

CITY OF LA GRANDE

Planning Commission Meeting

Regular Session

September 14, 2021

6:00 p.m.

Zoom Meeting

La Grande City Hall
1000 Adams Avenue

MINUTES

COMMISSIONERS PRESENT:

James Hickey
Liberty Avila
Dave Felley
Ann Morrison

COMMISSIONERS ABSENT:

Bruce Weimer

STAFF PRESENT:

Michael Boquist, City Planner
Kendra VanCleave, Planning Secretary

DISCUSSION/DISPOSITION

CITIZENS PRESENT:

Teresa Uriarte

CALL TO ORDER/ROLL CALL

HICKEY, Chair, called this Regular Session of the Commission to order at 6:00 p.m. and conducted a Roll Call; a quorum was determined to be present.

The Agenda was approved as presented

AGENDA APPROVAL

CONSENT AGENDA

AVILA introduced the following Motion, with FELLEYY providing the Second.

MOTION: That the Consent Agenda be approved as presented for the July 13, 2021 meeting.

PUBLIC COMMENTS

MSC: Unanimous

NONE

NEW BUSINESS

NONE

PUBLIC HEARING

- a. Conditional Use Permit
File Number: 11-CUP-21
Teresa Uriarte

(PUBLIC HEARING OPENED 6:02 PM)

HICKEY asked for the Rules of Order to be Read.
There were no declarations or challenges.

HICKEY asked for the staff report.

BOQUIST opened with the application requesting the operation of an air bnb.

1. The subject property is developed with a single-family dwelling, which includes 2 bedrooms and 938 square feet of living space. The property is located on the corner of Fir Street and Court Avenue, which provides access to 3 off-street parking space. One (1) parking space is located within a private driveway off

Fir Street, and two (2) parking spaces are located within a private driveway off Court Avenue. Additional parking is available on-street along Fir Street if needed.

2. The property is zoned Medium Density Residential (R-2). Bed and Breakfast Inns are permitted by Conditional use Permit only, under Land Development Code Ordinance 3252, Series 2021, Section 2.2.005(C)(9).

3. Under LDC Article 1.3, the City of La Grande defines all residential home or room rentals of less than 30 days as a lodging use. The City does not have a specific definition or category for Air BnBs, VRBOs, and other short-term rentals. Under Section 2.1.003 these uses are classified under a "closest fit" evaluation, which for all short-term lodging (30 days or less), they are considered bed and breakfast inns.

BOQUIST continued with the review criteria:

A. That the use is conditionally permitted in the zone in which it is proposed to be located.

Finding: The subject property is located within a Medium Density Residential (R-2) zone. Bed and Breakfast Inns are permitted by Conditional use Permit only, under Land Development Code Ordinance 3252, Series 2021, Section 2.2.006(C)(9).

As defined under LDC Article 1.3, a Bed and Breakfast Inn is limited to five (5) sleeping guest rooms (aka bedrooms). This request includes a two (2) bedroom dwelling. This standard is met.

B. That the proposed development is timely, considering the availability and adequacy of the transportation system, and public facilities and services.

Finding: This criterion generally applies to areas where City standard improvements are missing (e.g., no streets, sidewalks, water, sewer, etc.) and where large projects require the extension or widening of streets and/or constructing other infrastructure improvements. For this request, the subject property is located along Fir Street, which is a fully developed street meeting all City standards. The use of the existing dwelling as a B&B will not require any new public infrastructure or services. This criterion is satisfied.

C. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not have significant adverse effects on the use or development of abutting

properties or surrounding neighborhood with uses permitted in the underlying zone.

Finding: When determining conformance with this criterion, attention should be focused on the "location, size, design and operating characteristics" of the proposed use. In this case, the proposed B&B includes the use of the entire single-family dwelling. The use of a dwelling unit as a bed and breakfast has previously been considered by City staff and the Planning Commission has having similar occupancy impacts as a single-family dwelling, but potentially to a lesser extent as BnBs typically have a lower or intermittent occupancy rates. The surrounding neighborhood predominantly includes single-family homes, but also includes some multi-family (duplexes) dwellings, some commercial uses (Anderson-Perry), and other Bnbs.

The applicant's narrative explains their operational intentions, as well as meeting the off-street parking requirements. This standard is met.

BOQUIST added, there was a comment from a former Commissioner on a preceding application that if there are too many B & B's in a neighborhood that it changes the characteristic of the area however, currently there isn't a standard on this for these criteria, but the Commission could discuss.

MORRISON asked if the proposal house is a two bedroom or three bedroom, the staff report references both and if it makes a difference. BOQUIST responded that the application is for a two bedroom and will need to revise the staff report to reflect that. The parking is affected by how many bedrooms. One space per bedroom is required off street.

MORRISON asked about the density zone, one area of the staff report references an R2 zone and an R3 and if that makes a difference. BOQUIST responded that the subject property is in an R2 zone and it doesn't make a difference on zone, because all residential zones allow a B & B by a conditional use permit. The staff report will need to be revised to reflect the correct zoning.

MORRISON asked how many required sleeping rooms are being requested and if the approval is automatic or still up for discussion. BOQUIST indicated that the application is proposed to use the entire house as the air bnb and the house is a 2 bedroom therefore two sleeping rooms. BOQUIST responded that the approval is subject to discussion, if the Commission were to deny or add a condition of approval, the Commission has to develop findings of what standard under the review criteria has not been met or impacted.

HICKEY asked for testimony from the applicant.

URIARTE indicated that she has talked to most neighbors and all were ok. She will rent between a one night to ten days. Off Court Street is a driveway where a garage is located where guests can park in the driveway and then there is a driveway on the Fir street side that mirrors the owner next door. Additionally, she commented that this proposal is not a B & B but a vacation rental as she doesn't serve breakfast and as the Commission is updating the code, to look at addressing that.

MORRISON asked if the use goes with the property or the owner if ownership changes. BOQUIST responded that the conditional use permit lives with the property until the use is abandoned.

HICKEY asked for testimony in favor, neutral or opposition to the application. There were none.

HICKY invited Commission discussion. Commission discussed that this application is like the others that were approved.

(PUBLIC HEARING CLOSED 6:25 P.M.)

HICKEY introduced the following Motion with FELLEYY providing the Second.

MOTION: I move that the Finding of Fact and Conclusions set forth in the Draft Decision Order be amended that the staff report be revised to reflect this application is a 2-bedroom house and in the R2 zone and that the Conditional Use Permit be approved.

USC: Unanimous

NONE

UNFINISHED BUSINESS:

None

CITY PLANNER COMMENTS:

BOQUIST commented starting code amendments next month in response to the housing production strategy. There are 7 strategies that have a number of different amendments to housing. Also state aw changes to go with affordable housing we have to comply with. Additionally anticipating dealing with the B & B situation. Currently many cities including La Grande all short-term rentals are labeled as B & B's, but a lot of them are not true B & B's. Discussion regarding this standard to possibly differentiate between the two.

BOQUIST continued that he is doing research in other cities, specifically Bend on other models of short term rentals. As the Commission discusses B & B's what does the Commission envision to draft into code amendments. BOQUIST added also that as the

Commission discusses this subject to keep in mind drafting a defensible standard.

HICKEY asked how the code amendment process works. If anyone can submit for an amendment. BOQUIST responded that only the City can initiate a code amendment, but anyone can submit for a recommended amendment, as the City considers, they may or may not initiate.

HICKEY recommended if anyone is doing research to look up tourist towns, because that is where there will be the strictest guidelines.

AVILA commented that there are two different kinds of rentals, an entire house or where owners rent out a room. The shared space is less problematic she feels rather than taking away an entire house off the market.

BOQUIST commented at a Planning Commission level to start the discussions of suggested amendments through a series of work sessions between now and February and if there are applications to review you could adjourn to a work session.

There was consensus for the October meeting that if no applications are received to have a work session to start the discussion process.

FELLEY asked if there is a running total of active B&B. BOQUIST commented that through CUP tracking and the tracking through finance and the TRT money, there are about 20 or so.

HICKEY commented that at the end of the year he has to step off of Planning Commission, but would like to provide input as these discussions continue into the next year as a citizen.

COMMISSIONER COMMENTS

There being no further business to come before this Regular Session of the Commission, HICKEY adjourned the meeting at 7:07 p.m. The Commission is scheduled to meet again in Regular Session, Tuesday, October 14, 2021 at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

ATTEST:

Kendra VanCleave
CEDD Secretary
Date Approved:

APPROVED:

Chairperson