

# CITY OF LA GRANDE

## Planning Commission Meeting

### Regular Session

May 10, 2022

6:00 p.m.

### City Council Chambers

La Grande City Hall  
1000 Adams Avenue  
**MINUTES**

#### **COMMISSIONERS PRESENT:**

Liberty Avila, Chair  
Ann Morrison, Vice Chair  
Dave Felley

#### **COMMISSIONERS ABSENT:**

#### **STAFF PRESENT:**

Michael Boquist, City Planner  
Kendra VanCleave, Planning Secretary  
Stu Spence, Parks and Rec Director

#### **DISCUSSION/DISPOSITION**

#### **CITIZENS PRESENT:**

Charlie Tracey  
Rich Daniels  
Julie Keniry

#### **CALL TO ORDER/ROLL CALL**

AVILA, 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 amended to clean up a minor error on last page.

#### **AGENDA APPROVAL**

MORRISON introduced the following Motion, with FELLEY providing the Second.

#### **CONSENT AGENDA**

**MOTION:** That the Consent Agenda be approved as amended for the March 8, 2022 meeting.

#### **PUBLIC COMMENTS**

**MSC:** Unanimous  
NONE

#### **NEW BUSINESS**

##### **PUBLIC HEARING**

- a. Conditional Use Permit  
File Number: 04-CUP-22  
Julie Keniry

NONE

##### **(PUBLIC HEARING OPENED 6:05 PM)**

AVILA asked for the Rules of Order to be Read.  
FELLEY stated that he is a friend of the applicant.  
There were no challenges

AVILA asked for the staff report.

BOQUIST opened with the application to allow for the operation of an air bnb.

1. The subject property is developed with a single-family dwelling that includes three (3) bedrooms.

The applicant proposed to use a guest room within the daylight basement for the Air BnB.

2. The City's land use code requires two (2) parking spaces for the single-family dwelling, and one (1) parking space for the guest sleeping room. The applicant's submittal discusses the property as having four (4) parking spaces.
3. The property is zoned Hillside Development (HD). Bed and Breakfast Inns are permitted by Conditional use Permit.
4. 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. 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 residential Hillside Development (HD) zone. Bed and Breakfast Inns are permitted by Conditional use Permit only. This request includes one (1) guest bedroom which is located within a daylight basement. 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: The use of the guest bedroom within the existing dwelling as an Air BnB will not require any new public infrastructure to be constructed. 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 Air BnB includes the use one (1) guest bedroom which is located within a daylight basement as a vacation rental.

For this request, the applicant will continue to live in the home as their primary residence and only intend to rent their guest bedroom as a BnB. The applicant feels this request is a compatible use within the surrounding neighborhood, and does not anticipate any adverse impacts being caused by the rental of their guest bedroom.

AVILA asked for testimony from the applicant. There was none.

AVILA asked for testimony in favor, neutral or opposition. There was non

#### COMMISSION DISCUSSION

MORRISON commented the application meets all the criteria and being owner-occupied seems less problematic.

FELLEY also agrees that the application is less intrusive.

#### **(PUBLIC HEARING CLOSED 6:10P.M.)**

FELLEY introduced the following Motion with MORRISON providing the Second.

**MOTION:** I move that the Finding of Fact and Conclusions set forth in the Draft Decision Order be adopted and that the Conditional Use Permit be approved.

**USC:** Unanimous

#### **(PUBLIC HEARING OPENED 6:11 PM)**

AVILA announced that the rules of order were read in their entirety at the first public hearing and asked for Commissioner declarations and challenges. There were none.

AVILA asked for the staff report.

BOQUIST opened with the application to allow a 250 KW ground mount solar farm.

1. The subject property is located on the South side of Adams Avenue, East of Bi-Mart. The property extends from Adams Avenue, South to Gekeler Lane.
2. The solar farm project is proposed to be developed within the Northerly portion, with the remainder of the property remaining vacant.

- b. Conditional Use Permit  
File Number: 05-CUP-22  
Oregon Trail Electric

3. The property is General Commercial. *Electrical Generation Facilities* are permitted by Conditional use Permit only,

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 General Commercial (GC) zone. Electrical Generation Facilities are permitted by Conditional use Permit

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

Finding: For this request, the project will not require any new public infrastructure to be constructed. The project will not include any on-site works, other than during maintenance visits. The site will be access via an existing driveway off Adams Avenue (Hwy 30). Other than access of the State highway, no improvements are proposed or needed that affect public infrastructure. 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: The applicant's narrative states that the proposed project will not have any adverse effect on the use or development of abutting properties. The project has a short construction timeline and once constructed will generate very little traffic, estimated at one trip (maintenance visit) per month.

BOQUIST stated no public comments were received other than inquires on solar glare and was found to not have any impact.

AVILA asked for testimony from the applicant.

Charlie Tracey (Director of Engineering) stated that a few years ago OTEC surveyed members on interest for alternative energy. Supply currently is 85% renewable, 95% carbon free. There has been a growing interest on access to alternatives and saw as an opportunity on a solar farm to sell subscriptions. The project is relatively small and should be available later this fall.

MORRISON asked what source is the 85% renewable energy. Tracey responded the source is entirely hydro.

MORRISON commented she read the in the application is a kit and who will install. Tracey commented that there will be a local contractor to install it.

FELLEY asked what the field before. Tracey responded the property is adjacent to the substation off Gekeler Lane. OTEC has owned since 1998. The intention was to eventually use that for an expansion, but has been open ground.

FELLEY asked about vegetation maintenance. Tracey says they plan to keep a low line fescue and keep it natural with minimal pesticide use.

MORRISON asked what percentage is OTEC energy from the 250 KW solar farm. Tracey responded that is is a very very small percentage.

MORRISON asked how will the subscriptions work. Tracey responded the concept is that a member buys the subscription and then enjoys the output of the ray as a line item on their bill over a period of time. If a member bought 1% of a share then they will enjoy 1% of the output monthly and is open to all members in all districts. Opportunity to prebuy the output and allows the person to lock in at today's rates and enjoy the output and a credit on your bill and is transferrable it you move.

#### COMMISSION DISCUSSION

There was consensus that the application meets the criteria.

#### **(PUBLIC HEARING CLOSED 6:24P.M.)**

MORRISON introduced the following Motion, with FELLEY providing the Second.

**MOTION:** I move that the Findings of Fact and Conclusions set forth in the Draft Decision Order be adopted and that the Proposed Conditional Use Permit be approved.

**USC:** Unanimous

#### **(PUBLIC HEARING OPENED 6:25 PM)**

- c. Comp Plan Amendment Goal 8  
Parks and Rec Master Plan  
File Number: 01-CPA-22  
City of LaGrande

AVILA asked for the rules of order to be read.

AVILA asked for the staff report.

BOQUIST opened with the application of the repeal of the existing Parks & Recreation Master Plan and the adoption of a new Parks & Recreation Master Plan. This is a state requirement and intent is what is the

long range vision and plan. Exhibit B & C in staff report outline the state law requirements and city requirements on what needs to be included in the plan (map, inventory, programs) and what direction to go, this plan is over 5 year period. First part of the process is a very public process where you have surveys and several pre meetings then consolidate into the plan and this is the first legal part of the process to make a recommendation to the Council who will then be reviewing this plan for approval. There are a number of goals geared toward enhancing/expanding park programs to specific properties, reference for a need for more parks and that looking into an advisory committee to help identify prproperties as they come availavle. If a developer comes to the City they send them to the parks deparment on whether a park is needed. Additionally, some of the park improvements in the plan are partially funded by system development charges collected for any new development.

FELLEY asked if a developer comes in they get sent to Stu and related to SDC. BOQUIST responded there is a map that identifies certain areas that is needed a park and if a developer comes in within the area of need, that property will have to pay \$525 for each unit and instead of paying the fee, they could put in a park if it is a large development. Currently the Sunnyhill Subdivision applicants don't have to pay a fee since the developer put a park in and essentially waived the system development charage.

AVILA asked for testimony in favor. There was none.

AVILA asked for testimony neutral.

Rich Daniels commented he has a house on Umatilla Street. He had concerns about the road and if a park was developed the road needs to be fixed currently polt holes and no maintenance being done. Another concern are plum groves growing along the road and has restricted the travel side by side. One the state highway there is a massive amount of run off that comes down into a ditch causing erosion and a culvert should be installed.

A comment from the audience added that there are parking issues on Umatilla and people drive on the gravel sides and not on road because the road is bad.

AVILA asked for testimony opposed. There was none.

SPENCE commented on some of the highlights of the plan. It includes indoor facilities for youth and teens, riverside playground replacement. Youth and teem prgrams and Eastern part of La Grande is in need of a

park. Additionally there was good participation in the public process.

BOQUIST commented on the neutral testimony on the road that it is a Public Works conversation. Possible if Pioneer Park went through an improvement that there might be road improvements, but not sure if the grants and funding can be applied toward that. SPENCE agreed that it is a terrible road but not sure where it is on the priority list.

AVILA commented she read in the plan that there is a possibility of the rec center attached to pool property or Pioneer Park. SPENCE responded that was one of the ideas presented at Parks Commission.

#### COMMISSION DISCUSSION

There was consensus that the proposal be recommended.

#### **(PUBLIC HEARING CLOSED 6:49P.M.)**

FELLEY introduced the following Motion, with MORRISON providing the Second.

**Motion:** I move that the Finding of Fact and Conclusions set forth in the Draft Decision Order be adopted and that the Proposed Comprehensive Plan be Recommended to the City Council for approval.

**USC:** Unanimous

#### **OLD BUSINESS:**

#### **CITY PLANNER COMMENTS:**

BOQUIST commented the next meeting will be June 14<sup>th</sup> and have potentially up to 5 applications for air bnb.

MORRISON commented if a moratorium was placed on air bnb by Council it lasts 6 months. BOQUIST commented yes, but it might be better to have a joint work session on the topic of air bnb. Part of the issue is trying to justify what the impact is.

FELLEY commented if a moratorium was placed does that trigger a code amendment. BOQUIST responded yes if a moratorium is placed triggers code amendments on how to solve the issue. Additionally, the current code amendments going through with work sessions will start the hearing process next winter.

There was discussion air bnb; defining neighborhood compatibility and how air bnb are changing the character of a neighborhood, making whole house not allowed, each time an air bnb is approved it is another house off the market. MORRISON asked if there could

be language on air bnb for the next work session. BOQUIST commented he could work on it.

BOQUIST commented after the housing part of the current code amendments the next item for work session will be streets and road standards. Following that EOU has a number of changes more campus oriented and how City parking standards influence their projects on campus.

**COMMISSIONER COMMENTS**

MORRISON asked where in the code is carports and why is it required. BQOUST commented carports are more considered covered parking and it is in 2 sections of the code. In the SFD design standards and also in SFD, MFH section. The reason came in the late 90's relating to MH and a shift in state law in how MH were treated and cant be discriminated against. Create a more equitable standards between MH and SFD. Effort to develop standards and what can MH have as features without discriminating that applies to both.

There was discussion on possibility of eliminating covered parking. BOQUIST responded to make a note to have the conversation.

**There being no further business to come before this Regular Session of the Commission, adjourned the meeting at 8:00 pm. The Commission is scheduled to meet again in Regular Session, Tuesday, June 14, 2022 at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.**

**ATTEST:**

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**Kendra VanCleave  
CEDD Secretary  
Date Approved:**

**APPROVED:**

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**Chairperson**