 – Comprehensive Plan Map, Zoning Map, and

V. APPLICATION SUMMARY

- A. The subject property is located on the intersection of S Santiam Highway and Crowfoot Road (12S 02W 23D, tax lot 1900 and 12S 02W 24C, tax lot 500) with the property address of 4070 S Santiam Highway. The property is currently within city limits and is designated in the comprehensive plan and zoned Residential Mixed Density (C/Z-RM).

The applicant is requesting the comprehensive plan and zoning designation to be amended to the Mixed-Use designation. This would allow for the interim use of the property as an RV and boat storage facility, and potential future redevelopment as a mixed-use property including a potential commercial/residential mix.

- B. The Department contacted the Department of Land Conservation and Development, affected agencies and area property owners regarding the application. No comments were submitted.

VI. CRITERIA AND FINDINGS

Section 16.27.050 of the Lebanon Development Code identifies the criteria in which to consider amendments to the Comprehensive Plan Map and Zoning Map. The criteria is the same for each amendment, as such, the findings have been combined.

1. All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning.

The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. The applicable policies in each Chapter are reviewed below:

- a. Chapter 1: Introduction - The introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. These goals and policies are incorporated in the Development Code criteria to determine the appropriateness of a Plan and/or zone change.
- b. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City's natural environment.

FINDING: The subject property has been previously developed to urban standards and included commercial structures and parking areas. The property is not located within a designated floodplain, does not contain any steep slopes, is not identified as a scenic or open space resource, and has no known historical value. As such, this

chapter does not apply.

- c. Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City. Staff finds the following policies apply:

G-1: Providing for an orderly and efficient transition from rural to urban land use.

P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.

P-10: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.

P-30: Manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the marketplace, through implementation of land use regulations and land use policies.

P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

FINDING: The proposed amendments do not involve urbanization of any land not currently within the Lebanon Urban Growth Boundary. The subject property was annexed into the Lebanon city limits on September 9, 2021, with the passage of Ordinance No. 2968. In addition, the site was previously developed to urban standards and used as a meeting hall prior to recent demolition, as such, the land has already been urbanized.

- d. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. Staff finds the following policies apply:

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

P-27: Allow future commercial and mixed-use centers within the Mixed Density Residential Zone based upon an approved development plan in conformance with the Planned Development standards and procedures of the Zoning Ordinance, provided access is from a designated highway or arterial and urban services are available.

P-40: Encourage a mix of commercial and residential uses within individual buildings, lots, and neighborhoods, in order to promote a compact, pedestrian friendly environment. Industrial uses should be allowed to mix with residential and commercial uses where there are limited potentials for nuisance or jeopardy to the public health, safety, and welfare.

FINDING: The review process, evaluation, and determination of compliance with the Comprehensive Plan as part of the review process addresses compliance with Comprehensive Plan policies (P-6). The State effectively acknowledged the Comprehensive Plan, therefore, conformance with these policies assures conformance with state law. Compliance with Statewide Goals will be reviewed in another finding. For the subject property, the site is currently limited for residential opportunity and development, and the change to the Mixed-Use designation would allow for a greater opportunity of compact pedestrian friendly development and a mix of commercial and residential uses within the neighborhood. (P-40).

- e. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both.

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

FINDING: the comprehensive plan denotes industrial and mix-use land use designations across the street from the subject property (east of Santiam Highway), commercial designation of parcels north and south of the subject site, and a residential mixed density district to the west of the subject site. The site's proximity to the industrial and mixed-use plan designations and a state highway makes it an ideally situated for mixed-use development or in other words a transitional development site between higher intensity development across the highway and the state highway.

These plan designations are selected based on land supply/demand as well as proximity to major transportation corridors for ease of access, mobility, and visibility. Similarly, the subject site is bordered by a state highway and will be bisected from all private property by a planned street alignment with an arterial street classification. This street pattern and proximity to higher volume roadways further suggest that this site ideally situated for mixed-use development as opposed to residential development which may occur under the current zone designation.

- f. Chapter 6: Housing – This Chapter establishes the City's Goals and Policies related to Housing. The Chapter applies, as it concerns residential opportunities in a Mixed-Use zone.

FINDING: Staff reviewed the policies and provides the following summation:

9.1 Residential Compatibility – This subsection considers placement of manufactured homes, location of neighborhood commercial uses and allowances for home occupations. The subject policies apply to the development of the site and are not directly related to the Plan map change requests.

9.2 Neighborhood Appearance - This subsection establishes screening policies for

above ground utilities, the placement of street trees and fencing/landscaping provisions along collector and arterial streets. These policies apply to site development and do not address the matter of the Plan map change requests.

9.3 Housing Density and Affordability – This subsection allows for the creation of density bonuses, cooperation with various agencies to provide affordable housing, and ensure the Development Code provides the variety and type of housing required to meet the community’s needs. These policies apply to site development and do not address the matter of the Plan map change requests.

9.4 Housing and Open Space – This subsection notes adequate open space must be included in multifamily projects. The policy applies to the site development and not to the request.

9.5 Housing and Transportation Connectivity – The subsection includes policies on placement of schools in residential area; sidewalk and ADA requirements; placement of bikeways and pedestrian trails; development of local street standards and emergency vehicle access. These policies apply to specific development requirements and not to the Plan and zone change.

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Generally, the policies related to housing are development related and do not directly apply to the request. Any development that would occur on the property would be required to be consistent with the development code. The Development Code was developed to implement the goals of the Comprehensive Plan, and as such, if the Map amendment is approved, any development to occur on the site would be consistent with the Comprehensive Plan and the Zoning Map.

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- h. Chapter 8: Transportation – This Chapter addresses the transportation needs of the City with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles and mass transit. Staff finds the following policies apply:

Transportation System Planning Policies

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FINDING: The subject site is located to the southwest of the Santiam Highway and Crowfoot Road intersection at 4070 Santiam Highway. Santiam Highway and Crowfoot Road are classified in the 2018 Lebanon Transportation System Plan (TSP) as a Principal Arterial and Minor Arterial, respectively.

Lebanon's 2007 TSPs identifies one of the most severe substandard intersection geometries occurring at the intersections with Crowfoot Road. The 2018 Lebanon Transportation System Plan Volume 1 identifies a system management project (D1) to realign the intersection of Crowfoot Road and Santiam Hwy to connect with Weirich Drive and improve this intersection. This street would be constructed as a Minor Arterial, with a shared-use path on the north and south side with sidewalk with bike lanes on the south side. This planned project requires a right-of-way dedication from tax lot 12S-2W-23D 1900 along with adjacent tax lots. In addition, the old section of Crowfoot Road will need to be realign and additional right-of-way dedicated. At such time a development proposal is received, dedication of all rights-of-way will be required.

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General Policies

P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. (Duplicated in Chapter 3, Urbanization)

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. (Duplicated in Chapter 3, Urbanization)

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before development proposals, or rezoning applications are approved.

FINDING: There are existing sewer, water and storm drainage infrastructure available

that could be extended to the subject site. The City sewer main is located in S Santiam Highway and is currently a 12-inch gravity main. The City water main is a 16-inch main along Cascade Drive. The City Engineer evaluated the proposed plan designation change and determined the facilities would be able to accommodate any development opportunity of the subject property. Extensions from the City facilities to the subject site would be required to be provided by privately funded infrastructure improvements.

- j. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination – This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map. Specific applicable policies include:

P-1: The City Council may amend the Comprehensive Plan and/or Map after referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.

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P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all of the following conditions exist:

- a. There is a need for the proposed change;
- b. The identified need can best be served by granting the change requested;
- c. The proposed change complies with the Statewide Planning Goals; and,
- d. The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

FINDING: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The City is obligated to follow these requirements and does so with the public hearing process.

While the proposed zone change does not prescribe a specific development, it does allow greater options than the Residential Mixed Density designation and zone to meet those needs (P-4.a, P5.a and P-5.b). Further, the establishment of the MU zone does not preclude development of the site with for residential development.

Compliance with the Statewide Goals (P-5.c) is noted as follows:

Goal 1, Citizen Involvement: Public hearings will be held before both the Planning Commission and City Council. This is consistent with City procedures and the intent of the Goal.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.

Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.

Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The was previously fully developed with no known wetlands or historic areas. The site has not been designated for open space, a scenic area, or known for having natural resources. As such, this goal is not applicable. Upon any development of the site, the property owner is responsible for complying with state law, including compliance with the State Historic Preservation Office (SHPO).

Goal 6, Air, Water and Land Resource Quality: the map designation would change from a residential designation to mixed use. With the designation change, similar land use types are permissible in the mixed-use designation as the residential, with an expanded opportunity for additional commercial and industrial activities. The industrial uses they may be permissible in the mixed-use designation would be considered light industrial, oriented more toward light manufacturing. However, the size of the subject site would not be conducive to an industrial use, but rather a commercial or residential use. The applicable uses suited for the site would be similar in terms of air, water, and land resources under the mixed-use designation as the residential designation, therefore, there should be no significant impacts on air, water or resource quality than would otherwise occur.

Goal 7, Natural Hazards: The site is not located within any designated flood plain, does not contain steep slopes or contain any other identified natural hazard.

Goal 8, Recreational Needs: The proposed map amendments do not create uses which would adversely impact recreational opportunities.

Goal 9, Economic Development: The map amendments will allow a greater variety of uses thereby increasing development potential and provide opportunities for residential and commercial uses. Further, the proposed MU zone does not preclude employment-type activities on the site.

Goal 10, Housing: This Goal directly applies, as the map amendments create additional opportunities to meet housing needs of the community. The City has an adopted Comprehensive Plan that projects the housing needs for the City through 2025. In addition, the City commissioned the 2019 Housing Needs Analysis which identified how the City is able to accommodate the projected housing needs over a 20-year period. The Housing Needs Analysis identified that the City had a surplus of land available to

accommodate the projected housing needs. Specifically, a total of 2,503 housing units are identified as the housing need within the City's UGB, including 1,320 low density units, 643 medium density units and 540 high density units. To accommodate the need, a total of 437 acres of buildable land was needed to accommodate the housing demand. The City identified a total of 735 acres available, as such, there is a surplus of available housing. In terms of the surplus, there is 240 acres of low-density surplus, 0 acres of medium density surplus, and 63 acres of high-density surplus. The proposal is to change the designation from Residential Mixed Density to Mixed Use, which would allow residential development subject to the Residential Mixed Density standards upon annexation. This change would maintain housing opportunities, as such, this proposal would comply with Goal 10.

Goal 11, Public Facilities and Services: Previous findings indicate services would be available to serve the property and the map amendments will not affect the City's ability to provide necessary public facilities.

Goal 12, Transportation: Previous findings indicate the map amendments will not significantly affect planned transportation improvements.

Goal 13, Energy Conservation: The map amendments are neutral regarding energy conservation.

Goal 14, Urbanization: Previous findings indicate the change will still allow the city to meet housing needs of the community as the proposed MU zone does not preclude residential development.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

2. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.

FINDING: The property is currently designated as Residential Mixed Density, and the proposal includes a revised designation to Mixed Use. The Mixed-Use designation allows for a mix of uses including commercial, residential, and light industrial. The property is approximately 1.71 acres. The property was previously utilized as a commercial meeting hall, and potential uses for the property under the Mixed-Use designation would be similar commercial uses, or small residential uses. Based on the size of the property, and the similar uses permitted and feasible on the property, the existing facility plans would not require amendment. In addition, as part of the Transportation System Plan (TSP), there is a designated future street project to align Crowfoot Road with Weirich Drive to the north of S Santiam Highway. This road project would result in the required dedication of land from the subject property upon development. The proposed map amendments would not result in a change to the TSP project or necessitate amendments to existing facility plans as the allowed and proposed uses are in line with the existing designation in terms of demand on

facilities and would not impact the planned transportation project from moving forward.

3. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is **not** consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, Table 16.26-1.) Such an amendment requires a separate application, hearing and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

FINDING: The proposal is to amend the Comprehensive Plan Map and Zoning Map. With the Comprehensive Plan Map amendment to the Mixed-Use designation, the required zoning designation based on Table 16.26-1 of the Lebanon Development Code is Mixed Use, which is consistent with the proposal by the applicant. As such, the project complies with this decision criteria as the proposed zoning map amendment to Mixed Use is occurring with a concurrent comprehensive plan map amendment to Mixed Use.

4. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.

FINDING: Previous findings indicate the proposal may comply with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.

VII. CONCLUSION

The City Council concludes the proposed Annexation, including establishment of the corresponding Residential Mixed Density zone, complies with the applicable decision criteria.



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MEMORANDUM

Community Development

To: Lebanon Planning Commission Date: May 10, 2022
From: Kelly Hart, Community Development Director
Subject: Comprehensive Plan and Zoning Map Amendments CPMA-22-02 & ZMA-22-01

I. BACKGROUND

The subject property is located on the intersection of S Santiam Highway and Crowfoot Road (12S 02W 23D, tax lot 1900 and 12S 02W 24C, tax lot 500) with the property address of 4070 S Santiam Highway. The property is currently within city limits and is designated in the comprehensive plan and zoned Residential Mixed Density (C/Z-RM).

The applicant is requesting the comprehensive plan and zoning designation to be amended to the Mixed-Use designation. This would allow for the interim use of the property as an RV and boat storage facility, and potential future redevelopment as a mixed-use property including a potential commercial/residential mix.

II. CURRENT REPORT

SURROUNDING PROPERTIES AND USES: The subject property is located at the intersection of S Santiam Highway and Crowfoot Road. The site was previously operated by the Moose Lodge, but has been unoccupied for years, and the building has been recently demolished by the current property owner. To the north of the subject property, across Santiam Highway, is heavy industrial fabricator, general, and mechanical contractor business called Bender Mechanical Services, Inc., which is outside of the city limits, in Linn County's Urban Growth Area-Heavy Industrial zoning district. North of this site is undeveloped land located in the city limits, and Mixed-Use zoning district owned by Alton Sullivan and Cheadle Lake Investments. To the east and south of the subject property, across Crowfoot Road, is property outside of the city limits that is zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include a mix of undeveloped land, an industrial distillery (Hideaway Distillery LLC), and residential single-family development. To the west of the subject property, are properties located both within and outside of the city limits. Property outside of the city limits, are zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include single-family residential development, industrial fabrication (Western Metal Fabrication) and a commercial archery retail and shooting range. Properties inside the city limits is zoned RM and developed with religious institution.

COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS: Chapter 16.27 of the Lebanon Development Code identifies the requirements for consideration of an amendment to the Comprehensive Plan Map. In order to approve an amendment to the map designation, the amendment shall be consistent with the City's adopted Comprehensive Plan and Facility Plans, including the Transportation System Plan.

Sewer: There is currently no sewer service provided on Crowfoot Road. There is a 15-inch diameter gravity main located in S Santiam Highway that could be connected to the site. The Engineering Department determined that the change in designation, which would still allow residential activities, and the size of the property requesting the change in designation would not impact the overall sewer facility master plan for the City or this service area.

Water: A 16-inch water main is located in Cascade Drive, approximately 1,700 feet from the subject property. The Engineering Department has evaluated the request to change the designation from Residential to Mixed Use. The Engineering Department determined that the change in designation, which would still allow residential activities, and the size of the property requesting the change in designation would not impact the overall water facility master plan for the City or this service area. Upon development proposal, additional improvements and expansion of the water infrastructure would be required to extend service to the site. However, the scope of change to the intensity of development associated with the subject property would not result in a change to the master plan.

Storm Drainage: There is currently an open drainage ditch along the western property line, and partially along the property frontage on Crowfoot Road. As part of any future development, the property owner would be required to develop a water retention and drainage plan in compliance with State drainage laws. The designation change proposed would not result in a required change to the facility plans. Any future development would be reviewed, and storm drainage improvements would be required and conditioned as part of the development.

Transportation System Plan: Santiam Highway and Crowfoot Road are classified in the 2018 Lebanon Transportation System Plan (TSP) as a Principal Arterial and Minor Arterial, respectively. "Principal Arterials provide a high degree of mobility and can serve both major metropolitan centers and total areas. They serve high volumes of traffic over long distances, typically maintain higher posted speeds, and minimize direct access to adjacent land to support the safe and efficient movement of people and goods....Minor Arterials typically serve higher volumes of traffic at moderate to high speeds, with posted speeds no lower than 30 miles per hour." Overall, with the functional classification of the roads as a Principal and Minor Arterial, the existing road system is anticipated to accommodate higher volumes of traffic and would not be required to be amended in response to the proposed comprehensive plan map designation.

The Lebanon Transportation System Plan Volume 1 identifies a system management project (D1) to realign the intersection of Crowfoot Road and Santiam Hwy to connect with Weirich Drive and improve this intersection. This street would be constructed as a Minor Arterial, with a shared-use path on the north and south side with sidewalk with bike lanes on the south side. This planned project requires a right-of-way dedication from tax lot 12S-2W-23D 1900 along with adjacent tax lots. In addition, the old section of Crowfoot Road will need to be realign and

additional right-of-way dedicated. At such time a development proposal is received, dedication of all rights-of-way will be required.

CONVERSION OF LAND DESIGNATION: As part of the Comprehensive Plan, a buildable land inventory was conducted to identify whether there was sufficient land for each of the different land uses to accommodate the anticipated growth, and the level of deficit or excess of available land based on the designation. With the change in designation from Residential to Mixed Use, residential activities consistent with the Residential Mixed Density designation would still be able to occur on the property, while also expanding opportunities for commercial uses as well. As similar activities are able to occur within both designations, the conversion of the two parcels of under two acres would not impact the needed land for commercial development in the city.

The Comprehensive Plan Designation for the site is Residential Mixed Density (C-RM). Per Table 16.26-1 in Section 16.24.040 of the Lebanon Development Code (LDC), the designated zoning classification for the site would be Residential Mixed Density (Z-RM). The Applicant is proposing to amend the Comprehensive Plan Map designation to Mixed Use. Upon amendment, the designated zoning classification would be Mixed Use in compliance with Table 16.26-1.

III. REVIEW CRITERIA AND RECOMMENDED FINDINGS FOR THE COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS

Section 16.27.050 of the Lebanon Development Code identifies the criteria in which to consider amendments to the Comprehensive Plan Map and Zoning Map. The criteria is the same for each amendment, as such, the findings have been combined.

1. All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon’s adopted Comprehensive Plan and Facility Plans. The City’s Facility plans, including the Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning.

The Plan consists of ten Chapters with each Chapter addressing specific land use issues such as housing or natural resources. The applicable policies in each Chapter are reviewed below:

- a. Chapter 1: Introduction - The introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology. Goals and policies relate to the organization of the Plan, the continued need for citizen involvement and the relationship of the Plan to State law and implementing codes. These goals and policies are incorporated in the Development Code criteria to determine the appropriateness of a Plan and/or zone change.
- b. Chapter 2: Natural Environment – The Chapter address goals and policies related to the City’s natural environment.

RECOMMENDED FINDING: The subject property has been previously developed to urban standards and included commercial structures and parking areas. The property is not located within a designated floodplain, does not contain any steep slopes, is not identified as a scenic or open space resource, and has no known historical value. As such, this chapter does not apply.

- c. Chapter 3: Urbanization – This Chapter provides the basic framework for future urban development within the City. Staff finds the following policies apply:

G-1: Providing for an orderly and efficient transition from rural to urban land use.

P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.

P-10: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.

P-30: Manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the marketplace, through implementation of land use regulations and land use policies.

P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

RECOMMENDED FINDING: The proposed amendments do not involve urbanization of any land not currently within the Lebanon Urban Growth Boundary. The subject property was annexed into the Lebanon city limits on September 9, 2021, with the passage of Ordinance No. 2968. In addition, the site was previously developed to urban standards and used as a meeting hall prior to recent demolition, as such, the land has already been urbanized.

- d. Chapter 4: Land Use – This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. Staff finds the following policies apply:

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

P-27: Allow future commercial and mixed-use centers within the Mixed Density Residential Zone based upon an approved development plan in conformance with the Planned Development standards and procedures of the Zoning Ordinance, provided access is from a designated highway or arterial and urban services are available.

P-40: Encourage a mix of commercial and residential uses within individual buildings, lots, and neighborhoods, in order to promote a compact, pedestrian friendly environment. Industrial uses should be allowed to mix with residential and commercial uses where there are limited potentials for nuisance or jeopardy to the public health, safety, and welfare.

RECOMMENDED FINDING: The review process, evaluation, and determination of compliance with the Comprehensive Plan as part of the review process addresses compliance with Comprehensive Plan policies (P-6). The State effectively acknowledged the Comprehensive Plan, therefore, conformance with these policies assures conformance with state law. Compliance with Statewide Goals will be reviewed in another finding. For the subject property, the site is currently limited for residential opportunity and development, and the change to the Mixed-Use designation would allow for a greater opportunity of compact pedestrian friendly development and a mix of commercial and residential uses within the neighborhood. (P-40).

- e. Chapter 5: Population & Economy – This Chapter addresses population growth and economic development as well as those trends affecting both.

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

RECOMMENDED FINDING: the comprehensive plan denotes industrial and mix-use land use designations across the street from the subject property (east of Santiam Highway), commercial designation of parcels north and south of the subject site, and a residential mixed density district to the west of the subject site. The site's proximity to the industrial and mixed-use plan designations and a state highway makes it an ideally situated for mixed-use development or in other words a transitional development site between higher intensity development across the highway and the state highway.

These plan designations are selected based on land supply/demand as well as proximity to major transportation corridors for ease of access, mobility, and visibility. Similarly, the subject site is bordered by a state highway and will be bisected from all private property by a planned street alignment with an arterial street classification. This street pattern and proximity to higher volume roadways further suggest that this site ideally situated for mixed-use development as opposed to residential development which may occur under the current zone designation.

- f. Chapter 6: Housing – This Chapter establishes the City’s Goals and Policies related to Housing. The Chapter applies, as it concerns residential opportunities in a Mixed-Use zone.

RECOMMENDED FINDING: Staff reviewed the policies and provides the following summation:

9.1 Residential Compatibility – This subsection considers placement of manufactured homes, location of neighborhood commercial uses and allowances for home occupations. The subject policies apply to the development of the site and are not directly related to the Plan map change requests.

9.2 Neighborhood Appearance - This subsection establishes screening policies for above ground utilities, the placement of street trees and fencing/landscaping provisions along collector and arterial streets. These policies apply to site development and do not address the matter of the Plan map change requests.

9.3 Housing Density and Affordability – This subsection allows for the creation of density bonuses, cooperation with various agencies to provide affordable housing, and ensure the Development Code provides the variety and type of housing required to meet the community’s needs. These policies apply to site development and do not address the matter of the Plan map change requests.

9.4 Housing and Open Space – This subsection notes adequate open space must be included in multifamily projects. The policy applies to the site development and not to the request.

9.5 Housing and Transportation Connectivity – The subsection includes policies on placement of schools in residential area; sidewalk and ADA requirements; placement of bikeways and pedestrian trails; development of local street standards and emergency vehicle access. These policies apply to specific development requirements and not to the Plan and zone change.

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P-12: The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.

RECOMMENDED FINDING: The subject site is located to the southwest of the Santiam Highway and Crowfoot Road intersection at 4070 Santiam Highway. Santiam Highway and Crowfoot Road are classified in the 2018 Lebanon Transportation System Plan (TSP) as a Principal Arterial and Minor Arterial, respectively.

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General Policies

P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. (Duplicated in Chapter 3, Urbanization)

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. (Duplicated in Chapter 3, Urbanization)

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before-development proposals, or rezoning applications are approved.

RECOMMENDED FINDING: There are existing sewer, water and storm drainage infrastructure available that could be extended to the subject site. The City sewer main is located in S Santiam Highway and is currently a 12-inch gravity main. The City water main is a 16-inch main along Cascade Drive. The City Engineer evaluated the proposed plan designation change and determined the facilities would be able to accommodate any development opportunity of the subject property. Extensions from the City facilities to the subject site would be required to be provided by privately funded infrastructure improvements.

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- referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.
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- P-3: Changes in the Plan and/or Map shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage shall then become part of the document until the next comprehensive update of the entire Comprehensive Plan.
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- P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. In order to obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all of the following conditions exist:
- a. There is a need for the proposed change;
 - b. The identified need can best be served by granting the change requested;
 - c. The proposed change complies with the Statewide Planning Goals; and,
 - d. The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

RECOMMENDED FINDING: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The City is obligated to follow these requirements and does so with the public hearing process.

While the proposed zone change does not prescribe a specific development, it does allow greater options than the Residential Mixed Density designation and zone to meet those needs (P-4.a, P5.a and P-5.b). Further, the establishment of the MU zone does not preclude development of the site with for residential development.

Compliance with the Statewide Goals (P-5.c) is noted as follows:

Goal 1, Citizen Involvement: Public hearings will be held before both the Planning Commission and City Council. This is consistent with City procedures and the intent of the Goal.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.

Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.

Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The was previously fully developed with no known wetlands or historic areas. The site has not been designated for open space, a scenic area, or known for having natural resources. As such, this goal is not applicable. Upon any development of the site, the property owner is responsible for complying with state law, including compliance with the State Historic Preservation Office (SHPO).

Goal 6, Air, Water and Land Resource Quality: the map designation would change from a residential designation to mixed use. With the designation change, similar land use types are permissible in the mixed-use designation as the residential, with an expanded opportunity for additional commercial and industrial activities. The industrial uses they may be permissible in the mixed-use designation would be considered light industrial, oriented more toward light manufacturing. However, the size of the subject site would not be conducive to an industrial use, but rather a commercial or residential use. The applicable uses suited for the site would be similar in terms of air, water, and land resources under the mixed-use designation as the residential designation, therefore, there should be no significant impacts on air, water or resource quality than would otherwise occur.

Goal 7, Natural Hazards: The site is not located within any designated flood plain, does not contain steep slopes or contain any other identified natural hazard.

Goal 8, Recreational Needs: The proposed map amendments do not create uses which would adversely impact recreational opportunities.

Goal 9, Economic Development: The map amendments will allow a greater variety of uses thereby increasing development potential and provide opportunities for residential and commercial uses. Further, the proposed MU zone does not preclude employment-type activities on the site.

Goal 10, Housing: This Goal directly applies, as the map amendments create additional opportunities to meet housing needs of the community. The City has an adopted Comprehensive Plan that projects the housing needs for the City through 2025. In addition, the City commissioned the 2019 Housing Needs Analysis which identified how the City is able to accommodate the projected housing needs over a 20-year period. The Housing Needs Analysis identified that the City had a surplus of land available to accommodate the projected housing

needs. Specifically, a total of 2,503 housing units are identified as the housing need within the City's UGB, including 1,320 low density units, 643 medium density units and 540 high density units. To accommodate the need, a total of 437 acres of buildable land was needed to accommodate the housing demand. The City identified a total of 735 acres available, as such, there is a surplus of available housing. In terms of the surplus, there is 240 acres of low-density surplus, 0 acres of medium density surplus, and 63 acres of high-density surplus. The proposal is to change the designation from Residential Mixed Density to Mixed Use, which would allow residential development subject to the Residential Mixed Density standards upon annexation. This change would maintain housing opportunities, as such, this proposal would comply with Goal 10.

Goal 11, Public Facilities and Services: Previous findings indicate services would be available to serve the property and the map amendments will not affect the City's ability to provide necessary public facilities.

Goal 12, Transportation: Previous findings indicate the map amendments will not significantly affect planned transportation improvements.

Goal 13, Energy Conservation: The map amendments are neutral regarding energy conservation.

Goal 14, Urbanization: Previous findings indicate the change will still allow the city to meet housing needs of the community as the proposed MU zone does not preclude residential development.

Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

2. Facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer or potable water master plans.

RECOMMENDED FINDING: The property is currently designated as Residential Mixed Density, and the proposal includes a revised designation to Mixed Use. The Mixed-Use designation allows for a mix of uses including commercial, residential, and light industrial. The property is approximately 1.71 acres. The property was previously utilized as a commercial meeting hall, and potential uses for the property under the Mixed-Use designation would be similar commercial uses, or small residential uses. Based on the size of the property, and the similar uses permitted and feasible on the property, the existing facility plans would not require amendment. In addition, as part of the Transportation System Plan (TSP), there is a designated future street project to align Crowfoot Road with Weirich

Drive to the north of S Santiam Highway. This road project would result in the required dedication of land from the subject property upon development. The proposed map amendments would not result in a change to the TSP project or necessitate amendments to existing facility plans as the allowed and proposed uses are in line with the existing designation in terms of demand on facilities and would not impact the planned transportation project from moving forward.

3. Applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is **not** consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, Table 16.26-1.) Such an amendment requires a separate application, hearing and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

RECOMMENDED FINDING: The proposal is to amend the Comprehensive Plan Map and Zoning Map. With the Comprehensive Plan Map amendment to the Mixed-Use designation, the required zoning designation based on Table 16.26-1 of the Lebanon Development Code is Mixed Use, which is consistent with the proposal by the applicant. As such, the project complies with this decision criteria as the proposed zoning map amendment to Mixed Use is occurring with a concurrent comprehensive plan map amendment to Mixed Use.

4. Section 16.27.080.B states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.

RECOMMENDED FINDING: Previous findings indicate the proposal may comply with the applicable Comprehensive Plan policies and does not require amendments to the Plan text. Therefore, this provision does not apply.

IV. PUBLIC NOTIFICATION AND COMMENTS

A public notification for this project was issued on April 26, 2022 for initial consideration by the Planning Commission on May 10, 2022. All public comment received on this application will be presented to the Planning Commission at the scheduled public hearing.

V. PLANNING COMMISSION RECOMMENDED ACTIONS

1. Evaluate the public testimony and the record established before the Planning Commission
2. Commission options:

1. Recommend the City Council approve the proposed Comprehensive Plan Map Amendment (CPMA-22-02) and Zoning Map Amendment (ZMA-22-01) to modify the Comprehensive Plan Map and Zoning Map designation from Residential Mixed Density (C/Z-RM) to Mixed Use (C/Z-MU); or
2. Recommend the City Council approve the proposed Comprehensive Plan Map Amendment (CPMA-22-02) and Zoning Map Amendment (ZMA-22-01) to modify the Comprehensive Plan Map and Zoning Map designation from Residential Mixed Density (C/Z-RM) to Mixed Use (C/Z-MU), adopting modified findings for the decision criteria and conditions of development; or
3. Recommend the City Council deny the proposed Comprehensive Plan Map Amendment (CPMA-22-02) and Zoning Map Amendment (ZMA-22-01) to modify the Comprehensive Plan Map and Zoning Map designation from Residential Mixed Density (C/Z-RM) to Mixed Use (C/Z-MU), specifying reasons why the proposal fails to comply with the decision criteria; and
4. Direct staff to prepare an Order of Recommendation for the Chair or Vice Chair's signature incorporating the adopted findings as approved by the Planning Commission.



NOTICE OF PUBLIC HEARING

LEBANON PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Lebanon Planning Commission on **May 18, 2022 at 6:00 p.m.** in the Santiam Travel Station located at 750 S 3rd Street, to afford interested persons and the general public an opportunity to be heard and give testimony concerning the following matter:

Planning Case No.:	CPMA-22-02 & ZMA-22-01
Applicant:	David & Laura Gillott
Location:	4070 S Santiam Highway
Map & Tax Lot No.:	12S02W23D 01900 & 12S02W24C 00500
Request:	Comp Plan Map Amendment & Zone Map Amendment
Decision Criteria:	Lebanon Development Code Chapters: 16.20 & 16.27

Request: The applicant is requesting to change the Comprehensive Plan Map Designation and Zoning Map Designation on the above mentioned tax lots from Residential Mixed Density (C-RM & Z-RM) to Mixed Use (C-MU & Z-MU) to allow for mini-storage.

Providing Comments: The City will be accepting public comment on this item in a number of ways to afford interested persons and the general public an opportunity to give testimony on the subject matter. Written testimony will be accepted upon issuance of this notice, **until 5:00pm on Tuesday, May 17, 2022.** Written testimony may be emailed to khart@ci.lebanon.or.us or may be mailed to the City at 925 S. Main Street, Lebanon, OR 97355, or delivered to the City and dropped in the white mailbox in front of City Hall. Members of the public may also provide comments on the agenda item in person at the Santiam Travel Station during the meeting.



If you are unable to attend the meeting and wish to address the Commission under Public Comments or for a Public Hearing, click:

https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_hP6c_d5jSYmvP5GzQsdEQA to register in advance for the meeting. You will receive a confirmation email containing information about joining the meeting. Attendees will need to register to receive the link to the meeting to watch the meeting virtually or participate with public comment.

Meeting Information: The public is invited to either participate in person at the Santiam Travel Station or watch the meeting virtually on **May 18, 2022** through the Zoom Webinar: https://ci-lebanon-or-us.zoomgov.com/webinar/register/WN_hP6c_d5jSYmvP5GzQsdEQA.

The agenda and application materials will be available for review on the City's website at <https://www.ci.lebanon.or.us/meetings> seven days prior to the hearing.

CITIZENS ARE INVITED TO PARTICIPATE in the public hearing and give written or oral testimony as described above that address applicable decision criteria during that part of the hearing process designated for testimony in favor of, or opposition to, the proposal. If additional documents or evidence are provided in support of the application subsequent to notice being sent, a party may, prior to the close of the hearing, request that the record remain open for at least seven days so such material may be reviewed.

Action of the Planning Commission and Appeals: The role of the Commission is to review the proposal and make a recommendation to the Lebanon City Council. A public hearing before the Council will be subsequently scheduled and notice provided. The Council decision is the final decision unless appealed to the Land Use Board of Appeals (LUBA). Failure to raise an issue in the hearing, orally or in writing, or failure to provide sufficient specificity to afford the decision makers an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Obtain Information: A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost and will be provided at the cost of 25 cents per single-sided page. If you have questions or would like additional information, please contact City of Lebanon Community Development Department, 925 Main Street; phone 541-258-4906; email cdc@ci.lebanon.or.us.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to 541-258-4906.

COMPREHENSIVE PLAN & ZONE MAP AMENDMENT APPLICATIONS

Submitted to: City of Lebanon
Planning Department
925 S. Main Street
Lebanon, Oregon 97355

Applicants/Property Owners: David and Laura Gillott
31256 SW 5th Avenue
Lebanon, OR 97355

Applicant's Representative: Udell Engineering and Land Surveying, LLC
63 E. Ash Street
Lebanon, OR 97355

Contact: Laura LaRoque
Email: laura@udelleng.com
Phone: (541) 990-8661

Site Location: 4070 Santiam Highway, Lebanon, OR 97355

Linn County Assessor's Map No.: 12S-02W-24C Tax Lot 500
12S-02W-23D Tax Lot 1900

Site Size: Tax Lot 500 - ±0.62-acres
Tax Lot 1900 - ±1.09-acres

Existing Land Use: Former Moose Lodge 1866

Zone Designation: Residential Mixed Density (Z-RM)

Comprehensive Plan Designation: Residential Mixed Density (C-RM)

Surrounding Zoning: North: UGA-UGM-10
South: UGA-UGM-10
East: Z-MU / UGA-HI
West: UGA-UGM-10

Surrounding Uses: North: Single-Family Residential / Metal Fabrication
South: Single-Family Residential
East: Santiam Highway / Albany & Eastern Railroad
West: Single-Family Residential



21-144 Gillott Moose Lodge
4070 Santiam Highway
Amendment Applications

April 20, 2022
Page 1 of 14

I. Executive Summary

The Applicant requests approval of a Comprehensive Plan Map amendment to amend the site's Plan designation from Residential Mixed Density (C-RM) to Mixed Use (C-MU) with a concurrent Zone Map Amendment to amend the zone designation from the Residential Mixed Density (Z-RM) to Mixed Use (Z-MU).

As explained in the section below, the Comprehensive Plan and Zone Map Amendments are consistent with the relevant goals and policies within the Lebanon Comprehensive Plan and satisfy the Lebanon Development Code applicable approval criteria for amendments.

II. Site Description / Setting

The subject site is located to the southwest of the Santiam Highway and Crowfoot Road intersection at 4070 Santiam Highway. The site was at one time a Moose Lodge but has been unoccupied for several years. The site was purchased in 2018 by a new property owner and subsequently cleared for future redevelopment. The property owner plans to construct a vehicle storage facility and associated site improvements in the near term before redeveloping the site at a later date as a mixed-use commercial/residential development.

Aside from satisfying the review criterion for the proposed amendments, the Mixed Use (MU) designation was selected because it allows more flexibility in siting the residential component of development than the Highway Commercial Zone (HCM). The HCM zone requires residential development to be placed above a commercial ground floor use. The MU zone allows for this style of development in addition to other siting configurations (i.e., commercial uses on the primary frontage(s) with residential on the secondary frontage and/or a development with elements of commercial/residential on both the ground floor and upper level(s)).

The site is adjacent to a wide array of land uses including, residential, commercial, industrial, and institutional development.

- To the north of the subject property, across Santiam Highway, is heavy industrial fabricator, general, and mechanical contractor business called Bender Mechanical Services, Inc., which is outside of the city limits, in Linn County's Urban Growth Area-Heavy Industrial zoning district. North of this site is undeveloped land located in the city limits, and Mixed-Use zoning district owned by Alton Sullivan and Cheadle Lake Investments.
- To the east and south of the subject property, across Crowfoot Road, is property outside of the city limits that is zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include a mix of undeveloped land, an industrial distillery (Hideaway Distillery LLC), and residential single-family development.
- To the west of the subject property, are properties located both within and outside of the city limits. Property outside of the city limits, are zoned Urban Growth Area-Urban Growth Management 10-acre minimum. Land uses include single-family residential development, industrial fabrication (Western Metal Fabrication) and a commercial archery retail and



shooting range. Properties inside the city limits is zoned RM and developed with religious institution.

Notably, a future street project (no. D14) identified in the Transportation System Plan (TSP) will bisect the subject site from any abutting private property. Upon its completion, the project will realign Crowfoot Road with Weirich Drive to the north of Santiam Highway.

III. Code Analysis – Chapter 16.27

1. Chapter 16.27 contains requirements for map amendments, including both the Comprehensive Plan map and Zoning map. Section 16.27.010 addresses the Chapter's purpose while Section 16.27.020 establishes the authority to request map amendments.

FINDING: The Plan and Zoning maps may be amended over time and the property owner/applicant has the authority to request change in a property's Plan and Zoning map. Therefore, this proposal conforms to these two Sections.

2. The Planning Commission cannot consider a Plan or Zone map amendment within the one-year period immediately following a previous denial (Section 16.27.040).

FINDING: A denial of a Plan or Zone map amendment has not been issued. Therefore, this section is not applicable.

3. Sections 16.27.050 and 16.28.090 establishes the decision criteria for reviewing a Plan map or Zone map amendment.

FINDING: Sections 16.27.050(A) and 16.28.090 contain the relevant criteria, which are reviewed in the following Sections.

4. Section 16.27.060 describes the application process and submittal requirements. Subsection "A." states the request requires hearings before the Planning Commission and City Council. The Commission provides a recommendation to the Council and the Council makes the final decision. Subsection "B." establishes the application requirements.

FINDING: The City is obligated to follow the requirements under Section 16.27.060(A) and does so with the public hearing process. The application must be deemed complete, in this case, pursuant to provisions in Section 16.27.060(B) prior to commencing the public hearing process.

(Note: Chapter 16.27 does not include a Section 16.27.070.)

5. Section 16.28.090 establishes the decision criteria for Plan map and Zone map amendments. This Section states the city may approve a Comprehensive Plan Map or Zoning Map Amendment request if it satisfies all relevant Decision Criteria cited in Section 16.27.050.

FINDING: Subsection "A." contains the relevant criteria, which are reviewed in the following Sections.

IV. Comprehensive Plan and Zone Map Amendment - Code Criteria

Section 16.27.050 of the Lebanon Development Code (LDC) includes three review criteria that must be met for Comprehensive Plan and Zone Map amendments to be approved. Code criteria are written in **bold** and are followed by findings and conclusions.

Criterion 1

1. **All proposed amendments to the Comprehensive Plan Map or to the Zoning Map shall be consistent with the City of Lebanon's adopted Comprehensive Plan and Facility Plans. The City's Facility plans, including the 2007 Transportation System Plan (TSP), are based on the future site service demands according to the Comprehensive Plan Map designation and associated zoning.**

FINDING: Through many of the Lebanon Goals and Policies are aspirational and not to be mistaken for, or interpreted as, approval criteria it is required that they be considered. They are to be used as a guide to aid decision makers. Where goals or policies conflict the decision makers need to weigh the evidence and decide which goal or policy the request satisfies. In this case, the Planning Commission and City Council will need to decide whether it more appropriate for the ±1.71-acre site to be limited to residential use or if it is better suited for mixed-use development.

Relevant Plan Goals and Policies

The proposed Plan map amendment to change Plan designation from RM to MU must satisfy long-range interests of the public as outlined in the Comprehensive Plan's goals and policies.

The following Comprehensive Plan goals and policies are relevant in considering whether the proposed MU designation is more supportive of the Comprehensive Plan, on balance, than the current RM designation. The relevant goals and policies are listed under the relevant Statewide Planning Goals and are shown in **bold** print followed by findings of fact and conclusions.

- a. Chapter 1: Introduction - The introductory Chapter describes the Comprehensive Plan, its relationship to the Statewide Land Use Goals, the Citizen Involvement program and key terminology.

Goals

G-1: Encouraging development in a planned and considered manner consistent with the community's general health, safety and welfare.

G-6: Achieving public interest, access, understanding and support of the planning process and the goals toward which the process is directed.

G-7: Involving the citizens of the City in all phases of the planning process and to encourage effective neighborhood participation

Policies

P-8: The adopted Comprehensive Plan Map, Comprehensive Plan, and implementing ordinances shall be reviewed periodically and may be revised and amended as needed to



reflect changing needs and conditions within the planning area, as well as to address deficiencies in any needed land use zone.

P-9: All proposed revisions or amendments to the adopted policies shall be reviewed at public hearings before final action.

P-11: Only those statements that are listed in the section entitled “Policies” in Part Two at the end of each Chapter of this Comprehensive Plan shall have the status of being the official Policies of the City in relation to the subject matter of that chapter.

FINDINGS: Sections 16.28.080, 16.28.090, and 16.20.060 of the Lebanon Development Code (LDC) state a legislative review process with public hearings before the Planning Commission and City Council is required for comprehensive plan and zone map amendments. The review process for a Comprehensive Plan and Zone Map amendment provides an opportunity for citizen involvement. Notice of the public hearings are mailed published in the newspaper and provided to the Department of Land Conservation and Development. Additionally, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearings. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

- b. Chapter 2: Natural Environment - The Chapter addresses goals and policies related to the City's natural environment.

FINDINGS: Designated natural resources are not known to be present on the subject property, indicated on the city's natural resource inventories, or depicted on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map. Regardless, these goals and policies are incorporated in the Development Code criteria and will be reviewed at the time of development.

- c. Chapter 3: Urbanization - This Chapter provides the basic framework for future urban development within the city. Public Facilities Capability Policies

G-1: Providing for an orderly and efficient transition from rural to urban land use

P-3: Support a flexible phased program for the orderly extension of water, wastewater, storm drainage and transportation services in response to land development proposals.

P-10: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments.

P-30: Manage its Urban Growth Boundary and the lands within so as to make available sufficient land for the various uses to ensure choices in the marketplace, through implementation of land use regulations and land use policies.



P-31: Manage its Urban Growth Boundary and the lands within so as to encourage development within urban areas before conversion of urbanizable areas, through implementation of land use regulations and land use policies.

FINDINGS: The proposed amendments do not involve urbanization of any land not currently within the Lebanon Urban Growth Boundary. The subject property was annexed into the Lebanon city limits on September 9, 2021, with the passage of Ordinance No. 2968.

- d. Chapter 4: Land Use- This Chapter details the goals and policies to assure the City provides different types of land within City limits that are suitable for a variety of uses. The following policies apply:

General Policies for Land Use

P-1: Recognize that the Comprehensive Plan land use designations or categories shall determine zoning.

P-6: Require that changes to the Comprehensive Plan Map be consistent with the policies of the Comprehensive Plan, State law, and any adopted intergovernmental agreements.

P-12: Ensure that the Zoning Map reflects and implements the Comprehensive Plan Map.

P-27: Allow future commercial and mixed-use centers within the Mixed Density Residential Zone based upon an approved development plan in conformance with the Planned Development standards and procedures of the Zoning Ordinance, provided access is from a designated highway or arterial and urban services are available

P-40: Encourage a mix of commercial and residential uses within individual buildings, lots, and neighborhoods, in order to promote a compact, pedestrian friendly environment. Industrial uses should be allowed to mix with residential and commercial uses where there are limited potentials for nuisance or jeopardy to the public health, safety, and welfare.

FINDINGS: The proposal calls for a Mixed-Use Plan designation and Mixed-Use zone, thereby ensuring consistency between the Plan and Zone maps (P-1 and P-12). This review addresses compliance with Comprehensive Plan policies (P-6). Compliance with Statewide Goals will be reviewed below, at the end of the Criterion 1 section.

- e. Chapter 5: Population & Economy- This Chapter addresses population growth and economic development as well as those trends affecting both.

P-1: Monitor changes in demographic information to assure that the type, quantity, and location of services, facilities, vacant lands, and housing remain adequate to meet changing needs.

P-2: Include an analysis of the implications of the most current US Census information for the city in each update of the Comprehensive Plan.

P-5: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

FINDINGS: The 2004 Lebanon Urbanization Study, was completed as part of a periodic review work program and included an updated to the Buildable Land Inventories for Residential and Commercial/Industrial lands, an Economic Opportunities Analysis and housing needs analysis, and evaluated whether Lebanon has sufficient buildable land available to meet identified needs through 2025.

In this study, it was found that during the planning horizon of 2003-2025 there would be a deficit/surplus of land under the following plan designations: a 6.7-acres deficit of commercial land, 35.2-acres surplus of general industrial land, 267.9-acres surplus of Special Development land (i.e., mix use), and 1,122.6-acres surplus of Mixed Density Residential within the Lebanon Urban Growth Boundary basis on a conservative growth estimate.

Notably, at the time of the study there was found to be only 1.4-acres of commercial, 38-acres of general industrial, 142-acres of developable Special Development land (i.e., mix use), and 1,097.5 Mixed Residential land within the Lebanon city limits.

Although the data provided is near the end of the planning horizon reasonable assumptions can be made about needed land supply under certain designations. Markedly, during the last several years Lebanon has experienced a period of growth in most sectors with the highest in new residential development and moderate redevelopment in commercial/industrial sectors.

Based on the amount of development that has occurred over the planning horizon and the amount of available redevelopable land (i.e., vacant, partially vacant, and unconstrained land) there is a far greater need for the special development/mixed use development designation which permits a variety of commercial and industrial uses. Furthermore, the proposed designation does not limit residential uses as most of the permitted uses under the current designation are still permitted under the proposed designation.

Additionally, as described in the summary section, which is incorporated herein by reference, the site is adjacent to a wide-ranging of land uses including, residential, commercial, industrial, and institutional development. This indicates a demand for a mix of land uses in this area and the ability for such uses to occur compatibly.

Finally, the comprehensive plan denotes industrial and mix-use land use designations across the street from the subject property (east of Santiam Highway), commercial designation of parcels north and south of the subject site, and a residential mixed density district to the west of the subject site. The site's proximity to the industrial and mixed-use plan designations and a state highway makes it an ideally situated for mixed-use development or in other words a transitional development site between higher intensity development across the highway and the state highway.



These plan designations are selected based on land supply/demand as well as proximity to major transportation corridors for ease of access, mobility, and visibility. Similarly, the subject site is bordered by a state highway and will be bisected from all private property by a planned street alignment with an arterial street classification. This street pattern and proximity to higher volume roadways further suggest that this site ideally situated for mixed-use development as opposed to residential development which may occur under the current zone designation.

- f. Chapter 6: Housing - This Chapter establishes the City's Goals and Policies related to Housing. The Chapter applies, as it concerns residential zoning.

FINDINGS: The following policies are applicable:

- 1) Residential Compatibility - This subsection considers placement of manufactured homes, location of neighbor commercial uses, and allowances for home occupations. The subject policies apply to the development of the site and are not directly related to the Plan and zone change requests.
- 2) Neighborhood Appearance - This subsection establishes screening policies for above ground utilities, the placement of street trees and fencing/landscaping provisions along collector and arterial streets. These policies apply to site development and do not address the matter of the Plan and zone change.
- 3) Housing Density and Affordability - This subsection allows for the creation of density bonuses, cooperation with various agencies to provide affordable housing, and ensure the Development Code provides the variety and type of housing required to meet the community's needs.

P-11: Periodically review Zoning Ordinance and other land use regulations to assure that barriers do not inhibit the building of the variety of types and densities of housing that is affordable for all segments of Lebanon's residents.

- 4) Housing and Open Space- This subsection notes adequate open space must be included in multifamily projects. The policy applies to the site development and not to the request.
- 5) Housing and Transportation Connectivity - The subsection includes policies on placement of schools in residential area, sidewalk and ADA requirements, placement of bikeways and pedestrian trails, development of local street standards, and emergency vehicle access. These policies apply to development requirements and not to the Plan and zone change.
- 6) Housing, Public Utilities and Services - Policies call for adequacy of utilities to serve development and undergrounding of all utilities. Further, street lighting is required, street names should be approved by the Fire District and streets should align. Only

Policy P-24 regarding public facility provisions directly applies to the request. As noted, services are available to serve development of the property.

- 7) Refinement Plans - This subsection allows creation of neighborhood refinement plans. This policy section does not apply.

Generally, the only policy that directly applies to the request is Policy P-11 calling for the City to provide a variety and type of housing to meet community' needs. Yet, the permitted housing types and review processes of the RM and MU zones are similar. Therefore, the proposed amendment is consistent with this policy.

- g. Chapter 7: Community Friendly Development & Preservation of Historic Resources - This Chapter focuses on policies creating a built environment suitable for the needs of a diverse population through a variety of uses scaled for the pedestrian, and capable of accommodating the automobile and mass transit. The following policies apply:

Community Friendly Development Policies

P-9: Encourage mixed uses within individual buildings, neighborhoods, and zoning districts were allowed by planning and building codes, and where there is no or only limited potential for incompatibility or conflict with public health, safety, and welfare.

P-10: Allow limited and appropriately scaled neighborhood commercial services in residential zones with appropriate standards to ensure compatibility.

FINDINGS: According to Table 4-1: City of Lebanon Comprehensive Plan Land Use Categories: The purpose of the C-MU district is as follows: *“To provide lands that possess potential for several types of land use or combinations of different land uses. The intent of this designation is to achieve an environment in which different land uses can co-exist by providing building groupings for privacy, usable and attractive open spaces, and safe circulation, thus promoting the general wellbeing of the residents, businesses, and other occupants. Mixed Development lands are open to all types of development including residential, commercial, and light industrial land uses.”*

As the purpose statement suggests, the MU zoning allows a mixture of residential and commercial development which is consistent with policies P-9 and P-10.

- h. Chapter 8: Transportation- This Chapter addresses the transportation needs of the city with an emphasis of creating a variety of transportation options for pedestrians, bicyclists, vehicles, and mass transit. The following policies apply:

Transportation System Planning Policies

P-12: The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.

FINDINGS: The subject site is located to the southwest of the Santiam Highway and Crowfoot Road intersection at 4070 Santiam Highway. Santiam Highway and Crowfoot



Road are classified in the 2018 Lebanon Transportation System Plan (TSP) as a Principal Arterial and Minor Arterial, respectively.

Lebanon's 2007 TSPs identifies one of the most severe substandard intersection geometries occurring at the intersections with Crowfoot Road. A future street project (no. D14) is identified in the 2018 Transportation System Plan (TSP). Upon its completion, the project will realign Crowfoot Road with Weirich Drive to the north of Santiam Highway.

The proposed amendments will not impact the planned future street project. Additionally, Section 6.12.010(B)(1) includes thresholds for when Traffic Impact Studies (TIS) and Traffic Impact Analysis (TIA) are warranted, which is typically in association with a development proposal.

- i. Chapter 9: Public Facilities and Service - The City is required by State law to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development. Goals and policies in this Chapter address those requirements. The following policies are applicable:

General Policies

P-8: Review all development proposals to ensure that public facilities are available and have adequate capacity to accommodate the proposed development, or that such facilities and their capacities can be made available through appropriate extensions and/or enhancements concurrent with or prior to proposed developments. (Duplicated in Chapter 3, Urbanization)

P-9: Require that new developments are either served by existing and/or proposed public infrastructure improvements, and/or are served by privately funded infrastructure extensions and improvements. (Duplicated in Chapter 3, Urbanization)

P-10: Consider impacts on key City-provided urban utility services (water, storm drainage, wastewater, and streets) and any other community facilities that are identified by service providers as substantially impacted by the proposal before-development proposals, or rezoning applications are approved.

FINDINGS: As previously noted, services are available and do not require system-wide improvements to existing public facilities. Therefore, the proposal is consistent with the noted policies.

- j. Chapter 10: Plan Implementation, Amendment, and Land Use Planning Coordination - This Chapter establishes procedures for amending the Comprehensive Plan Map and Zoning Map. Specific applicable policies include:

P-1: The City Council may amend the Comprehensive Plan and/or Map after referral to the Planning Commission public hearing, for action, review, revisions, and recommendations.

P-2: Changes to the Plan and/or Map shall be made by ordinance after public hearings as prescribed by state law and local ordinances.

P-3: Changes in the Plan and/or Map shall be incorporated directly into the document at the appropriate place. A list of all amendments with date of passage shall then become part of the document until the next comprehensive update of the entire Comprehensive Plan.

P-4: An amendment to the Comprehensive Plan and/or Map may be considered when one or more of the following conditions exist:

- a) Updated data demonstrates significantly different trends than previous data;
- b) New data reflects new or previously undisclosed public needs;
- c) New community attitudes represent a significant departure from previous attitudes as reflected by the Planning Commission or City Council;
- d) Statutory changes significantly affect the applicability or appropriateness of existing plan policies.

P-5: Residents, property owners, their authorized agents, the Planning Commission, the City Council, or City staff may initiate a Comprehensive Plan amendment. To obtain a Comprehensive Plan and/or Map amendment, the applicants shall have the burden of proof that all the following conditions exist:

- a) There is a need for the proposed change;
- b) The identified need can best be served by granting the change requested;
- c) The proposed change complies with the Statewide Planning Goals; and,
- d) The proposed change is consistent with all other provisions of the City's Comprehensive Plan.

FINDING: Policies P-1, P-2 and P-3 relate the processing of a Plan text or map amendment. The city is obligated to follow these requirements and does so with the public hearing process.

While the proposed zone change does not prescribe a specific development, it does allow greater options than the Residential Mixed Density designation and zone to meet those needs (P-4.a, P5.a and P-5.b). Further, the establishment of the MU zone does not preclude development of the site with for residential development.

Compliance with the Statewide Goals (P-5.c) is noted as follows:

1. Goal 1, Citizen Involvement: Public hearings will be held before both the Planning Commission and City Council. This is consistent with City procedures and the intent of the Goal.
2. Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged Comprehensive Plan and Development Code.



3. Goal 3, Agricultural Lands: This Goal does not apply, as the land is not designated farmland.
4. Goal 4, Forest Lands: This Goal does not apply, as the land is not designated forestland.
5. Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources: The site may contain wetlands which may require mitigation measures to allow development. However, the map changes, by themselves, do not affect these resources.
6. Goal 6, Air, Water and Land Resource Quality: The intensity of development on a 1.71-acre site under a mixed-use residential zoning designation will not have significant impacts on air, water or resource quality than would otherwise occur.
7. Goal 7, Natural Hazards: The site is not located in an area of natural hazards.
8. Goal 8, Recreational Needs: The proposed map amendments do not create uses which would adversely impact recreational opportunities.
9. Goal 9, Economic Development: The map amendments will allow a greater variety of uses thereby increasing development potential. Further, the proposed MU zone does not preclude employment-type activities on the site.
10. Goal 10, Housing: This Goal directly applies, as the map amendments create additional opportunities to meet housing needs of the community.
11. Goal 11, Public Facilities and Services: Previous findings indicate services are available to serve the property and the map amendments will not affect the City's ability to provide necessary public facilities.
12. Goal 12, Transportation: Previous findings indicate the map amendments will not significantly affect planned transportation improvements.
13. Goal 13, Energy Conservation: The map amendments are neutral regarding energy conservation.
14. Goal 14, Urbanization: Previous findings indicate the change will still allow the city to meet housing needs of the community as the proposed MU zone does not preclude residential development.
15. Goals 15 to 19, Willamette River Greenway, Estuarine Resources, Coastal Shores, Beaches and Dunes, Ocean Resources: The proposals do not involve land within the Willamette Greenway or coastal areas.

Finally, all previous findings indicate the proposal complies with the applicable policies of the City's Comprehensive Plan (P-5.d).

Criterion 2

- k. Section 16.27.050(A)(2) states that facility plans need to be consistent with the Comprehensive Plan Map as well as the text, and changes to the Map may necessitate



21-144 Gillott Moose Lodge
 4070 Santiam Highway
 Amendment Applications

April 20, 2022
 Page 12 of 14

changes to a facility plan. For example, changing a Comprehensive Plan Map designation to a higher intensity use may require an amendment to the TSP, sanitary sewer, or potable water master plans.

FINDINGS: The change to the MU zone is not anticipated to adversely impact the City's ability to provide need services. Further, previous findings indicate the existing transportation system can accommodate the Plan and zone change.

- I. Section 16.27.050(A)(3) states applicants proposing amendments to the Zoning Map must request a City Zoning Classification that is consistent with the Comprehensive Plan Map designation for a subject property. If an applicant requests a City Zoning Classification that is not consistent with the Comprehensive Plan Map, the zoning requested shall not be granted until the Comprehensive Plan Map is first appropriately amended to reflect concurrence. (See the Annexation Zoning Matrix, Table 16.26-1.) Such an amendment requires a separate application, hearing, and decision; this process may occur concurrently with the Zoning Map Amendment hearing.

FINDINGS: Table 16.26-1 of Development Code Section 16.26.040 identifies the various Comprehensive Plan designations and the zones consistent with these Plan designations. The proposal calls for the "Mixed Use" Plan map designation, and pursuant to this Table, the only allowable zone is Mixed Use (Z-MU). Therefore, the proposed MU zone is entirely consistent with the anticipated designation. No other amendments are required.

Criterion 3

- m. Section 16.27.050(B) states that if proposed amendments to the Comprehensive Plan Map or Zoning Map do not comply with the Comprehensive Plan, the Comprehensive Plan must first be amended so that the proposed Map amendment will be consistent with and accurately implement the Plan.

FINDINGS: The Applicant requests approval of a Comprehensive Plan Map amendment to amend the site's Plan designation from C-RM to C-MU with a concurrent Zone Map Amendment to amend the zone designation from the Z-RM to Z-MU. The proposed Z-MU zone designation is consistent with the C-MU plan map designation. This criterion is satisfied, provided that the amendment to the Comprehensive Plan Map is approved.

- n. Section 16.27.090 establishes requirements for Urban Growth Boundary (UGB) Amendments. This Section does not apply as the property lies entirely within the UGB.

V. Overall Conclusion

As proposed, the applications Comprehensive Plan and Zone Map Amendment complies with the applicable review criteria as outlined above. Therefore, the applicant requests that the application be approved by City Council.



VI. Exhibits

A. Reference Map



21-144 Gillott Moose Lodge
4070 Santiam Highway
Amendment Applications



LAND USE APPLICATION

PROPERTY INFORMATION	
Site Address(es): 4070 Santiam Highway, Lebanon, OR 97355	
Assessor's Map & Tax Lot No.(s): 12S-02W-24C TL 500 & 12S-02W-23D TL 1900	
Comprehensive Plan Designation / Zoning Designation: Z-RM/C-RM	
Current Property Use: Unimproved	
Project Description:	
Comprehensive Plan Map amendment to amend the site's Plan designation from Residential Mixed Density (C-RM) to Mixed Use (C-MU)	
with a concurrent Zone Map Amendment to amend the zone designation from the Residential Mixed Density (Z-RM) to Mixed Use (Z-MU)	

APPLICANT / PRIMARY CONTACT INFORMATION	
Applicant: Laura LaRoque, Udell Engineering and Land Surveying	Phone: 541-990-8661
Address: 63 E. Ash Street	Email: laura@udelleng.com
City/State/Zip: Lebanon, OR 97355	
<i>I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true; that the proposed land use activity does not violate State and/or Federal Law, or any covenants, conditions and restrictions associated with the subject property; and, any approval granted based on this information may be revoked if it is found that such statements are false.</i>	
APPLICANT SIGNATURE <i>Laura LaRoque</i>	Date: 4/13/22

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN ABOVE)	
Owner: David and Laura Gillott	Phone: (541) 451-2211
Address: 31256 SW 5th Avenue	Email: gillott@hotmail.com
City/State/Zip: Lebanon, OR 97355	
OWNER SIGNATURE <i>David C. Gillott</i>	Date: 4/13/22

ADDITIONAL CONTACT INFORMATION	
Engineer / Surveyor: Brian Vandetta, Udell Engineering and Land Surveying	Phone: (541) 451-5125
Address: 63 E. Ash Street	Email: brian@udelleng.com
City/State/Zip: Lebanon, OR 97355	

Architect:	Phone:
Address:	Email:
City/State/Zip:	

Other:	Phone:
Address:	Email:
City/State/Zip:	

THE CITY THAT FRIENDLINESS BUILT

REQUIRED SUBMITTALS

- Application and Filing Fee
- Narrative Describing the Proposed Development and addressing the Decision Criteria
 - LDC Article Two Land Uses and Land Use Zones
 - LDC Article Three Development Standards
 - LDC Article Four Review & Decision Requirements
 - LDC Article Five Exceptions to Standards (eg Variance, Non-Conforming Uses)
- Site Plan(s) drawn to scale with dimensions, Include other drawings if applicable
- Copy of current Property Deed showing Ownership, Easements, Property Restrictions

FOR OFFICE USE

***If more than one review process is required, applicant pays highest priced fee, then subsequent applications charged at half-price.**

Land Use Review Process	Fee	Land Use Review Process	Fee
Administrative Review	\$750	Planned Development – Preliminary	\$2,500
Administrative Review (Planning Commission)	\$1,500	Planned Development – Final (Ministerial)	\$500
Annexation	\$2,500	Planned Development – Final (Administrative)	\$750
Code Interpretation	\$250	Planned Development – Final (Quasi-Judicial)	\$1,500
<input checked="" type="checkbox"/> Comprehensive Plan Map/Text Amendment	\$2,500	Subdivision Tentative	\$1,500
Conditional Use	\$1,500	Subdivision Final	\$750
Fire District Plan Review	\$100	Tree Felling Permit (Steep Slopes only)	\$150 + \$5/tree
Historic Preservation Review or Register	Varies	UGB Amendment	Actual Cost
Land Partition	\$750	Variance (Class 1 – Minor Adjustment)	\$250
Ministerial Review	\$250	Variance (Class 2 – Adjustment)	\$750
Non-Conforming Use/Development	\$750	Variance (Class 3)	\$1,500
Property (Lot) Line Adjustment	\$250	<input checked="" type="checkbox"/> Zoning Map Amendment	\$2,500

APPLICATION RECEIPT & PAYMENT

Date Received:	Date Complete:	Receipt No.:
Received By:	Total Fee:	File No.:

THE CITY THAT FRIENDLINESS BUILT



PROPERTY
 TAX MAP: 12S-2W-24C
 TAX LOT: 500
 TAX MAP: 12S-2W-23D
 TAX LOT: 1900
 SITE ADDRESS: 4070 S SANTIAM HWY, LEBANON, OR 97355

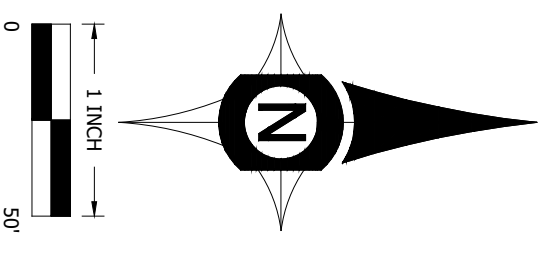
APPLICANT
 DAVID AND LAURA GILLOTT
 31256 SW 5TH STREET
 LEBANON, OREGON 97355
 (541) 971-6198

OWNER
 DAVID AND LAURA GILLOTT
 31256 SW 5TH STREET
 LEBANON, OREGON 97355
 (541) 971-6198

DESIGN TEAM
LAND USE PLANNER
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125

LAND SURVEYOR
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125

CIVIL ENGINEER
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125



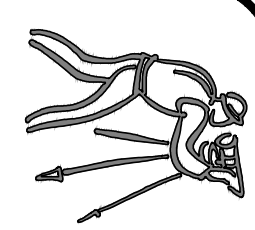
THIS PLAN WAS
 PREPARED FOR PLANNING
 APPLICATION PURPOSES
 ONLY. NOT BE USED
 FOR CONSTRUCTION.

DATE: APRIL 11, 2022
 PROJECT: 21-144 GILLOTT
 DRAWN BY: BSV
 CHECKED BY: BSV

SURROUNDING USES
COMPREHENSIVE PLAN/ZONE CHANGE
4070 S SANTIAM HWY
LEBANON, OREGON 97355

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON 97355
 (541) 451-5125 PH.
 (541) 451-1366 FAX

CLIENT:
 DAVID AND LAURA GILLOTT
 31256 SW 5TH STREET
 LEBANON, OREGON 97355
 541-971-6198
 gillott@hotmail.com



PLAN REVISIONS	DATE

Sheet **C 101**
 SCALE: SEE BARSCALE

Agenda Item 3



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4214
www.ci.lebanon.or.us

MEMORANDUM

Finance Department

To: Mayor, Council & Nancy Brewer, City Manager
From: Casey Headley, Accounting Manager
Subject: State Revenue Sharing FY 2022-2023

Date: May 24, 2022

I. CURRENT REPORT

Each year, the State of Oregon requires that public hearings be held before the Budget Committee and the City Council regarding the uses of State Revenue Sharing. The hearing before the Budget Committee on the proposed uses was held on May 4, 2022, and the hearing before the City Council on the approved uses will be held on June 8, 2022. The funds come from beer and wines taxes collected by the State. The Approved Budget for fiscal year 2022-2023 has budgeted revenue in the amount of \$260,000 as a non-dedicated revenue in the General Fund. The amount included in the budget is derived from an estimate provided by the League of Oregon Cities.

II. RECOMMENDATION

- Conduct a public hearing on the use of State Revenue Sharing in the Approved Budget.
- Adopt a motion to approve a resolution certifying the City provides services eligible to receive State Shared Revenue and that the City elects to receive State Shared Revenue.

**A RESOLUTION CERTIFYING ITS ELIGIBILITY)
AND DECLARING THE CITY OF LEBANON'S) RESOLUTION NO. 2022-09
ELECTION TO RECEIVE STATE REVENUES)**

WHEREAS, public hearings giving citizens an opportunity to comment on the use of state revenue sharing funds were held before the Budget Committee on May 4, 2022 and before the City Council on June 8, 2022; and

WHEREAS, ORS 221.760 requires as follows:

The Officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- | | |
|--------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Fire Protection | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | 7) One or more utility services; and |
| 4) Storm Sewers | |

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON that the City of Lebanon hereby certifies that it provides the following six municipal services enumerated in Section 1, ORS 221.760:

- | | |
|--------------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Water Utility Service | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | |
| 4) Storm Sewers | |

BE IT FURTHER RESOLVED THAT:

Pursuant to ORS 221.770, the City of Lebanon hereby elects to receive state revenues for fiscal year 2022-23.

Passed by the Lebanon City Council and executed by the Mayor on this 8th day of June 2022 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 4



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4214
www.ci.lebanon.or.us

MEMORANDUM

Finance Department

To: Mayor, Council & Nancy Brewer, City Manager
From: Casey Headley, Accounting Manager
Subject: Adopted Budget FY 2022-23

Date: May 24, 2022

I. INTRODUCTION

Attached is a resolution to levy property taxes and a second resolution to appropriate the City's fiscal year 2022-2023 budget. Oregon Budget Law allows the City Council to increase appropriations the Budget Committee's approved budget by up to 10% or \$5,000, whichever is greater in each fund. The proposed budget was approved by the Budget Committee on May 4, 2022.

II. CURRENT REPORT

The budget amount of \$86,930,161 was approved by the Budget Committee; the all-funds budget summary is attached. There are two amendments staff is requesting Council consider:

- Staff recommends Council amend the approved budget to increase General Fund Non-Departmental Materials and Supplies budget to include \$26,384 in funds awarded in a settlement between Oregon and Johnson & Johnson. These monies will be restricted for use in opioid treatment and prevention.
- Staff recommends Council amend the approved budget to increase General Fund Community Development appropriations by \$60,000 to be able to spend a grant for an environmental analysis staff was notified of on May 25.

These increases are within the 10% limit allowed in Local Budget Law and would increase the total budget amount to \$87,016,545, including \$19,202,490 in unappropriated reserves.

III. RECOMMENDATION

- Conduct a public hearing on the Budget approved by the Budget Committee.
- Motion to approve a resolution levying taxes.
- Motion to approve a resolution making appropriations, and
 - A motion to amend the resolution to increase General Fund Non-Departmental Materials and Services appropriations by \$26,384 and General Fund Community Development budget by \$60,000.

Description	2019-20	2020-21	2021-22	2021-22	2022-23	2022-23	% Chg From
	Actual	Actual	Budget	Estimate	Proposed	Approved	2021-22 Budget
Resources							
Property Taxes	\$ 6,490,461	\$ 7,726,867	\$ 7,506,960	\$ 7,704,632	\$ 7,908,854	7,908,854	5%
Other Taxes	456,907	443,917	380,000	460,100	483,600	483,600	27%
System Dev. Charges	1,226,130	2,299,224	849,150	2,184,500	1,403,500	1,403,500	65%
Franchise Fees	2,272,728	2,381,699	2,404,260	2,472,866	2,525,252	2,525,252	5%
Fees	1,112,640	945,432	903,600	1,271,399	669,490	669,490	-26%
Charges for Services	11,192,465	11,517,687	11,595,000	12,970,129	13,375,000	13,375,000	15%
Intergovernmental	2,350,944	3,787,705	8,956,159	5,805,049	8,584,552	8,584,552	-4%
Grants & Donations	583,048	59,311	55,635	47,603	55,635	55,635	0%
Fines and Forfeitures	433,911	494,708	340,000	349,906	349,790	349,790	3%
Interest	445,126	252,857	140,575	155,816	213,886	213,886	52%
Miscellaneous	253,883	277,800	207,160	99,394	107,500	107,500	-48%
Transfer In	9,233,099	4,668,479	5,526,870	5,273,839	4,911,642	4,911,642	-11%
Other Sources	-	3,730,000	14,000,000	24,000,000	5,039,555	5,039,555	-64%
Rental	2,020	1,110	-	-	-	-	0%
Pass-Through	-	-	370,000	463,160	470,000	470,000	27%
Total Revenue	<u>\$ 36,053,362</u>	<u>\$ 38,586,796</u>	<u>\$ 53,235,369</u>	<u>\$ 63,258,393</u>	<u>\$ 46,098,256</u>	<u>46,098,256</u>	<u>-13%</u>
Beginning Balance	19,254,958	21,880,871	20,644,821	24,874,477	40,831,905	40,831,905	98%
Total Resources	<u>\$ 55,308,320</u>	<u>\$ 60,467,667</u>	<u>\$ 73,880,190</u>	<u>\$ 88,132,870</u>	<u>\$ 86,930,161</u>	<u>\$ 86,930,161</u>	<u>18%</u>
Requirements							
Operating							
Personnel Services	\$ 11,137,268	\$ 12,011,131	\$ 13,765,780	\$ 13,173,307	\$ 14,586,194	14,586,194	6%
Materials & Services	7,385,304	7,488,021	12,540,978	7,049,085	9,316,587	9,321,587	-26%
Capital Outlay	2,665,372	3,048,799	15,698,489	3,506,481	18,114,103	18,128,303	15%
Trans Out- Operating	4,348,856	1,762,353	4,421,127	4,474,250	4,814,642	4,814,642	9%
Non-Operating							
Pass-Through	-	-	370,000	463,160	470,000	470,000	27%
Capital Projects	29,747	95,137	15,233,902	12,201,500	11,150,000	11,150,000	-27%
Trans Out- Non-Operating	2,568,276	2,037,265	802,620	799,589	97,000	97,000	-88%
Debt Service Prin	3,359,764	7,496,484	4,111,505	4,111,505	3,674,080	3,674,080	-11%
Debt Service Int	2,136,599	1,569,433	1,391,780	1,391,780	1,253,974	1,253,974	-10%
Contingencies	-	-	4,197,964	-	4,251,091	4,231,891	1%
Unappropriated	-	-	1,292,922	-	19,202,490	19,202,490	1385%
Total Requirements	<u>\$ 33,631,186</u>	<u>\$ 35,508,623</u>	<u>\$ 73,827,067</u>	<u>\$ 47,170,657</u>	<u>\$ 86,930,161</u>	<u>86,930,161</u>	<u>18%</u>

**RESOLUTION LEVYING TAXES FOR
THE CITY OF LEBANON'S BUDGET FOR
FISCAL YEAR 2022-2023**

) **RESOLUTION NO. 2022-10**
)
)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

Section 1. The City of Lebanon hereby levies the taxes provided for in the adopted budget at the rate of \$5.1364/\$1,000 of assessed valuation for operations, and in the amount of \$1,636,762 for voter approved debt service and that these taxes are hereby levied upon the assessed value of all taxable property within the City of Lebanon.

The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution make up the above aggregate levy:

	<u>Subject to the General Governmental Limitation</u>	<u>Excluded from the Limitation</u>
Permanent Rate	\$5.1364/\$1,000	
General Obligation Bond Debt		\$1,636,762
Delinquent Sewer Charges		\$XX,XXX.XX
Delinquent Storm Drain Charges		\$XX,XXX.XX

Section 2. This resolution is effective July 1, 2022.

Passed by the Lebanon City Council and executed by the Mayor on this 8th day of June 2022 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

**A RESOLUTION ADOPTING THE CITY OF)
 LEBANON'S BUDGET AND MAKING)
 APPROPRIATIONS FOR FISCAL YEAR 2022-)
 2023**

RESOLUTION NO. 2022-11

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the City Council of the City of Lebanon hereby adopts the budget for 2022-23, in the sum of \$86,930,161 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Council of the City of Lebanon:

Section 1. That the amounts for fiscal year beginning July 1, 2022, and for the purposes shown below, are hereby appropriated as follows:

<u>GENERAL FUND</u>	
Mayor & City Council	\$ 93,184
Community Development	588,775
Finance	438,160
Library	649,025
Police	6,514,420
Senior Services	306,350
Non-Departmental	
Materials & Services	1,064,361
Capital Outlay	34,000
Interfund Transfers	2,486,411
Non-Operating	
Pass-Through	470,000
Interfund Transfers	32,000
Contingency	2,005,373
Debt Service Principal	90,919
Debt Service Interest	25,607
General Fund Total	\$ 14,798,585

INTERNAL SERVICE FUNDS

Administrative Services Fund

City Manager's Office	\$ 227,590
Human Resources	272,050
City Attorney	230,000
City Recorder	268,625
Finance	751,203
Non-Operating	
Interfund Transfers	290,397
Contingency	20,000
	<u>\$ 2,059,865</u>

Information Technology Fund

Information Technology	\$ 1,535,700
Non-Operating	
Interfund Transfers	24,005
Contingency	26,901
	<u>\$ 1,586,606</u>

Custodial & Maintenance Services Fund

Public Works	\$ 418,010
Non-Operating	
Interfund Transfers	4,690
Contingency	2,300
	<u>\$ 425,000</u>

DEBT SERVICE FUNDS

GO/Full Faith & Credit Bond Fund

Debt Service Principal	\$ 1,330,000
Debt Service Interest	352,556
Total GO/Full Faith & Credit Bond Fund	<u>\$ 1,682,556</u>

2013 Full Faith & Credit Bond

Debt Service Principal	\$ 1,010,000
Debt Service Interest	273,600
Total 2013 Full Faith & Credit Bond	<u>\$ 1,283,600</u>

Pension Bond

Debt Service Principal	\$ 185,000
Debt Service Interest	75,102
Total Pension Bond	<u>\$ 260,102</u>

ENTERPRISE FUNDS

Water Fund

Community Development	\$ 44,000
Public Works	2,409,940
Engineering	1,180,750
Non-Departmental	
Interfund Transfers	586,638
Non-Operating	
Capital Projects	1,000,000
Debt Service Principal	678,606
Debt Service Interest	475,165
Contingency	250,000
Total Water Fund	\$ 6,625,099

SDC - Water Improvements Fund

Engineering	\$ 926,489
Total SDC - Water Improvements Fund	\$ 926,489

SDC - Water Reimbursements Fund

Engineering	\$ 25,098
Total SDC - Water Reimbursements Fund	\$ 25,098

Storm Drainage Fund

Public Works	\$ 194,700
Engineering	173,500
Non-Departmental	
Interfund Transfers	68,247
Non-Operating	
Interfund Loan Principal	39,555
Interfund Loan Interest	6,446
Contingency	42,166
Total Storm Drainage Fund	\$ 524,614

SDC - Storm Drainage Improvements Fund

Engineering	\$ 287,028
Total SDC - Storm Drainage Improvements Fund	\$ 287,028

SDC - Storm Drainage Reimbursements Fund

Engineering	\$ 35,890
Total SDC - Storm Drainage Reimbursements Fund	\$ 35,890

Wastewater Fund

Community Development	\$ 44,000
Public Works	3,062,240
Engineering	1,195,750
Non-Departmental	
Interfund Transfers	861,428
Non-Operating	
Capital Projects	10,150,000
Debt Service Principal	340,000
Debt Service Interest	45,498
Contingency	250,000
Total Wastewater Fund	\$ 15,948,916

SDC - Wastewater Improvements Fund

Engineering	\$ 3,325,383
Total SDC - Wastewater Improvements Fund	\$ 3,325,383

SDC - Wastewater Reimbursements Fund

Engineering	\$ 668,635
Total SDC - Wastewater Reimbursements Fund	\$ 668,635

SPECIAL REVENUE FUNDS

Motel Tax Fund

Non-Departmental	
Materials & Services	\$ 170,000
Capital Outlay	232,266
Total Motel Tax Fund	\$ 402,266

Building Inspection Fund

Community Development	\$ 436,000
Non-Departmental	
Interfund Transfers	97,701
Non-Operating	
Contingency	748,425
Total Building Inspection Fund	\$ 1,282,126

Parks Fund

Public Works	\$ 888,690
Engineering	363,000
Non-Departmental	
Interfund Transfers	115,129
Total Parks Fund	\$ 1,366,819

	<u>Foot & Bike Fund</u>	
Engineering		\$ 31,460
Total Foot & Bike Fund		\$ 31,460

	<u>Engineering Development Review Fund</u>	
Engineering		\$ 125,250
Non-Departmental		
Interfund Transfers		19,866
Non-Operating		
Contingency		13,632
Total Engineering Development Review Fund		\$ 158,748

	<u>Streets Fund</u>	
Public Works		\$ 1,122,935
Engineering		759,500
Non-Departmental		
Interfund Transfers		160,675
Non-Operating		
Interfund Transfers		65,000
Contingency		50,000
Total Streets Fund		\$ 2,158,110

	<u>LINX Fund</u>	
LINX		\$ 980,157
Non-Departmental		
Interfund Transfers		99,455
Non-Operating		
Contingency		178,826
Total LINX Fund		\$ 1,258,438

	<u>Boat Ramp Maintenance Assistance Fund</u>	
Public Works		\$ 9,639
Total Boat Ramp Maintenance Assistance Fund		\$ 9,639

	<u>Police Donations Fund</u>	
Police		\$ 36,417
Total Police Donations Fund		\$ 36,417

	<u>Library Donation Fund</u>	
Library		\$ 43,650
Total Library Donation Fund		\$ 43,650

	<u>Senior Center Donations Fund</u>	
Senior Center		\$ 177,974
Total Senior Center Donations Fund		\$ 177,974

Pioneer Cemetary Fund

Public Works	\$ 10,252
Total Pioneer Cemetary Fund	\$ 10,252

CAPITAL PROJECT FUNDS

Equipment Acquisition and Replacement Fund

Non-Departmental	
Capital Outlay	\$ 382,631
Non-Operating	
Contingency	602,635
Total Equipment Acquisition and Replacement Fund	\$ 985,266

Street Capital Projects Fund

Non-Operating	
Capital Outlay	\$ 785,907
Contingency	41,633
Total Street Capital Projects Fund	\$ 827,540

SDC - Parks Improvements Fund

Public Works	\$ 3,874,305
Total SDC - Parks Improvements Fund	\$ 3,874,305

SDC - Parks Reimbursements Fund

Public Works	\$ 437
Total SDC - Parks Reimbursements Fund	\$ 437

SDC - Streets Improvements Fund

Engineering	\$ 4,467,269
Total SDC - Streets Improvements Fund	\$ 4,467,269

SDC - Streets Reimbursements Fund

Engineering	\$ 173,489
Total SDC - Streets Reimbursements Fund	\$ 173,489

City Budget Total	\$ 67,727,671
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Unappropriated	\$ 19,202,490
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Section 2. This resolution is effective July 1, 2022.

Passed by the Lebanon City Council and executed by the Mayor on this 8th day of June 2022 by a vote of ___ yeas and ___ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 5



925 S. Main Street
Lebanon, Oregon 97355

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MEMORANDUM

Finance Department

To: Mayor, Council & Nancy Brewer, City Manager
From: Casey Headley, Accounting Manager
Subject: Lebanon Urban Renewal Agency Budget FY 2022-23

Date: May 24, 2022

I. INTRODUCTION

Attached is a resolution to appropriate the Lebanon Urban Renewal Agency's 2022-2023 budget as well as a resolution to levy property taxes. Oregon Budget Law allows the City Council to increase appropriations by up to 10% or \$5,000, whichever is greater in each fund.

II. CURRENT REPORT

The budget amount of \$5,483,764, is the same as the amount approved by the Budget Committee. Staff has no recommendation for any changes.

III. RECOMMENDATION

- Conduct a public hearing on the Urban Renewal Budget approved by the Budget Committee.
- Motion to approve a resolution levying taxes.
- Motion to approve a resolution making appropriations.

**RESOLUTION LEVYING TAXES FOR THE
LEBANON URBAN RENEWAL AGENCY'S
BUDGET FOR FISCAL YEAR 2022-2023**

) **RESOLUTION NO. 2022-12**
)
)

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. To certify to the county assessor for the Northwest Lebanon Urban Renewal District Plan Area a request for taxes at the increment property value of \$56,500,000, which is less than the maximum division of taxes that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 2. To certify to the county assessor a request for the North Gateway Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 3. To certify to the county assessor a request for the Cheadle Lake Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 4. To certify to the county assessor a request for the Downtown Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 5. To certify to the county assessor a request for the Mill Race Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 6. This resolution is effective on July 1, 2022.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 8th day of June 2022 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

**A RESOLUTION ADOPTING THE LEBANON) RESOLUTION NO. 2022-13
 URBAN RENEWAL AGENCY BUDGET AND)
 MAKING APPROPRIATIONS FOR FISCAL YEAR)
 2022-2023)**

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the Board of the Lebanon Urban Renewal Agency hereby adopts the Agency budget for 2022-23, in the sum of \$5,483,764 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. That the amounts for the fiscal year beginning July 1, 2022 and for the purposes shown below, are hereby appropriated as follows:

Northwest Lebanon Urban Renewal District Fund

NW Lebanon Urban Renewal District Activities	\$	-
Debt Service Principal		1,150,070
Debt Service Interest		358,926
Total Northwest Lebanon Urban Renewal District Fund	\$	1,508,996

Cheadle Lake Urban Renewal District Fund

Cheadle Lake Urban Renewal District Activities	\$	356,263
Debt Service Principal		264,877
Debt Service Interest		86,971
Total Cheadle Lake Urban Renewal District Fund	\$	708,111

North Gateway Urban Renewal District Fund

North Gateway Urban Renewal District Activities	\$	1,335,096
Total North Gateway Urban Renewal District Fund	\$	1,335,096

Downtown Urban Renewal District Fund

Downtown Urban Renewal District Activities	\$	79,055
Total Downtown Urban Renewal District Fund	\$	79,055

Mill Race Urban Renewal District Fund

Mill Race Urban Renewal District Activities	\$	109,103
Total Mill Race Urban Renewal District Fund	\$	109,103

TOTAL AGENCY APPROPRIATIONS **\$ 3,740,361**

Unappropriated \$ 1,743,403

Section 2. This resolution is effective July 1, 2022.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 8th day of June 2022 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 6



925 S. Main Street
Lebanon, Oregon 97355

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MEMORANDUM

City Administrator's Office

To: Mayor Aziz and City Council

Date: May 31, 2022

From: Nancy Brewer, City Manager *NB*

Subject: FY 22 Budget Amendments and Supplemental Budget

I. INTRODUCTION

The FY 22 budget requires several amendments to ensure adequate appropriations to complete the fiscal year expenditures.

II. CURRENT REPORT

There are three amendments requiring the transfer or appropriations between existing classifications, and one supplemental budget:

- A. There was a position reclassification in the Community Development Department that slightly increased compensation for one employee. A portion of this employee's time is budgeted in the Water and Wastewater Funds for work completed for those functions. The first budget amendment transfers a total of \$960 in those two funds.
- B. The COVID Pandemic bonus the Council authorized cost \$130,500. The ARPA monies were budgeted in the General Fund, Non-Departmental, Materials & Services budget. There are no personnel services appropriations in Non-Departmental. Since staff in all funds received the bonus, staff determined the best way to track the costs would be to expend them from the Mayor and Council budget. As a result, appropriations are needed to be transferred from Non-Departmental to the Mayor and Council budget.
- C. Overall development has been higher than expected this fiscal year. As a result, the City has required more services from the contract Building Inspector. This budget adjustment transfers Contingency appropriations to the Community Development Department to cover this increased cost.

D. The supplemental budget is to increase appropriations in the General Fund Pass-Through classification as the result of increases in Construction Excise Tax revenue the City collects on behalf of the Lebanon Public School District.

III. RECOMMENDATION

Adopt the attached resolution amending the budget appropriations.

**A RESOLUTION AUTHORIZING A TRANSFER
IN BUDGET APPROPRIATIONS AND A
SUPPLEMENTAL BUDGET FOR THE CITY OF
LEBANON 2021-2022 BUDGET**

) **RESOLUTION NO. 2022-14**
)
)
)

WHEREAS, ORS 294.462(1) allows for council to transfer appropriated amounts from one appropriation category to another through resolution, provided the need, purpose and the amount to be transferred are stated in the resolution; and

WHEREAS, ORS 294.466 allows for council to increase appropriated amounts for pass through payments by resolution if actual amount collected exceeds the budgeted estimate; and

WHEREAS, ORS 294.471(a) allows a supplemental budget when there is an occurrence or condition that is not ascertained when preparing the original budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

Section 1. That the Council of the City of Lebanon herein authorizes the transfer of appropriations. Transfers of appropriations are the result of the following factors:

A. A Community Development staff position was re-classified and compensation increased slightly; as a result, appropriations need to increase in the Water and Wastewater Funds for this added cost. Appropriations are to be transferred from Water Fund Contingencies and Wastewater Fund Engineering appropriations.

	<u>Existing</u>	<u>Changes</u>	<u>Adjusted</u>
<u>Water Fund</u>			
Contingency	\$250,000	(\$600)	\$249,400
Community Development	40,750	600	41,350
<u>Wastewater Fund</u>			
Engineering	1,772,050	(360)	1,771,690
Community Development	41,000	360	41,360

B. The COVID-19 bonus was paid to employees in April. The American Rescue Plan Act (ARPA) monies were budgeted in Non-Departmental Materials and Services; there are no non-departmental appropriations for personnel services. Appropriations are proposed to be transferred within the General Fund from Non-Departmental Material and Services to the Mayor and City Council budget to cover these costs.

	<u>Existing</u>	<u>Changes</u>	<u>Adjusted</u>
<u>General Fund</u>			
Non-Dept. Materials & Services	\$4,181,525	(\$130,500)	\$4,051,025
Mayor and City Council	112,275	130,500	242,775

C. There has been considerably more new construction in Lebanon than anticipated. This has required additional time from the City's contract Building Inspector and staff. This action will increase appropriations for Community Development using Contingencies; the additional costs are more than offset by revenues in excess of budget.

	<u>Existing</u>	<u>Changes</u>	<u>Adjusted</u>
<u>Building Inspection Fund</u>			
Contingency	\$473,721	(\$30,000)	\$443,721
Community Development	335,000	30,000	365,000

Section 2. A supplemental budget is required as a result of the high level of construction. Construction Excise Taxes collected by the City on behalf of the Lebanon Public School District exceed the original budget with additional monies expected in June associated with several development projects. These additional appropriations are completely offset by an equal amount of revenue.

	<u>Existing</u>	<u>Changes</u>	<u>Adjusted</u>
<u>General Fund</u>			
Pass-Through	\$370,000	\$300,000	\$670,000

Section 3. Section 1 and 2 of this resolution are effective immediately upon passage.

Passed by the Lebanon City Council and executed by the Mayor on this 8^h day of June 2022 by a vote of _____ yeas and _____ nays

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel Council President

ATTEST:

Kim Scheafer, MMC, City Recorder

Agenda Item 7



925 S. Main Street
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MEMORANDUM

Community Development

To: Mayor Aziz and City Council Date: May 11, 2022
From: Alysia Rodgers, Economic Development Catalyst
Subject: An Ordinance to eliminate Chapter 5.02 Business Registration of the Lebanon Municipal Code

I. INTRODUCTION

During the 2021 Economic Development update, the Economic Development Catalyst was given direction by the City Council to research the Business Registration program laid out in Chapter 5.02 of the Lebanon Municipal Code and identify if the program should be restarted or if the information could be obtained in other ways. Staff has evaluated several other city's attempts at creating a business registration program and evaluated alternatives. Under consideration is the results of staff's research, and a proposed options for the future of the Business Registration Program.

II. CURRENT REPORT

The current code was established in 2010 by request of the police department to address issues in the downtown district. In 2012, it was requested the program be temporarily suspended for one year to determine a more efficient process. The City Council passed a resolution that would suspend the program for one year.

Since that time, the program has not been enforced or reinstated beyond a purely voluntary program. In consideration of how to move forward with a business registration program, staff evaluated the status of surrounding communities, evaluated the capacity to manage a business registration program, and considered the state licensing program.

Surrounding Communities – Research of surrounding communities has been done to determine the interest in and outcomes of a Business Registration program. The results roughly fell into two main categories:

- The first tier were communities that have taken steps to create a business registration program and have been met with strong reluctance from City Councils. This hesitancy is based on concerns over duplication of efforts of the state that already requires businesses to register, and potentially cause a burden to the business community financially. These communities have decided to either not move forward with a

registration program or have taken a step back from implementation to consider alternative methods.

Communities surveyed include Albany, Sweet Home, Corvallis, Philomath, and Dallas. At this time, Dallas is the only community moving forward to implement a voluntary program that is free to the business community and enforced by city staff.

- The second tier were communities that have established business registration programs. The common theme with these communities is higher initial and renewal fees between \$50 - \$105 (City of Lebanon fee is currently set at \$25). In addition, the cities have a proactive code enforcement program to ensure compliance with registration and renewals. The communities surveyed include Sherwood, Canby, Coos Bay, and Pendleton.

Business Opposition – With the businesses already having to register through the Secretary of State’s Office, there is the perception and opinion that a program administered on the local level would create more paperwork and financial burden on the business community. The business community has also stated concerns regarding their information being a public record and subject to Freedom of Information Act records requests. Significant opposition to business registration programs were raised in the region with the cities of Sweet Home, Albany, and Corvallis.

City Capacity – In 2012, the business registration program was put on hold to provide time to evaluate how to make the program more efficient and effective. When the program was originally adopted, the purpose was to provide a tool for the police department when responding to properties and businesses to have contact information for the business owner. During discussions on whether to put the program on hold, staff at the time indicated that the information that is collected through the program had not once been requested by the Police Department, and the information being collected was going unutilized. In addition, as shown with the cities that have implemented a business registration program, enforcement is a key component to ensure the information collected is comprehensive. At this time, the City of Lebanon maintains one Code Enforcement employee within the police department, who is also the evidence custodian. The Police Department was included in consideration of whether to move forward with the Business Registration Program. Although it was expressed that the program would be helpful, it was indicated that there are other alternatives that could be pursued that would not require the implementation of the full registration program and was not in opposition of officially eliminating the program.

State Registration – The Secretary of State’s (SOS) office defines businesses that must register as: “Corporations, Limited Liability Companies and other formal business entities....Sole Proprietors and General Partner businesses are not required to registrar if they disclose the names of the owners in the business name. Any business can choose to register an Assumed Business Name.” The list of current businesses and businesses that have registered within the previous month is available through the SOS’s office free of charge. Currently the list of businesses available does not include phone numbers or email addresses. Moving forward, a coalition of rural and urban cities is working with the Secretary of State’s Office to pursue access to contact information, which would have been extremely useful during the pandemic to reach

our business community. The Secretary of State's Office has indicated the change in available information would require a legislative action, which is being considered by the group of cities and the state as a future path forward. The needs of the police department has been considered and it has been determined that the information needed can be sufficiently met if access to the SOS's list is obtained.

With the considerations above, staff has drafted a proposed ordinance for consideration. The ordinance would repeal Chapter 5.02 (Business Registration) of the Municipal Code. In exchange of a City run registration, staff will continue to seek access to the already established state list of businesses for the City of Lebanon, and support the legislative action necessary to obtain the contact information needed for the police department.

III. RECOMMENDATION

1. Approve Ordinance No. 2982 eliminating Chapter 5.02 Business Registration of the Lebanon Municipal Code.

**A BILL FOR AN ORDINANCE REPEALING
CHAPTER 5.02 OF THE LEBANON
MUNICIPAL CODE CONCERNING BUSINESS
REGISTRATION REGULATIONS**

) **ORDINANCE BILL NO. 2022-06**
)
) **ORDINANCE NO. 2982**
)

WHEREAS, the current language in the Lebanon Municipal Code defines the business registration program and renewal process for the City of Lebanon; and

WHEREAS, the City Council voted to suspend the program in 2012 for one year and the program has not been enforced or maintained since that time; and

WHEREAS, the City has evaluated the effectiveness of the program and alternatives through the Secretary of State’s business licensing program and it has been determined the regulations outlined in Chapter 5.02 of the Lebanon Municipal Code should be removed.

NOW, THEREFORE, THE LEBANON CITY COUNCIL ORDAINS AS FOLLOWS:

1. Chapter 5.02 Business Registration of the Lebanon Municipal Code is hereby repealed along with related ordinances.

Passed by the Lebanon City Council and executed by the Mayor on this 8th day of June 2022 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Michelle Steinhebel, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 8



CITY MANAGER'S REPORT

Reporting period: May 2022

I. ADMINISTRATION – Nancy Brewer, City Manager

- We have not had success in finding a new Finance Director. Casey Headley, Accounting Manager, will be serving as the Finance Director in the interim, and HR has re-advertised the position.

B. HUMAN RESOURCES – Angela Solesbee, HR Director

- Recruitment:
 - Police Officer – 4 Candidates in background process
 - PT Library Assistant – Re-open posting.
 - Finance Director – Position re-posted. Open until filled.
 - 3-4 PW Summer Temp Employees – Various start dates (2 started, 2 starting 6/1)
 - Police Officer – Position posted (2 openings)
 - Engineering Tech III or Engineering Associate – Position posted.
- Benefits:
 - Business as usual.
- Classification and Compensation:
 - Job Description review and standardization underway, to include Physical Requirement section update.
- Training and Development:
 - May all employee training – MSDS Training
 - May Safety training – Hazard Communication
 - June all employee training – Raising Resiliency
 - June Safety training – Accident Incident Analysis
 - Engaging Leadership (Leadership Development Training)
 - New vendor RFP pending – Gold Dog Consulting
- Performance Management:
 - 91 (78%) employees are routinely receiving their performance evaluation annually
 - 28 evaluations are past due as of 5/26/22
- Other:
 - Time and Attendance – Vendor selected as ADP. Next steps are leadership meetings with vendor to receive demo of product and get questions answered. 1st meeting scheduled for June 7th.

II. CITY RECORDER – Kim Scheafer, MMC, City Recorder

- **City Council Meetings:** Regular Session June 8, 2022
- **Miscellaneous:**
 - Some of the projects we have been working on are: Web page updates, Facebook posts, processing press releases, CC meeting minutes, public records requests, liquor license processing, meeting agendas and packets, directing web page inquiries, destroying documents in the Archives Room that have met their destruction date, and adding search content to records that have been transferred into the State's Records Management System (ORMS).

THE CITY THAT FRIENDLINESS BUILT

- ORMS – As of May 26 the City has 16,150 documents in ORMS with 13,051 of them being published and able to be accessed from the City's website.
- The City Recorder attended a Zoom OAMR Records Management Sub-Committee meeting with representatives from the State Archives to work on updating the City Records Retention Schedule .
- The City Recorder and Deputy City Recorder attended a Zoom OAMR Meeting.
- The City Recorder approved the Initiative Cover and Signature Sheet for the removal of fluorosilicic acid from the city water supply. Chief Petitioners are now gathering signatures. They are hoping to have their signature sheets returned and verified so it can be placed on the July 27 Agenda.
- **Public Records Requests:** Five public records requests have been received since the last packet was published.
- **Liquor Licenses Processed:** No new applications have been received since the last packet was published.

III. COMMUNITY DEVELOPMENT – Kelly Hart, Director

A. Planning:

- The Planning Commission held a regularly scheduled meeting on May 18, 2022 that included a Comprehensive Plan Map and Zoning Map Amendment for a property at the intersection of Crowfoot Road and Stoltz Hill Road, which was unanimously recommended for approval to the City Council. A 9-lot Subdivision including a Class III Variance application to allow for two additional units to be accessed from a private street was also considered and unanimously approved.
- The next Planning Commission is scheduled for June 15, 2022, there are currently no items scheduled.
- In May, there were no applications approved administratively.
- Staff is currently processing eight planning applications for six projects:
 - A-22-03 and CPMA-22-01 to annex a property on Hansard Ave. and change the designation of the property from Industrial to Mixed Use for the goal to develop apartment units. (Application deemed incomplete, awaiting applicant response).
 - CPMA-22-02 and ZMA-22-01 to amend the comprehensive plan and zoning designation of a property on Crowfoot Road and S Santiam Highway from Residential Mixed Density to Mixed Use (Application to be presented to City Council at June meeting).
 - AR-22-02 for the construction of a 6-unit apartment complex with 3 duplex buildings for a property on 9th Street (Application currently out for public comment period, Notice of Decision to follow).
 - MLP-22-05 to divide one large parcel into two parcels for the future development of two dwelling units for a property on Walker Street (Application currently out for public comment period, Notice of Decision to follow).
 - S-22-03 for a 28-lot subdivision on B Street (Application was deemed incomplete, staff awaiting submittal of revised plans)
 - S-22-04 for a 48-lot subdivision on Stoltz Hill Road (Applicant is working with Fire District regarding required emergency access, public hearing anticipated in July).
- Three DRT meetings was held in the Month of May which involved discussions associated with two commercial business opportunities and developments and one office building renovation for County offices.
- Housing Production Strategy: The consultants are working on developing the stakeholder engagement process.
- 2040 Vision Plan Update: The ad-hoc committee held their second meeting on May 10, 2022. The committee discussed the planned celebration for the completion of the first 5-years of the Vision Plan, new stakeholders to invite to participate in the upcoming update, and next steps for the start of the vision update. City staff is providing support to the committee and working on a plan and schedule for the stakeholder engagement process and ways to encourage and support the development of new action items for each partner organization.
- Camping and Houseless Ordinance: The Community Development Director is currently working on draft code language to address the case law and state legislative actions regarding houselessness based on the input from the ad-hoc committee.

B. Building:

- The city processed 79 permits in April. \$19,344.07 and valuation of construction was \$1,056,045.00.

- By comparison, in April 2021, 78 permits were processed. Total fees received were \$80,680.03 and valuation of construction was \$7,012,698.00.
- A current list of the larger construction sites include:
 - Village Loop Apartments (Mill Race Development)
 - Riverside Banks Subdivision and Duplexes (Williams Street)
 - 18-unit multifamily development (N 5th Street)
 - 24-unit affordable multifamily development (Weldwood Drive)
 - 116-unit affordable multifamily development (Weldwood Drive)
 - 78-unit multifamily development (Russell Drive)
 - 36-unit multifamily development (S 12th Street)
 - 30-unit multifamily development (Vaughan Lane)

C. Economic Development:

- **Rural Economic Alliance (REAL) or 8 Cities Update:** The group met on April 28th to go over a preview of the website and discuss decisions around the designated map that was in the original scope of work. Feedback was given to the consultant, JayRay and additional edits were made. JayRay is also working on deliverables for the group and will present what they have during the next meeting on May 26th as well as conduct an hour website training for member cities.
- **2022 Initiatives Update:**
 - **DLCD EOA Grant:** A kickoff meeting was held on February 18th with the first phase of the work being the buildable lands inventory. There have been no changes to this program in the last month, the consultant is still working on the first phase of the analysis.
 - **Economic Recovery Assistance**
 - **Locally:** The Economic Development Catalyst, Community Development Director, Chamber of Commerce Director and Lebanon Downtown Association Main Street Manager continue to meet monthly to better collaborate on efforts between the City and the other organizations to meet the needs of the business community and community as a whole.
 - **Regionally:** The Economic Development Catalyst continues to attend Linn County Commissioner meetings in an effort to be more visible to the county and to represent the interests of Lebanon and the REAL group, this may also allow for conversations regarding ARPA funds to be discussed on a regional level. The Economic Development Catalyst along with the City Administrator of Harrisburg approached the Linn County Budget Committee with the request that Linn County allocate \$11,750 to the REAL group for half of the cost of a RARE member, the request was denied as it was not the right platform to make the request. The Economic Development Catalyst was instructed to follow up with Commissioner Will Tucker for alternative solutions.
 - **Business Registration Program**

The Corvallis Benton County Economic Development has had conversations with the Secretary of the State's office about the need for access to the statewide business registry for the purposes of Economic Development. Through these efforts it was the conclusion of the group that there will need to be a legislative approach to allow annual access to the business information for each individual City or County for the purposes of Economic Development. During the first work session for the legislative action it was determined that a conversation with the staff for the SOS office and attorney will be needed in order to determine what part of the code would need to specifically be changed. A meeting has been set for June 15th to meet with the SOS office. For the June City Council meeting, staff anticipates bringing forward an ordinance proposal to amend the municipal code regarding the City business registration program and provide a more in-depth summary of our efforts on this front.
 - **Workforce Development Initiative**

The Economic Development Catalyst attended a meeting that Anne Whittington, the Economic Recovery Coordinator for the Oregon Cascades West Council of Governments, coordinated between local partners in Linn and Benton Counties that were interested in exploring the workforce development idea around supporting potential daycare providers. \$22 million in Childcare development funds has been allocated to

be administered by Seeding Justice and will be available for applications in June of 2022. The regional Childcare development group met on April 21st to discuss a regional approach to applying for some of the funds. The group agreed that one central organization should apply to be a recipient of the funds and additional meetings will need to be held to fine tune the ask for the region, it was agreed that some form of birth-3 option needs to be available, but that the cost of staffing and the ratio of children to staff will be the biggest challenge. It was determined that the early learning center through Linn Benton Community College would be the applicant for the region the group explored the possibility of having Kidco Head Start use the funds to expand childcare in Linn county. Further conversations still need to be had before the application is submitted.

➤ **Other key updates**

- The Economic Development Catalyst, Community Development Director, and RARE member attended a meeting with representatives of the Oregon Department of State Lands (DSL), to ask additional questions regarding Wetlands and changes to mitigation banking ratios as well as ideas for better communication with developers about potential industrial site developments. A follow up meeting will be held on April 28th to continue the conversation.
- Updates to Economic Development and business resources are being worked on for the City of Lebanon's website.
- Information has been shared with the business community regarding the Willamette Workforce Partnership's announcement of a Youth Wage Grant for first time works available in Linn, Yamhill, Marion, and Polk Counties.
- Information has also been shared with the business community regarding the Covid Recovery Grant Program for Live Venue Operators, Producers, and Presenters through Business Oregon.

IV. ENGINEERING SERVICES – Ron Whitlatch, Director

- Engineering Staff is currently working on the design/oversight of several small sanitary sewer replacement projects for construction during the 22/23 fiscal year. These include sewers on East Ash (between Carlson and Creswell), and a small sewer extension/multiple lateral replacement at the intersection of 'F' Street and Strawberry Lane. The Strawberry Lane Sewer Extension will advertise for bids later this summer. We are currently awaiting private utility relocates before construction can begin. Staff will be requesting approval to advertise the sanitary sewer replacement project on Larkspur, Lupine, and Violet Streets for bids at the June City Council Meeting.
- Kennedy Jenks Engineering and City Staff are continuing to work on the Wastewater Treatment Plant Facility Plan. This effort will also tie into the issuance of a new NPDES Permit (Issued by DEQ). Kennedy Jenks Staff and City Staff have held several meetings with representatives from Oregon Department of Environmental Quality (DEQ) to discuss timing of the issuance of the City's updated NPDES permit, and additional testing requirements being requested by DEQ to determine parameters of the updated permit. Staff has begun the additional testing (substantial over the next two years) to provide data to determine the parameters for the new NPDES Discharge Permit. The Masterplan and permit renewal project will likely take at least two years to complete.
- The Trees and Trails Committee will be providing an update to the City Council in July. This update will include items the Committee has been working on along with several recommendations to the City Council to direct Staff to pursue funding/construction of several trail segments. Staff has also requested an alignment change for the South Shore Trail Project to the Oregon Department of Administrative Services (State Agency in charge of the grant funding the project). This is being done to avoid conflicts with the large park grant for Cheadle Lake as well as not being able to obtain an easement from the property owners to the west of the park. We are still waiting for the appraisal report from the City of Albany for the property adjacent to River Park. Once we have received this, we will look at negotiating a price for this property.
- David Evans and Associates will begin work to update the sanitary sewer model in the area of the Champion Mill Site and the extension of Market Street. This is being driven by development/re-development projects in the area. They will be providing Staff with report identifying any deficiencies and needed upgrades to the sanitary sewer in this area.

- Emery & Sons Construction has completed installation of the sanitary sewer pipe on Airway Road and Stoltz Hill Road. Final paving and restoration is currently taking place and expected to be complete sometime in June. Sanitary Sewer Pipe is currently being installed between Stoltz Hill Road and Vaughan Lane. The most recent schedule indicates that Vaughan Lane will be closed to through traffic beginning in late June to continue pipe installation. A design change has been completed to allow for parking on the north side of Walker Road. This was originally designed for bio-swales in the original GMP, but after working with Oregon DEQ, Staff was able to use water quality catch basins to treat storm runoff, thus allowing the parking. Emery & Sons will be providing pricing for the design change in the next several months. The "Construction Map" that is on the City's website continues to be updated to help citizens wanting to know where/when construction is taking place, detour routes, and closures. Below is the current financial status of the project. This will be updated to reflect changes/additions that occur during construction.

Approved GMP Values		Contingencies Used to Date	
Construction Cost	\$18,029,671.95	Contractor Contingency	\$0
Contractor Contingency	\$398,026.75	City Contingency	303,250.50
City Contingency	\$995,066.86	Allowances Spent to Date	
Contractor Allowances	\$1,902,065.32	Trench Foundation	\$19,887.12
Total GMP Approved	\$21,324,830.88	Dewatering	\$150,849.98

- Staff has been actively working on our required TMDL update to DEQ. Over the course of the next year, we will be updating the City's Five-Year Matrix and submit it to DEQ for approval. The TMDL will require more extensive water quality efforts for storm drainage included in future projects and require testing of storm drainage outfalls in the near future.
- Staff is continuing to design the waterline replacement for Seventh Street (Oak to 'F'). As we have continued to develop the design, it has become apparent that the project will likely lead to a complete re-construction of this section of Seventh Street due to its very poor existing condition. Staff will be looking for various ways to fund the project for the 23/24 fiscal year. During the summer of 2022 City Staff will pothole existing utilities to determine conflicts and actual locations in an effort to provide the most accurate available information to contractors when the project goes out for bids.
- David Evans & Associates is currently wrapping up the final draft of the Drainage Master Plan. Upon completion, the final draft will be presented to the City Council for review and approval (likely in July 2022). Staff and representatives from David Evans will also be working on a new methodology for the Drainage Utility Rate Structure. This will likely take 6 to 8 months due to it being very time intensive.
- Engineering Staff is currently working on several small projects which include guardrail installation project on Berlin Road, pavement maintenance on Berlin Road, drainage pipe replacement on Leonard Street, updating our Pre-Treatment Ordinances, multiple sewer lateral replacements, and street speed reduction requests.
- Staff has issued a minor contract to Carollo Engineers to model the water distribution system in the southern quadrant of the City in order to identify deficiencies and provide proper pipe sizing for future development. We anticipate this work to be done by early summer. It is also possible that the work may lead to an update to the current Water Master Plan which would be presented to City Council for approval.
- The City is preparing for a new Traffic Signal at the intersection of Airport Road and Stoltz Hill Road. Kittleson Engineering is completing the signal design and Udell Engineering is completing the Civil Design for the City. This is in conjunction with the Applegate Landing Development which will extend Stoltz Hill north of Airport Road. This will be a joint developer, City, and Linn County project which was to be constructed in 2021; However, due to issues obtaining right-of-way and potential re-development of the Grandpa's Grocery, the project will likely not be constructed until late 2022 or early 2023. Linn County is currently in the process of obtaining the needed right-of-way (which may possibly have to go through eminent domain). Once the right-of-way is obtained, Staff and the Consultant Team will finalize the design and advertise for bids.

- Kittleson Traffic Engineers is currently under contract with the City to further study the Cascade Drive/Weldwood Intersection. A traffic impact analysis was done during the Planning Phase of the Colonia Paz development on Weldwood Drive to determine if any traffic mitigation measures would be warranted from the development. The TIA indicated several “recommendations” at the intersection of Weldwood and Cascade Drive (not necessarily related to the development). These include some channelization with striping and curb islands. Before completing these recommended improvements, Staff has requested that Kittleson determine if further mitigation (signal or round-about) will be warranted at this intersection. If additional mitigation will be needed in the future, Staff will likely present the findings to the City Council as an Amendment to the current Transportation System Plan.
- Staff has issued several minor contracts associated with the demolition of the Old Water Treatment Plant. These include environmental review, archeological review, and overall site demolition plans. Once these are complete, Staff will be working with Carollo Engineers to develop final plans to demo the existing structures. This will likely take a year as we will need to work with multiple state agencies and the City of Albany.
- Staff has submitted an alignment change to Oregon Department of Administrative Services (Agency that is overseeing the grant funds) for the South Shore Trail Project. The new alignment will be incorporated into the large Cheadle Lake Park Project so as not to conflict with those improvements. Staff was also unable to secure a needed easement across private property based on the initial alignment. Design will begin in conjunction with the Cheadle Lake Park Improvements project.
- Staff has met with ODOT representatives to discuss the Dewey Street/HWY 20 Realignment Project. The next step is a meeting with all stakeholders for the project (ODOT, Linn County, City of Lebanon) to scope the project. Based on timing of available ODOT funding, the project will not be constructed until 2024. City Staff has put funds away in reserves for the project and Linn County has verbally indicated willingness to participate in funding of the project.
- Staff will be advertising the Rapid Flashing Beacon Project on Tennessee Road (At Beaton Lane) for bids in the next several weeks. This project will install push button flashers for pedestrian crossing of Tennessee Road at the Mark Slough Trail. The roadway alignment makes it difficult for motorists to see pedestrians. This will be very similar to the pedestrian crossing on River Road at the South Shore Trail.
- Mill Race Apartments Complex Phase I, two buildings granted temporary occupancy. Contractor working on building 3.
- Paventy & Brown Orthodontics project on hold due to design changes.
- River Trail Place Subdivision on River Road public improvements complete and accepted.
- N 5th Street Apartment Contractor working on building construction, onsite utilities complete.
- Steven King site plan for Airport Road has been approved and building permits to be issued.
- Applegate Landing and subdivision project accepted and home construction underway.
- McKinney Phase II apartment complex off of Russel permit issued for northern buildings. Contractor completing onsite construction and water main extension.
- Colonia Paz Phase 1 building A temporary occupancy while contractor working on punch list.
- Colonia Paz Phase II water main construction complete and contractor working on additional buildings.
- Primrose Place, multifamily development on the corner of Primrose/ Taylor and Alder on hold per developer.
- Site plan review complete and returned to the engineer for revisions for a new apartment building off of S Main south of Walker Road.
- Latimer Storage site plan received and approved to construct a new storage building; additional fire hydrant will be required.
- Phillip Estates public improvement permit complete, contractor working on utility extension along Kees Street.
- Teen Challenge sewer extension public improvement permit complete, contractor working on connection with existing sewer main.
- Plans approved for the parking lot expansion at Nova Urgent Care.
- Plans reviewed and returned to engineer for Dairy Queen.
- Plans reviewed and returned to engineer for additional comments for Slab Town investments.

- Construction underway, public improvement permits issued for CAM Flats subdivision and multi-family off of 12th Street & Leonard. Sewer and water main complete along 12th street. Contractor to start on storm main extension.
- Vaughan Lane half street improvements public improvement permit complete, contractor working on sewer connection.
- Vaughan Lane Apartments site plan approved, contractor working onsite utilities.
- Plans approved for Freedom Estates, townhomes off of Jadon Dr.
- Plans received and under 2nd review for Hickory Lake Apartments off of Airport Road.
- Traffic impact analysis for new subdivision off of W B Street & 7th.
- Plans received and comments back to engineer for revisions for new subdivision Cheadle Lake Estates off of River Road.

V. **FINANCE SERVICES – Cassandra Headley, Accounting Manager**

- **Accounts Payable:**
 - FY21/22 payments made May 2022; 297 Checks were processed for payments of \$6,529,152, which includes debt payments made.
- **Payroll:**
 - Payroll was processed for 120 employees (including full-time, part-time and temporary) as well as payments to council.
- **Additional:**
 - Continuing to work with Public Works and IT to get service orders integrated between utility billing software and Dude Solutions the maintenance management system.
 - Training started for fraud and cash handling to all departments receiving payments.
- **Utility Billing for May 2022:**
 - 5,490 Billing statements mailed by the end of May = \$948,191
 - Active accounts: 6,422
 - 249 Owner Lien notification letters were mailed. 812 monthly accounts were charged a late fee on 5/19/2022.
 - On 5/12/2022 241 phone calls went out to notify of pending service shut off if bills were not paid by 5/17/2022.
 - 80 water meters were locked off on 5/17/2022 due to non-payment. 71 were reconnected the same week. There was 3 same day after hour reconnects at no additional charge.
 - CSC has continued to send pledges for customers utility payments.
 - Message on Utility Billings Stated: *Please do not flush any flushable wipes. They create serious blockage in the sewer lines and create issues in your home sewer lines. Don't dispose any cooking fats, oils, grease, or other household waste as they also create blockage. Only normal human waste, toilet paper and liquids should be drained.*
 - Total of 331 Service orders: 11 read request, 80 Lock offs, 0 Turn offs, 16 Turn on, 53 Move Outs, 71 Move ins, 75 reconnects, 1 Returned Mail, 11 Leak Checks, 0 Pressure Test, 4 Meter Change out, 3 New Meter Installations, 1 Quality Checks, 0 Door Hangers, 1 Dead meters, 4 misc. other.

Utility Billing Data

	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22
Active Accounts	6,356	6,360	6,363	6,374	6,392	6,396	6,398	6,404	6,405	6,408	6,412	6,412	6422
Penalty Applied	897	730	938	863	1,146	994	781	1,075	587	685	708	610	812
Lock Offs	87	104	64	75	68	83	104	0	158	85	94	53	80

Municipal Court Data

	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22
Charges Filed	179	171	116	160	106	70	125	87	113	68	159	113	111
Show Cause Issued	54	61	56	57	57	48	50	50	54	49	52	39	37
Licenses Suspensions Issued	11	32	22	25	21	19	36	28	27	22	17	17	13
Warrants Issued	137	184	145	150	202	111	102	112	169	116	56	107	113
Charges Disposed	84	175	172	189	153	126	143	114	179	117	118	105	97

VI. INFORMATION TECHNOLOGY SERVICES – Brent Hurst, Director

- The IT Department worked with Public Works to integrate the Public Works work ticketing system with the City financial system to streamline Water hookups and disconnects.
- The IT Department worked with Public Works to bring the Water Treatment Plant into the work ticketing and asset tracking system used by the City.
- The IT department is assisting with the moving of fiber, wiring, and security equipment at City Hall in preparation for an office switch.
- The IT Department worked with the City Recorder's office to complete public records requests.
- The IT Department worked with the Library to renew the patron printing system contract, perform upgrades to it, and to obtain a new self-check station.
- The IT Department has continued to work with LFD on the Station 31 New Firehouse build.
- The IT Department worked with LFD to move two offices and computer equipment with staffing changes.
- The IT Department worked with LPD to onboard their new dispatcher and offboard a police officer.
- The IT Department worked with Senior Center Director to onboard/offboard multiple employees for the Senior Center.
- The IT Department worked with LPD to adjust the extensions on phones within the jail.
- The IT Department is preparing for a Police CAD software update and has been meeting with Police and the CAD vendor.
- The IT Department has been coordinating a new Police body cam and vehicle upgrade with the Police Department and the City Manager.
- The IT Department worked with City County Insurance to review new policies and requirements for Cyber Insurance for the new fiscal year.
- The IT Department worked with Senior Center staff to fix camera issues on a LINX bus.
- GIS continues work on the Water Utility Network Dataset migration project.
- GIS completed monthly tax lot updates from the county.
- GIS continued work on the Storm Drainage Utility Rate Project with Engineering and Finance.
- The IT/GIS Department has addressed multiple other normal break-fix issues, equipment replacements, and maintenance renewals for IT.
- During the past month, the IT/GIS Department closed 391 tickets or work orders. This includes system generated tickets that needed analysis and resolution in addition to end user requests for help.

VII. LIBRARY – Kendra Antila, Director

- We have made the necessary changes to our ILS to allow children's materials to circulate without accruing late fees. We're testing to make sure there are no glitches and will make a public announcement to coincide with our Summer Reading kickoff on June 1st.
- We will have a second round of interviews this week to fill an open part-time position.

- Circulation rates for the month of March were the highest we've seen this year. April statistics continued that trend – slightly less than March (which included lots of Spring Break activity) but the second highest we've seen since last summer.
- As mentioned above, Summer Reading 2022 kicks off June 1st and we anticipate high levels of participation now that pandemic protocols have eased and we're able to offer in-person programming.

VIII. POLICE – Frank Stevenson, Chief of Police

- For the month of May 2022, the Patrol Division had approximately 1,434 calls for service, made 110 arrests, issued 41 traffic citations, and wrote 186 case reports.
- As of May 26, 2022, 105 individuals were booked and released, brought to Lebanon Municipal Court or Linn County Court, transported to/from Linn County Jail, or sentenced to the Lebanon Jail. A combined 89 days were served by the adults in custody (AIC) in the Lebanon Jail.
- For the month of May 2022, the work crew comprised of adults in custody worked a total of 63 hours – their projects consisted of cleaning, sweeping, scrubbing and mopping the jail, as well as cleaning the Municipal Court's lobby located within the Justice Center, saving the City of Lebanon an average of \$800.00.
- We had one adult in custody attempt to escape while out on work crew. He was quickly captured and received additional charges. He is now housed at the Linn County Jail.
- The Detectives Division remains busy with involved cases. They were assigned seven (7) new cases and were able to clear a total of five (5) cases resulting in arrests. They continue to work child abuse cases coming into the unit, as well as fielding ICAC cyber tips being added to their files for investigation. Staff reviewed eighty (80) DHS referrals over the course of the month.
- A traffic safety class was conducted this past week for participants who either received a citation for cell phone use or for failure to use their seatbelt (the class is offered to first-time offenders).
- There was a total of five (5) use-of-force incidents to report during the past month, but no injuries to officers or subjects involved. One subject eluded officers in a vehicle, and then attempted to run away on foot from the vehicle; officers quickly apprehended the suspect by pointing a less-lethal Taser. The subject then stopped running and was taken into custody without incident. The second use-of-force incident involved a male subject who was trespassing and had outstanding felony warrants. He took a fighting stance when he was contacted; officers pointed a less-lethal Taser at the male subject, who decided to cooperate, and was taken into custody. The third use-of-force involved a male subject who eluded officers in a vehicle and ran from the vehicle he was driving, hiding in the backyard of a residence. Officers located the male suspect and pointed their handguns at him, as he was not complying with commands; the male suspect eventually complied and was taken into custody without incident. The fourth use-of-force incident involved a male subject who was experiencing a mental health episode and had assaulted someone during a domestic disturbance; upon officers' arrival, the suspect became aggressive and combative. Officers pointed a less-lethal Taser at the suspect, who then complied and was taken into custody. The fifth use-of-force involved an intoxicated subject who was a passenger in a hit-and-run crash. The subject took an aggressive stance with officers and failed to comply with verbal commands. Officers grabbed the subject, pushed him against a wall, and then placed him face-down onto the ground where he was taken into custody. All use-of-force incidents are reviewed extensively by a Sergeant, Lieutenant, the Captain, and finally by the Chief. Each incident was found to be justified and handled in accordance with policy.
- This month, we had two incidents where Narcan was administered successfully on subjects that had overdosed on morphine/fentanyl. Both subjects survived due to the quick action taken by responding officers.
- After an extensive search, testing, interviews, background check and psych/medical check, I am very happy to announce that we have filled our recent full-time position for Communication Specialist. She began her career with LPD early this month.
- We conducted interviews for six (6) police officer candidates who have tested for and successfully passed both the ORPAT (physical test) and written test portions of the recruitment process. Out of those six, two participated in

executive interviews and were given conditional offers of employment pending successful passing of an extensive background, physical test and psychological test.

- This month it was announced that two of our officers, Officer Stein/K9 Taz and Detective Glover, will be honored at this year's Hero's Day during the Strawberry Festival in June.

IX. **PUBLIC WORKS** – Jason Williams, Director

A. **Collections (Sanitary-Storm)**

- Started inventory process for year end.
- Continued utilizing the new Asset Essentials program to complete work orders.
- Assisted the Water crew with many service-line repairs.
- Cleaning and televising sanitary and storm sewer continue.
- Cleaned and cleared catch basins to prevent blockage.
- Continuing with ditch mowing and cleaning.
- Located sewer lateral connections for contractors.
- Assisted the Wastewater Treatment plant with the Vactor cleaning out the basin.
- Continued I and I investigations on the existing westside interceptor. The collections crew has spent the majority of their time with this investigation.

B. **Parks**

- Prepared Cheadle Lake grounds for upcoming summer events.
- Opened, closed and cleaned parks restroom buildings daily.
- Completed landscaping rounds in all parks and school district properties.
- Chemical applications have been made in parks and school district property for weed control.
- Applied chips in landscape areas as needed to eliminate hand work.
- Trails have all been swept.
- Daily vandalism control/repair.

C. **Streets**

- Street sweeping continues including sweeping for the City of Halsey and Brownsville.
- Provided road closures for contractors.
- Completed sign maintenance as needed.
- Completed a round of cold mix pothole patching.
- Continued mowing in the rights-of-way.
- Continued grading of City maintained alleyways.

D. **Wastewater Treatment Plant**

- Effluent water quality to the South Santiam River during the month of May and to date this month remains in full compliance with the city's Oregon DEQ discharge permit. We had a QA/QC failure with dilution water which led to a GGA failure. All lines from our filtration system have been replaced. A new glassware washer is now installed which should help with any glassware issues moving forward. These will be noted in report to DEQ.
- The Belt Filter Press is completed and Tech from Or-tec was onsite to commission the press and provide technical training. We are making belt press sludge but still have some small issues with polymer dosing that should be alleviated and allow us to improve efficiency moving forward.
- Digester #1- mixer 1 has stator for the motor rebuilt and now back in operation. Center mixer has been repaired and running well. Influent pump #1 has a new cord to replace existing cord that had a deep cut in it.
- Bio solids application at Sommers field for Brian Nelson is completed and was a very successful season. We applied 758,400 gallons of biosolids for the season. Next application for bio solids will be early July on Koos fields.
- Influent flow for the month as of 5/24/22 is averaging 6.522mgd (6,522,000 gal/day) and we have had 4.03 inches of rain for the month as well. We had one day of 9.065 mgd on 5/07/22.

- We are in our 5th month for toxic monitoring now and going well. We have 5 more months remaining for the copper biotic ligand model testing and 1.5 years remaining for toxic testing.
- The City of Lebanon is engaged in a comprehensive 3–5-year wastewater engineering and expansion program to not only address current conditions but to also meet the City of Lebanon’s project growth for the next 30-years. Kennedy/Jenks Engineers are under contract with the city of this important work.

E. Water

- Started inventory process for year end.
- Meter reading has been completed.
- Daily water service orders including, leak checks, locates, taste and quality issues, water samples and other customer concerns continue.
- The crew paved and replaced concrete after new or leaking water services were placed.
- Completed requested locates.
- Changed out failing meter boxes and dead meters.
- Replaced and repaired water main breaks.
- Worked on the water maintenance list.
- Vehicle Maintenance.
- Worked daily on service line leaks.

F. Water Treatment Plant:

Production	
Monthly Water Use (Intake Flow Meter)	59.68 MG
Finish Water Produced	55.75 MG
Water Sent to Cheadle Lake	0 MG

Water Quality					
Finish Chlorine			CT Basin Turbidity		
Min > 0.20 mg/L	Max < 4.00 mg/L	Average ~ 1.00 mg/L	Min	Max < 1.000 NTU	Average
0.58	1.43	1.09	0.019	0.032	0.023
Finish pH			Filtrate Fluoride (Average of Each Day)		
Min > 7.00 pH	Max < 9.00 pH	Average	Min	Max < 4.00 mg/L	Average ~ 0.70 mg/L
7.36	8.13	7.53	0.23	1.07	0.66

Water Treatment Plant Maintenance/Operations:

- WTP Intake Screen clogged 5/6 through 5/8. City had to hire emergency divers to inspect screen because water was too murky and deep. After the diver’s pressure washed the screen, water was able to enter the Intake at a normal pace. Clog was likely caused by Foster Dam flow increasing too quickly. Jason Williams and Nancy Brewer are speaking with Army Core of Engineers on how to prevent this in the future. A lot of manpower was used to correct this issue. Thanks to everyone involved for their integrity and quick response time to get it resolved.

X. SENIOR SERVICES and LINX – Kindra Oliver, Director

- LINX Transit’s new Brownsville Connector service is set to start Tuesday, June 7th. We have a town meeting in Brownsville, with their community partners on June 2nd, and will get the information out to the public. The service will run every Tuesday and Friday, shuttling riders to and from Brownsville and Lebanon, for shopping, medical

appointments, dining out, social activities and other personal business. Lebanon seniors have also expressed interest in getting to go to lunch or visit the museum in Brownsville, on a sunny afternoon. This new service is funded through the Statewide Transportation Improvement Fund (STIF).

- The number of LINX Transit rides continues to increase and we've had record setting days. LINX Loop is also growing in popularity and younger riders are using the fixed stops to catch the bus. Approximately 22% of riders are 59 years and younger, which used to only account for approximately 7% of total rides just a few years ago.
- We have added a new, free, exercise class to our roster of activities called Easy Cardio, which is quickly gaining popularity. Cribbage and a few other groups have returned to the Senior Center as volunteers have been stepping forward to host games. Our Wednesday afternoon Bingo group remains very popular, and we often see 25 or more participants. Bingocize, Friday movie, Card Crafters, the Tuesday Master Gardener talk and Move to Music are also seeing increases in participation.
- On May 24th, we hosted a dessert and live music opportunity for seniors in our community. We had approximately 50 seniors and volunteers come out to enjoy the experience, including some new seniors in the area. Seniors that have moved to town during the pandemic have felt very isolated and disconnected from the community. Events like this will help them meet new people and make new connections, which is an important tool in combating isolation and depression.

CITY OF LEBANON

Public Testimony / Comment Card

Name: Tana Nicholson 2+

Address: _____

Phone: 541-223-1091 Date: 6-8

Subject of Testimony: Budget Question

Position on Issue: Pro Con

I represent: Myself Other _____

CITY OF LEBANON

Public Testimony / Comment Card ✓

Name: Marcellus Angel Ford

Address: 345 Rose Dr.

Phone: (918) 863-5811 Date: 6/8/2022

Subject of Testimony: Thank the Mayor

Position on Issue: Pro Con

I represent: Myself Other _____